

A G E N D A  
JAMES CITY COUNTY PLANNING COMMISSION  
MAY 4, 2011 - 7:00 p.m.

1. ROLL CALL
2. PUBLIC COMMENT
3. MINUTES  
  
April 6, 2011 Regular Meeting
4. COMMITTEE / COMMISSION REPORTS
  - A. Development Review Committee (DRC)
  - B. Policy Committee
  - C. Regional Issues Committee / Other Commission Reports
5. PLANNING COMMISSION CONSIDERATIONS
  - A. Urban Development Areas
6. PUBLIC HEARING CASES
  - A. SUP-0003-2011 Mid-County Park Master Plan
7. PLANNING DIRECTOR'S REPORT
8. COMMISSION DISCUSSIONS AND REQUESTS
9. 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 SIXTH DAY OF APRIL, TWO-THOUSAND AND ELEVEN, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:

Jack Fraley  
Tim O'Connor  
Joe Poole III  
Rich Krapf  
Mike Maddocks

Staff Present:

Allen Murphy, Director of Planning/Assistant  
Development Manager  
Adam Kinsman, Deputy County Attorney  
Kate Sipes, Senior Planner  
Jennifer VanDyke, Admin.Services Coordinator

Absent

Reese Peck  
Al Woods

Mr. Jack Fraley called the meeting to order at 7:05 p.m.

2. PUBLIC COMMENT

Mr. Fraley opened the public comment period. Seeing no one wishing to speak, the public comment period was closed.

3. MINUTES

A. March 2, 2011

Mr. Joe Poole made a motion to approve the minutes. The March 2, 2011 minutes were approved in a unanimous voice vote (5-0; Woods, Peck, absent).

4. COMMITTEE AND COMMISSION REPORTS

A. Development Review Committee (DRC)

Mr. Poole provided the DRC report for March 30, 2011. The report is attached.

Mr. Fraley moved to adopt the DRC report. The report was adopted in a unanimous voice vote.

B. Policy Committee

Mr. Reese Peck was not present to provide the Policy Committee report.

C. Regional Issues Committee/Other Reports

There were no other reports to be made.

5. PUBLIC HEARING CASES

A. SUP-0001-2011 Williamsburg Crossing Car Wash

Ms. Kate Sipes stated that Mr. Vernon Geddy has applied on behalf of Mr. Mathew Blanchard for a Special Use Permit (SUP) to construct an automated car wash on two parcels along Route 5 and Pilot's Way in front of The LaFontaine Condominiums.

Ms. Sipes stated that the case was deferred from the March meeting at the applicant's request after residents of LaFontaine spoke in opposition to the project. Ms. Sipes stated that conditions number one and five have been amended since the March Planning Commission meeting to address concerns raised by commissioners. Condition number nine has been amended to address concerns of both commissioners and residents of LaFontaine. Condition number seven has been added, stating no exterior loud speaker system shall be used. Ms. Sipes stated that additionally, the applicant has offered to install off-site landscaping, as well as make an annual contribution to the LaFontaine Home Owners Association (HOA) for the maintenance of said landscaping. Ms. Sipes stated that offsite improvements are not included in conditions as they cannot be enforced by the County.

Ms. Sipes stated that the application proposes an approximately 8,000 square foot building which would fully enclose the car wash, detailing operations, offices, reception and equipment areas. Ms. Sipes stated that the applicant is proposing to locate on 5117 John Tyler Highway and a portion of 5109 John Tyler Highway, a total of approximately one and a half acres. Ms. Sipes stated that the property has frontage along, but no access from, John Tyler Highway. Access to the site is from Pilot's Way via Kings Way at the entrance to the Williamsburg Crossing Shopping Center.

Ms. Sipes stated that the parcels are designated Mixed Use in the 2009 Comprehensive Plan. Ms. Sipes stated that the Williamsburg Crossing Mixed Use Area has principal suggested uses of commercial and office.

Ms. Sipes stated that staff recommends that the Planning Commission recommend approval of the SUP to the Board of Supervisors (BOS), subject to the amended conditions.

Mr. Poole stated he has concerns regarding the noise generated from the facility. Mr. Poole asked if measures could be taken to ensure that any subsequent owners of the car wash would continue to use the same low-impact vacuum system or another comparable reduced-noise model.

Mr. Adam Kinsman stated that it is very difficult to regulate noise. Mr. Kinsman stated that a potential solution could be adding a condition requiring a particular vacuum model, stipulating that a comparable model could be used upon Planning Director's approval.

Mr. Fraley opened the public hearing.



Mr. Geddy provided a map of the area and pointed out certain features. Mr. Geddy pointed out that Mr. Blanchard has changed the intended hours of operation. Mr. Geddy stated that the landscaping plans have been amended to further enhance the landscape buffer between LaFontaine and the proposed car wash. Mr. Geddy stated that Mr. Blanchard will not permit employees or customers to play music in their cars while using the facility. Mr. Geddy stated that 85% of the water used for car-washing operations will be reused. Mr. Geddy stated that this is a small business that is important to the County economy. Mr. Geddy stated that there is a petition that was signed by nearly all business owners within Williamsburg Crossing Shopping Center in support of the proposed car wash. Mr. Geddy stated that this is the sort of business that has the potential of attracting more customers and more start up businesses to the shopping center.

Mr. Wayne Slusir, 308 Queens Way stated he wanted clarification regarding the vacuum units. Mr. Slusir also wanted to know if a sound study had been completed and stated he was concerned with noise generated from customer's car stereos. Mr. Slusir questioned the placement of the HVAC units.

Mr. Fraley stated he would ask the applicant to respond to questions later on.

Ms. Joan Lamberson, 307 Queens Crescent spoke against the proposed car wash. Ms. Lamberson stated that the proposed site is inappropriate for a car wash. She stated LaFontaine property owners will suffer a loss in property values if the car wash is approved.

Ms. Jane Covere, 903 Queens Way spoke against the proposed car wash. Ms. Covere stated that the proposed site is not appropriate for a car wash due to the close proximity to LaFontaine.

Ms. Dorothy Sayre, 407 Queens Crescent spoke against the proposed car wash. Ms. Sayre stated that the proposed site is inappropriate for a car wash due to the close proximity to LaFontaine. She stated she is most concerned about the noise impacts, traffic and trash. She stated that LaFontaine property owners will suffer a loss in property values if the car wash is developed.

Ms. Geneva Perry, 1508 Queens Crossing spoke against the proposed car wash. Ms. Perry stated she is concerned with how the additional traffic will impact pedestrians in the area.

Ms. Mary Kohlenhoefer, representing Union First Market Bank spoke in favor of the car wash. Ms. Kohlenhoefer stated that Union First Market Bank has been located in or around Williamsburg Crossing Shopping Center for twelve years. She stated that the bank is contiguous to the proposed car wash site. She stated that the car wash is compatible with the neighboring businesses and residential community. She stated that she is pleased with the proposed car wash and that it will bring with it economic benefits for all businesses in the area.

