

A G E N D A
JAMES CITY COUNTY PLANNING COMMISSION
MARCH 7, 2012 - 7:00 p.m.

1. ROLL CALL
2. PUBLIC COMMENT
3. MINUTES

February 1, 2012 Regular Meeting
4. COMMITTEE / COMMISSION REPORTS
 - A. Development Review Committee (DRC)
 - B. Policy Committee
 - C. Regional Issues Committee / Other Commission Reports
5. PLANNING COMMISSIONS CONSIDERATIONS
 - A. Initiating Resolution - ZO-0001-2012, Addition of Resort Hotel Definition, Amendments to R-4, Residential Planned Community District and Special Regulations
6. PUBLIC HEARING CASES
 - A. MP-0003-2011/Z-0004-2011, Mason Park Master Plan Amendment
 - B. SUP-0001-2012/Z-0001-2012, Williamsburg Seventh Day Adventist Church Expansion
 - C. SUP-0002-2012/Z-0002-2012, Colonial Manor Proffer Amendment
 - D. ZO-0001-2012, Addition of Resort Hotel Definition, Amendment to R-4, Residential Planned Community District and Special Regulations
7. PLANNING DIRECTOR'S REPORT
8. COMMISSION DISCUSSIONS AND REQUESTS
9. ADJOURNMENT

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE FIRST DAY OF FEBRUARY, TWO-THOUSAND AND TWELVE, AT 6:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:

Rich Krapf

Tim O'Connor

Al Woods

Mike Maddocks

Chris Basic

Staff Present:

Allen Murphy, Acting Development Manager

Adam Kinsman, Deputy County Attorney

Mr. Tim O'Connor reconvened the January 4, 2012 meeting to order at 6:00 p.m.

2. CLOSED SESSION

Mr. Rich Krapf moved that the Planning Commission enter into a closed meeting pursuant to Virginia Code Section 2.2-3711(A)(1)- Discussion of Respective Candidates for Appointment so that Planning Commissioners may consider appointments of Chair and Vice-Chair.

In a unanimous voice vote the motion was approved.

The Planning Commission reconvened at 6:40 p.m. Mr. O'Connor read the resolution stating that the Planning Commission conducted its meeting consistent with the Virginia Freedom of Information Act. He moved to approve the resolution.

In a unanimous roll call vote the resolution was approved. (5-0)

Mr. Krapf moved for adjournment.

The Planning Commission adjourned the January meeting at 6:40 p.m. and convened the February meeting at 7:00 p.m.

3. ANNUAL ORGANIZATIONAL MEETING

A. Election of Officers

Mr. Adam Kinsman asked if there were nominations for the Chair of the Planning Commission for 2012.

Mr. Krapf nominated Mr. O'Connor for Chair. There being no further nominations, Mr. Kinsman moved to close the nominations.

In a unanimous voice vote the Planning Commission elected Mr. O'Connor as Chair. Mr. O'Connor asked for nominations for Vice-Chair.

Mr. Krapf nominated Mr. Al Woods as Vice-Chair. There being no further nominations, Mr. Kinsman moved to close the nominations.

In a unanimous voice vote the Planning Commission elected Mr. Woods as Vice-Chair.

B. Committee Appointments

Mr. O'Connor stated that the Development Review Committee (DRC) will consist of Mr. Chris Basic, Mr. O'Connor, Mr. Krapf, and Mr. Mike Maddocks, with Mr. Basic serving as Chair. The Policy Committee members will be Mr. Krapf, Mr. Woods, Mr. O'Connor, and Mr. Maddocks with Mr. Krapf serving as Chair. Mr. O'Connor stated that Mr. Maddocks will serve as the representative on the Regional Issues Committee.

4. PUBLIC COMMENT

Mr. O'Connor opened the public comment period.

There being no public comments, he closed the public comment period.

5. MINUTES

A. January 4, 2012 Regular Meeting

Mr. Krapf moved to approve the minutes.

In a unanimous voice vote, the minutes were approved.

6. COMMITTEE AND COMMISSION REPORTS

A. Development Review Committee (DRC)

Mr. Basic stated that the DRC met on January 25, 2012 to discuss two cases. He stated that the first case was SP-0112-2011, Goodyear Tire Center. He stated that the case was before the DRC for a landscape setback modification. He stated that the proposed tire center location is at 4830 Monticello Avenue. He stated that the DRC recommended approval of the setback modification (3-0) as shown on the site plan. He stated that the second case was C-0002-2012, Wythe-Will Property Skating Rink. He stated that the case was before the DRC for determination of master plan consistency for a proposed roller skating rink. He stated that the DRC voted (3-0) to find the proposed changes consistent with the approved master plan seen in 2006.

Mr. Maddocks asked where the proposed location is for the roller skating rink.

Mr. Basic stated that it is off of Richmond Road, adjacent to the Chesapeake Bank.

Mr. Maddocks moved for approval of the DRC report.

In a unanimous roll call vote the motion was approved.

7. PUBLIC HEARING CASE

A. MP-0003-2011/Z-0004-2011, Mason Park Master Plan Amendment

Mr. O'Connor stated that the applicant has requested a deferral until the March 7, 2012 Planning Commission meeting.

Mr. O'Connor stated that the public hearing will remain open until the March 7, 2012 meeting.

8. PLANNING COMMISSION CONSIDERATIONS

A. 2011 Planning Commission Annual Report

Mr. Woods stated that he felt the report was very informative.

Mr. O'Connor stated that Mr. Fraley would be presenting the report to the Board Of Supervisors (BOS).

Mr. Krapf made a motion to approve the report.

In a unanimous voice vote the report was approved.

9. PLANNING DIRECTOR'S REPORT

Mr. Murphy discussed the 2012 meeting schedule.

Mr. Krapf made a motion to approve the 2012 schedule.

In a unanimous voice vote the 2012 schedule was approved.

Mr. O'Connor asked Mr. Murphy for the scheduled dates for the Community Forums.

Mr. Murphy provided the scheduled dates.

10. COMMISSION DISCUSSIONS AND REQUESTS

Mr. O'Connor noted that there were no other items to discuss.

9. ADJOURNMENT

Mr. Krapf moved for adjournment.

The meeting was adjourned at 7:15 p.m.

Tim O'Connor, Chairman

Allen J. Murphy, Secretary

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The meeting was adjourned at 7:15 p.m.

Tim O'Connor, Chairman

Allen J. Murphy, Secretary

MEMORANDUM

DATE: March 7, 2012
TO: Planning Commission
FROM: Melissa C. Brown, Zoning Administrator
SUBJECT: Initiating Resolution – ZA-0001-2012

Staff has received a request to investigate modifications and additions to the zoning ordinance that address the addition of a definition for resort hotel and associated performance measures. Staff recommends the Planning Commission adopt the attached resolution to initiate consideration of this amendment to the Zoning Ordinance in accordance with Virginia Code §15.2-2223. This amendment appears later in the agenda.



