

MINUTES
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
September 28, 2016
4:00 PM

A. CALL TO ORDER

Mr. Heath Richardson called the meeting to order at 4:00 p.m.

B. ROLL CALL

Present:

Mr. Heath Richardson

Ms. Robin Bledsoe

Mr. Chris Basic

Mr. Tim O'Connor

Absent:

Mr. Rich Krapf

Staff:

Ms. Ellen Cook, Principal Planner

Mr. Jose Ribeiro, Senior Planner II

Mr. Scott Whyte, Senior Landscape Planner II

Ms. Lauren White, Planner

Ms. Tori Haynes, Community Development Assistant

C. MINUTES

1. August 31, 2016 DRC Minutes

Ms. Robin Bledsoe made a motion to approve the August 31, 2016 meeting minutes. On a voice vote the motion passed 4 – 0.

D. OLD BUSINESS

There was no old business.

E. NEW BUSINESS

1. C-0031-2016 4501 Noland Blvd., AutoZone

Ms. Cook presented the application, stating that a conceptual plan had been submitted for the parcel at 4501 Noland Boulevard for demolition of the existing Handel's Ice Cream store and construction of a 7,381-square-foot AutoZone store for retail sales of auto parts and accessories. The case is before the DRC for consideration as an appeal of the Planning Director's determination that the proposal significantly alters the character of land uses and as such is not consistent with the legislatively adopted Master Plan. Ms. Cook noted that staff had evaluated several considerations, including the uses listed on the Master Plan, the square footage proposed, the projected trip generation and the character of the development.

Mr. Richardson asked staff to clarify the square footage of the proposed building and what is shown on the Master Plan.

Ms. Cook stated the amount of square footage allocated to Area 1B on the Master Plan, and noted that in the past a site plan had been turned in and approved for both Handel's and an unbuilt retail building. Ms. Cook explained that staff and the DRC were now in the position of considering consistency of the AutoZone square footage together with the square footage of the unbuilt retail building.

Mr. Richardson asked if this picture of the total square footage was part of what led to staff's finding of a significant alteration of land uses and inconsistency with the Master Plan.

Ms. Cook stated this was correct. Ms. Cook noted that the DRC has the discretion to make this evaluation, and provided information on past DRC cases for this development that had come before the DRC and been approved.

The DRC members and Ms. Cook discussed the current buildings at the site and their locations.

Ms. Bledsoe asked for clarification on the status of Handel's, to which Ms. Cook replied that it would be demolished and staff did not know of any plans for it to be relocated.

Mr. O'Connor noted that the AutoZone footprint would be about three and a half times the size of the Handel's footprint.

Mr. Basic asked about the specific user for the unbuilt retail building, to which Ms. Cook replied that staff was unaware of the specific retailer that would have located there.

Mr. Basic asked about the projected trip generation. Ms. Cook stated that the original traffic study had used an 8,000 square foot restaurant. In looking at the current proposal, the retail uses were projected to generate fewer trips.

The DRC members and Ms. Cook discussed the location of the originally-planned 8,000 square foot restaurant, and confirmed the current request which would amount to around 14,000 square feet in Area 1B.

Mr. Richardson asked staff for their evaluation of the case against the ordinance language regarding consistency. Ms. Cook stated that the proposed use and square footage differed from the Master Plan, and staff regarded the change as significant since the use and square footage changes were not just a minor deviation.

Mr. O'Connor clarified that given the past DRC action to approve up to 9,200 square feet in Area 1B, the current request was really for more like 7,000 additional square feet of area.

Ms. Bledsoe asked to view the AutoZone elevations. Ms. Cook stated that she would defer to the applicant to walk the DRC through the elevations.

Mr. Carmen DiDiano spoke to the DRC about AutoZone as a company, and described the company's proposal for this site. Mr. DiDiano stated that the property owner would be willing to no longer pursue the unbuilt retail building.

Pursuant to the applicant's remarks, the DRC members and Ms. Cook discussed the feasibility of removing the approved but unbuilt retail building square footage, and discussed the process of a site plan amendment that could accomplish this.

Ms. Bledsoe asked about the landscaping proposed for the site. Mr. DiDiano described the landscaping that would remain in place and the new landscaping that would be planted.

Mr. Richardson and Ms. Cook discussed what the DRC was requested to evaluate, which was whether the proposal did or did not significantly alter what the Master Plan proposed.

Mr. Basic stated that looking at the case as a whole, it appeared inconsistent, but that if a site plan were submitted to eliminate the square footage associated with the unbuilt retail building, it would affect the impact to the Master Plan cap. Mr. Basic stated that to him this was only half the equation, however, as the proposed site plan and elevations appeared out of character. Mr. Basic noted the work that had been done over the years to find some architectural consistency in the Richmond Road corridor and surrounding Lightfoot area.

Mr. Richardson agreed with this assessment. He noted that a potential Master Plan amendment was a path available if the proposal were found inconsistent.

