

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
November 2, 2016
7:00 PM

A. CALL TO ORDER

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

B. ROLL CALL

Mr. Holt stated that Ms. Robin Bledsoe is out of town attending to personal business and has requested to participate remotely from Washington, DC. Mr. Holt stated that pursuant to the Commission's adopted policy and consistent with State Code, members present must consider the request for remote participation by a majority vote.

Mr. Rich Krapf made a motion to allow Ms. Bledsoe to participate remotely.

On a roll call vote the Commission voted to allow Ms. Bledsoe to participate remotely (6-0).

Ms. Bledsoe joined the meeting by telephone.

A motion to Approve was made by Rich Krapf, the motion result was Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, Krapf, O'Connor, Richardson, Schmidt, Wright III

Planning Commissioners Present:

Tim O'Connor

Rich Krapf

Chris Basic

John Wright

Heath Richardson

Danny Schmidt

Remote Participation:

Robin Bledsoe

Staff Present:

Paul Holt, Planning Director

José Ribeiro, Senior Planner, II

Roberta Sulouff, Planner

Maxwell Hlavin, County Attorney

C. PUBLIC COMMENT

Mr. O'Connor opened public comment.

As no one wished to speak, Mr. O'Connor closed public comment.

D. CONSENT AGENDA

1. Minutes Adoption - October 5, 2016 Regular Meeting
2. Development Review Committee Action Item: Case No. C-0031-2106, Noland Blvd. AutoZone

Mr. Heath Richardson clarified that as a condition of the DRC approval, the applicant will provide revised elevations that are more consistent with the surrounding development for DRC for approval at a future meeting.

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

The consent agenda was approved by voice vote (7-0).

A motion to Approve was made by Rich Krapf, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, Bledsoe, Krapf, O'Connor, Richardson, Schmidt, Wright III

E. REPORTS OF THE COMMISSION

Mr. Krapf stated that the Policy Committee met twice in October to consider proposed amendments to the Zoning Ordinance.

Mr. Krapf stated that at its meeting on October 4, the Committee took the initial steps to consider amendments to the County's Sign Ordinance. Mr. Krapf further stated that the Committee reviewed draft language to permit mobile food vending vehicles in the B-1, General Business District. Mr. Krapf stated that the Committee discussed the Supreme Court ruling requiring that sign regulations be content neutral and reviewed preliminary revisions to the Sign Ordinance. Mr. Krapf stated that the discussion would continue over the course of several upcoming meetings. Mr. Krapf stated that the Committee also provided feedback to staff on amendments to allow mobile food vending vehicles in the B-1, General Business district in advance of the public meeting.

Mr. Krapf further stated that the Policy Committee met on October 17 to review results of the online survey pertaining to mobile food vending vehicles in the B-1, General Business District, to receive public comment and to provide final feedback to staff. Mr. Krapf stated that the survey was identical to the previous survey and that there was a significant overlap in the affected businesses. Mr. Krapf noted that one individual from the public provided comments not in favor of allowing food trucks in James City County. Mr. Krapf stated that the Committee voted to forward the ordinance amendments to the Planning Commission for consideration.

F. PUBLIC HEARINGS

1. SUP-0014-2016/MP-0002-2016. Warhill Sports Complex Master Plan Amendment

Mr. José Ribeiro, Senior Planner II, presented a report to the Commission on the

request to amend the Special Use Permit and Master Plan for the Warhill Sports Complex to allow the addition of a running center building, a Williamsburg Area Transit Authority (WATA) bus transfer station, the relocation of a proposed indoor sports facility and other minor changes.

