

A G E N D A
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
November 16, 2022
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. August 24, 2022 Meeting Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. C-22-0070. Monticello Avenue Shops Conceptual Plan

F. ADJOURNMENT

ITEM SUMMARY

DATE: 11/16/2022
TO: The Development Review Committee
FROM: Paul D. Holt, III, Secretary
SUBJECT: August 24, 2022 Meeting Minutes

ATTACHMENTS:

	Description	Type
☐	Minutes of the August 24, 2022 Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Crump, Josh	Approved	11/9/2022 - 4:43 PM

MINUTES
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
August 24, 2022
4:00 PM

A. CALL TO ORDER

Ms. Barbara Null called the Development Review Committee (DRC) meeting to order at 4 p.m.

B. ROLL CALL

Present:
Barbara Null, Chair
Frank Polster
Stephen Rodgers
Rob Rose

Staff in Attendance:
Josh Crump, Principal Planner
Jose Ribeiro, Senior Landscape Planner
Katie Pelletier, Community Development Assistant

C. MINUTES

1. April 20, 2022 Meeting Minutes

Mr. Polster motioned to Approve the DRC meeting minutes from April 20, 2022.

On a voice vote, the Motion passed 4-0.

D. OLD BUSINESS

There was no old business.

E. NEW BUSINESS

1. SP-22-0005. Colonial Veterinary Clinic Parking Expansion

Mr. Ribeiro greeted the Committee and stated that Mr. Ryan Stephenson of AES Consulting Engineers has submitted a site plan on behalf of an applicant for the development of a parking lot, pedestrian accommodation, and vehicular entrance to connect to an existing veterinary clinic located at 3280 Ironbound Road. He said the proposed parking area would be located at 112 Ingram Road, two parcels to the left of the existing veterinary clinic parcel. Mr. Ribeiro explained the pedestrian accommodation to be installed at 108 Ingram Road would provide the physical connection between the veterinary clinic and the proposed parking area. He said all three properties share the same zoning (B-1, General Business), Comprehensive Plan designation (Mixed Use), and ownership.

Mr. Ribeiro told the Committee that, according to the applicant, the additional 15 parking spaces would allow for additional staff parking. He said, however, that the proposed parking would be located on a parcel which is subject to an adopted master plan and recorded proffers. He noted that on February 12, 2008, the Board of Supervisors approved a rezoning

request for property located at 112 Ingram Road from R-8, Rural Residential, to B-1, General Business, to allow for the construction of a two-story office building, attached garage, and three parking spaces.

Mr. Ribeiro stated that Proffer No. 1 of the adopted rezoning requires that development of the property be generally consistent with the approved master plan: “the Property shall be put to one or more of the following possible uses: business, governmental, contractor’s and professional offices and accessory uses thereto as defined in the James City County Zoning Ordinance. All other otherwise permissible uses shall be prohibited. The Property shall be developed generally in accordance with the Plan, with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.”

Mr. Ribeiro explained that at the time of the rezoning application there were efforts made to ensure that the property developed was in accordance with the primary principles of the Five Forks area of the County. He said that staff finds the original use of the property (as approved during the rezoning) to be more consistent, and in keeping with, the principles of Five Forks than a parking area. Mr. Ribeiro told the Committee that staff finds the current proposal changes the basic concept and character of the development from the approved master plan, and staff recommends that the Committee find this proposal not consistent with the adopted master plan. He said that staff also recommends the DRC recommend denial to the Planning Commission and the applicant pursue a master plan and proffer amendment through the legislative application process.

Mr. Ribeiro asked if the Committee had any questions for staff, as the applicant was unable to attend the meeting.

Mr. Rodgers asked for a better understanding of how the Committee would determine master plan consistency.

Mr. Ribeiro stated that it was at the Committee’s discretion after reviewing the matter.

Mr. Rose asked about possible future expansion in the middle parcel.

Staff and the Committee discussed the proposed layout of the parcels, the terms of the proffer, and the difference between the original plan (which was in keeping with the community character for Five Forks) and the proposed parking lot.

Mr. Ribeiro noted that the building in the original plan had architectural details that enhanced the character of the area as opposed to a parking lot.

Mr. Rodgers inquired about the recommendation that the applicant pursue a different procedure.

Mr. Ribeiro stated that he recommends that the applicant pursue a master plan and proffer amendment to remove the building from the master plan and amend proffers to be consistent with the master plan.

Mr. Ribeiro noted staff required more than just submitting a site plan. Mr. Ribeiro further noted that since the property is bound by a master plan and proffers, staff is bound to adhere to it.

Mr. Polster inquired if the Commission finds the proposed parking to be consistent, will the applicant be required to follow through on the landscaping as submitted.

Mr. Ribeiro stated that he would have to review the landscaping plan to ensure that it meets

Ordinance requirements and is consistent with the proffer for enhanced landscaping.

Mr. Rodgers inquired if there was a downside of potentially finding the proposal to be consistent with the master plan rather than having the applicant go through the legislative process.

Discussion revolved around requiring the additional application review and costs versus the potential for setting precedents.

Mr. Ribeiro recommended that if the Committee finds this consistent, then the applicant will need to remove internal property lines. Mr. Ribeiro noted that if those property lines are removed, then the parking lot could be considered accessory.

The Committee and staff discussed the requirements of the primary principles for Five Forks. The Committee noted that the proposed parking would be in the rear of the business. The Committee reviewed the existing features of the property and the other business and noted that the parking would be well screened. The Committee noted that the proposal does stay within the spirit of the guidelines. The Committee further noted that this is a stable business, and that the owner would be committed to ensuring the aesthetics of the area. The Committee found that the proposal does fit the character of the area.

Mr. Polster made a motion that the proposal be found generally consistent with the master plan for the property with the conditions that the submitted drawings without the building become the master plan for the property and that the proposal undergo landscape review for adherence to the Landscape Ordinance and the proffers for enhanced landscaping.

The Committee recommended that staff work with the applicant regarding extinguishing internal property lines.

On a roll call vote of 3-1, the Committee voted to recommend that the Planning Commission find the proposal consistent with the master plan.

Ms. Null thanked everyone for attending the meeting.

F. ADJOURNMENT

Mr. Polster motioned to Adjourn the meeting.

Ms. Null adjourned the meeting at 4:40 p.m. after a unanimous voice vote of 4-0.

Ms. Barbara Null, Chair

Mr. Paul Holt, Secretary

ITEM SUMMARY

DATE: 11/16/2022

TO: The Development Review Committee

FROM: John Risinger, Senior Planner

SUBJECT: C-22-0070. Monticello Avenue Shops Conceptual Plan

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	1. Location Map	Backup Material
☐	2. Project Narrative	Backup Material
☐	3. Conceptual Master Plan	Backup Material
☐	4. Z-19-0018 / SUP-19-0024 Staff Report, Master Plan and Meeting Minutes	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Crump, Josh	Approved	11/9/2022 - 1:38 PM
Development Review Committee	Holt, Paul	Approved	11/9/2022 - 2:36 PM
Publication Management	Daniel, Martha	Approved	11/9/2022 - 2:44 PM
Development Review Committee	Holt, Paul	Approved	11/9/2022 - 2:47 PM

MEMORANDUM

DATE: November 16, 2022

TO: The Development Review Committee

FROM: John Risinger, Senior Planner

SUBJECT: Case No. C-22-0070. Monticello Avenue Shops Conceptual Plan

Mr. Tim Trant of Kaufman & Canoles, P.C. has submitted a conceptual plan on behalf of Verdad Real Estate, Inc., for a proposed commercial development on parcels located at 4744 Old News Road and 3897 and 3905 Ironbound Road. The parcels are currently zoned R-8, Rural Residential, designated Neighborhood Commercial (NC) on the 2045 Comprehensive Plan Land Use Map, located inside the Primary Service Area, and are approximately 2.75 acres in size in total. The project narrative states that the proposal would involve a rezoning to allow the development of three buildings that are each 4,000 square feet in size to be used for office and retail uses. The total building area of 12,000 square feet corresponds to a Floor Area Ratio (FAR) that is 0.1.

Previously, Case Nos. Z-19-0018 and SUP-19-0024 were submitted in 2019 to rezone the properties to B-1, General Business with proffers, and permit a commercial development with more than 10,000 square feet of building area and more than 100 or more additional trips to the property during the peak hour of operation. The proposed master plan included 14,936 square feet of building area, a FAR of 0.11, to be used for office, retail, restaurant, and vehicle repair and service uses. At its December 4, 2019, Regular meeting, the Planning Commission voted not to recommend approval of the applications by a vote of 5-1. The staff report, proposed master plan, and minutes from the meeting have been included as Attachment No. 4 for reference. The application was subsequently withdrawn by the applicant and was not considered by the Board of Supervisors (BOS).

During the 2045 Comprehensive Plan update process, a land use designation change, LU-20-0017, was considered by the Planning Commission and the BOS to change the designation of the properties from NC to Community Character Conservation, Open Space or Recreation or Low Density Residential. Ultimately, the land use designation of the properties was not changed and remained NC. The 2045 Comprehensive Plan states that recommended uses for NC areas include neighborhood scale commercial, professional and office uses such as individual medical offices, branch banks, small service establishments, daycare centers, places of public assembly, convenience stores with limited hours of operation, small restaurants, and smaller public facilities. Uses that are considered unacceptable for NC areas include fast food restaurants, 24-hour convenience stores, and gas stations. The maximum recommended FAR for NC areas is 0.2.

