

**MINUTES**  
**JAMES CITY COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg VA 23185**  
**February 7, 2018**  
**7:00 PM**

**A. CALL TO ORDER**

Mr. Rich Krapf called the meeting to order at 7:00 p.m.

**B. ROLL CALL**

Planning Commissioners Present:

Rich Krapf  
Tim O'Connor  
Heath Richardson  
Danny Schmidt  
Jack Haldeman

Absent:

Frank Polster

Staff Present:

Paul Holt, Director of Community Development and Planning  
Scott Whyte, Senior Landscape Planner  
José Ribeiro, Senior Planner  
Savannah Pietrowski, Senior Planner  
Max Hlavin, Assistant County Attorney

Mr. Krapf asked Mr. John Wright to join him at the podium for a presentation.

Mr. Krapf stated that John Wright's term on the Planning Commission ended on January 31, 2018 after four years of service. Mr. Krapf stated that Mr. Wright was both a colleague and a friend and that his advice and counsel would be missed. Mr. Krapf stated that the Commission wished to recognize Mr. Wright's service and contributions with a Resolution of Appreciation.

Mr. Krapf read the Resolution of Appreciation:

WHEREAS, Mr. John Wright, III, has served the citizens of James City County as a member of its Planning Commission from January 2014 to January 2018; and

WHEREAS, Mr. Wright served as Vice Chairman of the Planning Commission in 2016; and

WHEREAS, Mr. Wright has served on the Policy Committee and the Development Review Committee; and

WHEREAS, Mr. Wright served as the Chairman of the 2015 Policy Committee; and

WHEREAS, during Mr. Wright's service, the Planning Commission reviewed substantive updates to the Zoning Ordinance and Subdivision Ordinance and considered numerous legislative development cases; and

WHEREAS, Mr. Wright actively participated in the update to the Comprehensive Plan: *Toward 2035: Leading the Way*; and

WHEREAS, Mr. Wright is a graduate of the Virginia Tech Certified Planning Commissioner Program.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, does hereby extend its sincere appreciation to MR. JOHN WRIGHT, III.

BE IT FURTHER RESOLVED that the Planning Commission wishes to express its gratitude to Mr. Wright for his time of dedicated service to the citizens of James City County.

Mr. John Wright stated that when he applied to serve on the Commission, he was surprised at the depth of the issues before the Commission. Mr. Wright stated that while Commissioners may not have always voted unanimously, each voted in accordance with their conscience. Mr. Wright expressed appreciation for his colleagues and staff. Mr. Wright asked the Commission to ensure a legacy for future generations through well considered land use decisions.

#### **C. PUBLIC COMMENT**

Mr. Krapf opened Public Comment.

Mr. Jay Everson, 103 Branscome Blvd., addressed the Commission regarding the Capital Improvements Program (CIP) requests submitted by the Williamsburg-James City County (WJCC) Schools. Mr. Everson stated that while the County is still growing, it is not growing to the extent that additional classroom space would be needed in the next ten years. Mr. Everson noted that the WJCC Schools Strategic Plan has not been coordinated with the County's Strategic Plan. Mr. Everson noted that this was most evident with the concerns over the Lafayette Gym. Mr. Everson stated that the WJCC Schools have not prioritized their needs as required by the Comprehensive Plan. Mr. Everson further stated that the data provided in support of the CIP applications is inaccurate.

As no one else wished to speak, Mr. Krapf closed Public Comment.

#### **D. REPORTS OF THE COMMISSION**

Mr. Krapf stated that the Development Review Committee (DRC) met on January 24, 2018 to consider Case No. SP-0130-2017, Berkeley's Green Recreation Area Amendment. Mr. Krapf stated that the applicant requested to convert one of two existing tennis courts to a basketball court and convert the existing basketball court to a picnic/recreation area. Mr. Krapf stated that Planning Commission approval is required because of two Special Use Permit (SUP) conditions. Mr. Krapf stated that the DRC agreed that the requested changes did not change the basic concept or character of the Berkeley's Green development and that it did not decrease the number of recreational amenities. Mr. Krapf stated that the DRC voted to recommend approval of the changes. Mr. Krapf noted that the Commission would vote on this matter on the Consent Agenda.

