

A G E N D A
JAMES CITY COUNTY PLANNING COMMISSION
MARCH 2, 2011 - 7:00 p.m.

1. ROLL CALL
2. PUBLIC COMMENT
3. MINUTES
 - A. February 2, 2011 Regular Meeting
4. COMMITTEE / COMMISSION REPORTS
 - A. Development Review Committee (DRC)
 - B. Policy Committee
 - C. Regional Issues Committee / Other Commission Reports
5. PUBLIC HEARING CASES
 - A. SUP-0001-2011 Williamsburg Crossing Car Wash
 - B. Z-0002-2010 / MP-0001-2010 / SUP-0029-2010 The Williamsburg Pottery
6. PLANNING DIRECTOR'S REPORT
7. COMMISSION DISCUSSIONS AND REQUESTS
8. ADJOURNMENT

SPEAKER'S POLICY

The Commission encourages public participation, but also wants to remind speakers to use decorum when speaking during the public comment or during public hearings.

Please keep in mind the following when speaking:

1. Courtesy between the speaker and the audience is expected at all times.
2. Speakers shall refrain from obscenity, vulgarity, profanity, cursing, or swearing.
3. Every petition, communication, or address to the Commission shall be in respectful language and is encouraged to be submitted in writing.
4. Public comments should be for the purposes of allowing members of the public to present planning or land use related matters, which, in their opinion, deserve attention of the Commission.
5. The public comment period shall not serve as a forum for debate with staff or the Commission.
6. Citizens should refrain from using words or statements, which from their usual construction and common acceptance are orchestrated as insults, personal attacks, or a breach of peace.
7. The public comment section at the beginning of meetings are provided as a courtesy by the Planning Commission for citizens to address the Commission regarding items not scheduled for public hearing. These public comment sections are not required by law.

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

1. ROLL CALL

Planning Commissioners

Present:

Rich Krapf
Tim O'Connor
Joe Poole III
Jack Fraley
Reese Peck
Mike Maddocks
Al Woods

Staff Present:

Allen Murphy, Director of Planning/Assistant
Development Manager
Adam Kinsman, Deputy County Attorney
Chris Johnson, Principal Planner
Jason Purse, Senior Planner
Jose Ribeiro, Senior Planner
Leanne Reidenbach, Senior Planner
Terry Costello, Development Management Assistant

Mr. Reese Peck reconvened the January 5, 2011 meeting to order at 6:05 p.m.

2. CLOSED SESSION

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

In a unanimous voice vote the motion was approved. (7-0)

The Planning Commission reconvened at 6:50 p.m. Mr. Peck read the resolution stating that the Planning Commission conducted its meeting consistent with the Virginia Freedom of Information Act. He moved to approve the resolution.

In a roll call vote the resolution was approved. (7-0)

The Planning Commission recessed at 6:55 p.m. and reconvened at 7:05 p.m.

3. ANNUAL ORGANIZATIONAL MEETING

A. Election of Officers

Mr. Adam Kinsman asked if there were nominations for the Chair of the Planning Commission for 2011.

Mr. Peck nominated Mr. Jack Fraley for Chair. There being no further nominations, Mr. Kinsman moved to close the nominations.

The Planning Commission elected Mr. Fraley as Chair with a voice vote. (7-0)

Mr. Fraley asked for nominations for Vice-Chair.

Mr. Poole nominated Mr. Tim O'Connor as Vice-Chair.

The Planning Commission elected Mr. O'Connor as Vice-Chair with a voice vote. (7-0)

B. Committee Appointments

Mr. Fraley stated the Development Review Committee (DRC) will consist of Mr. Poole, Mr. O'Connor, Mr. Rich Krapf, and Mr. Michael Maddocks, with Mr. Poole serving as Chair. The Policy Committee members will be Mr. Peck, Mr. Al Woods, Mr. O'Connor, and Mr. Fraley with Mr. Peck serving as Chair. Mr. Fraley stated that he will serve as the representative on the Regional Issues Committee.

4. PUBLIC COMMENT

Mr. Fraley opened the public comment period.

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

5. MINUTES

A. January 5, 2011 Regular Meeting

Mr. Poole moved to approve the minutes.

In a voice vote, the minutes were approved. (7-0)

6. COMMITTEE AND COMMISSION REPORTS

A. Development Review Committee (DRC)

Mr. Krapf stated that the DRC met on January 26, 2011 to discuss three cases. The first case was C-0003-2011, Williamsburg Crossing Car Wash. This was a conceptual plan for a car wash on outparcels of the Williamsburg Crossing Shopping Center. The applicant requested DRC feedback in preparation for submitting a Special Use Permit application. The DRC suggested contacting the LaFontaine Home Owners Association and offering to make a presentation to the residents and contact the Zoning Division concerning directional signs. The Committee appreciated the attractive elevations, the interest in preserving mature trees, and the interest in mitigating noise and light impacts. The second case was C-0044-2010, Monticello Avenue Tire Center. This conceptual plan was for an eight-bay tire center. The applicant required the DRC's input regarding a required 50-foot undisturbed perimeter setback fronting Old News Road. The DRC feedback was positive toward modifying the setback requirement; however, the Committee did indicate that any favorable consideration would be limited to this

section of Old News Road due to its commercial character and would not be applicable to other parcels near residential areas. The third case was C-0038-2010, James City Community Church. The DRC reviewed this proposal for a church in Powhatan Secondary for consistency with the approved Master Plan. The DRC voted 4-0 to approve the site for a “house of worship” as shown on the applicant’s conceptual plan.

Mr. Peck moved for approval of the DRC report for January 26, 2011.

In a roll call vote the motion was approved. (7-0)

B. Policy Committee

Mr. Fraley stated that the Committee met on January 5th, 6th, 24th and 31st. Topics included the Transfer of Development Rights (TDR) feasibility study, the FY2012 Capital Improvements Program, the 2010 Planning Commission Annual Report, wireless communication facilities, and cumulative impacts. Upcoming meetings include February 3rd and Feb 7th (Development Standards) and Feb 9th (Residential Zoning Districts). Meetings also scheduled are February 23rd, 24th, March 1st, and March 16th. Topics for these later meetings will be determined later. The meeting on February 23rd will begin at 7 p.m.; all others will begin at 6 p.m. These meetings will be held at the Government Complex in Building A. There is also a TDR forum scheduled for February 10th at 7 p.m. at Warhill High School.

C. Other Reports

Mr. Maddocks stated that he attended the last meeting of the Regional Issues Committee. The first topic was the Colonial Parkway. An overview was given of the Parkway along with issues concerning maintenance, especially in relation to the special materials that are present. The second topic was the 2012 regional comprehensive plan update with York County, the City of Williamsburg, and James City County.

7. PLANNING COMMISSION CONSIDERATIONS

A. 2010 Planning Commission Annual Report

Mr. Peck presented the report to the Commission. He stated that two items he wanted to accomplish during his time as chair of the Commission were transparency and accountability. He felt that this annual report was the first step in accomplishing this. Mr. Peck stated that this report has information relating to areas where growth is occurring, growth management data, and has an annual report card relating to the 2009 Comprehensive Plan. He gave a PowerPoint presentation highlighting these areas in the report. This presentation will be given to the Board of Supervisors.

Mr. Fraley thanked Mr. Peck for a great year and his leadership this year on the Planning Commission. He was a leader in modernizing the annual report and developing improvements in the Capital Improvements Program.

8. PUBLIC HEARINGS

A. Z-0002-2010 / MP-0001-2010 / SUP-0029-2010 The Williamsburg Pottery

Mr. Fraley stated staff has requested deferral until the March 2, 2011 Commission meeting. He continued the public hearing until March 2, 2011.

B. AFD-2-86-2-2010 Hankins Property Croaker AFD Addition

Mr. Fraley stated that the applicant has withdrawn this case for consideration. There is no further action needed at this time.

C. SUP-0031-2010 Chickahominy Road Manufactured Home

Mr. Jason Purse stated that Ms. Stephanie Deal has applied for a Special Use Permit to allow for the placement of a manufactured home at 3125 Chickahominy Road. Manufactured homes that are not located within the Primary Service Area (PSA) and are in the R-8, Rural Residential District require a Special Use Permit (SUP). The existing parcel has a cleared area near the middle of the property where the manufactured home will be placed. The proposed manufactured home would be roughly 28 feet by 76 feet and similar to the 2002 Henderson model manufactured home (see attachments for more detail). Staff finds the proposal, with the attached conditions, meets the administrative criteria for placement of a manufactured home and is consistent with the Rural Lands Land Use designation. Staff recommends the Planning Commission recommend approval of this application, with the attached conditions, to the Board of Supervisors.

Mr. Maddocks asked what the general concerns with manufactured homes in this area were and why they require a special use permit.

Mr. Purse answered that there were guidelines adopted in 1986. Some of these ensure that there are other manufactured homes in the area, that there is a certain distance from the right-of-way, and there is screening with adequate vegetation.