Mr. Ribeiro stated that traffic impacts were among the primary concerns. Mr. Ribeiro stated that according to the Traffic Impact Analysis, the intersection of Longhill Road and Warhill Trail currently operates at a Level of Service F during the weekday evening and Saturday peak hours, but operates at acceptable levels during non-peak hours. Mr. Ribeiro stated that the TIA provided several recommendations to remedy the deficiency including signalization or manual traffic control, lengthening of the southbound right-turn lane on Warhill Trail, and potential realignment of the residential driveway west of the intersection to align with Blue Bill Run at the Mallard Hill subdivision. Mr. Ribeiro further stated that while the intersection meets the warrants for a traffic signal during peak hours, it does not meet the warrants at other times. Mr. Ribeiro stated that VDOT does not typically approve traffic signals when only peak hour warrants are met. Mr. Ribeiro stated that one of the SUP conditions would require a traffic management plan to be submitted and reviewed and updated yearly. Mr. Ribeiro stated that the proposed running center and the WATA facility are anticipated to generate higher daily trips during peak hours; however, these facilities will be accessed from Centerville Road. Mr. Ribeiro further noted that an SUP condition has been included to require signage and or pavement markings indicating that the intersections with the residential neighborhoods must not be blocked.

Mr. Ribeiro stated that staff finds the proposal to be compatible with surrounding zoning and development and that it is consistent with the Comprehensive Plan. Mr. Ribeiro stated that on September 21, 2016, the Parks & Recreation Advisory Commission approved the proposed amendments to the Master Plan. Mr. Ribeiro stated that staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors.

Mr. Ribeiro stated that it is also necessary that the Commission make a determination regarding consistency with Section 15.2-2232 of the Code of Virginia which requires that the location of the facility be found to be consistent with the Comprehensive Plan.

Mr. John Carnifax, Director of Parks and Recreation, made a presentation to the Commission to clarify some of the questions and concerns that have come forward. Mr. Carnifax stated that the proposed pool would be used predominantly for high school and local swim team practice and would not generate large traffic impacts. Mr. Carnifax noted that, due to the nature of sports facilities, some traffic delays at peak times will be unavoidable. Mr. Carnifax noted that having the service road open 6 a.m. to 9 p.m. year-round will have a positive effect on the traffic flow. Mr. Carnifax stated that in addition to potential traffic improvements, staff has asked tournament directors to stagger their games since the turnover between games contributes greatly to the traffic delays.

Mr. O'Connor opened the floor to questions from the Commission.

Mr. Wright inquired if any consideration has been given to allowing traffic to enter only from Longhill Road and exit only from Opportunity Way on tournament days. Mr. Carnifax stated that the option has not been discussed; however, staff would be willing to consider it.

Mr. Schmidt inquired if the County has the authority to make the decision to leave the service road open all the time.

Mr. Carnifax stated that Opportunity Way up to Wanner Stadium is maintained by VDOT; however, the County has the authority to open and close the service road as necessary.

Mr. Wright inquired if the County would need to bring the service road up to VDOT standards.

Mr. Carnifax stated that improvements are not needed at this time; however, maintenance will be needed in the future as the road is used more. Mr. Carnifax noted that the intent is to keep this a road for park users entering or exiting the park and not a general thoroughfare. Mr. Holt noted that because the service road is a private right-of-way it would be possible for the County to establish traffic calming measures to address speed concerns.

Mr. Richardson inquired about an extra southbound right turn lane on Warhill Trail and how it might mitigate traffic flow.

Mr. Steve Schmidt, Timmons Group, stated that lengthening the turn lane would allow right-turning traffic to get past the vehicles stacked for the left turn lane.

Mr. Danny Schmidt inquired if thought had been given to providing an acceleration lane on Longhill Road for the right-turning traffic to address sight distance concerns.

Mr. Steve Schmidt stated that consideration has been given to moving the stop bar forward to address the concern. Mr. Schmidt noted that consideration was not given to the acceleration lane due to the residential drive immediately adjacent to the intersection. Mr. Schmidt further stated that the future widening of Longhill Road would negate any lane improvements done on Longhill Road.

Mr. Basic inquired about the rationale for potentially delaying the road improvement specified in SUP Condition #4.

Mr. Holt stated that it would depend on if the Board of Supervisors funded the work in the CIP.

Ms. Bledsoe inquired when the next traffic impact analysis would be conducted.

Mr. Ribeiro responded that a traffic study will be required within five years of approval of the SUP.

Ms. Bledsoe inquired about the expectations for the Traffic Management Plan.

Mr. Ribeiro stated that the intent is to ensure that the traffic impacts are reviewed on a yearly basis and steps are taken to address the issues.

