

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FOURTEENTH DAY OF NOVEMBER, NINETEEN HUNDRED AND EIGHTY-NINE, AT 7:30 P. M., 101C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Mr. Fred Belden, Chairman  
Mr. A. G. Bradshaw  
Mr. Wallace Davis, Jr.  
Mr. Jack Edwards  
Mr. Martin Garrett  
Mr. John F. Hagee  
Mr. Alexander C. Kuras  
Ms. Carolyn Lowe  
Mr. Robert A. Magoon, Jr.  
Ms. Willafay McKenna

ALSO PRESENT

Mr. O. Marvin Sowers, Jr., Director of Planning  
Mr. Larry W. Davis, Assistant County Attorney  
Mr. John T. P. Horne, Manager, Development Management  
Mr. Allen J. Murphy, Jr., Principal Planner  
Mr. R. Patrick Friel, Planner

2. MINUTES

The October 10, 1989 Planning Commission Minutes were accepted.

3. DEVELOPMENT REVIEW COMMITTEE REPORT

The November, 1989, Development Review Committee Report was accepted.

4. POLICY COMMITTEE REPORT

Ms. McKenna stated that the Policy Committee would continue discussion regarding awards for outstanding projects at their November 15, 1989 meeting. The Minutes of the October 18, 1989 Policy Committee were accepted.

5. CASE NO. AFD-8-89. THE CASEY AGRICULTURAL AND FORESTAL DISTRICT

Mr. Sowers stated that this application was withdrawn at the applicant's request.

6. CASE NO. SUP-32-89. HENRY S. BRANSCOME CONCRETE PLANT

Mr. Friel presented the staff report (appended) to amend a condition of a previously approved special use permit (SUP-38-88). Mr. Friel stated that staff recommended approval based upon the reasons stated in the staff report.

Mr. Belden opened the public hearing. There being no speakers the public hearing was closed.

Upon a motion by Mr. Bradshaw, and seconded, the Commission by roll call, voted 10-0 to recommend approval of Case No. SUP-32-89 to the Board of Supervisors.

7. CASE NO. SUP-37-89. GREENMOUNT ASSOCIATES

Mr. Friel presented the staff report (appended) for a special use permit to allow the construction of a test well and an observation well on property in the vicinity of the Skiffe's Creek Reservoir and within the Primary Service Area. Mr. Friel stated that staff recommended approval of this application based upon the reasons stated in the staff report.

Mr. Belden opened the public hearing.

Mr. Murphy pointed out to the Commission that the statement in the recommendation regarding the requirement to connect to public water and sewer was generic in nature, and that connection would be required. He further stated that this requirement could only be eliminated by the Board of Zoning Appeals through the granting of a variance, and that approval of the SUP in no way implies a commitment not to require a connection.

Upon a motion by Mr. Garrett, seconded by Ms. McKenna, the Commission by roll call, voted 10-0 to recommend approval of Case No. SUP-37-89 to the Board of Supervisors.

8. CASE NO. SUP-36-89. WILLIAM W. & MARGIE J. FISHER

Mr. Friel presented the staff report (appended) for a special use permit to allow a 60 unit hotel on property located at 1811 Jamestown Road. Mr. Friel stated that staff recommended denial for reasons stated in the staff report.

Mr. Belden opened the public hearing.

Mr. Davis Johnson, the applicant, exhibited a rendering of the proposed development and discussed its merits. He stated that the proposal consisted of an eight bedroom inn, detached cottage-type units, and a variety of tourist oriented businesses. Mr. Johnson also stated that a strip mall within the LB zoned area would not be appropriate.

Mr. Fisher, the property owner, and also owner of adjacent property, felt the proposed development was a favorable use for the area as there were other commercial uses in existence. Mr. Johnson stated that he had not received any negative comments from adjacent property owners he had contacted.

Mr. Lin Clements, selling agent of the property, also requested approval of this case.

Mr. Dennis J. Gesualdi, 2912 Richard Pace Road, objected to the submission of a nonbinding conceptual plan, and stated that the parking noise and lighting would impinge on his and Mr. Robert J. Dabney's property. Mr. Gesualdi asked how high a privacy fence would be and expressed concern regarding increased noise and decreased property value, and requested that a 100 foot tree barrier be provided.

Mr. Robert J. Dabney, 2913 Richard Pace Road, stated that he also was concerned about the parking, lighting, and buffer zones, but that if Mr. Johnson had an open ear to neighbors concerns he would not object to the project.

There being no further speakers the public hearing was closed.

Mr. Kuras felt the County's Economic Development Coordinator, Mr. Keith Taylor, should review this project, and that he was not ready to vote.

Mr. Sowers responded that some merit was seen but there was no assurance of what would actually occur on the site. He stated that staff suggested two possible alternatives to address this, including issuance of a special use permit on the entire tract of land or submittal of proffers, with the former being the preferred option, and offered to assist Mr. Johnson in developing these options. However, the applicant did not agree with either option.

Mr. Sowers stated that this request offers an opportunity to accommodate the applicant's development plus to bring the site more into line with the Comprehensive Plan, and reduce the impacts of the existing LB zoning, but the application provided no assurance this would occur.

Mr. Garrett suggested deferral to resolve concerns.

Mr. Belden suggested the Commissioners make a site visit prior to the next meeting.

Upon a motion by Mr. Magoon, seconded by Mr. Hagee, the staff by voice vote, agreed to defer action on Case No. SUP-36-89 until the next meeting.

