

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE EIGHTH DAY OF FEBRUARY, NINETEEN HUNDRED AND NINETY FOUR 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 C. Kuras, Chairman  
Mr. Raymond L. Betzner  
Mr. A. G. Bradshaw  
Mr. Jay H. Everson  
Mr. Martin Garrett  
Mr. John F. Hagee  
Mr. Donald C. Hunt  
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. Mark J. Bittner, Planner

2. ANNUAL ORGANIZATIONAL MEETING

Mr. Kuras turned the Chair seat over to Mr. Sowers who opened the floor for nominations for Chairperson.

Ms. McKenna stated that the Nominating Committee had nominated Mr. Kuras to serve as Chairperson and herself as Vice Chairperson.

Mr. Bradshaw seconded the nomination and moved to close the nominations.

Mr. Kuras and Ms. McKenna were elected Chairperson and Vice Chairperson, respectively, by unanimous voice vote.

Mr. Sowers turned the Chair seat over to Mr. Kuras who thanked the Commission for their vote of confidence.

3. PRESENTATION OF RESOLUTION OF APPRECIATION

Mr. Kuras presented a Resolution of Appreciation to Mr. Wallace Davis, Jr., in appreciation of the four year term he served on the Planning Commission.

Mr. Kuras presented a Resolution of Appreciation to Ms. Victoria B. Gussman who also completed a four year term on the Planning Commission.

4. MINUTES

Upon a motion by Ms. McKenna, seconded by Mr. Betzner, the Minutes of the January 11, 1994 meeting were unanimously approved.

5. DEVELOPMENT REVIEW COMMITTEE REPORT

Mr. Garrett presented this report. Upon a motion Mr. Garrett, seconded by Ms. McKenna, the Development Review Committee Report was unanimously approved by voice vote.

6. CASE NO. SUP-37-93. HRSD SEWAGE PUMP STATION

Mr. Bittner presented the staff report (appended) for a special use permit to allow the construction of a sewage pump station to serve the North Trunk Interceptor Force Main which will serve the Stonehouse Planned Community and the northern end of the County. Mr. Bittner stated that staff recommended approval with the conditions detailed in the staff report.

Mr. Betzner questioned why approval was being requested for a station that would not be built for 5 to 15 years in the future.

Mr. Bittner responded that this station was part of HRSD's master plan and an effort to plan ahead in order to accommodate growth in the northern end of the County which includes the Stonehouse Planned Community, Norge and Toano. Mr. Bittner further stated that without the proposed pump station most likely another force main would have to be built to serve the growth in the northern end of the County.

Mr. Everson questioned why the County is particular about the color of brick and type of roof of the building.

Mr. Bittner responded that the intent is for facilities to be visually appealing, and in this particular case, because the station is close to residences, it is especially important.

Mr. Sowers stated that in the past there have been neighborhood debates regarding the appearance of facilities, and inclusion of this condition would give staff and the Development Review Committee the ability to exercise discretion of the building's exterior.

In response to Mr. Everson's statement that the building was surrounded by trees, Mr. Bittner responded that the site was predominantly wooded and the landscape ordinance states that only trees that it is necessary to remove shall be removed.

Mr. Sowers stated that because facility buildings are generally located on the front of the site they are visible, and the color of the building and roof selection should make the structure more compatible with surrounding buildings.

Mr. Kuras opened the public hearing.

A citizen spoke regarding a pipeline easement that was not relevant to this case. Mr. Kuras asked Mr. Larry Foster, General Manager of the JCSA, to speak with the gentleman following the meeting in an effort to assist him with his problem.

There being no further speakers the public hearing was closed.

Ms. McKenna made a motion, seconded by Mr. Hagee, to accept the staff's recommendation of approval. On a roll call vote, the motion passed: AYE: Betzner, Bradshaw, Garrett, Hagee, Hunt, McKenna, Everson, Kuras (8). NAY: (0).

7. CASE NO. Z-10-93. STONEHOUSE, INC./PUD-C ADDITION AND  
CASE NO. MP-4-93. STONEHOUSE, INC./MASTER PLAN AMENDMENT

Mr. Murphy presented the staff report (appended) to amend the Stonehouse Master Plan and the proffers to allow slightly revised development phasing and accompanying traffic improvements. Also, the applicant has applied to rezone 4.75 acres from B-1, General Business, to PUD-C, Planned Unit Development-Commercial, and to add this acreage to Stonehouse. Mr. Murphy stated that staff recommended approval, with the attached proffers, for the reasons stated in the staff report.

Mr. Betzner asked for an explanation of the difference between a treatment plan and a Phase II survey.

