



PLANNING COMMISSION  
County of New Kent

## AGENDA

MONDAY, 21 SEPTEMBER 2009  
6:30 PM  
BOARD ROOM,  
COUNTY ADMINISTRATION BUILDING

### ITEM DESCRIPTION

1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES
  - A. 20 July 2009 – Regular Meeting
5. CITIZEN COMMENT PERIOD
  - A. Comments limited to those on planning-related issues that are not scheduled for public hearing later on the agenda-sign up on the sheet at back of the room prior to the meeting is required.
6. UNFINISHED BUSINESS
7. PUBLIC HEARINGS
  - 7:00 PM or as soon thereafter as possible speakers are limited to three minutes each, should come to the podium and state their name and address.
  - A. ZM-02-08, Dunham (Godsey Properties, LLC): Godsey Properties, LLC, has requested the rezoning from A-1, Agricultural, to R-1, Single-Family Residential (Cluster), of approximately 133 acres of land. The subject properties are located to the east of Tunstall Road (SR 612) between the Deer Lake and Kenwood Farms Subdivisions and are identified as Tax Parcels 10-52, 10-52B, and a portion of 10-51, and on the County's digital maps as GPIN#s M11-1144-0636, M11-0652-0785, and a portion of M10-3073-2764. The applicants are proposing to create a 113-lot, open space (cluster) subdivision, with 20% of the homes considered "work force" and integrated throughout the neighborhood. The applicants have proposed proffers in conjunction with this application, addressing such things as development in conformity with the concept plan, maximum number of residential building lots, phasing of development, establishment of a homeowner's association and restrictive covenants, maximum house sizes, workforce housing, cash for water system improvements, entrances to the subdivision, donation of a utility lot, and recreational space. The properties are designated as Suburban Housing Detached and Rural Lands on the Vision 2020 Comprehensive Plan's Future Land Use Map.
  - B. ZM-07-09, Cedar Hill – New Kent LLC: Mr. William A. Walsh, Jr. of Hunton & Williams LLP, applicant, has requested the rezoning from A-1, Agricultural, to Business, of approximately 2.87 acres of land. The subject property is part of Tax

Parcel 23-15, which is 860 acres total and is currently "split-zoned" with 8.8 acres zoned Business and the remaining acreage zoned Agricultural. The subject property is located on the north side of New Kent Highway (SR 249), approximately 500 feet east of the intersection of New Kent Highway and Old River Road. The property is identified as a portion of Tax Parcel 23-15 and on the County's digital maps as GPIN# K18-2953-2992. The applicant is not proposing any specific use for the property, and no proffers have been submitted with the rezoning request. The property is designated as Rural Lands on the Vision 2020 Comprehensive Plan's Future Land Use Map.

- C. ZT-05-09, Courthouse Development District Text Amendment: Consider adopting Section 98-541, Courthouse Development District, as a new section of the New Kent County Zoning Ordinance that will provide opportunities and standards for the development of compact mixed-use developments that combine the uses allowed in the R-2, R-3 and Business zoning districts, offer options to receive development rights if the County adopts a transfer of development rights ordinance in the future, meet the requirements established by the Code of Virginia in Section 15.2-2223.1, and facilitate village-style development in the New Kent Courthouse area. The district as proposed would permit residential densities of up to 8 dwelling units per acre, and with a development rights transfer up to 15 dwellings per acre. The district as proposed requires a mixture of uses, reduced setbacks, provision of pedestrian and alternative transportation facilities and amenities, and publicly accessible open spaces.
- D. ZM-10-09, Courthouse Area Reclassification: Consider reclassifying approximately 190 acres of land in the New Kent Courthouse area from R-2, R-3 and Business to Courthouse Development. The parcels proposed for reclassification are located south of State Route 249 and include the land areas incorporated into the Maidstone and Preservation Office Park developments, New Kent High School, New Kent Middle School, New Kent Elementary School, the historic New Kent Middle School, New Kent Courthouse, New Kent County government campus, and the Post Office. The properties are further identified as Tax Parcels 24-15C, 24-15, 24-16, 24-10A, 24-10, 24-15B, 24-9, 24-45A, 24-46A, 24-45C, 24-45D, 24-45E, 24B-1-1, 24B-1-2, 24B-1-A, and 24B-1-B, and on the County's digital maps as GPIN#s K20-2724-1716, K20-2052-1670, K20-2281-1751, K20-1885-1364, K20-1809-1073, K20-1595-0668, J20-1324-4660, J20-1019-4230, J20-1479-3024, J20-0231-3702, J20-0221-2953, K19-3959-0163, and K20-0180-0474.
- E. ZM-11-09, Comprehensive Zoning Map Reconciliation: In January of 2009, the Board of Supervisors approved O-15-08 (R2), which amended the New Kent County Zoning Ordinance (Chapter 98 of the New Kent County Code) and zoning map. Approximately 75 parcels, whose zoning classifications should have been changed at that time, were either left out of the ordinance or off of the zoning map. The amendments in ZM-11-09 will reconcile the adopted zoning ordinance with the adopted zoning map. Because this amendment impacts approximately 75 parcels of land within the County and the changes are not easily summarized, interested

persons are advised to read the complete text of the proposed Zoning Ordinance amendment, found at the website listed below.

- F. ZT-06-09, Sign Regulations Text Amendment: Consider repealing existing §§ 98-941 through 98-946 of the Code of New Kent County and re-enacting § 98-941 containing new and entirely revised sign regulations for New Kent County. The amendment as proposed defines signs and sign types and provides size, location and numerical regulations by type of sign within each zoning district in the County. The amendment further proposes for sign sizes to increase when along roads with a posted speed limit of 45 mph and higher. The amendment specifies sign types and sign elements that are prohibited in all districts as well as identifying those sign types, classifications and locations that are exempt. The proposed amendment defines nonconforming signs and establishes regulations that apply to such signs. The amendment provides the authority to the zoning administrator to order the removal of illegal signage and, should the property own fail to remove the signage as directed, have the signage removed with the costs of the removal assessed to the property owner.

8. NEW BUSINESS

9. CHAIRMAN'S REPORT

10. RRPDC REPORT

11. COMMISSIONER'S REPORT

12. STAFF REPORTS

13. MEETING SCHEDULE

A. The Planning Commission is next scheduled to meet: Monday, 19 October 2009

14. ADJOURNMENT

ITEMS OF INTEREST & INFORMATION.....ATTACHED SEPARATELY