

1 Minutes of the regular monthly meeting of the Planning Commission of the
2 County of Henrico held in the Board Room of the County Administration Building
3 at 7:00 p.m. Thursday, May 13, 2010. Display Notice having been published in
4 the Richmond Times-Dispatch on April 22, 2010 and April 29, 2010.
5

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 Kaechele
Board of Supervisors Representative

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

Also Present: Mr. James P. Strauss, CLA, Principal Planner
Mr. Benjamin Sehl, County Planner
Mr. Roy Props, County Planner
Ms. Jamie Sherry, County Planner
Ms. Lisa Taylor, County Planner
Ms. Sylvia Ray, Recording Secretary

6
7 **Mr. David Kaechele, the Board of Supervisors' representative, abstains on**
8 **all cases unless otherwise noted.**

9
10 Mr. Vanarsdall - Good evening everyone, the Planning Commission
11 will now come to order. I'd like to ask you stand and pay tribute to our Flag.

12
13 Thank you. Is anybody from the press here this evening?

14
15 Good evening, fellow Commissioners, and Mr. Kaechele who is sitting on the end
16 representing the Board of Supervisors and keeps us straight. Mr. Kaechele is
17 the immediate past Chairman of the Board of Supervisors. To my left is Ms.
18 Moore who is going to take over the meeting.

19
20 Ms. Moore - Thank you, Mr. Chairman. The next item on your
21 agenda is requests for withdrawals and deferrals. We do not have any requests
22 for withdrawals, but we do have one deferral. Mr. Strauss will go over that item
23 with you.

24
25 Mr. Strauss - Thank you, good evening. The request for deferral is
26 in the Brookland District and is on page two of your agenda. It's case C-8C-10,
27 JMW, LLC. It is located at the southwest intersection of Dumbarton Road and

74 Mr. Vanarsdall - Questions by Commission members? I move that C-
75 8C-10, Martin Shane for JMW, LLC, be deferred to May 26, 2010, per the
76 applicant's request.

77
78 Mr. Branin - Second.

79
80 Mr. Vanarsdall - Motion by Mr. Vanarsdall, seconded by Mr. Branin. All
81 in favor say aye. All opposed say no. The ayes have it; the motion passes.

82
83 At the request of the applicant, the Planning Commission deferred C-8C-10,
84 Martin Shane for JMW, LLC, to its meeting on May 26, 2010.

85
86 Ms. Moore - Okay, Mr. Chairman, that completes the requests
87 we've received for deferrals. The next items are requests for expedited items and
88 we do have two. Just to note that expedited items are applications where staff is
89 fully in support. They're fairly minor in nature and we do not know of any
90 opposition, so they're placed on the expedited agenda. If there is someone in
91 opposition or wants to speak, we can pull it off and hear it at its regular listing on
92 the agenda. With that, Mr. Strauss will be presenting both of those.

93
94 Mr. Strauss - Thank you. The first request for expedited approval is
95 in the Fairfield District on page one of the agenda. This is P-4-10, Peter L.
96 Francisco. The applicant is requesting to amend conditions of a previously
97 approved provisional use permit. Specially, he is proposing extending the hours
98 and days of operation of the Lakeside Farmers' Market to allow a limited sale of
99 artisan products and have non-amplified live music. Staff is not aware of any
100 opposition and we are recommending approval with conditions one through ten
101 on page four of the staff report.

102
103 **P-4-10 Peter L. Francisco:** Request to amend Conditions 3
104 and 8 approved with Provisional Use Permit P-6-09, on part of Parcel 780-749-
105 9410, located on the west line of Lakeside Avenue (State Route 161) at its
106 intersection with Timberlake Avenue. The applicant proposes to extend hours
107 and days of operation of the Lakeside Farmers' Market and to allow limited sale
108 of artisan products and non-amplified live music performances. The existing
109 zoning is B-3C Business District (Conditional). The Land Use Plan recommends
110 Commercial Concentration. The site is in the Enterprise Zone.

111
112 Mr. Vanarsdall - Is there any opposition to P-4-10, Peter L. Francisco?
113 No opposition.

114
115 Any questions for Mr. Strauss by Commission members? Mr. Archer.

116
117 Mr. Archer - Thank you, Mr. Chairman. Mr. and Mrs. Francisco
118 had their grand opening a couple of weeks ago and I attended, along with Mr.
119 Thornton and, Mr. Hazelett, and a few other people from the County. It was a

120 very nice affair. That operation is one that has been enhanced somewhat by the
121 provision. With that, I will move that P-4-10, Peter L. Francisco, be referred to
122 the Board of Supervisors with a recommendation for approval.

123
124 Mr. Jernigan - Second.

125
126 Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Jernigan. All
127 in favor say aye. All opposed say no. The ayes have it; the motion passes.