Mr. Jack Haldeman stated that the Policy Committee met on January 11, 2018. Mr. Haldeman stated that staff provided an overview and timeline for the upcoming CIP process and that the initial packets would be available for review by January 19. Mr. Haldeman further stated that the Board of Supervisors denied the Commission's recommendations to amend the homestay ordinance. Mr. Haldeman stated that the Board prefers to treat homestays as SUPs. Mr. Haldeman stated that the matter is tentatively scheduled for the Commission's next Work Session with the Board. Mr. Haldeman stated that the Committee reviewed the work to date for the first two phases of the Pocahontas trail corridor study. Mr. Haldeman stated that the goal of this study is to reassess the corridor, establish a vision for the corridor, and explore alternative concepts for improvements. Mr. Haldeman stated that the corridor handles 10,000 vehicles per day and does not have much room for widening. Mr. Haldeman stated that the consultant has drafted three potential options to address safety, congestion, drainage and connectivity. Mr. Haldeman stated that the Steering Committee would meet on January 18 and a public workshop would be held on January 24. Mr. Haldeman stated that the final report would be issued in May in time for a funding opportunity in June.

#### **E. CONSENT AGENDA**

1. Minutes of the December 6, 2017 Regular Meeting
2. Development Review Committee Action Item: Case No. SP-0130-2017, Berkeley's Green Recreation Area Amendment

Mr. Krapf stated that it would be necessary for a Commissioner to request that the Consent Agenda be amended to include a vote on the Resolution of Appreciation for Mr. John Wright.

Mr. Richardson made a motion to include the Resolution of Appreciation for Mr. John Wright in the Consent Agenda.

On a voice vote the Commission voted to include the Resolution of Appreciation for Mr. John Wright in the Consent Agenda. (5-0)

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

On a voice vote the Commission voted to approve the Consent Agenda. (5-0)

#### **F. PUBLIC HEARINGS**

1. ZO-0003-2017 and SO-0001-2017. Zoning Ordinance and Subdivision Ordinance Amendments for Streetscapes

A motion to Approve was made by Danny Schmidt, the motion result was Passed.

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

Ayes: Haldeman, Krapf, O'Connor, Richardson, Schmidt

Absent: Polster

Mr. Scott Whyte, Senior Landscape Planner, stated that the County's Streetscape Guidelines Policy was first adopted by the Board of Supervisors in 1999 and was amended in 2004 and 2010. Mr. Whyte stated that the Policy was first proposed as a result of the 1997 Comprehensive Plan recommendation and subsequent Zoning Ordinance revisions with a goal to establish or preserve a tree canopy along residential streets and to achieve a 20% canopy

coverage within a 20-year period.

Mr. Whyte stated that since that time, the Streetscape Policy elements have been incorporated into the Community Appearance Guide, the Toano, Five Forks and New Town design guidelines and have been supported in all revisions of the Comprehensive Plan. Mr. Whyte stated that most major subdivisions since 1999 that were approved via either an SUP or proffered rezoning also implemented the Streetscape Policy. Mr. Whyte stated that the Policy has worked very well since it was created, with slight revisions made in 2004 and 2010.

Mr. Whyte stated that in 2016, the Virginia General Assembly approved legislation which fundamentally changed the conditional zoning system in the Commonwealth of Virginia. Mr. Whyte stated that as a result, the County no longer accepts proffers for new residential rezoning applications or the residential component of multi-use rezoning applications. Mr. Whyte stated that on September 14, 2017, the Policy Committee met to discuss initial planning for policies and Ordinance amendments to address the topic. Mr. Whyte stated that at the meeting, the Committee expressed interest in retaining the existing adopted Streetscape Guidelines Policy to serve as the guide for major subdivisions which have either proffered or conditioned streetscape improvements per the adopted Policy. Mr. Whyte stated that the Committee also expressed interest in having staff create a draft of the Streetscape Policy as an Ordinance requirement. Mr. Whyte stated that this would enable staff to require street trees within all major subdivisions. The Ordinance is modeled after York County's street tree Ordinance which has been in existence for a long time and retains many elements of the existing Streetscape Guidelines Policy.

