

MINUTES FOR THE WEEKLY MEETING OF THE STEERING COMMITTEE ON MONDAY, JANUARY 20, 2009 AT 3 PM IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, BUILDING F.

PARTICIPANTS:

MEMBERS PRESENT:

Chris Henderson
Mary Jones
Julie Leverenz
Tom Tingle
Jack Fraley
Mark Wenger
Rich Krapf

NOT PRESENT:

George Billups
Bill Porter
Vaughn Poller
Ruth Larson

OTHERS PRESENT

Vlad Gavrilovic, Consultant
Karen Gavrilovic, Consultant

STAFF PRESENT:

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

I. CALL TO ORDER

Mr. Jack Fraley called the meeting to order at 3:05 p.m. with Mr. George Billups, Mr. Bill Porter, Mr. Vaughn Poller, and Ms. Ruth Larson absent. Mr. Chris Henderson arrived later.

II. PUBLIC COMMENT

There was no public comment.

III. APPROVAL OF MINUTES

Ms. Julie Leverenz motioned adoption of the January 12th minutes, with a second from Mr. Rich Krapf. In a unanimous voice vote, the minutes were approved.

IV. LAND USE APPLICATIONS – APPLICANT PRESENTATIONS / PUBLIC COMMENTS

Mr. Greg Davis, of Kaufman and Canoles, spoke on application LU-0015-2008, 499 Jolly Pond Road. He stated his client, Colonial Heritage LLC, is working on plans for 50 lots which are by-right, permitted by a special use permit. This 50-lot, A-1 cluster, requires a community well and septic systems. Mr. Davis stated according to current ordinances, the James City Service Authority (JCSA) must take over the community well. He stated the JCSA does not favor these community wells. The goal of this application is to have the Comprehensive Plan reflect a relocation of the Primary Service Area (PSA) line that will allow his client to undertake a true clustering of the lots permitted around Deer Lake. Mr. Davis stated this relocation will protect the lake, and allow these residences to connect to public water and sewer. He stated the JCSA would favor this move because of the cost of maintaining the private system. He stated that staff's concern about the sensitive area around Deer Lake to development, but his argument is that his client already has a by-right 50-lot development permitted currently. Mr. Davis felt the protection for the lake and its surrounding areas would be improved with the change in designation, as opposed to the by-right development that can be done currently.

Mr. Henderson asked if there was a concept plan for the by-right development for the committee to review.

Mr. Davis answered he could supply this.

Mr. Henderson asked about the lots with a water view, and that the developer must cluster around the lake, as opposed to what the applicant has suggested, which is center the development on Jolly Pond Road.

Mr. Davis answered that the concept plan is for lots throughout the parcel. Due to the infrastructure costs, the development proposed would center near Jolly Pond Road.

Mr. Henderson asked if the applicant was aware of the 1997 plan for the connector from Centerville Road to Croaker Road that was abandoned, and if there was any potential impact on this property. Mr. Henderson stated this was an area that he intended to explore further with the Steering Committee. He felt that it may prove beneficial to preserve a right of way that that would enable a future connection. He stated according the traffic impact study, that an area of real concern was the interchange at 199 and Route 60. Mr. Henderson felt it was important to bypass this intersection to avoid gridlock on Route 60. He wanted to understand how this property relates to the prior abandoned plan for that connector road.

Mr. Davis answered that the rezoning process that he has been involved in with the Massie property, the Ware property and the Boy Scout property for Colonial Heritage, never addressed that connector issue. He stated that a move in the PSA line allows his client to apply for a rezoning, then that issue can be discussed.

Mr. Fraley asked what the requirement of community wells versus individual wells is.

Mr. Davis stated the A-1 cluster ordinance allows a landowner to reduce the minimum lot size for development by meeting certain conditions, one being a community well.

Mr. Tingle asked if this would increase the density in the overall master plan for Colonial Heritage.

Mr. Davis answered no it would not. Mr. Davis showed the boundary lines between the Boy Scout property and the Massie and Ware tracts.

Mr. Tingle asked if the 50 lot by-right development would be a standalone development or part of Colonial Heritage.

