

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE EIGHTH DAY OF MAY, NINETEEN HUNDRED AND NINETY, AT 7:30 P. M., 101C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Mr. Alexander Kuras, Chairman
Mr. Raymond L. Betzner
Mr. A. G. Bradshaw
Mr. Wallace Davis, Jr.
Mr. Martin Garrett
Ms. Victoria Gussman
Mr. John F. Hagee
Ms. Judith Knudson
Ms. Carolyn Lowe
Mr. Gary Massie
Ms. Willafay McKenna

Mr. Kuras reminded the Commission of the Comprehensive Plan Update second round of community forums on May 22, May 29, June 5 and June 12, 1990 at Lafayette High School from 7 until 10 p. m.

2. MINUTES

With the correction of the name Hill to Hipple on page 3, the Minutes of the April 10, 1990 regular meeting and the April 10, 1990 worksession were accepted.

3. COMMITTEE REPORTS

a. Development Review Committee Report - Mr. Garrett presented this report which was accepted as presented.

b. Policy Committee - The Minutes of the March 28 and April 3, 1990 Policy Committee were accepted as presented.

4. CASE NO. Z-6-90. STEWART/OWENS PROPERTY.

Mr. Friel presented the staff report (appended) stating that staff concurs with the applicant's request for deferral until the August Commission meeting in order to address concerns which include traffic and environmental issues.

Mr. Kuras opened the public hearing to be continued at the August 14, 1990 meeting.

5. CASE NO. SUP-25-90. BETTY R. NIXON.

Mr. Friel presented the staff report (appended) for a special use permit to allow a contractor's storage yard on 1.147 acres located at 5346 Riverview Road. The use is not permitted at the applicant's residence at 5396 Riverview Road as stated in the report. Mr. Friel stated that staff recommends denial for reasons stated in the report.

Mr. Kuras opened the public hearing.

Ms. Betty Nixon, the applicant, stated that she had two dump trucks but only one was parked on this property and used for agricultural purposes. She also stated that other equipment used for agricultural purposes was on the site, but that her other construction equipment was stored at the job site. Ms. Nixon also opposed the condition to improve the road with an all weather surface.

Mr. Sowers stated that the current family subdivision ordinance requires such road improvements, but that the lot involved was part of a family subdivision approved prior to that ordinance.

Ms. Lowe stated that the proposal was not consistent with the Comprehensive Plan and not wise long range planning.

There being no further speakers the public hearing was closed.

Ms. McKenna suggested an additional provision that if there was a change in equipment or enlargement of the business, the special use permit would require review.

Ms. McKenna made a motion, seconded by Mr. Betzner, to recommend approval of the special use permit with conditions contained in the staff report and with the following additional conditions: the permit would not apply to any enlargement to the business and would apply only to the number and type of vehicles currently on the property or owned by the applicant, with staff to determine number and type, and the permit would expire in three years.

The motion on Case No. SUP-25-90 passed 10-1 with Ms. Lowe voting nay.

6. CASE NO. ZO-8-90. ZONING ORDINANCE AMENDMENT/LANDSCAPE

Mr. Sowers presented the staff report (appended) and an audio visual presentation and discussed proposed landscape requirements, and recommended the Commission recommend their adoption.

Mr. Kuras opened the public hearing.

Ms. Vaughan Rinner, Langley & McDonald, felt the ordinance was not complex, very flexible, easy to work with and had a capacity for variation which would allow creative design. Ms. Rinner stated that staff's change from one tree per 300 sq. ft. to one per 400 sq. ft. was better, but she was in favor of one tree per 500 sq. ft. for multi family housing.

Ms. Jill Pope, Governor's Affairs representative for the Peninsula Home Builders Association, spoke in favor of the ordinance but was concerned about its impact on small businesses.

There being no further speakers the public hearing was closed.

Mr. Massie made a motion, seconded by Ms. McKenna, to change Section 20-14, paragraph C.2.c., to read: "In no case shall any portion of any landscape area located more than forty-five (45) feet from the right-of-way be counted toward meeting the requirements of this paragraph" in order to increase this allowance from 40 to 45 feet. The motion passed 10-1 with Ms. Knudson voting nay.

Mr. Massie made a motion, seconded by Mr. Garrett, to change Section 20-14, paragraph D.5. to read: "Where such uses exceed twenty thousand (20,000) square feet in gross floor area, the landscape area adjoining all side and rear property lines shall be increased to at least twenty (20) feet in width, in addition to meeting other requirements of this Section" in order to reduce this requirement from 25 to 20 feet. The motion passed 9-2 with Ms. Lowe and Ms. Gussman voting nay.

Ms. Lowe made a motion, seconded by Ms. McKenna, to request that one viable specimen tree substitute for three planted trees in Section 20-14, paragraph C.2.a. The motion passed unanimously.

Ms. Gussman made a motion, seconded by Ms. Lowe, to accept Case No. ZO-8-90 as before the Commission. The motion passed unanimously.

7. PLANNING DIRECTOR'S REPORT

The Planning Commission decided to hold its June meeting on June 13th at 7:30 p.m. in the Board Room instead of June 12th.

It was announced that the Development Review Committee meetings from June until December, 1990 will be held in the conference room in Building E.

It was announced that the weekly Citizen Participation Team meetings will commence on May 15, 1990 at 4 p.m. in Conference Room E, and be held each Tuesday at that time and location.

It was announced that the Leadership Committee will meet quarterly on June 6, September 5, and December 5 at 3:00 p.m. in Conference Room E.

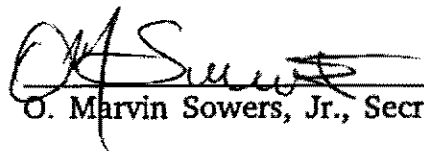
It was announced that the second round of community forums will be held on May 22, May 29, June 5 and June 12, 1990 at Lafayette High School at 7 p.m.

8. ADJOURNMENT

There being no further business, the May 8, 1990 Planning Commission meeting adjourned at 9:20 p.m.



Alexander C. Kuras, Chairman



O. Marvin Sowers, Jr., Secretary