Mr. Fraley opened the public hearing.

There being no comments, the public hearing was closed.

Mr. Krapf moved for approval of the special use permit.

In a roll call vote the motion was approved. (7-0)

D. SUP-0032-2010 D J Montague Elementary School Parking Lot Expansion

Mr. Jose Ribeiro stated that Bruce Abbott of AES has applied for a Special Use Permit to

allow for improvements to D.J. Montague School located at 5380 Centerville Road. Improvements include upgrading the drainage system around the playground area, construction of internal sidewalks, and the reconfiguration and expansion of the parking lot area capacity from 87 existing spaces to 140 proposed parking spaces, an increase of 53 parking spaces. This parcel is zoned PL, Public Land and designated Federal, State, and County Land. The proposal is before the Commission as a school requires a Special Use Permit in the Public Land District. Further, the school is a non conforming use, as it was built prior to PL rezoning in 2007. This SUP application would bring the entire site into conformance with the Zoning Ordinance. All agencies have reviewed and recommended approval of the SUP conditions. Staff finds that this proposal will have minimum impact on the environment, local traffic, and adjacent property. Staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors.

Mr. O'Connor asked if anything was going to be done about the parking in the grassy areas not designated for parking that is currently taking place.

Mr. Ribeiro deferred the question to the applicant.

Mr. Fraley opened the public hearing.

Mr. Alan Robertson of the Williamsburg James City County School Division spoke regarding the current parking situation. He stated that if school staff noticed a pattern of parking in non-designated areas, signs would be placed to prohibit the activity.

Mr. Dan Gentili of 3700 Mulberry Lane stated that he lives adjacent to the school. He expressed his concerns about the parking spaces becoming closer to his property. He asked for clarification as to where the new parking spaces would be located.

Mr. Ribeiro showed on the map the location of the new spaces and stated that the parking area would not be any closer to his property than what is currently there.

Mr. Robertson stated that most of the area that will be converted to parking is already being used as parking. There are two areas in the front that are gravel that they would like to pave. The plan is also to pave some of the areas where the trailers were located.

Mr. Poole asked if any trees in the buffered area between the school and Mulberry Place would be removed.

Mr. Bruce Abbott with AES Consulting Engineers stated that there will be some light clearing and there are buffers in place between the school and the residential area. The total area to be disturbed for this project is going to be 8/10 of an acre. The goal is to minimize the clearing as much as possible.

Mr. Fraley asked about the stormwater flow towards Ford's Colony. He expressed his concern about flooding in this area during a significant rain event.

Mr. Abbott stated that even though there will be more impervious cover, with the BMP installed, the velocity of the flow of water will be reduced. The outfall area will also be enhanced.

Mr. Fraley closed the public hearing.

Mr. Poole moved for approval of the application.

In a roll call vote the motion was approved. (7-0)

E. Review of the FY12 Capital Improvements Program (CIP)

Ms. Leanne Reidenbach stated that after a series of meetings to discuss and evaluate the Capital Improvement Program requests, the Policy Committee is forwarding its recommendation for the fiscal year 2012 CIP. Similar to previous years, all maintenance and repair projects were separated out and not ranked by the Policy Committee. FY12 is an exception year in the budget, meaning the Committee only evaluated projects approved for FY12 funding, any changes to these proposals, and any additional new projects that were submitted and that requested FY12 funds. The Committee also produced a series of five recommendations regarding funding for Stormwater Division projects. The Policy Committee recommends that the Planning Commission recommend approval of these Capital Improvement Program rankings and the five additional suggestions regarding Stormwater to the Board of Supervisors for their consideration in developing the County budget.

Mr. Fraley opened the public hearing.

There being no comments, he closed the public hearing.

Mr. Peck stated that he would like to draw attention to two things that he feels the County needs. One is a comprehensive County facilities plan and the other is a facility maintenance program. He feels that there is a need for fundamental change in how the County approaches capital improvements. Mr. Peck spoke about the stormwater bond issue and that he felt that staff should present a plan with priorities on what the Environmental Protection Agency (EPA) will be enforcing. He expressed his view of the importance of having a plan in place before spending any funds on projects. Mr. Peck also mentioned the school's plan to expand certain facilities and not to use other facilities that were already built. He stated that there is a water plan dealing with a CIP that was last done in 1997 and expired in 2005. Mr. Peck stated that the County entered into a \$25 million contract to purchase surface water before there was a discussion on financing. He stated that the financing options for the development of the chlorination system are not finalized as well. He felt that a message needs to be sent to the Board of Supervisors to step back and encourage a comprehensive facilities plan and facilities management plan, specifically for stormwater. Mr. Peck stated that he voted for the CIP ranking while on the Policy Committee but he will vote not to move forward tonight to send a message that a more comprehensive approach is needed.

Mr. Krapf asked if the ranking for the projects was the overall consensus of three-out-of-

the-four Policy Committee members. He asked if the Policy Committee members had any concerns with forwarding this list to the Board of Supervisors.

Mr. Fraley answered that the standard deviation from the different members of the Policy Committee were very narrow except on the stormwater projects. He notes that the ranking reflected an average of the scores of the four members.

Mr. Krapf moved to forward the Capital Improvement Program recommendation to the Board of Supervisors.

In a roll call vote the motion was approved. (6-1, Peck – no)

9. PLANNING DIRECTOR'S REPORT

Mr. Murphy stated that there will be a public forum on the Transfer of Development Rights feasibility study on Thursday February 10th at 7 p.m. at Warhill High School.

10. COMMISSION DISCUSSIONS AND REQUESTS

There was a discussion as to when a Planning Commission representative to the Board of Supervisors should attend their meetings.

Mr. Fraley encouraged Commissioners to contact the Chairman of the Board of Supervisors to see whether it is necessary to attend if there are no land use cases scheduled.

The Commission decided to continue with the method and order of how they vote on land use cases. They also decided to keep the same seating arrangements with the Chairman next to the Planning Director. The Commission also decided to keep the same format with regards to Planning Commission meetings.

Mr. Fraley stated that he emailed some information concerning the work session with the Board of Supervisors on February 22, 2011. He stated that staff will be making a presentation to the Board of Supervisors asking for guidance on the four priority items that were adopted by the Board, which include the economic opportunity district, commercial districts, cumulative impacts, and development standards. The Policy Committee has reviewed three out of the four priority items, with development standards scheduled to be reviewed the following week. Mr. Fraley provided the Commission with suggestions and guidance to staff from the Policy Committee.

Mr. Peck started the discussion on economic opportunity. He stated that development in this corridor is driven by transportation. He felt that this corridor needs to be developed with one vision and developed regionally with input from adjacent localities. He believes that discussions with York County are warranted before developing a time line.

Mr. Poole agreed with Mr. Peck's comments. He also felt that it was important to continue discussions with all Commission members concerning these four priority items, even

those that have already been reviewed by the Policy Committee. He asked if there was a reason why the work session scheduled for March was moved to February 22nd.

Mr. Murphy answered that the February 22nd was scheduled to discuss the four priorities identified by the Board of Supervisors and that there would be another work session in March to discuss the remaining items.

Mr. Fraley initiated the discussion on commercial districts. He stated that conditions that warrant DRC review were discussed. He stated that the changes would be that the DRC would no longer review subdivision cases with 50 lots or more, but that the DRC would act as an Appeals Committee, if someone wanted to appeal an administrative decision. There would also be increased emphasis on the enhanced conceptual plan process. Mr. Fraley stated that there was general agreement to raise the threshold required for a commercial special use permit from 10,000 to 20,000 square feet. There was information presented to the Policy Committee on what thresholds are used by other localities. There was also some discussion as to using trip generation as a trigger for additional review.

Mr. Poole stated that he can appreciate an applicant's desire not to have an additional meeting to attend. He felt that the DRC has been very accommodating to applicants to review plans in any phase of development. He understands that citizens and applicants desire predictability. He expressed his concerns over increasing thresholds for review especially in areas along Community Character Corridors.

Mr. Krapf agreed with Mr. Poole and also wanted to add Community Character Areas to the list where additional review is necessary. He would feel more comfortable if the threshold was lowered for commercial special use permits, that it might be restricted to certain areas. Mr. Krapf stated that he believed that the role of the DRC is changing, especially when it comes to reviewing conceptual plans. He felt that in sensitive areas, he would like to see more review as opposed to lesser review.

Mr. Krapf wanted to compliment the Policy Committee and staff for the modeling regarding cumulative impacts. He asked if there were discussions on how to account for changes in the schedule of a development as it is being built. For example, the plan initially might be on an aggressive schedule and the cumulative impact models take that into account. Then for some reason, the development changes its timeline. Meanwhile, there are other developments that are moving forward.

Mr. Fraley answered that there was discussion on how to address this.

