

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

1. ROLL CALL

Planning Commissioners

Present:

Robin Bledsoe
Rich Krapf
Chris Basic
George Drummond
Heath Richardson

Staff Present:

Paul Holt, Planning Director
Jose Ribeiro, Senior Planner II
Roberta Sulouff, Planner
Maxwell Hlavin, Assistant County Attorney

Remote Participation:

John Wright

Absent:

Tim O'Connor

Ms. Robin Bledsoe called the meeting to order at 7:00 p.m.

Mr. Paul Holt stated that a quorum was present. Mr. Holt stated that Mr. John Wright was attending to a personal matter out of town and has requested to participate in the meeting remotely from Durham, North Carolina, Mr. Holt further stated that per the policy adopted by the Commission and consistent with The Code of Virginia the members present must consider and approve a request for remote participation by a majority vote.

Mr. Heath Richardson moved to approve the request for remote participation.

On a roll call vote the Commission approved the request 5-0.

Mr. John Wright joined the meeting via telephone.

2. PUBLIC COMMENT

Ms. Bledsoe opened the public comment.

As no one wished to speak, Ms. Bledsoe closed the public comment.

3. CONSENT AGENDA

A. Minutes from the November 4, 2015 Regular Meeting

B. Development Review Committee

1. SP-0071-2015, St. Olaf Church Building SP Amend
(DRC Recommendation: Denial, 3-0)
2. SP-0097-2015, Chambrel at Williamsburg – Assisted Living Facility
(DRC Recommendation: Preliminary Approval, 3-0)

Mr. Rich Krapf moved to approve the Consent Agenda.

The consent agenda was approved by voice vote (6-0, Mr. O'Connor being absent)

4. REPORTS OF THE COMMISSION

A. Policy Committee

Mr. Wright stated that the Policy Committee met on November 12, 2015 to receive training on the new NOVUS Agenda process. Mr. Wright stated that the new process should yield both cost and time benefits to the County.

5. PUBLIC HEARINGS

A. Case No. SUP-0005-2015, Clara Byrd Baker Elementary Additional Parking

Mr. José Ribeiro, Senior Planner II, stated that Mr. Paul Tschiderer of AES Consulting Engineers, has applied on behalf of Williamsburg-James City County Schools for a Special Use Permit (SUP) to allow the reconfiguration and expansion of the parking area capacity from 101 to 152 parking spaces, drainage improvements and the construction of an internal sidewalk.

Mr. Ribeiro stated that Clara Byrd Baker did not require an SUP when it was opened in 1989; however, the school site was rezoned to Public Lands in 2007, where schools are a specially permitted use. Though the school is a legally nonconforming use, an SUP is required for any expansion. Approval of this SUP will also bring the existing school use into conformance with the zoning ordinance and permit necessary improvements to the site.

Mr. Ribeiro stated that the proposed expansion of the parking lot is not triggered by an increase in traffic; rather, the expansion would better accommodate current parking needs, allowing vehicles currently parking in areas not improved for parking to park in areas specifically designed for this purpose.

Mr. Ribeiro stated that the proposed increase in the number of parking spaces is consistent with WJCC schools plans to increase the availability of parking spaces at school sites to a range of 135 to 150 parking spaces. Mr. Ribeiro further stated that the Board of Supervisors has previously approved similar requests for D.J. Montague Elementary School and Toano Middle School.

Mr. Ribeiro stated that Staff finds the proposed use to be compatible with the surrounding zoning and development and consistent with the 2035 Comprehensive Plan Land Use Map. Mr. Ribeiro stated that staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors with the conditions listed in the staff report.

Ms. Bledsoe opened the floor for questions from the Commission.

There were no questions.

Ms. Bledsoe stated that the public hearing was open and had been continued from the November 4, 2015 Planning Commission meeting.

As no one wished to speak, Ms. Bledsoe closed the public hearing.

Ms. Bledsoe called for disclosures from the Commissioners.

There were no disclosures.

Mr. Richardson moved to recommend approval of the application with the conditions in the staff report.

On a roll call vote the Commission voted to recommend approval of SUP-0005-2015, Clara Byrd Baker Elementary Additional Parking (6-0, Mr. O'Connor being absent).

