

MINUTES FOR THE WEEKLY MEETING OF THE STEERING COMMITTEE ON MONDAY,  
JANUARY 5, 2009 AT 4 PM IN THE COUNTY GOVERNMENT CENTER BOARD ROOM,  
BUILDING F.

**PARTICIPANTS:**

MEMBERS PRESENT:

Chris Henderson  
George Billups  
Bill Porter  
Mary Jones  
Vaughn Poller  
Ruth Larson  
Julie Leverenz  
Tom Tingle  
Jack Fraley  
Mark Wenger

NOT PRESENT:

Rich Krapf

STAFF PRESENT:

Tammy Rosario, Planning  
Jason Purse, Planning  
Ellen Cook, Planning  
Allen Murphy, Development Mgmt.  
Jose Ribeiro, Planning  
Kate Sipes, Planning  
Luke Vinciguerra, Planning  
David German, Planning  
Terry Costello, Planning

**I. CALL TO ORDER**

Mr. Jack Fraley called the meeting to order at 4:10 p.m. with Mr. Mark Wenger, Mr. Chris Henderson, and Mr. Rich Krapf absent. Mr. Henderson and Mr. Wenger arrived momentarily. Mr. Fraley welcomed Ms. Ruth Larson, the newest member of the Steering Committee.

**II. PUBLIC COMMENT**

There was no public comment.

**III. APPROVAL OF MINUTES**

Mr. Bill Porter motioned adoption of the December 15<sup>th</sup> minutes, with a second from Ms. Julie Leverenz. In a unanimous voice vote, the minutes were approved.

**IV. LAND USE APPLICATIONS – STAFF PRESENTATIONS**

Ms. Ellen Cook stated that the applications have been divided into five groups. Staff will make presentations in each category and then answer any questions that committee members may have. She mentioned the spreadsheet that members were given, and asked that they highlight the applications that they would like to discuss on January 20<sup>th</sup>.

Mr. Jason Purse gave staff presentations on the commercial and the mixed use/industrial considerations. He first discussed Case Nos. LU-0017-2008, LU-0026-2008, and LU-0027-2008. The applicant has requested a land use designation change from moderate density residential to community commercial. Staff does not believe that the community commercial designation is compatible with the single family homes adjacent to Ironbound Road. He stated staff does not recommend approval of this application.

The second application was LU-0023-2008, 7809 Croaker Road, where the applicants would like to change the designation from low density residential to neighborhood commercial. Mr. Purse stated

staff discourages adding additional commercial land in areas where there is vacant land suitable for such a use in the immediate vicinity. Staff does not recommend approval of this application.

The next application was LU-0037-2008, 7605 Croaker Road, where the applicants would like to change the designation from mixed use to community commercial. He stated the Comprehensive Plan recommends separation from other community commercial areas to retain the small town and rural character of the County. This parcel is immediately adjacent to another community commercial designation and is likely not large enough to develop an internal road network or maintain a sizable buffer with the Station at Norge Development. Staff does not recommend approval of this application.

Mr. Purse stated Case No. LU-0040-2008, 1322 Jamestown Road, was an application to change the designation from low density residential to community commercial. Staff believes that changing the designation to a more intense land use has the potential to increase the traffic on Jamestown Road, which is at or near capacity. Mr. Purse stated the parcel is zoned B-1 and there are options to choose from that do not require legislative action. Staff does not recommend approval of this application.

The next application, LU-0042-2008, 5925 Richmond Road, was an application to change the designation from low density residential to neighborhood commercial. He stated the parcel is narrow and in close proximity to other homes. He further stated that commercial activities and uses proposed by the applicant could be incompatible with neighboring residential uses. Staff does not recommend approval.

Mr. Purse stated Staff #8 application was concerning land on Treyburn Drive adjacent to High Street. He stated that the request is to change the designation from low density residential to neighborhood commercial. This land is currently undeveloped, and located adjacent to the High Street development. Staff would like to encourage small-scale commercial development to serve these markets as well as possible student activity from the old hospital site.

