

A G E N D A
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
March 2, 2022
6:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENT

D. REPORTS OF THE COMMISSION

E. CONSENT AGENDA

1. Minutes of the February 2, 2022 Regular Meeting
2. SPLN-21-0002. Parke at Westport

F. PUBLIC HEARINGS

1. SUP-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities

G. PLANNING COMMISSION CONSIDERATIONS

1. Planning Commission and Board of Zoning Appeals 2021 Annual Report

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - March 2022

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

J. ADJOURNMENT

ITEM SUMMARY

DATE: 3/2/2022

TO: The Planning Commission

FROM: Paul D. Holt, III, Secretary

SUBJECT: Minutes of the February 2, 2022 Regular Meeting

ATTACHMENTS:

	Description	Type
	Minutes of the February 2, 2022 Regular Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/23/2022 - 4:47 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 4:47 PM
Publication Management	Daniel, Martha	Approved	2/23/2022 - 4:51 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 4:52 PM

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
February 2, 2022
6:00 PM

A. CALL TO ORDER

Mr. Tim O'Connor called the meeting to order at 6:00 p.m.

B. ROLL CALL

Planning Commissioners Present:

Tim O'Connor
Frank Polster
Barbara Null
Rob Rose
Jack Haldeman

Planning Commissioners Absent:

Rich Krapf

Staff Present:

Paul Holt, Director of Community Development and Planning
Tammy Rosario, Assistant Director of Community Development
Max Hlavin, Deputy County Attorney
Tom Leininger, Principal Planner
John Risinger, Planner

Mr. O'Connor stated that there is a request to amend the Agenda to move the Update on the Natural and Cultural Assets Plan Effort forward to follow after the Consent Agenda.

Ms. Null made a motion to amend the Agenda.

On a voice vote, the Commission amended to move the Update on the Natural and Cultural Assets Plan Effort to follow the Consent Agenda.

1. Resolution of Appreciation - Ms. Julia Leverenz

Mr. O'Connor presented a Resolution of Appreciation to Ms. Leverenz.

Whereas, Ms. Julia Leverenz has served the citizens of James City County as a member of its Planning Commission from February 2018 to January 2022; and

Whereas, Ms. Leverenz served as Vice Chair of the 2020 Planning Commission; and

Whereas, Ms. Leverenz served on both the Policy Committee and the Development Review Committee during her tenure; and

Whereas, Mrs. Leverenz served as Chairman of the 2019 Policy Committee; and

Whereas, Ms. Leverenz actively participated in developing *Our County, Our Shared Future - James City County 2045 Comprehensive Plan*, by serving on both the Community Participation Team and Planning Commission Working Group for the Engage 2045 update process; and

Whereas, Ms. Leverenz actively participated in developing the 2015 Comprehensive Plan, *Toward 2035: Leading the Way*, by serving on the Steering Committee; and

Whereas, during Ms. Leverenz' service, the Planning Commission reviewed substantive updates to the Zoning Ordinance and Subdivision Ordinance and considered numerous legislative development cases; and

Whereas, Ms. Leverenz was a graduate of the Virginia Tech Certified Planning Commissioner Program.

Now, Therefore, Be It Resolved that the Planning Commission of James City County, Virginia does hereby extend its sincere appreciation to Ms. Julia Leverenz.

Be It Further Resolved that the Planning Commission wishes to express its gratitude to Ms. Julia Leverenz for her time of dedicated service to the citizens of James City County.

Mr. O'Connor stated that he appreciated Ms. Leverenz's service on the Commission and that he hoped she would be able to lend her expertise to the County in the future.

Ms. Leverenz stated that appreciated her time on the Commission and that she learned from each of the Commissioners. Ms. Leverenz further commended the Commissioners for the ability to disagree congenially and arrive at decisions that best served the Community. Ms. Leverenz further stated that she wanted him to know that he and the planning staff were a powerhouse of knowledge and expertise, with a reputation for being among the best in the Commonwealth.

C. PUBLIC COMMENT

Mr. O'Connor opened Public Comment.

As no one wished to speak, Mr. O'Connor closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Frank Polster stated that the Policy Committee did not meet and, therefore, there was no report.

Ms. Barbara Null stated that the Development Review Committee (DRC) met on January 19, 2022.

Ms. Null stated that there was one case for DRC consideration: C-21-0099. Stonehouse Tract 10A Conceptual Plan.

Ms. Null stated that Mr. Jeff Huentelman, Land Planning Solutions, LC, submitted a conceptual plan for new construction of 200 residential units. Ms. Null further stated that this case came before the DRC because Proffer No. 10, approved by the Board of Supervisors on November 12, 2019, with Case No. Z-19-0010, requires a conceptual plan to be submitted to the Planning Director and the DRC for review at least 60 days prior to submittal

of a development plan for the tract. The purpose of this review is to determine general consistency with Zoning Ordinance requirements, the adopted master plan, and other applicable County policies.

Ms. Null stated that staff found that the conceptual plan to be in compliance with the approved master plan for Stonehouse, the conceptual layout complies with the zoning requirements for Planned Unit Development – Residential, the majority of applicable proffers, and other applicable County policies; the number of units complies with the unit caps proffered for the Stonehouse development.

Ms. Null stated that staff found no unfavorable factors in the review and recommends that the DRC finds the conceptual plan to be generally consistent with the Zoning Ordinance, adopted master plan, adopted proffers, and other applicable County policies.

Ms. Null stated that the DRC and the applicant team discussed the reason for the request for the three-story option, the impact and timing of multiple Stonehouse tract applications, and whether any proffers would be triggered.

Ms. Null stated that the DRC found the conceptual plan to be generally consistent with the Zoning Ordinance, adopted master plan, adopted proffers, and other applicable County policies by a vote of 3-0.

Mr. Polster stated that the first plan submitted met the warrants for a traffic signal at Fieldstone Parkway and Route 30. Mr. Polster noted that this had been an intersection of concern during he discussion about development on the Hazelwood property.

E. CONSENT AGENDA

1. Minutes of the January 5, 2022, Regular Meeting
2. Development Review Committee Action Item: C-21-0099. Stonehouse Tract 10A

Ms. Null made a motion to approve the Consent Agenda.

On a voice vote, the Commission approved the Consent Agenda 4-0-1, with Mr. Haldeman abstaining.

Update on the Natural and Cultural Assets Plan Effort

The presentation was made at this point in the Agenda; however, the minutes are recorded under Item II.

F. PUBLIC HEARINGS

1. AFD-21-0003. 360 Racefield Drive Barnes Swamp Withdrawal

A motion to Approve was made by Frank Polster, the motion result was Failed.

AYES: 2 NAYS: 3 ABSTAIN: 0 ABSENT: 1

Ayes: Polster, Rose

Nays: Haldeman, Null, O'Connor

Absent: Krapf

AFD-21-0003. 360 Racefield Drive Barnes Swamp Withdrawal and SUP-21-0022. 360 Racefield Drive Solar Farm were presented to the Commission as a combined Public Hearing.

Minutes of the hearing are recorded under SUP-21-0022. 360 Racefield Drive Solar Farm; however, the vote for AFD-21-0003. 360 Racefield Drive Barnes Swamp Withdrawal is recorded here.

Mr. Polster made a motion to recommend approval of the Agricultural and Forestal District (AFD) withdrawal.

On a roll call vote, the Commission did not recommend approval of AFD-21-0003. 360 Racefield Drive Barnes Swamp Withdrawal. (2-3)

2. SUP-21-0022. 360 Racefield Drive Solar Farm

A motion to Approve was made by Frank Polster, the motion result was Passed.

AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 1

Ayes: Haldeman, O'Connor, Polster, Rose

Nays: Null

Absent: Krapf

A motion to Approve was made by Frank Polster, the motion result was Passed.

AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 1

Ayes: Haldeman, O'Connor, Polster, Rose

Nays: Null

Absent: Krapf

Mr. Tom Leininger, Principal Planner, stated that Mr. Brendan Grajewski has applied, on behalf of Hexagon Energy, for a Special Use Permit (SUP) to construct a solar farm and an AFD Withdrawal request to remove a 26-acre portion of the 65.26-acre parcel within the Barnes Swamp AFD. Mr. Leininger stated that the parcel is located at 360 Racefield Drive, is currently zoned A-1, General Agricultural and designated Rural Lands on the 2045 Comprehensive Land Use Map and is located outside the Primary Service Area (PSA). Mr. Leininger stated that the subject parcel is one of 33 currently in the Barnes Swamp AFD, which totals 2,207 acres.

Mr. Leininger stated that prior to the approval of the SUP for the solar farm, the area subject to this SUP is required to be withdrawn from the AFD.

Mr. Leininger stated that outside of the AFD renewal periods, withdrawals must be approved by the Board of Supervisors according to the *Policy Governing the Withdrawals of Property from AFDs*.

Mr. Leininger stated that the proposed solar farm facility will consist of ground-mounted arrays of solar panels mounted on single-axis tracker. Mr. Leininger further stated that a 50-foot vegetated buffer is shown along the perimeter of the development, and the buffer is increased to 75 feet along areas nearest to Racefield Drive.

Mr. Leininger stated that the 2045 Comprehensive Plan Land Use Map designates the property Rural Lands. Mr. Leininger stated that the Comprehensive Plan does not specifically identify solar power or utilities in general, in Rural Lands. Mr. Leininger stated that Rural Land uses are intended to help protect and enhance the viability of agricultural and forestal resources with primary uses being agricultural and forestal activities and related uses. Mr. Leininger further stated that in addition to the land use designation, Racefield Drive is part of the existing, local, rural road network. Mr. Leininger noted that the 2045 Comprehensive Plan states that capacity improvements and non-rural land uses should be avoided on rural roads.

Mr. Leininger stated that according to Virginia Code Section 15.2-2232 unless a utility facility is shown on the adopted Comprehensive Plan or other master plans for the County, the local

Planning Commission and a governing body shall review the facility to determine whether the location, character, and extent of the project is substantially in accord with the adopted Comprehensive Plan.

Mr. Leininger stated that the AFD withdrawal was reviewed by staff and found that it only met one of the four criteria listed in the Board adopted *Policy Governing the Withdrawals of Property from AFDs*.

Mr. Leininger stated that the four criteria for AFD withdrawal are:

- The request is the result of an unforeseeable change in circumstances (traditionally interpreted to include death of a property owner).
- The request serves a public interest (typically defined as schools or fire stations as examples).
- The withdrawal should not result in a disruption of the existing district (this withdrawal does not bring the overall acreage below the AFD requirement).
- The resulting land use should be in conformance with the Comprehensive Plan's designation for that parcel.

Mr. Leininger stated that staff does not find a solar farm consistent with the Rural Lands designation in the 2045 Comprehensive Plan.

Mr. Leininger stated that at the AFD Advisory Committee meeting on January 27, 2022, the Committee voted 5-0-1 with one member abstaining to recommend denial of the withdrawal request to the Planning Commission and Board of Supervisors.

Mr. Leininger stated that based on an evaluation of criteria withdrawal policy, staff recommends that the Planning Commission recommend denial of the AFD withdrawal application to the Board of Supervisors. Mr. Leininger stated that staff also recommends that the Planning Commission not find this application consistent with the 2045 Comprehensive Plan and to recommend denial of the proposal to the Board of Supervisors. Mr. Leininger stated that should the Planning Commission recommend approval, conditions have been included that are designed to mitigate the potential impacts of this development.

Mr. Haldeman inquired if there was any correspondence from adjacent property owners.

Mr. Leininger stated that there was no formal correspondence; however, after the AFD Advisory Committee meeting, he did speak with an adjacent property owner who had general questions about the project.

Mr. Polster noted that Hexagon Energy hosted a community meeting and that there were no concerns expressed by the citizens.

Ms. Null stated that she attended the meeting and that the only discussion of note related to runoff at the back corner of the property.

Dr. Rose inquired if the property could be withdrawn during the renewal period without meeting any criteria.

Mr. Leininger stated that the property could be withdrawn by-right during the renewal period; however, the renewal period would not begin until later in the spring.

Mr. O'Connor inquired whether the decision would only be the SUP and the consistency with the Comprehensive Plan if the property were withdrawn during the renewal period.

Mr. Leininger confirmed that the Commission would still need to make a recommendation on

the SUP and consistency with the Comprehensive Plan.

Mr. O'Connor opened the Public Hearing.

Mr. Brendan Grajewski, Hexagon Energy, made a presentation to the Commission on the proposed solar farm. Mr. Haldeman inquired if there was a contract in place with Dominion Energy. Mr. Grajewski stated that the contract is being negotiated. Mr. Grajewski further stated that they have approximately 70 days to finalize the contract. Mr. Grajewski stated that this timing seemed to be the best to meet the specified deadlines and align the project schedule with the necessary permits.

Dr. Rose inquired if this is why they are pursuing the ADF Withdrawal at this time.

Mr. Grajewski confirmed.

Dr. Rose inquired how the County would benefit from the electricity from the project.

Mr. Grajewski stated that this project will provide grid resiliency and more localized options for clean energy.

Dr. Rose inquired if the buffer could be designed to look more natural.

Mr. Grajewski stated that the plan has to comply with the County's Landscape Ordinance; however, they are willing to look at options that would give a less planned appearance.

Mr. O'Connor inquired about the number of homes 3 megawatts would power.

Mr. Grajewski stated that it is approximately 200 homes.

Mr. O'Connor inquired about how the facility would connect to the grid.

Mr. Grajewski stated that the tie in was close to the property and would not require new transmission lines.

As no one else wished to speak, Mr. O'Connor closed the Public Hearing.

Mr. Holt noted that there are three votes required. Mr. Holt stated that the first vote would be on the AFD Withdrawal; the second vote on the Resolution of Substantial Accord with the Comprehensive Plan; and the third on the SUP.

Mr. O'Connor opened the floor for discussion. Mr. Polster stated that 94% of citizen responses for the Comprehensive Plan Survey ranked preservation of the rural character and environment.

Mr. Polster stated that, while the County was doing well, it was not doing enough. Mr. Polster further stated that during the Comprehensive Plan update, he recommended looking at new technology for potential updates to the Zoning Ordinance to include performance standards similar to what are found in this application. Mr. Polster further stated that looking at the benefits of this application compared to the benefits of the AFD, the solar farm would protect the land for the life of the project where the AFD protection lasts only four years. Mr. Polster noted that allowing the use of renewable energy is also in keeping with the goal of finding new ways for property owners to benefit economically from their property. Mr. Polster noted that the Commission had previously recommended approval of the Rochambeau solar project, with the same Zoning and Comprehensive Plan Land Use designation, including withdrawal of the property from an AFD. Mr. Polster stated that the project would also be much more

fiscally beneficial to the County than keeping the property in the AFD. Mr. Polster stated that he finds the project to be consistent with the intent of the Comprehensive Plan to control development in rural lands. Mr. Polster stated that he intends to support the AFD withdrawal and the SUP application.

Mr. Haldeman stated that the Commonwealth of Virginia has set a goal to have 30% renewable energy by 2030. Mr. Haldeman stated that he voted to recommend approval of the two previous solar farms as those properties were otherwise headed for very intensive use. Mr. Haldeman stated that there are a number of benefits to a solar farm including no use of pesticides or herbicides. Mr. Haldeman stated that he found the traffic management plan, stormwater plan, and buffering plan to be well thought out. Mr. Haldeman stated that his one concern is whether this will open the gate for more applications of this kind and the impact on the rural character.

Dr. Rose stated that the County can either look back at what rural lands have always been or look ahead to a new vision for what rural lands can be. Dr. Rose stated that this application is a progressive use that benefits the landowner, the County, and the Commonwealth moving towards the renewable energy goal.

Ms. Null stated that she does not find that the proposal enhances rural lands. Ms. Null stated that, going by the Comprehensive Plan survey, citizens do not want development, they want viewshed, the lands to stay rural, and no development. Ms. Null stated that setting a precedent for future applications would change the character of the County. Ms. Null noted that the two previously approved solar farms were located in the PSA, where this property is outside the PSA. Ms. Null stated that this application would have a detrimental effect on a beautiful area of the County.

Mr. Polster stated that if the Commission finds solar farms to be something of the future, it is necessary to develop the right Ordinances to ensure that these renewable energy applications conform with performance standards. Mr. Polster further stated that he appreciates the applicant's use of the items recommended by the Commonwealth and willingness to consider requests from the DRC and the Commission. Mr. Polster further stated that he appreciates the applicant's robust public engagement. Mr. Polster stated that it is these things that need to be formalized similar to short-term rentals.

Mr. O'Connor stated that he does share the concerns of opening the opportunity for many other projects to come forward and the impacts of numerous solar farms on the rural character of the County. Mr. O'Connor stated that he does not believe the public benefits of the project rise to the level of triggering a withdrawal from the AFD. Mr. O'Connor stated that allowing the withdrawal of the property could also set a precedent for other early withdrawal requests.

Mr. Polster stated that the Rochambeau Solar Farm property was also in an AFD and also rural lands. Mr. Polster stated that the precedent had already been set. Mr. Polster reiterated that it is imperative to establish an Ordinance, so the Commission has criteria to fall back on.

Mr. Haldeman inquired if the Commission could recommend that the property not be withdrawn from the AFD, but still find that the project is consistent with the Comprehensive Plan and recommend approval of the SUP.

Mr. Max Hlavin stated that there is nothing procedurally incorrect in recommending no withdrawal from the AFD, but finding the project consistent with the Comprehensive Plan and recommending approval of the SUP.

Mr. Holt noted that there is a condition for a 48-month commencement of construction and the property owner will be able to withdraw the property by-right in October.

Mr. Polster made a motion to recommend approval of the AFD withdrawal.

On a roll call vote, the Commission did not recommend approval of AFD-21-0003. 360 Racefield Drive Barnes Swamp Withdrawal. (2-3)

Mr. Polster made a motion to find the application consistent with the Comprehensive Plan.

On a roll call vote, the Commission voted to find the application consistent with the Comprehensive Plan (4-1)

Mr. Polster made a motion to recommend approval of the SUP application.

On a roll call vote, the Commission voted to recommend approval of SUP-21-0022. 360 Racefield Drive Solar Farm. (4-1)

3. SUP-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities

A motion to Defer was made by Frank Polster, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Haldeman, Null, O'Connor, Polster, Rose

Absent: Krapf

Mr. John Risinger, Planner, stated that Mr. Jay Epstein has applied for an SUP to allow for the installation of public water and sewer facilities by extending an existing force main and water main within the Bush Springs Road right-of-way from the Bush Springs Road and Toano Woods Road intersection heading south. Mr. Risinger stated that the force main and water main would be further extended within right-of-way proposed to be located on private property owned by the applicant. Mr. Risinger stated that the existing Bush Springs Road right-of-way is zoned A-1, General Agricultural and R-1, Limited Residential and designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map. Mr. Risinger further stated that properties for the proposed future right-of-way are zoned R-1, Limited Residential and designated Low Density Residential and Rural Lands.

Mr. Risinger stated that the according to the application the purpose of the extension of public water and sewer facilities is to serve a proposed residential development south of the existing Bush Springs Road right-of-way, including properties which are outside the PSA. Mr. Risinger noted that Land Use applications submitted during prior Comprehensive Plan updates proposed expanding the PSA to include those properties but were not approved. The current application is specific to the extension of the public water and sewer facilities. Mr. Risinger stated that as a result, this SUP cannot include conditions on design aspects of the proposed development.

Mr. Risinger further stated that the County's Utility Policy strongly discourages utility extensions outside of the PSA. Past extensions of public water and sewer facilities outside of the PSA have predominantly served a significant public purpose, addressed health and safety situations for existing communities, or improved utility service inside the PSA. Mr. Risinger stated that the current application is intended to serve additional residential development and is not consistent with these past precedents.

Mr. Risinger stated that staff finds the proposal to be incompatible with surrounding development and inconsistent with the recommendations of the adopted 2045 Comprehensive Plan and, therefore, does not recommend approval of the proposed SUP. Mr. Risinger stated that should the Planning Commission wish to recommend approval, staff has included proposed conditions for consideration.

Dr. Rose inquired if there were any properties in the PSA along Bush Springs Road that might potentially benefit from the project.

Mr. Risinger stated that any property along Bush Springs Road would be able to connect if they so desired. Mr. Risinger further stated that if a well or septic field failed, then the James City Service Authority (JCSA) would require that the property connect at that time.

Dr. Rose inquired about the impacts to the road and the properties along the road.

Mr. Risinger stated that since the road is narrow and substandard, the construction would have certain impacts to travel and the adjacent properties.

Mr. Polster inquired if the applicant would be required to bring the road up to current standards.

Mr. Risinger stated that the Virginia Department of Transportation (VDOT) would determine this at the time of the development application.

Mr. O'Connor noted that he failed to ask for disclosures on the prior matter and inquired if any of the Commission had disclosures for the current matter.

Mr. O'Connor stated that he spoke with Mr. Geddy on the current matter.

Mr. Polster stated that he spoke with Mr. Geddy on the current matter, and with Mr. Grajewski on the prior matter.

Ms. Null stated that she spoke with Mr. Geddy on the current matter and attended the Town Hall meeting for the prior matter.

Mr. Haldeman stated that he had nothing to disclose.

Mr. O'Connor opened the Public Hearing.

Mr. Vernon Geddy, III, Geddy, Harris Franck & Hickman, 1177 Jamestown Road, made a presentation to the Commission on the proposed water and sewer extension.

Dr. Rose inquired about who would pay for installation of the water and sewer lines.

Mr. Geddy stated that the applicant would be responsible for the cost.

Mr. Haldeman noted that there is nothing in the conditions to confirm the limitation on the number of homes.

Mr. Geddy stated that this is a JCSA requirement. Mr. Geddy noted that for more than 49 homes, the JCSA requires a loop system in the event there is a failure. Mr. Geddy stated that there is no room to construct the required loop.

Dr. Rose requested clarification on how the extension of water and sewer would preserve trees.

Mr. Geddy stated that the lot clearance is less when you are not clearing for a primary and reserve drain field.

Mr. Jay Epstein, 22 Whittaker's Mill, applicant, stated that through discussion with the various

County departments, the plan evolved into a better design than what might have been developed by-right. Mr. Epstein stated that his dream is to build an environmentally friendly community.

Ms. Null inquired about the minimum lot size for a septic system.

Mr. Epstein stated that the minimum is 30,000 square feet.

Ms. Null noted that since the extension of water and sewer would be done at the applicant's expense, it appeared to be something the County might want to support.

Mr. Polster inquired about the size of the anticipated solar farm.

Mr. Epstein stated that it would be 1,100 panels over three acres.

Mr. Polster inquired about the megawatts.

Mr. Epstein stated that it would be less than one megawatt.

Mr. Polster inquired about how many homes it would serve.

Mr. Epstein stated that it would serve the 49 homes in the development. Mr. Epstein noted that the panels would be attached to each home.

Mr. Polster inquired if the homes would still be attached to the grid.

Mr. Epstein confirmed that they would still have the normal attachment to the power grid.

Ms. Null noted that the water and sewer extension would be fiscally positive for the County.

Mr. Epstein confirmed that it would be a major cash flow to the County.

Mr. Polster inquired if this would be an age restricted development.

Mr. Epstein stated that it would not be age restricted.

Mr. Polster stated that there would be some fiscal impacts to the County for schools.

Mr. Geddy stated that the positive impact would be to the JCSA.

Mr. Mike Ware, 9024 Bar Harbor Lane, addressed the Commission in Support of the project.

Mr. and Mrs. Charles and Lori Walker, 261 Bush Springs Road addressed the Commission with concerns about the impacts of the water and sewer extension.

Ms. Alice Wilson, 236 Bush Springs Road, speaking on behalf of Ms. Vivian Morgan, 156 Bush Springs addressed the Commission in opposition to the application.

Ms. Wilson also addressed the Commission with concerns about the application.

Mr. Brandon Gregor, 155 Bush Springs Road, addressed the Commission with concerns about the application.

Mr. Clovis Braxton, 230 Bush Springs Road, addressed the Commission in support of the

application.

Ms. Janice Jackson, 140 Bush Springs Road, addressed the Commission in opposition to the application.

Mr. Geddy clarified that no one would be required to connect unless there is a failure of either well or septic.

Dr. Rose noted that he understood that a failed well or septic could be repaired if there was adequate room.

Mr. Max Hlavin, Deputy County Attorney, stated that the JCSA requires connection when it is available within a certain distance of a property unless there is a functioning well and septic. Mr. Hlavin further stated that if that system fails the property owner can make certain repairs before it reaches the level of requiring connection.

Mr. Tony Lee addressed the Commission with concerns about the cost of connecting to the utility.

Mr. Christian Rodgers, 176 Bush Spring Road, addressed the Commission with concerns about whether a property owner could repair a failed system.

As no one else wished to speak, Mr. O'Connor closed the Public Hearing.

Mr. O'Connor opened the floor for discussion by the Commission.

Ms. Null requested clarification on whether a property owner could replace a well and septic field if there were sufficient property to do so.

Mr. Hlavin stated that the JCSA regulations require a connection if there is access to a facility. Mr. Hlavin further stated that there are certain exceptions to that requirement including repair, and a great enough distance between the utility and the structure, indicating that the property would be sufficient to accommodate another well and septic system.

Mr. Polster inquired whether the Virginia Department of Health (VDH) required connection to the utility in the event of a failure.

Mr. Risinger stated that the VDH weighs in on whether a system has failed.

Mr. Polster stated that there are two things, then, that could factor into whether or not the system had to be replaced: something from the JCSA; and something from the VDH.

Mr. Risinger stated that the VDH is the primary agency that determines when a system has failed. Mr. Risinger further stated that the JCSA requires the connection only when it has been determined that the system has failed.

Dr. Rose inquired if there were any information on the difference in cost to connect to the utility as opposed to repairing a failed system.

Mr. Risinger stated that staff does not have the figures but will be happy to assist citizens in getting that information from the JCSA.

Dr. Rose inquired if the extension of the water and sewer line, and development of the road, will take any property from the residents along Bush Springs Road.

Mr. Risinger stated that the installation is only within the right-of-way, which should not affect the property owners.

Ms. Null commented that the right-of-way was still part of the individual's property.

Mr. O'Connor clarified that the right-of-way is owned by VDOT and extends several feet past the paved area on each side. Mr. O'Connor stated that it might impact some trees, but would not be a taking of property.

Mr. Polster inquired if Oakland Estates has water and sewer through the JCSA and would it be feasible to connect the new development through Oakland Estates. Mr. Polster further stated that he would like to hear from the JCSA on this question.

Mr. O'Connor noted that Oakland Estates does not have public water and sewer.

Dr. Rose inquired if Bush Springs Road would be improved at any point to accommodate the additional traffic to the new development.

Mr. Holt stated that the application before the Commission is only for installation of the water and sewer lines. Mr. Holt further stated that since this is not a traditional development application, the SUP conditions are limited to what is needed to put in the water and sewer.

Mr. O'Connor inquired about other options to connect the proposed development to water and sewer.

Mr. William Felts, Landtech Resources, Inc. stated that the only other viable option would have been through the Hunter's Creek subdivision. Mr. Felts noted that the environmental constraints would likely be prohibitive.

Mr. Polster stated that when the Land Use application was considered during the Comprehensive Plan update, the main issue was extending the PSA. Mr. Polster noted that one of the other issues was that of the central well, which is a financial drain on the County. Mr. Polster stated that extending the water and sewer lines has many positive aspects; however, he has concerns that, similar to other applications, there is no mechanism to require improvements to a substandard road. Mr. Polster further stated that the well and drain fields on Bush Springs Road are located in the front yards, making them vulnerable to damage during the construction. Mr. Polster stated that before approving the SUP, he would like to know which properties have the drain field in the front yard or would otherwise be impacted. Mr. Polster stated that he is not inclined to support an application that would make requirements of individuals who do not have the economic wherewithal to handle the impacts.

Mr. Geddy stated that if the Commission feels that it does not have sufficient information to make a decision at this time, the applicant does not intend to push something through that would have unintended consequences. Mr. Geddy stated that the applicant would be happy to defer the matter so that more information can be obtained.

Mr. Polster stated that he would support a deferral.

Ms. Null stated that she would be willing to support a deferral. Ms. Null stated that the Commission needs to have figures for the cost of connection to the utility, information on what damage might be done to the road, and the consequences if construction damages a drain field.

Dr. Rose stated that he supports the deferral. Dr. Rose stated that he would like to know what programs are available to assist the residents if they eventually need to connect to the system.

Mr. O'Connor requested that the applicant provide an overlay showing the homes, lots, and existing wells and drain fields along Busch Springs Road.

Mr. O'Connor inquired if a month would give the applicant enough time to prepare the requested information.

Mr. Geddy and Mr. Holt conferred about the time needed to have additional information for the Commission.

Mr. Holt stated that the request is to postpone the matter to the Commission's March 2, 2022, meeting.

Mr. Polster made a motion to defer the matter.

