

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE SECOND DAY OF MARCH, TWO-THOUSAND AND ELEVEN, 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
Joe Poole III
Jack Fraley
Reese Peck
Mike Maddocks

Staff Present:

Allen Murphy, Director of Planning/Assistant
Development Manager
Adam Kinsman, Deputy County Attorney
Chris Johnson, Principal Planner
Kate Sipes, Senior Planner
Jennifer VanDyke, Administrative Services Coordinator

Absent

Rich Krapf

Mr. Jack Fraley called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT

Mr. Fraley opened the public comment period, seeing no one wanting to speak the public comment period was closed.

3. MINUTES

A. February 2, 2011

Mr. Joe Poole made a motion to approve the minutes. The February 2, 2011 minutes were approved in a unanimous voice vote (6-0; Krapf, absent).

4. COMMITTEE AND COMMISSION REPORTS

A. Development Review Committee (DRC)

Mr. Joe Poole provided the DRC report for February 23, 2011. The DRC heard case S-0023-2011, Wellington Ridge. In December 2005 the DRC reviewed the original submission for Wellington Ridge which included 95 lots. This proposal was approved by the DRC and the Planning department in December 2005. Since that time a final subdivision plat was not approved and preliminary approval subsequently expired in December 2009. The recent submission of Wellington Ridge is identical to the original submission with the addition of one lot and some slight Best Management Practice (BMP) modifications. In accordance with the restrictive conveyance on the property certain street trees in Sections 4 and 5 were to be provided by the applicant as preliminary subdivision approval proceeded. Prior to our February 23, 2011

DRC meeting, the applicant and staff verified that this requirement had largely been fulfilled and the two remaining lots that were lacking street tree plantings would have them installed within the week once the developer is able to speak with the individual home owners. The applicant stated that the required trees will be planted. The DRC recommended preliminary approval of the subdivision in accordance with agency comments.

Mr. Woods moved to adopt the DRC report. The report was adopted in a unanimous voice vote.

B. Policy Committee

Mr. Reese Peck provided the Policy Committee report. Mr. Peck stated that there were five Policy Committee meetings in the month of February. On February 3, 2011 the committee began their review of development review standards which included flood plains, preserving vegetation during development, community character corridor buffers, parking lot landscaping, outdoor operations of storage and streetscape policy. On February 7, 2011 the committee continued to review development review standards, and completed the streetscape policy, sound walls, lighting, timbering, pedestrian accommodations, and private streets. February 9, 2011 the committee reviewed residential districts and cluster developments. On February 3, 2011 the committee reviewed environmental issues, fiscal impact analysis, procedures and administration, subdivision ordinances and nonconforming uses. February 24, 2011 the committee discussed mixed uses, form-based codes, and green building standards. The next meeting of the Policy Committee will be March 16, 2011 at 7:00 p.m. in the Building A, conference room.

C. Regional Issues Committee/Other Reports

Mr. Fraley asked the commission if there were any other reports to be made.

5. PUBLIC HEARING CASES

A. SUP-0001-2011 Williamsburg Crossing Car Wash

Ms. Kate Sipes stated Mr. Vernon Geddy has applied on behalf of Mr. Mathew Blanchard for a Special Use Permit (SUP) to construct an automated car wash on two parcels along Route 5 (John Tyler Highway) in front of LaFontaine Condominiums within the Williamsburg Crossing Shopping Center. Ms. Sipes explained that an automated car wash is considered an automobile service station per the Zoning Ordinance, and requires a SUP in the B-1, General Business, Zoning District.

Ms. Sipes stated that the application proposes an approximately 8,000 square foot building which would fully enclose the car wash, detailing operations, offices, reception and equipment areas. The applicant is proposing to locate on 5117 John Tyler Highway and a portion of 5109 John Tyler Highway, a total of approximately 1.5 acres. Ms. Sipes stated that the property has frontage along, but no access from, John Tyler Highway. Also, access to the site is from Pilots Way via Kings Way or Carolina Boulevard.

