

A G E N D A  
JAMES CITY COUNTY PLANNING COMMISSION  
JULY 12, 2004 - 7:00 p.m.

1. ROLL CALL
2. Minutes
  - A. June 7, 2004 Regular Meeting
3. COMMITTEE AND COMMISSION REPORTS
  - A. Development Review Committee (DRC) Report
  - B. Other Reports
4. PUBLIC HEARINGS
  - A. SUP-14-04 John Tyler Monopole Tower
  - B. Z-06-04/MP-06-04 – Lightfoot Mixed Use
  - C. Z-11-03 / MP-11-03 Stonehouse Modifications
  - D. ZO-002-04 – Zoning Ordinance Amendment – Manufacture of Stone Products
  - E. SUP-20-04 – AJC Woodworks Modifications
  - F. SUP-18-04 – Precious Moments SUP Renewal
  - G. Z-02-04 – Air Tight Storage/Oaktree Office Park Expansion
  - H. SUP-19-04 – Williamsburg Winery – Gabriel Archer Tavern
  - I. AFD-01-93 – Williamsburg Farms – Winery Withdrawal
  - J. SUP-13-04 Williamsburg Farm Country Inn
6. PLANNING DIRECTOR'S REPORT
7. ADJOURNMENT

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

1. ROLL CALL

A. Joe Poole, III  
Peggy Wildman  
Jack Fraley  
Donald Hunt  
Joseph McCleary  
Wilford Kale  
George Billups

ALSO PRESENT

Leo Rogers, Deputy County Attorney  
O. Marvin Sowers, Jr., Planning Director  
Pat Foltz, Development Management Assistant  
Christopher Johnson, Senior Planner  
Sarah Weisiger, Senior Planner  
John Carnifax, Parks and Recreation  
Paul Tubach, Parks and Recreation  
Matthew Arcieri, Planner

2. ROLL CALL

3. MINUTES

Mr. Joe McCleary proposed a change for a parenthetical phrase stating (no relation to Hogan).

Mr. McCleary moved to approve the minutes of the April meeting.

Ms. Peggy Wildman seconded motion.

In a unanimous voice vote the Commission approved the minutes with corrections.

4. COMMITTEE AND COMMISSION REPORT

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. McCleary, chairman of the DRC, presented the DRC report. The DRC heard eight cases at its June meeting. The DRC recommended approval for cases C-055-04 - Mid-County Park Trail Addition, SP-057-04 – Archaerium at Historic Jamestown, SP-027-04 Greensprings Condominiums, SP-018-04 - New Town Block 8, Phase 1B, and SP-038-04 – Greensprings West, Phases 4B and 5.

The DRC deferred action on three cases: S-037-04/SP-056-04 – Michelle Point, SP-059-04 – Norge Neighborhood, and SP-051-04 Druid Hills, Section D.

Mr. Kale inquired where in Druid Hills the site plan dealt with.

Mr. McCleary responded that it was near Anthony lane.

Mr. Kale related that, from personal experience as a resident, the road in question was not to be built.

Mr. McCleary gave further detail into the case, including potential reasons as to why the plan had recently come forward.

Mr. Fraley pointed out a case numbering inconsistency in the DRC report.

Mr. McCleary spoke to the importance of posting a private drive on certain property. He also spoke to a condition in the proffers connecting Norge Neighborhood and Kristiansand.

Mr. Kale related specifics behind the decision making for that connection, in that it was kept narrow in order to prevent it from becoming a vehicular connection.

Mr. McCleary spoke to the existing dangers of the path, including the danger of skateboarders using the path.

Mr. Hunt moved to approve the DRC report.

Mr. Kale seconded the motion.

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

5. PUBLIC HEARINGS

A. CASE NO. SUP-13-04 Williamsburg Farms Country Inn

Mr. Matt Arcieri stated that the applicant, Mr. Vernon Geddy, of Geddy, Harris, Hickman, and Franck, requested deferral to the June meeting of the Planning Commission in order to resolve outstanding issues. Staff concurred with the request.

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

Hearing no requests to speak, Mr. Poole deferred the case until the June 7th meeting.

B. CASE NO. SUP-14-03 John Tyler Monopole Tower

Mr. Matt Arcieri stated that the applicant, Mr. Nathan Holland of Omnipoint Communications, requested a deferral in order to address several outstanding issues. Staff concurred with the applicant's request.

Mr. Kale asked for specifics into the outstanding issues.

Mr. Arcieri responded that there was a historic element to the issue.

Mr. Nathan Holland stated that the State Historic Preservation Office of Virginia is to deliver permission to do so in the near future. The case will go forward when that permission is received.

Mr. Arcieri stated that the proposed zoning designation, density, and use are all consistent

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

Hearing no requests to speak, Mr. Poole, III deferred the case until the June 7th meeting.

C. CASE NO. Z-11-03 & MP-11-03 Stonehouse Master Plan Modification

Mr. Matt Arcieri stated that the applicant, Mr. Alvin Anderson, of Kaufman and Canoles, requested deferral to the June meeting of the Planning Commission in order to resolve outstanding issues concerning the Stonehouse master plan and proffers. Staff concurred with the request.

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

Hearing no requests to speak, Mr. Poole deferred the case until the June 7th meeting.

D. CASE NO. SUP-16-04 Warhill Airport

Ms. Sarah Weisiger presented the staff report. Mr. Larry Waltrip of the Williamsburg-Jamestown Airport has applied on behalf of Mary Waltrip for an amendment to SUP-23-97, approved December 9, 1997. The original special use permit included property at **100 Marclay Drive** also identified as parcel nos. (1-5A) and (1-6) on James City County tax map no. (48-2). The SUP amendment does not propose any change to the conditions of SUP-23-97. The amendment will allow for the construction of T-Hangars #14, 17, and 20 as shown on the approved master plan on approximately 14.6 acres adjacent to the airport south of Marclay Road in parcel no. (1-12) on James City County tax map no. (48-2). A special use permit is required for airports and accessory uses in the R-8, Rural Residential zoning district in which the property is located. The Comprehensive Plan Land Use Map designates the property as Airport. Staff recommended approval of the application.

Mr. McCleary requested clarification whether or not Stage I or Stage II was up for approval.

Ms. Weisiger stated that the application brought only that property into the conditions of the SUP.

Mr. Poole opened the public hearing.

Seeing no speakers, Mr. Poole closed the public hearing.

Mr. Poole found the application in keeping with the 1997 SUP and expressed his full support.

Mr. Kale moved to approve the application.

Mr. Hunt seconded the motion.

Mr. Poole confirmed that the applicant was satisfied with the conditions.

Ms. Weisiger responded that he was.

In a unanimous roll call vote the application was approved 7:0; AYE: (7) Poole, McCleary, Fraley, Hunt, Kale, Billups, Wildman; NAY: (0).

E. Case No. SUP-17-04 JCC Tower – Forge Road

Mr. Matthew Arcieri presented the staff report. Mr. Richard Miller has applied on behalf of James City County for a special use permit amendment to increase the height of the communication tower serving as part of the 800 Mhz. Radio System from 140 to 160 feet. The location of the tower will not change. This amends the special use permit previously approved on April 27, 2004. The site is located at **3135 Forge Road** (EOC Building), zoned B-1, General Business and designated Federal, State and County Lands on the 2003 Comprehensive Plan Land Use Map. The property can be further identified as Parcel No. (1-27) on JCC Real Estate Tax Map No. (12-3). Staff recommended approval.

Mr. Poole opened the public hearing.

Seeing none, Mr. Poole closed the public hearing.

Mr. McCleary motioned to approve the application.

Mr. Hunt seconded the motion.

In a unanimous roll call vote the application was approved 7:0; AYE: (7) McCleary, Fraley, Hunt, Kale, Billups, Poole NAY (0).

F. Case No. SUP-17-03/MP-05-03 Warhill Sports Complex

Mr. Chris Johnson presented the staff report. Mr. Needham Cheely, on behalf of James City County Parks and Recreation, has applied for a special use permit amendment and master plan amendment to add

additional recreational facilities at the Warhill Sports Complex generally located north of Longhill Road, east of Centerville Road and west of Route 199. The properties are located at **5700 Warhill Trail** and are zoned R-8, Rural Residential, and designated as Park, Public, or Semi-Public Open Space on the Comprehensive Plan Land Use Map. The properties can be further identified as parcels (1-12) on the JCC Tax Map No. (32-1). Staff recommended approval for the request.

Mr. McCleary clarified that BMX tracks would be for bicycles.

Mr. Johnson concurred.

Mr. Hunt questioned where the primary access for the site would be.

Mr. Johnson responded that the plan allowed for a secondary road connecting the park to Centerville road that would be contingent on future talks between VDOT and the Parks and Recreation department.

Mr. Billups asked if the outlying parts of the complex could be completed without VDOT review of a traffic study.

Mr. Johnson responded that, though VDOT has the power to require it, that they would likely not ask for it in the near future.

Mr. Poole opened the public hearing.

Mr. Needham Cheely, Director of Parks and Recreation, made himself available to ask questions.

Mr. Kale asked if there was a plan in place for the future stadium site.

Mr. Cheely responded that the considerations for this site would be contingent upon funding availability and public interest, which at current time would predict a possible start date after 2007.

Mr. Kale questioned how far along parking plans had been advanced for that site.

Mr. Cheely responded that, though no formal plan had been formulated, some sort of shared parking agreement with other fields would be pursued.

Mr. Kale expressed his concern for the parking around the E and F field sites, specifically to the aesthetics of the park being too dominated by parking lots, and that the eventual demand for the fields will overrun the capacity of Longhill and Warhill roads. He proposed a more shared parking aspect to the field design.

Mr. Cheely re-iterated that no facility will be built without VDOT review, and that VDOT has the ability to call for a traffic study once it is deemed necessary. As to Centerville Road access, Mr. Cheely spoke to the safety hazard posed by a full road, which could be used as a cut through, and stressed the intention that it would be used in emergencies only. Given the expanding season length of youth athletic seasons, parking in the park was meant to be convenient, not dedicated, to a certain field and reassured that the parking plan reflected in the application addressed that point.

Mr. Billups asked what percentage of the park acreage could be used for parking.

Mr. Cheely responded that certain areas had been treated, out of experience, to admit the overflow parking that will inevitably be needed.

Mr. Billups asked if there were a target group of residents that would be impacted.

Mr. Cheely responded that Parks and Recreation had conducted regular meetings with the Mallard Hill Subdivision and discussions with the large-lot property owners adjacent to the park.

Mr. Fraley related to the commission the current parking situation, which was characterized by frequent use of unpaved overflow areas.

Mr. Kale stated his concern about the placement and location of parking slots, and that combined parking would improve the overall convenience of parking at the complex.

Mr. Cheely re-stated those concerns, to maximize current and shared usages, and to balance individual, dotted parking elements while placing them strategically in relation to the facilities, are considered within the plan.

Mr. Poole stated while, that it was difficult to expect people to walk the distance of the soccer field, and, the parking plan in the application was satisfactory.

Mr. Kale spoke to the importance of the configurations, and that placing individual parking lots specific to each facility in fact made access to the site less convenient.

Mr. Poole closed the public hearing.

Mr. McCleary expressed his support for recreational facilities and moved to approve the application.

Mr. Kale seconded the motion.

Mr. Poole expressed his support for the facility and credited staff for the high quality of the current facility.

Mr. Sowers confirmed that the motion included amended conditions.

In a roll call vote the application was approved 7:0; AYE: (7) McCleary, Fraley, Hunt, Kale, Billups, Wildman; Poole NAY (0).

G. Case No. SUP-11-04/MP-03-04 Freedom Park

Mr. Johnson delivered the staff report. Mr. Needham Cheely, on behalf of James City County Parks and Recreation, has applied for a special use permit amendment and master plan for Freedom Park generally located west of the intersection of Longhill Road and Centerville Road. The properties are located at **5535, 5537, and 5981 Centerville Road** and are zoned A-1, General Agricultural, and LB, Limited Business, and designated as Park, Public, or Semi-Public Open Space on the Comprehensive Plan Land Use Map. The properties can be further identified as parcel (1-6) on Tax Map No. (31-1); parcel (1-9) on the JCC Tax Map No. (30-1); and parcel (1-10) on Tax Map No. (30-2). Staff recommended approval.

Mr. Poole opened the public hearing.

Mr. George Eckles, 2608 Sir Thomas Way, stated his support for a golf course in James City County in response to the aging population. Mr. Eckles spoke to the absence of a golf course on the upcoming bond issue and urged the community to consider it.

Mr. Cheely stated that the golf course was a product of deliberations dating from 1994 and that a public golf course might duplicate services and strain partnerships in the private sector, where many golf courses have been built. He also responded that public interest in a public golf course had not been as strong as anticipated.

Mr. McCleary asked if there were any current public access to private courses.

Mr. Cheely responded that there was public access currently but that financial issues constrained public access.

Mr. Kale expressed the need for more golf opportunities.

Mr. Billups asked for more detail into the partnership between private courses and Parks and Recreation.

Mr. Cheely responded that PR has no budgetary money to facilitate golf discounts. He re-iterated that golf has indeed become more affordable and that PR is having active discussions as to a special rates and access programs centered on family golfing.

Mr. Billups asked if Parks and Recreation had anticipated a future resurgence of public interest in golf and if it had explored the possibility of an County-run 18-hole course.

Mr. Cheely demonstrated a possible location for the course within Freedom Park, though it was not part of the current plan.

Seeing no other speakers, Mr. Poole closed the public hearing.

Mr. McCleary stated that the County enjoyed a high degree of quality of public facilities and moved for approval.

Ms. Wildman seconded the motion.

Mr. Billups stated his concern into the need for affordable family golf opportunities within the County.

Mr. Poole registered his support the motion.

Mr. Hunt asked if the archaeological sites were concentrated at one area in the park or were they dispersed.

Mr. Johnson responded that the archaeological surveys were only conducted in the area of anticipated initial construction.

In a roll call vote the application was approved 7:0; AYE: (7) McCleary, Fraley, Hunt, Kale, Billups, Wildman; Poole NAY (0).

5. PLANNING COMMISSION CONSIDERATION

A. Initiating Resolution for Zoning Ordinance Amendment.

Mr. Sowers related that a business in James City County requested permission to use previously prepared stone in a business. The purpose of bringing it before the Planning Commission is to approve the resolution, then initiating the revision.

Mr. Fraley motioned to approve the resolution.

Mr. Hunt seconded the motion.

Mr. Billups confirmed that the ordinance was being changed to allow what is already in place.

In a roll call vote the application was approved 7:0; AYE: (7) McCleary, Fraley, Hunt, Kale, Billups, Wildman; Poole NAY (0).

6. PLANNING DIRECTOR'S REPORT

Mr. Marvin Sowers presented the report. He highlighted Item 3, where the Board will be considering

the Five Forks Area Study, a requirement of the 2003 Comprehensive Plan. A public meeting has been set for Wed, June 30.

Mr. Hunt brought up a VDOT initiative to examine current and future potential bridge sites.

Mr. Sowers responded that a 1992 feasibility study on river crossing had been undertaken by VDOT, and that recently VDOT had elected to pursue a down-river crossing site. Keeping it close to the bridge is a key opportunity.

Mr. McCleary suggested moving the start time of the PC's July meeting up an hour to anticipate a full agenda.

Mr. Johnson detailed the number of cases.

Ms. Wildman asked whether or not anything had been done to clean up the two roads adjacent to Five Forks.

Mr. Sowers responded that one of the features of the 2003 Comprehensive Plan is to identify sites for redevelopment.

Mr. Poole reopened the issue of meeting time.

Mr. Kale stated that a 6:30 time might be acceptable, but that historically, earlier start times had not been ultimately needed.

Mr. Poole proposed the idea of a second day in July for public hearings.

Mr. Hunt asked if there were any way to arrange the meeting so that contentious cases were placed near the beginning of the agenda.

Mr. Johnson related to the commission that those cases were often hard to identify.

7. ADJOURNMENT

There being no further business, the February 2, 2004, meeting of the Planning Commission was recessed at approximately 8:43 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: 6/1/2004 THROUGH: 6/30/2004**

**I. SITE PLANS**

**A. PENDING PRELIMINARY APPROVAL**

SP-087-01	The Vineyards, Ph. 3
SP-112-02	Ford's Colony Recreation Park
SP-035-03	Prime Outlets, Ph. 5-A & 5-B - SP Amend.
SP-045-03	Noah's Ark Vet Hospital SP Amend.
SP-052-03	Kingsmill Access Ramp for Pool Access Bldg.
SP-063-03	District Park Sports Complex Parking Lot Expansion
SP-079-03	Tequila Rose Walk-in Cooler
SP-086-03	Colonial Heritage Golf Course
SP-095-03	KTR Stonemart
SP-131-03	Colonial Heritage Ph. 2, Sec. 1
SP-132-03	Windy Hill Market Gas Pumps & Canopy SP Amend.
SP-145-03	Williamsburg National 13 Course Expansion
SP-006-04	Williamsburg Christian Retreat Center Amend.
SP-014-04	Action Park of Williamsburg Ride
SP-016-04	Richardson Office & Warehouse
SP-025-04	Carter's Cove Campground
SP-041-04	Ford's Colony - Country Club Redevelopment SP Amd.
SP-047-04	Villages at Westminster Drainage Improvements
SP-050-04	AJC Woodworks
SP-051-04	Druid Hills, Sec. D
SP-054-04	Milanville Kennels
SP-056-04	Michelle Point
SP-059-04	Norge Neighborhood
SP-063-04	Merrimac Center Project Greenhouse
SP-067-04	Treyburn Drive Courtesy Review
SP-069-04	New Town - Block 5, Parcel D & E, Mixed Use Bldgs.
SP-070-04	Godspeed Animal Care
SP-072-04	ECC Building
SP-074-04	Chesapeake Bank
SP-076-04	Stonehouse Recreational Vehicle Storage Area
SP-077-04	George Nice Adjacent Lot SP Amend.
SP-078-04	First Advantage Federal Credit Union
SP-079-04	Norge Railway Station
SP-080-04	JCC Communications Tower - EOC

**B. PENDING FINAL APPROVAL**

SP-050-03	Wmbg-Jamestown Airport T-Hanger & Parking Exp.
SP-056-03	Shell Building - James River Commerce Center

**EXPIRE DATE**

7/29/2004
3/ 4/2005

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SP-091-03	Colonial Heritage Ph. 1, Sec. 5	8/ 4/2004
SP-092-03	Ford's Colony - Westbury Park, Recreation Area #2	9/ 8/2004
SP-108-03	Fieldstone Parkway Extension	2/26/2005
SP-116-03	Kingsmill - Armistead Point	11/19/2004
SP-134-03	Ironbound Center 4	12/15/2004
SP-136-03	GreenMount Industrial Park Road Extension	3/15/2005
SP-138-03	New Town - Prudential-McCardle Office Building	12/29/2004
SP-140-03	Pocahontas Square	3/ 1/2005
SP-141-03	Colonial Heritage - Ph. 2, Sec. 3	1/12/2005
SP-143-03	New Town - United Methodist Church	1/12/2005
SP-150-03	WindsorMeade Marketplace	2/ 3/2005
SP-003-04	WindsorMeade Villas	3/ 1/2005
SP-004-04	WindsorMeade - Windsor Hall	3/ 1/2005
SP-005-04	WindsorMeade - Villa Entrance & Sewer Const.	3/ 3/2005
SP-015-04	New Town - Sec. 4, Ph. 2 Infrastructure	4/ 5/2005
SP-017-04	Settlement at Monticello - Community Club	4/ 6/2005
SP-018-04	New Town - Block 8, Ph. 1B	6/ 7/2005
SP-023-04	Williamsburg Landing SP Amend.	4/ 2/2005
SP-027-04	Greensprings Condominiums SP Amend.	6/ 7/2005
SP-045-04	Powhatan Co-Location Monopole Tower	4/29/2005
SP-057-04	The Archaearium at Historic Jamestowne	6/15/2005
SP-060-04	New York Deli	6/10/2005
SP-064-04	Eckerd's at Powhatan Secondary	6/17/2005

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

#### **DATE**

SP-009-03	Energy Services Group Metal Fabrication Shop	6/10/2004
SP-127-03	New Town - Old Point National Bank	6/16/2004
SP-139-03	New Town - Block 8, Ph. 1	6/15/2004
SP-009-04	Colonial Heritage - Ph. 1, Sec. 3 & 3A	6/11/2004
SP-013-04	Gabriel Archer - Williamsburg Winery - SP Amend.	6/18/2004
SP-028-04	Shiloh Baptist of Croaker	6/ 7/2004
SP-034-04	Lafayette H.S. Trailer Addition	6/ 2/2004
SP-037-04	Stonehouse ES Trailer Addition	6/ 2/2004
SP-042-04	Dream Catchers Therapeutic Riding Center	6/21/2004
SP-046-04	Williamsburg Cancer Treatment Center SP Amend.	6/29/2004
SP-058-04	Dominion Power - Maintenance Building	6/ 8/2004
SP-065-04	Jamestown High School PTSA Sign	6/15/2004
SP-066-04	Jamestown High School Modular Storage Bldg.	6/ 2/2004
SP-068-04	Owens-Brockway Glass Container - Concrete Slab	6/ 8/2004
SP-071-04	Kingsmill Resort Tent	6/28/2004
SP-073-04	Jamestown Island - Starving Times Café	6/28/2004
SP-075-04	Nicewood	6/17/2004

#### **D. EXPIRED**

#### **EXPIRE DATE**

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## II. SUBDIVISION PLANS

### A. PENDING PRELIMINARY APPROVAL

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, Sec. 2B
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-008-02	James F. & Celia Ann Cowles Subdivision
S-086-02	The Vineyards, Ph. 3, Lots 1, 5-9, 52 BLA
S-062-03	Hicks Island - Hazelwood Subdivision
S-066-03	Stonehouse, BLA & BLE Parcel B1 and Lot 1, Sec. 1A
S-067-03	Ford's Colony Sec. 33, Lots 1-49
S-083-03	Columbia Drive Subdivision
S-094-03	Brandon Woods Parkway ROW
S-100-03	Colonial Heritage Ph. 2, Sec. 1
S-101-03	Ford's Colony - Sec. 35
S-107-03	Stonehouse Conservation Easement Extinguishment
S-108-03	Leighton-Herrmann Family Subdivision
S-116-03	Stonehouse Glen, Sec. 2
S-003-04	Monticello Ave. ROW plat for VDOT
S-008-04	Lake Powell Forest Ph. 6
S-021-04	Varble Subdivision
S-022-04	ROW Conveyence for Rt. 5000 & Rt. 776 Abandonment
S-027-04	Lake Powell Forest Ph. 7
S-029-04	BLA Lots 1A & 1B Longhill Gate
S-034-04	Warhill Tract BLE / Subdivision
S-037-04	Michelle Point
S-046-04	ARGO Ph. 2
S-047-04	ARGO Ph. 3
S-048-04	Colonial Heritage - Open Space Easement
S-054-04	6096 Centerville Road Subdivision
S-055-04	117 Winston Terrace
S-056-04	603 and 604 Dogleg BLA
S-057-04	Boughsprings Resubdivision of Lot 22B
S-058-04	New Town - Block 2, Parcel D
S-059-04	Greensprings West Ph. 6
S-060-04	Williamsburg Jamestown Airport

### B. PENDING FINAL APPROVAL

		EXPIRE DATE
S-037-02	The Vineyards, Ph. 3	5/ 4/2005
S-076-02	Marion Taylor Subdivision	10/ 3/2004
S-094-02	Powhatan Secondary Ph. 7-C	12/30/2004
S-108-02	Scott's Pond, Sec. 3	1/13/2005

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S-033-03	Fenwick Hills, Sec. 2	10/31/2004
S-044-03	Fenwick Hills, Sec. 3	6/25/2005
S-049-03	Peleg's Point, Sec. 5	7/ 3/2004
S-055-03	Colonial Heritage Ph. 1, Sec. 5	8/ 4/2004
S-056-03	Colonial Heritage Ph. 1, Sec. 4	9/23/2004
S-057-03	Ford's Colony - Sec. 34	8/19/2004
S-073-03	Colonial Heritage Ph. 2, Sec. 2	10/ 6/2004
S-076-03	Wellington, Sec. 4	11/ 3/2004
S-078-03	Monticello Woods - Ph. 2	11/ 3/2004
S-098-03	Stonehouse Glen, Sec. 1	4/ 5/2005
S-099-03	Wellington, Sec. 5	2/ 3/2005
S-106-03	Colonial Heritage Ph. 2, Sec. 3	1/12/2005
S-001-04	Ironbound Village Ph. 2, Parcel 2	2/17/2005
S-002-04	The Settlement at Monticello (Hiden)	3/ 1/2005
S-007-04	Druid Hills, Sec. D Resubdivision	3/12/2005
S-009-04	Colonial Heritage Public Use Site B	3/18/2005
S-033-04	2011 Bush Neck Subdivision	5/ 4/2005
S-035-04	Colonial Heritage Blvd. Ph. 2 Plat	4/28/2005
S-036-04	Subdivision at 4 Foxcroft Road	6/15/2005
S-038-04	Greensprings West Ph. 4B & 5	6/ 9/2005
S-039-04	Governor's Land - Wingfield Lake Lots 27, 28	6/14/2005
S-041-04	6199 Richmond Road Subdivision	6/14/2005
S-042-04	Eckerd's at Powhatan Secondary	6/17/2005
S-044-04	8715 Pocahontas Trail BLE	5/20/2005
S-045-04	ARGO Ph. 1	6/28/2005
S-049-04	Norge Neighborhood	6/18/2005
S-050-04	Colonial Heritage - Golf Maintenance ROW	6/15/2005
S-051-04	WindsorMeade Marketplace	6/17/2005
S-052-04	The Villages at Powhatan, Ph. 7	6/15/2005
S-053-04	The Colonial Heritage Club	6/21/2005

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

#### **DATE**

S-058-03	Ford's Colony - Sec. 10, 171-172	6/16/2004
S-115-03	Eagle Tree Farm Lot 12	6/23/2004
S-006-04	Colonial Heritage - Ph. 1, Sec. 3 & 3A	6/11/2004
S-013-04	Wexford Hills Ph. 2	6/ 1/2004
S-017-04	Green Mount Lot 1A	6/14/2004
S-024-04	161 Old Stage Road Subdivision	6/30/2004

#### **D. EXPIRED**

#### **EXPIRE DATE**

**DEVELOPMENT REVIEW COMMITTEE ACTION REPORT**  
**Meeting of July 7, 2004**

**Case No. S-037-04 / SP-056-04**

**Michelle Point**

Mr. Jay Epstein of Michelle Point LLC submitted subdivision and site plans proposing the creation of single-family and townhouse units in Michelle Point. The property is located at 9001 Barhamsville Road and is further identified as parcel (1-3) on James City County Tax Map (12-1). DRC review is necessary for the following reasons: That the proffers for this development state that there shall be a variable width, undisturbed buffer along Route 30 frontage subject to approval by the DRC; that the proffers also state that the owner shall provide recreational facilities subject to the approval of the DRC; and that the project proposes more than fifty residential units.

