

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 28<sup>st</sup> DAY OF AUGUST TWO THOUSAND THIRTEEN.

ROLL CALL

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

NOT PRESENT

Mr. Tim O'Connor  
Mr. Mike Maddocks

STAFF

Mr. Paul Holt  
Mr. Chris Johnson  
Mrs. Ellen Cook  
Mr. Jose Ribeiro

MINUTES

SUP-0014-2013, Lightfoot Marketplace

Ms. Ellen Cook introduced the case, stating that the applicant had presented a site layout and elevations to the DRC at their June 26, 2013 meeting, and that the applicant was now prepared to present revised documents for additional comment and discussion.

Mr. Gerhardt told the DRC that the Special Use Permit application had now been formally submitted, and that the applicant's team would be working with staff on the details of the application, such as working with Williamsburg Area Transit Authority.

Mr. Tingle began an overview of the document revisions, noting that they had heard three broad categories of comment at the last meeting, including site layout and pedestrian connectivity, architectural consistency and treatment on the side and rear of buildings, and sustainable site features. Mr. Tingle described some site layout features, including the positioning of the restaurant with outdoor seating as an entry feature and the orientation of the pharmacy entrance toward Richmond Road. Mr. Tingle then discussed the idea of a pedestrian amenity that would connect through the parking lot parallel to Centerville Road, and noted the constraints that prevented proceeding with this. He noted that the emphasis was on circulation around the perimeter of the parking lot adjacent to the buildings.

Mr. Krapf asked for further clarification of the applicant's consideration of the connection in the parking lot.

Mr. Basic noted that similar features in other locations do get some degree of use, and wondered about the constraints for adding some additional space to the parking lot islands to allow for the walkway to occur.

Mr. Tingle described the building architecture, including colors, materials and windows. He noted there were similar elements from one building to the next. He noted that both the grocery store and pharmacy had agreed to participate in providing consistent elements.

Mr. Basic stated that liked the consistency of elements.

Mr. Krapf asked about site features like dumpsters which can pose an aesthetic challenge – he inquired if these would be screened with landscaping or fences.

Mr. Tingle stated that not all of the details have been worked out, but that it was likely to be a combination of landscaping and fencing or walls. Mr. Tingle then turned to addressing sustainable initiatives. Mr. Tingle stated that they needed to find initiatives that would fit with all the companies in the center. He mentioned that they were not looking at LEED certification, but were looking at "sustainability that makes sense" measures. He listed items as detailed in the draft SUP conditions that were submitted with the application.

Mr. Krapf asked whether they had considered alternative green building programs, such as Earthcraft. He mentioned the County's green building roundtable initiative and stated that he was concerned that the measures that were being proposed were more on the passive side – he would like see more aggressive measures being considered.

Mr. Tingle clarified the types of projects that the Earthcraft program can be used for. He mentioned that they are using the LEED checklist to pick items that they will do.

Mr. Basic praised flipping the pharmacy to front Richmond Road. He stated some concern about the sides of buildings 1 and 3 and the back of building 2. He stated that he would like to see four sided architecture pursued where it makes sense, or else high quality landscaping to screen. He thought a balance of these would be needed to best achieve a good project design.

Mr. Krapf praised the more consistent elements of the project architecture and asked how it ties into Thomas Nelson Community College and Warhill.

Mr. Tingle described the ways that elements of those buildings were carried over.

Mr. Krapf again stated that he feels a horizontal pedestrian connection is important, and reiterated that green or sustainable building measures are an issue for him. He stressed that he will carefully review the staff report.

Mr. Drummond stated that he thought the project would an asset to this area and sees and concurs with the consistency elements of the architecture among the project buildings.

Mr. Basic noted that the uses of the buildings (grocery store, pharmacy) as compared with the number of those same uses in the community would not be an issue with him.

There being no further comments or questions, the discussion concluded.

#### C-0039-2013, Kingsmill Storage Lot

Mr. Ribeiro introduced the case stating that the applicant, Kingsmill Community Service Association (KCSA), is seeking a master plan consistency determination from the Planning Director to relocate two existing storage facilities and combining them into a new location along Wareham's Pond Road.

The approved master plan for Kingsmill designates the proposed storage lot location as part of the "Grove Country Road" and therefore, prior to site plan approval for the new storage area, a master plan consistency determination is necessary. The Planning Director finds that the proposed changes do not significantly alter the character of the master plan and therefore the consistency determination can be made administratively, as allowed by the Zoning Ordinance. Mr. Ribeiro indicated that staff is presenting this request to the DRC for context and for input and discussion prior to the Planning Director master plan consistency determination. In consideration of the approval of this request staff has requested that the applicant retains the existing on-site 10-foot tall berm and that a landscape plan be submitted for approval

by the Planning Director.

Mr. Jason Grimes stated that both existing storage parcels are currently owned by Xanterra and leased to KCSA. Mr. Grimes explained that the lease agreement will expire and KCSA is proposing to relocate both storage areas to a parcel owned by KCSA.