Ms. Larson asked if 7809 Croaker Road was near the Mirror Lakes Subdivision.

Mr. Purse stated that the Mirror Lakes was behind this parcel.

Mr. Fraley questioned the proposed property use that was mentioned for 1322 Jamestown Road.

Mr. Purse stated the applicant has proposed to use the property for an office development.

Mr. Fraley stated that the property is zoned B-1 and can develop it as such. He asked if there was a more intense use proposed with significant traffic, would the proposal trigger a commercial special use permit.

Mr. Purse stated it would. He stated the low density residential designation would provide staff greater ability to make a recommendation to continue low traffic generating uses.

Mr. Fraley stated he felt the owner was attempting to bring the land use designation in conformity with the current zoning.

Mr. Henderson asked why the designation is low density residential when the surrounding property is moderate density residential and commercial.

Mr. Purse answered that the designation would help transition into the lower density residential areas that are further down the road.

Ms. Larson asked about the traffic concerns on the Staff #8 application. She asked about any concerns with traffic on Treyburn Drive given the concerns mentioned with the previous case on Jamestown Road.

Mr. Purse answered the infrastructure and capacity is greater on Treyburn Drive given the improvements that the City of Williamsburg has done with the High Street development.

Mr. Tom Tingle asked Mr. Purse to go back through the applications again.

Mr. Fraley clarified suggested uses for neighborhood commercial designations.

Mr. Purse went through the commercial applications again.

Mr. Tingle stated that with the Ironbound Road commercial application, the neighbors behind this development may have concerns with commercial traffic. He said that there is a potential for access to the extension of the existing shopping center.

Ms. Mary Jones stated that traffic could be routed to Monticello Road.

Mr. Henderson stated that VDOT has designated the frontage on Monticello Road to the Old News Road intersection "limited access."

Mr. Fraley stated he would be agreeable to considering the land use change.

Ms. Jones stated that concerned comments were received by some residents in the surrounding areas.

Mr. Porter stated he felt it would be important at some point to have discussions concerning the Community Character Corridor and whether it should be applied in this location on Ironbound Road.

Mr. Fraley stated that it was interesting that for residential community character it is 150 feet, and for commercial it is an average of 50 feet.

Mr. Henderson wanted to point out that the extension of the mixed use designation could occur through the VDOT right of way, and that there is some precedent for mixed use in that area.

Ms. Rosario stated that there are several options that staff could explore in preparation for future meetings, whether mixed use might be appropriate or possibly neighborhood commercial.

Mr. Tingle mentioned that there would be one parcel left as moderate density residential if this requested were acted upon. He suggested caution in having spot land use designations.

Mr. Tingle asked if there were any commercial uses on the same side of the road as 7809 Croaker Road, Case No. LU-0023-2008.

Mr. Purse answered no.

Mr. Tingle asked how much of the parcel for Case No. LU-0037-2008, 7605 Croaker Road was developable.

Mr. Henderson answered that less than 50% of the site is developable.

Mr. Purse stated staff will have this information at the next meeting.

Mr. Tingle asked if this parcel shared an entrance with the Station at Norge off of Croaker Road.

Ms. Cook answered that when that development was approved, they provided for a potential shared entrance.

Mr. Fraley stated that with the developable area being small, there are questions about the suitability of the mixed use designation.

Mr. Purse discussed Staff #8 application which involves property on Treyburn Drive adjacent to High Street. This application was to change the designation to neighborhood commercial.

With regard to this application, Mr. Vaughn Poller stated the thinking would be to have some type of development that would encourage pedestrian traffic.

Mr. Purse stated that was correct.

Ms. Leverenz asked if there would be any consideration for affordable housing on this parcel.

Ms. Rosario stated that there is no specific affordable housing designation, although moderate density residential is often favored for that use. Staff was looking more for economic development opportunities.

