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5-25-76

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-SEVENTH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-SIX.

1. ROLL CALL

Mrs. Ina Friedman, Chairman
Mr. A. G. Bradshaw
Mr. John E. Donaldson
Mr. Gerald H. Mepham
Mr. W. J. Scruggs
Mr. Stephen Turner
Mr. Albert L. White, III
Mr. Harry B. Wright

OTHERS

Mr. Craig G. Covey, Secretary
Mr. William F. Brown, Chief Planner
Mr. Frank M. Morton, III, County Attorney

2. REPORT OF THE SITE PLAN REVIEW COMMITTEE

Upon motion by Mr. White, seconded by Mr. Donaldson and passed unanimously the Site Plan Review Committee report for April 27, 1976 was approved as follows:

A. PENDING PRELIMINARY APPROVAL

1. Kingsmill Substation - Addition
2. Green Tree Campgrounds - Bath house addition (Route 607)

B. PENDING FINAL APPROVAL

1. Addition to building 218-Dow Badische Company (Route 60E) (11-18-75)
2. Norge Preschool Facility (Rt. 60W) (11-18-75)
3. Murphy Advertising and Printing Addition (Route 603) (11-18-75)
4. Grove Fire Station (Rt. 60E) (3-9-76)
5. Larry Waltrip - Property development (Rt. 31) (4-13-76)
6. Golden Lion Antique Gallery (Rt. 31) (4-13-76)
7. Conference/meeting room addition - Fort Magruder Quality Inn (Rt. 60E) (4-13-76)
8. Wiener King and Shop (Rt. 60E) (4-13-76)

9. Mounts Bay Road Gatehouse - Kingsmill (4-13-76)
10. Addition to Five Forks Body Shop (Rt. 5) (4-13-76)
11. Wisteria Mobile Home Park and Campsites (Rt. 60E)
(4-13-76)

C. FINAL APPROVAL

1. Williamsburg Auction House, Inc. (3-22-76)
2. Berkeley Realty Office (3-23-76)
3. Busch Gardens Additons (3-15-76)
4. Master Site Plan - Williamsburg Pottery Factory
(4-14-76)
5. Seasons Trace (3-31-76)
6. Green Tree Campgrounds - Mobile homes for employees
(4-21-76)

3. SUBDIVISION REVIEW COMMITTEE REPORT

Upon motion by Mr. Scruggs, seconded by Mr. Wright and passed unanimously the report of the Subdivision Review Committee was approved as follows:

A. PENDING PRELIMINARY APPROVAL

1. No. S-11-76. An application of Pervis Byrd on behalf of Herman Byrd Estate for preliminary plat approval of a subdivision of 54,000 square feet into two lots for a building lot for Pervis Byrd. Subdivision is to be known and recorded as: Property of Pervis L. & Gwendolynd Byrd. Subject property is located on Route 5 approximately .4 miles east of Five Forks and is further identified as parcel 29 on James City Real Estate Tax Map 25. An exception is requested for the subdivision of lots with only 180 feet frontage.
2. No. S-15-76. An application of Claude R. Nelson for preliminary plat approval of a subdivision of .88 acres into two lots. Subject property is located on Route 633 and is further identified as parcel 13.B on James City Real Estate Tax Map 19. Lot area variance requested.
3. No. S-41-75. An application of Deward M. Martin & Associates, Inc., on behalf of SAM of Virginia, Inc., for preliminary plat approval of a subdivision of 3.15 acres into eight lots. Subdivision is to be known and recorded as: Old Stage Manor - Sections 1 & 2 and is further identified as part of parcel 1 on James City Real Estate Tax Map 21.

