

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE FOURTH DAY OF JANUARY, TWO-THOUSAND AND TWELVE, 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  
Al Woods  
Chris Basic  
Tim O'Connor  
Mike Maddocks

Staff Present:

Allen Murphy, Acting Development Manager  
Jason Purse, Senior Planner II  
Adam Kinsman, Deputy County Attorney

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

2. RECOGNITION MR. A. REESE PECK

Mr. Fraley presented Mr. Reese Peck with a Certificate of Appreciation and Resolution.

Mr. Al Woods made a motion to approve the Resolution of Appreciation.

In a unanimous voice vote, the resolution was approved.

3. PUBLIC COMMENT

Mr. Fraley opened the public comment period.

Mr. Jim Kennedy of 7681 Thatcher Drive, and Board Of Supervisor (BOS) member spoke. He expressed gratitude for Mr. Fraley's participation on the Planning Commission as well as the other committees he served on.

There being no one else wanting to speak, Mr. Fraley closed the public comment period.

3. MINUTES – DECEMBER 7, 2011

Mr. Rich Krapf noted one change to be made to the minutes.

Mr. Krapf moved to approve the minutes with amendments.

In a unanimous voice vote, the minutes were approved.

4. COMMITTEE AND COMMISSION REPORTS

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. Poole stated that the DRC met earlier today. The DRC reviewed Case No. S-0025-2011, New Town Section 7, Phase 10. He stated that subdivisions of fifty or more lots are required to be seen by the DRC. He stated that this proposal includes 61 new lots at 4400 Casey Boulevard. The DRC voted 4-0, for preliminary approval subject to agency comments. He stated that the DRC agreed that a minor adjustment made to the BMP and road plan was consistent with the Master Plan.

Mr. Al Woods moved for approval of the DRC report.

In a unanimous voice vote, the report was approved.

B. POLICY COMMITTEE

Mr. Rich Krapf stated that the Policy Committee met on December 12, 2011 to finalize the ranking for the FY2013-2017 Capital Improvement Program (CIP) and to hear presentations from various agencies involved. He stated that later this evening this will be discussed in greater detail.

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 February 1, 2012 Planning Commission meeting to resolve outstanding Virginia Department Of Transportation (VDOT) comments.

Mr. Fraley stated that the public hearing will remain open until the February 1, 2012 meeting.

B. SUP-0011-2011, American Pride Automotive

Mr. Jason Purse stated that Mr. Charlie Marcotte has applied for a special use permit to allow automobile service and the sale of vehicles on a .79 acre parcel located at 7793 Richmond Road. He stated that the parcel is zoned B-1, General Business and is shown as Mixed-Use on the Comprehensive Plan.

Mr. Purse stated that an existing 5,000 square foot building is located onsite and is currently being used by a church. He stated that the building was originally constructed as a part of the Pop's Marine boat sales and repair facility that closed in June of 2010. He stated that the master plan shows the 5,000 square foot building with 4,000 square feet dedicated to service and 1,000 square feet for office and customer accommodations.

Mr. Purse stated that the application also proposes 16 parking spaces to be used for the

sale of automobiles. He stated that these spaces were not counted towards the purpose of meeting the Ordinance parking requirements. He stated that a vehicle sales condition has been included in order to ensure that the required number of parking spaces will always be available so as to limit the potential impact of sales as a secondary use to the automobile repair service. He stated that there have been limits placed on the types of advertisements that may be used for displayed vehicles to ensure that the parking area will appear similar to a regular parking lot.

Mr. Purse stated that the Comprehensive Plan recommends redevelopment of existing commercial development. He stated that the following principles, as recommended by the approved Toano Community Character Area Design Guidelines, should guide streetscape and building designs in this area: highlight and honor history, encourage appropriate growth that enhances unique small town character; and improve streetscape and landscape to create a sense of place.

Mr. Purse stated that the proposed use will meet the goal of encouraging redevelopment. He stated that in order to help preserve the community character of the area the applicant will plant the existing 9' landscaping strip along Richmond Road with enhanced landscaping. He stated that the applicant also proposes unique signage that will fit the character of Toano. He stated that since the application is proposing the reuse of the existing structure and is not proposing any additional structures it will have minimal impact on the surrounding Community Character Area.

Mr. Purse stated that after receiving a question from Mr. Krapf about the proposed signage for the property, the applicant has agreed to add a condition that specifically ties the design of the sign shown on the cover of the Community Impact Statement to this application. He stated that similarly, after speaking with Mr. O'Connor about concerns over potential motor vehicle fluid leaks, the applicant has agreed to include an additional condition that will need to be satisfied prior to site plan approval for this application.

Mr. Purse stated that staff finds the proposal to have minimal additional impacts beyond the previous use of the property and is generally compatible with the 2009 Comprehensive Plan. He stated that staff recommends the Planning Commission recommend approval of this application with the attached conditions, as well as the two new conditions to the BOS.

Mr. Woods stated that there is a word that has been inadvertently omitted from condition number 11.

Mr. Purse stated that it would be corrected.

Mr. Krapf asked if there were any limitations on the size or type of vehicle that could be sold from the property based on the Zoning Ordinance.

Mr. Purse stated that the Ordinance calls the use "vehicle sales and repair". He stated that this would pertain to everyday cars and trucks; this excludes heavy machinery such as dump trucks and bull dozers.

Mr. Marcotte, the applicant, stated that the doors would not allow anything bigger than a pickup truck.

Mr. Poole asked the applicant if he is comfortable with the conditions.

Mr. Marcotte responded affirmatively.

Mr. Mike Maddocks asked what percentage of his business involves sales versus repair services.

