

A G E N D A
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 25, 2016
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. April 27, 2016 Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. C-0037-2016, Natural Resources and Farm Link Center, Community Gardens

F. ADJOURNMENT

ITEM SUMMARY

DATE: 5/25/2016

TO: Development Review Committee

FROM: Paul D. Holt III, Secretary

SUBJECT: Minutes Adoption - April 27, 2016 Regular Meeting

ATTACHMENTS:

	Description	Type
▣	Minutes of the April 27, 2016 Regular Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Secretary, DRC	Approved	5/20/2016 - 2:48 PM

MINUTES
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
County Government Center Building A
101 Mounts Bay Road, Williamsburg, VA 23185
April 27, 2016
4:00 PM

1. ROLL CALL

Present:

Richard Krapf
Heath Richardson
Tim O'Connor
Chris Basic

Staff Present:

Chris Johnson, Principal Planner
Roberta Sulouff, Planner
Alex Baruch, Planner

Absent:

Robin Bledsoe

Other:

Ryan Stephenson

Mr. Richardson called the meeting to order.

Mr. Basic made a motion to approve the minutes from the February 24, 2016 meeting. The minutes were approved 3-0-1 (Mr. Krapf abstained from voting as he was not at the meeting).

2. ITEMS FOR DRC ACTION

SP-0104-2015, Williamsburg Landing, Woodhaven Expansion

Ms. Roberta Sulouff stated that Mr. Ryan Stephen has submitted a site plan application on behalf of Williamsburg Landing. Ms. Sulouff stated that they are proposing an expansion of the existing Woodhaven building, as well as the addition of two previously approved skilled nursing/memory care buildings, and six smaller auxiliary additions to dining and entrance areas. Mrs. Sulouff stated that this application is subject to SUP conditions associated with SUP-0006-2015 as well as HW-0004-2008. Ms. Sulouff stated that this application is subject to DRC review as it proposes a group of buildings exceeding 30,000 square feet. Mrs. Sulouff stated that staff found the application consistent with the adopted SUP conditions and with the conditions of the adopted Height Waiver, and recommended that the DRC recommend preliminary approval of the request subject to addressing any outstanding comments.

Mr. Heath Richardson asked staff about the process of approval.

Ms. Sulouff stated that should the DRC recommend preliminary approval, the application would be forwarded to the Planning Commission as a consent agenda item. Mrs. Sulouff stated that, prior to final approval the applicant would then need to resubmit the plan to address any outstanding agency comments.

Mr. Rich Krapf stated that he sees the application as addressing a need in the community and that he would support this application.

Mr. Richardson agreed and asked for a motion to grant preliminary approval.

Mr. Krapf made a motion to grant preliminary approval. The Committee voted to recommend preliminary approval 4-0 (Ms. Robin Bledsoe being absent).

4. ADJOURNMENT

Mr. Basic made a motion to adjourn the meeting, and the meeting was adjourned at approximately 4:07 p.m.

Chris Basic, Chairman

Paul D. Holt, III, Secretary

ITEM SUMMARY

DATE: 5/25/2016

TO: The Development Review Committee

FROM: Roberta Sulouff, Planner

SUBJECT: C-0037-2016, Natural Resources and Farm Link Center, Community Gardens

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Location Map	Backup Material
▣	Conceptual Plan Materials	Backup Material
▣	Adopted Resolution for SUP-0017-2003	Backup Material
▣	Adopted Master Plan for the Warhill Sports Complex	Backup Material
▣	Adopted Master Plan for the Warhill School Complex	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Secretary, DRC	Approved	5/20/2016 - 2:48 PM

CONCEPTUAL PLAN-0037-2016. Natural Resource and Farm Link Center, Community Gardens

Staff Report for the May 25, 2016, Development Review Committee**SUMMARY FACTS**

Applicant:	Mr. Brian Noyes, Colonial Soil and Water Conservation District (CSWCD)
Land Owners:	James City County
Proposal:	To begin the first phase of a multi-phase project to build a community agricultural resource center. The initial phase proposes an area to be used for community garden plots. This project requires Development Review Committee (DRC) review per Condition No. 1 of SUP-0017-2003, which states that all development of the Warhill Sports Complex site shall be generally in accordance with the adopted Master Plan (MP-0005-2003), with such minor changes as the DRC determines does not change the basic concept of character of the development.
Location:	5700 Warhill Trail
Tax Map/Parcel No.:	3210100012
Project Acreage:	+/- 3 acres
Zoning:	PL, Public Lands
Comprehensive Plan:	Open Space or Recreation
Primary Service Area:	Inside
Staff Contact:	Roberta Sulouff, Planner

FACTORS FAVORABLE

1. Staff finds the use not inconsistent with the adopted Master Plan for the Warhill Sports Complex and with the Open Space or Recreation Land Use Designation in the 2035 Comprehensive Plan.
2. The plan utilizes existing parking and access.
3. The applicant has worked closely with both Planning and Engineering and Resource Protection staff to develop a plan for this use, and has obtained an agreement from the County to use this land.

