

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
August 3, 2016
7:00 PM

A. CALL TO ORDER

Mr. John Wright called the meeting to order at 7:00 p.m.

B. ROLL CALL

Planning Commissioners

Present:

Rich Krapf
Chris Basic
Robin Bledsoe
John Wright
Heath Richardson

Absent:

Tim O'Connor
Danny Schmidt

Staff Present:

Paul Holt, Planning Director
Roberta Sulouff, Planner
Maxwell Hlavin, County Attorney

C. PUBLIC COMMENT

Mr. Wright opened the Public Comment.

As no one wished to speak, Mr. Wright closed the Public Comment.

D. CONSENT AGENDA

1. Minutes Adoption – July 6, 2016 Regular Meeting
2. Development Review Committee Action Item: Case No. SP-0052-2016, Williamsburg Memorial Park Ossuary

Mr. Rich Krapf made a motion to approve the Consent Agenda.

The consent agenda was approved by voice vote (5-0).

E. REPORTS OF THE COMMISSION

Mr. Krapf stated that the Policy Committee met on July 14, 2016 to review next stage ordinance amendments.

Mr. Krapf stated that for Stage III of the amendments to parking minimums, staff had been asked to look at how the reduced parking requirements were working in Albemarle County and to compare parking requirements for barbershops and beauty parlors to other localities. Mr. Krapf stated that staff reported that Albemarle County is very satisfied with their parking minimums and have no plans to revise them. Mr. Krapf further stated that staff determined that the County's parking requirements for barber and beauty shops are slightly higher than those of surrounding localities and recommended that the minimums be reduced. Mr. Krapf stated that the Committee voted to forward the ordinance to the Planning Commission.

Mr. Krapf stated that staff presented Stage II draft language for revisions to the Mixed Use district. Mr. Krapf stated that highlights of the proposed changes include allowing mixed use development on parcels less than five acres, removing the prohibition on counting landscape area adjacent to buildings toward the required percentage of open space and clarifying the right-of-way and perimeter buffer standards. Mr. Krapf stated that the Committee voted to forward the ordinance to the Planning Commission.

Mr. Krapf stated that staff provided stage II draft language for revisions to the Wireless Communications Facilities and Towers ordinance and incorporated requests made by the Committee at its May 12 meeting. Mr. Krapf stated that staff requested feedback on reducing permitted tower heights in each zoning district to ensure that even with the expansion allowed under the Spectrum Act, towers would not exceed height limitations for the district. Mr. Krapf stated that the Committee requested that staff incorporate standards for camouflage or concealment.

Mr. Krapf stated that the Committee also received an update on the Food Truck ordinance. Mr. Krapf noted that there would be public outreach regarding food truck regulations which would include a survey and public meeting to solicit feedback from restaurant and food truck owners.

Mr. Krapf further stated that the Committee provided feedback on the Capital Improvement Program to request that staff provide an overview of the process to the W-JCC School System, to include milestone dates, required documentation and any other items of interest. Mr. Krapf stated that the Committee also recommended that staff schedule a work session for the Policy Committee and the W-JCC School representatives early in 2017 to review CIP applications from the W-JCC School Division.

F. PUBLIC HEARINGS

1. SUP-0008-2015/SUP-0011-2016, J.S.G. Mineral Resource Management Expansion and SUP Amendment

Ms. Roberta Sulouff, Planner, provided a report to the Commission on the request to amend an existing SUP and to allow four new specially permitted uses on the 170 acre site which is currently in use as an active borrow pit. Ms. Sulouff stated that the additional uses would be the manufacture and sale of

wood products, operation of a contractors' office, storage of petroleum and storage and repair of heavy equipment in support of the company's civil construction operations. Ms. Sulouff further stated that the conditions of the original SUP limiting the disturbed area to 40 acres do not account for the new uses. Ms. Sulouff stated that the request would remove the restriction from the original SUP and add a condition to the current SUP to limit the disturbed area to 66 acres. Ms. Sulouff noted that the existing SUP imposes substantial buffers for neighboring residential properties as well as buffers for areas adjacent to resource protection areas. Ms. Sulouff stated that staff finds the proposal to be consistent with the surrounding zoning and the Comprehensive Plan. Ms. Sulouff stated that staff recommends that the Commission recommend approval of the application to the Board of Supervisors subject to the recommended conditions.

Mr. Wright opened the floor to questions from the Commission.

Mr. Heath Richardson requested clarification on where the proposed new uses would take place in relation to Windmill Meadows.

Ms. Sulouff stated that the new uses would be primarily in the lower and middle parcels with the mulching operation taking place on approximately ten acres of previously disturbed land toward the top of the middle parcel.

Mr. Richardson inquired if Windmill Meadows has an active HOA.

Ms. Sulouff responded that she is not certain about the HOA; however, all the residents of Windmill Meadows were invited to a community meeting hosted by the applicant.

Ms. Robin Bledsoe inquired about the attendance at the community meeting and the nature of the feedback.

Ms. Sulouff stated that the turnout was modest and that the overall feedback was positive. Ms. Sulouff stated that there were questions about what impact the expanded uses might have on the neighborhood and the safety of the mulching operation.

