

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE SECOND DAY OF MAY, TWO-THOUSAND AND TWELVE, 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:

Rich Krapf  
Tim O'Connor  
Chris Basic  
Mike Maddocks  
George Drummond  
Al Woods  
Robin Bledsoe

Staff Present:

Allen Murphy, Acting Development Manager  
Adam Kinsman, Deputy County Attorney  
Jose Ribeiro, Senior Planner  
Leanne Reidenbach, Senior Planner

Mr. Tim O'Connor called the meeting to order at 7:00 p.m.

Mr. O'Connor welcomed Ms. Robin Bledsoe to the Planning Commission.

2. PUBLIC COMMENT

Mr. O'Connor opened the public comment period.

There being none, Mr. O'Connor closed the public comment period.

3. MINUTES

A. March 7, 2012 Regular Meeting

Mr. Rich Krapf moved to approve the minutes.

In a unanimous voice vote, the minutes were approved.

4. COMMITTEE/COMMISSION REPORTS

A. Development Review Committee (DRC)

Mr. Krapf stated that on January 4, 2012, the DRC had previously recommended preliminary approval for New Town Section 7, Phase 10. Mr. Bob Cosby from AES Consulting Engineers submitted a conceptual plan proposal for consideration at the April 25 DRC meeting to revise an area of the original road and add one additional lot, for a total of 62 lots. The proposed alternative would change the intersection of Rollison Drive and Olive Drive, alter the widths and locations of 4 lots and add one additional lot. As a result of the proposed road change, there would no longer be an opportunity to extend Olive Drive to the Eastern State property in the future. The

applicant expressed concern not knowing how the Eastern State parcel will develop. The DRC, applicant, and staff discussed several scenarios, including making the lot at the end of Olive Drive an HOA greenspace and allowing future connection. The applicant will review DRC feedback.

Mr. O'Connor made a motion to approve the DRC report.

In a unanimous voice vote, the report was approved.

B. Policy Committee

Mr. Krapf stated there was no April Policy Committee meeting.

C. Other Commission Reports

Mr. Mike Maddocks stated the Regional Issues Committee met on April 24. He stated the Committee was briefed on Arts Month in September, the coordinated Comprehensive Plan review, the Historic Triangle collaborative, and Greater Williamsburg Chamber and Tourism Alliance proceedings.

In a unanimous voice vote, the report was approved.

6. PUBLIC HEARING CASES

A. Z-0007-2012, Walnut Grove Proffer Amendment, Anderson-Hughes House

Mr. Jose Ribeiro stated staff requested deferral until the next Planning Commission meeting.

Mr. O'Connor opened the public hearing.

Mr. O'Connor continued the public hearing until the June Planning Commission meeting.

B. ZO-0011-2011, Procedural Descriptions, ZO-0012-2011, Submittal Requirements, ZO-0013-2011, Nonconformities

Mr. Jose Ribeiro stated that staff reviewed ordinance language for broad topics under Procedural Descriptions, Submittal Requirements, and Administrative Items. Under Article I – In General, staff proposes removing the fee schedule from the Ordinance and creating a more comprehensive legislative case submittal list, including two new policies and fiscal guidelines. Under Article III – Site Plan, staff proposes changes to enhance the readability and better comprehension of submittal information requirements. For Article VII – Nonconformities, the term ‘structure’ and its definition were added to clarify nonconforming status. Staff’s Traffic Impact Analysis (TIA) policy more clearly defines the required elements and expected results of a TIA for legislative applications. The Environmental Constrains policy provides a clearer understanding as to the type of information expected to be submitted with legislatively reviewed applications. Staff has also developed a set of fiscal impact guidelines to standardize review of fiscal impact studies, although applicants will be able to submit additional materials. Mr. Ribeiro stated staff recommends

approval of the two ordinance updates, the proposed policies and the fiscal impact guidelines.

Mr. O'Connor asked how to address disparities between the County's fiscal impact worksheet and an applicant's supplement fiscal analysis.

Mr. Ribeiro stated the intent the fiscal impact worksheet is to standardize information across different developments. He stated there are different methodologies for fiscal impacts, and the ordinance allows applicants to submit additional materials. The guidelines are not intended as a pass-or-fail test for the applicant. Staff will present both sets of information to the Commission.

Mr. Adam Kinsman stated these are policies, and staff is giving a suggested set of guidelines an applicant can use. He stated applicants are free to provide their own version. It is up to the Commission's and the Board's discretion to determine how much weight to give either one.

Mr. O'Connor opened the public comment session.

There being none, Mr. O'Connor closed the public comment session.

Mr. Maddocks moved for approval of the Zoning Ordinance amendments.

