

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. September
4 14, 2017. Display Notice having been published in the *Richmond Times-Dispatch*
5 on August 28, 2017 and September 4, 2017.
6

Members Present: Mr. Eric S. Leabough, C.P.C., Chair (Varina)
Mr. Robert H. Witte, Jr., Vice Chair (Brookland)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Gregory R. Baka (Tuckahoe)
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning,
Secretary
Mr. Tyrone E. Nelson (Varina)
Board of Supervisors' Representative

Member Absent: Mrs. Sandra M. Marshall (Three Chopt)

Also Present: Ms. Jean M. Moore, Assistant Director of Planning
Mr. James P. Strauss, PLA, Senior Principal Planner
Ms. Leslie A. News, PLA, Senior Principal Planner
Ms. Rosemary D. Deemer, AICP, County Planner
Mr. Seth Humphreys, County Planner
Mr. Livingston Lewis, County Planner
Mr. Anthony Greulich, County Planner
Mrs. Lisa Blankinship, County Planner
Ms. Erin Puckett, County Planner
Mr. Steven J. Yob, Director of Public Works
Mr. John Cejka, Traffic Engineer, Public Works
Ms. Sylvia Ray, Recording Secretary

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

10
11 Mr. Leabough - We'll call this meeting of the Henrico County Planning
12 Commission to order. This is our September 14th rezoning and PUP meeting. I'd
13 ask that everyone mute or silence your cell phones. And as you do that, please
14 rise with the Commission for the Pledge of Allegiance.
15

16 I think we have someone in the audience with the news media. Please raise your
17 hand. Okay, two. May I ask your names, please? Thanks for being here with us.
18

19 Mrs. Marshall could not be with us tonight, but we have a quorum, so we can
20 conduct business. Before we move forward, I just want to thank Rev. Nelson, our
21 Board of Supervisors' representative. Thank you for serving with us this year, sir.
22 With that, I'd like to turn the agenda over to Mr. Emerson, our secretary.
23

24 Mr. Emerson - Thank you, Mr. Chairman. The first item on your
25 agenda this evening are the Requests for Withdrawals and Deferrals. Those will
26 be presented by Mr. Jim Strauss.

27
28 Mr. Strauss - Thank you, Mr. Secretary. We do have three requests
29 for deferral this evening, and they are all in the Three Chopt District. The first
30 request is on page 5 of your agenda, REZ2017-00010, MS Richmond Investors,
31 LLC and in this case, the applicant is requesting a deferral to the November 9,
32 2017 meeting.

33
34 *(Deferred from the July 13, 2017 Meeting)*
35 **REZ2017-00010 Adena Patterson or Ann Neil Cosby for MS**
36 **Richmond Investors LLC:** Request to conditionally rezone from A-1
37 Agricultural District to R-5AC General Residence District (Conditional) Parcels
38 744-763-8661, 744-763-9175, 745-763-2013, 745-763-2727, 745-763-3440, 745-
39 763-4567, 745-763-5481, 745-763-6093 and 745-764-0618 containing 18.580
40 acres located between the east line of Belfast Road and the west line of Glasgow
41 Road at its intersection with Ireland Road. The applicant proposes a zero lot line
42 development with detached homes. The R-5A District allows a maximum density
43 of six (6) units per acre. The use will be controlled by zoning ordinance
44 regulations and proffered conditions. The 2026 Comprehensive Plan
45 recommends Traditional Neighborhood Development.

46
47 Mr. Leabough - Is there anyone in the audience in opposition to the
48 deferral request for REZ2017-00010, Adena Patterson or Ann Neil Cosby for MS
49 Richmond Investors LLC? I see no opposition, Mr. Archer.

50
51 Mr. Archer - All right, Mr. Chairman. With that, I will move that
52 REZ2017-00010, Adena Patterson or Ann Neil Cosby for MS Richmond
53 Investors LLC, be deferred to the November 9th meeting at the request of the
54 applicant.

55
56 Mr. Baka - Second.

57
58 Mr. Leabough - We have a motion by Mr. Archer, a second by
59 Mr. Baka. All in favor say aye. Those opposed say no. Hearing no opposition,
60 that motion passes.

61
62 At the request of the applicant, the Planning Commission deferred REZ2017-
63 00010, Adena Patterson or Ann Neil Cosby for MS Richmond Investors LLC, to
64 its meeting on November 9, 2017.

65
66 Mr. Strauss - The next request for deferral, also on page 5 of the
67 agenda and also in the Three Chopt District, is REZ2017-00011, MS Richmond
68 Investors LLC. Again, the applicant is requesting a deferral to the November 9,
69 2017 meeting.

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(Deferred from the July 13, 2017 Meeting)

REZ2017-00011 Adena Patterson or Ann Neil Cosby for MS Richmond Investors LLC: Request to conditionally rezone from A-1 Agricultural District and R-3C One-Family Residence District to R-5AC General Residence District (Conditional) Parcels 744-762-4780, 744-762-5294, 744-762-9757, and 745-762-0472 containing 8.264 acres located between the east line of Belfast Road and the west line of Glasgow Road approximately 155' north of Edinburgh Road. The applicant proposes a zero lot line development with detached homes. The R-5A District allows a maximum density of six (6) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development.

Mr. Leabough - Is there anyone in the audience in opposition to the deferral request for REZ2017-00011, Adena Patterson or Ann Neil Cosby for MS Richmond Investors LLC? I see no opposition, Mr. Archer.

Mr. Archer - Mr. Chairman, I move to defer REZ2017-00011, Adena Patterson or Ann Neil Cosby for MS Richmond Investors LLC, at the request of the applicant, to the November 9th meeting.

Mr. Witte - Second.

Mr. Leabough - We have a motion by Mr. Archer, a second by Mr. Witte. All in favor say aye. Those opposed say no. Hearing no opposition, that motion passes.

At the request of the applicant, the Planning Commission deferred REZ2017-00011, Adena Patterson or Ann Neil Cosby for MS Richmond Investors LLC, to its meeting on November 9, 2017.

Mr. Strauss - The third request for deferral this evening is on page 5 of the agenda and is also in the Three Chopt District. It is REZ2017-00022, Bacova LLC. In this case, the applicant is requesting deferral to the October 12, 2017 meeting.

REZ2017-00022 Andrew M. Condlin for Bacova Texas, LLC and Bacova, LLC: Request to amend proffers accepted with REZ2016-00033 on Parcels 736-768-6361, 736-768-5323, and 736-767-2166 containing 23.1 acres located on the east line of N. Gayton Road between Liesfeld Farm Drive and Kain Road. The applicant proposes to amend Proffer 22 regarding N. Gayton Road improvements. The existing zoning is R-5AC General Residence District (Conditional). The 2026 Comprehensive Plan recommends Suburban Mixed-Use, density should not exceed 4 units per acre, and Environmental Protection Area.

116
117 Mr. Leabough - Is there anyone in the audience in opposition to the
118 deferral request for REZ2017-00022, Andrew M. Condlin for Bacova Texas, LLC
119 and Bacova, LLC? I see no opposition, Mr. Archer.

120
121 Mr. Archer - All right. Then at the request of the applicant, I move
122 that REZ2017-00022, Andrew M. Condlin for Bacova Texas, LLC and Bacova,
123 LLC, be deferred to the October 12th meeting.

124
125 Mr. Leabough - Second. We have a motion by Mr. Archer, a second
126 by Mr. Leabough. All in favor say aye. Those opposed say no. Hearing no
127 opposition, that motion passes.

128
129 At the request of the applicant, the Planning Commission deferred REZ2017-
130 00022, Andrew M. Condlin for Bacova Texas, LLC and Bacova, LLC, to its
131 meeting on October 12, 2017.

132
133 Mr. Emerson - Mr. Chairman, if the Commission has no deferrals
134 they'd like to enter in addition to those we're aware of, the next item on your
135 agenda are the requests for expedited items. They will also be presented by Mr.
136 Jim Strauss.