Ms. Sipes stated that the parcels are designated Mixed Use, Williamsburg Crossing in the 2009

Comprehensive Plan, and the Williamsburg Crossing Mixed Use Area has principal suggested uses of commercial and office.

Ms. Sipes stated that all agencies have reviewed the application and recommend approval with the proposed conditions. Ms. Sipes stated that staff recommends that the Planning Commission recommend approval of the SUP to the Board of Supervisors (BOS), subject to the attached conditions.

Mr. Poole asked if noise is addressed within the conditions.

Ms. Sipes stated that noise is not addressed in the conditions. Staff has used conditions regarding noise in applications in the past. They are usually for larger parcels, address the depth within the parcel where activity would take place, and for location and/or direction of Public Address (PA) systems.

Mr. Fraley asked the commissioners if anyone had any disclosures to make regarding third-party meetings with the applicant.

Mr. Mike Maddocks stated that he had spoken with Mr. Geddy regarding the proposal.

Mr. Tim O'Connor stated he had met with Mr. Geddy regarding the case.

Mr. Geddy spoke on behalf of the applicant, Mr. Blanchard. Mr. Geddy stated Mr. Blanchard is a resident of JCC. Mr. Geddy discussed the location and described the subject property in greater detail. Mr. Geddy stated that the proposed car wash is a less intensive use than many by-right uses for B-1. This parcel is a part of the Williamsburg Crossing Shopping Center Master Plan.

Mr. Geddy pointed out several features of the car wash and the layout on the parcel. Mr. Geddy pointed out that the layout was designed to reduce the noise and visual impacts to the LaFontaine neighborhood. Mr. Geddy discussed the muffled vacuums that will be used. Mr. Geddy stated that there will be no self-servicing functions. All the cleaning activities will take place inside the building. The water will be captured, filtered, and reused.

A community meeting was held on Thursday, February 24, 2011 to listen to concerns from the residents of LaFontaine. One concern that came up was traffic at the intersection of Route 5 and Kings Way, the main entrance into Williamsburg Crossing Shopping Center. There are two left-turn lanes one immediately turning right the other going straight. Traffic wanting to go straight will often get stuck in the wrong lane. To abate this problem, new directional signage or new striping could be put in place. The owner projects to have at maximum 200 cars per day, with possibly 50 cars per hour at peak hours. The proposed landscape buffering was discussed. The buffering would be along Pilots Way and Route 5. The landscaping would buffer headlight glare during evening hours of operation. The applicant is willing to work with the neighbors to help abate any negative impacts to LaFontaine residents.

Mr. Al Woods asked if the applicant would agree to an additional condition restricting all

cleaning activities to the interior of the building.

Mr. Blanchard stated he would agree to the new condition.

Mr. Woods pointed out that the vegetation being used for buffering is not very dense.

Mr. Geddy stated there may be additional landscaping placed along the side that faces LaFontaine.

Mr. Woods asked if this was discussed at the community meeting, and if the residents seemed satisfied with the proposed landscaping. Mr. Woods asked if the landscaping is part of the conditions agreed upon.

Ms. Sipes stated that this is not included in the conditions, primarily because the landscaping would be placed off-site. The SUP does not allow JCC to enforce off-site conditions. It would be a private arrangement between the LaFontaine home owner's association and Mr. Blanchard.

Mr. Poole stated he appreciates the applicant's willingness to add the suggested condition regarding limitations of work activities to the interior. The quieter vacuum models chosen are also helpful. The landscaping proposal was not included in the packets; this is the first time the commissioners are seeing it. Mr. Poole asked if the applicant would agree to the having the landscape buffering plan reviewed by the DRC rather than the Planning Director.

Mr. Maddocks verified that the hours of operation would be 7:00 a.m. to 9:00 p.m. The maximum number of cars would be roughly 200 per day.

