



MEMORANDUM

Date: July 2, 2015
To: Records Management
From: The Planning Commission
Subject: Planning Commission Minutes: 9/11/1990

The following minutes for the Planning Commission of James City County dated 9/11/1990 are missing an approval date and were either never voted on or never presented for approval in the year surrounding these meetings.

These minutes, to the best of my knowledge, are the official minutes for the 9/11/1990, Planning Commission meeting.

They were APPROVED by the current Planning Commission at the July 1, 2015 meeting.

Please accept these minutes as the official record for 9/11/1990.

Robin Bledsoe
Chair

Paul Holt
Secretary

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE ELEVENTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND NINETY, AT 7:30 P.M., IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

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

ALSO PRESENT

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

2. MINUTES

The Minutes of the August 14, 1990 Planning Commission meeting were approved as presented.

3. COMMITTEE REPORTS

Mr. Garrett presented the Development Review Committee Report. Mr. Garrett stated that Case No. S-69-90, Toano Woods, received preliminary approval for lots 5 through 79 only, with the front four lots requiring conformance with the A-1 District. Upon a motion by Mr. Garrett, seconded by Mr. Hagee, this report was approved as presented.

Mr. Bradshaw requested that the Minutes reflect that he did not participate or vote on this matter.

Ms. McKenna announced that the next Policy Committee meeting will be held on Wednesday, September 19 at 4 p.m., to discuss transmission towers.

4. CASE NO. SUP-38-90. HANKINS MINING

Mr. Sowers presented the staff report (appended) that states that the applicant requests further deferral of this case to allow additional time to address staff concerns regarding environmental impacts. Staff concurs with this request. The Commission by voice vote unanimously approved the request for deferral.

5. CASE NO. SUP-41-90. KEVIN R. BEDELL, M.D.

Mr. Friel presented the staff report (appended) for a special use permit to allow a medical clinic at 4622 Rochambeau Drive. Mr. Friel stated that staff recommended approval, with conditions detailed in the report.

Mr. Garrett opened the public hearing.

Mr. Alvin Anderson, on behalf of Dr. Bedell, stated that the applicant intended the clinic for his own use. Mr. Anderson briefly discussed the limited size of the site, clearing for the drainfield, parking, and the 1-1/2 story building, and concurred with staff's recommendation of one entrance on Rochambeau Drive. Mr. Anderson stated that Mr. Ralph Simmons of Rickmond Engineering and Dr. Bedell were present. Mr. Anderson submitted a petition containing 8 signatures (appended) circulated by Dr. Bedell supporting the request for this special use permit.

Mr. Ed Rickman, 113 Wilderness Lane, Pineridge Subdivision, read a petition (appended) containing 18 signatures opposing the request for this special use permit. Mr. Rickman felt that traffic that missed the entrance to the clinic would then turn around in Pineridge Subdivision. Mr. Rickman further stated that Rochambeau Drive was an old rural road, which was too narrow and hilly and the speed limit too high for the entrance to the clinic and suggested the entrance be on Cloverleaf Drive.

There being no further speakers the public hearing was closed.

Ms. McKenna made a motion, seconded by Mr. Garrett, for approval of the staff recommendation to the Board of Supervisors.

Ms. McKenna felt the clinic was a welcome facility; Ms. Gussman stated concern regarding similar requests for permits on adjacent properties; Mr. Garrett felt the facility was good for the community; Ms. Knudson stated opposition to commercial use in a residential area and concern about a similar use being proposed on an adjacent vacant lot; Ms. Lowe felt the use was spot zoning, and Mr. Bradshaw stated that he would support the request because it was a unique site.

On a roll call, the motion failed: AYE: Bradshaw, Garrett, Hagee, McKenna (4). NAY: Betzner, Davis, Gussman, Knudson, Lowe (5).

6. CASE NO. SUP-42-90. SETTLER'S MILL, INC.

Mr. Friel presented the staff report (appended) for a special use permit to allow a residential cluster development in the R-1, Limited Residential District. Mr. Friel stated that staff recommended approval, with conditions detailed in the staff report.

Mr. Garrett opened the public hearing.

Mr. Sheldon M. Franck, Anderson and Franck, representing the applicant, informed the Commission that Paul Small, AES, was the engineer on the Settler's Mill project, and that the principals were Messrs. Sterling Nichols, Ron Curtis, Joel Sheppard and Larry McCardle. In exhibiting the conceptual plan, Mr. Franck stated that cluster development was superior because it would increase the green area and keep development away from low lying areas. Mr. Franck further stated that maintenance would be the responsibility of the homeowners association in perpetuity, and there would be a recreation area, including pool and clubhouse. There would be an additional entrance off Ironbound Road. The houses would be single family detached dwellings, with a minimum of 2200-3500 square feet, plus garages, and be similar to those in Longhill Woods Subdivision in Williamsburg.