FACTORS UNFAVORABLE

1. While the adopted Master Plan for the Warhill Sports Complex indicates that this space may be utilized for a future, joint parking expansion, the subsequently adopted Master Plan for the Warhill High School does not envision or plan shared parking in this area. Given that this designation is not in conformity with the Master Plan for the adjacent Warhill High School, staff finds the parking expansion unlikely.

PROJECT DESCRIPTION

This proposal is the first phase in a multi-phased effort to create a community agricultural resource center. Other planned phases include several demonstration gardens, a seed conservation project and a rainfall simulator. While the area for all intended phases encompasses approximately 15 acres, this project proposes the use of only three of those acres for this phase. The three acres will be divided into 10'x20' garden plots which participants may garden at no cost. Participation will be subject to the attached draft garden

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

Staff Report for the May 25, 2016, Development Review Committee

regulations. The garden will be managed by CSWCD staff. Additionally, the applicant has worked closely with staff from Engineering and Resource Protection and the Stormwater Division to coordinate the use of existing stormwater facilities as irrigation sources for the garden.

STAFF RECOMMENDATION

Staff recommends the DRC find the first phase of the proposed use is consistent with the adopted Master Plan.

RS/ab
CP-37-16CommGardens

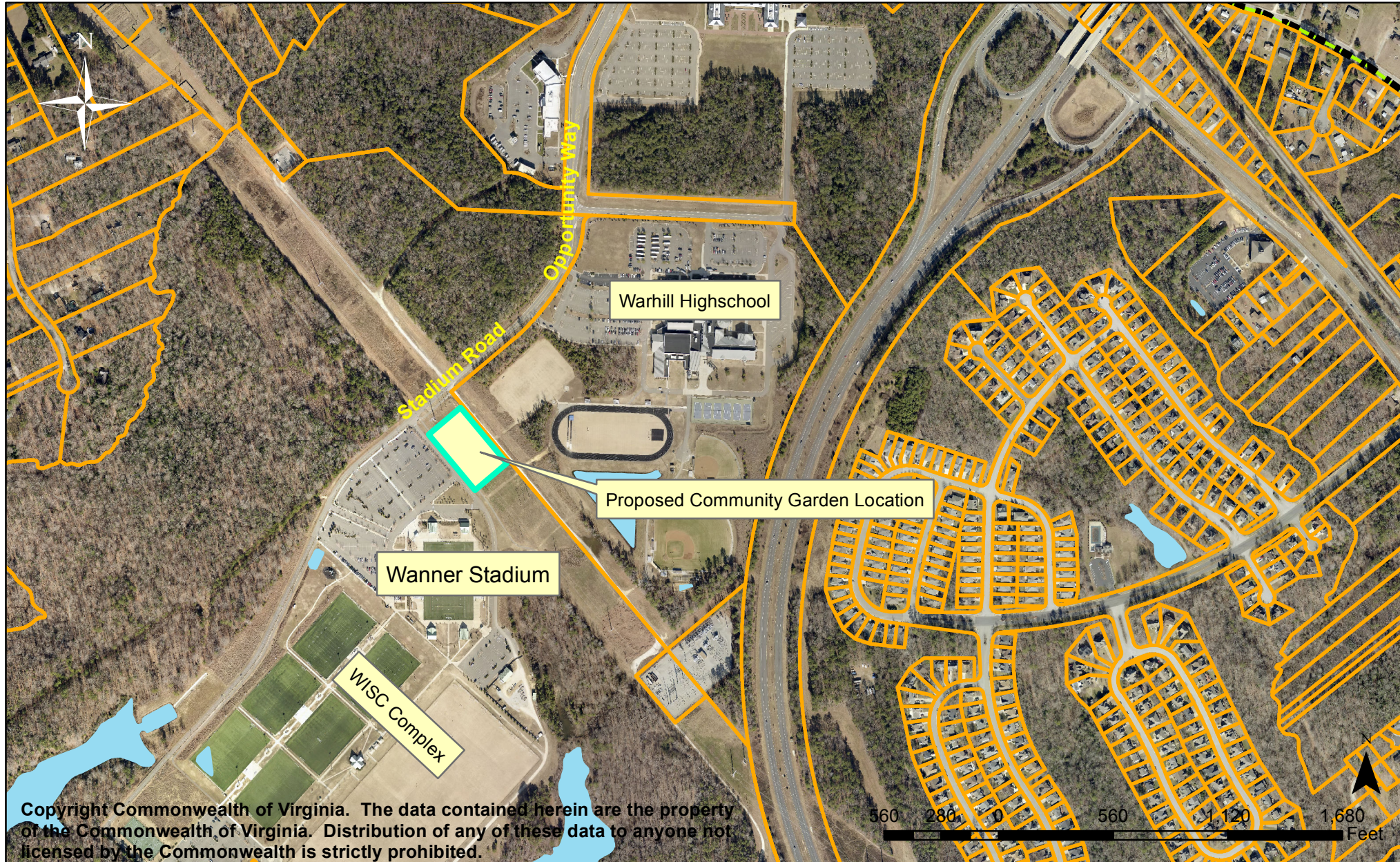
Attachments:

1. Materials included with the Conceptual Plan submittal, including a location map, a copy of the licensing and land use agreement, as well as draft regulations for use of the site
2. Adopted Resolution for SUP-0017-2003
3. Adopted Master Plan for the Warhill Sports Complex and Adopted Master Plan Warhill High School/TNCC Property

JCC-C-00037-2016

Natural Resource and Farm Link Center

Phase 1: Community Gardens



LICENSE AND USE AGREEMENT

THIS REVOCABLE LICENSE (the "License") is made this 4 day of November, 2014, by and between THE COUNTY OF JAMES CITY, a political subdivision of the Commonwealth of Virginia, (the "County"), and the COLONIAL SOIL & WATER CONSERVATION DISTRICT, a political subdivision of the Commonwealth of Virginia (the "CWSD").

WHEREAS, the County owns property located at 5700 Warhill Trail, Williamsburg, Virginia 23188 further identified as James City County Real Estate Tax Parcel Number 3210100012, in the County (the "Property"); and

WHEREAS, Dominion Virginia Power ("Dominion") owns an easement of approximately 18.6 acres (the "Easement") located along the Property's eastern side adjacent to property located at 4615 Opportunity Way owned by the Williamsburg/James City County School Board; and

WHEREAS, the County retains all other land rights in the Property; and

WHEREAS, the CWSD proposes to install a community/demonstration garden (the "Garden") on approximately 10.8 acres of Property subject to the Easement, located south of Stadium Road and identified in red on Exhibit A (the "Garden Area").

NOW, THEREFORE, for and in consideration of the mutual covenants herein and for \$1.00, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. License Area and Improvements: The County grants the CWSD a non-exclusive and revocable license to allow construction of the Garden in the Garden Area. The CWSD shall be responsible for verifying that installation of the Garden and all activities conducted in the Garden Area are permitted within the Easement.
2. Assignment: This License may not be sold, assigned, or transferred by the CWSD. This License may be revoked by the County at any time at the sole discretion of the County.
3. Execution: This License may be executed in counterparts, each of which shall be deemed to be an original having identical legal effect.
4. Notice: Wherever in this License it shall be required or permitted that permission, notice, or demand be given or served by the parties to this License to or on the other, such notices or demands shall be deemed given or served whether actually received or not when deposited in the United States Postal Service, postage pre-paid, certified or registered mail, addressed to parties hereto at the respective addresses set forth below or any other address that may be specified by the parties.

Legal Notice Address for County:

County Attorney's Office
County of James City
P.O. Box 8784
Williamsburg, VA 23187-8784

Legal Notice Address for the CWSD:

District Manager
Colonial Soil & Water Conservation District
P.O. Box 695
Norge, VA 23127

5. **Maintenance.** The CWSD hereby accepts all responsibility regarding maintenance of the Garden and the Garden Area. The County will not be responsible for any maintenance of any kind under this License.

6. **Pre-Construction and Construction.** A pre-construction meeting, as well as ongoing communication with staff of the James City County Planning Division and the Engineering and Resource Protection Division (together, "County Staff"), shall occur prior to installation of the Garden and prior to any significant maintenance of the Garden (e.g., additional land disturbance beyond that previously approved, etc.). The CWSD shall not begin installation of the Garden until the final plan is approved by County Staff.

