

**AGENDA**  
**JAMES CITY COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
**COUNTY GOVERNMENT CENTER BOARD ROOM**  
**101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185**  
**February 7, 2024**  
**6:00 PM**

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- A. CALL TO ORDER**
- B. ROLL CALL**
- C. PUBLIC COMMENT**
- D. REPORTS OF THE COMMISSION**
- E. CONSENT AGENDA**
  - 1. Minutes of the January 3, 2024 Regular Meeting
- F. PUBLIC HEARING(S)**
- G. PLANNING COMMISSION CONSIDERATIONS**
  - 1. Z-23-0010. Luck Stone Toano Proffer Amendment
- H. PLANNING DIRECTOR'S REPORT**
  - 1. Planning Director's Report February 2024
- I. PLANNING COMMISSION DISCUSSION AND REQUESTS**
- J. ADJOURNMENT**

**MINUTES**  
**JAMES CITY COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
**COUNTY GOVERNMENT CENTER BOARD ROOM**  
**101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185**  
**January 3, 2024**  
**6:00 PM**

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**A. CALL TO ORDER**

Mr. Polster called the meeting to order at 6 p.m.

**B. ROLL CALL**

**Planning Commissioners Present:**

Frank Polster  
Rich Krapf  
Tim O'Connor  
Jack Haldeman  
Rob Rose  
Barbara Null  
Stephen Rodgers

**Staff Present:**

Susan Istenes, Director of Planning  
Liz Parman, Deputy County Attorney  
Josh Crump, Principal Planner  
Suzanne Yeats, Planner  
Amanda Frazier, Community Development Assistant

**C. PUBLIC COMMENT**

Mr. Polster opened Public Comment.

As no one wished to speak, Mr. Polster closed Public Comment.

**D. REPORTS OF THE COMMISSION**

Mr. Rodgers stated that the Development Review Committee (DRC) met on December 15, 2023.

Mr. Rodgers stated that the DRC discussed C-23-0038, 8425 Croaker Road Shared Driveway Exception Request. Mr. Rodgers stated that staff had previously reviewed the application in relation to the County's Subdivision Ordinance and found this minor subdivision failed to meet the required criteria. Mr. Rodgers stated that the Virginia Department of Transportation (VDOT) had recommended against the proposed shared driveway as it would create an additional entrance onto Croaker Road. However, VDOT has resolved its concerns and retracted its opposition to the shared driveway as it has been proposed to be changed.

Mr. Rodgers stated that the DRC expressed concerns about several factors regarding minor subdivisions such as this which are not subject to stormwater criteria. The DRC expressed concerns about the creation of additional impervious cover and the loss of the existing natural

tree and landscape buffer which now directly abuts Croaker Road. Mr. Rodgers stated that there was further concern for the existing proposed driveway, as it would have a pronounced sharp right turn from one direction and an even more foreboding turn if approached from the other direction, which would be difficult for emergency vehicles to navigate. Mr. Rodgers stated that there was further discussion on setbacks, noting the forestal area that fronts the property and the current rural look. Mr. Rodgers noted that the DRC saw lasting benefit to saving the existing trees and the natural pervious cover. Mr. Rodgers stated that the DRC examines each situation on a case-by-case basis, and with the considered combination of circumstances previously enumerated, the DRC believes that the risk of setting an unintended precedent is minimal.

Mr. Rodgers stated that a motion was made to recommend approval of the exception request with a condition to the Planning Commission. Mr. Rodgers stated that the motion passed by a vote of 4-0.

Mr. Rodgers stated that there was further discussion on the need to fill two imminent DRC vacancies. There was general discussion on non-vehicular mobility in the County and the VDOT controlled speed limits on rural roads which are seeing increased bicycle traffic. Mr. Rodgers stated that he felt there may be a future petition to VDOT to lower some speed limits, as that has been done previously on Route 30 at Stonehouse.

