

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FOURTEENTH DAY OF MARCH, NINETEEN HUNDRED AND NINETY-FIVE 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
- Ms. Willafay McKenna
- Mr. Martin Garrett
- Mr. John F. Hagee
- Mr. Raymond L. Betzner
- Mr. Donald C. Hunt
- Mr. Jay H. Everson

ALSO PRESENT

- Mr. O. Marvin Sowers, Jr., Director of Planning
- Mr. Leo P. Rogers, Assistant County Attorney
- Mr. Mark J. Bittner, Planner
- Mr. Matthew W. Maxwell, Planner
- Mr. Gary A. Pleskac, Planner
- Mr. Trenton L. Funkhouser, Senior Planner

2. MINUTES

Upon a motion by Ms. McKenna, seconded by Mr. Hagee, the Minutes of the February 14, 1995 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.

NOTE: BECAUSE OF LOSS OF POWER EACH APPLICANT, AND ALL OTHERS INTERESTED IN THE CASE, WERE ASKED WHETHER THEY WISHED THE CASE TO BE HEARD OR DEFERRED. EACH APPLICANT, AND INTERESTED PARTIES, WITH THE EXCEPTION OF CASE NO. SUP-8-95, MONTESSORI SCHOOL (SEE #10), CHOSE TO PROCEED WITH THEIR CASE AT THIS MEETING. CASE NO. SUP-8-95 WAS DEFERRED UNTIL WEDNESDAY, MARCH 15, 1995 AT 3 P.M.

4. CASE NO. Z-1-95 AND SUP-3-95. WILLIAMSBURG HONDA AND JEEP DEALERSHIP

Mr. Bittner presented the staff report (appended) for an application to rezone approximately 6 acres from LB, Limited Business, to B-1, General Business, for the stated purpose of expanding the Williamsburg Honda and Jeep Automobile Dealership located at 7277 Richmond Road, and a special use permit for the proposed use. The parcel to be rezoned is located at 110 Nina Lane directly behind the dealership. Mr. Bittner stated that staff recommended approval with the conditions detailed in the staff report.

Mr. Kuras opened the public hearing.

Mr. John Dodson, principal with Williamsburg Honda, spoke briefly on the expansion and proposed use, and the company's good working relationship with the homeowners. He concurred with staff's recommendation except for the condition to provide screening along Norge School.

Mr. & Mrs. James (Violet) Parker stated that neither her parents nor the Averys had received notification by the Homeowners Association of a meeting with Mr. Dodson. They expressed concern regarding noise generated by the proposed body shop.

There being no further speakers the public hearing was closed.

A brief discussion followed regarding noise and landscape requirements should the buffer be demolished (DRC review).

Mr. Garrett made a motion, seconded by Mr. Everson, to accept the staff's recommendation of approval. On a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Betzner, Hunt, Everson, Kuras (7). NAY: (0).

Mr. Dodson complimented staff regarding their handling of the case.

5. CASE NO. Z-2-95. J. R. CHISMAN DEVELOPMENT COMPANY

Mr. Maxwell presented the staff report (appended) for an application to rezone approximately 75 acres from R-1, Limited Residential, with proffers, to R-2, General Residential, with proffers, to allow the construction of a maximum of 106 residential units off of John Tyler Highway adjacent to St. George's Hundred Subdivision. Mr. Maxwell stated that staff recommended approval of the rezoning.

Mr. Kuras opened the public hearing.

Mr. Alvin Anderson who represented the J. R. Chisman Development Company stated concurrence with the staff report.

Mr. David Papenfuse, Director of Finance and Administrative Services with the School Board, was concerned about traffic with the joint access of the school and the subdivision and would prefer additional access from St. George's Hundred Subdivision especially during evening school events. He also stated that the developer should be responsible for improving the entrance up to VDOT standards.

Ms. Susan Bodier of St. George's Hundred was concerned about possible school traffic through the neighborhood with a connection, and student parking.

Ms. Lisa Genakos of St. George's Hundred was concerned about the back up of traffic on Route 5, overcrowding at Clara Byrd Baker school, and the development of cluster homes adjacent to her property.

Mr. Anderson stated that these issues were raised when Section 6 was approved at which time the parties agreed that there would not be a connection through St. George's Hundred.

There being no further speakers the public hearing was closed.

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

The Commissioners discussed the potential on-street parking problem in St. George's Hundred and the fence between St. George's Hundred.

Mr. Sowers suggested and Mr. Anderson agreed to work towards some solution to the on-street parking problem at the Master Plan stage. Mr. Sowers stated that the fence, which was suggested as a barrier to the school, could be reviewed at the DRC level. The Commissioners concurred with these ideas.

On a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Betzner, Hunt, Everson, Kuras (7). NAY: (0), and asked that the above comments regarding on-street and fencing be sent to the Board of Supervisors.