Mr. Davis answered it would not be a part of Colonial Heritage.

Mr. Tingle asked if that would still be the case if the property was redesignated.

Mr. Davis answered that the first goal would be to recluster the lots. If as part of the process it was determined to give some consideration to the relocation of the zoning line for Colonial Heritage, it may be a consideration.

Mr. Krapf asked how many acres would be involved if the PSA moved.

Mr. Davis answered it would be just over 200 acres that would be added to the PSA.

Mr. Fraley asked what the maximum number of lots could be.

Mr. Davis stated that the 50 lot count was a condition of the special use permit.

Ms. Rosario stated that with a designation of low density residential, the property of 200 acres could potentially yield 200 – 800 units. However, the special use permit overrides this and keeps it at 50 lots. In order to change it from 50 lots, one would need to apply to the Board of Supervisors for a special use permit amendment or a rezoning.

Mr. Fraley asked if the applicant wanted to take the same 50 units and place them on smaller lots.

Mr. Davis answered yes, that this designation and a rezoning would allow for a true cluster and for lots smaller than one acre.

Mr. Wenger asked if the applicant had the support of JCSA in writing.

Mr. Davis does not have it writing but has had several conversations with the JCSA.

Ms. Leverenz asked if there was precedent for extending public water and sewer outside the PSA.

Mr. Fraley stated there is precedent, with the developments of Greensprings West and Governors Land, and two schools.

Mr. Henderson asked which watershed plan applied to this property.

Mr. German stated that the property is in the Yarmouth Creek Watershed Management Plan.

Mr. Henderson asked if the application was consistent with this.

Mr. German stated that the application is not inconsistent with the Plan if it stays as a 50 lot cluster. The biggest concerns raised by the Environmental Division were the extensive ravine networks and the lake itself.

Mr. Murphy stated there were no solid assurances on density that would be requested if the PSA were changed. The only solid assurances are what are developed currently.

Ms. Jones asked if there was not an increase in density with the change, then ultimately it would be a better environmental site plan.

Mr. Murphy stated it is possible but staff does not have a plan for the new proposal should the change occur.

Mr. Henderson stated the applicant was not seeking additional units and they have also indicated that they can provide a conceptual plan for clustering.

Mr. Krapf stated his concern is moving the PSA especially when over 200 acres is involved. Utilities, zoning and density are the areas that impact growth. He feels that once the PSA is shifted it is much easier to justify growth that goes beyond the 50 unit development as was presented in the concept plan.

Mr. Murphy stated staff shares that concern.

Mr. Tingle asked if it was possible to look at designations with restrictive language.

Mr. Murphy stated it was possible.

Mr. Tingle sees an opportunity here, and asked if there were other examples of restrictive language.

Mr. Murphy stated that the most restrictive language is within the mixed use designation. There is no restrictive language currently in other designations; however this does not mean that it could not be changed.

Mr. Fraley stated he could envision a situation where everyone benefits.

Mr. Krapf stated that in the example of Uncle's Neck, the developer entered discussions with the County, and the County agreed to waive the community well. This was done in return for some conservation easements on that property. Ownership of developments change so there could be something different that what was originally planned.

Mr. Fraley stated that even if the plans were changed, it would still have to go through the administrative or legislative process.

Mr. Henderson stated the concern mentioned today was to the density issue of the land use designation change and not so much the PSA. He stated that maybe one change could be reviewed without the other as a potential compromise.

Mr. Tingle asked if there was an opportunity to pursue a mechanism for qualifications of land use designations that would allow the committee, for example in this case, to allow the PSA to be changed with certain conditions.

Mr. Murphy stated staff's concern would be are there particular elements of this property that make it distinct from others that would warrant a special designation.

Mr. Henderson asked if the thought was to designate it low density residential with some environmental sensitivity attached to it, or was the proximity to the PSA that might drive it. He stated the committee was reviewing some properties where part of the parcel was in the PSA, and part was not.

Mr. Murphy stated there are opportunities to waive the requirement of the community well that may not have been fully explored.

Mr. Henderson suggested having the JCSA comments since it is their resources that are being discussed.