Mr. Murphy stated he believed there would be further opportunities for moderate and middle income housing within Ironbound Square. He stated staff's recommendations were based on what is actually being developed in the City of Williamsburg next to the property.

Mr. Henderson asked if the owner had any objections to the change in land use designation.

Ms. Cook stated the City of Williamsburg is the owner, and that the land was available to be sold at some future point. She stated the City had made no comment as to staff's proposal, but staff can solicit additional input from the City.

Mr. Tingle stated this could be a test case for the regional comprehensive plan effort.

Mr. Murphy stated staff would envision something that would compliment what is currently being built in that area.

Mr. Tingle also requested information as to what would be the developable acreage of this property.

Mr. Henderson also asked for some consideration given to the adjacency of the new school of education which is now on the opposite corner on Monticello Avenue at Treyburn.

Mr. Purse gave presentations on the industrial/mixed use applications. He stated Case No. LU-0016-2008, 6925 Richmond Road, was a request to change the designation from low density residential to mixed use. Staff is recommending mixed use for the front part of the parcel that is currently zoned B-1, while leaving the low density residential designation for the rear of the property. Currently the rear of the property is zoned A-1, General Agricultural. The property owner has suggested commercial and office as possible redevelopment. Given the redevelopment potential of this parcel and the current B-1 zoning at the front of the property, staff believes that a mixed use designation would be beneficial.

Mr. Porter asked about the berm that separates this property from Colonial Heritage, and if it runs the entire length of the property.

Mr. Purse is not sure if it encompasses the entire length of the property.

Mr. Porter questioned the effectiveness of the berm given the commercial use that may be developed.

Mr. Purse answered that is one reason staff recommended leaving the rear of the property low density residential to act as a buffer between Colonial Heritage and any development on this property.

Mr. Tingle cautioned against splitting a parcel with two designations.

Mr. Purse stated there were additional reasons to split the designation. One reason was the traffic capacity along Richmond Road.

Mr. Porter stated one of the reasons for the request for the change to mixed use for the entire parcel was for the redevelopment of the shopping center. Redesignating the entire property to mixed use would make it more attractive for redevelopment, by having more of the acreage available for this use.

Ms. Jones stated it would provide more flexibility. She stated there are thresholds for traffic generation and everything would have to go through the approval process as far as change in redevelopment.

Mr. Henderson stated that caution needs to be taken when requiring buffers. He mentioned the case involving the Honda dealership where there was a buffer between the business and residential neighborhood, where it is not suitable for residential, but a logical opportunity to expand, but then there are objections from the residents.

Mr. George Billups expressed his concerns that since there are foreseeable problems, are there suggestions for corrective actions. He asked what could be done to correct the process. He gave the example that instead of discouraging a more intense use because of traffic issues, the County could focus on what could be done to alleviate these concerns in order to have the more intense use.

Mr. Purse reminded the committee that they are making recommendations for what applications will be part of the traffic modeling.

Mr. Fraley would be agreeable to giving this application more consideration due to an increase of economic potential. With a vision, he felt that a creative mixed use development could be incorporated on this site.

Mr. Purse stated the Staff #11 application seeks to change the designation of adjacent properties along Richmond Road from low density residential to mixed use. The zoning for the parcels with this application are B-1. Staff believes this designation would assist in encouraging economic development while having a buffer between commercial uses in Lightfoot and Norge.

Ms. Jones stated that a mixed use designation does allow for some tailoring in some of these areas.

Mr. Tingle asked if the landowners had any comments about the proposed change.

Mr. Purse stated no comments have been received.