137
138 Mr. Strauss - Thank you, Mr. Secretary. We do have a few requests
139 for approval on the expedited agenda this evening. The first is in the Varina
140 District on page 5 of your agenda. This is PUP2017-00018, Redco Properties,
141 LLC. This is a request for approval of a Provisional Use Permit to allow extended
142 hours for the operation of a restaurant. The applicant wishes to open at 5:30 a.m.
143 instead of 6 a.m. Staff is recommending approval with conditions 1 through 9 in
144 the staff report. We are not aware of any opposition.

145
146 **PUP2017-00018 Andrew M. Condlin for Redco Properties, LLC:**
147 Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120, and 24-
148 122.1 of Chapter 24 of the County Code to allow for extended hours of operation
149 for a proposed restaurant on part of Parcels 816-711-6950 and 816-711-8151
150 located on the east side of S. Laburnum Avenue approximately 460' south of its
151 intersection with Eubank Road. The existing zoning is B-3C Business District
152 (Conditional). The 2026 Comprehensive Plan recommends Commercial
153 Concentration.

154
155 Mr. Leabough - Is there anyone in the audience in opposition to
156 PUP2017-00018, Andrew M. Condlin for Redco Properties, LLC? There is no
157 opposition.

158
159 So, with that, I move that PUP2017-00018, Andrew M. Condlin for Redco
160 Properties, LLC, move forward to the Board of Supervisors with a

161 recommendation of approval subject to conditions 1 through 9 as outlined in the
162 staff report.

163

164 Mr. Witte - Second.

165

166 Mr. Leabough - We have a motion by Mr. Leabough, a second by
167 Mr. Witte. All in favor say aye. Those opposed say no. Hearing no opposition,
168 that motion passes.

169

170 **REASON -** Acting on a motion by Mr. Leabough seconded by Mr.
171 Witte, the Planning Commission voted 4-0 (one absent, one abstention) to
172 recommend the Board of Supervisors **grant** the request because it is reasonable
173 in light of surrounding uses and existing zoning on the property.

174

175 Mr. Strauss - The next request for approval on the expedited
176 agenda this evening is in the Tuckahoe District. It's on page 6 of your agenda,
177 REZ2017-00020, B. Hunt Gunter. Staff is recommending approval with the 14
178 proffers on page 8 of the staff report. Again, we're not aware of any opposition.

179

180 **(Deferred from the August 10, 2017 Meeting)**

181 **REZ2017-00020 Mark Williams for B. Hunt Gunter:** Request to
182 conditionally rezone from B-1 Business District to B-2C Business District
183 (Conditional) Parcel 741-742-5027 containing .523 acres located at the northwest
184 intersection of Pump Road and Patterson Avenue (State Route 6). The applicant
185 proposes a drive-thru restaurant. The use will be controlled by proffered
186 conditions and zoning ordinance regulations. The 2026 Comprehensive Plan
187 recommends Commercial Concentration and Environmental Protection Area.

188

189 Mr. Leabough - Is there anyone in the audience in opposition to
190 REZ2017-00020, Mark Williams for B. Hunt Gunter? There's no opposition, Mr.
191 Baka.

192

193 Mr. Baka - Mr. Chairman, I would move that case REZ2017-
194 00020, Mark Williams for B. Hunt Gunter, move on to the Board of Supervisors
195 with a recommendation of approval with the proffers that have been submitted.

196

197 Mr. Witte - Second.

198

199 Mr. Leabough - We have a motion by Mr. Baka, a second by Mr.
200 Witte. All in favor say aye. Those opposed say no. Hearing no opposition, that
201 motion passes.

202

203 **REASON -** Acting on a motion by Mr. Baka seconded by Mr.
204 Witte, the Planning Commission voted 4-0 (one absent, one abstention) to
205 recommend the Board of Supervisors **grant** the request because the proffered

206 conditions will provide appropriate quality assurances not otherwise available
207 and continues a form of zoning consistent with the area.

208

209 Mr. Strauss - Our third request for approval this evening on the
210 expedited agenda is in the Brookland District, page 6 of your agenda. This is
211 REZ2017-00021, Jakhov LLC & JBJ & BJJ. Staff is recommending approval with
212 the two proffers on page 8 of the staff report. We are not aware of any
213 opposition.

214

215 **REZ2017-00021 S.L. Nusbaum Realty Co. for Jakhov LLC & JBJ &**
216 **BJJ:** Request to conditionally rezone from R-4 One-Family Residence District to
217 B-2C Business District (Conditional) part of Parcel 767-747-8171 containing 1.25
218 acres located on the west line of Bethlehem Road approximately 650' northwest
219 of its intersection with Glenside Drive. The applicant proposes to add land area to
220 the adjacent shopping center. The uses will be controlled by proffered conditions
221 and zoning ordinance regulations. The 2026 Comprehensive Plan recommends
222 Office.

223

224 Mr. Leabough - Is there anyone in the audience in opposition to
225 REZ2017-00021, S.L. Nusbaum Realty Co. for Jakhov LLC & JBJ & BJJ?
226 There's no opposition, Mr. Witte.

227

228 Mr. Witte - Mr. Chairman. I move that REZ2017-00021, S.L.
229 Nusbaum Realty Co. for Jakhov LLC & JBJ & BJJ, move to the Board of
230 Supervisors with a recommendation for approval on the expedited agenda.

231

232 Mr. Baka - Second.

233

234 Mr. Leabough - We have a motion by Mr. Witte, a second by
235 Mr. Baka. All in favor say aye. Those opposed say no. Hearing no opposition,
236 that motion passes.

237

238 **REASON -** Acting on a motion by Mr. Witte, seconded by Mr.
239 Baka, the Planning Commission voted 4-0 (one absent, one abstention) to
240 recommend the Board of Supervisors **grant** the request because it would assist
241 in achieving the appropriate development of adjoining property and it is
242 reasonable in light of the business zoning in the area.

243

244 Mr. Emerson - Mr. Chairman, that completes your expedited items
245 this evening, taking you to your first case to be heard. This appears on page 1 of
246 your agenda. You also have an amended agenda in front of you this evening at
247 your seat relating to this case. I would like to note that this is a Plan of
248 Development. Normally these are heard on Wednesday mornings. The reason
249 I'm noting the difference is because zoning cases are primarily heard in the
250 evening. Those are recommendations to the Board of Supervisors, with the
251 Board of Supervisors making the final decision. A Plan of Development is

252 different, as all of you are aware. It is a final decision by the Commission, and the
253 Commission is compelled to approve a Plan of Development as long as it meets
254 all the criteria of the Zoning Ordinance. So I did want to remind you of that and
255 also those of you in the audience that may be interested.

256

257 With that said, Mr. Chairman, the next item on your agenda is POD2017-00431.
258 The staff report will be presented by Mr. Tony Greulich.

259

260 **PLAN OF DEVELOPMENT, MASTER PLAN, SPECIAL EXCEPTION, AND**
261 **LIGHTING PLAN**

262

POD2017-00431
Project Echo –
White Oak Technology
Park

**Christopher Consultants for Economic
Development Authority and Scout Development,
LLC: Request for approval of a plan of
development, master plan, special exception,
and lighting plan, as required by Chapter 24,
Sections 24-106 and 24-2 of the Henrico County
Code, to construct a Phase I 1,000,000-square
foot data center and three future buildings
totaling 1,500,000 square feet, with associated
support facilities. The special exception would
authorize all buildings to exceed 50 feet in
height, up to 100 feet in height. The 328-acre
site is located on the northwestern and
northeastern corners of the intersection at
Technology Boulevard and Portugee Road, on
part of parcel 849-704-6939. The zoning is M-2,
General Industrial District. County water and
sewer. (Varina)**

263

264 Mr. Leabough - Is there anyone in the audience in opposition to
265 POD2017-00431, Project Echo? We have opposition.

266

267 Mr. Baka - Mr. Chairman, if I may?

268

269 Mr. Leabough - Sure.

270

271 Mr. Baka - A brief comment, sir. Mr. Chairman, although I do not
272 have a personal interest in this case, I'm going to recuse myself from
273 participating in this case, POPD2017-00431, to avoid the appearance of a
274 conflict. I would ask that the clerk record my recusal and my abstention from the
275 vote in the minutes of this meeting.