Mr. Basic expressed concerns with the proposed location for the the storage lot being near to residential areas. Mr. Grimes stated that there is an existing 10-foot high berm on the property which will help screen the storage lot from residential uses across Wareham's Pond Road.

Mr. Basic asked what would become of the two existing storage area lots once they are no longer being leased to KCSA. Mr. Grimes indicated that storage lot no. 2, as labeled on the conceptual plan, is included as part of a recent proposal by Xanterra to amend the original master plan for Kingsmill. Mr. Grimes did not know the plans for storage lot no. 1.

Mr. Krapf stated that it made sense to consolidate the two areas into one and that the new storage parcel was owned by KCSA and not Xanterra. Mr. Krapf and Mr. Basic agreed that the relocation was not a departure from the approved master plan.

There being no further comments or questions, the discussion concluded.

S-0047-2012/SP-0087-2012, The Village at Candle Station

Mr. Ribeiro introduced the case stating that at the January 30<sup>th</sup> DRC meeting the applicant requested deferral of this application in order to allow for additional time to provide further details regarding the proposed changes to the approved master plan for Candle Factory. On March 5, 2013, the DRC voted 4-0 to find revisions proposed by the applicant, which did not include front-loaded garages for single-family detached units, consistent with the master plan. Mr. Ribeiro stated that the applicant is currently requesting a modification of the master plan for Candle Factory to allow a maximum of 10 single-family units with front-loaded garages; the remaining 23 single-family detached units would have a combination of rear and side-loaded garages.

The applicant also proposed individual driveways for all single-family detached units contrary to the shared driveways as shown on the approved master plan. Mr. Ribeiro concluded by stating that single-family units with front-loaded garages were not consistent with the "Village Community Character" as proposed by the applicant and inconsistent with the supplemental materials submitted as part of the rezoning application for Candle Factory. Mr. Ribeiro also stated that the proposed change from shared to individual driveways is inconsistent with the adopted master plan and recommended that the DRC find the request inconsistent with the approved master plan for Candle Factory.

Mr. Krapf expressed his desire to visualize all the revisions made to the master plan for Candle Factory as a way to better understand how these changes impact the approved master plan. Mr. Holt stated that the changes involving the thirty-three single family lots were limited to the widening of these lots in order to alleviate grading concerns expressed by the applicant. The other changes to the master plan approved by the DRC were the relocation of seventeen townhomes from their original location in the "transition area", revisions to the width and length of alleys and parking area layout.

Mr. Krapf stated his concerns regarding the cumulative number of revisions already made to the Candle Factory master plan and the potential that the proposed revisions may further alter the character of the project. Mr. Krapf indicated that the "Village Community Character" was a very important element promoted by the applicant as part of the approval of the Candle Factory rezoning and master plan

adoption. Mr. Krapf believed that the request to allow front-loaded garages should be considered as part of the legislative process which would also allow these changes to be evaluated by the public.

Mr. Henderson responded that they do not seek to change the master plan and therefore have not pursued the legislative process and that the changes currently being considered are related to the Design Guidelines. All elements which make up the "village character" are still part of the project such as street trees and lights, fences and hedges. Mr. Henderson expressed sensitivity regarding the changes already made to the master plan but indicated that the proposed ten front-loaded garages are a necessity.

Mr. Grimes indicated that the widening of the single-family lots helped reduced the number of front-loaded garages originally proposed but it did not work for all lots and therefore the request for a maximum of 10 front-loaded garages is currently being requested.

Mr. Krapf stated that the current request to add front loaded garages to 1/3 of the single family homes was his main concern. Mr. Grimes pointed out that previously the request was to allow front loaded garages to twenty townhomes and all thirty-three single-family homes. Mr. Grimes stated that the supplemental materials submitted as part of the rezoning application show features that are not necessarily realistic but were used to enhance the product. Mr. Peters gave the example of the originally proposed shared driveways and how difficult it would be to accomplish this concept given the need to obtain easements and the number of individual property owners involved.

Mr. Holt indicated that staff's position and recommendation is not based on being subjective over the relative number of homes or the subjective nature of whether or not front-loaded garages make a difference to the overall character of the proposal. Although staff finds that the proposed changes do alter the "village character", the Zoning Ordinance is very clear as it states that staff has to find final developments plans are consistent with the adopted master plan and that it does not significantly alter the character of the land uses or other features or maybe in conflict with conditions placed on correspondingly legislative approved case associated with the master plan.

Mr. Basic stated that he did not think that the proposed number of front-loaded garages was detrimental to the "village character" and if the intent was not to allow these structures than they should have been proffered as such.

Mr. Grimes indicated that if the applicant had to go back to the legislative process he was not sure what they were looking to amend or present to the Planning Commission and Board of Supervisors.

