

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE SIXTH DAY OF NOVEMBER, 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:

Al Woods
Rich Krapf
Tim O'Connor
Robin Bledsoe
George Drummond

Staff Present:

Paul Holt, Planning Director
Adam R. Kinsman, Deputy County Attorney
Luke Vinciguerra, Planner

Planning Commissioners

Absent:

Mike Maddocks
Chris Basic

Mr. Al Woods called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT

Mr. Woods opened the public comment.

There being none, Mr. Woods closed the public comment.

3. MINUTES

Mr. Rich Krapf moved to approve the minutes from the October 2, 2013 meeting.

In a unanimous voice vote, the Commission approved the minutes 5-0; Mr. Chris Basic and Mr. Mike Maddocks being absent.

4. COMMITTEE / COMMISSION REPORTS

A. Development Review Committee

Mr. Tim O'Connor stated that the Development Review Committee (DRC) met on October 30, 2013 to discuss the following cases:

A. Case No. C-0057-2013. Sears Hometown and Outlet Store.

Mr. O'Connor stated the proposal is for a Sears Hometown and Outlet store in the former Wythe-Will facility. The application was brought before the DRC for a determination of master plan consistency. The DRC voted 5-0 to recommend approval of the application, finding that the proposed retail use was consistent with the adopted master plan.

Mr. Krapf moved to accept the report.

In a unanimous voice vote, the Commission approved the report 5-0; Mr. Basic and Mr. Maddocks being absent.

B. Policy Committee

Ms. Robin Bledsoe stated that the Policy Committee met on October 10, 2013 and received an overview of the Longhill Corridor Study from Planning staff and the County's consultant, Kimley-Horn and Associates.

Ms. Bledsoe stated that the goal of the study is to determine the feasibility of various improvements to increase capacity and improve safety while maintaining the road's character.

C. Regional Issues Committee

Mr. Krapf stated that the Regional Issues Committee met on October 22, 2013.

Mr. Krapf stated that a presentation was given by Mr. Dwight Farmer, Executive Director of the Hampton Roads Planning District Commission, regarding potential projects for Hampton Roads transportation funds.

Mr. Krapf stated that updates were received from Mr. Sandy Wanner regarding the Historic Triangle Collaborative and Mr. Bob Harris regarding the Williamsburg Area Chamber and Tourism Alliance.

Mr. Krapf noted that Mr. Reed Nester, City of Williamsburg Planning Director, informed the Committee that Williamsburg has been designated a bicycle friendly community by the League of American bicyclists.

5. PUBLIC HEARING CASES

A. Case No. SUP-0012-2013. Olde Towne Rd Human Services Building Communications Tower.

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

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

Ms. Bledsoe asked if other locations were considered for the tower.

Mr. Vinciguerra stated that the applicant had searched for other locations but were unsuccessful.

Mr. Krapf asked for clarification regarding the “high failure rate of hardwired networks” mentioned in the Staff Report.

Mr. Vinciguerra stated that lines can currently go down during ice storms and hurricanes.

Mr. Krapf asked if wireless solutions are not as susceptible to natural events.

Mr. Vinciguerra stated that it would most likely be connected to a generator or battery and would thus perform better in inclement weather.

Mr. Krapf asked for verification that an agreement was reached between the applicant and the County, allowing the County to use the Communication facilities if needed in lieu of a lease payment.

Mr. Vinciguerra confirmed that such an agreement was reached through the Attorney’s office.

Mr. Kinsman stated that the Commission should only consider whether the tower is an appropriate use for that location, as the agreement will be considered separately by the Board of Supervisors.

Mr. O’Connor stated that although he was not opposed to the conclusions in the report, he was unhappy with the decision to use the Wireless Communication Facilities (WCF) Performance Standards to review the tower because the policy states that it shall not include public broadcasting. Mr. O’Connor noted that the standards mention the capability of collocations and asked if the tower is expandable.

Mr. Vinciguerra stated that it is not expandable and most likely could not be collocated because of the low height.

