

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD AT 7:30 P.M. IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-THIRD DAY OF NOVEMBER, NINETEEN HUNDRED AND SEVENTY-SIX.

1. ROLL CALL

- Mr. W. J. Scruggs, Chairman
- Mr. Fred Belden
- Mr. A. G. Bradshaw
- Mr. M. W. Bryant
- Mr. Gerald H. Mephram
- Mr. R. Henderson Minkins
- Mr. Albert L. White, III
- Mr. Harry B. Wright
- Mr. John E. Donaldson

OTHERS:

- Mr. William F. Brown, Secretary
- Mr. Frank M. Morton, III

2. MINUTES

Upon a motion by Mr. Wright, seconded by Mr. White, the minutes of October 26th and of November 10th were approved by a unanimous vote.

3. REPORT OF THE SITE PLAN REVIEW COMMITTEE

Upon a motion by Mr. White, seconded by Mr. Donaldson, the Committee report was approved unanimously and is appended hereto.

4. REPORT OF THE SUBDIVISION REVIEW COMMITTEE

Upon a motion by Mr. Minkins, seconded by Mr. Wright, the Committee report was approved unanimously and is appended hereto.

5. CASE NO. Z-13-76. CONSIDERATION OF AN APPLICATION  
by Charles T. Lewis for rezoning of several parcels of land totaling 14.31 acres from R-2 to A-2. Subject property is located on Longhill Road and is further identified as parcels 4B, 4C, and (2) 7 on James City County Real Estate Tax Map 20.

Mr. Brown explained that Mr. Lewis has requested that his application be withdrawn.

Upon a motion by Mr. Donaldson, seconded by Mr. Wright, the Commission voted unanimously to consider the matter withdrawn.

6. CASE NO. SUP-6-76.

Mr. Brown summarized his memorandum on the case. The applicant has requested a Special Use Permit to allow a mobile home to be placed behind his store at Lightfoot for a manager and night security guard to reside. The site is isolated. The applicant has cited problems with vandalism in the area and his insurance rates would decline with such a resident guard. He has offered to thoroughly screen the site as per a site plan submitted and has stated that the mobile home would be placed upon a foundation.

Mr. Harris, attorney for the applicant, presented several letters on behalf of the applicant.

Mr. Belden indicated the fence should be set back somewhat from the pavement to allow room for shrubs.

Mr. White indicated the fence should be moved to better screen the mobile home from northbound Route 60.

Mr. Bradshaw supported the request, particularly in light of vandalism currently experienced in Norge. The mobile home is not offensive and the screening should be adequate as proposed.

Mr. Scruggs indicated this was an unusual case in that the site is isolated from residences and that the applicant had proposed to do what he could to screen the mobile home from Route 60. He did not see this as setting any general precedent due to the location.

Upon a motion by Mr. White, seconded by Mr. Bradshaw, the Commission unanimously recommended that the Permit be granted, with the final details of design to be resolved by the Site Plan Review Committee.

7. CONSIDERATION OF THE DATE OF THE DECEMBER MEETING

Upon a motion by Mr. Scruggs, seconded by Mr. White, the regular December meeting is advanced one week to December 21. The motion was approved by unanimous vote.

8. MINUTES OF THE SPECIAL MEETING OF THE SUB-Committees of Planning Commissions of York County, Williamsburg and James City County regarding the Williamsburg Area Airport Site Selection Report.

The minutes were received without comment.

9. STAFF REPORTS, ZONING MAP

Mr. Brown presented the current zoning map and two possible alternatives as to how the map could be revised. The map has not been thoroughly reviewed since 1969 and with the adoption of the Comprehensive Plan, revision of the text of many districts, and development, now would be an appropriate time to reflect on whether it is adequate to serve our needs for the next few years. There are many ways it could be modified depending upon policies.

