

UNAPPROVED MINUTES FROM THE APRIL 1, 2009 PLANNING  
COMMISSION MEETING

SUP-0006-2009 Sale and Repair of Lawn Equipment

Mr. Jose Ribeiro stated that Mr. Nick Cianelli, with the assistance of Ms. Carla Brittle, Business Facilitator for James City County, has applied for a special use permit to allow the sale and repair of lawn equipment and sale of plant and garden supplies on the property located at 8231 Richmond Road. The 2.11 acre property is zoned A-1, General Agriculture and is designated by the 2003 Comprehensive Plan as General Industry. The applicant proposes to remove the existing dilapidated residential structure and accessory buildings from the property, and redevelop the eastern end of the parcel with a single-story 7,500 square foot structure, 2,100 square foot of outdoor lawn equipment display area and 19 parking spaces. The site fronts on Richmond Road, which is designated by the 2003 Comprehensive Plan as a Community Character Road. Staff notes that a 50 foot landscape buffer along the right-of-way is being proposed by this request.

Mr. Ribeiro stated that all reviewing agencies have recommended approval of this SUP request with comments to be addressed during the site plan review process, should this request be approved. Staff finds this development, as currently proposed, to be generally consistent with surrounding land use, the Land Use policies of the Comprehensive Plan, and the Comprehensive Plan Land Use Map designation. Staff recommends that the Planning Commission recommend approval of the SUP application for this project with the attached conditions. Mr. Ribeiro stated that should this application be approved, that the applicant is considering applying for a sidewalk waiver along the front of his property. This request would be considered by the DRC during the site plan review for this project.

Mr. Billups asked what the length and width would be for the sidewalk waiver.

Mr. Ribeiro answered that sidewalks must be constructed according the VDOT's standards. It is his understanding that the width needs to be five feet, which also complies with the Americans with Disabilities Act. He stated the length would be the entire front length of the property.

Mr. Krapf opened the public hearing.

Mr. Joseph Swanenburg, 3026 The Pointe Drive, stated he was representing an adjacent property owner. He stated he is a member of Lifepoint Christian Church, which purchased the property at the northern part of the parcel in the application. He stated he has been in regular contact with the applicant and that the church membership sees it as a great opportunity. Mr. Swanenburg stated the church has no objection and felt that he would be a very good neighbor.

Ms. Carla Brittle, James City County Business Facilitator, spoke on behalf of Mr. Nick Cianelli. She stated that he has had a similar business in York County for over twenty years and decided to relocate in James City County.

Mr. Krapf closed the public hearing.

Mr. Poole, recognizing the redevelopment potential for the property, moved to approve the application with the conditions listed in the staff report.

Ms. Kratter seconded the motion.

Mr. Krapf wanted to mention that 78% of the site would remain pervious cover with the application, which he believed to be exceptional.

Mr. Henderson asked about the use of an underground storage tank.

Mr. Cianelli stated he would not have an underground storage tank. He agreed to have something in the conditions stating that he has agreed to this.

In a roll call vote the motion was approved. (7-0) AYE: Poole, Fraley, Kratter, Henderson, Billups, Peck, Krapf.