Minutes of the work session regarding the Innsbrook Area Land Use Study held at 5:30 p.m. in the County Manager's Conference Room and minutes of the regular monthly meeting of the Planning Commission of the County of Henrico held in the County Administration Building in the Government Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. Thursday, June 10, 2010. Display Notice having been published in the Richmond Times-Dispatch on May 20, 2010 and May 27, 2010.

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

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

Also Present: Mr. James P. Strauss, CLA, Principal Planner
Mr. Livingston Lewis, County Planner
Ms. Lisa Taylor, County Planner
Ms. Sylvia Ray, Recording Secretary

Mr. David A. Kaechele, the Board of Supervisors' representative, abstains on all cases unless otherwise noted.

Mr. Vanarsdall - The Planning Commission will now come to order. What we're going to do is the Planning Commission, and whoever has food, we're going to eat after we hear the presentation. This is a request of the Assistant Director of Planning, Ms. Moore. I hope there is no objection.

Mrs. Jones - None whatsoever.

Mr. Vanarsdall - Go ahead, Ms. Moore.

Ms. Moore - Thank you, Mr. Chairman. Joe Emerson could not be here this evening and asked me to step in.

For this work session, as you know, the Commission had a work session on the Innsbrook Draft Study on April 15th and then we had a public open house held on May 4th. The results of those meetings were summarized for you at your work session on the 23rd. Tonight, Ben Sehl will present to you staff recommendations for potentially including 154 acres of property within this Innsbrook Area Land Use Study. With that, I will turn this over to Mr. Ben Sehl, who has a short presentation and potential revisions to the study.

Mr. Vanarsdall - Good evening, Ben.

Mr. Sehl - Good evening. Thank you, Mr. Chairman, members of the Commission.

As Ms. Moore stated, the purpose of this work session is to discuss adding an area west of Sadler Road to the Innsbrook Area Study, which as Ms. Moore said, the Commission has been discussing for some time now.

Based on the Commission's request at its May 26th meeting, staff has drafted a number of potential changes to the draft Land Use Study. These changes are blacklined against the version last distributed to you in April. Those were handed out, and should have been in front of you when you sat down this evening. You'll have a copy of an agenda, a copy of the slides that I'll be using tonight, as well as a new version of the report with all of the changes that have been made since that April 15th version that was distributed to you back then.

As discussed at the May 26th meeting, staff has received a request from a property owner to consider adding an area west of Sadler Road, north of I-64, and east of I-295 to the ongoing Innsbrook Study. This area totals approximately 154 acres and consists of large parcels that have currently been developed for residential uses. And that area is shown in purple on the map in front of you.

The property to the north has been redeveloped in recent years into single-family subdivisions and the number of properties within the area shown here have also been rezoned to allow for this type of use. These properties have not yet been developed, which provides an opportunity to examine the appropriate uses in this area in conjunction with the examination done for the existing study area, which is highlighted and bounded in yellow on the screen in front of you.

Given the results of staff's study into the future of Innsbrook, increased residential density with a more traditional form of residential development could be appropriate for the area shown in purple instead of the more suburban design found in recent subdivisions to the north.

Based on staff's examination of the potential study area addition, we could support a fourth development scenario be added to the draft Land Use Study. This lowest density development scenario is shown on Page 22 of the report in front of you and similar to the other development scenarios that have been reviewed. A maximum residential density for new development is proposed. In this case, the recommended maximum density is seven units per acre for this area which is, now shown in yellow, to the left side of that map.

Staff has also developed several keystone policies for this lowest density area similar to those keystone policies that were developed for the other three

scenarios in previous versions distributed to you. These keystone policies recommend that only single-family detached housing be located within the study area. This is to form a transition from recent re-zonings to the north, but would support a higher density than the SR-2 that is currently designated on that area, which is averaging out to around 2 to 2.2 units per acre in those subdivisions to the north. A maximum height of 40 feet would be recommended. This is consistent with the zoning ordinance requirements for the majority of that area, which was rezoned to R-2A and R-3, which does permit a maximum building height of 40 feet. That height would be consistent and would be carried throughout this area as well. And a keystone policy that staff is proposing would also recommend a gridded street network in this area. It does lend itself to that type of street network. There have been recent re-zonings in the area and there has been some property that's been rezoned to R-5A at the extreme northern portion of this area addition. That's kind of started and laid the groundwork for a gridded street network as it moves west. And we would encourage that to continue as it moves west and south towards the interstate.

