

A G E N D A

JAMES CITY COUNTY PLANNING COMMISSION

APRIL 7, 2003 - 7:00 P.M.

1. ROLL CALL
2. MINUTES
 - A. March 3, 2003
3. COMMITTEE AND COMMISSION REPORTS
 - A. Development Review Committee Report
 - B. Other Committees
4. PUBLIC HEARINGS
 - A. Z-02-03/MP-1-03. Hiden Property Proffers Amendment.
 - B. SUP-2-03. Hankins Industrial Park, Ready Mixed Concrete Plant.
 - C. ZO-2-03. Zoning Ordinance Fee Changes.
SO-1-03. Subdivision Ordinance Fee Changes.
5. PLANNING DIRECTOR'S REPORT
6. ADJOURNMENT

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE THIRD DAY OF MARCH, 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
George Billups
Wilford Kale

ALSO PRESENT

Leo Rogers, Deputy County Attorney
O. Marvin Sowers, Jr., Planning Director
Cynthia Grom, Administrative Services Coordinator
David Anderson, Planner
Christopher Johnson, Senior Planner
Karen Drake, Senior Planner

MINUTES

The Commission approved the minutes of the February 3, 2003 meeting with adjustments with a unanimous voice vote.

COMMITTEE AND COMMISSION REPORT

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. John Hagee presented the DRC report stating there were two cases that were heard at the last meeting, one for the Corner Pocket restaurant in New Town asking for a parking lot waiver and one for the Colonial Heritage Club House, reviewed by the DRC because of it's size of over 30,000 square feet. Both were recommended for approval by the DRC.

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

B. OTHER COMMITTEES

Mr. Joe McCleary presented to the Planning Commission a brief summary on where the Comprehensive Plan Steering Committee was in their review process. He commented they were on schedule, and listed the rest of the topics yet to be covered, explaining that Land Use has been extended to take up 4 weeks instead of the original 2 weeks allocated for it. He also mentioned he had given a report to the Board of Supervisors at their February 25th meeting. The BOS were impressed with what had been accomplished so far and liked the idea that the Land Use application analysis was being done by both staff and a consultant. On behalf of the public, Mr. McCleary explained what a Land Use Designation Change is. He also mentioned the BOS suggested that the Steering Committee get more input from local businesses.

Lastly, Mr. McCleary spoke of the Community Participation Team, which was still going strong and being very active in the process. They recently participated at the Neighborhood Conference held on March 1st, at Lafayette High School. He also listed the upcoming Community Conversations dates coming up on March 6th at Mt. Gilead Baptist Church & March 10th at Lafayette High School.

PUBLIC HEARINGS

A. CASE NO. SUP-3-03 JCSA Route 5 Water Main Extension Amendment.

Mr. Christopher Johnson presented the staff report. Following approval of the SUP-22-01 by the Board of Supervisors on June 11, 2002, the JCSA conducted additional engineering analysis which indicated that approximately 350 feet of water main would need to be relocated to the south side of Route 5 within an existing JCSA easement before crossing under Route 5 and extending west to Greensprings Plantation Drive. The adopted Special Use Permit conditions require a 250-foot undisturbed wooded buffer along Route 5 with the exception of the clearing necessary for the entrance driveway to the site and further limit the placement of utilities to within ten feet from the edge of pavement. The JCSA has submitted an application to amend the

conditions of SUP-22-01 to allow an alternative alignment for a portion of the water main. The changes will allow the JCSA to locate a portion of the water main within their existing easement. With the exception of Conditions 11 and 12, there are no other changes proposed to the adopted conditions of SUP-22-01. Staff finds the proposal, with the attached conditions, consistent with surrounding zoning and development and consistent with the Comprehensive Plan. Staff recommends the Planning Commission recommend approval of this application with the conditions listed in the staff report.

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

Mr. Larry Foster, Director of James City Service Authority and applicant, thanked staff for all of their help in getting this case moved so quickly. When asked by Mr. Joe Poole if the extension affected the wooded buffer on Route 5, he replied "No, it does not."

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

Mr. Joe McCleary made a motion to approve.

Mr. Wilford Kale seconded the motion.

In a roll call vote, motion passed (7-0). AYE: Wildman, McCleary, Hagee, Hunt, Kale, Billups, Poole (7); NAY: (0).

B. CASE NO. SUP- 23-02 Mt. Gilead Duplexes.

Mr. David Anderson presented the staff report, on behalf of Sarah Weisiger. He explained the applicant had requested the case be indefinitely deferred.

Hearing no questions, Mr. Joe Poole, III opened and closed the public hearing, and stated the case would be deferred indefinitely.

C. CASE NO. SUP-4-03 Hankins Farms Water and Sewer Extension.

Mr. David Anderson presented the staff report. Mr. Vernon Geddy, III has applied on behalf of Howard B. Hankins and Hankins Land Trust for a special use permit to allow for the extension of water and sewer service to the Hankins Farm property. The proposed water and sewer mains would extend from the intersection of Croaker Road and Rochambeau Drive, extend approximately 2,400 feet east along Rochambeau Drive, cross through a residential lot, and cross Cloverleaf Lane, Interstate 64, and Fenton Mill Road to Hankins Farm property. A total of approximately 3,740 ft. of water main and 3,490 feet of force main are proposed to be constructed. The proposed water main and force main would be dedicated to and operated by the James City Service Authority and are intended to serve the Hankins Farm Property. The proposed mains could also serve existing development directly abutting the water and sewer main alignment along Rochambeau Drive. Twelve inch water and sewer mains are proposed for this project. The James City Service Authority is currently working at a site plan level to determine the appropriate size of the mains. Therefore, the size of the mains will not be tied to the SUP. Appropriately sized mains will be provided as a condition of site plan approval. Staff finds the proposal to extend public water and public sewer to the Hankins Farm property consistent with the Comprehensive Plan, consistent with the proffered rezoning for the Old Dominion French Winery which encompasses this property, and recommends the Planning Commission approve this special use permit application with conditions.

Mr. Wilford Kale asked Mr. Larry Foster, General Manager of JCSA, how they determined what they can serve and what will be needed in regards to water supply for a project of this size. He wondered what kind of service could be provided if the desalt plant is not up and running.

Mr. Larry Foster said no service will be provided until the water lines are installed. He said it was based on calculations regarding the type of development and the capacities needed.

Mr. Wilford Kale asked Mr. Foster if they knew of any changes in the area regarding land use

designation, since we are in the middle of the revision of the Comprehensive Plan.

Mr. David Anderson stated that there is a land use designation change application in for this property. It is requesting a change from mixed use to change the language to allow for additional residential. He explained that it did not change it significantly, but they are requested revised language. He did not think it would affect the engineering calculations.

Mr. Joe McCleary asked for clarification from Mr. Foster regarding who is paying for this project.

Mr. Larry Foster confirmed that the applicant would be paying for it and then it would be dedicated to JCSA. Extensions of JCSA line driven by development are paid for by the developers.

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

Mr. Vernon Geddy, representing the applicant, explained the purpose of the project. He noted that the Hankins family has no specific proposal in the wings at this time. However it would be there for future possibilities if the Hankins family decided to do something.

Mr. Joe McCleary noted that in Mr. Anderson's presentation that one part of the pipeline is going across private property, and asked for clarification.

Mr. Vernon Geddy explained that part of the extension would go through an easement obtained by the applicant by permission of the private owner.

Mr. Wilford Kale asked if this was a business decision made by the trust to enhance the marketability of the property.

Mr. Vernon Geddy answered that he believed that would be entirely accurate.

Mr. Joe Poole, III asked when the approved master plan on the property was granted.

Mr. Vernon Geddy replied it was in 1991.

Mr. George Billups inquired if the line would be available to other residents.

Mr. Larry Foster explained that yes, it would be available for typical connection fees. The connection fees are based on the individual home and number of bathrooms. He said it was \$300.00 per bathroom fixture, with a typical bathroom having three fixtures. For example a 2 ½ bath home would be \$2,400.00 for water and \$2,400.00 for sewer.

Mr. Wilford Kale asked if water restrictions would be placed on the golf course like other ones.

Mr. Larry Foster clarified that the line was only for domestic use. There is a condition that specifies that the club house would have to hook up, but just for domestic use and not for the kind of demands you would have for a golf course. With regulations, the JCSA discourages any use of public water for irrigation of golf courses.

Mr. Joe Poole, III, invited the citizen speakers to come forward to the podium.

Mr. Williams Brantley, resident of 4523 Clover Leaf, and also speaking on behalf of his parent who resides at 4590 Rochambeau Drive, asked whether or not residents would be required to tap in. He also asked what side of the road on Rochambeau that the lines would be extended down.