Mr. Murphy responded that the wording proposed in the proffers allows for some flexibility at the discretion of the Planning Director, and instead of the applicant being required to do a full scale Phase II study, the applicant could offer as an alternative a treatment plan that does a partial Phase II study and simply leaves the area alone or insures that it will be protected from any kind of development.

Following discussion regarding the requirements of further archaeological phase studies, Mr. Garrett asked for the department to prepare a document of clearer criteria. Mr. Horne responded that an attempt would be made to do so.

Mr. Kuras opened the public hearing.

Mr. Vernon Geddy, representing Stonehouse, Inc., the applicant, introduced Mr. James Franklin, project manager, and Mr. Bill Cashman, Mr. Norman Mason and Ms. Vaughan Rinner from Langley & McDonald. Mr. Geddy stated his concurrence with the staff recommendation of approval and spoke briefly on the archaeological proffers, and on the development of Stonehouse and the economic benefits to the applicant and the County.

There being no further speakers the public hearing was closed.

Mr. Betzner outlined the following in an attempt to clarify his understanding of the archaeological condition:

- 1) A Phase I site is found on the property (something which provokes interest). The developer has the choice to either keep the site as it is (no development) or to perform a Phase II survey.

- 2) Phase II survey defines where, what, and the boundaries of the "find." Again, the developer has the choice to either keep the site as it is (treatment plan) or to perform a Phase III survey.
- 3) In a Phase III survey the site can be preserved or whatever the developer chooses to do.

Mr. Kuras pointed out that if the site is not eligible for the National Register of Historic Places, it would not be necessary to perform Phase III.

Mr. Garrett asked who determines if the property needs a Phase I study.

Mr. Sowers responded that under this proposal's proffers a Phase I study was automatically required and from that point it will be decided whether to proceed to additional phases.

Mr. Hagee inquired as to whether the County could require that a developer do a Phase I study or must it be proffered by the developer.

Mr. Sowers responded that a Phase I study may be required through a rezoning proffer or as a condition to a special use permit, and that there is a policy in the Comprehensive Plan that the County encourage developers to do archaeological surveys but there no general County requirement. Mr. Sowers also stated that proffers have been submitted on sites where it was likely to discover a find.

Mr. Garrett made a motion, seconded by Ms. McKenna, to accept the staff's recommendation of approval on Case No. Z-10-93. On a roll call vote, the motion passed: AYE: Betzner, Bradshaw, Garrett, Hagee, Hunt, McKenna, Everson, Kuras (8). NAY: (0).

Ms. McKenna made a motion, seconded by Mr. Betzner, to accept the staff's recommendation of approval on Case No. MP-4-93. On a roll call vote, the motion passed: AYE: Betzner, Bradshaw, Garrett, Hagee, Hunt, McKenna, Everson, Kuras (8). NAY: (0).

Mr. Kuras complimented the developer on the inclusion of the additional acreage and the revised proffers which Mr. Kuras felt would enhance the development and encourage economic development in the County's favor.

## 8. SIX YEAR PLAN FOR SECONDARY ROAD IMPROVEMENTS

Mr. Horne, in presenting this report, stated that it sets forth the priority list for secondary road projects in the upcoming years. Mr. Horne stated that the Section I Projects are the traditional two lane secondary road upgrades that the County has dealt with for many years. Mr. Horne briefly discussed the deletions and additions stated in the report. Mr. Horne stated that the Section II Projects remain the same as the previous year with some progress on intersection improvements and bikeways but since none have been completed no new projects have been added.

Mr. Horne recommended that the Planning Commission adopt the Proposed Priority List and the Proposed Six Year Plan.

In response to Mr. Garrett's inquiry, Mr. Horne responded that this plan was separate and distinct from the Dirt Street Program.

Mr. Kuras questioned if enough emphasis had been put on accidents.

Mr. Horne responded that if there is a dramatic upsurge in accidents then a safety issue is involved and possibly a rearrangement of priorities. Mr. Horne stated that he would be willing to look at another calculation in upcoming years with increased emphasis on accidents.

Ms. McKenna questioned improvement to intersections. Mr. Horne responded that the Section II list takes into account something like an intersection improvement.

Mr. Garrett questioned control over "smart" red lights. Mr. Horne stated that the County cannot direct VDOT but if there is a particular light without appropriate sensors that he felt VDOT would be open to suggestions. Mr. Horne also stated that if it is on a secondary road then it would impact the Secondary List and VDOT would be looking for the funds from the County if it is a major expenditure.

Mr. Garrett inquired as to the difference in cost for a "smart" light.