In a unanimous roll call vote, the Commission recommended approval of the zoning ordinance amendments (7-0).

C. ZO-0014-2011 Exterior Signs

Ms. Reidenbach stated after the Commission approved an earlier version of the amended sign ordinance in October 2011, a request was made to consult more of the business community. She stated suggestions from a March 2012 roundtable meeting are incorporated into the proposed ordinance changes. The ordinance clarifies definitions for 'backlit' or 'channeled-letter' signs and flashing signs and includes graphics for gross sign area calculations. New provisions allow shopping centers to split signage on either side of the main entrance and tenant names on shopping center signs in Mixed Use areas governed by design guidelines and a design review board. These signs could be increased up to 42 square feet. Community Character Corridor and Area language has been amended to allow sign-mounted lighting. A height limit for directional signage has been established. A current practice through an agreement with the Virginia Department of Transportation regarding the removal of and penalties for signs in the right-of-way has been codified. Staff also proposes adding an additional figure to clarify the gross sign area calculation for free-standing signs based on Commissioner comments received earlier in the afternoon. Ms. Reidenbach stated staff recommends approval of the proposed sign ordinance with the addition of the extra figure.

Mr. Maddocks asked if the changes have made the ordinance more or less stringent.

Mr. Reidenbach stated the changes have added flexibility for the business community and opened up new options for signage in certain areas.

Mr. Allen Murphy stated it would be less stringent.

Mr. Al Woods asked how the County compared to other local jurisdictions.

Ms. Reidenbach stated that she had only researched areas where changes were proposed – primarily for including tenant names on signage. She noted that most other localities allow tenant names on signs and allow even larger signage than currently proposed. The proposed changes would allow designs similar to the freestanding signs at the entrance to High Street in Williamsburg, which is about 45 square feet.

Mr. O'Connor opened the public comment session.

Mr. Vernon Geddy, representing FCP Settler's Market, stated his client was in support of the tenant name provision in Mixed Use areas with design review, which would apply to his client. He stated the stores in mixed use areas are not visible from the thoroughfare, and it is helpful for customers to see names at entrances. Major retail tenants want to know they have a presence on the main road. He showed the Commission a graphic of proposed tenant signage.

Mr. Jim Castillo, Development Director for Settler's Market, stated that signage is part of the decoration of a commercial product. He stated most people seem to dislike signage, but the ordinance language gives the New Town Design Review Board (DRB) final say in whether the sign is appropriate. The proposed signage provisions will be a useful tool to direct people to where they want to go within the development. The New Town development is inwardly focused and has its back to the traffic on the main roads. Tenant signage, such as that showed by Mr. Geddy, would be informational and not distracting. The signage would direct passers-by to the struggling New Town retail industry.

Mr. Maddocks asked Mr. Castillo if the ordinance amendments would help New Town businesses.

Mr. Castillo stated he liked the ordinance a lot and believed that it would be a benefit.

Mr. O'Connor closed the public hearing.

Mr. Krapf stated that the addition of illustrations go a long way to clarify the ordinance.

Mr. Krapf moved for approval of the sign ordinance amendments.

Mr. Chris Basic stated he had some concerns. He stated that business visibility is good, but the Commission is not a design review board. It serves the entire County. The size of the font required to allow drivers to see the sign depends on the number of lanes and speeds of the road. Based on Monticello Ave., the signs would have to be larger to be able to be visible and otherwise could add visual clutter without adding the desired benefit of visibility.

Mr. George Drummond stated it was difficult to find businesses in New Town. He stated the signage will help New Town businesses, especially with the current economic climate. He said

would support the amendments.

Ms. Robin Bledsoe stated she lives in New Town and is continually asked directions to locate businesses. She stated she would support the amendments.

Mr. Krapf asked if the number of monument signs allowed were related to the number of site entrances.

Ms. Reidenbach stated the ordinance would allow one sign per entrance. She stated there are no restrictions on which tenant signs could be at which entrances or how many tenant names could be on one sign. That was left up to the developer/owner and tenant. One-third of the sign must be the development name.

Mr. Krapf asked if staff discussed font size relative to the number of traffic lanes.

Ms. Reidenbach stated staff researched legibility issues and findings about sign size varied widely. She stated that signs on Monticello - with its four lanes, median, and 45 mile per hour speed limit - would require a large font and significantly larger sign size than proposed in the ordinance. Staff felt it was a good situation to allow a slightly larger sign than the normal 32 square foot sign permitted to improve legibility given the addition of more text.

Mr. Krapf stated the assumption is that drivers in the two rightward lanes closest to the shopping center would be able to read the signage and would be in a position to actually be able to navigate to turn into the appropriate entrance.