Melissa C. Brown

Attachments:

- Initiating Resolution

MEMORANDUM

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TO: Planning Commission
FROM: Melissa C. Brown, Zoning Administrator
SUBJECT: Initiating Resolution – ZA-0001-2012

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Melissa C. Brown

Attachments:

- Initiating Resolution

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENT TO THE ZONING ORDINANCE
ZO-0001-2012

WHEREAS, the Planning Commission of James City County, Virginia, is charged by Virginia Code §15.2-2223 to prepare and recommend to the Board of Supervisors various land development plans and ordinances, specifically including a zoning ordinance and necessary revisions thereto as seem to the Commission to be prudent; and

WHEREAS, on November 24, 2009, the Board of Supervisors adopted the 2009 Comprehensive Plan; and

WHEREAS, in order to make the Zoning Ordinance more consistent with the Comprehensive Plan, public review and comment of draft amendments is required, pursuant to Virginia Code §15.2-2285; and

WHEREAS, the Planning Commission is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of amendments.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, does hereby request staff to initiate review of Chapter 24, Zoning, Division I, In General, Section 24-2, Definitions to add “resort hotel”; Article II, Special Regulations, to add Section 24-45, Performance standards for a resort hotel; and Article V, Districts, Division 5, R-4, Residential Planned Community, to amend Section 24-287, Permitted uses to add resort hotel as a permitted use. The Planning Commission shall hold at least one public hearing on the consideration of amendments of said Ordinance and shall forward its recommendation thereon to the Board of Supervisors in accordance with law.

Mr. Tim O’Conner
Chair, Planning Commission

ATTEST:

Allen J. Murphy, Jr.
Secretary

Adopted by the Planning Commission of James City County, Virginia, this 7th day of March, 2012.

REZONING-0004-2011/MASTER PLAN-0003-2011. Mason Park, Master Plan and Proffer Amendment

Staff Report for the March 7, 2012, Planning Commission 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

Planning Commission:	November 2, 2011	7:00 p.m. (deferred by applicant)
Planning Commission:	December 7, 2011	7:00 p.m. (deferred by applicant)
Planning Commission:	January 4, 2012	7:00 p.m. (deferred by applicant)
Planning Commission:	February 1, 2012	7:00 p.m. (deferred by applicant)
Planning Commission:	March 7, 2012	7:00 p.m. (withdrawn by applicant)

SUMMARY FACTS

Applicant: Mr. Vernon Geddy of Geddy, Harris, Franck & Hickman

Land Owner: H. H. Hunt Homes Hampton Roads, LLC

Proposal: Amend the adopted master plan and proffers to eliminate the requirement to provide detached garages for each of the proposed 15 single-family units.

Location: 1916 Jamestown Road

Tax Map/Parcel: 4640100017

Parcel Size: 9.11 acres

Existing Zoning: R-2, General Residential with proffers

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

STAFF RECOMMENDATION

The applicant has requested that this case be withdrawn from consideration. Staff concurs with the request and requests the Planning Commission close the public hearing.

Staff Contact: Jose Ribeiro, Planner Phone: 253-6685

Attachments:

1. Applicant's withdrawal request

**Z-0001-2012/SUP-0001-2012, Williamsburg Seventh-day Adventist Church Expansion
Staff Report for the March 07, 2012 Planning Commission 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

Planning Commission:
Board of Supervisors:

Building F Board Room; County Government Complex

March 7, 2012 7:00 p.m.
April 10, 2012 7:00 p.m. (tentative)

SUMMARY FACTS

Applicant: Mr. James S. Peters of AES Consulting Engineers

Land Owner: Potomac Conference Corporation of Seventh-day Adventists

Proposal: To amend existing proffers allowing for maintenance of a scenic easement along a Community Character Corridor and to allow the construction of a 5,500 square-foot multi-purpose building accessory to a house of worship

Location: 3989 John Tyler Highway

Tax Map/Parcel: 4610100002B

Parcel Size: 9.2 acres

Existing Zoning: R-1, Limited Residential, with proffers

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

STAFF RECOMMENDATION

Due to a procedural error made by staff regarding the notification of adjacent property owners, staff requests this case be deferred to the next Planning Commission meeting on April 4, 2012. Deferral will allow time to properly notify all adjacent property owners in accordance with the Zoning Ordinance. Staff requests that the Planning Commission open the public hearing for this case and continue it to the April 4, 2012, Planning Commission.

Staff Contact: Jose Ribeiro, Senior Planner Phone: 253-6685

PROJECT DESCRIPTION

The 9.2-acre parcel where the house of worship is currently located was originally part of a larger tract of land of approximately 363-acres (later developed as St. George's Hundred subdivision). In 1986, the entire tract was rezoned from A-1, Limited Agricultural, to R-1, Limited Residential, with proffers (**Z-0021-1986**). In 1987, a proffer amendment request to exempt 9.2-acres from existing proffers was approved by the Board of Supervisors (**Z-0018-1987**); the approval also established a set of five distinctive proffers. In the same year, the 9.2-acre area became its own parcel through the subdivision process.

The property is located on the south side of John Tyler Highway between St. George's Hundred subdivision and the Williamsburg Community Chapel. These properties are zoned R-1, Limited Residential and R-8, Rural Residential, respectively. South of the property is the Jamestown Hundred subdivision, zoned R-2, General Residential; to the north and across John Tyler Highway, large undeveloped parcels owned by the County are zoned R-8, Rural Residential.

The property is comprised of a one-story building of approximately 6,260 square feet, a parking lot area for 39 vehicles, and a right-in/right-out vehicular access from John Tyler Highway. The terrain is mostly flat and heavily wooded providing a natural buffer from adjacent residential subdivisions. The property fronts on John Tyler Highway, a Community Character Corridor (CCC), according to the 2009 Comprehensive Plan. Originally created as part of the rezoning of the larger 363-acre tract of land, a scenic easement of approximately 145-foot average depth is currently in place along the property's frontage.

A proffer amendment request has been filed on behalf of the Potomac Conference Corporation of Seventh-day Adventists, to amend the existing scenic easement proffer. The purpose of the amendment is to allow for greater flexibility in the maintenance of the scenic easement area. An SUP request to allow the addition of a 5,500 square-foot multi-purpose building has been submitted concurrently for consideration.

Proffer Amendment

The amendment seeks to establish new language to allow for the maintenance of the easement area, such as pruning of understory shrubs, and the removal of dead or diseased materials. Currently, the proffer reads:

“Scenic easements shall be reserved across the Property 145 feet deep adjacent to and parallel with the center line of Route 5. Existing trees, shrubbery, and vegetation within said scenic easement shall remain “as is” provided however, the Owner shall have the right to install and construct over, under, across and through the scenic easements such new entrance, drainage structures, stormwater management facilities, utilities and entrance signs as may be necessary in accordance with the terms of this Agreement and approved by the Site Plan Review Committee of the County's Planning Commission.”

As proposed, the amendment adds the following language:

“The owner may perform the following maintenance within the scenic easement;

(1) remove any over-story trees under an 8” caliper (Diameter Breast Height), and any understory trees less than a 2” caliper (DBH), (2) Overstory trees may be limbed up to a maximum height of 10’ above grade, (3) Understory trees may be limbed up to a maximum height of 6’ above grade, (4) Understory shrubs may be pruned but not removed, and (5) Any dead, diseased or dying plants may be removed. The owner may install new plant material such as trees and shrubs as needed to maintain scenic appearance and provide for the longevity of the root mat. All new plants shall be suitable for climatic zone 7a. In order to maximize plant success, all plantings shall be suitable to survive maintenance-free at their mature stage. Any further modification may be made with prior inspection and approval by the planning director or his designee.”