Mr. Blanchard stated that the projection of 200 cars per day would be achieved three to four years from now.

Mr. Maddocks stated that on average there would only be about 14 cars per hour.

Mr. Blanchard stated yes, but there will be peaks seen with more traffic. The peaks may be 50 cars per hour on a Saturday.

Mr. Maddocks asked about the lighting.

Mr. Geddy stated that the lighting is projected downward.

Mr. Maddocks stated that the residents facing the car wash would not be greatly impacted by noise or lighting generated from the car wash.

Mr. O'Connor asked what the applicant would do regarding trash pickup.

Mr. Blanchard stated that there would be an enclosed area for a dumpster.

Mr. O'Connor stated that typically trash pickup is early in the morning; this would have a big impact on the residents of LaFontaine.

Mr. Blanchard stated that he would plan the pickup to minimize the impacts on the residents of LaFontaine.

Mr. Fraley asked what the applicant would do to minimize the impacts of the headlight glare coming out of the car wash.

Mr. Geddy stated that the hours of operation would largely be during daylight hours. The landscaping was also designed to minimize the effects of headlights.

Mr. Fraley stated that he is pleased to hear that all cleaning activities will take place inside. Mr. Fraley asked if the bay doors will remain open during that time.

Mr. Geddy stated that the bay doors will not face LaFontaine. The washing of the vehicles will be done by the employees. There will not be loud car radios during cleaning activities, as seen at other car washes, as the enclosed areas will be controlled by the management.

Mr. Maddocks asked if the window facing LaFontaine would be smoked.

Mr. Blanchard stated that it would be a clear window. Mr. Blanchard stated that his intention is to ensure that there will be no loud car stereos. He wants to make it a pleasant experience for his customers.

Mr. Fraley confirmed that there will not be a PA sound system.

Mr. Fraley opened the public comment period.

Ms. Joan Lamberson, 307 Queens Crescent, spoke. She stated that the estimate of 200 cars may be too conservative. If there are 30-50 cars an hour coming in and out at peak the small road will be overtaxed. Ms. Lamberson stated she understands that this parcel will be used for commercial purposes. Possibly putting up a fence would ensure greater privacy for the residents of LaFontaine. The fence would capture debris coming from the car wash and prevent people from cutting thru the car wash to get to the shopping center. There are twelve units with patios facing the direction of the proposed car wash. There are other communities that have successfully used fencing as a buffer.

Ms. Dorothy Sayer, 407 Queens Crescent spoke. Ms. Sayer stated she is concerned for the value of her home. There are currently thirteen units for sale in LaFontaine. A car wash is not an appropriate use for a parcel that abuts a residential neighborhood. A majority of the existing vegetation that will be used for buffering are deciduous plants. Once those leaves have been shed the plants will not offer the intended screening.

Ms. Elsa Shmeyer, 204 Queens Crossing spoke. She stated she is concerned about the

additional traffic that would be generated by the proposed car wash. She is also concerned with her property losing value.

Mr. Kenny Barnes, 108 Queens Crossing spoke. He is concerned with his property losing value. He stated that he is not aware of any other car wash being located next to a residential area. He stated he is concerned with the impacts of headlights exiting the business. The homeowners of LaFontaine pay a fair amount of money in fees to maintenance the property and keep it clean.

Ms. Jane Kovar, 903 Queens Way spoke. Ms. Kovar stated she is the President to the Board of Directors for LaFontaine Homeowners Association. The location for the proposed car wash is not appropriate for this use due to the close proximity of the neighborhood. Ms. Kovar stated that more homeowners should have received notice of the public hearing.

Ms. Beth Thran-Bunch, 810 Queens Way spoke. Ms. Thran-Bunch stated that this is not an appropriate location for a car wash. The noise generated from this use will be disruptive to the residents of LaFontaine. The bushes that LaFontaine maintains have had difficulty surviving, because of this she is uncertain of the survival rate for any new plantings.

