

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

George Drummond

Chris Basic

Mike Maddocks

Tim O'Connor

Rich Krapf

Al Woods

Absent:

Robin Bledsoe

Staff Present:

Paul Holt, Planning Director

Leo P. Rogers, County Attorney

Leanne Reidenbach, Planner, III

Jennifer VanDyke, Planner

Mr. Al Woods called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT

Mr. Woods opened the public comment.

There being none, Mr. Woods closed the public comment.

3. MINUTES

Mr. Rich Krapf moved to approve the minutes from the April 3, 2013 meeting.

In a unanimous voice vote, the Commission approved the minutes. (6-0)

4. COMMITTEE / COMMISSION REPORTS

A. Development Review Committee

Mr. Woods noted that the Development Review Committee did not meet in April and accordingly there would be no report.

B. Policy Committee

Mr. Krapf reported that the Policy Committee met on April 11, 2013 to discuss the Coordinated Regional Comprehensive Planning Process and the Planning Division Work Program for FY14.

Mr. Krapf stated that the Committee concluded that the Summary Document for the Coordinated Regional Comprehensive Planning Process and the James City County/ Williamsburg/ York County Comprehensive Transportation Study should be endorsed by the Planning Commission and Board of Supervisors to recognize the effort that went into producing them. The Committee also recommended that the Regional Bikeways Map be adopted by the Planning Commission and the Board of Supervisors as an official document similar to the process that occurred in Williamsburg and York County.

Mr. Krapf noted that with respect to the Planning Division Work Plan for FY14, the Committee focused primarily on updates to the Zoning Ordinance and the FY14 Comprehensive Plan Update. For possible updates to the Zoning Ordinance, the Committee suggested the Rural Lands public engagement effort and reviewing accessory apartment standards be high priorities. Other miscellaneous housekeeping items would be medium priorities and review of emerging technologies would be low priority. The Committee recommended not pursuing amendments related to the keeping of chickens, meaning that the current ordinance standards remain in effect and enforcement of those standards would resume. The Committee did not add any additional topics to the list.

Mr. Krapf stated that regarding the FY14 Comprehensive Plan update, the Committee suggested a process that was smaller in scope than the full re-write of the 2009 Comprehensive Plan. The Committee members indicated that replicating the Citizen Survey would be an important element. The Committee believed that the Land Use, Transportation and Economic Development sections would need to be more closely examined but that other sections might remain substantially in their current state.

C. Regional Issues Committee

Mr. Mike Maddocks stated that the Regional Issues Committee met on April 23, 2013 and that the minutes for that meeting had been sent to the Planning Commission members.

Mr. Maddocks noted that Kevan Danker, Executive Director, presented a report on the Williamsburg Area Transit Authority.

Mr. Maddocks stated that Leonard Sledge, Director of Economic Development for the College of William & Mary, provided information on the College's new model for tuition.

Mr. Maddocks stated that there was a Coordinated Regional Comprehensive Plan status report provided by the planning administrators of the three localities. Mr. Maddocks noted that the Williamsburg Comprehensive Plan was adopted in January; the York County Comprehensive Plan is still under review; and the James City County Policy Committee has been reviewing the work products from the Coordinated Regional Comprehensive Planning Process.

Mr. Maddocks noted that there was a report on the activities of the Historic Triangle Collaborative by Sanford Wanner.

Mr. Maddocks stated that the Greater Williamsburg Chamber and Tourism Alliance announced that Ms. Karina Ferguson has been hired to handle the marketing effort for the Williamsburg Area Destination Marketing Committee.

Mr. Maddocks noted that there was a report from Mr. Jeff Lunsford, Deputy Executive Director of Administration, regarding the Jamestown/Yorktown Foundation.

Mr. Maddocks stated that the next meeting of the Regional Issues Committee has been changed from July 23, 2013 to July 30, 2013.

5. PUBLIC HEARING CASES

A. SUP-0003-2013, Route 199 Water Tank HRSD Pressure Reducing Station

Ms. Leanne Reidenbach, Senior Planner II, stated that Mr. Matthew Poe, on behalf of the Hampton Roads Sanitation District (HRSD), has applied to amend an existing special use permit for water and sewer facilities to install a pressure reducing station to help increase system capacity during wet weather and to minimize spill locations. The project consists of underground piping, two above-ground pumps, two above-ground diesel fuel tanks and screening landscaping.