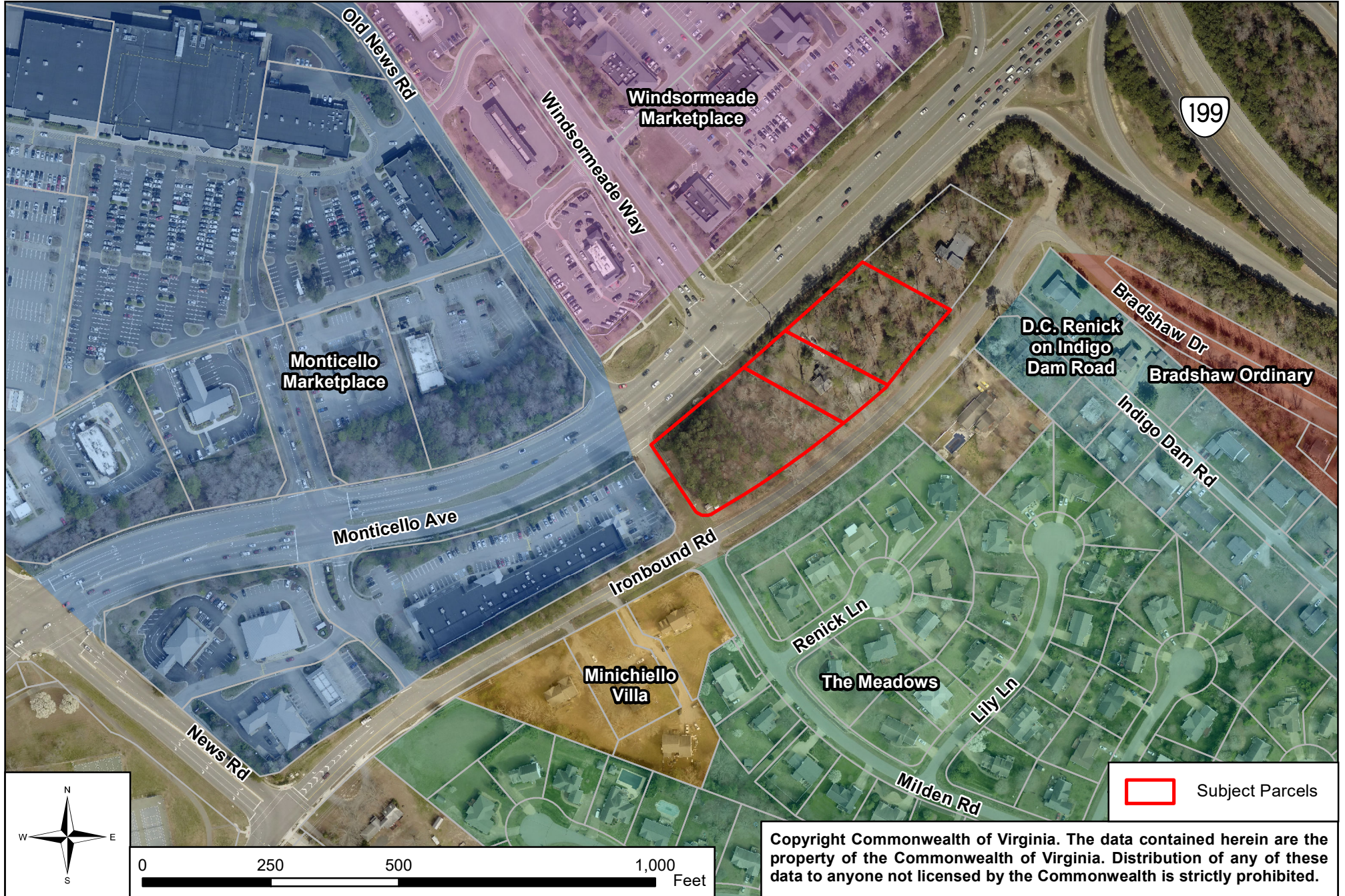
The applicant has requested that this item be placed on the Development Review Committee (DRC) Agenda in order to discuss the project and seek input and questions from the DRC members. No action by the DRC is required.

JR/md
C22-70MontAvShpCP-mem

Attachments:

1. Location Map
2. Project Narrative
3. Conceptual Master Plan
4. Z-19-0018/SUP-19-0024 Staff Report, Master Plan and Meeting Minutes

JCC C-22-0070, Monticello Avenue Shops Conceptual Plan



MEMORANDUM

TO: James City County Development Review Committee

SUBJECT: Potential Rezoning by Verdad Real Estate, Inc. ("Verdad") of the properties located at 4744 Old News Road, 3897 and 3905 Ironbound Road

DATE: October 12, 2022

Verdad is a leading full-service real estate developer and construction services team with nationwide experience. Verdad is based in Texas with multiple projects located in Virginia. Verdad prides itself on establishing partnerships built on trust and transparency.

Verdad has long been interested in the James City County market and believes it can offer a contribution to the market and a solution for the subject property with modest impacts. Verdad's proposal is to develop the property into three 4,000 square foot office/retail buildings. It is intended that each of the buildings would be occupied by one or two tenants, most likely consisting of professional office space and conventional retail. In no event would the uses include fast food, drive throughs, or convenience retail.

Verdad's objective is to occupy the site with modest traffic generating uses which can be accommodated by the existing access shared with the adjacent in-line retail center such that there will be no significant changes in the traffic patterns on Monticello as a result of the project. Verdad intends for the property to be developed with a high quality aesthetics, including attractive landscaping and building architecture that will complement and enhance the character of the corridor.

Verdad has examined the most recent development plan that was proposed for this site and intends to incorporate the positive elements, such as extensive buffering along the Ironbound Road frontage, but desires to propose a less intense use of the property that would alleviate traffic and compatibility concerns.

We greatly appreciate the opportunity to submit this conceptual plan and look forward to feedback on how we may address specific questions or concerns with the concept.

MASTER PLAN FOR REZONING AND SPECIAL USE PERMIT FOR MONTICELLO AVENUE SHOPS

JAMES CITY COUNTY

VIRGINIA

AES PROJECT NUMBER W10509-01
ORIGINAL SUBMITTAL DATE: 10/11/22

Rev.	Date	Description	Revised By

GENERAL NOTES

- PROPERTY OWNERS:**

COOKE, LARRY R
4005 POWHATAN SECONDARY
WILLIAMSBURG, VA 23188

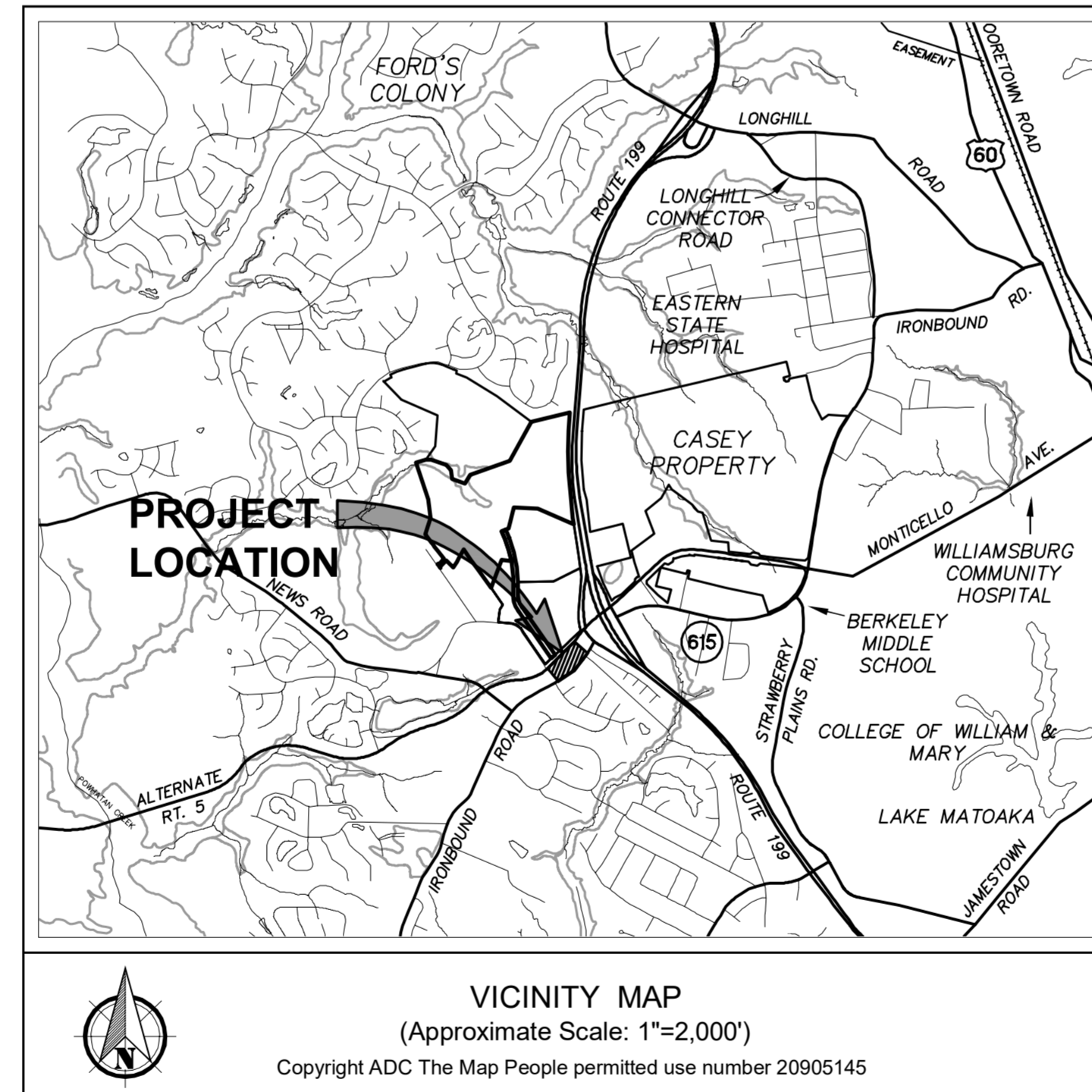
ERTL, JUDY HODGES TRUSTEE & WARD EDITH
140 OLD STAGE ROAD
TOANO, VA 23168

ERTL, JUDY HODGES TRUSTEE & WARD EDITH
140 OLD STAGE ROAD
TOANO, VA 23168
- PARCEL IDENTIFICATIONS**

PARCEL ID: 3830100002A
ADDRESS: 4744 OLD NEWS ROAD
WILLIAMSBURG, VA 23188

PARCEL ID: 3830100004
ADDRESS: 3897 IRONBOUND ROAD
WILLIAMSBURG, VA 23188

PARCEL ID: 3830100003
ADDRESS: 3905 IRONBOUND ROAD
WILLIAMSBURG, VA 23188
- SITE IS ZONED RURAL RESIDENTIAL (R8). NO CURRENT PROFFERS OR CONDITIONS FOR APPROVAL ARE ASSOCIATED WITH THIS SITE.
- SITE IS SITUATED IN SUBWATERSHED 210 OF THE POWHATAN CREEK WATERSHED. HYDROLOGIC UNIT CODE = JL31
- THIS SITE IS SUBJECT TO THE PROVISIONS OF SECTION 23-9(b)(8)(a) OF THE JAMES CITY COUNTY ZONING ORDINANCE.
- THIS SITE MEETS THE PROVISIONS TO BE GRANDFATHERED BY THE VSMP AUTHORITY PER SECTION 8-28(c) OF THE JAMES CITY COUNTY ZONING ORDINANCE.
- BASED ON THE FEMA FLOOD INSURANCE RATE MAP FOR JAMES CITY COUNTY, VIRGINIA (MAP PANEL 51095C0119D) NO PORTIONS OF THIS PROPERTY FALL WITHIN THE 100-YEAR FLOODPLAIN.
- SITE #1 AREA = 1.33 AC. ± (57,935 S.F.±)
SITE #2 AREA = 0.51 AC. ± (22,216 S.F.±)
SITE #3 AREA = 0.91 AC. ± (39,640 S.F.±)
TOTAL AREA = 2.75 AC. ± (119,790 S.F.±)



