

**MINUTES**  
**JAMES CITY COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg VA 23185**  
**April 7, 2021**  
**6:00 PM**

**A. CALL TO ORDER**

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

1. The meeting will be held electronically pursuant to the Continuity of Government Ordinance re-adopted by the Board of Supervisors on April 14, 2020 and September 8, 2020, and will be aired live on the County's government public access channel, JCC TV 48, via Live Stream on the County website: <https://jamescitycountyva.gov/220/Live-Stream>, and via the County's YouTube channel: <https://www.youtube.com/user/jamescitycounty>. Citizen comments may be submitted via US Mail to the Planning Commission Secretary, PO Box 8784, Williamsburg, VA 23187, via electronic mail to [community.development@jamescitycountyva.gov](mailto:community.development@jamescitycountyva.gov), or by leaving a message at 757-253-6750. Citizens may attend and participate in the electronic meeting via Zoom at <https://zoom.us/j/97503778566> or dial any of the following numbers for listen-only audio of the meeting: 929-205-6099, 312-626-6799, 301-715-8592, 346-248-7799, 669-900-6833, or 253-215-8782 using Webinar ID: 975 0377 8566. Any public comment received through the above means will be shared at the meeting. Citizens using the link above who would like to speak during public comment and any public hearing will also be able to speak during those times.
2. Zoom Meeting Instructions

**B. ROLL CALL**

**Planning Commissioners Present:**

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

**Staff Present:**

Paul Holt, Director of Community Development and Planning  
Max Hlavin, Deputy County Attorney  
Alex Baruch, Acting Principal Planner  
Brett Meadows, Planner

1. Virtual Meeting Resolution

Mr. Haldeman provided a summary of the resolution.

Ms. Barbara Null made a motion to adopt the resolution.

On a roll call vote, the Commission voted to adopt the Virtual Meeting Resolution. (7-0)

**C. PUBLIC COMMENT**

Mr. Haldeman opened Public Comment.

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

**D. REPORTS OF THE COMMISSION**

Ms. Null stated that the Development Review Committee (DRC) met on March 31, 2021, to consider S-20-0049. Stonehouse Preserve and Riverfront Preserve Driveway Exception Request. Ms. Null stated that the Committee discussed a shared driveway exception request for a proposed four-lot subdivision of the 3,031-acre parcel located within the Stonehouse development. Ms. Null stated that the majority of this parcel is designated as the Stonehouse Preserve and Riverfront Preserve on the adopted Stonehouse Master Plan. Ms. Null stated that Section 19-73 of the Subdivision Ordinance requires all minor subdivisions of three or more unimproved lots to limit direct access from the existing road to one shared driveway. Ms. Null further stated that the proposed subdivision of this parcel would result in the creation of four individual lots, which would qualify as a minor subdivision and require a shared driveway per the Subdivision Ordinance.

Ms. Null stated that the DRC agreed with the staff analysis that found:

- Strict adherence to the Ordinance requirement will cause substantial injustice or hardship;
- The granting of the exception will not be detrimental to public safety, health, or welfare, and will not adversely affect the property of others;
- The facts upon which the request is based are unique to the property and are not applicable generally to other property;
- No objection to the exception has been received in writing from the Transportation Department, Health Department, or Fire Chief.

Ms. Null stated that the DRC unanimously approved the required driveway waiver with the stipulation that this waiver does not remove the requirement for a shared driveway for future subdivisions if further subdivision of the property meets the requirements for a shared driveway per the Subdivision Ordinance.

Mr. Polster stated that the Policy Committee did not meet and therefore there was no report.

**E. CONSENT AGENDA**

1. Minutes of the March 3, 2021 Regular Meeting
2. March 15, 2021 Special Meeting Minutes
3. Development Review Committee Action Item: S-20-0049. Stonehouse Preserve and Riverfront Preserve Driveway Exception Request

The Commission made a motion to approve the Consent Agenda.

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

**F. PUBLIC HEARINGS**

1. Z-21-0011. 115 Norge Center Proffer Amendment

A motion to Approve was made by Julia Leverenz, the motion result was Passed.

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

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

Mr. Brett Meadows, Planner, stated that Mr. Vernon Geddy, Geddy, Harris, Franck, & Hickman, LLP, has applied on behalf of Chesapeake Bank, to amend existing adopted proffers for a parcel of land located at 115 Norge Lane and zoned B-1, General Business, to include additional commercial uses allowed within the district.

Mr. Meadows stated that the existing proffers on the parcel limit uses to a shopping center and office use. Mr. Meadows further stated that Chesapeake Bank is renovating the existing building for office space and is in negotiation with a day-care center to occupy approximately 15,000 square feet within the same building.

