

MINUTES
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
August 9, 2018
4:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at approximately 4:00 p.m.

B. ROLL CALL

Present:

Jack Haldeman, Chair
Julia Leverenz
Rich Krapf
Heath Richardson

Absent:

Tim O'Connor

Staff:

Paul Holt, Director of Community Development and Planning
John Risinger, Community Development Assistant

C. MINUTES

1. July 12, 2018 Meeting Minutes

Ms. Julia Leverenz made a motion to Approve the July 12, 2018 meeting minutes.

The motion passed 3-0 by voice vote.

D. OLD BUSINESS

1. Master Plan Consistency Determinations

Mr. Haldeman opened the discussion.

Mr. Heath Richardson arrived at this time.

Mr. Paul Holt stated that the purpose of the meeting is to continue the conversation and that there is no pressure to decide today.

Mr. Haldeman stated that major changes to a Master Plan could result in a new Master Plan being required.

Mr. Holt stated that if there are major changes, the applicant would need to go through the Master Plan amendment process.

Mr. Haldeman asked about the applicable process if the applicant reduced the number of homes.

Mr. Holt stated that such a proposal could be approved administratively.

Ms. Leverenz asked if only an increase in homes would require a Master Plan amendment.

Mr. Holt stated that if there is a net increase in homes then there may need to be a Master Plan amendment through the legislative process.

Mr. Rich Krapf stated that there are difficulties determining if a proposal should be administrative or go through the legislative process.

Ms. Leverenz stated that a Board of Supervisors (BOS) member stated that if a proposal is denied by the Planning Director, then the applicant should go through the legislative process.

Mr. Richardson stated that the process should be streamlined. He stated that at the last Policy Committee meeting there was a discussion of a process that would allow the BOS to review proposals that reached a threshold.

Mr. Holt stated that the Policy Committee talked about the number of criteria that needed to be met and approval of the Homeowners Association (HOA) to determine the next step in the process.

Mr. Richardson asked how much the County should be involved between the citizens and the developer.

Mr. Haldeman stated that the County would need to look at how the citizens would be impacted.

Mr. Richardson stated that housing unit counts would have a larger impact in regard to the County and its services and traffic impacts.

Ms. Leverenz stated traffic is impacted the most in the Stonehouse application. She stated that the type of homes also impacts the schools and traffic counts.

Mr. Richardson stated that he agreed from a traffic viewpoint.

Ms. Leverenz stated that the type of housing has a substantial impact.

Mr. Krapf stated that currently there are four criteria, and if only one of the four criteria is met the Master Plan is not consistent.

Mr. Holt confirmed.

Mr. Krapf stated that the first bullet point references the type of housing.

Ms. Leverenz stated that bullet points one and three have the greatest potential to become political.

Mr. Krapf stated that he would delete the rest of the changes after the last sentence in the fourth bullet point.

Mr. Holt stated that there is a variety of possibilities. He asked if there could be a check-in point with the BOS at an earlier date.

Mr. Richardson agreed.

Mr. Holt stated that there can be an alternatives analysis. He stated that one option would be

to not make changes. He stated that the expectation of making a developer go through the legislative process is a big commitment. He stated that the second option would be that the BOS could decide if it would like to see all of the proposals or have some of the proposals go to the Development Review Committee (DRC).

Ms. Leverenz asked if that included residential units and type.

Mr. Holt confirmed. He stated that the approval of the HOA could also impact whether or not an item goes to the BOS. He stated a third option would be to get clarity on what the BOS would like to see. He stated that all of these options can be brought to a work session to get an idea on what the BOS prefers.

Mr. Richardson stated that there have not been a lot of significant Master Plan amendment proposals.

Mr. Holt stated that there have not been many, and the majority were minor architectural amendments.

Ms. Leverenz stated that it is important not to over-legislate the process.

Mr. Holt stated that checking in with the BOS would allow the Policy Committee to accurately develop a policy.

