

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE SEVENTH DAY OF FEBRUARY, TWO-THOUSAND AND SEVEN, AT 6:30 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:

George Billups
Mary Jones
Tony Obadal
Jack Fraley
Shereen Hughes
Jim Kennedy
Rich Krapf

Staff Present:

Marvin Sowers, Planning Director
Adam Kinsman, Assistant County Attorney
Jason Purse, Planner
Jose Ribeiro, Planner
Michael Woolson, Senior Watershed Planner
John Horne, Development Manager
Kathryn Sipes, Planner
Leanne Reidenbach, Planner
Toya Ricks, Administrative Services Coordinator

Absent:

None

2. ANNUAL ELECTION OF OFFICERS AND COMMITTEE APPOINTMENTS

Mr. Sowers recommended the Commission go into Closed Session pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia to consider personnel matters, including nominations for Commission Chairman and Vice-Chairman and consideration of appointments to Commission committees.

Mr. Fraley made the motion to go into Closed Session.

Ms. Jones seconded the motion.

In a unanimous voice vote the motion was approved.

The Commission convened into closed session.

At 7:30 p.m. the Planning Commission reconvened into open session.

Mr. Sowers recommended certification of the Closed Session Resolution.

Mr. Fraley motioned for adoption of the resolution for closed session.

Ms. Jones seconded the motion.

In a unanimous roll call vote the motion was approved.

Mr. Fraley stated that the election and committee appointments would be conducted later in the meeting.

3. PRESENTATION DONALD C. HUNT

Mr. Fraley presented to Mr. Donald C. Hunt a Resolution of Appreciation and a plaque on behalf on the James City County Planning Commission acknowledging his 16 years of dedicated service to the citizens of James City County.

Mr. Hunt thanked Mr. Fraley. He stated that it has been an honor to serve with fellow Commissioners and Staff. Mr. Hunt said that he has enjoyed serving the citizens of James City County

4. ANNUAL ORGANIZATIONAL MEETING

A. Election of Officers

Mr. Sowers opened the floor for nominations for chairman.

Mr. Fraley nominated Mr. Kennedy as the new chairman.

Ms. Jones seconded the nomination.

The Planning Commission approved Mr. Kennedy as chairman with a unanimous voice vote.

Mr. Kennedy opened the floor for vice-chairman nominations.

Ms. Hughes nominated Ms. Jones.

Mr. Fraley seconded the nomination.

The Planning Commission confirmed Ms. Jones as vice-chairman with a unanimous voice vote.

5. PUBLIC COMMENT

Mr. Kennedy opened the public comment period.

Mr. Doug Gebhardt, 3609 Grey Abbey Circle, introduced himself as the Economic Development Authority's newly appointed liaison to the Planning Commission. Mr. Gebhardt stated that he looked forward to addressing the Commission in the future on cases affecting Economic Development in the County.

Hearing no other requests; the public comment period was closed

6. MINUTES

A. January 10, 2007 Regular Meeting

Ms. Jones made a spelling correction on page 7 of the minutes.

Mr. Fraley motioned to approve the minutes.

Mr. Kennedy seconded the motion.

In a unanimous voice vote the minutes of the January 10, 2007 regular meeting were approved.

7. DEVELOPMENT REVIEW COMMITTEE REPORT (DRC)

Ms. Jones presented the DRC report stating that the DRC met on January 24 for an expedited review of SP-94-06 Avid Medical and ESGI expansion. She stated that the case was approved subject to agency comments by a vote of 2-0.

Ms. Jones said the DRC held its regularly scheduled meeting on January 31 to consider four cases. She stated that SP-143-06 Whitehall Section 1 was deferred due to changes to the master plan. C-001-07 New Town Shared Parking was also deferred due to property owner concerns and inconsistency with previously approved plan. Ms. Jones said SP-146-06 Carolina Furniture and SP-150-04 Abe's Mini-Storage were approved subject to agency comments by votes of 4-0.