Mr. Brown also discussed the issue of rezonings from R-2 and R-3 to R-5. As the Commission will recall, last March when the Residential Districts were revised, "multi-family uses with a conditional use permit" were deleted from R-2 and R-3 in lieu of a new R-5 Multi-family District. The Commission recommended a set of Principles of Implementation which the Board did not adopt. The Commission allowed R-2 and R-3 property owners until July 1 to file for rezoning to R-5, when they would be considered along with other general map changes. If we have 25 or more total changes, they can be considered as a new map with one public hearing. Multi-family uses were only permitted in R-2 and R-3 with a conditional use permit, not as an unlimited use in those districts. We received nine requests under paragraph 4A of the Principles of Implementation. Two have been withdrawn and one probably does not meet the conditions of 4A. The remaining six have been placed on the proposed revised maps for the Commission's consideration.

Mr. Scruggs indicated he considers the current map to be adequate at this time. The Commission should consider rezonings on a case-by-case basis as they arise and use the Site Plan and Subdivision Review Committees for detailed review.

Mr. White stated that the Principles of Implementation were recommended by the Commission, but not adopted by the Board. Hence the Commission should follow the wishes of the Board and review the R-5 rezonings on a case-by-case basis.

Mr. Mephram concurred and indicated a case-by-case review is necessary.

Mr. Morton, the County Attorney, indicated the changes to the districts are significant. The Principles of Implementation should be followed or amended. Property owners should be contacted to get their opinions if the Commission is deviating from the Principles. Owners should be given the option to continue or withdraw. Those continuing should be "Commission Initiated" in terms of filing fees.

Mr. Brown indicated that the Commission should address the issue of a map. If no new map is to be recommended, then the Commission must address the R-5 requests on a case-by-case basis with separate public hearings because we will not have the 25 required cases under the State Law for a common public hearing.

Upon a motion by Mr. Donaldson, seconded by Mr. Mepham, the staff was requested to write each applicant to determine whether his application is still desired. The Commission, at its next meeting, will set dates for public hearings on those cases still remaining. The motion passed unanimously.

Upon a motion by Mr. Minkins, seconded by Mr. Wright, the Commission unanimously voted to table the alternative maps until its December meeting.

10. ADJOURNMENT

Upon a motion by Mr. Scruggs, seconded by Mr. Bradshaw, the meeting was adjourned.

  
Mr. William F. Brown  
Secretary

  
Mr. W. J. Scruggs  
Chairman

11-23-76

## SITE PLAN REVIEW COMMITTEE REPORT

November 1976

## A. PENDING PRELIMINARY APPROVAL

1. CASE NO. SP-29-76. Conceptual Preliminary Site Layout/Plan - E. H. Saunders (Rt. 5)
2. CASE NO. SP-30-76. Toano Amoco/Market - Hornsby Oil Co. (Rt. 60W)
3. CASE NO. SP-41-76. Gray's Hill - Busch Properties, Inc. (Kingsmill)
4. CASE NO. SP-44-76. An application of Carlton M. Johnson for preliminary approval of a site plan for an addition to Building 21 at the Williamsburg Pottery located on Route 60W.
5. CASE NO. SP-45-76. An application of Ed Small on behalf of Howard Johnson's Restaurant for site plan approval of an addition to the restaurant for use as a coffee shop containing approximately 60 seating spaces. Subject property is located on Route 60W.