INDEX OF SHEETS

SHEET NO.	SHEET DESCRIPTION
MP1	COVER SHEET
MP2	EXISTING CONDITIONS
MP3	MASTER PLAN

SITE DATA:

OWNERS:	LARRY R. COOKE, JUDY HODGES TRUSTEE & EDITH WARD
PARCEL IDS:	3830100002A, 3830100004, 3830100003
SITE AREA:	2.75 AC.±; 119,790 S.F.± (TOTAL) 1.33 AC.±; 57,935 S.F.± 0.51 AC.±; 22,216 S.F.± 0.91 AC.±; 39,640 S.F.±
IMPERVIOUS COVER:	
PROPOSED:	1.25 AC.±; 54,400 S.F.± (45.5% OF SITE)
EXISTING:	0.05 AC.±; 2,211 S.F.± (1.82% OF SITE)
BUILDING AREA:	12,000 S.F.±
FLOOR AREA RATIO:	10% / 0.10 (0.60 / 60% MAXIMUM)
CURRENT ZONING:	R8 - RURAL RESIDENTIAL
PROPOSED ZONING:	B1 - GENERAL BUSINESS WITH PROFFERS

PARKING DATA:

REQUIRED PARKING (PER SEC. 24-59):	
RETAIL / MEDICAL OFFICE (12,000 S.F.):	60 SPACES REQUIRED (1 SPACE PER 250 S.F.)
PROPOSED PARKING:	±80 SHARED SPACES (INCLUDING 3 H.C.)

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Williamsburg, Virginia 23188
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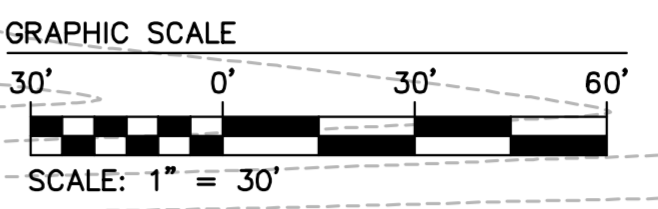
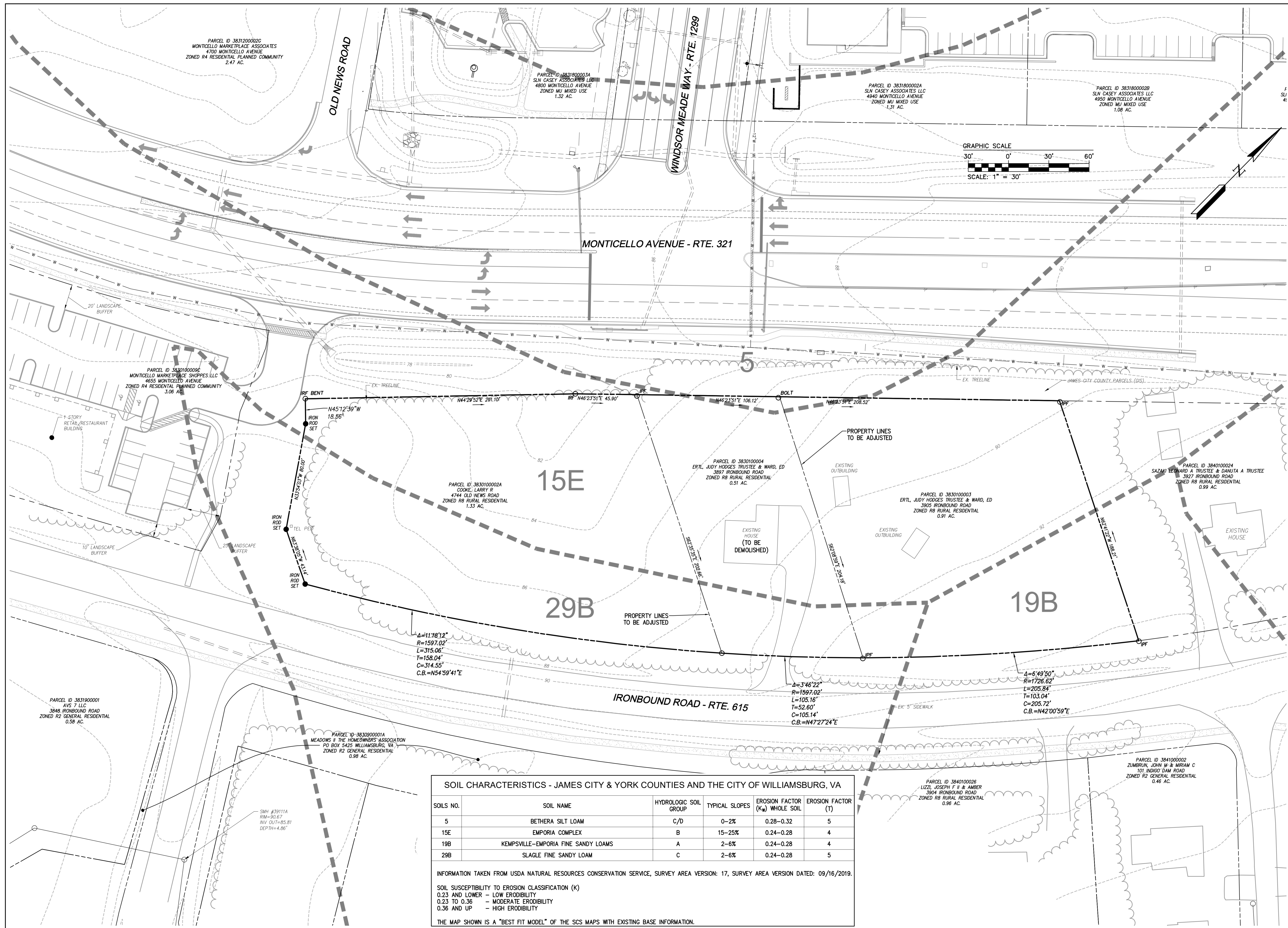
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CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula

MONTICELLO AVENUE SHOPS
MASTER PLAN

JAMES CITY COUNTY
VIRGINIA

Project Contacts: JAG
Project Number: W10509-01
Scale: N/A Date: 10/11/2022
Sheet Title: COVER SHEET
Sheet Number: MP1



SOIL CHARACTERISTICS - JAMES CITY & YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VA

SOILS NO.	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K _w) WHOLE SOIL	EROSION FACTOR (T)
5	BETHERA SILT LOAM	C/D	0-2%	0.28-0.32	5
15E	EMPORIA COMPLEX	B	15-25%	0.24-0.28	4
19B	KEMPSVILLE-EMPORIA FINE SANDY LOAMS	A	2-6%	0.24-0.28	4
29B	SLAGLE FINE SANDY LOAM	C	2-6%	0.24-0.28	5

INFORMATION TAKEN FROM USDA NATURAL RESOURCES CONSERVATION SERVICE, SURVEY AREA VERSION: 17, SURVEY AREA VERSION DATED: 09/16/2019.

SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)
 0.23 AND LOWER - LOW ERODIBILITY
 0.23 TO 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.

Rev.	Date	Description	Revised By

6248 Old Towne Road, Suite 1
 Williamsburg, Virginia 23188
 Phone: (757) 253-0400
 Fax: (757) 253-0894
 www.aesva.com

AES
 CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula

**MONTICELLO AVENUE SHOPS
 MASTER PLAN**

JAMES CITY COUNTY VIRGINIA

Project Contacts: JAG
 Project Number: W10509-01
 Scale: 1"=30' Date: 10/11/2022

Sheet Title:
**EXISTING
 CONDITIONS**

Sheet Number
MP2

**REZONING-19-0018/SUP-19-0024. Monticello Avenue Shops
Staff Report for the December 4, 2019, Planning Commission Public Hearing**

SUMMARY FACTS

Applicant: Mr. Jeremy Gorovitz, Tricor International, LLC

Land Owners: Larry Cooke
Judy H. Ertl Trustee, Edith Ward
Judy Hodges Ertl Trustee, Ed Ward

Proposal: Rezoning and Special Use Permit (SUP) to develop three parcels for office/retail, restaurant, and a three-bay vehicle repair and service facility use.

Locations: 4744 Old News Road
3897 Ironbound Road
3905 Ironbound Road

Tax Map/Parcel Nos.: 3830100002A (1.33 acres)
3830100004 (.51 acres)
3830100003 (.91 acres)

Project Acreage: ± 2.75 acres, total

Current Zoning: R-8, Rural Residential

Proposed Zoning: B-1, General Business, with proffers

Comprehensive Plan: Neighborhood Commercial

Primary Service Area: (PSA) Inside

Staff Contact: Tom Leininger, Planner

PUBLIC HEARING DATES

Planning Commission: December 4, 2019, 6:00 p.m.

Board of Supervisors: January 14, 2020, 5:00 p.m. (Tentative)

FACTORS FAVORABLE

1. Staff finds the proposal consistent with the 2015 Comprehensive Plan, *Toward 2035: Leading the Way*.
2. Staff finds the proposal will not negatively impact surrounding development.
3. Impacts: Please see Impact Analysis on Pages 5-7.

FACTORS UNFAVORABLE

1. With the proposed conditions, staff finds that there are no unfavorable factors.
2. Impacts: Please see Impacts Analysis on Pages 5-7.

SUMMARY STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the application to the Board of Supervisors subject to the proposed proffers and SUP conditions.

PROJECT DESCRIPTION

Mr. Jeremy Gorovitz of Tricor International, LLC, has applied for a rezoning and a commercial SUP for the development of three parcels along Monticello Avenue. The three parcels are located at 4744 Old

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.

**REZONING-19-0018/SUP-19-0024. Monticello Avenue Shops
Staff Report for the December 4, 2019, Planning Commission Public Hearing**

News Road, 3897 Ironbound Road, and 3905 Ironbound Road. The current zoning of the three parcels is R-8, Rural Residential and the applicant is proposing to rezone to B-1, General Business, with proffers. The proposed uses are office/retail, restaurant, and a three-bay vehicle repair and service facility. All three uses are permitted by-right in the B-1 Zoning District; however, a commercial SUP is required per Section 24-11 of the Zoning Ordinance to allow for:

- More than 10,000 square feet of commercial development; and
- To allow commercial building, or group of buildings, which would be expected to generate a total of 100 or more additional trips to and from the site during the peak hour of the operation.