Ms. Lamberson spoke. The Williamsburg Crossing Shopping Center has two entrances. One entrance is rarely used. The other entrance along Route 5 is heavily used. The location of the proposed car wash will exacerbate the issue of having all the traffic entering in from Route 5.

Mr. Fraley stated that he received a phone call earlier today from Dr. Gerald Johnson representing the Historic Route 5 Association. Dr. Johnson stated that he attended a community meeting where this project was discussed. The Historic Route 5 Association members support the proposed car wash.

Mr. Fraley closed the public hearing.

Mr. Woods asked for clarification regarding the chosen wording of Dr. Johnson.

Mr. Fraley stated that Dr. Johnson (and the Historic Route 5 Association members) supported the project. There were two issues that the members raised regarding the measures that will be taken to screen the headlights of exiting cars. There need to be conditions written regarding the landscaping. The additional traffic generated was also taken into consideration.

Mr. Adam Kinsman stated he would like to address the concerns raised by the commissioners regarding all activities taking place inside the building. Mr. Geddy and the applicant have agreed to include in condition number one: "all car wash operations, excluding vacuuming shall occur inside the building." Also, regarding the trash pickup, verbiage can be added to condition number eight: "Hours of operation including trash pickup shall be limited to no earlier than seven and no later than nine." Mr. Kinsman stated that he is concerned with the legality of requiring off-site landscaping as a condition of a SUP, particularly when the applicant does not own the site. Any conditions limiting the amount of noise coming from a site are difficult to enforce. Noise ordinances are very difficult to enforce. JCC does not have the

equipment or the staff required to enforce such conditions.

Mr. Poole asked if the conditions could include the DRC having a final review of the proposed landscaping.

Mr. Kinsman stated yes. Condition number five can be modified to require additional DRC review of landscaping.

Mr. Woods asked if this condition would include a required agreement with the homeowners of LaFontaine.

Mr. Kinsman stated that if the plans show off-site landscaping, yes.

Mr. O'Connor asked Mr. Jason Grimes of AES, representing the applicant, if the car wash will be at the current grade of the property now.

Mr. Grimes stated that the car wash will be at the grade seen now.

Mr. Fraley informed the audience on the Historic Route 5 Association.

Mr. Poole stated is very pleased with the architectural elevations. Mr. Poole stated he has always anticipated that the parcel in question would eventually be developed for commercial use. However, he anticipated retail use, more akin to the current outparcels in the Williamsburg Crossing Shopping Center. He stated he is also concerned with the vacancies seen in the shopping center. Mr. Poole stated he sees this area as being in a state of flux; the proposed car wash may further instigate instability. To hear that noise regulation is something unobtainable is disappointing. The mitigation of noise was discussed at length during the DRC meeting. Mr. Poole stated he would like to see more details before he feels comfortable supporting this project.

Mr. Woods asked if the DRC had previously discussed the compatibility of a car wash with the surrounding businesses and residential development.

Mr. Poole stated that when the DRC had reviewed the project while it was a conceptual review. The plans lacked the details offered with an SUP review. Mr. Poole appreciates the efforts made to encourage conceptual plan review by the DRC but, reviewing details achieved at later stages is still necessary. Compatibility was not discussed during the DRC review of this case.

Mr. Peck stated that he too is impressed with the look of the building. Mr. Peck stated he is concerned with this use for a parcel across from a residential neighborhood.

Mr. Maddocks stated that he is concerned for the property owners of LaFontaine. Mr. Maddocks stated he would like to see some fencing or a means to create a better buffer than what is currently proposed.

Mr. Woods stated the project is designed in a very commendable way. Mr. Woods stated

he is sensitive to the compatibility issues he sees with the proposed business and its surroundings. More planning may be required to mitigate some of the issues that have been raised this evening.

