

AGENDA  
JAMES CITY COUNTY PLANNING COMMISSION  
October 1, 2014 – 7:00 p.m.

1. ROLL CALL
2. PUBLIC COMMENT
3. CONSENT AGENDA
  - A. Minutes from the September 3, 2014 Regular Meeting
4. REPORTS OF THE COMMISSION
  - A. Development Review Committee
  - B. Policy Committee
  - C. Regional Issues Committee
  - D. Other Commission Reports
5. PUBLIC HEARINGS
  - A. Case No. SUP-0009-2014, King's Garden Contractor's Office and Warehouse
  - B. Case No. SUP-0010-2014, Williamsburg Landing Construction Commencement Extension
  - C. Case No. SUP-0011-2014, McDonalds at Lightfoot Upgrade
6. PLANNING DIRECTOR'S REPORT
7. COMMISSION DISCUSSIONS AND REQUESTS
8. ADJOURNMENT

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE THIRD DAY OF SEPTEMBER, TWO-THOUSAND AND FOURTEEN, 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:

Rich Krapf  
Tim O'Connor  
Chris Basic  
Robin Bledsoe  
George Drummond  
John Wright, III  
Heath Richardson

Staff Present:

Allen J. Murphy, Jr., Director of Development Management  
Paul Holt, Planning Director  
José Ribeiro, Senior Planner II  
Ellen Cook, Senior Planner II

Mr. Rich Krapf called the meeting to order at 7:00 p.m.

2. **PUBLIC COMMENT**

Mr. Krapf opened the public comment.

Mr. Stephen Moreland, 116 Huntercombe, addressed the Commission regarding the Longhill Road Corridor Study, noting that the recommended improvements would greatly enhance safety and quality of life along the corridor.

Mr. Roy Snyder, 514 Spring Trace, representing the Seasons Trace Home Owners Association, addressed the Commission regarding the Longhill Road Corridor Study with focus on the recommendations for the Seasons Trace intersection. Mr. Snyder noted that the Seasons Trace HOA endorses overall plan for the corridor and encourages immediate installation of the recommended traffic signal at the entrance to Seasons Trace.

As no one else wished to speak, Mr. Krapf closed the public comment.

3. **CONSENT AGENDA**

**A. Minutes from the August 6, 2014, Planning Commission meeting**

**B. Development Review Committee**

- i. S-0037-2014, New Town, Section 3 & 6, Block 21, Parcels A & C

Mr. Tim O'Connor moved to approve the Consent Agenda.

In a unanimous vote, the Commission approved the Consent Agenda 7-0.

**4. REPORTS TO THE COMMISSION**

**A. Policy Committee**

Mr. O'Connor stated that the Policy Committee did not meet in August and therefore, there is no report. Mr. O'Connor noted that the Policy Committee would also not meet in September.

**B. Regional Issues Committee**

Ms. Robin Bledsoe stated that the Regional Issues Committee did not meet in August.

**5. PUBLIC HEARING CASES**

**A. Case No. SUP-0008-2014, Gilley Enterprises Equipment Storage**

Mr. José Ribeiro, Senior Planner II, provided the Commission with a report on the proposed storage of heavy equipment on a portion of the property owned by the Gilley family known as Gatehouse Farm.

Mr. Krapf opened the floor to questions from the Commissioners.

Mr. John Wright inquired about the reason for relocating the equipment.

Mr. Ribeiro responded that the relocation of the equipment was necessary because the property where the equipment is currently stored no longer belongs to Mr. Gilley due to recent boundary line adjustments on several parcels.

Ms. Bledsoe inquired whether Engineering & Resource Protection and the Virginia Department of Transportation (VDOT) have approved the application.

Mr. Ribeiro responded that both agencies have reviewed the application and did not have any comments or require any SUP conditions. Mr. Ribeiro further noted that the agencies would also review the existing conditions on the property at the site plan stage and might require additional improvements at that time.

Ms. Bledsoe inquired whether the potential improvements would impact the neighborhood.

Mr. Ribeiro stated that there should not be any impact on the neighborhood and that staff is comfortable that the SUP conditions would mitigate of any impacts.

Mr. Heath Richardson inquired whether, when the project is submitted for final site plan approval, Engineering & Resource Protection and other County Divisions will review and provide comments before it is submitted to VDOT.

Mr. Ribeiro stated that review for final site plan approval by the various plan review agencies will be simultaneous.

Mr. Wright inquired whether Smokehouse Lane and Gate House Boulevard are maintained by VDOT and what the speed limit on those roads is.

Mr. Ribeiro stated that both roads are public roads. Mr. Ribeiro stated that he would need to confirm the speed limit but that he believes it is 25 mph.

Ms. Bledsoe inquired how much equipment is involved and whether the amount could be increased in the future.

Mr. Ribeiro stated that the equipment shown in the photos attached to the staff report was all inclusive of the current equipment. Mr. Ribeiro stated that the SUP was flexible enough to allow for additional equipment but noted that it was also necessary to establish limits so that this does not become a large commercial operation. Mr. Ribeiro stated that the SUP conditions limit the storage of equipment to a 3,200 square-foot area. Further expansion would require an SUP amendment.

Mr. Chris Basic inquired how the size limits would be enforced.

Mr. Ribeiro stated that most enforcement was through complaints. Mr. Ribeiro noted that the property is under a conservation easement and that staff monitors the easement yearly for compliance with the requirements of the easement.

M. O'Connor inquired whether the 3,200 square-feet is in compliance with the conservation easement.

Mr. Ribeiro confirmed.

Mr. O'Connor inquired whether the access to the current storage area was off Gate House Boulevard.

Mr. Ribeiro confirmed.

Mr. O'Connor inquired why the access road from Gate House Boulevard to the new storage site was not also being removed from the AFD.

Mr. Ribeiro responded that there is an existing farm road which connects the site to Gate House Boulevard.

Mr. O'Connor noted that he has concerns that the access road is supporting a commercial operation while also receiving tax benefits from the AFD.

Mr. O'Connor inquired whether the three parcels were approved for an additional 136 units.



Mr. Ribeiro noted that initially it was five parcels; however, it became three parcels after the boundary line extinguishments. Mr. Ribeiro confirmed that the 1987 rezoning did allow for up to 136 additional residential units.

Mr. O'Connor inquired whether Gate House Boulevard and Smokehouse Lane were intended to support those 136 lots.

Mr. Ribeiro confirmed.

Mr. George Drummond inquired whether the roads were being used daily for the equipment to go from storage to site.

Mr. Ribeiro stated that the equipment usually moved from site to site and was only stored on the subject property when there was no active construction use.

Ms. Bledsoe requested clarification whether there would be a new access to the property at the end of Smokehouse lane.

Mr. Ribeiro stated that there would not be a new access at Smokehouse Lane. Mr. Ribeiro further stated that the existing farm road would connect the storage site with Gate House Boulevard.

Ms. Bledsoe inquired why the parcel address was given as Smokehouse Lane.

Mr. Ribeiro stated that it is because the parcel has legal road frontage on Smokehouse Lane.

Mr. Wright requested confirmation that the excavator and skid loader would only be moved on a trailer.

Mr. Ribeiro confirmed.

Mr. Krapf called for disclosures from the Commissioners related to meetings or conversations with the applicant.

There were none.

Mr. Krapf opened the public hearing.

Mr. Greg Davis, Kaufman & Canoles, PC, addressed the Planning Commission on behalf of the applicant, providing a history of the property and an overview of the extent of the proposed business.

Ms. Cheryl Sonderman, 105 Gate House Boulevard, addressed the Commission regarding concerns over whether the Home Occupation was correctly approved and the impact of the proposed business on the subdivision roads and the general quality of life in the subdivision.

Ms. Helena Dingee, 115 Smokehouse Lane, addressed the Commission on concerns about the size of the equipment being moved and the frequency with which it would be moved.

Mr. John Street, 109 Smokehouse Lane, addressed the Commission on concerns about the potential for impacts on an environmentally sensitive area.

Ms. Camille Rutan, 108 Smokehouse Lane, addressed the Commission on concerns about the impact of business on traffic in the subdivision, particularly the speed of vehicles traveling on narrow roads.

Ms. Sharon Reed, 124 Smokehouse Lane, addressed the Commission with concerns about the location of the equipment storage on the parcel and the potential for Smokehouse Lane to be used for access to the storage site.

As no one else wished to speak, Mr. Krapf closed the public hearing.

Mr. Krapf asked Mr. Davis for clarification regarding whether the entrance to the new site would differ from the existing access to the current site.

Mr. Davis responded that there would be no change to the way the site would be accessed and that there were no plans to access the site from Smokehouse Lane. Mr. Davis stated that the usage patterns would be no different than those that have existed for the last three years.

Mr. O'Connor inquired whether the property is actively being farmed.

Mr. Davis confirmed that the property is actively farmed and hunted.

Mr. O'Connor inquired about the crops grown on the farm.

Mr. Davis responded that the crops are corn, winter wheat and soybeans.

Mr. O'Connor inquired whether the farm equipment and trailers are stored on site.

Mr. Davis responded that the heavy farm equipment is brought in several times a year for planting and harvesting.

Mr. Krapf opened the floor for discussion by the Commission.

Mr. Basic requested clarification what would happen if the access easement were denied at any time and the access to the site had to be taken from Smokehouse Lane.

Mr. Holt stated that if access needed to be taken from Smokehouse lane in the future, an SUP amendment would be required.

Mr. Richardson noted that the application is consistent with the Comprehensive Plan. Mr. Richardson stated that the vehicular traffic would be minimal and that the times of operation are suitable to a residential neighborhood.

Mr. Wright inquired how often staff would be monitoring compliance.

Mr. Ribeiro stated that Planning staff would inspect the property once a year as part of the Purchase of Development Rights (PDR) program to confirm compliance with the easement requirements and consequently would be able to monitor compliance with the SUP.

Mr. Wright inquired what would occur if the property was found to be violating the terms of the easement.

Mr. Krapf noted that legal action could be taken if necessary.

Mr. O'Connor inquired whether proposed SUP condition #3 limiting the amount of traffic was offered by the applicant or imposed by staff.

Mr. Ribeiro stated that it was a staff recommendation.

Ms. Bledsoe inquired whether Mr. Gilley owned any equipment in addition to what is shown in the photographs.

Mr. Ribeiro confirmed that to the best of his knowledge there is no additional equipment.

Mr. Krapf stated that he is comfortable with the assurances provided by the applicant regarding the operation of the existing business with no changes and the conditions crafted by staff to ensure that the business would not negatively impact the adjacent neighborhood.

Mr. Basic stated that he is inclined to support the application since the business has operated for several years and would not be making any changes to its operations.

Mr. O'Connor noted that this was a much less intensive use for the property. Mr. O'Connor stated that he has concerns about limiting the hours of operation.

Mr. Richardson stated that the restrictions on hours of operation seemed to be a self-limitation by the applicant as a concession to the neighbors.

Mr. O'Connor recommended amending the condition to include language to allow occasional hours of operation before or after those specified.

Mr. Krapf noted that there are other SUPs which do limit hours of operation.

Mr. Basic noted that, based on the staff report, theoretically the equipment would generally already be on a job site should it be needed earlier or later than the hours specified.

Mr. Wright stated that he does not see any obvious changes in the business operations and would support the application.

Ms. Bledsoe stated that it seems that the applicant is willing to make a concession to address the adjacent neighbors' concerns and that as long as there are no changes to the business, she would support the application.