The next application discussed was Case No. LU-0021-2008, which is the property known as Hill Pleasant Farm. Mr. Purse stated that the application also includes some parcels along Peach Street. All of the parcels are zoned A-1, General Agriculture. This application seeks to change the land use designation from rural lands to mixed use, and also seeks to include all of the parcels in the Primary Service Area (PSA). Staff does not recommend approval of this application. However, staff does recommend including the Mooretown Road extension and the possible land use scenario in the traffic model to provide information in anticipation of future discussions at the County and regional level. Staff also recommends including a transit station symbol in this area. Mr. Purse also stated staff recommends evaluating these properties leading to the regional comprehensive effort starting in 2010. Staff also supports this area as part of the micro-planning for the Pottery and Croaker interchange area. Mr. Purse stated staff felt that any development of this property should happen either concurrent with or after construction of the necessary infrastructure to support development.

Ms. Larson asked where the entrance would be if this application was approved.

Mr. Purse answered that it would be Mooretown Road extended through the property. It was also recommended to have a transit stop in the area.

Mr. Porter stated it seemed that the regional land use issues on this are critical, in relation to the extension of Mooretown Road. He stated there are major issues when discussions involve crossing the railroad tracks in that area. He felt it was important from an economic standpoint as to what it done in this area.

Mr. Purse stated as part of York County's Comprehensive Plan, the extension of Mooretown Road is discussed, and it is noted that it should be paid for by the developer and not with York County's secondary road funds.

Mr. Tingle asked why would not it be beneficial to have the parcels as mixed use and write in the language as to what is desired in this area.

Mr. Purse stated staff is anticipating much work to be done in this area in the next few years, leading to a regional discussion. He stated that Emergency Services and Williamsburg Area Transport Authority (WATA) also had concerns with development in this area.

Ms. Rosario stated that experience has shown in the past that once something is redesignated, it is very difficult to go back. If the parcels are redesignated as mixed use now, and if the infrastructure is not built, it would be difficult to change back to rural lands.

Mr. Fraley stated there are concerns with getting proposals for this area before the infrastructure is in place to support it.

Ms. Leverenz asked if there was precedent to write a mixed use designation in such a way that a developer would need to supply the necessary infrastructure to make it a viable site.

Mr. Fraley stated he would not be in favor of dealing with this in a piecemeal manner.

Mr. Tingle stated this is an opportunity to do some regional master planning in this area. He had concerns that if it remains as is, it might discourage a developer from proposing anything there. He felt there are opportunities in this area of the County for some creative master planning.

Ms. Leverenz suggested having this as an action item in the goals, strategies, and actions land use section of the Comprehensive Plan.

Mr. Fraley stated there is additional property that could be added to this mix.

Mr. Porter asked if there was a reason why the extension of Mooretown Road is not shown.

Mr. Purse stated that is one of staff's recommendations to include it in the traffic modeling.

Ms. Rosario stated that past land use maps have shown the Route 199 extension and the Monticello Avenue extension.

Mr. Porter asked at what point this would be done. He felt the land owners should be aware of this being done.

Mr. Purse stated it would be included in the traffic model after feedback is received.

Mr. Henderson felt the County has an opportunity to fundamentally change the dynamics in the Lightfoot corridor and generate some economic activity.

Mr. Poller asked in consideration of changing these parcels, what will change in the next five years for Emergency Services and WATA to be able to service this area?

Ms. Rosario stated that discussions will begin in 2010 with the regional effort but will continue beyond that. It was the hope that in the interim there would be some master planning completed to identify the potential impacts in that area and the services and utilities needed to support the development.

Mr. Fraley suggested not waiting for regional meetings to start the discussions.

Ms. Leverenz stated she is in favor of staff's proposal of waiting for the regional discussions.

Mr. Henderson stated the land to the south is designated as economic opportunity in York County's Comprehensive Plan. He made the point that proposals would be of an economic nature as encouraged on the adjoining property.

Mr. Porter expressed his concerns that York County might end up with the commercial development while the County might have the residential development.

Mr. Tingle made the point that the mixed use designation allows staff to write in what kind of transportation improvements will be needed. He stated that there may be an opportunity now that may not be present years down the road.

Ms. Jones asked staff to provide information as to the land use designations in York County that surround these parcels.

Mr. Purse stated they would present this information on January 20<sup>th</sup> when this case will be discussed further.

