~~June 19, 2007 CPC~~
~~August 21, 2007 CPC~~
September 26, 2007 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

07SN0350

Chesterfield County Planning Commission

Clover Hill Magisterial District
North line of Hull Street Road, east and south of the Swift Creek Reservoir

REQUEST: Amendment to Conditional Use Planned Development (Case 74SN0021) relative to open space in the Brandermill Community.

PROPOSED LAND USE:

Brandermill is a mixed use community which includes residential, commercial, office, public/semi-public and recreational uses. Despite the project receiving the appropriate site and subdivision plan approvals from the County, a recent evaluation of the development revealed deficiencies in provisions of open space, as conditioned by Case 74SN0021. This amendment would correct these deficiencies as well as further limit uses permitted in this open space.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITION ON PAGE 2.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

A. The Brandermill development, which began approximately thirty (30) years ago, has had no apparent adverse impacts resulting from the reduction in open space.

B. The additional use limitations would insure that open space areas are devoted to uses that best support the Brandermill community.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITION

(STAFF/CPC) Open Space

a. The plan titled "Brandermill: Proposed Open Space Requirements" dated June 14, 2007, and the chart titled "Brandermill Residential Communities Open Space Calculations" dated May 7, 2007, shall be considered the Master Plan.
b. A minimum of 912.9 acres shall be provided in open space, of which a maximum of 241.96 acres shall be contained within rights of way.
c. Uses permitted within this open space shall be limited to the following:
    i. Rights of way, as identified in "b".
    ii. Naturally vegetated and landscaped areas.
    iii. Active and passive recreational uses primarily serving the surrounding residential community, including, but not limited to, walking and biking paths, playgrounds, golf course, pools, tennis courts, as well as those uses customarily accessory to these recreational uses.
    iv. Temporary activities and events such as art shows, annual celebrations and special outings that support the recreational nature of open space.
    v. Country club facility, which may include the following accessory uses within the facility to serve and support the facility:
        1. conference rooms
        2. exercise rooms
        3. restaurant
        4. cocktail lounge
        5. offices to provide sales, reception/information centers for the exclusive use for sale/rental of Brandermill property.
        6. beauty and barber shop
        7. clothing and sporting good sales (pro shop)
        8. child care

(Note: This condition supersedes Exhibit B, Section 1, Subsection f, Chart III and Exhibit M of Case 74SN0021 relative to open space, recreation and activity area provisions)

GENERAL INFORMATION

Location:

All properties located within the boundaries of the Brandermill Community, excluding County-owned properties or commercial properties that do pay dues to the Brandermill Community Association for maintenance.

Existing Zoning:

R-7, O-2, C-2 and C-3 with Conditional Use Planned Development

Size:

2251.5 acres

UTILITIES; ENVIRONMENTAL; AND PUBLIC FACILITIES

The proposed amendment will have no impact on these facilities.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan, which suggests the property is appropriate for single family residential of 2.0 dwelling units per acre or less; regional mixed use; mixed use corridor; or conservation: open water uses.

Zoning History:

On May 8, 1974, the Board of Supervisors approved the rezoning of a 2,444-acre tract with Conditional Use Planned Development to permit a mix of residential, commercial and light industrial uses (Case 74SN0021). This case established a minimum provision of open space within this project, now known as the Brandermill Community. Specifically, "Chart III" of Case 74SN0021 required a minimum of 981.41 acres devoted to open space and recreation area. This acreage could be modified by no more than five (5) percent. Exhibit M of this same case, titled "Brandermill Land Use Statistics", demonstrated a 4.2 percent reduction in the open space from the "Chart III" acreage, providing 940.08 acres in open space to be divided among roads, parks and recreation, golf and other uses.

On June 6, 2006, an application was filed by Commonwealth Golf Properties, LLC for schematic plan approval to permit multifamily dwellings on six (6) acres occupied by the Brandermill Country Club tennis courts (Case 06PS0428). Through their review of this schematic, staff discovered that the Brandermill development was not in compliance with conditions of Case 74SN0021 relative to the provision of open space, with a deficit of approximately twenty-six (26) acres. As such, staff could not support the schematic

request to further reduce the open space. On September 15, 2006, the applicant requested withdrawal of the schematic request.