Mr. Richardson moved to recommend approval of the application with the conditions listed in the staff report.

Mr. O'Connor requested amending the SUP condition to allow for occasional off-hours work.

Mr. Richardson stated that he would not be opposed to making the amendment; however, it seems that the applicant is comfortable making the concession for limited hours of operation.

Ms. Bledsoe stated that she believes that the hours are fair because of the nature of the neighborhood and would not want to make that change.

Mr. Richardson stated that his motion stands to recommend approval of the application with the conditions as listed in the staff report.

On a roll call vote, the Planning Commission voted to recommend approval of SUP-0008-2014 with the conditions in the staff report by a vote of 7-0.

## **6. PLANNING COMMISSION CONSIDERATIONS**

### **A. Longhill Road Corridor Study**

Carroll Collins, Transportation Project Manager with Kimley-Horn and Associates, provided an overview of the Longhill Road Corridor Study process. Mr. Collins noted that the study focused public input as well as data collection. Public input opportunities included community workshops, a project symposium, an online survey and stakeholder interviews. Mr. Collins stated that the responses focused on safety, traffic mobility and improved bike-ped accommodations. Mr. Collins stated that citizens also wanted the corridor to be visually appealing and minimize impact to the natural and built environment. Mr. Collins stated that the recommended design was a four-lane typical section for the entire corridor in its entirety. Mr. Collins stated that notable features of the proposed recommendations include a roundabout at Williamsburg Plantation, a signalized crossing where the multipurpose trail shifts to the opposite side of the roadway and a potential realignment of the corridor to the north of the New Zion Baptist Church Cemetery. Mr. Collins stated that a final report has been prepared for Planning Commission and Board of Supervisors consideration.

Ms. Ellen Cook, Senior Planner II, provided an update on the status of the recommendations for access improvements for Season's Trace and Lafayette High School. Ms. Cook stated that additional options were developed with input from School Division staff and an update on the options was presented to the School Board at its August 19, 2014 meeting. Ms. Cook stated that the School Board provided input which has been included in the public input appendix and noted in Chapter 9 of the report. Ms. Cook further stated that due to the complexity of this situation, staff and the consultant have determined that for the purpose of the Longhill Road Corridor

Study, it would be most appropriate for the text to discuss the options but not make a final recommendation on this matter. Ms. Cook stated that staff anticipates additional discussion with the School Division and Board over time as implementation of improvements to Longhill Road proceeds.

Ms. Cook stated that adoption of the Longhill Corridor Study Report would designate it as the official vision for improvement of Longhill Road and set the stage for implementation actions such as seeking funding and considering the report recommendations during review of legislative cases.

Mr. Drummond stated that he is concerned about the section of the corridor in the vicinity of the Montessori School and inquired whether that portion of the corridor would be four lanes.

Mr. Collins confirmed that the recommended design would be four lanes for the entire corridor.

Mr. Collins stated that during the study staff had met with representatives of the Montessori School and also observed the drop-off and pick-up operations. Mr. Collins further stated that there had been discussion about improved full movement access which included relocating the entrance to the west. Mr. Collins also stated that the report included safety recommendations to improve driver awareness of the school zone which include rumble strips and enhanced pavement markings.

Mr. O'Connor inquired about the proposed improvements at Longhill Gate/Warhill Sports Complex.

Mr. Collins responded that the recommendation is for a traditional signalized intersection.

Mr. Krapf stated that he was impressed with the responsiveness to citizen comments and concerns.

Mr. Wright inquired whether the final cost estimates are in current year dollars or future year dollars.

Mr. Collins stated that the estimates are in current year dollars. Mr. Collins further stated that it was also noted in the Report that costs could rise over time.

Ms. Bledsoe noted that she had participated in the Project Advisory Committee and she was pleased that the citizens' voice had been heard and incorporated in the recommendations.

Mr. Krapf stated that the Commission is being asked to make a recommendation to the Board of Supervisors and opened the floor for a motion.

Mr. Drummond moved to recommend approval of the Longhill Road Corridor Study.

On a roll call vote, the Planning Commission voted to recommend approval of the Longhill Road Corridor Study by a vote of 7-0.

7. **PLANNING DIRECTOR'S REPORT**

Mr. Holt stated that he would like to highlight that there will be a Planning Commission Working Group meeting on September 4, 2014 to discuss the draft text for the Public Facilities and Community Character sections.

8. **COMMISSION DISCUSSION AND REQUESTS**

Mr. Krapf reminded the Commission that Mr. Wright would be the Planning Commission representative at the Board of Supervisors meetings in September.

9. **ADJOURNMENT**

Mr. Wright moved to adjourn to September 4, 2014 at 4 p.m.

The meeting was adjourned at approximately 8:27 p.m.

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Richard Krapf, Chairman

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Paul D. Holt, III, Secretary

**SUP-0009-2014, King's Garden Contractor's Office and Warehouse  
Staff Report for the October 1, 2014, 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**

October 1, 2014

7:00 p.m.

November 11, 2014

7:00 p.m. (tentative)

**SUMMARY FACTS**

Applicant:

Mr. Mitchell Foos

Land Owner:

Mr. Mitchell Foos

Proposal:

To allow a contractor's office with outdoor storage

Location:

8850 Merry Oaks Lane

Tax Map/Parcel:

1120100032A

Parcel Size:

±4 acres

Existing Zoning:

A-1, General Agricultural

Comprehensive Plan:

Rural Lands

Primary Service Area:

Outside

**STAFF RECOMMENDATION**

With the proposed conditions, staff finds the proposed use to be compatible with the surrounding zoning and development and consistent 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. Mitchell Foos has applied for a special use permit (SUP) to allow a contractor's office with equipment storage in an existing 1,200 square foot garage and outdoor storage associated with his landscape business (Kings Garden) on a parcel located at 8850 Merry Oaks Lane. Since 2010, the applicant has owned and operated a small landscape business (as a home occupation) at 119 Queen Mary Court. Recently, Mr. Foos moved his home and business to the subject a 4-acre property at

8850 Merry Oaks Lane. The property is zoned A-1, General Agricultural and is designated as Rural Lands by the 2009 Comprehensive Plan. All surrounding parcels are residential and share the same zoning and comprehensive plan designation as the subject property. The parcel immediately to the south of 8850 Merry Oaks Lane is a 3-acre property also owned by Mr. Foos. During the summer of 2014, Mr. Foos applied for a home occupation in order to operate his business from his new residence; however, the proposed commercial operation exceeded the home occupation standards as defined in the Ordinance (i.e. employees were going to the site) and the application was denied. In order to bring the current operation into compliance an SUP is required, as a contractor's office is a specially permitted use in A-1, zoning districts.

In addition to the existing single-family dwelling on the site, other existing site features include a large detached 1,200 square foot garage with two large bays and one oversized bay where all equipment associated with the landscape business is currently stored. The applicant has indicated that other on-site equipment associated with the business include two Toyota Tundra trucks, one landscaping tractor and two trailers (refer to attachment No. 3 for pictures). Landscape materials such as rocks, stones, bricks and pavers are stored outdoors in an area of approximate 3,000 square feet at the rear of the property. Mature trees surround the rear of the property and provide a natural buffer from adjacent properties. Outdoor storage is permitted in accordance with the requirements of Section 24-98 (c), landscape area(s) along right(s)-of-way of the Zoning Ordinance which requires screening, all-weather surface, well drained areas and storage of items that do not create noise, odor, dust or other objectionable effects. Currently, the business employs six full-time employees besides Mr. Foos. According to the applicant, operating hours are generally between 7 a.m. to 7 p.m. from Monday to Friday, and occasionally on Saturdays with employees picking-up vehicles and equipment in the morning and dropping it off in the evening. The property fronts on Merry Oaks Lane approximately 600 feet from the intersection of Old Stage Road.

## **PUBLIC IMPACTS**

### **Environmental**

The Engineering and Resource Protection Division has no comments on the Master Plan or development proposal at this time. However, any improvements to the site such as an increase in impervious surfaces will require compliance with the Virginia Stormwater Management Regulations and Chapter 23 (Chesapeake Bay Preservation) of the James City County Ordinance.

### **Public Utilities**

The site is located outside the Primary Service Area, and is currently served by private well and septic systems. The Health Department has indicated no concern with the proposal provided that the use of residential restrooms by employees is limited. The applicant has stated that employees are on the site only twice a day, in the morning and evening, and very seldom use the restrooms in the residence.

### **Transportation**

The proposal is expected to generate low daily traffic and therefore have minimal impact to the local road system. Based on the applicant's response to staff's questions, all six employees currently carpool every working day using two private vehicles and one of the landscape business trucks. It is



expected that no more than two trucks leave the site early in the morning and return late in the afternoon on a daily basis. Customers do not drive to the site. All trucks will be parked at the rear of the property away from the right-of-way and screened by natural vegetation from adjacent properties. The general location of the parking area for these vehicles is shown on the attached master plan (attachment No. 2).

**VDOT Staff comments:** VDOT staff has reviewed the application and stated that should the trip generation associated with the entire site exceed 50 vehicles per day the existing entrance to the property may need to be upgrade to a low-commercial grade entrance. The applicant has provided information to staff and to VDOT confirming that vehicular trip generation will fall well below the 50-trips threshold.

### **COMPREHENSIVE PLAN**

The site is designated by the 2009 Comprehensive Plan Land Use Map as Rural Lands. Principal suggested uses include agricultural and forestal activities, together with certain recreational public or semi-public and institutional uses that require a spacious site and are compatible with the natural and rural surroundings. Retail and other commercial uses serving Rural Lands are encouraged to be located at planned commercial locations on major thoroughfares inside the PSA. However, a few of the smaller direct agricultural or forestal-support uses, home-based occupations, or certain uses which require very low intensity settings relative to the site in which it will be located may be considered on the basis of a case-by-case review, provided such uses are compatible with the natural and rural character of the area, in accordance with the Rural Lands Development Standards.

Staff finds that the proposed use meets the requirement of “certain uses, which require very low intensity settings relative to the site in which it will be located.” Undisturbed vegetation located along the perimeter of the 4-acre property provides a natural buffer from all surrounding properties (attachment No. 4 for pictures). Staff has visited the site and finds that it is unlikely that the proposed operation, particularly the parking of vehicles and storage of landscape materials would visually impact either the right-of-way or adjacent properties as the distance of the parking area from the right-of-way is approximately 500 feet and well screened from adjacent properties. The sizes of the trucks are not larger than the typical vehicles found in rural subdivisions. Staff finds that the rural residential characteristic of the neighborhood will not be affected by this proposal.

### **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. This Special Use Permit (the “SUP”) shall be valid for a contractor’s office and the storage of vehicles, equipment and landscape materials associated with the use (“the Proposal”) on property located at 8850 Merry Oaks Lane and further identified as JCC RE Tax Map No. 1120100032A (the “Property”). The location of the storage of vehicles, equipment and landscape materials shall be generally as shown on the master plan titled “Master Plan for

Kings Garden” dated September 16, 2014, with such minor changes as the Planning Director determines does not change the basic concept or character of the development.

