

A CONTINUED MEETING OF THE NOVEMBER TWENTY-NINTH TWO-THOUSAND AND SIX DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON DECEMBER 4, 2006 AT 5:30 P.M. IN THE COUNTY GOVERNMENT CENTER WORK SESSION ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

ROLL CALL

ABSENT

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

None

ALSO PRESENT

Ms. Ellen Cook, Acting Principal Planner
Ms. Leanne Reidenbach, Planner
Mr. Jason Purse, Planner
Mr. Jose Ribeiro, Planner
Mr. Luke Vinciguerra, Planner
Mr. Barry Moses, Civil Engineer
Mr. William Porter, Assistant County Administrator
Mr. Steven Hicks, General Services Manager

PUBLIC COMMENT

None

CASES AND DRC DISCUSSION

SP-118-06 THOMAS NELSON COMMUNITY COLLEGE PARKING LOT

Mr. Jose Ribeiro presented the staff report stating that Mr. Jason Grimes of AES Consulting Engineers, on behalf of James City County and Thomas Nelson Community College, had applied to receive approval for two entrances onto the parking lot areas of the future Thomas Nelson Community College Campus located at 6450 Centerville Road. Mr. Ribeiro stated that the site plan was before the DRC because Section 24-147 of the Zoning Ordinance requires DRC review for all site plans with two entrances on the same road. Mr. Ribeiro stated that the site plan proposed the construction of two of the four parking lot areas planned for the college campus and that work on the entire site was being performed in accordance with the Public-Private Education Facilities and Infrastructure Act of 202, PPEA. Mr. Ribeiro pointed out that a new site plan had been submitted for County review with a revised number of parking spaces, from 854 to 750 parking spaces. Staff recommended the DRC grant preliminary approval subject to the attached agency comments. Ms. Jones asked what were the requirements used to

calculate parking spaces for schools/universities. Mr. Ribeiro stated that the Zoning Ordinance did not provide parking calculations for schools and that in circumstances where the ordinance did not have specific parking calculation numbers, the Planning Director had the discretion to determine the adequate number of parking spaces. Mr. Bill Porter stated that when James City County and Thomas Nelson Community College agreed to participate with this project, it was determined that the County would be responsible for building all the infrastructure for the site up to five feet from the proposed buildings. Mr. Fraley asked if the site plan in front of the DRC had the revised number of parking spaces. Mr. Ribeiro answered that it did not. Mr. Kennedy stated that if the DRC approved this plan knowing that it's not completely accurate; it might set a negative precedent for the DRC. Mr. Hicks mentioned that the overall concept of the new plan hasn't changed. Mr. Ribeiro stated that although the number of parking spaces had changed the overall character of the site plan remained the same including the two entrances onto the parking lot areas. Mr. Fraley concurred with Mr. Kennedy and stated that he could not let this site plan be approved if the correct site plan with the revised number of parking spaces was not in front of the DRC. Mr. Fraley inquired from Senior Planning Staff if this site plan would qualify for an expedite review by the DRC. Mrs. Cook stated that according to the Zoning Ordinance, projects that promote the economic development of the County are eligible for DRC expedite review process. Mr. Fraley suggested a new meeting where two members of the DRC could review the site plan with the revised numbers of parking spaces. There being no further discussion, and a motion by Mr. Fraley, which was seconded by Mr. Kennedy, the DRC voted unanimously (4-0) to defer action to this case until its next meeting on Wednesday, December 06, 2006.

On December 06, 2006 at 8:00 a.m., Mr. Jack Fraley and Ms. Mary Jones met with Mr. Bill Porter and Mr. Jose Ribeiro to review the site plan with the revised number of parking spaces and to compare it with the site plan that was originally presented at the DRC meeting on December 04, 2006. Mr. Ribeiro presented two site plans. Mr. Bill Porter explained the differences between the two plans and how the overall concept and lay out of the site plan with the revised number of parking spaces remained the same. There being no further discussion, and on a motion by Mr. Fraley, which was seconded by Ms. Jones, the DRC voted to unanimously (2-0) grant preliminary approval of this site plan subject to agency comments.

SP-124-06 WEATHERLY AT WHITE HALL

Ms. Leanne Reidenbach presented the staff report stating that Mr. Aaron Small and Mr. Bryan Stevenson of AES Consulting Engineers, on behalf of HHHunt, were requesting preliminary approval for a 79 unit condominium development at 3225 Old Stage Road and 8716, 8724, and 8720 Barhamsville Road. The development was formerly known as LaGrange Village at White Hall. The site plan was before the DRC because it proposes a residential development in excess of 50 units and because proffer 18 stated that the locations of recreational facilities and the equipment provided at such facilities shall be approved by the DRC. Staff recommended that the DRC recommend preliminary approval subject to agency comments. Ms. Jones asked whether any of the landscape planner's comments had been addressed or if Scott Whyte was present at the meeting to

