

**MINUTES**  
**JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE**  
**REGULAR MEETING**  
**Building A Large Conference Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**March 30, 2022**  
**4:00 PM**

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**A. CALL TO ORDER**

Mr. Frank Polster called the Development Review Committee (DRC) meeting to order at 4 p.m.

**B. ROLL CALL**

**Present:**

Barbara Null, Chair (by phone)  
Frank Polster  
Rob Rose

**Also in Attendance:**

Stephen Rodgers

**Staff in Attendance:**

Josh Crump, Principal Planner  
Jose Ribeiro, Senior Landscape Planner  
Terry Costello, Senior Planner  
Katie Pelletier, Community Development Assistant

**C. MINUTES**

1. January 19, 2022 Meeting Minutes

Mr. Rose made a motion to Approve the January 19, 2022, Development Review Committee (DRC) meeting minutes.

On a voice vote, the Motion passed 3-0.

**D. OLD BUSINESS**

There was no old business.

**E. NEW BUSINESS**

1. SP-19-0001. Powhatan Terrace

Mr. Ribeiro greeted the Committee and stated that, according to Adopted Proffer No. 5 associated with the rezoning of Powhatan Terrace in Case No. Z-0007-2007, entrance features, signs, and utilities located within the 150-foot buffer along the property's frontage with Jamestown Road require the review and approval of the DRC.

Mr. Ribeiro said that staff is currently reviewing the site plan for Powhatan Terrace (Case No. SP-19-0001). He said the landscape plan shows entrance features within the 150-foot buffer, such as a median, trees, a sidewalk, and a planted berm which are consistent with the features

shown on the approved master plan. He stated that other features, not shown on the approved master plan but shown on the site plan and therefore subject to DRC review, include two drainage structures, one fire hydrant, an underground water line system, one speed limit sign, one stop sign, and three traffic signs. Mr. Ribeiro noted that the applicants have indicated that outdoor lighting and a subdivision sign are not proposed within the 150-foot buffer area at this time.

Mr. Ribeiro shared staff's analysis that the features shown within the 150-foot buffer are generally consistent with other subdivision's entrance features. He further stated that such breaks in right(s)-of-way buffers are consistent with the Zoning Ordinance. Mr. Ribeiro said staff recommends that the DRC approves the proposed features within the 150-foot buffer along the property's frontage with Jamestown Road, as shown on the current site plan for Powhatan Terrace. He told the Committee that he would be happy to answer any questions, and that Ms. Brandie Weiler from Housing Partnerships and Mr. Steve Romeo from Vanasse Hangen Brustlin, Inc. (VHB) were also in attendance as the applicants.

The Committee had no questions for staff or the applicants.

Mr. Rose made a motion that the DRC approves the proposed features within the 150-foot buffer along the property's frontage with Jamestown Road, as shown on the current site plan for Powhatan Terrace, Case No. SP-19-0001.

On a voice vote, the Motion passed 3-0.

2. C-22-0021. 3341 Chickahominy Road Overhead Utility Waiver

Ms. Costello stated that Mr. Carlos Marentes of CC&F Construction, LLC, has applied for an exception to Section 24-200(c) of the Zoning Ordinance which states that all new utilities be placed underground. She explained the exception would permit an approximately 65-foot overhead powerline to a new residential dwelling. Ms. Costello noted that Section 24-200(c) states that the Planning Commission may grant an exception based on such factors as voltage requirements, existing overhead service, existing tree cover, and physical features of the site or surrounding area.

Ms. Costello said that over the past several months, the applicant has been working with Dominion Energy to secure an underground easement on the properties of 3332 and 3338 Chickahominy Road. She stated the purpose of the easement was to allow an underground power line to provide electricity to 3341 Chickahominy Road, but Dominion Energy was unable to acquire an easement on these properties. She stated as a result, Dominion Energy is instead proposing to connect an overhead power line from a new 40-foot pole located at 3332 Chickahominy Road to a new pole located at the new residence. Ms. Costello explained that at the point that the power line ties into the transformer, the remaining length of the power line from the transformer to the house would be underground.

