

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
February 5, 2020
6:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at 6:00 p.m.

B. ROLL CALL

Planning Commissioners Present:

Jack Haldeman
Rich Krapf
Tim O'Connor
Frank Polster
Julia Leverenz
Rob Rose

Staff Present:

Paul Holt, Director of Community Development and Planning
Max Hlavin, Deputy County Attorney
Ellen Cook, Principal Planner
Terry Costello, Deputy Zoning Administrator
Thomas Wysong, Senior Planner

C. PUBLIC COMMENT

Mr. Haldeman opened Public Comment.

Mr. Jay Everson, 103 Branscome Boulevard, addressed the Commission on the Williamsburg James City County Schools' Capital Improvements Program requests and school enrollment forecasts.

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

D. REPORTS OF THE COMMISSION

Mr. Frank Polster stated that the Development Review Committee (DRC) met January 22, 2020 to consider C-19-0073. 2822 and 2896 Forge Road.

Mr. Polster stated that the applicant proposed to modify the driveway access that was previously recommended by the DRC and approved by the Planning Commission in November 2019. The recommendation allowed one shared driveway between "New Parcel 1" and "New Parcel 2" and one driveway to serve "New Parcel 3". Mr. Polster stated that under the new proposal, "New Parcel 2" would share access with the existing driveway on the neighboring Boelt property instead of sharing a new driveway with New Parcel 1. Mr. Polster further stated that the driveways approved for "New Parcel 1" and for "New Parcel 3" (with

the understanding that the applicants hope to access this parcel in the future via a shared driveway with the Martin Farm Estates neighborhood) would remain in place.

Mr. Polster stated that the DRC members thought that the new proposal was an improvement over the configuration of the originally approved driveway.

Mr. Polster stated that the DRC then voted to recommend approval to the Planning Commission for the exception request under Section 19-18 specifying one shared driveway for Lots 2 and 1 and one driveway for Lot 3 and recommended an exception to Section 19-73 (b) permitting a gravel driveway for New Parcel 2 Boelt shared driveway.

Ms. Julia Leverenz stated that the Policy Committee met on December 12, 2019 to consider Phase III amendments to the Zoning Ordinance regarding inoperative motor vehicles and certain oversized vehicles. Ms. Leverenz stated that a recent change to the County Charter granted James City County the additional authority to regulate inoperative motor vehicles for properties zoned agricultural and less than two acres, and for vehicles which do not display a valid license plate or valid inspection. Ms. Leverenz stated that the proposed Ordinance includes two subsections: one for properties zoned residential or commercial, in which "inoperative vehicle" is defined as one with an invalid license plate and an invalid inspection decal; and a second subsection for properties less than two acres zoned residential, commercial, or agricultural, which defines "inoperative vehicle" as one with an invalid license plate or an invalid inspection decal. Ms. Leverenz stated that the distinctions are in accordance with the wording in the State Code. Ms. Leverenz stated that violation of each subsection has different consequences, and the County will have two options when enforcing violations on residential or commercial properties less than two acres.

Ms. Leverenz stated that the Committee also considered proposed language to regulate keeping and parking oversized commercial vehicles in areas zoned residential, both on private property and along residential streets. Ms. Leverenz stated that incorporating previous Policy Committee discussions as well as input from the County Police Department, the proposed Ordinance specifies as oversized vehicles: solid waste collection vehicles, tractor trucks, tractor truck semitrailers, tractor truck/trailer combinations, dump trucks, concrete mixer trucks, or any heavy instruction equipment. Ms. Leverenz stated that the Committee discussed the Ordinance's applicability to personal use trailers and recreational vehicles, some of which are regulated in Chapter 13.

Ms. Leverenz stated that the Committee also reviewed ORD-2019-0007, Consideration of Warehouse, Storage, and Distribution Centers in the MU Zoning District. Ms. Leverenz noted that staff clarified that these uses include self-storage units. Ms. Leverenz noted that warehouse, storage, and distribution centers have been consistently permitted by-right in MU Zoning Districts; however, in August 2019 the Board of Supervisors adopted an Initiating Resolution to either remove these uses from the Mixed Use District or allow them as a specially permitted use. Ms. Leverenz stated that the Committee felt that these could be valid components of certain MU Districts, but not the principal component. Ms. Leverenz stated that the recommended language, which allows these structures as a specially permitted use, will come before the Planning Commission at its next meeting.