Ms. Reidenbach stated that the building timeline has not been fully incorporated into the models at this time. Right now it would just look at the group of approved projects and assume that they are built but does not account for estimates of when the units will be built out.

9. ADJOURNMENT

Mr. Poole moved for adjournment.

The meeting was adjourned at 8:23 p.m.

Jack Fraley, Chairman

Allen J. Murphy, Secretary

**SPECIAL USE PERMIT 0001-2011. Williamsburg Crossing Car Wash.
Staff Report for the March 2, 2011 Planning Commission Public Hearing**

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

PUBLIC HEARINGS

Planning Commission:
Board of Supervisors:

Building F Board Room; County Government Complex

March 2, 2011 7:00 p.m.
April 12, 2011 7:00 p.m. (Tentative)

SUMMARY FACTS

Applicant: Mr. Vernon Geddy, III

Land Owner: University Square Associates

Proposal: Construction of an automated car wash facility and associated parking

Location: 5117 John Tyler Highway and a portion of 5109 John Tyler Highway

Tax Map/Parcel Nos.: 4721500007 and a portion of 4721500008

Parcel Size: Approximately 1.97 acres for both existing parcels (proposal is for 1.52 acres)

Zoning: B-1, General Business

Comprehensive Plan: MU, Mixed Use

Primary Service Area: Inside

STAFF RECOMMENDATION

Staff finds the proposal to be generally consistent with surrounding land uses and the Comprehensive Plan. Staff recommends the Planning Commission recommend approval of the special use permit to the Board of Supervisors, with the attached conditions.

Staff Contact: Kathryn Sipes Phone: 253-6685

PROJECT DESCRIPTION

Mr. Vernon Geddy, III has applied on behalf of Mr. Mathew Blanchard for a Special Use Permit to construct an automated car wash on two parcels. The properties are located on John Tyler Highway (Route 5) in front of LaFontaine Condominiums, adjacent to Union First Market Bank at the entrance to the Williamsburg Crossing Shopping Center. An automated car wash is considered an automobile service station per the Zoning Ordinance, which requires a special use permit in the B-1, General Business Zoning District.

The applicant is proposing an approximately 8,000 square foot building which would fully enclose the car wash, detailing operations, offices and equipment areas. There are currently three undeveloped parcels between the Union First Market Bank and the JCC Law Enforcement Center along John Tyler Highway. The applicant is proposing to locate on 5117 John Tyler Highway and a portion of 5109 John Tyler Highway.

The property has frontage along, but no access from, John Tyler Highway. Access to the site is from Pilots Way, a private road which runs parallel to John Tyler Highway between Kings Way and Carolina Boulevard. The existing entrance to the Williamsburg Crossing Shopping Center is at the intersection of John Tyler Highway and Kings Way.

The applicant appeared before the DRC in January to solicit feedback on the proposal, including the attached architectural elevations. Committee members offered positive feedback on the proposed elevations and offered additional discussion on the Community Character Corridor buffer along John Tyler Highway, the operating hours, soliciting feedback from residents in LaFontaine, traffic flow and access, stormwater management, and the proposed recycling of the water to reduce consumption. Several of the attached conditions, including Conditions # 4, 5, 6, and 8, address issues discussed at the DRC meeting. The applicant has scheduled a public meeting with area residents and property owners for February 24; feedback from this meeting will be available for the public hearing.

PUBLIC IMPACTS

Environmental

Watershed: Mill Creek

Staff Comments: Environmental staff has reviewed the proposal and has no concerns as the four outparcels on Pilots Way, including the subject property, were included in the design of the existing master planned BMP located behind LaFontaine Condominiums. Prior to final site plan approval, evidence must be provided that the existing facilities are in good working order and performing at the design level of service.

Public Utilities

The property is currently located inside the Primary Service Area (PSA).

Conditions:

- Condition #9 requires a Water Conservation Agreement.

Staff Comments: JCSA staff has reviewed the proposal and has no concerns. Staff did note water reuse is required for car washes, at a target minimum level of 85%. The applicant has indicated their intention to maximize water recycling and utilize state of the art technology to reduce water consumption.

Transportation

Information submitted by the applicant calculates trip generation using ITE Code 948 (Automated Car Wash). The calculation is based on gross floor area. Using the total proposed building area of 7,970 square feet, 93 peak hour trips would be generated. The proposal is for a fully enclosed operation, including the drive through car wash tunnel; office, reception and equipment areas; and detailing operations. The applicant has noted that similar operations conduct the detailing operations outside. Removing the area of the building dedicated to automobile detailing, the calculation would be based on

4,225 square feet resulting in 49 peak hour trips. The applicant has indicated the best case scenario for the industry is 200 vehicles per day, well below ITE generation projections.

The site can be accessed from John Tyler Highway at two locations. The existing shopping center entrance on John Tyler Highway is the intersection of John Tyler Highway and Kings Way. From Kings Way, traffic would turn onto Pilots Way. The site can also be accessed from John Tyler Highway via Carolina Boulevard, a private street that runs between the outparcels and the JCC Law Enforcement Center. From Carolina Boulevard, traffic would turn onto Pilots Way. Kings Way and Carolina Boulevard are private streets, having not been accepted in the VDOT system. Pilots Way is private property, with recorded easements to allow ingress and egress to and from the adjacent parcels.

VDOT Comments: VDOT staff reviewed the application and determined there would be no impacts to the VDOT right-of-way.

Staff Comments: Since the proposal is expected to generate fewer than 100 peak hour trips a Traffic Impact Study was not required by the County or VDOT as part of the SUP application. Staff is proposing Condition #3 to provide the continuation of the existing sidewalk along Pilots Way for pedestrian connectivity.

Pedestrian Connectivity:

There is an existing sidewalk along John Tyler Highway on the opposite side of the street (north side), but no sidewalk along John Tyler Highway along the street frontage of these outparcels. There is an existing sidewalk along Kings Way adjacent to the bank on the corner of Kings Way and John Tyler Highway. There is also an existing sidewalk along Pilots Way on the bank parcel adjacent to the subject property.

Conditions: Condition #3 provides for the continuation of the existing sidewalk along Pilots Way.

Staff Comments: The zoning ordinance requires sidewalk to be installed from property line to property line along public street frontage. This requirement can be waived upon approval by the Planning Director of a sidewalk modification request. Staff finds it beneficial to continue the existing sidewalk along Pilots Way, internal to the shopping center, and would be supportive of a waiver request if one was submitted as part of the site plan application.

Community Character:

The property fronts John Tyler Highway, which is a Community Character Corridor. A fifty-foot landscape buffer is required along Community Character Corridors.

Conditions:

Condition #4 limits the style and size of the signage permitted along road frontage.

Condition #5 requires enhanced landscaping in the Community Character Corridor buffer.

Condition #6 requires Planning Director approval of the architectural elevations for the proposed building.

Staff Comments: The appearance and effectiveness of the Community Character Corridor buffer was discussed at length at the DRC meeting. Signage, landscaping, and buildings seen from John Tyler Highway are included in the conditions to clarify expectations with regard to community character. In addition to the fifty-foot landscape buffer, the ordinance requires a fifteen-foot construction zone setback. This setback requirement can be waived by the Planning Director at the request of the applicant during the site plan review process. The SUP exhibit does not reflect the fifteen-foot setback and the applicant has indicated a total depth of sixty-five feet would be very difficult to achieve. Staff discussed the option of a possible reduction in the Community Character Corridor buffer, but prefers supporting a waiver of the construction setback requirement, and retaining the fifty-foot buffer, with enhanced landscaping inside the buffer.

COMPREHENSIVE PLAN

Land Use Map

Designation	Mixed Use, Williamsburg Crossing: For the undeveloped land in the vicinity of the intersection of John Tyler Highway and Route 199, including the Williamsburg Crossing Shopping Center, the principal suggested uses are commercial and office. The development of this area is limited to the portions of land in the southwest quadrant of the intersection of John Tyler Highway and Route 199 developed as part of Williamsburg Crossing Shopping Center. Continued access management is needed to maintain acceptable levels of service on John Tyler Highway (Route 5). Additional access points beyond those that currently exist for the Route 199 corridor will be strongly discouraged by the County.
	Staff Comment: The proposed parcels are in the southwest quadrant of the intersection and are included in the master plan for the Williamsburg Crossing Shopping Center. Access to the site will be taken from existing points of access.
Goals, strategies and actions	LU4: Direct growth into designated growth areas in an efficient and low-impact manner.
	Staff Comment: The project is proposed on a parcel included in a previously approved master plan for development, with an existing stormwater master plan.

RECOMMENDATION

Staff finds the proposal to be generally consistent with surrounding land uses and the Comprehensive Plan. Staff recommends the Planning Commission recommend approval of the special use permit to the Board of Supervisors, with the following conditions:

1. Master Plan and Use: This Special Use Permit shall be valid for an automated car wash and accessory uses thereto. Development of the site shall be generally in accordance with the master plan entitled “Williamsburg Crossing Car Wash Special Use Permit” prepared by AES Consulting Engineers and dated January 19, 2011, as determined by the Planning Director. Minor changes may be permitted, as long as they do not change the basic concept or character of the development.