4. No. S-17-76. An application of Alvin Anderson, Esquire, on behalf of Elizabeth N. Vaiden for preliminary plat approval of a subdivision of 37.24 acres into eleven lots. Subdivision is to be known and recorded as: The Foxes. Subject property is located on Route 615 across from Powhatan Plantation and is further identified as part of parcel 78 on James City Real Estate Tax Map 25. An exception is being requested from Section 17-35(c) and Section 17-22 of the County Code.
5. No. S-20-76. An application of Richard Austin for preliminary plat approval of a subdivision of 98 acres into two lots; one for his daughter which will be one acre and the remainder to be retained by Mr. Austin. Subdivision is to be known and recorded as: Property of Earl and Lorene Richardson being one acre of Green Swamp. Subject property is located off Route 614 and is further identified as all of parcel 43 on James City Real Estate Tax Map 24. An exception is being requested from Section 17-22 of the County Code for the transfer of this property without the required State road frontage.
6. No. S-22-76. An application of Lloyd D. and Joyce N. Larson for preliminary plat approval of a subdivision of 8.7 acres into two lots one for a homesite of 35,942 square feet and approximately 7.7 acres to be conveyed to Ernest B. Heath for an addition to his property. Subdivision is to be known and recorded as: Property of Ernest B. and Annie M. Heath. Subject property is located .55 mile west of Lightfoot on Route 614 and is further identified as part of parcel 49 on James City Real Estate Tax Map 15. An exception is being requested from Section 17-22 of the County Code since this subdivision is to be conveyed to an adjacent property owner and will be combined with his 5.5 acre parcel.

B. PRELIMINARY APPROVAL

1. No. S-4-76. An application of Howard V. Clayton on behalf of Hazelwood & Clayton for preliminary sketch approval of a subdivision of 4.68 acres into seven lots. Subdivision is to be known and recorded as: Sand Hill. Subject property is located west and east side of Route 608 approximately 1,000 feet north of intersection with Route 168 (Rt. 608 has been renumbered but new number does not appear on maps) and is further identified as part of lot 122 on James City Real Estate Tax Map 8.

2. No. S-30-75. An application of Langley, McDonald & Overman on behalf of Busch Properties, Inc., for preliminary plat approval of Busch Corporate Center, Williamsburg containing approximately 180 acres in James City County. Subject property is located on Route 60E adjacent to the Route 60/Route 199 interchange and is further identified as part of parcel 3A and 3B on James City Real Estate Tax Map 34M. Exceptions from Sections 17-60 and 17-36 of the County Code are requested.
3. No. S-16-76. An application of George V. Hitchens for preliminary plat approval of a subdivision of 28.5 acres into 52 lots. Subdivision is to be known and recorded as: Walnut Grove Estates. Subject property is located 675 feet south-east of Farmville Lane on the west side of Route 60 adjoining the Norge Elementary School. Property is further identified as parcel 18 on James City Real Estate Tax Map 15.
4. No. S-19-76. An application of John A. Hertzler on behalf of Seasons Trace Development, Inc. for preliminary plat approval of a subdivision of 6.45 acres into 46 lots and other land to be common areas. Subdivision is to be known and recorded as: Seasons Trace, Section II. Subject property is located on Longhill Road adjacent to Lafayette High School and is further identified as parcel B1-A, circle one on James City Real Estate Tax Map 20. Covenants recorded in Deed Book 163, page 640.
5. No. S-18-76. An application of R. H. Longstreet for preliminary plat approval of a subdivision of lot 11, .96 acres, into two lots for the purpose of adding a 50-foot strip of land to Mr. Longstreet's homesite, lot 12. Subject property is located on Route 31 at the corner of Spring Road and is further identified as part of parcel 11 on James City Real Estate Tax Map 32A.
6. No. S-21-76. An application of Charles E. Williams, Jr. for preliminary plat approval of a subdivision of 9.975 acres into five lots to provide family members property from the estate of Charles and Mattie Williams. Subdivision is to be known and recorded as: Charles and Mattie Williams Estate Subdivision. Subject property is located on Route 603 and is further identified as parcel 27 on James City Real Estate Tax Map 16. An exception for private road is requested.

C. FINAL APPROVAL BY AGENT

1. Case No. S-24-76--James H. Duke and David H. Rogers (4/22/76)
2. Case No. S-21-76--Anheuser Busch to Busch Properties, Inc. (3/31/76)
3. Case No. S-12-76--Bunkerhill Commercial Park (4/22/76)
4. PUBLIC HEARING -- CASE NO. Z-2-76. AN APPLICATION of Louie A. & JoAnne G. Galanos for rezoning of a lot of 1.12 acres from Residential, General, District R-3 to Business, General, District B-1. Subject property is identified as parcel 32A on James City Real Estate Tax Map 21.

Upon opening the meeting the Chairman recognized Mr. D. R. Taylor representing Mr. Galanos. Mr. Taylor described the purchase of the property by Mr. Galanos and the existing buildings and features on and adjacent to the property. It was pointed out that this property was previously under the ownership of Mr. & Mrs. Crutchfield and was used as a restaurant. Following the purchase by Mr. Galanos, a crude arson's attempt was made to destroy the building and thus it rests in its present charred state. Mr. Taylor indicated that Mr. Galanos wished to reconstruct the building and therein sell oriental and antique rugs. Mr. Taylor indicated that Mr. Galanos had an option on the adjacent property owned by Mr. Carter.