The proposed amendment is consistent with the requirements of Section 24-98(e) (3) of the Zoning Ordinance-Landscape area(s) along right(s)-of-way. Staff further notes that the existing proffer refers to the “Site Plan Review Committee of the County’s Planning Commission” as the party responsible for reviewing any requests to encroach into the scenic easement. This language has been modified to “Planning Director or his designee” to be consistent with recent revisions to the Zoning Ordinance approved by the Board of Supervisors. Staff supports the amendment to the scenic easement, as proposed.

SUP

The purpose of the SUP request is to allow the construction of an accessory building of approximately 5,500 square-feet. The addition, to be attached to the rear of the existing house of worship, is proposed as a ‘multi-purpose’ building, with areas for meetings, classrooms, and storage. The proposed expansion will not increase the seating capacity of the existing use. Issuance of a SUP is necessary because houses of worship and accessory uses are a specially permitted uses in the R-1 zoning district. Further, the SUP request will bring the entire use into conformity with the Zoning Ordinance as the use is currently a legally non-conforming use.

PUBLIC IMPACTS

Archaeology Impacts:

A Phase I Archaeological Survey for the Williamsburg Seventh-day Adventist Church was prepared in March of 1990 by the William and Mary Archaeological Project Center. The survey identified no archaeological sites within the project area and recommended no further archaeological investigation of the project. The Department of Historic Resources has reviewed the 1990 survey and concurs with its findings and does not recommend further survey for the proposed addition.

Engineering and Resource Protection:

This site lies within the Powhatan Creek Watershed and therefore subject to special stormwater criteria (SSC) under the Powhatan Creek Watershed Management Plan. All proposed impervious cover and a portion of the existing impervious cover from the site will be treated by two onsite stormwater management features which will be expanded to meet water quality and flow attenuation requirements.

Staff comments:

According to information provided by the applicant, the current impervious surface for the entire site corresponds to approximately 0.70 acres or 7.61% of the entire site. The proposed expansion and improvements to the parking area and sidewalks will increase the impervious surface to 1.26 acres or 13.65% of the entire site. The stormwater management plan for the site will meet the 10 (BMP)-point requirement by using the two expanded dry facilities and dedication of Natural Open Space/ Conservation Easements.

Public Utilities:

The entire site is served by public water and sewer. A Water Conservation Agreement and Irrigation Standard (SUP condition Nos. 8 and 9) will be reviewed and approved by the James City County Service Authority prior to final site plan approval.

Staff comments: JCSA Staff has reviewed the master plan application and concurs with information provided by the applicant, while providing information that will need to be considered at the development plan design stage.

Transportation:

The addition of the 5,500 square-foot building will have minimal impacts on traffic since it is not increasing the seating capacity of the existing use. The current peak hour traffic generation for this site occurs during Saturday mornings and in the afternoon. The hours of operation of the proposed addition will be the same as the existing use and at a different time and day of the week than its larger neighbor to the west, the Williamsburg Community Chapel. The site currently has a total of 39 parking spaces which meets and exceeds the minimum requirement for a 150-seating capacity house of worship. According to the master plan, a total of 40 parking spaces will be provided.

- **2007 County Traffic Counts:** On John Tyler Highway from St. George's Hundred Subdivision to Ironbound Road (near Five Forks campground) there were 11,303 trips.
- **2035 Daily Traffic Volume Projected (from 2009 Comprehensive Plan):** On John Tyler Highway between Ironbound Road and Centerville Road 15,550 annually average daily trips (AADT) are projected-this road segment is not in the category of warranting improvement.

VDOT Staff comments: VDOT Staff has reviewed the SUP application and has issued comments which will be addressed by the applicant at the development plan design stage. VDOT has requested that a Traffic Analysis including existing annual average daily trip (AADT), a trip generation report, and a turn lane and taper warrant analysis be submitted to VDOT for review and approval prior to final site plan approval (Condition No. 2)

COMPREHENSIVE PLAN

The site is designated Low Density Residential (LDR) in the James City County 2009 Comprehensive Plan. LDR recommended uses include schools, churches, community-oriented facilities, very limited commercial establishments, and single family homes. New development should be compatible with the character of adjoining uses and where the impacts of such new developments can be adequately addressed. According to the Residential Development Standards of the Comprehensive Plan, "uses such as houses of worship should only be approved when the

following standards are met” (*with staff’s response in italics*):

- i. Complement the residential character of the area;
The existing house of worship draws on average 60 parishioners on a Saturday. The expansion will not promote additional attendance. Architectural elements such as scale, height, and mass of the proposed expansion will be similar to the existing sanctuary building.
- ii. Have traffic, noise, lighting and other impacts similar to surrounding residential uses;
The proposed building expansion is not expected to generate any additional noise, or traffic, as it is not increasing the seating capacity of the house of worship. SUP condition No. 7 ensures that all new exterior fixtures, including building lighting, on the property shall have recessed fixtures with no lens, bulb, or globe extending below the casing.
- iii. Generally be located on collector or arterial roads at intersections;
According to VDOT, John Tyler Highway is classified as an Urban Minor Arterial. The site is located between two major intersections, Greensprings Plantation Drive and Ironbound Road.
- iv. Provide adequate screening and buffering to protect the character of nearby residential areas;
The proposed addition will be located at the rear of the existing house of worship, approximately 240 feet away from the nearest residential property line (Jamestown Hundred subdivision). The site is heavily wooded providing a natural buffer between the church site and adjacent residential neighborhoods (Jamestown Hundred and St. George’s Hundred subdivisions.)
- v. Generally intended to support the residential community in which they are located
The Williamsburg Seventh-day Adventist Church is a small congregation providing spiritual support for the community for the past 20 years.

RECOMMENDATION

Due to a procedural error made by staff regarding the notification of adjacent property owners, staff requests this case be deferred to the next Planning Commission meeting on April 4, 2012. Deferral will allow time to properly notify all adjacent property owners in accordance with the Zoning Ordinance. Staff requests that the Planning Commission opens the public hearing for this case and continue it to the April 4, 2012, Planning Commission.

1. **Master Plan.** This Special Use Permit (the “SUP”) shall be valid for the construction of a one-story multi-purpose building of approximately 5,500 square feet in size, on the property located at 3989 John Tyler Highway and further identified as JCC Parcel Number No. 4610100002B (the “Property”) Development of the Property shall be generally in accordance with the Master Plan entitled “Master Plan for Special Use Permit Seventh Day Adventist Church” prepared by AES Consulting Engineers dated January 25, 2012 and revised on February 23, 2012 (the “Master Plan”) with such minor changes as the Planning Director determines does not change the basic concept or character of the development.
2. **Land Use.** The land use of the proposed 5,500 square feet multi-purpose building shall be generally in accordance with information provided by the Community Impact

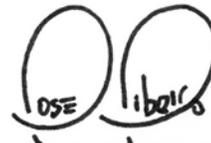
Statement titled "Addition to Williamsburg Seventh-day Adventist Church" prepared by AES Consulting Engineers, dated January 25, 2012, and revised February 21, 2012.

