

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico, Virginia, held in the
2 Board Room of the County Administration Building, Parham and Hungary Spring Roads at 7:00 p.m. on
3 September 12, 2002, Display Notice having been published in the Richmond Times-Dispatch on August
4 22, 2002 and August 29, 2002.

5
6 Members Present: Mr. Allen Taylor, P.E., C.P.C., Chairperson, Three Chopt
7 Mr. E. Ray Jernigan, C.P.C., Vice Chairperson, Varina
8 Mr. C. W. Archer, C.P.C., Fairfield
9 Mr. Ernest B. Vanarsdall, C.P.C., Brookland
10 Mrs. Lisa D. Ware, Tuckahoe
11 Mr. Frank J. Thornton, Board of Supervisors, Fairfield
12 Mr. John R. Marlles, AICP, Secretary, Director of Planning

13
14 Others Present: Mr. Randall R. Silber, Assistant Director of Planning
15 Mr. Joe Emerson, Principal Planner
16 Mr. Lee Householder, County Planner
17 Mr. Mark Bittner, County Planner
18 Ms. Jean Moore, County Planner
19 Mr. Tom Coleman, County Planner
20 Mr. Seth Humphreys, County Planner
21 Mr. Paul Gidley, County Planner
22 Ms. Debra Ripley, Recording Secretary

23
24 Mr. Taylor - Good evening everybody and welcome to the September Zoning Meeting.
25 We have a full quorum tonight with the exception of Mr. Thornton, who will be here a little bit late. I
26 will ask Mr. Marlles, our Secretary, to begin.

27
28 Mr. Marlles - Thank you, Mr. Chairman, and good evening members of the Planning
29 Commission, ladies and gentlemen. We do have quite a few deferrals tonight and I am going to ask
30 Mr. Emerson if he would review those for us.

31
32 Mr. Emerson - Yes, sir, Mr. Marlles. On tonight's agenda, you do have eight deferrals.

33
34 **C-51C-02 Laraine Isaac and/or Robert Nelson for Hugh W. Owens:** Request to conditionally
35 rezone from R-2 and R-4 One Family Residence Districts to O-2C Office District (Conditional), Parcels
36 769-745-9272 (93-A-2, 6501 Old Bethlehem Road), and 770-745-1768 (93-A-3A, 6500 Old Bethlehem
37 Road), containing approximately 2.58 acres, located at the northeast intersection of Interstate Route
38 64 and Bethlehem Road. An office development is proposed. The use will be controlled by proffered
39 conditions and zoning ordinance regulations. The Land Use Plan recommends Environmental
40 Protection Area and Urban Residential, 3.4 to 6.8 units net density per acre.

41
42 Mr. Emerson - The deferral is requested for October 10.

43
44 Mr. Taylor - Is there anyone in the audience opposed to the deferral of Case C-51C-
45 02?

46
47 Mr. Vanarsdall - I move that Case C-51C-02, Laraine Isaac and/or Robert Nelson for
48 Hugh W. Owens be deferred for 30 days to October 10 at the applicant's request.

49
50 Mr. Jernigan - Second.

51
52 Mr. Taylor - Motion made by Mr. Vanarsdall and seconded by Mr. Jernigan to defer
53 Case C-51C-02 to October 10 at the applicant's request. All in favor say aye. All opposed say no. The

54 motion passes.

55

56 At the applicant's request, the Planning Commission deferred Case C-51C-02, Laraine Isaac and/or
57 Robert Nelson for Hugh W. Owens, to its meeting on October 10, 2002.

58

59 **C-52-02 Don Blake for Joseph M. Coleman:** Request to rezone from R-3 One Family
60 Residence District to M-1 Light Industrial District, Parcel 770-753-9193 (61-4-1-3, 8503 Staples Mill
61 Road, Boudar Gardens), containing 0.44 acre, located on the east line of Staples Mill Road (U. S.
62 Route 33) approximately 46 feet north of Heisler Avenue. Light manufacturing is proposed. The use
63 will be controlled by zoning ordinance regulations. The Land Use Plan recommends Light Industry.

64

65 Mr. Emerson - Deferral is requested to October 10, 2002.

66

67 Mr. Taylor - Is there anyone in the audience opposed to the deferral of Case C-52-
68 02?

69

70 Mr. Vanarsdall - I move that Case C-52-02, Don Blake for Joseph M. Coleman, be
71 deferred to October 10 at the applicant's request.

72

73 Mr. Jernigan - Second.

74

75 Mr. Taylor - Motion made by Mr. Vanarsdall and seconded by Mr. Jernigan to defer
76 Case C-52-02 to October 10. All in favor say aye. All opposed say no. The motion passes.

77

78 At the applicant's request, the Planning Commission deferred Case C-52-02, Don Blake for Joseph M.
79 Coleman, to its meeting on October 12, 2002.

80

81 **C-23-02 Richmond Federal Credit Union:** Request to rezone from O-1 Office District to O-2
82 Office District, Parcel 783-762-9359 (43-2-8-11 & 12), containing 0.8305 acre, located at the
83 northwest intersection of Brook Road (U. S. Route 1) and New York Avenue (Biltmore Subdivision). A
84 bank (credit union) branch of the Richmond Federal Credit Union is proposed. Zoning ordinance
85 regulations will control the use. The Land Use Plan recommends Office and Environmental Protection
86 Area.

87

88 Mr. Emerson - The deferral is requested to October 10, 2002.

89

90 Mr. Taylor - Is there anyone in the audience opposed to the deferral of Case C-23-02
91 to October 10, 2002? No one opposed. Mr. Archer.

92

93 Mr. Archer - Mr. Chairman, I move deferral of Case C-23-02 to the October 10, 2002
94 meeting at the request of the applicant.

95

96 Mr. Vanarsdall - Second.

97

98 Mr. Taylor - Motion made by Mr. Archer and seconded by Mr. Vanarsdall to defer
99 Case C-23-02 to October 10, 2002. All in favor say aye. All opposed say no. The motion passes.

100

101 At the request of the applicant, the Planning Commission deferred Case C-23-02, Richmond Federal
102 Credit Union, to its meeting on October 10, 2002.

103

104 **Deferred from the August 15, 2002 Meeting:**

105 **C-11C-02 Webb L. Tyler for Parham Road Self-Storage, LLC:** Request to conditionally rezone
106 from A-1 Agricultural District to M-1C Light Industrial District (Conditional), Parcel 748-770-8794 (19-
107 A-27); 11140 Ford's Country Lane, containing 6.668 acres, located on the east line of Ford's Country
108 Lane approximately 440 feet east of its intersection with Nuckols Road and New Wade Lane. A mini-
109 storage facility is proposed. The use will be controlled by proffered conditions and zoning ordinance
110 regulations. The Land Use Plan recommends Office/Service.

111
112 Mr. Emerson - The deferral is requested for October 10, 2002.

113
114 Mr. Taylor - Is there anyone in the audience who is opposed to the deferral of Case
115 C-11C-02 to October 10, 2002? No opposition. Therefore, I will move the deferral of Case C-11C-02
116 to October 10, 2002 at the applicant's request.

117
118 Mr. Vanarsdall - Second.

119
120 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall to defer
121 Case C-11C-02 to October 10, 2002. All in favor say aye. All opposed say no. The motion passes.

122
123 At the request of the applicant, the Planning Commission deferred Case C-11C-02, Webb L. Tyler for
124 Parham Road Self-Storage, LLC, to its October 10, 2002 meeting.

125
126 **Deferred from the August 15, 2002 Meeting:**

127 **C-36C-02 Jim McVey:** Request to conditionally rezone from R-2 One Family Residence District to
128 O-1C Office District (Conditional), Parcel 754-747-3878 (79-A-70), containing approximately 0.32
129 acre, located at the southeast intersection of Michael and Parham Roads (8481 Michael Road). An
130 office building is proposed. The use will be controlled by proffered conditions and zoning ordinance
131 regulations. The Land Use Plan recommends Office.

132
133 Mr. Emerson - The deferral is requested to November 14, 2002.

134
135 Mr. Taylor - Is there anyone in the audience who is opposed to the deferral of Case
136 C-36C-02 to November 14. Sir, if you would...

137
138 Mr. Marles - Sir, do you have some questions? Are you opposed to the case? Yes.
139 Do you have some questions about the case? Have you been contacted?

140
141 Mr. Vanarsdall - Why don't you come to the mike and tell us about it?

142
143 Mr. Taylor - As you are coming down, let me make the rules clear. For all of those
144 who may want to speak tonight, if you wish to speak that is fine. If you would come down to the
145 podium and identify yourself.

146
147 Mr. Vanarsdall - Do you understand we are just talking about deferment?

148
149 Mr. Wallace McCauley - My name is Wallace McCauley and I live at 8423 Michael Road, which is
150 in close proximity to the piece of property in question. This piece of property has been deferred,
151 deferred, and deferred a number of times. Of course, the property, the size of it is very small, so far
152 as an office building is concerned. We have a hard time in getting our neighborhood together to
153 come here for the hearing, and find out it is deferred. And this has always been a 9th hour notice to
154 us that it is just deferred. And we would like to have it heard at the next hearing no matter what the
155 circumstances might be, and that is what I'd like to speak to you all about from that standpoint, that
156 we feel like it has been deferred a number of times and getting everybody together to get here.
157 When you find out at 4:00 that it is not going to be heard at 7:00 to notify the various people.

