

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
November 6, 2024
6:00 PM

A. CALL TO ORDER

Mr. O'Connor called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:

Tim O'Connor
Jack Haldeman
Frank Polster
Stephen Rodgers
Jay Everson
Scott Maye
Kira Allmann

Staff Present:

Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Josh Crump, Principal Planner
Ben Loppacker, Planner
Will Albiston, Community Development Assistant

Mr. O'Connor noted there was an alteration to the Agenda. He stated Item No. 1 under Public Hearings would not be heard as the applicant had withdrawn the application. Mr. O'Connor further noted the applicant had not indicated a future date on moving forward with the application at the current time. He stated if anyone was present to speak on Item No. 1 then speakers were welcome to do so during Public Comment, reiterating no Public Hearing would take place on SUP-24-0012. 3512 Barrett's Ferry Drive Tourist Home as the application had been withdrawn.

C. PUBLIC COMMENT

Mr. O'Connor opened Public Comment.

As no one wished to speak, Mr. O'Connor closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Rodgers noted the Development Review Committee (DRC) met on October 23, 2024, to review two business items. He further noted both items had the same applicant, Bright Beginnings Pre-K. Mr. Rodgers stated the applicant had appealed the Director of Planning's decision on both applications which cited identical reasons for the request. He added two Williamsburg-James City County (WJCC) Schools were affected by the project request. Mr. Rodgers cited the first case was SP-24-0062. Bright Beginnings Pre-K Center at Clara Byrd Baker Elementary - Appeal of the Director of Planning's determination. He noted WJCC

Schools had submitted a site plan to allow for the construction of a 42,000-square-foot Pre-K Center on Ironbound Road. Mr. Rodgers cited the County's Zoning Ordinance requirements regarding pedestrian and bicycle accommodations. He noted a sidewalk existed along the school's frontage which was within the right-of-way, but no bike lane existed along this section of Ironbound Road. Mr. Rodgers explained the applicant had requested a modification from the sidewalk and bike lane requirement which were based on exceptions listed in Section 24-35(d)(2) of the County's Zoning Ordinance. He stated the applicant requested the incorporation of a multiuse path, adding it was a safer alternative for children. Mr. Rodgers spoke to these points in more detail. He said the applicant indicated that the Virginia Department of Transportation (VDOT) had approved the applicant's multiuse path alternative. Mr. Rodgers detailed the Planning Director's denial of the request which included topographical and safety factors. He noted that staff recommended the DRC uphold the Planning Director's decision. Mr. Rodgers further noted that following discussion, the DRC made a motion to approve the exception which allowed the existing sidewalk to remain with no additional construction of bicycle or pedestrian accommodations taking place. He noted the motion was approved by a 3-1 vote. Mr. Rodgers stated the second item, SP-24-0063. Bright Beginnings Pre-K Center at Norge Elementary - Appeal of the Director of Planning, included the site plan submittal by WJCC Schools for the construction of a 42,000-square-foot Pre-K Center on Richmond Road. He noted that despite address differences, both cases had very similar arguments and concerns. Mr. Rodgers further noted that the appellant stated SP-24-0063 required a right-of-way extension which complicated an electric traffic signal, streets signs, and other factors along this section of Richmond Road for any VDOT standard installation option for the site. He detailed the Planning Director's denial of the request which included topographical exemption. Mr. Rodgers noted that following discussion, the DRC voted to approve the exception by a 4-0 vote.

Mr. O'Connor noted there was no Policy Committee report.

Mr. Haldeman confirmed that was correct.

E. CONSENT AGENDA

1. Minutes of the October 2, 2024, Regular Meeting
2. Development Review Committee Action Item: SP-24-0062 Bright Beginnings Pre-K Center at Clara Byrd Baker Elementary - Appeal of the Director of Planning
3. Development Review Committee Action Item: SP-24-0063 Bright Beginnings Pre-K Center at Norge Elementary - Appeal of the Director of Planning

Mr. Haldeman 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-24-0012. 3512 Barrett's Ferry Drive Tourist Home

As noted earlier in the meeting, Item No. 1 was pulled upon the withdrawal of the application.

