

AT A REGULARLY SCHEDULED MEETING OF THE DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE BUILDING A CONFERENCE ROOM AT 4 P.M. ON THE 30th DAY OF APRIL TWO THOUSAND EIGHT.

ROLL CALL

ABSENT

Mr. Jack Fraley
Mr. Joe Poole
Mr. George Billups
Mr. Tony Obadal
Mr. Rich Krapf

STAFF

Mr. Jose Ribeiro
Mr. Luke Vinciguerra
Mr. Matthew Smolnik
Ms. Ellen Cook
Ms. Leanne Reidenbach
Mr. Bill Cain

MINUTES

Following a motion by Mr. Poole, seconded by Mr. Obadal, the DRC approved the minutes from the March 26, 2008 meeting. Following a motion by Mr. Poole, seconded by Mr. Krapf, the DRC approved the minutes from the April 2, 2008 special DRC meeting.

CONSENT ITEM

SP-0056-2007, Whitehall Design Guidelines Modification

Mr. Krapf briefly explained the circumstances leading to the classification of the case as a consent item, noting that the change to the Design Guidelines appeared minor in nature, but that they required DRC review due to the proffers. He asked whether the DRC members had any questions. Mr. Obadal asked whether the change gave the Whitehall Design Committee additional powers. Ms. Cook explained that the Design Committee did play a roll in enforcing the Preservation Plan, but that its role was spelled out in the Preservation Plan itself, and that the change to the Design Guidelines was only a reference so that the future residents and HOA were clearly made aware that the Preservation Plan existed and was in place. Ms. Sarah Ellington, HHHunt added additional clarifying information, and Mr. Fraley also pointed out that changes to the Design Guidelines must be approved by the DRC, as specified in the proffer. Following a motion by Mr. Fraley and a second by Mr. Poole, the DRC voted unanimously to approve the modification.

REGULAR MEETING

C-0028-2008: New Town Shared Parking Update:

Mr. Matthew Smolnik presented the case stating that there had been no material changes since the last DRC review of the shared parking update in January 2008. Mr. Smolnik stated that staff had met with New Town Associates to discuss time-limited parking and the DRC would have to approve all time limited parking spaces. Staff recommended approval of the shared parking update and recommended the next review occur at the July 2008 DRC meeting. Mr. Obadal asked whether the side streets and parking lots would be included in the time-limited parking, to which Mr. Smolnik responded yes if they are within the Town Center. Mr. Fraley asked if the time-limited parking spaces will be clearly identified to which Mr. Salzman responded, yes. Mr. Salzman stated that he sent a letter to the County Administrator and staff regarding the enforcement of time-limited parking. Mr. Fraley asked if New Town Associates had been in contact with business owners within the Town Center to gather their input for time-limited parking. Mr. Salzman stated that he has spoken to several business owners regarding time-limited parking. Mr. Joe Poole stated that he was around when the original shared parking concept was approved for the Town center and supports the idea of shared parking within the Town Center. Mr. Salzman provided the DRC with a few additional updates regarding the build out of the Town Center including Block 11 which is currently being marketed as a hotel site. A discussion ensued on the type of hotel planned for this site and whether or not the market could support a hotel at this location. Mr. Fraley suggested that pervious pavement be considered for the surface parking for the proposed hotel. Mr. Salzman continued by providing bus ridership numbers servicing the Town Center and stated that time-limited parking was a vital component to the shared parking concept. Mr. Krapf asked who would be responsible for enforcing the time limited parking. Mr. Salzman stated that it would be best if New Town Associates enforced the time limited parking to take the burden off of County resources. Mr. Fraley stated his concern that time limited parking was getting further away from the original concept of shared parking for the Town Center. Mr. Salzman reinforced that based on national trends; he believed time-limited parking was moving closer to the shared parking concept. Mr. Krapf asked if there were any comment from the public and seeing none asked for a motion. Mr. Fraley made a motion for approval of the shared parking update and that the next review shall come before the DRC at their July 2008 meeting. The motion was seconded by Mr. Joe Poole and was approved by a voice vote of 5-0.

