

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE NINTH DAY OF JANUARY, TWO-THOUSAND AND THIRTEEN, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:

Al Woods
Tim O'Connor
Rich Krapf
Robin Bledsoe
Mike Maddocks
George Drummond
Chris Basic

Staff Present:

Paul Holt, Planning Director
Adam Kinsman, Deputy County Attorney
Leanne Reidenbach, Senior Planner II
Luke Vinciguerra, Planner
Jason Purse, Zoning Administrator
Nancy Ellis, Parks Administrator
John Carnifax, Parks and Recreation Director

Mr. Tim O'Connor called the meeting to order at 7:00 p.m.

2. MINUTES

A. November 7, 2012 Regular Meeting

Mr. Al Woods stated that he did not vote to adjourn the meeting. He stated he was absent.

Mr. O'Connor stated he believed it was Mr. Krapf who moved to adjourn.

Mr. Maddocks moved to approve the minutes as amended.

In a unanimous voice vote, the Commission approved the minutes as amended. (7-0)

3. PUBLIC COMMENT

Mr. O'Connor opened the public comment.

There being none, Mr. O'Connor closed the public comment.

4. COMMITTEE / COMMISSION REPORTS

A. Development Review Committee (DRC)

Mr. Chris Basic stated the DRC met on November 28, 2012 to discuss C-0041-2012, White Hall Section 3 to review if proposed recreational amenities were consistent with the master plan. The DRC voted 4-0 to approve the locations of the parks and recreation amenities. The DRC also met on January 9, 2013 to discuss SUP-0018-2012, New Zion Baptist Church Building and Parking Addition. The applicant was seeking feedback prior to the public hearing.

In a unanimous voice vote, the Commission approved the report. (7-0)

B. Policy Committee

Mr. Rich Krapf met stated the Policy Committee met on December 6, 2012 and December 7, 2012 to review and prioritize the FY14 Capital Improvement Program (CIP). The Committee's recommendations will be discussed at the public hearing later in the meeting.

In a unanimous voice vote, the Commission approved the report. (7-0)

C. Regional Issues Committee/Other Committees

Mr. Maddocks stated there was no Regional Issues Committee meeting.

5. PUBLIC HEARING CASES

A. Z-0008-2012/SUP-0017-2012, Jamestown Beach

Ms. Leanne Reidenbach stated Ms. Nancy Ellis with James City County Parks and Recreation has applied to rezone the Jamestown Beach Campground from B-1, General Business to PL, Public Lands and for a special use permit to develop the site as a community recreation facility. The property is located at 2205 Jamestown Road and designated Park, Public, or Semi-Public Open Space on the Comprehensive Plan. The initial park improvements include shoreline restoration, parking improvements, a handicap drop-off loop and trails to access the beach. Potential future development, in conformance with the *Shaping Our Shores* master plan, include bathroom and concession facilities, event tents, restoration of the Vermillion House, playground, historic areas, trails, parking, camping, boat launch, fishing, special event areas and environmental education areas. Staff recommends approval of the rezoning and special use permit with attached conditions.

Mr. Woods asked what was the degree of discussion during the Comprehensive Plan update regarding these concept areas.

Ms. Reidenbach stated that during the Comprehensive Plan process, the area was redesignated Park, Public, or Semi-Public Open Space. She stated there was little discussion of the area although there was much more discussion during the *Shaping Our Shores* master planning process that occurred prior to the Comprehensive Plan update. Parks staff is present and can elaborate.

Mr. Woods stated that during the Comprehensive Plan update, there was lots of discussion of quality of life issues and recreational areas. He asked if this area was strategic.

Ms. Reidenbach stated several Goals, Strategies, and Actions (GSAs) in the Comprehensive Plan Parks and Recreation section discuss additional public water access, whether for beaches, boating or fishing. She stated this property goes toward meeting that need. Other GSAs support the master plan and development of the property.

Mr. Woods asked if this move has been adopted conceptually by the governing body.

Ms. Reidenbach stated the *Shaping Our Shores* master plan was endorsed by the Board of Supervisors, but at that time, the property was not rezoned with the idea that the County would wait until there were projects available. This process will make this master plan the binding one for this property.

Mr. Woods asked if the resources are in place to execute the plan.

Ms. Reidenbach stated there has been some grant and CIP funding identified, but she would defer to Parks staff to discuss funding in greater detail.

Ms. Robin Bledsoe asked what funding has been secured and what funding is still out there.

Ms. Reidenbach stated she would defer to Parks staff.

Mr. Krapf asked staff to clarify that although the rezoning only affects the Jamestown Beach property, the *Shaping Our Shores* master plan includes other sites, including the Jamestown Marina. He stated a citizen had asked about funding and improvements for the marina. He clarified that tonight only one component of the *Shaping Our Shores* master plan is being considered.

Ms. Reidenbach stated the sole focus of this is the Jamestown Beach property. She stated the marina would be a separate consideration when ownership is further determined.

Ms. Nancy Ellis stated that regarding current funding, there is \$304,000 in the FY13 CIP budget. She stated the County has received \$152,000 in Land Water Conservation Funds for phase two development. Staff is attempting to access additional Land Water Conservation Funds and CIP funds. It will take several years to establish just the minimum.

Mr. John Carnifax stated the *Shaping Our Shores* master plan dealt with three pieces of property, with most of the focus on the marina. He stated this site was less controversial, with two groups, the Williamsburg Botanical Garden and an eco-discovery park, submitting proposals at the same time as the *Shaping Our Shores* review. When the discussion was over, this site did not have a lot of options as a result of the easements place on it when it was purchased. The master plan includes restoring the beach area, doing something with the Vermillion House, some public-private partnership with the Botanical Garden, a special event area and camping.

