



**KING WILLIAM COUNTY
PLANNING COMMISSION
REGULAR MEETING OF OCTOBER 1, 2024**

A regular meeting of the Planning Commission of King William County, Virginia, was held on the 1st day of October 2024, beginning at 6:30 p.m. in the King William County Board Room of the Administration Building.

Agenda Item 1. Call to Order

Chairman Sluder called the meeting to order at approximately 6:30 p.m.

Agenda Item 2. Electronic Participation Approval

Not needed.

Agenda Item 3. Roll Call

Darrell Kellum – Vice Chair	Present
Greg Henrich	Absent
Otto Williams	Present
Ben Edwards	Present
Mathew Sluder - Chairman	Present

Also in Attendance:

Sherry Graham, Senior Planner

Joyce Wolfe, Planner I

Ashley Gault, Planning Secretary

Steve Hudgins, Deputy County Administrator serving as Director of Community Development

Agenda Item 4. Moment of Silence

Chairman Sluder called for a moment of silence.

Agenda Item 5. Pledge of Allegiance

Chairman Sluder led the pledge of allegiance.

Agenda Item 6. Review And Adoption of Meeting Agenda

Chairman Sluder asked if the October 1, 2024 Planning Commission Agenda had been overlooked for approval. With no changes, Commissioner Williams moved for the motion of approval, Vice Chairman Kellum seconded the motion. The members were polled:

Otto Williams	Aye
Ben Edwards	Aye
Darrell Kellum	Aye
Mathew Sluder	Aye

All were in favor with none opposed.

Approval for adoption of the October 1, 2024, Planning Commission Regular Meeting Agenda passed.

Agenda Item 7.a. Approval of Minutes

Supervisor Edwards moved for the approval of the September 3, 2024, regular meeting minutes. Vice Chairman Kellum seconded the motion. The Chairman called for any discussion. With no additional edits, the members were polled:

Otto Williams	Aye
Ben Edwards	Aye
Darrell Kellum	Aye
Mathew Sluder	Aye

All were in favor with none opposed.

September 3, 2024, regular meeting minutes approval passed.

Agenda Item 8. Citizens Comment Period

Chairman Sluder opened the Citizens Comment Period at approximately 6:33pm.

Chris Couch of the 5th district disputed claims regarding Dreaming Tree Farms being in violation of tax code, questioning research done to provide said claims. Mr. Couch provided facts to allocate what he says are incorrect tax reports, stating that Dreaming Tree Farms is regulated by VDAX and explained food and beverage taxes, his personal property taxes, retail tax, defending as a food manufacturer he is required to document all of Dreaming Tree Farms procedures. Mr. Couch discussed previous inquiries with the county and past legal matters, visitors to his farm and their dissatisfaction with how the county has treated his small business. After the 3 minutes allotted time frame, Mr. Couch was gaveled to end his comment period.

Tim Vaughan, co-owner and operator of a small family farm in the 5th district, commented on the newly proposed agritourism ordinance sighting that as a regenerative agricultural farm his business relies heavily on direct-to-consumer sales, noting several activities he and his wife promote to circulate customer relationships. Mr. Vaughan worries that certain verbiage in the proposed ordinance will negatively impact the small business farms and asks that the Planning Commission be very clear on what changes the ordinance will make and to take into consideration the second and third order affects the changes could bring. Mr. Vaughan respectfully requested for the Commissioners to meet with and discuss in detail the proposed ordinance, inviting them to his family farm to have the necessary conversations.

Lisa Mason of the 2nd and 5th district asked for landscaping around the chain length fence surrounding the broadband box across from the Mattaponi Indian Reservation at 13597 King William Road King William, 23086.

With no further speakers, Chairman Sluder closed the citizens comment period.

9. Public Hearing

9a. Consideration of CUP 04-2022 – Central Apartments –

A public hearing was advertised appropriately and opened by Chairman Sluder.

Senior Planner, Sherry Graham presented a PowerPoint presentation outlining the history of the conditional use permit application and the many changes suggested in 2022 by the Planning Commission board; reviewing updated site plans that provide more of a buffer, the location of the building being centered on the property and the reduction of apartment units from 180 to 159. Mrs. Grahams presentation detailed the buildings new elevation compared to the old and noted that the applicant held a neighborhood meeting in February 2023 as required and again in July of 2024.