Mr. James Bennett, 108 Blenheim, spoke on application LU-0029-2008, 4200 Longview Landing. He stated this change is necessary to make the zoning of the master plan consistent with the land use designation. This change is also to reflect the way the land has been developed. Mr. Bennett stated staff's concern about the change increasing the density of the overall development, when in fact staff supported this change back in 2006. Staff also had concerns with adding this to the PSA, when in fact all of Greensprings West is currently on public water and sewer. Mr. Bennett stated that since the Greensprings Master Plan was approved, there has been inconsistency between its zoning and its land use designation.

Mr. Jack Haldeman, of 1597 Founders Hill North, spoke on this application. He supports staff's recommendation of denial. He believes the change could potentially increase County population from 25 under current zoning to 300 or more. This increase could also potentially increase the number of cars in this neighborhood. Mr. Haldeman stated that approval will add more children to the Matoaka Elementary School by 10% or more. He noted that added impervious cover and buildings added more runoff and pollution. He felt that additional citizens will draw from an already inadequate water supply. He also added this would add to the emergency response of services on Monticello Avenue. Residents of Greensprings West purchased their properties based on the rural character of the current designation and the presumed build out that this designation provides. County residents and nearby neighbors do not gain anything if this change is designation is approved.

Mr. Tingle asked about the applicant's statement about staff approving this change back in 2006.

Mr. Murphy did not have the specifics of that case.

Ms. Jones stated that several comments were received about this issue, and their concerns were opening the door for increased density given what their expectation was.

Mr. Henderson asked what the relationship was between the applicant and Greensprings West.

Mr. Bennett stated he represented the developer of Greensprings West who has been developing the property of Greensprings West since 2000. The request that was made to the Board of Supervisors in 2006 was for an additional 30 units, which represented an 8% or 9% increase in the overall density of Greensprings West. This request today has no density tied to it, but the intent is to develop it the same way as Greensprings West has been developed, which is one third to one half acre lots, which would allow for approximately 28 to 30 unit increase over the original master plan.

Mr. Murphy stated that staff supported the rezoning in 2006 because the property was already zoned R-4, and it was considered an infill development. The increase was nominal, and the utilities were already there. This proposal would not limit the number of units that could be developed, but would change the designation to low density residential, which could potentially have one to four units per acre. If the designation were changed, it would create an island of low density residential in an area that is otherwise designated rural lands.

Mr. Arch Marston spoke as the owner of 7581 Richmond Road, which is application LU-0041-2008. He supports staff's recommendation of approval. He displayed a map showing the parcel in proximity to the Candle Factory property.

Mr. Henderson asked about staff's recommendation about the Candle Factory in relation to this application. His thinking was to have the front portion of 7581 Richmond Road as mixed use, similar to the Candle Factory, for consistency.

Mr. Tingle stated there is a significant environmental area between Crosswalk Church and the Marston property.

Mr. Murphy stated there were attempts with 7581 Richmond Road and the Speegle property to have them more as transitional and not encourage further expansion of commercial development further up Richmond Road.

Ms. Jones asked whether moderate density residential was the best way to handle transitional type areas.

Mr. Murphy stated staff's concerns were with future expansion of commercial development west on Richmond Road. The goals are to reserve traffic capacity for development of the interchange, full development of the Massie property, and full redevelopment of the Soap and Candle Factory.

Mr. Sasha Digges, of Ironbound Road, spoke on application Staff #5, Five Forks Intersection. He expressed his concerns about having these meetings during the day instead of the evening. He stated that he attended three meetings concerning development in the Five Forks area. Mr. Digges stated that the residents in this area want low density development in this area. He stated the residents want a comfortable community.

Mr. Fraley did mention that the committee has scheduled evening meetings. He asked staff to comment on the Five Forks Study for the next meeting.

Ms. Cook stated the Five Forks Study was not parcel specific, but was based on principles for the area. Staff believes this change request is consistent with this study.

Ms. Sipes explained the designation and zoning of the properties involved, and how the properties have been developed. She stated that request originated from staff as a way to possibly identify a location for affordable housing, given the proximity of commercial areas and schools.

