

## AGENDA

### JAMES CITY COUNTY PLANNING COMMISSION

FEBRUARY 3, 2003 - 7:00 P.M.

1. ROLL CALL
2. ELECTION OF OFFICERS
3. COMMITTEE APPOINTMENTS
4. MINUTES
  - A. January 13, 2003
5. COMMITTEE AND COMMISSION REPORTS
  - A. Development Review Committee Report
  - B. Other Committees
6. PUBLIC HEARINGS
  - A. SUP-25-02. Ready Mix Concrete Expansion
  - B. ZO-01-03. Zoning Ordinance Amendment –  
Eight Family Dwellings
  - C. SUP-01-03. Williamsburg Plantation, Section X  
MP-01-03. Williamsburg Plantation Master Plan Amendment
7. PLANNING DIRECTOR'S REPORT
8. ADJOURNMENT

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE FORTEENTH DAY OF JANUARY, TWO-THOUSAND AND THREE, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

ROLL CALL

A. Joe Poole, III  
George Billups  
Wilford Kale  
Peggy Wildman  
Joseph McCleary  
Don Hunt  
John Hagee

ALSO PRESENT

Leo Rogers, Deputy County Attorney  
Marvin Sowers, Planning Director  
Cynthia Grom, Administrative Services Coordinator  
Christopher Johnson, Senior Planner  
Sarah Weisiger, Planner

2. MINUTES

The Commission approved the minutes of the December 2, 2002 meeting with a unanimous voice vote.

3. COMMITTEE AND COMMISSION REPORT

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. John Hagee presented the DRC report stating there were two cases that were heard at the last meeting: Case No. S-108-02 Scott's Pond, Section 3 and Case No. SP-134-02 JCSA Five Forks Water Treatment Facility. For Scott's Pond, the DRC recommended that preliminary approval be granted subject to the applicant submitting revised plans that adequately address agency review comments. For the JCSA Five Forks Water Treatment Facility, the DRC determined that the proposed facility is substantially in accord with the adopted Comprehensive Plan and recommended that preliminary approval be granted subject to the applicant submitting revised plans which adequately address agency review comments.

In a unanimous voice vote the Commission approved the DRC report.

B. NOMINATING COMMITTEE

Mr. Joseph McCleary presented a brief report of the Nominating Committee meeting that had been held on January 13, 2003. He mentioned they would have the election for Commission Officers at the meeting next month.

4. PUBLIC HEARINGS

A. CASE NO. Z-05-02/HW-1-02. LONGHILL GROVE APARTMENTS.

Mr. Christopher Johnson presented the staff report. He stated that Eagle Construction of Virginia has submitted an application to rezone approximately 15.82 acres located at the southeast corner of Longhill Road and Centerville Road from LB, Limited Business and R-5, Multifamily Residential to R-5, with proffers. If approved, the developer would be using the assembled parcels to create a new affordable apartment housing complex. The development would consist of up to 170, two and three bedroom apartments among multiple buildings, and would include the demolition and rebuilding of the remaining Burton Woods apartment buildings. The project is possible with support from the Low Income Housing Tax Credit Program and financing by the Virginia Housing Development Authority. A height limitation waiver is also requested from the Board of Supervisors as the proposed three story apartment buildings exceed 35 feet in height. With the submitted proffers, staff finds the proposal will not negatively impact surrounding property. Staff also finds the proposal consistent with the Land Use and Housing policies of the Comprehensive Plan and consistent with the Comprehensive Plan Land Use Map designation. Staff also finds that the added benefit of affordable housing will meet an important need in James City County. Staff therefore recommends approval of the rezoning and the acceptance of the voluntary proffers.

Mr. Joe Poole, III opened the public hearing.

Mr. Alvin Anderson, the applicant, stated the proposal would replace a blighted area with a quality product and development plan, benefit to the County with the exchange of the Lift Station property, and provides low income housing which is a stated goal of the James City County Comprehensive Plan.

Mr. Wilford Kale asked about some of the proffers, wondering why there were no proffers for the water and sewer utilities and schools. He wanted to know if there would be any financing available for water hook-ups.

Mr. Alvin Anderson stated that cash proffers to mitigate water or school impacts would prevent the applicant from offering these units as low-income housing.

Mrs. Peggy Wildman asked about whether or not the nearest fire station at Old Town Road would be able to handle the proposed height waiver.

Mr. Marvin Sowers stated that it was not a problem and well within the range of their capabilities.

Mr. George Billups asked about the types of apartments there would be and what was installed for fire safety.

Mr. Bryan Kornblau, a representative of Eagle Construction, stated that the apartments were designed to local building codes and provided sprinkler systems for fire safety. The configuration of the apartments would be 50 percent 2 bedroom and 50 percent 3 bedroom units. No 1 bedroom units would be available. All apartments would have two full bathrooms.

Mr. John Hagee asked about the rent structure and how the Section 8 housing program worked.

Mr. Bryan Kornblau stated they were limited on what they could charge and it was based on the income of the families at 60%.