128
129 **REASON:** Acting on a motion by Mr. Archer seconded by Mr.
130 Jernigan, the Planning Commission voted 5-0 (one abstention) to recommend
131 the Board of Supervisors grant the request because it is reasonable in light of the
132 existing zoning on the property, would provide added services to the community,
133 and properly regulated by the special conditions, it is not expected to adversely
134 affect public safety, health or general welfare.

135
136 Now when you go by there, Mr. Archer, are you expecting a free bag of
137 vegetables?

138
139 Mr. Archer - A couple pieces of tomato.

140
141 Mr. Vanarsdall - All right.

142
143 Mr. Strauss - The second request for expedited approval is in the
144 Brookland District on page one of the agenda. That will be case C-7C-10, Bette
145 M. Bowman. It's located at the southwest intersection of Horsepen Road and
146 Crescent Parkway. This is a request to amend proffered conditions accepted with
147 rezoning case C-31C-82. Additional business uses including restaurants with
148 drive-thru service are proposed. Staff is not aware of any opposition and they are
149 recommending approval.

150
151 **C-7C-10 Norton M. Bowman, Jr. for Bette M. Bowman:**
152 Request to amend proffered conditions accepted with Rezoning Case C-31C-82,
153 on Parcel 768-741-5464, located at the southwest intersection of Horsepen Road
154 and Crescent Parkway. The applicant proposes to permit additional business
155 uses, including restaurants with drive-thru service. The existing zoning is B-2C
156 Business District (Conditional). The Land Use Plan recommends Office. This site
157 is in the Enterprise Zone.

158
159 Mr. Vanarsdall - Anyone in the audience in opposition to C-7C-10,
160 Norton M. Bowman, Jr., for Bette M. Bowman? No opposition.

161
162 All right. With that, I'll move that C-7C-10, Norton M. Bowman, Jr., for Bette M.
163 Bowman, be recommended to the Board of Supervisors for approval.

164
165 Mr. Archer - Second.

166
167 Mr. Vanarsdall - Motion by Mr. Vanarsdall, seconded by Mr. Archer.
168 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
169

170 **REASON:** Acting on a motion by Mr. Vanarsdall seconded by
171 Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend
172 the Board of Supervisors grant the request because it would not be expected to
173 adversely affect the pattern of zoning and land use in the area and the proffered
174 conditions will assure a level of development otherwise not possible.
175

176 Mr. Strauss - That completes the expedited agenda.
177

178 Ms. Moore - Mr. Chairman, that brings you to the end of your
179 agenda and we do have one discussion item. This is in regards to the Innsbrook
180 Area Land Use Study. The discussion item reads that the Commission will
181 discuss scheduling a work session for May 26—which is your day meeting—of
182 2010, to review the public input received at the community meeting for the
183 Innsbrook Area Land Use Study. As you recall, we had a community meeting on
184 May 4th, and I believe a few of you were there. It was pretty successful; we had
185 80 people. As staff compiles the surveys that came in, we will have those
186 presented to you at some point prior to this work session so you can mull it over.
187

188 Mr. Vanarsdall - What time do you want?
189

190 Ms. Moore - We recommend that the work session occur after your
191 regular POD agenda items, and of course now a rezoning item.
192

193 Mr. Vanarsdall - Is that all right with all the Commissioners?
194

195 Mr. Jernigan - That's the POD.
196

197 Mr. Vanarsdall - Right.
198

199 Mr. Kaechele - Is there any public input at that time?
200

201 Ms. Moore - The work session is open to the public, but generally
202 it's for the Planning Commission's discussion only. We still continue to get input
203 through the website. And actually, Ben, would you like to summarize?
204

205 Mr. Sehl- Good evening, members of the Commission. Ms.
206 Moore was correct. We had 79 people that signed in at the community meeting,
207 55 of which provided comments via the exit survey. Those are being compiled at
208 this time and within the next few days, you should receive a packet similar to
209 what you received with the 2026 Comprehensive Plan. The Comment Manual
210 that they provided at that time. Similar formats and charts with the statistical data
211 that was gleaned from the study, as well as a listing of the open-ended

212 comments that we received. We've also received just over 70 e-mails and a
213 couple of letters in the days following the community meeting through the
214 website, so those will also be included. Many of them are very similar to one
215 another, but you will receive all of those, as well as staff's response to those.
216 We're hoping to give you enough time to review them and see which items you'd
217 like to have staff address at the work session. We can talk through those at that
218 time. There will not be responses to the open-ended questions in the Comment
219 Manual, but we will be prepared to answer any questions you might have at that
220 time.

221
222 We're also planning to post that to your portal. That will be available here in the
223 next couple of days as well. We'll ultimately post it on the website as well for the
224 general public to see. So we're assembling that and hope to have it to you in the
225 near future.

226

227 Mr. Jernigan - Generally, how were the comments? Positive?

228

229 Mr. Sehl - I think there is a split in the comments. There were
230 more favorable than unfavorable comments received. There were the usual,
231 typical concerns of projects of this type and studies of this type bearing traffic and
232 those type of things. Specific answers and numbers will be provided to you as
233 well and we have some charts in there that illustrate those items.