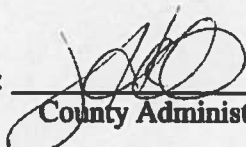
7. **Stormwater Credits.** Any and all stormwater credits earned as a part of this License will inure to the sole benefit of the County.

8. **Revocation.** The County maintains the right to revoke this License at any time and for any reason, provided the County gives CWSD at least thirty (30) days' advance written notice. Upon termination, neither party shall have any further responsibilities under this Agreement.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals the day and year first above written.

JAMES CITY COUNTY

By: 
County Administrator

Date: 11-4-2014

**COLONIAL SOIL & WATER
CONSERVATION DISTRICT**

By: 
District Manager

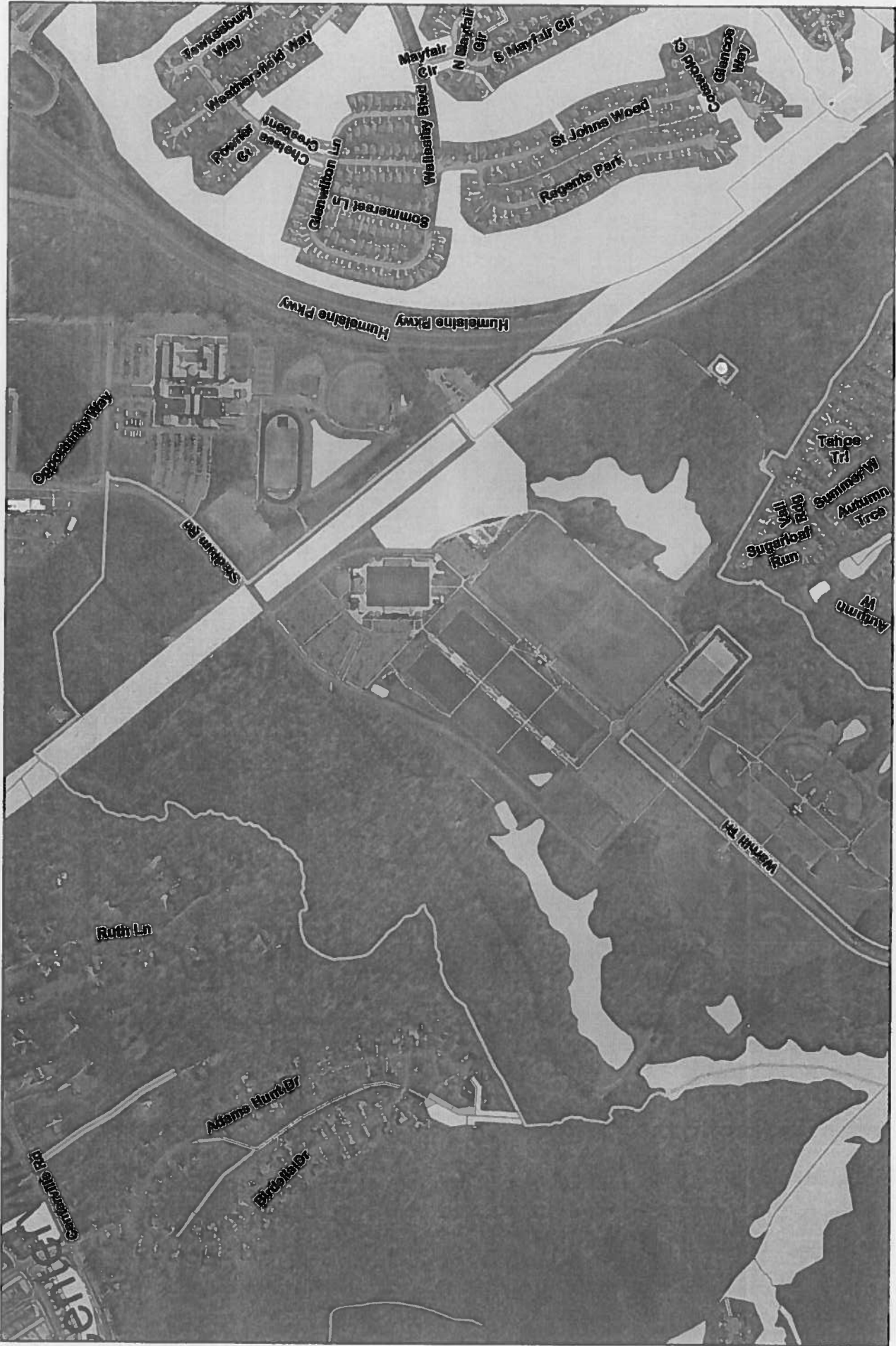
Date: 11/4/2014

Approved as to Form:


County Attorney



Exhibit A, License and Use Agreement



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.