Ms. Costello told the Committee that staff finds that the application meets the criteria of the exception language found in Section 24-200(c) and recommends the DRC recommend approval of the application to the Planning Commission. She said she was available for any questions. The Committee had no questions.

Mr. Rose made a motion to approve Case No. C-22-0021, 3341 Chickahominy Road Overhead Utility Waiver. On a voice vote, the Motion passed 3-0.

3. SP-20-0037. Smith Memorial Baptist Church Parking Expansion

Ms. Costello said that Mr. Graham Corson of AES Consulting Engineers (AES), on behalf of the applicant, has appealed the Planning Director's decision with regards to a condition for two parking waivers for the parking expansion at Smith Memorial Baptist Church. She said Case No. SP-20-0037 is a proposal to add 78 parking spaces to the current 156 parking spaces on-site for a total of 234 parking spaces.

Ms. Costello noted that the 600-seat capacity church currently has 156 spaces available. She said that 18 additional spaces are available at Sandy's Pancake & Waffle House next door to the church, for a total of 174 spaces. She said if the current proposal is approved, total parking available to the church would be 252 spaces. Ms. Costello said the Ordinance states the minimum number of parking spaces for a Place of Public Assembly is one space for every five seats, and therefore a minimum of 120 parking spaces is required for the site. Ms. Costello further noted that the Ordinance states parking is limited to no more than 120% of the minimum required. She said currently the church is at 130% of the minimum required. Ms. Costello stated the Zoning Ordinance also requires parking areas which are not in accordance with current zoning regulations to be brought into conformance if materially altered or enlarged by 15%. She said the current request would enlarge the parking area by 50%.

Ms. Costello told the Committee that the Ordinance does permit the Planning Director to grant waivers to both these requirements if it can be shown that unique circumstances are present that would warrant some consideration. She said the Planning Director agreed to a waiver whereby the 120% cap could be exceeded and where some relief could be granted on bringing the entire parking areas into conformance. She noted there are four conditions attached to the waivers, and the applicant has agreed to three of them.

Ms. Costello said the applicant is appealing the Planning Director's decision to require the Community Character Corridor (CCC) buffer to be installed in the area where six spaces are currently located. She noted that the existing drive aisle is also required to be relocated. Ms. Costello explained the CCC buffer requirement is a significant element of the Zoning Ordinance and Comprehensive Plan. She said the site is significantly nonconforming with respect to the landscape requirements for parking lots, and the conditions proposed do allow for some relief from all the requirements of the Ordinance and allow for an overall increase in parking. She noted that the conditions provide significant improvement of the existing nonconforming parking to better meet the requirements of the Zoning Ordinance and the goals, strategies, and actions of the Comprehensive Plan.

Ms. Costello explained that, by allowing the 78 additional spaces and subtracting the 18 spaces for the CCC buffer, the site would have 216 spaces. She said this would equate to 180% of the minimum requirement, still significantly more than the 120% permitted by the ordinance. She stated that staff recommends the DRC deny the applicant's appeal.

Mr. Polster asked if the Committee had any questions.

Ms. Null said they are not meeting the Ordinance requirements.

Mr. Poster asked if the applicant wanted to make a presentation.

Mr. Corson stated their study last year concluded that an average of 250 patrons attend the church service, with approximately 166 vehicles or 1.5 patrons per vehicle. He noted there are often more than 300 patrons attending the church or maximum of 312 patrons. He said this capacity would require 208 parking spaces if there are 1.5 patrons per vehicle. He said this is 42 spaces over the average and 52 spaces over what the church can currently handle. Mr. Corson said the church would prefer to provide enough parking on-site, rather than share parking with adjacent businesses. He noted that providing the 50-foot buffer would reduce the parking by 18 spaces.

