

MINUTES FOR THE WEEKLY MEETING OF THE STEERING COMMITTEE ON THURSDAY,  
JUNE 4<sup>th</sup>, 2009 AT 3 PM IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, BUILDING  
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**PARTICIPANTS:**

MEMBERS PRESENT:

Rich Krapf  
Mark Wenger  
Bill Porter  
Chris Henderson  
Tom Tingle  
Ruth Larson  
Mary Jones  
Jack Fraley

NOT PRESENT:

Julie Leverenz  
George Billups  
Vaughn Poller

STAFF PRESENT:

Tammy Rosario, Planning  
Allen Murphy, Planning  
John McDonald, FMS  
Dave German, Planning  
Jason Purse, Planning  
Ellen Cook, Planning  
Brian Elmore, Planning  
Leanne Reidenbach, Planning

**I. CALL TO ORDER**

Mr. Jack Fraley called the meeting to order at 3:10 p.m.

**II. PUBLIC COMMENTS**

Ms. Betty Jo Terrel, 32 James Square, asked about Jamestown Road's status in the upcoming Comprehensive Plan.

Ms. Tammy Rosario stated that staff recommended keeping Jamestown Road as a Community Character Corridor (CCC). She said the Steering Committee had considered traffic and viewshed issues during the Land Use application process.

Mr. Fraley stated that Jamestown Road would be examined during the upcoming Steering Committee traffic study meeting. He said there were action items in the Comprehensive Plan further defining CCC's as rural, suburban, and wooded sections.

**III. MINUTES**

Mr. Fraley stated action on the minutes would be deferred until the next Committee meeting.

**IV. STEERING COMMITTEE CONSIDERATION**

**A. Public Facilities – Technical Report, GSAs, and Final Text**

Mr. David German stated that at the direction given by the Steering Committee at its March 9th meeting, staff further reviewed the Public Facilities Master Plan (PFMP) concept with Financial Manager John McDonald to determine the PFMP's applicability to the County. As a result of this effort, it had been determined that the current capital planning system is sufficient for public facilities, although some areas could use improvement. Areas to improve include greater transparency in the Capital

Improvements Program (CIP), increased interagency coordination to eliminate duplication and to share funding, and better CIP application review guidelines.

Mr. Chris Henderson stated that the objectives of the Policy Committee were being adequately incorporated into new guidelines for managing the CIP process, and that great progress at improving the CIP process was being made.

Mr. German stated the Public Facilities Technical Report was updated to include the most up-to-date capital planning procedures. He said Appendix 8 had been added to the report to include the discussion and research related to the Chesterfield County Public Facilities Master Plan that had previously been a part of the Technical Report. Actions 1.1.5.e and 1.1.6 had been edited or removed from the Public Facilities Goals, Strategies, and Actions section. He said efforts to improve the CIP process are ongoing, such as making CIP-related documents available on the County website. Finally, Action 1.4.6, which set an aesthetic standard for County-built buildings, was introduced to the Steering Committee.

Mr. Fraley asked what the County was attempting to promote through the new architectural guideline action.

Mr. German stated that the action included flexible language to allow design standards to match local surroundings.

Mr. Fraley stated the language “support quality design and appearance” should replace “wishes to promote.”

Mr. Tom Tingle stated that any language regarding design guidelines would be subjective. He said language related to “contextual design” could be added to address local design variants.

Mr. Mark Wenger stated the word “the” should be dropped from Action 1.4.6.

Mr. Henderson asked if there should be a role for the Development Review Committee (DRC) to play in reviewing architectural plans for the County and whether the Committee should consider adding an action item that County facilities should be subject to DRC review.

Mr. Rich Krapf agreed with Mr. Fraley that the suggestion would warrant further discussion at another time, and thought that there would be some projects that would be inappropriate for DRC review. He said further discussion on how to implement the action item would be required, although the DRC has set a precedent for asking for designs consistent with those already typical of specific geographical areas.

Mr. German then discussed new language for the Public Facilities section related to water conservation, reclamation, and reuse. This new language came about in response to a petition from the James City County Concerned Citizens’ (J4Cs). Technical report text and action items based on the J4Cs’ recommendations were offered for the Committee’s consideration.

Mr. Bill Porter commented that the State owns water supplies and decides when to make those supplies available. He said that the language adopted should support state water policy, and that the state should be pushed to identify water sources that can be used by local governments.

Mr. Henderson asked if the water contract established with Newport News would be considered concurrent. He said he did not want future developments held hostage due to concurrency disputes over contracted water supplies.

