

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE THIRD DAY OF FEBRUARY, TWO-THOUSAND AND THREE, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

ROLL CALL

A. Joe Poole, III
John Hagee
Donald Hunt
Peggy Wildman
Joseph McCleary

ALSO PRESENT

Leo Rogers, Deputy County Attorney
Marvin Sowers, Planning Director
Cynthia Grom, Administrative Services Coordinator
David Anderson, Planner
Matthew Arcieri, Planner

ABSENT

George Billups
Wilford Kale

1. ELECTION OF OFFICERS

Mr. Marvin Sowers opened the floor for nominations for Chairperson of the Planning Commission for the year 2003.

Mr. Joe McCleary nominated Mr. A. Joe Poole, III. There being no further nominations, the floor was closed. In a unanimous voice vote, Mr. Joe Poole, III was elected Chairperson of the Planning Commission.

Mr. Joe Poole, III asked if there were any nominations from the floor for Vice Chair of the Planning Commission for the year 2003.

Mrs. Peggy Wildman nominated Mr. Joe McCleary. There being no further nominations, the floor was closed. In a unanimous voice vote, Mr. Joe McCleary was elected Vice Chair of the Planning Commission.

2. COMMITTEE APPOINTMENTS

Mr. Joe Poole, III stated the following appointments: For the Chairman of the Development Review Committee, he reappointed Mr. John Hagee. For the Chairman of the Policy Committee, he reappointed Mr. Wilford Kale.

3. MINUTES

The Commission approved the minutes of the January 14, 2003 meeting with adjustments with a unanimous voice vote.

4. COMMITTEE AND COMMISSION REPORT

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. John Hagee presented the DRC report stating there was one case that was heard at the last meeting, concluding this evening before the Planning Commission meeting: Brandon Woods development sign. It was recommended for approval by the DRC.

In a unanimous voice vote the Commission approved the DRC report.

B. COMPREHENSIVE PLAN 2003 – STEERING COMMITTEE

Mr. Joe McCleary presented to the Planning Commission a brief summary on where the Steering Committee was in their review process. He commented they were on schedule, that they were receiving a good response from the community and commended staff on a job well done. He also mentioned the upcoming Community Conversations dates in March, on the 6th at Mt. Gilead Baptist Church & the 10th at Lafayette High School.

5. PUBLIC HEARINGS

A. CASE NO. SUP-25-02 READY MIX CONCRETE EXPANSION.

Mr. Matthew Arcieri presented the staff report. He stated that Mr. Robert Mann of AES Engineers has applied on behalf of Colonial Ready Mixed Concrete for a Special Use Permit to allow the expansion of the existing Ready Mixed Concrete facility at 1571 Manufacture Drive in the Skiffes Creek Industrial Park onto an adjacent property located at 1563 Manufacture Drive also within the Industrial Park. This case was originally approved on January 8, 2002 as SUP-23-01. Condition number one of the previous Special Use Permit required the applicant to complete all clearing and grading activities within twelve months from the date of issuance. In July of 2002 the owner of the site, Mr. John Thayer-Smith sold the property to Southern Equipment Company. The new owner was unable to complete clearing and grading by January 8, 2003; therefore, a new special use permit is necessary. Staff finds the proposal to be consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. Staff further finds that no conditions in the area have changed significantly enough to warrant any changes to the SUP. The only proposed change to the conditions is increasing the time to complete clearing and grading from twelve to twenty-four months. Staff recommended the Planning Commission recommend approval of this SUP application with conditions.

Mr. Joe Poole, III, opened up the public hearing.

Mr. Rob Mann, the applicant, explained the reason for having to apply for the special use permit again. Since the property changed hands half way through the time period of the previous special use permit granted, the new owner needed more time to complete the grading work.

Mr. Joe McCleary asked Mr. Mann if he was comfortable with the conditions.

Mr. Rob Mann replied yes.

Mr. Joe McCleary asked Mr. Leo Rogers, County Attorney, if the County had any legal problems with the extension.

Mr. Leo Rogers replied no.

There being no further questions, Mr. Joe Poole, III closed the public hearing.

Mr. John Hagee made a motion to approve.

Mr. Joe McCleary seconded the motion.

In a roll call vote, motion passed (5-0). AYE: Wildman, McCleary, Hagee, Hunt, Poole (5); NAY: (0).