Mr. Vaughn Poller, Community Development with James City County Housing and Community Development, explained how the Section 8 Housing program worked, the vouchers and how they are issued. He stated that James City County was issued only 175 vouchers and they were all currently being used. The demand for them is so great that the waiting list has 337 people on it and that they had to stop taking names.

Mrs. Peggy Wildman asked Mr. Poller how his department is involved in building low income housing.

Mr. Vaughn Poller explained how they try to bring about these types of projects and encourage them.

Mr. Reed McNeill, a James City County citizen, commented on the staff report. He was concerned about the availability of the handicapped accessible apartments, the proposal for the recreation areas and the need to screen the complex from the roads.

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

A discussion ensued among the Planning Commission members in regards to the benefits of this type of project and the proffers being offered.

Mrs. Peggy Wildman recommended approval and made a motion.

Mr. John Hagee seconded.

In a roll call vote, motion passed (6-1). AYE: Wildman, McCleary, Hagee, Hunt, Kale, Poole (6); NAY: Billups (1).

**B. CASE NO.SUP-21-02. JAMESTOWN ISLAND EXPANSION.**

Ms. Sarah Weisiger presented the staff report. She stated that in preparation for Jamestown's 400<sup>th</sup> anniversary, the Association for the Preservation of Virginia Antiquities (APVA) and the National Park Service (NPS) are working on a joint undertaking called the Jamestown Project. The proposed facilities in this special use permit application are only part a much larger project that includes proposals to relocate the island's visitors' center, reconfigure parking areas, change roadways and add pedestrian and bicycle trails. Improvements to National Park Service land do not require special use permits. The two facilities require a special use permit because they are located on the parcel owned by the non-governmental APVA. The Archaearium is a proposed new exhibit space that would be open to the public. It is to be adjacent to, and over, the Ludwell Statehouse foundations. This museum exhibit facility is to give visitors an opportunity to learn more about archaeology and about excavation of the historic site. The proposed one-story Archaearium would be approximately 7,500 square feet. The proposed collections' research facility is to be adjacent to the Yeardley House and its existing Jamestown Rediscovery Center addition. The facility will be used, in part, to house APVA and NPS collections together. The addition will be less than 8,000 square feet on two floors. The rooms in the new addition are intended for storage, a processing lab, curator work space, offices, a library and restrooms. The facility is not to be open to the public. Staff finds this proposal compatible with existing development at Jamestown Island and consistent with the surrounding property and the Comprehensive Plan. Therefore, staff recommends the Planning Commission approve this special use

permit application with conditions.

Mr. Joe Poole, III, opened the Public Hearing.

Mr. Alec Gould, Superintendent of the Park Service's Colonial National Historical Park which includes parts of Jamestown Island, explained how the expansion was part of long range plans in regard to the Jamestown 2007 celebration, and how it would improve and not hinder the Park's historical significance. He explained how the Park Service's premier collection of artifacts is currently being stored in the basement of the Visitor's Center where they are exposed to the risk of flooding. This special use permit would allow them to make this collection available for researchers to study.

Ms. Jane Jacobs, the applicant, spoke about the process of the expansion they have been working on for the last two years, and how everything was planned to stay in character with the current historical surroundings.

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

Mr. John Hagee recommended approval and made a motion.

Mr. Joe McCleary seconded.

In a roll call vote, motion passed (6-0). AYE: Wildman, McCleary, Hagee, Hunt, Billups, Poole (6); NAY: (0). (Mr. Wilford Kale left prior to this case.)

B. CASE NO.SUP-22-02. SCHMIDT LANDSCAPING.

Mr. Christopher Johnson presented the staff report. Mr. Schmidt purchased two adjoining parcels of land approximately 8.33 acres in size on Jolly Pond Road for the purpose of operating his landscaping and contracting business. A structure was constructed without an approved site plan, building permit, or land disturbing permit. Zoning and Code Compliance staff have discussed the matter with Mr. Schmidt to rectify the zoning and building code violations. The structure has been used to store equipment associated with the landscaping business since its construction. Mr. Schmidt submitted a special use permit application in order to bring the existing use of the site into conformance with the Zoning Ordinance. The applicant intends to continue to use the site as a storage facility for material and equipment typical of a landscaping contracting business. The applicant is also proposing to grow plant material on a portion of the site for the sole use of Schmidt Landscaping. Contractors' warehouses and offices are a specially permitted use in the A-1, General Agricultural, zoning district. The plant growing operation, by itself, is a by-right use. With the proposed conditions, staff believes that the proposed use is consistent with the Comprehensive Plan and the Rural Lands and Commercial Development Standards and does not create negative impacts on the surrounding area. Staff recommends approval of this application with conditions.

Mr. Joe Poole, III opened the Public Hearing.

Mr. Tim Schmidt, the applicant, spoke about the history of the application and why he had started the process.

Mr. Joe Poole, III asked Mr. Schmidt if he had any problems with the conditions.

Mr. Tim Schmidt replied no.

Mrs. Peggy Wildman asked Mr. Schmidt if doing the minor improvement to the entrance was going to be a problem.

Mr. Tim Schmidt replied that he has wanted to do it for ten years, but VDOT would not allow it.

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

Mr. Joe McCleary recommended approval and made a motion.

