

New Kent County  
Planning Commission  
August 26, 2003

The Planning Commission held a work session on Tuesday, August 26, 2003 at 7:00 PM. The purpose of the work session was to discuss the planned unit development application for the Farms of New Kent and to receive a briefing on the Patriot's Landing planned unit development submission.

Planning Commission members attending the work session:

- Louis Abrams
- Jack Chalmers
- Mark Daniel
- David Frank
- Milton Hathaway
- Jay Hubbard
- Julian Lipscomb
- Edward Pollard
- Marty Sparks
- Robert Stroube
  
- Howard Gammon—Absent

Also attending:

- George Homewood, Planning Director
- Lamont Myers, Economic Analyst
- Theresa Carter, Planning Technician
- Phyllis Katz, County Attorney
- Darrell Rickmond, Rickmond Engineering
- Kenneth Baybutt, Rickmond Engineering
- Marty Fisher, Rickmond Engineering
- R. W. Campbell, VDOT
- Gary Jennings, VDOT

Reverend Hathaway called the meeting to order and gave the invocation. He announced that there would be no public comment.

## **FARMS OF NEW KENT**

Reverend Hathaway announced that Mr. Daniel was present but would not take part in the Farms of New Kent discussions because of a potential conflict of interest.

## RELATIONSHIP TO THE COMPREHENSIVE PLAN

Mr. Chalmers asked staff if the proposed PUD would be in conformity with the newly adopted Comprehensive Plan. Mr. Homewood responded that the approach that had been taken on this application as well as the applications for the Patriot's Landing and Dragonsridge PUDs is that the land use element of the Comprehensive Plan would not be used as blunt instrument to either promote or bludgeon those applications. He stated the intent of the application was to amend the Comprehensive Plan as well as request a rezoning to planned unit development. He added that what was important was how this fits in with the general goals and objectives and the text portion of the Plan and not just focus on the map that is the land use element.

## ENVIRONMENTAL PROTECTION

Mr. Lipscomb commented that the application provided most of the necessary information and that any other concerns had been addressed at prior meetings.

## HISTORIC AND CULTURAL RESOURCES

There was some discussion on the setbacks from Crumps Mill Pond and Iden. Applicant Pete Johns stated that the plan included a large buffer zone for all historic areas. The Iden property shares only one common boundary with the Farms of New Kent property. The application shows a 25-foot buffer along the boundary. Charles Rothenberg, agent for the applicant, added that there would be a 100-foot buffer along Route 106 which would transition back to 50-foot, 35-foot and 25-foot buffers. He went on to say that property line is offset from Crumps Mill Pond by 25 feet and there would be a 100-foot buffer from the property line.

## TRANSPORTATION IMPACTS

Gary Jennings of the Virginia Department of Transportation stated that while VDOT has been providing responses to staff's direct questions,

more specific information is needed before they can fully respond to all of the issues raised by the application. John Combs of Resource International is on the applicant's development team. He stated that the only other information they can provide would pertain to design features. These features are normally worked on during the site plan stage.

There was some question concerning the widening of Route 106. Mr. Combs stated that their studies show multi-lanes for the entire distance between Interstate 64 and Highway 249. Mr. Jennings agreed, saying the department also foresees the possibility of a portion of Highway 249 becoming multi-lane as well as traffic controls at conflict points. These traffic controls may be in the form of roundabouts, traffic signals, and 4-way stops.

Mr. Homewood stated that there was nothing in the proffers that guarantee any of the road improvements.

#### PUBLIC UTILITIES

Mr. Homewood informed the group about a memo from Marty Fisher of Rickmond Engineering concerning alternatives to the proposed wastewater treatment plant on the Riley Lowe property. Mr. Fisher had prepared a preliminary review of the potential installation and operational costs associated with routing wastewater from the proposed development to the Parham Landing waste water treatment plant via I-64 and Route 33. He had also prepared a second computation for routing wastewater along Routes 249 and 33. There are several advantages to these alternatives: directing wastewater to Parham Landing protects the Chickahominy watershed; reduced construction costs; a single treatment plant to consolidate operations of other systems that would reduce operational and personnel costs. Mr. Combs stated that the applicant is willing to use one of these alternatives. The Routes 249/33 alternative is the more attractive as getting the permits and easements along I-64 may be hard to obtain.

Mr. Lipscomb stated that he would like the County to work with the developers and Dominion Virginia Resources to improve the electrical power system, perhaps incorporating a substation to provide better service to the general area. He also requested that staff and the developers work with Virginia Natural Gas to provide natural gas, especially in the commercial areas.

## COMMUNITY FACILITIES AFFORDABLE HOUSING

Mr. Rothenberg advised the group that a refined version of the July 10 proffers would be available early the following week. Revised portions include the fire station, library, medical care facility, and affordable housing.

## COMMUNITY DESIGN

Mr. Johns stated that the proposed development has generated inquiries from a number of high quality commercial retailers.

## FISCAL IMPACT

Mr. Myers gave a brief overview of staffs fiscal impact analysis.

## LEGAL ISSUES FINANCING ISSUES

Ms. Katz will be advising on an ordinance that is being prepared by staff that will be proposed in lieu of the ordinance tendered by the applicant. She will also review the revised proffers with attention to the language used and policy issues. She added that many of the proffers are based on financing. Mr. Homewood stated that staff is extremely reluctant to adopt any proffer that has conditions attached.

## OVERALL COMMUNITY CHARACTER AND QUALITY OF LIFE

Reverend Hathaway and Mr. Lipscomb remarked that each has received some very positive comments since the last meeting. Generally citizens are impressed with the quality of the proposed development although a smaller scale would be preferred.

## **PATRIOT'S LANDING**

Mr. Homewood reviewed a fact sheet that staff prepared on the proposed development. He introduced Chris Corrada of East West Partners, applicant and John Cogbill, III of McGuireWoods, LLP, who is acting as agent on behalf of the applicant. Mr. Corrada handed out a packet of

design information. Mr. Cogbill addressed the group stating that East West has been operating in the area for 30 years. Historically the group specializes in projects on the water. Their projects include Brandermill, Woodlake and Hampton Park in Chesterfield County.

Mr. Homewood brought up the potential public safety issue of the dams at Five Lakes. The condition of the existing dams is in question. Mr. Cogbill responded that East West had commissioned a study of the dams that should be ready in the next two weeks. He believes that there is some work to be done in order to stabilize the dams.

#### MEETING SCHEDULE

A formal public hearing for the Farms of New Kent has been scheduled for the September 15, 2003 meeting. A second meeting will be held on Monday, September 29, 2003 in order to hold a public hearing for the Patriot's Landing application followed by a work session on the Patriot's Landing application on September 30, 2003.

#### ADJOURNMENT