

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE NINTH DAY OF SEPTEMBER, TWO-THOUSAND AND TWO, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

A. Joe Poole
George Billups
John Hagee
Don Hunt
Joe McCleary
Wilford Kale
Peggy Wildman

ALSO PRESENT

Leo Rogers, Deputy County Attorney
Marvin Sowers, Planning Director
Karen Drake, Senior Planner
Matthew Arcieri, Development Management Assistant

2. MINUTES

Mr. Wilford Kale asked that the August 5th minutes reflect that he was absent and that Mr. Joe Mc Cleary was present. With Mr. Kale abstaining, the Commission approved the minutes of the August 5, 2002 meeting as corrected with a 6-0 voice vote.

3. COMMITTEE AND COMMISSION REPORT

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. John Hagee presented the DRC report stating there was one case, the Faith Fellowship Assembly of God on Schoolhouse Lane in Stonehouse. He stated that the only issue was the placement of a sidewalk between the church and road which the church agreed to.

In a unanimous voice vote the Commission approved the DRC report.

B. POLICY COMMITTEE

Mr. Kale apologized to the committee for being unable to attend the Policy Committee meeting due to job-related matters.

Mr. Donald Hunt stated that the committee met with staff on August 22nd, to discuss creating a policy for adult day care centers. The recommendations of the committee were forwarded to the Planning Commission.

Mr. McCleary noted that there was a similarity between this policy and the one developed for Child Day Care centers in order to maintain uniform policies. He noted that Special Use Permits stay with the property indefinitely; therefore residential neighborhoods need protection through a three year sunset condition.

Ms. Peggy Wildman asked why the committee did not discuss placing a cap on the number of adults permitted in an adult day care facility.

Mr. Hunt stated that the state guidelines would supercede any policy put in place by the Planning Commission. Mr. McCleary and Mr. George Billups confirmed this.

In a unanimous voice vote, the policy on Adult Day Care Centers Located in the Interior of Residential Neighborhoods was approved.

C. DEVELOPMENT POTENTIAL ANALYSIS (DPA) COMMITTEE

Mr. McCleary presented the report of the DPA Committee. He listed the members of the committee: Lisa Curry, Rosalind Dodd, Michael Thornton, Myrl Harfield, Mark Rinaldi, John Hagee and Joe McCleary whom have been meeting since March to analyze the development potential within the PSA. The committee over saw the work of Kimley-Horn Associates, who were responsible for performing the technical work and calculations. This report is also intended to update DPA reports conducted in 1999 and 2001 and to provide new data in support of the 2003 Comprehensive Plan Update. Mr. McCleary thanked committee member Mark Rinaldi for making an extra effort to ensure that the numbers in the report were accurate.

Mr. McCleary noted that there are currently 15,470 dwellings in existence in the county within the Primary Service Area. 3,850 lots have been approved and platted but not yet constructed. In addition 7,400-7,970 lots have been approved and zoned but not yet subdivided; mostly located within master planned communities. Land zoned residential but not developed yields 1,800-1,900 units and all additional land not zoned or platted produces an additional 6,230-6,685 units. Mr. McCleary noted that the committee divided these numbers between units in the "pipeline" that could be developed without any additional activity by the Planning Commission and the 6,230-6,685 units that could only develop with additional action by the Commission and Board of Supervisors. The committee developed a range of figures to reflect different development options and a series of color coded maps that indicate where these future developments will occur.

Mr. McCleary noted that Kimley-Horn would make a formal presentation of the Development Potential Analysis at the Planning Commission's October 7th meeting.

Mr. Poole thanked the DPA committee and staff for their hard work and stated that the DPA report would be very useful in the upcoming comprehensive plan update.

4. PUBLIC HEARINGS

A. CASE NO. Z-5-01. FORD'S COLONY PROFFER AMENDMENT

Ms. Karen Drake presented the staff report stating the applicant had requested a one month deferral to allow them the opportunity to work with VDOT and adjacent property owners on a redesign of the intersection shown on Ford's Colony, Section 12 Development plans. Staff concurred with this request.

Mr. Joe Poole opened the public hearing.

There being no speakers, the public hearing remained open.

B. CASE NO. AFD-1-02. CARTER'S GROVE AGRICULTURE AND FORESTAL DISTRICT - CREATION

Ms. Drake presented the staff report stating the Colonial Williamsburg Foundation has applied to create a new Agricultural and Forestal District (AFD) containing 320 acres on Route 60 for a four year period. The property is zoned R-2, General Residential, R-8, Rural Residential and LB, Limited Business. The parcels surround but do not include the Carter's Grove Plantation and the HRSD sewer station. Staff feels that the AFD is compatible with the surrounding areas and would protect a historical site. Ms. Drake noted that the HRSD no longer requested that additional land be excluded for future expansion of the HRSD site. VDOT has requested fifty feet of right-of-way be excluded from the AFD for future expansion of Route 60. Staff feels that the AFD is compatible with the Comprehensive Plan and would create the only AFD in the lower county. On July 22nd the AFD advisory committee unanimously recommended approval of the AFD. Staff recommended approval.

Mr. McCleary asked if the HRSD decided to expand their facility and took land out of the proposed Carter's Grove AFD if the AFD would remain in existence until its renewal.

Ms. Drake stated that the AFD would have to fall under 200 acres in order to be terminated.

Mr. Billups inquired as to the acreage within the AFD that could not be farmed and if this number affected the creation of the AFD. Ms. Drake stated that she was unsure of this number but that it would not affect the AFD's creation.

Mr. Poole asked if the interpretive areas in addition to the Carter's Grove mansion had been excluded from the AFD. Ms. Drake stated that they were.

Mr. Poole opened that public hearing. There being no speakers, the public hearing was closed.