3. **Traffic Study Analysis.** At the time of site plan application to the County, the applicant shall provide the Virginia Department of Transportation (VDOT) a Traffic Study Analysis identifying the ITE Code and use of the parcel, functional classification of the roadway, existing Annual Average Daily Traffic (AADT), Trip Generation Report, and Turn Lane and Taper Warrant Analysis for the Route 5 entrance. Said study shall be reviewed and approved by VDOT prior to final site plan approval. The applicant shall implement any requirements of traffic improvements prior to issuance of a certificate of occupancy for the expansion on the site.
4. **Signs.** All signs and sign locations shall be reviewed and approved by the Planning Director or his designee prior to final site plan approval.
5. **Dumpsters.** All new dumpsters shall be screened by landscaping and/or fencing in a location approved by the Planning Director or his designee prior to final site plan approval.
6. **Architectural Elevations.** Prior to final site plan approval, the Planning Director, or his designee, shall review and approve a final building elevations and architectural design for the proposed expansion. Such building shall be reasonably consistent, as determined by the Planning Director or his designee, with the architectural elevations date stamped February 28, 2012.
7. **Lighting.** All new exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Planning Director or his designee, which indicates no glare outside the property lines. All light poles shall not exceed 20 feet in height unless otherwise approved by the Planning Director prior to final site plan approval. "Glare" shall be defined as more than 0.1 foot-candle at the boundary of the Property or any direct view of the lighting source from the adjoining properties.
8. **Water Conservation Agreement.** "The Owner shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority 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.
9. **Irrigation.** In the design phase, the developer and designer engineer shall include the design of stormwater systems that can be used to collect stormwater for outdoor water use not met by existing wells for the Property. Only surface water collected from surface water impoundments or existing wells may be used for irrigating the Property In no

circumstances shall James City Service Authority public water supply be used for Irrigation, except as otherwise provided by this condition.

10. Commencement of Construction. Construction on this project shall commence within 36 months from the date of approval of this special use permit or this permit shall be void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings.

11. Severance Clause. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

A handwritten signature in black ink, consisting of two large, overlapping loops. The first loop contains the letters 'JSE' and the second loop contains 'Ribeiro'.

Jose Ribeiro

ATTACHMENTS:

1. Master Plan (under separate cover)
2. Community Impact Statement (CIS)
3. Elevations
4. Location Maps

**SPECIAL USE PERMIT-0002-2012 / REZONING-0002-2012. Colonial Manor Proffer Amendment (Epstein Rest Home).
Staff Report for the March 7, 2012 Planning Commission 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

Planning Commission:
Board of Supervisors:

Building F Board Room; County Government Complex

March 7, 2012 7:00 p.m.
April 10, 2012 7:00 p.m. (tentative)

SUMMARY FACTS

Applicant: Dr. Pedro Becerra, NOSA Futura Corp.

Land Owner: BC Secure Holdings Corporation

Proposal: Convert existing 55 unit independent living facility to 110 unit assisted and independent living facility.

Location: 8679 Pocahontas Trail

Tax Map/Parcel Nos.: 5230100089

Parcel Size: 7.4 acres

Zoning: R-5, Multi-family Residential, with proffers and conditions under Case Nos. SUP-0011-1999/Z-0002-1999

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this proposal to the James City County Board of Supervisors with the amended and restated conditions and proffers. Staff finds the proposal to be compatible with the surrounding zoning and development since the exterior of the building and general character of the use will not be altered. Staff also finds the proposal to be consistent with the 2009 Comprehensive Plan.

Staff Contact: Leanne Reidenbach Phone: 253-6876

PROJECT DESCRIPTION

Dr. Pedro Becerra of NOSA Futura Corp has applied to amend an existing special use permit (SUP-0011-1999) and proffers associated with rezoning (Z-0002-1999) for Colonial Manor (formerly the Epstein Rest Home) to convert the use from rest home/congregate housing facility to an assisted living facility. The facility is located at 8679 Pocahontas Trail and zoned R-5, Multi-family Residential. A special use permit is required for nursing homes and facilities for the residence and/or care of the aged.

Project History

The property was granted a SUP and rezoning in 1991 by the Board of Supervisors which permitted a 48-unit congregate care facility for the elderly and rezoned the property from R-3, General Residential (a zoning district that no longer exists in the County) to R-5, Multi-family Residential. The project was never constructed and the SUP expired in 1994. When the property came under new ownership, the SUP was re-submitted in 1999 and the proffers were amended to clarify the facility would contain up to 48 units for congregate **housing** (essentially independent living) and specified that no nursing or care facilities would be provided on-site. The current SUP and proffer amendments are necessary to redefine the facility type and to allow nursing and assisted care.

In 2007, the facility requested to convert 15 units to assisted living and was granted permission by staff due to an administrative oversight. As a result, there are 55 total existing units, which can serve a maximum capacity of 65 clients. As a result, the existing 50,100 square foot facility now includes a mix of independent living and assisted living units. Each apartment has one or two bedrooms, a living area, and a kitchen. The individuals currently residing in the independent living component will be allowed to continue to live there, with the balance of the units being converted to two assisted living units each (for a total of up to 110 bedroom units). Basic floor plans for the independent and assisted living units are included on the master plan. These may be used interchangeable for independent or assisted living as the owner desires, as long as there are no more than 110 bedrooms. Generally speaking though, for the assisted living units, the living/dining area in the one-bedroom units will be converted into a second bedroom for a separate resident. This amendment will bring the current operation into compliance with the ordinance, allow nursing care, and permit the unit expansion.

Colonial Manor is currently operating under a license from the Department of Social Services to operate as both an assisted and independent living facility. No exterior changes are proposed to the building exterior or site layout with this amendment and even with the conversion, unit increase, and staffing changes the facility will meet parking requirements without any changes to the existing parking lot.

Surrounding Zoning and Land Use

The property is surrounded by R-2, General Residential property and is across the street from M-1, Limited Business Industrial property. The R-2 properties are mostly developed as single-family homes, with some duplexes. Mount Gilead Baptist Church is also located nearby. The M-1 property is developed as a portion of the Kingsmill golf course.

Proffers: Are signed and submitted in accordance with the James City County Proffer Policy. Please see attachment 4 for full amended and restated proffers. The only proffers that changed were:

#1 – Amended to allow for 110 units (instead of 48 units) and to clarify the use will be an independent and assisted living facility (rather than a congregate housing facility).

#6 – Amended to state that any improvements required by VDOT (if necessary) will be installed prior to conversion of the units.

PUBLIC IMPACTS

Public Utilities

The project is inside the Primary Service Area and is currently served by public water and sewer. Water is provided by the Newport News Waterworks.

JCSA Staff Conclusions: JCSA has reviewed the project and has no objection to the proffer amendment and change in use. Additional information regarding changes to water and sewer demands and the adequacy of the existing lines to serve the additional units will be required to be submitted as part of the site plan and permits for development. Newport News Waterworks will also be required to approve the project during the plan review process.

Traffic

The proposed assisted living facility is expected to generate approximately 15.4 vehicle trips per hour during the weekday P.M. peak hour. The number of trips is based on the number of employees on the largest shift (28).

2009 VDOT Annual Average Daily Trip (AADT) Counts: On Pocahontas Trail from the York County line (near the 1-64 Grove interchange) to the City of Newport News line there were 9,200 trips.

