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10-26-76

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA ON THE TWENTY-EIGHTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-SIX AT 7:30 P.M.

1. ROLL CALL

Mr. W. J. Scruggs, Chairman
Mr. M. W. Bryant
Mr. Harry B. Wright
Mr. Gerald H. Mephram
Mr. R. Henderson Minkins
Mr. Albert L. White
Mr. John E. Donaldson
Mr. A. G. Bradshaw
Dr. William Lee
Mr. Stephen Turner

OTHERS

Mr. William F. Brown, Secretary
Mr. Henry H. Stephens
Mr. Frank M. Morton, III
Ms. Vanessa G. Popa
Mr. Craig G. Covey

2. MINUTES

Upon a motion by Mr. Bradshaw, seconded by Mr. Minkins, the minutes of August 24th were approved by a unanimous vote.

3. REPORT OF THE SITE PLAN REVIEW COMMITTEE

Upon a motion by Mr. White, seconded by Mr. Mephram, the Committee report was approved and is appended hereto.

4. REPORT OF THE SUBDIVISION REVIEW COMMITTEE

Upon a motion by Mr. Turner, seconded by Mr. Minkins, the Committee report was approved and is appended hereto.

5. CASE NO. S-38-76. CONSIDERATION OF APPLICATION BY Floyd Garrett for preliminary approval of a subdivision of 13.8 acres into 2 lots. Subject property is located

on Route 606, adjacent to Piggott Town, and is further identified as parcel 64 on James City Real Estate Tax Map 10. An exception is requested from Section 17-22 of the County Sub-division Ordinance which requires frontage on a State road.

Upon a motion by Mr. Minkins, seconded by Mr. Bryant, the Commission by unanimous vote approved the request for an exception.

6. CASE NO. SUP-5-76. CONSIDERATION OF AN APPLICATION of D. C. Renick for a Special Use Permit to allow the placement of a mobile home on the applicant's property. The property is presently zoned Limited Agriculture A-2. The property is located on Iron-bound Road and is further identified as parcel 84 on James City County Real Estate Tax Map 25.

Upon a motion by Mr. White, seconded by Mr. Turner, the Commission by unanimous vote recommended to the Board of Supervisors approval of the Special Use Permit.

7. CASE NO. Z-16-76. PUBLIC HEARING ON AN APPLICATION of Philip O. Richardson for rezoning of part of a parcel of land totaling approximately 22 acres from Limited Residential (R-2) to Multifamily Residential (R-5). Subject property is located on Longhill Road (Rt. 612) and is further identified as parcel 54 on James City County Real Estate Tax Map 20.

Mr. Brown explained the background of this case and the staff's position.

Mr. Scruggs opened the public hearing of Case No. Z-16-76. The following people spoke:

Mr. Paul Dresser, representing the Windsor Forest Residents' Association, addressed his comments to both Longhill Road rezoning cases. Mr. Dresser expressed concern about the number of apartments on Longhill Road and their effect on the traffic and safety of Longhill Road, which is also explained in his letter of September 30th and appended hereto.

Mr. Jack van Horn, a resident of Skipwith Farms in the City of Williamsburg, spoke in opposition to the rezoning. Mr. van Horn was concerned about the effects of increased traffic on Longhill Road.

Mr. Vernon Geddy, the applicant's attorney, spoke in behalf of his client. Mr. Geddy pointed out that apartments had been allowed on the past zoning of the property. Mr. Geddy explained

that his client has already prepared and submitted plans for 200 units of garden apartments which include a setback of 150 feet to allow for the widening of Longhill Road and the dedication of a wooded easement. He further emphasized the availability of water and sewer facilities for the subject property.

After all interested persons had spoken, Mr. Scruggs closed the public hearing and tabled the discussion by the Commission to be held after Item 8, the C. T. Lewis rezoning request, due to the similarity of the cases.

8. CASE NO. Z-13-76. PUBLIC HEARING ON AN APPLICATION of Charles T. Lewis for rezoning of several parcels of land totaling 14.31 acres from Residential Limited (R-2) to Multifamily Residential (R-5). Subject property is located on Longhill Road (Rt. 612) and is further identified as parcels 4B, 4C and (2) 7 on James City County Real Estate Tax Map 20.

Mr. Brown explained the background of Case No. Z-13-76 and the staff's position. Due to the fact that development plans have not yet been submitted for the subject property, Mr. Brown recommended that the public hearing on this case be conducted, but that consideration of this case be tabled until the next meeting.

Mr. Scruggs opened the public hearing on Case No. Z-13-76. The following people spoke:

Mr. Paul Dresser, representing the Windsor Forest Association, spoke in opposition to the rezoning during the public hearing of Case No. Z-16-76. Mr. Donaldson requested that the record show that all remarks made by Mr. Dresser during the public hearing for Case No. Z-16-76 were to apply to Case No. Z-13-76 also.