158
159 Mr. Vanarsdall - The applicant has asked to be deferred to November, and our next
160 hearing is October 10.
161
162 Mr. McCauley - Yes, but so far as our deferral is concerned we would like for it to be
163 heard in November so that it can be expedited and moved on with rather than have another deferral.
164
165 Mr. Vanarsdall - Mr. Marles, can he give us his name and address and he will be notified,
166 so you can notify the other neighbors. Is that all right?
167
168 Mr. McCauley - Yes, well, we get the notification, but it is always late and then you've
169 got to get on the phone and contact various people at the last minute.
170
171 Mr. Vanarsdall - You mentioned the lot. The lot is too narrow to be built on to begin
172 with, and the only way he can do it is to go to the Board of Zoning Appeals to get it approved, which
173 in my personal opinion is not good zoning to start with.
174
175 Mr. McCauley - I agree with you. Thank you.
176
177 Mr. Taylor - Mr. McCauley, what we will do from what I last heard, you accepted the
178 November 14th date but you don't want to defer it beyond there?
179
180 Mr. McCauley - That is correct.
181
182 Mr. Taylor - And you would like to get adequate notification.
183
184 Mr. McCauley - Yes. To me, I think this is like the third deferral of it.
185
186 Mr. Taylor - Yes, sir, and this case has been going on for a long time.
187
188 Mr. McCauley - Right, it has been going on too long and I think it should be brought to a
189 head.
190
191 Mr. Taylor - We understand your views and we share them and we will make sure
192 that it is not deferred on November 14, but we will shift it to November 14 with your approval. Is
193 there anyone else opposed to the deferral of Case C-36C-02 to the November 14? Then I move that
194 we defer Case C-36C-02 at the applicant's request to the November 14 meeting.
195
196 Mr. Jernigan - Second.
197
198 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Jernigan. All in favor
199 say aye. All opposed say no. The motion passes.
200
201 At the applicant's request, the Planning Commission deferred Case C-36C-02, Jim McVey, to its
202 meeting on November 14, 2002.
203
204 ***Deferred from the August 15, 2002 Meeting:***
205 **C-49C-02 Jack R. Wilson, III:** Request to conditionally rezone from O-3C Office District
206 (Conditional) to B-2C Business District (Conditional), Parcel 749-761-3214 (48-5-A-12A), containing
207 2.905 acres, located on the north line of Innslake Drive approximately 400 feet east of Cox Road
208 (4051 Innslake Drive). A hotel/motel (signage) is proposed. The use will be controlled by proffered
209 conditions and zoning ordinance regulations. The Land Use Plan recommends Office.
210

211 Mr. Emerson - The deferral is requested to October 10, 2002.
212
213 Mr. Taylor - Is there anyone in the audience who is opposed to the deferral of Case
214 C-49C-02 to October 10? No opposition. Therefore, I will move Case C-49C-02 be deferred to
215 October 10 at the applicant's request.
216
217 Mr. Vanarsdall - Second.
218
219 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor
220 say aye. All opposed say no. The motion passes.
221
222 At the request of the applicant, the Planning Commission deferred Case C-49C-02, Jack R. Wilson,
223 III, to October 10, 2002.
224
225 **C-55C-02 Dr. P. Brad Zubowsky:** Request to conditionally rezone from O-1C Office District
226 (Conditional) to B-1C Business District (Conditional), Parcel 736-774-2105 (9-A-36C), containing
227 1.492 acres, located at the northeast intersection of Pouncey Tract (State Route 271) and Nuckols
228 Roads. A veterinary hospital is proposed. The use will be controlled by proffered conditions and
229 zoning ordinance regulations. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4
230 units net density per acre.
231
232 Mr. Emerson - The deferral is requested to October 10, 2002.
233
234 Mr. Taylor - Thank you, Mr. Emerson. Is there anyone in the audience opposed to
235 the deferral of case C-55C-02 to October 10, 2002? No opposition. I move deferral of Case C-55C-02
236 to October 10, 2002, at the applicant's request.
237
238 Mr. Vanarsdall - Second.
239
240 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor
241 say aye. All opposed say no. The motion passes.
242
243 At the request of the applicant, the Planning Commission deferred Case C-55C-02, Dr. P. Brad
244 Zubowsky, to October 10, 2002.
245
246 **Deferred from the August 15, 2002 Meeting:**
247 **C-28C-02 Laraine Isaac for William D. Godsey:** Request to conditionally rezone from M-1 Light
248 Industrial District to M-2C General Industrial District (Conditional) and C-1 Conservation District, part
249 of Parcel 817-721-5981 (154-A-30C), containing 60.696 acres, located on the north line of Oakley's
250 Lane approximately 94 feet east of Oakley's Place and 217 feet west of S. Holly Avenue. The use will
251 be controlled by proffered conditions and zoning ordinance regulations. An industrial park including a
252 contractor's equipment storage yard is proposed. The Land Use Plan recommends Planned Industry
253 and Environmental Protection Area. The site is also in the Airport Safety Overlay District.
254
255 Mr. Emerson - The deferral is requested to December 12, 2002.
256
257 Mr. Taylor - Is there anyone in the audience opposed to the deferral of Case C-28C-
258 02 to December 12 at the applicant's request? No opposition. Mr. Jernigan.
259
260 Mr. Jernigan - Mr. Chairman, I make a motion to defer Case C-28C-02, Laraine Isaac
261 for William D. Godsey, to December 12, by request of the applicant.
262
263 Mr. Vanarsdall - Second.

264
265 Mr. Taylor - Motion made by Mr. Jernigan and seconded by Mr. Vanarsdall. All in
266 favor say aye. All opposed say no. The motion passes.
267

268 At the applicant's request, the Planning Commission deferred Case C-28C-02, Laraine Isaac for
269 William D. Godsey, to December 12, 2002.
270

271 Mr. Emerson - Mr. Chairman, that completes the requests for withdrawals and deferrals
272 tonight.
273

274 Mr. Marles - Mr. Chairman, the next request on the Agenda is Request for Expedited
275 Items, and for the benefit of the audience, these are cases for which staff is recommending approval.
276 The Planning Commission member from that district has no outstanding concerns or issues and there
277 is no known citizen opposition. If there is citizen opposition, it can be taken off the Expedited
278 Agenda. Mr. Emerson.
279

280 Mr. Emerson - Yes, sir. Mr. Secretary, the first case tonight is on Page 1 of the Agenda.
281

282 **Deferred from August 15, 2002 Meeting:**

283 **C-42C-02 Malachi M. Mills for Marchetti Property I, LLC:** Request to conditionally rezone from
284 R-2 One Family Residence District to O-2C Office District (Conditional), Parcel 765-764-5100 (40-A-
285 23; 10120 Staples Mill Road), containing 0.672 acre, located on the west side of Staples Mill Road (U.
286 S. Route 33) approximately 300 feet north of Warren Road. An office development is proposed. The
287 use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan
288 recommends Suburban Residential 1, 1.0 to 2.4, units net density per acre.
289

290 Mr. Taylor - Is there anyone in the audience who is opposed to the approval of Case
291 C-42C-02 on the Expedited Agenda? No opposition. Mr. Vanarsdall.
292

293 Mr. Vanarsdall - Before I make my motion, I want the Commission to know that Mr.
294 Axselle tried, in vain, to work out the ingress/egress of this not to come out directly on Staples Mill
295 Road beside Cross Ridge. He tried to get it so it would feed within Cross Ridge and come out at
296 Cross Ridge. And two different parties owned the property and he couldn't work it out. I do
297 appreciate you trying, Mr. Axselle. This was one of the things that staff and Mr. Gidley said would
298 make the case better and I agree, but we could not work it out. The other thing was he had
299 proffered out different uses and one of them was Savings and Loans and Banks, and we didn't see
300 any reason, and he asked for that to be taken out and it wasn't in the Cross Ridge proffers, so we
301 took that out as that probably would not be a bad thing there if somebody wanted to put it there.
302 With that I move that Case C-42C-02 be recommended to the Board for approval on the Expedited
303 Agenda.
304

305 Mr. Jernigan - Second.
306

307 Mr. Taylor - Motion made by Mr. Vanarsdall and seconded by Mr. Jernigan to approve
308 Case C-42C-02 on the Expedited Agenda. All in favor say aye. All opposed say no. The motion
309 passes.
310

311 REASON: Acting on a motion by Mr. Vanarsdall, seconded by Mr. Jernigan, the Planning Commission
312 voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant** the request because it
313 is reasonable in light of the existing office zoning in the area and because the proffered conditions
314 will provide appropriate quality assurances not otherwise available.
315

316 **P-13-02 Nicholas A. Spinella and John G. Mizell, Jr. for Margaret J. and James H.**

317 **Clifton:** Request for a provisional use permit under Sections 24-12.1 (b) and 24-122.1 of Chapter 24
318 of the County Code in order to permit a bed and breakfast home and gatherings for weddings,
319 wedding receptions, anniversaries, birthdays, meetings and receptions for civic groups, private
320 individuals, or non-profit groups, on Parcel 771-767-7742 (31-A-46) and part of Parcel 771-767-9566
321 (31-A-47A), containing approximately 5.12 acres, located at the northeast intersection of Mountain
322 Road and Old Washington Highway (2900 and 2910 Mountain Road). The existing zoning is R-2A
323 One Family Residence District. The Land Use Plan recommends Suburban Residential 1, and
324 Environmental Protection Area.

325
326 Mr. Taylor - Is there anyone in the audience opposed to the approval of Case P-13-
327 02 on the Expedited Agenda. No opposition. Mr. Vanarsdall.

328
329 Mr. Vanarsdall - It gives me great pleasure this evening to recommend this for approval
330 to the Board of Supervisors. You all will remember the last time we met I didn't do that, because I
331 felt like it was under a different category and we don't need to go through that. I am glad that we
332 can recommend it at this time to the Board and you all are under the right category and I think
333 things have really been worked out nicely. I know you lost your patience many times and I know
334 John Mizell did, too, and probably Nick, but they were getting paid for it. And with that I recommend
335 P-13-02, Nicholas A. Spinella and John G. Mizell, Jr. for Margaret J. and James H. Clifton, be
336 recommended to the Board of Supervisors for approval under the Expedited Agenda.

