

AT A SCHEDULED MEETING OF THE DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE BUILDING F BOARD ROOM AT 4 P.M. ON THE 1<sup>ST</sup> DAY OF DECEMBER TWO THOUSAND NINE.

ROLL CALL

Mr. Joe Poole, Chair  
Mr. Rich Krapf  
Mr. Jack Fraley  
Mr. George Billups  
Mr. Chris Henderson

STAFF

Mr. Chris Johnson  
Ms. Leanne Reidenbach  
Mr. Luke Vinciguerra  
Mr. Jason Purse  
Ms. Melissa Brown  
Mr. Bill Cain  
Mr. Mike Woolson  
Mr. Leo Rogers  
Mr. Bernie Farmer

MINUTES

Following a motion made by Mr. Rich Krapf seconded by Mr. Jack Fraley the DRC approved the minutes from October 28, 2009.

SP-0071-2009, Warhill Community Gym

Mr. Jason Purse noted that this case was granted preliminary approval by the DRC at its September 30, 2009 meeting. At the previous meeting, members had requested the applicant attend to answer additional questions about the architectural elevations. Mr. Purse introduced Mr. Bernie Farmer.

Mr. Henderson asked about the specific materials to be used on the building. He also asked about specific design features. Mr. Farmer gave an explanation of the elevations, including description of the pre-engineered metal building, the sloping "green" roof, and noted the intention of attaining silver LEED certification. He noted, in response to Mr. Henderson's question, that the middle of the building would be composed of split-faced brick.

Mr. Henderson asked about storm water recapture on the site. Mr. Farmer stated that they would be capturing some of the storm water for infiltration and the rest will drain to the storm water pond that served the entire complex.

Mr. Poole asked about the occupancy limit, and Mr. Farmer noted that it would hold up to 1,300 people total and 1,100 in the gym area. Finally, Mr. Henderson recommended softening the large scale of the building with landscaping and Mr. Farmer agreed. There was no other discussion on this case and no additional action was taken.

SP-0064-2008, Autumn West Townhomes

Mr. Luke Vinciguerra presented the staff report stating that the plan before the DRC is a resubmittal of the plan that came before the DRC on September 30, 2009. He explained the development requires DRC review as it proposes a group of buildings containing over 30,000 s.f. of floor area. The revised plans have added a fence around the retaining walls, a turnaround for emergency vehicles and any outstanding agency review comments. He further stated that the applicant, in response to a request by the DRC, held a community meeting at the Human Services Building to discuss plans for the development with adjacent property owners in Season's Trace. Staff continues to recommend that preliminary approval be granted subject to agency review comments.

Mr. Fraley asked for the maximum building height and how building height is measured.

Mr. Vinciguerra responded that the maximum building height was 31 feet and the ordinance defines building height.

Ms. Brown read the Ordinance definition. Mr. Fraley responded that the definition was confusing and recommended staff consider clarifying the definition of building height during the Zoning Ordinance update.

Mr. Fraley asked for the size of the parcel. Mr. Vinciguerra responded that it was approximately eight acres.

Mr. Krapf asked about flooding at the entrance of Seasons Trace. Mr. Cain responded that the subject property does not flow to the entrance of Seasons Trace but rather towards the main tributary of Longhill Swamp.

Mr. Fraley noted that the RPA would be disturbed by the proposed stormwater outfall. Mr. Cain responded that state regulations require concentrated stormwater to outfall to an adequate channel necessitating the impact to the RPA. He further stated that mitigation was provided on-site that would make up for the encroachment.

Mr. Fraley noted that if the RPA wasn't disturbed in the first place no mitigation would be necessary.

Mr. Krapf asked for clarification between retaining walls and foundation walls.

Mr. Jason Wilkins explained the differences between the two types of walls.

Mr. Fraley asked Mr. Wilkins to identify all the retaining walls and foundations on the plans. Mr. Wilkins identified the location of the walls for the DRC.

Mr. Poole asked if a tree inventory had been provided showing what mature trees would be saved post development. Mr. Vinciguerra responded that a tree preservation plan had not been provided; however, all the mature trees located within the RPA would be maintained.

Mr. Poole asked if any citizens would like to speak regarding this case.

Mr. Robert Richardson, 2786 Lake Powell Road, expressed his concerns of preserving the existing trees and vegetation on site. He quoted from the landscape ordinance and expressed his opinion about how the plan fails to meet the requirements. He felt that there was not enough time for public review of the plans since they had been received on November 24, 2009. Mr. Richardson read the handicap requirements for

parking and sidewalk spaces and expressed his opinion that the plan fails to adhere to the requirements. He felt that this proposal was too large given the size of the property.

Mr. John Mattney, 119 South East Trace, expressed his concern over the development in relation to stormwater and water drainage. He felt that the 100-year flood plain map was no longer valid.

Ms. Linda Reese, 511 Spring Trace, showed pictures of the drainage issues on the subject property. She felt that many questions had not been answered during the meeting with the adjacent property owners. Ms. Reese felt that this land should not be developed and several organizations have offered to contribute to purchase this property.

Dr. Lynn Moyer, 268 Peach St, expressed his concerns of the environmental impacts of this proposal. He felt that little effort had been shown to build with the current terrain in mind. He felt that the runoff will eventually enter the Powhatan Creek which eventually will need restoration.