Ms. Leverenz further stated that the Committee also met on January 9, 2020, to consider Phase I Zoning Ordinance amendments to address the keeping of bees in residential districts. Ms. Leverenz stated that in October 2019 the Board of Supervisors adopted an Initiating Resolution to address beekeeping in residential and agricultural districts. Ms. Leverenz noted that James City County already allows beekeeping in the A-1, General Agricultural, and R-8, Rural Residential Districts. Ms. Leverenz stated that at the state level, there have been initiatives to support beekeeping. Ms. Leverenz further stated that staff's research showed that all neighboring localities allow beekeeping accessory to residential uses. Ms. Leverenz stated

that the Committee recommended that beekeeping be allowed County-wide, in all zoning districts. Ms. Leverenz stated that discussion centered on permitting, notification, and standards, such as minimum lot size(s) and barriers. Ms. Leverenz stated that the Committee suggested that 0.25 acres should be the minimum lot size for keeping bees, and asked staff to utilize the standards in Charlottesville's and Albemarle County's Ordinances when preparing language for Stage II consideration. Ms. Leverenz stated that staff will also research standards for commercial and industrial zoning districts.

Ms. Leverenz stated that the Committee also considered Phase I amendments to address combat tactical training facilities. Ms. Leverenz stated that in August 2019 the Board of Supervisors adopted an Initiating Resolution to consider amending the Zoning Ordinance to exclude combat tactical training facilities as a permitted use in agricultural and residential districts, and to evaluate their appropriateness as a specially permitted use in the General Industrial District. Ms. Leverenz noted that these considerations are separate from the shooting ranges that are currently regulated in County Ordinances. Ms. Leverenz stated that the Committee recommended excluding combat tactical training facilities from all zoning districts, and asked staff to incorporate provisions similar to those used by New Kent County, when drafting language for Stage II consideration.

E. CONSENT AGENDA

1. Minutes of the December 4, 2019 Regular Meeting
2. Development Review Committee Action Item: C-19-0073. 2822 and 2896 Forge Road. Shared Driveway Exception Request

Ms. Leverenz made a motion to approve the Consent Agenda.

On a voice vote, the Commission voted to approve the Consent Agenda.

F. PUBLIC HEARINGS

1. SUP-19-0012. Tiki Tree and Landscape

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

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

Ayes: Krapf, Haldeman, Polster, Leverenz, Rose

Nays: O'Connor

A motion to Deny was made by Tim O'Connor, the motion result was Failed.

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

Ayes: O'Connor

Nays: Krapf, Haldeman, Polster, Leverenz, Rose

Mr. Thomas Wysong, Senior Planner, stated that the applicant has requested that the applicant be deferred to the March 4, 2020 Planning Commission Meeting. Mr. Wysong stated that there are potential changes to the parameters of the application that could require the case to be re-advertised. Mr. Wysong further stated that staff finds that this request meets the intent of the Planning Commission Legislative Application Deferral Policy. Mr. Wysong stated that staff recommends that the Commission postpone consideration of the application to its March 4, 2020 Regular Meeting.

Mr. Haldeman opened the Public Hearing.

As no one wished to speak, Mr. Haldeman continued the Public Hearing to the March 4, 2020 Planning Commission Regular Meeting.

(Secretary's Note: The follow discussion and action took place later in the meeting, following a reminder from the Deputy County Attorney that the Commission must vote on the deferral.)

Mr. O'Connor inquired why the postponement was requested.

Mr. Holt stated that the applicant needed additional time to evaluate factors that might change the application and require the case to be re-advertised.

Mr. O'Connor made a motion to not grant the postponement.

Mr. Holt stated that if the Commission does not grant the postponement, the matter would be discussed, with the potential for further recommendation by the Commission.

Mr. Krapf stated that he had concerns about not agreeing to the postponement, as otherwise the Commission would not have the information in the staff report or the applicant's presentation to make an informed decision.

Ms. Leverenz stated that she was uncertain of the implications of not granting the postponement. Ms. Leverenz inquired whether, if the Commission did not defer, the Commission would make a recommendation to the Board of Supervisors regarding the matter.

Mr. Holt stated that the Commission would need to dispose of the matter in some form.

On a roll call vote, the motion to not postpone was not approved. (1-5)

Mr. Krapf made a motion to postpone the matter to the Commission's March 4, 2020 meeting.