Mr. Purse then discussed Case No. LU-0022-2008, 8491 Richmond Road. He stated the majority of the parcel is zoned A-1, General Agriculture, with the front part of the parcel zoned B-1, General Business. He stated the majority of the parcel is outside the PSA. Mr. Purse stated the area zoned B-1 is designated for mixed use, the remainder of the portion inside the PSA is designated low density residential, with the remainder of the property designated rural lands. The applicant has requested one designation, mixed use with an adjustment to the PSA. Staff does not recommend any changes proposed by the applicant.

He stated Case No. LU-0024-2008, 4052 Cokes Lane is zoned A-1, General Agriculture. The current land use designation is low density residential, and the proposed changes are to mixed use. Adjacent properties are designated as mixed use, and staff believes that adding this parcel to the same designation would help compliment the overall development.

Mr. Porter asked why the other parcel on Cokes Lane was not included.

Mr. Purse stated the owner did not request to be included.

Ms. Leverenz asked about including that parcel and suggested contacting the property owner.

Mr. Purse stated the next application is behind the Candle Factory on Richmond Road, Case No. LU-0038-2008. Currently the land designations are mixed use, limited industry and low density residential. The applicant has proposed to change all designations to mixed use. Staff is recommending a change to the limited industry area and mixed use area to low density residential. Part of the parcel is zoned M-1, Limited Business Industrial, with the remainder of the property zoned A-1, General Agriculture. Instead of the mixed use change requested by the applicant, staff is recommending redesignating the areas behind the mixed use area to low density residential. Staff believes that a low density residential designation better suits the area and lower traffic generating uses will help alleviate traffic at the Croaker Road / Richmond Road intersection.

Mr. Tingle stated he will be abstaining from any discussion on this case since his firm is a consultant on this project.

The next case was Staff #12 application which is an extension of Case No. LU-0038-2008. This refers to the 30 acres along Richmond Road including the Crosswalk Church which is zoned M-1, Limited Business Industrial, and MU, Mixed Use. The land designation is currently limited industry and mixed use. Staff recommends changing the entire frontage along Richmond Road to mixed use and adding specific language to the Comprehensive Plan.

In reference to Staff #4 application, Ms. Rosario stated that in light of the ongoing Shaping our Shores Master Plan staff has not submitted this for consideration at this time. It is anticipated that the Jamestown Marina will be designated entirely as mixed use but specific language will be needed.

Ms Rosario explained that the County has under consideration master planning efforts for Chickahominy Riverfront Park, Jamestown Campground property and the Jamestown Marina property.

Staff #6 application is Ironbound Road parcels that are currently M-1, Limited Business Industrial, and currently designated limited industry on the Comprehensive Plan. Staff is proposing that these parcels be changed to mixed use since they are adjacent to the New Town Development.

Mr. Tingle asked if there was a reason that all of the property was not included in this application.

Mr. Purse stated the remaining properties are either County or VDOT owned land.

Staff #9 application is concerning the Toano moderate density residential area. Eight properties are included in this application and portions of two others. The zoning is A-1, General Agriculture and B-1, General Business. All of the properties are designated moderate density residential. Staff has proposed to change the designation to mixed use. This change would incorporate the language from the approved Toano Community Character Area Study Design Guidelines.

Staff #10 application concerns property that is referred to as the Hazelwood Holdings and has a split zoning of B-1, General Business and A-1, General Agriculture. The current land designations are also split, in a different manner, into mixed use and rural lands. Staff is recommending an adjustment in the PSA line, and proposes changes to the mixed use and rural lands designations, which would align them with the zoning of the property.

Mr. Fraley asked what the net acreage would be adding and/or removing from the PSA.

Mr. Purse stated staff will bring that information back next week.

Mr. Tingle asked what the character of the property that is being proposed to be changed from mixed use to rural lands is.

Mr. Ribeiro believes most of the property is wooded.

Mr. Fraley suggested contacting the owner of the adjacent property to include it in the application.