2. MP-24-0004/Z-24-0010. Powhatan Terrace Master Plan and Proffer Amendment

Mr. Josh Crump, Principal Planner, addressed the Commission noting the details of the application which included amendment of the Master Plan and proffers on a 15.42-acre parcel located at 1676 Jamestown Road. He stated the parcel was designated R-2, General Residential. Mr. Crump noted the original proffers and Master Plan were intended for an affordable multifamily development known as Powhatan Terrace, adding that the property owner was currently requesting the amendment to allow four single-family lots. He noted the changes included a new Master Plan for four single-family lots, 150-foot vegetated buffer, and a 5-foot sidewalk along Jamestown Road. Mr. Crump stated staff found the application to be consistent with the Zoning Ordinance and Comprehensive Plan. He noted staff recommended the Planning Commission recommend approval of the amended Master Plan and proffers to the Board of Supervisors. Mr. Crump further noted the applicant, Mr. Greg Davis, on behalf of JTR Properties, LLC, was in attendance for a brief presentation.

Mr. O'Connor thanked Mr. Crump.

Mr. O'Connor opened the Public Hearing.

Mr. Greg Davis, Kaufman & Canoles, P.C., 4801 Courthouse Street, addressed the Commission noting the members of the project team in attendance. He noted Mr. Scott Wise was the applicant and his daughter and son-in-law intended to build a home on the property if the case was approved. Mr. Davis stated the proposal addressed a less intensive residential development than the original Master Plan with a reduction from the 36-unit cluster development to the four single-family lots. He highlighted the reduced intensity points of the plan in a presentation. Mr. Davis noted the proffered open space would remain. He continued highlighting other aspects of the property to address stormwater drainage and other aspects. Mr. Davis stated neighbors had expressed no objection to the amendment. He recommended the Planning Commission recommend approval to the Board of Supervisors.

Mr. O'Connor asked if any Commissioners had questions.

Mr. Haldeman asked about the microbio-retention basin term.

Mr. Steve Romeo, Vanasse Hangen Brustlin, Inc., 351 McLaws Circle, responded that the term referenced a small retention basin. He noted the Raleigh Square development discharge flowed onto the applicant's property and created a steep gully. Mr. Romeo stated the basin was a small rock area which stabilized the water flow through the rocks before moving through the channel.

Mr. O'Connor closed the Public Hearing as there were no additional speakers.

Mr. Rodgers disclosed he had known Mr. Wise for many years, and he noted his judgment would not be affected. Mr. Rodgers added that this case was in his district; therefore, he was interested. He referenced concerns he heard voiced by residents in the area regarding too many units and too much runoff. Mr. Rodgers noted this was a winning situation to address some of those concerns and he was in support of the case.

Mr. Mayes expressed his agreement with Mr. Rodgers, adding the proposed amendment was a good use of the property. He offered his support of the application also.

Mr. O'Connor referenced the timeline of this application and the applicant's hard work particularly regarding the environmental aspects. He referenced his longevity on the Planning Commission and his concerns regarding Master Plan amendments. Mr. O'Connor noted the loss of the potential 36 units for affordable housing, but he also acknowledged the sensitive environmental issues at the site. He stated his support.

Mr. Everson made the motion to approve MP-24-0004/Z-24-0010. Powhatan Terrace Master Plan and Proffer Amendment, with the submitted conditions.

On a roll call vote, the Commission voted to recommend approval. (7-0)

3. SUP-24-0025. 7516 Richmond Road Dollar Tree

Mr. Josh Crump, Principal Planner, addressed the Commission stating the details of the Special Use Permit (SUP). He noted the proposed commercial building would house a Dollar Tree store and be approximately 9,900 square feet in size. Mr. Crump provided a visual depiction of the traffic entrances/exits off Richmond Road and Norge Lane. He cited staff's proposed conditions to mitigate potential impacts in conjunction with architectural elevation consistencies and other factors. Mr. Crump noted staff found the proposal compatible with surrounding zoning and a general compatibility with the Comprehensive Plan and Zoning Ordinance. He noted staff recommended the Planning Commission recommend approval of the SUP to the Board of Supervisors subject to the proposed conditions. Mr. Crump stated members of the applicant's team were also present.

Mr. O'Connor asked if any Commissioners had questions.

Mr. Haldeman referenced Croaker Road, which was opposite The Station at Norge, and questioned if the property extended to that point.

Mr. Crump noted a new road was being built and he highlighted the extension with an aerial view in the PowerPoint presentation.

