

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE FOURTH DAY OF MAY, 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:

Jack Fraley
Joe Poole III
Al Woods
Mike Maddocks
Rich Krapf
Tim O'Connor

Staff Present:

Allen Murphy, Director of Planning/Assistant
Development Manager
Adam Kinsman, Deputy County Attorney
Chris Johnson, Principal Planner
Tammy Rosario, Principal Planner
Ellen Cook, Senior Planner
John Carnifax, Director, Parks and Recreation
Brian Elmore, Development Management Asst.

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 wishing to speak, the public comment period was closed.

3. MINUTES

A. April 6, 2011

Mr. Joe Poole moved for approval of the minutes.

In a unanimous voice vote, the minutes were approved (7-0).

4. COMMITTEE AND COMMISSION REPORTS

A. Development Review Committee (DRC)

Mr. Poole stated the DRC met at a special meeting at 6:30 p.m. before the Commission meeting. He stated the DRC reviewed a landscape amendment for Case S-0048-2009, Stonehouse Tract 12, allowing additional clearing of approximately 3 acres to make additional lots ready for residential development. The DRC voted 4-0 to approve the request.

Mr. Mike Maddocks moved for approval of the minutes.

In a unanimous voice vote, the minutes were approved (7-0).

B. Policy Committee

Mr. Reese Peck stated the Policy Committee discussed the Economic Opportunity (EO) draft ordinance at the April 13th meeting and discussed traffic impact requirements, wireless communications, and Urban Development Areas (UDAs) at the April 25th meeting.

Mr. Fraley stated that due to technical issues on the UDA presentation, the Commission would discuss the public hearing first.

5. PUBLIC HEARING CASES

A. SUP-0003-2011 Mid-County Park Master Plan

Mr. Chris Johnson stated James City County Parks and Recreation has applied for a special use permit to bring the park into compliance with the Public Lands zoning district in advance of modifications to park facilities. Planning improvements include the removal of the baseball fields and lighting, moving the Ironbound Road entrance approximately 300 feet south, replacing the Kidsburg playground with a yet to be determined alternative, upgrading restrooms, fencing, and picnic shelters, and adding office space. The Parks and Recreation Advisory Committee (PRAC) unanimously recommended approval of the master plan. Staff recommends approval of the master plan with the four attached conditions.

Mr. Fraley opened the public hearing.

Mr. John Carnifax stated Parks held public meetings regarding the changes, including discussions with youth baseball programs. He stated baseballs hitting pedestrians and vehicles outside the park is a safety concern. To compensate for the loss of the Mid-County fields, Parks has agreed to light the varsity baseball fields at Warhill and Jamestown High Schools.

Mr. Peck asked about improved pedestrian access from Powhatan Secondary. He stated there was no safe crossing across Monticello Avenue, particularly at the News Road intersection.

Mr. Carnifax stated he discussed the Mid County project with the Virginia Department of Transportation (VDOT). He stated VDOT plans to improve the entire intersection with pedestrian cross walks and improved turn lanes on Ironbound and News. The improvements will take several years to complete, depending on funding.

Mr. Peck asked if he discussed the missing sidewalk near Rite Aid with VDOT.

Mr. Carnifax stated he did not.

Mr. Fraley stated there would be additional traffic improvement proffer funds from the Settler's Market and Courthouse Commons developments.

Mr. Tim O'Connor stated he had heard of a lack of practice facilities from the 10-and-under leagues. He asked if Parks planned to add any additional practice fields.

Mr. Carnifax stated Parks' goal was to make Mid-County more passive. He stated Parks meets the per capita baseball field standards in its master plan. A problem with sports is that everyone wants to practice on the best fields. Parks' challenge is to work with schools and youth leagues to upgrade fields around the county, including at Stonehouse and Norge.

Mr. Carnifax stated Parks would seek additional public input when it starts designing the Kidsburg replacement.

Mr. Fraley open the public comment session. Seeing none, Mr. Fraley closed the public comment session.

Mr. Rich Krapf moved to recommend approval with the attached conditions.

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

COMMITTEE AND COMMISSION REPORTS (CONTINUED)

Mr. Fraley stated the Regional Issues Committee met on April 21st. He stated the Committee heard a presentation on the Tribe Square development on Richmond Road, incorporating four restaurants and almost 25,000 square feet of student housing. The Committee also listened to a Virginia Department of Rail and Public Transportation presentation on the future of Hampton Roads transit. The long-term plan includes commuter rail service from Newport News to Williamsburg and from the Southside to James City in 2035. The Committee also discussed the upcoming 2012 Comprehensive Plan synchronization between the jurisdictions, which would include a UDA discussion.

6. PLANNING COMMISSION CONSIDERATIONS

A. URBAN DEVELOPMENT AREAS (UDAs)

Ms. Ellen Cook stated the County must comply with the State's UDA statute, based on its population and rate of growth, by July 1, 2011. She stated the law allows localities to amend the Comprehensive Plan to incorporate one or more UDAs or to adopt a resolution stating how the County plans to accommodate growth in a manner consistent with the legislation. The legislation states localities must provide areas appropriate for higher density development of at least 4 single family homes, 6 townhomes, 12 apartments per acre, or a commercial floor-area ratio of 0.4. The 2009 Comprehensive Plan already identifies mixed use areas as appropriate for higher density growth with recommended densities of up to 18 units per acre, and floor-area ratios of 0.4. The county's mixed use areas can accommodate 10 to 20 years of growth and already incorporate new urbanism and traditional neighborhood development principles required by the law. Based on feedback from the April 13th Commission work session, Five Forks could be removed from the UDAs list. Staff recommends the Commission endorse staff's certification proposal, remove Five Forks, and provide any additional comments for the Board.