On a roll call vote, the Commission voted to postpone SUP-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities to its meeting on March 2, 2022. (5-0)

4. SUP-21-0026. Living Word Church of God

A motion to Approve was made by Barbara Null, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Haldeman, Null, O'Connor, Polster, Rose

Absent: Krapf

Mr. John Risinger, Planner, stated that Mr. Darren Curtis of DJG Inc. has applied on behalf of the Living Word Church of God for an SUP to allow the operation of a place of public assembly at 259 Ivy Hill Road. Mr. Risinger stated that the property is zoned A-1, General Agricultural, is designated Rural Lands on the Comprehensive Plan Land Use Map, and is located outside the PSA.

Mr. Risinger stated that a site plan was approved for the church in 1996 and an amendment to the site plan was approved in 2000. Mr. Risinger stated that initial construction included the church building currently on the property; however, the associated permits expired prior to completing work on the interior and other site improvements. Mr. Risinger stated that as a result, a new site plan and building permit are required to resume work on the property. Mr. Risinger further stated that in 2017, the A-1 Zoning District was amended to require an SUP for places of public assembly.

Mr. Risinger stated that the existing church building will be rehabilitated prior to occupancy and is planned to have seating for up to 150 people and site improvements will include 30 parking spaces.

Mr. Risinger stated that staff finds this proposal to be compatible with surrounding development, and consistent with the 2045 Comprehensive Plan and Zoning Ordinance. Mr. Risinger stated that staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions.

Mr. Haldeman inquired if there would be any changes to the footprint or height of the building or the location of the driveway.

Mr. Risinger stated that there would not be any changes to the building or the location of the driveway.

Dr. Rose inquired if there was adequate room for parking.

Mr. Risinger stated that the Zoning Ordinance requires one space for every five seats which accounts for the 30 spaces shown on the master plan.

Mr. O'Connor opened the Public Hearing.

Mr. Darren Curtis, DJG, Inc., addressed the Commission in with an overview of the project and requested that the Commission support the application.

Mr. Polster noted that he served with Mr. Curtis on the Stormwater Advisory Committee for several years.

Mr. Polster commented that he was impressed with the way the design took into account stormwater features.

As no one else wished to speak, Mr. O'Connor closed the Public Hearing.

Ms. Null made a motion to recommend approval of the application.

On a roll call vote, the Commission voted to recommend approval of SUP-21-0026. Living Word Church of God. (5-0)

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for consideration.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - February 2022

Mr. Holt stated that he did not have anything to add to what was included in the Agenda materials.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

1. Update on the Natural and Cultural Assets Plan Effort

Ms. Tammy Rosario, Assistant Director of Community Development, introduced the Project Consultant, Ms. Karen Firehock, Assistant Director of GIC Inc.,

Ms. Firehock made a presentation to the Commission on the progress toward developing a Natural and Cultural Assets Plan to meet an operational initiative in the 2035 Strategic Plan and an outgrowth of affirmed community priorities established during the recent update of the County's Comprehensive Plan.

Dr. Rob Rose inquired if this project links with work being done by the state.

Ms. Firehock stated that the work done for the County is based on the information provided by the state; however, the state's data is not as up to date as what is prepared for the County.

Dr. Rose noted that it might be beneficial to see how the data from NatureServe intersects with the County's information.

Mr. Polster inquired how current and granular the LIDAR (Light Detection and Ranging) data is.

Ms. Firehock stated that the data is approximately a year old and came from the work being done by the Hampton Roads Planning District Commission.

Mr. Polster inquired when the shape files would be available.

Ms. Firehock stated that the shape files could be accessed at any time; however, they are still making edits.

Mr. O'Connor thanked Ms. Rosario and Ms. Firehock for the update.

Dr. Rose stated that he appreciated the community coming out to make their concerns heard regarding the Bush Springs Road matter.

Mr. O'Connor noted that Mr. Polster has Board of Supervisors coverage for February.

Mr. O'Connor stated that the Policy Committee would meet the following week to begin review of the Capital Improvements Program requests.

J. ADJOURNMENT

Mr. Polster made a motion to adjourn.

The meeting was adjourned at approximately 8:56 p.m.

Paul D. Holt, III, Secretary

Tim O'Connor, Chairman

ITEM SUMMARY

DATE: 3/2/2022

TO: The Planning Commission

FROM: Terry Costello, Senior Planner

SUBJECT: SPLN-21-0002. Parke at Westport

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Cover Sheet and Overall Layout Sheet	Exhibit
▣	Outstanding Comments	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/23/2022 - 2:33 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 2:33 PM
Publication Management	Daniel, Martha	Approved	2/23/2022 - 2:39 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 2:40 PM

SPLN-21-0002. Parke at Westport**Staff Report for the March 2, 2022, Planning Commission Meeting****SUMMARY FACTS**

Applicant: Graham Corson, AES Consulting Engineers

Land Owner: Parke at Westport, LLC

Proposal: 14 single-family dwellings

Locations: 3400 Westport
3401 Westport

Tax Map/Parcel Nos.: 3620100060
3620100061

Project Acreage: ± 32.78 acres
± 12.19 acres

Current Zoning: A-1, General Agriculture

Comprehensive Plan: Rural Lands/Low Density Residential
(primarily)

Primary Service Area: Inside

Staff Contact: Terry Costello, Senior Planner

REASON FOR PLANNING COMMISSION REVIEW

Section 19-23 of the Subdivision Ordinance requires Planning Commission review for all major subdivisions with 50 or more lots. These proposed 14 lots are in addition to the existing Westport Section A, which has 41 lots.

FACTORS FAVORABLE

1. The proposal is compatible with surrounding development.
2. Staff finds the proposal consistent with the 2045 Comprehensive Plan: *Our County, Our Shared Future*.

FACTORS UNFAVORABLE

1. No factors unfavorable.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission grant the Parke at Westport preliminary subdivision approval subject to agency comments.

PROJECT HISTORY

On March 28, 2012, the Development Review Committee granted preliminary approval of S-0037-2007, with 42 lots in Section A and 45 lots in Section B. Section A has been platted. Section B has not been approved.

PROJECT DESCRIPTION

- Proposal is for 14 single-family dwellings.

SURROUNDING ZONING AND DEVELOPMENT

- Surrounding properties to the west are zoned A-1, General Agricultural and are designated Rural Lands on the Comprehensive Plan. The areas to the north, east, and south are zoned A-1, General Agricultural and R-4, Residential Planned Community, and designated Low Density Residential on the Comprehensive Plan.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC IMPACTS

- Anticipated impact on public facilities and services: Subject to the submittal of revised plans addressing the outstanding plan review comments.
- Anticipated impact on environmental, cultural, and historic resources: Subject to the submittal of revised plans addressing the outstanding plan review comments.
- Anticipated Land Use impact on nearby and surrounding properties: Subject to the submittal of revised plans addressing the outstanding plan review comments.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission grant the Parke at Westport preliminary subdivision approval subject to agency comments.

TC/ap
SPLN21-2_PkWstprt

Attachments:

1. Cover Sheet and Overall Layout Sheet
2. Outstanding Comments

THIS SITE LIES WITHIN THE CHICKAHOMINY RIVER AND POWHATAN CREEK WATERSHEDS.

2. ALL ERRORS OR DISCREPANCIES WITH THE PLANS OR EXISTING SITE CONDITIONS SHALL BE REPORTED TO THE ENGINEER OR SURVEYOR OF RECORD BEFORE PROCEEDING WITH THE WORK.

3. CONTOUR INTERVAL IS 1 FOOT. EXISTING GRADE IS FROM SURVEY PROVIDED BY AES DATED MARCH 13, 2018.

4. ALL UTILITY AND SURVEY DATA SHOWN ON THE DRAWINGS HAVE BEEN PROVIDED BY AES CONSULTING ENGINEERS. INFORMATION HAS BEEN OBTAINED FROM THE BEST AVAILABLE SOURCES AT THE TIME OF THE SURVEY BUT IS NOT REPRESENTED AS BEING COMPLETE AND ACCURATE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND PROTECT EXISTING UTILITIES AND UNDERGROUND STRUCTURES. DAMAGE TO EXISTING UTILITIES AND UNDERGROUND STRUCTURES SHALL BE REPAIRED BY THE CONTRACTOR TO NO ADDITIONAL COST TO THE DEVELOPER.

5. EXISTING UTILITY LOCATIONS INDICATED ARE APPROXIMATE. FIELD VERIFY PRIOR TO COMMENCING THE WORK.

6. OWNER SHALL OBTAIN A LAND DISTURBING PERMIT. A SILTATION AGREEMENT, WITH SURETY, IS REQUIRED FOR THIS PROJECT.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING AND MAINTAINING EROSION AND SEDIMENT CONTROL MEASURES AS SHOWN ON THE DRAWINGS AND FOR EXCAVATION STOCKPILES, STAGING AREAS, MOBILIZATION SITES, BEDDINGS/BACKFILL STOCKPILES, AND OTHER LAND DISTURBANCES NOT SPECIFICALLY ADDRESSED IN THE DRAWINGS OR CONTRACT DOCUMENTS. EROSION AND SEDIMENT CONTROL MEASURES SHALL MEET OR EXCEED THE MINIMUM STANDARDS OF THE "VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK" (LATEST PUBLICATION) AND THE REQUIREMENTS OF THE LOCAL GOVERNING AUTHORITY.

8. ALL DISTURBED AREAS, INCLUDING BUT NOT LIMITED TO PAVEMENT, SHOULDERS, DITCHES, HEADWALLS, ENDWALLS, CULVERT PIPES, CURB AND GUTTER, UTILITIES, DRIVEWAYS, SIGNS, MAILBOXES, ETC., SHALL BE REPAIRED TO A CONDITION EQUAL TO OR BETTER THAN THOSE EXISTING PRIOR TO CONSTRUCTION OR AS SHOWN ON THE DRAWINGS. SIGNS, MAILBOXES, AND GUARDRAIL THAT ARE DISTURBED SHALL BE RETURNED TO THEIR ORIGINAL LOCATIONS DAILY AND MAINTAINED THROUGHOUT THE PROJECT.

9. THE CONTRACTOR SHALL REESTABLISH ALL PROPERTY PINS, MONUMENTS, WATER METERS, DRAINAGE CULVERTS, FENCES, UTILITY POLES, DRIVEWAYS, CURBS, GUTTERS, ETC., DISTURBED DURING CONSTRUCTION AT NO ADDITIONAL COST TO THE DEVELOPER/OWNER.

10. ALL PROPOSED UTILITIES SHALL BE PLACED UNDERGROUND AS PER ARTICLE V, DIVISION 1, SECTION 24-200 OF THE JAMES CITY COUNTY ZONING ORDINANCE.

11. PRIVATELY OWNED UTILITIES SHOWN ON THIS PLAN ARE REGULATED BY THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE AND ENFORCED BY THE LOCAL COMPLIANCE DIVISION. THESE PRIVATELY OWNED UTILITIES MUST COMPLY FULLY WITH THE INTERNATIONAL PLUMBING CODE, THE NATIONAL FIRE PREVENTION ASSOCIATION STANDARD 24, AND THE INTERNATIONAL FIRE CODE. CONTRACTORS WORKING FROM THIS SITE PLAN ARE CAUTIONED NOT TO INSTALL OR CONCEAL PRIVATELY OWNED SITE UTILITIES WITHOUT OBTAINING REQUIRED PERMITS AND INSPECTIONS.

12. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND NOTIFY THE OWNER OF ANY DISCREPANCIES PRIOR TO AND DURING CONSTRUCTION.

13. ANY EXISTING, UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH THE VIRGINIA PRIVATE WELL REGULATIONS AND JAMES CITY COUNTY CODE.

14. SOLID WASTE DISPOSAL SHALL BE PROVIDED BY A PRIVATE HAULER.

15. THE CONTRACTOR SHALL MAINTAIN A COMPLETE SET OF THE APPROVED PLANS AT THE PROJECT SITE AT ALL TIMES DURING CONSTRUCTION.

16. CONTRACTORS SHALL NOTIFY MISS UTILITY @ 811 OR (800) 552-7001 PRIOR TO STARTING CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR LOCATING AND DETERMINING SIZES OF ALL UTILITIES PRIOR TO CONSTRUCTION. IF CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLANS, CONTACT THE ENGINEER BEFORE PROCEEDING.

17. THE CONTRACTOR SHALL PROVIDE WRITTEN NOTIFICATION TO ALL OWNERS AND RESIDENTS OF PROPERTY ADJACENT TO THE PROJECT 30 DAYS PRIOR TO THE COMMENCEMENT OF WORK UNLESS OTHERWISE DIRECTED BY THE OWNER. CONSTRUCTION WITHIN EASEMENTS OR ON PUBLIC RIGHT-OF-WAY NECESSITATES NOTICE WHETHER ADJACENT TO OR LOCATED ON THE ADJOINING PROPERTY. FAILURE TO PROVIDE THE MINIMUM NOTIFICATION TIME WILL RESULT IN SUSPENSION OF WORK.

18. THE ABSENCE OF THE OWNER OR THE ENGINEER AT THE JOB SITE DOES NOT, IN ANY WAY, RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY TO PERFORM THE WORK IN ACCORDANCE WITH THE DRAWINGS, CONTRACT DOCUMENTS, ADDENDA, AND WRITTEN AUTHORIZED PLAN REVISIONS.

19. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS, ORDINANCES, RULES, REGULATIONS, AND ORDERS OF ANYBODY HAVING JURISDICTION. THE CONTRACTOR SHALL ERECT AND MAINTAIN, AS REQUIRED BY THE CONDITIONS AND PROGRESS OF THE WORK, ALL NECESSARY SAFEGUARDS FOR SAFETY AND PROTECTION.

20. ALL CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM WITH THE CURRENT JAMES CITY COUNTY STANDARDS AND SPECIFICATIONS, VIRGINIA DEPARTMENT OF TRANSPORTATION ROAD AND BRIDGE STANDARDS AND SPECIFICATIONS, VIRGINIA EROSION AND SEDIMENT CONTROL REGULATIONS, AND ANY OTHER APPLICABLE CITY OR STATE ORDINANCES, CODES, AND LAWS PRIOR TO ANY CONSTRUCTION ACTIVITY.

21. THE CONTRACTOR SHALL USE ONLY NEW MATERIALS, PARTS, AND PRODUCTS ON ALL PROJECTS. ALL MATERIALS SHALL BE STORED SO AS TO ASSURE THE PRESERVATION OF THEIR QUALITY AND FITNESS FOR THE WORK.

22. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO COMMENCEMENT OF WORK, INCLUDING, BUT NOT LIMITED TO, LAND DISTURBING, BUILDING, RIGHT-OF-WAY, AND UTILITY PERMITS.

23. CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF CONSTRUCTION EFFORTS WITH LOCAL EMERGENCY SERVICES AND ALL NECESSARY UTILITY COMPANIES, INCLUDING, BUT NOT LIMITED TO, ELECTRICITY, NATURAL GAS, TELECOMMUNICATIONS, CABLE TELEVISION, WATER, SEWER, PRIVATE LIGHTING, AND OTHERS THAT MAY BE REQUIRED.

24. THE CONTRACTOR SHALL SATISFY HIMSELF AS TO ALL SITE CONDITIONS PRIOR TO CONSTRUCTION.

25. THE CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF ALL SITE IMPROVEMENTS, INCLUDING LANDSCAPING, AS SHOWN ON THE APPROVED PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING AND MAINTAINING ALL LINES AND GRADES REQUIRED.

26. THE CONTRACTOR SHALL REMOVE ALL EXCESS MATERIAL, INCLUDING SOIL AND DEBRIS, FROM THE SITE. ALL OBJECTIONABLE AND DEleterious MATERIAL IS TO BE REMOVED FROM THE SITE AND DISPOSED OF IN A STATE APPROVED FACILITY MEETING THE REQUIREMENTS OF ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.

27. THE CONTRACTOR SHALL COMPLY WITH ALL PROVISIONS OF THE VIRGINIA UNDERGROUND UTILITY DAMAGE PREVENTION ACT (SECTION 56-265, 14 ET. SEQ. CODE OF VIRGINIA, 1950, AS AMENDED) AND HEREBY AGREE TO HOLD THE DEVELOPER AND THE ENGINEER HARMLESS AGAINST ALL LOSS, DAMAGE, OR COST OF ANY NATURE WHATSOEVER ARISING OUT OF THE CONTRACTOR'S FAILURE TO COMPLY WITH THE REQUIREMENTS OF SAID ACT. THE CONTRACTOR IS REQUIRED TO COMPLY WITH THE VIRGINIA OVERHEAD HIGH VOLTAGE LINE SAFETY ACT (SECTIONS 59-1.406 THROUGH 59-1.414, CODE OF VIRGINIA, 1950, AS AMENDED). THE CONTRACTOR IS REQUIRED TO VISIT THE SITE AND NOTE THE POSITION OF OVERHEAD CABLES PRIOR TO CONSTRUCTION.

28. HORIZONTAL DATUM: NAD83 (1129) VIRGINIA STATE PLANE COORDINATE SYSTEM
VERTICAL DATUM: NGVD29

29. THE PROFESSIONAL, WHOSE SEAL IS AFFIXED HEREON, SHALL ACT AS THE "RESPONSIBLE LAND DISTURBER" FOR PURPOSES OF PLAN APPROVAL ONLY. PRIOR TO ISSUANCE OF THE LAND DISTURBING PERMIT, THE CONTRACTOR SHALL PROVIDE THE NAME OF A "RESPONSIBLE LAND DISTURBER" WHO SHALL ASSUME RESPONSIBILITY AS THE "RESPONSIBLE LAND DISTURBER" FOR THE CONSTRUCTION PHASE OF THE PROJECT. THE CONTRACTOR SHALL PROVIDE WRITTEN NOTIFICATION SHOULD THE "RESPONSIBLE LAND DISTURBER" CHANGE DURING CONSTRUCTION.

30. ALL DROP INLETS SHALL BE STANDARD VDOT INLETS WITH TYPE "A" NOSE.

31. STORM SEWER PIPE SHALL BE CLASS III RCP (ASTM C78-11) OR SMOOTH WALL INTERIOR HDPE PIPE (ASTM D2321) UNLESS OTHERWISE DESIGNATED.

32. STORM STRUCTURES SHALL CONFORM TO THE CURRENT VDOT ROAD AND BRIDGE STANDARDS AND VDOT SPECIFICATIONS. ALL MANHOLES SHALL INCLUDE INLET SHAPING (IN-1), AND MANHOLES DEEPER THAN 4 FEET SHALL HAVE STEPS (ST-1). PIPE BEDDINGS SHALL BE IN ACCORDANCE WITH VDOT PB-1 AND MANUF. SPECS/GUIDELINES.

33. ALL FILL MATERIAL SHALL BE VOID OF DEBRIS AND PLACED IN UNIFORM LIFTS OF NOT MORE THAN 8" IN LOOSE DEPTH. COMPACTION SHALL BE PERFORMED WITH HEAVY COMPACTION EQUIPMENT. COMPACT TO 95% MAXIMUM DRY DENSITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING COMPACTION TEST RESULTS BY A GEOTECHNICAL ENGINEER TO THE OWNER/DEVELOPER FOR VERIFICATION OF PROPER COMPACTION.

34. ALL TRAFFIC CONTROL SIGNS AND PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) FOR STREETS AND HIGHWAYS.

35. ALL PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH DETAILS AND NOTES.

36. THE CONTRACTOR SHALL STRICTLY ADHERE TO THE CLEARING LIMITS AS SHOWN ON THE APPROVED PLAN. IF IT IS NECESSARY TO CLEAR TREES BEYOND THE LIMITS OF DISTURBANCE, THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER AND COORDINATE THE WORK PRIOR TO ANY CLEARING.

37. ALL LIGHTING WILL BE IN COMPLIANCE WITH ARTICLE II, DIVISION 7 OF THE JAMES CITY COUNTY ZONING ORDINANCE.

38. ALL NEW STREET SIGNS SHALL BE SET IN ACCORDANCE WITH ARTICLE II, DIVISION 3 OF THE JAMES CITY COUNTY ZONING ORDINANCE AND SEC. 19-57 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.

39. COORDINATION INCLUDES BEING THE PARTY RESPONSIBLE TO COORDINATE WITH DEVELOPER/OWNER TO ENSURE THAT OTHER UTILITIES (PUBLIC OR PRIVATE) DO NOT VIOLATE THE JCSA POLICY OF EXCLUSIVE OCCUPATION OF JCSA EASEMENTS OTHER THAN PERPENDICULAR CROSSINGS.

40. THE PROPERTY IS SERVED BY JCSA WATER & SEWER THAT CONNECTS TO THE JCSA SEWER SYSTEM.

41. ALL NEW MONUMENTS SHALL BE SET IN ACCORDANCE WITH SEC. 19-34 THROUGH 19-36 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.

42. UNLESS OTHERWISE NOTED, ALL DRAINAGE EASEMENTS DESIGNATED ON THE PLAT SHALL REMAIN PRIVATE.

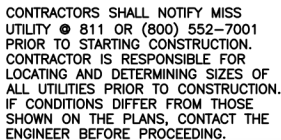
43. THIS PLAN IS DESIGNED TO THE JCSA PROVISIONS TO HRPDC REGIONAL CONSTRUCTION STANDARDS, 6TH EDITION AND THE JCSA DESIGN AND ACCEPTANCE CRITERIA, DATED MARCH 2021.

44. NO BUILDING OR STRUCTURE SHALL EXCEED 60' IN HEIGHT WITHOUT A HEIGHT WAIVER FROM JAMES CITY COUNTY.

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA



EXISTING		PROPOSED		EXISTING		PROPOSED	
EX. WATER						CENTERLINE/BASELINE	
EX. SAN.						RIGHT OF WAY	
EX. FORCE MAIN						PROPERTY LINE	
						6" DITCH/SWALE	
						CONCRETE UNED DITCH	
						EXISTING TREELINE	
						LIMITS OF CLEARING	
						RIP RAP	
						CURB	
						CURB AND GUTTER	
						REVERSE GUTTER PAN	
						EDGE OF PAVEMENT	
						EXISTING GROUND ELEVATION	
						PROPOSED SPOT GRADE	
						CONTOUR	



<u>SHEET NO.</u>	<u>SHEET DESCRIPTION</u>
C1.0	COVER SHEET
C2.0	ENVIRONMENTAL INVENTORY
C2.1	INITIAL EROSION & SEDIMENT CONTROL PLAN
C3.0	PRELIMINARY PLAN
C4.0	OVERALL SITE & UTILITY PLAN
C4.1	UTILITY PLAN (1)
C4.2	UTILITY PLAN (2)
C4.3	UTILITY PLAN (3)
C5.0	GRADING & DRAINAGE PLAN
C6.0	PROFILES (1)
C6.1	PROFILES (2)
C7.0	GRINDER PUMP NOTES AND DETAILS
C8.0	E&S NOTES AND DETAILS
C8.1	E&S NOTES AND DETAILS
C8.2	NOTES AND DETAILS
C8.3	NOTES AND DETAILS
L1.0	LANDSCAPE PLAN

CONTACT: PARKE AT WESTPORT, LLC
MR. CHRIS SIMONS
10618 PATTERSON AVENUE
HENRICO, VA 23238

GRAHAM V. CORSON, P.E.
AES CONSULTING ENGINEERS
5248 OLDE TOWNE ROAD, SUITE 1
WILLIAMSBURG, VIRGINIA 23188
TELEPHONE: 757-253-0040

* FOR SITE PLAN REVIEW PROCESS ONLY. OWNER OR CONTRACTOR SHALL NAME RESPONSIBLE LAND DISTURBER FOR CONSTRUCTION PROCESS.

SITE ADDRESS: 3400 & 3401 WESTPORT
WILLIAMSBURG, VA 23188
Latitude: 37° 17' 40" N, Longitude: 76° 48' 5" W

ZONING: A1, GENERAL AGRICULTURE

PARCEL ID: 3620100061, 3620100060

SITE AREA: 1,958,893 S.F.± ; 44.97 AC.±

IMPERVIOUS AREA: _____

PRE-DEVELOPMENT:	46,477 S.F.±	:	1.07 AC.±
POST-DEVELOPMENT:	76,755 S.F.±	:	1.76 AC.±

LIMITS OF DISTURBED AREA:			
ON-SITE	141,911 S.F.±	:	3.26 AC±
OFF-SITE	6,269 S.F.±	:	0.14 AC±
TOTAL	148,180 S.F.±	:	3.40 AC±

FLOOD HAZARD MAP: THIS PROPERTY IS IN FLOOD ZONE X AS SHOWN ON MAP NUMBER 51095C0116D, PANEL 0116, FOR COMMUNITY NUMBER 510201, DATED 12/16/2015 OF THE FLOOD INSURANCE RATE MAPS FOR JAMES CITY COUNTY COUNTY, VA. ZONE X IS DEFINED AS AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

EXISTING PERMIT COVERAGE #:

SITE LOCATED IN CHESAPEAKE BAY PRESERVATION AREA: Yes ☒ No ☐

LOCATION OF OFF-SITE ACTIVITY: 3419 WESTPORT,
WILLIAMSBURG, VA 23188
Latitude: 37° 17' 32" N, Longitude: 76° 48' 10" W

STATUS OF ACTIVITY: ☐ Federal ☐ State ☐ Public ☒ Private

NATURE OF CONSTRUCTION ACTIVITY: ☐ Commercial ☒ Residential ☐ Industrial ☐ Other

NAME OF RECEIVING WATER(S): CHICKAHOMINY RIVER, POWHATAN CREEK

NAME OF IMPAIRED WATER(S): CHICKAHOMINY RIVER, MORRIS CREEK, POWHATAN CREEK

HYDROLOGIC UNIT CODE (HUC): JL29 & JL31

MUNICIPAL STORM SEWER SYSTEM (MS-4): N/A

COMMON PLAN OF DEVELOPMENT: Yes ☒ No ☐

Rev.	Date	Description	Revised By
1	6/23/21	REVISED PER JCC & VDOT COMMENTS	GVC
2	8/25/2021	REVISED PER JCC COMMENTS	GVC
3	12/22/2021	REVISED PER JCC COMMENTS / OWNER COORDINATION	GVC



ADS
CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula

5248 Old Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 253-0040
www.adsve.com

SUBDIVISION PLAN
FOR
PARKE AT WESTPORT
FORD'S COLONY

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:		GVC	
Project Number:		W10145-03	
Scale:	Date:		
AS NOTED	4/14/2021		
Sheet Title:			
COVER SHEET			
Sheet Number			
C1.0			



Community Development

101-A Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23187-8784
P: 757-253-6671
F: 757-253-6822

community.development@jamescitycountyva.gov

jamescitycountyva.gov

Building Safety & Permits

757-253-6620

Neighborhood Development

757-253-6640

Planning

757-253-6685

Zoning

757-253-6671

February 4, 2022

Mr. Chris Schaible
AES Consulting Engineers
5248 Olde Towne Road, Suite 1
Williamsburg, VA 23188

Re: SPLN-21-0002, Parke at Westport, Lots 1-14 (4th submittal)

Mr. Schaible,

Thank you for the opportunity to review the above referenced subdivision construction plan. Staff has completed its review and offers the following comments:

Planning:

General.

1. Please note that the James City County Board of Supervisors has instituted a fee of \$262.50 for every review of a project after the second resubmission and review. This means that this fee shall be assessed upon the next submittal.

Sheet C3.0.

2. Staff has concerns regarding the impacts of the BMP access easements on the buildable area. Is it the intent for home sites to be located within the “U” shape of the easements? This would severely limit the buildable area and negatively impacts certain lots in particular, especially Lot 12.

Sheet C3.0.

3. For Lot 11, the front setback normally would be along the property line of Lot 10. (See Lot 10 and Lot 12 for examples) Please review [Section 19-41](#) of the Subdivision Ordinance on building setbacks.

Sheet C4.0.

4. The sidewalk currently shown on Lot 14 will need to be realigned to connect to the sidewalk on Lot 47, also known as 4700 Locklomond. The sidewalk along the front of Lot 47 will be located in the right-of-way.

Fire, Dep. Zoning Admin., JCSA, Police/EMS, Landscape, VDOT: Approved/no further comments.

SRP: Comments sent.

Copies of the all comments can be found on [PermitLink](#). When the above comments have been incorporated, please submit 8 sets of revised plans and a letter noting what action was taken to correct the above and outstanding comments. **Please also upload PDFs of any resubmittal materials to PermitLink.** Please contact me at 757-253-6685 or terry.costello@jamescitycountyva.gov should you have any questions or concerns.

