

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 27th DAY OF APRIL, TWO THOUSAND FIVE.

ROLL CALL

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

ALSO PRESENT

Mr. Trey Davis, Planner
Ms. Karen Drake, Senior Planner
Mr. Allen Murphy, Principal Planner
Mr. Matthew Smolnik, Planner
Ms. Tammy Rosario, Senior Planner
Mr. Bill Cain, Civil Engineer
Mr. Scott Thomas, Civil Engineer
Mr. Mike Woolson, Environmental Division
Mr. Brad Weidenhammer, VDOT
Mr. Michael Drewry, Assistant County Attorney

MINUTES

Following a motion by Mr. Hunt, the DRC approved the minutes from the April 6, 2005 meeting by a unanimous voice vote.

PUBLIC COMMENT

Mr. Fraley updated those in attendance on changes to the DRC meeting format which would now include a public comment period at the beginning and end of each meeting to allow individual citizens or groups to speak even though the DRC meetings were not considered to be a public meeting. As part of the format change, the DRC would now make its recommendations on all cases at the end of the meeting instead of after discussing each case. Additionally, to make the DRC process more available, the formats of staff reports have been modified and are now posted on the DRC webpage within the James City County internet site generally the weekend prior to the DRC meeting. Mr. Fraley noted to staff that the changes in the staff report were useful and much appreciated. Prior to opening the first public comment period during which no one spoke, Mr. Fraley added that these changes were a work in progress and may be adjusted at future meetings.

CASES

CASE NO. SP-150-04. ABE'S MINI STORAGE

Ms. Drake presented the staff report on behalf of Ms. Cook who was attending a conference. She noted that staff recommended preliminary approval subject to the agency comments listed in the staff report. However just that afternoon the applicant had requested an additional 30 day deferral to work out issues with the Environmental Division and explore recent developments relative to the "Regional Stormwater Management" on the adjacent site where the Carolina Furniture Warehouse has been proposed. Staff supported the deferral request. Following the new DRC procedures, there was no further discussion and at the end of the meeting, the DRC unanimously voted to defer the case until the June 1st DRC meeting.

CASE NO. S-15-05. COLONIAL HERITAGE PHASE 3, SECTION 2

Ms. Tammy Rosario presented the staff report on behalf of Ms. Ellen Cook who was attending a conference. Ms. Rosario relayed a staff recommendation of preliminary approval subject to agency comments. Mr. Howard Price of AES explained some of the changes that had occurred in the plan. There was no further discussion. At the end of the meeting, Mr. Hunt made a motion, seconded by Ms. Blanton, to grant preliminary approval, which was approved by unanimous voice vote.

CASE NO. C-26-05. OLDE TOWNE TIMESHARES

Ms. Rosario presented the staff report with staff recommending that the DRC find the proposal inconsistent with the approved master plan. Several of the DRC members had questions regarding the specific changes to the plan which included road layout, building location, and stormwater management. Mr. Robert Anderson of McKinney and Company, and Mr. Vernon Geddy, attorney for the applicant, made a presentation of the proposed changes and stated that they believed the changes were not significant. Mr. Murphy reiterated points made by Ms. Rosario that the DRC usually only approves master plan changes which are minor in nature, and that given the precedent in this case for master plan changes as well as the case history before the PC and BOS, the integrity of the master plan approval process could be called into question. Mr. Kale expressed a desire for the changes to be aired in public and stated that while the changes may have been positive, this was a precedent setting case. Ms. Blanton agreed stating that the environmental improvements were a persuasive reason for changing the master plan, but that these were significant changes in light of the case's history. Mr. Hunt concurred, and Mr. Fraley expressed concern regarding the precedent that might be set if the changes were not reviewed at a public hearing. Mr. Geddy then asked for a deferral since his applicant was not present, and at the end of the

meeting, the DRC voted unanimously to grant a deferral.

CASE NO. SP-28-05. OAKTREE OFFICE PARK

Mr. Davis presented the staff report on behalf of Mr. Johnson who was away attending a conference. Mr. Fraley asked if there were any questions by members of the DRC and acknowledged that the applicant was present. There being no questions, Mr. Hunt made a motion to recommend preliminary approval. This motion was seconded by Ms. Blanton and passed by a vote of 4-0.

CASE NO. SP-30-05. WEDMORE PLACE AT THE WILLIAMSBURG WINERY

Mr. Smolnik presented the staff report on behalf of Mr. Arcieri who was attending a conference. Mr. Fraley asked if there were any questions by members of the DRC. Mr. Kale asked if all of the outstanding issues at the winery have been resolved. Mr. Murphy responded that all of the issues have not been resolved and that progress at the winery was slow but steady. Mr. Drewry stated that all of the conditions of the SUP have not been met at this time. Ms. Blanton asked to be brought up to speed and Mr. Murphy stated that the tavern was the main outstanding issue at the winery. Mr. Murphy reiterated that the progress was slow at the winery but in accordance with Mr. Drewry's statements that the progress was heading in the right direction. Mr. Fraley asked if the applicant was present. Mr. Jenkins identified himself as the applicant and asked if there were any questions for him. Being none, the discussion on this case came to a close. Mr. Hunt made a motion to approve the case, which was seconded by Ms. Blanton. Mr. Fraley asked for a voice vote and the proposal passed by a vote of 3-1, with Mr. Kale opposing the plan.

PUBLIC COMMENT

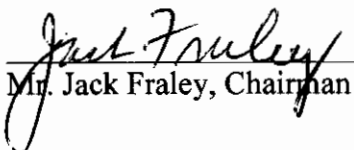
None.

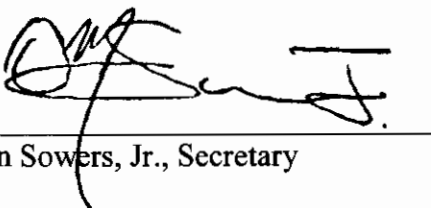
DRC RECOMMENDATIONS

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

ADJOURNMENT

There being no further business, the April 27, 2005, Development Review Committee meeting adjourned at 4:40 p.m.


Mr. Jack Fraley, Chairman


O. Marvin Sowers, Jr., Secretary