

APPROVED MINUTES TO THE OCTOBER 6, 2003, PLANNING COMMISSION MEETING

SUP-19-03 & MP-07-03 – Olde Towne Timeshares

Mr. David Anderson stated that Mr. Richard Costello, on behalf of Heritage Resorts, Inc., has applied for a special use permit to amend a previously approved special use permit (JCC Case No. SUP-18-99, Olde Towne Timeshares). The original SUP permitted a development of 365 timeshare units in a residential cluster. This amendment proposes the same number of timeshare units but makes some changes to the Master Plan which require an SUP amendment. It should be noted that the previously approved special use permit is valid until July 10, 2004.

The property is comprised of 130 acres located on Olde Towne Road adjacent to Route 199. The property is zoned R-2, General Residential District and designated low density residential on the Comprehensive Plan land use map. Approximately 25% of the proposed units have been changed from four bedroom townhouse style units to two bedroom condominium style units. Staff supports this change because it results in a reduction in water usage, parking spaces, and traffic generation. The Commission approved an identical proposal for two buildings at Williamsburg Plantation in February.

An indoor pool has been added to the clubhouse and the outdoor pool has been moved further away from adjacent residential uses which will better protect adjacent residences from noise and lighting. The major change to the layout is based on a central collector road with no units fronting on it that terminates at the clubhouse building which has been expanded to accommodate the indoor pool. Parking to the new clubhouse has also been expanded to accommodate the new facilities.

Additionally the applicant is requesting a waiver to reduce the parking requirement for the townhouse units from 2½ spaces per unit to 2 spaces per unit which has proven adequate at Williamsburg Plantation. Staff supports the reduction in the parking space requirement because it helps mitigate the increase in impervious cover caused by the collector road and clubhouse parking.

Staff finds the proposal consistent with surrounding zoning and land use. Staff also finds the proposal consistent with the residential cluster zoning ordinance and consistent with the Comprehensive Plan. Staff believes the changes to the previously approved SUP are generally positive in nature and recommended approval.

Mr. McCleary asked if construction on the project has begun and if the berm is already in existence along Route 199.

Mr. Anderson answered that construction has not begun and that only part of the berm is existing. It will be extended further towards Olde Towne Road.

Mr. A. Joe Poole, III opened the public hearing.

Mr. Vernon Geddy, III represented the applicant. Mr. Geddy agreed with the staff report. This case is similar to the Williamsburg Plantation case previously approved

by the Commission.

Mr. Kale asked if the left corner of the property where the curb begins on Olde Towne will be of concern with regards to highway expansion given the proximity of the new clubhouse. Mr. Kale noted that in the earlier project there was land set aside for the Virginia Department of Transportation (VDOT) to cut through if it was necessary.

Mr. Richard Costello stated that the same agreement still exists with VDOT. He stated the new clubhouse is in the same location where the tennis courts were in the previously approved case.

Mr. Kale asked if the responsibility for shielding the noise from the highway will fall on the applicant or VDOT.

Mr. Costello stated that it will be the applicant's responsibility. He also stated that between the berm and the buffer there will be adequate shielding from the noise.

Mr. Kale asked if the location of the larger units have been identified or if they will be scattered within the community.

Mr. Costello said they have been identified and will be scattered throughout the property.

Mr. Billups asked about item 14 on the Master Plan regarding irrigation and the irrigation pond. The Plan noted that the project will not use James City Service Authority (JCSA) water for irrigation, but also noted that a waiver may be granted if the applicant can show a need for a well.

Mr. Costello said that if the need arose then a well would be dug in the shallow water aquifer that is not utilized by the JCSA. This will only be a temporary measure until the pond rose to an adequate level.

Mr. Poole inquired about the traffic patterns relative to this project. He asked about the pre and post development levels of service.

Mr. Costello stated that the level of service has gone from Level D to Level C. This proposal should reduce overall traffic for this project in the 7-10% range.

Mr. Sowers stated that traffic counts on Olde Towne Road have shown that the traffic flow has decreased.

Mr. Poole said that the density of this project compared to what is allowed by right is still significant although there may have been some improvement.

Mr. John Hanrahan, 434 Alderwood Drive City of Williamsburg, expressed concern that this will be the tenth timeshare unit in the James City, York, Williamsburg area. He asked if any statistics were available about the success of these projects. He questioned the possibility of them being converted to apartments if the developers became insolvent and asked if the County had investigated these issues.

Mr. Sowers stated that the staff does not monitor the health of such developments

but that past research indicates that failures are remote on a nationwide level.

Mr. Geddy stated that historically they are not usually converted to apartments but are purchased and continued in the same operation.

Mr. McCleary stated that timeshares provide significant tax revenue for the County. In a previous case, Williamsburg Plantation, the developers saw problems in its marketing and re-scoped ahead of time in order to better fit the market. Also, in the Hiden Property case the developer decided not to market the property as a timeshare but to re-scope it has an age appropriate community.

Mr. Hanrahan also agreed with Paul Tubach's suggestion for relocation of the proposed trail.

Hearing no other requests to speak, Mr. A. Joe Poole, III closed the public hearing.

Ms. Wildman moved to approve the application based on Mr. Anderson's statements regarding consistency with the surrounding area.

Mr. McCleary seconded the motion with staff conditions added.

Mr. Poole stated that he will not support the application. He is concerned about the density of property that is zoned R-2 and off-site vehicular impacts on a road that is different from Longhill Road. He is not happy with this level of service and does not feel this location lends itself to this density.

In a roll call vote the case was approved 4:3 AYE (4) Wildman, McCleary, Hagee, Hunt, NAY (3) Poole, Kale, Billups