

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. February
4 9, 2012. Display Notice having been published in the Richmond Times-Dispatch
5 on January 23, 2012 and January 30, 2012.
6

Members Present: Mr. Tommy Brarin, Chairman (Three Chopt)
Mrs. Bonnie-Leigh Jones, C.P.C., Vice Chairman (Tuckahoe)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Eric Leabough (Varina)
Mr. Robert H. Witte, Jr. (Brookland)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mr. Frank J. Thornton,
Board of Supervisors' Representative

Also Present: Ms. Jean Moore, Assistant Director of Planning
Mr. James P. Strauss, CLA, Principal Planner
Ms. Rosemary D. Deemer, AICP, County Planner
Mr. Benjamin Sehl, County Planner
Mr. Mike Jennings, Traffic Engineer
Ms. Sylvia Ray, Recording Secretary

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8 **Mr. Frank J. Thornton, the Board of Supervisors' representative, abstains**
9 **on all cases unless otherwise noted.**

10
11 Mr. Brarin - Good evening to a full room of people. Welcome to
12 the February 9, 2012, Planning Commission Rezoning meeting. I would like to
13 ask everybody to turn off their cell phones, if they have them on. Please stand for
14 the Pledge of Allegiance.

15
16 We usually take the time to recognize all of the media in the room. They're all
17 sitting over here if anyone's wondering. A very exciting meeting this evening. And
18 I'd like to recognize our Board of Supervisors' member, Mr. Frank Thornton, who
19 will be with us all year. Mr. Thornton, thank you. With that, Mr. Secretary?

20
21 Mr. Emerson - Thank you, Mr. Chairman. The first item on your
22 agenda tonight will be the Requests for Withdrawals and Deferrals. Those will be
23 presented by Mr. Jim Strauss.

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25 Mr. Strauss - Good evening, members of the Commission. We
26 have a request to withdraw one case this evening. It is C-20C-10, and it is in the
27 Brookland District. Mrs. Thelma Pretlow (the applicant) has requested to
28 withdraw this case.
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31 **(Deferred from the February 10, 2011 Meeting)**

32 **C-20C-10** **Revarado C. Pretlow for Thelma W. Pretlow:**
33 Request to amend proffered condition accepted with Rezoning Case C-30C-96,
34 on Parcel 758-770-0117, -0207, 758-769-0297, -0186, 757-769-9875, -9665, -
35 9453, -8161, -7468, -7275, -7998, -5690, -3698 located at the intersection of
36 Springfield Road (State Route 157) and Echo Lake Drive. The applicant
37 proposes to amend Proffer 4 related to the number of single-family homes
38 developed on the property in order to allow one additional dwelling unit. The
39 existing zoning is R-3C One-Family Residence (Conditional). The 2026
40 Comprehensive Plan recommends Suburban Residential 2, density should not
41 exceed 3.4 units per acre.

42
43 Mr. Emerson - There is no action required by the Commission on a
44 withdrawal. A similar case cannot return for twelve months.

45
46 Mr. Branin - So that's it with withdrawals?

47
48 Mr. Emerson - Yes sir.

49
50 Mr. Branin - Are there any deferrals?

51
52 Mr. Strauss - Yes, we do have some deferrals. We have a request
53 to defer a case in the Three Chopt District on page two of the agenda. It is C-8C-
54 11, Dalton Park Land Development Company. The applicant is requesting a
55 deferral to the March 15, 2012 meeting.