The proposal will require a boundary line extinguishment to create a single parcel. The proposed development will include shared parking for the entire site, sidewalks, and pedestrian connectivity to surrounding development.

The proposed site will include two entrances, one directly across from WindsorMeade Way and a shared entrance with Monticello Marketplace Shoppes. There are a total of 90 proposed shared parking spaces to serve the entire development. The parking is calculated based on the proposed uses. To help mitigate potential impacts of the rezoning, the applicant has submitted proffers (Attachment No. 2) to restrict certain uses that would otherwise be permitted in B-1 by-right.

The applicant is proposing a decrease in the setbacks and the landscape buffers along Monticello Avenue and Ironbound Road, citing the relatively small size of the site and the desire for development of this site to have enhanced architecture and other site elements that are generally consistent with the New Town form of development.

- The applicant is proposing the following building setback reduction:
 - Required 50-foot building setback to a 35-foot building setback along Ironbound Road.
- The applicant is proposing the following landscape buffer reductions:
 - Required 50-foot landscape buffer to a 20-foot landscape buffer along Monticello Avenue.

Based on a preliminary review of the setback reduction requests and with the proposed SUP conditions, staff is generally supportive of these requests and finds the proposal would meet the criteria found in the Zoning Ordinance to support the requested reductions. Staff finds that this location is within the New Town Community Character Area (CCA) and along the Monticello Avenue Community Character Corridor (CCC). The applicant is also offering site design which meets or exceeds the Comprehensive Plan Development Standards through its proposed Design Guidelines.

This application was reviewed by the Development Review Committee on July 24, 2019, as a discussion item.

PUBLIC IMPACTS

The Public Impacts table is provided.

The Traffic Impact Analysis (TIA) (Attachment No. 7) analyzed the PM peak hour traffic for the following intersections:

- Monticello Avenue at Route 199 interchange; and
- Monticello Avenue at Windsormeade Way/Site Driveway; and

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.

**REZONING-19-0018/SUP-19-0024. Monticello Avenue Shops
Staff Report for the December 4, 2019, Planning Commission Public Hearing**

- Monticello Avenue at Monticello Marketplace/Marketplace Shoppes; and
- Monticello Avenue at News Road.

The traffic study estimates that this new development will generate 887 total vehicles trips per day; of those trips the TIA estimates that 355 total vehicle trips per day will come from existing pass-by traffic and thus, 532 net new vehicle trips are expected per day. For the PM peak hour, the TIA estimates 86 cars entering the site and 58 cars leaving the site; taking into account the pass by trips, the TIA estimates 59 net new cars entering the site during the PM peak hour and 31 net new cars leaving the site during the PM peak hour.

The current Level of Service (LOS) for Monticello Avenue at Route 199 is an overall LOS D with some individual through or turn improvements operating at LOS D or E. At the time of expected build-out, the overall LOS will remain a LOS D according to the TIA. One movement, the westbound through movement, is projected to decrease in LOS from C to D with build-out. The applicant indicated that the threshold between LOS C and D is 35.0 seconds of delay and that if green time for the westbound through movement were increased by one second, the movement would improve to LOS C (34.5 seconds of delay). The traffic engineer indicated that the traffic signals along Monticello Avenue corridor have InSync controllers to allow traffic lights to synchronize with each other and adjust in real-time. The TIA estimated the average delays for each movement. The model does not take into account the traffic-adaptive nature of the InSync system. Per the adopted Traffic Impact Analysis Submittal Requirements Policy, a LOS D is acceptable in urban environments.

The current LOS at the intersection of Monticello Avenue and WindsorMeade Way is an overall LOS B with some individual through or turn movements operating at LOS D or E. The TIA recommends the following improvements:

- Construct a right-turn lane and taper into the proposed site.
- Construct one westbound left-turn lane on Monticello Avenue with 200 feet of storage.
- Construct one shared left-thru, and one right-turn lane on the site driveway.
- Restripe southbound WindsorMeade Way as a left-turn lane, shared left-thru lane, and a right-turn lane.

With the proposed development and with these improvements, the LOS overall would decrease to LOS C, which is still considered to be an acceptable LOS. The through movements on Monticello Avenue remain LOS A and B; however, similar to existing conditions, most turn movements are projected to operate at LOS D or E.

Both the Monticello Avenue at Monticello Marketplace/Marketplace Shoppes and the Monticello Avenue and News Road intersections currently operate at an overall LOS C, with some individual through or turn movements operating at LOS D or E. After build-out, the LOS would remain LOS C with similar or the same LOS for individual movements.

At build-out, all four intersections in the study would operate at a LOS D or better at PM peak hour. Each of the traffic movements would operate at a LOS E or better.

VDOT has reviewed and approved the traffic study.

The James City County, Williamsburg, York County Comprehensive Transportation Study, prepared in 2012, projected a LOS F in 2034 for Monticello Avenue (segment between News Road and Route 199). In the Comprehensive Plan Table T-1, this segment of Monticello Avenue is listed as “recommended for congestion management improvement.”

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.

**REZONING-19-0018/SUP-19-0024. Monticello Avenue Shops
Staff Report for the December 4, 2019, Planning Commission Public Hearing**

All rezoning and SUP applications are subject to the adequate transportation facilities test. A proposed rezoning or SUP application will be tested for adequate transportation facilities. A proposed rezoning or SUP application will pass the test if:

- No off-site improvements are required by the TIA that is approved by both the Planning Director and the Virginia Department of Transportation (VDOT); or
- All off-site improvements recommended by a TIA that are approved by both the Planning Director and VDOT are guaranteed in a form approved by the Planning Director and the County Attorney.

The proposed rezoning and SUP application provides off-site improvements recommended by the TIA that is approved by both the Planning Director and VDOT.

Monticello Avenue Corridor Signalized Intersection LOS - PM Peak Hour	2016 Existing Conditions		Projected 2020 (“No-build”)		Projected 2020 with Monticello Shops (“Build”)*	
	Over-all LOS	Worst-lane group(s) LOS	Over-all LOS	Worst lane group(s) LOS	Over-all LOS	Worst lane group(s) LOS
Route 199	D	E	D	E	D	E
Windsor-Meade Way	B	E	B	E	C	E
Monticello Marketplace	C	E	C	E	C	E
News Road	C	E	C	E	C	E

It is also significant to note that the proposed new entrance for this development is within the Route 199 Limited Access Limits. This means that the proposed entrance may only be approved by VDOT upon approval in a change to the Limited Access Limits by the Commonwealth Transportation Board (CTB). Should the rezoning and SUP be approved by the Board of Supervisors, the applicant will need to work with VDOT on this request and seek CTB approval.

PLANNING AND ZONING HISTORY

- During the 2009 Comprehensive Plan update, all three properties, as well as the property immediately to the east, were designated Neighborhood Commercial. Previously, the parcels were designated Moderate Density Residential.

SURROUNDING ZONING AND DEVELOPMENT

- Properties across Monticello Avenue are zoned primarily MU, Mixed Use and developed as commercial uses as part of New Town Section 11. On the 2035 Comprehensive Plan Land Use Map, the properties are designated Mixed Use.
- The properties to the west and northwest are zoned R-4, Residential Planned Community and are developed as commercial uses as part of the Powhatan Secondary Master Plan. These properties are designated Neighborhood Commercial and Community Commercial on the 2035 Comprehensive Plan Land Use Map.
- Property directly west of the proposed site was the location of News Road prior to the development of Monticello Avenue. At the November 12, 2003, Board of Supervisors meeting, the Board of Supervisors passed a resolution to abandon the approximate .06 mile right-of-way (ROW). Staff is unable to determine if VDOT

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**REZONING-19-0018/SUP-19-0024. Monticello Avenue Shops
Staff Report for the December 4, 2019, Planning Commission Public Hearing**

had proceeded in the abandonment process for the ROW and the current ownership of the property. Should this application be approved, this will need to be resolved prior to preliminary site plan approval.

- There is a single parcel between this site and Route 199. The parcel includes a single-family home zoned R-8, Rural Residential and designated Neighborhood Commercial on the 2035 Comprehensive Plan Land Use Map.
- The properties across Ironbound Road are mostly zoned R-2, General Residential and one parcel is zoned R-8, Rural Residential. The parcels are designated Low Density Residential on the Comprehensive Plan Land Use Map.

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**REZONING-19-0018/SUP-19-0024. Monticello Avenue Shops
Staff Report for the December 4, 2019, Planning Commission Public Hearing**

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> - The new development would take access from Monticello Avenue. As discussed in the Staff Report, the applicant has proffered needed traffic improvements to offset the increased amount of traffic to the site (Attachment No. 2). - There shall be one new access from Monticello Avenue and one shared entrance with Monticello Marketplace/Monticello Shops as well as no access to Ironbound Road (Proposed SUP Condition No. 4). - The improvements recommended in the final TIA as approved by both VDOT and the Director of Planning shall be constructed or bonded in a manner acceptable to the County Attorney prior to a Certificate of Occupancy for the initial building (Proposed SUP Condition No. 10). - The application passes the Traffic Impact Analysis Submittal Requirements Policy. - VDOT has reviewed and approved the traffic study.
<u>Public Transportation: Bicycle/Pedestrian</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> - Per the Pedestrian Accommodation’s Master Plan, a sidewalk is required along the north side of Ironbound Road and along Monticello Avenue. The adopted Regional Bikeways Master Plan specifies bike lanes along Monticello Avenue. The site is located within the New Town CCA Sidewalk Inclusion Zone and sidewalks shall be constructed on the North or East side of internal roads. A sidewalk is required along the north side of Ironbound Road. - Proposed SUP Condition Nos. 8 and 9 address the retention or provision of these facilities.
<u>Public Safety</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - Fire Station 3 on John Tyler Highway serves this area of the County, approximately 2.3 miles from the proposed development. - Staff finds this project does not generate impacts that require mitigation to the County’s Fire Department facilities or services.
<u>Public Schools</u>	<u>No Mitigation Required</u>	<ul style="list-style-type: none"> - N/A since no residential dwelling units are proposed.