2035 Daily Traffic Volume Projected (from 2009 Comprehensive Plan): On Pocahontas Trail between the Grove interchange and the City of Newport News line, 21,186 average annual daily trips (AADT) are projected. Forecasted volumes indicate improvements may be needed so this segment of Pocahontas Trail is in the “watch” category.

There is an existing commercial entrance for this project on Magruder Avenue, as specified by the existing SUP conditions. No additional entrances are proposed. Also, staff anticipates fewer trips for the assisted living facility than for the approved congregate housing facility as residents will no longer have access to their own vehicles. Finally, Colonial Manor has staggered employee shifts and hours, which will spread any staff traffic over different times of the day.

COMPREHENSIVE PLAN

This site is designated Low Density Residential on the 2009 Comprehensive Plan Land Use Map. Recommended uses include single-family homes, duplexes, accessory units, cluster housing, recreation areas, churches, very limited commercial facilities, timeshares, and retirement and care facilities/communities. The following standards are given for uses such as retirement and care facilities that are located in Low Density Residential areas:

1. Complement the residential character of the area;
2. Have traffic, noise, lighting, and other impacts similar to surrounding residential uses;
3. Generally be located on collector or arterial roads at intersections; and
4. Provide adequate screening and buffering to protect the character of nearby residential areas.

This is an existing use and building with exterior architecture of a scale and design similar to a more residential development. The impacts for traffic, noise, and lighting are not anticipated to differ from the impacts of the existing use. The site is also immediately adjacent to Pocahontas Trail so traffic is not required to drive through any existing neighborhoods. Finally, when the site was originally developed, conditions were put in place to provide landscape buffers next to residential areas.

The Comprehensive Plan also recognizes least-cost housing as serving a significant public benefit, particularly when it provides housing and care opportunities for lower-income elderly citizens. As indicated in the attached project narrative, the current assisted living portion of the facility is operating at full capacity with a waiting list while the independent living facility has about 40 vacancies. This is the only facility of its kind in the Roberts District. The use is also located within the County’s Enterprise Zone. The change in use and unit cap would help an existing business adapt to changing market demands while also offering increased employment opportunities.

The proposal, with the conditions and proffers, is consistent with the land use designation, housing strategies, and economic development goals identified in the 2009 Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this proposal to the James City County Board of Supervisors with the amended and restated conditions and proffers. Staff finds the proposal to be compatible with the surrounding zoning and development since the exterior of the building and general character of the use will not be altered. Staff also finds the proposal to be consistent with the 2009 Comprehensive Plan.

Conditions: (Note that these are primarily restated conditions from the original SUP – the only amended condition is #1. All other conditions were fulfilled at the time of initial site plan approval and certificate of occupancy.)

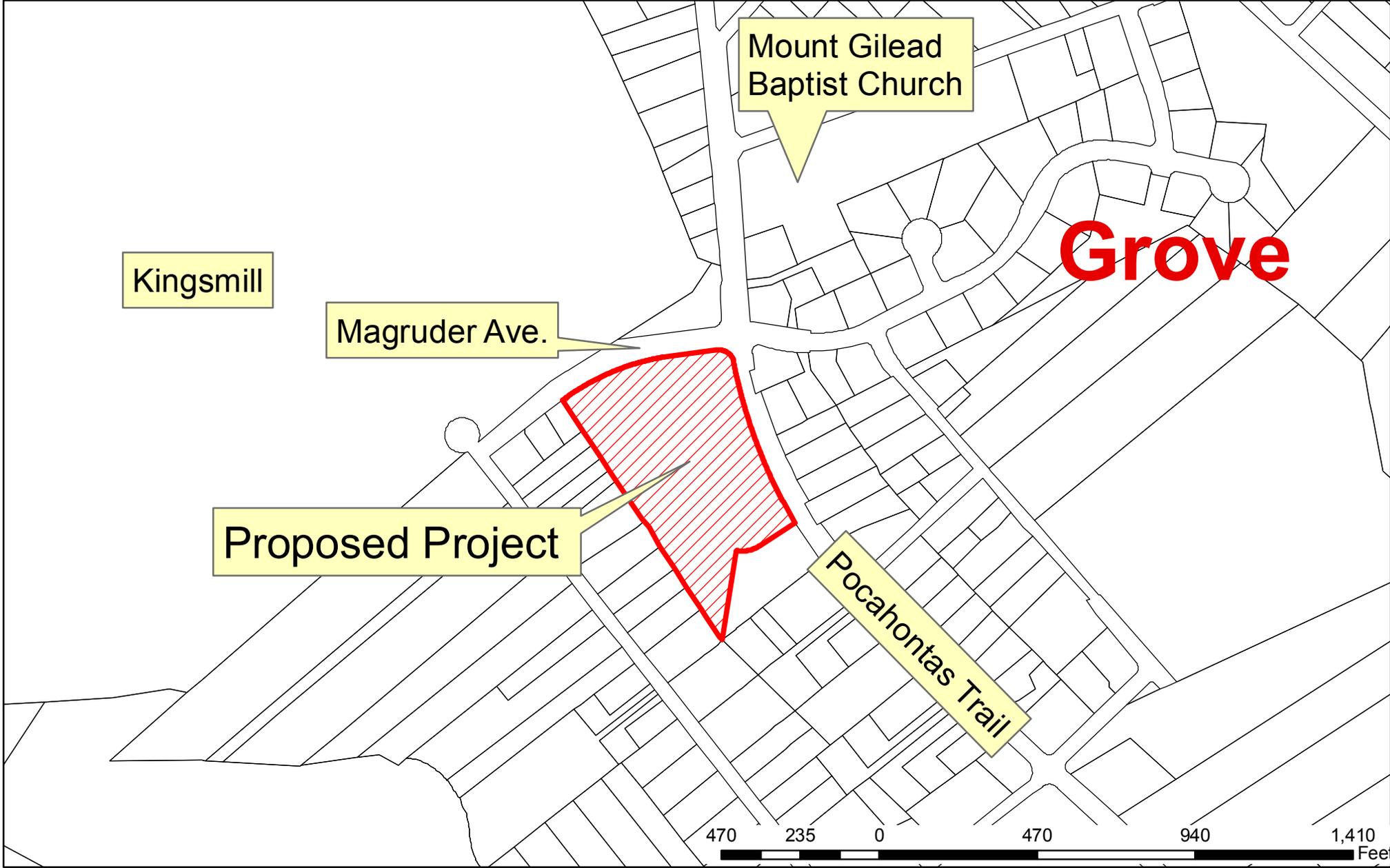
1. This special use permit shall allow the establishment and/or continued operation of a 110 bedroom assisted living and independent living facility. The facility shall maintain at all times a current license from the Virginia Department of Social Services.
2. The required rear landscape buffer shall screen this project from adjacent properties and shall be located on the east edge of the Hampton Roads Sanitation District easement.
3. All dumpsters and heating and cooling units shall be screened by landscaping or fencing approved by the Planning Director prior to final site plan approval.
4. Free-standing signs shall be ground-mounted, monument style and shall be approved by the Planning Director prior to final site plan approval.
5. There shall be a 50-foot landscape buffer along Pocahontas Trail right-of-way, containing enhanced landscaping, so that the required number of plants equals up to 133 percent of the County's Landscaping Ordinance requirements with up to 33 percent of the required number of trees being evergreen. The landscaping plan shall be approved by the Planning Director prior to final site plan approval.
6. All exterior light fixtures on the property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. A lighting plan shall be submitted to, and approved by, the Planning Director which indicates no glare outside the property line or any direct view of the lighting source from the street or adjoining residentially-designated property.
7. Prior to the issuance of a certificate of occupancy, the applicant shall provide documentation to the Planning Director demonstrating that services or programs shall be provided to all residents within the housing facility. Activities, services, or programs provided may include, but are not limited to, educational classes, health screenings, exercise and/or crafts and games. Group transportation, such as a van or shuttle bus, shall be provided to all residents of the facility in order to obtain off-site services.
8. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.