Mr. Brian McGurk, 3832 Philip Ludwell spoke in favor of the car wash. Mr. McGurk stated that the proposed car wash will bring economic benefit to all the businesses in the area. Mr. McGurk pointed out that the car wash intends on hiring twelve full-time employees. He stated that the creation of new jobs is much needed. He stated that the County needs to further diversify its tax base and encourage new small businesses to this end. Mr. McGurk stated he has been impressed with Mr. Blanchard's efforts to meet the needs of the surrounding business and residential community.

Mr. Robert Winger, 3668 Bridgewater Drive spoke in favor of the car wash. Mr. Winger stated his primary concern for new development is the environmental impacts. He stated that he is pleased with the proposed car wash partly due to several low-impact environmental features such as the recirculation of water. He stated that the noise impacts generated from the car wash will be successfully mitigated by having its functions inside the building as well as landscape buffers. He stated that the plan for the building illustrates an aesthetically pleasing structure. Mr. Winger stated that after living next to Mr. Blanchard for six years he can attest to him being a considerate neighbor.

Mr. Jacob Polderman, 4904 Toddington Circle spoke in favor of the car wash. Mr. Polderman stated that after studying the well thought-out plans he is not concerned with the noise impacts.

Ms. Elsa Schmeyer, 204 Queens Crossing spoke against the proposed car wash. Ms. Schmeyer stated that she appreciates the efforts Mr. Blanchard has made to resolve the issues brought up by the residents of LaFontaine. She stated that she is still concerned with the noise impacts that will be generated by the car wash and its patrons. She stated that the proposed site is not compatible for a car wash.

Mr. Tom Tingle, Chairman of the James City County (JCC), Economic Development Authority (EDA) spoke in favor of the car wash. Mr. Tingle stated that the proposed car wash will bring much needed jobs to the area. He stated that this business proposal is consistent with the EDA's goals concerning the diversification of the JCC tax base. The proposed site of the car wash is also consistent with the Comprehensive Plan Land Use designation and the zoning of the property. He stated that Mr. Blanchard's decision to enclose the car wash functions to limit noise impacts illustrates his willingness to work with the community.

Mr. Gordon Berryman, 100 Stanley Drive spoke in favor of the application. Mr. Berryman stated that the architectural elevations show an attractive structure. He stated that with B-1 zoning there are many other business types, some less desirable, that could go in by-right. He stated, considering the potential, the proposed car wash is an acceptable use at this location.

Mr. Fraley asked for more information regarding the vacuums, the noise, locations and hours in which they will be available.

Mr. Geddy stated that the vacuums will only be available to patrons that pay for a car wash. Mr. Geddy pointed out several features on an illustration provided.

Mr. Fraley asked how the applicant intended to enforce radio restrictions for the car wash patrons.

Mr. Geddy pointed out that the car wash will always have staff present during operation hours. Mr. Geddy stated that signs will be posted requiring patrons to turn down or off their car radios. Staff will enforce this policy.

Mr. Fraley asked if any noise studies had been completed.

Mr. Geddy stated that the applicant has sound information on the vacuum system. There is a

chart that gives decibels levels to illustrate how far the noise from the vacuums will carry.

Mr. Fraley asked for more information on the site selection process.

Mr. Geddy stated that there was a list of criteria that Mr. Blanchard used to find the site. He stated that a well-traveled road was the first criteria; Route 5 has roughly 20,000-22,000 cars traveling on it per day. Mr. Geddy stated that the location is ideal in that it is still close to the main entrance to Williamsburg Crossing Shopping Center. Mr. Geddy stated that the price was also a factor.

Mr. Fraley asked for more information concerning the ownership of Pilots Way.

Mr. Geddy stated that Pilots Way is a private road, and it was intended to serve these outparcels. He stated that the first half of the road will be owned by Mr. Blanchard. The last parcel, that is currently undeveloped, will eventually be developed. Once developed the new property owner will own the second half of Pilots Way.

Mr. Fraley asked for more information on pedestrian traffic.

Mr. Geddy stated that there is a sidewalk along the front of the bank which will be continued. Mr. Geddy stated that the car wash would not greatly impact pedestrian traffic. Mr. Geddy deferred to the applicant's consultant for more information on vacuum noise.

Mr. John Freudenthal representing Quality Structures of Charlotte, North Carolina spoke. Mr. Freudenthal stated that he works as a consultant for car wash facilities. He stated that during the last five years there have been significant improvements in the industry, specifically for sound deadening measures in vacuum units. Mr. Freudenthal provided a diagram illustrating the noise levels on the site in relation to the vacuum system.

Mr. Fraley asked for a comparison to the sound levels provided on the illustration.

Mr. Freudenthal stated that at twenty feet a standard conversation could be conducted over the top of the 55 dba (Noise Weighting Rating Frequency) level. He stated, in comparison the highway is 68-70 dba. He stated that the car noise on Pilots Way will be more significant than the vacuums.

Mr. Poole asked if the two units seen on the drawing can be placed in the interior of the structure.

Mr. Freudenthal stated that the vacuums must be placed in close proximity to the location in which they will be used, otherwise the suction power is compromised. He stated that the units will be screened.

Mr. Poole asked Mr. Freudenthal if he had seen a similar car wash facility placed in close proximity to multi-family, residential units.

Mr. Freudenthal said he had. He stated that many Auto-Bell locations are in mixed use or multi-family designated areas. He stated that the highest grossing Auto-Bell facility is in a location

that is identical in many ways to the proposed site. He stated that it too is next to a multi-family complex. He stated that typically patrons will not travel a great distant to go to a car wash facility. He stated for a car wash to be successful it needs to be placed near residential areas. He stated that a customer will not drive more than five or six miles to a car wash.

Mr. Poole asked for more detail regarding the highest grossing site.

Mr. Poole asked Mr. Geddy if the customer will be doing their own vacuuming. Mr. Poole asked for the distance from the last stall to the closest residential unit.

Mr. Geddy stated that the customer will be doing the vacuuming.

Mr. Jason Grimes of AES stated that the distance would be 65'-70'.

Ms. Claire Johnson, 1309 Queens Crossing spoke against the proposed car wash. Ms. Johnson stated that she is concerned with the noise that would be coming from the cars patronizing the car wash.

Mr. Slusig stated that his research indicated that a dba is a unit of sound to measure a single occurrence not a sustained noise.

Mr. Fraley closed the public hearing.

Mr. Rich Krapf stated that he had met with the applicant and Mr. Geddy on March 29, 2011 to get an update on any changes to the project since the last Planning Commission meeting. Mr. Krapf stated that there were many elements to this proposal that he considered before making his recommendation including the zoning of the parcel in question and the surrounding community. This parcel is part of the master plan for the Williamsburg Crossing Shopping Center and is zoned B-1, general business. LaFontaine is zoned mixed use. The primary concerns resulting from this project are: traffic, noise, headlights and property values. Mr. Krapf stated that he believes that the applicant has taken extraordinary measures to mitigate these issues. The bay doors do not face LaFontaine. There is enhanced landscaping. Loud speakers will be prohibited from use. Mr. Krapf stated that the applicant has offered to put in landscaping on the LaFontaine side as well as contribute \$500 annually for maintenance and upkeep. Mr. Krapf stated that the elevation difference between the proposed car wash and LaFontaine should prevent headlights from becoming an issue. Mr. Krapf then spoke to the fears of property values dropping stating that the property is zoned B-1. Mr. Krapf stated that a business with frequent public access will be placed on this parcel. He stated that Mr. Blanchard has taken great lengths to minimize these impacts on LaFontaine. He stated that LaFontaine is a development that went into an area zoned B-1. Mr. Krapf stated that he supports the project.

