

**A G E N D A**

**JAMES CITY COUNTY BOARD OF SUPERVISORS**

**County Government Center Board Room**

**March 11, 2003**

**7:00 P.M.**

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**M E M O R A N D U M**

DATE: March 11, 2003  
TO: The Board of Supervisors  
FROM: Carol A. Schenk, Human Resource Specialist I  
SUBJECT: Volunteer Recognition - STRIVE

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James City County is fortunate to have outstanding volunteers who donate their time and talents to enhance our community. This quarter, staff would like to recognize Richard and Sandra Reid who volunteer as mentors with the Success Through Recreation, Integrity, Vocation, and Education ( STRIVE) Program.

The STRIVE Program is designed to pair youth with a mentor who can act as a friend, role model, confidant, advocate, and counselor. Since their involvement with STRIVE began in the summer of 2001, Richard and Sandra have been those things and more to youths in James City County

They have been mentors to several youths in the program including a brother and sister, and a young woman who has gone on to complete her high school education and who is interested in a career in nursing.

Richard and Sandra are both employed full-time, yet they make time for outings with their youths, monthly STRIVE meetings, and other activities. They are totally committed to the Program and are proud to give back to the community. They have recently encouraged several members from their faith community to become mentors, as well.

We are very honored and privileged to have these people in the lives of our youths.

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Carol A. Schenk

CONCUR:

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Carol M. Luckam

CAS/adw  
volfy03.mem

MEMORANDUM

DATE: March 11, 2003

TO: The Board of Supervisors

FROM: David A. Daigneault, Chief of Police  
Leo P. Rogers, Deputy County Attorney

SUBJECT: Law Enforcement Mutual Aid Agreement - New Kent County

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Attached for your consideration is a resolution authorizing the County Administrator to enter into a law enforcement mutual aid agreement with New Kent County. The County already has mutual aid agreements with the Cities of Chesapeake, Hampton, Newport News, Portsmouth, Suffolk, and Virginia Beach, and with the Counties of York and Gloucester. The Agreements provide for law enforcement aid across jurisdictional lines in order to better preserve the safety and promote the welfare of citizens in each jurisdiction. The agreement with the New Kent County will not affect the County's agreements with other localities.

James City County will benefit by participating in a mutual aid agreement with New Kent due to the availability of additional resources, such as manpower and equipment, in the event of a major incident in the County. It is important to note that the jurisdiction requesting assistance is not obligated to reimburse the assisting jurisdiction.

Staff recommends the Board approve the attached resolution authorizing a law enforcement mutual aid agreement with New Kent County.

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David A. Daigneault

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Leo P. Rogers

DADLR/gs  
newkentaaid2.mem

Attachment

**RESOLUTION**

**LAW ENFORCEMENT MUTUAL AID AGREEMENT - NEW KENT COUNTY**

WHEREAS, Virginia law authorizes local government to enter into reciprocal agreements for mutual aid and for cooperation in the furnishing of law enforcement services; and

WHEREAS, it is beneficial to James City County to participate in a mutual aid agreement with the County of New Kent.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute the Law Enforcement Mutual Aid Agreement with New Kent County.

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Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2003.

mutaid.res

MEMORANDUM

DATE: March 11, 2003  
TO: The Board of Supervisors  
FROM: John T. P. Horne, Development Manager  
SUBJECT: James City County Road Construction Revenue Sharing

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Each year the Virginia Department of Transportation (VDOT) invites localities to participate in the Revenue Sharing Program. That program will match local dollars on a one-to-one basis not to exceed \$500,000. In the current fiscal year, James City County participated in the amount of \$250,000, which was allocated to the Route 199/31/359 PPTA projects. For FY 04, staff recommends that the County participate up to \$500,000, with the allocation split between the PPTA projects and the project to rebuild the Monticello Avenue/Ironbound Road intersection.

VDOT requires that the County notify them of our intent to participate by March 28. County funding is to be included in the Capital Improvements Project (CIP) budget, to be approved later by the Board. If that budget is approved at a lower amount, we can notify VDOT prior to its final allocation process.

Staff recommends approval of the attached resolution.

---

John T. P. Horne

JTPH/gs  
revshare.mem

Attachment

MEMORANDUM

DATE: March 11, 2003  
TO: The Board of Supervisors  
FROM: Trey Davis, Development Management Assistant  
SUBJECT: Street Name Change - Ford's Colony

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Section 19-54 (B) of the James City County Subdivision Ordinance requires street name changes to be reviewed and approved by the Board of Supervisors. Mr. Charles B. Records of AES Consulting Engineers, representing the partners of Realtec, Inc., has requested that the Board of Supervisors change the name of "Titlochry," located within the Ford's Colony of Williamsburg development, Section 31, to "Pitlochry." Realtec, Inc., currently owns all but one of the lots on this street. The one other property owner has given consent for the street name change.

The Fire Department, Police Department, Williamsburg Post Office, and Real Estate Assessment have been consulted and there are no objections.

Staff recommends approval of the attached resolution.

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Trey Davis

CONCUR:

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O. Marvin Sowers, Jr.

TD/adw  
pitlochry.mem

Attachments:

1. Resolution
2. Letter requesting the name change

**RESOLUTION**

**STREET NAME CHANGE - FORD'S COLONY**

WHEREAS, Section 19-54 (B) of the James City County Subdivision Ordinance provides for street names to be changed upon approval by the Board of Supervisors; and

WHEREAS, the proposed street name change has been discussed with the Fire Department, Planning Division, Police Department, Williamsburg Post Office, and Real Estate Assessment, and these agencies have found it acceptable.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve renaming the street, "Titlochry" to "Pitlochry."

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Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

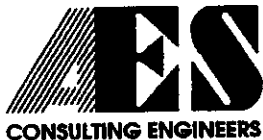
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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2003.

pitlochry.res

Allen - FD hand  
M



5248 Olde Towne Road • Suite 1 • Williamsburg, Virginia 23188  
(757) 253-0040 • Fax (757) 220-8994 • E-mail aes@aesva.com

January 16, 2003

Mr. O. Marvin Sowers  
Planning Director  
James City County  
101-E Mounts Bay Road  
Williamsburg, VA 23187



**RE: Ford's Colony – Section 31C - Road Name Change  
AES Project No. 5652-31C**

Dear Mr. Sowers:

AES Consulting Engineers, on behalf of Realtec, Incorporated, respectfully requests to change the name of a previously approved and recorded street within Section 31 of the Ford's Colony at Williamsburg development. The street was misnamed due to a typographic error. The current street name is Titlochry. Realtec, Incorporated desires to change this road name to Pitlochry.

There are three properties that would be affected by this change, and they are as follows:

Lot Number	Address	Tax Map & Parcel ID	Owner
Lot 111	204 Titlochry	(37-1)(8-111)	Mr. Warren A. Spence*
Lot 112	205 Titlochry	(37-1)(8-112)	Realtec, Incorporated
Lot 113	201 Titlochry	(37-1)(8-113)	Realtec, Incorporated

*\*Please see the attached letter from Mr. Warren A. Spence supporting the street name change.*

While there is one other property that abuts the Titlochry right-of-way, it has a street address on the primary roadway: Western Gailes. This property is Lot 110, 175 Western Gailes, Tax Map and Parcel Number (37-1)(8-110), owned by Realtec, Incorporated.

Your review of this request is greatly appreciated. It is our understanding that this change also will need to be approved by the Board of Supervisors. At your earliest convenience, please advise me of the date this matter will be heard by the Board.

Respectfully requested,

AES Consulting Engineers

Charles B. Records  
Project Engineer



**Warren A. Spence**

---

20 Briar Oak Drive, Weston, CT 06893

January 9, 2003

Mr. Ron Van Kirk  
Realtec, Inc.  
One Ford's Colony Drive  
Williamsburg, VA. 23188

Dear Ron:

We are in the process of signing papers for the closing on Lot 111, Section XXXI in Western Gales.

This is to request your action with Realtec to either correct the spelling of the street name or get it changed altogether.

As you recall, we questioned and objected to the street name on the map at the time of contracting for this lot. The map showed the name as "Titlochry." After checking some records, you assured us the map was in error. The name is supposed to be "Pitlochry," apparently named for the resort town and golf facility in central Scotland.

Susanna Hickman prepared the closing documents using the improper name. She says that is the way it is recorded in the Subdivision Plat recorded with James City County. Since that official recording governs what must appear in the legal documents, Realtec needs to take the corrective action to get this right at the source.

While you are at it, we would have much preferred the street name shown on the earlier map: "Royal Dublin" (or, frankly, most anything that is easily pronounced and doesn't require spelling and respelling every time we give out our address!) Is it possible that the County might have it recorded as "Royal Dublin" in an earlier map, too? That would be terrific and is a name more in line with the upscale neighborhood you are seeking to create.

As we start to build later in 2003, we want to be able to have the legal documents drawn with a correct street address, legally recognized and shown in all the official records.

With best regards,



**M E M O R A N D U M**

DATE: March 11, 2003  
TO: The Board of Supervisors  
FROM: Darryl E. Cook, Environmental Director  
SUBJECT: Dedication of Streets - Eagle Way; Stonehouse Commerce Park

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Attached are resolutions requesting acceptance of certain streets at Jamestown High School - Eagle Way; and in Stonehouse Commerce Park - LaGrange, John Deere, and Westmont, into the State Secondary Highway System. These streets have been inspected and approved by representatives of the Virginia Department of Transportation as meeting the minimum requirements for secondary roadways.

Staff recommends adoption of the attached resolutions.

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Darryl E. Cook

DEC/gs  
govlandstr.mem

Attachments

## RESOLUTION

### DEDICATION OF EAGLE WAY

WHEREAS, the street described on the attached Additions Form SR-5(A), fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition; and

WHEREAS, the County guarantees the necessary surety amount of \$7,500 to provide for all loss, cost, damage, or expense incurred to correct faulty workmanship or materials, associated with the construction of the street and/or related drainage facilities. The effective period of this surety obligation will last one calendar year from the day the street is added to the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the street described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

\_\_\_\_\_  
Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2003.

eagleway.res

**RESOLUTION**

**DEDICATION OF STREETS IN STONEHOUSE COMMERCE PARK**

WHEREAS, the streets described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

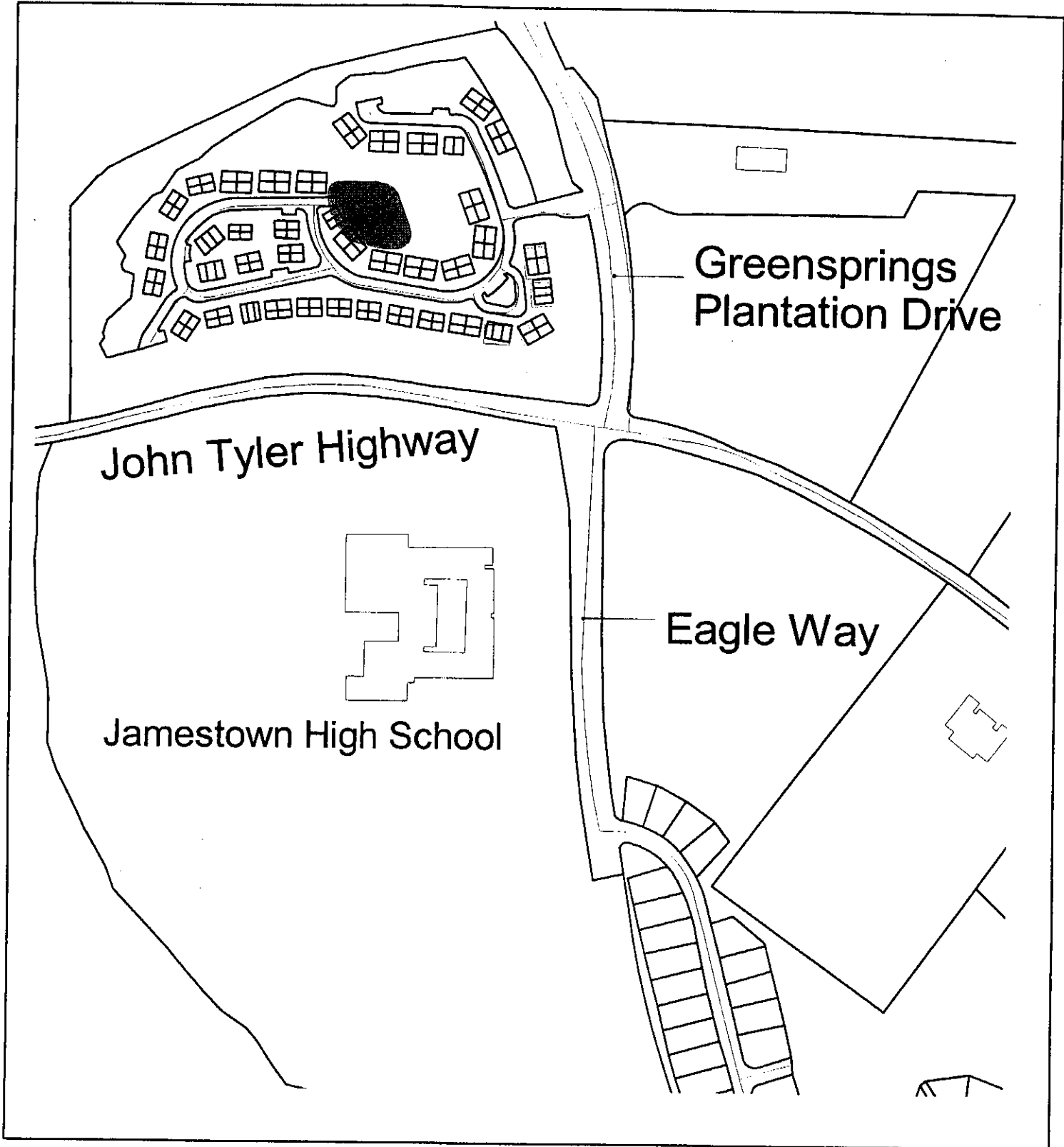
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Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Clerk to the Board

