A G E N D A
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
December 12, 2017
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Alastair Smith, a 4th grade student at James River and a resident of the Roberts District

E. PUBLIC COMMENT

F. PRESENTATIONS

1. Chairman's Awards
2. Results of Fiscal Year 2017 Financial Statement Audit for James City County and James City Service Authority – Dixon Hughes Goodman, LLP

G. CONSENT CALENDAR

1. Minutes Adoption
2. Federal Grant Award – Bulletproof Vest Partnership – $25,972
3. Williamsburg Child Health Initiative Planning Grant

H. PUBLIC HEARING(S)

1. AFD-2-86-1-2017, Croaker AFD Addition, 9730 Sycamore Landing Road
2. Z-0002-2017/MP-0002-2017, The Parke at Ford's Colony
3. Z-0001-2017, SUP-0001-2017, MP-0001-2017, HW-0001-2017, Williamsburg Landing, Marclay Road
4. SUP-0005-2017/SUP-0006-2017/SUP-0007-2017/SUP-0008-2017, Lightfoot Marketplace Special Use Permit Amendment
5. SUP-0009-2017, 3601 La Grange Parkway Expansion

I. BOARD CONSIDERATION(S)

J. BOARD REQUESTS AND DIRECTIVES

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

L. CLOSED SESSION

1. Consideration of a personnel matter, the discussion of candidates for the position of Interim County Administrator, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

M. ADJOURNMENT

1. Adjourn until 4 p.m. on January 2, 2018 for the Organizational Meeting

AGENDA ITEM NO. D.1.

ITEM SUMMARY

DATE:	12/12/2017
TO:	The Board of Supervisors
FROM:	Teresa Fellows, Administrative Coordinator
SUBJECT:	Pledge Leader - Alastair Smith, a 4th grade student at James River and a resident of the Roberts District

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REVIEWERS:

Department	Reviewer	Action	Date
Economic Development Authority	Fellows, Teresa	Approved	11/30/2017 - 8:33 AM

AGENDA ITEM NO. F.1.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Teresa Fellows, Administrative Coordinator

SUBJECT: Chairman's Awards

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 8:18 AM

AGENDA ITEM NO. F.2.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Sharon Day, Assistant Director of Financial and Management Services

SUBJECT: Results of Fiscal Year 2017 Financial Statement Audit for James City County and James City Service Authority – Dixon Hughes Goodman, LLP

ATTACHMENTS:

	Description	Type
🗋	MEMORANDUM	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Financial Management	Mellen, Sue	Approved	11/28/2017 - 8:26 AM
Publication Management	Colonna, Tina	Approved	11/28/2017 - 8:38 AM
Legal Review	Kinsman, Adam	Approved	11/30/2017 - 9:25 AM
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 9:27 AM
Board Secretary	Purse, Jason	Approved	12/4/2017 - 8:24 AM
Board Secretary	Fellows, Teresa	Approved	12/4/2017 - 8:49 AM

M E M O R A N D U M

DATE: December 12, 2017

TO: The Board of Supervisors

FROM: Sharon Day, Assistant Director of Financial and Management Services

SUBJECT: Results of Fiscal Year 2017 Financial Statement Audit for James City County and James City Service Authority – Dixon Hughes Goodman, LLP

Included in the Reading File are the Fiscal Year 2017 audited financial statements for James City County and James City Service Authority. Leslie Roberts, Partner at Dixon Hughes Goodman, LLP, will present an overview of the results to the Board.

No Board action is needed.

SD/nb
AnnualFinRptFY17-mem

Attachment

AGENDA ITEM NO. G.1.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Teresa Fellows, Administrative Coordinator

SUBJECT: Minutes Adoption

ATTACHMENTS:

	Description	Type
🗋	031417 BOS Minutes	Minutes
🗋	102417 BOS Worksession	Minutes
🗋	111417 BOS Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 8:28 AM

M I N U T E S
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
March 14, 2017
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District

Bryan J. Hill, County Administrator
Adam R. Kinsman, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Campbell Daniel, second-grade student at Clara Byrd Baker Elementary School and resident of the Jamestown District.

E. PUBLIC COMMENT

1. Mr. Gary Carlile, 3724 Mesa River, addressed the Board regarding the condition of the streets in Monticello Woods.

2. Ms. Sally Starr, 4001 Owl Creek, addressed the Board regarding the condition of the streets in Monticello Woods.

3. Ms. Barbara Henry, 141 Devon Road, addressed the Board regarding an online checkbook register.

4. Mr. John Ancellotti, 105 James Longstreet, addressed the Board regarding an online checkbook register.

5. Ms. Rosanne Reddin, 4700 Presidents Court, addressed the Board regarding reinstituting two public comment periods a month at a reasonable time, providing an online checkbook register and the multitude of road signs in the County.

6. Mr. Ben Sloane, 2052 Maidens Road, Maidens, Virginia, addressed the Board regarding the positive outcome of his locality instituting an online checkbook register.

7. Ms. Betty Walker, 101 Locust Place, addressed the Board regarding public/private partnerships.

8. Mr. Chris Henderson, 101 Keystone, addressed the Board regarding an online checkbook register, the joint land use study between Newport News and James City County, return of budget surplus to taxpayers, defunding all Stormwater Capital Improvements Program projects, the expense of installing underground utilities on Longhill Road, moving the Board meeting time to 7 p.m. and supporting the Sheriff's request for funding.

9. Mr. Joseph Swanenburg, 3026 The Point Drive, addressed the Board regarding the time of meetings and an online checkbook register.

10. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board regarding the County budget surplus, the positive results of the drainage project in Peleg's Point and the proposed water plant on the Chickahominy River.

11. Ms. Kimberly Winn, 143 Hill Lane, addressed the Board regarding property taxes on her family's land.

12. Mr. Paul Schumacher, 102-A Tilghman Court, addressed the Board regarding an online checkbook register.

F. PRESENTATIONS

None.

G. CONSENT CALENDAR

1. Proposed Street Name Changes - 'Danderfield Court' to 'Dangerfield Court' and 'Pilgrams Circle' to 'Pilgrims Circle'

   A motion to Approve was made by John McGlennon and the motion result was Passed.
   AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
   Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

2. Hampton Roads Hazard Mitigation Plan Adoption

   A motion to Approve was made by John McGlennon and the motion result was Passed.
   AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
   Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

3. Dedication of the Streets in Phase1B, 2 and 3 of the Stonehouse Tract 12 Subdivision

   A motion to Approve was made by John McGlennon and the motion result was Passed.
   AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
   Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

H. PUBLIC HEARING(S)

1. LU-0002-2014. 8491 Richmond Road (Taylor Farm) Land Use Designation Change

A motion to Remand was made by Ruth Larson and the motion result was Passed.
AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, Onizuk
Nays: McGlennon

Ms. Ellen Cook, Principal Planner, addressed the Board with an overview of the staff report included in the Agenda Packet.

Ms. Robin Bledsoe, Planning Commission, reported to the Board that the Planning Commission deferred this request because of concern about the water issue.

As there were no questions for staff, Mr. Onizuk opened the Public Hearing.

1. Mr. Randy Taylor, 7112 Church Lane, Toano, addressed the Board on behalf of the family with a review of the reasons for their request.
2. Mr. Chris Henderson, 101 Keystone, addressed the Board in support of the application.
3. Mr. Joseph Swanenburg, 3026 The Point Drive, addressed the Board in support of the application.
4. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board in support of the application.

As there were no other registered speakers, Mr. Onizuk closed the Public Hearing.

Mr. Hipple noted that he definitely would not like to see this property developed into homes; rather, it is a perfect spot for economic development. He further remarked that a wrong done years ago in splitting the property in half for the Primary Service Area (PSA) needs to be fixed. He stated that it might be prudent to send this back to the Planning Commission for recommendations.

Ms. Larson concurred with Mr. Hipple and recommended sending the case back to the Planning Commission for further consideration and recommendations.

Ms. Sadler expressed her support of the Economic Opportunity (EO) land use designation, commenting that it is a perfect location for this purpose. She stated she also would like to see a wrong righted.

Mr. McGlennon asked Mr. Kinsman if the EO land use designation permits some residential development.

Mr. Kinsman stated that he believes it does permit some percentage of residential.

Ms. Cook confirmed that the Zoning Ordinance would allow it, pointing out that each area designated EO has a specific description written for it, so certain uses could be recommended or not recommended.

Mr. McGlennon asked if it would be possible to exclude residential from an EO zone.

Mr. Paul Holt, Director of Planning, answered that the specificity of language tailored for the property would come at the time of future rezoning or a Special Use Permit (SUP) request. He explained that the EO Ordinance allows up to 15% residential development of a property, which requires an SUP.

Mr. McGlennon noted that he was opposed to the change in land use designation, stating that he did not support the creation of the EO zone and does not see the value of it. Additionally,

development of this property would add to projected water needs.

Mr. Onizuk stated that he was generally in favor of the land use designation change to EO and would be very supportive of remanding the application to the Planning Commission for its insight, guidance and research on how to proceed.

Ms. Larson moved to remand the case back to the Planning Commission.

2. SUP-0012-2016. Chickahominy Summerplace

A motion to Deny was made by John McGlennon and the motion result was Passed.
AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon
Nays: Onizuk

Mr. Jose Ribeiro, Senior Planner II, addressed the Board with an overview of the staff report included in the Agenda Packet. General discussion ensued in reference to details of the proposal, including the Comprehensive Plan's criteria for Rural Residential Clusters, the proposed open space and traffic impacts to Jolly Pond Road.

Ms. Bledsoe reported on the Planning Commission's support of the application, but noted that there was a very long discussion about the proposal. She noted that it is a by-right property with a creative, less intense use being proposed, which is what convinced the Planning Commission to support it.

As there were no other questions for staff, Mr. Onizuk opened the Public Hearing.

1. Mr. Tim Trant, Attorney with Kaufman & Canoles, 4801 Courthouse Street, addressed the Board on behalf of the applicant. He gave an overview of the project, highlighting the benefits of proceeding with a clustered development of one-acre lots versus the by-right development of three-acre lots.

General discussion ensued with respect to the economic impact the proposal would have on the County.

2. Mr. Joseph Swanenburg, 3026 The Point Drive, addressed the Board with his observations regarding the application.

3. Mr. Chris Henderson, 101 Keystone, addressed the Board generally in support of the application.

4. Mr. Tom Hitchens, 350 Thompson Lane, addressed the Board in opposition to the application.

As there were no other registered speakers, Mr. Onizuk closed the Public Hearing and asked Mr. Douglas Powell, General Manager, James City Service Authority, to come forward to answer a question Mr. Hipple had previously raised about central wells.

Mr. Hipple asked at what point does the County take control of a central well.

Mr. Powell replied that the County assumes operation of a central well once its construction is completed.

General discussion ensued concerning the cost of operating and maintaining central wells and

the Subdivision Ordinance that delineates the criteria for them.

Mr. McGlennon observed that the discussion thus far about the proposal is a reflection of the inability over several years of the Board to come to a conclusion about what kind of policy it wants in order to adequately direct development to the proper places.

Mr. Onizuk noted that this is a great topic of conversation for the Board.

Mr. Hipple stated that the Board needs to consider what is going to be done about County roads as new neighborhoods are added, noting this is a County-wide issue. He added that the PSA has always been a tool to specify where growth is allowed, but it is leaking out of the area more and more.

Ms. Sadler observed that three-acre lots would provide open space in itself and that property owners would be paying taxes on that land, commenting that her biggest issue with this application is taking 500 acres and putting it aside to where it is not taxable.

Mr. McGlennon observed that this is a very difficult case and he appreciates the challenge the Planning Commission faced in looking at this. He asked if the Board would be interested in deferring the case to the next regular meeting as it would be beneficial to have more time to digest the information and consider the impacts.

Mr. Onizuk stated that he looks at this application much as the Planning Commission did in that it is a by-right development with the same number of lots. If the developer had come in and asked for more density and more lots, he noted it would certainly be different, but the proposal meets the intention of density and may be a better fit for this community.

General discussion ensued as to whether or not to defer the application to the next regular meeting of the Board with the final decision being against a deferral.

At approximately 7:46 p.m., Mr. Onizuk recessed the Board for a break.

At approximately 7:52 p.m., Mr. Onizuk reconvened the Board.

3. SUP-0009-2016. 7206 Merrimac Trail Rental of Rooms

A motion to Approve was made by John McGlennon and the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

Ms. Lauren White, Planner, addressed the Board with an overview of the materials included in the Agenda Packet regarding an SUP to allow rental of rooms at 7206 Merrimac Trail.

Mr. McGlennon asked if any other applications have come in for this type of use.

Ms. White replied that there have not been any other applications like this.

Mr. McGlennon inquired if staff is working on developing a policy for these issues.

Mr. Holt answered that development of a policy has not yet been started as staff has been waiting to see what the General Assembly is going to do; however, it is slated to be a topic of discussion at the joint work session of the Board of Supervisors and Planning Commission in May.

Mr. Kinsman reported that the General Assembly has passed a bill reaffirming local land use

authority, and additionally the bill allows local governments to create a registry of short-term rental users, so if the governor signs the bill into law, which is due at the end of the month, that is something the Board can consider.

Mr. Onizuk inquired about the mechanism to ensure equality in tax collection.

Mr. Holt responded that the Commissioner of the Revenue would have that information.

Ms. Larson noted that she appreciates the applicant's due diligence in playing by the rules.

Mr. Holt related that there are a lot of ideas and desires for ordinances and policies and staff is hoping to gain through the joint work session some direction on the priority of items so they will know where to start and what is most important to the Board of Supervisors and the Planning Commission.

Mr. Kinsman pointed out that even if the governor does not sign the bill into law, the County still has its local land use authority and will continue to have the ability to issue SUPs with property-specific regulations versus general regulations.

Mr. Hipple asked about a Sunset Clause.

General discussion ensued about the appropriate use of a Sunset Clause to put an expiration on SUP conditions.

Ms. Bledsoe reported that the Planning Commission had a split vote on this application. She noted that it is one of the first applications to come through that truly deals with the sharing economy. Four of the Commissioners felt comfortable that the land use was appropriate, but three Commissioners had concerns about opening the door to a use for which the County does not have a policy.

Ms. Sadler asked if any neighbors came out and spoke at the Planning Commission's Public Hearing.

Ms. Bledsoe replied that there were no comments from neighbors.

As there were no further questions for staff, Mr. Onizuk opened the Public Hearing.

1. Ms. Shelby Dillon, applicant, 7206 Merrimac Trail, expressed to the Board her understanding of the issues due to there not being a policy in place and asked if there were any questions she could answer.

Mr. McGlennon inquired about the issue of a covenant for this section of the neighborhood that would prohibit this type of enterprise. Additionally, he voiced concern that the property fronts on a commercial street and is surrounded by commercial activity.

Ms. Dillon responded that the property is so closed off that the only people they see are walking up and down the street and most people do not know they even exist.

As there were no other registered speakers, Mr. Onizuk closed the Public Hearing.

Ms. Sadler asked if this could be deferred until a policy is in place.

Mr. Kinsman reported that Virginia Code requires a decision be made within a year of an application and that time has come.

Mr. Hipple observed that a Sunset Clause would cover what the Board is looking at and by the time it expires, a policy will be in place.

Mr. Onizuk stated that the applicant has been very patient with the Board and echoed Ms. Larson's appreciation that the applicant is trying to follow the proper channels.

Mr. McGlennon asked if it would be possible for the Board to not accept any applications of this kind until a policy is in place.

Mr. Kinsman noted that the Board lacks the legal ability to establish a moratorium on a particular type of application, but reminded the Board that when an application comes in it has a year to make a decision.

Mr. Onizuk commented that he is in general support of the sharing economy as it is an opportunity for private citizens to utilize their vehicle and/or home to produce income and he looks forward to discussing development of a policy with the Planning Commission.

Mr. McGlennon moved to adopt the resolution that includes a Sunset Clause.

I. BOARD CONSIDERATION(S)

1. Virginia Department of Transportation Project No. UPC 100921 Longhill Road Widening, Phase 1 and UPC 108805 Olde Towne Road at Longhill Road Turn Lane - Establishment of an Underground Utility District

   A motion to Approve was made by Michael Hipple and the motion result was Passed.
   AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
   Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

   Mr. Holt addressed the Board with an overview of the proposal as included in the Agenda Packet.

   General discussion ensued with respect to funding specifics.

J. BOARD REQUESTS AND DIRECTIVES

Ms. Larson asked Mr. Hill if a line item for Upcoming Dates of Interest could be added to the Board's agenda as she has noted this in the Economic Development Authority's (EDA) meeting agendas and thinks it would be helpful in providing reminders of special appearance opportunities.

Mr. Hill stated that he would look into this and make sure she gets an invitation and he will also ensure that the County's calendar system is working correctly.

Ms. Larson thanked Matthew Whaley Elementary School for inviting her to participate in Read Across America Day. She thanked County staff for a very informative Neighborhood Forum last week, which focused on litter and cleaning up James City County, noting that she had no idea that a cigarette butt did so much damage. She expressed concern over the possibility of losing funding towards the Chesapeake Bay because it is such a valuable waterway and urged people to get involved. She reported on her attendance at the EDA meeting last Thursday and thanked Mr. Jason Purse, Deputy County Administrator, for doing an excellent job.

Mr. Hipple reported that he has been kept busy attending meetings of the Hampton Roads Transportation Accountability Commission, Hampton Roads Transportation Planning Organization and Hampton Roads Planning District Commission. He noted that

he will have some information to share at the next Board meeting on some upcoming transportation issues that are very exciting. He announced that he will be running again to be on the Board of Supervisors and looks forward to serving the citizens of James City County another four years.

Ms. Sadler announced that she will be attending a Hampton Roads Military and Federal Facilities Alliance meeting in Chesapeake. She requested that the Board consider changing its meeting time to 6 p.m. as a compromise between the people who want it at 5 p.m. and those who would prefer a 7 p.m. starting time.

Mr. McGlennon reported on his attendance at a set of meetings for the Fort Eustis Joint Land Use Study and explained that the objective of the study is for Fort Eustis to help the localities involved identify potential conflicts that might arise in their land use so that when jurisdictions develop comprehensive plans they are prepared to deal with this issue. Another thing Fort Eustis wants communities to be aware of is the opportunity to work with them to make its recreational and other facilities available for use by citizens.

Mr. Onizuk reiterated his support of the online checkbook as mentioned in the Public Comments. In response to the citizen comment about defunding the Stormwater Capital Improvements Program, he reported that these projects and programs have a real benefit for citizens and are not just for some theoretical credits. He noted that he attended a Tourism Forum where he learned that the Commonwealth Cycling Classic that was scheduled for August has been cancelled due to loss of funding from the state. He concluded by indicating that he would like to meet with Mr. Hill regarding some concerns identified by leadership of the Williamsburg Area Destination Marketing Committee.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Before delivering his report, Mr. Hill called Mr. Holt to the podium to discuss some developments on the Hicks Island Road bridge.

Mr. Holt addressed the Board with an overview of the Hicks Island Road bridge replacement project, noting that staff will explore the item further with the Virginia Department of Transportation and prepare a Resolution of Support for the Board's consideration at its next regular meeting on April 11.

Mr. Hill reported that on March 19 there will be paving and milling work on Jamestown Road. The work will begin at 8 p.m. and proceed until 5 a.m. He announced that the Police Department will be conducting a one-day Firearm Safety course on April 1, April 17, May 6, May 22, June 3 and June 19. He directed citizens interested in signing up for a class to register online at jamescitycountyva.gov/police. Mr. Hill thanked the Board for allowing many of the staff, including himself, to be very involved with the community and reported that this has allowed him the opportunity to attend Lafayette High School football practices and to be an assistant coach at Jamestown High School. He then reminded the Board that its next meeting will be a joint meeting with the Williamsburg-James City County (WJCC) School Board and the Williamsburg City Council on March 17 at 9 a.m.

L. CLOSED SESSION

Mr. Onizuk stated that a Closed Session was not necessary for the two agenda items below.

1. Historical Commission Appointment

   A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon and the motion result was Passed.
   AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
   Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

   Mr. McGlennon made a motion to appoint Mr. Ian Brickey to the Historical Commission for a term that expires on June 30, 2020.

2. Appointment to the Community Action Agency Board of Directors

   A motion to Appoint Individuals to Boards and Commissions was made by Ruth Larson and the motion result was Passed.
   AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
   Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

   Mr. Onizuk reported that Ms. Amanda Wheeler has applied to serve on the Community Action Agency Board of Directors to fill the current vacancy for a term that expires on September 25, 2017.

M. ADJOURNMENT

1. Adjourn until 9 a.m. on March 17, 2017 for the Joint Meeting with W-JCC School Board and Williamsburg City Council

   A motion to Adjourn was made by John McGlennon and the motion result was Passed.
   AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
   Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

   At approximately 8:48 p.m., Mr. Onizuk adjourned the Board.

M I N U T E S
JAMES CITY COUNTY BOARD OF SUPERVISORS
WORK SESSION
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
October 24, 2017
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District

Jason Purse, Deputy County Administrator
Adam R. Kinsman, County Attorney

C. BOARD DISCUSSIONS

1. Public Hearing - Case No. ZA-0005-2017. The Promenade at John Tyler - Appeal of a Proffer Interpretation

A motion to Approve was made by John McGlennon and the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

Ms. Christy Parrish, Zoning Administrator, addressed the Board with an overview of the memorandum and proposed resolution included in the Agenda Packet. She explained that Mr. Vernon Geddy, on behalf of Franciscus at Promenade, LLC, is appealing her determination that the relevant price of a dwelling unit is the total sales price inclusive of any options or upgrades as shown on the closing disclosure or HUD-1 Settlement Statement.

Mr. Onizuk opened the Public Hearing.

1. Mr. Vernon Geddy, 1177 Jamestown Road, addressed the Board on behalf of the applicant, Mr. Gary Werner, Franciscus at Promenade, LLC. He reminded the Board that this is a project where all the units are proffered to be built within the price tiers of the County's Housing Opportunities Policy (HOP). He stated that in looking at a policy the first thing to review is what the words themselves say, and as he pointed out in the appeal letter, everywhere in the policy or the guidelines for the policy it does not say "sold," it says "offered for sale." He explained that Franciscus has a base price per unit with limited upgrades available such as granite countertops, a screen on the balcony or a refrigerator. He concluded by saying that they believe what they are doing complies with what the policy says.

Mr. McGlennon noted that the proffers allocate certain numbers of units to certain price points and wondered if that would change as a result of people purchasing upgrades.

Mr. Werner replied that it could change and stated that the concern is a unit can be offered for sale near the top of a price band and it would be considered affordable as long as nobody puts a washer and dryer in it, but if they do, then it no longer falls in the affordable housing price band.

Mr. McGlennon expressed concern that the policy was adopted in order to ensure there are housing units available at particular prices, but if people have the opportunity to bid up units that were supposed to be offered at one price to higher prices because of upgrades, it seems that would not be consistent with the policy.

Mr. Werner related that the units would continue to be offered at the base price.

Mr. McGlennon responded that the proffers were made and the project was approved on the assumption that there were going to be houses that people could buy within specific price ranges and that the ultimate project would have that kind of distribution in it.

Mr. Onizuk stated he would be concerned about setting a precedent that would allow a builder to offer a unit for sale that is stripped down and then have expensive upgrades and still say they are offering the unit at an affordable housing price. He also noted that this would affect the secondary resale market on affordable housing.

Mr. Geddy pointed out that the total amount of upgrades for this project is only about $5,000.

Mr. Werner confirmed that the upgrades are in the 2% range of the sales price, or $4,000 to $5,000 depending on the house.

Mr. Onizuk reiterated his concern that if the proposal is approved for this project, then a precedent will be set.

Mr. McGlennon commented that this would result in a double hit on the County. First, it would change the composition of the units in the project to a higher number that are at a higher price point and then the County would be asked to count them at the lower price point, meaning there would be a greater reduction in the proffer.

Ms. Sadler asked if this would be something that could be dealt with on a case-by-case basis until the Workforce Housing Task Force is in place and has developed a policy that the Board approves.

Mr. Onizuk answered that it can certainly be handled that way, but cautioned that once something has been approved, it does set a precedent.

Mr. Hipple asked Mr. Geddy how this change would benefit James City County and its citizens.

Mr. Geddy answered that this is the only project he is aware of that is doing 100% of the units in a high quality project with extensive amenities in a key location in accordance with HOP and noted this change would make it significantly easier for them to be successful.

Mr. Hipple replied that the project is already in place and asked again what benefit the change will bring to the citizens of James City County.

Mr. Geddy responded that it will allow the developer to deliver what the County had hoped it would be able to deliver when the project came through.

Mr. Hipple continued with an example of when it was decided to raise the berm and move the soil to save money it was a benefit to the developer cost-wise and a benefit to the County as far as making it more appealing and questioned where exactly the citizens would benefit from this change.

Mr. Geddy had no further answer other than what he had already stated.

Mr. Onizuk asked if the benefit is being open to more affordable housing projects in the future because of the flexibility.

Mr. Geddy answered yes.

Ms. Larson asked if a Settlement Statement is received in every instance when a unit is sold.

Ms. Parrish noted that the policy does say that the Settlement Statement is required and is in the portion of the soft second mortgage; however, if a unit is sold that does not require a soft second mortgage, it is not listed on the HUD-1 Settlement Statement. She noted that state law changed several years ago that said the proffer could only be collected after the final building inspection and prior to the Certificate of Occupancy, which occurs at the same time. She stated that this does cause a problem where the sale has not closed so there is no Settlement Statement. She explained that how it has worked in the past is usually the developer will report what the contract sales price is and the proffer is collected based on that figure and then later, after a copy of the Closing Disclosure has been received, she verifies that the correct amount of proffer was collected. She also receives a copy of the Deed, which has the Right of First Refusal language.

Ms. Sadler asked Mr. Geddy to review where the Settlement Statement falls in the lineup of a sale.

Mr. Geddy revealed that often at the time a proffer payment is due, there will not be a Settlement Statement because closing has not occurred, so the Settlement Statement comes after the fact. He stated that it is prohibited by law to share the Closing Disclosure without a buyer's specific permission, so it is possible to run into a case where the buyer says they do not want the Closing Disclosure shared.

Ms. Parrish reported that collecting Settlement Statements has not been a problem in the past.

Mr. Geddy noted that his proposal would be to include with the proffer payment a certified copy of the Sales Contract, which would have the binding sales price on it, and then provide verification if needed after the fact.

Mr. Onizuk confirmed that the Closing Disclosure now cannot be released without approval of all parties and that there is no longer a HUD-1 Settlement Statement.

Mr. Hipple commented that if people start moving in and realize this is a good

neighborhood and then people start trying to outdo each other with upgrades, it becomes a neighborhood outside what had originally been discussed.

Mr. Geddy reiterated that there are very limited upgrades available, such as granite countertops, screened in balcony, refrigerator, etc., so if there is a unit priced at the upper limit of one of the price tiers and the purchaser wants to add an upgrade, that bumps it over that price tier, causing problems for the developer.

Mr. Werner added that this leaves him in the position where he cannot sell any upgrades. He remarked it is interesting that if he sells an upgrade, the house is no longer considered affordable, but if the homeowner opts to buy the upgrade elsewhere, such as from Lowe's, it is still affordable. He stated that if he offers units for sale at prices that comply with the established price bands, he believes he has complied with the proffer. He recalled the rezoning hearing three years ago where he had to determine if he could do the project within the price bands on the basis of offering the units at base prices. It never occurred to him that if someone wanted a refrigerator it would leave him in the position of having to say either no or discount the base price of the unit to accommodate the upgrade. He pointed out once again that the upgrades are minimal, only a few thousands of dollars for granite, refrigerators or things of that nature.

Mr. McGlennon observed that a few thousand dollars in granite and then refrigerators, appliances and hardwood floors may bump the price up $10,000 to $20,000 and these could be units that could potentially be priced outside the affordable range entirely because of upgrades.

Mr. Onizuk read No. 2a from HOP: "At least 20 percent of a development's proposed dwelling units should be offered for sale or made available for rent at prices that are targeted at households earning…" and noted that the developer may have a base price unit offered for sale, but in the end that unit with upgrades is not actually being offered for sale at that price, it's being offered for sale at a higher price.

Ms. Larson commented that the policy is what was agreed upon.

Mr. McGlennon added that it is the policy that has been followed by the County consistently.

Mr. Onizuk expressed his concern that a Pandora's Box could be opened allowing developers to set a base price with the goal of upgrading all of the units to make projects more profitable.

Mr. McGlennon observed that it does raise the question of exactly what the pricing of these items would be. If there are 120 units being priced at 61-80% of the average income rate, it is only the ones that are in the 80% range that are going to be pushed over the maximum and if most of the units in this project are going to be priced at 80%, then again that is going to skew the affordability of the development.

Mr. Onizuk closed the Public Hearing.

Ms. Sadler asked how the market affects affordability.

Mr. Onizuk explained that as market prices go up and down, it impacts affordability, but it also impacts the price points within HOP, noting that HOP price points 10 years ago are different than today's price points.

Ms. Sadler wondered how is this accounted for on an ongoing basis.

Mr. McGlennon noted that the applicant voluntarily offered to provide these units at a rate that was affordable to people that fall under certain income categories, so they read the market in a particular way and made the decision that they could do this. He stated that it is not an entirely market-driven choice once proffers are submitted because the applicant is saying that they recognize the County does not have to give approval for this rezoning, but they want the County to know that something valuable is being provided through this project.

Mr. Onizuk asked if Ms. Parrish or Mr. Paul Holt, Director of Community Development, could answer how price points are determined and how often they are updated.

Mr. Holt stated that price points are determined by the U.S. Department of Housing and Urban Development (HUD) because they determine what the area median income is. Staff verifies this at least once a year, but HUD does it on an infrequent basis. He indicated that staff is happy to rerun these numbers for developers and noted that they did that in this instance as well.

Mr. Onizuk commented that the HUD Median Income Level is used throughout the housing industry, even in the mortgage world to determine who qualifies for first-time homebuyer programs and subsidized mortgage programs.

Mr. Geddy pointed out that an additional protection for the County is the right of first refusal, which gives the County the opportunity to buy a unit at the affordable price if it feels the price is out of whack and resell it.

2. Update from the Greater Williamsburg Chamber and Tourism Alliance

Ms. Karen Riordan, President of the Greater Williamsburg Chamber and Tourism Alliance (GWCTA), introduced Mr. Kevin Jones, President and CEO of King's Creek Plantation and Chairman of the GWCTA Board of Directors, and Mr. David Cromwell, Park President of Busch Gardens and member of the GWCTA Board of Directors. She then addressed the Board with a presentation detailing the marketing efforts of GWCTA, which was included in the Agenda Packet.

Mr. Onizuk asked what the impetus was for changing the Harvest Festival to a spring event (renamed Williamsburg Taste Festival).

Ms. Riordan revealed that based on research and doing some post-analysis at the conclusion of last year's Harvest Festival, it was discovered that many people were confused by the name, thinking it was going to be a family type event with hayrides, pumpkins, face-painting and other children's activities rather than a foodie festival with food, beer and wine, which led to the decision to rename the event to better communicate that it is a food and wine festival. Additionally, based on feedback from tourism partners, specifically restaurants and hotels, it was learned that spring would be a better time of year for the event.

Ms. Larson asked where the Culinary Village at the Williamsburg Taste Festival will be located.

Ms. Riordan explained it will be a tented area adjacent to the Community Building near the Williamsburg Regional Library where people will buy a ticket ahead of time or at the door to be able to participate in tastings of food and drink. She noted there will also be food vendors promoting fresh Virginia food.

Ms. Larson asked if the plan is to have the Culinary Village at the same location every year.

Ms. Riordan replied that because it is a collaborative effort between James City County, GWCTA, the City of Williamsburg and York County, the plan is not to keep it at the same location every year, but to try other locations such as the Jamestown Marina and Riverwalk Landing in Yorktown.

Ms. Riordan continued her overview, focusing on tourism numbers for the calendar year through July 2017.

Mr. Onizuk observed that the County's number of hotel rooms increased by about 4% and the number of occupied hotels went up by about 4%, so occupancy percentage in the hotels was basically flat. He also noted that the number of occupied timeshares is going up and the County is benefitting from a reduction in the number of rooms available in the City of Williamsburg and the overall region. He then pointed out that a lot of what Ms. Riordan reported in her presentation is also part of the efforts of the Williamsburg Area Destination Marketing Committee (WADMC), specifically the public relations items and VisitWilliamsburg.com.

Ms. Riordan gave an overview of GWCTA's budget to show that it is working very hard to efficiently use the money the County invests to do a lot of good things for the destination.

Mr. McGlennon asked which of the investments seem to be the most beneficial and which areas are not as productive.

Ms. Riordan replied that Consumer Sales and Marketing are incredibly important in increasing visitation. She pointed out that Conference Sales is a much smaller number, but is very important to hoteliers that provide conference sales service and really need that business.

Ms. Larson asked how the $2 Lodging Tax is reported on timeshares that are rented.

Mr. Onizuk reported that this is a question that has been looked into over the past year due to concerns in James City County that this tax was being under-reported. He noted that the Commissioner of the Revenue does audits and is good about tracking reporting and receipt of the tax.

Ms. Riordan added that the timeshare owners are paying property tax in James City County in addition to buying tickets to attractions and events, eating out and creating economic impact for the County, just not through the $2 tax.

Ms. Larson emphasized that she was specifically asking about timeshares that are being rented out by owners and whether they are responsible for self-reporting the Lodging Tax or if the timeshare company is reporting it.

Mr. Jones reported that if a unit is in the rental pool, the timeshare company pays the $2 Lodging Tax.

At approximately 5:19 p.m., Mr. Onizuk recessed the Board of Supervisors for a break.

At approximately 5:25 p.m., Mr. Onizuk reconvened the Board of Supervisors.

Before moving on to the next agenda item, Mr. Onizuk noted that as he is involved with WADMC he wanted to clarify that a lot of the accomplishments noted in slides 11-26 of Ms. Riordan's presentation represented WADMC dollars and initiatives with the support of GWCTA. He noted that GWCTA and WADMC are somewhat of a combined organization with an overlap of duties and employees but each has a distinct charter. He stated that WADMC focuses on summer tourism while GWCTA is focused on fall, winter and spring tourism.

3. GO Virginia Project Update and Resolution of Support

A motion to Approve was made by Ruth Larson and the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

Mr. Purse addressed the Board with an overview of the GO Virginia grant proposal for a Hampton Roads unmanned systems testing, demonstration and recreational facility as detailed in the Agenda Packet. He explained that all of the specifics have not been identified yet and that the first step in the process is to ask the state for grant money.

Ms. Amy Jordan, Director of Economic Development, added more details about the location of the proposed project.

Mr. McGlennon asked how competitive is the process, indicating that his understanding is that GO Virginia has not been funded at requested levels.

Mr. Purse and Ms. Jordan responded that there is between $3 and $5 million, indicating that there is a regional pot and a statewide pot.

Ms. Jordan stated that in this area she believes they are looking at roughly $3 million for this type of project. She noted that they had some other GO Virginia initiatives that were separate from this more of an implementation type project. She reported that there are two projects in this region that are going forward that have been supported at the Hampton Roads Planning District Commission level.

Mr. McGlennon asked if there is any expectation of matching funds.

Mr. Purse explained that the grant is a 50% matching grant, so the application is for $1 million, leaving the regional group to come up with $500,000. He explained that this would be based on how much localities want to commit. For example, a locality like Poquoson that does not have developable land to do any type of project might want to participate at a higher level to get a higher rate of return on their investment. This dollar amount would come after the GO Virginia grant has been approved because if there is no money from GO Virginia, there is no pot of money to start from.

4. Legislative Agenda Initial Discussion

Mr. Kinsman noted that at last year's meeting on the Legislative Agenda the Board

requested extra time for discussion, so it has been stretched out more this year to allow a little more time for discussion. He referred Board members to the list he had provided them of what happened in the 2017 legislation and remarked that he had one suggestion for direct legislation this year. He noted that last year there was a change to the Virginia Code that states single-family residential building plans are now to be considered confidential and not subject to the Freedom of Information Act (FOIA). He commented that not being subject to FOIA means the public cannot see them, but the General Assembly did not define from whom the plans are to be confidential. He stated that his office is taking a conservative approach to this and saying there is a very limited number of staff that can look at single-family residential building plans submitted to the County at least until there is some clarity given on the wording. He is recommending a couple of alternatives to include just removing the word confidential and saying single-family residential building plans are not subject to FOIA, meaning the public cannot see them, or leaving the wording as is with an exception noted that staff can look at the plans. He noted that he would forward his suggestion to the Board after this meeting.

Mr. McGlennon asked if this is referring to when somebody is building a house on an already subdivided lot.

Mr. Kinsman confirmed this. He stated that he thought this comes from home designers wanting to protect their plans.

Mr. Hipple observed this is going to make it tough on inspectors if they cannot look at the plans.

Mr. Kinsman responded that if someone is turning in plans to get approval, it is inferred that Building Code staff can look at them, but stated that he is unsure of how far the inference can be taken.

Mr. Kinsman reported that this is the only direct legislation item he has. He noted there are a number of positional statements in the second part of the Legislative Agenda, many of which carry over year to year. He asked the Board to look at these and see if any can be taken off.

Mr. Onizuk referred to list Item 1-1: "Include James City County as one of the localities that may regulate inoperable motor vehicles pursuant to Virginia Code § 15.2-905." He indicated that this is something that had been lobbied for and he had talked to Delegate Brenda Pogge, who was opposed to the suggestion. She said she had some constituents with concerns, in particular one concern that made it something she would not support. He suggested that Mr. Kinsman reach out to her and find out more about the concern and what can be done to allay it.

Mr. Kinsman revealed that some of the very rural localities are concerned that this could lead their localities to follow suit, taking away their citizens' right to have inoperable motor vehicles on their property.

Mr. Onizuk indicated that he thought this was along the lines of Delegate Pogge's issue with it, but there seemed to be a slight tweak that could be done to pacify the concern.

Mr. McGlennon recalled that in discussion with Delegate Pogge she focused a lot on farm equipment.

Mr. Kinsman stated that if the Board wants to include this again this year, he will be

happy to reach out to Delegate Pogge and make another run at it.

Mr. Onizuk replied that Delegate Pogge may be able to give some guidance and advice on what would make it palatable for her and some of her fellow delegates.

Ms. Larson observed that there is nothing on the list specifically about proffers.

Mr. Kinsman noted that there is the positional statement from last year. He noted that in his discussions with fellow local government attorneys and on a special panel that included Mr. McGlennon, he feels there is not going to be any real desire to change the proffer law at this point. He stated that it is his hope that a study group of local government practitioners and builders can be brought together to come up with something that would be acceptable to everyone. He noted this is the first positional statement, but if the Board would like something stronger or direct legislation that would order the General Assembly to establish a subcommittee, he can change it.

Mr. Hipple observed that York County does proffers for schools, but James City County does not.

Mr. Kinsman confirmed this and revealed that every locality has dealt with the proffer law differently. To his knowledge, James City County and the City of Norfolk are the only two localities that have chosen not to accept proffers anymore while other localities have instituted complicated procedures to allow proffers. He remarked that if the Board changes its mind, procedures can be adopted to accept proffers, noting it would take just a little bit of time to do it.

Ms. Larson asked if this could be something discussed at a future Board meeting.

Mr. Kinsman agreed and stated that nothing has changed since his memorandum from approximately a year ago, other than a couple of communities have come up with different ways of accepting proffers.

Mr. McGlennon noted that he had circulated to the Board some information on proffer legislation from a High Growth Coalition conference he attended in June. He noted that high growth locales are going to be looking at a reasonable impact fee alternative to proffers, which would apply to all new construction as opposed to only rezoning cases. He recalled an effort to impose impact fees a few years ago, but the level of compensation was ridiculously low so it did not go over well. He also reported that the Virginia Chapter of the American Planning Association is trying to work with others to organize an informal study on how impact fee laws work in other states.

Mr. Hipple remarked that this would be tough on someone building one house.

Mr. McGlennon replied that if it is extended to all properties, the per unit cost would come way down.

Mr. Hipple acknowledged this, but stated that he would be more worried about a grandfather or father giving land to a son or daughter to build a house as opposed to a huge development.

Mr. McGlennon stated this could still be covered by HOP, which could be adapted to an impact fee policy with a sliding scale depending on cost of construction or income.

Mr. Hipple noted this could be something covered at the Board retreat.

Mr. McGlennon stated that he does not think this is something that is going to happen until there has been a legislative study.

Ms. Larson remarked that a legislative study is something the Board should support.

Mr. Kinsman commented that impact fees are in the Code and are primarily used for transportation. He noted that they are different enough from proffers that it may be something everybody is willing to take a look at and may have a better chance of making it through than establishing a committee to look at proffers again because that gets heated pretty quick.

Ms. Larson brought up her conversation with Mr. Kinsman regarding panhandling because that is something she is asked about a lot. People feel it is a distraction in a very busy area on Monticello Road. She remembered that Mr. Kinsman had said this was something that was going to be brought up at a conference he was going to be attending and she asked for an update on what he had learned.

Mr. Kinsman advised that nothing can be done legislatively as the courts have consistently found that medians are a public forum; therefore, people have a First Amendment Right to Freedom of Expression there. He commented that there has been a very good argument brought up that it is extremely dangerous and the courts have agreed; however, the First Amendment is not considered with danger, so the County cannot prohibit people from being in the median. He acknowledged that there are localities that have laws that way. In fact, even the Virginia Code has given the Virginia Department of Transportation (VDOT) the capability of saying people cannot be in the median, but he noted that these laws will not be upheld if challenged. He stated that the ways localities have dealt with the issue has been with signage that says "Please Do Not Encourage Panhandling" and gives a phone number for people to call if they need help. He stated that some localities have gone as far as installing landscaping in the median to make it less inviting. He noted that he has been working with Mr. Bryan Hill, County Administrator, and Mr. Purse on some alternatives to bring to the Board.

Mr. McGlennon wondered if something could be done if it is documented that a safety hazard is being caused.

Mr. Kinsman replied that it could help, but going up against the First Amendment means it is going to be under strict scrutiny. It would have to be a documented problem that has been tried to be solved multiple other ways and this would be hard to do unless it is one small median or a busy intersection.

Mr. Onizuk commented that if someone was being harassing or impeding traffic or something of that nature, that would be something that could be reported to the police department.

Mr. Kinsman answered that if someone is impeding traffic and moving into the travel lanes, there are different laws for that, but if the person is staying in the median, there is not much that can be done.

Mr. Purse added that he has been working with graphic design staff on what potential signs could look like so they can be run by VDOT to see if they pass their requirements and do some cost evaluations.

Mr. Kinsman observed that VDOT has to approve the signage, noting that he believes they are mostly looking at sight lines, so as long as the sign is not too big and obtrusive, it should not be a problem to get approval.

Mr. Kinsman explained that he will make whatever changes that come out of this meeting, email the updated list to the Board and then bring the updated Legislative Agenda to the Board for formal adoption at its next meeting on November 14. After it is adopted, the legislators will be brought in to the next work session.

Mr. Onizuk noted that work is being done to add a tourism item to the Legislative Agenda.

Mr. McGlennon asked for more information on the tourism item.

Mr. Onizuk stated that they are working with a consultant on how to redirect tourism funding.

Ms. Larson noted that last week in a discussion with Ms. Kyra Cook, Chair of the School Board, Standards of Quality came up and the issue of decreased funding for education. She asked if requesting that funding for schools not be reduced any further would be better as a position statement or a legislative action item.

Mr. Kinsman explained that an action item requests that a section of the Virginia Code be changed versus a positional statement, which is a general request to the General Assembly such as: please do not issue any unfunded mandates, please do not reduce funding to schools or please let us have taxing equity between cities and counties.

Ms. Larson asked if the positional statements have an impact.

Mr. Kinsman noted that in his time with the County the positional statements have not been gone over with the legislators and noted it is probably a better question to ask them.

Mr. McGlennon suggested having a statement prepared ahead of time to let the legislators know what the Board is hoping to get out of the legislative session in terms of both specific action items and positional statements.

Ms. Larson remarked that she liked that idea.

Ms. Elizabeth Parham, Assistant County Attorney, addressed the Board with an overview of the three recommendations she has received from the Department of Social Services (DSS) leadership over the past few weeks, which are in part two of the Legislative Agenda. The first recommendation is that the County support the Virginia Department of Aging and Rehabilitative Services' proposal to fund software licenses and training for local departments of social services under the No Wrong Door Virginia program. She explained that No Wrong Door Virginia is a data system and statewide network of local partnerships that allow providers to securely share personal level data.

Mr. McGlennon asked if this would require individual citizens to approve the transfer of their information.

Ms. Parham replied that she does not know the details, but she imagines that under the Health Insurance Portability and Accountability Act they would have to approve

the sharing of their personal information.

Mr. Hipple asked about the possibility of people not wanting to participate and causing the effort to not actually be a help to citizens.

Mr. McGlennon stated he thought it is a great thing to do to make things more convenient for people but at the same time people should have the opportunity to opt out of it.

Ms. Sadler observed that it is similar to what is being done at doctors' offices where people can go to any office that is part of a provider's group and they automatically have their information.

Ms. Parham continued to the second recommendation, Emergency Conservator Appointments, where DSS is requesting that the County support the Virginia League of Social Services' efforts to amend Virginia Code Section 63.2-1609 to provide for the emergency appointment of a temporary conservator in cases where alleged financial exploitation imposes an immediate threat to incapacitated persons. She explained that this section of the Code already allows for the appointment of a guardian, who can make general health decisions, but conservators are focused on financial decisions and it can take a while to appoint a conservator through the Circuit Court. This request is to allow someone to be temporarily appointed as conservator when there is an emergency or they feel the exploitation cannot be stopped by another means. She then stated that the third request is for state funding for mandated services provided by Community Services Boards.

D. CLOSED SESSION

1. Consideration of a personnel matter involving a performance review of the County Administrator, and the County Attorney, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

A motion to Enter a Closed Session was made by John McGlennon and the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

At approximately 5:59 p.m., the Board entered Closed Session.

At approximately 6:19 p.m., the Board re-entered Open Session.

2. Certification of Closed Session

A motion to Certify the Closed Session was made by John McGlennon and the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

3. Actions Resulting from Closed Session

A motion to Authorize was made by John McGlennon and the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

Mr. McGlennon made a motion to authorize a 4% salary increase for the County Attorney, retroactive to July 1, 2017, and he requested that Human Resources calculate that amount and then for County Administration to transfer that amount from the Contingency Fund.

Mr. Onizuk stated that the performance review of the County Administrator would be continued until the November meeting.

E. ADJOURNMENT

1. Adjourn until 5 p.m. on November 14, 2017 for the Regular Meeting

A motion to Adjourn was made by Sue Sadler and the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

At approximately 6:20 p.m., Mr. Onizuk adjourned the Board.

M I N U T E S
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
November 14, 2017
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

Ruth M. Larson, Vice Chairman, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Stonehouse District
John J. McGlennon, Roberts District
Kevin D. Onizuk, Chairman, Jamestown District

Bryan J. Hill, County Administrator
Adam R. Kinsman, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leaders - Arrow of Light Scouts from Pack 414 in Norge

E. PUBLIC COMMENT

There were no speakers for Public Comment.

F. PRESENTATIONS

1. VDOT Quarterly Update

Mr. Rossie Carroll, Virginia Department of Transportation (VDOT) Residency Administrator, gave an overview of a two-month update that is included in the Agenda Packet.

Mr. Hipple inquired about the right-turn on red at Harris Teeter on Centerville Road, commenting that the sign is located next to the light and frequently is not noticed by drivers and asked if a sign could be put on a pole.

Mr. Carroll responded that a traffic engineer will review this issue.

Mr. Hipple inquired about the possible traffic light at Jolly Pond and Centerville Roads.

Mr. Carroll replied that a signalization study was completed and it was warranted, but funding has not been established. He stated that perhaps it is something that can be put

in the Revenue Sharing Program or Secondary Six-Year Plan funding.

Mr. Hipple inquired about putting a "Slow" sign on the "S curve" area of Jolly Pond Road.

Ms. Sadler thanked Mr. Carroll for attending the VDOT meeting and explaining everything to everyone.

Mr. McGlennon also expressed his thanks to Mr. Carroll for his participation at the Skiffes Creek Connector meeting and noted that there were a lot of good comments and questions from citizens. He questioned details on the upcoming November 16 workshop and inquired if it will be an organized session with exercises.

Mr. Carroll replied that it will be a location study, community information meeting.

Mr. McGlennon inquired if someone is unable to attend the meeting, will they be able to make comments.

Mr. Carroll replied yes, it will be open for electronic comment until a certain cut-off time which he currently did not know.

Mr. McGlennon expressed his thanks for the work on Chestnut Drive, asking if Mr. Carroll feels this solved the drainage and erosion issue.

Mr. Carroll replied yes.

Mr. McGlennon inquired about a sinkhole on Route 143.

Mr. Carroll stated that a Cured-In Place Pipe procedure was done that fixed the issue.

Mr. Onizuk expressed his delight regarding Monticello Woods Phase II being paved and noted the only concern in the Jamestown District is the area of WindsorMeade; however, he is aware of VDOT working on that issue. He noted that this is his last VDOT Quarterly Update and stated that it has been a pleasure working with Mr. Carroll.

Mr. Carroll expressed his appreciation to the service Mr. Onizuk has provided.

2. James City County Parks and Recreation Accreditation

Mr. John Carnifax, Director of Parks & Recreation, expressed kudos to James City County employees, commenting that in September the County earned national accreditation through the Commission of Accreditation of Parks and Recreation Agencies (CAPRA), and the National Recreation and Parks Association. He stated that CAPRA accreditation is the only national accreditation for parks and recreation agencies and it is a major measure of an agency's overall quality of operation, management and service to the community. He further stated that this mark of distinction indicates an agency has met rigorous standards related to the management and administration of lands, facility, resources, programs, safety and services. He noted that the County met 100% of the standards of accreditation and gave an overview of the process of accreditation. He remarked that the County received a Gold Metal Award in 2012 and noted that the County was the fourth locality in the state to ever achieve both accreditation and win a national Gold Metal Award. He expressed his thanks to the

Board for its continued leadership and also to the administrative staff and Executive Leadership Team for their continued support. He recognized in the audience: Ms. Cheryl Sonderman, Ms. Julie Northcott-Wilson, Ms. Joan Etchberger, Ms. Carla Brittle, Ms. Pauline Milligan, Ms. Arlana Fauntleroy, Mr. Alister Perkinson, Mr. Rob Insley, Ms. Kelley Herbert, Ms. Tracy Newsome, Ms. Nancy Ellis and Ms. Angie Sims giving them a round of applause and joining them as they took a group photo with the Board.

Mr. Onizuk expressed his and his fellow Board member's gratitude to the Parks and Recreation staff for the jobs they all do.

3. Government Finance Officer's Association Distinguished Budget Award

Mr. Aaron McCoy, Executive Board Member of the Virginia Government Finance Officers' Association, presented the Distinguished Budget Presentation Award to James City County, Virginia. He stated that the Distinguished Budget Presentation Award Program has been in operation since 1984, with the purpose of the program being to encourage governments to prepare budget documents of the highest quality for the benefit of citizens and other parties with a vital interest in the budget process. He further stated that James City County had to substantially conform to the programs demanding criteria which incorporated the guidelines of the National Advisory Council on state and local budgeting. He remarked that the receipt of this award reflects the professionalism and commitment of numerous individuals and hard work and also reflects a high degree of dedication and leadership on the part of the County's Board of Supervisors.

Mr. Onizuk thanked Mr. McCoy for attending the meeting as well as Mr. Hill, Ms. Sue Mellen, Director of Financial and Management Services and the entire finance team. He commented that James City County, the leadership team with the Board and the financial staff have worked very diligently to uphold the commitment to fiscal responsibility and further commented that he is pleased the County was recognized for transparency for financial dealings.

Mr. Hill expressed his thanks to Mr. Onizuk for his leadership and having been given the opportunity to go forward under the leadership of Ms. Mellen and Ms. Sharon Day, Assistant Director of Financial and Management Services. He further expressed his gratitude to Ms. Stephanie Lahr and Mr. Jeff Wiggins, under the leadership of Ms. Mellen and Ms. Day, for putting this together and extended his thanks to the entire financial team.

4. Introduction of New Police Officers

Chief Brad Rinehimer, Police Chief, introduced Officer Peter Jones and Officer Ryan Ellis to the Board and citizens and gave a brief biography of both officers.

Mr. Hill thanked Chief Rinehimer and also congratulated Mr. Wiggins on the recent birth of his son.

Mr. Onizuk commented to the new Police Officers that they both had impressive resumes and welcomed them to the James City County Police Department and noted his appreciation on the jobs they have done in the past and are presently doing.

Ms. Sadler thanked them both for their service.

G. CONSENT CALENDAR

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

1. Minutes Adoption

2. Resolution to Request a Seat on the Peninsula Airport Commission

3. Grant Award - Commonwealth Attorney - Victim's Witness Program - $179,667

4. Virginia Department of Transportation, Transportation Alternatives Program – Fiscal Years 2019-2020

5. Grant Award - Naloxone for Law Enforcement - $2,025

6. Contract Award - Oxford Road Stream Restoration - $120,760

7. Dedication of the Streets in the Forest Heights Subdivision

8. Contract Award - Annual Architectural Services

9. FY18 DEQ Litter Grant - $12,389

10. Grant Award - General Services Stormwater Division - Virginia Stormwater Local Assistance Fund - $1,145,052

H. PUBLIC HEARING(S)

1. Ordinance to amend and reordain Chapter 20, Taxation, Article I, In General, Section 20-7.3, Correction of assessment.

Ms. Liz Parman, Assistant County Attorney, stated that after further discussion with the Commissioner of the Revenue earlier in the day, it has been decided to take a second look at this section and bring the revised ordinance back in January with other proposed amendments to Chapter 20.

Mr. Onizuk opened the Public Hearing.

As no one wished to speak, Mr. Onizuk closed the Public Hearing.

2. SUP-0010-2017. The Kensington School

Mr. Onizuk stated that since advertised, the applicant has withdrawn the application.

Mr. Onizuk opened the Public Hearing.

As no one wished to speak, Mr. Onizuk closed the Public Hearing.

I. BOARD CONSIDERATION(S)

1. Legislative Agenda

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

Mr. Kinsman stated that included in the Agenda Packet is the 2018 Proposed Legislative Program and commented that these are the same items the Board discussed at its most recent work session; therefore, he would not go through each individual item. He noted two direct requests for Legislative changes, explaining that the first request is from last year at the County, as one of the localities that may regulate inoperative motor vehicles pursuant to Section 152-905, remarking that this is one of those odd sections in the Virginia Code that lists out a number of localities by name and explained that we are asking to be added to that list of names. He remarked that the second request is to amend Virginia Code 36-105.3 to further explain what it means when a residential plan is confidential and not subject to the Freedom of Information Act. He further remarked that he wants to make sure that does not mean it is confidential to County employees needing to see those particular plans, commenting that it would hopefully not be a big deal and just a clarification. He further commented that the first request last year suffered a pretty quick death in the General Assembly, but we will give it another run. He further stated that the rest of the pages are really the positions supported by the County and will therefore not go through each one; however, he is happy to discuss any of them that the Board requests. He further commented that he recommends adoption of the resolution that is included in the Agenda Packet.

Mr. McGlennon stated that he and Ms. Larson attended the Virginia Association of Counties (VACo) conference this past weekend. He further stated that there is some interest in revisiting this issue, but feels that requesting a study commission is not what is needed at this point and advises that the item be dropped from the Legislative Agenda for now.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Onizuk recognized Ms. Mona Foley, Clerk of the Circuit Court and Mr. Jim Icenhour, Board member-elect, in the audience.

Ms. Larson stated that earlier she accepted a Go Green Award on behalf of the Board and congratulated staff. She congratulated Mr. McGlennon, commenting that recently he had led the High Growth Coalition meeting and was unanimously chosen to continue as its Chair. She mentioned that she attended a lot of good workshops recently at the VACo conference. She congratulated York County for its recent winning of an Achievement Award. She mentioned that she sent all the Board members an email regarding the Economic Development Authority retreat and noted that it will be held on December 14. She congratulated Mr. Hipple and Mr. Icenhour, remarking that she looked forward to working with them and expressed her congratulations to everyone

who ran in the recent election.

Mr. Hipple stated that the Neighborhood Forum was well attended and commented that the County does a wonderful job, noting that the Police and Fire Departments were all well represented. He mentioned that he attended a meeting at Skiffes Creek for VDOT and looked forward to the interchange coming into the community. He remarked that he and Mr. Hill attended a banquet for the James City-Bruton Volunteer Fire Department and noted that it was a farewell to the Volunteer Fire Department's Fire Chief David Nice. He expressed his gratitude from the Board and the community for the work and dedication Chief Nice has put into the Volunteer Fire Department for the citizens of James City County. He thanked the citizens for entrusting him to another four years and stated that James City County is heading in the right direction with good things ahead.

Ms. Sadler expressed her congratulations to Mr. Hipple and Mr. Icenhour for their election wins. She stated that she attended the Social Services Open House, which was an opportunity for the public to have input on the Strategic Plan. She thanked Ms. Barbara Watson and her staff for their commitment to the department and providing an excellent display for the public at the meeting. She stated that she attended the Skiffes Creek Connector Study and commented that Mr. Holt guided her through various displays. She remarked that she is looking forward to attending the Community Action Agency Community Cultivation Breakfast and that the Arrow of Light Scouts will be joining her on a tour of the water facilities at Five Forks. She asked Mr. Hill if there is a list of projects in regards to the Consent Calendar Item No. 10 Grant Award.

Mr. Hill replied:

- The Foxes Stream Restoration in the Jamestown District, $202,689
- Cooley Road Stream Restoration in the Jamestown District, $222,500
- Oxford Road Stream Restoration in the Jamestown District, $154,863
- Toano West Stormwater Conveyance and Best Management Practice in the Stonehouse District, $565,000

Ms. Sadler inquired if it is possible to receive an update regarding calls the Police have responded to in her area of the County, in order to be kept abreast of what is going on.

Mr. McGlennon extended his congratulations to Mr. Hipple and Mr. Icenhour, commenting that he looks forward to working with them over the next four years and offered his appreciation to all candidates. He mentioned that at the VACo meeting he heard from a number of state legislators and got a sense that they are interested in equalizing the taxing authority of cities and counties. He remarked that it is felt that the mood at the General Assembly will be more supportive and is hopeful that there will be an opportunity to look at a wider range of revenue collections, alleviating the need to rely so heavily on real estate taxes. He stated that he will be attending a meeting at the School of Education, sponsored by the Williamsburg Community Health Foundation, focused on housing in the County and the Historic Triangle. He expressed his condolences to the family of Mr. Sasha Digges, Sr., on his recent passing.

Mr. Onizuk stated that he has had several opportunities to represent the County in the past few weeks and highlighted the Grand Opening of the Billsburg Brewery at the Jamestown Marina and mentioned area holiday celebrations.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Hill stated that he did not have any reports for this meeting, but expressed his gratitude to the Board for allowing him to address some family matters. He further stated that when this meeting is adjourned it will be until 4 p.m. on November 28, 2017, for the regularly scheduled work session.

L. CLOSED SESSION

A motion to Enter a Closed Session was made by Sue Sadler, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

At approximately 5:53 p.m., the Board entered into Closed Session.

At approximately 6:43 p.m., the Board re-entered Open Session.

1. Closed Session Certification

A motion to Certify the Closed Session was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

2. Consideration of a personnel matter involving the performance review of the County Administrator pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

A motion to Authorize was made by Kevin Onizuk, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

Mr. Onizuk made a motion to authorize an increase to the salary and the deferred compensation by 4% for County Administrator Bryan Hill, and that this increase would be retroactive to July 1, 2017.

3. Consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position of the public body, pursuant to Section 2.2-3711 (A)(3) of the Code of Virginia

M. ADJOURNMENT

1. Adjourn until 4 p.m. on November 26, 2017 for the Work Session

A motion to Adjourn was made by Sue Sadler, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Larson, Hipple, Sadler, McGlennon, Onizuk

At approximately 6:44 p.m., Mr. Onizuk adjourned the Board.

Bryan J. Hill, County Administrator

AGENDA ITEM NO. G.2.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Federal Grant Award – Bulletproof Vest Partnership – $25,972

ATTACHMENTS:

	Description	Type
🗋	Memo	Cover Memo
🗋	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	11/13/2017 - 8:40 AM
Police	Rinehimer, Bradley	Approved	11/13/2017 - 8:40 AM
Publication Management	Burcham, Nan	Approved	11/13/2017 - 9:01 AM
Legal Review	Kinsman, Adam	Approved	11/13/2017 - 9:04 AM
Board Secretary	Mellen, Sue	Approved	11/28/2017 - 9:07 AM
Board Secretary	Purse, Jason	Approved	12/4/2017 - 8:22 AM
Board Secretary	Fellows, Teresa	Approved	12/4/2017 - 8:49 AM

M E M O R A N D U M

DATE: December 12, 2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Federal Grant Award – Bulletproof Vest Partnership – $25,972

The James City County Police Department has been awarded a Bulletproof Vest Partnership (BVP) grant from the Office of Justice Programs' Bureau of Justice Assistance for $25,972 ($12,986 federal funds; $12,986 local match). The funds are to be used to purchase approximately 26 new and replacement bulletproof vests for officers.

BVP has typically been a recurring grant program made available each year to law enforcement agencies throughout the United States. This grant expires August 31, 2018, which allows us to replace vests as needed, or purchase vests for new officers throughout the grant period.

Each sworn officer within the Department is offered a bulletproof vest as part of their normal issued equipment. Unless recalls are made or the vest is damaged, the lifespan of vests is typically five years. The vests used by the Department are engineered for superior performance and integrate high-performance ballistic materials with a temperature regulating carrier for maximum comfort.

The grant requires a match of $12,986, which is available in the Grants Match Account.

Staff recommends adoption of the attached resolution to appropriate funds.

BJR/gt
GA-BVP-2017-mem

Attachment

R E S O L U T I O N

FEDERAL GRANT AWARD – BULLETPROOF VEST PARTNERSHIP – $25,972

WHEREAS, the James City County Police Department has been awarded a Bulletproof Vest Partnership (BVP) grant from the Office of Justice Programs' Bureau of Justice Assistance for $25,972 ($12,986 federal funds; $12,986 local match); and

WHEREAS, the grant requires a match of $12,986, which is available in the Grant Match Account; and

WHEREAS, the funds are to be used to purchase approximately 26 new and replacement bulletproof vests for officers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants Fund:

Revenues:

BVP – FY 17	$12,986
Grant Match Account	12,986
Total	$25,972

Expenditure:

BVP – FY 17	$25,972

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

_____
Bryan J. Hill
Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

GA-BVP-2017-res

AGENDA ITEM NO. G.3.

ITEM SUMMARY

DATE: 12/12/2017

TO: Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Williamsburg Child Health Initiative Planning Grant - $10,000

ATTACHMENTS:

	Description	Type
🗋	Williamsburg Child Health Initiative Planning Grant - Memo	Cover Memo
🗋	Williamsburg Child Health Initiative Planning Grant - Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	11/30/2017 - 9:12 AM
Community Services	Vinroot, Rebecca	Approved	11/30/2017 - 9:12 AM
Publication Management	Burcham, Nan	Approved	11/30/2017 - 9:16 AM
Legal Review	Kinsman, Adam	Approved	11/30/2017 - 9:25 AM
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 9:27 AM
Board Secretary	Purse, Jason	Approved	12/4/2017 - 8:24 AM
Board Secretary	Fellows, Teresa	Approved	12/4/2017 - 8:50 AM

M E M O R A N D U M

DATE: December 12, 2017

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Williamsburg Child Health Initiative Planning Grant - $10,000

In FY 18 the Department of Social Services was invited by the Williamsburg Health Foundation to participate in a process to plan for the implementation of a new program, the Williamsburg Child Health Initiative. The program is a collaborative effort between the Williamsburg Health Foundation, Child Development Resources, Williamsburg-James City County Public Schools, Williamsburg Department of Human Services, James City Department of Social Services and Olde Towne Medical and Dental Center.

The purpose of the initiative is to improve health outcomes for children by eliminating barriers and promoting positive social determinants of health.

To support staff time and participation in the process, the Williamsburg Health Foundation granted the Department of Social Services $10,000 to be provided quarterly in the amount of $2,500 for up to one year.

RV/nb
WCHSupportInit-mem

Attachment

R E S O L U T I O N

SUPPORT - WILLIAMSBURG CHILD HEALTH INITIATIVE

WHEREAS, the Williamsburg Health Foundation seeks to implement a new program, the Williamsburg Child Health Initiative which is to improve health outcomes for children by eliminating barriers and promoting positive social determinants of health; and

WHEREAS, the program is a collaborative effort between the Williamsburg Health Foundation, Child Development Resources, Williamsburg-James City County Public Schools, Williamsburg Department of Human Services, James City County Department of Social Services and Olde Towne Medical and Dental Center; and

WHEREAS, the Williamsburg Health Foundation will provide $10,000 to the James City County Department of Social Services to support the initiative and no financial support is needed from the department except in-kind services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes support of the Williamsburg Child Health Initiative.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

_____
Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

WCHSupportInit-res

AGENDA ITEM NO. H.1.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Alex Baruch, Planner

SUBJECT: AFD-2-86-1-2017, Croaker AFD Addition, 9730 Sycamore Landing Road

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ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	AFD Ordinance	Ordinance
🗋	Location Map	Backup Material
🗋	October 12, 2017, AFD Committee Unapproved Minutes	Backup Material
🗋	November 1, 2017, Planning Commission Unapproved Minutes	Backup Material
🗋	Croaker 2014 AFD Renewal Staff Report and Ordinance	Backup Material
🗋	State Code Regarding AFD Application Criteria	Backup Material
🗋	Property Narrative provided by the applicant	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	11/22/2017 - 8:10 AM
Development Management	Holt, Paul	Approved	11/22/2017 - 8:11 AM
Publication Management	Burcham, Nan	Approved	11/22/2017 - 8:33 AM
Legal Review	Kinsman, Adam	Approved	11/27/2017 - 9:25 AM
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 9:26 AM
Board Secretary	Purse, Jason	Approved	12/5/2017 - 1:22 PM
Board Secretary	Fellows, Teresa	Approved	12/5/2017 - 1:35 PM

AFD-2-86-1-2017. Croaker AFD Addition, 9730 Sycamore Landing Road

Staff Report for the December 12, 2017, Board of Supervisors Meeting

SUMMARY FACTS

Applicant:	Mrs. Mary Mitchell
Land Owner:	Mitchell Family LTD Partnership
Proposal:	Addition of ±48.49 acres of land to the Croaker Agricultural and Forestal District (AFD)
Location:	9730 Sycamore Landing Road
Tax Map/Parcel No.:	0740100002
Project Acreage:	±48.49 acres
Current Zoning:	A-1, General Agricultural
Comprehensive Plan:	Rural Lands
Primary Service Area:	Outside
Staff Contact:	Alex Baruch, Planner

PUBLIC HEARING DATES

Agricultural and Forestal District: October 12, 2017, 4:00 p.m.
Planning Commission: November 1, 2017, 7:00 p.m.
Board of Supervisors: December 12, 2017, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed ordinance, the proposal is compatible with surrounding development.
2. The proposal is consistent with the recommendations of the James City County Comprehensive Plan adopted in 2015, "*Toward 2035: Leading the Way*."

FACTORS UNFAVORABLE

1. No factors unfavorable.

STAFF RECOMMENDATION

Staff finds that this parcel is more than one mile away from property that makes up the core of the Croaker AFD District. Per State Code, a parcel of land over one mile from the core may be added to an AFD only upon finding that the property contains agriculturally and forestally significant land. On October 12, 2017, the AFD Advisory Committee found the parcel is agriculturally and forestally significant and recommended approval of this application to the Planning Commission by a vote of 5-1. With the AFD Advisory Committee's recommendation of approval and finding that this property is agriculturally significant, staff recommends that the Board of Supervisors approve the proposed addition to the Croaker AFD, subject to the conditions listed in the attached ordinance, consistent with other properties in the district.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7-0 to recommend approval of the application to the Board of Supervisors.

AFD ADVISORY COMMITTEE

At its October 12, 2017 meeting, the AFD Advisory Committee recommended approval of this addition by a vote of 5-1.

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.

PROJECT DESCRIPTION

- Mrs. Mary Mitchell has applied to enroll ±48.49 acres of land located at 9730 Sycamore Landing Road into the Croaker AFD.

Approximately 20 acres of the property is pasture used for growing hay with the rest of the property including wooded areas and beach. There is currently a barn and a house located on the property.

- This parcel is over one mile away from the core parcels in the Croaker AFD; therefore, as specified in the Code of Virginia, the governing body must decide if this property contains agriculturally and forestally significant land to be added to the Croaker AFD (see Attachment No. 5).

- State Code defines agriculturally and forestally significant land as "land that has recently or historically produced agricultural and forestal products, is suitable for agricultural or forestal production or is considered appropriate to be retained for agricultural and forestal production as determined by such factors as soil quality, topography, climate, markets, farm structures and other relevant factors."

DISTRICT HISTORY

- The District was originally approved in December 1986 for a period of four years.
-
- The District was last renewed in 2014. The District consists of approximately 1,132.90 acres of land located between I-64 and York River State Park.

- If this addition is approved, the District would consist of approximately 1,181.39 acres.

SURROUNDING ZONING AND DEVELOPMENT

- All surrounding properties are zoned A-1, General Agricultural or PUD-R, Planned Unit Development-Residential and designated Rural Lands or Low Density Residential on the Comprehensive Plan.

- The District consists primarily of forested land. The principal land use on adjacent properties is undeveloped, forested land with single-family residences.

COMPREHENSIVE PLAN AND ZONING

The Comprehensive Plan designates this parcel as Rural Lands. Appropriate primary uses in Rural Lands include traditional agricultural and forestal activities. Land Use Action 6.1.1 of the 2035 Comprehensive Plan states the County shall "support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the *Code of Virginia.*"

PUBLIC IMPACTS

- Anticipated impact on public facilities and services: None.

- Anticipated impact on environmental, cultural and historic resources: None.

- Anticipated Land Use impact on nearby and surrounding properties: None.

STAFF RECOMMENDATION

Staff finds that this parcel is more than one mile away from property that makes up the core of the Croaker AFD District. Per State Code, a

parcel of land over one mile from the core may be added to an AFD only upon finding that the property contains agriculturally and forestally significant land. On October 12, 2017, the AFD Advisory Committee found the parcel is agriculturally and forestally significant and recommended approval of this application to the Planning Commission by a vote of 5-1. With the AFD Advisory Committee's recommendation of approval and finding that this property is agriculturally significant, staff recommends that the Board of Supervisors approve the proposed addition to the Croaker AFD, subject to the conditions listed in the attached ordinance, consistent with other properties in the district.

AB/nb
AFD02-86-1-17-9730Sycamre

Attachments:
1. AFD Ordinance
2. Location Map
3. October 12, 2017, AFD Committee Unapproved Minutes
4. November 1, 2017, Planning Commission Unapproved Minutes
5. Croaker 2014 AFD Renewal Staff Report and Ordinance
6. State Code Regarding AFD Application Criteria
7. Property Narrative provided by the applicant

ORDINANCE NO_____

AFD-02-86-1-2017. CROAKER

AGRICULTURAL AND FORESTAL DISTRICT ADDITION -

9730 SYCAMORE LANDING ROAD

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia, (the "Board of Supervisors") to add ±48.49 acres of land owned by Mitchell Family LTD Partnership located at 9730 Sycamore Landing Road and identified as James City County Real Estate Tax Map/Parcel No. 0740100002 to Agricultural and Forestal District (AFD)-02-86, which is generally known as the "Croaker Agricultural and Forestal District" (the "Application"); and

WHEREAS, at its October 12, 2017 meeting, the AFD Advisory Committee voted 5-1 that the parcel is agriculturally and forestally significant land and to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its November 1, 2017 meeting, after which the Commission voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Board of Supervisors.

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of James City County, Virginia, finds that the property consisting of ±48.49 acres located at 9730 Sycamore Landing Rd. and identified as James City County Real Estate Tax Map Parcel No. 0740100002 (the "Property") contains agriculturally and forestally significant land and hereby adds the Property to Agricultural and Forestal District 02-86, which is generally known as the "Croaker Agricultural and Forestal District" (the "District") with the following conditions:

1. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

2. No land outside the Primary Service Area and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Property from AFDs, adopted September 28, 2010, as amended.

3. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with Section 15.2-4301 et. seq. of the Code of Virginia, which are not in conflict with the policies of the District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

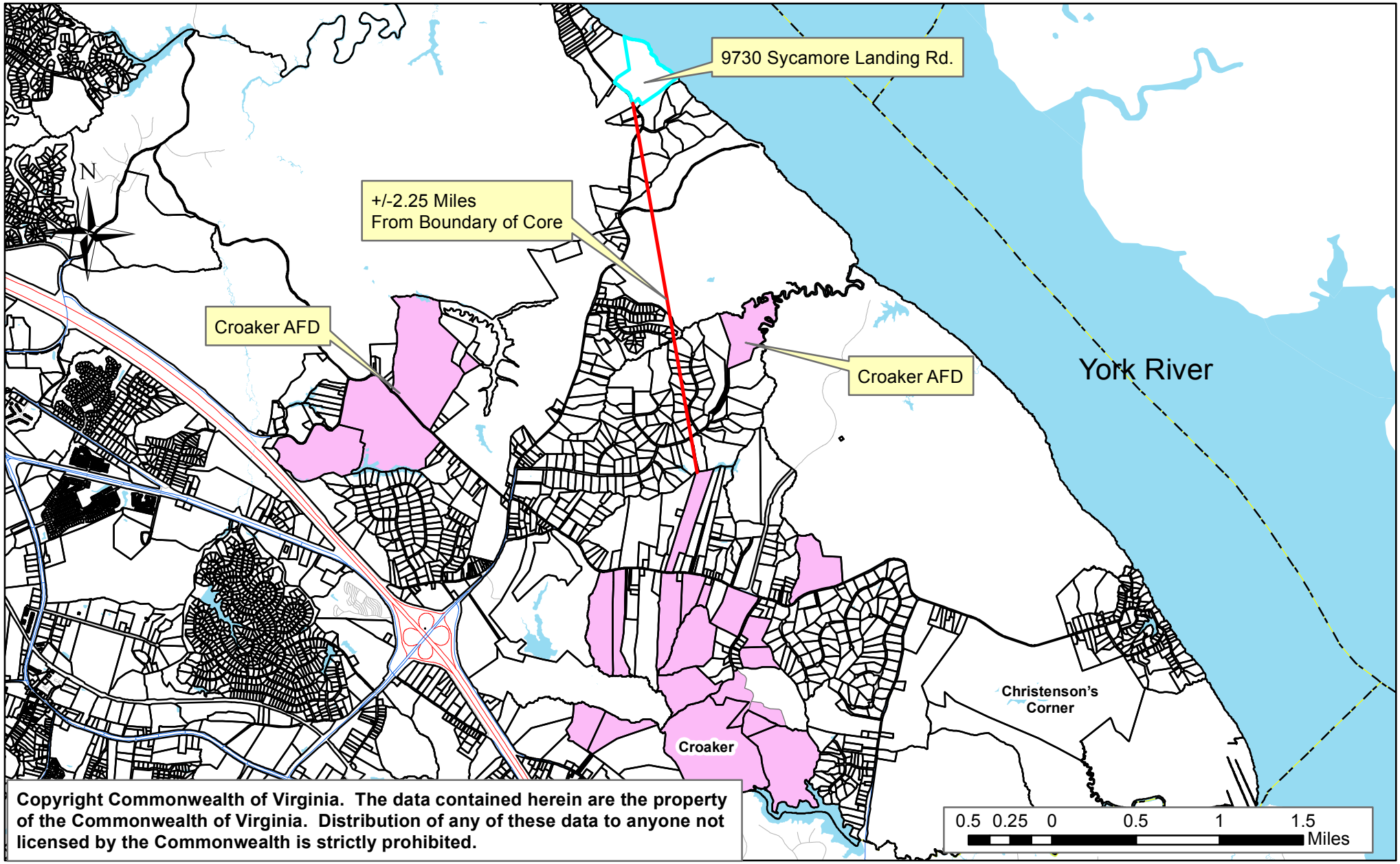
ATTEST:

_____
Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

AFD2-86-1-17-9730Sycamre-res

AFD-02-86-1-2017
9730 Sycamore Landing Rd. Croaker AFD Addition



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UNAPPROVED MINUTES OF THE AGRICULTURAL AND FORESTAL ADVISORY COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TWELTH DAY OF OCTOBER, TWO THOUSAND AND SEVENTEEN, AT 4:00 P.M. AT THE BUILDING E CONFERENCE ROOM, 101 MOUNTS BAY ROAD, WILLIAMSBURG, VIRGINIA.

1. Roll Call:

Members Present
Mr. Thomas Hitchens
Mr. Payten Harcum
Mr. Richard Bradshaw
Mr. William C. Taylor
Mr. L. Bruce Abbott
Ms. Loretta Garrett

Also Present
Mr. Alex Baruch, Planner
Ms. Ellen Cook, Principal Planner

Absent
Mr. William R. Harcum
Mr. Carlyle Ford
Ms. Sue Sadler

2. New Business:

A. Approval of the January 13, 2017 Meeting Minutes

On a voice vote the minutes of the January 13, 2017 meeting were unanimously approved.

B. Case No. AFD-02-86-1-2017, 9730 Sycamore Landing Road, Croaker AFD Addition

Mr. Alex Baruch presented the staff report stating that Mrs. Mary Mitchell applied to add 48.49 acres located at 9730 Sycamore Landing Rd. to the Croaker AFD. Mr. Baruch stated the subject property is over one mile away from the core parcels in the Croaker AFD therefore State Code requires that the local governing body finds that the parcel contains agriculturally and forestally significant land to be added. Mr. Baruch stated that the definition of agriculturally and forestally significant land in State Code is: land that has recently or historically produced agricultural or forestal products, is suitable for agricultural or forestal production or is considered appropriate to be retained for agricultural and forestal production as determined by such factors as soil quality, topography, climate, markets, farm structures and other relevant factors. Mr. Baruch stated that staff requests that the AFD Advisory Committee determine if the property meets the definition of agriculturally and forestally significant land and then make a recommendation to the Planning Commission. Mr. Baruch stated that the applicant was also available to answer any questions.

Ms. Loretta Garrett asked what the distance is from the subject parcel to the closest property currently in the AFD.

Mr. Baruch stated that the closest parcel is 1.4 miles from the subject parcel and is 50 acres in size. Mr. Baruch stated that the closest parcel in the AFD is not in the core parcels of the Croaker AFD. Mr. Baruch stated that the distance from the subject parcel to the core is 2.25 miles.

Mr. Bruce Abbot asked the applicant if they would like to make a presentation.

Mr. Richard Mitchell, son of Ms. Mary Mitchell, gave a history of the property and discussed some of the ideas they have for continuing the agricultural and forestal uses on the property.

Ms. Garrett asked Mr. Richard Bradshaw if he had anything to say about this proposal.

Mr. Bradshaw stated that he believes the distance from the core is too far and does not believe the property should be included.

Mr. Tom Hitchens stated that the hay that the Mitchells grow in the pasture counts as crop which meets the definition.

Mr. Bradshaw stated that there is no livestock on the property.

Mr. Payton Harcum stated that the property owners have sold forest products and that should be a factor in the approval.

Mr. Chris Taylor asked if any hay has been harvested from the pasture portion of the property.

Ms. Mary Mitchell stated they have sold hay in the past and have a harvest ready once the rain stops.

Mr. Abbot asked if there are any structures on the property.

Mr. Mitchell stated that there is a barn and a house.

Mr. Abbot asked if the property owners have a forestry plan.

Ms. Mitchell stated that they do not have a plan right now but would work towards that if it is required.

Mr. Hitchens stated that he would be for adding this property into the AFD regardless of distance away from the core.

Mr. Abbot asked when State Code changed to allow property farther than a mile from the core to be added.

Mr. Harcum stated that it was three or four years ago.

Mr. Baruch stated that the Planning Commission and Board of Supervisors will look at the AFD Committee's determination of if the subject property is agriculturally and forestally significant land based on the definition.

Mr. Bradshaw asked if staff had looked into a different State Code section that discusses local areas of significance which would allow for a smaller core of properties to be allowed land use taxation but not be a part of the AFD.

Mr. Baruch stated that staff had looked into that option however the Board of Supervisors would have to adopt a general ordinance establishing the local districts program.

Mr. Hitchens stated that he thinks the farming of hay is agriculturally and forestally significant use of the property and that farming is not an easy job and would love to see the property in the AFD.

Mr. Taylor asked if the Board of Supervisors has added a parcel further than a mile from the core in the past.

Mr. Harcum stated that they have not because it is a relatively new option for property owners to consider.

A discussion commenced regarding the local areas of significance section of State Code and the benefits associated with that Code as opposed to Agricultural and Forestal Districts. The members of the AFD Committee came to the conclusion that the benefits for the property owner and County are the same with both State Code sections.

Mr. Hitchens asked how close the subject property is to Stonehouse.

Ms. Mitchell stated that it is right across the street.

Mr. Abbot asked if the property owner has looked into putting a conservation easement on the property.

Mr. Mitchell stated that they have however they think they may build another house on the property in the future and do not want to lose the right to do so.

Mr. Abbot stated that there is a negotiation process that takes place for the easement but understands where the applicant is coming from.

Mr. Taylor asked how long before the Croaker AFD Ordinance gets renewed and when the next renewal process would take place.

Mr. Baruch stated that the Croaker AFD is renewed every four years and would be renewed at the latest in October 2018.

Mr. Abbot made a motion to find the land agriculturally and forestally significant and to

recommend approval of the addition to the Planning Commission.

Mr. Bradshaw stated his concern regarding how far this parcel is from the core and the distance of the parcel from the rest of the AFD. Mr. Bradshaw stated that he believes AFDs should be tight cores of properties and not spread out. Mr. Bradshaw also stated that he felt that the areas of local significance provisions in State Code would be a better process for this property to go through instead of the AFD process.

On a voice vote the committee voted 5-1 to find the land agriculturally and forestally significant and to recommend approval of the addition to the Planning Commission.

Other Discussion:

Mr. Baruch stated that Staff would like to hold an organizational meeting in January with the AFD Committee to discuss four items to include: Novus Agenda online packet materials, setting a regular meeting schedule to occur four times per year, creation of by-laws for the AFD Committee and the 2018 renewal timeline. A general discussion took place regarding each of the items and there was agreement that a meeting in January would be beneficial.

On a voice vote, the meeting was adjourned at 5:04 p.m.

_____ _____

Mr. Taylor, Chair Ellen Cook, Principal Planner

Unapproved Minutes of the November 1, 2017
Planning Commission Meeting

AFD-02-86-01-2017

Mr. Alex Baruch, Planner, stated that Ms. Mary Mitchell has applied to add 9730 Sycamore Landing Rd. into the Croaker AFD. Mr. Baruch stated that the property is 48.49 acres and has frontage along the York River. Mr. Baruch stated that the parcel is zoned A-1, General Agricultural and is designated as Rural Lands on the Comprehensive Plan.

Mr. Baruch stated that The subject property is over one mile away from the core parcels in the Croaker AFD therefore State Code requires that the local governing body finds that the parcel contains agriculturally and forestally significant land to be added. Mr. Baruch stated that the definition of agriculturally and forestally significant land in State Code is: land that has recently or historically produced agricultural and forestal products, is suitable for agricultural or forestal production or is considered appropriate to be retained for agricultural and forestal production as determined by such factors as soil quality, topography, climate, markets, farm structures and other relevant factors.

Mr. Baruch stated that on October 12, 2017, the AFD Advisory Committee found the parcel is agriculturally and forestally significant and recommended approval of this application to the Planning Commission by a vote of 5-1. Mr. Baruch stated that with the AFD Advisory Committee's recommendation of approval and finding that this property is agriculturally significant, staff recommends that the Planning Commission recommend approval of the proposed addition to the Croaker AFD, subject to the conditions listed in the attached ordinance, consistent with other properties in the district.

Mr. Tim O'Connor asked how long until the district would go through the renewal process.

Mr. Baruch stated that the Croaker AFD is on the 2018 renewal timeline.

Mr. Rich Krapf asked if there were any disclosures from the Commission.

Mr. Krapf opened the Public Hearing.

Mr. Richard Mitchell, son of Mary Mitchell, representing the Mitchell LLC, made a presentation to the Commission on the proposed AFD addition. Mr. Mitchell stated that he believes the property would be an asset to the Croaker AFD district. Mr. Mitchell stated that the property use is split approximately in half with agricultural pasture land close to Sycamore Landing Rd. and forest in the ravines on the half closer to the York River. Mr. Mitchel stated that the property has been cut multiple times over the approximately 100 years since the family has owned the property using various approaches appropriate for their needs at that time. Mr. Mitchell stated that they will be working with a farmer to continue the farming use already being done on the property. Mr. Mitchell stated that they are leasing property in the York River from the Chesapeake Bay Foundation for oyster farming. Mr. Mitchell stated that adding this property to the Croaker AFD would help continue their sustainable farming techniques into the future.

Mr. Krapf asked if there were any questions for the applicant.

Mr. Heath Richardson asked if the property would produce any timer/firewood this year.

Mr. Mitchell stated that there would not be any firewood produced this year for sale.

Mr. Richardson asked if they intend to produce and sell firewood in the future.

Mr. Mitchell stated that is there intention.

Mr. Richardson asked if the oyster harvesting is done for sale or for private use and if it will be expanded in the future.

Mr. Mitchell stated that it is currently being done for private use but would look into expanding the use for sale in the future.

Mr. Krapf closed the public hearing.

Mr. Krapf opened the floor to the Commission for questions, discussion or a motion.

Mr. Richardson stated that it is pretty clear that the caveat in State Code allows a property to be included in the AFD if it is agriculturally significant property and that it seems appropriate for the property to be added to the AFD.

