

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
January 24, 2018
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. October 18, 2017 Meeting Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. SP-0130-2017, Berkeley's Green Recreation Area Amendment

F. ADJOURNMENT

ITEM SUMMARY

DATE: 1/24/2018

TO: The Development Review Committee

FROM: Paul D. Holt, III, Secretary

SUBJECT: October 18, 2017 Meeting Minutes

ATTACHMENTS:

	Description	Type
	October 18, 2017 Meeting Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Cook, Ellen	Approved	1/13/2018 - 7:11 AM
Development Review Committee	Holt, Paul	Approved	1/15/2018 - 11:41 AM
Publication Management	Burcham, Nan	Approved	1/16/2018 - 7:38 AM
Development Review Committee	Holt, Paul	Approved	1/16/2018 - 8:09 AM

MINUTES
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
October 18, 2017
4:00 PM

A. CALL TO ORDER

Mr. Danny Schmidt called the meeting to order at 4:00 p.m.

B. ROLL CALL

Present:

Danny Schmidt, Chair

Tim O'Connor

John Wright

Absent:

Rich Krapf

Staff:

Ellen Cook, Principal Planner

Lauren White, Planner

Tori Haynes, Community Development Assistant

C. MINUTES

1. August 23, 2017 Meeting Minutes

Mr. John Wright made a motion to approve the August 23, 2017, meeting minutes.

The minutes were approved 2-0-1, with Mr. Schmidt abstaining as he was not present at that meeting.

D. OLD BUSINESS

There was no old business.

E. NEW BUSINESS

1. C-0072-2017, Oakland Farm

Ms. Lauren White stated that Mr. Arch Marston, of AES Consulting Engineers, has submitted a Conceptual Plan proposing the construction of 126 affordable apartments on a parcel located at 7581 Richmond Road. The development would consist of five 3-story apartment buildings and a clubhouse. The applicant intends to apply for a rezoning from A-1, General Agriculture to R-5, Multi-Family Residential. The property is currently designated Moderate Density Residential on the Comprehensive Plan, and appropriate primary uses include multi-family unit apartments, recreation areas, manufactured home parks and subdivisions in accordance with certain location standards. Prior to submitting a rezoning application, the

applicant requested that this item come before the Development Review Committee (DRC) for discussion and general feedback. Ms. White welcomed any questions and stated the applicant was also present.

Mr. Wright asked if the parcel is located within the Primary Service Area (PSA).

Ms. White confirmed that it is.

Mr. Schmidt asked about the proximity to the PSA line.

Mr. Marston stated the PSA line extends to the rear of the nearby Oakland subdivision. He also clarified that he is the property owner, consultant and applicant, but not the developer.

Mr. Wright asked if there are any other options for access to the property besides Richmond Road.

Mr. Marston stated that an entrance from Oakland Drive would require permission from the adjacent property owner. On the other side of the property there is extensive RPA.

Mr. Tim O'Connor asked about traffic impacts. He expressed concern that the entrance and exit into the development would be right-turn only, requiring westbound drivers to make a U-turn on Richmond Road.

Mr. Marston stated there is a traffic study underway.

Mr. Schmidt asked the applicant to give an overall presentation of the development.

Mr. Marston presented conceptual drawings showing five 3-story buildings on 14½ acres. He stated there would be two building types: one would be fully enclosed with elevators so that all units are ADA-accessible, and the other would be a more traditional walk-up building with exterior staircases where the first floor would be ADA-accessible. He stated the project would use a tax credit program for affordable housing and that the developer would provide more information on the rent prices and building design. Mr. Marston stated the development would also include a clubhouse, gym, playground, dog walking area, picnic pavilion and trail system. He further stated the proposal would be a good fit with the land use designation. Mr. Marston introduced Mr. Kevin Connelly, of Connelly Development, stating that Mr. Connelly built, developed and owns 5,000 units which are managed by a separate property management company.

Mr. Connelly presented architectural elevations and described the proposed exterior materials, which were catered to the local aesthetic. He stated there would be about 80% brick and 20% cement board siding, and that all units would meet EarthCraft standards. He further described the ADA-accessibility, stating that around 67% of the units would have universal design.

Mr. Marston stated there would be no vinyl siding.

Mr. Wright asked how many bedrooms each unit would have.

Mr. Connelly replied there would be 2- and 3-bedroom units.

Mr. Schmidt asked Mr. Marston about the age of the existing buildings.

Mr. Marston stated most of the existing buildings date to the 1960's and 70's.