Mr. Vanarsdall - Ben, in the old way of figuring it, wouldn't 40 be 2-1/2 stories?

Mr. Sehl - That's consistent with what we have. Depending on the grade, if you have a walkout basement and then by the time you get to the top of a finished attic, that would be the 40 feet.

The form of development proposed for this area of the study would be much less urban than that proposed within the core study area that we discussed at your previous work session. And that is within Innsbrook and then south of West Broad Street as well. This is due to the existing pattern of development that I previously discussed and the desire to keep the single-family character as the predominant use in this area.

Single-family homes on smaller lots with amenities such as sidewalks, streetlights, and public open spaces, as has been already instituted with the suburban subdivisions that have been happening in the area, would be appropriate here. This pattern of development, like I said, has begun already. We've seen some high-quality residential development in this area in the recent past. You have these amenities such as sidewalks and streetlights, and it's proven to be attractive to families moving into the area. We would recommend that that continue through this portion of the study area, but on a more dense scale, a little bit narrower lots, perhaps with alley access to the homes, those types of things to present a more traditional neighborhood design for this portion of the study area.

In addition to creating the fourth development scenario and those policies that speak to the form of development, we have also created another land bay, which we discussed the land bays at your April 15th meeting. The purpose of the land

bay at that time was to really separate the area into manageable pieces for staff to evaluate development as it came in, in addition to setting maximum residential caps for those various land bays so that you didn't get a concentration of too much residential use either in one land bay or in the study overall. We want to make sure that Innsbrook remains an economic generator for the County and the region. Unlike the other land bays, staff is proposing that that Land Bay D, as shown in yellow here, would consist entirely of residential uses. We believe the focus for the commercial and mixed-use portions should remain in the core of the Innsbrook area. That's where we want to focus the more mixed-use aspects of this study. So at this point, staff is recommending that Land Bay D be focused solely on residential development with a little bit more dense scale that has previously been discussed for this area.

That leads us into what staff is now recommending at this time for a proposed land use for this area. What staff is proposing is Traditional Neighborhood Development. I imagine you recall TND is a new designation for the 2026 Plan. We're beginning development on our ordinances for that, so it is not currently something that would be permitted. We don't have an actual TND ordinance in our Zoning Ordinance at this time. That works out to a little over seven units an acre, so the development scenario would be consistent with that. The area to the west along interstate 295, those areas that are in the floodplain would remain EPA as they are throughout the rest of the study area.

Staff would also recommend that we expand the special focus area designation from Innsbrook and the area south of West Broad Street over into this area. Those goals, the objectives, and the policies that we previously presented to you, those would carry over into this area as well, with some specifically tailored to—some of those policies talk about mixture of uses with non-residential and residential uses. Some of those wouldn't specifically apply here, obviously, because we're focusing on the residential development pattern here. But, we would recommend expanding that special focus area.

As you know, you've set a work session for the 23rd of this month for your DRD meeting. At that time, you're going to discuss designating Innsbrook as an Urban Development Area. We're still under discussions as to whether this additional portion would be included in the UDA, whether it would meet the requirements of the UDA. If we're going to go in that direction, that's still under discussion. So that's a possible consideration as well.

But at this time, that's the Land Use Plan you'll see. The area that is currently designated Urban Residential would remain that way because I think that at this point there have been some re-zonings that have recently been approved that allow townhouses. Consistent with the Urban Residential density, that's kind of cognizant of that existing zoning and therefore we do not propose to change that Urban Residential designation that's kind of now located between the Urban Mixed Use the TND. So that would stay. But we do envision that this TND area

could build off the Innsbrook core, that the street network that we've talked about, that you've heard about that's going to be instituted within Innsbrook would carry on into providing vehicular, pedestrian, and potentially bicycle connections into this TND area.

