

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TENTH DAY OF JULY, NINETEEN HUNDRED AND NINETY AT 7:30 P.M., 101D MOUNTS BAY ROAD, SCHOOLBOARD BUILDING, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Mr. Alexander Kuras, Chairman
Mr. Raymond L. Betzner
Mr. A. G. Bradshaw
Mr. Wallace Davis, Jr.
Mr. Martin Garrett
Mr. John F. Hagee
Ms. Carolyn Lowe
Mr. Gary Massie
Ms. Willafay McKenna

ALSO PRESENT:

Mr. O. Marvin Sowers, Jr., Director of Planning
Mr. John T. P. Horne, Manager of Development Management
Mr. Leo P. Rogers, Assistant County Attorney
Mr. Allen P. Murphy, Jr., Principal Planner
Mr. R. Patrick Friel, Planner

2. MINUTES

The Minutes of the June 13, 1990 Planning Commission meeting were accepted as presented.

3. COMMITTEE REPORTS

Mr. Garrett presented the Development Review Committee Report. Mr. Garrett stated that the committee voted to recommend considering changes to the ordinance to permit overhead wiring in certain industrial parks. Mr. Garrett further stated that on July 5, 1990, the committee deferred action on Case No. S-46-90, New Quarter Industrial Park, until the July 10, 1990 Planning Commission meeting. Mr. Bradshaw stated that he would refrain from discussion and voting because of a conflict of interest. Following discussion, Mr. Garrett made a motion, seconded by Ms. McKenna, to accept the staff report to allow a cul-de-sac in excess of 1000 feet and to deny the request to permit overhead wiring. The motion passed unanimously by voice vote.

Mr. Hagee stated that he had a conflict of interest on Case No. SP-55-90, Wareham's Point, Phase 2. Mr. Massie stated that he had a conflict of interest on Case No. SP-54-90, Owens-Illinois Vista Warehouse Facility, and SP-59-89, Ewell Station Shopping Center Waiver Request.

The DRC Report was accepted with Mr. Bradshaw, Mr. Hagee and Mr. Massie abstaining on the above referenced cases.

The Commission requested the Policy Committee and staff to review overhead/underground wiring regulations.

4. CASE NO. SUP-32-90. WILLIAMSBURG/JAMES CITY COUNTY SCHOOLS OPERATIONS

Mr. Friel presented the staff report (appended) for a special use permit application by Mr. William D. Johnson of the DeYoung-Johnson Group, Inc. to allow the construction of an operations and maintenance center. Mr. Friel stated that the applicant had requested deferral to allow time to address staff concerns associated with access, screening, and the Chesapeake Bay Preservation Act.

Mr. Kuras opened the public hearing which was continued to the August 14, 1990 meeting.

5. CASE NO. SUP-33-90. RACEFIELD WELL WATER SYSTEM

Mr. Friel presented the staff report (appended) for a special use permit application by Mr. Darrell Rickmond of Rickmond Engineering on behalf of the Williamsburg Christian Center to allow an additional well on the James City Service Authority well site located in the Racefield Subdivision. Mr. Friel stated that staff recommended approval of Case No. SUP-33-90 based upon conditions in the report.

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

Ms. McKenna made a motion, seconded by Mr. Davis, to recommend approval of Case No. SUP-33-90 to the Board of Supervisors. On a roll call, the vote was AYE: Bradshaw, McKenna, Massie, Lowe, Davis, Hagee, Betzner, Kuras (8). NAY: (0).

6. CASE NO. Z-9-90. ROBERT A. AND HOWARD W. BRADY, JR.

Mr. Friel presented the staff report (appended) for an application by Mr. Robert R. Prince of Knicely and Cotorceanu on behalf of Robert and Howard Brady to rezone approximately 8.229 acres from A-1, General Agricultural, to R-1, Limited Residential.

Mr. Friel stated that staff recommended that the property be rezoned to R-6, Residential Agricultural, rather than R-1, Limited Residential, for reasons stated in the report.

Mr. Bradshaw stated he had a conflict of interest and would refrain from discussion and voting.

Mr. Kuras opened the public hearing.