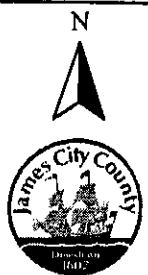
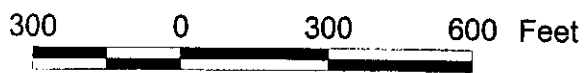
Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2003.

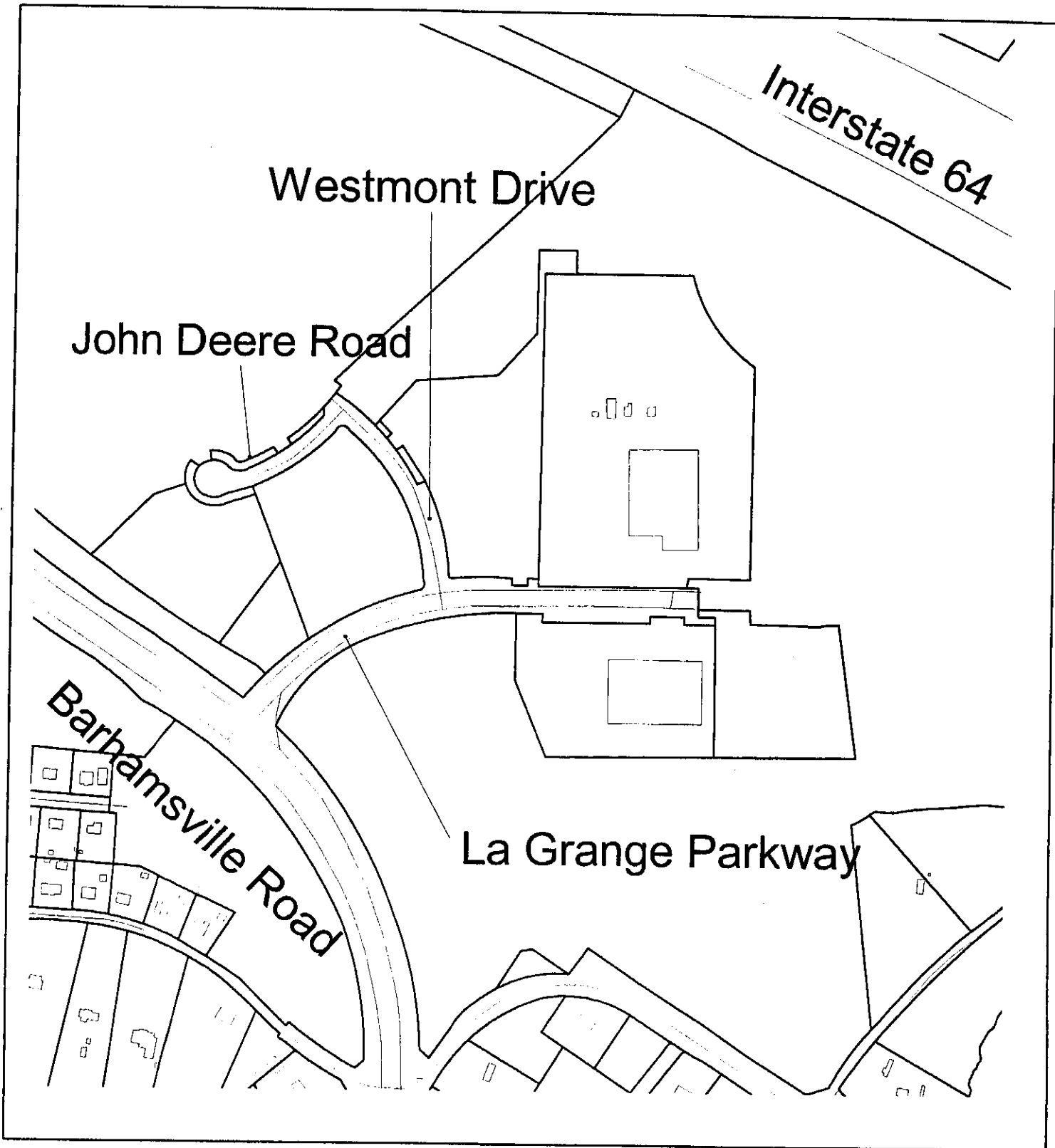
dedofstrstone2.res



# DEDICATION OF EAGLE WAY

 Street Being Dedicated





# DEDICATION OF STREETS IN STONEHOUSE COMMERCE PARK

 Street Being Dedicated

300 0 300 600 Feet



# In the County of James City

By resolution of the governing body adopted March 11, 2003

*The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.*

*A Copy Testee Signed (County Official):* \_\_\_\_\_

## Report of Changes in the Secondary System of State Highways

Form SR-5A  
Secondary Roads Division 5/1/99

Project/Subdivision

**Eagle Way**

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

### Route Number and/or Street Name

#### **Eagle Way, State Route Number 1190**

*Description: From:* Rt 5, John Tyler Highway

*To:* Reades Way

A distance of: 0.21 miles.

*Right of Way Record:* Filed with the Land Records Office on 05/23/2002, Plat Book 86, Page 29, with a width of 90'

*Description: From:* Reades Way

*To:* T-turn Around

A distance of: 0.03 miles.

*Right of Way Record:* Filed with the Land Records Office on 05/23/2002, Plat Book 86, Page 29, with a width of 90'

# In the County of James City

By resolution of the governing body adopted March 11, 2003

*The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.*

A Copy Testee Signed (County Official): \_\_\_\_\_

## Report of Changes in the Secondary System of State Highways

Form SR-5A  
Secondary Roads Division 5/1/99

Project/Subdivision

**Stonehouse Commerce Park**

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: §33.1-229

### Route Number and/or Street Name

#### **John Deere Road, State Route Number 1047**

Description: **From:** Rt 1046, Westmont Drive

**To:** End of cul-de-sac

A distance of: 0.09 miles.

Right of Way Record: Filed with the Land Records Office on 02/26/1998, Plat Book 68, Pg 60-61, with a width of 60'

#### **La Grange Parkway, State Route Number 1045**

Description: **From:** Rt 30, Barhamsville Road

**To:** Rt 1046, Westmont Drive

A distance of: 0.15 miles.

Right of Way Record: Filed with the Land Records Office on 10/12/1995, Plat Book 62, Pg 94-96, with a width of 100'

Description: **From:** Rt 1046, Westmont Drive

**To:** Second median

A distance of: 0.15 miles.

Right of Way Record: Filed with the Land Records Office on 10/12/1995, Plat Book 62, Pg 94-96, with a width of 100'

#### **Westmont Drive, State Route Number 1046**

Description: **From:** Rt 1045, La Grange Parkway

**To:** Terminus

A distance of: 0.14 miles.

Right of Way Record: Filed with the Land Records Office on 02/26/1998, Plat Book 68, Pg 60-61, with a width of 60'



MEMORANDUM

DATE: March 11, 2003  
TO: The Board of Supervisors  
FROM: Anthony Conyers, Jr., Manager of Community Services  
SUBJECT: Budget Transfer - Chickahominy Riverfront Park - Water System Improvements

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Two emergency repair projects are needed at Chickahominy Riverfront Park. The pool and filter system have significant leaks and the well facility has failed to operate correctly during this first year of operation. Staff and two pool contractors have evaluated the problems associated with the pool, and estimate that the repairs will cost \$50,000.

The outdated well/water supply facility does not comply with existing operational standards of the James City Service Authority (JCSA) and has failed to operate as needed on many occasions. The JCSA has evaluated the pump and well facility and estimate repairs will cost \$25,000.

Staff is preparing specifications and scope of work at this time to solicit bids for the repairs. The pool repairs must be completed prior to May 1 when staff begins training and preparation to open pools on Memorial Day weekend. The well facility repairs should take place during the month of March to avoid closing the campsites in April when use starts to increase.

Staff recommends that the Board of Supervisors approve the attached resolution authorizing the transfer of \$75,000 from Contingency to Parks and Recreation.

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Anthony Conyers, Jr.

CONCUR:

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Sanford B. Wanner

AC/gs  
chickbudg.mem

Attachment

**RESOLUTION**

**BUDGET TRANSFER - CHICKAHOMINY RIVERFRONT PARK -**

**WATER SYSTEM IMPROVEMENTS**

WHEREAS, emergency repairs are needed at Chickahominy Riverfront Park; and

WHEREAS, estimated cost for the repairs are \$75,000; and

WHEREAS, the necessary funds are available in Contingency.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the transfer of \$75,000 from Contingency to Parks and Recreation.

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Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2003.

chickbudg.res

MEMORANDUM

DATE: March 11, 2003

TO: The Board of Supervisors

FROM: O. Marvin Sowers, Jr., Director of Planning  
Leo P. Rogers, Deputy County Attorney

SUBJECT: Initiating Consideration of Fee Increases for the Subdivision and Zoning Ordinances

---

Attached is a resolution initiating the consideration of certain fee increases in the Subdivision and Zoning Ordinances. The resolution initiating consideration is necessary at this time in order for the Board to consider the ordinance amendments at the same time as the proposed budget. The proposed budget will contain a fee increase for rezonings, special use permits, site plan reviews, sign permits, appeals to the Board of Zoning Appeals, administrative variance and subdivision review. Upon adoption of the attached resolution, the above subdivision and zoning fee increases will be considered by the Planning Commission on April 7. A public hearing will be scheduled for the Board of Supervisors on April 8. Also, on April 8, a public hearing will be held on building and erosion and sedimentation fee increases. No initiating resolution is required to consider increases to those fees. Any action on the proposed fee increases should occur after the budget is adopted.

We recommend adoption of the attached resolution.

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O. Marvin Sowers, Jr.

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Leo P. Rogers

OMS/LPR/adw  
consid.mem

Attachment

**RESOLUTION**

**INITIATING CONSIDERATION OF FEE INCREASES**

**FOR THE SUBDIVISION AND ZONING ORDINANCES**

WHEREAS, the Board of Supervisors of James City County, Virginia, is authorized by Virginia Code §15.2-2253 to initiate amendments to the Subdivision Ordinance; and

WHEREAS, the Board of Supervisors of James City County, Virginia, is authorized by Virginia Code §15.2-2286 to initiate amendments to the Zoning Ordinance and changes to the zoning map; and

WHEREAS, on January 28, 1997, the Board of Supervisors adopted the Comprehensive Plan, and desires to consider the adoption of Subdivision and Zoning Ordinance amendments to increase certain fees; and

WHEREAS, the Board of Supervisors is of the opinion that the public necessity, convenience, general welfare, and good zoning practice warrant the consideration of the proposed Subdivision and Zoning Ordinance amendments.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate consideration of amendments to the James City County Subdivision and Zoning Ordinance to increase the fees charged for rezonings, special use permits, site plan reviews, sign permits, appeals to the Board of Zoning Appeals, administrative variances, and subdivision review.