Mr. Larry Foster answered no; they would not be required to tap in.

Mr. David Anderson explained where the lines were going to be placed.

Mrs. Barbara Abbott, resident of 4470 Rochambeau Drive, asked about the placement of the water and sewer lines and wondered why they were being placed there. She thought it would be easier to place the lines in a different spot.

Mr. David Anderson explained where the lines were going to be placed along Rochambeau Drive and Croaker Road.

Mr. Steve Romeo, Engineer for Landmark Design Group, explained when they prepared the plans for this project, the original master plan showed the lines as running this way. In order to re-route the lines now would require a master plan amendment. He explained that it was less expensive to run the lines as planned, with less traffic interference.

Mr. Joe Poole, III, asked about the lines being buried to an acceptable depth and the land being refilled and tamped, reseeded and restored.

Mr. Steve Romeo answered all work would be done according to JCSA compliance and standards.

Mr. John Hagee commented to Mrs. Abbott that having water and sewer lines would enhance the property values.

When Mrs. Abbott asked about water restrictions and the impact this will have on the current situation, Mr. Donald Hunt answered that if he was one of the people that all live in the residences there, which all have wells, he would welcome the lines and the opportunity to tap in, in case of a well drying up.

Mr. Joe Poole, III, explained the nature of the special use permit application that it was not for an additional number of residences or commercial buildings. They are not approving a new user, just the public facilities potentially to service it.

Mr. Bob Bailey, speaking on behalf of his parent who resides on Fenton Mill Road, was concerned about where the line comes in by the property line.

Mr. Steve Romeo explained that the lines come in to the left of the property by 30 to 40 feet.

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

Mr. Joe McCleary asked Mr. Leo Rogers, County Attorney, if the extension of the special use permit condition from 24 to 36 months was a problem.

Mr. Leo Rogers answered that the County had no problem with the time extension. He explained that policy decisions were made on a case by case basis.

Mr. Joe Poole, III, stated his support of approval for this project with the conditions.

Mr. Joe McCleary seconded his comments, and noted his appreciation for Mrs. Abbott's comments as well.

Mr. Joe Poole, III, commented that he especially liked condition no. 6 regarding hours of construction.

Mr. George Billups asked if doing the extension of water and sewer changed the zoning or would be a consideration of future zoning requests.

Mr. David Anderson replied that it doesn't change the zoning.

Mr. Marvin Sowers explained that the property in question by the special use permit is the only property that is actually within the PSA. Under the conditions, other properties would not be eligible for a line extension, so it would not directly affect any future rezoning requests.

Mr. Wilford Kale asked if the north side of Rochambeau would remain outside of the Primary Service Area.

Mr. Marvin Sowers replied yes.

Mrs. Peggy Wildman made a motion to approve.

Mr. Joe McCleary seconded the motion.

In a roll-call vote, motion passed (7-0). AYE: Wildman, McCleary, Hagee, Hunt, Kale, Billups, Poole (7); NAY: (0).

5. PLANNING COMMISSION CONSIDERATION

A. Capital Improvement Program (CIP)

Mr. Wilford Kale, Chairman of the Policy Committee, started off the presentation by thanking Ms. Karen Drake for all of her hard work and effort to make sure things were prepared and taken care of.

Ms. Karen Drake presented the Policy Committee's CIP Priority Ranking report. She summarized the report that was included in the Planning Commission packet and went through the Capital Improvements Ranking for FY'04.

Mr. Wilford Kale discussed the "No Priority" ranking and the two projects submitted by the Williamsburg/James City County School System, the proposed 3rd High School and the Athletic Sports Complex that fell under that ranking. He explained how the Policy Committee was concerned that by putting a ranking on these projects would result in the Policy Committee and the Planning Commission getting involved in the middle of the political controversy surrounding these projects. Thus, by using the "No Priority" ranking, they hoped to avoid this. He said the committee felt that until the School Board and the Board of Supervisors settled terms in regards to these projects, they didn't feel they should make a priority ranking as no money was going to be spent until an agreement was made. He also commented that the entire process went very smoothly and that all of the county departments were very responsive to the Policy Committee's questions.

Mr. Joe McCleary seconded Mr. Kale's comments. He noted that all members of the Policy Committee as well as members of the Planning Commission are strong supporters of providing the best education they can obtain for the children in the County. He mentioned how Mr. Billups is a life long educator with more than 20 years as a high school principal, and is a great asset when it comes to matters affecting public education. He noted that the Policy Committee and the Planning Commission, over the last few years, have consistently moved up the rankings for school items and public safety items, where habitability and safety were concerned, and that they have a good record concerning those areas. He also noted that the Policy Committee sought the council of Mr. Leo Rogers, County Attorney, on this matter as what was the best course to take, so that they did not appear to be getting into the middle of a controversy, and endorsing something one way or the other when it has yet to be settled by the School Board, the Board of Supervisors and the voters of the community, since the projects are something that would have to go to a referendum.

Mr. Wilford Kale explained that he has been in support of the concept of an Athletic Complex since it was first raised in a Policy Committee meeting years ago. He said he sees the benefit in a combined facility, but they put it under the "No Ranking" priority as to not get into the middle of the controversy surrounding it.

Mr. Joe Poole, III commented that the reasoning behind the decisions made sense to him. He liked the items that fell under the "High Priority" ranking, such as Water Quality Improvement, and PDR (Purchase of Development Rights). He made the suggestion that on page 36 that the italicized statement "The Policy Committee recommended not ranking this project due to unresolved questions of public policy" be moved below the items it was referring to.

Mrs. Peggy Wildman pointed out a typo on page 30 to change the word "Trial" to "Trail".

Mr. Joe Poole, III, asked whether or not the funding and payments for the Operating Contribution projects would continue to go through. He also asked about how the projects that fell under that category did not result in a tangible asset but was for the benefit of the County's citizenry.

Ms. Karen Drake responded that yes, they would go through to the final budget that goes to the Board of Supervisors, and that they fell under the category of Operating Contribution projects since they do not result directly in a County asset. She gave the example of the Underground Utilities request to make it clearer to understand that the project results in a benefit for the County but is not a County owned asset.

Mr. Wilford Kale explained that it was changed about a year ago, as the Policy Committee was asked to do it this way.

Ms. Karen Drake explained that this was the second year the Operating Contributions category was being used and it came about as a result of the change in the accounting systems.

Mr. Joe Poole, III asked if they were still budgeted to go on to support these endeavours.

Ms. Karen Drake replied that was correct.

Mr. Joe Poole, III asked for any other questions, comments or recommendations from the Planning Commission members.

Mr. Wilford Kale made a motion to approve.

Mr. Joe McCleary seconded the motion.

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

5. PLANNING DIRECTOR'S REPORT

Mr. Marvin Sowers discussed the upcoming Community Conversations and the different format that was going to be used.

Mr. Joe Poole, III, addressing his remarks to the other Planning Commission members, commented on attendance to Board of Supervisor meetings when no land use cases are being reviewed. He said he would leave it up to their good judgment on whether or not to attend. He felt it was important to go but it was a judgment call on part of the member whose turn it was to attend.

Mr. Joe McCleary reiterated his standing offer to let the PC member call him if they need someone to fill in for them. He said he would be more than happy to go.

Mr. Joe Poole, III, discussed his recent meeting with Paul Fryling, a newly elected Chairman of the City of Williamsburg Planning Commission. Mr. Fryling is also a colleague of Mr. Poole's. They discussed the possibility of having a regional meeting of the Planning Commission members of the three localities after the Comprehensive Plan is done. He was planning to work on this for the Fall, and welcomed any input on some of the items to be discussed. He also referred to the Regional Issues Committee, made up of the three local government bodies, of which Mr. Billups is a member. He commented on the mailing that Mr. Sheppard, Chairman of the Regional Issues Committee, sent recently that included a very helpful map of the land use designations.

Mr. George Billups commented that Mr. John Horne, James City County Development Manager, and key planners from York County presented the Land Use designation map to the Regional Issues Committee at the last meeting, in January. A key issue is the future development of the Route 199 Corridor. He also mentioned that Mr. Jay Harrison was made Chairman of the committee, replacing Mr. Sheppard.

Mr. Donald Hunt inquired whether or not the Route 199 Corridor plans included an upper river York crossing. At one time they were considering the Lightfoot extension as a possible location for the crossing. He wanted to get the status.

Mr. Marvin Sowers explained that Gloucester County was looking for money to continue the study, but until then it was on hold until funding could be made available. He also mentioned that the Planning Division received a copy of the land use designation map and they were looking at it to as part of the Comprehensive Plan update.