2. No work associated with the Proposal, except for administrative/office and maintenance of equipment and vehicles, storage, loading of materials on trucks and trailers shall be conducted at the Property.
3. Transportation of equipment to and from the property shall be limited to 7:00 a.m. to 7 p.m. Monday through Saturday.
4. On site storage of vehicles, equipment and landscape materials associated with the Proposal shall be as follows:
  - a. Vehicles and equipment, such as but not limited to, trucks and trailers, shall be contained within an area of up to 2,000 square feet as generally shown on the Master Plan.
  - b. Landscape materials associated with the Proposal, such as but not limited to bricks, rocks, stones, pavers shall be contained within an area of up to 3,000 square feet as generally shown on the Master Plan. These materials shall not be located within any required building setback and shall not have a vertical height of more than 8 feet.
  - c. Equipment associated with the Proposal, such as but not limited to leaf blowers, commercial lawn mowers, spray rigs, spreaders, wheel barrels, chain saws, back-pack sprayers, and hand tools shall be stored within the existing 1,200 square foot garage as shown on the Master Plan.
5. An amendment to this SUP application shall be necessary should the number of vehicles, equipment and landscape materials associated with the Proposal exceed the storage capacity as specified by this SUP.
6. The existing vegetation surrounding the landscape material and storage of vehicle/equipment areas as shown on the master plan shall remain undisturbed.
7. No soil stockpile, as defined by Section 24-46 of the Zoning Ordinance, shall be allowed in the Property.
8. No outdoor signage advertising the Proposal shall be allowed on the Property.
9. 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. 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. All light poles shall not exceed 20 feet in height unless otherwise approved by the Planning Director prior to final site plan approval. “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.

10. Prior to final site plan approval, a spill prevention and containment plan which addresses chemical handling including but not limited to oil, diesel and gasoline, shall be submitted to the Environmental Director and the Fire Chief for their respective review and approval.
11. A site plan shall be required for this Proposal. Final approval of the site plan shall be obtained within 18 months of issuance of this SUP, or the SUP shall become void.
12. 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, appearing to read "Jose Ribeiro", written above a horizontal line.

Jose Ribeiro, Planner

**ATTACHMENTS:**

1. Location Map
2. Master Plan
3. Pictures of vehicles, equipment, garage and location of landscape materials.
4. Pictures of vegetated perimeter buffer



**JCC-SUP-0009-2014**

# King's Garden Contractor's Office and Warehousing



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**CERTIFICATE OF SURVEY**

THIS SUBDIVISION IS APPROVED BY THE UNDERSIGNER IN ACCORDANCE WITH EXISTING SURVEYING REGULATIONS AND MAY BE ACQUIRED TO RECORD.

DATE: 9/13/13  
 VDOT: [Signature]  
 DATE: 9/13/13  
 VEH: [Signature]  
 DATE: [Signature]  
 SUBDIVISION AGENT JAMES CITY CO.

**CHARTERED SURVEYOR**  
 CHAS. E. HYNES, JR.  
 11/28/2012  
 SCALE: 1" = 60'  
 DATE: 11/28/2012  
 J.N. 381.8  
 REVISED: 03/06/2013  
 60' 0' 60' 120'

**VICINITY MAP** SCALE: 1"=750'

LINE	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	10°40'07"	27.50'	147.74'	S58°07'27"W	27.47'
C2	2°02'40"	218.08'	8115.68'	S44°28'50"W	218.04'

**3,000 square foot outdoor storage of landscape materials**

**2,000 square foot outdoor storage of vehicles and equipment**

**1,200 square foot garage indoor storage of equipment**

**CERTIFICATE OF SURVEY**

THE SUBDIVISION OF LAND SHOWN ON THIS PLAT AND KNOWN AS HYNES IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED CHARTERED SURVEYOR, PROPRIETOR, AND/OR TRUSTEES.

9/13/13 *Charles E. Hynes, Jr.* *WILLIAMSON B. HYNES*  
 DATE NAME SIGNATURE PRINTED  
 9/13/13 *Charles E. Hynes, Jr.* *Charles E. Hynes, Jr.*  
 DATE NAME SIGNATURE PRINTED

**CERTIFICATE OF NOTARIAL PUBLIC**  
 COMMONWEALTH OF VIRGINIA  
 CITY/COUNTY OF JAMES CITY  
 I, *Charles E. Hynes, Jr.*, am a Notary Public in and for the City/County and State aforesaid.  
 DO HEREBY CERTIFY THAT THE PERSONS WHOSE NAMES ARE SIGNED TO THE FOREGOING INSTRUMENT HAVE ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY aforesaid.

OTHER NAMES BY HAND THIS DAY OF *September*, 2013  
*C.B.A.*  
 BY COMMISSION EXPIRES 3/31/17

**CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY**  
 CIRCUIT COURT: THIS PLAT WAS RECORDED ON  
 AT AM/PM, P.M. PG.  
 DOCUMENT#

**CLERK OF CIRCUIT COURT**

### Attachment No. 3

One of the two trucks and trailers used as part of the commercial operation



± 1,200 square foot garage





Examples of equipment stored in the garage





**View from the rear of property where garage is located**



**Landscape materials located behind the garage**



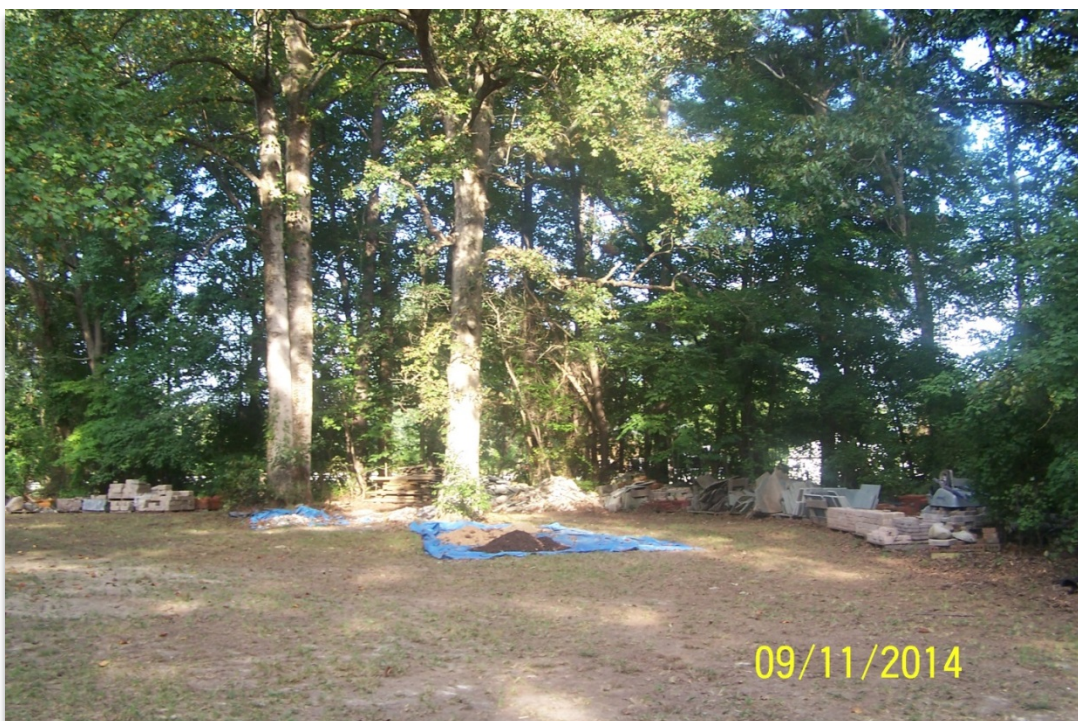


**Attachment No. 4**

**Wooded area at the rear of the property (left side)**



**Right side (storage of landscape materials)**



**Case No. SUP-0010-2014, Williamsburg Landing Construction Commencement Extension  
Staff Report for the October 1, 2014, Planning Commission Public Hearing**

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

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

Planning Commission:	October 1, 2014	7:00 p.m.
Board of Supervisors:	November 11, 2014 (tentative)	7:00 p.m.

**SUMMARY FACTS**

Applicant: Mr. Paul Gerhardt of Kaufman & Canoles, P.C.

Land Owner: Williamsburg Landing, Inc.

Proposal: The applicant has proposed amending the previously approved Special Use Permit to allow for an extension of the construction commencement condition for an additional 36 months. No other changes to the previously approved application are proposed. The previously approved application proposed 100-assisted living units, 100-nursing units, and 87-independent living units.

Location: 5560 Williamsburg Landing Drive

Tax Map/Parcel: 4820100003

Parcel Size: Approximately 50.01 acres.

Existing Zoning: R-5, Multi-family residential, with proffers.

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

**STAFF RECOMMENDATION**

Staff finds the proposed use to be compatible with the surrounding zoning and development and consistent 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 II Phone: 253-6890

**PROJECT DESCRIPTION**

Mr. Paul Gerhardt has applied to amend the adopted conditions for SUP-0005-2011 to allow for an extension to the construction time limit that was established in September 2011. The extension would allow for additional time to construct the previously approved one-hundred (100) assisted living units, one-hundred (100) nursing units, and eighty-seven (87) independent living units. No increase in units or changes to the development plans are proposed at this time. The property is located at 5560 Williamsburg Landing Drive, is zoned R-5, Multi-family Residential, with proffers, and is designated Low-Density Residential on the Comprehensive

Plan. A special use permit is required because nursing homes and facilities for the residence and/or care of the aged are specially permitted uses in the R-5, Multi-family residential district.

Currently, the existing construction commencement condition (i.e., construction must commence within 36 months of SUP approval) expires in January 2015. On a letter submitted with this application, dated August 20, 2014 (attachment #2), the applicant states that minor improvements such as road and utility work under approved site plans have been initiated; however, unanticipated events such as extensive renovations necessary for the Landing Building and changes in the marketplace for the delivery of care and housing services for seniors have precluded construction commencing in earnest within the allotted 36-month construction window for this project. The applicant is requesting an additional 36-month construction window to begin on January 2015.

### **Project History**

In 2008, Williamsburg Landing, Inc. applied to amend the proffers and special use permit to allow an additional ten assisted living units and an additional ten nursing units (SUP-0018-2008). That application resulted in a Master Plan approval for one-hundred (100) assisted living units, one-hundred (100) nursing units, and eighty-seven (87) independent living units. Currently the parcel contains sixty-one (61) assisted living units, fifty-eight (58) nursing units, and sixty-three (63) independent living units on the site.

On June 11, 2013, the Board of Supervisors approved an amendment to the existing proffers and Special Use Permits (SUP) conditions to allow one additional independent living unit on the parcel to the south for a total of twenty-eight (28) independent living units (Z-0001-2013/SUP-0002-2013). The parcel to the east currently contains two hundred-twenty (220) independent living units. A review of the history of these parcels indicates these parcels are not subject to the proffers or special use permit conditions or the caps noted therein.

### **COMPREHENSIVE PLAN**

The site is designated Low Density Residential on the 2009 Comprehensive Plan Land Use Map. Recommended uses include very limited commercial establishments, single family homes, duplexes, and cluster housing with a recommended gross density of 1 unit per acre up to 4 units per acre in developments that offer particular public benefits. The Comprehensive Plan also recommends projects be located inside the Primary Service Area, provide adequate screening from adjacent uses and minimize impact on major roads by limiting access points.

The Williamsburg Landing development is located within the Primary Service Area. Furthermore, the existing development provides adequate buffers and screening from both Rt. 199 as well as adjacent residential neighborhoods, and provides internal on-site collector roads and access off of Lake Powell Road rather than Rt. 199. Staff finds the proposed development to be consistent with the 2009 Comprehensive Plan.

