

A SPECIAL WORKSESSION OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE TWELFTH DAY OF AUGUST, TWO-THOUSAND AND NINE, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:

Rich Krapf  
George Billups  
Chris Henderson  
Joe Poole  
Rich Krapf  
Reese Peck

Staff Present:

Tammy Rosario, Principal Planner  
Steven Hicks, Manager of Development Management  
Scott Whyte, Landscape Planner  
David German, Senior Planner  
Leanne Reidenbach, Senior Planner  
Kate Sipes, Senior Planner  
Larry Foster, JCSA Manager  
Alan Robertson, Facilities Manager  
John Carnifax, Acting Director Parks & Recreation

Absent:

Deborah Kratter

Mr. Rich Krapf called the meeting to order at 4:00 p.m.

2. MINUTES – JULY 20, 2009 WORKSESSION

Mr. Jack Fraley moved for approval of the minutes, with a second from Mr. George Billups.

In a unanimous voice vote, the minutes were approved (5-0; Absent: Henderson, Kratter).

3. SECTIONS

SECTIONS

A. PUBLIC FACILITIES

Mr. David German stated that the James City County citizens' three top citizen Public Facilities concerns were: not letting growth outpace available facilities including the availability of potable water, green designs for new public buildings, and maintaining high school standards, particularly small class sizes. He said Steering Committee discussions included conflicts between the size of future school sites and their placement within the Primary Service Area (PSA). More school amenities necessitate larger parcels, which become increasingly difficult to find within the PSA. Fewer amenities were possible with urban school sites.

Mr. Alan Robertson stated that smaller school footprints were possible, although the size of school sites depended on policymakers. From his experience on the school site selection

committee, he noted a lack of suitable parcels. He did not believe the average citizen understood the difficulties in acquiring school property, between suitability, availability, and affordability.

Mr. Steven Hicks stated there were requirements for minimum school site sizes.

Mr. Robertson stated those requirements were updated from the 2003 Comprehensive Plan.

Mr. German stated the Steering Committee had also written additional school site language in the 2008 Comprehensive Plan.

Mr. Robertson stated that two smaller scale schools already exist, Matthew Whaley and Rawls-Byrd, although their fields and activities are limited. Once athletics and BMPs are added to the design, an eight-to-ten acre school site becomes difficult to build.

Mr. Krapf stated there were a number of school size tradeoffs, including budget offsets from coordinating facilities with Parks and Recreation and additional transportation costs to support a rural school location.

Mr. Robertson stated that during the locating of Stonehouse Elementary, proffers were used and the actual site shifted several times. He said sometimes school siting is a negotiation that works to everyone's advantage.

Mr. Peck asked if the Schools review a total-cost picture when reviewing school sites, including expenses to extend lines outside of the PSA.

Mr. Robertson stated the selection committee's first directive for the last school sites had been to stay within the PSA. Ten to fifteen PSA sites were reviewed before considering the alternative. Schools commissioned a due diligence study for the sites outside of the PSA, including utility connection costs, before final decisions were made. According the standards in the 2003 Comprehensive Plan, sites could not be found in the PSA that met the 2003 Comprehensive Plan standard.

Mr. Hicks stated the search committee did not reduce its amenities criteria to locate a site inside the PSA.

Mr. Reese Peck stated County policy should dictate that schools can only be located inside of the PSA. He said running water lines to a new school site encourages and accelerates development of the surrounding area. Rural residents should have to pay the true costs of living in rural areas, such as a fire ponds and longer transit to schools. A total-costs picture of rural schools should include road improvements from school-stimulated development.

Mr. Robertson stated Schools, using 2003 Comprehensive Plan standards, would locate sites in the PSA if they were available.

Mr. Peck stated school site sizes and amenities should be reviewed in order to strengthen

the PSA policies.

Mr. Hicks stated any new school sites are already limited based on proximity to expected growth and travel time equality. He said the Schools' needs were already dictating new locations outside of the PSA.

Mr. Peck stated the 2003 Comprehensive Plan allowed lower bus service standards for homes outside of the PSA.

Mr. Robertson stated a possible Stonehouse Elementary site was eliminated for being too far from existing development. He said population growth is concentrated within the PSA, and that, even though the new schools are outside the PSA, they are closer to this population concentration than they would have been had they been built in the available Stonehouse site.

