

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE NINTH DAY OF JULY, NINETEEN HUNDRED AND NINETY ONE AT 7:30 P. M. IN THE COUNTY GOVERNMENT CENTER, BOARD ROOM, 101E MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Mr. Alexander C. Kuras, Chairman
Mr. Raymond L. Betzner
Mr. A. G. Bradshaw
Mr. Wallace Davis, Jr.
Mr. Martin Garrett
Ms. Victoria Gussman
Mr. Donald C. Hunt
Ms. Judith Knudson
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 J. Murphy, Jr., Principal Planner
Mr. R. Patrick Friel, Senior Planner
Mr. Michael A. Freda, Planner

2. MINUTES

The Minutes of the June 11, 1991 Planning Commission meeting were approved by unanimous voice vote.

3. DEVELOPMENT REVIEW COMMITTEE REPORT

Upon a motion by Mr. Garrett, seconded by Ms. McKenna, the Development Review Committee Report was approved by unanimous voice vote.

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| 4. | CASE NO. SUP-10-90. | STONEHOUSE WELLS |
| | CASE NO. Z-10-89. | STONEHOUSE, INC. |
| | CASE NO. AFD-3-86. | HILL PLEASANT FARM/STONEHOUSE WITHDRAWAL |
| | CASE NO. SUP-4-91. | STONEHOUSE SEWER MAIN |

Mr. Friel presented the staff reports (appended) and explained that some proffers have been added since the Planning Commission last heard this case. The main proffer offered by the applicant halts development of the residential portion of the project at subdivision approval of 2400 lots until building permits for 600,000 sq. ft. of

commercial development are issued. Mr. Friel stated that staff recommended that the Planning Commission recommend to the Board of Supervisors that they not accept that portion of the proffer counting business as outside of Stonehouse that hook up to the sewage line extended by Stonehouse toward the 600,000 sq. ft. commercial and industrial commitment. Mr. Friel further stated that staff recommended approval of the zoning and special use permit applications, as detailed in the staff reports.

Mr. Kuras reopened the public hearing.

Mr. Vernon Geddy, on behalf of the applicant, Stonehouse, Inc., briefly discussed the changes in the proposed project and stated that the fiscal impact study indicated a "break even proposition" for the County. In regard to the portion of the project south of I-64, Mr. Geddy was willing to accept a conditional recommendation of approval but preferred approval of the entire project; otherwise, Mr. Geddy asked for deferral of action on the portion south of the interstate until after adoption of the Comprehensive Plan.

There being no further speakers, Mr. Kuras closed the public hearing.

Mr. Horne informed the Commission that they were not given the detailed staff presentation of meaningful possible ways to phase the project to reduce its fiscal impact. Mr. Horne assured the Commission that staff had met with the applicant and presented such a phasing alternative but the applicant chose not to follow staff suggestions.

Ms. Gussman felt the changes improved the project; however, she preferred that all 600,000 sq. ft. of commercial space be on site.

Mr. Bradshaw stated his support of the staff recommendation of approval.

Mr. Garrett felt that Chesapeake Corporation had not done all that it could regarding fiscal impact, but favored it because it protects the reservoir and encourages economic development sooner.

Ms. McKenna felt this project would be a significant enticement to other commercial operations and provides good interstate development sites.

Ms. Knudson stated that she could not support the project because the fiscal impact issue had not been resolved, the off site commercial and industrial credits were not satisfactory, low and moderate housing needs had not been adequately addressed, and felt it was questionable that the Chesapeake Corporation could attract commercial uses to the County when the County could not. She also felt the Chesapeake Corporation could have worked harder on this application.

Mr. Hunt felt the Chesapeake Corporation should be given a chance to prove what they could do.

Mr. Kuras also expressed disappointment that the 600,000 sq. ft. of commercial uses would be linked to off site development.

Mr. Betzner felt the Commission and staff had taken the project as far as possible and it was up to the Board of Supervisors to fine tune the proposal.

Mr. Davis expressed concern regarding sewage disposal, mixed use, and destruction of wetlands.

Ms. Lowe, in her absence, submitted a letter regarding fiscal impact of the project and urging the Commission to carefully consider whether or not the developers, through their proffers, had adequately addressed concerns.

Case No. SUP-10-90. Stonehouse Wells. Ms. McKenna made a motion, seconded by Mr. Bradshaw, to accept the staff recommendation of approval. The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Gussman, Hunt, McKenna, Kuras (8). Nay: Knudson (1).

Case No. Z-10-89. Stonehouse, Inc. Ms. McKenna made a motion, seconded by Mr. Betzner, to accept the staff recommendation of approval, including their recommendation not to accept the portion of the proffer providing for credit for commercial and industrial development outside of Stonehouse that hooks up to the proposed sewer main.