2. Lighting: Any new exterior site or building lighting shall be comprised of recessed fixtures with no bulb, lens, or globe extending below the fixture housing. The housing shall be opaque and shall completely enclose the light source in such a manner that all light is directed downward, and that the light source is not visible from the side of the fixture. Pole-mounted fixtures shall not be mounted in excess of 15 feet in height above the finished grade beneath them. Light trespass, defined as light intensity measured at 0.1 foot-candle or higher extending beyond any property line, shall be prohibited.

3. Sidewalks: The owner shall provide a sidewalk along Pilots Way road frontage to allow pedestrian connection to the adjacent parcel in accordance with the above referenced master plan.

4. Signage:

On-site freestanding signs shall be limited to monument style signs no higher than eight feet above finished grade approved by the Planning Director.

5. Landscaping:

A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The owner shall provide enhanced landscaping along the property frontage on John Tyler Highway. Enhanced landscaping shall be defined as exceeding plant material size requirements in the Zoning Ordinance by 133%.

6. Architectural/Building Elevations:

Prior to final site plan approval, the Planning Director shall review and approve the final building elevations and architectural design of the building. Such approval shall ensure that the building materials, scale, and colors are consistent with the architectural elevations dated January 24, 2011, entitled “Williamsburg Crossing Auto Spa Exterior Elevations,” prepared by Balzer & Associates, Inc.

7. Lot Line Adjustment/Extinguishment: Prior to final site plan approval, the owner shall receive approval of and record a subdivision plat which adjusts the lot lines in accordance with the above referenced master plan.

8. Hours of Operation:

Hours of operation shall be limited to no earlier than 7 am and no later than 9 pm.

9. Water Conservation: The applicant shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority (JCSA) and subsequently for enforcing these standards. The standards shall address such water conservation measures as limitations on the installation and use of approved landscaping design and materials to promote water conservation and minimize the use of public water resources. Because the Guidelines refer to landscaping, irrigation and plant material, the JCSA shall approve the standards prior to final site plan approval.

10. Commencement of Construction: If construction has not commenced on this project within twenty-four (24) months from the issuance of a special use permit, the special use permit shall become void. Construction shall be defined as obtaining permits for building construction and footings and/or foundation has passed required inspections.

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

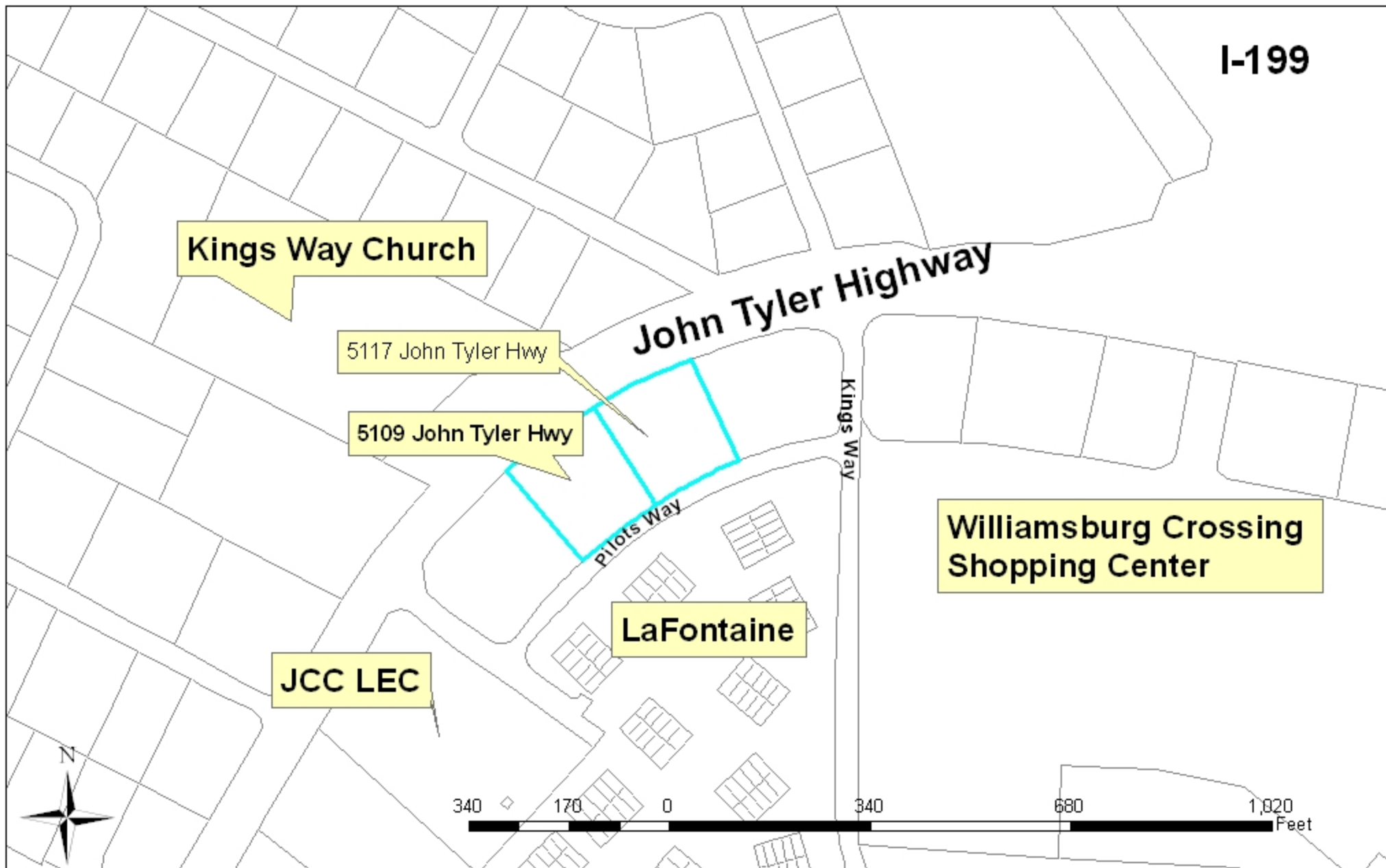
Kathryn Sipes, Senior Planner

ATTACHMENTS:

1. Location Map
2. Exterior Elevations
3. Community Impact Statement
4. Correspondence from adjacent property owner
5. Special Use Permit Exhibit

SUP-0001-2011

Williamsburg Crossing Car Wash



NOTES:
1. PAINT ALL UNSCREENED UTILITIES TO MATCH SURROUNDING MATERIALS
2. SEALANTS TO MATCH ADJACENT MATERIAL COLOR.



Community Impact Statement

Special Use Permit

For

Williamsburg Crossing Car Wash

Prepared for

Matt Blanchard
3664 Bridgewater Drive
Williamsburg, VA 23188

January 19, 2010
AES Project Number: W10172-00

Prepared by:



TABLE OF CONTENTS

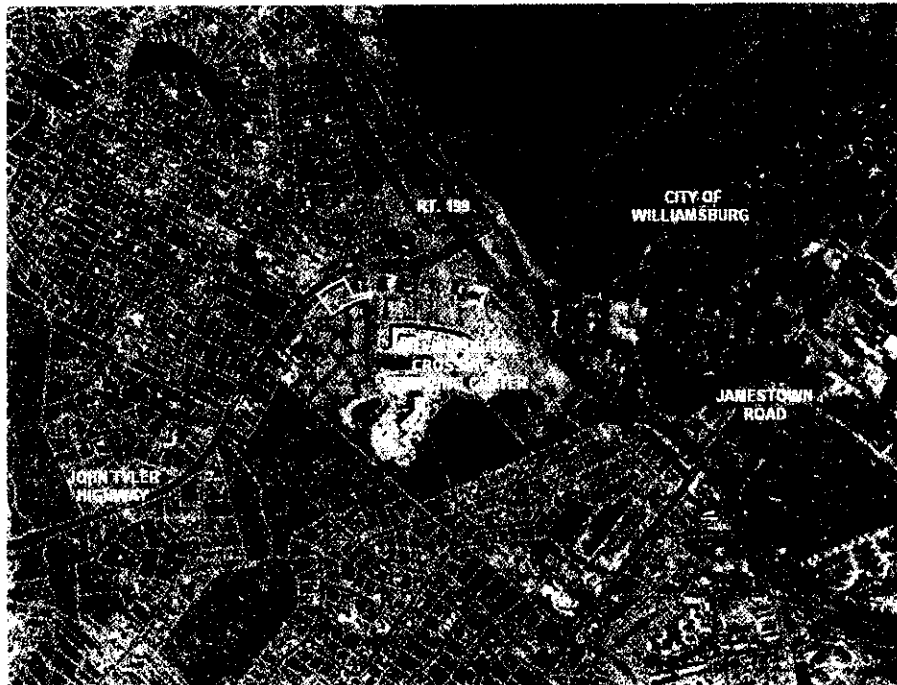
I.	INTRODUCTION AND PROJECT DESCRIPTION	3
II.	THE PROJECT TEAM	4
III.	PLANNING CONSIDERATIONS	4
	A. Comprehensive Plan, Zoning and Density Discussion	
IV.	ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES	4
	A. Fire Protection & Emergency Services	
	B. Solid Waste	
	C. Utility Service Providers	
V.	ANALYSIS OF ENVIRONMENTAL IMPACTS	5
VI.	ANALYSIS OF STORMWATER MANAGEMENT (SWM) / BEST MANAGEMENT PRACTICES (BMP)	5
VII.	ANALYSIS OF CULTURAL RESOURCES IMPACTS	5
VIII.	CONCLUSION.....	5

