

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE THIRD DAY OF FEBRUARY, NINETEEN HUNDRED AND NINETY-SEVEN 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. Jay H. Everson  
Mr. John F. Hagee  
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. Gary A. Pleskac, Planner  
Mr. Paul D. Holt, III, Planner  
Mr. Matthew W. Maxwell

2. ELECTION OF OFFICERS

Ms. McKenna announced that the nominating committee nominated Mr. Kuras for Chair.

There being no other nominations, Ms. McKenna made a motion, seconded by Mr. Garrett, to close the nominations.

The nomination of Mr. Kuras was approved by unanimous voice vote.

Ms. McKenna announced that the nominating committee nominated Ms. McKenna for Vice Chair.

There being no other nominations, Mr. Hunt made a motion, seconded by Mr. Garrett, to close the nominations.

The nomination of Ms. McKenna was approved by unanimous voice vote.

Mr. Kuras stated that the Committees would remain the same at this time but with possible changes at the March meeting.

Mr. Kuras stated that, at the present time, one member of the Leadership Committee represents the Commission before the Board each month, but that he would like to change this to rotate the full Commission at the meetings each month. The Commissioners agreed to the rotation each month.

3. MINUTES

Upon a motion by Ms. McKenna, seconded by Mr. Hagee, the Minutes of the January 6, 1997 meeting were approved as presented.

4. DEVELOPMENT REVIEW COMMITTEE REPORT

Mr. Garrett presented the staff report. In regard to Case No. SP-1-97, Waterford at Powhatan Secondary, Mr. Garrett stated that the committee and the developer agreed to a fence inside the boundary buffer and landscaping along the fence at the discretion of the Planning Director.

The Development Review Committee Report was approved by unanimous voice vote.

Mr. Kuras asked that the Development Review Committee Minutes be more thorough.

5. ARCHAEOLOGICAL ASSESSMENT STUDY

Mr. Gary Pleskac presented the staff report (appended) with a brief explanation of the document, which would assess the risk of archaeological resources on properties in the County. Mr. Pleskac stated staff recommends the public hearing be continued to the March 3 meeting in order for the Commission, the Historical Commission, the public, and the development community to have sufficient time to comment and respond to the archaeological assessment and User's Guide.

Mr. Kuras opened the public hearing.

Mr. Sowers briefly described the process by which the study was developed; namely, a grant was from the state, cooperation with William & Mary and the Historical Commission, and public input. Mr. Sowers stated that it is recommended that the public hearing be continued to the March meeting in order for interested parties to review the report and because there could be some controversial policy issues that evolve from this public hearing.

Mr. Dennis Blanton presented an overview of the document explaining parcel sensitivity, ranking of site types, and planning and management recommendations for archaeological resources.

Mr. Jim Dorsey, Chairman of the Historical Commission, supported the need for an archaeological assessment and also for an archaeologist on the Planning staff.

Mr. Sowers urged the Historical Commission to make a recommendation prior to the March 3rd Planning Commission meeting.

The public hearing was continued to the March 3 Planning Commission meeting.

Following a short break, the meeting resumed at approximately 8:10 p.m.

6. CASE NO. AFD-8-86. CASEY WITHDRAWALS (WILFORD/NEW)

Mr. Gary Pleskac presented the staff report (appended) for a withdrawal of approximately 121 acres from the existing Casey Agricultural and Forestal District located at 4008-4010 News Road. Mr. Pleskac stated that staff concurs with the applicant's request to defer this case until the March meeting; however, it is likely that this case will continue until the applicant's client is ready to proceed with an associated rezoning case currently pending on the subject property.

Mr. Kuras opened the public hearing. There being no speakers, with the Commission's concurrence, the public hearing was continued to the March 3, 1997 meeting.

7. CASE NO. Z-9-96/MP-4-96. HIDDEN PROPERTY/POWHATAN CROSSING, INC.

Mr. Paul Holt presented the staff report (appended) to rezone approximately 404 acres from R-8, Rural Residential, to R-4, Residential Planned Community for the purpose of developing 540 single-family and multi-family units. The property is located off Ironbound Road between the existing Powhatan Crossing development and Powhatan Creek. Mr. Holt stated that staff concurs with the applicant's request to defer this case until the March meeting in order to allow County staff to review and comment on revised proffers which were submitted only one week prior to this meeting.