Mrs. Peggy Wildman seconded.

In a roll call vote, motion passed (6-0). AYE: Wildman, McCleary, Hagee, Hunt, Billups, Poole (6); NAY: (0). (Mr. Wilford Kale left prior to this case.)

6. PLANNING COMMISSION CONSIDERATIONS

A. ZONING ORDINANCE INITIATING RESOLUTION – EIGHT FAMILY DWELLINGS.

Mr. Marvin Sowers presented an initiating resolution to change the current Zoning Ordinance to allow for eight units per building rather than four. He explained how this would only affect R-2 and R-5 zones and would allow other developers to apply for it.

In a unanimous voice vote the Commission approved the initiating resolution.

B. PLANNING COMMISSION ANNUAL REPORT FOR YEAR 2002.

Mr. Marvin Sowers presented the annual report and stated it will be presented at the Board of Supervisors meeting on January 28<sup>th</sup>, 2003 by Mr. Joe Poole, III.

7. PLANNING DIRECTOR'S REPORT

Mr. Marvin Sowers mentioned that we are still currently accepting Land Use applications and the deadline for submittal is January 31, 2003

8. ADJOURNMENT

There being no further business, the January 14, 2003, meeting of the Planning Commission was adjourned approximately at 8:50 p.m.

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A. Joe Poole, III, Chairman

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O. Marvin Sowers, Jr., Secretary

**JAMES CITY COUNTY**  
**DEVELOPMENT REVIEW COMMITTEE REPORT**  
**FROM: 1/1/2003 THROUGH: 1/31/2003**

**I. SITE PLANS**

**A. PENDING PRELIMINARY APPROVAL**

SP-144-98	Williamsburg Pottery Warehouse/Retail Building
SP-116-99	New Town, Wmbg./JCC Courthouse SP Amendment
SP-087-01	The Vineyards Phs. 3 at Jockey's Neck
SP-089-01	Ewell Station Storm Water Management Fac. Mod.
SP-100-01	Williamsburg Crossing Frontage Road
SP-105-01	Voice Stream Wireless - Regional Jail Co-Location
SP-109-01	Monticello Avenue Extended - SP Amendment
SP-116-01	Powhatan Secondary - Ph. 7, Sanitary Sewer Ext.
SP-003-02	New Zion Baptist Church-addition & parking lot exp
SP-007-02	Season's Trace - Winter Park Section 2
SP-009-02	Hairworks Beauty Salon Parking Space Addition
SP-019-02	Williamsburg Plantation Sec 9,10,11 Units 184-251
SP-027-02	120' Stealth Tower--3900 John Tyler Highway
SP-045-02	Powhatan Plantation Maintenance Bldg SP Amend
SP-061-02	Powhatan Plantation Recreation Bldg Amd
SP-088-02	Colonial Heritage, Phase 1 Section 2
SP-106-02	Truswood Waterline Extension
SP-112-02	Ford's Colony Recreation Park
SP-115-02	Stonehouse Community Church Tent
SP-124-02	King's Way Church Water Line
SP-128-02	Come Scrap with Me Shed
SP-129-02	Storage Trailer at Landfill
SP-132-02	Sprint Generator Placement
SP-133-02	Busch Corporate Center - Wheat Center
SP-139-02	New Town - Corner Pocket
SP-140-02	Jamestown Area Water System Improvement
SP-142-02	George Nice & Sons
SP-144-02	J.W. Crossing, Phase II
SP-001-03	Colonial Heritage 13th Hole Irrigation Pond
SP-002-03	Colonial Heritage Phase 2, Massie Farm Pond Rehab.
SP-003-03	Patriot's Colony, Phase 2, Landscape Amend.
SP-005-03	Hankins Farm Water and Sewer Extension
SP-006-03	Marketplace Shoppes-phs.3 SP Amendment
SP-007-03	Weathercrafters SP Amandement
SP-008-03	Busch Gardens, Wmbg.-Ireland Beer Cooler SP Amend.

SP-009-03	Energy Services Group Metal Fabrication Shop
SP-010-03	Colonial Heritage Residence Clubhouse
SP-011-03	Kingsmill Lobby Renovation
SP-012-03	Busch Gardens Wmbg - Entrance Cart SP Amendment
SP-013-03	Williamsburg Business Center, Phs. 3, SP Amendment