Mr. Porter stated that the proposed language is silent on the State's primary role, and gives the appearance that the Board of Supervisors has additional powers that it does not actually have.

Ms. Rosario stated that water availability concurrency issues were already discussed under the Land Use section of the Comprehensive Plan.

Mr. Fraley stated that supporting legislation regarding water sources should be handled by the Board legislatively.

Ms. Mary Jones stated that while water conservation, particularly in the summer, should be investigated by the Committee, any actions relating to water supply should be handled by the Board.

Mr. Krapf asked if it would be appropriate to include language discussing joint strategies with the State Water Control Board to identify usable water sources.

Mr. Porter stated the County was subject to regional planning and the state's control over the water supply. He said he would not be comfortable including the water supply action items.

Mr. Tingle stated that while water concurrency language sounded good, available water supply is not an exact science. He referenced the King William and Ware Creek reservoir projects. He supported conservation language but said the Committee could not answer supply issues.

Mr. Henderson stated that areas outside of the Primary Service Area (PSA) are largely self-policing. The Summerplace development has projected that its well will produce more than the needed capacity. He said supply questions only apply within the PSA.

Mr. Fraley stated the water supply language should be stricken from the final text and the GSAs.

Mr. German stated there were several water conservation action items that JCSA already participates in, including conservation education and tiered water rates.

Mr. Henderson stated that he could not support rebate programs. He said paying rebates subsidizes water use by other rate payers. Several Committee members explained that the rebates were not for reduced water use, but were offered, instead, for specific home or site improvements (such as the installation of rain barrels or low-flow fixtures) that promoted conservation.

Mr. Fraley stated that shallow wells should be allowed outside of the PSA for irrigation purposes.

Mr. Henderson stated that in areas such as those near Yarmouth Creek, where water is suitable for irrigation but not human consumption, shallow wells should be allowed.

Mr. Fraley commented that stress on the deep aquifers needs to be lessened.

Mr. Porter stated that shallow wells, both inside or outside the PSA, should be allowed.

Mr. Fraley stated he believed shallow wells were regulated. He asked Mr. German to research the issue. He asked if the Committee would support requiring or strongly requesting drip irrigation systems in a water conservation action item. He said some developers were including those systems in their covenants and restrictions.

Mr. Tingle stated that the County now offers rebates for irrigation system rain sensors.

Ms. Jones stated that she would be comfortable with the language "encourage drip irrigation," which the Board of Directors and Policy Committee could further review.

Mr. German stated that Action 1.3.8 to support alternative water supply and conservation measures could include language on drip irrigation. He said the action includes capture and use of storm water, gray water, and reclamation of waste water. The language “support” would mean that the County could employ these tools when possible. There are issues involving water reclamation, including the levels to which various types of wastewater must be cleaned. There must be flexibility in the language due to regulatory and cost issues. He said that gray water treatment plants represent a tremendous initial financial investment. Treatment plants can clean water to varying degrees, depending on the desired level of reuse.

Mr. German stated that Action 1.3.9 discusses water reclamation and reuse in partnership with other jurisdictions, when possible.

Mr. Porter stated that the Hampton Roads Sanitation District (HRSD) should be mentioned specifically in the action item.

Mr. Fraley stated that the Public Facility actions had not mentioned a water master plan. He said that the JCSA Water and Sewer Master Plan was last updated in 1997.

Mr. Tingle stated the JCSA has a Strategic Plan that is used in lieu of an updated master plan.

Mr. Krapf stated that JCSA used outside consultants for the 1997 plan, but has since switched to having staff produce its strategic planning in-house.

Mr. Fraley questioned whether an updated strategic plan would address issues such as water procurement and distribution.

Mr. Krapf stated that JCSA strategic planning is broader-based than just water supply and distribution.

Mr. German stated that JCSA strategic planning also includes rehabilitation of lines, new facilities as needed, and wastewater system improvements.

Ms. Rosario stated that JCSA strategic planning is updated continually, rather than taking the form of a point-in-time document.

Mr. German stated one action item was being deleted. He said that placing the new actions based on the materials from the J4C’s created a redundancy in the Environmental Section. Thus, Environmental Action 1.2.9, dealing with water conservation, is being deleted.

Mr. German stated that the list and maps of public facilities in the Final Text had been updated, as well as statistical references, the latest citizen commentary, and the Facility and Service Guidelines. Finally, a new section introducing broadband communications, and a spotlight on sustainability was added to the Final Text.

