

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TWELFTH DAY OF MAY, NINETEEN HUNDRED AND NINETY TWO AT 7:00 P. M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Mr. Alexander C. Kuras, Chairman
Mr. A. G. Bradshaw
Mr. Martin Garrett
Mr. Willafay McKenna
Mr. Wallace Davis, Jr.
Mr. John Hagee
Ms. Victoria Gussman
Mr. Raymond Betzner
Mr. Donald Hunt

ALSO PRESENT

Mr. Allen J. Murphy, Jr., Acting Secretary
Mr. Leo P. Rogers, Assistant County Attorney
Mr. Donald E. Davis, Principal Planner
Mr. R. Patrick Friel, Senior Planner
Mr. Michael A. Freda, Planner
Mr. Jeffrey J. Mihelich, Planner
Mr. Trenton L. Funkhouser, Senior Planner

2. WATERSHED MANAGEMENT PLAN PRESENTATION

Ms. Patty Jackson, Executive Director of the Lower James River Association, presented a videotape entitled "Protecting the James," which identified issues and techniques to protect resources and balance growth and development.

3. MINUTES

Upon a motion by Ms. McKenna, seconded by Mr. Betzner, the Minutes of the April 14, 1992 regular meeting and the May 6, 1992 worksession were approved as presented.

4. DEVELOPMENT REVIEW COMMITTEE REPORT

Following a brief report, upon a motion by Mr. Garrett, seconded by Mr. Kuras, the Development Review Committee Report was approved as presented.

5. CASE NO. SUP-38-91 AND CASE NO. SUP-39-91. HENRY S. BRANSCOME, INC. BORROW PIT.

Mr. Friel presented the staff report and stated that these cases were deferred at the April 14, 1992 Planning Commission meeting to allow time for a worksession on the topic of borrow pits. Mr. Friel further stated that staff continues to recommend approval of these cases with the conditions detailed in the staff report.

Mr. Kuras opened the public hearing.

Mr. Grady Andrews of Henry S. Branscome, Inc. stated that he and Mr. Roy Turman, president of the company, were available to respond to questions.

Ms. Inga Ferrell, resident of Blow Flats Road, opposed approval of the special use permits and stated that she felt Henry S. Branscome and the County could find resources to solve the problems.

There being no further speakers the public hearing was closed.

Mr. Davis expressed concern regarding the traffic on Blow Flats Road but felt that nothing was being done about the problems. Mr. Davis referred to a blind spot in the road. Mr. Davis also felt the expiration date should be less than seven years.

In response to Ms. McKenna's concerns regarding traffic, Mr. Turman stated that with the approval of the special use permits it would not be necessary to transport borrow across the County for the Roberts District school.

Mr. Garrett felt because of the beauty of the site and its access to the James River that another use might be more suitable for the site. Mr. Garrett stated that he did not feel a borrow pit was the best use for the site as a beautiful wooded area would be dug up that could not be replaced.

Mr. Hagee felt that a borrow pit in an industrial area was not a problem; however, the traffic on Blow Flats Road was a problem but without a solution. Mr. Hagee questioned where borrow pits should be located if not in an industrial area. Mr. Hagee questioned if borrow pits should go in rural areas.

Mr. Betzner stated that the borrow pits in the County were located in rural areas.

Mr. Kuras felt the site was suitable for a borrow pit and that the applicant had the right to use the road. Mr. Kuras felt the applicant would not mine the property to the extent that the property would be damaged. Mr. Kuras stated that 40 acres at

a time would be disturbed and then replanted which he felt would create a nice stand of pines in 15 to 30 years.

Mr. Betzner made a motion, seconded by Mr. Wallace, to recommend denial of the special use permits. The motion passed: AYE: Garrett, McKenna, Davis, Gussman, Betzner (5). NAY: Bradshaw, Hagee, Hunt, Kuras (4).

6. CASE NO. SUP-10-92. WILLIAM A. RANDALL SUBDIVISION

Mr. Friel presented the staff report (appended) for a special use permit to allow a 13 lot subdivision located at 2564 Little Creek Dam Road. Mr. Friel stated that staff recommends approval with the conditions detailed in the staff report.

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

Ms. McKenna made a motion, seconded by Mr. Betzner, to accept the staff recommendation of approval.

Mr. Hagee raised concerns and discussion followed in which it was questioned whether, in this case, septic systems on one acre lots are acceptable because this subdivision is designated affordable housing. Mr. Davis concurred with Mr. Hagee's concerns.

