

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, Va 23185
August 2, 2023
6:00 PM

A. CALL TO ORDER

Mr. Polster called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:

Tim O'Connor
Jack Haldeman
Rich Krapf
Frank Polster
Barbara Null
Stephen Rodgers

Planning Commissioners Absent:

Rob Rose

Staff Present:

Paul Holt, Director of Community Development and Planning
Liz Parman, Deputy County Attorney
Terry Costello, Senior Planner
Ben Loppacker, Planner

C. PUBLIC COMMENT

Mr. Polster opened Public Comment.

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

D. REPORTS OF THE COMMISSION

Mr. Rodgers stated that the Development Review Committee (DRC) met on July 19, 2023.

Mr. Rodgers stated that the DRC discussed C-23-0036. 1821 Jamestown Road Powhatan Ridge Subdivision, which was submitted by Mr. Jason Grimes of AES Consulting Engineers for a proposed residential development. Mr. Rodgers stated that the parcel is located inside the Primary Service Area (PSA) and is approximately 66.04 acres in size with 18.55 being developable and 47.77 being nondevelopable. Mr. Rodgers stated that the parcel is zoned R8, Rural Residential, LB, Limited Business, and is designated Low Density Residential (LDR) according to the 2045 Comprehensive Plan.

Mr. Rodgers stated that the conceptual plan is currently under review by agency and County staff to assess compliance with County Code and other regulations. Mr. Rodgers stated that the applicant requested that this item be placed on the DRC Agenda, as part of the initial

review process to seek input and questions from the DRC members.

Mr. Rodgers stated that the DRC expressed its concerns about several factors it felt would affect current and future residents in the proposed subdivision and surrounding communities, local school systems, and the environment/land that is going to be developed. Mr. Rodgers stated that the areas of concern consisted of whether the future property would consist of 61 units or less based off the Board of Supervisors' decision to approve a change in the density calculation that does not include the steep slopes on the parcel that are nondevelopable, are the clusters shown on the provided plans, what does affordable housing mean to the applicant and how will it be implemented, will there be enough parking or garages to accommodate more than two cars per unit, how does the applicant plan to mitigate traffic and congestion, were the suggestions provided in the Powhatan Creek Watershed Plan applied to the proposed subdivision, which part of the area is impacted by the steepness of the slopes, how will the new development benefit the county, will the surrounding schools be able to accommodate the increase of students that live within the subdivision, and has a fiscal impact analysis been conducted and what did the applicant find.

As this was a discussion item, no action and no vote were required.

E. CONSENT AGENDA

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

On a voice vote, the Commission approved the Consent Agenda. (6-0)

1. Minutes of the July 5, 2023, Regular Meeting

F. PUBLIC HEARINGS

1. SUP-23-0018. Grove Christian Outreach Center SUP Amendment

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

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

Ayes: Haldeman, Krapf, Null, O'Connor, Polster, Rodgers

Absent: Rose

Mr. Ben Loppacker, Planner, stated that Ms. Katie Patrick has submitted a request to amend a Special Use Permit (SUP), to allow the existing Outreach Center to operate as the primary use due to the growth of the Outreach Center's space needs exceeding those defined in SUP-0014-2010. Mr. Loppacker stated that the subject property is located at 8800 Pocahontas Trail, zoned LB, Limited Business, classified as Neighborhood Commercial on the 2045 Comprehensive Plan, and located inside the PSA.

Mr. Loppacker stated that staff finds the proposed conditions will mitigate impacts to surrounding properties and development. Mr. Loppacker further stated that staff also finds that this proposal is compatible with surrounding zoning and development and is generally consistent with the 2045 Comprehensive Plan and the Zoning Ordinance.

Mr. Loppacker stated that staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions.

Mr. Loppacker noted that staff recommends a minor amendment to Condition No. 1 to carry over existing language from SUP-0014-2010 regarding the ability to expand the existing

structure to 8,400 square feet in the future; this language is not currently in the version in the Commission's packet.

Mr. Haldeman requested clarification on the amended condition.

Mr. Loppacker stated that the amended condition was "a minor amendment to Condition No. 1 to carry over existing language from SUP-0014-2010 regarding the ability to expand the existing structure to 8,400 square feet in the future."

