

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

1. ROLL CALL  
A. Joe Poole, III  
Peggy Wildman  
Jack Fraley  
Donald Hunt  
Joseph McCleary  
Wilford Kale  
George Billups

ALSO PRESENT  
Leo Rogers, Deputy County Attorney  
O. Marvin Sowers, Jr., Planning Director  
Pat Foltz, Development Management Assistant  
Christopher Johnson, Senior Planner  
Sarah Weisiger, Senior Planner  
John Carnifax, Parks and Recreation  
Paul Tubach, Parks and Recreation  
Matthew Arcieri, Planner

2. ROLL CALL

3. MINUTES

Mr. Joe McCleary proposed prefacing Ms. Cindy Hogan's statements with a parenthetical phrase stating "(no relation to the applicant)" for SUP-12-04, Hogan Homestead Daycare.

Mr. McCleary moved to approve the minutes of the April meeting.

Ms. Peggy Wildman seconded motion.

In a unanimous voice vote the Commission approved the minutes with corrections.

4. COMMITTEE AND COMMISSION REPORT

- A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. McCleary, chairman of the DRC, presented the DRC report. The DRC heard eight cases at its June meeting. The DRC recommended approval for cases C-055-04 - Mid-County Park Trail Addition, SP-057-04 - Archaerium at Historic Jamestown, SP-027-04 Greensprings Condominiums, SP-018-04 - New Town Block 8, Phase 1B, and SP-038-04 - Greensprings West, Phases 4B and 5.

The DRC deferred action on three cases: S-037-04/SP-056-04 - Michelle Point, SP-059-04 - Norge Neighborhood, and SP-051-04 - Druid Hills, Section D.

Mr. Kale inquired where in Druid Hills the site plan dealt with.

Mr. McCleary responded that it was near Anthony Lane.

Mr. Kale related that, from personal experience as a resident, the road in question was not to be built.

Mr. McCleary gave further detail on the case, including potential reasons as to why the plan had recently come forward.

Mr. Fraley pointed out a case numbering inconsistency in the DRC report.

Mr. McCleary spoke to the importance of posting a private drive on certain property. He also spoke to a condition in the proffers connecting Norge Neighborhood and Kristiansand.

Mr. Kale related specifics behind the decision for that connection, and that it was kept narrow in order to prevent it from becoming a vehicular connection.

Mr. McCleary spoke to the existing dangers of the path, including the danger of skateboarders using the path.

Mr. Hunt moved to approve the DRC report.

Mr. Kale seconded the motion.

In a unanimous voice vote the Commission approved the DRC report.

## 5. PUBLIC HEARINGS

### A. CASE NO. SUP-13-04 Williamsburg Farms Country Inn

Mr. Matt Arcieri stated that the applicant, Mr. Vernon Geddy, of Geddy, Harris, Hickman, and Franck, requested deferral to the June meeting of the Planning Commission in order to resolve outstanding issues. Staff concurred with the request.

Mr. A. Joe Poole, III opened the public hearing.

Hearing no requests to speak, Mr. Poole deferred the case until the July 12th meeting.

### B. CASE NO. SUP-14-03 John Tyler Monopole Tower

Mr. Matt Arcieri stated that the applicant, Mr. Nathan Holland of Omnipoint Communications, requested a deferral in order to address several outstanding issues. Staff concurred with the applicant's request.

Mr. Kale asked for specifics on the outstanding issues.

Mr. Arcieri responded that there was a historic protection issue.

Mr. Nathan Holland stated that the State Historic Preservation Office of Virginia is to deliver its report in the near future. The case will go forward when its permission is received.

Mr. A. Joe Poole, III opened the public hearing.

Hearing no requests to speak, Mr. Poole, III deferred the case until the July 12th meeting.

### C. CASE NO. Z-11-03 & MP-11-03 Stonehouse Master Plan Modification

Mr. Matt Arcieri stated that the applicant, Mr. Alvin Anderson, of Kaufman and Canoles, requested deferral to the July meeting of the Planning Commission in order to resolve outstanding issues concerning the Stonehouse master plan and proffers. Staff concurred with the request.