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Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2003.

initiate03.res

MEMORANDUM

DATE: March 11, 2003  
TO: The Board of Supervisors  
FROM: John T. P. Horne, Development Manager  
SUBJECT: Route 5 Transportation Improvement District Advisory Board Appointments

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The three appointed members whose terms expire in March are: Lawrence Beamer, Phil Smead, and Lewis Waltrip. All three of these members have been effective members of the Advisory Board in the past, and continue to have significant interest in the District. The terms will run concurrently with the elected members. All three members have expressed their willingness to continue as members of the Advisory Board.

Staff recommends appointments of these members to the Advisory Board for terms of three years.

---

John T. P. Horne

JTPH/gs  
TIDappts.mem

**RESOLUTION**

**ROUTE 5 TRANSPORTATION IMPROVEMENT DISTRICT**

**ADVISORY BOARD – REAPPOINTMENTS**

WHEREAS, the Board of Supervisors of James City County is authorized to reappoint Route 5 Transportation Improvement District Advisory Board members; and

WHEREAS, the terms of the three appointed members: Lawrence Beamer, Phil Smead, and Lewis Waltrip, expire in March; and

WHEREAS, the members have been effective members of the Advisory Board, will continue to have significant interest in the District, and have expressed interest in being reappointed to the Advisory Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that Lawrence Beamer, Phil Smead, and Lewis Waltrip are hereby reappointed to the Route 5 Transportation Improvement District Advisory Board for a three-year term, term to expire on March 11, 2006.

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Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2003.

trans.res

**SPECIAL USE PERMIT-25-02. Ready Mixed Concrete Expansion  
Staff Report for March 11, 2003, Board of Supervisors Public Hearing**

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This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

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***PUBLIC HEARINGS***            Building C Board Room; County Government Complex  
Planning Commission:        February 3, 2003, 7:00 p.m.  
Board of Supervisors:        March 11, 2003, 7:00 p.m.

***SUMMARY FACTS***

Applicant:                        Robb Mann, AES Consulting Engineers

Land Owner:                      Larry Spence, Ready Mixed Concrete

Proposed Use:                    This special use permit is for the extension of the special use permit originally approved in January 2002.

Location:                         1563 & 1571 Manufacture Drive, Roberts District

Tax Map and Parcel No.:        (59-2)(5-2); (59-2)(5-3)

Primary Service Area:         Inside

Parcel Size:                      3.62 acres

Existing Zoning:                 M-2, General Industrial

Comprehensive Plan:            General Industrial

Surrounding Zoning:          The site is in Skiffe’s Creek Industrial Park and is completely surrounded by land zoned M-2, General Industrial

Staff Contact:                    Matthew Arcieri - Phone: 253-6685

**STAFF RECOMMENDATION:**

Staff finds the proposal to be consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. Staff, therefore, recommends approval of this application with the attached conditions. On February 3, 2003, the Planning Commission voted 5-0 to recommend approval.

## **Project Description**

Mr. Robert Mann of AES Consulting Engineers has applied on behalf of Colonial Ready Mixed Concrete for a special use permit to allow the expansion of the existing Ready Mixed Concrete facility at 1571 Manufacture Drive in the Skiffe's Creek Industrial Park onto an adjacent property located at 1563 Manufacture Drive also within the Industrial Park.

This case was originally approved on January 8, 2002, as SUP-23-01 (see attached staff memorandum). Condition number one of the special use permit required the applicant to complete all clearing and grading activities within twelve months from the date of issuance. In July of 2002, the owner of the site, Mr. John Thayer-Smith sold the property to Southern Equipment Company. The new owner was unable to complete clearing and grading by January 8, 2003; therefore, a new special use permit is necessary.

## **RECOMMENDATION**

Staff finds the proposal to be consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. Staff further finds that no conditions in the area have changed significantly enough to warrant any changes to the SUP. The only proposed change to the conditions is increasing the time to complete clearing and grading from twelve to twenty-four months. On February 3, 2003, the Planning Commission voted 5-0 to recommend approval. Staff, therefore, recommends approval of this application with the following conditions:

1. If construction has not commenced on the project within twenty-four (24) months from the issuance of the special use permit, the permit shall become void. During this twenty-four month period, permits pertaining to construction shall be secured and all clearing and grading activities on the site shall be completed.
2. A Spill Prevention and Control Measure Plan shall be approved by the Director of Code Compliance prior to issuance of a Final Certificate of Occupancy for the ready mix concrete plant.
3. A dust collection system shall be utilized on the ready mixed concrete plant. The manufacturer's specifications for the system shall be submitted with the site plan and shall be approved by the Director of Planning prior to final site plan approval.
4. No flags or signage on any silo, hopper, or any other piece of permanent equipment shall be permitted.
5. All exterior light fixtures on the property shall have recessed fixtures with no lens, bulb, or globe extending below the casing, and there shall be no direct visibility of the light source from adjacent residential property or from a public road.
6. The "reverse warning beepers" on all equipment which serves the ready mix concrete plant shall be turned down to their lowest volumes.
7. Rock, gravel, sand, cement, and/or similar materials shall be stored in bins to control runoff and scattering of such materials onto adjacent property. An erosion and sediment control and a runoff management plan shall be approved by the Environmental Director prior to final site plan approval.
8. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The landscaping plan shall address the screening of any stormwater management facility or material storage area on the property.



9. Prior to the issuance of preliminary approval for the site plan required for the expansion, the applicant shall receive approval of a plat to eliminate the common lot line between the two parcels currently identified as Parcel Nos. (5-2) and (5-3) on James City County Real Estate Tax Map No. (59-2).
10. Only one entrance shall be allowed onto Manufacture Drive unless otherwise permitted by the Development Review Committee.
11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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Matthew D. Arcieri

CONCUR:

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O. Marvin Sowers, Jr.

MA/g  
sup-25-02.wpd

Attachments:

1. Planning Commission Minutes
2. Location Map
3. Staff report for SUP-23-01
4. Citizen Comments
5. Resolution

## RESOLUTION

### CASE NO. SUP-25-02. COLONIAL READY-MIXED CONCRETE

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance, specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the production of ready mix concrete is a specially permitted use in the M-2, General Industrial, zoning district; and

WHEREAS, the Planning Commission of James City County, following its public hearing on February 3, 2003, recommended approval of Case No. SUP-25-02 by a 5-0 vote to permit the expansion of the existing Ready-Mixed Concrete facility at 1571 Manufacture Drive and further identified as Parcel No. (5-2) on James City County Real Estate Tax Map No. (59-2) in the Skiffes Creek Industrial Park onto an adjacent property located at 1563 Manufacture Drive, also within the Industrial Park and further identified as Parcel No. (5-3) on James City County Real Estate Tax Map No. (59-2).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-25-02 as described herein with the following conditions:

1. If construction has not commenced on the project within twenty-four (24) months from the issuance of the special use permit, the permit shall become void. During this twenty-four month period, permits pertaining to construction shall be secured and all clearing and grading activities on the site shall be completed.
2. A Spill Prevention and Control Measure Plan shall be approved by the Director of Code Compliance prior to issuance of a Final Certificate of Occupancy for the ready-mixed concrete plant.
3. A dust collection system shall be utilized on the ready-mixed concrete plant. The manufacturer's specifications for the system shall be submitted with the site plan and shall be approved by the Director of Planning prior to final site plan approval.
4. No flags or signage on any silo, hopper, or any other piece of permanent equipment shall be permitted.
5. All exterior light fixtures on the property shall have recessed fixtures with no lens, bulb, or globe extending below the casing, and there shall be no direct visibility of the light source from adjacent residential property or from a public road.
6. The "reverse warning beepers" on all equipment which serves the ready-mixed concrete plant shall be turned down to their lowest volumes.

7. Rock, gravel, sand, cement, and/or similar materials shall be stored in bins to control runoff and scattering of such materials onto adjacent property. An erosion and sediment control and a runoff management plan shall be approved by the Environmental Director prior to final site plan approval.
8. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The landscaping plan shall address the screening of any stormwater management facility or material storage area on the property.
9. Prior to the issuance of preliminary approval for the site plan required for the expansion, the applicant shall receive approval of a plat to eliminate the common lot line between the two parcels currently identified as Parcels Nos. (5-2) and (5-3) on James City County Real Estate Tax Map No. (59-2).
10. Only one entrance shall be allowed onto Manufacture Drive unless otherwise permitted by the Development Review Committee.
11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

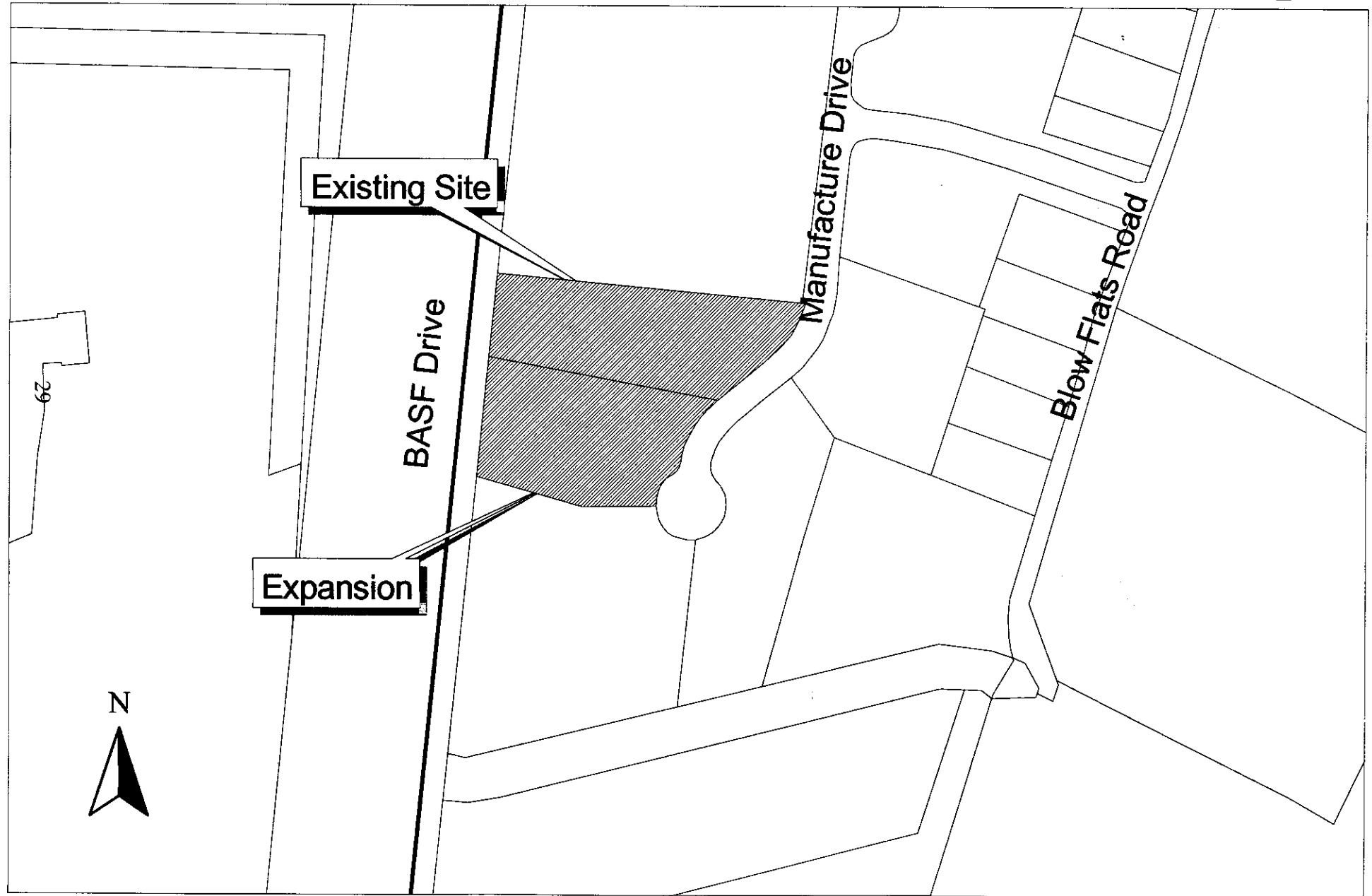
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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2003.

sup-25-02.res

# SUP-25-02 - Ready Mixed Concrete Expansion



**SPECIAL USE PERMIT-23-01. Colonial Redi-Mix Concrete Expansion  
Staff Report for the January 8, 2002, Board of Supervisors Public Hearing**

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This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

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**PUBLIC HEARINGS** Building C Board Room; County Government Complex  
Planning Commission: December 3, 2001, 7:00 p.m.  
Board of Supervisors: January 8, 2002, 7:00 p.m.

