

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 6th DAY OF JANUARY TWO THOUSAND NINE.

ROLL CALL

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

STAFF

Ms. Ellen Cook
Mr. Jose Ribeiro
Mr. Luke Vinciguerra

MINUTES

C-0075-2008 Moss Creek Commerce Center MP Consistency

Ms. Cook presented the case, stating that applicant was making two requests of the DRC, to find various changes consistent with the master plan, and to approve buffer modifications to the mixed use and planned unit development ordinances to allow the placement of a stormwater facility in the buffer. Ms. Cook presented the proposed changes to the master plan, then stated that staff recommended approval of the requests, other than flexibility to switch the location of the gas/convenience store with the pharmacy, which had been requested to be withdrawn from DRC consideration by the applicant prior to the meeting. Staff also recommended approval of the buffer modifications.

Mr. Fraley asked staff to comment on the placement of the stormwater facility in the buffer, as it was the case that staff and the Planning Commission generally did not want facilities to be placed in these areas. Ms. Cook stated that the recommendation of approval included the consideration that the facility would be a shared facility with the adjacent development, which was generally encouraged, and that its placement on the site was designed to fit with topography and minimize site disturbance, rather than other considerations.

Mr. Fraley asked staff to comment on the VDOT comment letter referenced by The Association at Stonehouse letter. Ms. Cook stated that VDOT staff member Bradley Weidenhammer's more recent letter superseded and replaced the letter in question, and that VDOT was comfortable with the improvements proposed.

Mr. Krapf asked staff to comment on increase in traffic with the proposed changes. Ms. Cook agreed that the traffic generation numbers were higher with this proposal. Ms. Cook stated that the applicant had provided supplemental traffic information which had been reviewed by VDOT

and by staff, which indicated that the proffered improvements would be adequate, but that the effect would be that some of the improvements would likely be needed sooner. Ms. Cook stated that the supplemental information indicated that the secondary entrance on Fieldstone Parkway also became more important, and that the applicant had indicated that an agreement with the adjacent property developers was being drafted that would enable this to happen.

The applicant, Mr. Aaron Small of AES Consulting Engineers, presented information to the DRC in support of his request. Mr. Small started by indicating that the stormwater facility was placed on the site to work with the topography and minimize overall clearing. Mr. Fraley expressed concern about the applicant clearing more than might be initially indicated in the field as the site was being built. Mr. Small acknowledged his point, but stated that it was their intent to minimize clearing, and to replant areas that were cleared. Mr. Michael Brown, property owner, elaborated that it was his hope to eliminate the second portion of the stormwater facility currently shown by working with future site owners to have on-site percolation. Mr. Small indicated that the draft agreement with the adjacent property owners included the provision that Moss Creek would assume the expenses of maintaining the stormwater facilities. Mr. Fraley confirmed that the applicant did not object to having this agreement finalized by the time of final site plan approval.

Mr. Small then discussed the proposed changes in square footage and building configuration and orientation, and the associated traffic generation. Mr. Small and Mr. Brown explained the differences in traffic generation as opposed to the original traffic study. Mr. Fraley commented that this case brought up the issue for future cases of how traffic studies should be done for shopping center areas – as itemized uses, or in aggregate. Mr. Small stated that the shared entrance plan was part of the draft agreement (which also includes the stormwater agreement).

Mr. Krapf asked about the architecture for the proposed pharmacy and other uses. Mr. Small indicated that the DRC will have the ability to review the design guidelines, per the proffers, and confirmed that the applicant was fine with DRC review of the architectural elevation details by the DRC as proposals for the structures come forward.

Mr. Krapf asked the applicant if they felt confident that The Association at Stonehouse concerns had been addressed. Mr. Small indicated that they believed so. Mr. Fraley asked about the walking path cited in the Association's letter. Mr. Small used the master plan to show how the proposed pathway connected to the existing path.

Mr. Poole asked how existing trees were integrated in the design of the site. Mr. Small discussed the site, noting that trees will be preserved in the buffers and in the VDOT right-of-way, and that most of the site is an old farm field that is now grown up in scrub.

Mr. Billups asked who controlled Stonehouse Land Bay 1, and what impact this proposal would have on development in that Land Bay. Mr. Small stated that Moss Creek had worked on their plans with the adjacent developer, GS Stonehouse, and that that developer was satisfied with their design.

Mr. Bob Spencer, Stonehouse resident and representative of The Association at Stonehouse, thanked Mr. Brown for meeting with the residents. Mr. Spencer stated that they were concerned about the timing of the second entrance on Fieldstone Parkway and about the impact on the landscaping there. Mr. Spencer also expressed concern about the location of the force main.

Mr. Small discussed the possible scenarios that would affect the force main location. He also stated that they would avoid or replace/relocate any affected landscaping along Fieldstone Parkway. Mr. Fraley discussed how these items could be tracked and addressed, via the draft agreement, and also via the landscape plan that is turned in to the County.

Mr. Spencer expressed concerns about tree clearing on site. The DRC discussed tree clearing, and the County's existing, and possible future, policies.

