

AT A REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE CONFERENCE ROOM, BUILDING E, AT 3:00 P.M. ON THE 29TH DAY OF MARCH, TWO THOUSAND.

1. ROLL CALL

Mr. John Hagee, Chairman
Mr. Martin Garrett
Ms. Peggy Wildman

ALSO PRESENT

Mr. Paul D. Holt, III, Senior Planner
Mr. Chris Johnson, Planner
Mr. Scott Thomas, Environmental Civil Engineer

2. Case No. SP-131-99. Busch Corporate Residence, Landscaping Plan

Mr. Hagee declared his conflict of interest and stated that he would not be voting on this case. Mr. Holt presented the staff report. Mr. Holt stated that since there are no current ordinance requirements for plantings along the side property lines, the current proposed plans exceed any county requirement. Staff views the current request by an adjacent property owner a private matter and would not object to the current plan but would also not object to reorienting, deleting, or modifying the currently proposed landscaping along the side property lines. Mr. and Mrs. Rick DeWald, the adjacent home owners, made a brief presentation to the DRC describing and showing, via pictures, existing vegetation on the property. Mr. DeWald also presented the DRC with a copy of the landscape plan proposed by Busch where the proposed evergreen trees were highlighted. Mr. Bill Voliva, representing Busch, also described the existing vegetation of the site through photographs taken of the property before it was cleared for construction of the home. Mr. DeWald stated that his condominium was sold to him as a home with a river view. Mr. Voliva stated that he believed this wasn't the case, but acknowledged that he wasn't in attendance during the sales meetings. Mr. DeWald stated that in addition to eliminating or modifying some of the proposed landscaping, he wanted some additional existing vegetation removed on the site to further enhance his visibility of the river. Ms. Wildman made the suggestion that, where the proposed landscaping would block Mr. DeWalds river view, that Busch consider using lower growing shrubs, instead of the tall evergreen trees. Mr. Voliva stated this would be an acceptable alternative, provided he can continue to meet his screening objectives for the home. Mr. Voliva also stated that the fence along the western property line would be located along the property line with any new landscaping to be located on the corporate residence side of the fence. Mr. DeWald requested that additional landscaping be moved or eliminated along the front of the site. Mr. Garrett stated that he believed that Busch properties should retain the ability to screen the corporate residence from the roadway. Ms. Wildman agreed. The DRC, along with Mr. Voliva and Mr. DeWald agreed that proposed evergreen trees along the western property line would be substituted with lower, and slower, growing varieties. The DRC, Mr. Voliva and Mr. DeWald also agreed that the proposed evergreen trees along the eastern property line would be substituted with lower and slower growing plant species that were spaced out more. Mr. Voliva added that this would be done along this property line to the extent that screening of the marina and the marina parking lot could be maintained. The DRC further agreed that the proposed landscaping along Kingsmill Road would remain as proposed on the plan. The DRC asked Mr. Voliva to forward a list of the proposed plant substitutions to Mr. Holt and for Mr. Holt to pass the information on to Mr. DeWald. Finally, at the suggestion of Mr. Garrett, the landscaping plan will come back to the DRC only if Mr. Holt decided the proposed plant substitutions did not match with what was agreed to in the meeting. Accompanying Mr. Voliva was Mr. Tom Dunn.

3. Case No. SP-20-00. J.W. Crossing

Mr. Johnson presented the staff report and stated that this case was before the DRC due to the fast food restaurant proposed for the site. Mr. Johnson handed out copies of a letter dated March 28, 2000 from Peter Paluszay of Ewell Station, Inc. which stated several objections to the site plan. Mr. Johnson stated that staff had reviewed the letter and concluded that none of the issues raised in the letter should prevent

the DRC from acting on the case. Mr. Hagee asked staff to summarize the issues raised in the letter. Mr. Johnson stated that the majority of Mr. Paluszay's comments dealt with the consistency of the plans with what was presented to the Planning Commission and Board of Supervisors over such issues as dumpster location, signage, square footage of the buildings and entrance location. Staff believes that plans are consistent with what was reviewed by the PC and BOS and consistent with the SUP conditions and the covenants for the site. Ms. Wildman asked if any adjacent property owners had expressed any objections. Mr. Johnson responded that no objections had been received by staff. Mr. Arch Marston and Mr. Howard Price of AES Consulting Engineers briefly explained the civil litigation that had occurred between C & N Dining and Ewell Station. With no further discussion, the DRC voted 2-0 (Mr. Garrett had excused himself prior to discussion of this case) to recommend preliminary approval.

4. Adjournment

There being no further business, the March 29, 2000, Development Review Committee meeting adjourned at approximately 4:15 p.m.

John Hagee, Chairman



O. Marvin Sowers, Jr., Secretary