Mr. Joe Poole, III mentioned the Council of Chairs, a meeting of the Chairman of the Board of Supervisors with the Chairmen of the School Board, Industrial Development Authority and Planning Commission. Mr. Jay Harrison will discuss items of mutual concern and facilitate dialog. He said their meeting would be Wednesday, March 5th at 8:30 am at the Ukropt's community meeting room. Mr. John McDonald was expected to do a presentation on the budget.

Mr. John Hagee asked Mr. Marvin Sowers about the Listening Posts at the Community Conversations.

Mr. Marvin Sowers explained the format.

ADJOURNMENT

There being no further business, the March 3, 2003, meeting of the Planning Commission was adjourned approximately at 8:19 p.m.

A. Joe Poole, III, Chairman

O. Marvin Sowers, Jr., Secretary

DEVELOPMENT REVIEW COMMITTEE ACTION REPORT

Meeting of April 2, 2003

Case No. C-018-03

Wexford Lots 6,7,28,32 – Alternative Septic System Request

Mr. Jim Franklin of Blackthorn LLC on behalf of Richard and Howard Wilkinson submitted a conceptual plan requesting a waiver for an alternative septic system located in the Wexford Hills subdivision along Wrenfield drive and further identified as Tax Map #(15-4)(1-6B), (15-4)(2-1D), and (15-4)(1-14). DRC review is necessary because the Subdivision Ordinance requires lots outside the PSA to be served with a conventional septic system.

DRC Action: The DRC recommended approval of the use of an alternative septic system.

Case No. C-04-03

Lot 11 & 12, Tewning Road Commercial Park

Mr. Steven Stafford of Simmons Engineering on behalf of Robert Berry has submitted a conceptual plan for approval of a 25,200 sq. ft. office/warehouse space located at 144 and 148 Tewning Road and is further identified as Tax Map #(39-1)(1-6) and (39-1)(1-15). DRC review is necessary because the applicant has proposed two entrances onto Tewning Road.

DRC Action: The DRC recommended approval of two entrances onto Tewning Road.

**JAMES CITY COUNTY
DEVELOPMENT REVIEW COMMITTEE REPORT**

FROM: 3/1/2003

THROUGH: 3/31/2003

I. SITE PLANS

A. PENDING PRELIMINARY APPROVAL

SP-144-98	Williamsburg Pottery Warehouse/Retail Building
SP-116-99	New Town, Wmbg./JCC Courthouse SP Amendment
SP-087-01	The Vineyards Phs. 3 at Jockey's Neck
SP-089-01	Ewell Station Storm Water Management Fac. Mod.
SP-100-01	Williamsburg Crossing Frontage Road
SP-109-01	Monticello Avenue Extended - SP Amendment
SP-116-01	Powhatan Secondary - Ph. 7, Sanitary Sewer Ext.
SP-009-02	Hairworks Beauty Salon Parking Space Addition
SP-019-02	Williamsburg Plantation Sec 9,10,11 Units 184-251
SP-027-02	120' Stealth Tower--3900 John Tyler Highway
SP-045-02	Powhatan Plantation Maintenance Bldg SP Amend
SP-061-02	Powhatan Plantation Recreation Bldg Amd
SP-088-02	Colonial Heritage, Phase 1 Section 2
SP-112-02	Ford's Colony Recreation Park
SP-128-02	Come Scrap with Me Shed
SP-129-02	Storage Trailer at Landfill
SP-133-02	Busch Corporate Center - Wheat Center
SP-140-02	Jamestown Area Water System Improvement
SP-001-03	Colonial Heritage 13th Hole Irrigation Pond
SP-003-03	Patriot's Colony, Phase 2, Landscape Amend.
SP-005-03	Hankins Farm Water and Sewer Extension
SP-009-03	Energy Services Group Metal Fabrication Shop
SP-013-03	Williamsburg Business Center, Phs. 3, SP Amendment
SP-020-03	Jolly Pond Veterinary Hospital
SP-021-03	Colonial Heritage, Cross Country Sewer Mains
SP-025-03	New Town Block 2
SP-028-03	Hardee's Restaurant Awning SP Amendment
SP-029-03	SunTrust Building Amendment
SP-030-03	Old Capitol Lodge Site Plan Amendment
SP-032-03	Greensprings Apts. & Condos. SP Amendment
SP-033-03	Colonies at Williamsburg Entrance Road
SP-034-03	Colonial Heritage Sewer Lift Station & Force Main
SP-035-03	Prime Outlets, Ph. 5-A & 5-B - SP Amendment
SP-036-03	Colonial Heritage Blvd. Phase 1, SP Amendment
SP-038-03	Jamestown High School Temp. Classroom Trailers

Tuesday, April 01, 2003

Page 1 of 5

SP-039-03	Stonehouse Elementary Temp. Classrooms Trailer
SP-040-03	Lafayette High School Temp. Classrooms Trailers
SP-041-03	Clara Byrd Baker Temp. Classroom Trailer
SP-042-03	Williamsburg West & Country Club Dr. SP Amend
SP-043-03	Ford's Colony Section 7, Sewer Upgrade
SP-044-03	Longhill Grove Apartment Complex
SP-045-03	Noah's Ark Vet Hospital SP Amendment
SP-046-03	Busch Gardens Stroller Deck Amendment
SP-047-03	JCSA Well Facilities Erosion Repairs

B. PENDING FINAL APPROVAL

EXPIRE DATE

SP-002-01	JCC HSC Parking Area Expansion	10/ 1/2003
SP-044-02	Ford's Colony, Sect. 31, BMP #1 Regrading Plan	5/ 8/2003
SP-050-02	New Town Sec 2 & 4 - Road/Utility Infrastructure	8/22/2003
SP-062-02	WindsorMeade Way Road Construction Plan	6/ 4/2003
SP-084-02	Colonial Heritage, Phase 1, Section 1	11/25/2003
SP-102-02	Powhatan Creek Access Park	9/30/2003
SP-104-02	Colonial Heritage, Phase 1, Section 3 & 3A	12/ 2/2003
SP-110-02	Ewell Station - Phase II	10/ 7/2003
SP-113-02	Ready Mixed Concrete Storage Yard Expansion	10/ 7/2003
SP-124-02	King's Way Church Water Line	2/21/2004
SP-135-02	Little Creek Phase III Amendment	12/30/2003
SP-142-02	George Nice & Sons	2/12/2004
SP-144-02	J.W. Crossing, Phase II	2/20/2004
SP-002-03	Colonial Heritage Phase 2, Massie Farm Pond Rehab.	2/21/2004
SP-010-03	Colonial Heritage Residence Clubhouse	3/ 3/2004
SP-014-03	McLaws Park	2/26/2004
SP-015-03	Monicello Woods Community Center	3/20/2004
SP-018-03	St. Bede Catholic Church SP Amendment	3/20/2004
SP-022-03	Christmas Mouse Warehouse Amendment	3/21/2004
SP-026-03	Schmidt Landscaping Site Plan	3/20/2004

C. FINAL APPROVAL

DATE

SP-003-02	New Zion Baptist Church, Bldg Addition / Pkng Exp	3/19/2003
SP-091-02	District Park Sports Complex, Phase III	3/ 5/2003
SP-106-02	Truswood Waterline Extension	3/26/2003
SP-115-02	Stonehouse Community Church Tent	3/ 7/2003
SP-119-02	Williamsburg West & Country Club Dr. Improvements	3/ 3/2003
SP-139-02	New Town - Corner Pocket	3/28/2003
SP-017-03	Ford's Colony, Section 32, Drainage Amendment	3/19/2003
SP-024-03	Busch Gardens - Clydesdale Building Exp. SP Amend.	3/ 5/2003
SP-027-03	Williamsburg Landing BMP Amendment	3/26/2003
SP-031-03	Busch Gardens - Canadian Palladium SP Amendment	3/21/2003