Ms. Reidenbach noted that the property is surrounded by R-8, Rural Residential property that is designated Low Density Residential on the 2009 Comprehensive Plan. Water and sewer facilities are a specially permitted use in the R-8, Rural Residential district. A Special Use Permit for the existing water tank was approved in 1986, but since the pressure reducing station for the sanitary was not included under this initial SUP, a SUP amendment is required.

Ms. Reidenbach stated that due to the location of the pressure reducing station on Route 199, a Community Character Corridor, the applicant has agreed to minimize tree clearing, paint the pump houses a natural color that will blend with the surrounding woods and plant supplemental landscaping that will further screen the facility.

Ms. Reidenbach noted that while the 2009 Comprehensive Plan does not specifically include this use as a recommended use, staff recognizes that such facilities are important to the functioning of the overall sanitary sewer system and the property is already being used for a James City Service Authority (JCSA) water tank. The proposal is also compatible with the surrounding zoning and development.

Ms. Reidenbach stated that staff recommends that the Planning Commission recommend approval of the project to the Board of Supervisors subject to the conditions found in the staff report.

Mr. Woods opened the floor to questions from the Commissioners.

Mr. Woods inquired what could be concluded when both boxes regarding historic and archaeological sites are checked on the application.

Ms. Reidenbach responded that the property is not in an area of high archaeological sensitivity for the County and there is a minimal amount of land disturbance occurring, so the archaeological study condition was not imposed.

Mr. Woods inquired if the applicant wished to address the Commission.

Mr. Matthew Poe, HRSD Interceptor Engineer, noted that the localities in the region are developing a Regional Wet Weather Management Plan to address capacity concerns as well as future development needs.

Mr. Poe stated that the current project is an attempt to address pressure issues on the entire force main system. The essential function of the pressure reducing station will be to reduce pressures which will increase system capacity and reduce spill locations as well as sanitary spill volumes.

Mr. Poe stated that the HRSD is aware that the project location is of aesthetic concern and they are working with the Planning Division and the Colonial Williamsburg Foundation to have a visually pleasing product.

Mr. Krapf inquired whether the new pressure reducing station would work in conjunction with the existing tank or operate independently.

Mr. Poe responded that the pressure reducing station would operate independently. The tank on the site is actually owned by JCSA for the water supply.

Mr. Krapf inquired why that particular location was selected.

Mr. Poe noted that the force main essentially runs from Kingsmill to the Stonehouse area. This location is closer to the treatment plant which means that it has a positive impact upstream where the terminal pump stations connect to the force main. By being close to the treatment plant, more stations upstream will see the effects of reduced pressure and will be able to pump more flow during wet weather.

Mr. Woods inquired if the work was being done in response to a Consent Decree.

Mr. Poe responded most of the items in the Consent Decree will be addressed by the Regional Wet Weather Management Plan. He further noted that one of the requirements in the Consent Decree was to improve short term pressure and capacity issues. The current project is an interim solution until the permanent solutions can be developed and implemented.

Mr. Woods inquired if the permanent solutions have been identified.

Mr. Poe responded that the permanent solutions have not been identified. A study is currently underway for the entire region to identify those solutions.

Mr. Woods inquired who has verified that this project would be a short term solution.

Mr. Poe responded that HRSD, Planning Division staff and the JCSA have reviewed the site and the plans and agree that the project will be beneficial to the County.

Mr. Woods inquired about any environmental concerns related to the diesel fuel storage tanks.

Mr. Poe responded that the tanks will be double-walled and further containment will not be necessary.

Mr. Woods inquired if there would be alarm systems or just static double walled tanks.

Mr. Poe responded that the plans were not complete; however other similar tanks recently installed had alarm capabilities.

Mr. Woods inquired why the required 100-foot separation that is usually required by the Virginia Department of Health (VDH) is being waived.

Mr. Poe stated that the VDH has the 100-foot separation requirement for any facility that is considered treatment. The requirement may exist because of those instances in the treatment process where the stream may be exposed. Mr. Poe noted that this system is pressurized and the only time there is potential for spillage is in the event the force main breaks. Due to the nature of the project and the site characteristics, VDH has granted a waiver.

Mr. Woods opened the public hearing.

As no one wished to speak, Mr. Woods closed the public hearing.

Mr. Woods opened the floor for discussion.

Mr. Maddocks moved to recommend approval with the stated conditions.

Mr. Woods inquired if the applicant understood and agreed to the conditions.

Mr. Poe confirmed.