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**REZONING-19-0018/SUP-19-0024. Monticello Avenue Shops
Staff Report for the December 4, 2019, Planning Commission Public Hearing**

Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	- N/A since no residential dwelling units are proposed.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	- Staff finds this project does not generate impacts that require mitigation.
<u>Groundwater and Drinking Water Resources</u>	<u>Mitigated</u>	<ul style="list-style-type: none"> - The property receives public water and sewer. - James City Service Authority (JCSA) has reviewed the proposal and noted items that will need to be addressed at the development stage. - The applicant shall be responsible for developing water conservation standards and irrigation designs to be submitted and approved (Proposed SUP Condition Nos. 6 and 7).
<u>Watersheds, Streams, and Reservoirs</u> Project is located in the Powhatan Creek Watershed.	<u>Mitigated</u>	<ul style="list-style-type: none"> - The Master Plan proposes stormwater management being handled through the use of off-site regional facilities located at the intersection of News Road and Monticello Avenue. - This project will need to demonstrate full compliance with environmental regulations at the development plan stage and evidence that the development will not negatively affect the existing off-site facilities. - Stormwater and Resource Protection reviewed and approved the application with proposed SUP Condition Nos. 15, 16, and 17 to address impervious cover, use of the existing regional Best Management Practice and special stormwater criteria.
<u>Cultural/Historic</u>	<u>Mitigated</u>	- Per Section 24-145 of the Zoning Ordinance, an archaeological study and natural resource inventory will be required at the development plan stage.
<u>Nearby and Surrounding Properties</u>	<u>Mitigated</u>	- Staff finds that this proposal is generally consistent with the character of the existing surrounding development, which is generally commercial in nature. Design guidelines for this project help ensure consistency with the character of the area.

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**REZONING-19-0018/SUP-19-0024. Monticello Avenue Shops
Staff Report for the December 4, 2019, Planning Commission Public Hearing**

		<ul style="list-style-type: none"> - Proposed SUP Condition No. 5 addresses the requirement for enhanced landscaping and proper screening from adjacent properties. - The design of the property shall be consistent with the Design Guideline and be approved by the Planning Director and New Town Design Review Board (Proposed SUP Condition No. 3). - An SUP condition is proposed to mitigate any negative impacts from the dumpster enclosures (Proposed SUP Condition #18).
<p><u>Community Character</u> The project is located along the Monticello Avenue Community Character Corridor (CCC).</p>	<p><u>Mitigated</u></p>	<ul style="list-style-type: none"> - The Comprehensive Plan designates Monticello Avenue as a CCC. Monticello is characterized as an “urban and suburban” CCC. Urban and suburban CCCs have high to moderate traffic, commercial, and some residential uses. The predominant visual character of these areas should be the built environment and the natural landscape, with parking and other auto-related areas as a secondary component. - This parcel also falls within the New Town CCA and the Sidewalk Inclusion Zone. - A discussion of the project buffer along Monticello Avenue is included in the Project Description above. The applicant has proffered design guidelines to help ensure consistency with the character of the area. - Pedestrian accommodations shall be provided along Monticello Avenue and Ironbound Road as well as internal to the site (Proposed SUP Condition No. 9). - A crosswalk shall be provided along the main entrance of the site as well as across Monticello Avenue (Proposed SUP Condition No. 10).

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**REZONING-19-0018/SUP-19-0024. Monticello Avenue Shops
Staff Report for the December 4, 2019, Planning Commission Public Hearing**

COMPREHENSIVE PLAN

The site is designated Neighborhood Commercial on the 2035 Comprehensive Plan Land Use Map.

- Lands designated Neighborhood Commercial are located in the PSA and serve the residents of the surrounding neighborhoods in the immediate area with limited impact on nearby development. Sites are generally small, take access from collector or arterial streets, preferably at intersections, and are served by public water and sewer. The sites shall have environmental features such as soils and topography suitable for compact development with adequate buffering by physical features to protect nearby residential development and preserve the natural and wooded character of the County.
- The primary uses include neighborhood scale commercial, professional and office uses such as individual medical offices, branch banks, small service establishments, day-care centers, places of public assembly, convenience stores with limited hours of operation, small restaurants, and smaller public facilities. Examples of uses which are considered unacceptable include fast-food restaurants, 24-hour convenience stores, and gas stations.
- The total building area within any area designated Neighborhood Commercial should generally be no more than 40,000 square feet in order to retain a small-scale neighborhood character. The maximum recommended floor to area ratio is 0.2.

The property is located along a CCC. Buffering along a CCC is required to be an average width of 50 feet. The property is also located within the New Town CCA.

Staff finds the proposed project to be consistent with the elements of the Comprehensive Plan noted above. The project proposes 13,000 square feet of commercial development with uses consistent with the recommended primary uses, and which are also consistent with its location near the Route 199 interchange. For the CCC and CCA, the applicant has submitted design guidelines to address these standards. Condition No. 3 requires that the Planning Director and the New Town Design Review Board review and approve all architectural elevations, building materials, colors, signage, and other project elements at the development stage.

With the proposed conditions and proffers, staff finds that impacts to adjacent properties would be mitigated.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the application to the Board of Supervisors subject to the voluntary proffers and proposed SUP conditions.

TL/md
RZ19-18_SUP19-24Monticello

Attachments:

1. Proposed SUP Conditions
2. Proffers
3. Location Map
4. Master Plan
5. Design Guidelines
6. Community Impact Study
7. Traffic Impact Analysis

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.

MASTER PLAN FOR REZONING AND SPECIAL USE PERMIT FOR MONTICELLO AVENUE SHOPS

JAMES CITY COUNTY

VIRGINIA

AES PROJECT NUMBER W10509-00
ORIGINAL SUBMITTAL DATE: 10/23/19

GENERAL NOTES

- PROPERTY OWNERS:**

COOKE, LARRY R
4005 POWHATAN SECONDARY
WILLIAMSBURG, VA 23188

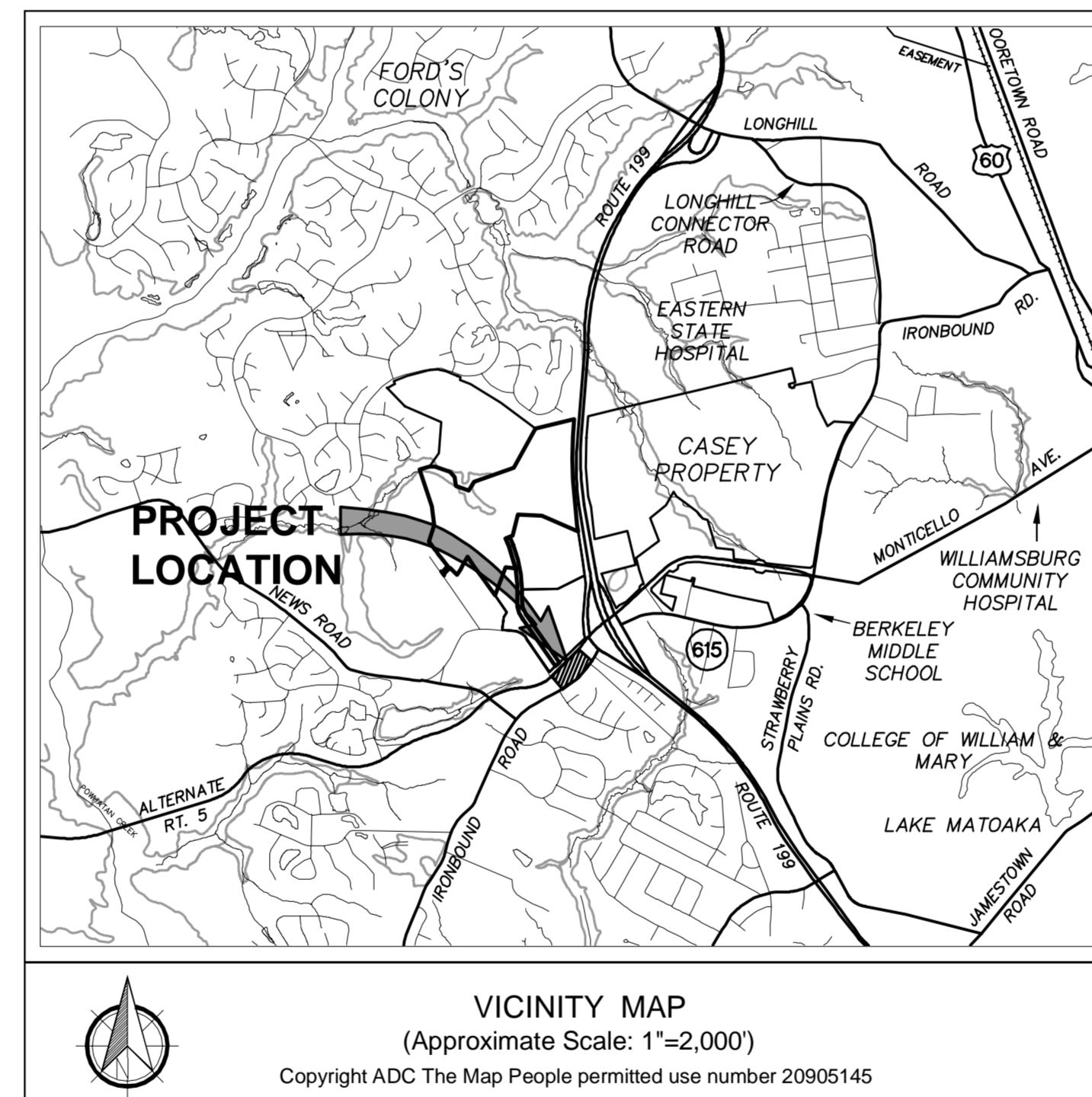
ERTL, JUDY HODGES TRUSTEE & WARD EDITH
140 OLD STAGE ROAD
TOANO, VA 23168

ERTL, JUDY HODGES TRUSTEE & WARD EDITH
140 OLD STAGE ROAD
TOANO, VA 23168
- PARCEL IDENTIFICATIONS**

PARCEL ID: 3830100002A
ADDRESS: 4744 OLD NEWS ROAD
WILLIAMSBURG, VA 23188

PARCEL ID: 3830100004
ADDRESS: 3897 IRONBOUND ROAD
WILLIAMSBURG, VA 23188

PARCEL ID: 3830100003
ADDRESS: 3905 IRONBOUND ROAD
WILLIAMSBURG, VA 23188
- SITE IS ZONED RURAL RESIDENTIAL (R8). NO CURRENT PROFFERS OR CONDITIONS FOR APPROVAL ARE ASSOCIATED WITH THIS SITE.
- SITE IS SITUATED IN SUBWATERSHED 210 OF THE POWHATAN CREEK WATERSHED. HYDROLOGIC UNIT CODE = JL31
- THIS SITE IS SUBJECT TO THE PROVISIONS OF SECTION 23-9(b)(8)(a) OF THE JAMES CITY COUNTY ZONING ORDINANCE.
- THIS SITE MEETS THE PROVISIONS TO BE GRANDFATHERED BY THE VSMP AUTHORITY PER SECTION 8-28(c) OF THE JAMES CITY COUNTY ZONING ORDINANCE.
- BASED ON THE FEMA FLOOD INSURANCE RATE MAP FOR JAMES CITY COUNTY, VIRGINIA (MAP PANEL 51095C0119D) NO PORTIONS OF THIS PROPERTY FALL WITHIN THE 100-YEAR FLOODPLAIN.
- SITE #1 AREA = 1.33 AC. ± (57,935 S.F.±)
SITE #2 AREA = 0.51 AC. ± (22,216 S.F.±)
SITE #3 AREA = 0.91 AC. ± (39,640 S.F.±)
TOTAL AREA = 2.75 AC. ± (119,790 S.F.±)