Mr. Joe Poole stated that schools provide numerous public benefits and future sites should not be bound to the PSA. He said synergies created at Warhill and James River would be worthwhile even if outside the PSA. The rural location of the new middle and elementary schools allows efficiencies such as shared parking and fields. County water lines should not be extended to surrounding development. The schools' high rankings should not be jeopardized solely to remain in the PSA.

Mr. Peck stated that unless hard choices and policies match the County's rhetoric on the PSA, incremental development will occur in the rural lands. Certain policies should be revised, such as community well adoption. Public facilities drive development.

Mr. Poole stated he did not believe new schools, serving existing students inside the PSA, would cause development outside of the PSA. He said any development around new schools sites would be the Planning Commission's responsibility.

Mr. Krapf stated the Uncle's Neck development received a communal well waiver in exchange for extraordinary environmental protections. He said the County must be creative and flexible in controlling growth and providing public facilities.

Mr. Fraley stated that the Steering Committee did not take a position on class sizes. He said he would also like the term 'small class size' defined. Although schools were discussed at the Steering Committee, not much of that conversation translated into Goals, Strategies, and Actions (GSAs).

Mr. German stated that most of the size guidelines related to schools are found under the Public Facilities Service and Facilities Guidelines section of the Comprehensive Plan.

Mr. Fraley asked Mr. Robertson to review the schools GSAs and determine if the Steering Committee missed anything important, which Mr. Robertson agreed to do.

Mr. George Billups asked if Schools had considered regrouping grade levels to help find appropriate sites.

Mr. Robertson stated that there was no discussion of regrouping, however, academic performance would drive any regrouping effort. He said the County retains a proffer for another Stonehouse school site. The next school may be in the Stonehouse district. If schools were considered, their size would still depend on the pool of students assigned to each school. A smaller school could be built to fit a smaller site. Williamsburg James City School sites are substantially larger than State and Federal size recommendations. Playing fields, parking lots, and BMPs can add ten acres to a school site. About half of the elementary schools fit the minimum size currently required by the Comprehensive Plan.

Mr. Billups asked where the next six County schools could be built.

Mr. Robertson stated that Schools, looking for County cumulative development, began working with Planning and Mapping two years ago. A map was created showing school districts and proposed development. Once a growth area is identified, Schools must still find available land, whether inside or outside the PSA.

Mr. Billups stated that new residents tend to look for development near schools, health care, and libraries. He asked what the School Division's vision of the future looked like.

Mr. Peck stated he would like to see the future development map referred to by Mr. Robertson in the Public Facilities section.

Mr. Krapf stated Staff was working on cumulative impact public facility tests for schools.

Mr. German stated the development map should be posted to the County website as opposed to the Comprehensive Plan due to its propensity to quickly become outdated.

Mr. Krapf stated placing technical materials on the website had been discussed.

Mr. Fraley stated the public facilities impact studies should be extended past schools to include roads, water, and emergency services.

Mr. Krapf thanked Mr. Robertson for attending the meeting, and the discussion turned to water and sewer utility services, as provided by JCSA. Mr. Larry Foster joined this discussion.

Mr. Billups asked about alternative water sources if the County exceeds its supply.

Mr. Foster stated that James City Service Authority (JCSA) has a groundwater withdrawal permit of just under 9 million gallons per day, with no additional large withdrawal permits issued in the area due to stress on the aquifers. JCSA also has a contract with Newport News Water Works (NNWW) to purchase a minimum of 4 million gallons a day and up to 6 million gallons per day. Recently completed water demand estimates, based on population growth numbers from a variety of sources, project that the County's water demands will be met through 2040 (with a population projected at approximately 120,000).

Mr. Billups asked if any businesses may leave due to water quality issues, and specifically asked about the Anheuser Busch brewery operation.

Mr. Foster stated that Anheuser Busch purchases about 5 million gallons a day from NNWW, which is not counted in County water demand. He said the brewery polishes the already high quality NNWW water. He could not think of any other business with extraordinary water treatment needs in James City County.

Mr. Chris Henderson asked Mr. Foster to elaborate on a recently approved NNWW-paid connection to JCSA.