Mr. Fraley motioned to approve the report.

Ms. Hughes seconded the motion.

In a unanimous voice vote the DRC report was approved.

8. PUBLIC HEARINGS

A. SUP-35-06 Kenneth Brook's Contractor's Warehouse

Mr. Sowers stated that the applicant requested deferral until the March Planning Commission meeting and that Staff concurs.

Mr. Kennedy opened the public hearing.

Hearing no requests to speak the public hearing was continued to March 7, 2007.

B. SUP-31-06 Toano Middle School Bus Entrance

Ms. Leanne Reidenbach presented the staff report stating that Mr. Bruce Abbott of AES Consulting Engineers has applied for a Special Use Permit to allow for the construction of a new bus entrance from Richmond Road. The property is located at 7817 Richmond Road, zoned A-1, General Agriculture District, and can be further identified as Parcel (1-51) on Tax Map (12-4). The Comprehensive Plan designates this property as Federal, State, and County Land.

Ms. Hughes asked about the traffic flow for buses.

Ms. Reidenbach pointed to a diagram of car and traffic flows.

Mr. Kennedy opened the public hearing.

Mr. Bruce Abbott, AES Consulting Engineers, made himself available for questions.

Mr. Fraley stated that he attended a public meeting to review the plans. He stated that at his request a traffic consulting engineer had reviewed the plans and had made suggestions. Mr. Fraley asked if any of those suggestions had been or are anticipated to be incorporated into the proposal.

Mr. Abbott stated that based on those discussions there had been no changes to the entrance. He stated that suggestions concerning improvements to Route 60 would be addressed with VDOT (Virginia Department of Transportation) at the design stage.

Mr. Rich Costello, President AES Consulting Engineers, presented some possible layout schemes; one included showing a right turn lane in the median and another that would relocate the crossover. Mr. Costello stated that both solutions are safe but are dependant on VDOT review.

Ms. Hughes stated that her major concern is school buses being required to make U-Turns on Route 60.

Mr. Costello stated that the buses have been making U-Turns on Route 60 for 2 years. He stated that this is done in the evenings in order to avoid the congestion of cars at the main median at the front of the school. He said this will be a safer task once the traffic flow changes.

Hearing no other requests to speak the public hearing was closed.

Mr. Fraley complimented the Schools on their approach. He also commended County Staff and AES. Mr. Fraley stated his support.

Mr. Fraley motioned to approve the proposal.

Ms. Jones seconded the motion.

In a unanimous roll call vote the application was recommended for approval (7-0). AYE: Billups, Obadal, Jones, Hughes, Fraley, Krapf, Kennedy (7); NAY (0).

C. SUP-30-06 Jamestown Road Service Station LLC

Mr. Jose Ribeiro presented the staff report stating that Mr. Frank Gewet with SMO Motor Fuels has applied for a special use permit to install two additional fueling stations at Jamestown Road Service Station. The property is located at 1301 Jamestown Road and is further identified as Parcel No. (48-1) on JCC Tax Map No. (9-65). The property is designated Community Commercial on the Comprehensive Plan Land Use Map. Lands indicated Community Commercial are intended to allow general business activity in areas located within the Primary Service Area while usually having a moderate impact on nearby development.

Mr. Obadal asked if the type of nozzle proposed would be to service large trucks or only automobiles.

Mr. Ribeiro stated that the proposed fuel dispensers are intended to service cars not large trucks.

Ms. Hughes noted that the Traffic Consultant suggested that traffic safety would be improved if the left turn lane to Winston Drive was extended. Ms. Hughes asked if VDOT had commented on that suggestion.

Mr. Ribeiro stated that VDOT did not support that idea as it would encourage left turns into the site and increase conflict points on Jamestown Road.

Ms. Hughes stated that left turns are already occurring.

Mr. Ribeiro said VDOT considered that.

Mr. Kennedy opened the public hearing.