Leanne Reidenbach

ATTACHMENTS:

1. Location map
2. Project narrative
3. Master plan
4. Proffers

SUP-0002-2012/Z-0002-2012 Colonial Manor (Epstein Rest Home)





Colonial Manor at Williamsburg



Colonial Manor has been operating as an independent living facility providing services for retired adults aged 62 and older. We are located in the Grove area of Williamsburg at 8679 Pocahontas Trail. We provide services that are very accessible to middle class individuals in the surrounding areas.

Due to the growing needs of older adults and more demand for services needed, Colonial Manor requested an Assisted Living License thru the Department of Social Services and obtained an occupancy permit from James City County. We were licensed as an Assisted Living Facility in August 2007. Colonial Manor began operating as a 19 bed Assisted Living Facility, with a total capacity of 65 clients which includes independent and residential assisted clients. Our current DSS licensure states that clients residing in rooms 1-32 and 35-40 is limited to Residential Assisted and Independent Living. Clients residing in rooms 41-55 are considered assisted living.

Colonial Manor would like to amend the existing proffers to allow for the changes needed to better provide the services needed by aging adults. The property is currently zoned R-5 with proffers. The proposed zoning of the property is R-5 with amended proffers.

At present time, the assisted living section of the facility is operating at full capacity with an extensive waiting list of applicants. However, the independent section has experienced a dramatic decline in inquiries and currently only services 2 independent individuals, leaving the facility with 40 vacant units. Our current goals and expectations are to renovate our already existing facility, giving us a full capacity of 110 units for assisted living which will enable Colonial Manor to provide the services needed by older adults of the surrounding communities at an accessible rate, create new jobs for qualified local individuals and offer better wages and benefits to employees. Our current independent clients will be allowed to stay and would be included in the total of 110 units.

Under the Assisted Living Licensure, we currently provided the following services:

- *Supervised Living Arrangements
- *Medication Management
- *3 full meals daily with snack included (Full Kitchen with Restaurant style service)
- *Special Diets (NAS, NCS, Pureed, Mechanical) overseen by a Registered Dietician

- *Housekeeping and Laundry Services
- *All utilities included with the exception of telephone and cable
- *Assistance with Money Management if needed
- *Assistance with Activities of Daily Living (Bathing, Dressing, Toileting, Transferring)
- *Social Interaction
- *Recreation Therapy (Bingo, exercise classes, day trips, themed parties, musical entertainment)
- *Medical Appointment Transportation
- *Open Door Policy (No designated visiting hours) all visitors are required to sign in
- *Various Medical Services provided by Outside Agencies to include:
 - *Visiting Physicians
 - *Laboratory Testing
 - *Pharmacological Services (including quarterly reviews of medications)
 - *Registered Dietician
 - *Nursing Oversight
 - *Mental Health Counseling (Colonial Behavioral Health, Sentara Behavioral)
 - *Physical Therapy, Occupational Therapy, Speech Therapy
 - *Hospice
 - *Beauty/Barber Services

All of the above stated services are provided by:

- *Physicians
- *Registered Nurses
- *Licensed Practical Nurses
- *Registered Medication Aides
- *Certified Nursing Assistants
- *Direct Care Staff
- *Administration
- *Activities Coordinator and volunteers
- *Dietary Staff (Chefs, Servers)
- *Housekeeping and Laundry Staff
- *Maintenance (Building and grounds Staff)
- *Transportation Personnel (Driver, Medical Escorts)

Currently Colonial Manor employs 48 individuals in various positions. Of these 48 employees, 19 are full time employees and 29 are part time employees. With our goals and expectations of increasing our capacity to 110 units, we anticipate that our current number of employees may be increased by a minimum of 20 new positions, all of which is dependent upon full time or part time status. Colonial Manor currently has a variety of shift options for a variety of jobs.

Administrative offices are currently open from 9am to 5pm
2 nursing shifts consisting of 12 hours each (6am to 6pm and 6pm to 6am)
Dietary shifts consisting of 6:30 am to 6:30 pm, with varying hours for part time employees
Housekeeping/Laundry Staff 7:30 am to 4:00 pm
Transportation Staff (Tuesdays, Wednesdays, Thursdays) 7:00 am to 4:00 pm
Maintenance Staff (Mondays, Evenings, Weekends) hours vary dependent upon need
Activity Staff 9:00 am to 5:00 pm with various weekend and evening hours

Our parking lot currently consists of 80 parking spaces which includes 5 handicap spaces. In anticipation of increasing our capacity to 110 units, our largest employee shift would consist of 28 staff members when at full capacity. Currently any day shift (6:00 am to 6:00 pm) Monday - Friday consists of a total of 18 staff members. With this anticipated growth, on our largest shift, and allowing for 1 parking space for every 4 clients, we anticipate using only 56 of the current 80 parking spaces. Currently, only 3 clients own personal vehicles and we do not anticipate that this number will change due to the decrease in independent clients and the fact that most Assisted Living clients are unable to drive. Consequently, we do not anticipate an increase in traffic generation, as many of our employees and clients do not own personal vehicles and currently utilize public transportation, medical transportation or carpool.

Colonial Manor looks forward to a bright future in the Grove area of Williamsburg with the approval of the proposed changes. The alternative does not paint a very pretty picture, perhaps facing closure in the future months if we are unable to convert our current independent area of the facility into assisted living and adapt to the growing needs of our older adults. We are very optimistic that with these few proposed changes, we can provide these much needed services to our community.



SECOND AMENDED AND RESTATED PROFFERS

These SECOND AMENDED AND RESTATED PROFFERS are made this 9th day of February, 2012, by BC SECURE HOLDINGS CORPORATION, together with his successors, heirs and assigns (the "Owner").

RECITALS

- A. Owner is the owner of certain real property (the "Property") located in James City County, Virginia, containing approximately 7.40 acres, more or less, known as 8679 Pocahontas Trail and being more particularly described as Parcel Number (1-89) on Tax Map Number (52-3).
- B. The Property is now zoned R-5, with proffers. The initial Proffers are dated December 27, 1990, and were made by Cecil L. Lindsey, Jr., the then owner of the Property, and are recorded in James City Deed Book 507 at page 680 (the "Initial Proffers").
- C. The First Amended and Restated Proffers are dated May 27, 1999, and were made by Leonard Epstein, the then owner of the Property, and are recorded at Instrument Number 99015760.
- D. The Owner desires to amend and restate the Existing Proffers in their entirety.