Mr. Poole stated that he is impressed with certain elements of the proposal. He stated the property is zoned B-1 and is intended for commercial use. He stated that the SUP is used to determine if a business fits based upon more subjective measures that are not easily categorized. Mr. Poole stated that he is not convinced that this is the right location for the proposed car wash. Mr. Poole stated that he too is concerned with the economic viability of the Williamsburg Crossing Shopping Center though adding this business to it may not be helpful. Mr. Poole stated that there is too much

retail and business space within JCC, Williamsburg, and Yorktown. This proposal is not appropriate to abut a multi-family residential area. Mr. Poole stated that he is not prepared to support the proposed car wash.

Mr. Mike Maddocks stated that the applicant has been very accommodating. Subsequent to concerns raised Mr. Blanchard adjusted the hours of operation and amended landscaping. Mr. Maddocks stated that Mr. Blanchard has offered to pay up to \$500 per year to maintain the landscaping on the off-site location. The property is B-1; LaFontaine is in the middle of a commercial development. Mr. Maddocks stated he supports the proposed car wash.

Mr. Tim O'Connor stated that the applicant has provided screening and sound abatement. Mr. O'Connor stated that he supports the proposed car wash.

Mr. Fraley stated that the \$500 annual landscaping maintenance agreement is not part of the conditions. Mr. Fraley stated that he spoke to another car wash owner in JCC. He stated he asked a number of questions regarding the nature of this type of business. Mr. Fraley stated that it would be his preference to see this business in a different outparcel. He stated he is worried about some of the possible impacts. Mr. Fraley stated that there is the potential of having a different sort of business coming in by-right that could have even greater undesirable impacts.

Mr. Fraley asked Mr. Poole if he was interested in adding a condition regarding the acceptable level of noise coming from the vacuum unit.

Mr. Poole stated that would be helpful.

Mr. Adam Kinsman stated that the County is not prepared to enforce noise regulation. Due to this limitation Mr. Kinsman recommended adding a condition that requires a vacuum from a particular manufacturer (in this case the Hurricane Model 35-192), or an equivalent model as determined by the Planning Director.

Mr. Krapf made a motion to approve the special use permit request with the additional condition as prescribed. The motion was approved in a voice vote (4-1; Mr. Poole, nay; Mr. Peck, Mr. Woods absent).

#### 6. PLANNING DIRECTOR'S REPORT

Mr. Allen Murphy reminded the commission of the scheduled work session to discuss Urban Development Areas scheduled for April 13, 2011 at 4:00 p.m.

#### 7. COMMISSION DISCUSSIONS AND REQUESTS

Mr. Fraley reviewed the BOS coverage schedule.

Mr. Fraley stated he is having a meeting on Monday morning with staff and several James City County Concerned Citizens (J4C's) members regarding the Economic Opportunity

(EO) ordinance.

Mr. Fraley discussed the Planning Commission's by-law requirements regarding disclosures.

8. ADJOURNMENT

Mr. Poole moved for adjournment until April 13, 2011.

The meeting was adjourned at 8:44 p.m.

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Jack Fraley, Chairman

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Allen J. Murphy, Secretary

*Development Review Committee*  
**James City County Planning Commission**  
March 30, 2011

In attendance: Rich Krapf, Mike Maddocks, Tim O'Connor, and Joe Poole.

**C-0013-2011 - St. Bede Catholic Church - Mausoleum Addition Conceptual Review - 3686 Ironbound Rd.**

- Prior to proceeding with the legislative process for the amendment of the existing SUP and Master Plan for St. Bede Catholic Church, the applicant requested DRC input for its current mausoleum proposal.
- The DRC reviewed conceptual site and building plans and exterior elevations for a six-phased mausoleum project to be located at the westerly end of the subject property.
- DRC comments this meeting addressed architectural compatibility with the main sanctuary structure, mausoleum screening from Ironbound Road and adjacent residential properties, and the suggestion for a community information meeting regarding the project prior to the commencement of the legislative process.

**C-008-2011 - New Town Section 9 - Settler's Market - Master Plan Consistency - 4540 and 4600 Casey Blvd.**

- Augmenting stated comments of the New Town Design Review Board at its March 17th meeting as provided for this 3/30 DRC meeting, the DRC unanimously agreed that the current Master Plan is generally consistent with the original Master Plan as approved in November 2006.
- Further, the DRC noted current Master Plan enhancements regarding pedestrian connections within the development, landscaped edges between parking areas and adjacent roadways and eventual commercial/residential development, and buffers and scenic quality protections along Route 199.

**SP-0002-2011 - Martin's Fuel Facility - Sidewalk and Landscape Modification Request - 4820 Monticello Avenue**

- By a vote of 3 to 1, the DRC approved the sidewalk modification request in this particular location given adjacent public roadway, sidewalk, and topographic considerations - - and given forthcoming and adjacent site development plans that will likely include complementary sidewalk connections. Providing appropriate site and area sidewalk links were emphasized by the DRC, along with the recognition that in some instances, adjustments are necessary for safety and other practical reasons. The DRC also approved the landscaped modification request for this planned fuel facility.

**C-0007-2011 - Johnny Timbers Tree Service - Master Plan Consistency - 2201 Jolly Pond Road**

- In accordance with the 2006 SUP conditions for the subject property, the DRC unanimously agreed that minor site changes that have occurred since then do not substantively change the

basic concept or character of the approved development's Master Plan, and that these changes can be handled administratively going forward.

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***Development Review Committee***  
**James City County Planning Commission**  
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Development Review Committee Report  
May 4, 2011

S-0048-2009

Stonehouse Tract 12- Revised Clearing and Grading Plan

DRC Action:

This case was before the DRC because the developer requested revisions to the approved clearing and grading plans. The original limits had been approved by the DRC in 2010. The DRC unanimously approved the revised clearing and grading subject to Engineering and Resource Protection comments.

## MEMORANDUM

**DATE:** May 4, 2011  
**TO:** Planning Commission  
**FROM:** Ellen Cook, Senior Planner II  
Jason Purse, Senior Planner  
**SUBJECT:** Urban Development Areas

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### Introduction

“Urban Development Areas” or UDAs, were first adopted as part of Virginia’s 2007 Transportation Financing Package which, among other things, sought to alleviate transportation infrastructure costs through more compact development models. Regulations related to UDAs apply to certain localities in Virginia, based on population and rate of growth. Based on the criteria, James City County has been subject to the statute since it was first adopted and has a compliance date of July 1, 2011, while other localities have come under the statute based on 2010 Census figures and have a compliance date in 2013. Localities with more than 130,000 people have a different compliance deadline of July 1, 2012, based on amendments to the statute which were adopted in 2010.

