

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
October 4, 2023
6:00 PM

A. CALL TO ORDER

Mr. Polster called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:

Frank Polster
Rich Krapf
Tim O'Connor
Jack Haldeman
Rob Rose
Barbara Null
Stephen Rodgers

Staff Present:

Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Paxton Condon, Deputy Zoning Administrator/Senior Planner
Andrea Case, Community Development Assistant

C. PUBLIC COMMENT

Mr. Polster opened Public Comment.

As no one wished to speak, Mr. Polster closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Polster noted there were no reports for the month.

E. CONSENT AGENDA

1. Minutes of the September 6, 2023 Regular Meeting

Mr. Krapf made a motion to approve the Consent Agenda.

On a voice vote, the Commission approved the Consent Agenda. (7-0)

F. PUBLIC HEARING(S)

1. SUP-22-0017, Z-22-0002, & MP-22-0002, 4399 John Tyler Highway Five Forks Self Storage Facility

Ms. Paxton Condon, Deputy Zoning Administrator/Senior Planner, stated that Mr. Greg Davis, Kaufman & Canoles, P.C., had applied on behalf of Stein Investment Group to amend the adopted Master Plan and proffers for Governors Grove at Five Forks and a Special Use Permit (SUP) for a self-storage facility at 4399 John Tyler Highway. She stated the details regarding the use of a boundary line adjustment at 4365 John Tyler Highway for the use of stormwater facilities.

Ms. Condon noted the details for the acreage and zoning district, adding the properties were inside the Primary Service Area (PSA) and currently undeveloped. She stated the proposed facility would be three stories, approximately 100,000 square feet, and include 700 storage units.

Ms. Condon stated the proposed application included an entrance from the parcel to John Tyler Highway with a center left-turn lane addition onto John Tyler Highway. She noted staff found the proposal to be consistent with the 2045 Comprehensive Plan overall and recommended approval. Ms. Condon further noted the applicant was also available for questions.

Mr. Haldeman asked if one or two buildings were included in the application.

Ms. Condon stated one.

Mr. Krapf referenced a staff report point noting the project could serve as a primary commercial use for surrounding neighborhoods. He asked for elaboration as he had not envisioned a self-storage facility as a primary commercial use.

Ms. Condon noted on the original 2005 master plan that parcel had been designated for commercial use.

Mr. Krapf noted Condition No. 3 and his earlier email for insertion of an additional sentence pending no objection from his fellow Commissioners nor the applicant. He referenced supplemental plantings with the insertion to include a minimum 50% of additional plantings to include eastern Virginia native species. He asked if that additional sentence was acceptable to staff.

Ms. Condon confirmed yes.

Mr. Polster asked if the applicant was also agreeable to the addition.

Mr. Davis confirmed yes.

Mr. Polster opened the Public Hearing as the Commission had no additional questions or disclosures.

Mr. Greg Davis, Kaufman & Canoles, P.C., 4801 Courthouse Street, Suite 300, addressed the Board as representative for the developer, Stein Investment Group. Mr. Davis highlighted details of the project in a PowerPoint presentation. He noted the development team representatives present included Mr. Daniel Ginburg, Mr. Jason Linscott, and Mr. Jeff Stein. Mr. Davis stated he was also joined by Mr. Benny Zhang, his colleague at Kaufman & Canoles, P.C.

Mr. Davis continued the presentation highlighting Stein Investment Group and its projects throughout Virginia. He noted Stein Investment Group's regional locations and proximity to residential areas. Mr. Davis showed various conceptual views of the project and commented on

the architectural elevation renderings for conformance with the Primary Principles for the Five Forks Area.

Mr. Davis stated the Commission's Agenda Packet contained the drawings for the center turn lane off Route 5. He noted the evolution of self-storage facilities. Mr. Davis referenced Mr. Krapf's comment on commercial use. He noted Stein Investment Group analyzed these facilities as a local, neighborhood commercial use and not a destination use similar to Target. Mr. Davis identified statistics on the low-intensity use of the facility in relation to vehicle trips, County services, and other factors.

Mr. Davis noted compliance with the additional wording as suggested by Mr. Krapf. He addressed the reference to a more intensive use for the facility, adding further discussion with staff indicated agreement on that point. Mr. Davis noted the process for the conceptual review application had begun in March 2022.