337
338 Mr. Jernigan - Second.

339
340 Mr. Taylor - Motion made by Mr. Vanarsdall and seconded by Mr. Jernigan to approve
341 Case P-13-02 on the Expedited Agenda. All in favor say aye. All opposed say no. The motion passes.

342
343 REASON: Acting on a motion by Mr. Vanarsdall, seconded by Mr. Jernigan, the Planning Commission
344 voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant** the request because it
345 is reasonable and when regulated by the recommended special conditions, it would not be
346 detrimental to the public health, safety, welfare and values in the area.

347
348 Mr. Taylor - Before we go on, I do want to compliment everybody on the work that
349 was done in crafting the version of P-13-02 that we have here tonight. I know Mr. Vanarsdall worked
350 very hard on it along with Counsel and the owners, and I think that the product that everybody came
351 up with is vastly superior to what we had before, so I just want to congratulate everyone who had a
352 hand in it that it was really an effort that was well done and well appreciated and I'm delighted to
353 say I believe it will help us long into the future. With that we will go on to the next case, Mr.
354 Chairman.

355
356 Mr. Vanarsdall - Thank you for those remarks. Mr. Glover worked really hard on it, also.

357
358 Mr. Taylor - And I wanted to say good evening to our Supervisor, Mr. Thornton, and
359 the press.

360
361 ***Deferred from the August 15, 2002 Meeting:***

362 **C-45C-02 Mountain-Woodman LLC:** Request to conditionally rezone from A-1 Agricultural
363 District and RTHC Residential Townhouse District (Conditional) to RTHC Residential Townhouse
364 District (Conditional) part of parcels 775-763-5984, 776-765-5797, and 776-766-3112, containing
365 8.374 acres, located along the south line of Mountain Road approximately 210 feet east of Woodman
366 Road. Residential townhouses for sale are proposed. The applicant has proffered to develop no
367 more than 70 lots on the property. The Land Use Plan recommends Office and Open
368 Space/Recreation.

369

370 Mr. Taylor - Is there anyone in the audience opposed to Case C-45C-02 being
371 approved on the Expedited Agenda? No opposition. Mr. Archer.
372

373 Mr. Archer - All right, Mr. Chairman. As you know, this was a matter of combining
374 some cases into one and I think all of the particulars on this one have been worked out satisfactorily,
375 so with that I will move for recommendation of approval of Case C-45C-02, Mountain-Woodman, LLC,
376 to the Board of Supervisors.
377

378 Mr. Vanarsdall - Second.
379

380 Mr. Taylor - Motion made by Mr. Archer and seconded by Mr. Vanarsdall. All in favor
381 say aye. All opposed say no. The motion passes.
382

383 REASON: Acting on a motion by Mr. Archer, seconded by Mr. Vanarsdall, the Planning Commission
384 voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant** the request because it
385 is appropriate residential zoning at this location and the proffered conditions will provide for a higher
386 quality of development than would otherwise be possible.
387

388 **C-53C-02 Donald Strange-Boston for Chestnut Grove, LP/Peter Runkle:** Request to amend
389 proffered conditions accepted with rezoning case C-51C-98, on part of Parcel 774-758-4341 (51-A-98,
390 9010 Woodman Road), containing 3.919 acres, located on the west line of Woodman Road
391 approximately 200 feet north of E. Parham Road. The amendment would modify Proffer 4 to allow
392 removal/replacement of existing trees and to allow a 7' high in-lieu of an 8' high masonry wall along
393 the northwest property line, abutting Laurel Dell Subdivision. The existing zoning is R-6C General
394 Residence District (Conditional) and B-1 Business District. The Land Use Plan recommends Office
395 and Commercial Concentration.
396

397 Mr. Taylor - Is there anyone in the audience opposed to the hearing of Case C-53C-
398 02 on the Expedited Agenda? We have one or two people. Are you opposed to it in principle or is it
399 a comment. OK. We had better take that one off the Expedited Agenda and we will hear it in turn.
400 Thank you very much.
401

402 **C-56C-02 James D. Thornton for K. Douglass Moyers:** Request to conditionally rezone from A-
403 1 Agricultural District to B-3C Business District (Conditional), part of Parcel 746-761-5525 (47-A-8,
404 11044 W. Broad Street), containing approximately 3.8± acres, located at the southeast intersection
405 of Sadler and Old Sadler Roads. Automobile inspection, storage, and auctions, and employee parking
406 are proposed. The use will be controlled by proffered conditions and zoning ordinance regulations.
407 The Land Use Plan recommends Commercial Concentration.
408

409 Mr. Taylor - Is there anyone in the audience who is opposed to hearing Case C-56C-
410 02 on the Expedited Agenda. No opposition, Mr. Secretary. Therefore, I will move approval of Case
411 C-56C-02 on the Expedited Agenda.
412

413 Mr. Jernigan - Second, Mr. Chairman.
414

415 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Jernigan for C-56C-02.
416 All in favor say aye. All opposed say no. The motion passes.
417

418 REASON: Acting on a motion by Mr. Taylor, seconded by Mr. Jernigan, the Planning Commission
419 voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant** the request because it
420 reflects the Land Use Plan and future use and zoning of the area and the proffered conditions assure
421 quality development of the property.
422

423 **Deferred from the August 15, 2002 Meeting:**
424 **C-50C-02 Laraine Isaac for David L. Campbell:** Request to conditionally rezone from B-3
425 Business District to M-1C Light Industrial District (Conditional), part of Parcel 823-716-7341 (163-A-
426 23), containing 4.5 acres, located on the south line of Audubon Drive and on the north line of
427 Williamsburg Road (U.S. Route 60) approximately 264 feet west of Trampton Road (500 W.
428 Williamsburg Road). Office and self-storage units are proposed. The use will be controlled by
429 proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial
430 Concentration. The site is also in the Airport Safety Overlay District.

431
432 Mr. Taylor - Is there anyone in the audience opposed to hearing case C-50C-02 on
433 the Expedited Agenda? No opposition. Mr. Jernigan.

434
435 Mr. Jernigan - Mr. Chairman, first I'd like to say that when this case came up last
436 month we deferred, or the applicant deferred it, because there was a long distance away from what
437 the finished product was going to look like, but since that last meeting he has proffered to do a very
438 nice finish on the building and landscaping, so with that, I would move for approval of C-50C-02 to
439 be sent to the Board of Supervisors for approval on the Expedited Agenda.

440
441 Mr. Vanarsdall - Second.

442
443 Mr. Taylor - Motion made by Mr. Jernigan and seconded by Mr. Vanarsdall. All in
444 favor say aye. All opposed say no. All opposed say no. The motion passes.

445
446 REASON: Acting on a motion by Mr. Jernigan, seconded by Mr. Vanarsdall, the Planning Commission
447 voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant** the request because,
448 with the proffered conditions, it would not adversely affect the adjoining area if properly developed
449 as proposed.

450
451 Mr. Emerson - Mr. Chairman, that does complete the Expedited Agenda, however, Case
452 C-53C-02, the case planners are in the hall with the individuals who had questions, so I suggest, if
453 possible, that you move on to the Willbrook case.

454
455 Mr. Vanarsdall - I have a question. I want to know what happened to Mr. Farmer that he
456 couldn't get either on the Expedited or Deferral and we wouldn't have to stay much longer.

457
458 Mr. Emerson - You will have to take that up with Mr. Farmer.

459
460 **C-54C-02 Neil P. Farmer for Willbrook LLC:** Request to conditionally rezone from A-1
461 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 748-766-2289 (27-A-
462 23, 4741 Sadler Road), 748-766-1856 (27-A-24, 4711 Sadler Road), 747-766-9196 (27-A-25, 4729
463 Sadler Road), and 748-767-3704 (28-A-31), containing approximately 18.6 acres, located on the
464 southeast line of Sadler Road at Trexler Road. A single-family residential development is proposed.
465 The applicant has proffered to develop no more than thirty-three (33) lots on the property. The Land
466 Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre.

467
468 Mr. Marlles - Staff report will be given by Mr. Mark Bittner.

469
470 Mr. Taylor - Good evening, Mr. Bittner.

471
472 Mr. Bittner - Good evening.

473
474 Mr. Taylor - Before I start, I need to ask if there is any opposition to Case C-54C-02?
475 There is opposition. Go ahead, Mr. Bittner.

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Mr. Bittner - Thank you, Mr. Taylor. This proposal would rezone the property for the development of no more than 33 single-family homes. The site is along the southeast side of Sadler Road at its intersection with Trexler Road and it is designated Suburban Residential 1 on the 2010 Land Use Plan. Several other single-family rezonings have also recently been approved in this area.

The proposed R-3 zoning typically yields 3.0 units per acre. However, the proffered total of 33 lots equals a density of only 1.8 units per acre. This is within the recommended Suburban Residential 1 density range of 1.0 to 2.4 units per acre. Nearby subdivisions are zoned R-3C and R-3AC and are compatible with the proposed R-3C zoning on this site.

The proffers submitted with this proposal provide several positive items and are very similar to the proffers for several nearby recent rezonings. Have we handed out the new proffers? I apologize. If somebody could come up here, we've gotten revised proffers in, which I will get handed out to you in just a moment. The proffers include a minimum house size of 2,000 square feet of finished floor area; building materials of brick, stone, dryvit, or vinyl siding; and required hard-surface driveways.