So that extremely long presentation really brings us to our next steps at this time. I'd be happy to answer questions, but based on the Commission's direction at this time, staff could support including this area in the Innsbrook Area Study. We would need to have a decision made regarding that this evening so it would allow us to advertise the full boundaries of the study for a public hearing for the Commission on July 15th. Recognize, too, that we have another work session set up for the 23rd as well.

Mr. Branin - Ben, I have a quick question. If we do add this into the Innsbrook area, do you have to have another neighborhood meeting?

Mr. Sehl - Mr. Branin, I don't believe that that would be necessary. The people that were notified of the community meeting held on May 4th are included in this area that would be notified of the public hearing as well. That area would be explained. We will have to see what Mr. Emerson and Ms. Moore think as far as how we send that notice out and if there's a way to draw attention to the fact that that area has been added.

Mr. Branin - The reason I bring it up, Ben and Jean, is I thought that the community meeting we had over at Highwoods for Innsbrook went very well and we got good input. There was some negative but not a lot of negative. I don't want the appearance or the slightest glimmer of bait-and-switch with the people that are in the area next to this. We talked about all of the gray area and we presented all of the gray area and it went very well, so now we're going to throw on the light green area. That's my only fear, that the perception. I know Mr. Jernigan and I have spoken about it. And it's his fear as well that the perception is a bait-and-switch.

Ms. Moore - Right. I think that's an excellent point and something we brought up with staff as well. Not to say this won't be an issue, but it's less intense than what's provided in the core. But if we do keep it on track, and advertise it, and go to public hearing—and certainly at that time if there are issues the Planning Commission feels are unresolved or feels like there is need for more community outreach, then that whole area that's being recommended to be added could actually be removed at that time.

Mr. Branin - As long as we have that caveat that we can remove it, I don't have as much of an issue with it.

Ms. Moore - Absolutely could, yes.

Mr. Kaechele - It's quite different from the rest of it.

Ms. Moore - We would have to draft, of course, the TND that we're working on. But yes, this is foreseen as a more single-family residential area, which is higher density.

Mr. Kaechele - Do we have an idea how much land is in this floodplain area? Is it 154 acres?

Mr. Sehl - Yes sir, it's a 154 acres. And what did we figure, I think it was just under 10 acres, Mr. Kaechele, were designated EPA. And as Ms. Moore stated, the land use designation for Traditional Neighborhood Development does call for some mixture of residential building types and some small measure of non-residential uses. Staff considered that in drafting the keystone policies that are there for you this evening and that's why we have a specific policy. As I stated previously, we believe that the non-residential portion of development within the Innsbrook Study should be focused on that area that we think needs the most attention.

Mr. Kaechele - Are you recommending the maximum of seven units?

Mr. Sehl - Yes sir, the maximum of seven units. It would be a maximum of seven units an acre. It's a policy that we're recommending. If it were a single-family—take, for instance, our R-5A district, the minimum lot size is 50 feet in width. That gets you to about seven units an acre at a maximum. So I think that's the maximum that would be attainable, just if we go with the single-family use here.

Mrs. Jones - I have a question. We talked after the last meeting. Even if every single thing that has been said about adding this 154 acres to the whole proposal is good, the perception to the public should not be that they're presented one issue and then actually deal with another as it comes through the process. So my question is even if this makes perfect sense, two things. One, was this area ever considered and a decision made not to include it prior to the presentation of the whole Innsbrook Study. And if so, why. And secondly, instead of including it and then pulling it out if there's a public outcry, shouldn't we go about it the other way. Move ahead with the Innsbrook Study and present it, and then add this at a later time, with full public involvement. I may not be expressing that right, but you see—I'm really concerned about the perception based on a recent case you may remember in my district where every single little thing becomes an issue if it isn't completely spelled out at the beginning.

Mr. Branin - Or even different than that, but in the same vein, run them in unison. Do you understand what I mean by that? We're doing this study on Innsbrook. We talk about both of them in the same meetings at the same time, but at two totally different areas.

Ms. Moore - I think you accomplish the same by having it together. I think if it was separate at this time, running concurrent, you still have the underlying issues of convening a meeting, where this one wouldn't. That's certainly up to the Commission. We're not trying to streamline this in any matter; we're trying to expand an existing area. Again, if issues do arise, the Commission has the full intent and power to remove it and make a recommendation either to defer it or move it to the Board removing that area.

