

AT A REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE BUILDING A CONFERENCE ROOM AT 4:00 P.M. ON THE 1st DAY OF JUNE, TWO THOUSAND FIVE.

ROLL CALL

Mr. Jack Fraley, Chair
Ms. Ingrid Blanton
Mr. Wilford Kale

ALSO PRESENT

Mr. Matthew Arcieri, Senior Planner
Mr. Trey Davis, Planner
Ms. Karen Drake, Senior Planner
Mr. Christopher Johnson, Senior Planner
Mr. Allen Murphy, Principal Planner
Mr. Matthew Smolnik, Planner
Ms. Tammy Rosario, Senior Planner
Mr. Scott Thomas, Civil Engineer
Mr. Brad Weidenhammer, VDOT
Mr. Leo Rogers, County Attorney

MINUTES

Following a motion by Mr. Kale, the DRC approved, as amended, the minutes from the April 27, 2005 meeting by a unanimous voice vote.

PUBLIC COMMENT

Mr. Fraley gave an overview of the purpose of the DRC and its responsibilities. He described the public input process and noted that a public comment period is provided at the beginning and end of the meeting. Mr. Fraley opened the meeting to public comment at 4:10PM. Hearing none, Mr. Fraley then closed the meeting to public comment.

CASE NO. SP-6-05. STONEHOUSE, THE FAIRWAYS

Mr. Davis presented the staff report for this case and noted that the project had come before the DRC at its March 2nd meeting for approval of two entrances on Mill Pond Run. The case was deferred by the DRC and the applicant resubmitted it on May 6th with one entrance for an administrative review. Mr. Jeff Miller, an adjacent property owner, had submitted a letter addressing several issues with the proposed development, thus causing it to come back before the DRC review. Mr. Davis noted that staff had examined the issues raised in Mr. Miller's letter and

that the only one which related to the Zoning Ordinance was that of adjacent property owner notification which is required for site plans at least five days before final approval may be granted. The applicant sent APO letters shortly after the first submittal in February and again upon resubmittal of the plan in May. Staff also kept in contact with other residents who had asked they be informed when the plans were resubmitted. Mr. Davis said all other issues raised by Mr. Miller's letter appeared to be of a civil nature and did not fall under the Planning Division's purview. Staff recommended that the DRC recommend preliminary approval. Mr. Marc Bennett of AES noted that Futura LLC was not the owner and developer of the parcel in question and that 2J Investments no longer held interest in the property. Mr. Kale asked whether the entrance way had been moved to the optimal location to address any concerns about traffic congestion. Mr. Bennett replied that it had been. Mr. Fraley asked Mr. Davis to provide a history of the APO notification process. Mr. Davis noted that the applicant was told by a previous planner to send letters to all adjacent property owners in February when the case was submitted and the applicant did so. At staff's request, the applicant sent new notification letters to the adjacent property owners of record when the case was resubmitted on May 6, 2005. Mr. Davis noted that staff contacted those residents who had asked to be keep informed of the progress of this case via e-mail and the telephone and had been in contact with residents since late winter of 2005. Mr. Bennett added that the townhome project had been presented twice to members of the home owner's association – once in late 2004 and once in March of 2005. Ms. Blanton asked for clarification of the designation of "highly erodible" soils in the project area. Mr. Scott Thomas replied that such soils are very typical throughout the County and that the erosion and sediment control plan for this site was adequate. He said the Environmental Division would have withheld a recommendation of preliminary approval if the plan had not been satisfactory. Ms. Blanton said she agreed that most issues raised by Mr. Miller were not ones which could be best addressed by the DRC but asked whether the view from Lot 12 could be improved by switching the townhouse units in some fashion. Mr. Bennett replied that all the units were the same size and that there is very little room in which they could be shifted to alter the viewshed. He noted that Lot 12 was sold by the Stonehouse Group twice and that the parcel in question was represented as having the potential for development. Stonehouse was not involved in the third transfer of the property and Mr. Bennett said he could not speak to how it was represented at that time. Mr. Kale, seconded by Ms. Blanton, made a motion to recommend preliminary approval of the case subject to agency comments. The proposal was approved by a 3-0 voice vote.