Mr. Robert Prince representing the Bradys stated that there was sufficient time to add Bush Springs Road to the 6 Year Plan in order to cover the cost in excess of the \$20,000 proffered by the applicant for improving and/or widening Bush Springs Road. Mr. Prince further stated that it was an unfair burden to ask the applicants to pay the entire cost of improvements. He also stated that his clients were not in violation of the Zoning Ordinance as stated by staff.

There being no further speakers the public hearing was closed.

Ms. McKenna made a motion to approve the applicant's request to rezone to R-1 zoning. On a roll call, the vote was AYE: Hagee, Massie (2). NAY: McKenna, Lowe, Davis, Betzner, Kuras (5). ABSTAIN: Bradshaw (1).

Mr. Massie made a motion, seconded by Mr. Betzner, to accept the staff recommendation to rezone to R-6 zoning. On a roll call, the vote was AYE: Massie, Lowe, Davis, Betzner, Kuras (5). NAY: McKenna, Hagee (2). ABSTAIN: Bradshaw (1).

7. CASE NO. ZO-12-90. ZONING ORDINANCE AMENDMENT/RPOD

Mr. Murphy presented the staff report (appended) for approval of amendments to clarify regulations dealing with types of transmission pipelines allowed in the Reservoir Protection Overlay District.

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

Mr. Betzner made a motion, seconded by Mr. Davis, to approve Case No. ZO-12-90. On a roll call, the vote was AYE: Bradshaw, McKenna, Massie, Lowe, Davis, Hagee, Betzner, Kuras (8). NAY: (0).

The Commission requested that staff review Section 20-259 (a) (2) for possible deletion of the word "solely" prior to submittal to the Board of Supervisors in order to provide sufficient flexibility.

8. ALTERNATIVES FOR SHORTENING THE COMMERCIAL SUP PROCESS

Mr. Murphy presented the staff report (appended) containing alternatives for shortening the processing time for commercial developments requiring a special use permit. Mr. Murphy stated the Board requested at their June 18, 1990 meeting that the Planning Commission consider the alternatives presented and forward a recommendation to the Board for its next available meeting.

Following brief discussion, Mr. Massie made a motion to accept the staff recommendation (Alternative 1. Selectively pre-advertise for Board meetings). The motion was unanimously approved by voice vote.

9. BY-LAW AMENDMENTS

Mr. Sowers presented the staff report (appended) for proposed amendments to the Planning Commission By-laws including speaker time limits at public hearings. The Commission agreed to delete "shall" from the last paragraph of the resolution regarding time limits to applicants and groups. Upon a motion by Ms. McKenna, seconded by Mr. Davis, the proposed Planning Commission By-laws were adopted by unanimous voice vote.

10. PLANNING DIRECTOR'S REPORT

Mr. Sowers reported on the Landscape Ordinance and Chesapeake Bay Preservation Ordinance.

11. SETTING OF FUTURE MEETINGS

Mr. Sowers announced that the Comprehensive Plan Development Steering Committee meeting will preempt the Policy Committee meeting on July 18 at 4 p.m. in Conference Room E and that staff plans to air the meetings live. He also reviewed the list of members.

Mr. Kuras suggested a tour and briefing be scheduled for the Stonehouse development.

12. MATTERS OF SPECIAL PRIVILEGE

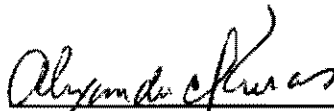
Mr. Horne announced that the Study Commission on Route 5 of which Delegate Grayson is a member has two more meetings scheduled after which a report will be prepared by VDOT. Mr. Horne will distribute information at the Commission's request.

Mr. Horne also stated that the General Assembly is considering land use impact fees, limiting conditions on SUPs regarding density and vested rights.

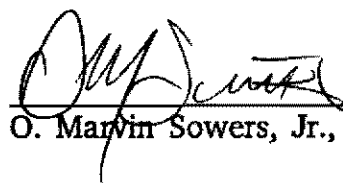
Ms. McKenna stated that the Citizens Participation Team had completed its tasks as outlined in the Planning Commission's adopted Methodology for Updating the James City County Comprehensive Plan. Ms. McKenna suggested a resolution commending the Team for a job well done.

13. ADJOURNMENT

There being no further business the July 10, 1990 Planning Commission meeting was adjourned at 9:05 p.m.



Alexander C. Kuras, Chairman



O. Marvin Sowers, Jr., Secretary

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