Mr. Jack Haldeman stated that he was struck the same way when reading through the materials.

Mr. Krapf stated that he felt the same way.

Mr. Danny Schmidt stated that it looks like a great plan for the property.

Mr. John Wright made a motion to recommend approval of the application.

On a roll call vote, the James City County Planning Commission voted to approve the application 7-0.

AGENDA ITEM NO. I-7

Agricultural and Forestal District-02-86-1-2014. Croaker AFD Renewal
Staff Report for the September 9, 2014, 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 F Board Room; County Government Complex**
AFD Advisory Committee:	July 7, 2014, 4:00 p.m. (Human Services Building)
Planning Commission:	August 6, 2014, 7:00 p.m.
Board of Supervisors:	September 9, 2014, 7:00 p.m.

SUMMARY FACTS

Owners:	Parcel Number	Acres
Hankins Land Trust	1530100044	119.00
William and Mary Margaret Apperson	1440100015	51.45
V.D. McManus Estate	1530100043	119.85
V.D. McManus Estate	1530100042	10.10
V.D. McManus Estate	1530100036	40.40
Hazel M. Richardson & L.A. Richardson	1530100002	39.76
Clarence D. Richardson, Jr.	1530100034	39.78
J. Rosalie Will, Trustee	1440100010	40.00
Stephanie L. Billon-Wolfe, Trustee	1440100009	49.07
Wenger Farms, LLC	1320100018	95.30
Wenger Farms, LLC	1410100001	150.00
Wenger Farms, LLC	1410100014	143.50
Thomas B. Ballard	1530100035	53.17
Lasata, LLC	1530100018	16.05
Lasata, LLC	1530100019	16.39
Lasata, LLC	1530100029	30.93
Milly Wallis c/o Doris Lockley	1540100004	40.00
Thomas B. Ballard	1530100035A	4.91
Thomas B. Ballard	1530100032	16.21
Wenger Farms, LLC	1410100007	7.00
Katherine Mann	1510400003	50.00
TOTAL ACRES		1,132.90

Zoning:	A-1, General Agricultural	
Comprehensive Plan:	Rural Lands and Conservation Area	
Primary Service Area:	Outside	
Staff Contact:	Luke Vinciguerra	Phone: 253-6783

STAFF RECOMMENDATION

Staff finds this Agricultural and Forestal District (AFD) consistent with the surrounding zoning and consistent with the goals of the Comprehensive Plan. Staff recommends the Board of Supervisors renew the Croaker AFD for a period of four years, subject to the conditions listed in the attached resolution.

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PLANNING COMMISSION RECOMMENDATION

At its August 6, 2014, meeting, the Planning Commission recommended the continuation of the District by a vote of 6-0 (Richardson absent).

AFD ADVISORY COMMITTEE RECOMMENDATION

At its July 7, 2014, meeting, the AFD Advisory Committee voted 8-0 to recommend the continuation of the District to the Planning Commission and Board of Supervisors.

Proposed Changes Made Since the Planning Commission Meeting

None.

SUMMARY

As required by State Code, the County must review all established AFDs prior to their expiration. During this review, districts must be continued, modified, or terminated. This report will review AFD-2-86, Croaker, which is scheduled to expire October 31, 2014.

Staff is attempting to synchronize the expiration dates of all districts. As part of the 2014 renewal process, staff is recommending a term of four years, making the proposed expiration date October 31, 2018.

DISTRICT HISTORY

The District was originally approved on November 17, 1986, for a term of 4 years. In July 1989, the Board of Supervisors approved the withdrawal of 421.773 acres associated with the Old Dominion French Winery property. The District was renewed a second time in 1994. Twenty-nine acres were added to the District on January 14, 1997, and 40 acres were added on January 13, 1998. The District was renewed by the Board in 1998 and 2002 with no additions or withdrawals. In 2006, 29 acres were withdrawn and in May 2007, 21 acres were added to the District. In 2010, the District was renewed and seven acres were added. In February 2014, an additional 50 acres were added.

The District includes all the land on the above-referenced properties with the exception of all land within 25 feet of arterial road rights-of-way. That property has been excluded from the District to allow for possible road and/or drainage improvements.

The Croaker AFD consists of approximately 1,132.9 acres located in and around the Croaker Road area, containing parcels which front on Ware Creek Road and Riverview Road.

ANALYSIS

The bulk of the District appears to consist of soils well suited for agriculture and is located a considerable distance from the I-64/Croaker Road interchange. The majority of the District is forested and remains rural in nature. All of the land within this District is zoned A-1, General Agricultural, and a major portion of the surrounding property is presently zoned A-1. The entire District is located outside the Primary Service Area and is designated Rural Lands and Conservation Area by the Comprehensive Plan.

REQUEST NOT TO CONTINUE IN THE AFD

No property owner has requested to not continue their participation in the AFD.

ADDITIONS

No property owner has requested land be added to the District during this renewal period.

CHANGE IN CONDITIONS

Staff is recommending a revision to Condition No. 2 to correct language that references the Board of Supervisor's policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts to refer to the most recent policy adopted in 2010. The proposed change is as follows:

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~~"No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended."~~

No land outside the Primary Service Area and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Property from AFDs, adopted September 28, 2010, as amended.

STAFF RECOMMENDATION:

Staff finds this AFD consistent with the surrounding zoning and consistent with the goals of the Comprehensive Plan. At its August 6, 2014, meeting, the Planning Commission voted to recommend the continuation of the District by a vote of 6-0 (Richardson absent). At its July 7, 2014, meeting, the AFD Advisory Committee voted 8-0 recommending the continuation of the District to the Planning Commission and Board of Supervisors. Staff recommends the Board of Supervisors renew the Croaker AFD for a period of four years, subject to the conditions listed in the attached resolution.

Luke Vinciguerra

CONCUR:

Allen J. Murphy, Jr.

LV/gb
AFD02-86-1-14Croaker

ATTACHMENTS:

1. Ordinance
2. Location Map
3. Existing ordinance and conditions, dated September 28, 2010
4. Ordinance for the addition of property, dated January 11, 2011
5. Ordinance for the addition of property, dated February 11, 2014
6. Approved minutes of the July 7, 2014, AFD Advisory Committee meeting (under separate cover)
7. Unapproved minutes of the August 6, 2014, Planning Commission meeting (under separate cover)

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ADOPTED

SEP 09 2014

Board of Supervisors
James City County, VA

ORDINANCE NO. 164A-15

AGRICULTURAL AND FORESTAL DISTRICT-02-86

CROAKER 2014 RENEWAL

WHEREAS, James City County has completed a review of the Gordon Creek Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the Croaker Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee at its meeting on July 7, 2014, voted 8-0 to recommend renewal of the district; and

WHEREAS, the Planning Commission following its public hearing on August 6, 2014, concurred with the recommendation of staff and the AFD Advisory Committee and voted 6-0 to recommend renewal of the district with the conditions listed below.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of James City County, Virginia, that:

1. The Croaker Agricultural and Forestal District is hereby continued to October 31, 2018, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.

2. That the district shall include the following parcels, provided, however, that all land within 25 feet of road rights-of-way is excluded from the district:

Owner	Parcel No.	Acres
Hankins Land Trust	1530100044	119.00
William and Mary Margaret Apperson	1440100015	51.45
V.D. McManus Estate	1530100043	119.85
V.D. McManus Estate	1530100042	10.10
V.D. McManus Estate	1530100036	40.40
Hazel M. Richardson & L.A. Richardson	1530100002	39.76
Clarence D. Richardson, Jr.	1530100034	39.78
J. Rosalie Will, Trustee	1440100010	40.00
Stephanie L. Billon-Wolfe, Trustee	1440100009	49.07
Wenger Farms, LLC	1320100018	95.30
Wenger Farms, LLC	1410100001	150.00
Wenger Farms, LLC	1410100014	143.50
Thomas B. Ballard	1530100035	53.17
Lasata, LLC	1530100018	16.05
Lasata, LLC	1530100019	16.39
Lasata, LLC	1530100029	30.93
Milly Wallis c/o Doris Lockley	1540100004	40.00

These documents were printed from the JCC official Records Management Imaging site.

Thomas B. Ballard	1530100035A 4.91
Thomas B. Ballard	1530100032 .....16.21
Wenger Farms, LLC	1410100007 .....7.00
Katherine Mann	1510400003 .....50.00
Total:	.....1,132.90

3. That pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Croaker Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

   a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCF), provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

   b. No land outside the Primary Service Area and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Properties from AFDs, adopted September 28, 2010, as amended.

   c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

Mary K. Jones
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	AYE	NAY	ABSTAIN
KENNEDY	X	___	___
JONES	X	___	___
MCGLENNON	X	___	___
ONIZUK	X	___	___
HIPPLE	X	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of September, 2014.

AFD02-86-1-14Croaker-res

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Code of Virginia
Title 15.2. Counties, Cities and Towns
Chapter 43. Agricultural and Forestal Districts Act

§ 15.2-4305. Application for creation of district in one or more localities; size and location of parcels

On or before November 1 of each year or any other annual date selected by the locality, any owner or owners of land may submit an application to the locality for the creation of a district or addition of land to an existing district within the locality. Each district shall have a core of no less than 200 acres in one parcel or in contiguous parcels. A parcel not part of the core may be included in a district (i) if the nearest boundary of the parcel is within one mile of the boundary of the core, (ii) if it is contiguous to a parcel in the district the nearest boundary of which is within one mile of the boundary of the core, or (iii) if the local governing body finds, in consultation with the advisory committee or planning commission, that the parcel not part of the core or within one mile of the boundary of the core contains agriculturally and forestally significant land. No land shall be included in any district without the signature on the application, or the written approval of all owners thereof. A district may be located in more than one locality, provided that (i) separate application is made to each locality involved, (ii) each local governing body approves the district, and (iii) the district meets the size requirements of this section. In the event that one of the local governing bodies disapproves the creation of a district within its boundaries, the creation of the district within the adjacent localities' boundaries shall not be affected, provided that the district otherwise meets the requirements set out in this chapter. In no event shall the act of creating a single district located in two localities pursuant to this subsection be construed to create two districts.

1977, c. 681, § 15.1-1511; 1979, c. 377; 1981, c. 546; 1984, c. 20; 1985, c. 13; 1987, c. 552; 1993, cc. 745, 761; 1997, c. 587; 1998, c. 833;2011, cc. 344, 355.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Property Narrative
9730 Sycamore Landing Road
Williamsburg, VA 23188

The significant agricultural and forestry features of 9730 Sycamore Landing Road are tied to its topography. This tract contains sandy beach, old forest trees as well as young; and, to our knowledge, the highest point of land on the York River. It has rolling pastureland and deep ravines of trees. Directly across the river is the Poropotank Creek, home to Powhatan. A fresh water spring runs through the wetlands to the York River.

This diverse plot has fertile soil where vegetables and flowers grow. These vegetables are of a superior quality and taste. The proximity of the river has a good effect, lessening frost damage. Our attempts at horticulture are in the infant stage but in the future we hope to expand our crops with more fruit trees and berries. Wild raspberries grow in profusion on the high bluff. Hay has been our crop in the pastureland. There are also wild pawpaws in the ravine and numerous hickory trees.

Another notable feature of this property is the sanctuary provided for turkeys, ospreys, eagles, bobwhites and other wild creatures. The edges around the approximately twenty-acre pasture have thickets that provide food and cover.

Our oyster farm comprises one-half acre rented from the Commonwealth of Virginia. There are 2,000 oysters in floats and bottom cages. We are working with the Chesapeake Bay Foundation on the bay project. The old oyster shell reefs are sometimes visible at extremely low tides.

Thank you for your consideration of our application. We hope that you will admit this tract of land to the Croaker District.

AGENDA ITEM NO. H.2.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Roberta Sulouff, Senior Planner

SUBJECT: Z-0002-2017/MP-0002-2017, The Parke at Ford's Colony

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ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Resolution	Resolution
🗋	Location Map	Backup Material
🗋	Master Plan (Pages 1-4)	Backup Material
🗋	Master Plan (Pages 5-7)	Backup Material
🗋	Community Impact Statement	Backup Material
🗋	Fiscal Impact Study	Backup Material
🗋	Private Streets Request	Backup Material
🗋	Parks and Recreation Exception Request	Backup Material
🗋	Citizen Correspondence	Backup Material
🗋	Unapproved Minutes from the November 1, 2017 Planning Commission Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	11/22/2017 - 2:17 PM
Development Management	Holt, Paul	Approved	11/22/2017 - 2:18 PM
Publication Management	Burcham, Nan	Approved	11/22/2017 - 2:20 PM
Legal Review	Kinsman, Adam	Approved	11/27/2017 - 9:31 AM
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 9:28 AM
Board Secretary	Purse, Jason	Approved	12/5/2017 - 1:22 PM
Board Secretary	Fellows, Teresa	Approved	12/5/2017 - 1:36 PM

SUMMARY FACTS

Applicants:	Nathalie Croft, Eagle Construction of Virginia, LLC and Mark Matthews, Ford's Colony Homeowners Association
Land Owners:	Parke at Westport, LLC and the Ford's Colony Homeowners Association
Proposal:	To rezone ± 45 acres of land from A-1, General Agricultural to R-4, Residential Planned Community for the purpose of constructing up to 81 single-family homes and to amend the adopted Master Plan, James City County Case No. MP-06-07, for Ford's Colony for the purpose of including those ± 45 acres in the overall Ford's Colony Master Plan. Per Section 24-62 of the Zoning Ordinance, the applicant is also requesting that the Board of Supervisors permit private streets within the new section of the development.
Locations:	3400 and 3401 Westport
Tax Map/Parcel Nos.:	3620100061 and 3620100060
Project Acreage:	± 45 acres
Current Zoning:	A-1, General Agricultural
Proposed Zoning:	R-4, Residential Planned Community
Comprehensive Plan:	Low-Density Residential and Rural Lands
Primary Service Area:	Primarily inside; approximately four acres of the property are outside of the Primary Service Area (PSA).
Staff Contact:	Roberta Sulouff, Senior Planner

PUBLIC HEARING DATES

Planning Commission:	November 1, 2017, 7:00 p.m.
Board of Supervisors:	December 12, 2017, 5:00 p.m.

FACTORS FAVORABLE

1. Staff finds the proposal will not negatively impact surrounding zoning and development.

2. The proposal is consistent with the recommendations for residential development in lands designated Low-Density Residential (LDR) by the adopted Comprehensive Plan.

3. While unable to proffer consistency with the adopted Streetscape Policy, the applicant has included a note on the Master Plan to ensure that development will be in compliance with that policy.

4. While unable to proffer consistency with the Natural Resource Policy and the Archaeological Policy, studies were conducted for this property as a part of an earlier development plan, which satisfies these policies.

5. The proposal meets the adequate Public Schools Facilities Test, adopted by the Board of Supervisors on June 23, 1998.

6. While unable to proffer design guidelines, architectural elevations or materials, the development would be subject to review by the

Ford's Colony Architectural Review Board to ensure design compatibility with existing development in Ford's Colony.

FACTORS UNFAVORABLE

1. Proffers are not accepted for residential rezonings. As such, some of the typical impacts associated with residential development are not mitigated or addressed, including impacts to schools, impacts to public facilities and utilities (such as James City Service Authority), the provision of affordable and workforce housing opportunities and the provision of enhanced environmental protections.

2. While the development may be age-targeted, without the ability to guarantee age restrictions, the project is fiscally negative per the submitted Fiscal Impacts Analysis worksheet.

3. This proposal does not fully meet the recommendations of the Parks & Recreation Development Guidelines. The applicant is seeking an exception from the Board of Supervisors, as further discussed below.

4. Staff has received negative responses regarding the proposal from residents of both Ford's Colony and the Westport subdivision. Copies of written responses are attached to this report.

SUMMARY STAFF RECOMMENDATION

Staff recommends approval of the proposed rezoning and master plan amendment, including the request for private streets and exception to the Parks & Recreation Development Guidelines, as found in the attached resolution.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 5-2 to recommend approval of this application to the Board of Supervisors

CHANGES SINCE THE PLANNING COMMISSION

None.

PROJECT DESCRIPTION

- The applicant is requesting a rezoning from A-1, General Agricultural to R-4, Residential Planned Community to permit an 81-lot, single-family development on approximately 45 acres, known as "The Parke at Ford's Colony."

- This application requires an amendment to the existing, adopted R-4 Master Plan for Ford's Colony, bringing the total units of that Master Plan from 3,846 units to 3,927 units. For this purpose, the Ford's Colony Homeowners Association was a party to the Master Plan application, though they are not a party to the rezoning application. The application will also add a multi-use path along Manchester connecting the Parke development with the Ford's Colony Community Club on St. Andrew's Drive.

- Consistent with the existing Ford's Colony development, the applicant is requesting permission from the Board of Supervisors for roads internal to the Parke at Ford's Colony to be private. Private roads would allow for gated entrances to the development. This request is per Section 24-62 of the Zoning Ordinance and does not require action by the Planning Commission.

- The project is located on a Community Character Corridor (CCC) per the adopted Comprehensive Plan, and thus, provides a 150-

foot wooded buffer along the Centerville Road frontage of the subject properties.

- Per the adopted Pedestrian Accommodations Master Plan, this project includes the construction of a multi-use path along the Centerville Road frontage of the subject properties.

ABILITY TO GUARANTEE THE DEVELOPMENT AS PROPOSED

- On June 28, 2016, the Board of Supervisors adopted Ordinance No. 31A-304, specifying that the County will only accept proffers associated with non-residential rezonings.

- The County, therefore, is faced with assessing the development potential and associated land use impacts of this proposal. Because age restriction or age-targeted development, in the absence of proffers, cannot be binding, the staff report describes impacts for a non-age-restricted proposal (traffic generation, fiscal impact, schools).

- Proffers are not accepted for residential rezonings; however, several issues have been addressed proactively as a part of this application (such as the Streetscape Policy and pedestrian accommodations) or have been addressed during the preparation of earlier development plans for this site (such as the Natural Resource and Archaeological policies).

PLANNING AND ZONING HISTORY

- Ford's Colony: The existing Ford's Colony subdivision was originally rezoned with proffers to R-4, Residential Planned Community in the late 1980s. Its Master Plan currently allows for 3,846 units with a mix of single-family units, multi-family units and units designated for a future Continuing Care Retirement Community. The Ford's Colony development currently has an outstanding proffer obligation, which requires a traffic study to be completed every five years in order to assess the need for several traffic improvements along Centerville Road, Longhill Road and News Road. If warranted, the proffers commit the development to construct the improvements. Traffic studies were most recently completed and provided to the County in 2004 and 2008.

- Westport: The area subject to current rezoning was previously proposed to be developed as a by-right subdivision on land zoned A-1, General Agricultural (Section B of the Westport subdivision). While the area to the west of the site was approved and is partially built-out, this section of the Westport subdivision never received final approval. It was also the subject of a rezoning and Special Use Permit application in 2010, which was withdrawn by the applicant at that time. While the platted and approved section of the Westport subdivision is a part of the Ford's Colony Homeowners Association, it was never rezoned, and thus, is not part of the adopted R-4 Master Plan.

- The Parke at Ford's Colony: The current application was reviewed by the Development Review Committee as a conceptual item for preliminary feedback prior to submission for rezoning.

SURROUNDING ZONING AND DEVELOPMENT

- North, South and West: A-1, General Agricultural, including the platted Westport subdivision and several undeveloped lots.

- East: The existing Ford's Colony development, zoned R-4, Residential Planned Community.

PUBLIC IMPACTS

Anticipated Impact on Public Facilities and Services:

Streets

- A Traffic Impact Study was not required for this development since the PM peak trip generation fell below the 100 trip threshold in the Zoning Ordinance. The Institute of Transportation Engineers projects that the development would generate 82.7 PM peak hour trips and approximately 810 daily trips.

- The project would take access from Centerville Road through Westport, which is designed as a public road that will eventually be accepted for maintenance into the state system. The applicant is requesting a private street exception from the Board of Supervisors for roads internal to the Parke at Ford's Colony development. The exception would allow for guardhouses and gates at the two entrances to the development from Westport.

- Centerville Road is currently operating at a Level of Service (LOS) A-C and is anticipated to remain operating at this LOS through 2034.

- While a traffic study was not required for the submittal of the rezoning application, the Ford's Colony development currently has an outstanding proffer obligation which requires a traffic study to be completed every five years in order to assess the need for several traffic improvements along Centerville Road, Longhill Road and News Road. If warranted, the proffers commit the development to construct the improvements. The adopted Ford's Colony proffers call for the construction of right- and left-turn lanes at the Centerville/Manchester intersection, which are currently in place. However, a number of other proffered traffic improvements along Centerville Road, News Road and Longhill Road remain outstanding at this time.

Parks & Recreation

- As previously noted, the applicant is requesting an exception to the Parks & Recreation Development Guidelines. Per the Board adopted Parks & Recreation Master Plan, the Ford's Colony master-planned community would require two additional playing fields and two additional playgrounds. The applicant has provided documentation verifying that they are providing a capital contribution of $320,000 to the Ford's Colony Homeowners Association for improvements, including recreational amenities. Additionally, in the context of the current guidelines, the existing Ford's Colony development provides an excess of swimming pools, walking trails and tennis courts per the adopted guidelines. Planning and Parks & Recreation staff are receptive to this request; however, the waiver must be approved by the Board of Supervisors.

    - *Requirement:* Park Land (15.32 acres minimum)
    - *Existing:* 34.59 acres

    - *Requirement:* Playgrounds (minimum or four separate facilities)
    - *Existing:* Two playgrounds (applicant is not proposing any additional playgrounds)

    - *Requirement:* Biking/Jogging Trails (minimum of 20,735 linear feet)
    - *Proposed/Existing:* 59,139 linear feet

    - *Requirement:* Sport Courts or Pools (minimum of four)
    - *Existing:* Two basketball courts, two pools, ten tennis courts

- *Requirement:* Multiuse/Rectangular/Soccer Fields (3 minimum)
- *Existing:* One field (applicant is not proposing any additional playgrounds)

Schools

- Per the applicant, and as found in the Community Impact Statement, the proposed development is designed to be age-targeted to a demographic which generally produces fewer school children. As discussed above, proffers are not accepted for residential rezoning applications. In previous age-restricted developments (such as Colonial Heritage), proffers have been able to provide assurance that no permanent resident of the development would be under a certain age. With no way to guarantee the mitigation of that impact, an analysis of school-age children is provided.

- The proposed 81 lots are anticipated to generate an additional 34 students. As illustrated in the table below, the 34 students projected from the development would not cause the enrollment levels for D. J. Montague Elementary School, Lois S. Hornsby Middle School or Lafayette High School to exceed effective capacity.

Student Enrollment and School Capacity, WJCC Schools 2016

School	*Effective Capacity*	*Enrollment*	*Projected Students Generated*	*Enrollment + Projected Students*
D. J. Montague	590	461	± 16	477
Hornsby Middle	952	942	± 8	950
Lafayette High	1314	1152	± 10	1,162

Source: WJCC Public School Official Student Enrollment Report, November 2016

Fiscal Impact

- The Fiscal Impact Analysis worksheet was submitted per the Fiscal Year 2017 calculations provided by the Department of Financial and Management Services.

- Per that analysis, the development would result in a $128,432.59 negative fiscal impact to the County.

Fire

- The location of the project allows for coverage by both Fire Station 3, located on John Tyler Highway, and Station 5, located on Monticello Avenue.

Utilities

- The project would be served by public water and sewer.

- A Water Conservation Agreement for the existing Westport subdivision, which previously included this property, has been recorded.

- James City County Service Authority has reviewed the Master Plan and may have comments at development plan level, but concurs with the proposed utility layout generally.

Environmental/Cultural/Historic:

Environmental

- Watershed: Gordon Creek.

- The application identifies and avoids Resource Protection Areas (RPA).

- The applicant submitted studies analyzing the natural resources in the project area and possible impacts to bald eagles, long-eared bats, small whorled pogonia, etc. Review by the Department of Conservation and Recreation (DCR) found that this site is located in the Gordon Creek Conservation Site and is home to the natural heritage resource Tidal Freshwater Marsh. As this resource lies within areas already protected by rules governing RPAs and wetlands, the DCR recommended adherence to existing state and local stormwater management and erosion and sediment control regulations at the development stage.

- The Stormwater and Resource Protection Division has reviewed the proposal and concurs with the Master Plan as proposed. For this location, staff finds that a Nutrient Management Plan would be preferred and is recommended. However, as noted above, the County does not accept proffers for residential rezonings.

Cultural/Historic

- A Phase I Archaeological Study, conducted prior to the earlier rezoning, was submitted with this application and reviewed by the Virginia Department of Historic Resources (VDHR). The study concluded that no further archaeological historic preservation efforts were necessary on site. The VDHR concurred with the findings of this study.

Nearby and Surrounding Properties

- Staff finds that the proposed 35-foot perimeter buffer mitigates visual impacts to other adjacent properties. Additionally, much of the northern parcel includes RPA, which provides an even larger buffer.

- The project is located on a CCC per the adopted Comprehensive Plan, and thus, provides a 150-foot wooded buffer along the Centerville Road frontage of the subject properties. Wooded CCC buffers utilize and/or supplement existing vegetation to create visual screening of development along CCCs and serve to preserve open space and wildlife habitat.

COMPREHENSIVE PLAN

- The project site consists of two parcels: one north of the Westport right-of-way and one south of the Westport right-of-way. The southern property is designated LDR by the adopted Comprehensive Plan. The northern property is also largely designated LDR; however, approximately four acres of that property is designated Rural Lands (RL). Those four acres are also outside of the PSA.

- Recommended uses in LDR include single-family and multi-family units, accessory units, cluster housing and recreation areas.

- This application proposes a density of 1.88 dwelling units per acre in the Parke at Ford's Colony development. Generally, the Comprehensive Plan recommends a gross density of up to one unit per acre in LDR areas. However, a gross density from one to four units per acre is acceptable if certain public benefits are provided. The Comprehensive Plan states that "[e]xamples of such benefits include mixed-cost housing, affordable and workforce housing, enhanced environmental protection or development that adheres to the principles of open space design." As previously noted, the application includes provisions in accordance with the Comprehensive Plan for a wooded CCC buffer along Centerville Road, and has also provided documentation per the County's adopted Archaeological and Natural Resources policies. Because proffers are not accepted for residential rezonings, there is a limited ability for this application to provide typical enhanced public benefits, such as affordable housing. While not traditional public benefits, this application does include provisions for adherence to the County's adopted Streetscapes Policy as well as assurances for architectural review by the Ford's Colony Homeowners Association and access to existing Ford's Colony recreational amenities.

- The application proposes a density of 1.37 units per acre in the overall Ford's Colony development. This represents a 0.01 increase in overall density.

- The Comprehensive Plan recommends very limited residential development in lands designated RL, at intensity much lower than is permitted by the R-4 Zoning District. This application is generally not consistent with the recommendations for development in RL and outside of the PSA; however, staff finds the project is overall consistent with the Comprehensive Plan in consideration of the following mitigating factors:

  - The area of land designated RL and outside of the PSA is less than 10% of the Parke at Ford's Colony site and only encompasses portions of five lots.

  - This area is topographically isolated from the surrounding Westport development. Should public utility connections be extended to the five lots, which are partially outside of the PSA, topography would limit utilities from being further extended beyond these lots.

  - The impacted lots are designed to have stems inside the PSA, thereby taking access from streets and using utility infrastructure that will be located inside the PSA.

  - JCSA reviewed this application and recommended that the lots be permitted to connect to public utilities.

  - Past examples of such split development include the Greensprings West and Patriot's Colony developments.

- Based on the specific factors listed above, staff recommends that the four acres designated RL be permitted to rezone to R-4, Residential Planned Community and that the five lots be included inside the PSA during the next Comprehensive Plan update process.

STAFF RECOMMENDATION

Staff recommends approval of the proposed rezoning and master plan amendment, including the request for private streets and exception to the Parks & Recreation Development Guidelines, as found in the attached resolution.

RS/nb
RZ02-17-MP02-17TheParke

Attachments:
1. Resolution
2. Location Map
3. Master Plan
4. Community Impact Statement
5. Fiscal Impact Study
6. Private Streets Request
7. Parks & Recreation Exception Request
8. Citizen Correspondence
9. Minutes from the November 1, 2017, Planning Commission Meeting

R E S O L U T I O N

CASE NOS. Z-0002-2017/MP-0002-2017.THE PARKE AT FORD'S COLONY

WHEREAS, Ms. Nathalie Croft of Eagle Construction (the "Applicant") has applied on behalf of Parke at Westport, LLC to rezone approximately 45 acres of land located at 3400 and 3401 Westport, further identified as James City County Real Estate Tax Map Parcel Nos. 3620100061 and 3620100060, respectively (the "Property") from A-1, General Agricultural, to R-4, Residential Planned Community; and

WHEREAS, the Applicant, in conjunction with Mr. Mark Matthews, on behalf of the Ford's Colony Homeowners Association, has applied to amend the adopted master plan for Ford's Colony to include the Property, as shown on the exhibit titled "Master Plan for Rezoning of the Parke at Ford's Colony" (the "Exhibit") prepared by AES Consulting Engineers, dated May 10, 2017; and

WHEREAS, the Applicant has requested an exception from the Board of Supervisors to the James City County Recreation Facilities Development Guidelines, adopted by the Board of Supervisors on April 11, 2017; and

WHEREAS, the Applicant has requested that the Board of Supervisors permit private streets within the Property as shown on the Exhibit, in accordance with Section 24-62 of the James City County Code; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case Nos. Z-0002-2017/MP-0002-2017; and

WHEREAS, the Planning Commission, following its public hearing on November 1, 2017, recommended approval of this application by a vote of 5-2.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, finds this request to be consistent with the 2035 Comprehensive Plan Land Use designation for the Property and does hereby approve Case No. Z-0002-2017.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. MP-0002-2017.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, finds that the proposed facilities are appropriate for the anticipated resident population and does hereby approve the requested exception to the James City County Recreational Facilities Development Guidelines consistent with the adopted Parks and Recreation Department Master Plan.

BE IT FURTHER RESOLVED, in accordance with Section 24-62 of the James City County Code, that the Board of Supervisors of James City County, Virginia, does hereby approve the request to permit private streets within the Property as shown on the Exhibit.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

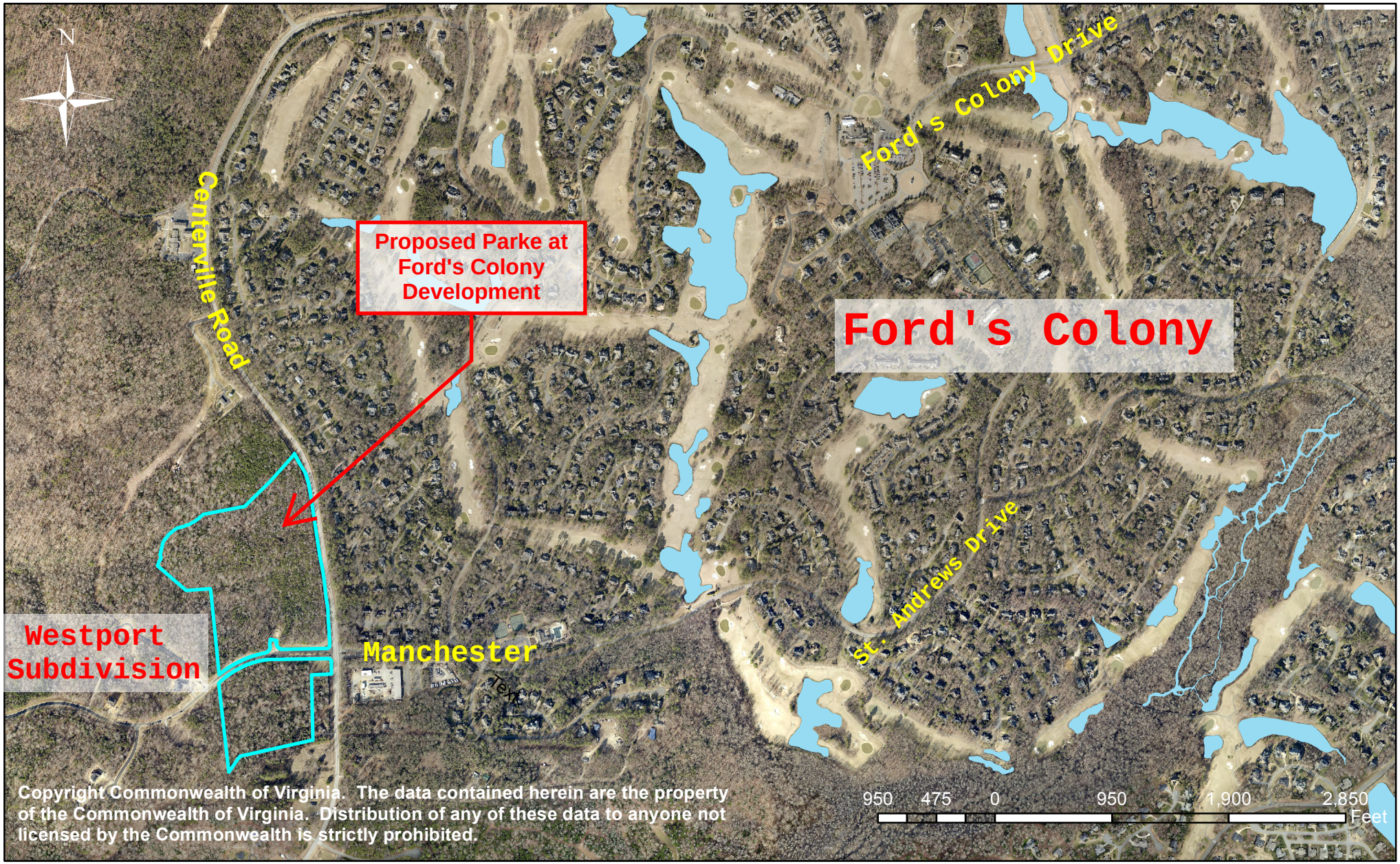
	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

_____
Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

RZ02-MP02-17TheParke-res

JCC Case No. Z-02-17/MP-02-17
Parke at Ford's Colony



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MASTER PLAN FOR REZONING
THE PARKE
AT
FORD'S COLONY

JAMES CITY COUNTY, VIRGINIA
POWHATAN DISTRICT
JCC CASE NO. Z-0002-2017

Rev.	Date	Description	Revised By
3	10/6/17	JAMES CITY COUNTY COMMENTS	LBA
2	9/28/17	REVISED PER OWNER REQUEST AND JAMES CITY COUNTY COMMENTS	LBA
1	9/15/17	REVISED PER JAMES CITY COUNTY COMMENTS	LBA

GENERAL NOTES FOR REZONING

1. REZONING APPROXIMATELY 45.0 ACRES OF GENERAL AGRICULTURAL, A-1 TO RESIDENTIAL PLANNED COMMUNITY DISTRICT, R4
2. PARCEL NUMBERS AND OWNERS:

   PARCEL #3620100060
   PARCEL #3620100061
   PARKE AT WESTPORT, LLC
   2250 OLD BRICK ROAD STE 200
   GLEN ALLEN, VA 23060-6008
   CONTACT: RICHARD E. CORE, JR,
   (804) 217-6937
3. PARCEL NUMBERS AND PROPERTY ADDRESSES:

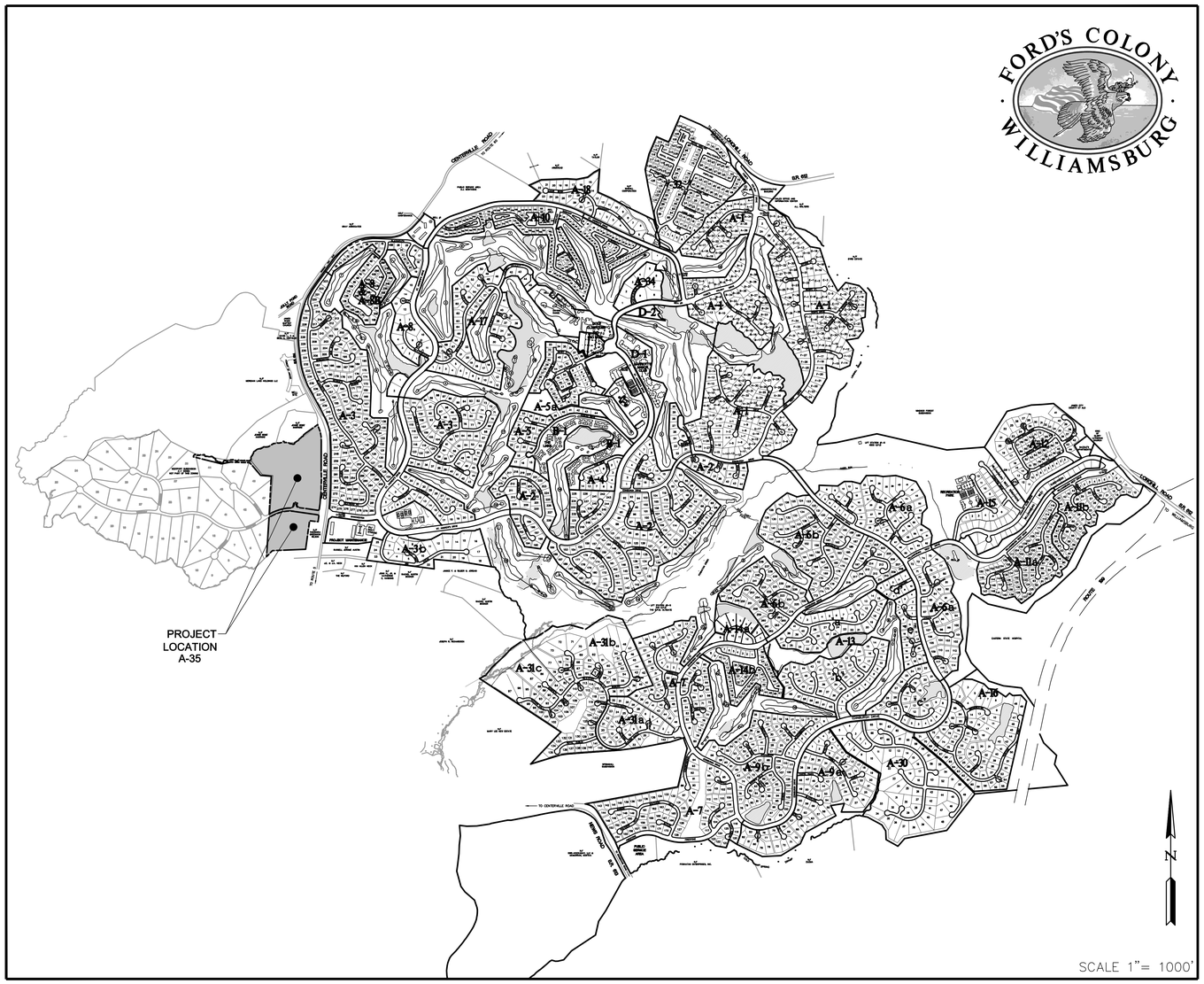
   PARCEL #3620100060
   3401 WESTPORT
   WILLIAMSBURG, VA 23188

   PARCEL #3620100061
   3400 WESTPORT
   WILLIAMSBURG, VA 23188
4. EXISTING ZONING:

   A-1: PARCEL #3620100060
   PARCEL #3620100061
5. TOPOGRAPHIC INFORMATION IS BASED ON 2-FOOT CONTOUR INTERVALS PROVIDED BY AN AERIAL SURVEY FLOWN IN 1973.
6. SHEET 4, ENVIRONMENTAL INVENTORY, INDICATES 25% SLOPES, SOIL INVENTORY, WETLANDS, THE APPROXIMATE LOCATION OF RESOURCE PROTECTION AREAS (RPA) AND ASSOCIATED BUFFERS, AND PERENNIAL STREAM DETERMINATIONS. FOR FURTHER INFORMATION ON THE ENVIRONMENTAL INVENTORY, REFER TO THE COMMUNITY IMPACT STATEMENT.
8. SITE LIES WITHIN THE CENTERVILLE ROAD COMMUNITY CHARACTER AREA AS DESCRIBED ON THE JCC COMPREHENSIVE PLAN.
9. THIS PROJECT IS LOCATED WITHIN THE POWHATAN CREEK WATERSHED IN SUB-WATERSHEDS 203 AND 204. ALSO GORDON CREEK WATERSHED AND PROPERTIES ARE LOCATED WITH SUBWATERSHED WITHIN SUB-WATERSHEDS 104 AND 202 PER KCI TECHNOLOGIES, INC. MANAGEMENT PLAN REPORT.
10. CURB AND GUTTER STREETS ARE PROPOSED.
11. ALL PUBLIC STREETS WITHIN THE DEVELOPMENT WILL BE DESIGNED PER APPLICABLE VDOT STANDARDS.
12. PRIVATE STREETS, IF CONSTRUCTED, SHALL MEET VDOT REQUIREMENTS PER SECTION 24-62 (B).
13. PRIVATE STREETS WILL COMPLY WITH "ADMINISTRATIVE GUIDELINES FOR CERTIFICATION OF PRIVATE STREET CONSTRUCTION" PROGRAM REQUIREMENTS AT DEVELOPMENT PLAN .
14. THIS PROPERTY IS IN FLOOD ZONE "X" AS SHOWN ON MAP NUMBER 51095C109D, 51095C0116D, 51095CO117D AND 51095CO119D EFFECTIVE 12/16/2015, OF THE FLOOD INSURANCE RATE MAPS FOR JAMES CITY COUNTY, VIRGINIA. ZONE "X" IS DEFINED AS AREAS OUTSIDE THE 500 YEAR FLOOD PLAIN.
15. THE PARKE AT FORD'S COLONY, NOTED AS SECTION A-35, SHALL CONFORM TO THE JCC STREETSCAPE POLICY AS ADOPTED BY THE BOARD OF SUPERVISORS ON OCTOBER 5, 2011. IN GENERAL STREET TREES WILL BE INSTALLED AT 40-FT INTERVALS ALONG THE PRIVATE ROADWAYS WITHIN THE DEVELOPMENT.
16. HYDROLOGIC UNIT CODES
    JL29 CHICKAOMINY RIVER, MORRIS CREEK
    JL31 POWHATAN CREEK

LEGEND

EXISTING		PROPOSED
W	WATER	W
S	GRAVITY SEWER	S
	STORM SEWER	
EX. FM	FORCE MAIN	FM
	MANHOLE	
	CURB DROP INLET	
	YARD DROP INLET	
	VALVE	
	FIRE HYDRANT ASSEMBLY	
	BLOW-OFF ASSEMBLY	d
	AIR RELEASE VALVE	
	CLEAN OUT	
	WATER METER	
	CENTERLINE/BASELINE	
	RIGHT OF WAY	
	PROPERTY LINE	
	℄ DITCH/SWALE	
	TREELINE/LIMITS OF CLEARING & GRADING	
	GROUND ELEVATION	
80	CONTOUR ELEV.	80



INDEX OF SHEETS

1	COVER SHEET
2	2017 LAND USE MASTER PLAN
3	2017 AMENITY PLAN
4	EXISTING CONDITIONS
5	PARKE AT FORD'S COLONY MASTER PLAN
6	UTILITIES MASTER PLAN
7	STORMWATER MANAGEMENT MASTER PLAN

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Hampton Roads | Central Virginia | Middle Peninsula

MASTER PLAN FOR REZONING
OF
THE PARKE
AT
FORD'S COLONY
POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10145-03
Scale: AS NOTED	Date: 5/10/17
Sheet Title:	COVER SHEET
Sheet Number	1

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FORD'S COLONY
WILLIAMSBURG

NON RESIDENTIAL AMENITY AND SERVICE SITES

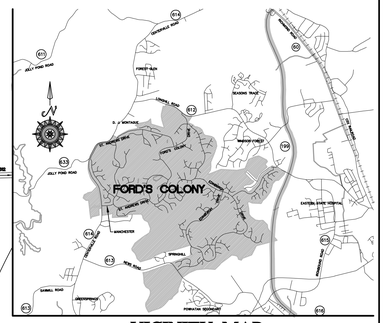
1	100 HOTEL CONDOMINIUMS, EXECUTIVE MEETING FACILITIES AND GOLF ACADEMY	4.71 AC.
2	GOLF CLUB AND PRO SHOP	5.05 AC.
3	INFORMATION AND SALES CENTER	1.81 AC.
4	ADMINISTRATIVE BUILDING	3.50 AC.
5	PUBLIC SERVICE AREA *	28.05 AC.
6	GOLF MAINTENANCE	3.90 AC.
7	COMMUNITY CLUB	7.72 AC.
8	PROJECT MAINTENANCE	10.59 AC.
9	DRIVING RANGE/CART STORAGE	10.34 AC.
10	ADDITIONAL RECREATION AREA	6.36 AC.
11	ADDITIONAL PUBLIC SERVICE AREA	6.76 AC.
12	CONTINUING CARE RETIREMENT COMMUNITY (CCRC)	180.7 AC.
	TOTAL	269.49 AC.

* NOTE: 1.21 AC. PORTION OF ORIGINAL 30.0 AC. P.S.A. SOLD TO FORD'S COLONY

LEGEND

- – RESIDENTIAL "A"
- – RESIDENTIAL "B"
- – RESIDENTIAL "D"
- – OPEN SPACE
- – WILLIAMSBURG WEST SUBDIVISION AND APARTMENTS NOT A PORTION OF MASTER PLAN





VICINITY MAP
SCALE 1"= 4000'

LAND USE TABULATION

	2017	2008
RESIDENTIAL "A"		
TOTAL NUMBER OF UNITS	2,937 UNITS	2,856 UNITS
GROSS AREA OF RESIDENTIAL "A"	1,913.86± AC.=(63.64%)	1,868.77± AC.=(63.09%)
PERMITTED DENSITY	4.00 UNITS/ ACRE	4.00 UNITS/ ACRE
UNIT DENSITY	1.54 UNITS/ ACRE	1.53 UNITS/ ACRE
RESIDENTIAL "B"		
TOTAL NUMBER OF UNITS	80 UNITS	80 UNITS
GROSS AREA OF RESIDENTIAL "B"	22.9± AC.=(0.77%)	22.9± AC.=(0.77%)
PERMITTED DENSITY	9.60 UNITS/ ACRE	9.60 UNITS/ ACRE
UNIT DENSITY	3.49 UNITS/ ACRE	3.49 UNITS/ ACRE
RESIDENTIAL "D"		
TOTAL NUMBER OF UNITS	314 UNITS	314 UNITS
GROSS AREA OF RESIDENTIAL "D"	31.82 AC.=(1.07%)	31.82 AC.=(1.07%)
PERMITTED DENSITY	18.00 UNITS/ ACRE	18.00 UNITS/ ACRE
UNIT DENSITY	9.67 UNITS/ ACRE	9.67 UNITS/ ACRE
C.C.R.C. "B"		
TOTAL NUMBER OF UNITS	38 UNITS	38 UNITS
GROSS AREA OF C.C.R.C. "B"	10.97± AC.=(0.37%)	10.97± AC.=(0.37%)
PERMITTED DENSITY	9.60 UNITS/ ACRE	9.60 UNITS/ ACRE
UNIT DENSITY	3.46 UNITS/ ACRE	3.46 UNITS/ ACRE
C.C.R.C. "D"		
TOTAL NUMBER OF UNITS	558 UNITS	558 UNITS
GROSS AREA OF C.C.R.C. "D"	57.33 AC. =(1.94%)	57.33 AC. =(1.94%)
PERMITTED DENSITY	18.00 UNITS/ ACRE	18.00 UNITS/ ACRE
UNIT DENSITY	9.73 UNITS/ ACRE	9.73 UNITS/ ACRE
OPEN SPACE		
WITHIN NON-RESIDENTIAL AMENITY AND SERVICE SITES	150.27 AC.	150.27 AC.
* GOLF COURSE, LAKES AND BUFFERS, MARSH RESERVE	844.71 AC.	844.71 AC.
OPEN SPACE WITHIN RESIDENTIAL "A"	±537.22 AC.	514.12 AC.
OPEN SPACE WITHIN RESIDENTIAL "B" & "D"	38.77 AC.	38.77 AC.
TOTAL AREA OF OPEN SPACE	1,570.97 AC.	1,547.87 AC.
TOTAL AREA OF PROJECT	3,007.34 AC.	2,962.24 AC.
% OF OPEN AREA	52.2%	52.3%
PROJECT DENSITY		
GROSS AREA OF MASTER PLAN	3,007.34± AC.	2,962.24 AC.
NON-DEVELOPABLE AREA	735± AC (24%)	724± AC.(24%)
GROSS DEVELOPABLE AREA	2,272.34± AC. (76%)	2,238.24± AC. (76%)
GROSS DENSITY (PER SECTION 24-278)	1.37 UNITS/AC	1.36 UNITS/AC
TOTAL NUMBER OF RESIDENTIAL UNITS	3,927 UNITS	3,846 UNITS

* NOTES

MARSH RESERVES, LAKES AND BUFFERS	278.12 AC.
GOLF COURSE (INCLUDES LAKES IN PLAY)	491.09 AC
RESERVED FOR ROUTE 199	20.0 AC
ASSOCIATED GREENBELTS NATURAL OPEN SPACE IN 1993 ADDITION	3.30 AC.
OPEN SPACE IN 1995 ADDITION	5.00 AC.
OPEN SPACE IN 1998 ADDITION	47.20 AC.
OPEN SPACE IN 2008 ADDITION	111.0 AC.
OPEN SPACE IN 2017 ADDITION	23.1 AC.

GENERAL NOTES:

1. RECORDATION OF THIS PLAN IS SOLELY FOR THE PURPOSE OF IDENTIFYING THE LAND COVERED BY THE PROFFERS RECORDED HEREWITH AND DOES NOT CONSTITUTE A PLAT OF SUBDIVISION NOR DOES IT DEDICATE TO PUBLIC OR PRIVATE USE ANY ROADS, COMMON AREAS, GREEN AREAS, OR RECREATION AREAS.
2. THE PROPERTY SHOWN ON THIS PLAN IS COVERED BY PROTECTIVE COVENANTS OF RECORD IN THE CLERK'S OFFICE IN THE COURTHOUSE OF JAMES CITY COUNTY, VIRGINIA, WHICH PROVIDE FOR THE MAINTENANCE OF COMMON OPEN SPACE, RECREATION AREAS, SIDEWALKS, PARKING, PRIVATE STREETS AND OTHER PRIVATELY OWNED, BUT COMMON FACILITIES SERVING THIS PROJECT.
3. LOTS NUMBERED REPRESENT RECORDED SECTIONS OR SECTIONS THAT HAVE RECEIVED PRELIMINARY APPROVAL.
4. THE 2008 MASTER PLAN AMENDMENT WILL BE CONSIDERED A STAND ALONE PROJECT FOR THE PURPOSES OF STORMWATER MANAGEMENT POINTS AND CREDITS.

Rev.	Date	Description	Revised By
3	10/6/17	JAMES CITY COUNTY COMMENTS	LBA
2	9/28/17	REVISED PER OWNER REQUEST AND JAMES CITY COUNTY COMMENTS	LBA
1	9/15/17	REVISED PER JAMES CITY COUNTY COMMENTS	LBA

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Hampton Roads | Central Virginia | Middle Peninsula

MASTER PLAN FOR REZONING
OF
THE PARKE
AT
FORD'S COLONY
POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10145-03
Scale: AS NOTED	Date: 5/10/17
Sheet Title:	2017 LAND USE MASTER PLAN
Sheet Number	2

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FORD'S COLONY · WILLIAMSBURG ·

NOTE:
THERE IS A TOTAL OF 42 PONDS WITHIN THE OVERALL DEVELOPMENT OF WHICH 14 ARE USED FOR BOATING AND FISHING.

GOLF COURSE CONSTRUCTION SCHEDULE

SYMBOL	COURSE NAME(S)	SCHEDULED CONSTRUCTION
①	"MARSH HAWK"	COMPLETE AND IN PLAY
②	"BLUE HERON"	COMPLETE AND IN PLAY
③	"BLACKHEATH"	COMPLETE AND IN PLAY

TOTAL OF 54 HOLES OF GOLF.
(3-18 HOLE COURSES)
GOLF COURSES INCLUDE OVER
18 MILES OF GOLFCART TRAILS



N

GRAPHIC SCALE
600' 0' 600' 1200'
SCALE: 1" = 600'

GAZEBO
"MARSH HAWK"
WEDDING PARK
"BLUE HERON"
GOLF CLUBHOUSE, PRO SHOP AND PAVILION
"BLACK HEATH"
GAZEBO
WILDLIFE OBSERVATION BRIDGES
RECREATION AREA
EXISTING
PARKING AREA
6 TENNIS COURTS
SOFTBALL FIELD
BASKETBALL COURT
8 LANE, 25m SWIMMING POOL
BATHHOUSE
PLAYGROUND
MULTI-PURPOSE ROOM
COMMUNITY CLUB
EXISTING
4 TENNIS COURTS
25m SWIMMING POOL
COMMUNITY CLUB
ACTIVITIES BUILDING
PICNIC AND PLAY AREAS
TOT LOT
BASKETBALL COURT
BIRD WATCHING STATION
EASTERN STATE HOSPITAL
FUTURE DEVELOPMENT
SECURITY GATES
CARD GATES
CARD GATE
WESTPORT SUBDIVISION N-1 ZONED NOT PART OF THIS ZONING
WINDSOR FOREST SUBDIVISION
SPRINGHILL SUBDIVISION
POWHATAN ENTERPRISES, INC.
N/F MARBURTON ESTATE
N/F ZUZMA
N/F CASEY
TO CENTERVILLE ROAD
TO WILLIAMSBURG
TO COLONIAL PARKWAY
TO YORKTOWN
TO WILLIAMSBURG
JOLLY POND ROAD
GREENMOUNT ROAD
LIBERTY RIDGE
LIFT STATION #5 745 GPM ULTIMATE
LIFT STATION #5 600 GPM
PUBLIC SERVICE AREA
PROJECT MAINTENANCE
GOLF MAINTENANCE
ADMINISTRATIVE BUILDING
SALES OFFICE AND INFORMATION CENTER
TWO-WAY GOLF CART BRIDGE
PROPOSED BIKE PATH

LEGEND

- PROPOSED 1530'± 8' HARD SURFACE PATH (N–N)
- PROPOSED 1440'± HARD SURFACE PATH – 4'–6' WIDE SURFACE (M–M) TO BE FIELD LOCATED
- EXISTING 52,695'± BIKE PATH – 6' WIDE ASPHALT SURFACE
- EXISTING 6,444'± NATURE TRAIL – 4'–6' WIDE BARK, STONE, OR GRASS SURFACE
- GOLF COURSE FAIRWAYS
- GOLF COURSE GREENS AND TEES
- LAKES

BIKE PATH CONSTRUCTION SCHEDULE

PORTION	SCHEDULED CONSTRUCTION
A–A	COMPLETE
B–B	COMPLETE
C–C	COMPLETE
D–D	COMPLETE
E–E	COMPLETE
F–F	COMPLETE
G–G	COMPLETE
H–H	COMPLETE
I–I	COMPLETE

NATURE TRAIL CONSTRUCTION SCHEDULE

PORTION	SCHEDULED CONSTRUCTION
J–J (1420'±)	COMPLETE
K–K (1295±)	COMPLETE
L–L (3730'±)	COMPLETE
M–M (1,440±)	TO BE COMPLETED 2018
N–N (1,530±)	TO BE COMPLETED 2018

JAMES CITY COUNTY RECREATIONAL FACILITY GUIDELINE CALCULATIONS

PARK LAND
REQUIRED 0.0038 AC/UNIT, 3,927 x 0.0039 = 15.32 AC

EXISTING COMMUNITY CLUB = 7.72 AC
WESTBURY PARK = 26.87 AC
TOTAL 34.59 AC

BIKING/JOGGING TRAILS
REQUIRED 5.28 LF/UNIT 3,927 X 5.28 = 20,735 LF

EXISTING 6' PAVED TRAIL = 52,695 LF
EXISTING BARK, STONE, GRASS TRAIL = 6, 444 LF
PROPOSED HARD SURFACE PATH = 2,970 LF
TOTAL ±62,109 LF

PLAYGROUNDS
REQUIRED 3 PLAYGROUNDS
EXISTING 2 PLAYGROUNDS

COURTS OR POOLS
REQUIRED
BASKETBALL 0.001COURT/ UNIT, 0.001 x 3,970 = 4 COURTS
EXISTING = 2 COURTS

TENNIS
REQUIRED 0.0005 COURT/ UNIT, 0.0005 X 3,970 = 2 COURTS
EXISTING = 10 COURTS

POOLS
REQUIRED = 0 POOLS
EXISTING = 2 POOLS

FIELDS, MULTIUSE RETANGULAR/SOCCER
REQUIRED = 2 FIELDS
EXISTING = 1 FIELD

FINANCIAL CONTRIBUTION TO FCHOA TO BE USED FOR RECREATION AMENITIES AND FACILITIES (LOCATION TO BE DETERMINED)

NOTE:

1. TRAIL SECTION M-M SHALL BE FIELD LOCATED TO MINIMIZE THE REMOVAL OF MATURE VEGETATION
2. TRAIL SECTION N-N SHALL GENERALLY BE LOCATED WITHIN EXISTING CLEARING. HOWEVER, REMOVAL OF VEGETATION WITHIN COMMUNITY CORRIDOR BUFFER MAY BE REQUIRED

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MASTER PLAN FOR REZONING
OF
THE PARKE
AT
FORD'S COLONY
POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10145-03
Scale: 1"=600'	Date: 5/10/17

Sheet Title:
2017 AMENITY PLAN

Sheet Number
3

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SOIL CHARACTERISTICS

SOIL #	SOIL NAME	TYPICAL SLOPES	EROSION FACTOR (K)	EROSION FACTOR (T)
11C	CRAVEN–UCHEE COMPLEX	6–10%	0.32–0.37	3
15E	EMPORIA COMPLEX	15–25%	0.20–0.28	4
15F	EMPORIA COMPLEX	25–50%	0.20–0.28	4
19B	KEMPSVILLE–EMPORIA	2–6%	0.20–0.32	3–4
29A	SLAGLE	0–2%	0.24	3
31B	SUFFOLK FINE SANDY LOAM	2–6%	0.17–0.28	4

INFORMATION TAKEN FROM "SOIL SURVEY OF JAMES CITY AND YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VIRGINIA" ISSUED IN APRIL, 1985 BY THE UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE IN COOPERATION WITH VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY.

SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)
0.23 AND LOWER – LOW ERODIBILITY
0.23–0.36 – MODERATE ERODIBILITY
0.36 AND UP – HIGH ERODIBILITY

THE MAP SHOWN IS A "BEST FIT MODEL" OF THE SCS MAPS WITH EXISTING BASE INFORMATION.

25% SLOPES

LIMITS OF SOILS DELINEATION

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MASTER PLAN FOR REZONING OF THE PARKE AT FORD'S COLONY

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10145-03
Scale: 1"=100'	Date: 5/10/17

Sheet Title: EXISTING CONDITIONS

Sheet Number 4

GRAPHIC SCALE
100' 0' 100' 200'
SCALE: 1" = 100'

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SITE TABULATIONS

SITE AREA = 45.09 AC.

TOTAL UNITS = 81 DWELL UNITS
SINGLE FAMILY = 56 LOTS NORTH
= 25 LOTS SOUTH

GROSS DENSITY
(PER JCC ORD. 24-278)= 1.88 DU/AC.

AREA CALCULATIONS

OPEN SPACE = ±1,005,678 SF.; ±23.1 AC.

RIGHT OF WAY = ±174,362 SF.; ±4.0 AC.

LOTS = ±784,080 SF.; ±18.0 AC.

TOTAL = ±1,964,120 SF.; ±45.1 AC.

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1	9/15/17	REVISED PER JAMES CITY COUNTY COMMENTS	LBA

EDENDERRY

LOCKLOMOND

N/F
LORIO, JOSEPH T. & ETHEL M.
4601 RIDENDERRY
PARCEL ID: 3620500007
ZONE: A-1

N/F
PESCARA, NARCO Q. TRUSTEE
& LISA A. TRUSTEE
3420 WESTPORT
PARCEL ID: 3620500042
ZONE: A-1

N/F
MERIDIAN LAND HOLDING LLC
4708 LOCKLOMOND
PARCEL ID: 3620500045
ZONE: A-1

N/F
TORCHIK, GEORGE P. & MARIA E.
3423 WESTPORT
PARCEL ID: 3620500006
ZONE: A-1

N/F
MERIDIAN LAND HOLDING LLC
4704 LOCKLOMOND
PARCEL ID: 3620500046
ZONE: A-1

N/F
HAWTHONE, JEANNE RENEE TRUSTEE
4881 CENTERVILLE ROAD
PARCEL ID: 3620100056
ZONE: A-1

N/F
PALMER, LAWRENCE B. &
RITZMANN-PALMER, ANNETTE J.
3419 WESTPORT
PARCEL ID: 3620500005
ZONE: A-1

N/F
CHANCE, DON G II & RUTH CONGLETON
4700 LOCKLOMOND
PARCEL ID: 3620500047
ZONE: A-1

CELL TOWER

LIMITS OF WETLANDS
PROVIDED BY KERR
ENVIRONMENTAL
2/18/16

LIMITS OF PRIMARY
SERVICE AREA

35' SETBACK

15' SETBACK

100' RPA BUFFER

SWM

PRIVATE R/W

SECURITY
GATE

30'

50'

50' SETBACK

PUMP STATION

N/F
WALLACE, ARTHUR & ATKINS CALVIN JR.
4601 CENTERVILLE ROAD
PARCEL ID: 3620100059
ZONE: A-1

N/F
HAWTHONE, JEANNE RENEE TRUSTEE
4861 CENTERVILLE ROAD
PARCEL ID: 3620100001A
ZONE: A-1

N/F
WILSON, THEODORA GREEN-HOW
4697 CENTERVILLE ROAD
PARCEL ID: 3620100004A
ZONE: A-1

WESTPORT
PUBLIC R/W

150' WOODED
COMMUNITY
CHARACTER
CORRIDOR BUFFER

8' HARD SURFACE PATH

CROSSWALK

CENTERVILLE ROAD RTE. 614

4-6' HARD SURFACE PATH
(TO BE FIELD LOCATED)

EX GUARD HOUSE

N/F
AUSTIN, RUSSEL JEROME
4612 CENTERVILLE ROAD
PARCEL ID: 3620100005B
ZONE: A-1

N/F
FORD'S COLONY AT WILLIAMSBRG
4624 CENTERVILLE ROAD
PARCEL ID: 3620102291
ZONE: A-1

N/F
M&C INVESTMENT #1 LLC
129 WESTWARD HO
PARCEL ID: 3620300274
ZONE: R-4

N/F
NORTH, CHRISTOHER C.
131 WESTWARD HO
PARCEL ID: 3620300273
ZONE: R-4

N/F
JAMES, BARBARA J.
& HARRIS H.
130 WESTWARD HO
PARCEL ID: 3620300272
ZONE: R-4

N/F
McGRATH, THOMAS E.
TRUSTEE
107 ROYAL-NORTH DEVON
PARCEL ID: 3620300263
ZONE: R-4

N/F
LIMBER, GERALD K.
TRUSTEE & MARTHA T.
109 ROYAL NORTH DEVON
PARCEL ID: 3620300262
ZONE: R-4

N/F
DEFEE, ROBERT A. III
& ANN D.
111 ROYAL NORTH DEVON
PARCEL ID: 3620300261
ZONE: R-4

N/F
KIDD, JAMES H.
& CAROL D.
113 ROYAL NORTH DEVON
PARCEL ID: 3620300260
ZONE: R-4

N/F
BANDY, VIRGINIA
115 ROYAL NORTH DEVON
PARCEL ID: 3620300259
ZONE: R-4

N/F
HATCHETT, LILLIAN
105 ELTHAM
PARCEL ID: 3620300248
ZONE: R-4

N/F
FITZGERALD, JESSE
& KATHRYN
107 ELTHAM
PARCEL ID: 3620300247
ZONE: R-4

N/F
ANDERSON, JOHN A.
106 ELTHAM
PARCEL ID: 3620300246
ZONE: R-4

N/F
HALL, ARTHUR M. JR.
TRUSTEE
119 BLACKHEATH
PARCEL ID: 3620300248
ZONE: R-4

N/F
TURNER, DONALD L.
121 BLACKHEATH
PARCEL ID: 3620300242
ZONE: R-4

N/F
GRISWOLD, KIMBERLYN N.
TRUSTEE
123 BLACKHEATH
PARCEL ID: 3620300241
ZONE: R-4

WESTWARD
HO

ROYAL NORTH DEVON

ELTHAM

BLACKHEATH

MANCHESTER
PRIVATE R/W

GRAPHIC SCALE
100' 0' 100' 200'
SCALE: 1" = 100'

NOTES:
1. THE PARKE AT FORDS COLONY, NOTED AS SECTION A-35, SHALL CONFORM TO THE JCC STREETSCAPE POLICY AS ADOPTED BY THE BOARD OF SUPERVISORS ON OCTOBER 5, 2011. IN GENERAL STREET TREES WILL BE INSTALLED AT 40-FT INTERVALS ALONG THE PRIVATE ROADWAYS WITHIN THE DEVELOPMENT.

2. AT THE TIME OF SUBDIVISION APPROVAL, THE APPLICANT MAY, AT IT'S SOLE DISCRETION, ACQUIRE RIGHT-OF-WAY FROM WESTPORT IN ORDER TO LOCATE SECURITY GATE FURTHER SOUTH TOWARD THE INTERSECTION.

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MASTER PLAN FOR REZONING OF THE PARKE AT FORD'S COLONY

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10145-03
Scale:	Date:
1"=100'	5/10/17

Sheet Title:
PARKE AT FORD'S COLONY MASTER PLAN

Sheet Number
5

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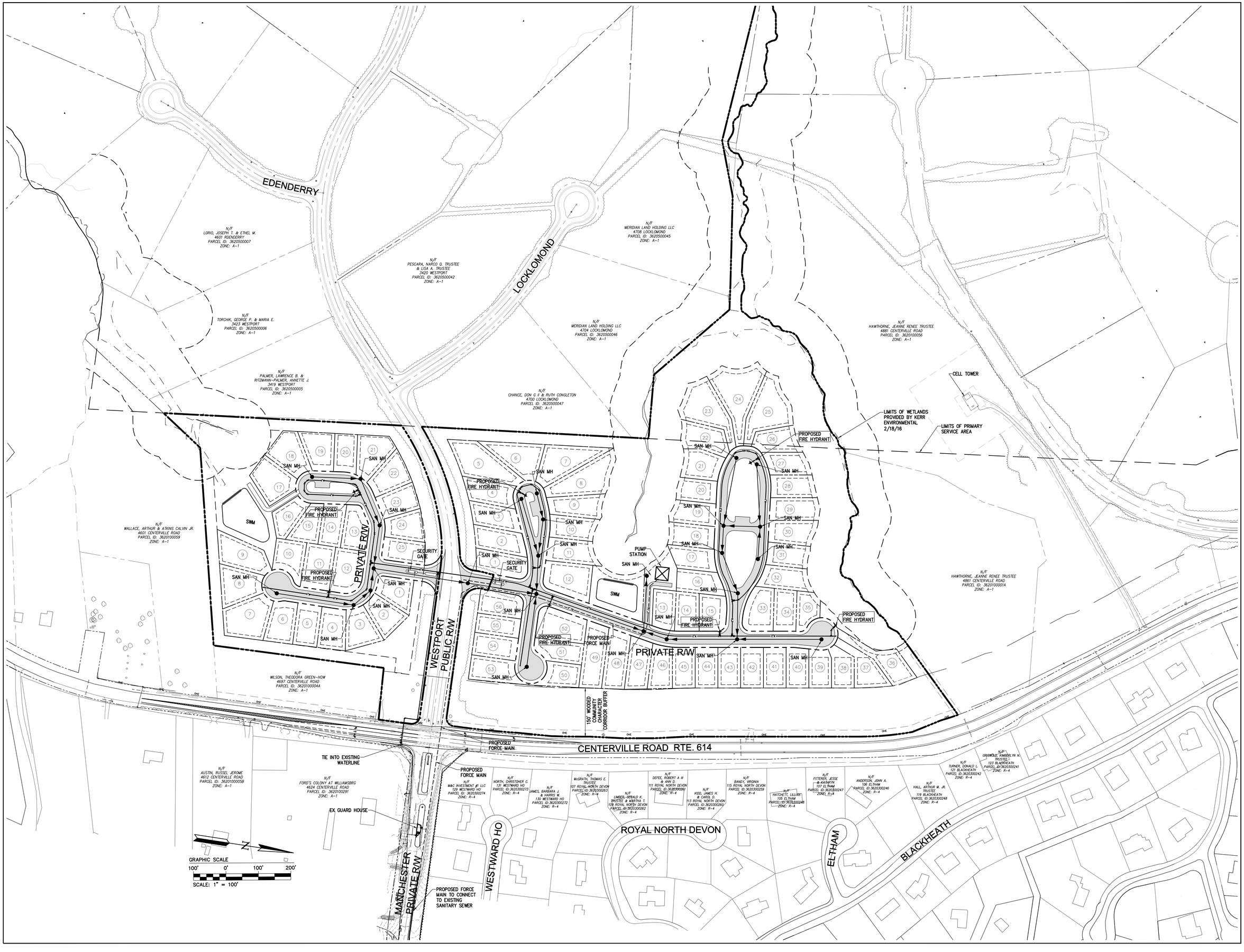

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MASTER PLAN FOR REZONING
OF
THE PARKE
AT
FORD'S COLONY
POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10145-03
Scale: 1"=100'	Date: 5/10/17

Sheet Title:
UTILITIES
MASTER PLAN

Sheet Number
6

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WATER QUALITY SUMMARY:

- PHOSPHORUS LOAD REDUCTION REQUIRED: 15.42 LB/YR
- PHOSPHORUS LOAD REDUCTION ACHIEVED: 9.11 LB/YR
- PHOSPHORUS LOAD REDUCTION REMAINING: 6.31 LB/YR

* SEE RUNOFF REDUCTION METHOD WORKSHEET FOR MORE DETAILED INFORMATION.

DEVELOPMENT ANALYSIS

SINGLE FAMILY LOTS:	81
FORESTED SPACE:	16.57 AC.
OPEN SPACE:	17.66 AC.
IMPERVIOUS COVER:	10.86 AC.

BMP SUMMARY

LABEL	RRM DESIGNATION	DRAINAGE AREA	BMP TYPE	IMPERVIOUS COVER *
SWM #1	D.A. 'A'	9.55 AC.	DRY POND LEVEL 1 (SPEC. #15)	3.24 AC.
SWM #2	D.A. 'B'	20.24 AC.	DRY POND LEVEL 1 (SPEC. #15)	7.39 AC.

* IMPERVIOUS COVER PER LOT ASSUMED TO BE 4,000 SF.

DRY POND
BIORETENTION
DRY SWALE

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1	9/15/17	REVISED PER JAMES CITY COUNTY COMMENTS	LBA

EDENDERRY

LOCKLOMOND

N/F
LORIO, JOSEPH T. & ETHEL M.
4601 RIDENDERRY
PARCEL ID: 3620500007
ZONE: A-1

N/F
PESCARA, NARCO Q. TRUSTEE
& USA A. TRUSTEE
3420 WESTPORT
PARCEL ID: 3620500042
ZONE: A-1

N/F
MERIDIAN LAND HOLDING, LLC
4708 LOCKLOMOND
PARCEL ID: 3620500045
ZONE: A-1

N/F
MERIDIAN LAND HOLDING LLC
4704 LOCKLOMOND
PARCEL ID: 3620500046
ZONE: A-1

N/F
TORCHIK, GEORGE F. & MARIA E.
3423 WESTPORT
PARCEL ID: 3620500006
ZONE: A-1

N/F
PALMER, LAWRENCE B. &
RITZMANN-PALMER, ANNETTE J.
3419 WESTPORT
PARCEL ID: 3620500005
ZONE: A-1

N/F
CHANCE, DON G. II & RUTH CONGLETON
4700 LOCKLOMOND
PARCEL ID: 3620500047
ZONE: A-1

N/F
HAWTHORNE, JEANNE RENEE TRUSTEE
4881 CENTERVILLE ROAD
PARCEL ID: 3620100056
ZONE: A-1

BIORETENTION

BIORETENTION

SWM #2
D.A. 'B'
EXTENDED DETENTION DRY
POND W/ TIMBER WALL

LIMITS OF WETLANDS

LIMITS OF WETLANDS
PROVIDED BY KERR
ENVIRONMENTAL
2/18/16

CELL TOWER

LIMITS OF PRIMARY
SERVICE AREA

100' RPA BUFFER

SWM #1
D.A. 'A'
EXTENDED DETENTION DRY
POND W/ TIMBER WALL

N/F
WALLACE, ARTHUR & ATKINS CALVIN
4601 CENTERVILLE ROAD
PARCEL ID: 3620100059
ZONE: A-1

D.A. 'A'
9.55
AC.

SWM

PRIVATE R/W

SECURITY
GATE

LIMITS OF
D.A. 'A'

DRY
SWALE
(TYP)

PRE 1
15.29
AC.

N/F
THEODORA GREEN-HOW
4617 CENTERVILLE ROAD
PARCEL ID: 3620100044
ZONE: A-1

WESTPORT
PUBLIC R/W

SECURITY
GATE

LIMITS OF
D.A. 'B'

PUMP
STATION

SWM

D.A. 'B'
20.24
AC.

PRE 2
18.96
AC.

PRIVATE R/W

LIMITS OF
WETLANDS

BIORETENTION

100' RPA BUFFER

PRE 3
18.85
AC.

N/F
HAWTHORNE, JEANNE RENEE TRUSTEE
4861 CENTERVILLE ROAD
PARCEL ID: 3620100001A
ZONE: A-1

LIMITS OF
D.A. 'B'

DRY SWALE (TYP)

150' WOODED
COMMUNITY
CHARACTER
CORRIDOR BUFFER

CENTERVILLE ROAD RTE. 614

N/F
AUSTIN, RUSSEL JEROME
4612 CENTERVILLE ROAD
PARCEL ID: 3620100005B
ZONE: A-1

N/F
FORD'S COLONY AT WILLIAMSBRG
4624 CENTERVILLE ROAD
PARCEL ID: 3620100291
ZONE: A-1

EX GUARD HOUSE

MANCHESTER
PRIVATE R/W

WESTWARD HO

ROYAL NORTH DEVON

ELTHAM

BLACKHEATH

N/F
M&C INVESTMENT #1 LLC
129 WESTWARD HO
PARCEL ID: 3620300274
ZONE: R-4

N/F
NORTH, CHRISTOPHER C.
131 WESTWARD HO
PARCEL ID: 3620300273
ZONE: R-4

N/F
JAMES, BARABARA J.
& HARRIS W.
130 WESTWARD HO
PARCEL ID: 3620300272
ZONE: R-4

N/F
McGRATH, THOMAS E.
TRUSTEE
107 ROYAL NORTH DEVON
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N/F
LIMBER, GERALD K.
TRUSTEE & MARTHA T.
109 ROYAL NORTH DEVON
PARCEL ID: 3620300262
ZONE: R-4

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DEFEE, ROBERT A III
& ANN D.
111 ROYAL NORTH DEVON
PARCEL ID: 3620300261
ZONE: R-4

N/F
KIDD, JAMES H IV
& CAROL D.
113 ROYAL NORTH DEVON
PARCEL ID: 3620300260
ZONE: R-4

N/F
BANDY, VIRGINIA
115 ROYAL NORTH DEVON
PARCEL ID: 3620300259
ZONE: R-4

N/F
HATCHETT, LILLIAN
105 ELTHAM
PARCEL ID: 3620300248
ZONE: R-4

N/F
FITZGEE, JESSE
& KATHRYN
107 ELTHAM
PARCEL ID: 3620300247
ZONE: R-4

N/F
ANDERSON, JOHN A.
106 ELTHAM
PARCEL ID: 3620300246
ZONE: R-4

N/F
HALL, ARTHUR M. JR.
TRUSTEE
119 BLACKHEATH
PARCEL ID: 3620300248
ZONE: R-4

N/F
TURNER, DONALD L.
121 BLACKHEATH
PARCEL ID: 3620300242
ZONE: R-4

N/F
GRISWOLD, KIMBERLYN N.
TRUSTEE
123 BLACKHEATH
PARCEL ID: 3620300241
ZONE: R-4

GRAPHIC SCALE
100' 0' 100' 200'
SCALE: 1" = 100'

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Hampton Roads | Central Virginia | Middle Peninsula

MASTER PLAN FOR REZONING OF THE PARKE AT FORD'S COLONY

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10145-03
Scale:	1"=100'
Date:	5/10/17

Sheet Title:
STORMWATER MANAGEMENT MASTER PLAN

Sheet Number
7

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Community Impact Statement

Zoning and Master Plan Amendment

for

The Parke at Ford's Colony

Prepared For

Parke at Westport, LLC
2250 Old Brick Road, Suite 220
Glen Allen, VA 23060

May 24, 2017
Revised October 6, 2017

AES Project Number: W10145-03

Prepared by:

AES
CONSULTING ENGINEERS

5248 Olde Towne Road Suite 1
Williamsburg, Virginia 23188
Phone: 757-253-0040
Fax: 757-220-8994
www.aesva.com

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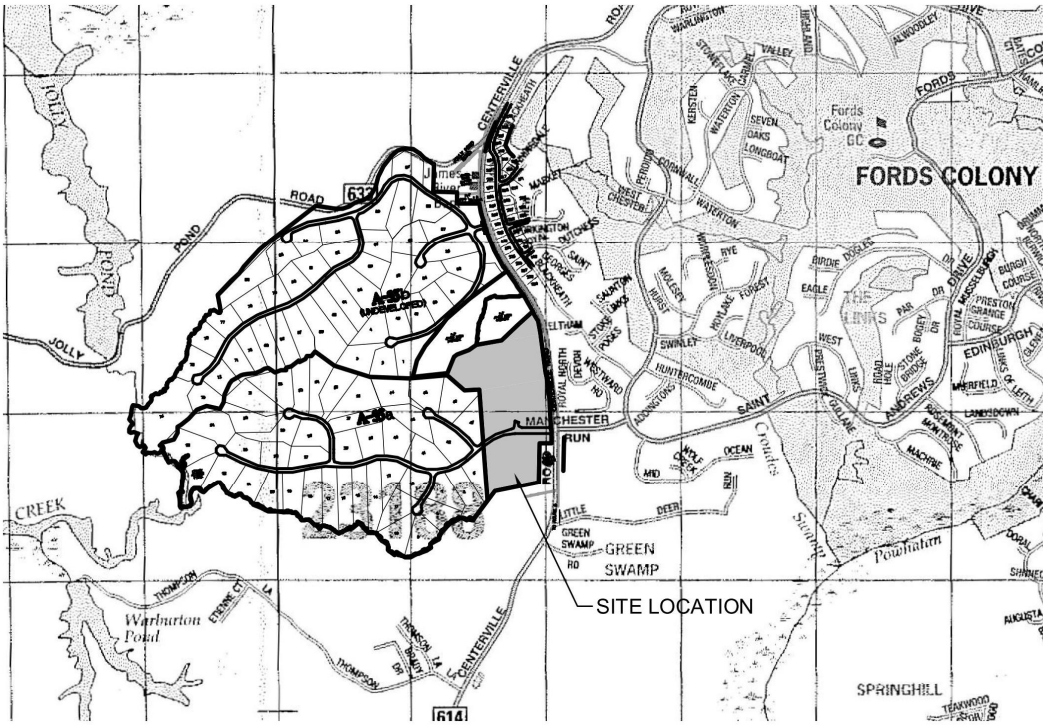
I. INTRODUCTION

The Parke at Westport, LLC, proposes to rezone and amend the Master Plan for Ford's Colony at Williamsburg to include a subdivision located on two parcels at 3400 and 3401 Westport. These parcels are approximately 32.78 acres and 12.31 acres respectively are in the A-1 (General Agriculture) zoning district with all acreage within the Public Service Area with (PSA). The exception being 5.18 acres outside of the PSA, of which 1.62 acres is being requested to be developed due to its location within the common peninsula of land with the remaining development. The proposed development will be a section of Ford's Colony to be called The Parke at Ford's Colony. The purpose of this Community Impact Statement and all associated documents are to accompany the applications for Rezoning (from A-1, General Agriculture, to R-4, Residential Planned Community) and with an amendment to the Ford's Colony Master Plan.

The property is located on the west side of Centerville Road and directly adjacent to the existing Westport single-family subdivision. A second planned phase of the residential development is just north of the planned subdivision and Ford's Colony Section 3 exists across Centerville Road to the east. Access to the property is from Westport, a collector road which feeds into Centerville Road, the adjacent and parallel main thoroughfare. The property is bounded by lands zoned A-1 on all sides.

The site is currently undeveloped and forested. The site slopes away from Centerville Road to wetlands located at the rears of both parcels. The property falls within an area designated as Low Density Residential on the current James City County Comprehensive Plan. The site contains some wetlands and a perennial stream and falls within the Gordon Creek Watershed. The properties across Centerville Road from the site are designated Low Density Residential. The Parke at Ford's Colony, while accessed from Westport, is located along Centerville Road, a Community Character Corridor.

Exhibit 1 – Location Map



(Scale Approx. 1"=2000')

II. THE PROJECT TEAM

The organizations that participated in the preparation of the information provided in this impact study are as follows:

- Developer -Parke at Westport, LLC
- Land Planning -AES Consulting Engineers
- Civil Engineering -AES Consulting Engineers
- Legal -Geddy, Harris, Franck & Hickman, LLP
- Environmental -Kerr Environmental
- Traffic -DRW Consulting

Key components of this Community Impact Study are:

- Planning Considerations, Project Description, and Density Analysis
- Analysis of Impacts to Public Facilities and Services
- Environmental Inventory
- Traffic –Technical Memorandum
- Fiscal Impact Study

III. PLANNING CONSIDERATIONS AND PROJECT DESCRIPTION

Planning Considerations

The Parke at Ford's Colony lies within the Primary Service Area (PSA) of the county and fronts along Centerville Road. This proposed development shares an entrance to Centerville Road with the existing by-right Westport development however it differentiates itself from the remaining A-1 land within the development by the fact that it is within the Primary Service Area (PSA). The exception being 5.18 acres outside of the PSA, of which 1.62 acres is being requested to be developed due to its location within the common peninsula of land with the remaining development. All the lots front a road which is within the PSA. The Primary Service Area (PSA) defines areas presently served by public water and sewer, and high levels of other public services, as well as areas expected to receive such services over the next 20 years. Plans for The Parke at Ford's Colony are being pursued with the knowledge that water and sewer services can be brought to the site and that there is ample capacity in these systems to support this project. The PSA is an important planning tool in James City County and it encourages efficient use of public facilities and services, avoids overburdening such facilities and services, helps ensure facilities are available where and when needed, increases public benefit per dollar spent, promotes public health and safety through improved emergency response time, and minimizes well and septic failures.

The project frontage along Centerville Road is designated as a Community Character Corridor. Any new residential development requiring rezoning must provide a 150' buffer along frontage of roads designated as Community Character Corridors. The County "acknowledges that views along these roads can have a significant impact on how citizens and visitors perceive the character of an area." The Ordinance provides a mechanism to allow activities within the buffer when the purpose of the buffer is not compromised and with the approval of the Planning Commission. We would submit with this application that a similar condition be applied to allow flexibility in the layout and design of the development to provide a high level of aesthetic internally and externally from the community.

The site is designated as Low Density Residential on the Comprehensive Plan. Low Density Residential Areas are suitable for residential developments of up to one unit per acre within the PSA depending on the character and density of surrounding properties, the physical attributes and density of the property being planned, and the degree of the project's consistency with the Comprehensive Plan. In order to encourage higher quality design, residential developments with densities greater than 1 unit per acre and up to 4 units per acre may be considered if they offer particular public benefits to the community. "Examples of such benefits

include mixed-cost housing, affordable housing, unusual environmental protection, or development that adheres to the principles of open space development design." The Parke at Ford's Colony will be shown to provide specific benefits to the County through adherence to and expansion of the County's guidelines for open space design.

The existing zoning of the property is A-1. Low Density Residential areas call for a maximum density of one unit per acre: "The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage the clustering of residential developments to maximize shared and purposeful open space, to protect the natural environment and to promote a sense of community, to prohibit activities of a commercial nature and to implement the policies and designations of the Comprehensive Plan applicable to low-density residential areas." Within certain Low Density Residential areas, single family developments with a density greater than one unit per acre but no greater than four units per acre may be allowed utilizing techniques as outlined in Article VI. The Residential Land Use Standards in the Comprehensive Plan recommend land use goals, strategies, and actions. A specific action recommended by the Comprehensive Plan is to "Continue using policy and ordinance tools to ensure the provision of open space. In particular, maintain or increase incentives for cluster development within the PSA by permitting higher residential densities in exchange for the additional open space that provides significant benefits to the community."

Project Description

The developer is proposing to build a residential community called The Parke at Ford's Colony on approximately 45 acres in the Powhatan District in James City County. The site is within the Primary Service Area and will be served by public water and sewer. The illustrative plan shows 81 single family lots 70-80' wide to 125' in depth accessed from the Westport Drive public right of way. The site will be served by a two access point along Westport Drive and the new lots will be served via a series of private roads. Home prices will start at in the mid $400,000 and range up over $600,000; with an anticipated average sales price of $525,000. The supplementary plans and drawings with this submittal illustrate the quality and character of the proposed homes and the pleasant and clean character of the neighborhood. The design intends to provide moderate sized lots with functional open spaces within the private rights of ways targeting buyers in the. Reducing lot size without sacrificing the quality of the architecture leaves generous open spaces and buffers surrounding the neighborhood. Additionally the amenities at The Parke at Ford's Colony will be provided in conjunction with the overall Ford's Colony development, with a muti-use pathway proposed to interconnect the developments on either side

of Centerville Road.

