

AGENDA
JAMES CITY COUNTY PLANNING COMMISSION
February 6, 2013 – 6:00 p.m.

6:00 p.m.

1. ROLL CALL
2. ANNUAL ORGANIZATIONAL MEETING
 - A. Election of Officers
 - B. Committee Appointments

7:00 p.m.

3. PUBLIC COMMENT
4. MINUTES
 - A. January 9, 2013 Regular Meeting
5. COMMITTEE/COMMISSION REPORTS
 - A. Development Review Committee (DRC)
 - B. Policy Committee
 - C. Regional Issues Committee/Other Commission Reports
6. PUBLIC HEARING CASES
 - A. SUP-0018-2012, New Zion Baptist Church Building/Parking Addition
 - B. SUP-0001-2013, Carolina Furniture Building Addition
7. PLANNING COMMISSION CONSIDERATIONS
 - A. 2012 Planning Commission Annual Report
 - B. Initiating Resolution, Landscaping Provision for Economic Opportunity and Public Lands
8. PLANNING DIRECTOR'S REPORT
9. COMMISSION DISCUSSIONS AND REQUESTS
10. ADJOURNMENT

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE NINTH DAY OF JANUARY, TWO-THOUSAND AND THIRTEEN, 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:

Al Woods
Tim O'Connor
Rich Krapf
Robin Bledsoe
Mike Maddocks
George Drummond
Chris Basic

Staff Present:

Paul Holt, Planning Director
Adam Kinsman, Deputy County Attorney
Leanne Reidenbach, Senior Planner II
Luke Vinciguerra, Planner
Jason Purse, Zoning Administrator
Nancy Ellis, Parks Administrator
John Carnifax, Parks and Recreation Director

Mr. Tim O'Connor called the meeting to order at 7:00 p.m.

2. MINUTES

A. November 7, 2012 Regular Meeting

Mr. Al Woods stated that he did not vote to adjourn the meeting. He stated he was absent.

Mr. O'Connor stated he believed it was Mr. Krapf who moved to adjourn.

Mr. Maddocks moved to approve the minutes as amended.

In a unanimous voice vote, the Commission approved the minutes as amended. (7-0)

3. PUBLIC COMMENT

Mr. O'Connor opened the public comment.

There being none, Mr. O'Connor closed the public comment.

4. COMMITTEE / COMMISSION REPORTS

A. Development Review Committee (DRC)

Mr. Chris Basic stated the DRC met on November 28, 2012 to discuss C-0041-2012, White Hall Section 3 to review if proposed recreational amenities were consistent with the master plan. The DRC voted 4-0 to approve the locations of the parks and recreation amenities. The DRC also met on January 9, 2013 to discuss SUP-0018-2012, New Zion Baptist Church Building and Parking Addition. The applicant was seeking feedback prior to the public hearing.

In a unanimous voice vote, the Commission approved the report. (7-0)

B. Policy Committee

Mr. Rich Krapf met stated the Policy Committee met on December 6, 2012 and December 7, 2012 to review and prioritize the FY14 Capital Improvement Program (CIP). The Committee's recommendations will be discussed at the public hearing later in the meeting.

In a unanimous voice vote, the Commission approved the report. (7-0)

C. Regional Issues Committee/Other Committees

Mr. Maddocks stated there was no Regional Issues Committee meeting.

5. PUBLIC HEARING CASES

A. Z-0008-2012/SUP-0017-2012, Jamestown Beach

Ms. Leanne Reidenbach stated Ms. Nancy Ellis with James City County Parks and Recreation has applied to rezone the Jamestown Beach Campground from B-1, General Business to PL, Public Lands and for a special use permit to develop the site as a community recreation facility. The property is located at 2205 Jamestown Road and designated Park, Public, or Semi-Public Open Space on the Comprehensive Plan. The initial park improvements include shoreline restoration, parking improvements, a handicap drop-off loop and trails to access the beach. Potential future development, in conformance with the *Shaping Our Shores* master plan, include bathroom and concession facilities, event tents, restoration of the Vermillion House, playground, historic areas, trails, parking, camping, boat launch, fishing, special event areas and environmental education areas. Staff recommends approval of the rezoning and special use permit with attached conditions.

Mr. Woods asked what was the degree of discussion during the Comprehensive Plan update regarding these concept areas.

Ms. Reidenbach stated that during the Comprehensive Plan process, the area was redesignated Park, Public, or Semi-Public Open Space. She stated there was little discussion of the area although there was much more discussion during the *Shaping Our Shores* master planning process that occurred prior to the Comprehensive Plan update. Parks staff is present and can elaborate.