SP-0041-2008, John Deere Dealership

Mr. Ribeiro presented the staff report stating that Mr. Grimes of AES Consulting Engineers has applied on behalf of Fleet Brothers of Williamsburg for a modification of the off-street parking requirements for the future John Deere Dealership site. The site, located at 7761 Richmond Road, was further identified on JCC RE tax map 1240100045. DRC action was required per Section 24-59(g) (2)-Appeals and Waivers of the Zoning Ordinance. Mr. Ribeiro stated that the site has an existing capacity to accommodate 53 vehicular parking spaces; a number which meets and exceeds the parking requirements triggered by the proposed commercial land use of the existing building and its physical expansion. However, the outdoor display areas proposed as part of this commercial re-development would generate the need for additional 51 vehicular parking spaces. Mr. Ribeiro indicated staff's support for the parking number modification for the site and recommended that the DRC approve the request.

Mr. Fraley stated that he would have preferred that the SUP conditions for this case has been

included with the DRC package and, reminded staff of the importance of including all necessary attachments for DRC review. During the meeting, Mr. Ribeiro provided copies of the SUP conditions for all members of the DRC. Mr. Fraley noted that the master plan approved by the Board of Supervisors for this case was not the same as the one approved by the Planning Commission. Mr. Fraley stated that during the Planning Commission meeting when this case was heard, the Commissioners expressed disapproval of the additional outdoor display areas proposed by the applicant. Mr. Ribeiro responded that staff informed the Board of Supervisors-via staff report-that the additional outdoor display area was not part of the master plan approved by the Planning Commission and therefore two versions of the master plan were submitted to the Board of Supervisors for consideration. Mr. Fraley expressed dissatisfaction and disappointment with this practice and argued that the revised master plan should have been reviewed and voted on by the Planning Commission before sending it to the Board of Supervisors. Mr. Krapf stated that in the future the Planning Commission should, instead of making a recommendation to the Board of Supervisors, modify any conditions which are not supported by the Commissioners. Mr. Poole stated that he approved the revitalization of the site and he felt comfortable with the parking waiver request.

Mr. Billups asked if there had been any complaints from adjacent property owners in regards to the parking waiver. Staff stated that no complaints were filed with the Division. Mr. Krapf reminded the DRC that no off-street vehicular parking spaces were allowed along Richmond Road or Bush Springs Road. Mr. Ribeiro concurred. Mr. Krapf commented on the fact that enhanced landscaping was proposed along the eastern side of the property and along the unpaved areas of the site fronting on Richmond Road. Staff noted that landscaping was a big concern during the SUP review process. Mr. Krapf asked if the number of handicapped vehicular parking spaces would be calculated before or after issuance of the parking waiver. Mr. Ribeiro stated that the handicapped vehicular parking spaces would be calculated according to the number of vehicular parking spaces required after the parking waiver is issued. Mr. Fraley asked the applicant if the reduction of the vehicular parking spaces would necessarily correspond to a reduction in impervious surface. Mr. Grimes stated that it would. Mr. Krapf opened the meeting for public comment. There being no further discussion, and on a motion by Mr. Billups, which was seconded by Mr. Poole, the DRC voted 4-0 (with Mr. Obadal abstaining from voting) to recommend approval of the parking waiver request for the John Deere Dealership.

S-0031-2007, McFarlin Park Easement Crossing

Ms. Leanne Reidenbach presented the staff report stating that Mr. Ryan Stephenson of AES Consulting Engineers has applied on behalf of Henry Stephens of Associated Developers for a utility and easement crossing within the Neck O Land Road perimeter buffer. The site, located at 205 Neck O Land Road, was further identified on JCC RE tax maps 4740100011 and 4740100013. DRC action was required for the buffer crossing per Section 24-266 of the R-2 Zoning District and that the ordinance suggested that any crossings be perpendicular to the buffer. She also noted that since packets were distributed, a potential engineering issue had surfaced and that the proposed routing may not be feasible. Ms. Reidenbach recommended that the DRC approve the proposed easement crossing, but also provide staff and the applicant with general guidance regarding alternative easement locations if the preferred location was determined infeasible. Potential guidance could include one shared crossing for the two

easements and that the crossing be perpendicular to the property line.