NOW THEREFORE, the Existing Proffers are hereby amended and restated as follows:

1. There shall be constructed on said Property an independent and assisted living facility of no more than one hundred ten (110) units with accessory buildings designed specifically for the elderly. The project, prior to site plan approval, shall be submitted to the Planning Division for the review and approval of the building exterior appearance and site design. Any desired changes in these design elements shall be submitted to County staff for approval, and if required by staff, shall be presented to the Planning Commission for final approval.
2. The occupancy of this facility shall be restricted to elderly and/or handicapped households. For purposes of this proffer, elderly is defined as household heads age 62 and above. Handicapped persons shall meet the definition of handicapped set forth by the Social Security Administration. Also as part of this proffer, no persons under the age of eighteen years shall be allowed to reside in the complex on a full time basis.
3. There shall be no more than one entrance into the Property, that entrance being from Magruder Avenue.

4. The facility shall be designed and constructed in a manner which will comply with all standards and regulations of the U.S. Department of Housing and Urban Development relative to the construction of Housing for Older Persons.

5. The buildings which comprise the facility shall contain no more than one story and there shall be a central kitchen and dining facility provided for the use of the residents of the facility.

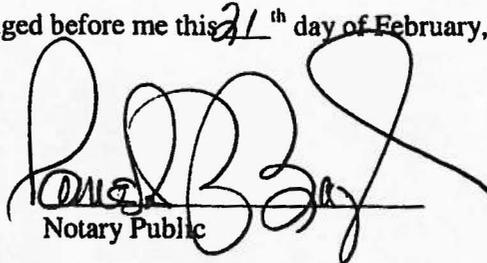
6. Any road or highway improvements required by the Virginia Department of Transportation as a result of the proposed development shall be paid for by the Owner and installed prior to conversion of the units.

WITNESS the following signature.


Pedro Becerra-Cely,
President, BC Secure Holdings Corp.

STATE OF VIRGINIA
COUNTY OF JAMES CITY

The foregoing instrument was acknowledged before me this 21th day of February, 2012,
by Pedro Becerra-Cely.


Notary Public

My commission expires: 10/31/14
Notary number: 150425



MEMORANDUM

DATE: March 7, 2012

TO: Planning Commission

FROM: Melissa Brown, Zoning Administrator

SUBJECT: ZO-0001-2012, Addition of Resort Hotel Definition;
Amendments to R-4, Residential Planned Community District; and
Amendments to Special Regulations

Staff received a request from Vernon Geddy of Geddy, Harris, Frenck and Associates, LLP representing Xanterra Kingsmill, LLC in January of this year to consider amending the definition of hotel to broaden the types of units that are permissible under that use designation. Specifically, Xanterra Kingsmill, LLC applied to expand the Kingsmill Resort and Conference Center to include additional units and a lazy river with expanded, separate decks for family and adult recreation. Part of the proposal includes additional hotel units developed as single-family detached structures and marketed as cottages to be added to their hotel offering. The Kingsmill development is zoned R-4, Residential Planned Community.

The current definition of hotel does not permit the use of detached units as part of the hotel development. While the use of detached units is a new variation in James City County, this is permitted under the definition of hotel or resort in other Virginia localities. In the City of Williamsburg, The Colonial Williamsburg Foundation offers a number of unit choices including detached units labeled Colonial Houses as part of their lodging offerings. These buildings vary in size from one to six or more units and may be one or two stories. York County, New Kent County, the City of Newport News and Norfolk would all permit this type of unit as part of a comprehensive hotel development. The City of Virginia Beach and the County of Albemarle require special use permits for resort facilities with more than one building in most business districts, and would allow this as a unit choice when part of an approved master plan.

Staff is recommending that resort hotel be inserted as a permitted use in the R-4, Residential Planned Community, district. Currently, Kingsmill, Ford's Colony and Governor's Land are the only property zoned R-4 in the County. The reason for recommending this use be permitted as a matter of right is because new and expanded development must obtain legislative approval. New development in the R-4 district requires rezoning since there is no existing, undeveloped R-4 property lacking an approved master plan. Expansion to existing development not consistent with the approved master plan requires legislative action to amend the master plan. Effectively, Kingsmill and Ford's Colony would be the only two locations that might take advantage of this amendment since they are our only two R-4 communities that include hotel facilities with such varied clientele and demand to necessitate the addition of these units to their inventory. As such, this proposal is narrowly defined in order to address the needs in the existing R-4 district.

Staff proposes the following additions and insertions:

Proposed Additions:

(To be added alphabetically to Chapter 24-2, Definitions.)

Resort Hotel - A building or group of buildings designed or occupied as the more or less temporary abiding place for more than ten individuals who are, for compensation, lodged, with or without meals, and in which provision is not generally made for cooking in individual rooms but may be accommodated for in suites or detached units. Resort hotel units, regardless of the structural arrangement, must meet the performance standards listed in Section 24-45, Performance standards for resort hotels.

(to be added as Section 24-45, Performance Standards for resort hotels.)

Resort hotel units, regardless of the structural arrangement, must meet the following requirements:

- 1. Individual units cannot serve as permanent residences and shall not be addressed other than with the unit or building number.*
- 2. Access shall be controlled by a central check-in/check-out desk with daily maid service that may include the changing of sheets and towels, etc.*
- 3. No room shall be used by the same person or persons for more than 60 consecutive days.*

(to be added to Section 24-287, R-4, Residential planned community, Permitted uses, and included as indicated)

Hotels, *resort hotels*, motels, tourist homes and convention centers.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the proposed language so that resort hotel may be included in the ordinance by definition and referenced as a permitted use in the R-4 District with performance standards.

PLANNING DIRECTOR'S REPORT
March 2012

This report summarizes the status of selected Planning Division activities during the past month.

- **New Town.** The Design Review Board met in February. At this meeting they reviewed and commented on a conceptual plan and elevations for the Walmart neighborhood market in Settler's Market (corner of Rt. 199 and Monticello Ave.), a plan for the pool and park area in Section 7, and building and pavilion elevations for the retail component of Settler's Market. The DRB also approved a plat for sections 7 and 8, signage for American Family Fitness, a site plan for Section 7 Phase 11 (pool facility, roadways, and archaeological park), and revisions to the landscaping plan for Courthouse Commons.
- **Ordinance Update.** A work session was held on February 28 to discuss remaining non-priority items. A roundtable meeting is planned for March 6 to discuss the sign ordinance amendments.
- **Regional Comprehensive Planning Effort.** Staff helped to host the first three community forums in February. The final forum will be on Thursday, March 15 at the Tab Library Meeting Room from 7 to 9 p.m. The subject will be Yorktown/Lower York. In addition, a joint Planning Commission meeting is scheduled for the evening of April 30th at Legacy Hall from 7 to 9 p.m.
- **Training.** In February, staff attended American Institute of Certified Planners exam training and waste management planning webinars.
- **Monthly Case Report.** For a list of all cases received in the last month, please see the attached document.
- **Board Action Results** – February 14th and February 28th 2012
No development management actions.



Allen J. Murphy, Jr.

