

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE TENTH DAY OF JANUARY, TWO-THOUSAND AND FIVE, 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
Ingrid Blanton
Donald Hunt
George Billups
Wilford Kale

ALSO PRESENT
John Horne, Development Manager
Mike Drewry, Assistant County Attorney
Marvin Sowers, Planning Director
Karen Drake, Senior Planner
Pat Foltz, Development Management Assistant

2. MINUTES

Mr. Poole memorialized Mr. Joe McCleary and the Planning Commission observed a moment of silence.

Mr. Poole welcomed Mrs. Ingrid Blanton to the Planning Commission. She will represent the Jamestown district.

Mr. Sowers introduced Mr. Matthew Smolnick, a new planner with James City County.

Mr. Poole noted that on page 6, the paragraph needed adjustments to clarify his position.

Ms. Blanton noted several typographical errors in the minutes on pages 2, 7, and 8.

Mr. Hunt moved approval of the minutes with corrections.

The Planning Commission approved the minutes as adjusted.

3. COMMITTEE AND COMMISSION REPORT

- A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. Hunt presented the DRC report. The DRC heard six cases at its December 1st meeting. The DRC recommended approval subject to agency comments for the following cases: SP-110-04. Christian Life Center Expansion, Phase 1, S-80-04. Williamsburg Winery, SP-121-04. Williamsburg Crossing, Parcel 23, SP-127-04. New Town, Phase One Retail. The DRC recommended deferral for S-091-04, Marywood Subdivision. Additionally, the DRC found C-128-04, Greensprings Trailhead Parking in accordance with the Comprehensive Plan.

Mr. Kale moved approval of the DRC report.

Ms. Blanton seconded the motion.

The Planning Commission approved the DRC report with a unanimous voice vote.

B. OTHER COMMITTEE REPORTS

Mr. Kale presented the progress of the Policy Committee, and presented their upcoming schedule of meetings.

4. PUBLIC HEARINGS

A. CASE NO. SUP-32-04 Williamsburg Place

Ms. Drake presented the staff report. Mr. Greg Davis and Mr. Dustin DeVore have applied on behalf of Diamond Healthcare of Williamsburg, Inc for a special use permit to expand the existing Williamsburg Place facility located at 5477 and 5485 Mooretown Road by adding 12 outpatient units and enlarging the existing dining room, office space and parking lot. The property is zoned M-1, Limited Business/Industrial and can be further identified as part of parcels (1-11B) and (1-11C) on the James City County Real Estate Tax Map (33-3). The property is designated Limited Industry on the 2003 Comprehensive Plan Land Use Map. Staff recommended approval of the application.

Mr. Billups asked if the Chairman of the Board of Zoning Appeals had been consulted during the review process.

Ms. Drake responded that Mr. Allen Murphy, the Zoning Administrator, supported the application.

Mr. Sowers clarified that a request for a parking waiver, instead of being heard by the Board of Zoning Appeals, could be granted by the Planning Commission.

Mr. Billups stated that a waiver granted in this case could extend into consideration of other cases.

Mr. Hunt stated that he believed the parking waiver would work on this site and that it would be appropriate for the Planning Commission to grant it.

Mr. Kale stated that the privacy controls surrounding the facility were stringent and he stated that he felt the additional parking spots would not be warranted.

Mr. Poole opened the public hearing.

Mr. Greg Davis of Kaufman and Canoles gave a short presentation outlining the operations of Williamsburg Place. Mr. Davis stated that the special use permit would not change the number of patients treated as stated in the original conditions, only change the number of residential units used to treat them. He made himself and his staff available for questions.

Mr. Poole asked if the parking bays shown on the map were already in place.

Mr. Davis reviewed the currently placed and future parking lots.

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

Mr. Hunt commended Diamond Healthcare as an asset to the community and offered his support.

Mr. Kale stated that the company has a well-deserved reputation and asked that the parking spots be reduced in order to preserve the campus feel to the facility. He stated his support.

Ms. Blanton stated that she supported the application and that, with regard to a parking waiver, that the facility would need fewer parking spots than presented.

Mr. Poole stated his support for the application.

Mr. Hunt moved to approve the application and the waiver.

Ms. Blanton seconded the motion.

The Planning Commission recommended approval of the application by a vote of 5-0: AYE (5) Poole, Billups, Blanton, Hunt, Kale.