**DRC Action:** The DRC approved the recreation facilities and the location of certain features in the buffer along Route 30. The DRC also recommended preliminary approval be issued subject to agency comments and Chesapeake Bay Board requirements.

**Case No. SP-072-04**

**ECC Building**

James City County Fire Chief Richard Miller has submitted a site plan proposing a 7,156 square foot emergency communications center. The site is located at 3127 Forge Road and is further identified as parcel (1-27) on James City County Tax Map (13-3). DRC review is necessary for any public area or facility use not shown on the Comprehensive Plan.

**DRC Action:** The DRC found the application consistent with the Comprehensive Plan.

**Case No. SP-080-04**

**EOC Tower**

James City County Fire Chief Richard Miller has submitted a site plan proposing a 160-foot communications tower to serve as part of the JCC 800-MHz trunked radio system. The site is located at 3127 Forge Road and is further identified as parcel (1-27) on James City County Tax Map (13-3). DRC review is necessary for any public area or facility use not shown on the Comprehensive Plan.

**DRC Action:** The DRC found the application consistent with the Comprehensive Plan.

**Case No. SP-069-04**

**New Town – Block 5, Parcels D+E**

Mr. Bob Cosby of AES Consulting Engineers submitted a site plan proposing the approval of four mixed use buildings: Building A-1 shares a common wall with the Corner Pocket and will contain 3,855 square feet of retail space and two residential units; Building A contains 4,381 square feet of retail and contains six residential units; Building B contains 4,038 square feet of retail space and eight residential units; and Building C contains 7,336 square feet of retail, 7,183 of commercial square footage and six residential units. The parcels are further identified as parcel (24-7) on James City County Tax Map (38-4) and parcel (24-1) on Tax Map (38-2). DRC review is required as the proposed buildings exceed 30,000 of total floor area.

**DRC Action:** The DRC unanimously recommended preliminary approval subject to agency comments.

**Case No. C-007-03****Town Center Parking Overview**

Mr. Bob Cosby of AES Consulting Engineers, on behalf of Mr. Bob Ripley of GCR, submitted a conceptual plan for parking for Blocks 2, 5, and 8 in New Town. The property is along Monticello Avenue and is further identified as parcel (1-50) on James City County Tax Map (38-4). DRC review is required because the application proposes general off-site parking and shared parking for the aforementioned blocks and also proposes automatic review for off-site and shared parking for New Town.

**DRC Action:** the DRC voted unanimously to approve the July, 2004 quarterly update for New Town Section 2&4, Blocks 2, 5 & 8 shared parking and off-site parking with the October 2004 quarterly update to be placed on the DRC consent agenda.

**Case No. SP-014-04****Go-Karts Plus Ride**

Mr. Bob Miller of Action Park of Williamsburg submitted a site plan amendment proposing a new ride at Action Park. The ride encompasses an area of approximately 2700 s.f. and is thirty-two feet high at maximum height. The proposed site is located at 6780 Richmond Road, and is further identified as parcel (1-18) on James City County Tax Map (24-3). The park must abide by the conditions of SUP-34-94, which require DRC review of site plan approval and any amendments.

**DRC Action:** The DRC recommended denial of the plan by a vote of 3-1.

**Case No. SP-59-04****Norge Neighborhood**

Mr. Jason Grimes of AES Consulting Engineers, on behalf of Norge Neighborhood LLC, submitted a site plan proposing 80 multi-family units to be located on 7101, 7145, and 7147 Richmond Road, 126 Rondane Place, and 75 Nina Lane. The parcels are further identified, respectively, as parcels (1-50), (1-50C), (1-49), and (1-51) on James City County Tax Map (23-2) and parcel (1-8) on Tax Map (24-1). DRC review is necessary for any site plan proposing fifty or more residential units.

**DRC Action:** The DRC deferred action on the case.

**Case No. SP-51-04****Druid Hills, Section D**

Mr. Kenneth Jenkins of LandTech Resources, on behalf of Andy Piplico of CD&A, submitted a site plan proposing the construction of a road within existing right-of-way in the Druid Hills subdivision. The road will provide access to parcels (7-83), (7-84), (7-85), and (7-86) on James City County Tax Map (47-2). DRC review is necessary due to unresolved problems between the applicant and adjacent property owners.

**DRC Action:** The DRC recommended preliminary approval by unanimous voice vote.

**SPECIAL USE PERMIT 14-04. 4311 John Tyler Monopole Tower  
Staff Report for the July 12, 2004 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:**

**7:00 p.m.; Building F Board Room; County Government Center**

May 3, 2004 (deferred)

June 7, 2004 (deferred)

July 12, 2004

**Board of Supervisors:**

August 10, 2004 (tentative)

**SUMMARY FACTS**

**Applicant:**

Nathan Holland, T Mobile

**Land Owner:**

Axel L. Nixon and Sheila F. Nixon

**Proposed Use:**

Extend existing 112 foot communications tower to 150 feet.

**Location:**

4311 John Tyler Highway

**Tax Map/Parcel:**

(46-2)(1-20)

**Zoning:**

R-8, Rural Residential District

**Comprehensive Plan:**

Low Density Residential

**Primary Service Area:**

Inside

**STAFF RECOMMENDATION**

The applicant has requested that the Planning Commission defer this case in order to allow more time to resolve outstanding issues. Staff concurs with the request.

**Staff Contact:**

Ellen Cook

Phone: 253-6685

---

Ellen Cook

**Attachment:**

1. Deferral Request Letter



June 30<sup>th</sup>, 2004

Ellen Cook  
Planning Department  
County of James City

RE: Omnipoint Communications proposal at 4315 John Tyler Highway

Dear Ellen,

Omnipoint Communications would like to request another one-month deferral regarding our scheduled case before the July 12<sup>th</sup> planning commission meeting. We are still waiting on SHPO (State Historic Preservation Office) to return their determination on the proposed extension and would like to make that available to staff and commission members before a final decision is made. It is my understanding SHPO is taking an extended time period to review the application to make sure no historic facility is affected. I wish to thank-you in advance for your continued cooperation in this matter and if you require further information or assistance please feel free to contact me at 757-490-7214 or 757-305-8420.

Sincerely,

A handwritten signature in cursive script that reads 'Nathan Holland'.

Nathan Holland  
Omnipoint Communications  
VA40118A



**REZONING -6-04 / MASTER PLAN -6-04. Lightfoot Mixed Use Development  
Staff Report for the July 12, 2004, 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**

7:00 p.m.; Building F Board Room; County Government Complex  
Planning Commission: July 12, 2004  
Board of Supervisors: August 2, 2004

**SUMMARY FACTS**

**Applicant:** James H. Bennett  
**Land Owner:** Noland Properties, Inc.  
**Proposed Use:** A mix of commercial and residential uses  
**Location:** 6601 Richmond Road, Stonehouse District  
**Tax Map/Parcel** (24-3)(1-35)  
**Parcel Size** 53.24 acres with 52.0 acres for development  
**Proposed Zoning:** MU, Mixed Use with proffers  
**Existing Zoning:** B-1, General Business with proffers  
**Comprehensive Plan:** Mixed Use  
**Primary Service Area:** Inside

**STAFF RECOMMENDATION**

The applicant has requested a deferral of this case to allow more time to resolve outstanding issues. Staff concurs with the applicant's request and recommends deferral of the case until the next Planning Commission meeting on August 2, 2004.

**Staff Contact:** Sarah Weisiger, Planner Phone: 253-6685

---

Sarah Weisiger

Attachment:  
Applicant deferral letter

**GEDDY, HARRIS, FRANCK & HICKMAN, L.L.P.**

ATTORNEYS AT LAW

1177 JAMESTOWN ROAD

WILLIAMSBURG, VIRGINIA 23185

TELEPHONE: (757) 220-6500

FAX: (757) 229-5342

VERNON M. GEDDY, JR.  
STEPHEN D. HARRIS  
SHELDON M. FRANCK  
VERNON M. GEDDY, III  
SUSANNA B. HICKMAN

ANDREW M. FRANCK  
RICHARD H. RIZK

MAILING ADDRESS:  
POST OFFICE BOX 379  
WILLIAMSBURG, VIRGINIA 23187-0379

email: [vgeddy@widomaker.com](mailto:vgeddy@widomaker.com)

July 6, 2004


Ms. Sarah Weisiger  
James City County Planning Department  
101-E Mounts Bay Road  
Williamsburg, Virginia 23185

Re: Case Z-6-04/MP-6-04 Lightfoot Mixed Use Development

Dear Sarah:

I am writing to request on behalf of the applicant that this case be deferred from the July until the August Planning Commission meeting. Thanks.

Sincerely,



Vernon M. Geddy III

VMG:s

cc: Mr. Ben Williams  
Mr. Jim Bennett  
Mr. Robert Singley

**Z-11-03 & MP-11-03. Stonehouse Planned Community Rezoning Amendment  
Staff Report for the July 12, 2004, Planning Commission Public Hearing**

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

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**PUBLIC HEARINGS**

**7:00 p.m.; Building F Board Room; James City County  
Government Complex unless otherwise noted:**

Planning Commission: December 8, 2003, 5:30 p.m. Building C Board Room (Deferred)  
January 12, 2004, 5:30p.m. (Deferred)  
February 2, 2004, (Deferred)  
March 1, 2004, (Deferred)  
April 5, 2004, (Deferred)  
May 3, 2004, (Deferred)  
June 7, 2004 (Deferred)  
July 12, 2004  
Board of Supervisors: August 10, 2004 (Tentative)

**SUMMARY FACTS**

Applicant: Mr. Greg Davis, Kaufman & Canoles

Land Owner: Ken McDermott of Stonehouse Capital, LLC and Stonehouse at Williamsburg, LLC for Stonehouse Glen, LLC, Fieldstone Investment, LLC, Mount Laurel, LLC, Fairmont Investment, LLC, Six Hundred North, LLC, Tymar Capital, LLC and Commerce Park at Stonehouse, LLC.

Proposal: To amend the master plan and proffers for the Stonehouse Planned Community by realigning Fieldstone Parkway, shifting residential densities and rezoning some landbays to residential. There is no proposed increase to the total number of approved residential units within the Stonehouse Planned Community.

Location: 9235 Fieldstone Parkway, 9760 Mill Pond Road,  
9186 & 9600 Mount Zion Road and 9501 Sycamore Landing Road  
Stonehouse District

Tax Map/Parcel: (4-4)(1-25), (4-4)(1-26), (4-4)(1-27), (4-4)(1-28), (4-4)(1-29)  
(5-3)(1-10), (6-3)(1-1), (6-4)(1-1), (7-4)(1-20) and (12-1)(1-47)

Primary Service Area: Inside

Parcel Sizes: 4,684 Acres

Existing & Proposed Zoning: Planned Unit Development Residential & Commercial with Proffers

Comprehensive Plan: Low Density Residential & Mixed Use

Staff Contact: Karen Drake - Phone: 253-6685

**STAFF RECOMMENDATION**

The applicant has requested deferral of this case until the August 2, 2004 Planning Commission meeting to allow more time to resolve outstanding issues regarding the Stonehouse master plan and proffers. Staff concurs with the request.

Attachment: 1.) Deferral Request Letter

# KAUFMAN & CANOLES

— | A Professional Corporation | —  
Attorneys and Counselors at Law

Timothy O. Trant, II  
757 / 259-3823  
totrant@kaufcan.com

757 / 259-3800  
fax: 757 / 259-3838

*Mailing Address:*  
P.O. Box 6000  
Williamsburg, VA 23188  
  
4801 Courthouse Street  
Suite 300  
Williamsburg, VA 23188

July 6, 2004

**Via Hand Delivery & Facsimile (757) 253-6850**

Karen Drake  
Senior Planner  
James City County  
101-E Mounts Bay Road  
Williamsburg, VA 23185

Re: *Stonehouse at Williamsburg, LLC*  
*Application for Rezoning and Master Plan Amendment of a portion of Stonehouse*  
*James City County Case No's. Z-11-03 & MP-11-03*  
*Our Matter No. 100281*

Dear Ms. Drake:

The above-referenced case is scheduled to be presented to the James City County Planning Commission at its meeting on July 12, 2004. The applicant and its consultants have been diligently working to respond to the issues raised by the James City County Department of Development Management ("Staff"). On March 26, 2004, the applicant submitted to Staff a revised set of proffers and a revised master plan. Staff has provided the applicant with a number of detailed comments on both submissions aimed at bringing the documents towards a final, presentable form.

Given the detailed nature of Staff's comments and in preparation for the presentation of these materials to the Planning Commission, the applicant and its consultants are undertaking a thorough review of the proffers and master plan before resubmitting to Staff. The applicant is not likely to have completed its review and to have prepared the documents for resubmission in time for the Staff to present the application at the July 12, 2004 Planning Commission meeting. Accordingly, the applicant recognizes that Staff will not be prepared to make a complete staff report nor make a recommendation to the Planning Commission regarding the case at the July 12, 2004 meeting. Therefore, the applicant requests that any action on the case by the Planning Commission be deferred until the August 2, 2004 Planning Commission meeting.

Chesapeake

Hampton

Newport News

Norfolk

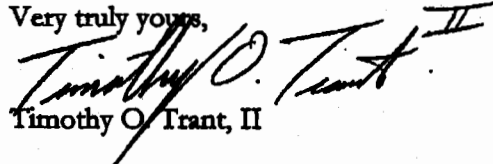
Richmond

Virginia Beach

Karen Drake  
July 6, 2004  
Page 2

We appreciate Staff providing timely comments and working to finalize the application for Planning Commission review as quickly as possible. If you have any questions, please do not hesitate to contact me.

Very truly yours,

  
Timothy O. Trant, II

xc: Kenneth G. McDermott (via facsimile 908-234-9508)  
Mark Rinaldi (via facsimile 757-229-0049)  
Alvin P. Anderson, Esq. (via hand delivery)  
Gregory R. Davis, Esq. (via hand delivery)  
Brian R. Marron, Esq. (via U.S. mail)  
Susan B. Tarley, Esq. (via U.S. mail)

#6057847 v1

## MEMORANDUM

**DATE:** July 12, 2004  
**TO:** The Planning Commission  
**FROM:** Christy H. Parrish, Senior Zoning Officer  
**SUBJECT:** Case No. ZO-02-04 – Zoning Ordinance Amendment  
Manufacturing of Stone in M-1 and M-2

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Staff has been requested to forward an amendment to include the manufacture of previous prepared stone products in the M-1, Limited Business / Industrial District and M-2, General Industrial District. Currently, the Zoning Ordinance allows the manufacture of stone products by Special Use Permit in the M-2 District only.

The proposed amendment would add **stone** to the existing use of “manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber glass, glass, rubber, leather, cellophane, canvas, felt, fur, horn, wax, hair and yarn” to Section 24-411, Permitted Uses in the M-1, Limited Business District and Section 24-436, Permitted Uses in the M-2, General Industrial District. This amendment also modifies the use of “manufacture of cement, lime, gypsum, bricks and stone products” in Section 24-437 Uses permitted by special use permit in the M-2, General Industrial District to read, “manufacture of cement, lime, gypsum, bricks and **non-previously** prepared stone products”.

Stoneware, Inc. located in Newport News indicated to staff their desire to relocate their operation to James City County. Staff conducted a site visit of Stoneware, Inc. who manufactures kitchen and bathroom countertops from large slabs of granite, which have been quarried and polished. They estimate that 80% of their work is for new residential construction and 20% is for residential remodeling. Their desire to relocate to James City County is to expand their facility and be closer to their clients.

Outside storage includes slabs of granite, forklift and an air compressor to operate the majority of the tools in the shop. Each slab of granite is cut to a specified size and then the edges are polished. Most cutting tools are used with water, therefore, no dust is created. All water is reused and is cleaned through a filtration system located inside the shop.

### Recommendation:

Staff finds this amendment provides consistency and flexibility within industrial zoning districts. This use, in staff's view, would be similar to uses such as “manufactures or fabrication of sheet metal products” and “manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiberglass, glass, rubber, leather, cellophane, canvas, felt, fur, horn, wax, hair and yarn” which are both permitted uses in the M-1 and M-2 zoning districts. Staff feels that this change will not negatively affect or impact any surrounding properties. Staff recommends approval of this amendment.

---

Christy H. Parrish

Attachment: Ordinance Amendment

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 11, LIMITED BUSINESS/INDUSTRIAL DISTRICT, M-1, SECTION 24-411, PERMITTED USES; BY AMENDING DIVISION 12, GENERAL INDUSTRIAL DISTRICT, M-2, SECTION 24-436, PERMITTED USES; AND SECTION 24-437, 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 Section 24-411, Permitted uses; Section 24-436, Permitted uses; and Section 24-437, Uses permitted by special use permit only.

Division 11, Limited Business/Industrial District, M-1

**Sec. 24-411. Permitted uses.**

Manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber glass, glass, rubber, leather, cellophane, canvas, felt, fur, horn, wax, hair, ~~and~~ yarn, *and stone*.

Division 12. General Industrial District, M-2

**Sec. 24-436. Permitted uses.**

Manufacture, compounding, assembly or treatment of products made from previously prepared paper, plastic, metal, textiles, tobacco, wood, paint, fiber glass, glass, rubber, wax, leather, cellophane, canvas, felt, fur, horn, hair, ~~and~~ yarn, *and stone*.

**Sec. 24-437. Uses permitted by special use permit only.**

Manufacture of cement, lime, gypsum, bricks and *non-previously prepared* stone products.



---

Bruce C. Goodson  
Chairman, Board of Supervisors

ATTEST:

---

Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of August, 2004.

M1-M2stoneprod.ord

## **SPECIAL USE PERMIT-20-04. AJC Woodworks Modification – SUP Amendment**

Staff Report for July 12, 2004, Planning Commission Public Hearing

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

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### **PUBLIC HEARINGS:**

Building F Board Room; County Government Center

Planning Commission:

July 12, 2004, 7:00 p.m.

Board of Supervisors:

August 10, 2004 (tentative)

### **SUMMARY FACTS**

Applicant:

Tony Casanave

Land Owner:

Tony and Alona Casanave

Proposed Use:

A woodworking shop for the manufacture of furniture and cabinetry (Amendment to SUP-11-03)

Location:

8305 Richmond Road, between Anderson's Corner and Toano, Virginia

Tax Map/Parcel No.:

(12-4)(1-3)

Primary Service Area:

Inside

Parcel Size:

1.52 acres

Existing Zoning:

A-1, General Agricultural

Comprehensive Plan:

General Industry

Surrounding Zoning:

A-1, General Agricultural

### **Staff Recommendation:**

Staff finds this proposal, with conditions, to be compatible with the main use of the property and generally consistent with the surrounding property and the Comprehensive Plan. With the proposed amended conditions to the structure's height limit and to side yard landscaping, staff believes any impacts on nearby historic and residential properties will be mitigated. Staff recommends the Planning Commission approve this special use permit application with the attached conditions.

**Staff Contact:**

Sarah Weisiger, Planner

Phone: 253-6685

## **Description of Project**

Mr. Tony Casanave has applied to amend the conditions and layout plan of a special use permit, SUP-11-03, for the construction of a woodworking shop behind an existing dwelling and garage at 8305 Richmond Road, Toano, Virginia. The manufacture and sale of wood products is a specially permitted use in the A-1, General Agricultural, zoning district in which the property is located.

Mr. Casanave proposes to build a conventional structure 50 feet x 80 feet, approximately 19 feet in height above natural grade. The proposed building would be constructed of vinyl siding and include a basement garage/storage area. Mr. Casanave seeks to amend the original SUP condition limiting the building height to 15 feet. He also seeks to change a condition which would narrow the buffer along the northern property line and include additional plantings.

## **Surrounding Zoning and Development:**

The property is located between Anderson's Corner and Toano on the southwest side of Route 60, a four-lane divided highway. All of the adjacent property is zoned A-1, General Agricultural. The lots behind the existing house and garage are wooded and undeveloped back to the CSX railroad tracks. Single family homes are on the adjacent parcels to the north and south. Hickory Neck Church is located approximately 400 feet across Route 60.

Staff finds that the proposed height change to the building is minor in nature. The proposed building would have a higher pitched roof and would be constructed of conventional materials; this is a positive change from the metal building proposed with the original SUP (Condition #9). Also, staff finds that the changes to the landscape buffers around the perimeter of the property will be adequately mitigated by enhanced landscaping and a landscape plan to be approved by the Planning Director as stated in Condition #4.

## **Comprehensive Plan Designation:**

The west side of Route 60, including the parcel which is the subject of this SUP, is designated as General Industry on the Comprehensive Plan Land Use Map. General industry is designated for areas within the PSA that are suitable for industrial uses that require buffering from adjoining uses, because of their potential for creating dust, noise, odor, and other adverse environmental effects. The area across Route 60, surrounding the church, is designated Low Density Residential on the Comprehensive Plan Land Use Map.

## **RECOMMENDATION:**

Staff finds this proposal, with conditions, to be compatible with the main use of the property and generally consistent with the surrounding property and the Comprehensive Plan. With the proposed amended conditions to the structure's height limit and to side yard landscaping, staff believes any impacts on nearby historic and residential properties will be mitigated. Staff recommends the Planning Commission approve this special use permit application with the attached conditions:

1. The property shall be developed generally in accordance with the master plan titled: "AJC Woodworks, Inc. 8305 Richmond Rd", dated June 29, 2004, with minor changes approved by the Development Review Committee.