Mr. Jim Cashman, Traffic Engineer with Langley and McDonald, responded that the difference in cost is not great, and that a typical signal at a four lane roadway major intersection would cost around \$80,000-\$90,000. Mr. Cashman felt that the State would respond quickly to an intersection where the signal was not responsive to traffic from minor street approaches. Mr. Cashman suggested that in some instances a signal might require an adjustment in the timing device to make it more responsive.

At Mr. Hunt's request, Mr. Horne stated that the light at Anderson's Corner would be investigated.

Mr. Everson inquired about the location of the portion of Richmond Road requiring six lanes.

Mr. Horne responded that if the permissible land use intensities in the Comprehensive Plan were applied, it would be the immediate Lightfoot area from Centerville Road or from the new Route 199 interchange up to just south of Norge. Mr. Horne felt the road would not be widened significantly through Norge proper but the volumes could be there as well as through portions of Toano, and depending upon what is done on the future land use actions from Route 199 down towards the city limits of Williamsburg the volumes could also be there.

Mr. Everson expressed opposition of six lanes past the divider portion of Richmond Road.

Mr. Sowers stated that a policy adopted by the Comprehensive Plan does not recommend widening of that specific portion through Norge.

Mr. Everson also questioned if the entire length of Centerville Road would be four lanes.

Mr. Horne stated that the volumes projected in the 2010 PATS plan indicate that should development proceed consistent with the Comprehensive Plan the volumes will exist to justify the improvement to four lanes; however, it is yet to be determined whether to find other options or make a policy choice not to accommodate that level of service and just live with the two lanes. Mr. Horne stressed that the volume projections illustrate that the volumes will be there to justify four lanes.

Mr. Everson stated that he viewed four-laning of Centerville Road as a super highway and he objected.

Mr. Horne stated that this situation is part of the challenge before us in this community and choices would have to be made as to where to accommodate the traffic.

Mr. Sowers commented that perhaps a lower level of service from C to D would be acceptable, and this decision has been made for other roads in James City County, including Jamestown Roads.

Mr. Garrett stated that it was a question of whether the community would maintain a suburban ambiance or go to an urban ambiance.

Mr. Sowers stated that the type of questions Mr. Everson raised were the reason why the Comprehensive Plan is updated every five years - to assure that the proper decisions had been made or to make changes if deemed necessary.

Mr. Everson asked Mr. Horne to discuss the outer bypass and where it would come back onto Centerville Road.

Mr. Horne responded that the most recent alignment would come back onto Centerville Road just beyond the Boy Scout Camp property (about a quarter mile from Jolly Pond Road); however, there are possible options along the corridor.

Mr. Everson asked about the purpose of the road. Mr. Horne responded the main purpose would be to offload much of the traffic from Centerville Road Richmond Road corridor.

Mr. Everson questioned the impact on the landfill area which Mr. Everson referred to as a "warehousing operation" with goods (trash) coming in, sorted, put onto other vehicles and taken down the road, and the proximity of the school transportation facility. Mr. Everson felt the area might open up for potential economic development and protect the landfill.

Mr. Kuras responded that this had been discussed during the update of the Comprehensive Plan.

Mr. Horne stated that the Six Year Plan spreadsheet shows future allocations toward setting the alignment and design of Centerville Road. Also, if the Board of Supervisors continues through the CIP to allocate monies to the revenue sharing program (County funds matched by the State), the location and design process of the road should move ahead within a couple years. Mr. Horne further stated that as land development proceeds, the County will be able to show specifically where the alignment is and what needs to be done to accommodate the road.

In response to Mr. Garrett's inquiry regarding four and six-laning of Richmond Road, Mr. Horne responded that although the County could do it on its own, it would be appropriate to have discussions with the City of Williamsburg as to whether it would be good for the community as a whole.

In response to Mr. Hagee's inquiry regarding completion within six years of the Proposed Priority List of Secondary Road Improvements, Mr. Horne responded that he believed the roads would be completed. Mr. Horne stated that since about 1989 the Board has proactively approved through the CIP large quantities of monies to go into the revenue sharing program, and in several of the years had doubled the money that would traditionally go into the secondary plan, which has advanced all the Centerville Road projects to essentially go into construction this spring, and has advanced many of the projects. Mr. Horne said that continued advancement through this process is somewhat dependant upon additional local contribution towards the funding. Mr. Horne further stated that if we drop back, or if the State administration discontinues support of additional statewide revenues into road funding, or drop back into the traditional state funding sources, then we'll drop back where we were and do a project once every three or four years. Mr. Horne stressed that such a process would reduce the quality of life.