Mr. Woods stated that during the Comprehensive Plan update, there was lots of discussion of quality of life issues and recreational areas. He asked if this area was strategic.

Ms. Reidenbach stated several Goals, Strategies, and Actions (GSAs) in the Comprehensive Plan Parks and Recreation section discuss additional public water access, whether for beaches, boating or fishing. She stated this property goes toward meeting that need. Other GSAs support the master plan and development of the property.

Mr. Woods asked if this move has been adopted conceptually by the governing body.

Ms. Reidenbach stated the *Shaping Our Shores* master plan was endorsed by the Board of Supervisors, but at that time, the property was not rezoned with the idea that the County would wait until there were projects available. This process will make this master plan the binding one for this property.

Mr. Woods asked if the resources are in place to execute the plan.

Ms. Reidenbach stated there has been some grant and CIP funding identified, but she would defer to Parks staff to discuss funding in greater detail.

Ms. Robin Bledsoe asked what funding has been secured and what funding is still out there.

Ms. Reidenbach stated she would defer to Parks staff.

Mr. Krapf asked staff to clarify that although the rezoning only affects the Jamestown Beach property, the *Shaping Our Shores* master plan includes other sites, including the Jamestown Marina. He stated a citizen had asked about funding and improvements for the marina. He clarified that tonight only one component of the *Shaping Our Shores* master plan is being considered.

Ms. Reidenbach stated the sole focus of this is the Jamestown Beach property. She stated the marina would be a separate consideration when ownership is further determined.

Ms. Nancy Ellis stated that regarding current funding, there is \$304,000 in the FY13 CIP budget. She stated the County has received \$152,000 in Land Water Conservation Funds for phase two development. Staff is attempting to access additional Land Water Conservation Funds and CIP funds. It will take several years to establish just the minimum.

Mr. John Carnifax stated the *Shaping Our Shores* master plan dealt with three pieces of property, with most of the focus on the marina. He stated this site was less controversial, with two groups, the Williamsburg Botanical Garden and an eco-discovery park, submitting proposals at the same time as the *Shaping Our Shores* review. When the discussion was over, this site did not have a lot of options as a result of the easements place on it when it was purchased. The master plan includes restoring the beach area, doing something with the Vermillion House, some public-private partnership with the Botanical Garden, a special event area and camping.

Mr. Woods asked how much traction this concept was gathering from those who participated in the Comprehensive Plan process. He asked if that was considered a strategic asset pursuant to that objective.

Mr. Carnifax stated yes. He stated when the County acquired the property, it was for environmental and historical protection, and recreational amenities. In the Virginia Outdoors Plan and Comprehensive Plan, James River access is a high priority and trails rank high in Parks' surveys, usually in the 70th percentile. It also connects to the Capital Trail. It is an important property and should be in the public domain. When the County acquired the property, it got grants and support to help cover the costs.

Mr. O'Connor opened the public comment session.

Ms. Kelly Mihalcoe, 4433 Lydia's Drive, asked where the non-grant funding for the park would come from. She stated she was concerned with the cost, including that she did not feel that the park needed new facilities.

Ms. Sue Sadler, 9929 Mountain Berry Court, stated she was opposed to the project due to the costs, including cost overruns and lost tax revenue. She asked about the total costs, persons responsible for the development and stated quality of life improvements can be delayed in the economic climate.

Ms. Marjorie Ponziani, 4852 Bristol Circle, stated she was concerned with the amount of money spent, adding more public lands, loss of tax revenue and hardship on tax payers. She stated she was opposed to the rezoning.

Ms. Rosanne Reddin, 2812 King Rook Court, stated she is concerned with the County's recent spending in the current economic times. She stated she was opposed to a recreational project at the current time.

Mr. O'Connor closed the public comment session.

Ms. Bledsoe stated she had volunteered with the Williamsburg Botanical Garden.

Mr. Krapf asked staff what was the condition and outlook of the shoreline. He asked if staff had preliminary numbers on the revenue component of the *Shaping Our Shores* master plan.

Mr. Carnifax stated that shoreline restoration was a high priority. He stated the previous owner dumped rubble along the shore line and tree line along three-quarters of the beach. In phase one, the shoreline was stabilized. On the revenue side, a public-private partnership with the Williamsburg Botanical Garden, the Vermillion House will be rented out for weddings and events. Small cabins will produce additional revenue, but the County has to wait for the economy to pick up. The revenue will not recoup operating or capital costs unless the existing master plan is significantly changed. There will also be user fees and economic impact from people coming to town for special events held on the property and staying in hotels, shopping and eating out.

Mr. Krapf asked if any portions of the property would be sold for residential development.