Mr. Krapf described that the first vote was on master plan consistency, and that in full the vote was on consistency with the master plan, subject to conditions listed in the staff report, as well as the conditions discussed during the meeting that (1) the draft agreement document covering the stormwater facility, the second entrance, and other matters, be finalized prior to final site plan approval and (2) that the architectural elevations for the structures be reviewed by the DRC as the plans come forward. Following a motion by Mr. Fraley, seconded by Mr. Poole, the DRC voted unanimously to recommend approval. Mr. Krapf described that the second vote was on buffer modifications to the mixed use and planned unit development sections of the ordinance. Following a motion by Mr. Fraley, seconded by Mr. Poole, the DRC voted unanimously (4-0) to recommend approval.

SP-0122-2008, Saint Olaf Catholic Church-Landscape Plan

Mr. Ribeiro presented the staff report stating that the landscape plan associated with the development plans for Saint Olaf was under DRC review in accordance with SUP condition number 7 of case number Z-0001-008/MP-001-2008/SUP-0006-2008/HW-0002-2008. Upon review of the landscape plan submitted with development plans, staff noted minor alterations in the placement of planting materials compared with the landscape plan submitted as part of the master plan for this project. Mr. Ribeiro stated that the senior landscape planner and the acting planning director reviewed both landscape plans and concluded that they were consistent with the intent of condition number 7.

Mr. Krapf commended the basic arrangement and layout of the landscape plan for Saint Olaf, but he stated that another type of shrub may be preferred as Mountain Laurels do not thrive in this area. The Red Dogwoods were also planted in the bio-retention area where conditions may be too wet for Dogwoods. Mr. Krapf asked the applicant and staff if they would be willing to work together and find alternative planting materials to the proposed Mountain Laurels and Red Dogwoods. Mr. Scott Whyte, senior landscape planner for the County and Ms. Sara Rilveria, Landscape Architect for AES concurred with Mr. Krapf's request.

Mr. Poole commented on the importance of preserving existing trees whenever possible.

Ms. Rilveria stated that no trees were going to be removed from the property along Richmond Road but some trees were going to be removed along Norge Lane to allow the placement of

public utilities. Ms. Rilveria noted that additional landscape materials are proposed for this area in order to supplement the removal of existing trees and vegetations.

Mr. Krapf asked if there were any questions from the audience. There were no questions from the attending audience.

Following a motion by Mr. Poole seconded by Mr. Billups, the DRC voted unanimously (3-0) to approve the landscape plan associated with SP-0122-2008. Mr. Poole reminded the applicant that the DRC approval was contingent on staff and the applicant's efforts to find more appropriate planting materials than the proposed Mountain Laurels and Red Dogwoods.

SP-0060-2007 Pleasant Hill Carwash

Mr. Vinciguerra presented the staff report stating that this case was under DRC review due to the applicant appealing the Planning Director's decision regarding the inconsistency found with the proposed deletion of the pergola from the building elevation presented during site plan review. Previously, during the public hearing process, the Board of Supervisors and the Planning Commission were shown a proposed elevation with a pergola extending the length of the carwash. The applicant now believes that the pergola would be a hazard to exiting vehicles.

Mr. Krapf questioned why this was not considered previously, and why the elevations shown to the Board of Supervisors are not consistent with what is being proposed today. Mr. Harbin stated that the pergola was an error at the public hearing stage; the architect wasn't familiar with designing carwashes. He stated the pergola was originally proposed to maintain consistency with Norge Community Character requirements, but is now being considered as a potential hazard to exiting cars, particularly larger vehicles with trailers. Mr. Krapf asked the applicant to explain the site plan to the Committee. Mr. Harbin stated that the pergola had no benefit other than architecturally, and pergolas are not generally found at self-serve carwashes. Mr. Harbin reiterated that this was an oversight at the Board of Supervisor level. Mr. Krapf questioned if vehicles could easily get in, but not out. Mr. Harbin said it would be difficult for exiting drivers to navigate through the pergola. Mr. Krapf stated that applicants coming in with reviews that reflect significant deviations need to go back to be reviewed by the Board of Supervisors. He further stated that the options for the DRC are an up or down vote or deferral of the case to grant additional time to the applicant to later present alternatives. Mr. Harbin stated that the building will be attractive with or without the pergola, and the proposal is very close to what the Board of Supervisors was shown. Mr. Billups asked if it would help to move the building. Mr. Harbin stated that the problem would still exist. He further stated that when the front vegetation matures, it would be difficult to see the building anyway.

Mr. Poole asked if all four sides are brick. Mr. Harbin said that they were. Mr. Poole stated that he shared Mr. Krapf's concerns but he understands this development is right next to the huge florescent Tilt-A-Whirl at Go-Carts Plus. Mr. Poole said he thought the design and the materials were high quality and could live with the adjustments.

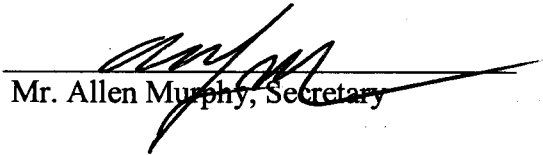
Mr. Billups stated that the problem exists mostly for large vehicles with or without trailers. He questioned why the owner couldn't change the marketing to only small cars. Mr. Harbin stated that the carwash is directed to every type of vehicle.

Mr. Poole made a motion to accept the modified elevations with the condition that all sides of the structure are brick and barring no reduction in vegetation along the front berm. Mr. Billups seconded the motion, which was then passed by a voice vote (2-1).

ADJOURNMENT

The meeting was adjourned at 5:33 P.M.


Mr. Rich Krapf, Chairman


Mr. Allen Murphy, Secretary