2. This special use permit is for the use as a woodworking shop for the manufacture of wood products. The property shall not be used as a retail store or shop.
3. A site plan shall be submitted to and approved by the Planning Director.
4. Along the property line to the north and parallel to the area of the proposed workshop and parking area, enhanced landscaping consisting of evergreen shrubs to be planted eight feet on center shall be provided along the edge between the disturbed area and the undisturbed wooded buffer as shown on the master plan. Along the property line to the south and parallel to the area of the proposed workshop and proposed parking area, landscaping shall provide transitional screening and shall be planted in accordance with the General Area Landscape standards Section 24-94 of the Zoning Ordinance. Additional landscaping shall be required in the area of the existing driveway to sufficiently buffer views of the workshop from Hickory Neck Church. The landscaping plan shall be submitted with the site plan and must be approved by the Planning Director.
5. Only one entrance shall be allowed on to Route 60. The property shall have a commercial entrance that is designed to accommodate a shoulder bike lane as approved by the Planning Director.
6. Hours of operation including the operation of power tools and truck deliveries and pick-ups shall be limited to 7:30AM to 7:00PM, Monday through Saturday.
7. All walls and doors shall have insulation for noise reduction. Plans and specifications shall be approved by the Planning Director prior to issuance of a building permit. Workshop doors and windows shall be closed while power tools are in operation.
8. One freestanding sign shall be permitted on site. The sign shall be limited to no larger than 16 square feet with a maximum height of 7 feet. The sign may only be externally illuminated by ground mounted lights concealed by landscaping. The sign shall be approved by planning director.
9. The height of the proposed building shall not exceed 20 feet over natural grade. The building materials and colors of the structure shall be compatible with that of the existing structures. The colors and building materials for the structure shall be submitted to and approved by the Planning Director prior to final site plan approval.
10. The existing residence shall continue to be used primarily as a single family dwelling but may contain an accessory office for the woodworking shop. Any exterior modifications to the dwelling shall be approved by the Planning Director.
11. The special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

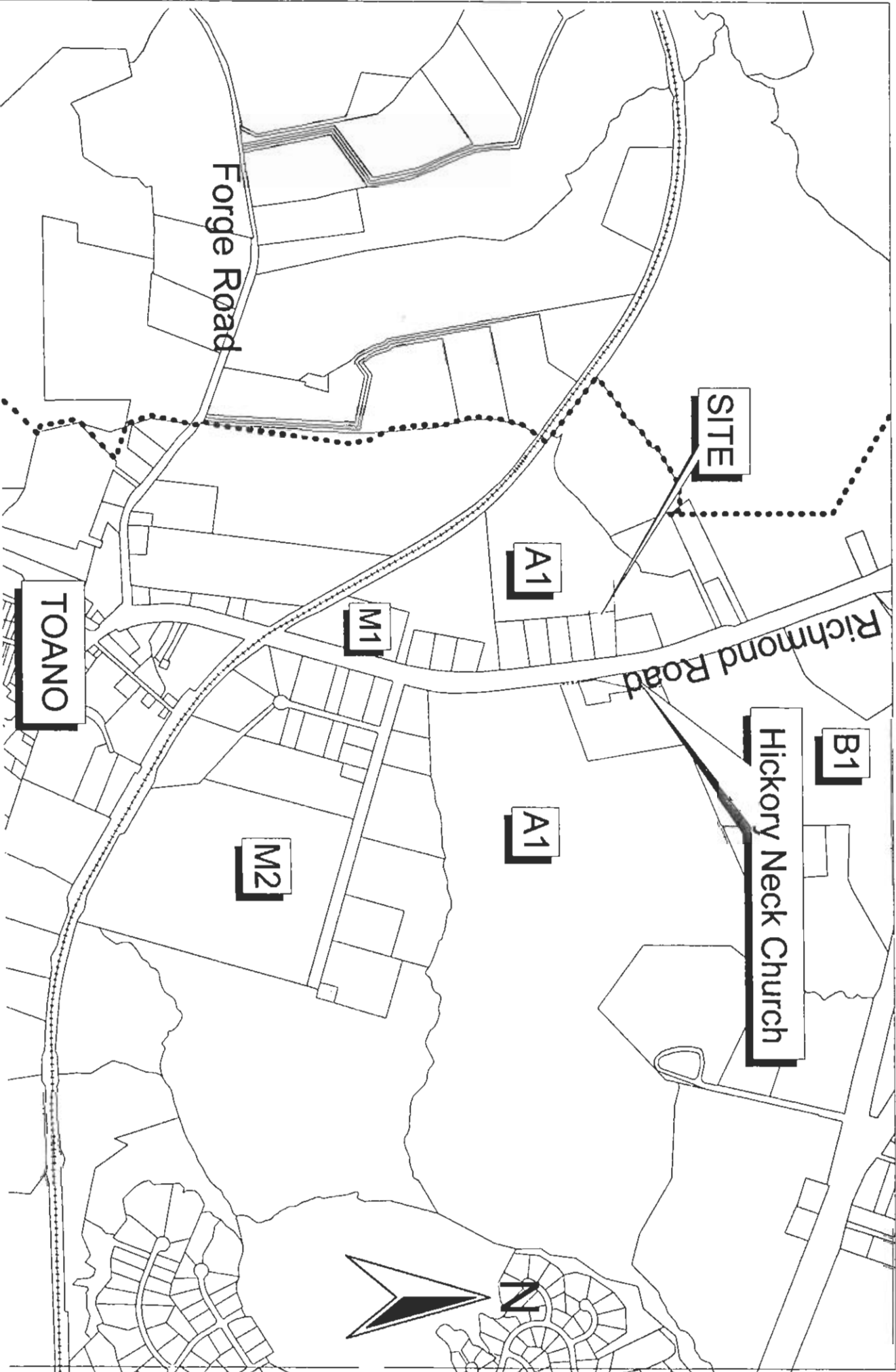
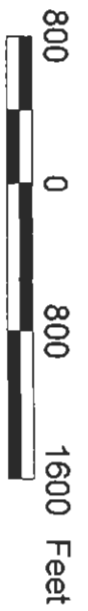
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Sarah Weisiger  
Planner

Attachments:

1. Location Map
2. Master Plan
3. Proposed building specifications

# Case No. SUP-20-04. AJC Woodworks Modification - SUP Amendment

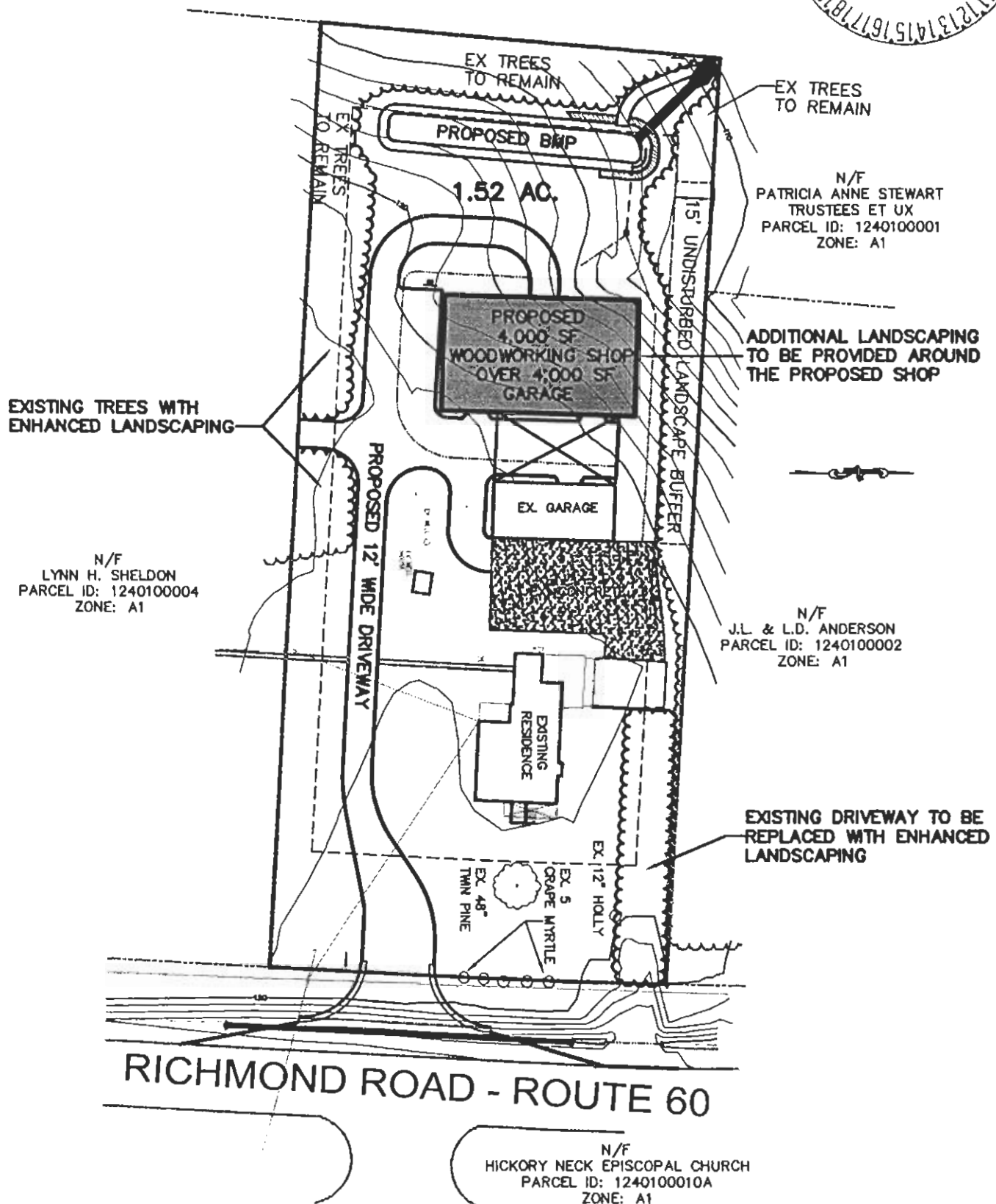


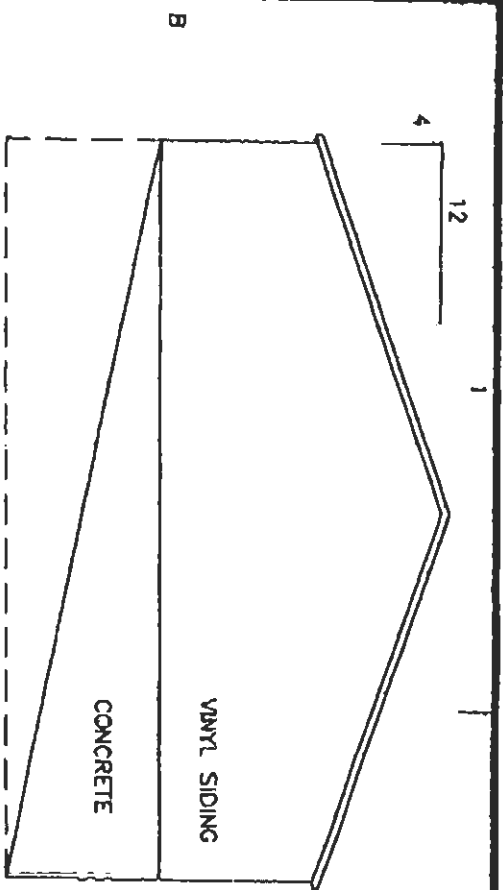
SUP-20-04

AJC WOODWORKS, INC.  
8305 RICHMOND RD.

MASTER PLAN FOR SUP 20-04  
PARCEL ID: 1240100003

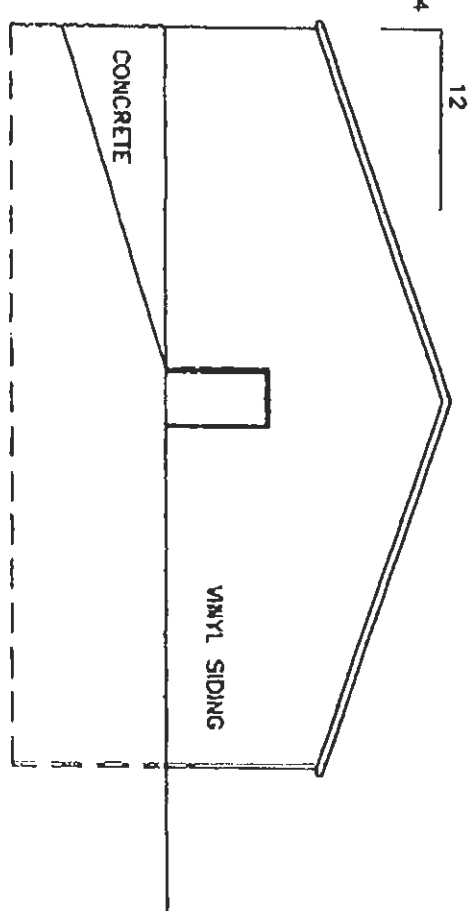
6/29/04  
ZONE: A1





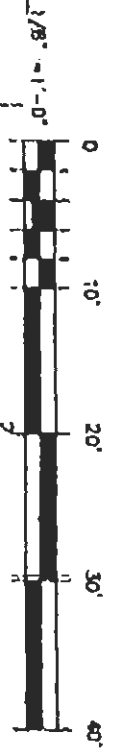
# SIDE ELEVATION

SCALE: 1/8"=1'-0"



# SIDE ELEVATION

SCALE: 1/8"=1'-0"



RICHMOND ROAD  
WILLIAMSBURG, VA 23188

A/E PROJECT NO: \_\_\_\_\_  
 CAD FILE NAME: \_\_\_\_\_  
 DESIGNED BY: -  
 DRAWN BY: -  
 EDITED BY: -  
 CHECKED BY: -

SCALE AS SHOWN PLOT SCALE:

SHEET TITLE

CASAWAY WOODSHOP

## ELEVATIONS

REVIEWED BY: \_\_\_\_\_ REVIEWED BY: \_\_\_\_\_

PROJECT ENG. BRANCH CHIEF BRANCH CHIEF

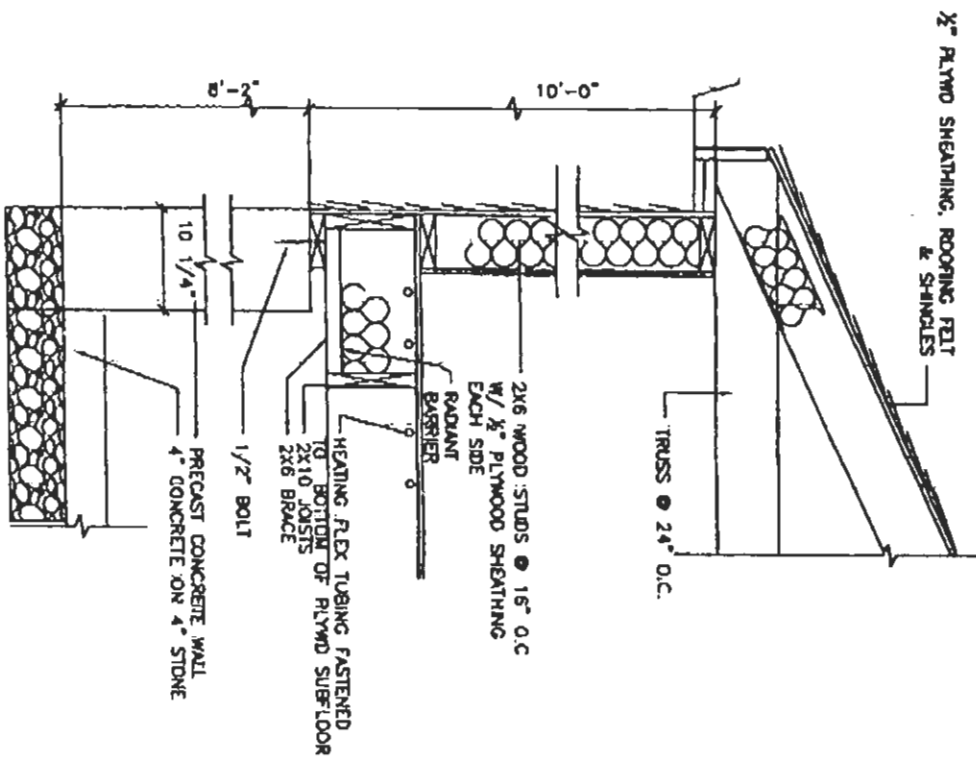
APPROVING OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

PROJECT NUMBER \_\_\_\_\_ DRAWING NUMBER \_\_\_\_\_

DISCIPLINE/SHT NO

A-4 SHEET 4 OF





- NOTES:**
1. CODE USED: BOCA 1999
  2. TYPE OF CONSTRUCTION: SB (COMBUSTIBLE, UNPROTECTED)
  3. USE GROUP: F-1 (MODERATE HAZARD FACTORY & INDUSTRIAL OCCUPANCY)
  4. DESIGN LIVE LOAD: 125 PSF UNIFORM LIVE LOAD 2000# CONCENTRATED LOAD

**SECTION**

SCALE: 3/8"=1'-0"

1-1/2"=1'-0"



**CASAWAY WOODSHOP**

**NOTES & SECTION**

REVIEWED BY: REVIEWED BY: REVIEWED BY:

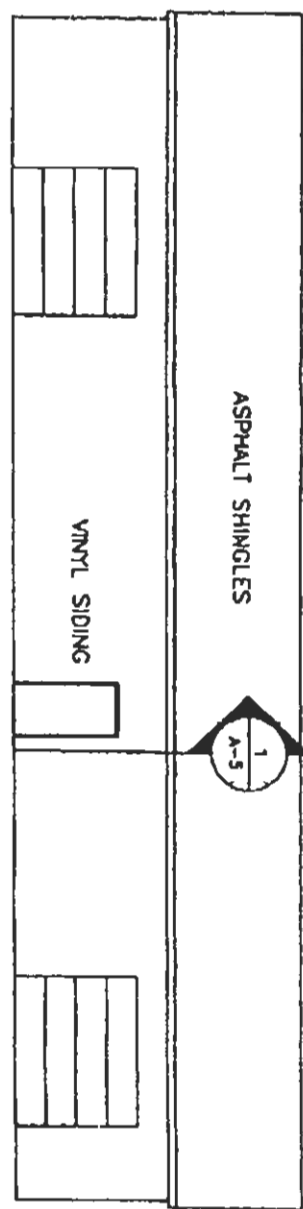
PROJECT ENG. BRANCH CHIEF BRANCH CHIEF

APPROVING OFFICER DATE

PROJECT NUMBER DRAWING NUMBER

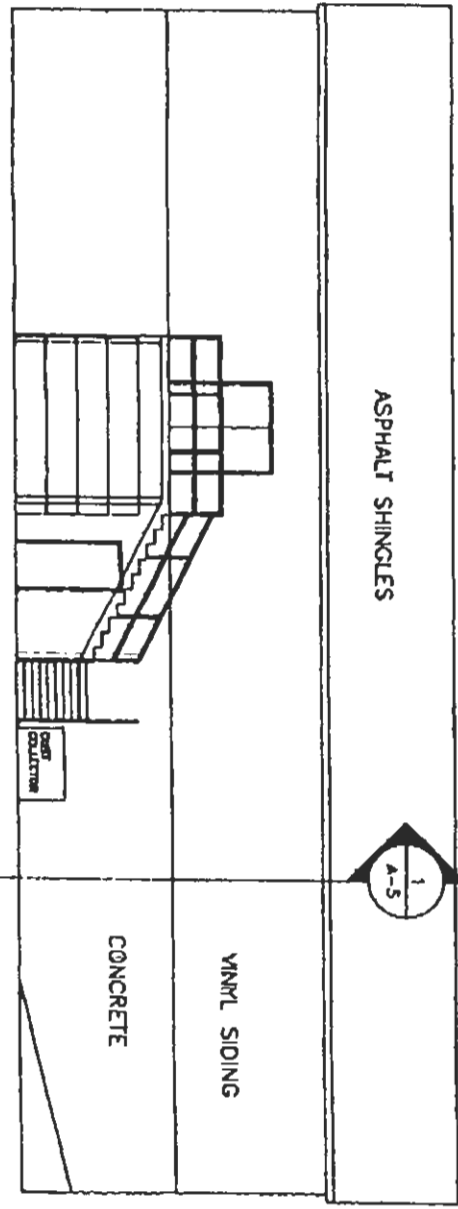
DISCIPLINE/SHT NO SHEET 5 OF

A-5



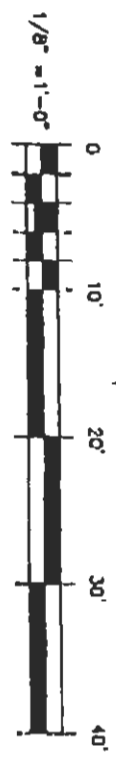
**FRONT ELEVATION**

SCALE: 1/8"=1'-0"



**REAR ELEVATION**

SCALE: 1/8"=1'-0"



8305 RICHMOND ROAD  
WILLIAMSBURG, VA 23188

A/E PROJECT NO:	
CAD FILE NAME:	
DESIGNED BY:	-
DRAWN BY:	-
EDITED BY:	-
CHECKED BY:	-

SCALE: AS SHOWN PLOT SCALE:

SHEET TITLE	
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CASNAVE WOODSHOP

**ELEVATIONS**

REVIEWED BY:	REVIEWED BY:	REVIEWED BY:
PROJECT ENG	BRANCH CHIEF	BRANCH CHIEF

APPROVING OFFICER: \_\_\_\_\_ DATE: \_\_\_\_\_

PROJECT NUMBER	DRAWING NUMBER
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DISCIPLINE/SHEET NO	
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A-3	SHEET 3 OF
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## **Special Use Permit 18-04. Precious Moments Playhouse SUP Amendment Staff Report for July 12, 2004 Planning Commission Meeting**

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:**

**Board of Supervisors:**

### **Building E Board Room; County Government Center**

July 12, 2004, 7:00 p.m.

August 10, 2004, 7:00p.m. (Tentative)

### **SUMMARY FACTS**

**Applicant:**

Ms. Evangelina Crump, Child Care Center/Administrator  
Precious Moments Playhouse, Inc.

**Land Owner:**

Evangelina and Timothy Crump

**Proposed Use:**

Amend the existing SUP conditions to increase the number of allowable children enrolled in child daycare from 15 to 30; and extend operating hours from 7a.m. to 6p.m. from the current hours of 7a.m. to 5p.m.

**Location:**

103 Indigo Terrace, Jamestown District

**Tax Map/Parcel:**

(38-4)(2-02)

**Parcel Size:**

.51 acres

**Zoning:**

R-2, General Residential

**Comprehensive Plan:**

Low Density Residential

**Primary Service Area:**

Inside

### **STAFF RECOMMENDATION**

**Staff Contact:**

Karen Drake, Senior Planner

Phone: 253-6685

Staff recommends the Planning Commission approve this special use permit application with the conditions listed in the staff report replacing the existing conditions of SUP-4-80.

## **PROJECT DESCRIPTION AND PROPOSED OPERATION**

Ms. Crump has applied to amend the existing special use permit to expand the number of allowable children enrolled at Precious Moments Playhouse from 15 to 30 and to extend operating hours from 7a.m. to 6p.m. from the existing operating hours of 7a.m. to 5p.m. Precious Moments Playhouse is located at 103 Indigo Terrace and is zoned R-2, General Residential. A Special Use Permit is required for a child daycare center on R-2 zoned property.

The James City County Board of Supervisors granted the original SUP, JCC Case No. SUP-4-80, on September 6, 1980 that permitted the conversion of a portion of the existing house into a child daycare facility contingent on securing the necessary permits and building upgrades. A child daycare facility has operated continuously on the property since 1980 under different ownerships.

Ms. Crump purchased the property in March, 2003 and began operating Precious Moments Playhouse in July, 2003. A relative of Ms. Crump currently lives in the front section of the house at 103 Indigo Terrace which is accessed by a separate entrance, while the Playhouse occupies the remaining square footage as seen in the attached photographs. Precious Moments Playhouse is regulated by the Virginia State Health Department for the kitchen facilities that are used for preparation of snacks only. There is existing playground equipment in the fenced backyard.

Currently, Precious Moments Playhouse is licensed by the Virginia Department of Social Services for 15 children, ages 3 to 12 years with no more than 5 of those children in care under the age of 2½. A letter is attached from the Department of Social Services that Precious Moments Playhouse could be licensed to increase the number of children to thirty without expansion. However, Ms. Crump must apply with the James City County Code Compliance for a new certificate of occupancy for 30 children. The new certificate of occupancy would then be forwarded to the Department of Social Services. At this writing, Ms. Crump has submitted her request for a new certificate of occupancy to Code Compliance for review.

Ms. Crump wishes to expand the number of children to help maximize the student-teacher ratios and accommodate children currently on the waiting list. Ms. Crump proposes to use five child care slots to increase preschool enrollment, five child care slots to serve school aged siblings of children already enrolled and the remaining five slots to accommodate emergency drop in and respite care services to families and local community service agency referrals. Ms. Crump wishes to extend operating hours to 6 p.m. so that if a parent is late picking up a child after work she will remain in compliance with the proposed SUP conditions.

There are currently four full time employees and one part time employee working at Precious Moments and this number of employees is not proposed to change. Adjacent neighbors support Ms. Crump's application as documented in the attached letter of support.

## **PUBLIC IMPACTS**

**Environmental Impacts**      The Environmental Division has no comments.

**Public Utilities**              The site is served by public water and sewer.

**Traffic**                      The traffic impact study requirement for this application as waived. VDOT commented that as proposed, the special use permit should not have an adverse affect on current or future VDOT right of way. Staff concurs with VDOT and notes that due to schedules, children will be picked up or dropped off at varying times. Ms. Crump notes that schedules vary and that several children arrive together in carpools or with siblings.

## **COMPREHENSIVE PLAN**

**Land Use Map Designation:** Low Density Residential

**Staff Comments:**

While child care establishments are not normally consistent with low density residential development, staff acknowledges that a child daycare center has operated since 1980 at this site which is relatively close to an arterial road.