56
57 **(Deferred from the January 12, 2012 Meeting)**

58 **C-8C-11** **Webb Tyler for Dalton Park Land Development**
59 **Company:** Request to conditionally rezone from R-3C One-Family Residence
60 District (Conditional) to RTHC Residential Townhouse District (Conditional) parts
61 of Parcels 743-763-3572, -3527, 743-764-4622 and -6363, containing 12.2 acres
62 (Parcels 1 and 3) located on the east line of Interstate 295 approximately 630
63 feet west of the southern terminus of Allenbend Road and on the east line of
64 Interstate 295 approximately 350 feet west of the western terminus of Edinburgh
65 Road and from R-3C One-Family Residence District (Conditional) to R-5AC
66 General Residence District (Conditional) Parcels 743-763-8655, -9269, and 744-
67 763-1576 and parts of Parcels 743-763-3527, -3572, 744-764-2703, 744-763-
68 2190 and 743-764-4622, containing 16.9 acres (Parcel 2) located between the
69 west line of Belfast Road and the northeast intersection of Interstates 64 and
70 295. The applicant proposes a residential development of no more than 140
71 units. The RTH District allows a maximum density of nine (9) units per acre. The
72 R-5A District allows a minimum lot size of 5,625 square feet and a maximum
73 density of six (6) units per acre. The uses will be controlled by zoning ordinance
74 regulations and proffered conditions. The 2026 Comprehensive Plan
75 recommends Traditional Neighborhood Development to support a mixture of
76 residential, nonresidential and open space uses with 60% of the land consisting

77 of residential uses at a density not to exceed 12 units per acre; however, the site
78 is also within the Innsbrook Area Study which recommends a maximum density
79 of 8 units per acre for residential uses.

80

81 Mr. Branin - Is anybody in opposition to the deferral of C-8C-11,
82 Webb Tyler for Dalton Park Land Development Company? No opposition. Then I
83 would like to ask for deferral of C-8C-11, Webb Tyler for Dalton Park Land
84 Development Company, to the March 15 meeting per the applicant's request.

85

86 Mrs. Jones - Second.

87

88 Mr. Branin - Motion by Mr. Branin, seconded by Mrs. Jones. All in
89 favor say aye. All opposed say no. The ayes have it; the motion passes.

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91 At the request of the applicant, the Planning Commission deferred C-8C-11,
92 Webb Tyler for Dalton Park Land Development Company, to its meeting on
93 March 15, 2012.

94

95 Mr. Emerson - Mr. Chairman, that completes the deferrals and
96 withdrawals that we have formally submitted, unless the Commission has
97 something additional they need to add tonight.

98

99 Mr. Branin - Are there any additional deferrals or withdrawals by
100 the Commission?

101

102 Mr. Witte - Mr. Chairman, I'd like to defer case C-1C-12, Randy
103 Hooker for Hermitage Investment Group, LLC, to the March 15, 2012 meeting to
104 allow time to resolve certain issues regarding the proposed development.

105

106 **C-1C-12 Randy Hooker for Hermitage Investment Group,**
107 **LLC: Request to conditionally rezone from R-3 One-Family Residence District to**
108 **M-1C Light Industrial District (Conditional) Parcel 771-752-7780 containing 9.29**
109 **acres located at the southeast intersection of Staples Mill Road (US Route 33)**
110 **and Hermitage Road. The applicant proposes light industrial, office/warehouse,**
111 **and specialty retail uses. The uses will be controlled by zoning ordinance**
112 **regulations and proffered conditions. The 2026 Comprehensive Plan**
113 **recommends Office, Light Industrial, and Environmental Protection Area.**

114

115 Mr. Branin - Okay. Is there anyone in opposition to the deferral of
116 C-1C-12, Randy Hooker for Hermitage Investment Group, LLC? No opposition.
117 Would you like to make a motion?

118

119 Mr. Witte - I make a motion we defer C-1C-12, Randy Hooker for
120 Hermitage Investment Group, LLC, to the March 15, 2012 meeting.

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122 Mrs. Jones - Second.

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Mr. Branin - Motion by Mr. Witte, seconded by Mrs. Jones. 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-1C-12, Randy Hooker for Hermitage Investment Group, LLC, to its meeting on March 15, 2012.

Mr. Emerson - Mr. Chairman, that now takes us to the requests for expedited items of which there is one this evening. Mr. Strauss will present that as well.

Mr. Strauss - Thank you. There is one case for expedited approval. It's in the Brookland District, page two of the agenda, C-7-12. This is a request to rezone from R-3C One-Family Residence District (Conditional) to C-1 Conservation District. Staff recommends approval; we are not aware of any opposition.