Mr. Taylor from Smith Memorial Baptist Church addressed the Committee and said they are not trying to add any buildings only additional parking. He said the church is growing rapidly in membership, and the ordinance requirement of one parking space for five people is not realistic anymore. He said church designers use the ratio of 1.5-2 people per vehicle. He said their current parking agreements could end at any time, and they would like their own parking accommodations to meet the needs of church patrons. He said the new parking lot will be located behind the current lot and will be buffered with landscaping and meet stormwater requirements. He said the current front parking lot would not be altered and asked that it not be required to now meet the standards with a loss of 18 parking spots.

Mr. Rose asked about the wooded area lost to the new parking lot in the rear. He also noted there is a limit to growth at some point.

Mr. Taylor said the church is still growing with much more capacity inside. He also noted some service and class times overlap, creating the need for extra parking. He said several parking spots had already been given up for updated fire codes.

Ms. Null commented that the additional parking will not add to the look of the area. Mr. Rose said this would be an exception to the Ordinance.

Mr. Taylor asked Mr. Graham to show the Committee other options. Mr. Corson showed the DRC and staff three new drawings with options that would not fully meet the 50-foot buffer requirement but provide a landscaped area. Mr. Graham said the first option would add enhanced landscaping to the existing grass areas around the current parking lot. He said the second option would also add a landscaped island in the existing parking lot and add landscaping where an unused corner of asphalt currently exists. Mr. Corson said the third option would remove six parking spaces for a 25-foot section of landscaping along the frontage. He said they hope this might be an alternative to losing 18 parking spaces.

Ms. Null said she would like to see a better view from Route 60 and more of a division between the church and Sandy's Pancake & Waffle House.

Mr. Rose noted the loss of trees and additional impervious surface with the additional parking lot in the back. He said there should be a very compelling argument for granting exceptions to the ordinance. He asked if the new options need to be reviewed by the Planning Director.

Mr. Polster stated they could make a recommendation. He said this is the third case requesting a similar waiver on Route 60 that he has encountered as a member of the DRC. He said he does recognize the applicant's show of good faith and willingness to add enhanced landscaping. Mr. Polster said there are ways to accommodate for growth with reasonable exceptions. He said he might support a 25-foot landscaped section and heavily landscaped side if staff reviewed the option for conformance with standards as much as possible.

Mr. Ribeiro noted the CCC requirement is a 50-foot buffer. He said examples of enhanced landscaping requirements include bigger trees or additional trees.

Mr. Taylor said they would be supportive of and comply with such requirements.

Mr. Polster said they would leave that for staff to work out with the applicant.

Mr. Crump suggested the Committee postpone its recommendation for 30 days to allow staff time to review the new proposals. He said the agreement between staff and the applicant could then be brought forward to the Committee for its recommendation.

Mr. Ribeiro agreed and said that staff had not yet seen these new options presented by the applicant.

The Committee agreed with postponing the recommendation.

Mr. Rose made a motion to Postpone consideration of the applicant's appeal for a parking waiver associated with Case No. SP-20-0037. Smith Memorial Baptist Church Parking Expansion, until staff can review the applicant's new options and make recommendations for enhanced landscaping.

On a voice vote, the Motion passed 3-0.

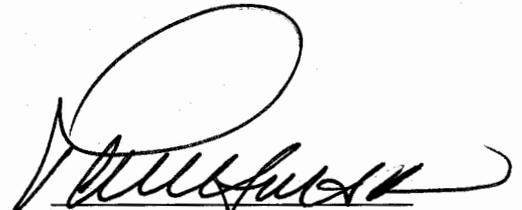
Mr. Polster thanked everyone for attending the meeting.

**F. ADJOURNMENT**

Mr. Rose made a motion to Adjourn the meeting.

Mr. Polster adjourned the meeting at approximately 4:40 p.m. after a unanimous voice vote of 3-0.

  
Ms. Barbara Null, Chair

  
Mr. Paul D. Holt, III, Secretary