**B. PENDING FINAL APPROVAL**

**EXPIRE DATE**

SP-002-01	JCC HSC Parking Area Expansion	10/ 1/2003
SP-085-01	Greensprings Apartments and Condominiums	12/ 2/2003
SP-044-02	Ford's Colony, Sect. 31, BMP #1 Regrading Plan	5/ 8/2003
SP-050-02	New Town Sec 2 & 4 - Road/Utility Infrastructure	8/22/2003
SP-062-02	WindsorMeade Way Road Construction Plan	6/ 4/2003
SP-084-02	Colonial Heritage, Phase 1, Section 1	11/25/2003
SP-091-02	District Park Sports Complex, Phase III	8/16/2003
SP-095-02	Faith Fellowship Assembly of God	9/ 9/2003
SP-102-02	Powhatan Creek Access Park	9/30/2003
SP-104-02	Colonial Heritage, Phase 1, Section 3 & 3A	12/ 2/2003
SP-110-02	Ewell Station - Phase II	10/ 7/2003
SP-113-02	Ready Mixed Concrete Storage Yard Expansion	10/ 7/2003
SP-117-02	Ford's Colony -Blue Heron Golf Course Comfort Sta.	10/18/2003
SP-119-02	Williamsburg West & Country Club Dr. Improvements	11/ 4/2003
SP-130-02	Powhatan Place Townhomes Amendment	12/12/2003
SP-134-02	JCSA Five Forks Water Treatment Facility	1/13/2004
SP-135-02	Little Creek Phase III Amendment	12/30/2003
SP-136-02	Williamsburg Plantation, Sec 7 & 8 - Lots 134-183	1/14/2004

**C. FINAL APPROVAL**

**DATE**

SP-110-01	Williamsburg Christian Academy	1/10/2003
SP-002-02	Williamsburg-Jamestown Airport Hangar Additions	1/21/2003
SP-051-02	Landmark Auto Parts	1/10/2003
SP-107-02	First Colony Water and Sewer System Replacement	1/29/2003
SP-118-02	JCSA Toano Force Main	1/16/2003
SP-141-02	Busch Corporate Center - McLaws Center Amend #1	1/16/2003
SP-143-02	Riverside Health Care Expansion Amended	1/22/2003
SP-004-03	T.K. Oriental, Inc. Storage Building	1/28/2003

## II. SUBDIVISION PLANS

### A. PENDING PRELIMINARY APPROVAL

S-062-98	Ball Metal Conservation Easement
S-104-98	Skiffes Creek Indus. Park, VA Trusses, Lots 1,2,4
S-013-99	JCSA Mission Bank ROW Acquisition
S-074-99	Longhill Station, Section 2B
S-086-99	Peleg's Point, Section 5
S-110-99	George White & City of Newport News BLA
S-091-00	Greensprings West, Plat of Subdv Parcel A&B
S-032-01	Subdivision and BLE Plat of New Town AssociatesLLC
S-077-01	Ford's Colony - Section 32 (Lots 72-78, 93-129)
S-008-02	James F. & Celia Ann Cowles Subdivision
S-023-02	Stonehouse, Mill Pond Run right-of-way
S-031-02	Bruce's Super Body Shop, Lot 2 subdivision
S-052-02	The Retreat--Fence Amendment
S-068-02	Forrest Lee Hazelwood BLA
S-084-02	Skiffes Creek BLE Lots 2 & 3
S-086-02	The Vineyards Phase 3 BLA Lots 1, 5-9, 52
S-092-02	Mertens Subdivison Lot 2
S-099-02	Ford's Colony Section 30 - Sanitary Sewer Amend.
S-100-02	Richardson's Mill Sec. 1
S-108-02	Scott's Pond, Section 3
S-112-02	Kensington Woods
S-113-02	Martin Farm Estates
S-002-03	Mt Gilead Baptist Church, Lots 6 & 7 BLA
S-003-03	Ford's Colony/Realtec Properties BLA
S-005-03	Villages at Powhatan Phase 5
S-006-03	Monticello Woods Lots 19-30 and 39-40

### B. PENDING FINAL APPROVAL

### EXPIRE DATE

S-034-00	The Pointe at Jamestown, Phase 2	6/ 5/2003
S-058-00	Powhatan Secondary, Phase 7-A	10/ 2/2003
S-037-01	Wellington Section 2 & 3 Construction Plans	5/ 7/2003
S-101-01	Greensprings West, Phase 4A	12/17/2003
S-022-02	George W. Roper, Parcel B	3/19/2003
S-024-02	Stonehouse, Fieldstone Parkway right-of-way & BLA	3/19/2003
S-027-02	Stonehouse, Lisburn, Sect. 5-A, Construction Plans	5/ 6/2003
S-030-02	Waterford at Powhatan Sec., Ph. 33, BLA	4/ 9/2003
S-035-02	Villages at Powhatan, Ph. 4	1/27/2004
S-037-02	Village Housing at the Vineyards, Phase III	5/10/2003
S-039-02	Powhatan Secondary, Phase 6-C	5/ 8/2003
S-045-02	The Pointe at Jamestown Section 2-A plat	5/30/2003



S-051-02	Ford's Colony, Section 12 Construction Plans	11/ 4/2003
S-057-02	Colonial Heritage - Ph 1, Sec 1, Const Plans	11/25/2003
S-063-02	Colonial Heritage, Phase 1, Section 2 Const Plans	12/ 2/2003
S-071-02	Stonehouse Commerce Park- ROW extension & realign	9/ 3/2003
S-073-02	Colonial Heritage, Phs 1, Sec 3 & 3A, Const Plans	12/ 2/2003
S-076-02	Marion Taylor Subdivision	10/ 3/2003
S-078-02	Donald L. Hazelwood Subdivision	9/30/2003
S-081-02	Scott's Pond Section 2	10/ 7/2003
S-083-02	Toano Auto Parts BLA	10/ 9/2003
S-091-02	Williamsburg Landing BLA	11/ 3/2003
S-094-02	Powhatan Secondary Phase 7-C	12/30/2003
S-095-02	Powhatan Secondary Phase 7-B	12/ 2/2003
S-101-02	Sheldon Properties, L.L.C.	12/13/2003
S-102-02	Greensprings Apartments and Condominiums	12/27/2003
S-103-02	Alex Harwood Subdivision BLA	12/15/2003
S-107-02	Greensprings West, Phase 3-C	1/13/2004
S-114-02	Ford's Colony Section 10A, Lot 1	1/15/2004
S-001-03	Ford's Colony Sec 1 Block D Lots 2A, 2B, 2 & 3 BLE	1/16/2004