Mr. Whyte stated that the draft Subdivision Ordinance language adds submission of a landscape plan to the list of preliminary plan submittal requirements and creates a new section that lists the standards and specifications for street trees in major subdivisions. Mr. Whyte stated that the draft Zoning Ordinance language creates a new section that lists standards and specifications for street trees in multi-family and apartment developments, or areas of multi-family or apartment units within a larger development. Mr. Whyte stated that the existing Streetscape Guidelines Policy would be retained to serve as the guide for past development cases which have either proffered or conditioned streetscape improvements per the adopted policy.

Mr. Haldeman inquired about the difference in the tree standard between a 2.5 inch caliper and a 1.5 inch caliper.

Mr. Whyte stated that the 1.5 inch caliper trees experience less shock when transplanted and establish more quickly.

Mr. Haldeman inquired if the tree canopy would be achieved more quickly.

Mr. Whyte stated that it was more a matter of improved survival rate.

Mr. Krapf opened the Public Hearing.

As no one wished to speak, Mr. Krapf closed the Public Hearing.

Mr. Krapf noted that the Commission would need to vote on the Subdivision Ordinance amendment and the Zoning Ordinance Amendment separately.

Mr. Richardson made a motion to recommend approval of the Zoning Ordinance amendments.

On a roll call vote, the Commission voted to recommend approval of ZO-0003-2017. (5-0)

Mr. Schmidt made a motion to recommend approval of the Zoning Ordinance amendments.

On a roll call vote, the Commission voted to recommend approval of SO-0001-2017. (5-0)

2. Z-0003-2017/HW-0004-2017. Oakland Pointe

A motion to Postpone was made by Heath Richardson, the motion result was Passed.

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

Ayes: Haldeman, Krapf, O'Connor, Richardson, Schmidt

Absent: Polster

Mr. José Ribeiro stated that Mr. Timothy Trant, on behalf of Connelly Development, has applied to rezone approximately 14.5 acres of land located at 7581 Richmond Road, from A-1, General Agricultural to R-5, Multi-family residential for the purpose of constructing up to 126 apartment units.

Mr. Ribeiro stated that the Master Plan shows the 126 apartment units arranged on the site in five buildings with a sixth building proposed as a clubhouse. Mr. Ribeiro stated that recreation facilities will be located at the southern and eastern part of the property with hard and soft trails providing connectivity throughout the site. Mr. Ribeiro stated that the project is located on a Community Character Corridor and thus requires a 150-foot buffer along the Richmond Road frontage of the property. Mr. Ribeiro stated that buffers along the perimeter of the site are also provided in accordance with the requirements of the Zoning Ordinance. Mr. Ribeiro stated that the project also includes the construction of a sidewalk and a shoulder bike lane along the Richmond Road frontage of the property. Mr. Ribeiro stated that the Master Plan shows a sidewalk connecting across the adjacent property, Crosswalk Church, allowing pedestrians access to the Richmond Road intersection with Croaker Road and Pricket Road.

Mr. Ribeiro stated that the project proposes a net density of 9.75 units per acre. The project proposes to achieve the required one bonus density point this by committing to green building techniques, specifically through the Earth Craft Gold certification.

Mr. Ribeiro stated that a Traffic Impact Study was prepared for this development which analyzed physical improvements to mitigate the increase in traffic on local roads. Mr. Ribeiro stated that the traffic study examines projected build-out in year 2025 level of service (LOS) information for three intersections. Mr. Ribeiro stated that the Richmond Road/Croaker Road/Pricket Road Intersection, the eastbound left, which would handle the U-turns for westbound travelers, as compared with a no-build scenario, shows the LOS worsening in the A.M. peak hour from a "D" to an "E" and staying the same in the P.M. peak hour at LOS "E". Mr. Ribeiro stated that the study also examined adjustments to the signal timing at this intersection to optimize its function and, if done, could result in maintaining the eastbound left at a LOS "D" in the A.M. peak hour. Mr. Ribeiro stated that staff notes that for the traffic on Oakland Drive leaving the subdivision and turning left onto westbound Route 60, the LOS will also worsen from an acceptable LOS "C" to an unacceptable LOS "D" in the P.M. peak hour.