On October 20, 2006, a Zoning Certificate was issued by the Director of Planning relative to staff's analysis of open space provisions in the Brandermill Community used in preparation of Case 06PS0428. The Ordinance provides for an appeal of staff's decision to the Board of Zoning Appeals within thirty (30) days of the date of this Zoning Certificate. This decision was not appealed.

Given the County's involvement in the approval of the Brandermill development, the Planning Commission initiated the current application to correct this open space deficiency and to clarify uses permitted within this open space.

Open Space Area:

Conditions of Case 74SN0021 require the provision of 940 acres of open space. Of this total, approximately 242 acres is permitted in roads, eighty-four (84) acres in parks and recreation, 146 acres in golf course and 468 acres in other open space areas (Exhibit M).

Staff's evaluation of the current open space indicates the provision of 912.9 acres, with 312 acres in roads (with credit for 241.9 of these acres), 473.3 acres owned by the Brandermill Community Association, 173.2 acres in golf course, and twenty-four and one-half (24.5) acres as privately-owned (Reference "Brandermill Residential Communities Open Space Calculations" and "Brandermill: Proposed Open Space Requirements"). As such, there is a deficiency of approximately twenty-seven (27) acres of open space (Reference "Open Space Comparison (Acres)" Chart). This amendment would establish a minimum open space provision of 912.9 acres, consistent with the amount and locations of what is currently provided. (Condition) (Reference "Open Space Use Comparison" chart)

Open Space Uses:

Currently, Case 74SN0021 permits open space areas to be used for a variety of active and passive recreational uses and facilities; cultural and special community events; public facilities, such as fire/rescue stations and schools; child care centers, nursery schools and kindergartens in conjunction with schools; offices for the sale/rental of Brandermill real estate; and limited retail uses such as a grocery store and restaurants (Exhibit B, Case 74SN0021). With the proposed reduction in open space, it is important to guarantee that uses within the open space will continue to directly support the needs of the Brandermill community. As such, approval of this amendment would limit the permitted uses within open space to naturally vegetated and landscaped areas; active and passive recreational uses primarily serving the surrounding residential community, including, but not limited to, walking and biking paths, playgrounds, golf course, pools, tennis courts, as well as those uses customarily accessory these recreational uses; and temporary activities and events such as art shows, annual celebrations and special outings that support the recreational nature of open space. (Condition) (Reference "Open Space Use Comparison" Chart)

CONCLUSION

The Brandermill development, which began approximately thirty (30) years ago, has had no apparent adverse impacts resulting from the reduction in open space. Further, the additional use limitations would insure that open space areas are devoted to uses that best support the Brandermill community.

Given these considerations, approval of this request is recommended with the imposition of the Condition, as noted herein.

CASE HISTORY

Planning Commission Meeting (6/19/07):

> The applicant accepted the recommendation. There was opposition and support present. Concerns were expressed relative to maintaining the original acreage commitment for open space and the potential impact of the request on Commonwealth Golf Properties. Support was expressed relative to reconciliation of the open space deficiency; documentation and preservation of existing open space; and clarification of open space uses to benefit the community.
>
> Mr. Gulley indicated that the Brandermill Neighborhood Residents Council (NRC) had requested a meeting to better understand the open space analysis; that a misunderstanding existed relative to the application taking away existing open space; and that a deferral would allow for a community meeting to clarify the request.
>
> The public hearing was closed.
>
> On their own motion, the Commission deferred the decision to their August 21, 2007, meeting.

Staff (6/20/07):

> The applicant was advised in writing that any significant, new or revised information should be submitted no later than June 25, 2007, for consideration at the Commission's August 21, 2007, meeting.

Area Property Owners and Staff (7/10/07):

> A meeting was held to discuss this case. Discussion focused on the calculation and location of open space and current and proposed limitations on the use of open space.