Commissioner Williams brought up concerns about the elevation levels still being a hazard as the current King William fire and rescue does not have a ladder truck that extends to such heights. Supervisor Edwards claiming the applicant would possibly be providing the proper equipment to ensure the elevated stories will meet safety standards, however, it being foolish to have a building that high with no means to safely protect it. Mrs. Graham clarified the current height limitations again and introduced the applicant and his representative for further explanation.

As not to conflict interest, Vice Chairman Kellum recused himself from further discussions and voting of CUP 04-2022 -- Central Apartments.

The applicant of the proposed Central Apartments Mark Bakers representative, Mark Kronenthal reviewed the changes requested and completed, evaluated the current site plan, the new layout and addressed Commissioner Williams concerns of fire safety, traffic patterns and turning lanes, offering that the site plans were reviewed by the fire department, the traffic impact analysis done by VDOT and the number of bedrooms per unit, proclaiming that the one-bedroom units were

done intentionally to target single occupancy and not large families, listing several amenities to secure the complaints of neighbors and the safety of residents.

Chairman Sluder asked general questions regarding the proposed vegetated buffers from the corners of the building, types of trees, turning lanes, grading and water runoff.

Representative Mr. Kronenthal assured the double layer of staggered evergreens and fencing was done deliberately with adequate stacking, referencing the previous site plan distance of 103 feet being extended to 160 feet on the current layout and discussed the attendance of previous neighborhood meetings held; noting one resident and several other community members.

Mr. Sluder opened the citizens' comment period of the Public Hearing for CUP 04-2022 – Central Apartments.

Larry Will, a Central Apartment residential applicant attended the meeting from Richmond, VA.

Chris Budd of 124 Central Crossing Terrance in the 2nd district respectfully requested for the denial of the CUP. Sighting several concerns, Mr. Budd addressed issues such as road noise, artificial lighting, water and sewage demands and the lack thereof, as well as the elevated complex being a privacy invasion and the strain of an impacted school division.

Jessica Budd of 124 Central Crossing Terrance in the 2nd district reiterated Mr. Budds concerns asking to please oppose the application for the conditional use permit. Her chief complaint of the project being the significant negative impact on the surrounding property owner's privacy claiming the buffers are not sufficient to block three story balcony views, traffic noise and interruptions on her home and the neighbors. Requesting other types of homes be considered and reprimands the developers lack of applying previous request of the planning commission to the proposed development and to review the Comprehensive Plan again.

Mr. Kronenthal rebutted claims of the buffers being insufficient, allowing that the density was appropriate, and the double layer of evergreens were added to mitigate the adjacent property owners' concerns. Stating that the lighting is subject to county code, and that he would gladly address any other concerns in the complaint letters received.

Chairman Sluder followed the public hearing comments with more of his own questions about exterior lighting and elevation levels and compared buffer distances; Mr. Kronenthal shared modern lighting is directional and the retention buffer expanded from 47 feet to 103 feet was done deliberately to minimize disruption.

Mr. Kronenthal requested his colleague and applicant, Mr. Mark Baker to share the amount of unusual research done for this specific conditional use permit including a Topographical study showing the lowest elevation point being at 160 feet and the highest point at 172 feet, again noting the intended buffers to create a more wooded affect eliminating as much neighborhood impact as possible.

Chairman Sluder asked hypothetical grade work questions to possibly reduce the highest building point levels, and the Commissioners contemplated several construction options; the applicant reassured all previous Planning Commission board site plan concerns had been addressed and why the berms were included.

Commissioner Williams and Supervisor Edwards discussed the "L shaped" layout of the building asking more fire safety questions to which Mr. Kronenthal verified the buildings will have sprinklers installed and all fire protecting sprinkler equipment meets county code.

Chairman Sluder asked Senior Planner Graham what the Future Land Use Map intended for the already zoned B2 area, questioning that if the apartments are not approved, a commercial business could possibly build a strip mall there to which Mrs. Graham concurred per a rezoning, it was possible.

Chairman Sluder pondered the current number of single bedroom housing available to which Mrs. Graham stated she is unaware of any. Commissioner Williams followed Chairman Sluder's questions, asking how many unbuilt, approved apartments are currently in the area, Mrs. Graham exemplifying only one complex across the street; adding those apartments were originally approved on the right side of Sheldon Court and route 30 but were amended to townhomes.