On a roll call vote the Planning Commission voted to recommend approval of the application with the conditions listed in the staff report. (6-0)

B. Case Nos. Z-0001-2013/SUP-0002-2013, Williamsburg Landing, Boatwright Circle

Ms. Jennifer VanDyke, Planner, stated that Mr. Paul Gerhardt of Kaufman & Canoles has applied on behalf of Williamsburg Landing, Inc. to amend the existing proffers and special use permit conditions to allow one additional independent living unit on Boatwright Circle.

Ms. VanDyke noted that the property is zoned R-5, Multifamily Residential with proffers and a portion of the property lies within the Airport Approach Overlay district. The property is designated as low density residential on the 2009 Comprehensive Plan. Retirement and care facilities are recommended.

Ms. VanDyke stated that the subject parcel together with the parcels to the north and east comprise Williamsburg Landing, a Continuing Care Retirement Community (CCRC). In 1993, the subject parcel was rezoned from R-8 to R-5, Multifamily Residential, with proffers. The applicant concurrently applied for a special use permit to allow the development of 27 dwelling units in the area now known as Boatwright Circle.

Ms. VanDyke noted that there is currently a maintenance shed at the approximate location of the proposed new unit. This facility will be demolished and replaced with a new facility on an adjacent parcel. The new unit constructed in its place will resemble the other units on Boatwright Circle. An architectural review condition was included to ensure consistency and compatibility with the adjacent residential structures.

Ms. VanDyke stated that a cash water proffer was determined to be unnecessary as the requested unit was approved during earlier land use decisions.

Ms. VanDyke noted that Williamsburg Landing management has engaged in conversations with residents in Boatwright Circle regarding the proposed changes. Management states that they received positive feedback and support for the project and no objections were expressed.

Ms. VanDyke stated that staff finds the proposed use to be consistent with the surrounding zoning and development and compatible with the 2009 Comprehensive Plan. Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors with the amended proffers and the conditions attached to the staff report.

Mr. Krapf congratulated Ms. VanDyke on her promotion to planner.

Mr. Woods asked the applicant if he wished to speak.

Mr. Paul Gerhardt stated that the conditions and proffers had been reviewed and were understood and agreed to. He noted that Mr. Montgomery, CEO of Williamsburg Landing, was present and would also be happy to answer any questions.

Mr. Krapf stated that he understood that the maintenance shed was being moved because of the noise generated early in the morning and inquired how far the shed was being moved.

Mr. Gerhardt indicated the approximate position of the shed on the location map and stated that the location of the shed will be seen on plans to be submitted in connection with the expansion of Woodhaven which is the nursing and assisted living component of the facility.

Mr. Woods opened the public comment.

As no one wished to speak, Mr. Woods closed the public hearing.

Mr. Woods opened the floor to discussion by the Commissioners.

Mr. Maddocks stated that he was appreciative of the services offered by Williamsburg landing and that it is an excellent resource for the aging population.

Mr. Maddocks moved to recommend approval with the proffers and stated conditions.

On a roll call vote the Planning Commission voted to recommend approval of the applications with the conditions listed in the staff report. (6-0)

6. PLANNING COMMISSION CONSIDERATION

A. Preparation for the May 28, 2013 Joint Planning Commission/Board of Supervisors Work Session

Mr. Paul Holt, Planning Director, stated that in preparation for the joint Planning Commission/Board of Supervisors work session currently scheduled for May 28, 2013, the Policy Committee recently discussed the Coordinated Regional Comprehensive Planning Process and the work products that resulted from that effort. The Committee also reviewed the Planning Division Work Plan for FY14, specifically focusing on priorities for updates to the Zoning Ordinance and held preliminary discussion on the focus and scale of the Comprehensive Plan Update process that will commence in FY14.

Mr. Holt noted that the staff report and supplemental materials were being shared with the full Planning Commission to facilitate broader discussion and to generate input for agenda items to be discussed at the joint work session.

Mr. Krapf requested that Mr. Holt review the distinction between endorsing and adopting a work product and how the choice would relate to its impact on the Comprehensive Plan, noting that the Committee had concluded that the Regional Bikeways Map should be adopted and the James City County/ Williamsburg/ York County Comprehensive Transportation Study should be endorsed.

Mr. Holt responded that the updated Regional Bikeways Map has been formally adopted as part of the Comprehensive Plan process in the other two localities. He noted that this is an important distinction in terms of future land use cases because it will have standing to give the County the policy basis with which to evaluate future land use applications.

Mr. Holt noted that the two other work products did not result in any new text for James City County and the Committee concluded that there was no need to formally adopt them.

