



MEMORANDUM

Date: July 2, 2015
To: Records Management
From: The Planning Commission
Subject: Planning Commission Minutes: 02/13/1990

The following minutes for the Planning Commission of James City County dated 02/13/1990 are missing an approval date and were either never voted on or never presented for approval in the year surrounding these meetings.

These minutes, to the best of my knowledge, are the official minutes for the 02/13/1990, Planning Commission meeting.

They were APPROVED by the current Planning Commission at the July 1, 2015 meeting.

Please accept these minutes as the official record for 02/13/1990.

Robin Bledsoe
Chair

Paul Holt
Secretary

THE PLANNING COMMISSION OF JAMES CITY COUNTY, VIRGINIA, RECONVENED AT A REGULAR MEETING HELD ON THE THIRTEENTH DAY OF FEBRUARY, NINETEEN HUNDRED AND NINETY, AT 7:30 P.M., 101C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Mr. Alexander C. Kuras, Chairman
Mr. A. G. Bradshaw
Mr. Wallace Davis, Jr.
Mr. Martin Garrett
Ms. Victoria Gussman
Mr. John F. Hagee
Ms. Judith Knudson
Ms. Carolyn Lowe
Mr. Gary M. Massie
Ms. Willafay McKenna

2. ALSO PRESENT

Mr. O. Marvin Sowers, Jr., Director of Planning
Mr. Frank M. Morton, III, County Attorney
Mr. John T. P. Horne, Manager of Development Management
Mr. Allen J. Murphy, Jr., Principal Planner
Mr. Donald E. Davis, Jr., Principal Planner
Mr. R. Patrick Friel, Planner
Mr. Michael A. Freda, Planner
Ms. Elizabeth R. Sullivan, Planner
Mr. Chris Dawson, Civil Engineer
Mr. Larry Foster, General Manager, James City Service Authority

Mr. Kuras commented on the success of the community forums for the Comprehensive Plan and encouraged the public to attend.

Ms. Gussman stated that she was employed by The Colonial Williamsburg Foundation (Manager of Property Resources and Planning) and would excuse herself from participation if a conflict of interest occurred.

3a. DEVELOPMENT REVIEW COMMITTEE REPORT

The Development Review Committee Report was approved as presented.

3b. POLICY COMMITTEE REPORT

Ms. McKenna stated that a recommendation for the Capital Improvement Program would be considered later on the agenda. The Policy Committee Report was approved as presented.

4. CASE NO. SUP-52-89. POWHATAN CROSSING SEWER MAIN. MR. JAMES BENNETT OF AES ON BEHALF OF C. LEWIS WALTRIP.

Ms. Sullivan presented the staff report (appended) for a special use permit to allow the construction of an 8 inch sewer main. Ms. Sullivan stated that staff recommended approval, with conditions, as defined in the staff report.

Ms. Lowe commented that the staff report states that a 404 permit might be needed for this sewer line. She said she was under the impression that if a 404 permit was acquired then a 401 certificate from the state was also required.

Mr. Dawson responded that a 401 certificate was required whenever an individual 404 permit is acquired. The type of 404 permit referred to in the staff report is a nationwide permit for utility work in wetlands and this type of 404 permit would not require a companion 401 certificate.

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

Following discussion, Mr. Massie made a motion, seconded by Ms. McKenna, to amend Condition #5 to state that if construction had not commenced within 12 months of the date of issuance and completed within 6 months of commencement, the permit would become void. The amendment motion passed 10-0 by roll call vote.

Upon a motion by Mr. Garrett, seconded by Mr. Bradshaw, the Commission by roll call, voted 10-0 to recommend approval, with the amended conditions, to the Board of Supervisors.

5. CASE NO. SUP-1-90. DR. MEREDITH AVERITT ON BEHALF OF WILLIAM W. AND PATRICIA ANN STEWART

Mr. Friel presented the staff report (appended) for a special use permit to allow a veterinary clinic on 1.25 acres of a 19.221 acre parcel located at 8205 Richmond Road. Mr. Friel stated that staff recommended approval, with conditions, as defined in the staff report.