Mr. Carnifax stated that was the first he had heard that. He stated a majority of citizens and the Board supported the proposed master plan so that the property would not be developed into housing.

Mr. Woods asked Mr. Adam Kinsman to clarify that the Planning Commission's role was not to determine where funds should be used but instead to consider the land use issue. He stated the property was acquired for public benefit, and now that there is a plan in place, a rezoning would allow the County to execute it. Rezoning does not mean there will be activity, but the land is positioned when authorities are ready.

Mr. Kinsman stated he agreed. He stated this body has a different reviewing power than the Board. This body makes land use decisions. He stated all other County land was rezoned PL, Public Lands in 2006 and this parcel was left out to because there was no plan for it at the time. This rezoning will bring it into conformance. He stated Mr. Woods's comments about setting everything up are correct.

Mr. Woods asked if the County rezoned the land, there would be no other possible uses for the land without a subsequent action, which would be a public action.

Mr. Kinsman stated that was correct. He stated the essence of the Public Land zoning district is that the set of permissible uses are very limited to public uses, such as parks. A future private purchaser would have to get a rezoning.

Ms. Bledsoe asked if the financial side would be discussed in depth at a later time and that is not what the Commission is here to discuss.

Mr. Kinsman stated that is correct. He stated this body's role is to look at land use decisions.

Mr. Basic stated parks are an asset to the community and he understood that while times may be tight, it is no reason to sell this asset.

Mr. Basic moved to recommend approval of the special use permit and the rezoning.

In a unanimous roll call vote, the Commission recommended approval. (7-0)

B. Review of the FY14 Capital Improvements Program (CIP)

Mr. Jason Purse stated that after a series of meetings to discuss and evaluate the Capital Improvements Program requests, the Policy Committee is forwarding its recommendations for the 2014 CIP for Planning Commission consideration. He further stated that committee members used a standardized set of ranking criteria to prioritize the 11 potential projects submitted by

County Staff. The Policy Committee recommends that the Planning Commission endorse the Capital Improvement Program rankings. These rankings will be sent to the Board of Supervisors for their consideration in developing the County budget.

Mr. O'Connor opened the public hearing.

There being none, Mr. O'Connor closed the public hearing.

Mr. Maddocks moved to recommend approval.

In a unanimous roll call vote, the Commission recommended approval. (7-0)

7. PLANNING DIRECTOR'S REPORT

Mr. Paul Holt stated the Commission members have been provided a draft meeting schedule for 2013. He stated they will vote on it at their February organizational meeting, and staff wanted to give the Commission time to review it. Staff has also tried to schedule DRC and Policy Committee meetings. Staff will also propose, as a placeholder only, the tentative Commission, DRC, and Policy schedules for FY14 as well. Next month, the Commission will meet at 6 p.m. for their organizational meeting.

Mr. O'Connor asked Mr. Kinsman if there was something in the State Code regarding public hearings, whether advertising could be done electronically, or whether the County has to use the printed press.

Mr. Kinsman stated that the County has to go to the printed press. He stated there are bills in the General Assembly every year to remove that requirement, and they have never fared very well. He stated that printed advertising is a huge expense for the County.

Mr. Holt stated staff would bring the Commission Annual Report next month.

8. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Krapf congratulated Mr. O'Connor and Mr. Basic on their reappointments.

9. ADJOURNMENT

Mr. Maddocks moved to adjourn.

The meeting was adjourned at 7:50 p.m.

Tim O'Connor, Chairman

Paul D. Holt, III, Secretary

SUP-0018-2012, New Zion Baptist Church Building/Parking Addition
Staff Report for the February 6, 2013 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

February 6, 2013 7:00 PM
March 12, 2013 7:00 PM (tentative)

SUMMARY FACTS

Applicant: Beth Crowder, Hopke & Associates

Land Owner: New Zion Baptist Church

Proposal: An approximately 1,600 sqft building expansion and 21 new parking spaces

Location: 3991 Longhill Road

Tax Map/Parcel 3130100022

Parcel Size 3.067 acres

Existing Zoning: R-8, Rural Residential

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

STAFF RECOMMENDATION

Staff finds the proposed expansion to be consistent with the surrounding zoning and development and compatible with the 2009 Comprehensive Plan. Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors with the conditions listed in the staff report.