On a roll call vote, the Commission voted to postpone the matter to its March 4, 2020 Regular Meeting. (5-1)

2. SUP-19-0025. 5403 Riverview Road Tourist Home

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

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

Ayes: Krapf, Haldeman, Polster, Leverenz, Rose

Nays: O'Connor

Ms. Terry Costello, Deputy Zoning Administrator, stated that Ms. Elaine Henk has applied for a Special Use Permit (SUP) to allow the operation of a Tourist Home at 5403 Riverview Road. Ms. Costello stated that the SUP will allow for the short-term rental of a four-bedroom home with no changes to the size or footprint of the home. Ms. Costello stated that the property is zoned A-1, General Agricultural, is designated Rural Lands in the Comprehensive Plan, and is located outside the Primary Service Area (PSA), as are all surrounding parcels.

Ms. Costello stated that staff considered the home's location, lot size, parking provisions, and screening all to be favorable factors in the evaluation of this application. Ms. Costello further

state that the property has an existing driveway and parking area sufficient to accommodate guests. Ms. Costello noted that the size of the lot and the existing vegetation provides screening from most adjacent properties. Ms. Costello 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. Costello further stated that the proposed conditions include limitations on the number of rooms rented and total number of rental occupants per stay.

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

Ms. Leverenz inquired if the property owner would also be in residence.

Ms. Costello stated that there are two houses on the property and the owner would occupy one of the houses.

Mr. O'Connor inquired which of the residences would be rented.

Ms. Costello stated that it would be the house located farthest back on the property.

Mr. Haldeman called for disclosures from the Commission.

There were no disclosures.

Mr. Haldeman opened the Public Hearing.

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

Mr. Rich Krapf made a motion to recommend approval of the application.

On a roll call vote, the Commission voted to recommend approval of SUP-19-0025. 5403 Riverview Road Tourist Home. (5-1)

3. SUP-19-0028. 6221 Old Mooretown Road, Strait Gate Temple Expansion

A motion to Approve was made by Frank Polster, the motion result was Passed.

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

Ayes: O'Connor, Krapf, Haldeman, Polster, Leverenz, Rose

Ms. Ellen Cook, Principal Planner, stated that Mr. Edward Rose has submitted an SUP application for a place of public assembly at 6221 Old Mooretown Road. Ms. Cook stated that the property is currently zoned R-2, General Residential and is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map.

Ms. Cook stated that the existing structure will be rehabilitated prior to occupancy and the Master Plan permits an additional 1,771 square feet of building area, bringing the total to 3,271 square feet. Ms. Cook stated that with the new addition, seating for up to 160 people is planned. Ms. Cook stated that site improvements will include additional parking spaces.

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

Mr. Krapf inquired about the adequacy of the existing parking for the anticipated size of the congregation. Mr. Krapf further inquired if there would be multiple worship services on Sundays and Wednesdays.

Ms. Cook stated that she would defer to the applicant on this question.

Mr. Haldeman inquired if there is a requirement for when construction must commence.

Ms. Cook stated that the SUP condition, as it is currently written, only addresses the requirement for obtaining site plan approval.

Mr. Haldeman called for disclosures from the Commission.

There were no disclosures.

Mr. Haldeman opened the Public Hearing.

Mr. Edward Rose, Pastor, 6221 Old Mooretown Road, stated that there are only approximately 20 members in the congregation at this time. Mr. Rose stated that the 160 members accounts for potential increase in the congregation over time. Mr. Rose stated that there would be only one service on Sundays and Wednesdays. Mr. Rose stated that this application allows for any changes necessary for growth over time.

Mr. Krapf inquired if additional parking would be addressed at that time.

Mr. Rose stated that the site plan would show future parking when it is submitted.

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

Mr. O'Connor inquired if the applicant would have the option to reformat the entrance to take access from Curry Drive, should the traffic study show that a turn lane or taper is required.

Mr. Holt stated that the applicant would be encouraged to consider this as an option, should road improvements be required. Mr. Holt stated that, depending on any other changes, this might be something that could be approved administratively and that staff would work with the applicant to consider all the options.

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

On a roll call vote, the Commission voted to recommend approval of SUP-19-0028. 6221 Old Mooretown Road, Strait Gate Temple Expansion. (6-0)

4. SUP-19-0029. 4451 Longhill Road Life Church and Daycare Program

A motion to Approve was made by Frank Polster, the motion result was Passed.

