

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 29th DAY OF APRIL TWO THOUSAND FIFTEEN.

ROLL CALL

Present

Mr. Chris Basic
Mr. Tim O'Connor

Absent

Mr. George Drummond
Ms. Robin Bledsoe

STAFF

Mr. Paul Holt
Ms. Leanne Pollock

Mr. Chris Basic called the meeting to order.

Mr. Larry Salzman petitioned the chair to change to agenda to hear the New Town Shared Parking Update case first.

Neither the committee members nor other applicants had an issue with changing the order of the agenda; therefore, Mr. Salzman's case was moved to the first discussion item on the agenda.

DRC ACTION

C-0018-2015, New Town Shared Parking Update

Ms. Leanne Pollock presented the staff report and stated that Mr. Larry Salzman of New Town Associates had submitted the semi-annual shared parking update for DRC consideration. The DRC last reviewed the shared parking plan in October and at that time, deferred further consideration of time limited parking pending further discussions with the Police Dept. and County Attorney. This report accounted for some shifts in residential and commercial uses in Sections 2 and 4, but ultimately showed a small improvement in balancing block-by-block supply and demand. Ms. Pollock recommended that the DRC approve the shared parking report and that the next update be provided at the October 28 DRC meeting. Ms. Pollock noted that Mr. Salzman had also requested permission to implement time limited parking on certain public streets and in private parking lots. She explained that parking regulations on public streets (shown in pink on the staff report exhibit) are governed by an Administrative Regulation that requires review by the Police Chief. Ms. Pollock recommended that the DRC permit the Police Dept. to work through this aspect of time limited parking. She noted that parking regulations in private lots can be implemented by the property owner and are still subject to DRC approval when located in Sections 2 and 4. Ms. Pollock recommended approval of time limited parking in the areas identified on the exhibit; however, for Block 8, staff recommends only including the 11 spaces outlined in red in the exhibit for time limited parking.

Mr. O'Connor asked about the enforcement mechanism for the time limited parking on public streets. Ms. Pollock indicated that it would either have to be the Police Dept. or an individual in New Town could be deputized to carry out enforcement. Mr. Salzman noted that it was New Town's intention to avoid using County resources and to conduct enforcement on their own.

Mr. O'Connor said that he was concerned about having two different standards for enforcing public versus private parking (i.e. a ticket or fine for public streets versus a sticker and towing for private areas). Mr. Salzman noted that he would primarily anticipate voluntary compliance but would also like to pursue having the same enforcement for both areas. Mr. O'Connor and Mr. Salzman discussed whether rules could be adopted to direct employee parking and difficulties in enforcing those policies.

Mr. Basic and Mr. Salzman discussed the original vision for New Town – park for the day to shop, eat, see a movie, etc. – and how time limited parking fits into that. The majority of central lot parking spaces would still have no time limit and the goal for time limited parking is to target spaces nearest to business entrances to help encourage a faster turn-over in those locations.

Mr. O'Connor asked whether there had been any complaints about the handicap parking spaces that were removed with the last update. Mr. Salzman noted that they had made a few minor changes to the handicap spaces based on business requests, but otherwise had not received any complaints.

On a motion by Mr. Basic, the DRC voted to recommend approval of the shared parking report and recommended approval of implementation of time limited parking in identified areas as outlined in the staff report. The DRC also voted to recommend a reduction in the number of spaces in Block 8 that were proposed for time limited parking by a vote of 2-0.

SP-0083-2014, New Town Section 3&6 Block 21 Assisted Living Facility

Ms. Pollock presented the staff report and said that Mr. William Felts of LandTech Resources had submitted a revised site plan for an assisted living facility in New Town Sec. 3&6 at the end of Discovery Park Blvd. The project is required to be reviewed by the DRC as it proposes a building in excess of 30,000 square feet. Ms. Pollock said that the DRC previously granted preliminary approval to this project in November, however, the applicant had made significant modifications to the layout of the project and staff felt compelled to consult with the DRC to affirm the recommendation. Ms. Pollock said that the revised layout decreased the building area by 14,000 SF, decreased the number of beds by 10, and will require fewer parking spaces. The revised plan also provided a pocket park adjacent to Discovery Park Blvd. The New Town Design Review Board reviewed the revisions and endorsed them at a conceptual level. Ms. Pollock recommended that the DRC recommend preliminary approval of this site plan subject to agency and Design Review Board comments.

Mr. Basic stated that he had submitted a bid to design the landscaping for this project and so would recuse himself from the vote.

Mr. O'Connor asked about plans for the adjacent vacant portion of the property. Mr. Derek Robertson of Robertson-Liebler Development Group stated that it could be used for a future expansion or for another office building.

Mr. O'Connor asked whether the applicant was going to be able to address the Fire Department's comments regarding providing a turn-around at the end of the parking lot. Mr. Felts stated that they had already designed a three-point turn which would be included in the next plan submission.