Mr. Ribeiro stated that on February 7, 2018, the Virginia Department of Transportation (VDOT) issued comments regarding the revised Traffic Impact Study and that an additional physical improvement is recommended: the installation of a Restricted Crossing U-Turn (RCUT) on the median at the intersection of Richmond Road and Oakland Drive. Mr. Ribeiro stated that this improvement is not currently shown on the master plan and the easement agreement.

Mr. Ribeiro stated that the applicant is proposing to fully meet most Parks and Recreation

Development Guidelines; however, the applicant is requesting an exception to the guidelines for the multi-use field and the courts/pools items. Mr. Ribeiro stated that Planning and Parks and Recreation staff are receptive to this request; however, the waiver must be approved by the Board of Supervisors.

Mr. Ribeiro stated that in order to address stormwater issues the applicant is proposing to upgrade the existing pond on the property and include the provision of three forebays to address on-site and off-site drainage. Mr. Ribeiro stated that staff from Stormwater & Resource Protection has reviewed this application and supports the proposed improvements.

Mr. Ribeiro stated that since Proffers are no longer accepted for residential rezoning's, in order to mitigate the impacts of this development and provide public benefits assurances to comply with the Board of Supervisors adopted policies, the applicant is proposing to address impact with a combination of notes on the master plan, through stated intention in the Community Impact Statement and through a proposed Easement Agreement with the County. Mr. Ribeiro stated that the proposed development includes a number of favorable aspects. Mr. Ribeiro stated that the proposed development's density is within the range recommended for lands designated Moderate Density Residential (MDR) by the adopted Comprehensive Plan. Mr. Ribeiro further stated that central to the MDR language is that development at this density is not recommended unless it offers particular public benefits. Mr. Ribeiro stated that the applicant is proposing to offer public benefits such as commitment to affordable housing and enhanced environmental protection.

Mr. Ribeiro stated that that the County Attorney's office has determined that the Easement Agreement is legal and would be binding. Mr. Ribeiro stated that with the exception of the worsening LOS at the eastbound left turn at the Richmond Road/Croaker Road/Pricket Road intersection in the A.M. peak hour and the northbound left at the Richmond Road at Oakland Drive intersection in the P.M. peak hour, staff finds the requirements of the Easement Agreement, along with the binding Master Plan would mitigate impacts from this development. Mr. Ribeiro stated that staff notes that the recent comment from VDOT to install a RCUT on the median at the intersection of Richmond Road and Oakland Drive will likely create additional impacts to the Richmond Road/Croaker Road intersection which have not been yet analyzed by this Traffic Impact Study.

Mr. Ribeiro further stated that staff notes that without knowing whether or not the Board of Supervisors will enter into an Easement with the developer, and without the applicant being able to mitigate impacts otherwise, staff cannot recommend approval of this application.

Mr. Krapf opened the floor for questions from the Commission.

Mr. Haldeman inquired if staff not being able to recommend approval is the same as recommending denial.

Mr. Ribeiro stated that it is the same.

Mr. Richardson inquired where the RCUT would be placed.

Mr. Ribeiro stated that it would be placed in the median.

Mr. O'Connor inquired if the Oakland neighborhood was aware of the potential impacts of the RCUT.

Mr. Ribeiro stated that they had not yet had the opportunity to see the proposal.

Mr. Schmidt inquired how the RCUT would operate.

Mr. Ribeiro stated that traffic coming from Oakland Drive would no longer be able to turn left and would have to turn right to use the RCUT to then turn left.

Mr. Richardson inquired if there was a graphic available for the RCUT.

Mr. Holt stated that one would be located.

Mr. O'Connor inquired about the data provided on the school impacts from the Station at Norge which is a similar complex nearby.

Mr. Ribeiro stated that the development generates 73 school children with the breakout being three pre-school, 29 elementary school, 22 middle school and 15 high school, and four special needs students.

Mr. O'Connor inquired if the easement agreement would be a satisfactory instrument to remedy any concerns.

Mr. Max Hlavin, Assistant County Attorney, stated that a proffer would provide more enforcement opportunities than an easement agreement. Mr. Hlavin stated that the easement agreement would be enforced in equity through the court system where proffers would provide flexibility to enforce during development plan approval.

Mr. Krapf called for disclosures from the Commission.