B. Case No. Z-0004-2015/SUP-0006-2015, Williamsburg Landing Proffer and SUP Amendment

Ms. Roberta Sulouff, Planner, stated that Mr. William Holt, of Kaufman and Canoles, P.C., has applied on behalf Williamsburg Landing, Inc. to amend existing SUP conditions and proffers. Ms. Sulouff stated that the request would allow for a net increase of four assisted living units over the total number of units currently permitted onsite. Ms. Sulouff further stated that the request also seeks to modify the design of previously approved facilities by combining three previously approved facilities into two buildings. Ms. Sulouff stated that the subject parcel is located at 5660 Williamsburg Landing Road and is zoned R-5, Multifamily Residential with proffers. Ms. Sulouff stated that under current proffer conditions, Board approval is required for any increase in living units and for any request to significantly alter the layout of the buildings as shown on the adopted master plan.

Ms. Sulouff stated that the subject parcel, along with the parcels to the south and east (5550 and 5700 Williamsburg Landing Road, respectively) comprise the Williamsburg Landing continuing care retirement community (CCRC).

Ms. Sulouff stated that in 1982, a portion of the Williamsburg Landing site was rezoned from A-1, Limited Agriculture, to R-5, Multifamily Residential without proffers. Ms. Sulouff further stated that the most recently approved proffers and SUP conditions, adopted in 2008, allow for a total of 100 nursing units, 100 assisted living units, and 87 independent units on the property, capping the total aggregate at 287. Ms. Sulouff stated that the applicant's request would shift the bulk of units to assisted living with no change to the assisted living units. Ms. Sulouff stated that the request would have few impacts other than those already approved under previous legislative cases and would result in a decrease in the amount of disturbed area, potentially reducing impacts anticipated in earlier cases.

Ms. Sulouff stated that staff finds the proposal to be compatible with surrounding zoning and development and consistent with the 2035 Comprehensive Plan. Staff recommends that the Planning Commission recommend approval of these applications to the Board of Supervisors.

Ms. Bledsoe opened the floor for questions from the Commission.

There were no questions.

Ms. Bledsoe opened the public hearing.

Mr. Will Holt, Kaufman & Canoles, PC, 4801 Courthouse Street, stated that he represented the applicant and introduced the representative from Williamsburg Landing who were in attendance including Paul Gerhardt, General Counsel, Steve Montgomery, CEO, and Ben Puckett, Chief Operating Officer. Mr. Will Holt noted that he would be happy to answer questions from the Commission.

Mr. Krapf inquired about where the trend was heading regarding the demand for assisted living over nursing care.

Mr. Ben Puckett, Chief Operating Officer, Williamsburg Landing, stated that assisted living is an attractive alternative to skilled nursing care and the proposed change reflects what appears to be the right mix of facilities for the community.

Mr. Krapf inquired whether it seemed that people were remaining healthy longer.

Mr. Puckett stated that the preference is to remain in the least restrictive setting for as long as possible.

As no one else wished to speak, Ms. Bledsoe closed the public hearing.

Ms. Bledsoe called for disclosures from the Commissioners.

There were no disclosures.

Mr. George Drummond moved to recommend approval of the application with the conditions in the staff report.

On a roll call vote the Commission voted to recommend approval of Z-0004-2015/SUP-0006-2015, Williamsburg Landing Proffer and SUP Amendment (6-0, Mr. O'Connor being absent).

6. **PLANNING DIRECTOR'S REPORT**

Mr. Holt stated that there was nothing more to add other than what was submitted in the Planning Commission packet.

Ms. Bledsoe inquired if there were any questions from the Commission.

There were no questions.

6. **COMMISSION DISCUSSION AND REQUESTS**

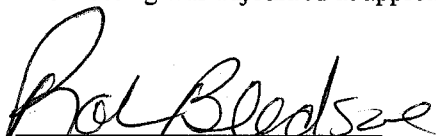
There were no items for discussion or any requests from the Commission.

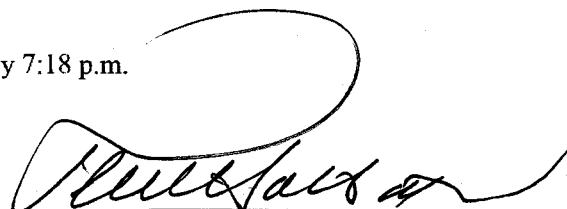
8. **ADJOURNMENT**

Ms. Bledsoe called for a motion to adjourn.

Mr. Krapf moved to adjourn.

The meeting was adjourned at approximately 7:18 p.m.


Robin Bledsoe, Chairwoman


Paul D. Holt, III, Secretary