The recreation package put forth with this application, in conjunction with the current Ford's Colony Master Plan exceeds the requirements of the James City County's Recreation Policy. As members of the overall association, owners within The Parke at Ford's Colony will share in the overall amenities of the neighborhood. A trails system is proposed to tie this section into the overall Ford's Colony neighborhood multiuse pathway system at St. Andrews Drive. Additionally Parke at Westport, LLC will be making a financial contribution to the Ford's Colony Homeowners Association for maintenance and upgrades to the existing recreation infrastructure.

The density proposed for The Parke at Ford's Colony is 1.88 units per acre. This density falls within the range (one to four units per acre) called for in Low Density Residential areas and is earned as prescribed by the zoning ordinance.

IV. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES

The subject property of this rezoning application is located within the Primary Service Area of James City County. Identified on the zoning maps, the Primary Service Area is an area where urban development is encouraged to occur. Public water and public sanitary sewer services (and other public services such as police, fire and life rescue, and transportation) are presently provided to parcels within the Primary Service Area.

A. Public Water Facilities

The subject property will be served with public drinking water by the existing JCSA water distribution system in the area. JCSA currently maintains a 12" water main along the east side of Centerville Road. Discussions with representatives of the James City Service Authority have not revealed any concerns on the ability of the current water system to meet the demands of the this proposed project. Therefore, no water system upgrades are expected for the very minor increase in demand this proposal would create on the public water system.

The project's internal water system will likely consist of 4-inch and 8-inch water mains, thus providing the project adequate volumes and pressures for consumption and fire protection. Verification of the adequacy of the JCSA existing water system and design of the on-site water main extensions will be further scrutinized with modeling techniques once field testing has been completed.

Water consumption for the proposed project is estimated at 25,110 gallon per day (average), with a Maximum Day Water Demand of 42,687 gallons per day. Peak Hour Water Demand for this project is estimated at 4,185 gallons per hour (approximately 69.75 gallons per minute).

B. Public Sewer Facilities

Again it is important to note that this project is located within the Primary Service Area. Therefore, wastewater produced by this proposed project would be conveyed to treatment facilities through a public sewer system.

Although there are no public sewer services offered directly to the property, public sanitary sewer is available along Manchester Drive. Previous design considerations for the subject property considered its development when analyzing the sewer shed from LS-5-5. AES will work with JCSA to verify that LS 5-5 still is operating as originally anticipated and has capacity to take flows from this development.

The estimated average daily flow generated from the proposed development is 25,420 gallons per day (GPD) with a peak flow rate of 17.65 gallons per minute (GPM). See Table 1 below for details of projected wastewater flows.

Table 1 – Wastewater Flows

Type of Development	No. of Units	Flow (GPD/Unit)	Average Flow (GPD)	Duration (hrs)	Avg Flow (GPM)	Peak Flow (GPM)
Single-Family	81	310	25,110	24	17.44	43.59

C. Public Schools

The Parke at Ford's Colony is located within the D.J. Montague Elementary, Hornsby Middle, and Lafayette High School districts. The Parke at Ford's Colony Master Plan proposes a total of 81 residential units and based on WJCC School Projections this development would be anticipated to generate 33 school age children (0.4 students per unit). We would note that this project is being marketed to an older demographic and we would anticipate a much lower school generation. Table 3 shows the school capacities and enrollments for 2017.

Table 2 - School Capacity

Existing Public School Facility	Design Capacity	Effective Capacity	Current 2017 Enrollment	Capacity (No. & % Over(-)/Under(+))		% of Student Breakdown	Additional Students
D.J. Montague Elementary	590	590	461	129	21.9%	47%	16
Hornsby Middle School	952	952	942	10	1.1%	24%	8
Lafayette High School	1314	1314	1152	162	12.3%	29%	10
Total	**2856**	**2856**	**2555**	**301**		**100%**	**34**

D. Fire Protection and Emergency Services

There are currently five fire stations providing fire protection and Emergency Medical Service (EMS) to James City County. Each station is placed within the County in such a way as to help achieve the response goal of six minutes or less. Every station is staffed by three shifts of career and volunteer Firefighters. Station crews are responsible for the pre-planning of target hazards in their area as well as safety inspections of private businesses within the response district

In addition, there exists a mutual aid agreement with the City of Williamsburg and York County for backup assistance. The location of the project allows for coverage by two of the county's five stations: Station 3, located on John Tyler Highway, and Station 5, located on Monticello Avenue, will be within reasonable response times of the project.

E. Solid Waste

The proposed development on the subject property will generate solid wastes that will require collection and disposal to promote a safe and healthy environment. Reputable, private contractors will handle the collection of solid waste. Both household trash and recyclable material will be removed from this site to a solid waste transfer station.

F. Utility Service Providers

Virginia Natural Gas, Dominion Virginia Power, Cox Communications, and Verizon Communications provide, respectively, natural gas, electricity, cable TV service, and telephone service to this area. The current policy of these utility service providers is to extend service to new development at no cost to the developer when positive revenue is identified; plus, with new land development, these utility service providers are required to place all new utility service underground.

V. ANALYSIS OF ENVIRONMENTAL IMPACTS

An environmental inventory, wetland delineation, and perennial stream analysis has been prepared by the Kerr Environmental Group. The inventory is incorporated into the provided Master Plan for the development.

VI. ANALYSIS OF STORMWATER MANAGEMENT (SWM) / BEST MANAGEMENT PRACTICES (BMP)

A conceptual stormwater management program, meeting the general criteria of the Commonwealth of Virginia and James City County's stormwater requirements, was completed as a component of the planning for the proposed The Parke at Westport. The goal of the stormwater management program is to meet and exceed local and state stormwater requirements.

In evaluating preliminary stormwater management solutions of the proposed development on the subject site, the site characteristics are considered. Preliminary site observations and mapping identify the following unique site characteristics to be considered in stormwater management planning:

- The property drains to an unnamed tributary of Gordon Creek within sub-watersheds 203 and 204 of the Gordon Creek study.
- The property is currently forested with previously installed road dividing the two parcels.
- All of the project area's existing drainage is surface runoff, ultimately converging to the unnamed tributary of Gordon Creek, located on the western boundary of the project site.
- The project site largely consists of sloping, well drained soils.

Stormwater management, conceptually, consists of two primary components:

1) A dry pond BMP for each parcel with the ability of providing stormwater management for a majority of the development site and off-site runoff from Centerville Road, and
2) Additional bioretentions and dry swales will be implemented throughout the site where design allows.

Implementation of these two components conceptually realizes the reduction of stormwater runoff to pre-development runoff rates, and the reduction of flow rates to receiving channels.

Therefore, conceptually planned facilities will detain and release designed storm events for both the on-site and the currently uncontrolled off-site drainage. Stormwater management will be accomplished in accordance with all current applicable standards including the James City County Guidelines for Design and Construction of Stormwater Management BMP's, Virginia Stormwater Management Handbook, and the Virginia Erosion and Sediment Control Handbook.

Water quality from the site's development is also achieved similarly with the same two previously mentioned components. Conceptual designs of the dry pond BMP and bioretentions recognize a reduction of pollutant loading from the site development and adjacent lands.

Preliminary analysis of the Stormwater Management and BMP goals using the DEQ Virginia Runoff Reduction Method Spreadsheet is included on the Master Stormwater Management Plan (sheet 7 of the Master Plan set). In this system the project must reduce the post-development phosphorus load to provide adequate stormwater treatment. The dry Pond BMPs are designed to improve water quality, elongate time of concentration for stormwater runoff, and recharge the groundwater system. In accordance with Ford's Colony HOA, dry ponds have been proposed as they are more desirable than wet ponds due to aesthetics and maintenance time and costs.

In summary, with the preliminary analysis of The Parke at Ford's Colony project, the stormwater management plan proposed will improve the overall downstream water quality and will help to control the downstream erosion from uncontrolled runoff from the neighboring properties.

VII. ANALYSIS OF IMPACTS TO TRAFFIC

The proposed development of 81 homes falls outside of the threshold which would require a traffic study for this application. However we would point out that the intersection of Westport and Centerville Road was anticipated to handle more traffic than the currently projected 124 lots exiting Westport Drive (proposed and existing development). The original design constraints anticipated buildout of a CCRC facility on the property and as such the entrance was designed with left and right turn lanes entering the project. At the time of the original plan traffic study in 2003 there were approximately 6000 AADT on Centerville Road, current 2016 VDOT counts place traffic on this section of Centerville at 5100 AADT. With the understanding that the background traffic along Centerville Road has held steady over the last 13 years and the anticipated development traffic has significantly reduced we submit that the current intersection configuration exceeds VDOT requirements. We are happy to discuss the need to update turn lane warrants as seen necessary by JCC or VDOT staff.

VIII. ANALYSIS OF FISCAL IMPACTS

A James City County Fiscal Impact Worksheet has been prepared outlining the impacts of the fiscal impacts of the development. The development is proposing the construction of 81 homes at an average price of $525,000 based on that data the 2016 JCC worksheet showed a fiscal positive of approximately $30,000 per year at full buildout. However the current 2017 JCC worksheet identifies a $128,000 fiscal negative A copy of the worksheet has been included in our submittal package to James City County staff. A point of clarification is that the analysis is based on average JCC demographics which does not match with the target buyer for this development

IX. ANALYSIS OF CULTURAL RESOURCES IMPACTS

An Archaeological Assessment for James City County (Preserving Our Hidden Heritage); and, per the County's Archaeological Policy was prepared. A Phase I Cultural Resources Assessment prepared by Circa (October 2004) and the report was provided to the County during previous work on the project.

X. CONCLUSION

In summary, The Parke at Ford's Colony has been planned as an expansion of the existing Ford's Colony Development with a proposed underlying zoning of R-4. Planning and redeveloping the site as a residential cluster incorporates open space design principles, respects the environmental sensitivity of the watershed, meets the intent of the Comprehensive Plan for low density residential development, compliments the Community Character Area and satisfies Planning Commission expectations for higher standards in new residential development design. The Parke at Ford's Colony, as planned, will provide a model for appropriate infill development in the area and will positively impact the neighbors within the existing community. This Community Impact Statement for The Parke at Ford's Colony concludes that the County and the community realize the tangible public benefits of open space design, unusual environmental protection and the following:

- Adequate public facilities (water, sewer and fire), and utility services (gas, electric cable TV, telephone), are available for development.
- The proposed use is consistent with the intended land use designated on the current

Comprehensive Plan for this area. The proposed density of this open space development is 1.80 dwelling units per acre. This density is consistent with and appropriate.

- There is adequate capacity in the system of roads serving this project.
- The fiscal impacts analysis, as revised concludes only a minor increase in a yearly impact to the County at build out based on 81 single family units. Additionally the target demographic for the neighborhood will be retirees and empty nesters which will generate a far lesser school population than is anticipated in the JCC worksheet.
- In recognition of Planning Commission and environmental concerns over buffer areas, The Parke at Ford's Colony provides an additional 0.86 acres of open space between the developed area of the site and a perennial stream valley and its associated 100' buffer.
- The proposed stormwater management system will protect downstream channels from erosion and the onsite bioretention and dry swales will increase water infiltration and reduce uncontrolled runoff.
- The Parke at Ford's Colony provides a quality project that retains and enhances the community character of Ford's Colony. The quality homes compliment and enhance this character and the character of surrounding neighborhoods.

Fiscal Impact Analysis Worksheet - Version 12.6.12 - Proposed Land Use
This Excel file will assist you with most of the Fiscal Impact Worksheet's calculations. Please skip inapplicable questions.
Use the numbers in this program to fill in the identical section on the worksheet.
Please enter the information requested in the relevant yellow highlighted cells

2a) How many residential units are proposed? What types?

Single Family Detached	81
Townhome/Condominium/Multifamily	
Apartment	
Manufactured Home Park Unit	
Total	81
Are any units affordable? If yes, how many?	

Residential Expenses - School Expenses

2b) How many students are generated?

	Student Generation Rate	Students Generated
Single Family Detached	0.4	32.4
Townhome/Condominium/Multifamily	0.17	0
Apartment	0.31	0
Manufactured Home Park Unit	0.46	0
Total		32.4

2c) What is the schools expenses?

Total Students	32.4
Per Student Operating Costs	$8,321.05
Per Student Capital Costs	$2,063.94
Per Student School Costs	$10,384.99
Total School Fiscal Impact	$ 336,473.68

Residential Expenses - Non-School Expenses

2d) What is the total population generated?

Total Units	81
Average Household Size	2.45

Total Population Generated		198.45

2e) What are the total non-school expenses?

Total Population Generated		198.45
Per-Capita Non School Costs	$	1,183.67
Total Non-School Costs	$	234,899.31

2f) What is the total residential expenses?

Total School Expenses	$	336,473.68
Total Non-School Expenses	$	234,899.31
Total Residential Expenses	$	571,372.99

Residential Revenues

2g) What is the average expected market value for each type of unit sold?

Unit Type	Number of Type	Price for Each Unit Type
Single Family Detached	81	$525,000
	0	$ -
	0	$ -
	0	$ -
Townhome/Condominium/Multifamily	0	$ -
	0	$ -
	0	$ -
Apartment (Value of Apartment Complex (Total))		
Manufactured Home Park Unit (Value of Park Property (Total))	0	
Total Expected Real Estate Sales Amount		$ 42,525,000.00

2h) What are the total real estate taxes paid?

Total Expected Real Estate Sales Amount		42525000
Real Estate Tax Rate		0.0084
Total Real Estate Tax Revenue	$	357,210.00

2i) What is are total personal property taxes paid?

Total Real Estate Tax Revenue		357210
Personal property Tax Revenue (as % of Real Estate Taxes Paid)		0.15
Total Personal Property Tax Revenue	$	53,581.50

2j) What are the total sales and meals taxes paid?

Total Real Estate Tax Revenue		357210
Sales and Meals Tax Revenue (as % of real estate taxes paid)		0.09
Total Personal Property Tax Revenue	$	32,148.90

2k) What are total conservation easement taxes paid? (If any)

Total Acreage in Conservation Easement		
Conservation Easement Real Estate Tax Rate		2000
Total Conservation Easement Tax Revenue	$	-

2l) What are the total HOA taxes paid (for property rentable to non-HOA members, if any)?

Total Market Value of any HOA Property Rentable to non-HOA Members		0
Real Estate Tax Rate		0.0084
Total Rentable HOA Property Tax Revenue	$	-

2m) What is the total residential tax revenue? $ 442,940.40

Residential Fiscal Impact

2n) What is the residential fiscal impact? $ (128,432.59)

Commercial Expenses

3a) How many new businesses are proposed? (Include all businesses that will rent or lease space)

Total Number of New Businesses	0

3b) What is the expected real estate market value for each business property (at buildout)?

	Business Property	Expected Market Value
1		
2		
3		
4		
5		
6		
Total Commercial Real Estate Expected Market Value		$ -

3c) What are the commercial expenses?

Total Commercial Real Estate Taxes Paid	0
Per-Business Commercial Expense Rate	0.00445
Total Commercial Expenses	$ -

Commercial Revenues

3d) What are the commercial real estate taxes paid?

Total Commercial Real Estate Assessment Value	0
Real Estate Tax Rate	0.0084
Total Commercial Real Estate Taxes Paid	$ -

3e) What are the business personal property taxes paid?

	Proposed Businesses Name (s)	Initial Capital Investment	
1			$ -
2		$ -	$ -
3		$ -	$ -
4		$ -	$ -
5		$ -	$ -
6		$ -	$ -
Total Business Personal Property Taxes Paid			$ -

3f) What are the business machinery and tools taxes paid (for manufacturers only)?

	Proposed Businesses Name(s)	Initial Capital Investment	
1		$ -	$ -
2		$ -	$ -
3		$ -	$ -
4		$ -	$ -
5		$ -	$ -
6		$ -	$ -
	Total Business Personal Property Taxes Paid		$ -

3g) What are retail sales-based taxes paid? (if any)

	Proposed Business Name(s)	Estimated Retail Sales	Estimated Prepared Meals Sales	Estimated Hotel/Motel/Condo Room Sales	
1		$ -	$ -	$ -	$ -
2		$ -	$ -	$ -	$ -
3		$ -	$ -	$ -	$ -
4		$ -	$ -	$ -	$ -
5		$ -	$ -	$ -	$ -
6		$ -	$ -	$ -	$ -
	Total Sales-Based Tax Paid	$ -	$ -	$ -	$ -
	Total Business Sales Tax Revenue				$ -

3h) What are the proposed annual business license fees paid?

	Proposed Business Name(s)	Business Type	Estimated Sales	License Fee Rate	
1		Manufacturers	$ -	#N/A	#N/A
2		Retail Sales	$ -	#N/A	#N/A
3		Retail Sales	$ -	#N/A	#N/A
4		Retail Sales	$ -	#N/A	#N/A
5		Other Services	$ -	#N/A	#N/A

6	Manufacturers	$ -	#N/A	#N/A
	Total Business License Revenue			#N/A

3i) What are the total commercial revenues? #N/A

Commercial Fiscal Impact

3j) What is the net commercial fiscal impact? #N/A

3k) What is the proposed fiscal impact? #N/A

You will now estimate the current conditions of the proposal property. Please click on worksheet tab labeled "Current" below and follow the instructions.

What is the final fiscal impact? #N/A

Phasing - Residential Phasing

6a) When will proposed residential units be built?

Total Units Proposed 81

	Year 1	Year 2	Year 3	Year 4	Year 5	Buildout
Homes Built	15	15	15	15	21	81
Total Res Exp	$ 571,372.99	$ 571,372.99	$ 571,372.99	$ 571,372.99	$ 571,372.99	
Per Unit Exp	$ 7,053.99	$ 7,053.99	$ 7,053.99	$ 7,053.99	$ 7,053.99	$ 7,053.99
Total Res Exp	$ 105,809.81	$ 105,809.81	$ 105,809.81	$ 105,809.81	$ 148,133.74	$ 571,372.99
Total Res Rev	$ 442,940.40	$ 442,940.40	$ 442,940.40	$ 442,940.40	$ 442,940.40	
Per Unit Rev	$ 5,468.40	$ 5,468.40	$ 5,468.40	$ 5,468.40	$ 5,468.40	$ 5,468.40
Total Res Rev	$ 82,026.00	$ 82,026.00	$ 82,026.00	$ 82,026.00	$ 82,026.00	$ 410,130.00
Per Unit Impact	$ 1,585.59	$ 1,585.59	$ 1,585.59	$ 1,585.59	$ 1,585.59	$ 1,585.59
Res Impact	$ 23,783.81	$ 47,567.63	$ 71,351.44	$ 95,135.25	$ 128,432.59	$ (128,432.59)

Phasing - Commercial Phasing

6b) When will proposed commercial units be built?

	Total New Businesses		0
	Year 1	Year 2	Buildout
Bus Built	0	0	0
Bus Exp	$ -	$ -	
Per Bus Exp	#DIV/0!	#DIV/0!	
Year Bus Exp	#DIV/0!	#DIV/0!	
Bus Rev	#N/A	#N/A	
Per Bus Rev	#N/A	#N/A	
Year Bus Rev	#N/A	#N/A	
Bus Impact	#N/A	#N/A	

6c) What is the final phasing projection?

	Year 1	Year 2	Year 3	Year 4	Year 5	Buildout
Res Impact	$ 23,783.81	$ 47,567.63	$ 71,351.44	$ 95,135.25	$ 128,432.59	$ 128,432.59
Bus Impact	#N/A	#N/A	#N/A	#N/A	#N/A	
Final Impact	#N/A	#N/A	#N/A	#N/A	#N/A	

Employment

7a) How many fill-time equivalent jobs (FTE)will be generated from the proposal? What will be the average payroll?

	Business	FTE Jobs Generated	Average Payroll
1			
2			$ -
3			$ -
4			$ -
5			$ -
6			$ -



AES
CONSULTING ENGINEERS

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Fax (757) 220-8994
aesva.com

July 13, 2017

Mr. Roberta Sulonuff, Planner
James City County Planning Division
101-A Mounts Bay Road
P.O. Box 8784
Williamsburg, Virginia 23187-8784

RE: The Parke at Ford's Colony (Z-0002-2017)
Exception Request for Private Streets
AES Project No. W10145-03

Dear Mr. Baruch:

Pre-section 26-62- Special provisions for private streets of the James City County Zoning Ordinance. We are requesting permission to construct private streets within Westport from the Board of Supervisors for this project.

It is our sincere request for a favorable response. If you should have any questions or concerns as a result of our request, please do not hesitate to contact us.

Sincerely,

AES Consulting Engineers



Jason Grimes, P.E.
Senior Project Manager
jason.grimes@aesva.com

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aesva.com

October 13, 2017

Mr. Paul Holt
Planning Director
James City County
101-A Mounts Bay Road
P.O. Box 8784
Williamsburg, Virginia 23187

RE: The Parke at Ford's Colony (Z-0002-2017)
Parks and Recreation Exception Request
AES Project Number: W10145-03

Dear Mr. Holt:

AES Consulting Engineers, on behalf of the Parke at Westport, LLC and the Ford's Colony Homeowners Association (FCHOA), is requesting an exception to the James City County Recreational Facility Development Guidelines for the Ford's Colony Masterplan. Pursuant to the recent adoption of the Master Plan for Parks and Recreation (April 11, 2017), an exception is allowed by the Board of Supervisors through recommendations from the Director of Planning and the Director of Parks and Recreation.

The current Master Plan and our proposed amendment exceeds the James City County Recreational Facility Guidelines for park land, biking and jogging trails, courts, and pools. While Ford's Colony is not an age restricted community, it is a product that is targeting a specific demographic. Ford's Colony's shortcomings with respect to the guidelines for playgrounds and fields are negated by both the FCHOA's efforts to provide amenities that are requested and will be frequented by the residents as well as the exceedance of the guidelines for park land, biking and jogging trails, tennis courts, and pools. Therefore, we are requesting a general waiver from the James City County Recreational Development Guidelines.

The James City County Parks and Recreation Department have issued a recommendation that our application provide the addition of one playground to the Ford's Colony Master Plan. The existing playgrounds and field are located at the two community recreation centers, which are centrally located within the Ford's Colony Development. The FCHOA works hard to ensure that they provide the recreational facilities that are requested by their residents. They actively pursue the opinions of their residents to accurately meet their recreational needs. The consensus of the residents is that they do not desire additional playground equipment. Therefore, we respectfully disagree with the recommendation and do not believe that the Master Plan and our proposed amendment should include an additional playground.

In addition, we are requesting an exception from the required 8' hard surface path requirement. The Parke at Westport, LLC is planning to provide an additional ±1400 linear feet of 4-6' variable width

hard surface path to connect the pedestrians in the Parke at Ford's Colony to the existing system of hard surface paths within the community. The purpose of reducing the width of the hard surface path and providing variability is to reduce the clearing of mature vegetation. This stretch of path is critical in connecting the residents of Parke at Ford's Colony to the existing hard surface paths in the Ford's Colony Development.

Parke at Westport, LLC will be providing a significant capital contribution to the FCHOA to be used toward enhancing and supplementing the recreation facility amenities within Ford's Colony. These upgrades will occur on current FCHOA property and will not be located within the "Parke at Ford's Colony" property. It is our respectful request that the FCHOA be permitted to utilize these funds to construct the recreational amenities chosen by its residents and based on their preferences. While the formulaic approach of the James City County Recreational Facility Guidelines is both appropriate and beneficial to residents in many developments, we feel that the FCHOA takes initiative and provides valuable recreational facilities that accurately reflect its residents' preferences. Because of this, we believe that the James City County Recreational Facility Guidelines may not be the best solution for recreational facilities in Ford's Colony.

We appreciate the time spent by the various review agencies in the review and guidance for this project and hope our request will be considered. We would be happy to answer any questions you may have in relation to this project and request.

Sincerely,
AES Consulting Engineers

Jason A. Grimes, P.E.
Sr. Project Manager, Principal
jason.grimes@aesva.com

Written Citizen Correspondence Regarding Z-0002-2017/MP-0002-2017

From: Cheryl Haywood [mailto:cjenkinshaywood@gmail.com]
Sent: Sunday, September 24, 2017 9:02 AM
To: Community Development <community.development@jamescitycountyva.gov>
Subject: Case No. Z-0002-2017/MP-0002-2017, the Parke at Ford's Colony

Dear Paul D. Holt,

I write to oppose the request to rezone approximately 45 acres of land from A-1, General Agricultural to Residential Planner Community. I am a property owner within Ford's Colony. I purchased that property over 15 years ago with the objective to retire there. This rezoning will significantly and negatively impact traffic, quality of life, environmental resources, the relatively rural nature of property in that area, and noise and importantly, property values. One of the appeals of purchasing land in Ford's quality was the controlled aspect of that environment. Please do not rezone this land as all current landowners and homeowners will be subsidizing the newcomers and given the lot size restrictions, we will also be generating maximum profits for the developers.

Sincerely,

Cheryl J. Haywood

From: Herbert Lanese [mailto:hlanese@email81.com] **On Behalf Of** Herbert Lanese
Sent: Tuesday, October 24, 2017 7:18 AM
To: Community Development <community.development@jamescitycountyva.gov>
Subject: Case No.Z-0002-2017/MP-0002-2017, the Parke at Ford's Colony

We are responding with regard to Mr. Paul Holt's letter of October 16, 2017 regarding the rezoning of 45 acres of land now zoned for General Agricultural to higher density Residential. We are opposed to this rezoning and hope the Planning Division will not approve this reclassification. Thank you.
Herb and Mary Lanese

From: Roger Jones [mailto:RJ1290@mail.com]
Sent: Thursday, October 26, 2017 7:42 PM
To: Community Development <community.development@jamescitycountyva.gov>
Subject: case no. Z-0002-2017/MP-0002-2017, the Parke at Ford's Colony

I strongly urge the community development planning commission to vote NO to the case involving The Parke at Ford's Colony. Ford's Colony is still not fully built out and has alot of issures they need to correct before expanding more. First the roads in Ford's Colonly are very narrow and the incrased traffice make it quite dangerous. Second Ford's colony resources are at max level more residets will make it worse. For example going one of the two pools in the last 3-4 years has become such a pain. Parking is hard to find, a place to put you stuff on the pool deck is hard to find. In general there are too many people for the size of the pools. Move on to the tennis courts, have to wait and wait to get on or pay extra money to join tennis club. Further more security is a major issue in Ford's Colonly. The turn over for these jobs is out of control. Also speeding in Ford's Colony is at an all time high. Ford's Colonly just can't stop the speeding, it has been such a problem for so long. They have tried everything at yet the speeding keeps getting worse. Adding more residents to the road is only going to make things worse. Plese stop any further building in or around Ford's Colonly untill they can get a grip on these issues. Thank You for your time.

From: Janet Sprague [mailto:janetsprague@cox.net]

Sent: Saturday, November 11, 2017 1:48 PM

To: Community Development <community.development@jamescitycountyva.gov>

Subject: Attention: Mr. Paul D. Holt III

Dear Mr. Holt,

I realize that the date for the hearing on this has passed, but I would like to comment on your letter of September 18, 2017 regarding the zoning for additional housing construction at Ford's Colony, specifically the addition of as many as 81 individual homes on Westport. I don't know if you have visited the site yourself, but if not, the entry to this area consists of one single entry with a stop sign to allow turns onto Centerville Road, or access through the Manchester gate to Ford's Colony. Currently there are 9 homes already in Westport.

I am concerned about the possible (and in all probability reality) of an additional 81 single family homes. The proposed new development would, in all probability, mean the addition of between 81 additional cars, and possibly – assuming that each additional home has two cars, an additional 162 cars. With the already existing 9 houses (each with 2 cars) this means an additional 180 cars. The cars from the proposed development would all use one single access road, one single stop sign requiring a left turn onto the main access road to Westport and another stop sign, which would require either a right turn or a left turn onto Centerville, or possible entry to Ford's Colony through the Manchester Gate.

The Manchester Gate is already over-subscribed since all commercial vehicles – moving vans, garbage and recycling vehicles, leaf removal and landscaping services, electricians, Cox, and all others – must stop and use the Manchester Gate. Already it is difficult for any resident returning home between 7:30am – 9am to use the gate due to the backups of traffic trying to gain entry through the guardhouse.

In the plan submitted to the residents of Ford's Colony when this developer presented his plan for proposed construction, the additional 81 homes had only one entry point, one access to Centerville Road. What happens if that entry point is blocked due to hurricane or flooding? In case of house fire? Emergency requiring ambulance or fire truck? Is there a second entry/exit planned?

I would appreciate a response from you to explain how the additional traffic would be handled and how James City County and the developer plan for any future emergency.

Sincerely,

Janet Sprague

Ford's Colony resident since 2001

Unapproved Minutes of the November 1, 2017
Planning Commission Meeting

Z-0002-2017/MP-0002-2017. The Parke at Ford's Colony

Ms. Roberta Sulouff, Senior Planner, stated that Ms. Nathalie Croft of Eagle Construction has applied to rezone approximately 45 acres of land from A-1, General Agricultural, to R-4, Residential Planned Community, for the purpose of constructing the Parke at Ford's Colony, a development of 81 single-family homes at a density of 1.88 dwelling units per acre. Ms. Sulouff stated that with this rezoning, the subject property would be added to the adopted Master Plan for Ford's Colony. Ms. Sulouff stated that, for this reason, the Ford's Colony master plan must also be amended and the Ford's Colony HOA (FCHOA) has been included as an applicant to the amendment application. Ms. Sulouff stated that the subject properties are located at 3400 & 3401 Westport, are zoned A-1, and are primarily designated Low-Density Residential by the adopted comprehensive plan. M.s Sulouff stated that while most of the subject properties are located inside of the PSA, approximately 4 acres of the site are located outside of the PSA and are designated Rural Lands by the adopted Comprehensive Plan.

Ms. Sulouff further stated that the County is no longer accepting proffers for residential rezonings and some of the typical impacts associated with residential development could not be mitigated or addressed, including impacts to schools, impacts to public facilities, utilities such as James City Service Authority, the provision of affordable and workforce housing opportunities and the provision of enhanced environmental protections. Ms. Sulouff stated that several administrative policies guiding the evaluation of impacts have also been rescinded by the Board of Supervisors, and could not be included in the scope of staff's consideration of this proposal.

Ms. Sulouff stated that while the applicant could not proffer consistency with several adopted policies or to offset traditionally considered impacts, the application did proactively address areas of concern.
Ms. Sulouff stated that the proposed Parke master plan includes a note ensuring consistency with the Board adopted Streetscape Policy, and includes a multi-use path along the Centerville Rd frontage per the adopted Pedestrian Accommodations Master Plan. Ms. Sulouff noted that the applicant provided natural resource and archaeological studies conducted for the property as part of an earlier development plan. Ms. Sulouff further noted that these studies concluded that no additional preservation work in either area would be necessary and, therefore, the applicant would have no impacts to address even if proffers were still accepted.

Ms. Sulouff stated that while the proposal generates new school children, it does meet the Adequate Public Facilities Test adopted by the Board in June of 1998.

Ms. Sulouff stated that although the applicant is unable to proffer design guidelines, architectural elevations or materials, the development would be subject to review by the Ford's Colony Architectural Review Board to ensure design compatibility with existing development in Ford's Colony.

Ms. Sulouff further stated that while the overall Ford's Colony development does not meet the current Development Guidelines found in the recently adopted Parks and Recreation Master Plan, the applicant is proposing a shared-use path connection from the Parke to existing amenities within Ford's Colony, and is providing, through a legal agreement between the two private parties, cash to the FCHOA for recreation improvements as deemed necessary by the residents. Ms. Sulouff stated that, for this reason, the applicant has requested an exception to the policy from the Board of Supervisors. Ms. Sulouff further stated that the applicant has been in discussion with Mr. John Carnifax, Director of Parks and Recreation, who has reviewed this request. Ms. Sulouff stated that Parks and Recreation supports the proposal.

Ms. Sulouff stated that staff finds that several factors specific to the pieces of the site designated Rural Lands and outside of the PSA, such as topography, scale, and location of public utilities, make the inclusion of this area, approximately 4 acres in size, consistent with the adopted Comprehensive Plan.

Ms. Sulouff further stated that, while no action was required by the Planning Commission, the applicant is requesting that the Board of Supervisors permit private streets within the Parke development per Section 24-62 of the Zoning Ordinance.

Ms. Sulouff stated that staff finds the proposal to be compatible with surrounding zoning and development and consistent with the Comprehensive Plan. Ms. Sulouff stated that staff recommends the Planning Commission recommend approval of these applications to the Board of Supervisors.

Mr. Krapf called for disclosures from the Commission.

Mr. Krapf stated that he met with Mr. Vernon Geddy and representatives from Eagle Construction.

Mr. Wright stated that he spoke with Mr. Geddy by telephone.

Mr. Haldeman stated that he met with three representatives from Eagle Construction.

Mr. Schmidt stated that he also met with the representatives from Eagle Construction.

Mr. Krapf opened the Public Hearing.

Mr. Vernon Geddy, Geddy Harris Franck and Hickman, expressed appreciation of the efforts of staff and the FCHOA to bring this application forward.

Nathalie Croft, Eagle Construction, Land Development Planner, made a presentation in support of the application. Ms. Croft noted that the subject properties were annexed into the Fords Colony Master Plan in 2005. Ms. Croft stated that even though the properties are already under the Fords Colony umbrella, the current application seeks to make the zoning consistent and to formally amend the Master Plan. Ms. Croft stated that the Parke would consist of 81 single family homes in an age-targeted community. Ms. Croft stated that these homes would be held to the same guidelines and standards as any other homes in Fords Colony. Ms. Croft addressed the fiscal impact of the proposed development, noting that based on current actual number of children from Fords Colony enrolled in Williamsburg-James City County Schools, the Parke would generate a positive fiscal impact of $81,000. Ms. Croft stated that the parcels are appropriate for this type of development. Ms. Croft further stated that the proposed development is in compliance with the Pedestrian Accommodations Master Plan, the Public Schools Facilities Test, the Streetscape Policy, the Natural Resource Policy, the Archaeological Policy and the Community Character Corridor Policy. Ms. Croft requested that the Commission recommend approval of the application.

Mr. and Mrs. James Kinder, 111 Lexington Drive, inquired about traffic impacts to Williamsburg West.

Mr. Krapf noted that the Public Comment was not generally used as a question and answer forum. Mr. Krapf requested that the applicant address the question.

Mr. Geddy stated that the development would not impact Williamsburg West due to its location.

Mr. Patrick Rowe, 100 Royal St. Georges, addressed the Commission on traffic concerns at the Manchester Gate and Centerville Road. Mr. Rowe also noted lack of parking at the clubhouse facility.

Mr. Tom Hitchens, 350 Thompson Lane, addressed the Commission in opposition to the application. Mr. Hitchens expressed concerns over the change in zoning and consistency with

the Comprehensive Plan. Mr. Hitchens further expressed concern over the effect of residential development on the County's budget, infrastructure and natural resources. Mr. Hitchens requested that the Commission recommend denial of the application.

Mr. Richard Levy, 125 Westward Ho, addressed the Commission in opposition to the application. Mr. Levy noted concerns about traffic at the Manchester Gate and the additional impacts on Centerville Road.

Mr. Mark Matthews, 113 Long Point, President of the FCHOA, addressed the Commission in support of the application. Mr. Matthews noted that the FCHOA has hosted several Town Hall meeting regarding the proposed development and Master Plan amendment. Mr. Matthews further noted that the FCHOA has reached out to its members through their newsletter and other media with updates. Mr. Matthews stated that the input from residents centered on ensuring that the development comply with the architectural standards, that the community adhere to all the FCHOA rules and policies, and ensure that the additional units can be absorbed into the facilities infrastructure. Mr. Matthews noted that the increase in units is just 2%. Mr. Matthews noted that the FCHOA is in the process of implementing a new security system at the gates which will allow commercial traffic to enter through other gates. Mr. Matthews further noted that most of the concerns have been addressed through a private legal agreement with the Developer. Mr. Matthews requested that the Commission recommend approval of the application.

As no one else wished to speak, Mr. Krapf closed the Public Hearing.

Mr. Krapf opened the floor for discussion by the Commission.

Mr. Haldeman inquired about the traffic study that was part of the previously approved Fords Colony proffers. Mr. Haldeman noted that the last update was in 2008.

Ms. Sulouff noted that the traffic study only applied to the original Fords Colony development and does not apply to the properties subject to this rezoning. Ms. Sulouff stated that no traffic study was required for this application. Ms. Sulouff noted that the proposed development did not trigger the submittal requirements in the Zoning Ordinance and the outstanding proffer obligations do not apply to the properties subject to the rezoning.

Ms. Sulouff further stated that as part of the 1987 proffers and subsequent amendments, there was a requirement to submit a traffic study every five years to assess the need for certain improvements on Centerville Road and Longhill Road. Ms. Sulouff stated that the last traffic study was submitted in 2008 with the rezoning for the Continuing Care Retirement Community (CCRC) which remains an approved part of the Fords Colony Master Plan.

Mr. Holt stated that the intent of the proffer was to ensure that as all of Fords Colony reached build out, all of the corresponding traffic improvements were put in place. Mr. Holt further

noted that there were various triggers tied to the number of certificates of occupancy for dwelling units. Mr. Holt stated that the five-year check in period was established to set a time for when the need for improvements could be reassessed and to establish a point in time that the County would ensure that all the needed improvements were put in place.

Mr. Haldeman inquired if it had been determined that the need does not yet exist.

Mr. Holt stated that the updated traffic study needs to be done.

Mr. Haldeman noted that the traffic study should have been updated in 2013.

Mr. Holt stated that the Traffic Study is in progress. Mr. Holt noted that one of the challenges is that there are now multiple property owners within Fords Colony and it has taken time for the various stakeholders to work out the collaboration on the project.

Mr. Haldeman inquired about the other outstanding proffer items.

Mr. Holt stated that the improvements are tied to the number of certificates of occupancy and the traffic study allows the county to determine if the timing of the improvements need to be accelerated or if they are not yet warranted.

Mr. O'Connor inquired if development of the Parke was taken into consideration for improvements at Centerville Road.

Mr. Geddy stated that the initial proposal was for a much denser development and that the existing infrastructure was designed with the heavier traffic in mind.

Ms. Croft stated that the existing infrastructure meets or exceeds any improvements that might be warranted.

Mr. Richardson made a motion to recommend approval of Z-0002-2017/MP-0002-2017.

On a roll call vote the Commission voted to recommend approval of Z-0002-2017/MP-0002-2017. The Parke at Ford's Colony. (5-2)

AGENDA ITEM NO. H.3.

ITEM SUMMARY

DATE:	12/12/2017
TO:	The Board of Supervisors
FROM:	Alex Baruch, Planner
SUBJECT:	Z-0001-2017, SUP-0001-2017, MP-0001-2017, HW-0001-2017, Williamsburg Landing, Marclay Road

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ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	SUP Conditions Resolution	Resolution
🗋	Height Limitation Waiver Conditions Resolution	Resolution
🗋	Location Map	Backup Material
🗋	Master Plan	Backup Material
🗋	Planning Commission Minutes	Minutes
🗋	Community Impact Statement	Backup Material
🗋	Fiscal Impact Study w/School Impacts	Backup Material
🗋	Fiscal Impact Study w/out School Impacts	Backup Material
🗋	Airport Master Plan	Backup Material
🗋	Williamsburg Landing Master Plan	Backup Material
🗋	Proposed Design Guidelines	Backup Material
🗋	Height Waiver Application Discussion	Backup Material
🗋	Virginia Department of Aviation (DOAV) Comment Letter	Backup Material
🗋	Balloon Test Map and Pictures	Backup Material
🗋	Federal Aviation Administration (FAA) Determination	Backup Material
🗋	DOAV Response to FAA Determination	Backup Material
🗋	Parks and Recreation Facilities Exception Request	Backup Material
🗋	Applicant Balloon Test Pictures and Narrative	Backup Material
🗋	Citizen Comment	Backup Material
🗋	Williamsburg Landing Board of Directors Letter	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date

Planning	Holt, Paul	Approved	11/22/2017 - 8:24 AM
Development Management	Holt, Paul	Approved	11/22/2017 - 8:24 AM
Publication Management	Burcham, Nan	Approved	11/22/2017 - 8:33 AM
Legal Review	Kinsman, Adam	Approved	11/27/2017 - 9:25 AM
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 9:28 AM
Board Secretary	Purse, Jason	Approved	12/5/2017 - 1:22 PM
Board Secretary	Fellows, Teresa	Approved	12/5/2017 - 1:36 PM

REZONING-0001-2017, SPECIAL USE PERMIT-0001-2017, MASTER PLAN-0001-2017, HEIGHT WAIVER-0001-2017. Williamsburg Landing, Marclay Road

Staff Report for the December 12, 2017, Board of Supervisors Public Hearing

SUMMARY FACTS

Applicants:	Paul W. Gerhardt and William L. Holt, Kaufman and Canoles, P.C.
Land Owner:	Short Neck LLC
Proposal:	To rezone a portion of the property to R-5 and for a Special Use Permit (SUP) to allow up to 135 independent living facility units, along with a Height Waiver for the proposed apartment buildings to be constructed up to 60 feet from grade.
Location:	20 Marclay Road
Tax Map/Parcel No.:	4820100012
Project Acreage:	+/- 15.5 acres total
Current Zoning:	R-8, Limited Residential
Proposed Zoning:	R-5, Multifamily Residential
Comprehensive Plan:	Airport
Primary Service Area:	Inside
Staff Contact:	Alex Baruch, Planner

PUBLIC HEARING DATES

Planning Commission: April 5, 2017, 7:00 p.m. (Deferred)
Planning Commission: May 3, 2017, 7:00 p.m. (Deferred)
Planning Commission: November 1, 2017, 7:00 p.m.
Board of Supervisors: December 12, 2017, 5:00 p.m.

FACTORS FAVORABLE

1. The proposal is compatible with the adjacent Williamsburg Landing development.

2. Public access to the proposed development will only come through Williamsburg Landing Drive, thereby minimizing any potential impacts to Marclay Road.

3. The Special Use Permit (SUP) conditions include adherence to a number of adopted policies including Archaeology and Streetscape.

4. Increases housing opportunities for the County's aging population identified in the Comprehensive Plan, although this is not binding.

5. The proposal meets the adequate Public Schools Facilities Test, adopted by the Board of Supervisors on June 23, 1998, due to a new middle school being in the adopted Capital Improvements Program (CIP).

6. Determination of no hazard by the Federal Aviation Administration (FAA) completed in June 2017, stating that the structures would not exceed obstruction standards and would not be a hazard to air navigation. The Virginia Department of Aviation (DOAV) states that they stand by their conditions, but would not

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.

hold up the application with the determination of no hazard (Attachment No. 16).

FACTORS UNFAVORABLE

1. The proposal is inconsistent with the recommended uses for the airport designation in the James City County Comprehensive Plan adopted in 2015, *"Toward 2035: Leading the Way."*

2. While the development may be age targeted, without the ability to guarantee age restrictions, the project is fiscally negative per the submitted FY 17 Fiscal Impacts Analysis worksheet.

3. The DOAV has noted several concerns about the proposed residential development adjacent to the airport, including safe ingress/egress of all air traffic and potential for generation of noise complaints. (Proposed SUP Condition Nos. 2-4).

4. Proffers are not accepted for residential rezonings. As such, some of the typical impacts associated with residential development are not mitigated, including impacts to schools, traffic, the James City Service Authority (JCSA) and providing affordable and workforce housing opportunities.

5. The proposal does not fully meet the recommendations of the Parks & Recreation Development Guidelines. The applicant is seeking an exception from the Board of Supervisors, as further discussed below.

6. The proposal is inconsistent with the surrounding Low Density Residential (LDR) James City County Comprehensive Plan designation when considered as a standalone project (8.71 dwelling units per acre). If considered within the context of the existing Williamsburg Landing Master Plan and development, the density for both projects together would be 3.78 dwelling units per acre.

SUMMARY STAFF RECOMMENDATION

Staff recommends that the Board of Supervisors deny the proposed rezoning and SUP. Should the Board of Supervisors wish to approve this application, staff recommends that the conditions listed in Attachment No. 1 be applied.

HEIGHT WAIVER RECOMMENDATION

Staff recommends denial of the Height Limitation Waiver if the Board of Supervisors denies the proposed rezoning, master plan and special use permit. Should the Board approve the proposed rezoning, master plan and special use permit staff recommends approval of the Height Limitation Waiver subject to the proposed conditions included as Attachment No. 2.

PLANNING COMMISSION RECOMMENDATION

On November 1, 2017, the Planning Commission voted 7-0 to recommend approval of this application to the Board of Supervisors. The Planning Commission was not required to vote on the height waiver.

Changes since the Planning Commission:

None.

PROJECT DESCRIPTION

- The proposal is a standalone rezoning and SUP request as the application does not amend the existing Williamsburg Landing Master Plan.

- If adopted, the proposed Master Plan would permit:

  - Up to 135 independent living facility units:

    - Sixty-five duplex/townhome units proposed in Area I and II on the Master Plan (Type B).

    - Seventy apartments proposed in Area II on the Master Plan (Type D).

- Access to the development would be through Williamsburg Landing Drive with only service and emergency access coming from Marclay Road.

- The project proposes a buffer area between the residential units and the airport.

- On the eastern portion of the project closest to College Creek, the project proposes stormwater management and open space to preserve the Resource Protection Area (RPA) buffer.

- As specified in Note 1 on the Master Plan, R-5 open space requirements would be met within Areas I and II through the implementation of trails and a passive recreation area. There is also a non-binding commitment to share and use recreation facilities at Williamsburg Landing.

- The applicant has indicated that construction of the project would likely not be on Williamsburg Landing's immediate horizon and, therefore, has asked for consideration of an extended time period for commencement of construction as written in the SUP condition. Should the Planning Commission and Board of Supervisors concur with the request, the extended timeline would mean a longer time period of SUP validity, prior to commencement of construction than what is typically recommended by staff.

- The Statement of Intent in the R-5, Multifamily Residential District states: "The Multifamily Residential District, R-5, is composed of moderate- to high-density residential areas and other such areas where similar development is likely to occur. It is the purpose of this district to provide for a harmonious and orderly relationship between multifamily residential uses and lower-density residential uses or nonresidential uses. A further purpose is to require that development within this district be adequately served by public facilities, that adequate open space and recreational areas be provided for the use of residents and for buffering of adjoining property and to implement the policies and designations of the Comprehensive Plan."

- The application demonstrates commitment to development of the independent living facility use through the use of notes on the binding Master Plan, through the proposal to access the site through Williamsburg Landing as shown on the Master Plan and through stated intention in the Community Impact Statement.

ABILITY TO GUARANTEE THE DEVELOPMENT AS PROPOSED

- On June 28, 2016, the Board of Supervisors adopted Ordinance No. 31A-304, specifying that the County will only accept proffers associated with nonresidential rezonings.

- This application proposes independent living facility units. The Zoning Ordinance definition states that independent living facilities contain independent dwelling units and provide housing and supportive services such as meals, housekeeping, social activities and transportation for residents.

- The definition of independent living facilities does not limit the age of the individuals living in the units and does not specify that the support services must be through any specific agency (i.e., support services would not have to be provided through Williamsburg Landing). Further, the independent living facilities definition states "support services such as" and does not specify that all the support services listed would need to be provided or in what manner they would need to be provided.

- While the Master Plan for this proposal is binding, rezoning the property from R-8 to R-5 does increase the residential unit potential, and without proffers, there is no way to guarantee the unit type as shown.

- The County, therefore, is faced with assessing the development potential and associated land use impacts of this proposal. Because age restriction, in the absence of proffers, cannot be binding, the staff report describes impacts for a non-age-restricted proposal (traffic generation, fiscal impact, schools). Information on the use as an age-restricted independent living facility has been provided by the applicant and included in the staff report as well.

- Proffers are not accepted for residential rezonings; however, many of the impacts can be mitigated through SUP conditions, which are attached to and discussed throughout this staff report (Attachment No. 1).

- Should the Independent Living Unit Use SUP expire, these conditions would no longer apply to the property unless and until a new SUP is sought and approved; however, the R-5 zoning would remain.

PLANNING AND ZONING HISTORY

Williamsburg-Jamestown Airport:

- A small portion of this project's area along the southern edge had previously been included in the Airport Master Plan.

- The Williamsburg-Jamestown Airport officially opened in 1970 as a privately owned airport operated for use by the general public.

In 1986, Case No. SUP-26-85 was approved by the Board of Supervisors, which made the airport use a legal conforming use in the R-8 Zoning District. In 1997, the Board of Supervisors approved SUP-23-97, which permitted phased development of the airport over a 20-year period. The tax maps used for that case are identified as Parcel Nos. (1-5A) and (1-6) on Tax Map No. (48-2).

- In 2004, the Board of Supervisors approved SUP-16-04 to allow airport facilities, including T-Hangars as shown on the previously approved Master Plan to be built on Tax Map Parcel No. (48-2)(1-12).

- The Airport Master Plan shows proposed expansions throughout the property as demand dictates. The Airport Master Plan does not show any structures or proposed expansion on the land included as part of the current Williamsburg Landing application.

Williamsburg Landing:

- The land included as part of the current application is not part of the Williamsburg Landing Master Plan. The application seeks to integrate the proposed project through complementary zoning use and access.

- 5550, 5660 and 5700 Williamsburg Landing Road comprise the Williamsburg Landing Continuing Care Retirement Community (CCRC). In 1982, a portion of the Williamsburg Landing site was rezoned from A-2, Limited Agriculture to R-5, Multifamily Residential. No proffers were part of this case, which approved nursing home facilities, facilities for residence and/or care of the aged and offices.

- In 1984, four acres were incorporated into the R-5 Zoning District.

- In 1991, a portion of the site was rezoned from R-8 to PUD-R to allow a 60-unit single-family development.

- Rezoning cases in 1993, 1995, 2001 and 2008 added property to the site, introduced proffers and approved single-family, nursing, facilities for residence and/or care of the aged, assisted living units and independent living units in the overall development with caps being established and amended.

- Case No. Z-02-08/SUP-18-08 allowed a total of 100 nursing units, 100 assisted living units and 87 independent living facility units on the property.

- The applicant received SUP extensions for the commencement of construction in 2011 under SUP-05-11 and again in 2014 under SUP-10-14.

- In 2015, Case No. SUP-06-15/Z-4-15 (Proffer and SUP Amendment) was requested to allow for an increase in assisted living units from 100 to 131 and a decrease in nursing units from 100 to 73. The request resulted in a net increase of four units over the total number of units currently permitted on-site. The application also allowed modification of the design of previously approved facilities by combining three previously approved facilities into two buildings.

- If considered within the context of the existing Williamsburg Landing Master Plan and development, the density for both projects together would be 3.78 dwelling units per acre. However, as a standalone project, this development has a density of 8.71 dwelling units per acre.

Unit Type for All Current and Proposed Williamsburg Landing Properties					
Unit Type	*5550 Williamsburg Landing Dr.*	*5560 Williamsburg Landing Dr.*	*5700 Williamsburg Landing Dr.*	*20 Marclay Dr. (Proposed)*	*Total*
Independent Living	28	87	213	135	463
Assisted Living	0	131	0	0	131
Nursing	0	73	0	0	73
Total	28	291	213	135	667
Acreage	15.79	50.01	72.7	15.5	154
Gross Density	1.77	1.74 *without assisted living or nursing units	2.93	8.71	3.78

SURROUNDING ZONING AND DEVELOPMENT

- North: Williamsburg Landing
- South: Williamsburg-Jamestown Airport, R-8, Airport Approach Overlay District
- West: Marclay Road, Williamsburg Landing and Williamsburg-Jamestown Airport
- East: College Creek and Kingspoint

PUBLIC IMPACTS

Anticipated Impact on Public Facilities and Services:

Streets

- A traffic impact study was not required for this development since the PM peak trip generation fell below the 100 trip trigger in the Ordinance. The tables below show the projected PM peak trip generation for 135 dwelling units. Per the Institute of Transportation Engineers (ITE), a Senior Adult Housing Attached Use would be projected to have a lower trip generation than non-age-restricted housing. The project would take access through Williamsburg Landing Drive. The main access road, Williamsburg Landing Drive, intersects with Lake Powell Road. This intersection currently includes a southbound left-turn lane. The Virginia Department of Transportation (VDOT) has requested a Right-Turn Lane Warrant Analysis for the northbound movement on Lake Powell Road at the Plan of Development stage (Condition No. 13).

- If the development proceeds as an age-restricted community:

Use (ITE Code)	*Peak PM Trip Generation (trips)*
Senior Adult Housing, Attached (252)	47.25

- If the development proceeds as a non-age-restricted community:

Use (ITE Code)	*Peak PM Trip Generation (trips)*
70 Apartments (220) + 65 Townhomes (230)	80.33

- The James City County, Williamsburg, York County Comprehensive Transportation Study prepared in 2012 projected a Level of Service F for the Route 199 segment between the Williamsburg city line and Henry Street/Colonial Parkway.

- A VDOT project for a right-turn lane from Brookwood to Route 199 is underway and construction is expected to commence in 2018.

Schools/Fire/Utilities:

Schools

- As discussed previously in this staff report, proffers are not accepted for residential rezoning applications. In previously approved CCRC/Independent Living Communities, proffers have been able to provide assurance that no permanent resident of the development would be under a certain age. With no way to guarantee the mitigation of that impact, an analysis of school-age children is provided.

- The table below lists two calculations from the FY 17 Fiscal Impact Analysis, one is the total residential fiscal impact with school children and one without. Both supporting materials are included as Attachment Nos. 7 and 8.

Total Residential Expenses	*Total Residential Revenues*	*Total Residential Fiscal Impact*
School Impacts Included		
$731,607.27	$380,813.75	($350,793.52)
School Impacts Not Included		
$391,498.85	$380,813.75	($10,685.10)

- Financial and Management Services staff has reviewed and concurs with the calculations.

- The fiscal impact information shows the project to be more fiscally negative for the County when school impacts are included.

Student Enrollment and School Capacity, WJCC Schools 2016

School	*Effective Capacity*	*Enrollment*	*Projected Students Generated*	*Enrollment + Projected Students*
Rawls Byrd Elementary	550	487	± 14	501
Berkeley Middle	829	860	± 8	868
Lafayette High	1,314	1,152	± 11	1,163

Source: WJCC Public School Official Student Enrollment Report, November 2016

- With 135 proposed residential units (65 duplexes and 70 apartments), the 33 students projected from the new development would not cause the enrollment levels for Laurel Lane (formerly Rawls Byrd) Elementary School or Lafayette High School to exceed effective capacity. However, Berkeley Middle School is already over capacity and this development, if it is occupied with school-age children, would contribute to higher enrollment levels.

- However, if improvements have been programmed through the County CIP, then the application will meet the adequate public facilities policy. Staff notes that a new middle school is in the CIP for the next five years.

Fire

- The closest fire station in James City County to the property is Fire Station 3, located at 5077 John Tyler Highway, just over 2.2 miles northwest of this project site. According to James City County Fire Department, response time to the site is well within the six-minute response time average.

Utilities

- Project receives public water and sewer.

- Proposed SUP conditions include development of water conservation standards.

- JCSA has reviewed the Master Plan and the proposed SUP Conditions and concurs with the proposal with the condition that the pumping capacity available is limited and upgrades may need to be performed to the system to meet James City Service Authority (JCSA) approval when triggered.

Environmental/Cultural/Historic:

Environmental

- Watershed: College Creek.

- The application identifies and avoids RPAs.

- The applicant submitted studies analyzing the natural resources in the project area and possible impacts to bald eagles, long-eared bats, small whorled pogonia, etc. No impacts were found for this portion of the property.

- The Stormwater and Resource Protection Division (S+RP) has reviewed the proposal and concurs with the conditions as proposed. These conditions include provision for a Nutrient Management Plan to be developed and submitted for approval by the Director of S+RP.

Cultural/Historic

- A Phase I Archaeological Study has been included as a proposed SUP Condition and the study will be reviewed before preliminary approval of a site plan is granted.

Nearby and Surrounding Properties:

Noise

- With a new development proposed to be constructed so close to an airport, there are potential issues of noise complaints by the residents. Currently, the closest buildings in Williamsburg Landing are approximately 1,500 feet from the runway. Buildings in this proposal could be approximately 950 feet from the runway. The closer buildings are to the airport, the greater the potential for noise.

- Williamsburg Landing has stated that there are options for residents to move within the community if they have issues with noise.

- Building Safety and Permits made a comment in its review that the construction may need to comply with Airport Noise Attenuation Requirements (R327.2).

- DOAV recommended an SUP Condition regarding the notification of new residents of the potential for noise due to the proximity to the airport.

Height

- Please see Height Limitation Waiver application discussion in Attachment No. 12.

Visual Impact

- The portion of the property closest to College Creek contains RPAs and steep slopes that make the area generally undevelopable.

- The impacts on the viewshed from Kingspoint to Williamsburg Landing are detailed in the balloon test map and pictures in Attachment Nos. 14 and 18. The Kingspoint recreation property is approximately 700 feet from the Williamsburg Landing property line and about 1,000 feet to the closest project area outside the RPA (approximate location of Best Management Practice).

- The closest Williamsburg Landing building to the project area is the Landing Building, which is approximately 190 feet to the property line and approximately 240 feet to the closest project area outside the 50-foot perimeter buffer.

Balloon Test

- A balloon test was conducted on Friday, April 28, 2017, at 10 a.m. on 100 Marclay Road in the approximate location of the proposed 60-foot structure. Pictures from multiple vantage points are shown on Attachment No. 14. With the balloon at 60 feet, the balloon was able to be seen from the Williamsburg-Jamestown Airport, the service entrance to Williamsburg Landing on Marclay Road and the corner of Lake Powell Road and Marclay Road. Across College Creek at a resident's property south of Kingspoint Clubhouse, the top of the balloon was able to be seen just over the trees. The balloon was not able to be seen from the Kingspoint Clubhouse, Route 199 over College Creek, the Williamsburg Winery or the Rolling Woods subdivision entrance. The applicant also prepared a summary of the balloon test, which is included as Attachment No. 18.

Parks & Recreation

- As noted above in the Project Description section, this project must meet the R-5 Zoning Ordinance requirements. However, the R-5 requirements do not encompass all aspects of the Parks & Recreation Development Guidelines expected of all new residential requests, which include trails, courts/pools and fields. The applicant is requesting an exception to the Parks & Recreation Development Guidelines (Attachment No. 17). Planning and Parks & Recreation staff are receptive to this request; however, the waiver must be approved by the Board of Supervisors.

- *Requirement*: Park land (.31 acres minimum)
- *Applicant Proposal*: To meet requirement through the R-5 Ordinance recreation requirement for playground area.

- *Requirement*: Playground (minimum of five activities)
- *Applicant Proposal*: To meet requirement through the R-5 Ordinance recreation requirement for playground area.

- *Requirement*: Hard surface sport court
- *Applicant Proposal*: The applicant is requesting an exception and would not provide this facility.

- *Requirement*: Graded athletic field
- *Applicant Proposal*: The applicant is requesting an exception and would not provide this facility.

- *Requirement*: Paved multi-use trail
- *Applicant Proposal*: The applicant is requesting an exception and would not provide this facility.

COMPREHENSIVE PLAN

Surrounding Comprehensive Plan designations include:

- Low Density Residential to the north and east.

- Airport to the south and west.

Airport (20 Marclay Road):

- The portion of 20 Marclay Road is designated as airport on the 2035 Comprehensive Plan Land Use Map and is currently located inside the Primary Service Area (PSA). The principal suggested uses for developable land associated with the airport include aviation with airport-related commercial and office development as clearly secondary uses.

- The airport was supported during the most recent Comprehensive Plan update process with recognition of its role as a supporting transportation element for tourism and local businesses and potential to have some associated commercial secondary uses.

- DOAV provided comments to staff. Their concerns and recommended SUP Conditions are attached (Attachment No. 13). The SUP Conditions/Height Waiver conditions can be found in Attachment Nos. 1 and 2.

- Staff finds that the residential component of this proposal does not meet the above language from the Comprehensive Plan, as residential uses are not an acceptable use in Airport Designated Land. Staff, therefore, finds that the proposed use is not consistent with the Comprehensive Plan designation of airport.

Low Density Residential (Williamsburg Landing):

- This project is adjacent to Williamsburg Landing, which is designated as LDR on the Comprehensive Plan Land Use Map and is located inside the PSA. Single-family homes, multifamily units and retirement and care facilities/communities are all recommended uses in LDR areas, provided that development:

    - Complements the residential character of the surrounding area;

    - Has traffic, noise and lighting impacts similar to surrounding uses;

    - Is generally located on collector or arterial roads at intersections; and

    - Provides adequate screening and buffering to protect the character of nearby residential areas.

- Additionally, the Comprehensive Plan recommends a gross density of one to four units per acre in LDR areas. This application proposes a density of 8.71 dwelling units per acre. When considering the entire development of Williamsburg Landing, the density overall would be 3.78 dwelling units per acre. To achieve a higher gross density, certain public benefits must be provided. Some examples of those public benefits include:

- Mixed-cost housing, affordable and workforce housing, enhanced environmental protection or development that adheres to the principles of open space design.

- As noted, the proposed SUP Conditions provide for property owner notifications, the review of architectural elevations, conformance with the Board of Supervisors Archaeological Policy and Streetscape Policy, water conservation standards and a Nutrient Management Plan. However, proffers are not accepted for residential rezonings; therefore, additional public benefits are not provided.

Population Needs/Housing Section:

- The 2035 Comprehensive Plan discusses the need for adequate housing opportunities for the growing senior population, particularly affordable opportunities and the different ways those needs can be met.

- Strategy H4 states, "Provide adequate housing opportunities for special needs populations, including persons with all forms of disabilities and senior citizens."

- Action PN 3.4 in the Population Needs section of the Comprehensive Plan states, "Promote affordable senior housing options, from independent living to Continuing Care Retirement Communities (CCRCs) and skilled care for all."

- Affordable senior housing options are of particular need in the County and, as noted previously, because proffers are not accepted for residential rezonings, this important component of the Comprehensive Plan cannot be assured.

Economic Development/Transportation:

Economic Development

- In the Economic Development section of the Plan, ED 7.5 states "Support continued local access to general aviation facilities."

Transportation

- The Transportation section of the Comprehensive Plan states that having a viable multimodal transportation network is fundamental to maintaining a strong economy and a high quality of life for the community.

- The Williamsburg-Jamestown Airport is a small general aviation facility, which is a base for a flight school and small private planes. There is no scheduled commercial passenger service at the airport and the population served is confined to tourists and business clientele who travel by private plane.

- Through a Board of Supervisors Resolution of Approval in 2011, County staff, in coordination with the property owner, submitted a grant application to the Commonwealth Transportation Board to upgrade Marclay Road to VDOT standards. The improvements have been completed and VDOT has finalized acceptance into the state system.

SUMMARY STAFF RECOMMENDATION

Staff recommends that the Board of Supervisors deny the proposed rezoning and SUP. Should the Board of Supervisors wish to approve this application, staff recommends that the conditions listed in Attachment No. 1 be applied.

HEIGHT WAIVER RECOMMENDATION

Staff recommends denial of the Height Limitation Waiver if the Board of Supervisors denies the proposed rezoning, master plan and special use permit. Should the Board approve the proposed rezoning, master plan and special use permit staff recommends approval of the Height Limitation Waiver subject to the proposed conditions included as Attachment No. 2.

AB/nb
RZ-1-17MarclayRd

Attachments:
1. SUP Conditions Resolution
2. Height Waiver Conditions Resolution
3. Location Map
4. Master Plan
5. Planning Commission Minutes
6. Community Impact Statement
7. FY 17 Fiscal Impact Study including School Impacts
8. FY 17 Fiscal Impact Study Not Including School Impacts
9. Airport Master Plan
10. Williamsburg Landing Master Plan
11. Proposed Design Guidelines
12. Height Waiver Application Discussion
13. DOAV Comment Letter
14. Balloon Test Map and Pictures
15. FAA Determination
16. DOAV Response to FAA Determination
17. Parks & Recreation Facilities Exception Request
18. Applicant Balloon Test Pictures and Narrative
19. Citizen Comment
20. Williamsburg Landing Board of Directors Letter

R E S O L U T I O N

CASE NOS. SUP-0001-2017/Z-0001-2017/MP-0001-2017.

WILLIAMSBURG LANDING, MARCLAY ROAD

SPECIAL USE PERMIT, REZONING AND MASTER PLAN

WHEREAS, the Board of Supervisors of James City County, Virginia, (the "Board"), has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Short Neck LLC (the "Owner") owns a parcel of property located at 20 Marclay Road on land zoned R-8, Rural Residential, further identified as James City County Real Estate Tax Map Parcel No. 4820100012 (the "Property"), as shown on the exhibit titled "Master Plan for Williamsburg Landing Marclay Road Property" dated February 27, 2017, prepared by Guernsey Tingle (the "Exhibit"); and

WHEREAS, Mr. William Holt, of Kaufman and Canoles (the "Applicant"), on behalf of the Owner and Williamsburg Landing, Inc., has applied to rezone a portion of the Property from R-8, Rural Residential to R-5, Multifamily Residential and for an SUP to allow for independent living facility units, as shown on the Exhibit; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case Nos. SUP-0001-2017, Z-0001-2017 and MP-0001-2017; and

WHEREAS, the Planning Commission, following its public hearing on November 1, 2017, recommended approval of this application by a vote of 7-0; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case Nos. Z-0001-2017 and MP-0001-2017 described herein.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing and consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of SUP No. 0001-2017 as described herein with the following conditions:

1. **Master Plan**: This SUP shall be valid for the proposed development (the "Project"), on a portion of property located at 20 Marclay Road and further identified as a portion of James City County Real Estate Tax Map Parcel No. 4820100012 (the "Property"). Development of the Property shall be generally in accordance with the plan entitled "Master Plan for Williamsburg Landing Marclay Road Property" made by Guernsey Tingle and dated February 27, 2017 (the "Master Plan"), with any deviations considered pursuant to Section 24-23(a)(2) of the James City County Code, as amended (the "County Code"). Prior to or concurrent with submission of development plans, a conceptual plan shall be turned in for each corresponding area shown on the Master

Plan. The Director of Planning shall approve said conceptual plan(s), which shall, at minimum, describe the dwelling unit land types and identify road locations, recreation areas and improvements, trails or pedestrian paths, common and natural open space, buffers and proposed clearing limits.

2. **VDOA Condition:** Evidence of a determination of "NO hazard" from the Federal Aviation Administration (FAA) shall be submitted to the Director of Planning prior to any final site plan approval for any structure on the Property.

3. **VDOA Condition:** No structure or vegetation growth shall penetrate any surface regulated by 14 CFR Part 77, as amended, or violate any other Federal Aviation Regulation. Documentation verifying compliance with this condition shall be submitted to the Director of Planning prior to any final site plan approval for any structure on the Property. The owner shall be responsible for monitoring and maintaining all vegetation on the Property in compliance with this standard.

4. **VDOA Condition:** As long as there is an operating airport adjacent to the Property, the owner shall include a disclosure of the Property's proximity to an airport and the possibility of associated noise (i) in its Continuing Care Retirement Community (CCRC) Disclosure Statement required by law to be filed with the Commonwealth of Virginia and provided to, and receipt acknowledged by, each prospective resident prior to that resident's becoming a resident of a residential structure at the Property, or (ii) in the event a CCRC Disclosure Statement is not provided to such prospective resident or the required disclosure is not by law or other reason included in the CCRC Disclosure Statement provided to a prospective resident, in a separate disclosure document to such prospective resident that shall include a resident acknowledgement of receipt. Resident acknowledgements of receipt shall be kept on file by, or on behalf of the owner. The owner shall submit a copy of the disclosure to the Director of Planning for review and approval prior to final site plan approval for any structure on the Property.

5. **Architectural Elevations/Design:** The Property shall be developed substantially in accordance with the Williamsburg Landing - Marclay Road Property Architectural Guidelines" dated February 27, 2017 (the "Architectural Guidelines"). The colors, design, building materials and architecture ("Elevations") for any structure constructed on the Property shall be consistent, as determined by the Director of Planning, with the Architectural Guidelines and with the building materials, scale and colors of the existing Williamsburg Landing development. If the Director of Planning finds the Elevations inconsistent with the Architectural Guidelines and/or the existing development, the owner may appeal the decision of the Director of Planning to the Development Review Committee which shall forward a recommendation to the Planning Commission.

6. **Archaeological:** A Phase I Archaeological Study for the Property shall be submitted to the Director of Planning for his review and approval prior to site plan preliminary approval. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as being eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National

Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to preliminary approval within the study areas. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon.

7. **Signage:** With the exception of one 24-square-foot sign at the service entrance location and one 24-square-foot sign at the location of the emergency vehicle entrance, no signage for the Project shall be permitted along the Property's frontage on Marclay Road.

8. **Ingress and Egress:** No public entrances to the Property shall be permitted along Marclay Road other than one service and one emergency vehicle entrance.

9. **Water Conservation Standards:** The owner shall be responsible for developing and enforcing water conservation standards applicable to the Property, which standards shall be submitted to and approved by the James City Service Authority (the "JCSA") in accordance with the Water Conservation Guidelines adopted by the Board of Supervisors on November 27, 2007. The standards shall address but not be limited to, such water conservation measures as limitations on the use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought resistant native and other low water use landscaping materials and warm season turf where appropriate, and the use of water conserving fixtures and appliances all to promote water conservation and to eliminate the use of public water resources. The standards shall be submitted to and reviewed by the JCSA General Manager for general consistency with this condition and shall be approved by the JCSA prior to final development plan approval.

10. **JCSA Infrastructure Upgrade:** Prior to site plan approval, an analysis of the existing gravity mains, pump stations and force mains impacted by the Project must show there is adequate capacity to accept the flow based on the Regional Design Guidelines, or what upgrades are required to provide adequate capacity. The analysis shall be approved by the JCSA General Manager and the Director of Planning prior to site plan approval and any upgrades required by the analysis shall be shown on the plan and completed prior to issuance of a Certificate of Occupancy for any unit that would exceed the current pump station's capacity.

11. **Streetscapes:** Streetscape improvements shall be installed along all streets in accordance with the Streetscape Guidelines Policy. The streetscape improvements shall be shown on the plan of development and approved by the Director of Planning or his designee prior to final site plan approval.

12. **Landscaping:** A landscaping plan shall be approved by the Director of Planning or his designee prior to final site plan approval and with such approved landscaping installed or guaranteed with a surety to the County in an amount acceptable to the Director of Planning prior to the issuance of a Certificate of Occupancy. The buffer along the portions of the Property adjacent to the airport in Area III on the Master Plan and within the 50-foot buffer in Area I shall be landscaped to the provisions of Section 24-96 of the County Code for General Landscape Areas.

13. **Nutrient Management Plan:** A nutrient management plan (the "NMP") shall be prepared by a certified nutrient management planner for all of the area within the defined limits of disturbance for the Project. The purpose of the NMP is to provide for long-term establishment and maintenance of turf grass, pasture, rangeland, or other similar type vegetative cover which preserve the long-term soil health. The NMP shall be approved by the County's Director of Stormwater and Resource Protection Division prior to 50% of final Certificate of Occupancy approvals for the Project.

14. **Traffic:** A right-turn lane warrant analysis for the Lake Powell Road and Williamsburg Landing Drive intersection shall be submitted to and approved by the Director of Planning and the Virginia Department of Transportation (VDOT) prior to final site plan approval. Should the approved analysis demonstrate that improvements are warranted, such improvements shall be installed or guaranteed with a surety to the County in an amount acceptable to VDOT and the Director of Planning prior to the issuance of any Certificate of Occupancy.

15. **Commencement of Construction:** If construction has not commenced on the Project within 36 months from the issuance of this SUP, the SUP shall become void. Construction shall be defined as obtaining permits for building construction and footings and/or foundation has passed required inspections.

16. **Severability**: This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

_____
Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

MarclayRd-res

R E S O L U T I O N

CASE NO. HW-0001-2017. WILLIAMSBURG LANDING MARCLAY ROAD

HEIGHT LIMITATION WAIVER

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

WHEREAS, Mr. William Holt, of Kaufman and Canoles (the "Applicant"), on behalf of Williamsburg Landing, Inc., has applied for a Height Limitation Waiver to allow for the construction of independent living facility apartment buildings (the "Buildings") that is approximately 60 feet above finished grade at their highest points; and

WHEREAS, the Buildings will be constructed on property zoned R-5, Multifamily Residential, further identified as a portion of James City County Real Estate Tax Map No. 4820100012; and

WHEREAS, the location of the highest point of the Buildings is depicted on the plan prepared by Guernsey Tingle, entitled "Master Plan for Williamsburg Landing Marclay Road Property;" dated February 27, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. HW-0001-2017.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of James City County, Virginia, finds that the requirements of Section 24-418(c) of the James City County Zoning Ordinance have been satisfied in order to grant a Height Limitation Waiver to allow for the erection of structures in excess of 35 feet in height for the construction of the Buildings.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Height Limitation Waiver HW-0001-2017 to grant a 25 foot waiver to the height limitation requirements set forth in the James City County Code to allow for the erection of buildings up to 60 feet tall from finished grade as described herein, pursuant to the following conditions:

1. **Height Limitations**: This Height Limitation Waiver (the "Waiver") shall be valid for a 25-foot waiver to the height limitation requirements set forth in the James City County Code to allow for the erection of buildings up to 60 feet above ground level (or up to 130 feet above mean sea level) (the "Buildings") on property zoned R-5, Multifamily Residential, further identified as a portion of James City County Real Estate Tax Map Parcel No. 4820100012, as generally shown on the plan prepared by Guernsey Tingle, dated February 27, 2017 and entitled "Master Plan for Williamsburg Landing Marclay Road Property" (the "Master Plan"). The height of the Buildings shall be calculated in accordance with the Zoning Ordinance definition for "Building, height of" in effect as of the adoption date of the Waiver.

2. **As Built Survey**: An as-built survey shall be submitted to and approved by the Director of Planning for any building exceeding the permitted building height in the zoning district prior to final Certificate of Occupancy. The intent of this condition is to ensure compliance with the Waiver and any permits or conditions set forth by the Federal Aviation Administration and or the Virginia Department of Aviation.

3. **Location Applicable to Master Plan:** The Waiver shall only apply to Area II Unit Type D on the Master Plan.

4. **Severability**: The Waiver is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

_____
Bryan J. Hill
Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

MarclayR-HeightLW-res

JCC-Z-0001-2017/SUP-0001-2017/MP-0001-2017
HW-0001-2017
Williamsburg Landing, Marclay Rd.



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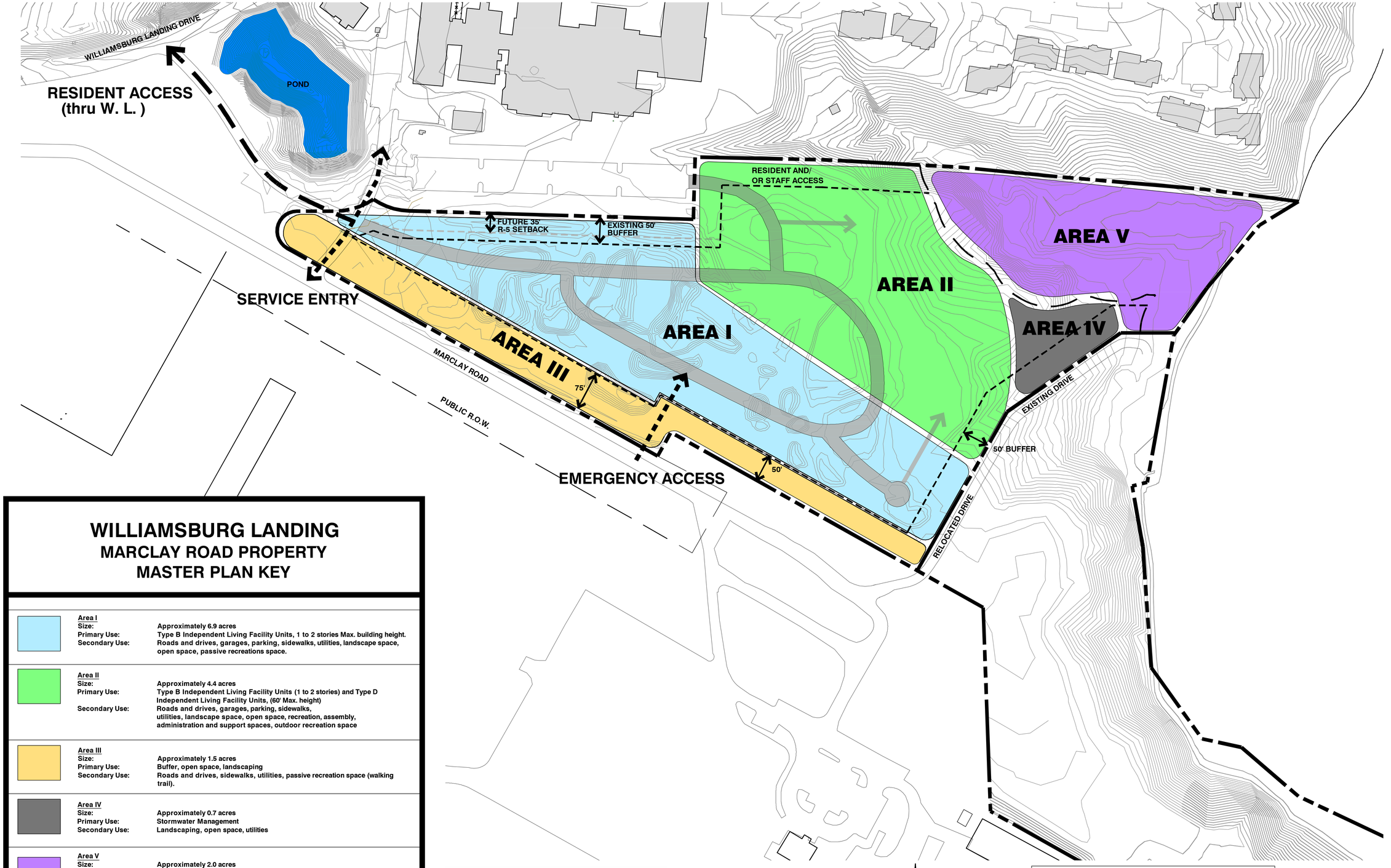
460 230 0 460 920 1,380 Feet



WILLIAMSBURG LANDING
MARCLAY ROAD PROPERTY
MASTER PLAN KEY

Area I
- **Size:** Approximately 6.9 acres
- **Primary Use:** Type B Independent Living Facility Units, 1 to 2 stories Max. building height.
- **Secondary Use:** Roads and drives, garages, parking, sidewalks, utilities, landscape space, open space, passive recreations space.

Area II
- **Size:** Approximately 4.4 acres
- **Primary Use:** Type B Independent Living Facility Units (1 to 2 stories) and Type D Independent Living Facility Units, (60' Max. height)
- **Secondary Use:** Roads and drives, garages, parking, sidewalks, utilities, landscape space, open space, recreation, assembly, administration and support spaces, outdoor recreation space

Area III
- **Size:** Approximately 1.5 acres
- **Primary Use:** Buffer, open space, landscaping
- **Secondary Use:** Roads and drives, sidewalks, utilities, passive recreation space (walking trail).

Area IV
- **Size:** Approximately 0.7 acres
- **Primary Use:** Stormwater Management
- **Secondary Use:** Landscaping, open space, utilities

Area V
- **Size:** Approximately 2.0 acres
- **Primary Use:** Conservation Area (RPA and steep slopes)
- **Secondary Use:** Landscaping, open space, utilities

SUMMARY
- **Total Area:** 15.5 acres
- **Number of Units:** 135 total units

Type of Independent Living Facility Units	Units Proposed
B (1-2 story duplex)	65
D	70

GRAPHIC SCALE
80' 0' 80' 160'
SCALE: 1" = 80'

N

OPEN SPACE

SITE AREA	15.50± ACRES
NET DEVELOPABLE AREA	12.90± ACRES
TOTAL OPEN SPACE REQUIRED	1.29± ACRES (10%)
TOTAL OPEN SPACE PROVIDED	1.29± ACRES (10%)
RECREATION SPACE	
TOTAL UNITS	135 UNITS
TOTAL RECREATION SPACE REQUIRED (0.5 ACRES PER 50 DWELLING UNITS)	1.35± ACRES
TOTAL RECREATION SPACE PROVIDED	1.35± ACRES

NOTE 1: OPEN SPACE REQUIREMENTS SHALL BE MET WITHIN AREAS I AND II THROUGH THE IMPLEMENTATION OF TRAILS AND PASSIVE RECREATION
NOTE 2: AREA II BUFFER SHALL BE INCREASED TO 75' FOR ANY STRUCTURES WHICH EXCEED TWO STORIES.

GuernseyTingle
757-220-0220 Williamsburg, VA
guernseytingle.com

MASTER PLAN
WILLIAMSBURG LANDING
MARCLAY ROAD PROPERTY

REVISION SCHEDULE

#	Description	Date	Initials

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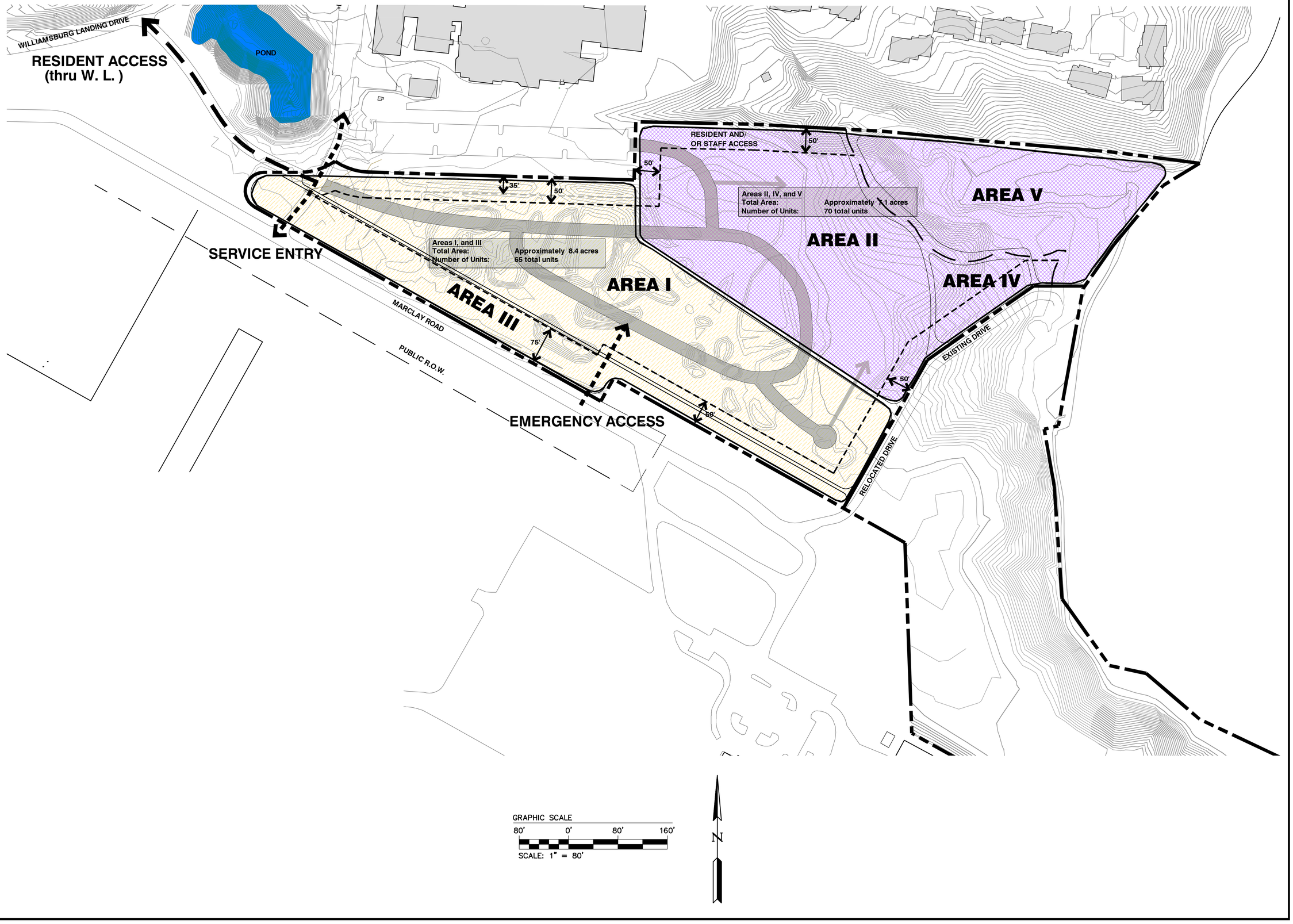
Master Site Plan

Date: 2-27-17
Drawn: BAS Checked: BAS
Project: 215119

A1

C:\JOBS\#15\215119 - Property Rezoning_7.x\ Drawings\2017-02-27 for 02/16/17 Williamsburg Landing Rezoning -KEY.dwg 2/28/2017 11:27:16 AM



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Master Site Plan

Date: 2-27-17
Drawn: BAS Checked: BAS
Project: 215119

A1

Rev.	Date	Description	Revised By

15F
11C
14B
21
29B
36
W

WILLIAMSBURG LANDING DRIVE (PUBLIC R/W)

MARCLAY ROAD (PUBLIC R/W)

EX. LANDING BUILDING

EX. SAN MH
RIM=70.62
INV IN=49.52
INV IN=49.47
INV OUT=49.47

EX. LIFT STATION 7-5

N/F
WILLIAMSBURG LANDING, INC.
D.B. 246, PG. 116
ZONED R5
TAX MAP (48-2)(1-2)

N/F
MARY S. WALTRIP
D.B. 36, PG. 122
TAX MAP (48-2)(1-12)
OLD AREA = 81.86 ACRES ±
NEW AREA = 71.23 ACRES ±

N/F
MARY S. WALTRIP
D.B. 36, PG. 122
ZONED R8
TAX MAP (48-2)(1-12)

N/F
WILLIAMSBURG-JAMESTOWN AIRPORT, INC.
D.B. 130, PG. 144
ZONED RBAA
TAX MAP (48-2)(1-5A)

PROPERTY BOUNDARY (TYP.)

