

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE ELEVENTH DAY OF APRIL, NINETEEN HUNDRED AND NINE-FIVE 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
Ms. Willafay McKenna
Mr. Martin Garrett
Mr. John F. Hagee
Mr. Raymond L. Betzner
Mr. Donald C. Hunt
Mr. Jay H. Everson

ALSO PRESENT

Mr. O. Marvin Sowers, Jr., Director of Planning
Mr. Gary A. Pleskac, Planner
Mr. Michael A. Freda, Senior Planner
Mr. John B. Patton, Development Management Technician
Mr. Mark J. Bittner, Planner
Mr. Trenton L. Funkhouser, Senior Planner

Mr. Kuras introduced Mr. A. Joe Poole, III, who was appointed by the Board of Supervisors to serve the unexpired term of Ray Betzner until January 31, 1997.

2. MINUTES

Upon a motion by Ms. McKenna, seconded by Mr. Betzner, the Minutes of the March 14, 1995 meeting were approved by unanimous voice vote.

3. DEVELOPMENT REVIEW COMMITTEE REPORT. Upon a motion by Mr. Garrett, seconded by Ms. McKenna, the Development Review Committee Report was approved by unanimous voice vote.

4. CASE NO. SUP-8-95. WILLIAMSBURG MONTESSORI SCHOOL.

Mr. Pleskac presented the staff report (appended) stating that the applicant had withdrawn the application. However, because the public hearing was continued at the March 14 meeting, the public hearing was opened. There being no speakers the public hearing was closed with no further action required.

5. CASE NO. AFD-8-86. CASEY PROPERTY (WITHDRAWAL).

Mr. Pleskac presented the staff report (appended) to withdraw approximately 10 acres from the existing Casey Agricultural and Forestal District in order to construct the new James City County/Williamsburg Court House. Mr. Pleskac reviewed the criteria and circumstances for withdrawal. Mr. Pleskac stated that on March 22, 1995, the AFD Advisory Committee voted 10-0 and concurred with staff's recommendation to approve the request for withdrawal. Mr. Pleskac further stated that staff recommended that the Planning Commission approve the withdrawal request.

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

Ms. McKenna made a motion, seconded by Mr. Garrett, to accept the staff's recommendation of withdrawal of approximately 10 acres, and to include the two concerns recorded in the Minutes of the March 22, 1995 AFD Advisory Committee, an attachment to the staff report. On a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Betzner, Hunt, Everson, Kuras. NAY: (0).

6. CASE NO. Z-6-95. POWHATAN ENTERPRISES, INC.

Mr. Sowers presented the staff report (appended) stating that the applicant requested a continuance of this application in order to allow further discussion with VDOT. Mr. Sowers further stated that staff concurred with the request and that the case be continued at the May meeting.

Mr. Kuras opened the public hearing. There being no speakers the public hearing was continued to the May 9, 1995 meeting.

7. CAPITAL IMPROVEMENT PROGRAM FY96-00.

Mr. Freda presented the staff report (appended), and briefly described the recommendations for the FY1996-2000 Capital Improvement Program. Mr. Freda stated that staff and the Policy Committee recommended that the full Planning Commission forward a recommendation of approval to the Board of Supervisors for the CIP rankings as summarized in the report.

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

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

A discussion ensued with particular attention to the expansion of the Government Center and its need relative to the growth of the community. It was noted that the Policy Committee moved it from high to medium priority. Mr. Garrett and Mr. Betzner pointed out the need for County government to increase along with growth in the community just as other public services such as police and fire do, and that it would not disproportionately increase under the proposal.

Mr. Everson made a motion, seconded by Mr. Hunt, to move the expansion of the Government Center from a medium priority to low priority. On a roll call vote the motion failed: AYE: Hunt, Everson (2). NAY: Garrett, McKenna, Hagee, Betzner, Kuras (5).

On the original motion, on a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Betzner, Hunt, Everson, Kuras (7). NAY: (0).

8. CASE NO. ZO-3-95. ZONING ORDINANCE AMENDMENT/WHEN SITE PLANS REQUIRED.

Mr. Patton presented the staff report (appended) for an amendment to the Zoning Ordinance to eliminate the requirement for individual private decks and fences accessory to multi-family dwellings, townhouses and condominiums, to undergo site plan review prior to obtaining a building permit. Mr. Patton stated that staff recommended approval.

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

Ms. McKenna made a motion, seconded by Mr. Betzner, to forward the staff's recommendation of approval to the Board of Supervisors. On a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Betzner, Hunt, Everson, Kuras (7). NAY: (0).

9. CASE NO. ZO-4-95. ZONING ORDINANCE AMENDMENT/TEMPORARY WATER AND SEWER IN PLANNED UNIT DEVELOPMENT DISTRICTS.

Mr. Bittner presented the staff report (appended) for an amendment to the Zoning Ordinance to allow non-residential structures and uses in the PUD District to temporarily operate on individual well and septic systems. Mr. Bittner stated that staff recommended approval.

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

Mr. Betzner made a motion, seconded Ms. McKenna, to forward the staff's recommendation of approval to the Board of Supervisors. On a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Betzner, Hunt, Everson, Kuras (7). NAY: (0).

10. ARCHAEOLOGICAL RISK ANALYSIS FOR JAMES CITY COUNTY

Mr. Funkhouser presented the staff report (appended) regarding whether changes should occur to the County's present Archaeological and Historical Preservation Policy. Mr. Funkhouser stated that staff recommended that the Commission endorse the Policy Committee recommendation to fund a County-wide risk analysis. Also, that the Commission request that the Board fund such a study through a line item within the Planning Commission budget or a similar account to be determined by the Board.

Ms. McKenna made a motion, seconded by Mr. Everson, to forward the staff's recommendation of approval to the Board of Supervisors. The motion passed by unanimous voice vote.

A discussion followed regarding the archaeological policy and the lack of dissemination of information contained in archaeological studies received as part of development applications and their benefits to the County and in National Register Nominations. The Policy Committee will investigate the matter.

11. PLANNING DIRECTOR'S REPORT

Mr. Sowers presented the report (appended).

12. PRESENTATION OF RESOLUTION OF APPRECIATION TO RAY BETZNER

Mr. Kuras presented the resolution of Appreciation to Mr. Betzner and thanked him for his outstanding service to the County. Mr. Betzner expressed his appreciation.

13. ADJOURNMENT

There being no further business, the April 11, 1995 Planning Commission meeting was adjourned at 8:45 p.m.



Alexander C. Kuras, Chairman



O. Marvin Sowers, Jr., Secretary