Mr. Garrett commented to the developer that staff and the Commissioners would expect something more concrete.

9. CASE NO. Z-13-89. FIVE FORKS ASSOCIATES (continued public hearing)

Mr. Friel presented the staff report (appended) to rezone 5.56 acres from A-2, Limited Agricultural, to B-1, General Business, with proffers; 3.13 acres from B-1 to B-1, with proffers; and 26.27 acres from A-2 to R-3, General Residential, with proffers. The stated purpose of the property, located on Ironbound Road, is to allow a neighborhood shopping center on no more than 70,000 square feet, and a 53 lot single family dwelling subdivision. Mr. Friel stated that staff recommended approval of this application.

Mr. Belden reopened the public hearing.

Mr. Vernon Geddy, III, representing the applicant exhibited a rendering and discussed the project and the submitted proffers.

Mr. George F. Wright, Chairman of the Historic Route 5 Association, expressed concern that the proposed development could turn the area into a "commercial lane" with "an excessive amount of commercial space" and generate additional traffic on Route 5.

Mr. Sowers responded that the applicant's traffic study projects that this and surrounding development could generate about 4,000 trips per day by the year 2005 on Route 5 west of Five Forks.

There being no further speakers the public hearing was closed.

Ms. McKenna made a motion, seconded by Mr. Hagee, to recommend approval of Case No. Z-13-89 to the Board of Supervisors.

Mr. Edwards stated that the project was a good land use but voiced concern that the two entrances on Ironbound Road would create a bad traffic situation which would not justify a traffic light. Mr. Edwards suggested the major entrance be located across from the school in order to concentrate traffic and qualify for a traffic light.

Mr. Norman Mason, Langley & McDonald, stated that in discussions with VDOT, they preferred the proposed entrances because of fewer potential conflicts, and they did not think it met VDOT warrants for a signal.

Mr. Geddy stated that the applicants may be willing to proffer not connecting the service entrance to the shopping center parking lot.

Mr. Edwards made a motion, seconded by Mr. Davis, to defer Case No. Z-13-89. The motion was defeated 8-2.

Upon a motion by Ms. McKenna, and seconded, the Commission by roll call, voted 8-2 with Messrs. Edwards and Davis voting nay, to recommend approval of Case No. Z-13-89 to the Board of Supervisors.

10. CASE NO. CP-1-89. TRANSPORTATION ELEMENT/SIDEWALK PLAN

Mr. Sowers presented the staff report (appended) stating that staff recommended the Commission approve the Comprehensive Sidewalk Plan as an amendment to the Transportation Element of the Comprehensive Plan.

Mr. Belden opened the public hearing. There being no speakers the public hearing was closed.

The Commission by roll call voted 10-0 to recommend approval of Case No. CP-1-89 to the Board of Supervisors.

11. 1991-1995 CAPITAL IMPROVEMENT PROGRAM REPORT

Ms. McKenna spoke briefly regarding the roll of the Policy Committee and hoped to see the CIP as a way of implementing the Comprehensive Plan.

Mr. Sowers stressed the importance of the CIP program and the Commission's input, and asked for suggestions on how to make the CIP review process more meaningful and constructive for the Commission.

Ms. Lowe and Mr. Hagee both emphasized a need for more information.

Ms. McKenna suggested that the submitting departments be asked to state where their request fits in the Comprehensive Plan.

12. CITIZEN SURVEY REGARDING THE COMPREHENSIVE PLAN

The Commission by voice voted 8-2 against a scientific survey as a component of the citizen participation element of the Comprehensive Plan. (Mr. Magoon and Mr. Hagee voted against the motion not to have the survey.)

13. SETTING OF FUTURE MEETINGS

Mr. Sowers informed the Commission of a joint meeting with York County, Williamsburg and James City County to discuss comprehensive planning at the Williamsburg Regional Library on November 16, 1989 from 2 to 5 p.m. This meeting will be followed by a series of meetings with these jurisdictions to exchange ideas.

A site visit was scheduled for 3 p.m. on December 7 at the Indian Village Campsites, the Jack Massie rezoning site, and the Larry Cooke rezoning site at Route 199 and Brookwood Drive, with the Commission meeting at the campground site.

The Policy Committee will meet at 4 p.m. on November 15 to further discuss the Planning Awards for Excellence, and an Agricultural and Forestal District withdrawal system.

14. MATTERS OF SPECIAL PRIVILEGE

Ms. Lowe asked that the Regional Issues Committee Minutes be a regular part of the Planning Commission package.

Mr. Edwards asked that the Planning Commission agenda be better organized and that the pages be numbered, and that DRC material be separate from the agenda package.


It was suggested that the Development Review Committee Report be an appendix to the package.

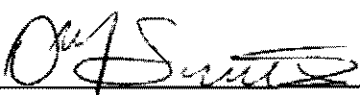
It was announced that Larry Davis was leaving his position of Assistant County Attorney and this was the last meeting he would be attending. The Commission extended their thanks for his service.

Mr. Sowers distributed copies of an article on growth provided to staff by Roger Guernsey for Commission distribution.

14. ADJOURNMENT

The November 14, 1989 Planning Commission meeting was recessed at 9:20 p.m. to the scheduled site visits on December 7, 1989 at 3 p.m.

  
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Fred Belden  
Chairman

  
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O. Marvin Sowers, Jr.  
Director of Planning

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