Staff Contact: Luke Vinciguerra Phone: 253-6783

Project Description

Ms. Beth Crowder of Hopke & Associates has applied for a Special Use Permit (SUP) to allow for the construction of an approximately 1,600 sqft building addition and 21 new parking spaces at New Zion Baptist Church. Places of public assembly, including houses of worship, are a specially permitted use in the R-8 district. An SUP is required as this would be an expansion of a specially permitted use. The current church is operating under an existing SUP issued by the Board in 2002 which all conditions have been satisfied. The proposed addition is in response to the current lack of space for the young adults Sunday school which currently meets in the choir room. The church would like to reserve the choir room specifically for the choir and provide the young adults with their own space. Though the modular units have a maximum capacity of 74 people, there are usually less than 15 young adults in the study group.

The expansion would be modular in construction (attachment 3). Two adjoining modular units roughly 800 sqft each are proposed, totaling 1,600 sqft. The existing church is approximately 13,000 sqft. As proposed, the units would not have a bathroom or running water. The two sheds shown on the plan are existing and currently straddle the property line. To address this issue, the applicant proposes to relocate them to an area adjacent to building addition as shown on the master plan. A sidewalk is proposed to connect the expansion to the existing church. No mature shrubbery would likely need to be removed for its installation.

The south and east side of the parcel abuts Section 32 of Ford's Colony. Staff notes there is a mature landscape buffer between the church property and Ford's Colony. With the mature landscape buffer, current and future lots in Ford's Colony would be well screened from the proposed addition. The west side of the property has limited landscaping and adjoins residentially zoned property. To screen the proposed addition, the applicant is proposing evergreen shrubbery along the property line. With the proposed additional landscaping on the west side of the property and the current dense tree cover on the east side, the proposed addition would likely only be visible from westbound Longhill Road immediately adjacent to the church property.

The zoning ordinance requires a minimum of 60 parking spaces which the existing paved parking lot could accommodate. The applicant is proposing 17 new asphalt parking spaces and 4 new gravel spaces. As part of placing the modular building additions, 14 gravel spaces would need to be removed. Additionally, to meet current zoning ordinance requirements, two asphalt spaces would need to be eliminated for new parking islands. This would result in a net increase of five spaces. The Church owns property across Longhill Rd that can also be used for overflow parking. As the proposed expansion is in an existing gravel parking lot, staff has recommended the applicant install bollards at the front corner of proposed building with shrubbery along the south side of the structure to protect it from a potential vehicular collision.

Development Review Committee Recommendations

This proposal was reviewed by the Development Review Committee (DRC) on January 9th as a consideration item. The Committee offered the following comments/questions (responses in *italics*):

1. What age groups of children would be using the modular classrooms?
Middle school aged children and adults.
2. Show the driveway access to the overflow parking field on the plan.
Revised as requested.
3. To what extent is the overflow parking is utilized?
The overflow parking is for special events such as a funeral or services on Easter or Mother's Day; however, there may be cars parked there at other times. The over flow parking areas are not usually at capacity.

4. Show the current overflow parking spaces on the plan. How many spaces would be removed due to the building expansion? If possible, redesign the path to the proposed modular units to avoid any mature shrub removal.

Revised as requested, the path to the building should not require the removal of existing vegetation. It is expected that 14 gravel parking spaces would need to be eliminated for the expansion.

5. Provide a landscape plan for the west side property line to screen the proposed addition.

Revised as requested.

6. Do the modular units come in any other color or can they be painted?

The units come in different colors; however, color changes would likely affect the cost.

7. Relocate the sheds in a manner that doesn't remove any existing vegetation or reduce parking (or to the extent possible).

Revised as requested.

8. The Committee members appeared to discourage fencing and encouraged vegetation for screening.

Fencing has been removed.

9. Show the vegetation proposed to be removed.

Revised as requested.

PUBLIC IMPACTS

Environmental Impacts

Watershed: Powhatan Creek

Staff Comments: The Environmental Division has reviewed the proposal and has no comments at this time.

Public Utilities: Public water and sewer are available; however, the proposed addition would not be connected to any utilities.

Transportation: The proposed expansion would not result in an increase of traffic; no Traffic Impact Analysis is necessary and no traffic improvements are required.

Comprehensive Plan

The site is designated by the 2009 Comprehensive Plan as Low Density Residential. Recommended land uses in this designation allow for schools, churches, very limited commercial, single-family homes, and community-oriented facilities. Staff finds that the proposed 1,600 square foot expansion is consistent with the Comprehensive Plan as it constitutes an expansion of a recommended use.

RECOMMENDATION:

Staff finds the proposed expansion to be consistent with the surrounding zoning and development and compatible with the 2009 Comprehensive Plan. Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors with the conditions listed below.