276

277 Mr. Leabough - All right, thank you for noting that. We have
278 opposition. Before we ask that folks come up to speak, I will ask Mr. Emerson to

279 share our guidelines for speaking at a public hearing. Mr. Greulich. Good
280 evening, sir.

281
282 Mr. Greulich - Good evening.

283
284 For those not familiar with the project, I wanted to identify its location in relation
285 to the overall area. The bounds of the proposed project are shown in yellow. The
286 bounds of the overall White Oak Technology Park are shown in orange. The
287 proposed development is in the middle of the park, surrounded by other
288 properties within the park.

289
290 The park is owned and managed by the Henrico County Economic Development
291 authority in conjunction with the State of Virginia. The overall park encompasses
292 approximately 2,200 acres of land formerly known as the Elko Tract. The M-2
293 General Industrial zoning of the subject parcel has been in place since 1960.

294
295 To aid in the development of an attractive and well-designed park, covenants and
296 restrictions creating the White Oak Technology Park Design Review Board
297 (DRB) were recorded in September of 1996. These covenants include specific
298 design criteria and also a section called Design Guidelines. Accordingly, the
299 proposed development is subject to review and approval by this DRB.

300
301 This plan of development and master plan is for the construction of a data center
302 within the park. Phase 1, located at the northwest corner of the intersection of
303 Portugee Road and Technology Boulevard, proposes two 1-story connected
304 buildings with mechanical penthouses. It is approximately 1,000,000 square feet
305 in total, with associated support facilities.

306
307 The master plan proposes additional buildings up to 1.5 million square feet and
308 additional associated support facilities with those. The applicant has also
309 requested that a special exception for height be granted by the Planning
310 Commission.

311
312 The total parcel of the proposed development is approximately 328 acres, and
313 this will accommodate all phases of development. The relative sizes of the
314 buildings within the park are depicted. The proposed buildings have the same
315 approximate, footprint as existing ones around it.

316
317 Through proposed conditions of the POD approval, trucks from this facility are
318 prohibited to access Elko Road. The developer will limit all of their construction
319 and tractor trailer traffic to flow from Portugee Road to Technology Boulevard.

320
321 Through another proposed condition of the POD approval, the applicant is
322 required to provide a number for citizens to call if they wish to comment on the
323 proposed development.

324

325 This plan depicts the potential build-out of the master plan, including five data
326 center buildings and various support structures and areas. Of note is that the
327 limits of disturbance on either side of Technology Boulevard is designed to
328 minimize impact on the existing wetlands and floodplain. Approximately a third of
329 the overall site is environmentally sensitive area that will be left undisturbed.

330

331 Main access to both sites will be from Technology Boulevard. With the
332 development of Phase I, a secondary entrance from Portugee Road will be
333 constructed.

334

335 Two types of fencing are proposed. Type 1 is a black, decorative fence,
336 approximately 8 to 10 feet in height, seen elsewhere within the Park. The Type 2
337 fence is more industrial in appearance, also black in color, and approximately 10
338 feet in height.

339

340 From a County zoning perspective, the proposed site is internal to the park;
341 therefore, transitional buffers are not required. The required setbacks are less
342 than the buffers required by the covenants of the park and are exceeded. There
343 is a vegetative buffer around the site that is a minimum of 50 feet in width, except
344 for the construction of entrance driveways, utility connections, and drainage
345 structures. Most of the vegetative buffer against right-of-way exceeds 100 feet,
346 with the buffer against Portugee Road routinely exceeding 600 feet.

347

348 When Buildings 1 and 2 are operational, the applicant anticipates that there will
349 be approximately 100 employees and contractors and approximately two truck
350 trips per day. When the full build-out is operational, the applicant anticipates that
351 there will be approximately 240 employees and contractors and approximately
352 six truck trips per day for the whole development.

353

354 This depicts the structures to be built with Phase I. The main entrance to the
355 facility is from Technology Boulevard and will be controlled by a manned guard
356 house and gate system. Pedestrian access to the facility is via a pedestrian gate
357 in this area. The proposed fencing is largely hidden from view by the existing
358 vegetative buffers that are to remain. A secondary entrance is proposed to
359 access Portugee Road. It will also contain a manned guard house. Both guard
360 houses will be of a similar appearance.

361

362 Approximately one quarter of the site is protected wetlands and other
363 environmentally sensitive property. Therefore, all county and state environmental
364 protection requirements will be met regarding stormwater management.

365

366 This provides an idea of the appearance of Buildings 1 and 2. The top image is
367 facing Technology Boulevard and their gate house. This is a more detailed image
368 of the entrance to the connector structure between Buildings 1 and 2. The
369 majority of employees and contractors for the development will likely be located
370 within this area.

371
372 These are additional perspectives.

373
374 The exterior of the buildings will be comprised of precast concrete panels, fiber
375 cement panels, ribbed and smooth architectural metal panels, metal louvers and
376 glass curtain wall glazing. The color palette will predominantly consist of grey
377 tones with a slate brown brise soleil (sun shading) in front of the curtain wall.

378
379 Future buildings would generally appear to be consistent with the buildings
380 proposed with Phase I.

381
382 This is the proposed floor plan. Over half of each building will be data halls. The
383 bulk of the administrative and office space is within the connector building
384 between the two buildings.

385
386 This is the proposed building section. What might appear to be a second floor is
387 actually a mechanical unit penthouse.

388
389 The site is zoned M-2 and the Zoning Ordinance allows for heights up to 50 feet
390 by right, up to 110 feet with a special exception, and up to 200 feet in height with
391 a Provisional Use Permit authorized by the Board of Supervisors. The applicant
392 has requested a maximum height of up to 100 feet. This can be authorized by the
393 Planning Commission as a special exception. The requested height is less than
394 what could be approved by the Planning Commission or the Board of
395 Supervisors. The applicant has advised that it is critical to their business model to
396 have the flexibility to construct taller buildings.

397
398 Both sites, particularly the future location of Buildings 5 and 6, are constrained by
399 wetlands and environmentally sensitive areas. Additional height could provide
400 more flexibility to continue to avoid these site constraints.

401
402 The provided sightlines illustrate if a 100 foot building would be visible from these
403 three different locations along Portugee Road as indicated with the red triangles.
404 A small portion of the top of a building can be seen in red on the three
405 perspectives.

406
407 The nearest residential properties are in the Cedar Ridge subdivision to the east.
408 The applicant provided an additional perspective from within this subdivision,
409 near the intersection of Portugee and Elko Roads and this showed that no part of
410 the building would be visible from this intersection. The boundary of this
411 subdivision is approximately 1,800 feet from the nearest building proposed with
412 this development.

413
414 It is appropriate to note that this buffer, and the buffer along Portugee Road, are
415 largely comprised of wetlands and other environmentally sensitive areas that will
416 not be disturbed.

417

418 Regardless of the height of the buildings, the square footage of the buildings will
419 not increase. A taller building may translate to a smaller building footprint.

420

421 The Park is not within the Airport Safety Overlay District; therefore, these
422 buildings do not require additional review by the airport or the FAA.

423

424 Other buildings within the Park, including some on Technology Boulevard, have
425 requested and received similar height exceptions from the Planning Commission
426 and from the DRB.

427

428 All proposed lighting within the facility will be a maximum of 25 feet in height,
429 have LED fixtures, and conform to Dark Sky-compliant requirements. The
430 photometric counts are all within County and DRB guidelines for light levels.

431

432 Proposed lighting will be of similar appearance as the EF 1 design in your
433 packet. The variations include multiple heads and shorter pole heights.
434 Additionally, wall mounted, Dark Sky compliant, LED fixtures will be proposed
435 within the equipment yards. The proposed pole lighting along the west side of
436 Technology Boulevard will match the existing lighting along the boulevard in
437 terms of appearance, fixtures, and spacing. These lights are 30 feet in height and
438 function as typical street lights. Lighting along Portugee Road is not required.