**SUMMARY FACTS**

Applicant: Mr. John Thayer-Smith  
Land Owner: Virginia Trusses, Inc.

Proposed Use: Parking for trucks and storage of sand and gravel associated with the existing ready-mix concrete production facility on the adjacent property.

Location: 1563 Manufacture Drive; Roberts District

Tax Map and Parcel No.: (59-2)(5-2)

Primary Service Area: Inside

Parcel Size: 1.73 acres

Existing Zoning: M-2, General Industrial

Comprehensive Plan: General Industry

Surrounding Zoning: The site is in Skiffe's Creek Industrial Park and is completely surrounded by land zoned M-2, General Industrial.

Staff Contact: Christopher M. Johnson - Phone: 253-6685

**STAFF RECOMMENDATION:**

Staff finds the proposal consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. On December 3, 2001, the Planning Commission recommended approval of this application by a unanimous vote. Therefore, staff recommends the Board of Supervisors approve this application with the attached conditions.

## **Project Description**

Mr. John Thayer-Smith has applied for a special use permit to allow the expansion of the existing Colonial Redi-Mix Concrete facility at 1571 Manufacture Drive in the Skiffe's Creek Industrial Park onto an adjacent property located at 1563 Manufacture Drive, also within the Industrial Park. The property is zoned M-2, General Industrial, and is further identified as Parcel No. (5-2) on James City County Real Estate Tax Map No. (59-2). On February 10, 1998, the Board of Supervisors approved the issuance of a special use permit (Case No. SUP-32-97) for the existing Colonial Redi-Mix Concrete facility. The manufacture of cement, bricks and stone products is a specially permitted use in the M-2 Zoning District and an expansion of a specially permitted use also requires an SUP.

Colonial Redi-Mix Concrete is a small, semi-mobile concrete plant with a capacity of approximately 300 cubic yards of concrete per day (approximately 20 truckloads). The existing facility contains an office building, workshop, mobile concrete plant, outdoor storage area for sand and gravel, and a wash down pit. The applicant currently operates a fleet of eight trucks. The applicant has stated that this application is intended to provide much needed parking space for the concrete trucks and additional storage area for materials. The applicant does not expect the expansion to have a significant effect on their current concrete production levels. If the proposed expansion is approved, the applicant intends to eliminate the common property line between the two parcels.

## **Surrounding Zoning and Development**

The property is generally bounded by Blow Flats Road to the east and BASF Drive to the west. Two businesses, S.A. Seaman Concrete Construction and Bay Welding Fabricators, are currently located in Skiffe's Creek Industrial Park adjacent to the Colonial Redi-Mix site. Approximately 17 small, single-family lots, zoned M-2, are located to the north and east of the Industrial Park. Further to the east, across Blow Flats Road, is the Wal-Mart Distribution Center and the Branscome and Sanifill Borrow Pits which are also zoned M-2. West of the site, across BASF Drive, is the Colonial Pipeline Easement, Ball Metal, zoned M-2, and the James River Commerce Center, zoned M-1, Limited Business/Industrial. With the proposed SUP conditions, staff believes that the potential negative impacts to surrounding properties are mitigated to the greatest extent possible and finds that the proposed expansion is consistent with the surrounding zoning and development.

## **Physical Features and Environmental Considerations**

The 1.73-acre site is currently wooded and slopes away from the existing Colonial Redi-Mix Concrete site toward the Virginia Power easement adjacent to the Bay Welding Fabricators site at the south end of the cul-de-sac. The applicant has been meeting with representatives from the James City County Environmental Division in advance of this application to discuss the potential impacts the parking and storage areas would have on the existing stormwater management facility on the current site. The applicant has proposed clearing approximately one acre of the 1.73 acre site and retaining approximately 40-feet of undisturbed buffer along the southern property line in addition to the adjacent 50-foot Virginia Power easement. The applicant intends to retain this undisturbed buffer area in order to qualify for points in meeting the requirements of the Chesapeake Bay Preservation Ordinance. The Environmental Director believes that all environmental impacts on the proposed site relating to the additional parking and material storage areas can be addressed administratively during site plan review without the need for any additional conditions.

## **Traffic/Access**

Access to the existing Colonial Redi-Mix Concrete facility and to the rest of Skiffe's Creek Industrial Park is from Blow Flats Road. Blow Flats Road does not meet current Virginia Department of Transportation (VDOT) standards for secondary roads. The road has a 30-foot right-of-way and 20-feet of pavement width. Current VDOT standards call for 50-feet of right-of-way and 22-feet of pavement width. Site constraints and plant capacity limit the amount of cement production the plant can generate which, in turn, limits the number of truck

trips to and from the site. According to the applicant, the plant currently generates approximately 120 vehicle trips per day on average.

As stated previously, the applicant intends to eliminate the common property line between the existing Colonial Red-Mix Concrete site and the property being considered for this expansion. By eliminating the common property line, Colonial Redi-Mix Concrete will only be allowed one entrance to their site from Manufacture Drive. Staff does not feel that the number of trips generated by this operation significantly adds to the existing traffic already on the road and the proposed expansion will not negatively impact Blow Flats Road.

## **Public Utilities**

The site is inside the Primary Service Area and public water and sewer are available to the site.

## **Comprehensive Plan**

The Comprehensive Plan designates this area as General Industry. This designation is intended to describe areas inside the Primary Service Area that are suitable for industrial uses which, because of their potential to create noise, dust, odor and other environmental impacts, require buffering from adjoining uses. Comprehensive Plan designations along the south side of Pocahontas Trail and along Blow Flats Road include General Industry and Mixed Use. The nearest area designated residential is the Skiffe's Creek Terrace subdivision located on the north side of Pocahontas Trail. Pocahontas Trail currently serves other industrial developments which generate heavy truck traffic and is planned to serve future industrial uses as well. Staff feels that the proposed expansion is consistent with the Comprehensive Plan because it is located in an area intended for industrial and manufacturing uses, the addition of parking and material storage spaces will not negatively impact surrounding uses, and is consistent with previous Board of Supervisors actions in the Skiffe's Creek Area.

## **RECOMMENDATION:**

Staff finds the proposal consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. The conditions approved under the original special use permit (Nos. 1-7) have been incorporated into this application and would apply to the entire site. Staff, therefore, recommends the Board of Supervisors approve this application with the following conditions:

1. If construction has not commenced on the project within twelve (12) months from the issuance of the special use permit, the permit shall become void. During this twelve month period, permits pertaining to construction shall be secured and all clearing and grading activities on the site shall be completed.
2. A Spill Prevention and Control Measure Plan shall be approved by the Director of Code Compliance prior to issuance of a Final Certificate of Occupancy for the ready mix concrete plant.
3. A dust collection system shall be utilized on the ready mix concrete plant. The manufacturer's specifications for the system shall be submitted with the site plan and shall be approved by the Director of Planning prior to final site plan approval.
4. No flags or signage on any silo, hopper, or any other piece of permanent equipment shall be permitted.
5. All exterior light fixtures on the property shall have recessed fixtures with no lens, bulb, or globe extending below the casing, and there shall be no direct visibility of the light source from adjacent residential property or from a public road.
6. The "reverse warning beepers" on all equipment which serves the ready mix concrete plant shall be turned down to their lowest volumes.

7. Rock, gravel, sand, cement and/or similar materials shall be stored in bins to control runoff and scattering of such materials onto adjacent property. An erosion and sediment control and runoff management plan shall be approved by the Environmental Director prior to final site plan approval.
8. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The landscaping plan shall address the screening of any stormwater management facility or material storage area on the property.
9. Prior to the issuance of preliminary approval for the site plan required for the expansion, the applicant shall receive approval of a plat to eliminate the common lot line between the two parcels currently identified as Parcel Nos. (5-2) and (5-3) on James City County Real Estate Tax Map No. (59-2).
10. Only one entrance shall be allowed onto Manufacture Drive unless otherwise permitted by the Development Review Committee.
11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

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Christopher M. Johnson

CONCUR:

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O. Marvin Sowers, Jr.



February 20, 2003

Mr. Larry Spence  
Ready Mixed Concrete  
3610 Bush Street  
Raleigh, NC 27609

FEB 24 2003

**FedEx**

Dear Mr. Spence:

I am writing to you in response to a letter from Mr. Marvin Sowers, Director of Planning for James City County, dated January 21, 2003 notifying BASF of your proposed expansion.

I have reviewed the landscape plan prepared by AES Consulting Engineers and would ask that you provide additional landscaping along the common property line with BASF similar to that which is planned for Manufacturing Drive. BASF has applied for a change in its land use designation from General Industry to Mixed Use. Accordingly we are concerned about the impact of your expanded operation on the marketability of our 623 acre site. We have been told by John Horne that the addition of landscaping will in no way effect the timing of approvals you now seek. Provided we can reach agreement on additional landscaping, BASF will support your SUP application.

I will be in the Williamsburg area on February 25<sup>th</sup> and 26<sup>th</sup> and would welcome the opportunity to personally meet with you and/or your representatives to further discuss this issue. Please contact me at the number below or our local agent, Chris Henderson with Trammell Crow Company, at 757-565-4400 to arrange a mutually convenient date and time for such a meeting.

Sincerely,



Charles R. Waltz

Inactive Sites Manager

cc: Cathy Lakaj ✓  
John Horne ✓

UNAPPROVED MINUTES TO THE FEBRUARY 3, 2003, PLANNING  
COMMISSION MEETING

CASE NO. SUP-25-02 READY MIX CONCRETE EXPANSION.

Mr. Matthew Arcieri presented the staff report. He stated that Mr. Robert Mann of AES Engineers has applied on behalf of Colonial Ready Mixed Concrete for a Special Use Permit to allow the expansion of the existing Ready Mixed Concrete facility at 1571 Manufacture Drive in the Skiffes Creek Industrial Park onto an adjacent property located at 1563 Manufacture Drive also within the Industrial Park. This case was originally approved on January 8, 2002 as SUP-23-01. Condition number one of the previous Special Use Permit required the applicant to complete all clearing and grading activities within twelve months from the date of issuance. In July of 2002 the owner of the site, Mr. John Thayer-Smith sold the property to Southern Equipment Company. The new owner was unable to complete clearing and grading by January 8, 2003; therefore, a new special use permit is necessary. Staff finds the proposal to be consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. Staff further finds that no conditions in the area have changed significantly enough to warrant any changes to the SUP. The only proposed change to the conditions is increasing the time to complete clearing and grading from twelve to twenty-four months. Staff recommended the Planning Commission recommend approval of this SUP application with conditions.

Mr. Joe Poole, III, opened up the public hearing.

Mr. Rob Mann, the applicant, explained the reason for having to apply for the special use permit again. Since the property changed hands half way through the time period of the previous special use permit granted, the new owner needed more time to complete the grading work.

Mr. Joe McCleary asked Mr. Mann if he was comfortable with the conditions.

Mr. Rob Mann replied yes.

Mr. Joe McCleary asked Mr. Leo Rogers, County Attorney, if the County had any legal problems with the extension.

Mr. Leo Rogers replied no.

There being no further questions, Mr. Joe Poole, III closed the public hearing.

Mr. John Hagee made a motion to approve.

Mr. Joe McCleary seconded the motion.

In a roll call vote, motion passed (5-0). AYE: Wildman, McCleary, Hagee, Hunt, Poole (5); NAY: (0).

## MEMORANDUM

DATE: March 11, 2003

TO: The Board of Supervisors

FROM: Dave Anderson, Planner

SUBJECT: Case No. ZO-1-03. Eight-Family Dwelling Amendment

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Staff is proposing an amendment to add multiple-family dwellings to the R-2, General Residential, and R-5, Multifamily Residential, zoning districts with a special use permit as part of an approved residential cluster. Similar structure types are permitted in the R-4, Residential Planned Community, PUD, Planned Unit Development, and MU, Mixed Use, zoning districts.