Mr. Jack van Horn, a resident of Skipwith Farms in the City of Williamsburg spoke in opposition of the rezoning. He was again concerned about the effects of the increased traffic in relation to Skipwith Farms.

After all interested persons had spoken, Mr. Scruggs closed the public hearing.

Upon a motion by Mr. Turner, seconded by Mr. Bryant, the Commission voted unanimously to table consideration of Case Z-13-76 until the next meeting.

7. PLANNING COMMISSION DISCUSSION OF CASE NO. Z-16-76.

After a brief discussion concerning the Comprehensive Plan, traffic problems on Longhill Road and the placement of Route 199 in relation to subject property, Mr. Bryant introduced a motion to table action on Case No. Z-16-76 until the next meeting. Mr.

Wright seconded the motion. The Commission voted unanimously to approve the motion deferring action on Case No. Z-16-76 until the reconvened meeting to be held October 5.

9. CASE NO. SUP-4-76. CONSIDERATION OF AN APPLICATION of Agrotec, Incorporated for a Special Use Permit to operate a cattle feeding facility on Jockey's Neck Farm. The property is owned by Walter C. Cottrell, Jr. The property is zoned Limited Agriculture A-2 and is identified as parcels 38 and 42 on James City County Real Estate Tax Map 32.

Mr. Brown explained the background of Case No. SUP-4-76 and the staff's position.

Mr. Harrison, a representative of Agrotec, Inc. made a presentation using visual aides concerning similar cattle feeding facilities.

The Commission directed questions to Mr. Harrison regarding noise, air pollution, and humanitarian aspects. Mr. Scruggs and Mr. Turner suggested that members visit similar sites. Dr. Lee will visit South Carolina's facility now under construction.

Questions were then taken from the general public. The following persons spoke:

Ms. Marylee McGreggor, a resident of Dogwood Drive voiced concern about the truck traffic. Mr. Harrison answered that the truck traffic will be scheduled to avoid peak hours. Mr. Brown stated that it may be possible to obtain Industrial Access funds for a new road to service the facility.

Mr. Robert L. Covington, a resident of Lake Powell Road questioned the exact distance to the sewer line.

Ms. Waltrip, a resident of Lake Powell Road expressed concern about staggering the truck traffic and the local water level. Mr. Harrison emphasized that no well would be put in unless tests show that it will not affect the water level and the surrounding wells.

Upon a motion by Mr. Turner, seconded by Mr. Mephram, action on Case No. SUP-4-76 was deferred until the next meeting of October 5.

10. CASE NO. Z-15-76. PUBLIC HEARING ON AN ORDINANCE TO amend Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts: Division 2, Agricultural, General District, A-1.

Mr. Brown explained the background of Case No. Z-15-76 and the staff's position on the case.

Mr. Scruggs opened the public hearing of Case No. Z-15-76. The following people spoke:

Mr. Sam Hazelwood spoke in opposition to the proposed changes regarding hog farming, minimum gas station width, and the definition of wayside stands.

Mr. Gerald Otey, the developer of Chickahominy Haven spoke in opposition to the increased minimum lot size.

Mr. Stuart Taylor spoke in opposition to all changes to the A-1 District as being more restrictive.

Ms. Millie Burton spoke in opposition to the changes regarding hogs.

Mr. Bob Gilley spoke in opposition to any changes to the A-1 and A-2 Districts.

When no other person expressed a desire to speak, Mr. Scruggs closed the public hearing.

Mr. White explained that requiring Conditional Use Permits for hog farming is a safeguard for volume uses, since it can limit the number of hogs.

Upon a motion by Mr. Turner, seconded by Mr. White, the Commission voted unanimously to table consideration of Case No. Z-15-76.

11. CASE NO. Z-15-76. PUBLIC HEARING ON AN ORDINANCE to amend Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts: Division 3, Agricultural, Limited, District, A-2.

Mr. Scruggs opened the public hearing on Case No. Z-15-76. The following persons spoke:

Mr. M. O. Smith spoke in opposition to the deletion of hog farming from permitted uses.

Mr. Bob Gilley spoke in opposition to all changes.

Mr. Stuart Taylor also spoke against all changes.

Mr. R. L. Covington, a resident of Lake Powell Road, spoke in opposition to the deletion of hog farming.

Mr. R. M. Hazelwood again spoke in opposition to the

changes to wayside stands and the restriction of uses.

Mr. Larry Waltrip spoke against the deletion of hog farming.

Mr. D. C. Waltrip, a resident of Lake Powell Road spoke in opposition to the deletion of hog farming.

After all interested persons had spoken, Mr. Scruggs closed the public hearing.

Upon a motion by Mr. White, seconded by Mr. Minkins, the Commission voted unanimously to table consideration of Case No. Z-15-76.