Mrs. Graham and the Commissioners briefly discussed the historical expansion request of the current apartment buildings not being single, one bedroom and Mr. Kronenthal offered the application and complexity of CUP 04-2022 - Central Apartments was designed with state-of-the-art architecture that conforms to this specific type of rural economy while catering to the need for single housing.

Chairman Sluder applauded the applicant and representative for the drastic effort made to uphold the requested site plan amendments; explaining with the single-family design, this development is ideal for the area, pointing out the concerns of the constituents and the very few design flaws he is bothered by. Supervisor Edwards agreeing that our future master plan does support CUP 04-2022.

Mr. Edwards motioned for approval; Chairman Sluder validated Supervisor Edwards motion was only for approval of the Planning Commission's recommendation to the Board of Supervisors for final endorsement, clarifying that Mr. Edwards conditions be corrected first.

Commissioner Williams opposed his fellow members opinions, sharing his feelings regarding the CUP not being a good fit for the community; warranting single bedroom occupancy effects on the counties already maxed compacity and suggested attaining to the community deficiencies first and questioned the accuracy of the traffic impact analysis.

Chairman Sluder reiterated his opinion of appropriateness for such housing and the need to utilize the area with this proposal to avoid a much bigger commercial operation, finalizing the motion with directional lighting stipulations and turning lanes.

A roll call vote was ordered:

Otto Williams	Nay
Mathew Sluder	Aye
Ben Edwards	Aye

Due to the absence of two commissioners' votes, the motion was not passed.

At approximately 7:37pm Chairman Sluder offered to differ the motion of approval of CUP 04-22 – Central Apartments to the November 12, 2024, Planning Commission meeting.

Supervisor Edwards made the motion to table the request for CUP 04-2022, seconded by Commissioner Williams and justified by Director of Community Development Steve Hudgins, Chairman Sluder tabled the vote.

9b. Consideration of the Technology Ordinance –

Senior Planner Sherry Graham presented a PowerPoint presentation reviewing King William County's current zoning ordinance and the importance of incorporating a Technology Site and Building Requirements Ordinance to allow such facilities with a Conditional Use Permit in the Industrial (I) and Agricultural Conservation (AC) zoning districts.

Vice Chairman Kellum addressed Mrs. Graham's presentation asking for specific examples of technological sites the ordinance would cover. Clarifying, Mrs. Graham stated that most technological sites must be near high voltage power lines and large transformers, offering manufacturing facilities, flex industrial storage distribution centers and renewable energy facilities that use less water to operate as examples.

Concurring with Vice Chairman Kellum, Senior Planner Graham declared that the ordinance will not be limited to just data centers, however, cell towers would not fall under this specific category, and agreed that an ordinance would open the county for such type of technological advancements but only with conditional use permits on a case-by-case basis, and the applicant meets minimum building setbacks of 150', minimum property line setbacks of 200' in the Residential or Agricultural districts, maximum building heights, sound attenuation and screening and buffer provisions.

Data centers and minimum acreage requirements were discussed by the Planning Commission Board and Senior Planner Graham determining that no districts would be allowed a facility by-right, and no blanket coverages would be approved. The Commissioners conversed the recent popularity of data centers in surrounding counties being a great revenue creator and listed several benefits the ordinance will prioritize.

Chairman Sluder asked the Director of Community Development, Steve Hudgins for additional inquiries to which Mr. Hudgins agreed all boxes needing to be checked by a CUP, before the ordinance could be adopted. Chairman Sluder then opened the Public Comment period.

Mrs. Bonnie Hite from the 2nd district shared her 3-minute topic points, starting with the very sophisticated fire suppression systems and complex locations these facilities require, Mrs. Hite also shared her concerns of the high-power necessities for operation. Adding that these types of technological facilities must be developed carefully because of the complexity of the infrastructure, questioning the number of high-power utility lines available in the county. Mrs. Hite reminded the Commission Board that the Comprehensive Plan does not specifically match the design the potential technology ordinance would attract, noting the lack of staff and knowledge it takes to develop such sites.

Chairman Sluder followed Mrs. Hites's public comment summarizing that nothing like this is currently in the county and the ordinance written could be a great example for adjacent counties. Mrs. Graham reiterated the need for the ordinance to avoid any negative from the lack there of and the decision to adopt a Technology Site and Building Requirements Ordinance with Conditional Use Permit provisions was strongly favored.

Vice Chairman Kellum and the Planning Commissioners discussed more details of technology centers adding that professional council be included in drafting the ordinance and Mrs. Bonnie Hite was allowed another comment period due to the nature of her concerns and background in not only technology and data centers but history with the Planning Commission.