#### **C. FINAL APPROVAL**

#### **DATE**

S-042-02	Lake Powell Forest Phase 4	1/13/2003
S-064-02	Stonehouse - Richardson's Mill, Section 2	1/22/2003
S-090-02	Ford's Colony, Section 7, Lots 119 & 120 BLE	1/29/2003
S-106-02	101 Jackson Street Lot Subdivision	1/10/2003
S-110-02	Troy H. Lapetina Properties BLA	1/28/2003
S-004-03	Gilliam Subdivision Lots 2 & 3 BLA	1/10/2003

**DEVELOPMENT REVIEW COMMITTEE ACTION REPORT**  
**Meeting of January 29, 2003**

**Case No. C-152-02**

**Brandon Woods Sign**

Mr. Larry Cooke of on behalf of the Brandon Woods Condominium Association has applied for approval of the entry features to the Brandon Woods subdivision. The project is located at the intersection of John Tyler Highway and Brandon Woods Parkway and is further identified as Tax Map #(47-1)(2-1A). DRC review is required by the proffer conditions.

**DRC Action: The case was deferred until Monday, February 4, 2003 contingent upon submittal of a new proposal.**

**Special Use Permit-25-02. Ready Mixed Concrete Expansion  
Staff Report for February 3, 2003, Planning Commission Public Hearing**

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

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**PUBLIC HEARINGS**

Planning Commission: February 3, 2003 - 7:00 p.m. Building C Board Room

Board of Supervisors: March 11, 2003 - 7:00 p.m. Building C Board Room (tentative)

**SUMMARY FACTS**

Applicant: Rob Mann, AES Consulting Engineers

Land Owner: Larry Spence, Ready Mixed Concrete

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

Location: 1563 & 1571 Manufacture Drive, Roberts District

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

Primary Service Area: Inside

Parcel Size: 3.62 acres

Existing Zoning: M-2, General Industrial

Comprehensive Plan: General Industrial

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

Staff Contact: Matthew Arcieri Phone: 253-6685

**RECOMMENDATION**

Staff finds the proposal to be consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. Staff, therefore, recommends the Planning Commission recommend approval of this application with the attached conditions.

## **Project Description**

Mr. Robert Mann of AES Engineers has applied on behalf of Colonial Ready Mixed Concrete for a Special Use Permit to allow the expansion of the existing Ready Mixed Concrete facility at 1571 Manufacture Drive in the Skiffes Creek Industrial Park onto an adjacent property located at 1563 Manufacture Drive also within the Industrial Park.

