

MINUTES
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 20, 2019
4:00 PM

A. CALL TO ORDER

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

B. ROLL CALL

Present:

Frank Polster, Acting Chair

Jack Haldeman

Danny Schmidt

Absent:

Rich Krapf, Chair

Staff in attendance:

Tori Haynes, Planner

Ellen Cook, Principal Planner

Katie Pelletier, Community Development Assistant

Juan Carlos Morgado, Stormwater and Resource Protection Division (SRP).

C. MINUTES

1. January 23, 2019 Meeting Minutes

Mr. Frank Polster asked if there were any comments regarding the minutes.

Mr. Jack Haldeman made a motion to approve the minutes.

Mr. Danny Schmidt seconded the motion, and the minutes were approved by a vote of 3-0.

D. OLD BUSINESS

There was no old business.

E. NEW BUSINESS

1. SP-18-0089. Extra Mile Landscapes and Two Drummers Smokehouse Expansion

Ms. Tori Haynes addressed the Committee and stated that in 2016, the Board of Supervisors approved a Special Use Permit amendment for Two Drummers Smokehouse to allow an expansion of approximately 5,200 square feet and to relocate the existing front parking area to the rear of the site.

Ms. Haynes explained the County parking requirement for restaurants is one space for every four seats based on maximum seating capacity, and it cannot be more than 120% of the minimum requirement unless a parking waiver is granted. She said for Two Drummers Smokehouse this equates to a minimum of 63 parking spaces and a maximum of 75 parking spaces, based on a seating capacity of 250 people.

In order to accommodate the restaurant expansion, Ms. Haynes said Mr. William Felts, applicant from Landtech Resources, Inc., has proposed 106 spaces on the currently submitted site plan based on a parking study conducted in February 2016. She noted that the total number of proposed spaces is consistent with the adopted Master Plan which shows up to 110 spaces.

Ms. Haynes stated, however, that consistency with the adopted Master Plan does not automatically satisfy the criteria for a waiver to exceed the 120% cap. She said it must be shown that, due to unique circumstances, a particular activity would be expected to generate more parking demand than the allowed maximum cap.

Ms. Haynes told the Committee that the Planning Director has determined the expansion of a restaurant itself is not a unique circumstance, and that the demand generated by the additional seating capacity has not yet been demonstrated. Ms. Haynes explained the applicant could phase the parking lot construction, finishing the maximum allowable 75 spaces first. Once the restaurant expansion is complete, the applicant might be better able to demonstrate the parking need generated by the additional seating capacity. Ms. Haynes said the applicant could request a waiver for the additional parking spaces at that time.

Ms. Haynes then explained to the Committee that approving the requested appeal at this time would enable the applicant to complete all parking improvements during the construction of the restaurant addition, and there would be no need for additional construction phases or for the applicant to submit a parking waiver request in the future. Ms. Haynes said, however, based on the criteria of the parking ordinance as it pertains to exceeding the 120% cap, staff recommends that the DRC deny this Parking Ordinance request.

Mr. Polster asked the Committee if there were any questions.

Mr. Haldeman asked for clarification on how many seats were currently in the restaurant.

Mr. Jason Wade, co-owner of Two Drummers Smokehouse, told the Committee the restaurant currently holds 150 people, and the expansion will increase the capacity to 250 people.

Mr. Schmidt asked staff if everything else conforms to County Ordinances.

Ms. Haynes answered the Site Plan is still under review.

Mr. Grogg, additional applicant from Landtech Resources, Inc., noted that the total number of proposed spaces is consistent with the adopted Master Plan from 2016, which shows up to 110 spaces.

Mr. Haldeman asked if there were any other changes.

Mr. Grogg answered the site plan shows the topography issues and parking layout, adjusted slightly due to the installation of a necessary septic drain field. He noted there is general consensus to move parking from the front street area to the rear for safety concerns. Mr. Grogg said their parking study shows the current structure would already use 75 parking spaces before expansion. He also noted the topography challenges and single access point, stating it would be difficult to construct the parking lot in a phased process without destroying work just accomplished or disrupting the restaurant.