### **CONCLUSIONS & CONDITIONS**

On June 22, 2001 the Planning Commission recommended a policy on child daycare centers within neighborhoods. The policy states that if there are significant impacts on a neighborhood as a result of a child daycare center, staff shall recommend denial of any child daycare center. To staff's knowledge no problems have arisen as a result of Precious Moments Playhouse location with the Indigo Terrace subdivision. Also, state and county agencies do not oppose the SUP application. Staff notes that if this application is approved, this SUP with the new conditions would become more conforming to current standards and policies. Of note is condition #3 which places a time limit on the permit in order to allow any future issues to be addressed if necessary. Therefore staff recommends the Planning Commission approve this special use permit application with the following conditions that would replace the existing conditions of SUP-4-80:

1. No more than thirty children other than the owner's children shall be present at the child daycare facility.
2. Hours of operation shall be limited from 7a.m. to 6p.m., Monday through Friday.
3. This special use permit shall be valid for a period of thirty-six months from the date of approval during which the child daycare owner shall be responsible for obtaining and maintaining all necessary County and State permits to operate the center.
4. Within six months of the date of issuance of this special use permit and prior to operating with an increased enrollment of 30 children, the owner shall obtain a new certificate of occupancy from James City County Code Compliance validating that Precious Moments Playhouse can operate with a maximum of 30 children.
5. Within six months of the date of issuance of this special use permit, the owner shall have a water conservation plan approved by the JCSA.
6. No additional signage shall be permitted which relates to the use of the property as a child daycare center.
7. No additional exterior lighting shall be permitted which relates to the use of the property as a child daycare center.
8. No commercial food preparation or laundry services shall be provided as part of the operation of the child daycare center.
9. This special permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

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Karen Drake, Senior Planner

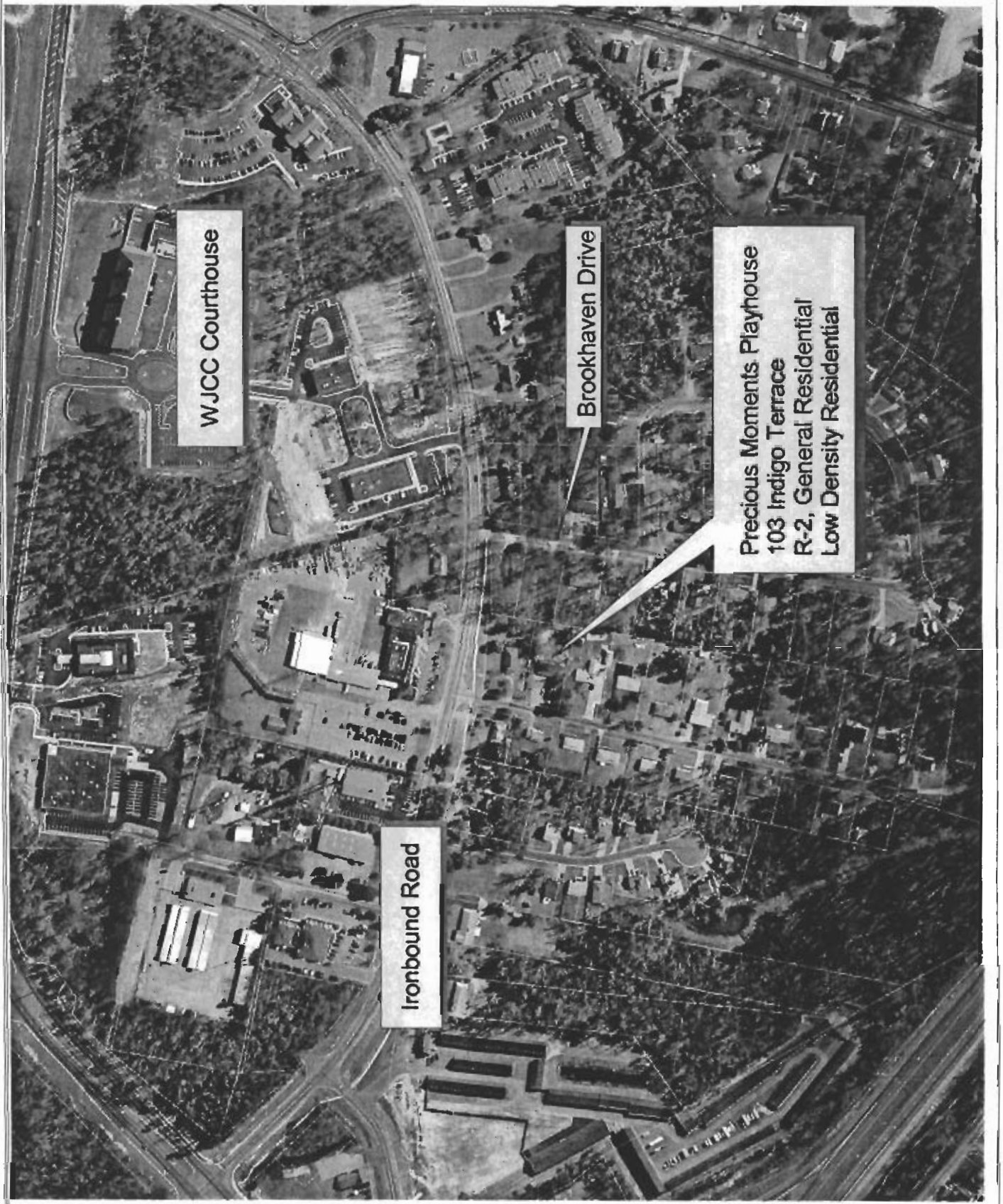
### **ATTACHMENTS:**

1. Location Map
2. Photographs of Precious Moments Playhouse, June 2004
3. Letter from the Department of Social Services
4. Letter of support from neighbors
5. James City County Planning Commission's Policy Committee: Child Daycare Centers Located in the Interior of Residential Neighborhoods, June 22, 2001



# SUP-18-04. Precious Moments Playhouse SUP Amendment

Photo Copyright 2002 State of Virginia



SUP-18-04. Precious Moments Playhouse Amendment  
103 Indigo Terrace



**Left:** Driveway to Precious Moments Playhouse.

**Right:** Driveway for the private residence to which the Playhouse is attached.



**Left:** Playhouse entrance on left side of the house.

**Right:** View of the right side of the house as you exit the neighborhood.



# SUP-18-04. Precious Moments Playhouse Amendment 103 Indigo Terrace



**Left:**  
Playground  
equipment in  
the back yard.

**Right:**  
Backyard view  
to the right.



**Left:** Backyard  
view to the left.

**Right:** View of  
backyard from  
Brookhaven  
Drive.





SUP-18-04. Precious Moments Playhouse Amendment  
103 Indigo Terrace



**Left:** Kitchen.

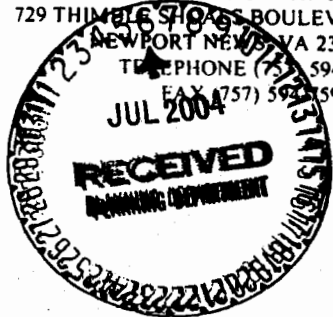


**Right:**  
One of the  
classrooms.

PENINSULA LICENSING OFFICE  
729 THIMBLE SHOES BOULEVARD, SUITE 6-B  
NEWPORT NEWS, VA 23606-4242  
TELEPHONE (757) 594-7594  
FAX (757) 594-7593



**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF SOCIAL SERVICES**



June 29, 2004

Ms. Evangelina Crump  
Precious Moments Playhouse  
103 Indigo Terrace  
Williamsburg, VA 23185

Dear Ms. Crump:

As per your request, the property located at 103 Indigo Terrace, Williamsburg, Virginia was formerly licensed as Braxton's Learning Center, operated by Joycie Braxton. The license was effective from 1983 through 1998 with a capacity of fifty-six (56) children. This capacity was based on the Minimum Standards for Licensing requiring twenty-five (25) square feet of indoor space per child. From 1999 through 2002 the center was licensed as Precious Moments Little Playhouse operated by Precious Moments Little Playhouse, Inc. with a capacity of twelve (12).

If there are any further questions, please do not hesitate to call.

Sincerely,

Ms. C. Kelly, Licensing Inspector  
Peninsula Licensing Office  
(757) 594 - 7587

# Precious Moments Playhouse, Inc.

Licensed Early Beginnings Playschool Program

Tax ID# 72-1568522



## A Letter of Support



Subject: Increase the Capacity of Children Served  
Extend the Closing Hour of Operation to 6:00pm

Dear Neighbor(s):

I would like to request your signature support to increase the number of children served at the child care center to 30 children. Our current special use permit allows us to serve up to 15 children with the center closing at 5:00pm.

It is our desire to provide family centered and supportive child care services to larger families and local community service agencies. At least, five child care slots will be used to increase our preschool enrollment; five child care slots will serve school aged siblings of children already attending our center full-time; and the remaining five slots will accommodate an emergency drop in and respite care service to families and local community services agency referrals.

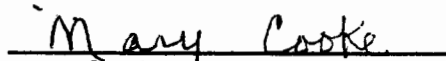
The increase in numbers should not have a significant impact on the traffic in our community. Most of the additional children that we would be serving will be part of families that we are already providing child care services.

Please show your support of our mission by signing your name below. This letter will then be submitted to the James City County Planning Division for further approval by the James City County Board of Supervisors and Zoning Office.

Thanks again for your support.



Evangelina Crump  
Property Owner  
Child Care Center/Administrator



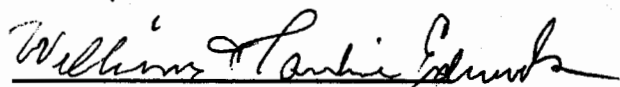
Mary Cooke  
100 Indigo Terrace

Relocated to the State of Maryland

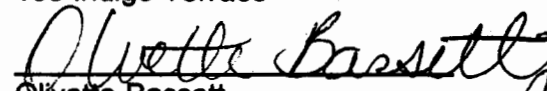
Eliza Hamm  
101 Indigo Terrace



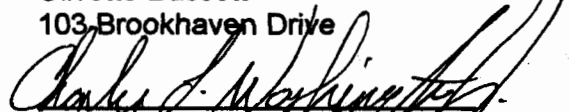
Brian and Katrina Wise  
102 Indigo Terrace



William and Pauline Edwards  
105 Indigo Terrace



Olivette Bassett  
103 Brookhaven Drive



Charles and Estelle Washington  
105 Brookhaven Drive

James City County Planning Commission's Policy Committee  
Child Day Care Centers Located in the Interior of Residential Neighborhoods  
June 22, 2001

Policy Committee Recommendation for Child Day Care Centers Located in the Interior of Residential Neighborhoods:

1. If planning staff determines there are significant impacts on a neighborhood as a result of a child day care center, staff shall recommend denial of any child day care center located on a residential lot in the interior of a subdivision.
2. The Policy Committee recommends that the current threshold for requiring a special use permit for a child day care center shall remain as is (more than 5 children requires a special use permit), and each application will continue to be reviewed on a case by case basis. This threshold is based upon state licensing requirements, building permit requirements, land use impacts and home occupations limitations, and the Policy Committee finds that this threshold is appropriate for Commission and Board review.
3. ~~Should the Planning Commission and Board of Supervisors choose to recommend~~ approval of a special use permit application for a child day care center located on a residential lot in the interior of a subdivision, the Policy Committee recommends adding the following conditions:
  - there shall be a three-year time limit in order to monitor the impacts of the day care center;
  - no signage shall be permitted on the property;
  - no additional exterior lighting shall be permitted on the property, other than lighting typically used at a single-family residence.

**REZONING CASE NO. Z-2-04. Oaktree Office Park and Airtight Self Storage Expansion**  
Staff Report for the July 12, 2004, 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:**

Building F Board Room; County Government Complex

July 12, 2004

7:00 p.m.

**Board of Supervisors:**

August 10, 2004

7:00 p.m. (Tentative)

**SUMMARY FACTS**

**Applicant:**

Ms. Jeanette Brady

**Land Owner:**

Jeanette Brady Decendents Trust

**Proposed Use:**

Approximately 6,400 square feet of office space and approximately 60,000 square feet of warehouse mini-storage

**Location:**

3292 Ironbound Road; Berkeley District

**Tax Map/Parcel No.:**

(47-1)(1-24)

**Primary Service Area:**

Inside

**Parcel Size:**

± 1.4 acres

**Existing Zoning:**

R-8, Rural Residential

**Proposed Zoning:**

B-1, General Business, with Proffers

**Comprehensive Plan:**

Mixed Use

**STAFF RECOMMENDATION:**

Staff finds the revised proffers and master plan are consistent with surrounding zoning and development and the Comprehensive Plan. Staff recommends that the Planning Commission recommend approval of the master plan changes and acceptance of the amended proffers.

**Staff Contact:**

Christopher Johnson

Phone: 253-6685

**PROJECT DESCRIPTION**

Ms. Jeanette Brady has applied to rezone approximately 1.4 acres from R-8, Rural Residential, to B-1, General Business, with proffers. The applicant proposes to develop approximately 6,400 square feet of office space and approximately 60,000 square feet of warehouse storage adjacent to the existing Oaktree development just north of the Five Forks intersection at 3292 Ironbound Road. The property is located at 3292 Ironbound Road and is further identified as Parcel (1-24) on James City County Tax Map (47-1). The proposed offices would be in a two-story building located at the front of the parcel parallel to Ironbound Road. The mini-storage units would be located behind the office building at the rear of the parcel and housed in a four-story building, with the first floor located below ground. The existing Oaktree development is located on approximately 5.7 acres which was rezoned in 1997 to B-1, General Business, with Proffers. The entrance to the existing Oaktree development was designed as a joint entrance to eventually serve the subject property to the south. Both the office and mini-storage buildings would be constructed with architectural materials similar to the existing Oaktree development.

## **PUBLIC IMPACTS**

### **Environmental Impacts**

<b>Watershed:</b>	Mill Creek
<b>Environmental Comments:</b>	The conceptual plan submitted with this application proposes a dry swale BMP in the southeast corner of the parcel which appears to be an acceptable BMP for the site. Minimal improvements to the existing and downstream storm drainage systems may be necessary pending further review of the capacity of the BMP's outfall at the east end of the site and the accepting storm drainage system. Staff encourages the use of low-impact development principles and techniques for use in site design to reduce and control impacts associated with increased stormwater runoff.

### **Public Impacts**

<b>Utilities:</b>	The site is served by public water and sewer.
<b>JCSA Comments:</b>	No comments.
<b>Staff Comments:</b>	The applicant has submitted a proffer which states that the site will be developed in accordance with water conservation standards which will be approved by the JCSA prior to site plan approval.

### **Traffic Impacts**

<b>2003 Traffic Counts:</b>	11,183 vehicle trips per day on Ironbound Road from John Tyler Highway (Route 5) to News Road (Route 613)
<b>2026 Volume Projections:</b>	13,000 - Placed in the "Watch" category in the 2003 Comprehensive Plan
<b>Road Capacity:</b>	A two lane collector road with turn lanes has a capacity of 14,000 vehicle trips per day
<b>VDOT Comments:</b>	VDOT reviewed the conceptual plan and the traffic impact study submitted with the application and concurred with the analysis.
<b>Staff Comments:</b>	The County's consultant for the Five Forks Area Study, Kimley-Horn and Associates, Inc., recently completed a traffic study which defined new trip generation thresholds and necessary traffic improvements to maintain an acceptable level-of-service (LOS C)

for Ironbound Road. The County asked Kimley-Horn to review the traffic impact study submitted by the applicant for this project to determine if the proposed expansion would have any impacts on the Five Forks Area Study findings and recommendations.

Kimley-Horn concurred with the applicant's traffic analysis findings: A queuing southbound left-turning traffic will not interfere with through traffic continuing southbound along Ironbound Road toward the Ironbound Road/John Tyler Highway intersection. Further, the proposed expansion will only require a right-turn taper for northbound Ironbound Road traffic accessing the site from the south at Powhatan Springs Road. Right turn volumes are low and only warrant a right turn taper and not a right turn lane with storage. Kimley-Horn also concluded that the proposed expansion will create minimal impacts on the level-of-service and delay for the southbound and northbound lane groups as well as the intersection as a whole.

## **COMPREHENSIVE PLAN**

The site is located on Ironbound Road just north of Five Forks. Ironbound Road is listed as a suburban Community Character Corridor (CCC) in the Comprehensive Plan.

1. The predominant visual character of the suburban CCC should be a balance of the built environment and natural landscaping, with parking and other auto-related areas clearly a secondary component of the streetscape.

**Staff Comments:** The applicant has submitted proffers which give the Director of Planning authority over the building materials and architectural design, and landscaping within the 50-foot CCC landscape buffer along Ironbound Road. The CCC designation and proffers will enable staff to recommend desirable design elements to help compliment and enhance the visual quality of the corridor and compatibility with the existing Oaktree development.

The conceptual plan submitted with the application proposes a single mini-storage warehouse building at the back of the site that would be four-stories tall (48.5'). While staff generally does not believe that a building of this height is consistent with the surrounding development in the Five Forks area, the proposed warehouse will take advantage of topography on the site, which slopes away from the front of the site along Ironbound Road, and construct the building with a first floor basement and a flat roof. The top of the warehouse building will only be eight feet above the height of the roofline of the office building at the front of the site. Staff is confident that the warehouse building will be effectively screened by the office buildings along Ironbound Road and the existing natural open space easement on the Colonial Veterinary Clinic to the south of the site. In addition, the approval authority granted by the proffers to the Planning Director for building materials, architectural design and landscaping will allow staff to

work with the applicant to minimize the appearance of the warehouse building from adjacent properties in the surrounding area.

The property is designated Mixed Use

2. The developed area in the immediate vicinity of the intersection of John Tyler Highway (Route 5) and Ironbound Road primarily serves nearby residential development. Limited commercial development of this nature may continue so long as the resulting land use mix of the area is limited primarily to community-scale and neighborhood commercial and office uses. Moderate density residential development is encouraged as a secondary use.

The property on the east side of Ironbound Road, northeast of Powhatan Springs Road, south of the Colonial pipeline easement, and northwest of the Ingram Road Office Park is envisioned for mixed uses limited to community-scale office development and moderate density residential development. New development should tie into the larger Five Forks area with complimentary building types and connections to surrounding commercial and residential development.

**Staff Comments:** The proposed office development is consistent with the Mixed Use designation for the Five Forks area and this site specifically.

**RECOMMENDATION:**

Staff finds the proposal consistent with surrounding zoning and development and consistent with the Comprehensive Plan.. Staff also finds that the voluntary proffers offset potential impacts and recommends their acceptance.

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Christopher Johnson

CONCUR:

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O. Marvin Sowers, Jr.

**Attachments:**

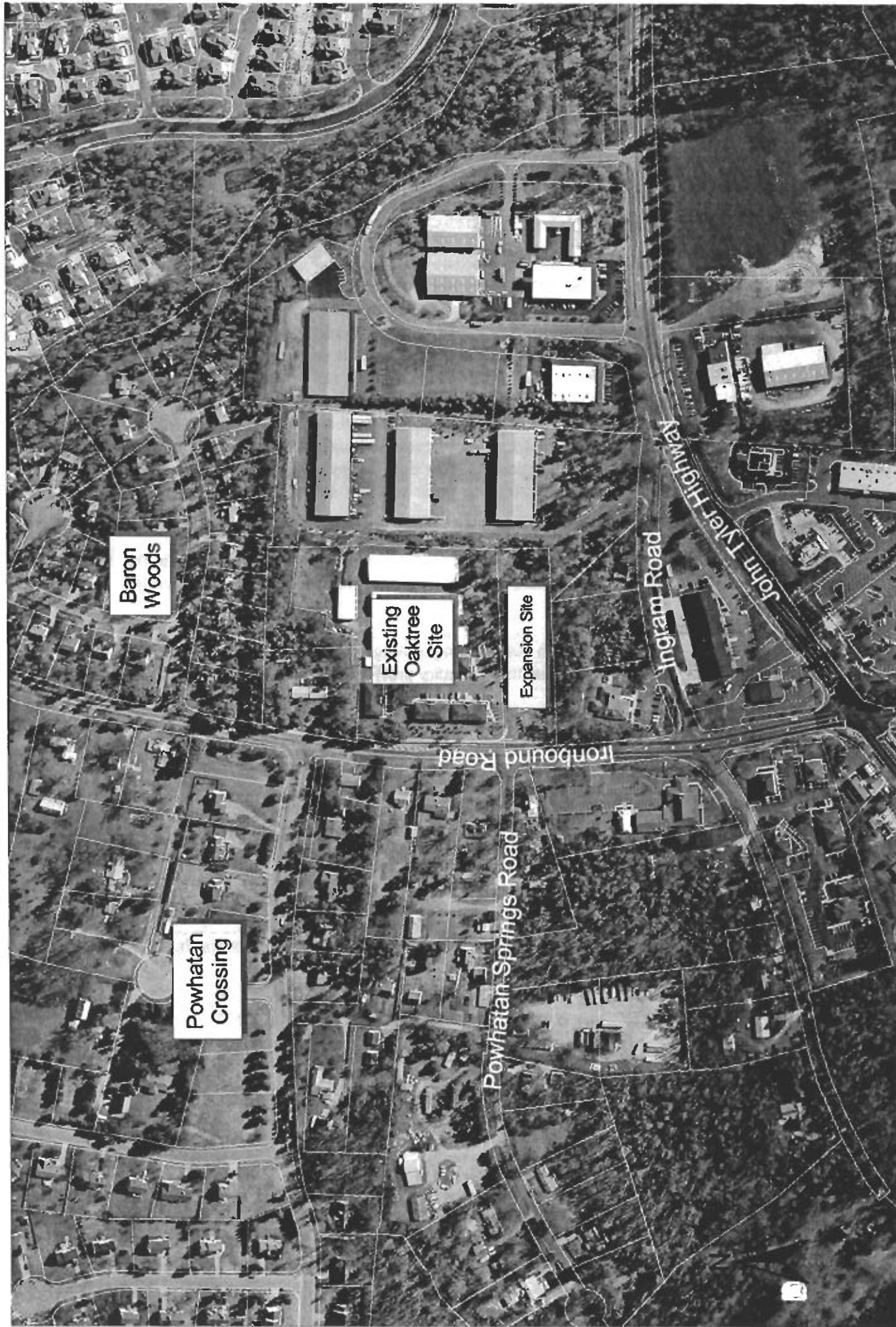
1. Location map
2. Conceptual Site Layout
3. Proffers
4. Kimley-Horn and Associates Traffic Analysis Letter

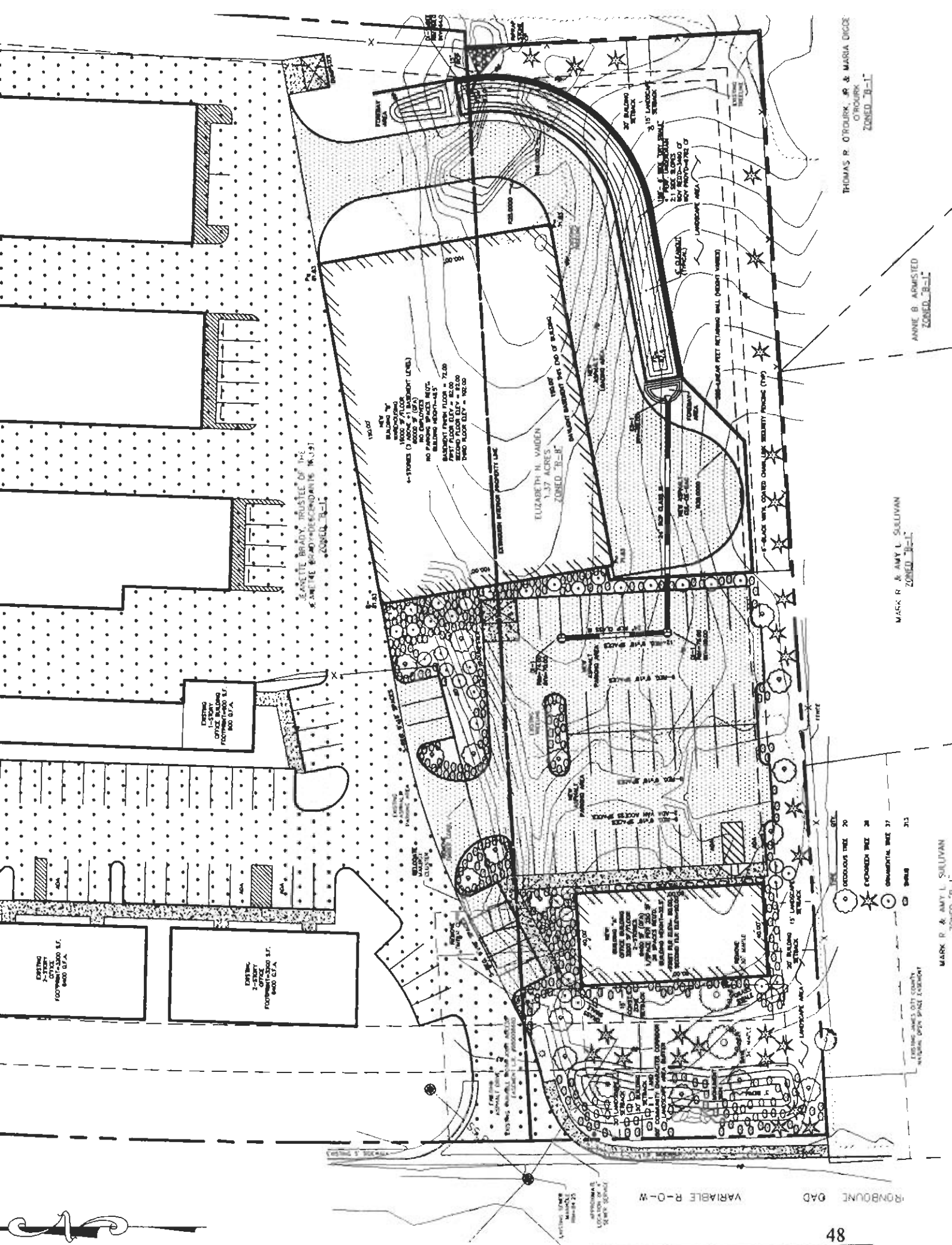


# Case No. Z-2-04. Oaktree Office Park and Airtight Self Storage Expansion



Photo Copyright 2002 State of Virginia





**OAKTREE OFFICE PARK AND  
AIRTIGHT SELF STORAGE  
PROFFERS**

These proffers are made as of this 21 day of May 2004, by JEANETTE BRADY DESCENDENTS TRUST, Jeanette Brady Trustee. (Together with their successors and assigns, the "Owner").

**RECITALS**

- A. Owner is the owner of certain real property (the "Property") in James City County, Virginia containing approximately 1.5 acres and being more Particularly described as 3292 Ironbound Road, tax parcel (47-1)(1-0-0024) hereto and made a part thereof.
- B. The Property is now zoned R-8 and is designated Mixed Use on the James City County Comprehensive Plan Land Use Map. Owner has applied for a rezoning of the Property to B-1, General Business, with Proffers. Owner has submitted to the County a conceptual plan entitled "Oaktree Office Park and Airtight Self Storage" prepared by Mitchell-Wilson Associates, Inc. dated 4-12-04 (the "Conceptual Plan").
- C. Owner agrees to offer to the County certain conditions on the development of the Property not generally applicable to land zoned B-1. Therefore, and in consideration of the approval by The Board of Supervisors of the rezoning, and pursuant to Section 15.2-2296, et sec of the Code of Virginia, 1950, as amended, and Section 24-16, of the Zoning Ordinance. Owner agrees that in developing the Property, all of the following conditions shall be met and satisfied. If the requested rezoning is not granted by the County, these Proffers shall be null and void

**CONDITIONS**

- 1. Conceptual Plan. The property shall be developed generally in accordance with the Conceptual Plan, which such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
- 2. Community Character Corridor Landscape Area Buffers. (a) The Owner shall designate a landscape buffer of 50 feet in width along the Property's Route 615 frontage. The landscape buffer shall be landscaped liberally as shown on the Conceptual Plan.
- 3. Architectural. The office buildings and the mini-storage building on the Property shall be developed in a harmonious and uniform manner with an architectural design and color scheme approved by the Director of Planning. Owner shall design the office building and the mini-storage on the Property in a manner compatible with the architectural style of the

- existing office development located at 3356 Ironbound Road and further identified Tax Parcel(47-1)(01-0-0026). With each site plan for office development or mini-storage building within the Property, the Owner shall submit architectural plans, including architectural, elevations, proposed building materials and colors, to the Director of Planning for his review and approval for consistency with the intent of this Proffer. The intent of this Proffer is to insure the office building and the mini-storage building constructed on the Property are of high quality and are compatible with (but not necessarily of the same design), as the surrounding development and to minimize the visual impact from Route 615 of the min-storage buildings, to the greatest extent possible.
4. Landscaping. Enhanced landscaping (as defined below) shall be provided within the 50 foot landscape buffer along Route 615 and in the area between the office development and the mini-storage development on the Property as shown on the Conceptual Plan. The enhanced landscaping shall be shown on the site plan for development within this portion of the Property and shall be subject to the approval of the Director of Planning. As used herein "enhanced landscaping" means landscaping that exceeds the numerical requirements of the Landscaping Ordinance by at least 25%, with credit given for the preservation of existing trees in accordance with the Landscaping Ordinance.
  5. Sidewalk. A five foot wide sidewalk shall be installed across the Route 615 frontage of the property.
  6. Lighting. All exterior site lighting on the Property shall have recessed fixtures with no lens bulb, or globe extending below the casing. The covers shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. No glare, as defined as 0.1 foot candle or higher, shall extend outside the Property line.
  7. Severability. Each condition, or portion thereof, is severable. The invalidity of any particular Condition, or portion thereof, shall not affect the validity of the remaining conditions, or portions thereof.
  8. Definitions. All terms used herein and defined in the County Zoning Ordinance shall have the meaning set forth therein unless otherwise specifically defined herein.
  9. Water Conservation. Water conservation standards shall be submitted to and approved by the James City Service Authority and Owner and/or the Association shall be responsible for enforcing these standards. The standards shall address such water conservation measure as limitations on the installation and use of irrigation systems and irrigation systems and irrigation wells, the use of approved landscaping materials and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources. The standards shall be approved by the James City Service Authority prior to final site plan or subdivision approval.