Ms. Rosario stated Staff would clear up all number consistency issues in the GSAs.

Mr. Fraley stated he wanted the word “ensure” removed from Action 1.3.1 and replaced with “expect.”

Ms. Jones stated that the wording should read “development should occur concurrently.” She said “when feasible” should be removed and replaced with the word “encourage.”

Mr. Fraley stated that Action 1.4.3 should be accompanied by a low-impact development (LID) check-list in the future. He said infiltration practices require the correct soil type, but other low-impact

techniques can be used, such as retention areas, swales, porous pavement, setbacks, vegetation preservation, and reductions in impervious cover. Although there are times when LID cannot be used, there are many other LID tools available.

Mr. Tingle stated the wording “when feasible” should be removed from Action Item 1.4.3.

Ms. Jones stated LID options may be more limited during building renovations.

Mr. Fraley stated the town of Wilson, North Carolina, was laying broadband cables with funds from a voter-approved bond. He said he hopes to see County-wide Internet access, with universal WiFi access in more populous areas.

Mr. Tingle stated that the School Facilities and Service Guidelines create a conflict by encouraging growth inside the PSA but also setting minimum school site acreages. He said large parcels required by these minimum acreages are unlikely to be found inside the PSA, which pushes new schools into areas like those found along Jolly Pond and Brick Bat Roads outside of the PSA. The desire to collocate recreation facilities is also increasing the minimum size of school parcels.

Ms. Jones stated that suburban school sites incorporate the recreational facilities that cannot be placed at urban sites due to size limitations.

Mr. Tingle stated there are no guidelines for school planners in the urban school site language. He said there should be more flexibility for suburban site selection. If school sites are outside the PSA, they will be surrounded by low density development. He said urban schools with recreational facilities can be done, but doesn't think that the current language supports them. He felt that either the collocation of recreational facilities or the desire to be able to accommodate high student populations at each facility was driving acreages.

Ms. Ruth Larson stated that the State requires a minimum student/building square-footage ratio, but does not regulate total parcel size.

Mr. Porter stated that stormwater issues created by larger parking lots on the joint Schools-Parks sites threaten sustainability.

Mr. Wenger stated that while collocated recreational facilities were driving larger sites, high school sports were a more important factor in site size. He suggested dropping school acreage from the Comprehensive Plan, instead focusing on sustainability and maximizing space.

Mr. Porter stated that the Thomas Nelson Historic Triangle Campus was well below the State's guidelines of 100-acre lots for schools.

Ms. Larson stated that Schools pairing with Parks and Recreation gives citizens greater involvement in the school system.

Mr. Henderson stated that the language moves away from Matthew Whaley-style schools, when those types of sites would be the most logical for development. He said the basis for the move is trying to provide equal facilities at each school. School sites inside the PSA have to be optimized. School sites outside of the PSA require additional busing.

Mr. Tingle stated schools outside of developed areas would work in communities that were pro-growth. He said that no matter their location, school facilities would require public water and sewer service.

Ms. Jones stated she wanted additional feedback from Staff and other School Board members on the issue.

Mr. Fraley asked Staff to further review school site requirements and recommendations from the State and School Board.

Mr. Krapf stated that language should be added requiring schools to review infill development before looking for sites outside of the PSA.

Mr. Wenger asked if the Library Facilities and Service Guidelines were specifying that all libraries were to be within 'fifteen minutes drive-time.' He said that this standard implies additional driving, while ignoring greenways.

Mr. Henderson stated that it should be a goal that public facilities are served by mass transit.

Mr. German stated that while library drive-time standards were in the last Comprehensive Plan, they have been updated, and offered to add an action related to transit stops at new public facilities, which was agreed to by the Committee.

Mr. German stated that the Bruton Volunteer Fire Station was included in the five County fire stations, in response to an inquiry from Mr. Porter.

Mr. Porter stated the Virginia Peninsula Regional Jail and the Court Support Services should be listed as regionally-operated public facilities, and that the Heritage Human Society should be listed as a public-private partnership. He added that there are public facilities, such as the reverse osmosis plant, that do not require mass transit. The action regarding public transit should be related to only those facilities that are routinely used by the public.

Mr. Henderson added that including the transit requirements for public facilities allows new facilities to be more easily connected to public transportation networks.

Mr. Fraley moved for adoption of the Public Facilities Technical Report and Final Text with the changes recommended by the Steering Committee, with a second from Mr. Porter.