II. SUBDIVISION PLANS

A. PENDING PRELIMINARY APPROVAL

S-062-98	Ball Metal Conservation Easement
S-104-98	Skiffes Creek Indus. Park, VA Trusses, Lots 1,2,4
S-013-99	JCSA Mission Bank ROW Acquisition
S-074-99	Longhill Station, Section 2B
S-086-99	Peleg's Point, Section 5
S-110-99	George White & City of Newport News BLA
S-091-00	Greensprings West, Plat of Subdv Parcel A&B
S-032-01	Subdivision and BLE Plat of New Town AssociatesLLC
S-077-01	Ford's Colony - Section 32 (Lots 72-78, 93-129)
S-008-02	James F. & Celia Ann Cowles Subdivision
S-023-02	Stonehouse, Mill Pond Run right-of-way
S-031-02	Bruce's Super Body Shop, Lot 2 subdivision
S-052-02	The Retreat--Fence Amendment
S-068-02	Forrest Lee Hazelwood BLA
S-084-02	Skiffes Creek BLE Lots 2 & 3
S-086-02	The Vineyards Phase 3 BLA Lots 1, 5-9, 52
S-099-02	Ford's Colony Section 30 - Sanitary Sewer Amend.
S-100-02	Richardson's Mill Sec. 1
S-113-02	Martin Farm Estates
S-008-03	Norge-Fenton Mill BLA
S-013-03	Mulberry Place Lots 25 & 26 BLA
S-015-03	Season's Trace Winter Park Lots 51-74
S-016-03	Governor's Land Lots 12 & 13 BLA
S-017-03	Lake Powell Forest Phase 5
S-019-03	Lake Powell Pointe Phase 4
S-020-03	114 Howard Drive 2 Lot Subdivision
S-021-03	Stonehouse Section 2-C Easements
S-022-03	New Town - Block 2, Parcel B

B. PENDING FINAL APPROVAL

		EXPIRE DATE
S-034-00	The Pointe at Jamestown, Phase 2	6/ 5/2003
S-058-00	Powhatan Secondary, Phase 7-A	10/ 2/2003
S-037-01	Wellington Section 2 & 3 Construction Plans	5/ 7/2003
S-101-01	Greensprings West, Phase 4A	12/17/2003
S-027-02	Stonehouse, Lisburn, Sect. 5-A, Construction Plans	5/ 6/2003
S-030-02	Waterford at Powhatan Sec., Ph. 33, BLA	4/ 9/2003
S-037-02	Village Housing at the Vineyards, Phase III	5/10/2003
S-039-02	Powhatan Secondary, Phase 6-C	5/ 8/2003
S-045-02	The Pointe at Jamestown Section 2-A plat	5/30/2003
S-051-02	Ford's Colony, Section 12 Construction Plans	11/ 4/2003

S-057-02	Colonial Heritage - Ph 1, Sec 1, Const Plans	11/25/2003
S-063-02	Colonial Heritage, Phase 1, Section 2 Const Plans	12/ 2/2003
S-071-02	Stonehouse Commerce Park- ROW extension & realign	9/ 3/2003
S-073-02	Colonial Heritage, Phs 1, Sec 3 & 3A, Const Plans	12/ 2/2003
S-076-02	Marion Taylor Subdivision	10/ 3/2003
S-083-02	Toano Auto Parts BLA	10/ 9/2003
S-091-02	Williamsburg Landing BLA	11/ 3/2003
S-094-02	Powhatan Secondary Phase 7-C	12/30/2003
S-101-02	Sheldon Properties, L.L.C.	12/13/2003
S-103-02	Alex Harwood Subdivision BLA	12/15/2003
S-107-02	Greensprings West, Phase 3-C	1/13/2004
S-108-02	Scott's Pond, Section 3	1/13/2004
S-112-02	Kensington Woods	2/ 6/2004
S-001-03	Ford's Colony Sec 1 Block D Lots 2A, 2B, 2 & 3 BLE	1/16/2004
S-003-03	Ford's Colony/Realtec Properties BLA	2/21/2004
S-006-03	Monticello Woods Lots 19-30 and 39-40	2/27/2004
S-007-03	Stonehouse, Richardson's Mill Sec. 2	3/20/2004
S-012-03	Colonial Heritage Blvd. - Private ROW	3/20/2004
S-014-03	New Town - Casey Office BLA	3/14/2004

C. FINAL APPROVAL

DATE

S-078-02	Donald L. Hazelwood Subdivision	3/20/2003
S-095-02	Powhatan Secondary Phase 7-B	3/ 7/2003
S-011-03	Rothwell Property BLA/BLE	3/24/2003
S-018-03	Waterford at Powhatan Secondary, Phs. 32 lots 1&2	3/24/2003

D. EXPIRED

EXPIRE DATE

S-022-02	George W. Roper, Parcel B	3/19/2003
S-024-02	Stonehouse, Fieldstone Parkway right-of-way & BLA	3/19/2003

**Rezoning-2-03/Master Plan-1-03. Hiden Property Proffer Amendment
Staff Report for April 7, 2003, Planning Commission Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Planning Commission: April 7, 2003 - 7:00 p.m. Building C Board Room (deferred)
May 5, 2003 - 7:00 p.m. Building C Board Room
Board of Supervisors: June 2, 2003 - 7:00 p.m. Building C Board Room (tentative)

SUMMARY FACTS

Applicant: Vernon M. Geddy, III
Land Owner: Robert M. Oliver, Powhatan Crossing, Inc.
Proposed Use: The applicant wishes to amend the existing proffers to permit 400 age restricted units in place of the 350 approved timeshares on the southern portion of the property.
Location: 4100 Monticello Avenue (South of Monticello Woods), Powhatan District
Tax Map/Parcel No.: (37-4)(1-10); (37-3)(1-9)
Primary Service Area: Inside
Parcel Size: 228.2 acres
Existing Zoning: PUD-R, Planned Unit Development, Residential
Comprehensive Plan: Low Density Residential
Conservation Area
Surrounding Zoning: North: Monticello Woods, PUD-R, Planned Unit Development, Residential
West: Greensprings, R-4, Residential Planned Community
East: Powhatan Plantation, PUD-R, Planned Unit Development, Residential
Powhatan Crossing, R-1, Limited Residential
South: R-8, Rural Residential
Staff Contact: Matthew Arcieri Phone: 253-6685

RECOMMENDATION

The applicant has requested a deferral until the May 5, 2003 Planning Commission meeting. Staff concurs with this request.


Matthew D. Arcieri

Attachments:
1. Deferral Letter

GEDDY, HARRIS, FRANCK & HICKMAN, L.L.P.

ATTORNEYS AT LAW

1177 JAMESTOWN ROAD

WILLIAMSBURG, VIRGINIA 23185

TELEPHONE: (757) 220-6500

FAX: (757) 229-5342

E-mail: vgeddy@widomaker.com

MAILING ADDRESS:

POST OFFICE BOX 379

WILLIAMSBURG, VIRGINIA 23187-0379

**VERNON M. GEDDY, JR.
STEPHEN D. HARRIS
SHELDON M. FRANCK
VERNON M. GEDDY, III
SUSANNA B. HICKMAN**

March 18, 2003

Mr. Matthew Arcieri
Planner
James City County Planning Department
101-E Mounts Bay Road
Williamsburg, Virginia 23185

Re: Z-02-03/MP-01-03, Hidden Property Proffer Amendment

Dear Matthew:

I am writing on behalf of the applicant to request that the Planning Commission defer consideration of this case until its May 5, 2003 meeting.



The project team has met and reviewed your comment letter of March 14, 2003. We are planning to resubmit revised Proffers, Master Plan Amendment Plan Sheet, Non-Binding Conceptual Plan and a written response to your comment letter this Friday. We would like to schedule a meeting with you, the Environmental Division and James City Service Authority to review the revised submittals prior to April 4, 2003. One area of concern we have identified is the requests for detailed information in the County's comments. We believe that the level of detail requested in several instances is more appropriate for a site plan or a subdivision plan review rather than at the Master Plan/rezoning level. We will identify these items in our response letter and AES hopes to have discussions with Staff prior to our meeting to clear up as many of these issues as possible.

In the meantime, if any additional comments surface or if you need any other information, please let us know so we can respond as promptly as possible to keep this process moving. Thanks for your help.

Very truly yours,

GEDDY, HARRIS, FRANCK & HICKMAN, LLP

A handwritten signature in dark ink, appearing to read "Vernon M. Geddy, III".

Vernon M. Geddy, III

VMG/ch

cc: Mr. C. Lewis Waltrip, II
Mr. Richard A. Costello

**SPECIAL USE PERMIT 02-03. Hankins Industrial Park Ready Mixed Concrete Plant
Staff Report for the April 7, 2003, Planning Commission Public Hearing**

This report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Planning Commission:

Building C Board Room; County Government Center

April 7, 2003, 7:00 p.m.

Board of Supervisors:

May 13, 2003, 7:00 p.m. (*Tentative*)

SUMMARY FACTS

Applicant:

Mr. Vernon Geddy, III on behalf of
Larry Spence, Southern Equipment Company, Inc.

Landowners:

Sharon Dunn, George M. Hankins, Jr., George S. Hankins, Jr.,
Howard Hankins, Mary Thompson and the Virginia Tech Foundation

Proposed Use:

Ready Mixed Concrete Plant.