Mr. Krapf stated that he spoke with the applicant by telephone.

Mr. Haldeman, Mr. Schmidt, Mr. O'Connor and Mr. Richardson stated that they spoke with the applicant's attorney.

Mr. Richardson further stated that he had an email exchange with a resident of the Oakland neighborhood.

Mr. Krapf opened the Public Hearing.

Mr. Tim Trant, Kaufman & Canoles, PC, 4801 Courthouse Street, representing the applicant, stated that due to the recent recommendation from VDOT, the applicant wished to request a deferral to the Commission's March meeting to allow sufficient time for everyone to become familiar with the proposed road improvements and discuss other workable solutions for the intersection.

Mr. Trant introduced the development team and turned the presentation over to Mr. Kevin Connelly, President of Connelly Development.

Mr. Connelly provided an overview of the proposed development. Mr. Connelly provided an overview of the company including their history and reputation. Mr. Connelly further provided an overview of the development including proposed elevations, photos of other similar developments and details on how the community is maintained. Mr. Connelly noted that the tax credit program the company uses to allow them to offer affordable housing is a time tested public private partnership with a number of well-known partners. Mr. Connelly assured the Commission the development would be a quality product.

Mr. Trant addressed the Commission on the need for affordable housing providing statistics on the various levels of income which would qualify for affordable housing which includes teachers, firefighters and other service workers. Mr. Trant noted that HUD defines a cost

burdened family as one that pays more than 30% of its income for housing. Mr. Trant further noted that the Area Median Income (AMI) is an important measure for determining affordable housing. Mr. Trant stated that the AMI for James City County is approximately \$73,000 and that a single parent of two children on a teacher's salary is below 60% AMI. Mr. Trant provided an overview of the rental price points for the project based on AMI. Mr. Trant noted that the information on the need for affordable housing is all derived from County studies. Mr. Trant further noted that lack of affordable housing costs the community with increased commuting traffic, high turnover in employment and less consumer demand to support the local economy. Mr. Trant noted that the Low Income Housing Tax Credit (LIHTC) process is a time tested partnership to provide affordable housing, Mr. Trant noted that the award of LIHTC funds is a competitive process and is based on value provided and need. Mr. Trant provided a brief overview of alternate traffic improvements that would have similar benefits to the RCUT.

Mr. Richardson inquired about the requirements for taking advantage of the tax credits.

Mr. Trant stated that the LIHTC is a funding/financing mechanism with Virginia Housing Development Authority (VHDA) purchasing bonds to assist developers with the purchase of property and construction of low-income housing in accordance with very strict criteria. Mr. Trant stated that the tax credits were then issued over a period of time, which can then be sold to one of the major corporations to offset the corporation's tax bill. Mr. Trant stated that this program allows the developer afford to build a better quality product at a price that can be rented as workforce housing.

Mr. Richardson inquired if the County's criteria for low-income housing was on par with other areas in the Commonwealth.

Mr. Trant stated that the County's Neighborhood Development and Housing divisions are very committed to providing needed workforce housing opportunities in the community. Mr. Trant further stated that the County is very much in line with state and federal policies.

Mr. O'Connor inquired about alternatives to the RCUT.

Mr. Dexter Williams, DRW Consultants, stated that VDOT has adopted a policy based on federal regulations for alternative intersection improvements.

Mr. Williams stated that the RCUT is designed for use on high speed median divided highways. Mr. Williams stated that the speed limit on Route 60 is 45 mph which would not be considered a high speed highway. Mr. Williams stated that the road also does not have high through-traffic volumes. Mr. Williams stated that the RCUT is more than is needed to address the anticipated traffic impacts.

Mr. Trant provided an overview of a preferred solution which would provide improvements to the existing intersection to maintain the LOS and increase safety. Mr. Trant stated that these improvements are consistent with other intersections nearby. Mr. Trant stated that the applicant believes this proposal to be a better option than the RCUT and will need to work through the process with VDOT to come to an agreement. Mr. Trant stated that if the Commission grants the deferral, he applicant should be able to return with some concurrence from VDOT on the proposed solution.

Mr. O'Connor inquired if the intersection at LaGrange Parkway and traffic volume was truly consistent with the anticipated traffic at Oakland Drive.