Ms. Sarah Kadec, James City Concerned Citizens Coalition, expressed concerns regarding stormwater runoff and flooding. She felt that the Army Corp of Engineers should review this project. She also stated that the Chesapeake Bay Board may need to review it.

Mr. Bob Cornelius, 522 Spring Trace, spoke regarding retaining walls. He stated that the firm hired to design and engineer the retaining walls was not qualified in that area.

Ms. Christina Julie, 523 Spring Trace, felt that the DRC and staff have not had enough time to review this project thoroughly.

Mr. Elaine Baker, 510 Spring Trace, felt that attention needs to be given to the existing homeowners at Spring Trace. He felt that these homeowners should have a right to protect their property. He was unsure as to whether these retaining walls proposed would keep water and soil from affecting the existing homeowners.

Mr. Roy Snyder, 514 Spring Trace, stated that the residents appreciated the opportunity to speak on this project. He felt that the current plan fails in a number of areas. These include plan design similar to what is currently at Seasons Trace, trees that will be removed during the development, and safety concerns with regards to the BMP. Mr. Snyder felt that the retaining wall was a structure and should be treated as such with regards to the Zoning Ordinance. He requested that the DRC require the developer to redesign the site with new configurations and fewer units.

Ms. Joyce Wolfe of Eagle Construction addressed concerns regarding on retaining walls. She spoke on the safety features designed for the retaining walls and stated that she would include terraces along the wall. She stated that there is no requirement to develop a tree preservation plan. She stated that they would be willing to meet with staff about flagging trees that could possibly be preserved and would add a tot lot or passive recreation area on the property to meet any recreation requirements. Ms. Wolfe stated that her firm has been working with staff for over three years on this project and that she was unwilling to redesign the proposed layout of the site as too much money was already invested in the current design.

Mr. Jason Wilkins stated that the wetlands have been identified and that no wetlands will be impacted. The RPA will not be affected. He stated that the current proposal will improve the situation in Season Trace with regards to stormwater management.

Ms. Wolfe stated that because the proposed units are for sale they did not have to be in compliance with ADA standards. She stated that they are requesting a preliminary approval for the project, not final

approval. She felt that they have addressed the majority of the residents' concerns and that there has to be some give and take.

Mr. Henderson asked if there was a target market for the proposed units. Ms. Wolfe responded that they are for empty nesters and single professionals.

Mr. Henderson asked if the retaining walls would be insured and if the HOA would be responsible for their maintenance. Mrs. Wolfe responded affirmatively.

Mr. Henderson asked when the Army Corp of Engineers had delineated the RPA. Ms. Wolfe responded that it was roughly a year ago when her company hired a surveyor.

Mr. Henderson asked if staff had adequate time to review the plan. Mr. Johnson stated that the plan has been under review since May of 2008 providing staff and the public ample time to review the plan.

Mr. Krapf asked if Eagle Construction had a timetable for construction and inquired about glare from the stadium lighting. Ms. Wolfe responded that her company would like to start construction in the spring and that the stadium lighting issue was beyond her control but noted that a significant mature tree canopy would remain between the proposed development and the sports complex.

Mr. Billups asked if there were other apartments in Seasons Trace that were only 800-900 square feet. Ms. Wolfe responded that the proposed units are 1,300 square feet.

Mr. Billups asked if unit reduction was an option. Ms. Wolfe responded that she would not be able to sell the units at her preferred price point if any units were eliminated.

Mr. Poole asked what other projects Eagle Construction has done in James City County. Ms. Wolfe responded that her company was responsible for Longhill Grove.

Mr. Henderson asked where the recreation area would be located. Ms. Wolfe identified to location on the plan.

Mr. Fraley stated he was uncomfortable with the proposed layout of the plan.

Mr. Krapf stated that he would like for staff to address some of the public's concerns about the environmental impacts that were stated during the public comment session.

Mr. Billups asked if this design was consistent with other development in Seasons Trace. Ms. Wolfe responded it was consistent.

Mr. Poole stated he wanted to see the comments issued by staff for this revision and wanted to see specimen trees identified on the plan with pre/post construction tree preservation plans.

On a motion made by Mr. Fraley and seconded by Mr. Billups, the Committee unanimously voted to defer the case to the January 6, 2010 meeting.

#### New Town Main Street

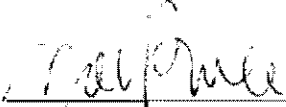
Ms. Leanne Reidenbach explained a proposal in New Town to expand Building 900 by 24,000 square feet, which would result in the elimination of approximately 50 parking spaces in the Sections 2 and 4 shared parking area. Mr. Nathan Shore, a representative for Developer's Realty Corporation, was also present to discuss the proposal. The DRC reviewed and discussed the proposed expansion. The DRC


will review more details when the regular shared parking update is presented at the February 2010 meeting.

Williamsburg Crossing, Parcel 24

Mr. Chris Johnson presented a conceptual drawings and architectural elevations for a proposed fast food restaurant in the Williamsburg Crossing Shopping Center. The franchisee, Ms. Jane Wason, was also present to discuss the proposal. The DRC offered suggestions regarding site layout, drive thru lane placement and parking bay configuration. A site plan for the proposal will be reviewed by the DRC at the January 6, 2010 meeting.

ADJOURNMENT

  
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Mr. Joe Poole, Chairman

  
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Mr. Allen Murphy, Secretary