439

440 Staff has received comments from four citizens who live in this area. Staff has
441 replied to all comments and no additional requests for information have been
442 received. One common theme was associating the volume of traffic proposed
443 with this development with the traffic generated by truck dependent facilities in
444 the area. The facility proposed today is not a warehouse or a distribution center
445 and once operational will not generate the traffic volume of those uses. The
446 traffic enforcement related comments have been passed to the Community
447 Officer for the area.

448

449 Before I conclude, I wanted to touch on some general aspects of the process.
450 The proposed use and development of the property meet all aspects of the
451 Zoning Ordinance. The Planning Commission and staff review the proposed
452 plans to ensure that they meet the requirements of the Code and County design
453 policies. This is done with an eye towards improving the design of the site as
454 much as possible in response to individual site, and quality, development
455 considerations.

456

457 The DRB has also reviewed the plans for conformance with the private park
458 design guidelines. They have granted preliminary plan approval.

459

460 With that said, should the Planning Commission grant approval for the Special
461 Exception for height, staff recommends approval of the plans, subject to the

462 standard conditions for developments of this type, the annotations on the plans
463 and the additional conditions as listed in the agenda.

464

465 County staff are here and available to answer any questions. Representatives of
466 the applicant are also present and available.

467

468 Thank you.

469

470 Mr. Leabough - Thank you, Mr. Greulich. Are there any questions for
471 Mr. Greulich from the Commission? Okay. Thank you, sir.

472

473 Mr. Archer - I do have one question. Mr. Greulich, how does the
474 height of this building compare to the height of the tallest building in the rest of
475 the development?

476

477 Mr. Greulich - The tallest building in the development was approved
478 at 75 feet, and the applicant is requesting 100.

479

480 Mr. Archer - I understand. Thank you.

481

482 Mr. Emerson - But we do have exceptions up to 100 feet in the park.
483 Correct, Mr. Greulich?

484

485 Mr. Greulich - Within the park?

486

487 Mr. Emerson - Yes.

488

489 Mr. Greulich - No. The only one that was granted was up to 75.
490 There are higher heights elsewhere in the County.

491

492 Mr. Leabough - Any other questions for Mr. Greulich? Thank you, sir.

493

494 Mr. Greulich - Sure.

495

496 Mr. Leabough - Don't go far. I'm sure we'll have other questions.

497

498 Mr. Leabough - Mr. Emerson, we have opposition. Do you mind
499 sharing with folks in the audience our guidelines, please, sir?

500

501 Mr. Emerson - Yes sir, Mr. Chairman. As you note, the Commission
502 does have guidelines regarding its public hearings and they are as follows: The
503 applicant is allowed ten minutes to present the request, and time may be
504 reserved for responses to testimony. Opposition is allowed a cumulative ten
505 minutes to present its concerns. Commission questions do not count into the time
506 limits. The Commission may waive the limits for either party at its discretion.
507 Comments must be directly related to the case under consideration. Again for the

508 opposition, that's a cumulative ten minutes, which means everybody that wishes
509 to speak in opposition must fit within the ten minutes unless the Commission
510 grants an exception.

511

512 Mr. Leabough - Thank you, sir. Folks that have questions or are here
513 in opposition, would you please come to the podium and state your name for the
514 record?

515

516 Mr. Davis - Mark Davis. I live at 6425 Elko Road. I'm not in
517 opposition to the project per se. Since it's a POD, that wouldn't really matter a
518 whole lot. But I am opposed to granting an exception to the height requirement,
519 especially for construction that's not planned. I understand the business is asking
520 that for server farm technology that may change down the road. But my concern
521 is that we're granting an exception for an economic factor. At least that's what I
522 would view it as. They're simply asking for the fact that they wanted to be able to
523 put a higher building to increase their density of their server farm. I haven't heard
524 anything else that this would present them an economic hardship if they were
525 required to build to the existing code. That was not in the staff report that I saw
526 any reference to why they specifically wanted this, other than they think
527 technology will change down the road.

528

529 Well, I did my own homework. Microsoft has a wonderful white page on where
530 they built their server farm underwater. That's their recommendation for what's
531 considered energy consumption, which is a driving factor behind server farm
532 construction. Google had a nice white page. Unfortunately, I don't think our
533 applicant's going to be able to put the pretty murals on the sides of their buildings
534 like Google did out west. They had some really pretty 50-foot murals they had
535 painted all over their building.

536

537 So my opposition is not to the project itself. I think it's a good fit for the
538 technology. It is a technology driven industry. My concern is that we have no idea
539 when this applicant plans to build this project, whether it's 5 years from now or 25
540 years from now. I would assume it would be sooner as long as their business
541 model works out. But you're granting a special exception for them to begin
542 theoretical construction on something. In 20 years, none of you all probably will
543 be sitting here. I probably may or may not be here. My thing of it is, at the time
544 they want to begin construction is when they should ask for this exception. At that
545 point, the residents, the Henrico County citizens, and the government people that
546 are in the bodies at that time should be authorized to grant that exception.

547

548 I will also reiterate the staff report given by Tony was good in its nature. But it's
549 lacking to me as a resident, as I've spoken before, three critical pieces of
550 information. There is no groundwater impact to this. As I've mentioned before, all
551 of the surrounding properties, except for a couple on Elko Road, which includes
552 myself, happen to be on County water. All of the other residents are on
553 groundwater, meaning that they are relying upon their wells to provide their

554 drinking water, etcetera. There is no impact study in the current process that
555 addresses that issue. You're talking about another million-plus square feet of
556 impervious surface being in this technology park.

557

558 You take that along with all the other projects that have occurred over the last
559 five years, and you cannot tell me—I'm an environmental engineer by trade, 30-
560 plus years of experience—that this will not impact to some degree the
561 groundwater recharge of the aquifer in this area. Currently, there are no studies.
562 There are no current studies by the County. There are no studies by the state or
563 the EPA to document where the aquifer is recharged from, it's direction of flow.
564 We all assume because we're next to the river or next to Chickahominy Swamp
565 that this will—and White Oak's swamp—that this will continue to recharge
566 people's well water. As we know from a previous project and road construction
567 on Elko Road, one of my neighbors ended up with water being discolored and
568 issues with his well. Whether or not this will continue to mitigate and happen to
569 other residents, we don't know. But without the County taking a proactive
570 approach to this issue, I'd hate for you five years from now have half of the
571 residents' wells go belly up and all of a sudden be demanding that the County
572 run water out to these facilities because there is no groundwater for them to drink
573 from.

574

575 There is also no noise study. I know that you all are probably tired of hearing
576 that. I know Rev. Nelson over there is tired of hearing from me. But it should be
577 part of the process. Lots of other municipalities require groundwater and noise
578 abatement studies. This facility, assuming that they're going to use traditional
579 cooling methods—chillers, cooling towers—is going to generate a fair amount of
580 noise. Now I'm assuming they'll be behind parapet walls, hopefully with enough
581 vegetative screening that residents who are on the Portugee side wouldn't be
582 affected.

583

584 But I live all the way on Elko Road. The closest facility to me, if you take a pencil
585 and draw straight across, is almost 900 feet. I can hear the trucks backing up and
586 their backup alarms. Nine hundred feet away. So I'm just telling you that noise
587 travels further than we think. And without scientific evaluation of that, we can't
588 measure the impact to the residents.

589

590 And my question was—there was a wonderful picture of vegetation. Do we have
591 a winter picture in which all those trees, which look to be not evergreens, lose
592 their leaves? If you drive down Elko Road today—by the existing facility that we
593 won't talk about—in the winter, you have a beautiful view of 108 loading dock
594 bays because all of those trees lose their leaves. So it's a wonderful picture, but
595 it doesn't, to me as a resident show, what it's truly going to look like in the winter
596 when all of those trees lose their vegetation. Unless they're planning to replace
597 all of them and they're all evergreens, then mostly likely you will see the building
598 through that vegetation.

