

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

1. ROLL CALL

Ms. Willafay McKenna, Acting Chairman
Mr. Raymond Betzner
Mr. A. G. Bradshaw
Ms. Victoria Gussman
Mr. John Hagee
Mr. Donald Hunt

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. R. Patrick Friel, Senior Planner
Mr. Jeffrey J. Mihelich, Senior Planner

2. MINUTES

Upon a motion by Mr. Betzner, seconded by Mr. Bradshaw, the Minutes of the May 11, 1993 Planning Commission meeting were approved as presented by unanimous voice vote.

3. DEVELOPMENT REVIEW COMMITTEE REPORT

In the absence of the Chairman of the Development Review Committee, Mr. Betzner presented this report stating that the meeting was brief with no controversial issues. Mr. Betzner noted that Raintree Villas was one of the first projects reviewed as a residential cluster under the new provisions of the cluster ordinance.

Upon a motion by Ms. Gussman, seconded by Mr. Hunt, the Development Review Committee Report was accepted as presented.

4. CASE NO. Z-4-93. NEWS ROAD/FANNIE NEW

Mr. Friel presented the staff report (appended) for a rezoning of approximately 89 acres from R-8, Rural Residential to R-2, General Residential. Mr. Friel stated that staff concurs with the applicant's request for a one month deferral in order to prepare a traffic impact study as requested by the Virginia Department of Transportation during the review of the concept plan.

Ms. McKenna opened the public hearing. There being no speakers the public hearing was continued to the July 13, 1993 meeting.

5. CASE NO. SUP-19-93. DAVID A. NICE

Mr. Friel presented the staff report (appended) for a special use permit to operate a builder's office and storage shed at 4571 Ware Creek Road. Mr. Friel stated that staff recommended approval with the conditions detailed in the staff report.

In response to Ms. McKenna's inquiry, Mr. Nice stated that the existing structure was single story and 16 feet in height. The expansion would involve closing in one corner of the building at the exact same height as the existing building in which cabinets are produced for his construction business.

Ms. McKenna opened the public hearing.

Mr. Nice reiterated his previous comments.

There being no further speakers the public hearing was closed.

Ms. Gussman made a motion, seconded by Mr. Bradshaw, to accept the staff's recommendation of approval. On a roll call vote, the motion passed: AYE: Bradshaw, Mckenna, Hagee, Gussman, Betzner, Hunt (6). NAY: (0).

6. CASE NO. SUP-21-93. MOORETOWN ROAD FORCE MAIN

Mr. Friel presented the staff report (appended) for a special use permit to allow the construction of a sewer force main along Mooretown Road. Mr. Friel stated that staff recommended approval with conditions detailed in the staff report.

Ms. McKenna opened the public hearing.

Mr. Vernon Geddy, representing Wilkinson Associates, stated that he was available to answer questions.

Mr. Betzner asked what development the main was intended to serve.

Mr. Geddy responded that the main would serve the communities between Mooretown Road and Lightfoot Road, and that it would serve York County but no part of James City County which is served by public sewer in that area.

There being no further speakers the public hearing was closed.

Mr. Betzner made a motion, seconded by Mr. Hagee, to accept the staff's recommendation of approval.

Ms. Gussman stated that she hoped jurisdictions could work together in a harmonious manner in cases such as these where the counties can help out one another and it is advantageous for both counties.

On a roll call vote, the motion passed: AYE: Bradshaw, Mckenna, Hagee, Gussman, Betzner, Hunt (6). NAY: (0).

7. VIRGINIA TRANSPORTATION ENHANCEMENT PROGRAM

Mr. Mihelich presented the staff report (appended) for an application for a grant through the Virginia Transportation Enhancement Program, which would include funds for the construction of bikeways and for the removal of nonconforming signs. Mr. Mihelich stated that staff recommended that the Planning Commission find the two enhancement projects consistent with the Comprehensive Plan and recommend approval of the grant application.

Mr. Hagee questioned the money involved in the removal of nonconforming signs and what kind of signs would be removed.

Mr. Mihelich responded that the signs (billboards) would be removed from the actual right-of-way within Route 5.

Mr. Hunt asked if the County would buy the owners' privilege to use the sign.

Mr. Sowers responded that this is a VDOT administered program in which VDOT would negotiate with the sign owner and the County would not directly receive any money. Mr. Sowers further stated that the owner would be compensated for some portion of the sign based on the value of the sign.

In response to Mr. Hagee's inquiry regarding the Enhancement Fund Grant and the Congestion Mitigation and Air Quality (CMAQ) funds, and the involvement of CMAQ funds for bikeways, Mr. Sowers stated both funds are awaiting federal approval. Mr. Mihelich stated that one of the goals of CMAQ is to reduce congestion and they feel if there is enough bikeway availability more people would use bikes instead of driving their cars thus reducing congestion and improving air quality. Mr. Mihelich further stated that several million dollars is available in Virginia for bikeways, transit projects, and projects that reduce congestion and improves air quality.

Mr. Bradshaw stated that although the signs are nonconforming under the current ordinance the signs were put up with permits and asked if they would be taken down without mutual negotiation of both parties (not condemned and torn down).

Mr. Sowers responded that VDOT would negotiate as they do on highways projects but given the fact that it is a state administered project if a satisfactory settlement cannot be reached VDOT will have the authority to exercise their police powers and remove the signs but that sign owners would be compensated.

In response to Mr. Hagee's inquiry as to why the enhancements must be consistent with the Comprehensive Plan, Mr. Mihelich and Mr. Sowers explained that one of the new application requirements is that the Planning Commission find the enhancement projects consistent with the Comprehensive Plan.

Mr. Betzner made a motion, seconded by Mr. Hagee, to accept the staff's recommendation that the Planning Commission find the two enhancement projects consistent with the Comprehensive Plan and recommend approval of the grant application. On a roll call vote, the motion passed: AYE: Bradshaw, Mckenna, Hagee, Gussman, Betzner, Hunt (6). NAY: (0).

8. PLANNING DIRECTOR'S REPORT

Mr. Sowers presented the report (appended) and noted that if anyone is interested in the Greenways development process and serving on the citizen advisory committee to call the number in the report.

9. MATTERS OF SPECIAL PRIVILEGE

Ms. McKenna complimented the County on the median strip between Jamestown Road and Route 199.

Ms. McKenna questioned the installation of shelters on Route 199 around Williamsburg Crossing for the bus stop at that location. Mr. Sowers agreed to contact Richard Drumwright, Transit Administrator.

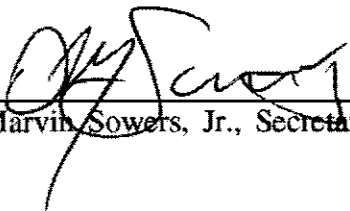
Mr. Betzner reminded the Commission that Williamsburg Crossing would be on the July 13, 1993 Planning Commission agenda. Mr. Friel stated that the applicant had submitted a revised conceptual plan which shows primarily the removal of the go carts, bumper boats and skateboard bowl and replaced by an 18 hole par 3 golf course.

10. ADJOURNMENT

There being no further business, the June 8, 1993 Planning Commission meeting adjourned at 8 p.m.



Alexander C. Kuras, Chairman



O. Marvin Sowers, Jr., Secretary