CASE NO. C-56-05. NEW TOWN SECTIONS 2 & 4, NEIGHBORHOOD GREEN
RELOCATION

Ms. Drake presented the staff report noting that due to the location of the movie theater, Main Street as illustrated on the approved New Town Section 2&4 Master Plan would not be extended to create the proposed Neighborhood Green. New

Town Associates instead proposes to relocate the neighborhood green eastward on Discovery Park Boulevard as illustrated in the staff report attachments with a building and parking lot to be constructed in the area of the old neighborhood green site. In addition, New Town Associates proposes that a 2.3 acre archaeological site in Section 7 would become an open space park when the property is rezoned. Ms. Drake noted that the New Town Design Review Board had approved the new neighborhood green location at their May, 2005 meeting and would review specific design details as the park is engineered. Ms. Drake explained that per the New Town Section 2&4 proffers that the Planning Director had found the proposed change to the master plan did not significantly alter the character of land uses and now the issues were before the DRC with staff's recommendation of approval. Mr. Greg Davis, the applicant, clarified for Ms. Blanton that the archaeological site was excavated per the County's archaeological policy and not due to other DEQ or Army Corps of Engineers permit requirements. There being no further discussions, and following a motion by Ms. Blanton that was seconded by Mr. Kale, the DRC approved by a vote of 3-0 that the proposed relocation of the Neighborhood Green as illustrated in the staff report does not significantly alter the character of land uses and approves the amendment to the New Town Section 2&4 master plan.

CASE NO. SP-41-05 WILLIAMSBURG-JAMES CITY COUNTY, THIRD HIGH SCHOOL

Mr. Johnson presented the staff report and updated DRC members on the status of the PPEA site work that is ongoing on the Warhill site. Mr. Johnson recommended that preliminary approval be granted for the proposal and find the project substantially consistent with the adopted Comprehensive Plan in accordance with Section 15.2-2232 of the Virginia Code. Mr. Kale expressed concerns over the capacity for the school and lack of area provided to allow for future expansion. Mr. Fraley expressed concerns over the decision to remove two athletic fields from the site. Ms. Blanton echoed Mr. Fraley's concerns over the lack of athletic fields. Mr. Kale questioned the review and approval of the two existing high schools and stated that he did not want to see a repeat of the mistakes made at those schools that have prevented expansions of both facilities and resulted in the need for classroom trailers. Mr. Johnson stated that the entire Warhill site is still owned by the County and will not be transferred to W-JCC Schools or TNCC until construction of the high school has been completed and a Dedication Agreement has been signed by the Board of Supervisors and TNCC. The school division never had permission from the Board of Supervisors to locate two athletic fields on the western side of the access road to the Sports Stadium. Mr. Johnson stated that the land in question was not planned to be part of the school site but athletic fields or an auxiliary gymnasium may be constructed at a later date. Mr. Kale questioned the Board's motivation for removing the fields and stated that the decision had little to do with budgetary concerns. Mr. Johnson responded that every decision made by the PPEA team which is guiding the construction of the Warhill site on issues such as roadways, site layout, and

infrastructure has impacts on the budget for the project. Mr. Johnson reminded the DRC that construction is already occurring on the Warhill site and deferral or denial of this proposal would have negative impacts on the project timeline. Mr. Johnson stated that the concerns expressed by the DRC over school capacity, the number of athletic fields, and the ability to expand the school could be expressed during the upcoming public hearings for the Rezoning and Master Plan applications scheduled for the July Planning Commission meeting. There being no further discussions, and following a motion by Mr. Fraley that was seconded by Ms. Blanton, the DRC, by a vote of 3-0, found the proposal substantially consistent with the 2003 Comprehensive Plan and recommended preliminary site plan approval subject to agency comments. The DRC noted the concerns expressed over the ability to expand the school facility and the limited number of on-site athletic facilities. The DRC requested that a meeting be scheduled with members of the W-JCC School Division and Moseley Architects to discuss these concerns prior to the public hearings for the rezoning and master plan for the site.

CASE NO. SP-65-05. WILLIAMSBURG INDOOR SOCCER COMPLEX EXPANSION

Mr. Johnson stated that the adopted conditions of Case No. SUP-17-03 require DRC review of any proposed changes to the Warhill Sports Complex Master Plan. Mr. Johnson indicated that the existing WISC facility was reviewed by the DRC when it was constructed in 1999 and is shown on the Master Plan adopted by the Board of Supervisors last year. Staff recommended that the DRC find the proposed expansion consistent with the adopted Master Plan. There being no further discussion, and following a motion by Ms. Blanton that was seconded by Mr. Kale, the DRC, by a vote of 3-0, found the proposed expansion consistent with the adopted Warhill Sports Complex Master Plan.