Mr. Woods asked if there was a restriction regarding the number of nameplates. He asked if a shopping center has 16 tenants, could the sign list them all.

Ms. Reidenbach stated all 16 tenants could be on the sign if it could fit them.

Mr. Woods asked if the signs employed a standard font.

Ms. Reidenbach stated each store name could have a different font. She stated the ordinance leaves approval of the sign design and font up to the design review board.

Mr. Woods asked about the trends on those types of controls. He asked what is considered best practices when there are multiple colors and fonts.

Ms. Reidenbach stated most the research she came across focused on color coordination, without finding anything on using different fonts. She noted that the County Attorney's office recommended limiting regulation dealing with aesthetics, which is why the proposed ordinance was crafted to pertain to areas with design review boards.

Mr. Basic stated while the tenant sign presented by Mr. Geddy was attractive, there could be a future sign with 16 tenant names crammed into a 42 square foot sign.

Mr. Maddocks stated there was plenty of structure in the ordinance through both staff and design review board sign reviews.

Ms. Bledsoe asked if the signs were proportional to the number of businesses in an area.

Ms. Reidenbach stated the ordinance sets the maximum sign size as 42 square feet. She stated it is up to the property owner or developer to decide the sign's content.

Mr. Woods stated in New Town, the majority of businesses still would not have signage at the entrances. He stated that was normal in retail development. It was a negotiation with the developer.

Mr. Murphy stated not all the businesses in New Town are in *bona fide* shopping centers.

Mr. Woods stated he was less worried about New Town than other areas.

Ms. Reidenbach stated the tenant signs would only apply in areas zoned and designated Mixed Use with controlling design guidelines.

Mr. Woods asked how many areas qualified.

Ms. Reidenbach stated currently just New Town.

Mr. Basic stated he could imagine complaints from other shopping centers that the changes would only apply to New Town.

Mr. O'Connor stated the difference is that New Town has a design review board while a shopping center may not.

Mr. O'Connor asked how shopping centers would direct shoppers without these signs.

Ms. Reidenbach stated New Town uses generic directional signage and vehicle- and pedestrian-scale signage and directories. These options were open to traditional shopping centers as well.

Mr. Murphy stated there is also building face signage on each individual unit frontage and the potential to use blade signs.

Ms. Reidenbach stated there are sandwich board signs as well.

Mr. Woods stated that in an inwardly focused development, with commercial elements and retail that depends on traffic, it becomes difficult for large organizations to be comfortable not having any identity. He asked if the ordinance represented a balancing act.

Mr. Murphy stated yes.

Mr. O'Connor stated the alternative would be more monuments and directional signage, which would be greater clutter.

Mr. Basic asked if WindsorMeade Marketplace was zoned Mixed Use.

Mr. Murphy stated yes.

Mr. Basic stated that would mean that this area could take advantage of the proposed provision to allow tenants on signage.

Ms. Reidenbach stated WindsorMeade Marketplace was also subject to the DRB.

Mr. O'Connor asked if the language stating the shopping center sign would be 1/3 of the total signage actually limited the shopping center name to 1/3 of the total signage.

Mr. Kinsman stated that the way it was written appeared to limit the shopping center signage to 1/3. He stated language 'at least one-third of the sign area...the remaining sign area may be used for individual tenants' could be added.

Ms. Reidenbach stated staff would make that change before the Board meeting.

In a roll call vote, the Commission recommended approval as amended (6-1; Yes: Bledsoe, Drummond, Woods, Maddocks, Krapf, O'Connor; No: Basic).

7. PLANNING DIRECTOR'S REPORT

Mr. Murphy noted the annual Planning Commission and Board of Supervisors joint work session is on May 22. He stated staff suggested a follow-up on items from the joint Planning Commission meeting on April 30. If any Commissioners had additional discussion items, staff would be happy to forward them to the Board.

8. COMMISSION DISCUSSIONS AND REQUESTS

Mr. O'Connor thanked staff and the Commission for the input and feedback regarding the joint Planning Commission meeting on April 30.

Mr. O'Connor stated Ms. Bledsoe would now take Mr. Maddocks' place on the Policy Committee. The Policy Committee will now consist of Mr. O'Connor, Mr. Krapf, Mr. Woods, and Ms. Bledsoe. The DRC is now Mr. Basic, Mr. Krapf, Mr. Drummond, and Mr. Maddocks.

9. ADJOURNMENT

Mr. Drummond moved to adjourn.

The meeting was adjourned at 7:50.

  
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Tim O'Connor, Chairman

  
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Allen J. Murphy, Jr., Secretary