Concerns were expressed relative to maintaining existing open space areas and the process by which any future modification of open space regulations would occur.

Property Owner, Staff and Clover Hill District Commissioner (7/17/07):

A meeting was held to discuss the impact of this request upon the golf properties. The Condition was amended to clarify the country club facility as a permitted use (Item v).

Applicant (7/28/07):

To date, no new information has been submitted.

Planning Commission Meeting (8/21/07):

Mr. Gulley indicated that since the public hearing, he had met with Brandermill representatives who had voiced their support of the proposal.

On motion of Mr. Gulley, seconded by Mr. Bass, the Commission recommended approval subject to the condition on page 2.

AYES: Messrs. Gecker, Gulley Bass, Litton and Wilson.

The Board of Supervisors, on Wednesday, September 26, 2007, beginning at 6:30 p.m., will take under consideration this request.

Open Space Comparison

Acres

Original Zoning		**07SN0350**	
•940	Total	•912.9	Total
242	Roads	•241.9	Roads
•146	Golf	•173.2	Golf
•84	P & R	•0	P & R
•468	Other	•0	Other
•0	BCA	•473.3	BCA
•0	Private	•24.5	Private

Uses

Original Zoning	07SN0350
•Active/Passive Rec	•Active/Passive Rec
•Community Events	•Community Events
•Public Facilities	•Natural/Landscaped Areas
•Child Care/Nursery School/Kindergarten	•Country Club
•Real Estate Office	
•Limited Retail	

This page is blank.

Brandermill Residential Communities Open Space Calculations 5-7-07

BRIGHT HOPE

Subdivision	**Total Area**	**# Acres in Roads**	**# Acres in Golf Course**	**# Acres in BCA Open Space**	**# Acres in Private Open Space**	**# Lots**
Bayport Landing	18.7	3.486		7.412		41
East Bluff	12.162			0.873		30
Harbour Bluff	16.075	2.165		4.635		34
Harbour Hill	14.053	2.306		3.525		20
Harbour Ridge	7.9	0.659		3.334		17
Harbourwood	24.189	5.418		6.22		27
Land's End	10.485	1.17		0.972		8
North Point	14.841	1.358		3.758		20
Promontory Pointe	18.856	2.306		11.133		24
Promontory Pointe Sec. 2	2.89	0.322		0.384		8
Promontory Pointe Sec. 3	4.383	0		2.946		1
Rockport Landing	19.222	4.059		3.294		20
Rockport Landing Sec. 2	5.481	0		2.58		6
Spinnaker Cove Condos	3.87				2	
Spinnaker Cove 2	10.1	1.07		4.3		22
Watch Hill	20.816	2.776		4.138		31
Other Open Space owned by BCA:	5.432					
South of Watch Hill				1.178		
South of Watch Hill				0.947		
Adjacent to Hull Street Rd & Swift Creek				1.607		
South of Harbourwood				1.02		
East of Harbour Bluff				0.68		
County Owned	5.86					
Totals	**215.315**	**27.095**		**64.936**	**2**	**309**

This page is blank.

