

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
January 2, 2019
6:00 PM

A. CALL TO ORDER

Mr. Heath Richardson call 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
Max Hlavin, Deputy County Attorney
Tom Leininger, Planner

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, December 28, 2018, to review one conceptual plan C-18-0110 for Hazelwood Farms. Mr. Schmidt stated that the property owners Larry Hazelwood and Debbie Drudge spoke to the Committee about the proposal. Mr. Schmidt stated that Tim Trant of Kaufman and Canoles, Arch Marston and Jason Grimes of AES consulting engineers also made presentations. Mr. Schmidt stated that the subject property is divided into two large parcels truncated by Interstate 64, and is located at the western limits of the County in the Stonehouse district. Mr. Schmidt further stated that the smaller northern parcel is comprised of 79 acres and the larger southern parcel is 325 acres. Mr. Schmidt stated that the northern parcel is currently zoned B1 and designated on the Comprehensive Plan Land Use Map as Mixed Use. Mr. Schmidt stated that the southern parcel is presently zoned as B1 and A1 and is designated as Economic Opportunity on the Comprehensive Plan Land Use Map. Mr. Schmidt noted that both parcels fall within the Primary Service Area but do not yet have public utilities serving them.

Mr. Schmidt stated that AES Consulting Engineers has conducted research as to the feasibility of a large-scale project on the land in question. Mr. Schmidt stated that the current vision is to

turn the northern parcel called Village Centre into a mixed-use parcel with a commercial emphasis, and for the southern parcel named the StoneHouse Enterprise Centre to become Economic Opportunity with a light industrial emphasis with some residential as well as commercial sections. Mr. Schmidt stated that for Enterprise Centre to change from A1 and B1 to Economic Opportunity it would have to go through the legislative rezoning process. Mr. Schmidt further stated that Village Centre would need a Special Use Permit (SUP) to change from B1 to Mixed Use. Mr. Schmidt stated that the landowners pointed out that the land is within the Foreign Trade Zone where there could potentially be incentives for businesses to avoid some tariffs on international goods. Mr. Schmidt stated that the hope is to make the Hazelwood Farms properties more desirable for development through the proposed zoning changes.

Mr. Schmidt stated that the Committee's discussion centered around the Resource Protection Area (RPA) on both parcels. Mr. Schmidt stated that the conceptual plans showed roads passing through the RPA at various locations, and there was some concern as to the impact on stream headwaters. Mr. Schmidt stated that in addition, vegetative buffers between the interstate and the properties, the costs associated with getting major utilities to the land, traffic impacts and a connection to adjacent Upper County Park were all topics of conversations initiated by the Committee. Mr. Schmidt stated that no DRC action was required.

Mr. Jack Haldeman stated that the Policy Committee met on December 13, 2018, to discuss several ordinance amendments and begin the dialogue about the Comprehensive Plan Review methodology.

Mr. Haldeman stated that staff reviewed guidance from the Board of Supervisors pertaining to proposed amendments regarding master plan consistency determinations. Mr. Haldeman stated that the amendments were thought to be of sufficient magnitude and impact on property owners to require additional discussion, so the matter was tabled until the January meeting.

Mr. Haldeman further stated that at its November 27, 2018 work session, the Board of Supervisors directed the Planning Commission and staff to develop regulations to address protections for the public water supply and areas of public health and water quality sensitivity within the Special Regulations section of the Zoning Ordinance. Mr. Haldeman stated that staff reviewed various approaches to crafting these regulations. Mr. Haldeman stated that the Committee will review similar regulations and ordinances from the City of Newport News and York County and discuss this matter at its next meeting.

Mr. Haldeman further stated that staff reviewed how changes to State Code, combined with recent Federal Communications Commission decisions regarding facilities, intended to support the deployment of 5G technology, require changes to how local Zoning Ordinances may treat applications for wireless communications facilities. Mr. Haldeman stated that these changes will further reduce local control through zoning. Mr. Haldeman stated that the Committee discussed the changes and asked staff to draft changes to bring the County's Zoning Ordinance in line with State Code.

Mr. Haldeman stated that the Planning Commission members not serving on the Policy Committee were invited to attend this meeting in order to facilitate a discussion on the methodology for revising the 2015 Comprehensive Plan. Mr. Haldeman stated that according to state code, the Comprehensive Plan must be reviewed every five years. Mr. Haldeman stated that staff presented a draft timeline beginning with a citizen survey in April 2019 and ending with adoption by the Board of Supervisors in the fall of 2021. Mr. Haldeman further stated that the process will rely heavily on public outreach by the Community Participation Team which will begin in the summer of 2019. Mr. Haldeman stated that as in prior years, the foundation of the process will be public engagement, key elements of past processes, continuity of vision and guidance from State Code.

E. CONSENT AGENDA

There were no items on the Consent Agenda.

F. PUBLIC HEARINGS

1. Z-18-0006. Ironbound Crossing Rezoning

Mr. Tom Leininger, Planner, stated that Mr. Mark Rinaldi of Bush Construction Corporation and Mr. Vernon Geddy of Geddy, Harris, Franck & Hickman have applied to rezone a property located at 4007 Ironbound Road, a portion of the Mount Pleasant Church property at 4002 Ironbound Road and approximately .76 acres of Virginia Department of Transportation (VDOT) right-of-way (ROW) along Old Ironbound Road. Mr. Leininger stated that the properties are across from Courthouse Commons, New Town and near the Monticello Avenue and Route 199 interchange.

Mr. Leininger stated that these parcels are located where Ironbound Road was constructed prior to Monticello Avenue and Route 199. Mr. Leininger stated that previously, this property was rezoned from R-8 with Proffers to B-1, General Business with Proffers to allow for a five-story office building. Mr. Leininger noted that the application was approved by the Board of Supervisors on March 12, 2002.