Mrs. Hite informally recommended limiting how many sites could be in one area and suggested mentioning that King William is not trying to encourage a data center that would use the rivers as a resource for cooling, recognizing the updated cooling methods newer sites are using would not be regulated by a CUP and DEQ would have final approval. Mrs. Hite asked that more wordage research be conducted before an ordinance is drafted and to postpone the decision until then.

Vice Chairman Kellum motioned for approval; Supervisor Edwards seconded the motion.

A roll call vote was ordered, and the members were polled:

Darrell Kellum	Aye
Otto Williams	Aye
Ben Edwards	Aye
Matt Sluder	Aye

All were favor with none opposed. At approximately 7:47pm, the motion to adopt a Technology Site and Building Requirements Ordinance was approved.

Agenda Item 10. Unfinished Business:

10a. Discussion of the Cluster Development –

Planner I, Joyce Wolfe presented a PowerPoint Presentation reviewing Cluster Subdivisions and reasons for the Ordinance. Mrs. Wolfe brought up several points outlining cluster subdivisions, noting that the Code of Virginia requires jurisdictions with a population growth of 10% or

greater between decennial censuses must provide in their zoning or subdivision ordinance standards, the conditions and criteria for the clustering of single-family dwellings and the preservation of open space developments, noting that clustering development on a site would preserve open farmland, forested areas and sensitive historical and environmental features but also addresses the growing need for housing, the Ordinance would replace two existing sections that reference clustering and add provisions requiring the recordation of a permanent open space/conservation easement, allowing cluster subdivision in the AC districts and limiting density to 1 lot per 5 acres of the overall size of the parcel.

Agenda Item 11 New Business:

11a. Discussion of Farm Housing –

Planner I, Joyce Wolfe discussed Farm Housing and the omission of farm accessory buildings for use as a dwelling from the use matrix during the last code update. Citing the need for Re-amendment Mrs. Wolfe provided provisions to use an accessory building for farm worker housing and proposed language should including the required size of the farm be 50 acres or more, the number of structures (1 per 50 acres) setback and size standards, occupancy limitations and use restrictions.

Mrs. Wolfe recommended to the Planning Commission to advertise the ordinance for amendment for public hearing in November.

Agenda Item 12 Directors Report –

Senior Planner Graham announced the requested Economic Development Workshop on November 6, 2024, with the EDA, Planning Commissioners and Board of Supervisors and reminded the Commissioners November Planning Commission meeting would be the second Tuesday, due to election day. Mrs. Graham also mentioned the upcoming public hearings and multiple agenda items for the next two-month meetings.

12a. Existing and Upcoming Projects

Current Site Plan submissions were discussed –

- Communications Tower Application – 889 Locust Hill Road
- Proposed Solar Facility
- Dunkin' Donuts – under 2nd review
- The Orchards I and II – both pending approval
- Kennington 3C – resubmitted 10/02/24
- Pinecrest Subdivision – Completed

- McCauley Park Carriage Homes – signed.
- Dental Office – Site Plans complete

Agenda Item 13

13a. Edmunds Reports –

Senior Planner Sherry Graham reviewed Violation Reports from August through September 2024.

13b. Violation Logs –

Senior Planner, Sherry Graham presented a spreadsheet report with planning and zoning totals for the 2024 calendar year.

Agenda Item 14. Commission Member Request and Comments

Taking time to recognize the staff, Commissioner Williams thanked everyone for being at the meeting and recognized the impactful outcome of difficult conversations when the counties overall future is discussed.

Supervisor Edwards thanked everyone for coming, the Planning Commission staff, for all their work and the public for attending.

Vice Chairman Kellum thanked the meeting attendees for coming, the staff and his fellow Commissioners.

Chairman Sluder thanked the staff, the attendees and his fellow board members.

Agenda Item 15. Adjourn or Recess

Chairman Sluder entertained the motion to adjourn.

Commissioner Williams made the motion to adjourn, Supervisor Edwards seconded the motion. A roll call vote was ordered, the members were polled:

Mr. Williams	Aye
Mr. Edwards	Aye
Mr. Kellum	Aye
Mr. Sluder	Aye

The meeting was adjourned at 9:02pm.

X *Matthew Sluder*

Matthew Sluder
Chairman

X *Ashley Gault*

Ashley Gault
Planning Secretary

