

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 28th DAY OF SEPTEMBER, TWO THOUSAND FIVE.

ROLL CALL

Mr. Jack Fraley, Chair
Mr. Don Hunt
Mr. Wilford Kale

ALSO PRESENT

Mr. Scott Thomas, Environmental Engineer
Mr. William Cain, Environmental Engineer
Mr. Mike Woolson, Watershed Planner
Mr. Bradley Weidenhammer, VDOT Engineer
Ms. Ellen Cook, Senior Planner
Mr. Matthew Arcieri, Senior Planner
Mr. Matthew Smolnik, Planner
Mr. Jason Purse, Planner

MINUTES

Following a motion by Mr. Fraley, the DRC approved the minutes from the September 7, 2005 meeting without correction by a unanimous voice vote.

PUBLIC COMMENT

There being no speakers, Mr. Fraley closed the public comment period.

CASES AND DRC DISCUSSION

S-78-05 STONEHOUSE, FAIRMONT SECTIONS 1-4

Mr. Matt Arcieri presented the staff report stating that this case had previously been deferred by the DRC in order for the applicant and Environmental staff to resolve outstanding issues. The applicant and staff had met and resolved these issues through modifications to the stormwater management facilities. Mr. Bill Cain offered further explanation of the modifications agreed upon by staff and the applicant and stated that staff now supported granting preliminary approval. Mr. Wilford Kale clarified that this project's runoff was not affecting adjacent property owners. Mr. Cain confirmed that the project was managing all of its stormwater on site. Mr. Don Hunt asked if the applicant had any concerns. Mr. Ronnie Orsborne of Landmark Design stated that he felt all major concerns were addressed and the applicant was moving forward with revised plans for review.

There being no further discussion and on a motion by Mr. Kale and a second by Mr. Hunt the DRC unanimously recommended preliminary approval subject to agency comments and contingent upon modifications to the stormwater management facilities to provide the required attenuation as approved by the Environmental Division.

SP-103-05/S-79-05 COLONIAL HERITAGE PHASE 4

Mr. Matthew Smolnik presented the staff report, indicating that the County was recommending deferral at this time due to outstanding environmental comments. Mr. Wilford Kale asked what procedures needed to be addressed with the site plan. Mr. Scott Thomas stated that the Environmental Division was a bit behind and there were some questions with the stormwater master plan for this project. Mr. Kale asked whether or not the old Boy Scout property would be used for housing. Mr. Howard Price of AES Consulting Engineers stated that the development was limited to 50 units outside the PSA with proffered open space. He clarified this by stating that some of the old Boy Scout property was inside the PSA and some was outside the PSA. A discussion ensued between Mr. Kale, Mr. Price, Mr. Bill Cain and Mr. Thomas regarding the open space associated with the old Boy Scout property. Mr. Jack Fraley asked Mr. Smolnik what action needed to be taken on this case and where they stood with a timeline. Mr. Smolnik stated that he would have to discuss this with the County Attorney, but he believed that there was a 100 day time frame in which the DRC must act and that it began at the time of submission. Mr. Kale made a motion to defer this case until the November 2, 2005 DRC meeting. This was seconded by Mr. Don Hunt and passed by a voice vote of 3-0.

Z-8-05 WILLIAMSBURG WICKER AND RATTAN RETAIL CENTER

Ms. Ellen Cook presented the staff report, explaining that this DRC case is in conjunction with a pending rezoning case scheduled for the October 3, 2005 Planning Commission meeting. Ms. Cook further stated that the applicant was requesting setback reductions for Richmond Road, Peninsula Street Northeast and Peninsula Street Northwest in accordance with Section 24-393 of the Ordinance. Mr. Fraley asked Ms. Cook to explain what the result of the setback reductions would be. Ms. Cook stated that other older buildings in the Norge area were very close to Richmond Road, the setback reduction allowed the applicant to place parking to the rear of the site, and that staff felt that the reduction would help the proposed retail development fit in with the character of the area. Mr. Kale stated that he was generally not in favor of reduced setbacks and noted that the setbacks for the older buildings in Norge were the result of past widening of Richmond Road. Mr. Hunt stated that he did not think Richmond Road would be widened again in the future. Mr. Fraley and Mr. Hunt indicated that they thought the setbacks would be beneficial to the character of the area. There being no further discussion and on a motion by Mr. Hunt and a second by Mr. Fraley the DRC unanimously recommended approval of the setback modifications contingent

upon Planning Commission and Board of Supervisors approval of the rezoning application.

