

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 4TH DAY OF JANUARY, TWO THOUSAND SIX.

ROLL CALL

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

ALSO PRESENT

Mr. Scott Thomas, Environmental Engineer  
Mr. William Cain, Environmental Engineer  
Mr. Matthew Smolnik, Planner  
Mr. David German, Planner

MINUTES

Following a motion by Mr. Fraley, the DRC approved the minutes from the November 30 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-105-05. STONEHOUSE LAND BAY 31

Mr. David German presented the case for the Stonehouse Land Bay 31 project to the DRC, which was before the DRC for two reasons: 1.) Section 19-52 of the Subdivision Ordinance states that "Cul-de-sac streets shall not exceed 1,000 feet in length." Applicant is seeking a waiver from this requirement to accommodate a 2,130-foot-long cul-de-sac; 2.) Additionally, pursuant to Section 24-487 of the Zoning Ordinance, the applicant must demonstrate that this submission is consistent with the established approved Master Plan. During the opening agency comment and review period associated with this project's initial submission, it was noted by the Environmental Division that no Stormwater Master Plan was in place for this Land Bay. It was further noted by Planning Staff that part of the land that would comprise the Land Bay was not properly rezoned to PUD-R, but was still zoned A-1. Planning Staff recommended that the applicant address these issues prior to having the DRC consider the cul-de-sac waiver and the Master Plan consistency determination. Due to this recommendation, the applicant chose

to request deferral of his DRC review hearing to the January 4, 2006 DRC meeting. This deferral was presented by Mr. German to the DRC as the recommended course of action, and the DRC unanimously voted to defer the case until the January 4, 2006 meeting.

At the January 4, 2006 DRC meeting, Mr. Kennedy asked for clarification regarding Planning Staff's finding of consistency of the current proposal for Land Bay 31 to the approved Master Plan. Mr. German explained that the number of dwelling units and the overall project density had been reduced in nearby Land Bay 30, thus offsetting the proposed increase in Land Bay 31. The proposed increase in Land Bay 31 would be less than the offsetting decrease that was previously approved by the DRC in Land Bay 30. Mr. Kennedy then asked if this methodology of offsetting proposed increases with previously approved decreases had been used before in the Stonehouse project. Mr. German indicated that this tact was previously used and approved by the DRC for a similar increase that had been proposed for Land Bay 28.

Mr. Fraley then asked Mr. Scott Thomas and Mr. William Cain if the James City County Environmental Division had received a Stormwater Master Plan yet for Land Bay 31, and was told that a plan had been received. Mr. Kale then questioned if the submitted Stormwater Master Plan was found to be adequate by the Environmental Division. Mr. Cain and Mr. Thomas indicated that the plan was being reviewed by an outside environmental consultant (JMT) on behalf of the county, and that the consultant's comments had not yet been received. Mr. Kale responded that if the Environmental Division did not yet know if the submitted Stormwater Master Plan was sufficient, it was his feeling that the DRC could not find the project to be consistent with the approved Master Plan of Development. At that point, Mr. Kale made a motion to defer the project to a future DRC meeting, until such time as the Environmental Division found that the submitted Stormwater Master Plan properly addressed all of the issues that it was intended to cover. Several minutes of discussion ensued, wherein Mr. German was asked for further clarification for the original reason for deferral and the applicant, Mr. Brawley asked for further clarification as to why the project should be deferred a second time.

Mr. Kale explained that one of the original reasons for the deferral at the November 30<sup>th</sup> meeting was that the Environmental Division noted that no Stormwater Master Plan was in place for this Land Bay. Because it had not yet been determined if the Stormwater Master Plan that was submitted later would be sufficient to address whatever environmental issues had been found for the project, Mr. Kale reasoned that no decisions could be made based on the content of the Stormwater Master Plan. Mr. Kale said that, because the Stormwater Master Plan was still in question, he could not find the proposed lot increase for Land Bay 31 to be consistent with the Master Plan of Development. Mr. Fraley called for the vote. The DRC members voted unanimously to defer the case until such time as the content of Stormwater Master Plan was demonstrated to properly

address stormwater management within the Land Bay to the satisfaction of the Environmental Division. Mr. Fraley also noted that he would support an expedited review for the project if it qualified for one. It was later determined that the project did not qualify for expedited review.

#### C-147-05 NEW TOWN SHARED PARKING

Mr. Matthew Smolnik presented the staff report to the DRC stating that it was time to review the quarterly parking review for New Town shared parking. He stated that there were no major changes since the November 7, 2005 DRC review and that Mr. Salzman provided staff with a location of the bicycle racks throughout New Town, which staff had previously requested. Mr. Smolnik also stated that since the November DRC meeting, a temporary bus stop had been established behind the movie theater, and that Mr. Salzman would elaborate in greater detail on the number of passengers that buses transport to New Town.