The request was brought to staff's attention by Richard Costello of AES Consulting Engineers, in a proposal to construct two eight-family dwellings rather than four four-family dwellings on property internal to the Williamsburg Plantation development. The zoning of Williamsburg Plantation, R-2 Cluster, would not allow this type of development to be constructed. However, in analyzing the proposal, staff concluded that the construction of the two eight-family dwellings would reduce the impervious area of the development while maintaining the same number of units and maintaining the same overall density. Staff concluded that the ordinance is prohibiting a logical and environmentally beneficial type of structure and would logically require revision.

Staff reviewed the current ordinance and concluded that five- to eight-family dwellings would be logical additions to both the R-2, General Residential, and R-5, Multifamily Residential, zoning districts provided they were in residential cluster developments and that the overall density did not exceed the permitted density of the previously approved master plan or the James City County Comprehensive Plan. In the R-2 zoning district, currently two-, three-, and four-family dwellings are permitted in a cluster with a special use permit. In the R-5 zoning district, currently two-, three-, and four-family dwellings are regularly permitted in a cluster. In order to have more control over the development of this type of structure, and to avoid creating the possibility of having larger structures built without further Planning Commission or Board of Supervisors' review, staff proposes this addition as a specially permitted use rather than a regularly permitted use.

Staff finds the addition of five- to eight-family dwellings as a special use to the R-2 and R-5 zoning districts will have an environmentally beneficial impact and will allow more flexibility in the development of residential clustered master planned communities. At the February 3, 2003, public hearing, the Planning Commission unanimously voted 5-0 to recommend approval of the amendment.

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Dave Anderson

CONCUR:

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O. Marvin Sowers, Jr.

DA/gs  
ZO-1-03.mem

Attachment:

1. Minutes from the February 3, 2003, Planning Commission
2. Revised Ordinance

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, DISTRICTS, DIVISION 4, GENERAL RESIDENTIAL DISTRICT, R-2, SECTION 24-253, USES PERMITTED BY SPECIAL USE PERMIT ONLY; DIVISION 6, MULTIFAMILY RESIDENTIAL DISTRICT, R-5, SECTION 24-306, USES PERMITTED BY SPECIAL USE PERMIT ONLY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article V, Districts, Division 4, General Residential District, R-2, Section 24-253, Uses permitted by special use permit only; and Division 6, Multifamily Residential District, R-5, Section 24-306, Uses permitted by special use permit only.

Chapter 24. Zoning

Article V. Districts

Division 4. General Residential District, R-2

**Sec. 24-253. Uses permitted by special use permit only.**

In the General Residential District, R-2, buildings to be erected or land to be used for the following or similar uses shall be permitted only after issuance of a special use permit by the board of supervisors:

*Five to eight-family dwellings contained within a residential cluster development with a maximum gross density of more than one unit per acre in accordance with article VI, division 1 of this chapter provided that the overall density does not exceed the permitted density in the previously approved master plan or the James City County Comprehensive Plan.*

Division 6. Multifamily Residential District, R-5

**Sec. 24-306. Uses permitted by special use permit only.**

In the Multifamily Residential District, R-5, buildings to be erected or land to be used for the following or similar uses shall be permitted only after issuance of a special use permit by the board of supervisors:

*Five to eight-family dwellings contained within a residential cluster development provided that the overall density does not exceed the permitted density in the previously approved master plan or the James City County Comprehensive Plan.*

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Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March,  
2003.

multifamily.ord

UNAPPROVED MINUTES TO THE FEBRUARY 3, 2003, PLANNING  
COMMISSION MEETING

CASE NO. ZO-01-03 ZONING ORDINANCE AMENDMENT - EIGHT FAMILY  
DWELLINGS.

Mr. David Anderson presented the staff report. Staff is processing an amendment to allow multiple-family dwellings in the R-2, General Residential, and R-5, Multifamily Residential, zoning districts with a special use permit as part of an approved residential cluster. Similar structure types are permitted in the R-4, Residential Planned Community, PUD, Planned Unit Development, and MU, Mixed Use, zoning districts. Staff reviewed the current ordinance and concluded that five to eight-family dwellings would be logical additions to the R-2, General Residential, and R-5, Multifamily Residential, zoning districts provided they were in residential cluster developments and provided that the overall density did not exceed the permitted density of the previously approved master plan or the James City County Comprehensive Plan. In the R-2 zoning district, currently two, three and four-family dwellings are permitted in a cluster with a special use permit. In the R-5 zoning district, currently two, three and four-family dwellings are regularly permitted in a cluster. In order to have more control over the development of this type of structure, and to avoid creating the possibility of having larger structures built without further Planning Commission or Board of Supervisor review, staff proposed the addition as a specially permitted use rather than a regularly permitted use.

Hearing no questions, Mr. Joe Poole, III opened and closed the public hearing.

Mr. John Hagee made a motion to approve.

Mr. Donald Hunt seconded the motion.

In a roll call vote, motion passed (5-0). AYE: Wildman, McCleary, Hagee, Hunt, Poole (5); NAY: (0).

**SPECIAL USE PERMIT-1-03. Williamsburg Plantation Section 10/MP-1-03.  
Williamsburg Plantation Master Plan Amendment  
Staff Report for March 11, 2003, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

**PUBLIC HEARINGS**            Building C Board Room; County Government Complex  
 Planning Commission:        February 3, 2003, 7:00 p.m.  
 Board of Supervisors:        March 11, 2003, 7:00 p.m.

**SUMMARY FACTS**

Applicant:                        Mr. Richard Costello, AES Consulting Engineers

Land Owner:                     J.P. Ottino, Williamsburg Plantation, Inc.

Proposed Use:                  Permit the construction of two eight-family dwellings on property internal to the Williamsburg Plantation development

Location:                        4870 Longhill Road, Williamsburg Plantation; Berkeley District

Tax Map and Parcel No.:        (32-4)(1-26C)

Primary Service Area:         Inside

Parcel Size:                     1.72 acres

Existing Zoning:                R-2, General Residential District, Cluster

Comprehensive Plan:          Low-Density Residential

Surrounding Zoning:          R-2, General Residential District, Cluster; Williamsburg Plantation

Staff Contact:                  Dave Anderson - Phone: 253-6685

**STAFF RECOMMENDATION:**

Staff finds the proposal consistent with the surrounding residential zoning since the total number of approved units will remain unchanged. Staff also finds the proposal consistent with the Low-Density Residential designation of the Comprehensive Plan since the overall density of the development will remain unchanged. The proposal will also have less impacts than the approved structure type. Therefore, staff recommends the Board of Supervisors approve the special use permit with the attached conditions. At the February 3, 2003, public hearing, the Planning Commission unanimously voted 5-0 to recommend approval of the special use permit application.

## **Project Description**

Mr. Richard Costello of AES Consulting Engineers has applied on behalf of Williamsburg Plantation, Inc., for a special use permit and master plan amendment to permit the construction of two eight-family dwellings in the Williamsburg Plantation development. The property is internal to Williamsburg Plantation and is not visible from public roads. The property is further identified on the attached supplemental exhibit.

Currently, the project is zoned R-2 Cluster, which allows each building to contain no more than four units. The area designated for the proposed two eight-family dwellings currently is approved for four four-family dwellings. With the adoption of ZO-1-03, Eight-Family Dwelling Amendment, eight-family dwellings will be added as a special use for property zoned R-2 Cluster. The proposal simply requests replacing the approved four four-family dwellings with two eight-family dwellings.

Each current unit contains four bedrooms and four bathrooms. The proposed units are smaller, each containing two bedrooms and two bathrooms. While this proposal does not alter the total number of units proposed for the project, each unit is smaller in size and area. The proposal actually halves the number of bedrooms and bathrooms from 64 to 32 for these 16 units. Additionally, the overall density of the development will remain unchanged.

## **Impacts**

### *Water and Sewer*

Technically by regulation, this has no impact since the number of dwelling units is not changed. In reality less water will be used in the units since their maximum occupancy is less. It is estimated that the water usage will be 25 percent to 40 percent less.

### *Traffic*

Technically per the Virginia Department of Transportation (VDOT), this is a change from townhouse (8.7 trips) to condominium (5.2 trips) and traffic is reduced 40 percent.

### *Stormwater*

Stormwater Management Facilities have already been designed and constructed for the entire project. This proposed change will slightly reduce the impacts due to less impervious area because of the smaller total building footprint and the reduced parking requirement in moving to the eight-family dwelling.

## **Surrounding Zoning and Land Use**

The site is internal to the Williamsburg Plantation development. It is expected the proposal will have no real impact on the adjacent properties in the development because the project is internal to the site and the total number of units remains unchanged.

## **Comprehensive Plan**

The site is designated Low-Density Residential. The proposal has no effect on the overall density of the development. Therefore, the development maintains consistency with the Low-Density Residential designation.



## Recommendation

Staff finds the proposal consistent with the surrounding residential zoning since the total number of approved units will remain unchanged. Staff also finds the proposal consistent with the Low-Density Residential designation of the Comprehensive Plan since the overall density of the development will remain unchanged. The proposal will also have less impacts than the approved structure type. Therefore, staff recommends the Board of Supervisors approve the special use permit with the attached conditions. At the February 3, 2003, public hearing, the Planning Commission unanimously voted to recommend approval of the special use permit application.

1. The special use permit shall apply only to the 1.72-acre area as outlined on the "Supplemental Exhibit For Special Use Permit of Williamsburg Plantation" submitted with this special use permit, dated January 2003, prepared by AES Consulting Engineers, and drawn by CMB/AWT.
2. Prior to final site plan approval, the Planning Director shall review and approve the final architectural design of the buildings. Such buildings shall be reasonably consistent, as determined by the Director of Planning, with the architectural elevations titled "Supplemental Exhibit For Special Use Permit of Williamsburg Plantation" submitted with this special use permit, dated January 2003, prepared by AES Consulting Engineers, and drawn by DLD.
3. Start of construction, as defined in the James City County Zoning Ordinance, shall have commenced within twenty-four months of this special use permit approval, or the permit shall become void.
4. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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Dave Anderson

CONCUR:

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O. Marvin Sowers, Jr.

DA/gs  
sup-1-03.wpd

### Attachments:

1. Minutes from the February 3, 2003, Planning Commission
2. Location Map
3. Amended Overall Plan of Development (Sheets 1-2)
4. Supplemental Exhibit Identifying Area of SUP (Sheets 3-4)
5. Architectural Elevations (Sheet 5)
6. Special Use Permit Resolution
7. Master Plan Amendment Resolution

**RESOLUTION**

**WILLIAMSBURG PLANTATION MASTER PLAN AMENDMENT (MP-1-03)**

WHEREAS, in accordance with §15.2-2204 of the Code of Virginia and Section 24-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Case No. MP-1-03 for the master plan amendment of Williamsburg Plantation; and

WHEREAS, on February 3, 2003, the Planning Commission recommended approval of this application by unanimous vote; and

WHEREAS, the master plan amendment is more particularly shown on the plan entitled "Amended Overall Plan of Development: Williamsburg Plantation," prepared by AES Consulting Engineers and dated November 1993, with a revision date of January 24, 2003.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. MP-1-03.