Mr. Holt noted that this addition was made to ensure that the approved expansion is not lost in the future.

Mr. Polster inquired how many members the Grove Christian Community Church has and when it was anticipated that they would move to a new location.

Mr. Loppacker stated that he would defer to the applicant.

Mr. Polster inquired when the clock started ticking for the required move.

Mr. Loppacker stated that the 90 days began in May.

Mr. Polster opened the Public Hearing.

Ms. Katie Patrick, Executive Director, 8800 Pocahontas Trail, Grove Christian Outreach Center, made a presentation in support of the application.

Ms. Patrick noted, in response to Mr. Polster's questions about the Grove Christian Community Church, that they have already moved to the new location as of the past weekend, and that the membership is approximately 30 members of which approximately one-third are Grove residents.

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

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

On a roll call vote, the Commission voted to recommend approval of SUP-23-0018. Grove Christian Outreach Center SUP Amendment. (6-0)

2. SUP-23-0019. 213 Southpoint Drive Detached Accessory Apartment

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

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

Ayes: Haldeman, Krapf, Null, O'Connor, Polster, Rodgers

Absent: Rose

Ms. Terry Costello, Senior Planner, stated that Mr. Jason Buckley of Promark Custom Homes has applied for an SUP to allow a detached accessory apartment to be constructed within a detached accessory structure. Ms. Costello stated that the property is located at 213 Southpoint Drive, zoned R-1, Limited Residential, and is designated LDR on the 2045 Comprehensive Plan Land Use Map.

Ms. Costello stated that the detached garage will be approximately 1,728 square feet and the

proposed apartment will be 399 square feet which is approximately 23% of the total floor area.

Ms. Costello stated that the R-1 Zoning District allows detached accessory apartments as a specially permitted use in accordance with Section 24-32(b) of the James City County Zoning Ordinance. Ms. Costello stated that staff has reviewed the proposed design and finds that all requirements have been met.

Ms. Costello stated that staff finds this proposal to be compatible with surrounding development and consistent with the 2045 Comprehensive Plan and 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 opened the Public Hearing.

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

Mr. Krapf made a motion to recommend approval of the application, subject to the proposed conditions.

On a roll call vote, the Commission voted to recommend approval of SUP-23-0019. 213 Southpoint Drive Detached Accessory Apartment. (6-0)

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for Planning Commission Consideration.

H. PLANNING DIRECTOR'S REPORT

Mr. Holt noted that the County received an award from the National Association of Counties for the 2045 Comprehensive Plan.

Mr. O'Connor inquired when the next update process would begin.

Mr. Holt stated that it was generally a five-year cycle; however, there were a number of Ordinance amendments and other implementation items for staff to address from this recent update.

1. Planning Director's Report - August 2023

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Haldeman noted that staff is currently soliciting public input on the Yarmouth Creek Watershed Plan through a survey available on the County's website.

Mr. Polster commented on the need for watershed plans to address the cumulative impacts of land use changes within the watershed.

Mr. Polster noted that there may not be an opportunity to remediate the concerns in the Powhatan Creek Watershed; however, the Yarmouth Creek and Diascund Creek Watersheds are in better condition now with the potential to ensure they remain in good condition.

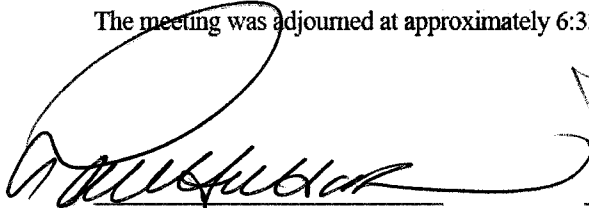
Mr. Haldeman noted that it is important to preserve the rural watersheds through growth management.

Mr. Polster stated that it is important to prioritize implementation of the watershed plans in the areas that can still be preserved.


J. ADJOURNMENT

Ms. Null made a motion to adjourn.

The meeting was adjourned at approximately 6:33 p.m.

A large, stylized handwritten signature in black ink, likely belonging to Paul D. Holt, III.

Paul D. Holt, III, Secretary

A handwritten signature in black ink, likely belonging to Frank Polster.

Frank Polster, Chair