Mr. O'Connor asked Mr. Davis about Exhibit No. 2 of the Traffic Impact Analysis and the depiction of two facilities and if only one 100,000-square-foot building was included or representation of potential redevelopment off Ironbound Road.

Mr. Davis confirmed only one building. He noted initially two buildings had been conceived, but due to changes regarding Ironbound Road, the master plan was revised to include one building.

Mr. O'Connor thanked Mr. Davis for the clarification.

Mr. Polster closed the Public Hearing as there were no additional speakers.

Mr. Rodgers, Berkeley District representative, noted many positive aspects of this project. He stated his support of the application.

Ms. Null commented on the attractiveness of the facility and the buffering. She commented on positive aspects and thought the project was very worthwhile.

Mr. O'Connor commented the concept was great, but not the right location. He referenced the 2045 Comprehensive Plan and use of higher density areas within the PSA. Mr. O'Connor noted opportunities for Mixed Use near schools with walkable environments. He referenced uses of the surrounding area with larger commercial uses moving into the residential area. Mr. O'Connor noted as the application stood that he was not in support of it.

Mr. Krapf noted his deliberation on the pros and cons of this application. He added a positive aspect was the commercial component to a residential area and other factors. Mr. Krapf noted concern at the original master plan which presented a 25,000-square-foot building to a revised plan with a 100,000-square-foot commercial building. He addressed his initial reaction to intensity versus density in relation to the Comprehensive Plan. Mr. Krapf noted while the square footage was increased, he felt the traffic was still negligible. He added he would likely support the application but acknowledged the validity of some of Mr. O'Connor's points.

Mr. Polster addressed the amount of open space that would buffer the project from nearby Clara Byrd Baker Elementary School. He also noted the physical separation from proximity to the Five Forks Desalination Plant. Mr. Polster referenced the long-standing desire to connect sidewalks along the road to the school, adding this project would accomplish that connection. He added the decreased growth intensity and traffic to this area were considerations and he stated his support of the application.

Dr. Rose referenced the sidewalk connections and asked if that slide could be shown. He questioned if the sidewalks stopped at property boundaries and if they were connectors.

Mr. Polster clarified he was referencing the connection heading toward Clara Byrd Baker Elementary School. He added there was no connection to the 7-Eleven store.

On a roll call vote, the Commission voted to recommend approval of the SUP, rezoning, and master plan amendment with attached proffers and modification to the wording as suggested by Mr. Krapf. (6-1)

G. PLANNING COMMISSION CONSIDERATIONS

Mr. Polster noted Ms. Null would serve as Planning Commission representative at the Board of Supervisors' October 10, 2023, meeting.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - October 2023

Ms. Istenes stated she had no additions to the report. She extended congratulations to Ms. Terry Costello, winner of the 2023 Service Award at the Annual Virginia Association of Zoning Officials (VAZO), for her service as Chair of the Education Committee.

Mr. Polster noted a busy calendar and asked about plans for October Policy Committee and Development Review Committee meetings.

Ms. Istenes replied she did not have it before her but would get that information.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Polster asked if any Commissioner had any comments.

Mr. Krapf noted the frequent question that arose regarding solar panels and buffering. He referenced the earlier amendment to Condition No. 3 and asked if particular verbiage could be incorporated addressing native grasses and pollinators. Mr. Krapf stated a 50% native eastern Virginia buffer be incorporated for buffering conditions.

Mr. Polster noted that may be part of the process incorporated by Mr. Jose Ribeiro, Senior Planner II/Landscape Planner, but it becomes less evident as cases are presented.

Ms. Istenes noted she would speak with Mr. Paul Holt, Director of Community Development, to address that point.

Mr. O'Connor inquired if the County Code required pollinators for solar panels.

Mr. Polster noted no Ordinance had been received yet.

Mr. Krapf stated the State Code required pollinators.

Mr. Polster noted direction from the Department of Environmental Quality (DEQ) would not be available until December 2024. He further noted the DEQ's recommendations in reports supported the pollinator requirement.

Discussion ensued.

Dr. Rose questioned if the 50% native vegetated buffers were monitored.

The Board members concurred on that point.

J. ADJOURNMENT

Ms. Null made a motion to adjourn.

The meeting was adjourned at approximately 6:31 p.m.

Paul D. Holt, III, Secretary

Frank Polster, Chair