Community Natural Resources & Farm Link Center

The establishment of a community garden, school learning stations and an “incubator farm” on this parcel will serve to link and facilitate vocational training and professional development. The facility is conceived to create a community staging point that will complement marketplace development for small business entrepreneurs interested in capitalizing on serving community needs. The parcel will function as a spring board to an information clearinghouse, a farmer apprentice and mentoring program and the creation of an urban community conservation corps.

DRAFT

The Natural Resources and Farm Link Center Community Garden Rules and Guidelines

The Natural Resources and Farm Link Center (NRFLC) Community Garden is operated by the Colonial Soil & Water Conservation District (CSWCD) in cooperation with James City County and the Dominion Virginia Power Foundation. Our use of this land depends on our ability to keep the garden and neighborhood relationships well maintained. All gardeners are to read and abide by the following rules and guidelines to ensure the growth of the gardening community as well as the continuation of plot ownership.

- Before you start to tend your plot you must have signed the agreement .
- Parcels measure 10 feet by 20 feet. Each parcel under one gardener's care will carry the same responsibilities.
- Gardeners will plant and maintain their garden plot between April 1st and November 15th.
- The garden is open from dawn to dusk seven days a week.
- Gardeners must provide their own tools.
- The CSWCD will assist gardeners in tilling their plots but gardeners must request this service in advance.
- The CSWCD will provide compost in limited quantities plots but gardeners must request this service in advance.
- The CSWCD provides cover crops and fertility management for the overall garden plot areas.
- No synthetic fertilizers are allowed to be applied by garden tenders.
- Notify the CSWCD staff if illegal activity, such as theft or vandalism , occurs.
- Each member and guest must fill out a Liability Release Waiver.

DRAFT

- Friends and family members are permitted into the garden, but are under your supervision and must adhere to the rules and regulations.
- Children under 14 must be supervised at all times while in the garden.
- Garden meetings and events happen throughout the year; we encourage you to participate.
- Open flames are not allowed in the garden.
- Plots have been marked for the reason of individual plot recognition. Do not move the markers.
- The property is an Alcohol and drug-free environment laws, alcohol and other illegal substances are not allowed in the garden.
- As the NRFLC is a community garden, members are expected to partake in certain maintenance in order to ensure that the garden is a beautiful, well-kept area for everyone. Such maintenance items are:
 - No storing of equipment or tools on the site .
 - No making signs for the garden.
 - No stockpiling of mulch, compost or fertilizers.
 - Unkempt plots that are not weeded and cleared of dead plants will be forfeited (plant residues used for mulch must be cut in a manner that will cover the soil surface rather than be left standing or stockpiled.
 - Six times a year there are Clean Up days. Members must attend at least three of the six days to facilitate in community cleaning and maintaining of the garden.
 - Chemical pesticides are not allowed in the garden; use of herbicides, insecticides, fungicides will result in forfeiting your plot.
 - Gardening workshops will be held periodically throughout the year, however, it is the gardener's responsibility to research proper gardening techniques. The essence of community gardening is trial and error and sharing of knowledge. Numerous resources for learning are available in stores and libraries, and the Cooperative Extension Service. The CSWCD will serve to advice gardeners as time allows.

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- Plots may be arranged to the tender's whim, but certain regulations do apply:
- Beds of the plot may not rise above 10 inches from the path and cannot be permanent or contained within a frame or container.
- No permanent structures are permitted (wood, concrete, bricks, mortar ect...).
- Plot tenders may take home any produce they harvest for their family. Trading between plot tenders is allowed. If a plot is not harvested while the food is ripe the plot owner must relinquish rights to the produce and the produce will be taken to a food bank.
- Plot tenders are responsible for the maintenance and harvesting of their plot.
- Plot tenders must keep the adjacent paths at their original widths and free of obstacles and debris at all times.
- Refrain from perennial plantings or planting a cover crop, unless specifically approved by the CSWCD.
- If there is doubt as to whether a specific plant is allowed it is the plot tenders responsibility to ask the CSWCD for approval.
- Basic plant support, e.g. basic tomato cages and stakes, are acceptable so long as they do not exceed a height of 5 feet. Netting to deter wildlife from plots must be preapproved.
- Watering, weeding, harvesting and any other garden related maintenance are all the responsibility of the gardener.
- If you are going to be away for an extended amount of time, notify the CSWCD. Plot tenders can arrange for other plot tenders to watch over their plot while they are gone.
- Garbage and recycle bins will be provided. In keeping with JCC facility policies. We ask that you recycle all materials that you can, compost those that are compost acceptable, and dispose of the rest in the garbage.
- Pets are not allowed into the garden area. This, however, does not apply to service animals.

