

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TENTH DAY OF OCTOBER, NINETEEN HUNDRED AND EIGHTY-NINE AT 7:30 P. M. 101C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Mr. Fred Belden  
Mr. A. G. Bradshaw  
Mr. Wallace Davis, Jr.  
Mr. Jack Edwards  
Mr. Martin Garrett  
Mr. John F. Hagee  
Mr. Alexander C. Kuras  
Ms. Carolyn Lowe  
Mr. Robert A. Magoon, Jr.  
Mr. Gary M. Massie  
Ms. Willafay McKenna (late arrival)

2. ALSO PRESENT

Mr. O. Marvin Sowers, Director of Planning  
Mr. Larry W. Davis, Assistant County Attorney  
Mr. Allen J. Murphy, Jr., Principal Planner  
Mr. Donald E. Davis, Principal Planner  
Mr. R. Patrick Friel, Planner

3. MINUTES

Mr. Massie asked that the September 12, 1989 Minutes reflect that he was not present for the vote on the Development Review Committee Report. Upon a motion by Mr. Bradshaw, seconded by Mr. Hagee, the September 12, 1989 Minutes were approved with the above correction.

4. DEVELOPMENT REVIEW COMMITTEE REPORT

Mr. Garrett presented this report (appended) and stated that the Committee recommended approval of the Hankins Industrial Park Exception to allow utilities to be located above ground. Mr. Garrett further stated that the Committee had no objections to overhead utilities, particularly in an industrial park where there are existing overhead utilities. Letters from adjacent property owners Charles and Christine Lancione, and Alicia Diehl, requesting denial of this application were distributed to the Commissioners.

Mr. Hagee stated that he had a potential conflict of interest on Case No. S-74-89, Kingsmill Plantation, and would abstain from voting.

Upon a motion by Mr. Garrett, seconded by Mr. Kuras, the Commission by voice voted to approve the Development Review Committee Report, with Mr. Hagee abstaining.

5. CASE NO. Z-13-89. FIVE FORKS ASSOCIATES

Mr Friel presented that the staff report (appended) stating that the applicant had requested deferral of this case to allow time for a revised traffic study.

Upon a motion by Mr. Kuras the Committee unanimously agreed to continue the public hearing on Case No. Z-13-89.

6. CASE NO. SUP-29-89. W. A. SLATER ESTATE/TOWER

Mr. Friel presented the staff report (appended) for a special use permit to allow a tower 125 feet in height in the A-1, General Agricultural District, located on Diascund Road. Mr. Friel stated that staff recommended approval of this case with the stated conditions.

Mr. Belden opened the public hearing.

Mr. Alvin Anderson, attorney representing Continental Cablevision of Virginia, briefly discussed the need for a tower, and announced that Mr. Paul Spacek of Continental Cablevision, and Mr. Steve Romeo, engineer with Langley & McDonald, were present to answer questions.

There being no further speakers the public hearing was closed.

Following discussion regarding proliferation of towers, location and guy wire supported vs. self-supported towers, Mr. Kuras made a motion, seconded by Mr. Davis, to recommend approval of Case No. SUP-29-89, with conditions. The motion was approved 11-0.

Mr. Kuras requested that the applicant investigate self-supporting towers as an alternate to guy wire towers prior to site plan review.

7. CASE NO. SUP-31-89. J & J ASSOCIATES

Mr. Friel presented the staff report (appended) for a special use permit for the sale of automobiles in a B-1, General Business District, located on Richmond Road. Mr. Friel stated that staff recommended approval of this case with the stated conditions.

Mr. Belden opened the public hearing.

Mr. John E. Dodson, principal in Williamsburg Honda, stated that the proposed show room and office building would be used for a new franchise for a Jeep/Eagle dealership, and that the existing curb cut would be used. Mr. Dodson discussed screening, stating that the pecan and walnut trees and some pines would be saved.

There being no further speakers the public hearing was closed.

Ms. Lowe stated that screening as opposed to buffering should be provided along Richmond Road.

Mr. Massie stated that he was an adjacent property owner and submitted a disclosure statement (attached).

Mr. Massie and Mr. Dodson discussed increasing screening on both sides of the property line.

Mr. Garrett made a motion, seconded by Ms. McKenna, to recommend approval of Case No. SUP-31-89 with the stated conditions. Mr. Massie requested that condition #4 be amended to read "...from Richmond Road, and screening from adjacent properties." The Commission by roll call voted 11-0 to recommend approval of Case No. SUP-31-89, with conditions as amended, to the Board of Supervisors.

8. CASE NO. Z-16-89. LEWIS C. AND PAULINE F. WALTRIP

Mr. Friel presented the staff report (appended) to rezone approximately 2.6 acres from A-2, Limited Agricultural, to R-1, Limited Residential, on property located at 3391 Foxridge Road. Mr. Friel stated that staff recommended approval of this case.

