

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

1. ROLL CALL

A. Joe Poole, III
John Hagee
Donald Hunt
Peggy Wildman
Joseph McCleary
George Billups

ALSO PRESENT

Leo Rogers, Deputy County Attorney
O. Marvin Sowers, Jr., Planning Director
Matthew Arcieri, Planner
Sarah Weisiger, Planner
Darryl Cook, Environmental Division Director
Mike Woolson, Engineer
Trey Davis, Development Management Assistant

2. MINUTES

The Commission approved the minutes of the May 5, 2003 meeting with a unanimous voice vote.

3. COMMITTEE AND COMMISSION REPORT

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. John Hagee presented the DRC report stating there were five cases heard at the last meeting. The DRC recommended approval of alternate septic systems for 9537 Barnes Road and 3436 North Riverside Drive. The DRC also passed a resolution to streamline this process. It will allow staff to approve or deny alternate septic systems on existing lots as long as the systems meet all applicable Health Department standards. For Longhill Grove Apartments, the DRC recommended preliminary approval subject to resubmittal of the plans addressing all outstanding agency comments. The DRC recommended approval of an off-site parking plan for the Jamestown Island Collections facility. The DRC also recommended approval of a waiver to the off-street parking requirements for the William E. Wood office building to be located in New Town.

In a unanimous voice vote the Commission approved the DRC report.

B. OTHER COMMITTEES

Mr. Joe McCleary presented to the Planning Commission a brief summary of the work of the Comprehensive Plan Steering Committee (SC), which concluded its meetings on May 28, 2003 with unanimous approval of the draft Comprehensive Plan. He thanked all parties including members of the SC, the Community Participation Team, citizens, and staff for their continuing efforts. Mr. McCleary noted that this update of the Comprehensive Plan had seen a record high level of citizen input and that the final product accurately reflects the desires of County residents. He congratulated the CPT and staff on winning a statewide award from the Virginia Chapter of the American Planning Association for outstanding citizen education and participation. Mr. McCleary then outlined the remaining steps for final approval of the Comprehensive Plan by the Planning Commission and Board of Supervisors. Joint work sessions will be held June 10 and 24, 2003. The bodies will discuss all elements of the plan up to Land Use on June 10 and will resume on June 24 to discuss the Land Use section. On July

14, 2003, the Planning Commission will consider the Comprehensive Plan for final approval. He stated that the BOS would consider approval of the plan in August. Mr. Poole thanked all participants for their hard work and for making this update of the Comprehensive Plan one of the most participatory and inclusive yet. He invited continued participation from all parties.

4. PUBLIC HEARINGS

A. CASE NO. Z-2-03/MP-1-03 Hiden Property Proffers Amendment.

Mr. Matthew Arcieri presented the staff report. He stated that Mr. Vernon Geddy, III on behalf of Powhatan Crossing, Inc. has applied for a Master Plan Amendment and rezoning for the Hiden Property site from PUD-R, Planned Unit Development, Residential, with proffers, to PUD-R, Planned Unit Development, Residential, with amended proffers. Approval of the proposal would permit the development of 400 age restricted units on the southern portion of the property in place of the approved 350 timeshares. This case was deferred at the May 5, 2003 meeting of the PC pending the submittal of further traffic studies. The resulting evidence submitted by the applicant notes that age-restricted communities create about 2/3 of the traffic that would result from a more traditional single family development. The application is consistent with Zoning and Comprehensive Plan Land Use designation for that area, as well as the Powhatan Creek Watershed Study. Mr. Arcieri noted that Darryl Cook and Mike Woolson of the Environmental Division were available to answer any questions. Staff recommends approval of this case.

Mr. Joe Poole, III, opened the public hearing.

Mr. Vernon Geddy spoke on behalf of the applicant. He noted that Mr. Rich Costello of AES Consulting Engineers had obtained two additional sources of traffic information for similar communities that confirmed the results of previous studies. He noted that traffic generation would only be 2/3 of what it would be for a development of single-family homes. Mr. Geddy stated that an extrapolation of the studies done for Williamsburg Landing provided the same conclusion. He read a list of benefits of the 400-unit proposal that included less water usage than originally proposed, slightly higher daily trip generation offset by fewer peak-hour trips, and a better fiscal impact.

Mr. Poole noted that the proposed changes would create 2,256 trips per day as opposed to the 2,051 that would be generated under the previously approved plan. He also stated that the traffic during peak hours was lower under the proposed plan according to numbers presented by the applicant

Mr. McCleary asked whether this would be a gated community.

Mr. Geddy replied that it would.

Ms. Wildman asked how many families would be housed in a multi-family unit under this proposal.

Mr. Costello said the number varies.

Ms. Wildman asked for a range.

Mr. Costello said it would be between 4 and 10 families per building, but that it could be higher if the units were three stories tall.

Mr. Billups asked if the height of the proposed units was three stories.

Mr. Costello replied that the height would be 35 feet or less, roughly 2 ½ stories.

Mr. Billups asked how the density of this development would compare with James City County as a whole.

Mr. Costello replied that the net density would be 3.7 units/acre and that cluster developments can go up to 4 units/acre under the existing ordinance.

Ms. Wildman asked whether the road layout would limit Fire Department access.