Mr. Williams stated that the example intersection actually handles almost double the volume anticipated for Oakland Drive.



Mr. Krapf stated that since the applicant has requested to defer the application, the Commission must vote either to grant the deferral or forward the application on to the Board of Supervisors with a recommendation of approval or denial. Mr. Krapf stated that the Public Hearing would be opened and speakers would have the option of addressing the Commission at this meeting; however, those speaking at this meeting would not be able to speak again at the March meeting if the postponement is granted. Mr. Krapf noted that all comments will be recorded as part of the public record for the meeting where they are made. Mr. Krapf opened the Public Hearing.

Ms. Lisa Marston, 185 Heritage Point, owner of the subject parcel, addressed the Commission in favor of the proposal. Ms. Marston noted that provision of affordable housing is prominent in many County policy and guidance documents. Ms. Marston further noted the lack of affordable housing units in the County, particularly in the area where Oakland Pointe would be located. Ms. Marston noted that the County workforce is increasingly service oriented and that the availability of affordable housing is not meeting the need. Ms. Marston noted that lack of workforce housing affects the success of local business who have a difficult time attracting and retaining employees. Ms. Marston stated that the Marston family has held the subject property since 1907 and believes that the Oakland Pointe development would be an excellent use of the property. Ms. Marston further stated that this project takes only a small portion of the parcel and would leave over 220 acres still undeveloped to retain the rural character of the area. Ms. Marston requested that the Commission recommend approval of the application.

Mr. Tom Hitchens, 350 Thompson Lane, representing a coalition of citizen concerned about rural lands in James City County, addressed the Commission regarding the negative impacts of the proposed rezoning. Mr. Hitchens noted that the rezoning is in conflict with the Comprehensive Plan. Mr. Hitchens stated that the proposed development would result in a yearly negative financial impact of \$635,589 which would be absorbed by the taxpayers. Mr. Hitchens further commented on the impacts to the school system, traffic and safety concerns, lack of compliance with the Parks and Recreation requirements, impacts to Marston's Pond from stormwater runoff, and difficulty of enforcing developer promises without proffers. Mr. Hitchens requested that the Commission recommend denial of the rezoning.

Mr. Lonnie Sandifer, 411 York Street, addressed the Commission on the need for affordable housing. Mr. Sandifer stated that the need is not what seen in the numbers, but the impact on the lives of individuals. Mr. Sandifer requested that the Commission consider the impact on individuals as they make their decision.

Ms. Adrienne Frank, 114 Crescent Drive, addressed the Commission in opposition to the proposal. Ms. Frank noted concerns about the location and the impact on traffic safety. Ms. Frank further commented on the impacts of runoff pollution on the watershed.

Mr. Harold McDonald, 3147 Cider House Road, addressed the Commission in support of the proposal. Mr. McDonald stated that he was speaking on behalf of the Pastor of Crosswalk Church which would be the nearest neighbor to the development. Mr. McDonald stated that the developer has addressed many of their concerns about the proposal and that they believe the development would be an asset to the community.

Ms. Lynn Walker, 116 Lands' End Drive, Director of Programs and Training for 3e Restoration, Inc., addressed the Commission in support of the proposal. Ms. Walker stated that there is a great need for affordable housing in the community to improve the lives of the individuals who work in the service industries. Ms. Walker requested that the Commission recommend approval of the application.

Ms. Charvalla West, 2016 Louise Lane, addressed the Commission in support of the proposal. Ms. West stated that the individuals who would benefit from the development are those caring for the elderly, serving the visitors and ensuring that James City County is successful in attracting both visitors and businesses to support the community. Ms. West noted that the lack of affordable housing impacts the lives of children in the community and that without more options it is difficult to break the cycle that prevents parent from providing safe living conditions for their children. Ms. West requested that the Commission recommend approval of the application.

Mr. Larry Foster, 13 Tempsford Lane, addressed the Commission in support of the proposal. Mr. Foster stated that as he served as Interim Director for the United Way of Greater Williamsburg, the need for more affordable housing became clear. Mr. Foster stated that for several businesses it is difficult to retain workers, due to the lack of affordable housing nearby and the cost of commuting from where they can afford to live. Mr. Foster stated that the Chamber of Commerce recognizes that one of the biggest challenges to the success of the business community is having adequate staffing. Mr. Foster stated that during his tenure with the United Way, he had the opportunity to meet with the developer regarding this proposal and that he believes the developer will keep his word and provide a quality product. Mr. Foster requested that the Commission recommend approval of the application.