In response to Mr. Everson's inquiry, Mr. Holt stated that the applicant is aware that this case would be based on the 1997 Comprehensive Plan.

In response to Mr. Everson's inquiry regarding a legal obligation to permit an interconnecting roadway with Powhatan Crossing, Mr. Sowers stated that the question would need to be referred to the County Attorney's office for clarification.

In response to Mr. Everson's inquiry regarding guaranteed performance on drainage, Mr. Holt stated that the applicant was asked to look into BMPs and storm water runoff in detail. The applicant has indicated that at this rezoning stage, he is not willing to provide any engineering data. Mr. Kuras suggested that staff look into this matter (proffer/bonding) with the County Attorney and other counties for precedent.

In response to Mr. Hunt's inquiry, Mr. Holt stated that under the R-8 zoning, only 5 lots could be developed.

In response to Mr. Everson's inquiry as to whether the entire tract could access onto Alternate Route 5 instead of just one-half of the tract, Mr. Holt stated that specific question had not be addressed in the traffic study but could be if the Commission wishes the engineer to do so.

Ms. McKenna asked if Alternate Route 5 was supposed to be a limited access road. Mr. Sowers stated that it is but it will have public street access and as part of the planning for Alternate Route 5 there was planned an access for the Hidden property.

Mr. Kuras opened the public hearing.

Ms. Ingrid Jahn, 118 Dover Road, again raised the question of "how many more houses do we need?" Ms. Jahn felt that with the amount of wetlands on the tract, there was reason to deny the rezoning. Ms. Jahn said that she could accept five houses under the R-8 zoning but could not accept 540 additional houses.

Mr. Mark Tubbs, 3476 Hunters Ridge, spoke on behalf of the Powhatan Crossing Homeowners Association in strong opposition to this rezoning because it would alter the quality of life for those living in Powhatan Crossing; the density proposed would result in excess traffic on Powhatan Crossing Drive, in particular, and on Route 5 and the surrounding roads in general; increased density is not consistent with the surrounding neighborhood which would place excessive demands on schools and other public services and will lead to an increase in crime and loss of security. Mr. Tubbs felt the R-4 zoning would encourage other non-residential uses which are undesirable and not in the best interest of the residents of Powhatan Crossing.

Mr. Everson asked Mr. Tubbs if the position of the residents would change if the Hidden property did not connect into Powhatan Crossing Road.

Mr. Tubbs said that the way it is set up now the residents do not want the rezoning and agreed that the predominance of the position was based on access through Powhatan Crossing.

Ms. Emily Armstrong, 4452 Powhatan Crossing, strongly objected the rezoning as an infringement on the already established Powhatan Crossing community.

Mr. Leonard Sazaki, 3897 Ironbound Road, stated that this was the second public hearing he has intended that has been deferred because the applicant "doesn't have his act together." Mr. Sazaki said his concerns involved density, the impact on the services and the limited access. He was especially concerned about the south portion of the tract (condominiums) which he felt would have traffic and parking problems.

Mr. Kuras stated that one reason for deferrals is to produce the best quality development.

Mr. Jay Sexton, Powhatan Crossing, stated that traffic is a very serious problem and sometimes backs up into the entrance of his neighborhood.

There being no further speakers, with the Commission's concurrence, the public hearing was continued to the March 3, 1997 meeting.

Ms. McKenna felt that a notice on the cable channel would inform the public when a public hearing was being deferred. Mr. Sowers said that staff would call those who wished to be notified of a deferral.

Mr. Sowers explained to the citizens that in addition to meeting with the developer to express concerns, a letter could also be written to the Planning Office making specific recommendations which would be passed along to the developer. The Commission would then decide whether to recommend denial or approval based on whether they felt all concerns were adequately addressed.

Mr. Sowers strongly encouraged the citizens through the homeowners association to provide staff with a list of issues which would be made available to the Commission and the developer. The developer would be required at the meeting to address those issues that he has incorporated and those he has chosen not to and to be prepared to explain his rationale.