On a motion by Mr. O'Connor, the DRC voted to recommend that the site plan be granted preliminary approval subject to agency and New Town Design Review Board comments by a vote of 1-0-1 (Basic abstaining).

S-0002-2015/S-0003-2015, Chickahominy Road Subdivision Ordinance Exception

Ms. Pollock gave the staff report stating that Mr. Paul White had applied for a 2-phase minor subdivision which will result in the creation of 7 lots. All lots in the subdivision are required by ordinance to take

access from Friendship Drive by way of a single shared driveway. The applicant has requested an exception to the Subdivision Ordinance to permit each lot to have its own driveway rather than requiring the shared driveway. Due to changes in the Subdivision Ordinance that were adopted in 2012, this project no longer meets the criteria for a waiver from this requirement from the Planning Director due to its location outside the primary service area. The DRC can grant an exception to any provision in the subdivision ordinance if it is demonstrated to meet the 5 criteria outlined in Sec. 19-18 of the ordinance and provided in staff's report. Staff does not believe that the requested exception meets all 5 criteria; however the situation is somewhat unique in that the project has a long frontage on a local public road that only serves 12 existing lots. Staff has consulted with appropriate reviewing agencies and does not find that an exception would be detrimental to public health, safety or welfare and would not adversely impact the property of others. Since staff does not believe the exception meets all five criteria, staff cannot recommend that the DRC grant the exception request. However, if the DRC wishes to recommend approval of the exception, staff suggests that the DRC request that the proposed lots at the end of the cul-de-sac share driveways due to the narrow frontages of each of those lots.

Mr. Basic asked what the driveways may look like at the end of the cul-de-sac. Ms. Pollock noted that it could be one curb cut to serve 3 or 4 lots or could be one driveway per two lots depending on what the DRC may prefer and what the applicant may be willing to construct. Mr. David Gardy, surveyor for the project, noted it could be one approximately 24-foot-wide driveway per two lots but ideally they would like one driveway for each lot.

Mr. Basic noted that he felt that the intent of the ordinance would still be met even through granting the exception since the only difference is inside or outside the Primary Service Area (PSA). He said that Friendship Drive is short and does not serve many lots so individual driveways would be okay.

Mr. O'Connor asked for more detail about how a shared driveway works. Ms. Pollock noted it would be located within an access easement shown on the plat and would be accompanied by a shared driveway agreement that addressed maintenance obligations and granted access permissions and is also recorded with the plat. Mr. Gardy discussed the negatives of a shared driveway in this location.

Mr. Basic asked how the lots across the street accessed Friendship Drive. Ms. Pollock showed a map of the area and noted they are all served by individual driveways. Mr. Basic and Mr. Gardy discussed the construction specifications for the driveways and connections to Friendship Drive.

A member of the Susie Studwell family, which owns adjacent property, asked for clarification about whether their property (PIN 2240100001) would be able to obtain access through the property from Friendship Drive. Currently their parcel is landlocked. Ms. Pollock noted that the plat included an ingress/egress easement to serve some of the parcels located off of an existing driveway from Friendship Drive. Mr. White confirmed that he wanted to make sure that the landlocked parcels could have access. Mr. Basic confirmed that the plat would be recorded in the Courthouse, which would guarantee access regardless of the ownership of the adjacent property.

Mr. O'Connor asked for more information about the subdivision that was previously submitted in 2011 but was closed out due to inactivity and significant changes to the subdivision ordinance that occurred in 2012. Ms. Pollock explained that it was the same proposal, however the ordinance at that time allowed the agent to interpret that a shared driveway was not needed because Friendship Drive is a local road. The ordinance was changed to clarify this interpretation but was limited to only property located inside the PSA.

Mr. O'Connor felt that this was a unique situation and layout and so individual driveways for each lot was appropriate.

On a motion by Mr. O'Connor, the DRC voted to recommend approval of the shared driveway exception request and to recommend that each new lot be permitted to have its own driveway by a vote of 2-0.

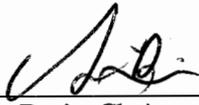
MINUTES

Mr. Basic stated that he saw some grammatical errors that needed to be corrected and passed them along to staff.

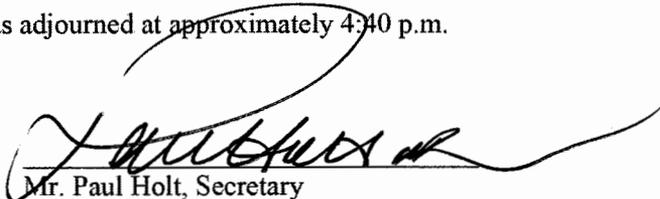
Following a motion by Mr. O'Connor, the DRC approved the amended minutes from the March 25, 2015 meeting by a vote of 2-0.

ADJOURNMENT

On a motion by Mr. O'Connor, the meeting was adjourned at approximately 4:40 p.m.



Chris Basic, Chairman



Mr. Paul Holt, Secretary