answer questions. Ms. Reidenbach said that he was not present, but that he believed his comments could be addressed through the site plan process after preliminary approval had been granted. Mr. Fraley asked why staff had recommended that the applicant make a cash contribution to fulfill the ball field requirement. Ms. Reidenbach stated that the applicant was already providing open play area on site as park land and that residents of Weatherly would have access to a full ball field located in the 3 Villages section of White Hall. She also said that staff did not feel it was appropriate to have 0.03 of a ball field and would prefer that the contribution went to the construction of a full field. Ms. Ellen Cook added that under a certain size, the Parks and Recreation Master Plan recommends a cash contribution rather than construction of the amenity. Mr. Fraley said that what the DRC wanted to see more of was open play field, even if it was not a full sized field. Mr. Aaron Small commented that they preferred to transfer the 0.03 ball field requirement to the 3 Villages area and provide one full field rather than two pieces of a field. Ms. Reidenbach stated that she spoke with the Assistant County Attorney and that since the two sections were rezoned through separate applications, each had to fulfill the proffers on that particular property. Mr. Small said that his interpretation of the proffers was that the DRC could waive the requirement if the proposal was generally in compliance with the remainder of the recreation proffer. Mr. Fraley recommended that the DRC recommend preliminary approval with the construction of a full field at the 3 Villages and no contribution for the Weatherly project and subject to agency comments. He also stated that if the County Attorney's office required the cash contribution to fulfill the proffer, the applicant would be required to do so.

There being no further discussion and on a motion by Mr. Hunt and a second by Ms. Jones the DRC voted unanimously to recommend preliminary approval with construction of a full field at the 3 Villages, subject to agency comments and proffer interpretation by the County Attorney's office.

SP-129-06, Massie Parking Lot Expansion

Mr. Purse presented the staff report stating that Mr. Richard Smith of AES on behalf of the Massie Corporation had applied to receive approval for two entrances onto the project site at 3920 Cokes Lane. Mr. Purse stated that the site plan was before the DRC because Section 24-147 of the Zoning Ordinance requires DRC review for all site plans with two entrances on the same road. Mr. Purse stated that the second entrance will serve a new parking area that will serve existing facilities on-site, and will also be necessary for a future building site that will be constructed at a later date. Staff recommended the DRC grant preliminary approval subject to the attached agency comments. There being no further discussion, and on a motion by Mr. Fraley, which was seconded by Ms. Jones, the DRC voted to unanimously (4-0) grant preliminary approval of this site plan subject to agency comments.

SP-125-06 SENTARA AT NEW TOWN

Mr. Jose Ribeiro presented the staff report stating that the Development Review Committee had deferred action on this case at its last meeting in order for the applicant to

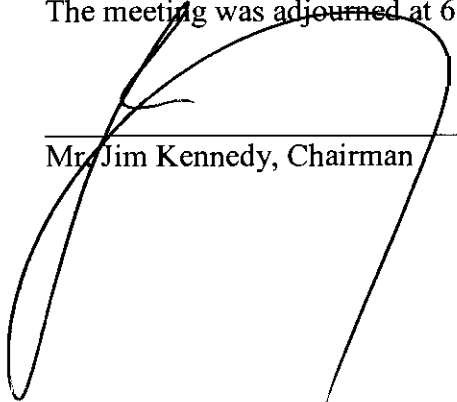
provide the number of practitioners to work at the proposed medical office as means to calculate the minimum off-street parking requirements for this development. Mr. Ribeiro stated that since the DRC's last meeting, the applicant, Mr. Robert Cosby of AES, has provided the number of practitioners to work at the proposed medical office and that the total numbers of parking spaces provided by this proposal meet and exceeded the parking requirements set forth by the James City County Zoning Ordinance. Staff recommended the DRC grant preliminary approval subject to the attached agency comments. There being no further discussion, and on a motion by Mr. Fraley, which was seconded by Ms. Jones, the DRC voted to unanimously (4-0) grant preliminary approval of this site plan subject to agency comments.

C-126-06 OVERHEAD UTILITY WAIVER

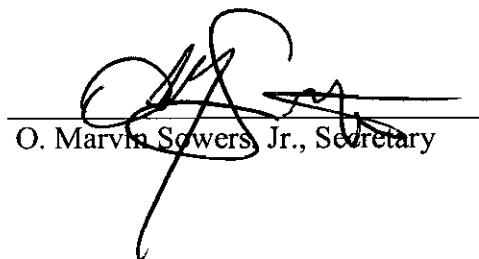
Mr. Vinciguerra presented the staff report stating that Mr. Howard Dandbridge requested a waiver for overhead utility lines to provide service to 3086 Ironbound Rd. The conceptual plan was before the Development Review Committee because Section 24-200 of the Zoning Ordinance requires Development Review Committee review for all utilities not placed underground. Most of the adjacent parcels are served by overhead utility lines and there are no negative agency comments, however carry restrictions. Upon favorable recommendation of the Development Review Committee, the Planning Commission may waive requirements for underground utilities. There being no further discussion, and on a motion by Mr. Kennedy, seconded by Mr. Fraley, the Development Review Committee voted to unanimously (4-0) recommend approval of the overhead utility waiver.

ADJOURNMENT

The meeting was adjourned at 6:25 pm.



Mr. Jim Kennedy, Chairman



O. Marvin Sowers, Jr., Secretary