6. CASE NO. Z-3-95 AND SUP-7-95. WILLIAMSBURG LANDING/AMERICAN RETIREMENT CORPORATION

Mr. Preskac presented the staff report (appended) for an application to rezone approximately 49 acres from PUD-R, Planned Unit Residential, to R-5, Multi-Family Residential, in order to expand a continuing care retirement facility. Mr. Preskac also presented an application for a special use permit to allow single-family dwellings, a nursing home, and facilities for the residence and/or care of the aged.

Mr. Pleskac distributed updated proffers and special use permit conditions. Mr. Pleskac stated that staff recommended approval based upon the updated proffers and the new conditions which were distributed to the Commissioners.

Mr. Kuras opened the public hearing.

Mr. Alvin Anderson, representing the applicant, stated that he, Mr. Hank Cromer and Mr. George Hudgins were available to answer questions.

There being no further speakers the public hearing was closed.

Mr. Garrett made a motion, seconded by Mr. Hunt, to accept the staff's recommendation of approval. On a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Betzner, Hunt, Everson, Kuras (7). NAY: (0).

7. CASE NO. Z-4-95. STONEHOUSE PROFFER AMENDMENT

Mr. Bittner presented the staff report (appended) for an application to amend the Stonehouse proffers in response to the County's determination not to construct the Ware Creek Reservoir and to repeal the Reservoir Protection Overlay District. Mr. Bittner stated that staff recommended approval of the proffer amendment.

Mr. Kuras opened the public hearing.

Mr. Vernon Geddy, III, representing Stonehouse, briefly discussed the Board's repeal of the RPOD.

Mr. Everson expressed concerns regarding protecting the possibility of a future reservoir, and stated that the existing buffers should be maintained.

Mr. Hagee made a motion, seconded by Mr. Betzner, to accept the staff's recommendation of approval. On a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Hunt, Everson, Kuras (6). NAY: Everson (1).

8. CASE NO. SUP-9-95. WILLIAMSBURG CROSSING MASTER PLAN AMENDMENT

Mr. Bittner presented the staff report (appended) for a special use permit to amend the Master Plan for the Williamsburg Crossing Shopping Center. Mr. Bittner stated that staff recommended approval based on a clarification of Condition #4, modification to Condition #8, and revision to Condition #10 of SUP-2-93, under which the Master Plan for Williamsburg Crossing was last amended.

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

Mr. Garrett made a motion, seconded by Mr. Hagee, to accept the staff's recommendation of approval as stated above. On a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Betzner, Hunt, Everson, Kuras (7). NAY: (0).

9. CASE NO. Z-5-95 AND SUP-10-95. HAMPTON ROADS SANITATION DISTRICT PENINSULA COMPOSTING FACILITY

Mr. Funkhouser presented the staff report (appended) for an application to rezone from M-2, General Industrial, to M-2, General Industrial with proffers, and an application for a special use permit to allow the manufacture of fertilizer. Mr. Funkhouser stated that staff recommended approval of the applications, with the voluntary proffers, and conditions detailed in the staff report for approval of the special use permit.

Mr. Kuras opened the public hearing.

Senator Thomas Norment on behalf of Greenmount Associates stated that the approval of this composting facility would be a stimulant to future development in the county and he strongly supported the application. Senator Norment was not concerned about odor from the facility.

Mr. Vernon Geddy, III, made a brief statement and was available to answer questions.

Mr. Kempton who owns 28 acres approximately 75 feet from the site stated that he had not heard from HRSD and questioned what would happen to his property.

Mr. Geddy responded that Mr. Kempton's property would be acquired by HRSD and would be part of the buffer.

There being no further speakers the public hearing was closed.

Mr. McKenna made a motion, seconded by Mr. Betzner, to accept the staff's recommendation of approval as stated above. On a roll call vote the motion passed: AYE: Garrett, McKenna, Hagee, Betzner, Hunt, Everson, Kuras (7). NAY: (0).

10. CASE NO. SUP-8-95, WILLIAMSBURG MONTESSORI SCHOOL

At the request of Mr. Gilbert Bartlett and the Planning Commission's concurrence, Case No. SUP-8-95 was deferred to Wednesday, March 15, 1995 at 3:00 p.m. in the Board Room, Building C.

Mr. Gilbert Bartlett, who was representing Mr. & Mrs. C. E. Lewis, requested deferral of this case because he felt the loss of power prevented him from visually presenting his case.

Mr. John Farley, Chairperson of Montessori School, preferred that the hearing be held.

The Planning Commission concurred with Mr. Bartlett's request to defer the case.

Mr. Kuras opened the public hearing which was continued to the reconvened meeting of the Planning Commission on Wednesday, March 15, 1995 at 3 p.m. in the Board Room.


11. PLANNING DIRECTOR'S REPORT

Mr. Sower's presented this report (appended) and reminded the Commissioners of the Policy Committee meeting on March 15 which will following the public hearing on Case No. SUP-8-95.

12. ADJOURNMENT

There being no further business, the March 14, 1995 meeting was recessed to March 15, 1995 at 3:00 p.m. in the Board Room, Building C.

  
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Alexander C. Kuras, Chairman

  
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O. Marvin Sowers, Jr., Secretary