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

Ayes: O'Connor, Krapf, Polster, Leverenz, Rose

Nays: Haldeman

Ms. Terry Costello, Deputy Zoning Administrator, stated that Ms. Lyra Hale has applied for an SUP to allow for the existing church and daycare located at 4451 Longhill Road. Ms. Costello stated that the property is zoned R-8, Rural Residential, is designated Low Density Residential

on the 2035 Comprehensive Plan Land Use Map, and is located inside the PSA. Ms. Costello stated that surrounding development includes Windsor Forest, Season's Trace, and Lafayette High School.

Ms. Costello stated that the Christian Life Center, known as Life Church, has occupied this facility since March 2000. Ms. Costello stated that in 1998, when the original site plan was approved, houses of worship were a permitted use in the R-8 Zoning District. Ms. Costello further stated that the Zoning Ordinance was amended in December 1999 to require an SUP for this use. Ms. Costello stated that due to this change, the church is currently considered non-conforming.

Ms. Costello stated that the daycare program, as proposed, would have a maximum of 30 children with eight staff members. Ms. Costello stated that the age range of the children will be from infant to 36 months. Ms. Costello further stated that the hours of operation will be from 8:30 a.m. - 1:30pm, three days a week, including the pick-up and drop-off times. Ms. Costello stated that the daycare will operate within the current facility and there are no external changes such as outdoor playgrounds proposed.

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

Mr. Polster inquired about the hours of operation.

Ms. Costello stated that the daycare will be open from 9:30 a.m. - 12:30 p.m. Ms. Costello stated that staff added an extra hour in the morning and in the afternoon to allow for drop-off and pick-up.

Mr. Polster inquired if the daycare would operate only three days a week.

Ms. Costello confirmed.

Mr. O'Connor inquired if there is a reason for the condition limiting the days and hours of operation.

Ms. Costello stated that the condition was designed to mitigate conflicts with the school traffic.

Mr. O'Connor inquired if the intersection will be signalized as part of the Longhill Road Widening project.

Mr. Holt stated that this section of Longhill Road will not be improved in the near future, as funding for that section of the project has not yet been identified. Mr. Holt further stated that during the study phase, a consensus was not reached regarding treatment of that intersection. Mr. Holt noted that the Longhill Road Study document recommended further consideration of the proposed options prior to developing the project.

Mr. Polster noted that the current management of the traffic is superior to signalizing the intersection.

Mr. Polster inquired if the applicant was satisfied with the condition.

Ms. Costello stated that the applicant found the condition acceptable.

Mr. Polster inquired if the applicant would want longer hours.

Ms. Costello stated that the applicant proposed operating hours of 9:30 a.m. - 12:30 p.m. and staff added time to accommodate drop-off and pick-up.

Mr. Haldeman called for disclosures from the Commission.

There were no disclosures.

Mr. Haldeman opened the Public Hearing.

Ms. Lyra Hale, 140 Country Club Drive, introduced herself as director of the daycare program and would be pleased to answer any questions the Commission might have.

Mr. Polster stated that he liked the concept of the program to allow parents a partial day respite to accomplish errands. Mr. Polster inquired if the applicant would prefer longer hours.

Ms. Hale stated that the proposed operating hours were set prior to submitting the application. Ms. Hale further stated that those would be the operating hours for the foreseeable future.

Mr. O'Connor stated that he is not in favor of restricting business hours. Mr. O'Connor inquired if the applicant could foresee a need to expand the hours of operation in the future.

Ms. Hale stated that if the program did expand in the future, it would be increasing daytime hours to match other existing daycare and preschool schedules.

Ms. Leverenz inquired if they might expand the number of days of operation.

Ms. Hale confirmed.

Mr. Krapf noted that the Commission has the option to recommend approval of the application with the condition regarding hours of operation being removed or, if the application moves forward with no change to the conditions, and the applicant would always have the opportunity to request an amendment at a later time.

Mr. Holt confirmed that there are a number of options open to the Commission.

Mr. Polster inquired if there is an administrative process to make amendments to the hours of operation.

Mr. Holt stated that any changes would have to be made through the legislative process.

The Commission noted that the options included: leaving the SUP conditions stand with the applicant having the option to modify the SUP through the legislative process at a later date; removing the restriction on the hours of operation; and/or expanding the days of operation.

