

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

1. ROLL CALL

A. Joe Poole, III
George Billups
Jack Fraley
Wilford Kale
Donald Hunt

ALSO PRESENT

Mike Drewry, Assistant County Attorney
Don Davis, Principal Planner
Ellen Cook, Planner
Pat Foltz, Development Management Assistant

ABSENT

Joe McCleary
Peggy Wildman

2. MINUTES

Mr. Fraley moved to approve the minutes for September.

Mr. Hunt seconded the motion.

The commission approved the minutes for the September meeting with a unanimous voice vote.

3. COMMITTEE AND COMMISSION REPORT

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. Hunt presented the DRC report. The DRC reviewed two cases at its 9/28 meeting. For the first, C-111-04, St. Bede's Rectory Addition, the DRC found the proposal consistent with the master plan for St. Bede's church and recommended approval. For the second case, SP-098-04, Warhill Green, the DRC recommended approval.

Mr. Poole asked for more information about the Warhill Green plan.

Mr. Hunt responded that all of the issues with that plan had been addressed by the applicant and the DRC approved it on the grounds that those conditions had been met.

Mr. Kale moved approval.

Mr. Billups seconded the motion.

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

4. PUBLIC HEARINGS

A. Z-11-03/MP-011-03 Stonehouse Modifications

Ms. Ellen Cook presented the request for deferral. The applicant, Mr. Alvin Anderson of Kaufman and Canoles, requested deferral to the October Planning Commission to allow more time to resolve outstanding issues. Staff concurred with the request.

Mr. Kale asked if there was any indication how ready the case was to come back to the planning commission.

Ms. Cook responded that the applicant had been working on traffic issues.

Mr. Poole opened the public hearing.

Seeing no speakers, Mr. Poole deferred the case to the November meeting.

B. CASE NO. Z-07-03/MP-08-03 Governor's Grove

Ms. Cook presented the deferral request. Mr. Eric Nielson has applied on behalf of National Housing Corporation to rezone approximately 23.26 acres from R-8, Rural Residential and B-1, General Business, to MU, Mixed Use, with proffers. The request seeks to develop 216 multi-family units on the 14.93 acres of property north of John Tyler Highway and 30,000 square feet of commercial/office space on the 2 acres of property accessed off of Ironbound Road. Approximately 6.33 acres of property to the south of John Tyler Highway would be preserved as open space. The applicant requested deferral in order to resolve outstanding issues.

Mr. Poole opened the public hearing.

Seeing no speakers, Mr. Poole deferred the case to the November meeting.

C. CASE NO. SUP-24-04 Basketville of Williamsburg

Ms. Cook presented the staff report. Mr. Richard Costello of AES Consulting Engineers has applied on behalf of Basketville of Williamsburg, Inc. for a Special Use Permit to construct a 7,200 square foot addition to the existing 7,800 square foot building at 7761 Richmond Road. The property is zoned B-1, General Business District and can be further identified as Parcel (1-45) on James City Real Estate Tax Map (12-4). The 2003 Comprehensive Plan Land Use Map designates this property as Mixed Use, with the principal suggested uses of moderate density residential development, neighborhood-scale commercial establishments, and small office developments. Staff recommended approval of the application.

Mr. Poole opened the public hearing.

Mr. Costello, the applicant, introduced himself and Mr. Chris Basic, also of AES Consulting Engineers.

Mr. Kale asked Mr. Costello to which side of the property would the addition be located.

Mr. Costello indicated on a site drawing the position of the new addition.

Seeing no speakers, Mr. Poole closed the public hearing.

Mr. Fraley motioned to approve the case.

Mr. Hunt seconded the motion.

Mr. Poole stated that he fully supported the application and appreciated the applicant's intention to preserve existing landscaping.

The Planning Commission approved the application by a vote of 5-0. AYE: (5) Poole, Fraley, Hunt, Kale, Billups. NAY: (0). NOT PRESENT: Wildman, McCleary.

D. CASE NO. Z-10-04 112 Ingram Road

Ms. Cook presented the staff report. Mr. Scott Evans of Scott Evans Contracting, Inc. has applied to rezone approximately 0.37 acres located at 112 Ingram Road from R-8, Rural Residential, to B-1, General Business, for the placement of a 4-unit, 3,831-square-foot office building. This building would replace an existing structure located behind Five Forks Shopping Center. The 2003 Comprehensive Plan Land Use Map designates this property as Mixed Use, with the principal suggested uses being limited to community-scale and neighborhood commercial and office uses. The property can be further identified as Parcel (1-23) on James City Real Estate Tax Map (47-1). The applicant requests deferral in order to resolve outstanding issues.

Mr. Billups asked if any of the adjacent residents had contacted the department with regard to the application.

Ms. Cook responded that, to her knowledge, there had been no negative responses.