Mr. Foster stated that JCSA and NNWW were working together on the connection. York County is turning its water lines over to NNWW, and long range plans include a large water main following the interstate corridor to Lightfoot. The connection allows JCSA to serve as a backup to Lightfoot and the hospital. The expenditure was less than \$200,000.

Mr. Henderson asked Mr. Foster to elaborate on the differences between JCSA summer and winter demand.

Mr. Foster stated minimum demand in the winter was around 3.5 million gallons per day, spiking to 8.5 million gallons per day in the summer. JCSA's peak is over 100%, while most water systems' peak is 40%. Moderate temperatures, more rain, fewer building starts, and the economy have combined to make the summer 2009 demand less than average. There are between 5 and 6 thousand irrigation systems in the County, representing about a quarter of such systems in Hampton Roads.

Mr. Henderson asked if shallow wells for irrigation system could lower peak demand.

Mr. Foster stated that with every new rezoning or special use permit, the JCSA has the developer sign a water conservation agreement, including limiting the use of turf grass, calling for drought resistant landscaping, and conditions for private and shallow wells. He said only about 1 in 10 parcels would have a shallow aquifer that would allow use of a shallow well for irrigation.

Mr. Henderson asked if the current tap fees were providing an incentive to curb water use.

Mr. Foster stated the irrigation fee went into effect just as the economy started softening. JCSA is taking applications for 25-30 irrigation systems a month, down from a peak of 100 per month.

Mr. Peck stated that at a Board of Supervisors' meeting, it was noted that County water demand could not be met if every legislatively approved housing unit and by-right housing unit (by zoning) was built.

Mr. Foster stated he believed that item was accurate, but noted the population numbers

will usually be lowered than the number of units built.

Mr. Peck asked Mr. Foster to research water capacity for approved-but-un-built units, which Mr. Foster agreed to do.

Mr. Foster stated JCSA reviews master plans and by-right development potential. He said 12,000 to 15,000 residential units were approved but not yet built.

Mr. Foster stated only one community well, at Uncle's Neck, since has been granted a waiver from JCSA adoption since 1998. He said the waiver was granted by the Board due to the development's extraordinary environmental protections. He said community wells adoptions are required for developments of more than six units. Since 1998, waivers are only granted with Board permission.

Mr. Peck stated the County used the most groundwater for a community its size. He asked if the County should be a party to the groundwater extraction permitting process, especially when other localities are pulling from the same aquifers. He also asked if the County should pursue anti-water mining legislation with the State.

Mr. Foster stated that in the past, when individual developments required their own permit, JCSA asked the developer to take leadership in pursuing the permits, so that JCSA would not be seen as encouraging growth. After being approved by the Department of Environmental Quality (DEQ), community wells have been transferred to JCSA. JCSA has sent correspondence to the DEQ noting concern that new New Kent groundwater permits may impact JCSA's ability to renew its own permits. DEQ acknowledged the concern.

Mr. Peck asked if there should be items in the GSAs to protect the groundwater permit. He also asked if there is any anti-water mining legislation currently in place.

Mr. Foster responded that the State does not allow the aquifer to be lower than 80% of the original level. He said a situation could arise where localities are continually opposing each other's permits, so vocal opposition is typically reduced to "expressing concerns."

Mr. Peck asked if JCSA would oppose seeking full cost reimbursement from community well developments.

Mr. Foster stated that JCSA would not oppose such a program. He said he would not oppose additional fees for development outside of the PSA, although the Board has historically established uniform rates for all customers. There are times when community wells would not be needed outside the PSA, including smaller developments and larger lots.

Ms. Tammy Rosario stated the Rural Lands Development Committee had considered relaxing the communal well requirement as an incentive.

Mr. Krapf asked that anyone with suggested changes to the GSAs should send them to Ms. Rosario to get them on the agenda for further discussion.

Mr. Billups asked if the Lightfoot NNWW connection would increase the County's water supply.

Mr. Foster stated the water bought from NNWW could be brought into the JCSA system at the Lightfoot connection. He said it was a hydrologically good area for NNWW water to get into the County's western growth areas. NNWW water can enter JCSA systems in two hours in case of an emergency. Currently, JCSA's systems are being upgraded to match the chemical composition of NNWW water. The upgrades had been scheduled for completion before the economic slowdown.