Mr. Sowers stated that the four lane projects would change the complexion of the six year plan again, and extend the completion date of the Six Year Plan considerably into the future.

Mr. Garrett questioned if the County had decided how many ingresses and egresses were needed on 199 through Warhill.

Mr. Horne responded the Board's position at the time of the location design is now set starting at the interstate with an interchange/intersection at International Parkway (Mooretown Road), Route 60, Longhill Road, Ironbound Road/Monticello (alternate Route 5), and Route 5.

Mr. Horne stated that staff would inform the Board of Mr. Everson's concerns regarding the widening of Richmond Road through Norge, and Centerville Road.

Ms. McKenna made a motion, seconded by Mr. Garrett, to recommend approval to the Board of the new Priority List and the new Six Year Plan. The motion was approved by unanimous voice vote.

9. WILLIAMSBURG MANOR CLUB AT FORD'S COLONY - SIGNAGE

Mr. Murphy presented the staff report (appended) to allow an additional sign for Marriott's Manor Club timeshare development at Ford's Colony's primary entrance on Longhill Road. Mr. Murphy stated that staff generally does not encourage additional signage for planned communities; however, in this particular case, staff finds that the proposed sign is warranted and meets the intent of Section 20-292, Sign Regulations, of the James City County Zoning Ordinance, for the reasons detailed in the staff report. Mr. Murphy further stated that staff recommended that the Planning Commission forward a recommendation of approval to the Board of Supervisors.

Mr. Garrett questioned if the sign would have the name of Ford's Colony on it.

Mr. Murphy responded that the sign would read Marriott's Manor Club.

Mr. Drew Mulhare of Ford's Colony stated that the actual name is Marriott's Manor Club at Ford's Colony and the proposed sign will be changed accordingly.

Mr. Mulhare informed the Commission that Marriott submitted this petition to Realtec about six months after opening in response to clients who were not able to locate the entrance. Mr. Mulhare stated that Marriott's Manor Club is a sales and marketing operation as well as a resort hotel and that many clients are transient and unfamiliar with the area.

Mr. Garrett pointed out that if the sign had Ford's Colony on it there would not be a problem.

Mr. Mulhare responded that there is a nicely designed and landscaped sign that reads Ford's Colony but apparently after six months operation it has not been sufficient. Mr. Mulhare understood from Marriott that clients are looking for Marriott's Manor Club.

Mr. Kuras questioned if Mr. Mulhare was requesting a directional sign.

Mr. Mulhare responded that the sign is primarily designed to be in harmony with the existing sign.

Mr. Garrett stated that he felt the request was a ruse.

Mr. Kuras was concerned about setting a precedent.

Mr. Garrett asked Mr. Mulhare why not make the existing sign read: Ford's Colony including Marriott's Manor Club on the existing sign.

Mr. Mulhare stated that Ford's Colony is more in favor of a second sign than totally changing what is at the front entrance which would have to be much taller and obscure the in and out lane. Mr. Mulhare felt the proposed sign would meet Marriott's needs and not interfere with Ford's Colony's needs.

Mr. Garrett stated that the original PUD did not include timeshares. Mr. Mulhare agreed.



Mr. Garrett questioned if Marriott advertised the timeshares as being in Ford's Colony.

Mr. Mulhare responded that the proper name is Marriott's Manor Club at Ford's Colony. Mr. Mulhare stated that there are four entrances to Ford's Colony and the entrance that these visitors would come into is the concern.

Mr. Garrett stated that since only one entrance was marked on Longhill Road he questioned how a client could go to the wrong entrance.

Mr. Mulhare stated that Marriott approached Ford's Colony with the problem after six months of operation and that he was before the Commission with the request because the sign would be on Ford's Colony's property. Mr. Mulhare further stated that it was a reasonable request.

Ms. McKenna made a motion, seconded by Mr. Garrett, to recommend denial to allow a sign for Marriott's Manor Club timeshare development at Ford's Colony primary entrance on Longhill Road.

Ms. McKenna stated that she felt approval would set a precedent; the other entrances were not marked except for the sign on Centerville Road which is marked for maintenance areas. Ms. McKenna further stated that Ford's Colony was well marked and that anyone looking for Ford's Colony could get directions.

Mr. Hagee stated that some resorts in other areas have multiple entrances to guide visitors to the right entrance, which would prevent visitors from roaming uncertainly through the community. In this case, he said, there should be an indication at the entrance that it was the entrance to Marriott's Manor Club. Mr. Hagee did question what the size of the sign should be.

Mr. Everson spoke in support of the sign as he felt visitors from out of town would have difficulty in locating Marriott's Manor Club.