Mr. Marcotte stated that the sales volume is relatively low. He stated that he currently has two locations one in York County, the other in James City County on Airport Road. He stated that he sells an average of 17 vehicles per month at both locations. He stated that at this new location they will focus on one type of vehicle that would be most marketable to that area.

Ms. Linda Rice of 2394 Forge Road spoke. She stated that she had given the Commissioners a copy of a book that she wrote on the Toano area. She stated that she hopes this is useful information as they consider new applications for development within this area.

Ms. Rice stated that she felt that this project, involving the reuse of Pop's Marine is an acceptable project, but she stated that she has a few reservations. She stated that she is fearful that the location will become an eyesore. She stated that she was aware of the conditions that involve screening, this will be helpful. She stated that it is important to maintain the character of the area. She stated that she is concerned with parking arrangements.

Mr. Krapf stated that landscaping and screening would be particularly important on the west side of the property.

Mr. Poole stated that he appreciates the applicant's efforts to redevelop the property. He stated that he concurs with Mr. Krapf's comment, and he supports the project.

Mr. Poole moved for approval of the application with Staff's conditions and the two new conditions suggested this evening.

Mr. Chris Basic stated that he is prepared to support the application. He stated that he is pleased to see a redevelopment project.

Mr. Fraley asked Mr. Purse if he could speak to the concerns raised regarding parking.

Mr. Purse stated that the majority of the parking is on the side or behind the building where the existing boat lift is currently located. He stated that the boat lift will be removed and new parking will take its place. He stated that there are four or five parking spaces on the outside of the fenced area. He stated that this constitutes a different property that shares the same address.

Mr. Fraley asked if there had been any further discussions regarding the west side of the

property.

Mr. Purse stated that there had not been any discussion regarding placing landscaping in the specific location. He stated that there is a significant wooded buffer on the other side of the lane between Toano Middle School and this property.

Mr. Fraley asked Mr. Marcotte if he had anything further to add.

Mr. Marcotte stated that he intends to paint the fence black, making it less visible. He stated that customers will often ask that their cars remain behind the fence for security. He stated that the area in front of the fence will have attractive landscaping and the four or five parking spaces will be used for employee parking.

Mr. Fraley stated that he supports and is in favor of redevelopment projects. He stated that this will be an aesthetic improvement for the property.

Mr. Adam Kinsman stated that he wanted to speak to Mr. Woods' concern regarding condition number eleven. He stated that the intent was to not have the word "not" in the statement. He stated that the severance clause is indicating that this is a single issue piece of legislation. He stated that the invalidation of a single word would invalidate the entire agreement.

Mr. Woods asked if this presentation is customary.

Mr. Kinsman responded affirmatively.

Mr. Poole moved for approval of the application with staff's conditions and the two new conditions presented this evening.

In a unanimous voice vote, the application was approved.

#### C. Review of FY2013-2017, Capital Improvements Program (CIP)

Mr. Purse stated that after a series of meetings to discuss and evaluate the CIP requests, the Policy Committee is forwarding its recommendations for the 2013-2017 CIP which begins July 1, 2012, for Planning Commission consideration. He stated that the committee members used standardized ranking criteria to prioritize the 56 potential projects submitted by County staff and produced a numerical score each between ten and one hundred. He stated that the ranking criteria are provided in your packet for reference. He stated that the individual committee member's scores were averaged to generate the final project score and a priority number was given to each of the projects. He stated that a project that received the same number score was also given the same priority ranking, such as the School Bus Safety Equipment and Greenway Funding. He stated that the two items had the same priority ranking because they had the same score. He stated that maintenance items were separated out and not ranked by the Policy Committee. The Policy Committee recommends that the Planning Commission endorse the CIP rankings. He stated that these rankings will be sent to the BOS for their consideration as

they develop the County budget.

Mr. Woods moved to approve the Policy Committee CIP recommendations.

In a unanimous voice vote, the report was approved.

6. PLANNING DIRECTOR'S REPORT

Mr. Murphy stated this evenings meeting needs to be continued until 6:00 on February 1 for the organizational meeting.

Mr. Murphy stated that there are going to be a few evening, community forums for the Williamsburg, York County and James City County Regional Comprehensive Planning efforts scheduled in February. He stated that the dates are: February 2 at Magruder Elementary School cafeteria. He stated that this meeting will cover the Riverside, Busch, Busch Gardens and Marquee Area. He stated that the second community forum will be on February 23. He stated that this will cover Lightfoot, The Pottery and the Hill Pleasant Farm area. He stated that the meeting will be held at the Warhill High School auditorium. He stated that the third community forum will be at February 27. He stated that this will cover the Northeast Triangle and surrounding areas. He stated that the meeting will be held at the Williamsburg Community Building.

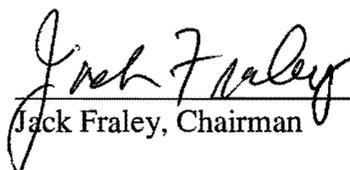
7. COMMISSION DISCUSSIONS AND REQUESTS

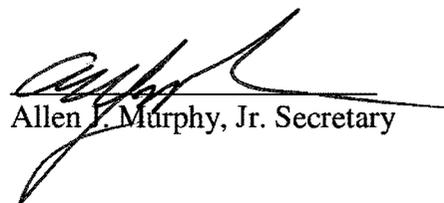
Mr. Fraley stated that Mr. O'Connor will be covering the BOS meetings in January.

8. ADJOURNMENT

Mr. Krapf moved to continue the meeting until 6:00 p.m., February 1, 2012.

The meeting was adjourned at 7:45 p.m.

  
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Jack Fraley, Chairman

  
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Allen J. Murphy, Jr. Secretary