Witness the following signature and seal:

Jeanette Brady Descendants Trust (Jeanette Brady Trustee)

Jeanette Brady

State of Virginia

City/County of James City to wit:

The foregoing instrument was acknowledged before me this

6<sup>th</sup> Day of June, 2004, by Jeanette Brady

J. Ann R. H.  
Notary Public

My commission expires:

My Commission Expires September 30, 2005

Prepared by:

Jeanette Brady



**Kimley-Horn  
and Associates, Inc.**

Suite 300  
501 Independence Parkway  
Chesapeake, Virginia  
23320

June 29, 2004

Mr. Christopher Johnson  
James City County Planning Division  
101-E Mounts Bay Road  
Williamsburg, VA 23187

Re: Traffic Analysis for Expansion of Oaktree Office Park & Airtight Self Storage

Dear Mr. Johnson:

Per the direction of the James City County Planning Division, Kimley-Horn and Associates has conducted a review of the traffic analysis (TA) materials prepared for James City County regarding the proposed expansion of the existing Oaktree Office Park and Airtight Self Storage, located along the east side of Ironbound Road and north of the Ironbound Road/John Tyler Highway intersection. It is noted that Kimley-Horn has recently completed the Five Forks Area Study and within that study defined new trip generation thresholds and necessary intersection improvements to maintain an acceptable level-of-service (LOS C). The review of the Oaktree Office Park and Airtight Self Storage expansion was conducted to determine if the expansion would have any impacts on the findings and recommendations outlined in the Five Forks Area Study. KHA reviewed the analysis prepared for the site's main site access driveway (Powhatan Springs Road at Ironbound Road), trip generation of the proposed expansion, and level-of service (LOS) impacts at the Ironbound Road/John Tyler Highway intersection to the south.

The information provided to Kimley-Horn includes the following:

- Traffic Analysis Report (April 25, 2004) – prepared by DRW Consultants, Inc.
- Conceptual site layout plan (May 17, 2004).

This memorandum summarizes Kimley-Horn's review and evaluation of the above information.



General Comments

It is our understanding that the TIA submitted by DRW Consultants, Inc. includes the proposed expansion of the existing Oaktree Office Park and Airtight Self Storage. The proposed land uses in the TIA include general office space totaling 6,400 ft<sup>2</sup>, and additional mini-storage space resulting in 346 new units.

Trip generation characteristics are consistent with the ITE Trip Generation, 7<sup>th</sup> Edition (2003). Trip distribution for the development is consistent and reflective of surrounding area residential development and commercial development. Trip assignment for the proposed expansion by itself is consistent with the trip distribution presented.

Traffic projections reflect the general application of a 2% annualized growth rate for the area over the next 5 years. Socio-economic data reflect an annualized growth rate for this area of the County closer to 3% when taking into account population, households, and employment variables versus simply historic traffic volumes. The reduction in volumes is attributable to roadway network improvements along Monticello Avenue to the north and Route 199 in the east. However, for purposes of this review 2% is acceptable.

Kimley-Horn concurs with the left-turn storage length analysis. The *VDOT Road Design Manual and the Minimum Standards of Entrances to State Highways* indicates that the left-turn traffic volume (i.e., the southbound Ironbound Road traffic entering the site) associated with the development warrants an exclusive left-turn lane with a minimum 100' storage length. This is based on an existing design speed of less than 50 mph and 60 or fewer vehicles turning left during the peak hour. This analysis also indicates that the right-turn traffic volume associated with the development warrants only a right-turn taper.

Trip generation associated with the proposed expansion reflects the introduction of approximately 28 new trips during the AM peak hour and approximately 96 new trips during the PM peak hour. Trip generation thresholds presented in the Five Forks Area Study indicate the maximum number of new trips that should be allowed within the Five Forks Area during either the AM or PM peak hours without and with geometric improvements. Additionally, the trip generation thresholds assume that VDOT and the County will accept some lane groups operating at LOS D during peak hours while the overall signalized intersection LOS continues to achieve LOS C.

▪ Without Geometric Improvements

- AM peak should not exceed 350 new trips
- PM peak should not exceed 500 new trips

▪ With Geometric Improvements

- AM peak should not exceed 500 new trips
- PM peak should not exceed 650 new trips

The introduction of 28 new trips during the AM peak results in the use of approximately 8% of the new trip threshold without geometric improvements and approximately 5.6% of the new trip threshold with geometric improvements. In both cases the new trips result in no change in the previously determined LOS (i.e., LOS D) for the intersection of Ironbound Road and John Tyler Highway. Under the PM peak hour scenario, approximately 96 new trips are introduced to the area resulting in the use of 19% of new trip threshold without geometric improvements and 14.7% of the new trip threshold with geometric improvements. Of the 96 new trips introduced during the PM peak hour it is estimated that 38 of those trips will be oriented southbound toward the Ironbound Road/John Tyler Highway intersection.

This results in minor impacts on level of service and delay for the southbound and northbound lane groups as well as the intersection as a whole. With no geometric improvements, the intersection under all scenarios will remain at a LOS D. With geometric improvements, the previously attained LOS C for scenarios 1A and 1B is reduced to LOS D. The introduction of the additional trips into scenario 2 has some minor impacts on delay but a LOS C is maintained for the Ironbound Road/John Tyler Highway intersection.

#### Summary

KHA concurs with DRW Consultants, Inc. traffic operations at the Powhatan Springs Road/Ironbound Road intersection. Queuing southbound left-turning traffic will not interfere with through traffic continuing southbound along Ironbound Road toward the Ironbound Road/John Tyler Highway intersection based on volumes, queue length analysis, and the maintaining of a 100' full-width left-turn lane.

KHA concurs with DRW Consultants, Inc. with the needs of only a right-turn taper for northbound Ironbound Road traffic accessing the site from the south at Powhatan Springs Road. Right-turn volumes are low and only warrant a taper and not a right turn-lane with storage.

As previously noted, Kimley-Horn has completed the Five Forks Area Study and within that study defined new trip generation thresholds and necessary intersection improvements to maintain an acceptable level-of-service (LOS C). Kimley-Horn was asked to determine if the Expansion of the Oaktree Office Park and Airtight Self Storage would have any impacts on the previous analysis and recommendations.

In reviewing the trip generation impacts associated with the expansion, there are minimal impacts to existing level of service (i.e., LOS D with no geometric improvements at the Ironbound Road/John Tyler Highway intersection) and a LOS C for the Ironbound Road/John Tyler Highway intersection can be maintained under Scenario\_2. The reduction in LOS for two of the scenarios will play a role in defining the best mix of land uses for the area during the public participation process.



Because such changes in delay and LOS are minimal, neither the additional analysis of the Five Forks Area traffic impacts study nor the redefining of new trip thresholds is determined necessary at this time. However, further refinement of the land use scenarios, densities, and a mixture of such will be addressed during the public participation process to ensure adequate land use mix and maintenance of acceptable level-of-service.

Thank you for the opportunity to be of service. If there are any questions, if we can provide additional analysis, or further guidance is necessary, please don't hesitate to contact us.

Sincerely,

**KIMLEY-HORN AND ASSOCIATES, INC.**

Carroll E. Collins, AICP  
Transportation Planner

**Special Use Permit-19-03. Williamsburg Winery – Gabriel Archer Tavern SUP Renewal  
Staff Report for July 13, 2004, 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**

Building F Board Room; County Government Center

Planning Commission: July 13, 2004 7:00 p.m.  
Board of Supervisors: August 10, 2004 7:00 p.m. (Tentative)

**SUMMARY FACTS**

Applicant: Mr. Vernon Geddy, III

Land Owner: Patrick Duffeler

Proposed Use: Renew SUP-16-03 to continue operation of the Gabriel Archer Tavern at the Williamsburg Winery

Location: 5800 Wessex Hundred Road, Roberts District

Tax Map/Parcel No.: (48-4)(1-10B)

Parcel Size: 35.08 acres

Existing Zoning: R-8, Rural Residential

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

**RECOMMENDATION**

Staff finds that the applicant has completed a majority of the previous SUP conditions and continues to make a good faith effort to satisfy the previous conditions addressing long standing utility and building issues. The additional time should allow the applicant to complete building inspections, connect the waterline and pay necessary fees and bills. The proposal is also acceptable from a land use perspective. Staff recommends the Planning Commission recommend approval of this special use permit with the attached conditions.

Staff Contact: Matthew Arcieri Phone: 253-6685

## **PROJECT DESCRIPTION**

Mr. Vernon Geddy, III has applied to renew the special use permit on behalf of Williamsburg Farms, Inc., to permit the continued operation of a restaurant, Gabriel Archer Tavern, at the Williamsburg Winery. A restaurant is a specially permitted use in the R-8, Rural Residential district in which the property is located. The restaurant operated from 1996 through January 13, 2004 without a special use permit. The Special Use Permit approved by the Board of Supervisors on January 13, 2004 expired on April 20, 2004.

Gabriel Archer Tavern is located in a building that was originally a garage with an apartment; the garage area was converted into a restaurant in 1996. It is open Sunday to Wednesday 10AM to 4PM and Thursday to Saturday 11 AM to 9PM. The existing restaurant has one bathroom, a kitchen, and indoor and outdoor seating with 72 seats. A small expansion, which has been partially constructed, will add a bathroom and increased kitchen space. The square footage of the indoor restaurant (not including the expansion) is approximately 1,456 square feet with 1,024 square feet of outdoor dining under the covered back porch. A parking lot used by visitors to the winery operation is shared with the Tavern. The entrance to the property is on Lake Powell Road; the Tavern is located approximately three-fourths of a mile down a private road.

Condition one of the previously approved special use permit (SUP-16-03, approved by the Board of Supervisors on January 13, 2004) set five requirements to be completed by April 30, 2004. As of the writing of this report, the status of these conditions is as follows:

- a. The Tavern shall have an approved site plan for water and sewer.

**Staff Comment:** This condition has been met. Final site plans for water and sewer, as well as the site plan for the tavern have been approved.

- b. The Tavern shall have acquired all necessary building and accessory permits to bring the Tavern into compliance with the Virginia Uniform Statewide Building Code with all final inspections completed and approved.

**Staff Comment:** This condition has been partially met. The Tavern has a building and plumbing permit. It has not received any final inspections.

- c. The Tavern shall have connected to the James City Service Authority public water system.

**Staff Comment:** This condition has not been met. As noted above, the applicant does have an approved site plan that will allow this to occur.

- d. The Tavern shall have paid all connection fees for water service.

**Staff Comment:** This condition has not been met. As noted above, the applicant does have an approved site plan that will allow this to occur.

- e. The Tavern shall have all connection fees and sewer service bills paid up to date.

**Staff Comment:** This condition has been partially met. The Tavern has paid all bills and back charges to the JCSA. The tavern has not yet been billed by HRSD; staff anticipates this bill will be completed prior to the case reaching the Board of Supervisors.

## COMPREHENSIVE PLAN

The parcel on which the Winery and Tavern are located is inside the Primary Service Area (PSA) and is designated Low Density Residential on the 2003 Comprehensive Plan Land Use Map. Non-residential uses should not alter, but rather complement the residential character of the Low Density Residential area in which they are located. Such uses should be located on collector or arterial roads at intersections. Traffic, noise, lighting and other impacts should be similar to surrounding or planned residential uses. Very limited commercial establishments should be located where adequate buffering and screening can be provided to protect nearby residential uses and the character of the surrounding area.

The land to the south across a creek and marsh area is designated Rural Lands and is outside the PSA. The land to the east is a mixture of Low Density Residential and Park, Public or Semi-Public Open Space. To the west and north, adjacent developments are also designated Low Density Residential.

**Staff Comments:** Staff believes that the Tavern is not a “very limited commercial establishment.” However, the site is well buffered, access is directly off a collector road and with the recommended condition noise impacts will be similar to surrounding residential areas.

## CONCLUSIONS AND CONDITIONS

Staff finds that the applicant has completed a majority of the previous SUP conditions and continues to make a good faith effort to satisfy the previous conditions addressing long standing utility and building issues. The additional time should allow the applicant to complete building inspections, connect the waterline and pay necessary fees and bills. The proposal is also acceptable from a land use perspective. There are two proposed changes from the previously approved special use permit is an update of condition one to reflect the remaining issues to be resolved. Staff has also rewritten the noise condition to allow the applicant more flexibility while continuing to protect adjacent property owners. Staff recommends the Planning Commission recommend approval of this special use permit with the following conditions:

1. Prior to December 31, 2004, all of the following conditions shall be met for Gabriel Archer's Tavern, ("the Tavern"):
  - a. The Tavern shall have acquired all necessary building and accessory permits to bring the Tavern into compliance with the Virginia Uniform Statewide Building Code with all final inspections completed and approved;
  - b. The Tavern shall have connected to the James City Service Authority (JCSA) public water system, paid all connection fees for water service and a plat with easements dedicated to the JCSA must be submitted and recorded prior to waterlines being accepted by the JCSA;
  - c. The Tavern shall have all sewer service bills paid up to date.
2. The Tavern shall have no more than 72 seats; expansion of the Tavern shall require an amendment to this SUP and an approved site plan.
3. No outdoor amplified music or loud speakers in connection with the operation of the Tavern shall be audible outside the boundaries of the property.

4. The Tavern shall only operate between 10 a.m. and 9 p.m.
5. The special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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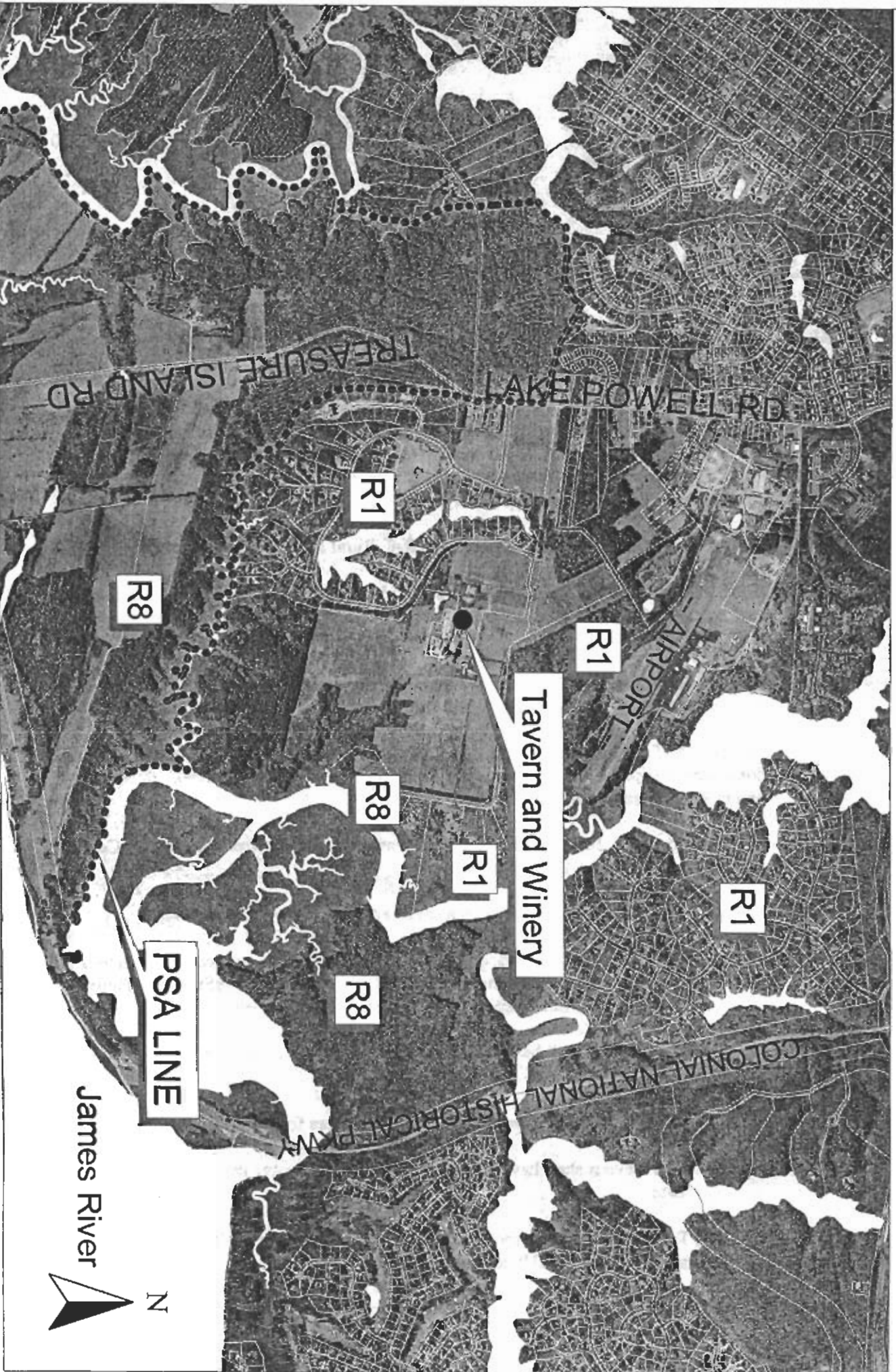
Matthew D. Arcieri

Attachments:

1. Location Map
2. Copy of SUP-16-03

# Case No. SUP-19-04. Gabriel Archer's Tavern - The Williamsburg Winery

2000 0 2000 4000 Feet



## **RESOLUTION**

### **CASE NO. SUP-16-03. WILLIAMSBURG WINERY - GABRIEL ARCHER TAVERN**

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

**WHEREAS,** Mr. Vernon Geddy III of Geddy, Harris, Franck And Hickman, L.L.P., has applied on behalf of Williamsburg Farms, Inc., for a special use permit to allow the continued operation of Gabriel Archer Tavern consisting of approximately 2,500 square feet including indoor and outdoor dining areas located on the first floor of a two-story structure near the Williamsburg Winery; and

**WHEREAS,** taverns are a specially permitted use in the R-8, Rural Residential, zoning district; and

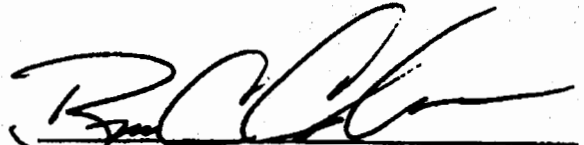
**WHEREAS,** the property is located on land zoned R-8, Rural Residential, at 2638 Lake Powell Road, and can be further identified as Parcel No. (1-10) on James City County Real Estate Tax Map No. (48-4); and

**WHEREAS,** the Planning Commission, following its public hearing on December 8, 2003, voted 6-0 to recommend approval of this application.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-16-03 as described herein with the following conditions:

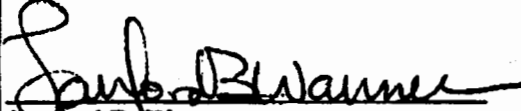
1. Prior to April 30, 2004, all of the following conditions shall be met for Gabriel Archer's Tavern, ("the Tavern"):
  - a. The Tavern shall have an approved site plan for water and sewer;
  - b. The Tavern shall have acquired all necessary building and accessory permits to bring the Tavern into compliance with the Virginia Uniform Statewide Building Code with all final inspections completed and approved;
  - c. The Tavern shall have connected to the James City Service Authority public water system;
  - d. The Tavern shall have paid all connection fees for water service; and
  - e. The Tavern shall have all connection fees and sewer service bills paid up to date.
2. The Tavern shall have no more than 72 seats; expansion of the Tavern shall require an amendment to this SUP and an approved site plan.
3. No outdoor amplified music or loud speakers shall be permitted in connection with the operation of the Tavern.

4. The Tavern shall only operate between 10 a.m. and 9 p.m.
5. The special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Bruce C. Goodson  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
BRADSHAW	AYE
HARRISON	AYE
BROWN	AYE
MCLENNON	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of January, 2004.

sup-16-03 (011304)



**Agricultural and Forestal District 1-93. Williamsburg Farms Withdrawal  
Staff Report for the July 13, 2004 Planning Commission Public Hearing**

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

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**PUBLIC HEARINGS**

Building F Board Room; County Government Center

Planning Commission:	July 13, 2004	7:00 p.m.
Board of Supervisors:	August 10, 2004	7:00 p.m. (Tentative)

**SUMMARY FACTS**

Applicant:	Mr. Vernon Geddy, III
Land Owner:	Patrick Duffeler
Proposed Use:	Withdrawal of 5.3 acres to create four single family lots
Location:	5800 Wessex Hundred Road, Roberts District
Tax Map/Parcel No.:	(48-4)(1-10B)
Parcel Size:	38.054 acres
Existing Zoning:	R-8, Rural Residential
Comprehensive Plan:	Low Density Residential
Primary Service Area:	Inside

**RECOMMENDATION**

Staff finds the proposed withdrawal consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. However, this application only meets two of the three criteria for the withdrawal of lands from Agricultural and Forestal Districts inside the PSA, specifically the requirement to withdraw a minimum of 75 acres. Therefore, based on the information available to staff at the time of the AFD committee meeting, staff recommended denial of the request to remove 5.3 acres from the Williamsburg Farms AFD. At the June 28, 2004 meeting of the AFD Advisory Committee, the Committee also recommended denial of this case by a vote of 6-3.

At the AFD Committee meeting on July 6, 2004 the applicant proposed amending their application to withdraw 75 acres from the AFD in accordance with the Board policy. Should this withdrawal be approved, the size of the Williamsburg Farms AFD would be 219.3 acres and will still meet minimum acreage requirements for Agricultural and Forestal Districts. With this change staff finds that the proposal satisfies all three criteria for withdrawals and recommends the Planning Commission recommend approval. The AFD Committee recommended approval of the 75 acre withdrawal by a 7-0 vote.

Staff Contact:	Matthew Arcieri	Phone: 253-6685
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## **HISTORY**

The Williamsburg Farms Agricultural and Forestal District was created in 1994 for a term of four years and consisted of two parcels totaling 311 acres. At the time of creation, 10 acres, which included the Gabriel Archer Tavern and a proposed inn were excluded from the district. During the review of the district for renewal in 1997, a five-acre, unsubdivided tract on the eastern side of the District at the end of Conservancy Road was withdrawn leaving the AFD with approximately 306 acres. In 1999, the Board of Supervisors approved the withdrawal of an additional 4.5 acres at the end of Conservancy Road, leaving the AFD with approximately 301.5 acres. Finally, during the review of the district for renewal in 2002, an additional 7.2 acres was withdrawn along Jockey's Neck Trail leaving the district with approximately 294.3 acres.

Mr. Vernon Geddy has applied on behalf of the Williamsburg Winery, Ltd. to withdraw approximately 5.3 acres from the Williamsburg Farms AFD. This property is intended to be combined with the 10 acres originally excluded from the district to create four single family lots totaling approximately 12.5 acres. The property is zoned R-8, Rural Residential, which permits minimum lot sizes of three acres; therefore the subdivision is permitted by-right. The property is currently not used for agricultural purposes.

## **PUBLIC IMPACTS**

### **Surrounding Zoning and Development**

A majority of the property to be withdrawn is surrounded by other property in the Williamsburg Farms Agricultural and Forestal District which is zoned R-8, rural residential and is undeveloped or used in support of operations at the Williamsburg Winery. The property is bounded on the east by the Vineyards at Jockey's Neck subdivision which is zoned R-1, Limited Residential and designated Low Density Residential on the Comprehensive Plan.

### **Utilities**

The entire Williamsburg Farms AFD lies within the Primary Service Area and is served by public water and sewer. The new single family lots would be required to connect to public water and sewer.

### **Transportation and Access**

The property to be withdrawn is accessed from Jockey's Neck Trail in the Vinyards subdivision.

## **COMPREHENSIVE PLAN**

The withdrawal area is designated as Low Density Residential on the 2003 Comprehensive Plan. Low density areas are residential developments on land suitable for such developments with overall densities up to one dwelling unit per acre depending on the character and density of surrounding development, physical attributes of the property, buffers and the degree to which the development is consistent with the Comprehensive Plan.

## **ANALYSIS**

On September 24, 1996, The Board of Supervisors adopted a policy and withdrawal criteria for AFD parcels that are within the Primary Service Area. That policy and criteria are as follows:

FOR AGRICULTURAL AND FORESTAL DISTRICTS WITHIN THE PRIMARY SERVICE AREA, the Board of Supervisors will use the minimum standards listed below. These standards are different standards from the standards applied to those districts located outside the Primary Service Area (PSA). They are in recognition that lands within the PSA are intended for urban development at some point in

the future and, therefore, are not expected to remain in agricultural and forestal use in the long term. Lands outside the PSA are intended to remain rural and the preferred use for rural lands is agricultural and forestal use.