Ms. Bledsoe discussed with the property owner the types of businesses that had expressed interest in this site over the years. Ms. Bledsoe questioned if approval of an Autozone with the proposed elevations could potentially discourage a user from going into the back of Area 1B.

Mr. DiDiano walked the DRC members through the proposed elevations and the sides that would be visible from different vantage points. Mr. DiDiano noted that these elevations depicted an AutoZone prototype, and that AutoZone might be able to come back with some changes to materials, colors and other elements.

The DRC members and Mr. DiDiano discussed the process and timing for potential architectural changes to the AutoZone elevations. Mr. DiDiano asked that the DRC not make a determination based on the prototype alone.

Mr. Basic stated that one of his larger concerns was the rear elevation facing eastbound Richmond Road traffic and residents traveling to the neighborhood behind. Mr. DiDiano noted the landscaping would help screen this side, but that some additional architectural changes could be made.

Mr. O'Connor noted the importance of recent improvements to the character of this area of the County. He noted that he'd found examples of AutoZone stores elsewhere that might be more in character for this area.

Mr. DiDiano stated that some changes could be made, as they had been elsewhere. He described some of the possible changes.

Mr. Basic suggested looking at the materials and colors at the nearby Lightfoot Marketplace development, and the adjacent AAA Service Center, which together worked to create a character for this area of the County.

Ms. Bledsoe agreed with the hard work that had been done to improve the character of the area.

Mr. O'Connor discussed the square footage and the need to focus on this issue as a first step. Mr. Richardson concurred.

The DRC, the applicant, and Ms. Cook discussed the possible actions that the DRC could take. Mr. DiDiano suggested that the applicant would bring materials back to the official DRC meeting in October, and hope that the DRC might feel comfortable enough with the application to vote, perhaps with several additional changes to the elevations as conditions.

Mr. O'Connor asked about the amount of square footage that would be left over in Area 1B should the AutoZone use 7,300 square feet of the cap.

Mr. O'Connor and the DRC discussed the concept of approving a certain amount of square footage in Area 1B beyond the AutoZone square footage to allow for a potential building behind it, given that the leftover amount of square footage would likely not be sufficient. The DRC members stated that they acknowledged that the amount of square footage may not be sufficient, but expressed a greater comfort level with making a Master Plan consistency determination at such time as a particular use and square footage is requested by an applicant.

Ms. Bledsoe made a motion to defer with the actions discussed by the DRC regarding the site plan amendment to address square footage and elevation changes.

The motion passed by a vote of 4 – 0.

2. SP-0047-2016. Patriot's Colony Expansion

Mr. Ribeiro presented the staff report stating that the applicant had submitted a site plan for the development of 80 apartment units located in four buildings at the Patriot's Colony site. A stormwater management plan was submitted showing the location of two bioretention basins. The outfall associated with one of these basins encroached into a 50-foot buffer. According to adopted proffers associated with this project, the 50-foot buffer area is to remain undisturbed subject only to appropriate stormwater management and utility improvements and easements as approved by the DRC. Mr. Ribeiro stated that staff and the applicant worked together to minimize the encroachment to the buffer area and that the applicant was able to reduce the encroachment to ±450 square feet. Mr. Ribeiro stated that staff was in support of the proposal contingent on the applicant submitting a re-vegetating plan of the disturbed area and limiting clearing within the buffer area to 10 feet wide.

Ms. Bledsoe asked that the term outfall be explained.

Mr. Jackson stated that the outfall consisted of a 15-inch concrete pipe placed

underneath the ground collecting overflow water from the bioretention basin.

Mr. Richardson asked if Patriot's Colony had a preventive maintenance plan for their BMPs.

Mr. Jackson stated that a preventive maintenance plan will be required for the proposed basins but he was unsure if the existing BMPs on the site had preventive maintenance plans.

Ms. Bledsoe indicated that she wanted to be very clear about the impacts of the outfall encroaching into the buffer area. Ms. Bledsoe stated that she was relieved to learn that the outfall pipe will be buried underground.

Mr. Jackson stated that the location of the outfall follows the lowest point of the site as water naturally drained to the east.

Ms. Bledsoe asked at what point during the review process for this project was the outfall encroachment into the buffer area identified.

Mr. Ribeiro stated that typically this level of detail is shown at the site plan review stage.

Mr. O'Connor asked if the other bioretention basin day-lighted in the property.

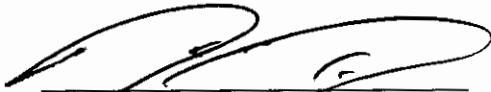
Mr. Jackson stated that the other basin day-lighted at the north end of the property and did not encroach into the 50-foot buffer area.

Mr. Richardson made a motion to approve the outfall encroachment into the 50-foot buffer area subject to the conditions stated in the staff report.

The motion passed by a vote of 4-0.

F. ADJOURNMENT

There being no further business, Mr. Richardson adjourned the meeting at approximately 5:10 p.m.



Mr. Heath Richardson, Chairman



Mr. Paul Holt, Secretary