### Compliance Options

Compliance with the statute involves not only a specific timeframe, but accommodation of development in the manner described in the statute. Specifically, localities must provide areas that:

- are appropriate for higher density development,
- accommodate development at a density of at least 4 single family residences, 6 townhouses, or 12 apartments per acre and an authorized floor area ratio (FAR) of 0.4,
- accommodate at least 10 but not more than 20 years worth of projected growth, and
- incorporate principles of new urbanism and traditional neighborhood development.

The legislation provides two paths to compliance: (1) amend the comprehensive plan to incorporate one or more urban development areas, or (2) adopt a resolution describing how the locality’s plan accommodates growth in a manner consistent with the legislation.

With regard to this first path to compliance, amending the comprehensive plan, staff would note that the legislation has been in flux (most significantly, with regard the required densities) since its initial adoption. Early in the 2009 Comprehensive Plan process, the County’s land use consultant recommended waiting to see what changes would occur as a result of the General Assembly’s joint subcommittee study of the UDA legislation before amending the plan or certifying compliance. The consultant’s recommendation was summarized in a memo that was provided to the Steering Committee on December 8, 2008. In keeping with past comprehensive plans since 1991, the 2009 Comprehensive Plan includes a vision for certain areas for higher density development, which are primarily the mixed use areas. In recognition of UDA legislation, and in order to best position the County while still being mindful of the legislation being in flux, language was added to the 2009 Comprehensive Plan regarding recommended FARs and adding more information on desired mixed use development design.

With regard to the second path to compliance, adopting a resolution, staff more recently re-evaluated the status of the legislation and the County’s land use map. Due to the fact that the joint subcommittee’s

study did not result in significant changes to density or other parts of the legislation, and due to the language that was added to the Comprehensive Plan to best position the County, staff believes, and subsequently recommends that the Board certify, that the current 2009 Comprehensive Plan meets the UDA requirements. Specifically, staff looked at these factors:

- Mixed Use areas are identified in the Comprehensive Plan as areas appropriate for higher density development,
- the land use designation description for Mixed Use recommends densities and intensities up to 18 dwelling units per acre, and FARs of 0.4,
- based on U.S. Census and Virginia Employment Commission figures, as specified in the statute, the mixed use areas identified in the Policy Committee memo accommodate at least 10 years worth of growth, and
- the land use designation description for Mixed Use has development standards that include principles of new urbanism and traditional neighborhood development.

Because of the latitude provided in the legislation, there are likely other ways that one or more UDAs could be delineated in James City County, but it is staff's belief that the proposal set forth in the memo best matches the UDA characteristics outlined in the statute, and best matches the vision set forth in the adopted Comprehensive Plan. Designating larger areas for urban-scale densities would have implications, including:

- Process, such as re-doing a large-scale comprehensive plan effort
- Policy, such as:
  - Re-engaging with the community regarding widespread higher densities
  - Possibly raising the development potential for the County versus using existing land use designations to meet the intent
- Fiscal, such as planning for additional growth and the resulting infrastructure and services needed

The recommendation outlined in staff's memo is similar to the approach used by York County, whose Board has already adopted a resolution certifying that their Comprehensive Plan accommodates growth in a manner consistent with the statute via its six Mixed Use designated areas. In addition, according to a Commission on Local Government report, certification of an existing comprehensive plan is the approach being used by many comparable localities.

Should the Board concur with certifying the existing 2009 Comprehensive Plan, that action would in essence only be a foundation for what will be a dynamic evaluation process over the years. The statute states that the boundaries and size for each UDA shall be reexamined and if necessary, revised every five years in conjunction with the review of the comprehensive plan, and further that that boundaries of each UDA shall be identified in the locality's comprehensive plan and shown on future land use maps. Staff plans to follow this state code language to reexamine the UDAs, and show the UDAs on the land use map, during the Comprehensive Plan update in 2014.

#### **RECOMMENDATION:**

Staff recommends that the Board of Supervisors adopt a resolution certifying that the 2009 Comprehensive Plan accommodates growth in a manner consistent with 15.2-2223.1 of the Code of Virginia. Staff brought this information to the Policy Committee at a March 16, 2011 and an April 25, 2011 meeting. In addition, the Planning Commission held a work session with public comment to discuss the topic on April 13, 2011. At this work session, it appeared that the Commission would be most comfortable removing Five Forks from the list of Mixed Use Designated areas that would be certified as the County's Urban Development Areas. As stated at the meeting, staff had no objection to removal of this mixed use area.

Staff requests that the Planning Commission endorse staff's certification proposal, confirm comments regarding Five Forks, and provide any other comments it wishes to be relayed in materials to be provided to the Board of Supervisors.

Attachments

1. April 13, 2011 Planning Commission Work Session Memo
2. March 16, 2011 Policy Committee Meeting Memo (includes Section 15.2-2223.1 of the Code of Virginia as an attachment)

## M E M O R A N D U M

**DATE:** April 13, 2011

**TO:** Planning Commission

**FROM:** Ellen Cook, Senior Planner II  
Jason Purse, Senior Planner

**SUBJECT:** Urban Development Areas (UDA) Work Session

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### Introduction

The topic of today's work session is Urban Development Areas (UDAs). UDAs were first adopted as part of the 2007 Transportation Financing Package which, among other things, sought to alleviate transportation infrastructure costs through more compact development models. UDA legislation represents a significant move to assert state control of land use, versus the ability of localities to make land use planning determinations. Regulations related to UDAs apply to certain counties in Virginia, based on population and rate of growth. In contrast to James City County which has used growth management tools for many years, many of these counties had previously not planned for higher density new urbanist and mixed use development in their Comprehensive Plans. James City County has had a mixed use land use designation promoting higher densities since the 1991 Comprehensive Plan. Paragraph 2 of staff's memo (see attached) discusses the characteristics of UDAs outlined in the Code, including:

- o appropriate for higher density development,
- o accommodating development at a density of at least 4 single family residences, 6 townhouses, or 12 apartments and an authorized floor area ratio (FAR) of 0.4,
- o accommodating at least 10 years worth of projected growth, and
- o incorporate principles of new urbanism and traditional neighborhood development.

### History in James City County

This legislation is a state mandate that has been on the Planning Division's tracking list for a number of years. The legislation has been in flux (most significantly, with regard the required densities) and has been identified as a concern by many localities. Early in the 2009 Comprehensive Plan process the consultant recommended waiting to see what changes would occur as a result of the General Assembly's joint subcommittee study of the UDA legislation before amending the plan or certifying compliance. The consultant's recommendation was summarized in a memo that was provided to the Steering Committee and has subsequently been forwarded to the Planning Commission. In keeping with past plans, the 2009 Comprehensive Plan includes a vision for certain areas for higher density development, which are primarily the mixed use areas. In recognition of UDA legislation, and in order to best position the County while still being mindful of the legislation being in flux, language was added to the 2009 Comprehensive Plan regarding recommended FARs and adding more information on desired mixed use development design.