Mr. Connelly presented photos of similar units he has constructed and noted the proposed buildings would be similar.

Mr. Schmidt asked if there would be meeting space for residents.

Mr. Connelly confirmed that there would be. He stated another feature is that there will be a camera system for the security of residents and that he maintains a zero tolerance policy for crime through a clause in the lease.

Mr. Marston stated the 150 foot Community Character Corridor (CCC) would hide the development from Route 60.

Mr. Schmidt asked if the vegetation in the CCC is mostly deciduous.

Mr. Marston confirmed that it is. He stated there is also a row of evergreens along the side closest to Oakland Drive.

Mr. Connelly stated there is a tremendous amount of greenspace and recreation space on the property for tenants to use.

Mr. Wright asked if the development includes any commercial units.

Mr. Marston replied that it does not.

Mr. Schmidt asked who maintains the playground equipment.

Mr. Connelly replied the management company has a maintenance budget to maintain the grounds. He then presented photos of other developments he has built.

Mr. Wright asked if a tenant could store boats or trailers in the parking lot. He also asked who the typical clientele for these units would be.

Mr. Connelly stated they would have to find off-site storage for large vehicles or boats.

Mr. James Norman, of Connelly Development, stated the typical residents are college graduates, teachers and police officers. He stated the units are a good stepping stone for those who qualify for the income limits.

Mr. O'Connor asked about the rent prices.

Mr. Connelly stated the rent prices will cater to people earning 40%, 50% and 60% of the area median income (AMI). There will also be utility allowances for life-essential utilities such as water, sewer and power totaling \$161 per month for a 2-bedroom unit and \$195 per month for a 3-bedroom unit. The approximate net rent prices after utility allowances would be:

- 40% AMI: 2-bedroom \$656, 3-bedroom \$755
- 50% AMI: 2-bedroom \$821, 3-bedroom \$945
- 60% AMI: 2-bedroom \$981, 3-bedroom \$1,135

Mr. O'Connor asked if there would be pedestrian connectivity to the nearby Food Lion and CVS. He expressed concern about the safety of tenants and young families walking along Richmond Road or otherwise creating unofficial trails to the shopping center.

Mr. Marston stated that sidewalks had not been yet been established and acknowledged that he had recently received staff comments for sidewalk requirements per the Pedestrian

Accommodation Master Plan. He stated there could be safety issues along the Route 60 corridor, so a soft trail system going east through the adjacent church property may be an option.

Mr. Schmidt asked about the speed limit on Route 60.

Mr. Marston replied 45 mph.

Mr. Wright asked about bike accommodations.

Mr. Marston said staff had also provided comments for a bike lane per the Regional Bikeways Plan.

Mr. Schmidt expressed concern that there is little shoulder on that section of Route 60. He asked if that portion is outside of the RPA.

Mr. Marston stated it is in the RPA.

Mr. Wright asked about restrictions for constructing trails or sidewalks in the RPA.

Mr. Marston stated a soft trail could be possible, or harder surfaces if an exception is granted by the Chesapeake Bay Board.

Mr. O'Connor asked what kind of exterior lighting would be used.

Mr. Howard Price, of AES, stated that full cut-off fixtures are required.

Mr. Wright asked if there would be a central mailbox location.

Mr. Connelly confirmed.

Mr. Wright asked if a property manager is on-site at all times.

Mr. Connelly confirmed.

Mr. Schmidt asked about the number of parking spaces.

Mr. Marston stated 278 spaces are required and 294 are proposed.

Mr. Schmidt asked about reducing the number of parking to provide more of a buffer between the recreation areas and the parking lot. He asked Mr. Connelly if parking had ever been an issue at his developments.

Mr. Connelly replied that parking has not been an issue, and he would look into reducing the parking.

Mr. Wright asked if subletting is allowed.

Mr. Connelly stated the tax program he uses does not allow subletting.

Mr. O'Connor asked what the AMI is.

Ms. White replied approximately \$78,000.

Mr. O'Connor expressed concern about the traffic on Route 60 and turning to get into the

development.

Mr. Marston stated that VDOT will likely suggest additional turn lanes.

Mr. Wright asked what type of Best Management Practice (BMP) would be installed.

Mr. Price stated the BMP has not been designed yet, but it will be a Level 2 BMP that will serve as a regional facility for the proposed apartments and Candle Factory, as well as roughly 95 additional acres upstream. He stated he had already met with Stormwater and Resource Protection staff to discuss the proposed BMP.

Mr. Schmidt asked about the depth of the pond.