12. CONSIDERATION OF A REQUEST OF THE BOARD OF SUPERVISORS to study the Airport Location Plan.

Members of the Commission selected to study the Airport Location Plan were: Mr. Bryant, Mr. Turner, Mr. Mephram, and Mr. Scruggs.


13. CONSIDERATION OF A DATE FOR A PUBLIC HEARING OF CASE No. Z-17-76. Amendment to Article IV, Division 7, Section 20-72 of the James City County Zoning Ordinance. This section refers to the procedures for modifications to an approved final plan in the R-4 District (Planned Community).

Upon a motion by Mr. Wright, seconded by Dr. Lee, the Commission voted unanimously to schedule the public hearing of Case No. Z-17-76 for October 26, 1976.

14. ADJOURNMENT

Upon a motion by Mr. Turner, seconded by Mr. Mephram, the meeting was recessed until October 5th.

William F. Brown
Secretary



W. J. Scruggs
Chairman

9-28-76

SUBDIVISION REVIEW COMMITTEE REPORT

September 1976

A. PENDING PRELIMINARY APPROVAL

1. CASE NO. S-15-76. Claude R. Nelson
2. CASE NO. S-35-76. Charles Kent Wallace

B. PRELIMINARY APPROVAL

1. CASE NO. S-32-75. Rosalie Estates - Nicole, Ltd. (6/17/76)
2. CASE NO. S-17-76. The Foxes - Elizabeth N. Vaiden (5/25/76)
3. CASE NO. S-22-76. Heath - Lloyd D. & Joyce N. Larson (4/27/76)
4. CASE NO. S-30-76. Cooke Subdivision - Larry Cooke (7/22/76)
5. CASE NO. S-31-76. North Cove - Donald G. Hunter (7/22/76)
6. CASE NO. S-32-76. Williamsburg Investors, Ltd. (6/17/76)
7. CASE NO. S-38-76. An application by Floyd Garrett for approval of a subdivision of 13.8 acres into 2 lots. Subject property is located on Route 606, and is further identified as all of parcel 64 on James City Real Estate Tax Map No. 10. (9/14/76)

C. FINAL APPROVAL BY AGENT

1. CASE NO. S-36-76. Broxton Subdivision - Roger Spearman(8/25/76)
2. CASE NO. S-37-76. Robert S., Bruce R., and Jonathan B. Hornsby Subdivision (9/23/76)
3. CASE NO. S-39-76. An application of Ralph M. Goldstein, Attorney on behalf of Betty Wyatt Woodward for final plat approval of a subdivision of 30.904 acres into 2 lots. The subdivision is to be known and recorded as Subdivision of the Estate of W. F. Woodward. Subject property is located at the intersection of Route 60 and Route 601 and is further identified as all of parcel 5. on James City Real Estate Map No. 7. (9/15/76)
4. CASE NO. S-40-76. Southall Quarter-Busch Properties, Inc.-David M. Otey (9/15/76)
5. CASE NO. S-41-76. An application of C. T. Lewis on behalf of self et. al. for final plat approval of a subdivision of approximately 16 acres into 3 parcels. The subdivision is to be known and recorded as Subdivision of The Property of C. T. Lewis et. al. Subject property is located on Route 614 and is further identified as part of parcel 1 on James City Real Estate Tax Map No. 31.

9-28-76

SITE PLAN REVIEW COMMITTEE REPORT

SEPTEMBER 1976

A. PENDING PRELIMINARY APPROVAL

1. SP-29-76 Conceptual Preliminary Site Layout/Plan - E. H. Saunders (Rt. 5)
2. SP-30-76 Toano Amoco/Market - Hornsby Oil Co. (Rt. 60W)
3. SP-37-76 An application of Philip O. Richardson for preliminary approval of a site of 4.5 acres containing 46 apartment units. The project is to be known as Patriot Apartments. Subject property is located off Route 60, behind the Sheraton Patriot Inn, and is further identified as all of lot 2 on James City Real Estate Tax Map 21C.
4. SP-38-76 Raleigh Square Apts. #2. An application of Joseph Terrell for preliminary approval of a site of 4.258 acres containing 48 apartment units. The project is to be known as Raleigh Square Apartments. Subject property is located on Albermarle Drive in Raleigh Square Subdivision, and is further identified as lots 4, 5, 9, and 10 on James City Real Estate Tax Map 31A.