Mr. A. Joe Poole, III opened the public hearing.

Hearing no requests to speak, Mr. Poole deferred the case until the July 12th meeting.

D. CASE NO. SUP-16-04 Warhill Airport

Ms. Sarah Weisiger presented the staff report. Mr. Larry Waltrip of the Williamsburg-Jamestown Airport has applied on behalf of Mary Waltrip for an amendment to SUP-23-97, approved December 9, 1997. The original special use permit included property at **100 Marclay Drive** also identified as parcel nos. (1-5A) and (1-6) on James City County tax map no. (48-2). The SUP amendment does not propose any change to the conditions of SUP-23-97. The amendment will allow for the construction of T-Hangars #14, 17, and 20 as shown on the approved master plan on approximately 14.6 acres adjacent to the airport south of Marclay Road in parcel no. (1-12) on James City County tax map no. (48-2). A special use permit is required for airports and accessory uses in the R-8, Rural Residential zoning district in which the property is located. The Comprehensive Plan Land Use Map designates the property as Airport. Staff recommended approval of the application.

Mr. McCleary requested clarification whether or not Stage I or Stage II was up for approval.

Ms. Weisiger stated that the application brought only that property into the conditions of the SUP.

Mr. Poole opened the public hearing.

Seeing no speakers, Mr. Poole closed the public hearing.

Mr. Poole found the application in keeping with the 1997 SUP and expressed his full support.

Mr. Kale moved to approve the application.

Mr. Hunt seconded the motion.

Mr. Poole asked whether that the applicant was satisfied with the conditions.

Ms. Weisiger responded that he was.

In a unanimous roll call vote the application was approved 7:0; AYE: (7) Poole, McCleary, Fraley, Hunt, Kale, Billups, Wildman; NAY: (0).

E. Case No. SUP-17-04 JCC Tower – Forge Road

Mr. Matthew Arcieri presented the staff report. Mr. Richard Miller has applied on behalf of James City County for a special use permit amendment to increase the height of the communication tower serving as part of the 800 Mhz. Radio System from 140 to 160 feet. The location of the tower will not change. This amends the special use permit previously approved on April 27, 2004. The site is located at **3135 Forge Road** (EOC Building), zoned B-1, General Business and designated Federal, State and County Lands on the 2003 Comprehensive Plan Land Use Map. The property can be further identified as Parcel No. (1-27) on JCC Real Estate Tax Map No. (12-3). Staff recommended approval.

Mr. Poole opened the public hearing.

Seeing none, Mr. Poole closed the public hearing.

Mr. McCleary moved to approve the application.

Mr. Hunt seconded the motion.

In a unanimous roll call vote the application was approved 7:0; AYE: (7) McCleary, Fraley, Hunt, Kale, Billups, Poole NAY (0).

F. Case No. SUP-17-03/MP-05-03 Warhill Sports Complex

Mr. Chris Johnson presented the staff report. Mr. Needham Cheely, on behalf of James City County Parks and Recreation, has applied for a special use permit amendment and master plan amendment to add additional recreational facilities at the Warhill Sports Complex generally located north of Longhill Road, east of Centerville Road and west of Route 199. The properties are located at **5700 Warhill Trail** and are zoned R-8, Rural Residential, and designated as Park, Public, or Semi-Public Open Space on the Comprehensive Plan Land Use Map. The properties can be further identified as parcels (1-12) on the JCC Tax Map No. (32-1). Staff recommended approval for the request.

Mr. McCleary clarified that BMX tracks would be for bicycles.

Mr. Johnson concurred.

Mr. Hunt questioned where the primary access for the site would be.

Mr. Johnson responded that the plan allowed for a secondary road connecting the park to Centerville road that would be contingent on future talks between VDOT and the Parks and Recreation department.

Mr. Billups asked if the remaining parts of the complex could be completed without VDOT review of a traffic study.