Mrs. Jones - Looking at the obviously geographical definitions that are there with the roads and the established neighborhoods, it seems like a very logical piece to include in order to develop a really cohesive area.

Mr. Sehl - Certainly. And I think what staff's consideration was when we were setting the boundaries for the Innsbrook Study initially, during the 2026 updates, we looked at this area with Innsbrook not being considered for UMU at that time. We thought that the SR-2 designation—because Innsbrook was going to stay office—was appropriate. Therefore, since we had taken such a close look at it though the 2026 update, when we started this study out, we recently looked at this and thought SR-2 was appropriate, and then we came to the conclusion with Innsbrook that Urban Mixed Use was appropriate in there, and we'd already set those boundaries. And then when you couple that with a request from a property owner who owns a large chunk of property in there to consider expanding it, that's when we really started reexamining if the SR-2 designation was appropriate.

Mrs. Jones - The request from the owner I think is an important part of this development.

Mr. Sehl - Yes ma'am, certainly.

Mr. Jernigan - I say when we advertise it to make sure that it's specified that this study is not part of the UMU. Put that in black and white that it is two separate parcels.

Ms. Moore - The land use designations are distinct, right.

Mr. Jernigan - Well, it's distinct to us, but a lot of people in the field don't quite understand. But make sure that because these are adjacent properties, that we're going to do two studies at the time to make it easier on the people so they don't have to come out multiple times for hearings.

Mr. Sehl - Running a study concurrently, I think the problem that might arise with that is, say, for the Innsbrook Study, the Board took action to initiate that study; we'd need action to initiate the study. I'm worried that if the desire is to run these concurrently that those types of things could potentially all

of a sudden put some distance in between them. Which if it's the Commission's desire to do that at a later time, then staff would do that.

Ms. Moore - As a suggestion and it would expand our advertising a bit, but we can specify within a certain area this acreage being in a UMU, and a certain acreage in this boundary being TND so it's clear that the whole study area is not UMU. And also I think it's going to be very, very important that we also get the word out, the whole study, so they can examine, it's available online. We have been getting it to the libraries as well. That's just one suggestion.

Mr. Vanarsdall - If we had a separate meeting, when would we have it? Somewhere way down the line, wouldn't it?

Ms. Moore - Well, you would have the same similar work session, probably with the same information. I think the matter is whether if you wanted a community meeting now, is what I think I'm hearing.

Mr. Vanarsdall - We've heard from Mrs. Jones, and Mr. Branin, and Mr. Kaechele. I'd like to hear what you all would like to do with it. It's our responsibility, but it's your district.

Mr. Kaechele - I don't think there's anything we can do that would eliminate that suspicion, particularly some of the older residents on Sadler Road. They're been waiting a long time for the road itself. I don't know what our survey showed from that side of the area. I think traffic is the biggest issue from everybody and this is going to compound that concern. Do we have an idea of how many more units or how much more density this is versus what it is now?

Mr. Sehl - The Suburban Residential 2 designation right now is up to 3.4 units an acre, so it would be doubling the density. That density could also be something that the Commission considered directing staff to reduce if there are large concerns voiced about that at the public hearing.

Mr. Kaechele - Would the current timing be thrown off by having another public meeting?

Ms. Moore - We can try to accomplish that. What throws it off, I guess, is the tracking of advertising it and putting it up for July 15th. We have until the 18th for the advertisement. I don't know potentially if a community meeting is warranted in between. That's up to the Commission and we could certainly try to attempt that. But notifying people, that might be difficult.

Mr. Vanarsdall - What do you think, Tommy?

Mrs. Jones - Can I ask another question while he's thinking?

Mr. Vanarsdall - Go ahead.

Mrs. Jones - The UDA and the calculation on the UDA, is this an essential part of the calculations for that?

Ms. Moore - It could be. That's something we need to examine and present on your next work session. There's a certain component of a UDA that does require a single-family, which is not typical with the UMU. You need a provisional use permit to have it. Whether this portion is going to be included in the UDA, it could become part of it, but that's something we haven't fully evaluated yet. But we're doing that.

Mrs. Jones - That will be settled by the time—

Ms. Moore - Yes ma'am.