C-7-12 Larry Horton for Hungry Creek Development Company, LLC: Request to rezone from R-3C One-Family Residence District (Conditional) to C-1 Conservation District part of Parcel 759-765-8952 containing .202 acres located approximately 500 feet east of Francistown Road at its intersection with Nuckols Road. The applicant proposes a Conservation District within the 100-year floodplain. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Environmental Protection Area.

Mr. Branin - Is there any opposition in the room for C-7-12, Larry Horton for Hungry Creek Development Company, LLC? No opposition. I'll entertain a motion.

Mr. Witte - I make a motion that we approve C-7-12, Larry Horton for Hungry Creek Development Company, LLC, on the expedited agenda.

Mr. Leabough - Second.

Mr. Branin - Motion by Mr. Witte, seconded by Mr. Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

REASON: Acting on a motion by Mr. Witte, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because it conforms with the objectives and intent of the County's Comprehensive Plan.

Mr. Emerson - Mr. Chairman, that now takes us to the regular agenda, page two, to Resolution SIA-004-11, Brook Road Neighborhood Park.

169 This is a Substantially in Accord finding that needs to be done by the Planning
170 Commission, or a recommendation made by the Planning Commission to the
171 Board. It is—as the code calls it—a Substantially in Accord with the 2026
172 Comprehensive Plan. It is for, again, a neighborhood park. The staff report will be
173 presented by Ms. Rosemary Deemer.

174
175 **RESOLUTION:** SIA-004-11 Brook Road Neighborhood Park:
176 Substantially In Accord with the 2026 Comprehensive Plan (Fairfield District).

177
178 Ms. Deemer - Good evening, Mr. Chairman, members of the
179 Commission.

180
181 Mr. Branin - Good evening, Ms. Deemer. How are you?

182
183 Ms. Deemer - I'm just jolly, thank you.

184
185 At the request of the Division of Recreation and Parks, the Planning Department
186 conducted a Substantially In Accord Study to determine whether a property
187 proposed for a neighborhood park is substantially in conformance with the
188 County's adopted Comprehensive Plan.

189
190 Located in the Fairfield Magisterial District, the proposed site consists of a single
191 6.13-acre parcel and is generally bounded by commercial property to the north,
192 Brook Road to the east, and the Belmont Golf Course and Recreation Center to
193 the south and west. The site is zoned B-3, Business District and County-owned
194 or leased buildings are permitted by right. The property was previously the
195 location of the Hanover Trailer Park and Carousel Sign Shop. After suffering
196 extensive damage from Tropical Storm Gaston, the County purchased the
197 property in July 2006.

198
199 The Division of Recreation and Parks has provided this concept plan showing the
200 possible layout of the site. The park would be passive in nature, with walking
201 trails, a children's garden and a picnic shelter. A visitor's center with interpretive
202 information on historic Route 1 and Henrico County would be constructed, along
203 with a 47-space parking area.

204
205 The subject property is recommended for Multi-Family Residential and
206 Environmental Protection Area in the 2026 Comprehensive Plan. Considering the
207 property is adjacent to the County's golf course and a recreation center, the
208 proposed park site would maximize opportunities for service, while still being
209 compatible with adjacent land uses.

210
211 After reviewing the subject property in the context of existing and recommended
212 land uses, the transportation network, and other site characteristics and
213 considerations, staff concludes the proposed use of the site for a neighborhood
214 park presents no apparent conflict with the intent of the adopted Plan and deems

215 it to be in "substantially in accord" with the goals, objectives and policies of the
216 Henrico County 2026 Comprehensive Plan.

217
218 This concludes my presentation and I'd be happy to answer any of your
219 questions.

220
221 Mr. Branin - Is there a representative here from Parks?

222
223 Ms. Deemer - They assured me that they were going to be here.

224
225 Mr. Emerson - Yes, Mr. Chairman. I spoke to Neil Luther, the
226 director, and he indicated he was going to have staff here tonight. Perhaps since
227 it was further down the agenda they thought we wouldn't get to it quite as soon.

228
229 Mr. Branin - Shall we defer it a month just because they're not
230 here?