Mr. Billups asked for clarification about what the easements were and Ms. Reidenbach stated there was a JCSA sewer utility easement and a BMP access easement that were shared to minimize necessary clearing within the buffer. Mr. Poole confirmed with staff that the Jamestown Road buffer would still remain in tact. Mr. Fraley stated that he did not agree with staff's recommendation because the DRC would be approving something that they did not see, as was required by the ordinance. Mr. Henry Stephens explained that the buffer crossing had been shown on the plan in prior submittals but he was not made aware that it would require DRC approval. He also showed the original location for the utility easement with approximately 150 feet of line parallel to Neck O Land Road and noted that there would be 200 feet of greenspace behind the cleared easement and he felt the original option had the least impacts. Mr. Obadal and Mr. Stephens discussed that the buffer was composed of mixed pine and hardwood trees and that any easement would be required to remain cleared. Mr. Poole and Mr. Krapf expressed support for staff's recommendation. The DRC discussed options for actions on the proposal

Following a motion by Mr. Fraley and seconded by Mr. Obadal, the DRC recommended 5-0 to approve the proposed shared easement location subject to agency comments and with the condition that if comments could not be resolved and an alternative crossing had to be used, that the new location would be reviewed by the DRC.

SP-0100-2007, 428 McLaws Circle

Mr. Luke Vinciguerra presented the staff report stating Mr. Kenneth Jenkins of Landtech resources Inc. has applied on behalf of Derek Robertson of CD&A Inc. for approval to construct multiple buildings to be used as offices and warehouses. The site is located at 428 McLaws circle and DRC action is required because the plan proposes a group of buildings in excess of 30,000 square feet and has two entrances on the same road.

Mr. Obadal asked staff to clarify what a by right development was.

Mr. Vinciguerra explained that it was development plans that didn't need to go to the Board of Supervisors.

Mr. Billups asked if there was any impact of having buildings this large. Mr. Vinciguerra responded that there would be a large increase of impervious surface.

Mr. Poole made a comment noting that this site plan proposes two entrances on the same road and, there were already many entrances on McLaws circle. Mr. Vinciguerra stated the applicant needed two entrances as the parcel will be subdivided.

Mr. Poole asked if the 50 foot Community Character Corridor buffer would completely screen the proposed buildings from Route 199. Mr. Vinciguerra responded that the Community Character Corridor buffer meets ordinance and that staff cannot require additional landscaping should it not completely screen the buildings from Route 199. Mr. Vinciguerra further stated

that he would discuss the issue with the County's Landscape Planner, Mr. Whyte, to see if he could make recommendations to the applicant for improvements.

Mr. Jenkins stated the buildings next to Route 199 are one story and the top of the roof line will be half as high as Morning Star building. He also noted that the property slopes toward McLaws Circle which should help screen the buildings. He also stated the two buildings are broken up with trees in between them minimizing exposure from Route 199.

Mr. Poole made the comment that the buffer along Kingsmill is exceptional at hiding the dense development.

Mr. Fraley asked if the buildings were two stories.

Mr. Lieber passed out elevations to the DRC members.

Mr. Fraley asked what the Community Character Corridor buffer requirement was. Mr. Vinciguerra responded that it was 50 feet.

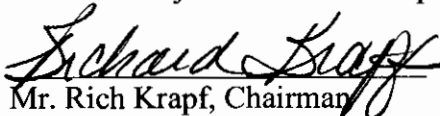
Following a motion by Mr. Billups and seconded by Mr. Fraley, the DRC recommended 5-0 to grant preliminary approval to the site plan.

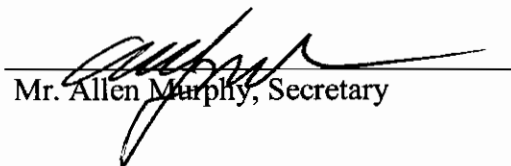
PUBLIC COMMENT PERIOD

No comments.

ADJOURNMENT

Motion to adjourn made at 4:30pm


Mr. Rich Krapf, Chairman


Mr. Allen Murphy, Secretary