Mr. Billups stated that portions of the water pipelines run outside of the PSA. He said anyone bordering the actual lines should be able to connect.

Mr. Foster stated that in the past, the PSA has been crucial to containing development and utilities. The PSA has made JCSA more efficient. Any plan to extend past the PSA should include discussions to make sure the tool is not compromised. Only in the past few years has the County begun tinkering with PSA borders.

Ms. Rosario stated that recent water connections outside of the PSA line have all been approved by a Special Use Permit, and only to support the approved special use.

Mr. Billups asked if there is a standard that allows people to connect if they are within a certain distance of the PSA line.

Mr. Foster stated that inside the PSA, connections are required for single family homes within 300 feet and developments within 1000 feet of the line.

Mr. Fraley stated that at a recent Board meeting, Mr. Kennedy stated he did not believe there was a County water policy beyond 'first come first serve.' Mr. Fraley asked Mr. Foster to make a presentation to the Board on changes to County water policy and procedures.

Mr. Foster stated that the de-facto water policy was 'first come first serve.' He said JCSA commitment to provide water begins at the subdivision stage of development. He said the 12,000 to 15,000 un-built lots in the County have not yet, for the most part, applied for subdivision. Subdivisions are only approved if there is adequate water supply. This benchmark provides a definable commitment and has worked in the past.

## B. PARKS AND RECREATION

Ms. Leanne Reidenbach stated the top three Parks and Recreation citizen concerns were interconnectivity of bikeways, sidewalks, and greenways; promotion of blueways and water access; and affordability and availability of facilities and programs.

Mr. Fraley stated that the GSAs and the Community Sustainability Spotlight should be more specific and that he offered suggestions via e-mail. He said opportunities for social

interconnectivity are often provided by Parks and Recreation. He said the community appreciates the programs offered by the Division.

Mr. Poole stated that Parks facilities provide important opportunities for social interaction and friendships. He asked if, similar to Population Needs, there was discussion during the Steering Committee about public uses for private recreational facilities.

Mr. Henderson stated that Williamsburg Landing offers membership to its facilities to the public, although nothing has been proposed in partnership with Parks. He mentioned that the Steering Committee did discuss how to best leverage public dollars and bring private investment into parks through ideas such as naming rights and sponsorships.

Mr. Poole stated that in Section 1.5, regarding bikeway access from Route 5 to the College of William and Mary, intersections such as Route 5 and Route 199 create a virtual wall to bike and pedestrian traffic.

Ms. Reidenbach stated that bikeways connections for non-recreational users were discussed in the Transportation section of the Comprehensive Plan.

Mr. Hicks stated that although the County would like to do more regarding pedestrian crossings, it is limited by tough VDOT intersection regulations. The local VDOT office has been supportive in helping the County acquire grant money for road improvements.

Mr. Poole stated that he favored the New Town model of integrated roads and pathways. He says if arrangements can be reached at New Town, improvements are possible in other areas of the County, even if not up to the New Town standards.

Ms. Rosario stated that a new section of the Transportation section addresses the 'complete streets' concept, which accounts for all types of users. She said the pedestrian friendly retrofits are more difficult than new roads.

Mr. Henderson asked if there were any neighborhood pools that the neighborhoods had been unable to maintain.

Mr. John Carnifax stated he could only think of one neighborhood pool in the County that had closed, and that one may have reopened.

Mr. Henderson stated that Newport News had acquired several previously private pools. He said Newport News had also been gifted with a ten acre site from a neighborhood after assuming liability to remove the pool structure.

Mr. Carnifax stated some neighborhoods allow non-residents to join their pools in order to cover maintenance costs. He said the County's competitive private summer swim programs also help pay for private community pools. Research has not been done on how private recreational facilities affect overall demand. When the Comprehensive Plan states the County is below recreational facility standards, it does not count private facilities, Williamsburg city facilities, or

National/State Parks. The County is always looking for partnership opportunities similar to the Williamsburg Indoor Sports Complex (WISC).

Mr. Krapf stated that Mr. Fraley had suggested adding context to Action 1.1.7. regarding encouraging regional cooperation on recreational facilities and programs development, or removing it all together. He asked how the Planning Commission would follow up on any GSA wording changes.