Location:

190 Industrial Boulevard, Hankins Industrial Park, Toano, VA
Stonehouse District

Tax Map and Parcel No.:

(12-4)(1-13)

Primary Service Area:

Inside

Parcel Size:

±145.34 acres with the SUP applying to ±16.221 acres
as shown on the conceptual site plan

Existing Zoning:

M-2, General Industrial

Comprehensive Plan:

General Industry

Surrounding Zoning:

The site is within the Hankins Industrial Park zoned M-2, General Industrial. To the North and South, the property is zoned A-1 General Agricultural and to the east, property is zoned R-1 Limited Residential.

Staff Contact:

Karen Drake - Phone: 253-6685

STAFF RECOMMENDATION

Staff finds the proposed Ready Mixed Concrete plant in the Hankins Industrial Park consistent with the surrounding zoning, development and the 1997 Comprehensive Plan. Given the applicants stated intent to subdivide and create the ±16.22 acre site, the project will be buffered on all but one side by land within the Hankins Industrial Park. Staff, therefore, recommends the Planning Commission approve this Special Use Permit application with conditions listed in the staff report.

Project Description

Mr. Vernon Geddy has applied on behalf of the Southern Equipment Company, Inc. for a Special Use Permit (SUP) to allow the construction and operation of a Ready Mixed Concrete plant at 190 Industrial Boulevard in the Hankins Industrial Park, Toano, VA. The property is zoned M-2, General Industrial with the manufacture of cement, bricks and stone products a specially permitted use in the M-2 Zoning District. Currently, the property is ± 145.34 acres in size and the proposed SUP would apply to only ± 16.22 acres that would be subdivided upon approval of this SUP. The property can be further identified as Parcel No. (1-13) on James City County Real Estate Tax Map No. (12-4).

Proposed operational details of the Ready Mixed Concrete Plant are as follows:

- ◆ The facility will start with 5 employees, 4 drivers and 1 plant manager.
- ◆ Normal working hours will be 7:00am until 5:00pm.
- ◆ Equipment on site will include a concrete batch plant, 4 concrete mixer trucks and one wheel loader.
- ◆ Buildings on site include one metal building serving as an office, driver's room and a small warehouse for storage.
- ◆ Facility estimates for the first year are 12,000 to 15,000 cubic yards, (8 to 9 truck trips per day).

Surrounding Zoning and Development

The property is located at the end of Industrial Boulevard which would be extended eastward to provide access to the site. To the west and southwest is the GTE Cellular Communications Tower, JCSA well facility and the Owens-Brockway Glass Company, all part of the Hankins Industrial Park and zoned M-2. Once the ± 16.22 acres is subdivided for the proposed Ready Mixed Concrete plant, the ± 16.22 acres would be bordered to the east and southeast by remaining property in the Hankins Industrial Park to be developed, zoned M-2.

As the property exists today, the ± 145.34 acre parcel is adjacent to the east and southeast by the Wellington and Mirror Lakes subdivisions both zoned R-1, Limited Residential. To the south is the Massie Corporation properties zoned A-1, General Agricultural, M-1, Limited Business and Industrial and M-2, General Industrial. To the north, the property is adjacent to the Hankins Farm, zoned A-1, General Agricultural.

Physical Features & Environmental Considerations

The proposed ± 16.22 acre site is relatively flat near the proposed Industrial Boulevard and slopes downwards to a ravine and stream that forms the northern property line. The ravine and stream will serve as a natural buffer between the Ready Mixed Concrete plant and the Hankins Farm to the North.

It should be noted that the proposed Ready Mixed Concrete plant must apply for and receive from the Virginia Department of Environmental Quality General Virginia Pollutant Discharge Elimination System Permits for construction activities and industrial activity. These permits would be applied for during the review of development plans.

To help mitigate environmental impacts from the plant, the applicant has proposed installing a central dust collector, vented silos and concrete line wash down pits for the mixer trucks and a concrete line pit for process water that will be put through a sand filter and recycled back into the concrete.

Traffic/Access

Located off Richmond Road, Industrial Boulevard is a public road (Route 754) that provides access into the Hankins Industrial Park. To provide access to the proposed concrete plant, Industrial Park would be extended beyond the GTE tower and the Owens Brockway plant. VDOT has commented that when development plans are submitted, vehicle trip information should be provided to include heavy vehicles and pavement calculations showing Route 754 is adequately designed to handle the proposed future traffic. Staff concurs with this requirement.

Preliminary trip estimates provided by the applicant predict 8.65 truck trips per day. A traffic impact study was not required with the SUP application as only approximately 36 weekday peak hour trips to and from the site will be generated according to International Traffic Estimate rates. Staff does not believe that the number of trips generated by this operation significantly adds to the existing traffic already on Industrial Boulevard or Route 60 and the proposed expansion will not negatively impact either road.

Public Utilities

The site is inside the Primary Service Area and public water and sewer are available to the site. It should be noted that water from the adjacent JCSEA well facility is raw water that has not yet been treated. The concrete plant will have to tap into an existing water line within the industrial park that contains treated water.

Comprehensive Plan

The Comprehensive Plan designates this property and the Hankins Industrial Park as General Industry. A General Industry designation is intended to designate areas inside the Primary Service Area that are suitable for industrial uses which, because of their potential to create noise, dust, odor and other environmental impacts, require buffering from adjoining uses. To the north, east and southeast, the Hankins Farm, Wellington and Mirror Lake subdivision are designated low density residential on the Comprehensive Plan Land Use Map. Staff believes that the proposed Ready Mixed Concrete plant is consistent with the Comprehensive Plan because it is located in an area intended for industrial and manufacturing uses and upon recordation of the ± 16.22 subdivision, the property will be buffered on all but one side by land within the Hankins Industrial Park.

Recommendation:


Staff finds the proposed Ready Mixed Concrete plant in the Hankins Industrial Park consistent with the surrounding zoning, development and the 1997 Comprehensive Plan. Given the applicants stated intent to subdivide and create the ± 16.22 acre site, the project will be buffered on all but one side by land within the Hankins Industrial Park. Staff, therefore, recommends the Planning Commission approve this Special Use Permit application with the following conditions:

1. If construction has not commenced on the project within thirty-six (36) months from the issuance of the special use permit, the permit shall become void. Construction shall be defined as securing permits for land disturbance, building construction, clearing and grading and the pouring of footings.
2. Prior to the issuance of preliminary approval for the site plan, the applicant shall record an approved subdivision plat showing the subdivision of the ± 16.22 acre parcel from the currently existing parcel (1-13) on the James City County Real Estate Tax Map (12-4), generally in accordance with Parcel #2 as shown on the conceptual site plan titled "Ready Mixed Concrete Hankins Industrial Park", dated January 15, 2003.

3. A Spill Prevention and Control Measure Plan shall be approved by the Director of the Environmental Division prior to final site plan approval for the Ready Mixed Concrete plant.
4. A dust collection system, such as, but not limited to the Reverse Air Duct Collector RA140, shall be utilized on the Ready Mixed Concrete plant. The manufacturer's specifications for the system shall be submitted with the site plan and shall be approved by the Director of Planning prior to final site plan approval.
5. No flags or signage on any silo, hopper, or any other piece of permanent external equipment shall be permitted.
6. All exterior light fixtures on the property shall be recessed fixture with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. No glare, defined as 0.1 footcandle or higher shall occur outside the property lines.
7. The "reverse warning beepers" on all equipment which serves the Ready Mixed Concrete plant shall be turned down to their lowest volumes.
8. Rock, gravel, sand, cement and/or similar materials shall be stored in bins to control runoff and scattering of such materials onto adjacent property. An erosion and sediment control and runoff management plan shall be approved by the Environmental Director prior to final site plan approval.
9. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval.
10. A Phase I Archaeological Study for the entire site shall be submitted to the Director of Planning for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon.
11. The owner shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority. The standards may include, but shall not be limited to such water conservation measures as limitations on the installation and

use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought tolerant plants where appropriate, and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.

