

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE FIRST DAY OF JUNE, NINETEEN HUNDRED AND NINETY-EIGHT AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Martin Garrett  
Donald Hunt  
Wilford Kale  
Alexander Kuras  
Willafay McKenna  
A. Joe Poole, III

ALSO PRESENT

O. Marvin Sowers, Planning Director  
Leo Rogers, Deputy County Attorney  
Gary Pleskac, Senior Planner  
Tammy Rosario, Senior Planner  
Jill Schmidle, Planner

ABSENT

John Hagee

2. MINUTES

Upon a motion by Willafay McKenna, seconded by Joe Poole, the minutes to the May 4, 1998 meeting were approved by unanimous voice vote.

3. DEVELOPMENT REVIEW COMMITTEE

Alex Kuras presented the DRC report and recommended approval. Willafay McKenna seconded the motion and by unanimous voice vote, the report was approved.

4. POLICY COMMITTEE REPORT

Willafay McKenna reviewed the final version of the bylaws which included the provision that the Chair of the Planning Commission shall not serve on the Nominating Committee and stated the other changes were proposed prior to the last meeting.

Alex Kuras recommended approval, seconded by Wilford Kale. By unanimous voice vote, the bylaws were approved.

5. CASE NO. SUP-8-98. JAMES POINT NURSING FACILITY.

Gary Pleskac presented the staff report for a proposed 120-bed skilled care facility in a single building on 20± acres, zoned R-8, and a 20,000 square foot office development on 7± acres, zoned LB, on a 28 acre parcel located on Jamestown Road. Staff recommended approval of this special use permit as outlined in the staff report.

Alex Kuras asked if the office development would be limited to one story as was the skilled care facility.

Gary Pleskac stated the building was limited to approximately 5,000 to 7,000 square feet and staff was not opposed to a two-story structure. He added that decision could be made by the developer under the proposed SUP conditions.

Wilford Kale felt the 50' buffer in Condition #5 was not adequate enough for the separation of office development and the residential properties and asked if anything could be done to increase it.

Marvin Sowers stated that since this was a special use permit the Commission had the discretion to revise the conditions.

Joe Poole stated the second proffer limited the overall floor area of the skilled nursing facility to 50,000 square feet and asked what area was represented on the conceptual plan.

Gary Pleskac estimated the plan shown represented approximately a 45,000 square foot structure.

Martin Garrett opened the public hearing.

Vernon Geddy, representing the applicant, introduced Preston Moore of Smith/Packet Med-Com and Ken Jenkins of Richmond Engineering. He gave a brief history of Smith/Packet Med-Com and stated they would be developing and operating this facility themselves. He stated the information regarding traffic impact was fully described in the staff report and added that there would only be one entrance off of Jamestown Road rather than two which was allowed by-right. He said the applicant would not only forego development in the LB area but would convey the Jamestown Road frontage to a land conservancy organization to prevent any future development of that area of property. He stated the conveyance of property could not be achieved prior to the Board of Supervisors meeting as noted in the staff report because at this time Smith/Packet did not own the property but they would work with staff to develop an acceptable trigger for the conveyance. In conclusion, he requested that the Commission recommend approval of this special use permit.

There being no further speakers, the public hearing was closed.

Willafay McKenna recommended approval, seconded by Alex Kuras. By a roll call vote, motion passed. AYE: McKenna, Hunt, Kale, Poole, Kuras, Garrett (6). NAY: (0).

6. CASE NO. MP-1-98. GREENSPRINGS PLANTATION MASTER PLAN AMENDMENT.

Jill Schmidle presented the staff report to amend the Greensprings Plantation Master Plan and concurrently to amend the proffers. She stated the proposal had numerous master plan and proffer changes as outlined in the staff report, including a change to relocate 15 of the currently proposed 368 single-family residential units to new land bay M-4 to accommodate a new 50 room assisted living facility, and pay \$400 per room toward road improvements. Staff found that the revised master plan and new proffer amendments were consistent with the approved master plan and recommended that the Planning Commission approve this application.

Willafay McKenna asked what was considered a room in the proposed cash proffer of \$400 per assisted living facility room.

Jill Schimdle stated the proposal was for 50 rooms at \$400 dollars per room.

Martin Garrett opened the public hearing.

Vernon Geddy, representing Greensprings Plantation, made a presentation on behalf of his client and stated they agreed with the staff report. He said the vast majority of the changes were minor adjustments to the master plan and he briefly reviewed the Route 5/Legacy Drive intersection greenbelt and the assisted living facility.

Alex Kuras questioned the additional 52 homes indicated in the multi-family section of the master plan.

Vernon Geddy stated that the only addition was for the 50 room assisted living facility and that they would correct the number of multi-family dwelling units on the proposed master plan.

