

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE FOURTH DAY OF SEPTEMBER, TWO-THOUSAND AND THIRTEEN, 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:

Rich Krapf  
Mike Maddocks  
Tim O'Connor  
Chris Basic  
Robin Bledsoe  
George Drummond

Staff Present:

Paul Holt, Planning Director  
Adam R. Kinsman, Deputy County Attorney  
Jennifer VanDyke, Planner  
Scott Whyte, Planner  
Luke Vinciguerra, Planner

Planning Commissioners

Absent:

Al Woods

Mr. Richard Krapf called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT

Mr. Krapf opened the public comment.

Mr. Michael McGurk, 117 Jefferson's Hundred, addressed the Planning Commission stating that he is not opposed to the RV lot off of Wareham's Pond Rd.

Mr. Paul Holt stated that the RV lot consideration item is part of the Development Review Committee report.

Mr. Krapf stated that this is not one of tonight's public hearing items; therefore, he was welcome to make any comments.

Mr. McGurk addressed the Planning Commission stating that he is opposed to any development that would affect the scenic beauty between Kingsmill, Busch Gardens, and the Brewery. He is also opposed to any development that would affect the Country Road that connects Downtown Williamsburg with Carter's Grove.

Mr. Krapf stated this case will be presented at the October 2<sup>nd</sup> Planning Commission meeting and he was welcome to comment further at that time.

Mr. Holt stated just for clarity, this case is tentatively scheduled for October 2<sup>nd</sup>.

Mr. Krapf inquired if anyone else wished to speak and being no other speakers, Mr. Krapf closed the public comment.

**3. COMMITTEE / COMMISSION REPORTS**

**A. Development Review Committee**

Mr. Chris Basic stated that the Development Review Committee (DRC) met on August 25, 2013 to discuss the following cases:

**A. Case No. SUP-0014-2013. Lightfoot Marketplace.**

Mr. Basic stated the proposal is for a retail redevelopment including a grocery store and pharmacy located at the Williamsburg Outlet Mall property. DRC members offered additional feedback on the pedestrian connections, architectural consistency, site layout design, planting design, screening of dumpsters and other similar site features, and sustainable development techniques with their certification programs.

**B. Case No. C-0039-2013. Kingsmill Storage Lot.**

Mr. Basic stated that the Kingsmill Community Services Association plans to relocate two existing storage lots and combine them into one new facility located on Wareham's Pond Rd. Staff has found the proposal to be consistent with the Master Plan; however, the proposal is connected to a Rezoning and Site Plan amendment which will require a review by the Planning Commission in the near future. Mr. Basic also stated that staff presented this to DRC which offered feedback and ensured appropriate screening of the facility occurs.

**C. Case No. SP-0087-2012 / S-0047-2012. The Village of Candle Station.**

Mr. Basic stated that the applicant has appealed a determination by the Planning Director that the proposed Development Plans are inconsistent with the approved Master Plan. The applicant requested a one month deferral to work through outstanding issues. Mr. Basic stated that this case has been deferred and is tentatively scheduled for the September 25<sup>th</sup> DRC meeting.

Mr. Tim O'Connor moved to accept the report.

In a unanimous voice vote, the Commission approved the report 6-0; Mr. Woods being absent.

**B. Policy Committee**

Ms. Robin Bledsoe stated that the Policy Committee discussed the methodology of how the Policy Committee is going to approach the CIP.

Mr. Mike Maddocks moved to accept the report.

In a unanimous voice vote, the Commission approved the report 6-0; Mr. Woods being absent.

**C. Regional Issues Committee**

Mr. Maddocks stated that there was no Regional Issues Committee meeting in August and, therefore, no report.

**4. MINUTES**

Mr. George Drummond moved to approve the minutes from the August 7, 2013 meeting.

In a unanimous voice vote, the Commission approved the report 6-0; Mr. Woods being absent.

**5. PUBLIC HEARING CASES**

**A. Case No. SUP-0011-2013. Veritas Preparatory School.**

Ms. Jennifer VanDyke, Planner, addressed the Planning Commission giving a summary of the staff report included in the Agenda Packet.

Mr. Krapf opened the floor to questions from the Commissioners.

Mr. Krapf stated that the Public Hearing was opened at the August 7<sup>th</sup> meeting and the public hearing was still open for speakers. Mr. Krapf stated the applicant has first choice to address the Planning Commission.

Ms. Diane Cavazos stated that she is the founder of Veritas Preparatory School and she intends to run the school as a business. Ms. Cavazos stated that she has applied for Articles of Incorporation in the State of Virginia and has applied to the Internal Revenue Service for non-profit status.

Ms. Robin Bledsoe stated traffic and parking are a concern and inquired as to the agreement of adjacent businesses with their proposal and the proposed parking arrangements.

Ms. Cavazos stated that she is going to turn the floor over to Mr. Larry Henson, Veritas Preparatory School's Head Master.

Mr. Henson stated that the school would be established and hope the agreement with current businesses, should they decide to relocate, would transfer to new businesses. Mr. Henson further stated that the school will not be a heavy user of the parking spaces.

Ms. Bledsoe stated that the peak hours are in the morning and afternoon then inquired as to the number of driving students.

