

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE SEVENTH DAY OF OCTOBER TWO-THOUSAND AND FIFTEEN, 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:

Robin Bledsoe
Rich Krapf
Chris Basic
Tim O'Connor
George Drummond
John Wright, III
Heath Richardson

Staff Present:

Paul Holt, Planning Director
Roberta Sulouff, Planner
Maxwell Hlavin, Assistant County Attorney

Ms. Robin Bledsoe called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT

Ms. Bledsoe opened the public comment.

As no one wished to speak, Ms. Bledsoe closed the public comment.

3. CONSENT AGENDA

- A. **Minutes from the September 2, 2015 Regular Meeting**
- B. **C-0018-2015, New Town Shared Parking Update**
- C. **C-0067-2015, Lightfoot Marketplace-MP Consistency**
- D. **SP-0049-2015, The Promenade at John Tyler-MP Consistency**
- E. **MP-0001-2015, Greensprings Plantation Master Sign Plan Amendment**

Mr. Heath Richardson moved to approve the Consent Agenda.

The consent agenda was approved by voice vote, 7-0.

4. REPORTS OF THE COMMISSION

A. Policy Committee

Ms. Bledsoe stated that there was not a Policy Committee meeting last month.

5. PUBLIC HEARING

- A. **SUP-0003-2015, Colonial Heritage Deer Lake Estates Utility Extension**

Ms. Roberta Sulouff, Planner, provided an overview of the request to extend public water and sewer facilities to the previously approved 50-lot rural cluster to be known as Deer Lake Estates. Ms. Sulouff stated that the 725 acre property formally known as the Boy Scout property is located at 499 Jolly Pond Rd. The A-1 district of the Zoning Ordinance requires a Special Use Permit (SUP) for any extension of public utilities. Ms. Sulouff stated that as part of the 2035 Comprehensive Plan process, a land use application was submitted to change the land use designation and extend the PSA to incorporate Deer Lake Estates. The land use application was approved with the 2035 Comprehensive Plan adoption by the Boards of Supervisors. Ms. Sulouff stated that Section 19-59 of the Subdivision Ordinance states that major subdivisions within the PSA must connect to public water and sewer thus this extension of public utilities is necessary to bring the subdivision into conformance with the ordinance. Ms. Sulouff stated that staff finds the proposal to be compatible with the 2035 Comprehensive Plan, the Zoning Ordinance and surrounding development and recommends that the Planning Commission recommend approval to the Board of Supervisors subject to the conditions listed in the staff report.

Ms. Bledsoe opened the floor for questions from the Commission.

Mr. John Wright inquired whether this application was for only 50 lots.

Ms. Sulouff stated that is correct and any change to the number of lots would require amending the SUP through the legislative process.

Ms. Bledsoe asked about Section 5b-3 of the staff report for clarification on why the construction activity was limited to between 7:00am and 5:00pm.

Ms. Sulouff stated that the construction language is standard for work being done in residential areas where there are existing homes.

Ms. Bledsoe opened the public hearing.

Mr. Will Holt of Kaufman and Canoles stated that he represents the applicant. Mr. Holt provided a history of the property regarding the previously approved SUP application and the 2035 Comprehensive Plan process where the change in land use designation and PSA extension were approved. Mr. Will Holt stated that the configuration of the connection has been amended to provide better water flow for present and future James City Service Authority (JCSA) customers in Colonial heritage and Deer Lake Estates.

Ms. Bledsoe opened the floor for questions from the Commission.

Mr. Heath Richardson inquired when the perennial stream study would occur as stated in the conditions.

Mr. Will Holt stated that there had been a study when the first SUP was submitted which would fulfill the requirement.

Mr. Richardson inquired if the previous study would actually fulfill the requirement in the conditions.

Ms. Sulouff stated that it is possible that the previous study would fulfill the requirement, however, it would be evaluated during the administrative plan review stage.

Mr. Will Holt stated that the study would be updated and resubmitted at the Site Plan stage.

