

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE FIRST DAY OF MAY, TWO THOUSAND AT 5:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

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| 1. | <u>ROLL CALL</u> | <u>ALSO PRESENT</u> |
| | Martin Garrett, Chair | Marvin Sowers, Director of Planning |
| | John Hagee | Leo Rogers, Deputy County Attorney |
| | Don Hunt | Andy Herrick, Assistant County Attorney |
| | Wilford Kale | Paul Holt, Senior Planner |
| | Willafay McKenna | Tammy Rosario, Senior Planner |
| | A. Joe Poole III | Jill Schmidle, Senior Planner |
| | Peggy Wildman | Christopher Johnson, Planner |

2. MINUTES

Upon a motion by Joe Poole, seconded by Wilford Kale, the minutes of the April 3, 2000, meeting were approved by unanimous voice vote.

3. DEVELOPMENT REVIEW COMMITTEE

John Hagee presented the report in which the DRC heard one case for Design Masters which proposed a building that exceeded 30,000 sq. ft. He stated the DRC recommended approval.

Joe Poole made a motion, seconded by Don Hunt, to recommend approval of the DRC report. In a unanimous voice vote, motion passed.

4. CASE NO. SUP-8-00/SUP-9-00. LEE/BICKFORD BORROW PITS.

NOTE: The Planning Commission took a field trip on April 17 to visit the borrow pits prior to its May 1 meeting.

Paul Holt presented the staff report stating the applicant had requested the Commission defer this case until its June 5 meeting.

Martin Garrett opened the public hearing. There being no speakers, the public hearing was continued to the next meeting.

5. CASE NO. SUP-6-00. WILLIAMSBURG MONTESSORI SCHOOL.

Jill Schmidle presented the staff report stating that John Tarley had applied on behalf of Williamsburg Montessori School for a special use permit to operate a school at 4200 Longhill Road in an existing residential dwelling unit adjacent to the Williamsburg Montessori School. The house is owned by C.T. and Anna Lewis, and the Montessori School is under contract to purchase the property. The residence would be used for office space, library, and classroom for toddlers associated with the Montessori School. Staff found this proposal to be consistent with the surrounding zoning and land use and the Comprehensive Plan. Staff recommended that the Commission recommend approval of this application with the conditions outlined in the staff report.

Martin Garrett opened the public hearing.

John Tarley of Sprin, Tarley, Robinson and Tarley and representing the applicant stated they supported staff's recommendation and would be happy to answer any questions of the Commission.

Wilford Kale asked if there would be exterior architectural changes to the residential structure that would conform with the existing school.

John Tarley stated that the architect who originally worked on the school design would be involved with the interior design and would also be looking at what type of facade would mix well with the existing school but presently there were no definite plans.

There being no further speakers, the public hearing was closed.

Wilford Kale made a motion, seconded by Willafay McKenna, to recommend approval of this application. In a roll call vote, motion passed 7-0. AYE: McKenna, Hagee, Hunt, Kale, Poole, Wildman, Garrett (7); NAY: (0).

6. CASE NO. SUP-10-00. JCSA JAMESTOWN ROAD WATER MAIN

Tammy Rosario presented the staff report stating that Larry Foster on behalf of the James City County Service Authority (JCSA) applied for a special use permit to allow for the installation of approximately 1,400 linear feet of 8-inch water main and a fire hydrant along Jamestown Road between two existing lines. Staff found this proposal to be consistent with the Comprehensive Plan and with previous actions taken by the Board of Supervisors. Staff recommended that the Commission recommend approval of this application with the conditions outlined in the staff report.

Martin Garrett opened the public hearing.

Larry Foster of JCSA stated he supported staff's recommendation and would be glad to answer any questions of the Commission.

Wilford Kale asked if the water table had dropped to a point where the wells were not functioning.

Larry Foster stated that the water table, in general, was lowering in the County and most of these wells were older ones and were more shallow than the ones drilled today. He stated the older wells would be affected at some point and typically earlier than the newer wells.

There being no further speakers, the public hearing was closed.

Willafay McKenna made a motion, seconded by John Hagee, to recommend approval of this application. In a roll call vote, motion passed 7-0. AYE: McKenna, Hagee, Hunt, Kale, Poole, Wildman, Garrett (7); NAY: (0).