Mr. Kuras moved to amend the motion to recommend approval of the entire project with the portion south of Interstate 64 conditioned upon the Board of Supervisors' approval of the draft Comprehensive Plan as it was proposed on July 9, 1991. The motion for amendment passed: AYE: Betzner, Bradshaw, Davis, Garrett, Gussman, Hunt, McKenna, Kuras (8). NAY: Knudson (1).

On the motion to approve Case No. Z-10-89, with the approved amendment, the motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Gussman, Hunt, McKenna, Kuras (8). NAY: Knudson (1).

Case No. AFD-3-86. Hill Pleasant/Stonehouse Withdrawal.

Mr. Hunt stated conflict of interest and abstained from participation on this case.

Ms. McKenna made a motion, seconded by Mr. Garrett to accept the staff recommendation of approval. The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Gussman, McKenna, Kuras (7). NAY: Knudson (1). ABSTENTION: Hunt (1).

Case No. SUP-4-91. Stonehouse Sewer Main

Ms. McKenna made a motion, seconded by Mr. Garrett, to accept the staff recommendation of approval. The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Gussman, McKenna, Kuras (7). NAY: Knudson (1). ABSTENTION: Hunt (1).

5. CASE NO. AFD-1-89. R. T. ARMISTEAD (CARTER ADDITION)

Mr. Friel presented the staff report (appended) for an application by Ms. Elizabeth Carter to add 90.75 acres to the R. T. Armistead Agricultural and Forestal District. Mr. Friel stated that the AFD Advisory Committee recommended approval of the addition for a term consistent with AFD-1-89 and that staff recommended approval with the stated conditions.

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

Ms. Garrett made a motion, seconded by Ms. McKenna, to accept the staff recommendation of approval. The motion passed: AYE: Betzner, Bradshaw, Davis, Garrett, Gussman, Hunt, McKenna, Knudson, Kuras (9). NAY: (0).

6. CASE NO. SUP-16-91. SKIMINO GOLF COURSE (William C. Cowardin of Kaufman & Conoles)

Mr. Friel presented the staff report (appended) for a special use permit to develop a golf course. Mr. Friel stated that staff concurs with the applicant's request of deferral to allow time for staff and applicant to address the issues which may arise in the Virginia Department of Transportation's review of this project and the still unresolved issues associated with the proposed water withdrawal from Barlow's Pond.

Mr. Kuras opened the public hearing and continued it until the August meeting.

7. CASE NO. Z-2-91. ROBERT V. PIGGOTT (William Chambers)

Mr. Bradshaw stated conflict of interest and abstained from participation on this case.

Mr. Freda presented the staff report (appended) stating that the Board of Supervisors had remanded this case to the Planning Commission to review the latest proffers. Mr. Freda discussed the changes in the proffers and said there were still areas of concern. Mr. Freda emphasized inconsistency with the Comprehensive Plan to be the principal issue with this proposal. Mr. Freda stated that staff continued to recommend denial of this case for reasons listed in the staff report.

Mr. Kuras stated that the proposed uses were too intense.

Mr. Garrett stated that this proposal was not consistent with the Comprehensive Plan and it was important to convey the message to the development community that proposals must conform to the Comprehensive Plan.

Ms. Gussman also stated that the commercial uses were not consistent with the Comprehensive Plan and that it is important to support the Comp Plan; otherwise, exceptions will eventually destroy the intent of the plan.

Mr. Betzner made a motion, seconded by Ms. McKenna, to recommend denial of Case No. Z-2-91. The motion passed: AYE: Betzner, Davis, Garrett, Gussman, Hunt, McKenna, Knudson, Kuras (8). NAY: (0). ABSTAIN: Bradshaw (1).

8. ANNUAL REPORT

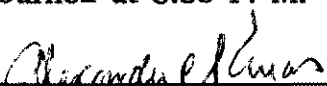
Mr. Sowers summarized the annual report and an amendment to page 7. Mr. Kuras will make the Annual Report presentation to the Board of Supervisors on July 15, 1991. The Commission moved to accept the Annual Report by unanimous voice vote.

9. PLANNING DIRECTOR'S REPORT

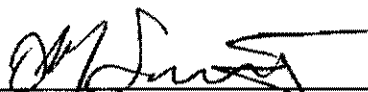
Mr. Sowers presented the report (appended) and stated that a worksession will be held on July 16 at 3 P. M. in the Board Room to review three sections of the Zoning Ordinance: site plans, signs, and parking regulations.

10. ADJOURNMENT

There being no further business, the July 9, 1991 Planning Commission meeting adjourned at 8:35 P. M.



Alexander C. Kuras, Chairman



O. Marvin Sowers, Jr., Secretary