

MINUTES

Joint Meetings of the WVRIFA Board of Directors and the WVRIFA Participation Committee

Friday, April 20, 2018 at 10:00 a.m.

**Roanoke Valley-Alleghany Regional Commission office (Top Floor Conference Room),
313 Luck Avenue, SW, Roanoke, VA**

Tom Gates, Chairman of the Western Virginia Regional Industrial Facility Authority's (WVRIFA) Participation Committee, welcomed those in attendance. He commented that the format of the April meetings of the WVRIFA Board of Directors and WVRIFA Participation Committee would be different (typically the WVRIFA Participation Committee meeting is held first, followed by the full WVRIFA Board meeting). Since both April agendas are the same, the WVRIFA Board and WVRIFA Participation Committee meetings will be held simultaneously (jointly).

1. CALL MEETING TO ORDER

Chairman Larrowe called the WVRIFA Board of Directors' Meeting to order at 10:00 a.m.

2. ROLL CALL

Chairman Larrowe asked Jackie Pace to call the roll of the WVRIFA Board. Ms. Pace reported that a quorum was present.

Board Members Present: Kevin Boggess, City of Salem; Bob Cowell, City of Roanoke; Tom Gates, Roanoke County; Gary Larrowe, Botetourt County; Jill Loope, Roanoke County; Granger Macfarlane, City of Roanoke; Melinda Payne, City of Salem; Pete Peters, Town of Vinton; Brent Robertson, Franklin County; Barry Thompson, Town of Vinton.

Staff Present: Beth Doughty, WVRIFA Director, and John Hull, WVRIFA Assistant Director; Sam Darby, WVRIFA Counsel (Glenn Feldmann Darby and Goodlatte); Sherry Dean and Jackie Pace, WVRIFA Administrative Staff (Roanoke Valley-Alleghany Regional Commission).

Others Present: Maryellen Goodlatte, Glenn Feldmann Darby & Goodlatte; Carolyn Howard, Draper Aden Associates; Keith Moore, Nancy Hughes, Tina Snow, Citizens; and Alicia Petska, The Roanoke Times.

ADMINISTERED BY:

Roanoke Valley-Alleghany Regional Commission

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3. **APPROVAL OF THE MARCH 30, 2018 MINUTES**

The Minutes of the March 30, 2018 meeting of the WVRIFA Board were previously distributed.

WVRIFA Board Action:

Upon motion by Mr. Thompson, seconded by Ms. Payne and carried, the Minutes of the March 30, 2018 WVRIFA Board Meeting were approved, as distributed.

4. **JOINT PUBLIC COMMENT PERIOD**

For citizens/guests in attendance, Participation Committee Chairman Gates conveyed that the Participation Committee is comprised of the three jurisdictions who have partnered in the Wood Haven development project (Cities of Roanoke and Salem and Roanoke County). The Participation Committee is a subset of the larger WVRIFA Board and actions of the Participation Committee must be endorsed by the WVRIFA Board. The Participation Committee Bylaws state that the three representatives of the jurisdictions involved must unanimously agree on matters of the Wood Haven development specifically. Whatever is agreed to by the Participation Committee must then be communicated to the WVRIFA Board for their consideration and action.

Gates continued stating that today, both the Participation Committee and the Board would hear from Maryellen Goodlatte, who was retained by WVRIFA for matters related to the development and approval of a land use application for Wood Haven. Ms. Goodlatte will be presenting her work to both the Participation Committee and WVRIFA Board simultaneously, so both can hear the same presentation at the same time. At the end of the presentation, the Participation Committee will then take whatever action they deem appropriate related to the land use application and make a recommendation to the WVRIFA Board as a whole. The WVRIFA Board will then consider the Participation Committee's recommendation and take whatever action they deem necessary.