\_\_\_\_\_  
Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

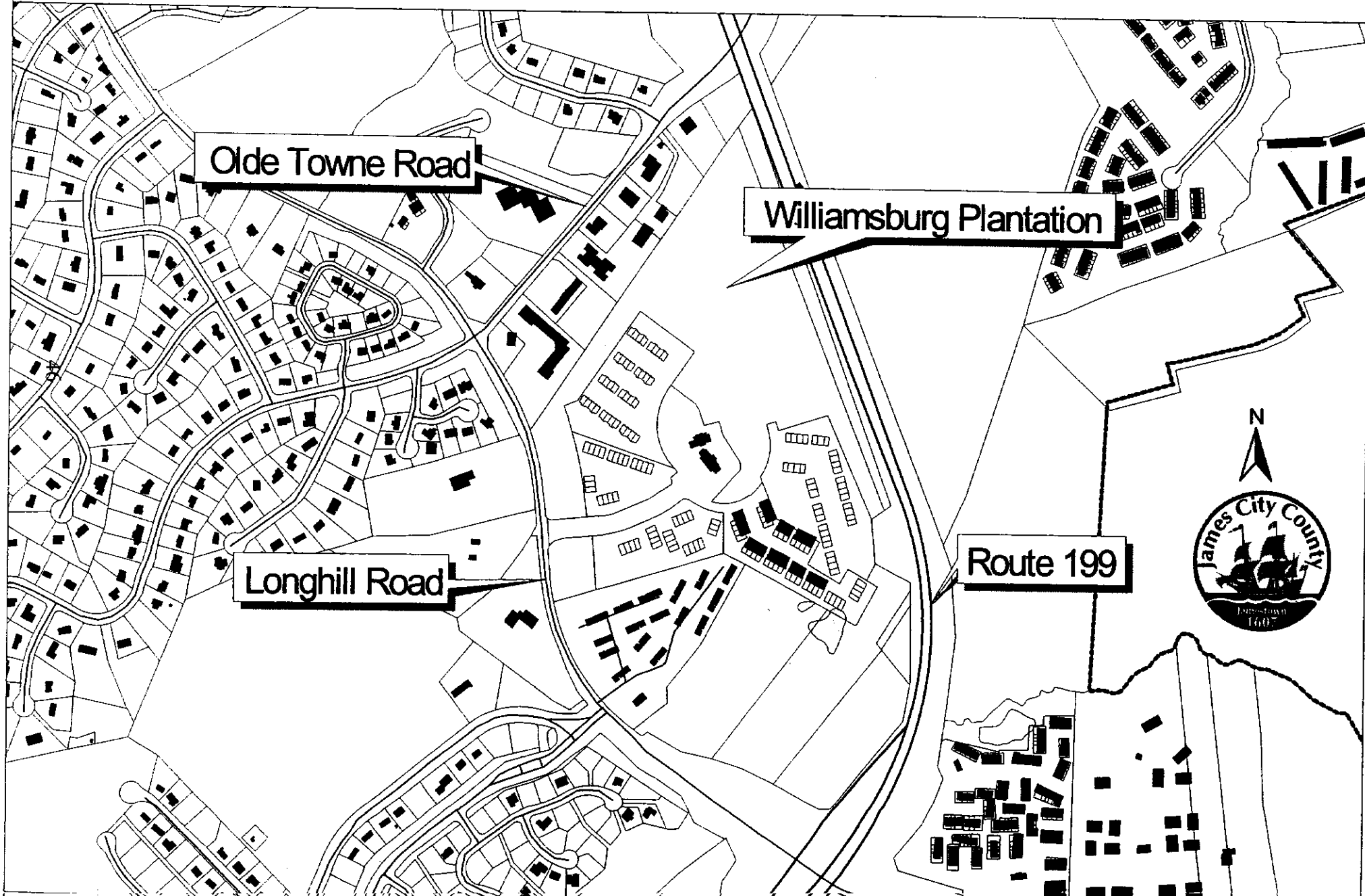
ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2003.

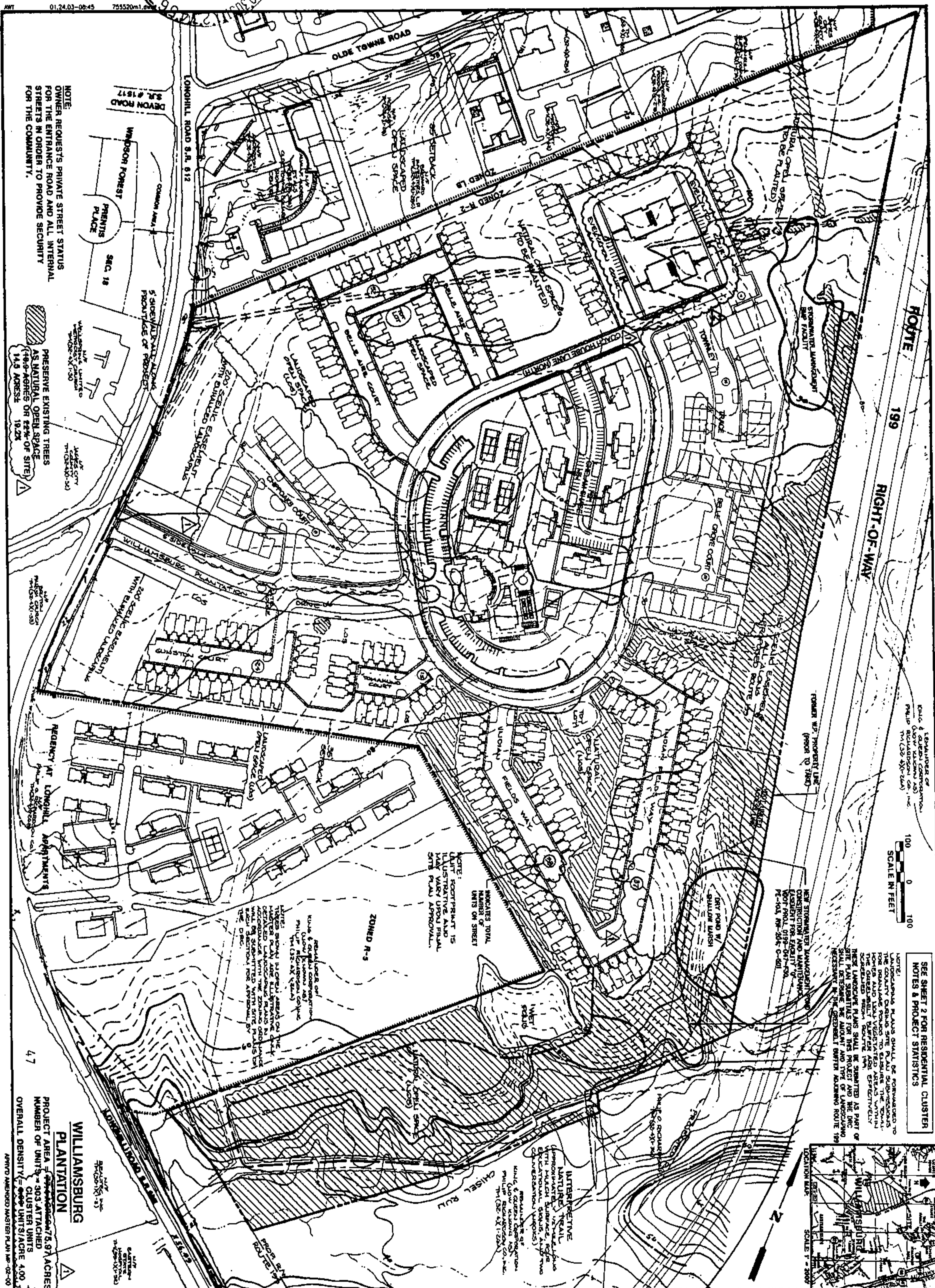
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# SUP-1-03. Williamsburg Plantation Section 10 / MP-1-03. Williamsburg Plantation Master Plan Amendment



SUP-1-03  
MP-1-03

RECEIVED  
JAN 2003  
MINING DEPARTMENT



NOTE:  
OWNER REQUESTS PRIVATE STREET STATUS FOR THE ENTRANCE ROAD AND ALL INTERNAL STREETS IN ORDER TO PROVIDE SECURITY FOR THE COMMUNITY.

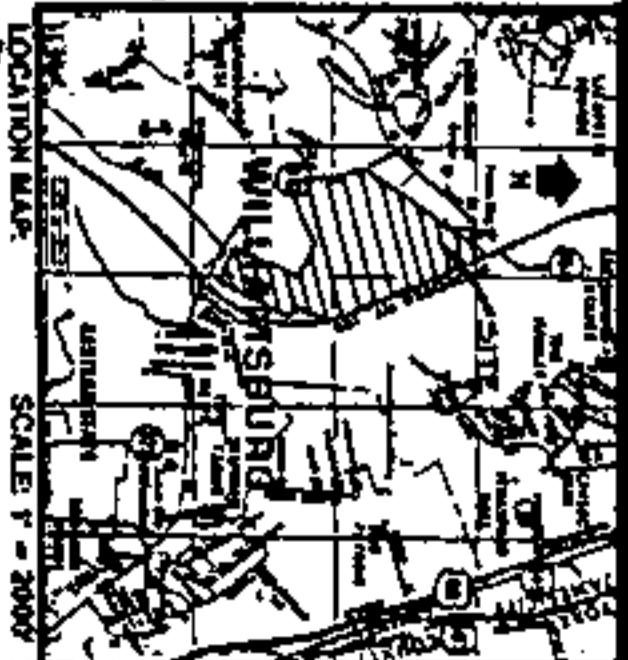
PRESERVE EXISTING TREES AS NATURAL OPEN SPACE (44% AREAS OR 24% OF SITE) 14.3 ACRES 18.2%

NOTE:  
UNIT FOOTPRINT IS ILLUSTRATIVE AND MAY VARY UPON FINAL SITE PLAN APPROVAL.

NOTE:  
REVISIONS OF PREVIOUS PLANS ARE SHOWN IN RED ON THE MASTER PLAN AND SUBMITTALS. ALL CHANGES TO THE MASTER PLAN AND SUBMITTALS MUST BE SUBMITTED WITH THE PLANS FOR REVIEW AND APPROVAL BY THE DDC.

NOTE:  
LANDSCAPE PLANS SHALL BE FORWARDED TO THE COUNTY CLERK'S OFFICE FOR REVIEW AND APPROVAL. THE COUNTY CLERK'S OFFICE SHALL REVIEW THE PLANS AND SHALL RETURN THE PLANS TO THE OWNER WITH ANY COMMENTS. THE OWNER SHALL REVISIONS TO THE PLANS AS REQUIRED BY THE COUNTY CLERK'S OFFICE. THE COUNTY CLERK'S OFFICE SHALL REVIEW THE PLANS AND SHALL RETURN THE PLANS TO THE OWNER WITH ANY COMMENTS. THE OWNER SHALL REVISIONS TO THE PLANS AS REQUIRED BY THE COUNTY CLERK'S OFFICE.

SEE SHEET 2 FOR RESIDENTIAL CLUSTER NOTES & PROJECT STATISTICS



**WILLIAMSBURG PLANTATION**  
PROJECT AREA = 75.97 ACRES  
NUMBER OF UNITS = 303 ATTACHED CLUSTER UNITS  
OVERALL DENSITY = 4.00 UNITS/ACRE

DATE	BY	REVISION / COMMENT / NOTE
1/1/03	AW/NO	APPROVED MASTER PLAN 5-03-03

AMENDED  
OVERALL PLAN OF DEVELOPMENT  
**WILLIAMSBURG PLANTATION**  
A RESIDENTIAL CLUSTER DEVELOPMENT  
BY: WILLIAMSBURG PLANTATION, INC.  
JAMES CITY COUNTY



5248 Olde Towne Road, Suite 1  
Williamsburg, Virginia 23188  
(757) 253-0040  
Fax (757) 220-8994



1/1/03	REVISED PER S.U.P. FOR 8-UNIT BUILDING	RAC
1/1/03	REVISED PER ROUTE 199 CONSTRUCTION	RAC
1/1/03	APPROVED MASTER PLAN 5-03-03	RAC

**PROJECT NOTES AND STATISTICS**

**LAND USE NOTES**

**RECREATION SITE**  
SEE APPROVED SITE PLAN  
JCC CASE 99-95-21

**OPEN SPACE CALCULATION:**

DEVELOPABLE AREA	72.3 AC	64% 75.4%
NON-DEVELOPABLE AREA	3.7 AC	4% 4.6%
TOTAL SITE AREA	76.0 AC	

**OPEN SPACE REQUIRED:**

20' x 40' x 40' (4000 S.F.)	180
30' x 40' x 40' (4800 S.F.)	160
40' x 40' x 40' (16000 S.F.)	100
<b>TOTAL</b>	<b>440</b>

**OPEN SPACE PROVIDED:** 440 S.F. (0.0012 AC)

**DENSITY CALCULATION:**

TOTAL NO. OF UNITS REQUESTED	189
TOTAL GROSS DENSITY REQUESTED	194.7 U/AC
MAXIMUM PERMITTED UNITS @ 4.0 UNITS/AC	303
<b>DENSITY BONUS APPROVED AS PART OF MASTER PLAN (S-83-83)</b>	<b>23 BONUS UNITS</b>