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

## **RECOMMENDATION**

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

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

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

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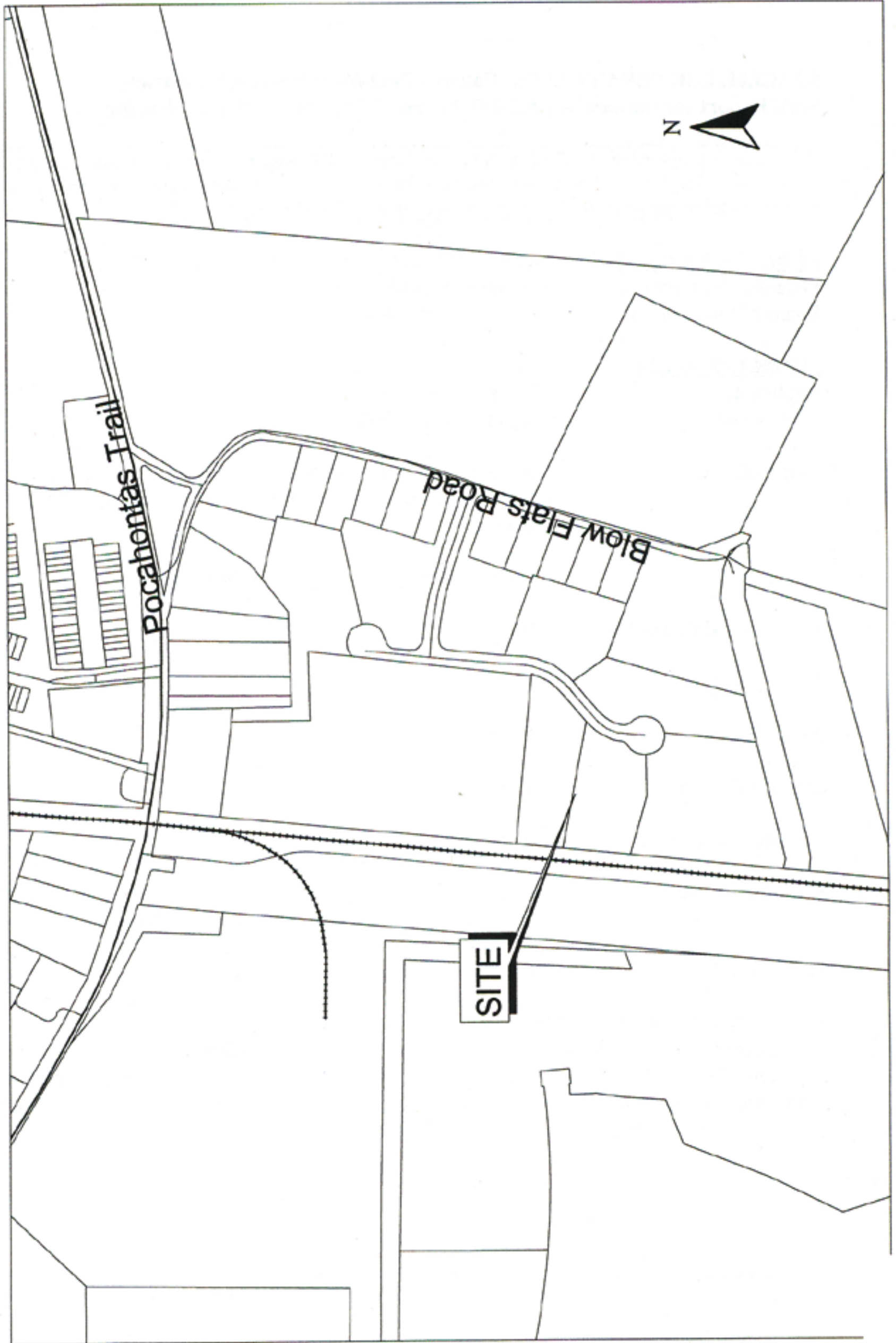
Matthew D. Arcieri

Attachments:

1. Location Map
2. Staff report for SUP-23-01



# SUP-25-02, Ready Mixed Concrete Expansion 1563 & 1571 Manufacture Drive



## **Project Description**

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

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

## **Surrounding Zoning and Development**

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

## **Physical Features & Environmental Considerations**

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

## **Traffic/Access**

Access to the existing Colonial Redi-Mix Concrete facility and to the rest of Skiffes Creek Industrial Park is from Blow Flats Road. Blow Flats Road does not meet current Virginia Department of Transportation (VDOT) standards for secondary roads. The road has a 30-foot right-of-way and 20-feet of pavement width. Current VDOT standards call for 50-feet of right-of-way and 22-feet of pavement width. Site constraints and plant capacity limit the amount of cement production the plant can generate which, in turn, limits the number of truck trips to and from the site. According to the applicant, the plant currently generates approximately 120 vehicle trips per day on average.

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

### **Public Utilities**

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

### **Comprehensive Plan**

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

### **RECOMMENDATION:**

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

1. If construction has not commenced on the project within twelve (12) months from the issuance of the special use permit, the permit shall become void. During this twelve month period, permits pertaining to construction shall be secured and all clearing and grading activities on the site shall be completed.
2. A Spill Prevention and Control Measure Plan shall be approved by the Director of Code Compliance prior to issuance of a Final Certificate of Occupancy for the ready mix concrete plant.
3. A dust collection system shall be utilized on the ready mix concrete plant. The manufacturer's specifications for the system shall be submitted with the site plan and shall be approved by the



Director of Planning prior to final site plan approval.

4. No flags or signage on any silo, hopper, or any other piece of permanent equipment shall be permitted.
5. All exterior light fixtures on the property shall have recessed fixtures with no lens, bulb, or globe extending below the casing, and there shall be no direct visibility of the light source from adjacent residential property or from a public road.
6. The "reverse warning beepers" on all equipment which serves the ready mix concrete plant shall be turned down to their lowest volumes.
7. Rock, gravel, sand, cement and/or similar materials shall be stored in bins to control runoff and scattering of such materials onto adjacent property. An erosion and sediment control and runoff management plan shall be approved by the Environmental Director prior to final site plan approval.
8. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The landscaping plan shall address the screening of any stormwater management facility or material storage area on the property.
9. Prior to the issuance of preliminary approval for the site plan required for the expansion, the applicant shall receive approval of a plat to eliminate the common lot line between the two parcels currently identified as Parcels (5-2) and (5-3) on James City County Real Estate Tax Map No. (59-2).
10. Only one entrance shall be allowed onto Manufacture Drive unless otherwise permitted by the Development Review Committee.
11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

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Christopher Johnson

CONCUR:

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O. Marvin Sowers, Jr.

## MEMORANDUM

**Date:** February 3, 2003  
**To:** The Planning Commission  
**From:** Dave Anderson, Planner  
**Subject:** Case No. ZO-1-03. Multiple-Family Dwelling Amendment

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

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

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

### RECOMMENDATION:

Staff finds the addition of five to eight-family dwellings as a special use to the R-2 and R-5 zoning districts will have an environmentally beneficial impact and will allow more flexibility in the development of residential clustered master planned communities.