Revised proffers, as I said we are just getting ready to hand out now, include the following new items:

- Stub street connections to adjacent property to the north and south.
- A buffer measured from the ultimate Sadler Road right-of-way.
- Fences at least 8' from the ultimate Sadler Road right-of-way.
- Underground utilities; and
- Signage identifying the subdivision subject to approval by the County.

In addition, staff no longer has any objection to Proffers 9 and 11 that would allow one house and driveway to front Sadler Road. The applicant is considering a layout with one new lot accessed from Sadler Road. There are several residences already fronting Sadler Road, therefore this new lot would not disrupt the character of the corridor.

In summary, the proposed zoning and use are appropriate considering their similarity to the surrounding area. The revised proffers also address the outstanding issues. Staff therefore recommends approval of this application. And I would be happy to answer any questions you may have.

Mr. Taylor - Are there any questions for Mr. Bittner from the Commission? Does the applicant want to make a statement first, Mr. Bittner?

Mr. Bittner - I don't know.

Mr. Marles - Mr. Chairman, since there is opposition, would you like for me to review the Commission's policy on the time limit?

Mr. Taylor - Do we want to do it now or should we wait until we get the opposition?

Mr. Marles - Well, I think it is probably a good idea to do it right now. Ladies and gentlemen, it is the policy of the Planning Commission when there is opposition to a case to grant 10 minutes to the applicant, a total of 10 minutes to the applicant, to make his presentation. Very often we recommend that the applicant consider leaving a few minutes for a rebuttal period. The opponents to the case also have a total of 10 minutes to present their case. The ten minutes does not include time responding to questions from the Commission. Generally, it is a good idea for the

528 opposition, if they have a spokesperson, that tends to make the best use of the available time.
529 Would you like to leave a minute or two?
530
531 Mr. Farmer - Yes, I would like to leave some time at the end for rebuttal or questions.
532
533 Mr. Marlles - OK. I will leave two minutes then.
534
535 Mr. Taylor - Is two minutes adequate.
536
537 Mr. Farmer - How about 7 or 8? I am not going to take but three right here.
538
539 Mr. Taylor - OK. If you only take three right here, you've got seven minutes left.
540
541 Mr. Farmer - OK. Save me seven. I am not going to take very long right now. Mr.
542 Chairman, and members of the Planning Commission, my name is Neil Farmer and I am a member of
543 Willbrook, LLC and I have asked for this request to rezone 18.6 acres for R-3 conditional single-
544 family. All of the proffers that you see in front of you are pretty much proffers that I worked out with
545 members of the staff, and my representative of the Planning Commission who is in that district. The
546 only thing that I would like to add to this, with my discussion here tonight, is that the staff, this
547 morning I talked with Mr. Ed Presario, who was President of the Cedars Homeowners Association,
548 and I promised him that I would give him or somebody else in his subdivision a letter or you, if so be
549 it, promising the following, which I am going to read the letter which I want to state on the record:
550
551 "At the time of the initial subdivision development on the property line adjacent to the Cedars
552 Subdivision, the developer may install a 10-foot buffer or install a 6-foot privacy fence and/or
553 landscaping. The County shall not be responsible for maintenance." So, I'd like to save any time for
554 questions or rebuttal if there is any.
555
556 Mr. Taylor - Thank you very much, Mr. Farmer. Now let us proceed with the
557 opposition. There were two people who had their hands up. Are you together, or would you like to
558 go one at a time? All right, sir, if you would come down to the podium please and state your name
559 and address for the record.
560
561 Mr. Dave Cummings - My name is Dave Cummings. I am a resident of the Cedars Homeowners
562 Association, a member of the Board, Mr. Taylor, ladies and gentlemen.
563
564 Mr. Taylor - Thank you very much. Please proceed with your comments.
565
566 Mr. Cummings - Just generally, I have lived there for about eight years and we've got
567 neighbors here that have lived there up to 12 years. They are surprised that we are so early on the
568 agenda. We were told that Three Chopt was coming later and we had people planning to be here at
569 7:45 p.m., so unfortunately those people are not here, but in any event, the property that is just to
570 the west of the Cedars there under condition tonight or under discussion is a very heavily wooded
571 area zoned A-1. The folks whose property is impacted, I think, to a person we were all told when we
572 moved in that we were paying more for that property because it did back up to wooded property that
573 would not be developed. It was under control of the church or family, but there were wetlands back
574 there and it would stay A-1, Agricultural. The established view that we have is of the trees. It is
575 very heavily wooded, deciduous trees. The border of the property there is being maintained by the
576 homeowners. Some of us have even cleared underbrush and moved dead trees from that property
577 without really intending to encroach on it, planted flowers and so forth. We received notice of this
578 about 10 days ago. One week ago last night we met with Mr. Farmer for the first time to try to talk
579 about what was planned and to get an understanding of what the issues were. Over the weekend
580 we tried to meet together to evaluate our options, to get a copy of the staff report, and review it.

581 We even tried to contact an attorney to help advise us, but then we found out yesterday that he was
582 conflicted out, so we are on our own. We have several concerns. Sadler Road is simply not a road
583 to accommodate more traffic. I talked to Mr. Taylor about this and you told me that you want the
584 housing developer to put money in there to develop a road, and we understand that, but right now
585 we have kind of a chicken and egg thing. The road is simply not able to handle more traffic. The
586 density was a concern, the impact on the schools and water and so forth. The removal of trees and
587 green space was a concern. We wanted to maintain the integrity of the neighborhood and keep the
588 trees there. Certainly if there is development we recognize that the County Land Use Plan does
589 recommend residential development, but we need to consider things like safety during construction.
590 There are many young children that live back here, the noise from the interstate has been an issue,
591 and the removal of trees will compound that. As we indicated, we met with Mr. Farmer and we
592 talked about a number of things that we could do to address some of those concerns. Unfortunately,
593 given the time, we have simply not been able to come to a mutual understanding. So, our points are
594 really #1, if we had our druthers, we would like the land to stay agricultural, whatever that means,
595 but to keep trees there. There is enough development going on in western Henrico County. We
596 need some green space. We need to keep some trees somewhere. Recognizing, however, that you
597 may be inclined to approve this, we would really request some time to be able to meet with Mr.
598 Farmer, to address things like what he has brought to the table this evening. I have been out of
599 town and a number of us have not even heard about this letter until five minutes ago or six minutes
600 ago, and it would really be helpful if we could sit down with Mr. Farmer and work out some mutually
601 agreeable issues so that we could come back with unanimous approval of this property and the
602 request that you have before you this evening. We have proposed some issues to Mr. Farmer. He
603 has responded back, and we are right in the middle of trying to negotiate those items. So, that is my
604 position and any of the others would like to speak. I know Mr. Presario is on his way. Oh, he is here.
605 So, I will cut my time there and let him speak.

606
607 Mr. Vanarsdall - Would you show me where your house is?

608
609 Mr. Cummings - Yes, sir. It is, well, I don't know how to point! OK, I live right there
610 (referring to rendering) right in the middle. My neighbor is here this evening. She lives right beside
611 us. The other neighbor lives right here, and we've got, of course, all of the homes along this
612 stretch...

613
614 Mr. Vanarsdall - All of these back up to the wooded area?

615
616 Mr. Cummings - Yes. That is correct.

617
618 Mr. Vanarsdall - Who was it you said told you this wooded area would always be there?

619
620 Mr. Cummings - The person that told me was the builder of our home, and the person
621 that told Ms. Vinci, I think, was the builder of their home, and the realtor that was representing the
622 sale.

623
624 Mr. Vanarsdall - It is always interesting when we hear that. It is always interesting to me
625 why anybody would tell anybody that.

626
627 Mr. Cummings - And why would we believe it without it being in writing. And that is
628 exactly why we would like to get some of these things in writing that we are hearing tonight because,
629 otherwise, who knows what could happen. A side letter is good, but having something in writing is
630 better; having something in the proffers is even better. And that is really where we'd like to see it,
631 so there can be some mechanism to come back and enforce it if there is ever an encroachment.
632 We've talked somewhere between a 10 and a 30 ft. buffer, some trees or some landscaping, or
633 conditions on, for example: the neighborhood when, if and when it does get developed they should

634 adopt some zoning restrictions to preclude the removal of trees, like our neighborhood does, so that
635 we can't cut down trees on our own volition that would impact other people, because everybody
636 enjoys the trees. So, those are some of the things we are trying to work out.

637
638 Mr. Vanarsdall - Thank you.

639
640 Mr. Jernigan - Mr. Cummings, when did you meet with Mr. Farmer?

641
642 Mr. Cummings - A week ago last night.

643
644 Mr. Jernigan - Did you all have a pretty good meeting?

645
646 Mr. Cummings - It was a fairly lengthy meeting. We got, for the first time we were able
647 to see a design of the plot that he had laid out. You know, he has represented that, I think, Mr.
648 Bittner, and I'm sure he spent some time looking at this. The density turns out to be about 1.6
649 homes per acre; however, it is a little misleading, because there is a substantial amount of wetlands
650 on that property, that as I understand, and I am no environmental expert, cannot be developed. So,
651 when you take that land out and take the land for the roadway out, it looks like the density is much
652 higher. The lots would be ¼ of a acre size, which would be, whatever that works out to be, 3 plus
653 homes per acre, and the Land Use Plan, as I understand it, recommends somewhere between 1 and
654 2.2 or 2.4 homes per acre, so when you factor out the wetlands and the roadway, the proposal is
655 actually a higher density than what is in the Land Use Plan. So, those are some of the things that we
656 are trying to talk about and understand. The size of the homes. We wanted to try and make sure
657 that they weren't going to degrade the area, that they would be at or above the existing homes, the
658 quality of homes. And Mr. Farmer indicated it was his intention to build substantial homes, 2400 sq.
659 ft., enclosed garages, nice landscaping and all of that, and that is great, but that is the kind of thing
660 we just want to work through and make sure we have a good understanding of what is there and
661 some assurance that that will happen.