Mr. Kuras felt that a smaller sign was necessary as the one proposed at 32 sq. ft. was as large as the sign for all of Ford's Colony.

Mr. Hagee stated that he would prefer to visit the site before making a decision.

Mr. Hagee made a motion, seconded by Mr. Betzner, to defer action until the March meeting. The motion passed by voice vote: AYE: Betzner, Bradshaw, Hagee, Hunt, Everson, Kuras (6). NAY: Garrett, McKenna (2).

#### 10. BYLAWS AMENDMENTS

Mr. Sowers presented this report (appended) stating that with the reduction in size of the Planning Commission it was necessary to amend the bylaws to reflect that there are now eight members. Mr. Sowers pointed out that the amendment also reflects the anticipated reduction to seven members in February, 1995, as well as making the language in the bylaws consistent with the James City County Code. Mr. Sowers recommended that the Commission review the amendment, offer any changes, and prepare to vote on the changes at the March 8, 1994 meeting.

Ms. McKenna recommended that under Article VI. Voting, No. 1 be struck. Also, under Article VIII. Committees, No. 4c, that the language be changed to make provision in the event of overlap of chairmen.

Mr. Sowers will bring the changes before the Commission at the March meeting.

#### 11. PLANNING DIVISION FY95 AND FY96 GOALS

Mr. Sowers presented the staff report (appended) and asked the Commission's advice on objectives.

Mr. Hagee suggested a customer survey to determine what can be done to improve service; also, he referred to the use of focus groups such as engineers and developers for input.

Mr. Sowers commented on the success of a previous customer survey that staff will likely repeat very soon. Also, Mr. Sowers stated that staff is working on an analysis of the development review process using interviews and surveys.

Mr. Garrett stated his preference to hold a meeting with Commission members and those that staff comes in contact with such as engineers and developers to discuss their concerns on an informal basis.

Mr. Betzner suggested including the Development Review Committee in discussions as well. The Commission decided to further discuss the goals in March.

#### 12. SCHEDULING OF FUTURE MEETINGS

The Leadership Committee will meet on March 2 at 3 p.m.

A worksession will be held prior to the Planning Commission meeting on March 8 at 5:30 p.m.

#### 13. OTHER MATTERS

In discussion regarding subcommittees, it was agreed that Mr. Everson would serve on the Policy Committee.

Mr. Betzner who is a member of the Citizen Referendum Committee reminded the Commission of the two citizen fairs to be held on February 9th at 7:30 p.m. at James River Elementary School and February 10th at Norge Elementary School. These are informational fairs on the bond reference coming up on March 1, 1994. Mr. Betzner had information materials available.

Mr. Garrett stated that many absentee voters who were upset about the bond referendum did not realize that by voting down the bond referendum their taxes would probably increase.

Mr. Hagee pointed out for those who believe that by voting down the bond referendum they are voting against schools and parks when, in fact, what is voted on is simply the method of funding. Also, those who feel that the schools and parks are not needed will probably be hurt the most by increased taxes.

Mr. Hagee stated concern about the appearance of the chain link fence on Route 199 at Williamsburg Crossing.

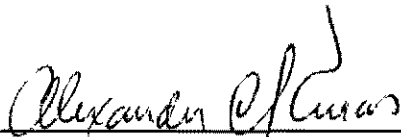
Mr. Sowers pointed out that the chain link fence belongs to VDOT and the split rail fence belongs to Williamsburg Crossing.

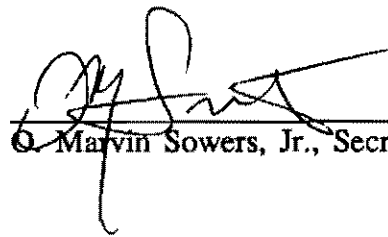
Mr. Horne stated that VDOT would insist that the County maintain a solid barrier against any pedestrians or animals trespassing on the limited access road. Mr. Horne stated that we could again pursue the matter with VDOT.

Mr. Sowers stated that he had called Mr. Quintin Elliott, Resident Engineer, but they were opposed to removing the chain link fence. Mr. Sowers stated that he suggested climbing ornamental plantings along the fence but Mr. Elliott felt such plantings would create maintenance problems. Mr. Sowers also suggested plantings in front that would not climb the fence and they seemed receptive to that idea. Mr. Sowers stated he would again pursue options with Mr. Elliott.

13. ADJOURNMENT

There being no further business, the February 8, 1994 Planning Commission meeting adjourned at 9:30 p.m.

  
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Alexander C. Kuras, Chairman

  
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Marvin Sowers, Jr., Secretary