Mr. Tingle asked if the land was relatively flat.

Mr. Ribeiro stated he would get the information and bring it back to the committee.

Ms. Jones stated this information would be useful since it has been suggested to change the PSA line.

Mr. Billups asked what is there to gain by changing the PSA line.

Mr. Ribeiro answered that staff is recognizing the economic development potential in this area. The two parcels are already zoned B-1, General Business, and with the extension of the mixed use designation, it would encourage economic development.

Mr. Tingle would like more information on the property that is being proposed to be removed and added to the PSA.

Mr. Henderson stated he felt that by downzoning the Barnes Road frontage, there is economic potential to be lost.

Mr. Wenger expressed his concerns about adjustments to the PSA. He stated there is an industrial park in the area that still has potential for development, as well as the Stonehouse area.

Mr. Fraley asked if any property owners wanted to speak given the shortage on time.

Mr. Robert M. Hazelwood Jr. of Old Stage Road spoke concerning the application known as Hazelwood Holdings. He believes this is the only interchange property to have two quadrants. He does not understand why part of it is being proposed to be removed from the PSA. He feels that all of these properties need to be included in the PSA.

Mr. Wayne Moyer, of 268 Peach Street, stated his property was not included in the application concerning Hill Pleasant Farm, Case No. LU-0021-2008. He was not approached or consulted concerning this proposal. If any access was proposed it would have to cut across his property. Mr. Moyer believes that the property can be developed with access from Rochambeau Road. He believes part of the property is appropriate for development. He believes further planning is needed.

Ms. Betty Jo Terrell, of James Square, spoke as a member of its Board of Directors. She spoke concerning the drainage problems and how adding more intensity to the Jamestown Road property (LU-0040-2008) would be detrimental to their property. She showed pictures of what occurs when storms come through the area. Ms. Terrell stated James Square is trying to maintain the structures there.

Ms. Jones asked for Ms. Terrell's contact information to follow up concerning stormwater management.

Ms. Terrell left pictures of what was displayed.

Ms. Boyles, of 11 James Square, also expressed her concerns about the application concerning 1322 Jamestown Road. She also mentioned the problems with flooding and drainage. Some of the small businesses in that area have been very conscious of the fact that they are adjacent to a residential neighborhood. She is not so sure that if any large businesses are allowed in the future, this will be the case. Ms. Boyles asked about the land use designations.

Mr. Fraley suggested she contact staff and they can give her information concerning the different land use designations. He also mentioned that citizens can make comments once a case is presented to the Planning Commission.

Ms. Cook stated she would be more than willing to discuss with Ms. Boyles about the Comprehensive Plan.

Ms. Boyles asked about the traffic concerns stated about Jamestown Road. She stated her concerns about what exists now on Jamestown Road.

Ms. Thelma Jackson, of 5928 Richmond Road, spoke concerning application LU-0042-2008, 5925 Richmond Road. She expressed her concerns about the owner having a woodcutting business on this property. She expressed her concerns about the surrounding property being zoned residential. Ms. Jackson believes this business is operating illegally and not in conformity with the surrounding area. She requested that the application be denied.

Mr. Fraley asked Mr. Murphy concerning the claim that the business is operating illegally.

## **V. OTHER ITEMS**

Ms. Rosario stated that the schedule has been adjusted to allow for some evening meetings. She asked if anyone has any questions or problems to contact her. She also asked committee members to notify her of any particular land use cases that they would like to see presented next week, since staff did not have enough time to present all the cases.

Mr. Henderson suggested starting the meeting earlier next week.

Ms. Rosario stated due to advertising issues, it would preferable to keep the start time to 4:00 p.m.

## **VI. PUBLIC COMMENT**

There was no public comment.

## **VII. ADJOURNMENT**

Mr. Henderson made a motion to adjourn, with a second from Mr. Billups.

There being no objections, the meeting was adjourned at 6:15 p.m.

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Mr. Jack Fraley, Chair