662
663 Mr. Jernigan - Well, the proffers say 2000 sq. ft.

664
665 Mr. Cummings - That is right. And that is one of the things we had talked about, if he is
666 willing to build homes and intends to build homes that are more substantial, why not put it in the
667 proffer? And, of course, he's made the representation, and I can understand it, that if economy goes
668 sour or if there is another attack like the one we just commemorated yesterday, there may not be a
669 market for large homes, so he wants the ability to build small homes.

670
671 Mr. Vanarsdall - These proffers are dated today.

672
673 Mr. Cummings - No. I have not seen those. We, like I said, we just heard about that 10
674 minutes ago, now. So, I guess the bottom line, if we could have 30 days, again I am sure Mr.
675 Farmer is on a tight time schedule and he wants to get this developed quickly, but if we could have
676 some time to look at those new proffers and work out something that is mutually agreeable, then I
677 am sure we could come back in a month with something that is supportable by everybody, and that
678 we could then avoid any further discussion about it.

679
680 Mr. Jernigan - I have one more question. The things that you want to talk about, I am
681 sure you have a list, were they discussed at the meeting you had with Mr. Farmer, or is this
682 something that has come up of late?

683
684 Mr. Cummings - Some of them were discussed. Some of them were not because after
685 we met with him, I guess there were about six or seven homeowners that were there. There are a
686 number of others that are impacted, so we tried to communicate to those folks what we had

687 discussed and get some feedback. They brought up some other points that we simply didn't have
688 time to address at that meeting, and we haven't been able to address yet, so there were some things
689 that we talked about then and there are other things that are issues of concern, and I don't think
690 there is anything that would undermine an eventual plan that is workable and acceptable to
691 everybody. It is just that we haven't had time to do it, and here we are.

692
693 Mr. Taylor - Mr. Cummings, the one thing I wanted to ask you is, and we can't see it
694 from this map, how deep are the lots that back to the property line, or more specifically, if you could
695 get it for me sir, about how many feet are there between your back lot line and your house?

696
697 Mr. Cummings - I don't know, but I would be glad to go measure it and report back to
698 you on that.

699
700 Mr. Taylor - Is it 50 yards, 20 yards?

701
702 Mr. Farmer - I think he has got 35-foot setback since he is in R-3A zone.

703
704 Mr. Taylor - Thirty-five foot setback from the property line to the back of his...

705
706 Mr. Cummings - That may be what is in the Code, or the zoning restriction, but what it
707 actually is I don't know.

708
709 Mr. Taylor - Is it wooded from your back fence to that line or is that all clear?

710
711 Mr. Cummings - No. When, at least my property and most of the others from the back
712 door to the property line is cleared. The trees start at the property line.

713
714 Mr. Taylor - Is there a fence or anything there?

715
716 Mr. Cummings - No. One of the neighbors down the corner, and I think one further
717 down, have built fences, three-foot fences for pets and that sort of thing, but generally there is not a
718 fence line there.

719
720 Mr. Taylor - Are those fences in line that back along all of the proposed property that
721 Mr. Farmer proposes to develop?

722
723 Mr. Cummings - Well, again, here we go. Oh. I don't know if that is better or worse
724 (referring to rendering). It may be worse.

725
726 Mr. Taylor - It is better by virtue of the fact that I can see that as the road flares
727 away from that boundary line, the backyard is substantially deeper. If you can, which is your house,
728 sir?

729
730 Mr. Cummings - Well, I don't know exactly. I think I am, that may be me right there
731 (referring to rendering). Let's see. I think that it is this one. So, the backyards of most of these
732 homes are cleared all the way to the property line. This lot here is, I think, the deepest one, and
733 then this home has kind of a pie-shaped lot that was impacted by the, I guess it is the development
734 down here. There was a sewer line that had to be built, and it ran along the property line to
735 somewhere in here (referring to rendering), and then went to connect into the culvert, so some of
736 these folks have already been impacted by this construction down here. This must be an old
737 photograph because there is now a substantial neighborhood right here, and when this neighborhood
738 was put in, was it that? Sadler Woods? Substantially all of those trees were cleared out, and I am
739 sure was unhappy about that. This is St. Anthony's Church, and they did put a fence down along this

740 side to try to provide some barrier between the neighbors and the church, but anyway, I guess, to
741 get to your question, from the back door here to the property line is grass, and then is very heavily
742 wooded trees right in here, and again, what we are talking about is leaving a buffer of trees along
743 here that would provide at least a modicum of an acceptable view from this area. It would alleviate
744 the noise that comes from the interstate. It would provide some separation between two
745 neighborhoods that are probably going to be substantially different. These folks that will live in here
746 eventually, too, I am sure would like some trees and how much is going to be cleared in
747 development I don't know, but if we can have some assurance that these trees will be left, it will
748 benefit everybody. And, obviously, with the water impacts we have now and some of the other
749 things, the more greenery and the more trees we have, as opposed to just clearing the land, and
750 letting the water run off, I think it is something that would be in everybody's best interest.

751
752 Mr. Taylor - Have you considered planting trees in your backyard at all?

753
754 Mr. Cummings - Well, certainly, that is possible, but to plant a tree now, it would take 50
755 years for it to grow the size of these or longer, and the homes were built and constructed and
756 landscaped as they are, so to come in and try to put a substantial tree in the middle of a 20 or 30
757 foot backyard, it is certainly a consideration, but it is not a very good alternative.

758
759 Mr. Taylor - Well, in terms of consideration though, one of the trees that is used with
760 great success in the Richmond area are Leyland Cyprus, which are reasonable, tough, grow fast, and
761 provide a green screen within eight years, and I mean, there is a possibility that no matter what we
762 do here that the individual owners, in their own back yard and on their own property line, could put
763 in some kind of trees to supplement what Mr. Farmer does.

764
765 Mr. Cummings - Certainly. And that is a good point, and again, that is something that we
766 need to try to figure out what works, because as I understand it from what I just heard a few
767 minutes ago, he is willing, I think he has offered 10 feet plus some landscaping, and maybe a line of
768 Cyprus or something on the other side of those trees would be the right thing to do, but if we could
769 just have some time to sit down and work it out. That is really what we would like.

770
771 Mr. Vanarsdall - It won't be easy for you to do that now. Maybe you can do that next
772 time.

773
774 Mr. Cummings - Yes, sir.

775
776 Mr. Taylor - Mr. Cummings, thank you very much. We have a few minutes for
777 another speaker, and then we want to talk to Mr. Presario and he just came in, so if we may, sir, if
778 you would indulge us, we will just go to the next speaker and see where we go. Thank you very
779 much for your comments. Mr. Presario, do you want to speak? There was a lady that wanted to
780 talk. How much more time do we have?

781
782 Mr. Marlles - About five minutes and 30 seconds.

783
784 Mr. Taylor - We have five minutes and 30 seconds for whatever speakers would like
785 to speak. Maybe we will start with Mr. Presario.

786
787 Mr. Presario - I would like to speak, too. I am not with them. I am across the street.

788
789 Mr. Taylor - OK. We will try to fit everybody in, but you will have to be brief and fit
790 inside of five and a half minutes.

791

792 Mr. Presario - Thirty seconds. I won't take all five minutes. I came up here to talk to a
793 significant amount of neighbors as well as Neil Farmer, and Neil and I got off the phone late last
794 night, around 9:00 p.m. I think I told you, Mr. Taylor, and we were able to come up with a proposal
795 of the 10 feet buffer or the fence and/or landscaping. Since that time I have only had an opportunity
796 to send an e-mail to the neighbors. It is a pretty good e-mail chain where the stakeholders hopefully
797 have received the e-mail by now. But that was sent at 9:00 p.m. last night, and I asked them to
798 respond back to me this morning without any success. So I don't know if they responded back to my
799 home e-mail or work e-mail, but in that respect, I think we are making progress in terms of the
800 concessions that both parties are going to make. We are just not quite there yet. And,
801 unfortunately, I was late for this meeting here. I apologize for that. I haven't been able to make any
802 phone calls to find out if 10 feet is acceptable to the stakeholders whose immediate homes are
803 impacted, as well as the 10 that would be impacted at some time in the future. So, unfortunately,
804 the position we are at right now, I don't know and I don't feel comfortable in speaking on behalf of
805 the homeowners, saying yes, they will accept the 10 feet. I know from speaking with them and
806 conversing with them over the past eight days, they were looking for a little something more than 10
807 feet.

808
809 Mr. Marles - Sir, just for the record, would you mind stating your name again, and
810 address.

811
812 Mr. Presario - Sure. Ed Presario and I am at 4707 Cedar Branch Court and I am
813 representing a significant amount of folks of the homeowners present, so I am not one of the eight
814 that is directly impacted at this point.

815
816 Mr. Taylor - In the discussions you have had with Mr. Farmer, which you say are not
817 complete yet, were they going satisfactorily?

818
819 Mr. Presario - I believe we were making progress, and both parties were meeting half
820 way. Yes.

821
822 Mr. Taylor - Thank you very much, Mr. Presario. If we might, let us go to the next
823 speaker because we have got two more speakers. Sir, would you like to come up, if you're ready to
824 come up. Let's roll, and if you would, just identify yourself for the record and we would indulge you
825 to please be very brief.