### **RECOMMENDATION**

Staff finds the proposed use to be compatible with the surrounding zoning and development and consistent 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. Development of the site shall be generally in accordance with the master plan entitled “Williamsburg Landing Conceptual Plan” and dated November 7, 2008, as determined by the Director of Planning. Minor changes may be permitted by the Director of Planning, as long as they do not change the basic concept or character of the development.
2. If construction has not commenced on the project by January 15, 2018, it shall become void.

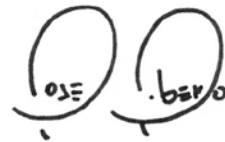
Construction shall be defined as obtaining permits for building construction and installation of footings and/or foundations.

3. This special use permit shall be limited to the following specially permitted uses:

- Single-family dwellings
- Nursing homes and facilities for the residence and/or care of the aged

These specially permitted uses are in addition to those generally permitted uses specified in Proffer 1 of the Amended Proffers. Nursing home facilities shall be limited to one 100-bed nursing home. Assisted living units shall be limited to 100 units. Independent units shall be limited to 87 units.

4. 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, appearing to read "Jose Ribeiro", written in a cursive style.

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Jose Ribeiro, Senior Planner II

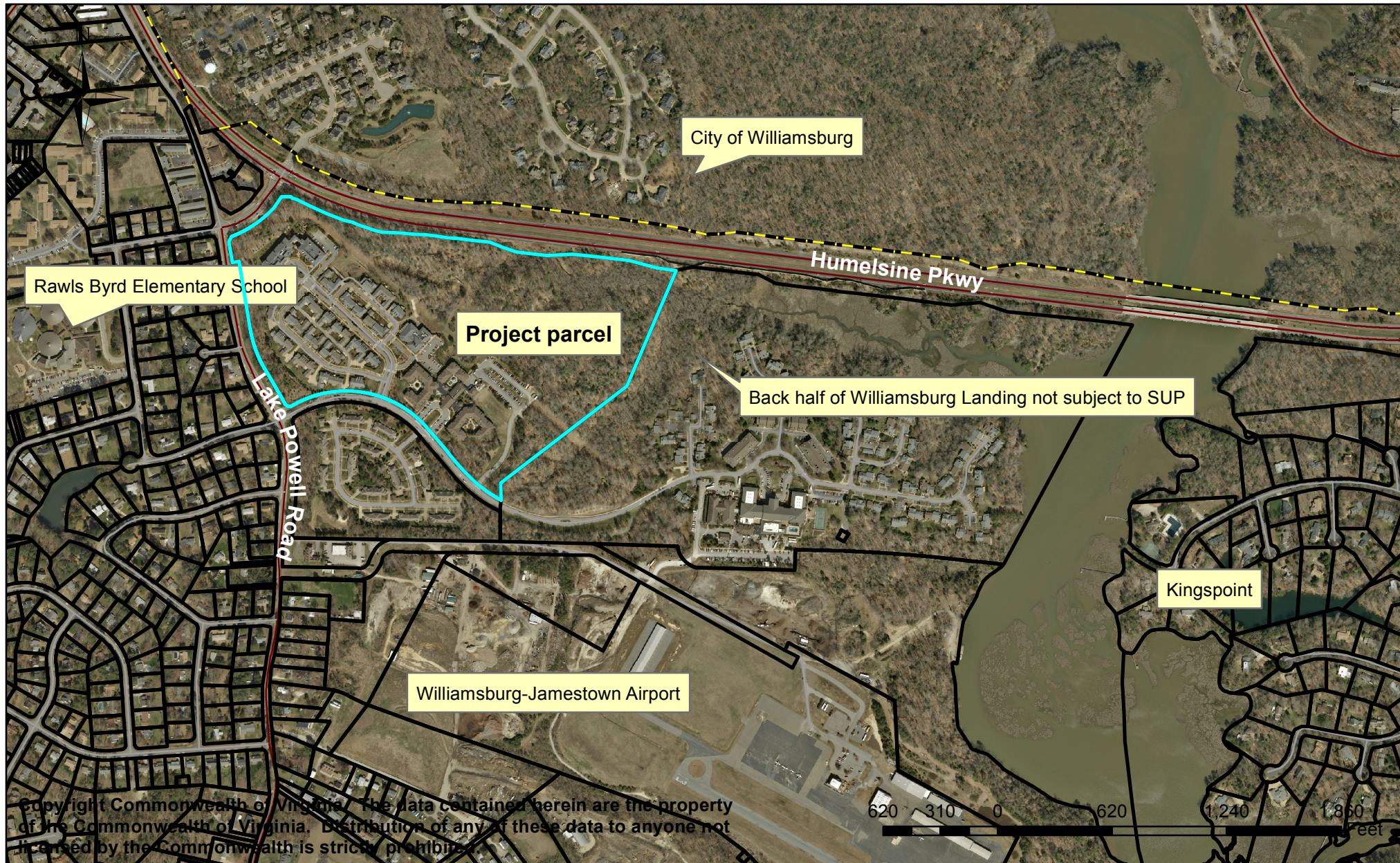
**ATTACHMENTS:**

1. Location Map
2. Letter from the Applicant
3. SUP-0005-2011 Staff Report and Approved Resolution



# SUP-0010-2014

## Williamsburg Landing Construction Commencement Extension





**KAUFMAN & CANOLES**  
attorneys at law

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Suite 300  
Williamsburg, VA 23188

*Mailing Address*  
Post Office Box 6000  
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T (757) 259.3800  
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Paul W. Gerhardt  
(757) 259.3860  
pwgerhardt@kaufcan.com

August 20, 2014

**BY HAND & EMAIL**

Mr. Paul D. Holt  
Planning Director  
James City County  
101-A Mounts Bay Road  
Williamsburg, VA 23185

**RE: Williamsburg Landing, Inc. Amendment to SUP-0005-2011**

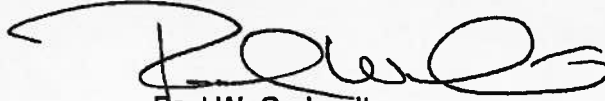
Dear Mr. Holt,

I am writing on behalf of Williamsburg Landing, Inc. to respectfully request an amendment to the referenced SUP to allow for time to commence the project for which the SUP was obtained. With this letter I am forwarding to you a Special Use Permit application for this request, together with a filing fee made payable to Treasurer, James City County in the amount of \$450.00. The referenced SUP was initially adopted by the James City County Board of Supervisors on January 13, 2009 as SUP-0018-2008, then subsequently amended by action of the Board of Supervisors on September 13, 2011. As explained by Williamsburg Landing at the time it requested the first extension, at the initial passage of the SUP, the U.S. economy had begun to decline and continuing care communities, such as Williamsburg Landing, had continued to feel the adverse impacts of that economic decline. In addition, in late 2010, Williamsburg Landing discovered substantial structural problems with the Landing Building the resolution of which required significant attention of management and considerable financial resources. During the time that elapsed while Williamsburg Landing was tending to the Landing Building, further shifts in the marketplace for the delivery of care and housing services for seniors have occurred. This gave rise to a need to further refine building strategies and plans. Williamsburg Landing has undertaken some road and utility work under approved site plans in anticipation of commencement of the buildings allowed by the SUP. However, given these unanticipated series of events, Williamsburg Landing understands that it realistically will not be able to fully evaluate and commence the project referenced in the Special Use Permit within the allotted 36 month time period which ends in January 2015. With the level of complex financing and planning required for new facilities, it is necessary that Williamsburg Landing request a 36 month extension from January 2015 of the commencement deadline prescribed by the SUP.

Mr. Paul D. Holt  
August 20, 2014  
Page 2

Please do not hesitate to contact the undersigned if you need any additional information or supporting documentation. We would appreciate any effort to allow us to present this extension request to the Planning Commission in early October. We thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul W. Gerhardt", with a large, sweeping initial "P" and a stylized "W".

Paul W. Gerhardt

PWG/rs  
Enclosures

Cc: Stephen H. Montgomery  
Benjamin Puckett

**SPECIAL USE PERMIT-0005-2011. Williamsburg Landing Construction Commencement Extension**

**Staff Report for the September 13, 2011, Board of Supervisors 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**

August 3, 2011, 7:00 p.m.

September 13, 2011, 7:00 p.m.

**SUMMARY FACTS**

Applicant:

Paul Gerhardt of Kaufman & Canoles, P.C.

Land Owner:

Williamsburg Landing, Inc.

Proposal:

The applicant has proposed amending the previously approved SUP-0018-2008, to allow an extension of the construction commencement clause for an additional 36 months. The project will result in 100-assisted living units, 100-nursing units, and 87-independent living units.

Location:

5560 Williamsburg Landing Drive

Tax Map/Parcel No.:

4820100003

Parcel Size:

Approximately 50.01 acres.

Zoning:

R-5, Multi-family residential, with proffers.

Comprehensive Plan:

Low Density Residential

Primary Service Area:

Inside

**STAFF RECOMMENDATION**

The proposal has minimal impacts and is generally compatible with the 2009 Comprehensive Plan. Staff recommends the James City County Board of Supervisors approve this application with the attached resolution.

Staff Contact:

Jason Purse

Phone: 253-6685

**PLANNING COMMISSION RECOMMENDATION**

On August 3, 2011, the Planning Commission voted 6-0 to recommend approval of this application.

**Proposed Changes Made Since Planning Commission Meeting**

None.



### **PROJECT DESCRIPTION**

Mr. Paul Gerhardt has applied to amend the Special Use Permit (SUP) conditions for SUP-0018-2008 to allow for an extension to the construction time limit that was established for 36 months in January 2009. The extension would allow for additional time to construct the previously approved 100-bed nursing home facility, 100 assisted living units, and 87 independent units. No increase in units or changes to the development plans are proposed at this time. The property is located at 5560 Williamsburg Landing Drive, is zoned R-5, Multi-family Residential, and is designated Low-Density Residential on the Comprehensive Plan. An SUP is required because nursing homes and facilities for the residence and/or care of the aged are specially permitted uses in the R-5, Multi-family Residential, district.

Currently, the existing construction commencement condition expires in January 2012. The applicant has indicated that due to the extensive renovations necessary for the Landing Building and due to the current economic climate, Williamsburg Landing will not be able to commence construction on the project within the allotted 36-month time period. The applicant is requesting an additional 36-month construction window for this project, which would make the new expiration date for January 2015. No other changes are proposed to this project at this time.

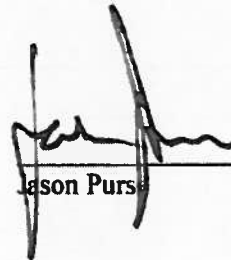
### **COMPREHENSIVE PLAN**

The site is designated Low Density Residential on the 2009 Comprehensive Plan Land Use Map. Recommended uses include very limited commercial establishments, single-family homes, duplexes, and cluster housing with a recommended gross density of one unit per acre up to four units per acre in developments that offer particular public benefits. The Comprehensive Plan also recommends projects be located inside the Primary Service Area (PSA), provide adequate screening from adjacent uses and minimize impact on major roads by limiting access points.

The Williamsburg Landing development is located within the PSA. Furthermore, the existing development provides adequate buffers and screening from both Route 199 as well as adjacent residential neighborhoods, and provides internal on-site collector roads and access off Lake Powell Road rather than Route 199. Staff finds the proposed development to be consistent with the 2009 Comprehensive Plan.