Ms. Leverenz stated the Historic Route 5 Association has submitted comments.

Ms. Rosario asked if staff had a copy of the association's comments regarding land use designation changes. Upon confirmation, she offered to make copies and distribute the comments.

Mr. Fraley asked about the report issued for the Jamestown Marina and Yacht Basin.

Ms. Reidenbach answered that the Shaping our Shores Project report was released to the public earlier this week. Staff is waiting for the public comment period which will last about a month to be completed. The report can be accessed through the County's website at www.jccegov.com.

Ms. Ann Hewitt, of 147 Raleigh St, spoke on behalf Friends of Powhatan Creek Watershed. She stated her group is concerned with land use changes to mixed use, because the ordinance regarding this designation is so broad. She stated there are over 80 uses that include residential, commercial, non-residential, and industrial permitted uses that may be included in a mixed use development. She stated

they felt that with all of the amendments to the ordinance, that the original intent that made the mixed use designation attractive has been lost. Ms. Hewitt would like to see this designation reworked and have more clarification added to it. She stated that her group supported staff's recommendations for denial in the land use applications.

Mr. Terry Elkins, 105 Lothian, spoke on behalf of the James City County Citizens Coalition. The Coalition would like to thank County staff in all their work concerning these applications, and the committee for spending time reviewing them. He stated the Coalition felt that there are many issues due to the increased population in the County. In the summer of 2008, the Coalition submitted a cumulative impact analysis that contained much data regarding the number of units that have been approved but not yet built. It also list numbers of units that can be built by right. Mr. Elkins stated that the County's experience contradicts the assumption that population growth more than paid for itself. He believes that unchecked development is unsustainable. The Coalition's study showed that population growth strains residents and resources in four primary ways. There are adequate water supply, potential environmental issues, traffic congestion, and financial strain. He stated the applications presented request to redesignate approximately 950 acres of rural lands, mostly to low density residential or mixed used. If approved, these areas will permit population to grow past the 129,000 already projected. Mr. Elkins stated this growth contradicts the wishes of citizens as expressed in the 2003 Comprehensive Plan, the CPT submissions, and surveys conducted for this update. He stated the Coalition feels there are three principles that should guide the committee's deliberations concerning these land use applications. The Coalition feels no change should be approved without an assessment of the cumulative impacts of such changes. There should be no change extending the PSA. There should be no changes that will accommodate a population greater than that already projected by right.

Mr. Doug Gephardt, of the Economic Development Authority (EDA), spoke in general on the land use applications. He stated that for the County not to grow is not an option. Growth pressures in this area will not diminish long term. In light of the recent economic downturn it has become apparent just how vital quality economic growth is to the economic sustainability of a community. The EDA feels that continued economic development is important to maintain a healthy fiscal balance and affordable tax rates for citizens. He stated the EDA was encouraged when it was decided at a previous Steering Committee meeting to incorporate the full Business Climate Task Force (BCTF) report into the Comprehensive Plan. Mr. Gephardt stated currently zoning and land designations are not supportive of the types of economic development the County has expressed an interest in having within its borders. He referred to the BCTF's report as to the details. The EDA feels that the future of the County depends significantly on how the Steering Committee manages the information, material, and viewpoints regarding the Comprehensive Plan update.

Mr. Fraley asked staff to have a link from the Comprehensive Plan site to the Business Climate Task Force report.

Ms. Rosario stated they would do so. She also distributed comments from the Historic Route 5 Association and the James Square Homeowner's Association.

Mr. R. M. Hazelwood, Jr. spoke concerning application Staff #10, Hazelwood Holdings. He explained how he felt the PSA line should follow the property, where currently it does not.

Ms. Leanne Dubois, who was previously the Extension Agent with James City County, and currently with the Virginia Department of Agriculture, spoke concerning rural lands. She stated that the EDA has formed a new task force to look opportunities to enhance the economic viability of rural landscapes. The task force has been set up to identify and encourage business ventures and public and

private partnership opportunities that can utilize the rural resources of James City County. Ms. Dubois stated that the primary emphasis will be directed toward economic uses for rural lands that are generally compatible with the existing land use pattern of these areas, and are environmentally sustainable and can be demonstrated to be economically viable.