231
232 Mr. Emerson - It's up to you.

233
234 Ms. Deemer - I can try to answer some questions.

235
236 Mr. Emerson - I'll leave it up to you. There is no time sensitivity to
237 this.

238
239 Mrs. Jones - I would like to just ask a question because I think it's
240 wonderful to take these opportunities where they present themselves as it
241 becomes more and more difficult to work park space into a developed county.
242 When we have a passive park, are they normally open all the time? Are there
243 use limitations for hours or anything like that?

244
245 Mr. Emerson - I think this one, Mrs. Jones, is planned to be gated, if
246 I'm not mistaken. Again, without a representative from Rec and Parks, I can't
247 answer that with a hundred percent certainty. But I believe it varies based on
248 location. We do have passive parks—Cheswick Park, I guess, across from
249 Henrico Doctors' Hospital comes to mind. I believe that stays open. I'm not sure
250 that there's a gate on that. Short Pump Park I believe stays open; that's a
251 passive park. I believe Pouncey Tract is normally open; that's a passive park. So
252 I guess it depends on the location. But for some reason I'm thinking this one may
253 have a gate on it.

254
255 Ms. Deemer - I think there will be fencing around the property along
256 Brook Road, but I'm not sure from the actual pictures that I've seen that the
257 fencing will be very high.

258

259 Mr. Emerson - Right.
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261 Ms. Deemer - There may be signage that will post, perhaps, after
262 dark.
263
264 Mr. Emerson - I'm not sure about hours of operation.
265
266 Ms. Deemer - Right.
267
268 Mr. Emerson - They may be posted. This one is next to Belmont Golf
269 Course, which means, of course, there are staff nearby during certain hours of
270 the day.
271
272 Mr. Branin - Ms. Deemer, do you have any other pictures of the
273 layout that you can put up?
274
275 Ms. Deemer - This is the only one that we were provided as part of
276 the master plan. At the time, again, it was conceptual. I do believe that Rec and
277 Parks staff have provided a POD to our DRD division, and they may have
278 actually been in today to discuss the layout. But we haven't been provided
279 anything more for the SIA since it's more of a general nature.
280
281 But if you look at the concept plan in front of you, it's basically one acre right
282 there in that corner. That's going to be the only area that will actually be
283 developed with anything. Right now the Division has some funding from the U.S.
284 Department of Housing and Urban Development to do remediation on the site to
285 remove the existing asphalt that is there. So that will be taken up, and they'll be
286 doing some relocation of power poles and things. The only area that will be
287 developed will be that one acre because basically the remaining five acres is in
288 the floodplain. The shelter and the interpretive area and picnic area will all be in
289 that one corner, basically. And the trails will be kind of this looping area here.
290 You can't see it very well, but see where the hand is located? This will be the
291 children's garden; it looks like a little amphitheatre here. That will be the
292 children's garden. The big, wider swaths here will be the trail. There will be some
293 turf areas for walking.
294
295 Originally, one of the ideas that had been floating around was a dog park, but
296 they just decided the area wasn't big enough for a dog park, so they nixed that
297 idea and really went with a completely passive area with open meadows, fields,
298 and walking areas.
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300 Mr. Branin - Can you enlarge that at all?
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302 Ms. Deemer - I can certainly try.
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304 Mr. Thornton - Mr. Chairman, may I elaborate a little bit?

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Mr. Branin - Absolutely.

Mr. Thornton - This particular plan that Ms. Deemer is showing to us, it would be helpful for the Planning Commission to know that this also is another initiative on the corridor for Brook Road. We have a group that has been looking at trying to enhance Brook Road, so this is a part of that. What you see here is really the result of planning, and also input from citizens who kind of live close to this initiative.

Mr. Leabough - Quick question about lighting, if it's going to be open past dusk. Are there going to be any lighting features incorporated? The concern I think Mrs. Jones was expressing is safety after hours. Do you know?