Ms. Allison Otey, 100 Woodmont Place inquired if the applicant would be allowed to speak again at the next meeting.

Mr. Krapf stated that the applicant would be able to make a presentation at the next meeting since they would be coming back with new information.

Ms. Otey did not address the Commission.

Mr. Jack Lubore, 208 Crescent Drive, addressed the Commission on concerns over the traffic impacts. Mr. Lubore noted that although the purpose of the project is commendable, the location may not be appropriate due to the potential impact to traffic and safety.

Mr. Krapf noted that the Public Hearing remains open pending Commission discussion and a vote on granting the postponement or moving the application forward to the Board of Supervisors.

Mr. Holt stated that if the postponement is approved, the Public Hearing would remain open; however, if the Commission voted to send the application forward, the Public Hearing would be closed.

Mr. Krapf called for discussion from the Commission.

Mr. O'Connor inquired if certain amounts of units were reserved for the varying AMI price points.

Mr. Connelly stated that a certain number of units were reserved for each of the price points and were distributed evenly among the two and three bedroom units.

Mr. O'Connor inquired what the percentage was.

Mr. Connelly stated that he would provide that information.

Mr. Richardson stated that he appreciates both sides of the issue. Mr. Richardson made a motion to postpone the matter to the Commission's March 7, 2018 regular meeting.

On a roll call vote, the Commission voted to postpone Z-0003-2017/HW-0004-2017, Oakland Pointe to its March 7, 2018 meeting. (5-0)

3. SUP-0014-2017, Yard Works SUP Amendment

A motion to Approve was made by Danny Schmidt, the motion result was Passed.

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

Ayes: Haldeman, Krapf, O'Connor, Richardson, Schmidt

Absent: Polster

Ms. Savannah Pietrowski stated that Mr. Kevin Martin has applied on behalf of Yard Works, LLC for an amendment to an existing SUP for the manufacture and sale of wood products on properties located at 3, 10, 20 and 100 Marclay Road, 164 Waltrip Lane and one additional adjacent property with no assigned address. Ms. Pietrowski stated that the operation involves grinding wood debris to produce, color and bag mulch, with a small portion of the property being used for retail sales. Ms. Pietrowski stated that the existing SUP, obtained by Mr. Larry Waltrip in 1993, permits the operation on approximately 105 acres, with a tub grinder located on 164 Waltrip Lane.

Ms. Pietrowski further stated that Yard Works, LLC has taken over operation of the site and as part of this transition has requested this SUP amendment in order to reflect the current boundaries of the operation on the master plan and to allow the operation of grinding equipment in additional areas.

Ms. Pietrowski stated that the proposed amendment would remove the Williamsburg-Jamestown Airport from the SUP boundaries and decrease the total SUP acreage to approximately 49.9 acres. Ms. Pietrowski noted that that should this SUP amendment not be approved, the existing SUP would remain valid, and the operation could continue on the 105 acres permitted by that SUP.

Ms. Pietrowski stated that staff conducted a sound test for the project and that no noise associated with the grinding was audible from any adjacent properties visited by staff; however, beeping from vehicles was minimally audible from some locations. Ms. Pietrowski with the proposed SUP condition limiting hours of operation, there should be only minor noise impacts to adjacent properties.

Ms. Pietrowski stated that the properties are zoned R-8, Rural Residential, with portions of the site also zoned Airport Approach. Ms. Pietrowski further stated that the majority of the site is designated Airport on the 2035 Comprehensive Plan Land Use Map, with a small area designated Low Density Residential. Ms. Pietrowski stated that the principal suggested uses for areas designated Airport include aviation, with airport related commercial and office development as secondary uses. Ms. Pietrowski further stated that land which is currently in use as a construction landfill and mulching operation may continue in its current or a similar use, in a limited manner consistent with state and local permits.