Gates stated that a joint public comment period is the next item on both agendas, noting that this is the time for citizens to make whatever comments they so choose on the matters before the Board and Participation Committee. Gates asked that citizens refrain from engaging "back and forth" with Board and/or Committee members during the public comment period. He stated that now is the time to hear directly from the citizens. Gates noted that both he and Board Chairman Larrowe would be happy to meet after the meeting, or any other time, with citizens affected by the Wood Haven project to answer any questions. Gates asked for the consent of Board Chairman Larrowe to proceed and asked if anyone had signed up to speak during the public comment period.

Granger Macfarlane asked why the public were being asked to make comments at this time when they have not heard the presentation by Ms. Goodlatte. He further asked if they would be able ask questions following Ms. Goodlatte's presentation. Gates stated that the joint public comment period would be held at this time for citizens to present whatever comments they have to the members of the Board and Participation Committee.

Participation Committee Chairman Gates and Board Chairman Larrowe opened the joint public comment period.

Keith Moore
7921 Sequoia Drive, Roanoke, VA 24019

"I had a couple of things I wanted to bring to the attention of the full Board, so it is a good thing we are having this before the presentation. I would like to express the concerns of the local citizens that are close to the Wood Haven project and I didn't hear anything back, so I am a little disappointed that there hasn't been any input into the process by citizens in the neighborhoods surrounding the Wood Haven project. That is something the whole Board needs to consider --- why we are not allowing or encouraging citizen participation in this particular area. The other thing to bring to the Board's attention is a reminder that initially when this project was started, and I went back and reviewed the minutes of the first meetings when the Wood Haven project was brought to light and the idea at that time, as I reminded you at the last meeting, was the VEDP had stated that Roanoke County did not have 40+ acres available for development for a large plant to come in. Therefore, this Wood Haven project, this plot of land, was ideally suited to bring in a large corporation would be held back. I received assurances from Mr. Gates and Martha Hooker, the Hollins (sic) rep on the Roanoke County BOS, assured all the citizens in my garage one summer night that this project was not going to be some slap-dash thing being put out there. But, that this land was being held back for some major company to relocate to Roanoke. So, since that time, we have heard from several different people that a campus style development may be what is going on that property. Once you develop it into a campus style project, this 40-acre plot of land that is being held aside for a large company to come to Roanoke is no longer available and therefore I would ask the Board to take this into consideration when approving any plans that may come up. I don't know what is going to come up because I wasn't involved. But if they come up with a plan that says we are going to develop a lot of little buildings on this 100 acres, remember that was not what the initial idea was for this property. And with that large development coming in, the screening and lighting restrictions are going to be so important because we are talking about building a large building that is going to be seen by the entire neighborhood. Thank you."

Nancy Hughes
7917 Sequoia Drive, Roanoke, VA 24019

"I live next door to Keith and Amanda Moore. We are new to the area -- we moved from South County to North County. My concern and comment are that I feel like there is a lot of confusion right now. We are talking a huge big building versus campus style. Hopefully with this presentation, we will get more definition of what the scope of it is. I think it is good to have discussion on changes, I understand that --- but buffers are going to be very, very important. One of the things we did notice was that we are not located in the Hollins district but in the Glenvar magisterial district which Martha Hooker is our representative. Green Ridge is in Hollins, which is fine, but it was unfortunate that Green Ridge couldn't have been placed where residential living is, but that is over and done with and we are moving on. But my biggest thing that I would like to be considered is if you are going to an RD high tech kind of advantage, look at using parks as a buffer. I think it would be a positive thing for the community. We know and understand it is not going to stay the same, but we do want, as Mr. Moore said, some input and consideration in back and forth conversations. Thank you."

Tina Snow
7914 Sequoia Drive, Roanoke, VA 24019

"There is no park that is close to us, you have to drive a little bit of a way. It would be nice for you to put a park in front with a track for people to walk and run on. Maybe even a dog park as well."