Mr. Marston replied 10 to 12 feet, although some areas are much shallower.

Mr. Wright asked if fencing around the BMP would be required.

Mr. Price stated there is a slight enough slope that works as a safety measure. He further stated that he has already spoken with James City Service Authority staff about sewer connections. He also acknowledged concerns from Parks and Recreation about meeting recreational requirements, including a pool or hard-surface court, which are not currently on the plans. He stated they will be pursuing an exception to the hard-surface court requirement.

Mr. Marston stated the picnic pavilion, playground, and dog park is typical for this type of product.

Mr. Wright asked if the dog park would be fenced.

Mr. Marston confirmed.

Mr. Connelly asked about the specific requirements regarding sidewalks.

Ms. White stated Section 24-35 requires pedestrian accommodations along the entrance road as well as Richmond Road as shown on the Pedestrian Accommodation Master Plan.

Mr. Marston reiterated that they had also been asked to provide a bike lane. He stated it would not connect to anything yet, but he understood it is part of the Bikeways Plan and the lanes have to start somewhere. He asked Ms. White what type of path the Bikeways Plan called for, such as a widened shoulder versus a separate paved path.

Ms. White said the plan does not specify the type of path.

Mr. O'Connor asked if the turn lane into Candle Factory has a sidewalk.

Mr. Marston stated there is a sidewalk on the eastern side, but not from the western side closest to Oakland Pointe. He stated he understood connectivity is needed, but does not know the best solution yet.

Mr. Schmidt stated he preferred a paved path, but an earthen path could be an acceptable alternative.

Mr. Connelly asked for more specificity for pedestrian accommodations, including environmental and architectural requirements.

Mr. O'Connor asked what the property would be rezoned to.

Ms. White replied R-5.

Mr. Wright asked for its Comprehensive Plan designation.

Ms. White replied Moderate Density Residential.

Mr. Marston stated he would be applying for a height waiver of approximately five to six feet so that building height can be 40 feet above grade.

Mr. O'Connor asked if a fiscal impact analysis would be completed.

Mr. Marston said there would be.

Mr. Schmidt asked when Mr. Marston expected to go to the Planning Commission.

Mr. Marston stated the earliest would be December, but most likely January. He thanked the Committee for their time.

F. ADJOURNMENT

Mr. Wright motioned to adjourn.

Mr. Schmidt adjourned the meeting at 5:27 p.m.

Mr. Danny Schmidt, Chair

Mr. Paul Holt, Planning Director

ITEM SUMMARY

DATE: 1/24/2018

TO: The Development Review Committee

FROM: Savannah Pietrowski, Senior Planner

SUBJECT: SP-0130-2017, Berkeley's Green Recreation Area Amendment

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Location Map	Backup Material
▣	Site Plan	Backup Material
▣	Applicant Narrative	Backup Material
▣	Adopted Master Plan for Berkeley's Green	Backup Material
▣	Adopted SUP Conditions for Berkeley's Green	Backup Material
▣	Conceptual rendering of new tennis/basketball court	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Cook, Ellen	Approved	1/19/2018 - 11:16 AM
Development Review Committee	Holt, Paul	Approved	1/19/2018 - 1:19 PM
Publication Management	Burcham, Nan	Approved	1/19/2018 - 1:35 PM
Development Review Committee	Secretary, DRC	Approved	1/19/2018 - 1:53 PM

SITE PLAN-0130-2017. Berkeley's Green Recreation Area Amendment
Staff Report for the January 24, 2018, Development Review Committee

SUMMARY FACTS

Applicant:	Ms. Melinda Harris, Chesapeake Bay Management
Land Owner:	Berkeley's Green Owners Association
Proposal:	Convert one existing tennis court to a basketball court and convert the existing basketball court to a picnic/recreation area.
Development Review Committee (DRC) Review:	Adopted Special Use Permit (SUP) Conditions require Planning Commission approval for alternate recreation facilities, as well as Planning Commission approval of all site plans for recreation facilities.
Location:	3051 Berkeley's Green
Tax Map/Parcel No.:	4521100001A
Project Acreage:	+/- 3.1 Acres
Zoning:	R1, Limited Residential
Comprehensive Plan:	Low Density Residential
Primary Service Area:	Inside
Staff Contact:	Savannah Pietrowski, Senior Planner

FACTORS FAVORABLE

1. With the proposed improvements, the proposal continues to be compatible with surrounding zoning and development.
2. The proposal does not change the basic concept of character of the Berkeley's Green development and does not decrease the overall number of recreational amenities.