APPROXIMATE LIMITS OF RPA WETLANDS (AS DELINEATED BY STANTEC)

APPROXIMATE LIMITS OF RPA BUFFER (AS DELINEATED BY STANTEC)

LIMITS OF SOILS (TYP.)

COLLEGE CREEK

SOIL CHARACTERISTICS

SOIL#	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K)	EROSION FACTOR (T)
11C	CRAVEN-UCHEE COMPLEX	D	6-10%	0.28	5
14B	EMPORIA FINE SANDY LOAM	B	2-6%	0.28	5
15F	EMPORIA COMPLEX	B	25-50%	0.28	5
21	LEVY SILTY CLAY	C/D	0-2%	0.24	5
29B	SLAGLE FINE SANDY LOAM	C	2-6%	0.24	5
35	UDORTHENTS, LOAMY	-	0-70%	-	-
36	UDORTHENTS-DUMPS COMPLEX	-	0-25%	-	-

INFORMATION TAKEN FROM "SOIL SURVEY OF TIDEWATER CITIES AREA, VIRGINIA" ISSUED IN 2009 BY THE UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE IN COOPERATION WITH VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY.

SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)
0.23 AND LOWER - LOW ERODIBILITY
0.23 - 0.36 - MODERATE ERODIBILITY
0.36 AND UP - HIGH ERODIBILITY

THE MAP SHOWN IS A "BEST FIT MODEL" OF THE SCS MAPS WITH EXISTING BASE INFORMATION.

LEGEND

SOILS BOUNDARY

19B SOILS TYPE

25% SLOPES

NOTE: THIS PROPERTY IS IN FLOOD ZONE X AS SHOWN ON MAP NUMBER 51095C0201D PANEL 0201D AND IN FLOOD ZONE AE (ELEV. 7) AS SHOWN ON MAP NUMBER 51095C0202D PANEL 0202D, FOR COMMUNITY NUMBER 510201, DATED 12/16/15 OF THE FLOOD INSURANCE RATE MAPS FOR JAMES CITY COUNTY, VIRGINIA. ZONE X IS DEFINED AS AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN, AND ZONE AE (ELEV. 7) IS DEFINED AS SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL FLOOD CHANCE.

NOTE:

WETLANDS AND RPA DELINEATION IS SHOWN PER PRELIMINARY DETERMINATION BY STANTEC. CONFIRMATION BY THE ARMY CORPS OF ENGINEERS IS BEING COORDINATED.

GRAPHIC SCALE
80' 0' 80' 160'
SCALE: 1" = 80'

N

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Fax: (757) 220-8994
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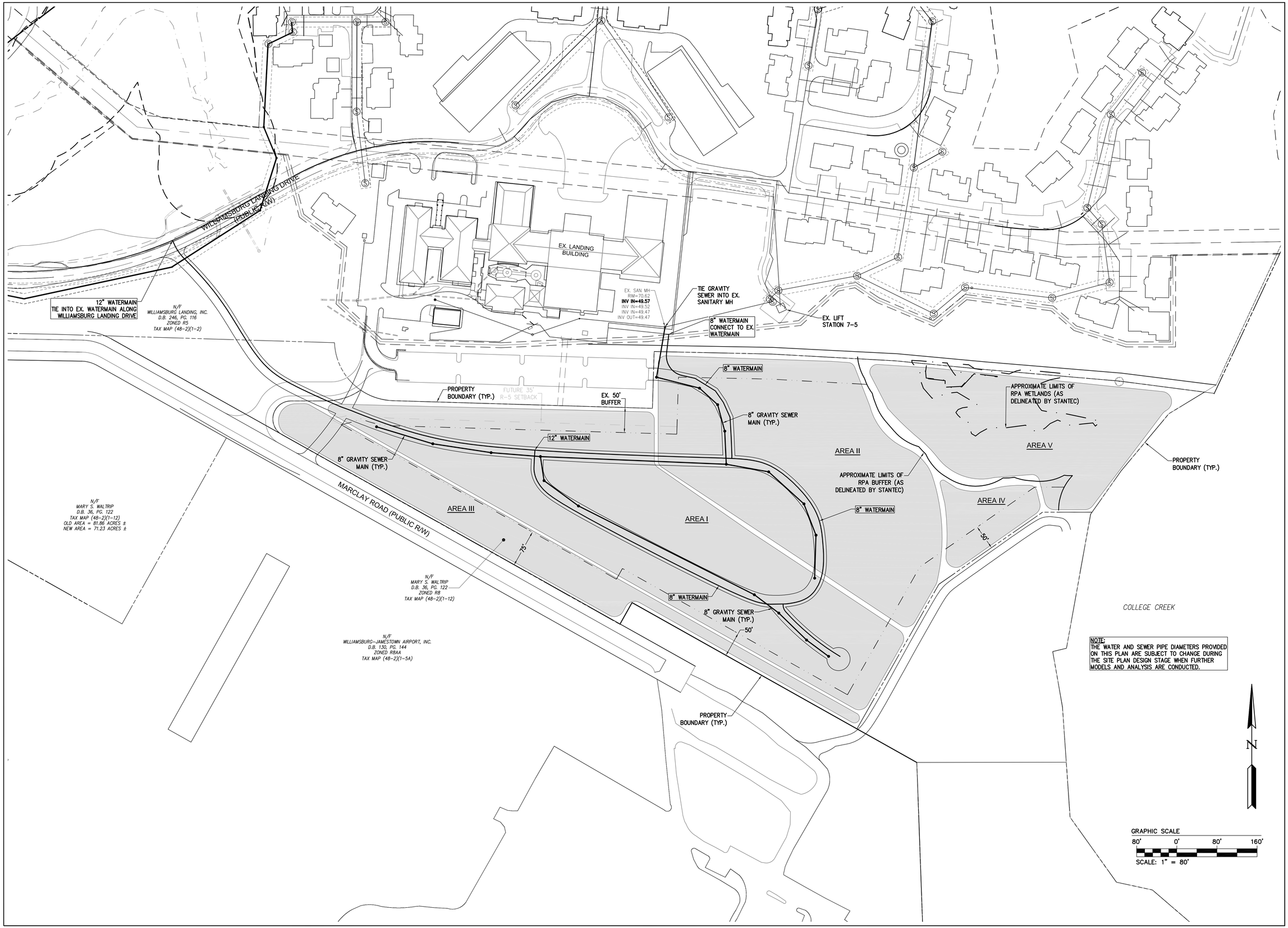
Hampton Roads | Central Virginia | Middle Peninsula

MASTER PLAN
WILLIAMSBURG LANDING
MARCLAY ROAD PROPERTY
OWNER/DEVELOPER: WILLIAMSBURG LANDING, INC.
ROBERTS DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	TRS
Project Number:	W8162-22B
Scale: 1"=80'	Date: 01/18/17

Sheet Title:
EXISTING CONDITIONS

Sheet Number



Rev.	Date	Description	Revised By

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MASTER PLAN

WILLIAMSBURG LANDING

MARCLAY ROAD PROPERTY

OWNER/DEVELOPER: WILLIAMSBURG LANDING, INC.

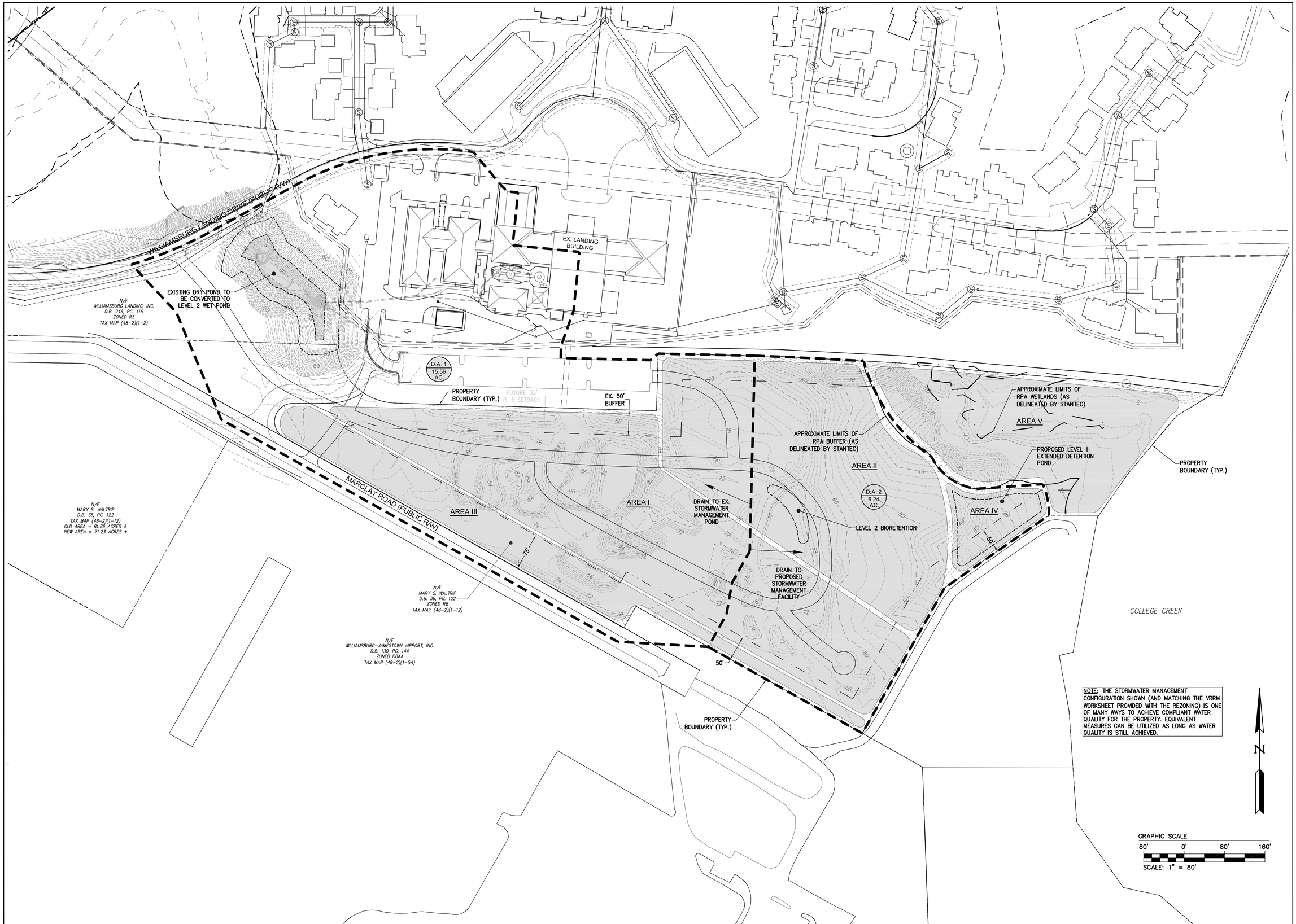
ROBERTS DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	TRS
Project Number:	W8162-22B
Scale: 1"=80'	Date: 01/18/17

Sheet Title:

MASTER UTILITY PLAN

Sheet Number



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MASTER PLAN

WILLIAMSBURG LANDING
MARCLAY ROAD PROPERTY

OWNER/DEVELOPER: WILLIAMSBURG LANDING, INC.

ROBERTS DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	TRS
Project Number:	W8162-22B
Scale: 1"=80'	Date: 01/18/17

Sheet Title:

MASTER STORMWATER MANAGEMENT PLAN

Sheet Number

Unapproved Minutes of the November 1, 2017
Planning Commission Meeting

Z-0001-2017, SUP-0001-2017, MP-0001-2017. Williamsburg Landing, Marclay Road

Mr. Alex Baruch, Planner, stated that Mr. Will Holt and Mr. Paul Gerhardt of Kaufman and Canoles have applied for a rezoning, special use permit, height waiver and master plan for a portion of 20 Marclay Rd. Mr. Baruch stated that the property is across from the Williamsburg-Jamestown Airport adjacent to College Creek and is immediately adjacent to Williamsburg Landing.

Mr. Baruch stated that the proposal is to rezone a portion of the property to R-5 from R-8. Mr. Baruch stated that the application includes a special use permit to allow up to 135 independent living facility units, and a height waiver for the proposed apartment buildings to be constructed up to 60' from grade. Mr. Baruch noted that the height waiver will be considered jointly by the Board of Supervisors with the rezoning, special use permit and master plan, but does not require a vote by the Planning Commission. Mr. Baruch stated that a balloon test was conducted on Friday, April 28, 2017 at 10 am in the approximate location of the proposed 60-foot structure. Mr. Baruch noted that photos from multiple vantage points are provided with the case materials.

Mr. Baruch stated that the proposal is a stand-alone rezoning and SUP request as the application does not amend the existing Williamsburg Landing Master Plan. Mr. Baruch noted that the proposed SUP conditions include three conditions intended to mitigate concerns expressed by the Virginia Department of Aviation. Mr. Baruch further stated that proposed conditions are also included to mitigate impacts from the airport, require a review of building materials and colors, address signage, water conservation standards, enhanced landscaping along Marclay Rd. and require a right turn lane warrant analysis for the Lake Powell Rd and Williamsburg Landing Drive intersection to be submitted and approved before final site plan approval. Mr. Baruch noted that Board policies being adhered to through the master plan and proposed conditions include the streetscapes and archeology policies.

Mr. Baruch stated that on the 2035 Comprehensive Plan Land Use Map, 20 Marclay Rd. is designated as Airport and is located inside the Primary Service Area. Mr. Baruch stated that principal suggested uses for the developable land associated with the Airport include aviation with airport related commercial and office development as clearly secondary uses. Mr. Baruch stated that the residential component of this proposal does not adhere to the Airport designation from the Comprehensive Plan, as residential uses are not an acceptable use in Airport designated land.

Mr. Baruch stated that the Federal Aviation Administration (FAA) made a determination of no hazard for a 35' structure and 60' structure on the property stating that the structures would not exceed obstruction standards and would not be a hazard to air navigation.

Mr. Baruch stated that this project is adjacent to Williamsburg Landing, which is designated as Low Density Residential on the 2035 Comprehensive Plan Land Use Map and is located inside the primary service area. Mr. Baruch noted that single-family homes, multifamily units and retirement care communities are all recommended uses in low density residential areas, provided that development complements the residential character of the surrounding area; has traffic, noise and lighting impacts similar to surrounding uses, is generally located on collector or arterial roads at intersections and provides adequate screening and buffering to protect the character of nearby residential areas.

Mr. Baruch stated that the Comprehensive Plan recommends a gross density of one to four units per acre in low density residential areas. M.s Baruch stated that this application proposes a density of 8.71 dwelling units per acre. Mr. Baruch stated that when considering the entire development of Williamsburg Landing

and including this proposal, the density overall would be 3.78 dwelling units per acre. Mr. Baruch stated that to achieve a higher gross density, certain public benefits must be provided. Some examples of those public benefits include: mixed-cost housing, affordable and workforce housing, enhanced environmental protection or development that adheres to principles of open space design.

Mr. Baruch stated that the proposed SUP conditions provide for property owner notification of proximity to the airport, the review of architectural elevations, conformance with Board of Supervisors Archaeological Policy and Streetscape Policy, water conservation standards and Nutrient Management Plan. Mr. Baruch stated that proffers are not accepted for residential rezonings; therefore, additional public benefits are not provided, including impacts to schools, traffic, utilities infrastructure such as the James City Service Authority, and providing affordable and workforce housing opportunities. Mr. Baruch stated that, while the development may be age-targeted, without the ability to guarantee age restrictions, the project is fiscally negative per the submitted FY17 Fiscal Impacts Analysis worksheet.

Mr. Baruch stated that staff recommends that the Planning Commission recommend denial of the proposed rezoning and SUP. Mr. Baruch stated that, should the Commission wish to recommend approval of this application to the Board of Supervisors, staff recommends that the draft SUP conditions be applied.

Mr. Baruch noted that Scott Denny from the Virginia Department of Aviation (DOAV) is available to answer questions related to impacts to the Airport.

Mr. Richardson inquired about whether the age restrictions could be enforced or if there were a potential for the development to be open to all age groups.

Mr. Baruch stated that without being able to guarantee the age restriction, the opportunity is there for anyone, regardless of age, to live there. Mr. Baruch further stated that since this is not part of the Master Plan for Williamsburg Landing, there is no guarantee for what would occur if the SUP for the assisted living facility were to lapse. Mr. Baruch stated that the R-5 zoning would remain and the Master Plan would remain. Mr. Baruch stated that staff has made an effort through the Master Plan to ensure independent living facilities in certain areas of the development, however, there is no guarantee of age restriction.

Mr. Richardson inquired if the FAA determination of no hazard for the height of the structure mitigated staff concerns about ingress/egress and noise.

Mr. Baruch stated that staff defers to the FAA to make the determination; however, there are still concerns from the DOAV over development in proximity to the Airport. Mr. Baruch stated that several of the SUP conditions were proposed to mitigate the concerns.

Mr. Paul Holt clarified that there are three levels of review, with the FAA making a determination of no hazard for the structure, the State level of review with the DOAV with their capital investments in the Airport being mindful of potential residential encroachment, and at the local level, the concern is more broadly with consistency with the Comprehensive Plan designation of Airport. Mr. Paul Holt noted that even though conditions are being proposed to mitigate impacts, it still does not address the question of an inconsistency with the Comprehensive Plan.

Mr. Richardson inquired if it is true that age restricted communities are often inconsistent in the types of amenities provided with the Parks and Recreation guidelines.

Mr. Baruch stated that this has been seen in some age restricted areas. Mr. Baruch noted that there are some Parks and Recreation requirements which will be addressed through the Zoning Ordinance requirement for

the R-5 district, and others will be addressed through the exception request which will be considered by the Board of Supervisors.

Mr. Paul Holt noted that in other instances when facilities required under the Parks and Recreation Facilities Master Plan have not been feasible or the developer proposed and alternative, there was a proffer policy in place to do a cash-in-lieu payment and then those facilities could be provided in other locations. Mr. Paul Holt stated that since the County no longer accepts residential proffers, it is not possible for the applicant to do cash-in-lieu, but there is the opportunity for the applicant to request a waiver or modification from the Board of Supervisors and propose an alternative option. Mr. Paul Holt stated that this is what the applicant is doing.

Mr. Krapf asked Mr. Keith Denny to address any concerns from the DOAV.

Mr. Keith Denny, DOAV, stated that the Williamsburg-Jamestown Airport is a valuable asset in the State aviation system. Mr. Denny stated that he believes the proposed SUP conditions address the DOV concerns. Mr. Denny stated that, with the FAA determination of no hazard, and that there would be no encroachment on ingress/egress, although the DOAV would never endorse residential development adjacent to an airport, they do not object to this development.

Mr. Richardson inquired about the economic success of the Airport.

Mr. Denny stated that he does not have the exact figures; however, the Airport provides an economic impact statement each year and is considered a valuable asset.

Mr. O'Connor inquired if there is room for expansion of the Airport and if so, would the FAA determination still stand.

Mr. Denny stated that the Airport is strictly state and local. Mr. Denny stated that the Airport is not federally obligated and as such takes no federal money. Mr. Denny stated that the FAA involvement is with the instrument approach to the Airport. Mr. Denny stated that once the determination was issued, the FAA does not have further involvement. Mr. Denny stated that expansion of the Airport is not on the horizon with the DOAV. Mr. Denny stated that the facility serves quite well at its current size.

Mr. Schmidt noted that there were several accidents on record for 2016.

Mr. Paul Holt noted that the Airport does have an adopted Master Plan that shows a number of additional facilities; however, timing has not been determined.

Mr. Krapf called for disclosures from the Commission.

Mr. Krapf noted that he spoke with Mr. Will Holt from Kaufman & Canoles.

Mr. Haldeman stated that he spoke with Mr. Will Holt as well.

Mr. Schmidt stated that he spoke with Mr. Will Holt and attended a Community Meeting in Kingspoint. Mr. Schmidt noted that he is a resident of Kingspoint and is on the Kingspoint Club Board. Mr. Schmidt clarified that his property is not in the area that faces the proposed development.

Mr. Wright stated that he spoke with Tom Tingle regarding the project.

Mr. O'Connor stated that he spoke with Mr. Will Holt as well.

Mr. Richardson started that he also spoke with Mr. Will Holt.

Mr. O'Connor inquired about which roads in Williamsburg Landing and the proposed development are private.

Mr. Baruch stated that Williamsburg Landing Drive is a private street. Mr. Baruch stated that Marclay Road is public; however it is specified on the Master Plan that Marclay Road is not to be used to access the development.

Mr. O'Connor inquired if it would be possible to include an SUP condition limiting the use of the access.

Mr. Baruch stated that staff has worked to address that aspect through the Master Plan by denoting that the access off Marclay Road is not to be used for residential access.

Mr. Paul Holt stated that even if the SUP expires, because the Master Plan is tied to the Rezoning, the Master Plan will remain in place.

Mr. Haldeman commented that on the Master Plan, residential access is solely via Williamsburg Landing Drive with service and emergency access only via Marclay Road. Mr. Haldeman inquired if the SUP expires and the property changes hands would Marclay Road become an access point for residents.

Mr. Baruch stated that the Master Plan, with the notation that the access point on Marclay Road is only for service and emergency access would remain in place even if the SUP expires.

Mr. Paul Holt stated that if a future application proposed to change the use of the Marclay Road access, it would be addressed through a determination of Master Plan consistency.

Mr. Krapf noted that the matter was first heard at the Commission's April meeting and was deferred. Mr. Krapf noted that since so much time elapsed, he would reopen the Public Hearing.

Mr. Will Holt, 4801 Courthouse Street, Kaufman & Canoles PC, provided a presentation to the Commission. Mr. Will Holt stated that Williamsburg Landing was established in 1985 as a life-plan community. Mr. Holt further stated that residential use is only one component of a life-plan community which is more health care oriented. Mr. Will Holt noted that the application has undergone numerous reviews including federal, state and local review. Mr. Will Holt further noted that the surrounding communities have been briefed on the project.

Mr. Tom Tingle, President of GuernseyTingle, addressed the Commission on the architectural aspects of the project. Mr. Tingle stated that his project represents to only opportunity for Williamsburg Landing to have a sustainable expansion contiguous to the existing campus. Mr. Tingle noted that the existing facilities includes independent living facilities, assisted living, memory care and skilled nursing. Mr. Tingle noted that expansion to the memory care facility is currently underway as well as an adult daycare facility. Mr. Tingle noted that for the proposed project the total area would be approximately 11 acres developed with four acres in buffers, stormwater management and conservation easements. Mr. Tingle confirmed that the only residential access would be off Williamsburg Landing drive and that there is an existing service entrance off Marclay Road which would also provide EMS access. Mr. Tingle stated that the architectural guidelines which mirror the existing development are tied to the Master Plan.

Mr. Will Holt stated that while the project is not consistent with the Comprehensive Plan designation, it is consistent with the recommendation of the Comprehensive Plan to promote affordable senior housing

options from independent living to continuing care. Mr. Will Holt noted that the fiscal impact assumptions are based on the inability to guarantee age-restriction for the development through proffers. Mr. Will Holt noted that with age targeting, the development would be fiscally positive. Mr. Will Holt noted that Williamsburg Landing is not a typical developer. Mr. Will Holt stated that each expansion has been brought forward under a legislative application and incorporated in the Williamsburg Landing Master Plan. Mr. Will Holt noted that these earlier applications should speak to the developer's trustworthiness. Mr. Will Holt stated that Williamsburg Landing is willing to provide assurances in any form acceptable to the County. Mr. Will Holt further stated that, while Williamsburg Landing is not able to provide the traditional facilities called for under the Parks and Recreation Master Plan, it does provide a variety of age-appropriate amenities. Mr. Will Holt noted that in regard to concerns over the airport approach overlay, the development does lie outside the approach zone. Mr. Will Holt concluded by noting that the requested zoning is consistent with the existing Williamsburg Landing campus, approval of the application will allow Williamsburg Landing to continue its important mission in the County, Williamsburg Landing is the obvious and sensible user of the site and that Williamsburg Landing can be trusted to fulfill its commitments to the County.

Mr. Schmidt inquired about the additional water draw down for the proposed development.

Mr. Will Holt noted that one of the SUP conditions speaks to water usage for the development.

Mr. Schmidt inquired access by the residents to College Creek and whether the existing access road would be open to them.

Mr. Will Holt stated that Williamsburg Landing would not control that access.

Mr. Tingle stated that the current owner wanted to retain that access. Mr. Tingle further noted that Williamsburg Landing hopes to negotiate a right of first refusal. Mr. Tingle noted that the access road would be realigned under the application; however, the access would be maintained by the owner.

Mr. O'Connor noted that the SUP condition related to JCSA use does not speak to the amount of water draw down.

Mr. Raphael Connor, 114 Overlook Drive, addressed the Commission with concerns about impact of the taller buildings on the view from the Kingspoint Club recreation area. Mr. Connor further noted concerns over noise from the airport. Mr. Connor requested that the Commission deny the application.

Ms. Mary Grogan, 114 Overlook Drive, addressed the Commission with concerns over the potential for accidents. Ms. Grogan further noted concerns about noise complaints from new residents. Ms. Grogan further noted concerns over the impact on the view shed. Ms. Grogan also noted concerns about the impact of more traffic at the intersection of Brookwood and Rt. 199.

Ms. Virginia McLaughlin, 5700 Williamsburg Landing Drive, Chair of the Williamsburg Landing Board of Directors, addressed the Commission in support of the application. Ms. McLaughlin stated that this proposal is vital to continuing the mission of Williamsburg Landing to provide quality life-plan services. Ms. McLaughlin requested that the Commission recommend approval of the application.

As no one else wished to speak, Mr. Krapf closed the Public Hearing.

Mr. Krapf called for discussion by the Commission.

Mr. Richardson inquired if the Height Waiver is part of the Commission's consideration.

Mr. Krapf stated that the Height Waiver would be for Board of Supervisor's determination alone; however, if there were any discussion about the Height Waiver, the Commission's minutes would reflect it.

Mr. Paul Holt noted that the Commission would not vote on the Height Waiver.

Mr. Schmidt inquired about the timeline for the intersection improvement project at Rt. 199 and Brookwood.

Mr. Baruch stated that improvements should be completed in 2018.

Mr. Schmidt inquired about the impact on peak hour traffic.

Mr. Baruch stated that staff analyzed traffic based on senior adult housing which would generate approximately 47 peak hour trips and based on residential traffic for townhomes and apartments which would generate approximately 80 peak hour trips. Mr. Baruch further stated that both are under the 100 peak hour trip trigger.

Mr. Paul Holt noted that even with the proposed improvements the intersection remains at a failing level of service due to existing traffic. Mr. Paul Holt stated that there is nothing proposed in this application to improve the traffic impacts.

Mr. O'Connor inquired if the additional development will accommodate the existing waiting list.

Mr. Will Holt stated that this is a longer term project. Mr. Will Holt stated that it will help with the waiting list but may not completely fill demand.

Mr. Krapf inquired about what type of need the development would fill.

Mr. Paul Gerhardt, Kaufman & Canoles, PC, stated that the development would be primarily independent living facilities. Mr. Gerhardt noted that the mix of housing might vary but it would be focused on independent living.

Mr. Richardson stated that he is inclined to support the application. Mr. Richardson inquired if there were a way to add an age restriction in the SUP condition.

Mr. Max Hlavin, stated that he would not recommend adding the SUP condition since the underlying R-5 zoning would remain. Mr. Hlavin stated that it would be best to address the age restriction through the Master Plan.

Mr. Richardson noted that he felt confident that the purpose of the development would remain for the near to long term future.

Mr. Haldeman stated that while the airport designation on the Comprehensive Plan is at odds with the application, he recognized the balancing Comprehensive Plan goal of providing senior housing options. Mr. Haldeman stated that Williamsburg Landing has an outstanding reputation in the County and that he intends to support the application.

Mr. Krapf stated that the application has several major deviations from the Comprehensive Plan; however, it also supports goals of the Comprehensive Plan. Mr. Krapf noted that the property also represents the only option available for expansion adjacent to the existing campus. Mr. Krapf stated that he has concerns about

the requirement to alert prospective residents about potential noise from the airport. Mr. Krapf further stated that he has significant concerns about the proximity of the development to the runway and the potential for accidents. Mr. Krapf stated that there is a significant need for senior housing which progresses from independent living to assisted living to skilled nursing. Mr. Krapf stated that there are strong arguments both in favor and against the application. Mr. Krapf stated that it will come down to balancing what is best for the community.

Ms. Felice Pete stated that she has reservations about the height of the proposed buildings. Ms. Pete stated that there is a need for the additional facilities.

Mr. Wright stated that he believes the applications represents the best use for the property. Mr. Wright further stated that the strategic plan also addresses the need for senior living facilities. Mr. Wright stated that trusts the assessment of the Williamsburg Landing Board of Directors to have reviewed the project thoroughly before bringing it forward to the County.

Mr. Wright made a motion to recommend approval of Z-0001-2017, SUP-0001-2017, MP-0001-2017.

Mr. Schmidt stated that Williamsburg Landing has been a good neighbor to the community. Mr. Schmidt echoed concerns about safety, noise and traffic. Mr. Schmidt stated that he attended the balloon test and that it was not visible from Kingspoint or Route 199. Mr. Schmidt stated that he leans toward supporting the application.

On a roll call vote, the Commission voted to recommend approval of Z-0001-2017, SUP-0001-2017, MP-0001-2017, Williamsburg Landing, Marclay Road. (7-0)

Community Impact Statement

For

Williamsburg Landing
Marclay Road Property
Expansion of an Existing
Continuing Care Retirement Community

Prepared For

Williamsburg Landing, Inc.
5700 Williamsburg Landing Drive
Williamsburg, Virginia 23185
757-565-6500

Original: January 18, 2017
Revised: March 8, 2017

AES Project Number W08162-22B

Prepared by:

AES
CONSULTING ENGINEERS
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APPENDIX

I. INTRODUCTION

Williamsburg Landing, Inc. proposes to amend the Zoning Map of James City County, Virginia to create a Multifamily Residential District (R-5) on approximately 15.5± acres presently zoned Rural Residential District (R-8). The proposed R-5 would consist of a combination of senior living duplex and apartment units (with supportive services) which will tie into the existing Williamsburg Landing community and utilize existing Williamsburg Landing Drive as the primary access. Marclay Road will still be used as a service entry to the existing Landing Building only.

The property is located in the Roberts District adjacent to the existing airport and bordering Williamsburg Landing to the south. A vicinity map is included on page 6. The purpose of this Community Impact Statement is to summarize and organize the planning efforts of the project team into a cohesive package for Staff review, addressing the pertinent planning issues, the requirements of the Multifamily zoning district, cultural, fiscal, and physical impacts of the proposed development to the County.

Williamsburg Landing Bio

Williamsburg Landing, Inc. is a not-for-profit Continuing Care Retirement Community (CCRC) located at 5700 Williamsburg Landing Drive, Williamsburg, James City County, Virginia. Williamsburg Landing, Inc. has been serving Williamsburg and the surrounding areas since 1985. The 137.92-acre property was developed in phases between 1985 and 2014. The property currently contains a unit mix of 312 independent living, 46 assisted living, 15 memory care, and 48 (58 beds) nursing care within a total gross building area of 731,833 square feet. Growth of the property continued in 2016 when construction of a new 24-unit memory care building with an adult daycare center and 37 new assisted living units began. Construction is anticipated to be completed in 2018. The total expansion will consist of 96,795 square feet of gross building area (GBA), for a total GBA of 828,628 square feet when complete. As the property currently stands, there are 312 independent, 83 assisted, 24 memory care, and 63 nursing care (73 Beds), for a total of 482 units (492 revenue units). If this proposed rezoning receives approval by the Board of Supervisors, a maximum of 135 additional independent living facility units will become a part of the Williamsburg Landing community.

THE PROJECT TEAM

The organizations that participated in the preparation of the information provided with this rezoning submission are as follows:

- Developer - Williamsburg Landing, Inc.
- Civil Engineering - AES Consulting Engineers
- Environmental - Stantec (Wetlands and RPA)
- Environmental - ECS (Environmental Site Assessment)
- Land Planning - AES Consulting Engineers
- Architect - Guernsey Tingle Architects
- Attorney - Kaufman & Canoles
- Fiscal - Ted Figura Consulting

Key components of this Community Impact Assessment are:

- Existing Conditions
- Project Description
- Planning Considerations
- Analysis of Impacts to Public Facilities and Services
- Analysis of Environmental Impacts
- Analysis of Storm Water Management
- Traffic Impact Analysis
- Fiscal Impact Study
- Conclusions

III. EXISTING CONDITIONS

Site Location - See Figure 1, Vicinity Map, page 6

The Existing Conditions Map (included in the Appendix) details the location of buffers, wetlands, soils and slopes. A pre-development site analysis revealed the following results:

RPA Wetland areas:	*1.2 acres*
Non-RPA Wetland areas:	*0.0 acres*
Areas of 25% or greater slopes:	*1.4 acres*
Total Non-Developable Area:	***2.6 acres***
Net Developable Area:	***12.9 acres***

IV. PROJECT DESCRIPTION

Williamsburg Landing, Inc. proposes to establish a Multifamily Residential District on the 15.5± acres property to expand on the existing Williamsburg Landing community. The proposed property will consist of a maximum of 135 units (duplex and apartment units). The concept, as depicted on the Master Plan (included in the Appendix), shows the proposed layout of the site with the taller apartment units being set further from the existing airport. The roads and drive aisles serving the community will be private and the primary access will be through existing Williamsburg Landing Drive (Marclay Road will still be used as a service entry for the existing Landing Building). The design intent of the structures is to promote architecture that matches the existing look of Williamsburg Landing while providing interest through a lively landscaped streetscape and generous open space. Williamsburg Landing, Inc. estimates a breakdown of 65 duplex units and 70 apartment units which results in the maximum unit total noted above.

The unit totals are based on the R-5 density calculation provided in Section 24-307 of the James City County Zoning Ordinance. Areas I and III (per the attached Unit Calculation map) total approximately 8.4 acres and based on the unit type, we are proposing 65 units, 2 units less than the maximum of 67 units allowed in the R-5 zoning district (8.4 acres x 8 units/acre max). Areas II, IV and V (also per the attached Unit Calculation map) total approximately 7.1 acres and based on the unit type, we are proposing 70 units, 1 unit less than the maximum of 71 units allowed in the R-5 zoning district (7.1 acres x 10 units/acre max). This would bring the total amount of units to 135 units, 3 units less than the maximum allowed in the R-5 zoning district.

Figure 1



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APPROXIMATE SCALE 1"=2000'

VICINITY MAP

for

Williamsburg Landing
Marclay Road Property

Expansion of an Existing Continuing Care Retirement Community within Williamsburg, Virginia

V. PLANNING CONSIDERATIONS

A. Land Use

The entire 15.5± acre parcel is currently zoned as R-8, Rural Residential District. The Comprehensive Plan designates this parcel as Airport. The site is currently bounded by the existing airport and Williamsburg Landing. Initial discussions with James City County Planning Staff have indicated that the proposed expansion of Williamsburg Landing would be an appropriate fit for the existing property.

B. Environmental

Watershed protection surrounding College Creek played an important role when making recent decisions regarding this property. The proposed development was laid out to provide as much undisturbed open space as possible and limit disturbance to the existing RPA buffer while avoiding impacts to the existing wetlands.

C. Historic & Archeological

Based on the JCC publication titled “Preserving Our Hidden Heritage: An Archaeological Assessment of James City County, Virginia”, this property does not exist in a “highly sensitive” area nor do any referenced archaeological sites exist on or near the property. Although not required for this site based on the above information, a Phase I archaeological investigation will be conducted for the subject property prior to site plan approval.

D. Zoning Strategy

Since Continuing Care Retirement Communities (CCRC) are not an allowed use within the R-8 District, a rezoning is being sought to create a Multifamily Residential designation for the property. Along with the rezoning, a Special Use Permit (SUP) is also required per the R-5 designation. The Multifamily Residential District is an appropriate vehicle for this proposal as it falls directly in line with the existing Williamsburg Landing community, which is also zoned R-5. Further, this district provides opportunities for development which reduces land consumption, reduces the amount of land devoted to streets and other impervious surfaces by requiring increased amounts of open space, buffers and recreational amenities. The district also encourages creativity and innovation in design, all of which could serve to enhance the quality of life and to reduce the tax burden on the citizens of the county. The planned development provides both design and use flexibility. The conclusions that follow in this report will summarize how this proposal meets the criteria and purpose of the Multifamily Residential district.

E. Parks and Recreation

Williamsburg Landing, Inc. proposes to provide recreational amenities (1.35 acres of recreation space) designed to meet the needs of seniors and satisfy ordinance standards for senior housing. Walking trails, open space and recreation space requirements will be met with the proposed development as laid out in Section 24-310 of the James City County Zoning Ordinance.

Additionally, substantial amenities are provided within the existing Williamsburg Landing development.

VI. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES

A. Public Water Facilities

Public water shall be provided by the JCSA system. The water service shall be extended to the site from the existing 12 inch water main located along Williamsburg Landing Drive by providing a loop around the proposed development. The Utility Master Plan is included in the Appendix and shows the proposed waterline layout to serve the development.

A fire hydrant flow test was conducted by JCSA on March 6, 2017 and the results of the test indicate approximately 4,622 gpm of flow at 20 psi. These results will be placed into a water model which will be completed and submitted prior to or with the final site plan. The model will examine volume and pressures throughout the immediate water system area, however based on the flows obtained during the test there should be adequate availability for the 135 proposed units.

B. Public Sewer Facilities

Sanitary sewer service is provided to the site by a proposed on-site gravity sewer collection system which will convey wastewater flows to an existing JCSA gravity sewer system within Williamsburg Landing which discharges to a JCSA sewage pumping station (LS 7-5) also within Williamsburg Landing. Our site is proposed to generate up to 135 residential units comprised of a combination of duplex units and apartments to accommodate seniors. Previous correspondence with JCSA confirms that the existing station has a pumping capacity of 220 GPM. This pumping capacity allows for approximately 89 new units before upgrades to the system are required. If our proposed design exceeds the available capacity, upgrades shall be performed to the system to meet approval from JCSA.

All system components shall be designed to JCSA standards for acceptance into the JCSA gravity system. Please refer to the Utility Master Plan (included in the Appendix) for the preliminary layout of the on-site sanitary sewer system. Please find “Table 1” which shows the anticipated sewage flows for the project.

Table 1 – Projected Wastewater Flows

Type of Development	No. of Units	Flow (GPD/Unit)	Average Daily Flow (GPD)	Duration (hrs)	Avg. Flow (GPM)	Peak Flow (GPM)
RESIDENTIAL						
Duplex and Apartment Units	135	225	30,375	24	21.1	52.7
TOTAL			**30,375**		**21.1**	**52.7**

C. Fire Protection and Emergency Services

There are currently five (5) fire stations providing fire protection and Emergency Medical Services (EMS) services to James City. The proposed site is well centered on all five stations and all are within a 15 minute drive to the project site. The closest fire station to the subject site within James City County is Fire Station 3, located at 5077 John Tyler Highway, just over 2.2 miles northwest of this project site. Response time to the site is within appropriate limits if an emergency event occurs which requires additional fire and life safety support. The proximity of the site to all five fire stations affords the future residents of the project more than adequate response to potential emergencies.

D. Solid Waste

The proposed development on the subject property will generate solid wastes that will require collection and disposal to promote a safe and healthy environment. Either dumpsters or loading areas adjacent to the buildings will be provided where trash and recycle material can be deposited into the appropriate vehicle for transport of both materials to a solid waste transfer station.

E. Utility Service Providers

Virginia Natural Gas, Dominion Virginia Power, Cox Communications, and Verizon Communications provide, respectively, natural gas, electricity, cable TV service, and telephone service to this area. The current policy of these utility service providers is to extend service to the development at no cost to the developer when positive revenue is identified; plus, with new land development, these utility service providers are required to place all new utility service underground.

F. Schools

Because the proposed land use is CCRC, there will be no school age children residing within the development and subsequently there will be no direct impacts on the local school system.

VII. ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Preliminary Wetland Determination

In the summer of 2016, Stantec performed a wetland determination for the subject property. The located wetlands and associated RPA buffer are shown within the Master Plan (included in the Appendix) and will be confirmed by the Army Corps of Engineers during the site plan stage.

B. Resource Protection Areas & Conserved Open Space

During the 2016 determination by Stantec, a study of the existing streams was conducted to determine the limits of perennial flow. It was found that the property contains Resource Protection Areas (RPA) and associated buffers. The current RPA buffer is shown on the Master Plan and the only anticipated impact to the RPA buffer is for the outfall of a stormwater management facility which can be approved administratively per County Staff.

C. Plant Species

A study was conducted by Stantec to determine if any protected species existed on site. This study found that the site area consisted of a poor habitat for Small Whorled Pogonia (SWP) due to the presence of several negative habitat factors. The study (dated January 6, 2017) is provided as an attachment in the Appendix and also details other rare species in addition to the SWP.

D. Soils

The USDA Web Soil Survey shows several soil types within the property boundary. This property is predominantly situated on Udorthents soil with a portion of Emporia Complex soil located closer to College Creek and the RPA buffer. Soils mapping can be seen on the Existing Conditions Map (included in the Appendix).

VIII. ANALYSIS OF STORMWATER MANAGEMENT

A. Water Quality

The Virginia Runoff Reduction Method as set forth by the Virginia Department of Environmental Quality (DEQ) governs the water quality requirements for both new and re-development projects. As this proposed project would be constructed on currently wooded area, this classifies the site as a "New Development" project. Following the procedures for a new development, the required pollutant load reduction can be calculated to ensure the proposed development does not have a negative impact on downstream waterways. This reduction is measured in total phosphorus; a chemical that DEQ has determined that drives all other pollutants levels. Essentially, if phosphorus is reduced, so are all the other pollutants.

The VRRM spreadsheet has been included in the Appendix detailing the site soil data, required pollutant removal, and Best Management Practices (BMPs) provided to achieve improved water quality. For this proposed site, 17.94 lbs/year of phosphorus load reduction is required. To help achieve this requirement, a treatment train of multiple BMP's is used as shown on the Stormwater Master Plan (included in the Appendix). This sheet shows that a Level 2 Wet Pond (DEQ SPEC #14) treats 15.56 acres of the proposed development, including 6.79 acres of impervious area. On the eastern portion of the site, a Level 2 Bioretention (DEQ SPEC #6) treats 2.0 acres (including 1.5 acres of impervious) before the remaining acreage is treated by a downstream Level 1 Extended Detention facility (DEQ SPEC #15). Using these BMP's, 18.54 lbs/year of phosphorus load reduction will be achieved. This load reduction exceeds the requirement by 0.60 lbs/year. Additionally, both BMP's will need to meet the specifications as set forth by DEQ, including but not limited to providing adequate treatment volume and dry storage.

The stormwater management configuration shown on the Stormwater Master Plan (and accompanying VRRM worksheet) is one of many ways to achieve compliant water quality for the property. Equivalent measures can be utilized as long as water quality is still achieved.

B. Water Quantity

Water quantity control is required to ensure that the post construction stormwater runoff is controlled to a point that is either at or below the existing condition in terms of flow rates. This quantity of stormwater can be reduced by storing the increased stormwater runoff for a period of time before releasing it back into the downstream waterway. The wet and dry ponds as previously used for water quality control will also be used to store the stormwater to reduce the flow. The Runoff Reduction Method can be used in combination with the SCS Method to calculate the required volume for the pond. Appropriate measures will be taken to ensure that the 1, 2, 10, and 100 year storms are properly contained within the ponds and discharge the stormwater over time with appropriate flows to maintain or better the existing condition.

C. Storm Sewer System

The proposed storm sewer system shall be comprised mainly of curb inlets and reinforced concrete pipe that are placed throughout the site at critical locations. This system shall be used to convey the stormwater runoff into the existing BMP to the west and the proposed BMP to the east for treatment. The Stormwater Master Plan is included in the Appendix and provides the drainage area divide for each stormwater facility. During final design, storm pipe and structures will be located accordingly and calculations will be provided.

IX. ANALYSIS OF IMPACTS TO TRAFFIC

Due to the proposed use (CCRC), a traffic study is not required for this application.

X. FISCAL IMPACT STUDY

The Fiscal Impact Analysis is provided by Ted Figura Consulting and is included with this report.

XI. CONCLUSIONS

Williamsburg Landing Marclay Road Property represents an appropriate use of land on this site in James County. The proposed development will act as a logical expansion of the existing Williamsburg Landing community. The 135 units proposed represent a net density of approximately 10.0 units per acre for the apartment component and 8.0 units per acre for the duplex component based on the proposed R-5 zoning. Additionally, the projected senior population of 135 residents will not burden area schools. Of equal importance, the expansion of Williamsburg Landing helps continue to fill a growing regional need by providing seniors with the opportunity to downsize homes while continuing to live in the local area.

This proposed community meets the intent of the Comprehensive Plan with assurances for the provision of ample open space and its efficient use. Williamsburg Landing's experience and history in this area assures the County of high standards of design, layout and construction.

The minimal impact to traffic based on the proposed use shows that this project will not burden the existing area road system now and into the future. The Fiscal Analysis concludes a net positive fiscal impact to the County, at build out, of almost $450,000.00 per year.

There are adequate public utilities with capacity to serve this project. Fire and life safety issues have been considered and will be further coordinated with the Fire Marshall during

the design process. The site lies in an area that provides quick response times from all nearby fire stations, the closest of which being only 2.2 miles away.

Finally, the careful planning of this project with regard to open space, buffers, stormwater management systems and limits on impervious surfaces assures the County that the College Creek Watershed will be protected.

APPENDIX

Existing Conditions Map
Master Plan
Utility Master Plan
Stormwater Master Plan
Unit Calculation Map (Density Exhibit to Accompany Master Plan)
Limited Phase II Environmental Site Assessment
Rare Species Habitat Survey Report
VRRM Summary – BMP Pollutant Removal Calculation
Fiscal Impact Analysis

Version 10.12.15

Please make sure to use the accompanying Excel Spreadsheet to calculate the numbers below.

FISCAL IMPACT WORKSHEET AND ASSUMPTIONS

Please complete all *applicable* sections. Please use the provided spreadsheet to perform calculations. If space provided is insufficient, please feel free to include additional pages. If you have any questions please contact the Planning Office at 757-253-6685 or planning@jamescitycountyva.gov

1a) PROPOSAL NAME:_____

1b) Does this project propose residential units? Yes ☐ No ☐ (if no, skip Sec. 2)

1c) Does this project include commercial or industrial uses? Yes ☐ No ☐ (If no, skip Sec. 3)

Fiscal Impact Worksheet Section 2: Residential Developments

2a) TOTAL NEW DWELLING UNITS. Please indicate the total number of each type of proposed dwelling unit. Then, *add* the total number of new dwelling units.

Single-Family Detached		Apartment	
Townhome/Condominium/Single-Family		Manufactured Home	
Total Dwelling Units			

Are any units affordable? Yes ☐ No ☐ (If yes, how many?)_____

Residential Expenses – School Expenses

2b) TOTAL NEW STUDENTS GENERATED. *Multiply* the number of each type of proposed unit from (2a) its corresponding Student Generation Rate below. Then, *add* the total number of students generated by the proposal.

Unit Type	Number of Proposed Units (from 2a)	Student Generation Rate	Students Generated
Single-Family Detached		0.40	
Townhome/Condo/Attached		0.17	
Apartment		0.31	
Manufactured Home		0.46	
Total			

2c) TOTAL SCHOOL EXPENSES. *Multiply* the total number of students generated from (2b) by the Per-Student Total Expenses below.

Total Students Generated	Per-Student Operating Expenses	Per-Student Capital Expenses	**Per-Student Total Expenses**	**Total School Expenses**
	~~$5920.16~~	~~$2176.06~~	**~~$8096.22~~**	$

Residential Expenses - Non-School Expenses

2d) TOTAL POPULATION GENERATED. *Multiply* the number of proposed units from (2a) and multiply by the Average Household Size number below.

Total Units Proposed	**Average Household Size**	**Total Population Generated**
	2.45	

2e) TOTAL NON-SCHOOL EXPENSES. *Multiply* the population generated from (2d) by the Per-Capita Non-School Expenses below.

Total Population Generated	**Per-Capita Non-School Expenses**	**Total Non-School Expenses**
	~~$640.98~~	$

2f) TOTAL RESIDENTIAL EXPENSES. *Add* school expenses from (2c) and non-school expenses (2e) to determine total residential expenses.

Total School Expenses	**Non-School Expenses**	**Total Residential Expenses**
$	$	$

Residential Revenues

2g) TOTAL REAL ESTATE EXPECTED MARKET VALUE. Write the number of each type of units proposed from (2a). Then *determine the average* expected market value for each type of unit. Then, *multiply* the number of unit proposed by their average expected market value. Finally, *add* the total expected market value of the proposed units.

Unit Type:	**Number of Units:**	**Average Expected Market Value:**	**Total Expected Market Value:**
Single-Family Detached		$	$
Townhome/Condo/Multi-family		$	$
Total:		N/A	$

2h) TOTAL REAL ESTATE TAXES PAID. *Multiply* the total market value from (2g) by the real estate tax rate blow.

Total Market Value	**Real Estate Tax Rate**	**Total Real Estate Taxes Paid**
$	**.0084**	$

2i) TOTAL PERSONAL PROPERTY TAXES PAID. *Multiply* the total real estate taxes paid (2h) by the property tax average below.

Real Estate Tax Paid	Personal Property Tax Average	Personal Property Taxes Paid
$	**0.15**	$

2j) TOTAL SALES & MEALS TAXES PAID. *Multiply* the total real estate taxes paid (2h) by the sales and meals tax average below:

Real Estate Tax Paid	Sales and Meals Tax Average	Total Sales & Meals Taxes Paid
$	**.09**	$

2k) TOTAL CONSERVATION EASEMENT TAXES PAID. If the proposal contains a conservation easement, *multiply* the size of the proposed conservation easement by the conservation easement assessment rate.

Proposed Conservation Easement Size	Assessment Rate	Conservation Easement Taxes Paid
	$2000/acre (prorated)	$

2l) TOTAL HOA TAXES PAID. If the HOA will own any property that will be rented to non- HOA members, *multiply* the expected assessed value of those rentable facilities by the real estate tax rate below.

HOA Property Type	Total Assessed Value	Real Estate Tax Rate	Total HOA Taxes Paid
		.0084	$

2m) TOTAL RESIDENTIAL REVENUES. *Add* all residential taxes paid to the County from (2h) through (2l).

Total Residential Revenues	$

2n) RESIDENTIAL FISCAL IMPACT. Subtract total residential revenues (2m) from total residential expenses (2f).

Total Residential	Total Residential Revenues	Total Residential Fiscal Impact
		$

Fiscal Impact Analysis Worksheet Section 3: Commercial and Industrial Developments

Commercial and Industrial Expenses

3a) TOTAL NEW BUSINESSES. How many new businesses are proposed? _____
(Include all businesses that will rent or lease space at the location as part of the proposal, including probable tenants of an office park or strip mall).

3b) TOTAL COMMERCIAL EXPENSES. *Multiply* the total business real estate expected assessment value from (3c) below by the Commercial Expenses Rate below.

Total Expected Assessment Value	Commercial Expense Rate	Total Commercial Expenses
$1	**0.0045**	**$**

Commercial & Industrial Revenues

3c) TOTAL REAL ESTATE EXPECTED ASSESSMENT VALUE. E*stimate* the expected real estate assessment value, at buildout, of all proposed commercial element properties below.

Proposed Business Properties (by use and location)	Expected Assessment Value
Total:	$

3d) TOTAL REAL ESTATE TAXES PAID. *Multiply* the total expected market property value from (3c) by the real estate tax rate below.

Expected Market Value	Real Estate Tax Rate	Real Estate Taxes Paid
	.0084	$

3e) TOTAL BUSINESS PERSONAL PROPERTY TAXES PAID. *Multiply* the total business capitalization for each proposed commercial element by the business personal property tax rate below. Then *add* the total personal property taxes paid.

Proposed Business Name	Total Business Capitalization	Personal Property Tax Rate	Total Business Property Taxes Paid
		0.01	
		0.01	
		0.01	
Total:		N/A	$

3f) TOTAL BUSINESS MACHINERY AND TOOLS TAXES PAID. If any manufacturing is proposed, *multiply* the total business capitalization for each proposed manufacturing element by the business machinery and tools tax rate below. Then, *add* the machinery and tools tax paid.

Proposed Business Name	Total Business Capitalization	Machinery and Tools Tax Rate	Total Business Property Taxes Paid
		0.01	
		0.01	
Total:		N/A	$

3g) TOTAL SALES TAXES PAID. *Estimate* the applicable total gross retail sales, prepared meals sales, and hotel/motel room sales for proposal's commercial elements below. Then, *multiply* the projected commercial gross sales by the applicable sales tax rates. Then, *add* the total sales taxes paid.

Tax Type	Projected Gross Sales	Sales Tax Rates	Sales Taxes Paid
Retail Sales		**0.01 of Gross Retail Sales**	
Prepared Meals		**0.04 of Prepared Sales**	
Hotel, Motel		**0.02 of Gross Sales***	
Total:	**N/A**	**N/A**	$

*Actual Occupancy Tax is 5% of Gross Sales; however, 60% of those funds are targeted to tourism.

3h) TOTAL BUSINESS LICENSES FEES PAID. Estimate each business element's total gross sales. Multiply each business element's projected gross sales by the Annual Business License rate to determine annual business licenses fee paid.

Proposed Business Name(s)	Business Type* (see exhibit sheet)	Projected Total Gross Sales	Business License Rate	Annual Business License Fees Paid
	Professional Services		**0.0058**	
	Retail Services		**0.0020**	
	Contractors		**0.0016**	
	Wholesalers		**0.0005**	
	Exempt*		**No fee due**	
	Other Services		**0.0036**	
	Total	N/A	N/A	$

3i) TOTAL COMMERCIAL AND INDUSTRIAL REVENUES. *Add* the total taxes and fees paid by all of the business elements from (3d) through (3h).

Total Commercial and Industrial Revenues	$

3j) COMMERCIAL FISCAL IMPACT. *Subtract* total commercial and industrial revenues (3i) from total commercial and industrial expenses (3b).

Total Commercial	Total Commercial Revenues	Total Commercial Fiscal Impact
		$

3k) TOTAL PROPOSED FISCAL IMPACT. *Add* residential fiscal impacts (2n) and commercial fiscal impacts (3j).

Residential Fiscal Impact	Commercial Fiscal Impact	Total Proposed Fiscal Impact
		$

Fiscal Impact Analysis Worksheet Section 4: Current Land Use

Current Residential Use (If there are no existing residential units, skip to (4g)).

4a) TOTAL CURRENT DWELLING UNITS. Please indicate the total number of each type of existing dwelling unit. Then, *add* the total number of existing dwelling units.

Single-Family Detached		Apartment	
Townhome/Condominium/Single-Family Attached		Manufactured Home	
Total Dwelling Units			

Residential Expenses - School Expenses

4b) TOTAL CURRENT STUDENTS. *Multiply* the number of existing units from (4a) by its corresponding Student Generation Rate below. Then, *add* the total number of existing students.

Unit Type	Number of Existing Units	Student Generation Rate	Existing Students
Single-Family Detached		0.40	
Townhome/Condo/Attached		0.17	
Apartment		0.31	
Manufactured Home		0.46	
Total		**N/A**	

4c) TOTAL CURRENT SCHOOL EXPENSES. *Multiply* the total number of current students from (4b) by the per-student school cost below.

Number of Existing Students	Per-Student School Cost	Current School Expenses
	$8096.22	$

Residential Expenses - Non-School Expenses

4d) TOTAL CURRENT POPULATION. *Multiply* the total number of existing units from (4a) by average household size below.

Total Existing Units	Average Household Size	Total Current Population
	2.45	$

4e) TOTAL CURRENT NON-SCHOOL EXPENSES. *Multiply* the current population from (4d) by per-capita non-school expenses below.

Total Current Population	Per-Capita Non-School Expenses	Current Non-School Expenses
	$640.98	$

4f) TOTAL RESIDENTIAL EXPENSES. *Add* school expenses from (4c) and non-school expenses from (4e).

School Expenses	Non-School Expenses	Residential Expenses
$	$	$

Residential Revenues

4g) TOTAL CURRENT ASSESSMENT VALUE. *Search* for each residential property included in the proposal on the Parcel Viewer at http://property.jccegov.com/parcelviewer/Search.aspx . *Indicate* each property's total assessment value below. Then, *add* total assessment values.

Property Address and Description	Assessment Value
	$
	$
	$
Total:	$

4h) TOTAL CURRENT REAL ESTATE TAXES PAID. *Multiply* the total assessment value from (4g) by the real estate tax rate below.

Total Assessment Value	Real Estate Tax Rate	Real Estate Taxes Paid
	.0084	$

4i) TOTAL CURRENT PERSONAL PROPERTY TAXES PAID. *Multiply* total real estate taxes paid from (4h) by the personal property tax average below.

Real Estate Tax Paid	Personal Property Tax Average	Personal Property Paid
	0.15	$

4j) TOTAL CURRENT SALES AND MEALS TAXES PAID. *Multiply* the total real estate taxes paid from (4h) by the sales and meals tax average below.

Real Estate Tax Paid	Sales and Meals Tax Average	Average Excise Tax Paid
	.09	$

4k) TOTAL CURRENT RESIDENTIAL REVENUES. *Add* all current residential taxes paid to the County from (4h) through (4j).

Total Current Residential Revenues	$

4l) CURRENT RESIDENTIAL FISCAL IMPACT. *Subtract* total residential revenues (4k) from total residential expenses (4f).

Total Residential	Total Residential Revenues	Total Residential Fiscal Impact
		$

4m) FINAL RESIDENTIAL FISCAL IMPACT. *Subtract* current residential fiscal impact from (4l) from proposed residential fiscal impact from (2n).

Proposed Residential Impact	Current Residential Impact	Final Residential Fiscal Impact
		$

Current Commercial Use

Current Commercial Expenses (if there are no current businesses or commercial properties, skip to (5k).

5a) TOTAL CURRENT BUSINESSES. How many businesses exist on the proposal properties? _____(Include all businesses that rent or lease space at the location).

5b) TOTAL CURRENT COMMERCIAL EXPENSES. *Multiply* the current number of businesses operating on the proposal properties by the per-business expense rate below.

Total Expected Assessment Value	Commercial Expense Rate	Total Commercial Expenses
	0.0045	$

Current Commercial Revenues

5c) TOTAL CURRENT ASSESSMENT VALUE. *Search* for each commercial property included in the proposal on the Parcel Viewer at http://property.jccegov.com/parcelviewer/Search.aspx . *Indicate* each property's total assessment value below. Then, *add* total assessment values.

Addresses	Assessment Value	Real Estate Tax Rate	Real Estate Tax Paid
		.0084	
		.0084	
Total:			$

5d) TOTAL CURRENT BUSINESS PERSONAL PROPERTY TAXES PAID. *Multiply* the total business capitalization for each current commercial element by the business personal property tax rate below. Then *add* the total personal property taxes paid.

Current Business	Total Business	Personal Property Tax Rate	Business Property Taxes Paid
		0.01	
		0.01	
		0.01	
Total:		N/A	$

5e) TOTAL CURRENT MACHINERY AND TOOLS TAX PAID. If any manufacturing exists, *multiply* the total capitalization for manufacturing equipment by the business machinery and tools tax rate below.

Current Business	Total Business Capitalization	Personal Property Tax Rate	Machinery and Tools Tax Paid
		0.01	$

5f) TOTAL CURRENT SALES TAXES PAID. *Estimate* the applicable total gross retail sales, prepared meals sales, and hotel/motel sales for existing commercial elements below. Then, *multiply* the projected commercial gross sales by the applicable sales tax rates. Then, *add* the total sales taxes paid.

Activity	Projected Gross Sales	Tax Rate	Sales Taxes Paid
Retail Sales		**0.01 of Gross Retail Sales**	
Prepared Meals		**0.04 of Prepared Sales**	
Hotel, Motel		**0.02 of Gross Sales***	
Total:	**N/A**	**N/A**	$

*Actual Occupancy Tax is 5% of Gross Sales; however, 60% of those funds are targeted to tourism.

5g) TOTAL CURRENT BUSINESS LICENSES FEES PAID. *Estimate* each current business element's total gross sales. Then, *multiply* each business element's projected gross sales by the Annual Business License rate to determine annual business licenses fee paid. Then, *add* the total business license fees paid.

Business Type	Gross Sales	Business License Rate	Annual Business License Fees Paid
Professional Services		**$0.0058**	
Retail Sales		**$0.0020**	
Contractors		**$0.0016**	
Wholesalers		**$0.0005**	
Manufacturers		**No tax**	
Other Services		**$0.0036**	
Total:	N/A	N/A	$

5h) TOTAL CURRENT COMMERCIAL REVENUES. *Add* all current commercial revenues paid by existing businesses from (5c) through (5g).

Total Current Commercial Revenues	$

5i) CURRENT COMMERCIAL FISCAL IMPACT. *Subtract* total commercial revenues (5h) from total residential expenses (5b).

Total Commercial Expenses	Total Commercial Revenues	Total Commercial Fiscal Impact
		$

5j) FINAL COMMERCIAL FISCAL IMPACT. *Subtract* current commercial fiscal impact from (5i) from proposed commercial fiscal impact from (3j).

Proposed Commercial Impact	Current Commercial Impact	Final Commercial Fiscal Impact
		$

5k) FINAL FISCAL IMPACT. *Subtract* the final commercial fiscal impact from (5i) from final residential fiscal impact from (4m).

Final Residential Impact	Final Commercial Impact	Final Fiscal Impact
		$

Fiscal Impact Worksheet Section 6: Phasing

Residential Phasing

6a) Copy *and paste* the residential phasing template from the accompanying Excel sheet to the page below.

Commercial Phasing

6b) *Copy* and *paste* the commercial phasing template from the accompanying Excel sheet to the page below.

Final Phasing Projections

6c) *Copy* and *paste* the final phasing projection from the accompanying Excel sheet to the page below.

Fiscal Impact Worksheet Section 7: Employment

7a) *Copy and paste* the employment projections from the accompanying Excel sheet to the page below.

DEFINITIONS AND ASSUMPTIONS

Apartment – A building used, or intended to be used as the residence of three or more families living independently of each other. Tenants have no equity in the dwelling.

Assessment Value – Assessment value is assumed to be within 1% of market value. Market value drives assessment value.

Buildout – All data and assumptions reflect the fiscal impact of the proposal at buildout.

Commercial Expense Rate – The commercial expense rate uses the proportional valuation method (see below) to determine individual business expenses. Under that method businesses are collectively responsible for contributing 15% of the non-school budget ($10,391,694).

Dividing this portion of the budget by the total commercial real estate in the County ($2,060,690,000) gives a commercial expense rate of 0.0045. This rate assumes that the costs of providing County services to a business are directly correlated with that business's property assessment. This assumes more valuable properties have generally more intense uses incurring greater County expenses.

Condominium – A building, or group of buildings, in which units are owned individually and the structure, common areas and common facilities are owned by all the owners on a proportional, undivided basis.

Contractor – Any person, firm or corporation accepting or offering to accept orders or contracts for doing any work on or in any building or structure, any paving, curbing or other work on sidewalks, streets, alleys or highways, any excavation of earth, rock or other materials, any construction of sewers and any installation of interior building components.

Direct Impact – The worksheet only calculates direct financial impacts on the County budget. The worksheet is only one of many development management tools and as such, does not make a determination whether any type of development "should" happen based solely on that proposal's fiscal impact. The tool is not designed to measure non-budget impacts, such as increased traffic or non-budget benefits, such as forwarding the goals of the Comprehensive Plan. Costs incurred by other entities, such as other localities or the state, remain uncounted.

Dwelling – Any structure which is designed for use for residential purposes, except hotels, motels, boardinghouses, lodging houses and tourist cabins.

Exempt – Certain types of business activities or products are exempted from annual County business licenses. These include manufacturers, insurance agencies, apartment complexes and gasoline sales.

Fees & Licenses – All fees collected by the County, including business and professional licenses, planning fees, building permit fees, stormwater fees, environmental inspection fees, septic tank fees, dog licenses and motor vehicle licenses, are deducted from the per-capita and per-business budgetary costs of each department that collects them.

Fiscal Impact Analysis – The County has created a set of standardized data and assumptions to streamline both the creation and review of fiscal impact studies. The County had no itemized list of questions for fiscal impact study creators to answer, resulting in portions of fiscal impact studies with no bearing on the County's budgetary bottom line. The guesswork is removed from the creation of these documents. The data used by fiscal impact study authors also came from myriad sources, often within the County, which were difficult to verify. The fiscal impact worksheet allows consistency across multiple fiscal impact studies.

Fiscal Impact Worksheet – The worksheet helps the applicant present relevant data to the County, using data verified by the County. The worksheet provides consistency across all fiscal impact analyses.

Non-School Expenses – Non-school expenses include all FY10 non-school budget spending. Non-school expenses are calculated using the Proportional Variation method. Using the Proportional Variation method, residents and businesses are assumed to be responsible for differing percentages of the County's non-school spending.

Manufacturing – Assembly of components, pieces, or subassemblies, or the process of converting raw, unfinished materials into different products, substances or purposes.

Market Value – Market value is assumed to be within 1% of assessment value. Market value drives assessment value.

Manufactured Home – A manufactured home is a structure not meeting the specifications or requirements or a manufactured home, designed for transportation after fabrication. The only manufactured homes counted in the Student Generation figure are those in designated manufactured home parks. Manufactured homes on individual lots are indistinguishable from single-family detached dwellings for the purposes of the worksheet.

Phasing – All residential developments are assumed to have an absorption rate of 20% per annum. All commercial development are assumed to have an absorption rate of 20% per annum. The date stamp Year 1 in the phasing template represents 365 days after the Board of Supervisors approval.

Professional Services – Work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture, land surveying, landscape architecture,

law, dentistry, medicine, optometry, pharmacy or professional engineering. Professional services shall also include the services of an economist procured by the State Corporation Commission.

Proportional Valuation Impact – Proportional valuation impact assumes that a proposed residential or commercial project's fiscal impact is proportional to the percentage of the total tax base that is either residential or commercial.

James City's proportional valuation is calculated using the County's Real Estate Mapping GIS program. The program calculated an aggregate property assessment value of $13,763,228,800 for the entire County. The program calculated an aggregate commercial and industrial assessment value of $2,060,690,000. Dividing the commercial value by the total value shows that commercial and industrial properties compose 15% of the total property tax base and are responsible for 15% of County non-school expenses. This results in residential development being responsible for Schools impacts and 85% of non-school County operations. The proportional valuation method does not factor other assorted residential and commercial taxes, fees and licenses into account. As 15% of the tax base, businesses contribute 15% for all County non-school expenses. As 85% of the tax base, residents contribute 85% for all County non-school expenses.

Furthermore, individual business expenses to the County are calculated using the proportional valuation impact method. (See Commercial Expense Rate)

Per-Business Expense Rate – The per-business expense rate assumes that the County incurs non-school expenses equal to 0.04% of the commercial real estate assessment of any given business.

Per Capita Evaluation Method – This worksheet uses the Per Capita Evaluation method to assign per-capita and per-business costs to non-school expenses. This method assumes that current per- capita and per-business expenditures and service levels are consistent with future per-capita and per-business expenditures and service levels.

Per Capita – Per capita calculations divide each department's spending, minus fees and state contributions, by the current County population. This number excludes institutional residents in detention at correctional facilities and mental institutions. Total population is determined from James City County Planning Division figures.

JCC Population 2010	Dwelling Units 2010
66048*	**30221****

*US Census 2010 Population Count
**JCC Codes Compliance Division Housing Unit Count + Apartment Count

Per Student – Per student calculations divide County contributions to WJCC Schools, minus state educational contributions, by the total number of K-12 students living in James City and also

attending WJCC Schools. Total students are determined from Williamsburg-James City County Schools 2009-2010 School Year enrollment reports.

Per Business – Per business calculations divide each departments spending, minus fees and state contributions, by the total number of County businesses. Total businesses are determined by the number of business licenses issued.

Total Number of JCC Businesses	**5400***
Percentage of Property Tax Assessments	**15%****

*James City County Commissioner of the Revenue

**Commercial impacts are calculated on a proportional variation process

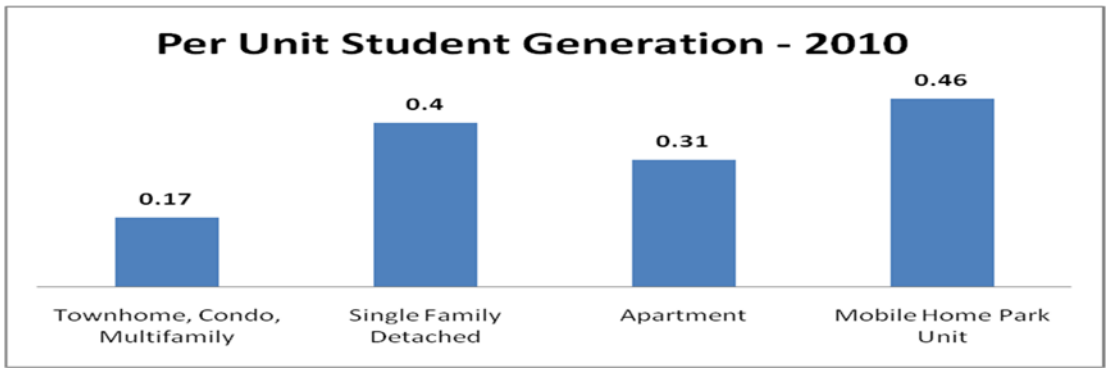
Proffer – Proffers paid for schools can only be applied toward the capital expense portion of per-student school expenses. (See Board of Supervisors' Proffer Policy.)

Retail Services – Display and sale of merchandise at retail or the rendering of personal services, such as food, drugs, clothing, furniture, hardware, appliances, barber and beauty, antiques, and household uses and other uses.

Single-Family Detached Dwelling – A detached structure arranged or designed to be occupied by one family, the structure only having one dwelling unit.

State Contributions – The state contributes both targeted and unspecified funds to the James City County budget. Funds for specific departments were subtracted from the budget totals of those departments. Unspecified state fund amounts were compiled, then evenly subtracted (7.75% of each department total) across all non-school departments.

Student Generation Rate – The student generation rate the number of students produced by an individual dwelling unit per year. Different domestic units produce students are different rates. Using WJCC enrollment figures, an address was found for WJCC students residing in James City County. Using the James City County Real Estate Division's Property Information map on the James City County website, the number of students from each subdivision was determined. Using the Real Estate Division's Real Estate Parcel Count, the number of improved lots in each neighborhood was determined. Total students from each neighborhood were divided by the total number of units from that neighborhood to determine the average number of students per housing unit. The student generation numbers for 256 subdivisions were determined this way, along with the same method for counting students from apartments and manufactured home parks.



Townhome –In a structure containing three or more dwelling units, a dwelling unit for single-family occupancy, not more than three stories in height, attached by one or more vertical party walls extending to the roof sheathing without passageway openings to one or more additional such dwelling units, each of which is served by an individual exterior entrance or entrances.



Williamsburg Landing Expansion

Fiscal Impact Study

James City County, Virginia

Prepared by

Ted Figura Consulting

For
Williamsburg Landing, Inc.

James City County, Virginia

January 13, 2017
(Revised March 26, 2017)

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Williamsburg Landing Expansion: Fiscal Impact Analysis

Executive Summary

The applicant, Williamsburg Landing, Inc., is seeking a rezoning of 15.5 acres of a property, located between Williamsburg Landing and the Williamsburg Airport along Marclay Road, from Rural Residential District (R8) to Multifamily Residential District (R5) with a special use permit to allow an expansion of Williamsburg Landing (the "Williamsburg Landing Expansion" or "the proposed development"). The proposed development consists of approximately 65 single-family units in duplex structures and 70 multi-family units in a single apartment building with three wings from the main building. For purposes of this analysis, this expansion is assumed to occur within three years of the requested rezoning. The actual development timeframe will depend on market conditions.

As proposed, this development is projected to have a highly positive fiscal impact on both the general fund of James City County ("the County") and the James City Service Authority (JCSA) over an initial 10-year analysis period and in its stabilization year. Annual cash flow for the County is projected to be more than $445,000 annually, with more than $400,000 annually entering the County's general fund. The annual revenue surplus from the proposed development can be expected to be received by the County each year after the proposed development is built out. Over the ten-year analysis periods, cumulative cash flow is projected to be almost $3 million.

Based on an analysis of proposed entry fees and monthly fees, the average household income for residents of the Williamsburg Landing Expansion was estimated to be $181,250, which is more than double the County's current average household income (about $90,400 in 2015).

Williamsburg Landing is a continuous care retirement community. Because the proposed units will be age restricted, there will be no impact on the County's school system.

The table below summarizes the fiscal impact measures for the proposed development.

Williamsburg Landing Expansion Fiscal Impact Measures, Combined General Fund and JCSA	
Stabilization Period	
Annual Revenues	$511,300
Annual Costs	$ 65,650
Cash Flow	$445,650
Benefit-to-Cost Ratio	7.79-to-1
Cumulative Measures	
Total Revenues	$3,255,100
Total Costs	$ 307,025
Cumulative Cash Flow	$2,948,075
Benefit-to-Cost Ratio	10.6-to-1

Figures rounded to the nearest $25

A more detailed analysis follows.

Background

Williamsburg Landing, Inc. has proposed an expansion of its current operation consisting of 65 single-family units in duplex structures and a four-section, four-story apartment building with 70 independent living units. The duplex units are comparable to the existing Boatwright duplex units and the apartment building is comparable to the existing Earls Court at Williamsburg Landing.

The Williamsburg Landing Expansion, or "the proposed development," will be located on a 15.5 acre parcel on a portion of the parcel at 20 Marclay Road in James City County (the "site"). The site is comprised of a portion of Tax Parcel 4820100012 owned by Short Neck, LLC. Upon rezoning and any other due diligence, the site would be subdivided from the existing 43.7 acre parcel and acquired by Williamsburg Landing, Inc. (the "applicant" or "developer"). The site, which is located between Williamsburg Landing and the Williamsburg Airport, is currently zoned Rural Residential District (R8). The applicant wishes to rezone this parcel to Multifamily Residential District (R5) with a special use permit in order to construct the development.

The duplex units will range in size from 1,900 square feet to 2,000 square feet (3,900 square foot typical structures). The apartment units will range from 1,800 to 1,900 square feet. The apartment building is expected to have 169,000 square feet of conditioned space, including a 2,000 square foot clubhouse. Approximately 31,500 square feet will be enclosed garage space under an upper floor cantilever on the building wings, plus 8,500 square feet of detached garage space. Based on an analysis of entry fees and monthly fees proposed by Williamsburg Landing for the expansion units, household income for Williamsburg Landing Expansion residents is projected to average $188,675 for the duplex units and $173,350 for the apartment units, rounded to the nearest $25. These estimates were confirmed as reasonable with the developer.

Of the 15.5 acre site, approximately 12.8 acres of the site will be developed, with the remainder of the site being critical area open space. The developed area will include four new employee surface parking areas. Stormwater runoff will be managed on site.

Sitework is assumed to start in the late fall or winter of 2019 with construction of the apartment building starting in the spring of 2020 and the first group of duplex units two months later. The first duplex units are assumed to be occupied in the second and third quarters of 2021 (the last quarter of FY 2021 and the first quarter of FY 2022). The apartment units are assumed to be occupied in the last quarter of 2021 and the first quarter of 2022 (the second and third quarters of FY 2022). Thus, the project's stabilization year (the year beyond which costs and revenues do not change) was determined to be FY 2023. A ten-year analysis period (FY 2017-FY 2026) was used for convenience, because the stabilization year falls within the second five-year increment from the anticipated rezoning approval.

These parameters are best estimates of the scope of the proposed development made by the applicant at this point in time. The specifics and timing of the proposed development are subject to change based upon final determinations of site constraints and/or market conditions. Descriptions of the proposed development contained herein are not guarantees by the applicant that the proposed development will be constructed exactly as described above. However, the basic elements of the proposed development are those outlined above. Any change in the fiscal impact of the proposed development on the County due to minor changes in the scope of the proposed development are expected to be in the same magnitude as the revenues and costs which are projected in this analysis and are expected to be in practically the same proportion of revenues to costs as estimated in the fiscal impact analysis report.

Methodology

The fiscal impact of the Williamsburg Landing Expansion on the County and the James City Service Authority, or JCSA, was calculated using the methodology described below. (Henceforth, "County" may refer to both the County and JCSA.) Fiscal impact is defined as the difference between all revenues to the County generated by the development and all costs to the County attributable to the development. Revenues and costs are described in further detail below.

Because the proposed development of the site is a natural extension of the current development at Williamsburg Landing and it is unlikely, given the site's proximity to the Airport, that a developer would find it attractive or economically feasible to develop the site under its current zoning, a fiscal impact of the a by-right development of the site was not calculated. However, it should be noted that, should the site be developed under its current zoning, it is highly unlikely that the product would be age restricted, thus generating education costs for the County that the proposed development does not generate. Also, again given the site's location, it is unlikely that upscale homes would be developed on the site, thus reducing a by-right development's revenue stream to the County compared to the proposed development.

All fiscal impacts are presented in constant 2018 dollars, (i.e., inflation is not applied to either revenues or costs throughout the analysis period). A constant in 2018 dollars was chosen because the analysis is substantially based on the revenue, cost and tax rate assumptions contained in the County's *FY 2017-2018 Two Year Adopted Operating Budgets.*

The constant dollar approach means that no assumptions are made about rates of increase in real estate assessments in the County. Also, no assumptions are made about increasing tax revenues from sales, meals or business license taxes based upon retail price increases. Neither are assumptions made about future increases in the unit costs of government. The practical implication of this approach is that any future systemic imbalances between rising revenues and rising costs are assumed to be adjusted through changes in the County's tax rate, either upward or downward.

A marginal revenue/marginal cost approach was used to calculate expected revenues and costs to the County attributable to the development. This is opposed to an average revenue/average cost approach, in which estimates of a project's revenues and costs are based upon a jurisdiction's per-capita revenues and costs. The marginal revenue/marginal cost methodology counts only variable costs and revenues and, thus, does not count fixed costs and revenues that would be spent or received by the County whether additional development occurs or not. It counts only revenues and costs attributable to an increase in the number of households from the development being analyzed.

It is, thus, a more accurate estimate of future revenues and costs resulting from a development than is the average revenue/average cost approach. The average revenue/average cost approach actually calculates a project's "fair share" of public costs, rather than the incremental impact of a project on a locality's fiscal position. A more detailed description of the methodology used in this analysis is presented in the Appendix.

Revenues estimated for the Williamsburg Landing Expansion fall into three categories: one-time direct revenues, recurring direct revenues and additional tax revenues generated by households. The methodology does not use multipliers to calculate revenues that could be generated through a project's secondary impacts, as such multipliers are considered to be unreliable for small geographic areas. The methodology does not include revenues generated from spending by construction workers at the Williamsburg Landing Expansion, as such spending cannot reliably be said to occur within the County.

One-time direct revenues are revenues to the County derived from the construction of the Williamsburg Landing Expansion. They include all plan review fees, building permit and associated fees (electrical, mechanical and plumbing), other development fees, including water and sewer system facilities fees, and certificate of occupancy fees. No cash proffers are assumed for the Williamsburg Landing Expansion as part of the fiscal impact analysis.

Recurring direct revenues consist of real estate property taxes, personal property taxes (car tax), car rental tax, business personal property taxes paid by Williamsburg Landing, Inc., water and sewer consumption fees, and other fees paid by households to the County. These are taxes and fees paid directly to the County by households and/or property owners. Taxes currently paid on the assessed value of the site's land were deducted from real estate property tax calculations. Taxes were calculated based upon estimates of the assessed property values, the County's per-household user fees or other methodologies explained in the Appendix.

Additional tax revenues generated by households are estimates of taxes paid by County businesses due to purchases made by Williamsburg Landing Expansion residents. These include the local option sales tax, meals tax, and the business license fees paid by businesses on gross receipts from these sales. The methodology for estimating net new sales and gross receipts is presented in the Appendix.

Purchases by Williamsburg Landing Expansion residents are estimated based upon spending patterns according to household estimated income. Spending patterns are derived from the most recent U.S. Bureau of Labor Statistics Consumer Expenditure Survey. An adjustment was made for purchases made outside the County and for meals and services provided by Williamsburg Landing. The methodology for estimating these revenues is presented in the Appendix.

No generated taxes were estimated for construction workers or employees of businesses located in County, as these employees were assumed either to be already living and spending in County or living outside the County and, thus, spending most of their income outside the County.

Costs were divided into three categories: variable operating costs of general government per household, general government capital costs (if any) and public utilities costs (JCSA). Cost data and assumptions were derived from the County's *FY 2017-2018 Two Year Adopted Operating Budgets.*

Per household costs were calculated for various budget line items. State and federal revenues supporting various budget line items were deducted to leave only the County's operating cost. Certain government functions, such as public assistance and public health services, that would not serve the Williamsburg Landing Expansion population were not included in the calculations. Chief executive, legislative and administrative functions, which would be performed regardless of population size, were not included in the calculations. A percentage of certain administrative support services, to the extent that they support operations which would be provided independent of population size, were not included in the calculations. The methodology for estimating the cost of government, including, public utility costs (the per-customer cost of billing and the per-linear foot cost of water and sewer line maintenance), is presented in more detail in the Appendix.

Three measures of fiscal impact were used—cash flow, cumulative cash flow and the benefit-to-cost ratio. Cash flow shows the annual surplus or deficit of revenues less costs for a sample of ramp up years through the stabilization year. Because revenues and costs are reported in constant dollars, there is no change in the projected cash flow after the stabilization year.

Cumulative cash flow is the sum of annual cash flows over the analysis period. Another way of explaining cumulative cash flow is that it is derived by subtracting total costs to the County attributable to a project from total revenues to the County derived from a project over the analysis period, leaving the County's total net revenue from a project.

Finally, the benefit-to-cost ratio is the ratio of total project revenues to the County and total project costs to the County. A benefit-to-cost ratio greater than 1.0-to-1 signals a net fiscal benefit. The magnitude of the benefit-to-cost ratio signals the strength of the fiscal impact on the County. For instance, a benefit-to-cost ratio of 1.5-to-1 indicates that for every additional dollar of spending a project costs the County, the County is expected to receive $1.50 in additional revenue.

Fiscal Impact of Williamsburg Landing Expansion

Williamsburg Landing, Inc. is seeking a rezoning of the site to Multifamily Residential District (R5) with a special use permit. This zoning would permit the development described above. The derivation of the revenues and costs attributed to the Williamsburg Landing Expansion are described in the Methodology section, above, and in the Appendix. The revenues projected for the Williamsburg Landing Expansion are listed in the Table 1 on the following page. Costs generated by the Williamsburg Landing Expansion are displayed in Table 2, located on page 11. Both revenues and costs are shown for the stabilization year and the total for the ten-year analysis period (FY 2017-FY 2026).

Subtracting projected costs from revenues yields a positive overall cash flow (or revenues net of costs) for the development. Annual cash flow from the Williamsburg Landing Expansion is shown in Table 3 on page 11. In the stabilization year, the County and the JCSA are expected to receive more than $500,000 annually in new revenue from the development of the Williamsburg Landing Expansion while incurring only about $65,000 in new annual costs.

Of this revenue surplus, more than $400,000 is projected to enter the County's general fund and more than $35,000 annually is projected to be earned by the JCSA. The JCSA, though separate for administrative and accounting purposes, ultimately impacts the County's general fund. Surpluses are either transferred into the general fund or the funds would be used to enable a faster repayment of debt service, which would result in larger surpluses transferred to the general fund in the future.

Table 4, on page 12, shows the fiscal impact measures for the Williamsburg Landing Expansion. These are highly positive. The County can expect to receive more than $2.1 million in surplus revenue from the proposed development during the ten-year analysis period, while the JCSA can expect to receive more than $800,000 in surplus revenue. Of note, because of expected development timing, the project generates substantial costs or revenues only in the last seven years of the analysis period. Benefit-to-cost ratios in the stabilization year are exceptionally positive (more than 7.75-to-1 for the County's general fund and the JCSA combined). In other words, the County's combined general fund and JCSA are expected to receive $7.79 in revenue for every dollar of cost attributed to the development. Benefit-to-cost ratios for the entire analysis period are also exceptionally positive. The higher benefit-to-cost ratios for the ten-year period are due to the presence of one-time revenues. This is particularly the case with the JCSA. In conclusion, both the County's general fund and the JCSA will receive significant surplus revenues due to the Williamsburg Landing Expansion.

Table 1
Williamsburg Landing Expansion
Projected Revenues

Revenue Type	Annual Revenues, Stabilization Year	Five-Year Total
Current Real Estate Tax	$ (3,825)	$ (38,375)
Real Estate Property Tax, Land	$ 13,025	$ 93,475
Real Estate Property Tax, Improvements	$294,075	$1,440,500
Personal Property (Car) Tax, Car Rental Tax	$101,475	$ 476,675
Business Personal Property Tax	$ 10,000	$ 45,000
Communication Sales Tax and other fees	$ 14,200	$ 66,225
Elevator Inspection Fees	$ 200	$ 2,000
Subtotal Direct Taxes	*$429,150*	*$2,085,500*
Additional Revenues Derived from Households	$ 42,000	$ 195,925
General Fund Annual Revenues	***$471,150***	***$2,281,425***
Sewer Flow Charge	$ 17,450	$ 81,400
Water Flow Charge	$ 22,700	$ 105,925
JCSA Annual Revenues	***$ 40,150***	***$ 187,325***
Subtotal Annual Revenues	**$511,300**	**$2,468,750**
Building Permit and Review Fees		$ 111,675
Development Review and Inspection Fees		$ 14,750
Erosion Control and Stormwater Fees		$ 15,925
Certificate of Occupancy Fees		$ 1,700
General Fund One-time Revenues		***$ 144,050***
Review and Inspection Fees		$ 7,800
Sewer System Facility Fees		$ 292,500
Water System Facility & Lawn Irrigation Fees		$ 343,400
JCSA One-time Revenues		***$ 643,700***
Value of Off-site Improvements		**$ 0**
Subtotal One-time Revenues		**$ 787,750**
Total Revenues		**$3,256,500**
General Fund Revenues		**$2,425,475**
JCSA Revenues		**$ 831,025**

Figures rounded to the nearest $25.