Mr. Wright inquired about the Deer Lake dam being under safety review and asked for additional information.

Mr. Will Holt stated that during the annual inspection of the dam some issues were discovered that are part of the normal maintenance of the dam.

Mr. Wright inquired about the oversight agency.

Mr. Will Holt stated that the Virginia Department of Conservation and Recreation was the reviewing agency.

Mr. Tim O'Connor stated that he felt condition No. 1 left wiggle room for a developer to come in and develop an additional 250 lots. Mr. O'Connor asked Mr. Max Hlavin if condition No. 1 caps the development at 50 lots.

Mr. Max Hlavin stated that it does cap the development at 50 lots.

Ms. Bledsoe stated that she did not have any additional questions.

Mr. Will Holt stated that the applicant would be open to revisiting the hours of operation condition with staff to remove that restriction as the noise ordinance already restricts the hours of construction.

Ms. Bledsoe asked Mr. Paul Holt to explain why this restriction was being put in place.

Mr. Paul Holt stated that this restriction is typically put in place because the utility lines run past residential homes that are occupied and the restriction on hours would be in place to mitigate the construction impacts on those existing residents. Mr. Paul Holt stated that this situation is a little different because the lots that the construction would be going through have not been platted. Mr. Paul Holt stated that the Commission could recommend a condition be taken out or amended if the Commission would like it changed.

Ms. Bledsoe inquired where the closest residents would be effected.

Mr. Will Holt stated that they are not shown on the map.

Ms. Bledsoe asked the Commission if there was a motion to change the conditions.

Mr. Basic stated that he is okay with keeping the condition.

Mr. O'Connor asked if there was one or two roads into the development.

Mr. Paul Holt stated that there is one road into the development as currently designed, the conditions state that there is a possibility for a second entrance but it must come through the Development Review Committee and Planning Commission for approval.

Ms. Bledsoe asked the Commissioners for any disclosures.

Mr. O'Connor stated that he works for First Service which manages the Colonial Heritage Home Owners Association but he does not oversee or derive benefit from that project so there is no conflict.

Ms. Bledsoe closed the public hearing and asked for any other discussion or a motion.

Mr. O'Connor moved to recommend approval of the application as submitted.

On a roll call vote, the Commission voted to recommend approval of SUP-0003-2015, Colonial Heritage Deer Lake Estates Utility Extension (7-0).

6. PLANNING DIRECTOR'S REPORT

Mr. Holt stated that there was nothing more to add other than what was submitted in the Planning Commission packet.

Ms. Bledsoe inquired about when the Planning Division would hear back about the transportation funding applications.

Mr. Holt stated that it would most likely be after the 1st of the year.

Ms. Bledsoe stated that she would like to recognize the Norge Depot Association and staff for Jamestown Rediscovery project because they were selected by the James City County Historical Commission as the winners of the 2015 Historical Preservation Award.

7. COMMISSION DISCUSSION AND REQUESTS

Ms. Bledsoe stated that she handed out a new Board of Supervisor coverage schedule for the rest of the year.

Mr. O'Connor stated that he wanted to bring up one item that was discussed at the last Development Review Committee meeting concerning the buffer between the Promenade and the neighboring residential neighborhood. Mr. O'Connor commended the applicant for their flexibility in creating a denser buffer area than was proposed previously to enhance the landscaping.

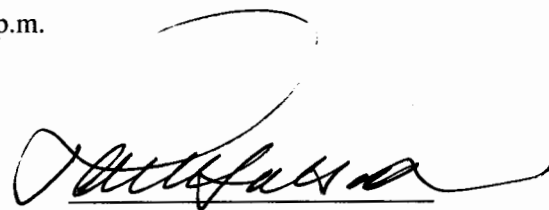
8. ADJOURNMENT

Ms. Bledsoe called for a motion to adjourn.

Mr. Wright moved to adjourn.

The meeting was adjourned at approximately 7:26 p.m.


Robin Bledsoe, Chairwoman


Paul D. Holt, III, Secretary