Ms. Rosario stated that consensus from the Commission gave staff the go-ahead to work on changes. She said staff would either state that suggested changes were accommodated, or staff would wait on further action from the Commission. Changes are most efficient when agreed upon at the work sessions.

Mr. Fraley stated that in Action 1.1.7., words like 'encourage' and 'consider' should be more clearly defined, such as 'encouraged through the use of...' He said that this statement should apply anywhere words like 'encourage' are used throughout the plan.

Mr. Henderson asked how the County tracks the Parks and Recreation bond issue. He asked how much of the issue was unspent.

Mr. Carnifax stated four million dollars of the \$15 million was unspent, mostly at Freedom Park. One million dollars of that amount is allocated for trail improvement.

Mr. Henderson stated there should be a way to track debt in the Comprehensive Plan. He said that by publishing the unspent amount as of the publish date reminds the community that major improvements and commitments to Parks and Recreation have been made.

Mr. Carnifax stated the unspent funds were for projects where easement acquisitions had slowed development.

Mr. Fraley stated the the Parks bond issue could also be tracked thorough the Capital Improvement Program (CIP).

Mr. Krapf stated the bond numbers could be in the Parks and Recreation introduction to give the public an idea the County's active role in park and facility development.

Mr. Billups asked whether there was a group, aside from the Parks and Recreation Advisory Commission, which was tasked with planning for Freedom Park.

Mr. Carnifax stated the County assembled a group from the historic community to initially draft the Freedom Park Master Plan. He said Freedom Park's next phase would be for interpretation and restrooms.

Mr. Henderson asked about the natatorium that was shown on the approved master plan and whether that was still planned to be developed.

Mr. Carnifax noted that a private group was in the process of developing public partnerships to build an indoor swimming facility in the County. A competitive pool feasibility study was completed in 2001 and recommended that the most cost effective site to locate the facility would be at the James City-Williamsburg Community Center.

Mr. Reidenbach stated that during the Comprehensive Plan update, that group had made comments to the County on their ideas for an indoor swim facility through the Community Participation Team Forums.

Mr. Carnifax stated the proposed public golf site on the Freedom Park Master Plan had been used for the new schools. He said there were discussions with Williamsburg National to develop some type of youth golf facility prior to their recent expansion but as of now only golf lessons are provided at local courses.

### C. COMMUNITY CHARACTER

Mr. Scott Whyte stated the top three revisions to the Community Character section were designating types and treatments of Community Character Corridor buffers, consider additional tree preservation measures, and update the Wireless Communications Ordinance, with consideration of a master plan. He said buffers should be sub-categorized depending on their rural or urban status. Citizens and developers should know ahead of time what type of treatment the County expects. A wireless master plan would alert citizens in advance of possible tower sites.

Mr. Fraley stated the wireless ordinances should be reviewed with the broadband Action Item in the Public Facilities section. Wired and wireless technologies currently overlap and are converging. He Albemarle County had forwarded him their population sustainability study, which he would send to the whole Commission and Staff. The future of News and Jamestown roads, both CCC's, are concerning. He said the community the spoken on preserving the character of those roads. Neither road's character can be maintained if all by-right zoning is developed. The community wants neither road widened, although certain sections cannot be widened.

Mr. Krapf stated that one of the Commission's growth management tools is to be able to say 'no' if service levels are threatened by a development.

Mr. Poole stated he has voted against intense residential development along Jamestown Road.

Mr. Krapf asked how checks could be developed to alert Staff to the cumulative impacts of by-right development along those roads.

Mr. Billups stated that future development along Neck O Land Road will impact Jamestown Road. He said the County should prepare for additional impacts currently being developed, including the drug store. He asked about future environmental impacts along the CCC.

Mr. Fraley asked what the Commission could do about future gridlock and flooding along Jamestown.

Mr. Henderson stated the Jamestown and Route 5 should take priority for preservation over News Road. He said much of the concern about News reflects its current condition, such as narrow lanes and no shoulders. Some future improvements have already been proffered on News. Only three undeveloped parcels of significant size exist along the corridor, all of which have hindrances to development.