Mr. O'Connor stated he struggles with the fence concept since it would become the burden of the home owner's association to maintain. Mr. O'Connor stated he does support the proposal. There could be many other more intensive uses that would be by-right for the B-1 property. He does not want this property to become yet another empty retail space.

Mr. Fraley thanked the applicant for having the community discussion meeting. This property is zoned for commercial development. There are many uses that can go on this property by-right. Mr. Fraley asked Mr. Geddy if he would consider a deferral.

Mr. Geddy stated that Mr. Blanchard is willing to defer.

Mr. Fraley stated the case will be deferred.

B. Z-0002-2010 / MP-0001-2010 / SUP-0029-2010 The Williamsburg Pottery

Mr. Chris Johnson stated that Mr. Vernon Geddy has applied to rezone a 18.78 acre parcel located at 6692 Richmond Road from M-1, Limited Business/Industrial, with proffers, to M-1, Limited Business/Industrial with amended proffers, amend the adopted SUP and master plan to relocate the existing signalized entrance, revise associated traffic improvements, and increase the gross square footage of the retail and office area of the project from 161,000 square feet to 200,000 square feet. The proposed amendments will redevelop the property and dedicate the majority of the proposed retail and office space square footage to the relocation of the existing Williamsburg Pottery operation currently located on the east side of the CSX railroad tracks.

This project has evolved from what was first envisioned and planned during the 2007 rezoning process when the project was known as The Promenade at the Williamsburg Pottery Factory. That project was anticipated to contain a mixture of retail uses including a traditional shopping center, anchored by a grocery store; outlet style stores similar to those which were previously located on the property and some traditional Pottery goods and products.

Today, the project is being called The Williamsburg Pottery and the retail space in the three main buildings will be occupied entirely by the traditional Williamsburg Pottery goods and products. Unlike the previously approved project in 2007, the entire project will be constructed in a single phase rather than multiple phases. Given that all Pottery sales and operations will be housed within the three new buildings on the west side of the CSX tracks, there is less need for the public to cross the tracks by vehicle and the need to use the existing pedestrian tunnel connecting the west side to the east side of the property is eliminated.

Besides the change in square footage from a maximum of 161,000 to 200,000 square feet to house Pottery retail sales and corporate offices, the largest change proposed by these amendments is the relocation of the existing signalized entrance 300 feet further to the west from

where it was proposed in the 2007 master plan. This amendment will change the spacing from the signalized entrance proposed at the Colonial Heritage eastern crossover intersection from 1,000 linear feet to 700 linear feet. The total number of entrances and exits will be reduced from four to three.

VDOT concurs with the projected trip generation and distributions as presented in the traffic study as well as the conclusion that both full access driveways will meet warrants for signalization upon build-out of the project. While acknowledging that the access plan does not comply with the Access Management Regulations with regard to the spacing of entrances, VDOT has granted the applicant's exception request to allow for a reduced crossover spacing of 700 feet noting that the reduction would not materially alter the operational characteristics of the Route 60 corridor.

There are some slight increases and decreases in the level of delay at some intersections, but the overall corridor has increased operation speed in the PM peak hours with this entrance and traffic signal relocation. Staff reviewed a Traffic Signal Warrant Analysis, a Saturday Corridor Study and Crash Data Study which evaluated the existing intersection safety and the implications for the proposed traffic signal relocation. Based on these studies, the County supported the exception request for the spacing standards for entrances, intersections and crossovers.

Other changes of note include the relocation of one of the five pocket parks and the elimination of the service drive between Buildings A and B for the development of a larger, central pedestrian plaza.

The site is designated Mixed Use, Lightfoot on the 2009 Comprehensive Plan Land Use Map. Recommended uses for this area include transit oriented mixed-use development with a mixture of limited industry, commercial and moderate density housing. Staff finds that the use as proposed meets the land use designation for this area as the principle proposed use is commercial in nature.