Mr. Johnson responded that, though VDOT has the power to require it, that they would not likely ask for it in the near future.

Mr. Poole opened the public hearing.

Mr. Needham Cheely, Director of Parks and Recreation, made himself available for questions.

Mr. Kale asked if there was a plan in place for the future stadium site.

Mr. Cheely responded that the considerations for this site would be contingent upon funding availability and public interest, which at current time would predict a possible start date after 2007.

Mr. Kale questioned how far along parking plans had been advanced for that site.

Mr. Cheely responded that, though no formal plan had been formulated, some sort of shared parking agreement with other facilities would be pursued.

Mr. Kale expressed his concern for the parking around the E and F field sites, specifically to the aesthetics of the park being too dominated by parking lots, and that the eventual demand for the facilities will overrun the capacity of Longhill and Warhill roads. He proposed a design that included more shared parking.

Mr. Cheely stated that no facility will be built without VDOT review, and that VDOT has the ability to call for a traffic study once it is deemed necessary. As to Centerville Road access, Mr. Cheely spoke to the safety hazard posed by a full road, which could be used as a cut through, and stressed the intention that it would be used in emergencies only. Given the expanding season length of youth athletic seasons, parking in the park was meant to be convenient, but not dedicated, to a certain field and reassured that the parking plan reflected in the application addressed that point.

Mr. Billups asked what percentage of the park acreage could be used for parking.

Mr. Cheely responded that certain areas had been treated, out of experience, to admit the overflow parking that will inevitably be needed.

Mr. Billups asked if the plan would affect a specific subdivision or group of residents.

Mr. Cheely responded that Parks and Recreation had conducted regular meetings with the Mallard Hill Subdivision and held discussions with the large-lot property owners adjacent to the park.

Mr. Fraley related to the Commission the current parking situation, characterized by frequent use of unpaved overflow areas.

Mr. Kale stated his concern about the placement and location of parking lots, and that combined parking would improve the overall convenience of parking at the complex.

Mr. Cheely restated the intention to maximize current and shared usages, and to balance individual parking elements while placing them strategically in relation to the facilities.

Mr. Poole stated that, while it was difficult to expect people to walk the distance of the soccer field, the parking plan in the application was satisfactory.

Mr. Kale spoke to the importance of the configurations, and that placing individual parking lots specific to each facility in fact made access to the site less convenient.

Mr. Poole closed the public hearing.

Mr. McCleary expressed his support for recreational facilities and moved to approve the application.

Mr. Kale seconded the motion.

Mr. Poole expressed his support for the facility and credited staff for the high quality of the current facility.

Mr. Sowers confirmed that the motion included the amended conditions.

In a roll call vote the application was approved 7:0; AYE: (7) McCleary, Fraley, Hunt, Kale, Billups, Wildman; Poole NAY (0).

G. Case No. SUP-11-04/MP-03-04 Freedom Park

Mr. Johnson delivered the staff report. Mr. Needham Cheely, on behalf of James City County Parks and Recreation, has applied for a special use permit amendment and master plan for Freedom Park generally located west of the intersection of Longhill Road and Centerville Road. The properties are located at **5535, 5537, and 5981 Centerville Road** and are zoned A-1, General Agricultural, and LB, Limited Business, and designated as Park, Public, or Semi-Public Open Space on the Comprehensive Plan Land Use Map. The properties can be further identified as parcel (1-6) on Tax Map No. (31-1); parcel (1-9) on the JCC Tax Map No. (30-1); and parcel (1-10) on Tax Map No. (30-2). Staff recommended approval.

Mr. Poole opened the public hearing.

Mr. George Eckles, 2608 Sir Thomas Way, stated his support for a golf course in James City County in response to the aging population. Mr. Eckles spoke to the absence of a golf course on the upcoming bond issue and urged the community to consider it.

Mr. Cheely stated that the golf course was a product of deliberations dating from 1994 and that a public golf course might duplicate services and strain partnerships in the private sector, where many golf courses have been built. He also responded that public interest in a public golf course had not been as strong as anticipated.

