

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 29<sup>th</sup> DAY OF NOVEMBER TWO THOUSAND SIX.

ROLL CALL

Mr. Jack Fraley  
Ms. Mary Jones  
Mr. Don Hunt

ABSENT

Mr. Jim Kennedy

ALSO PRESENT

Mr. Matthew Smolnik - Planner  
Mr. Scott Whyte – Senior Landscape Planner  
Mr. William Cain – Civil Engineer  
Mr. Darryl Cook – Environmental Division Director  
Mr. Mike Woolson – Watershed Planner  
Ms. Jennifer Lyttle – Assistant County Attorney

MINUTES

Following a motion by Mr. Fraley and seconded by Mr. Hunt, the DRC approved the minutes from the September 27, 2006 meeting without correction by a unanimous voice vote.

PUBLIC COMMENT

None

CASES AND DRC DISCUSSION

SP-74-06: Settler's Market at New Town – Matthew Smolnik

Mr. Smolnik presented the case stating that it was before the DRC because the site plan proposed buildings in excess of 30,000 square feet and for a waiver to Section 24-527: Setback Requirements. All agencies have reviewed the site plan at least two times and Staff believes that all remaining issues can be worked out before final site plan approval and recommended that preliminary approval be granted subject to outstanding agency comments.

A discussion ensued on the quantity and species of plant material that will be used along the Monticello Avenue and Route 199 buffers. Mr. Scott Whyte explained to the DRC that the landscape buffer along Monticello Avenue will become a better end-product if the area is replanted by the applicant following grading of the area and mentioned that a few specimen trees would be preserved in this area. Mr. Fraley asked Mr. Cain about the perennial stream buffers and intermittent stream buffers associated with this project. Mr. Cain explained that all of the

buffers are in compliance with the approved stormwater management plan for New Town. Mr. Fraley asked how wide the buffers are in this area. Mr. Cook responded that the majority of the buffers are 100 feet, but they decrease to around 50 feet where the BMP's are located. Mr. Fraley asked Mr. Cook to comment on the environment design of this project. Mr. Cook stated that it appears to meet all of the standards of the Environmental Division and Mr. Cain followed by stating that the plan is a good design and the applicant added LID features when they were not required and this particular site plan was at least equally as good as other environmental designs in the rest of New Town.

Mr. Abernathy stated that he did not have a formal presentation, but was willing to answer any questions regarding the site plan. Mr. Abernathy continued by stating that the architecture would be very similar to what was presented at the rezoning stage. There would be colonial fronts on the anchors, four-story mixed use buildings around the greens and underground protected parking for the residents in the mixed use buildings. Mr. Fraley stated that he liked the underground parking and that the New Town DRB approved the site plan and will review all architectural renderings. Mr. Fraley said the renderings are great and this would be the best looking section of New Town. Ms. Jones complimented Mr. Abernathy on his willingness to work with Staff on this project. Mr. Fraley followed by saying that AIG Baker went above and beyond their responsibilities by proffering money for off-site road improvements during the rezoning process and that Mr. Abernathy should be commended for his efforts.

Mr. Fraley opened the meeting up for the public to comment. Mr. Tony Obadal asked about the intermittent stream buffers and their width. Mr. Cook responded by saying the buffers are variable in width, but they are generally 50 feet in width. Ms. Jennifer Lyttle added that New Town was grandfathered from the new Chesapeake Bay Ordinance and the old ordinance was applied in this case. Staff has the administrative right to approve variable width buffers with this case. Mr. Woolson stated that the current Powhatan Creek Watershed Management Plan does not apply due to grandfathering and the site is not located on the tidal main stem of Powhatan Creek. A representative from the Williamsburg Environmental Group gave the history of other similar cases and explained the grandfathering clause to New Town. At this time Mr. Obadal thanked everyone for their answers. Mr. Cook explained to Mr. Obadal that Staff is preparing a memorandum to the Board of Supervisors for their review and it will also be distributed to members of the Planning Commission.

A citizen stated her concern for the buffer along Monticello Avenue. She asked what trees are going to be saved and said that it would be better to leave the small trees and remove the larger trees to create a strongly, healthier buffer. Mr. Fraley asked Mr. Whyte about saving the smaller trees. Mr. Whyte responded by saying that he would prefer to have a few larger specimen trees saved and have the applicant replant the area along Monticello Avenue. He continued by saying the interior landscaping is very good and better than the rest of New Town. Mr. Abernathy explained the landscaping plant to the audience with a visual which depicted how the area will be designed including the tree height, grading plan, streetscape plan, town fence, inlets and the existing trees. Sarah Kadece, a citizen of James City County stated that she was concerned about the traffic along Monticello Avenue and questioned how one would turn left into the development while traveling east on Monticello Avenue? Mr. Abernathy explained the additional

road improvements that would be completed on Monticello Avenue as part of the development plans.

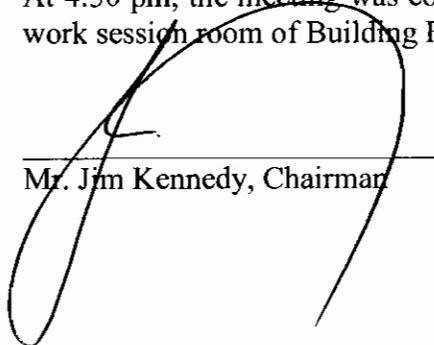
A citizen expressed his concern with the size and locations of the stormwater management ponds on the site plan and questioned where the water along Monticello Avenue drained. He was also concerned that drainage from Section 8 of New Town would drain into the ponds for the Settler's Market development. Mr. Cain and Mr. Woolson explained the locations of the BMP's and the drainage patterns for Section 8 and Settler's Market. Mr. Woolson stated that the size of the BMP's are a site plan issue and assured the citizen that the BMP's will be properly sized prior to final site plan approval.

A citizen asked about the traffic along the Route 199 side of the development and questioned the parking behind the anchors and where the delivery trucks would unload. Mr. Abernathy responded by explaining how this area would be screened from the traffic on Route 199 and the areas of the loading docks behind the anchors.

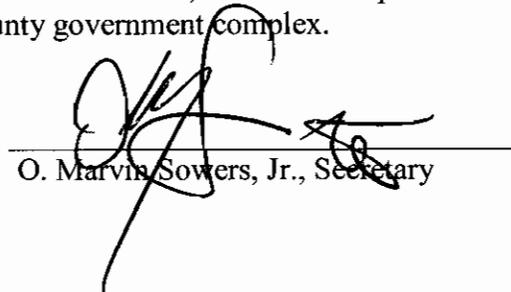
Mr. Fraley asked if there were any more questions and seeing none, he asked for a motion. Ms. Jones made a motion to recommend preliminary approval of the site plan and to grant a waiver to the setback requirements, which was seconded by Mr. Hunt. By a voice vote both motions were passed 3-0.

ADJOURNMENT

At 4:50 pm, the meeting was continued until December 4, 2006 at 5:30 pm in the Board work session room of Building F in the County government complex.



Mr. Jim Kennedy, Chairman



O. Marvin Sowers, Jr., Secretary