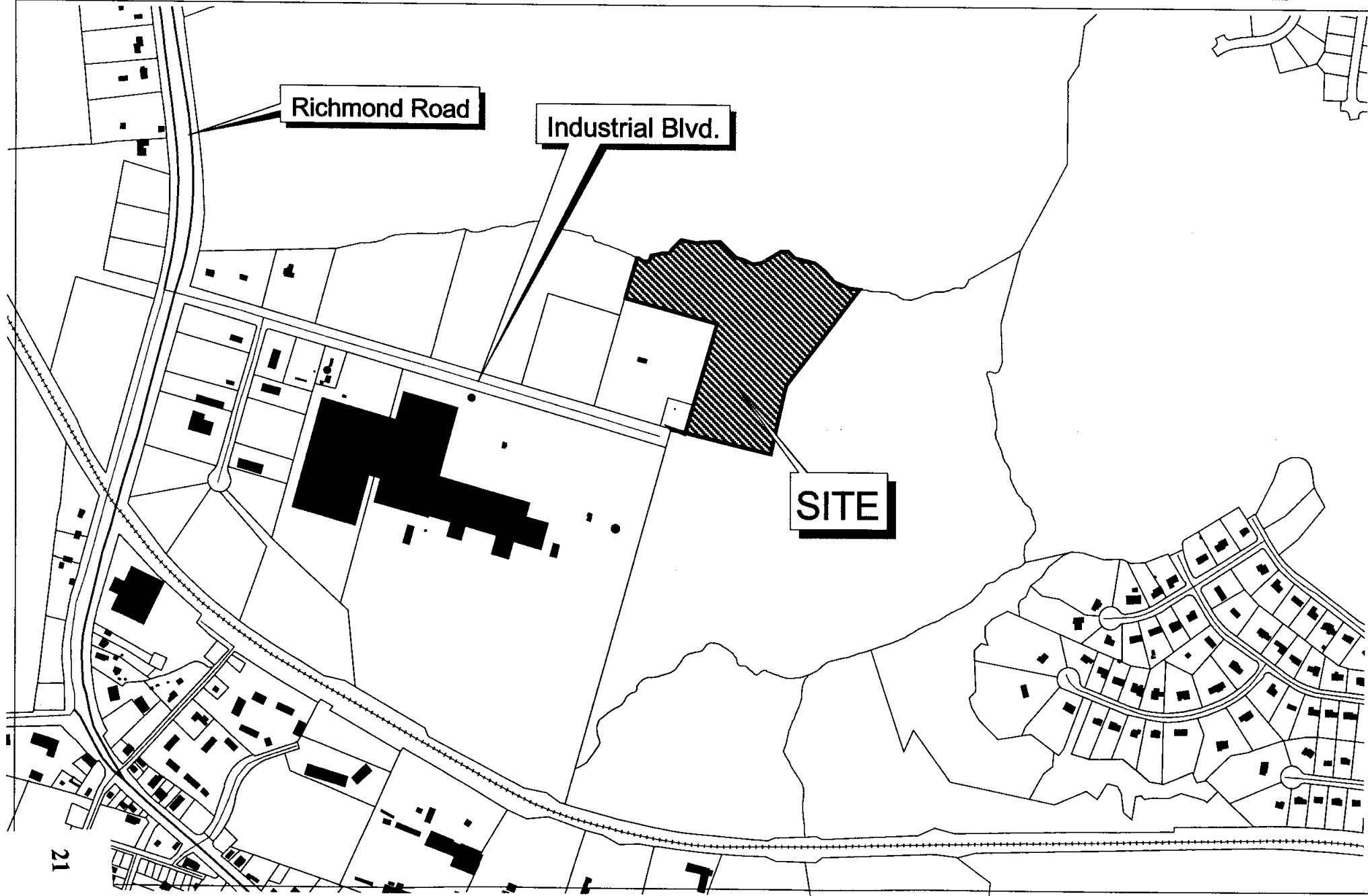
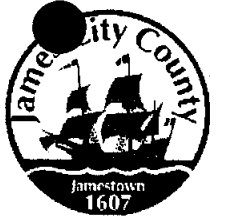
12. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.


Karen Drake

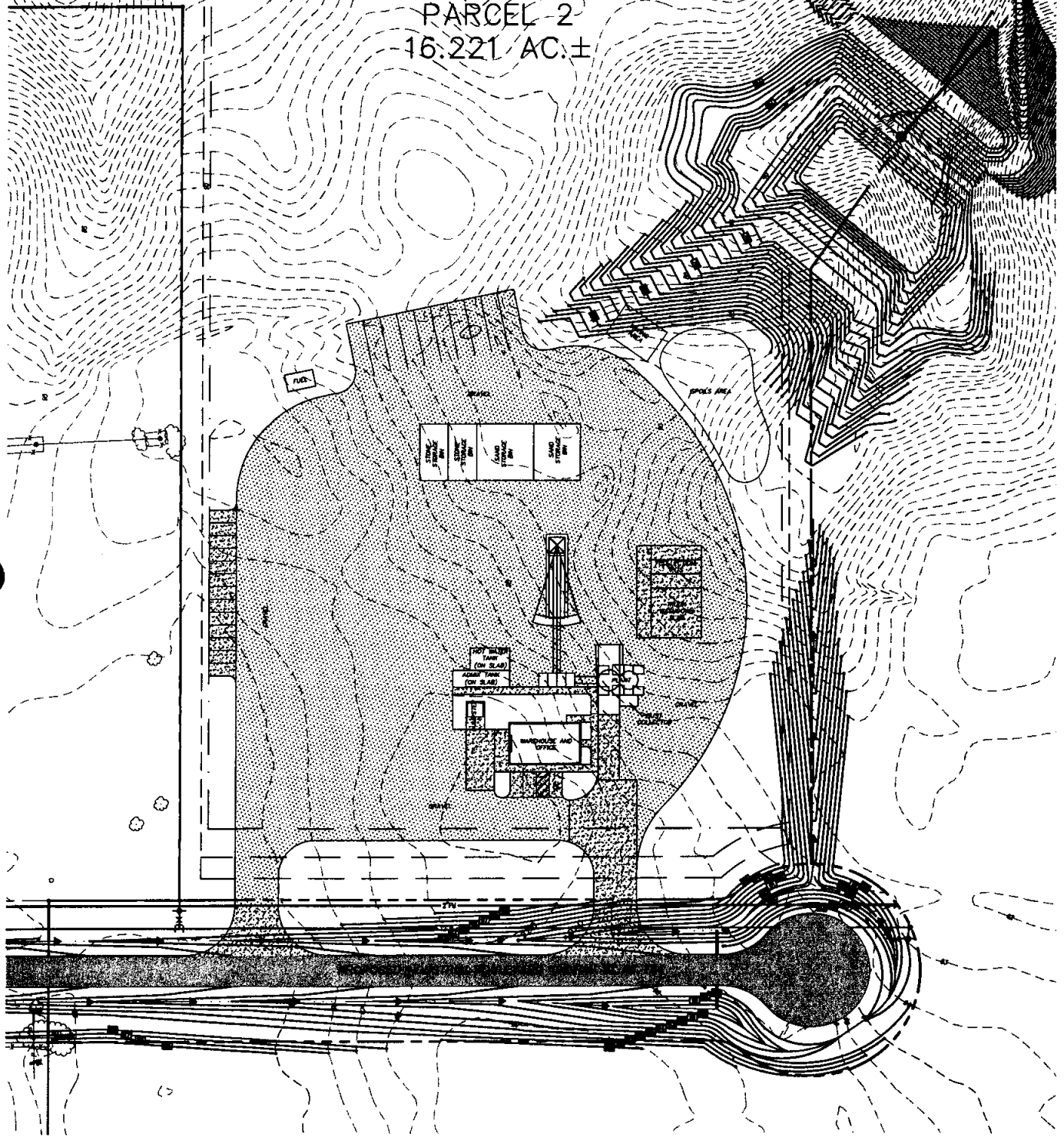
Attachments:

1. Location Map
2. Conceptual Plan

SUP-02-03. Hankins Industrial Park Ready Mixed Concrete Plant



PARCEL 2
16.221 AC. ±



Consulting Engineers

Engineers, Surveyors, Planners

Williamsburg, Virginia

CONCEPTUAL PLAN
READY MIXED CONCRETE
HANKINS INDUSTRIAL PARK

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03-09:13

EAW

MEMORANDUM

Date: April 7, 2003
To: The Planning Commission
From: Matthew Arcieri, Planner
Subject: Case No. ZO-2-03/SO-1-03, Zoning and Subdivision Fee Changes

On March 11, 2003, the Board of Supervisors adopted an initiating resolution to consider making fee changes to the zoning and subdivision ordinances.

Fees were last reviewed in 1998. At that time, a detailed study of actual costs was prepared. While most fees were increased, they still fell short of recovering all actual costs. Since then there has been a steady increase in costs and staff time associated with review of all case types. In addition, fees have not kept pace with inflation, the costs of advertising public hearing cases through the newspapers, and direct mailings to adjacent property owners.