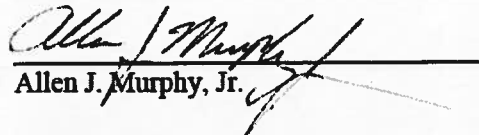
**RECOMMENDATION**

The proposal has minimal impacts and is generally compatible with the 2009 Comprehensive Plan. Staff recommends the Board of Supervisors approve this application with the attached resolution.

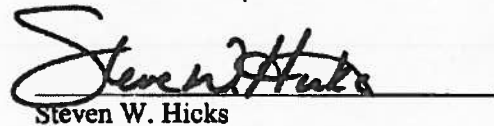
  
\_\_\_\_\_

Jason Purs

CONCUR:

  
\_\_\_\_\_

Allen J. Murphy, Jr.

  
\_\_\_\_\_

Steven W. Hicks

Sup05-11WL-cons.doc  
JP/gb

**ATTACHMENTS:**

1. Resolution
2. Location Map
3. Unapproved minutes from the August 3, 2011, Planning Commission meeting

## **RESOLUTION**

### **CASE NO. SUP-0005-2011. WILLIAMSBURG LANDING**

#### **CONSTRUCTION COMMENCEMENT EXTENSION**

WHEREAS, the Board of Supervisors of James City County has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Paul Gerhardt has applied to amend the SUP conditions for SUP-0018-2008 to allow for an extension to the construction time limit that was established for 36 months in January 2009; and

WHEREAS, the extension of the construction commencement condition will be valid through January 2015; and

WHEREAS, the extension will allow for additional time to construct the previously approved 100-bed nursing home facility, 100 assisted living units, and 87 independent units; and

WHEREAS, the property is located at 5560 Williamsburg Landing Drive, is zoned R-5, Multi-family Residential, and can be further identified as James City County Real Estate Tax Map/Parcel No. 4820100003; and

WHEREAS, the Planning Commission of James City County, following its public hearing on August 3, 2011, recommended approval of this application by a vote of 6-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Land Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing, does hereby approve the issuance of SUP No. 0005-2011 as described herein with the following conditions:

1. Development of the site shall be generally in accordance with the master plan entitled "Williamsburg Landing Conceptual Plan" and dated November 7, 2008, as determined by the Director of Planning. Minor changes may be permitted by the Director of Planning, as long as they do not change the basic concept or character of the development.
2. If construction has not commenced on the project by January 15, 2015, it shall become void. Construction shall be defined as obtaining permits for building construction and installation of footings and/or foundations.
3. This SUP shall be limited to the following specially permitted uses:
  - Single-family dwellings
  - Nursing homes and facilities for the residence and/or care of the aged

These specially permitted uses are in addition to those generally permitted uses specified in Proffer 1 of the Amended Proffers. Nursing home facilities shall be limited to one 100-bed nursing home. Assisted living units shall be limited to 100 units. Independent units shall be limited to 87 units.

4. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

  
Mary K. Jones  
Chairman, Board of Supervisors

ATTEST:

  
Robert C. Middaugh  
Clerk to the Board

<u>SUPERVISORS</u>	<u>VOTE</u>
KENNEDY	AYE
GOODSON	AYE
MCGLENNON	AYE
ICENHOUR	AYE
JONES	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of Septebmer, 2011.

Sup05-11WL-Cons\_res

## **SPECIAL USE PERMIT-0011-2014. McDonalds at Lightfoot Upgrade Staff Report for the October 1, 2014, 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**

October 1, 2014 7:00 p.m.

November 12, 2014 (tentative) 7:00 p.m.

### **SUMMARY FACTS**

Applicant:

Mr. Steve Blevins, Blakeway Corp.

Land Owners:

McDonalds Corporation

Proposal:

To demolish and then rebuild an existing fast food restaurant

Location:

6473 Richmond Road

Tax Map/Parcel Nos.:

2430100063

Project Acreage:

+/- 1.6 acres

Zoning:

M-1, Limited Business/Industrial

Comprehensive Plan:

Mixed Use

Primary Service Area:

Inside

### **STAFF RECOMMENDATION**

Staff finds the proposal to be compatible with surrounding development and consistent with the 2009 Comprehensive Plan and zoning ordinance. Staff recommends the James City County Planning Commission recommend approval of this application to the Board of Supervisors, subject to the listed conditions.

Staff Contact: Leanne Pollock

Phone: 253-6876

### **PROJECT DESCRIPTION**

Mr. Steve Blevins of Blakeway Corp. has applied for a special use permit in order to bring an existing legally non-conforming fast food restaurant into compliance with the M-1, Limited Business/Industrial Zoning Ordinance. The proposal includes rebuilding the existing McDonalds in Lightfoot to update the elevation and revise the site layout. The new proposed McDonalds building would be approximately 4,000 square feet and would seat up to 74 guests. This revised footprint will reduce existing seating by more than 100 seats and reduce the number of existing parking spaces by 42 spaces.

The project is immediately adjacent to the recently approved Lightfoot Marketplace project on the site of the former Williamsburg Outlet Mall. The McDonalds shares an entrance from Richmond Road with the Lightfoot Marketplace. Lightfoot Marketplace and the adjacent hotel to the north are both zoned M-1, Limited Business/Industrial and are designated Mixed Use on the 2009 Comprehensive Plan Land Use Map. Across Richmond Road is a fuel station zoned B-1, General Business and designated Mixed Use on the Comprehensive Plan. There is also property across the street that is located in York County which is zoned GB, General Business and designated General Business on the 2013 Comprehensive Plan.

## **PUBLIC IMPACTS**

### **Archaeology**

As this property is currently developed, which resulted in prior land disturbance, there are not likely to be any intact archaeological resources that would be impacted by the redevelopment of the site. No archaeological study was required to be submitted.

### **Engineering and Resource Protection**

**Watershed:** Yarmouth Creek

**Staff Comments:** The property was previously cleared and there is little existing vegetation and no Resource Protection Areas or wetlands on the property. The applicant is proposing to reduce impervious cover on the site by 30 percent. Runoff will largely be managed using existing stormwater infrastructure on the property. Additionally, as part of the Yarmouth Creek watershed, the project will be subject to Special Stormwater Criteria and LID measures to achieve runoff reduction. While the applicant does not propose to seek LEED or other green building certification, they have indicated that McDonalds uses the following in their efforts to be good stewards of the environment: LEED-style lighting fixtures and low-mercury fluorescent lamps; high efficiency rooftop units and gas water heaters; reflective white roof; high efficiency bathroom appliances; and recycling of cooking oil, paper products and cardboard.

### **Public Utilities**

The property is served by public water and sewer and will use existing public connections.

**Staff Comments:** Staff has reviewed the Community Impact Statement and Master Plan and concurs with the information submitted, while noting that additional information will need to be considered at the development plan design stage. The James City Service Authority (JCSA) has requested that the applicant develop water conservation standards prior to development plan approval.

### **Transportation**

The McDonalds is located on Richmond Road and shares access with Lightfoot Marketplace via an existing signalized intersection. The developer of Lightfoot Marketplace – Armada Hoffer – is also making improvements to that intersection as well as relocating and improving the existing McDonalds entrance as part of their development plans.

Dexter Williams of DRW Consultants, LLC developed a trip generation table to compare traffic generated by the existing McDonalds with anticipated traffic from the upgraded McDonalds. Trip generation can be determined in two ways for a fast food restaurant: by building square footage or by number of seats. Using the first method, the small increase in building square footage over the existing building would only minimally increase trip generation of the site (1 vehicle per hour). Using the second method, the large reduction in the number of seats would result in a significant decrease in the site's trip generation (decrease of 120 vehicles per hour).

**Traffic Counts:** The James City County/Williamsburg/York County Comprehensive Transportation Study (Regional Study) that was completed in March 2012 indicated that the most recent weekday volume for Route 60 from Croaker Road to Centerville Road was 21,419 trips. This represents a current PM peak hour LOS of A-C for the corridor. From Centerville Road to Route 199, the most recent weekday volume is 26,430, which is a current PM peak hour LOS of A-C.

**Projected Traffic Volume:** On Route 60 from Croaker Road to Centerville Road, the 2009 Comprehensive Plan projects 39,110 AADT for 2035 – this is in the category of recommended for improvement (from 4 to 6 lanes). The Regional Study notes that the PM peak hour LOS for the corridor is projected to still be at a LOS of A-C in 2034. The Comprehensive Plan projected AADT for the segment from Centerville Road to Route 199 is 62,307 trips in 2035. The Regional Study notes that the PM peak hour LOS for this corridor is projected to fall

to a LOS of F in 2034. The traffic study submitted with the Lightfoot Marketplace proposal shows that with full build-out of the project and anticipated road improvements in 2022, certain segments of the Richmond Road corridor LOS will actually improve from current conditions. The improvements are also anticipated to bring the overall LOS for all intersections in the immediate vicinity of the project to a LOS of D or higher in 2022.

The Comprehensive Plan specifically addresses Richmond Road and notes that efforts should be made to concentrate development in planned areas while minimizing the number of needed new signals and entrances. New developments should be permitted only where the project can be served by the existing road network while maintaining an acceptable level of service or if the impacts can be adequately addressed through road and signalization improvements.

**VDOT Comments:** VDOT concurred that the trip generation for the upgraded McDonalds will be consistent with the current use of the site and that since there was not entrance to the site from a public right-of-way that no improvements were necessary.

**Staff Comments:** Staff finds that the development can be supported by the existing road network and will not add new entrances or signals. The proposed upgrade to the McDonalds will continue to share access to the property with Lightfoot Marketplace and will have little impact to the current operations of the adjacent road network. It will be critical that McDonalds work in cooperation with Armada-Hoffler to complete the relocation of their entrance, pedestrian connections and signal improvements.

### **ARCHITECTURAL ELEVATIONS**

On two occasions the Development Review Committee has had the opportunity to review and provide feedback on the proposed building elevations. In response to the last DRC meeting, the applicant has made additional refinements to the elevations to address concerns. A row of blacked out windows was added to the rear elevation, which will be visible from Route 60 and the adjacent hotel, in order to give it more of a store front look. The applicant also removed a parking space near the two service doors on the non-drive-thru side elevation to create space for a larger landscape island that is intended to soften and break up the appearance of this elevation. SUP conditions are proposed related to both the building elevations and the final building materials to ensure consistency with the proposed elevations and to try capitalize on opportunities to match building materials with the adjacent Lightfoot Marketplace development. Overall, staff finds the proposed elevations are more consistent with the Richmond Road Community Character Corridor and adjacent development than the existing McDonalds building.

### **COMPREHENSIVE PLAN**

The project is designated Mixed Use on the 2009 Comprehensive Plan Land Use Map and is in the Lightfoot area. Mixed Use areas should be in the Primary Service Area and should be centers for higher density development with a mix of uses served by adequate infrastructure and public services. The consideration of development proposals should focus on the development potential of a given area compared to the area's infrastructure and the relation of the proposal to the existing and proposed mix of uses and their impacts. Mixed Use developments should also create a sense of place through use of focal open spaces, unified architectural design and design that encourages pedestrian activity. Specifically, the Lightfoot area calls for lands west of Route 60 to include principal uses such as moderate density housing, commercial developments and office developments. Commercial uses should not be developed in a strip pattern and should emphasize shared access and parking as well as consistent treatment for landscaping and architecture.