Mr. Holt noted that the Traffic Management Plan would allow for proactive planning for manual traffic control such as having police officers direct traffic at peak times until a time when permanent measures are fully warranted.

Ms. Bledsoe inquired why peak hour impacts are not sufficient to warrant a traffic signal.

Mr. Steve Schmidt stated that traffic signals have both benefits and consequences. Mr. Schmidt stated that one of the consequences is stopping through traffic. Mr. Schmidt stated that VDOT typically will not approve a traffic signal unless it is warranted throughout the entire course of the day. Mr. Schmidt stated that the possibility of installing a signal to operate only at peak hours and flash during off-peak times was discussed; however, VDOT was not inclined to approve that option at this time.

Mr. Wright inquired about the timeframe for construction of the running center, community gym and WATA facility. Mr. Carnifax stated that none of the projects are currently funded; however, the County is pursuing private partnership options for constructing the running center and community gym.

Mr. Josh Mohr, Deputy Executive Director of WATA, stated that WATA is currently working to fund the project and that it could be in their budget as early as FY 18. Mr. Mohr stated that it would be at least four years until construction begins. Mr. Holt noted that the SUP would limit bus access to using only Opportunity Way and that no busses would use Warhill Trail.

Mr. Richardson inquired whether the locality could fund and install a signal without VDOT concurrence.

Mr. Holt stated that VDOT would have to approve the signal.

Mr. Basic requested elaboration on the traffic management plan. Mr. Carnifax stated that the plan would include having an officer direct traffic at Warhill Trail during peak hours, striping if approved, at the intersections with Mallard Hill, opening the service road for a set time every day and staggering use of the fields for tournaments and practices.

Mr. Carnifax noted that many of the items are budgetary items and will require financial resources. Mr. O'Connor opened the public hearing.

Mr. Gregory Carpenter, 5516 N. Mallard Run, addressed the Commission on concerns about the traffic that would be generated by the WATA transfer station. Mr. Carpenter inquired why the transfer station was needed in that location. Ms. Vicky Schmidt, 5513 N. Mallard Run addressed the Commission on concerns about additional traffic and excessive speed. Ms. Schmidt requested that the County consider options for traffic calming measures on Warhill Trail.

LTC (RET) Stephen Slyfield, 5509 S. Mallard Run, addressed the Commission on the need for a traffic signal, traffic calming measures and improvement of sight distance.

Mr. James Prins, 8317 Barons Court, addressed the Commission on behalf of the Longhill Gate Homeowners Association. Mr. Prins expressed concerns about alignment of the intersection including the single center turn lane on Longhill Road, and conflicts with turning movements into and out of the subdivision and the Warhill Sport Complex. Mr. Prins noted that painting lines for the turning paths reduce some of the safety issues. Mr. Prins further noted that aligning the entrance for Longhill Gate with the

entrance for the Sports Complex was done in 1999 in support of meeting the warrants for a traffic signal. Mr. Prins requested that the County use its influence with VDOT to have the traffic signal included in the plans for the Longhill Road improvements.

Mr. James Gable, 4808 Blue Bill Run, addressed the Commission on concerns about traffic impacts once all the features included in the existing Master Plan are built out. Mr. Gable noted that the peak traffic is heavier later in the summer than the times chosen for the traffic analysis.

Mr. Christopher Owens, 5533 Swan Road, addressed the Commission on concerns about speeding issues, traffic volume and the level of service at the intersection. Mr. Owens noted that a traffic signal is the only way to truly resolve issues at the intersection. Mr. Owens further noted that the service road should be open at all time the Warhill Sports Complex is open. As no one further wished to speak, Mr. O'Connor closed the public hearing.

Mr. O'Connor opened the floor for discussion by the Commission.

Mr. Krapf inquired if the safety concern about the single left turn lane was examined during the traffic impact analysis or during staff review. Mr. Holt stated that the crash data was considered. Mr. Holt further stated that when the entrance was realigned, it was done to VDOT standards in terms of the geometry.