Mr. Richardson stated that there is potential for the BOS to be put in a situation where it is between citizens and developers.

Mr. Krapf stated that the change would not increase the housing units.

Ms. Leverenz stated that the proposals would still go through the Planning Commission (PC).

Mr. Richardson stated that he would not want the process to bypass the DRC.

Mr. Haldeman asked how proposals would get to the BOS.

Mr. Holt stated that that is a question for the BOS and which cases they would want to review.

Mr. Haldeman asked if cases would still go through the PC.

Mr. Krapf stated that the process would go through the PC because the DRC reports to the PC.

Ms. Leverenz stated that if the DRC denies an application, but the PC approves the request, the application is approved and that is the end of the process.

Mr. Krapf stated that DRC reports are part of the consent agenda. He stated that significant applications such as Stonehouse can be pulled during the meeting.

Ms. Leverenz stated that even though the Stonehouse item was pulled from the consent agenda, the PC could not deny the application.

Mr. Holt stated that if a neighbor has a genuine issue with the proposal, the DRC can be an outlet. He stated that the Ordinance was previously amended.

Mr. Krapf stated that a conceptual plan is vague, and the plans begin to add more detail as

they approach a site plan. He stated that the site plan shows the potential issues that were not noticed at the beginning. He asked if the minor issues need to go through the legislation process.

Mr. Holt stated that going back through the legislative process allows the BOS to hold another public hearing on the proposal.

Mr. Krapf stated that for minor changes, the legislative process costs people time and money.

Ms. Leverenz asked if the DRC could deny a political proposal.

Mr. Holt stated that there is not a process to deny a political issue. He stated that when a code is written into the Ordinance, it applies to all projects County-wide. He stated that if a policy were developed, it could allow for interpretations. For example, if a proposal has no issues, it can stop at the PC or if a proposal results in concerned citizens, the BOS can review the proposal in the end.

Mr. Krapf stated that he is concerned about that route.

Ms. Leverenz stated that the citizens are not given a public notice.

Mr. Holt stated that specific process details can be figured out while meeting with the BOS.

Mr. Krapf asked if a chart of Master Plan consistency determinations of the past five years could be put together.

Mr. Richardson agreed.

Mr. Haldeman asked if other communities have a process.

Mr. Richardson stated that other localities may have a policy that is completely different than what the BOS would even want.

Mr. Holt stated that an early check-in point with the BOS will help.

Mr. Krapf stated that it is a good idea to meet with the BOS.

Mr. Haldeman stated that the guidance will help determine which cases will need to go through the full legislative process.

Mr. Richardson asked how this topic can be brought to a work session.

Mr. Holt stated that he would work with Administration to do a check-in with the BOS. He stated that the BOS will be able to consider multiple options.

Mr. Richardson stated that having options will help the BOS decide.

Mr. Holt stated that whether or not the HOA agrees with a proposal can be part of the options as well as determining the number of criteria that would need to be inconsistent before the BOS heard the proposal.

Ms. Leverenz stated that the Policy Committee should start at a higher level and let the BOS make decisions on some of the finer details.

Mr. Holt stated that the finer details are what will be difficult to write into the Ordinance.

Ms. Leverenz stated that she feels the HOA should not be a factor.

Mr. Richardson stated that communities such as Kingsmill have multiple HOAs including ones run by the developer. He stated that they should communicate to the BOS that including the HOA in the Ordinance could be complicated.

Mr. Krapf stated that there is an internal process within a development between the citizens and the HOA. He stated that it is the responsibility of the HOA to notify residents.

Mr. Holt stated that a memorandum will be drafted to capture the Policy members' conversations. He stated that the Planning Director and the Chair of the PC and Policy Committee would attend the work session. He stated that he would go through the memorandum with the BOS. He stated that work session items are usually discussion items.

Mr. Haldeman asked what day.

Mr. Holt stated that it is the fourth Tuesday of each month.

