



MEMORANDUM

Date: July 2, 2015
To: Records Management
From: The Planning Commission
Subject: Planning Commission Minutes: 05/06/1996

The following minutes for the Planning Commission of James City County dated 05/06/1996 are missing an approval date and were either never voted on or never presented for approval in the year surrounding these meetings.

These minutes, to the best of my knowledge, are the official minutes for the 05/06/1996, Planning Commission meeting.

They were APPROVED by the current Planning Commission at the July 1, 2015 meeting.

Please accept these minutes as the official record for 05/06/1996.

Robin Bledsoe
Chair

Paul Holt
Secretary

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

1. ROLL CALL

Mr. Alexander C. Kuras, Chairman
Mr. Jay H. Everson
Mr. Martin Garrett
Mr. Donald C. Hunt
Ms. Willafay McKenna
Mr. A. Joe Poole, III

ALSO PRESENT

Mr. O. Marvin Sowers, Jr., Director of Planning
Mr. Allen J. Murphy, Jr., Principal Planner
Mr. Michael A. Freda, Sr. Planner
Mr. Matthew W. Maxwell, Sr. Planner
Mr. Gary A. Pleskac, Planner

2. MINUTES

Upon a motion by Ms. McKenna, seconded by Mr. Garrett, the Minutes of the April 1, 1996 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.

4. CASE NOS. SUP-9-96/Z-1-96. WILLIAMSBURG CROSSING MASTER PLAN AMENDMENT

Mr. Matthew Maxwell presented the staff report (appended) and stated that comments on the traffic study had not been received from the Virginia Department of Transportation; therefore, staff recommends deferral of this case to the June 3, 1996 meeting.

Mr. Kuras opened the public hearing.

Mr. Alvin Anderson, representing Calvin Davis, the applicant, briefly discussed the application stating that the more pertinent issues involved buffering along the Winston Terrace property line and buffering along the property line of adjacent property which is currently wooded. Mr. Anderson stated that the developer would do what is required by staff under the special use permit conditions to buffer the property lines. Mr. Anderson also acknowledged that the right-in/right-out turning movement off of Route 199 was a complex issue, and stated

that Mr. Bill Cashman, traffic engineer with Langley & McDonald, was present to make a brief presentation.

Mr. Cashman briefly discussed the traffic study which was performed at Mr. Davis' request. Mr. Cashman felt that, because it is policy, VDOT would more than likely not recommend in favor of an access break. Mr. Cashman stated the following conditions as to why Williamsburg Crossing was unique in its request for an access:

- 1) Williamsburg Crossing is the only site with existing commercial use designated as a major commercial development in the Comprehensive Plan on the Route 199 corridor.
- 2) The existing access to Williamsburg Crossing will be relocated with the implementation of improvements to Route 199; no other major commercial site is so impacted.
- 3) No other major commercially zoned site in the 199 corridor has been limited to one single full movement intersection as WC will be upon completion of the 199 improvements.
- 4) Only WC has had the originally planned highway access system precluded from implementation due to VDOT roadway improvement plans.
- 5) Access to WC cannot be expanded beyond that which has been proposed since the surrounding tracts have been developed as residential neighborhoods; other potential commercial sites are in relatively undeveloped areas.
- 6) They feel that WC cannot develop as planned and as zoned without additional access. No other commercial site in the 199 corridor has been determined to be so constrained.

Mr. Cashman asked that the Commission consider that this site has been uniquely impacted by roadway improvements in the area; that its transportation system at this point is not consistent with what was planned and zoned for the area, and that the Commission make an independent judgement on the proposal for the access.

In response to Mr. Davis' comment that VDOT staff recommended against the access, Mr. Cashman acknowledged that the State Transportation Board has approved limited access "breaks" in two cases.

There being no further speakers, and with the Commission's concurrence, the public hearing was continued to the June 3, 1996 meeting.

Mr. Sowers stated that staff prefers that the Commission not offer direction or policy comments at this time in order for VDOT to complete its review and make a recommendation to the Planning Commission.

Mr. Garrett stated he hopes that staff, the Planning Commission, and the Board of Supervisors continue to be as strong in their resolve to keep this a limited access highway as Mr. Davis is persistent in his efforts to change the County's philosophy.

Mr. Sowers assured Mr. Garrett that options would be considered.

5. CASE NOS. MP-2-95, Z-21-95, SUP-1-95. WARHILL MASTER PLAN

Mr. Marvin Sowers presented the staff report (appended) for a special use permit to amend the existing Warhill Master Plan. Mr. Sowers stated that staff and the applicant request deferral to the June 3, 1996 meeting in order to further discuss alternative development scenarios for the Warhill tract.

Mr. Kuras opened the public hearing. There being no speakers, and with the Commission's concurrence, the public hearing was continued to the June 3, 1996 meeting.