FACTORS UNFAVORABLE

1. Staff finds that there are no unfavorable factors.

STAFF RECOMMENDATION

Staff finds the proposal consistent with the adopted Master Plan for Berkeley's Green (SUP-0019-1992).

PROJECT DESCRIPTION

A site plan amendment has been submitted proposing modifications to the existing recreation area in the Berkeley's Green residential development.

SUP Condition No. 6 for Berkeley's Green (SUP-0019-1992), requires that, as a minimum, the following facilities shall be provided: one swimming pool and bathhouse, **two** regulation tennis courts and picnic areas. However, "alternate facilities may be provided upon approval of the Planning Commission." These amenities have all been previously constructed, plus an additional basketball court.

The applicant is requesting to convert one of the two existing tennis courts in Berkeley's Green to a basketball court and convert the existing basketball court to a paved multi-use recreation area. These

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.

SITE PLAN-0130-2017. Berkeley's Green Recreation Area Amendment
Staff Report for the January 24, 2018, Development Review Committee

proposed changes are illustrated in the attached site plan (Attachment No. 1) and conceptual rendering (Attachment No. 3).

Condition No. 7 also requires that "a site plan shall be submitted and approved by the Planning Commission prior to the construction of any recreational facilities."

Staff notes that Berkeley's Green was approved prior to the adoption of the Parks and Recreation Development Guidelines and thus is not subject to those requirements.

RECOMMENDATION

Staff finds the proposed site plan amendment would not change the basic concept or character of the development and does not decrease the total number of recreational amenities provided. Staff recommends the DRC recommend approval of this request.