1. **Master Plan.** This special use permit shall be valid for a proposed \pm 1,600 square foot building and parking expansion and other minor improvements to the site located at 3991 Longhill Road and further identified as JCC Real Estate Tax Map No. 3130100022 (the "Property"). Development of the Property shall occur generally as shown on the exhibit entitled "New Zion Baptist Church Classroom & Parking Lot Addition" dated 1/21/2013 with only changes that the Planning Director determines do not change the basic concept or character of the development.

2. **Lighting.** All new exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. Light poles shall not exceed 15 feet in height unless otherwise approved by the Planning Director. "Glare" shall be defined as more than 0.1 foot-candle at the boundary of the Property or any direct view of the lighting source from the adjoining properties.
3. **Landscaping.** The evergreen shrub planting buffer as shown on the master plan shall adequately screen the adjacent property from the proposed building addition to the satisfaction of the Planning Director.
4. **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.
5. **Severance Clause.** This special use permit is not severable. Invalidity of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Luke Vinciguerra

Attachments:

1. Location map
2. Master Plan
3. Example classroom unit

SUP-0018-2012

New Zion Baptist Church



CampusMaker Hybrid[®]

Modular Classroom



CampusMaker Hybrid[®] – the state-of-the-art eco-friendly modular classroom.



Property's frontage

Case No. SUP-0001-2013, Carolina Furniture

Staff Report for the February 6, 2013 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

Building F Board Room; County Government Complex

Planning Commission:

February 6, 2013

7:00 p.m.

Board of Supervisors:

March 12, 2013

7:00 p.m. (tentative)

SUMMARY FACTS

Applicant:

Mr. Joseph H. Steele, II

Land Owner:

Mr. Joseph H. Steele, II and Mrs. Judy H. Steele

Proposal:

To allow a \pm 3,000 square foot addition and minor repairs to an existing commercial building.

Location:

5431 and 5425 Richmond Road

Tax Map/Parcel:

3330100016 and 3330100019

Parcel Size:

12.69 acres (combined)

Existing Zoning:

B1, General Business

Comprehensive Plan:

Neighborhood Commercial

Primary Service Area:

Inside

STAFF RECOMMENDATION

Staff finds the proposed use to be consistent with the surrounding zoning and development and compatible with the 2009 Comprehensive Plan. Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors with the conditions listed in the staff report.

Staff Contact:

Jose Ribeiro, Senior Planner

Phone: 253-6685

PROJECT DESCRIPTION

Mr. Joseph H. Steele, II, of Carolina Furniture, has applied for a special use permit (SUP) to allow a $\pm 3,000$ square foot addition to an existing commercial building that is approximately 16,429 square feet in size. The site is located at 5425 and 5431 Richmond Road and zoned B-1, General Business. The existing furniture showroom building requires a commercial SUP because it is in excess of 10,000 square feet. This structure currently doesn't have a commercial SUP because it was built before the zoning ordinance section requiring commercial SUPs went into effect. If approved, this request will allow not only the proposed 3,000 square foot addition and minor improvements but it will bring the entire site into conformance with the current commercial SUP regulations.

The site for Carolina Furniture is currently located across two adjacent parcels. The smaller parcel fronts on Richmond Road but has no vehicular access to the public right-of-way. This is the retail center of the site and the location of four buildings that contains retail and storage uses. The proposed 3,000 square foot addition is part of an effort to expand the commercial floor area and to renovate the façade of the largest of the four buildings, the furniture showroom building. Other improvements to the main building, including replacement of the mansard roof damaged by water leakage, are also proposed. The larger of the two parcels has a "flag lot" configuration; the property frontage has vehicular access to Richmond Road through a fifty-foot wide access easement placed within the stem of the flag lot. Both parcels share the same access easement. In 2008, a site plan (SP-0146-2006) proposing the construction of a cluster of six warehouse/office buildings located at the rear of the larger parcel was approved, but has not yet been built. Combined, both parcels which constitute the site for Carolina Furniture are subject to this SUP.

As it currently exists, the furniture showroom building is a legally non-conforming structure as it encroaches into the required 20 feet side setback. The applicant has proposed to eliminate the common property line between the parcels in the front and in the back through a boundary line extinguishment process (SUP condition No. 2). Once the common property line is eliminated, both parcels will be combined into a single parcel and the non-conforming status of the existing structure will be resolved as the side setback is pushed further from the building due to the new property line located further from the building. Staff notes that the warehouse/office buildings proposed on the rear parcel were approved in 2008 administratively, as these uses do not require a commercial SUP.

Archaeological Impacts

The subject property is not located within an area identified as a highly sensitive area in the James City County Archaeological Assessment and therefore an archaeological study is not required.