Ms. Tammy Rosario stated she had researched whether New Kent and Williamsburg were in compliance with the state's UDA statute. Williamsburg's compliance date is 2013 and

during its current Comprehensive Plan review process, the city plans to use its mixed use areas rather than restructure its Comprehensive Plan. New Kent submitted compliance data to the state but has not yet passed a resolution. It, too, is presently updating its Comprehensive Plan and will include UDA considerations in the revisions.

Mr. Peck stated High Street should be included in regional UDA discussions.

Ms. Rosario stated there would be 3 public meetings in 2012 organized by focus area, including Quarterpath (Rt. 199 and Rt. 60), Capital Landing and Merrimac, and the Croaker area.

Ms. Cook stated York's mixed use Comprehensive Plan areas were an overlay, with more general language and no specific development standards.

Mr. Peck stated York's mixed use ordinance focuses on village style development with main street areas. He stated the UDA's origins are to reduce sprawl and return to more urban design.

Mr. Peck stated he disagreed with staff's population projection methodology. He asked staff to explain their approach and if new Virginia Economic Commission (VEC) population projection numbers affected that analysis.

Ms. Rosario stated the UDA ordinance requires Census, Weldon Cooper, or VEC numbers. She stated it was difficult to speculate what changes there may be in the VEC projected numbers.

Mr. Peck asked if staff intends to keep using the population growth model used in the memo.

Ms. Rosario stated staff is comfortable with the continued use of the population growth model. She stated the County used VEC projections instead of county projections, in accordance with the statute. She stressed the County used a conservative methodology for development potential. Staff's conservative projections reflect many unknown future growth factors.

Mr. Peck asked if staff used the same methodology used to project growth within the Primary Service Area (PSA) in the Comprehensive Plan.

Ms. Rosario stated the PSA development potential analysis in the Comprehensive Plan was a six- to eight-month effort. She said staff considered similar factors as the development potential analysis for its UDA research but with a bigger picture focus. In terms of the 2009 Comprehensive Plan, staff, working with URS, developed buildout analysis scenarios, using approved mixed use master plans and the Comprehensive Plan designations. Staff UDA projections used a similar approach.

Mr. Peck asked if staff used more or less aggressive population assumptions than the Comprehensive Plan.

Ms. Rosario stated staff used the Comprehensive Plan land use map as a basis for their calculations.

Mr. Krapf stated he was comfortable with staff's recommendations. He stated the Steering Committee was aware of both the UDA legislation and its uncertainties. The Comprehensive Plan consciously inserted terms, such as floor-area ratios, in order to be compliant with the UDA. Updated population projections can be address during the five-year Comprehensive Plan updates. Staff's UDA areas will be capable of handling ten years of growth.

Mr. Mike Maddocks stated he believes the County is in compliance and the Commission should recommend approval.

Mr. Peck stated according to the Steering Committee report, staff should have reviewed UDAs in 2009. He stated following that review, staff would report its findings to the Commission and Board. Certain inducements would be needed to move growth into the UDAs. The county has not yet met with other localities to coordinate growth and staff has failed to discuss all aspects of the law with the Commission.

Mr. Krapf stated the certification process used a narrow focus. He stated there would be additional discussion going forward, but he felt the County is in compliance.

Mr. Al Woods stated there were extensive discussions at the Policy Committee. He stated the Committee agreed that the County complies with the intent of the law. The Comprehensive Plan serves as a starting point for a process involving multiple future reviews. The community will review and adjust as appropriate. He stated he supports recommending staff's position. The alternate would be an extensive, expensive, resource-absorbing process.

Mr. Poole stated he supports staff's methodology and believes the County is in compliance.

Mr. Peck stated an option to use outside consultants could have been presented to the Commission. He stated the County's stated growth management policies, including the PSA, are often undermined by the County actions. He stated he would not support the certification and believed additional discussions with neighboring localities should be held.

Mr. Fraley stated his approach would have been to use the Stonehouse, Lightfoot, and New Town areas rather than staff's use of disparate UDAs across the County. He stated he would support staff's recommendation.

Mr. Krapf moved to recommend staff's proposal, including removing Five Forks from the UDA list.

In a roll call vote, the Commission recommended staff's proposal (6-1: Yes: O'Connor, Woods, Maddocks, Krapf, Poole, Fraley; No: Peck).

6. PLANNING DIRECTOR'S REPORT

Mr. Allen Murphy stated he had no comments.

7. COMMISSION DISCUSSIONS AND REQUESTS

Mr. Fraley stated he was seeking the Republican nomination for the Board from the Roberts District. He asked if his continuing service as Commission chair presented any problems.

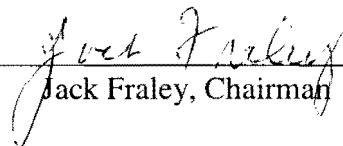
Mr. Maddocks stated everyone was aware of Mr. Fraley's intentions to run. He stated he was fine with Mr. Fraley continuing as Chairman.

Mr. Krapf stated he had no doubt Mr. Fraley would take the necessary actions if there was any overlap.

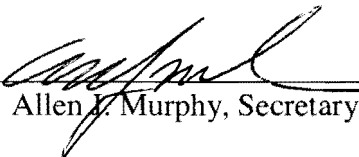
8. ADJOURNMENT

Mr. Woods moved to adjourn.

The meeting was adjourned at 8:17 p.m.



Jack Fraley, Chairman



Allen J. Murphy, Secretary