Table 2
Williamsburg Landing Expansion
Projected Costs

Cost Type	Annual Costs, Stabilization Year	Five-Year Total
General Government Service Operating Costs	$63,325	$295,575
General Government Service Capital Costs		$ 0
Education Operating Costs	$ 0	$ 0
Education Capital Costs		$ 0
Total General Fund Costs	$63,325	$295,575
JCSA Costs	$ 2,325	$ 11,450
Total Costs	**$65,650**	**$307,025**

Figures rounded to the nearest $25.

Table 3
Williamsburg Landing Expansion
Projected Cash Flow

	FY 2017-2019	FY 2020	FY 2021	FY 2022	Stabilization Year FY 2023
General Fund Revenues*	$ 0	$ 132,825	$25,725	$382,300	$471,150
JCSA Revenues	$ 0	$578,250	$65,475	$ 25,300	$ 40,150
Total Revenues	$ 0	$711,075	$91,200	$407,600	$511,300
General Fund Costs	$50	$ 25	$ 1,900	$ 40,325	$ 63,325
JCSA Fund Costs	$ 0	$ 0	$ 0	$ 2,125	$ 2,325
Total Costs	$50	$ 25	$ 1,900	$ 42,450	$ 65,650
General Fund Cash Flow	$(50)	$132,800	$23,825	$341,975	$407,825
JCSA Cash Flow	$ 0	$578,250	$65,475	$ 23,175	$ 37,825
Total Cash Flow	$(50)	$711,050	$89,300	$365,150	$445,650

Figures rounded to the nearest $25.

*The "cost" of taxes currently collected on the site is subtracted from General Fund revenues

Table 4
Williamsburg Landing Expansion
Fiscal Impact Measures, General Fund and JCSA

	Stabilization Year	Ten-Year Total
Cumulative Cash Flow		
General Fund	N/A	$2,129,900
JCSA	N/A	$ 819,575
Total*	N/A	$2,949,475
Benefit-to-Cost Ratio		
General Fund	7.44-to-1	8.21-to-1
JCSA	17.27-to-1	72.58-to-1
Combined	7.79-to-1	10.61-to-1

Williamsburg Landing Expansion

Appendix

Methodology

Approach

Fiscal impact is defined as the difference between all revenues to James City County (the "County") and the James City Service Authority ("JCSA") generated by the project and all costs to the County/JCSA attributable to the project. Henceforth, unless the connotation is otherwise, "County" shall also include the combined County and JCSA account. Only variable revenues and costs are counted in the fiscal impact study. This means that, rather than applying per capita or per household all non-tax revenue and total County per capita or per household expenditures to the proposed expansion of residential units at Williamsburg Landing (the "Williamsburg Landing Expansion"), only those incremental revenues and costs that the County will actually receive or incur due to the increase in households are counted in as having a fiscal impact. Fixed costs that do not rise as population or households increase incrementally are not counted as having a fiscal impact.

Revenues include one-time direct revenues, annual direct revenues from the project and tax revenues generated by households. One-time revenues include building permit fees and other development fees, as well as sewer and water facilities fees.

Annual direct revenues include: real estate property taxes, personal property taxes (paid by both residents and Williamsburg Landing), the portion of the state communications sales tax remitted to the County and various local government fees, fines and user charges. Tax revenues generated by households are taxes paid or collected by James City County businesses due to purchases made by residents of the Williamsburg Landing Expansion. Costs include: operating costs of government per household. No capital costs were presumed to be generated by the Williamsburg Landing Expansion and, since the project is age-restricted, no Williamsburg-James City County Public Schools costs will be generated.

All fiscal impacts are presented in constant 2018 dollars. Inflation is not applied to either revenues or costs throughout the analysis period. The constant dollar approach also means that no assumptions are made about the rate of real estate assessment increases in the County. No assumptions are made about future increases in tax revenues from sales, meals or business license taxes that are based upon retail price increases. Neither are assumptions made about future increases in the unit costs or revenues of government. The practical implication of this approach is that any systemic future imbalances between rising (or falling) revenues and rising costs will be adjusted through changes in the County's tax rate, either upward or downward.

Three measures of fiscal impact are used. One is the annual cash flow through the stabilization year. Cash flow is derived from the net revenue surplus/deficit (revenues minus costs). The second fiscal impact measure is the cumulative cash flow over the five year period. This is equivalent to total revenues less total costs over the analysis period.

Cash flow was calculated for each year of project activity through the stabilization year, the year following the year in which all costs and revenues have been realized. Thus, the stabilization year captures the fully realized cost and revenue impact generated by the project. The stabilization year was determined to be FY 2023. Because revenues and costs are reported in constant dollars, there is no significant change in the projected cash flow after the stabilization year. Although the stabilization year occurs in FY 2023, because this falls within the second five-year period from the start of the analysis, for convenience purposes, the analysis was continued through the tenth year measured from anticipated rezoning approval and purchase of the site.

Finally, the benefit-to-cost ratio is the ratio of total project net revenues to the County and total project net costs to the County. A benefit-to-cost ratio greater than 1.0-to-1 signals a net fiscal benefit. The magnitude of the benefit-to-cost ratio signals the strength of the fiscal impact on the County. For instance, a benefit-to-cost ratio of 1.5.0-to-1 indicates that for every additional dollar of spending the project costs the County, the County is expected to receive $1.50 in additional revenue.

Throughout, revenue and cost data is estimated on a per-household basis. However, in some cases, per-household metrics are influenced by household size, when ultimate consumers of public services are individuals. Whenever the number of persons in a household would have a marginal impact on variable costs or revenues, the per-household metrics were adjusted for household size. This is more fully described below under "Cost Calculation."

The projected number of households in the County in FY 2018 (31,406) was taken from the County's *FY 2017-2018 Two Year Adopted Operating Budgets*. The number of business establishments in the County (1880) available from the Virginia Employment Commission's Quarterly Census of Employment and Wages (first quarter 2016) was used to calculate the per-business cost data that was used to adjust the cost per household estimates in some cases (see under "Cost Calculation" below). The business firm, rather than a per-employee measure, was deemed to be a more appropriate unit to measure the delivery of most County services to the business community.

Parameters and Assumptions

The project consists of 65 duplex units (33 buildings) and a 70 unit four-story apartment building. It is assumed that the apartment building will be constructed with a main wing containing the building's community areas and three purely residential wings, probably to be designed as a quad-shaped structure. All units will be constructed on land to be acquired by Williamsburg Landing and incorporated into its existing campus.

Marketing for the Williamsburg Landing Expansion is assumed to begin about two years after rezoning approval. Site plans are assumed to be submitted soon after with development reviews occurring in the second half of 2019. Once products are 70% preleased, construction is assumed to begin. For analysis purposes a construction start of April 2020 is assumed, three years after an assumed rezoning request approval. Construction of the apartment building is assumed to begin first and construction of the first 27 duplexes (54 units) is assumed begin in June 2020.

The first duplex units are assumed to receive certificates of occupancy in January 2021 with all of the initial duplex units receiving certificates of occupancy by the September 2021. With preleasing, a three to four month vetting and move-in period was assumed for Williamsburg Landing Expansion residents, resulting in the first duplex unit occupancy occurring in April 2021. It is assumed that seven duplex units will be occupied each month for the first eight months (absorbing the preleased residents) and that absorption for the remaining 9 units will be at a rate of three per month. Thus, the duplex units are assumed to be fully occupied by the end of February 2022.

The apartment building is assumed to receive its certificate of occupancy by August 2021. The first move-ins are assumed in October 2021 and to are assumed continue at a rate of ten per month until preleasing residents are accommodated. Thereafter, absorption is assumed to continue at a rate of between four and five per month, with the apartments fully occupied by the end of August 2022.

Due to anticipated strong demand, both duplexes and apartments are expected to be fully occupied. Vacancy is expected to occur primarily through mortality or residents moving into assisted living or skilled nursing. Based on the latest National Vital Statistics System mortality data for Virginia, approximately 3 units per year are expected to be vacated due to mortality. It is assumed that, during the analysis period, 1 unit per year would be vacated due to incapacity. The incapacity rate can be expected to increase somewhat with time as the average resident age becomes older, but units are also expected to be replenished with younger residents. Assuming a standing waiting list for both duplex and apartment units and a four month vetting and move-in period, this results in 16 unit-months of vacancy per year, or an average vacancy rate of 2%, rounding up.

Revenue Calculations

Revenues estimated for the Williamsburg Landing Expansion fall into three categories: one-time direct revenues, direct annual revenues, and additional annual tax revenues and fees generated by households. The methodology does not use multipliers to calculate revenues that could be generated through the project's secondary impacts. Such multipliers are considered to be unreliable when applied to small economic units, such as localities.

One-time direct revenues are revenues to the County derived from the construction of the Williamsburg Landing Expansion. These were calculated for both the County and the JCSA.

One-time revenues included:

- site plan review fees
- Planning Commission/Design Review Committee (DRC) fees (for the apartment building only)
- all building permit fees
- building plan review fees
- Certificate of Occupancy (CO) and fire inspection fees
- erosion & sediment control review fees
- stormwater installation inspection fees
- VSMP fees
- sewer, and water stormwater system inspection fees
- sewer and water system facilities fees and
- lawn irrigation system fee.

Building permits for the proposed apartments were calculated based on a total building size of 170,400 square feet and for the proposed duplexes based on a building size of 3,900 square feet (2 units). The apartment building size includes enclosed parking space under the cantilevered upper floors in the two building wings, as well as individual garages. The outdoor terrace for the proposed apartments was assumed to be counted as an unenclosed structure and not counted in the computation of the building permit fee.

For calculating plumbing permit fees, as well as sewer and water system facilities fees, three fixtures per full bath were assumed. Each wing of the apartment building was assumed to be equipped with four roof drains. Four manholes were assumed based on an estimated 1,625 linear feet of water and sewer lines. Water and sewer line inspection fees were based on the addition of 875 linear feet of water line connection to buildings.

For calculating electrical permit fees, a 200 amp service was assumed for each duplex and apartment unit. A temporary service permit was assumed to be required for each building. No more than 100 outlets were assumed for any unit. HVAC permits were based on an estimated average cost of $15,000 per duplex or apartment unit. Natural gas piping permits were calculated assuming 1,345 linear feet of gas main at $75 per linear foot, 2,600 linear feet of gas delivery line for the apartment buildings at $25 per linear foot and 35 linear feet of gas delivery line for each duplex unit at $25 per linear foot. This includes gas delivery lines within the apartment building. The apartment building was assumed to be sprinklered, with sprinkler costs estimated at $3.00 per square foot. One traction elevator was assumed to be installed in the main hall and each wing of the apartment building. The entire developable acreage (12.6 acres) was used to calculate erosion control permit fees. The duplex units were not considered to be single-family dwellings for this purpose.

Water and sewer fees were calculated assuming that each duplex unit of the proposed development is served by a 5/8" meter and that the apartment building is master metered with a single 2 inch master meter serving all four building wings. It is assumed that JCSA will assess the water and sewer system facilities fees based on the project's residential use (i.e., per bathroom fixture), with a credit for master metering. A single parcel was assumed for the purposes of calculating the lawn irrigation connection fee.

Recent changes to Virginia's law governing proffers mandate that only actual impacts of a proposed development on public facilities that have reached their service capacity can be considered by a developer when offering (and by a locality when accepting) proffers. A proffer offered based upon a presumed impact on future service capacities or on other facilities not directly impacted by the proposed development constitutes an "unreasonable proffer" which is now illegal. It is not anticipated that the Williamsburg Landing Expansion will not cause any public infrastructure facility to exceed its current capacity. Therefore, no proffers are included as revenues to the County.

Direct annual revenues consist of those revenues paid directly to James City County by the Williamsburg Landing Expansion property owner and residents. These include real estate property taxes, personal property taxes on vehicles, business personal property tax on FFE for the grounds, apartments and clubhouse, water usage, sewer usage and other fees and user charges paid to James City County.

The County's real estate assessment of Williamsburg Landing Expansion was estimated using existing assessments for Williamsburg Landing obtained from the County's Parcel Viewer website and, for detail on building assessments, from the County Real Estate Assessments Director. The proposed apartment unit sizes will range from 1,800 to 1,900 square feet. Thus, Earl's Court, whose apartments range from 1,810 to 1,900 square feet, is the most comparable to the proposed apartment building. However, due to the larger number of apartments in the proposed buildings, the ratio of apartment to community space is higher in the proposed development (2.24-to-1 versus 1.28-to-1). In this respect, the proposed apartment development is more similar to the Manor Houses, which have no community space.

A series of calculations were made to obtain estimates of the likely per-square foot assessment of apartment living space and common/community space. These calculations resulted in an estimated assessment per square foot for the proposed Williamsburg Landing Expansion apartments of $104.92, compared to a per-square foot assessment of $108.19 for Earls Court and $89.49 per square for the Manor House buildings.

Estimates of real estate assessment for the duplex units were based upon per square foot assessments for the Boatwright duplexes, supplemented by assessment data for The Moorings and Edgewood. Per square foot assessments seemed to rise as the size of the unit increased. A simple regression was run on assessment per square foot and average unit size for the Boatwright duplexes, The Moorings and Edgewood 2 and 3 bedroom units. The R-square was .948, indicating a very good fit. The model predicted a per-square foot assessment of $102.96 for the proposed duplexes, using an average size of 1,950 square feet.

Additionally, the per-acre assessment for Williamsburg Landing was computed. All parcels were assessed at $100,000 per acre. This assessment was in addition to all building improvements (individual duplex and apartment assessments did not include land, which was assessed for the entire development) and included critical areas. The 15.3 acre parcel to be developed was deemed comparable to the existing parcels and assumed to be assessed at $100,000 per acre, once developed. The parcel to be developed is currently assessed at only $10,450 per acre. This assessment was assumed to remain in place until construction begins, at which time the property is assumed to be reassessed at $100,000 per acre, with the new assessment effective at the start of FY 2021. Taxes currently generated from the site are counted as negative revenue in the fiscal impact analysis.

The proposed Williamsburg Landing Expansion also includes the addition of four new parking areas. Parking areas are currently assessed at $8,000 per area. Based on the above, the proposed Williamsburg Landing Expansion apartments were assumed to be assessed for $14,940,600, the proposed duplexes were assumed to be assessed for $6,023,200, the site was assumed to be assessed for $1,530,000, and the parking areas were assumed to be assessed for $32,000. Thus, an estimated assessed value of $22,525,800 was calculated when the property is fully developed.

The annual personal property tax to be received by the County from Williamsburg Landing Expansion residents was estimated by first calculating the average personal property tax per vehicle and then adjusting this amount to account for variations in the number and value of vehicles owned by income level, age and tenure. The base car tax per vehicle ($316.02) was calculated by dividing the County's total car tax revenue received from the Commonwealth (PPRTA), as estimated by the County for FY 2018 in the *FY 2017-2018 Two Year Adopted Operating Budgets,* by the percentage (47.5% in 2016, the latest year available) of car tax relief obtained from the County's Commissioner of the Revenue. This dollar amount, representing the total automobile personal property tax estimated to be levied in FY 2018, was divided by the number of vehicles in the County. The number of vehicles as calculated from aggregate vehicle data reported in the 2015 U.S. Census Bureau American Community Survey (ACS) and adjusted for three year's estimated annual household growth calculated by dividing the County's 2018 household estimate, derived from the *FY 2017-2018 Two Year Adopted Operating Budgets,* by the 2015 ACS household estimate.

Data from the U.S. Bureau of Labor Statistics 2015 Consumer Expenditure Survey (CES) were used to estimate the relative value of vehicles owned by households at various income levels. This was done by first calculating the vehicle purchase net outlay for the average income estimated for each type of unit at Williamsburg Landing Expansion from the CES data. This amount was then divided by the amount of vehicle purchase net outlay calculated for the 2015 average household income for James City County derived from the ACS. This ratio was then applied to the average personal property tax per vehicle received by the County.

The resulting estimate of car tax levied per vehicle adjusted by income level was then adjusted for age differences in vehicle expenditure patterns. Adjustments for age were made by dividing the average expenditure for households over age 65 by the average expenditure for households of all age groups in the income group of the average income of age-over-65 households. Age 65 was the nearest CES data point to the Williamsburg Landing entry age of 62. This income and age-adjusted estimate of car tax per vehicle was then multiplied by the estimated number of vehicles owned by Williamsburg Landing Expansion residents for each unit type.

The estimated number of vehicles owned by households for each unit type was calculated by adjusting for differences in vehicle ownership by income using the same methodology used to adjust the average car tax per vehicle. The number of vehicles owned per household was also adjusted for ownership patterns of households age 65 and differences in ownership patterns of owners and renters (residents of the proposed duplexes were assumed to behave as owners and residents of the proposed apartments were assumed to behave as renters). However, these adjustments produced estimates of vehicle ownership that were higher than an assumption of one car per person, adjusted for difference in ownership patterns of households age 65 and older. Therefore, the number of vehicles owned by each Williamsburg Landing Expansion household was fixed at 1.64 vehicles, with this number reduced to 1.31 for apartment dwellers to account for their higher propensity to have given up driving (household sizes were estimated by the developer as 1.86 and 1.865 for apartments and duplexes, respectively). The resulting estimate of car tax paid by households in each Williamsburg Landing Expansion unit type was then was multiplied by the number of occupied units for the appropriate unit type to derive the estimated total car tax received by the County.

The entire calculation can be demonstrated in the series of equations below and on the following page:

$$PPT = \sum PPT/V_{WL} \times V/HH_{WL} \times HH_{OWL}$$

Where, PPT = Total personal property tax paid by Williamsburg Landing Expansion residents

PPT/V_{WL} = Personal property tax per vehicle for each unit type at the Williamsburg Landing Expansion

V/HH_{WL} = Vehicles per Williamsburg Landing Expansion household and

HH_{OWL} = the number of occupied households for each unit type at the Williamsburg Landing Expansion

$$PPT/V_{WL} = PPT/V_{JCC} \times (VPNO_{IWL}/VPNO_{IJCC} \times (VPNO_{A65}/VPNO_{US})$$

Where, PPT/V_{JCC}= Average personal property tax per vehicle for all James City County Households

$VPNO_{IWL}$ = Vehicle purchase net outlay for each type of Williamsburg Landing Expansion unit income level and

$VPNO_{IJCC}$= Vehicle purchase net outlay for households at mean income for James City County

$VPNO_{A65}$ = Vehicle purchase net outlay for households age 65 years and older

$VPNO_{US}$ = Vehicle purchase net outlay for households all ages at the income level equal to the average income of households age 65 years and older

and

$$V/HH_{WL} = P/HH_{WL} \times V/HH_{A65}$$

Where, V/HH_{IWL} = Vehicles per household for each type of Williamsburg Landing Expansion unit income level

P/HH_{WL}= 1.865 for duplex units and 1.86 for apartment units

V/HH_{65} = 0.881758

With respect to business personal property taxes, the developer estimates that $1 million will be spent on equipment and furnishings for the proposed expansion upon which Williamsburg Landing would pay business personal property taxes.

The per household revenue received in FY 2018 from the Commonwealth as the local share of the communication sales tax was estimated to be $41.66. A portion of the remittance by the Commonwealth was assumed to be attributable to tax collections from businesses and, for the purpose of calculating the distribution between households and businesses, telecommunications bills of businesses were assumed to be five times the average residential household bill. (The methodology for distributing revenues between households and businesses is the same as for distributing costs and is explained below under "Cost Calculation.")

Revenue from the County's utility consumption fee was also calculated on a per household basis using the same methodology as described above. Again, because this fee is based on electric utility usage and per business usage is presumed to be greater than per household usage, electric bills of businesses were assumed to be five times the average residential household bill.

The car rental sales tax, which, like the communications sales tax and utility consumption fee, is collected by the state and remitted to the County, was also calculated on a per household basis, distributed equally between households and businesses. The per household collection estimated for Williamsburg Landing Expansion residents, however, was adjusted for differences in auto lease expenditure based on income level, using data from the CES.

User fees per residential unit were calculated by dividing revenues estimated to be received in FY 2018 as reported in the *FY 2017-2018 Two Year Adopted Operating Budgets* by the number of households in the County. Per household user fee revenue was calculated for adult recreation fees and park revenues, dog licenses, e-summons fees, fines and forfeitures, and parking tickets. Per household revenues for adult recreation fees and park revenues, e-summons fees, fines and forfeitures, and parking tickets were adjusted for differences between owner and renter household sizes, as household size was deemed to affect revenues from these sources.

With respect to e-summons fees and fines and forfeitures, it was assumed that the Williamsburg Landing Expansion target population will not be involved in the criminal justice system (as criminals) to any great extent. Thus, revenue from criminal fines and fees was reduced by 97% for the Williamsburg Landing Expansion. This was based on data from the *Blackwell Encyclopedia of Sociology*.

The data stated that 80% of all crimes are committed by persons under age 40 and less than 1% of all crimes are committed by persons over 65, with victimization rates following similar (though not precisely the same) trends. Since the population at the Williamsburg Landing Expansion will be over 62, the percentage of this population associated with criminal activity would be closer to 1%. Taking a straight line projection approach, the incidence of involvement with criminal activity would increase by 0.75% for each year under 65.

Thus, taking the conservative approach of taking the highest predicted incidence of criminal activity involvement, the age group at the Williamsburg Landing Expansion would be involved in crimes handled by the James City County criminal justice system only 3% of the time compared to the general population. Thus, variable revenues and costs associated with crime were reduced by 97% for this population. This percentage was adjusted to 75% for costs associated with the Sheriff, however, in recognition that traffic offenses would not be subject to reduction based on age, as well as there being some patrol activity that would take place at the Williamsburg Landing Expansion.

Civil fines and summonses were distinguished from criminal fines and summonses based upon the percentage of cases handled by the Clerk of Court and Commonwealth's Attorney as reported in the County's *FY 2017-2018 Two Year Adopted Operating Budgets*. The percentage of civil cases was calculated as 42.55% of all cases. Thus, the amount of all court fines and summonses attributed to the Williamsburg Landing Expansion was calculated as 42.55% of fines and summonses plus 3% of the remainder (or 44.27% combined).

Table A-1, below, details the County's variable revenues, other than those derived from the direct levy of taxes and water/sewer flow charges on the project. It also shows revenues per duplex and apartment household.

Per household revenue was also calculated for residential water and sewer use charges. A daily flow of about 121 gallons per day was assumed for each residential unit. It is anticipated by the applicant that Williamsburg Landing Expansion will be served by a 2 inch master meter. Water and sewer flow charges will be based on the meter reading. These revenues flow to the JCSA.

Tax rates and fees found on the current James City County website and/or reported in the County's *FY 2017-2018 Two Year Adopted Operating Budgets* were used and assumed to be accurate.

Tax revenues generated by households are estimates of taxes paid by James City County businesses due to purchases made by Williamsburg Landing Expansion residents. Purchases by Williamsburg Landing Expansion residents are estimated based upon their projected spending patterns. These spending patterns were estimated using the most recent (2015) CES.

Table A-1
James City County Non-Direct Revenues, *FY 2017-2018 Two Year Adopted Operating Budgets*

Item	Revenue	Revenue per Owner Household	Revenue per Renter Household
Adult Recreation Fees & Park Revenue	$2,272,300	$ 53.33	$ 53.19
Car Rental Sales Tax	$ 110,000	$ 3.30*	$ 3.30*
Communication Sales from State	$1,700,000	$ 41.66	$ 41.66
Dog License	$ 20,000	$ 0.64	$ 0.64
E-summons Fee	$ 26,000	$ 0.25	$ 0.25
Fines and Forfeitures	$ 300,000	$ 2.94	$ 2.93
Parking Tickets	$ 5,000	$ 0.11	$ 0.11
Utility Consumption Fee	$ 350,000	$ 8.58	$ 8.58
Total	$4,783,300	$110.81	$110.66

*Base rate; adjusted by income level and age

Household incomes were estimated for Williamsburg Landing Expansion residents based upon proforma data for both duplex and apartment units provided by Williamsburg Landing. Two methodologies were used to estimate household income. The first was based on the average entry fee for each product. It was assumed that the entry fee would be paid, in most instances, with the proceeds from the sale of an existing home. It was assumed that most of the buyers would own their home with little or no mortgage and would have purchased it when the mortgage environment rule of thumb was that a house purchase would be 2.5 times annual income.

It was assumed that if the home were purchased more recently (in a 3.5 or 4.5 x income purchase qualification environment) that the smaller incomes this would predict would be offset by sale proceeds remaining after a mortgage is paid off being only a portion of the house price, so house prices would actually be much larger than the proceeds, and the income predicted using a 3.5 or 4.5 formula on the actual house price would be close to using the 2.5 formula on the proceeds. It was also assumed that, for this demographic, income after retirement does not decline substantially because Williamsburg Landing Expansion residents have done good retirement planning, and income from investments, pensions and social security now takes the place of earned income.

Using this method, average income for duplex households was estimated to be between $195,000 and $200,000 annually. Average income for apartment households was estimated to be almost $170,000.

The second method took the gross monthly rent and deducted the cost of meals (at $17.59 per meal, assuming 25 meals per month per person). It was then assumed that households would spend 30% of their monthly income on rent. This is very high but it was assumed that the psychology of entering a CCRC is that many expenses (taxes, upkeep, some housekeeping, etc.) are being taken care of, plus there is less concern about conserving money for future financial security, so people are willing to spend that much of income to live in a place like Williamsburg Landing. Using a lower percentage of income spent on rent would result in much higher income estimates.

Using this method, the average income for duplex households was estimated at about $180,000 and the average income for apartment dwellers was estimated to be almost $178,000. Averaging these two methodologies yielded income estimates of $188,675 for duplex households and $173,350 for apartment dwellers, rounded to the nearest $25. This compares to average household income Countywide of $90,400 (2015 ACS) and a median income of $73,975.

Household income expenditure tables from the CES were then used to calculate average annual household spending on retail items and restaurants (food away from home) and at grocery stores, as well as on personal services. Expenditures were estimated for the household incomes estimated for Williamsburg Landing Expansion households. These initial spending estimates were then adjusted for varying expenditure patterns by age employing the same methodology described to calculate personal property tax, above.

It was assumed that spending for hardware and building supplies would be conducted by Williamsburg Landing's maintenance department in the same magnitude as Williamsburg Landing Expansion residents would if they were the actual owners of the properties. However, none of this expenditure was assumed to occur in James City County, as both the closest Lowes and Home Depot are located in York County. Therefore, those expenditures (for household repair and maintenance) were not included in the calculation of spending generating local tax revenue.

Certain expenditures were then adjusted to take into account expenditures that would be made "on behalf" of Williamsburg Landing Expansion residents by Williamsburg Landing. Williamsburg Landing residents receive between 20 and 30 meals per month included in the monthly fee. It was estimated that this constitutes 43.7% of total food expenditures, divided equally between food at home and food away from home. Williamsburg Landing is exempt from the County's meals tax and, so, meals expenditures at Williamsburg Landing do not contribute to the County's revenues.

Other expenditures by Williamsburg Landing Expansion residents that can be expected to be lower than those of a typical household of the age and income of Williamsburg Landing Expansion households include: household operations and furnishings. Half of predicted expenditures for laundry and cleaning products were deducted to account for cleaning services provided by Williamsburg Landing. Furnishing expenditures were reduced by the predicted expenditures for major appliances and half of expenditures for floor coverings and half of expenditures for household textiles (curtain, drapes).

The spending estimates were then used to calculate local sales and meals taxes generated by Williamsburg Landing Expansion at James City businesses, as well as the business license fees from revenue generated by this spending.

Adjustment was then made for purchases made outside the County. Because of the high volume of spending by tourists and regional outlet shoppers at James City County businesses, the standard model for calculating leakage of retail spending does not work for the County. Apparel, furniture and food and beverage establishments are particularly vulnerable to overestimation of spending in James City County by County residents. Grocery spending, as well, yielded an index indicating a net inflow of dollars from shoppers not residing in James City County.

In order to adjust for the "tourism" effect, a retail shopping gradient model was used to estimate the retention of Williamsburg Landing Expansion residents' retail spending in James City County. The gradient model was calibrated to be sensitive to shopping decisions likely to be made by shoppers of the age and income level that will be found at the Williamsburg Landing Expansion.

The gradient model, briefly described, plots retail locations and their distances from the subject development. All other things held equal, it is assumed that shoppers are less likely to patronize competing retail outlets the farther the distance from their residence. Distance is measured in driving time and the propensity to shop at a given location is calculated as the reciprocal of the distance in minutes, with 1 minute given a weight of 1, 2 minutes a weight of 0.5, 3 minutes a weight of 0.33 and so on.

Only the closest same store location is mapped and stores at which residents are unlikely to shop are either excluded or given a lower weight. Distance weighted scores are disaggregated by locality and summed for the host locality and all other localities. The sum of the host locality score divided by the sum of all distance weighted scores is the best estimate of the percentage of spending retained in the host locality.

Gradient models were developed for grocery spending, food away from home, and shopping goods. Residents of the Williamsburg Landing Expansion cottages were assumed to be as mobile (willing to travel) as the average James City County resident. Residents of the proposed apartments were assumed, on average, to be somewhat less mobile, as some of the older residents will have given up driving. While the area mapped for both unit types was kept the same, the gradient weights for the apartment dwellers were increased for nearer distances with the weights declining as distance increased. A distance within 5 minutes was given a weight of 1.5 with the weight declining by .05 for every minute over 5 minutes, stabilizing at a weight of 1 (15 miles). This differential was not applied to the calculation of the shopping goods distance gradient.

The mapping of grocery stores was limited to a 15 minute drive time (with Whole Foods and Costco being the exceptions). Stores with a substantial grocery section (such as Wal-Mart) were included. For food away from home, fast food, QSR and buffets, casual dining and family style restaurant establishments were plotted within a ten minute drive time. Other restaurants were plotted within a twenty minute drive time. Shopping goods locations were plotted over a radius that included the farthest retail node or mall with a unique store, but not greater than 30 minutes. Shopping goods locations were weighted by the number of unique anchor stores in each location.

Twelve grocery stores or food outlets were identified within the Williamsburg Landing Expansion shopping area. Six—Food Lion at Williamsburg Crossing, Kroger on Ironbound Road, Trader Joe's, Martin's, Fresh Market and Farm Fresh on Monticello Avenue—were located in James City County. The other six are located in Williamsburg, York County or Newport News and include: Whole Foods and Costco in Newport News, Harris Teeter in Williamsburg, and the future Sam's Club at Marquis Center, the Lightfoot Wal-Mart and Farm Fresh on Merrimac Road in York County. There was only a difference of one minute driving distance between Williamsburg Landing and the two Farm Fresh stores and, therefore, each was given a weight of 0.5, assuming that Williamsburg Landing Expansion residents would choose between one or the other. The distance weighting methodology yielded an estimate of 63.34% of spending on food at home, ABC and tobacco expenditures remaining in the County for the Williamsburg Landing Expansion cottage dwellers and 66.57% for the apartment dwellers.

The restaurants plotted are located primarily in or near Williamsburg Crossing, New Town and the Monticello Road area, McLaws Circle and the City of Williamsburg. Seventeen of the 23 fast food, QSR, buffet, casual dining and family style restaurants were located in James City County. However, only 8 of the 17 finer dining restaurants were located in James City County. These latter were weighted twice the other restaurants both because more money is likely to be spent per meal at these establishments and residents of Williamsburg Landing are more likely to favor those restaurants over fast food and casual dining restaurants. The distance weighting methodology yielded an estimated 64.27% of food and beverage spending away from home by Williamsburg Landing Expansion households remaining in the County for cottage dwellers and 65.62% for apartment dwellers.

Williamsburg Landing residents can purchase meals from the Williamsburg Landing dining facilities in addition to those provided in their meal plans. Because of its proximity, the Williamsburg Landing facilities were given a weight of 2 for duplex dwellers and 3 for apartment dwellers. When Williamsburg Landing was added to the distance gradient formula, the percentage of food and beverage spending away from home by Williamsburg Landing Expansion households that was expected to occur in the County increased to 72.14% for duplex cottage dwellers and to 73.53% for apartment dwellers. Thus, it can be estimated that 7.87% of food away from home spending by Williamsburg Landing Expansion duplex residents occurs at Williamsburg Landing and 7.91% of such spending by apartment dwellers, likewise, occurs at Williamsburg Landing.

However, because Williamsburg Landing is exempt from the County's meals tax, this spending is equivalent to spending outside the County. Recognizing that dining at Williamsburg Landing would substitute for dining at restaurants both within and outside the County, this "spending loss" was divided proportionally (according to the original retention percentages) between in-County and out-of-County restaurants. Thus, the originally calculated retention rate for duplex dwellers was reduced by 5.06% to 59.21% and the originally calculated retention rate for apartment dwellers was reduced by 5.19% to 60.43%.

Five retail centers were identified as destinations for shopping goods purchases—Williamsburg Premium Outlets, the New Town/Monticello area, the Marquis Center, Cedar Lane Shopping Center in Lightfoot, and the Patrick Henry retail district. Two of these locations are located in James City County. In addition to the distance weight, each location was weighted for selection, based on the number of unique anchors or cluster of junior anchors. Williamsburg Premium Outlets was given a weight (multiplied by the distance weight) of 7, the New Town/Monticello Avenue area was given a weight of 2, the Marquis Center was given a weight of 4, Cedar Lane Shopping Center in Lightfoot was given a weight of 2 (with Lowes and Home Depot combined as one anchor equivalent) and the Patrick Henry retail district was assigned a weight of 6, which was doubled in recognition of this being the region's dominant shopping district.

The distance gradient model calculated that 38.97% of shopping goods purchases by Williamsburg Landing Expansion residents would take place in James City County. As noted above, 100% of home goods and repair shopping was assumed to occur in York County. For the purpose of calculating total non-food retail spending, 70% of total retail spending was assumed to be for convenience goods with 30% for shopping goods. Grocery spending was used as a proxy for convenience spending, as stores at which convenience spending occurs typically are located near grocery stores. Thus, excluding hardware store expenditures, 56% (the blended rate) of non-food retail spending by Williamsburg Landing Expansion duplex residents was assumed to occur in James City County (58.29% for Williamsburg Landing Expansion apartment dwellers).

Accordingly, for Williamsburg Landing Expansion duplex residents, 63.34% of taxes derived from grocery spending, 59.21% of taxes derived from meals spending, 56% of taxes derived from other retail spending and 0% of taxes derived from home goods and repair spending were assumed to be received by James City County (with the remainder received by other surrounding localities). For Williamsburg Landing Expansion apartment dwellers, these tax revenue retention percentages were 66.57%, 60.43%, 58.29% and 0%, respectively.

James City County does not have an admissions tax or a tobacco tax.

Thus, spending per household according to the income level of Williamsburg Landing Expansion residents (calculated from the CES for each unit type) was multiplied by the appropriate retention percentage estimates in order to capture only spending that would occur in James City County. These per household spending estimates were then multiplied by the number of occupied units at Williamsburg Landing Expansion for each unit type. The resulting retail spending estimates were then multiplied by the 1% local sales tax and 0.2% retail business license fee (or in the case of personal service spending by 0.36%) to calculate those revenue streams. Restaurant spending was multiplied by the County's 4% meals tax to calculate that revenue stream.

Cost Calculations

Costs were variable operating costs of government per household. No capital costs were assumed as adequate infrastructure is presumed to exist or will be installed by the developer and the additional buildings at Williamsburg Landing will not increase the volume of police patrols or create the need for a new fire station or fire equipment. Cost data and assumptions were derived from the County's *FY 2017-2018 Two Year Adopted Operating Budgets*.

When calculating the variable per household cost of public services, some public services are consumed by households only and some public services are consumed by households and businesses (i.e., recreational services would be assigned completely to households, since businesses do not directly consume these services). For those public services that serve businesses and households, the costs generated by businesses and the costs generated by households must be distinguished and only costs generated by households are to be attributed to Williamsburg Landing Expansion. (While Williamsburg Landing is a business, it already exists and the expansion of its operations will not increase the County's cost of providing services to the business.)

Per household and per business variable costs were determined in the following manner. Business establishments and households were considered to be equal units from the standpoint of generating pubic service costs, when both households and business establishments consumed those services A percentage of each service whose consumption was shared by households and businesses was allocated to households and to businesses according to the formula on the following page.

$$\%HH = HH/(HH + B)$$
$$\%B = B/(HH + B)$$

Where, %HH = Percent Allocated to Households
% B = Percent Allocated to Businesses
HH = the Number of Households
B = the Number of Businesses

Per household variable costs were then determined according to the following formula:

$$VC_{HH} = VC \times \%HH/HH$$

Where VC_{HH} = Variable Cost per Household
VC = Total Variable Cost (of a government function)

Per business costs are not relevant for this fiscal impact analysis, as no commercial development is proposed for the Williamsburg Landing Expansion. However, it is necessary to calculate these in order to determine true per-household costs.

To calculate revenues per household, revenue is simply substituted for expenditure in the formula above. In the case of those revenues for which businesses are assumed to generate an amount per unit other than do households, the above formula for the calculation of allocation to households and businesses was adjusted by multiplying the number of businesses by the determined factor (see above under the discussion on "Revenues"). The adjustment to the % allocated to households then results in an adjustment to revenues by households.

Governmental functions that serve both households and businesses were:

- Adult criminal and civil justice (Courthouse, Clerk of Court, Commonwealth Attorney, Police, Sheriff), since crimes are committed against (and by) businesses as well as persons (however, the Regional Jail and Regional Juvenile Detention Center costs were attributed only to households, since it is people from households, not businesses, who populate these facilities)
- Commissioner of the Revenue and Treasurer (both businesses and households are taxed)
- E-911 Operations and Fire & Rescue (response events occur at businesses and households) and
- Accounting, Human Resources, Information Resources and Purchasing (which support all County governmental functions).

The cost of government functions which serve only households was distributed across the number of households, only, resulting in a higher per-household cost than if costs were distributed among both households and businesses.

The cost of providing certain government services, though calculated on a per-household basis, was deemed to be sensitive to household size. These are services that are provided directly to individuals, rather than being provided to the household unit. Household sizes at Williamsburg Landing are significantly smaller than the Countywide average. Data on the expected average household size at the Williamsburg Landing Expansion was provided by Williamsburg Landing and was calculated as 1.865 persons per household for the duplex units and 1.86 persons per household for the apartment units. For these functions, per household costs were adjusted to take into account the smaller household sizes at the Williamsburg Landing Expansion.

Data from the ACS was used to compute this adjustment according to the following formula:

$$VC_{WLEHH} = VC_{HH} / PHH \times PHH_{WLE}$$

Where VC_{WLEHH} = Variable Cost per Williamsburg Landing Expansion Household

VC_{HH} = Variable Cost per James City County Household

PHH = Average Persons per Household in James City County

PHH_{WLE} = Persons per Household at Williamsburg Landing Expansion

Those government functions that are sensitive to household size were:

- Adult criminal justice functions, including incarceration
- E-911
- Library
- Recreation services.

However, it was recognized that the police patrol function is less sensitive to household size than other adult criminal justice functions. Therefore, only half of the Police department variable costs were adjusted for household size.

A similar calculation was made in order to determine the Voter Registration and Elections cost per household at Williamsburg Landing Expansion. It was assumed that, for the most part, a household could contain 1 or 2 potential voters, with 1-person households containing 1 potential voter and all other households containing 2 potential voters.

The average variable cost of Voter Registration and Elections services per potential voter was first calculated using the formula shown on the following page.

$$AVC_{pv} = TC / (R_{1pHH} + 2R_{2pHH} + O_{1pHH} + 2O_{2pHH})$$

Where AVC_{pv} = average cost per potential voter
TC = Voter Registration and Elections total variable cost
R_{1pHH} = the number of 1-person renter households
R_{2pHH} = the number of renter households with 2 or more persons
O_{1pHH} = the number of 1-person owner households
O_{2pHH} = the number of owner households with 2 or more persons

Data were derived from the ACS.

As noted above, Williamsburg Landing Expansion apartment dwellers were assumed to act like renters, demographically, and Williamsburg Landing Expansion duplex dwellers were assumed to act like owners. The average number of potential voters per Williamsburg Landing Expansion apartment household was then calculated using the formula shown on the following page.

$$PV_{WLEA} = PPH_{WL} \times (PPH_{WL}/((R_{1pHH} + R_{2pHH}) / R))$$

Where PV_{WLEA} = the average number of potential voters per Williamsburg Landing Expansion apartment household
PPH_{WL} = Persons per Williamsburg Landing Household
R = the number of renter households in James City County and
the expression $(PPH_{WL}/((R_{1pHH} + R_{2pHH}) / R))$ is the ratio of Williamsburg Landing household size to the adults only household size for James City County renters

The average number of potential voters per Williamsburg Landing Expansion duplex unit was calculated using the same formula but substituting owner households for renter households with the per-voter variable cost for Williamsburg Landing Expansion Duplexes represented by PV_{WLED}. The average variable cost of Voter Registration and Elections services to renter households was then calculated using the formula shown below:

$$AVC_{WLE} = AVC_{pv} \times (PV_{WLEA} + PV_{WLED})$$

Where AVC_{WLE} = the average variable cost of Voter Registration and Elections services to Williamsburg Landing Expansion households

To calculate the cost per unit of service for water and sewer billing services, the number of sewer customers was used in place of the number of households in the County. It was assumed that sewer customers were also County water customers and that both bills would be sent out together. The County's sewer system serves a larger number of customers than does its water system. Williamsburg Landing Expansion will be served by both the County's water and sewer systems.

The apartment building will be served by a single master meter while each duplex unit will be served by an individual meter. Thus, the Williamsburg Landing Expansion will add 31 customers to the County's billing process. Once extended by the developer, the water and sewer main lines will be deeded to the JCSA for maintenance. Although these new lines will require little or no maintenance during the analysis period, a per linear foot maintenance cost was included as a cost to the JCSA.

Variable costs associated with the provision of additional water flow and the collection and/or treatment of additional sewage flow were assumed to be for increased utility payments (by JCSA) and increased operating supplies. With a limited staff devoted to water and sewer line maintenance, personnel costs were deemed to be fixed costs. Fifty percent (50%) of utility costs in the water and sewer operation portion of the JCSA budget was assumed to be for facility heating, cooling and lighting and, therefore, a fixed cost. The number of personnel operating these facilities was assumed not to vary with marginal increases in water or sewage flow.

However, this budget detail was not available in the *FY 2017-2018 Two Year Adopted Operating Budgets.* Therefore, these costs derived previously from the FY 2014 County budget were multiplied by the ratio of FY 2018 "direct expenses" line item cost to the FY 2014 "direct expenses" line item cost. This assumes that all direct expenses increased at the same rate during this period, which may not be accurate. However, without budget detail, this method provided the best estimate of these variable costs. This methodology was used to calculate both sewer and water operations variable costs. These costs were then used to calculate the per-linear foot cost by dividing them by the length of water and sewer lines estimated to be maintained by the JSCA, respectively, as found in the County's *Operating Budgets*.

The cost per unit of service for the County's Real Estate Assessor was calculated using the number of assessed parcels, rather than the number of households. This was derived from the County's *FY 2017-2018 Two Year Adopted Operating Budgets*. Although technically, the Williamsburg Landing Expansion will add only one service unit to the Assessor's workload, that service unit was deemed equivalent to four service units (land, apartment building, and two duplex styles).

The County's stormwater management division was deemed to have no variable costs associated with the Williamsburg Landing Expansion. Per state and federal regulations, all stormwater will be contained onsite, resulting in no increased stormwater maintenance burden for the County.

Government functions for which Williamsburg Landing Expansion's population would generate no significant demands were then excluded from the calculation of per household variable costs. These functions include those shown on the following page.

- Health Services (the household income levels of residents of Williamsburg Landing Expansion make it extremely unlikely that these households will ever demand health clinic services from the County)
- Regional Juvenile Detention Center contribution (no juveniles reside at Williamsburg Landing)
- Satellite Services Office (this is located in Toano and both the County's main offices and the main DMV office are significantly closer to Williamsburg Landing Expansion)
- Social Services (the household income levels of residents of Williamsburg Landing Expansion make it extremely unlikely that these households will ever demand social services from the County)
- Solid Waste Management (commercial haulers serve Williamsburg Landing and will also serve the proposed expansion)

Government functions that would be performed regardless of population size were also excluded. These include those shown below and on the following page:

- Board of Supervisors
- Building and Safety Permits (the permitting and inspection of Williamsburg Landing Expansion can easily be absorbed with existing staff)
- Capital projects
- Cooperative Extension Service (contribution which is not based on a per-capita formula)
- County Attorney
- County Manager
- Development Management
- Economic Development
- Emergency Management
- Engineering and Resource Protection
- Facilities Maintenance
- Financial and Management Services
- Fleet and Equipment (variable costs of travel and motor fuel are included in relevant department costs)
- General and Capital Services
- Grounds Maintenance
- Health Services contributions which are not based on a per-capita formula
- Non-departmental
- Other regional entities (contributions which are not based on a per-capita formula)
- Outside agencies (contributions which are not based on a per-capita formula)
- Parks and Recreation, parks component
- Planning
- Tourism
- Zoning Enforcement

Certain administrative support functions are substantially fixed costs (since they must be provided) but have a variable cost component (since they serve County functions that incur variable costs from population growth). In order to calculate the percentage of the variable costs of these functions that should be counted (as supporting other variable costs), the personnel expenses for those functions that were primarily variable in nature was divided by all County operating fund personnel expenses. This percentage (54.97%) was then applied to the variable costs incurred by the following functions:

- Accounting
- Human Resources
- Information and Resource Management
- Purchasing

Various adjustments were made to expenditure line items to arrive at the County's variable cost of providing public services.

Generally, positions that must be provided for a department to function and that are not expandable due to population growth ("fixed cost positions") were excluded from the cost analysis. This would typically include director and assistant director positions. Since a detailed breakdown of personnel costs by function was not available from the County, the percentage of total salaries and fringe benefits accounted for by these positions was estimated. In most cases, comparable percentages from the York County operating budget, which did have sufficient detail, were used. The unweighted average of these percentages was 12.365% and the percent of administrative salaries ranged from 4.32% for E-911 Operations to 20.865% for Human Resources. In the case of those functions for which the percentage of administrative salaries was not available from the York County budget, estimates of 10% were used for Information Resources Management and the Regional Jail. For the Real Estate Assessor's office, an estimate of 12.875% was used based on the assumption that the Assessor's salary was 33% greater than the department average.

Various other types of line item costs were also excluded as fixed costs to the County. Among other items, these include:

- advertising, except for Human Resources
- building maintenance
- contractual services
- dues/memberships/subscriptions
- duplicating (although there is a variable cost component, most of the cost is the fixed cost of copier leasing), except Parks and Recreation
- equipment maintenance
- furniture and equipment
- leases and rentals
- recognition
- software
- telephone
- utilities.

Variable cost expenses that were typically included are:

- personnel salaries and fringe benefits
- office supplies
- operating supplies/materials
- travel and training.

Other costs were included as variable costs if they were a function of service provision to citizens or expenses incurred primarily by non-administrative personnel. These costs include:

- clothing purchases/rental and uniform care
- local travel
- motor fuels
- postage
- printing
- records management
- travel and training/staff development/other training.

For the Police department, operating equipment and/or operating equipment replacement was included and, for both the Police and Fire/EMS departments and the Regional Jail, vehicles and/or vehicle replacement were included as a variable cost simply due to the large numbers of equipment and vehicles associated with staffing size and demand for services.

Other line items included for specific functions were:

- food, laundry, medical and security supplies; inmate programs; and transportation for the Regional Jail
- food, medical supplies, merchandise for resale, and trips and events for Parks and Recreation
- juror payments for the Clerk of Court
- medical supplies for Fire/EMS (the EMS function) and
- offender services and non-administrative transition services for Colonial Community Corrections

The County makes lump sum contributions to a number of regional organizations, including Colonial Community Corrections, Regional Jail and Williamsburg Regional Library. As budget detail was unavailable for these regional organizations, budget details obtained for a previous fiscal impact analysis in James City County using FY 2014 data were updated using available data. For the two criminal justice agencies, variable costs previously calculated were assumed to have increased by the growth in the County's contribution from FY 2014 to FY 2018. With respect to the originally estimated costs, variable costs were first determined from their respective FY 2014 operating budgets.

The County's share of these variable costs was then calculated by applying the County's contribution as a share of the agency's total budget according to the following formula:

$$VC_{JCC} = VC_A \times Cont_{JCC}/TC_A$$

Where, VC_{JCC} = James City County's share of variable costs
VC_A = the agency's variable costs
$Cont_{JCC}$ = James City County's contribution to the agency and
TC_A = the agency's total costs.

This result was then updated by applying the percentage growth in the County's contribution from FY 2014 to FY 2018 ($Cont_{JCCFY2018}$/ $Cont_{JCC2014}$).

In the case of the Williamsburg Regional Library, the percentage fixed costs (12.46%) was obtained from information provided by James City County for a separate fiscal impact analysis. The FY 2014 results were then adjusted by using the current ratio of the County's contributions to the total budget and multiplying the FY 2014 data by the change in the Library's total budget from FY 2014 to FY 2018.

Lacking sufficient budget detail, certain adjustments were made to the cost of various functions to exclude fixed cost portions of those functions. Within Parks and Recreation, the parks function is largely a fixed cost, since parks are maintained and patrolled regardless of incremental changes in population size. The recreation component is largely a variable cost function, since services are provided to individual citizens. It was assumed that one-half the cost of personnel and fringe benefits, local travel, medical supplies, motor fuels, office supplies and operating supplies could be assigned to the parks division. Additionally, it was assumed that one-half the cost of trips and special events was for special events, which is a fixed cost.

As noted above, billing associated with water and sewer services was considered to be a variable cost. This function was not broken out in the County's *Adopted Budget* but, based on previous inquiries to County staff, was assumed to reside in the Water Fund. An estimate of the cost of this activity was calculated by adding 10% of salaries, fringe benefits and training in the Administration division to 50% of the cost of duplicating and postage from the Administration and Water accounts and 50% of the cost of office supplies from Administration.

As noted above (under "Revenue Calculation"), Williamsburg Landing Expansion residents are expected to have little involvement with the criminal justice system. Costs associated with criminal justice were, thus, reduced appropriately to Williamsburg Landing Expansion's fiscal impact. Colonial Community Corrections, Commonwealth Attorney, and the Regional Jail costs per Williamsburg Landing Expansion household were reduced by 97%. Accounting for civil case activity (Williamsburg Landing Expansion residents would not generate any deed recordation activity), Clerk of Court and Courts/Judicial costs per household were reduced by 57.25%. Based on the proportion of criminal and civil cases handled by the Sheriff's office, Sheriff's costs were reduced by 11.43%. Accounting for traffic violations and patrol activity, Police costs were reduced by 75%.

E-911 costs were adjusted to count only costs for 911 calls and not internal police calls, which are not expected to rise significantly with the expansion of Williamsburg Landing. The percentage of 911 calls to total calls handled (62.37%) was computed from the *FY 2017-2018 Two Year Adopted Operating Budgets.*

Finally, revenues from the Commonwealth and other non-County sources were deducted from the calculated variable costs to leave only the County's variable operating costs. Revenues deducted included those shown below:

- Commonwealth shared expense contributions to the following functions:
  - Clerk of Circuit Court
  - Commissioner of the Revenue
  - Commonwealth Attorney
  - General Registrar
  - Sheriff
  - Treasurer
- HB 599 distributed proportionally according to budget size among:
  - Commonwealth Attorney
  - Judiciary
  - Police
  - Sheriff
- City of Williamsburg contributions to:
  - Accounting
  - Animal Control
  - Clerk of Court
  - Commonwealth Attorney
  - Courthouse
  - Sheriff
  - Treasurer
- Ambulance fees, ALS/BLS fees and training service fees to Fire/EMS
- Excess clerk fees to Clerk of Courts
- User fees and program income to Parks and Recreation
- Various user agency contributions ("credits/other") to
  - Accounting
  - E-911
  - Human Resources
  - Information Resources Management
  - Police
  - Treasurer

These revenues are, of course, applied to both variable and fixed costs. When subtracted from line item costs, these revenues were, therefore, distributed between variable and fixed costs. This was done using the formula shown on the following page.

$R_{VC} = R \times VC/TC$

Where, R_{VC} = Revenues assigned to variable costs
R = All revenues
VC = Variable costs of the line item function
TC = Total cost of the line item function

Table A-2 on the following page details the County's variable cost expenditures for households and expenditures per household. Table A-3 on page A-27 details the County's variable cost expenditures for per unit other than the household.

Table A-2
James City County Non-School Expenditures: Expenditure per Duplex and Apartment Household, FY 2018

Item	Expenditure	Expenditure per Duplex Household	Expenditure per Apartment Household	Notes
Accounting	$ 66,125	$ 1.99	$ 1.99	54.97% of variable costs; Excludes contributions from various agencies
Animal Control	$ 171,425	$ 5.46	$ 5.46	Excludes costs paid by Williamsburg
Clerk of Circuit Court	$ 49,925	$ 0.47	$ 0.47	Excludes fees and costs paid by Commonwealth and Williamsburg
Colonial Community Corrections	$ 9,025	$ 0.01	$ 0.01	Criminal incidence adjustment
Commissioner of the Revenue	$ 555,675	$ 16.69	$ 16.69	Excludes costs paid by Commonwealth.
Commonwealth Attorney	$ 203,100	$ 0.13	$ 0.13	Excludes costs paid by Commonwealth and Williamsburg; criminal incidence adjustment
Courts/Judicial	$ 305,750	$ 4.14	$ 4.14	Excludes costs paid by Commonwealth and Williamsburg; criminal incidence adjustment
E-911	$ 1,137,100	$ 25.18	$ 25.11	Excludes credits/other; 911 calls only
Fire/EMS	$ 3,737,125	$112.27	$112.27	Excludes fees
Human Resources	$ 214,850	$ 6.46	$ 6.46	54.97% of variable costs; Excludes credit/other
Information Resources Mgmt	$ 1,640,275	$ 49.28	$ 49.28	54.97% of variable costs; Excludes credit/other
Library	$ 3,145,850	$ 69.67	$ 69.48	
Parks & Recreation	$ 1,142,275	$ 25.30	$ 25.23	Excludes estimated costs of Parks; Excludes fees
Police	$ 7,662,825	$113.63	$113.40	Excludes costs paid by Commonwealth and credit/other; criminal incidence adjustment
Purchasing	$ 119,775	$ 3.60	$ 3.60	54.97% of variable costs;
Regional Jail	$ 1,740,250	$ 1.16	$ 1.15	JCC share of variable costs; criminal incidence adjustment
Sheriff	$ 387,875	$ 7.61	$ 7.59	Excludes costs paid by Commonwealth and Williamsburg; criminal incidence adjustment
Treasurer	$ 860,450	$ 25.85	$ 25.85	Excludes costs paid by Commonwealth and Williamsburg.
Total	$23,149,675	$468.90	$468.31	

Rounded to the nearest $25

Source: *James City County FY 2017-2018 Adopted Operating Budgets*

Table A-3
James City County Non-School Expenditures: Expenditures per Service Unit other than Households, FY 2018

Item	Expenditure	Expenditure per Service Unit	Notes
Assessor	$641,675	$18.62	Per parcel
Sewer Operations	$290,925	$12.03	Per sewer customer
Voter Registration and Elections	$285,125	$ 5.65	Per potential voter; Excludes General Registrar costs paid by Commonwealth; Adjusted for 1-voter households
Water and Sewer billing	$515,525	$21.31	Per sewer customer
Water Operations	$985,900	$43.85	Per water customer

Rounded to the nearest $25

Source: *James City County FY 2017-2018 Adopted Operating Budgets*

AIRPORT LAYOUT PLAN

Airport Layout Plan Update

Williamsburg-Jamestown Airport - Williamsburg, Virginia

NO.	DESCRIPTION	DATE
1	ALP UPDATE	4/97
2	REVISED PER ADDITIONAL RUNWAY ANALYSIS	10/1/97
3	REVISED TO SHOW FACILITIES CONSTRUCTED AS OF MAY 2004	5/19/04
4	COUNTY COMMENTS	5/24/04

REVISIONS

TALBERT&BRIGHT

ENGINEERING & PLANNING CONSULTANTS
10500 TRADE ROAD, SUITE 100
CHESTERFIELD, VIRGINIA 23832
PHONE: 804-768-6676 FAX: 804-768-6671

DOAV APPROVAL OF THIS AIRPORT LAYOUT PLAN (ALP) REPRESENTS ACCEPTANCE OF THE GENERAL LOCATION OF FUTURE FACILITIES DEPICTED. DURING THE PRELIMINARY DESIGN PHASE, THE AIRPORT OWNER IS REQUIRED TO RESUBMIT FOR APPROVAL STRUCTURES, DOAV CONCERNS ARE OBSTRUCTIONS, IMPACT ON ELECTRONIC AIDS AND ADVERSE EFFECT OF CONTROLLER VIEW OF AIRCRAFT APPROACHES AND GROUND MOVEMENTS, WHICH COULD ADVERSELY AFFECT THE SAFETY, EFFICIENCY OF UTILITY OF THE AIRPORT.

RECEIVED
JUN 2004
PLANNING DEPARTMENT

1"=300' scale feet 300 0 300 600

Date	DATE
Scale	1"=300'
Drawn	REK
Checked	MDK
Project No.	4205-9702
Sheet No.	1
Of	1

Williamsburg-Jamestown Airport, Inc. Date

Virginia Department of Aviation Date

NO.	MODIFICATION	WAIVER	DATE

SUP-15-04

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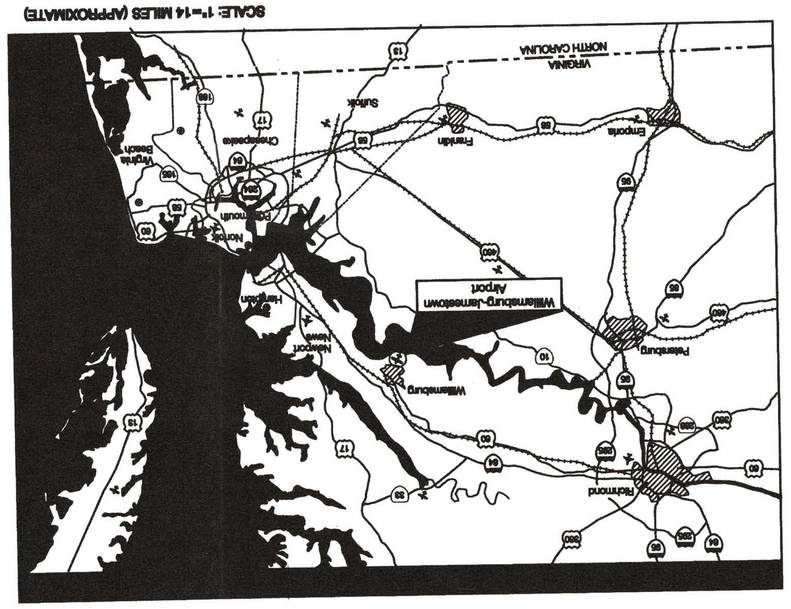
SCALE: 1"=14 MILES (APPROXIMATE)



BASIC DATA TABLE

ITEM	EXISTING	PROPOSED
AIRPORT ELEVATION (MSL)	49'	49'
AIRPORT REFERENCE POINT (ARP) COORDINATES (NAD 83)	LAT. N 37° 14' 21.0" LONG. W 76° 42' 57.9"	LAT. N 37° 14' 21.0" LONG. W 76° 42' 57.9"
AIRPORT MAGNETIC VARIATION	9° 31' (1997)	TO BE DETERMINED
MEAN MAXIMUM DAILY TEMPERATURE	86.0° F	86.0° F
AIRPORT AND TERMINAL NAVAIDS	ROTATING BEACON	ROTATING BEACON
AIRPORT REFERENCE CODE (ARC)	B-I	B-II
CRITICAL AIRCRAFT	BEECH BARON	BEECH KING AIR C90

BASIC DATA TABLE

ITEM	RUNWAY 13-31 EXISTING	RUNWAY 13-31 PROPOSED
RUNWAY DIMENSIONS	3204' X 60'	3204' X 75'
EFFECTIVE GRADIENT (%)	0.84%	0.84%
PERCENT WIND COVERAGE, (12 MPH) ALL WEATHER	82.6%	82.6%
INSTRUMENT RUNWAY	VISUAL	VISUAL (23-97)
PAVEMENT TYPE	ASPHALT	ASPHALT
PAVEMENT STRENGTH/GEAR CONFIGURATION	12,500 lbs SW †	12,500 lbs SW †
APPROACH SURFACES (INNER WIDTH X LENGTH X OUTER WIDTH)	200' X 850' X 150' for RUNWAY 13 200' X 850' X 1250' for RUNWAY 31	200' X 1000' X 1250' for RUNWAY 13 200' X 1000' X 1250' for RUNWAY 31
RUNWAY LIGHTING	MIRL	MIRL
RUNWAY MARKING	VISUAL	NON-PRECISION
ELECTRONIC & VISUAL APPROACH AIDS RUNWAY 13 RUNWAY 31	REILs	REILs

† SW = SINGLE WHEEL

CROSSWIND COVERAGE	82.6%
12	

ALL WEATHER WIND ROSE

SOURCE: NATIONAL CLIMATIC DATA CENTER CLASS 7 (WIGHT & DAY) FOR LANGLEY AFB, VA. PERIOD: 1963-1968

BLDG NO.	TYPE	# OF UNITS	DEVELOPMENT STAGE
④	CORPORATE HANGAR	3	EXISTING
④A	CORPORATE HANGAR	4	EXISTING
⑧	CORPORATE HANGAR	1	STAGE I
⑫	CORPORATE HANGAR	1	STAGE I
⑮	CORPORATE HANGAR	1	STAGE I
⑯	CORPORATE HANGAR	1	STAGE I
⑱	CORPORATE HANGAR	1	STAGE III
㉑	CORPORATE HANGAR	1	STAGE III
	TOTAL	14	

BLDG NO.	TYPE	# OF UNITS	DEVELOPMENT STAGE
③	T-HANGAR	19	EXISTING
⑭	T-HANGAR	18	STAGE I
⑰	T-HANGAR	18	STAGE II
⑳	T-HANGAR	8	STAGE III
	TOTAL	63	

NO.	FACILITY	TDP ELEVATION	DEVELOPMENT STAGE	SUP. NO.	FACILITY	TDP ELEVATION	DEVELOPMENT STAGE	SUP. NO.
①	TERMINAL	65	EXISTING	26-85	⑬ NOT USED	–	–	–
②	FBO HANGAR	60	EXISTING	*	⑭ T-HANGAR (18 UNITS)	55	STAGE I	23-97
③	T-HANGAR	55	EXISTING	*	⑮ CORPORATE HANGAR (1 UNIT)	55	STAGE I	23-97
④	UNIT CORPORATE HANGAR	55	EXISTING	26-85	⑯ CORPORATE HANGAR (1 UNIT)	55	STAGE I	23-97
④A	UNIT CORPORATE HANGAR	55	EXISTING	26-85	⑰ T-HANGAR (18 UNITS)	55	STAGE II	23-97
⑤	TRAILER	50	EXISTING	TEMPORARY	⑱ CORPORATE HANGAR (1 UNIT)	55	STAGE III	23-97
⑥	AVIATION FUEL FARM (REMOVED 1999)	40	EXISTING	–	⑲ CORPORATE HANGAR (1 UNIT)	55	STAGE III	23-97
⑦	FLIGHT OPERATIONS MANAGEMENT	55	STAGE I	23-97	⑳ T-HANGAR (8 UNITS)	55	STAGE III	23-97
⑧	CORPORATE HANGAR	65	STAGE I	23-97	㉑ CORPORATE HANGAR (1 UNIT)	55	STAGE III	26-85
⑨	AVIATION FUEL FARM (CONSTRUCTED 2000)	55	STAGE I	23-97	㉒ T-HANGAR	55	ULTIMATE	**
⑩	TERMINAL EXPANSION	65	STAGE I	23-97	㉓ T-HANGAR	55	ULTIMATE	**
⑪	AIRCRAFT RESCUE & FIREFIGHTING BUILDING	55	STAGE I	23-97	㉔ CORPORATE HANGAR(S)	55	ULTIMATE	**
⑫	CORPORATE HANGAR (1 UNIT)	55	STAGE I	26-85	㉕ APRON EXPANSION (25 TIE-DOWNS) (CONSTRUCTED 2004)	–	STAGE II	23-97

* PRIOR TO SUP-26-85
** ULTIMATE DEVELOPMENT IMPROVEMENTS (BEYOND 2017) WERE NOT APPROVED UNDER SUP 23-97. NO APPROVAL IS BEING SOUGHT WITH THIS 2004 AMENDMENT.

MIDEX RUNWAY 15'	STAGE I
PAVED SAFETY OVERRUN (600' X 75')	STAGE I
APRON EXPANSION (19,000 S.Y.) (CONSTRUCTED 2004)	STAGE I
T-HANGAR TAXIWAYS	STAGE I
HELIPAD (2)	STAGE I
T-HANGAR TAXIWAYS	STAGE II
APRON EXPANSION (8,500 S.Y.)	STAGE III
T-HANGAR TAXIWAYS	STAGE III
T-HANGAR TAXIWAYS	STAGE III
APRON EXPANSION	* ULTIMATE
T-HANGAR TAXIWAYS	* ULTIMATE

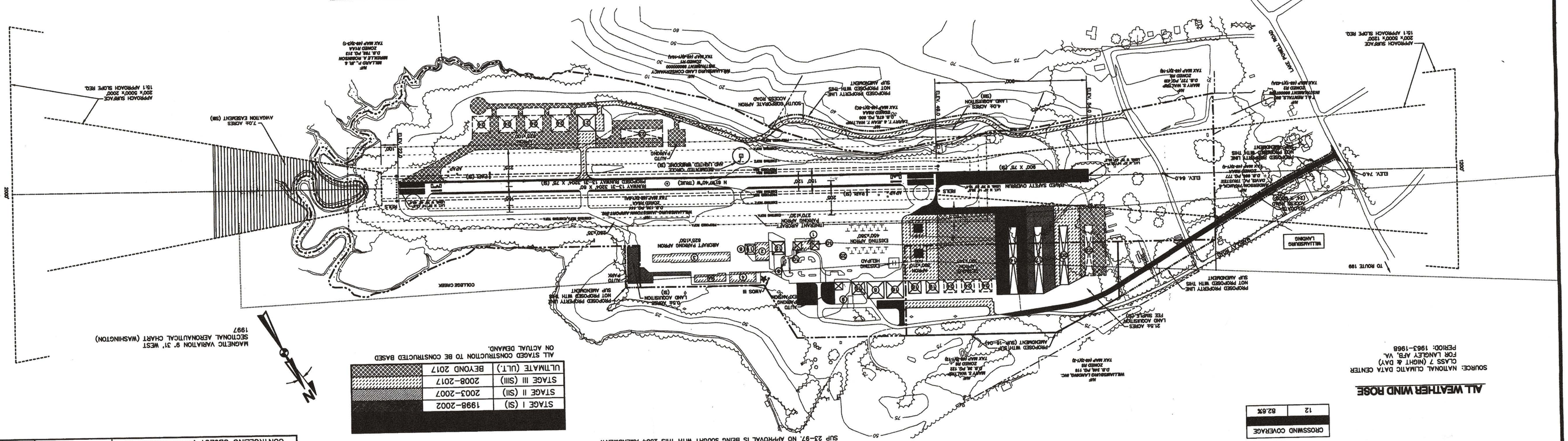
* ULTIMATE DEVELOPMENT IMPROVEMENTS (BEYOND 2017) WERE NOT APPROVED UNDER SUP 23-97. NO APPROVAL IS BEING SOUGHT WITH THIS 2004 AMENDMENT.

STAGE I (SI)	1998-2002
STAGE II (SII)	2003-2007
STAGE III (SIII)	2008-2017
ULTIMATE (ULT.)	BEYOND 2017

ALL STAGED CONSTRUCTION TO BE CONSTRUCTED BASED ON ACTUAL DEMAND.

MAGNETIC VARIATION 9° 31' WEST
SECTIONAL AERONAUTICAL CHART (WASHINGTON) 1997

	EXISTING	PROPOSED
AIRPORT REFERENCE POINT (ARP)	⊙	⊙
AIRPORT PROPERTY LINE		
AIRPORT PROPERTY LINE FOR SUP-16-04		
AVIGATION EASEMENTS		
RUNWAY PROTECTION ZONE		
RUNWAY SAFETY AREA (RSA)		
TAXIWAY SAFETY AREA (TSA)		
RUNWAY OBJECT FREE AREA (ROFA)		
TAXIWAY OR TAXILANE OBJECT FREE AREA (TOFA)		
RUNWAY OBSTACLE FREE ZONE (OFZ)		
BUILDINGS		
FENCE		
TREE LINE		
WATER/DITCHLINES		
APAP OR PAPI	‡	‡
ROTATING BEACON	✱	✱
REIL	•	•
THRESHOLD LIGHTS		
MOUNDMENTS (NAME)	◇	◇
FINAL APPROACH & TAKEOFF AREA (FATO)	FATO	FATO
HELIPAD	H	H
CONTROLLING OBJECT (HEIGHT ABOVE RUNWAY END)	● CO (81)	● CO (81)
APPROACH SURFACES		


APPROACH SURFACE 15:1 APPROACH SLOPE REQ.
7.0± ACRES AVIGATION EASEMENT (TYP)
SOUTH CORPORATE APRON ACCESS ROAD
PROPOSED PROPERTY LINE NOT PROPOSED WITH THIS SUP AMENDMENT
0.84± ACRES LAND ACQUISITION (TYP)
EXISTING APRON 400'x300'
ABOVEGROUND FUEL FARM
EXISTING HELIPAD
EXISTING T-HANGARS (3)
EXISTING T-HANGARS (4)
EXISTING CORPORATE HANGARS (4A)
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EXISTING T-HANGARS (17)
EXISTING T-HANGARS (20)
EXISTING TERMINAL BUILDING
EXISTING AUTO PARKING
EXISTING FBO HANGAR (2)
EXISTING AVIATION FUEL FARM (9)
EXISTING AIRCRAFT RESCUE & FIREFIGHTING BUILDING (11)
EXISTING CORPORATE HANGAR (10)
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EXISTING CORPORATE HANGARS (24)
EXISTING APRON EXPANSION (25)
EXISTING CORPORATE HANGAR (1)
EXISTING FLIGHT OPERATIONS MANAGEMENT (7)
EXISTING TRAILER (5)
EXISTING UNIT CORPORATE HANGARS (4)
EXISTING UNIT CORPORATE HANGARS (4A)
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EXISTING FBO HANGAR (2)
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PROPOSED PROPERTY LINE NOT PROPOSED WITH THIS SUP AMENDMENT
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EXISTING FBO HANGAR (2)
EXISTING TERMINAL (1)
EXISTING AUTO PARKING
ABOVEGROUND FUEL FARM 625'x150'
EXISTING APRON 400'x300'
EXISTING HELIPAD
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PROPOSED TERMINAL (1) (SUP-16-04)
PROPOSED AUTO PARKING

SUP-0006-2015/Z-0004-2015

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OCT 21 2015

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TOTAL UNITS APPROVED 287

INDEPENDENT LIVING UNITS 87
ASSISTED LIVING UNITS 100
NURSING UNITS 100

ADDITION/DECREASE OF UNITS PROPOSED

INDEPENDENT LIVING UNITS (No Change)
ASSISTED LIVING UNITS +31
NURSING UNITS -27

NET INCREASE +4 UNITS

LEGEND - Parcel (48-2) (1-3)

PREVIOUSLY APPROVED LAND DEVELOPMENT

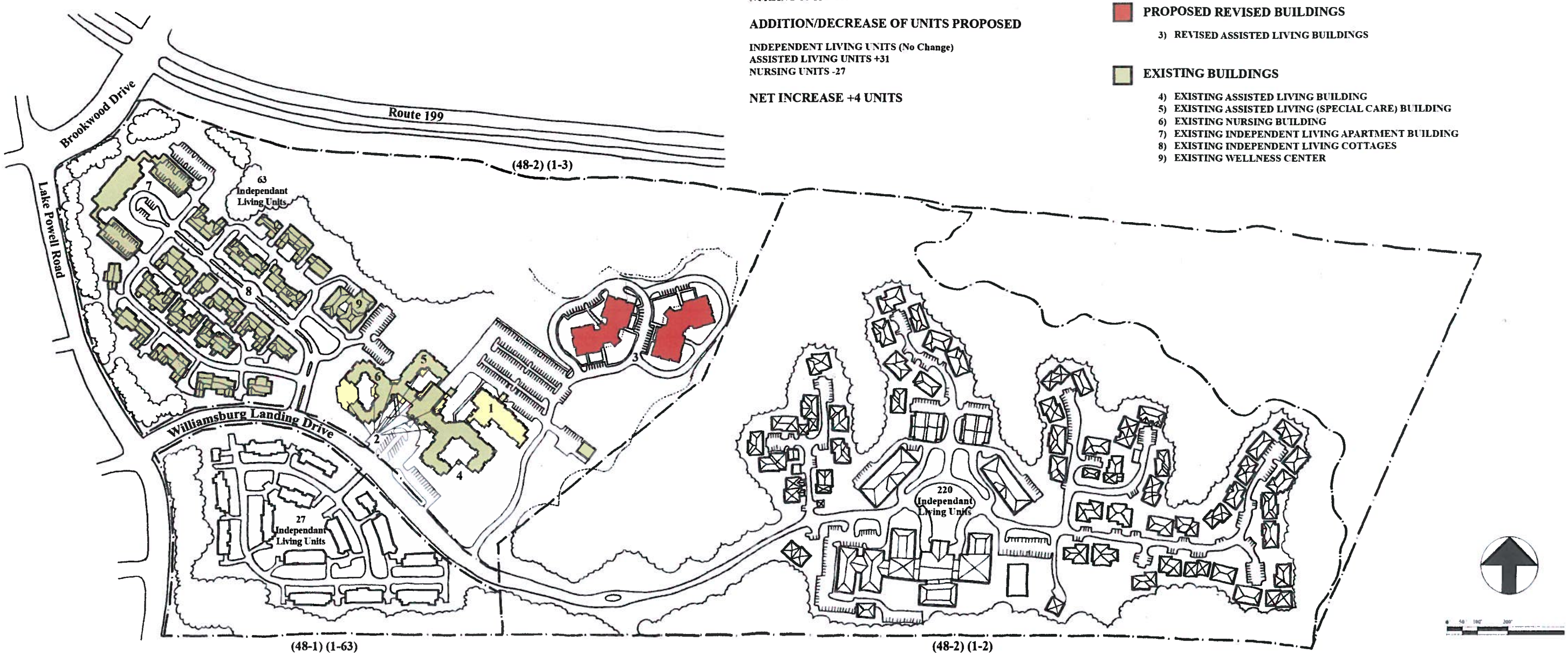
1) ASSISTED LIVING BUILDING EXPANSION & ADDITIONS
2) NURSING ADDITIONS

PROPOSED REVISED BUILDINGS

3) REVISED ASSISTED LIVING BUILDINGS

EXISTING BUILDINGS

4) EXISTING ASSISTED LIVING BUILDING
5) EXISTING ASSISTED LIVING (SPECIAL CARE) BUILDING
6) EXISTING NURSING BUILDING
7) EXISTING INDEPENDENT LIVING APARTMENT BUILDING
8) EXISTING INDEPENDENT LIVING COTTAGES
9) EXISTING WELLNESS CENTER



WILLIAMSBURG LANDING
CONCEPTUAL PLAN
OCTOBER 21, 2015

2013013
October 21, 2015

rlps

WILLIAMSBURG LANDING

WILLIAMSBURG LANDING - MARCLAY ROAD PROPERTY ARCHITECTURAL GUIDELINES

1. **DESIGN INTENT:** The architectural character of the Marclay Road Property shall be a traditional style that blends with the architecture of the existing Williamsburg Landing campus. Compatible styles include Neo-Georgian, Neo-Colonial, Neo-Classical, Neo-Federal and Southern Transitional. Contemporary interpretations of these traditional architectural styles are also permitted.

2. **WALL MATERIALS:**
    a. Wall materials shall include brick, siding, cast stone, and simulated stucco.
    b. The base of all walls at the foundation line shall be brick or cast stone
    c. Wood siding weatherboards, shiplap siding and other historic siding shapes are allowed.
    d. Cementitious panels (Hardiplank or equal) may be used in lieu of other approved materials.

3. **ROOFING:**
    a. Primary roof elements shall be sloped, with a minimum pitch of 6 units vertical over 12 units horizontal.
    b. Secondary roof elements may have lower single sloped (shed) or hip elements, as may be appropriate for the style of architecture and the element (entry, porch, bay window, covered walkway, etc.) that is being covered.
    c. Primary roofing materials shall be prefinished standing seam metal or architectural fiberglass/asphalt shingles with a minimum 30-year warranty.
    d. Low sloped membrane roofing shall be allowed if disguised behind sloped roof elements as described above. These low sloped roofing areas are encouraged where needed to reduce building mass, or are needed to screen rooftop equipment.
    e. Low slope roofing shall be membrane or modified bitumen, in white or off-white color.

4. **WINDOWS AND DOORS:**
    a. Window openings shall be traditional double hung, fixed, or casement windows, with historically influenced “divided lights” of appropriate size for scale of building.
    b. Window frames shall be anodized or prefinished aluminum, or clad in aluminum or vinyl.
    c. Entry doors shall be full glass “French” style doors or historically inspired solid doors (such as 6-panel design).

5. **COLUMNS AND TRIM:**
    a. Columns and trim are an important part of neo-traditional architectural styles, and shall be an appropriate size for the scale of building.
    b. Cornice trim shall include a frieze, soffit, fascia, crown and/or gutter system to transition from exterior wall surface to roof edge.
    c. Window trim, door trim, corner boards (at siding areas), shutters, guardrails and other architectural trims shall be used to articulate exterior wall surfaces.
    d. Trim may be closed cell PVC, prefinished metals, fiberglass or other low maintenance materials designed to simulate traditional materials.

6. **SCREENING:**
    a. Trash and recycling areas shall be screened from public view with architectural screening.
    b. Roof elements such as vents, exhausts, gas flues and other necessary roof penetrations shall be limited to rear roof planes whenever possible.

7. **EXAMPLE ARCHITECTURE PHOTOGRAPHS:** The following photographs of existing Williamsburg Landing buildings are not intended to be limiting as the only traditional styles or interpretive styles allowed, but are provided as reference for approved neo-traditional styles of architecture for the Marclay Road Property.


The Moorings


Earl's Court


Doig Health Center


Boatwright Circle



Edgewood



The Landing Building

HEIGHT LIMITATION WAIVER

Other structures in Williamsburg Landing have received Height Limitation Waivers (HW) over the 35' that is currently permitted:

- HW-02-96: Construction of a building that is 42' in height.
- HW-02-01: Construction of a building that is 50' in height
- HW-04-08: Construction of two 50', 3-story apartment buildings.
- The Landing Building, constructed in the mid-80's under different ownership, is over the height as well.

- **The R-5 Zoning District allows structures to be built up to 35 feet in height.**
- The request is for a 25-foot height waiver to allow building(s) to be constructed up to 60 feet in height above finished grade. As proposed, the taller building(s) will contain up to 70 proposed independent living facility apartments.

- Section 24-310(g) of the Zoning Ordinance states that structures in excess of 35 feet may be erected only upon the granting of a height limitation waiver by the Board of Supervisors, upon finding that:

1. Structure will not obstruct light from adjacent property;
   Staff finding: Structures will be approximately the same height or shorter than other Williamsburg Landing buildings adjacent to the site. The structure(s) will be located approximately 150' feet from structures in Williamsburg Landing. Therefore, staff finds the proposed structures will not obstruct light from adjacent property.
2. Structure will not impair the enjoyment of historic attractions and areas of significant historic interest and surrounding developments;
   Staff finding: Staff did not identify any historic attractions or areas of significant historic interest in close proximity to this project.
3. Structure will not impair property values in the area;
   Staff finding: The Director of Real Estate Assessments reviewed the proposal and determined that buildings will not negatively affect the surrounding property values. The Building Safety and Permits Division indicated that the buildings will need to comply with building code requirements, including in-building emergency communication coverage.
4. Structure is adequately designed and served from the standpoint of safety and the County Fire Chief finds the fire safety equipment installed is adequately designed and that the structure is reasonably well located in relation to fire stations and equipment, so as to offer adequate protection to life and property;
   Staff finding: The Fire Department indicates that there are building details that will need to be developed during the site plan process but they have no concerns with the proposed building(s) from a fire service standpoint.
5. Such structure will not be contrary to the public health, safety and general welfare.
   Staff finding: Generally, staff finds that the proposed buildings will not adversely affect the public health, safety or general welfare. However, one area of concern is the development's proximity to the airport. The Department of Aviation (DOAV) indicated its principle concern is the safe ingress and egress of air traffic to/from the Airport. The DOAV has indicated that no structure should be permitted to penetrate certain airspace areas (known as the FAR Part 7 surface). SUP Condition #2 would require submission of materials and review by the Federal Aviation Administration (FAA). The FAA is already evaluating the proposal; however, their findings are not available at this time.

The Height Limitation Waiver conditions are attached to this staff report (Attachment #2).

PLANNING DIVISION

FEB 16 2017

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COMMONWEALTH of VIRGINIA

Randall P. Burdette
Executive Director

Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250-2422

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ISO 9001:2008 Certified
IS-BAO Registered

February 10, 2017

Mr. Alex Baruch, Planner
James City County
101-A Mounts Bay Road
Williamsburg, Virginia 23187

RE: Williamsburg Landing Expansion

Dear Mr. Baruch:

Thank you for providing the Virginia Department of Aviation an opportunity to review and comment on the proposed Williamsburg Landing expansion. As I understand, the proposed expansion would necessitate both a rezoning and issuance of a special use permit. Furthermore, this expansion would result in the construction of an additional 135 units to the already existing Continuing Care Retirement Community (CCRC). This expansion would occur on the Northwest side of Marclay Road on approximately +/- 15.5 acres.

The Department of Aviation does not recommend any residential development occurs adjacent to a public-use airport. Although the proposed development is outside the traffic pattern for both Runway 13 and Runway 31 at the Williamsburg-Jamestown Airport, noise complaints are usually received when residences are constructed in close proximity to an airport.

An additional concern would be the potential impact a development would have on the Airport. Our principle concern is the safe ingress and egress of air traffic to/from the Williamsburg-Jamestown Airport. The Commonwealth has also invested nearly $2 million dollars in the last 20 years to ensure the Williamsburg-Jamestown Airport remains a viable asset in Virginia's air transportation system. As stewards of public funds, the Department has an obligation to protect the Commonwealth's investment.

The Department acknowledges that land use designations and uses are under the purview of local governments. Therefore the ultimate decision of whether to permit this expansion falls in the hands of James City County Board of Supervisors. Therefore, in the event the James City County Planning Commission and Board of Supervisors decides to approve this development, the Virginia Department of Aviation would like to suggest the following conditions be placed on the expansion.

Recommended Conditions to Williamsburg Landing Expansion

1. Prior to approval of the development, the James City County Planning Department should receive a "Determination of No Hazard" from the Federal Aviation Administration (FAA). This determination would be the result of an airspace evaluation following the submission of a 7460 form to the FAA by the project sponsor. The airspace evaluation will note if there are any impacts to the instrument approach procedures into the James City County Airport. A copy of a 7460 form was provided to James City County on February 6, 2017.

2. Height restrictions and/or avigation easements should be placed on the proposed development. No structure should be erected or natural vegetation growth should be permitted to penetrate an FAR Part 77 surface. During staff's cursory review, it does not appear as though the development will result in a Part 77 penetration. However, since there were no building layouts or proposed maximum building heights on the information provided, verification that there will be no penetrations was not possible. Final verification will occur for the structures once the 7460 is evaluated by the FAA.

3. In the event any vegetation growth becomes a Part 77 penetration, avigation easements or height restrictive zoning should be in place to ensure the removal of the offending trees.