Brandermill Residential Communities Open Space Calculations 5-7-07

OLD HUNDRED

Subdivision	Total Area	# Acres in Roads	# Acres in Golf Course	# Ac in BCA Open Space	# Acres in Private Open Space	# Lots
Barne's Spring	21.884	2.938		2.796		55
Commodore Point	21.4	3.008		8.02		27
Court Ridge	10.335	1.525		1.676		30
Five Springs Ph. 1	4.818	0.758		0.999		20
Five Springs Ph. 2	4.925	0.335		2.792		10
Fortune's Ridge	35.572	5.228		7.908		50
Fox Chase 1st Sect.	17.321	2.903		0.157		47
Fox Chase 2nd Sect.	12.687	2.903		0.142		34
Gleneages 1st Sect.	1.667				1.292	5
Gleneages 2nd Sect.	1.033				0.622	5
Gleneages 3rd & 4th Sect.	2.442				1.54	11
Gleneages 5th Sect.	1.084				0.686	5
Gleneages 6th Sect.	0.946				0.527	5
Gleneages 7th & 8th Sect.	3.297				2.337	12
Heritage Woods Sect. 1	12.788	3.51		4.394		30
Heritage Woods Sect. 2	10.419	2.109		1.864		35
Heritage Woods Sect. 3	8.155	0.874		3.617		17
Huntsbridge	26.836	5.149		3.398		70
Litchfield Bluff	5.17	0.76		1.84		28
Long Shadow Ph. 1	1.624	0		0.47		11
Long Shadow Ph. 2	8.2	1.557		3.514		37
Long Shadow 2nd Sect.	5.465	1.017		2.894		19
Long Shadow 2nd Sect., Ph. 2	3.99	0		2.28		20
McTyre's Cove Patio Lots & McTyre's Cove	40.2	4.972		13.2		71
Muirfield Green Phase I	1.953			1.06		13
Muirfield Green Ph. 2	5.511	0.493		1.298		21
Muirfield Green Ph. 3 & 4	2.23	0.26		0		10
Northwich 1st Sect.	14.16	2.058		5.306		36
Northwich 2nd Sect.	7.818	1.15		2.225		21
Nuttree Woods	39.468	61.25		4.014		90
The Oaks - Ph. 1	18.411	4.965		6.064		38
The Oaks - Ph. 2	8.09	1.614		1.399		27
The Oaks - Ph. 3	6.783	0.955		2.303		20
The Oaks - Ph. 4	13.236	2.137		5.2		31
Old Fox Trail	34.07	4.14		6.45		55

This page is blank.

Brandermill Residential Communities Open Space Calculations 5-7-07

OLD HUNDRED (page 2)

Subdivision	**Total Area**	**# Acres in Roads**	**# Acres in Golf Course**	**# Acres in BCA Open Space**	**# Acres in Private Open Space**	**# Lots**
Pebble Creek	24.447	4.167		2.676		47
Planters Wood Sect. 1 & 2	23.874	4.247		5.908		72
Planters wood Sect. 3	7.921	1.275		1.14		31
Poplar Grove	41.09	5.58		2.71		75
Quail Hill - Sect. 1	16.984	2.228		1.772		39
Quail Hill - Sect. 2 & 3	17.474	3.283		2.507		38
Quail Hill - Sec. 4	8.214	1.456		1.233		17
Regatta Point	18.06	3.19		6.193		49
Riverbirch Trace	12.778	1.679		1.525		22
Sagewood Phase I	11.821	3.715		3.969		26
Sagewood Phase 2	7.312	1.262		2.395		21
Sagewood Ph. 3 & 4	25.608	4.6		5.012		81
Seven Oaks	20.23	3.116		2.299		50
Shallowford Trace	21.066	2.299		8.395		53
Steeple Chase	19.052	3.917		1.915		53
Sterlings Bridge	21.677	2.751		4.732		48
Stoney Ridge	23.662	3.231		3.702		45
Thornridge	27.557	3.952		12.138		51
Three Bridges	10.328	1.716		2.214		40
Timber Ridge	42.32	5.75		1.92		77
Walker's Ferry	22.5	2.412		4.2		35
Winterberry Ridge	58.9	7.38		8.5		98
Other Open Space owned by BCA:	57.607					
South of Old Fox Trail				1.57		
South line Brandermill Py at Timber Ridge				0.756		
East of Old Fox Trail & Golf Course				2.072		
South of Timber Ridge at Millridge Parkway				0.242		
East of Winterberry Ridge & Golf Course				0.94		
Old Hundred Road at Hull Street Road				0.127		
Peninsula at Sunday Park				12.4		
Part of Sunday Park				2.484		
Part of Sunday Park				1.731		
Parking area at Sunday Park				1.491		
South of Gleneagles Sec. 6				0.688		
East line of Millridge Py at Brandermill Py				5.957		
West line of Millridge Py at Brandermill Py				1.411		
Island in Brandermill Py at Swift Creek Mid				0.956		
East of Muirfield Green Phase 2				2.7		
East of Nuttree Woods				11.132		

This page is blank.