Ms. Bledsoe inquired if the hours of operation proposed were typical for other mulching operations.

Ms. Sulouff stated that the proposed hours of operation were for the contractors' office and sale of wood products, not the mulching.

Mr. Chris Basic inquired about the rationale for limiting the height of the mulch stockpiles.

Ms. Sulouff stated that the condition was related to ensuring safety of the stockpiles and based on SUPs for similar operations.

Ms. Bledsoe inquired where the petroleum storage would be located.

Ms. Sulouff stated that the petroleum storage would be located in the portion of the property closes to the access from Centerville Road.

Mr. Wright opened the public hearing.

Ms. Caitlin King, Director of Business Development for J.S.G. Corporation, stated that the proposed improvements and the addition of mulch to the product line will enable the company to grow its business and increase job opportunities. Ms. King stated that the expanded business will provide up to 20 additional jobs. Ms. King stated that a community meeting was held that was open to any neighbors who might be impacted by the expansion. Ms. King stated that the meeting was well attended and that the feedback was positive. Ms. King requested that the Commission support the application.

Ms. Bledsoe inquired if the new jobs would be advertised locally.

Ms. King confirmed.

Mr. Basic inquired if the applicant was comfortable with the SUP conditions.

Ms. King stated that the SUP conditions are acceptable.

Mr. Wright inquired about spill protection plans for the petroleum storage tanks.

Ms. King stated that if the SUP is approved, an application will be made to the Department of Environmental Quality for the necessary permit. Ms. King stated that the DEQ would require a spill prevention, controls and counter measures plan and a facility response plan. Ms. King further stated that the proposal is for above ground tanks with double walls with a system to detect if there is a leak in the first wall before it can leak through the second wall.

Mr. Wright inquired about the reclamation plan for the land when mining operations cease.

Ms. King stated that they have a reclamation plan which is monitored by the Department of Mines, Minerals and Energy. Ms. King further stated that they are already in reclamation with portions of the property where the land has been built up and replanted.

Mr. Holt noted that the SUP conditions also include requirements for the spill prevention and control plan to be reviewed and approved by Engineering and Resource Protection and the Fire Department.

As no one else wished to speak, Mr. Wright closed the public hearing.

Mr. Wright stated that he had spoken with Mr. Vernon Geddy to discuss his concerns about the application.

Mr. Richardson stated that the mining operation has been in place for a number of years and has not had a great impact on the surrounding properties. Mr. Richardson stated that he would support the application.

Ms. Bledsoe stated that she appreciates applications that support the growth of local businesses.

Mr. Wright noted that each SUP would require a motion.

Mr. Richardson made a motion to approve SUP-0008-2015.

On a roll call vote the Commission voted to recommend approval of SUP-0008-2015 (5-0).

Mr. Basic made a motion to approve SUP-0011-2016.

On a roll call vote the Commission voted to recommend approval of SUP-0011-2016 (5-0).

2. ZO-0008-2016, Article 1, Section 24-16, Proffer of Conditions

Mr. Max Hlavin, Assistant County Attorney, stated that this ordinance amendment is coming forward due to state code changes regarding residential proffers and will affirm that the County does not accept proffers for residential rezonings.

Mr. Wright opened the public hearing.

As no one wished to speak, Mr. Wright closed the public hearing.

Mr. Krapf inquired if this was to approve the policy adopted by the Board of Supervisors.

Mr. Hlavin clarified that this is an amendment to Section 24-16 of the Zoning Ordinance.

Ms. Bledsoe made a motion to approve ZO-0008-2016.

On a roll call vote the Commission voted to recommend approval of ZO-0008-2016, Article 1, Section 24-16, Proffer of Conditions (5-0).

G. PLANNING COMMISSION CONSIDERATIONS

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - August 2016

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

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Krapf noted that the mother of Mike Maddocks, a former Commissioner, had passed away. Mr. Krapf expressed condolences to the family.

Ms. Bledsoe stated that she believes that the County needs to be diligent in moving the food truck ordinance forward.

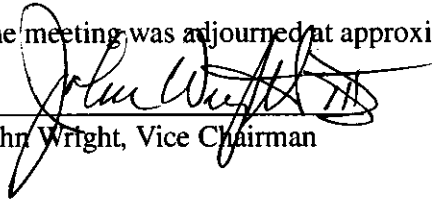
Mr. Holt stated that the Policy Committee would see a next stage update on the Food Truck ordinance at its meeting on August 11.

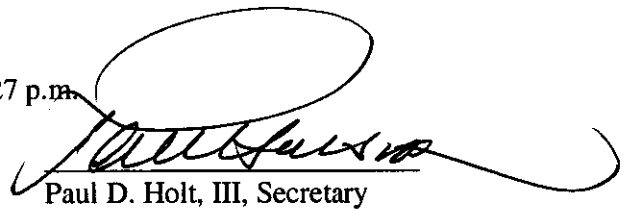
Mr. Richardson noted that there would be a Strategic Plan Action Group meeting on August 22 and two open house sessions on September 12.

J. ADJOURNMENT

Mr. Krapf made a motion to adjourn.

The meeting was adjourned at approximately 7:27 p.m.


John Wright, Vice Chairman


Paul D. Holt, III, Secretary