7. CASE NO. SUP-15-00. ST. BEDE CATHOLIC CHURCH.

Marvin Sowers stated that his family is a member of this church and, in order to avoid any potential or perceived conflicts, he is not going to participate in this case and is stepping down and have Carole Giuliano call the roll when the Commission makes its recommendation.

Christopher Johnson presented the staff report stating that Doug White of LandMark Design Group, Inc. had applied on behalf of St. Bede Catholic Church and property owners Sasha and Mary Catherine Diggs for a special use permit to allow the construction of a 38,260 sq. ft., 1,500 seat church at 3683 Ironbound Road. He stated the entire site had been master planned and staff proposed that if this application was approved, the master plan would be binding. Staff found this proposal consistent with the surrounding zoning and development and the Comprehensive Plan. Staff recommended the Commission approve this application with the conditions outlined in the staff report.

Martin Garrett opened the public hearing.

Doug White of LandMark Design Group, Inc. and representing the applicants stated that they were generally in agreement with what staff had presented with the exception of item #3 which related to the buffer requirements between the parking areas and The Meadows Subdivision. He stated the only thing he found in the ordinance that applied to perimeter buffers was that within any major subdivision, which this was not, the minimum perimeter shall be 35 feet. He stated that the adjacent property owners in The Meadows Subdivision maintained their own wooded buffers, some up to 75 feet, and he did not understand how, with the existing woods as a buffer, another 15 feet would cause the impact to be any less greater. He said they could accommodate the 50 feet as recommended by staff but prefer to leave the design as proposed. He stated that if the Commission had any questions, he would be happy to respond to them.

Wilford Kale stated that the most effected lots were 7, 8, 9, 10, and 11 (as shown on the master plan) and asked if the church property was higher than those adjacent lots.

Doug White stated that the land did drop off but then comes back up and said he believed there was relatively very little difference in elevation.

Wilford Kale asked if there had been any thought of putting a parking lot on the other side of the horseshoe drive and that would be well within the property line and away from the adjacent property owners.

Doug White said that there had been thought given to that arrangement but the existing plan was more suited to the terrain.

Wilford Kale said he had visited the site and commented that on Sundays the intersection of the two churches would be horrendous and that both sides of Ironbound Road would be tied up for a period of time. He said it would be an intersection waiting for a disaster to happen and asked if there was an alternative.

Doug White felt, with all due respect, that Wilford Kale may have overstated the traffic impacts. He stated that they had met several times with Greensprings Chapel. He added that people arrived at services at many different times and with the turn lane that would be added to the road, there would be no problem in entering. He said that no one could predict, from Sunday to Sunday or service to service, when people would leave and what effect it would have on traffic. He said that St. Bede had agreed to try and cooperate and blend its schedule in order to offset the services of Greensprings Chapel. They also agreed to engage off-duty policemen to direct traffic out of the parking area. He felt all necessary precautions and steps had been taken to insure good traffic flow.

Wilford Kale said he accepted his response but did not necessarily agree with it. He completely supported the staff's recommendation of a 50 foot buffer.

Joe Poole asked for an explanation of the site plan between the two surface treatments for the parking areas.

Doug White stated that one area was a bituminous treatment that for deliveries, service vehicles, and all handicap and assessable parking and the remainder of the parking areas would be a gravel surface.

John Hagee asked if it were possible to put in a berm where the 35 foot buffer area was located.

Doug White said it was possible but in order to put in a berm, trees would need to be removed and it was only a matter of what was the best trade off.

John Hagee asked if the applicant would rather have the 30 feet with a berm or the 50 foot buffer.

Doug White stated the applicant would accommodate either one but preferred the 35 foot buffer. He added that lots 7, 8, and 9 had an overall depth of 183, 231, and 199 feet respectively from the road to the rear property line and that no more than half to two-thirds of those areas were cleared and developed.