Staff finds that the application includes several enhancements for the Richmond Road Community Character Corridor (CCC). The biggest change involves increasing the width of the CCC buffer to 50 feet and planting the buffer consistent with the suburban/urban CCC description and the proposed buffer in front of Lightfoot Marketplace. The McDonalds site upgrade also includes improvements to pedestrian access from the existing sidewalk and bus shelter on Route 60 to the restaurant and to the adjacent shopping center. McDonalds has also

proposed architectural elevations that use similar brick materials and metal trellis-type canopies to what is proposed for the pharmacy across the main entrance from the restaurant. SUP conditions also limit the colors and materials of the drive-thru awning, dumpster enclosure and monument sign to create consistency with the Lightfoot Marketplace plans. The applicant also proposes to locate the dumpster at the back of the site where it will be less visible and also eliminated all parking and add landscaping along the main entrance to Lightfoot Marketplace to improve the sense of arrival at a destination. Staff finds the proposed development to be consistent with the 2009 Comprehensive Plan.

### **RECOMMENDATION**


Staff finds the proposal to be compatible with surrounding development and consistent with the 2009 Comprehensive Plan and zoning ordinance. Staff recommends the James City County Planning Commission recommend approval of this application to the Board of Supervisors, subject to the listed conditions. Proposed SUP conditions are as follows:

1. *Use:* This Special Use Permit shall be valid for a fast food restaurant approximately 4,600 square feet in size (the “Development”).
2. *Master Plan:* The site plan for the development shall be generally consistent with the “Preliminary Concept” (the “Master Plan”) prepared by Blakeway Corp, dated February 26, 2014 and revised September 15, 2014 as determined by the Director of Planning.
3. *Elevations:* Final building elevations shall be generally consistent with the “Proposed McDonald’s Restaurant Color Elevation Study” (the “Elevations”) prepared by URSD and dated September 15, 2014. Building materials and colors shall be similar to those used for the adjacent Lightfoot Marketplace development. Prior to issuance of site plan approval, the Director of Planning or his designee shall review and approve the final building elevations, materials and color scheme for consistency with this condition.
4. *Drive-thru Canopies and Dumpster Enclosure:* The dumpster enclosure and the canopies and mounting structure for the drive-thru shall use neutral colors and building materials similar to the primary building elevation materials. No directional, informational or menu board text shall be able to be read from beyond the property lines of the Development. Prior to issuance of site plan approval, the Director of Planning or his designee shall review and approve the final design and colors of the dumpster enclosure and drive-thru canopies for consistency with this condition.
5. *Signage:* In addition to building face signage as permitted by the James City County Zoning Ordinance (the “Ordinance”), the Development shall be limited to one externally illuminated freestanding monument-style sign on the Property not to exceed eight feet in height. The base of the sign shall be brick or shall use materials similar in type and color with the Elevations. All signage, content and materials shall be in accordance with the Ordinance and shall be approved by the Director of Planning for consistency with this condition.
6. *Richmond Road Buffer:* The Community Character Corridor buffer along Richmond Road shall be an average of 50 feet in width. The buffer shall contain enhanced landscaping in accordance with the County’s Enhanced Landscaping Policy as adopted April 9, 2013. Street trees shall be provided along Richmond Road in substantial compliance with the guideline for street trees contained in the Streetscape Guidelines Policy. Landscaping shall be shown as part of the initial building site plan and shall be reviewed and approved by the Director of Planning or his designee for consistency with this condition.
7. *Water Conservation Standards:* The Owner shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority (the “JCSA”) and subsequently for enforcing these standards. The standards shall address such water conservation measures as limitations on the installation and use of approved landscaping design and materials to promote water conservation and minimize the use of public water resources. Standards shall be reviewed and approved by the JCSA prior to final site plan approval of the Development.
8. *Richmond Road Bike Lane:* In accordance with the Regional Bikeway Map, a bike lane shall be provided along the Property’s Richmond Road frontage. However, this requirement may be waived by



the Planning Director should the Owner demonstrate that existing pavement width or section, drainage, or other engineering constraints would restrict the ability of the Owner to install the bike lane in a manner that would meet Virginia Department of Transportation (VDOT) requirements. Such analysis shall be submitted prior to or concurrent with the initial site plan submission. If a bike lane can be installed, it shall be completed concurrent with improvements to the Richmond Road/Lightfoot Road/Lightfoot Marketplace entrance intersection unless otherwise approved by the Planning Director. In the event that the Planning Director disapproves the waiver, the applicant may appeal the decision to the Development Review Committee, which shall forward a recommendation to the Planning Commission.

9. *Internal Pedestrian Accommodations:* Development shall provide internal pedestrian connections wherever sidewalk enters the parking area or crosses the entrance or drive-thru lane and shall provide safe connections from the existing bus stop and to the adjacent Lightfoot Marketplace area. The connections shall be clearly delineated by use of a different color of pavement, brick pavers or some other method determined to be acceptable by the Director of Planning prior to final site plan approval.
10. *Commencement.* Construction on this project shall commence within thirty-six (36) months from the date of approval of this special use permit or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.
11. *Severance Clause.* This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

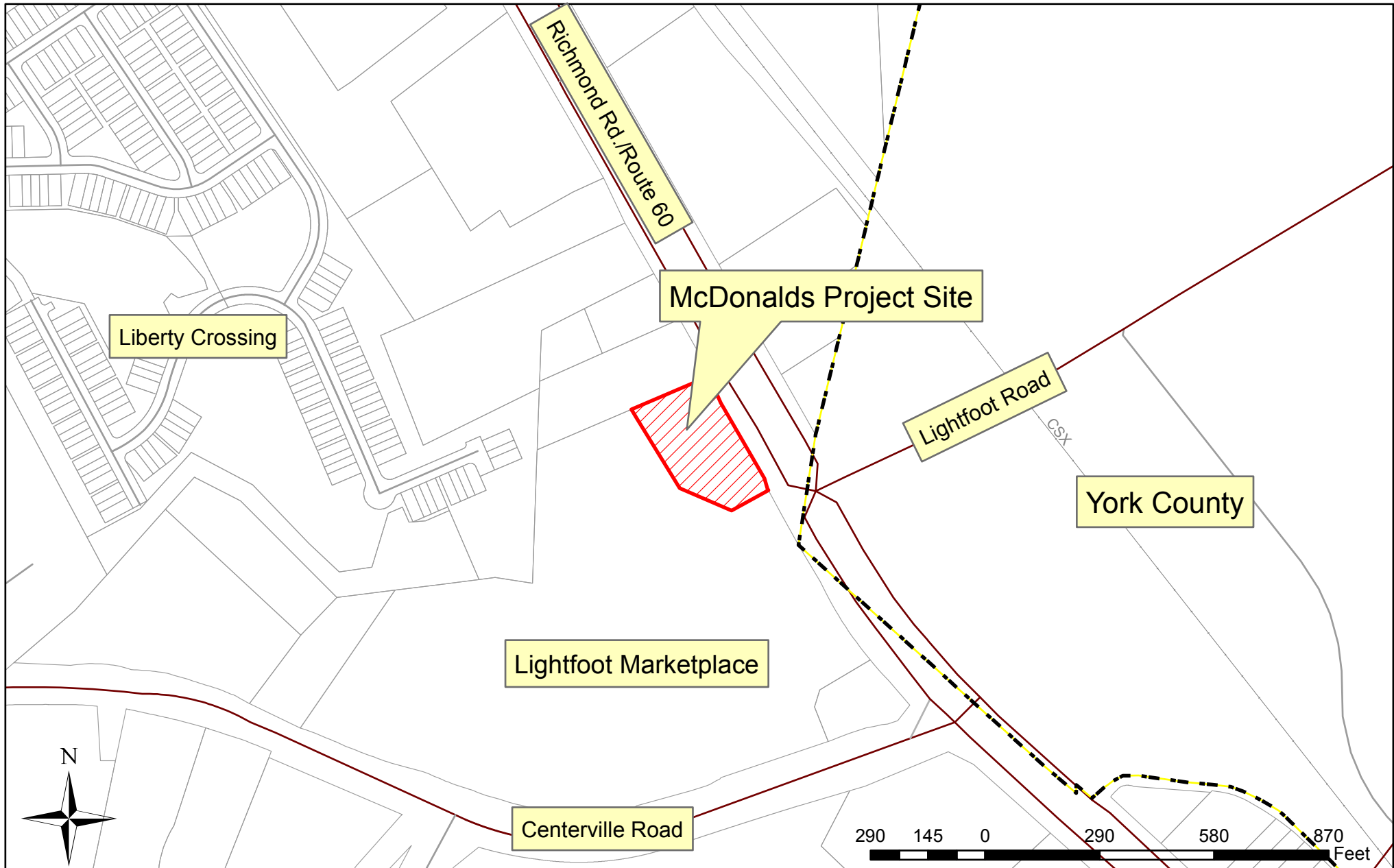
  
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Leanne Pollock

ATTACHMENTS:

1. Location map
2. Master plan
3. Community impact statement
4. Trip generation memorandum
5. Elevations

# JCC-SUP-0011-2014

## McDonalds at Lightfoot Upgrade





SUP-0011-2014



PLANNING DIVISION

SEP 15 2014

RECEIVED

## Special Use Permit Community Impact Statement

Case No. C-0016-2014 McDonalds at Lightfoot Upgrades (SIN 045-0257)



Last Revised: **September 15, 2014**

By:

**Blakeway Corp**  
engineering | surveying | project management



# Community Impact Statement

Case No. C-0016-2014 McDonalds at Lightfoot Upgrades (SIN 045-0257)

McDonald's desires to upgrade the existing restaurant located in Lightfoot on Richmond Road (SR60) at the intersection with Lightfoot Road. This upgrade will replace an older style, red mansard roof store with the newer horizontal urban style store with neutral colors and natural stone. The existing site is zoned mixed use, M-1 Limited Business/Industrial. Richmond Road has been designated as a Community Character Corridor and new development will require a 50' landscape buffer included in the 65' building setback (65' total Northeast frontage). The rear and side yard setbacks are 15'. The M-1 zoning allows development of fast-food restaurants under a Special Use Permit. The required parking for this site is one parking space per every 4 seats based upon maximum seating capacity allowed. The store will provide nineteen (19) parking spaces with two (2) being designated handicapped. Parking requirements can be met with the standard circulation patterns and a double lane order configuration.

**COMPREHENSIVE PLAN:** The new Lightfoot Marketplace and the adjacent properties - including the McDonald's parcel - are zoned M-1. The James City County development goal for the Lightfoot Area west of Richmond Road is mixed-use with moderate density housing, commercial developments, and offices. The new Marketplace and McDonalds will share access and interior circulation, and encourage destination driving patterns. McDonalds anticipates that any increased traffic will be generated within the shopping complex. Development plans will attempt to provide consistency for landscaping and exterior building treatments. Route 60, Richmond Road has been designated a Community Character Corridor. A 50 foot landscape buffer will be respected along the Richmond Road frontage that will decrease the percentage of impervious surface on the site.

**BUILDING:** The prototype building proposed for this site will be the 4587 model yielding approximately 4,000 gross square feet with approximately 74 seats. The proposed building will replace an existing 84 series building circa 1985.