Mr. Donaldson inquired of Mr. Taylor as to the nearest commercial property in the vicinity.

Mr. Taylor indicated the most direct line could probably be drawn to the cement plant on Mooretown Road.

With no one else wishing to speak, the Chairman closed the public hearing and recognized Mr. Wright.

Mr. Wright pointed out that the 1.123 acre rezoning was in his opinion a spot zoning case.

Mr. Scruggs indicated that many requests had been made in the past for the same type of zoning and the owners of adjacent property in the R-3 zone have always voiced concern that the neighborhood integrity be maintained. Therefore Mr. Scruggs indicated he supported the contention that the rezoning would be a spot rezoning and could only support rezoning of a larger area to a business use.

Mr. Donaldson indicated the proposed rezoning was inconsistent with the adopted comprehensive plan.

Mr. Mephram spoke to reaffirm previous comments that local residents of the neighborhood wanted to keep the area residential.

Upon motion by Mr. Wright seconded by Mr. Turner and passed unanimously as indicated by the roll call vote below, Case No. Z-2-76 is hereby not recommended for approval to the Board of Supervisors:

<u>MEMBERS</u>	<u>VOTE</u>
Ina M. Friedman	Yea
A. G. Bradshaw	Yea
W. J. Scruggs	Yea
Stepehn A. Turner	Yea
Albert L. White, III	Yea
Harry B. Wright	Yea

5. PUBLIC HEARING -- CASE NO. Z-3-76. AN ORDINANCE TO amend and reordain Chapter 20, Zoning, of the Code of the County of James City by amending Article V, Nonconforming Uses.

The Chairman opened the public hearing but no one requested to speak and the hearing was therefore closed.

Mr. Donaldson pointed out that the matter is a housekeeping request by the Board of Supervisors.

Upon motion by Mr. Donaldson, seconded by Mr. White Case No. Z-3-76 is hereby unanimously recommended to the Board of Supervisors as indicated by the roll call vote below:

<u>MEMBERS</u>	<u>VOTE</u>
Ina M. Friedman	Yea
A. G. Bradshaw	Yea
W. J. Scruggs	Yea
Stephen A. Turner	Yea
Albert L. White, III	Yea
Harry B. Wright	Yea

6. CONSIDERATION OF A DATE FOR A PUBLIC HEARING ON Case No. Z-4-76. An application of Pedro N. Jones for rezoning of approximately five acres from Residential, General, District R-2 to Agricultural, Gernal, District A-1. Subject property is located on Strawberry Plains Road between Ironbound Road and Route 5.

Upon motion of Mr. White, seconded by Mr. Scruggs and passed unanimously Case No. Z-4-76 is hereby set for a public hearing date of May 25, 1976.

7. CASE NO. S-17-76. CONSIDERATION OF AN APPLICATION of Alvin Anderson, Esquire on behalf of Elizabeth N. Vaiden for preliminary plat approval of a subdivision of 37.24 acres into eleven lots. Subdivision is to be known as The Foxes. Subject property is located on Route 615 across from Powhatan Plantation and is further identified as part of parcel 78 on James City Real Estate Tax Map 25. An exception is being requested from Section 17-35(c) and Section 17-22 of the County Code.

The Chairman recognized Mr. Morton, County Attorney, who requested the commission to consider a continuance of the matter to offer the staff for further study. Mr. Morton indicated that the applicant, Mr. Anderson, was willing to have the matter continued provided that a meeting date of the 18th of May could be arranged.

Upon motion by Mr. White, seconded by Mr. Scruggs and passed unanimously the commission agreed to vote for a recess meeting subject to the call of the Chairman if a meeting on the 18th became necessary.

8. CASE NO. S-20-76. CONSIDERATION OF AN APPLICATION of Richard Austin for preliminary plat approval of a subdivision of 98 acres into two lots; one for daughter which will be one acre and remainder to be known and recorded as: Property of Earl and Lorene Richardson being one acre of Green Swamp. Subject property is located off Route 614 and is further identified as all of parcel 43 on James City Real Estate Tax Map 24. An exception is being requested from Section 17-22 of the County Code for transfer of this property without the required State road frontage.