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Dave Anderson

Attachments:

1. Revised Ordinance

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

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

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

Chapter 24. Zoning

Article V. Districts

Division 4. General Residential District, R-2

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

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

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

Division 6. Multifamily Residential District, R-5

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

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

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

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

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this \_\_\_\_ day of \_\_\_\_\_, 2003.

**Special Use Permit-1-03. Williamsburg Plantation Section 10/MP-1-03. Williamsburg Plantation Master Plan Amendment**  
**Staff Report for February 3, 2003, Planning Commission Public Hearing**

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

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**PUBLIC HEARINGS**

Planning Commission: February 3, 2003 - 7:00 p.m. Building C Board Room  
Board of Supervisors: March 11, 2003 - 7:00 p.m. Building C Board Room (tentative)

**SUMMARY FACTS**

Applicant: Mr. Richard Costello, AES Consulting Engineers

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

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

Location: 4870 Longhill Road, Williamsburg Plantation; Berkeley District

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

Primary Service Area: Inside

Parcel Size: 1.72 acres

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

Comprehensive Plan: Low Density Residential

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

Staff Contact: David Anderson Phone: 253-6685

**RECOMMENDATION:**

Staff finds the proposal consistent with the surrounding residential zoning since the total number of approved units will remain unchanged. Staff also finds the proposal consistent with the Low Density Residential designation of the Comprehensive Plan since the overall density of the development will remain unchanged. The proposal will also have less impacts than the approved structure type. Therefore, staff recommends the Planning Commission approve the special use permit with the attached conditions.

**Project Description**

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

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

Each current unit contains four bedrooms and four bathrooms. The proposed units are smaller, each containing 2 bedrooms and 2 bathrooms. While this proposal does not alter the total number of units proposed for the project, each unit is smaller in size and area. The proposal actually halves the number of bedrooms and bathrooms from 64 to 32 for these 16 units. Additionally, the overall density of the development will remain unchanged.

### **Impacts**

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

Traffic - Technically per VDOT this is a change from townhouse (8.7 trips) to condominium (5.2 trips) and traffic is reduced 40%.

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

### **Surrounding Zoning and Land Use**

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

### **Comprehensive Plan**

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

### **RECOMMENDATION**

Staff finds the proposal consistent with the surrounding residential zoning since the total number of approved units will remain unchanged. Staff also finds the proposal consistent with the Low Density Residential designation of the Comprehensive Plan since the overall density of the development will remain unchanged. The proposal will also have less impacts than the approved structure type. Therefore, staff recommends the Planning Commission approve the special use permit with the following attached conditions:

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

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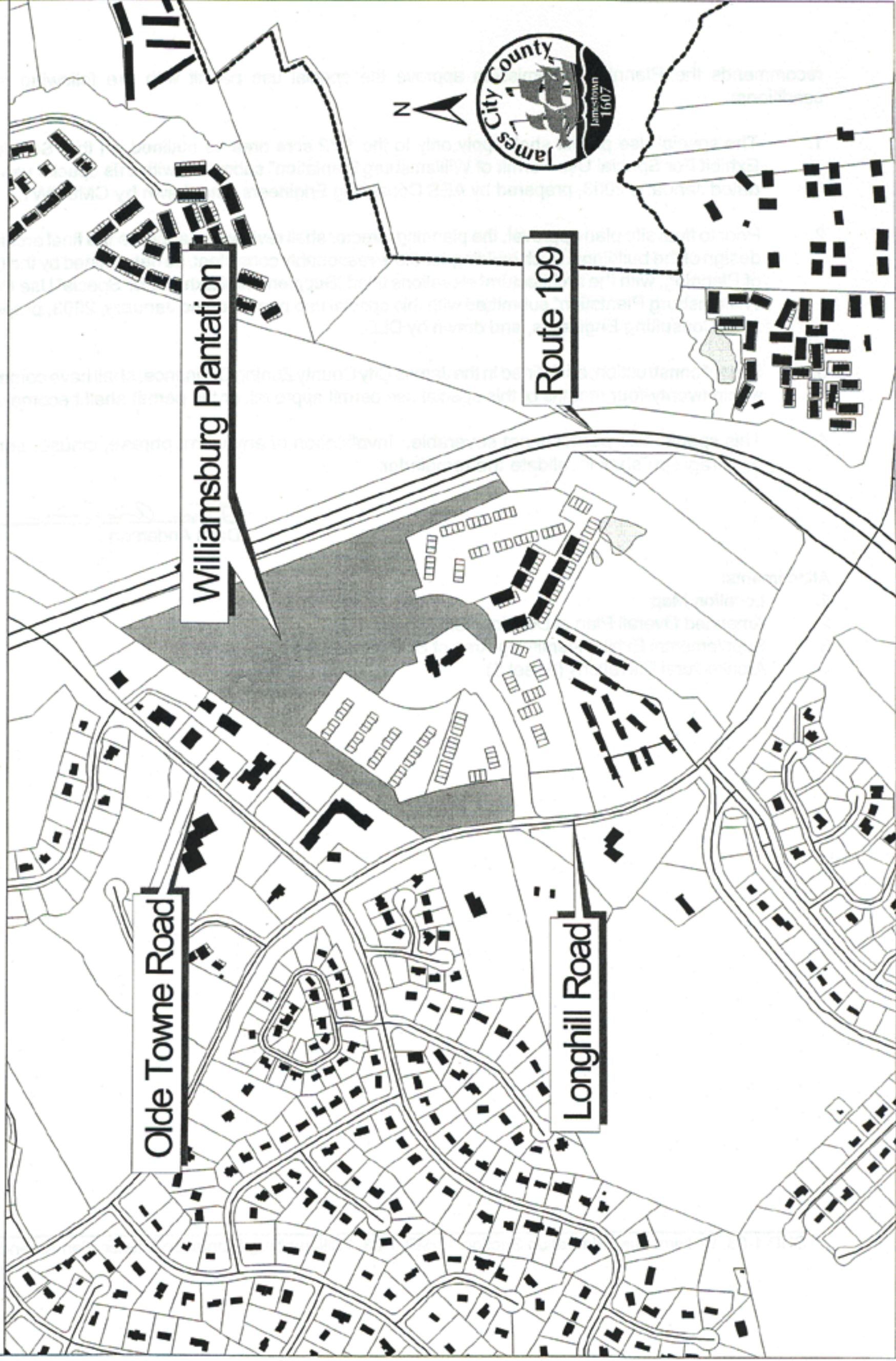
Dave Anderson