- PROPERTY IS ZONED R-2, GENERAL RESIDENTIAL DISTRICT, AND IS PART OF ACC TAX PARCEL (21-11-100) AND ALL OF DISTRICT 280.
- THE PROPOSED USE IS FOR A RESIDENTIAL CLUSTER DEVELOPMENT IN ACCORDANCE WITH ARTICLE II OF THE JAMES CITY COUNTY ZONING ORDINANCE.
- PUBLIC WATER IS AVAILABLE VIA AN EXISTING 12" JCCA WATER MAIN LOCATED IN LONGHILL ROAD AT THE FRONT OF THE PROPERTY. WATER LINES OF APPROPRIATE SIZE WILL BE EXTENDED TO ALL UNITS IN THE DEVELOPMENT IN ACCORDANCE WITH THE DEVELOPMENT STANDARDS OF JCCA.
- PUBLIC SEWERS IS ALSO AVAILABLE VIA AN EXISTING GRAVITY SEWER LINE RUNNING THROUGH THE SOUTHERN PORTION OF THE SITE ALONG CHESS, RUM, GRANTY SEWERS WILL BE EXTENDED TO ALL UNITS IN THE DEVELOPMENT IN ACCORDANCE WITH THE DEVELOPMENT STANDARDS OF JCCA.
- SEWERAGE WILL BE COLLECTED BY AN QUARTER CURE AND GUTTERFLOW SEWER SYSTEM DESIGNED TO TYPICAL JAMES CITY COUNTY STANDARDS. STORMWATER WILL BE DETAINED ON-SITE IN ONE TYPICAL TANK AND TYPICAL FLOW WITHIN THE DEVELOPMENT TO MEET CHECK-DAMMING BY OVERTURN REQUIREMENT. ALL SITE DRAINAGE WILL BE DIRECTED TO CHESS, RUM.
- UNITS WILL BE MARKETED AND CONVEYED AS TIMESHARES IN ACCORDANCE WITH APPLICABLE VIRGINIA LAW.

**PAVING STATISTICS**

PHASE	SPACES	UNITS	SPACELINE
I	114	48	3.0
II	113	44	2.6
III	170	52	3.3
IV	194	44	4.4
V	189	88	2.1
VI	16	5	3.2
<b>TOTAL</b>	<b>806</b>	<b>299</b>	<b>3.0</b>

**LAND USE STATISTICS**

AREA OF NOW DEVELOPED:	0.3 AC	0.4%
AREA OF ROADWAYS:	6.1 AC	8.0%
AREA OF PAVED LOTS:	13.9 AC	18.3%
AREA OF UNPAVED LOTS:	49.7 AC	65.3%
RECREATION AREA:	4.3 AC	5.7%
20' CONCRETE ROAD BUFFER:	4.4 AC	5.8%
15' ROUTE 198 BUFFER:	4.4 AC	5.8%
OPEN SPACE (NATURAL, ARTIFICIAL, LANDSCAPED):	38.0 AC	50.0%
<b>TOTAL SITE AREA:</b>	<b>76.0 AC</b>	

**PLANT LIST**

PHASING PLAN	NO. OF UNITS	ENTRANCE WARD & RECREATION AREA	BOUNCE OF RECREATION AREA
I	48	38	28
II	44	42	32
III	52	48	38
IV	44	48	38
V	88	88	76
VI	5	5	5
<b>TOTAL</b>	<b>299</b>		

**UNIT BREAKDOWN**

ROAD	NO. OF UNITS	COMMENT
QUINCY COURT	24	EXISTING IN RETIRED
TOULING COURT	15	EXISTING
ROAN FIELD WAY (1)	36	FUTURE
ROAN FIELD WAY (2)	37	FUTURE
BELLE GROVE COURT	22	FUTURE
WATERLEY COURT	16	FUTURE
SMARLET COURT	29	FUTURE
EVELYN COURT	48	FUTURE
BELLE LAKE COURT	52	FUTURE
CHAPARRAL COURT	19	FUTURE
COACH HOUSE LANE	4	IN CONSTRUCTION

PAVING IS PROVIDED FOR EACH SECTION OF DEVELOPMENT AT THE RATE OF 2 SPACES PER UNIT, AS APPROVED WITH S-83-83 AND IN ACCORDANCE WITH ZONING ORDINANCE. (APPROVED AT TIME OF ORIGINAL APPROVAL)

**PLANTING NOTES:**

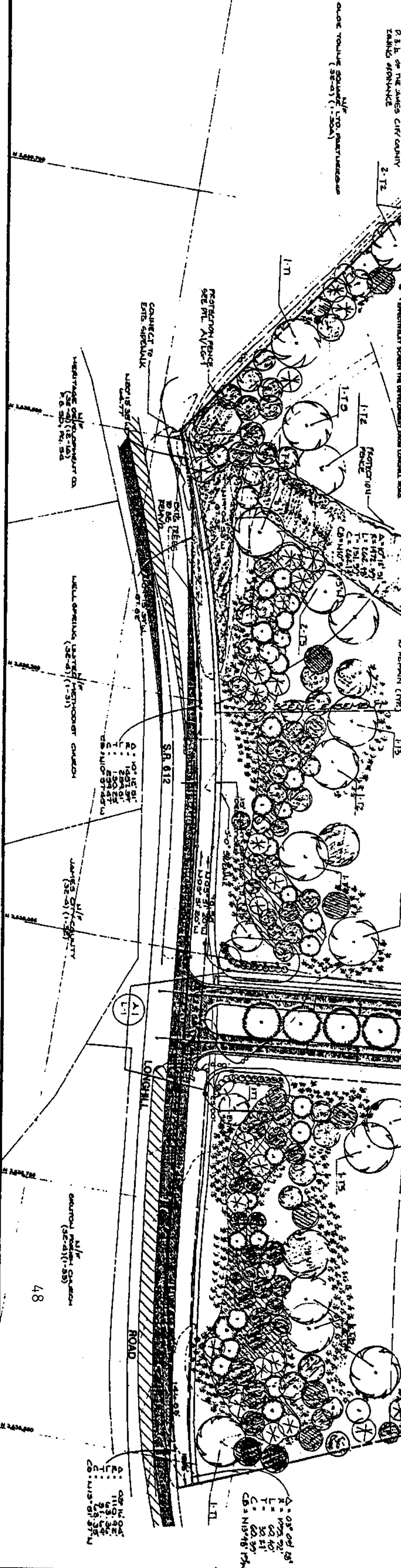
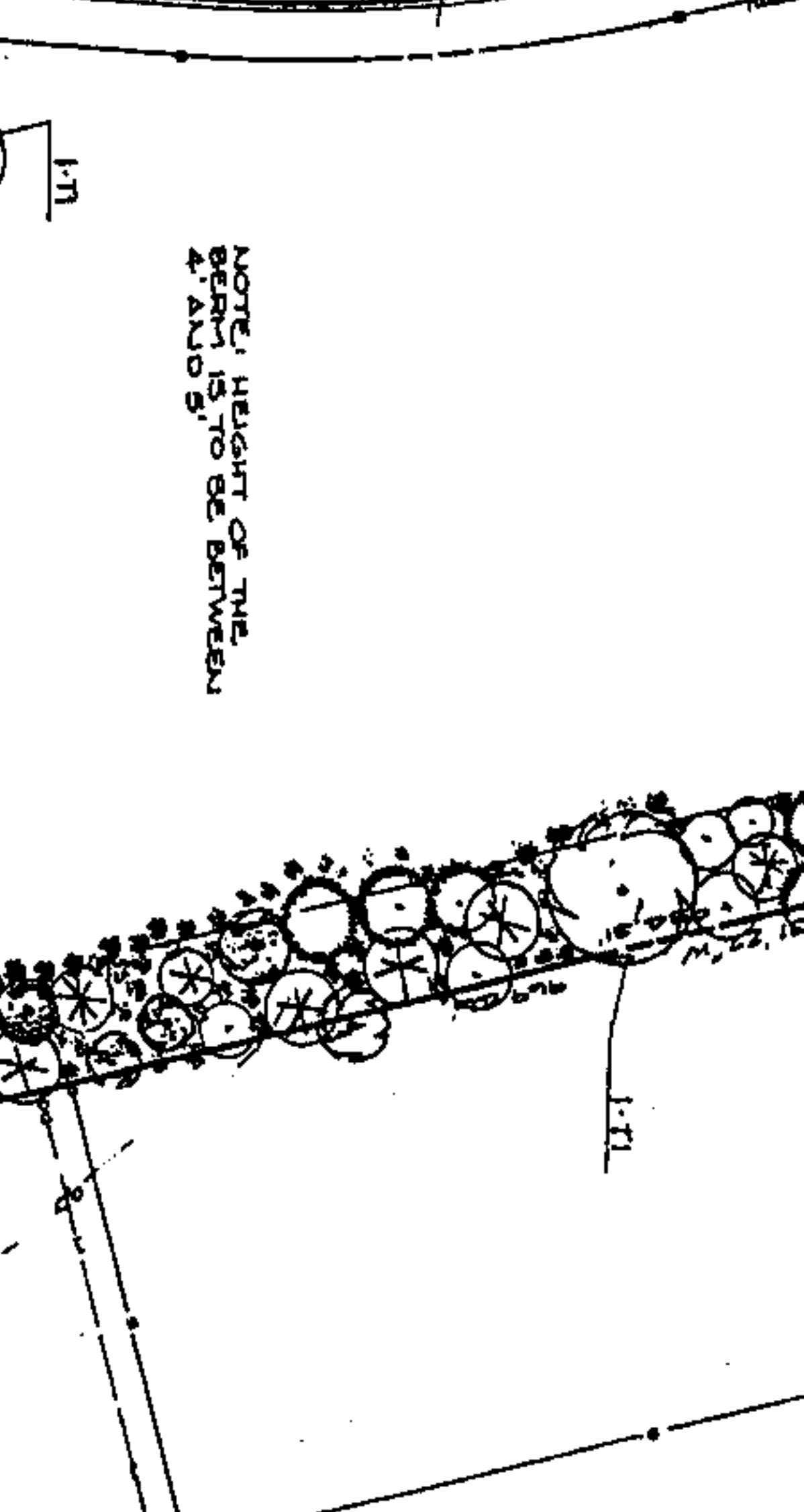
ALL PLANTINGS TO BE PLANTED WITHIN 90-DAY PERIOD. PLANTINGS TO BE PLANTED WITHIN 90-DAY PERIOD. PLANTINGS TO BE PLANTED WITHIN 90-DAY PERIOD.

NOTE: ALL PLANTINGS & BERM WITHIN THE 20' SCENIC EASEMENT TO BE SHIFTED 15' AWAY FROM THE LOCATION SHOWN ON THIS PLAN.

**RECREATION SITE**

SEE APPROVED SITE PLAN  
JCC CASE 99-95-21

NOTE: HEIGHT OF THE BERM IS TO BE BETWEEN 4' AND 5'



**ENTRANCE LANDSCAPING PLAN**  
**WILLIAMSBURG PLANTATION**  
PHASE I  
A RESIDENTIAL CLUSTER DEVELOPMENT  
BY WILLIAMSBURG PLANTATION, INC.