Upon motion by Mr. Scruggs, seconded by Mr. Mephram and passed unanimously Case No. S-20-76 is hereby approved in accordance to the staff's recommendation that the applicant be requested to provide a 50 foot easement along the parcel frontage to Route 614.

9. CASE NO. S-22-76. CONSIDERATION OF AN APPLICATION of Lloyd D. and Joyce N. Larson for preliminary plat approval of a subdivision of 8.7 acres into two lots; one for a homesite of 35,942 sq. ft. and approximately 7.7 acres to be conveyed to Ernest B. Heath for an addition to his property. Subdivision is to be known and recorded as: Property of Ernest B. and Annie M. Heath. Subject property is located .55 mile west of Lightfoot (Route 60) on Route 614 and is further identified as part of parcel 49 on James City Real Estate Tax Map 15. An exception is being requested from Section 17-22 of the County Code since this subdivision is to be conveyed to an adjacent property owner and will be combined with his 5.5 acre parcel.

Upon motion by Mr. Scruggs, seconded by Mr. White and passed unanimously Case No. S-22-76 is hereby unanimously approved accordance to the staff's recommendation that the applicant's request be approved subject to the vacation of the common property line between the parcel to be transferred and Mr. Heath's existing 5.566 acre parcel.

10. CONSIDERATION OF A DATE FOR A PUBLIC HEARING ON the commercial zoning changes including changes to the B-1 District, off-street parking regulations, and the proposed PUD Ordinance.

The Chairman recognized Mr. Brown to present the B-1, PUD and Parking Standard Ordinance Amendments.

Upon motion by Mr. Scruggs, seconded by Mr. White passed unanimously the date of May 25, 1976 hereby established as a public hearing date for the B-1, PUD and Parking Standards Ordinance Amendments.

11. PRESENTATION OF THE PROPOSED FY 76-77 CAPITAL Improvements Program.

Mr. Brown was recognized by the Chairman to present the proposed FY 76-77 Capital Improvements Program to the commission. The Capital Improvements Program is contained in the 1976-77 Annual Budget and is on file in the County Administrator's Office.

12. REPORTS AND RECOMMENDATIONS.

The Chairman recognized Mr. Steve Turner to present a report of the Economic Development Advisory Committee Meeting of April 15, 1976. Mr. Turner indicated that the committee heard from Mr. Bill Rigsby, Director of Industrial Development, the State Chamber of Commerce and Ms. June Bachtell, Industrial Development Representative with the Division of Industrial Development of the Governor's Office, and Mr. Charles Pendleton, Deputy Director of the Virginia Peninsula Industrial Committee.

Mr. Rigsby pointed out what new firms looked for including the following:

1. Stability of Governments.
2. Stability of Economic Base.
3. Equitability of Tax Structure.
4. Labor Laws.
5. Labor Climate.
6. Status of Economic Development Climate.

Ms. Bachtell characterized James City County as a place with potential but not yet developed in water and sewer and road capabilities sufficient to support very heavy industrial development.

Mr. Pendleton indicated that the communities on the peninsula should work together in essence, "Singing the same song" and to be sure and have something specific to sell to potential industrial firms interested in the peninsula area

13. ADJOURNMENT

There being no further business to come before the Commission, the meeting was recessed to be reconvened at the call of the Chairman should a meeting be necessary on May 18, 1976.



Craig G. Covey
Secretary

Ina M. Friedman
Chairman

2
4-27-76

SITE PLAN REVIEW COMMITTEE REPORT

APRIL 1976

A. Pending Preliminary Approval

1. Kingsmill Substation - Addition
2. Green Tree Campgrounds - Bath house addition (Route 607)

B. Pending Final Approval

1. Addition to building 218-Dow Badische Company (Route 60E) (11-18-75)
2. Norge Preschool Facility (Rt. 60W) (11-18-75)
3. Murphy Advertising & Printing Addition (Rt. 603) (11-18-75)
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10. Addition to Five Forks Body Shop (Rt. 5) (4-13-76)
11. Wisteria Mobile Home Park & Campsites (Rt. 60E) (4-13-76)
12. Five Forks office complex

C. Final Approval

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2. Berkeley Realty Office (3-23-76)
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4. Master Site Plan - Williamsburg Pottery Factory (4-14-76)
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SUBDIVISION REVIEW COMMITTEE REPORT

APRIL 1976

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