Mr. Branin - Mr. Chairman, I think this designation is great for this land. I think to not put more density in that area because of what Innsbrook is going to morph into in the future, it would be a waste not to. Again, my only fear—where we're going with it is the right direction. My only fear still is the perception.

Mr. Vanarsdall - So you have some doubts about where we're going?

Mr. Branin - The perception. That's my only concern. I have no concerns about looking at investigating and that's why I was pushing at the last meeting to make sure that the study got started, because I think it's essential and good thing to take this piece of land and change its designation, and change the density, and put in what will support, residentially, the new Innsbrook. But my only fear is that we're going to be looked at as misleading the public. I feel more comfortable know that if there any concerns, we can pull it out. I think that eliminates a lot of that. But perception is everything. Mr. Jernigan? You're much wiser.

Mr. Jernigan - Well, I don't know about that. How many people did you have at the neighborhood meeting?

Mr. Branin - Not as many as I had thought we would.

Ms. Moore - It was about 80.

Mr. Vanarsdall - Are you talking about the one they had—

Mr. Branin - At Innsbrook. It was a good turnout.

Mr. Vanarsdall - At Highwoods?

Mr. Branin - But a lot of those people came from further down Nuckols Road.

Mr. Vanarsdall - It was about 80 people, wasn't it?

Mr. Kaechele - Yes, because they had comments afterwards and that brought it up to 90 people.

Mr. Sehl - Seventy-nine people signed in.

Mr. Kaechele - Yes. And then we took comments afterwards.

Mr. Sehl - We received 55 surveys that were filled out. We received a number of e-mails after the meeting and that might be the number you're referencing. I'll have to look at the number. It was closer to 100 with that number. It actually might have been over 100 with the e-mails.

Mr. Kaechele - The response, as I recall, was almost half and half. Very close to half supporting.

Mr. Sehl - Yes sir. We had one question on the survey that asked if the respondents supported the vision that was presented in the draft study. I think it was about 56% that either supported or partially supported that vision. So yes, it was right around half.

Mr. Vanarsdall - All right. The question is should we have one meeting, two meetings, or no meeting. Mr. Archer, do you want to offer some advice on that?

Mr. Archer - Well, the perception issue that everybody is talking about bothers me, too. I remember the comment somebody made about it being a done deal. One gentleman stood up and said you told a lie. It's in the minutes.

Mr. Vanarsdall - Mr. Jernigan?

Mr. Jernigan - Well, after the last meeting, I mean, when you slide in about 154 acres on a study you're already doing, even though I feel we should be doing it—I'm wondering if we sent—do you have a list of those 80 people that showed up for the meeting?

Mr. Sehl - Yes we do.

Mr. Jernigan - Those are the people who came out and were concerned. What I'm saying is you could send a notification to them that we're also doing another study that's on the property adjacent and that we decided for

the ease of the citizens that we'll review both plans at the same time but they are two separate issues.

Mr. Branin - I hear you. Are we having another community meeting or another public meeting for Innsbrook?

Ms. Moore - We have the work session coming up to discuss this in relation to the UDA. It's a work session. We do not have scheduled a public hearing. We have not had a public hearing on Innsbrook yet. That's one of the discussions we're having tonight.

Mr. Vanarsdall - That's going to be on the 23rd. Mr. Sehl?

Mr. Sehl - Yes sir.

Mr. Vanarsdall - Did we have many people in the Sadler Road area and those subdivisions back there?

Mr. Sehl - As we discussed at the work session on the 26th, we never actually plotted the addresses of those that had responded, so I can't give you a definite answer on that. That's something we could look at as well to see.

Mr. Vanarsdall - I get the opinion that maybe we should have another session just for this TND 154 acres.

Mr. Branin - Another community meeting?

Mr. Vanarsdall - Excuse me. I don't mean a session; I mean a meeting.

Mr. Branin - Can we squeeze another community meeting in? That's all I want to know, can we squeeze another one in.

Mr. Vanarsdall - Sure, if that's what you want.

Mr. Branin - If we advertise it as an update on Innsbrook and feasibility of possibly adding 154 acres for residential, that would take care of the 80 people that were there. It would give the people that missed it last time because that was—wasn't that right around spring break?