Mr. Kuras opened the public hearing.

Mr. Andy Bradshaw, on behalf of Dr. Averitt and Mr. and Mrs. Stewart pointed out that the site was not flat and clear, as stated in the staff report, but sloped on the rear and was heavily wooded. Mr. Bradshaw further stated that the applicant did not want the parking area in the rear of the property as he felt visibility was needed, and needed an exercise area with six runs at the rear of the property.

There being no further speakers the public hearing was closed.

Ms. Knudson felt it was not necessary for the clinic to be visible from the road, and preferred the parking area to be in the rear of the property.

Following discussion the Commission agreed to amend Condition #3 to read that particular emphasis be placed on the buffering of the use and the parking areas from adjacent residences and Richmond Road, and that existing trees be retained in a manner that maintains the wooded character of the site, as approved by the Development Review Committee. The Commission also agreed that an exercise area be permitted for the use of no more than 6 animals at one time for one hour periods between the hours of 8 a.m. and 5 p.m.

Upon a motion by Ms. McKenna, seconded by Mr. Bradshaw, the Commission by roll call, voted 10-0 to recommend approval with the amended conditions to the Board of Supervisors.

6. CASE NO. SUP-2-90. MOORETOWN ROAD WATER TRANSMISSION MAIN.
MR. STEVEN O. WIGLEY ON BEHALF OF MR. DAVID L. HERTZLER

Mr. Freda presented the staff report (appended) for a special use permit to allow the construction of an 8 inch water transmission main in the VDOT right-of-way along Mooretown Road. Mr. Freda stated that staff recommended approval, with conditions, as defined in the staff report.

Mr. Kuras opened the public hearing.

Mr. William Jones, whose parcel of land runs parallel to the proposed main construction, stated that he had no objection to this project but requested that he be notified as the project advanced. Mr. Foster agreed to contact Mr. Jones.

There being no further speakers the public hearing was closed.

Upon a motion by Ms. McKenna, seconded by Ms. Lowe, the Commission by roll call, voted 10-0 to recommend approval, with conditions, to the Board of Supervisors.

7. CASE NO. Z-3-90. ORDINANCE AMENDMENT/BUILDING LINE DEFINITIONS

Mr. Murphy presented the staff report (appended) to amend the definition of building line. Mr. Murphy stated that staff recommended approval.

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

Upon a motion by Mr. Bradshaw, seconded by Ms. McKenna, the Commission by roll call, voted 10-0 to recommend approval to the Board of Supervisors.

8. CAPITAL IMPROVEMENT PROGRAM FY91-95

Mr. Davis presented the staff report (appended) and stated that at the worksession held at 6 p.m. on February 13th, the Commission requested only minor changes in language.

Mr. Kuras opened the public hearing.

Mr. Gene Farley stated that he would like to see the request for improvements to secondary roads move up in priority.

There being no further speakers the public hearing was closed.

Upon a motion by Ms. McKenna, seconded by Mr. Bradshaw, the staff recommendation of approval to the Board of Supervisors was approved 10-0 by roll call vote.

9. CASE NO. ZO-5-90. ORDINANCE AMENDMENT REQUIRING SPECIAL USE PERMITS FOR CERTAIN COMMERCIAL AND OFFICE USES

Mr. Sowers presented the staff report (appended) and discussed two alternatives for ordinance amendments which would require special use permits for certain commercial uses, including shopping centers.


Following discussion, the Commission agreed to continue discussion at the Policy Committee Meeting at 4 p.m. on Wednesday, February 21st. It was subsequently decided to recess and reconvene the Planning Commission meeting at that time so that the entire Commission could attend.

10. MATTERS OF SPECIAL PRIVILEGE

At Mr. Garrett's suggestion, the Commission agreed to consider guidelines for time limits on speakers at public hearings.

11. ADJOURNMENT

There being no further business, the Planning Commission recessed at 9:05 p.m. to reconvene on February 21, 1990 at 4 p.m. in Building E conference room.


Alexander C. Kuras, Chairman


O. Marvin Sowers, Jr., Secretary

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