Mr. Kale questioned a section of the staff report that pertained to controlled parking. Mr. Salzman responded by stating that the parking demand of Section 2 & 4 is approximately 35 spaces greater than the supply. He added that since many of the businesses in this area have different peak demands for parking, the use of controlled, reserved or dedicated parking would make up for the shortcoming. Mr. Salzman stated that he spoke with Richard Drumwright of Williamsburg Area Transit, and learned that during a 6-day study, approximately 120 people rode the bus to New Town on a daily basis.

Mr. Kale stated that he visited Center Street Grill over the holidays and he parked in Block 2, but there were numerous construction vehicles, barricades and other construction equipment blocking many of the parking spaces in this block and questioned when all of the parking spaces would be available for customer parking. Mr. Salzman responded by stating that the construction crews did not work for 10 days around the holidays and they consolidated their equipment to one location and unfortunately Mr. Kale may have tried to park in this same area. Mr. Hunt stated that he was at the SunTrust Building a few hours ago and there were 6 to 8 open parking slots in front of this building. Mr. Fraley stated that he and his family had visited New Town 5-6 times since the November DRC meeting and that during the 2 PM peak hour, the parking lots were nearly filled to capacity. Mr. Salzman responded by stating that once the construction is finished, more parking spaces will be available to those visiting New Town. He further stated that he believed the bus lines would help improve the parking situation and that, as a fallback, the undeveloped Block 11 would give room for more parking if necessary. Seeing no further questions, Mr. Fraley asked for a motion to approve the quarterly New Town shared parking review and the motion passed by a voice vote of 4-0.

#### BUILDING SETBACK MODIFICATIONS- NEW TOWN

Mr. Matthew Smolnik presented the staff report stating that the DRC had previously granted a waiver to the setback requirement for other blocks in New Town and adding that there were currently several site plans under review for Blocks 10 and 11 in Section 2 & 4. Mr. Smolnik noted that a single site plan was currently under review in Block 14 of Section 3 & 6. Mr. Smolnik continued by stating that staff was currently requesting setback waivers only for the above mentioned sections of New Town, and that as Sections 3 & 6 were developed, staff would request a blanket waiver for those Sections of New Town.

Mr. Kale asked why staff was requesting a setback waiver for a single building in Section 3 & 6. Mr. Smolnik responded by saying that until staff and the DRC had a better understanding of how Sections 3 & 6 were going to be developed, individual buildings would need to request a waiver until the time came where staff and the DRC were comfortable with granting a blanket setback waiver for the entirety of Section 3 & 6. Seeing no further questions, Mr. Fraley asked for a motion. A motion was made to approve a setback waiver for New Town Sections 2 & 4, Blocks 10 and 11 and New Town Sections 3 & 6, Block 14, Parcel B. The motion passed by a voice vote of 4-0.

#### SP-150-05 NEW TOWN, BLOCK 11 RESIDENTIAL

Mr. Matthew Smolnik presented the staff report stating that the case was before the DRC because it proposed more than 30,000 square feet of development. Mr. Smolnik added that all agency comments had been received with no major issues being raised. Mr. Smolnik stated that Staff recommended that the DRC recommend preliminary approval subject to agency comments. Mr. Smolnik stated that Mr. Bob Cosby of AES was also present to answer any questions by members of the DRC. Mr. Fraley asked where the affordable units would be located within this development. Mr. Cosby responded by indicating eight units on the south end of the Block. Mr. Kale raised the question of garages and parking for the residents and their guests, and Mr. Cosby responded by saying that the units would either have garages or carports.

Mr. Cosby continued to say that the affordable units would not have garages or carports and that there were 16 parking spaces allocated for the residents of the affordable units and 16 spaces allocated for their guests. Mr. Fraley asked if the 16 spaces for the residents would be counted towards the reserved parking areas of New Town and Mr. Cosby responded by stating that those spaces would not be counted toward the reserved parking spaces. Mr. Fraley asked what the plan was for trash pick up. Mr. Cosby stated that there would be individual trash cans and that arrangements for pick-up would be the responsibility of the individual homeowners. He added that New Town associates may also have some control over the garbage collection contract but that there would not be any dumpsters within this development. Mr. Fraley asked about the shrub situation and Mr. Cosby responded by saying that the shrub requirement would be met. Seeing no further questions, Mr. Fraley asked for a motion. A motion was made to grant

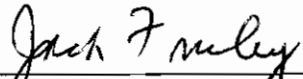
preliminary approval subject to agency comments and the motion passed by a voice vote of 4-0.

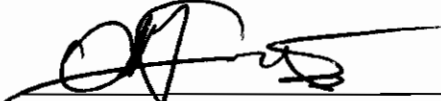
PUBLIC COMMENT

DRC RECOMMENDATIONS

ADJOURNMENT

There being no further business, the January 4, 2006 Development Review Committee meeting adjourned at 4:45 P.M.

  
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Mr. Jack Fraley, Chairman

  
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Q. Marvin Sowers, Jr., Secretary