Mr. Sehl - It was May 4th, so it would have been after spring break.

Ms. Moore - It would be recommended to have such a meeting, if possible, before June 24. That's when the first ad comes out. So if you were to include this tonight, then have the advertising, we certainly could do it, but people

would already see that this has been included. You could have another public hearing. I think it accomplishes maybe the same thing, but.

Mr. Vanarsdall - Well, it won't come back to haunt us if we do that.

Mr. Jernigan - Have another neighborhood meeting and then let everybody know there that when you have the public hearing here that we're going to look at both cases at the same time.

Mr. Branin - Right.

Mr. Jernigan - Okay.

Mr. Branin - But the advertisement for that community meeting would be update plus feasibility of looking at an addition.

Mr. Jernigan - Yes, two studies.

Mr. Branin - Now everybody knows what we're looking at and we continue on the time schedule that we're working towards. That would be my vote, if we can do that.

Mr. Vanarsdall - Can we do that, Jean?

Ms. Moore - The difficulty of that is really finding a venue for it, one. And then getting the notification out in a timely manner so people can attend.

Mr. Branin - Okay, we'll address that right now. What would be the proper amount of time if we were going to put out notices by Wednesday of next week? What's the amount of time that we need?

Ms. Moore - Typically, we do about two weeks.

Mr. Branin - Okay. Does anybody have a calendar?

Ms. Moore - Yes. That would set us—

Mr. Sehl - My concern with that is if we were to do two weeks, as Ms. Moore stated, the public meeting would then occur after the first advertisement ran or would need to run for a July 15th public hearing.

Ms. Moore - So the perception might be the same.

Mr. Vanarsdall - It may be.

Mr. Branin - If we put out a notice by next Wednesday for a review the following week, would we still make schedule?

Mr. Sehl - The first ad would run on the 24th, yes sir, so that would.

Mr. Branin - So we'd still make schedule.

Mr. Sehl - Yes sir.

Mr. Branin - Is there any way that I could find a place to have it?

Paul Kreckman - Since the last one was an open house, I guess that's what you're looking at is an open house.

Mr. Branin - Just a venue that I could possibly have a little community meeting.

Mr. Kreckman - We could use the same place that we went to the last time which is the Highwood's one building.

Mr. Vanarsdall - That would be good.

Mr. Archer - I think that would be good.

Mr. Kreckman - And we're coming right back in the same place, the same venue.

Mr. Vanarsdall - I'd feel better about it if we did that.

Mr. Sehl - Would the Commission want us to notify—as you know, we sent out 2400 notices for the first community meeting. Would you ask that we notify the same people?

Mr. Branin - The same 2400?

Mr. Sehl - The same 2400, yes sir.

Mr. Branin - The same 2400? Mrs. Jones?

Mrs. Jones - If you're going to do it, you have to do it, unfortunately. There's no way other than just taking it down to 80, which doesn't accomplish anything. The wording of the advertisement can also be helpful in making sure that we're not proposing to do something that is still undecided. There could be wording in the advertisement—

Mr. Branin - An update and—

Mrs. Jones - I'm talking about the advertisement. I think the advertisement can reflect something that will be advantageous.

Mr. Branin - That community meeting will also tell us if we have to pull it.

Mr. Vanarsdall - So it's the consensus of the Commission to have another meeting. So we'll leave this up to you to work out the details.

Mr. Kaechele - Can we get out 2400 by next week?

Mr. Vanarsdall - It will be up to them.

Ms. Moore - One idea I had—and that's a dangerous thing—is if you did pull this out, we could keep it on schedule, advertise for Innsbrook for the July 15th hearing, and then hold this back potentially a month. Then it would turn in, essentially, to two separate study areas, but potentially could catch up at the end, I think.

Mr. Branin - I'm absolutely fine with that, too.

Mr. Kaechele - There is no time crunch on that.

Mrs. Jones - Focusing on the logistics of getting this done in a way that makes us feel as if we've done our duty, and the public has had an opportunity to hear it. The important thing is what I've seen of the presentation about the area has been very confident. I would think that it would make a lot of sense to include it. But we want to be able to do it in a way that we all think is right.