C-123-05 IRONBOUND VILLAGE LANDSCAPE MODIFICATION

Ms. Ellen Cook presented the staff report, stating that the request for a setback reduction in accordance with the ordinance in Section 24-527(b) and (c) was made by James City County Capital Projects Coordinator Mr. Bernie Farmer. Ms. Cook further stated that the setback reduction was for the purpose of configuring the parking lot in such a way as to net the largest number of spaces, and that staff felt that the minor setback reduction would have no adverse impact on adjacent areas and no appreciable impact on the ability of the required landscaping to screen the parking area from Ironbound Road. In response to a question from Mr. Kale, Mr. Farmer addressed the DRC explaining the need for additional parking spaces and the reasons for the setback modification request. Mr. Kale asked Mr. Farmer about a hanging line at the entrance to the Ironbound Village development and Mr. Farmer discussed what could be done to address this situation. There being no further discussion and on a motion by Mr. Kale and a second by Mr. Hunt the DRC unanimously recommended approval of the setback modification up to a maximum of 2 feet.

S-37-04/SP-123-05 MICHELLE POINT

Ms. Ellen Cook presented the staff report, stating that the Development Review Committee had previously granted preliminary approval for this case on July 12, 2004, and that preliminary approval had expired. Mr. Fraley asked for information about the reason why final approval had not been reached. Mr. Newbaker, project engineer, explained the process that the applicant had been through with the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality, stating that it appeared that the case was on the verge of being resolved with both agencies. Mr. Newbaker further stated that virtually all County comments had been addressed. Mr. Kale, Mr. Scott Thomas and Mr. Newbaker discussed the permitting process at the state level and the role of the Environmental Division in alerting applicants to this process. There being no further discussion and on a motion by Mr. Kale and a second by Mr. Hunt the DRC unanimously recommended preliminary approval subject to remaining agency comments.

S-091-05 WINDMILL MEADOWS

Mr. Purse presented the staff report, stating that Mr. Henry Stephens, on behalf of Armin Ali and Powhatan Olde Towne Square L.L.C., wants to construct a 78 lot subdivision off of Centerville Road. Mr. Fraley asked staff to explain the process of obtaining a street width reduction, which the applicant needs. Mr. Purse stated that the width is approved by VDOT, but must also be approved by the Board of Supervisors. Mr. Widenhammer stated that VDOT approved the proposed

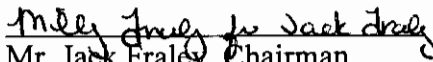
reduction from 36 feet to 30 feet. Mr. Kale asked why the applicant was asking for the reduction and Mr. Stephens stated that it provided continuity in street width throughout the subdivision and cut down on the amount of pavement and impervious cover. Mr. Fraley asked the Environmental Division if they were satisfied with the subdivision's environmental issues. Mr. Cain stated that the applicant had successfully addressed all Environmental comments up to this point. Mr. Kale asked if the subdivision might provide better drainage with a swale ditch design, rather than the proposed curb and gutter model. Mr. Stephens stated it was a County requirement and Mr. Thomas, from the Environmental Division stated that the site design was not negatively affected by the curb and gutter system. There being no further discussion, and on a motion by Mr. Kale, which was seconded by Mr. Hunt, the DRC voted to unanimously (3-0) to recommend preliminary approval of the subdivision subject to agency comments and contingent on the Board of Supervisors approval of the street width reduction request.

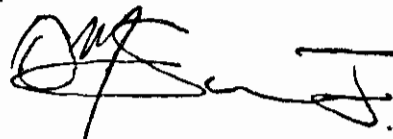
PUBLIC COMMENT

There being no speakers, Mr. Fraley closed the public comment period.

ADJOURNMENT

There being no further business, the September 28, 2005, Development Review Committee meeting adjourned at 5:00 P.M.


Mr. Jack Fraley, Chairman



O. Marvin Sowers, Jr., Secretary