599

600 Again, I think they will be good neighbors to us, but I think there is a reason for
601 the current zoning limited at 50 feet plus some variances for the parapet.

602

603 I do have a question for Tony. The only exception that I'm aware of that's at 75
604 feet, was that the Bank of America building. No? Who was that?

605

606 Mr. Greulich - That was for the Qimonda site that's QTS.

607

608 Mr. Davis - Okay. Bank of America requested the same variance.
609 I spoke to the engineer. That was for them to put infrastructure on top of the
610 building to cool their servers that are located right there in the Technology Park.
611 That was the only one I was aware of.

612

613 I don't have any other questions. Does the Board have questions for me? Again,
614 Tony was very helpful. Everybody I spoke to was very helpful. As always, the
615 County is very professional in how it approaches these things.

616

617 Mr. Leabough - Thank you, sir.

618

619 Mr. Davis - All right.

620

621 Mr. Leabough - Is there anyone else that would like to speak in
622 opposition? We have about four minutes left.

623

624 Ms. Walker - My name is Kathy Walker. I live at 201 Riva Ridge
625 Circle. That's at the corner at Portugee and Red Coach. I'm in the Cedar Ridge
626 subdivision.

627

628 I'm not against this project. I think it's going to be very good for the area. I am
629 against the Phase 2 height that they want on these buildings. Like I said, I
630 believe it's going to be an asset to the area since it is technology but I just don't
631 agree with the height of the building.

632

633 And there is a pond and everything, and I'm worried about the wetlands. I'm on a
634 well system, and I'm worried about that in the future. Some people in the
635 neighborhood are not going to be able to afford the expense of putting in County
636 water. And I can tell you that; some might. That's my concern. Like I said, I'm not
637 against the project. That's my concern for the future of the Phase 2. As long as
638 the wetlands are protected and everything. That's one of my concerns, too,
639 because there are a lot of animals and eagles and stuff up in the woods there.

640

641 That's all I have to say.

642

643 Mr. Leabough - Thank you, ma'am. Is there anyone else in the
644 audience that would like to speak in opposition? There are about two minutes
645 left. All right. Would the applicant please come forward?

646
647 Mr. Campbell - Good evening.
648
649 Mr. Leabough - Good evening, sir.
650
651 Mr. Campbell - My name is Dan Campbell. I'm an attorney with
652 Hunton & Williams. I'm representing the applicant. I also have with me some of
653 the technical folks here—that can answer any technical questions you might
654 have—from Christopher Consultants, as well as the architect.
655
656 Mr. Leabough - I think we heard a number of technical questions
657 about groundwater, the vegetation, and wetlands, and noise. If you could have
658 someone come up and speak to those items, that would be great.
659
660 Mr. Campbell - Sure.
661
662 Mr. Kitchen - Good evening, Mr. Chairman. My name is Mike
663 Kitchen, and I'm with Christopher Consultants, the engineer for the applicant. I
664 would be happy to respond regarding the comments that were made. I know the
665 primary one that was made was in regards to the building height. I know there
666 are some issues in regards to the proposed increase to 100 feet. It should be
667 noted that we do have a maximum square footage that is being proposed for the
668 development of 2-1/2 million square feet. Any increase in the building height that
669 we can get above the 50 feet actually allows a commensurate reduction in the
670 footprints of the buildings that we have here. And there would be a reduction in
671 the asphalt that's associated with the buildings as well. If technology allows, it
672 would allow us to decrease the proposed disturbance within the future areas of
673 the development. It would be our hope that that would be a positive from the
674 environmental aspects of things.
675
676 In regards to the vegetation, I can't say that we've done any sort of detailed
677 analysis of what is in there in terms of deciduous versus evergreen. That's
678 something that we could look into further if there would be some benefit found to
679 just show what that's going to be. As it stands right now, the sections that we
680 show do not take that into account.
681
682 And there were comments in regard to the groundwater study, as well as the
683 noise study. I can say at this time that neither one of those have been performed,
684 as it wasn't a requirement for the POD. We'd be willing to speak with staff in
685 regards to how to respond to that, if you have thoughts in regards to that, or more
686 information potentially from our architect in regards to how noise is addressed
687 with the facility.
688
689 Mr. Leabough - Mr. Yob is in the audience. Maybe he could speak
690 from the County's perspective how the groundwater could be handled.
691

692 Mr. Yob - Thank you, Mr. Chairman, members of the
693 Commission. The applicant in this case is using what we call the energy balance
694 on their surface water. Energy balance means they're not allowing any discharge
695 above—in fact, there's an improvement factor. So they're actually reducing the
696 discharge from their impervious area from what's there today. So by virtue of
697 infiltration and reduction in the amount discharged at one time, they're going to
698 discharge less stormwater after the site is developed than what is done today.
699 That results in a net increase in groundwater, and it also helps to keep those
700 wetlands replenished.

701

702 I would also point out—and you can see it on the map here—these areas here
703 are all what we call resource protection areas, which you're familiar with. What
704 that means is that there's a 100-foot buffer on all of those wetlands that's
705 maintained in native vegetation, which will both act as screening and further help
706 the environmental situation out there.

707

708 I would like to add as well that the applicant has largely avoided the wetlands on
709 site, and designed their property around those wetlands, and done, in my view, a
710 very commendable job of not disturbing any more than they absolutely had to.

711

712 The groundwater in this area, there are actually two aquifers. There's a shallow
713 aquifer and a deep aquifer. The deep aquifer is a much larger regional aquifer. It
714 would not be impacted at all by this. The shallow aquifer is one that is a seasonal
715 aquifer. Not many people have wells. Again, the shallow aquifer would continue
716 to be replenished through the practices they're using on this site.

717

718 I hope that helps answers your questions, Mr. Chairman.

719

720 Mr. Leabough - Yes it does. Are there any questions for Mr. Yob from
721 the Commission? Thank you, sir. Just one quick question for the applicant. Could
722 you speak to the building height and why that exception has been requested,
723 please?

724

725 Mr. Campbell - The building height has been requested frankly, for a
726 couple of different reasons. The height could afford technological advances in the
727 future, the ability to house the equipment in the way it's housed. And then also
728 the increase in height, I think has been expressed a couple of times tonight, if the
729 height goes up, our total square footage, our footprint, is going to go down. It
730 would enable the applicant to stay away from these wetland areas, the RPAs as
731 well, and allow it to manage the site and the development of the site much better
732 with a little bit of height.

733

734 Mr. Leabough - For the record, please state your name again.

735

736 Mr. Campbell - Dan Campbell.

737

738 Mr. Leabough - Thank you, sir. Any questions for Mr. Campbell from
739 the Commission?

740
741 Mr. Nelson - I don't have a question for Mr. Campbell; I have a
742 question for Mr. Emerson. Up to this point, the applicant has done I guess what
743 they needed to do to get us to the point where we are?

744
745 Mr. Emerson - Yes sir.

746
747 Mr. Nelson: There are further conversations about some of these
748 challenging—but not even challenging, but some of these areas that may be of
749 concern as we move forward. I'm assuming to this point we've done what we've
750 needed to do to inform them of what they need to do regarding what they've
751 needed to do to this point. There will be room for further discussion as we move
752 forward in this process.

753
754 Mr. Emerson - Yes sir, I think we could continue to discuss some of
755 these items. However, they have satisfied the County code, and they've satisfied
756 the state codes, to my knowledge; therefore, you have a recommendation to the
757 Commission from staff of approval of this plan of development. As I stated
758 earlier, if they've met all the codes, which they have, then the Commission is
759 compelled to approve.

760
761 Mr. Nelson: So this comes to the Board of Supervisors?