8. CASE NO. SUP-33-96. SHARON DENNIS/DAY CARE CENTER

Mr. Gary Pleskac presented the staff report (appended) for a special use permit to operate a day care center at 3051 Ironbound Road in a facility owned by the Williamsburg Unitarian Universalist Church. Mr. Pleskac stated that staff recommends approval of this case with the conditions stated in the report.

Mr. Kuras opened the public hearing.

In response to Mr. Leonard Susaki's inquiry regarding traffic count, Mr. Pleskac stated that he believed that the average daily count on this section of Ironbound Road is approximately 3800 vehicles per day and to warrant any turns lanes for the proposed use vehicular trips per day on this portion of Ironbound Road would have to increase by 60% or the square footage of the proposed structure would have to triple in size.

Mr. Susaki again raised the issue of the proposed Hidden property development of 540 homes and the impact on traffic.

Mr. Kuras assured Mr. Susaki that the secondary and primary road plans are based on growth and indicate when road improvements are necessary.

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, Hagee, Hunt, Everson, Poole, Kuras (7). NAY (0).

Mr. Sowers stated that through the Comprehensive Plan the County is planning for future road conditions and that Planning takes into consideration anticipated future development.

9. CITY OF WILLIAMSBURG PROPOSED ROAD CLOSURES/LONGHILL ROAD & JOHN TYLER HIGHWAY

Mr. Matthew Maxwell presented the staff report (appended) for consideration of the closure of Longhill Road and John Tyler Highway. Mr. Maxwell stated that staff supports the Williamsburg Planning Commission's recommendation not to close either Longhill Road or John Tyler Road and to study other "traffic-calming" measures which could improve traffic conditions on these roads. Staff also concurs with the Williamsburg Planning Commission's recommendation to change the name of Longhill Road to Skipwith Farm's Drive and change the name of Longhill Connector to Longhill Road.

Following a brief discussion, the Commission unanimously agreed to accept the staff's recommendation as stated above.

Mr. Garrett made a motion, seconded by Mr. Everson, to accept staff's recommendation. The motion passed: AYE: Garrett, McKenna, Hagee, Hunt, Everson, Poole, Kuras (7). NAY (0).

10. PLANNING COMMISSION CONSIDERATION

Mr. Garrett made a motion that staff investigate the possibility and cost of purchasing development rights for specific parcels in order to maintain the character of certain sites in this community.

Mr. Sowers informed the Commission of the County's current involvement in similar efforts and stated that he would report the progress to the Commission at a later date.

Mr. Poole seconded Mr. Garrett's motion which was strongly supported by the Commissioners.

11. PLANNING DIRECTOR'S REPORT

Mr. Sowers stated that the Comprehensive Plan was adopted on January 28, 1997.

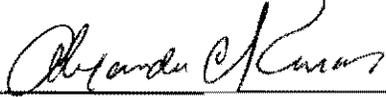
On February 11, 1997 at 5 p.m. the Board will hold a work session to discuss wireless telecommunication towers. The consultant hired by the County will present a policy paper.

Also on the agenda will be a request from Williamsburg Crossing for an access break on Route 199.

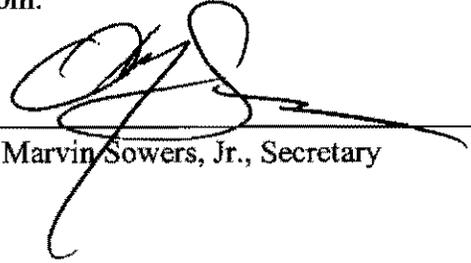
Mr. Hagee raised the question of bringing the landscaping at the Recreation Center addition up to the standards of the Landscaping Ordinance which was not in effect at the time of the original construction. Mr. Sowers will review the plans for conformance to the current ordinance.

12. ADJOURNMENT

The February 3, 1997 Planning Commission meeting recessed at 9:40 p.m. to the February 11, 1997 Board work session at 5 p.m. in the Board Room.



Alexander C. Kuras, Chairman



O. Marvin Sowers, Jr., Secretary