Brandermill Residential Communities Open Space Calculations 5-7-07

OLD HUNDRED (page 3)

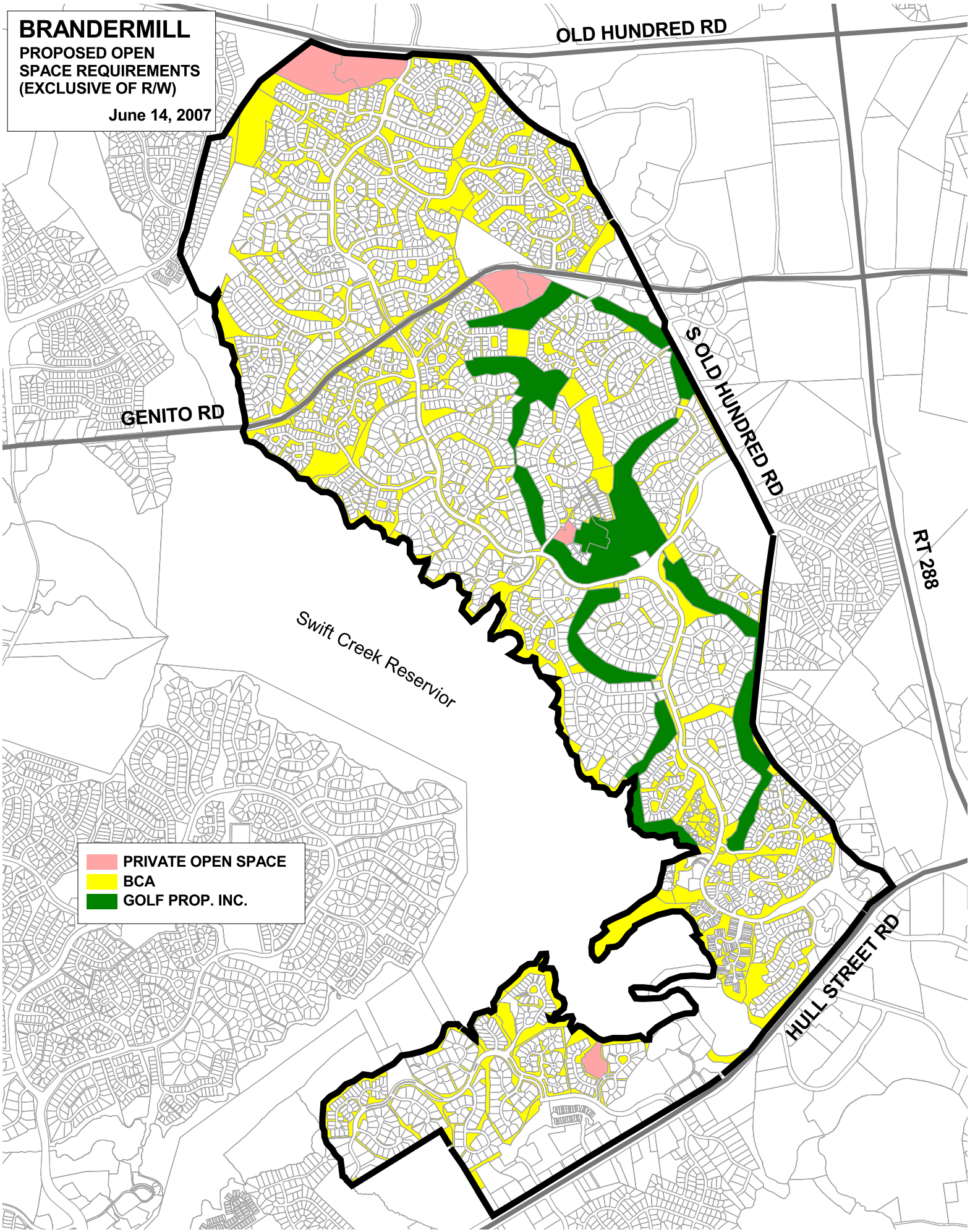
Subdivision	**Total Area**	**# Acres in Roads**	**# Acres in Golf Course**	**# Acres in BCA Open Space**	**# Acres in Private Open Space**	**# Lots**
Between Regatta Point & Shallowford Trace				6.2		
Between Sagewood & Three Bridges				3.8		
Between Fox Chase & Quail Hill				0.927		
Entrance island to Muirfield Green				0.023		
Woodbridge Crossing Condos						
Phase I	8.844				5	82
Phase 2	3.54				2.1	24
Muirfield Condos	1.97				1.4	13
Golf Properties, LLC			168.29			
			4.81			
			0.015			
			0.099			
Total	968.824	191.774	173.214	241.942	15.504	2,203