Ms. Lianne Van De Ven, 104 Winston Drive, lives near the gas station and submitted a petition and letters from neighbors expressing concerns about the difficulty of exiting the neighborhood onto Jamestown Road. Ms. Van De Ven suggested closing one entrance from Jamestown Road.

Hearing no other requests to speak the public hearing was closed.

Mr. Billups motioned to approve the proposal.

Ms. Hughes asked if there would be any other opportunity for flow of traffic to be reviewed more thoroughly if the Commission recommended approval.

Mr. Sowers stated that VDOT will review the site plan. He stated that he would not expect traffic flow to be reviewed in greater detail than customary unless the Commission added a condition requiring a specifically focused traffic analysis.

Mr. Fraley asked if Staff had had an opportunity to review the citizen's suggestions.

Mr. Ribeiro stated that he met with citizens last week where concerns were discussed.

Mr. Fraley asked Ms. Van De Ven to return to the podium.

Ms. Hughes stated that Ms. Van De Ven had suggested traffic moving in and out of the site in different ways. She asked Ms. Van De Ven if she felt her comments were heard and considered or if she felt the need to have them considered further.

Ms. Van De Ven stated she had only a small amount of time to prepare and had made her suggestions prior to reading the Traffic Analysis. She stated that having read the analysis it points to the same concerns with a Level of Service "E" on Winston Drive during peak hours. She also stated the recommendation to move the entrance onto Winston Drive would solve some of her concerns.

Mr. Fraley asked who prepared the Traffic Analysis.

Mr. Ribeiro said Fitzgerald and Halliday conducted the study but were not in attendance.

Mr. Sowers recommended getting some initial feedback from the applicant prior to making any determinations.

Mr. Fred Gewet stated that he is the supplier for the service station.

Mr. Fraley stated that the concerns relative to ingress and egress, design and safety. He asked if any alternatives were considered.

Mr. Gewet stated that there are two entrances form Jamestown Road and that vehicles enter from either of them. He stated that sometimes there are problems exiting but that most times there are not. Mr. Gewet stated customers usually exit onto Jamestown Road. He said he is not familiar with people using the side street and taking a left.

Mr. Obadal asked what day or days and times the traffic study conducted.

Mr. Steve Stookey with SMO Motor Fuels stated that according to the report the counts were taken between 6 and 9 a.m. and 4 and 6 p.m. on January 19.

Mr. Obadal said Tuesday is the slowest day of the week. He stated his familiarity with the area and that it is very dangerous.

Mr. Stookey stated that the proposal seeks to add two dispensers with the goal to service existing customers allowing them to move through the lines more quickly during peak hours. It is not intended to add more customers. He stated that VDOT's comments appear to support that claim.

Mr. Krapf asked about attaching a condition requiring a study of ingress and egress at the site to the SUP that would not impact the approval process but would still allow for the study.

Mr. Sowers stated that a recommended condition could be attached to the application that would allow approval of the proposal and allow Staff to draft the condition prior to Board of Supervisors' consideration.

Mr. Krapf agreed that the actual addition of the fueling pumps would have minimal impact on traffic but that the larger issue of congestion in that area probably warrants additional study of the area.

Mr. Horne, Development Manager, stated that a study was conducted of the entire Jamestown Road/ Route 199 Corridor several years ago when the intersection was re-built which looked at a variety of improvements. He stated that it was determined that a signal at that location would cause very severe congestion at Route 199. Mr. Horne said the study did not look at incremental changes such as the entrances on this property but that the lanes and width of the Jamestown Road were specifically set based on that analysis

Mr. Billups noted that the 7-11 across the street was required to remove their fueling pumps. He stated that there is a problem with that intersection. Mr. Billups also stated that the project being requested by this owner has nothing to do with the congested conditions. He stated that traffic flows are being attributed to businesses that they have no control over and

they are being asked to modify something that already exists. Mr. Billups did not believe traffic conditions are going to get any better.

Mr. Fraley seconded the earlier motion to approve made by Mr. Billups.