Mr. Woods asked how much traction this concept was gathering from those who participated in the Comprehensive Plan process. He asked if that was considered a strategic asset pursuant to that objective.

Mr. Carnifax stated yes. He stated when the County acquired the property, it was for environmental and historical protection, and recreational amenities. In the Virginia Outdoors Plan and Comprehensive Plan, James River access is a high priority and trails rank high in Parks' surveys, usually in the 70th percentile. It also connects to the Capital Trail. It is an important property and should be in the public domain. When the County acquired the property, it got grants and support to help cover the costs.

Mr. O'Connor opened the public comment session.

Ms. Kelly Mihalcoe, 4433 Lydia's Drive, asked where the non-grant funding for the park would come from. She stated she was concerned with the cost, including that she did not feel that the park needed new facilities.

Ms. Sue Sadler, 9929 Mountain Berry Court, stated she was opposed to the project due to the costs, including cost overruns and lost tax revenue. She asked about the total costs, persons responsible for the development and stated quality of life improvements can be delayed in the economic climate.

Ms. Marjorie Ponziani, 4852 Bristol Circle, stated she was concerned with the amount of money spent, adding more public lands, loss of tax revenue and hardship on tax payers. She stated she was opposed to the rezoning.

Ms. Rosanne Reddin, 2812 King Rook Court, stated she is concerned with the County's recent spending in the current economic times. She stated she was opposed to a recreational project at the current time.

Mr. O'Connor closed the public comment session.

Ms. Bledsoe stated she had volunteered with the Williamsburg Botanical Garden.

Mr. Krapf asked staff what was the condition and outlook of the shoreline. He asked if staff had preliminary numbers on the revenue component of the *Shaping Our Shores* master plan.

Mr. Carnifax stated that shoreline restoration was a high priority. He stated the previous owner dumped rubble along the shore line and tree line along three-quarters of the beach. In phase one, the shoreline was stabilized. On the revenue side, a public-private partnership with the Williamsburg Botanical Garden, the Vermillion House will be rented out for weddings and events. Small cabins will produce additional revenue, but the County has to wait for the economy to pick up. The revenue will not recoup operating or capital costs unless the existing master plan is significantly changed. There will also be user fees and economic impact from people coming to town for special events held on the property and staying in hotels, shopping and eating out.

Mr. Krapf asked if any portions of the property would be sold for residential development.

Mr. Carnifax stated that was the first he had heard that. He stated a majority of citizens and the Board supported the proposed master plan so that the property would not be developed into housing.

Mr. Woods asked Mr. Adam Kinsman to clarify that the Planning Commission's role was not to determine where funds should be used but instead to consider the land use issue. He stated the property was acquired for public benefit, and now that there is a plan in place, a rezoning would allow the County to execute it. Rezoning does not mean there will be activity, but the land is positioned when authorities are ready.

Mr. Kinsman stated he agreed. He stated this body has a different reviewing power than the Board. This body makes land use decisions. He stated all other County land was rezoned PL, Public Lands in 2006 and this parcel was left out to because there was no plan for it at the time. This rezoning will bring it into conformance. He stated Mr. Woods's comments about setting everything up are correct.

Mr. Woods asked if the County rezoned the land, there would be no other possible uses for the land without a subsequent action, which would be a public action.

Mr. Kinsman stated that was correct. He stated the essence of the Public Land zoning district is that the set of permissible uses are very limited to public uses, such as parks. A future private purchaser would have to get a rezoning.

Ms. Bledsoe asked if the financial side would be discussed in depth at a later time and that is not what the Commission is here to discuss.

Mr. Kinsman stated that is correct. He stated this body's role is to look at land use decisions.

Mr. Basic stated parks are an asset to the community and he understood that while times may be tight, it is no reason to sell this asset.

Mr. Basic moved to recommend approval of the special use permit and the rezoning.

In a unanimous roll call vote, the Commission recommended approval. (7-0)

B. Review of the FY14 Capital Improvements Program (CIP)

Mr. Jason Purse stated that after a series of meetings to discuss and evaluate the Capital Improvements Program requests, the Policy Committee is forwarding its recommendations for the 2014 CIP for Planning Commission consideration. He further stated that committee members used a standardized set of ranking criteria to prioritize the 11 potential projects submitted by

County Staff. The Policy Committee recommends that the Planning Commission endorse the Capital Improvement Program rankings. These rankings will be sent to the Board of Supervisors for their consideration in developing the County budget.

Mr. O'Connor opened the public hearing.

There being none, Mr. O'Connor closed the public hearing.

Mr. Maddocks moved to recommend approval.

In a unanimous roll call vote, the Commission recommended approval. (7-0)

7. PLANNING DIRECTOR'S REPORT

Mr. Paul Holt stated the Commission members have been provided a draft meeting schedule for 2013. He stated they will vote on it at their February organizational meeting, and staff wanted to give the Commission time to review it. Staff has also tried to schedule DRC and Policy Committee meetings. Staff will also propose, as a placeholder only, the tentative Commission, DRC, and Policy schedules for FY14 as well. Next month, the Commission will meet at 6 p.m. for their organizational meeting.

Mr. O'Connor asked Mr. Kinsman if there was something in the State Code regarding public hearings, whether advertising could be done electronically, or whether the County has to use the printed press.

Mr. Kinsman stated that the County has to go to the printed press. He stated there are bills in the General Assembly every year to remove that requirement, and they have never fared very well. He stated that printed advertising is a huge expense for the County.

Mr. Holt stated staff would bring the Commission Annual Report next month.

8. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Krapf congratulated Mr. O'Connor and Mr. Basic on their reappointments.

9. ADJOURNMENT

Mr. Maddocks moved to adjourn.

The meeting was adjourned at 7:50 p.m.


Tim O'Connor, Chairman


Paul D. Holt, III, Secretary