February 2012

	Case Number	Case Title	Address	Description	Planner	District
Conceptual Plans	C-0004-2012	New Town Sec. 9 Ph. 2 Walmart Market	4541 CASEY BLVD	Proposed 41,785 square foot Walmart Market and adjoining outparcel for another general retrail building up to 20,000 square feet.	Leanne Reidenbach	04-Jamestown
	C-0005-2012	Hipple Jolly Pond Road Family Subdivision	106 JOLLY POND ROAD	Adjust existing property lines within the Hipple Subdivision and create 2 new parcels	Luke Vinciguerra	02-Powhatan
	C-0006-2012	Palmer Subdivision Ron Springs Drive	122 RON SPRINGS DR	3 lot Minor Subdivision of 122 Ron Springs Drive	Jason Purse	05-Roberts
	C-0007-2012	Jim's Well Service Racefield Drive	194 RACEFIELD DRIVE	Intending to purchase the property for a contractor's office and warehouse, as well as a residence. Parking for 5 trucks.	Jose Ribeiro	01-Stonehouse
	C-0008-2012	Christian Life Center Greenhouse	4451 LONGHILL ROAD	Construct a 30' x 32' greenhouse.	Luke Vinciguerra	02-Powhatan
	C-0009-2012	Talley Clark Lane Subdivision	186 CLARK LANE	Two lot subdivision.	Jason Purse	02-Powhatan
Rezoning	Z-0001-2012	Williamsburg Seventh Day Adventist Church Expansion	3989 JOHN TYLER HGWY	Amend existing proffers to allow flexibility in the maintenance of a scenic easement. File together with SUP-0001-2012	Jose Ribeiro	03-Berkeley
	Z-0002-2012	Colonial Manor Proffer Amend. (Epstein Rest Home)	8679 POCAHONTAS TR	Proffer amendment to change from a 48 unit congregate housing facility to a 110 assisted/independent living facility.	Leanne Reidenbach	05-Roberts

Site Plan	SP-0001-2012	Busch Gardens SP Amend. Guest Arrival Area	7851 POCAHONTAS TR	Applicant proposes placing a lattice facade and planter with banner at guest arrival area.	Jason Purse	05-Roberts
	SP-0002-2012	Smithfield Foods Building Addition	8012 HANKINS INDUSTRIAL PARK RD	Construction of a call center with associated parking.	Luke Vinciguerra	01-Stonehouse
	SP-0003-2012	Warhill H.S. Baseball Field Lighting	4615 OPPORTUNITY WAY	Lighting baseball and softball fields.	Luke Vinciguerra	02-Powhatan
	SP-0004-2012	Jamestown H.S. Baseball Field Lighting	3751 JOHN TYLER HGWY	Lighting baseball and softball fields.	Luke Vinciguerra	03-Berkeley
	SP-0005-2012	Busch Gardens France Shade Shelters SP Amend.	7851 POCAHONTAS TR	Relocating shade shelters from Griffon Queue line to the France Bistro rear patio.	Jose Ribeiro	05-Roberts
	SP-0006-2012	Wythe-Will BMP Retrofit Plan	6623 RICHMOND ROAD	Project involves the construction of a stormwater management facility (wet pond) to capture and treat stormwater runoff that is currently uncontrolled, and improve water quality.	Leanne Reidenbach	01-Stonehouse
	SP-0007-2012	Eco Discovery Park	2054 JAMESTOWN ROAD	Applicant proposes adding a picnic shelter and deck to existing structure. Applicant proposes adding two handicapped parking spaces, eight regular spaces and marking 20 spaces currently being used.	Jason Purse	03-Berkeley
	SP-0008-2012	Star Express Convenience Store SP Amend	9220 OLD STAGE ROAD	This site plan removes the internal sidewalk as shown on the original site plan	Luke Vinciguerra	01-Stonehouse

SP-0009-2012	McDonald Garden Center Colony Square	1303 JAMESTOWN ROAD	Temporary retail garden market. Enclosed by wooden split rail fencing and windscreen. A shade canopy is used to protect plant material. A 160' square foot kiosk is used to checkout customers.	Jose Ribeiro	03-Berkeley
SP-0010-2012	McDonald Garden Center News Road	4501 NEWS ROAD	Temporary retail garden market. Enclosed by wooden split rail fencing and windscreen. A shade canopy is used to protect plant material. A 160' square foot kiosk is used to checkout customers.	Jose Ribeiro	04-Jamestown
SP-0011-2012	McDonald Garden Center Olde Towne Road	5548 OLDE TOWNE ROAD	Temporary retail garden market. Enclosed by wooden split rail fencing and windscreen. A shade canopy is used to protect plant material. A 160' square foot kiosk is used to checkout customers.	Jose Ribeiro	04-Jamestown
SP-0012-2012	Kingsmill Woods Course Drainage Improvements	8515 POCAHONTAS TR	Applicant proposes drainage improvements to repair 7 areas of severe erosion adjacent to 5 golf holes.	Leanne Reidenbach	05-Roberts
SP-0013-2012	Williamsburg Pottery SP Amend. No. 2	6692 RICHMOND ROAD	Site plan amendment to clarify field changes, owner change orders, and agency coordination.	Chris Johnson	01-Stonehouse

	SP-0014-2012	Kingspoint Recreation Center SP Amend.	119 NORTHPOINT DR	Site plan amendment to include additional pool deck, pumphouse, and bathroom addition. Remove existing tennis court and resurface existing gravel road.	Jason Purse	05-Roberts
	SP-0015-2012	HRSD Sewer Force Main Replacement	181 WAREHAM'S POND ROAD	Sanitary sewer force main replacement project from Warehams Pond Road to the HRSD Treatment plant	Luke Vinciguerra	05-Roberts
Special Use Permit	SUP-0001-2012/Z-0001-2012	Williamsburg Seventh Day Adventist Church Expansion	3989 JOHN TYLER HGWY	Expand the existing sanctuary building by adding a 5,500 square feet multi-purpose building	Jose Ribeiro	03-Berkeley
	SUP-0002-2012	Colonial Manor Proffer Amend. (Epstein Rest Home)	8679 POCAHONTAS TR	Proffer amendment to change from a 48 unit congregate housing facility to a 110 assisted/independent living facility.	Leanne Reidenbach	05-Roberts
Subdivision	S-0002-2012	New Town Sec. 7 & 8 Parcel B, C, D and Common Area	4400 CASEY BLVD	Platting of right of way and common areas	Luke Vinciguerra	04-Jamestown
	S-0003-2012	Janice & Wilber Jordan Family Subdivision	3599 LITTLE DEER RUN	Family Subdivision creating two lots on 14.31 acres.	Leanne Reidenbach	02-Powhatan
	S-0004-2012	Wohlfarth Jolly Pond Road Family Subdivision	2711 JOLLY POND ROAD	Family Subdivision creating one new lot 1.80 acres in size.	Jason Purse	02-Powhatan
	S-0005-2012	Michelle Point Lot 35 Landscape Easement Vacation	9001 BARHAMSVILLE RD	Vacating a portion of the Lot 35 landscape easement.	Jose Ribeiro	01-Stonehouse

	S-0006-2012	The Settlement at Powhatan Creek Phase 2, Lots 186-189	4061 CORONATION	Platting 4 lots in Powhatan Creek	Luke Vinciguerra	03-Berkeley
Zoning Appeal (Variance)	ZA-0001-2012	Murphy Family Subdivision Variance	10100 SYCAMORE LANDING RD	Request to reduce front and side setback for the construction of a single family dwelling.	Melissa Brown	01-Stonehouse
Zoning Ordinance Amendment	ZO-0001-2012	Addition of Resort Hotel		Ordinance to amend the definition of hotel to include resort hotels.	Melissa Brown	