In a unanimous voice vote, the amended Public Facilities Technical Report and Final Text was adopted (8-0; Yes: Porter, Larson, Tingle, Wenger, Fraley, Jones, Henderson, Krapf; Absent: Leverenz, Poller, Billups).

## **B. Land Use Map**

Ms. Leanne Reidenbach stated the Land Use Map reflects changes made by the Steering Committee's voting. Revisions to Community Character Corridors and Community Character Areas are also shown. Proposed road extensions and realignments are displayed. The final map will have Land Use descriptions, as approved in the Land Use section, on the back, Mixed Use areas will be numbered, and there will be a series of notes at the bottom of the map.

Mr. Porter stated the Mooretown Road extension should be displayed further south, to show it avoiding wetlands areas.

Ms. Rosario stated staff had spoken with the County Attorney's office and the Virginia Department of Transportation (VDOT) regarding the Land Use Map. She said the County Attorney's office explained approximate locations of road improvements should be displayed. Arrows would not be adequate to display the proposed route. Proposed routes shown should be the best route known, with the

final sites determined by location studies. The Land Use Map could note that additional studies will occur before final placement.

Ms. Reidenbach stated the Mooretown corridor drawing originated as an approximate alternative identified in the Hill Pleasant Farm land use application. Text was included that the corridor route was preliminary and the final route would be based on environmental analysis, locational studies, evaluation by VDOT, and assessment of property owners.

Mr. Fraley asked why staff had used the application's route when that did not end up being the approved area for the Economic Opportunity (EO) designation. He said Mr. Moyer was opposed to the extension going through his property and was not included in the EO designation.

Mr. Krapf stated the road could be shifted further from the conservation area. He said he is comfortable with the map's lower level of detail than the EO map and the latitude given to any extension placement.

Mr. Tingle suggested shifting the north end of the alignment to the Croaker/Rochambeau interchange.

Mr. Henderson stated the CSX railroad line should be more clearly highlighted on the map. He asked for more color contrast between Rural Lands and Park, Public, or Semi-Public Open Space.

Mr. Wenger stated he was concerned that the public would read the map and believe the Mooretown Road alignment was the exact future locations and would not read the note. He said if arrows cannot be used, he would prefer that references to the Mooretown extension be removed.

The Committee agreed to retain the proposed Mooretown Road extension on the map as shown but moving the alignment to terminate at the Croaker/Rochambeau intersection and be drawn to avoid the conservation area as much as possible.

Mr. Tingle noted that a portion of the EO designation overlapped in the Norge Community Character Area (CCA) and asked whether this should remain or whether the CSX tracks should become the western boundary for the Norge CCA.

Ms. Rosario stated Community Character Area boundaries for Norge, Toano, New Town, and Jamestown-Greensprings did not change from those on the 2003 Plan.

Ms. Jones stated there was sufficient language in the EO description to protect the Norge Community Character Area.

Mr. Tingle stated the Community Character Areas are very general, with a circle almost arbitrarily drawn around them. He asked if the CCA lines were specific boundaries or intended to show the general area.

Ms. Rosario stated the CCAs were somewhere between specific and general boundaries. She said that since they are mainly applied for legislative cases, staff and the Board of Supervisors decide on a case-by-case basis whether a specific property was logical to include within the CCA boundary.

Mr. Tingle stated that the EO areas are obscured from Richmond Road by the railroad tracks. He questioned whether Richmond Road should be held to the same community character standards as the EO area.

Mr. Allen Murphy stated if the Steering Committee decides it is in the community's interest to not restrict EO within the Community Character Area, then an adjustment should be made to that

designation. He said staff can judge which parcels are borderline between the two designations, but the Board will ultimately decide inclusion. CCAs are not a specific line referred to in the Zoning Ordinance.

Ms. Rosario stated staff would look carefully at portions of existing neighborhoods located within a CCA and what standards were appropriate there compared to other parcels more clearly within the CCA.

Mr. Fraley stated some citizens would pay close attention to the exact drawing of the CCA lines.

Ms. Rosario stated the New Town Community Character Area was drawn very similar on the 2003 Comprehensive Plan map.

Ms. Reidenbach stated the Five Forks Community Character Area was the only one altered as it was new and that the boundary was based on the area used in the Five Forks Area Study.

Ms. Jones requested that the entirety of Clara Byrd Baker Elementary School be included within the Five Forks CCA boundary.

Mr. Murphy stated sometimes Community Character Area lines are drawn larger than the actual areas to mitigate potential impacts to the protected parcels, such as viewshed considerations. He said the decision to include larger areas should be agreed upon deliberately by the Steering Committee, Planning Commission, and the Board.