I. INTRODUCTION AND PROJECT DESCRIPTION

This proposal requests a special use permit for an automatic car wash on a site of approximately 1.52 acres along John Tyler Highway in James City County, Virginia. The site is located on the south side of John Tyler Highway (Route 5), opposite King's Way Church. The property is currently cleared and graded and is bound by Union First Market Bank on the east, Pilots Way on the south, and undeveloped parcels to the west. Pilot's Way is a private access road that serves the 4 out-parcels located between the La Fontaine condominium development and Route 5. The proposed car wash would be located directly adjacent to the Union Bank.

Exhibit 1 – Location Map

(Not to Scale)



Developer, Mathew Blanchard, is requesting a Special Use Permit to allow for the construction of a car wash, which as an automotive use, requires a SUP under the B-1 zoning. The master plan displays the proposed site layout. The car wash will consist of an automated car wash conveyor, an enclosed 9 car detailing bay, up to 14 vacuum/parking spaces, and waiting/office area. Also, proposed parking is included along Pilots Way for employees. The special use permit only applies to the 1.52 acres of the property. The facility will be open only during normal business hours (including the vacuum stations which are only for use by paying car wash customers). Additionally the facility will be utilizing a water recycling system which will reduce water useage by up to 95%.

II. THE PROJECT TEAM

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

- Developers - Mathew Blanchard
- Civil Engineering - AES Consulting Engineers

III. PLANNING CONSIDERATIONS

A. Comprehensive Plan, Zoning and Density Discussion

The Comprehensive Plan designates this property as Mixed Use. This project site lies within the Primary Service Area (PSA). The entire development is part of the Williamsburg Crossing Shopping Center planned development. The proposed use is consistent with the Mixed Use designation as represented on the Comprehensive Plan.

IV. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES

A. Fire Protection and Emergency Services

There is currently a fire station located at 5077 John Tyler Highway. The station is located approximately 265 yards away from this site.

B. Solid Waste

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

C. Utility Service Providers

Virginia Natural Gas, Dominion Virginia Power, Cox Communications, and Verizon Communications provide, respectively, natural gas, electricity, cable TV service, and telephone service to this area.

V. ANALYSIS OF ENVIRONMENTAL IMPACTS

No environmentally sensitive areas are located on this site. There is a 50-ft community character

corridor along John Tyler Highway (Route 5) which is proposed to remain in an undisturbed state.

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

This site is served under the Williamsburg Crossing Stormwater Master Plan. All drainage runs through the La Fontaine Development and discharges into BMP #1 (10-pt Wet Pond) as depicted on the Stormwater Master Plan.

VII. ANALYSIS OF CULTURAL RESOURCES IMPACTS

This site has not been identified as a historically significant site. The site has been previously cleared and graded.

VIII. ANALYSIS OF TRAFFIC IMPACTS

Based on ITE traffic generations for a building of the proposed square footage, this site may generate up to 93 peak hour trips. However it should be noted that most this building has the auto detailing area inside the building rather than outside (i.e. Ye Olde Buggy Bath), removing the detailing bay from the square footage generates a peak hour trip generation of 49 trips. Based on other similar locations the best case scenario for this site would be 200 customers per day, much lower than the 100 peak trips which would require a traffic study.

IX. CONCLUSION

In summary, this development presents a negligible impact on the surrounding areas

- Architecturally compatible with the surrounding development with fully enclosed detailing bay.
- Facility to operate only during normal business hours 7am to 9pm
- Facility to utilize the latest water reclamation/filtering system to limit water usage

This Community Impact Statement concludes that the proposed Williamsburg Crossing Car Wash development, as planned will compliment the area and will positively impact neighboring communities providing a unique business to the area. With the approval of the SUP James City County will realize significant tangible public benefits and a use in keeping with the Mixed Use designation on the Comprehensive Plan.

February 17, 2011

Mr. Allen Murphy, Jr.
P.O. Box 8784
Williamsburg, Va. 23187
Case # SUP-0001-2011



Dear Mr. Murphy,
As a homeowner at 309 Queens Crescent in La-Fontaine Condo, I strongly oppose a car wash on John Tyler Highway. I will be out of the state on March 2nd thus UNABLE TO ATTEND the public hearing.

Many thanks for your consideration in this matter!!!

Sincerely,

A handwritten signature in cursive script that reads 'Ann H. McGrath'.

Ann H. McGrath

REZONING-0002-2010, SPECIAL USE PERMIT-0029-2010, MASTER PLAN-0001-2010.
The Williamsburg Pottery
Staff Report for the March 2, 2011, Planning Commission Public Hearing

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

PUBLIC HEARINGS

Planning Commission:

Building F Board Room; County Government Complex

January 5, 2011 (staff deferral) 7:00 p.m.
February 2, 2011 (staff deferral) 7:00 p.m.
March 2, 2011 7:00 p.m.

Board of Supervisors:

February 22, 2011 7:00 p.m.

SUMMARY FACTS

Applicant:

Vernon M. Geddy, III

Land Owner:

Williamsburg Pottery Factory, Inc.

Proposal:

Amend the master plan and proffers to relocate one of the two main signalized entrances into the project, reconfigure associated traffic improvements and increase the permitted retail and office square footage from 161,000 to 200,000 s.f.

Location:

6692 Richmond Road

Tax Map/Parcel Nos.:

2430100024

Parcel Size:

18.78 acres

Existing Zoning:

M-1, Limited Business Industrial, with proffers

Proposed Zoning:

M-1, Limited Business Industrial, with amended proffers

Comprehensive Plan:

Mixed-Use, Lightfoot

Primary Service Area:

Inside

Magisterial District:

Stonehouse

Staff Contact:

Christopher Johnson

Phone: 253-6690

STAFF RECOMMENDATION

Staff finds that the proposed amendments are consistent with the Comprehensive Plan Land Use designation and surrounding zoning and development and recommends the Planning Commission recommend approval of the Rezoning, Master Plan and Special Use Permit applications with the attached voluntary proffers and amended SUP condition listed at the end of this report.

Proffers: The proffers were signed and submitted in accordance with the James City County Proffer Policy.

PROJECT DESCRIPTION

Mr. Vernon Geddy has applied to rezone an 18.78 acre parcel located at 6692 Richmond Road from M-1, Limited Business/Industrial, with proffers, to M-1, Limited Business/Industrial, with amended proffers, and amend the existing Special Use Permit and Master Plan applicable to this property. The purpose for the proposed amendments is to redevelop the aging property to incorporate new retail uses and dedicate the majority of the proposed retail and office square footage to the relocation of the existing Williamsburg Pottery operations located on the east side of the CSX railroad tracks. The proposed redevelopment will include up to 200,000 square feet of retail and office space including outdoor sales and associated parking. The property can be identified as parcel (1-24) on the JCC Real Estate Tax Map (24-3). The site is designated as Mixed-Use, Lightfoot Area on the 2009 Comprehensive Plan Land Use Map.

The project has evolved from what was first envisioned and planned during the rezoning process in 2006-2007.

At that time, the project was called The Promenade at the Williamsburg Pottery factory and was anticipated to be a mixture of retail uses including:

- A traditional shopping center, anchored by a grocery store
- Outlet type stores as were located on this property in 2006, some previously abandoned
- Some traditional Williamsburg Pottery shops

Today, this project is being called The Williamsburg Pottery and the retail space in the three main buildings (Buildings A, B and C on the Master Plan) will be occupied entirely by the traditional Williamsburg Pottery goods and products currently located in numerous buildings on the east side of the CSX railroad tracks. The applicant has referred to this transition as both a consolidation and redevelopment of the Pottery. Recent press announcements have referred to the project as an “Evolution/Revolution.” The current plan envisions that all retail operations for the Pottery will be located in these three new buildings including their corporate offices and the entire project will be constructed in a single phase rather than multiple phases as planned in 2007. Under this new plan, there will be less need for the public to cross the CSX railroad tracks by vehicle and zero need to use the existing pedestrian tunnel connecting the west side to the east side.