Participation Committee Chairman Gates thanked the citizens and let everyone know that once this moves into the land use process (i.e., land use application is filed), there will be a number of additional public meetings where input will be sought. Typically, in the land use process in Roanoke County, community meetings are held to hear community input on any land use application. Gates stated that there will be public hearings associated with the Planning Commission's action and public hearings associated with any action by the Board of Supervisors. He noted that there would be multiple opportunities for people to contribute their thoughts and ideas to what is being put forth in the land use application. Citizens will be informed when those public comment opportunities exist.

5. **JOINT PRESENTATION OF THE MASTER PLAN AND DECLARATION OF RESTRICTIVE COVENANTS**

Maryellen Goodlatte presented jointly to the WVRIFA Participation Committee and the WVRIFA Board on the Master Plan and Declaration of Restrictive Covenants. (See Attachments: Comments by Maryellen Goodlatte; Draft Copy of the Wood Haven Technology Park Declaration of Restrictive Covenants and Development Guidelines; and PowerPoint presentation on the Master Plan and Covenants.)

At the end of the presentation, Ms. Goodlatte stated that two approvals are being requested: (1) the Authority to proceed with filing an application with Roanoke County to rezone the Wood Haven property to a Planned Technology Zoning District, as described, and (2) approval of the draft Declaration of Restrictive Covenants, as provided at the meeting.

Questions from WVRIFA Board and Participation Committee Members:

Mr. Boggess asked for a description of the distance of the buffer area proposed along Wood Haven and the vegetated berm. Ms. Goodlatte replied that the berm is going to be undulating and is intended to be on the development pad, with a maximum height of 5 feet. The focus of both the berm and buffer area is to provide some additional buffering to the Wood Haven residents. It is not intended to completely screen the entire area.

Mr. Cowell asked about the copy of the draft Covenants provided at the meeting. Ms. Goodlatte replied that the WVRIFA Board and Participation Committee are being asked [today] to approve the draft Covenants. When the package is submitted to Roanoke County, it will be made certain that the County, as they review, is aware that this is a draft. Goodlatte stated that is because depending upon how a user comes forward and what that user plans to do, the Covenants may need to be "tweaked" and while the Authority has the right to amend the Declaration, it would not be prudent to go ahead and record it based on what we think will happen, noting that it is better off to wait until we know what will happen, until the Participation Committee has dealt with the actual user and requirements of the user might be incorporated into the Declaration as approved by the Board. For example, funding, stating sometimes lenders have issues that are in a Declaration. She also stated that governance principles are important, noting that the Participation Committee and the Authority have control over who goes in. Even though the permitted uses give us the range of permitted uses, this would not mean that anybody would be able to put any use on that property. It is going to be up to the Participation Committee and Authority as to what is the appropriate use. That use is going to need to conform with Roanoke County zoning requirements as well. That is why the rezoning

basically sets the foundation and allows the Authority to move forward with its plans and gives the base upon which to operate.

Goodlatte replied that the Covenants have not been recorded. The Covenants include the Lewis parcels among the tax map parcels. The Authority has the right to add property to the development. The Lewis property would be rezoned to PT District and be subject to all the conditions. Ms. Goodlatte stated they have agreed to such and are working through execution of sale documents with the Authority and they have their own set of concerns, that are mostly timing driven, but they have signed off on proceeding jointly with the Authority in the rezoning request.

Participation Committee Chairman Gates stated he appreciated the inclusion of the parks and recreational uses in the plan and the considerable amount of buffering to be used. Gates noted that was heard consistently at past community meetings from citizens who are located directly adjacent to the property. Gates also liked the lighting standards taken to control light leakage from the site. Gates asked Goodlatte to expand on the comment made earlier with respect to should there be some future subdivision. Goodlatte replied that the property is in about six different tax map parcels. It was important to make it clear that all the standards set forth in the Master Plan apply to every piece of this property. It might well occur that the property gets combined and/or resub divided over time to facilitate a user. It is possible that this could be one big site (large user). In that case what would happen would be that the interior lot lines would be vacated if you want to have one big parcel. It is possible that there could be two sites – a very large site and a smaller site. But, however the property gets reconfigured over time, either by combining tax map parcels or subdividing, all the conditions apply to all the property. If there needs to be a change to any of these conditions, the property has to go through a rezoning process again. The public would have opportunity for input before the Planning Commission and the Board of Supervisors and equally at community meetings that precede those filings.