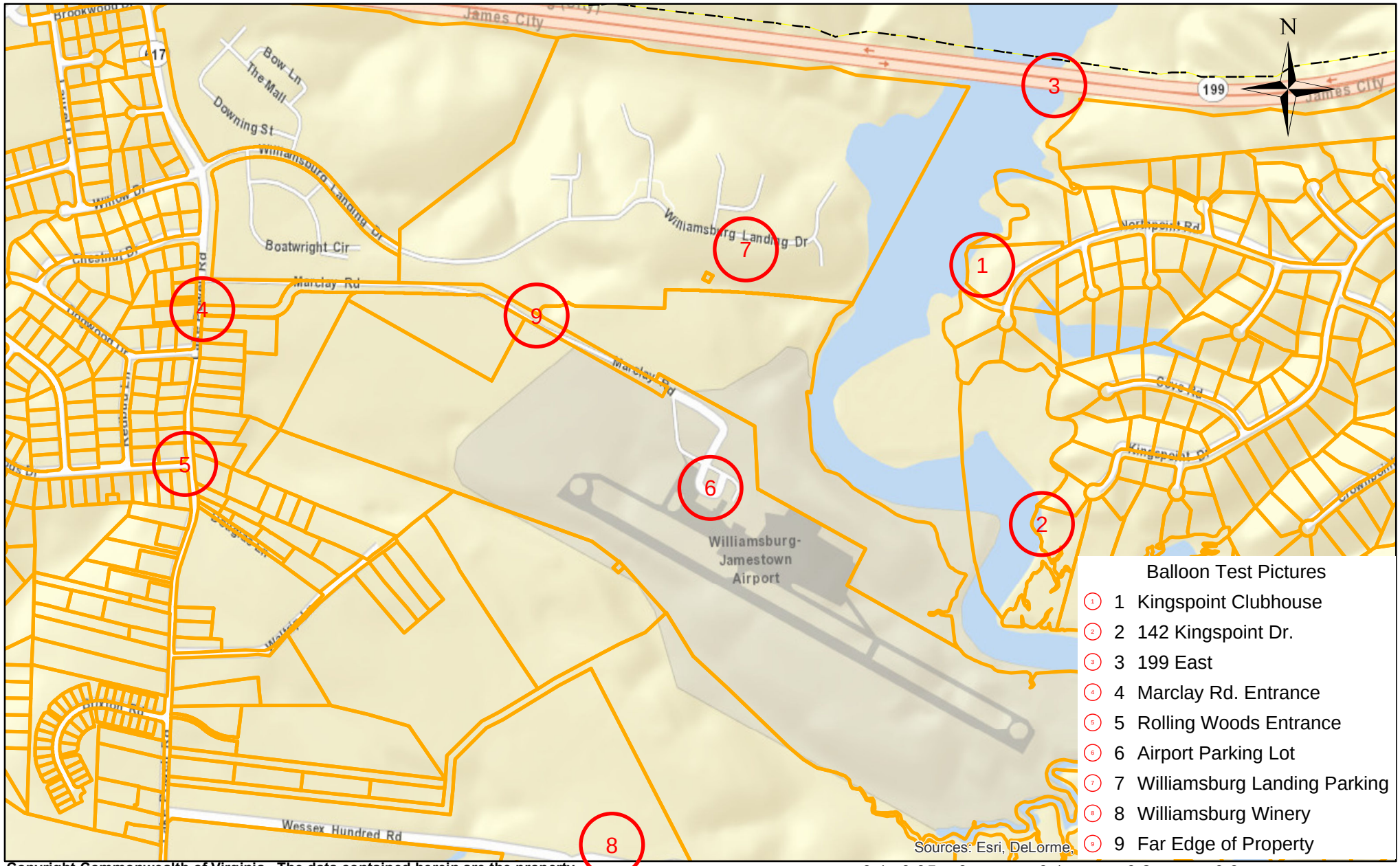
4. Any future resident should be required to sign a notice to buyer or disclosure stating that they acknowledge the residence is adjacent to an airport and are willing to accept living in an area where noise levels may frequently reach 65-70 decibels during any part of a 24 hour period.

If you have any questions about these comments or recommendations, please feel free to contact me at (804) 236-3638.

Sincerely,

S. Scott Denny
Senior Aviation Planner
Virginia Department of Aviation

JCC-Z-0001-2017/SUP-0001-2017/MP-0001-2017
HW-0001-2017
Williamsburg Landing, Marclay Rd.



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Balloon Test Pictures:

1. Kingspoint Clubhouse and Pier (balloon not visible)





2. 142 Kingspoint Drive (top of balloon could be seen just above tree line)



3. 199 Bridge Looking Down College Creek (balloon not visible)



4. Marclay Rd. Entrance (balloon visible)



5. Rolling Woods Entrance (not visible)
6. Airport Parking Lot (visible)



7. Williamsburg Landing Parking Lot Next to Tennis Court (visible through trees)



8. Williamsburg Winery (not visible)
9. Far Edge of Property at Intersection of Williamsburg Landing Service Entrance and Marclay Rd. (visible)



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2017-AEA-1892-OE

Issued Date: 06/08/2017

Paul W. Gerhardt
Williamsburg Landing, Inc.
4801 Courthouse Street
Suite 301
Williamsburg, VA 23188

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Williamsburg Landing Expansion
Location:	Williamsburg, VA
Latitude:	37-14-35.29N NAD 83
Longitude:	76-43-00.19W
Heights:	50 feet site elevation (SE)
	35 feet above ground level (AGL)
	85 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 12/08/2018 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.

(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6645, or lan.norris@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AEA-1892-OE.

Signature Control No: 323671222-333736996 (DNE)
Lan Norris
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2017-AEA-1892-OE



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2017-AEA-3012-OE

Issued Date: 06/08/2017

Paul W. Gerhardt
Williamsburg Landing, Inc.
4801 Courthouse Street
Suite 301
Williamsburg, VA 23188

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building 4-story Building
Location:	Williamsburg, VA
Latitude:	37-14-35.10N NAD 83
Longitude:	76-43-03.70W
Heights:	70 feet site elevation (SE)
	60 feet above ground level (AGL)
	130 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 12/08/2018 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.

(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6645, or lan.norris@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AEA-3012-OE.

Signature Control No: 326183125-333736997 (DNE)
Lan Norris
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2017-AEA-3012-OE



Alex Baruch

From: Denny, S. Scott (DOAV) <Scott.Denny@doav.virginia.gov>
Sent: Wednesday, September 13, 2017 3:54 PM
To: Alex Baruch
Subject: RE: Williamsburg Landing FAA Determination

Hello Alex:

Thank you for providing the Department copies of the two "Determination of No Hazard to Air Navigation" letters from FAA that resulted from Aeronautical Studies 201-AEA-1982-OE and 2017-AEA-3012-OE. Since these studies have shown the development will not result in the creation of a hazard to aircraft attempting to ingress or egress the Williamsburg-Jamestown Airport, staff will not object to the proposed development. However, it should be noted that the Department stands by our recommendations outlined in out February 10, 2017 letter.

It was a pleasure working with you on this matter. Thank you again for giving the Department an opportunity to review and comment on this development.

Sincerely,

S. Scott Denny
Senior Aviation Planner
Virginia Department of Aviation

From: Alex Baruch [mailto:Alex.Baruch@jamescitycountyva.gov]
Sent: Wednesday, September 13, 2017 3:06 PM
To: Denny, S. Scott (DOAV)
Subject: Williamsburg Landing FAA Determination

Hi Scott,

I hope you are doing well. I wanted to update you on the case since we have received additional correspondence from the applicant. The applicant sent us a copy of a letter from the FAA issuing a determination of no hazard to air navigation. We wanted to check in with you regarding the attached determination to see if that changes the DOAV's stand on the project. Thank you very much for your help. If you need any of the materials forwarded to you or to discuss this over the phone please let me know.

Sincerely,

Alex Baruch
Planner

James City County VIRGINIA Jamestown 1607

Community Development

101-A Mounts Bay Road
Williamsburg, VA 23185
P: 757-253-6689
F: 757-253-6822
jamescitycountyva.gov

KAUFMAN & CANOLES
attorneys at law

Kaufman & Canoles, P.C.
4801 Courthouse Street
Suite 300
Williamsburg, VA 23188

Mailing Address
Post Office Box 6000
Williamsburg, VA 23188

T (757) 873.6300
F (888) 360.9092

kaufCAN.com

William L. Holt
(757) 259.3885
wlholt@kaufcan.com

October 17, 2017

VIA EMAIL

Paul Holt
James City County
Community Development Department
101 Mounts Bay Road, Building A
Williamsburg, VA 23185

Re: Williamsburg Landing, Inc. – Marclay Road Property
JCC Application No. Z-0001-2017, SUP-0001-2017, MP-0001-2017, HW-0001-2017
Parks and Recreation Exception Request
K&C Matter No. 0071894

Dear Mr. Holt:

I write on behalf of Williamsburg Landing, Inc. to request an exception to the James City County Recreational Facility Development Guidelines ("Guidelines") for the above referenced applications. Pursuant to the recent adoption of the Master Plan for Parks and Recreation (April 11, 2017), an exception is allowed by the Board of Supervisors through recommendations from the Director of Planning and the Director of Parks and Recreation.

Williamsburg Landing is a large campus, age-restricted community and residents of the proposed development would have access to the recreational facilities serving Williamsburg Landing as a whole. A summary of such facilities, which are designed specifically for older adults, include:

1. Outdoor 25 M swimming pool
2. Indoor 20 M swimming pool and hot tub
3. Cardio/fitness room
4. Group exercise studio
5. Spa (therapeutic massage & body treatments)
6. Tennis/pickle ball court
7. Bocce ball court
8. Billiards and ping-pong tables
9. Art studio (including potter's wheel and kiln)
10. Woodworking shop
11. Garden plots
12. Walking trails/sidewalks of approximately 19,000 LF or 3.6 miles

We believe this development as part of Williamsburg Landing will provide very unique and thoughtful recreational opportunities for its residents thereby meeting the goals of the Guidelines to “provide opportunities for physical activity, improved health, improved community interactions, and personal enjoyment”. Accordingly, the applicant believes a strict application of the Guidelines to Williamsburg Landing and this application is not appropriate.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me.

Sincerely,

William L. Holt

c: Williamsburg Landing, Inc.
AES Consulting Engineers
Guernsey Tingle Architects

15587349v2

KAUFMAN & CANOLES
attorneys at law

MEMORANDUM

TO: Alex Baruch, JCC Planning Department

DATE: October 11, 2017

RE: **Williamsburg Landing - Balloon Test for Marclay Road Property**
Z-0001-2017, SUP-0001-2017, MP-0001-2017, HW-0001-2017

Background

On April 28, 2017, from approximately 10:00 a.m. to 11:00 a.m., engineers from AES conducted a balloon test to simulate the maximum height of buildings proposed pursuant to Williamsburg Landing's Marclay Road Property project. A large 5.5' red balloon was inflated with helium and raised to various heights from the project site at the proposed location of the buildings. An overview map is attached as Exhibit 1 showing the specific location where the balloon was raised from the project site. The balloon test was observed by members of the Williamsburg Landing project team, members of the James City County Planning Office, and residents from the Kingspoint neighborhood. The balloon test was observed from multiple different vantage points including the project site, and the Kingspoint clubhouse located across College Creek from the project.

Results

At 60' high, the balloon was not visible by observers from across College Creek at the Kingspoint clubhouse. In an attempt to determine at what height the balloon would become visible, the balloon was raised incrementally up to 100'. Even at 100' high, the balloon was not visible from across College Creek at the Kingspoint clubhouse. Several photographs of the balloon test are included below.



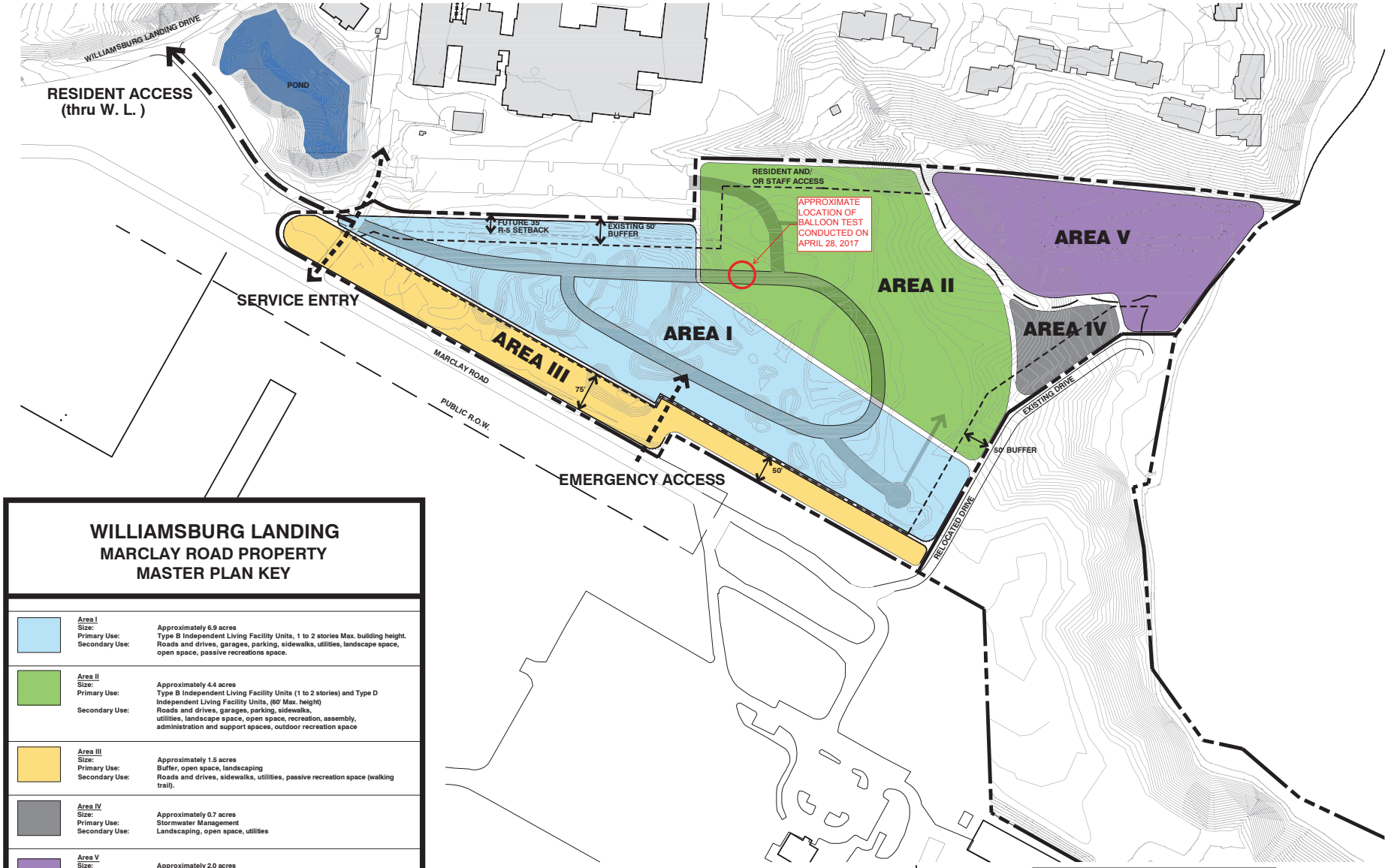
Photo 1 – Balloon at 60'



Photo 2 – Balloon at 100'



Photo 3 – From Kingspoint Clubhouse (Balloon not visible)



WILLIAMSBURG LANDING
MARCLAY ROAD PROPERTY
MASTER PLAN KEY

Area I
Size: Approximately 6.9 acres
Primary Use: Type B Independent Living Facility Units, 1 to 2 stories Max. building height.
Secondary Use: Roads and drives, garages, parking, sidewalks, utilities, landscape space, open space, passive recreations space.

Area II
Size: Approximately 4.4 acres
Primary Use: Type B Independent Living Facility Units (1 to 2 stories) and Type D Independent Living Facility Units, (60' Max. height)
Secondary Use: Roads and drives, garages, parking, sidewalks, utilities, landscape space, open space, recreation, assembly, administration and support spaces, outdoor recreation space

Area III
Size: Approximately 1.5 acres
Primary Use: Buffer, open space, landscaping
Secondary Use: Roads and drives, sidewalks, utilities, passive recreation space (walking trail).

Area IV
Size: Approximately 0.7 acres
Primary Use: Stormwater Management
Secondary Use: Landscaping, open space, utilities

Area V
Size: Approximately 2.0 acres
Primary Use: Conservation Area (RPA and steep slopes)
Secondary Use: Landscaping, open space, utilities

SUMMARY
Total Area: 15.5 acres
Number of Units: 135 total units

Type of Independent Living Facility Units	Units Proposed
B (1-2 story duplex)	65
D	70

GRAPHIC SCALE
80' 0' 80' 160'
SCALE: 1" = 80'

N

OPEN SPACE

SITE AREA	15.50± ACRES
NET DEVELOPABLE AREA	12.90± ACRES
TOTAL OPEN SPACE REQUIRED	1.29± ACRES (10%)
TOTAL OPEN SPACE PROVIDED	1.29± ACRES (10%)
RECREATION SPACE	
TOTAL UNITS	135 UNITS
TOTAL RECREATION SPACE REQUIRED (0.5 ACRES PER 50 DWELLING UNITS)	1.35± ACRES
TOTAL RECREATION SPACE PROVIDED	1.35± ACRES

NOTE 1: OPEN SPACE REQUIREMENTS SHALL BE MET WITHIN AREAS I AND II THROUGH THE IMPLEMENTATION OF TRAILS AND PASSIVE RECREATION
NOTE 2: AREA II BUFFER SHALL BE INCREASED TO 75' FOR ANY STRUCTURES WHICH EXCEED TWO STORIES.

GuernseyTingle
757-220-0220 Williamsburg, VA
guernseytingle.com

MASTER PLAN
WILLIAMSBURG LANDING
MARCLAY ROAD PROPERTY

REVISION SCHEDULE

#	Description	Date	Initials

These drawings and this design, remain the property of Guernseytingle and may not be altered, reproduced or built without written permission of the architect.

Master Site Plan

Date: 2-27-17
Drawn: BAS Checked: BAS
Project: 215119

A1

Alex Baruch

From: Forrest Williamson <forrestwilliamson1@gmail.com>
Sent: Wednesday, October 25, 2017 11:35 AM
To: Alex Baruch
Subject: Re: College Creek Photos

Hi Alex,

Yes indeed. Please include the question. We have been told that the reason for seeking a height restriction waver is so that the top floor of apartments may have a view of historic College Creek and can be marketed at a higher price. If the new apartments can see College Creek then the residents on the east side of the creek can see the apartment building.

Thanks, Forrest

On Tue, Oct 24, 2017 at 8:15 AM, Alex Baruch <Alex.Baruch@jamescitycountyva.gov> wrote:

> Mr. Williamson,
>
> I hope you are having a good morning. Staff is not sure what the view of the proposed building would be during winter. If you would like me to include your email with that question to the Planning Commission please let me know and I will include it in the packet.
>
> Sincerely,
>
> Alex
>
> **From:** Forrest Williamson [mailto:forrestwilliamson1@gmail.com]
> **Sent:** Monday, October 23, 2017 7:06 PM
> **To:** Alex Baruch <Alex.Baruch@jamescitycountyva.gov>
> **Subject:** Re: College Creek Photos
>
> Thanks for your email. A concern of many residents in Kingspoint is that the balloon test was conducted when the street were in full leaf. What will the view shed reveal in winter?
>
> Thanks, Forrest

On Fri, Oct 20, 2017 at 12:18 PM, Alex Baruch <Alex.Baruch@jamescitycountyva.gov> wrote:

Good afternoon Mr. Williamson,

Thank you for the pictures! As I mentioned to you when we were on your property to observe the balloon test, the photos you took were when the balloon was at 100'. The applicant had the balloon at 100' so they could see where the balloon would be visible from the Kingspoint Clubhouse. Even at 100' they did not see the balloon at the Clubhouse but it was very visible from your property at that height. Thank you so much for sending me the pictures for my reference. Since the application is for a 60' building we will be using the pictures we took when we were on your property and the balloon was 60' in the air. The balloon test pictures I took from your property when the balloon was at 60' will be made available when the materials go live Wednesday.

Thank you again and if you have any questions please let me know.

Sincerely,

Alex

_____
From: Forrest Williamson <forrestwilliamson1@gmail.com>
Sent: Thursday, October 19, 2017 7:02:42 PM
To: Alex Baruch
Subject: College Creek Photos

Hi Alex,

I'll send a couple of photos. I took several however they are more or less all the same. If you need more I am happy to send them along.

Cheers, Forrest
757-784-1333

WILLIAMSBURG
LANDING

October 24, 2017

James City County Planning Commission
101 Mounts Bay Road, Building D
Williamsburg, Virginia 23185

RE: Marclay Road Property Zoning Application
James City County Case Nos. Z-0001-2017; SUP-0001-2017; MP-0001-2017

Dear Members of the Planning Commission:

As the members of the Board of Directors of Williamsburg Landing, we have carefully followed the progress of land use applications regarding Williamsburg Landing's proposed development of the property located at 20 Marclay Road and adjacent to its main campus. For 32 years, Williamsburg Landing has provided a quality Life Plan Community serving seniors with housing and health care. The signatories of this letter, being all of the members of the Board, are charged with continuing this vision, and being vigilant in identifying emerging needs in senior living and responding accordingly. The planning process needed to effectively meet this challenge is extraordinarily complex, particularly so because of Williamsburg Landing's role as a significant regulated health care organization. As you might imagine, the property which is the subject of these applications is a very important property for our future and we wish to see that it is developed responsibly as an integral part of the Williamsburg Landing community. We write to request your support of Williamsburg Landing's zoning applications in this effort.

Our Board and management at Williamsburg Landing have been actively involved in the development of plans for this project for over two years. We have directed Williamsburg Landing in the expense of substantial effort and resources to ensure this project has the opportunity to proceed as a well-planned addition to the community. Several months ago, we were optimistic about the JCC Policy Committee's potential ordinance review efforts regarding cluster zoning that might be used to accommodate this project. However, much time has passed and the window of opportunity for Williamsburg Landing to acquire this property has significantly narrowed. Furthermore, our recent observations of the deliberations of staff and the Policy Committee have left us with the conclusion that the result from the County's ordinance revision would not afford Williamsburg Landing a timely opportunity to proceed with a project that could be integrated into our existing care model. With that in mind, the Board feels that the prudent course is to request that these zoning applications move forward through the public hearing process.

Our Board views this project as a very important step in securing Williamsburg Landing's future as a vibrant, healthy, and safe place for our seniors to live and continue to contribute to this community. We hope you will conclude as we have done that this is not a housing project we are seeking, but rather an addition to a facility that plays a vital role in the community. We very much appreciate the dedicated service that each of you provides to our County, and we hope that our long history in this community warrants your trust in us to develop and maintain a community that we can all be proud of and that will serve this County and its families for many more decades.

Sincerely,

BOARD OF DIRECTORS OF WILLIAMSBURG LANDING, INC.

Virginia L. McLaughlin, Chair of the Board

David Masterson, Board Member

Robert J. Singley, Vice Chair of the Board

Larry Foster, Board Member

Alfred L. Woods, Treasurer and Board Member

Karen Riordan, Board Member

James R. Golden, Immediate Past Chair and Board Member

Tracey Dowling, Board Member

Lois Polifka, Board Member

Theodore Juraschek, Board Member

Audrey B. Smith, Board Member

Franklin E. Robeson, Board Member

James Easton, Board Member

Catherine Chaplain, Board Member

Richard Costello, Board Member

William Kaufmann, Board Member

Linda Taylor-Stallings, Board Member

AGENDA ITEM NO. H.4.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Jose Ribeiro, Senior Planner II

SUBJECT: SUP-0005-2017/SUP-0006-2017/SUP-0007-2017/SUP-0008-2017, Lightfoot Marketplace Special Use Permit Amendment

---

ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Attachment 1. Resolution for SUP-0005-2017 (Overall Master Plan amendment)	Resolution
🗋	Attachment 2. Resolution for SUP-0006-2017 (Gasoline Station)	Resolution
🗋	Attachment 3. Resolution for SUP-0007-2017 with staff proposed conditions (Automotive Service Center)	Resolution
🗋	Attachment 4. Resolution for SUP-0007-2017 with applicant proposed conditions (Automotive Service Center)	Resolution
🗋	Attachment 5. Resolution for SUP-0008-2017 with staff proposed conditions (Drive-Through Restaurant)	Resolution
🗋	Attachment 6. Resolution for SUP-0008-2017 with applicant proposed conditions (Drive-Through Restaurant)	Resolution
🗋	Attachment 7. Unapproved Minutes from the November 1, 2017, Planning Commission meeting	Minutes
🗋	Attachment 8. Approved Minutes from the October 4, 2017, Planning Commission meeting	Minutes
🗋	Attachment 9. Location Map	Exhibit
🗋	Attachment 10. Master Plan	Exhibit
🗋	Attachment 11. Proposed Architectural Elevations	Exhibit
🗋	Attachment 12. Approved Architectural Guidelines	Exhibit
🗋	Attachment 13. Approved Renderings from SUP-0014-2013	Exhibit
🗋	Attachment 14. Traffic Analysis	Exhibit

🗋	Attachment 15. Community Impact Statement	Exhibit
🗋	Attachment 16. Exhibit Showing Additional Visual Screening	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	11/25/2017 - 12:25 PM
Development Management	Holt, Paul	Approved	11/25/2017 - 12:25 PM
Publication Management	Burcham, Nan	Approved	11/27/2017 - 7:36 AM
Legal Review	Kinsman, Adam	Approved	11/27/2017 - 9:28 AM
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 9:27 AM
Board Secretary	Purse, Jason	Approved	12/5/2017 - 1:22 PM
Board Secretary	Fellows, Teresa	Approved	12/5/2017 - 1:36 PM

SPECIAL USE PERMIT-0005-2017. Lightfoot Marketplace Master Plan and SUP Amendment
SPECIAL USE PERMIT-0006-2017. Lightfoot Marketplace Gasoline Station
SPECIAL USE PERMIT-0007-2017. Lightfoot Marketplace Automotive Service Center
SPECIAL USE PERMIT-0008-2017. Lightfoot Marketplace Drive-Through Restaurant

Staff Report for the December 12, 2017, Board of Supervisors Public Hearing

SUMMARY FACTS

Applicant:	Ms. Jennifer Harris
Land Owner:	Lightfoot Marketplace Shopping Center
Proposal:	To amend the existing master plan for the Lightfoot Marketplace Special Use Permit (SUP-0014-2013), and to allow for a convenience store with five gas pumps ("gasoline station"), automotive service center with two bays and a drive-through fast food restaurant.
Location:	6401 Richmond Road
Tax Map/Parcel No.:	2430100038
Project Acreage:	+/- 18.86 acres
Zoning:	M-1, Limited Business/Industrial
Comprehensive Plan:	Mixed Use - Lightfoot
Primary Service Area:	Inside
Staff Contact:	Jose Ribeiro, Senior Planner II

PUBLIC HEARING DATES

Planning Commission:	October 4, 2017, 7:00 p.m. (deferred by the Planning Commission)
Planning Commission:	November 1, 2017
Board of Supervisors:	December 12, 2017, 5:00 p.m. (tentative)

FACTORS FAVORABLE

1. With the staff proposed conditions, staff finds the proposal compatible with surrounding zoning and development.

2. With the staff proposed conditions, staff finds the proposal consistent with the recommendations of the Comprehensive Plan adopted in 2015, "*Toward 2035: Leading the Way*."

FACTORS UNFAVORABLE

With the attached Special Use Permit (SUP) conditions, staff finds no unfavorable factors.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the SUP conditions proposed by staff (Attachment Nos. 1, 2, 3 and 5).

PLANNING COMMISSION RECOMMENDATION

At its October 4, 2017 meeting, the Planning Commission recommended approval of Case Nos. SUP-0006-2017 (Gasoline Station) and SUP-0008-2017 (Fast-Food Restaurant) to the Board of Supervisors, by a vote of 6-1 and 4-3, respectively, with amendments to SUP conditions as proposed by the applicant.

At its November 1, 2017 meeting, the Planning Commission recommended approval of Case No. SUP-0005-2017 (Overall Master

Plan and SUP Amendment) by a vote of 7-0. The Commission also voted to recommend approval of SUP-0007-2017 (Automotive Service Center) by a vote of 7-0, with amendments to SUP Condition No. 3 (Architectural Review), as proposed by the applicant. The amendments to the SUP conditions proposed by the applicant for cases SUP-0007-2017 and SUP-0008-2017 are described in the Architectural Elevations section of this report.

PROPOSED CHANGES MADE SINCE THE NOVEMBER PLANNING COMMISSION MEETING

None.

PROJECT DESCRIPTION

- The applicant is requesting an SUP to construct a +/- 240-square-foot gasoline station, a +/- 1,674-square-foot automotive service center and fast food restaurant with drive-through as a portion of a +/- 9,000-square-foot building. The +/- 9,000-square-foot building would also include medical office.

- An SUP is required for fast food restaurants in the M-1 Zoning District. Automotive service stations and gasoline stations are a permitted use in the M-1 Zoning District. However, both proposed uses require a commercial SUP per Section 24-11 of the Zoning Ordinance.

- The overall Lightfoot Marketplace center is partially developed with four of the six originally-planned buildings having been constructed: Harris Teeter, two retail buildings and the Children's Hospital of The Kings Daughter's (CHKD) medical building.

- The building that includes the proposed fast food restaurant and medical office is shown as Building 4 on the newly proposed master plan. On the adopted master plan this area is labeled as Building 4, which allows up to 15,000 square feet of commercial uses. The automobile service station and the gasoline station are proposed as Buildings 6a and 6b on the proposed master plan, respectively. This area is shown on the adopted master plan as Building 6, which allows for up to 10,000 square feet of commercial/office uses. The total permitted square footage for the development is proposed to be 132,820 square feet, compared with approximately 136,500 square feet shown on the adopted master plan (a reduction of 3,680 square feet).

- This request will also amend, supersede and replace previously approved SUP-0014-2013 for the overall Lightfoot Marketplace development. The SUP conditions for SUP-0005-2017, will apply to the development as a whole, while the conditions for the other three new cases will be use specific.

- Approved architectural guidelines (Attachment No. 12) govern the design and architecture of the Lightfoot Marketplace.

PLANNING AND ZONING HISTORY

The parcel was formerly the location of the 230,000-square-foot Williamsburg Outlet Mall. In 2013, a proposal was submitted to replace the Outlet Mall with new buildings, parking and other infrastructure. The proposal required an SUP under Section 24-11 of the Zoning Ordinance, due to the development being comprised of a building or group of buildings which exceeded 10,000 square feet of floor area and which were expected to generate a total of 100 or more peak hour trips. This SUP, Case No. SUP-0014-2013, was approved

by the Board of Supervisors on February 11, 2014. On August 23, 2017, the Development Review Committee reviewed the revised Master Plan and new elevations for the proposed uses and provided comments and input to the applicant.

Architectural Elevations

The applicant has submitted architectural elevations for the three new structures (see Attachment No. 11). Staff has reviewed these elevations and compared them with the approved Lightfoot Marketplace Architectural Guidelines and the Conceptual Design images submitted as part of SUP-0014-2013 titled "Lightfoot Marketplace-Architectural Renderings" (Attachment Nos. 12 and 13). Staff notes that proposed Buildings 4 (fast food restaurant) and 6a (automobile service station) will front along Richmond Road which is designated by the 2035 Comprehensive Plan as a Community Character Corridor.

Building No. 6b-Gas Service Station (SUP-0006-2017)

The architectural guidelines do not specifically address the aesthetic treatment of a gasoline station's canopy and this proposed structure does not have the same front façade requirement as Buildings 4 and 6a. Staff has included an SUP condition (Attachment No. 2, Condition No. 4b) to establish the design standards for the canopy.

At the August 23, 2017 Development Review Committee (DRC) meeting, members of the DRC requested that the applicant consider a different color for the gasoline station canopy (originally presented in green). The applicant has since revised the color of the canopy to an earth tone which is more consistent with the existing Harris Teeter building.

Fast Food Restaurant-Building No. 4 (SUP-0008-2017)

Staff finds the design of this building to be somewhat consistent with the approved Architectural Guidelines and with the architecture of existing buildings on the site (e.g., Tower elements projecting above the main roof parapet, transparent layers of windows or doors that transmits light at front facades and low-slope roofs.) Staff notes that the approved architectural guidelines and adopted SUP condition specify that the front façade of Buildings 4 and 6 shall face Richmond Road. Staff finds that there are two elements proposed as part of this building which are inconsistent with the front-façade requirements. These elements are: 1) the menu order board faces Richmond Road and 2) there is no pedestrian access to the building from Richmond Road.

Staff has proposed a condition (SUP Condition No. 2(b) - Architectural Review, Attachment No. 5) specifying that the menu order board is not to be located along the front façade of the building. Staff has also included language in this condition requiring that pedestrian access be provided to Richmond Road. Lastly, SUP Condition No. 2(b) carries forward the existing condition requiring the architectural frontage of this building to remain facing Richmond Road.

The applicant is proposing to eliminate the SUP language requiring that the portion of the building facing Richmond Road be considered the front façade and that it not include pedestrian connectivity to Richmond Road. The applicant proposes to delete language referencing the adopted 2013 architectural elevations and instead solely reference the proposed elevations submitted as part of the SUP application (SUP Condition No 2(a)-Architectural Review,

Attachment No. 6). The applicant has proposed language to this condition which requires the food order board and drive-through pick up window(s) to be screened from Richmond Road with landscaping and/or fence (SUP Condition No. 2b-Architectural Review, Attachment No. 6).

As a result, there are two resolutions associated with SUP-0008-2017. The resolution with staff's proposed SUP conditions is Attachment No. 5 and the Resolution with the applicant's revision to the Architectural Review Condition is Attachment No. 6.

Auto Service Center-Building No. 6a (SUP-0007-2017)

Staff notes that the approved architectural guidelines and adopted SUP condition specify that the front façade of Buildings 4 and 6 shall face Richmond Road. Overall, staff finds that the architecture of the proposed façade does not have the appearance of facing Richmond Road (i.e., so that the building does not appear to have its back or rear of the building facing Richmond Road). Staff notes that after this application was initially deferred by the Planning Commission, the applicant submitted a revised architectural elevation for the proposed automotive service center (Attachment No. 11). Changes made to the slope of the roof (low-slope roof) and a glass door facing Richmond Road are elements consistent with the approved Architectural Guidelines for Lightfoot Marketplace (Attachment No. 12). Should this SUP be approved with staff proposed conditions, final architectural details would be resolved in accordance with adopted architectural guidelines and elevations prior to issuance of a Building Permit per SUP Condition No. 3a (Attachment No. 3).

Similar to the Architectural Review SUP condition for the fast food restaurant (SUP-0008-2017), staff has proposed a condition (SUP Condition 3b-Architectural Review, Attachment No.3) requiring the frontage of this building to face Richmond Road and that the front façade be connected to Richmond Road via a pedestrian accommodation. The applicant has proposed to delete reference to these elements and delete language referencing the adopted 2013 architectural elevations and instead the applicant wishes to use the elevations submitted with this application (SUP Condition No. 3, Architectural Review Attachment No. 4).

Staff does not support deleting the reference to the 2013 elevation and the frontage requirements from these conditions as these are important elements that are part of the original vision for the Lightfoot Marketplace project. There are two resolutions associated with SUP-0007-2017. The resolution with staff's proposed SUP conditions is Attachment No. 3 and the Resolution with the applicant's revision to the Architectural Review Condition is Attachment No. 4.

SURROUNDING ZONING AND DEVELOPMENT

- Properties immediately adjacent to the east/northeast are zoned M-1 and developed as commercial uses. Properties to the east across Richmond Road are zoned B-1, or GB, General Business within York County and are also developed as commercial uses.

- Parcels to the north are zoned MU and developed as the residential portion of the Liberty Crossing development.

- Parcels to the west/south west are zoned A-1 and R-8 and developed as residential lots.

- Across Centerville Road is a parcel zoned PL, Public Lands and developed as Thomas Nelson Community College, and a parcel

zoned R-8/PUD and developed as a place of public assembly.

COMPREHENSIVE PLAN

This property is designated Mixed Use by the Comprehensive Plan and specifically part of the Lightfoot Mixed Use area. The principal suggested uses for this mixed-use area are moderate density housing, commercial developments and office developments. Further, the commercial uses should not be developed in strip commercial fashion and should emphasize shared access and parking as well as consistent treatment for landscaping and architecture. Staff finds that commercial development in this location is consistent with the Comprehensive Plan language. Furthermore, the design proposed continues to use shared access and has consistent treatment of architecture, as shown in the proposed building elevations and design guidelines. In keeping with language in the mixed-use development standards, the Master Plan continues to provide for several focal open spaces through the development including a central marketplace green and a comprehensive pedestrian plan that includes a route through the parking lot.

In terms of Community Character, both Richmond Road and Centerville Road in this area are classified as Suburban and Urban Community Character Corridor's. The Master Plan continues to include landscape buffers with enhanced landscaping.

PUBLIC IMPACTS

1. Anticipated Impact on Public Facilities and Services:

   - *Streets:* All the transportation improvements associated with the previous traffic study for the development of the Lightfoot Marketplace has been completed, including improvements to the Richmond/Lightfoot Road intersection and the Centerville Road/Opportunity Way intersection. An update to the traffic study was submitted comparing traffic generation between the proposed uses (i.e. Gasoline Station, Automotive Service Station and Fast-Food Restaurant/Dentist) versus the uses for the original traffic study (Pharmacy and Sit-Down Restaurant) in Building Nos. 4 and 6. According to the updated traffic study, the proposed uses will generate traffic volumes during the AM peak traffic at a slightly higher level than the approved uses but at lower levels during the PM peak traffic. No additional improvements to roads and intersections are warranted based on the proposed uses. The Virginia Department of Transportation has completed its review of the traffic study memorandum and concurs with its conclusion.

     - Pedestrian accommodations are in place along Richmond and Centerville Roads.

     - Internal pedestrian accommodations between the two sites will be provided as shown on the Master Plan.

   - *School/Fire/Utilities:* No impacts anticipated for schools. The closest fire station in James City County to the property is Fire Station 4, located at 5312 Olde Towne Road, just over 2.6 miles southeast of this project site. The site is served by James City Service Authority for water and sewer, and the applicant projects that water and sewer use for the proposed uses will be below what had been originally approved.

2. Environmental/Cultural/Historical: No impacts anticipated. The Stormwater Management Plan has been approved for the whole development, and the proposed buildings will need to demonstrate

adherence to the stormwater management approach at the development plan level. According to the Master Plan, there is a slight decrease in the overall impervious surface and a slight increase in greenspace areas associated with the new proposal. Stormwater and Resource Protection requested SUP Conditions related to a spill prevention control and countermeasures plan for the Automotive Service Center and Gasoline Station.

3. Anticipated Impact on Nearby and Surrounding Properties:

   - As described above, the properties are surrounded by business zoning. The residentially zoned properties are further away across the railroad and Merrimac Trail.

   - Many of the potential impacts are being mitigated through SUP conditions such as lighting, noise, screening of site features and architectural review.

PROPOSED SUP CONDITIONS

The SUP conditions drafted by staff (Attachment Nos. 1, 2, 3 and 5) and the revision to the SUP conditions proposed by the applicant (Attachment Nos. 4 and 6) are provided in the attached Resolutions.

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding development and consistent with the recommendations of the Comprehensive Plan adopted in 2015, "*Toward 2035: Leading the Way*" and the Zoning Ordinance. Staff recommends the Board of Supervisors approve these applications subject to the attached conditions proposed by staff (Attachment Nos. 1, 2, 3 and 5).

JR/nb
SUPS05060708LghtftMktpl2017

Attachments:
1. Resolution for SUP-0005-2017, Master Plan and SUP Amendment
2. Resolution for SUP-0006-2017, Gasoline Service Station
3. Resolution for SUP-0007-2017, Automotive Service Station (staff's conditions)
4. Resolution for SUP-0007-2017, Automotive Service Station (with applicant's revision to Condition No. 3, Architectural Review)
5. Resolution for SUP-0008-2017, Drive-Through Fast Food Restaurant (staff's conditions)
6. Resolution for SUP -0008-2017, Drive-Through Fast Food Restaurant (with applicant's revision to Condition No. 2, Architectural Review)
7. Unapproved Minutes from the November 1, 2017, Planning Commission Meeting
8. Approved Minutes from the October 4, 2017, Planning Commission Meeting
9. Location Map
10. Master Plan Exhibit
11. Architectural Elevations
12. Approved Architectural Guidelines
13. Lightfoot Marketplace-Architectural Renderings, 2013
14. Traffic Analysis.
15. Community Impact Analysis
16. Exhibit showing proposed additional landscape screening for the automotive service center

R E S O L U T I O N

CASE NO. SUP-0005-2017. LIGHTFOOT MARKETPLACE MASTER PLAN AND

SPECIAL USE PERMIT AMENDMENT

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Lightfoot Marketplace Shopping Center, LLC (the "Owner") owns property located at 6401 Richmond Road further identified as James City County Real Estate Tax Map Parcel No. 2430100038; and

WHEREAS, on behalf of the Owner, Mrs. Jennifer Harris, of Armada Hoffer has applied for an SUP to amend and replace the adopted Special Use Permit and Master Plan for SUP-0014-2013 as shown on the revised master plan titled: "Master Plan Amendment Lightfoot Marketplace for Special Use Permit" and dated September 19, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0005-2017; and

WHEREAS, the Planning Commission, following its public hearing on November 1, 2017, recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve Case No. SUP-0005-2017, as described herein with the following conditions:

1. *Master Plan*. This Special Use Permit ("SUP") shall apply to that certain property located at 6401 Richmond Road and further identified as James City County Tax Parcel No. 2430100038 (the "Property"). The SUP shall be valid for the construction of ± 133,000 square feet of commercial and office uses and all improvements as shown and designated on that certain master plan entitled "Master Plan Amendment Lightfoot Marketplace" dated September 19, 2017, and prepared by AES Consulting Engineers (the "Master Plan"). All final development plans shall be consistent with the Master Plan, but may deviate from the Master Plan if the Director of Planning concludes that the development plan does not: significantly affect the general location or classification of buildings as shown on the Master Plan; significantly alter the distribution of recreation or open space areas on the Master Plan; significantly affect the road layout as shown on the Master Plan; or significantly alter the character of land uses or other features or conflict with any building conditions placed on the corresponding legislatively-approved case associated with the Master Plan. If the Director of Planning determines that a proposed change would deviate from the approved Master Plan, the amendment shall be submitted and approved in accordance with Section 24-13. In the event the Director of Planning disapproves the amendment,

the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission.

2. *Impervious Cover*. Impervious cover on the Property shall be reduced by at least 20% as compared to the previous conditions of the Williamsburg Outlet Mall. Calculations shall be included on each site plan for improvements on the Property that includes the existing impervious cover, the proposed impervious cover and the cumulative total impervious cover reduction of all plans.

3. *Water Conservation*. The owner of the Property (the "Owner") shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority (the "JCSA") prior to final site plan approval. The standards shall include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought-resistant native and other adopted low-water-use landscaping materials and warm-season turf where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.

4. *Irrigation*. In the design phase, the developer and designing engineer shall take into consideration the design of stormwater systems that can be used to collect stormwater for outdoor water use for the entire Property. Only surface water collected from surface water impoundments, or water taken from an underground cistern, may be used for irrigating common areas on the Property. In no circumstances shall the JCSA public water supply be used for irrigation, except as otherwise provided by this condition. If the Owner demonstrates to the satisfaction and approval of the General Manager of the JCSA through drainage area studies and irrigation water budgets that the impoundments cannot provide sufficient water for all irrigation, the General Manager of the JCSA may, in writing, approve a shallow (less than 100 feet) irrigation well to supplement the water provided by the impoundments or cisterns.

5. *Richmond Road Bike Lane*. In accordance with the Regional Bikeway Map, a bike lane shall be provided along the Property's Richmond Road frontage. However, this requirement may be waived by the Director of Planning should the Owner demonstrate that existing pavement width or section, drainage, or other engineering constraints adjacent to Parcel No. 2430100039 would restrict the ability of the Owner to install the bike lane in a manner that would meet the Virginia Department of Transportation (VDOT) requirements. Such analysis shall be submitted concurrent with the initial building site plan. If a bike lane can be installed, it shall be completed concurrent with improvements to the Richmond Road/Lightfoot Road/Shopping Center entrance intersection unless otherwise approved by the Director of Planning. In the event the Director of Planning disapproves the waiver, the applicant may appeal the decision of the Director of Planning to the Development Review Committee which shall forward a recommendation to the Planning Commission.

6. *Pedestrian Facilities*. The sidewalk connections internal to the Property, the multiuse trail along Centerville Road, and the connection to the Liberty Crossing trail shall be implemented as shown on the Master Plan. Minor alterations in location that result in equivalent facilities may be approved by the Director of Planning. All pedestrian facilities shall be shown as part of the initial building site plan, or shall be submitted

as a separate plan concurrent with the initial building site plan. Prior to approval of such plan, the design of all pedestrian facilities shall be reviewed and approved by the Director of Planning. The pedestrian facilities shall be installed prior to the issuance of a Certificate of Occupancy for the initial building on the Property, unless other arrangements are approved by the Director of Planning, or his designee, in writing.

7. *Traffic Improvements*. Prior to the issuance of a Certificate of Occupancy for the initial building on the Property (unless other timing is approved by the Director of Planning in writing), the following improvements shall be constructed or bonded in a manner acceptable to the County Attorney:

Intersection of Richmond Road and Lightfoot Road/West Site Entrance

a. The Property's West Entrance shall have three exiting lanes (one left, one left-through and one right) and two entering lanes.
b. The existing eastbound Richmond Road left-turn lane shall be lengthened from 150 feet to 250 feet.
c. A pedestrian crosswalk and pedestrian heads shall be installed that will work concurrently with the eastbound through motion on Richmond Road. A crosswalk and pedestrian heads shall be provided across Richmond Road that will work concurrently with either the Lightfoot Marketplace phase or the Lightfoot Road phase. These crosswalk improvements across Richmond Road shall include the provision of a pedestrian refuge area in the median to accommodate pedestrian traffic and to provide an adequate crossing surface. The West Site Entrance widening improvements shall include re-striping/delineation of the pedestrian crosswalk and installation of supplemental pedestrian crosswalk signage.
d. The existing traffic signal shall be modified to provide protected-permissive movements (flashing yellow arrows) for Richmond Road left-turn movements, the pedestrian movements and the additional lanes at Lightfoot Marketplace. The Owner shall be responsible for the purchase and installation of the necessary flashing yellow arrow traffic signal equipment as well as the retiming/updating of signal timing plans for the intersection to ensure coordination with the adjacent signalized intersections.
e. A railroad pre-emption switch shall be provided in the controller cabinet. VDOT shall be responsible for the connection of the pre-emption switch to the railroad gates and any associated permitting required as a result of the pre-emption switch.

Intersection of Richmond Road and Centerville Road

a. Add/install supplemental Yield pavement markings to increase driver awareness as a result of the dual left-turn movement occurring from westbound Richmond Road to southbound Centerville Road.

Intersection of Centerville Road, Opportunity Way and the Property's South Entrance

a. The Property's South Entrance shall have three exiting lanes (one left, one left-through, and one right) and two entering lanes.

b. An additional 200-foot left-turn lane with taper shall be constructed for northbound Centerville Road to provide a dual left-turn lane. In making this improvement, the existing dedicated bike lane shall be retained.
c. The existing traffic signal shall be modified to meet the lane configurations noted herein. The Owner shall be responsible for the purchase and installation of the traffic signal equipment necessary to modify the existing traffic signal so that it can accommodate the dual left-turn movement.
d. With the widening of the Property's South Entrance, the improvements shall include the re-striping/delineation of a pedestrian crosswalk across this approach as well as installation of supplemental pedestrian crosswalk signage.

8. *Sustainable Design Initiatives.*

a. Sustainable design initiatives shall be implemented during development of the Property and construction of buildings 1 through 5 on the Master Plan to achieve the equivalent of those credits that would be required to achieve the "Certified" level in the LEED 2009 Certification program. This shall include completion of all prerequisite items, except that for the Energy and Atmosphere category prerequisite number 1, the Owner may choose to pursue Energy Star designation or such other energy system verification process as is approved in advance by the Director of Planning. In addition, for up to a maximum of 10% of the points needed to reach the LEED "Certified" level, the Owner may request that initiatives equivalent to, but not included on the LEED checklist as credits, be pursued instead. Any request for equivalent initiatives shall be submitted in writing as part of the process specified in (b) below, together with supporting documentation for review and approval by the Director of Planning.
b. Application for formal LEED certification by the USGBC is at the discretion of the Owner, and is not required. If formal LEED certification is not pursued, compliance with this condition shall be monitored and verified to the County by a LEED Accredited Professional engaged by the Owner. The monitoring and verification process shall include submission of the checklist for each building (buildings 1 through 5) at the time of building permit application which shows the proposed initiatives for review by the Director of Planning or his designee(s), and a meeting between the Director of Planning or his designee(s) and the LEED Accredited Professional prior to Certificate of Occupancy for each building to review the initiatives which have been completed and develop a timeline for any items which are outstanding.
c. The Owner, in coordination with the Director of Planning, will examine the feasibility of including sustainable design initiatives in Buildings 6a and 6b on the Master Plan. Prior to the issuance of a building permit for Buildings 6a and 6b, the Owner and/or tenant will identify and select a minimum of three initiatives from the LEED 2009 Certification Program checklist (above and beyond those otherwise required by the latest edition of the Virginia Energy Conservation Code). Such initiatives shall be approved by the Director of Planning. Verification that the initiatives have been completed shall be submitted prior to issuance of a permanent Certificate of Occupancy unless otherwise agreed in writing by the Director of Planning.
d. In the event the Director of Planning disapproves the other energy system verification process or the equivalent initiatives as specified in (a) above, or the three initiatives for Buildings 6a and 6b as specified in (c) above, the applicant

may appeal the decision of the Director of Planning to the Development Review Committee which shall forward a recommendation to the Planning Commission.

9. *Architectural Review*.

a. Prior to issuance of a Building Permit for each building shown on the Master Plan, the Director of Planning, or his designee, shall review and approve the final building elevations and architectural design for such building. The final building elevations shall specifically include the view of the building for all sides visible from Centerville or Richmond Road. Buildings shall be substantially consistent, with only minor changes, with the Lightfoot Marketplace Design Guidelines dated December 27, 2013 and the architectural elevations titled "Lightfoot Marketplace – Architectural Renderings" dated November 8, 2013 and December 23, 2013 prepared by Bonstra Haresign Architects. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the waiver, the applicant may appeal the decision of the Director of Planning to the Development Review Committee which shall forward a recommendation to the Planning Commission. This condition is applicable to the property unless otherwise modified by SUP-0006-2017, SUP-0007-2017 or SUP-0008-2017.

b. For Buildings 4 (Sections "a" and "b") and 6a, the front façade shall face Richmond Road. For Building 5, the main building entrance doors may face the traffic circle or internal to the site, but the façade facing Richmond Road shall still have architectural detailing sufficient to be viewed as a front façade, including fenestration, as determined by the Director of Planning. This condition is applicable to the property unless otherwise modified by SUP-0006-2017, SUP-0007-2017 or SUP-0008-2017.

10. *Site Landscaping*.

a. The Community Character Corridor buffers along Richmond Road and Centerville Road shall each be an average of 50 feet in width, exclusive of easements. The buffers shall contain enhanced landscaping in accordance with the County's Enhanced Landscaping Policy as adopted April 9, 2013. For the portion of the buffer along Centerville Road between the site south entrance and the boundary with the bank parcel, the buffer shall contain the following elements: (i) minimum of 2 rows of deciduous shade trees (ii) evergreen and ornamental understory and (iii) 3- to 4-foot evergreen hedgerow. It is not the intent of this condition to prevent the planting of the understory trees or hedgerow shrubs with the utility easement as may be otherwise permitted.

b. Street trees shall be provided along Richmond Road and Centerville Road, and along the internal streets (Streets A-D) in substantial compliance with the guideline for street trees contained in the Streetscape Guidelines Policy.

c. Landscaping shall be provided in the entrance medians at Centerville and Richmond Road, at the Marketplace Green, at the Street D focal point, and at the Entry Greenspace/Roundabout in substantial compliance with the guidelines for entrances and common areas contained in the Streetscape Guidelines Policy.

d. Landscaping designed to screen the rear façade of the Harris Teeter building and the Best Management Practice from Centerville Road shall be installed as specified in Section 24-100 of the Zoning Ordinance.

e. The landscaping detailed in a-d of this condition shall be shown as part of the initial building site plan, or shall be submitted as a separate plan concurrent with the initial building site plan. Such landscaping, including the number and spacing of trees per 10(a), shall be reviewed and approved by the Director of Planning or his designee for consistency with this condition. In the event the Director of Planning disapproves a component of the landscape plan, the applicant may appeal the decision of the Director of Planning to the Development Review Committee which shall forward a recommendation to the Planning Commission. The landscaping shown on the approved landscape plan(s) shall be installed prior to issuance of Certificate of Occupancy for the initial building on the Property, unless other arrangements are approved by the Director of Planning or his designee, in writing.

11. *Marketplace Green*. The layout of the Marketplace Green shall be generally in accordance with the "Marketplace Green Alternative 2" design as depicted on the document entitled "Marketplace Green Lightfoot Marketplace Special Use Permit" prepared by AES Consulting Engineers and dated December 18, 2013, as determined by the Director of Planning.

12. *Entrance Modification*. Prior to final site plan approval for the initial site plan for the Property, the Owner shall submit documentation demonstrating that permission to modify the entrance to James City County Tax Parcel No. 2430100063 has been obtained, and that a shared access easement or other appropriate legal document is in place that allows access from 2430100063 to the signalized intersection.

13. *Signage*. Entrance signage located at the Property's three entrances as shown on the Master Plan shall be externally illuminated monument style signs, not to exceed eight feet in height. The base of the signs shall be brick or shall use materials similar in type and color with the site architecture. The design of the signs shall be approved by the Director of Planning for consistency with this condition.

14. *Screening of Site Features*. Dumpsters and cart corrals that are adjacent to buildings shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels, in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan for the adjacent building, and shall be reviewed and approved by the Director of Planning for consistency with this condition.

15. *Richmond Road Median Landscaping*. All existing landscaping in the Richmond Road median shall be preserved or replaced with like species. For any site plan that includes the improvements to the Richmond Road/Lightfoot Road/Shopping Center entrance intersection, the existing landscaping shall be shown, together with any plans for relocating or replacing plant material. The plans for relocating or replacing the plant material shall be approved by the Director of Planning prior to final site plan approval for the plan specified above. Should VDOT object to preserving or replacing existing landscaping in the median, a relocation/replanting plan shall be approved by the Director of Planning and VDOT prior to final site plan approval for the plan specified above.

16. *Internal Traffic Signage Plan*. The Owner shall include along with the materials submitted for the initial site plan review process an internal signage plan indicating the location of internal traffic signs and the orientation of vehicular flow within the Property. The internal signage plan shall be reviewed and approved by the Director of Planning, or his designee, prior to final approval of the initial site plan for the Property. Thereafter, the internal signage plan may be amended with review and approval by the Director of Planning, or his designee.

17. *Shared Maintenance of Site Improvements*. Prior to final site plan approval for Building 1 as shown on the Master Plan, Owner shall submit documentation demonstrating that all shared site improvements (including, but not limited to, utilities, stormwater facilities, landscaping, roads and parking lots, and lighting) are subject to appropriate shared maintenance agreements ensuring that the site improvements will be maintained continuously. Compliance with this condition as to the existence of such shared maintenance documentation shall be subject to review and approval of the County Attorney or his designee.

18. *Severance Clause*. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

_____
Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

SUP05-17LMPrmtAmend-res

R E S O L U T I O N

CASE NO. SUP-0006-2017. LIGHTFOOT MARKETPLACE CONVENIENCE STORE

WITH GAS PUMPS

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Lightfoot Marketplace Shopping Center, LLC (the "Owner") owns property located at 6401 Richmond Road further identified as James City County Real Estate Tax Map Parcel No. 2430100038; and

WHEREAS, on behalf of the Owner, Mrs. Jennifer Harris, of Armada Hoffer, has applied for an SUP to allow for a convenience store with five gas pumps as shown on the master plan titled: "Master Plan Amendment Lightfoot Marketplace for Special Use Permit" and dated September 19, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0006-2017; and

WHEREAS, the Planning Commission, following its public hearing on October 4, 2017 recommended approval of this application by a vote of 6-1.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve Case No. SUP-0006-2017, as described herein with the following conditions:

1. *Master Plan*. This Special Use Permit ("SUP") shall apply to that certain property located at 6401 Richmond Road and further identified as James City County Tax Parcel No. 2430100038 (the "Property"). The SUP shall be valid for the construction of a convenience store with gas pumps (the "Convenience Store") and a canopy (the "Canopy") as shown and designated on that certain master plan entitled "Master Plan Amendment Lightfoot Marketplace" dated September 19, 2017, and prepared by AES Consulting Engineers (the "Master Plan"). All final development plans shall be consistent with the Master Plan, but may deviate from the Master Plan if the Director of Planning concludes that the development plan does not: significantly affect the general location or classification of buildings as shown on the Master Plan; significantly alter the distribution of recreation or open space areas on the Master Plan; significantly affect the road layout as shown on the Master Plan; or significantly alter the character of land uses or other features or conflict with any building conditions placed on the corresponding legislatively-approved case associated with the Master Plan. If the Director of Planning determines that a proposed change would deviate from the approved Master Plan, the amendment shall be submitted and approved in accordance with Section 24-13. In the event the Director of Planning disapproves the

amendment, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission.

2. *Gas Pumps*. There shall be no more than five fueling islands on the Property.

3. *Spill Prevention, Control and Countermeasures (SPCC) Plan*. Prior to the issuance of a Land Disturbing Permit, a Spill Prevention, Control and Countermeasures Plan which addresses chemical handling, including but not limited to oil, diesel and gasoline, shall be submitted to the Director of Stormwater and Resource Protection for review and approval.

4. *Architectural Review*.
   a. Prior to issuance of a Building Permit for the convenience store (to also specifically include the Canopy), the Director of Planning, or his designee, shall review and approve the final building elevations, architectural design and colors and materials for the convenience store and canopy. The final building elevations shall specifically include the view of the building for all sides visible from Centerville or Richmond Road. Buildings shall be substantially consistent with the Lightfoot Marketplace Architectural Guidelines dated December 27, 2013, and the architectural elevations titled "Harris Teeter Fuel Center-Williamsburg, VA-Store# 356" submitted with this SUP application. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the DRC which shall forward a recommendation to the Planning Commission.

   b. The architecture of the Canopy, including any columns, shall match the design and exterior building materials of the convenience store. The Canopy shall have a maximum height of 15 feet measured from the finished grade to the underside of the Canopy. No more than two signs shall be allowed on the Canopy. The Canopy shall not include gas pricing signs.

5. *Enclosed dumpsters*. Dumpsters shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels, in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan and shall be reviewed and approved by the Director of Planning for consistency with this condition.

6. *Outside display, sale, or storage*. Unless otherwise stated in this condition, no outside display, sale, or storage of merchandise shall be permitted. As used for this condition, the term "merchandise" shall include but not be limited to ice, soda, candy, and/or snack machines. For the Convenience Store, outside vending machines and/or cabinets (consistent with the above referenced elevations) and one outside ice chest shall be permitted.

7. *Landscaping*. Prior to final site plan approval, a landscape plan shall be submitted to the Director of Planning, or his designee, showing evergreen screening of a minimum of three-feet tall located within the islands/medians flanking the proposed gasoline service station, as shown on the Master Plan. In order to accommodate the landscaping, the islands/medians shall be constructed to a minimum of five-feet wide.

Landscaping of the islands/medians shall be installed and/or bonded before issuance of any Certificate of Occupancy for the proposed gasoline service station.

8. *Commencement of Construction*. Construction on the Convenience Store and the Canopy shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining Building Permits and an approved footing inspection and/or foundation inspection.

9. *Severance Clause*. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

_____
Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

SUP06-17LMPumps-res

R E S O L U T I O N

CASE NO. SUP-0007-2017. LIGHTFOOT MARKETPLACE AUTOMOTIVE SERVICE CENTER

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Lightfoot Marketplace Shopping Center, LLC (the "Owner") owns property located at 6401 Richmond Road further identified as James City County Real Estate Tax Map Parcel No. 2430100038; and

WHEREAS, on behalf of the Owner, Mrs. Jennifer Harris, of Armada Hoffer, has applied for an SUP to allow for an automotive service center as shown on the master plan titled: "Master Plan Amendment Lightfoot Marketplace for Special Use Permit" and dated September 19, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0007-2017; and

WHEREAS, the Planning Commission, following its public hearing on November 1, 2017, recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve Case No. SUP-0007-2017, as described herein with the following conditions:

1. *Master Plan*. This SUP shall apply to that certain property located at 6401 Richmond Road and further identified as James City County Tax Parcel No. 2430100038 (the "Property"). The SUP shall be valid for the construction of an automotive service center as shown and designated on that certain master plan entitled "Master Plan Amendment Lightfoot Marketplace" dated July 19, 2017, and prepared by AES Consulting Engineers (the "Master Plan"). All final development plans shall be consistent with the Master Plan, but may deviate from the Master Plan if the Director of Planning concludes that the development plan does not: significantly affect the general location or classification of buildings as shown on the Master Plan; significantly alter the distribution of recreation or open space areas on the Master Plan; significantly affect the road layout as shown on the Master Plan; or significantly alter the character of land uses or other features or conflict with any building conditions placed on the corresponding legislatively-approved case associated with the Master Plan. If the Director of Planning determines that a proposed change would deviate from the approved Master Plan, the amendment shall be submitted and approved in accordance with Section 24-13. In the event the Director of Planning disapproves the amendment, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission.

2. *Spill Prevention, Control and Countermeasures (SPCC) Plan*. Prior to the issuance of a Land Disturbing Permit, a Spill Prevention, Control and Countermeasures Plan

which addresses chemical handling including but not limited to oil, diesel and gasoline, shall be submitted to the Director of Stormwater and Resource Protection for review and approval.

3. *Architectural Review*.

   a. Prior to issuance of a building permit for the automotive service center the Director of Planning, or his designee, shall review and approve the final building elevations and architectural design and colors and materials, for such structure. The final building elevations shall specifically include the view of the building for all sides visible from Centerville or Richmond Road. Buildings shall be substantially consistent, with only minor changes, with the Lightfoot Marketplace Design Guidelines dated December 27, 2013, and the architectural elevations titled "Lightfoot Marketplace-Architectural Renderings" dated November 8, 2013, and December 23, 2013, prepared by Bonstra Haresign Architects. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission.

   b. The front façade shall face Richmond Road and shall have architectural detailing sufficient to be viewed as a front façade, including fenestration, as determined by the Planning Director. In addition, the front façade shall include pedestrian connectivity to Richmond Road.

4. *Enclosed Dumpsters.* Dumpsters shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels, in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan and shall be reviewed and approved by the Director of Planning for consistency with this condition.

5. *Landscaping*. Prior to final site plan approval, a landscape plan shall be submitted to the Director of Planning, or his designee, showing evergreen screening of a minimum of five-feet-tall located along the Richmond Road side of the area where vehicles will be queuing in order to enter through the bay doors, as shown on the Master Plan. Landscaping of this area shall be installed and/or bonded before issuance of any Certificate of Occupancy for the proposed automotive service station.

6. *Commencement of Construction*. Construction on the automotive service station shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.

7. *Severance Clause*. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

_____
Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

SUP07-17LMAutoCtr2-res

R E S O L U T I O N

CASE NO. SUP-0007-2017. LIGHTFOOT MARKETPLACE AUTOMOTIVE SERVICE CENTER

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Lightfoot Marketplace Shopping Center, LLC (the "Owner") owns property located at 6401 Richmond Road further identified as James City County Real Estate Tax Map Parcel No. 2430100038; and

WHEREAS, on behalf of the Owner, Mrs. Jennifer Harris, of Armada Hoffer, has applied for an SUP to allow for an automotive service center as shown on the master plan titled: "Master Plan Amendment Lightfoot Marketplace for Special Use Permit" and dated September 19, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0007-2017; and

WHEREAS, the Planning Commission, following its public hearing on November 1, 2017 recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve Case No. SUP-0007-2017, as described herein with the following conditions:

1. *Master Plan*. This SUP shall apply to that certain property located at 6401 Richmond Road and further identified as James City County Tax Parcel No. 2430100038 (the "Property"). The SUP shall be valid for the construction of an automotive service center as shown and designated on that certain master plan entitled "Master Plan Amendment Lightfoot Marketplace" dated September 19, 2017, and prepared by AES Consulting Engineers (the "Master Plan"). All final development plans shall be consistent with the Master Plan, but may deviate from the Master Plan if the Director of Planning concludes that the development plan does not: significantly affect the general location or classification of buildings as shown on the Master Plan; significantly alter the distribution of recreation or open space areas on the Master Plan; significantly affect the road layout as shown on the Master Plan; or significantly alter the character of land uses or other features or conflict with any building conditions placed on the corresponding legislatively-approved case associated with the Master Plan. If the Director of Planning determines that a proposed change would deviate from the approved Master Plan, the amendment shall be submitted and approved in accordance with Section 24-13. In the event the Director of Planning disapproves the amendment, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission.

2. *Spill Prevention, Control and Countermeasures (SPCC) Plan*. Prior to the issuance of a Land Disturbing Permit, a Spill Prevention, Control and Countermeasures Plan which addresses chemical handling, including but not limited to, oil, diesel and gasoline, shall be submitted to the Director of Stormwater and Resource Protection for review and approval.

3. *Architectural Review.* Prior to issuance of a building permit for the automotive service center the Director of Planning, or his designee, shall review and approve the final building elevations and architectural design and colors and materials, for such structure. The final building elevations shall specifically include the view of the building for all sides visible from Centerville or Richmond Road. Buildings shall be substantially consistent, with only minor changes, with the architectural elevations titled "Valvoline Instant Oil Change Lightfoot Marketplace - Proposed Exterior Elevations" dated September 15, 2017, prepared by Ceso, and submitted with this SUP application. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission.

4. *Enclosed dumpsters*. Dumpsters shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels, in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan and shall be reviewed and approved by the Director of Planning for consistency with this condition.

5. *Landscaping*. Prior to final site plan approval, a landscape plan shall be submitted to the Director of Planning, or his designee, showing evergreen screening of a minimum of five-feet-tall located along the Richmond Road side of the area where vehicles will be queuing in order to enter through the bay doors, as shown on the Master Plan. Landscaping of this area shall be installed and/or bonded before issuance of any Certificate of Occupancy for the proposed automotive service station.

6. *Commencement of Construction*. Construction on the automotive service station shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.

7. *Severance Clause*. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

_____
Bryan J. Hill
Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

SUP07-17LMAutoCtr-res

R E S O L U T I O N

CASE NO. SUP-0008-2017. LIGHTFOOT MARKETPLACE

DRIVE-THROUGH FAST FOOD RESTAURANT

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Lightfoot Marketplace Shopping Center, LLC (the "Owner") owns property located at 6401 Richmond Road further identified as James City County Real Estate Tax Map Parcel No. 2430100038; and

WHEREAS, on behalf of the Owner, Mrs. Jennifer Harris, of Armada Hoffer, has applied for an SUP to allow for a drive-through fast food restaurant as shown on the master plan titled: "Master Plan Amendment Lightfoot Marketplace for Special Use Permit" and dated September 19, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0008-2017; and

WHEREAS, the Planning Commission, following its public hearing on October 4, 2017 recommended approval of this application by a vote of 4-3.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve Case No. SUP-0008-2017, as described herein with the following conditions:

1. *Master Plan*. This SUP shall apply to that certain property located at 6401 Richmond Road and further identified as James City County Tax Parcel No. 2430100038 (the "Property"). The SUP shall be valid for the construction of a drive-through fast food restaurant as shown and designated on that certain master plan entitled "Master Plan Amendment Lightfoot Marketplace" dated September 19, 2017, and prepared by AES Consulting Engineers (the "Master Plan"). All final development plans shall be consistent with the Master Plan, but may deviate from the Master Plan if the Director of Planning concludes that the development plan does not: significantly affect the general location or classification of buildings as shown on the Master Plan; significantly alter the distribution of recreation or open space areas on the Master Plan; significantly affect the road layout as shown on the Master Plan; or significantly alter the character of land uses or other features or conflict with any building conditions placed on the corresponding legislatively-approved case associated with the Master Plan. If the Director of Planning determines that a proposed change would deviate from the approved Master Plan, the amendment shall be submitted and approved in accordance with Section 24-13. In the event the Director of Planning disapproves the amendment, the applicant may appeal the decision to the Development Review Committee (DRC) which shall forward a recommendation to the Planning Commission.

2. *Architectural Review*.

   a. Prior to issuance of a building permit for the drive-through restaurant the Director of Planning, or his designee, shall review and approve the final building elevations and architectural design, and colors and materials for such structure. The final building elevations shall specifically include the view of the building for all sides visible from Centerville or Richmond Road. Buildings shall be substantially consistent, with only minor changes, with the Lightfoot Marketplace Design Guidelines dated December 27, 2013, and the architectural elevations titled "Lightfoot Marketplace-Architectural Renderings" dated November 8, 2013, and December 23, 2013, prepared by Bonstra Haresign Architects. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the DRC which shall forward a recommendation to the Planning Commission.

   b. The front façade shall face Richmond Road and shall have architectural detailing sufficient to be viewed as a front façade, including fenestration, as determined by the Planning Director. In addition, the front façade shall include pedestrian connectivity to Richmond Road. The food order board and drive-through pick up window(s) shall not be located at the front façade.

3. *Enclosed dumpsters*. Dumpsters shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels, in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan and shall be reviewed and approved by the Director of Planning for consistency with this condition.

4. *Commencement of Construction*. Construction on the drive-through restaurant shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.

5. *Severance Clause*. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

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Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

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Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

SUP08-17LMFFRest2-res

R E S O L U T I O N

CASE NO. SUP-0008-2017. LIGHTFOOT MARKETPLACE

DRIVE-THROUGH FAST FOOD RESTAURANT

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Lightfoot Marketplace Shopping Center, LLC (the "Owner") owns property located at 6401 Richmond Road further identified as James City County Real Estate Tax Map Parcel No. 2430100038; and

WHEREAS, on behalf of the Owner, Mrs. Jennifer Harris, of Armada Hoffer, has applied for an SUP to allow for a drive-through fast food restaurant as shown on the master plan titled: "Master Plan Amendment Lightfoot Marketplace for Special Use Permit" and dated September 19, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0008-2017; and

WHEREAS, the Planning Commission, following its public hearing on October 4, 2017 recommended approval of this application by a vote of 4-3.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve Case No. SUP-0008-2017, as described herein with the following conditions:

1. *Master Plan*. This SUP shall apply to that certain property located at 6401 Richmond Road and further identified as James City County Tax Parcel No. 2430100038 (the "Property"). The SUP shall be valid for the construction of a drive-through fast food restaurant as shown and designated on that certain master plan entitled "Master Plan Amendment Lightfoot Marketplace" dated September 19, 2017, and prepared by AES Consulting Engineers (the "Master Plan"). All final development plans shall be consistent with the Master Plan, but may deviate from the Master Plan if the Director of Planning concludes that the development plan does not: significantly affect the general location or classification of buildings as shown on the Master Plan; significantly alter the distribution of recreation or open space areas on the Master Plan; significantly affect the road layout as shown on the Master Plan; or significantly alter the character of land uses or other features or conflict with any building conditions placed on the corresponding legislatively-approved case associated with the Master Plan. If the Director of Planning determines that a proposed change would deviate from the approved Master Plan, the amendment shall be submitted and approved in accordance with Section 24-13. In the event the Director of Planning disapproves the amendment, the applicant may appeal the decision to the Development Review Committee (DRC) which shall forward a recommendation to the Planning Commission.

2. *Architectural Review*.

   a. Prior to issuance of a building permit for the drive-through restaurant the Director of Planning, or his designee, shall review and approve the final building elevations and architectural design and colors and materials for such structure. The final building elevations shall specifically include the view of the building for all sides visible from Centerville or Richmond Road. Buildings shall be substantially consistent, with only minor changes, with the architectural elevations titled "Lightfoot Marketplace- Retail Building-concept images" dated September 15, 2017, prepared by Innovate Architecture-Interiors, and submitted with this SUP application. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the DRC which shall forward a recommendation to the Planning Commission.

   b. The food order board and drive-through pick up window(s) shall be screened from Richmond Road with landscaping and/or fencing, as determined by the Director of Planning or his designee.

3. *Enclosed dumpsters*. Dumpsters shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels, in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan and shall be reviewed and approved by the Director of Planning for consistency with this condition.

4. *Commencement of Construction.* Construction on the drive-through restaurant shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.

5. *Severance Clause.* This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

_____
Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

SUP08-17LMFFRest-res

M I N U T E S
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
November 1, 2017
7:00 PM

A. CALL TO ORDER

Mr. Rich Krapf called the meeting to order at 7:00 p.m.

B. ROLL CALL

Planning Commissioners Present:
Rich Krapf
Tim O'Connor
Felice Pete
Jack Haldeman
Danny Schmidt
John Wright
Heath Richardson

Absent:
None

Staff Present:
Paul Holt, Director of Community Development and Planning
Roberta Sulouff, Senior Planner
Savannah Pietrowski, Planner
Alex Baruch, Planner
José Ribeiro, Senior Planner
Max Hlavin, Assistant County Attorney

Mr. Krapf welcomed Felice Pete to the Planning Commission

C. PUBLIC COMMENT

D. REPORTS OF THE COMMISSION

E. CONSENT AGENDA

1. Minutes of the October 4, 2017 Regular Meeting

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F. PUBLIC HEARINGS

1. SUP-0005-2017. Lightfoot Marketplace SUP Amendment & SUP-0007-2017. Lightfoot Marketplace Automotive Service Center

Mr. José Ribeiro, Senior Planner, Stated that on October 4, 2017, the Planning Commission voted to recommend approval of Case Nos. SUP-0006-2017 and SUP-0008-2017 to the Board of Supervisors, by a vote of 6-1 and 4-3, respectively, with amendments to SUP conditions as proposed by the applicant.

Mr. Ribeiro stated that the Commission voted 4-3 to defer consideration of Case Nos. SUP-0005-2017 and SUP-0007-2017 to the November 1, 2017 Planning Commission meeting, in order to allow the applicant additional time to address issues related to the location of dumpsters on the site and the architectural elevation for the proposed Automotive Service Center.

Mr. Ribeiro stated that since the October Planning Commission Meeting changes have been made by the applicant in response to comments made by the Commission and staff.

Mr. Ribeiro stated that for the dumpster serving the fast food restaurant and the dental office, the applicant has revised the location of the enclosed dumpster further away from the proposed restaurant's seating area. Mr. Ribeiro stated that the applicant has also indicated that a second dumpster will be added to the enclosure in order to accommodate the proposed uses.

Mr. Ribeiro stated that staff and the applicant worked together in order to identify an alternative location for the dumpster next to the proposed Automotive Service Center that preserves the location and completeness of the internal pedestrian network. Mr. Ribeiro stated that as a result, the dumpster was relocated to the left of the proposed building and away from internal streets and pedestrian accommodations. Mr. Ribeiro further stated that the applicant has submitted a revised architectural elevation for the proposed Automotive Service Center. Mr. Ribeiro stated that staff finds the changes made to the slope of the roof and the addition of a glass door facing Richmond Road are elements consistent with the approved Architectural Guidelines for Lightfoot Marketplace. Mr. Ribeiro stated that should this SUP be approved, final architectural details would be resolved prior to issuance of a Building Permit per SUP Condition No. 2.

Mr. Ribeiro stated that at the October 4, 2017 Planning Commission meeting, the applicant presented requested changes to SUP condition No. 2 Architectural Review. Mr. Ribeiro stated that the applicant requests to

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eliminate language requiring that the final building architectural elevations be consistent with the 2013 elevations titled "Lightfoot Marketplace-Architectural Renderings" and requiring that the front façade for this building face Richmond Road. Mr. Ribeiro stated that staff does not support deleting the reference to the 2013 elevations or the frontage requirement from this condition as these are important elements that are part of the original vision for the Lightfoot Marketplace project.

Mr. Ribeiro stated that staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to staff's proposed SUP conditions.

Mr. Heath Richardson inquired about the changes to the SUP conditions.

Mr. Ribeiro stated that the conditions proposed by staff for SUP-0005-2017, Lightfoot Marketplace SUP Amendment are contained in Attachment No. 5. Mr. Ribeiro stated that the Conditions proposed by staff for SUP-0007-2017, Lightfoot Marketplace Automotive Center are contained in Attachment No. 6 and the conditions proposed by the applicant in Attachment No. 7. Mr. Ribeiro noted that the applicant's changes are related to condition No. 2 Architectural Review.

Mr. Jack Haldeman inquired if the concerns over the location of the dumpster have been resolved.

Mr. Ribeiro confirmed.

Mr. Krapf noted that staff and the applicant concur on the proposed conditions for SUP-0005-2017, Lightfoot Marketplace SUP Amendment. Mr. Krapf further noted that for SUP-0007-2017, Lightfoot Marketplace Automotive Center the differences are in Condition No. 2 for the Architectural Review. Mr. Krapf inquired if staff believed the revised language for Condition No. 2 would have long-term impacts on future development or redevelopment on that parcel.

Mr. Paul Holt stated that the remainder of the development is governed by the Master Plan and the language that includes the Design Guidelines. Mr. Holt stated that approval of the revised language might set a small precedent for future redevelopment; however the applications currently being considered represent the entirety of the parcel.

Mr. Krapf stated that he was concerned that, if an adjacent parcel was absorbed by the development or if an existing structure was renovated, there're would be issues with the 2013 Architectural Guidelines versus the language requested by the applicant.

Mr. Holt noted that shortly after the initial SUP for Lightfoot Marketplace was approved there was an application for a rebuild of the

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adjacent McDonalds. Mr. Holt noted that there was an effort to ensure that the proposal was harmonious with the Lightfoot Marketplace Architectural Guidelines.

Mr. Ribeiro noted that the applicant concurs with the SUP conditions for SUP-0005-2017. Mr. Ribeiro further noted that the applicant's only concern with the SUP conditions for SUP-0007-2017 are related to the Architectural Guidelines.

Mr. O'Connor inquired if the requirement was still in place for construction to commence within 36 months.

Mr. Ribeiro confirmed that the 36 month requirement did not change.

Mr. Krapf noted that the Commission would need to vote on each SUP separately.

Mr. Krapf further noted that the Public Hearing was closed at the previous meeting and would not be reopened.

Mr. Krapf offered the applicant the opportunity to address the Commission.

Mr. Tim Trant, Kaufman & Canoles, PC, 4801 Courthouse Street, requested that the Commission approve the elevations presented for the automotive service center and approve the applicant's requested change to the SUP conditions for SUP-0007-2017.

Mr. Rob Murphy, 575 Maryville Center Rd, St., Louis Mo., representing Valvoline, addressed the Commission in support of the application. Mr. Murphy stated that they are eager to be part of the community. Mr. Murphy further stated that the elevations presented represent a good faith effort to adapt the company's prototype to the architectural design guidelines for Lightfoot Marketplace. Mr. Murphy noted that he believed Valvoline would be a complimentary to use to the existing and proposed uses and would provide a needed service to the community.

Mr. Krapf opened the floor for discussion by the Commission.

Mr. Schmidt stated that he is pleased with the applicant's efforts to adapt the design to be homogenous with the existing architecture.

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Mr. Richardson stated that he finds the revised elevations to be acceptable. Mr. Richardson further stated that he would support both applications.

Mr. Krapf stated that he had concerns about whether approving these applications would set a precedent for further deviation from the architectural guidelines. Mr. Krapf noted that when the SUP for Lightfoot Marketplace was approved in 2013, the Commission took great care to ensure that the development was harmonious with the surrounding development and the community character corridor. Mr. Krapf stated that, with an understanding of the structural limitations affecting the design and the efforts made by the applicant, he could support both applications.

Mr. Haldeman made a motion to recommend approval of SUP-0005-2017.

On a roll call vote, the Commission voted to recommend approval of SUP-0005-2017, Lightfoot Marketplace SUP Amendment. (7-0)

Mr. O'Connor made a motion to recommend approval of SUP-0007-2015 the SUP conditions proposed by the applicant.

On a roll call vote, the Commission voted to recommend approval of SUP-0007-2015 Lightfoot Marketplace Automotive Center. (7-0)

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M I N U T E S
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
October 4, 2017
7:00 PM

A. CALL TO ORDER

Mr. Rich Krapf called the meeting to order at 7:00 p.m.

B. ROLL CALL

Planning Commissioners Present:
Rich Krapf
Tim O'Connor
Robin Bledsoe
Jack Haldeman
Danny Schmidt
John Wright
Heath Richardson

Absent:
None

Staff Present:
Paul Holt, Director of Community Development and Planning
Scott Whyte, Senior Landscape Planner II
José Ribeiro, Senior Planner
Max Hlavin, Assistant County Attorney

Mr. Krapf requested a moment of silence for the victims of the Las Vegas shooting.

C. PUBLIC COMMENT

Mr. Krapf opened Public Comment.

Mr. Thomas Giblin, 119 Stoke Poges, inquired if the rezoning of the two properties on Westport would be considered at this meeting.

Mr. Paul Holt, Director of Community Development and Planning, stated that the hearing had been cancelled. Mr. Holt further stated that the hearing would be re-advertised and was tentatively scheduled for the November 1 Planning Commission meeting.

As no one else wished to speak, Mr. Krapf closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Danny Schmidt stated that the Development Review Committee (DRC) did not meet in September.

Ms. Robin Bledsoe stated that the Policy Committee met on September 14, 2017. Ms. Bledsoe stated that the Committee continues to work with staff to permit short term residential rentals and on potential Zoning Ordinance amendments for the R-8, Rural Residential district and Rural Residential Cluster overlay district. Ms. Bledsoe further stated that the Committee recommended for adoption a revised Remote Participation Policy to bring the Planning Commission's policy into conformance with revisions to State Code regarding the number of meetings in which a member of a public body could participate remotely. Ms. Bledsoe stated that the Committee also began discussions on potential amendments to address formerly proffered policies and impact mitigation items including the Streetscape Policy, Bicycle and Pedestrian Accommodations and Transportation Impact Analysis, the Archaeological Policy, and Natural Resource Policy.

E. CONSENT AGENDA

1. Minutes Adoption - September 6, 2017 Regular Meeting

Mr. John Wright made a motion to approve the Consent Agenda with the Minutes of the September 6, 2017, Regular Meeting as amended.

On a voice vote the Commission unanimously approved the Consent Agenda.

F. PUBLIC HEARINGS

1. Special Use Permit-0010-2017. Kensington School

A motion to Approve w/ Conditions was made by Heath Richardson, the motion result was Passed.
AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Bledsoe, Haldeman, Krapf, O'Connor, Richardson, Schmidt, Wright III

Mr. Scott Whyte, Senior Landscape Planner II, stated that Ms. Rachel Salmon submitted an application on behalf of the Kensington School for a Special Use Permit (SUP) to operate a pre-school and child development center in an existing building located at 8231 Richmond Road.

Mr. Whyte stated that the property is zoned A-1, General Agricultural and that day-care and child-care centers are a specially permitted use in the A-1 Zoning District. Mr. Whyte stated that the Kensington School proposes to serve up to 48 children with seven employees at this location.

Mr. Whyte stated that the hours of operation are proposed to be 7 a.m.-6 p.m., Monday-Friday. Mr. Whyte noted that the drop-off hours would be 7-9 a.m. and pick-up hours are 4-6 p.m.

Mr. Whyte stated that the total square footage of the existing building is approximately 7,500 square feet, but only the existing 2,800-square-foot counter sales and office area is proposed to be used by the daycare, with the remaining 4,700-square-foot warehouse area being used for storage. Mr. Whyte further stated that the loading area behind the building is proposed to be utilized as an outdoor playground.

Mr. Whyte stated that currently, 19 parking spaces exist on-site with a looping drive aisle, which is proposed to be utilized as a drop-off and pick-up area. Mr. Whyte further stated that the existing parking meets ordinance requirements for the proposed number of children and staff.

Mr. Whyte stated that the surrounding properties are zoned A-1, General Agricultural. Mr. Whyte noted that properties to the north and south contain single-family residential dwellings and small businesses and properties to the east across Richmond Road are being used for agricultural uses. Mr. Whyte stated that the site is designated General Industry on the 2035 Comprehensive Plan Land Use Map. Mr. Whyte further stated that staff finds that the proposed commercial use of a day-care compatible with the rural character of the Toano area and would support the creation and retention of local small businesses and workforce housing in keeping with the intent of the Economic Development Section of the Comprehensive Plan.

Mr. Whyte stated that staff recommends the Planning Commission recommend approval of the application to the Board of Supervisors, subject to the respective attached conditions.

Mr. Krapf opened the floor for questions from the Commission.

Mr. Heath Richardson inquired how many children were at the day-care currently.

Mr. Whyte stated that the current location serves 250 families; however, there would be a maximum of 48 children at the new location.

Mr. Krapf inquired if the existing concrete would need to be removed from the area proposed as a play area.

Mr. Whyte stated that based on specifications provided by Parks and Recreation, the concrete would either need to be removed or covered with a thick layer of mulch. Mr. Whyte noted that the applicant intends to cover the area with mulch and the specifications would be addressed during the site plan phase.

Mr. Tim O'Connor inquired if the construction debris and silt fence on site would be cleaned up as a condition of the SUP.

Mr. Whyte stated that Stormwater and Resource Protection have inspected the site and are working with the property owner under the existing maintenance agreement for the Best Management Practice to ensure that it is brought up to standard. Mr. Whyte further stated that for this SUP, if any new impervious cover is installed, the same requirements will be applied.

Mr. Holt stated that staff would follow up with Stormwater and Resource Protection to determine if the silt fence is in connection with the maintenance or other remedial work. Mr. Holt further stated that the Zoning Officers would make an inspection of the construction debris and work with the property owner to address those concerns through administrative routes.

Mr. O'Connor noted that he believed it is important to take the opportunity to address these concerns since similar situations have been remedied through SUP conditions.

Mr. Holt stated that staff would ensure the concerns were addressed either through administrative avenues or legal avenues.

Mr. O'Connor inquired how the number of students would be enforced.

Mr. Holt stated that one of the SUP conditions requires an annual report be submitted to the Zoning Administrator which includes enrollment data. Mr. Holt further stated that interior changes would require a building permit which includes a review by Zoning. Mr. Holt noted that the SUP does not address how the interior of the building is partitioned.

Mr. Whyte noted that additional students would trigger the need for more parking as the existing space is sufficient only for the proposed number of students.

Mr. Krapf called for disclosures from the Commission.

Ms. Bledsoe stated that her granddaughter attends the existing Kensington School. Ms. Bledsoe further stated that she also knows the owners of the school.

Mr. Krapf opened the Public Hearing.

As no one wished to speak, Mr. Krapf closed the Public Hearing.

Mr. Krapf opened the floor for discussion by the Commission.

Mr. Schmidt stated that he believes that the school is a good use for the property and that he anticipates supporting the application.

Ms. Bledsoe noted that the daycare would fill a need for the business owners in that area.