Ms. Deemer - There are a lot of them that I can point out specifically here, but you'll see right where the hand is there is a potential streetlight. And there are these dots, which unfortunately don't show up very well here, but there will be some throughout the area, and then also there will be some within the park area. I can't tell you specifically, as I'm not as familiar with the proposed plan, but there will be some. As I said, they are going to be relocating power poles as part of the CDBG funding that they have, and there were proposals for lighting in the master plan. I just didn't include that in this.

Mr. Emerson - Mr. Leabough, at this point, as Ms. Deemer said, this is a conceptual plan. What you're reviewing is whether or not it's designated appropriately on the Comprehensive Plan. There will be a master plan that comes forward after this process that will be more detailed. Rec and Parks is in the process of developing that master plan. It will come forward and be submitted to the Planning Department for review. It will go to the Board of Supervisors. Since there is a great deal of interest and we don't have a representative here tonight, we'll ask Rec and Parks to also present that to the Commission so you can cover some of these questions because they are good. But I don't know that we're in a position to answer many of these this evening.

Mr. Archer - Mr. Chairman, if I might interject also. For those who may not be familiar with what this property used to be, at one point in time it was a trailer park. Had previous ties to it, to be honest with you. When Gaston came along, it wiped out the whole thing. It took the trailer park and it took the whole second fairway of the golf course, as I recall. It required quite a bit of work by the County to restore the golf course. In fact, I think they eventually raised the second fairway up a bit to accommodate it. There was a time that anytime it rained real hard the second fairway would be inundated. But based on that and looking at what was there, and what could be, I think it would be an ideal project. As far as the details are concerned, Mr. Secretary, I don't think we work those out until we get to the actual plan of development.

351 Mr. Emerson - That is correct, yes sir.

352

353 Mr. Archer - Right now we're just trying to determine if it fits into
354 the normal scheme of things if we should approve it. I think it would make an
355 excellent place to put something because it's not going to be that big; it'll be fairly
356 small. I think it would make a positive contribution to the health, safety, and
357 welfare of the community, if it ever comes to pass.

358

359 Mr. Emerson - And in addition to that, Mr. Archer, it is adjacent to
360 Belmont Golf Course, which is a large holding of the County already. So finding it
361 substantially in accord for governmental use is very consistent with the uses in
362 this area.

363

364 Mrs. Jones - I'd like to just say, Ms. Deemer, we did not mean to
365 put you on the spot for all of these details. It simply reflects the fact that we're
366 excited about this project. And I think you're right, Mr. Secretary, we are certainly
367 not here to go into the details. But we are excited about the potential of this
368 parcel.

369

370 Mr. Thornton - Mr. Chairman, I will share a little trivia, and I always
371 try to be positive. Actually, before the storm the County was very interested in
372 purchasing that piece of property. At the time, obviously, the price that was given
373 was somewhat exorbitant, but we continued negotiations. Eventually the storm
374 came through, and after that the persons who were a little reluctant to sell were
375 more prone to come to the County. We resolved that with a very good price for
376 the improvement of the County. I guess Mother Nature, we should always be
377 careful how we treat people and things like that.

378

379 Mr. Witte - I heard Mother Nature was related to Pocahontas
380 someway.

381

382 Mr. Branin - All right, any other questions? I think this can be a
383 fantastic addition to our park system. Mr. Secretary, do you have a resolution
384 written?

385

386 Mr. Emerson - Yes sir. Mr. Chairman, you received a copy in your
387 package, but I just provided you an additional copy of a resolution for SIA-004-11
388 that would create a finding of substantially in accord as a recommendation to the
389 Board of Supervisors. I can read this to you and then you can decide whether or
390 not you wish to take action on it:

391

392 WHEREAS, Section 15.2-2232(a) of the Code of Virginia requires the
393 Planning Commission to review and to consider whether the general or
394 approximate location, character, and extent of major public facilities are
395 substantially in accord with the County's Comprehensive Plan; and

396

397 WHEREAS, the Planning Commission has reviewed the Brook Road
398 Neighborhood Park site for conformance with the County's 2026
399 Comprehensive Plan; and