1. Withdrawals will be approved no more than once per year, per AFD, per landowner. This means that an owner of multiple parcels within an AFD will be allowed only one withdrawal per year in the AFD.
2. The minimum acreage for withdrawals shall be 75 acres, either as a single parcel or in combination with more than one parcel. Individual landowners who own less than 75 acres must withdraw all of their parcel from the district. Parcels withdrawn as part of any one request need not be contiguous.
3. The new land use shall be in conformance with the Comprehensive Plan. A formal application to convert the use of the property shall accompany any request for withdrawal, such as an application for rezoning, special use permit or any development plans. The application shall include a conceptual plan acceptable to the Director of Planning. The application for withdrawal and the application to convert the use of the property shall be submitted together and processed as a single development request.

The Board shall weigh each of the above criteria in its deliberation, but may also use whatever criteria it deems appropriate for the individual case.

Each of these criteria have been evaluated by staff:

Criteria 1: One Withdrawal per year

The applicant has not requested a withdrawal within the past year and has stated he will not seek another withdrawal this year. **The application meets this criteria.**

Criteria 2: Minimum Acreage

The applicant originally requested a withdrawal of 5.3 acres for the purpose of combining the acreage with the ten acres excluded from the AFD at the time of its creation to create four lots. **The application does not meet this criteria.**

The withdrawal policy for agricultural and forestal districts inside the PSA was created by the Board of Supervisors with the understanding that eventually, in accordance with the Comprehensive Plan, all land inside the Primary Service Area is to be developed. Therefore the minimum acreage requirement was created to prevent property from being held in an AFD for the tax benefit purposes and withdrawing small pieces of property as opportunities to develop are presented. Given the history of multiple, small withdrawals staff concludes that this proposal is in conflict with the intention of this policy.

At the AFD Committee meeting on July 6, 2004 the applicant proposed amending their application to withdraw 75 acres from the AFD in accordance with the Board policy. Because the additional land to be withdrawn is actively cultivated, it will still qualify for an agricultural land use assessment – the tax burden on the Winery will not increase. With this change staff finds that the application meets this Board criteria.

Criteria 3: Conformance with the Comprehensive Plan and acceptability of the development plan to the Director of Planning

As mentioned previously, the applicant has submitted a conceptual subdivision to create four lots which meets zoning ordinance requirements for minimum acreage and road frontage. The District is designated as Low Density Residential on the Comprehensive Plan. Low density areas are residential developments on land suitable for such developments with overall densities up to one dwelling unit per acre depending on the character and density of surrounding development, physical attributes of the property, buffers and the degree

to which the development is consistent with the Comprehensive Plan. The originally proposed lots are consistent with the Comprehensive Plan and generally acceptable to the Director of Planning. **The application meets this criteria.**

The amended proposal to withdraw 75 acres also meets this criteria. Specifically the applicant will continue to develop only four lots and leave the remainder of the property as cultivated open space. In addition, the master plan for the Vineyards, which includes the Winery, shows the area to be withdrawn as a mixture of vineyards and open space. Although 12 acres will become residential lots, the proposal is still substantially in accordance with the master plan as a majority of the property remains open space

**RECOMMENDATION:**

Staff finds the proposed withdrawal consistent with the surrounding zoning and development and consistent with the Comprehensive Plan. However, this application only meets two of the three criteria for the withdrawal of lands from Agricultural and Forestal Districts inside the PSA, specifically the requirement to withdraw a minimum of 75 acres. Therefore, based on the information available to staff at the time of the AFD committee meeting, staff recommended denial of the request to remove 5.3 acres from the Williamsburg Farms AFD. At the June 28, 2004 meeting of the AFD Advisory Committee, the Committee also recommended denial of this case by a vote of 6-3.

At the AFD Committee meeting on July 6, 2004 the applicant proposed amending their application to withdraw 75 acres from the AFD in accordance with the Board policy. Should this withdrawal be approved, the size of the Williamsburg Farms AFD would be 219.3 acres and will still meet minimum acreage requirements for Agricultural and Forestal Districts. With this change staff finds that the proposal satisfies all three criteria for withdrawals and recommends the Planning Commission recommend approval. The AFD Committee recommended approval of the 75 acre withdrawal by a 7-0 vote.

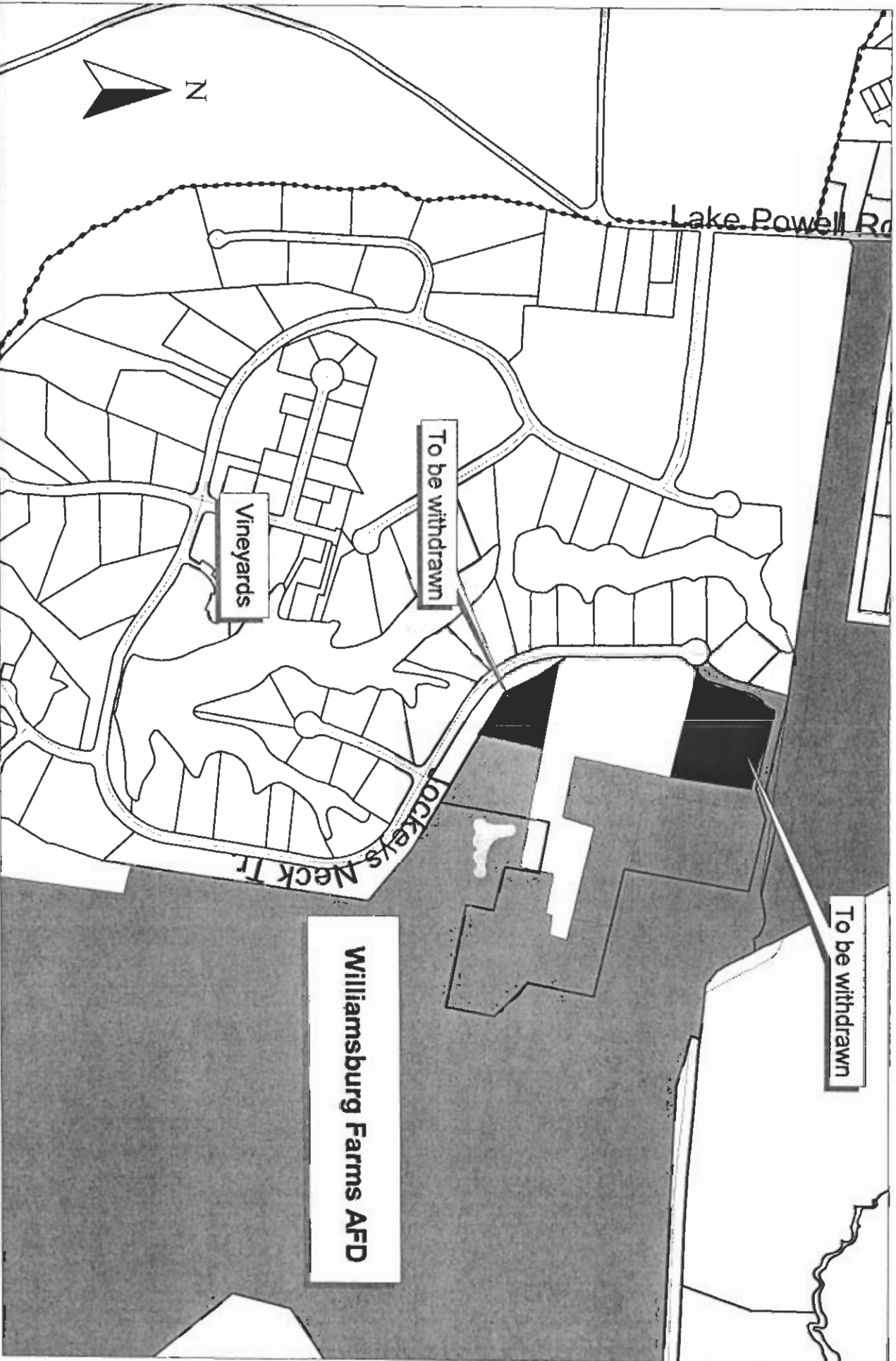
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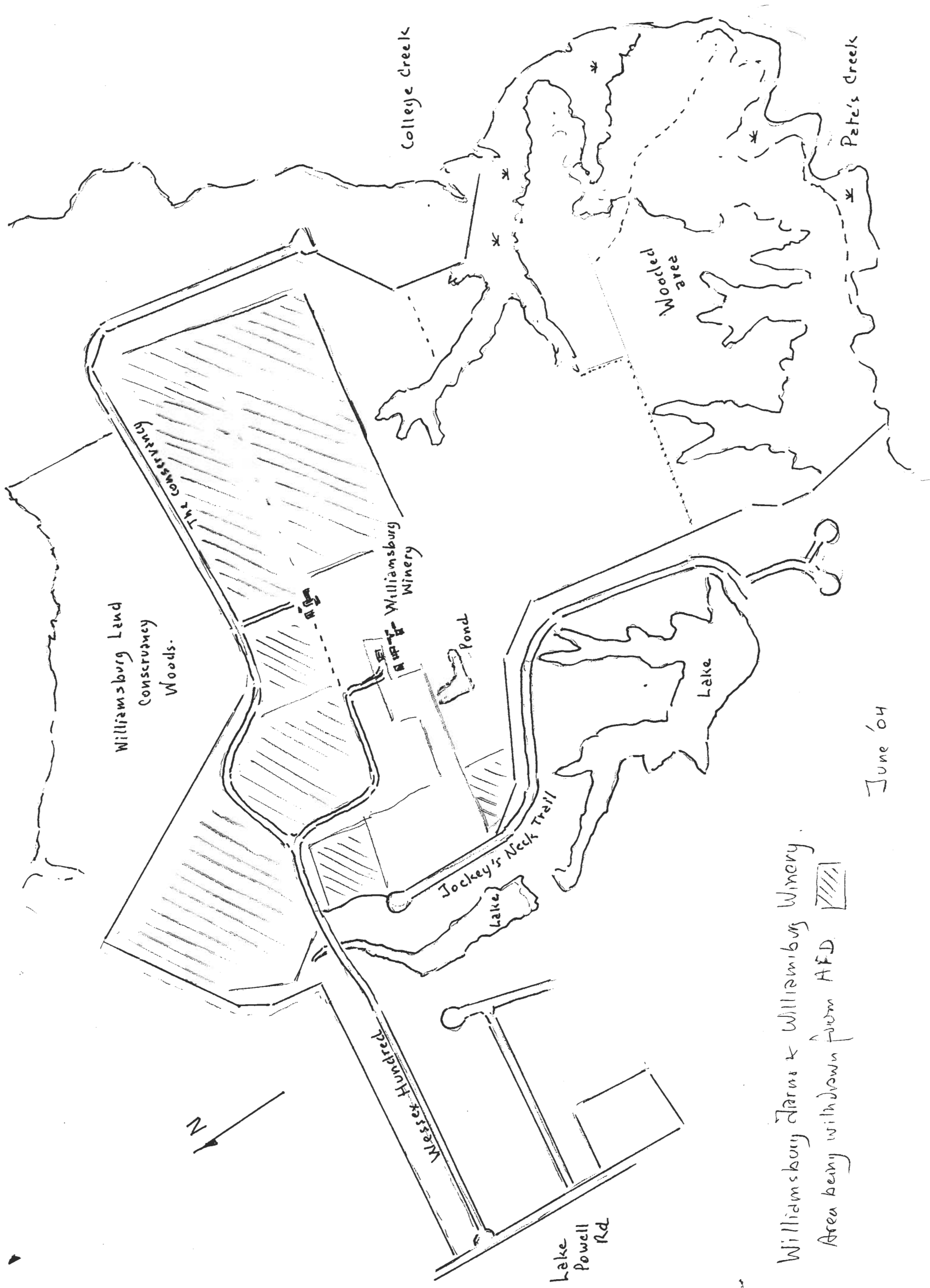
Matthew D. Arcieri

**Attachments:**

1. Location map of 5.3 acre withdrawal
2. Location of proposed 75 acre withdrawal
3. Minutes of the June 28, 2004 AFD Advisory Committee Meeting
4. Minutes of the July 5, 2004 AFD Advisory Committee Meeting

# AFD-1-93. Williamsburg Farms Withdrawal (5.3 acres)





Williamsburg State & Williamsburg Winery.  
 Area being withdrawn from AFD

June '04

AT A MEETING OF THE AGRICULTURAL AND FORESTAL ADVISORY COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 28<sup>TH</sup> DAY OF JUNE, TWO THOUSAND FOUR, AT 4:00 P.M. AT THE HUMAN SERVICES BUILDING, 5249 OLDE TOWNE ROAD, WILLIAMSBURG, VIRGINIA.

1. Roll Call

Members Present

Mr. A. Bradshaw  
Mr. R. Bradshaw  
Mr. Ford  
Ms. Garrett  
Mr. Gilley  
Mr. Hunt  
Mr. Meadows  
Mr. Richardson  
Ms. Smith

Members Excused

Ms. Lowe

Also Present

Mr. Matthew Arcieri

2. Minutes

Minutes from June 9, 2004 were approved on a motion by Mr. Jack Hunt.

3. Old Business

No old business was discussed.

4. Case Discussion

AFD-1-94. Williamsburg Farms Withdrawal

Mr. Arcieri presented the staff report and recommended that the AFD Advisory Committee recommend denial of the proposed withdrawal of 6 acres. Staff's reason for this recommendation was that the proposal was not consistent with the Board of Supervisors Policy for withdrawals inside the PSA which states that a minimum of 75 acres must be withdrawn. Ms. Garret stated her concerns with property owners holding property inside the PSA in an AFD for tax breaks. Mr. Ford noted that the applicant would have to pay five years rollback in taxes plus penalty in interest. Mr. Patrick Duffler of the Williamsburg Winery provided the Committee with a brief overview of current operations and noted that the withdrawal was to be turned into four single family lots, the sale of which will help pay down the Winery's debt. He stated that it was not his intention to disrupt the Board's withdrawal policy. Mr. Ford noted that taking out 75 acres only to add back in 68 created extra work and since the proposal satisfied two criteria he supported it. Ms. Smith stated she felt the Committee should honor the Board's policy and she was concerned about the precedent it would set to allow the smaller withdrawal. Mr. Meadows concurred with Ms. Smith. Mr. Richard Bradshaw noted that under state law land could not be added back into the district for a period of 12 months at which time the district would be close to its January 2006 renewal. He also noted he felt the Committee should uphold the Board's policy. Mr. Vernon Geddy noted that the applicant had looked at withdrawal in January 2006 but needed the money this year to pay down debt. Following a motion to approve by Mr. Gilley the Committee recommended against approval of the proposed subdivision, by a

vote of 6-3. Mr. Geddy offered to withdraw 75 acres to be consistent with the Board of Supervisors policy. Mr. Richard Bradshaw noted that the applicant's taxes on withdrawing the additional land would not be affected provided the land withdrawn was actively cultivated. Mr. Andy Bradshaw and Mr. Ford asked that the Committee first see a plat of the proposed 75 acre withdrawal prior to voting for approval. Mr. Ford noted that it appeared the Committee would support the 75 acre withdrawal. There being no further discussion the Committee agreed to meet on Tuesday, July 6, 2004 at 4 p.m. to consider the amended proposal.

5. New Business

No old business was discussed.

6. Adjournment

Mr. Gilley adjourned the meeting at 4:43 P.M.

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Robert E. Gilley, Chairman

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Matthew Arcieri, Planner



AT A MEETING OF THE AGRICULTURAL AND FORESTAL ADVISORY COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 6<sup>TH</sup> DAY OF JULY, TWO THOUSAND FOUR, AT 4:00 P.M. AT THE HUMAN SERVICES BUILDING, 5249 OLDE TOWNE ROAD, WILLIAMSBURG, VIRGINIA.

1. Roll Call

Members Present

Mr. A. Bradshaw  
Mr. R. Bradshaw  
Mr. Ford  
Ms. Garrett  
Mr. Meadows  
Mr. Richardson  
Ms. Smith

Members Excused

Mr. Gilley  
Mr. Hunt  
Ms. Lowe

Also Present

Mr. Matthew Arcieri

2. Minutes

Minutes from June 28, 2004 were approved on a motion by Mr. Andy Bradshaw.

3. Old Business

No old business was discussed.

4. Case Discussion

AFD-1-94. Williamsburg Farms Withdrawal

Mr. Ford asked if any members had questions on the proposal by the Williamsburg Winery to withdraw 75 acres. Mr. Andy Bradshaw confirmed that the Director of Planning found the new proposal to be a viable development proposal. Mr. Arcieri confirmed this and noted that the proposal was also substantially consistent with the master plan for the Vineyards subdivision and Winery. Ms. Garrett noted she had discussed tax issue with Mr. Richard Bradshaw. Mr. Richard Bradshaw confirmed that the applicant will only pay rollback on the portions of the property to be used as single family lots. The portions of withdrawn property still in agricultural uses will not see a tax change. There being no further discussion, and following a motion by Mr. Richard Bradshaw and a second by Ms. Garrett, the Committee recommended approval of the proposed withdrawal, by a vote of 7-0.

5. New Business

No old business was discussed.

6. Adjournment

Mr. Ford adjourned the meeting at 4:14 P.M.

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L. Carlyle Ford, Acting Chairman

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Matthew Arcieri, Planner

**Special Use Permit-13-04. Williamsburg Winery – Country Inn  
Staff Report for July 13, 2004, 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**

Building F Board Room; County Government Center

Planning Commission:	May 3, 2004	7:00 p.m.
	June 7, 2004	7:00 p.m.
	July 13, 2004	7:00 p.m.
	August 10, 2004	7:00 p.m. (tentative)
Board of Supervisors:		

**SUMMARY FACTS**

Applicant:	Mr. Vernon Geddy, III
Land Owner:	Patrick Duffeler
Proposed Use:	Construct and operate a 36 room inn.
Location:	5800 Wessex Hundred Road, Roberts District
Tax Map/Parcel No.:	(48-4)(1-10)
Parcel Size:	282.3 acres
Existing Zoning:	R-8, Rural Residential
Comprehensive Plan:	Low Density Residential
Primary Service Area:	Inside

**RECOMMENDATION**

Staff finds that the proposal is acceptable from a land use perspective as it will have minimal impacts on surrounding properties and is consistent with operations at the Winery. Furthermore the inn will have a minimal impact on traffic on Lake Powell Road. Staff recommends the Planning Commission recommend approval of this special use permit with the attached conditions.

Staff Contact:	Matthew Arcieri	Phone: 253-6685
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## **PROJECT DESCRIPTION**

Mr. Vernon Geddy, III has applied for a special use permit on behalf of Williamsburg Farms, Inc., to permit the construction and operation of a 36 room inn at the Williamsburg Winery. Hotels and motels are a specially permitted use in the R-8, Rural Residential district in which the property is located. Williamsburg Farms, Inc. was granted special use permits to construct an inn in 1988, 1990, 1991 and 1992. Each SUP became void because construction was not begun within the time limits set forth in the SUP conditions. The last SUP became void in 1994.

The inn is proposed to be approximately 15,000 square feet and contain 36 rooms. Additional gravel parking will be constructed to serve the inn. In addition, the parking lot used by visitors to the winery and tavern offers opportunities for shared parking. Inn patrons will utilize the existing entrance to the property on Lake Powell Road.

At the May 3, 2004 Planning Commission meeting two residents stated concerns to the Commission regarding the proposal. The applicant has provided the attached letter detailing efforts to address public concerns.

## **PUBLIC IMPACTS**

### **Environmental Impacts**

<b>Watershed:</b>	College Creek
<b>Conservation Easement:</b>	The applicant has proposed to dedicate an approximately 50 acre conservation easement to the County consisting of property along Jockey's Neck Trail. The attached layout shows the exact location of the easement.
<b>Environmental Comments:</b>	The Environmental Division had no comments on this case.

### **Water and Sewer Impacts**

<b>Utilities:</b>	The site is served by public water and sewer.
<b>JCSA Comments:</b>	The applicant shall be responsible for developing water conservation standards for this development. During site plan review, the applicant shall confirm that the existing water and sewer service has adequate capacity to serve the proposal and/or shall make any necessary improvements.

### **Traffic Impacts**

<b>Proposed Traffic:</b>	294 vehicles trips per day
<b>Traffic Counts:</b>	2002 VDOT counts for Lake Powell Road were 1,400 daily vehicle trips. Counts on Brookwood Drive were 8,800 daily vehicle trips. Traffic on Brookwood is forecasted by VDOT to increase through 2009 while traffic on Lake Powell Road is forecasted to decrease. Forecasted traffic for 2009 is within the capacity of both Lake Powell Road and Brookwood

Drive.

The Route 199 Transportation Study performed by the HRPDC in 1999 found that the Route 199 and Brookwood Drive Intersection would operate at a Level of Service "C" or better through 2015.

**Traffic Study:** The traffic study indicated that no improvements are necessary to the existing entrance.

The applicant's traffic study indicated that current Winery traffic accounts for 4% percent of AM peak hour traffic on Lake Powell Road and the addition of the inn will add another 5%. Current Winery traffic accounts for 8% percent of PM peak hour traffic on Lake Powell Road and the addition of the inn will add another 4%.

**VDOT Comments:** VDOT concurs with the traffic impact study and notes that the addition of the 36 room hotel should not cause a negative impact on current or future VDOT right of way.

#### **Other Traffic**

**Considerations:** As detailed in the attached emails, due to concerns raised by VDOT and residents on Lake Powell Road, the applicant volunteered to reduce the size of events on the Winery property. Based on outdoor gathering applications submitted by the Winery, the Scottish Festival drew between 1,500 to 2,000 persons per day. Staff has proposed a condition that would limit events at the Winery to no more than 1,000 persons per day.

In addition, the applicant has proposed dedicating a conservation easement to the County over approximately 50 acres of land fronting Jockey's Neck Trail in the Vineyards. Under present zoning, this would prevent the potential future development of this property into 16 residential lots. Staff finds that by assuring this property cannot be developed, it eliminates the potential for almost 160 new vehicle trips per day (16 lots x 10 vehicle trips/lot). This is equivalent to 54% of the new trips produced by the inn. Should this property be developed under its Low Density Residential designation in the Comprehensive Plan, traffic would be greater than that of the inn.

### **COMPREHENSIVE PLAN**

The parcel on which the Winery and Tavern are located is inside the Primary Service Area (PSA) and is designated Low Density Residential on the 2003 Comprehensive Plan Land Use Map. Non-residential uses should not alter, but rather complement the residential character of the Low Density Residential area in which they are located and should be located on collector or arterial roads at intersections. Traffic, noise, lighting and other impacts should be similar to surrounding or planned residential uses. Very limited commercial establishments should be located where adequate buffering and screening can be provided to protect nearby residential uses and the character of the surrounding area.

The land to the south across a creek and marsh area is designated Rural Lands and is outside the PSA. The land to the east is a mixture of Low Density Residential and Park, Public or Semi-Public

Open Space. To the west and north, adjacent developments are also designated Low Density Residential. The nearest residence is located on Jockey's Neck Trail and is approximately 600 feet from the hotel site. These homes are separated by a tree buffer which will be placed in the conservation easement described in the environmental and transportation analysis.

**Staff Comments:** Staff believes that the inn is not a "very limited commercial establishment." However, the site is well buffered, access is directly off a collector road and, with the recommended conditions, impacts will be minimal.

### CONCLUSIONS AND CONDITIONS

Staff finds that the proposal is acceptable from a land use perspective as it will have minimal impacts on surrounding properties and is consistent with operations at the Winery. Furthermore the inn will have a minimal impact on traffic on Lake Powell Road. Staff recommends the Planning Commission recommend approval of this special use permit with the following conditions:

1. This Special Use Permit shall be valid for the operation of a hotel with a 15,000 square foot building footprint, and accessory uses thereto. The hotel shall be limited to a maximum of 36 rooms.
2. The property shall be developed generally in accordance with the conceptual layout submitted with the application titled "Conceptual Layout of Country Inn and Williamsburg Winery" prepared by Patrick Duffeler, and dated March 22, 2004, with minor changes approved by the Development Review Committee.
3. The building design shall be consistent, as determined by the Planning Director, with the building elevations submitted with this application titled "Wedmore Place at the Williamsburg Winery" prepared by Hopke and Associates, Inc., and dated December 11, 2003. The building shall not exceed 30 feet in height.
4. Prior to the issuance of a certificate of occupancy, the hotel shall be connected to the James City Service Authority public water and sewer system.
5. The applicant shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority prior to final site plan approval. The standards may include, but shall not be limited to such water conservation measures as limitations on the installation and use of irrigation systems, the use of approved landscaping materials including the use of drought tolerant plants where appropriate, and the use of water conserving fixtures to promote water conservation and minimize the use of public water resources.
6. Any special event, party or gathering on the property, indoor or outdoor, which generates over 1,000 persons per day, shall not be permitted.
7. Any new exterior site lighting shall be limited to fixtures which are horizontally mounted on light poles or other structures not to exceed 15 feet in height above ground level and shall be recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. No glare, defined as 0.1 footcandle or higher shall extend outside the property lines.
8. No outdoor amplified music or loud speakers in connection with the operation of the inn shall be audible outside the boundaries of the property.