Mr. Meadows further stated that the proposed day-care use does not fit within the definition of a shopping center, and the proposed proffer amendment requests expanding the list of commercial uses permitted on the property in hopes to gain flexibility in renting additional vacant space within the existing building. Mr. Meadows stated that the full list of proposed uses is listed in Exhibit B of the draft proffers and includes many by-right commercial uses of the B-1 District.

Mr. Meadows stated that no new development or construction is proposed other than renovation of the existing building.

Mr. Meadows stated that staff finds that the proposed uses are compatible with the Zoning Ordinance and with the currently adopted Comprehensive Plan. Mr. Meadows stated that staff recommends that the Planning Commission recommend approval of this proffer amendment to the Board of Supervisors.

Mr. Haldeman called for disclosures from the Commission.

Mr. Polster, Mr. O'Connor, and Mr. Haldeman each stated that he spoke with Mr. Geddy.

Mr. Haldeman opened the Public Hearing.

Mr. Geddy addressed the Commission in support of the application. Mr. Geddy thanked the Commission for considering this matter. As no one else wished to speak,

Mr. Haldeman closed the Public Hearing.

Ms. Leverenz stated that she was pleased to see additional day-care being made available.

Ms. Leverenz made a motion to recommend approval of the application.

On a roll call vote, the Commission voted to recommend approval of Z-21-0011. 115 Norge Center Proffer Amendment. (7-0)

**G. PLANNING COMMISSION CONSIDERATIONS**

There were no items for consideration.

**H. PLANNING DIRECTOR'S REPORT**

1. Planning Director's Report - April 2021

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

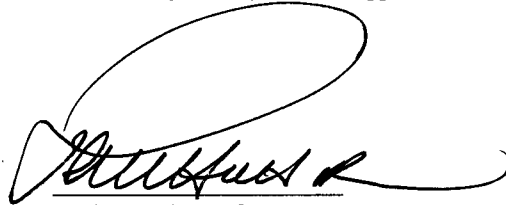
**I. PLANNING COMMISSION DISCUSSION AND REQUESTS**

Mr. Haldeman noted that he would be the representative to the Board of Supervisors for April

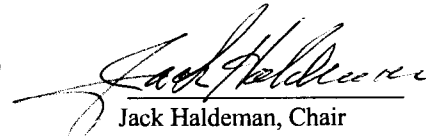
**J. ADJOURNMENT**

Ms. Null made a motion to adjourn.

The meeting was adjourned at approximately 6:13 p.m.



Paul D. Holt, III, Secretary

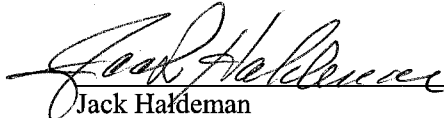


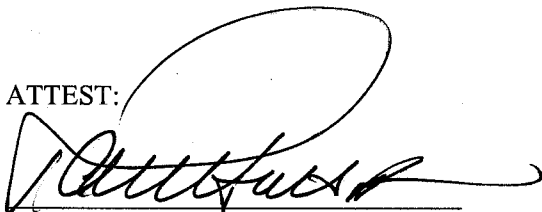
Jack Haldeman, Chair

## RESOLUTION

### PLANNING COMMISSION VIRTUAL MEETING

- WHEREAS, on March 24, 2020, the James City County Board of Supervisors (the "Board") adopted an emergency Ordinance to ensure the continuity of government in response to the coronavirus pandemic negatively affecting the health, safety, and welfare of the citizens of James City County (the "County"); and
- WHEREAS, on April 14, 2020, and September 8, 2020 the Board readopted the continuity of government Ordinance (the "Ordinance"), which, under certain circumstances, permits the Board and its subordinate boards, committees, and commissions to conduct regularly scheduled, special, or emergency meetings solely by electronic or telephonic means without a quorum of members physically present (a "Virtual Meeting"); and
- WHEREAS, the Planning Commission is a subordinate Commission of the Board and is therefore eligible to conduct a Virtual Meeting; and
- WHEREAS, the Planning Commission desires to conduct a Virtual Meeting on April 7, 2021, at which time those items listed on the agenda attached hereto (the "Agenda") will be considered; and
- WHEREAS, each of the members of the Planning Commission have reviewed each the items listed on the Agenda and have determined that consideration of each is necessary to ensure the continuation of the essential functions of the government during the emergency described in the Ordinance.
- NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, hereby finds and declares that immediate consideration of each of the items set forth in the Agenda is necessary to ensure the continuation of essential functions of the government during the emergency declared by the Board and further described in the Ordinance.

  
Jack Haldean  
Chairman, Planning Commission

ATTEST:   
Paul D. Holt III  
Secretary to the Planning Commission

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
NULL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
POLSTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HALDEMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'CONNOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LEVERENZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAPF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Planning Commission of James City County, Virginia, this 7th day of April, 2021.

VMtg-PC-April-res