Mr. McCleary asked if there were any current public access to private courses.

Mr. Cheely responded that there was public access currently but that cost issues constrained public access.

Mr. Kale expressed the need for more golf opportunities.

Mr. Billups asked for more detail into the partnership between private courses and Parks and Recreation.

Mr. Cheely responded that PR has no budgetary money to facilitate golf discounts. He re-iterated that golf has indeed become more affordable and that PR is having active discussions as to a special rates and access programs centered on family golfing.

Mr. Billups asked if Parks and Recreation had anticipated a future resurgence of public interest in golf and if it had explored the possibility of a County-run 18-hole course.

Mr. Cheely showed a possible location for a course within Freedom Park, though it was not part of the current plan.

Seeing no other speakers, Mr. Poole closed the public hearing.

Mr. McCleary affirmed that the County enjoyed public facilities of high quality and moved for approval.

Ms. Wildman seconded the motion.

Mr. Billups stated his concern about the need for affordable family golf opportunities within the County.

Mr. Poole registered his support of the motion.

Mr. Hunt asked if the archaeological sites were concentrated at one area in the park or whether they were dispersed.

Mr. Johnson responded that the archaeological surveys were only conducted in the area of anticipated initial construction.

In a roll call vote the application was approved 7:0; AYE: (7) McCleary, Fraley, Hunt, Kale, Billups, Wildman; Poole NAY (0).

5. PLANNING COMMISSION CONSIDERATION

A. Initiating Resolution for Zoning Ordinance Amendment.

Mr. Sowers related that a business in James City County requested permission to use previously prepared stone in a business. The purpose of bringing it before the Planning Commission is to approve a resolution.

Mr. Fraley moved to prepare and ordinance amendment to permit the use.

Mr. Hunt seconded the motion.

Mr. Billups confirmed that the ordinance was being changed to allow what is already in place.

In a roll call vote the application was approved 7:0; AYE: (7) McCleary, Fraley, Hunt, Kale, Billups, Wildman; Poole NAY (0).

6.

PLANNING DIRECTOR'S REPORT

Mr. Sowers presented the report. He highlighted Item 3, where the Board will be considering the Five Forks Area Study, a requirement of the 2003 Comprehensive Plan. A public meeting has been tentatively scheduled for Wed, June 30.

Mr. Hunt brought up a VDOT initiative to examine current and future potential bridge sites along Route 5.

Mr. Sowers responded that a 1992 feasibility study on river crossings had been undertaken by VDOT, and that recently VDOT had elected to pursue a down-river crossing site. Keeping it close to the bridge is a key opportunity.

Mr. McCleary suggested moving the start time of the PC's July meeting up an hour to anticipate a full agenda.

Mr. Johnson detailed the number of cases.

Ms. Wildman asked whether or not anything had been done to clean up the two roads adjacent to Five Forks.

Mr. Sowers responded that one of the features of the 2003 Comprehensive Plan is to identify sites for redevelopment.

Mr. Poole reopened the issue of meeting time.

Mr. Kale stated that a 6:30 time might be acceptable, but that historically, earlier start times had not been ultimately needed.

Mr. Poole proposed the idea of a second day in July for public hearings.

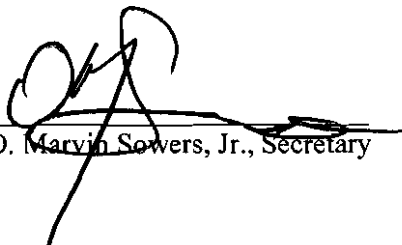
Mr. Hunt asked if there were any way to arrange the meeting so that contentious cases were placed near the beginning of the agenda.

Mr. Johnson related to the commission that those cases were often hard to identify.

7. ADJOURNMENT

There being no further business, the February 2, 2004, meeting of the Planning Commission was recessed at approximately 8:43 p.m.

  
A. Joe Poole III, Chairman

  
O. Marvin Sowers, Jr., Secretary