Ms. Leverenz stated that she would support amending the days of operation but would prefer to leave the restriction on the hours as it stands.

Ms. Hale stated that she concurs with that option.

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

Mr. O'Connor stated that he would support removing the restrictions on the hours of operation.

Ms. Leverenz stated that she would prefer opening up the days of operation but keeping the restriction on the hours of operation.

Mr. Polster noted that the school traffic is currently well handled and that this application would not create a significant impact if the restriction on hours was eliminated.

Ms. Leverenz stated that if the hours of operation are expanded, it would change the parameters of the proposal.

Mr. Krapf inquired if there is an issue with traffic impacts, not mitigated by existing measures, that warrants the limitation on the hours of operation.

Mr. Holt noted that there is no funding on the horizon for the Longhill Road Widening or any other intersection improvements. Mr. Holt stated that if there is the opportunity for the Police Department to have an officer directing traffic, it might be a short-term solution; however, that option has its own set of pros and cons. Mr. Holt noted that the school hours are approximately 7:30 a.m. - 2:30 p.m.

Mr. Polster stated that he drives the road frequently and at dismissal there is a police officer directing traffic. Mr. Polster further stated that the busses exit from the side of the school farthest from Season's Trace. Mr. Polster further noted that one of the bus drivers stops traffic to allow the buses to turn left or right. Mr. Polster further stated that the same is true in the mornings. Mr. Polster also noted that drivers are very good about adhering to the school zone speed limit. Mr. Polster stated that he can foresee the potential to expand the services in the future to accommodate a growing need for child care.

Mr. Krapf stated that since the traffic is being managed adequately, he is inclined to support eliminating the restriction on hours of operation.

Mr. Polster made a motion to recommend approval of the application with SUP Condition No. 2 amended to state that "The daycare shall be operated within the existing place of public assembly."

On a roll call vote, the Commission voted to recommend approval of SUP-19-0029. 4451 Longhill Road Life Church and Daycare Program. (4-2)

5. SUP-19-0030. 124 B Cooley Rd. Rental of Rooms

A motion to Deny was made by Frank Polster, the motion result was Passed.

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

Ayes: O'Connor, Krapf, Haldeman, Polster, Leverenz, Rose

Mr. Thomas Wysong, Senior Planner, stated that Mrs. Eileen Demari and Mr. Gilbert Demari have applied for an SUP to allow the short-term rental of one bedroom in a caretaker-occupied single-family home at 124 B Cooley Road.

Mr. Wysong stated that the property is zoned R-1, Limited Residential, is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map, and is located inside the PSA.

Mr. Wysong stated that staff has found several favorable factors for this application: the proposal is for the rental of only one bedroom, which is less than the maximum of three rooms permitted within the Limited Residential (R-1) District; unlike a tourist home use, the caretaker

for this use will live on site; there is adequate off-street parking provided on site; and the proposal is consistent with some of the recommendations of the Comprehensive Plan, such as having limited traffic impacts.

Mr. Wysong further stated that one drawback remains since the subject property is located on a local road and adopted Comprehensive Plan recommends that this use be located on collector or arterial roads at intersections. Mr. Wysong further stated that, unlike other past applications in areas designated Low Density Residential, the subject parcel is fully integral to an existing neighborhood. Mr. Wysong stated that renters traveling to and from the property will be going through the neighborhood. Mr. Wysong stated that staff has concerns that the particular size and configuration of this parcel could result in adjacent properties being impacted by renters with different hours and/or noise levels than traditional, long-term residents.

Mr. Wysong stated that staff is unable to recommend that the Planning Commission recommend approval of this application. Mr. Wysong stated that should the Commission recommend approval, staff has provided proposed conditions to mitigate impacts.

Ms. Leverenz inquired about the number of rooms being rented.

Mr. Wysong stated that there is one bedroom to be rented as a short-term rental. Mr. Wysong stated that the remainder of the house is rented out to a long-term tenant who would serve as the caretaker.

Ms. Leverenz inquired if the property owners would be on-site.

Mr. Wysong stated that the owners would not be on-site.

Mr. Krapf inquired if staff's main concern is that the road is not an arterial or collector road.

Mr. Wysong stated that the road classification as well as the property's location within the neighborhood are the primary concerns. Mr. Wysong noted that the home is very close to other adjacent residences.