## B. PENDING FINAL APPROVAL

1. CASE NO. SP-1-76. 7-Eleven Store - Southland Corporation (Rt. 60E) (4/13/76)
2. CASE NO. SP-11-76. Five Forks Business and Professional Center - William H. Phillips, Jr. (Rt. 5) (4/13/76)
3. CASE NO. SP-15-76 Conference/Meeting Room Addition - Fort Magruder Quality Inn (Rt. 60E) (10/13/76)
4. CASE NO. SP-20-76. Kingsmill Substation Addition - VepCo (Rt. 60E) (5/11/76)
5. CASE NO. SP-21-76. Peanut Processing Plant (Rt. 615) (10/11/76)
6. CASE NO. SP-35-76. C & P Telephone Company No.2 ESS Switching Office - J. F. Phillips, Jr. (Rt. 60) (9/14/76)
7. CASE NO. SP-37-76. Patriot Apartments - Philip O. Richardson (Rt. 60) (10/5/76)
8. CASE NO. SP-38-76. Raleigh Square Apts. #2 - Joseph Terrell (Albermarle Drive) (10/5/76)
9. CASE NO. SP-39-76. Malcolm Industries, Inc. Addition - Eugene T. Berger (Rt. 60) (10/5/76)
10. CASE NO. SP-40-76. Stormy Ridge Apartments - Leonard Frierman (Old Miller Farm on Longhill Road) (10/5/76)
11. CASE NO. SP-42-76. Quarterpath Trace Village - Busch Properties, Inc. (Kingsmill) (10/5/76)
12. CASE NO. SP-6-75. Burton Wood Apartments - Revised Plan - Carter C. Chinnis (Route 612) (11/16/76)
13. CASE NO. SP-43-76. Kingsmill Golf and Country Club Addition - Busch Properties, Inc. (Kingsmill) (11/16/76)

## C. FINAL APPROVAL BY AGENT

1. CASE NO. SP-31-76. Raleigh Square Apartments - Joseph Terrell (Rt. 5)

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SUBDIVISION REVIEW COMMITTEE REPORT

November 1976

A. PENDING PRELIMINARY APPROVAL

- 1. CASE NO. S-15-76. Claude R. Nelson
- 2. CASE NO. S-35-76. Charles Kent Wallace
- 3. CASE NO. S-45-76. Sand Hill Subdivision-Country Farm House, Incorporated

B. PRELIMINARY APPROVAL

- 1. CASE NO. S-42-76. Old Colony Subdivision - Alvin Anderson
- 2. CASE NO. S-32-75. Rosalie Estates-Nicole, Ltd.(6/17/76)
- 3. CASE NO. S-17-76. The Foxes-Elizabeth N. Vaiden (5/25/76)
- 4. CASE NO. S-31-76. North Cove-Donald G. Hunter (7/22/76)
- 5. CASE NO. S-32-76. Williamsburg Investors, Ltd. (6/17/76)
- 6. CASE NO. S-35-75. An application of William A. Wiegand, Jr. on behalf of SAM of Virginia, Inc. for approval of a subdivision of approximately 1.75 acres into 3 lots. The subdivision will be known and recorded as Wallace Subdivision. Subject property is located on Route 665 near the intersection of Route 631.
- 7. CASE NO. S-47-76. An application of Levi M. Cary on behalf of self for approval of a subdivision of approximately 8.5 acres into 2 lots. The subdivision is to be known and recorded as Cary Subdivision. Subject property is located on Route 603 one mile from Route 610 and is further identified as part of parcel 54 on James City Real Estate Tax Map 7.

8. CASE NO. S-48-76. An application of William R. Bland on behalf of Universal Development Corporation for approval of a subdivision of several acres into 2 lots. Subject property is located on Route 60 East at Windy Hill Mobile Home Park and is further identified as part of parcels 22 and 22A on James City County Real Estate Tax Map 35.
  
9. CASE NO. S-46-76. An application of Woodson, Littlepage & DeYoung, Inc. on behalf of W. Roland Walker for approval of a subdivision of 0.86 acres into 2 lots. Subdivision is to be known and recorded as Fifth Avenue Square. Subject property is located at the intersection of Fifth Avenue and Route 60E and is further identified as lots C, 1, 2, 3, 4, and 5 on James City Real Estate Tax Map 27C.

C. FINAL APPROVAL

1. CASE NO. S-22-76. Heath Property-Lloyd D. & Joyce N. Larson (4/27/76)
  
2. CASE NO. S-30-76. Cooke Subdivision-Larry Cooke (7/22/76)