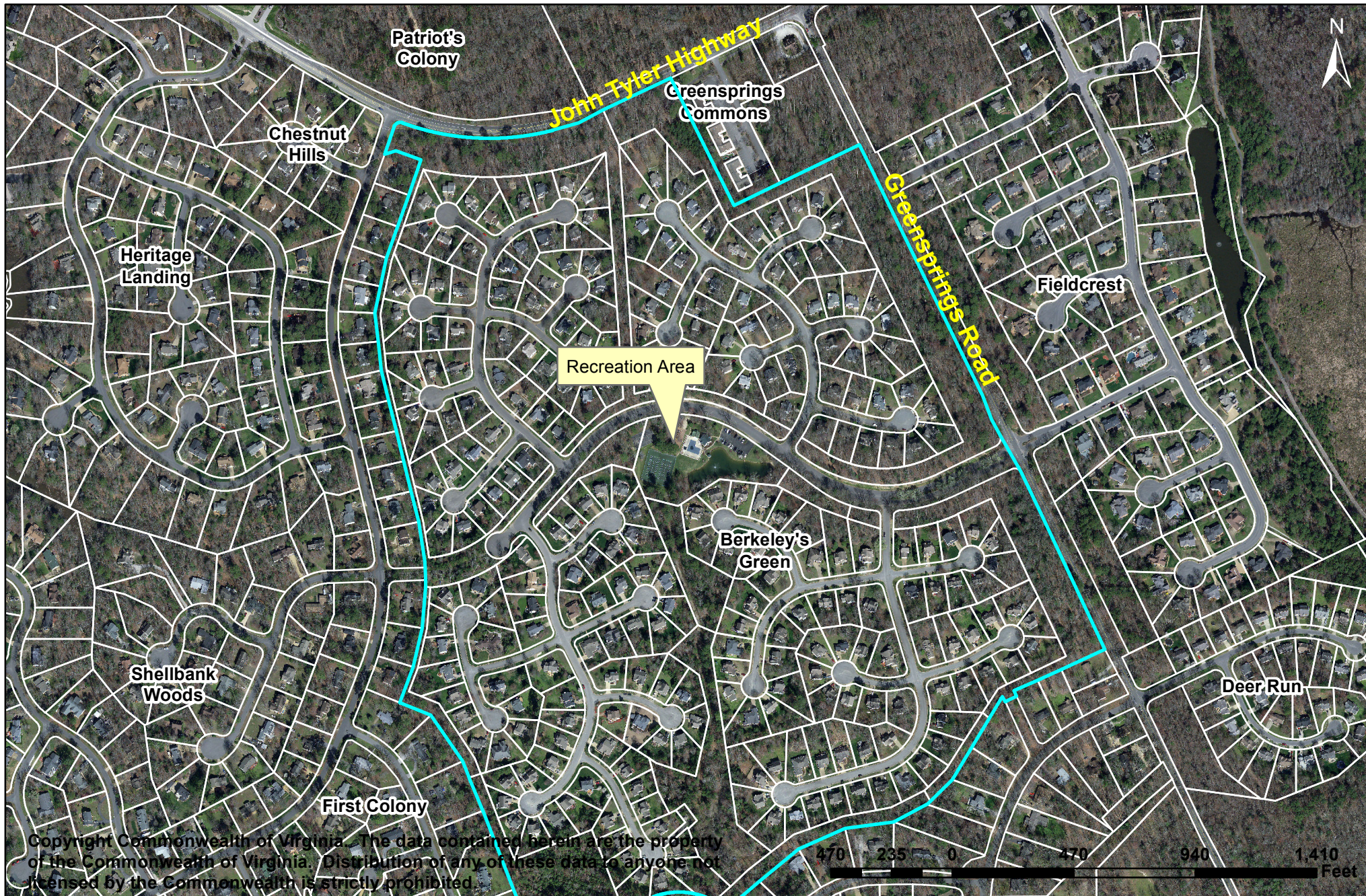
SP/nb
SP0130-17BGRcAmend

Attachments:

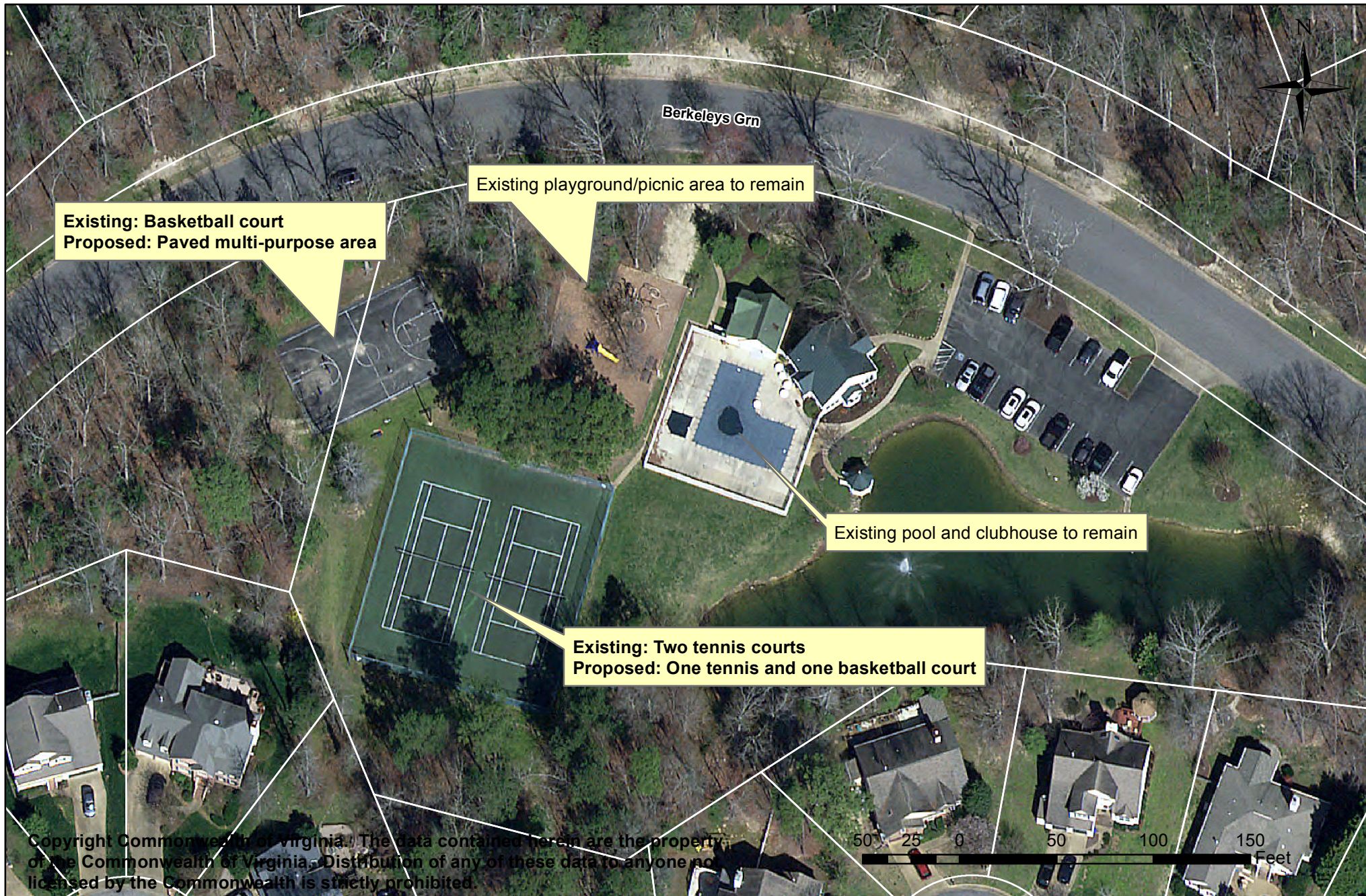
1. Location Map
2. Site Plan
3. Applicant Narrative
4. Adopted Master Plan for Berkeley's Green, annotated to highlight the recreation area
5. Adopted SUP Conditions for Berkeley's Green
6. Conceptual rendering of new tennis/basketball court

