

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
April 4, 2018
6:00 PM

A. CALL TO ORDER

Mr. Heath Richardson called the meeting to order at 6:00 p.m.

B. ROLL CALL

Planning Commissioners Present:

Heath Richardson
Rich Krapf
Tim O'Connor
Danny Schmidt
Jack Haldeman
Frank Polster
Julia Leverenz

Staff Present:

Paul Holt, Director of Community Development and Planning
Roberta Sulouff, Senior Planner
Adam Kinsman, County Attorney

C. PUBLIC COMMENT

Mr. Richardson opened Public Comment.

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

D. REPORTS OF THE COMMISSION

Mr. Danny Schmidt stated that the Development Review Committee (DRC) met on Wednesday, March 28, 2018. Mr. Schmidt stated that the DRC reviewed two cases.

Mr. Schmidt stated that the DRC considered Case No. S-0037-2012/SP-0071-2012, Walnut Grove. Mr. Schmidt stated that this was an appeal of the Director of Planning's decision that the architectural elevations recently submitted to the County for the Walnut Grove subdivision did not match those that had been approved in 2005. Mr. Schmidt stated that while many architectural elements remained similar there were several discrepancies. Mr. Schmidt stated that these inconsistencies included side door entry rather than front door entry, changes to the bay window schemes, changes to some rooflines that would be noticeable from the front, and finally some window alterations. Mr. Schmidt stated that the applicant made a presentation to the DRC comparing the elevations. Mr. Schmidt further stated that the applicant explained the reasons behind the changes including making better use of the space within the home to meet current market preferences and the desire to make the buildings more energy efficient and allow for better positioning of solar panels. Mr. Schmidt stated that the applicant stipulated that all

other agreed to aspects of this development such as the number of structures, the setbacks, and the buffers between nearby communities would remain identical to approved plan. Mr. Schmidt stated that the DRC discussed concerns over changing what had been approved through the legislative process and the potential impact of the solar panels on adjacent developments. Mr. Schmidt stated that the DRC also noted that building materials and technology had changed since the 2005 approval to the point where it made sense to allow some elevation changes and that the alterations did not appear to be inconsistent with the Richmond Road Community Character Corridor. Mr. Schmidt stated that the DRC voted 3 to 1 in favor of the applicant's appeal.

Mr. Schmidt stated that the DRC considered C-0006-2018, 7250 Otey Off-Site Drain Field. Mr. Schmidt stated that this case was before the DRC for a Subdivision Ordinance exception to permit an off-site septic field. Mr. Schmidt stated that the Subdivision Ordinance requires an on-site septic system; however, in this instance there was not adequate room for both the septic tank and the drain field on the home site. Mr. Schmidt stated that the applicant has requested an exception in order to use an existing easement that provides for access to a potential drain field site in an adjacent lot. Mr. Schmidt stated that such a request can be granted under a Subdivision Ordinance Exception with the approval of the DRC. Mr. Schmidt stated that the DRC discussed the implications that sea level rise might eventually have on this project and considered the concerns of citizens from the neighborhood. Mr. Schmidt noted that the homeowner in the neighboring lot that would accommodate the drain field had concerns about negative impacts to his property from the construction. Mr. Schmidt stated that staff confirmed that the existing easement has some built in protections for that property. Mr. Schmidt stated that the DRC had recommended that the County Attorney's Office explain these protections to the adjacent property owner; however, after the meeting it was brought to the attention of the DRC that any future legal dispute around the potential negative impacts on the neighboring lot would be a private matter, which would need to be enforced through the Court System. Mr. Schmidt stated that the DRC voted unanimously to approve the Subdivision Ordinance Exception.

Mr. Jack Haldeman stated that the Policy Committee met on March 8, 2018. Mr. Haldeman stated that the Committee made final adjustments for prioritizing capital improvement projects and voted unanimously to forward the list of priorities to the Planning Commission.