Ms. Lowe questioned the net developable area and the non-developable area. Mr. Small responded that he had identified the wetlands, measured the steep slopes, and mapped the locations on the conceptual plan.

Mr. Bill Bryant, Hickory Sign Post Road, representing the Coalition for Quality Growth, expressed great concern regarding this application and pointed out that in 1985 the development of Hickory Sign Post Subdivision was rejected because of excessive density and risks to Lake Powell.

Mr. John Grove, Settler's Mill, Section I, stated that residents of Section I felt they were not a part of the proposed development and "like we are on the outside looking in." Mr. Grove also expressed concern regarding adverse effect on services such as police and schools, that the street design would not match, and that plans would change without any neighborhood input.

Mr. Robert Southard, 4656 Hickory Sign Post Road, objected to the project as he felt it would create adverse environmental impact on Lake Powell plant life and loss of archaeological sites, increase traffic on Hickory Sign Post Road, create a burden on schools, police, and human services, and destroy the unique character of the community. Mr. Southard submitted a petition of 24 names in opposition to the

project.

Mr. Charles Wiesneth, 154 Lakewood Drive, stated that they did not oppose development of the site but that the neighborhood wished to be included in the considerations.

Mr. Sheldon Franck informed the Commission that the present developers of Settler's Mill, Inc. had no involvement with the former developers of Settler's Mill, Section I. Mr. Franck further discussed the benefits of cluster development for this site.

There being no further speakers the public hearing was closed.

Mr. Garrett made a motion, seconded by Ms. McKenna, to defer action on Case No. SUP-42-90 to allow for a site visit and review of the Chesapeake Bay Preservation Ordinance for possible impact on the development of this property. The motion passed by unanimous voice vote.

Ms. Knudson felt the developer was not responsive to the community; i.e., address the residents' request to incorporate the entrance on Jamestown Road, to become part of the homeowners association (in writing), and to connect the internal roads. Ms. Knudson expressed concern about the kind of cluster, its setbacks and its impact on the community, especially if lots become smaller. Ms. Knudson felt the need for commercial development should be addressed in the update of the Comprehensive Plan with a linkage between residential and commercial development.

Ms. Gussman asked that the Commission be provided with information on cluster development as compared to conventional subdivisions and whether curb and gutter was preferable over other drainage alternatives.

7. CASE NO. ZO-14-90. ZONING ORDINANCE AMENDMENT/RECYCLING

Mr. Murphy presented the staff report (appended) for an amendment to provide a definition for the use, "publicly owned solid waste container site." Mr. Murphy stated that staff recommended approval to the Board of Supervisors.

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

Ms. McKenna made a motion, seconded by Ms. Knudson, to recommended approval of Case No. ZO-14-90 to the Board of Supervisors. The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Gussman, Hagee, Knudson, Lowe, McKenna (9). NAY: (0).

8. AGRICULTURAL AND FORESTAL DISTRICT REVIEW

Mr. Garrett stated that the staff report (appended) recommends continuation of the AFDs for a 4 year term, with conditions.

Mr. Jackson Darst, Chairman, Colonial Soil and Water Conservation District, and Mr. Joe Cottrell stated agreement with the renewals.

Ms. McKenna made a motion, seconded by Ms. Gussman, to recommend approval to the Board of Supervisors. The motion passed unanimously by voice vote.

9. PLANNING DIRECTOR'S REPORT

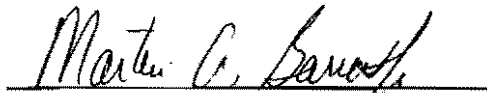
Mr. Sowers presented the Director's Report. Mr. Sowers stated that landscaping on Route 199 in the vicinity of Jamestown Road would begin in the fall.

10. SETTING OF FUTURE MEETING DATES

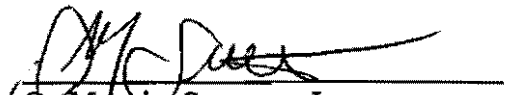
A site visit of Settler's Mill was scheduled for Thursday, September 20 at 3:30 p.m.

11. ADJOURNMENT

There being no further business, the September 11, 1900 Planning Commission meeting was adjourned at 9:30 p.m.



Martin Garrett
Acting Chairman


O. Marvin Sowers, Jr.
Secretary

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