Ann Hewitt of 122 Raleigh Lane felt that a 48,000 sq. ft church was in excess for a neighborhood, comparing it to St. Patrick's Cathedral in New York and Targets. She stated simply there did not need to be a building that size. She expressed her concerns for the stormwater management plan and felt there was a wetlands disaster in the making. She said that if only 50% of the water was to be contained by the constructed BMP, where would the other 50% go and how would the run-off affect Mill Creek. She concluded by stating she was not against the church but merely its size, the amount of area that would be disturbed, and the incremental degradation of the quality of life in the neighborhood. She urged to Commission to send the plan back to the applicant and ask for a more reasonable one.

Debbie Bensonier of The Meadows Subdivision, in particular lot 13, stated her lot had its buffer area in the front and that her home backed up to the property line and did not have the buffer space of the other adjacent lots. She stated she was not concerned when she first heard of the church proposal until she received the packet from them which showed that the parking lot for 500 people was directly behind her backyard. She questioned why the parking lot was chosen for that area where it would affect so many more people rather than placing it in front of the church or on the opposite side of the site where the buffer areas to adjacent homeowners was much greater.

Susan Hassel of The Meadows Subdivision stated her concern was the parking lot noise and the stormwater runoff and asked if there could be a sewer or drainage ditch built to avoid drainage into the stream. She also was concerned about the possibility of church bells and the proposed cemetery in her back yard.

Ian Roberts, representing Greensprings Chapel, supported this application but had concerns regarding the potential traffic problem at the intersection on Ironbound Road. He stated when he first spoke with the applicant there was some suggestion that there had been an original proposal to have two entrances into the property. He had assumed that there was an objection either by staff or VDOT to that proposal and asked if that was a closed issue. He said in reviewing the proposal he noticed a significant omission of acceleration lanes for traffic turning right from Greensprings Chapel and turning right from St. Bede. He said the traffic might not be horrendous, but it would be difficult on a Sunday because the volumes that were given were average volumes and didn't represent peak volumes. He concluded by stating Greensprings Chapel would like to be excellent neighbors and thanked St. Bede for coming to them with their plans, but the traffic issue was a real concern for them.

Bob Morris, Co-chair of the Building Committee at St. Bede, asked to address the issue brought up regarding the size of the church. He said the church and the parish center currently being used for services seated slightly over 1,200 people and the new church which would seat 1,500 just barely addressing the growth of the church. He said consideration was given to make the church as small a volume as possible and the interior design of the church was changed in order to accommodate the maximum seating with minimum square foot of surface. He said they looked into setting the church at various locations on the lot and chose this plan for liturgical reasons plus many of the other options required major destruction of trees. He addressed the issue of moving the parking lot to the other side saying it was simply one of grading. He asked if the Commission had any questions, he would be happy to answer them.

Joe Poole asked if the two islands shown on the parking areas could be reduced in order to allow for a larger buffer area between the properties.

Bob Morris said he was not the one who could address that issue but stated they would do what they could to protect the adjacent property owners.

Wilford Kale asked some one to address the runoff question that was raised before by an adjacent property owner.

Norman Mason of LandMark Design Group, Inc. stated the vast majority of the parking and structural surfaces would drain to the detention systems. He said there was another detention basin planned in an existing formerly drained lake and that would be incorporated into the runoff and stormwater management system. He added that the actual runoff quantity from the site would be reduced greatly from current conditions.

Peggy Wildman asked if it was the intention to retain the gravel parking lot instead of paving it.

Norman Mason stated they ultimately hoped to keep it as a gravel parking lot but at some point there may be some concerns which might cause them to pave the lot.

John Hagee asked if calculations had been made for the amount of impervious surface if the parking areas were paved.

Norman Mason stated in terms of overall percentages there were none at this time but that would be a requirement for the final site plan.

There being no further speakers, the public hearing was closed.

Martin Garrett stated he would like the Commission members to make a motion and a second, and allow each member of the Commission to speak to the motion so it can be reflected in the minutes.

Willafay McKenna made a motion to recommend approval as worded in the staff report, including item #3. Joe Poole seconded her motion.

Willafay McKenna stated she was also concerned about the size of the building and the buffering from the neighboring development was one she wished to emphasize. She felt the suggestion by staff for a wall or other landscaping, in addition to the buffer, was absolutely necessary to protect the adjacent homeowners living in The Meadows. She also felt the turn lane should be longer to get off of Ironbound Road and to accommodate the turn lane on the other side of the road when the plan was put into final form.

