

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

1. ROLL CALL

Planning Commissioners

Present:

Jack Fraley

Joe Poole, III

Rich Krapf

Mike Maddocks

Chris Basic

Tim O'Connor (late)

Absent:

Al Woods

Staff Present:

Allen Murphy, Director of Planning/Assistant
Development Manager

Adam Kinsman, Deputy County Attorney

Jose Ribeiro, Senior Planner

Jason Purse, Senior Planner II

Mr. Jack Fraley called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT

Mr. Fraley opened the public comment period.

There being none, Mr. Fraley closed the public comment period.

3. MINUTES – OCTOBER 5, 2011

Mr. Joe Poole moved to approve the minutes.

In a unanimous voice vote, the minutes were approved (5-0; absent, Woods, O'Connor).

4. COMMITTEE AND COMMISSION REPORTS

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. Poole stated that the DRC met on October 26. The DRC reviewed Case No. C-0039-2011, Freedom Park Ropes Course Master Plan. The DRC voted 4-0, to find the ropes course consistent with the master plan.

Mr. Rich Krapf moved for approval of the DRC report.

In a unanimous voice vote, the report was approved (5-0; absent, Woods, O'Connor).

B. REGIONAL ISSUES COMMITTEE/OTHER COMMISSION REPORTS

Mr. Krapf stated that the Regional Issues Committee met on October 25. He stated that the committee discussed the Historic Triangle Collaborative Vision Project. He stated that the project was undertaken by the three jurisdictions, York County, James City County (JCC) and the City of Williamsburg to coordinate comprehensive plan efforts. He stated that the expectation is that this will serve as a catalyst for community and organizational discussions that will lead to a long range vision for the Historic Triangle. He stated that there was also an update provided by the Greater Williamsburg Chamber and Tourism Alliance. He stated that a website has been established by the Chamber; it can be found at: www.christmasinwilliamsburg.com. He stated that the planning staff from each jurisdiction has been meeting to discuss land use map categories. He stated that the Hampton Roads Transit is analyzing transportation issues for the area, and regional forums are being planned for early next year as well as joint planning commission sessions.

5. PUBLIC HEARINGS

A. MP-0003-2011/Z-0004-2011, Mason Park Master Plan Amendment

Mr. Fraley stated that the applicant has requested a deferral until the December 7, Planning Commission meeting.

Mr. Jose Ribeiro stated that staff concurs with the applicant's request.

Mr. Fraley opened the public hearing. Seeing no one from the public wanting to speak Mr. Fraley stated that the public hearing will remain open until the December 7 meeting.

B. SUP-0008-2011, Chickahominy Road Manufactured Home

Mr. Jason Purse presented the staff report stating that Ms. Sandra Kimrey has applied to allow the placement of a manufactured home at 2720 Chickahominy Road.

Mr. Poole asked if the applicant is comfortable with staff's recommended six conditions.

Mr. Purse stated that the applicant is comfortable with the conditions and has no objections.

Mr. Fraley opened the public hearing. Seeing no one, Mr. Fraley closed the public hearing.

Mr. Poole made a motion to approve the application with the conditions listed in the staff report.

In a roll call vote, the Commission recommended approval (6-0; absent, Woods).

C. AFD-10-86-1-2011, Christenson's Corner AFD Addition, Newman Road

Mr. Jose Ribeiro presented the staff report stating that Mr. Matt Abbitt of Abbitt Management LLC has applied to enroll two properties located along Newman Road into the

Christenson's Corner Agricultural and Forestal District (AFD).

Mr. Fraley opened the public hearing. Seeing no one, Mr. Fraley closed the public hearing.

Mr. Krapf made a motion to approve the addition to Christenson's Corner AFD subject to the existing conditions listed in the staff report.

In a roll call vote, the Commission recommended approval (6-0; absent, Woods).

D. ZO-0015-2011, Freestanding Shopping Center Signage

Mr. Fraley stated that the applicant has withdrawn this application.

Mr. Fraley opened the public hearing. Seeing no one, Mr. Fraley closed the public hearing.

6. PLANNING DIRECTOR'S REPORT

Mr. Allen Murphy stated that he was asked to update the commission on the Transfer of Development Rights (TDR's) market analysis and final recommendation made to the BOS. He stated that staff's final recommendation was to not pursue the TDR program at this time due to five key concerns. He stated that staff's greatest concern related to the high transfer ratios, which would be much greater than changing one unit for one unit. He stated that reducing or waiving proffers for future rezonings in order to make the transfer more feasible would potentially shift county funding from the private sector to the public sector. He stated that the introduction of floor-area ratios in Commercial and Industrial Ordinances where they do not currently exist was seen as problematic. He stated that there would be an imbalance between the small amount of potentially adequate receiving areas and the larger amount available in sending areas. He stated that the implementation strategy that was highly recommended would require TDR's. He stated that this is not permitted currently under state code. He stated that the BOS wants to continue the discussion on TDR's before making a final decision. He stated that the BOS intends on having a conversation regarding rural lands following a decision on TDR's after January 2012.

7. COMMISSION DISCUSSIONS AND REQUESTS

Mr. Fraley asked staff to consider amending the Ordinance to treat mausoleums and cemeteries differently from one another. He stated that the impacts from a mausoleum are different from those of a cemetery.

Mr. Poole stated his support for such a change.

Mr. Tim O'Connor asked if there was more information regarding the statutes referenced during the last meeting.

Mr. Adam Kinsman stated that he had emailed the Planning Commissioners earlier that day. He stated that he had written a legal opinion on the state code, and that he had received a letter from St. Bede's legal counsel regarding his legal opinion on the state code.

Mr. Poole asked for an update regarding the Commercial Districts Ordinances.


Mr. Murphy stated that this will be on the November 8 BOS meeting agenda.

Mr. Poole made a recommendation to further discuss the public comment period during the organizational meeting due to take place in January or February.

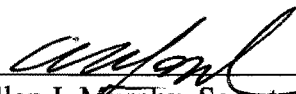
8. ADJOURNMENT

Mr. Kraft moved to adjourn.

The meeting was adjourned at 7:23 p.m.



Jack Fraley, Chairman



Allen J. Murphy, Secretary