Mr. Tingle stated that by addressing these issues from an economic standpoint it does start to address the balance between citizens' rights, property owners' rights, and the development community's rights.

Mr. Krapf spoke positively about the new task force and thought Ms. Dubois was a perfect fit to head the group.

DISCUSSION ON PRE-SELECTED CASES

Ms. Cook stated that staff would like to suggest that at the next meeting a vote will take place on the land use applications. She suggested that two votes will be taken on each application, the first being preliminary approval or preliminary denial, and the second would be whether to include the application in the traffic modeling. The Committee agreed to the procedure that was presented.

Mr. Tingle requested that when discussing and voting next week it would be helpful to have a map present as to what parcel or parcels are part of each application.

Mr. Purse stated the first case up for discussion was Hill Pleasant Farm, LU-0021-2008. He stated the land adjacent in York County is designated as economic opportunity in its Comprehensive Plan. Staff provided maps as to the location of the RPA and sensitive areas. He stated the property is located in an agricultural and forestal district (AFD). Mr. Purse stated staff has recognized that the existing Lightfoot/Croaker corridor (Colonial Heritage, Pottery, and Croaker interchange) is vital for economic development as can be seen through its transportation infrastructure, zoning, and comprehensive plan designation. He stated this application requires a Mooretown Road extension. Staff felt that these other areas would be appropriate to develop in the near future while planning for the Hill Pleasant Farm and Mooretown Road extended is being considered in subarea planning and other County planning initiatives. This discussion will also be reflected in the economic section of the technical report that will be presented to the committee at a later date. Mr. Purse stated that staff has done a preliminary analysis of the GIS system and has found there are approximately 8,440 acres that are currently zoned for business or industrial uses and over 4,000 of those acres are undeveloped.

Mr. Fraley stated that if the parcel is developed as is, then it may not be used for economic development.

Ms. Cook stated the land is in the AFD and that the one per three acre option is not available.

Mr. Purse further stated the Board of Supervisors has a strict policy for withdrawal of land out of the AFD outside the PSA. It is strongly discouraged.

Mr. Henderson stated that looking at the land in proximity to other mixed use land, the County needs to look at the economic development potential. He expressed his concerns about this property being developed as a by-right residential development.

Mr. Fraley stated the applicant was asked to prepare a mixed use definition for the application. Staff has not had time to review the document.

Ms. Leverenz asked about designating this parcel as an enterprise zone.

Mr. Murphy answered that staff will investigate that process with the State, since that is a state designation.

Mr. Vlad Gavrilovic, of Renaissance Planning Group who is the consultant on the Comprehensive Plan update, stated they felt this area had locational advantages for economic development. He stated the importance of looking at the area as a whole, through possibly a special study or an area plan. It stated it has regional issues from a transportation and road standpoint.

Ms. Karen Gavrilovic, Renaissance Planning Group, stated it was important to consider whether what is proposed provides a better public benefit in some way that what the Plan currently provides for. This parcel has been important from an agricultural and rural standpoint. One of the reasons for a study would be to be sure that if the County is going to move forward with any kind of land designation that there is an overriding public purpose. Ms. Gavrilovic suggested that the committee may want to consider a lease of developmental rights type program. This would be beneficial for property that in the long term may have some economic development opportunities but requires more study; there may be an opportunity to lease the developmental rights as opposed to purchasing them.

Mr. Henderson expressed his concerns about public facilities in this area, particularly in regard to the rail access. He and others envision this corridor as access to light rail facilities. He stated the County has a critical need for employment related activity to generate income for the County; therefore, he suggests looking at this area as more economic as opposed to mixed use.

Mr. Krapf stated there is an element of risk no matter which route the County takes. He feels strongly that the regional issues associated with the location of this property are such that it warrants further study and evaluation. He feels that York County and other jurisdictions need to part of this discussion.