Sincerely,

Terry Costello

Terry Costello
Senior Planner



General Services
107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080
General.Services@jamescitycountyva.gov
jamescitycountyva.gov

Capital Projects
107 Tewning Road
Williamsburg, VA 23188
757-259-4080

Fleet
103 Tewning Road
Williamsburg, VA 23188
757-259-4122

**Stormwater and
Resource Protection**
101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6670

Facilities & Grounds
113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste
1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

February 1, 2022

AES Consulting Engineers
Graham Corson, P.E.
5248 Olde Towne Rd.
Williamsburg, VA 23188

RE: Parke at Westport
SPLN-21-0002
4th Review

The Stormwater and Resource Protection Division has completed a review of the submitted case referenced above and offers the following permitting information and technical comments on the proposed submittal. *Please note the submitted waiver request for the timber wall structure will be approved with the development plan.*

Technical Review Comments

Chesapeake Bay Preservation:

1. Chesapeake Bay Preservation Exception. Please provide an administrative Chesapeake Bay Preservation Waiver through the JCC PermitLink portal for the proposed channel protection riprapped channel.

Stormwater Management/ Drainage Plan:

2. Offsite Credit Purchase. Provide evidence of credit availability in a DEQ approved nutrient credit bank. Please review the May 2021 DEQ updates for this credit purchase program and provide necessary evidence to satisfy requirements. (Previous comment not yet addressed.)
3. Timber Wall Design. Please include a screening configuration or other device design to protect the 2" low flow orifice from clogging.
4. Rip Rap Channels/ Swales. Please provide a cross section detail for these swale designs. The same detail with a sizing chart can be used for the various designs noted on Sheet C5.0. The detail must include filter fabric needs and other pertinent installation notes.

Please contact our offices with any questions or concerns regarding the information and comments noted.
Staff contact information is listed below for your convenience.

Deirdre P. Wells, P.E., CFM
Chief Civil Engineer
Deirdre.Wells@jamescitycountyva.gov
(757) 253-6702

Michael D. Woolson, PLA, CFM
Chief, Resource Protection
Michael.Woolson@jamescitycountyva.gov
(757) 253-6823



Police
4600 Opportunity Way
P.O. Box 8784
Williamsburg, VA 23187-8784
P: 757-253-1800
F: 757-229-8729
Animal Control: 757-565-0370

jamescitycountyva.gov/police

PLANNING DIVISION

JUL 13 2021

RECEIVED

Date: 7/13/2021
To: Tori Haynes, Senior Planner
From: Monique Myers, Police
Subject: SPLN-21-0002, Parke at Westport. Lots 1-14 – Revised plans

After reviewing the site plans revision we understand the response, however, we would highly recommend some type of increased lighting for pedestrians in the neighborhood in order to prevent criminal activity per the National Crime Prevention Association Standards.

Feel free to contact me at (757) 592-8556 with any additional questions.

Monique Myers

Monique Myers

James City County Police Department, Lieutenant

Commonwealth of VA Certified Crime Prevention Specialist

Tori Haynes

From: Rebecca Williams
Sent: Thursday, July 8, 2021 4:35 PM
To: Tori Haynes
Cc: Monique Myers; Susan Thompson
Subject: RE: [External] RE: Westport Street Names

Good afternoon.

We have a Clydeside in James City County and Newport News has Elaine Dr. Donan and Cawdor are fine.

Thank you,

Rebecca Williams
Emergency Communications Director/Training Coordinator



Fire
3131 Forge Road
Toano, VA 23168
P: 757-564-2146
C: 757-585-0546
F: 757-566-0842
jamescitycountyva.gov

From: Tori Haynes <Tori.Haynes@jamescitycountyva.gov>
Sent: Thursday, July 8, 2021 9:00 AM
To: Rebecca Williams <Rebecca.Williams@jamescitycountyva.gov>
Cc: Monique Myers <Monique.Myers@jamescitycountyva.gov>; Susan Thompson <Susan.Thompson@jamescitycountyva.gov>
Subject: FW: [External] RE: Westport Street Names

Rebecca,

The applicants submitted a new list of potential street names for SPLN-21-0002 (Westport). Can confirm if any of these will work?

Also copying Police and Real Estate as an FYI.

Thank you!
Tori

Tori Haynes
Senior Planner



Community Development

101-A Mounts Bay Road

Williamsburg, VA 23185

P: 757-253-6876

F: 757-253-6822

jamescitycountyva.gov

Most permit requests and inquiries can now be handled online

Visit JCC PermitLink: <http://www.jamescitycountyva.gov/permitlink>

From: Corson, Graham V <graham.corson@aesva.com>

Sent: Wednesday, July 7, 2021 1:09 PM

To: Tori Haynes <Tori.Haynes@jamescitycountyva.gov>; Schaible, Chris <chris.schaible@aesva.com>

Subject: [External] RE: Westport Street Names

Tori,

We have received the following list of names from the owners in the desired order:

- Cawdor
- Donan
- Clyde
- Eilean

If possible, they would like to just use the name itself without a suffix (similar to the other existing road names in this subdivision), but if needed they would like use "Court".

On another note, do you have any update on the date of the Planning Commission meeting? I would like to provide an update to the owners' team if possible. Thanks for your help!

Graham Corson, P.E.

Project Manager

AES Consulting Engineers



5248 Olde Towne Road, Suite 1

Williamsburg, Virginia 23188

Office (757) 253-0040

Cell (757) 880-1957

aesva.com

AES Consulting Engineers Confidentiality Note: This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and deleting this copy from your system. Thank you for your cooperation.

♻ Please consider the environment before printing this email.

ITEM SUMMARY

DATE: 3/2/2022

TO: The Planning Commission

FROM: John Risinger, Planner

SUBJECT: SUP-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities

ATTACHMENTS:

	Description	Type
☐	Staff Report	Staff Report
☐	1. Proposed SUP Conditions	Backup Material
☐	2. Location Map	Backup Material
☐	3. Master Plan	Backup Material
☐	4. Applicant Narrative	Backup Material
☐	5. Applicant Supplemental Documentation	Backup Material
☐	6. Unapproved Minutes of the February 2, 2022 Planning Commission Meeting	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/23/2022 - 3:35 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 3:35 PM
Publication Management	Daniel, Martha	Approved	2/23/2022 - 4:09 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 4:45 PM

SPECIAL USE PERMIT-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities
Staff Report for the March 3, 2022, Planning Commission Public Hearing

SUMMARY FACTS

Applicant: Mr. Jay Epstein, Health-E-Community Enterprises LLC

Land Owners: Virginia Department of Transportation (VDOT) Right-of-Way Marston LLC

Proposal: To allow for the installation of public water and sewer facilities by extending an existing force main and water main within the Bush Springs Road right-of-way from the Bush Springs Road and Toano Woods Road intersection heading south. The force main and water main would be further extended within the right-of-way proposed to be located on private property owned by the applicant.

Locations: Bush Springs Road right-of-way
242 Bush Springs Road
268 Bush Springs Road
275 Bush Springs Road
282 Bush Springs Road
290 Bush Springs Road
291 Bush Springs Road
308 Bush Springs Road

Tax Map/Parcel Nos.: 2220100038
2220100037
2220100033
2220100036
2220100035
2220100090
2220100035

Project Acreage: ± 2.8 acres

Zoning: A-1, General Agricultural
R-1, Limited Residential

Comprehensive Plan: Low Density Residential
Rural Lands

Primary Service Area: Inside (parcels designated Low Density Residential)
Outside (parcels designated Rural Lands)

Staff Contact: John Risinger, Planner

PUBLIC HEARING DATES

Planning Commission: February 2, 2022, 6:00 p.m. (deferred)
March 2, 2022, 6:00 p.m.

Board of Supervisors: April 12, 2022, 5:00 p.m. (tentative)

FACTORS FAVORABLE

1. With the recommended conditions, the proposal is compatible with surrounding zoning.
2. The proposal promotes public health and safety by providing reliable and efficient water service.
3. Impacts: Please see Impact Analysis on Pages 4-5.

FACTORS UNFAVORABLE

1. Staff finds the proposal inconsistent with the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.

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**SPECIAL USE PERMIT-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities
Staff Report for the March 3, 2022, Planning Commission Public Hearing**

2. Impacts: Please see Impact Analysis on Pages 4-5.

3. See Comprehensive Plan Analysis on Page 6.

CHANGES SINCE FEBRUARY 2, 2022, PLANNING COMMISSION MEETING

In response to public comment received at the February 2, 2022, meeting, the applicant has provided a revised project narrative and supplemental documentation to provide additional information on the costs associated with connections to public water and sewer facilities in comparison to costs for new individual wells or individual on-site sewage disposal systems, and how the project relates to adjacent properties. (See updated Attachment Nos. 4 and 5.)

SUMMARY STAFF RECOMMENDATION

Staff finds the proposal to be inconsistent with the recommendations of the 2045 Comprehensive Plan. Staff therefore does not recommend approval of this application. Should the Planning Commission wish to recommend approval, staff has included proposed conditions for consideration (Attachment No. 1).

PROJECT DESCRIPTION

Mr. Jay Epstein has applied for a Special Use Permit (SUP) to allow for the installation of public water and sewer facilities by extending an existing force main and water main within the Bush Springs Road right-of-way from the Bush Springs Road and Toano Woods Road intersection heading south. The force main and water main would be further extended within the right-of-way proposed to be located on private property owned by the applicant.

The stated purpose of the extended utilities would be to serve a proposed residential development south of the existing Bush Springs

Road right-of-way. The applicant has stated that he desires to adhere to the R-1 Zoning District requirements to have a by-right development not subject to legislative approvals. A portion of the properties proposed for development, 282, 290, 291, and 308 Bush Springs Road, are located outside of the PSA and are not recommended for new public water and sewer facilities. The proposal for this SUP would authorize these properties to connect to the proposed water and sewer facilities subject to the proposed conditions. This SUP does not govern or guarantee the design of residential development and, if approved, would be valid for alternative development proposals.

If public water and sewer facilities are not extended, the proposed residential development would be required to construct a central well water system for the development and individual on-site sewage disposal systems for each lot within the development.

If public water and sewer facilities are extended, the existing structures along Bush Springs Road would be required to connect to public water or sewer facilities if their individual well or on-site sewage disposal systems ceased to function properly in accordance with Virginia Department of Health regulations. Future structures would be required to connect to public water facilities and have the option of connecting to public sewer facilities or utilizing on-site sewage disposal systems.

PLANNING AND ZONING HISTORY

- Land use applications have been submitted during previous Comprehensive Plan update processes in 1997, 2003, 2008, and 2021 to request 282 Bush Springs Road, 290 Bush Springs Road, 291 Bush Springs Road, and 308 Bush Springs Road be redesignated to Low Density Residential and be included in the

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

**SPECIAL USE PERMIT-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities
Staff Report for the March 3, 2022, Planning Commission Public Hearing**

PSA. Each request has been denied and no change has been made to the PSA for these properties during that timeframe.

SURROUNDING ZONING AND DEVELOPMENT

- The properties located along Bush Springs Road from Richmond Road to Toano Woods Road are zoned A-1, General Agricultural, B-1, General Business, and R-1, Limited Residential. The Toano Woods subdivision is zoned R-1, Limited Residential.
- The properties located along Bush Springs Road south of Toano Woods Road are zoned R-1, Limited Residential.
- The properties located south of the existing Bush Springs Road right-of-way are zoned R-1, Limited Residential.

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SPECIAL USE PERMIT-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities
Staff Report for the March 3, 2022, Planning Commission Public Hearing

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>No Mitigation Required</u>	- The existing portion of Bush Springs Roads is substandard and is not suitable for considerable residential development. - The current application is specific to the extension of public water and sewer facilities and does not include any transportation improvements within the scope of the review. - Future development applications would be reviewed by VDOT for right-of-way considerations.
<u>Public Transportation: Pedestrian/Bicycle</u>	<u>No Mitigation Required</u>	- No pedestrian or bicycle improvements are shown along Bush Springs Road on the Pedestrian Accommodations Master Plan and the Regional Bikeways Master Plan.
<u>Public Safety</u>	<u>No Mitigation Required</u>	- The proposed construction area and subject properties are located approximately 2 miles from Fire Station 1. - The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.
<u>Public Schools</u>	<u>No Mitigation Required</u>	- While future development at the end of Bush Springs Road may generate new school children, the proposal to extend public water and sewer facilities itself will not.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to the County's Parks and Recreation services or facilities.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to public libraries or cultural centers.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	- The proposal seeks to extend public water and sewer facilities that would preclude the necessity of a central well water system and individual on-site sewage disposal systems.
<u>Watersheds, Streams, and Reservoirs</u>	<u>No Mitigation Required</u>	- The Stormwater and Resource Protection Division has reviewed this application and had no objections. Future development applications will be reviewed for detailed engineering comments.
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	- Cultural and historic resources will be evaluated during the development process.

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SPECIAL USE PERMIT-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities
Staff Report for the March 3, 2022, Planning Commission Public Hearing

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Nearby and Surrounding Properties</u>	<u>Mitigated</u>	- The proposed conditions would limit the hours of construction, require that disturbed vegetation be planted, and limit lighting associated with the water and sewer facilities. Any construction activities would be subject to the County's Noise Ordinance.
<u>Community Character</u>	<u>No Mitigation Required</u>	- Bush Springs Road is not designated as a Community Character Corridor (CCC).
<u>Covenants and Restrictions</u>	<u>No Mitigation Required</u>	- The applicant has verified that he is not aware of any covenants or restrictions on the property that prohibit the proposed use.

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SPECIAL USE PERMIT-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities
Staff Report for the March 3, 2022, Planning Commission Public Hearing

COMPREHENSIVE PLAN

The existing Bush Springs Road right-of-way and the properties south of the right-of-way but inside the PSA are designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map. Recommended primary uses for Low Density Residential include single-family and multifamily units, accessory units, cluster housing, and recreation areas.

The properties outside of the PSA are designated Rural Lands on the 2045 Comprehensive Plan Land Use Map. Recommended primary uses for Rural Lands include agricultural and forestal activities, agri-tourism, rural-support businesses, and certain commercial uses which require very low intensity settings. Residential development is not a recommended use and is discouraged outside the PSA in the Rural Lands.

The County's Utility Policy strongly discourages utility extensions outside of the PSA. Extensions of water and sewer facilities outside of the PSA have predominantly served a significant public purpose, addressed health and safety situations for existing communities, or improved utility service inside the PSA. The current application is intended to serve additional residential development which would not be consistent with these past precedents.

Bush Springs Road is not a CCC.

Staff finds that the following Comprehensive Plan goals provide pertinent guidance.

Land Use:

LU 4.1 - Enforce policies of the Comprehensive Plan to steer growth to appropriate sites in the PSA.

LU 4.2 - Provide for low density and moderate density residential development in appropriate locations inside the PSA and prohibit such development outside the PSA.

LU 5.1 - Encourage development of public facilities and the provision of public services within the PSA. As one component of this, maintain a utility policy that, along with other tools such as zoning regulations, supports the PSA as the growth boundary. Within the PSA, extend water and sewer service in the PSA according to a phased plan in accordance with the County's Comprehensive Plan and James City Service Authority's master water/sewer planning. Outside the PSA, restrict the extension of water and sewer utilities.

PROPOSED SUP CONDITIONS

Proposed conditions are provided in Attachment No. 1.

STAFF RECOMMENDATION

Staff finds the proposal to be incompatible with surrounding development and inconsistent with the recommendations of the adopted 2045 Comprehensive Plan.

Staff therefore does not recommend approval of the proposed SUP. Should the Planning Commission wish to recommend approval, staff has included proposed conditions for consideration.

JR/md

SUP21-23BushSpgsExtUtil

Attachments:

1. Proposed SUP Conditions
2. Location Map
3. Master Plan
4. Applicant Narrative
5. Applicant Supplemental Documentation
6. Unapproved Minutes of the February 2, 2022, Planning Commission Meeting

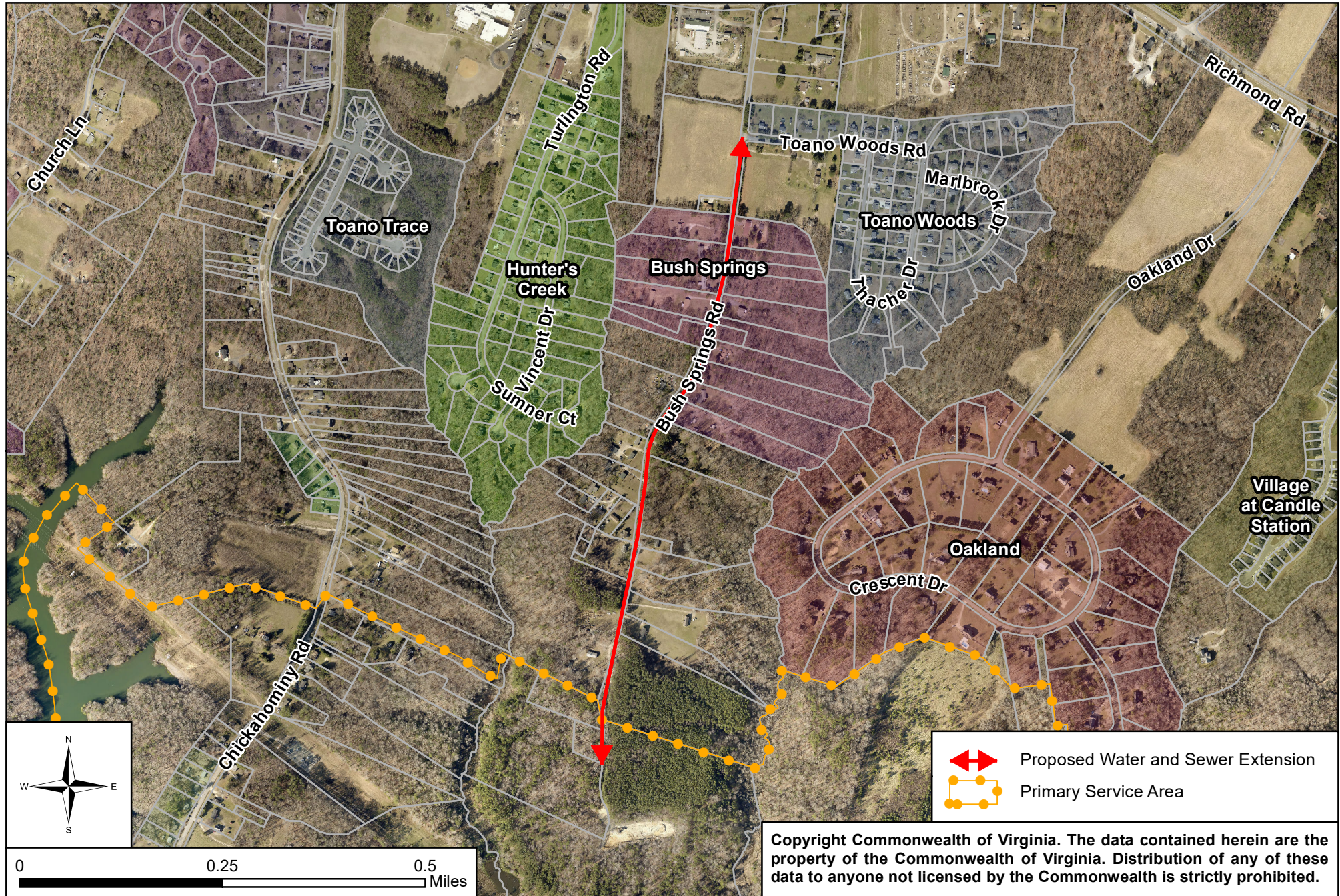
This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PROPOSED CONDITIONS FOR CASE NO. SUP-21-0023.

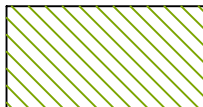
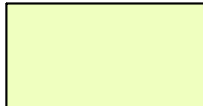
BUSH SPRINGS ROAD EXTENSION OF PUBLIC WATER AND SEWER FACILITIES

1. Master Plan: This Special Use Permit (SUP) shall be valid for the installation of a force main and water main, each a diameter of 3 inches or greater, within the existing the Virginia Department of Transportation right-of-way for Bush Springs Road from the intersection of Bush Springs Road and Toano Woods Road south along Bush Springs Road and within the proposed right-of-way located at 242 Bush Springs Road, 268 Bush Springs Road, 275 Bush Springs Road, 282 Bush Springs Road, 290 Bush Springs Road, 291 Bush Springs Road, and 308 Bush Springs Road, further identified, respectively, as James City County Real Estate Tax Map Parcel Nos. 2220100038, 2220100037, 2220100033, 2220100036, 2220100035, 2220100090, and 2220100034 (collectively the “Properties”). Installation of the force main and water main (the “Project”) shall occur generally as shown on the exhibit drawn by LandTech Resources Inc. entitled, “Conceptual Plan for SUP Solara Woods Bush Springs Road” dated January 12, 2022 (the “Master Plan”), with any deviations considered pursuant to Section 24-23(a)(2) of the James City County Code, as amended.
2. Connections Outside of the Primary Service Area: No connections shall be made to the force main and water main which would serve any property located outside the Primary Service Area (PSA) except for the Properties, some of which are outside of the PSA.
3. Construction Hours: The hours of construction of the force main and water main shall be limited to daylight hours, Monday through Friday.
4. Replanting: Prior to issuance of a Land Disturbing Permit, a plan addressing the replanting of disturbed vegetation within the right-of-way shall be submitted to and approved by the Director of Planning or designee. The intent of the plan is to restore the area to pre-land disturbing conditions.
5. Lighting: There shall be no new permanent lighting associated with the force main and water main within the right-of-way, except those required by safety codes.
6. Commencement of Construction: Construction for the Project shall commence within twenty-four (24) months from the date of issuance of the SUP, or the SUP shall become void. Construction shall be defined as clearing, grading, and drilling necessary for the Project.
7. Severability: The SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

JCC SUP-21-0023, Bush Springs Road Water and Sewer Extension





-  RPA AREA
-  APPROX. 50 ACRES OF CONSERVATION AREA
-  APPROX. 14 ACRES OF ADDITIONAL NATURAL AREA

SCALE: 1" = 250'



- NOTES:
1. THE SOLAR FARM AND PROPOSED LOT LAYOUT ARE NOT PART OF THE CURRENT SPECIAL USE PERMIT REQUEST.
 2. THIS SUP MASTER PLAN IS ONLY INTENDED TO SHOW THE APPROXIMATE ROUTE OF THE PROPOSED SANITARY SEWER AND WATER MAIN EXTENSIONS ALONG BUSH SPRINGS ROAD.
 4. SAMPLE LOT AREAS RANGES:
 - LOT 6: 2.0874 AC
 - LOT 28: 5.7966 AC
 - LOT 35: 0.4011 AC
 - LOT 48: 1.1997 AC

REVISION / COMMENT / NOTE

DATE

NO.

COMMONWEALTH OF VIRGINIA

WILLIAM S. FELTS

Lic. No. 57903

01/12/2022

PROFESSIONAL ENGINEER

LRI

LANDTECH

RESOURCES, INC.

ENGINEERING • SURVEYING • GPS

209-E Bullitts Boulevard Williamsburg, VA 23188

PH: (757) 835-0742

web: landtechresources.com

CONCEPTUAL PLAN FOR SUP

SOLARA WOODS

BUSH SPRINGS ROAD

JAMES CITY COUNTY

STONEHOUSE MAGISTERIAL DISTRICT

VIRGINIA

Scale: 1"=250'

Date: JANUARY 12, 2022

Job Number: 19-240

Drawn By: LRI

Sheet Title:

CONCEPTUAL LAYOUT

Sheet Number:

C002

CONCEPTUAL LAYOUT #3

Update- Owner's submittal of changes based on roundtable meeting with James City Planning and Planning Commission comments by residences addressing concerns

It is a pleasure presenting my vision for my new community Solara Woods at the Planning meetings for the SUP to extend water and sewer. I am passionate about preserving the environment, especially in my hometown of James City County. I want to bring James City County into the future of building – where high performance homes and solar co-exist with trees. Consumers and homeowners of James City County have one common interest – Mature Trees – whether it's because of privacy or conserving the environment – mature trees are what consumers and homeowners desire most.

There is a better path to follow to create - Solara Woods.

SOLARA WOODS is about balance. The Zero Energy Ready Homes are designed to reduce the carbon footprint. A typical home release 17,000 lbs. of carbon every year. The homes at Solara Woods will release less than 6000 lbs. of carbon a year prior to solar.

At Solara Woods, we wish to preserve the trees and views throughout the community of the 110-acre site that has the Yarmouth Creek located on either side. The electrification of this solar community with high-performance homes while preserving the trees and views of the land. This is enhanced by establishing a residential microgrid. The micro grid would be 300 KW in size. This will be submitted under a separate SUP once the min bill is approved by the State Corporation Commission by this summer.

Marston (Solara Woods) is a by-right development zoned R1. Whether included in the PSA or not the density level of one unit per acre will not change. A prior proposal for the by-right community of 64 plus homes could built with the use of individual septic tanks and a central well. We could increase density currently by not asking for the SUP and continuing forward with the by-right lots sizes and private utilities, however this does not meet the desires of Jay's environmental program. As approved tonight the high-performance homes would be built on wooded lots connected to public water and sewer

Site Statistics

Zoned R1

Total site area outside PSA= 81 ac +/-

Total site area inside PSA = 30 ac +/-

Total Overall site area = 110 ac +/-

Total Developable Area = 75.2 ac +/- (67.7%)

Total Undevelopable area=35.8 ac +/- (32.3%)

Total Site Acreage = 110 ac +/-

Using JCC 24-234- density Calculation 32.3% undevelopable area= 20% of total area added to total developable area. Therefore: 20% Of 110 ac.= 22.2 ac +75.2 ac =

97.4 ac of Total allowable Developable Area

One of the previously submitted concepts for the development in the by-right configuration. All lots are over 30,000 square feet for private water and sewer. The by-right density would allow for around 97 units at 1 unit per acre. This layout proposed 1 unit per 1.7 acres and the proposed layout with the SUP would be proposing about 1 unit per 2 acres. The density that is proposed on the SUP drawing is half of what would be allowed by-right.

This density is limited to the JCSA requirements to less than 49 lots for public sewer

1. JCSA Sewer verse grinder pump- comments from JCSA- working together with developer

Mike brought this up to me after our meeting based on our new regulations that either JCSA would have to own the pump station or it would have to be on individual grinder pumps under 50 homes. Please review the two sections of our JCSA design standards for the options available to this development.

2.01 HYDRAULIC ANALYSIS:

B. Wastewater System Hydraulic Analysis:

2.02 GENERAL SYSTEM DESIGN CONSIDERATIONS:

J. Guidelines for Wastewater Collection Systems for New Development:

JCSA discussed the sewer further and I think they are coming out with new 2021 regulations at some point soon. Those regulations allow for individual pump stations on each lot for under 50 lots. If we kick down to 49 total lots, we will be able to provide a low-pressure force-main and individual pumps. There new regulations also require that for lots over 50 we would be required to provide a JCSA owned pump station.

Owners Engineer stated: So, based on that, if we are at 49 units or less, we would have the option to install individual pumps on each lot, 50 lots or more would require a JCSA dedicated station?

Correct!

James Canning, P.E.

Chief Engineer Wastewater

This density is limited to the JCSA requirements to less than 49 lots for public water

2. JCSA water verses individual or central well

a. JCSA requires secondary loop for water for developments 50 lots or greater which we cannot provide due to location of property. Not near a secondary tie in.

b. JCSA comment -The water system shall be sufficiently looped such that a single point of failure results in no more than 50 residential units (single family, townhomes, condominiums or apartments) or 5 commercial units being out of service.

This limits JCSA water to no more than 49 units by ordinance when connected to public water

In summary if SUP is approved then this development can not have more than 49 lots with public water and sewer no matter who builds it. This is what limits lot density.

The benefits to allow connection to public water and sewer:

1. The Community of Zero Energy Ready Homes can take an additional environmental stand by saving the mature trees where septic and well would be located.
2. Reduce the fiscal deficit of maintaining an independent water system by JCSA as required by this bi-right community.
3. Sewer and Water connected to JCSA makes sense versus up to 64 individual septic systems located next to the RPA and Yarmouth Creek. This provides 64 unique opportunities for septic systems to fail and leak into the RPA and Yarmouth Creek.
4. The additional acreage not used for septic or central well can be placed into a conservation easement to protect the trees and create carbon credits. Approximately 10 + acres
5. Future connections will be available for neighbors within the PSA on Bush Spring Road when their individual home septic systems ultimately fail.
6. Multiple sections of the 2045 Comprehensive Plan establish the significance of the benefits Solara Woods will bring to this community.

ENV 3.7 - Seek to maintain and protect forested land and recognize the benefits it provides by sequestering carbon dioxide.

ENV 4.4 - Continue to evaluate and update Ordinances and policies to promote the construction of homes, businesses, and public facilities that conserve energy and achieve other green building standards. As one component of this, re-examine the existing Green Building Incentives adopted by the Board on September 11, 2012. Use U.S. Green Building Council's LEED program, Earthcraft, Envision, STAR Communities, WELL Building Standard, the Sustainable Development Code, and other sustainable building programs as guides in this effort

ENV 4.5 - Investigate amending County Ordinances to allow or encourage appropriate energy production and conservation technologies in residential areas (i.e., rain barrels, cisterns, residential-sized wind turbines, solar panels, etc.).