Mr. Henderson stated that they were not looking to propose any additional changes to the master plan beyond what has been approved and currently under consideration.

Mr. Krapf proposed to take the master plan consistency request to the full Planning Commission for consideration as part of the DRC report presented at the meeting. The DRC would vote on a recommendation to the Planning Commission.

Mr. Henderson asked if the consideration could be deferred until the next DRC meeting instead.

Mr. Peters expressed concern that some members of the Planning Commission may not be familiar with the history of this application.

Mr. Drummond asked if there is a common ground where the applicant and staff could agree on.

Mr. Peters stated that the applicant and staff have been working together, particularly during the drafting process of the Design Guidelines. However, the proposed front-loaded garages reached an impasse.

Mr. Henderson asked if there was anything specifically they could do to move forward with the proposed maximum number of ten front-loaded garages and ensure the "village character" is maintained.

One of the architects working for Henderson indicated that they were considering many options such as designing a porch of a certain size to mitigate the massing of the garage and that garage doors could be designed with Craftsman architectural elements to visually enhance and complement the single-family homes and additional landscaping.

Mr. Henderson indicated that they could also consider additional setbacks for parking in the driveway so that the rear of vehicles doesn't encroach onto the sidewalk.

Mr. Holt reminded that the appeal in front of the DRC is whether or not the proposal as proposed by the applicant is consistent with the legislatively adopted master plan and in making this decision there may be some conditions that could make the current proposal more consistent with the approved master plan. Mr. Holt also wanted to make a clarification regarding some of the comments made during the DRC meeting. According to Mr. Holt, James City County has long moved away from amorphous plans showing little to no details and that the Planning Commission, the Board of Supervisors and the community have evolved to expect details in consideration for legislative actions. It is not acceptable for applicants to show beautiful pictures of buildings which are not based on reality or the intention to build them as presented. Mr. Holt stated that he did not believe that this was the intention here but felt necessary to remind all the participants of the meeting based on certain statements expressed by the applicant earlier the DRC meeting.

Mr. Krapf stated that this is the reason why he has asked for this case to be considered by the entire Planning Commission to show how the entire project was presented, what the appeal of the project was, and why it was approved by the Planning Commission and subsequently by the Board of Supervisors. Mr. Krapf reminded that at the time this project was considered starting in 2009, residential growth in the upper county was a hot bottom issue, and there were a lot of groups very vocal about residential growth. Mr. Krapf also indicated that after many presentations to the Planning Commission what ultimately convinced him to recommend approval of this project was that it hit the key elements that mitigated residential development such as the provision of the CCRC for the retirement community, affordable/workforce housing and the "village look". Mr. Krapf stated that the approved changes to the master plan combined with the proposed ones are substantial in nature and that this request should be considered by the Planning Commission.

Mr. Basic indicated that the proposed number of front-loaded garage units did not constitute a major departure from the master plan. Mr. Basic reminded the group of a question posed by Mr. Drummond earlier in the meeting which remained unanswered. Should the DRC find that the current proposal not to be consistent with the master plan what gets to be submitted to the Planning Commission and the Board of Supervisors for consideration?

Mr. Holt indicated that the request would be to amend the existing proffers to remove the "generally consistent" language out of the approved proffer for Design Guidelines or change the supplemental building materials.

Mr. Grimes proposed to return to DRC within one month to "clean up" the supplemental drawings and present them with additional architectural and/or landscape improvements. Should there be an impasse at the next DRC then the request would proceed to the Planning Commission for consideration.

One of the architects for Henderson asked if there any other inconsistency issues that the applicant should be aware off. Mr. Ribeiro stated that the front-loaded garage units and shared driveways were the only elements being considered.

Mr. Holt stated that should the applicant have any additional architectural elements to bring forward as part of the consistency discussion that is should be brought forward together with the current proposal.

Mr. Henderson asked should they propose to increase the front-loaded garage units' setbacks or a parking setback whether or not it would help with the consistency determination.

Mr. Holt responded that he would welcome the dialogue but that this would be a big trade off.

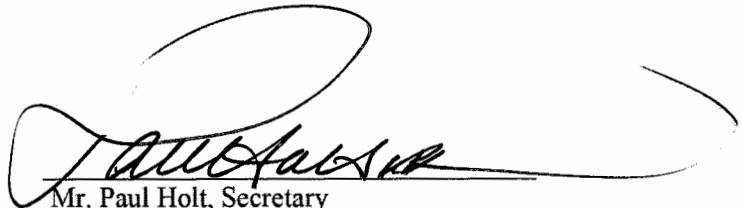
Mr. Grimes asked this request to be deferred until the next DRC meeting. The members of the DRC concurred with the deferral request made by the applicant.

There being no further comments or questions, the request for master plan consistency for the Village at Candle Station was deferred to the September 25<sup>th</sup> DRC meeting.

ADJOURNMENT



Mr. Chris Basic, Chairman



Mr. Paul Holt, Secretary