The new construction will adhere to James City County Building and Safety and Permits Division code requirements and the Virginia Uniform Statewide Building Code. Existing utilities include sewer and water (James City Service Authority), gas (Virginia Natural Gas) and power (Virginia Power).

McDonald's - Exterior Colors  
Log Cabin Scheme



Note: Any substitutions or use of materials & colors not shown require specific brand review approval

## Material & Colors:

<b>A</b> Arcade			
<b>B</b> Base Building			
<b>C</b> Accent - Drive Thru			
<b>D</b> Parapet			

Updated: February 2013

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**TRAFFIC IMPACT STUDY:** Ingress/egress for this site is through common access with the adjacent property (formally Williamsburg Outlet Mall). This retail space is currently closed. A development is planned, and a SUP has been submitted to demolish the existing structures and build several individual retail stores, collectively named the Lightfoot Marketplace. On behalf of McDonald's USA, LLC, we will be requesting that the County grant a waiver to County Code Sec. 24-23, (a), (1), a., that requires a traffic impact analysis for "projects that expect to generate 100 or more weekday peak hour trips". The redevelopment of the site will result in a decrease in building size and seating capacity. As presented in the enclosed memorandum from Dexter Williams of DRW Consultants, LLC, this change in square footage and seating will produce either no measurable traffic impact or a reduction in traffic impact (letter report from DRW Consultants, LLC attached). Analysis indicates that any increase in visits will be internal to the proposed shopping center.

**WATER AND SEWER IMPACTS:** Water and sewer is provided by James City County Service Authority. There are no increases in service anticipated. The HRUBS account summary for this site in March of 2014 shows a water usage of 49,000 gallons, or an average daily use of 1,581 gallons. Water is provided via a 1½" meter from a 12" water main on the west side of Richmond Road. Wastewater is collected in an on-site lift station and discharged to JCCSA force main on the east side of Richmond Road.

**PUBLIC FACILITIES:** It is not anticipated that this project will increase the need for public facilities.

**HISTORICAL AND ARCHAEOLOGICAL:** There are no known historical or archaeologically sensitive elements to this site.

## ENVIRONMENTAL CONSTRAINTS ANALYSIS:

- I. **Hydrologic:** The McDonalds parcel is located in the upper Yarmouth watershed at the edge of the Powhattan watershed. Storm drainage is primarily via sheet flow. Drainage along Richmond Road is via open ditches from the south into a flared end section, 15" RCP. The pipe carries flow to the west and discharges via a 24" RCP into an open channel that then carries the flow to a storm water management pond behind the Liberty Crossing Development. Stream flow is intermittent until connection with Yarmouth Creek below Deer Lake. After development of the Lightfoot Marketplace a small amount of the flow around the entrance to the McDonalds site (less than 2%) will be routed into the Marketplace storm system that discharges in the Powhattan watershed. There are no known tidal or non-tidal wetlands, sinkholes, or springs on the site. Flood maps place the McDonalds parcel in the "X" floodplain, meaning a small statistical risk of flooding in the 100 year return interval storm event.
- II. **Physical Features:** The site currently is an existing McDonald's restaurant with a developed parking lot. We are reducing impervious and staying within the existing footprint of the

## Community Impact Statement

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development. The site is about 50% Craven-Fine Sandy Loam and 50% Kempsville-Emporia Fine Sandy Loam as taken from "Soil Survey of James City and York Counties and the City of Williamsburg". The Phase I Environmental Report conducted in June of 2014 revealed no evidence of Recognized Environmental Conditions (REC), Historical Recognized Environmental Condition (HREC), or Controlled Recognized Environmental Conditions (CREC) in connection with the Property.

**III. Prohibited Areas:** There are no identifiable wetlands, the site is not in a RPA/RMA zone, and contains no slopes of greater than 25%. Flood maps place the McDonalds parcel in the "x" floodplain, meaning a small statistical risk of flooding in the 100 year return interval storm event. As part of the proposed redevelopment, McDonald's is going to maintain the 50ft landscape buffer along Richmond Road to match the Marketplace. In addition, we intend to preserve the existing mature trees on the McDonald's as much as possible and incorporate them into the design of the new store.

**IV. Existing and Proposed Changes to the Site:** As discussed, there is an existing McDonald's restaurant on the parcel (ID 2430100063). The parcel as developed is 1.58 acres and has high percentage of impervious cover. The parcel is adjacent to Richmond Road (State Route 60, four lane divided) at the intersection with Lightfoot Road. The Lightfoot Road and Richmond Road intersection has traffic light control and left hand turn lanes. The McDonald's parcel is bounded by the property formally known as the Williamsburg Outlet Mall to the south and west, Richmond Road to the east, and the Howard Johnson Hotel to the North. Major ingress/egress to the McDonalds is via common access through the Williamsburg Outlet Mall at the signalized intersection of Richmond Road and Lightfoot Road. Ingress/egress is also possible through the common access road between the McDonalds parcel and the Howard Johnson Hotel. A new development by Armada Hoffer – the Lightfoot Marketplace - has been proposed to take the place of the old Williamsburg Outlet Mall (Special Use Permit C 0014-2013). The existing Outlet Mall building would be demolished and replaced with six freestanding commercial buildings (total 136,500 SF) to include a grocery and pharmacy convenience store.

The proposed limit of disturbance is approximately 1.6 acres. We will be demolishing all of the existing building and parking lot maintaining strict erosion and sediment controls as required. E&S controls include, but are not limited to, silt fence, construction entrances, inlet protection and tree protection. As previously mentioned, we intend to preserve as much of the existing landscaping as possible.

Regarding stormwater, the new development will reduce the existing impervious area by 30%. This reduction will allow McDonald's to more than meet the new Virginia Runoff Reduction Method (VRRM) for stormwater quantity and quality. The runoff for the site will be collected and routed through the same system as currently is used. The stormwater

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*Case No. C-0016-2014 McDonalds at Lightfoot Upgrades (SIN 045-0257)*

management plan will be further developed during the site plan design to include best management techniques if required.

### **V. Narrative of Environmental Constraints:**

See Above.





**MEMORANDUM**

TO: Tim Clarke, Blakeway Corporation  
 FROM: Dexter R. Williams, P.E.  
 SUBJECT: Trip Generation For Lightfoot McDonald's  
 DATE: July 25, 2014

Pursuant to your request, this memorandum presents a comparison of trip generation for the existing and proposed McDonald's site at Lightfoot in James City County. Trip generation is calculated using Trip Generation, 9th Edition (TG9), published by the Institute of Transportation Engineers (ITE). There are two variables for fast food with drive through trip generation: building square footage and seating.

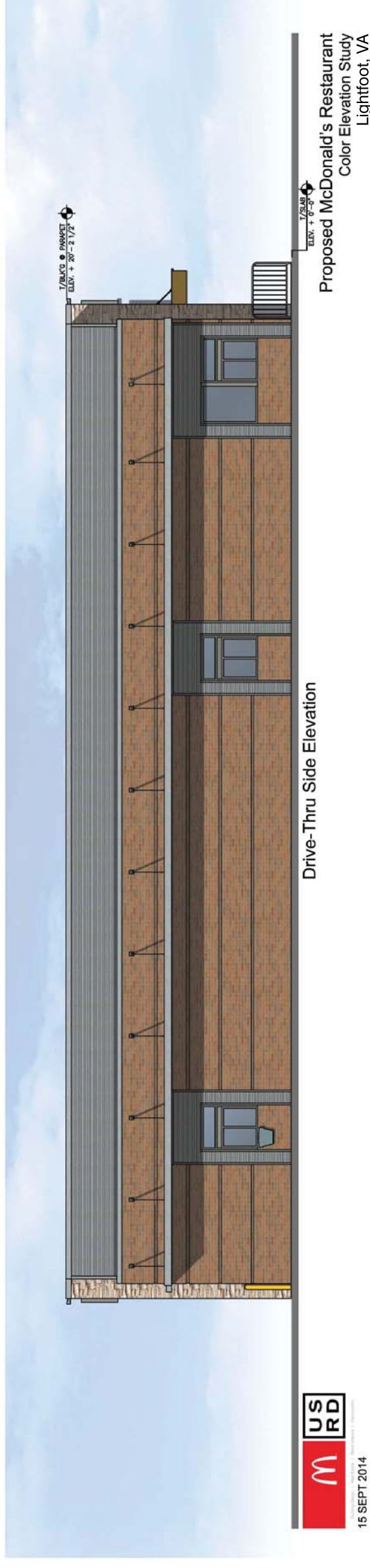
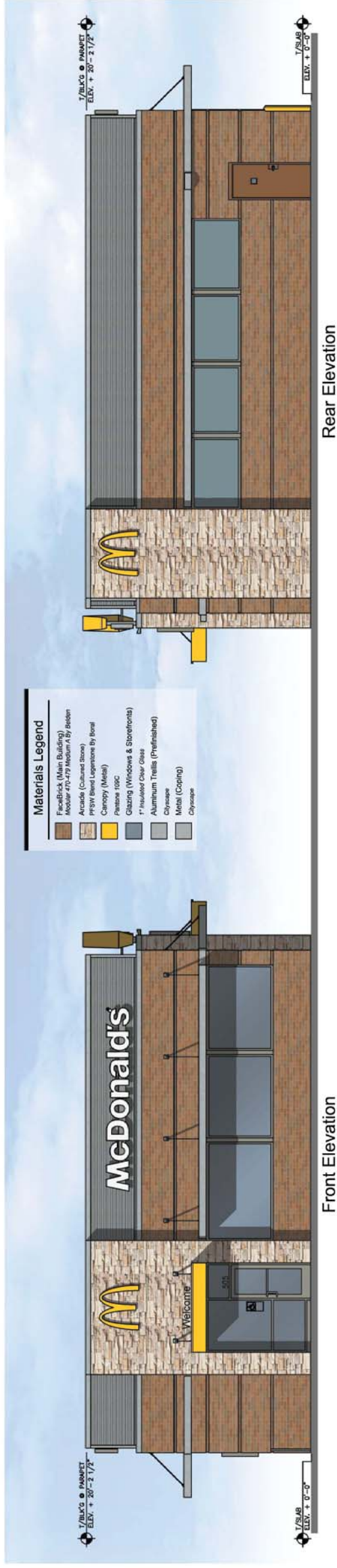
The following table presents trip generation using both variables for the existing McDonald's site and the proposed site:

**TABLE 1 - LIGHTFOOT MCDONALD'S WEEKDAY TRIP GENERATION**

		LAND USE			WEEKDAY TRIP GENERATION						
					AM PEAK HOUR			PM PEAK HOUR			
	LAND USE	CODE	OTHER UNITS		Enter	Exit	Total	Enter	Exit	Total	DAILY
Existing	FF w/Dr. Thru	934	4,346	sq. ft.	100	97	197	74	68	142	2156
Proposed	FF w/Dr. Thru	934	4,365	sq. ft.	101	97	198	74	69	143	2166
		Change:	19	sq. ft.	1	0	1	0	1	1	10
Existing	FF w/Dr. Thru	934	200	seats	135	119	254	101	89	190	3904
Proposed	FF w/Dr. Thru	934	74	seats	50	44	94	37	33	70	1444
		Change:	-126	seats	-85	-75	-160	-64	-56	-120	-2460

As shown in Table 1, there is a 19 square foot increase in the building size from existing to proposed. This results in one additional trip in the AM and PM peak hours. There is a 126 seat decrease in the number of seats with a reduction of 120 trips in the PM peak hour and a reduction of 160 trips in the AM peak hour. Building square footage is the preferable trip generation variable.