ENV 4.6 - Investigate ways to amend the County Ordinances to support alternative energy production, and to amend ordinances or include special use permit conditions that protect and enhance natural resources on alternative energy production sites. ENV 4.6.1. In Ordinances or as development approval conditions, include provisions to minimize clearing of forested land.

ENV 4.9 - Proactively work with private, local, regional, state and federal organizations to implement innovative solutions to improve air quality, including through the protection and enhancement of natural resources such as forest ecosystems.

The benefits far out way the posture of staff not recommending the extension of water and sewer to the by-right community of 49 single family homes. Staff is bound by the 2045 Comprehensive Plan. But exceptions have been granted in the past.

Over past years, there have been certain limited locations that have received SUPs for extension of utilities. Other than two exceptions for neighborhoods (Governors Land on John Tyler Highway and Deer Lake Rural Cluster adjacent to Colonial Heritage), the extensions have been to serve a significant public purpose (school sites), address health and safety situations (Chickahominy Road Community Development Block Grant area, Riverview Plantation, and Greenspring's Mobile Home Park), or improve utility service inside the PSA (Cranston's Mill

Pond Road and Jolly Pond Road mains, and the JCSA College Creek Pipeline). In keeping with the Utility Policy included as part of the 1997 Comprehensive Plan, all of the SUPs associated with these mains include conditions that place clear limits on connections to directly adjacent properties, a policy that should continue.

How many builders do you know that come in and ask to save the trees? I could easily build another Walnut Farm of Zero Energy Ready Homes. I envision my next community of Zero Energy Ready Homes where the trees stay. Solara Woods is how future developments should be designed. Zero Energy Ready Homes are the pathway to reducing our carbon footprint. I want to create something better for myself, my children and for the future generations of James City County. I want James City County to lead in this change. I have a clear vision of the path to building a better tomorrow as seen by my most recent award (Most Innovative Community in production category in the Nation as awarded by The Department of Energy), but we cannot continue to lead without your help. I ask for your support for SUP for extension of water and sewer so we can connect to public sewer/water and preserve the trees. We will start building Solara Woods for the citizens of James City County the Fall of 2023. How it is built will be decided tonight.

Marston SUP - Explanation of benefits, limitations and costs to Neighbors living on Bush Spring Road for water and sewer - To answer questions raised at prior Planning Commission Meeting

1. This is a by-right community of 49 single family homes zoned R1. Has always been zoned R1. Just like your homes on Bush Springs Road. We can by current zoning build up to 98 homes on the 110-acre parcel.
2. The limitation of the size of the community is 49 units based upon JCSA requirements for Solara Woods to connect to water and sewer due to the loop requirement for water for a secondary connection and JCSA sewer requirement for grinder pumps.
3. With Well and Septic at Solara Woods density could be increased based on R1 zoning of 1 unit per acre. Solara woods is a 110-acre site with an allowed density of 98 homes. The only limitation is individual well and septic locations. If you support a lower density then support the extension of water and sewer down Bush Springs Road.
4. The road itself was not widened when you moved in and will not be widened for a development of homes on the 110 acres since it is a by-right community like yours. Already zoned R1. It will be up to the County and VDOT to widen the road not this developer.
5. The 15ft paved road sits within a 30 ft right-away. This allows for water and sewer to be extended from Route 60 with water on one side and sewer on the other side a minimum of 18" from pavement.

6. We offer a condition that if a septic system is damaged while installing new water and sewer lines, we will make all repairs at our cost to repair existing septic system on your property.
7. The water extension would bring fire hydrants down the road to enhance the safety of your homes as well as reduce your insurance premiums.
8. At each lot on Bush Springs Road a tap will be set for future hookup of water for future connection if or when you have an unrepairable well failure on your property.
9. A new well can cost up to \$7,000 to \$10,000. A new Water Tap fee is \$4041.50 If you are replacing your well it makes sense to switch to county water for homes facing Bush Springs Road.
10. Yes, you will have a monthly water bill then but no maintenance cost for your current well.
11. The sewer extension will be by forced main and if you wish to connect to sewer, it will require a E/One grinder pump sewer system at a cost of \$9000 (Approx.). Plus, the cost of tap fee of \$5648 paid to JCSA. Other costs would be the installed cost of the sewer line connect from your home and the abandonment cost of old septic to close system.
12. A new septic system can cost up to \$8,000 to \$14,000. This would be the cheaper alternative.
13. By having water and sewer pass by your home with the option to hookup will add value to your home and land at no cost to you.
14. If and when you decide to connect to JCSA water and sewer it is your decision based on JCSA regulations. You will not be forced to connect if your septic and well are working and if broken it is repairable. Other assurances could be a condition of SUP as stated in section 3 noted below. Land Use Restriction: The premises is prohibited from connection to a water or sanitary sewer main by zoning, **special use permit**, or proffer conditions. **If land use restrictions apply, existing private septic systems or domestic sewage systems may be repaired or replaced subject to Virginia Department of Health approval and appropriate County department approval.**

Reference: JCSA Utility Regulations -SECTION 3. CONNECTION REQUIRED

The following regulations shall be observed to determine who shall be required to connect to the Authority's infrastructure.

A. Authority infrastructure capacity shall be obligated by contract, or approval of a site, subdivision, or master plan, so long as the approval remains valid, on a first come-first served basis and in the best interest of the Authority.

B. Service to existing or future premises. An owner of a parcel located within the PSA, any portion of which is located within 55-feet of Authority infrastructure that is accessible through an applicable and existing right-of-way and/or Authority water or sanitary sewer easement, shall connect to the infrastructure of the Authority or, upon the approval of the Authority, to the infrastructure of HRSD; provided, however, **an owner of a parcel shall not be required to connect to the Authority's infrastructure when any of the following conditions apply:**

1. The Authority's Discretion: The Authority, at its discretion, may determine that

connection is not required if it is in the best interest of the Authority.

2. Capacity: The capacity of the public water and/or sanitary sewer system is inadequate to serve the premises.

3. **Land Use Restriction: The premises is prohibited from connection to a water or sanitary sewer main by zoning, special use permit, or proffer conditions. If land use restrictions apply, existing private septic systems or domestic sewage systems may be repaired or replaced subject to Virginia Department of Health approval and appropriate County department approval.**

4. Distance from Right-of-Way or Easement: **If a premises is located more than 600-feet from the proposed service connection, the owner may request a waiver from the connection requirement due to excessive private water and/or sanitary sewer service pipe length.** Prior to a waiver being granted, the owner must provide documentation that an alternative source of potable water and/or a private septic or domestic sewage system, which is approved by the Virginia Department of Health, is available to serve the premises.

5. Water: **The existing structure is served by an existing functional domestic supply or source of potable water, which is approved by the Virginia Department of Health.**

6. Sanitary Sewer: **The existing premises is served by a private septic system or domestic sewage system that:**

(a) **has absorption trenches that are functioning properly.** The Virginia Department of Health shall determine whether absorption trenches are functioning properly,
or

(b) **can be made to function properly by replacing or repairing one of the following: sewer pipe from building to the septic tank or any of its parts; pump or pump chamber; conveyance lines; and/or distribution box. Additionally, a one-time remedial repair may be made to correct a failing drainfield that would not require excavation or replacement of any portion of the drainfield such as a chemical treatment, flushing, or root removal. Minor excavations to access the drainfield lines will be allowed.**

7. Replacement Premises: A premises that is replaced due to a natural disaster or fire is not considered a future premises or new separate service connection as long as such restoration has begun within 12 months of the date of the casualty and is complete within 24 months of the date of the casualty. System facility charges shall apply to replacement premises not resulting from a natural disaster or fire.

C. No Reversion: The owner of an existing premises who has connected to the Authority water and/or sanitary sewer system may not revert to a private water and/or sanitary sewer system unless approved, in writing, by the Authority.

D. Sanitary sewer service to existing premises with proposed future addition: **An owner of property shall be required to connect to the sanitary sewer facilities of the Authority when a proposed future addition to an existing premises causes the existing septic system capacity to be exceeded as determined by the Virginia Department of Health, and any portion of the parcel is located within 55-feet of Authority wastewater infrastructure that is accessible through an applicable and existing right-of-way and/or Authority water sanitary sewer easement; however, connection to said facilities shall not be required nor permitted if connection is not permitted by zoning, special use permit or proffer conditions.**

E. Time to connect: The owner of an existing structure shall comply with this connection

regulation within one (1) year after receiving from the Authority written notice that utility service is available.

F. Plumbing facilities: An existing premises required by these Regulations to connect to a water and/ or wastewater service of the Authority shall obtain the appropriate permits and approvals from the County.

G. Responsibility for Installing Connection:

1. Single-Family Residential Properties: If connection is required, the Authority shall provide a domestic water and/or sanitary sewer connection to the property boundary line upon payment of all applicable fees and charges.

OWNER & SUBDIVIDER, BENJAMIN E.
 & HELEN B. CLARK
 POWHATAN DISTRICT
 JAMES CITY COUNTY VIRGINIA
 SCALE 1"=100' DATE 4-10-67

Recorded 5/8/67
See
D B 110 Page 68

I hereby certify that to the best of my knowledge and belief, all of the requirements of the board of supervisors and ordinances of the County of James City, Virginia. Regarding the platting of subdivisions, within the county, have been complied with

Given under my hand this 4th day of
April 1967 Robert H. Washburn
 Certified Land Surveyor

State of Virginia, STATE OF AR
LARGE 1, JIMMY EMMETT
Notary Public, do certify that the
persons whose names are signed to
the foregoing writing have ac-
knowledge the same before me
in my City and State aforesaid.
Given under my hand this 14th day
of April, 1967
My commission expires 2-3-81

This subdivision known as BUSH SPRING subdivision is approved by the undersigned in accordance with existing subdivision regulations and may be committed to record.

NOT NECESSARY ~~not~~

Date 5/4/67 Highway Engineer
Th. P. Brady, M.D.

Date 5/4/67 Health Officer
Franklin D. O'Reilly

Date _____ Agent or Representative of
Governing body

This subdivision is with the free consent and in accordance with the desires and wishes of the undersigned owners and proprietors.

Source of title:
Deed Book 50 Page 390

State of Virginia,
County of James City

In the clerks office of the
Circuit Court for the County of
James City the _____ day of _____ 1967
The map shown hereon was pre-
sented and admitted to the rec-
ord as the law directs.

Teste: _____ clerk
Plat Book _____ Page _____

N or F Washington

	RAO	DELTA	ADD	TAN	CH	BRS
1	1.239(4)	171.7(6)	34.47	17.64	34.47	5.579(26)
2	1.739(4)	176.4(6)	72.81	64.49	172.71	5.507(27)
3	1.637(9)	174.9(6)	40.00	30.00	40.00	5.537(25)
4	1.559(7)	171.7(7)	4.975	22.47	44.94	5.616(26)
5	1.565(9)	174.4(7)	157.06	75.0(9)	149.93	5.617(26)
6	1.619(4)	171.7(6)	64.33	9.46	6.33	5.775(26)
7	1.627(9)	171.7(6)	9.46	9.4(1)	109.8	5.771(25)
8	1.677(9)	174.7(7)	9.4(6)	9.4(1)	137.7(9)	5.825(26)
9	1.749(1)	172.3(7)	194(2)	12.3(6)	1.749(1)	5.837(26)
10	1.749(1)	172.3(7)	118(1)	5.7(6)	1.749(1)	5.837(26)

VICINITY MAP

E. E. PAINE
CONSULTING ENGINEER
NEWPORT NEWS VIRGINIA

The map shows a study area with several locations labeled: Toango, Nange, Chari, and a central 'SITE'. Roads are marked with numbers like 10, 15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195, 200, 205, 210, 215, 220, 225, 230, 235, 240, 245, 250, 255, 260, 265, 270, 275, 280, 285, 290, 295, 300, 305, 310, 315, 320, 325, 330, 335, 340, 345, 350, 355, 360, 365, 370, 375, 380, 385, 390, 395, 400, 405, 410, 415, 420, 425, 430, 435, 440, 445, 450, 455, 460, 465, 470, 475, 480, 485, 490, 495, 500, 505, 510, 515, 520, 525, 530, 535, 540, 545, 550, 555, 560, 565, 570, 575, 580, 585, 590, 595, 600, 605, 610, 615, 620, 625, 630, 635, 640, 645, 650, 655, 660, 665, 670, 675, 680, 685, 690, 695, 700, 705, 710, 715, 720, 725, 730, 735, 740, 745, 750, 755, 760, 765, 770, 775, 780, 785, 790, 795, 800, 805, 810, 815, 820, 825, 830, 835, 840, 845, 850, 855, 860, 865, 870, 875, 880, 885, 890, 895, 900, 905, 910, 915, 920, 925, 930, 935, 940, 945, 950, 955, 960, 965, 970, 975, 980, 985, 990, 995, 1000. A compass rose is located in the top right corner.

VICINITY MAP
SCALE 1" =

JAMES BRAXTON JR.
OWNER James B. Braxton Jr. 0

CERTIFICATE OF NOTARIZATION
I, John F. Purvis
IN AND FOR THE County OF
VIRGINIA, DO HEREBY CERTIFY TH

RAXTON
NOTARY PUBLIC
Patricia L. Raxton
THE ABOVE

EFOH TE AFOREGA
UNDE HIS (+ 1111)

SURVEYORS AND CERTIFIED LAND
Edward C. Conner

AGENT _____ COUNTY _____
DATE 8/16/04
VIRGINIA _____ DA _____



PRESENTS A FAMILY SUBDIVISION OF T
JAMES W. BRAXTON JR. I

HE LAW DIRECTS IN PLAT BOOK.

ERTY IS TAX PARCEL ID # 2220100032

UAT FOR
August
 RECORD
 PAGE

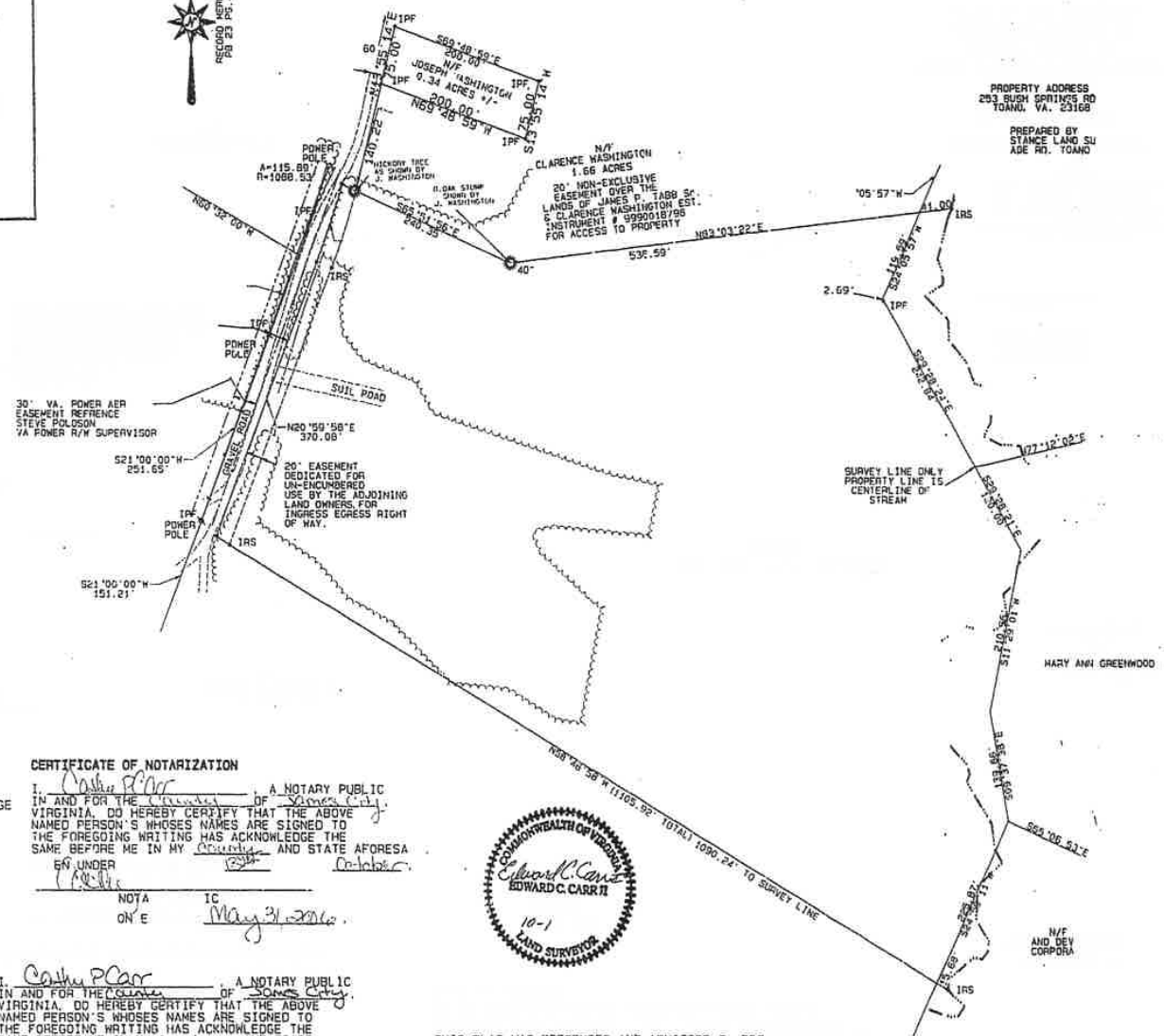
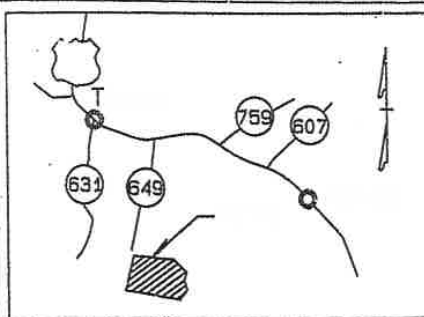


Large/Small Plot(s) Recorded
06052055

County of _____
Circuit Court, This PLAT was recorded
at 3:30 PM on 11 August 200
DOCUMENT # 060020

Betsy L. Worbridge

SHEET 1 OF 1



I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS SURVEY IS CORRECT AND COMPLIES WITH THE MINIMUM STANDARDS ESTABLISHED BY THE VIRGINIA BOARD OF ARCHITECTS, ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS.

Edward C. Carr II

CERTIFICATE OF NOTARIZATION

I, *Edward C. Carr II*, A NOTARY PUBLIC IN AND FOR THE *Commonwealth of Virginia*, DO HEREBY CERTIFY THAT THE ABOVE NAMED PERSON'S WHOSES NAMES ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGE THE SAME BEFORE ME IN MY *County* AND STATE AFORESA

EN UNDER *IC* NOTA *May 31, 2012* ON E

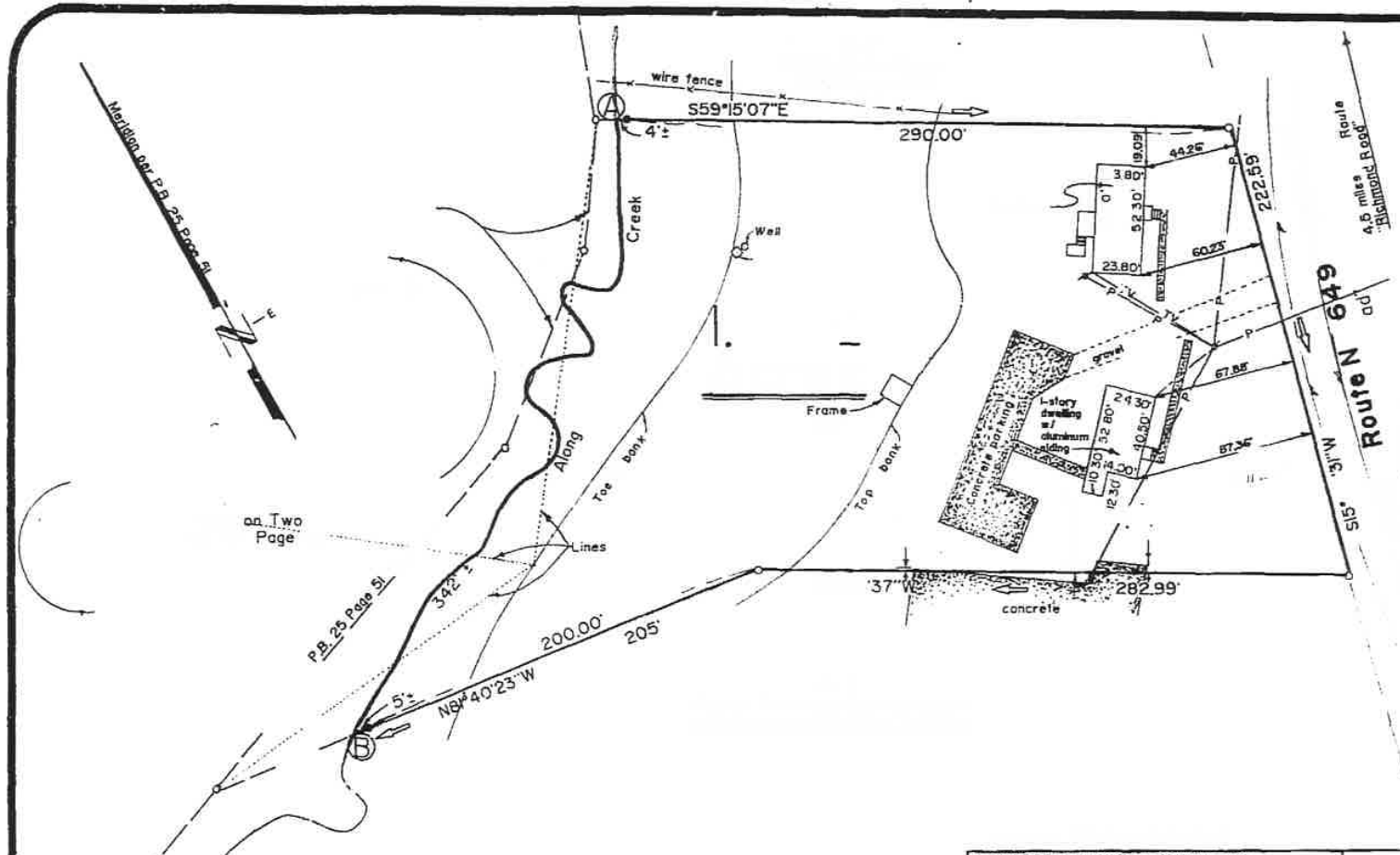
I, *Edward C. Carr II*, A NOTARY PUBLIC IN AND FOR THE *Commonwealth of Virginia*, DO HEREBY CERTIFY THAT THE ABOVE NAMED PERSON'S WHOSES NAMES ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGE THE SAME BEFORE ME IN MY *County* AND STATE

GIVEN UNDER MY HAND THIS *12* NOTARY PUBLIC

BRAXTON
Clarence W. Washington DATE *Oct 13, 2012*
N
Clarence W. Washington
WASHINGTON, / CLARENCE WASHINGTON
OWNER *Clarence W. Washington*

THIS PLAT WAS PRESENTED AND ADMITTED T REC AS THE LAW DIRECTS IN PLAT BOOK *98*, PAGE
TESTE: *Betsy S. Woolridge*, CLERK OF CIRCUIT COURT
BY: *Betsy S. Woolridge*
PROPERTY IS TAX PARCEL ID 22201000 2





D.B. 143 Page 698, P.B. 25 Page 51,
D.B. 16 Page 77, D.B. 12 Page 453,
D.B. 21 Page 293, D.B. 19 Page 324-
325, D.B. 19 Page 198-199, D.B. 5
Page 272.

ed underground to trailer;
rical service located overhead
and telephone service located under-
ground to frame

to @ pursuant to
parties concerned.

on the National Hazard Boundary
Maps, Community Panel no. 51020;
0003A, dated September 24, 198.



HSS IS TO CERTIFY THAT ON April 12, 1988
SURVEYED THE PROPERTY SHOWN ON THIS PLAT.
NO THAT THE TITLE LINES AND THE WALLS OF

Recorded ²⁹⁴⁴ day of July, 1988
in
D.B. No. 401; pages 236
Wilbur Sward Clerk

Shirley E. DDD
CERTIFIED LAND SURVEYOR

- IRON PIPE FOUND
- IRON ROD SET
- IRON ROD FOUND
- CONC. MONUMENT SET
- CONC. MONUMENT FOUND
- AXLE FOUND
- POWER POLE
- TELEPHONE PIEDestal

PLAT OF PROPERTY TO BE CONVEYED TO:

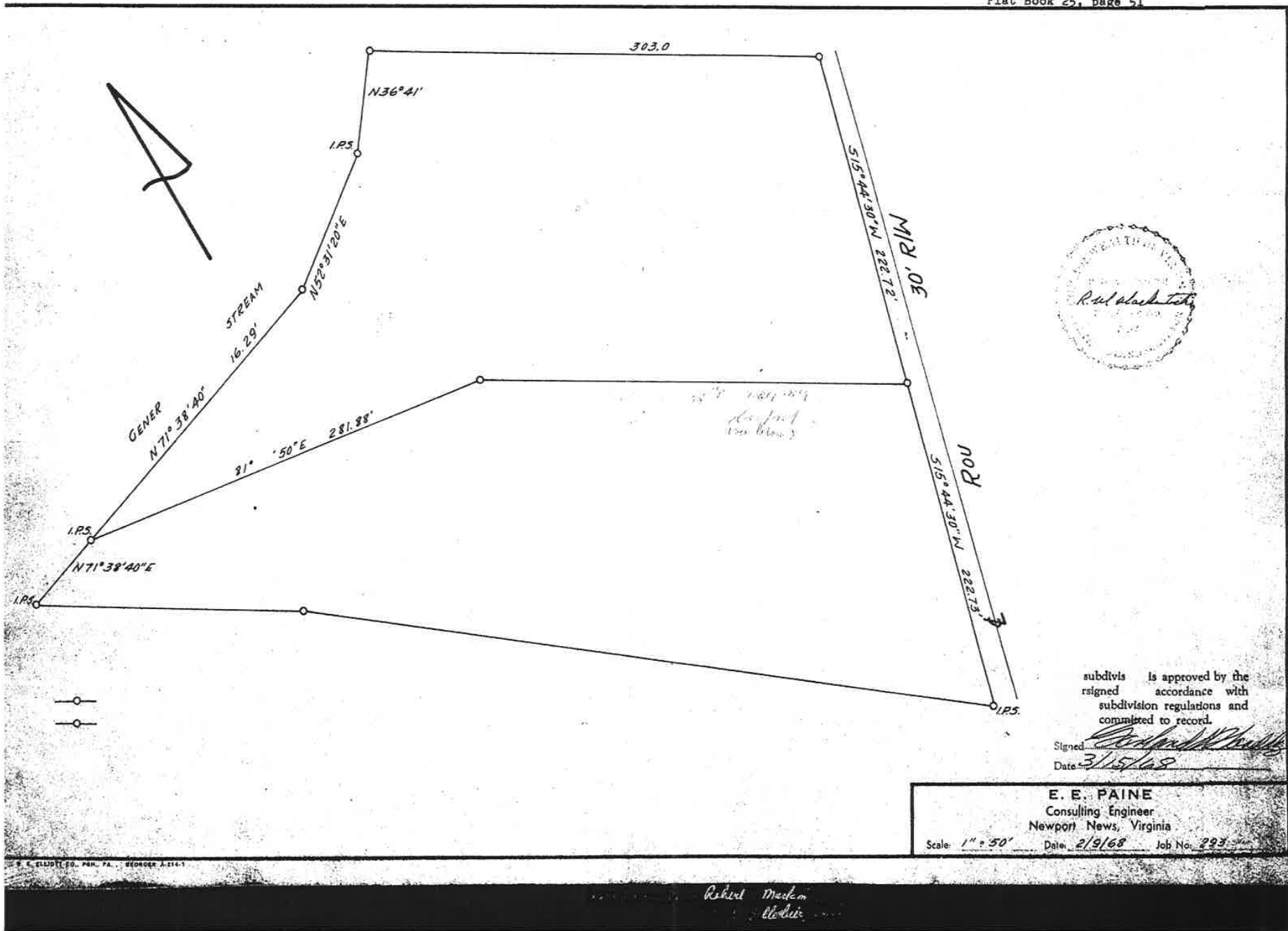
Payne & Associates
Land Surveying & Planning
Gloucester County, Virginia
693 - 5010

BB-61

PB 49

PG 23





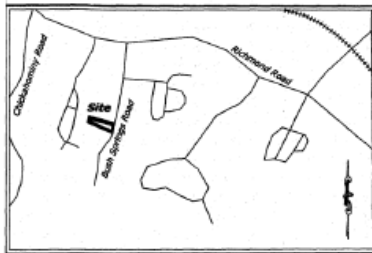
subdivis is approved by the
 signed accordance with
 subdivision regulations and
 committed to record.