INDEX OF SHEETS

SHEET NO.	SHEET DESCRIPTION
MP1	COVER SHEET
MP2	EXISTING CONDITIONS
MP3	MASTER PLAN

DEVELOPER INFORMATION:

CONTACT: JEREMY GOROVITZ
TRICOR INTERNATIONAL, LLC
270 W. NEW ENGLAND AVENUE
WINTER PARK, FLORIDA 32789
PHONE NO.: (407) 629-2040
E-MAIL: JEREMY@TRICOR.NET

SITE DATA:

OWNERS: LARRY R. COOKE, JUDY HODGES TRUSTEE & EDITH WARD

PARCEL IDS: 3830100002A, 3830100004, 3830100003

SITE AREA: 2.75 AC.±; 119,790 S.F.± (TOTAL)
1.33 AC.±; 57,935 S.F.±
0.51 AC.±; 22,216 S.F.±
0.91 AC.±; 39,640 S.F.±

IMPERVIOUS COVER:
PROPOSED: 1.45 AC.±; 63,090 S.F.± (54.21% OF SITE)
EXISTING: 0.05 AC.±; 2,211 S.F.± (1.82% OF SITE)

BUILDING AREA: 14,936 S.F.±

FLOOR AREA RATIO: 11% / 0.11 (0.60 / 60% MAXIMUM)

CURRENT ZONING: R8 - RURAL RESIDENTIAL

PROPOSED ZONING: B1 - GENERAL BUSINESS

PARKING DATA:

REQUIRED PARKING (PER SEC. 24-59):

2 x RESTAURANT - 200 SEATS :	50 SPACES	(4 SPACES PER SEAT)
RETAIL (3,850 S.F.) :	15 SPACES	(1 SPACE PER 250 S.F.)
MEDICAL OFFICE (3,500 S.F.) :	14 SPACES	(1 SPACE PER 250 S.F.)
AUTO SERVICE (1,882 S.F.) :	8 SPACES	(1 SPACE PER 250 S.F.)
	87 SPACES MINIMUM	
	104 SPACES MAX	(120% OF MINIMUM)

PROPOSED PARKING:
90 SHARED SPACES (INCLUDING 4 H.C. ACCESSIBLE SPACES) (103% OF MINIMUM)

Rev.	Date	Description	Received By
2	11/26/19	REVISED PEDESTRIAN ACCESS	JAG
1	11/21/19	REVISION OF INTERSECTION CONFIGURATION	JAG

5248 Old News Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 283-0040
Fax: (757) 220-8894
www.aesva.com

AES
CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula

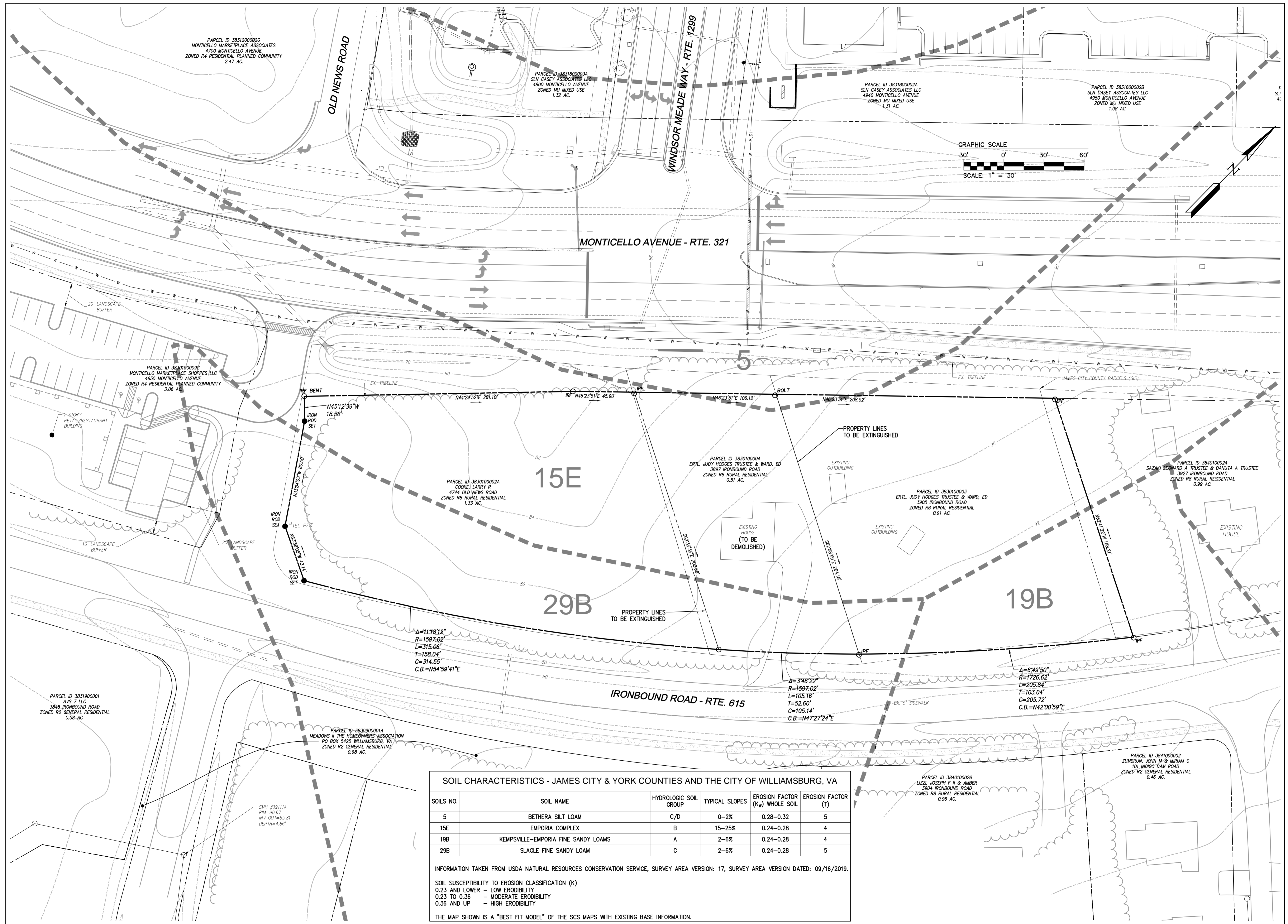
**MONTICELLO AVENUE SHOPS
MASTER PLAN**

JAMES CITY COUNTY
VIRGINIA

Project Contacts: JAG
Project Number: W10509-00
Scale: N/A Date: 10/23/2019

Sheet Title:
COVER SHEET

Sheet Number:
MP1



Rev.	Date	Description
2	11/20/19	REVISED PEDESTRIAN ACCESS
1	11/21/19	REVISION OF INTERSECTION CONFIGURATION

5248 Old Town Road, Suite 1
 Williamsburg, Virginia 23188
 Phone: (757) 263-0040
 Fax: (757) 220-8894
 www.aesva.com

AES
 CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula
 JAMES CITY COUNTY | VIRGINIA

**MONTICELLO AVENUE SHOPS
 MASTER PLAN**

Project Contacts: JAG
 Project Number: W10509-00
 Scale: 1"=30' Date: 10/23/2019

Sheet Title:
**EXISTING
 CONDITIONS**

Sheet Number:
MP2

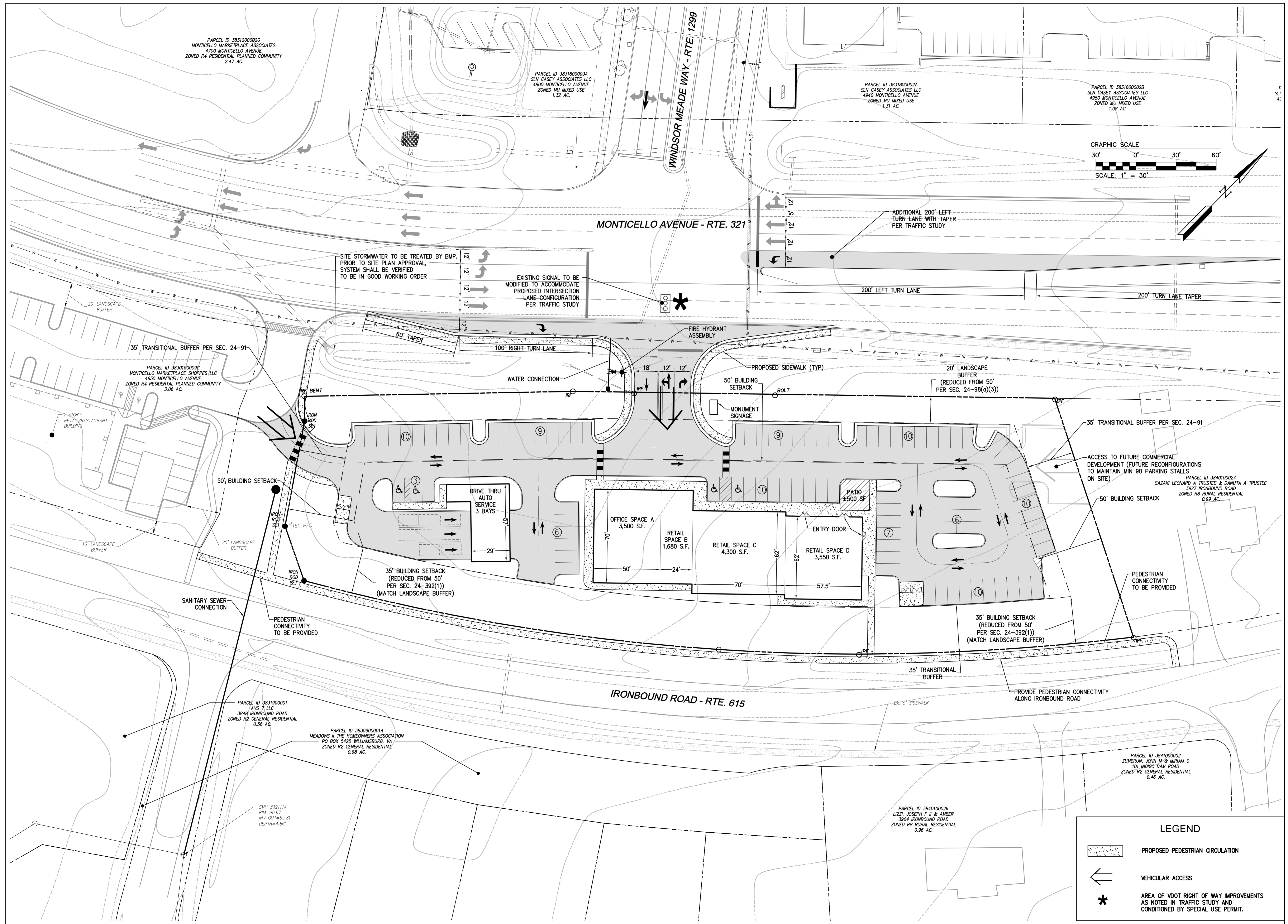
SOIL CHARACTERISTICS - JAMES CITY & YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VA