DRAFT

- Drip irrigation is strongly recommended for all plots. A water line is provided to all plots and the plot tender is responsible for conserving water. Make sure all water valves are off when you leave the garden. Wasted water can result in forfeiting your plot .
- Notify the CSWCD staff if you find any leaks in the water line.
- **DO NOT DRINK THE WATER** - The irrigation water is non-potable and is only to be used on the plots.
- Acting a threatening or abusive manner to other gardeners will not be tolerated. NO BULLYING!
- Violation warnings are ignored, and violations repeated
- The bulletin board is for garden business only, soliciting is not allowed.
- There is a suggestion box for any feedback or questions. The CSWCD also has email if you prefer electronic communication.
- Every gardener is expected to keep his or her own parcel orderly and attractive.
- The rules and regulations are in place so the NRFLC garden can grow, provide a healthy community atmosphere, and function as a pleasant place to garden. If a violation occurs you will be required to forfeit the plot. .

No discrimination will be allowed based on race, religion, ethnic or national origin, gender, disability, or economic status. Such practices will exclude anyone who engages in them. This organization abides by The Americans with Disabilities Act.

RESOLUTION

CASE NOS. SUP-17-03 & MP-5-03. WARHILL SPORTS COMPLEX MASTER PLAN

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, public recreation facilities are a specially permitted use in the R-8, Rural Residential, zoning district; and

WHEREAS, the property is identified as Parcel No. (1-12) on James City County Real Estate Tax Map No. (32-1); and

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia and Section 24-15 of the James City County Zoning Ordinance, a Public Hearing was advertised, adjacent property owners notified, and a hearing scheduled for Case Nos. SUP-17-03 and MP-5-03; and

WHEREAS, the Planning Commission of James City County, following its Public Hearing on June 7, 2004, recommended approval of Case Nos. SUP-17-03 and MP-5-03 by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Master Plan 5-03 and the issuance of Special Use Permit No. 17-03 as described herein with the following conditions:

1. Development of the site shall be generally in accordance with the Warhill Sports Complex Master Plan dated April 2004 with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
2. Prior to issuance of a land-disturbing permit for any portion of the site, the applicant shall provide written evidence to the County which demonstrates that the recommendations of a professional archaeologist have been implemented in a manner consistent with the preservation objectives of the Board of Supervisors Archaeological Policy, as determined by the Planning Director or his designee.
3. A minimum 150-foot buffer shall be maintained along all property lines of the park site. That buffer shall remain undisturbed with the exception of breaks for roadways and pedestrian connections, utilities, walking and hiking trails, and other uses specifically approved by the Development Review Committee.

4. All road improvements recommended by a traffic study approved by both the Planning Director and the Virginia Department of Transportation (VDOT) shall be constructed prior to the facilities requiring the improvements being utilized.
5. A lighting plan shall be reviewed and approved by the Planning Director for any lighting proposed adjacent to any athletic fields. This plan shall indicate that no glare, as determined by the Planning Director or his designee, is cast onto adjacent properties. For all parking lot luminaries and building mounted luminaries, mounted recessed fixtures shall be used with no lens, bulb, or globe extending below the casing or otherwise unshielded by the case so that the light is visible from the side of the fixture. This condition shall not apply to streetlights.
6. All public address speakers used on the site shall be oriented generally towards the interior of the property and away from exterior property lines.
7. The applicant shall submit a traffic impact study to the County within three years of the date of approval of this application, unless a study is required by VDOT prior to that date. VDOT shall have the authority to delay requiring the traffic study to be submitted beyond the three-year time period if construction of the proposed facilities at Warhill Sports Complex occurs at a slower pace than expected.
8. The applicant shall conduct a perennial stream evaluation and receive approval from the Environmental Director prior to preliminary site plan approval being granted for any of the following uses proposed for the site: B-Softball complex; D-Stadium complex; E-Sports Field complex; F-Multipurpose fields; H/I-Picnic Areas; or P-Maintenance Area. If perennial streams are present on the site, a 100-foot buffer will be required around them and any wetlands contiguous and connected by surface flow to the stream.
9. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of July, 2004.