CASE NO. SP-42-05. STAT SERVICES

Mr. Davis presented the staff report for this site plan, noting that it is subject to the master plan and conditions of SUP-01-04. SUP condition #2 requires DRC review of the site plan for consistency with the approved master plan. The site plan proposes two buildings totaling 12,000 square feet as opposed to one as shown on the master plan. It also proposes a slightly smaller outdoor storage area of 6,500 square feet and parking areas shifted away from the property lines. Staff recommended that the DRC find the site plan consistent with the approved master plan and recommend preliminary approval. Ms. Blanton asked whether this was an improvement on the original plan. Mr. Davis replied that it was because two, smaller buildings served to break up the bulk of the design and would be more in keeping with the scale of the surrounding neighborhood. Mr. Kale asked whether the outdoor area would be fenced off. Mr. Davis replied that it would, with fencing consistent with the SUP conditions and approved by the Planning Director. Ms. Blanton, seconded by Mr. Kale, made a motion to find the plan consistent with the master plan and recommended preliminary approval of the

case subject to agency comments. The proposal was passed by a 3-0 voice vote.

CASE NO. SP-66-05. WARHILL SPORTS COMPLEX BASKETBALL FACILITY

Mr. Smolnik presented the staff report for the proposed construction of three outdoor basket ball courts at the Warhill Sports Complex. Mr. Fraley asked if this facility was different from the indoor basketball court facility at the Recreation Center. Mr. Smolnik indicated that this proposal was for outdoor courts. Ms. Blanton inquired on the number of trees that would have to be removed to construct this facility and asked whether or not there is a plan to replant vegetation around the courts. Mr. Tubach, Parks and Greenways Planner, stated that there is no plan to replant the area surrounding the basketball courts. Mr. Kale asked where the location of the proposed basketball courts will be on the site. Mr. Tubach referred to the location on the Master Plan. There being no further discussion, Ms. Blanton made a motion to find the proposal consistent with the Comprehensive Plan. The proposal was passed 3-0 by a voice vote.

CASE NO. S-43-05/SP-51-05. COLONIAL HERITAGE, PHASE 3, SECTION 3

Mr. Arcieri presented the staff report stating that AES Consulting Engineers had applied for approval of 67 lots in Phase 3, Section 3 of Colonial Heritage. While there were initial concerns regarding stormwater management design, the applicant and Environmental Division were able to meet and resolve these issues using the Development Roundtable process. Ms. Blanton asked for further clarification regarding the conflict between placement of the street trees along Colonial Heritage Blvd. and the utility easements. A brief discussion ensued as to the challenges of planting in these easements. Mr. Howard Price of AES stated that they would work with the utilities to see if any planting could occur. There being no further discussions, and following a motion by Ms. Blanton that was seconded by Mr. Kale, the DRC recommended preliminary approval subject to agency comments and approval of a revised stormwater master plan for Colonial Heritage by the Environmental Division, by a vote of 3-0.

PUBLIC COMMENT

There was no additional public comment.

DRC RECOMMENDATIONS

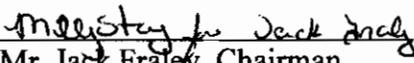
The DRC continued its discussion of the Third High School case. Mr. Kale reiterated his concerns with prior high school construction and stated that the County should not repeat opening a new school at full capacity. The third high school appeared to have very little room for expansion. Mr. Murphy noted that the majority of design decisions had already been made by the Board of Supervisors and the School Board and the DRC was seeing a final plan for

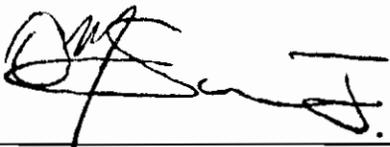
approval. Mr. Murphy recommended that the DRC address their concerns directly to the Board of Supervisors and School Board. Ms. Blanton stated her concerns with lack of space for classroom expansion and the lack of athletic fields. Ms. Blanton stated that the proposal was consistent with County ordinances and she did not feel it was the DRC's role to hold up review of the development plans and construction of the project. Ms. Blanton stated her desire to use the public hearings for the Rezoning and Master Plan applications as the proper forum for her concerns. The committee discussed the impacts of a DRC recommendation for deferral or denial on the project. Mr. Kale stated that he would be able to support preliminary approval provided that his concerns are on record as part of that recommendation. The DRC agreed that two representatives of the group should try and meet with school officials prior to the July Planning Commission meeting.

There being no further discussions, the DRC made their recommendations as noted above for each case.

ADJOURNMENT

There being no further business, the June 1, 2005, Development Review Committee meeting adjourned at 5:43 P.M.


Mr. Jack Fraley, Chairman


O. Marvin Sowers, Jr., Secretary