Mr. Branin - I'm happier with it coming in as a second unit that catches back up.

Ms. Moore - I think at that point it separates out.

Mr. Vanarsdall - We've had enough discussion on it. Do you want a motion?

Mr. Branin - My only desire is that the two studies continue moving and we continue moving down the track. I'm not tied to them both being together. I'm okay with them being apart as long as the two units keep moving.

Mr. Vanarsdall - All right.

Mr. Jernigan - I have a question on the notices. You sent out 2400 before, but that was Innsbrook. This is 154 acres here. What's the acreage on Innsbrook?

Ms. Moore - This will be included in Innsbrook, so it would be, what is it—

Mr. Sehl - The previous study is 1185 acres.

Mr. Branin - If we split it out, though, Jean, we need to cover west of Innsbrook.

Mr. Vanarsdall - So the 1185 didn't include the 154.

Mr. Branin - Do you understand what I'm saying? If we do split them out, we don't have to put out 2400 notices.

Ms. Moore - Right. I think that's something we could figure out, too. What I'm hearing is run it and include it in this study on the caveat that we have a community meeting prior to the public hearing that we're going to advertise for July 15th. At that time between the community meeting and at the time that this gets advertised as a whole as a land use amendment on the 15th where other public input is going to be heard, you'll also know if you're comfortable with it and if you're not, you can always pull it out entirely from this Innsbrook Study.

Mr. Vanarsdall - Is that would you said, Mrs. Jones? Is that all right with you?

Mr. Branin - Makes sense to me.

Mr. Vanarsdall - All right. Well, let's wrap it up so we can go to the next item. Do you need a motion to do all of this?

Ms. Moore - What I suggest, Mr. Chairman, is that we make that motion after your rezoning item so that it's in the public hearing forum. We can do that right after and we can set the public hearing.

Mr. Vanarsdall - We'll continue this until 7:00.

BEGINNING OF PUBLIC HEARING

Mr. Vanarsdall - The Planning Commission will now reconvene. We just had a meeting upstairs. Is anyone from the press here? Okay. I welcome everyone in the audience, which is, what, two people. Thank you for coming. And staff over there and fellow Commissioners. And a special welcome to Mr.

Kaechele on the end. With that, I'd like to ask everyone to stand and Pledge Allegiance to the Flag.

Mr. Vanarsdall - Thank you. Now we'll turn the meeting over to our Assistant Director of Planning and Secretary, Ms. Moore.

Ms. Moore - Thank you, Mr. Chairman. The next item on your agenda is the request for withdrawals and deferrals. We do not have any requests for withdrawals, but we do have two deferrals. Mr. Strauss will go over those with you.

Mr. Vanarsdall - Good evening, Mr. Strauss.

Mr. Strauss - Good evening, members of the Commission. The first deferral is in the Brookland District on page one of the agenda. This is a request to amend proffered conditions accepted with rezoning case C-36C-92. It's an amendment to proffer 1(a) related to landscaping, proffer 5(a) related to permitted uses, and proffer 6 related to the hours of service. The applicant is requesting a deferral to the July 15, 2010 meeting.

(Deferred from the April 15, 2010 Meeting)

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

Mr. Vanarsdall - Is there anyone in the audience in opposition to the deferment to case C-6C-10, Carol LeRoy for Kneading Therapy, Inc.? No opposition. I move that C-6C-10, Carol LeRoy for Kneading Therapy, Inc., be deferred to July 15, 2010, at the applicant's request.

Mr. Jernigan - Second.

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

At the request of the applicant, the Planning Commission deferred C-6C-10, Carol LeRoy for Kneading Therapy, Inc, to its meeting on July 15, 2010.

Mr. Strauss - The next request for deferral is in the Varina District. It's on page one of the agenda, case C-9C-10, John D. Weis, Jr. This is a request to conditionally rezone from A-1 Agricultural District to the M-2C General

Industrial District. A vehicular parking lot and other permitted uses are proposed. The applicant is requesting a deferral to the July 15, 2010 meeting.