234

235 Mr. Vanarsdall - Ms. Moore, do you need a—

236

237 Ms. Moore - We do need a motion to have that on May 26th.

238

239 Mr. Vanarsdall - Can I have a motion?

240

241 Mr. Branin - Can I ask a question before we do? We're having this
242 meeting after our POD, correct?

243

244 Ms. Moore - It would be part of the POD meeting and it'll be placed
245 on the agenda after the POD items.

246

247 Mr. Branin - Here?

248

249 Ms. Moore - Yes.

250

251 Mr. Branin - So it will be part of—

252

253 Ms. Moore - Actually, we might carry that upstairs or it could be
254 here. I don't think that's been settled.

255

256 Mr. Sehl - I think Mr. Emerson was—a lot of it was depending on
257 the length of the POD agenda. If it's not long enough to warrant moving the
258 Commission upstairs, the intent was to hold it down here.
259

260 Ms. Moore - You have 17 items on that agenda and it might go to
261 15. I think 10 or 11 of those are TOA's, so it should move fairly quickly.
262

263 Mr. Branin - Okay.
264

265 Mrs. Jones - Ben, can I ask a quick question? I was at a meeting
266 the other night at another locality about conservation and this kind of thing. One
267 of the partners was the Partnership for Smarter Growth. They were talking about
268 a June event at Innsbrook as an example of smart growth principals and this kind
269 of thing. How are we involved as a County in that, or are we?
270

271 Mr. Sehl - Yes ma'am. Sheila Shepherd is the coordinator for
272 the Partnership for Smarter Growth. Mr. Emerson, I believe, is going to attend
273 that on behalf of the County. They're doing a walking tour of Innsbrook to kind of
274 highlight the undertaking that Innsbrook Property Owners' Association is going
275 through at this time, which is kind of—somewhat tied in with the land use study
276 that the County is doing, but more focused on what Innsbrook is doing as a
277 corporate center to address some of these sustainability measures. The
278 Commission will at that point not have had the public hearing regarding the land
279 use study; we'll have just had the work session. The County's involvement is not
280 going to be major but I think there will be a presence there.
281

282 Mrs. Jones - Okay, thank you.
283

284 Mr. Vanarsdall - Anyone else? I need a motion.
285

286 Mr. Archer - Mr. Chairman, I move that the Innsbrook Study be
287 held after the May 26, 2010 POD meeting at a venue to be determined later.
288

289 Mr. Jernigan - Second.
290

291 Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Jernigan. All
292 in favor say aye. All opposed say no. The ayes have it; the motion passes.
293

294 Mr. Branin - Mr. Chairman, I have one more comment before close
295 out. Last Wednesday POD meeting, I had a case in the Three Chop District,
296 which was POD-41-07. If you all remember, it was Pouncey—I deferred it at the
297 beginning of the meeting, so it was never discussed or heard because I didn't
298 feel it was ready to proceed. I thought we could turn it around within a couple of
299 days, but we had a meeting directly after with staff, owner, and developer, and in
300 that meeting what Mr. Kaechele had asked them—and what I had asked them

301 for—was going to take longer. So it won't be on this agenda, it will be on the
302 POD agenda.

303
304 Mr. Vanarsdall - Okay.

305
306 Mr. Branin - I just wanted to let you know, if anyone was looking
307 for it.

308
309 Mr. Vanarsdall - Thank you, Mr. Branin.

310
311 Mr. Branin - Yes sir.

312
313 Mr. Vanarsdall - Now we'll get to the minutes. Anyone want to read the
314 minutes at this time?

315
316 Mrs. Jones - Yes. Of course I read them.

317
318 Mr. Jernigan - No, we want you to read them now.

319
320 Mr. Branin - Mr. Chairman, I read them twice and I didn't find any
321 problems with them.

322
323 Mrs. Jones - I move for acceptance of the minutes.

324
325 Mr. Jernigan - Second.

326
327 Mr. Vanarsdall - Motion by Mrs. Jones, seconded by Mr. Jernigan. All
328 in favor say aye. All opposed say no. The ayes have it; the motion passes.

329
330 Mr. Branin - Close it so everybody can go home. Staff's ready to
331 go.

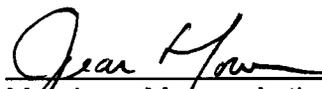
332
333 Mr. Archer - I move that this meeting be adjourned at 7:15 p.m.

334
335 Mr. Jernigan - Second.

336
337 Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Jernigan. All
338 in favor say aye. All opposed say no. The ayes have it; the motion passes.

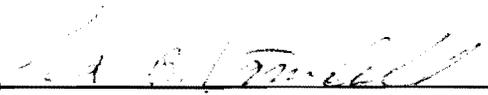
339
340 The meeting adjourned at 7:15 p.m.

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Ms. Jean Moore, Acting Secretary

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Mr. Ernest B. Vanarsdall, Chairperson