Mr. Poole asked if the applicant and HRSD were comfortable with the conditions of the AFD. Ms. Drake stated that they were.

Mr. McCleary made a motion to recommend approval.

Mr. Hagee seconded his motion. In a roll call vote, motion passed (6-0) with one abstention. AYE: Wildman, McCleary, Hagee, Hunt, Kale, Billups (6). NAY: (0). ABSTAIN: Poole (1).

C. CASE NO. SUP-16-02 WILLIAMSBURG HONDA SPECIAL USE PERMIT AMENDMENT

Ms. Drake presented the staff report stating Mr. John Dodson of Williamsburg Honda located on Richmond Road in Norge has applied to amend the existing special use permit to allow the sale and repair of utility trailers on the lot. Utility trailers include both flat bed and enclosed trailers and measure between 10 to 50 feet in length and 8 feet in width. The trailers will be displayed on the front row of parking in front of Richmond Road. While the existing dealership is not consistent with the Comprehensive Plan, staff recognizes that the existing dealership was constructed prior to the adoption of the 1997 plan and that the Williamsburg Honda has implemented substantial landscape improvements to their property. While staff is concerned that the presence of the larger trailers poses aesthetic and safety challenges staff believes that limiting the number of trailers on display will help mitigate these issues. Staff recommended approval.

Mr. Kale asked for clarification on the location of the trailers on the map. He stated that the bulky nature of the trailers was a concern.

Mr. Poole clarified that the existing parking area would not be expanded.

Mr. Poole opened the public hearing and noted that the applicant was present to answer questions.

Ms. Ann Pulliam of 108 Hollinwell stated the trailers would not be appropriate for the Norge community.

Mr. Kale stated concerns that the presence of utility trailers would detract from the appearance of the site and the surrounding community.

Mr. Michael Bowen, general manager of the Williamsburg Honda, acknowledged that the dealership is concerned about their appearance and stated that the seven spots in front were intended primarily for the flat bed trailers. Larger trailers would be stored on the side and screened by landscaping and the special use permit caps the length of any trailer on display at 20 feet along Richmond Road.

Mr. Kale noted that the special use permit conditions did not specifically prohibit enclosed trailers along Richmond Road.

Mr. Marvin Sowers stated that the conditions permit up to three enclosed trailers along Richmond Road.

Mr. Bowen stated that some enclosed trailers needed to be displayed closer to Richmond Road in order to generate sales.

Mr. Kale asked for clarification as to where longer trailers could be stored. Ms. Drake stated that longer trailers could be stored in the back of the property.

Mr. Poole noted that there was some vegetation screening the corner of the lot where the trailers would be parked.

Mr. Sowers stated that the first five spaces along the side property line prohibited the enclosed trailers in order to prevent interference with the line of sight of vehicles on Richmond Road.

Mr. Billups asked for clarification on the trailer heights. The applicant stated that the trailers were between 5 and 8 feet tall. He noted that since SUVs or vans are similar in height he did not want to place an unfair burden on the applicant. Mr. Sowers noted that the 20 foot length restriction on the trailers was chosen because it was similar to the length of these larger passenger vehicles.

Ms. Wildman asked if the applicant was providing additional landscaping. She complimented the applicant on the excellent job they do in maintaining their property. Mr. Hunt concurred.

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

Mr. McCleary noted that he has contacted the applicant and he commended Ms. Drake and Mr. Sowers for their cooperation and assistance with this case.

Mr. Poole complimented the applicant for the effort they place on their properties aesthetics and noted that this helped allay any concerns he had about the trailers size or appearance.

Mr. Hagee made a motion to recommend approval.

Ms. Wildman seconded the motion. In a roll call vote, motion passed (7-0). AYE: Wildman, McCleary, Hagee, Hunt, Kale, Billups, Poole (7); NAY: (0).

5. PLANNING COMMISSION CONSIDERATION

A. INITIATION OF CONSIDERATIONS OF AMENDMENTS TO THE
ZONING ORDINACE – MANUFACTURED HOMES

Mr. Sowers explained that the zoning ordinance amendment is a result of changes in state law. Under the current ordinance a special use permit is required to replace an existing non-conforming manufactured home. The new law removes this requirement. The resolution will come up for consideration at the October meeting.

In a unanimous voice vote the Commission approved the resolution.

6. PLANNING DIRECTOR'S REPORT

Mr. Sowers noted that the monthly report of the Community Participation Team for the 2003 Comprehensive Plan was included in the reading file. A series of four community conversations have been scheduled for November. Mr. Sowers introduced new staff member Matt Arcieri and noted that he has been joined by Trey Davis and Cynthia Grom at the front counter.

Mr. Poole read the dates of the community conversations and stressed the importance of attending.

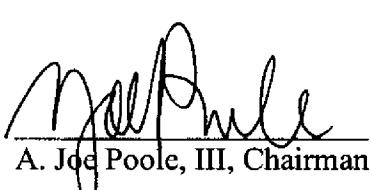
Mr. McCleary noted that the Community Participation Team includes a youth member, Mr. Bob Jacobsen in an effort to increase the participation of younger members of the community.

Mr. Poole noted that the Planning Commission had sent flowers to Ms. Carole Giuliano in recognition of years of work for them.

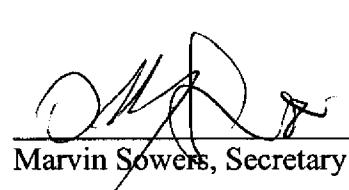
Mr. Billups asked for members to submit any ideas for renaming Route 199 for him to take to the Regional Issues Committee.

7. ADJOURNMENT

There being no further business, the September 9, 2002, meeting of the Planning Commission was adjourned approximately at 8:15 p.m.



A. Joe Poole, III, Chairman



Marvin Sowers, Secretary