In a unanimous roll call vote the application was approved (7-0). AYE: Billups, Obadal, Jones, Hughes, Fraley, Krapf, Kennedy (7); NAY: (0).

D. SUP-32-06/MP-11-06 Prime Outlet Master Plan Amendment

Ms. Kathryn Sipes presented the staff report stating that Mr. Greg Davis has applied on behalf of Prime Retail, L.P. to amend the existing master plan and special use permit to incorporate the existing Comfort Inn site into Prime Retail and to allow for the construction of an additional 49,000 square feet of retail space. Ms Sipes stated that Staff and other agencies are currently reviewing supplemental traffic, parking and environmental data submitted in response to Staff comments previously issued. Ms Sipes also stated that revisions to the master plan submitted January 30th and February 2nd are still being reviewed. She stated that Staff is working with the applicant and recommends deferral of the case to ensure that previous agency comments have been adequately addressed.

Mr. Obadal stated that he was in receipt of a letter of opposition that he had been prepared to read into the record.

Mr. Sowers stated the letter will be included in the packet for the March meeting if all members had not had an opportunity to review it.

Mr. Kennedy opened the public hearing

Mr. Dustin Devore, Kaufman and Canoles, thanked Mr. Horne and Ms. Sipes for their assistance in preparing the case. He stated that the applicant looked forward to presenting the proposal at the March meeting.

Hearing no other requests to speak the public hearing was continued to the March 7 Planning Commission meeting.

In a unanimous voice vote the application was deferred until March 7, 2007.

E. Z-8-06/SUP-36-06/MP-9-06 Williamsburg Pottery Factory

Mr. Jason Purse presented the staff report stating that Mr. Vernon M. Geddy, III has applied to rezone a 18.86 acre parcel located at 6692 Richmond Road, JCC RE Tax Map No. 2430100024, from M-1, Limited Business Industrial, and A-1, General Agricultural, to M-1, Limited Business Industrial, with proffers, and with a commercial Special Use Permit. The rezoning proposes redevelopment of the existing property to include 161,000 square feet for a new retail shopping center. The site is shown as Mixed-

Use, Lightfoot Area on the 2003 Comprehensive Plan Land Use Map. Recommended uses for Mixed-Use, Lightfoot Area include transit oriented mixed-use development with a mixture of limited industry, commercial and moderate density housing. Due to inconsistencies with the Comprehensive Plan, environmental concerns, and buffer inadequacies Staff recommended denial.

Mr. Kennedy asked for a three minute recess at 8:30 p.m. to speak with legal counsel.

The Planning Commission reconvened at 8:33 p.m.

Mr. Kennedy stated that he consulted with Mr. Kinsman during the recess concerning a discussion he had approximately 1 ½ years ago expressing possible interest should the subject parcel be redeveloped. Mr. Kennedy said no monies or rental agreements were involved and that Mr. Kinsman determined no conflict exists.

Mr. Obadal asked if Staff and the applicant are currently holding conversations concerning LID (Low Impact Design) measures.

Mr. Purse said the applicant responded today to comments forwarded by the Environmental Division. He stated that Environmental Staff has not had time to review or comment on those responses.

Mr. Sowers explained that Staff is also still reviewing other documents such as design guidelines that were submitted late last week.

Ms. Jones asked the deadline to submit those documents.

Mr. Purse stated that the proffers were received on time. He said comments regarding transportation were received after that date and expressed the need for additional transportation proffers. Mr. Purse also stated that the design guidelines had not been submitted at that time although they were referenced in the proffers.

Ms. Jones asked if Staff feels more time is needed to review the additional documents.

Mr. Purse said Staff is still reviewing the Environmental responses but has not had an opportunity to review the design guidelines.

Mr. Obadal asked if it would be appropriate to ask the applicant to defer the request rather than follow Staff's recommendation to deny.

Mr. Kennedy stated that it would be appropriate to ask once the applicant has had an opportunity to speak.