Mr. Garrett questioned if a 30,000 sq. ft. wooded lot would accommodate two septic fields, one being a backup field in the event of failure of the original field.

Ms. Gussman asked about the setback from the reservoir. Mr. Friel responded that a condition could be added.

The motion for approval of the special use permit passed: AYE: Bradshaw, Garrett, McKenna, Gussman, Betzner, Hunt, Kuras (7). NAY: Davis, Hagee (2).

7. CASE NO. SUP-12-92. LOIS G. REED

Mr. Friel presented the staff report (appended) for a special use permit to allow the development of a two-family dwelling located at 3239 Chickahominy Road. Mr. Friel stated that staff recommends approval with the conditions stated in the staff report.

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

Ms. McKenna made a motion, seconded by Mr. Garrett, to accept the staff recommendation of approval. The motion passed: AYE: Bradshaw, Garrett, McKenna, Hagee, Gussman, Betzner, Hunt, Kuras (8). NAY: Davis (1).

8. PROPOSED METHODOLOGY FOR THE COMPREHENSIVE PLAN ANNUAL REVIEW

Mr. Donald Davis made opening remarks regarding the annual review process of the Comprehensive Plan.

Mr. Mihelich presented the staff report (appended) and outlined the Comprehensive Plan annual review process, including its purpose, mission, organizational/individual roles, public input, issue resolution and public input analysis, reports to the Commission and Board, time frame, land use map amendments, and future reviews. Mr. Mihelich stated that staff recommends approval of the annual review process of the Comprehensive Plan.

Mr. Kuras made a motion, seconded by Ms. McKenna, to accept the staff recommendation of approval. The motion passed by unanimous voice vote.

9. CASE NO. ZO-6-92. ZONING ORDINANCE AMENDMENT TO M-1, M-2 AND M-3 INDUSTRIAL DISTRICTS

Mr. Freda presented the staff report (appended) denoting major changes to the M-1 and M-2 Districts, and text proposed for the new M-3 District. Mr. Freda stated that on April 15, 1992 the Industrial Development Subcommittee unanimously recommended that the full Planning Commission approve the changes; the subcommittee also recommended the additional text changes regarding banks, day care centers and restaurants, as stated in the staff report.

Mr. Kuras opened the public hearing.

Mr. A. B. Smith, Jr. expressed concern regarding underground wiring and felt this type of wiring should be allowed by-right or have a simple procedure available to obtain an exception in these districts. Mr. Smith felt underground wiring maintenance was expensive because of the difficulty to detect and correct problems.

Mr. Donald Davis stated that the Planning Commission examined this issue about a year ago and no new information had been submitted by Mr. Smith to warrant reconsideration. He stated that staff was willing to review this matter at the Planning Commission's request if new data were submitted by Mr. Smith.

There being no further speakers the public hearing was closed.

Mr. Kuras made a motion for an amendment, seconded by Ms. McKenna, that self supporting be added to towers and antennas which are sixty feet or less in height. The motion for amendment passed by unanimous voice vote.

Mr. Bradshaw stated that he was not in favor of underground wiring in the industrial area.

Mr. Kuras suggested that additional data be provided by Mr. A. B. Smith for further review of underground wiring.

Ms. McKenna suggested discussing the matter with Virginia Power.

Ms. McKenna made a motion, seconded by Mr. Davis, to accept the staff recommendation with the approved amendment. The motion passed: AYE: Bradshaw, Garrett, McKenna, Davis, Hagee, Gussman, Betzner, Hunt, Kuras (9). NAY: (0).

10. AMENDMENTS TO THE PLANNING COMMISSION BYLAWS

Following brief comments, Ms. McKenna made a motion, seconded by Mr. Kuras, to accept the staff recommendation of approval of the amendments to the Planning Commission Bylaws.


The motion passed by unanimous voice vote.

11. PLANNING DIRECTOR'S REPORT

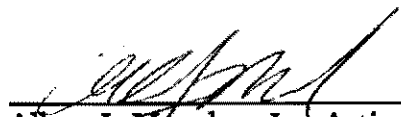
Mr. Murphy congratulated the Planning Commission on their participation and developers for their input in the Zoning Ordinance Update.

12. ADJOURNMENT

There being no further business, the May 12, 1992 Planning Commission meeting adjourned at 9:15 P. M.



Alexander C. Kuras, Chairman



Allen J. Murphy, Jr., Acting Secretary

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