Due to the fact that the joint subcommittee's study did not result in significant changes to the legislation, and due to the language that was added to the Comprehensive Plan to best position the County, staff believes that the current 2009 Comprehensive Plan meets the UDA requirements by virtue of the designation of specific areas as being appropriate for mixed-use development. The attached staff memo outlines the reasons for this analysis. The State code provision on UDAs provides for two routes to compliance: either localities must amend their Comprehensive Plans, or localities may determine that their plan already "accommodates growth in a manner consistent with the [UDA] section" in which case they may certify such compliance by adoption of a resolution by the Board of Supervisors. Staff has recommended this second path, that the Board adopt a resolution certifying that the 2009 Comprehensive Plan accommodates growth in a manner consistent with 15.2-2223.1 of the *Code of Virginia*.

#### Other Approaches

Because of the latitude provided in the legislation, there certainly are other ways that one or more UDAs could be delineated in James City County, such as inclusion of the entire PSA, but it is staff's belief that the proposal set forth in the memo best matches the UDA characteristics outlined in the code, and best matches the vision set forth in the adopted Comprehensive Plan. Designating larger areas for urban-scale densities would have implications, including:

- Process, such as re-doing a large-scale comprehensive plan effort
- Policy, such as:
  - Re-engaging with the community regarding widespread higher densities
  - Possibly raising the development potential for the County versus using existing land use designations to meet the intent
- Fiscal, such as planning for additional growth and the resulting infrastructure and services needed

The recommendation outlined in staff's memo is similar to the approach used by York County, whose Board has already adopted a resolution certifying that their Comprehensive Plan accommodates growth in a manner consistent with the code via its six Mixed Use designated areas. In addition, according to a Commission on Local Government report, certification of an existing Comprehensive Plan is the approach being used by many comparable localities (examples include Albemarle, Frederick and Henrico counties).

#### Attachment

1. UDA Memo presented at the March 16, 2011 Policy Committee



## MEMORANDUM

**DATE:** March 16, 2011  
**TO:** Policy Committee  
**FROM:** Ellen Cook, Senior Planner II  
Jason Purse, Senior Planner  
**SUBJECT:** Urban Development Areas

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Section 15.2-2223.1 of the *Code of Virginia* requires localities with 20,000 or more residents and at least five percent (5%) population growth over 10 years (which includes James City County) to incorporate one or more higher density “Urban Development Areas” (UDA) designations within their comprehensive plans. The intent of this law was to discourage sprawl by concentrating new development in Virginia’s growing localities in areas where the necessary infrastructure either has been built or can be built in a more efficient manner.

In the Code of Virginia, UDAs are defined as areas “appropriate for higher density development due to the proximity of transportation facilities, the availability of a public or community water and sewer system, or proximity to a city, town or other developed area.” The legislation requires that the UDA be “appropriate for development at a density on the developable acreage of at least four single-family residences, six townhouses, or 12 apartments, condominium units, or cooperative units per acre, and an authorized floor area ratio (FAR) of at least 0.4 per acre for commercial development, or any proportional combination thereof.” The legislation also requires that the UDA designation be sufficient to accommodate at least 10 years of projected residential and commercial growth within the locality. The comprehensive plan is required to incorporate principles of new urbanism and traditional neighborhood development (TND), which is defined to include, but not be limited to, elements such as pedestrian-friendly road design, preservation of natural areas, and mixed-use neighborhoods.

The legislation specifies that comprehensive plans must be made to comply with the law; however, localities may determine that their plans already “accommodates growth in a manner consistent with the [UDA] section” in which case they may certify such compliance by adoption of a resolution. In parallel with the approach used by York County, staff believes that the current James City County 2009 Comprehensive Plan meets the UDA requirements by virtue of the designation of specific areas as being appropriate for mixed-use development. In forming this conclusion, staff considered the following:

- The UDA law requires that a minimum of ten years of projected growth be accommodated in UDAs designated in a locality’s comprehensive plan. According to official state projections<sup>1</sup> and figures from the U.S. Census Bureau, ten years of growth would equate to approximately 15,772 residents, or approximately 6,330 dwelling units, based on the most recent average household size estimate of 2.49 persons per household.

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<sup>1</sup> Virginia Employment Commission (VEC)

- The 2009 Comprehensive Plan currently designates fourteen areas for mixed-use areas<sup>2</sup>. The Comprehensive Plan's mixed use designation description as applied to these areas essentially mirrors the TND principles outlined in the UDA law:
  - The basic description states, "Mixed use areas are centers within the PSA where higher density development, redevelopment, and/or a broader spectrum of land uses are encouraged. Mixed Use areas located at or near interstate interchanges and the intersections of major thoroughfares are intended to maximize the economic development potential of these areas by providing areas primarily for more intensive commercial, office, and limited industrial purposes."
  - The mixed use development standards state, in part, "Mixed use developments should create vibrant urban environments that bring compatible land uses, public amenities, and utilities together at various scales. These developments should 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."
- With regard to the legislation's specified commercial intensity, the Comprehensive Plan's Mixed Use Designation Recommended Uses and Intensity section states, "The recommended Floor Area Ratio (FAR)<sup>3</sup> range will depend on the context of the specific Mixed Use area, but for all areas it is strongly encouraged that opportunities for on-street parking, shared parking, structured parking and other measures to cohesively plan development be considered that maximize the efficient use of land and achieve FARs close to, or greater than, 0.4." The Mixed Use and Planned Unit Development zoning districts, which complement the Comprehensive Plan's Mixed Use Designation, would certainly allow up to and beyond a 0.4 FAR (there is no limit on FAR in either district).
- With regard to the legislation's specified residential density, the Comprehensive Plan's Mixed Use Designation Recommended Density section states: "Moderate to high density residential uses with a maximum gross density of 18 dwelling units per acre could be encouraged in Mixed Use areas where such development would complement and be harmonious with existing and potential development and offer particular public benefits to the community." The Mixed Use and Planned Unit Development zoning districts allow single-family structures, townhomes and apartments at densities which accord with the UDA regulations (up to 18 du/ac).
- Based on the approximate acreages of the areas designated in the Comprehensive Plan for Mixed Use, and assuming development in the allowed ranges permitted in the Mixed Use and Planned

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<sup>2</sup> For the purposes of this memo, two of the mixed-use areas, the Jamestown Ferry Approach and James River Commerce Center mixed use area, will not be considered due to their more specialized nature.

<sup>3</sup> Floor Area Ratio is the ratio of the total floor area of buildings on a certain location to the size of the land of that location. As a formula: Floor area ratio = (Total covered area on all floors of all buildings on a certain plot)/(Area of the plot).

Unit Development districts, staff has calculated the approximate development potential figures in the table below.