Several Commissioners noted the road was already completed with turn lanes.

Mr. O'Connor thanked Mr. Crump.

Mr. O'Connor opened the Public Hearing.

Mr. Vernon Geddy, Geddy, Harris, Franck & Hickman, LLP, 1177 Jamestown Road, addressed the Commission noting he was the applicant's representative. He identified other members present, but names were inaudible. He stated he and the applicant agreed with the staff report, adding the proposal was a good use of the location. Mr. Geddy requested approval of the application.

Mr. O'Connor asked if any Commissioners had questions. He noted he had one regarding potential plans for the vacant parcel northeast.

Mr. Geddy stated he was unable to answer as he was only representing the Dollar Tree developer.

Mr. O'Connor noted he understood and thanked Mr. Geddy.

Mr. O'Connor closed the Public Hearing as there were no additional speakers.

Mr. Polster noted his pleasure at seeing the Dollar Tree application for this area. He added the traffic pattern was very helpful for alleviating concerns in the area. Mr. Polster noted his support of the application.

Mr. O'Connor stated the area had seen major improvements with the installation of sidewalks, stormwater improvements, as well as road improvements at Croaker Road and Richmond Road. He noted the County and VDOT had made major strides in the safety of that area.

Mr. Polster made a motion to recommend approval of SUP-24-0025. 7516 Richmond Road Dollar Tree with the proposed conditions to the Board of Supervisors.

Mr. Polster disclosed he had spoken previously with Mr. Geddy.

Mr. Everson noted he had also spoken with Mr. Geddy.

Mr. O'Connor thanked the Commissioners.

On a roll call vote, the Commission voted to recommend approval. (7-0)

G. PLANNING COMMISSION CONSIDERATIONS

None.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - November 2024

Ms. Istenes stated that she did not have any additional information.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. O'Connor noted Mr. Haldeman and Dr. Allmann had switched months for coverage at the Board of Supervisors meetings. He noted Mr. Haldeman would cover the November meeting with Dr. Allman covering the December meeting.

Mr. Polster referenced the bike lane issue that had been noted in both applications under Public Hearings as a possible staff consideration. He noted an SUP near St. Olaf's Catholic Church in Norge that had required some sidewalk adjustments as well as installation of a bike lane. Mr. Polster stated that in the Comprehensive Plan there was mention of the widening of Route 60 in Norge and Toano. He added discussion regarding powerlines and other factors in relation to the bike lane, adding the bike lane issue needed to be addressed. Mr. Polster spoke to that point in more detail regarding staff and the Ordinance and the County's Bike Fund.

Ms. Istenes noted she would follow up with Mr. Paul Holt, Director of Community Development, on Mr. Polster's points. She further noted she had expressed similar thoughts regarding the Ordinance's contents to Mr. Holt. Ms. Istenes stated Mr. Holt was aware of the Ordinance for the bike lane which was a 2011 document.

Mr. O'Connor referenced an earlier Ironbound Road bike lane application that had come before the Planning Commission, adding that bike lane would not have been advantageous for the bikers. He noted it benefitted school-age children riding bikes to school, but not the larger groups of riders traveling together in the community. Mr. O'Connor stated those lanes moved riders onto the road. He noted he was in favor of a shareway with VDOT when resurfacing occurred.

Mr. Polster referenced the Powhatan Bike Trail and how it traverses through numerous neighborhoods. He noted the Trail provided a safe alternative for bikes.

Mr. Everson noted a recent article regarding the change to a City of Newport News parking Ordinance that focused primarily on residential areas. He referenced a recent visit to the Williamsburg Crossing area and the expansive parking lot that was virtually empty. Mr. Everson questioned if a review of the County's parking requirements had been done, particularly for future retail development. He spoke to these points in more detail.

Mr. Polster noted he had read the same article as Mr. Everson. He referenced Smith Baptist

Church in Lightfoot and its SUP regarding parking spaces and the County Ordinance. Mr. Polster noted parking spaces in relation to high-density developments. He cited parking needs and requirements.

Discussion ensued.

Mr. O'Connor cited parking requirements had varied based on the uses in several situations. He thanked the Commissioners for the discussion.

J. ADJOURNMENT

Mr. Polster made a motion to adjourn.

The meeting was adjourned at approximately 6:37 p.m.

Susan Istenes, Secretary

Tim O'Connor, Chair