Mr. Haldeman stated that part of the conversation is making the Master Plan amendment process easier for proposals that reduce the amount of homes.

Mr. Richardson stated that talking with the BOS would help answer the question about reducing the number of homes process.

Mr. Leverenz stated that the location of where the homes would be located would still be an issue regarding the impacts.

Mr. Holt stated that there could be an element that reducing the density could be approved at staff level.

Ms. Leverenz stated that lowering the number of homes affects the current citizens in the subdivision.

Mr. Holt stated that there could be multiple concerns with a decrease of density.

Mr. Richardson asked if there could be an incentive to reduce density to increase the likelihood of greenspace.

Mr. Holt stated that reducing density could be done administratively. He stated that increasing greenspace does not necessarily reduce units.

Mr. Krapf stated a single reduction in homes can result in multiple implications.

Mr. Holt stated that if the proposal is just to reduce units, then staff can approve the proposal. He stated that other changes could go through the DRC.

Mr. Haldeman stated that a possible route is to make the process simpler and potentially reduce the fees.

Mr. Richardson stated that the housing market is always changing and it is different than when he moved to the County.

Mr. Haldeman stated that the increase in homes could have a large impact on the County. He stated that a decrease in homes in a Master Plan will be better for the overall vision of the

County.

Mr. Krapf stated that the housing market is changing. He asked what the vision of the new Comprehensive Plan would be for housing to attract a younger group of people.

Mr. Haldeman stated that the job market will attract younger professionals.

Mr. Krapf stated that establishing a new revenue stream to attract a new group of professionals is key.

Mr. Holt stated that the Comprehensive Plan update can include these pieces.

Mr. Haldeman asked what is included in the memorandum to the BOS.

Mr. Holt stated that the memorandum will not have the HOA piece and will include an option for reducing density.

Ms. Leverenz asked if the developer could decide not to build.

Mr. Holt stated that the developer could decide not to build. He stated that there could be an administrative approval for the reduction of lots.

Ms. Leverenz asked if housing units being transferred would go through the legislative process.

Mr. Holt stated that at minimum, they would go to the DRC.

Ms. Leverenz stated that a component to make the process easier could make the overall policy more difficult.

Mr. Krapf stated that he would like the Committee to discuss both the pros and cons before talking to the BOS. He asked if there is another opportunity to talk about the subject before the work session.

Mr. Haldeman stated that there is a Policy Committee meeting before the work session.

Ms. Leverenz stated that the members need some direction from BOS. She stated that there are some components that the Policy Committee needs to continue to talk about before consulting the BOS.

Mr. Holt stated that after the policy is drafted, there will be more questions to ask the BOS and have another check-in before going to the PC.

Mr. Krapf stated that this gives the Committee an opportunity to refine the policy.

Mr. Haldeman asked if there were any questions.

There were none.

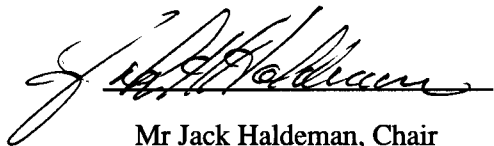
E. NEW BUSINESS

There was no new business.

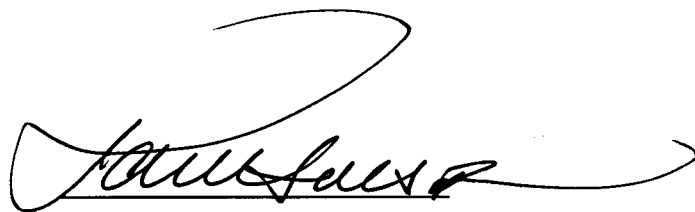
F. ADJOURNMENT

Mr. Krapf made a motion to Adjourn. The motion passed 4-0.

Mr. Haldeman adjourned the meeting at approximately 5:10 p.m.



Mr Jack Haldeman, Chair



Mr. Paul Holt, Secretary