9. Any new signage on Lake Powell Road shall be combined with the existing sign in accordance with Article II, Division 3 of the Zoning Ordinance and shall be approved by the Planning Director. The sign shall only be externally illuminated.
10. Prior to final site plan approval, the applicant shall dedicate to the County or another County approved land conservation entity a conservation easement of approximately 50 acres, identified on the drawing titled "Williamsburg Farms: Area proposed to be dedicated to Conservation Easement" and dated June 2004, substantially in the form of the County's natural open space easement as approved by the County Attorney. The exact boundaries of the conservation easement shall be shown on the site plan for the inn. The conservation easement shall remain undisturbed and in its natural state. With prior approval of the County Engineer, dead, diseased and dying trees or shrubbery or poisonous or invasive plants may be removed from the conservation area.
11. Construction on this project shall commence within thirty (36) months from the date of approval of this special use permit or this permit shall be void. Construction shall be defined as obtaining permits for building construction, installation and final inspection of footings and/or foundations.
12. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

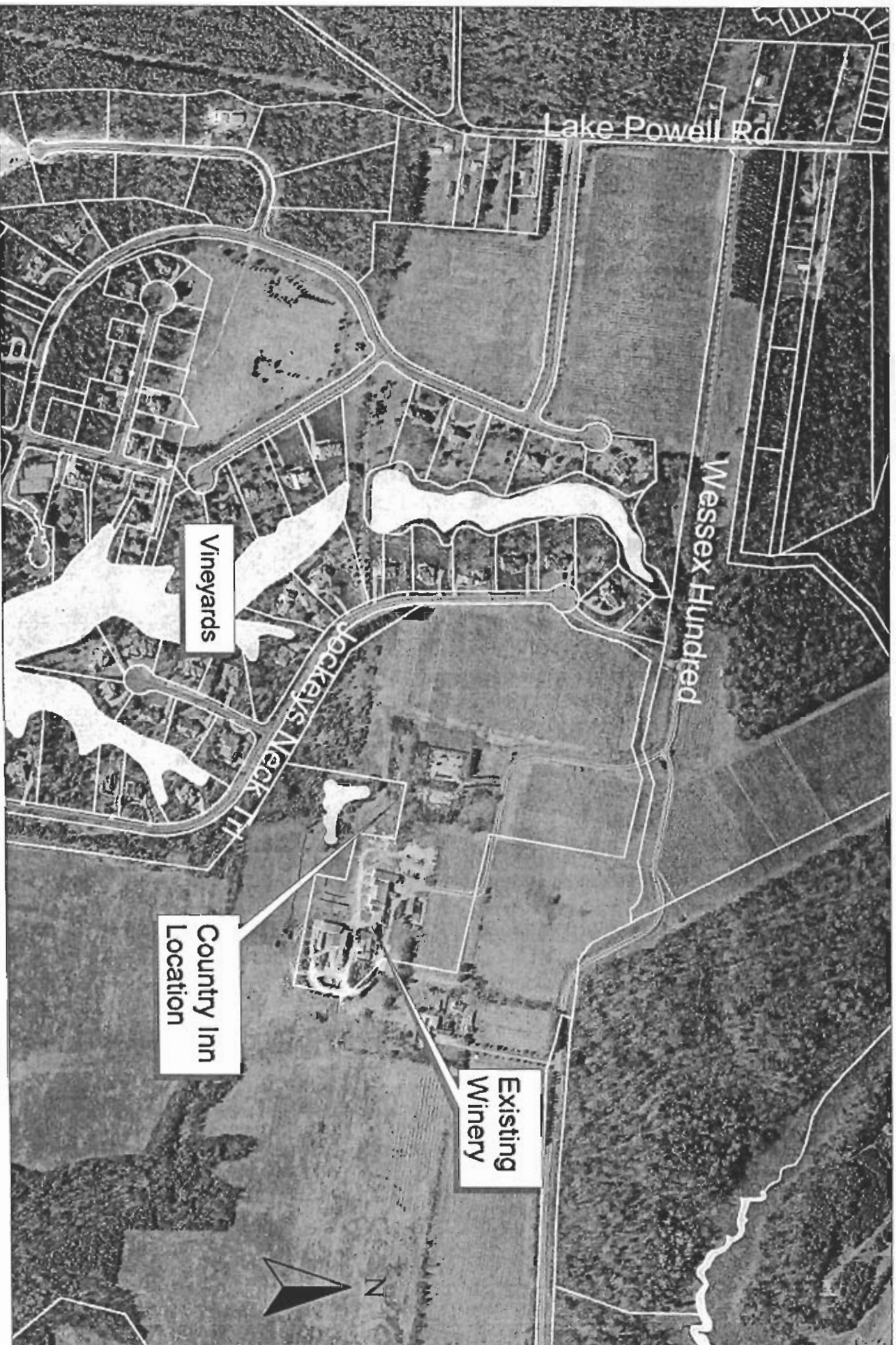
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Matthew D. Arcieri

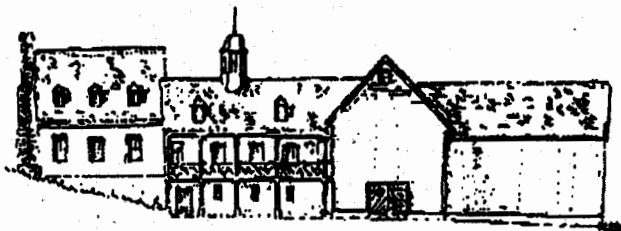
Attachments:

1. Location Map
2. Email from Patrick Duffeler dated July 7, 2004 regarding efforts to address public concerns
3. Traffic Study
4. Email dated May 12, 2004 regarding public events at the Winery
5. Email dated June 15, 2004 regarding public events at the Winery
6. Layout of proposed conservation easement
7. Conceptual site layout

# SUP-13-04; Williamsburg Farms Country Inn



The  
WILLIAMSBURG  
WINERY LIMITED  
WILLIAMSBURG, VIRGINIA



FAX: 757.229.0911  
BUSINESS PHONE: 757.258.0899  
RETAIL PHONE: 757.229.0999

5800 WESSEX HUNDRED  
WILLIAMSBURG, VIRGINIA 23185

## FAX TRANSMITTAL

To: James City County Planning Department  
Attention: Matt Arcier  
Fax No.: (757) 253-6850  
From: Patrick G. Duffeler  
Date: July 7, 2004  
No. Pg.: 1  
Re: Contacts with Adjacent Property Owners

This will confirm to you that as a member of the Vineyards Homeowners Association, I attended their annual meeting on April 12 at 7:00 PM at the Clubhouse and presented all planning pertinent to the operations of Williamsburg Farms and the Williamsburg Winery including the subdivision of the 12 acres on Jockey's Neck Trail, the Gabriel Archer Tavern SUP, the application for the Country Hotel, and the dedication of specific acreage for conservation easement.

We have been in frequent contact with the President of the Homeowners Association, Mr. Donald Beck, as well as some of his Board members. We also have regularly invited adjacent property owners to meetings to more fully detail areas of mutual interest including traffic issues, utility issues, etc. The last meeting took place on June 22 at 4:30 PM with the invitation extended to five property owners; two attended and advised us that they would brief other members.





## MEMORANDUM

TO: Vernon Geddy, III  
FROM: Dexter R. Williams  
SUBJECT: Traffic Assessment For Williamsburg Winery Hotel  
DATE: June 13, 2004

Turning movement traffic counts were conducted on Lake Powell Road at Wessex Hundred. Wessex Hundred is the access road serving the Winery. The counts were conducted from 7 to 9 AM and 4 to 6 PM in early June 2004. Tabulated counts are shown on Exhibit A. Peak hour traffic is shown on the upper row of Exhibit C.

Tables 3 and 4 on the lower half of Exhibit B show VDOT daily traffic counts and trends for Lake Powell Road and Brookwood Drive. Lake Powell Road shows a declining trend and Brookwood Drive shows an increasing trend. The second row on Exhibit C shows 2009 background traffic for site access analysis. A growth factor of 1.10 (1.10 times existing traffic) is used.

Williamsburg Winery has plans for a 36 room hotel (a country style hotel without a restaurant). No other development is planned. Trip generation is shown in Table 1 on Exhibit B. 100% of site traffic is assigned at the Lake Powell/Wessex Hundred intersection. Site traffic is distributed in Table 2 on Exhibit B.

Site turning movements at the Lake Powell/Wessex Hundred intersection are shown on the third row of Exhibit C. Total traffic is shown on the bottom row of Exhibit C.

Exhibit D shows the right turn lane warrant graph for northbound Lake Powell Road at Wessex Hundred. Total 2009 traffic is well below right turn lane warrant levels.

Exhibit E shows the left turn lane warrant graph for southbound Lake Powell Road at Wessex Hundred for the AM peak hour in 2004, 2009 background and 2009 total traffic (all three conditions are plotted on a 40% left turn graph for simplicity of comparison). All conditions are far below turn lane warrant levels.

Exhibit F shows the left turn lane warrant graph for southbound Lake Powell Road at Wessex Hundred for the PM peak hour in 2004, 2009 background and 2009 total traffic (all three conditions are plotted on a 30% left turn graph for simplicity of comparison). All conditions are far below turn lane warrant levels.

There are no turn lanes on Lake Powell Road at Wessex Hundred and none are needed.

Vernon Geddy, III  
June 13, 2004

DRW Consultants, Inc. counted traffic in 2001 on Lake Powell Road at the former Greenwood School (now encompassed by the Williamsburg Landing expansion) driveway just south of Brookwood Drive. 2001 AM peak hour through traffic on Lake Powell Road was 315 vehicles per hour (vph) and 2001 PM peak hour through traffic was 425 vph. In the AM peak hour, existing Winery traffic is 4% of the 2001 counts on Lake Powell Road, and the hotel will add 5%. In the PM peak hour, existing Winery traffic is 8% of the 2001 counts on Lake Powell Road and the hotel will add 4%.

Please advise if any additional information is necessary.

**AM PEAK HOUR**

Date: Wed, 6/2/04

LOCATION: Lake Powell Road/Wessex Hundred

**CUMULATIVE 15 MINUTE COUNTS**

TIME	NB			SB			EB			WB			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:00 to 7:15		11	0	2	7					1		0	21
7:15 to 7:30		25	0	3	11					1		1	41
7:30 to 7:45		34	0	4	19					1		2	60
7:45 to 8:00		54	1	6	23					1		3	88
8:00 to 8:15		68	1	9	28					1		5	112
8:15 to 8:30		84	2	12	39					2		6	145
8:30 to 8:45		96	2	12	44					2		6	162
8:45 to 9:00		108	2	16	52					2		6	186
Count Sheet		A	B	E	F					C		D	

**15 MINUTE INTERVAL COUNTS**

TIME	NB			SB			EB			WB			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:00 to 7:15	0	11	0	2	7	0	0	0	0	1	0	0	21
7:15 to 7:30	0	14	0	1	4	0	0	0	0	0	0	1	20
7:30 to 7:45	0	9	0	1	8	0	0	0	0	0	0	1	19
7:45 to 8:00	0	20	1	2	4	0	0	0	0	0	0	1	28
8:00 to 8:15	0	14	0	3	5	0	0	0	0	0	0	2	24
8:15 to 8:30	0	16	1	3	11	0	0	0	0	1	0	1	33
8:30 to 8:45	0	12	0	0	5	0	0	0	0	0	0	0	17
8:45 to 9:00	0	12	0	4	8	0	0	0	0	0	0	0	24

**HOURLY INTERVAL**

TIME	NB			SB			EB			WB			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:00 to 8:00	0	54	1	6	23	0	0	0	0	1	0	3	88
7:15 to 8:15	0	57	1	7	21	0	0	0	0	0	0	5	91
7:30 to 8:30	0	59	2	9	28	0	0	0	0	1	0	5	104
7:45 to 8:45	0	62	2	8	25	0	0	0	0	1	0	4	102
8:00 to 9:00	0	54	1	10	29	0	0	0	0	1	0	3	98

**PEAK HOUR TURNING MOVEMENT VOLUMES**

TIME	NB			SB			EB			WB			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
7:30 to 8:30		59	2	9	28					1		5	104

Exhibit A1

**PM PEAK HOUR**      Date: Thu, 6/3/04  
**LOCATION:** Lake Powell Road/Wessex Hundred

**CUMULATIVE 15 MINUTE COUNTS**

TIME	NB			SB			EB			WB			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
3:45 to 4:00													
4:00 to 4:15		14	1	9	7					0		2	33
4:15 to 4:30		33	1	11	17					0		11	73
4:30 to 4:45		42	1	14	28					0		22	107
4:45 to 5:00		48	1	15	35					0		27	126
5:00 to 5:15		55	1	18	54					0		32	160
5:15 to 5:30		64	2	21	63					0		35	185
5:30 to 5:45		74	2	23	79					1		39	218
5:45 to 6:00		78	2	24	93					2		43	242
Count Sheet		A	B	E	F					C		D	

**15 MINUTE INTERVAL COUNTS**

TIME	NB			SB			EB			WB			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
4:00 to 4:15	0	14	1	9	7	0	0	0	0	0	0	2	33
4:15 to 4:30	0	19	0	2	10	0	0	0	0	0	0	9	40
4:30 to 4:45	0	9	0	3	11	0	0	0	0	0	0	11	34
4:45 to 5:00	0	6	0	1	7	0	0	0	0	0	0	5	19
5:00 to 5:15	0	7	0	3	19	0	0	0	0	0	0	5	34
5:15 to 5:30	0	9	1	3	9	0	0	0	0	0	0	3	25
5:30 to 5:45	0	10	0	2	16	0	0	0	0	1	0	4	33
5:45 to 6:00	0	4	0	1	14	0	0	0	0	1	0	4	24

**HOUR INTERVAL**

TIME	NB			SB			EB			WB			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
4:00 to 5:00	0	48	1	15	35	0	0	0	0	0	0	27	126
4:15 to 5:15	0	41	0	9	47	0	0	0	0	0	0	30	127
4:30 to 5:30	0	31	1	10	46	0	0	0	0	0	0	24	112
4:45 to 5:45	0	32	1	9	51	0	0	0	0	1	0	17	111
5:00 to 6:00	0	30	1	9	58	0	0	0	0	2	0	16	116

**PEAK HOUR TURNING MOVEMENT VOLUMES**

TIME	NB			SB			EB			WB			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
4:15 to 5:15		41	0	9	47					0		30	127

Exhibit A2

				WEEKDAY TRIP GENERATION						
		ITE CODE	SQ.FT., OTHER UNITS	AM PEAK HOUR			PM PEAK HOUR			DAILY
TRACT	LAND USE			Enter	Exit	Total	Enter	Exit	Total	

**TABLE 1 - WILLIAMSBURG WINERY HOTEL GENERATION**

avg. rate-adj. st.	Hotel	310	36 room	12	8	20	11	10	21	294
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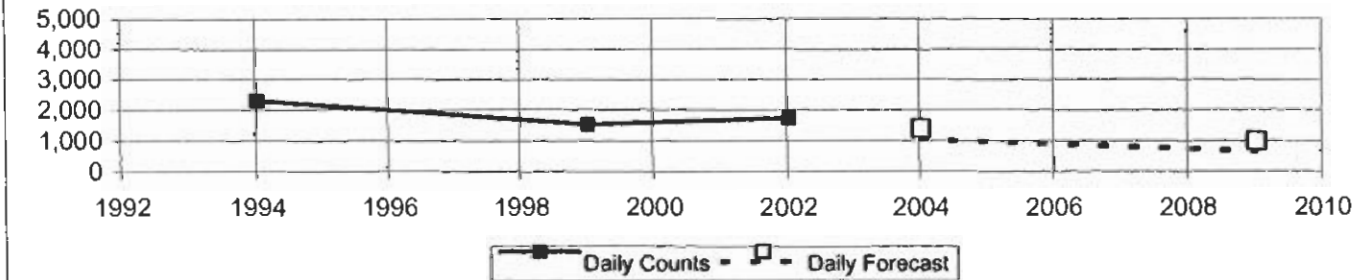
**TABLE 2 - WILLIAMSBURG WINERY HOTEL DISTRIBUTION**

Direction	AM Peak Hour					PM Peak Hour			
	Entering Traffic		Exiting Traffic			Entering Traffic		Exiting Traffic	
	Queens Ck Rd	Site Trips	Queens Ck Rd	Site Trips		Queens Ck Rd	Site Trips	Queens Ck Rd	Site Trips
Lake Powell Road North	90	11	90	7		90	10	90	9
Lake Powell Road South	10	1	10	1		10	1	10	1
	100	12	100	8		100	11	100	10

**TABLE 3 - VDOT DAILY TRAFFIC COUNTS (AADT) AND TRENDS**

Street: Rt. 617 Lake Powell Road From: Rt. 618 Lake Powell Road @ Treasure Island Road To: Rt. 700, Brookwood Drive	Daily Counts		Daily Forecast		
	Year	2 Way	Year	2 Way	Δ04
	1994	1,978	2004	1,068	
	1999	1,200	2009	665	0.62
	2002	1,400			

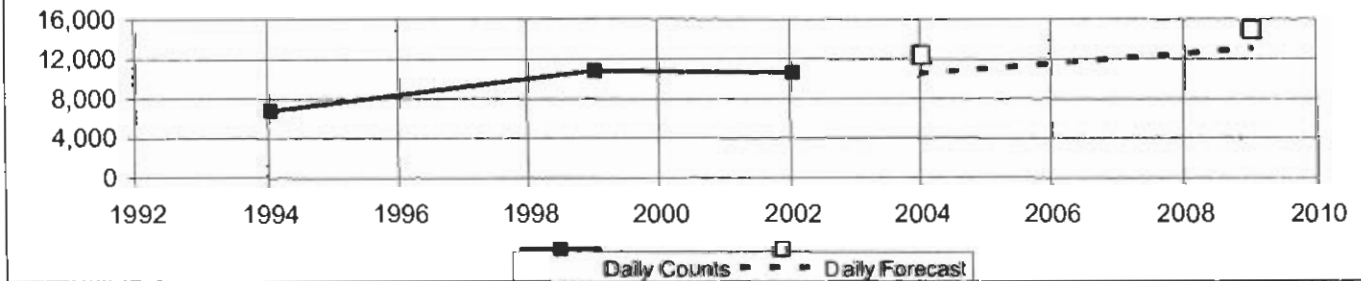
**RT. 617 LAKE POWELL ROAD**



**TABLE 4 - VDOT DAILY TRAFFIC COUNTS (AADT) AND TRENDS**

Street: Rt. 700, Brookwood Drive From: Rt. 617, Lake Powell Road To: Rt. 199	Daily Counts		Daily Forecast		
	Year	2 Way	Year	2 Way	Δ04
	1994	4,933	2004	10,508	
	1999	9,000	2009	13,093	1.25
	2002	8,800			

**RT. 700 Brookwood Drive**



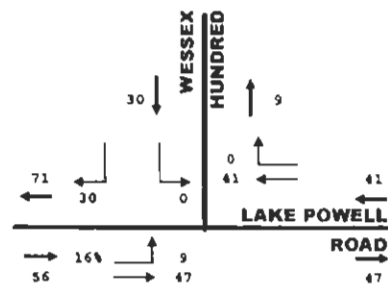
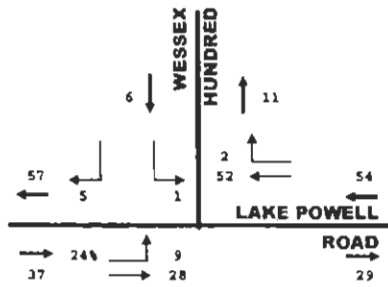
Trip generation rates from Trip Generation, 7th Edition (TG7) by the Institute of Transportation Engineers (ITE)

WILLIAMSBURG WINERY HOTEL  
TRIP GENERATION AND DISTRIBUTION  
LAKE POWELL ROAD AND BROOKWOOD DRIVE  
DAILY TRAFFIC COUNTS AND TRENDS

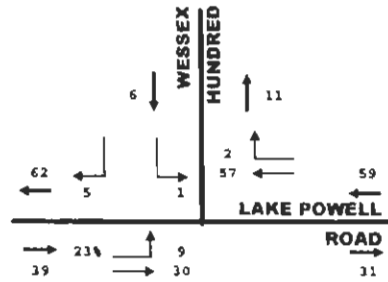
DRW Consultants, Inc.  
804-794-7312

**Exhibit B**

# Counts



# Background Forecast



GROWTH FACTOR: 1.10

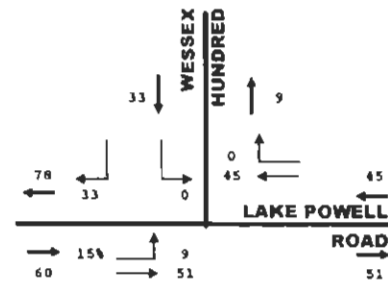
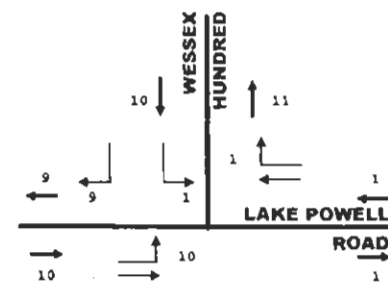
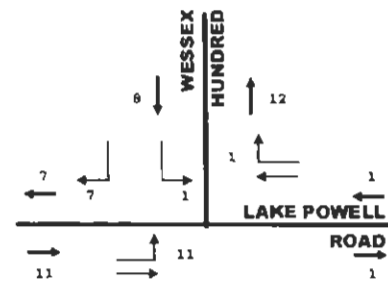
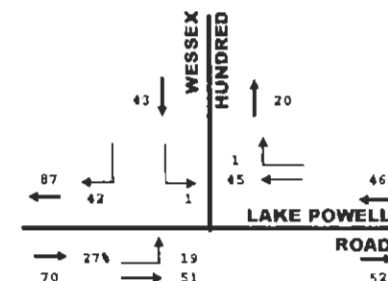
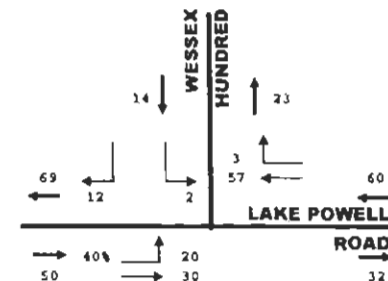


Exhibit Reference

# Site Traffic



# Total Traffic



AM Peak Hour

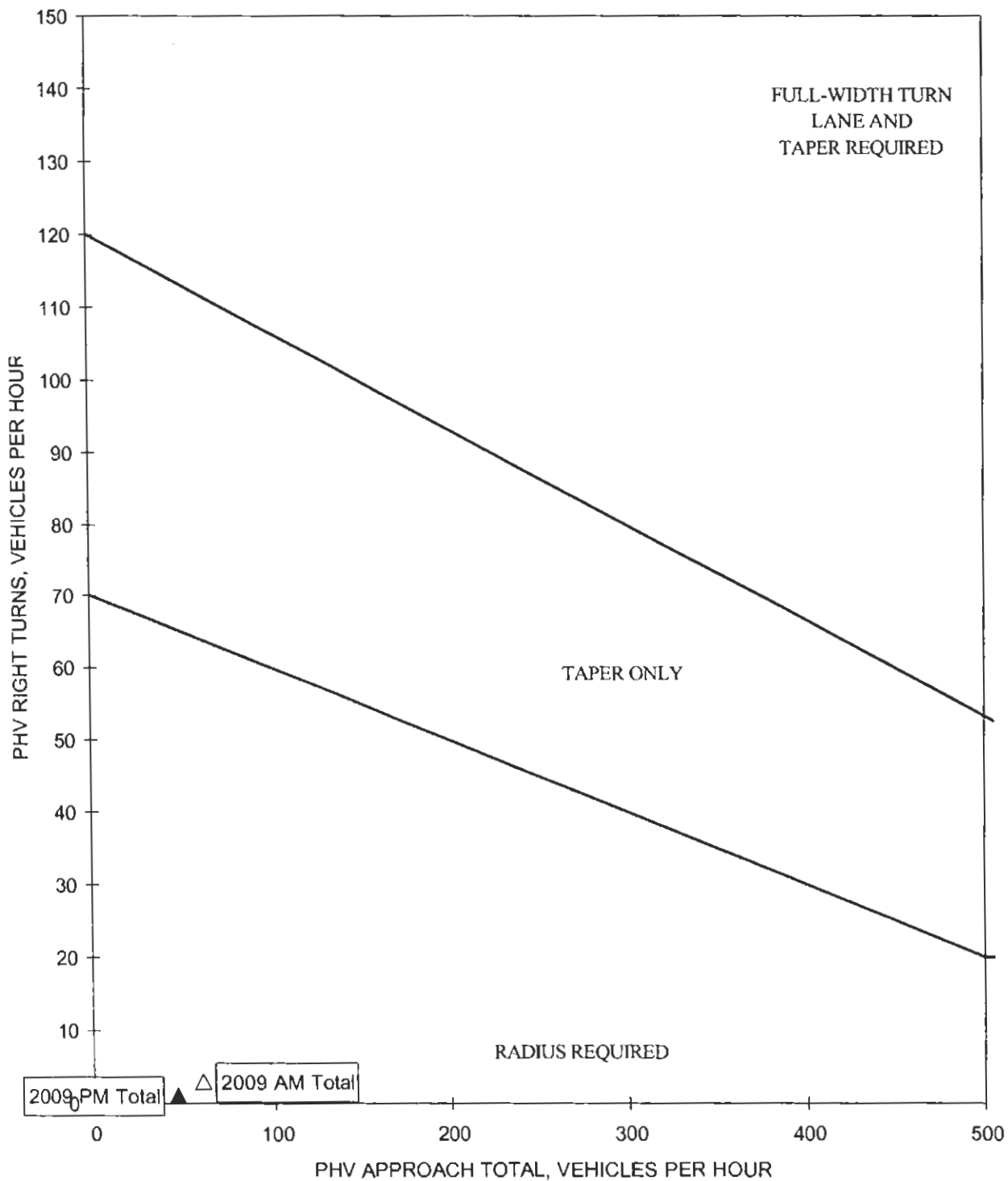
PM Peak Hour

EXISTING TRAFFIC COUNTS, BACKGROUND TRAFFIC,  
WILLIAMSBURG WINERY HOTEL SITE TRAFFIC AND TOTAL TRAFFIC

DRW Consultants, Inc.  
804-794-7312

Exhibit C

# Guidelines for Right Turn Treatments 2 - Lane Highway



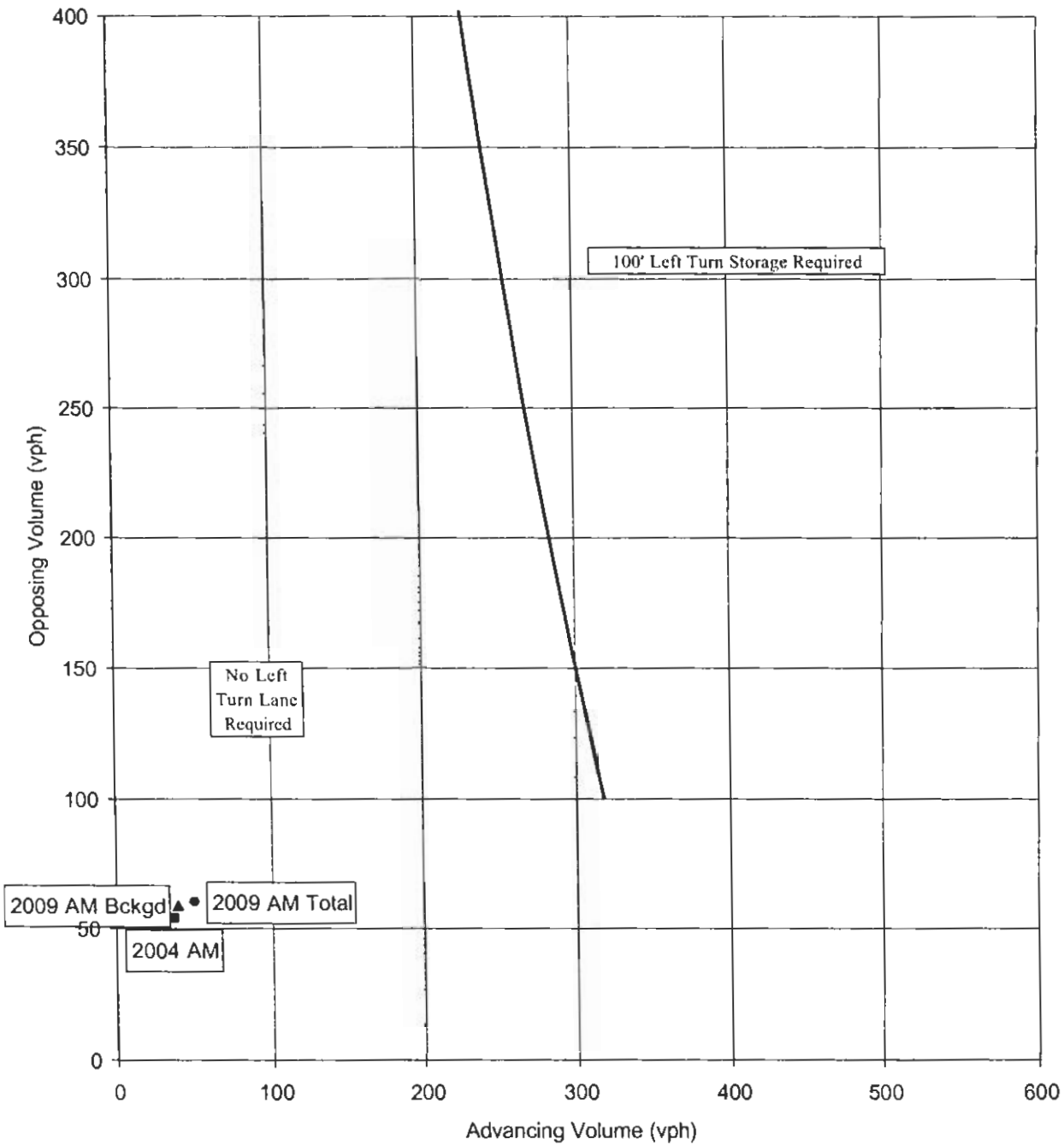
Source: VDOT Road Design Manual, Vol. I, Page C-15, Figure C-1-8