B. CASE NO. ZO-01-03 ZONING ORDINANCE AMENDMENT – EIGHT FAMILY DWELLINGS.

Mr. David Anderson presented the staff report. Staff is processing an amendment to allow multiple-family dwellings in the R-2, General Residential, and R-5, Multifamily Residential, zoning districts with a special use permit as part of an approved residential cluster. Similar structure types are permitted in the R-4, Residential Planned Community, PUD, Planned Unit Development, and MU, Mixed Use, zoning districts. Staff reviewed the current ordinance and concluded that five to eight-family dwellings would be logical additions to the R-2, General Residential, and R-5, Multifamily Residential, zoning districts provided they were in residential cluster developments and provided that the overall density did not exceed the permitted density of the previously approved master plan or the James City County Comprehensive Plan. In the R-2 zoning district, currently two, three and four-family dwellings are permitted in a cluster with a special use permit. In the R-5

zoning district, currently two, three and four-family dwellings are regularly permitted in a cluster. In order to have more control over the development of this type of structure, and to avoid creating the possibility of having larger structures built without further Planning Commission or Board of Supervisor review, staff proposed the addition as a specially permitted use rather than a regularly permitted use.

Hearing no questions, Mr. Joe Poole, III opened and closed the public hearing.

Mr. John Hagee made a motion to approve.

Mr. Donald Hunt seconded the motion.

(0). In a roll call vote, motion passed (5-0). AYE: Wildman, McCleary, Hagee, Hunt, Poole (5); NAY:

C. CASE NO. SUP-01-03/MP-01-03 WILLIAMSBURG PLANTATION, SECTION X.

Mr. David Anderson presented the staff report. Mr. Richard Costello of AES Consulting Engineers has applied on behalf of Williamsburg Plantation, Inc. for a special use permit and master plan amendment to permit the construction of two eight-family dwellings in the Williamsburg Plantation development. The property is internal to Williamsburg Plantation and is not visible from public roads. Currently the project is zoned R-2 Cluster which allows each building to contain no more than four units. The area designated for the proposed two eight-family dwellings currently is approved for four four-family dwellings. The proposal simply requests replacing the approved four four-family dwellings with two eight-family dwellings. Each current unit contains four bedrooms and four bathrooms. The proposed units are smaller, each containing 2 bedrooms and 2 bathrooms. While this proposal does not alter the total number of units proposed for the project, each unit is smaller in size and area. The proposal actually halves the number of bedrooms and bathrooms from 64 to 32 for these 16 units. Additionally, the overall density of the development will remain unchanged. Staff finds the proposal consistent with the surrounding residential zoning since the total number of approved units will remain unchanged. Staff also finds the proposal consistent with the Low Density Residential designation of the Comprehensive Plan since the overall density of the development will remain unchanged. The proposal will also have less impacts than the approved structure type. Staff recommended the Planning Commission approve the special use permit with conditions.

Mr. John Hagee asked for clarification on the traffic impacts, and the different designations used.

Mr. David Anderson stated that they were based on VDOT's classification system.

Mr. Joe Poole, III, opened the public hearing.

Mr. Vernon Geddy, representing Williamsburg Plantation and the applicant, asked if there were any questions he could answer.

Mrs. Peggy Wildman asked if brick would be used as part of the building façade.

Mr. Rich Costello, applicant, replied that they intentionally planned on not using brick as a way of distinguishing the buildings from others in the development.

Mr. Joe Poole, III, asked if Williamsburg Plantation, as a whole, was almost complete.

Mr. Rich Costello replied that Section ten was one of the last three stages.

Hearing no other questions, Mr. Joe Poole, III, closed the public hearing.

Mr. Joe McCleary offered his support for the application.

Mr. Joe Poole, III, stated that Williamsburg Plantation was very well done so far, so he felt confident to be able to support this project as well.

Mrs. Peggy Wildman made a motion to approve.

Mr. John Hagee seconded the motion.

(0). In a roll call vote, motion passed (5-0). AYE: Wildman, McCleary, Hagee, Hunt, Poole (5); NAY:

6. PLANNING DIRECTOR'S REPORT

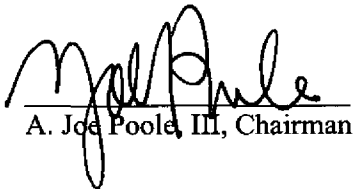
Mr. Marvin Sowers highlighted a few topics that were in the report, including the Light Rail project by Hampton Roads Transit that will be going to the Board of Supervisors on February 25th and the Capital Improvements Project (CIP) that will be going to the Planning Commission meeting on March 3rd.

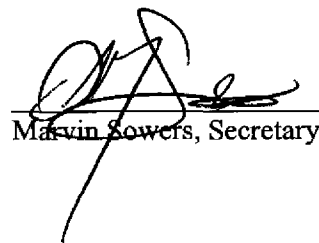
Mr. Joe Poole, III, mentioned that the 2002 Annual Planning Commission Report went to the Board of Supervisors on January 27th, and it was very well received. The Board members thanked the Planning Commission and staff for all of their hard work.

Mr. Joe McCleary mentioned the Policy Committee's meeting schedule for the CIP. The meetings are currently scheduled for February 5th and 6th, but are subject to change.

7. ADJOURNMENT

There being no further business, the February 3, 2002, meeting of the Planning Commission was adjourned approximately at 7:32 p.m.


A. Joe Poole, III, Chairman


Marvin Sowers, Secretary