6. CASE NO. SUP-1-96. PIERCE BROTHERS TAVERN AND GRILL

Mr. Matthew Maxwell presented the staff report (appended) for a special use permit to bring both the existing restaurant/tavern and its recently constructed 17'x30' addition into compliance with the Zoning Ordinance. Mr. Maxwell stated that staff concurs with the applicant's request to defer this case to the June 3, 1996 meeting in order to allow the application to be amended to include the addition of an outside deck.

Mr. Kuras opened the public hearing. There being no speakers, and with the Commission's concurrence, the public hearing was continued to the June 3, 1996 meeting.

7. CASE NO. Z-4-96. NICE PROPERTIES COMPANY

Mr. Michael Freda presented the staff report (appended) to rezone approximately 68.2 acres from A-1, General Agricultural, to R-1, Low Density Residential. Mr. Freda stated that staff recommends approval of the rezoning.

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's recommendation of approval. The motion passed: Garrett, McKenna, Hunt, Everson, Poole, Kuras (6). NAY: (0).

8. CASE NO. Z-5-96. POWHATAN PLANNED COMMUNITY

Mr. Allen Murphy presented the staff report (appended) to rezone approximately six acres from PUD-R, Planned Unit Development-Residential, to R-4, Residential Planned Community, with proffers. Mr. Murphy stated that staff recommends approval of this application.

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

Ms. McKenna made a motion, seconded by Mr. Poole, to accept the staff's recommendation of approval. The motion passed: AYE: Garrett, McKenna, Hunt, Everson, Poole, Kuras (6). NAY: (0)

9. CASE NO. ZO-4-96. SETBACK REQUIREMENTS FOR TIMBERING IN A-1 DISTRICT IN THE PSA

Mr. Marvin Sowers presented the staff report (appended) and stated that staff recommends approval of the ordinance to create setbacks for timbering activities in A-1 districts inside the PSA.

In response to Mr. Everson's inquiry regarding this ordinance amendment and its accordance with the Right-to-Farm Act, Mr. Sowers stated that the amendment underwent legal scrutiny by our attorneys who determined that this amendment was legally acceptable under the Right-to-Farm Act.

In response to Mr. Hunt's inquiry regarding a farmer's request to clear land for the purpose of production, Mr. Sowers responded that the request would be reviewed by staff, but in the event of an adverse decision, the ultimate decision would be made by the Development Review Committee.

Mr. Kuras opened the public hearing.

Mr. Bruce Abbott, 4478 Centerville Road, farmer, and President of the Board of Agriculture for James City County, stated opposition to longtime landowners being told what to do with their land by newcomers, and strongly opposed the ordinance amendment as he felt there were too many restrictions. Mr. Abbott stated his desire to farm his land, not develop it.

There being no further speakers the public hearing was closed.

Ms. McKenna made a motion, seconded by Mr. Poole, to accept the staff's recommendation of approval. The motion passed: AYE: Garrett, McKenna, Poole, Kuras (4). NAY: Hunt, Everson (2).

10. CASE NO. Z0-3-96. LANDSCAPE REQUIREMENT FOR INDUSTRIAL AREAS

Mr. Marvin Sowers presented the staff report (appended) and summarized proposed amendments to the landscape requirements for industrial uses to relax certain standards. Mr. Sowers stated that staff recommends approval of the proposed amendments.

Mr. Kuras opened the public hearing.

Mr. Bruce Abbott stated support of the ordinance amendments.

There being no speakers the public hearing was closed.

Ms. McKenna made a motion, seconded by Mr. Garrett, to accept the staff's recommendation of approval. The motion passed: AYE: Garrett, McKenna, Hunt, Everson, Poole, Kuras (6). NAY: (0)

11. PLANNING DIRECTOR'S REPORT

Mr. Sowers pointed out that the Commission's request for an update memo on the status of the use of the Community Appearance: Ideas and Suggestions Book is contained in the Reading File.

Mr. Sowers briefly discussed the Historic Triangle Bicycle Advisory Committee's process to update the Regional Bikeway Plan with meetings scheduled for June 4th and 6th at 7:00 p.m. in Williamsburg and York County.

12. OTHER MATTERS

Mr. Jay Everson expressed concern that Planning Commission comments were not included in the Capital Improvement Program for the Board of Supervisors' review. Mr. Sowers felt that the Board did see the Commission's comments and would investigate if Mr. Everson would contact him and identify his specific concerns.

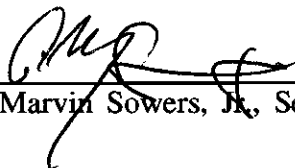
Mr. Joe Poole thanked the citizens and staff for their contribution and attendance at the Comprehensive Plan Community Conversations.

13. RECESS

The May 6, 1996 Planning Commission meeting recessed at 8:30 p.m. to the Planning Commission/Board of Supervisors Comprehensive Plan work session on Tuesday, May 7, 1996 at 5 p.m.



Alexander C. Kuras, Chairman



O. Marvin Sowers, Jr., Secretary