Signed *E. E. Paine*
 Date *3/15/68*

E. E. PAINE
 Consulting Engineer
 Newport News, Virginia
 Scale: 1" = 50' Date: 2/9/68 Job No. 293

Robert M. Mason
6/6/68

Lots have
Primary and
secondary
Drainfields



Vicinity Map
Scale: 1" = 2000'

Owners' Certificate

The subdivision of land shown on this plat and known as "Boundary Line Adjustment, Properties of P.W. Development, Inc." is with the free consent and in accordance with the desire of the undersigned owners, proprietors and/or trustees.

Date: 07/06/2020
Signature: Paul White
Name Printed: PAUL WHITE

Certificate of Notarization:

Commonwealth of Virginia
City/County of: JAMES CITY

I, Gregory E. Morris, a Notary Public in and for the City/County and State aforesaid, do hereby certify that the persons whose names are signed to the foregoing writing have acknowledged the same before me in the City/County aforesaid. Given under my name this 6 day of FEB, 2020.

Notary Registration number: 7351304

My commission expires: 12/31/2022

(Signature)



Certificate of Approval:

This subdivision is approved by the undersigned in accordance with existing boundary line adjustment and subdivision regulations and may be admitted to record.

6 Feb 2020
Date

6 Feb 2020
Date

10 Feb 2020
Date

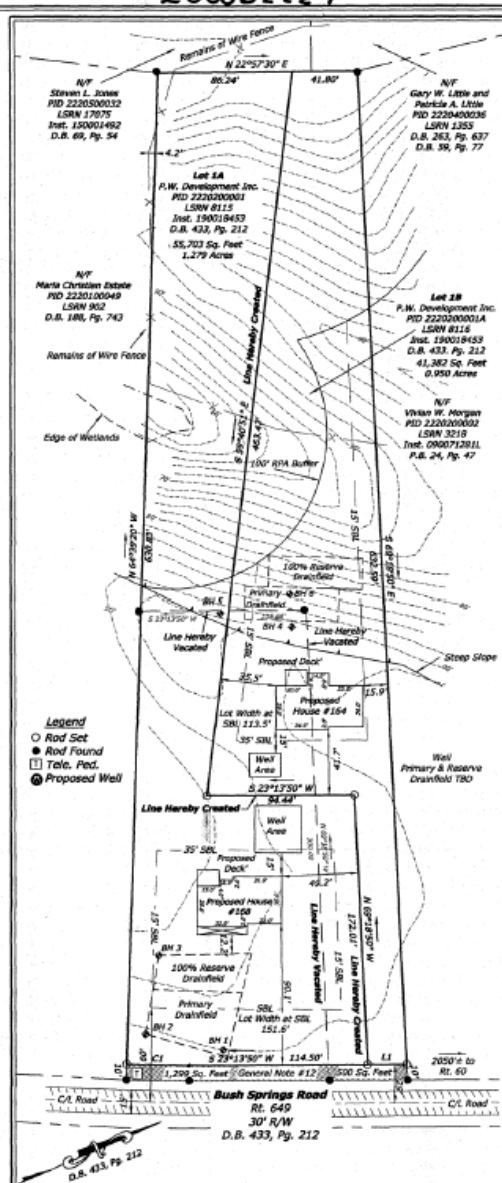
Virginia Department of Transportation

Virginia Department of Health

Subdivision Agent of James City County

Gardly
& ASSOCIATES PC
Surveying and Mapping Services

(804) 370-2551 ■ Fax: (804) 966-2820
www.gardlysurveying.com
P.O. Box 15 ■ New Kent, VA 23114



Line Table:

LINE	BEARING	DISTANCE
L1	S 23°13'50" W	25.00'

Curve Table:

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	1527.79'	39.90'	39.90'	S 24°36'20" W	1°29'47"	19.95'

General Notes:

- Owner: P.W. Development, Inc.; PID 2220200001; LRSN 8115
Inst. 190018453; and D.B. 433, Pg. 212.
P.W. Development, Inc.; PID 2220200001A; LRSN 8116
Inst. 190018453; and D.B. 433, Pg. 212.
- The subject properties are located in Zone "X" (area outside the 100 and 500-year floodplains) as indicated on the Federal Insurance Rate Map (F.I.R.M.), Map No. 51095C0106D with an effective date of December 16, 2015.
- The properties are zoned R1.
- No title commitment furnished. All easements may not be shown.
- Information contained hereon is based on field-run surveys conducted during the month of November, 2019.
- RPA/Wetlands features based on James City County GIS and field review in November, 2019, by Gardly and Associates, P.C.
- No existing wells or drainfields will be affected by this boundary line adjustment. Septic tank and soils information should be verified and reevaluated by the Health Department prior to any new construction.
- This firm made no attempt to locate underground utilities. All new utilities shall be placed underground.
- All new monuments shall be set in accordance with sections 19-34 and 19-36 of the James City County Code.
- Wetlands and land within resource protection areas shall remain in a natural undisturbed state except for those activities permitted by section 23-7(c)(1) of the James City County Code.
- On-site sewage disposal systems shall be pumped out at least once every five years per Section 23-9(b)(6) of the James City County Code. On-site sewage disposal systems information and soils information should be verified and reevaluated by the Health Department prior to any new construction.
- On-site sewage disposal systems information and soils information should be verified and reevaluated by the Health Department prior to any new construction.
- 10' R/W hereby dedicated to James City County (half the required width necessary to result in a 50' R/W) per James City County Subdivision Ordinance Section 19-42(b). Area = 1,799 Sq. Ft. (Total).

Area Table:

Original Area	
Lot 1A	0.812 Acres
Lot 1B	1.458 Acres
Total	2.270 Acres
Area After Adjustment	
Lot 1A	1.279 Acres
Lot 1B	0.950 Acres
R/W Dedication	0.041 Acres
Total:	2.270 Acres

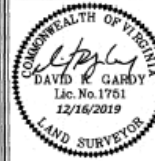
Surveyor's Certificate and Source of Title:

The existing boundaries for PID 2220200001, LRSN 8115 and PID 2220200001A, LRSN 8116 are as described in deed dated December 1, 2019, from Cedric L. Nelson, Grantor, to P.W. Development, Inc., Grantee, as recorded in Instrument No. 190018453, and shown on "Plat of Subdivision of Lot 1, Bush Springs Subd." dated September 22, 1987, as recorded in D.B. 433, Pg. 212, all of which are recorded with the Clerk of the Circuit Court, James City County, VA.

I, David R. Gardly, L.S., do hereby certify to the best of my professional knowledge and belief, that this plat complies with all the requirements of the Board of Supervisors and Ordinances of the County of James City, Virginia, regarding the platting of boundary line adjustments within the County, and represents the findings of a field-run survey conducted during the month of November, 2019.

David R. Gardly, L.S.
Virginia Registration No. 1751

12/16/2019
Date



MAG. DISTRICT: Stonehouse	COUNTY: James City
DATE: December 16, 2019	SCALE: 1"=50'
SHEET: 1 OF 1	PLAN: 19-0325
DRAWN BY: RJL	CHECKED BY: DRG
Rev.:	DATE:
Per County Comments	DATE: 1-15-2020

City of Williamsburg & County of James City
Circuit Court. This Plat was recorded on
12/16/2019 at 2:43 PM.
Book 1900000000 Page 227
MONA A. POLY CLERK

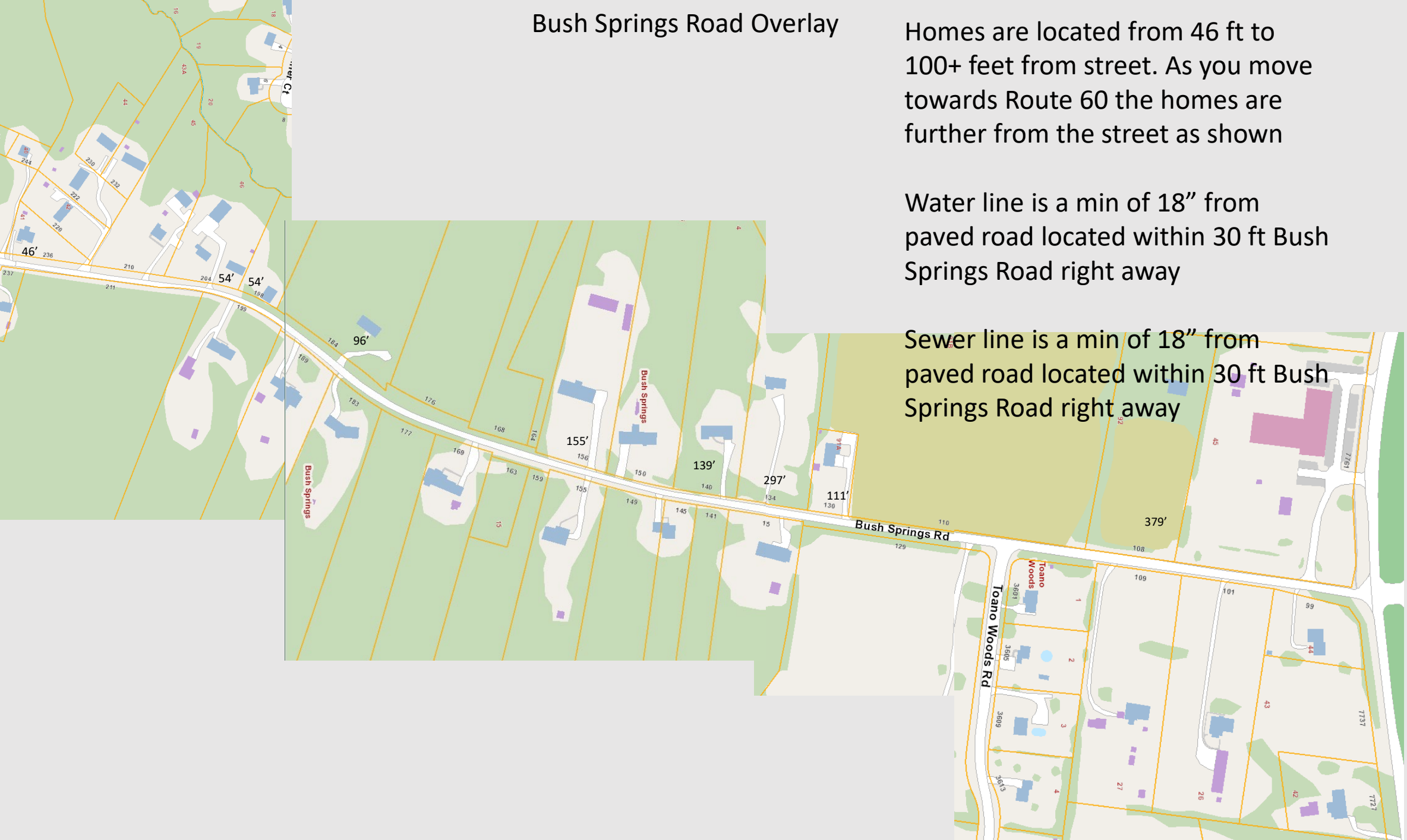
Clark

Bush Springs Road Overlay

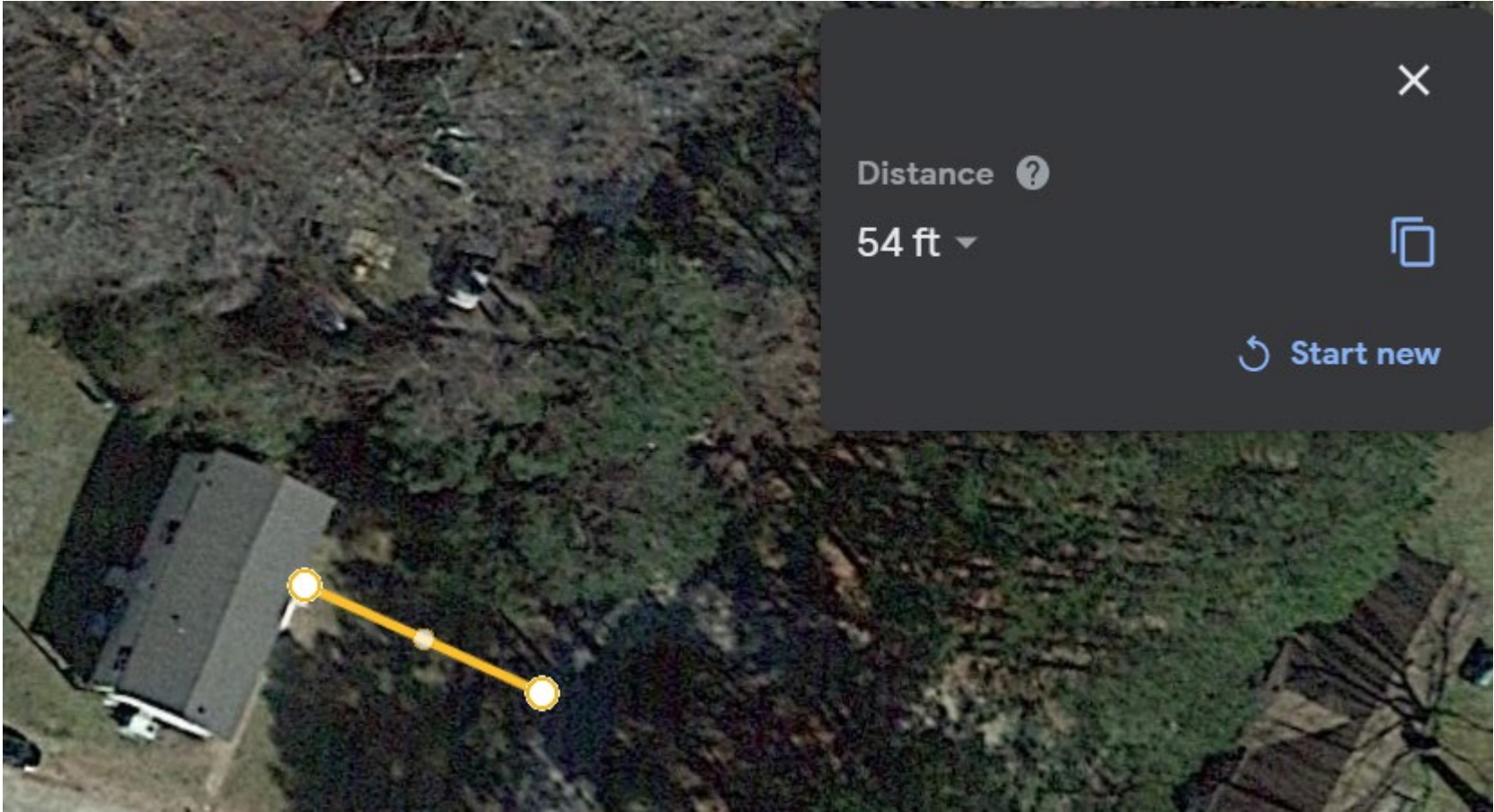
Homes are located from 46 ft to 100+ feet from street. As you move towards Route 60 the homes are further from the street as shown

Water line is a min of 18" from paved road located within 30 ft Bush Springs Road right away

Sewer line is a min of 18" from paved road located within 30 ft Bush Springs Road right away



198 Bush Springs Rd.
Owner: Charlotte Duncan



236 Bush springs Road
Alice Wilson





140 Bush Springs Rd
Toano, Virginia

Google

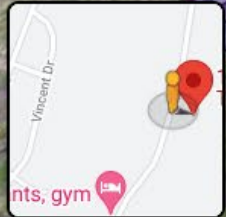
Street View - May 2012



140 Bush springs
Janice w. Jackson

Google





Brandon George
155 Bush Springs



229 Bush Springs Rd
Toano, Virginia
Google
Street View - May 2012



230 bush springs Road
Clovis and Monica Braxton

Google



210 Bush Springs Rd

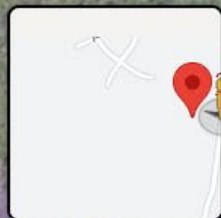
Toano, Virginia



Street View - May 2012



210 bush Springs road
Robert N Smith



Google



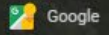
Image capture: May 2012 © 2023 Google United States Terms

220 Bush springs road



156 Bush Springs Rd

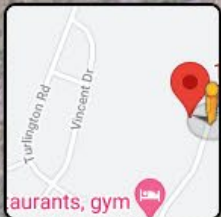
Toano, Virginia



Street View - May 2012



156 bush springs road



Google



Google

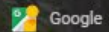


199 bush springs road
Deloris R Parrott



176 Bush Springs Rd

Toano, Virginia



Street View - May 2012

176 Bush Springs
Paul and Arlene Rodgers
Vacant Land

Google



Google

**Unapproved Minutes of the February 2, 2022
Planning Commission Regular Meeting**

SUP-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities

Mr. John Risinger, Planner, stated that Mr. Jay Epstein has applied for an SUP to allow for the installation of public water and sewer facilities by extending an existing force main and water main within the Bush Springs Road right-of-way from the Bush Springs Road and Toano Woods Road intersection heading south. Mr. Risinger stated that the force main and water main would be further extended within right-of-way proposed to be located on private property owned by the applicant. Mr. Risinger stated that the existing Bush Springs Road right-of-way is zoned A-1 General Agriculture and R-1 Limited Residential and designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map. Mr. Risinger further stated that properties for the proposed future right-of-way are zoned R-1 Limited Residential and designated Low Density Residential and Rural Lands.

Mr. Risinger stated that the according to the application the purpose of the extension of public water and sewer facilities is to serve a proposed residential development south of the existing Bush Springs Road right-of-way, including properties which are outside the PSA. Mr. Risinger noted that Land Use applications submitted during prior Comprehensive Plan updates proposed expanding the PSA to include those properties but were not approved. The current application is specific to the extension of the public water and sewer facilities. Mr. Risinger stated that as a result, this SUP cannot include conditions on design aspects of the proposed development.

Mr. Risinger further stated that the County's Utility Policy strongly discourages utility extensions outside of the Primary Service Area. Past extensions of public water and sewer facilities outside of the PSA have predominantly served a significant public purpose, addressed health and safety situations for existing communities, or improved utility service inside the PSA. Mr. Risinger stated that the current application is intended to serve additional residential development and is not consistent with these past precedents.

Mr. Risinger stated that staff finds the proposal to be incompatible with surrounding development and inconsistent with the recommendations of the adopted 2045 Comprehensive Plan and, therefore, does not recommend approval of the proposed SUP. Mr. Risinger stated that should the Planning Commission wish to recommend approval, staff has included proposed conditions for consideration.

Dr. Rose inquired if there were any properties in the PSA along Bush Springs Road that might potentially benefit from the project.

Mr. Risinger stated that any property along Bush Springs Road would be able to connect if they so desired. Mr. Risinger further stated that if a well or septic field failed, then JCSA would require that the property connect at that time.

Dr. Rose inquired about the impacts to the road and the properties along the road.

Mr. Risinger stated that since the road is narrow and substandard, the construction would have certain impacts to travel and the adjacent properties.

Mr. Polster inquired if the applicant would be required to bring the road up to current standards.

Mr. Risinger stated that VDOT would determine this at the time of the development application.

Mr. O'Connor noted that he failed to ask for disclosures on the prior matter and inquired if any of the Commission had disclosures for the current matter.

Mr. O'Connor stated that he spoke with Mr. Geddy.

Mr. Polster stated that he spoke with Mr. Geddy and that he spoke with Mr. Grajewski on the prior matter.

Ms. Null stated that she spoke with Mr. Geddy and that she attended the town hall meeting for the prior matter.

Mr. Haldeman stated that he had nothing to disclose.

Mr. O'Connor opened the Public Hearing.

Mr. Vernon Geddy, III, Geddy, Harris Franck & Hickman, 1177 Jamestown Road, made a presentation to the Commission on the proposed water and sewer extension.

Dr. Rose inquired about who would pay for installation of the water and sewer lines.

Mr. Geddy stated that the applicant would be responsible for the cost.

Mr. Haldeman noted that there is nothing in the conditions to confirm the limitation on the number of homes.

Mr. Geddy stated that this is a James City Service Authority (JCSA) requirement. Mr. Geddy noted that for more than 49 homes, the JCSA requires a loop system in the event there is a failure. Mr. Geddy stated that there is no room to construct the required loop.

Dr. Rose requested clarification on how the extension of water and sewer would preserve trees.

Mr. Geddy stated that the lot clearance is less when you are not clearing for a primary and reserve drain field.

Mr. Jay Epstein, 22 Whittaker's Mill, applicant, stated that through discussion with the various County departments, the plan evolved into a better design than what might have been developed by right. Mr. Epstein stated that his dream is to build an environmentally friendly community.

Ms. Null inquired about the minimum lot size for a septic system.

Mr. Epstein stated that the minimum is 30,000 square feet.

Ms. Null noted that since the extension of water and sewer would be done at the applicant's expense, it appeared to be something the County might want to support.

Mr. Polster inquired about the size of the anticipated solar farm.

Mr. Epstein stated that it would be 1,100 panels over three acres.

Mr. Polster inquired about the megawatts.

Mr. Epstein stated that it would be less than one megawatt.

Mr. Polster inquired about how many homes it would serve.

Mr. Epstein stated that it would serve the 49 homes in the development. Mr. Epstein noted that the panels would be attached to each home.

Mr. Polster inquired if the homes would still be attached to the grid.

Mr. Epstein confirmed that they would still have the normal attachment to the power grid.

Ms. Null noted that the water and sewer extension would be fiscally positive for the County.

Mr. Epstein confirmed that it would be a major cash flow to the County.

Mr. Polster inquired if this would be an age restricted development.

Mr. Epstein stated that it would not be age restricted.

Mr. Polster stated that there would be some fiscal impacts to the County for schools.

Mr. Geddy stated that the positive impact would be to the JCSA.

Mr. Mike Ware, 9024 Bar harbor Lane, addressed the Commission in Support of the project.

Mr. and Mrs. Charles and Lori Walker, 261 Bush Springs Road addressed the Commission with concerns about the impacts of the water and sewer extension.

Ms. Alice Wilson, 236 Bush Springs Road, speaking on behalf of Ms. Vivian Morgan, 156 Bush Springs addressed the Commission in opposition to the application.

Ms. Wilson also addressed the Commission with concerns about the application.

Mr. Brandon Gregor, 155 Bush Springs Road, addressed the Commission with concerns about the application.

Mr. Clovis Braxton, 230 Bush Springs Road, in support of the application.

Ms. Janice Jackson, 140 Bush Springs Road, addressed the Commission in opposition to the application.

Mr. Geddy clarified that no one would be required to connect unless there is a failure of either well or septic.

Dr. Rose noted that he understood that a failed well or septic could be repaired if there was adequate room.

Mr. Max Hlavin, Deputy County Attorney, stated that the JCSA requires connection when it is available within a certain distance of a property unless there is a functioning well and septic. Mr. Hlavin further stated that if that system fails the property owner can make certain repairs before it reaches the level of requiring connection.

Mr. Tony Lee addressed the Commission with concerns about the cost of connecting to the utility.

Mr. Christian Rodgers, 176 Bush Spring Road, addressed the Commission with concerns about whether a property owner could repair a failed system.

As no one else wished to speak, Mr. O'Connor closed the Public Hearing.

Mr. O'Connor opened the floor for discussion by the Commission.

Ms. Null requested clarification on whether a property owner could replace a well and septic field if there were sufficient property to do so.

Mr. Hlavin stated that the JCSA regulations require a connection if there is access to a facility. Mr. Hlavin further stated that there are certain exception to that requirement including repair, and a great enough distance between the utility and the structure, indicating that the property would be sufficient to accommodate another well and septic system.

Mr. Polster inquired whether the Virginia Department of Health (VDH) required connection to the utility in the event of a failure.

Mr. Risinger stated that the VDH weighs on whether a system has failed.

Mr. Polster stated that there are two things, then, that could factor into whether or not the system had to be replaced: something from the JCSA; and something from the VDH.

Mr. Risinger stated that the VDH is the primary agency that determines when a system has failed. Mr. Risinger further stated that the JCSA requires the connection only when it has been determined that the system has failed.

Dr. Rose inquired if there were any information on the difference in cost to connect to the utility as opposed to repairing a failed system.

Mr. Risinger stated that staff does not have the figures but will be happy to assist citizens in getting that information from the JCSA.

Dr. Rose inquired if the extension of the water and sewer line, and development of the road, will take any property from the residents along Bush Springs Road.

Mr. Risinger stated that the installation is only within the right-of-way, which should not affect the property owners.

Ms. Null commented that the right-of-way was still part of the individual's property.

Mr. O'Connor clarified that the right-of-way is owned by VDOT and extends several feet past the paved area on each side. Mr. O'Connor stated that it might impact some trees but would not be a taking of property.

Mr. Polster inquired if Oakland Estates has water and sewer through the JCSA and would it be feasible to connect the new development through Oakland. Mr. Polster further stated that he would like to hear from the JCSA on this question.

Mr. O'Connor noted that Oakland Estates does not have public water and sewer.

Dr. Rose inquired if Bush Springs Road would be improved at any point to accommodate the additional traffic to the new development.

Mr. Holt stated that the application before the Commission is only for installation of the water and sewer lines. Mr. Holt further stated that since this is not a traditional development application, the SUP conditions are limited to what is needed to put in the water and sewer.

Mr. O'Connor inquired about other options to connect the proposed development to water and sewer.

Mr. William Felts, Landtech Resources, Inc. stated that the only other viable option would have been through the Hunter's Creek subdivision. Mr. Felts noted that the environmental constraints would likely be prohibitive.

Mr. Polster stated that when the Land Use application was considered during the Comprehensive Plan update, the main issue was extending the PSA. Mr. Polster noted that one of the other issues was that of the central well which is a financial drain on the County. Mr. Polster stated that extending the water and sewer lines has many positive aspects; however, he has concerns that,

similar to other applications, there is not mechanism to require improvements to a substandard road. Mr. Polster further stated that the well and drain fields on Bush Springs Road are located in the front yards, making them vulnerable to damage during the construction. Mr. Polster stated that before approving the SUP, he would like to know which properties have the drain field in the front yard or would otherwise be impacted. Mr. Polster stated that he is not inclined to support an application that would make requirements of individuals who do not have the economic wherewithal to handle the impacts.

Mr. Geddy stated that if the Commission feels that it does not have sufficient information to make a decision at this time, the applicant does not intend to push something through that would have unintended consequences. Mr. Geddy stated that the applicant would be happy to defer the matter so that more information can be obtained.

Mr. Polster stated that he would support a deferral.

Ms. Null stated that she would be willing to support a deferral. Ms. Null stated that the Commission needs to have figures for the cost of connection to the utility, information on what damage might be done to the road, and the consequences if construction damages a drain field.

Dr. Rose stated that he supports the deferral. Dr. Rose stated that he would like to know what programs are available to assist the residents if they eventually need to connect to the system.

Mr. O'Connor requested that the applicant provide an overlay showing the homes, lots, and existing wells and drain fields along Busch Springs Road.

Mr. O'Connor inquired if a month would give the applicant enough time to prepare the requested information.

Mr. Geddy and Mr. Holt conferred about the time needed to have additional information for the Commission.

Mr. Holt stated that the request is to postpone the matter to the Commission's March 2, 2022 meeting.

Mr. Polster made a motion to defer the matter.

On a roll call vote, the Commission voted to postpone SUP-21-0023. Bush Springs Road Extension of Public Water and Sewer Facilities to its meeting on March 2, 2022. (5-0)

ITEM SUMMARY

DATE: 3/2/2022

TO: The Planning Commission

FROM: Paul D. Holt, III, Secretary

SUBJECT: Planning Commission and Board of Zoning Appeals 2021 Annual Report

ATTACHMENTS:

	Description	Type
	Planning Commission and Board of Zoning Appeals 2021 Annual Report	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/23/2022 - 2:40 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 2:40 PM
Publication Management	Pobiak, Amanda	Approved	2/23/2022 - 3:30 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 3:35 PM

PLANNING COMMISSION AND BOARD OF ZONING APPEALS 2021 ANNUAL REPORT



**DEPARTMENT OF COMMUNITY DEVELOPMENT
101-A MOUNTS BAY ROAD
WILLIAMSBURG, VA 23185**

PLANNING DIVISION
757.253.6685
PLANNING@JAMESCITYCOUNTYVA.GOV
WWW.JAMESCITYCOUNTYVA.GOV/404/PLANNING

ZONING DIVISION
757.253.6671
ZONING@JAMESCITYCOUNTYVA.GOV
WWW.JAMESCITYCOUNTYVA.GOV/447/ZONING



2021 PLANNING COMMISSION ANNUAL REPORT

On behalf of the James City County Planning Commission, I am pleased to present our 2021 Annual Report.

2021 continued to be impacted by COVID-19; yet the business of James City County continued. Planning staff and Commissioners continued to work very hard and creatively to ensure timely information was provided to citizens through a variety of media and formats. I appreciate of their efforts.