The applicant has highlighted a number of key items that they feel worthy of mentioning as you consider their proposed amendments:

- Parking – this was planned as a traditional shopping center previously and will now be solely Pottery goods and products. The applicant has increased the number of bus parking spaces at the western end of the property as a result and has provided eight bus parking spaces.
- Offices – while offices were always envisioned as part of The Promenade, they were originally planned to be real estate or other professional type offices typically found in a strip shopping center. The applicant is proposing to have up to 15,000 square feet of Pottery corporate offices on the second floor of Building A. These types of offices are counted as retail space as well as the outdoor garden center display area on the Master Plan.
- VDOT Traffic Improvements – the submittal requirements refer to Chapter 527 Traffic Impact Analysis Regulations and Access Management Regulations. VDOT has indicated that the Promenade project is grandfathered from these regulations as long as the applicants follow the traffic improvements and perform the required studies noted in the 2007 proffers. The currently proposed Master Plan amends the entrance location for the relocated signalized traffic signal 300-feet further to the west from the 2007 signal location, changing the spacing from the signalized entrance proposed at the Colonial Heritage east crossover intersection from 1,000 feet to approximately 700-feet.

Other key changes have been made to the 2007. The amount of retail and office space has been increased from 161,000 to 200,000 square feet, the relocation of one pocket park and the elimination of the service drive between two buildings at the north end of the site for the development of a larger, central pedestrian plaza.

Proffers

- Amended Master Plan for the property
- Water Conservation standards to be approved by the JCSA
- Transportation improvements including: removing the existing signalized entrance and median crossover, installing a new traffic signal and constructing a new median crossover; an amended entrance from Route 60 at the Colonial Heritage east crossover as well as pedestrian signals when the traffic signal is completed; four-foot shoulder bike lanes; and all required turn lanes
- Lighting plan reviewed and approved by the Director of Planning
- A variable width Community Character Corridor buffer along the front of the property; including an average width of 37 feet and a minimum width of 20 feet. The buffer will also include an enhanced landscaped section (125% of Ordinance requirements) along the frontage to include a 42-inch fence; landscaping of the Route 60 median along the frontage of the property (that is not already landscaped by Colonial Heritage)
- Redirection of stormwater away from Yarmouth Creek Watershed, with the exception of the features associated with entrances and sidewalks that drain into VDOT right-of-way.
- Upgrade of the existing pond, including necessary channel improvements
- Inclusion of six filter boxes to treat 1.5 acres of redirected stormwater into the Skimino Creek Watershed
- Architectural Review, which include details about site design, building elevations, and landscaping
- Retention of the Williamsburg Area Transit (WAT) bus stop and CSX railroad crossing

Staff Comment: The proffers are discussed in the relevant sections of this report.

PUBLIC IMPACTS

Environmental

Watershed: Skimino Creek Watershed currently receives the majority of site drainage. Of the approximately 4.5 acres draining towards Yarmouth Creek, 3.6 acres, including the majority of the impervious cover, is proposed to be redirected towards Skimino Creek.

Proffers:

- Drainage from approximately four acres of existing developed land will be removed from the Yarmouth Creek Watershed and redirected toward the Skimino Creek Watershed
- Upgrade of the existing farm pond to County standards as a BMP pond, including any necessary channel improvements leading into the pond
- Six standard size tree box filters capable of treating stormwater from approximately 1.5 acres or ten percent of impervious cover in the parking lot on the property

Staff Comments: The Chesapeake Bay Preservation Ordinance criteria for a redevelopment site are met by the 0.8-acre reduction in impervious cover and the proposed upgrades to the farm pond. The applicant has agreed to include Low Impact Design (LID) measures to help treat some new impervious cover being added to the Skimino Creek watershed. The Environmental Division has determined that this would result in the treatment of 1.5 acres of the 14 acres of impervious cover on the project site, which constitutes ten percent of the impervious area. Environmental staff finds the proffer for six filter boxes acceptable as LID measures.

Public Utilities

The project site is located inside the Primary Service Area and will be served by public water and sewer.

Proffers:

- Water Conservation standards have been reviewed and approved by the JCSA as part of the site plan submitted concurrently for this project. The standards address such water conservation measures as limitations on the installation and use of 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.

Staff Comments: JCSA staff has reviewed this proposal and concurs with the amended master plan and proffers as proposed.

Transportation

The applicant's traffic study determined there would be 633 AM weekday peak hour and 820 PM weekday peak hour trips generated by a shopping center; altogether there would be 8,996 total weekday daily trips in and out of the project. According to the applicant's traffic study, the existing Williamsburg Pottery Factory generates 284 PM weekday peak hour trips.

2007 Traffic Counts (for Richmond Road): Croaker Road (Route 607) to Lightfoot Road (Route 646): 21,892 average daily vehicle trips (a 16.63% increase from 2005 to 2007); Lightfoot Road to Centerville Road (Route 614): 26,018 average daily trips (a 4.56% increase from 2005 to 2007)

2035 Daily Traffic Volume Projected: Norge Elementary School to Centerville Road: 39,110 average daily trips; this section of road is listed as recommended for improvement to six lanes

Road Improvements: The applicant has proffered to close the existing median crossover at the main entrance and construct a new crossover and traffic signal 300-feet further to the west from the 2007 location, changing spacing to the western signal from 1,000 feet to approximately 700-feet. The new signalized intersection will include an eastbound left-turn lane, westbound left-turn lane and westbound right-turn lane. A new signalized entrance at the Colonial Heritage east crossover (previously proffered by Colonial Heritage) with a westbound right-turn lane and an eastbound left-turn lane will also be constructed. The total number of entrances and exits will be reduced from four to three unless VDOT allows a right-in/right-out entrance in the middle of Parcel 3.

Proffers:

- Relocation of the existing signalized entrance from Route 60 with an eastbound left-turn lane with 200-feet of storage and a 200-foot taper, a westbound left-turn lane with 200-feet of storage and a 200-foot taper and a westbound right-turn lane with 200-feet of storage and a 200-foot taper with four-foot bike lane accommodations. A standard commercial entrance will be installed with dual left-turn lanes and a dedicated right-turn lane with at least 150-feet of storage for egress and one ingress lane.
- A new entrance from Route 60 at the Colonial Heritage east crossover with a westbound right-turn lane with 200-feet of storage and a 200-foot taper and an eastbound left-turn lane with four-foot bike lane accommodations as well as crosswalks, median refuge islands, signage and pedestrian signals when the traffic signal is installed. A standard commercial entrance with dual left-turn lanes and a dedicated right-turn lane for egress, and one ingress lane.
- A shared right-in, right-out only entrance at the west end or the property adjacent to Go-Karts Plus. When this entrance is constructed, a westbound right-turn lane with 200-feet of storage and a 200-foot taper will also be constructed with four-foot bike lane accommodations. The standard commercial entrance with one egress lane and one ingress lane with a raised channelization island to provide positive traffic control.
- With prior approval from VDOT, a right-in/right-out entrance in the middle of Parcel 3 at the southern end of the property may be installed. If VDOT determines that it is necessary, a westbound right-turn lane with 200-feet of storage and a 200-foot taper will also be constructed with four-foot bike lane accommodations.

Conditions:

- **Traffic Signal Warrants:** If VDOT warrants the need for a traffic signal at the Colonial Heritage east crossover, the traffic signal shall be installed or bonded prior to the issuance of a certificate of occupancy for 182,000 square feet of buildings on the property as shown on the binding Master Plan. (Existing Condition from SUP-0036-2006 with revised building limitation)
- **Commencement of Construction:** If construction has not commenced on this project within thirty-six (36) months from the issuance of a special use permit, the special use permit shall become void. Construction shall be defined as obtaining permits for building construction and footings and/or foundation has passed required inspections. (New Condition)
- **Severance Clause:** This special use permit is not severable. Invalidity of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder. (New Condition)

VDOT Comments: VDOT concurs with the projected trip generation and distributions as presented in the traffic study as well as the conclusion that both full access driveways will meet warrants for signalization upon buildout of the site. While acknowledging that the access plan does not comply with the Access Management Regulations with respect to the spacing of entrances, VDOT granted the applicant's exception request to allow reduced crossover spacing of 700-feet, noting that the reduction would not materially alter the operational characteristics of the corridor.

Staff Comments: The applicant's proposed access plan to eliminate the existing signalized entrance and relocate the east main driveway approximately 600-feet to the west, aligning it with the existing access road which crosses the CSX railroad tracks does not have any significant effect on the Route 60 corridor traffic operations. There are some slight increases and decreases in overall delay at some intersections, but the overall corridor has increased operating speed in the PM peak hour with this entrance and traffic signal relocation. Queuing for Route 60 through traffic is accommodated between the west main driveway at the Colonial Heritage east crossover and the east main driveway intersection with the proposed access plan. Staff also reviewed a Traffic Signal Warrant Study, Saturday Corridor Study and Crash Data Study which evaluated the existing intersection safety and the implications for the proposed traffic signal relocation. Based on the provided studies, the County supported the applicant's exception request for the spacing standards for entrances, intersections and crossovers.