In preparing this proposal staff surveyed eleven local governments: Albemarle, Chesterfield, Fauquier, Hampton, Hanover, Henrico, Newport News, Richmond, Stafford, Williamsburg & York. Staff's recommended increases are based on a general comparison with these jurisdictions and will bring fees in line with some of the high-growth communities in the Commonwealth. Even with these proposed increases, the Division will still recoup less than 50% of the County's actual costs.

RECOMMENDATION:

Staff recommends approval of the proposed fee changes.


Matthew D. Arcieri

Attachments:

1. Revised Ordinance
2. Summary of Proposed Fee Increases with Comparisons to Other Jurisdictions

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, GENERAL PROVISIONS, SECTION 19-15, FEES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivisions, is hereby amended and reordained by amending Section 19-15, Fees.

Chapter 19. Subdivisions

Article I. General Provisions

Sec. 19-15. Fees.

Fees shall be charged to offset the cost of reviewing plats and plans, making inspections and other expenses incident to the administration of this chapter. The following fees shall be charged and collected as provided below:

- (1) *General plan review.* There shall be a fee for the examination of every plan reviewed by the agent or commission. For all subdivisions that do not require public improvements, the fee for a major or minor subdivision shall be ~~\$105.00~~*\$200.00* per plan plus ~~\$60.00~~*\$70.00* per lot for each lot over two lots in the subdivision plat. For all subdivisions that require public improvements, the fee for a major or minor subdivision shall be ~~\$135.00~~*\$250.00* per plan plus ~~\$60.00~~*\$70.00* per lot for each lot over two lots in the subdivision plat. The fee for townhouse or condominium subdivisions which have undergone site plan review shall be \$50.00. The fee shall be submitted to the agent at the time of filing the plat for review. Any check shall be payable to the James City County treasurer.

- (2) *Inspection fee for water and sewer lines.* There shall be a fee for the inspection by the service authority of public water and sewer system installations. Such fee shall be \$1.43 per foot for every foot of sewer main or water main constructed and shall be submitted at the time of filing an application for a land disturbance permit.

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of April, 2003.

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 24-7, ADMINISTRATIVE FEES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Section 24-7, Administrative fees.

Chapter 24. Zoning

Article I. In General

Sec. 24-7. Administrative fees.

Fees shall be charged at the time of application to offset the cost of making inspections, issuing permits, advertising notices and other expenses incident to the administration of this chapter or to the filing or processing of any appeal or amendment thereto. The following fees shall be charged and collected at the time of application:

<u>Procedure</u>	<u>Fee</u>
(1) Rezoning	\$800.00 \$1,200.00 plus \$40.00 \$50.00 per acre, not to exceed \$15,000.00
(2) Applications for special use permits:	
a. Generally (General special use permits processed with a rezoning shall pay a rezoning fee only)	\$600.00 \$1,000.00 plus \$20.00 \$30.00 per acre, not to exceed \$5,000.00
b. Manufactured home on an individual lot	100.00
c. Family subdivision under section 24-214	100.00
d. Amendment to a special use permit	200.00 400.00
e. Wireless communications facilities under division 6	1,500.00

(3) Master plan review:

- a. Initial review of any Residential Cluster, Mixed Use or a PUD with less than 400 acres (PUD's with 400 acres or more shall pay a rezoning fee only) 200.00
- b. Revision of approved plan:
 - 1. Residential Cluster 75.00
 - 2. R-4, PUD, Mixed Use 150.00

(4) Site Plan Review:

a. Administrative review:

- 1. Residential structures or improvements, ~~\$300.00~~ **\$600.00**, plus \$60.00 per residential unit.
- 2. Nonresidential structures or improvements, ~~\$300.00~~ **\$600.00**, plus \$0.024 per sq. ft. of building area.
- 3. Mixed Use structures or improvements, ~~\$300.00~~ **\$600.00**, plus \$60.00 per residential unit plus \$0.024 per sq. ft. of nonresidential building area.

b. Planning commission review:

- 1. Residential structures or improvements, ~~\$900.00~~ **\$1,800.00**, plus \$60.00 per residential unit.
- 2. Nonresidential structures or improvements, ~~\$900.00~~ **\$1,800.00**, plus \$0.024 per sq. ft. of building area.
- 3. Mixed Use structures or improvements, ~~\$900.00~~ **\$1,800.00**, plus \$60.00 per residential unit plus \$0.024 per sq. ft. of nonresidential building area.

c. Amendment to an approved plan:

- 1. Residential structures or improvements, \$100.00, plus \$10.00 per residential unit.
- 2. Nonresidential structures or improvements, \$100.00, plus \$0.004 per sq. ft. of building area.
- 3. Mixed Use structures or improvements, \$100.00, plus \$10.00 per residential unit plus \$0.004 per sq. ft. of nonresidential building area.
- 4. Residential or nonresidential structures or improvements where the number of dwelling units or area of building area, pavement, or open space is not changed more than 15 percent, \$100.00.

d. Zoning administrator and fire department review only, \$20.00.

(5) Sign permits, ~~\$4.00~~ **\$5.00** per square foot of gross sign area.

(6) Appeals to the board of zoning appeals, ~~\$250.00~~ **\$500.00**.

(7) Application for a height limitation waiver to the board of supervisors, \$200.00

(8) Application for administrative variance, ~~\$100.00~~ **\$250.00**

Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of April, 2003.

sect24admin.ord

Summary of Proposed Fee Increases with Comparisons to Other Jurisdictions

REZONING

Base	Acreage		5 acre commercial rezoning	50 acre commercial rezoning	50 acre residential rezoning	150 acre residential rezoning
\$800	\$40	JCC	\$ 1,000	\$ 2,800	\$ 2,800	\$ 6,800
\$1,200	\$50	<i>Proposed JCC</i>	\$ 1,450	\$ 3,700	\$ 3,700	\$ 8,700
		Albemarle	\$ 815	\$ 1,255	\$ 1,255	\$ 1,255
\$1,520 (commercial)/ \$2,400 (residential)	\$50 (commercial)/ \$80 (residential)	Chesterfield	\$ 5,520	\$ 4,020	\$ 6,400	\$ 14,400
\$500	\$120 (commercial)/ \$60 (residential)	Fauquier	\$ 1,100	\$ 6,500	\$ 3,500	\$ 9,500
\$850	\$100	Hampton	\$ 1,150	\$ 5,650	\$ 5,650	\$ 15,650
\$1,200	\$45	Hanover	\$ 1,425	\$ 3,450	\$ 3,450	\$ 7,950
\$800 (commercial)/ \$650 (residential)	\$50 (commercial)/ \$15 (residential)	Henrico	\$ 1,050	\$ 3,300	\$ 1,400	\$ 2,900
\$200	\$150	Newport News	\$ 950	\$ 7,700	\$ 7,700	\$ 22,700
\$750	\$100	Richmond	\$ 1,250	\$ 5,750	\$ 5,750	\$ 15,750
\$2,000	\$25	Stafford	\$ 2,125	\$ 3,250	\$ 3,250	\$ 5,750
\$500	\$20	Williamsburg	\$ 800	\$ 1,500	\$ 1,500	\$ 7,900
\$450	\$5	York	\$ 475	\$ 700	\$ 700	\$ 1,200

Current JCC fee: \$800 + \$40/acre

Proposed fee: \$1200 + \$50/acre

Special Use Permit (SUP)

Base	Acreage		5 acre	10 acre	50 acre	SUP Amendment
\$ 600	\$ 20	JCC	\$ 700	\$ 800	\$ 1,600	\$ 200
\$ 1,000	\$ 30	Proposed JCC	\$ 1,150	\$ 1,300	\$ 2,500	\$ 400
\$ 780		Albemarle	\$ 780	\$ 780	\$ 780	\$ 85
\$ 1,190	\$ 30	Chesterfield	\$ 1,340	\$ 1,490	\$ 2,690	\$1,520 (up to two conditions)
\$250-\$750	\$5-\$25	Fauquier	Depends on proposed use			50% of regular fee
\$ 650	N/A	Hampton	\$ 650	\$ 650	\$ 650	N/A
\$ 1,200	\$ 45	Hanover	\$ 1,425	\$ 1,650	\$ 3,450	\$ 1,200
\$ 400	N/A	Newport News	\$ 400	\$ 400	\$ 400	N/A
\$ 1,500	\$ 100	Richmond	\$ 2,000	\$ 2,500	\$ 6,500	\$750 + \$100/acre
\$ 1,800	\$ 35	Stafford	\$ 1,975	\$ 2,150	\$ 3,550	N/A
\$ 400	\$ 50	Williamsburg	\$ 650	\$ 900	\$ 2,900	N/A
\$ 300	N/A	York	\$ 300	\$ 300	\$ 300	\$ 300