SOILS NO.	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K _w) WHOLE SOIL	EROSION FACTOR (T)
5	BETHERA SILT LOAM	C/D	0-2%	0.28-0.32	5
15E	EMPORIA COMPLEX	B	15-25%	0.24-0.28	4
19B	KEMPSVILLE-EMPORIA FINE SANDY LOAMS	A	2-6%	0.24-0.28	4
29B	SLAGLE FINE SANDY LOAM	C	2-6%	0.24-0.28	5

INFORMATION TAKEN FROM USDA NATURAL RESOURCES CONSERVATION SERVICE, SURVEY AREA VERSION: 17, SURVEY AREA VERSION DATED: 09/16/2019.

SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)
 0.23 AND LOWER - LOW ERODIBILITY
 0.23 TO 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.



Rev.	Date	Description
2	11/20/19	REVISED PEDESTRIAN ACCESS
1	11/21/19	REVISION OF INTERSECTION CONFIGURATION

5248 Old Towne Road, Suite 1
 Williamsburg, Virginia 23188
 Phone: (757) 283-0040
 Fax: (757) 220-8994
 www.ahs.com

AHS
 CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula
 VIRGINIA

**MONTICELLO AVENUE SHOPS
 MASTER PLAN**

Project Contacts: JAG
 Project Number: W10509-00
 Scale: 1"=30'
 Date: 10/23/2019

Sheet Title:
MASTER PLAN

Sheet Number:
MP3

LEGEND

- PROPOSED PEDESTRIAN CIRCULATION
- VEHICULAR ACCESS
- AREA OF VDOT RIGHT OF WAY IMPROVEMENTS AS NOTED IN TRAFFIC STUDY AND CONDITIONED BY SPECIAL USE PERMIT.

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
December 4, 2019
6:00 PM

A. CALL TO ORDER

Mr. Haldeman called the meeting to order at 6:00 p.m.

B. ROLL CALL

Planning Commissioners Present:

Jack Haldeman
Rich Krapf
Danny Schmidt
Frank Polster
Julia Leverenz
Odessa Dowdy

Planning Commissioners Absent:

Tim O'Connor

Staff Present:

Paul Holt, Director of Community Development and Planning
Max Hlavin, Deputy County Attorney
Tori Haynes, Planner
Thomas Leininger, Planner

C. PUBLIC COMMENT

Mr. Haldeman opened Public Comment.

As no one wished to speak, Mr. Haldeman closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Frank Polster stated that the Development Review Committee (DRC) met on November 20, 2019 to consider SP-19-0101. Chickahominy Riverfront Park RV and Boat Storage Area SP Amendment. Mr. Polster stated that James City County Parks & Recreation is seeking to relocate the RV/boat storage to a larger area south of its current location to allow for additional revenue generation and to provide better services to patrons via a boathouse area expansion. Mr. Polster stated that the proposed RV/boat storage will be approximately 400 x 140 square feet and store a combination of up to 50 large RVs or boats.

Mr. Polster stated that the Special Use Permit (SUP) requires that both the Planning Director and DRC approve the removal of trees on the property.

Mr. Polster stated that the DRC previously approved a conceptual plan for the relocation of the RV/boat storage to the site represented in this site plan, SP-19-0101 in June of 2018.

Mr. Polster stated that the Committee had questions concerning what appeared to be dual siting of the proposed RV/boat storage site and the Water Treatment Plant depicted in the proposed update to the approved 2009 Master Plan shown in the updated Shaping Our Shores document.

Mr. Polster stated that Parks & Recreation staff indicated that the proposed siting of the RV/Boat storage area was a temporary solution and would be moved to the location on the proposed updated 2009 Master Plan if the Water Treatment Plant were required.

Mr. Polster stated that the RV/boat Storage area on the proposed updated 2009 Master Plan would require the programming of a Capital Improvements Program (CIP) project to build a road to its final location. Mr. Polster stated that the temporary relocation of the RV/boat storage area allows time for the programming of the CIP project and at the same affords the programmed boathouse area expansion to proceed in the near future.

Mr. Polster stated that the DRC voted 4-0 to approve the site plan amendment for the removal of trees for the RV and boat storage area.

Mr. Krapf stated that the Policy Committee met on November 14, 2019; however, a quorum was not met so no votes were taken.

Mr. Krapf stated that staff presented Stage II language for amendments to the Zoning Ordinance for inoperable vehicles and oversize vehicles. Mr. Krapf stated that a recent change to the County Charter gave the County the authority to regulate inoperable vehicles on properties zoned agricultural and less than two acres in size. Mr. Krapf stated that the Committee requested that staff move to the next stage of developing the amendments.

Mr. Krapf stated that regarding the parking of oversized vehicles in areas zoned residential, the Committee reviewed definitions and regulations from various jurisdictions in the Commonwealth. Mr. Krapf stated that the Committee and staff found it important not to over-regulate in order to avoid unintended consequences for business and property owners. Mr. Krapf stated that the Committee directed staff to draft regulations similar to those in effect in Prince William County for further review by the Committee.

Mr. Krapf stated that the Committee also reviewed changes to the Wireless Communications Facilities Ordinance. Mr. Krapf stated that changes to the Virginia state code as well as federal regulations have made it necessary for the County to update the ordinance to be consistent with these changes. Mr. Krapf stated that the Committee did not have any concerns about the proposed changes and directed staff to finalize the amendments.

Mr. Krapf stated that the Committee also considered amendments to the Zoning Ordinance regarding warehouse storage and distribution centers in the Mixed Use Zoning District. Mr. Krapf noted that the review is being done at the direction of the Board of Supervisors. The request was to consider either removing the use from the Use List or making it a Specially Permitted Use subject to legislative consideration. Mr. Krapf stated that the Committee determined that the use could be a valid component of some Mixed Use developments and requested that staff develop an amendment making the use a Specially Permitted Use.

E. CONSENT AGENDA

1. Minutes of the November 6, 2019 Regular Meeting
2. Initiation of Consideration of Amendments to the Zoning Ordinance Regarding Wireless Communication Facilities to Address Changes to the Code of Virginia and the Federal

3. Development Review Committee Action Item: SP-19-0101. Chickahominy Riverfront Park RV and Boat Storage Area SP Amend.

Mr. Polster made a motion to approve the Consent Agenda.

On a voice vote, the Commission voted to approve the Consent Agenda. (6-0)

F. PUBLIC HEARINGS

1. AFD-19-0002. Croaker AFD Addition, 9896 Sycamore Landing Road

A motion to Approve was made by Frank Polster, the motion result was Passed.

AYES: 6 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Dowdy, Haldeman, Krapf, Leverenz, Polster, Schmidt

Absent: O'Connor

Ms. Tori Haynes, Planner, stated that Ms. Kelly Fulton has applied to enroll 3.85 acres of land located at 9896 Sycamore Landing Road into the Croaker Agricultural and Forestal District (AFD). Ms. Haynes stated that the parcel is currently undeveloped and forested, and is located more than one mile away from the core of the District. Ms. Haynes stated that when a parcel is located more than one mile from the core, State Code allows it to be added to the AFD if the governing body finds that it contains agriculturally and forestally significant land.

Ms. Haynes stated that a forest management plan has been prepared for the owner, which has found that the property consists of an upland hardwood timber type, including red oak, yellow poplar, sweet gum, and loblolly pine.

Ms. Haynes stated that at its October 24, 2019 meeting, the AFD Advisory Committee found that the subject parcel is agriculturally and forestally significant, and recommended its addition to the Croaker AFD. Ms. Haynes further stated that with the AFD Advisory Committee's findings and recommendation of approval, staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the attached conditions, consistent with other properties in the District.

Mr. Haldeman called for disclosures from the Commission.

There were no disclosures.

Mr. Haldeman opened the Public Hearing.

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

Mr. Haldeman opened the floor for discussion by the Commission.

Mr. Polster stated that he appreciated the thoroughness of the staff report and the materials included with the application. Mr. Polster noted that he always looks for documentation that provides a clear reason why the parcel should be included in an AFD and the Forest Management Plan met that criteria. Mr. Polster further noted that this parcel will serve as a buffer in the Stonehouse Reserve area.

Mr. Polster made a motion to recommend approval of the application.

On a roll call vote, the Commission voted to recommend approval of AFD-19-0002. Croaker AFD Addition, 9896 Sycamore Landing Road. (6-0)

2. Z-19-0018/SUP-19-0024. Monticello Avenue Shops

A motion to Deny was made by Frank Polster, the motion result was Passed.

AYES: 5 NAYS: 1 ABSTAIN: 0 ABSENT: 1

Ayes: Dowdy, Krapf, Leverenz, Polster, Schmidt

Nays: Haldeman

Absent: O'Connor

Mr. Thomas Leininger, Planner, stated that Mr. Jeremy Gorovitz of Tricor has submitted an application to rezone three properties located at 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road. Mr. Leininger further stated that a commercial SUP application has also been submitted. Mr. Leininger stated that the parcels are currently zoned R-8, Rural Residential, and are designated Neighborhood Commercial on the 2035 Comprehensive Plan Land Use Map.

Mr. Leininger stated that this proposal is to rezone 2.75 acres from R-8 Rural Residential to B-1, General Business with proffers. Mr. Leininger stated that the commercial SUP is to permit more than 10,000 square feet of commercial development and to allow a commercial building or group of buildings which would be expected to generate a total of 100 or more additional trips to and from the site during peak hour of the operation.