Mr. Sowers explained that the applicant met the deadline for transportation proffers. He stated that the proffers were forwarded to the County's traffic consultant to review. The consultant's comments lead to the need to have further discussions with the applicant as well as residents of Colonial Heritage who would also be affected.

Mr. Obadal stated his desire to have Staff discuss LID and a pervious surface cover lid with the applicant.

Mr. Billups asked if there is space in the rear of the site to allow the buildings to be placed farther back on the parcel.

Mr. Purse stated that the buildings already abut the railroad tracks.

Ms. Hughes asked about the anticipated difference in the traffic pattern with this proposal.

Mr. Purse read the anticipated change in the number of car trips from the traffic study submitted by the applicant.

Mr. Sowers said there was a traffic summary on page 61 of the Commissioners' packets.

Mr. Kennedy asked if this project and the commercial component anticipated for Colonial Heritage across the street will be complimentary to one another.

Mr. Purse stated that there have been no discussions on the architectural features. He said that according to the Colonial Heritage proffers there will be no parking along the street frontage, all the buildings will be along the frontage of Richmond Road, and there will be a 50 foot Community Character Corridor Buffer.

Mr. Kennedy asked about the anticipated traffic if both projects were built out.

Mr. Purse deferred the question to the applicant.

Mr. Kennedy opened the public hearing.

Mr. Vernon M. Geddy, III of Geddy, Harris, Franck and Hickman LLP represented the applicant stating the history of the Williamsburg Pottery Factory. Mr. Geddy stated that redevelopment of the site offers positive environmental and fiscal impacts as well as improved corridor aesthetics, and convenience services to surrounding neighbors. He stated that the long, narrow characteristics of the site and railroad tracks in the rear offer unique design challenges. A fact, he said, that is recognized in the Comprehensive Plan. Mr. Geddy addressed environmental and traffic concerns regarding the proposal. He also stated the applicant understands that there are a number of issues Commissioners would like the applicant to continue to work with Staff on and

stated the applicant's willingness to request deferral should the Commission feel it desirable.

Mr. Fraley complimented the applicant's advisors for expanding the traffic study to include the entire corridor and make recommendations to the County for its consideration. He stated his concerns with the design, suggested the applicant look at the amount of open space provided in the Pleasant Hill Station case and urged the applicant to reconsider the design so that it does not look like a strip mall.

Mr. Obadal stated that regarding Staff's recommendation for a mixed-use component he does not feel housing is appropriate for the site especially given the proximity of the railroad and Route 60. He also questioned the width of the buffer.

Mr. Geddy stated that it would be an average of 34 feet and not less than 20 feet. He also stated that a 42' fence and enhanced landscaping are proffered. Mr. Geddy stated that waiver to the 15 buffer along the railroad would allow a wider buffer on Route 60.

Mr. Obadal confirmed that the service road in the rear of the site would be shielded from the view of Route 60 and used for dumpsters, and loading docks etc. He stated his concerns with environmental aspects of the site and the applicant's rejection of recommendations for an underground retention basin and the use of pervious concrete in certain areas. Mr. Obadal stated his desire for the applicant to look again at the inclusion of some of those features in some areas of the site. He also expressed his concern that the BMP in the rear be re-done. Mr. Obadal asked about the proposed landscaping

Mr. Geddy stated that the proposal is conceptual and that there is no detailed layout of landscaping.

Mr. Obadal stated that the landscaping is very important especially considering the commercial development proposed for Colonial Heritage. He stated his appreciation of the applicant's willingness to defer the case, his support for deferral and that the County should not settle for just being better than the existing site conditions.

Mr. Geddy stated the applicant is taking the environmental issues very seriously and believes in their approach to treating the 54 acres of stormwater run off that is not currently being treated. He said the applicant will consider LID measures if they will work.

Mr. Obadal stated that the question is will they work.

Mr. Fraley stated that the DRC will review the site plan.