Mr. Tingle believes the County should act on this request now. He feels that this area is an important part of the County's economic development. He feels that this is an opportunity to have some vision for this area. Mr. Tingle believes that by being able to write a set of mixed use guidelines that can be as restrictive as necessary to make sure this area has a master plan before it is developed. He stated this is private property and the landowner would have to participate in the planning of this parcel. Mr. Tingle thinks it is important to come up with language to let the landowner know the County is serious about this property for economic development.

Mr. Murphy commented on a by-right development on this property. He stated there are some access issues with this property. Mooretown Road would need to be extended across Rochambeau Drive rather than across the tracks. In addition, preliminary approval of a subdivision on this property would not be given until the property was withdrawn from the AFD.

Mr. Wenger believes further study is needed for this area. He sees major problems with environmental issues and transportation. He expressed his concerns about moving land in and out of the PSA.

Mr. Timothy Trant, of Kaufman and Canoles spoke on this application. He stated there is the ability to withdraw the property out of the AFD prior to 2010. He stated this is an economic opportunity and needs to be preserved as such. Mr. Trant gave examples where the economic opportunity taken by York County on the borders of James City County has caused problems with traffic and increased residential areas. He encouraged the committee to make the land designation now, while being conservative, and include language in the mixed use section that addresses the County's concerns. Language could include that no development proceed until some micro master planning take place.

Mr. Wayne Moyer, of 268 Peach St, spoke concerning this application. He suggested changing the property to mixed use, but deny the change past the Stevens property. This would allow development of the properties adjacent to York County.

The next property that was discussed was application Staff #10, Hazelwood Holdings. Mr. Fraley asked for clarification as to what was in the PSA and what was outside, and what was being proposed.

Mr. Henderson asked Upper County Park was not included in this application, and adding it to the PSA.

Mr. Fraley stated he was willing to consider changes in the PSA where currently the line does not follow property lines, or environmentally sensitive areas.

Ms. Cook went over the application as to what was being proposed. All three properties have mixed designations, and the application seeks to change each one to a single designation. It is also proposed that the PSA line would follow the mixed use designation. Currently the PSA cuts across all three properties.

Mr. Fraley questioned removing the one property out of the PSA.

Ms. Leverenz stated there is a concern about traffic on Barnes Road. She stated the land use designation needs to go with the property not the owner. Changing the parcel that fronts Barnes Road to rural lands make sense given the traffic concerns.

Mr. Tingle asked whether there was language in the mixed use designation that addresses traffic on Barnes Road.

Ms. Cook stated there is no language that specifically addressing these three parcels.

Mr. Wenger supports staff recommendation. His concerns of allowing mixed use are that the language is vague. He also expressed his concerns of the parcel fronting Barnes Road, being developed mixed use without any traffic improvements. Mr. Wenger stated that he was not sure of any benefits to be gained by including Upper County Park in the application, and including it in the PSA.

Mr. Fraley stated one benefit of including Upper County Park would be to provide public utilities.

Ms. Jones expressed her concerns about removing the one property from the PSA and redesignating it to rural lands.

Mr. Krapf supported staff's proposal, and stated it felt it was a tradeoff. The PSA was being extended for two parcels, while one was being removed. It also had the PSA line following property

lines. The proposal added mixed use on two parcels, while removing it on one. He felt that the balance was maintained and by losing the mixed use on one parcel would not have a big impact since there was no access to the interstate. Mr. Krapf stated he was ok with adding Upper County park if it was beneficial economically or financially.

Ms. Gavrilovic suggested considering having a policy on how properties are evaluated when these properties are split either by land use designation or the PSA boundary. This would ensure that these properties are considered in a similar fashion.

The committee then discussed some housekeeping issues. Mr. Krapf suggested starting next meeting with any questions since all the cases were not addressed at this meeting. He asked about the consultant's availability for another meeting, either in person or computer linked.

Mr. Gavrilovic stated they were available for either.

Mr. Larry Cook, spoke concerning applications LU-0017, 26, 27-2008, Ironbound Road, and addressed some concerns brought up last week. He stated the drainage on the property is such that it drains to Monticello Avenue, not to the back of the property adjoining the residential areas. He stated there was probably more protection to the adjoining residential neighborhoods during a commercial site plan review, than a proposal adding residential units.