Mr. Leininger stated that a limited access break would need to be approved by the Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) to allow access on Monticello Avenue at the existing WindsorMeade Way intersection. Mr. Leininger stated that the proposed site would take access from the existing right-in/right-out intersection located between the project area and Monticello Marketplace Shoppes.

Mr. Leininger stated that the proposed site is located along the Monticello Community Character Corridor and is within the New Town Community Character Area. Mr. Leininger stated that the applicant has proffered design guidelines to ensure consistency with the character of the area.

Mr. Leininger stated that staff finds this proposal to be compatible with surrounding development and consistent with the 2035 Comprehensive Plan and Zoning Ordinance. Mr. Leininger further stated that staff recommends that the Planning Commission recommend approval to the Board of Supervisors subject to the proposed proffers and SUP conditions.

Mr. Krapf inquired about the reduction along the front of the property on Monticello Avenue.

Mr. Leininger stated that the Master Plan shows a landscape buffer reduction to 20 feet. Mr. Leininger further stated that this does not include the building setback, which remains at 50 feet from the property line.

Ms. Julia Leverenz inquired if there are tenants lined up for the proposed retail.

Mr. Leininger stated that he would defer to the applicant. Mr. Haldeman inquired about the Floor to Area Ratio (FAR) for this project. Mr. Leininger stated that, while he does not have the exact figure, it is below what is set forth in the Comprehensive Plan.

Mr. Holt noted that the FAR is 0.11.

Mr. Haldeman inquired about lighting for the project.

Mr. Leininger stated that lighting would not be able to project past the property line by more than 0.1 iso-foot candles.

Mr. Haldeman inquired if the buffer would use existing specimen trees.

Mr. Leininger stated that he would defer to the applicant.

Mr. Haldeman inquired if it would be possible to extend Old News Road through to Ironbound Road.

Mr. Holt stated that it would not be possible since actions had been taken previously to abandon that right-of-way.

Mr. Haldeman called for disclosures from the Commission.

Mr. Krapf, Mr. Polster, Mr. Schmidt, Mr. Haldeman, and Ms. Leverenz each stated that they had spoken with the applicant's representative regarding the application.

Mr. Haldeman opened the Public Hearing.

Mr. Curt Miller, 966 Warehouse Road, Orlando, FL, representing Tricor, made a presentation to the Commission.

Mr. Polster inquired about the Route 199 to News Road Average Daily Traffic (ADT).

Mr. Carl Hultgren, Ramey Kemp & Associates, Inc., stated that the numbers provided by VDOT seem reasonable.

Mr. Polster noted that the application states that the Traffic Impact Analysis (TIA) has been approved by VDOT. Mr. Polster inquired if the scope of the TIA is for peak hour traffic for the proposed ingress/egress across from WindsorMeade Way.

Mr. Hultgren stated that the TIA includes the proposed ingress/egress, the interchange with Route 199, and the next two intersections to the west.

Mr. Polster inquired if there was any analysis of the impact to the interchange with Route 199, and the intersection with Monticello Avenue and News Road outside the peak hour impacts.

Mr. Hultgren stated that it is the peak hour traffic that was studied.

Mr. Polster noted that he wanted to come back to the TIA later in the discussion to better understand the data for the forecast for 2034. Mr. Polster further stated that he wants to understand how the applicant will mitigate the traffic impacts. Mr. Polster further noted that the scope and timeframe of the TIA were extremely narrow.

Mr. Hultgren stated that the TIA provided is consistent with those done for most other projects.

Mr. Polster stated that he has concerns about the impact to Monticello Avenue beyond the build-out year of 2020 which is anticipated to be a Level of Service (LOS) F.

Mr. Hultgren stated that long-term improvements to the corridor would fall to the County and to the Hampton Roads Transportation Planning Organization to identify a project and allocate the necessary funding.

Mr. Polster stated that two mitigation projects have already been completed for the corridor and that there are no future improvements scheduled. Mr. Polster stated that the only future option is to restrict development along the corridor. Mr. Krapf inquired about the number of trips generated by the project.

Mr. Hultgren stated that it was estimated to be 521 trips in and 521 trips out.

Mr. Krapf inquired how trip generation is derived.

Mr. Hultgren stated that it is based on the land use trip rate tables developed by the Institute of Transportation Engineers (ITE).

Mr. Schmidt inquired about the timing of the signal.

Mr. Hultgren stated that it would add approximately nine seconds.

Ms. Leverenz inquired if the figures include the traffic improvements.

Mr. Hultgren stated that the build-out scenario includes the improvements.

Mr. Polster inquired about landscaping along the front of the property.

Mr. Jason Grimes AES, Consulting Engineers, the front of the property incorporates the drainage ditch and would have a more manicured appearance.

Mr. Polster inquired about maintenance of the drainage ditch and right-of-way.

Mr. Grimes stated that, while nothing could be done in the ditch area, the applicant would work with VDOT for permission to plant in the right-of-way to create pleasing landscape which is similar to the adjacent retail center.

Mr. Krapf inquired if the landscaping was addressed in any of the SUP conditions.

Mr. Holt stated that under the current landscaping requirements, there are requirements both for the front landscape buffer and for street trees. Mr. Holt further stated that with one of the SUP does address the landscaping requirements. Mr. Holt noted that the details of the landscaping would be addressed at the Site Plan stage.

Mr. Leonard Sazaki, 3927 Ironbound Road, addressed the Commission in opposition to the application.

Mr. Craig Hardison, 3741 Cherry Walk, addressed the Commission in opposition to the application.

Mr. Richard Tisdale, 209 Governor Edward Nott Court, addressed the Commission in opposition to the application.

Ms. Susan Tisdale, 209 Governor Edward Nott Court, addressed the Commission in opposition to the application.

Mr. Lawrence Rouse, 211 Old Cart Road, addressed the Commission in opposition to the application.

Ms. Rachel Lenahan, 136 Sharps Road, addressed the Commission in opposition to the application.

Mr. Bob Myers, 143 Waters Edge, addressed the Commission in opposition to the application.

Ms. Judith Collard, 3731 Shakleton Lane, addressed the Commission in opposition to the application.

Ms. Pamela Hardison, 3741 Cherry Walk, addressed the Commission in opposition to the application.

Ms. Angie Weheliye, 205 Braemar Creek, addressed the Commission in opposition to the application.

Ms. Beverly Rouse, 211 Old Cart Road, addressed the Commission in opposition to the application.

Mr. Barry Carroll, 122 Indigo Dam Road, addressed the Commission in support of the application.

Ms. Connie Volkman, 4860 Mildens Road, addressed the Commission in opposition to the application.

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

Mr. Haldeman opened the floor for discussion by the Commission.

Mr. Krapf stated that the application does support the Comprehensive Plan by encouraging infill development. Mr. Krapf further stated that the applicant is willing to provide an enhanced product by committing to improved landscaping and architectural guidelines. Mr. Krapf stated that he does have some serious concerns about the application, specifically that the proposed use is too intense for the Neighborhood Commercial designation. Mr. Krapf noted that he has concerns about the impacts to the LOS and the addition of another stoplight. Mr. Krapf stated that he would not support the application.

Mr. Polster stated that he concurs with the two positive aspects of the application. Mr. Polster noted that his concern with the traffic analysis is the constrained timeframe and scope. Mr. Polster stated that the Comprehensive Plan identified problems along the Monticello Corridor and the County took action to implement remedies. Mr. Polster further stated that this has exhausted all the possible remedies. Mr. Polster stated that based on the new Comprehensive Plan tools to model future traffic and economic impact along the corridor, he will not support the application.

Ms. Leverenz stated that she would not support the application. Ms. Leverenz stated that if it were a stand-alone application, there are some appealing aspects; however, the potential cumulative impacts to the corridor cannot be justified or mitigated. Ms. Leverenz further stated that she does not believe that the application meets the definition of Neighborhood Commercial. Ms. Leverenz stated that there does not appear to be a demand for more retail space from citizens or businesses.

Ms. Odessa Dowdy stated that she concurs with the thoughts of her colleagues. Ms. Dowdy

stated that she questions whether developers are in tune with the needs of the community when such projects are proposed.

Mr. Schmidt stated that no matter what is decided by the Commission, the LOS on Monticello Avenue will be degraded due to future population and traffic increases. Mr. Schmidt stated that his concern is safety. Mr. Schmidt noted that the subject portion of the road is the most prone to accidents. Mr. Schmidt stated that he would not support the application.

Mr. Haldeman stated that he has concerns about the additional traffic around the Route 199 interchange, as well as the addition of another stoplight. Mr. Haldeman noted that with the development that is scheduled to be built out, delays and backups are inevitable. Mr. Haldeman noted that 25 years ago, all of this land was rural farmland. Mr. Haldeman noted that the time to guide the development of the land is long past. Mr. Haldeman further noted that he empathizes with the owners of the four lots as they have property that will be difficult to sell if it cannot be developed commercially. Mr. Haldeman noted that the property is no longer suited for residential purposes. Mr. Haldeman stated that he hoped there would be some way for this property to be developed that would make it marketable.

Mr. Polster made a motion to recommend denial of the application.

On a roll call vote the Commission voted to recommend denial of Z-19-0018/SUP-19-0024. Monticello Avenue Shops. (5-1)

G. PLANNING COMMISSION CONSIDERATIONS

Mr. Krapf stated that the survey and visual preference questionnaire for the Comprehensive Plan update are available online through December 18, 2019. Mr. Krapf encouraged citizens to provide feedback on their thoughts for the future development of the County.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report December 2019

Mr. Holt stated that he did not have anything in addition to what was provided in the Agenda Packet.

Mr. Holt noted appreciation for the efforts of the Commission in making the engagement portion of the Comprehensive Plan update vibrant and interesting.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

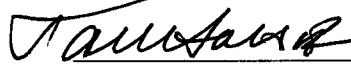
Mr. Haldeman noted that Mr. Schmidt is the Commission's representative to the Board of Supervisors for December.

Mr. Polster stated that, in regard to the Comprehensive Plan update, when the modeling scenarios are available, it would be helpful to get feedback from the citizens on those specific scenarios. Mr. Polster noted that the scenarios should generate information on the fiscal impacts, traffic impacts, and environmental impacts for each alternative.

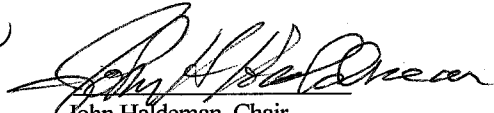
J. ADJOURNMENT

Mr. Krapf made a motion to Adjourn.

The meeting was adjourned at approximately 7:58 p.m.



Paul D. Holt, III, Secretary



John Haldeman, Chair