Ms. Jones agreed with fellow Commissioners regarding environmental issues. She said redevelopment is needed but that the design could be better so that it is less of a

strip mall. She also stated her agreement with Mr. Obadal that the answer is not putting all the buildings in the front. Ms. Jones encouraged the applicant look at changes to the design to more align with the Comprehensive Plan.

Mr. Geddy stated that Commissioners should not expect to see any major changes. He called their attention to the provision in the Comprehensive Plans acknowledging of limited development options for the parcel.

Mr. Krapf asked about the possibility of putting some of the buildings back to back with a service alley that would run perpendicular to Richmond Road.

Mr. Geddy said he did not know if that layout was considered. He stated that arranging the buildings in such a manner would decrease efficiency of parking and parking conveniences.

Mr. Billups stated his concerns regarding traffic safety and setbacks. He stated the applicant's inability to move the buildings farther back and cited an incident where a car veered off the road and hit a school building. Mr. Billups said he is concerned about the buildings' proximity to a major corridor.

Mr. Geddy said that should not be a concern because all of the buildings are set back quite a distance from Route 60 and the applicant is installing all the necessary turn lanes and traffic signals for traffic safety.

Mr. Kennedy asked if the residents of the homes on the western side of the parcel have been or will be assisted in relocating.

Mr. Costello said the homes are owned by the Pottery and that the residents are Pottery employees. He said they will be assisted in relocating. Mr. Costello stated that the Pottery owns other properties that have been used to house employees.

Mr. Kennedy asked that this be noted to make sure there is follow through and the residents are not displaced. Mr. Kennedy stated his concerns about project aesthetics along Route 60 and asked if there have been discussions with Colonial Heritage concerning their project to ensue complimentary developments.

Mr. Geddy answered no. He stated that property is on the market to be sold to a third party developer. Mr. Geddy said this applicant has the ability to set a high standard with this property that other developers can emulate.

Mr. Kennedy stated that a review of the Comprehensive Plan is beginning and that the Pottery represents a large part of that review. He asked if it would advisable for the applicant to wait until the Comprehensive Plan review is complete and to then consider the redevelopment of the entire Pottery site as a whole.

Mr. Geddy stated that the small piece under consideration is unique in that it is cut off by the railroad tracks from the rest of parcels owned by the Pottery. He stated that the majority of the parcels on the other side of the railroad tracks are in York County and York's review calls for mixed use. Mr. Geddy stated that although they will be monitoring James City County's review that are currently no specific plans for the redevelopment on the other side of the railroad tracks at this time.

Mr. Obadal stated that Mr. Costello had offered to provide him with a copy of a Geo-Tech study. He said he would like to share it with Staff and other Commissioners.

Mr. Costello said he would be happy to forward the study directly to Staff and to Mr. Obadal. Mr. Costello stated that they wanted to work with LID. He also stated that that they are obligated to design things that work and cannot use LID if the soils do not allow it. Mr. Costello stated that with respect to moving the buildings forward the purposed entrances go deep into the property before anything connects to them as requested by VDOT. He said when the buildings are moved there is a problem of pedestrians trying to cross the entrances.

Mr. Obadal stated that he noticed the applicant relied on CBLAB (Chesapeake Bay Local Assistance Board) to project the direction of pollution removal, specifically phosphorus.

Mr. Arch Marston, AES Consulting Engineers, stated that when looking at redevelopment they use the CBLAB method rather than the County 10-point method to come up with the 10% reduction that is required for redevelopment sites.

Mr. Obadal stated that the CBLAB method was a draft-only method which was removed by CBLAB and is not used anymore.

Mr. Marston stated that he was not familiar with Mr. Obadal's assertion.

Mr. Obadal stated that the information in CBLAB Bulletin #3, which has to do with the measurements of pollutants, is a draft memo ultimately withdrawn by CBLAB due to criticisms of the estimates and projections made in the memo. Mr. Obadal suggested another method be used.

Mr. Kennedy stated that it seemed as though the Commissions was leaning towards a deferral and that issue could be addressed prior to the next meeting.