762
763 Mr. Emerson - This does not come to the Board of Supervisors. This
764 is a use by right. The exception for height is an area of discretion; however, staff
765 supports that exception for height. We have provided exceptions for height in the
766 park. We don't feel that the increase in height will have an impact on the
767 surrounding properties. We do feel that it may create the ability to shrink the
768 footprint, which I think does address many of the concerns the citizens have
769 raised tonight. If you shrink the footprint, you increase the pervious area versus
770 decreasing the pervious area. So concerns regarding the environmental aspects
771 of the site and groundwater table should be lessened instead of increased by
772 allowing an increase in height. So staff does support this application.

773
774 Mr. Nelson: Okay. All right. Thank you, sir.

775
776 Mr. Witte - I have a question for Mr. Emerson also. And correct
777 me if I'm wrong. In recent years, I believe we have made height exceptions in
778 Innsbrook and I believe Libbie Mill.

779
780 Mr. Emerson - Yes sir, we have. We've made height exceptions
781 throughout the County.

782
783 Mr. Witte - I know of no consequences to the citizens from those.

784

785 Mr. Emerson - No sir. We're always very careful to protect the
786 viewsheds and site aspects from the citizens' perspectives of the adjacent
787 properties. I would also note that this property has been industrially zoned since
788 the very early 1960s. It was in state ownership prior to that and has had industrial
789 types of uses on it since World War II. So it has been known that this property
790 has been used and is planned to be used for this type of purpose for the last 60+
791 years.

792

793 Mr. Nelson: When you're talking about height, we're talking about
794 two different situations. The Innsbrook piece is completely different from a taller
795 building in White Oak.

796

797 Mr. Witte - Oh, I agree. I think we went to 175 feet in Libbie Mill.

798

799 Mr. Nelson: It's not coming to the Board. I'm excited about this
800 project. So whatever it is that we need to do, we need to hear our citizens and
801 make sure that we are doing everything that we need to do to make sure that we
802 are not impacting to a greater level the life of our citizens. But I also think this is
803 not something we want to be hitting the brakes on. If there's something that we
804 can do to make sure that we're looking at groundwater and all those things.

805

806 Mr. Witte - I agree. I think this will be a big win for not only the
807 Varina District, but also the whole County. I just think it's in the right spot. It's
808 definitely a good project.

809

810 Mr. Leabough - Are there any other questions from the Commission?

811

812 Mr. Archer - I have a question, Mr. Chairman. If the applicant could
813 come back up, please, Mr. Campbell.

814

815 Mr. Campbell - Yes.

816

817 Mr. Archer - The two main issues that I wrote down that came from
818 the citizens had to do with height of the building and visibility caused by
819 deciduous trees instead of evergreen. So my question is, could this be a viable
820 plan if the height were somewhat less than 100 feet? More than 50, but less than
821 100? And is there a way to assist with the visibility of the building by planting
822 something that would offer some degree of help in that area?

823

824 Mr. Campbell - As Mr. Kitchen mentioned before, the evaluation of
825 the site and the trees that are out there is still ongoing. This really is kind of step
826 1. There will be building plans and more technical aspects that are developed
827 over time. At this point, the applicant, as part of its POD, has asked for the height
828 exception in order to afford the flexibility that may be necessary during the course
829 of the phased build-out here to deal with not only the technical realities of a data

830 center, but also with the idea of continuing to reduce the footprint again, as
831 others have stated, our square footage, our density isn't changing here. But
832 given all of the wetland areas and RPA areas, we're very sensitive about the
833 potential impacts there and the need, potentially, to have to go vertical in order to
834 address those. At this point in time, we're not able to give you any other number.

835

836 Mr. Archer - Okay. All right.

837

838 Mr. Leabough - Any other questions from the Commission? All right. I
839 think we've heard your comments.

840

841 Mr. Davis - I have a follow-up question, if that's okay, sir.

842

843 Mr. Leabough - Is it something that relates to something that's already
844 been discussed?

845

846 Mr. Davis - No.

847

848 Mr. Leabough - Okay, go ahead. Thirty seconds, Mr. Davis.

849

850 Mr. Davis - Thank you.

851

852 Mr. Nelson: We know that's not possible; give him a minute.

853

854 Mr. Davis - Sure it is. The current drawing up on the thing, is that
855 based upon a 50-foot elevation for the two additional or 100 feet?

856

857 Mr. Leabough - Say that again. I'm sorry.

858

859 Mr. Davis - The two additional phases that they're asking about
860 having the 100-foot exception, the drawings that we're looking at, the footprint
861 that we see currently today up on the screen, is that based upon a 50-foot
862 elevation or a 100-foot elevation?

863

864 Mr. Emerson - The sight line examples you saw were based on the
865 100 feet.

866

867 Mr. Davis - So this one and this one are based upon the—
868 footprint that I see on the screen is the footprint that they will build to regardless
869 of them getting a 100-foot special exception. Is that what I'm hearing?

870

871 Mr. Emerson - The applicant may want to address that.

872

873 Mr. Kitchen - I can explain that.

874

875 Mr. Davis - Okay, thank you.

876

877 Mr. Kitchen - Thank you. Once again, Mike Kitchen with
878 Christopher Consultants. These buildings that you see here are based upon a
879 50-foot building height. So the square footage that you see here is 2-1/2 million
880 square feet total, assuming a 50-foot building height. If that building height goes
881 up, these footprints shrink. The disturbed area, the asphalt, is reduced.

882

883 Mr. Davis - I know you want me to come up there.

884

885 Mr. Leabough - Mr. Davis, no—

886

887 Mr. Davis - My question is how much—

888

889 Mr. Leabough - Mr. Davis—

890

891 Mr. Davis - Sorry.

892

893 Mr. Leabough - No, we're done.

894

895 Mr. Davis - Okay.

896

897 Mr. Leabough - The footprint shrinks. He answered that question. We
898 just can't keep going back and forth. We've given you plenty of time to share your
899 comments. If you have additional questions, staff would be happy to address
900 those with you after the hearing and ongoing, depending upon how this case is
901 decided.

902

903 Are there any other questions from the Commission? Okay. All right. So again,
904 we heard from staff that this case meets the technical requirements of the Zoning
905 Ordinance and also the park guidelines. It's been reviewed a number of times. I
906 think we're at a point—we hear concerns, which we always want to hear
907 concerns from the community, but at the end of the day, we are obligated to
908 move this case forward because it meets all the requirements. Not that this
909 discussion ends at this point. We'd be happy to have Mr. Davis or Ms. Walker to
910 continue to be in contact with County staff as well as the applicant to address any
911 concerns that you have regarding the project.

912

913 With that, I think we need to move forward with approving this project, this POD,
914 the master plan, special exception and the lighting plan. So I move approval of
915 PQD2017-00431, Project Echo, Christopher Consultants for Economic
916 Development Authority and Scout Development, LLC, subject to standard
917 conditions for developments of this type, any annotations on the plans, and
918 conditions 11B and 29 through 34 as noted in the staff report.

919

920 Mr. Witte - Second.

921

922 Mr. Leabough - Again, I want to note that Mr. Baka abstains from
923 voting on this case. We have a motion by Mr. Leabough, and second by Mr.
924 Witte. All in favor say aye. Those opposed say no. We have one abstention. That
925 motion passes.

926

927 The vote was as follows:

928

929 Mr. Archer -	Yes
930 Mr. Baka -	Abstain
931 Mr. Leabough -	Yes
932 Mrs. Marshall -	Absent
933 Mr. Witte -	Yes

934

935 The Planning Commission approved POD2017-00431, Project Echo including
936 the master plan, special exception, and lighting plan, subject to the annotations
937 on the plans, the standard conditions attached to these minutes for
938 developments of this type, and the following additional conditions:

939

940 11B. Prior to the approval of an electrical permit application and installation of
941 the site lighting equipment, a plan including light spread and intensity
942 diagrams, and fixture specifications and mounting heights details shall be
943 revised as annotated on the staff plan and included with the construction
944 plans for final signature.