826
827 Mr. Stephen King - Oh, I will be. My name is Stephen King and I live at 4770 Sadler Road.
828 It is right across the street from, pretty much the corner of this proposed development. I don't
829 oppose the development. I just want to register my concern about the road conditions. You know, I
830 have been out here for 15 years. I have seen all of the developments come in, and nothing has been
831 done to the road. It is dangerous. My wife and child try to walk out there sometimes and there are
832 dump trucks all over now, everything. There is a hairpin curve still up there, and you know, the
833 roads, there are no shoulders or anything, and again, I don't want to lay all the blame on Mr. Farmer
834 either. He is kind of the last one in, but the other developments, nothing has been done to the road
835 to put 100 houses in above us. I just want to, I am registering my concern for the shape of Sadler
836 Road. And again, 30 more houses probably isn't going to do any more damage to it than what it is
837 now, but it is not safe now, and from what I hear from some neighbors who have talked, there are
838 no plans to do anything to Sadler Road, and somebody is going to get killed out there before it is all
839 said and done. The speeds are way too high. That's all. I don't oppose this development and I've
840 been there 15 years. I am right across the street from it.

841
842 Mr. Taylor - I have heard that issue before. Mr. Marles, is there anybody from roads
843 here tonight? Thank you, Mr. King.

844

845 Mr. Marlles - No, sir, there isn't. I will say that, and maybe Mr. Bittner could speak to
846 this, we did get comments from Traffic Engineering on the impact of the proposed development on
847 Sadler Road.

848
849 Mr. Bittner - Yes, Public Works did say in their official comments that Sadler Road
850 could handle the traffic generated by this. I also asked them if there are any plans for improvement
851 of Sadler Road and they said the general framework is Sadler Road will be improved with
852 development, meaning as a new subdivision or something else comes in, that portion that fronts on
853 Sadler Road would be improved, but there is no overall plan to improve or widen Sadler Road in its
854 entirety.

855
856 Mr. Taylor - Did we get any indication from them on the safety history of that road. I
857 use that road often. It is curvy. It is difficult to ride on or drive on, but I learned how to drive a car
858 on roads like that, so I am more or less used to it. Somebody who is used to today's super highways
859 may not have encountered frequent curves and hairpin turns, in their driving.

860
861 Mr. Bittner - They did not supply us with any safety numbers or reports.

862
863 Mr. Taylor - But I do know it, just as you say, and Mr. Tyler is here tonight and as a
864 developer he knows that as development proceeds, traffic increases. As traffic increases, the need
865 for road improvements becomes recognized and the road improvements are made, so it becomes a
866 cause-remedy situation, and apparently what we are hearing is for the existing number of people on
867 there that the County feels that it is adequate, given everybody drives carefully, which should always
868 be the rule. Thank you, Mr. Bittner.

869
870 Mr. Cummings - I would just like to say one thing. The road is not adequate for the
871 existing traffic. More traffic is going to make it worse. This gentleman is exactly right. I have had a
872 school bus come at me, and you'd better be off the shoulder and there are not shoulders along the
873 road, and you could hit a rock, a tree or anything. The road simply is not adequate for the traffic that
874 is there today.

875
876 Mr. Taylor - We recognize the shortcomings of the road and I think that Highways is
877 too, and I'm sure somewhere in the Highway plans, there are projects for the improvement of Sadler
878 Road.

879
880 Mr. Marlles - Mr. Chairman, we've got about two minutes left for the opponents.

881
882 Mr. Taylor - You are not counting my times, are you?

883
884 Mr. Marlles - No.

885
886 Mr. Taylor - OK, let's see. We have about two minutes. Who would like to speak?
887 Sir, if you would, come down and identify yourself. We'd be happy to hear from you.

888
889 Mr. Chris Martin - My name is Chris Martin and I live at 4804 Cedar Branch Court, which is
890 right on this corner of the development (referring to rendering). I would just like to convey my
891 concern about some of the points that been raised, hearing about this fairly last minute, and I am
892 significantly worried about the property value, and if there is 2,000 square foot houses that back
893 right up with nothing but grass in between. Right now, there are a lot of nice trees back there, and it
894 really is worrisome without some sort of off-set. I think your point about the trees was well made.
895 Most of the houses, actually all of the houses there, are large two-story houses, and you would still
896 see over pretty much any trees except for the large pine trees that are already there, and some of
897 the larger deciduous trees, so I don't mind the neighborhood back there, I just like to have my own

898 home to stay the same way I bought it, so I don't want to have the whole neighborhood changed
899 behind me. I am really worried about that.
900
901 Mr. Taylor - And you would hope that some trees are saved along the property line?
902 Is that what you said?
903
904 Mr. Martin - That would be an effective remedy from my standpoint. If there was
905 some sort of a kind of buffer in between whatever houses they want to put up, that and/or change
906 the dynamics of the size of the houses, I think, the economics behind it would be something that I
907 would support, personally, not speaking for the rest of the development.
908
909 Mr. Taylor - Thank you, sir.
910
911 Mr. Jernigan - Mr. Martin, excuse me. What you say is the average size of the house in
912 the subdivision now?
913
914 Mr. Martin - Probably 2200 to 2400 square feet, somewhere in there.
915
916 Mr. Jernigan - OK. Thank you.
917
918 Mr. Taylor - Thank you. I guess we will hear from the applicant now. Neil.
919
920 Mr. Farmer - I think it is all Webb Tyler's fault. He's got too many lots across the
921 street in Sadler Green.
922
923 Mr. Taylor - I thought GM and Ford had something to do with it. They made too
924 many cars.
925
926 Mr. Farmer - Yes. Just kidding. Seriously, I would just like to respond that it has
927 always been my understanding that the Planning Commission was meeting about zoning issues, and I
928 requested R-3 zoning with certain proffers which I have worked out with the staff. The last-minute
929 proffers that were submitted to the staff on Tuesday, the only changes on that were two proffers
930 which were at the recommendation of staff, which have to deal with stub streets, stubbing into the
931 property on the north and south and saying that the subdivision sign would be approved by Henrico
932 County. So, they were the only two changes that were made. It was nothing substantial. Like I
933 said, I have always been under the impression that the planning was an issue about zoning, density,
934 uses, land uses, highest and best use, and that is what I thought we were to discuss here tonight. It
935 also has been my past experience from developing real estate for the past 15 years that the County
936 has, I don't know if it is a policy but an unwritten rule that they do not like to get into buffers
937 between residential and residential. What you've got here is houses with backyards that will back up
938 to houses which will have backyards. And it, I hopefully had solved that by promising the people in
939 the Cedars Subdivision that I will give them either a buffer or a privacy fence and/or landscaping, so
940 they have that situation taken care of. I would prefer to take care of that without getting involved
941 with proffers, at the recommendation of staff, because as the staff has said, it is too complicated and
942 cumbersome to enforce, which you are experiencing tonight. You are getting neighbors backing up
943 to neighbors. It is houses backing up to houses and I have told them I will promise them and I am
944 stating it on the record right now that they will either get a buffer which will remain wooded or if
945 they so choose, they will get a fence or landscaping. The problem is in meeting with them that they
946 have got 8 to 10 people who back up to this neighborhood, and it is hard to get a consensus, which
947 is the reason the County does not want to get involved with it. So, I feel like I would appreciate you
948 all voting on the zoning and Land Use Plan or the highest and best use of this property, which is R-3,
949 and I will work out privately with them the issue of a buffer or fence. And, you know, I thought I
950 had done that, and that is it in my opinion.

951
952 Mr. Vanarsdall - I would like to say something, Mr. Chairman. I'd like to straighten you
953 out, Neil.

954
955 Mr. Farmer - OK. Go ahead, you are senior to me.

956
957 Mr. Vanarsdall - I am going to tell you up front the Planning Commission can do
958 whatever they want to.

959
960 Mr. Farmer - I agree with you 100%.

961
962 Mr. Vanarsdall - And one of the things that we represent are the citizens. We don't have
963 to sit here and talk about zoning and we can ask you anything, ask you for buffers, and you should
964 put everything in writing that you are going to give them. You would sell this property tomorrow
965 morning or tonight if you could get a good enough price. It is not a matter of mistrust. That is why
966 we have proffers. That is why they are in writing. They stay with the property forever, no matter
967 who you sold it to, it would be there. We don't just sit here and talk about zoning. If that is all we
968 talked about, we wouldn't be doing our job. So, I don't know where you are coming from on that.
969 Whoever told you that told you, must have been the same persons who told him the woods would
970 never disappear behind him.

971
972 Mr. Farmer - It probably was the same person.

973
974 Mr. Vanarsdall - I just wanted to let you know that we do, in my district, as you know,
975 you would have already had a meeting with these people. I would have been there and Dick Glover
976 would have been there. The staff would have been there, and all these things that have been taking
977 us - would have been cut and dried before tonight. That is the way we do it. But simply so you can
978 understand it, and we don't always do what the people want. You know that. We don't vote, we
979 don't go for opposition. That is for the Board of Supervisors. They go by the ballot box. We don't.
980 We, no offense, Mr. Thornton, but I just want to tell you, we wouldn't be doing half our job if we just
981 sat here and did what you think that we do.

982
983 Mr. Farmer - I think you totally didn't understand or didn't get, or you interpreted it
984 different than what I was saying. I thought that my zoning request was for R-3. I have submitted
985 certain proffers and I met with the people and it seems like the only issue that we have is a buffer
986 between two residential subdivisions. And I was told by staff, and I am not trying to get Mark in
987 trouble, that the County would prefer not to get involved with buffers and to work it out with people,
988 and that was what I am trying to do.

989
990 Mr. Vanarsdall - You do whatever Mr. Taylor wants you to do.