B. PENDING FINAL APPROVAL

1. SP-11-76 Five Forks Business and Professional Center - William H. Phillips, Jr. (Rt. 5) (4-13-76)
2. SP-15-76 Conference/Meeting Room Addition - Fort Magruder Quality Inn (Rt. 60E) (4-13-76)
3. SP-18-76 Addition to Five Forks Body Shop - George Woodson (Rt. 5) (4-13-76)
4. SP-20-76 Kingsmill Substation Addition - VepCo (Rt. 60E) (5-11-76)
5. SP-21-76 Peanut Processing Plant (Rt. 615) (5-11-76)
6. SP-24-76 Kingsmill H & I Quarterpath Trace - Busch Properties, Inc. (5-11-76)
7. SP-31-76 Raleigh Square Apartments - Joseph Terrell (Rt. 5) (7-13-76)
8. SP-35-76 C & P Telephone Company No. 2 ESS Switching Office - J. F. Phillips, Jr. (Rt. 60) (9-14-76)
9. SP-34-75 Revised - Jaycees Haunted Manor - William Johnson (9-14-76)

C. FINAL APPROVAL BY AGENT

1. SP-44-73 Revised - Winster Fax Revision - Busch Properties, Inc. (9-13-76)

2. SP-49-73 Revised. Littletown Quarter Revision - Busch Properties, Inc. (9-13-76)
3. SP-27-73D Revised - Busch Gardens Administrative Center and Parking Lot Revision - Busch Properties, Inc. (8-27-76)
4. SP-31-74 Little Zion Baptist Church - Trustees for Little Zion Baptist Church (Rt. 60E) (8-24-76)
5. SP-33-76 7-Eleven Store - Southland Corporation (Rt. 31) (8-27-76)
6. SP-34-76 Addition to Wayside Grocery - Toano - Chris Zahakopoulos (Rt. 60) (8-27-76)
7. SP-36-76 Addition to Sheraton Patriot Inn - Philip O. Richardson (Rt. 60) (9-21-76)
8. SP-16-76 Wiener King and Shop - G Square, Inc. (Rt. 60E) (8-27-76)

WINDSOR FOREST ASSOCIATION

2-16-76

306 Buford Road
Williamsburg, Virginia 23185

September 30, 1976

Mr. William F. Brown
Post Office Box JC
Williamsburg, Virginia 23185

Dear Mr. Brown:

To follow up our comments made at the Planning Commission's public hearing on September 28, 1976, the residents of Windsor Forest subdivision would like to reiterate our concern to you with regard to pending developments along Longhill Road. We are not against progress and development as Mr. Geddy's comments suggest. To the contrary, we clearly recognize that progress and development are inevitable for James City County in the near future and particularly along Longhill Road because of the terrain and existing utilities and services. For this very reason, we believe in the value of the Comprehensive Plan of James City County and the need for maintaining, continuously discussing, and updating it.


We do have grave concern for the present development explosion of multi-family residential units on Longhill Road. The timing of additional projects is inconsistent with the Comprehensive Plan. Property already rezoned for Lafayette Manor adds 360 rental units, while projects now underway at Season's Trace and the low income units at Centerville Road will total 520 units when completed. These 880 units added to the already existing subdivisions of Forest Glen, Windsor Forest and Williamsburg West and Lafayette High School will overload traffic on Longhill Road. Any further multi-family rezoning and/or development on Longhill Road before we know the location of Route 199 is inconsistent with the Plan in that Longhill Road will be overly congested long before it can be improved. Those of us already traveling Longhill Road are even now seeking relief. Longhill Road is dangerous and the concern for safety is very strong. The Lewis and Richardson requests would measurably add to the traffic burdens of Longhill Road. The Plan itself states that growth will have dramatic impact upon the existing road network and specifies Longhill Road as "not of adequate size or design to handle future traffic volumes."

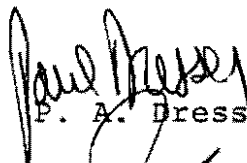
Before any more multi-family complexes are approved, we definitely feel that the Route 199 placement should be finalized and sites coordinated to relieve traffic on Longhill. Even with this placement, Longhill will eventually need to be upgraded. We would ask the Planning Commission to specify as much as 125-150 foot setbacks for buffer/greenspace to plan for the inevitable widening of Longhill Road to four lanes.

Other than the traffic question, we also would question whether or not existing utilities can meet the multi-family load, particularly the sewer system. It is our understanding that this is already close to capacity, especially Pump Station Three (which would handle the Richardson development) and Pump Station Five. If there is an overload, the County will face additional expense.

James City County has stated desire to preserve its existing semi-rural character and the natural environment. Even with the forecasted dramatic growth for the County, we can meet this goal with proper planning. We would ask that you consider this in making zoning decisions in the Longhill Road corridor. The direction in which the County is presently moving could place 15% of the County's total population (or 22% of total population growth) by year 2000 along Longhill Road corridor, which represents less than 1% of the County's total acreage.

FOR THE BOARD OF DIRECTORS
AND THE WINDSOR FOREST ASSOCIATION


W. B. Gallagher, President


P. A. Dresser, Secretary


W. T. O'Neill, Treasurer