COMPREHENSIVE PLAN**Land Use Map**

Designation	<i>Mixed Use, Lightfoot (Page 147):</i> Recommended uses for Mixed-Use, Lightfoot Area include transit oriented, mixed-use development with a mixture of limited industry, commercial and moderate density housing. Staff Comment: Staff finds that the use as proposed meets the land use designation for this area as the proposed uses are commercial in nature. Staff notes that the balance of the Pottery property located on the east side of the CSX railroad tracks is designated EO, Economic Opportunity and would hope that the Pottery would take into consideration other uses as well as commercial. Given the potential for high-speed rail access, this area would be appropriate for a mix of residential, commercial, and light industrial uses. The Land Use designation for the west side of Richmond Road (opposite from this project) suggests that commercial uses should not be developed in a "strip" commercial fashion and should emphasize shared access and parking as well as consistent treatment for landscaping and architecture. This was recognized in the master plan and proffers for the Colonial Heritage commercial land bay.
General	<i>Strip Commercial Development (Page 136):</i> The Comprehensive Plan encourages commercial developments to develop in an attractive and convenient manner while avoiding "strip" commercial characteristics. Incremental development that allows inherent traffic congestion, non-centralized commercial activity, and reliance on automobile dependency are all discouraged. The Comprehensive Plan also recognizes the need to minimize new entrances from a traffic perspective, a design feature that is often not present in strip commercial

	<p>development.</p> <p>Staff Comment: Some ways of reducing the “strip” commercial design would be to incorporate at least some of the following suggestions:</p> <ul style="list-style-type: none"> • Landscaped parking lots, including trees and landscaped islands which provide separation between bays • Varied roofs, rather than flat ones • Limited and shared access • Wide sidewalks abutting storefronts with canopies or overhangs over pedestrian areas • Pedestrian oriented open spaces to help make the overall development more attractive <p>This project meets the majority of the criteria for avoiding strip commercial development in that it provides landscaped parking areas, wide sidewalks in front of storefronts and large pedestrian friendly plazas. While the buildings are arranged in a linear, one-store deep, non-clustered orientation and the parking is entirely in front of the buildings along the street frontage, the applicant has provided elevations which break up the linear appearance of the buildings and give the appearance of a non-linear shopping center. The applicant applied design guidelines which ensured a superior architectural design including a 1 and ½ story building expression, as well as providing “pocket parks” at the entrances to the development, median landscaping in Rt. 60, enhanced front buffer landscaping and fence, and a row of trees in the parking lot. Staff finds that the design elements of these features will help draw attention away from the parking fields in front of the buildings, break up what would otherwise be a long parking field along Route 60, and mitigate much of the sites visual strip commercial character.</p>
Development Standards	<p><i>Mixed Use Standard b) (Page 145):</i> Create vibrant urban environments that bring compatible land uses, public amenities, and utilities together at various scales. Create pedestrian friendly, higher density development, and a variety of uses that enable people to live, work, play, and shop in one place, which can become a destination.</p> <p><i>Mixed Use Standard c) (Page 145):</i> The timing and intensity of commercial development at a particular site should be controlled by the maintenance of an acceptable level of service for roads and other public services.</p> <p><i>Mixed Use Standard d) (Page 145):</i> Developments should focus on place-making and designed to create a sense of place and should be seen as community destinations. Focal open spaces, gathering spaces, unified architectural design, and a mix of uses which encourage pedestrian activity.</p> <p>Staff Comment: This project provides both sidewalks and shoulder bike lanes along the front of the property, including connections for crosswalks across Richmond Road when this intersection becomes signalized. Staff previously expressed concerns over the buffering along the frontage of the property, as the full 50 foot community character corridor buffer was not proffered, but found the landscaping and design features to be a positive aspect of the development’s site plan. The applicant provided a unified design theme that incorporated various architectural techniques to prevent monotonous building design. Staff finds that these features help break up the large retail component of this project and help to ensure this project’s unique character and visually aesthetic design.</p>
Goals, strategies and actions	<p><i>LU 1.1 (Page 154):</i> Ensure that development is compatible in size, scale, and location to surrounding existing and planned development</p> <p><i>LU 2.1 (Page 154):</i> Plan for and encourage the provision of greenways, sidewalks and bikeways to provide connections to other facilities</p> <p><i>LU 4.5 (Page 154):</i> Promote infill, redevelopment, revitalization, and rehabilitation within the PSA</p> <p><i>LU 4.7.2 (Page 154):</i> Accomplishing rezoning for commercial and light industrial uses with sites of five acres or more under a binding master plan</p> <p><i>LU 5.1 (Page 154):</i> Coordinate allowable intensities for proposed developments with the capacities and availability of public roads and other facilities and services</p> <p>Staff Comment: Staff finds that the proposed development will enhance the appearance of the Route 60 corridor. Staff notes that as a redevelopment project, this development will provide the County the ability to revitalize an aging retail center, substantially improve the Community Character Corridor’s</p>

	visual quality, and attract new merchants. For any redevelopment project it is important to balance the redevelopment costs versus the goals presented by the Comprehensive Plan with respect to community character (buffers, strip-commercial development and the like). Given the design limitations of the project site prevents this property from developing with the same characteristics of the Colonial Heritage property across the street. Staff finds that the enhanced landscaping, open space provided by the pocket parks and central plazas between buildings and the architectural design substantially improves the character of the area and substantially improved the compatibility of this development with the Colonial Heritage site and the Comprehensive Plan's goals.
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Environment

General	<i>Yarmouth Creek Watershed Management Plan (Page 53)</i> : A final watershed management plan with recommendations on preserving this watershed was completed in 2003.
	Staff Comment: A majority of the 4 acres that currently drain into the Yarmouth Creek Watershed will be redirected in the Skimino Creek Watershed. The remaining area will constitute only about .75 acres near the VDOT right-of-way along the frontage of the property.
Goals, strategies and actions	<i>ENV 1.2(Page 61)</i> : Promote the use of Better Site Design, Low Impact Development, and effective Best Management Practices
	Staff Comment: The farm pond on-site will be upgraded to support this site as a BMP pond to help mitigate adverse environmental impacts. Staff notes that the overall impervious area is being reduced by 4% or .8 acres as well. The applicant will also be providing six filter boxes in order to treat the stormwater for 1.5 acres of the redirected Skimino Creek Watershed impervious area. The Environmental Division has determined that this would result in the treatment of one and a ½ acre of 14.0 acres of proposed impervious cover for the site, which constitutes 10% of the impervious area. The Division notes that this additional stormwater treatment would meet the need of providing LID for this site.

Transportation

General	<i>Sidewalks and Bikeways (Page 110)</i> : Strongly recommends development of sidewalks and related pedestrian facilities to connect residential to nonresidential areas, as well as construction of bike facilities and ensuring all new facilities and future plans meet the public's desires and needs.
	<i>Richmond Road (Page 116)</i> : Ensure efficient signal placement and coordination.
Goals, strategies and actions	Staff Comment: The applicant has provided both pedestrian and bicycle improvements along Richmond Road. The applicant has also provided traffic signal relocation for the main entrance of this development, as well as aligning another entrance across from Colonial Heritage to be coordinated with future development. The applicant is also providing fencing and pedestrian scale lighting along the entrance roads to the property, along with pedestrian open space areas at the frontage of the development.
	<p><i>T 1.1 (Page 121)</i>: Ensure that new development follows recommended intensities and development patterns that will serve to preserve the road capacities and support the Community Character Corridor designations of existing and proposed roads.</p> <p><i>T 1.2.6 (Page 121)</i>: Facilitate the efficient flow of vehicles and minimize delay through means such as the use of advanced traffic management technology.</p> <p><i>T 3.3.1 (Page 152)</i>: Continue providing public transit to areas of greatest demand and for populations with special needs</p> <p><i>T 3.9 (Page 152)</i>: Include bikeways, pedestrian facilities and multi-use trails within major developments</p> <p><i>T 3.11 (Page 152)</i>: Implement the adopted James City County Sidewalk Master Plan and Regional Bicycle Facilities Plan by planning for bikeways and pedestrian facilities and requiring developments to participate in the development of the facilities</p> <p>Staff Comment: The buffer along the front of the property will be larger than its current width, as the existing average will increase from approximately 10 to approximately 37 feet. The applicant has provided features to help mitigate that visual impact of the parking areas, including pedestrian open spaces, a row of shade trees in the parking lot, and enhanced landscaping and fence in the buffer.</p>

Economic Development

General	<i>Redevelopment (Page :</i> The Lightfoot Corridor is in a period of transition as it adapts to new regional access via Route 199 and its position in the commercial market with the opening of large retail stores.
	Staff Comment: This area is directly addressed in the Comprehensive Plan as an area to be redeveloped and staff is in favor of seeing this part of the County revitalized. This rezoning will hopefully be the first in what will trigger many improvements along this section of Richmond Road, as well as a step in the direction of having a Master Planned Pottery property that will more closely mirror the vision of the Comprehensive Plan.
Goals, strategies and actions	<i>ED 1.1 (Page 24):</i> Maintain an active and effective economic development strategy, which includes existing business retention and expansion of existing businesses <i>ED 5 (Page 25):</i> Encourage infill development, redevelopment of existing parcels, and the adaptive reuse of existing buildings to efficiently use infrastructure and natural resources.
	Staff Comment: Staff finds the proposed redevelopment of the Pottery to be a positive step toward the evolution of an important County business. Staff recognizes the limitations of this parcel's ability to comprehensively provide Mixed-Use characteristics.