991
992 Mr. Farmer - That is exactly right, and I have been dealing with Mr. Taylor. I have
993 talked to him a number of times and I am at his beck and I will do whatever he wants to do. Does
994 anybody have any other questions?

995
996 Mr. Taylor - There is a question. Thank you, Neil. I will come back to you in a
997 second. Yes, if you would, speak quickly.

998
999 Ms. Patrice Mcinnis - My name is Patrice Mcinnis and I live at 4800 Dude Ranch Court, and I
1000 think collectively what we are asking for is just a little more time. I have been out of town, and I
1001 didn't even know about the meeting last week. I had a death in the family in Boston and it is just all
1002 this, trying to, I think if we just had more time into October, 30 more days, I don't think, isn't going
1003 to make much of a difference to Mr. Farmer. Or will it?

1004
1005 Mr. Farmer – Let me just say it will probably make Al happy. You all can get out here
1006 quicker. Let's just take a deferral for 30 days. I would like to state for the record that I asked these
1007 people to meet with me a number of times. That is the only reason I was trying to get it done, Ernie,
1008 and you don't know what I have been through. I am just telling you that it will make Al happy, but,
1009 you know, I tried to set up situations and meetings and phone discussions, and I didn't get any
1010 responses, so that is where I am coming from.
1011
1012 Ms. Mcinnis - We are not against the subdivision. We have all decided that this – we
1013 have to move on – but it is the buffer we are all concerned about. The reason why I bought that
1014 house is because of the woods, and I understand that someday those woods won't be there.
1015
1016 Mr. Taylor - OK. Can we just stop right here and what we will do is try to get a
1017 motion out of this. I recognize the situation is between the two groups coming together, and the
1018 question of what to do to solve the tree problem and the buffers is, I mean there are two approaches
1019 to it, I guess, and I am sorry we didn't start a little bit further ahead of where we are now. Mr.
1020 Vanarsdall is right. This is one we probably should have discussed and had a little time with and a
1021 meeting with the people to discuss what Mr. Farmer is going to do. But Mr. Farmer made several
1022 very good points about going ahead with the development and the fact that the County as a practice
1023 tries not to put buffers between neighbors. We usually try to put the neighbors right together. Now
1024 in terms of working with trees and in terms of leaving existing vegetation there, those are all very
1025 good points and things that help mightily to buffer one house from another, and I think though, the
1026 best thing to do is to give this a little more time to have it worked out. I know that everybody has
1027 been trying to work this out. I came on it a little bit late when I heard there was difficulty, so we
1028 really didn't have time to set a meeting, but I think what I will do is set this aside at my option.
1029
1030 Mr. Jernigan - But he asked for a deferral.
1031
1032 Mr. Taylor - I know he did, but I thought I would save him some money. Would you
1033 rather I deferred it, sir?
1034
1035 Mr. Farmer - Yes. That will be fine.
1036
1037 Mr. Taylor - I think a deferral is in order to give us time to sort it out. I would be
1038 happy to do it at my discretion at no charge to you, under the condition that Mr. Kaechele or myself
1039 participate with the discussion and we are realistic in the developer's role as well as the role that we
1040 try to make when we put neighborhoods together, and we put them back to back. And we might
1041 even be able to get in touch with the safety people to work on the roads. I know that Sadler Road is
1042 a difficult road to drive, but one must drive at all times with care and if you are a careful driver, it is a
1043 reasonably safe road, and I think we can put the development in. But I will give 30 days to develop
1044 it and come up with it to the extent that I can work with you with the meetings that are set by Mr.
1045 Farmer and we will discuss it. And the reason that I want to do it because after this is all done, I
1046 really don't want there to be any misunderstanding or any rancor left between the two parties. I
1047 would like to work this out so everybody is happy with what we are doing. Everybody might not get
1048 everything that everybody wants, but hopefully everybody will get something. So I will move a 30-
1049 day deferral at the request of the Commissioner.
1050
1051 Mr. Jernigan - Second.
1052
1053 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Jernigan. All in favor
1054 say aye. All opposed say no. The motion passes.
1055
1056 Thank you very much. We understand all your comments and we will look forward to working it out.

1057
1058 The Planning Commission deferred Case C-54C-02, Neil P. Farmer for Willbrook, LLC, to its meeting
1059 on October 10, 2002.
1060
1061 **C-53C-02 Donald Strange-Boston for Chestnut Grove, LP/Peter Runkle:** Request to amend
1062 proffered conditions accepted with rezoning case C-51C-98, on part of Parcel 774-758-4341 (51-A-98,
1063 9010 Woodman Road), containing 3.919 acres, located on the west line of Woodman Road
1064 approximately 200 feet north of E. Parham Road. The amendment would modify Proffer 4 to allow
1065 removal/replacement of existing trees and to allow a 7' high in-lieu of an 8' high masonry wall along
1066 the northwest property line, abutting Laurel Dell Subdivision. The existing zoning is R-6C General
1067 Residence District (Conditional) and B-1 Business District. The Land Use Plan recommends Office
1068 and Commercial Concentration.
1069
1070 Mr. Marles - Joe, this staff report, I believe, I know there was some discussion that
1071 took place out in the foyer.
1072
1073 Mr. Emerson - Yes, sir, Mr. Chairman, it is my understanding that this has been worked
1074 out and the questions have been resolved and the opposition has been dropped. Is that correct? So,
1075 it has not been worked out. There is the issue regarding the wall. The change in the proffer on the
1076 wall is based on the County Ordinance. The proffer was for 8 feet. The County Ordinance only
1077 allows for 7 feet. If you'd like to hear the case, Ms. Moore is prepared to present it.
1078
1079 Mr. Vanarsdall - If it is 7 foot instead of 8, because in R-6 you can't have an 8-foot wall.
1080
1081 Mr. Emerson - Yes, sir. That is correct, so the proffer...
1082
1083 Mr. Vanarsdall - It was overlooked in the POD.
1084
1085 Mr. Emerson - Yes, sir. That is correct and that seems to be the issue.
1086
1087 Mr. Vanarsdall - Nothing you can do about that.
1088
1089 Mr. Emerson - There is nothing we can do about it, no, sir.
1090
1091 Mr. Archer - Now, is that to say that we would have to approve the 8-foot wall even
1092 though it is technically not legal.
1093
1094 Mr. Emerson - No, sir. You'd have to approve the 7-foot wall. So the 8-foot exceeds
1095 and does not conform with your Ordinance.
1096
1097 Mr. Archer - OK.
1098
1099 Mr. Emerson - You are restricted to 7 feet.
1100
1101 Mr. Archer - That is what I was asking. I just did not say it right.
1102
1103 Mr. Emerson - Yes, sir, that is where we are. You can't exceed 7 feet, so you would not
1104 be able to approve that proffer anyway. You were incorrect when you approved it the first time.
1105
1106 Mr. Archer - I wasn't here.
1107
1108 Ms. Moore - Good evening, Mr. Chairman, and planning commissioners. This
1109 property is currently under construction for the approved Chestnut Grove Assisted living facility.

1110 Once completed, the facility will be adjacent to Laurel Dell subdivision to the northwest, medical
1111 offices to the southeast and southwest, and a dry cleaning business to the north. Offices and single-
1112 family residences lie to the east, across Woodman Road.
1113

1114 One of the proffers, specifically Proffer #4, accepted with the construction of this facility stated that
1115 existing healthy trees of 4-inch caliper or larger would be retained on the site. In addition this
1116 proffer stated that an 8 ft. high masonry wall would be provided along the northwest property line.
1117 This is in order to provide a buffer and screen between the facility and the single-family subdivision
1118 to the northwest. The specific language in this proffer is found on page 3 in your staff report.
1119

1120 The applicant is requesting to amend proffer #4 to permit the clearing of existing trees originally
1121 slated in the courtyard area, and also to allow a 7 ft. high in lieu of a 8 ft. high masonry fence along
1122 the northwest property line.
1123

1124 Staff does not have any concerns regarding the proposed amendment. During the process of
1125 clearing the land for preparation for construction, it was found the existing Pine and Gum trees,
1126 within the courtyard area were not suited for preservation. The Planning staff evaluated the trees and
1127 concurred that the trees did not merit retention and, in fact, if left in place, could pose safety and
1128 maintenance problems to the facility. The applicant has also proffered with a revision that the trees
1129 will be replaced with shade trees with a minimum of 3-1/2 inch calipers or larger. The type and
1130 number of trees will be evaluated during the Plan of Development process. As far as the reduction in
1131 height, we believe that the reduction in height is warranted since an 8 foot high wall is not permitted
1132 in side and rear yards in an R-6 District. No wall higher than 7 feet is permitted. So, we believe that
1133 this change is warranted. So, based on the submitted plans and revised proffer, staff recommend
1134 approval for this item. I'd be happy to answer any questions you may have.
1135

1136 Mr. Archer - Ms. Moore, do we have the conceptual landscape plan?
1137

1138 Ms. Moore - Yes, that is what is up on the screen right now. The Gum trees and Pine
1139 trees were removed in this area (referring to rendering), the ones that were not worth saving, and
1140 they are proposing seven large shade trees and additional two shrubs and some other recreational
1141 amenities in this area (referring to rendering).
1142

1143 Mr. Archer - Thank you, ma'am.
1144

1145 Mr. Vanarsdall - They found more diseased trees than thought was there, didn't they?
1146

1147 Ms. Moore - Yes. I think that was a concern. We had a landscape architect and went
1148 out and evaluated with the height and the soil and also some disease that they were afraid they
1149 would fall, and subsequently, most of those trees have been removed.
1150

1151 Mr. Archer - Mr. Vanarsdall, in looking at the site, just looking at it, the trees were
1152 terrible to be honest with you. To take out the trees and replace them with better trees is really a
1153 terrific improvement over what was there.
1154