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401 WHEREAS, a report dated February 2nd, 2012, presented by the Planning
402 staff to the Planning Commission found the proposed use would not be in
403 conflict with or a significant departure from the adopted Plan; and

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405 WHEREAS, the Planning Commission has reviewed the staff
406 recommendations and finds the proposed Brook Road Neighborhood Park
407 site to further the goals, objectives, and policies of the Comprehensive
408 Plan that indentify the need for new public services and facilities based on
409 projected and planned growth in accordance with the 2026 Future Land
410 Use Map; and

411
412 WHEREAS, the Planning Commission finds the proposed use of this site
413 for the Brook Road Neighborhood Park will be compatible with the
414 adjacent developments, and existing and future residential developments
415 in the larger vicinity;

416
417 NOW THEREFORE BE IT RESOLVED, the Henrico County Planning
418 Commission finds the proposed Brook Road Neighborhood Park site
419 substantially in accord with the County's Comprehensive Plan.

420
421 Mr. Branin - Thank you, Mr. Secretary. Would someone like to
422 make a motion?

423
424 Mr. Archer - Yes, Mr. Chairman. Whereas we all find this to be a
425 plan that be in favor of the County, now therefore I move that it be passed to the
426 Board of Supervisors with a recommendation for approval.

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428 Mrs. Jones - Second.

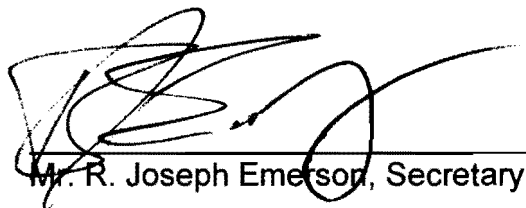
429
430 Mr. Branin - Motion by Mr. Archer, seconded by Mrs. Jones. All in
431 favor say aye. All opposed say no. The ayes have it; the motion passes.

432
433 I think it's going to be great.

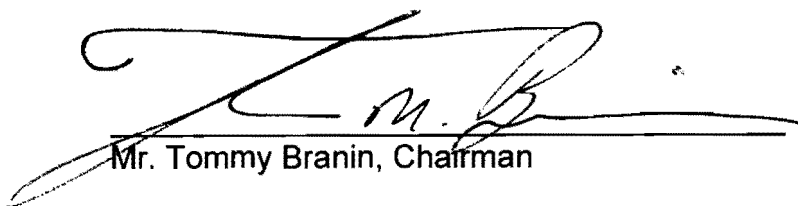
434
435 Mrs. Jones - Yes.

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437 Mr. Emerson - Mr. Chairman, that now takes us to the next item on
438 your agenda, which would be the consideration for the approval of your minutes
439 from the January 12, 2012 meeting. We do have an errata sheet that we created.
440 Ms. Deemer did call the Planning Commissioners and spoke with you, and I hope
441 that we have the majority of your changes. If we did not, certainly you can
442 provide us with any others you may have found since she spoke with you.

443
444 Mr. Branin - Do any of the Commissioners have any additions?
445 None? Mrs. Jones?
446
447 Mrs. Jones - No, those were my two little things.
448
449 Mr. Branin - All right. Then I'll entertain a motion for approval of
450 the minutes.
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452 Mrs. Jones - I move the minutes be accepted as corrected.
453
454 Mr. Archer - Second.
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456 Mr. Branin - Motion was made by Mrs. Jones, seconded by Mr.
457 Archer. All in favor say aye. All opposed say no. The ayes have it; the motion
458 passes.
459
460 Mr. Emerson - Mr. Chairman, that completes all items that staff has
461 for the Planning Commission this evening.
462
463 Mr. Branin - Do any Commissioners have any other issues or
464 comments? None. Okay.
465
466 Mr. Archer - I move for adjournment.
467
468 Mrs. Jones - Second.
469
470 Mr. Branin - Motion by Mr. Archer, second by Mrs. Jones. All in
471 favor say aye. All opposed say no. The ayes have it; the motion passes.
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473 The meeting adjourned at 7:25 p.m.
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Mr. R. Joseph Emerson, Secretary



Mr. Tommy Branin, Chairman