Mr. Steve Schmidt stated that the crash data for the five years between 2010 and 2015 was reviewed and that ten crashes occurred within 200 feet of the intersection. Mr. Schmidt noted that eight involved vehicles and two involved pedestrians. Mr. Schmidt stated that staff also reviewed the police reports to determine what common factors might exist. Mr. Schmidt stated that based on the police reports, the common left turn lane was not the cause of the crashes.

Mr. Wright inquired where VDOT maintenance ends on Warhill Trail.

Mr. Holt stated that VDOT maintenance extends to the roundabout at the soccer fields.

Mr. Wright inquired if VDOT approval would be required for traffic calming measures on Warhill Trail.

Mr. Holt confirmed.

Mr. O'Connor requested that Mr. Mohr address the question on the need for the WATA transfer facility at that location.

Mr. Mohr stated that the previous transfer center was at the old Outlet Mall. Mr. Mohr stated that WATA was able to negotiate a temporary location in the Wal-Mart area. Mr. Mohr emphasized that the current location could not be permanent. Mr. Mohr stated that the facility at the Warhill Sports Complex would provide a safer place for passengers to transfer from one bus to another or wait for a connection. Mr. Mohr stated that WATA hoped that the new facility would be staffed to answer questions and sell passes.

Mr. Schmidt stated that he supports the option of having the service road open every day. Mr. Schmidt further stated that he would recommend that staff look at providing

additional signage indicating that the road is open. Mr. Richardson stated that the Warhill Sports Complex was planned and built to allow for growth and additional future facilities.

Mr. Richardson stated that he understand VDOT's position on the signalization of the intersection; however, he believes that making the intersection less stressful to negotiate would benefit the individuals who must negotiate the intersection to use the Sports Complex.

Mr. Schmidt stated that he would support considering traffic calming measures for Warhill Trail, particularly in the area where pedestrians cross.

Mr. Krapf noted that there are really only two items being added to the Master Plan, the WATA Transfer Station and the running Center. Mr. Krapf stated that he would support the Master plan amendment. Mr. Krapf stated that he appreciated the efforts of staff in crafting the SUP conditions and addressing the concerns brought forward at the previous meeting.

Mr. Basic stated that he believes that expanding the Warhill Sports Complex will be beneficial and that the central location is essential. Mr. Basic further stated that he does not believe the timing of the next traffic impact analysis should be tied to build out of certain facilities because the County is growing and will be drawing more users whether there are new facilities or not. Mr. Basic stated that he is prepared to support the application; however, the Commission, the Board and the community need to work together to address the traffic issues before the facilities are constructed.

Mr. Wright stated that he can support the application which will allow for additional facilities at a future date; however, it appears that there is already a situation with traffic and safety that needs to be addressed more immediately by the Police Department.

Ms. Bledsoe stated that she concurs that there are two separate issues with the expansion of the park and the existing traffic concerns. Ms. Bledsoe stated that she is concerned that allowing the expansion of the Warhill Sports Complex will compound the existing problem. Ms. Bledsoe stated that she has concerns about approving the application due to the existing traffic concerns.

Mr. O'Connor stated that the amendments do not constitute a major expansion and that he could support the application.

Mr. Holt noted that Section 15.2-2232 of the Code of Virginia states, in part, that no public building or public structure be constructed or authorized unless the Planning Commission finds the location of the proposed facility "substantially" consistent with the adopted Comprehensive Plan.

Mr. Holt stated that the Commission would need to make a finding of consistency prior to voting on the SUP and Master Plan Amendment.

Mr. Basic made a motion to find the location of the proposed facilities consistent with the Comprehensive Plan.

On a roll call vote the Commission voted to find the location of the facilities consistent with the Comprehensive Plan and adopt the associated resolution (6-1). Ayes: Schmidt,

Richardson, Basic, Wright, Krapf, O'Connor. Nay: Bledsoe.

A motion to Confirm was made by Chris Basic, the motion result was Passed.

AYES: 6 NAYS: 1 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, Krapf, O'Connor, Richardson, Schmidt, Wright III

Nays: Bledsoe

A motion to Confirm was made by Chris Basic, the motion result was Passed.