Mr. Fraley stated that safety issues were separate from character issues. He said the traffic studies indicated News will be overtaxed from by-right development. Neighboring Home Owners' Associations (HOAs) want to preserve the character as well. All community character is not the same.

Mr. Henderson stated the Committee spent a large amount of time identifying the different types of community character.

Mr. Whyte stated that the community character problems have been discussed, very little in terms of solutions have been discussed, other than limiting development.

Mr. Peck stated parcel could be down-zoned.

Mr. Fraley stated densities could be decreased.

Ms. Rosario stated there were Staff discussions on actions to take regarding Right Of Way buffers. Transportation based solutions included lowered acceptable service levels, trying to affect development patterns, and road improvements. Solutions for character and transportation and different, although they must work together. Staff could present a report on transportation based solutions to the Commission.

Mr. Krapf stated he would like to view that report. He asked if the County had the latitude to downgrade density along sensitive CCC's.

Ms. Rosario stated the ordinance currently does not allow that latitude. She said density discussions come into play at Staff levels mainly through Special Use Permits for exceeding by-right conditions.

Mr. Krapf stated the density limits along CCC's should be discussed during the ordinance amendment phase of the Comprehensive Plan.

Mr. Peck stated that CCC's were similar to the PSA because they are threatened with incremental disappearance unless though policy choices are made. He said the costs of preservation are paid either by development rights payments or by the owner through reduced value. He said there are some lands in the PSA that should not be developed. Jamestown Road has flooding issues even with the current amount of undeveloped land.

Ms. Rosario stated the County can also use greenways acquisition.

Mr. Poole stated that on page 99, item 1.1.4., regarding the underground utility escrow fund, he would like to hear Commission and Staff thoughts. He said does not believe the costs of underground utilities are worth the aesthetic benefits. New billboards are not permitted, and those currently in the County are disappearing. Sound walls should be regulated under the community character section, and covered with vegetation.

Mr. Krapf stated part of the rationale for buried utilizes was for faster disaster recovery. He did not know a of a cost-benefit analysis between storm recovery and burying costs.

Mr. Henderson stated the buried utilities in urban settings allow for more efficient landscaping. He said he would continue to support utility burial. Sound walls should have better camouflage. Community character emphasize should be placed on the interstate interchanges, like the median work done by York County.

Mr. Hicks stated the County has invested time and money on landscape improvements along Route 199, particular in the Kingsmill area. He said VDOT no longer allows revenue-sharing funds for landscaping. The County will have to find any landscaping money from elsewhere.

Mr. Peck stated he was in favor of buried power lines for their aesthetic value. He said he would like the sound walls covered as well.

Mr. Fraley stated Rochambeau Drive was not defined as a CCC.

Mr. Billups stated land from the Gatehouse Farms development could be used to create another connection for Neck O Land Road.

Mr. Henderson stated that the County needed to move away from having subdivisions on cul-de-sacs. He said the Community Character section had language on interconnectivity.

#### 4. OTHER ITEMS

Mr. Krapf stated the next work session will be held August 19<sup>th</sup>. Mr. Krapf stated the Board appeared to be in favor of including an executive summary in the 2009 Comprehensive Plan. To accomplish this, Mr. Fraley and Ms. Kratter will form a subcommittee and will meet with staff to determine what should be highlighted by the Executive Summary. The subcommittee will regularly report to and provide the final draft to the full Commission at a future work session.

Mr. Henderson stated there was more value in the subcommittee presenting at the work sessions than meeting with Commissioners individually. The interaction will provide better direction for staff. He also suggested that the staff develop an outline to provide to the full Commission prior to beginning to draft the summary.

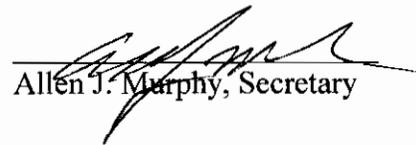
Mr. Krapf stated that after the subcommittee's organization meeting, it will be a regular agenda item at the work sessions.

4. ADJOURNMENT

Mr. Henderson made a motion to adjourn, with a second from Mr. Poole.

The meeting was adjourned at 6:27 p.m.

  
Rich Krapf, Chairman

  
Allen J. Murphy, Secretary