Number of Cases Reviewed by the Planning Commission	2017	2018	2019	2020	2021
Agricultural and Forestal District	1	13	7	2	1
Height Waiver	4	1	2	0	0
Master Plan	2	0	3	0	2
Rezoning	3	2	10	3	9
Special Use Permit	13	11	16	12	11

Remaining work on the Comprehensive Plan update was a major activity for the Commission in 2021, leading to Plan adoption. Update activities in 2021 started with the third round of public engagement, Deciding and Affirming, which consisted of three questionnaires (Policies and Actions, Community Character Design Guidelines, and Land Use proposals), complemented by a series of virtual Community Chats designed to assist citizens in completing the questionnaires. During this time, the Planning Commission Working Group (PCWG) continued to review the Plan's chapter texts and, following the compilation of information from the Round 3 questionnaires, also reviewed and developed the Goals, Strategies, and Actions (GSAs) for each chapter.

The Board of Supervisors reviewed the draft Chapters and GSAs at work sessions in March and April, followed by a joint Planning Commission-Board of Supervisors work session in May. The PCWG completed its work on the Plan in June and voted to recommend approval of the Plan. The Planning Commission held a public hearing on June 24, 2021, and also voted to recommend approval of the Plan. The Board of Supervisors held a public hearing on July 13, 2021, and discussed the Plan at work sessions on September 28 and October 26, 2021. The Board unanimously adopted the Plan, *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*, on October 26, 2021.

It has been an honor to serve with my colleagues, and I would like to take this opportunity to thank them and the entire staff of the Planning Division for their hard work and dedication.

Jack Haldeman, 2021 Planning Commission Chair

James City County Planning Commission

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2021 PLANNING COMMISSION

Name	District	Appointment	Term Expires
Jack Haldeman** (Chair)	Berkeley	1/10/2017	1/31/2026
Tim O'Connor** (Vice Chair)	At-Large	8/10/2010	1/31/2025
Rich Krapf**	Powhatan	1/23/2007	1/31/2026
Julia Leverenz**	At-Large	2/27/2018	1/31/2022
Barbara Null**	Stonehouse	2/25/2020	1/31/2024
Frank Polster**	Jamestown	2/01/2018	1/31/2026
Rob Rose**	Roberts	1/28/2020	1/31/2024

2021 PLANNING DIVISION STAFF

Paul D. Holt, III, AICP, CNU-A, CFM, Director of Community Development and Planning**
 Tammy Rosario, AICP, Assistant Director of Community Development
 Ellen Cook, AICP, Principal Planner
 Josh Crump, Principal Planner
 Alex Baruch, Acting Principal Planner
 Jose Ribeiro, AICP, Senior Planner II and Senior Landscape Planner II
 Thomas Wysong, AICP, Senior Planner II
 Tori Haynes, Senior Planner
 Tom Leininger, Senior Planner
 Brett Meadows, AICP, Planner
 John Risinger, Planner
 Beth Klapper, Community Development Assistant
 Katie Pelletier, Community Development Assistant
 Paxton Condon, Community Development Assistant

2021 ZONING DIVISION STAFF

Christy Parrish, CZA, CFM, Zoning Administrator
 Terry Costello, CZA, Deputy Zoning Administrator
 John Rogerson, CZA, Senior Zoning Officer
 Taylor Orne, CZA, Senior Zoning Officer

**Virginia Certified Planning Commissioner
 AICP – American Institute of Certified Planners
 CNU-A – Congress for the New Urbanism – Accredited
 CZA – Certified Zoning Administrator
 CFM – Certified Floodplain Manager

INTRODUCTION

The James City County Planning Commission (Commission) is composed of seven members, one member from each of the County's five magisterial districts (Powhatan, Roberts, Stonehouse, Jamestown, Berkeley) and two at-large members. Members participate on one or two subcommittees: Development Review Committee (DRC) and the Policy Committee. The DRC reviews subdivisions and site plans for consistency with approved master plans, County Zoning and Subdivision Ordinances, the Comprehensive Plan, and other Board-adopted policies. The Policy Committee works with staff to (1) prioritize Capital Improvements Program (CIP) requests in accordance with the Comprehensive Plan, and (2) address specific planning-related issues such as policy and Ordinance revisions.

Longhill Road



PLANNING COMMISSION RESPONSIBILITIES

The Board appoints members to the Commission to review cases and make recommendations regarding land use, transportation, public facilities and utilities. The Commission shall, among other activities:

- Update and coordinate the implementation of the County's Comprehensive Plan;
- Review and make recommendations to the Board of Supervisors on rezoning, master plan, special use permit, subdivision and site plan applications;
- Consider and prepare policy and Ordinance revisions;
- Assess the annual CIP priorities; and
- Participate in community planning forums and committee studies.

2021 Planning Commission Schedule		
Regular Meetings		Work Sessions & Special Meetings
January 6	July 7	March 15*
February 3	August 4	May 25**
March 3	September 1	June 24***
April 7	October 6	
May 5	November 3	
June 2	December 1	

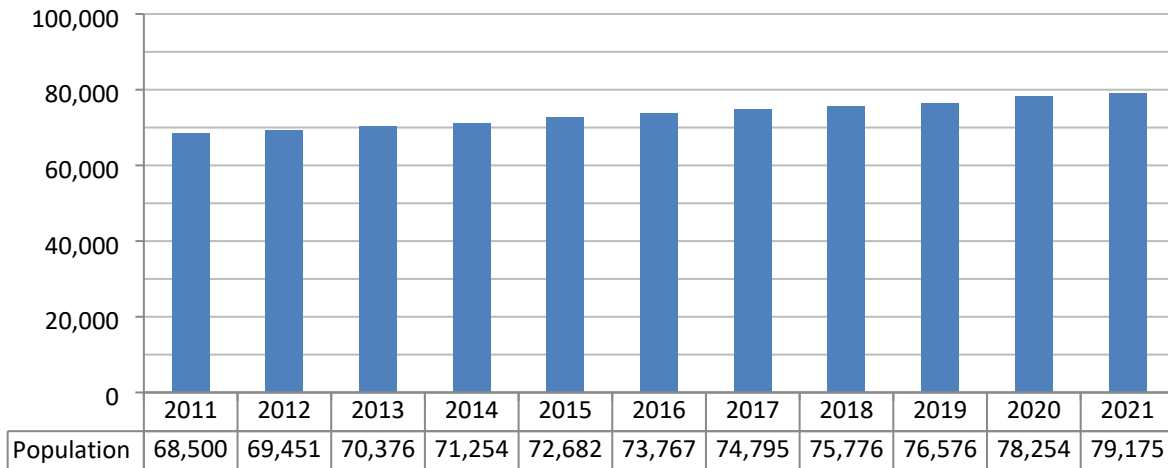
*Organizational and CIP Recommendation Meeting

**Joint Work Session with Board of Supervisors

***Special Meeting for Comprehensive Plan Consideration

DEVELOPMENT AND GROWTH

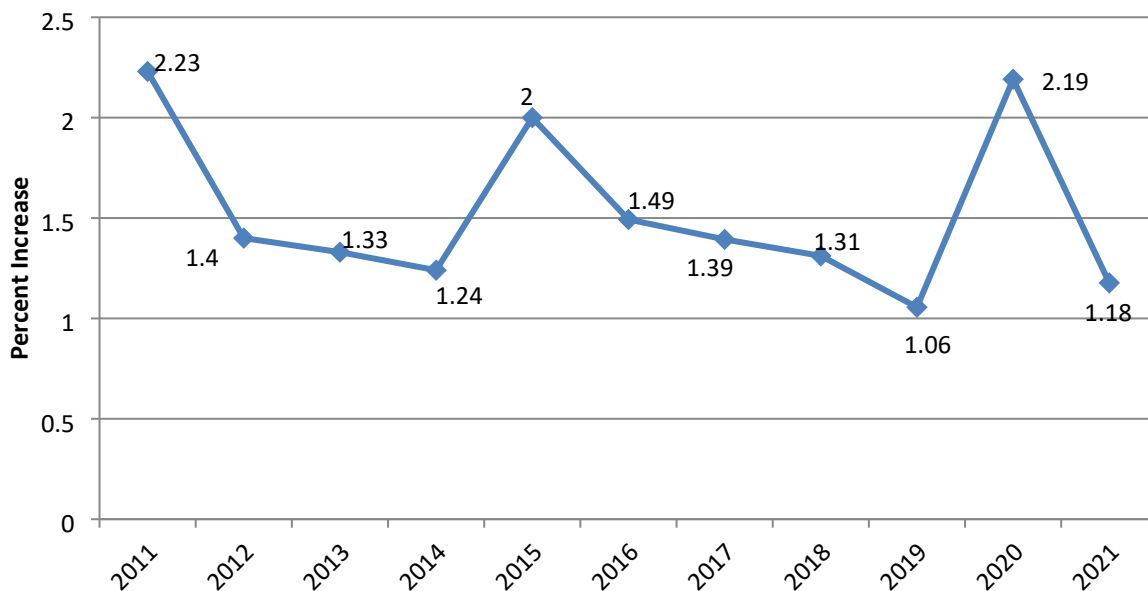
James City County Population



Source: Staff population estimates (2011-2019, 2021) and United States Census Bureau (2020).

Note: Staff population estimates are as of December of the year indicated.

Percent Annual Population Increase



The apparent “jump” in population numbers between the years 2019 and 2020 represented in the above graphic by a sharp vertical line does not reflect real population growth; rather, the “jump” is attributed to a recalibration of the population figure based on new data from the U.S. Census Bureau released in 2020.

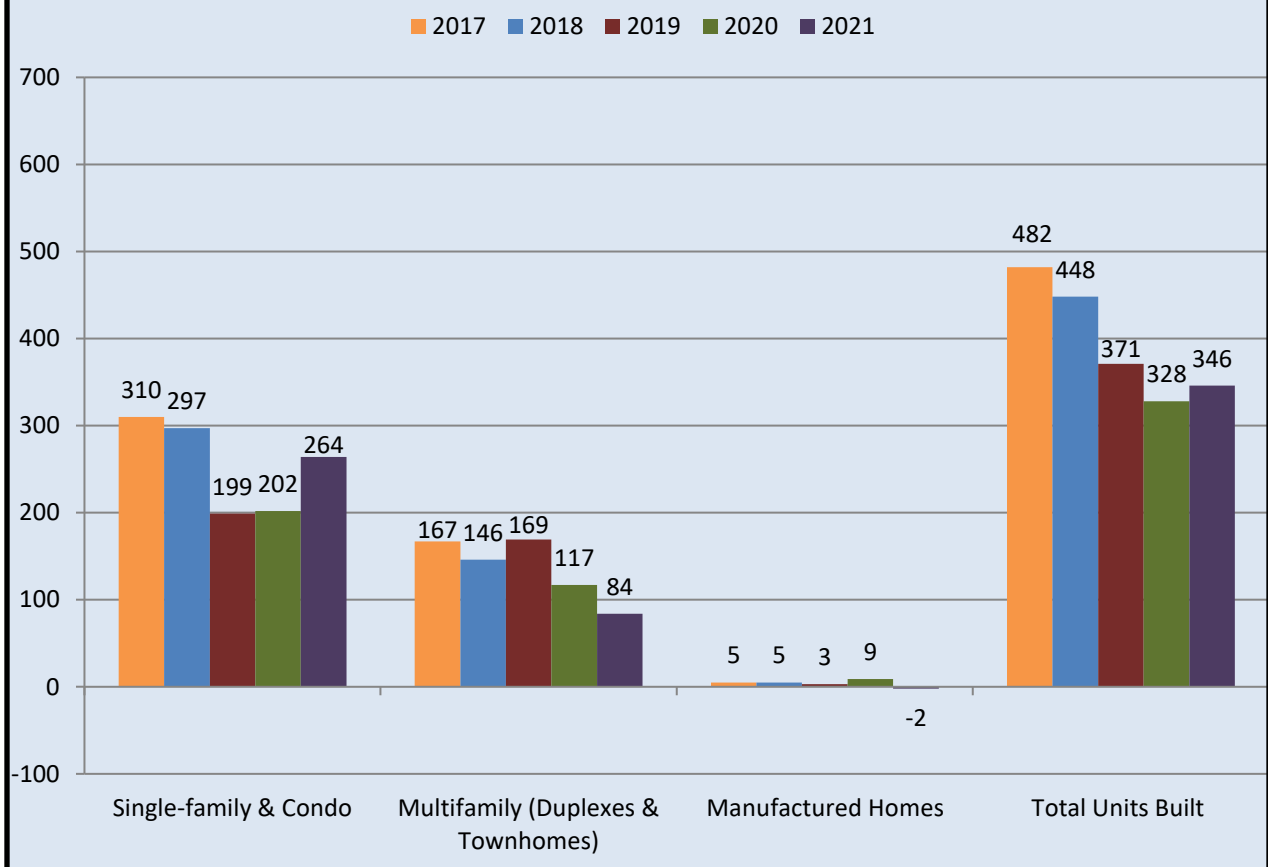
Number of Dwelling Units Added from 2017 to 2021

Calendar Year	Single-family & Condo	Multifamily (includes duplexes and townhomes)	Manufactured Homes	Total Number of Dwelling Units Added Each Year	Total Unit Count*
2017	310	167	5	482	33,301
2018	297	146	5	448	33,749
2019	199	169	3	371	34,120
2020	202	117	9	328	33,993
2021	264	84	-2	346	34,339

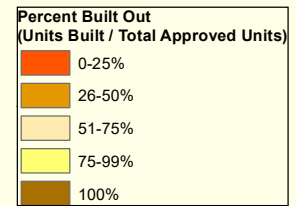
As of 2010, the U.S. Census Bureau no longer provides a breakdown of dwelling units by housing type.

- For 2017-2019, the Total Unit Count represents the total number of dwelling units in the County per the 2010 Census (29,797 dwelling units) plus the number of dwelling units added in 2017-2019. For 2020, the Total Unit Count is 33,993 per the 2020 Census. For 2021, the Total Unit Count represents the total number of dwelling units in the County per the 2020 Census plus the number of dwelling units added in 2021. The number of dwelling units added each year includes the number of residential Certificates of Occupancy issued, the number of dwellings demolished, and the number of dwellings destroyed by fires.

Number of Dwelling Units Added from 2017 to 2021



James City County Residential Subdivisions Build-Out as of January 2022



Gloucester
County

York
County

Charles City
County

Surry
County

City of
Newport News

Isle of Wight
County

-The total number of approved units for each subdivision is shown in the green callout box.

-Sources are Real Estate Assessments and Planning Division records.
The total number of units is based on Master Plan caps, recorded plats,
or subdivision construction plans.

*Estimated number of approved units.

- As a part of the cumulative impact evaluation during the Zoning Ordinance update process,
staff has compiled a list of units by subdivision that have been approved but not yet built.
Please see jamestownva.gov/DocumentCenter/Index/60

RESIDENTIAL SUBDIVISION BUILDING DATA / CUMULATIVE IMPACT DATABASE

The Residential Subdivision Build-out Map has been updated. Staff exported and coded data for all newly created parcels from Real Estate Assessments/GIS as part of the cumulative impact evaluation. Based on this information, staff has also updated the series of reports that provide detailed information for all subdivisions within James City County. Each report is organized by subdivision alphabetically or by election district.

The following reports are described below and posted in the Development Status Report folder under Forms and Publications then Annual Reports: <https://jamescitycountytyva.gov/DocumentCenter/Index/690>

- “Development Status Report - All Data” - reports the number of vacant parcels, improved parcels, residential units and all parcel unit classifications. This report includes common areas, timeshares, public lands, commercial, etc. A summary of the data from this report is present in the table below:

Election District	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels
Berkeley	7,579	508	6,976	7,484
Jamestown	7,887	464	6,108	6,572
Powhatan	6,689	826	5,821	6,647
Roberts	6,852	564	5,424	5,988
Stonehouse	7,795	989	7,721	8,710
TOTAL	36,802	3,351	32,050	35,401

- “Residential Development Status Report - Residential Only,” provides information only on residential units and continuing care facilities. This report is condensed and excludes unit classification. The unit counts do not include common areas, timeshares, public lands, commercial, etc. An updated summary of the data from this report is presented in the table below:

Election District	Residential Unit Count	Vacant Parcels	Improved Parcels	Total Parcels
Berkeley	6,982	197	6,164	6,361
Jamestown	7,432	219	5,343	5,562
Powhatan	6,473	675	5,432	6,107
Roberts	6,850	251	5,060	5,311
Stonehouse	7,786	706	7,391	8,097
TOTAL	35,523	2,048	29,390	31,438

- “Residential Development Status Report - Schools” - displays information sorted by school districts. A report is provided for (1) elementary schools, (2) middle schools, and (3) high schools.

As part of the Comprehensive Plan update, staff worked with consultants to develop scenario planning and integrated land use, transportation, and cumulative impact models which will be used on an ongoing basis for assessing development impacts. In addition, staff continues evaluating features within the new permitting software which may also aid with tracking capabilities.

PLANNING COMMISSION HIGHLIGHTS AND ACTIVITIES

DEVELOPMENT REVIEW

Development review activities consist primarily of rezonings, special use permits, site plans, subdivisions, and conceptual plans.

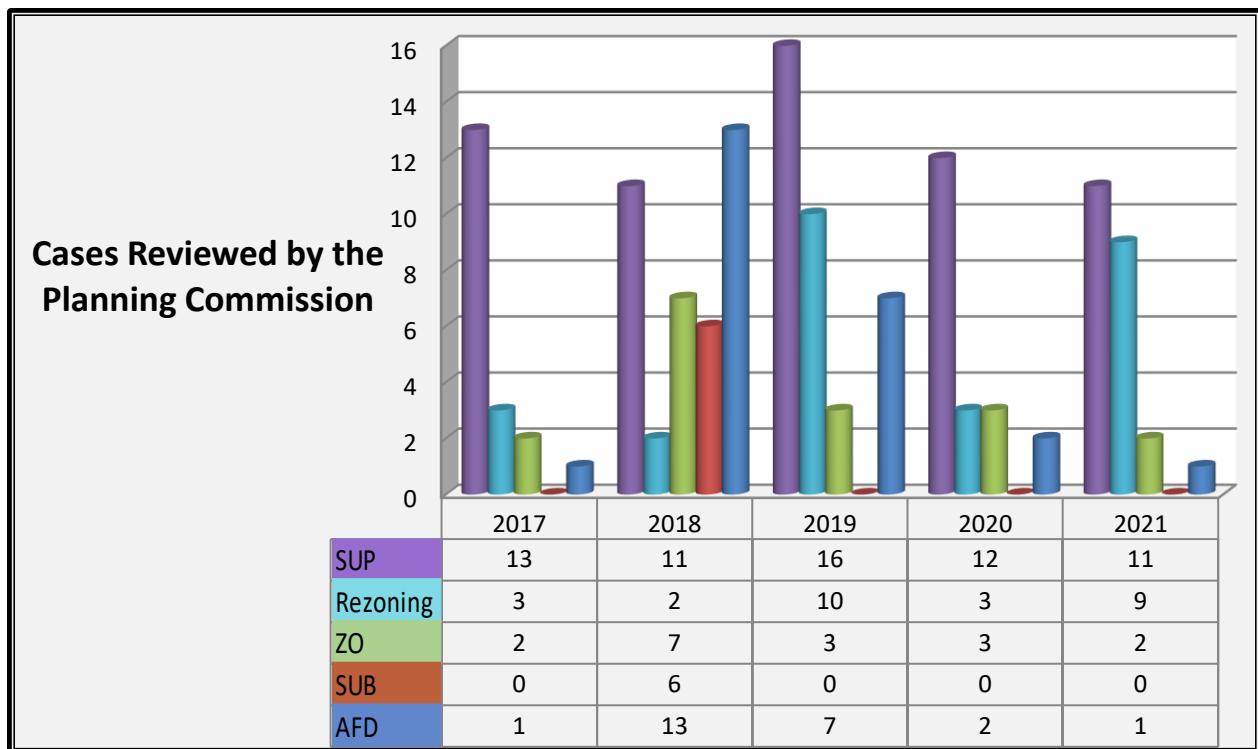
Special Use Permits (SUP): The Planning Commission reviewed 11 SUP applications including four requests for short-term rentals and two requests for schools as accessory uses to existing places of public assembly. Other applications included the continued operation of a place of public assembly; an entertainment Event Building at Busch Gardens; an amendment to the SUP for Bruster's Real Ice Cream to allow construction of a drive-through lane; and certain specially permitted uses associated with the plan for Hazelwood Farms - the Village Center.

Rezonings: Nine rezoning applications were considered by the Commission including, among others: a request to rezone an approximately 220-acre portion of 499 Jolly Pond Road, currently known as Deer Lake Estates, from A-1, General Agricultural, with Proffers and Rural Cluster SUP, to MU, Mixed Use, with Proffers to incorporate 150 age-restricted single-family detached units into the Colonial Heritage Master Plan area; an amendment to the adopted proffers and master plan for the Continuing Care Retirement Facility at Ford's Colony; a request to rezone approximately 3.4 acres from B-1, General Business and LB, Limited Business to B-1, General Business, with Proffers for a small-scale brewery and taproom; and an amendment to Condition No. 1 of the adopted proffers for Norge Center to permit other uses permitted by-right in the General Business, B-1 Zoning District on the Property.

Master Plan: Two Master Plan Amendments were reviewed by the Commission in 2021: a proposal to amend the Colonial Heritage Deer Lake Master Plan to incorporate 150 age-restricted single-family detached units along with various smaller changes, and a proposal for the Continuing Care Retirement Facility at Ford's Colony (Ford's Village) to amend the adopted proffers and master plan to permit up to 286 age-restricted residential units consisting of single-family dwellings and multifamily dwellings, as well as a facility containing a total of no more than 230 age-restricted assisted living/memory care rooms/skilled nursing beds.

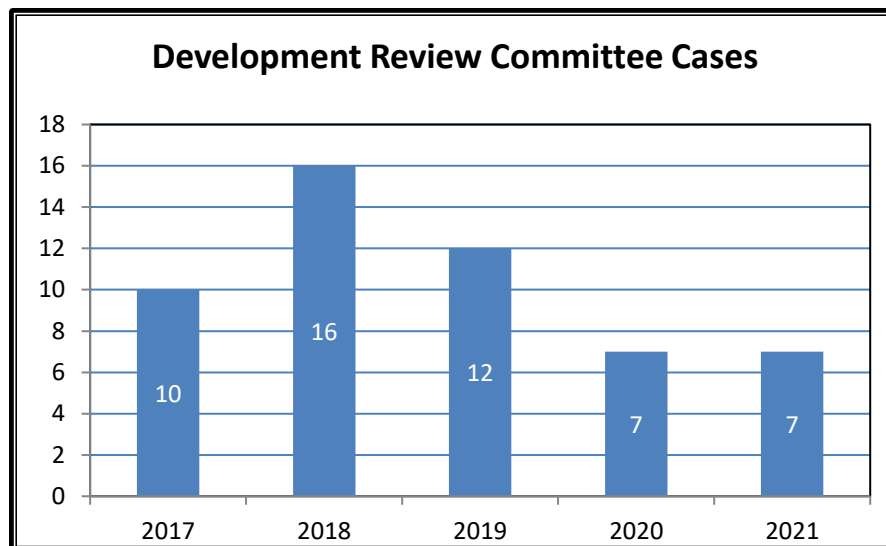
Residential Units Legislatively Approved in 2021: No new residential units were approved in 2021.

Agricultural and Forestal Districts (AFDs): The Planning Commission reviewed one AFD addition bringing in a total of $\pm$ 60 acres.



DEVELOPMENT REVIEW COMMITTEE (DRC)

The DRC reviewed seven cases in 2021, including Case No. C-20-0129, Stonehouse Land Bay 5, to determine if the proposed construction of 116 single-family detached lots and 64 single-family attached lots is consistent with the Zoning Ordinance and approved Master Plan; Case No. C-20-0115, 1245 Stewarts Road Minor Subdivision, to consider an exception to the Subdivision Ordinance requirement for a single shared driveway; Case No. S-20-0049, Stonehouse Preserve and Riverfront Preserve Driveway Exception Request, which also sought an exception to the Subdivision Ordinance requirement for a single shared driveway; review of the James City County Parks Master Plan Update; Case No. C-21-0019, 360 Racefield Drive Solar Farm, to discuss the proposed withdrawal of approximately 26 acres from the Barnes Swamp AFD and SUP application for a solar farm at 360 Racefield Drive in the A-1, General Agriculture Zoning District; Case No. C-21-0097, Stonehouse Tract S, to determine if the construction of 300 residential units is consistent with the Zoning Ordinance and adopted Master Plan; and Case No. C-21-0098, Stonehouse Tract 11A, to determine if the construction of 320 single-family units is consistent with the Zoning Ordinance and adopted Master Plan.



POLICY COMMITTEE

The Policy Committee is responsible for developing recommendations on the Capital Improvements Program and Zoning Ordinance amendments. In 2021, the Committee continued to consider language for potential Ordinance amendments and performance standards which would address beekeeping in non-residential districts and add Contractors' Offices and Storage as a use in the Planned Unit Development - Commercial (PUD-C) Zoning District.