C-9C-10 **Bob Nelson for John D. Weis, Jr.:** Request to conditionally rezone from A-1 Agricultural District to M-2C General Industrial District (Conditional), Parcels 837-704-0031 and 837-704-6522, containing 19.9 acres, located on the north line of Portugee Road approximately 135 feet east of La France Road. The applicant proposes a vehicular parking lot and other permitted uses. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Traditional Neighborhood Development. This site is in the Airport Safety Overlay District.

Mr. Vanarsdall - Anyone in the audience in opposition to C-9C-10, Bob Nelson for John D. Weis, Jr.? No opposition.

Mr. Jernigan - Mr. Chairman, with that I will move for deferral of C-9C-10, Bob Nelson for John D. Weis, Jr., to July 15, 2010, by request of the applicant.

Mr. Branin - Second.

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

At the request of the applicant, the Planning Commission deferred C-9C-10, Bob Nelson for John D. Weis, Jr., to its meeting on July 15, 2010.

Mr. Strauss - Those are the requests for deferrals that staff is aware of.

Ms. Moore - Thank you, Mr. Strauss.

Mr. Vanarsdall - I believe that Mr. Archer has one.

Mr. Archer - I have one to add, Mr. Chairman.

Mr. Vanarsdall - What page is it on, Mr. Archer?

Mr. Archer - It is on page two. There are only two pages.

C-10C-10 **Mark Rempe for Emerald Land Development LLC:** Request to amend proffered conditions accepted with Rezoning Case C-59C-07, on Parcels 790-746-1573 and 790-746-1765 containing 1.56 acres located at the southeast intersection of North Road and Edgefield Street. The applicant proposes to amend Proffer 1 to increase the number of dwelling units from 2 to 3 and Proffer 2 to decrease the minimum dwelling size from 1,800 to 1,500 square feet. The

existing zoning is R-2AC One-Family Residence District (Conditional). The Land Use Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. This site is located in the Airport Safety Overlay District.

Mr. Vanarsdall - Is there any opposition to the deferment of C-10C-10, Mark Rempe for Emerald Land Development, LLC? No opposition.

Mr. Archer - I move that case C-10C-10, Mark Rempe for Emerald Land Development, LLC, be deferred until the July 15, 2010 meeting at the request of the Commission.

Mr. Jernigan - Second.

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

At the request of the Commission, the Planning Commission deferred C-10C-10, Mark Rempe for Emerald Land Development, LLC, to its meeting on July 15, 2010.

Ms. Moore - Mr. Chairman, that's completes our rezoning items for tonight. The next item on the agenda is the discussion item. This says the Commission will discuss scheduling a public hearing July 15, 2010, at 6 p.m. to consider the Innsbrook Area Land Use Study. Of course you just had a work session with that. The motion would be to advertise that and probably clarify that it does include the 154 acres.

Mr. Vanarsdall - All right. We need a motion. Anybody object to having it?

Mr. Jernigan - I'll make a motion that we have a public hearing for the Innsbrook Area to include the 154 acres on July 15, 2010, at 6 p.m.

Mr. Archer - Second.

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

Ms. Moore - The next item is approval of the minutes from May 13, 2010.

Mr. Vanarsdall - Anybody read the minutes?

Mr. Archer - Yes sir, all seven pages.

Mr. Vanarsdall - Any corrections?

Mr. Branin - I had none, Mr. Chairman.

Mr. Jernigan - I had none, Mr. Chairman.

Mr. Vanarsdall - All right. I haven't read it; I usually don't.

Mr. Jernigan - I can't believe that, sir.

Mr. Vanarsdall - I believe we have a motion to approve the minutes.

Mr. Archer - I so move.

Mr. Jernigan - Second.

Mr. Vanarsdall - How many people was that?

Mr. Jernigan - Let Mr. Archer have this one.

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

Anything else to come before the Commission?

Mr. Jernigan - Mr. Chairman, I'll just tell you on my case, that's Dan Weis—W-e-i-s.

Mr. Vanarsdall - Okay, I'm sorry.

Mr. Jernigan - Well, that's all right. I just thought I'd let you know.

Mr. Vanarsdall - With no further business before the Commission, the Commission is now adjourned.

The meeting adjourned at 7:09 p.m.

Ms. Jean Moore, Acting Secretary

Mr. Ernest B. Vanarsdall, Chairperson