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.

SP-0130-2017, Berkeley's Green Recreation Area Amendment



SP-0130-2017, Berkeley's Green Recreation Area Amendment



12 January 2018

TO: James City County Planning Commission

RE: Berkeleys Green Amenities (Berkeleys Green Owners Association)

To whom it may concern:

Thank you for considering our application. Our tennis court surfaces are aging, and we desire options to bring them up to a modern standard, while reflecting our community's current use patterns.

Currently our HOA maintains a swimming pool and bathhouse, two regulation tennis courts, and a picnic area.* We would like the flexibility to reconfigure our adjacent, fenced-in, double-court hard-surface tennis courts with a layout reflecting more diverse use patterns. Specifically, we'd like the option of having half the court as tennis courts, lined for pickleball; and the other half as a basketball court, lined for hockey. We're hoping that you'll simply approve less restrictive language than what's currently on the books:

which constitutes substantial conformance. The following facilities shall be provided within the recreation area as a minimum:

- A. One swimming pool and bathhouse
- B. Two regulation tennis courts
- C. Picnic areas

Alternate facilities may be substituted upon the approval of the Planning Commission. A phasing plan for the development of

If you will approve the following language, we'll have greater flexibility to configure our amenities to meet current use patterns. Proposed replacement language:

- A. One swimming pool and bathhouse
- B. A minimum of one tennis court or multi-use court
- C. Picnic area

Current use patterns don't support two tennis courts, and the proposed (under board consideration) configuration would allow the young and not-so-young to enjoy these amenities. Young people will be able to play hockey in Summer and Winter. Young and middle-aged people will be able to play basketball and tennis, on a surface that is kinder on the joints than hardscape. Seniors and enthusiasts of all ages will be able to play pickleball, a sport that has mushroomed in popularity.

Thank you for your consideration. We hope you will grant us the flexibility to more fully explore our options for amenities, unencumbered by a requirement to maintain two full tennis courts.

Gratefully,



Daniel A. Shaye, D.C.
President, BGOA

* We also have a hard-surface (blacktop) basketball area.

** Our top considerations as of this writing are plastic-tile surfaces such as FlexCourt (which Seasons Trace has) and SportCourt (which Ford's Colony's Manor Club has).

Revised Language and Phrases

 $\tau = 100$ 

Recreation Area



2225 W
LHM REVISIONS: 6 ADDED 11/4/87
LHM REVISIONS: 85 DELETED 11/5/87 10-4-86 11-10-87

3. Case No. SUP-19-92. C. Richard Dobson Builders (Berkeley's Green)
(continued from 8/3/92)

Ms. Sullivan read the wording for Condition 11, "A paved pedestrian and bikeway path, a minimum of 8 feet in width, connecting Berkeley's Green and John Rolfe Lane, shall be provided. The design and construction of the path shall be approved by the Director of Planning. A Maintenance Agreement for the path shall be approved by the County Attorney."

Mr. Edwards called for a vote on his motion to approve the resolution including the language above for Condition 11.

On a roll call, the vote was: AYE: DePue, Sisk, Knudson, Edwards
(4). NAY: Taylor (1).