Mr. Leonard Sazaki, of 3927 Ironbound Road, spoke concerning these applications. He stated his concerns of these parcels having the same designation as where the Ukrops Store is located. He would not like to see that type of development next to his property. Mr. Sazaki expressed his concerns over the fact that even though Mr. Cook does not envision that sort of development, if the property was sold, does not mean that eventually it may be developed as such.

Mr. Henderson explained the process whereby anything of that type of magnitude would have to come through the legislative process.

Mr. Krapf stated that is corrected concerning the legislative process; however, once the land use designation is changed it does make it easier for a rezoning.

Ms. Gavrilovic stated that the issue is the Comprehensive Plan does not have quite the right designation for this parcel. She stated there are communities when updating their Comprehensive Plan there is language that addresses certain parcels.

The next application discussed was LU-0016-2008, David Ware Trust property. Ms. Gavrilovic stated this was another case where specific language may resolve any issues committee members have.

Ms. Jones stated the committee could consider going in that direction since it was a limited number of questions that were raised.

Mr. Henderson questioned the rationalization of having the mixed use designation on the commercial component of Colonial Heritage and then ignoring it on the other side near the main entrance where there is commercial deeper than the subject property on the other side of the main entry road. The benefit that he perceives is that it is one of the few parcels on Richmond Road that has usable depth that would accommodate a user that would need that depth.

Ms. Gavrilovic stated this corridor may need a re-evaluation, since the parcels that are before the committee are those that the owners have petitioned a change. She thought it would be beneficial to look at this area as a whole.

Mr. Gavrilovic stated traditionally changes to a land use plan are made for big picture reasons for to further the goals of the Comprehensive Plan.

Ms. Gavrilovic suggested that the committee consider having standards for those who would like to make amendments in the future. There could be a list of criteria that would allow a request for a change. This would ensure that when requests for changes are made, there would be a certain set of criteria or rationale to explain the proposal.

Mr. Fraley expressed his concerns with splitting the property.

Mr. Henderson stated the reason for the concern is that there was a business that was interested in locating on the parcel. It was a car dealership that could have used the frontage of Richmond Road, along with the depth of the lot.

Ms. Rosario stated staff can anticipate some mixed use language that could address some of the committee's concerns. She stated staff will have something for the committee in writing.

Ms. Leverenz asked if staff came back with language, what the committee would be voting on.

Mr. Fraley stated the voting could become complicated, in that the committee may agree on one part but not the other. He stated the committee would be voting on staff's recommendations.

Mr. Murphy stated staff could have a substitute designation that might address the committee's concerns on this property.

Ms. Gavrilovic spoke on application LU-0022-2008, 8491 Richmond Road. She stated the consultants felt that the change did not further the goals of the Comprehensive Plan. This is a very dominantly large parcel in a very rural area.

Mr. Henderson stated the BCTF suggested this intersection was identified as an area for economic development.

Ms. Jones stated it may be beneficial to look and make sure there are not mixed use designations at every corner.

V. OTHER ITEMS

Ms. Rosario stated that the new schedule has been made to include the evening meetings. The next meeting will be January 29th at 7 p.m.

Mr. Fraley gave staff recognition for all the work they have done. The consultants also mentioned that staff and the committee have done an excellent job at getting information out to citizens and on the website.

Mr. Henderson commented that there may be properties that need to be evaluated that applications have not been submitted for. He mentioned the BASF property as an example.

Ms. Cook suggested generating a list whereby staff can send letters and notifications to adjacent properties notifying them of what changes may occur.

Mr. Murphy stated there will be a preliminary vote taken on January 29th on each application. He stated staff was aware of the BASF request, and they would make an attempt to add it to the Steering Committee's schedule. Staff would want to give it a thorough review and analysis.

Ms. Rosario stated staff would like to get a strong sense of where the committee stood on the land use applications.

VI. PUBLIC COMMENT

There was no public comment.

VII. ADJOURNMENT

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

There being no objections, the meeting was adjourned at 6:25 p.m.

Mr. Jack Fraley, Chair