<b>Area</b>	<b>Approx. Total Mixed Use Designation Acres*</b>	<b>Commercial Floor Area (sq.ft.)</b>	<b>Dwelling Units</b>
Stonehouse	1,684	4,040,110	3,690**
Anderson's Corner	63	75,315	45
Toano	213	141,570	163
Norge	60	63,160	116
Croaker Interchange	724	2,170,000	1,038
Lightfoot	300	76,230	251
New Town	690	600,000	902
Five Forks	73	43,560	10
Williamsburg Crossing	86	146,361	135
Routes 60/143/199 Interchanges	264	228,690	158
GreenMount	40	105,544	128
Treyburn Drive	18	99,970	12
<b>Total</b>	<b>4,215</b>	<b>7,790,510</b>	<b>6,648</b>

\* While this table lists the approximate total area of the Comprehensive Plan designation, the approximate development potential figures are based on an analysis of undeveloped or potentially re-developable areas, and master planned caps.

\*\* This total includes the whole master-planned Stonehouse community, which includes some area outside the Comprehensive Plan mixed use designation, but which is all zoned as a unified Planned Unit Development (PUD). The total acreage of the remaining Stonehouse PUD is 4,666.

It is important to note that the UDA law only requires that the Comprehensive Plan provide the opportunity for higher density mixed-use development with at least four residential units per acre and a commercial Floor Area Ratio of 0.4. That opportunity is clearly available through the Plan's Mixed Use designations and the complementary Mixed Use and Planned Unit Development zoning districts. Therefore, staff believes that the areas listed in the table above are effectively Urban Development Areas and that the Board can certify that its Comprehensive Plan "accommodates growth in a manner consistent with [the UDA requirements]." Staff would also note that the 2009 Comprehensive Plan's Economic Opportunity designation could likely be included as a UDA area in the future.

Staff plans to recommend to the Board that a resolution be adopted certifying that the 2009 Comprehensive Plan accommodates growth in a manner consistent with 15.2-2223.1 of the *Code of Virginia*.

#### Attachments

1. Section 15.2-2223.1 of the Code of Virginia

**SPECIAL USE PERMIT CASE NO. SUP-0003-2011 Mid-County Park Master Plan  
Staff Report for the May 4, 2011 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:  
Board of Supervisors:

**Building F Board Room; County Government Complex**

May 4, 2011 7:00 PM  
June 14, 2011 (tentative) 7:00 PM

**SUMMARY FACTS**

**Applicant:** Mr. John Carnifax, James City County Parks and Recreation

**Land Owner:** James City County

**Proposal:** Parks and Recreation is proposing to improve facilities at Mid-County Park. As the park is a legally non-conforming use, a special use permit is required to bring the property into conformance prior to site modifications.

**Location:** 3793 Ironbound Road

**Tax Map/Parcel:** 3830100010

**Parcel Size:** 19.4 acres

**Existing Zoning:** PL, Public Land with proffers

**Comprehensive Plan:** Park, Public, or Semi-Public Open Space

**Primary Service Area:** Inside

**STAFF RECOMMENDATION**

Staff finds the proposal to be consistent with the land use policies of the Comprehensive Plan, the Comprehensive Plan Land Use Map designation and surrounding zoning and development. Staff recommends the Planning Commission recommend approval of the special use permit for Mid-County Park with the conditions listed at the end of the report.

Staff Contact: Luke Vinciguerra

Phone: 253-6783

## PROJECT DESCRIPTION

Mr. John Carnifax of James City County Parks and Recreation has applied for a special use permit for Mid-County Park to bring the park into conformance with the zoning ordinance prior to proposed site modifications as shown on the attached master plan. As the park was originally part of Powhatan Secondary, their proffers remain applicable; however, the proffers don't restrict park development. The Public Lands district, created in 2007 requires a special use permit for community recreation facilities.

Mid-County Park is one of the County's most visited parks, hosting nearly 300,000 visitors annually. The park opened in 1985, followed by the addition of Kidsburg in 1994. Both are in need of significant repair due to the aging of the facilities. The changes proposed for Mid-County park are the replacement of the existing fencing, restrooms, office, and picnic shelters. The basketball and tennis courts will remain and the volleyball courts will be moved to a more accessible location. The most noticeable changes are the removal of the baseball fields adjacent to Steeplechase apartments and a new Kidsburg. Parks and Recreation found that due to the small size of the park and the frequency that baseballs were being hit onto Monticello Ave., baseball is more appropriate for the high school fields. The design of the new Kidsburg has not been completed.

The master planning of Mid-County Park was a public process. Citizens were invited to attend two community meetings to voice their concerns. Additionally, staff created a telephone hotline and posted a listening board at the James City/Williamsburg Community Center. Attendees of the community meetings received an overview of the plan, reviewed maps of the current and proposed changes within the park and then divided for small group discussions. More than 75 residents and users of the park took a role in the citizen feedback process.

Maintaining a Kidsburg (or some other type of playground), adding more open space, and the creation of an onsite environmental education garden were the top priorities of those participating in the master planning process. Other priorities included more picnic shelters for large groups, improved pedestrian access, basketball courts with adjustable goals, a park office with improved restrooms, and more park seating. Staff finds the proposed master plan satisfies the top priorities of most citizens.

At their March 16, 2011 meeting, the Parks and Recreation Advisory Commission unanimously approved the proposed Master Plan. The approved FY 12 CIP has allocated \$1.8 million towards this project.

As the facilities planning and budget issues have already been completed, staff recommends the Planning Commission evaluate the case from a land use perspective only. As the baseball fields and its associated lighting are being removed, staff finds that the noise and lighting impacts should be significantly reduced. Staff also finds the current buffer size and screening between Steeplechase apartments and the park acceptable.

News Road, Ironbound Road and Monticello Ave. are all Community Character Corridors and are sparsely vegetated along the perimeter of the park. The ordinance requires one tree and three shrubs for every 400 square feet. The Zoning Administrator has determined that since the park isn't expanding, full compliance with the plantings schedule may not be necessary. The amount and type of perimeter vegetation will be determined during site plan review. Staff finds the proposals passive recreation approach to have minimal externalizes.

## PUBLIC IMPACTS

### Environmental

**Watershed:** Powhatan Creek

**Staff Comments:** The Environmental Division has no objection to the proposal.

**Public Utilities** Water and sewer service will be required at the park.  
**Staff Comments:** The James City County Service Authority has no objections to the proposed Master Plan; however, has recommended SUP # 2 to help reduce water consumption.

## Transportation

Staff met with VDOT officials to discuss the proposed improvements at the Monticello Ave./News Road intersection and its potential impact on the park. As a result of the discussion, the park entrance will be shifted to the southern end of the parking lot to improve vehicular traffic along News Road. Staff estimates the park will generate roughly 12 trips per hour under normal circumstances. The new entrance location is shown the attached Master Plan.

**2007 Traffic Counts (Ironbound Road):** From News Road to Route 5 there are approximately 11,000 trips per day.

**2035 Volume Projected:** This section of Ironbound Road is projected to have a 25,000 ADT by 2035 and is recommended for improvement.