1155 Mr. Vanarsdall - That is what Leslie News said in the landscaping.
1156

1157 Mr. Archer - Thank you. Did we have opposition?
1158

1159 Mr. Taylor - Is there opposition? Ma'am, if you would come down please and identify
1160 yourself.
1161

1162 Mr. Archer - Mr. Strange-Boston, did you want to say anything prior to the opposition

1163 or did you just want to wait?
1164
1165 Mr. Strange-Boston - No. Thank you very much.
1166
1167 Ms. Mary Thacker I am Mary Thacker and I own the house at 2403 Saluda Drive, and some
1168 of those trees needed to come down, and we were concerned that they would save some for
1169 protection and privacy. I was sold on an 8-foot wall, but they say it is illegal, an 8-foot, and we'd
1170 have to settle for 7 feet. Mr. Glover thought that since it was an 8-foot, he was all for the 8-foot,
1171 that we should stick to that.
1172
1173 Mr. Archer - But you do understand that it is illegal to do the 8-foot wall.
1174
1175 Ms. Thacker - Yes, I was surprised when he told me that yesterday.
1176
1177 Mr. Archer - So, had that been noted at the time the original zoning was done, it
1178 would have been done anyway. Is there any other opposition other than this?
1179
1180 Ms. Thacker - Well, we wanted as many of those trees as we could save for privacy
1181 from the high Woodman Road there where people couldn't see our homes. We live by ourselves and
1182 all, and it was more private. Maybe we can get by with a 7-foot wall.
1183
1184 Mr. Archer - Well, we will hear from Mr. Strange-Boston and find out exactly what it is
1185 he is going to do, if that is all right with you, ma'am.
1186
1187 Ms. Thacker - OK. All right.
1188
1189 Mr. Archer - Sir, would you come down and let us know what it is that we have
1190 agreed to do so we can try and satisfy her as much as we can. I can't see over a 7-foot or an 8-foot
1191 wall.
1192
1193 Mr. Strange-Boston - Well, I missed the 8-foot wall regulation, too, during the original
1194 planning when we discussed it with Mr. Glover.
1195
1196 Mr. Taylor - Sir, if you would, please state your name for the record.
1197
1198 Mr. Strange-Boston - Oh, I am sorry. Donald Strange-Boston. I am representing the owner,
1199 which is Chestnut Grove, LP. I am also project architect. The serpentine wall that you see along that
1200 border there was originally planned after a meeting with Mr. Glover. We decided to make it an 8-foot
1201 high wall and I just missed the regulation that said seven, so I think maybe we have all overlooked
1202 that, so 7 foot is what the revised proffer is asking for, in order to be in compliance. The trees that
1203 are between the development and the residences to the north, well, it is actually due west, have not
1204 been changed in the last submission from the previous submission as far as clearing is concerned. All
1205 of the clearing has been done and what you see there, with the exception of the sick ones and the
1206 honeysuckle and the poison ivy will remain, and we are going to supplement them by some perimeter
1207 planting. There is no planting along Woodman Road, and we are putting some pretty extensive
1208 planting there. That is one of the places we are going to try to put some of these chestnuts that VPI
1209 is developing, and hopefully get that started again. The history of the project is that that particular
1210 area in 1853 was called Chestnut Grove, and since all of the American Chestnuts have been wiped
1211 out by disease since 1920, we are trying to get it started back again where it ought to be. The
1212 planting in the courtyard is going to be a lot healthier and a lot better maintained proportionately
1213 than the trees that were there. We are going to have a croquet green there, some planting beds,
1214 shuffleboard and a gazebo, a fountain and some sitting areas, and we need shade trees as well in
1215 order to make that right, so that is what the landscape plan shows. We have cleared one area

1216 through the woods; let's see if I can move this mouse (referring to rendering). Well, right along here
1217 from the building is an avenue. I am getting the wrong one. OK. From the building through the
1218 woods to here (referring to rendering) is a lane that is cleared. It is now cleared. It doesn't impact
1219 the tree barrier behind the residences. This is for the sewer line to go out to the manhole, which is
1220 right there. Other than that, we haven't changed anything and don't intend to do anything but to
1221 clean it up and supplement it as may be necessary. Are there any questions I could answer?
1222
1223 Mr. Vanarsdall - Show me where the wall is, Donald.
1224
1225 Mr. Strange-Boston - The wall is right along there (referring to rendering). It is a serpentine
1226 wall.
1227
1228 Mr. Vanarsdall - And the trees right there are the trees that we asked in the beginning to
1229 leave for the neighbors?
1230
1231 Mr. Strange-Boston - Yes, sir. That is this.
1232
1233 Mr. Vanarsdall - The trees that are diseased are over in the court.
1234
1235 Mr. Strange-Boston - That group right there (referring to rendering). We are having to cut
1236 back about four to five feet from the property line in order to build that wall.
1237
1238 Mr. Vanarsdall - Where the hand is now?
1239
1240 Mr. Strange-Boston - Yes. In order to build it. And we will have to have a like amount, maybe
1241 three or four feet on our side of the wall as well cleared in order to build it, so that there will be a
1242 total of about probably eight feet cleared all the way along that line with the wall in the middle of it.
1243 And the wall is a decorative masonry wall that is coated with an anti-graffiti coating, which we hope
1244 works, and that is about the story on it.
1245
1246 Mr. Vanarsdall - And the new plantings are up in the courtyard?
1247
1248 Mr. Strange-Boston - All of the courtyard planting is new. We have added some planting
1249 around here which is where the sewerage lift station is, and a couple of trees and some shrubs
1250 around there to soften the edge of the woods. We have got planting around the building itself. This
1251 is a fire lane, which is grass, with the paving down below the side. That is all the way around the
1252 building there, and the out border of that is the planting, and then, of course, we've got planting in
1253 front and rather extensive planting on the buffer, the 35-foot buffer out here. But everything else
1254 that you see that is there now, with the exception of one tree, which is hanging over Woodman Road
1255 and one tree right here, which is diseased (referring to rendering). We are going to take those two
1256 out and replace them with new ones. Then the rest of everything there stays. There are some trees
1257 over in this area - we didn't show them, because of the irregular lot line, but this whole area behind
1258 the dry cleaners is wooded, and it's got poison ivy in it. I can vouch for that. Are there any
1259 questions I could help with?
1260
1261 Mr. Taylor - Any more questions of the applicant?
1262
1263 Mr. Archer - I don't have any. Ma'am, you don't have to come down, but are you
1264 satisfied with the explanations that he gave and understand that we have taken a situation that was
1265 somewhat bad and made it better. And the fence, we legally cannot construct an eight. Thank you,
1266 ma'am.
1267
1268 Ms. Thacker - That used to be an old County road and people rode mules and wagons

1269 through there from Lady of Lourdes Church at that intersection.
1270
1271 Mr. Archer - That's been a while.
1272
1273 Mr. Vanarsdall - You don't look old enough to remember that.
1274
1275 Ms. Thacker - I was in Virginia then. My neighbors told me about it. But they used to
1276 ride horses and mules through there.
1277
1278 Mr. Vanarsdall - And what is your name?
1279
1280 Ms. Thacker - The Thackers have lived in that area for years.
1281
1282 Mr. Vanarsdall - Thank you.
1283
1284 Mr. Archer - I am ready, Mr. Chairman.
1285 Mr. Taylor - Any other questions from the Commissioners? Proceed with your
1286 motion.
1287
1288 Mr. Archer - All right, Mr. Chairman. I recommend C-53C-02 be submitted to the
1289 Board with a recommendation of approval.
1290
1291 Mr. Vanarsdall - Second.
1292
1293 Mr. Taylor - Motion made by Mr. Archer and seconded by Mr. Vanarsdall to approve
1294 Case C-53C-02. All in favor say aye. All opposed say no. The motion passes.
1295
1296 REASON: Acting on a motion by Mr. Archer, seconded by Mr. Vanarsdall, the Planning Commission
1297 voted 4-0 (one abstention and one absence) to recommend that the Board of Supervisors **accept**
1298 **the amended proffered condition** imposed with C-51C-98 because the changes do not greatly
1299 reduce the original intended purpose of the proffers and it is not expected to adversely impact
1300 surrounding land uses in the area.
1301
1302 Mr. Emerson - Mr. Chairman, the last item on the agenda is the approval of minutes for
1303 the meeting held on August 15, 2002.
1304
1305 Mr. Taylor - Any corrections for August 15 minutes?
1306
1307 Mr. Archer - I have one, Mr. Chairman, on Page 44, Line 1375, beginning with the
1308 word "percentage of brick" and then it says we played with the man for a little bit. I think I may
1309 have said "demand". We didn't play around with the man.
1310
1311 Mr. Taylor - Any other comments?
1312
1313 Mr. Jernigan - I have one on Page 73, Line 2300. We are referring to a concrete plant,
1314 not plan. That is all I have.
1315
1316 Mr. Taylor - Any other comments? No other comments. Do I have a motion to
1317 approve the minutes?
1318
1319 Mr. Jernigan - So moved.
1320
1321 Mr. Vanarsdall - Second.

1322
1323 Mr. Taylor - All in favor say aye. All opposed say no. The minutes are approved.
1324
1325 Mr. Archer - Motion to adjourn.
1326
1327 Mr. Vanarsdall - Second.
1328
1329 Mr. Taylor - All in favor say aye. All opposed say no. There being no opposition, the
1330 meeting is adjourned at 8:31 p.m.

1331
1332
1333
1334
1335
1336
1337
1338
1339
1340

Allen Taylor, P.E., C.P.C., Chairman

John R. Marlles, AICP, Secretary