BERKELEY DISTRICT     JAMES CITY COUNTY     VIRGINIA

**AES CONSULTING ENGINEERS**

5248 Olde Towne Road, Suite 1  
Williamsburg, Virginia 23188  
(757) 253-0040  
Fax (757) 220-8994

Professional Engineer  
Certificate No. 11539  
5/12/00

Revised	7/8/88	7/8/88
Revised	8/1/88	8/1/88
Revised	8/1/88	8/1/88
Revised	8/1/88	8/1/88
Revised	8/1/88	8/1/88
Revised	8/1/88	8/1/88

NO.	DATE	REVISION / COMMENT / NOTE	BY
1	7/8/88	REVISED PER S.U.P. FOR R-UNIT BUILDING	RAC
2	8/1/88	REVISED PER S.U.P. FOR R-UNIT BUILDING	RAC
3	8/1/88	REVISED PER S.U.P. FOR R-UNIT BUILDING	RAC
4	8/1/88	REVISED PER S.U.P. FOR R-UNIT BUILDING	RAC
5	8/1/88	REVISED PER S.U.P. FOR R-UNIT BUILDING	RAC
6	8/1/88	REVISED PER S.U.P. FOR R-UNIT BUILDING	RAC

1014.61' TO SOUTHWEST  
PROPERTY CORNER

N35°16'32"E 1942.66'

155.84'

156.15'

S35°20'53"W 246.11'

PROPOSED  
BUILDING

PROPOSED  
BUILDING

EVELYNTON  
COURT

EVELYNTON  
COURT

S54°39'07"E 305.12'

N54°39'07"W 305.12'

N35°20'53"E 246.11'

COACH HOUSE LANE (NORTH)

AREA OF PROPOSED  
S.U.P. = 1.72 AC±

COACH HOUSE LANE (EAST)

TOWNLEY TRACE

GRAPHIC SCALE

50' 49 0' 50' 100'

SCALE: 1" = 50'

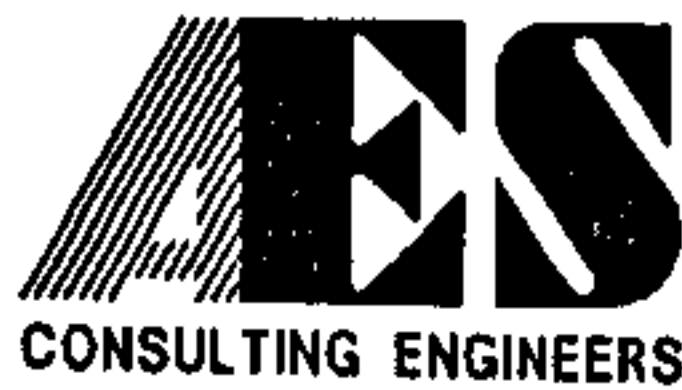
SUPPLEMENTAL EXHIBIT SPECIAL USE PERMIT

of  
WILLIAMSBURG PLANTATION

for

OWNER/DEVELOPER: WILLIAMSBURG PLANTATION, INC.

BERKELEY COUNTY JAMES CITY COUNTY VIRGINIA



5248 Olde Towne Road, Suite 1  
Williamsburg, Virginia 23188  
(757) 253-0040  
Fax (757) 220-8994

No.	DATE	REVISION / COMMENT / NOTE	BY

3 OF 5

UNAPPROVED MINUTES TO THE FEBRUARY 3, 2003, PLANNING  
COMMISSION MEETING

CASE NO. SUP-01-03/MP-01-03 WILLIAMSBURG PLANTATION, SECTION X.

Mr. David Anderson presented the staff report. Mr. Richard Costello of AES Consulting Engineers has applied on behalf of Williamsburg Plantation, Inc. for a special use permit and master plan amendment to permit the construction of two eight-family dwellings in the Williamsburg Plantation development. The property is internal to Williamsburg Plantation and is not visible from public roads. Currently the project is zoned R-2 Cluster which allows each building to contain no more than four units. The area designated for the proposed two eight-family dwellings currently is approved for four four-family dwellings. The proposal simply requests replacing the approved four four-family dwellings with two eight-family dwellings. Each current unit contains four bedrooms and four bathrooms. The proposed units are smaller, each containing 2 bedrooms and 2 bathrooms. While this proposal does not alter the total number of units proposed for the project, each unit is smaller in size and area. The proposal actually halves the number of bedrooms and bathrooms from 64 to 32 for these 16 units. Additionally, the overall density of the development will remain unchanged. Staff finds the proposal consistent with the surrounding residential zoning since the total number of approved units will remain unchanged. Staff also finds the proposal consistent with the Low Density Residential designation of the Comprehensive Plan since the overall density of the development will remain unchanged. The proposal will also have less impacts than the approved structure type. Staff recommended the Planning Commission approve the special use permit with conditions.

Mr. John Hagee asked for clarification on the traffic impacts, and the different designations used.

Mr. David Anderson stated that they were based on VDOT's classification system.

Mr. Joe Poole, III, opened the public hearing.

Mr. Vernon Geddy, representing Williamsburg Plantation and the applicant, asked if there were any questions he could answer.

Mrs. Peggy Wildman asked if brick would be used as part of the building façade.

Mr. Rich Costello, applicant, replied that they intentionally planned on not using brick as a way of distinguishing the buildings from others in the development.

Mr. Joe Poole, III, asked if Williamsburg Plantation, as a whole, was almost complete.

Mr. Rich Costello replied that Section ten was one of the last three stages.

Hearing no other questions, Mr. Joe Poole, III, closed the public hearing.

Mr. Joe McCleary offered his support for the application.

Mr. Joe Poole, III, stated that Williamsburg Plantation was very well done so far, so he felt confident to be able to support this project as well.

Mrs. Peggy Wildman made a motion to approve.

Mr. John Hagee seconded the motion.

In a roll call vote, motion passed (5-0). AYE: Wildman, McCleary, Hagee, Hunt, Poole (5); NAY: (0).



**SPECIAL USE PERMIT-3-03. JCSA Route 5 Water Main Extension Amendment  
Staff Report for March 11, 2003, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

**PUBLIC HEARINGS**

Building C Board Room; County Government Complex  
 Planning Commission: March 3, 2003, 7:00 p.m.  
 Board of Supervisors: March 11, 2003, 7:00 p.m.

**SUMMARY FACTS**

Applicant: Larry M. Foster, General Manager, James City Service Authority

Land Owner: James City Service Authority

Proposed Use: Amend the conditions of Case No. SUP-22-01 to change the limits of clearing for a portion of the water main extension and change the location of approximately 350 linear feet of 16-inch potable water main from the north side of Route 5 to the south side of Route 5.

Location: 3123 Ironbound Road with access from 4321 John Tyler Highway; Berkeley District

Tax Map and Parcel Nos.: (46-2)(1-34) and (46-2)(1-38)

Primary Service Area: Inside

Parcel Size: ± 20.66 acres

Existing Zoning: R-8, Rural Residential

Comprehensive Plan: Low-Density Residential

Surrounding Zoning: East: Clara Byrd Baker Elementary School (R-8)  
 West: St. George's Hundred (R-1); single-family residences (R-8)  
 North: Day Care Center (R-8); undeveloped land (R-8)  
 South: Chanco's Grant (R-8)

Staff Contact: Christopher Johnson - Phone: 253-6685

**STAFF RECOMMENDATION:**

On March 3, 2003, the Planning Commission recommended approval of this application by a vote of 7-0. The applicant is requesting deferral of this case until the March 25, 2003, Board of Supervisors meeting in order to resolve issues on a related portion of the Five Forks Water Treatment Facility project. Staff concurs with this request and recommends deferral of this application.

## RESOLUTION

### CASE NO. SUP-3-03. JAMES CITY SERVICE AUTHORITY

#### ROUTE 5 WATER MAIN EXTENSION AMENDMENT

WHEREAS, the Board of Supervisors of James City County has adopted, by Ordinance, specific land uses that shall be subjected to a special use permit process; and

WHEREAS, water facilities (public and private), including transmission mains, are specially permitted uses in the R-8 Zoning District; and

WHEREAS, Mr. Larry Foster, General Manager of the James City Service Authority, has applied for a special use permit to amend the conditions of Case No. SUP-22-01 to change the limits of clearing for a portion of the water main extension and change the location of approximately 350 linear feet of 16-inch potable water main from the north side of Route 5 to the south side of Route 5; and

WHEREAS, the properties are located at 3123 Ironbound Road and 4321 John Tyler Highway, zoned R-8, Rural Residential District, and are further identified as Parcel Nos. (1-34) and (1-38) on James City County Real Estate Tax Map No. (46-2); and

WHEREAS, the Planning Commission of James City County, following its public hearing on March 3, 2003, voted \_\_\_\_\_ to approve this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-3-03 as described herein with the following conditions:

1. Construction. Start of Construction on the Groundwater Treatment Facility, as defined in the Zoning Ordinance, shall commence within 36 months of approval of this special use permit, or the permit shall become void.
2. Compliance. Construction, operation, and maintenance of the Groundwater Treatment Facility, water transmission main, production wells, and concentrate discharge main shall comply with all local, State, and Federal requirements.
3. Permits. All permits and easements shall be acquired prior to the commencement of construction for the water transmission main and concentrate discharge main.
4. Erosion and Sediment Control. The project shall comply with all Virginia erosion and sediment control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook as amended.

5. Development Plan. Development and land clearing of the site shall be generally in accordance with the “Preliminary Plan, Brackish Groundwater Desalinization Facility” prepared by AES Consulting Engineers, March 19, 2002, with such accessory structures and minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
6. Spill Containment. Prior to the issuance of a Certificate of Occupancy, a spill containment plan which addresses the chemical handling and storage areas shall be submitted to the Environmental Director and Fire Department for their review and approval.
7. Archaeology. Prior to the issuance of a land disturbing permit for this project, an archaeological survey shall be conducted for the project area for the water treatment facility and along the recommended alignment for the concentrate discharge main in accordance with the adopted Board of Supervisors policy. The results shall be submitted to the Director of Planning for review and approval.
8. Lighting. All exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, prior to final site plan approval, a lighting plan shall be submitted to, and approved by, the Planning Director or his designee which indicates no glare outside the property lines. “Glare” shall be defined as more than 0.1 footcandle at the property line or any direct view of the lighting source from the adjoining residential properties.
9. Architecture. Prior to final site plan approval, architectural elevations, building materials, and colors shall be submitted to the Director of Planning for review and approval for all structures on the site. The intent of this condition is to ensure that all future buildings on the site are uniform and compatible in terms of design, materials, and colors, have a residential appearance, and are designed for minimal visual impact.
10. Landscaping. Any accessory structures on the site, such as storage tanks and production well structures, shall be screened with enhanced landscaping or constructed with materials and colors matching the treatment facility. Enhanced landscaping shall be defined as either 133 percent of evergreen trees required by the Zoning Ordinance or 125 percent of general planting required by the Zoning Ordinance as determined by the Planning Director.
11. Utilities. All utilities shall be located within the limits of clearing for the access driveway to the site from John Tyler Highway. No utility shall be located more than ten feet from the edge of pavement.
12. Route 5 Buffer. A 250-foot undisturbed wooded buffer shall be maintained along John Tyler Highway with the exception of the clearing necessary for the driveway providing access to the site. The driveway shall be curved in such a way to minimize views of the site from John Tyler Highway to the greatest extent possible, as determined by the Planning Director.
13. Chanco’s Grant Buffer. A 300-foot undisturbed wooded buffer shall be maintained

along the southern property line of the treatment facility site adjacent to the Chanco's Grant subdivision with the exception of the clearing necessary for the construction of the concentrate discharge main and greenway trail.

14. Greenway Trail. The applicant shall construct a greenway trail to the specifications of the James City County Division of Parks and Recreation over the areas of construction for the concentrate discharge main between the treatment facility site and the directional drill location north of Jamestown Road. The final alignment of the concentrate discharge main and greenway trail shall generally be as shown on the plan "Brackish Groundwater Desalinization Facility, SUP Pipeline," dated 5-21-02, prepared by Buchart Horn, Inc. and Skipper Engineering Associates, PC. The final location for both the concentrate discharge main and greenway trail shall be subject to the approval of the Planning Director.
15. Community Character. The applicant shall avoid removing trees, bushes, and shrubs along the water main and concentrate discharge main corridors along Route 5, 4-H Club Road, and Jamestown Road. Trees, bushes, and shrubs damaged during construction shall be replaced with a tree, bush, or shrub of equal type as approved by the Planning Director.
16. Dust and Siltation Control. For water main or concentrate main construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on adjacent property. It is intended that the present and future results of the proposed water transmission main and concentrate discharge main do not create adverse effects on the public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.
17. Access. Vehicular access to residences within the effected right-of-ways shall be maintained at all times.
18. Construction Time. All construction activity for the concentrate discharge main and the water main extension adjacent to existing residential development shall occur between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.
19. Vehicle and Equipment Storage. Construction vehicles and equipment shall not be parked or stored along Route 5, 4-H Club Road, or Jamestown Road between the hours of 5:00 p.m. and 8:00 a.m.
20. Severability. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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Jay T. Harrison, Sr.  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of  
March, 2003.

sup-3-03.res

# SUP-03-03; JCSA Route 5 Water Main Extension Amendment