Mr. Leininger stated that this application is to rezone approximately .74 acres of the Mount Pleasant Church property, the .76 acres of VDOT ROW from R-8 Rural Residential to B-1 General Business with Proffers and amend the existing B-1 property Proffers. Mr. Leininger stated that the applicant is working with VDOT to purchase the .76-acre VDOT ROW to be combined with the existing property to create a 1.93-acre parcel as shown on the master plan as Area 1. Mr. Leininger further stated that the church property is known as Area 2 on the Master Plan. Mr. Leininger stated that both Areas 1 and 2 are designated Mixed Use on the 2035 Comprehensive Plan Land Use Map and are located inside the Primary Service Area.

Mr. Leininger stated that the application did not provide specific proposed use at this time; however, Area 1 is being rezoned for commercial and office use and Area 2 is being rezoned for an overflow parking lot as it is a by-right use in B-1. Mr. Leininger stated that the proposed master plan would allow up to 45,000 square feet of building development with a maximum of 20,000 square feet for commercial uses and 25,000 square feet for office uses.

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

Mr. Richardson called for disclosures from the Commission.

Ms. Julia Leverenz stated that she had spoken with Mr. Geddy.

Mr. Tim O'Connor, Mr. Schmidt and Mr. Rich Krapf stated that they had spoken with Mr. Geddy.

Mr. Haldeman stated that Mr. Geddy had called him, but they had not connected.

Mr. Richardson opened the Public Hearing.

Mr. Vernon Geddy, Geddy, Harris, Franck and Hickman, LLP, representing the applicant, made a presentation to the Commission on the proposed rezoning.

Mr. Geddy noted that representatives of Mount Pleasant Baptist Church, Mark Rinaldi and members of the Development Team, John Hopke, Dexter Williams and Jason Grimes were also in attendance.

Mr. Geddy stated that 17 years ago this property was one of the first approved for development along the Monticello Avenue corridor. Mr. Geddy stated that the proposed project, a five-story office building, proved not to be financially feasible and the property has been vacant all that time. Mr. Geddy stated that in 2002, the James City Service Authority entered into a cross easement agreement with the owner of the G Square property to address development on the two parcels including access, parking and stormwater management.

Mr. Geddy stated that the purpose of the application is to permit low intensity commercial/office development on the combined G Square/ VDOT parcel and provide overflow parking and certain accessory uses for the Church. Mr. Geddy further stated that there is no particular use in mind; however, the rezoning will make the property more marketable. Mr. Geddy stated that the applicant has provided Proffers which limit uses on the property and provide for a binding Master Plan and Design Guidelines. Mr. Geddy noted that this rezoning will only allow low-intensity uses. Mr. Geddy further noted that if a more intense use were proposed, it would go through the Commercial SUP process.

Mr. Geddy requested that the Commission recommend approval of the application.

Mr. Geddy stated that he is putting on a different hat as he addresses the Commission on behalf of Mount Pleasant Baptist Church (the Church). Mr. Geddy stated that the Church has enjoyed a good relationship with Bush Construction Corporation for many years. Mr. Geddy stated that the Church is in agreement with this application due to the benefits it will provide to address overflow parking for various events and services. Mr. Geddy stated that the Church Trustees support the application and request that the Commission recommend approval to the Board of Supervisors.

Mr. Geddy stated that Mr. Rinaldi has spoken with the owner of the adjacent mini-storage who also supports the project.

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

Mr. Richardson called for discussion from the Commission.

Mr. Polster noted that he would like to see the agreement with the owner of the BMP #MC032 become part of the record for this case.

Mr. Krapf made a motion to recommend approval of Z-18-0006, Ironbound Crossing Rezoning.

On a roll call vote, the Commission voted to recommend approval of Z-18-0006, Ironbound Crossing Rezoning (7-0).

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for consideration.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - January 2019

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

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Holt stated that at least one item has been submitted for Commission Discussion.

Mr. Schmidt stated that he had a Resolution of Appreciation to present and requested that Mr. Richardson join him at the podium.

Mr. Schmidt read the Resolution of Appreciation:

Resolution of Appreciation

Heath Richardson

WHEREAS, Mr. Heath Richardson has served the citizens of James City County as a member of its Planning Commission from February 2014 to December 2018; and

WHEREAS, Mr. Richardson has served on the Policy Committee and the Development Review Committee; and

WHEREAS, Mr. Richardson served as the Chairman of the 2016 Development Review Committee; and

WHEREAS, Mr. Richardson served as the Chairman of the 2018 Planning Commission; and

WHEREAS, during Mr. Richardson's service, the Planning Commission reviewed substantive updates to the Zoning Ordinance and Subdivision Ordinance and considered numerous legislative development cases; and

WHEREAS, Mr. Richardson actively participated in the update to the Comprehensive Plan: Toward 2035: Leading the Way; and

WHEREAS, Mr. Richardson served on the 2015 Planning Commission Working Group; and

WHEREAS, Mr. Richardson is a graduate of the Virginia Tech Certified Planning Commissioner Program.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia does hereby extend its sincere appreciation to

Mr. Heath Richardson

BE IT FURTHER RESOLVED that the Planning Commission wishes to express its gratitude to Mr. Heath Richardson for his time of dedicated service to the citizens of James City County.

Mr. Richardson stated that he has enjoyed serving on the Planning Commission and working with the other commissioners. Mr. Richardson stated that the experience has made him a better citizen.

J. ADJOURNMENT

Mr. Haldeman made a motion to adjourn.

The meeting was adjourned at approximately 6:27 p.m.

Heath Richardson, Chair

Paul D. Holt, III, Secretary