Mr. Henson stated that the school is starting with sixth through ninth grades and the school would have heavier traffic flow in the morning hours due to staff so student parking will not be

an issue, however, they are planning to add tenth grade in year two and eleventh grade in year three. Mr. Henson stated they anticipate utilizing fifteen additional spaces for driving students.

Mr. Krapf opened the public hearing.

As no one else wished to speak, Mr. Krapf closed the public hearing.

Mr. Krapf opened the floor to discussion by the Commissioners.

Mr. Maddocks moved to recommend approval of the application with the conditions listed in the staff report.

On a roll call vote, the Planning Commission voted to recommend approval of the application with the conditions listed in the staff report by a vote of 5-1; Ms. Bledsoe voting Nay and Mr. Woods being absent.

B. Case No. SUP-0009-2013. Tidewater Equine.

Mr. Luke Vinciguerra, Planner, addressed the Planning Commission giving a summary of the staff report included in the Agenda Packet.

Mr. Krapf opened the floor to discussion by the Commissioners.

Mr. Tim O'Connor inquired about the removal of the manufactured home.

Mr. Vinciguerra stated that the structure does not meet current building code; therefore, removal of structure is necessary. Mr. Vinciguerra also stated that it is a Zoning Ordinance requirement.

Mr. Krapf opened the public hearing.

Ms. Nancy McDonald, 258 Peach Street, inquired what kind of impact this business is going to have on the road and if Tidewater Equine will be assisting with the maintenance of the road.

Mr. Krapf requested Mr. Vinciguerra to address Ms. McDonald's inquiry.

Mr. Vinciguerra stated that staff estimates ten vehicular trips per day, that there is no formal agreement in effect for the access easement, and the applicant is willing to assist with the maintenance of the access easement.

Ms. Sherry Matheny, 270 Peach Street, stated that she is in favor of this business moving into the neighborhood.

Mr. James Howard, 8603 Richmond Road, stated that he would like the applicant to address the number of vehicular trips per day and inquired as to who would maintain the easement.

Mr. Krapf stated that the Planning Commission forum is where citizens can make statements about a project, not a dialogue between the Commission, staff, and the applicant.

Mr. Howard stated that the access easement is deeded to him and very concerned about maintenance to this easement.

Mr. Krapf stated that he will refer two items to staff: 1) the access easement and, 2) the formal process for road maintenance.

Mr. Adam Kinsman stated that it is common for an easement to go over one person's private property with others having access across it. The County does not control that easement; therefore, making it a private matter. The County cannot impose conditions upon an applicant to pay into a private maintenance program and it is up to the applicant to have proper access to proposed use.

Mr. Kinsman stated perhaps the applicant can provide documentation to the Board of Supervisors showing proper access to this property.

Mr. Ken Amos, 220 Peach Street, stated that gravel was placed on the easement last week and the remaining 700 to 800 feet has not been maintained. The road is narrow and difficult for two vehicles to pass one another; however, he is in favor of the business moving into the neighborhood.

Ms. Kim Shoalp, 268 Peach Street, stated that she is representing the William Ware family and they are in favor of the business moving into the neighborhood. Ms. Shoalp also stated there is intent to gravel the remaining portion of the road and they will be requesting Tidewater Equine contribute to the maintenance.

As no one else wished to speak, Mr. Krapf closed the public hearing.

Mr. Krapf requested staff include an additional narrative referencing the issues of access easement and road maintenance in the Board of Supervisors packets.

Mr. Krapf opened the floor to discussion by the Commissioners.

Mr. O'Connor moved to recommend approval of the application with the conditions listed in the staff report.

On a roll call vote, the Planning Commission voted to recommend approval of the application with the conditions listed in the staff report by a vote of 6-0; Mr. Woods being absent.

C. Case Nos. Z-0004-2013 / SUP-0013-2013. Fire Station # 1.

Mr. Scott Whyte, Sr. Landscape Planner II, addressed the Planning Commission giving a summary of the staff report included in the Agenda Packet.

Mr. Krapf opened the public hearing.

As no one wished to speak, Mr. Krapf closed the public hearing.

Mr. Krapf opened the floor to discussion by the Commissioners.

Mr. Basic moved to recommend approval of the application with the conditions listed in the staff report.

On a roll call vote, the Planning Commission voted to recommend approval of the application with the conditions listed in the staff report by a vote of 6-0; Mr. Woods being absent.

6. PLANNING DIRECTOR'S REPORT

Mr. Holt stated that he had nothing to add to the printed report provided in the Planning Commission packet.

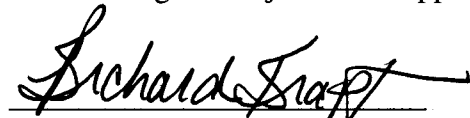
7. PLANNING COMMISSION DISCUSSION AND REQUESTS

No comments were made by any of the Commissioners.

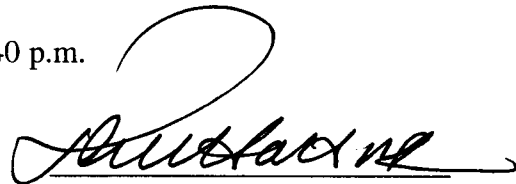
8. ADJOURNMENT

Mr. Maddocks moved to adjourn the meeting.

The meeting was adjourned at approximately 7:40 p.m.



Richard Krapf, Vice Chairman



Paul D. Holt, III, Secretary