Mr. Polster inquired about the condition restricting the removal of shrubbery at the rear of the property. Mr. Polster noted that he did not see any screening shrubbery.

Mr. Wysong stated that the screening is not visible from the street. Mr. Wysong further stated that the property owner has planted shrubbery at the rear of the property to shield the adjacent residence.

Ms. Leverenz noted that many of the adjacent property owners have submitted statements of support. Ms. Leverenz inquired if the property owner in front of the subject property supports the application.

Mr. Wysong stated that he was not certain if that property owner had responded. Mr. Wysong noted that staff did receive a telephone call from a resident in the neighborhood who expressed concern over the potential for a Recreational Vehicle (RV) to be parked on the street. Mr. Wysong noted that the SUP condition prohibited parking RVs on the street but they could be parked on the property.

Ms. Leverenz inquired if there is a Homeowners Association for the neighborhood.

Mr. Wysong stated that there is no Homeowners Association.

Mr. O'Connor inquired about the limitation on the number of simultaneous rental contracts when there was already a rental contract for the caretaker.

Mr. Holt clarified that the condition is only for the short-term rental. Mr. Holt stated that the long-term rental for the caretaker is a permitted use and not subject to an SUP.

Mr. Haldeman opened the Public Hearing.

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

Mr. Krapf stated that he finds Cooley Road to be a fairly wide residential street and that the property is not located far from the entrance.

Mr. Krapf noted that the short-term rental would not have more impact than a family occupying the property. Mr. Krapf noted that he is concerned that the application does not meet all the criteria set forth in the Comprehensive Plan.

Ms. Leverenz noted that she appreciated the applicant working toward compliance with the Zoning Ordinance. Ms. Leverenz further stated that she hesitates to oppose the application because she does want to encourage compliance. Ms. Leverenz stated that she is uncomfortable with what she sees as ordinance creep by setting the precedent for any type of transient rental in a neighborhood.

Mr. O'Connor stated that he does not find short-term rentals to support the Comprehensive Plan in regard to affordable housing and supporting the tourism industry.

Mr. Polster stated that he remains concerned about the issue of short-term rentals. Mr. Polster stated that he hopes that the Commission and staff will use the Comprehensive Plan Review to revisit the issue. Mr. Polster stated that his main concern is allowing short-term rentals within a neighborhood. Mr. Polster stated that he would not support the application.

Mr. Polster made a motion not to recommend approval of the application.

On a roll call vote, the Commission voted not to recommend approval of SUP-19-0030. 124 B Cooley Road. Rental of Rooms. (6-0)

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for consideration.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - February 2020

Mr. Max Hlavin, Deputy County Attorney, reminded the Commission that a vote was required on the request to postpone SUP-19-0012. Tiki Tree and Landscape.

(Secretary's Note: Discussion and vote are recorded with the item listed under Public Hearings)

Mr. Holt stated that he did not have anything in addition to what was provided in the Agenda Packet.

Mr. O'Connor inquired about the land disturbing activity at Anderson's Corner.

Mr. Holt stated that he believes this is a permitted stockpile area.

Mr. O'Connor inquired if the stockpile would be permanent.

Mr. Holt stated that he would need to look into the matter.

Mr. Krapf stated that he understands, from discussion with staff, that this is a 2008 Land Disturbing Permit that has recently been activated. Mr. Krapf noted that the permit does not show any parking or structures on the property. Mr. Krapf stated that he understands that any structures or improvements would require a separate process.

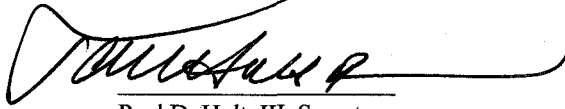
I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Haldeman stated that Mr. Polster has Board of Supervisors coverage for February; however, there are no land use cases on the agenda.

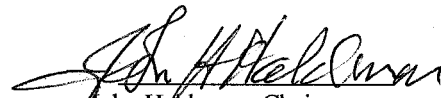
Mr. Haldeman noted that the Community Participation Team (CPT) has made a report available on line detailing the community engagement efforts made to date for the Comprehensive Plan Update. Mr. Haldeman noted that the outreach efforts would continue through the Engage 2045 website and other community activities.

J. ADJOURNMENT

Ms. Leverenz made a motion to adjourn. The meeting was adjourned at approximately 7:04 p.m.



Paul D. Holt, III, Secretary



John Haldeman, Chair