**SUMMARY AND CONCLUSION:** The preferable variable (square footage) produces only 1 vehicle per hour increase. This increase in traffic is infinitesimally small and would show no change in traffic operation results. The other variable (seats) is actually declining. There is no reason for a traffic impact study that will show either no change in traffic operations or a reduction in traffic impact.



New Cases for October

Case Type	Case Number	Case Title	Address	Description	Planner	District
Conceptual Plan	C-0053-2014	5425 Discovery Park Blvd., Assisted Living Facility	5425 DISCOVERY PARK BLVD	Proposed 96 unit assisted living facility in New Town	Leanne Pollock	Jamestown
	C-0054-2014	9355 Richmond Rd., James Smith	9355 RICHMOND ROAD	Proposal to construct a second single family dwelling on a lot with an existing dwelling	Luke Vinciguerra	02-Powhatan
	C-0055-2014	3116 Ironbound Rd. Rezoning	3116 IRONBOUND ROAD	Request to rezone existing parcel from R-8 to B-1. Would like to keep in use as a business/contractor's office and warehouse with possibly a retail component.	Leanne Pollock	03-Berkeley
	C-0056-2014	7550 Church Ln. Subdivision	7550 CHURCH LANE	Application proposes subdividing parcel into 5 lots	Jennifer VanDyke	01-Stonehouse
	C-0057-2014	8401 Croaker Rd. Subdivision	8401 CROAKER ROAD	Subdivide parcel into eight three acre lots and one 22 acre lot. 3 separate shared driveways as access points. Private well and septic.	Leanne Pollock	01-Stonehouse
	C-0058-2014	McClure U-Haul Rental	3707 ROCHAMBEAU DR	Proposal for renting U-Haul, trailers and storage boxes	Scott Whyte	01-Stonehouse
	C-0059-2014	Liberty Ridge, Secondary Entrance Monument Sign	5561 CENTERVILLE RD	Proposal to construct brick monument sign at second entrance	Jose Ribeiro	02-Powhatan
	C-0060-2014	Williamsburg Unitarian Universalists Expansion	3051 IRONBOUND ROAD	Proposal to expand sanctuary and parking and require an SUP	Leanne Pollock	03-Berkeley
	C-0061-2014	Cox Communications, Utilities at 3915 Ethan Ln.	3915 ETHAN LANE	Installation of Cox services, placement of Cox power supply and fiber optice node	Luke Vinciguerra	01-Stonehouse
	C-0062-2014	Ryepatch Farm, 2307 Bush Neck Rd Overhead Utility Waiver	2307 BUSH NECK ROAD	Overhead utility waiver request to serve a proposed new dwelling. Will require DRC review of Subdivision Ordinance Exception Request.	Luke Vinciguerra	02-Powhatan
	C-0063-2014	The Settlement at Powhatan Creek Ph. 3 Utility Crossing	4101 MONTICELLO AVENUE	Proposed utility installation impacting 2,403 SF of a Natural Open Space easment	Luke Vinciguerra	03-Berkeley
Subdivision	S-0043-2014	White Hall, Sec. 4	3401 ROCHAMBEAU DR	Proposal for 48 Townhomes and 47 single family detached lots	Luke Vinciguerra	01-Stonehouse
	S-0044-2014	148 and 150 Alwoodley BLA	150 ALWOODLEY	Minor property line adjustments.	Jose Ribeiro	02-Powhatan
	S-0045-2014	Cottages at Stone Haven, Ph. 2 Lots 1-11, 28-37	201 NECK-O-LAND RD	Final plat of 21 lots off of Neck-O-Land Road. Subdivision formerly known as McFarlin Park	Leanne Pollock	03-Berkeley
	S-0046-2014	The Settlement at Powhatan Creek, Ph. 1, Lot 104, Plat of Correction	4038 RIVER MOOR	Adjusts rear setback line from 5 feet to 1 foot.	Chris Johnson	03-Berkeley
	S-0047-2014	5700 Williamsburg Landing Dr. and 20 Marclay Rd BLA	20 MARCLAY ROAD	Lot line adjustment to include a 50' ingress/egress easement to be located within Williamsburg Landing property	Jose Ribeiro	05-Roberts
	S-0048-2014	The Settlement at Powhatan Creek, Cooper Nace BLA	4105 COOPER NACE	Boundary line adjustment for 3 lots	Luke Vinciguerra	03-Berkeley
	S-0049-2014	The Settlement at Powhatan Creek, Tufton BLA	4112 TUFTON	Boundary line adjustments for 3 lots	Luke Vinciguerra	03-Berkeley
	S-0050-2014	3033 Chickahominy Road BLE	3033 CHICKAHOMINY RD	Boundary line extinguishment for the purpose of putting a modular home on the property	Leanne Pollock	01-Stonehouse

New Cases for October

Case Type	Case Number	Case Title	Address	Description	Planner	District
Site Plan	SP-0072-2014	Mid County Park Skate Rink	3793 IRONBOUND ROAD	Parks and Recreation will be operating a seasonal (Nov to March) synthetic skate rink that will be placed on top of the existing basketball courts. The installation of the rental hut results in less than 2500 SF of land disturbance.	Leanne Pollock	03-Berkeley
	SP-0073-2014	The Spa at Kingsmill Resort Addition SP Amend.	KINGSMILL ROAD	Proposed enclosed addition to existing spa building and new deck	Jennifer VanDyke	05-Roberts
	SP-0074-2014	White Hall, Sec. 4	3401 ROCHAMBEAU DR	Proposing 48 Townhomes and 47 single-family detached lots	Luke Vinciguerra	01-Stonehouse
	SP-0075-2014	Warhill Sidewalks and Fencing Addition	5700 WARHILL TRAIL	Sidewalk and fencing addition	Scott Whyte	02-Powhatan
	SP-0076-2014	8306 Barons Ct. - Season Sunroom	8306 BARON'S COURT	Enclose existing 10 x 16 screen with glass for 3 season sunroom.	Luke Vinciguerra	02-Powhatan
	SP-0077-2014	Jacobs Industrial Center Parcel 7	190 INDUSTRIAL BLVD	Two proposed office/warehouse facilities, one storage facility, 69 gravel parking spaces and 4 paved handicap spaces. Water and sewer service to connect to existing JCSA utilities on Industrial Blvd.	Luke Vinciguerra	01-Stonehouse
	SP-0078-2014	Williamsburg Landing Addition SP Amend. - 3021 Willowspring Ct.	5700 WILLIAMSBURG LANDING DR	Converting existing screened porch to sunroom and adding new deck	Luke Vinciguerra	05-Roberts
	SP-0079-2014	HRSD 300 Ron Springs Tower	300 RON SPRINGS DR	HRSD is developing a microwave based Wide Area Network (WAN) between their treatment plants & operations center. Tower will be 134' in height with microwave dishes & UHF omni directional & lighting rod & availability for collocators. Refer to SUP-2-14.	Leanne Pollock	05-Roberts
Special Use Permit	SUP-0009-2014	Kings Garden Contractor's Office and Warehouse	8850 MERRY OAKS LANE	Proposal for the establishment of a contractor's office and warehousing for a landscape business	Jose Ribeiro	01-Stonehosue
	SUP-0010-2014	Williamsburg Landing SUP Amendment	5560 WILLIAMSBURG LANDING DR	Request for extension of project commencement deadline provided for in SUP-0005-2011.	Jose Ribeiro	05-Roberts
	SUP-0011-2014	McDonalds at Lightfoot Upgrade	6473 RICHMOND ROAD	Reconstruction of existing drive-thru, elevations, and layout of McDonalds restaurant in Lightfoot	Leanne Pollock	01-Stonehouse

## PLANNING DIRECTOR'S REPORT

October 2014

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

- **New Town.** The Design Review Board did not hold a meeting in September. The DRB did consider the following items electronically: planting plans for several single-family detached homes in Section 7, several sign permits, minor alterations to a crosswalk in Section 9, color palettes for Village Walk townhomes and draft conceptual elevations and site layout for an assisted living facility at the end of Discovery Park Blvd. The next regular DRB meeting is scheduled for November 13.
- **Longhill Road Corridor Study.** The study is scheduled to be presented to the Board of Supervisors on October 14th.
- **Mooretown Road Corridor Study.** The next public meeting is anticipated to take place on October 20 from 7 p.m. to 9 p.m. at Norge Elementary School. At that time, VHB will solicit public input and comment on a first set of alignment alternatives.
- **Rural Lands.** The Rural Economic Development Committee (REDC) and the project consultant from ERM are currently finalizing the report on rural economic development opportunities and projects. The REDC met at the end of September to review the final draft. This report will also be used to inform the pertinent sections of the Comprehensive Plan and GSAs. Staff and a member of the REDC will also be presenting a session at the Rural Planning Caucus in October regarding the AFID grant process and experience.
- **Comprehensive Plan.** The Planning Commission Work Group met in September to discuss Housing, Public Facilities and Community Character. October meeting topics include:
  - Oct. 2                      Economic Development and Land Use
  - Oct. 16                     TransportationThere will also be a joint work session with the Board of Supervisors on October 23 to discuss the all of the draft section text considered by the Planning Commission Work Group to date along with a broader discussion of the Primary Service Area.
- **Monthly Case Report.** For a list of all cases received in the last month, please see the attached documents.
- **Board Action Results:**
  - September 9, 2014
    - Case Nos. ZO-0001-2014, ZO-0002-2014, ZO-0003-2014, Zoning Ordinance Amendments for the Keeping of Chickens in R-2, General Residential, and R-3, Residential Redevelopment Zoned Areas of the County (Approved Alternate Resolution, 3-2; Approved in R-2, 3-2; Failed in R-3, 2-3)
    - Case No. AFD-01-89-1-2014, Armistead Agricultural & Forestal District Renewal (Approved 5-0)
    - Case No. AFD-05-86-1-2014, Barnes Swamp Agricultural & Forestal District Renewal (Approved 5-0)
    - Case No. AFD-01-02-1-2014, Carter's Grove Agricultural & Forestal District Renewal (Approved 5-0)

- Case No. AFD-10-86-1-2014, Christenson's Corner Agricultural & Forestal District Renewal (Approved 5-0)
- Case No. AFD-02-86-1-2014, Croaker Agricultural & Forestal District Renewal (Approved 5-0)
- Case No. AFD-09-86-1-2014, Gordon Creek Agricultural & Forestal District Renewal (Approved 5-0)
- Case No. AFD-12-86-1-2014, Gospel Spreading Church Farm Agricultural & Forestal District Renewal (Approved 5-0)
- Case No. AFD-03-86-1-2014, Hill Pleasant Farm Agricultural & Forestal District Renewal (Approved 5-0)
- Case No. AFD-07-86-1-2014, Mill Creek Agricultural & Forestal District Renewal (Approved 5-0)
- Case No. AFD-11-86-1-2014, Yarmouth Creek Agricultural & Forestal District Renewal (Approved 5-0)
- Case. No. AFD-06-86-1-2014, Cranston's Pond Agricultural and Forestal District Renewal (Approved 5-0)
- Case No. AFD-07-86-2-2014, 8557 Diascund Road, Mill Creek Addition (Approved 5-0)
- Case No. SUP-0006-2014. 2604 John Tyler Highway Public Sewer Connection (Failed 2-3)