Mr. Holt noted that the Committee felt it was important to acknowledge the effort involved with the Coordinated Regional Comprehensive Planning Process, conducting the Community Conversations and creating the resulting work products.

Mr. Drummond noted that he was pleased to see the positive effect the Regional Bikeway Map would have on the Grove Community since Pocahontas Trail currently lacked adequate room for bicycles and the sidewalks were not completed.

Mr. Holt stated that there was a separate project in progress through the Hampton Roads Transportation Planning Organization to improve the Pocahontas Trail corridor and that the project was a high priority for the Board of Supervisors.

Mr. Drummond inquired about the time frame for the project.

Mr. Holt responded that cuts had recently been made in Congestion Mitigation and Air Quality (CMAQ) funds which would affect the timing of many projects in the region.

Mr. Holt stated that staff has identified funding to do preliminary engineering and right of way acquisition; however, construction funds have not yet been identified.

Mr. Drummond inquired whether the funding issues would affect the Route 60 Relocation and Upgrading project.

Mr. Holt stated that the project had been part of the Long Range Transportation Plan for quite some time; however, funding for construction has not been identified.

Mr. Woods asked the Commissioners if they agreed that the recommendations of the Policy Committee as outlined in the staff report was accurate or if there should be any modifications.

Mr. Basic inquired what factors elevated the discussion of Rural Lands to be a high priority.

Mr. Holt responded that this was a follow-up action item from a Board of Supervisors work session in June 2012.

Mr. Krapf noted that the County is in the process of applying for a grant which will involve a two-year study of potential economic uses within the Rural Lands District, so the discussion would tie in well should the grant be awarded.

Mr. Woods noted that the Policy Committee discussed in depth all of the items to be considered for ordinance amendments and in relation to other matters Rural Lands was determined to be a high priority.

Mr. Basic inquired if this was a continuation of a previous discussion as opposed to a new effort.

Mr. Holt noted that this was part of an ongoing discussion over several years. Staff had provided a comprehensive report to the Board of Supervisors last year which resulted in several action items for follow-up.

Mr. Woods noted that there was also considerable discussion regarding the value of the joint Planning Commission meetings and the public forums.

Mr. Woods requested that Mr. O'Connor update the Commissioners on the Policy Committee's conclusions.

Mr. O'Connor noted that there was a consensus that the Committee wanted to acknowledge the work of the three jurisdictions in the Coordinated Regional Comprehensive Planning Process. The Committee felt strongly that the information gathered during the process should be part of the continuing process to address common areas of interest, while maintaining individuality of each locality's comprehensive plan.

Mr. Woods requested that Mr. Holt discuss what the next steps would be related to the recommendations of the Policy Committee.

Mr. Holt noted that staff would develop the supporting materials to facilitate the discussion with the Board of Supervisors at the joint work session.

7. PLANNING DIRECTOR'S REPORT

Mr. Holt stated that he had nothing to add to the printed report that had been provided.

Mr. Drummond stated that he was impressed by the cooperation among the three localities during the Coordinated Regional Comprehensive Planning Process.

Mr. Woods noted that it was a good first step which needs to continue.

Mr. O'Connor inquired whether the Development Review Committee (DRC) has conducted the semi-annual parking review of New Town.

Mr. Holt noted that there had been some recent inquiries and would follow up on the schedule for the comprehensive review.

Mr. Basic noted that in 2012 the schedule had been followed regarding the periodic submittals; however, there had been no substantive change since the previous review. The developer had requested deferral on the submittal and the DRC agreed to the deferral.

Mr. O'Connor noted that he was interested in the impact of the recent development in Settlers Market on parking.

8. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Krapf inquired what the process would be for sharing agenda topics and materials among the Planning Commissioners and the Board of Supervisors for the joint work session.

Mr. Woods noted that the vision was that the communication would flow in both directions and that materials would be supplied in advance of the meeting to allow for adequate consideration.

Mr. Krapf inquired if it had been determined what block of time would be devoted to the discussion.

Mr. Holt noted that staff would confirm the details about the meeting and provide the information to the Commissioners. Mr. Holt further noted that an agenda packet would be provided well in advance of the meeting.

Mr. Woods inquired when the Commissioners could expect confirmation of the date and time.

Mr. Holt responded that the date and time should be confirmed within the week.

9. ADJOURNMENT

Mr. Maddocks moved to adjourn the meeting.

The meeting was adjourned at 7:46 p.m.


Al Woods, Chairman


Paul D. Holt, III, Secretary