Mr. O’Connor stated that his main concern is being consistent in the applications of the standards. Mr. O’Connor also stated that he would also like to see a condition that the tower be expandable to allow for collocations.

Mr. Holt stated that staff made the decision to use the WCF criteria due to the standards’ intent of minimizing the visual impacts of the tower. Mr. Holt stated that staff contacted other carriers and determined that there was no immediate interest in collocating on the tower; therefore, in the interest of minimizing visual impacts, it was decided to keep the tower at a lower height.

Ms. Bledsoe noted that the applicant is willing to allow the County to use the tower for emergency communications and asked how that condition would differ from what the County generally does already.

Mr. Vinciguerra stated that he will defer to the applicant.

Mr. Woods asked if Mr. Vinciguerra has received any objections from surrounding properties.

Mr. Vinciguerra stated that he has not received any comments or complaints.

Mr. Woods asked to verify that there are no commercial interests in collocating on the tower.

Mr. Vinciguerra confirmed.

Mr. Woods asked how the County defines public broadcasting.

Mr. Holt stated it is determined by the type of FCC license obtained by the business.

Mr. Woods asked what type of license the applicant has.

Mr. Holt stated that he would defer to the applicant, but that it was not a WCF, which the County defines as cell phone service.

Mr. Woods asked if the height of a proposed structure was below the County's maximum height limit, would it raise any concerns.

Mr. Holt stated that every case is unique.

Mr. Woods opened the public hearing.

Mr. Thomas Davis, President and CEO of Davis Media, stated that Davis Media has engaged in a relationship with the County for several years regarding emergency communications. Mr. Davis stated that the proposed tower will allow the radio station to remain on air at all times, as it has gone down in the past during severe storms.

Ms. Bledsoe asked if is normal for the County to purchase a generator for a private business.

Mr. Davis stated that it is only normal when the business makes a commitment to turn its entire broadcast over to the County during an emergency.

Mr. Bledsoe asked if other radio stations do so.

Mr. Davis stated that most radio stations will not.

Ms. Bledsoe asked if there was an FCC regulation regarding the amount of time a station must dedicate during an emergency.

Mr. Davis stated that there is the State Emergency Alert System which automatically broadcasts alerts during State emergencies, but there is no infrastructure for local emergencies.

Ms. Bledsoe asked if the County has identified this tower as a need.

Mr. Davis stated that it is a need for the County and the County is supportive of their efforts.

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

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

Mr. Drummond stated that he feels the service would be a benefit for the County.

Ms. Bledsoe asked if a person would have to be already listening to the radio station to hear the emergency broadcasts.

Mr. Davis confirmed and stated that the County notifies the citizens through the website and newsletters to tune to the radio station in times of emergency.

Mr. Drummond 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 5-0; Mr. Basic and Mr. Maddocks being absent.

6. PLANNING DIRECTOR'S REPORT

Mr. Holt stated that there will be a second public meeting regarding the Longhill Road Corridor Study Thursday, November 21, 2013, at the King of Glory Lutheran Church Fellowship Hall from 7 p.m.-9 p.m.

Mr. O'Connor asked if there is anything measurable regarding the improvements made to the Longhill Road corridor.

Mr. Holt stated that there will be measurable items, and the project's website is continually updated with the status of the project and results to date.

7. PLANNING COMMISSION DISCUSSION AND REQUESTS

No comments were made by any of the Commissioners.

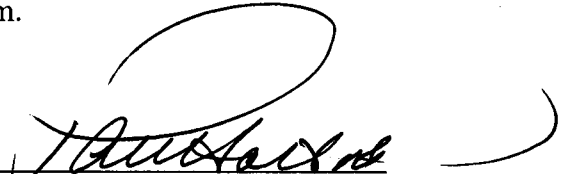
8. ADJOURNMENT

Mr. Krapf moved to adjourn the meeting.

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



Al Woods, Chairman



Paul D. Holt, III, Secretary