Mr. Fraley requested that staff reexamine the existing Community Character Area boundaries to determine if any modifications need to be made and change the Land Use Map appropriately.

Mr. Wenger noted that Carter's Grove was no longer open to the public and had been sold for use as a private residence. He suggested the current designation be changed.

Ms. Reidenbach stated Carter's Grove was protected under open space easements held by the Virginia Outdoors Fund and is specified that it be open to the public one day a year and be retained as open space so the Park, Public, Semi Public Open Space designation was still deemed appropriate by staff.

Mr. Murphy stated that designating Carter's Grove as Low Density Residential could mislead the public to believe significantly more development could occur on the parcel, but since it is already under what staff believes is a permanent easement for conservation the development would not be possible.

Mr. Fraley asked staff to provide a footnote regarding the private residential nature of Carter's Grove on the Land Use Map.

Mr. Henderson stated that the Land Use Map also included the latest projected alignment of relocated Route 60 in Grove. He said the Steering Committee had barely discussed the Route 60/Route 143 interconnector road.

Ms. Rosario noted that this alignment and the Skiffes Creek Connector were both discussed in the Transportation Technical Report.

Ms. Reidenbach stated that since 2003, VDOT has proposed a newer alignment of the Route 60 relocation, leading to the revision on the draft 2009 map.

Mr. Henderson asked staff re-verify the alignment and connector and noted that he would be interested in seeing the supporting documentation for the proposed alignment.

Mr. Krapf stated the Steering Committee had decided to include the Mooretown extension as an incentive to potential EO developers. He said proposed road improvements should be marked as 'proposed extensions' in the key on the Land Use Map.

Mr. Tingle stated that by including the proposed roads on the Land Use Map, it gave County officials a better bargaining posture with York County or other developers on road construction and funding. He said York County would have to be included in any road improvements.

Mr. Fraley moved for adoption of the Land Use Map as amended, with a second from Mr. Porter.

In a unanimous voice vote, the Land Use Map as amended was adopted (8-0; Yes: Porter, Larson, Tingle, Wenger, Fraley, Jones, Henderson, Krapf; Absent: Leverenz, Poller, Billups).

### **C. Appendices**

Mr. Jose Ribeiro stated that the texts for Roadway Classification System and Planning History in James City County were updated since the adoption of the 2003 Comprehensive Plan. He said the Roadway Classification System Appendix would be reviewed concurrently with the discussion on transportation at the next Steering Committee meeting.

Mr. Fraley asked to include the date of PSA adoption in the Planning History.

Mr. Ribeiro stated 30 new terms were added to the glossary since the 2003 Comprehensive Plan. He said 26 existing definitions were revised and 7 were removed.

Mr. Fraley asked for workforce housing, high speed rail, and action to be added to the glossary.

Mr. Porter stated the language for affordable housing should read "at an affordable price." He said the \$50,000 project minimum for the Capital Improvements Program (CIP) should be included in its definition.

Mr. Ribeiro stated he would review the wording "production" versus "producing" under the agribusiness definition.

Mr. Tingle stated the term "neo-traditional" should be shortened.

Mr. Henderson stated the term land use designation should be added to the glossary.

Mr. Krapf stated under the Green Building definition, "LEED-ND" should be changed to 'LEED for new development.'

Mr. Fraley stated Low-Impact Development (LID), broadband, and wireless communications should be added to the Glossary.

Ms. Jones stated words that were otherwise defined in the Comprehensive Plan should be stricken from the glossary. She said mixed use (and therefore, land use designation), industry, goal, strategy, action, applicant, and amenities should be stricken. She said Crime Prevention Through Design (CPTED) was identified in the Comprehensive Plan itself.

Mr. Fraley moved for adoption of the glossary as amended, with a second from Mr. Porter.

In a unanimous voice vote, the glossary as amended was adopted (8-0; Yes: Porter, Larson, Tingle, Wenger, Fraley, Jones, Henderson, Krapf; Absent: Leverenz, Poller, Billups).

**V. PUBLIC COMMENT**

Mr. Fraley opened the public comment period.

There being none, Mr. Fraley closed the public comment period.

**VI. OTHER ITEMS**

Mr. Fraley stated the Jamestown Road zoning would need to be changed to avoid future four-lane expansion.

**VII. AJOURNMENT**

Mr. Henderson moved for adjournment, with a second from Mr. Krapf.

The meeting was adjourned at 5:30pm.

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Mr. Jack Fraley, Chair