

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE NINTH DAY OF NOVEMBER, 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

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

ALSO PRESENT

Mr. O. Marvin Sowers, Jr., Director of Planning  
Mr. John T. P. Horne, Director of Development Management  
Mr. Leo P. Rogers, Assistant County Attorney  
Ms. Elizabeth R. Friel, Senior Planner  
Mr. Michael A. Freda, Senior Planner

2. MINUTES

Upon a motion by Ms. McKenna, seconded by Mr. Hagee, the Minutes of the October 12, 1993 Planning Commission meeting were approved by unanimous voice vote.

3. DEVELOPMENT REVIEW COMMITTEE REPORT

Mr. Garrett stated that Williamsburg Plantation Master Plan amendment was a site that was originally planned as a 188 lot cluster subdivision with detached timeshare homes. The developer now proposes 309 lots with 63% of the site preserved in open space which meets the cluster requirements and the permissible density under the requested density bonuses; therefore, approval is recommended.

Mr. Garrett also stated that the Committee recommended that staff be permitted to approve parking space requirements. However, if the developer disagrees with staff's recommendation the Development Review Committee would review the case.

Mr. Kuras stated that staff and the Committee agree about 100% of the time. Mr. Sowers concurred with the Committee's request and said staff would forward an ordinance amendment.

Mr. Hagee stated that he had a conflict of interest and would abstain from voting on Case No. S-79-93 (Busch Properties, Inc., Kingsmill East, Section I, Exception Request) and Case No. SP-103-93 (Kingsmill Golf Course #3, Clubhouse).

Upon a motion by Mr. Garrett, seconded by Mr. Kuras, the Development Review Committee report was accepted by voice vote with Mr. Hagee abstaining on Case No. S-79-93 and Case No. SP-103.93.

#### 4. RICHMOND ROAD SIGNALIZATION STUDY

Mr. Sowers presented the staff report (appended) for the Richmond Road signalization study which was conducted by the Hampton Roads Planning District Commission in cooperation with the Virginia Department of Transportation and the James City County Planning Division. Mr. Sowers stated that the study was conducted to determine the effects of additional traffic signals on the corridor and to identify locations for future signals.

Mr. Sowers stated that Ms. Dee Ann Abel of the Hampton Roads Planning District Commission, who was the principal preparer of the study, was also available to answer questions.

Mr. Sowers further stated that the study offered an objective systematic means to preserve Richmond Road's arterial function and through traffic handling capabilities, while still providing for local access demand. Mr. Sowers also felt the study could be a very valuable tool in the review of development applications.

Mr. Sowers stated that the Commission should be aware that meeting the study's guidelines would require significant public and private determination and support. Mr. Sowers further stated that staff recommended that the Commission endorse the study's recommendations as a guide to be used when considering development applications. Mr. Sowers also recommended that the study be forwarded to the Board of Supervisors for their consideration and endorsement.

Mr. Sowers exhibited charts which displayed existing levels of service, projected levels of service for 4 and 6 lane sections, and optimal signal locations.

Mr. Hagee stated that it appeared that in some areas where there was an intersection or where a road connects into Richmond Road that signal lights would be located beyond but not right on the intersection and questioned if that would be practical.

Mr. Sowers responded that in some cases it would not be practical to have a signal line up with one of the indicated locations especially at existing public roads.

Mr. Hagee questioned if signals were anticipated at those roads.

Mr. Sowers responded that there would be signals at some of the roads but it would depend on the traffic volumes and whether they meet the warrants and guidelines and criteria in the study.

Ms. Dee Ann Abel stated that a signal must be warranted, needed and useful to be recommended. Ms. Abel also discussed cycle lengths and best locations of lights, which should be kept in mind when looking at development proposals.

Ms. McKenna asked about the in between areas being serviced by a light.

Ms. Abel responded that the goal is to try to look at other alternatives before deciding to put in a light such as access to a side street or shared driveways. Ms. Abel stressed that the study could be used to indicate whether other alternatives should be considered.

Ms. McKenna asked if part of the recommendation was that the County should look at a service road.

Ms. Abel responded that one of the recommendations was to look at access management.

Mr. Sowers stated that it is hoped that by proper location of signals, service roads could be avoided as much as possible as such roads do not provide good local access, and that proper signal replacement provided better local access while also maintaining the external function of Route 60.

In response to Ms. McKenna's question regarding synchronization, Ms. Abel responded that the state was responsible for timing signals.

Ms. McKenna made a motion, seconded by Mr. Hagee, to endorse the study and to recommend the Board of Supervisors also endorse it. The motion passed by a unanimous voice vote.

5. CASE NO. MP-3-93. FORD'S COLONY AMENDMENT/RECREATION CENTER

Ms. Friel stated that the applicant, Mr. Paul Small of AES, had requested deferral until the December 14, 1993 meeting.

Mr. Kuras opened the public hearing. There being no speakers, the public hearing was deferred until the December meeting.