AYES: 0 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Mr. Krapf made a motion to recommend approval of the SUP and Master Plan Amendment.

On a roll call vote the Commission voted to recommend approval of SUP-0014-2016/MP-0002-2016, Warhill Sports Complex Master Plan Amendment (6-1). Ayes: Schmidt, Richardson, Basic, Wright., Krapf, O'Connor. Nay: Bledsoe

A motion to Approve was made by Rich Krapf, the motion result was Passed.

AYES: 5 NAYS: 1 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, O'Connor, Richardson, Schmidt, Wright III

Nays: Bledsoe

2. SUP-0015-2016. Lafayette High School Auxiliary Gym

Ms. Roberta Sulouff, Planner I, presented a report to the Commission on the request for a Special Use Permit to allow the construction of an auxiliary gym at Lafayette High School. Ms. Sulouff stated that the application, if approved, would permit the construction of an approximately 10,000 square foot auxiliary gymnasium and associated infrastructure. Ms. Sulouff stated that Lafayette High School did not require an SUP when it initially opened; however, the school site was rezoned to the Public Land District in 2007, where schools are a specially permitted use. Ms. Sulouff stated that while the school is a legally nonconforming use, an SUP is required for any expansion. Ms. Sulouff further stated that the SUP would also bring the existing school use into conformance with the Zoning Ordinance and allow for the improvements to the property. Ms. Sulouff stated that Section 15.2-2232 of the Code of Virginia states, in part, that no public building or public structure be constructed or authorized unless the Planning Commission finds the location of the proposed facility "substantially" consistent with the adopted Comprehensive Plan. Ms. Sulouff stated that the Comprehensive Plan designates the Lafayette site as Federal, State and County land. Ms. Sulouff further stated that staff finds the proposed improvements consistent with the Comprehensive Plan as they are accessory to a recommended land use. Ms. Sulouff stated that staff recommends that the Commission adopt the resolution finding the location of proposed facility consistent with Section 15.2-2232 of the Code of Virginia and recommend approval of the Special Use Permit to the Board of Supervisors.

Mr. O'Connor opened the public hearing.

As no one wished to speak, Mr. O'Connor closed the public hearing.

Mr. O'Connor opened the floor for discussion by the Commission.

Mr. Richardson made a motion to find the location of proposed facility consistent with the Comprehensive Plan and to adopt the resolution.

On a roll call vote the Commission voted to find the location of the facility consistent with the Comprehensive Plan and adopt the associated resolution (7-0).

A motion to Approve was made by Heath Richardson, the motion result was Passed.
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Basic, Bledsoe, Krapf, O'Connor, Richardson, Schmidt, Wright III

Mr. Richardson made a motion to recommend approval of SUP-0015-2016. On a roll call vote, the Commission voted to recommend approval of SUP-0015-2016, Lafayette High School Auxiliary Gym (7-0).

A motion to Confirm was made by Heath Richardson, the motion result was Passed.
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Basic, Bledsoe, Krapf, O'Connor, Richardson, Schmidt, Wright III

3. ZO-0013-2016. Zoning Ordinance Amendments to Permit Mobile Food Vending Vehicles (Food Trucks) in the B-1, General Business District

Ms. Roberta Sulouff provided a report to the Commission on the Zoning Ordinance amendments to permit mobile food vending vehicles in the B-1, General Business District. Ms. Sulouff stated that on September 27 the Board of Supervisors adopted an initiating resolution for the consideration of amendments to allow food trucks to operate in B-1, General Business District. Ms. Sulouff stated that the additional amendments were an expansion of the work done to develop performance standards for mobile food vending vehicles and allow them to operate in the M-1, M-2, PUC-C and PL Districts. Ms. Sulouff stated that the Policy Committee met twice in October to consider draft language. Ms. Sulouff stated that staff incorporated feedback from those meetings as well as the results of the Business Community Survey and feedback from the public meeting in the draft ordinance. Ms. Sulouff stated that no changes to the performance standards are proposed; only amendments to make mobile food vending vehicles a permitted use in the B-1 District. Ms. Sulouff stated that staff recommends that the Commission recommend approval of the amendments to the Board of Supervisors.