E. CONSENT AGENDA

1. Minutes of the March 7, 2018 Regular Meeting
2. Minutes of the March 19, 2018 Special Meeting
3. Development Review Committee Action Item: Case No. C-0006-2018. 7250 Otey Off-Site Drain Field
4. Development Review Committee Action Item: Case No. S-0037-2012/SP-0071-2012. Walnut Grove

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

On a voice vote the Commission voted to approve the Consent Agenda. (7-0)

F. PUBLIC HEARINGS

1. SUP-0002-2018. 234 Peach Street Tourist Home

A motion to Approve was made by Jack Haldeman, the motion result was Passed.

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

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

Ms. Roberta Sulouff, Senior Planner, stated that Mrs. Jennifer Campbell has applied for a Special Use Permit (SUP) to allow the operation of a Tourist Home at 234 Peach Street. Ms. Sulouff stated that the SUP will allow for short-term rental of a four-bedroom home with no changes to the size or footprint of the home. Ms. Sulouff stated that the property is located outside of the primary service area, is zoned A-1 General Agricultural, and designated Economic Opportunity by the 2035 Comprehensive Plan as are most surrounding parcels.

Ms. Sulouff stated that staff considered the location of the home, lot size, parking provisions and screening to be favorable factors in the evaluation of this application. Ms. Sulouff stated that the property has an existing driveway access off a shared ingress/egress easement and an existing parking area sufficient to accommodate guests.

Ms. Sulouff stated that staff is recommending conditions which are intended to mitigate the impacts of the use and preserve the residential character of the home. Ms. Sulouff stated that the conditions include linking the SUP to a master plan should the owners choose to expand their property in the future, limitations on the number of rooms rented and limitations on the number of contract parties per night.

Ms. Sulouff stated that staff finds the proposal to be compatible with the 2035 Comprehensive Plan, the Zoning Ordinance and surrounding development. Ms. Sulouff stated that staff and recommends that the Commission recommend approval of the application to the Board of Supervisors subject to the proposed conditions.

Mr. Richardson opened the Public Hearing.

Ms. Jennifer Campbell, 234 Peach Street, applicant, addressed the Commission in support of the application and requested that the Commission recommend approval.

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

Mr. Richardson called for disclosures from the Commission.

There were no disclosures.

Mr. Haldeman made a motion to recommend approval of the application.

On a roll call vote, the Commission voted to recommend approval of SUP-0002-2018, 234 Peach Street Tourist Home to the Board of Supervisors, subject to the proposed conditions (7-0).

G. PLANNING COMMISSION CONSIDERATIONS

Mr. Haldeman stated that the Workforce Housing Task Force met on March 20, 2018.

Mr. Haldeman stated that the Task Force continued its discussion on Vision and Principles which is a work in progress. Mr. Haldeman stated that the Task Force also discussed defining and measuring affordability, affordable housing needs and the

apparent conflict between residents' wishes for diverse housing and preserving open space and the County's historic and rural culture.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - April 2018

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

Mr. Tim O'Connor inquired if a public outreach meeting had been scheduled for Oakland Pointe.

Mr. Holt stated that staff has not been made aware of any meeting at this time. Mr. Holt stated that staff would provide an update to the Commission once a firm date is set.


I. PLANNING COMMISSION DISCUSSION AND REQUESTS

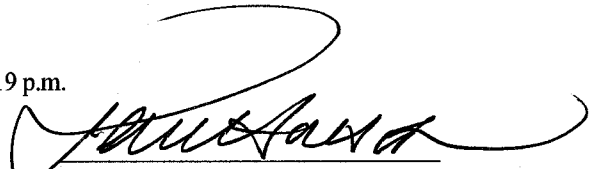
There were no items for discussion.

J. ADJOURNMENT

Mr. Schmidt made a motion to adjourn.

The meeting was adjourned at approximately 6:19 p.m.


Heath Richardson, Chair


Paul D. Holt, III, Secretary