R E S O L U T I O N

CASE NO. SUP-19-92. C. RICHARD DOBSON BUILDERS (BERKELEY'S GREEN)

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, Case No. SUP-19-92 is an application requesting the deletion of a condition of SUP-1-87 which requires a road connection from the western edge of the Berkeley's Green subdivision to John Rolfe Lane. The property is zoned R-1, General Residential District, further identified as Parcel (1-5) on James City County Real Estate Tax Map No. (45-2).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-19-92 as described herein with the following conditions:

1. The special use permit shall be limited to the 144.83-acre tract under consideration and to no more than 267 units.
2. All roads shall be dedicated to the Virginia Department of Transportation and shall meet construction standards of the Virginia Department of Transportation.
3. A scenic buffer shall be maintained across the property 175 feet deep adjacent to and parallel with the centerline of Greensprings Road and 175 feet adjacent to and parallel with the centerline of John Tyler Highway. One entrance road shall be permitted across and through the scenic buffer on John Tyler Highway and Greensprings Road; provided, however, utilities, drainage structures, stormwater management facilities, and entrance signs if determined to be necessary and approved by the Planning Commission may be allowed within or upon the scenic

buffer. Existing trees, shrubbery and vegetation shall remain undisturbed within the scenic buffer. Additionally, no structures, including fences, or other objects designed for recreation, storage, or any other purpose except as provided for above shall be permitted.

4. Archaeological studies as determined necessary by the County Historical Commission shall be conducted by the developer prior to preliminary approval for each sectional plan.
5. Covenants assuring the adequate protection and maintenance of all buffer and common open space areas and facilities shall be recorded with each subdivision plat and shall be submitted to and approved by the County Attorney's Office prior to recordation.
6. The developer shall provide a recreation area substantially in accordance with that shown on the conceptual plan submitted with this application identified as Berkeley's Hundred Master Plan dated October 10, 1986. The Planning Commission shall determine what constitutes substantial conformance. The following facilities shall be provided within the recreation area as a minimum:
 - A. One swimming pool and bathhouse
 - B. Two regulation tennis courts
 - C. Picnic areas

Alternate facilities may be substituted upon the approval of the Planning Commission. A phasing plan for the development of these facilities shall be submitted and approved by the Planning Commission prior to the final approval of the first sectional plan of development.

7. A site plan shall be submitted and approved by the Planning Commission prior to the construction of any recreational facilities or cutting any trees in the recreation areas except for construction of utility lines determined necessary and approved by the Planning Commission.
8. The developer at his expense shall prepare a comprehensive drainage study of the entire property for review and approval by the County prior to preliminary approval of the first sectional plan. The recommendations of the study shall be implemented as a condition of preliminary approval for each sectional plan.
9. A minimum of 20.3 acres of open space (excluding streets) shall be provided substantially in conformance with the conceptual plan submitted with this application titled Berkeley's Hundred Master Plan dated October 10, 1986. The Planning Commission shall determine what constitutes substantial conformance. Open space (excluding streets and scenic buffers described above) shall remain in its natural state; provided, however, the

developer shall have the right to install and construct over, under, across, and through the open space such drainage structures, stormwater management facilities, and utilities if determined to be necessary and approved by the Planning Commission.

10. The developer shall dedicate ten feet along the entire length of the west side of Greensprings Road to the Virginia Department of Transportation for future widening. This dedication shall be shown on the final subdivision plat at the time of recordation.

11. A paved pedestrian and bikeway path, a minimum of 8 feet in width, connecting Berkeley's Green and John Rolfe Lane, shall be provided. The design and construction of the path shall be approved by the Director of Planning. A Maintenance Agreement for the path shall be approved by the County Attorney.

4. Case No. CP-1-92. Comprehensive Plan Amendments

Case No. CP-1-92. Comprehensive Land Use Map Amendment Applications

Mr. Edwards opened the public hearing.

1. Mr. Gilbert Bartlett, representing Norman and Hazel Sawyer of Powhatan Secondary, spoke in opposition to the Transportation amendment of the Comprehensive Plan. He stated that approval of Alternate Route 5 would move, not solve, traffic problems.

2. Mr. Ed Oyer, 139 Indian Circle, spoke in opposition to the Transportation amendment, expressing the opinion that use of carpools would be more effective for traffic problems, rather than building new roads.