6. CASE NO. SUP-33-93. SPENCER BROTHERS BUILDERS/DUPLEX

Mr. Freda presented the staff report (appended) for a special use permit to construct a two-family dwelling on .35 acres in the R-1, General Residential District, located off Strawberry Plains Road. Mr. Freda stated that staff recommended approval with the conditions detailed in the staff report.

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

Mr. Garrett made a motion, seconded by Ms. McKenna, to accept the staff recommendation of approval. On a roll call vote, the motion passed: Kuras, Bradshaw, Davis, Garrett, Gussman, Hagee, Hunt, McKenna (8). NAY (0).

7. CASE NO. Z-9-93 AND SUP-31-93. FIVE FORKS ASSOCIATES

Ms. Friel informed the Commission that staff recommended action on this case at this time as the issue raised in the staff report had been resolved to staff's satisfaction. Ms. Friel stated that the Commission had received a revised draft proffer resolving the turn lane issue that was mentioned in the staff report.

Ms. Friel presented the staff report (appended) to rezone approximately 8.8 acres from B-1, General Business, with proffers, to B-1, General Business, with revised proffers, and 1.8 acres from B-1, General Business, to B-1, with proffers, as well as adjacent property owned by Five Forks Associates from R-2, General Residential, with proffers, to R-2, General Residential, with revised proffers. Ms. Friel stated that the applicant had applied concurrently for a special use permit to allow commercial development in excess of 10,000 square feet to accommodate a commercial proposal on the property zoned B-1, General Business. Ms. Friel further stated that the purpose of the rezoning was to revise the previously approved proffers for the Five Forks area, inclusive of both B-1 and R-2 land, and to add acreage to the B-1 portion of the site, which would accommodate revised development plans for the B-1 site and slight revisions for the R-2 site.

Ms. Friel distributed the following addition to proffer #1:

.....for eastbound traffic on Route 5 a left turn lane onto northbound Route 615 to be constructed within the existing right of way if acceptable to VDOT - otherwise owner shall construct a left turn lane acceptable to VDOT and will pay in a manner acceptable to the County Attorney, the County, or VDOT, for the costs of the acquisition of right of way on the south side of Route 5 and west of the western property line of Zoom's, as required to accommodate a turn lane acceptable to VDOT (it being understood that the County or VDOT will actually acquire the necessary right of way).

Ms. Friel noted a revision to the staff report stating that a study identifying small whorled pagonias had been submitted and approved and was performed in accordance with the conditions with the previous zoning.

Ms. Friel stated the proposal was consistent with the Comprehensive Plan and staff recommended approval with the acceptance of proffers with the understanding that there may be some revisions to the proffers but they would not vary in content, and with the conditions listed in the staff report.

In response to Mr. Davis' question regarding fast foods restaurants, Ms. Friel responded that there is a potential for fast foods restaurants where they were not previously allowed.

Ms. McKenna asked if there would be changes in the turn lanes and signals at the intersection of Route 5 and Ironbound Road.

Ms. Friel responded that there would be and that the owner would be responsible for the costs of the installation of the signals.

Mr. Hagee asked about the location of bike paths.

Ms. Friel responded that a portion of Ironbound Road and all of the frontage of Route 5 are on the bike plan. Ms. Friel explained that there was not enough room for a paved shoulder because the right-of-way is so tight, and according to VDOT there does not seem to be another way to handle it and this would be of a shared bikeway/vehicle design.

Mr. Betzner stated that an area of concern was the left turn from Route 5 onto Ironbound Road and questioned how the problem was resolved since they could not take the land from Zoom's.

Ms. Friel responded that the proffered eastbound left turn onto northbound Ironbound Road would allow the intersection to move better getting the left turn movement out of the main flow of traffic. The right turn movement will have additional pavement area to make the turn easier, but will not be a full right turn.

Mr. Garrett asked how much wider the road would be when there's a bike path on the main road than if there were no bike path. Mr. Garrett stated that the white line on the side of the road does not designate a bike path to him.

Mr. Kuras pointed out that by definition it would be a Class III bike path.

Mr. Sowers stated that this location would tie into a grant the County just recently was awarded which would have four foot paved shoulders. Mr. Sowers stated that in this particular area because of the right of way constraints it will be a Class III bikeway which is simply a "bike friendly" roadway which is shared with an automobile.

At Mr. Kuras' request, Ms. Friel read condition 1 of the staff report regarding building design.

Mr. Kuras opened the public hearing.

Mr. Vernon Geddy, III, representing the applicants, introduced Lewis Waltrip and Jeff Weeks from Ironbound Company, the owners of the property; representatives from Langley & McDonald; John Gibson from Ellis Development; and, Donna MacMillan from Commercial Associates, the actual developers of Phase I of this project.