Mr. Richardson made a motion to recommend approval of SUP-0010-2017.

On a roll call vote the Commission voted to recommend approval of SUP-0010-2017, Kensington School. (7-0)

2. Special Use Permit-0005/0006/0007/0008-2017. Lightfoot Marketplace Special Use Permit Amendment

Mr. Krapf stated that although the staff report and discussion covered the four SUP applications as a group, it would be necessary to have a motion and vote for the individual cases.

Mr. José Ribeiro, Senior Planner II, stated that Ms. Jennifer Harris of Armada Hoffler has applied on behalf of Lightfoot Marketplace Shopping Center to amend the existing Master Plan for the Lightfoot Marketplace Special Use Permit (SUP-0014-2013), and for three additional SUPs to allow for a convenience store with five gas pumps, an automotive service center with two bays and a drive-thru fast food restaurant.

Mr. Ribeiro stated that the property is zoned M-1, Limited Business/Industrial and is designated on the Comprehensive Plan Land Use Map as the Lightfoot Mixed-Use area. Mr. Ribeiro further stated that fast food restaurants require an SUP in the M-1 district. Mr. Ribeiro further stated that automotive service stations and gasoline stations are a permitted use in the M-1 district; however, both require a commercial SUP per Section 24-11 of the Zoning Ordinance.

Mr. Ribeiro stated that this request will amend, supersede and replace previously approved SUP-0014-2013 for the overall Lightfoot Marketplace development. Mr. Ribeiro noted that the SUP conditions for SUP-0005-2017 are the same as the conditions adopted as part of SUP-0014-2013, with minor changes proposed in order to update them. Mr. Ribeiro stated that these conditions will apply to the development as a whole, while the conditions for the three new cases will be use specific.

Mr. Ribeiro stated that since the original SUP was approved in 2013, four of the six originally-planned buildings having been constructed.

Mr. Ribeiro stated that Building 4, fast food restaurant, and Building 6a, automobile service station, will front along Richmond Road, which is designated by the 2035 Comprehensive Plan as a Community Character Corridor (CCC). Mr. Ribeiro further stated that the convenience store will be designated as building 6b.

Mr. Ribeiro stated that the applicant has submitted architectural elevations for three new structures. Mr. Ribeiro stated that staff has reviewed these elevations and compared them with the approved Lightfoot Marketplace Architectural Guidelines (the "Guidelines"). Mr. Ribeiro stated that the Guidelines provide specific recommendations for the treatment of such elements as building height, roof elements, walls, fenestration, glazing and screening among others. Mr. Ribeiro further stated that the Guidelines provide that the Conceptual Design images submitted as part of SUP-0014-2013, titled "Lightfoot Marketplace-Architectural Renderings" shall be used as a reference for developing Lightfoot Marketplace. Mr. Ribeiro noted that the sides of Buildings 4 and 6a facing Richmond Road should be considered the front façade and treated accordingly. Mr. Ribeiro stated that the elevations provided for the fast food restaurant and the automotive service center are not yet fully consistent with the Guidelines. Mr. Ribeiro stated that the fast food restaurant is consistent with many of the Guidelines; however, it does not fully meet the front façade requirements due to the location of the menu board and lack of pedestrian access. Mr. Ribeiro stated that the elevations for the automotive service station also fall short of being consistent with the Guidelines. Mr. Ribeiro stated that staff believes the two buildings should be developed to give the appearance that they are all fronting Richmond Road, which is designated as a CCC. Mr. Ribeiro stated that staff believes establishing a functional and well-designed façade is of utmost importance to create an inviting experience for pedestrians, it maintains consistency with the overall design for Lightfoot Marketplace and reinforces the idea that Lightfoot Marketplace is a special place, and it is in keeping with the requirements set forth in the initial SUP Conditions and Master Plan. Mr. Ribeiro noted that the intent has always been for the backs of the buildings to face Centerville Road with additional screening and enhanced landscaping, while the fronts of the buildings are intended to face Richmond Road to enhance and preserve the CCC.

Mr. Ribeiro stated that the Guidelines do not specifically address the aesthetic treatment of a gasoline station's canopy and this proposed structure does not have the same front façade requirement as Buildings 4 and 6a. Mr. Ribeiro noted that Staff has included an SUP Condition to establish the design standards for the canopy. Mr. Ribeiro further noted that the applicant has already revised the color of the canopy at the request of the DRC to an earth tone, which is more consistent with the existing Harris Teeter building.

Mr. Ribeiro stated that no substantial changes are being proposed and that the Stormwater Management Plan has been approved for the whole development, and the proposed buildings will need to demonstrate adherence to the stormwater management approach at the site plan level. Mr. Ribeiro further stated that, according to the updated traffic study, the proposed uses will generate traffic volumes during the AM peak traffic at a slightly higher level than the approved uses, but at lower levels during the PM peak traffic. Mr. Ribeiro noted that no additional improvements to roads and intersections are warranted based on the proposed uses. Mr. Ribeiro stated that the Virginia Department of Transportation (VDOT) has completed its review of the traffic study memorandum and concurs with its conclusion.

Mr. Ribeiro stated that staff finds the proposal to be compatible with surrounding development and consistent with the Zoning Ordinance and the recommendations of the current adopted Comprehensive Plan. Mr. Ribeiro stated that staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the attached conditions.

Mr. Krapf opened the floor for questions from the Commission.

Mr. Richardson inquired if staff had an opportunity to consider the edits to the SUP conditions requested by the applicant.

Mr. Ribeiro stated that staff is aware of the edits and knew that there would be certain items that the applicant would not fully agree on. Mr. Ribeiro further stated that the options are provided to the Commission for consideration and recommendation.

Mr. Richardson inquired if staff's recommendation for approval is based on the SUP conditions provided with the agenda packet.

Mr. Ribeiro confirmed.

Mr. O'Connor inquired whether the comment on the amended Master Plan regarding enhanced screening for the order board and drive-thru pick-up was from the applicant or from staff.

Mr. Ribeiro stated that the note was provided by the applicant. Mr. Ribeiro stated that staff has discussed the concerns regarding location of the order board with the applicant and the applicant has offered to screen the order board and the drive-thru pick-up area.

Mr. O'Connor inquired about the location of Buildings 4 and 6 on the original Master Plan.

Mr. Ribeiro stated that originally the two buildings were set to front on Richmond Road with parking spaces intervening between the building and the road. Mr. Ribeiro further stated that the original Master Plan provided for front access and pedestrian access on the Richmond Road side.

Mr. O'Connor inquired if the goal was to place the building closer to the road and have the parking more internal to the development as it is done in other developments on a CCC.

Mr. Ribeiro stated that staff would prefer to uphold the original vision for the development.

Mr. Holt clarified that this would mean minimizing the parking and having the buildings front on Richmond Road.

Ms. Bledsoe inquired about the difference between the approved elevations for the Panera in New Town and the proposed elevations for the Panera in Lightfoot Marketplace.

Mr. Ribeiro stated that staff's perspective for this proposal is that the order board and drive-thru pick-up are not elements typically found at the front of a building. Mr. Ribeiro noted that these elements are usually found on the side or back of the structure. Mr. Ribeiro further stated that since this is a heavily traveled road and a CCC, staff wants to ensure that the side of the building facing the road functions as the front of the building.

Mr. Holt noted that for the Panera in New Town, the entrance and outdoor seating abut on Monticello Avenue. Mr. Holt further noted that the materials used on the Monticello Avenue side also mitigate the appearance.

Mr. O'Connor noted similarity of design for the Starbucks on Monticello Avenue to the proposal for the Panera at Lightfoot Marketplace.

Ms. Bledsoe noted that the wall hides the traffic queuing for the drive-thru at the Starbucks.

Mr. Holt noted that there is also a substantial berm mitigating the visual impact.

Mr. O'Connor requested clarification on the difference between a front entrance and a front façade.

Mr. Ribeiro stated that the intent is to make the side of the building facing Richmond Road look like and function as the front façade of the building.

Mr. Holt noted that, similar to New Town, it would not have to be the main entrance to the building. Mr. Holt stated that a functional entrance door with enhanced architectural elements could be located on the side of the building facing the road and appear to be the front of the building, but the main entrance could be located on a different face of the building.

Mr. Krapf noted that as a CCC there is a higher design standard to ensure the visual integrity of the development. Mr. Holt confirmed that this is the staff recommendation.

Mr. O'Connor noted that there is a Williamsburg Area Transit Authority (WATA) bus stop adjacent to the existing McDonald's and inquired if there would be a bus stop within Lightfoot Marketplace.

Mr. Ribeiro stated that he does not have that information.

Mr. Krapf called for disclosures from the Commission.

Mr. Richardson stated that he toured the site with Chris Odle, a member of the applicant's team.

Ms. Bledsoe stated that she spoke with Tim Trant to discuss a question about the application.

Mr. Schmidt stated that he was contacted by Jennifer Harris who is a member of the applicant team.

Mr. Krapf opened the Public Hearing.

Mr. Tim Trant, Kaufman and Canoles PC, 4801 Courthouse Street, stated that he is representing the applicant along with Jennifer Harris of Armada Hoffler and Jason Grimes of AES Consulting Engineers.

Mr. Trant provided an overview of the proposed changes and reasons behind the change in the tenant mix. Mr. Trant stated the owners wanted to bring forward a comprehensive amendment rather than bringing forward individual changes one at a time.

Mr. Trant further noted that for this development as well as others the focus has turned to being able to have the right tenant mix to create resilience to the trends of online shopping. Mr. Trant provided an overview of the proposed tenant mix and the advantages of those tenants, which include Panera to fulfill the restaurant concept, Heartland Dental, the Harris Teeter Fueling Station and a Valvoline Quick Serve Automotive Service Station.

Mr. Trant noted that the WATA bus stop is already in place and is being utilized.

Mr. Trant stated that the applicant has worked to address staff concerns; however, further changes are hampered by site constraints as well as limitations imposed by the national brand requirements. Mr. Trant stated that the proposed enhanced screening and buffering is the most prudent way to mitigate the constraints and maintain the spirit and intent of the original development and the community character.

Mr. Trant provided an overview of the proposed changes to the Master Plan and noted that

much of it was to clarify how the conditions applied to the development and to confirm that the Architectural Guidelines would apply to all the buildings, but the elevations submitted are specific to the individual buildings. Mr. Trant stated that having a level of certainty about the design is critical to the applicant being able to move forward with the tenants.

Mr. Trant noted that there had been discussion with staff regarding the number of outdoor vending kiosks at the fueling station. Mr. Trant stated that the applicant respects staff concerns over maintaining a high-quality aesthetic and noted that the request is for vending cabinets as indicated in the elevations.

Mr. Trant stated that the change in the conditions for the drive-thru restaurant would tie the elevations to the building now, rather than at a later phase. Mr. Trant also noted the offer for enhanced screening and buffering to mitigate the visual impacts along Richmond Road.

Mr. Trant stated that the changes in the proposed conditions for the automotive service center would bind the elevations to the project. Mr. Trant noted that there is no other feasible location for the dumpster and stated it was necessary to confirm the location of the dumpster as indicated.

Mr. Krapf inquired about the strike-through change on SUP-0006-2017 regarding the number of vending cabinets at the fueling station. Mr. Krapf noted that the DRC had recommended only one vending cabinet.

Mr. Trant responded that he believed the only change requested by the DRC was for a more muted canopy color. Mr. Trant stated that the vending proposed is not traditional vending machines but kiosks which contain a number of products from snacks to other merchandise which is typically found in a fueling station or convenience center

Mr. Krapf requested clarification on SUP-0005-2017 regarding the changes to the impervious cover. Mr. Krapf inquired why this is a concern and asked for clarification on the difference between the recommended reduction of 20% as compared to the existing conditions and the reduction compared to the previous conditions at the old Outlet Mall.

Mr. Holt stated that the conditions that existed at the Outlet Mall were the existing conditions under the original approved Master Plan. Mr. Trant noted that it would not be possible to achieve the 20% reduction based on current site conditions. Mr. Trant stated the change was to clarify and confirm the intent to reduce the impervious cover from the conditions existing with the previous Outlet Mall.

Mr. Schmidt inquired about the nature of the screening for the dumpster at the automotive service center.

Mr. Trant stated that there are specific requirements in the design guidelines for dumpster screening. Mr. Trant stated that the screening complies with those requirements.

Mr. Schmidt inquired about the orientation of the dumpster.

Mr. Trant stated that there were limited locations on the site where the dumpster could be placed. Mr. Trant further stated that the current plan is to face the dumpster toward the fueling station and face away from Street D and the dentistry office.

Mr. Schmidt inquired how the drive-thru order board would be screened.

Mr. Trant stated that the screening could be accomplished through a mix of landscaping and fencing. Mr. Trant further stated that the applicant is open to suggestions on how that might be

done for the best aesthetic result.

Mr. Richardson inquired if the applicant had gotten a sense of what the DRC wanted in regard to the actual Site Plan.

Mr. Trant stated that the current elevations are more enhanced than what the DRC reviewed and incorporate feedback from the DRC and staff regarding materials and colors. Mr. Trant stated that he did not remember discussion with the DRC on the orientation of the buildings relative to the parking. Mr. Trant stated that the discussion with the DRC was generally positive and largely focused on muting the colors at the fueling station, enhancing a façade with more glass and providing enhanced buffering and screening.

Mr. Richardson inquired if the DRC discussed and provided feedback on the Master Plan amendments.

Mr. Trant stated that they did not have proposed conditions at the time the DRC reviewed the applications. Mr. Trant further stated that the DRC review focused on the conceptual elevations for the purpose of eliciting feedback so that issues with the proposed elevations could be addressed before presenting them to the Planning Commission. Mr. Trant stated that he believed the DRC concerns were fully understood and incorporated in the current elevations.

Mr. Wright inquired if the applicant has come to an agreement with staff on the location of the dumpster.

Mr. Trant stated that staff does not currently approve of the dumpster location; however, the applicant has not been able to determine a different location due to site constraints.

Mr. Wright inquired if staff has recommended a location.

Mr. Holt stated that it is up to the applicant to propose a location; however, it is important that it be moved away from the internal pedestrian network.

Mr. O'Connor stated that he has concerns about the current locations of the dumpsters. Mr. O'Connor noted that he prefers developments where the dumpsters have a central single location. Mr. O'Connor commented that there would be significant pedestrian traffic that would be impacted by the current proposed location.

Mr. O'Connor inquired about the change in elevation from Richmond Road.

Mr. Jason Grimes, AES Consulting Engineers, stated that there is approximately ten feet of fall between Richmond Road and the parking area at the rear. Mr. Grimes noted that it is a fairly consistent grade. Mr. Grimes further noted that there is about two feet of fall between Richmond Road and the Panera building.

Mr. O'Connor inquired how the screening would appear from Richmond Road.

Mr. Grimes stated that there would be more screening because the order board is lower than the road and, therefore, the screening would need to be taller to provide full coverage. Mr. Grimes stated that the proposed screening would include a 36-inch tall PVC white picket fence and a hedge facing Richmond Road. Mr. Grimes stated that once the hedge fills out it will hide the fence entirely and the fence will become a barrier on the inside. Mr. Grimes noted that the proposed screening would wrap around so that traffic entering would also not see the order board and pick-up window.

Mr. O'Connor inquired about the extent of the existing 50-foot CCC buffer.

Mr. Trant stated that the buffer runs from the sidewalk to just in front of where the light poles have been installed. Mr. Trant showed the Commission an elevation depicting the Panera building in relation to the CCC buffer and illustrated the location and extent of the proposed screening.

Mr. Richardson inquired if AES was reluctant to alter the location of some of the structures.

Mr. Grimes responded that various options had been considered. Mr. Grimes stated that Panera is not traditionally associated with fast food; however, the model for this location addresses the growing preference of consumers to be able to order from a mobile app and be able to pick up the order without parking and entering the store. Mr. Grimes stated the proposed orientation of the building is necessitated by the drive-thru element.

Mr. Richardson inquired if there is any room for compromise at this time.

Mr. Trant stated that the applicant is committed to the proposed design and layout. Mr. Trant stated that the applicant has considered many options; however, the proposed elevation is the best fit that balances Planning staff preferences, the needs of the tenant and site constraints. Mr. Trant stated that the applicant's flexibility is in the enhanced screening and landscaping. Mr. Trant further stated that the applicant could also consider changes to dumpster location and orientation prior to the matter being reviewed by the Board of Supervisors.

Ms. Bledsoe stated that she understood the need to tie the elevations to the architectural review and noted that there should be a way to come to a consensus. Ms. Bledsoe inquired about the reasoning of the requirement for just one vending kiosk.

Mr. Holt stated that the requirement is consistent with other approved SUPs for fueling stations and that staff is concerned with setting a new precedent.

Ms. Bledsoe stated that she understands the concerns over the appearance of the façades facing Richmond Road since it is a CCC; however, what is proposed is better than what exists in other developments and is also better than some of the existing buildings along Richmond Road. Ms. Bledsoe stated that she did not want to see the County lose out on a vital build-out of the development over something as simple as dumpster placement. Ms. Bledsoe stated that her main question on the potential for compromise on building orientation had already been answered and she was disappointed that there was no further room for discussion.

Ms. Bledsoe asked Mr. O'Connor to go over his proposal for where the dumpsters could be located.

Mr. O'Connor stated that he did not have a specific location in mind; however, he believed that from a traffic flow and a pedestrian access viewpoint, there could be a better location.

Ms. Bledsoe inquired about the screening for the drive-thru.

Mr. Trant stated that the proposed option would be a PVC white picket fence with a hedge on the side facing Richmond Road which would, when mature, completely obscure the fence. Mr. Trant noted that the final design would need to be approved by the Planning Director. Mr. Trant further stated that the design team would be more than willing to work with staff on reorienting the dumpster prior to taking the matter to the Board of Supervisors.

Ms. Bledsoe requested confirmation that the main reason for the amended Master Plan was the loss of Walgreens as a tenant.

Mr. Trant confirmed.

Mr. Richardson inquired if the applicant's intent was to ensure the success of the anchor tenant, Harris Teeter, by bringing in a mix of tenants that would be complimentary to the grocery store as well as to each other and to encourage filling some of the smaller retail space that is currently vacant.

Mr. Trant confirmed. Mr. Trant noted that Panera and Valvoline are strong brands with a loyal customer base that would complement the existing businesses and encourage smaller businesses to locate in the shopping center.

As no one else wished to speak, Mr. Krapf closed the Public Hearing.

Mr. Krapf requested clarification on which of the SUPs staff is supportive of. Mr. Krapf noted that the two main issues appear to be the location of the dumpsters and the orientation of the buildings to Richmond Road.

Mr. Ribeiro stated that for SUP-0005-2017, which is the amendment to the overall Master Plan, staff is comfortable with the change regarding the impervious cover. Mr. Ribeiro stated that staff does not concur with the changes regarding architectural review because the proposed orientation of the buildings does not place the front of the building on Richmond Road and the elevations proposed for Panera and Valvoline do not fully meet the architectural guidelines.

Mr. Ribeiro stated that for SUP-0006-2017 for the fueling station, staff does not concur with the additional vending kiosks because of the potential for setting a precedent for future SUPs.

Mr. Ribeiro stated that for SUP-0007-2017, staff does not agree with the changes proposed by the applicant regarding the architectural elevations. Mr. Ribeiro further stated that staff does not concur with the proposed placement of the dumpsters. Mr. Ribeiro stated that staff also does not concur with the applicant's proposed changes for SUP-0008-2017, which also relate to the architectural elevations.

Mr. O'Connor inquired about the number of vending kiosks at the Harris Teeter located in the Quarterpath Shopping Center.

It was noted that there are four or five vending kiosks at that location; however, the development is located in the City of Williamsburg.

Ms. Bledsoe asked for clarification how lack of consistency of the proposed elevations was determined.

Mr. Ribeiro stated that the elevations were not consistent with the architectural guidelines approved for the original SUP in 2013.

Ms. Bledsoe inquired how the 2013 standards would apply to new buildings proposed in 2017 since they are different buildings.

Mr. Ribeiro stated that the drawings incorporated in the approved architectural guidelines are meant as a reference. Mr. Ribeiro stated that the buildings are not required to be built exactly like the referenced elevations, but they must be consistent in materials and color scheme to ensure cohesiveness with the overall development and community character. Mr. Ribeiro stated that, in particular, staff does not find the proposed elevations for the automotive service center to yet be fully consistent with the guidelines.

Ms. Bledsoe inquired if the lack of consistency is because the proposal is not complementary to the other buildings.

Mr. Ribeiro stated that staff finds the proposed elevations to be quite different from the other buildings, particularly the roofline.

Mr. Richardson inquired about the requirement for glazing.

Mr. Ribeiro stated that for Buildings 4 and 6 specifically the guidelines call for 60% glazing on the side of the building facing Richmond Road.

Mr. Richardson inquired if the Commission would be making a recommendation based on staff's original suggested conditions.

Mr. Holt stated that the Commission could recommend approval of some or all of the applicant's requested changes to staff's proposed conditions. Mr. Holt stated that for each SUP vote the Commission would need to be very clear on what language is being approved.

Mr. Krapf clarified that the materials presented in the agenda packet are what staff concurs with and is recommending.

Mr. Holt confirmed and noted that staff would also concur with the small change proposed by the applicant for SUP-0005-2017 regarding the impervious cover.

Mr. Richardson inquired if the Commission had the option to defer some of the applications or remand them back to the DRC for further work.

Mr. Krapf stated that he does not remember remanding cases back to the DRC since that committee has already vetted the application; however, a deferral to the November meeting could be helpful in addressing the various concerns. Mr. Krapf stated that he does not like sending SUPs forward with loose ends for the Board of Supervisors to finalize.

Mr. Holt reiterated that staff would want the Commission to be very clear in any vote what language is being approved. Mr. Holt stated that should the Commission choose to defer any or all applications, the staff report and supplemental materials could clarify what the applicant's proposed changes are compared with staff recommendations.

Mr. Krapf opened the floor for discussion by the Commission.

Mr. O'Connor inquired where staff would like the dumpster for the automotive service center to be located.

Mr. Ribeiro stated that staff has only reacted to the proposed location and has not investigated alternate locations.

Mr. O'Conner requested confirmation that staff objects to the proposed location because it is located adjacent to Street D and is along the pedestrian network.

Mr. Ribeiro stated that is also located in one of the focal points of the development.

Ms. Bledsoe inquired if the concern is that the location will impact traffic flow or that it will be visible to pedestrians.

Mr. Ribeiro stated that it is an aesthetic issue, not a safety issue.

Mr. Holt stated that depending on the impact to the Site Plan, it might not be possible to put in the pedestrian network in that location.

Mr. O'Connor stated that the more you try to hide a dumpster, the more you make it inaccessible for the disposal truck.

Ms. Jennifer Harris, Armada Hoffler, stated that they would be willing to look for other viable locations for the Panera dumpster. Ms. Harris noted that the automotive service center site is very tight and that every reasonable option has been considered. Ms. Harris further noted that each option considered has its own drawbacks. Ms. Harris stated that the only better option would be off site, which also has the drawback of potential spillage and leakage of the garbage as employees transport it across the development. Ms. Harris stated that they are committed to installing the pedestrian network at all costs. Ms. Harris stated that they are open to providing whatever screening is necessary and will consider any and all recommendations for placement of the dumpster; however, they believe that the proposed location represents the best option.

Mr. O'Connor noted that he believed pedestrian access was more important for Panera as opposed to the automotive service center, which is a drive-thru service and would not be as dependent on pedestrian access.

Mr. Richardson stated that Lightfoot Marketplace has a good aesthetic which should be maintained. Mr. Richardson further stated that he sees benefit in potentially deferring the applications so that more of the concerns with details can be fully addressed. Mr. Richardson stated that he would be inclined that all four applications be deferred. Mr. Richardson further stated that the applicant would need to be willing to make some concessions. Mr. Richardson stated that he believes the glazing on the side of the building fronting on Richmond Road is extremely important, as is trade space. Mr. Richardson stated that he supports bringing new businesses to the development to ensure its success. Mr. Richardson stated that he believes the plan can be adjusted to accommodate the uses and maintain the integrity of the development.

Ms. Bledsoe stated that brick and mortar retail must be able to compete against online sales. Ms. Bledsoe stated that she supports having the mix of complementary businesses to create a one-stop shop. Ms. Bledsoe stated that her concerns are with maintaining the consistent aesthetic appearance. Ms. Bledsoe further stated that she has concerns that the current proposal has a number of components that still do not fit completely and that the applicant has indicated that there is no further option for change. Ms. Bledsoe stated that she would support a deferral to see if the issues can be resolved.

Ms. Bledsoe made a motion to defer each of the four applications to the November Planning Commission meeting. The Commission discussed that any recommendation for deferral should include specific guidance for staff on what needs to be addressed.

Mr. Jack Haldeman stated that he is comfortable with the orientation of the buildings, barring any concerns about setting precedent. Mr. Haldeman further stated that he recognizes that dumpsters are unsightly; however, he does not believe that an off-site location is the solution. Mr. Haldeman stated that he would support deferring the applications.

Mr. Krapf stated that he does not disagree with the location of the main entrance for the Panera; however, he believes that the location along a CCC requires a higher level of aesthetics. Mr. Krapf stated that he has concerns about setting precedent if standards are sacrificed to attract tenants. Mr. Krapf stated that he is supportive of a deferral in hopes that additional concessions can be considered.

Mr. Richardson stated that if the applications are deferred, perhaps the applicant could submit an option where the drive-thru is located on the interior and not along Richmond Road.

Mr. O'Connor stated that the drive-thru is visible on the existing McDonald's which also fronts on Richmond Road as well as the queues for the other fast food restaurants on Richmond Road. Mr. O'Connor noted that CCC standards call for the buildings to be adjacent to the road with parking being internal and residential components, if any, located at the back. Mr. O'Connor further stated that the applications should be considered in light of the improvement over what was originally on the site, in this case the Williamsburg Outlet Mall. Mr. O'Connor stated that the Lightfoot Marketplace represents something substantially better. Mr. O'Connor stated that the DRC was not opposed to the elevations that were presented other than to ask for making it a special place that would be a destination shopping center and not be an ordinary strip mall. Mr. O'Connor stated that to the applicant's credit, they have succeeded in coming close to meeting that request. Mr. O'Connor stated that the issue should not be the number of vending kiosks or the nature of the type of screening. Mr. O'Connor stated that the obligation to the community is to draw customers to the development to make it a vibrant place. Mr. O'Connor stated that he could support the applications with the applicant's amended conditions.

Ms. Bledsoe stated that she agrees with Mr. O'Connor's position.

Mr. Richardson stated that he believes the focus on details is necessary, especially the issue regarding the front façade. Mr. Richardson further stated that he believes trade space is necessary to make the proposal work.

Mr. O'Connor noted that the reduction in traffic with these applications would be beneficial to the Lightfoot corridor.

Mr. Schmidt stated that he would support a deferral so that the necessary details could be worked out to resolve issues and concerns. Mr. Schmidt stated that his main concern is ensuring that the building façades on Richmond Road are in keeping with standards for the CCC.

Mr. O'Connor referenced the design of the existing CVS in Norge and noted that it is very similar to what is being proposed for the drive-thru restaurant.

Mr. Richardson noted that the CVS is partially screened by a berm and that the Lightfoot Marketplace site is much flatter. Mr. Richardson reiterated that he does not find the proposed elevation to be in keeping with the CCC.

Mr. O'Connor inquired if a berm at Lightfoot Marketplace would be appealing to the Commission.

Mr. Richardson stated that he finds the openness of the development appealing.

Mr. Krapf stated that a deferral would provide time for this issue and others to be addressed and still potentially allow it to move forward to the December Board of Supervisors meeting.

Mr. Krapf noted that he was not cutting off discussion, but requested confirmation that there were motions on the floor to defer each of the applications.

Mr. Holt confirmed that there were motions to postpone each of the applications to a date and time certain.

Mr. Wright stated that he supports efforts to ensure the success of the development and attract new tenants; however, he would not oppose a deferral if it would allow time to resolve concerns.

Mr. Holt stated that for SUP-0005-2017, Lightfoot Marketplace Master Plan and SUP Amendment, the motion is to postpone to the November 1, 2017, Planning Commission meeting.

On a roll call vote the Commission voted to postpone SUP-0005-2017, Lightfoot Marketplace SUP Amendment, to the November 1, 2017, Planning Commission meeting. The motion passed. (4-3)

Mr. Holt stated that for SUP-0006-2017, Lightfoot Marketplace Gasoline Station, the motion is to postpone to the November 1, 2017, Planning Commission meeting.

On a roll call vote the motion to postpone SUP-0006-2017, Lightfoot Marketplace Gasoline Station, failed to carry. (3-4)

Mr. Holt stated that for SUP-0007-2017, Lightfoot Marketplace Automotive Service Center, the motion is to postpone to the November 1, 2017, Planning Commission meeting.

On a roll call vote the Commission voted to postpone SUP-0007-2017, Lightfoot Marketplace Automotive Service Center, to the November 1, 2017, Planning Commission meeting. (4-3)

Mr. Holt stated that for SUP-0008-2017, Lightfoot Marketplace Drive-Thru Restaurant, the motion is to postpone to the November 1, 2017, Planning Commission meeting.

On a roll call vote the motion to postpone SUP-0008-2017, Lightfoot Marketplace Drive-Thru Restaurant, failed to carry. (3-4)

Mr. O'Connor inquired if the applicant would wish to request a deferral for SUP-0006-2017 and SUP-0008-2017 so that all applications could be considered at the same time.

Mr. Trant stated that the applicant would prefer to move forward with as many cases a possible; however, the preference would be to take all cases to the Board of Supervisors at one time.

Mr. Holt stated that the Commission would need to send forward a recommendation on SUP-0006-2017 and SUP-0008-2017.

Mr. Richardson stated that he does not support moving the two applications forward.

The Commission discussed whether SUP-0006-2017 and SUP-0008-2017 would move forward to the Board of Supervisors separately from the applications that were deferred.

Mr. Holt clarified that the applicant could request that all applications move forward at the same time.

Mr. Haldeman noted that the issue with the gasoline station is the number of vending kiosks. Mr. Haldeman stated that for the drive-thru restaurant his concern is still the location of the dumpster.

Mr. O'Connor made a motion to recommend approval of SUP-0006-2017, Lightfoot Marketplace Gasoline Station, with SUP conditions as amended by the applicant.

On a roll call vote the Commission voted to recommend approval of SUP-0006-2017, Lightfoot Marketplace Gasoline Station, with SUP conditions as amended by the applicant. (6-1)

Ms. Bledsoe made a motion to recommend approval of SUP-0008-2017, Lightfoot Marketplace Drive-Thru Restaurant, with SUP conditions as amended by the applicant.

Mr. Haldeman requested assurance that screening of the order board and pick-up window were included in the applicant's changes. Mr. O'Connor confirmed.

On a roll call vote the Commission voted to recommend approval of SUP-0008-2017, Lightfoot Marketplace Drive-Thru Restaurant with SUP conditions as amended by the applicant. (4-3)

G. PLANNING COMMISSION CONSIDERATIONS

1. Initiation of Consideration of Amendments to the Zoning Ordinance, Division 3. Floodplain Area Regulations

Mr. Holt stated that in response to recent guidance from the Federal Emergency Management Agency Region III ("FEMA") and the Department of Conservation and Recreation ("DCR"), staff has identified the need to update the Floodplain Ordinance to address the construction regulations of small accessory structures in the special flood hazard area. Mr. Holt stated that as a result of the recent FEMA determinations, DCR guidance and model regulations have been recently updated to address wet-proofing construction standards for small accessory structures in the floodplain. Mr. Holt stated that this option, if adopted locally, will also provide a lower construction cost option for property owners. Mr. Holt stated that staff recommends adoption of the attached resolution to initiate consideration of such amendments to the Zoning Ordinance. Mr. Holt noted that adopting an initiating resolution does not change County Code, it simply begins the process of considering amendments.

Mr. O'Connor inquired if the changes would include detached garages.

Mr. Holt noted that detached garages would be one specific example of the types of structures affected. Mr. Holt noted that under the current regulations, if a detached garage is located in a Special Flood Hazard Area, the only options are to elevate it, which is not a practical option, or dry flood proof it to prevent water from entering the structure, which is also expensive and impractical. Mr. Holt stated that potential amendments would allow for wet flood proofing such as flood vents

Mr. Wright made a motion to recommend approval of the Initiating Resolution for Consideration of Amendments to the Zoning Ordinance, Division 3. Floodplain Area Regulations.

On a roll call vote the Commission voted to approve the Initiating Resolution for Consideration of Amendments to the Zoning Ordinance, Division 3. Floodplain Area Regulations. (7-0)

2. Adoption of a Revised Policy for Remote Participation in Meetings by Commission Members

Mr. Max Hlavin, Assistant County Attorney, stated that this is a change to the Commission's adopted Policy on Remote Participation in Meetings to bring the policy into conformance with changes made to Virginia Code Section 2.2-3708.1 Mr. Hlavin noted that the changes removed language pertaining to emergencies and limited the number of times a member of a

public body could remotely participate in a meeting because of a personal matter to two meetings each calendar year. Mr. Hlavin noted that previously, remote participation by a member because of an emergency or personal matter was limited each calendar year to two meetings or 25% of the meetings of the public body, whichever was fewer. Mr. Hlavin noted that there are also minor revisions to clarify certain portions of the policy. Mr. Hlavin further noted that on September 14, 2017, the Policy Committee recommended approval of the revised policy. Mr. Hlavin stated that staff recommends Planning Commission approval of the attached Resolution and revised policy.

Mr. Richardson made a motion to approve the revised policy.

On a roll call vote the Commission voted to approve the revisions to the Policy for Remote Participation in Meetings by Commission Members. (7-0)

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - October 2017

Mr. Holt stated that he had nothing in addition to the report provided in the agenda packet.

Mr. O'Connor inquired if members had been selected for the Workforce Housing Task Force.

Mr. Holt stated that the application process is closed. Mr. Holt further stated that approximately 48 applications were submitted. Mr. Holt stated that staff and County Administration are reviewing the applications and working through the process of selecting members as well as developing a short list of consultants.

Mr. O'Connor inquired if the Policy Committee would be involved in any of the process.

Mr. Holt stated that the Planning Commission and the Board of Supervisors would be kept in the loop throughout the process. Mr. Holt noted that there is potential for representation on the Task Force from both bodies as well as other entities.

Mr. Haldeman inquired about the number of members on the task force.

Mr. Holt responded that the goal is to have 16–18 members which would include representation from various committees and commissions, other stakeholder agencies and individual citizens.

Mr. Wright inquired when the Task Force would begin their work.

Mr. Holt stated that the hope was to have a kick-off meeting prior to the holidays with the first work meeting shortly after the first of the year.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Krapf congratulated Ms. Bledsoe on her appointment to the Economic Development Authority (EDA), noting that the appointment reflects her excellent work on the Planning Commission.

Mr. Krapf stated that taking on the new appointment also means that this was her last Planning Commission meeting.

Mr. Krapf read the Resolution of Appreciation for Ms. Bledsoe for Planning Commission for

approval stating that:

WHEREAS, Ms. Robin Bledsoe has served the citizens of James City County as a member of its Planning Commission from February 2012 to October 2017; and

WHEREAS, Ms. Bledsoe has served on both the Policy Committee and the Development Review Committee; and

WHEREAS, Ms. Bledsoe served as the Chairman of the 2013, 2014 and 2017 Policy Committee; and

WHEREAS, during Ms. Bledsoe's service, the Planning Commission reviewed substantive updates to the Zoning Ordinance and Subdivision Ordinance and considered numerous legislative development cases; and

WHEREAS, Ms. Bledsoe actively participated in the update to the Comprehensive Plan: *Toward 2035: Leading the Way*; and

WHEREAS, Ms. Bledsoe served as representative to the 2014 and 2015 Regional Issues Committee; and

WHEREAS, Ms. Bledsoe was a graduate of the Virginia Tech Certified Planning Commissioner Program.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia does hereby extend its sincere appreciation to MS. ROBIN BLEDSOE

BE IT FURTHER RESOLVED that the Planning Commission wishes to express its gratitude to Ms. Robin Bledsoe for her time of dedicated service to the citizens of James City County.

Mr. Wright made a motion to adopt the Resolution of Appreciation.

On a roll call vote the Planning Commission voted to adopt the Resolution of Appreciation for Ms. Robin Bledsoe. (7-0)

Mr. Krapf presented Ms. Bledsoe with a framed copy of the signed resolution.

Ms. Bledsoe stated that it has been an honor to serve on the Planning Commission. Ms. Bledsoe expressed appreciation for her fellow Commission members and Planning staff.

Ms. Bledsoe noted that she recently attended the mid-term workshop for the Ft. Eustis-Langley Joint Land Use Study. Ms. Bledsoe further stated that the hope is to have a draft report ready early in 2018. Ms. Bledsoe stated that she believed the results of the study would be very useful for informing future development adjacent to the military installations. Ms. Bledsoe noted that she would gladly continue to attend the Joint Land Use Study meeting and report back to the Planning Commission.

Mr. O'Connor noted that Ms. Bledsoe will be an excellent addition to the EDA because of her understanding of what the Planning Commission needs in terms of economic impact data to effectively review many of the more intensive applications.

Mr. Krapf noted that Mr. Richardson has Board of Supervisors meeting coverage for October.

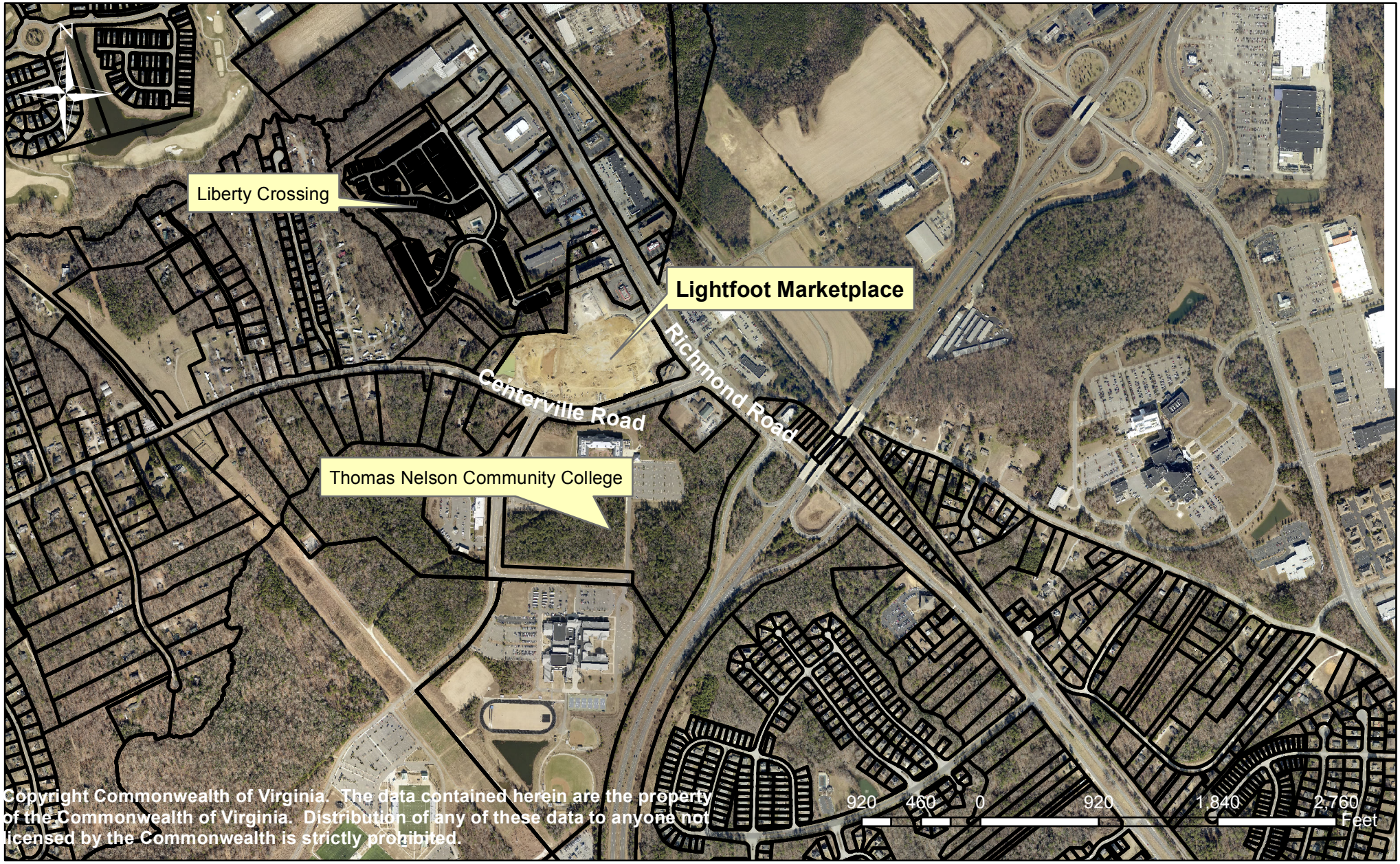
J. ADJOURNMENT

Ms. Bledsoe made a motion to adjourn.

The meeting was adjourned at approximately 9:25 p.m.

_____	_____
Rich Krapf, Chairman	Paul D. Holt, III, Secretary

SUP-0005/0006/0007/0008-2017
Lightfoot Marketplace



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MASTER PLAN AMENDMENT
LIGHTFOOT MARKETPLACE
FOR
SPECIAL USE PERMIT

STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

AES PROJECT NUMBER W10234-01
SUBMITTAL DATE: 8/21/13
SUP-0005/0006/0007/0008-2017

GENERAL NOTES

PROPERTY OWNER: LIGHTFOOT MARKETPLACE SHOPPING CENTER LLC
222 CENTRAL PARK AVE, STE. 2100
VIRGINIA BEACH, VIRGINIA 23463

2. PARCEL IDENTIFICATION 2430100038

ADDRESS: 6401 RICHMOND ROAD
WILLIAMSBURG, VA 23188

3. SITE IS ZONED LIMITED BUSINESS/INDUSTRIAL DISTRICT (WITH CONDITIONS PER SUP-0014-2013 AND APPROVED FEBRUARY 11, 2014 BY JCC BOARD OF SUPERVISORS AND ASSOCIATED WITH THIS SITE).

4. SITE IS SITUATED IN SUBWATERSHED 205 OF THE POWHATAN CREEK WATERSHED AND SUBWATERSHED 105 OF THE YARMOUTH CREEK WATERSHED OF JAMES CITY COUNTY.

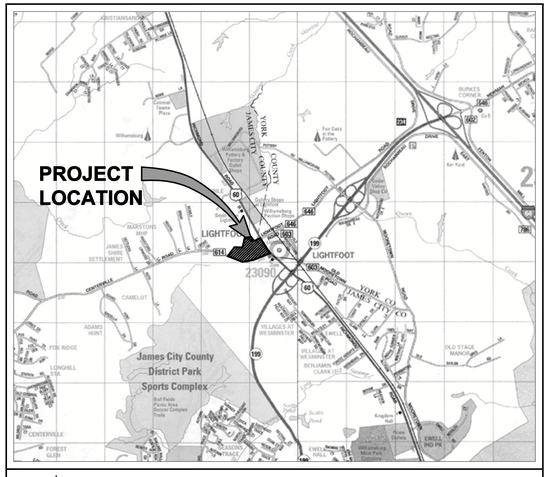
5. HYDROLOGIC UNIT CODE: JL31 (POWHATAN CREEK – 020802060702) & JL28 (CHICKAHOMINY RIVER–YARMOUTH CREEK –20802060604

6. BASED ON THE FEMA FLOOD INSURANCE RATE MAP FOR JAMES CITY COUNTY, VIRGINIA (MAP PANEL 51095C0109D) AS OF 12/16/15, NO PORTIONS OF THIS PROPERTY FALL WITHIN THE 100–YEAR FLOODPLAIN.

7. SITE AREA = 18.96 AC. ± (825,990 S.F.±)

NOTE:
1. THE ORIGINAL MASTER PLAN SUP-00014-2013 WAS APPROVED BY JAMES CITY COUNTY BOARD OF SUPERVISORS ON FEBRUARY 11, 2014.
2. THIS AMENDMENT APPLIES TO BUILDING AREAS #4 & 6 ONLY.

1



VICINITY MAP
(Approximate Scale: 1"=2,000')
Copyright ADC The Map People permitted use number 20905145

INDEX OF SHEETS

SHEET NO.	SHEET DESCRIPTION
1	COVER SHEET
2	ENVIRONMENTAL INVENTORY AND EXISTING CONDITIONS
3.1	EXISTING BINDING MASTER PLAN (APPROVED 2/11/2014)
3.2	BINDING MASTER PLAN
4	CONCEPTUAL STORMWATER MASTER PLAN
5	CONCEPTUAL WATER & SEWER PLAN

DEVELOPER INFORMATION:

CONTACT: LIGHTFOOT MARKETPLACE SHOPPING CENTER, LLC.
222 CENTRAL PARK AVE. STE 2100
VIRGINIA BEACH, VIRGINIA 23463
PHONE NO.: (757) 366-4000
CONTACT: JENNIFER HARRIS

Rev.	Date	Description	Revised By
1	09/19/17	PROVISIONS PER COUNTY COMMENTS	LBA
	07/27/17	AMENDED MASTER PLAN FOR SPECIAL USE PERMIT	LBA

AES CONSULTING ENGINEERS
5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 253-0040
Fax: (757) 220-8994
www.aesva.com
Hampton Roads | Central Virginia | Middle Peninsula

MASTER PLAN AMENDMENT
LIGHTFOOT MARKETPLACE
FOR
SPECIAL USE PERMIT
STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10234-01
Scale: N/A	Date: 07/19/17
Sheet Title: COVER SHEET	
Sheet Number 1	

S:\JOBS\W10234\01-Centerville-Richmond\Rds\Planning\Master Planning\Master plan revision\W10234\01c01-cover.dwg, 10/25/2017 8:12:58 AM, System K Series - Batch.pc3

PROPERTY DESCRIPTION – PARCEL 4 – ALL OF TAX PARCEL (24–3) (1–38)

ALL THOSE CERTAIN LOTS, PIECES OR PARCELS OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN THE POWHATAN DISTRICT OF THE COUNTY OF JAMES CITY, VIRGINIA, AND AS SHOWN HEREON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD FOUND ON THE NORTHERLY R/W LINE OF S.R. 614, CENTERVILLE ROAD, SAID ROD FOUND BEING 270'± WESTERLY OF THE INTERSECTION OF U.S. ROUTE 60, RICHMOND ROAD; THENCE ALONG SAID R/W LINE OF S.R. 614, CENTERVILLE ROAD S71°46'33"W, A DISTANCE OF 200.39' TO AN IRON ROD FOUND; THENCE S69°00'32"W, A DISTANCE OF 191.75' TO AN IRON ROD FOUND; THENCE S78°40'39"W, A DISTANCE OF 46.50' TO AN IRON ROD FOUND; THENCE S67°31'32"W, A DISTANCE OF 37.30' TO AN IRON ROD FOUND; THENCE S80°04'03"W, A DISTANCE OF 75.00' TO AN IRON ROD FOUND; THENCE S68°21'17"W, A DISTANCE OF 33.45' TO AN IRON ROD FOUND AT THE BEGINNING OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 718.94', A DELTA ANGLE OF 27°15'16", A LENGTH OF 341.98', A CHORD DISTANCE OF 338.77' AND A CHORD BEARING OF N80°20'50"W TO A PK NAIL SET; THENCE N66°43'12"W, A DISTANCE OF 181.61' TO AN IRON ROD FOUND; THENCE N69°34'57"W, A DISTANCE OF 100.12' TO AN IRON ROD FOUND; THENCE N66°43'12"W, A DISTANCE OF 243.24' TO AN IRON ROD SET BEING A CORNER TO THIS PARCEL AND LANDS NOW OR FORMERLY STANDING IN THE NAME OF CHRISTOPHER TURNER; THENCE LEAVING THE R/W LINE OF S.R. 614, CENTERVILLE ROAD N43°18'04"E, A DISTANCE OF 449.16' TO AN IRON ROD SET BEING A CORNER TO THIS PARCEL, CHRISTOPHER TURNER AND LYING ON THE LINE OF LANDS NOW OR FORMERLY STANDING IN THE NAME OF LIBERTY CROSSING TOWNHOUSE ASSOCIATION; THENCE LEAVING THE LINE OF CHRISTOPHER TURNER AND ALONG THE LINE OF LIBERTY CROSSING TOWNHOUSE ASSOCIATION N82°32'41"E, A DISTANCE OF 255.22' TO AN IRON ROD FOUND; THENCE S82°49'40"E, A DISTANCE OF 94.02' TO AN IRON PIPE FOUND; THENCE N01°31'53"E, A DISTANCE OF 302.40' TO AN IRON ROD FOUND BEING A CORNER TO THIS PARCEL AND LANDS NOW OR FORMERLY STANDING IN THE NAME OF ORSUNG ENTERPRISE, L.L.C. LYING ON THE LINE OF LIBERTY CROSSING TOWNHOUSE ASSOCIATION; THENCE LEAVING THE LINE OF LIBERTY CROSSING TOWNHOUSE ASSOCIATION AND ALONG THE LINE OF ORSUNG ENTERPRISE, L.L.C. N66°42'53"E, A DISTANCE OF 245.29' TO A PUNCH HOLE FOUND BEING A CORNER TO THIS PARCEL, ORSUNG ENTERPRISE, L.L.C. AND LANDS NOW OR FORMERLY STANDING IN THE NAME OF MCDONALD'S CORPORATION; THENCE LEAVING ORSUNG ENTERPRISE, L.L.C. AND ALONG THE LINE OF MCDONALD'S CORPORATION S26°25'58"E, A DISTANCE OF 247.20' TO AN IRON ROD FOUND; THENCE S83°52'17"E, A DISTANCE OF 135.79' TO AN IRON ROD FOUND; THENCE N60°06'53"E, A DISTANCE OF 122.30' TO A BENT IRON PIPE FOUND BEING A CORNER TO THIS PARCEL, MCDONALD'S CORPORATION AND LYING ON THE WESTERLY R/W OF U.S. ROUTE 60 (RICHMOND ROAD); THENCE LEAVING MCDONALD'S CORPORATION AND ALONG THE R/W LINE OF U.S. ROUTE 60 (RICHMOND ROAD) S15°18'40"E, A DISTANCE OF 17.56' TO A PK NAIL SET; THENCE S29°53'07"E, A DISTANCE OF 100.00' TO A PUNCH HOLE FOUND; THENCE S44°49'00"E, A DISTANCE OF 15.53' TO AN IRON PIPE FOUND; THENCE S29°53'07"E, A DISTANCE OF 73.30' TO AN IRON ROD FOUND AT THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 2,044.86', A DELTA ANGLE OF 07°56'09", A LENGTH OF 283.23', A CHORD DISTANCE OF 283.00' AND A CHORD BEARING OF S33°51'11"E TO A BENT IRON PIPE FOUND BEING A CORNER TO THIS PARCEL AND LANDS NOW OR FORMERLY STANDING IN THE NAME OF INLAND AMERICAN ST. PORTFOLIO LLC (SUNTRUST BANK) LYING ON THE WESTERLY R/W LINE OF U.S. ROUTE 60 (RICHMOND ROAD); THENCE LEAVING THE R/W OF U.S. ROUTE 60 (RICHMOND ROAD) AND ALONG THE LINE OF INLAND AMERICAN ST. PORTFOLIO LLC (SUNTRUST BANK) S63°34'02"W, A DISTANCE OF 198.00' TO A BENT IRON PIPE FOUND; THENCE S18°34'02"W, A DISTANCE OF 30.00' TO AN IRON PIPE FOUND; THENCE S26°25'58"E, A DISTANCE OF 136.69' TO AN IRON ROD FOUND BEING THE POINT OF BEGINNING CONTAINING 825,979 SQUARE FEET OR 18.962 ACRES, MORE OR LESS.

BRIDGETRUST TITLE GROUP, FORMERLY PIONEER TITLE
TITLE COMMITMENT FILE NO. 091038699
COMMITMENT DATE OF POLICY: MARCH 13, 2012
ISSUE DATE: MARCH 16, 2012
SCHEDULE B, SECTION II, EXCEPTIONS:

DECLARATION OF RESTRICTIVE COVENANT, D.B. 244, PG. 527, (AFFECTS PROPERTY BUT IS NOT PLOTTABLE)
VIRGINIA ELECTRIC AND POWER EASEMENT, D.B. 49, PG. 534, (APPEARS TO AFFECT PROPERTY BUT IS NOT PLOTTABLE)
VIRGINIA ELECTRIC AND POWER EASEMENT D.B. 464, PG. 773 (EASEMENT AS PLOTTED REFLECTS QUITCLAIM)
CHESAPEAKE TELEPHONE AND TELEGRAPH EASEMENT, D.B. 7, PGS. 463–464 (APPEARS TO AFFECT THE PROPERTY BUT IS NOT PLOTTABLE DUE TO THE AGE OF THE DEED)
EASEMENT AGREEMENT, D.B. 244, PG. 501, (AFFECTS THE PROPERTY – PLOTTED ONLY TO THE EXTENT POSSIBLE ON THE SURVEY)
MODIFICATION OF EASEMENT AGREEMENT, D.B. 429, PG. 716, (AFFECTS THE PROPERTY – PLOTTED ONLY TO THE EXTENT POSSIBLE ON THE SURVEY)
MEMORANDUM OF LEASE, D.B. 549, PG 363, (AFFECTS THE PROPERTY BUT IS NOT PLOTTABLE)

N/F
ORSUNG ENTERPRISE, L.L.C.
T.M.P. (24–3) (1–62)
DOC. #050024746
ZONED M1

NOTE: CURB ISLAND CROSS PROPERTY LINE

NOTE: CURB ISLAND ACROSS PROPERTY LINE

INGRESS/EGRESS FOR MCDONALDS

MAILBOX

GAS METER

N/F
MCDONALD'S CORPORATION
T.M.P. (24–3) (1–63)
D.B. 244, PG. 498
INGRESS/EGRESS FOR MCDONALDS
ZONED M1

EXISTING CHKD (22,625 SF)

N/F
LIBERTY CROSSING TOWNHOUSE ASSOCIATION
COMMON AREA P–1
DOC. #100006037
TAX MAP PARCEL# (24–3) (8–1A)
ZONED MU

N/F
LIBERTY CROSSING TOWNHOUSE ASSOCIATION
COMMON AREA–P–2B
DOC. #100006037
TAX MAP PARCEL# (24–3) (8–1E)
ZONED MU

AREA OF AMENDMENT

US ROUTE 60 - RICHMOND ROAD (VARIABLE WIDTH R/W)

APPROVED (NOT BUILT) PHARMACY

EXISTING HARRIS TEETER (59,885 SF)

(P.B. 49, PG. 70)

(EXISTING BUILDING 19,393 SF)

POB

(EXISTING BUILDING 14,550 SF)

CENTERVILLE ROAD RT 614 (VARIABLE WIDTH R/W)

N/F
THOMAS NELSON COMMUNITY COLLEGE
T.M.P. (32–1)(1–13)
DOC. #070031262
COMP. PLAN: FEDERAL, STATE, AND COUNTY LAND

NOTE:
CONCRETE DITCH AND SIDEWALK CROSS PROPERTY LINE AT VARIOUS POINTS ALONG THE CENTERVILLE ROAD FRONTAGE

GENERAL NOTES:

1. *THIS PLAT IS BASED ON AN ACTUAL FIELD SURVEY. THE PROPERTY BOUNDARY AS SHOWN IS BASED ON CORNER MONUMENTS FOUND AT THE TIME OF THE SURVEY, DEEDS AND PLATS OF RECORD. THE PROPERTY SHOWN HEREON WAS CONVEYED BY R. R. WILLIAMSBURG, INC., A DELAWARE CORPORATION TO 6401 RICHMOND ROAD, LLLP A VIRGINIA LIMITED LIABILITY PARTNERSHIP BY DEED DATED AUGUST 19, 2003 AND RECORDED AS INSTRUMENT NO. 030024765.*
2. *PROPERTY IS CURRENTLY ZONED "M1" – LIMITED BUSINESS/ INDUSTRIAL DISTRICT.*
   FRONT SETBACK: 75' FROM STREET R/W
   SIDE SETBACK: 25' MIN., 75' IF SIDE YARD ADJOINS RESIDENTIAL DISTRICT OR AN AGRICULTURAL DISTRICT
   REAR SETBACK: 25' MIN., 75' IF SIDE YARD ADJOINS RESIDENTIAL DISTRICT OR AN AGRICULTURAL DISTRICT
   HEIGHT RESTRICTION: 60' (FROM GRADE TO TOP OF STRUCTURE)
3. *PROPERTY SHOWN HEREON IS ALL OF TAX MAP PARCEL NO. (24–3) (1–38)*
4. *PROPERTY ADDRESS: #6401 RICHMOND ROAD.*
5. *HORIZONTAL DATUM VIRGINIA STATE PLANE COORDINATES SOUTH ZONE (NAD 1983)*
6. *VERTICAL DATUM: NGVD 1929*
7. *BASED ON THE FEMA FLOOD INSURANCE RATE MAP FOR JAMES CITY COUNTY, VIRGINIA (MAP PANEL 51095C0109D) AS OF 12/16/15 NO PORTIONS OF THIS PROPERTY FALL WITHIN THE 100–YEAR FLOODPLAIN.*

EASEMENT NOTES:

Ⓐ EXISTING VARIABLE WIDTH PERMANENT VDOT EASEMENT FOR DRAINAGE AND SIGNAL LOOP. (DOC. #060006313)

Ⓑ EXISTING VARIABLE WIDTH PERMANENT VDOT SIGHT EASEMENT (DOC. #060006313)

SOILS

SYMBOL	SOIL DESCRIPTION
10B	CRAVEN FINE SANDY LOAM, 2 TO 6 PERCENT SLOPES
10C	CRAVEN FINE SANDY LOAM, 6 TO 10 PERCENT SLOPES
11C	CRAVEN-UCHEE COMPLEX, 6 TO 10 PERCENT SLOPES
14B	EMPORIA FINE SANDY LOAM, 2 TO 6 PERCENT SLOPES
19B	KEMPSVILLE-EMPORIA FINE SANDY LOAMS, 2 TO 6 PERCENT SLOPES
29A	SLAGLE FINE SANDY LOAM, 0 TO 2 PERCENT SLOPES
29B	SLAGLE FINE SANDY LOAM, 2 TO 6 PERCENT SLOPES

NOTE: SOILS INFORMATION PROVIDED FROM THE SOIL SURVEY OF JAMES CITY AND YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VIRGINIA (USDA 1985). THIS INFORMATION IS "BEST-FIT" ONTO THE JAMES CITY COUNTY GIS MAPPING AND MAY NOT BE ENTIRELY ACCURATE.

Rev.	Date	Description	Revised By
1	09/19/17	PROVISIONS PER COUNTY COMMENTS	LBA
2	07/27/17	AMENDED MASTER PLAN FOR SPECIAL USE PERMIT	LBA

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MASTER PLAN AMENDMENT LIGHTFOOT MARKETPLACE FOR SPECIAL USE PERMIT

STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10234-01
Scale: 1"=60'	Date: 07/19/17

Sheet Title:
EXISTING CONDITIONS AND ENVIRONMENTAL INVENTORY

Sheet Number
2

S:\JOBS\W10234\01-Centerville-RichmondRds\Planning\Master Planning\Master plan revision\W10234\01c02-existing conditions.dwg, 10/25/2017 8:13:18 AM, System K Series - Batch.pc3

LEGEND

- PROPOSED PEDESTRIAN CIRCULATION
- EXISTING PEDESTRIAN CIRCULATION
- MIXED USE TRAIL
- VEHICULAR ACCESS
- COMMUNITY CHARACTER CORRIDOR BUFFERS
- * AREA OF VDOT RIGHT OF WAY IMPROVEMENTS AS NOTED IN TRAFFIC STUDY AND CONDITIONED BY SPECIAL USE PERMIT.

SITE TABULATIONS:

EXISTING:

APPROX. EXISTING IMPERVIOUS AREA:	701,349 S.F. (±84.9%)
APPROX. EXISITING GREEN SPACE:	124,641 S.F. (±15.1%)
TOTAL SITE:	825,990 S.F. (100%)

PROPOSED:

APPROX. PROPOSED IMPERVIOUS AREA:	523,698 S.F. (±63.4%)
APPROX. PROPOSED GREEN SPACE:	302,296 S.F. (±36.6%)
TOTAL SITE:	825,990 S.F. (100%)

NOTE:

1. PROPERTY INFORMATION:
   TAX MAP 2430100038
   6401 RICHMOND ROAD
   18.9 ACRES
   ZONED M-1
2. THE 50' COMMUNITY CHARACTER CORRIDOR BUFFERS SHALL BE PLANTED PER JAMES CITY COUNTY REQUIREMENTS DESCRIBED IN ARTICLE 2, DIVISION 4 OF THE ZONING ORDINANCE AND PER THE APPLICABLE PROVISIONS OUTLINED IN THE COMPREHENSIVE PLAN. ALL OTHER REQUIRED LANDSCAPE AREAS SHALL BE PLANTED PER THE PROVISIONS OF ARTICLE 2, DIVISION 4.
3. A 15' CONSTRUCTION EASEMENT MAY BE REQUIRED ALONG THE COMMUNITY CHARACTER CORRIDOR BUFFER IF CURRENTLY VEGETATED.
4. JAMES CITY COUNTY PARKING REQUIREMENT:
   (4 SPACES/1,000 SF) (136,134 SF/250) = 545 SPACES
   PROPOSED PARKING SHOWN: 589 SPACES

N/F ORSUNG ENTERPRISE, LLC T.M.P. (24-3)(1-62) DOC. #050024746 ZONED M1 COMP. PLAN: MU

N/F MCDONALD'S CORPORATION T.M.P. (24-3)(1-63) D.B. 244, PG. 498 ZONED M1 COMP. PLAN: MU

N/F LIBERTY CROSSING TOWNHOUSE ASSOCIATION COMMON AREA P-1 T.M.P. (24-3)(8-1A) DOC. #100006037 ZONED MU COMP. PLAN: MU

N/F LIBERTY CROSSING TOWNHOUSE ASSOCIATION COMMON AREA P-2B T.M.P. (24-3)(8-1E) DOC. #100006037 ZONED MU COMP. PLAN: MU

N/F CHRISTOPHER TURNER T.M.P. (24-3)(1-38C) DOC. #050029703 ZONED A1 COMP. PLAN: MU

N/F SUNTRUST BANK CORPORATE REAL ESTATE T.M.P. (24-3)(1-39) ZONED MU COMP. PLAN: MU

N/F THOMAS NELSON COMMUNITY COLLEGE T.M.P. (32-1)(1-13) DOC. #070031262 COMP. PLAN: FEDERAL, STATE, AND COUNTY LAND

N/F T.M.P. (24-3)(1-38) DOC. #625 461 ZONED RB COMP. PLAN: LOW DENSITY RESIDENTIAL

EXISTING WATA BUS STOP

LENGTHENED EXISTING EASTBOUND LEFT TURN LANE FROM 150' TO 250' PER TRAFFIC STUDY

PEDESTRIAN CROSSWALK ACROSS RICHMOND ROAD PER TRAFFIC STUDY

U.S. ROUTE #60 - RICHMOND ROAD (VARIABLE WIDTH R/W)

RAILROAD PRE-EMPTION DEVICE PROVIDED IN THE CONTROLLER CABINET PER TRAFFIC STUDY

TRAFFIC SIGNAL MODIFIED TO PROVIDE A PROTECTED-PERMISSIVE MOVEMENT (FLASHING YELLOW ARROW) PER TRAFFIC STUDY

FOCAL POINT (FLAGPOLES GAZEBO, ETC.)

SPECIAL PROVISIONS WITHIN COMMUNITY CHARACTER CORRIDOR PLANTINGS FOR SCREENING OF PARKING AND SERVICE AREAS. SEE NOTE 2 ABOVE.

EXISTING WALKING TRAILS

CONNECTION TO EXISTING LIBERTY CROSSING TRAILS

ENTRY GREENSPACE

STREET A

STREET B

STREET C

STREET D

MARKETPLACE GREEN

DECORATIVE PAVING

PROPOSED WATA BUS STOP

PARKING FIELD

EXPAND EXISTING DETENTION FACILITY

FUTURE 5,000 SF BLDG. EXPANSION AREA

1 LAND USE E

2 LAND USE E,G

3 LAND USE E,G

4 LAND USE E

5 LAND USE E,G

6 LAND USE E,G

ADDITIONAL 200' LEFT TURN LANE WITH TAPER PER TRAFFIC STUDY

EXISTING CROSSWALK

EXISTING SIGNAL TO BE MODIFIED TO ACCOMMODATE PROPOSED INTERSECTION LANE CONFIGURATION PER TRAFFIC STUDY

SPECIAL PROVISIONS WITHIN COMMUNITY CHARACTER CORRIDOR PLANTINGS FOR SCREENING OF PARKING AND SERVICE AREAS. SEE NOTE 2 ABOVE.

CENTERVILLE ROAD - RT. 614 (VARIABLE WIDTH R/W)

OPPORTUNITY WAY

N

GRAPHIC SCALE
60' 0' 60' 120'
SCALE: 1" = 60'

DEVELOPMENT TABULATION

BUILDING NUMBER	LAND USE DESIGNATION	PROPOSED USE	GFA NOT TO EXCEED
1	E	COMMERCIAL	60,000 SF*
2	E,G	COMMERCIAL/OFFICE	20,000 SF
3	E,G	COMMERCIAL/OFFICE	15,000 SF
4	E	COMMERCIAL	15,000 SF
5	E,G	COMMERCIAL/OFFICE	20,000 SF
6	E,G	COMMERCIAL/OFFICE	10,000 SF
		TOTAL	136,134 SF (MAX)

* AREA INCLUDES FUTURE 5,000 SF EXPANSION.

Rev.	Date	Description	LBA Reviewed By
1	07/27/17	AMENDED MASTER PLAN FOR SPECIAL USE PERMIT	

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LIGHTFOOT MARKETPLACE
SPECIAL USE PERMIT
JAMES CITY COUNTY VIRGINIA
STONEHOUSE DISTRICT

Project Contacts:	GAM/JSP
Project Number:	W10234-01
Scale: 1"=60'	Date: 6/21/13

Sheet Title:
EXISTING BINDING MASTER PLAN (APPROVED 2/11/14)

Sheet Number
3.1

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LEGEND

- PROPOSED PEDESTRIAN CIRCULATION
- EXISTING PEDESTRIAN CIRCULATION
- MIXED USE TRAIL
- VEHICULAR ACCESS
- COMMUNITY CHARACTER CORRIDOR BUFFERS
- * AREA OF VDOT RIGHT OF WAY IMPROVEMENTS AS NOTED IN TRAFFIC STUDY AND CONDITIONED BY SPECIAL USE PERMIT.

SITE TABULATIONS:

EXISTING: (OLD OUTLET MALL SITE)
APPROX. EXISTING IMPERVIOUS AREA: 701,349 S.F. (±84.9%)
APPROX. EXISITING GREEN SPACE: 124,641 S.F. (±15.1%)
TOTAL SITE: 825,990 S.F. (100%)

APPROVED: (UNDER SUP-14-2013)
APPROX. PROPOSED IMPERVIOUS AREA: 547,298 S.F. (±66.3%)
APPROX. PROPOSED GREEN SPACE: 278,692 S.F. (±33.7%)
TOTAL SITE: 825,990 S.F. (100%)

PROPOSED: (UNDER SUP-0005/0006/00082017)
APPROX. PROPOSED IMPERVIOUS AREA: 547,298 S.F. (±66.3%)
APPROX. PROPOSED GREEN SPACE: 278,692 S.F. (±33.7%)
TOTAL SITE: 825,990 S.F. (100%)

NOTE:

1. PROPERTY INFORMATION:
   TAX MAP 2430100038
   6401 RICHMOND ROAD
   18.9 ACRES
   ZONED M-1
2. THE 50' COMMUNITY CHARACTER CORRIDOR BUFFERS SHALL BE PLANTED PER JAMES CITY COUNTY REQUIREMENTS DESCRIBED IN ARTICLE 2, DIVISION 4 OF THE ZONING ORDINANCE AND PER THE APPLICABLE PROVISIONS OUTLINED IN THE COMPREHENSIVE PLAN. ALL OTHER REQUIRED LANDSCAPE AREAS SHALL BE PLANTED PER THE PROVISIONS OF ARTICLE 2, DIVISION 4.
3. JAMES CITY COUNTY PARKING REQUIREMENT:
   COMMERCIAL/OFFICE
   (4 SPACES/1,000 SF)OR(250/94,780 SF) = 379 SPACES
   FAST FOOD
   (1 SPACES/EVERY 4 SEATS) = 25 SPACES
   MEDICAL/OFFICE
   (1 SPACES/250 SF) (22,625 SF) = 91 SPACES
   AUTOMOBILE SERVICE CENTER
   (1 SPACE/250 SF) (2,000 SF) = 8 SPACES
   GAS STATION
   (1 SPACE/PERSON) (240 SF) = 1 SPACE
   TOTAL REQUIRED 504 SPACES

   APPROVED PARKING SPACES FOR MASTER PLAN SUP-0014-2013 WAS 545 SPACES. PROPOSED THIS MASTER PLAN AMENTMENT IS 536 SPACES INCLUDING 18 HANDICAPPED SPACES

N/F ORSUNG ENTERPRISE, LLC
T.M.P. (24-3)(1-62)
DOC. #050024746
ZONED M1
COMP. PLAN: MU

N/F MCDONALD'S CORPORATION
T.M.P. (24-3)(1-63)
D.B. 244, PG. 498
ZONED M1
COMP. PLAN: MU

EXISTING WATA BUS STOP

LENGTHENED EXISTING EASTBOUND LEFT TURN LANE FROM 150' TO 250' (COMPLETED PER PREVIOUS MP & TRAFFIC STUDY)

EXISTING PEDESTRIAN CROSSWALK ACROSS RICHMOND ROAD (COMPLETED PER PREVIOUS MP & TRAFFIC STUDY)

EXISTING RAILROAD PRE-EMPTION DEVICE PROVIDED IN THE CONTROLLER CABINET PER PREVIOUS MP & TRAFFIC STUDY

MODIFIED UNDER PREVIOUS MP AND TRAFFIC STUDY - TRAFFIC SIGNAL TO PROVIDE A PROTECTED-PERMISSIVE MOVEMENT (FLASHING YELLOW ARROW)

PROVIDE ENHANCHED SCREENING FOR ORDER BOARD AND DRIVE THRU PICK-UP

US ROUTE 60 - RICHMOND ROAD (VARIABLE WIDTH R/W)

N/F LIBERTY CROSSING TOWNHOUSE ASSOCIATION
COMMON AREA P-2B
T.M.P. (24-3)(8-1E)
DOC. #100006037
ZONED MU
COMP. PLAN: MU

EXISTING WALKING TRAILS

N/F LIBERTY CROSSING TOWNHOUSE ASSOCIATION
COMMON AREA P-1
T.M.P. (24-3)(8-1A)
DOC. #100006037
ZONED MU
COMP. PLAN: MU

5
LAND USE E,G
(EXISTING CHKD
22,625 SF)

CONNECTION TO EXISTING LIBERTY CROSSING TRAILS

ENTR. GREENSPACE

STREET A

4 A QUICK SERVICE RESTAURANT 5,000 SF
LAND USE E,G (PROPOSED 9,000 SF) 1
4 B DENIST 4,000 SF

CCC BUFFER TRANSFER

MARKETPLACE GREEN

FOCAL POINT (FLAGPOLES GAZEBO, ETC.)

CCC BUFFER TRANSFER

SPECIAL PROVISIONS WITHIN COMMUNITY CHARACTER CORRIDOR PLANTINGS FOR SCREENING OF PARKING AND SERVICE AREAS. SEE NOTE 2 ABOVE.

STREET D

N/F CHRISTOPHER TURNER
T.M.P. (24-3)(1-38C)
DOC. #050029703
ZONED A1
COMP. PLAN: MU

EXISTING DECORATIVE PAVING

1
LAND USE E
(EXISTING HARRIS TEETER INCLUDING MEZZANINE 59,885 SF)

EXISTING WATA BUS STOP (COMPLETED PER PREVIOUS MP & TRAFFIC STUDY)

PARKING FIELD

LIMITS OF CANOPY

6 B
LAND USE E
(PROPOSED 250 SF ATTENDANT STATION WITH GAS PUMPS)

N/F SUNTRUST BANK CORPORATE REAL ESTATE
T.M.P. (24-3)(1-39)
ZONED M1
COMP. PLAN: MU

6A
LAND USE E
(PROPOSED 2,000 SF AUTOMOTIVE SERVICE CENTER)

EXPANDED EXISTING DETENTION FACILITY (PER PREVIOUS MP)

FUTURE BLDG. EXPANSION AREA

STREET B

EXISTING PARKING BAY SHOWN ON PREVIOUS MP

STREET C

3
LAND USE E,G
(EXISTING 19,393 SF)

2
LAND USE E,G
(EXISTING 14,550 SF)

N/F DAVID F. ALEXICK
T.M.P. (24-3)(2-1A)
DOC. #625 461
ZONED R8
COMP. PLAN: LOW DENSITY RESIDENTIAL

ADDITIONAL 200' LEFT TURN LANE WITH TAPER (COMPLETED PER PREVIOUS MP & TRAFFIC STUDY)

EXISTING CROSSWALK

EXISTING SIGNAL TO BE MODIFIED TO ACCOMMODATE PROPOSED INTERSECTION LANE CONFIGURATION (COMPLETED PER PREVIOUS MP & PER TRAFFIC STUDY)

OPPORTUNITY WAY

EXISTING RIGHT-OF-WAY

CENTERVILLE ROAD RT 614 (VARIABLE WIDTH R/W)

SPECIAL PROVISIONS WITHIN COMMUNITY CHARACTER CORRIDOR PLANTINGS FOR SCREENING OF PARKING AND SERVICE AREAS. SEE NOTE 2 ABOVE.

N/F THOMAS NELSON COMMUNITY COLLEGE
T.M.P. (32-1)(1-13)
DOC. #07003262
COMP. PLAN: FEDERAL, STATE, AND COUNTY LAND

N

GRAPHIC SCALE
60' 0' 60' 120'
SCALE: 1" = 60'

DEVELOPMENT TABULATION

BUILDING NUMBER	LAND USE DESIGNATION	PROPOSED USE	GFA
1	E	COMMERCIAL	65,000± SF*
2	E,G	COMMERCIAL/OFFICE	14,550± SF*
3	E,G	COMMERCIAL/OFFICE	19,393± SF*
~~4~~	~~E,G~~	~~COMMERCIAL/OFFICE~~	~~15,000 SF~~
4A	E,G	COMMERCIAL/OFFICE	5,000± SF
4B	E,G	COMMERCIAL/OFFICE	4,000± SF
5	E,G	COMMERCIAL/OFFICE	22,625± SF*
~~6~~	~~E,G~~	~~COMMERCIAL/OFFICE~~	~~2,000 SF~~
6A	E	COMMERCIAL/AUTO SEVICE	2,000± SF
6B	E	COMMERCIAL/GAS STATION	250± SF

* AREAS OF CONSTRUCTED BUILDINGS (AFTER PREVIOUS MP SUBMITTAL). TOTAL 132,820 SF (MAX)

Rev.	Date	Description	Revised By
1	08/19/17	PROVISIONS PER COUNTY COMMENTS	LBA
	07/27/17	AMENDED MASTER PLAN FOR SPECIAL USE PERMIT	LBA

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MASTER PLAN AMENDMENT LIGHTFOOT MARKETPLACE FOR SPECIAL USE PERMIT

STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10234-01
Scale: 1"=60'	Date: 07/19/17

Sheet Title: BINDING MASTER PLAN (AMENDMENT)

Sheet Number 3.2

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NOTE:
ALL STORMWATER MANAGEMENT FEATURES REQUIRED PER SUP-14-2013 HAVE BEEN INSTALLED. NO ADDITIONAL STORMWATER FEATURES ARE REQUIRED.

Rev.	Date	Description	Revised By
			LBA
	08/19/17	PROVISIONS PER COUNTY COMMENTS	LBA
1	07/27/17	AMENDED MASTER PLAN FOR SPECIAL USE PERMIT	

N/F
ORSONG ENTERPRISE, L.L.C.
T.M.P. (24-3) (1-62)
DOC. #050024746
ZONED M1

NOTE: CURB ISLAND ACROSS PROPERTY LINE

NOTE: CURB ISLAND ACROSS PROPERTY LINE

INGRESS/EGRESS FOR MCDONALDS

GAS METER

MAILBOX

N/F
MCDONALD'S CORPORATION
T.M.P. (24-3) (1-63)
D.B. 244, PG. 498
INGRESS/EGRESS ZONED M1
FOR MCDONALDS

EXISTING DRAINAGE OUTFALL STILLING BASIN IS EXISTING PER JCC SP-0149-2005 *
* NOTE: OUTFALL SHALL BE RESIZED AND REPLACED AS NECESSARY WITHIN THE LIMITS OF EXISTING PROPERTY AND EASEMENTS

PERVIOUS PAVEMENT FOR SSC

EX. 220 L.F.-GRASS LINED LID DRY SWALE

EXISTING CHKD
(22,625 SF)

N/F
LIBERTY CROSSING
TOWNHOUSE ASSOCIATION
COMMON AREA P-1
DOC. #100006037
TAX MAP PARCEL# (24-3) (8-1A)
ZONED MU

N/F
LIBERTY CROSSING
TOWNHOUSE ASSOCIATION
COMMON AREA P-2B
DOC. #100006037
TAX MAP PARCEL# (24-3) (8-1E)
ZONED MU

AREA OF AMENDMENT SHALL HAVE AN IMPERVIOUS COVER LESS THAN OR EQUAL TO THE APPROVED MASTER PLAN AREA (2.64 AC)

US ROUTE 60 - RICHMOND ROAD
(VARIABLE WIDTH R/W)

EXISTING HARRIS TEETER
(59,885 SF)

(P.B. 49, PG. 70)

EXISTING DETENTION FACILITY

WATER METER

35' MAX

(EXISTING BUILDING
19,393 SF)

(EXISTING BUILDING
14,550 SF)

POB

N/F
DAVID F. ALEXICK
T.M.P. (24-3)(2-1A)
DOC. #625 461
ZONED R8
COMP. PLAN: LOW DENSITY RESIDENTIAL

CENTERVILLE ROAD
RT 614
(VARIABLE WIDTH R/W)

N/F
THOMAS NELSON COMMUNITY COLLEGE
T.M.P. (32-1)(1-13)
DOC. #070031262
COMP. PLAN: FEDERAL, STATE, AND COUNTY LAND

GRAPHIC SCALE
60' 0' 60' 120'
SCALE: 1" = 60'

N

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MASTER PLAN AMENDMENT LIGHTFOOT MARKETPLACE FOR SPECIAL USE PERMIT

STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts:	JAG
Project Number:	W10234-01
Scale: 1"=60'	Date: 07/19/17

Sheet Title:
CONCEPTUAL STORMWATER MASTER PLAN

Sheet Number
4

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LEGEND

EXISTING		PROPOSED
EX. W	WATER	W
EX. S	SANITARY SEWER	S
EX. FM	FORCE MAIN	FM
	MANHOLE	
	VALVE	
	FIRE HYDRANT ASSEMBLY	
	FD CONNECTION	
	CLEAN OUT	
WM	WATER METER	

N/F
ORSONG ENTERPRISE, L.L.C.
T.M.P. (24-3) (1-62)
DOC. #050024746
ZONED M1

NOTE: CURB ISLAND CROSS PROPERTY LINE

NOTE: CURB ISLAND ACROSS PROPERTY LINE

INGRESS/EGRESS FOR MCDONALDS

GAS METER

MAILBOX

N/F
MCDONALD'S CORPORATION
T.M.P. (24-3) (1-63)
D.B. 244, PG. 498
INGRESS/EGRESS ZONED M1
FOR MCDONALDS

EXISTING WATERLINE

EXISTING CHKD
(22,625 SF)

PRIVATE MANHOLE (TYP)

N/F
LIBERTY CROSSING
TOWNHOUSE ASSOCIATION
COMMON AREA P-1
DOC. #100006037
TAX MAP PARCEL# (24-3) (8-1A)
ZONED MU

N/F
LIBERTY CROSSING
TOWNHOUSE ASSOCIATION
COMMON AREA P-2B
DOC. #100006037
TAX MAP PARCEL# (24-3) (8-1E)
ZONED MU

EXISTING DOMESTIC AND FIRE FLOW METERS (TO REMAIN)

EXISTING WATER LINE

RELOCATE EXISTING PRIVATE WATERLINE

US ROUTE 60 - RICHMOND ROAD
(VARIABLE WIDTH R/W)

EX. 10" WATERLINE

EXISTING SEWER FORCE MAIN

PRIVATE WATER METER

PRIVATE WATER METER

EXISTING FIRE HYDRANT

EXISTING FD CONNECTION (TYP)

EXISTING FIRE HYDRANT

EXISTING HARRIS TEETER
(59,885 SF)

EXISTING FIRE HYDRANT

EXISTING FIRE HYDRANT

(P.B. 49, PG. 70)

EXISTING PRIVATE SEWER

EXISTING WATERLINE

EXISTING FIRE HYDRANT

EXISTING WATERLINE

PRIVATE MANHOLE (TYP)

(EXISTING BUILDING
19,393 SF)

EXISTING SEWER FORCE MAIN

POB

PRIVATE SEWAGE PUMPING STATION

(EXISTING BUILDING
14,550 SF)

N/F
DAVID F. ALEXICK
T.M.P. (24-3)(2-1A)
DOC. #625 461
ZONED R8
COMP. PLAN: LOW DENSITY RESIDENTIAL

EXISTING WATERLINE

CENTERVILLE ROAD
RT 614
(VARIABLE WIDTH R/W)

EXISTING WATERLINE

EXISTING SEWER FORCE MAIN

N/F
THOMAS NELSON COMMUNITY COLLEGE
T.M.P. (32-1)(1-13)
DOC. #070031262
COMP. PLAN: FEDERAL, STATE, AND COUNTY LAND

GRAPHIC SCALE
60' 0' 60' 120'
SCALE: 1" = 60'

N

Rev.	Date	Description	Revised By
	08/19/17	PROVISIONS PER COUNTY COMMENTS	LBA
1	07/27/17	AMENDED MASTER PLAN FOR SPECIAL USE PERMIT	LBA

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MASTER PLAN AMENDMENT LIGHTFOOT MARKETPLACE FOR SPECIAL USE PERMIT

JAMES CITY COUNTY VIRGINIA

STONEHOUSE DISTRICT

Project Contacts:	JAG
Project Number:	W10234-01
Scale: 1"=60'	Date: 07/19/17

Sheet Title:
CONCEPTUAL WATER AND SEWER PLAN

Sheet Number
5

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LIGHTFOOT MARKETPLACE

Williamsburg, Virginia

INNOVATE Architecture • Interiors

concept image - street view

September 15, 2017



LIGHTFOOT MARKETPLACE

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INNOVATE Architecture • Interiors

concept image - street view

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SIGNAGE SCHEDULE

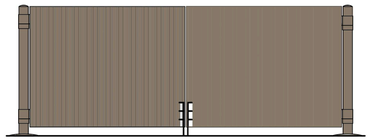
NUMBER	DESCRIPTION	SIZE	ILLUMINATED	QUANTITY
GO1	LOGO SIGN	7'-8" X 5'-11" (45 S.F.)	INTERNALLY	3
GO1	LANE INDICATOR SIGN	10'-0" X 1'-4" (13.33 S.F.)	NO	2
GO2	OPEN SIGN	2'-7" X 1'-10" 4.7 S.F.)	INTERNALLY	2
GO3	MONUMENT SIGN PER LOCAL AND DEVELOPMENTAL RESTRICTIONS	6'-6" X 6'-9" (44 S.F.)	INTERNALLY	1



1 SOUTHWEST ELEVATION
SCALE: 1/4" = 1'-0"



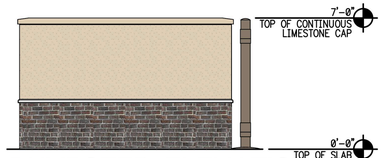
2 NORTHEAST ELEVATION
SCALE: 1/4" = 1'-0"



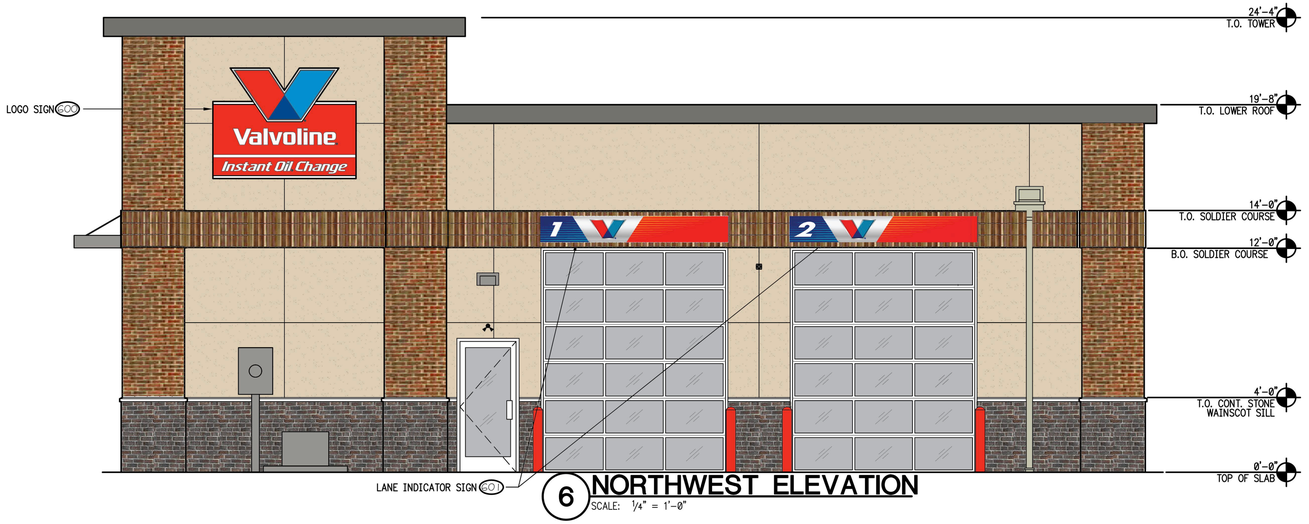
3 DUMPSTER GATE ELEVATION
SCALE: 1/4" = 1'-0"



4 SOUTHEAST ELEVATION
SCALE: 1/4" = 1'-0"



5 DUMPSTER ELEVATION
SCALE: 1/4" = 1'-0"



6 NORTHWEST ELEVATION
SCALE: 1/4" = 1'-0"

Revised Elevations

CESO
WWW.CESOINC.COM
8534 YANKEE ST., SUITE 2B, DAYTON, OH 45459
PHONE: (937) 435-8584 FAX: (937) 435-3307

No.	Revisions/Submissions	Date
	ISSUED FOR CONCEPTUAL SITE PLAN REVIEW	08.29.17
	ISSUED FOR PROPOSED EXTERIOR ELEVATION REVIEW	09.15.17

VALVOLINE INSTANT OIL CHANGE
LIGHTFOOT MARKETPLACE
JAMES CITY COUNTY, VIRGINIA

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Project No.	752159-01
Scale	AS NOTED
Drawn	CESO
Checked	CDD
Date	09.15.17

Drawing Title

PROPOSED EXTERIOR ELEVATIONS

Drawing No. **A-1**

W:\PROJECTS\VALVOLINE\TEST FITS\Virginia\Lightfoot Marketplace - James City County\Lightfoot Marketplace James City County, VA A-1 EXTERIOR ELEVATIONS_NO FINISHES, 10/6/2017 11:34:04 AM, DULEY

Building 6b

MANSARD STANDING SEAM METAL ROOF
COLOR: BRONZE

SIGNAGE TO BE PERMITTED SEPARATELY

Harris Teeter Fuel

UNLEADED 1.28⁹ DIESEL 1.35⁹

STAINLESS STEEL FUEL PUMPS

MANSARD STANDING SEAM METAL ROOF
COLOR: BRONZE

BRICK FACADE
GENERAL SHALE 'PHOENIX'

This side faces Richmond Road

East Elevation
Scale: 1/4" = 1'-0"

MANSARD STANDING SEAM METAL ROOF
COLOR: BRONZE

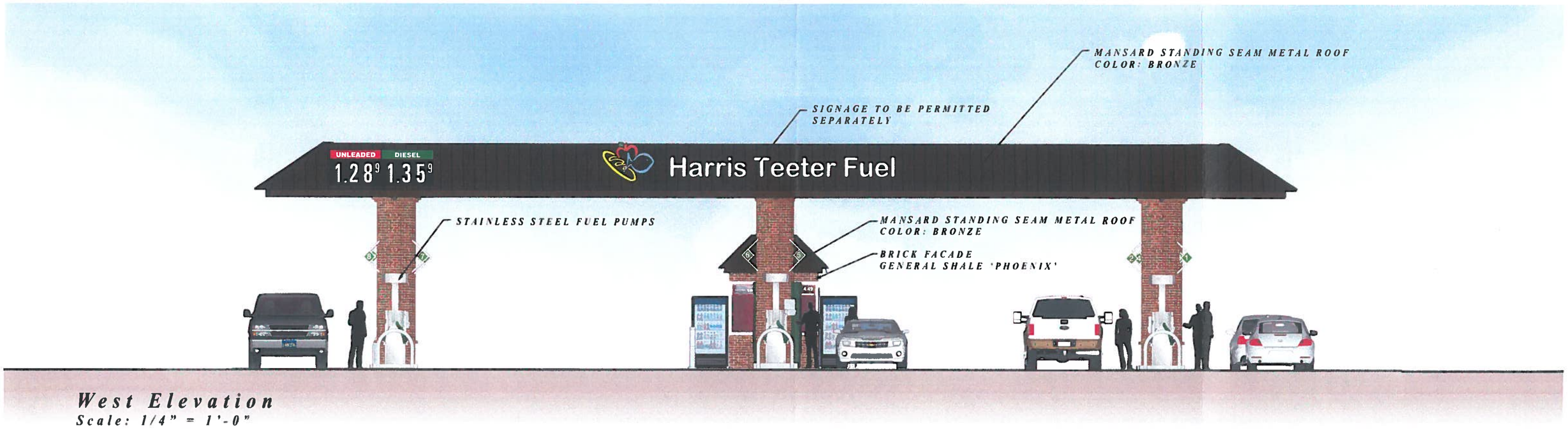
BRICK FACADE
GENERAL SHALE 'PHOENIX'

STAINLESS STEEL FUEL PUMPS

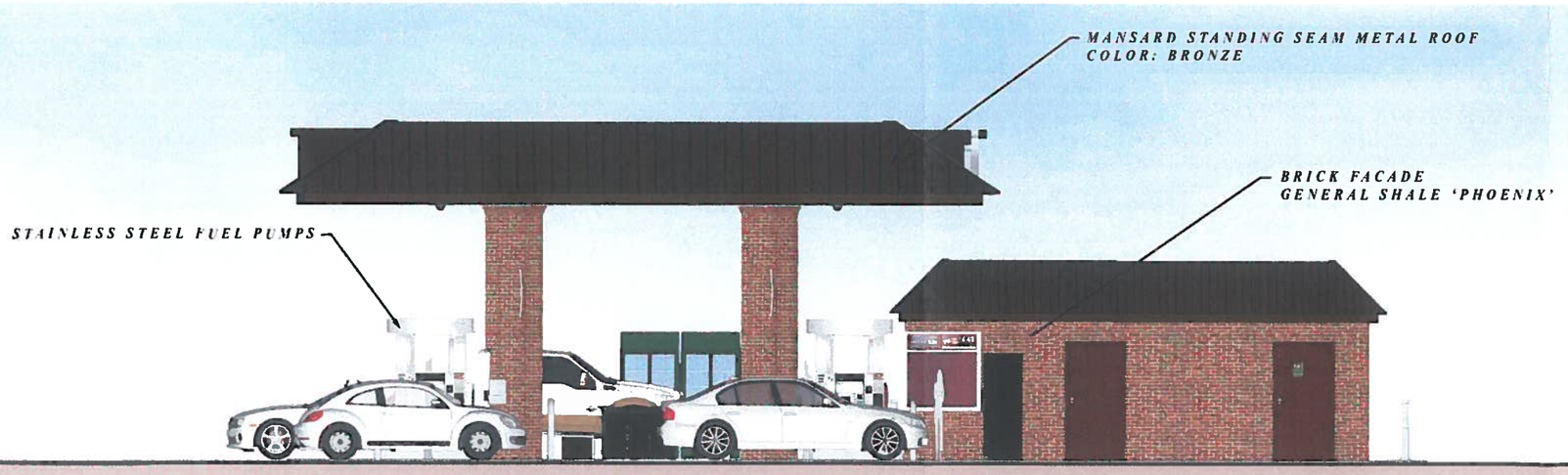
ICE

North Elevation
Scale: 1/4" = 1'-0"

HARRIS TEETER FUEL CENTER - WILLIAMSBURG, VA - STORE #356



West Elevation
Scale: 1/4" = 1'-0"



South Elevation
Scale: 1/4" = 1'-0"

HARRIS TEETER FUEL CENTER - WILLIAMSBURG, VA - STORE #356

Building 4



LIGHTFOOT MARKETPLACE RETAIL BUILDING

Williamsburg, Virginia

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concept images

September 15, 2017

LIGHTFOOT MARKETPLACE ARCHITECTURAL GUIDELINES

1. **DESIGN INTENT:** The architectural character of Lightfoot Marketplace blends the architectural heritage of central/eastern Virginia with a modern aesthetic, resulting in a contemporary market theme. The architecture combines historic materials and forms with twenty-first century materials and building systems. It also creates a rhythm of solid piers interspersed with the transparency of large glazed openings.