John Hagee asked Willafay McKenna why she was concerned about the size of the church considering it would be placed on forty-two acres. He said that generally speaking an office park, with a 40% open space requirement, typically has 7,000 to 8,000 square feet of office space for one acre. He did not think that a 40,000 square foot building on forty-two acres was excessive. He stated that if he were living in that area, he would welcome the church over residential which he estimated could be 50 to 80 lots. He said then they should be looking at a daily traffic situation rather than a one-day situation. He said he had some issues regarding this plan and felt he needed to revisit the site. He recommended the Commission defer this case.

Martin Garrett agreed with John Hagee that it was a better use of the site than the development of homes. He was concerned about how close the parking lots would be to the adjacent homeowners and if he made a recommendation, it would be for 50 feet plus the buffer. He also agreed with John Hagee that this should be deferred.

Wilford Kale had no problem with the building nor its size due to the size of the property but he was concerned that this was a project that become interposed on already existing situations, primarily

the Meadows Subdivision. He understood the homeowners' concern and stated if he were to vote tonight, he would vote no on the project for two reasons: the traffic situation had not been fully addressed and the buffer area by the parking lot adjacent to the homeowners needed to be resolved. He supported the deferral.

Willafay McKenna withdrew her motion and moved instead for a deferral.

Joe Poole said he was supportive of this application from a zoning and Comprehensive Plan standpoint and felt they could overcome some of the buffering issues through the DRC process. He also supported the deferral.

Peggy Wildman stated she supported the application because it was consistent with the Comprehensive Plan and zoning in the area but was in favor of the deferral. She felt the Commission needed to hear about the two issues that had been brought up. She stated her greatest concern was the traffic generated by the churches as well as the nearby playgrounds, ballfields, and timeshares. She felt the traffic was going to be horrendous if something was not done. She was particularly concerned with the residents who lived there and who would have to deal with something so large and felt some concessions should be made to them.

Don Hunt stated he fully supported the application and deferred to the concerns of the other Commission members. He said he could not think of a better way to utilize 40+ acres with a footprint of 1/42nd of the entire property and felt it was a wonderful project.

Martin Garrett stated that each of the Commission members had expressed their concerns and there were two major issues. He stated there was a motion and a second and asked for the roll call.

In a roll call vote, motion to defer passed 7-0. AYE: McKenna, Hagee, Hunt, Kale, Poole, Wildman, Garrett (7). NAY: (0).

John Hagee asked if the building or parking areas were flagged on the property and stated he would like to look at the property. Other Commission members expressed interest in walking the lot.

Bob Morris stated he would be happy to walk the members through the property at their convenience.

8. PLANNING DIRECTOR'S REPORT.

Marvin Sowers announced that the joint meeting of the Board of Supervisors and the Planning Commission scheduled for May 11 had been postponed and there was no new date at this time.

Marvin Sowers said that he wanted to arrange a Commission site visit for the an upcoming special use permit case for the manufacture and sale of wood products, stump grinding, and mulch. He said the applicant would be using a fairly large piece of equipment that did generate noise and staff would be working with the applicant to schedule a site visit.

Martin Garrett asked if the equipment was similar to that being used by Mr. Waltrip.

Marvin Sowers stated it was and felt it was important to actually see it in operation at the site. He said the applicant suggested May 12 or 15 and asked the Commission to pick a date that worked for the majority of the members.

Commission members discussed dates and times and concluded that May 12 at 3:00 pm was best suited for most members.

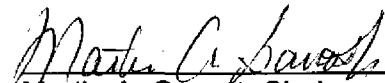
Wilford Kale informed the Commission he would be unable to attend the site visit.

Marvin Sowers reminded the Commission that on May 7 there would be a bike ride sponsored by the Historic Triangle Bicycle Advisory Committee in order to acquaint Board, Commission, and City Council members from Williamsburg, York and James City Counties with what the HTBAC was doing. He stated if anyone was interested in participating information could be found in their reading file.


John Hagee stated he was trying to reschedule the meeting that was originally set for April 26 for May 31.

9. ADJOURNMENT

There being no further business, the May 1, 2000, Planning Commission adjourned at approximately 6:25 pm.



Martin A. Garrett, Chair



O. Marvin Sowers, Jr. Secretary