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

Following discussion regarding maintenance responsibility and need to limit the amount of paved area, Mr. Kuras made a motion, seconded by Ms. McKenna, and the Commission by roll call voted 11-0 to recommend approval of Case No. Z-16-89 to the Board of Supervisors.

9. CASE NO. Z-18-89. WOODROW W. SIROIS

Mr. Friel presented the staff report (appended) for a special use permit to rezone approximately 2.026 acres from A-1, General Agricultural, to B-1, General Business, with proffers, located at 7151 Richmond Road. Mr. Friel stated that staff recommended approval of this case.

Mr. Edwards asked if there would be an advantage to having an access only on Nina Lane. Mr. Murphy responded that he did not see a problem with an access on both Richmond Road and Nina Lane. Mr. Edwards expressed a need for a traffic study (which has been proffered by the applicant to be submitted with the site plan for this project.)

Mr. Belden opened the public hearing.

Mr. Vernon Geddy, III, representing the applicant, distributed handouts, letters of support from The Reverend J. Pickett Miles, Jr., Frederick A. Hoar, and George B. and Evelyn H. Anderson, and renderings of the Norge Office Park.

Mr. Geddy briefly discussed the Norge Office Park, including the expectation of a medical facility for which he is working closely with Williamsburg Community Hospital to bring about.

Mr. Edwards expressed two concerns, access onto Richmond Road and building heights above two stories.

Mr. Sirois stated that the buildings in Norge Office Park would be identical to those in Williamsburg Office Park, with one story buildings in the front, and two story buildings in the rear when on sloping lots. Mr. Sirois stated that it was important to him and Williamsburg Community Hospital that an access be on a main road (Richmond Road).

Mr. Massie stated that he was an adjacent property owner and submitted a disclosure statement (attached).

Mr. Kenneth Axtell, President of Williamsburg Community Hospital, spoke in support of this project.

Ms. Susan McCleary, representing Norge Civic Association, also spoke in support of this project and complimented the developer in using the Norge community name in naming the office park.

There being no further speakers the public hearing was closed.

Upon a motion by Mr. Garrett, seconded by Ms. McKenna, the Commission by roll call voted 11-0 to recommended approval of Case No. Z-18-89 to the Board of Supervisors.

Mr. Bradshaw also commended Mr. Sirois in using the Norge community name in naming the office park.

10. CASE NO. Z-19-89. ZONING ORDINANCE AMENDMENTS AND CASE NO. S-91-89 SUBDIVISION ORDINANCE AMENDMENT.

Mr. Murphy presented the staff report (appended) stating that staff recommended approval of the proposed housekeeping items to the Board of Supervisors.

Mr. Belden opened the public hearing on Case No. Z-19-89. There being no speakers the public hearing was closed.

Mr. Belden opened the public hearing on Case No. S-91-89. There being no speakers the public hearing was closed.

Upon a motion by Mr. Garrett, seconded by Ms. McKenna, the Commission by roll call voted 11-0 to recommend approval of both cases to the Board of Supervisors.

#### 11. PLANNING DIRECTOR'S REPORT

Mr. Sowers presented the staff report (appended) with a reminder to the Commission that the Policy Committee would meet at 4 p.m. on October 18. Mr. Sowers also briefly discussed materials in the reading file folder, and landscape regulations which he expected to have updated in the ordinance in the future. The Commission requested status reports on the Regional Issues Committee meetings.

#### 12. ADJOURNMENT TO EXECUTIVE SESSION

Upon a motion by Mr. Garrett, pursuant to Section 2.1-344(1) of the Code of Virginia, and seconded by Mr. Garrett, the Commission adjourned to executive session at approximately 9:05 p.m. to discuss nominations to the Citizens Participation Team.

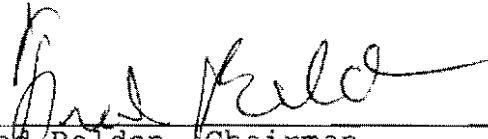
Upon a motion by Mr. Garrett, seconded by Mr. Bradshaw, the following Resolution of Certification of Executive Session was adopted.

WHEREAS, the Planning Commission of James City County, Virginia has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344(1) of the Code of Virginia requires a certification by the Commission that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applied, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or

considered by the Commission.



Fred Belden, Chairman  
Planning Commission

VOTE:

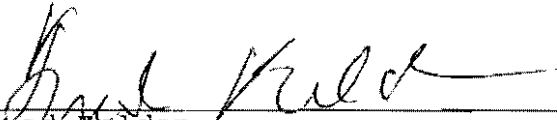
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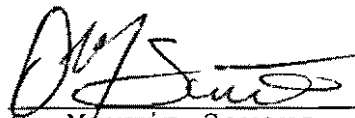
The Commission returned from executive session having agreed upon the membership or those proposed for membership on the Comprehensive Plan Community Participation Team.

13. ADJOURNMENT

The October 10, 1989 Planning Commission meeting was adjourned at 9:30 p.m.



Fred Belden  
Chairman



O. Marvin Sowers, Jr.  
Secretary