Staff finds that this application provides a positive redevelopment project for this area of the County, and with the revised master plan and proffers, is in conformance with many goals of the Comprehensive Plan. The applicant has provided many positive features to the development that help mitigate design characteristics. Considering this is a redevelopment project, and the design limitation of the parcel shape and size, staff finds that the applicant is providing the best overall design given the type of uses and intensity.

Staff recommends the Planning Commission recommend approval of the rezoning, master plan and SUP applications with the three conditions listed in the staff report and acceptance of the voluntary proffers.

Mr. Poole questioned whether the architectural review proffer, including Design Guidelines that were discussed at a previous DRC meeting last year would be impacted by the proposed design changes. Mr. Poole stated he recalled that the DRC had one notable objection with Flemish revival as opposed to elevations with a little less repetition.

Mr. Johnson stated the site plan for this project was submitted for enhanced conceptual review to the DRC. The revised architectural elevations were reviewed by the DRC at that time for consistency. With the design guidelines which were adopted as a part of the 2007 Rezoning, The Planning Commission approved the recommendations of the DRC with regard to the consistency of the elevations. The approved elevations were included in the back of the Community Impact Study included as an attachment to the staff report.

Mr. Poole asked about entry features on Richmond Road. Mr. Poole asked if there are monument signs or large structures proposed for Route 60.

Mr. Johnson stated there would be two monument-style signs at the two signalized intersection locations. Mr. Johnson pointed out the locations on an aerial map of the site.

Mr. Poole asked if the increase of square footage by one-fifth from 161,000 to 200,000 square feet would be used as retail space for traditional pottery goods.

Mr. Johnson stated that the three main buildings on the site will be used as retail space for traditional pottery goods and products. There are three outparcel buildings located along Route 60. One will be a bank, a restaurant, and another retail store. The 200,000 square foot figure also includes up to 15,000 square feet of corporate office space for the Pottery on the second floor of building "A". It increases the office space allotment. The site plan submitted exceeded the 161,000 square feet limit of the previous master plan by a few thousand feet. The applicant is seeking a certain degree of flexibility in raising the maximum square footage in not cutting it too close. Ultimately the applicant is likely to develop closer to 170,000 square feet, but wants the higher limit shown on the binding master plan.

Mr. O'Connor asked if the existing crossover on Route 60 would be removed.

Mr. Johnson stated that the existing crossover will be removed when the signal is relocated.

Mr. Fraley asked the commissioners if there were any third-party meeting disclosures that need to be made.

Mr. O'Connor stated that he met with Mr. Geddy on February 25, 2011 to review the site plan.

Mr. Maddocks stated he met with Mr. Geddy as well.

Mr. Fraley stated that he and Mr. Rich Krapf met on January 16, 2011 with the Pottery team and staff to discuss traffic implications and the traffic study. This meeting had been previously disclosed. Mr. Fraley stated he met with Mr. Geddy last week for another meeting.

Mr. Fraley opened the public hearing.

Mr. Geddy, representing the applicant, highlighted the history of the Pottery beginning in 1938 on half an acre along Route 60. The Pottery at one time was Virginia's largest retail operation. The Pottery rezoned this site in 2007 for a traditional grocery store and shopping center. Mr. Geddy provided an image of the 2007 (approved) Master Plan.

The new proposal is very different in nature. It is a reinvention of the Pottery. It would move all of its operations to this portion of the property including the offices discussed. They will be built all at one time. The major change from the 2007 plan is moving the signalized intersections. There are attractive plazas and large sidewalk areas. A new and very extensive traffic study was conducted by Dexter Williams and DRW Consultants. VDOT has concurred with trip generations, distribution, and traffic studies. Mr. Geddy stated he agrees with staff's recommendations and reports. The proposal will generate greater tax revenue for JCC. It is a redevelopment of an aging site. It will improve the aesthetics of the area. It has pedestrian and vehicular connectivity. It increases the buffers along Route 60. It provides significant environmental improvements. The proffered traffic improvements will further benefit the corridor.