Environmental

Watershed: Powhatan Creek

The Engineering and Resource Protection Division has reviewed this application and has recommended approval. According to information provided by the applicant the proposed $\pm 3,000$ square foot showroom addition will not require a net increase in impervious surface as approximately the same square footage (e.g., portico and sidewalks) will be removed to allow for the addition.

Public Utilities

The site is located within the Primary Service Area (PSA) and it is served by public water and sewer. The James City Service Authority (JCSA) has reviewed this application and has recommended approval. A Water Conservation Agreement (SUP condition No. 5) for the entire site will be reviewed and approved by JCSA at the time of plan of development.

Transportation:

Staff finds that the proposed showroom addition will generate few additional vehicular trips with limited impact to the local road system. Vehicular access to the site will continue through the existing shared ingress/egress easement.

2007 Traffic Counts (Richmond Road): From Route 199 to the Williamsburg City line there were 20,470 trips.

2035 Volume Projected (Richmond Road): From Route 199 to the Williamsburg City line there is the projection of 45,325 trips. This portion of Richmond Road is recommended for improvement.

Parking

The front portion of the property currently has a total of 73 parking spaces. The property in the rear, once developed, will have a total of 38 parking spaces. Combined, both properties will provide 111 parking spaces including five handicapped spaces. Staff notes that the total number of parking spaces is 21 spaces below the 132 parking spaces required in order to meet the parking regulations of the Zoning Ordinance. However, the applicant will enter into a shared parking agreement with the adjacent property owner (i.e., the Moose Lodge) which allows access to its 72 parking spaces. Both properties operate their activities at different peak hours making the shared parking concept possible. With a total number of 183 parking spaces provided, parking will be sufficient to meet the requirements of the Ordinance without increasing the amount of impervious surface on the site. Staff is in support of shared parking as it promotes the principles of better site design and is allowed by Section 24-59(e) of the Zoning Ordinance. The draft agreement is currently being reviewed by the Deputy County Attorney and it is a condition of this SUP application (SUP condition No. 3).

COMPREHENSIVE PLAN

The site is designated Neighborhood Commercial on the 2009 Comprehensive Plan Land Use Map. Recommended uses include neighborhood scale commercial, professional and office uses with total building area no more than 40,000 sq. ft. in order to retain a small-scale neighborhood character. The applicant has submitted architectural elevations (SUP condition No.4) depicting architectural elevations that show consistency with the design of existing “smaller-scale” buildings on the site. Staff notes that the site fronts on Richmond Road, which is designated by the 2009 Comprehensive Plan as a Community Character Corridor (CCC). Given the existing site constraints, particularly, the location of existing paved parking areas in the front of the building, there are no opportunities to provide a 50 foot wide landscape buffer as recommended by the 2009 Comprehensive Plan. However, a landscape plan associated with the 3,000 square foot expansion is required to be submitted with the site plan.

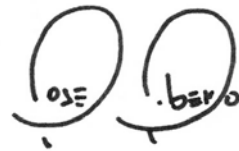
STAFF RECOMMENDATION

Staff finds the proposed use to be consistent with the surrounding zoning and development and compatible with the 2009 Comprehensive Plan. Staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors with the conditions listed in the staff report.

1. **Master Plan.** This Special Use Permit (the “SUP”) shall be valid for the proposed development approved as part of James City County Site Plan SP-0146-2006, existing buildings and accessory structures, the addition of a showroom of approximately 3,000 square feet, and other minor improvements on properties located at 5425 and 5431 Richmond Road and further identified as JCC RE Tax Map Nos. 3330100019 and 3330100016 respectively (together, the “Properties”). Development of the Properties shall be generally in accordance with the Master Plan entitled “Master Plan Carolina Furniture” prepared by Bowman Consulting dated January 11, 2013 (the “Master Plan”) with such minor changes as the Planning Director, or his designee, determines does not change the basic concept or character of the development. In the event the Planning Director finds that the proposed change alters the basic concept or character of the development the applicant may appeal the Planning Director’s determination to the Development Review Committee.
2. **Boundary Line Extinguishment.** Prior to final site plan approval, a plat showing the extinguishment of the common property line between the Properties located at 5425 and 5431 Richmond Road must be submitted and approved by the County.
3. **Shared Parking Agreement.** Prior to final site plan approval, a shared parking agreement between the Carolina Furniture property and adjacent parcel identified as JCC Tax Map 3330100017 (the “Moose Lodge”) must be submitted for the review and approval by the Planning Director or his designee.
4. **Architectural Elevations.** Prior to final site plan approval, the Planning Director or his designee shall review and approve a final building elevations and architectural design, including colors and materials for the proposed addition. The proposed addition shall be reasonably consistent, as determined by the Planning Director or his designee with the architectural elevations date stamped January 14, 2013.
5. **Water Conservation Agreement.** The Owner(s) shall be responsible for developing and enforcing water conservation standards for the Properties to be submitted and approved by the James City Service Authority 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.
6. **Lighting.** All new exterior light fixtures, including building lighting, on the Properties shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a