Mr. James Correll, 4212 St. Albans, stated his support of the proposal. He said he sees a great opportunity possibly going down the drain due to nit-picking. Mr. Correll stated that he did not want to look at the existing buildings for the next 10 years if the applicant cannot afford to design the layout according to Staff and Commission desires.

Ms. Hughes stated that while they do not want to nit-pick it is the Commissioners' job to review the details of a proposal for compliance with the Comprehensive Plan and Ordinances. She stated that all applicants should be treated equitably and that other applicants for rezoning in the area have met requirements to maintain a 50 foot Community Character Corridor buffer. She also stated that there are other types of LID measures other than retention basins. Ms. Hughes encouraged the applicant to listen to the environmental concerns that have been made.

Mr. Sam Lazarus, 7108 Pinebrook Road, encouraged the Commission to take a careful look at the current conditions that the residents of Colonial Heritage must look at everyday. He stated he saw an accident at the site earlier in the day due a driver trying to navigate through the narrow roadway.

Mr. Kennedy asked that Commissioners submit their questions to Staff to be addressed by or at the next meeting. He also welcomed the presence of the EDA representative, Mr. Gebhardt and asked for the EDA's input considering the amount of retail that will ultimately exist in such close proximity. Mr. Kennedy also stated that he was a member of the Board of Supervisors when the Colonial Heritage development was approved. He assured the residents that the process the Commission is going through, the careful consideration they are taking, and a deferral is justified. He said their project was deferred approximately 6 times and that there were many people that did not want to see the former farm change. Mr. Kennedy stated that this process is necessary to ensure the best possible project for the site.

Hearing no other requests to speak Mr. Kennedy stated he believed the public hearing should be continued to the March 7, 2007 Planning Commission meeting.

Mr. Obadal made a motion to defer the application.

Ms. Jones seconded the motion.

In a unanimous voice vote the application was deferred.

9. PLANNING DIRECTOR'S REPORT

Mr. Sowers stated that the Planning Director's report was on the last page of the packet. He said he did not have anything further unless the Commissioners had questions. Mr. Sowers also reminded Commissioners that the Policy Committee will meet on Thursday, February 8 at 10 a.m.

10. COMMITTEE APPOINTMENTS

Mr. Kennedy appointed Ms. Jones, as Chairperson, along with himself, Ms. Hughes and Mr. Billups to the Development Review Committee. He also appointed Mr. Fraley, as Chairman, along with Ms. Jones, Mr. Krapf, and Mr. Obadal to the Policy Committee.

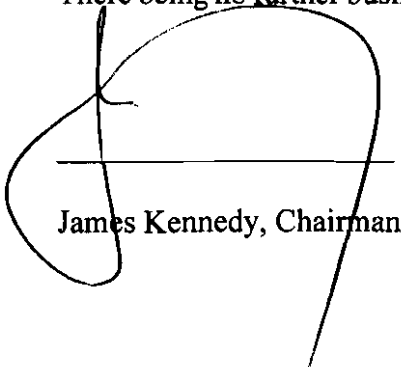
Mr. Kennedy asked that the DRC members present at the last meeting be present at the next meeting in order to consider the two cases that were deferred at that meeting.

Mr. Sowers asked that the previous DRC membership be seated first to hear the deferred cases with the newly appointed members to be seated second for consideration of any new cases.

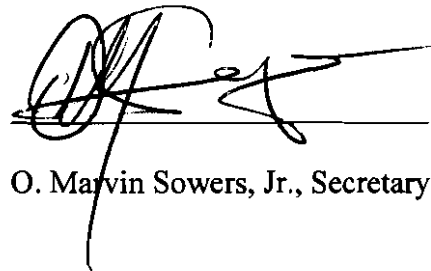
Mr. Kennedy agreed.

11. Adjournment

There being no further business the Planning Commission was adjourned at 9:30 p.m.



James Kennedy, Chairman



O. Marvin Sowers, Jr., Secretary