Mr. Poole opened the public hearing.

Seeing no speakers, Mr. Poole deferred the case to the November meeting.

E. CASE NO. Z-06-04/MP-06-04 Lightfoot Mixed Use Area

Ms. Cook presented the deferral request. Mr. James Bennett of AES Engineering has applied to rezone approximately 52.0 acres of undeveloped land at 6601 Richmond Road from B-1, General Business with proffers, to MU, Mixed Use with proffers. The property is also known as parcel (1-35) on JCC Tax Map (24-3). Proposed uses include: commercial, wholesale and warehouse, and/or office uses along Richmond Road. Commercial space is proposed to be 141,000 square feet of floor area. Residential structures containing two to four dwelling units and/or more than four dwelling units are proposed to be located on private streets. A maximum of 244 dwelling units are proposed with a gross density of 6.3 units per acre. The property is designated as Mixed Use Area on the Comprehensive Plan Land Use Map. The principal suggested uses in the Mixed Use Area are moderate density housing, commercial developments and office developments. The applicant requests deferral of the case in order to resolve outstanding issues.

Mr. Fraley asked staff to check the density figures on the third page.

Mr. Billups asked if the density figures were high or low for this type of development.

Mr. Poole opened the public hearing.

Mr. Costello responded to Mr. Billups' question, stating that the density figure was within of the Comprehensive Plan's definition of 12 units per acre.

Mr. Poole stated that he hoped the applicant was exploring proffer possibilities and expressed reservation regarding the burden residential growth puts on the schools.

Mr. Fraley concurred with Mr. Poole over the burden on the school system and asked for clarification on the triggers included in the traffic study. He expressed his desire to see the area developed.

Mr. Hunt asked if this plan would include a left-hand turn lane.

Mr. Kale stated that turn improvements were indicated as necessary in the staff report and stated that he would like to see that addressed within the application.

Mr. Fraley responded that he would like to see clarification on factors triggering the traffic study and how that would dictate further traffic improvements.

Seeing no speakers, Mr. Poole deferred the case to the November meeting.

E. CASE No. Z-03-04, Z-04-02, MP-01-02, SUP-21-04 Colonial Virginia Council, Boy Scouts of America Proffer Amendment and Master Plan Amendment

Ms. Cook presented the deferral request. Mr. Gregory Davis has applied on behalf of U.S. Home Corporation and the Colonial Virginia Council, Boy Scouts of America, Inc., to rezone approximately 503 acres from A-1, General Agricultural, to A-1, General Agricultural with Proffers, and approximately 229 acres from A-1, General Agricultural, to MU, Mixed Use with Proffers to include the Boy Scouts of America, Inc. property into the previously approved Colonial Heritage at Williamsburg development with no increase in the number of residential units. The Boy Scout property is located at 499 Jolly Pond Road and can be further identified as Parcel No. (1-7) on JCC Real Estate Tax Map No. (22-4). The 229 acre portion of the Boy Scout property lying within the Primary Service Area (PSA) is designated Low Density Residential on the Comprehensive Plan Land Use Map. The 503 acre portion of the Boy Scout Property lying outside the PSA is designated Rural Lands on the Comprehensive Plan Land Use Map.

The applicant has applied on behalf of Colonial Heritage, LLC to rezone approximately 722 acres from MU, Mixed Use, with proffers, to MU, Mixed Use, with amended proffers. The purpose of the rezoning is to amend the proffers affecting the existing Colonial Heritage at Williamsburg development and Master Plan. The properties are located at 6175, 6799 and 6993 Richmond Road and can be further identified as Parcel No. (1-21) on JCC Real Estate Tax Map No. (23-4); Parcel No. (1-32) on Tax Map No. (24-3); and Parcel No. (1-11) on Tax Map No. (31-1). The properties are designated Low Density Residential, Moderate Density Residential, and Mixed Use on the Comprehensive Plan Land Use Map. Applicant requests deferral in order to resolve outstanding issues.

Mr. Poole opened the public hearing.

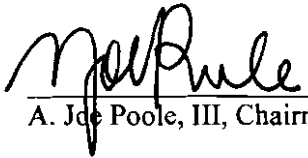
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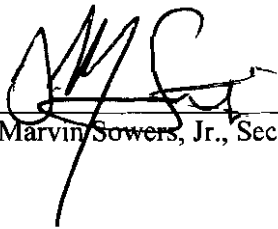
6. PLANNING DIRECTOR'S REPORT

Mr. Don Davis presented the report. He highlighted the promotion of Trey Davis from technician to planner and the addition of Geoff Cripe to staff.

7. ADJOURNMENT

There being no further business, the October 4, 2004, meeting of the Planning Commission was recessed at approximately 7:30 p.m.


A. Joe Poole, III, Chairman


O. Marvin Sowers, Jr., Secretary