Current JCC fee: \$600 + \$20/acre

Proposed fee: \$1000 + \$30/acre

Amendment to a Special Use Permit:

Current JCC Fee: \$200

Proposed JCC Fee: \$400

SUBDIVISION

		5 lot	10 lot	50 lot	100 lot	
\$135 + \$60/lot	JCC	\$ 255	\$ 555	\$ 2,995	\$ 6,015	
\$250 + \$70/lot	Proposed JCC	\$ 600	\$ 950	\$ 3,750	\$ 7,250	
\$310 + \$20/lot Final approval is an additional \$680 plus \$10/lot	Chesterfield	\$ 1,140	\$ 1,290	\$ 2,490	\$ 3,990	up to 2 resubmittals then \$ 200 for each subsequent resubmittal
\$750 + \$40/lot Final approval is an additional \$650	Fauquier	\$ 1,600	\$ 1,800	\$ 3,400	\$ 5,400	\$200 for each resubmittal
\$300 + \$25/lot	Hampton	\$ 425	\$ 550	\$ 1,200	\$ 1,200	
\$1,200 maximum \$800 + \$25/lot Final approval is an additional \$400	Hanover	\$ 1,325	\$ 1,450	\$ 2,450	\$ 3,700	\$100 for each resubmittal
\$200 + \$5/lot Final approval is an additional \$200 plus \$15/lot	Henrico	\$ 500	\$ 600	\$ 1,400	\$ 2,400	
\$400 + \$10/lot Final approval is an additional \$400 plus \$10/lot	Richmond	\$ 900	\$ 1,000	\$ 1,800	\$ 2,800	
\$750 + \$10/lot Final approval is an additional \$350 plus \$10/lot & \$3/lot >1	Stafford	\$ 1,172	\$ 1,237	\$ 1,757	\$ 2,407	
\$150 + \$5/lot Final approval is an additional \$50 plus \$5/lot	Williamsburg	\$ 250	\$ 300	\$ 700	\$ 1,200	\$500 per submittal after third resubmittal
\$50 + \$10/lot	York	\$ 175	\$ 250	\$ 850	\$ 1,400	

Current JCC fee: No public improvement required: \$105 + \$60/lot over two
Public improvement required: \$135 + \$60/lot over two

Proposed fee: No public improvement required: \$200 + \$70/lot over two
Public improvement required: \$250 + \$70/lot over two

SITE PLAN

		residential 10 acres or units	non-residential 10 acres or units	residential 50 acres or units	non-residential 50 acres or units	SP Amendment
\$900 + \$60/unit or .024/sq. ft.	JCC	\$ 1,500	N/A (JCC fees calculated w/ sq. footage)	\$ 3,900	N/A (JCC fees calculated w/ sq. footage)	\$100 + \$10/unit or .024/sq. ft.
\$1800 + \$60/unit or .024/sq. ft.	Proposed JCC	\$ 2,400	N/A (JCC fees calculated w/ sq. footage)	\$ 4,800	N/A (JCC fees calculated w/ sq. footage)	\$100 + \$10/unit or .024/sq. ft.
Residential \$945 + \$10/unit; non- residential \$1260 + \$10/1000 sq. ft.; final approval is an additional \$325	Albemarle	\$ 1,370	N/A (Albemarle fees calculated w/ sq. footage)	\$ 1,770	N/A (Albemarle fees calculated w/ sq. footage)	\$ 75
\$900 + \$80/acre	Chesterfield	\$ 1,500	\$ 1,500	\$ 3,900	\$ 3,900	\$ 310
\$800 + \$45/acre	Fauquier	\$ 1,800	\$ 1,800	\$ 5,000	\$ 5,000	\$ 200
\$150 fir 1st acre; \$125 for each subsequent acre	Hampton	\$ 1,275	\$ 1,275	\$ 6,275	\$ 6,275	N/A
\$900 + \$60/acre	Hanover	\$ 1,250	\$ 1,250	\$ 3,050	\$ 3,050	\$45/acre
\$440 + \$30/acre	Henrico	\$ 740	\$ 740	\$ 1,940	\$ 1,940	
Residential \$150 + \$15/unit; non- residential \$300	Williamsburg	\$ 300	\$ 300	\$ 900	\$ 300	\$ 50
Residential \$150 + \$15/unit	York	\$ 300	N/A (York fees calculated w/ sq. footage)	\$ 900	N/A (York fees calculated w/ sq. footage)	\$ 100

Current JCC fee: Site plans that are reviewed administratively: \$300 + \$60/unit or .024/sq. ft.
Site plans that are reviewed via the Planning Commission: \$900 + \$60/unit or .024/sq. ft.

Proposed fee: Site plans that are reviewed administratively: \$600 + \$60/unit or .024/sq. ft.
Site plans that are reviewed via the Planning Commission: \$1800 + \$60/unit or .024/sq. ft.

Board of Zoning Appeals (BZA)

	administrative variance	appeal
JCC	\$ 100	\$ 250
<i>Proposed JCC</i>	\$ 250	\$ 500
Albemarle	\$ 95	\$ 95
Chesterfield	\$ 250	\$ 500
Fauquier	\$ 250	\$ 400
Hampton	\$ 200	\$ 200
Hanover	\$ 500	\$ 500
Henrico	\$ 300	N/A
Newport News	\$ 100	N/A
Williamsburg	\$ 150	\$ 150
York	N/A	\$ 150

Current JCC fee: Administrative: \$100
 Appeal: \$250

Proposed fee: Administrative: \$250
 Appeal: \$500

Sign Permits

Currently sign permits cost \$4.00 per square foot of gross sign area. Staff recommends that this fee be increased to \$5.00 per square foot of gross sign area. Currently the cost for an 8x4 foot sign (the largest free standing sign permitted by ordinance) is \$128.00. The proposed increase would raise this cost to \$160.00.

PLANNING DIRECTOR'S REPORT
APRIL 2003

This report summarizes the status of selected Planning Division activities during the last 30 days.

1. New Town DRB Cases. The New Town Design Review Board reviewed two cases in March. They approved the architectural concept plan for the William E. Wood building and will henceforth require a sample field panel for all projects. The DRB also approved the Prudential-McCardle Realty building, and discussed how to review site plan amendments beginning with the SunTrust building site plan amendment.
2. Comprehensive Plan Update. The second round of Community Conversations took place on March 6 at Mt. Gilead Baptist Church and March 10 at Lafayette High School. The results from the second round have been validated by the CPT and forwarded to the SC. All citizen comments are available on the County's website. In March, the Comprehensive Plan Steering Committee completed its review of the Transportation and Community Character sections, with the review of the Housing section beginning on March 31. The draft text of the first four sections of the Comprehensive Plan was distributed to the Steering Committee on March 17. The Steering Committee remains on schedule to deliver the full Comprehensive Plan to the Planning Commission in July 2003.
3. CMAQ and RSTP Allocations. HRPDC has begun the process to allocate CMAQ and RSTP transportation funds for FY2004, FY2005 and FY2006. Project proposals are due June 1st, 2003. The County has been successful in receiving these funds in the past for Route 199, Route 199 and Route 31 Intersection, Route 60 relocation and bikeways.
4. Capital Improvements Program. The Planning Commission recommendations were forwarded to the Board of Supervisors in a reading file on March 25th, 2003.
5. PDR Program Status. At its March 25, 2003 meeting the Board of Supervisors authorized the purchase of three parcels under the Purchase of Development Rights program. These included two adjoining parcels at 2511 and 2611 Forge Road totaling 123 acres most of which is in active cropland, and an 18.9 acre parcel at 9038 Diascund Road containing farmland, orchards, timberland and a residence.
6. Subdivision and Zoning Fee Changes. The Board of Supervisors approved a resolution at its March 11, 2003 meeting initiating consideration of changes to fees for subdivisions, rezoning, special use permits, site plans, sign permits, appeals to the BZA and administrative variances. These changes are advertised for public hearing at the April 7, Planning Commission meeting.
7. Other Board Action. At its March 11th meeting, the Board of Supervisors approved Case No. SUP-25-03, Ready Mixed Concrete Expansion, Case No. ZO-1-03, Zoning Ordinance Amendment – Eight Family Dwellings, and Case No. SUP-1-03/MP-1-03, Williamsburg Plantation, Section 10. At its March 25th meeting, the Board of Supervisors approved Case No. SUP-3-03, JCSA Route 5 Water Main Extension Amendment.
8. Upcoming Cases. There are no new cases that are tentatively scheduled for the May 5, 2003, Planning Commission meeting.

O. Marvin Sowers, Jr.