Mr. Poole stated he is excited and pleased to support the redevelopment efforts. Mr. Poole asked for more information on the enhanced landscaping, particularly in the median.

Mr. Geddy stated that there is some landscape planting done by Colonial Heritage that will be copied and extended south in the median along the properties frontage.

Mr. Poole asked if this would be at the southern most portions.

Mr. Geddy confirmed that would be the case.

Mr. Fraley opened the public hearing, seeing no one wishing to speak the public hearing was closed.

Mr. Maddocks complimented the applicant on the many attractive features seen. Mr. Maddocks stated he supports the project.

Mr. Maddocks made a motion to approve in accordance to the staff report. The motion was approved in a unanimous voice vote (6-0; Mr. Krapf, absent).

6. PLANNING DIRECTOR'S REPORT

Mr. Allen Murphy stated he had nothing further to report.

7. COMMISSION DISCUSSIONS AND REQUESTS

Mr. Poole stated he appreciates the efforts made to increase predictability for applicants during the review process. Mr. Poole stated he was disappointed to see a site off of Longhill Road in a disheveled state. A service station for this parcel had been approved by the Planning Commission, thus JCC had expectations for this project to develop in a particular way.

Predictability for applicants must be balanced by realized expectations for applicants conducting the progression and completion of projects.

Mr. Johnson stated that there was a phase-three archeological study required. The site is very small, just above one acre. Nearly all vegetation on the site was scrub pine. Very little vegetation was expected to be retained. This was mentioned during the staff report. The staff report stated that extensive landscaping would be provided. The site will look different while under construction. The site did look in disarray while the archeological study was under way. Staff can go out with Mr. Poole to the site to ensure that it is consistent with the adopted conditions of the SUP.

Mr. Poole stated that he had forgotten about the archeological work. The property currently looks very unkempt and as though no work is being done.

Mr. Johnson stated that he believed all the archeological work had been completed on the site. The erosion and sediment control fencing that is in disarray could have come down for any number of reasons. It is the responsibility of the environmental inspectors and contractor to ensure that the fencing is in place. The applicant has been working very closely with JCC on the intersection project to try to get the waterline extended rather than tear up the road. The applicant was very cooperative with staff during these efforts. Mr. Johnson stated he will go out in the field to see if there is anything that needs to be addressed.

Mr. Fraley asked that all Planning Commissioners get an update on these efforts via email.

Mr. Peck stated that he had been looking at the 2010 Census data. The estimated population in JCC was more than 3,000 (people) beyond the population projections published and used by JCC. Mr. Peck asked for an explanation for the variance.

Mr. Fraley asked if there were any objections with the Planning Commission's assigned 2011 attendance schedule for BOS meetings.

Mr. Woods asked for confirmation on his meeting dates.

Mr. Fraley stated he would send the email out again.

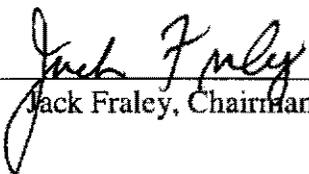
Mr. Fraley stated that the Policy Committee has spent some time debating the merits of adopting policy versus placing requirements directly in the Ordinance. Mr. Fraley had asked that the Deputy County Attorney, Mr. Kinsman, further inform the debate. Mr. Fraley stated that before the next meeting Mr. Kinsman will forward information to the commissioners.

Mr. Kinsman provided a brief description of the type of information he will provide.

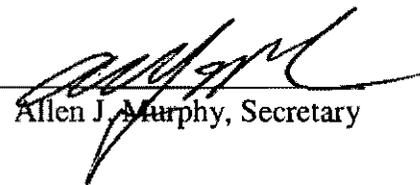
8. ADJOURNMENT

Mr. Poole moved for adjournment.

The meeting was adjourned at 8:47 p.m.



Jack Fraley, Chairman



Allen J. Murphy, Secretary