This page is blank.

Brandermill Residential Communities Open Space Calculations 5-7-07

ST. LEDGER Subdivision	**Total Area**	**# Acres in Roads**	**# Acres in Golf Course**	**# Acres in BCA Open Space**	**# Acres in Private Open Space**	**# Lots**
Arrowood	12.909	1.885		3.73		42
Autumn Woods	20.098	5.314		4.973		38
Birnam Woods	24.651	5.04		7.252		56
Birman Woods	20.452	0		13.76		11
Brandermill Woods (Retirement Center)	27.75				6.94	
Carriage Creek	13.083	1.825		5.769		34
Chimney House Sec. 2	27.427	3.241		4.905		42
Chimney House Sec. 1	11.542	2.83		1.615		15
Copper Hill	14.169	2.133		3.925		35
Cradle Hill	9.243	1.738		1.879		33
Cross Timbers Sec. 2	20.002	2.119		8.571		45
Cross Timbers Sec. 1	7.13	1.906		1.747		16
Cove Ridge Sec. 1	15.708	3.314		3.465		52
Cove Ridge Sec. 2	17.6	3.748		3.6		36
Deer Meadow	34.578	8.255		12.048		85
Garrision Place	18.235	2.468		5.185		54
Huntgate Woods	32.908	6.253		7.923		50
Longhill	9.11	2.207		0.72		26
Millcrest	21.496	2.637		2.628		27
*Nuttree Exec. Ctr	10.974	0.976		3.971		
Oak Springs	28.85	2.622		10.15		49
Private cemetary in Oak Springs					0.15	
Ridge Creek	9.336	1.4		4.267		22
Sandy Brook	8.408	0.785		3.909		14
Shadow Ridge	27.025	4.484		6.697		58
Shady Point	4.294	0.54		1.685		13
Spring Gate	30.357	3.899		6.919		58
Sutter's Mill	17.796	3.037		2.777		58
Tanglebrook	8.097	0.954		1.151		24
Turtle Hill	25.475	3.323		9.512		66
Two Notch	18.565	2.456		5.013		40
Walnut Creek	18.317	3.333		4.624		39
Watkins Glen	9.503	4.348		2.257		18
Whispering Oaks	24.113	4.131		4.95		55
Other Open Space owned by BCA:	4.846					
Between Shady Brook & Cross Timbers				4.696		
West of Walnut Creek				0.15		
Chesterfield County Schools	13.534					
Chesterfield County Utilities	28.26					
Total	645.841	93.201		166.423	7.09	1,211
GRAND TOTALS	**1829.98**	**312.07**	**173.214**	**473.301**	**24.594**	**3723**

This page is blank.


BRANDERMILL
PROPOSED OPEN SPACE REQUIREMENTS (EXCLUSIVE OF R/W)
June 14, 2007
OLD HUNDRED RD
GENITO RD
S OLD HUNDRED RD
RT 288
Swift Creek Reservior
HULL STREET RD
PRIVATE OPEN SPACE
BCA
GOLF PROP. INC.

07SN0350

This page is blank.