Mr. Costello said the Fire Department must approve the plans.

Mr. Poole asked whether VDOT would require new traffic studies for this project.

Mr. Costello said the need for a traffic light would be re-examined at 70% build-out but expressed confidence that no traffic light would be needed.

Hearing no other requests to speak, Mr. Joe Poole, III, closed the public hearing.

Mr. Hagee made a motion to approve the request. Mr. Billups seconded this motion.

Ms. Wildman expressed concerns over how the influx of senior citizens into the County affects the need for and availability of services. She also worried how this demographic shift might be affecting the youth in the County. She said that the most recent age-restricted communities approved for development will bring in many people age 55 and over. This means there are more people to take care of and that there are important health issues to consider. She read a list of services needed by the elderly including senior centers, Meals on Wheels, doctors, fire, EMS, and Social Services. She said it was important to realize that the elderly population is already outpacing the growth of the younger population in the County and that it was important to consider where the community will go in the coming years.

Mr. Poole said he appreciated the provisions the applicant had made for this case, but that he had had no time to study any of the traffic information in advance of the meeting. He said the benefits of the development were not enough to warrant approval without better proffers. He wants to ensure that the appropriate infrastructure is in place and noted that the applicant did not provide this information in a sufficiently timely manner. He said he would not support approval of this case.

Mr. Billups said he saw this as a short-range growth pattern and felt there would be problems down the road with the transfer of property to heirs and the exclusion of those under 55. He said he was not sure this proposal or Colonial Heritage by U.S. Homes met the standards of fair housing laws and expressed his wish to abstain from voting.

Mr. Hunt said he remembered a previous conversation about the transfer of property to heirs.

Mr. McCleary clarified the provisions for people under 55 living in such communities with an older spouse, or owning the property and renting it out until they reach that age.

Mr. Hagee said the applicant had done well to provide extra benefits in the way of environmental protections, cash proffers, and buffers. He said this was an exemplary submission. While he expressed concern over the age-restricted nature of the community, he said he would not deny the case because of it. He noted that it was important to allow all types of people to move into the County and that this proposal provided more open space than a traditional development.

Mr. McCleary seconded Mr. Hagee's comments but said this may be the last time he ever approved an age-restricted development. He said people need to find other ways to develop.

Ms. Wildman said that despite grave concerns about the implications of this age-restricted development, the applicant had done a good job with the application. She said she could not support it just because this type of development is cheaper for the developers.

In a roll call vote, motion to approve passed (4-2). AYE: McCleary, Hagee, Hunt, Billups (4); NAY: Wildman, Poole (2).

B. CASE NO. SUP-11-03 AJC Woodworks.

Ms. Sarah Weisiger presented the staff report. She stated that Mr. Tony Casanave had applied for a special use permit for the manufacture and sale of wood products at 8305 Richmond Road. His purchase of the property is conditional upon approval of this request. No showroom or retail business would be allowed on the property, its hours of operation would be limited, and the building would be insulated for noise reduction. The property is zoned A-1, General Agricultural. The properties to the rear are undeveloped. Residential properties are adjacent on the north and south sides while Hickory Neck Church is located across Route 60 to the east. The property is designated General Industry in the Comprehensive Plan and would generate few additional vehicle trips. Ms. Weisiger noted that VDOT would require the applicant to provide an entrance for commercial vehicles. Staff recommends approval of this case.

Mr. McCleary asked for clarification that Mr. Casanave would not operate a retail establishment.

Ms. Weisiger replied that retail was not permitted under the conditions of the case.

Mr. Poole asked whether the applicant was comfortable with these conditions.

Ms. Weisiger replied that he was.

Mr. Hunt asked how much of an upgrade to the entrance was needed.

Ms. Weisiger said the master plan for the property shows the relocated commercial entrance and the removal of the existing driveway.

Mr. Joe Poole, III, opened the public hearing.

Mr. Burt Geddy of 8297 Richmond Road, said that he and his wife both supported this application as neighbors to the property.

Hearing no other requests to speak, Mr. Joe Poole, III, closed the public hearing.

Ms. Wildman said she supported the application and that it was an appropriate use with appropriate conditions placed upon it.

Ms. Wildman moved to approve the SUP.

Mr. McCleary seconded the motion.

Mr. Poole said he also supported approval and that he liked the fact that the residential unit was remaining on the property.

In a roll call vote, motion to approve passed (6-0).

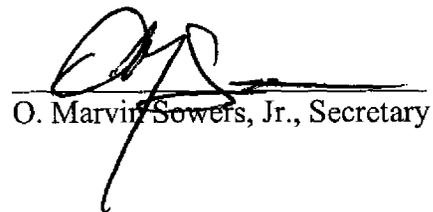
5. PLANNING DIRECTOR'S REPORT

Mr. Marvin Sowers thanked the Steering Committee for all their hard work on the 2003 Comprehensive Plan update. He requested that the Planning Commission recess until June 10, 2003 at 4PM to attend a joint worksession with the Board of Supervisors on the Comprehensive Plan Update.

6. RECESSMENT

There being no further business, the June 2, 2003, meeting of the Planning Commission was recessed at 8:50PM until June 10, 2003 at 4PM.


A. Joe Poole, III, Chairman


O. Marvin Sowers, Jr., Secretary