VDOT RIGHT TURN LANE WARRANT  
LAKE POWELL ROAD NORTHBOUND  
AT WESSEX HUNDRED

DRW Consultants, Inc.  
804-794-7312

Exhibit D

**LEFT TURN LANE WARRANT**  
**40 mph Design Speed**  
**% Left Turns = 40%**



Source: VDOT Road Design Manual, Appendix C, derived from Highway Research Record Number 211

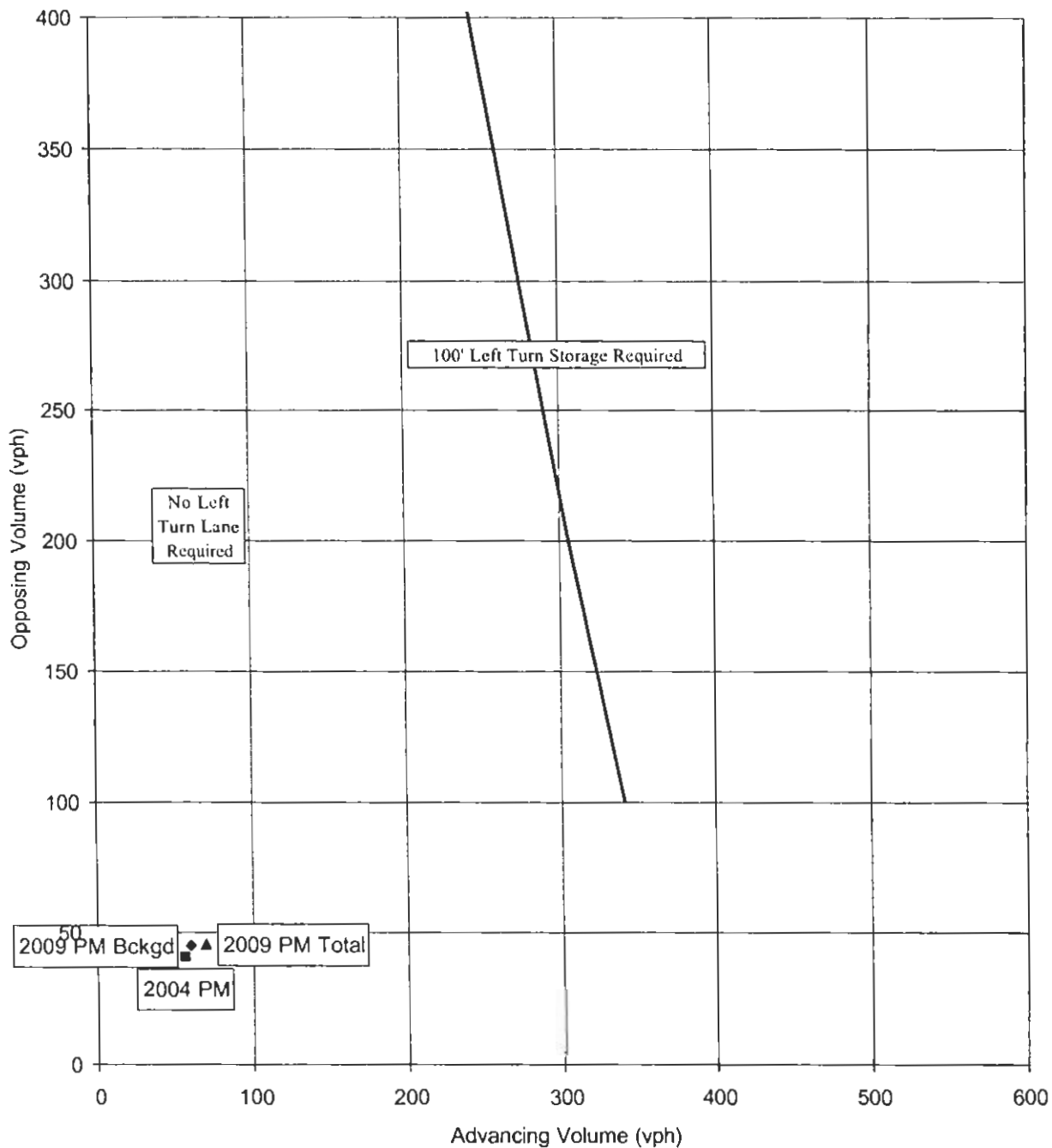
VDOT LEFT TURN LANE WARRANTS  
 LAKE POWELL ROAD SOUTHBOUND  
 AT WESSEX HUNDRED - AM PEAK HOUR

*DRW Consultants, Inc.*  
 804-794-7312

**Exhibit E**



**LEFT TURN LANE WARRANT**  
**40 mph Design Speed**  
**% Left Turns = 30%**



Source: VDOT Road Design Manual, Appendix C, derived from Highway Research Record Number 211

VDOT LEFT TURN LANE WARRANTS  
 LAKE POWELL ROAD SOUTHBOUND  
 AT WESSEX HUNDRED - PM PEAK HOUR

*DRW Consultants, Inc.*  
 804-794-7312

**Exhibit F**

**Matthew Arcieri**

---

**From:** Patrick G. Duffeler [pduffeler@wmbgwine.com]  
**Sent:** Wednesday, May 12, 2004 1:36 PM  
**To:** Matthew Arcieri  
**Cc:** Vern Geddy  
**Subject:** SUP Wedmore Place, a Country-Hotel at the williamsburg Winery

Mr. Arcieri,

Vernon Geddy, Esq. has kept me up to date on your contacts as well as on the comments made by a resident of Lake Powell road expressing concern over traffic issues on dates of events such as the Scottish festival.

This will inform you that we have over the years felt concerned about traffic issues on many counts including congestion here at the winery. Accordingly, we have made the decision to reduce the number of special events that bring excessive number of visitors. As it is we will no longer host the Scottish festival. Our target is to limit events to numbers that can be provided with adequacy of parking, facilities and a certain level of comfort and the process eliminate traffic congestion.

This Friday, I will meet with a traffic study analyst to discuss what may be appropriate to satisfy the request from VDOT and ask that he contact you to set up the joint meeting. Frankly, based on all the previous studies done for a 66 room property, the traffic count number generated by a 36 room hotel will have no significant impact on Lake Powell road.

Thank you for your continued assistance,

Patrick G. Duffeler

**Matthew Arcieri**

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**From:** Patrick G. Duffeler [pduffeler@wmbgwine.com]  
**Sent:** Tuesday, June 15, 2004 3:47 PM  
**To:** Matthew Arcieri  
**Cc:** Vern Geddy; Patrick Duffeler II  
**Subject:** Special Events at the Williamsburg Winery

Mr. Arcieri,

Vern Geddy, Esq. has informed me of the uncertainty related to, on the one hand, my message notifying you of the limitation that we are putting on special large outdoor events while virtually simultaneously you were receiving the application for the Italian Festival.

We wish you to know that we are also in conversation with the Williamsburg Land Conservancy for the hosting of their proposed Bird Harvest, Arts and Craft event.

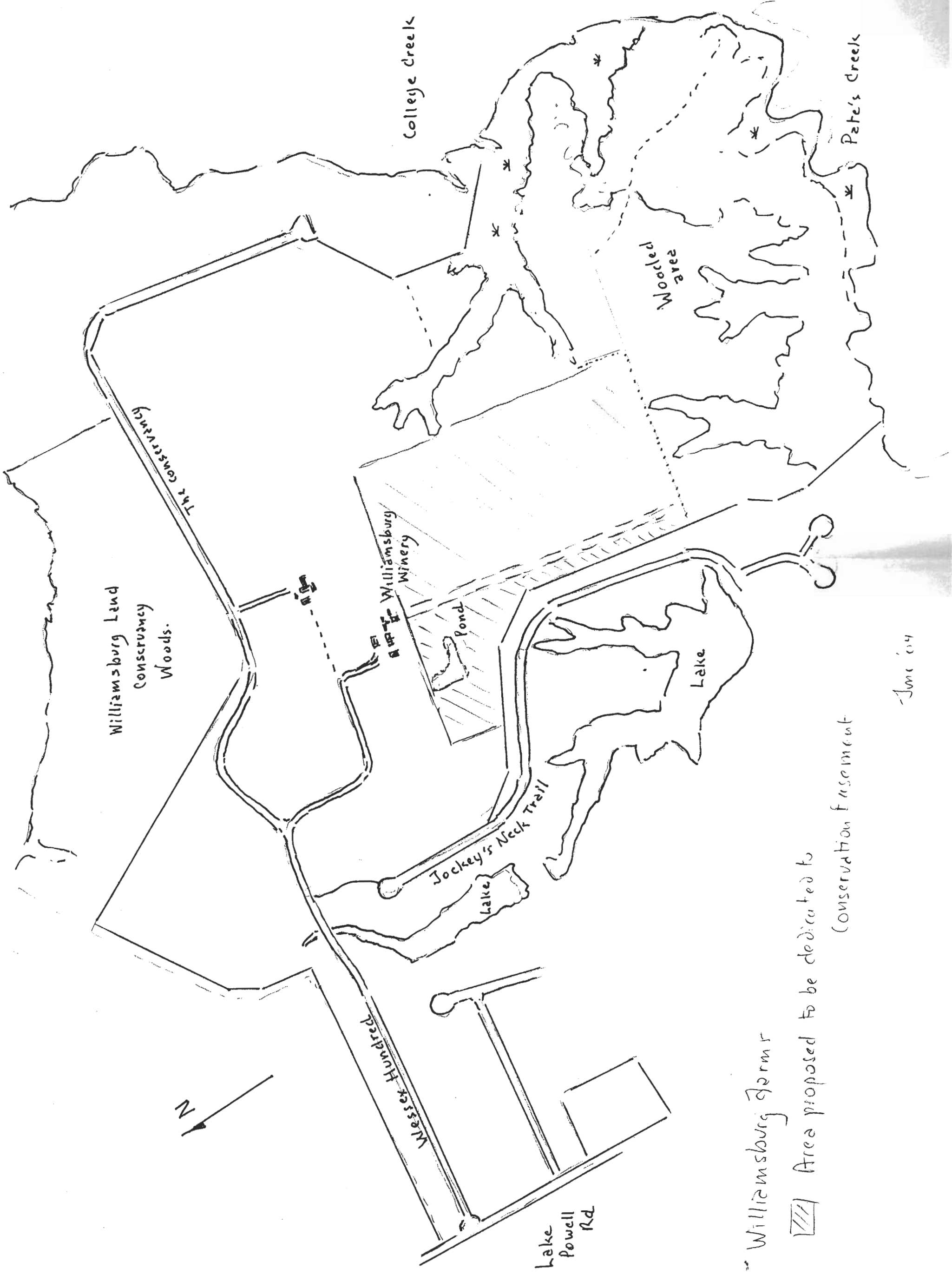
Broadly speaking, we have determined to be more selective and to be mindful of issues of comfort of visitors, traffic flow as well as the qualitative standards of the event.

As we move forward with the development of the Country-Hotel, we intend to be even more selective as the basic concept for the hotel is to offer a place of quiet and enjoyment less than 3 miles from the Colonial Capital.

I thought that I would clarify the matter for you. If you have any question, please call me or email me.

With kind regards,

Patrick G. Duffeler



Williamsburg Farm

Area proposed to be dedicated to

Conservation Easement

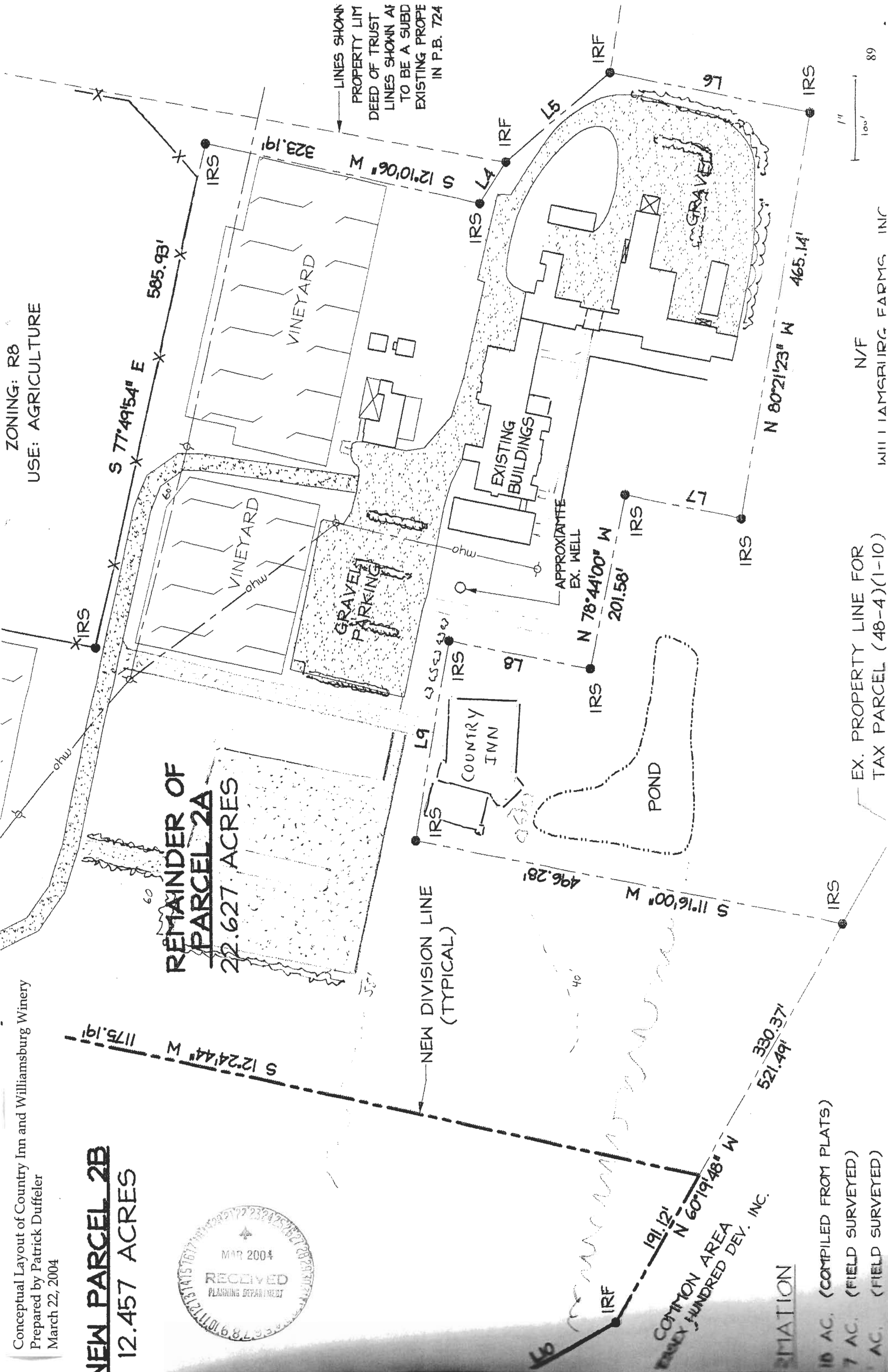
June '04

Conceptual Layout of Country Inn and Williamsburg Winery  
Prepared by Patrick Duffeler  
March 22, 2004

**NEW PARCEL 2B**  
**12.457 ACRES**



**REMAINDER OF  
PARCEL 2A**  
**22.627 ACRES**



10 AC. (COMPILED FROM PLATS)  
7 AC. (FIELD SURVEYED)  
1 AC. (FIELD SURVEYED)

EX. PROPERTY LINE FOR  
TAX PARCEL (48-4)(1-10)

N/V  
WILLIAMSBURG FARMS, INC.

## PLANNING DIRECTOR'S REPORT

July 2004

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

1. Five Forks Area Study. The Five Forks Area Study Committee was appointed by the BOS on June 22, 2004. They will meet for the first time on July 7 at 7PM at Clara Byrd Baker Elementary School to conduct a public information/input meeting to gather citizen input. The members of the Committee are: Henry Branscombe, David Fuss, Hampton Jesse, Gerald Johnson, Jon Nystrom, Tom Tingle, and Kay Thorington. Jay Harrison will represent the BOS and Joe McCleary will represent the Planning Commission. We anticipate that the Committee will meet 2 additional times before submitting guiding principles for development in the 5 Forks Area to the PC in September, 2004.
2. Site Plan Roundtable. The three committees held another round of meetings in June to continue considering ordinance amendments to improve water quality. A meeting is scheduled for August 5 at which time the three Committee's will report out their recommendations.
3. Staff Changes. As part of the 2005 fiscal year budget, the Planning Division was granted a new Planner position. Effective July 1, 2004 Trey Davis was promoted to fill that position. As members of the Commission know, Trey has worked for the Planning office since August of 2002 as a Development Management Assistant. His promotion recognizes the excellent service he has thus far provided the County. Trey is a 2002 graduate of Duke University with a degree in Public Policy.
4. Greensprings Trail. VDOT will hold a public information meeting on the Trail on July 22 from 4:00 PM until 7:00 PM. This will be an open house format to allow the public to drop by during these hours, review plans, talk to VDOT staff and provide comments. The meeting will take place at Jamestown High School.
5. Route 199/Jamestown Road Enhancements. Staff continued to meet with VDOT to identify enhancements to improve the appearance of the this intersection. Items currently under consideration include decorative fencing and concrete, and dark green signal poles and signs similar to those used in Williamsburg.
6. Other VDOT Projects. Staff continued to work with VDOT, citizens and other agencies on the Virginia Capital Trail, Barrett's Ferry Bridge replacement project, Croaker Road widening, Monticello Avenue/Ironbound Road intersection widening, Jamestown Road BMP beautification, and VDOT's proposed Subdivision Street Standards.
7. Corridor Enhancement Committee. The Committee met in June to review plans for potential demonstration projects on Jamestown Road.
8. Customer Service Training. In response to customer service challenges, the Development Management Department supervisors have assisted in the design of special customer service training for abusive customers which has been sponsored by our Human Resources Department and taught by members of our Department of Social Services. All members of the Planning Division will attend this training.
9. Conceptual Plan Roundtable. A meeting was held on June 14 to review a proposed 30-unit condominium complex south of the Longhill Grove development near the intersection of Ironbound Road and Centerville Road. The applicant received guidance from agencies and staff on the location of the BMP, entrance improvements and the need for landscape buffers and recreational amenities. The June 28 meeting was cancelled due to no applications being submitted. One application for a bank on Richmond Road near Colonial Heritage is scheduled for the July 12 meeting.

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O. Marvin Sowers, Jr.

**MEMORANDUM OF UNDERSTANDING**  
**between the**  
**WILLIAMSBURG - JAMES CITY COUNTY PUBLIC SCHOOLS**  
**and**  
**JAMES CITY COUNTY**

**GREENSPRINGS TRAILHEAD**

The Williamsburg-James City County Public Schools ("School") and James City County ("County") mutually agree to construct and operate a parking lot and trailhead facility ("Lot and Facility") on the Jamestown High School property in accordance with this Memorandum of Understanding ("Memorandum"). The Lot and Facility will be utilized by the County to serve the Greensprings Trail ("Trail") and other potential trails that may connect to the Trail in the future.

**A. RESPONSIBILITIES OF THE COUNTY:**

1. The County shall provide all funding for construction, maintenance, and operation of the Lot and Facility.
2. The County shall be responsible for opening and closing the entrance gate, supervision, inspection, and parking enforcement of the Lot and Facility. The entrance gate will be opened daily from 8:00 a.m. until dusk.
3. The County shall provide a sign describing the management of the Lot and Facility. The sign shall be mutually approved by the County and the School.
4. To the extent allowed by law, the County shall indemnify and hold harmless School from any and all liability or claims, including the obligation or expense of legal consultation and defense, arising from or related to the Lot and Facility or this Memorandum; provided, however, that such indemnity shall not be required for any claims arising from actions or inaction within the sole control of School.

**B. RESPONSIBILITIES OF THE SCHOOL:**

5. The School shall provide adequate real property ("Property") at Jamestown High School, as generally depicted on the attached Preliminary Site Plan, for construction and future public use of the Lot and Facility. The Property shall be provided to the County at no cost.
6. The School shall reimburse the County for initial Lot and Facility construction costs and future capital improvement expenditures, at replacement cost less depreciation, if Lot and Facility use is discontinued by request of the School for any reason. The reimbursement value shall be calculated utilizing a 30-year life, straight-line depreciation method. The School shall not request the Lot and Facility use be discontinued within 10 years of the effective date of the Memorandum unless by mutual agreement of the County. If either party of this Memorandum requests the use of the Lot and Facility be discontinued, the requesting party shall give the other party 18 months notice, unless mutually agreed otherwise, before the use is discontinued.

**C. IT IS FURTHER UNDERSTOOD THAT:**

7. The Lot and Facility shall be constructed in accordance with an approved master site plan approved by the Superintendent of the Williamsburg-James City County Public Schools ("Superintendent"). Any modifications to the approved master site plan shall also be approved by the Superintendent. A Preliminary Site Plan is attached to this document.
8. This Memorandum is contingent upon the County appropriating the initial and annual monies necessary for the County to perform in accordance with this Memorandum. If the appropriation, either initial or any annual monies, is not made, then School may, after sixty (60) days written notice to the County, elect to terminate this Memorandum and assume all operational control of the Lot and Facility, including using the Lot and Facility for School-only purposes. In such circumstances School shall not be required to repay any amounts under Paragraph 6 above.
9. This Memorandum will be effective when signed by the County and the School. The Memorandum may be modified at any time by mutual written consent.

This Memorandum is approved, and pursuant to Resolution of the Board of Supervisors of James City County, Virginia, executed on the \_\_\_\_ day of \_\_\_\_\_, 2004, this Memorandum is hereby accepted on behalf of the County.

\_\_\_\_\_  
Sanford B. Wanner  
County Administrator  
James City County

\_\_\_\_\_  
Date

This Memorandum is approved, and pursuant to Resolution of the Board of the Williamsburg-James City County Public Schools, executed on the \_\_\_\_ day of \_\_\_\_\_, 2004, this Memorandum is hereby accepted on behalf of the Board.

\_\_\_\_\_  
Board:  
Williamsburg-James City County Public Schools

\_\_\_\_\_  
Date

greentrail.att



**ATTACHMENT**  
(Preliminary Site Plan)