

**MINUTES**  
**JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE**  
**REGULAR MEETING**  
**Building A Large Conference Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**October 24, 2018**  
**4:00 PM**

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**A. CALL TO ORDER**

Mr. Rich Krapf called the meeting to order at 4:00 p.m.

**B. ROLL CALL**

Present:

Rich Krapf, Chair  
Danny Schmidt  
Frank Polster

Absent:

Jack Haldeman

Staff:

Ellen Cook, Principal Planner  
Jose Ribeiro, Senior Planner II  
Alex Baruch, Senior Planner  
John Risinger, Community Development Assistant  
Katie Pelletier, Community Development Assistant

**C. MINUTES**

1. Historic Minutes - Approval

Mr. Danny Schmidt made a motion to approve the minutes.

The minutes were approved by a vote of 3-0.

2. August 22, 2018 Meeting Minutes

Mr. Frank Polster stated that he would like the map that showed the driveways for the previous shared driveway exception be added to the minutes.

Mr. Krapf asked if there were any further comments.

Mr. Polster made a motion to approve the minutes with amendments.

The minutes were approved by a vote of 3-0.

**D. OLD BUSINESS**

There was no old business.

**E. NEW BUSINESS**

1. Conceptual Plan-0018-0082. 7082 Menzels Road

Mr. Krapf stated that this item has been withdrawn.

2. Site Plan-0047-2018. 4521 John Tyler Highway McDonald's Site Improvements

Mr. Krapf opened the discussion.

Mr. Jose Ribeiro stated that the applicant is proposing a new exterior color for the McDonald's at 4521 John Tyler Highway. He stated that there are no other proposed architectural changes. He stated that the property is subject to adopted proffers and Special Use Permit conditions. He noted that an architectural proffer states that "buildings (exclusive of roofing) in the B-1 property shall be constructed with exterior building materials of synthetic stucco, brick, wood or glass or some combination thereof and shall be of harmonious and/or uniform architectural design as determined by the Director of Planning and of neutral colors." He stated that the Director of Planning has found the color to be consistent with neutral colors and with the existing buildings. He stated that staff recommends that the Development Review Committee (DRC) recommend approval to the Planning Commission (PC).

Mr. Polster asked if the Director of Planning made a determination that the color is consistent with the rest of the shopping center.

Mr. Ribeiro confirmed.

Mr. Krapf stated that he considers the color to be neutral.

Mr. Polster asked if the roof would remain gray.

Mr. Ribeiro confirmed.

Mr. Polster asked if the drive-thru would be changed.

Ms. Jennifer Adams, Core States Group, stated that part of the drive-thru will be changed but that the menu boards will not be changed.

Mr. Krapf asked if there were any further comments.

Mr. Polster made a motion to approve the proposed color for Site Plan-0047-0082. 4521 John Tyler Highway McDonald's Site Improvements.

The motion passed 3-0.

3. C-18-0091, 4621 Ware Creek Road - Overhead Utility Waiver

Mr. Krapf opened the discussion.

Mr. Alex Baruch stated that the applicant has requested an exception to Section 24-200(c) of the Zoning Ordinance which states that all new utilities be placed underground. He stated that this exception would permit an approximately 100' overhead power line to the property. He stated that the PC can grant an exception based on factors listed in Section 24-200(c). He stated that the applicant will acquire an easement through Dominion Energy through an adjacent property owner across the street where the existing power pole is located. He stated that the adjacent property owner only granted an overhead utility easement and overhead power lines also serve the other adjacent properties. He stated that the remaining length of the power line from the transformer to the house would be underground. He stated that staff finds that the application meets the criteria listed in Section 24-200(c). He stated that staff recommends that the DRC recommend approval of the waiver request to the PC with the condition that a copy of the recorded easement is provided to staff within 30 days of approval

by the PC.

Mr. Polster asked if the adjacent property owner for the existing power pole would only agree to an overhead utility easement.

Mr. Baruch confirmed.

Mr. Krapf asked if there were any further questions.

Mr. Kevin Young, 4621 Ware Creek Road, presented a letter from Dominion Energy explaining the situation.

Mr. Krapf stated that he considers the issue straightforward and that there is no way for the owner to get power with underground lines.

Mr. Baruch stated that the property owners on either side of the applicant's property were not willing to grant easements.

Mr. Krapf asked if there were any further comments.

Mr. Polster made a motion to approve C-18-0091, 4621 Ware Creek Road – Overhead Utility Waiver subject to the proposed condition.

The motion passed 3-0.

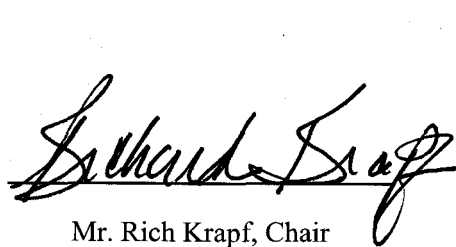
Mr. Polster and the Committee discussed the rural lands policies in the Comprehensive Plan and the appropriate venue for an in-depth discussion.

Ms. Ellen Cook stated that Ms. Tammy Rosario and other staff would provide more information on the method for collecting PC guidance and input in the near future.

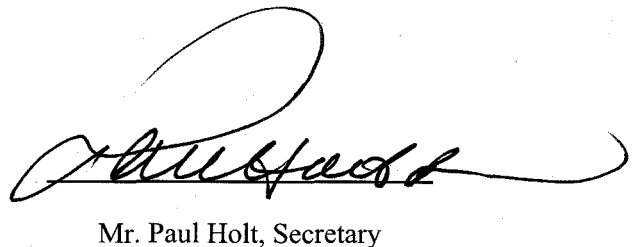
**F. ADJOURNMENT**

Mr. Schmidt made a motion to adjourn the meeting.

Mr. Krapf adjourned the meeting at 4:25 p.m.



Mr. Rich Krapf, Chair



Mr. Paul Holt, Secretary