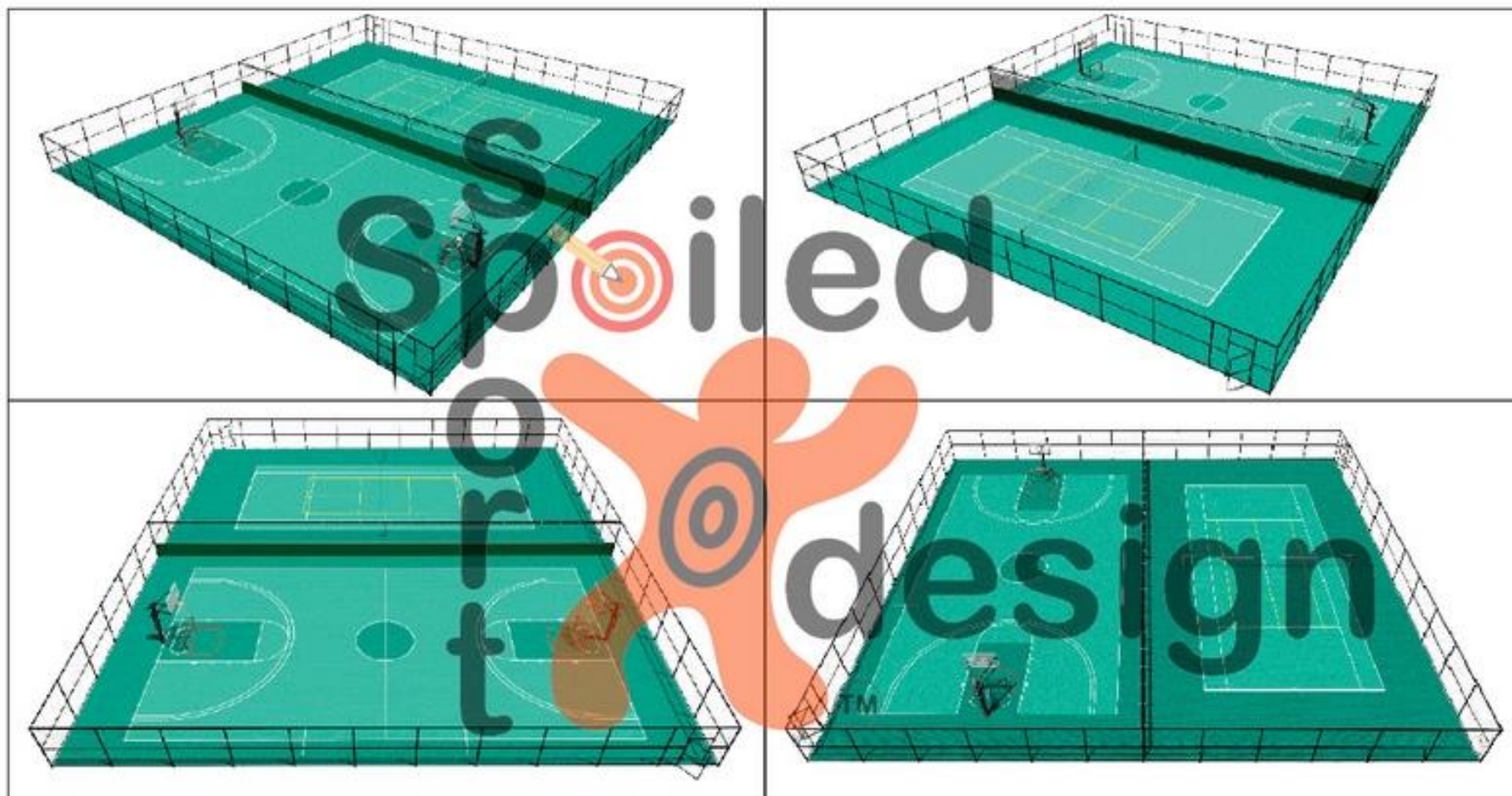
3. Mr. Dennis Popovitch, 3707-D West Steeplechase Way, presented a petition from Steeplechase residents in opposition to Alternate Route 5, stating concern of safety of children and impact on the environment.

4. Mr. Charlie Crawford, Toano, requested the Board approve Case No. CPA-1-92, redesignation of land use to accommodate an antique shop.

5. Ms. Jan Gehrki, Powhatan Secondary, spoke in opposition to Alternate Route 5 and asked who would be responsible for road maintenance and spoke of concern about the wording that approval of the Comprehensive Plan amendment "would essentially fix the location of the road."

6. Mr. Reginald Geary, Powhatan Secondary, spoke of concerns for pedestrians and access to Mid-County Park and the Powhatan Secondary recreation area.

7. Mr. Phil Smead, Powhatan Secondary, on behalf of the Homeowners' Association, spoke of several concerns: ensure funding package was sufficient to address each item as presented; provide retention basin for drainage from road; provide appropriate fence and plant buffers; and, provide monetary compensation to the Homeowners' Association to construct facilities on other side of lake.



120FT X 110FT
2 BANK COURT PROFILE
TENNIS / PICKLEBALL
HIGH SCHOOL/NCAA BASKETBALL
2 HOCKEY CREASES



SPORT COURT.

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