Ms. Pietrowski stated that staff finds the proposal to be consistent with the Comprehensive Plan, the Zoning Ordinance, and surrounding development, and recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the conditions listed in the staff report.

Mr. Krapf opened the floor for questions from the Commission.

Mr. Richardson inquired about the noise analysis.

Using the location map, Ms. Pietrowski indicated the locations where the noise level was monitored and stated that at the noise from the grinders was minimal near the residential areas. Ms. Pietrowski noted that the more noticeable noise was beeping from vehicles, which also was minimal.

Mr. Krapf called for disclosures from the Commission.

There were no disclosures.

Mr. Krapf opened the Public Hearing.

Mr. Jeffrey Scott Mayo, Yard Works, LLC, stated that Yard Works, LLC was agreeable to all the proposed conditions and was eager to be a part of the community.

As no one else wished to speak, Mr. Krapf closed the Public Hearing.

Mr. Krapf opened the floor for discussion by the Commission.

Mr. Schmidt stated that as an adjacent property owner he has never noticed any impacts from the business operations. Mr. Schmidt stated that he would support the application.

Mr. Schmidt made a motion to recommend approval of the SUP amendment subject to the proposed conditions.

On a roll call vote, the Commission voted to recommend approval of SUP-0014-2017, Yard Works SUP Amendment. (5-0)

#### **G. PLANNING COMMISSION CONSIDERATIONS**

There were no items for consideration.

#### **H. PLANNING DIRECTOR'S REPORT**

##### **1. Planning Director's Report - January and February 2018**

Mr. Holt stated that he had nothing in addition to the report provided in the Agenda Packet.

Mr. Richardson inquired about the progress of the Workforce Housing Task Force.

Mr. Holt stated that the Task Force is scheduled to meet regularly in 2018 on the third Tuesdays of every month at 10 AM. Mr. Holt stated that the first meeting involved gathering information and starting everyone on equal footing. Mr. Holt stated that the next meeting will take care of some administrative items which include a project charter and developing common goals and objectives. Mr. Richardson inquired if the final Task Force report would give the County tools to determine where workforce housing should be placed within the County. Mr. Holt stated that the hope was that all recommendations about workforce housing would be provided by the Task Force. Mr. Holt stated that he is impressed by the depth of experience of the Task Force members and their eagerness to provide recommendations. Mr. Holt stated that the plan is for a final product that will give tangible solutions that the County can roll into the next update of the Comprehensive Plan to include in the goals strategies and actions as well as potential development of policies that can be used to implement the goals.

Mr. Krapf noted that Mr. Haldeman is the Commission's representative on the Task Force and requested that he include a report on the Task Force meetings for future Reports of the

Commission.

Mr. Krapf requested that, in preparation for the March 19 Organizational Meeting, the Commission consider whether they should adopt an earlier start time similar to the Board of Supervisors and other Commissions and Committees.

The Commission discussed the pros and cons of changing the start time including potential impacts on both public participation and Commissioner attendance.

The sense of the Commission was that the time start time should be determined by what would suit the public best and encourage participation in the meetings.

**I. PLANNING COMMISSION DISCUSSION AND REQUESTS**

Mr. Krapf noted that Mr. Haldeman has Board of Supervisors coverage for February; however, there are no land use cases on the Board's agenda that month. Mr. Krapf noted that Mr. Haldeman has volunteered to take the March coverage as well.

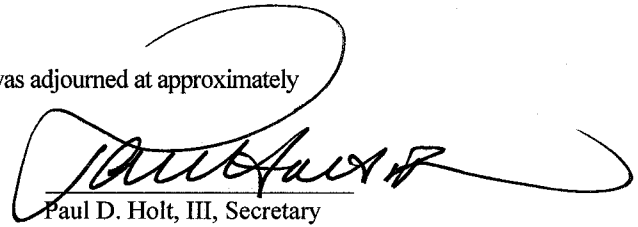
Mr. O'Connor inquired when the joint work session would be held with the Board of Supervisors.

Mr. Holt stated that it is currently scheduled for May.

**J. ADJOURNMENT**

Mr. Haldeman made a motion to adjourn. The meeting was adjourned at approximately 9:12 PM.

  
Rich Krapf, Chair

  
Paul D. Holt, III, Secretary