Mr. O'Connor opened the floor for questions from the Commission.

Mr. Richardson inquired when the Board of Supervisors would consider the amendments.

Ms. Sulouff stated that the ordinance amendments would be considered by the Board at their December meeting.

Mr. Wright inquired about who would be required to give permission to use the property in the instance of a shopping center where the storefronts are leased.

Ms. Sulouff stated that only the owner of the shopping center would be required to give permission.

Mr. Holt clarified that where there are restaurants on outparcels, those parcels are often subdivided out. Mr. Holt noted that food trucks would not be able to operate within 100

feet of any off-site restaurant.

Ms. Bledsoe commended staff and the Policy Committee for their efforts in moving the ordinance amendments forward.

Mr. O'Connor opened the public hearing.

Mr. Tim Harris, 117 Argall Town Lane, representing the Economic Development Authority, addressed the Commission in support of the amendments. Mr. Harris noted that the amendments put the County on competitive footing with adjacent localities. Mr. Harris further noted that food trucks are important amenity for younger residents. Mr. Harris stated that food trucks support the growing craft brewery industry and will help the County grow as a food destination by encouraging new and innovative food offerings.

As no one further wished to speak, Mr. O'Connor closed the public hearing.

Mr. O'Connor opened the floor for discussion by the Commission.

Mr. Krapf made a motion to recommend approval of the ordinance amendments.

Mr. Wright stated that he supported food trucks in the M-1, M-2, PUD-C and PL district to allow these businesses an opportunity to grow. Mr. Wright further stated that he believed allowing food trucks in the B-1 District would disadvantage the existing brick and mortar restaurants which have higher operational costs. Mr. Wright stated that he would not support the amendments.

Mr. Schmidt stated that he is supportive of the current amendment but would be hesitant to support further amendments until enough time passes to evaluate the impact of the current amendments.

Ms. Bledsoe noted that craft breweries cannot sell food and that as the industry grows in James City County, being able to provide food trucks in the B-1 District will be very important. Ms. Bledsoe stated that she supports the amendments.

Mr. O'Connor stated that he sees food trucks as a complimentary use and not competitive to brick and mortar restaurants as each fills a different niche.

On a roll call vote, the Commission voted to recommend approval of ZO-0013-2016. Zoning Ordinance Amendments to Permit Mobile Food Vending Vehicles (Food Trucks) in the B-1, General Business District (6-1). Ayes: Schmidt, Richardson, Basic, Bledsoe, Krapf, O'Connor. Nay: Wright.

A motion to Approve was made by Rich Krapf, the motion result was Passed.

AYES: 6 NAYS: 1 ABSTAIN: 0 ABSENT: 0

Ayes: Basic, Bledsoe, Krapf, O'Connor, Richardson, Schmidt

Nays: Wright III

G. PLANNING COMMISSION CONSIDERATIONS

1. ZO-0014-2016, Initiation of Consideration of Amendments to the Sign Ordinance

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - November 2016

Mr. 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

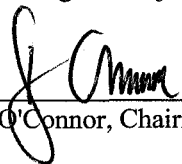
Mr. O'Connor noted that Mr. Wright would serve as the Planning Commission representative to the Board of Supervisors for the month of November.

Mr. Wright stated that he would be available to attend the first meeting but not the second meeting. Mr. Wright noted that he would arrange for one of the other Commissioners to cover the second meeting.

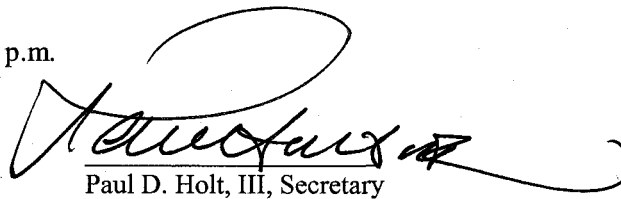
J. ADJOURNMENT

Mr. Wright made a motion to adjourn.

The meeting was adjourned at approximately 8:50 p.m.



Tim O'Connor, Chairman



Paul D. Holt, III, Secretary