2. **DESIGN CONTEXT:** The architecture of Lightfoot Marketplace relates to the character of the adjacent Thomas Nelson Community College Historic Triangle campus and the Warhill High School campus. Although a much different aesthetic on public and institutional facilities, these buildings combine traditional materials such as masonry and precast concrete with contemporary materials such as prefinished metals and simulated stucco. The materials are layered and applied in a modern way on traditional forms, much like the intent of Lightfoot Marketplace.

3. **EXAMPLE BUILDING IMAGES:** The Conceptual Design images prepared by *Bonstra Haresign Architects,* dated November 8, 2013 shall be referenced as appropriate images for Lightfoot Marketplace. While the final buildings need not replicate these Conceptual Design images, they shall be similar in character, massing and architectural language.

4. **BUILDING HEIGHT:** One story buildings shall have a minimum height of 20 feet from grade to top of parapet or roof eave.

5. **TOWER AND ROOF ELEMENTS:** Each building shall be accentuated with a minimum of one tower element that projects above the main roof parapet or eave line. These towers shall be composed of glass, prefinished metal, and other materials that support a light, transparent motif.

6. **FENESTRATION AND ARTICULATION:**
    a. **Glazing** shall comprise a minimum of 60% of the front and entrance façades. Alternatively, a portion of the front façade may be articulated with masonry piers and infill of cast stone, simulated stucco, glazing or a combination thereof. *Reference Bonstra Haresign Conceptual Design images for acceptable examples of this treatment.*
    b. **Glazing** shall comprise a minimum of 60% of the front facades for Building 4 and Building 6 as shown on the Master Plan. For the purposes of this requirement, the side of these buildings facing Richmond Road shall be considered the front façade.

c. **Blank lengths of walls** exceeding 40 linear feet shall not be permitted. Side and rear walls shall be articulated with piers, openings and/or changes in materials, texture and color.
d. **All sides of a building**, when exposed to view, shall express consistent architectural detail and character and usage of materials. Exceptions to this requirement may be made for walls that are effectively blocked from public view by existing landscaping and/or placement of building on the site (i.e. north façade of Building #1/Grocery).

7. **WALLS:**
   a. **Primary wall materials** shall include brick, cast stone, precast concrete, tile, stone, prefinished metal siding and simulated stucco.
   b. **The base of all walls** (other than full height glazed walls) shall be brick, cast stone, precast concrete, tile or stone. Prefinished metal siding and simulated stucco shall only be used on walls more than 2 feet above grade. Darker, contrasting colors on wall base materials are encouraged.
   c. **Parapet walls** shall be a contrasting material (i.e. prefinished metal) or contrasting color (i.e. light brick) to create a clear parapet top to the wall façade that recedes from the wall below.
   d. **Secondary wall and trim materials** shall include smooth-face, ground-face or split-face concrete masonry units (for column bases and pier bases); closed cell PVC and other approved simulated materials for trim, caps and cornices.
   e. **Cementitious panels** (Hardipanel or equal) may be used in lieu of other approved materials, if only smooth-face panels are used, and they are detailed with prefinished metal reveals and channels to provide further articulation of wall surfaces.
   f. **Wood siding** weatherboards, shiplap siding and other historic siding shapes are not allowed.

8. **ROOFING:**
   a. **The primary architectural massing** of Lightfoot Marketplace is low-slope roofs behind parapets. Occasional use of single sloped (shed) roof elements, curved roof elements and double sloped (gable) roof elements is allowed and encouraged to break up roof lines on large buildings.
   b. **Low slope roofing** shall be membrane or modified bitumen, in white or off-white color for reflectivity.
   c. **Shed, curved and gable roofing** shall be prefinished metal or architectural fiberglass/asphalt shingles with a minimum 30 year warranty.

9. **WINDOWS AND DOORS:**
   a. **Window frames** shall be anodized or prefinished aluminum, or clad in aluminum or vinyl.

b. **Window openings** shall be modern and simple in detailing, with larger openings where possible. Historically influenced small openings and "divided lights" shall not be permitted.
c. **Reflective glass** shall not be permitted. Glazing shall allow visibility into the building interior.
d. **Entry doors** shall be full glass, with narrow stiles and rails. Doors shall be anodized or prefinished aluminum, or clad in aluminum or vinyl. Doors and door frames shall match color of window frames.
e. **Utility doors** shall be smooth flush doors, steel or aluminum, in color to match adjacent wall materials.

10. AWNINGS AND LIGHT SHELVES:

a. **Awnings and light shelves** are encouraged on window openings, in order to provide variety to the building elevations, shade lower windows and reflect some natural light into high bay spaces on the building interior.
b. **Placement height** for awnings and light shelves shall be constant on the building, between 8 feet and 14 feet above grade.
c. **Projection** for awnings and light shelves shall be between 3 feet and 5 feet.
d. **Design** for awnings shall be a simple pitched form, without ornamentation, scallops, vertical fascia or other decorative detailing.
e. **Light shelves** shall be prefinished metal, with clean, modern detailing. Cable supports are allowed.

11. SCREENING:

a. **Trash and recycling areas** shall be screened from public view with architectural screening.
b. **Screening materials** shall be masonry, closed cell PVC, prefinished metal or cementitious panels, in detail and colors to blend with adjacent building materials.



FRONT ELEVATION



PERSPECTIVE

These documents were printed from the JCC official Records Management Imaging site.



FRONT ELEVATION



PERSPECTIVE

WILLIAMSBURG RETAIL INVESTORS, LLC

NOVEMBER 8, 2013

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BUILDING 2

ARCHITECTURAL RENDERINGS

LIGHTFOOT MARKETPLACE

Bonstra | Haresign ARCHITECTS

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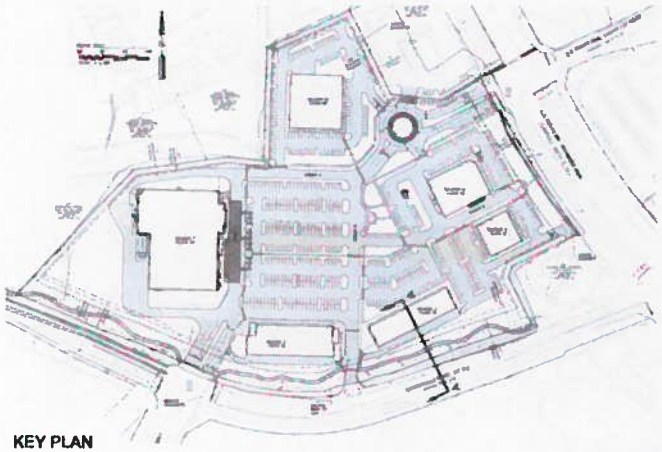
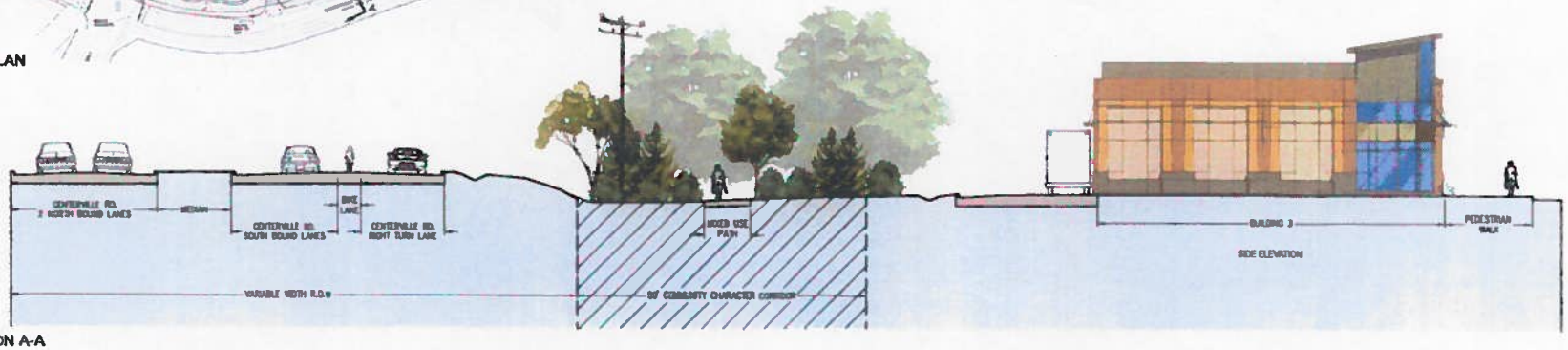
BUILDING 3 - REAR ELEVATION



KEY PLAN



SECTION A-A

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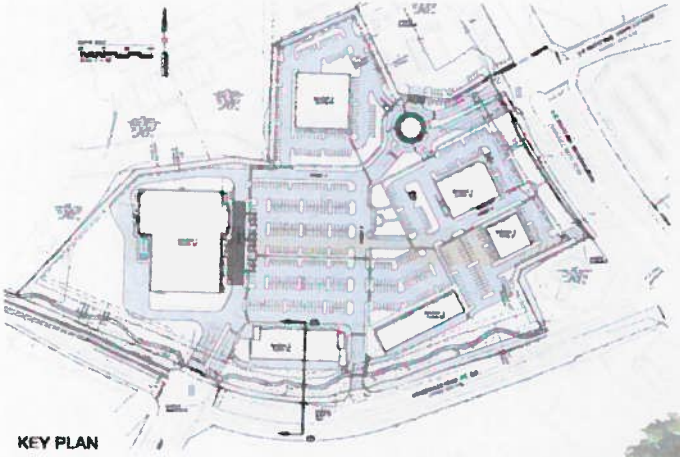
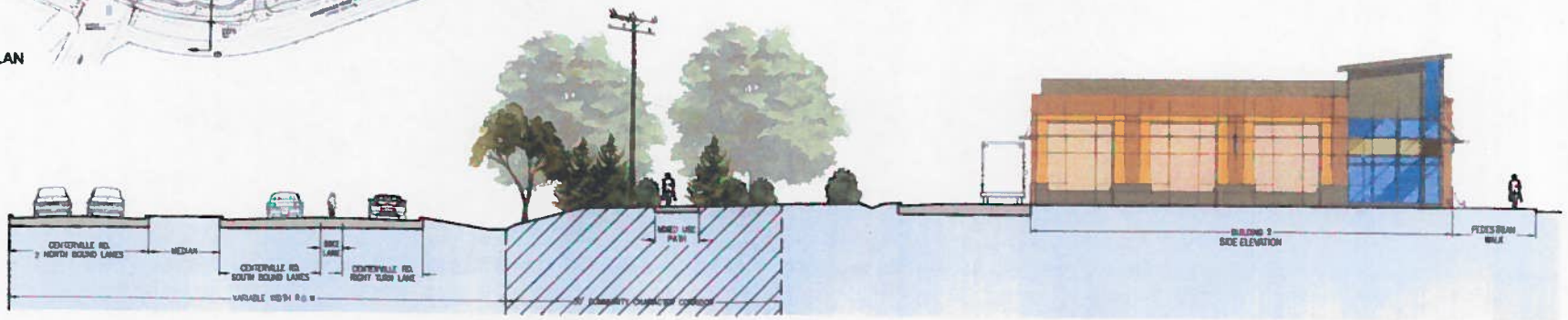
BUILDING 2 - REAR ELEVATION



KEY PLAN



SECTION B-B

WILLIAMSBURG RETAIL INVESTORS, LLC

DECEMBER 23, 2013

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SITE SECTION

ARCHITECTURAL RENDERINGS

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LIGHTFOOT MARKETPLACE

Bonstra | Haresign ARCHITECTS



FRONT ELEVATION



PERSPECTIVE

These documents were printed from the JCC official Records Management Imaging site.

Bryant B. Goodloe, P.C.

8809 Adams Drive East
Suffolk, Virginia 23433

September 26, 2017

Mr. Jason Grimes, P.E.
Sr. Project Manager
AES Consulting Engineers
5248 Olde Towne Road
Williamsburg, Virginia 23188

Re: TIA update memo for Lightfoot Marketplace, James City County, Virginia

Dear Mr. Grimes:

Armada Hoffler is seeking to make several changes at Lightfoot Marketplace. Figure 1 on page 2 of this letter report shows an overall layout of this project. They are seeking to eliminate the following uses to the approved plan: 1) 14,000 square feet (s.f.) pharmacy, 2) 13,488 sf of high-turnover sit-down restaurant, 3) 22,625 sf of shopping center (ITE Code 820) shown as Building #5 on the approved plan, and 4) 4,000 sf of the 9,000 sf Building #4 shown as a shopping center (ITE Code 820) on the approved plan, They are proposing the following uses: 1) 26,625 sf of medical-dentist office building (ITE Code 720), 2) a 100 seat fast-food restaurant with a drive-through window (ITE Code 934), and 3) a 10 fueling position gasoline/service station (ITE Code 944).

The James City County Planning Division has requested a memo traffic study update to compare the proposed changes versus the approved uses. These changes are analyzed in Table I on page 3 of this letter report. In the original analysis, 25% pass-by traffic was used for all of these uses. For the proposed uses, the same 25% value is used. The new fast-food restaurant with a drive-through window & the gasoline/service station have significantly higher pass-by rates ranging from 49% to 58% during the a.m. peak hour & from 42% to 50% during the p.m. peak hour. Normally, no pass-by traffic is used with the medical-dentist office use. The continued use of the 25% pass-by traffic is a very conservative calculation.

During the most critical period of the day during the p.m. peak hour, there is a significant reduction of traffic of 12.3% for entering traffic volumes & 3.3% for exiting traffic volumes. The a.m. peak hour approved traffic volumes are significantly less than the p.m. peak hour traffic volumes, which were 379 vehicles per hour (vph) versus 975 vph for the original TIA and 442 vph versus 897 vpd for this change in uses. Although, there is an increase of 19.2% for entering traffic volumes & 13.1% in the a.m. peak hour volumes, this is not significant for this project. There is an overall increase of 1.5% for the project daily traffic volumes.

In summary, these changes will improve the p.m. peak hour traffic operations in the p.m. peak hour & will not adversely impact the traffic during the a.m. peak hour, since the original a.m. peak hour traffic volumes are significantly lower than the p.m. peak hours.

If you need further information, please let me know.

Very truly yours,

Bryant B. Goodloe

Bryant B. Goodloe, P.E.
President

Office (757) 238-3835
Cell (757) 535-2435

bryant@goodloe.org

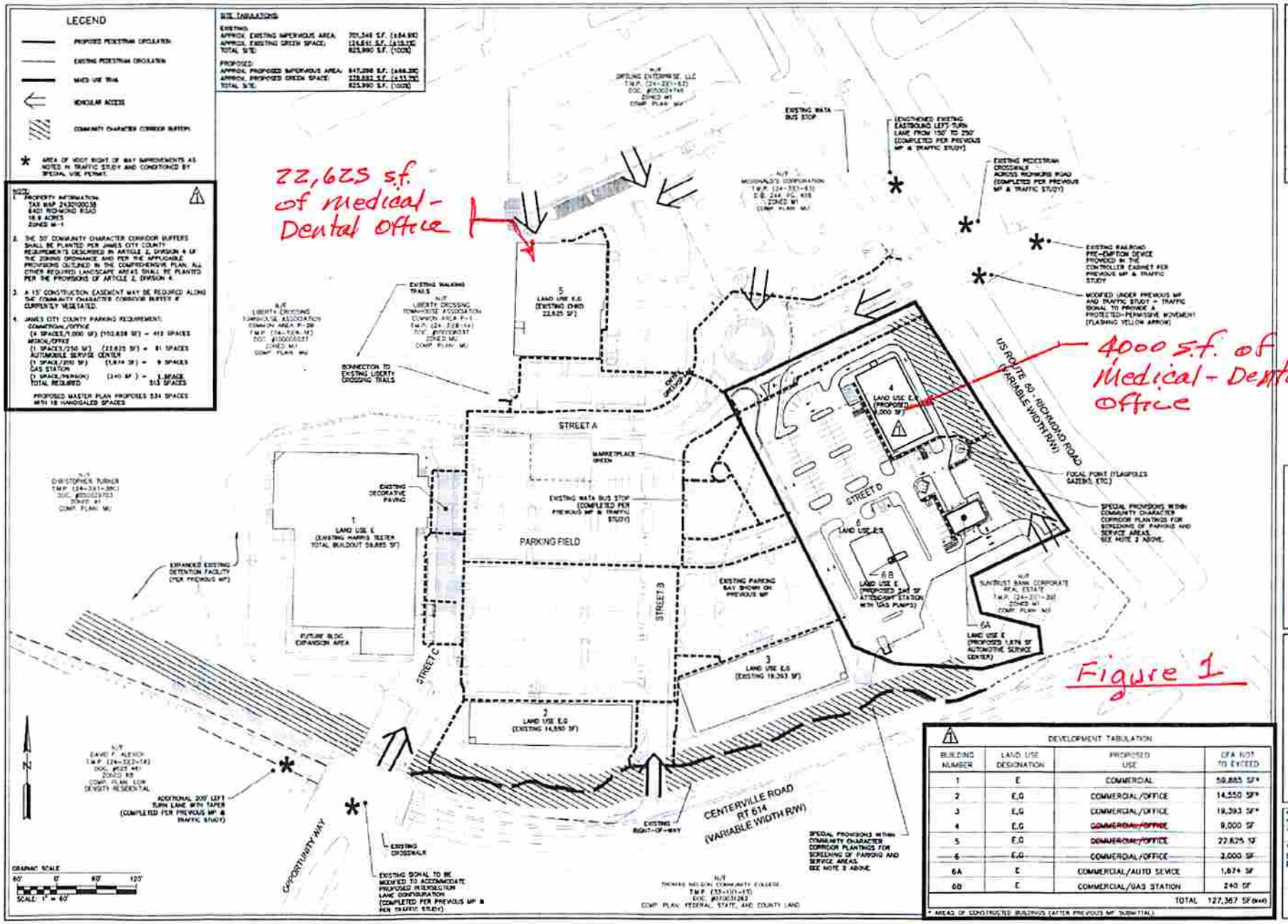
LEGEND
PROPOSED PEDESTRIAN CIRCULATION
EXISTING PEDESTRIAN CIRCULATION
MIXED USE TRAIL
VEHICULAR ACCESS
COMMUNITY CHARACTER CORRIDOR BUFFER
* AREA OF VDOT RIGHT OF WAY IMPROVEMENTS AS NOTED IN TRAFFIC STUDY AND CONDITIONED BY SPECIAL USE PERMIT.
SITE TABULATIONS
EXISTING
APPROX. EXISTING IMPERVIOUS AREA: 201,348 S.F. (±24.8%)
APPROX. EXISTING GREEN SPACE: 124,641 S.F. (±15.2%)
TOTAL SITE: 825,990 S.F. (100%)
PROPOSED
APPROX. PROPOSED IMPERVIOUS AREA: 647,208 S.F. (±68.3%)
APPROX. PROPOSED GREEN SPACE: 228,882 S.F. (±31.7%)
TOTAL SITE: 825,990 S.F. (100%)
NOTE:
1. PROPERTY INFORMATION
TAX MAP #4320100038
6401 RICHMOND ROAD
18.9 ACRES
ZONED M-1
2. THE 50' COMMUNITY CHARACTER CORRIDOR BUFFERS SHALL BE PLANTED PER JAMES CITY COUNTY REQUIREMENTS DESCRIBED IN ARTICLE 2, DIVISION 4 OF THE ZONING ORDINANCE AND PER THE APPLICABLE PROVISIONS OUTLINED IN THE COMPREHENSIVE PLAN. ALL OTHER REQUIRED LANDSCAPE AREAS SHALL BE PLANTED PER THE PROVISIONS OF ARTICLE 2, DIVISION 4.
3. A 15' CONSTRUCTION EASEMENT MAY BE REQUIRED ALONG THE COMMUNITY CHARACTER CORRIDOR BUFFER IF CURRENTLY VEGETATED.
4. JAMES CITY COUNTY PARKING REQUIREMENT:
COMMERCIAL/OFFICE
(4 SPACES/1,000 SF) (150,838 SF) = 413 SPACES
MEDICAL/OFFICE
(1 SPACES/250 SF) (22,625 SF) = 91 SPACES
AUTOMOBILE SERVICE CENTER
(1 SPACE/200 SF) (1,874 SF) = 9 SPACES
GAS STATION
(1 SPACE/PERSON) (240 SF) = 1 SPACE
TOTAL REQUIRED 513 SPACES
PROPOSED MASTER PLAN PROPOSES 534 SPACES WITH 18 HANDICAPPED SPACES
22,625 s.f. of Medical-Dental Office
4000 s.f. of Medical-Dental Office
EXISTING WATA BUS STOP
LENGTHENED EXISTING EASTBOUND LEFT TURN LANE FROM 150' TO 250' (COMPLETED PER PREVIOUS MP & TRAFFIC STUDY)
EXISTING PEDESTRIAN CROSSWALK ACROSS RICHMOND ROAD (COMPLETED PER PREVIOUS MP & TRAFFIC STUDY)
EXISTING RAILROAD PRE-EMPTION DEVICE PROVIDED IN THE CONTROLLER CABINET PER PREVIOUS MP & TRAFFIC STUDY
MODIFIED UNDER PREVIOUS MP AND TRAFFIC STUDY - TRAFFIC SIGNAL TO PROVIDE A PROTECTED-PERMISSIVE MOVEMENT (FLASHING YELLOW ARROW)
US ROUTE 60 (RICHMOND ROAD) (VARIABLE WIDTH R/W)
EXISTING WALKING TRAILS
CONNECTION TO EXISTING LIBERTY CROSSING TRAILS
STREET A
STREET B
STREET C
STREET D
MARKETPLACE GREEN
EXISTING DECORATIVE PAVING
EXISTING WATA BUS STOP (COMPLETED PER PREVIOUS MP & TRAFFIC STUDY)
PARKING FIELD
EXISTING PARKING BAY SHOWN ON PREVIOUS MP
EXPANDED EXISTING DETENTION FACILITY (PER PREVIOUS MP)
FUTURE BLDG. EXPANSION AREA
FOCAL POINT (FLAGPOLES GAZEBO, ETC.)
SPECIAL PROVISIONS WITHIN COMMUNITY CHARACTER CORRIDOR PLANTINGS FOR SCREENING OF PARKING AND SERVICE AREAS. SEE NOTE 2 ABOVE.
1 LAND USE E (EXISTING HARRIS TEETER TOTAL BUILDOUT 59,885 SF)
2 LAND USE E,O (EXISTING 14,550 SF)
3 LAND USE E,O (EXISTING 19,393 SF)
4 LAND USE E,O PROPOSED 9,000 SF
5 LAND USE E,O (EXISTING CHRO 22,625 SF)
6 LAND USE E,O
6A LAND USE E PROPOSED 1,874 SF AUTOMOTIVE SERVICE CENTER)
6B LAND USE E PROPOSED 240 SF ATTENDANT STATION WITH GAS PUMPS)
ADDITIONAL 200' LEFT TURN LANE WITH TAPER (COMPLETED PER PREVIOUS MP & TRAFFIC STUDY)
EXISTING SIGNAL TO BE MODIFIED TO ACCOMMODATE PROPOSED INTERSECTION LANE CONFIGURATION (COMPLETED PER PREVIOUS MP & PER TRAFFIC STUDY)
CENTERVILLE ROAD RT 614 (VARIABLE WIDTH R/W)
EXISTING RIGHT-OF-WAY
OPPORTUNITY WAY
EXISTING CROSSWALK
SPECIAL PROVISIONS WITHIN COMMUNITY CHARACTER CORRIDOR PLANTINGS FOR SCREENING OF PARKING AND SERVICE AREAS. SEE NOTE 2 ABOVE.
GRAPHIC SCALE
60' 0' 60' 120'
SCALE: 1" = 60'
DEVELOPMENT TABULATION
BUILDING NUMBER | LAND USE DESIGNATION | PROPOSED USE | GFA NOT TO EXCEED
1 | E | COMMERCIAL | 59,885 SF*
2 | E,O | COMMERCIAL/OFFICE | 14,550 SF*
3 | E,O | COMMERCIAL/OFFICE | 19,393 SF*
4 | E,O | COMMERCIAL/OFFICE | 9,000 SF
5 | E,O | COMMERCIAL/OFFICE | 22,625 SF
6 | E,O | COMMERCIAL/OFFICE | 3,000 SF
6A | E | COMMERCIAL/AUTO SEVICE | 1,874 SF
6B | E | COMMERCIAL/GAS STATION | 240 SF
TOTAL 127,367 SF(MAX)
* AREAS OF CONSTRUCTED BUILDINGS (AFTER PREVIOUS MP SUBMITTAL)
Figure 1
MASTER PLAN AMENDMENT
LIGHTFOOT MARKETPLACE
FOR
SPECIAL USE PERMIT
BINDING MASTER PLAN
3

Table I
Trip Generation
Average Weekday Driveway Volumes

Description	Notes Calculation Method	ITE Code	Amount	Unit	Weekday 24 Hr. vol	a.m. peak hour Enter vol	a.m. peak hour Exit vol	p.m. peak hour Enter vol	p.m. peak hour Exit vol
Existing Development in Approved TIA dated 12-06-2013									
Shopping Center	1	820	49,634	s.f.	4,307	62	40	195	203
Supermarket (with 5,000 sf expansion)	2	850	58,000	s.f.	5,930	127	81	311	286
Pharmacy w/Drive-thru window	2	881	15,000	s.f.	1,322	23	17	78	78
High-Turnover Sit-Down Restaurant	2	932	13,488	s.f.	1,715	81	75	89	62
Total			**136,122**		**13,274**	**293**	**213**	**672**	**628**
Pass-by Traffic			25%		3,319	73	53	168	157
New Trips					**9,956**	**219**	**160**	**504**	**471**
Proposed Development									
Shopping Center	1A	820	33,943	s.f.	2,946	42	27	133	139
Supermarket (with 5,000 sf expansion)	2	850	58,000	s.f.	5,930	127	81	311	286
Medical-Dental Office Building	3	720	26,625	s.f.	962	50	13	27	68
Fast-Food Restaurant w/Drive-thru window	3	934	100	seats	1,952	67	60	50	45
Gasoline/Service Station	3	944	10	fuel Position	1,686	62	60	69	69
Total					**13,476**	**348**	**241**	**590**	**607**
Pass-by Traffic			25%		3,369	87	60	148	152
Existing Trips					**10,107**	**261**	**181**	**442**	**455**
Net Difference in Total Trips					**151**	**42**	**21**	**-62**	**-16**
Calculation Method Notes:									
1. Formulas were used for the ITE Code 820 Trip Generation calculations, *8th Edition of ITE Trip Generation Manual.*									
1A. Values were prorated based on the percent of Shopping Center that was left, which is 68.39%.									
2. Average Rates were used for all other ITE Codes, *8th Edition of ITE Trip Generation Manual.*									
3. Average Rates were used for all other ITE Codes, *9th Edition of ITE Trip Generation Manual.*									

Community Impact Statement

Special Use Permit

for

Lightfoot Marketplace



Prepared For

Lightfoot Marketplace Shopping Center, LLC

July 2017 (Revised September 2017)

AES Project Number: W10234-04

SUP-0005-2017
SUP-0006-2017
SUP-0007-2017
SUP-0008-2017

Prepared by:

PLANNING DIVISION

SEP 19 2017

RECEIVED

AES CONSULTING ENGINEERS

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Williamsburg, Virginia 23188
Phone: 757-253-0040
Fax: 757-220-8994
www.aesva.com

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I. INTRODUCTION

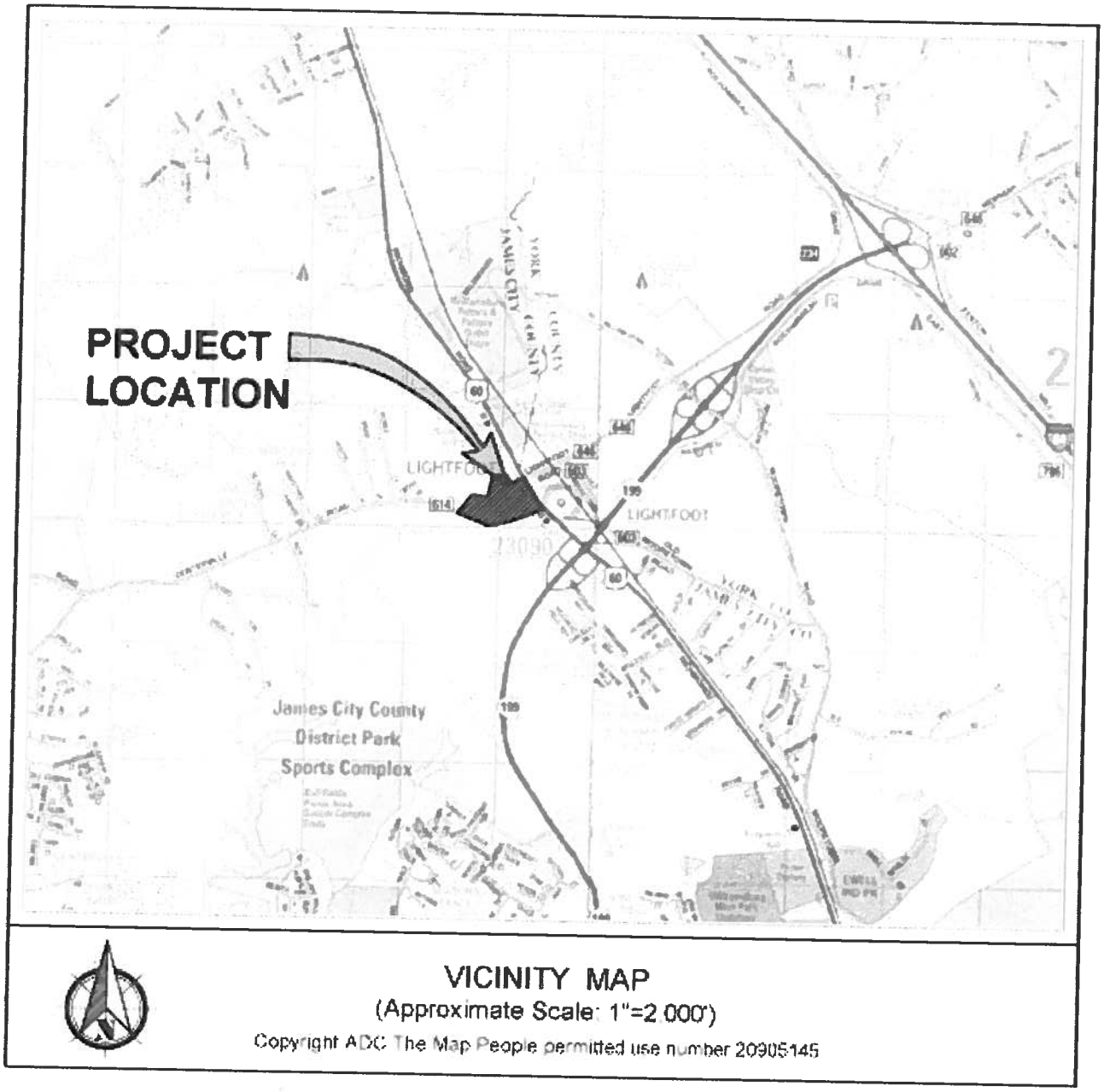
The purpose of this report is to summarize and organize the planning efforts of the project team into a cohesive package for Staff review, which addresses the pertinent planning issues affecting the property while describing the probable effects of the proposed modifications upon existing and recently approved public facilities and services, the environment, the surrounding community and the rest of James City County. This package is intended to modify the existing Special Use Permit (JCC SUP-0017-2013) to update the master plan, and add permitted uses under the JCC Zoning ordinance for Fast Food, Automotive Service and Gas Pumps.

II. THE PROJECT TEAM

The following organizations are involved in the planning and development of the 18.96± acre property.

• Developer:	Lightfoot Marketplace Shopping Center, LLC
• Legal Counsel:	Kaufman and Canoles – Williamsburg, VA
• Architecture:	INNOVATE, Portsmouth, VA
	CESO, Dayton, OH
• Land Planning:	AES Consulting Engineers - Williamsburg, VA
• Engineering:	AES Consulting Engineers – Williamsburg, VA
• Traffic Planner:	Bryant B. Goodloe –Suffolk, VA

Exhibit 1 - Context Map (not to scale)



VICINITY MAP

(Approximate Scale: 1"=2,000')

Copyright ADC The Map People permitted use number 20905145

III. PLANNING CONSIDERATIONS AND PROJECT DESCRIPTION

Planning Considerations

The Lightfoot Marketplace site is zoned M-1, Limited Business/Industrial District. The specific intent of this district is to encourage limited business and industrial uses, prohibit residential development, permit compatible commercial and office uses, and establish minimum requirements to protect the health safety and welfare of the citizens of James City County. This project is proposing only uses that are currently permitted in the M-1 zone. These uses, including office, retail, a grocery store and a restaurant are compatible with surrounding land uses and zoning districts.

The Comprehensive Plan of James City County designates this area as Mixed Use and further identifies Richmond Road and Centerville Road as Community Character Corridors. Mixed Use Areas are centers within the Primary Service Area where more dense development, redevelopment and a broader spectrum of land uses are encouraged. Located at interstate interchanges and the intersections of main thoroughfares, mixed use areas are intended as locations for more intensive commercial, office, and limited industrial development. Lightfoot Marketplace fits this model and is a planned redevelopment (infill and commercial redevelopment is an important goal cited in the Comprehensive Plan) that will maximize the economic potential of this area. It is the intent of this plan to honor the 50' buffer requirements of Urban Community Character Corridors at Route 60 and Centerville Road and to treat the landscape as a more formal and ordered element of the plan while also using the buffers and additional landscaping to screen parking areas and to soften those building elevations fronting on these roads.

Project Description

The 18.96 acre site is currently occupied by Harris Teeter, a Children's Hospital of the King's Daughters urgent care and two retail buildings. There are 2 undeveloped outparcels remaining on the site which have received interest from uses not currently approved under the original Special Use Permit approval. The following Community Impact Statement serves to update the possible impacts based upon these proposed changes.

The architectural treatment of the proposed uses is intended to follow the original design guidelines and preliminary elevations are provided (see Appendix) showing the proposed designs. Additionally the landscaping has been installed along Route 60 and

Centerville Road Community Character Corridors which should buffer the uses from the adjoining roadways. Particular emphasis has been placed on views into the site from these adjacent corridors. The buildings are organized along an internal drive with the largest parking field in the middle of the site. The parking field has been designed to eliminate the impression of one large uninterrupted field with the inclusion of significant internal landscape areas serving to break the lot into smaller areas. The landscape treatment for parking areas, the buildings, buffers and landscape yards will meet or exceed the requirements of the James City County Zoning Ordinance.

IV. ANALYSIS OF EXISTING PUBLIC FACILITIES AND SERVICES

A. PUBLIC WATER FACILITIES

The property is located within the Primary Service Area (PSA) of James City County and the James City Service Authority (JCSA), where public water and sanitary sewer services are available, and the use of these public facilities is required. Public water service is currently provided to the site though a JCSA 16-inch water main located along Richmond Road and a master meter. The existing water system servicing the site are privately maintained by the developer and will be sub-metered and managed by the developer. There are no anticipated changes to the JCSA water system with this project and the flows for the proposed uses will be below those original anticipated in the SUP-0017-2013 application.

TABLE 1 - PROJECTED WATER USAGE

Type of Use	Design Units	Flow (GPD/Unit)	Total Flow (GPD)	Duration (hrs)	Avg Flow (GPM)	Peak Flow (GPM)
Existing Shopping Center	**230,422 SF**	**0.2**	**46,084**	**12**	**64.01**	**192.02**
Shopping Center	34,943 SF	0.2	6,989	12	9.71	38.83
Service Station	2,000 SF	0.4	800	16	0.83	3.33
Grocery	63,000 SF	0.2	12,600	12	17.50	70.00
Restaurant	60 seats	60	12,000	16	12.50	50.00
Total			**32,389**		**40.54**	**162.16**

B. PUBLIC SEWER FACILITIES

As stated above, the property is located within the Primary Service Area (PSA) of James City County and the James City Service Authority (JCSA), where public water and sanitary sewer services are available, and the use of these public facilities is required. Public sewer service is currently provided to the site via a JCSA force main located along Cetnerville Road. The existing sewer system servicing the site is privately maintained and drains to a private pump station before discharging to the JCSA system. There are no anticipated changes to the JCSA water system with this project and the flows for the proposed uses will be below those original anticipated in the SUP- 0017-2013 application.

TABLE 2 – EXISTING/PROJECTED WASTEWATER FLOWS

Type of Use	Design Units	Flow (GPD/Unit)	Total Flow (GPD)	Duration (hrs)	Avg Flow (GPM)	Peak Flow (GPM)
Existing Shopping Center	**230,422 SF**	**0.2**	**46,084**	**12**	**64.01**	**192.02**
Shopping Center	44,500 SF	0.2	8,900	12	12.36	37.08
Service Staton	2,000 SF	0.2	400	16	0.42	1.25
Grocery	63,000 SF	0.2	12,600	12	17.50	52.50
Restaurant	60 seats	60	12,000	16	12.50	37.50
Total			**33,900**		**42.78**	**128.33**

C. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES (EMS)

There are currently five fire stations providing fire protection and Emergency Medical Services (EMS) to James City County. The closest fire station to the subject site is Station #4 on Olde Towne Road at the intersection of Old Forge Road and Route 60, approximately 2.6 miles southeast of this project. The next closest fire station to the subject site is Station #1 located at the intersection of Old Forge Road and Route 60, approximately 6 miles to the northwest of this project. These two fire stations, and the emergency medical staff available at these stations, will provide a more than adequate response to potential emergencies. In addition, through cooperative agreements between Williamsburg, James City County, and York County, other stations may also be utilized for larger emergencies at the site. The #5 Lightfoot Skimino Station is located 3.4 miles to the east on Lightfoot Road. **(No change from previous application)**

D. SOLID WASTE

The property will generate solid waste that will require collection and disposal to ensure a safe and healthful environment. Collection of solid waste will be by private contract with reputable haulers acting in accordance with local health standards. This waste will be transported to the James City County Solid Waste transfer station. This project will encourage recycling through the provision of recycling dumpsters which will also be regularly serviced. **(No change from previous application)**

E. UTILITY SERVICE PROVIDERS

Virginia Natural Gas (VNG), Dominion Virginia Power, Cox Communications and Verizon Communications provide, respectively, natural gas, electricity, and communication services to this area. The current policy of these utility service providers is to extend service to the development at no cost to the developer when positive revenue is identified. **(No change from previous application)**

V. ANALYSIS OF STORMWATER MANAGEMENT

Please refer to sheet 5 of the Special Use Permit Plans, Master Stormwater Management Plan. This master plan was created and implemented to handle all the proposed stormwater for the development. The change in proposed uses will not result in changes to the proposed stormwater management features and the improvements listed on the plan have been fully implemented. This plan as indicated in the original application set out with a goal to adhere to local and state stormwater requirements and implement additional measures of stormwater control to improve the water quality in the downstream watershed of the Powhatan and Yarmouth Creeks (The project is situated within the Powhatan Creek and Yarmouth Creek Watershed of the James River. The property predominately drains to the Powhatan Creek, subwatershed 205. A small portion north of the property drains to the Yarmouth Creek subwatershed 105.)

VI. ENVIRONMENTAL AND CULTURAL INVENTORY

The original Environmental and Cultural Inventories were completed and are not impacted by the proposed master plan and/or use changes proposed

Summary of Existing Conditions

A. TOPOGRAPHY

The site is relatively flat with elevations ranging from 123 above mean sea level at the Route 60 entrance road (Lightfoot Road extended) to a low of 102 at the southwest corner of the site adjacent to Centerville Road. Sheet 2 of the Master Plan illustrates the location of a few steep slopes at the site perimeter.

B. SOILS

The Soil Survey of James City County, Virginia (USDA 1985) maps a few different soil types on this site prior to development. For the purposes of analyzing this application the existing soil classification should be considered Urban (#37).

C. SURFACE WATER

This site is within Subwatershed 205 of the Powhatan Creek Watershed and Subwatershed 105 of the Yarmouth Creek Watershed. There is one detention facility at the southwest corner of the site located along Centerville Road and low impact design stormwater management features surrounding the CHKD office building.

D. WETLANDS and FLOODPLAINS

According to Flood Insurance Rate Map (FIRM) 51095C0110C, for James City County, Virginia, there are no floodplains or associated wetlands located on this site.

E. VEGETATION

There is no significant vegetation on the site apart from a few mature trees within perimeter buffers.

F. CULTURAL RESOURCES

The site (per An Archaeological Assessment of James City County, Virginia) is not located in an area considered to be highly sensitive or have a high archaeological site potential. The site does fall within areas designated as moderately sensitive, however, due to extensive "landscaping for development" including extensive grading and earthmoving this site is likely compromised.

VII. TRAFFIC

The work associated with the approved traffic study has been complete, which includes improvements to the Richmond/Lightfoot Road Intersection and the Centerville Road/Opportunity Way Intersection. This approved study was based on the anticipated uses shown on the original master plan, which we are now proposing to alter. The proposed uses include a 5 pump gas station, 2 bay quick service station, and a quick service restaurant with drive thru. Compared to the original master plan, the proposed use changes constitute a reduction in both AM peak traffic (-34 trips) and PM peak traffic (-119 trips) (See table 3).

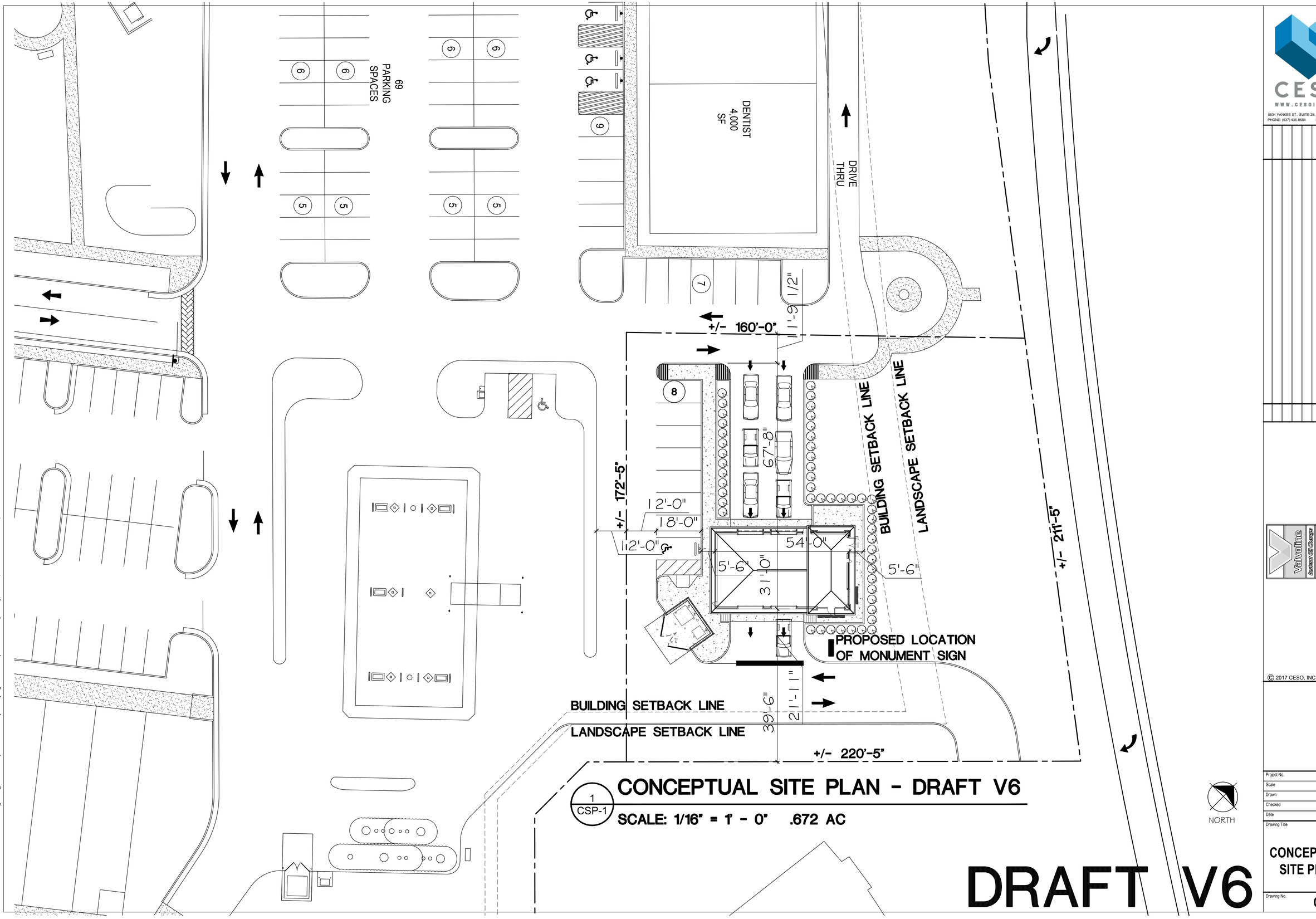
TABLE 3 – TRAFFIC CHANGES

Description	ITE Code	Amount	Unit	Weekday 24 Hr. vol	AM Peak		PM Peak	
					Enter vol	Exit vol	Enter vol	Exit vol
Proposed Development								
Shopping Center	820	49,634	s.f.	4,307	62	40	195	203
Supermarket	850	58,000	s.f.	5,930	127	81	311	286
Service Station	941	2	Bays	80	4	4	6	4
Gas	944	5	Pumps	842.95	32	32	40	40
Fast Food with Drive Thru	934	60	Seats	1,171	48	42	49	49
Total				**12,331**	**273**	**199**	**601**	**582**
Pass-by Traffic		**25%**		**3083**	**68**	**50**	**150**	**146**
New Trips				**9,248**	**205**	**149**	**451**	**437**
Approved Development								
Shopping Center	820	49,634	s.f.	4,307	62	40	195	203
Supermarket	850	58,000	s.f.	5,930	127	81	311	286
Pharmacy w/Drive-thru	881	15,000	s.f.	1,322	23	17	78	78
Restaurant - sit-down	932	13,488	s.f.	1,715	81	75	89	62
Total		**136,122**	**s.f.**	**13,274**	**293**	**213**	**673**	**629**
Pass-by Traffic		**25%**		**3319**	**73**	**53**	**168**	**157**
Existing Trips				**9,956**	**220**	**160**	**505**	**472**
Net Difference in Total Trips				**-943**	**-20**	**-14**	**-72**	**-47**

VIII. CONCLUSION

In summary, we believe that this proposed change to the Special Use Permit is complimentary to surrounding land uses and zoning and in conformance with the current James City County Comprehensive Plan. Developing this site under the current M-1 zoning guided by a master plan will lead to the types of commercial services that are called for in the Comprehensive Plan and will complement the surrounding land uses. This proposed development will provide particular benefits to the community as well. These benefits will include:

- Specific architectural treatment to compliment the surrounding area.
- Multiple access points to alleviate traffic impacts, with further improvement to projected traffic.
- Sidewalks providing pedestrian connectivity throughout the site adding to the pedestrian corridor along Richmond Road and establishing a mixed use path along a portion of the Centerville Road frontage.
- Significant landscaping shall be provided to supplement existing trees and shrubs in a coherent, readily discernible theme and enhance the pedestrian experience within the development.
- Significant reduction in the overall impervious surfaces on the site.
- Easily accessible services that will benefit the surrounding community and promote development of business with a positive fiscal impact for the County.
- Improvement of the overall appearance of the County's urban and suburban environment.
- Maintenance of Community Character by providing a compact commercial center that reduces its visual presence and scale through the thoughtful use of landscaping, architecture and site design.
- The employment of sustainable initiatives in site and building design.



CONCEPTUAL SITE PLAN - DRAFT V6

1 / CSP-1

SCALE: 1/16" = 1' - 0" .672 AC

DRAFT V6

CESO
WWW.CESOINC.COM
8534 YANKEE ST., SUITE 2B, DAYTON, OH 45459
PHONE: (937) 435-8584 FAX: (937) 435-3307

No.	Revisions/Submissions	Date
	ISSUED FOR PROPOSED EXTERIOR ELEVATION REVIEW	10.12.17
	ISSUED FOR CONCEPTUAL SITE PLAN REVIEW	10.13.17

VALVOLINE INSTANT OIL CHANGE
LIGHTFOOT MARKETPLACE
JAMES CITY COUNTY, VIRGINIA

© 2017 CESO, INC

Project No.	752159-01
Scale	AS NOTED
Drawn	CESO
Checked	CDD
Date	10.13.17
Drawing Title	CONCEPTUAL SITE PLAN
Drawing No.	CSP-1

W:\PROJECTS\VALVOLINE\TEST FITS\Virginia\Lightfoot Marketplace - James City County\Lightfoot Marketplace James City County, VA TF-1, 10/13/2017 2:15:54 PM, DULEY

AGENDA ITEM NO. H.5.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Savannah Pietrowski, Senior Planner

SUBJECT: SUP-0009-2017, 3601 La Grange Parkway Expansion

ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Attachment 1. Resolution	Resolution
🗋	Attachment 2. Location Map	Backup Material
🗋	Attachment 3. Master Plan Exhibit	Backup Material
🗋	Attachment 4. Unapproved Minutes of the November 1, 2017 Planning Commission Meeting	Backup Material
🗋	Attachment 5. Applicant Narrative	Backup Material
🗋	Attachment 6. R. M. Felts' Packing Company Site Visit Photos	Backup Material
🗋	Attachment 7. Quarter-Mile Radius Map	Backup Material
🗋	Attachment 8. Conceptual Building Elevations	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	11/22/2017 - 1:46 PM
Development Management	Holt, Paul	Approved	11/22/2017 - 1:46 PM
Publication Management	Burcham, Nan	Approved	11/22/2017 - 1:59 PM
Legal Review	Kinsman, Adam	Approved	12/5/2017 - 1:38 PM
Board Secretary	Fellows, Teresa	Approved	12/5/2017 - 1:38 PM
Board Secretary	Purse, Jason	Approved	12/5/2017 - 2:33 PM
Board Secretary	Fellows, Teresa	Approved	12/5/2017 - 2:33 PM

SUMMARY FACTS

Applicant:	Mr. Samuel W. Edwards, III
Land Owner:	La Grange Holdings LLC c/o Energy Services GRP International
Proposal:	To permit the manufacture, compounding, processing or packaging of beverages or food and food products, but not slaughter of animals.
Location:	3601 La Grange Parkway
Tax Map/Parcel No.:	1210100042
Project Acreage:	+/- 11.73 acres
Zoning:	PUD-C, Planned Unit Development - Commercial with proffers
Comprehensive Plan:	Mixed Use
Primary Service Area:	Inside
Staff Contact:	Savannah Pietrowski, Senior Planner

PUBLIC HEARING DATES

Planning Commission:	November 1, 2017, 7:00 p.m.
Board of Supervisors:	December 12, 2017, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed conditions, staff finds the proposal compatible with surrounding zoning and development in Stonehouse Commerce Park, which is zoned and planned for commercial and light industrial use.

2. With the proposed conditions, staff finds the proposal consistent with the recommendations of the Comprehensive Plan adopted in 2015, "*Toward 2035: Leading the Way.*"

FACTORS UNFAVORABLE

1. Because the impacts of odor and smoke are dependent on weather, there is no way to guarantee that odor and smoke will be confined to the site. However, with the proposed conditions, staff finds the impacts outside of the commerce park should be mitigated to the greatest extent possible.

SUMMARY STAFF RECOMMENDATION

Staff recommends approval of the proposed Special Use Permit (SUP), subject to the conditions listed in the attached resolution.

PLANNING COMMISSION RECOMMENDATION

At its November 1, 2017 meeting, the Planning Commission recommended approval of this application by a vote of 7-0.

Proposed Changes Made Since the Planning Commission Meeting

Minor clarification to proposed SUP Condition No. 4.

PROJECT DESCRIPTION

- The applicant is requesting an SUP to permit the manufacture, compounding, processing or packaging of beverages or food and food products, but not the slaughter of animals.

- There is an existing +/-68,000-square-foot building on the property currently occupied in part by La Tienda for the processing, assembly and manufacture of light industrial products. Should this SUP be approved, an expansion would be constructed behind the existing building.

- The manufacture, compounding, processing or packaging of beverages or food and food products with all activities conducted in a fully enclosed building, with no dust, noise or odor effects is permitted by-right in the PUD-C Zoning District. However, because this proposal would involve the construction of smokers producing smoke, odor and noise, an SUP is required.

- The proposed building expansion includes one main building, smokehouses for the smoking of meat and associated parking and stormwater management improvements.

- This proposal was discussed by the Development Review Committee on August 23, 2017.

- This SUP would be valid for the entire property, not just the location of the building expansion.

PLANNING AND ZONING HISTORY

- This property is subject to the master plan and proffers associated with the 1999 Stonehouse rezoning (James City County Case No. Z-0001-1999/MP-0001-1999). This master plan designated the area for office/business park use.

- The existing building was constructed in 1996.

- A site plan was approved in 2008 which included a +/-73,000-square-foot building expansion in the proposed project location. As that site plan has not been constructed but is still valid, the applicant will have the option to construct in accordance with the plan or submit a new or amended site plan.

SURROUNDING ZONING AND DEVELOPMENT

- This property is located inside the existing Stonehouse Commerce Park and all adjacent properties are zoned PUD-C.

- The adjacent properties to the south and west are currently used for commercial or industrial purposes. The adjacent property to the northeast is currently vacant.

COMPREHENSIVE PLAN

- The property is designated Mixed Use on the 2035 Comprehensive Plan Land Use Map.

- Principal suggested uses for the Stonehouse Mixed Use area are light industrial and office/business park. The Comprehensive Plan further states that with regard to the Stonehouse Planned Unit Development, future development should be developed in accordance with a building master plan.

- As this site is located within the existing commerce park, staff finds the proposal to be consistent with this Comprehensive Plan designation.

PUBLIC IMPACTS

1. Anticipated Impact on Public Facilities and Services:

   - *Streets:* This project is anticipated to generate 20 weekday peak hour trips to and from the site. However, staff notes that this number will likely increase during the holiday season, when a large number of products are being shipped.

     The closest intersection is the La Grange Parkway intersection with Barhamsville Road (Route 30). This intersection currently has a full set of turn lanes in place and a future signalization is included in the Stonehouse proffers upon warrants being met.

     The Virginia Department of Transportation has reviewed this application. They had no recommended conditions, but indicated that the site should be evaluated for potential turn and taper warrants during the development plan phase.

   - *School/Fire/Utilities:* No impacts anticipated for schools. The closest fire station in James City County to the property is Fire Station 1, located at 3135 Forge Road, approximately 2.2 miles away. The site is served by public water and sewer.

2. Environmental: No impacts anticipated. There is a small amount of resource protection area on the property, which will not be impacted by the proposed building expansion.

3. Cultural/Historic: No impacts anticipated.

4. Anticipated Impact on Nearby and Surrounding Properties:

   - The proposal may include up to eight smokers producing smoke and odor which may affect adjacent properties.

   - In order to evaluate the potential impact of these smokers staff visited an existing meat processing facility in Ivor, Virginia, which operates one smoker serving three smokehouses. Photos of this facility are included as Attachment No. 6.

   - On this visit staff stopped at four areas to evaluate smoke/odor. For the three areas approximately 0.25 miles or more from the facility, no smoke was visible and no odor was detected. Aside from directly at the facility, odor was detected at one location within 0.18 miles in the direction the wind was blowing. These distances correspond to parcels that are all within the Stonehouse Commerce Park.

   - For comparison, Attachment No. 7 provides a map illustrating the area within a 0.25 mile radius from the proposed site. Staff notes that this map does not provide a definitive boundary of the potential smoke and odor impact, as this will be dependent on weather conditions.

   - In addition to smoke and odor from the smokers, odor from cooked meats will be vented out of the building during certain portions of the production process.

   - The proposed manufacturing process may also result in occasional short bursts of noise as condensation is blown out of the facility's airlines.

- The closest residences are located +/- 0.3 mile away on Six Mount Zion Road.

STAFF RECOMMENDATION

Because the impacts of odor and smoke are dependent on weather, there is no way to guarantee that odor and smoke will be confined on site. However, with the proposed conditions, staff finds the impacts outside of the commerce park should be mitigated to the greatest extent possible.

Staff finds the proposal to be compatible with the surrounding uses and development of the Stonehouse Commerce Park and consistent with the Comprehensive Plan adopted in 2015, "*Toward 2035: Leading the Way*" and the Zoning Ordinance. Staff recommends approval of this application, subject to the conditions listed in the Resolution.

SP/nb
SUP09-17-3601LaGrange

Attachments:
1. Resolution
2. Location Map
3. Master Plan Exhibit
4. Unapproved Minutes of the November 1, 2017 Planning Commission Meeting
5. Applicant Narrative
6. R. M. Felts' Packing Company Site Visit Photos
7. Quarter-Mile Radius Map
8. Conceptual Building Elevations

R E S O L U T I O N

CASE NO. SUP-0009-2017. 3601 LA GRANGE PARKWAY EXPANSION

WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board") has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, La Grange Holdings LLC (the "Owner") owns a parcel of property located at 3601 La Grange Parkway, further identified as James City County Real Estate Tax Map Parcel No. 1210100042 (the "Property"); and

WHEREAS, on behalf of the Owner, Mr. Samuel W. Edwards, III (the "Applicant") has applied for a Special Use Permit (SUP) to allow the manufacture, compounding, processing or packaging of beverages or food and food products, but not slaughter of animals, as shown on the exhibit titled "SUP-0009-2017, 3601 La Grange Pkwy Expansion Master Plan", dated October 16, 2017; and

WHEREAS, the Applicant is proposing a building expansion on the Property (the "Project"); and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-0009-2017; and

WHEREAS, the Planning Commission, following its public hearing on November 1, 2017, recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-0009-2017 and the requested exception to the James City County Recreational Facilities Development Guidelines as described herein with the following conditions:

1. *Master Plan:* This SUP shall permit the manufacture, compounding, processing or packaging of beverages or food and food products, but not slaughter of animals on approximately 11.73 acres located at 3601 La Grange Parkway and further identified as James City County Real Estate Tax Map Parcel No. 1210100042 (the "Property"). All final development plans shall be consistent with the master plan entitled "JCC SUP-0009-2017, 3601 La Grange Pkwy Expansion Master Plan" dated October 16, 2017 (the "Master Plan"), as determined by the Director of Planning, with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. *Building Expansion:* The proposed building expansion shall not exceed 85,000 square feet.

3. *Smokers:* There shall be no more than eight smokers on the Property. A smoker shall be defined as a piece of equipment used to generate smoke for the purpose of flavoring and/or cooking and/or curing meat and meat products.

4. *Smoke/Noise/Odor:* Smoke, noise and odor associated with the smoking, curing, cooking and processing of meat and meat products shall be permitted. All other dust, noise or odor effects shall be limited to a fully enclosed building.

5. *Stockpile:* If visible from La Grange Parkway, wood chip stockpiles shall be screened by landscaping or fencing.

6. *Water Conservation:* The Owner shall be responsible for developing and enforcing water conservation standards applicable to the Property, which standards shall be submitted to and approved by the James City Service Authority (the "JCSA") in accordance with the Water Conservation Guidelines adopted by the Board of Supervisors on November 27, 2007. The standards shall address water conservation measures such as, but not limited to, limitations on the use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought resistant native and other low water use landscaping materials and warm season turf where appropriate, and the use of water conserving fixtures and appliances all to promote water conservation and to eliminate the use of public water resources. The standards shall be submitted to and reviewed by the JCSA General Manager for general consistency with this condition and shall be approved by the JCSA prior to issuance of any Certificates of Occupancies for building expansions on the Property.

7. *Commencement:* A permanent Certificate of Occupancy for the Project shall be obtained within 48 months from the date of approval of this SUP or this permit shall be void.

8. *Severance Clause:* This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

_____
Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	____	____	____
SADLER	____	____	____
HIPPLE	____	____	____
LARSON	____	____	____
ONIZUK	____	____	____

_____
Bryan J. Hill
Clerk to the Board

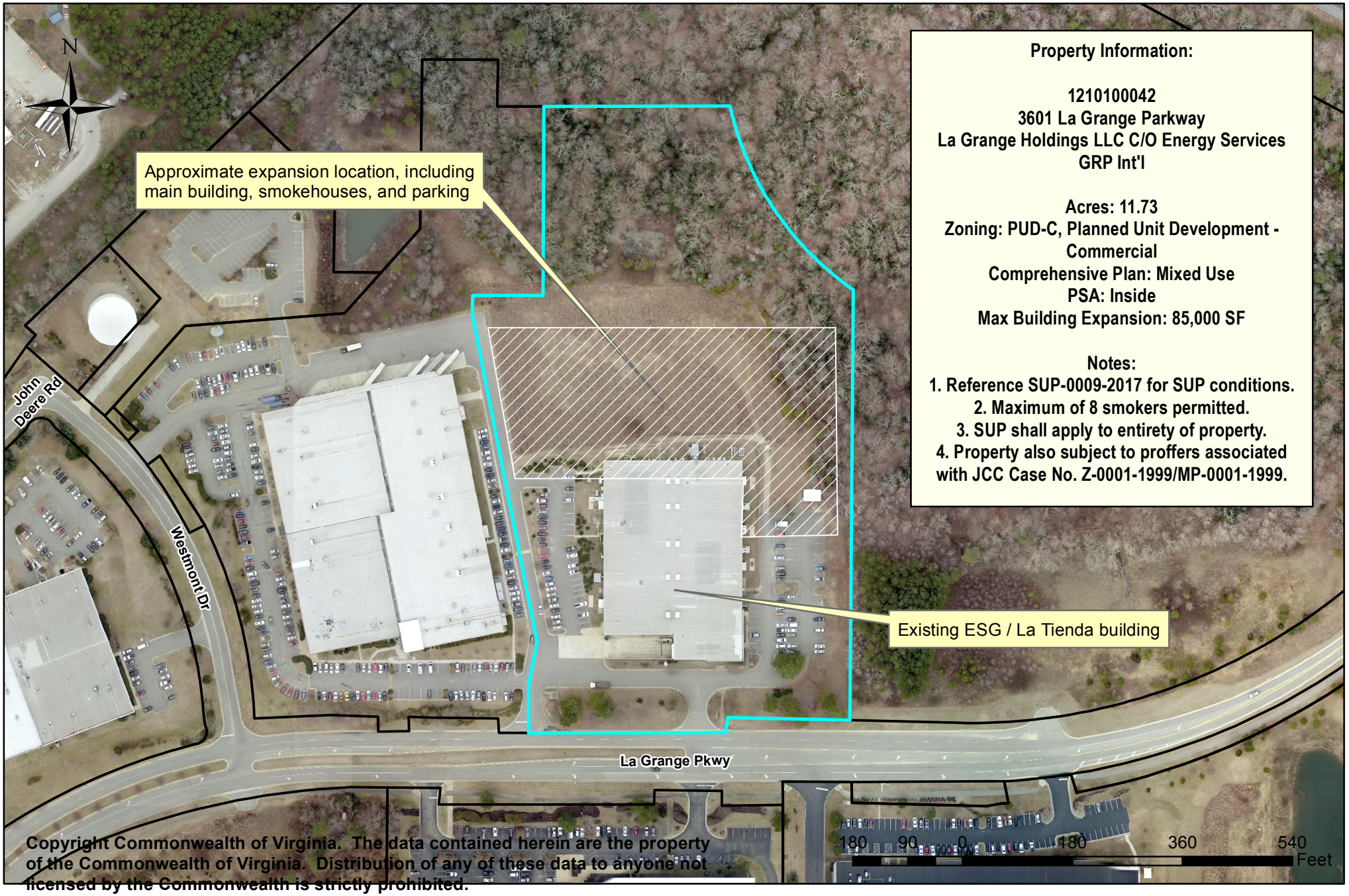
Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

SUP09-17-3601LaGrange-res

JCC-SUP-0009-2017
3601 La Grange Parkway Expansion



SUP-0009-2017, 3601 La Grange Pkwy Expansion Master Plan



Property Information:

1210100042
3601 La Grange Parkway
La Grange Holdings LLC C/O Energy Services GRP Int'l

Acres: 11.73
Zoning: PUD-C, Planned Unit Development - Commercial
Comprehensive Plan: Mixed Use
PSA: Inside
Max Building Expansion: 85,000 SF

Notes:
1. Reference SUP-0009-2017 for SUP conditions.
2. Maximum of 8 smokers permitted.
3. SUP shall apply to entirety of property.
4. Property also subject to proffers associated with JCC Case No. Z-0001-1999/MP-0001-1999.

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October 16, 2017

Unapproved Minutes of the November 1, 2017
Planning Commission Meeting

SUP-0009-2017. 3601 La Grange Parkway Expansion

Ms. Savannah Pietrowski, Planner, stated that Mr. Samuel Edwards has applied for an SUP to allow the manufacture, compounding, processing or packaging of beverages or food and food products on approximately 11 acres in the Stonehouse Commerce Park. Ms. Pietrowski noted that the property is zoned PUD-C and designated Mixed-Use on the Comprehensive Plan Land Use Map. Ms. Pietrowski stated that there is an existing 68,000 square foot building on the property. Ms. Pietrowski further stated that if the SUP is approved an expansion would be constructed behind the existing building and would include up to eight smokers to be used for the smoking of meat and meat products. Ms. Pietrowski stated that the manufacture, compounding, processing or packaging of beverages or food and food products with all activities conducted in a fully enclosed building, with no dust, noise or odor effects is permitted by-right in the PUD-C district; however, because this proposal would involve the construction of smokers producing smoke, odor and noise, an SUP is required. Ms. Pietrowski stated that because the impacts of odor and smoke are dependent on weather, there is no way to guarantee that odor and smoke will be confined onsite; however, with the proposed conditions, staff finds the impacts outside of the commerce park should be mitigated to the greatest extent possible.

Ms. Pietrowski stated that staff finds the proposal to be compatible with the surrounding uses and development of the Stonehouse Commerce Park. Ms. Pietrowski further stated that staff the proposal consistent with the Comprehensive Plan and the Zoning Ordinance. Ms. Pietrowski stated that staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the attached conditions.

Mr. Haldeman inquired whether the new facility would be owned by La Tienda.

Ms. Pietrowski stated that she was not certain of the ownership arrangements. Ms. Pietrowski stated that she believed the underlying ownership of the parcel would remain the same.

Mr. Haldeman inquired if it would be all the same business.

Ms. Pietrowski stated that it would be two separate businesses.

Mr. Haldeman inquired about feedback from adjacent property owners.

Ms. Pietrowski stated that adjacent property owners were notified; however, no comments or question were received.

Mr. Krapf called for disclosures from the Commission.

Mr. Richardson stated that he participated in the site visit to a similar facility in Ivor, VA.

Mr. Schmidt stated that he spoke with Mr. Tim Harris, owner of La Tienda.

Mr. Krapf stated that he also visited the facility in Ivor to gauge the impacts of the facility.

Mr. Krapf opened the Public Hearing.

As no one wished to speak, Mr. Krapf closed the Public Hearing.

Mr. Krapf opened the floor for discussion by the Commission.

Mr. Schmidt stated that he intends to support the application and welcomes the Edwards Ham Company to the County.

Mr. Krapf stated that he believes the proposal will be beneficial to both companies and is a good use of the property.

Mr. Haldeman made a motion to recommend approval of SUP-0009-2017. 3601.

On a roll call vote the Commission voted to recommend approval of SUP-0009-2017. 3601 La Grange Parkway Expansion. (7-0)

On January 19th, 2016, S. Wallace Edwards & Sons, Inc. DBA Edwards Virginia Smokehouse in Surry, VA burned to the ground. As we wait for the insurance litigation to come to a close, we are doing all we can to keep our 4th generation, 91 year old business alive. This includes reviewing options to build in Toano, VA as quickly as we can afford.

A brief overview of what we did at the Surry plant pre-fire and expect to do in Toano is as follows: We cure a wide variety of Virginia hams, bacon, sausage, lamb ham, and BBQ items with beef and pork in a plant which is inspected by the USDA on a daily basis. Our new plant will be designed, built and operated with oversight from the DEQ, EPA, OAR, FDA, and USDA. We intend to build out 50k sq. ft. of meat processing/curing/smoking/cooking plant space that we will use for the production and distribution of Edwards and other products.

We hope and expect to save 20 current jobs and add 30 new jobs once we are fully operational. One of the main reasons for building in Toano next to the Tienda facility is we already have a working relationship with this company. We have made bacon, sausage and ham products for Tienda in the past and they have sliced and packaged some our Surryano ham. In addition we hope to take advantage of the synergies these two companies will have with shared IT, maintenance, and economies in shipping volume.

Regarding water usage, using our 2014-2015 numbers from the Surry facility, the range per month was a low of 70,000 gallons and a high of 220,000 gallons with an average of approximately 120,000 gallons per month (4,000 per day).

Regarding sewer usage, the septic data from our Surry plant is unknown as we used a drain field system. Our commercial wastewater was sent to a lagoon and irrigated on the farm. Chloride levels were typically in the 2,000 – 2,400 mg/L. The chloride levels in a separate holding tank from the ham wash down contained roughly 2% salt. That was hauled to HRSD for processing. We had five grease traps that were pumped routinely and hauled away for treatment.

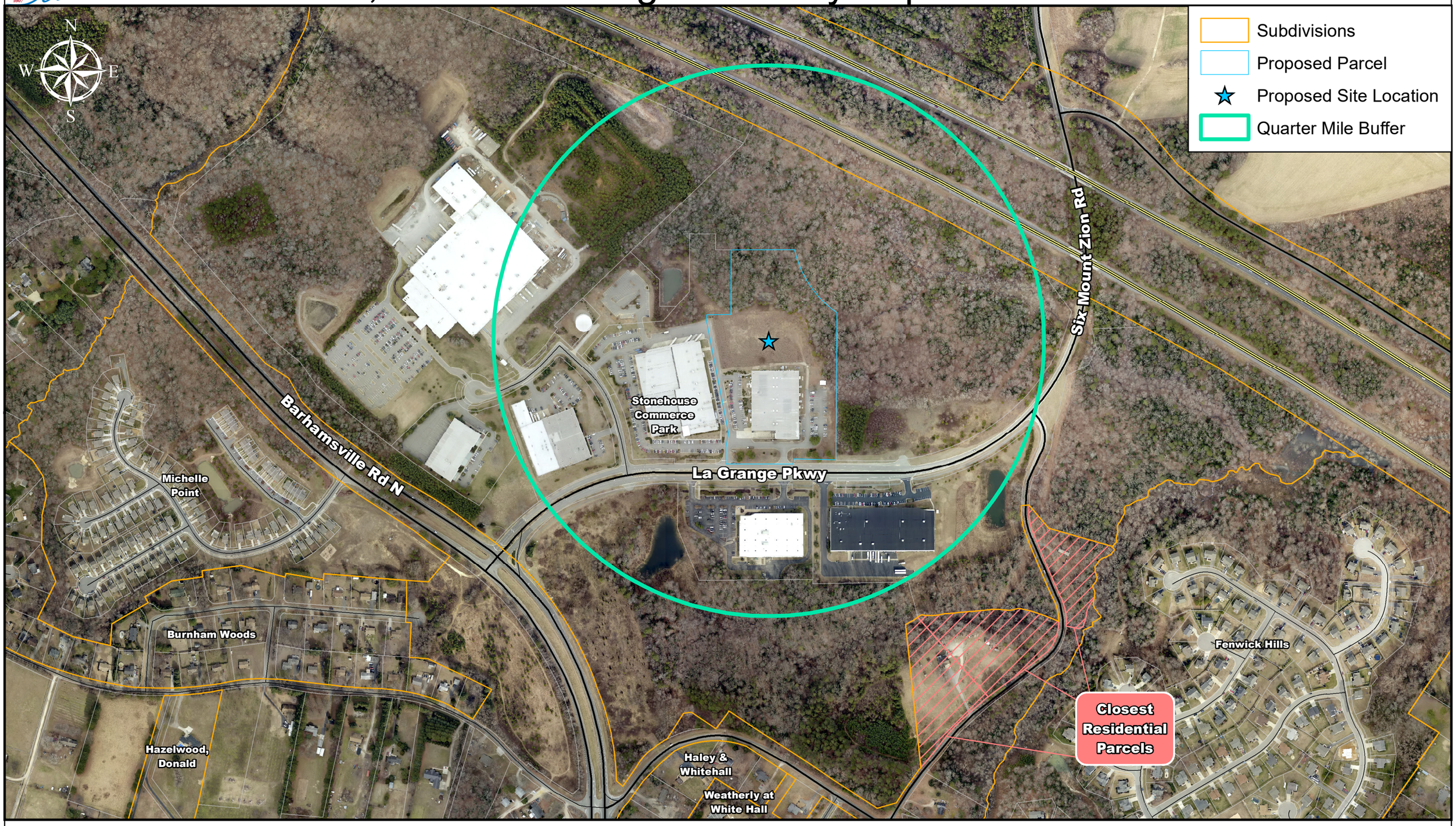
R.M. Felts' Packing Company
Ivor, VA
Smokers: 1
Wind Conditions: 3-5 MPH






09/22/2017

SUP-0009-2017, 3601 La Grange Parkway Expansion



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AGENDA ITEM NO. K.1.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Bryan J. Hill, County Administrator

SUBJECT: County Administrator's Report

ATTACHMENTS:

	Description	Type
	CA Report	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	12/5/2017 - 4:48 PM

M E M O R A N D U M

DATE: December 12, 2017

TO: The Board of Supervisors

FROM: Bryan J. Hill, County Administrator

SUBJECT: County Administrator's Report

The following is a summary of activities that took place November 13, 2017 through December 5, 2017:

November 13, 2017 (Monday)

- Met with Ryan Ashe, Fire Chief
- Met with Lisa Thomas, Corey Trench, and Tom Rideout, Hope Family Village, Inc.
- Met with Sue Mellen, FMS Director
- Met with Patrick Teague, HR Director
- Visited JCC Library

November 14, 2017 (Tuesday)

- Met with Doug Powell, JCSA General Manager
- Met with John Carnifax, Parks & Recreation Director
- Met with Grace Boone, General Services Director
- Attended Board of Supervisors meeting

November 20 2017 (Monday)

- Attended Historic Triangle Collaborative meeting
- Met with Phillip Emerson, Jamestown-Yorktown Foundation Executive Director and Kathy Spangler, Jamestown-Yorktown Foundation 2019 Commemoration Director
- Grievance meeting
- Met with Kevin Curtis, Dominion Vice-President Technical Solutions
- Met with Rebecca Vinroot, Social Services Director
- Met with Paul Holt, Community Development Director
- Met with Grace Boone, General Services Director

November 22, 2017 (Wednesday)

- Met with Ryan Ashe, Fire Chief
- Met with Paul Holt, Community Development Director

November 24, 2017 (Friday)

- Met with Amy Jordan, Economic Development Director; Economic Development Goals

November 27, 2017 (Monday)

- Attended Robert Wood Johnson Foundation meeting
- Met with citizens-strategic plan
- Met with Ryan Ashe, Fire Chief
- Attended WJCC Schools discussion of James City County-Hampton Memorandum of Understanding for Sheltering
- Met with Sue Mellen, FMS Director
- Met with Patrick Teague, HR Director
- Attended Warhill High School meeting
- Jamestown High School; coached basketball game

November 28, 2017 (Tuesday)

- Attended agenda meeting
- Met with Doug Powell, JCSA General Manager
- Met with Clarence Wilson
- Attended Board of Supervisors meeting

November 29, 2017 (Wednesday)

- Met with Robert Braxton
- Met with resident Jane Sherman Chambers
- Met with Grace Boone, General Services Director
- Attended Meet and Greet Event with new Anheuser-Busch General Manager, Jeff Scott

November 30, 2017 (Thursday)

- Met with supervisor John McGlennon and Paul Holt, Community Development Director; Williamsburg Landing and other topics
- Attended Executive Leadership Team meeting
- Attended employee retirement party

December 1, 2017 (Friday)

- Met with Rebecca Vinroot, Social Services Director
- Met with Doug Powell, JCSA General Manager, Paul Holt, Community Development Director and Zak Trogdpn, WATA Director
- Met with David Rose and Courtney Rogers, Davenport

December 2, 2017 (Saturday)

- Visited Ford's Colony Model Railroad Show at James City County Library
- Attended Billsburg Brewery Grand Hallucination

December 3, 2017 (Sunday)

- Attended employee funeral
- Met with Mitchell Reiss, Colonial Williamsburg President and CEO
- Attended Colonial Williamsburg Grand Illumination

December 4, 2017 (Monday)

- Met with Sue Mellen, FMS Director
- Met with Patrick Teague, HR Director
- Met with Paul Holt, Community Development

December 5, 2017 (Tuesday)

- Attended Virginia Peninsula Regional Jail GED Graduation
- Conference Call with Tom Brownline
- Met with James LaRoue, Virginia Gazette Public Safety Reporter, Brad Rinehimer, Police Chief and Ryan Ashe, Fire Chief
- Met with Terry Hall, Director of the York-Poquoson-Williamsburg Regional 911 Emergency Communications Center, Brad Rinehimer, Police Chief and Ryan Ashe, Fire Chief
- Met with Michael Giardino, Newport News/Williamsburg International Airport and Sandy Wanner
- Attended Santa Calling event

BJH/nb
CAReport121217-mem

AGENDA ITEM NO. L.1.

ITEM SUMMARY

DATE:	12/12/2017
TO:	The Board of Supervisors
FROM:	Adam R. Kinsman, County Attorney
SUBJECT:	Consideration of a personnel matter, the discussion of candidates for the position of Interim County Administrator, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

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REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 11:06 AM

AGENDA ITEM NO. M.1.

ITEM SUMMARY

DATE: 12/12/2017

TO: The Board of Supervisors

FROM: Teresa Fellows, Administrative Coordinator

SUBJECT: Adjourn until 4 p.m. on January 2, 2018 for the Organizational Meeting

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REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/30/2017 - 8:34 AM