lighting plan shall be submitted to and approved by the Planning Director or his designee which indicates no glare outside the property lines unless otherwise approved by the Planning Director or his designee. All light poles shall not exceed 20 feet in height unless otherwise approved by the Planning Director or his designee prior to final site plan approval. "Glare" shall be defined as more than 0.1 foot-candle at the boundary of the Properties or any direct view of the lighting source from the adjoining properties.

7. **Signs.** All new signs and new sign locations shall be reviewed and approved by the Planning Director or his designee prior to final site plan approval.
8. **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.
9. **Severance Clause.** This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

A handwritten signature in black ink, consisting of two large, stylized loops. The first loop contains the letters 'JR' and the second loop contains the letters 'BRI'.

Jose Ribeiro, Senior Planner

ATTACHMENTS:

1. Location map
2. Master Plan (under separate cover)
3. Architectural elevations

JCC-SUP-0001-2013

Carolina Furniture



MEMORANDUM

DATE: February 6, 2013

TO: The Planning Commission

FROM: W. Scott Whyte, Senior Landscape Planner

SUBJECT: Case Nos. ZO-0002-2013 and ZO-0003-2013. Amendments to Chapter 24, Division 16, Public Lands and Chapter 24, Division 17, Economic Opportunity.

These proposed amendments were originally scheduled to be brought forward as part of the Zoning Ordinance update package considered by the Planning Commission on November 7, 2012 and adopted by the Board of Supervisors on December 11, 2012. The proposed amendments were delayed until the Professional Landscape Assessment Team (PLAT) reached consensus on related landscape issues. The PLAT committee was formed at the request of the Board of Supervisors to review landscape ordinance requirements for planting density.

Staff recommends that the Planning Commission approve the attached initiating resolution. These two initiatives would then be reviewed concurrently along with Case Number ZO-0001-2013, by the Policy Committee, Planning Commission, and Board of Supervisors in the coming months.



W. Scott Whyte
Concur:



Paul D Holt, III

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE CHAPTER 24, DIVISION 16, PUBLIC LANDS AND CHAPTER 24, DIVISION 17, ECONOMIC OPPORTUNITY

ZO-0002-2013 AND ZO-0003-2013

WHEREAS, the Planning Commission of James City County, Virginia, is charged by Virginia Code §15.2-2223 to prepare and recommend to the Board of Supervisors various land development plans and ordinances, specifically including a zoning ordinance and necessary revisions thereto as seem to the Commission to be prudent; and

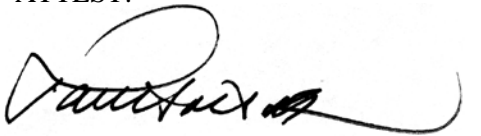
WHEREAS, in order to make the Zoning Ordinance more conducive to proper development, public review and comment of draft amendments is required, pursuant to Virginia Code §15.2-2285 et seq.; and

WHEREAS, the Planning Commission is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of amendments.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia, does hereby request staff to initiate review of Chapter 24, Zoning, Article II Divisions 16 Public Lands and Division 17, Economic Opportunity to evaluate the addition of landscape buffering requirements. The Planning Commission shall hold at least one public hearing on the consideration of amendments of said Ordinance and shall forward its recommendation thereon to the Board of Supervisors in accordance with law.

Chair, Planning Commission

ATTEST:



Paul D Holt, III
Secretary

New Cases for January

Case Type	Case Number	Case Title	Address	Description	Planner	District
Conceptual Plans	C-0052-2012	Windsor Ridge, Section 4	225 MEADOWCREST TRAIL	Applicant proposes a 27 lot subdivision in the Wellington Public Use site	Luke Vinciguerra	01-Stonehouse
	C-0053-2012	Colonial Heritage Deer Lake Recreational Amenities	499 JOLLY POND ROAD	For a water tap outside the PSA. Would require legislative plan amendment.	Leanne Reidenbach	01-Stonehouse
	C-0054-2012	Brenda Snow Residence Harbor Road	1536 HARBOR ROAD	Enlarge deck; construct pervious paver patio; re-vegetate turfgrass to native plants.	Jose Ribeiro	03-Berkeley
	C-0055-2012	Strait Gate Temple, 6221 Old Mooretown Rd	6221 OLD MOORETOWN ROAD	Applicant proposes new use, house of worship, for existing Masonic Lodge.	Luke Vinciguerra	02-Powhatan
	C-0001-2013	Branscome and USA Waste of Virginia Borrow Pits Progress Report	700 BLOW FLATS ROAD	Annual progress report of mining activities as required by SUP-09-10 and SUP-10-10 Condition #9.	Christy Parrish	05-Roberts
	C-0002-2013	Williamsburg Unitarian Universalists Addition	3051 IRONBOUND ROAD	Addition to sanctuary building for social and religious education and administration.	Leanne Reidenbach	03-Berkeley
	C-0003-2013	Tourist Home, Barlows Run	112 BARLOWS RUN	Applicant proposes using house as a tourist home.	Jose Ribeiro	01-Stonehouse
	C-0004-2013	123 Wilderness Lane, BLE	123 WILDERNESS LANE	Applicant proposes extinguishing property lines that currently divides property into two.	Luke Vinciguerra	01-Stonehouse

Subdivision	S-0049-2012	Cottages at Stone Haven (formerly McFarlin Park) Subdivision Construction Plan Amend.	205 NECK-O-LAND RD	Amendment to construction plans for S-0031-2007 (McFarlin Park) for mass clearing, building pad grading and BMP modification. Located at corner of Neck-O-Land Rd. and Jamestown Rd.	Leanne Reidenbach	03-Berkeley
	S-0050-2012	Settlement at Powhatan Creek Ph. 2 Lots 173-182, 190-195, CA-4-5	4101 MONTICELLO AVENUE	Creating 16 new single family lots and 3 common area lots along Coronation.	Luke Vinciguerra	03-Berkeley
	S-0001-2013	Settlement at Powhatan Creek Lots 58 & 59	4009 CORONATION	Applicant proposes adjustments to the front and rear setbacks.	Jose Ribeiro	03-Berkeley
	S-0003-2013	Carolina Furniture BLE	5425 RICHMOND ROAD	Boundary line extinguishment between 5425 Richmond Road and 5431 Richmond Road.	Jose Ribeiro	04-Jamestown
	S-0004-2013	Wilder Bodkins Richmond Road BLA	9152 RICHMOND Road & 9160 RICHMOND ROAD	Equal boundary line adjustment between 9152 Richmond Road and 9160 Richmond Road.	Scott Whyte	01-Stonehouse
	SP-0093-2012	New Town Sec. 12 Oxford Apartments	3950 WINDSORMEADE WAY	Development of 247 townhome style apartments, and associated infrastructure and common areas, as shown on previously approved rezoning application.	Leanne Reidenbach	04-Jamestown
	SP-0094-2012	Ford's Colony Swim and Tennis Entry Improvements SP Amend	165 ST ANDREWS DR	Applicant proposes modifications to an existing entryway into the clubhouse.	Luke Vinciguerra	02-Powhatan

Site Plan	SP-0095-2012	Off-site Force Main Connection for the 9th E.S. and 4th M.S.	5537 CENTERVILLE RD	Applicant proposes trail revision at Freedom Park.	Jose Ribeiro	02-Powhatan
	SP-0001-2013	New Town Sec. 9 (Settlers Market) Major B Retail Building	5225 SETTLERS MARKET BLVD	Proposed retail building at corner of Settlers Market Boulevard and Casey Boulevard. Building to utilize existing parking and utilities.	Leanne Reidenbach	04-Jamestown
	SP-0002-2013	Toano Middle School Drop-off & Parking Improvements	7817 RICHMOND ROAD	Construction of a student drop-off area and parking lot improvements.	Jose Ribeiro	01-Stonehouse
	SP-0003-2013	Willow Hill Farm	10128 FIRE TOWER RD	Stable for up to eight horses.	Scott Whyte	01-Stonehouse
	SP-0004-2013	Seventh Day Adventist Church Expansion SP Amend.	3989 JOHN TYLER HGWY	Proposed expansion of the church building.	Jose Ribeiro	03-Berkeley
	SP-0005-2013	Little Zion Baptist Church Bell House SP Amend.	8625 POCAHONTAS TR	Constructing a historic bell between the sancutary and administrative building.	Luke Vinciguerra	05-Roberts
Special Use Permit	SUP-0001-2013	Carolina Furniture	5425 RICHMOND ROAD	Expansion and repair of existing Carolina Furniture commercial building.	Jose Ribeiro	04-Jamestown
Zoning Ordinance Amendment	ZO-0001-2013	Landscape Committee Recommendations		Initiating Resolution approved on January 22, 2013	Scott Whyte	