Attachments:

1. Location Map
2. Amended Overall Plan of Development (Sheets 1-2)
3. Supplemental Exhibit Identifying Area of SUP (Sheets 3-4)
4. Architectural Elevations (Sheet 5)



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





## PLANNING DIRECTOR'S REPORT

FEBRUARY, 2003

This report summarizes the status of selected Planning Division activities during the last 30 days.

1. New Town DRB Cases. The New Town Design Review Board reviewed two cases in January. One was a conceptual plan for the William E. Wood office building and the other was a setback reduction request for structures along Monticello Avenue. Both were conceptual reviews so no formal action was taken, but the DRB reacted favorably to both proposals.
2. Comprehensive Plan Update. The Comprehensive Plan Community Participation Team (CPT) concluded work on the first round of citizen input efforts by validating and forwarding all citizen input to the Steering Committee, libraries, and the Neighborhood Connection office. The input is also posted on the web for easy viewing. The CPT also began planning for the second round of citizen input by setting the schedule and discussing various communications strategies. The next Community Conversations will be March 6 at Mount Gilead Baptist Church in Grove 6:30 to 8:30 p.m. and March 10 at Lafayette High School from 6:30 to 8:30 p.m. The Comprehensive Plan Steering Committee completed the majority of its review of the Public Facilities section in January with School Administration staff scheduled to attend the February 3<sup>rd</sup> Steering Committee meeting to complete review of the Public Facilities section. The Steering Committee began its review of the Parks & Recreation section on January 27<sup>th</sup> with the Williamsburg Land Conservancy making a presentation to the Steering Committee and the Historic Route 5 Association submitting a detailed list of concerns and comments. The Steering Committee remains on schedule to deliver the draft Comprehensive Plan to the full Planning Commission in July, 2003 (5 months from now).
3. Planning Commission Appointment. Planning Commissioner Don Hunt was reappointed by the Board of Supervisors to another four year term. Staff congratulates Don and looks forward to continuing to work with him.
4. Capital Improvements Program. Staff has been working with the Financial Management Services Department to summarize the CIP requests for FY2004-FY2008. The Policy Committee is scheduled to meet January 29<sup>th</sup>, February 5<sup>th</sup>, 6<sup>th</sup>, and 12<sup>th</sup> to review the CIP requests. A recommendation will be forwarded to the Planning Commission at its March Meeting.
5. Light Rail. Hampton Roads Transit is scheduled to make a presentation on the feasibility study for light rail at the Board of Supervisor's February 25, 2003 meeting. As light rail will be addressed in the 2003 Comprehensive Plan Update, Planning Commissioners are encouraged to watch the presentation.
6. Secondary Road Plan. The Board of Supervisors held a work session on January 28, 2003 to consider an amended Secondary Road Plan. The amendments are necessary due to significant reductions in secondary road allocations and increased construction costs. As a result most projects will be substantially delayed.
7. Other Board Action. At its January 14th meeting, the Board of Supervisors approved Case No. SUP-20-02. Nationwide Transmission Auto Sales.
8. Upcoming Cases. New cases that are tentatively scheduled for the March 3, 2003, Planning Commission meeting:

### CASE NO. SUP-23-02 Mt. Gilead Affordable Housing Project

This Special Use Permit was submitted by Reverend William Dawson on behalf of Mt. Gilead Baptist Church to allow two two-family dwellings on property owned by the church at 8647 Pocahantas Trail. Two-family dwellings are specially permitted uses in the R-2 zoning district in which this property is located.

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O. Marvin Sowers, Jr.