945 29. The right-of-way for widening of Portugee Road as shown on approved
946 plans shall be dedicated to the County prior to any occupancy permits
947 being issued. The right-of-way dedication plat and any other required
948 information shall be submitted to the County Real Property Agent at least
949 sixty (60) days prior to requesting occupancy permits.

950 30. Details for the gate and locking device at all guardhouses shall be
951 submitted for review by the Traffic Engineer, Police and approved by the
952 County Fire Marshal. The owner or owner's contractor shall contact the
953 County Fire Marshal prior to completion of the fence installation to test and
954 inspect the operations of the gates. Evidence of the Fire Marshal's
955 approval shall be provided to the Department of Planning by the owner
956 prior to issuance of occupancy permits.

957 31. In order to maintain the effectiveness of the County's public safety radio
958 communications system within buildings, the owner will install radio
959 equipment that will allow for adequate radio coverage within the building,
960 unless waived by the Director of Planning. Compliance with the County's
961 emergency communication system shall be certified to the County by a
962 communications consultant within ninety (90) days of obtaining a
963 certificate of occupancy. The County will be permitted to perform
964 communications testing in the building at anytime.

965 32. Evidence that an engineer has certified the height of the building shall be
966 provided to the Director of Planning prior to the issuance of a Certificate of
967 Occupancy.

- 968 33. A construction staging plan which includes details for traffic control, fire
969 protection, stockpile locations, construction fencing and hours of
970 construction shall be submitted for County review and prior to the approval
971 of any final construction plans.
- 972 34. Prior to issuance of a building permit, the developer must furnish a letter
973 from Dominion Virginia Power stating that this proposed development
974 does not conflict with their facilities.
- 975 35. Approval of the construction plans by the Department of Public Works
976 does not establish the curb and gutter elevations along the Henrico
977 County maintained right-of-way. The elevations will be set by Henrico
978 County.
- 979 36. The owners shall not begin clearing of the site until the following
980 conditions have been met:
- 981 (a) The site engineer shall conspicuously illustrate on the plan of
982 development or subdivision construction plan and the Erosion and
983 Sediment Control Plan, the limits of the areas to be cleared and the
984 methods of protecting the required buffer areas. The location of
985 utility lines, drainage structures and easements shall be shown.
- 986 (b) After the Erosion and Sediment Control Plan has been approved
987 but prior to any clearing or grading operations of the site, the owner
988 shall have the limits of clearing delineated with approved methods
989 such as flagging, silt fencing or temporary fencing.
- 990 (c) The site engineer shall certify in writing to the owner that the limits
991 of clearing have been staked in accordance with the approved
992 plans. A copy of this letter shall be sent to the Department of
993 Planning and the Department of Public Works.
- 994 (d) The owner shall be responsible for the protection of the buffer
995 areas and for replanting and/or supplemental planting and other
996 necessary improvements to the buffer as may be appropriate or
997 required to correct problems. The details shall be included on the
998 landscape plans for approval.
- 999 37. The conceptual master plan, as submitted with this application, is for
1000 planning and information purposes only. All subsequent detailed plans of
1001 development and construction needed to implement this conceptual plan
1002 may be administratively reviewed and approved and shall be subject to all
1003 regulations in effect at the time such subsequent plans are submitted for
1004 review/ approval.
- 1005 38. The location of all existing and proposed utility and mechanical equipment
1006 (including HVAC units, electric meters, junction and accessory boxes,
1007 transformers, and generators) shall be identified on the landscape plans.
1008 All equipment shall be screened by such measures as determined
1009 appropriate by the Director of Planning or the Planning Commission at the
1010 time of plan approval.
- 1011 39. No construction traffic shall use Elko Road (State Route 156), Elko Tract
1012 Road (State Route 380), Portugee Road west of the construction staging

- 1013 area, and Portugee Road east of Technology Boulevard except directly
1014 along the project frontage.
- 1015 40. No tractor trailers shall use Elko Road (State Route 156), Elko Tract Road
1016 (State Route 380), Portugee Road west of the construction staging area,
1017 and Portugee Road east of Technology Boulevard except directly along
1018 the project frontage.
- 1019 41. The developer shall provide a telephone number for citizen concerns
1020 during any construction activity on site in order to respond to citizen
1021 concerns and complaints as expeditiously as possible.
- 1022 42. The development and operations conducted on the property shall comply
1023 with the restrictive covenants applicable to White Oak Technology Park.
- 1024 43. The proposed development is subject to final Development Review Board
1025 (DRB) approval. Any required changes by the DRB must be reflected in
1026 the POD and any subsequent plans.
- 1027 44. The proposed architectural elevations are subject to final approval by the
1028 Development Review Board (DRB) and the Director of Planning. Any
1029 required changes by the DRB must be reflected in the architectural
1030 elevations and any subsequent drawings.

1031

1032 Mr. Emerson - Thank you, Mr. Chairman. You now move on to the
1033 next item on your agenda which appears on page 6. This is a discussion item
1034 regarding the Glen Allen Comprehensive Plan amendment and code
1035 amendment. This top will be presented to you by Mr. Seth Humphreys.

1036

1037 **DISCUSSION ITEM:** The Planning Commission will consider a work
1038 session and Public Hearing for the Glen Allen Comprehensive Plan Amendment
1039 and Code Amendment on October 12, 2017.

1040

1041 Mr. Humphreys - Good evening, Mr. Chairman, members of the
1042 Planning Commission.

1043

1044 As part of your discussion item this evening for setting the date for a work
1045 session and public hearing, we wanted to give you an update on the overall
1046 project, specifically the results of the website survey and the open house for the
1047 Glen Allen Small Area Study.

1048

1049 As we talked about with you at our last work session on the topic we have
1050 published a website for the project. This website has been up for a bit over a
1051 month now and it's had a little over 500 hits. The average time spent on the site
1052 is 3-1/2 minutes, which is good by web standards. It shows people are finding
1053 plenty of interesting information to look at. Additionally, approximately one-third
1054 of the people entering the site are doing so from outside of the other County
1055 pages. This shows that our outreach is working and people aren't just learning
1056 about the study by looking at the County's webpage, they're coming in from
1057 elsewhere.

1058

1059 The general topics people are talking about when filling out the survey on the
1060 website include traffic in general, pedestrian/bike infrastructure, commercial uses
1061 including the Dollar General, historic sites and preservation, and the small town
1062 and rural character of the area. As of now, the website is doing its job. We've had
1063 approximately 40 to 50 people sign up for the electronic mailing list so they'll be
1064 notified any time we make a change to the site and any time that we're having an
1065 upcoming meeting and do advertisements, that sort of thing.

1066

1067 The open house was held on August 29th, and we had over 50 attendees,
1068 including elected and appointed officials. We held it at the Glen Allen Cultural
1069 Arts Center in the middle of the study area. From our exit survey, people had a
1070 keen interest in the zoning and future recommended land uses for the area—or
1071 in other words, what could happen. We heard repeatedly in the exit survey and
1072 verbal comments that people did not want another Dollar General, they wanted to
1073 preserve the existing character of the area, which is good, because that is the
1074 main goal of the study.

1075

1076 Many people also mentioned pedestrian and bicycle infrastructure. While we
1077 heard that, and we'll continue to look at that in this area, the primary purpose of
1078 this particular study is to examine the land uses. So we will not be addressing
1079 that in this study.

1080

1081 The expansion of the study area to Staples Mill and Woodman Road is also an
1082 item we heard from some attendees. This entire corridor, I will note, was
1083 examined during the formulation of the study and the study area. The decision to
1084 select this particular study area was based on the areas most under threat of
1085 future unconditional development, focusing on the largest concentration of
1086 character-giving elements, and impacting the least amount of homeowners as
1087 possible. The land to the east and west of the study in the Mountain Road
1088 corridor is all zoned for residential or agricultural uses, has wider distances
1089 between contributing elements, and could create greater impacts on existing
1090 homeowners.

