

AT A REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN BUILDING A AT 4:00 P.M. ON THE 26th DAY OF SEPTEMBER TWO THOUSAND TWELVE.

ROLL CALL

Mr. Rich Krapf
Mr. George Drummond
Mr. Mike Maddocks
Mr. Chris Basic

STAFF

Mr. Chris Johnson
Mr. Jose Ribeiro
Ms. Leanne Reidenbach
Ms. Ellen Cook

MINUTES

Following a motion by Mr. Rich Krapf and a second by Mr. George Drummond, the DRC approved the minutes from the August 29, 2012 meeting by a vote of 2-0 (2 abstaining).

C-0030-2012, Colonial Heritage Model Home Rental – Master Plan Consistency

Ms. Leanne Reidenbach presented the staff report stating that the applicant is proposing to use four existing model home units for a “Discovery Package” to let potential purchasers pay to stay in them while they consider moving to Colonial Heritage. The Zoning Administrator determined that the rental of model home units classified as a motel, which is a commercial use. The model units are in an area of the Colonial Heritage master plan which is designated residential, but is adjacent to the sales center and clubhouse. Staff noted that the motel use is not consistent with the master plan but under some conditions, the rentals could be seen as compatible with the surrounding uses. Staff noted that if the DRC wished to find the use consistent with the master plan, that the following conditions be applied to ensure compatibility:

- items specified in the applicant’s restrictions and enforcement letter dated September 14, 2012;
- installation of fire suppression systems; and
- completion of a request for off-site parking and provision of necessary agreements and pedestrian connections.

Ms. Andrea Berenfelf of Lennar Homes gave a summary of the proposed use and noted that a better term for the project is a “stay and play” or an ambassador program as opposed to a rental of model units. She noted that this is a common practice among Lennar’s competitors and will agree to make the improvements and agreements that were requested by staff.

Mr. Mike Maddocks asked about the use of the model units once the development reaches buildout. Ms. Berenfelf noted that they would be sold. She also said that the existing residents in this area were aware of and consented to the proposed use of the homes. Mr. Maddocks discussed the issue of sprinklers and why they would be required for the model homes if they are not required in a single family home. Ms. Reidenbach noted that the rental use was classified as a transient use (less than 30 days occupancy) and that is what triggered the requirement.

Mr. Krapf said that the use was technically not a residential use, but that the rental of the units for the specified purposes made sense and the proposed conditions ensured that it would be consistent with surrounding uses and enforceable by Lennar.

The Committee members expressed concurrence with the earlier statements and following a motion by Mr. Krapf, recommended master plan consistency subject to the conditions outlined in the restrictions and enforcement letter dated September 14, 2012, installation of fire suppression systems and provision of necessary agreements and pedestrian improvements for off-site parking.

C-0031-2012, White Hall Design Standards Amendment

Mr. Jose Ribeiro presented the staff report stating that the applicant is proposing to amend the White Hall Design Standard to allow the inclusion of an alternate type of privacy fencing and the option of a reduced fencing height along rear property lines for townhome lots. Mr. Ribeiro stated that proffer no. 13 associated with the rezoning of the White Hall development requires DRC approval of any amendment to the design standards. Staff finds that the proposed amendments are not detrimental to the health, safety and welfare of the residents and recommends that the DRC approve the request to amend the White Hall Design Standards.

The committee members expressed their comfort with the amendment, and following a motion by Mr. Basic, approved the changes to the design standards by a vote of 4-0.

C-0032-2012 Villas at Five Forks Buildings 7 & 16

Ms. Ellen Cook presented the staff report stating that the applicant proposes a "triplex" structure which would consist of two units that share a common wall, attached to another unit that would be connected through a roofline or breezeway connection. Under zoning definitions, the unit that is connected only through a breezeway connection is not considered an attached structure, but as a single-family detached unit, hence prompting staff to consult the DRC regarding the consistency of this unit type with the master plan. Staff recommends that the DRC find the proposed unit type does not alter the basic concept or character of the development and find it consist with the master plan.

Mr. Krapf asked about the reason for retaining the roof connection since this did not qualify them as an attached structure.

Mr. Barry Borden of Villas at Five Forks, LLC, stated that the roof connection was proposed for several reasons, including greater consistency with the other attached units, to better meet building code fire suppression requirements for the buildings given their close proximity, and for parity in implementing assessments through the condo association.

Mr. Basic inquired whether there would be a way to actually attach the third structure to the other two with a common wall.

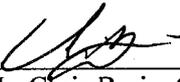
Mr. Borden discussed that the way the floor plans of the units were made up, there was no way to rotate the units that would allow the three to be put together. Mr. Borden noted that part of the equation was the fact that Villas was a franchisee, and could only use certain approved unit floor plans.

Ms. Sheila Byers, also of Villas at Five Forks, LLC, added that one additional factor is that the units have many windows, which poses a challenge in terms of options for attaching the units together.

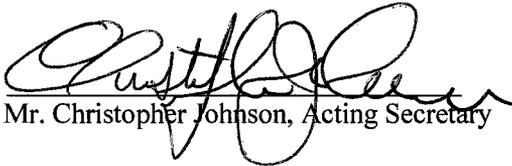
The committee members expressed their comfort with the proposal, and following a motion by Mr. Krapf, recommended master plan consistency by a vote of 4-0.

ADJOURNMENT

Following a motion by Mr. Krapf, the meeting was adjourned at 4:35 p.m.



Mr. Chris Basic, Chairman



Mr. Christopher Johnson, Acting Secretary