Gates reported that the total site is more than 100 acres, but the developable site is less. Goodlatte noted that by survey the combined site is 109.9 acres, by the County's GIS it is 122 acres (she noted that sometimes GIS records are not fully accurate). The development area is 87.9 acres, and close to 20 percent of the overall site is dedicated to non-development buffers.

Mr. Cowell posed a question regarding the traffic impact analysis and filing with Roanoke County. Goodlatte stated as part of the required filing with Roanoke County, a traffic impact analysis has been undertaken and engineers have been working with City of Roanoke engineers and the Virginia Department of Transportation (VDOT). It is anticipated all concerns and requirements by VDOT and the City have been addressed. It is also anticipated that when the application is submitted, we will have concurrence from both VDOT and the City of Roanoke.

6. ACTION BY THE WVRIFA Board

Chairman Larrowe stated that the Board has seen and heard the presentation by Ms. Goodlatte and also received the WVRIFA Participation Committee's recommendation to the WVRIFA Board: *"Approve the filing of a land use application with Roanoke County for the Wood Haven development property to be rezoned to a Planned Technology District, as described, and (2) endorsement of the draft Declaration of Restrictive Covenants and Development Guidelines, as presented."*

Chairman Larrowe noted he would entertain a motion at this time.

Motion: by Mr. Gates to recommend the presentation of the land use application to Roanoke County, as presented by Ms. Goodlatte, requesting the County to endorse a rezoning of the Wood Haven development property to a Planned Technology District, and complimentary to that recommend the draft Declaration of Restrictive Covenants and Development Guidelines, as presented, to accompany the application. Motion was seconded by Mr. Cowell.

WVRIFA Board Chairman Larrowe asked if there was any further discussion before calling for the vote.

Mr. Macfarlane noted on page 2 of the draft Declaration of Restrictive Covenants under the "Improvements" section, the phrase "*but not limited to*" and under the "Master Plan" section on the same page it states, "*from time to time*". He asked if we would have a chance to study and read the draft document before the final determination is made or is the Board being asked to pass the document at this time.

Board Chairman Larrowe noted and that the WVRIFA Participation Committee had previously recommended such, and there was also a motion on the floor that the Declaration document accompany the filing of land use application to Roanoke County.

Ms. Goodlatte stated that the Authority would be approving the Master Plan. Let's assume we are rezoned and want to amend the Master Plan. To do that we have to have the approval of the WVRIFA Participation Committee, the WVRIFA Board, and the Roanoke County Board of Supervisors. The Declaration is already on record, so it tells users in the park that their use of the property is governed by the Master Plan, as it is amended from time to time. The Declaration, once recorded, has a life span of 25 years and is automatically renewed for 10 years. Need to provide in the language the opportunity for that Master Plan to change over time, but keep in mind that the parties that control the Master Plan are two – the WVRIFA Board and its Participation Committee and Roanoke County since it would have to approve through a rezoning process any major modifications to the Master Plan.

Macfarlane asked if the Master Plan would last for 25 years. Goodlatte stated the Declaration would last for 25 years. The Master Plan may change over that time, but WVRIFA controls the timing and substance of how the Master Plan might change.

Hearing no further comment, WVRIFA Board Chairman Larrowe called for the vote.

WVRIFA Board Action: motion carried, with an abstention by Mr. Macfarlane noted.


7. COMMENTS

Beth Doughty reported that the Governor announced recommendations to the federal government for Opportunity Zones throughout Virginia and the Wood Haven property was included.

The WVRIFA Board meeting adjourned at 10:45 a.m.

WVRIFA Board of Directors


Secretary, W. Brent Robertson


Attest