PLANNING COMMISSION ACTIONS

SPECIAL USE PERMITS

Case Number	Name of Project	Location	Acres	Case Description	Staff	PC	BOS
SUP-20-0017	Williamsburg Crossing Bruster's Real Ice Cream Amendment	5289 John Tyler Highway	0.55	An amendment to previously-approved SUP conditions to allow construction of a drive-through lane adjacent to the existing building.	Approval	Approval	Approval
SUP-20-0018	Richmond Road Hertzler and George Landscaping	8251 Richmond Road	4.97	A request to utilize existing structures for a contractor's office and to develop a storage yard for a landscaping business.	Approval	Approval	Approval
SUP-21-0004	1303 Jamestown Road, Williamsburg Wood Works at Colony Square	1303 Jamestown Road	0.37	A request to conduct a woodworking business within the Colony Square Shopping Center.	Approval	Approval	Approval
SUP-21-0014	Busch Gardens Entertainment Event Building	7851 Pocahontas Trail	1.5	A request to allow for the construction of an approximately 32,500-square-foot building to be used partly as an entertainment event building and partly as a warehouse/storage facility.	Approval	Approval	Approval
SUP-21-0013	2631 Lake Powell Road Tourist Home	2631 Lake Powell Road	0.35	A request to allow for a tourist home rental of an entire three-bedroom residential home as a tourist home. The owner does not live on-site.	Approval	Approval	Approval
SUP-21-0015	Crosswalk Community Church Daycare and School	5100 John Tyler Highway	3.86	A request to allow the operation of a daycare and school pre-kindergarten-eighth grade; the installation of two temporary classroom trailers for the 2021/2022 school year; construction of a permanent modular building; and continued operation of a place of public assembly.	Approval	Approval	Approval

SUP-19-0005	Hazelwood Farms – The Enterprise Center	301 Old Stage Road 9211 Old Stage Road 275 Old Stage Road 9400 Barnes Road (portion south of I-64)	328	A request to rezone approximately 328 acres from A-1, General Agricultural and B-1, General Business to EO, Economic Opportunity with Proffers to allow for up to 2,920,000 square feet of warehouse/industrial/ office use, up to 75,000 square feet of commercial use, and up to 250 residential dwelling units. Also, a request to allow the following specially permitted uses: apartments; multiple-family dwellings; fast food restaurants; truck terminals; the manufacture and processing of textiles and textile products in structures more than 10,000 square feet; heavy equipment sales and service with major repair; machinery sales and service with major repair; a convenience store; a commercial building or group of buildings that exceeds 10,000 square feet of floor area; a commercial building or group of buildings, not including office uses, which generates a total of 100 or more additional trips to and from the site during the peak hour of the operation; and buildings, additions, and expansions requiring an SUP pursuant to Section 24-11(b) of the County Code; and extension of public water and sewer facilities.	Approval	Deferred to January 2022	No Action in 2021
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SUP-19-0006	Hazelwood Farms – The Village Center	9505 Old Stage Road 9517 Old Stage Road 9689 Old Stage Road 9701 Old Stage Road 9400 Barnes Road	79	A request to allow the following specially permitted uses: convenience store with fuel sales; extension of public water and sewer facilities; commercial buildings or groups of buildings that exceed 10,000 square feet of floor area; commercial buildings or groups of buildings, not including office uses, which generate a total of 100 or more additional peak hour trips; any buildings, additions, and expansions requiring an SUP pursuant to County Code Section 24-11(b).	Approval	Approval	Approval
SUP-21-0016	Williamsburg Unitarian Church School	3051 Ironbound Road	7.5	A request to allow for a school within an existing place of public assembly for a maximum of 30 children with five staff members.	Approval	Approval	Approval
SUP-21-0018	1403 Jamestown Road Rental of Rooms	1403 Jamestown Road	0.96	A request to allow for the short-term rental of two bedrooms within a caretaker-occupied single-family home.	Denial	Denial	No Action in 2021
SUP-21-0020	528 Neck-O-Land Road Tourist Home	528 Neck-O-Land Road	0.99	A request to allow for a tourist home rental of an entire two-bedroom residential home as a tourist home. The owner does not live on-site.	Denial	Denial	No Action in 2021
SUP-21-0021	530 Neck-O-Land Road Tourist Home SUP Amendment	530 Neck-O-Land Road	0.91	A request to amend an existing SUP to allow for short-term rentals in an existing duplex at the rear of the property resulting in a total of four short-term rental units on the property.	Denial	Denial	Withdrawn

REZONINGS

Case Number	Name of Project	Location	Acres	Case Description	Staff	PC	BOS
Z-19-0013/ MP-19-0011	Colonial Heritage Deer Lake Rezoning and Master Plan Amendment	499 Jolly Pond Road	220	A request to rezone an approximately 220-acre portion of 499 Jolly Pond Road, currently known as Deer Lake Estates, from A-1, General Agricultural, with Proffers and Rural Cluster SUP, to MU, Mixed Use, with Proffers to incorporate 150 age-restricted single-family detached units into the Colonial Heritage Master Plan area, with associated amendments to the existing Master Plan and Proffers.	Approval	Approval	Denial
Z-20-0005	Powhatan Terrace Proffer Amendment	1676 Jamestown Road 1678 Jamestown Road 18 0 Red Oak Landing Road	16.51	Proffer amendments to clarify obligations and responsibilities of the property owner while in a rental situation, reduce cash proffers in accordance with the Housing Opportunities Policy, change the green building standard to the Energy Star Program, clarify future monitoring and mitigation requirements related to on-site petroleum contamination, and clarify affordable housing assurances for a 30-year period.	Approval	Approval	Approval
Z-20-0006	8189 and 8193 Richmond Road Rezoning	8189 and 8193 Richmond Road	2.44	A request to rezone two parcels of land totaling ± 2.44 acres from B-1, General Business with proffers to M-1, Limited Business/Industrial with proffers.	Approval	Approval	Approval

Z-21-0001	3737 and 3741 Strawberry Plains Road Proffer Amendment	3737 and 3741 Strawberry Plains Road	0.99	An amendment to the existing proffers to permit the following uses: accessory uses, antique shops, barber and beauty shops, dry cleaners and laundries, gift and souvenir stores, janitorial service establishments, pet stores and pet supply sales, photography, artist and sculptor stores and studios, printing, mailing, lithographing, engraving, photocopying, blueprinting, and publishing establishments, and security service offices. The intended use of the property is a dry cleaner and laundry facility.	Approval	Approval	Approval
Z-21-0011	115 Norge Lane, Norge Center Proffer Amendment	115 Norge Lane	5.86	An amendment to Condition No. 1 of the adopted proffers to permit other uses permitted by-right in the General Business, B-1 Zoning District on the Property.	Approval	Approval	Approval
Z-21-0013	1826 Jamestown Road and 259 Sandy Bay Road Brewery and Taproom (Frothy Moon Brewhouse)	1826 Jamestown Road 259 Sandy Bay Road	3.4	Rezoning of approximately 3.4 acres from B-1, General Business and LB, Limited Business to B-1, General Business, with Proffers for a small-scale brewery and taproom.	Approval	Approval	Approval
Z-20-0002	2280 Lake Powell Road Rezoning	2280 Lake Powell Road	1.98	Rezoning of approximately 1.985 acres from R-8, Rural Residential to R-2, General Residential for the purpose of a one lot, single-family residential minor subdivision.	Approval	Approval	Approval

Z-19-0006	Hazelwood Farms - The Enterprise Center	301 Old Stage Road 9211 Old Stage Road 275 Old Stage Road 9400 Barnes Road (portion south of I-64)	328	A request to rezone approximately 328 acres from A-1, General Agricultural and B-1, General Business to EO, Economic Opportunity with Proffers to allow for up to 2,920,000 square feet of warehouse/industrial/ office use, up to 75,000 square feet of commercial use, and up to 250 residential dwelling units. Also, a request to allow the following specially permitted uses: apartments; multiple-family dwellings; fast food restaurants; truck terminals; the manufacture and processing of textiles and textile products in structures more than 10,000 square feet; heavy equipment sales and service with major repair; machinery sales and service with major repair; a convenience store; a commercial building or group of buildings that exceeds 10,000 square feet of floor area; a commercial building or group of buildings, not including office uses, which generates a total of 100 or more additional trips to and from the site during the peak hour of the operation; and buildings, additions, and expansions requiring an SUP pursuant to Section 24-11(b) of the County Code; and extension of public water and sewer facilities.	Approval	Deferred to January 2022	No Action in 2021
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Z-21-0012/ MP-21-0003	Proffer and Master Plan Amendment for the Continuing Care Retirement Facility at Ford's Colony (Ford's Village)	3889 News Road	179.2	Amendment to the adopted proffers and master plan for the Continuing Care Retirement Facility at Ford's Colony. The proposal would permit up to 286 age-restricted residential units consisting of single-family dwellings and multifamily dwellings, as well as a facility containing a total of no more than 230 age-restricted assisted living/memory care rooms/skilled nursing beds, with no more than 75 apartments, no more than 155 assisted living rooms/memory care rooms, and no more than 40 skilled nursing beds. This development would include accessory amenities.	Approval	Approval	No Action in 2021
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AGRICULTURAL AND FORESTAL DISTRICTS

Case Number	Name of Project/Location	Location	Acres	Case Description	Staff	PC	BOS
AFD-21-0002	9958 Mill Pond Run, Barnes Swamp AFD Addition	9958 Mill Pond Run	60.77	A request to add ± 60.77 acres to the Barnes Swamp Agricultural and Forestal District	Approval	Approval	Approval

Case numbering format for Agricultural and Forestal District Cases also changed after implementing JCC PermitLink software in June 2018 and no longer references the AFD's creation (Ex: AFD-02-86-XX-YYY). The revised format is now consistent with all other cases.

ZONING ORDINANCE AMENDMENTS

Case Number	Case Name	Case Description	PC	BOS
ORD-20-0017	Consideration of Amendments to the Zoning Ordinance to Consider Contractors' Offices and Storage in Planned Unit Development District - Commercial	Currently, a contractor office and storage is not listed as either a permitted or specially permitted use in the PUD-C District. This amendment adds Contractor's Offices and Storage as a by-right use with the addition of performance standards to address the concerns with the outdoor operation element of the use such as parking of oversized vehicles and equipment, visual screening, noise, and proximity to residential areas and roadways. Contractor offices, shops, and warehouses uses that do not meet the above performance standards must obtain a Special Use Permit from the Board of Supervisors in accordance with section 24-9 of this chapter.	Approval	Approval
ORD-20-0015	Zoning Ordinance Amendments to Address the Keeping of Bees in Non-Residential Districts	Amendments to the Zoning Ordinance to allow the Keeping of Bees in Non-Residential Districts in accordance with certain performance standards.	Approval	Approval

MAJOR INITIATIVES

COMPREHENSIVE PLAN UPDATE

Review of the County's Comprehensive Plan concluded in 2021. The work in 2021 built upon the work of the two previous years, and a summary of all three years leading to adoption is provided below.

Comprehensive Plan update activities in 2019 included scoping the update, securing consultant services, holding the official kick-off, conducting the James City County Comprehensive Plan Citizen Survey (UVA Center for Survey Research), beginning update activities, establishing and beginning the work of the Community Participation Team (CPT) and PCWG, and holding Round 1 of public engagement - the Summit on the Future, and its companion online questionnaire and survey.

In early 2020, efforts focused on the scenario modeling process. Information from the scenario modeling process was then used to build a questionnaire for Round 2 of public engagement, the Exploring our Future Alternatives Assembly event and online questionnaires, which occurred in August and September of 2020. Information from the scenario modeling effort and public engagement efforts were used to draft a Preferred Scenario Framework, which included a description of the Scenario B potential implications for policy development; key ideas in the preferred scenario map; and additional planning concepts. Information from the Goals questionnaire, and the other public input, was used to prepare a Plan Framework. Together, the concepts in these Framework documents formed a policy foundation as the PCWG began to consider the Plan's chapter texts and draft Future Land Use Map (FLUM) in the fall and winter. In the final months of 2020, the CPT worked to prepare for the third round of public engagement.

Update activities in 2021 started with the third round of public engagement, Deciding and Affirming, which consisted of three questionnaires (Policies and Actions, Community Character Design Guidelines, and Land Use proposals), complemented by a series of virtual Community Chats designed to assist citizens in completing the questionnaires. During this time, the PCWG continued to review the Plan's chapter texts, and following the compilation of information from the Round 3 questionnaires, also reviewed and developed the GSAs for each chapter. The Board of Supervisors reviewed the draft Chapters and GSAs at work sessions in March and April, followed by a joint Planning Commission-Board of Supervisors work session in May. The PCWG completed its work on the Plan in June and voted to recommend approval of the Plan. The Planning Commission held a public hearing on June 24, 2021, and voted to recommend approval of the Plan. The Board of Supervisors held a public hearing on July 13, 2021, and discussed the Plan at work sessions on September 28, 2021, and October 26, 2021. The Board unanimously adopted the Plan, *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*, on October 26, 2021.

ORDINANCE UPDATES AND ON-GOING PROJECTS

Throughout 2021, the Planning Division and Planning Commission also worked on a variety of on-going projects.

- Planning staff supported efforts led by other County divisions, departments, and agencies on projects:
 - Parks and Recreation master plan updates for Upper County Park, Recreation Center and Warhill Sports Complex;
 - Parks and Recreation updates to the Shaping our Shores Plan for Chickahominy Waterfront Park and Jamestown Beach Event Park and Marina;
 - Steering Committee and work groups for the newly formed Lower Chickahominy Watershed Collaborative; and
 - Technical Advisory Committee for Community Development's Natural and Cultural Assets Plan effort.
- Throughout the year, Community Development staff continued to make improvements and add functionality to EnerGov's Land Development and Asset Management Software, known as JCC PermitLink, continuing in the effort to create a better customer experience and to enhance communications between divisions for development applications. In addition to improvements to the JCC PermitLink system staff also started work on a new 311 system.

TRANSPORTATION IMPROVEMENTS

Staff aggressively pursued new funding and worked toward construction of several transportation improvements identified in the Comprehensive Plan adopted in 2015, *Toward 2035: Leading the Way*, including:

- Completion of the widening of I-64, Segment 3.
- Continued work on the Longhill Road widening project between Route 199 and Olde Towne Road (completion expected March 2022).
- Continued work on the Olde Towne Road/Longhill Road turn lane and intersection improvements project (completion expected March 2022).
- Start of the construction (CN) phase for the Skiffes Creek Connector project. Construction is expected to be completed in fall 2022.
- Start of the right-of-way (RW) phase for the Croaker Road widening project.
- Additional funding was secured for the Pocahontas Trail multi-modal improvements project and the preliminary engineering (PE) phase continued.

- Funding was secured for the Airport Road, Mooretown Road and Richmond Road improvements with PE expected to begin in 2025.
- The RW phase for the Safe Routes to Schools improvements project at Clara Byrd Baker Elementary School and Five Forks continued.
- Progress on PE and RW phases for the roadway and stormwater improvements on Richmond Road in Toano and along various roadways in Grove.
- RW phase has continued for the Hicks Island Bridge Replacement.
- A Transportation Alternative application was prepared and submitted for the Jamestown High School Sidewalk Project. Additionally, a Revenue Share application was prepared and submitted for a traffic signal at the intersection of Jolly Pond Road and Centerville Road. If approved, significant improvements will be made to increase safety for motorists, pedestrians, and bicyclists.
- Staff worked with the Hampton Roads Transportation Planning Organization (HRTPO) and secured letters of support from our Federal legislative delegation to apply for an Infrastructure for Rebuilding America (INFRA) grant to fund the proposed widening of I-64, Segment 4.



2021 JAMES CITY COUNTY PLANNING COMMISSIONERS



Jack Haldeman, Chair
Berkeley District



Tim O'Connor, Vice Chair
At-Large



Rich Krapf
Powhatan District



Julia Leverenz
At-Large



Barbara Null
Stonehouse District



Frank Polster
Jamestown District



Rob Rose
Roberts District

PLANNING DIVISION OF COMMUNITY DEVELOPMENT

101-A MOUNTS BAY ROAD

WILLIAMSBURG, VIRGINIA 23185

PHONE: 757.253.6685

FAX: 757.253.6822

PLANNING@JAMESCITYCOUNTYVA.GOV

WWW.JAMESCITYCOUNTYVA.GOV/404/PLANNING



2021 BOARD OF ZONING APPEALS ANNUAL REPORT

2021 BOARD OF ZONING APPEALS MEMBERS

Name	District	Appointment	Term Expires
Stephen M. Rodgers, Chairman	Berkeley	4/2011	3/31/2024
Mark Jakobowski, Vice Chairman*	Roberts	4/2018	3/31/2023
Ron Campana, Jr. *	Jamestown	8/2011	6/30/2026
William J. Geib *	Powhatan	4/2013	3/31/2023
David Otey, Jr. *	Roberts	3/2010	3/31/2025

* Virginia Certified BZA Member

INTRODUCTION

The James City County's Board of Zoning Appeals (BZA) is a five-member, quasi-judicial body appointed by the local circuit court to serve five-year terms. Any community adopting a Zoning Ordinance must also establish an appeals board for review of circumstances where landowners may be unjustly burdened by the Zoning Ordinance. The Board conducts public hearings to consider requests for variances to the County's Zoning Ordinance, as well as appeals of decisions made by the Zoning Administrator.

The definition of variance reads:

Variance means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land, or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

The Board must find that the strict application of the Zoning Ordinance would unreasonably restrict the utilization of the property. Any decision made by the Board may be appealed to the James City County Circuit Court within 30 days.

State Code language places the burden of proof on the applicant with these five standards as the criteria:

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of a variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and

- (i) *the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;*
- (ii) *the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;*
- (iii) *the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;*
- (iv) *the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and*
- (v) *the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A4 of § 15.2-2286 at the time of the filing of the variance application.*

MEETINGS

The James City County BZA is scheduled to meet the first Thursday of every month at 5 p.m. in Building F at the James City County Government Complex. The BZA met three times in 2021.



VARIANCES/APPEALS

One Zoning Administrator's Determination Appeal and four applications for variances were considered in 2021. All five applications went before the BZA. The synopses of the applications are as follows:

BZA-20-0014, 7218 Merrimac Trail - This was an appeal of the Zoning Administrator's determination that a mural painted on the outside wall of an existing building was a sign regulated by the James City County Zoning Ordinance. The BZA upheld the Zoning Administration's determination on January 7, 2021.

BZA-20-0015, 6702 Richmond Road - This was an application for a variance to Section 24-39, Special provisions for lots for public utilities, to reduce the required setback from 15 feet from any property line to approximately 14.7 feet from the left side property line and 6.2 feet from the rear property line for the construction of a chemical feed building to be located at an existing well facility. The BZA approved the application on February 4, 2021.

BZA-20-0016, 121A Queen Mary Court - This was an application for a variance to Section 24-39, Special provisions for lots for public utilities, to reduce the required setback from 15 feet from any property line to approximately 5.7 feet from the right-side property line and 10.1 from the front property line for the construction of a chemical feed building to be located at an existing well facility. The BZA approved the application on February 4, 2021.

BZA-20-0017, 5374 Centerville Road - This was an application for a variance to Section 24-39, Special provisions for lots for public utilities, to reduce the required setback from 15 feet from any property line to approximately 9.9 from the right-side property line for the construction of a

chemical feed building to be located at an existing well facility. The BZA approved the application on February 4, 2021.

BZA-21-0001, 171A The Maine - This was an application for a variance to Section 24-39, Special provisions for lots for public utilities, to reduce the required setback from 15 feet from any property line to approximately 5 feet from any property line to permit the reconstruction of a wastewater pumping station. The BZA approved the application on May 6, 2021.



From left to right: Ron Campana, Jr., David Otey, Jr., William J. Geib, Mark Jakobowski, and Stephen Rodgers.

COMPREHENSIVE PLAN - IMPLEMENTATION

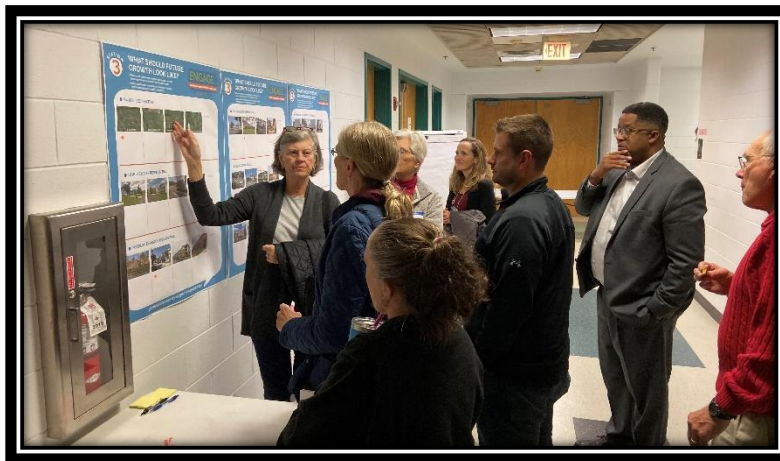
The Comprehensive Plan continues to be implemented through a variety of mechanisms, including consistency evaluations for legislative cases such as rezonings and special use permits.

The chapters of the Comprehensive Plan also include GSAs which collectively provide a mechanism for turning the written guidance of the Comprehensive Plan into tangible steps that can affect positive change, either through action or by identification of areas where additional resources are needed. The Planning Commission Annual Report provides an update on the progress that has been made in implementing the GSAs.

Specifically, the report lists tasks that have been undertaken toward completion of actions previously identified as high priority. The Board of Supervisors prioritize projects, based on available funding and resources, through the annual budget and Strategic Plan processes.

Note: The following list focuses on completed high priority actions, as previously referenced in the 2009 Comprehensive Plan Implementation Schedule. The list does not include actions with lower priorities.

The list for this Annual Report includes the GSAs from the 2035 Comprehensive Plan, which was in effect through the majority of 2021 (adoption of the 2045 Comprehensive Plan occurred on October 26, 2021), and the tasks that were undertaken to implement them. The 2022 Planning Commission Annual Report will include GSAs from the 2045 Comprehensive Plan.



Citizens at the Summit on the Future event
during the Engage 2045 process

<i>Tasks with a 0–5-year timeframe</i>	
<i>Action</i>	<i>Task Completed</i>
ED	ECONOMIC DEVELOPMENT
ED 1.4. Encourage private/public partnerships or similar initiatives to ensure the development and attraction of quality and innovative business ventures.	The Office of Economic Development focuses efforts on business recruitment and attraction; retention and expansion of existing industry; site readiness; and workforce development. JCC submitted 13 industrial and commercially zoned sites to be characterized as part of the Virginia Economic Development Partnership’s Bulk Characterization study to determine the next steps and cost estimates for advancing each site in site readiness for future development. Tourism is now housed within the Parks & Recreation Department.
ED 2.2. Consider establishing and expanding incentive zone(s) and other programs as allowed by the Code of Virginia.	This effort is ongoing but was delayed by the pandemic and staff changes.
ED 2.3. Promote tourism and associated industries as a year-round industry.	During 2021, the County utilized its website and social media to keep citizens updated on the available opportunities for tourism and related businesses and industries which were greatly affected by the COVID-19 pandemic. In order to continue the County’s success in highlighting local businesses and partnering with the Virginia Tourism Corporation and Williamsburg Tourism Council, tourism activities are being relocated into the re-branded Department of Parks, Recreation, and Tourism. The Tourism and Recreation Centers Administrator (formerly Recreation Centers Administrator) will manage tourism development and promotion for the County.
ED 3.2. Support the provision of mixed cost and affordable/workforce housing near employment centers and transportation hubs.	Staff is currently reviewing the construction plans for Forest Heights and Blaine Landing, two projects that will account for approximately 165 affordable units.

CC COMMUNITY CHARACTER	
CC 3.2. Use the conceptual plan process to provide early input from staff and where appropriate, appointed, or elected officials, to allow applicants to better assess critical issues with the goal of having a predictable and timely development plan approval process.	Ongoing. Staff continues to encourage applicants to submit conceptual plans to assess project viability and reviewed 91 conceptual plans in 2021.
CC 7.1. Update the Wireless Communications Division of the Zoning Ordinance as necessary to accommodate the use of new and emerging wireless communication services.	A major update to the Communications Facilities Division was completed in 2020, with Board adoption on July 14, 2020. In 2021, staff has been guiding applicants through the new procedures and applying new regulations.
ENV ENVIRONMENT	
ENV 1.9. Develop Total Maximum Daily Load (TMDL) Program Action Plans to address water quality impairments within James City County and the Chesapeake Bay, including proposed actions and implementation schedule. Begin implementation in accordance with the approved action plans.	The County is in its third 5-year MS4 permit cycle, which spans from July 1, 2018, through June 30, 2023. When implemented over the next several years, the Best Management Practices (BMPs) described in the permit program plan are expected to result in reductions of stormwater pollutant discharges into James City County's waterways.
ENV 1.10.5. Monitoring non-traditional on-site sewage disposal trends.	Planning staff continues to review updates to state legislation and hear from the Virginia Health Department about new trends. A Planning staff member serves as the co-chair of the Virginia American Planning Association Legislative Committee, which monitors updates to state legislation.
ENV 1.14.2. Provide assistance as funding permits to identify failing neighborhood stormwater and drainage facilities and to implement repairs on a prioritized basis.	Provided \$270,646 in matching grants through the Clean Water Heritage Program to HOAs for maintenance of stormwater management facilities. Provided technical assistance to owners as part of this grant program.
ENV 1.20. Utilizing approved watershed management plans, developed hydraulic studies, and assessments of riverine and coastal flooding, begin to develop a County-wide stormwater master plan to establish measurable goals and comprehensively address both the water quality and flooding issues resulting from stormwater.	Staff continues this effort through plan implementation and ongoing collaboration with the Hampton Roads Planning District Commission Regional Coastal Resiliency Committee.

ENV 4.6. Continue the current programs that have installed building management control systems in many County facilities which assist in reducing energy consumption. Continue to evaluate renewable energy technologies and energy efficiency improvements during capital maintenance activities.	Efforts are ongoing. New energy efficiency technologies are continually being assessed for incorporation into facility site assessments and building improvements.
H HOUSING	
H 2.1. Support with technical assistance, referrals, and funding, when possible, the efforts of private and nonprofit entities to improve the condition of the County's housing stock.	Partnership with Housing Partnership Incorporated (HPI) to provide accessibility improvements for low income, elderly/disabled citizens participating in the Home Energy Loss Prevention (HELP) and Emergency Home Repair programs. Funding provided to HPI to address accessibility/deteriorated housing conditions was adjusted back up to \$60,000 for FY21. Housing staff continue to participate in HPI Core Group meetings to provide technical assistance/guidance.
H 2.2. Ensure that all housing in the County meets HUD's Housing Quality Standards.	407 Inspections were completed for the Housing Choice voucher (HCV) Program which includes 154 HCV vouchers, 10 Veterans Administration Supportive Housing (VASH) vouchers, 26 Housing Urban Development (HUD) Mainstream Vouchers and 42 Portability vouchers from other jurisdictions. 11 Housing Quality Standards inspections were completed for the Scattered Site Community Development Block Grant (CDBG) toward completion of 4 home replacements and 12 rehabs and 8 Habitability Inspections were completed for the Rapid Rehousing Program in 2021.
H 2.4. Continue to support, through marketing, partnering, or other means, programs that provide emergency home repair; preventive maintenance; and counseling in home finance, rental assistance, budgeting, and sanitary health conditions.	In 2021, staff helped 50 citizens through Group Financial Education. Topics included Understanding Credit, Understanding Banking, Avoiding Scams, Tax Return Workshop, How To Be A Successful Renter, Fair Housing, Home Maintenance and Energy Conservation.
H 2.5. Continue to support, through marketing, partnering, or other means, private nonprofit groups such as Housing Partnerships, Inc., Habitat for Humanity, and the Community Action Agency.	Social Services and Housing staff worked with Habitat and HPI to transfer the JCC/HPI contract to Habitat so they can begin construction of 4 homes in the Forest Heights Road neighborhood. This resulted in the completion of 4 new affordable homes in 2022.
H 2.9. Continue efforts to attract funds from federal and state sources for housing and neighborhood rehabilitation.	Neighborhood Development was successful with a \$50,000 Community Development Block Grant (CDBG) award for Moses Lane grant application. Staff also successfully procured CDBG funding in the amount of \$720,500 to reconstruct five houses.

H 3.1. Target publicly funded or publicly sponsored housing programs toward County residents and persons employed in the County.	Six employees participated in the Employee Assisted Homeownership Program in 2021.
H 3.3. Continue to ensure that housing units constructed or rehabilitated with public funds remain affordable to families with low-to-moderate incomes.	All Federal and state funding utilized in housing programs are eligible to households earning at or below 80% of the Area Median Income.
LU LAND USE	
LU 1.5. Collaborate with the Office of Economic Development to investigate ways to maintain and promote an appropriate balance between residential and non-residential development and facilitate continued diversification of the local economy (i.e., study the amount and characteristics of land available for commercial/industrial development, etc.).	Planning staff maintains an inventory of the amount of available land designated for commercial and industrial use.
LU 3.1.2. Engaging in joint planning efforts and allocating resources toward implementation.	Planning staff continued to work with Newport News, York County, Joint Base Langley-Eustis and other regional stakeholders on the next steps of implementation of the Joint Land Use Study (JLUS), which was adopted by the Board of Supervisors in July 2018. As part of the 2045 Comprehensive Plan update, the Military Influence Overlay District for Fort Eustis was included on the Future Land Use Map, in accordance with the recommendations from the JLUS.
LU 3.2. Communicate with adjacent jurisdictions regarding development plans that have potential impacts on adjacent localities and public facilities. Work with them to coordinate plans and to identify and mitigate areas where there are conflicts.	Planning staff regularly communicates with adjacent localities when reviewing development plans near County borders, in accordance with State Code. Staff also regularly provides courtesy reviews for York County.
LU 3.3. Continue to participate in regional planning processes with York County and the City of Williamsburg. Use the Historic Triangle Coordinated Comprehensive Plan Review Summary Report as a regional planning resource, particularly with regard to transportation and to land use issues in the three geographic focus areas (Riverside/Marquis/Busch, Lightfoot/Pottery, Northeast Triangle and Surrounding Area).	In 2020, the updated Historic Triangle Transportation Study was completed and then data from the study was used to revise the Transportation chapter of the Comprehensive Plan in 2021.

LU 4.7.1. Encouraging multiple uses within office parks in the Primary Service Area (PSA) to assure employees convenient access to shopping, services, and open space.	This component of the County's land use policy was evaluated during the 2045 Comprehensive update process. More specific details to be provided in 2022.
LU 5.1.1. Continuing to further develop and refine a model or models to assess and track the cumulative impact of development proposals and development on existing and planned public facilities and services.	This component of the County's land use policy was evaluated during the 2045 Comprehensive update process. More specific details to be provided in 2022.
LU 5.2.3.b. Continue to provide proffer guidelines, including cash proffers, for schools, parks and recreation, and water/sewer.	The County developed the residential development fact sheet, which provides the County's calculation for residential impacts. This fact sheet is provided as a resource in staff's review of residential legislative cases for the PC and Board of Supervisor's consideration.
LU 6.1.1. Support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the Code of Virginia.	Planning staff continues to process applications affecting the AFD districts. The Board of Supervisors approved one addition to the Barnes Swamp AFD in 2021.
LU 6.1.2. Seek public and private funding for existing programs, investigate new programs, and support private or non-profit (such as land trust) actions that promote continued agricultural or forestal use of property.	The County continued to participate in a coastal forest study by the Green Infrastructure Center to evaluate the resiliency of coastal forest resources. The County also initiated a Natural and Cultural Assets planning effort, which includes identifying lands most suitable for agricultural and forestry use.
PR PARKS & RECREATION	
PR 3.3. Submit grant applications to secure funds for new parks and recreation programs, services, facilities, and related transportation services.	Received a grant in November 2021 for the purchase of property in the Grove neighborhood for the creation of a new park.
PR 6.3. Continue to offer the Inclusion service and conduct assessments with persons with disabilities to ensure necessary accessibility for participation in recreation programs.	Inclusion Coordinator offered disability awareness and behavior modification training to specialty, sports, and outdoor camp instructors. Completed 5 American Disabilities Act (ADA) assessments updates at Freedom Park and the Interpretive Center, Greensprings Trail, Powhatan Creek Trail and Warhill Sports Complex. Utilized new independent contractor, Visitable, to conduct ADA assessment of Freedom Park and its facilities/amenities from the user perspective.