## COMPREHENSIVE PLAN

### Land Use Map

Designation	Park, Public, or Semi-public Open Space (Page 150): Land included in this designation generally consists of large, undeveloped areas owned by institutions or the public. Areas typically serve as buffers to historic sites, as educational resources, and as areas for public recreation and enjoyment.
	<b>Staff Comment:</b> The Comprehensive Plan stresses the need the need to maintain and develop new recreational facilities. The Plan also notes that parks and open space can increase the value of nearby properties. Staff finds this proposal consistent with the land use and parks and recreation components of the Comprehensive Plan

### Community Character

Goals, strategies and actions	<i>Action CC 1.1- Page 79:</i> Expect that development along Community Character Corridors (CCCs) protects the natural views of the area; promotes the historic, rural, or unique character of the area; maintains the greenbelt network; and establishes entrance corridors that enhance the experience of residents and visitors. <i>Action CC 3.1-Page 80:</i> Encourage vistas and other scenic resources to be protected and encourage building, site, and road designs that enhance the natural landscape and preserve valued vistas. These designs should also minimize any potential negative impacts with regard to noise and light pollution and other quality of life concerns.
	<b>Staff Comment:</b> Staff finds the open space element of Mid-County park an attractive feature. The applicant is proposing two rows of large trees in the park in addition to the current mature trees adjacent to Steeplechase apartments to screen residents from park activities. The rest of the park would remain mostly open space preserving the current view shed. Staff finds the plan compatible with the community character section of the comprehensive plan.

### Comprehensive Plan Staff Comments

Staff finds that this application, as proposed, is in compliance with the Comprehensive Plan.

## RECOMMENDATION

Staff finds the proposal to be consistent with the land use policies of the Comprehensive Plan, the Comprehensive Plan Land Use Map designation and surrounding zoning and development. Staff recommends the Planning Commission recommend approval of the special use permit for Mid-County Park with the following conditions:

1. Master Plan This Special Use Permit shall be valid for the park, associated fields, trails, parking areas, and accessory uses located at 3793 Ironbound Road and further identified as JCC Real Estate Tax Map No. 3830100010. The park shall be developed generally as shown on the exhibit drawn by Greensprings Landscape Architecture entitled "Proposed Mid-County Park Master Plan" and dated March 23, 2011, with only minor changes and/or additions that do not change the basic concept or character of the development as determined by the Planning Director.

2. Water Conservation Standards James City County Parks and Recreation shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority (the "JCSA") prior to final site plan approval. The standards shall include, but shall not be limited to such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought resistant native and other adopted low water use landscaping materials and warm season turf where appropriate, and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.

3. Lighting Any exterior site or building lighting shall have 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 in such a manner that all light will be directed downward and the light source is not visible from the side. Fixtures which are horizontally mounted on poles shall not exceed 15 feet in height unless otherwise approved by the Planning Director. No glare defined as 0.1 foot-candle or higher shall extend outside the Property lines.

4. Severability This special use permit is not severable. Invalidity of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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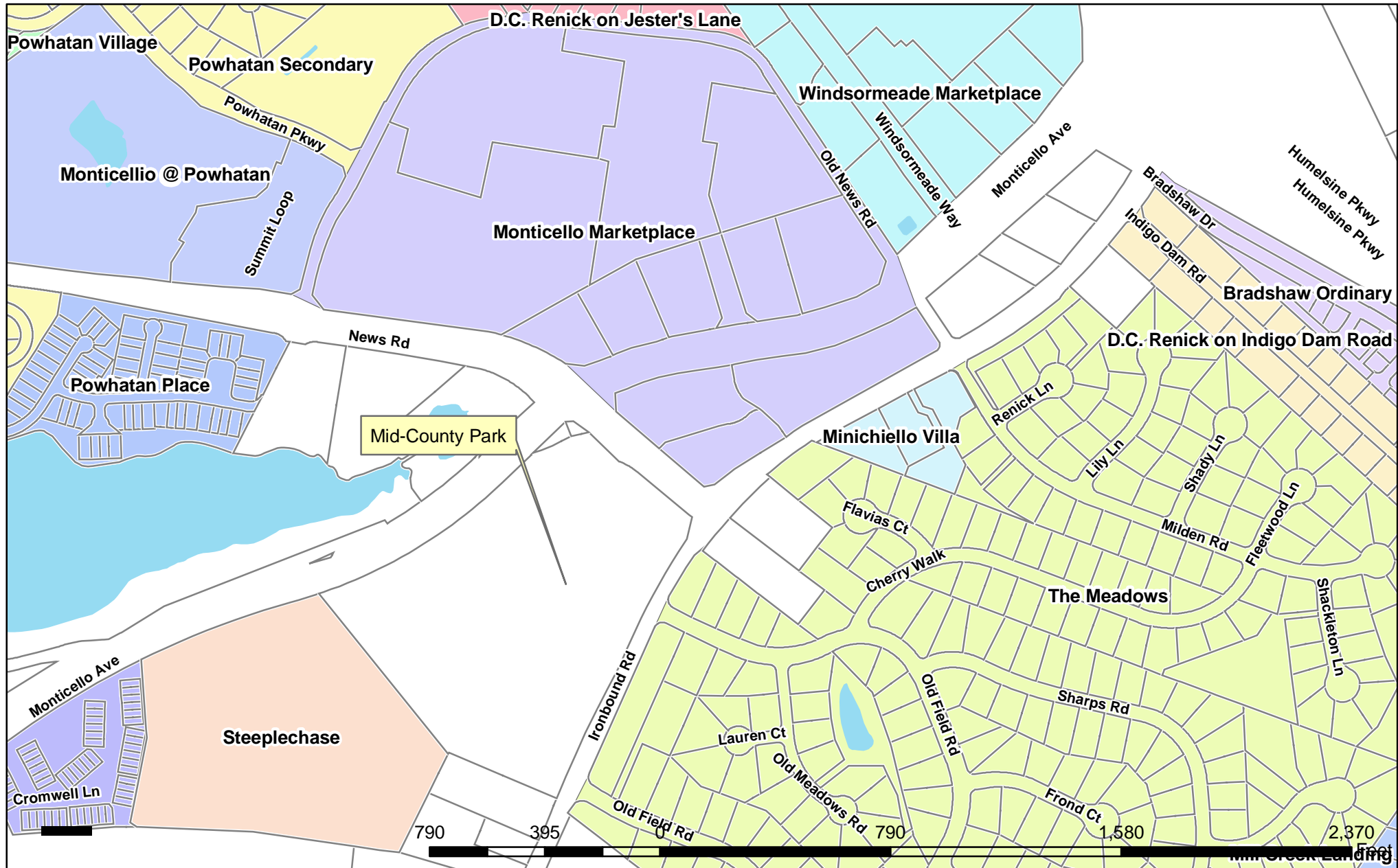
Luke Vinciguerra, Planner

ATTACHMENTS:

1. Location Map
2. Aerial photograph
3. Master Plan

# SUP-0003-2011

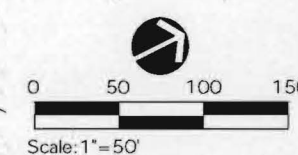
## Mid-County Park Master Plan











Proposed Mid-County Park Master Plan



PLANNING DIRECTOR'S REPORT  
May 2011

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

- **New Town.** The Design Review Board met in April to consider several applications. The DRB approved revised elevations for a tire center in WindsorMeade Marketplace and approved the location for a Veterans Tribute Tower in Patriot Park (off Discovery Park Boulevard). They also approved building footprint changes for several townhome units in Block 10 of Section 2 and 4, a traffic calming measure for Casey Boulevard, and a revised dumpster enclosure and screen for Courthouse Commons. Finally, the DRB provided additional guidance about treatment of common areas and trails and approved the layout and infrastructure for 62 new single-family detached lots in Section 7 Phase X (area behind current construction near the Goddard School).
- **Ordinance Update.** Policy Committee meetings were held on April 13<sup>th</sup> and April 25<sup>th</sup> to discuss a draft of the Economic Opportunity ordinance, traffic impact analysis submittal guidelines, and wireless communications facilities and Urban Development Areas requirements. Additional meetings are scheduled for May 5<sup>th</sup> and 11<sup>th</sup> to discuss draft ordinances for commercial districts. Staff also held a work session with the Board of Supervisors on April 26<sup>th</sup> to finish receiving input on the remaining Stage I ordinance topics.
- **Urban Development Areas (UDAs) certification.** The Planning Commission held a special work session on April 13<sup>th</sup> to discuss the certification of UDAs.
- **Monthly Case Report.** For a list of all cases received in the last month, please see the attached document.
- **Board Action Results** – April 12<sup>th</sup> and April 26<sup>th</sup>  
SUP-0024-2009 Hospice House and Support Care of Williamsburg Wireless Communication Facility Tower – Deferred until July 12, 2011



Allen J. Murphy, Jr.

New Cases for April						
Case Type Description	Case Number	Address1	Case Title	Description	Full Name	Election District
Conceptual Plans	C-0013-2011	3686 IRONBOUND ROAD	St. Bede Catholic Church Mausoleum	Addition of a mausoleum on the north side of the entrance road to the church site, with associated parking.	Jose Ribeiro	Berkeley
	C-0014-2011	116 POWHATAN SPRING RD	Williamsburg Cigar Club	Private cigar club in an existing structure.	Jason Purse	Berkeley
	C-0015-2011	5206 MONTICELLO AVENUE	New Town Shared Parking Update	New Town Shared Parking Update	Leanne Reidenbach	Berkeley
	C-0016-2011	3449 JOHN TYLER HGWY	Pedals and Paddles	Locating a business specializing in bike rentals and eco-tours.	Luke Vinciguerra	Jamestown
	C-0017-2011	Route 199 intersection with S. Henry St.	Route 199 Colonial Parkway Traffic Light Tower	Install communication antennas on traffic lights at the intersection of Route 199 and the Colonial Parkway.	Sarah Propst	Roberts
Rezoning	Z-0001-2011	115 NEIGHBORS DRIVE	Forest Heights Road, Neighbors Drive	Improve infrastructure (road, stormwater management, streetlights, etc.) and bring nonconforming lots into compliance through rezoning	Ellen Cook	Powhatan
	Z-0002-2011	Stonehouse Development	GS Stonehouse Proffer Amendment	This application is to amend Section 10.4 of the amended and restated Stonehouse Proffers dated November 27, 2007 recorded as Instrument No. 080007838 in accordance with the procedures set forth in Virginia Code Section 15.2-2302. The proffer language pertains to dedication of conservation easements to the County and the Williamsburg Land Conservancy.	Ellen Cook	Stonehouse
Site Plan	SP-0026-2011	5700 WARHILL TRAIL	Warhill Trail Dam Removal	The project involves the decommissioning or draining of the pond formed by the dam through removal of the existing principal spillway pipe and the installation of four new culvert pipes.	Jason Purse	Powhatan
	SP-0027-2011	5228 Foundation Street & 4330 Casey Boulevard	New Town Section 2 & 4 Block 10, Parcel E & F SP Amend	Revision to building unit configurations/ footprint layout (Lot 1-4, 34-37, 38-43)	Luke Vinciguerra	Berkeley
	SP-0028-2011	101 ST ANDREWS DR	Marriott's Manor Club II Splash Pool	This site plan is for the construction of a new splash pad area.	Jose Ribeiro	Powhatan

	SP-0029-2011	4600 OPPORTUNITY WAY	JCC Police Department Facility SP Amendment	To amend the grading of the site, change the specialty vehicle storage area, as well as the fuel tanks on-site	Jason Purse	Powhatan
	SP-0030-2011	7195 MERRIMAC TRAIL	Merrimac Trail Drainage Improvements	Improvements to an existing storm system that collects runoff from the northeast side of Merrimac Trail and conveys it behind Eagle Eye Automotive.	Leanne Reidenbach	Roberts
	SP-0031-2011	6473 RICHMOND ROAD	Lightfoot McDonalds Drive Thru SP Amend	Tandom drive thru to be added.	Luke Vinciguerra	Stonehouse
	SP-0032-2011	1804 JAMESTOWN ROAD	Jamestown Pie Company BBQ Trailer SP Amend	Adding a BBQ smoker. Smoker will be on a trailer and not attached to the ground.	Sarah Propst	Jamestown
	SP-0033-2011	CASEY BLVD ROW	New Town Sec. 2&4 Casey Blvd Traffic Calming	Installation of a traffic calming measure (speed hump) on Casey Blvd between Sections 2/4 and Section 9.	Leanne Reidenbach	Berkeley
	SP-0034-2011	4101 MONTICELLO AVENUE	Settlement at Powhatan Creek SP Amend.	This site plan amendment is to add nine irriagation meters to the plan; one for each of the nine blocks of townhomes. Each meter will be 5/8".	Jose Ribeiro	Berkeley
	SP-0035-2011	4300 FITHIAN LANE	Historic Powhatan Resort SP Amend, Deck	A deck adjacent to "the kitchen", partial trellis over deck	Jason Purse	Berkeley
Special Use Permit	SUP-0003-2011	3793 IRONBOUND ROAD	Mid-County Park Master Plan	Mid-County Park Revised Master Plan	Luke Vinciguerra	Berkeley
Subdivision	S-0016-2011	154 INDIGO DAM ROAD	Adkins Property BLE	This plat is to extinguish the boundary line between 144 and 154 Indigo Dam Road.	Terry Costello	Berkeley
	S-0017-2011	2612 JOLLY POND ROAD	Warburton Jolly Pond Road Family Subdivision	To subdivide one 3-acre lot for a family subdivision.	Jason Purse	Powhatan
	S-0018-2011	5020 SETTLER'S MARKET BLVD	New Town Sec. 9 (Settler's Market) Parcel 2A	Creates a new parcel bounded by Merchants Court, Settler's Market Blvd, and Monticello Ave containing Trader Joe's and other existing small retailers.	Leanne Reidenbach	Berkeley
	S-0019-2011	3428 BRICK BAT ROAD	Brick Bat Road, Lots 3 - 8	Subdivision of three existing parcels along Brick Bat Road into six new parcels	Jose Ribeiro	Berkeley
	S-0020-2011	9 LAVELLE COURT	Powhatan Shores BLA and BLE	Existing three lots to be resubdivided to create two lots.	Sarah Propst	Jamestown