Community Character

General	<i>Richmond Road Community Character Corridor (Page 67-68):</i> A 50 foot landscape buffer is standard for commercial uses along this road. This also includes parking and other auto-related areas clearly as a secondary component of the streetscape. Providing enhanced landscaping, and other desirable design elements which complement and enhance the visual quality of the urban corridor such as the proposed 42-inch fence are encouraged.
	Staff Comment: The applicant has provided a buffer with an average depth of 37 feet, which is an increase over the existing buffer of 9.40 feet.
Goals, strategies and actions	<i>CC 3.7 (Page 80):</i> Expect development s to employ site and building design techniques that reduce their visual presence and scale.
	Staff Comment: Staff finds that the design guidelines and the open space parks at the front of the development help to offset the negative impacts of the strip commercial nature of this project. Enhanced landscaping, as well as a row of shade trees in the parking area will also help to alleviate some of dominant visual impact of the parking area.

Comprehensive Plan Staff Comments

Overall, staff finds that this application provides a positive redevelopment project for this area of the County, and with the revised Master Plan, design guidelines, and proffers is in conformance with many goals of the Comprehensive Plan. Staff notes that while this project still presents some strip-commercial characteristics, as well as a reduced CCC buffer, the applicant has provided many positive features to the development that help mitigate these characteristics, which include: enhanced buffer landscaping and decorative fencing, Rt. 60 median landscaping, pocket parks at the entrances to draw attention away from parking areas and break up what would otherwise be a long parking field along Rt. 60, a row of shade trees in the parking lot, and architectural design guidelines. Considering this is a redevelopment project, and the design limitations of the parcel shape and size, staff feels that the applicant is providing the best overall design given the type of uses and intensity. The project also is a significant visual improvement over existing site conditions.

RECOMMENDATION

Staff finds that the proposed amendments are consistent with the Comprehensive Plan Land Use designation and surrounding zoning and development and recommends the Planning Commission recommend approval of the Rezoning, Master Plan and Special Use Permit applications with the attached voluntary proffers and following amended SUP condition:

1. Traffic Signal Warrants: If VDOT warrants the need for a traffic signal at the Colonial Heritage east crossover, the traffic signal shall be installed or bonded prior to the issuance of a certificate of

occupancy for 182,000 square feet of buildings on the property as shown on the binding Master Plan.

2. Commencement of Construction: If construction has not commenced on this project within thirty-six (36) months from the issuance of a special use permit, the special use permit shall become void. Construction shall be defined as obtaining permits for building construction and footings and/or foundation has passed required inspections.
3. Severance Clause: This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Christopher Johnson, Principal Planner

ATTACHMENTS:

1. Location Map
2. Master Plan dated November 24, 2010 and revised January 27, 2011 (under separate cover)
3. Adopted Master Plan dated November 29, 2006 and revised January 25, 2007 (under separate cover)
4. Community Impact Statement dated January 2011 (under separate cover)
5. VDOT Comment Letter dated February 22, 2011
6. Proffers signed and dated January 28, 2011
7. Adopted Proffers dated and signed March 19, 2007
8. Letter from Adjacent Property Owner Sharon Maloney dated January 27, 2011


PLANNING DIRECTOR'S REPORT
March 2011

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

- **New Town.** The Design Review Board did not hold a meeting in February. The DRB did electronically consider and approve a conceptual plan for additional parking spaces at the end of Main Street. More detailed plans for this area will be officially submitted for review at the March DRB meeting. Staff also conducted a tour of New Town for Planning staff and Board and Commission members from Spotsylvania County.
- **Ordinance Update.** Policy Committee meetings were held on February 3rd, 7th, and 9th to discuss Development Standards and Residential Districts. Meetings were also held on February 23rd, 24th, and March 1st to discuss Procedural, Administrative, and Submittal Requirements, Mixed Use Districts, Green Building, Wireless Communications Facilities, Signage, and the Subdivision Ordinance. Staff is now entering Stage II of the update process which includes drafting the technical ordinance text.

In addition to Policy Committee meetings, a Transfer of Development Rights Forum was held on February 10th and the PowerPoint presentation and handouts/surveys from the meeting are available on www.jccplans.org/tdr.html. The ordinance process also included a Board of Supervisors work session on February 22nd to update the Board on the status of priority items.

- **Monthly Case Report.** For a list of all cases received in the last month, please see the attached document.
- **Board Action Results** – February 8th and February 22nd
SUP-0024-2009 Hospice House WCF – Deferred until April 12, 2011
AFD-11-86-2-2010 Jolly Pond Rd Yarmouth Island AFD Addition – Deferred until March 8, 2011
AFD-9-86-4-2010 Centerville Rd Gordon Creek AFD Addition- Deferred until March 8, 2011
SUP-0028-2010 / HW-0004-2010 Busch Gardens New Attraction Oktoberfest – Adopted 5 – 0
AFD-11-86-3-2010 Shields Point Yarmouth Island AFD Addition – Adopted 5 - 0



Allen J. Murphy, Jr.

New Cases for February

Case Type	Case Number	Address	Description	Planner	District
Conceptual Plans	C-0005-2011	700 BLOW FLATS ROAD	Review of progress reports for two borrow pits	Christy Parrish	Roberts
	C-0006-2011	9001 BARNES ROAD	Subdividing 8 lots from a single parcel	Luke Vinciguerra	Stonehouse
	C-0007-2011	2201 JOLLY POND ROAD	Build an equipment shed	Sarah Propst	Powhatan
Site Plan	SP-0008-2011	5380 CENTERVILLE RD	This is for additional parking and playground drainage improvements	Jose Ribeiro	Powhatan
	SP-0009-2011	4501 NEWS ROAD	A small temporary retail facility, building to be 10,000 square feet	Sarah Propst	Berkeley
	SP-0010-2011	1303 JAMESTOWN ROAD	This is a temporary retail facility, the building being 9200 square feet	Sarah Propst	Jamestown
	SP-0011-2011	151 LEISURE ROAD	Construct sidewalk connecting entrance sidewalk with picnic pavilion at Upper County Park	Leanne Reidenbach	Stonehouse
	SP-0012-2011	7787 RICHMOND ROAD	Plan includes two trailers as well as enclosing a carport and shed	Jose Ribeiro	Stonehouse
	SP-0013-2011	133 POWHATAN SPRINGS RD	Proposed 8" fire line relocation	Jason Purse	Berkeley
	SP-0014-2011	7851 POCAHONTAS TR	New attraction and event building in Oktoberfest on previous site of Big Bad Wolf coaster	Leanne Reidenbach	Roberts
	SP-0015-2011	5223 MONTICELLO AVE	Adding a single water meter to Courthouse Commons	Luke Vinciguerra	Berkeley
	SP-0016-2011	5548 OLDE TOWNE ROAD	Temporary retail facility. Enclosed by wooden fence spilt rail fencing and a windscreen. A shade canopy will be used to protect plant material. A 10'x16' kiosk will be used for check-out.	Sarah Propst	Berkeley
	SP-0017-2011	7508 RICHMOND ROAD	This is for a 19,000 sf retail building with outdoor concrete sales area & 70 parking spaces	Sarah Propst	Stonehouse

Subdivision	S-0010-2011	3401 ROCHAMBEAU DR	This is a family subdivision in accordance with Section 19-17 of the Subdivision Ordinance, a Special Use Permit (SUP-0001-2010) has been approved by the Board of Supervisors for lot sizes of less than 3 acres. Parcels "1" and "2" are to be conveyed to an immediate family member of the owner.	Jason Purse	Stonehouse
	S-0011-2011	LOT 171 SEC 2 WELLINGTON - GUILDFORD LANE	Subdivision of 2 lots on 1.338 acres which are owned by Busch properties, Inc	Sarah Propst	Stonehouse
	S-0012-2011	4101 MONTICELLO AVENUE	Boundary line adjustments between Carter's Grove Country Road and Busch Properties Parcel R-9	Jose Ribeiro	Berkeley