Mr. Geddy thanked staff for their diligence in assisting the applicant in resolving VDOT issues. Mr. Geddy reviewed the currently approved master plan and the acquisition of an additional site to be included in the master plan, and the planned uses in the commercial and residential development. Mr. Geddy stated that the major changes were in the commercial section where a multi-phased shopping center is anchored by a new grocery store known as The Market Place and Food Pavilion. Mr. Geddy displayed a rendering of the exterior and showed slides of the interior of the store.

Mr. Geddy stated that this plan was superior to the original master plan and asked for approval of the proposal.

Mr. George Wright, 148 Cooley Road, spoke as president of the Historic Route Five Association and chairman of its coordinating council representing property owners, developers and business owners located along John Tyler Highway. Mr. Wright distributed copies of his presentation in which he expressed concern regarding quality and character of development along Route 5. Mr. Wright urged the County to see that the developer leaves a greenbelt on Route 5 and Ironbound Road and/or constructs landscaped berms to soften expanses of asphalt parking. Mr. Wright expressed concern regarding traffic safety and problems with drainage and runoff pollution. Mr. Wright asked that every effort be made to insure that the proposal results in a quality development that enhances Historic Route 5.

Mr. Ralph DeRosa, 2023 Horns Lake Road, Governors Land, stated that based upon the growth and the needs of citizens in the western end of the community, as a resident and as a real estate salesman, he felt there was a need for this proposal. Mr. DeRosa further stated that his homeowners association, of which he is a manager and member, in a recent poll showed that over 80% responded that they would like to see this proposal approved.

Mr. C. O. Haines, 118 Kingspoint Drive, felt that the grocery store was incorrectly billed as a neighborhood grocery, but for that very reason it appealed not only to him but he felt would attract residents from other communities along Route 5. Mr. Haines was concerned about the traffic at the intersection between Route 5 and 199 and asked that the County look at the overall retail development plan, transportation, traffic and economic plans, and how to coordinate and meet all needs in the County. Mr. Haines also felt that there was a need for an upscale department store in the County and wondered how this might impact the possibility of such a future development.

Mr. Geddy, in response to concern regarding runoff from the site, stated that as a part of the development plan for the residential portion that is currently under review, there is a major retention basin to handle the runoff from the existing shopping center that is not presently managed and the new commercial development.

There being no further speakers the public hearing was closed.

Ms. McKenna complimented the developers for their sensitivity in addressing traffic, buffers, and architectural matters to create the sort of development that the County seeks.

Mr. Kuras complimented the developers on the combination of the two parcels which eliminated the triangle.

Mr. Betzner felt this would be one of the most attractive shopping centers in the community.

Ms. McKenna made a motion, seconded by Mr. Bradshaw, to accept the staff recommendation of approval. On a roll call vote, the motion passed: Kuras, Betzner, Bradshaw, Davis, Garrett, Gussman, Hagee, Hunt, McKenna (9). NAY (0).

Mr. Garrett stated his appreciation for groups such as the Historic Route 5 Association and the Growth Commission. Mr. Garrett further stated that the Commission has been largely responsible for taking the lead in attracting what is considered desirable growth and in maintaining the ambiance of the community. Mr. Garrett did not feel the Commission had given themselves due credit for these accomplishments.

Mr. Betzner pointed out that the Commission is unable to control the types of retail growth that comes into the community but feels that once the people who do marketing surveys for those stores figure out that there is enough critical mass in the community they will make the decision to come here.

#### 8. PLANNING DIRECTOR'S REPORT

Mr. Sowers presented the staff report (appended) and informed the Commission that the County recently was awarded a grant for \$960,000 along with the City of Williamsburg and York County for the construction of bikeways, and that this was in addition to an earlier grant for \$360,000. Mr. Sowers stated that for the \$960,000 grant the County was in competition with over 220 applications statewide with \$100,000,000 in requests but only \$14,000,000 of available funds. Mr. Sowers further stated that ours was the third largest project funded out of 37 and our application was ranked third overall.

Mr. Sowers stated that the Greenways Task Force groups will meet on November 15th at 7 p.m. in the York County Human Services Building, 361 Goodwin Neck Road. Mr. Sowers urged all Commissioners to attend. On the agenda will be tentative locations for greenways, ideas for implementation and perhaps a pilot project.


Mr. Sowers stated that the Richmond Road Subarea Study Citizens Committee of which Ms. McKenna is the Commission's representative, met on November 3 to look at alternatives for the Monticello Avenue Flyover. A citizens town meeting will be held on December 7 at 7:30 p.m., Williamsburg City Council chambers, to present some of the initial analysis done on the traffic studies and origin and destination studies and to primarily hear from citizens on what they believe the main corridor problems are and solutions.

Ms. McKenna commented on a very bright light on Ironbound Road toward Route 5 coming from Zoom's property and felt it could be directed so that it would not be blinding at that intersection. Mr. Sowers agreed to look into the matter.

#### 9. ADJOURNMENT

There being no further business, the November 9, 1993 Planning Commission meeting adjourned at 8:45 p.m.

  
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Alexander C. Kuras, Chairman

  
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O. Marvin Sowers, Jr., Secretary

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