5. INITIATION OF ZONING ORDINANCE AMENDMENTS

Ms. Drake presented the initiating amendments. The amendments would permit water storage tank uses and provide height restrictions for those uses. Staff will submit reports and a draft amendment to the policy committee for review.

Mr. Hunt asked if tentative site locations had been identified.

Ms. Drake identified possible sites in Season's Trace and in Stonehouse.

Mr. Kale asked if these would replace existing water tanks.

Ms. Drake responded that these new facilities would replace the existing tanks.

Mr. Kale moved approval of the initiating amendments.

Mr. Hunt seconded the motion.

The Planning Commission approved the initiating amendment with a unanimous voice vote.

6. PLANNING DIRECTOR'S REPORT

Mr. Sowers presented the report. Mr. Sowers noted that the February meeting of the Planning Commission would be the organizational meeting where a chairman would be selected and committee assignments would be decided. Mr. Sowers recommended delaying that activity in recognition of the Board of Supervisors' upcoming appointments to the Planning Commission.

Mr. Hunt concurred with Mr. Sowers in delaying the organizational meeting until appointments had been completed. He suggested a tentative date in March for the meeting.

Mr. Kale stated that the bylaws of the Planning Commission did not provide a mechanism to reorganize in such a way. He recommended that a DRC chairman be appointed by a motion.

Mr. Poole stated that the three members of the DRC should appoint a chairman among their own members.

Mr. Billups suggested that the Vice Chairman take over the capacity of Chairman of the DRC to encourage an orderly transition.

Mr. Kale stated that he didn't mind waiting but cautioned that the delay might cause problems. Mr. Kale recommended moving forward in February.

Mr. Drewry suggested that the Planning Commission set a date to decide the appointment of committee members. He added that the chairman of a committee should likely be selected by the committee members.

Mr. Sowers added that the DRC chair is selected by the committee members.

Ms. Blanton recommended that the committee delay until a later date.

Mr. Billups asked to delay the organizational meeting because of the impending appointment of two members of the Planning Commission.

Mr. Hunt stated that he thought he would, as the vice chairman, serve as chairman until the Commission had 7 members, whereby the chairman would be selected by the Commission.

Mr. Kale stated that he believed the Commission should move forward at the next Planning Commission.

Mr. Billups recommended a motion to proceed with the vice chair moving into the chairman position. He moved the ascension of Mr. Hunt, the Vice-chairman, to the chairmanship until such time as the commission is filled.

Mr. Kale seconded the motion.

Ms. Blanton confirmed that the motion on the floor did not address the eventual date of the organizational meeting.

Mr. Sowers added that the Policy Committee may convene prior to the organizational meeting, and that an additional member would need to be appointed to the policy committee.

Mr. Kale clarified that the transfer of the chairmanship, according to the motion, would be effective February 1.

Mr. Poole stated that, as the exiting chairman, that he would refrain from making additional appointments and that the responsibility would fall to Mr. Hunt as the vice chairman.

Mr. Hunt proposed appointing himself to the Policy Committee so as to achieve a quorum.

Mr. Kale stated that the Capital Improvements Program would not proceed until the committee had been selected.

Mr. Billups suggested that Mr. Poole step-down as chairman at the end of the current meeting so as to transfer the chairmanship immediately.

Mr. Kale urged the Planning Commission to move quickly with regard to organizational concerns.

Mr. Poole stated the motion allowed Mr. Hunt to proceed as chairman.

Mr. Kale moved that the organization meeting be scheduled for the February Planning commission.

Mr. Hunt seconded the motion.

The Planning Commission recommended approval of the application by a vote of 5-0: AYE (5) Poole, Billups, Blanton, Hunt, Kale.

Mr. Poole opened the floor to Planning Commission members to talk about Mr. Joe McCleary.

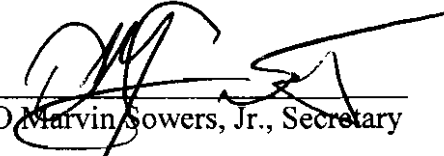
Mr. Kale, Mr. Hunt, Mr. Billups commemorated Mr. McCleary.

7. ADJOURNMENT

There being no further business, the January 10, 2005, meeting of the Planning Commission was recessed at approximately 8:10 p.m.



Donald Hunt, Acting Chairman



O Marvin Sowers, Jr., Secretary