PR 6.5. Incorporate leadership and volunteerism in teen programs to increase skill building and employability within the County.	Partnered with the James City County Police Department to offer two sessions of C.O.P.S camp and teaching safety and leadership to 30 participants. Registered 508 youth in the REC Connect Before and After School and Summer Camp programs. Created new partnership with the Boys & Girls Club of the Virginia Peninsula to add an additional day of programming to the RECn' It Out Neighborhood summer camp program. Continued partnership during the school year to share programming operation/staffing for the James River REC Connect program. Created new partnership with the Boy Scouts of America to establish a scouting program for neighborhood youth in Grove.
PR 8.1. Enhance the partnerships with Williamsburg-James City County (WJCC) Schools to offer joint programming for health and wellness.	Implemented chef's demonstration and farm tour for RECn' It Out neighborhood summer camp program when youth learned about fruits and vegetables and healthy cooking.
PF PUBLIC FACILITIES	
PF 4.1. Utilize energy efficient heating, cooling, ventilation, lighting, and similar systems and designs for newly constructed facilities, and where feasible, for renovations of existing County facilities. Innovation and technology (such as that found in geothermal heating and cooling systems, green roofs, and solar panels) should similarly be employed where feasible, and where appropriate levels of long-term sustainability, cost savings, efficiency, and durability can be clearly expected or demonstrated.	These continue to be priorities for all new construction and upgrades to existing County facilities.
PF 5.1. Evaluate the security of public schools and other County facilities from internal and external threats to better ensure the safety of citizens, visitors, and County staff, and to better protect County assets, sensitive data and data systems, the public water supply, and property.	Based on the recommendations of the Building Safety and Security Committee, the County implemented security measures in multiple facilities. The Security & Custodial Superintendent conducts annual assessments of each facility to ensure the safety and security of staff, visitors, and residents.
T TRANSPORTATION	
T 1.3.1. Adding the road segment to the Six-Year Improvement Program (SSYP) and considering public-	Staff worked with Virginia Department of Transportation (VDOT) and the Board of Supervisors to include improvements to Longhill Road, Croaker Road, Peach

private partnerships among other mechanisms to fund proposed improvements.	Street, and the Hick's Island Road bridge to the County's Six-Year Improvement Program, all of which were also priorities identified in the FY 22-27 SSYP.
T 2.5. Coordinate with Williamsburg Area Transit Authority (WATA) and/or Hampton Roads Transit Authority (HRT) during review of development applications to ensure that proposals are conducive to incorporating the use of transit.	The Planning Division continues to work with WATA and developers to identify locations for bus routes and stops. Staff has coordinated with WATA and the Promenade to relocate an existing bus stop to better serve the neighborhood.
T 3.10. Implement the adopted James City County Pedestrian Accommodations Master Plan and Regional Bicycle Facilities Plan by planning for bikeways and pedestrian facilities in primary and secondary road plans and projects.	Staff continues to evaluate both legislative and administrative development applications using the adopted Bicycle and Pedestrian Accommodations Master Plans. Such accommodations were considered as part of several applications for subdivisions and developments throughout the County.
T 3.2. Actively pursue additional local, State, Federal, and private funding to accelerate the construction for all needed modes of transportation facilities.	County staff has been aggressively pursuing funds for transportation improvement projects. In 2020, staff applied and received funding for the Pocahontas Trail Reconstruction, Airport Road and Richmond Road Intersection. In 2021, staff applied for funding for the Jamestown High School Sidewalk Extension and for a traffic signal at Jolly Pond Road and Centerville Road.
<i>Tasks with a 6–10-year timeframe</i>	
<i>Action</i>	<i>Task Completed</i>
ED ECONOMIC DEVELOPMENT	
ED 5.1. Encourage the rehabilitation of abandoned and/or underutilized facilities by promoting them to new business.	Staff continues to market available existing facilities for new business ventures and expansions. Recent examples include Navien moving into the former Lumber Liquidators space, TOMCO moving into the former Keystone Auto Parts space; Diverging Approach moving into the former Wythe Will Candy factory; Thermal Tec/Drying Company into vacant space in the Design Masters building; and Chesapeake Payment Systems expanding into the former Farm Fresh in Norge.
ED 5.3. Encourage new development and redevelopment of non-residential uses to occur mainly in areas where public utilities are either available or accessible within the Primary Service Area (PSA) and infrastructure is supportive.	Office of Economic Development targets property in existing industrial parks and/or with existing zoning befitting the use.
ED 7.1. Participate in the development of master plans for the County's I-64 interchanges, specifically the Croaker Road and Barhamsville Road interchange areas, to	Community Development has the lead, but Hazelwood Farms is an excellent example of planning this interchange for economic development capacity. Portions of the Croaker interchange were the subject of discussions during the recently completed

preserve capacity for economic development for these areas.	2045 Comprehensive Plan Update, with the Board considering some properties for removal from the PSA due to lack of public water and sewer and the presence of a conservation easement on one of the properties along Croaker Road. However, this change was not ultimately approved.
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Tasks with a 10+ year timeframe	
Action	Task Completed
ED ECONOMIC DEVELOPMENT	
ED 5.1. Encourage the rehabilitation of abandoned and/or underutilized facilities by promoting them to new business.	Staff continues to market available existing facilities for new business ventures and expansions. Recent examples include Navien moving into the former Lumber Liquidators space, TOMCO moving into the former Keystone Auto Parts space; Diverging Approach moving into the former Wythe Will Candy factory; Thermal Tec/Drying Company into vacant space in the Design Masters building; and Chesapeake Payment Systems expanding into the former Farm Fresh in Norge.
<i>Ongoing</i> (While generally speaking tasks with an Ongoing timeframe represent items that will not have measurable yearly progress, the following items had substantial progress achieved in the last calendar year.)	
Action	Task Completed
ED ECONOMIC DEVELOPMENT	
ED 1.1. Maintain an active and effective economic development strategy, which includes existing business retention and expansion, assistance to new business, new business recruitment and support to the tourism industry.	The OED focuses efforts on business recruitment and attraction; retention and expansion of existing industry; site readiness; and workforce development. JCC submitted 13 industrial and commercially zoned sites to be characterized as part of the Virginia Economic Development Partnership's Bulk Characterization study to determine the next steps and cost estimates for advancing each site in site readiness for future development. Tourism is now housed within the Parks & Recreation Department.
ED 1.3. Continue to emphasize the benefits of locating new business and industry within the Enterprise Zone.	The Enterprise Zone in JCC expired on December 31, 2015. An Opportunity Zone was established in 2018 for the census tract in the Grove area. Opportunity zones are a federal economic development and community development tax benefit established by the 2017 Tax Cuts and Jobs Act and are available to investors with capital gains

	designed to encourage long-term investment in low-income urban, suburban, and rural census tracts.
ED 1.5. Identify regulatory barriers in County regulations (such as special use permits), policies, and procedures that may unnecessarily inhibit commercial and industrial development and amend the Zoning Ordinance to address these issues.	OED enters into discussions with other County departments as issues arise, such as new and emerging technologies (e.g., drone manufacturing and testing). The pandemic assisted with the shift to electronic submittals and virtual meetings to increase communication and transparency. The timeframe for the next review and update of the Zoning Ordinance is being developed by Community Development which leads these efforts.
ED 2.1. Support the development of diverse types of retail and non-retail core business.	OED supports the regional Start Peninsula initiative, where new business ideas are pitched in a competition. A recent winner has leased space in Williamsburg Crossing. OED's focus is not on retail; exciting recent announcements include: Navien's investment in the former Lumber Liquidators location, the planned expansion of Coresix Precision Glass; modernization investments at both Ball Corp. and Anheuser Busch; the opening of a new event venue, The Maine of Williamsburg; the expansion of Chesapeake Payment Systems into the former Farm Fresh in Norge; and a new partnership between JCC and O-I Glass to collect and recycle glass for use in the manufacturing process.
ED 4.1. Work with the College of William & Mary Office of Economic Development and the Thomas Nelson Workforce Development Center in support of business attraction and expansion.	The partnership with William & Mary on the Launchpad business incubator continues. OED has also partnered with Thomas Nelson Community College/Virginia Peninsula Community College on the development of workforce programs and a summit on skilled trades and associated training.
ED 8.1. Support traditional agricultural and forestal uses through ordinances and policies favorable to such uses.	The County Zoning Ordinance was amended in 2021 to permit beekeeping in commercial districts throughout the County.
CC COMMUNITY CHARACTER	
CC 2.1. In New Town, continue to support the design review process. Encourage developers to apply the design guidelines developed for Toano and Five Forks to projects within these areas. Within the other CCA boundaries, continue to establish development management and preservation techniques to meet specific historic preservation and community character needs. Encourage development patterns and building designs that maintain and reinforce the visual separation of CCAs.	Staff continues to coordinate plan review with New Town's Design Review Board and ensure that the CCA standards are implemented during legislative case review.

CC 5.3. Improve the methods the County uses during planning, pre-construction, construction, and post-construction phases to make sure tree preservation measures are properly performed, resulting in healthier trees, buffers, and proper maintenance.	Under the guidance of the Landscape Planner, staff continues to perform C.O. inspections to ensure proper plantings.
CC 6.1. Expect archaeological studies for development proposals requiring legislative approval on lands identified by the James City County staff as warranting such study and require their recommendations to be implemented. In making the determination, staff will consult archaeological studies and seek the recommendation of representatives of the County's Historical Commission or other qualified archaeologists if necessary.	Staff continues to require archaeological studies be submitted for site plans meeting the standards in the Zoning Ordinance. Furthermore, staff coordinates with the Department of Historic Resources to ensure studies are correct.
ENV ENVIRONMENT	
ENV 1.10.4. Requiring the pump out of on-site waste disposal tanks every five years.	The database of septic systems is used to generate monthly reports of those systems required to be pumped out on a rotating five-year basis. Notices mailed out monthly to owners of the affected properties.
ENV 1.16. Increase education and use of sound policies such as watershed planning, agricultural Best Management Practices, erosion control measures, stream bank buffers, and other nonpoint source controls to minimize negative effects of urban development and agricultural practices on water quality.	The Stormwater Division continues to collaborate with various agencies and other County department events to promote the Clean Water Heritage key initiatives such as Rain Gardens, Fertilize Smart, Be Septic Smart and Scoop the Poop.
ENV 1.18. Continue to develop watershed management plans for the remaining County watersheds that identify environmentally sensitive areas and specific protection, restoration, and retrofit recommendations.	This is an ongoing effort. The Skimino Creek watershed management plan was approved. Budget requested for Diascund Creek and for updates to Powhatan and Yarmouth approved for FY22.
LU LAND USE	
LU 2.1. Plan for and encourage the provision of strategically located greenways, sidewalks, and bikeways to connect neighborhoods with retail and employment centers, parks, schools, and other public facilities and to	Staff continues to review all legislative cases and site plans for compliance with Section 24-35 Pedestrian Accommodations. Progress on the Clara Byrd Baker Safe Routes To School (SRTS) project is ongoing with construction expected to begin late 2022.

effectively connect buildings and activities within individual sites, using adopted plans for guidance.	
PR PARKS & RECREATION	
PR 2.1. Continue to coordinate with the Virginia Department of Transportation (VDOT), the Historic Triangle Bicycle Advisory Committee, and local running, hiking, and bicycling clubs to develop a bikeway network consistent with the adopted Regional Bikeways Map and support the public provision of bicycle facilities by seeking County funding whenever feasible and by seeking non-County funding sources.	Staff continues to support and participate in committees such as VDOT's Pedestrian Bicycle Committee (currently evaluating alternative routes for the expansion of the Virginal Capital Trail and continue efforts in the development of the Birthplace of American Trail), and the Historic Bicycle Advisory Committee (HTBAC).
PR 5.1. Continue to encourage new developments to dedicate or otherwise permanently convey open space, greenway, and conservation areas to the County or a public land trust.	Staff continues to guide applicants through the legislative application process, with open space and conservation being an important component for site design where applicable.
PR 5.2. Encourage new developments to dedicate right-of-way and construct sidewalks, bikeways, and greenway trails for transportation and recreation purposes, and construct such facilities concurrent with road improvements and other public projects in accordance with the Pedestrian Accommodation Master Plan, the Regional Bikeways Map, and the Greenway Master Plan.	The Board of Supervisors approved the Hazelwood Village Center SUP (SUP 19-0006) for a commercial center, which includes a multi-use path along the frontage of Route 30 and internal to the development.
PR 6.3. Continue to offer the Inclusion service and conduct assessments with persons with disabilities to ensure necessary accessibility for participation in recreation programs.	Inclusion Coordinator offered disability awareness and behavior modification training to specialty, sports, and outdoor camp instructors. Parks and Recreation staff completed 5 ADA assessments updates at Freedom Park and the Interpretive Center, Greensprings Trail, Powhatan Creek Trail and Warhill Sports Complex. Utilized new independent contractor, Visitable, to conduct ADA assessment of Freedom Park and its facilities/amenities from the user perspective.

PR 9.1. Continue to disseminate brochures and keep up-to-date information on the website to inform County residents and visitors about County parks and recreational opportunities in accordance with approved public information plans.	Parks and Recreation staff continued to update the website and provide information at various locations.
PF PUBLIC FACILITIES	
PF 1.6. Apply appropriate zoning, land use, and other adopted County criteria when evaluating public facility sites and uses.	Staff continues to review projects for WJCC Public Schools, James City Service Authority, and other public facilities. Examples submitted in 2021 include drainage and road improvements in Grove, improvements to the James City County Marina, the Warhill Auxiliary Gym, expansion of the Hampton Roads Sanitation District administration building and elementary school learning cottages.
PF 3.1. Development should occur concurrently with the adequacy and accessibility of existing facilities and phased in accordance with the provision of new facilities and services.	Staff continues to utilize the PSA boundary as a key factor when reviewing legislative applications and continues to evaluate all legislative applications against public facility needs.
PN POPULATION NEEDS	
PN 3.1. Continue to pro-rate membership to community centers and cost of programs according to income.	Parks & Recreation programs and Centers memberships are eligible for the department's discount assistance program, based on household income. Youth passes are available for ages 5-17 are free at the Abram Frink Jr. Community Center.
T TRANSPORTATION	
T 1.1. Ensure that new development follows recommended densities, intensities, and development patterns that will serve to preserve the road capacities and support the Community Character Corridor designations of existing and proposed roads.	The Board of Supervisors approved multiple legislative cases that followed recommended densities, intensities, and development patterns, including the Hazelwood Village Center, Frothy Moon, and Williamsburg Woodworks.
T 1.2. Expect new developments to maintain an acceptable level of service on the surrounding roads and intersections consistent with the land use context (rural, suburban, and urban) and the functional classification of the roadway. Ensure that new developments do not compromise planned transportation enhancements. New development should minimize the impact on the roadway system by:	Roadway levels of service continue to be a key factor in the evaluation of development applications, in a context sensitive manner, depending on their location. The Planning Division reviewed all legislative and administrative applications with a specific eye towards transportation impacts.

T 1.2.1. Limiting driveways and other access points and providing shared entrances, side street access, and frontage roads.	The Planning Division continues to encourage shared access and appropriate entrance spacing during legislative cases. An example processed in 2021 was the convenience store on Ironbound Road.
T 1.2.3. Concentrating commercial development in compact nodes or in Mixed Use areas with internal road systems and interconnected parcel access rather than extending development with multiple access points along existing primary and secondary roads.	Planning staff continues to encourage these principles. For example, Village Center for Hazelwood SUP is proposed along a primary corridor and within the Mixed Use designated area.
T 1.3.5. Designing and implementing transit, pedestrian, and/or cycling alternatives along the corridor, including multi-use paths and paved shoulders.	Staff worked as part of a regional team to research routes for a multiuse path extending from the current Capital Trail and ending in Hampton and Suffolk, identified as the Birthplace of America Trail (BOAT). Staff continues to work with the regional team to amend the exact route of the trail and explore funding opportunities. Longhill Road was completed with a multiuse path along Phase I.
T 2.1. Continue to participate in the Hampton Roads Transportation Planning Organization (HRTPO), which serves as the transportation planning body for the region.	Planning staff continues to attend and be an active contributor to HRTPO's Transportation Technical Advisory Committee (TTAC). Members of County administration and the Board of Supervisors also serve on the HRTPO Board.
T 3.8. Balance land use and economic development needs with the need to retain a high degree of mobility for short and long intra-County trips by encouraging road and access designs that are consistent with the intended functions of the road and adjoining land use patterns.	Staff applied for funding through the Smart-Scale program for improvements at Airport Road and Richmond Road, which will better route traffic through the area and reduce congestion along Airport Road and Mooretown Road. The project received funding.
T 3.9. Include bikeways, pedestrian facilities and/or multi-use trails within major developments and elsewhere in the County, especially connecting residential and non-residential areas and County facilities.	Staff continues to evaluate both legislative and administrative development applications using the adopted Bicycle and Pedestrian Accommodations Master Plans. Such accommodations were considered in the case of the Hertzler and George Landscape and Hazelwood Village Center SUPs.

GLOSSARY OF TERMS

AFD	Agricultural and Forestal District
BCTF	Business Climate Task Force
BMP	Best Management Practice
BOS	Board of Supervisors
CCA	Community Character Area
CCC	Community Character Corridor
CIP	Capital Improvements Program
CO	Certificate of Occupancy
DHCD	Virginia Department of Housing and Community Development
DCR	Department of Conservation and Recreation
DHR	Virginia Department of Historic Resources
DRC	Development Review Committee
EDA	Economic Development Authority
EOC	Emergency Operations Center
GSA	Goal, Strategy and/or Action
HOP	Housing Opportunities Policy
HRTPO	Hampton Roads Transportation Planning Organization
INFRA	Infrastructure for Rebuilding America
JCCRC	James City County Recreation Center
LEED	Leadership in Energy and Environmental Design
LID	Low Impact Development
LOS	Level of Service
MPO	Metropolitan Planning Organization
MSA	Metropolitan Statistical Areas
OED	Office of Economic Development
OHCD	Office of Housing and Community Development
PC	Planning Commission
PDR	Purchase of Development Rights
PLAT	Professional Landscape Assessment Team
PSA	Primary Service Area
SSPRIT	Subdivision / Site Plan Review Improvement Team
TDR	Transfer of Development Rights
VDOT	Virginia Department of Transportation
VHDA	Virginia Housing Development Authority

ITEM SUMMARY

DATE: 3/2/2022

TO: The Planning Commission

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Planning Director's Report - March 2022

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Spreadsheet Listing New Cases Received	Backup Material
☐	Draft PC/Policy/DRC meeting calendar	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	2/23/2022 - 1:58 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 1:58 PM
Publication Management	Pobiak, Amanda	Approved	2/23/2022 - 2:07 PM
Planning Commission	Holt, Paul	Approved	2/23/2022 - 2:33 PM

PLANNING DIRECTOR'S REPORT

March 2022

This report summarizes the status of selected Department of Community Development activities during the past month.

➤ **Planning**

- **Monthly Case Report:** For a list of all cases received in the last two months, please see the attached documents.

➤ **Board Action Results:**

○ **February 8, 2022**

- SUP-21-0017. 4007 Ironbound Rd Convenience Store with Fuel
(Approved 5-0)
- SUP-21-0024. 158 Saddletown Road, Partlow Family Subdivision
(Approved 5-0)
- Z-19-0006 and SUP-19-0005. Hazelwood Farms - The Enterprise Center
(Approved 3-2)
- Z-21-0015. 6940 and 6950 Richmond Road Proffer Amendment
(Approved 5-0)

New Cases for March 2022						
Plan Type	Plan Number	Case Title	Address	Plan District	Case Description	Plan Assigned To
Appeal / Variance	BZA-22-0001	Request for reduced rear setback from 35 feet to 32 feet per Section 24-258(b)	5719 PETER VAN WIRT WAY Williamsburg, VA 23188	Powhatan	Request for reduced rear setback from 35 feet to 32 feet per Section 24-258(b).	Taylor Orne
Conceptual Plan	C-21-0126	6319 & 6311 Old Mooretown Rd. Duplexes	6311 OLD MOORETOWN RD Williamsburg, VA 23188	Powhatan	Proposal to construct one duplex on each parcel.	Thomas Wysong
	C-22-0001	1650 Jamestown Road Art Gallery	1650 JAMESTOWN RD Williamsburg, VA 23185	Berkeley	Request to determine area available for a building.	Terry Costello
	C-22-0003	8709-B Pocahontas Trl Short Term Rental	8709-B POCAHONTAS TRL Williamsburg, VA 23185	Roberts	Proposal for a 2382 sq ft dwelling with an accessory apartment of 750 sq ft. Applicant would reside in the accessory apartment and rent the main dwelling as a short-term rental.	John Risinger
	C-22-0005	3 Marclay Rd.. - Short Term Rental	3 MARCLAY RD Williamsburg, VA 23185	Roberts	Proposal for short-term rental of entire dwelling.	Terry Costello
	C-22-0006	2902 Lake Powell Rd. - Short Term Rental	2902 LAKE POWELL RD Williamsburg, VA 23185	Roberts	Proposal for short-term rental of the property.	John Risinger
	C-22-0007	New Town Section 2 and 4 Manor on the Green	5220 CENTER ST Williamsburg, VA 23188	Jamestown	A construction plan for a residential multi-building community, containing 106 one and two bedroom homes located at the north end of the Green at New Town.	Tom Leininger
	C-22-0008	7348 Richmond Road Calvary Chapel	7348 RICHMOND RD Williamsburg, VA 23188	Stonehouse	Proposal for a Place of Public Assembly.	Jose Ribeiro
	C-22-0009	2981 John Tyler Hwy - Teaman Family Subdivision	2981 JOHN TYLER HWY Williamsburg, VA 23185	Berkeley	Proposal to create a 1.5 acre lot for daughter.	Terry Costello
	C-22-0011	140-D Tewning Rd. Auto Detailing	140-D TEWNING RD Williamsburg, VA 23188	Jamestown	Proposal for an auto Detailing Busainess.	John Risinger
	C-22-0013	2508 Campbell Close Subdivision	2508 CAMPBELL CLOSE Williamsburg, VA 23185	Roberts	Request to create two parcels.	Suzanne Yeats
	C-22-0014	71 Hill Lane - Subdivision	171 HILL LN Toano, VA 23168	Powhatan	Request to determine if the lot can be subdivided.	Suzanne Yeats

New Cases for March 2022						
Plan Type	Plan Number	Case Title	Address	Plan District	Case Description	Plan Assigned To
Site Plan	SP-22-0001	4391 Ironbound Rd. Generator SP Amend	4391 IRONBOUND RD Williamsburg, VA 23188	Jamestown	Install aan 8 KW generator with transfer switch.	John Risinger
	SP-22-0003	2205 Jamestown Rd Jamestown Beach Event Park Changing Stations SP Amend.	2205 JAMESTOWN RD Williamsburg, VA 23185	Berkeley	Installation of three electric vehicle charging stations.	Suzanne Yeats
	SP-22-0004	4311 John Tyler Hwy Tower SP Amend.	4311 JOHN TYLER HWY Williamsburg, VA 23185	Berkeley	Antenna and equipment upgrade on existing wireless communications facility.	Tom Leininger
	SP-22-0005	Colonial Veterinary Clinic Parking Expansion SP Amend.	3280 IRONBOUND RD Williamsburg, VA 23188	Jamestown	Proposal to expand parking.	Jose Ribeiro
	SP-22-0007	5301 Longhill Rd - Cell Tower Co-location and Compound Expansion SP Amend.	5301 LONGHILL RD Williamsburg, VA 23188	Jamestown	Upgrades to existing cell tower.	John Risinger
	SP-22-0008	101 Mounts Bay Rd - Cell Tower SP Amend.	101 MOUNTS BAY RD Williamsburg, VA 23185	Roberts	Co location on existing wireless communications facility.	Terry Costello
	SP-22-0009	300 Ron Springs Dr. Tower SP Amend.	300 RON SPRINGS DR Williamsburg, VA 23185	Roberts	Co-location on existing tower.	Tom Leininger
	SP-22-0011	1310 Jamestown Rd - Williamsburg Drug Co Expansion SP Amend.	1310 JAMESTOWN RD Williamsburg, VA 23185	Roberts	Expansion of the existing Williamsburg Drug Company building and drive-through lane modification.	Thomas Wysong
	SP-22-0012	Busch Gardens IT Shed SP Amend.	7851 POCAHONTAS TRL Williamsburg, VA 23185	Roberts	Proposal to add a shed adjacent to the Busch Gardens administration area between the security office and the Anheuser-Busch brewery.	John Risinger
	SP-22-0013	Kingswood Water Main Replacement - Phase 1	100 RED MAPLE PL Williamsburg, VA 23185	Berkeley	Replacement of existing water main.	Terry Costello
	SP-22-0014	Palmer Lane Lighting SP Amend.	5320 PALMER LN 3911300003 Williamsburg, VA 23188	Jamestown	Proposed lighting improvements.	Suzanne Yeats
	SP-22-0015	4801 Courthouse Street Electric Vehicle Charging Station SP Amend.	4801 COURTHOUSE ST Williamsburg, VA 23188	Jamestown	Replacing Existing charging station with a Dual Charging Station.	Josh Crump
	SP-22-0016	7734 Richmond Rd. Sunbelt Rentals Renovations SP Amend.	7734 RICHMOND RD Toano, VA 23168	Stonehouse	Proposal for renovationsto existing structures.	Katie Pelletier
	SP-22-0017	3201 Monticello Ave - Comm. Tower Antennas Modification SP Amend.	3201 MONTICELLO AVE Williamsburg, VA 23188	Berkeley	Proposal for collocation of antennas, ancillary equipment and ground equipment as per plans for a new carrier on an existing wireless communication facility.	Paxton Condon
	SP-22-0018	267 Industrial Blvd. Gravel Storage Yard SP Amend.	267 INDUSTRIAL BLVD Toano, VA 23168	Stonehouse	Site Plan Amendment to raise the proposed storm sewer system.	Tom Leininger
	SP-22-0019	Williamsburg Landing Boatwright Cir. Duplexes Lighting Amend.	5550 WILLIAMSBURG LANDING DR Williamsburg, VA 23185	Roberts	Lighting plan for new duplexes.	Paxton Condon

New Cases for March 2022						
Plan Type	Plan Number	Case Title	Address	Plan District	Case Description	Plan Assigned To
Zoning Verification Letter	ZVL-22-0002	Zoning Verification Letter for 5220 Center Street	5220 CENTER ST Williamsburg, VA 23188	Jamestown	Zoning Verification Letter request. Property will be used to build multi-family apartment buildings.	Taylor Orne
	ZVL-22-0003	Zoning Verification Letter for 1700 Endeavor Drive (Herc Rentals)	1700 ENDEAVOR DR Williamsburg, VA 23185	Roberts	Zoning Verification Letter request. Cdonfirmation of use as an equipment rental and sales facility.	Taylor Orne
	ZVL-22-0004	Zoning Verification Letter for 275 McLaws Circle	275 MCLAWS CIR Williamsburg, VA 23185	Roberts	Request for current zoning classification, permitted uses, and existince of any violations.	Taylor Orne
	ZVL-22-0005	Zoning Verification for Certificate of Public Need	5477 MOORETOWN RD Williamsburg, VA 23188	Powhatan	Applying for a COPN with Virginia Department of Health. We need a letter that verifies the Zoning of all the addresses within the parcel. Address are 5483, 5481, 5479, 5477.	John Rogerson

James City County PC/Policy/DRC Meeting Schedule, 2022-2023

Meeting locations, unless otherwise noted: Planning Commission (PC) - Government Center Board Room, 101-F Mounts Bay Rd.
Policy Committee and Development Review Committee (DRC) - Government Center Building A Conference Room, 101-A Mounts Bay Rd.

Planning Commission 2022-2023 (6PM)

- April 6
- May 4
- May 24 Joint Work Session w/ BOS (1pm)
- June 1
- July 6
- August 3
- September 7
- October 5
- November 2
- December 7
- January 4 (2023)
- February 1 (2023)
- March 1 (2023)
- March 20 (2023)*

*Special Meeting (Organizational and CIP)

Policy Committee 2022-2023 (4PM)

- April 14
- May 12
- June 9
- July 14
- August 11
- September 15
- October 13
- November 10
- December 8
- January 12 (2023)
- February 9 (2023)**
- February 16 (2023)**
- February 23 (2023)**
- March 2 (2023)**
- March 9 (2023)

**CIP Meetings

DRC 2022-2023 (4PM)

- March 30
- April 20
- May 18
- June 22
- July 20
- August 24
- September 21
- October 19
- November 16
- December 14
- January 18 (2023)
- February 15 (2023)

Planning Commission 2023-2024 (6PM)

- April 5
- May 3
- May 23 Joint Work Session w/ BOS (1pm)
- June 7
- July 5
- August 2
- September 6
- October 4
- November 1
- December 6
- January 3 (2024)
- February 7 (2024)
- March 6 (2024)
- March 18 (2024)*

*Special Meeting (Organizational and CIP)

Policy Committee 2023-2024 (4PM)

- April 13
- May 11
- June 8
- July 13
- August 10
- September 14
- October 12
- November 9
- December 14
- January 11 (2024)
- February 15 (2024)**
- February 22 (2024)**
- February 29 (2024)**
- March 7 (2024)**
- March 14 (2024)

**CIP Meetings

DRC 2023-2024 (4PM)

- March 29
- April 19
- May 24
- June 21
- July 19
- August 23
- September 20
- October 18
- November 15
- December 13
- January 24 (2024)
- February 21 (2024)