1091

1092 The overlay district was perhaps the biggest topic discussed at the open house.
1093 But the contents and the extent of the overlay were questioned. We are
1094 examining the possibilities for changes to which properties would be included in
1095 the overlay district and will report any changes to you in the packet for the next
1096 meeting and discuss it with you at the work session you are setting the date for
1097 tonight.

1098

1099 We also heard from many people uses that they would like to disallow or allow
1100 within the overlay district. We will also be sending you our recommended
1101 ordinance for the overlay district in your packet, as well as the other changes.

1102

1103 Overall, we heard largely positive comments on our efforts to protect the
1104 character of the area through the recommended actions. We will continue to

1105 communicate with both you and the citizens regarding the details of those
1106 recommendations.

1107
1108 This is where we are. We had the initial work session with you and posted the
1109 website. We've had our open house, and now this evening we're having our
1110 discussion item on setting the date for the October 12th Planning Commission
1111 work session and public hearing to go over the adoption of the study and make
1112 recommendations for the actions to the Board.

1113
1114 Beyond that, we've tried to get on the schedule for November 14th of the Board
1115 of Supervisors' work session and November 28th for the Board of Supervisors'
1116 public hearing, at which time they could adopt the plan and adopt the
1117 recommendations for Comprehensive Plan and Zoning Ordinance amendments.

1118
1119 That's my presentation. I'll be happy to take any questions.

1120
1121 Mr. Emerson - Mr. Chairman, I would like to add, as Mr. Humphreys
1122 noted, based on the open house, we will be proposing some changes to the
1123 study and the overlay area. We're currently working on that. We hope to get that
1124 updated study out to you within the next two weeks.

1125
1126 Mr. Humphreys - With the Planning Commission package.

1127
1128 Mr. Emerson - With the Planning Commission package and also
1129 posted to the website. What is the status of the actual overlay ordinance?

1130
1131 Mr. Humphreys - This status of the overlay ordinance is some of the
1132 revisions that we made with that have gone to the attorneys, and the attorneys
1133 are reviewing them in terms of how we address some of the uses that people
1134 wanted to specifically allow or disallow. It's under review by the County attorneys.
1135 As soon as I get that back, we'll continue to look at it and send it out to you guys.

1136
1137 Mr. Emerson - I wanted to bring those out to you in discussion of this
1138 schedule understanding that that is moving along at a fairly rapid pace without
1139 possibly giving you the amount of time you may be comfortable with in reviewing
1140 those documents. And also the public themselves.

1141
1142 You do have an option in regards to these dates. Of course, again, they're just
1143 tentative. Seth has put that on another slide that is now in front of you. You could
1144 do one of two things and still stay on the dates that we've reserved. You could
1145 hold your work session. You could schedule your work session for October 12th.
1146 Staff could discuss with you at that time any changes we've made to the
1147 recommendations in the study and the overlay. You could hold your public
1148 hearing on the 9th. Then the Board could still hold their work session on the 14th
1149 based on any recommendations that may come from your public hearing, if you

1150 chose to send it forward. Then of course it would be up to them whether they
1151 stuck with the schedule from that point forward based on your recommendations.
1152

1153 Or you could schedule your public hearing on the same evening as your work
1154 session, take public input, and defer any action until November 9th. Or if you're
1155 comfortable, you could take action on October 12th. But you do have options.
1156 And of course the other option is this schedule isn't set in stone. It's just a
1157 schedule based on the size of the study and the desires of staff to move this
1158 along based on available dates on both your calendar, and the Board's calendar,
1159 and meeting state code criteria for advertisement.
1160

1161 I'm looking to you for your thoughts in terms of how you'd like to proceed.
1162

1163 Mr. Witte - Personally, I think it would be beneficial to have the
1164 work session so that we can get updated and be aware of the changes prior to
1165 having the public hearing. I would recommend that on October 12th we have the
1166 work session and do the public hearing on November 9th. I know there is going
1167 to be a lot of input once this comes out. I think the citizens deserve the time, as
1168 well as we deserve the time to work with it.
1169

1170 Mr. Emerson - Absolutely. One other option you have, of course, is if
1171 you pursue that path that Mr. Witte has proposed, you don't have to set a public
1172 hearing tonight. You can wait until your work session and decide if you're ready
1173 to move forward on November 9th. It may very well be once you review what
1174 staff sends to you, and it's been out on the website, and we begin to get input
1175 from the citizens that you may request that we go back and work on it some more
1176 based on the input you're receiving or the thoughts you may have yourself. So
1177 that does give you some flexibility as well because from October 12th, we would
1178 have ample time to advertise for the November 9th hearing, if that was your
1179 chosen path after your work session.
1180

1181 Mr. Witte - With that in mind, I think that would be the best path.
1182 Let's see what we have, and then if we need to set the hearing for November 9th,
1183 we can do it. If not, we can continue to work on it. So making that decision at the
1184 work session I think would be in the best interest of everybody.
1185

1186 Mr. Leabough - I agree with that.
1187

1188 Mr. Emerson - If that's the consensus, we'll plan on a work session
1189 on October 12th. Does 5:30 work for everybody?
1190

1191 Mr. Baka - One question about the time. Do we have just one
1192 case on the 7:00 agenda on October 12th?
1193

1194 Mr. Emerson - I believe you may have some cases deferred.
1195

1196 Mr. Baka - Three deferred tonight. Okay.
1197
1198 Mr. Emerson - Yes. You had several deferred tonight, and there may
1199 be others as well.
1200
1201 Mr. Strauss - We have two deferred cases and one new case so
1202 far for a total of three cases.
1203
1204 Mr. Emerson - Okay. So you have three cases, Mr. Baka.
1205
1206 Mr. Archer - That's October 12th?
1207
1208 Mr. Emerson - Yes sir. You had two cases tonight that went to
1209 November, one case that went to October. And then we had the other cases that
1210 had been deferred previously that weren't on tonight that had gone to October.
1211 Mr. Strauss keeps the score sheet, so I count on him to be able to tell us that.
1212
1213 Mr. Baka - The earlier time is fine.
1214
1215 Mr. Emerson - If the Commission is comfortable with 5:30, we'll
1216 make sure that you have some dinner and we'll fill you in on where we are. We'll
1217 get the documents out to you as soon as soon as we can.
1218
1219 Mr. Archer - Fair enough.
1220
1221 Mr. Witte - That's excellent. Thank you.
1222
1223 Mr. Emerson - Mr. Chairman, with that said, the next item on your
1224 agenda would be the consideration of your minutes from your August 10th
1225 meeting.
1226
1227 Mr. Leabough - I don't think we have any corrections, do we? If not, I'll
1228 entertain a motion for approval of the minutes.
1229
1230 Mr. Witte - So moved.
1231
1232 Mr. Baka - Second.
1233
1234 Mr. Leabough - We have a motion by Mr. Witte, and a second by
1235 Mr. Baka. All in favor say aye. Those opposed say no. That motion passes.
1236
1237 Is there any other business for the Commission, Mr. Emerson?
1238
1239 Mr. Emerson - Mr. Chairman, I have nothing further for the
1240 Commission this evening.
1241

1242 Mr. Leabough -
1243
1244 Mr. Archer -
1245
1246 Mr. Baka -
1247
1248 Mr. Leabough -
1249
1250 Mr. Emerson -
1251 thank you.

All right. I'll entertain a motion for adjournment.

I move for adjournment.

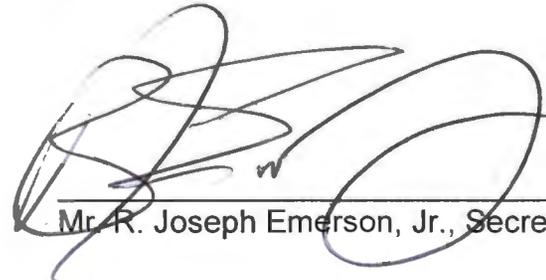
I second.

We're adjourned.

Your rules and regs call for a motion and a second, so



Mr. Eric S. Leabough, C.P.C., Chairperson



Mr. R. Joseph Emerson, Jr., Secretary