Joe Poole asked if the DRC would see revised plans to the buffer along Route 5 and if the enhanced landscaping and fencing would include any signage.

Bill Greenwell a resident of Fairways Villas had concerns about what would be happening to the buffer area along Route 5 and path that presently exists within the area.

There being no further speakers, the public hearing was closed.

Martin Garrett commended the staff on their representation and the applicant for the facility they proposed. He felt the proposal was not in the best interest of the County since the density of this master plan would be increased by the moving of fifteen home sites to another location in order to accommodate the assisted living facility. He made a motion to amend staff's recommendation and not permit the exchange of the fifteen home sites from one bay to another bay.

Leo Rogers stated that Martin Garrett's motion to amend the proffer section which spoke of the total number of units cannot be changed by the Commission, they must be proffered by the applicant.

Martin Garrett restated his motion and recommended denial because of the additional traffic impact.

Wilford Kale asked what staff's rationale was in recommending approval with keeping the additional fifteen home sites.

Jill Schimdle stated staff also had concerns about the additional traffic of the assisted living facility and expressed this concern to the applicant and they returned with the cash proffer toward the construction of Alternate Route 5 for the assisted living facility. Staff believed that this enhanced the project, and that the assisted living facility would not significantly impact the level of service on Alternate Route 5.

Leo Rogers said he had just spoken to the applicant and he suggested the Commission discuss the case and then see what the applicant had to offer and then discuss the available options.

Willafay McKenna seconded Martin Garrett's motion for denial, as presently proposed since this would be a change to this master plan.

Alex Kuras felt there should be a trade-off of housing rather than an addition of dwelling units to the master plan.

Joe Poole was also in support of the motion for denial.

Vernon Geddy responded to several concerns of the Commission stating that the lack of buffer area along Route 5 in the commercial area was due to the construction of the sewer that serves the high school. He suggested that for the assisted living facility they could structure a proffer that would give the developer the alternative of not building the facility and build all previously approved 368 residential units or build the assisted living facility and reduce the single-family residential units by 15 to 353.

Marvin Sowers stated that if Vernon Geddy offered an alternative proffer at this time, it was a legitimate consideration as part of tonight's meeting and the Commission could amend their motion based on the new offer.

Leo Rogers stated if the focus was on traffic, there would be a difference in traffic impact of 15 homes versus the assisted living facility and he asked for leeway to work with the developer on the difference of the cash proffer. He explained that Greensprings Plantations gave a total proffer and not a per unit proffer.

Vernon Geddy stated that in the staff report the generation of traffic was 3.3 vehicle trips per day for the assisted living facility. He felt the impact of the assisted living facility was equivalent to 15 single-family residential units.

Discussion took place among the Commission members regarding the number of vehicle trips per assisted living facility versus the residential units.

Vernon Geddy stated the applicant would amend the proffers to withdraw the assisted living facility in order to proceed with the balance of the project changes.

Alex Kuras felt the assisted living proffer proposed by the applicant was a reasonable proposal.

Martin Garrett withdrew his motion.

Willafay McKenna made a motion with the understanding they have amended the proffers to build the 15 previously approved single-family residential units for a total of 368 or build the assisted living facility minus 15 residential units for a total of 353 units with no cash proffers in either option, as offered by the applicant.

Joe Poole seconded the motion and by a roll call vote, motion passed. AYE: McKenna, Hunt, Kale Poole, Kuras, Garrett. (6); NAY: (0)

7. ZO-1-98. ZONING ORDINANCE AMENDMENT/ADMINISTRATIVE FEES.

Tammy Rosario presented the staff report stating the fees were consistent with what was presented to the Board of Supervisors during the budget process and recommended the Commission consider raising the fees as outlined in the report.

Martin Garrett opened the public hearing.

Walker Ware stated that staff should work within their existing budget and not consider an increase in the fees.

There being no further speakers, the public hearing was closed.

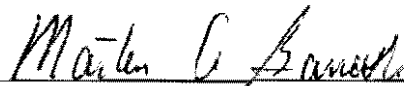
Willafay McKenna made a motion, seconded by Joe Poole, to recommend approval of this ordinance.


In a roll call vote, motion passed. AYE: McKenna, Poole, Kuras, Garrett (4); NAY: Hunt, Kale (2).

8. PLANNING DIRECTOR'S REPORT

Marvin Sowers stated the I-64 Major Investment Study conducted by VDOT would conclude sometime in July and said staff would be making a presentation to the Board of Supervisors at their June 23 meeting. He suggested that members either attend or watch the meeting, if they have an interest in this project..

There being no further business, the June 1, 1998 Planning Commission meeting was adjourned at approximately 8:35 pm.

  
Martin A. Garrett, Jr., Chair

  
G. Marvin Sowers, Jr., Secretary