sup-17-03_MP-5-03.res



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- April 2004

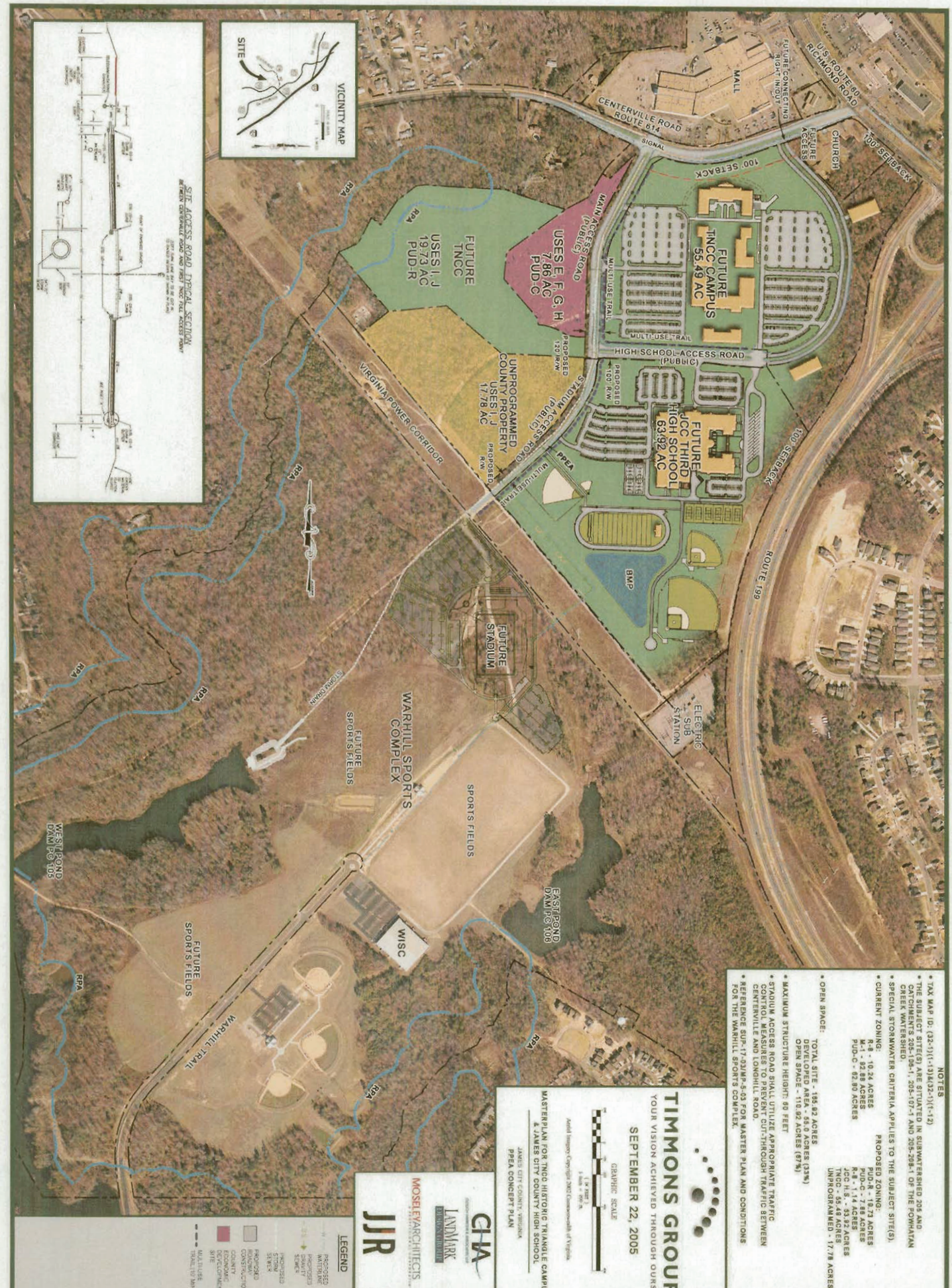
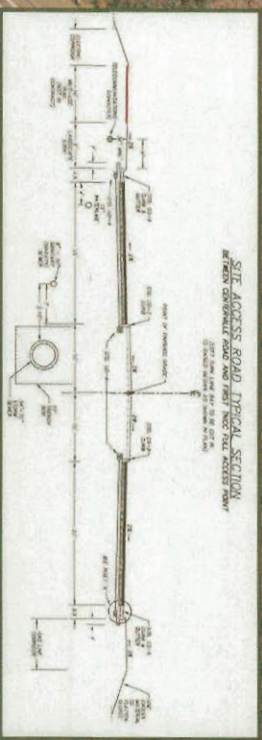
- NOTES**
- * TAX MAP ID: (32-311-13)A2-1(1-13)
 - * THE SUBJECT SITES ARE SITUATED IN SUBWATERSHED 205 AND CREEK WATERSHED 206-1, 205-10-1 AND 205-20-1 OF THE FORKMAN CREEK WATERSHED.
 - * SPECIAL STORMWATER CRITERIA APPLIES TO THE SUBJECT SITE(S).
 - * CURRENT ZONING:
 - R-8 - 10.24 ACRES
 - PUD-C - 7.86 ACRES
 - PUD-C - 62.80 ACRES
 - * PROPOSED ZONING:
 - R-8 - 18.71 ACRES
 - PUD-C - 7.86 ACRES
 - PUD-C - 62.80 ACRES
 - UNPROGRAMMED - 17.78 ACRES
 - * OPEN SPACE: TOTAL SITE - 16.62 ACRES
DEVELOPED AREA - 14.96 ACRES (89%)
OPEN SPACE - 1.66 ACRES (10%)
 - * MAXIMUM STRUCTURE HEIGHT: 90 FEET
 - * STADIUM ACCESS ROAD SHALL UTILIZE APPROPRIATE TRAFFIC CONTROL DEVICES TO PREVENT THROUGH TRAFFIC BETWEEN CENTERVILLE AND LONGHILL ROAD.
 - * REFERENCE SUP-17-03-UP-5-03 FOR MASTER PLAN AND CONDITIONS FOR THE WARHILL SPORTS COMPLEX.

TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS.
SEPTEMBER 22, 2005

GRAPHIC SCALE
1" = 100' (1" = 100')

MAST PLAN FOR TNOO HISTORIC TRIANGLE CAMPUS
& JAMES CITY COUNTY HIGH SCHOOL
PEPA CONCEPT PLAN

LANDMARK DESIGN STUDIO
MOSELE ARCHITECTS
JIR



- LEGEND**
- EXISTING HIGHWAY
 - EXISTING ROAD
 - EXISTING TRAIL
 - EXISTING WATERWAY
 - EXISTING CREEK
 - EXISTING LAKE
 - EXISTING WOODS
 - EXISTING FIELDS
 - EXISTING POND
 - EXISTING BUILDING
 - EXISTING CHURCH
 - EXISTING SCHOOL
 - EXISTING STADIUM
 - EXISTING SPORTS FIELDS
 - EXISTING WISC
 - EXISTING DAM
 - EXISTING TRAIL
 - EXISTING FENCE
 - EXISTING SIGN
 - EXISTING LIGHT
 - EXISTING UTILITY
 - EXISTING ELEC
 - EXISTING WATER
 - EXISTING GAS
 - EXISTING SEWER
 - EXISTING DRAIN
 - EXISTING EROSION
 - EXISTING SLOPE
 - EXISTING ELEVATION
 - EXISTING DISTANCE
 - EXISTING AREA
 - EXISTING VOLUME
 - EXISTING WEIGHT
 - EXISTING FORCE
 - EXISTING PRESSURE
 - EXISTING TEMPERATURE
 - EXISTING HUMIDITY
 - EXISTING WIND
 - EXISTING RAIN
 - EXISTING SNOW
 - EXISTING ICE
 - EXISTING FOG
 - EXISTING CLOUD
 - EXISTING SUN
 - EXISTING MOON
 - EXISTING STAR
 - EXISTING PLANET
 - EXISTING GALAXY
 - EXISTING UNIVERSE

Warhill Property Infrastructure and Sports Stadium

- Storm Drainage – A
- Entrance Road – B
- Route 614/Outlet Mall – C
- Water/Sewer – D
- Stadium Clearing – E
- Rte 60 – Turn Lanes – F
- Dam Improvements –
- Western Dam