Mr. Schmidt asked if staff had any concerns.

Ms. Haynes stated the parking plan remains consistent with the Master Plan, and SRP will address any environmental concerns to mitigate in the design phase.

Mr. Haldeman asked the applicant about the parking study.

Mr. Grogg answered the parking counts were taken on average days for the restaurant in February 2016.

Mr. Schmidt commented the restaurant probably has even larger crowds in warmer months.

Mr. Jon Wade, co-owner of Two Drummers Smokehouse, replied yes.

Mr. Bob Wiltshire, adjacent property owner from MM&W Properties, LLC, stated that cars are often double-parked along Highway 60 to visit the restaurant on weekends.

Mr. Polster asked the applicants to clarify what they plan to do.

Ms. Haynes stated the applicants have an approved Master Plan which shows up to 110 parking spaces, and their site plan is consistent with that. However, they must still meet Ordinance requirements to obtain a parking waiver. DRC review was required as staff could not administratively approve the waiver before the restaurant expansion. Ms. Haynes said if the Committee finds the applicant has a strong case, it may uphold the appeal of the Planning Director's decision.

Mr. Wiltshire said they will wait for site plan approval first and then work with a developer to implement a phased timeline.

Mr. Grogg added they have already submitted the site plan once but needed to address the parking waiver in order to know whether the site plan needs to be changed with updated phasing before resubmittal.

Mr. Haldeman clarified the property owners are Mr. Jesse McHose from Extra Mile Landscaping and Mr. Wiltshire, and Two Drummers Smokehouse is the tenant.

Mr. McHose noted a phased approach for additional parking would be very difficult because of retaining wall requirements.

Mr. Grogg added there are access concerns and serious business impacts when considering phased parking lot construction.

Mr. Wiltshire said they will have a shared entrance and hope to greatly reduce traffic concerns.

Mr. Schmidt said the plan is a much safer alternative.

Mr. Jon Wade added their relatively large staff also requires parking.

Mr. Polster asked if there were further questions for the applicants or staff.

Mr. Haldeman said he would like to approve the parking waiver appeal, also stating he respects and understands the staff and Planning Director's position regarding administrative approval.

Mr. Schmidt agreed there is a need for additional parking and applauded the restaurant's success.

Mr. Polster said he has no concern with the requested number of parking spaces in the waiver, and a phased implementation might interrupt any stormwater treatment and the relationship of the topography to the Resource Protection Area. He said he prefers to see the parking lot done completely because of drainage and shared outfall issues.

Mr. Haldeman motioned to approve the requested appeal of the Planning Director's decision to disapprove the original parking waiver request and motioned to recommend that the Planning Commission approve SP-18-0089, Extra Mile Landscapes and Two Drummers Smokehouse Expansion.

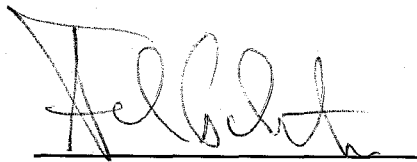
Mr. Schmidt seconded the motion, and the motion was approved by a vote of 3-0.

F. ADJOURNMENT

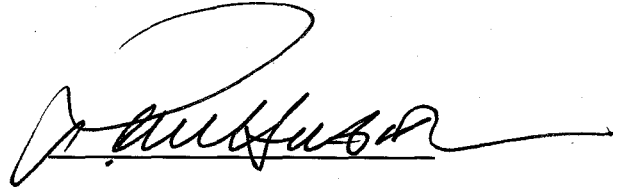
Mr. Polster thanked everyone for attending the meeting and asked for any additional comments.

Mr. Haldeman made a motion to adjourn the meeting, and Mr. Schmidt seconded the motion.

Mr. Polster adjourned the meeting at 4:20 p.m. after a unanimous voice vote.



Mr. Frank Polster, Acting Chair



Mr. Paul Holt, Secretary