

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE NINTH DAY OF OCTOBER, 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. Alexander Kuras, Chairman  
Mr. Raymond L. Betzner  
Mr. A. G. Bradshaw  
Mr. Wallace Davis, Jr.  
Mr. Martin Garrett  
Mr. John F. Hagee  
Ms. Judith Knudson  
Ms. Carolyn Lowe  
Ms. Willafay McKenna  
Mr. Gary L. Massie

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  
Mr. Larry M. Foster, General Manager, James City Service Authority  
Mr. Wayland N. Bass, County Engineer

2. MINUTES

The Minutes of the September 19, 1990 Planning Commission meeting were approved as presented.

3. COMMITTEE REPORTS

a. Development Review Committee Report - Mr. Hagee declared a conflict of interest and would refrain from voting on Case No. S-75-90, Case No. SP-82-90 and Case No. SP-90-90. The report was approved as presented.

b. Policy Committee Minutes - Ms. McKenna presented a brief report on a nomination for the Commission's Award of Excellence and the Committee's action on a resolution regarding Submittal of Special Use Permits for Communication Towers. The minutes were accepted as presented.

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

Mr. Friel presented the staff report (appended) stating that staff concurred with the applicant's request for a further deferral to allow time to address concerns raised by staff relating to environmental impacts on the proposal.

Mr. Kuras opened the public. There were no speakers; the public hearing was continued until the November 13, 1990 meeting.

5. CASE NO. SUP-47-90. JCSA-JOLLY POND WATER MAIN

Mr. Friel presented the staff report (appended) for a special use permit to allow the construction of a 12 inch water transmission main along Jolly Pond Road. Mr. Friel stated that staff recommended approval with conditions detailed in the report.

Mr. Kuras opened the public hearing.

Mr. Tommy Hipple, 106 Jolly Pond Road, questioned why the water transmission main would be constructed on the same side of the road as the scout camp as he felt most future development would occur on the other side of the road. Mr. Foster responded that due to engineering factors the proposed location was the more appropriate but Mr. Hipple's concern would be taken under consideration.

There being no further speakers the public hearing was closed.

Ms. McKenna made a motion, seconded by Mr. Betzner, to recommend approval of Case No. SUP-47-80 to the Board of Supervisors. The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Hagee, Knudson, Kuras, Lowe, Massie, McKenna (10). NAY: (0).

6. CASE NO. ZO-15-90. ZONING ORDINANCE AMENDMENT/FLOODPLAIN

Mr. Bass presented the staff report (appended) and an exhibit of floodplain maps.

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

Following a brief discussion, Mr. Garrett made a motion, seconded by Mr. Bradshaw, to recommend approval of Case No. ZO-15-90 to the Board of Supervisors. The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Hagee, Knudson, Kuras, Lowe, Massie, McKenna (10). NAY: (0).

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

Mr. Friel presented the staff reports (appended) and stated that staff recommended approval with conditions stated in the reports. He distributed a staff memorandum (appended) and stated that staff recommended amending condition #8 and adding a new condition addressing the homeowners association.

Mr. Sheldon Franck, representing the applicants, stated that he concurred with the staff report and the changes in the conditions and was available for questions.

Following a brief discussion, Mr. Hagee made a motion, seconded by Mr. Garrett, to recommend approval of Case No. SUP-42-90 to the Board of Supervisors.

Mr. Bradshaw stated that he felt the conditions were reasonable for both the County and the applicants.

Ms. Lowe stated that she felt the proposed development was not a cluster development, that it needed tighter clusters, more open space, and few units, and was inappropriate for this environmentally sensitive property.

Ms. Knudson stated that she was happy with the letter received from Mr. Franck stating that persons owning lots in Section 1 would be afforded the opportunity to join the homeowners association and use its facilities on the same basis as the lot owners in the cluster development. However, Ms. Knudson said that she shares some of Ms. Lowe's concerns.

Mr. Massie stated that he felt Settlers Mill, Inc. involved a good development team and that he disagreed with Ms. Lowe's comments.

The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Hagee, Knudson, Kuras, Massie, McKenna (9). NAY: Ms. Lowe (1).

8. AGRICULTURAL AND FORESTAL DISTRICT REVIEW FOR CASES NO. AFD-9-86, AFD-10-86, AFD-11-86, AFD-12-86 AND AFD-13-86.

Mr. Friel presented the staff report (appended) and stated that the Agricultural and Forestal Districts Advisory Committee unanimously recommended approval of the continuation of these districts for a term of 4 years with the conditions listed in the staff report.

Mr. Hagee expressed concern regarding property taken off the market as he felt reducing the number of available acres in the PSA increased the cost of property.

Mr. Sowers responded that staff shares this concern but that there is currently a substantial amount of vacant land in the PSA, much of which is in plotted vacant lots and that the recommended AFD term is only for 4 years. He also stated that this issue would be examined as part of the Comp Plan update.

Mr. Betzner made a motion, seconded by Mr. Bradshaw, to accept the staff report of approval. The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Hagee, Knudson, Kuras, Lowe, Massie, McKenna (10). NAY: (0).

9. RESOLUTION FOR COMMUNICATION TOWERS

Ms. McKenna briefly discussed the Policy Committee's concern regarding communication towers (staff report appended) and presented a resolution that recommended special use permit applicants avoid guyed structures, strobe lights and extensive land disturbance. Upon a motion by Mr. Garrett, seconded by Ms. McKenna, the motion to approve the resolution passed: AYE: Betzner, Bradshaw, Davis, Garrett, Hagee, Knudson, Kuras, Lowe, Massie, McKenna (10). NAY: (0).

10. RESOLUTION FOR AWARD OF EXCELLENCE

Ms. McKenna praised the recent addition of a terminal building at the Williamsburg-Jamestown airport (staff report appended). Ms. McKenna stated that the building and landscaping are a welcoming sight for people flying and driving into the airport.

Ms. McKenna made a motion, seconded by Mr. Davis, to approve the resolution naming the terminal building as the recipient of the Commission's Award of Excellence. The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Hagee, Knudson, Kuras, Lowe, Massie, McKenna (10). NAY: (0).

11. PLANNING DIRECTOR'S REPORT

Mr. Sowers presented the Director's Report (appended).

12. SETTING OF FUTURE MEETING DATES

Mr. Sowers announced that a joint worksession regarding the Comprehensive Plan will be held with the Board of Supervisors on October 15 at 4 P.M.

Site visits of Magnolia Mall and Old Dominion French Winery were scheduled for Friday, November 2nd at 3:00.

The November 13, 1990 Planning Commission meeting was set to begin at 7:00 instead of 7:30. A memorandum will be sent confirming the above.

13. MATTERS OF SPECIAL PRIVILEGE

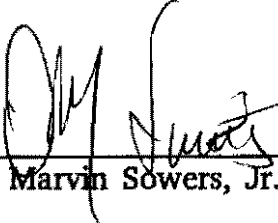
Mr. Bradshaw complimented Mr. Sowers on the excellent presentation he made at the Virginia Citizens Planning Association Institute for Planning Commissioners Conference held in Richmond on October 7-9, 1990.

Ms. Lowe, Mr. Betzner, and Mr. Kuras attended a remote sensing presentation by Mr. Siverton from William and Mary. It was suggested that Mr. Siverton make a presentation before the Planning Commission after the first of the year.

14. ADJOURNMENT

There being no further business the October 9, 1990 Planning Commission meeting was adjourned at 8:33 P.M.

  
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Alexander Kuras, Chairman

  
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O. Marvin Sowers, Jr., Secretary

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