#### **E. CONSENT AGENDA**

1. Minutes of the December 6, 2023, Regular Meeting
2. Development Review Committee Action Item: C-23-0038. 8425 Croaker Road Shared Driveway Exception Request
3. Resolution of Appreciation - Ms. Barbara Null
4. Resolution of Appreciation - Dr. Rob Rose
5. Resolution of appreciation - Mr. Rich Krapf

Mr. Haldeman requested to discuss C-23-0038. 8425 Croaker Road Shared Driveway Exception Request.

Mr. Polster called for a vote on the remaining items on the Consent Agenda. On a voice vote, the Commission voted to approve the Minutes of the December 6, 2023, Regular Meeting, the Resolution of Appreciation - Ms. Barbara Null, the Resolution of Appreciation - Dr. Rob Rose, and the Resolution of Appreciation - Mr. Rich Krapf. (7-0)

Mr. Polster opened discussion of C-23-0038. 8425 Croaker Road Shared Driveway Exception Request

Mr. Haldeman stated that the proposed exception request did not meet the County's Ordinance exceptions. Mr. Haldeman inquired if the driveway could run between the property lines of Lots 5 and 6.

Mr. O'Connor stated that the proposed exception request did not meet the County's Ordinance exceptions and believes the Lots could be reconfigured.

Mr. Krapf inquired about the reason for the exception request for just one lot in the subdivision.

Ms. Suzanne Yeats, Planner, stated that lot 7, the lot requesting the exception, was originally connected to Lot 8 and Lot 9. However, according to historical information, it appears it was not possible to connect those lots due to Resource Protection Areas (RPAs). This created a flag lot for Lot 7 to connect to the shared driveway of Lot 1 through Lot 6. Due to the Ordinance requiring a shared driveway for subdivisions with three or more lots, Lot 7 had to connect to the originally proposed shared driveway.

Mr. Polster stated that Mr. Haldeman's suggestion would present problems with slopes and RPA.

Mr. Chase Grogg, LandTech Resources, Inc., noted that Lots 5 and 6 both have RPA wetlands as well as non-RPA wetlands. Mr. Grogg stated that building the driveway for Lot 7 between Lots 5 and 6 would require a wetlands permit from the United States Army Corps of Engineers and would impact wetlands in that location. Mr. Grogg stated that the proposed exception request would reduce impervious cover as well as disturbance in the area.

Mr. Polster inquired about how many feet of impervious surface would be created by the original design.

Mr. Grogg stated that the original design would create approximately 400 extra feet of impervious surface as opposed to the proposed design.

Mr. O'Connor inquired about the usage of the flag stem portion of Lot 7 if the exception was approved.

Mr. Grogg stated the flag stem would remain attached to Lot 7, but it will become a 25-foot, no access easement to prevent an additional access point to the property and Croaker Road.

Mr. Polster stated minor subdivisions in rural subdivisions are by-right. Mr. Polster further stated that minor subdivisions are not subject to stormwater regulations. Mr. Polster raised concerns about the RPAs and drainage areas with no stormwater mitigations in place to counter the additional impervious cover that would be created by the original design. Mr. Polster stated that the removal of the trees and the additional impervious cover would reduce water retention and destroy the existing rural character of this lot.

Mr. Polster stated that other options were considered, such as moving the driveway to Lot 5 and Lot 6 boundary line. However, the RPAs make these options nonviable.

Mr. Krapf stated his concerns about voting against the Ordinance and would not recommend approval for that reason.

Discussion ensued between Mr. O'Connor and Mr. Polster about the requirements of minor subdivisions.

Mr. Krapf made a motion to deny the DRC action.

On a roll call vote, the Commission voted to deny the DRC Action Item C-23-0038 as shown in the submitted exhibit. (4-3)

Mr. Polster presented a Resolution of Appreciation to Commissioner Ms. Barbara Null for her service to the Planning Commission.

Ms. Null thanked the Planning Commission members and staff.

Mr. Polster presented a Resolution of Appreciation to Commissioner Dr. Rob Rose for his service to the Planning Commission.

Dr. Rose thanked the Planning Commission members and staff.

Mr. Polster presented a Resolution of Appreciation to Commissioner Mr. Rich Krapf for his service to the Planning Commission.

Mr. Krapf thanked the Planning Commission members and staff.

**F. PUBLIC HEARING**

There were no items for Public Hearing.

**G. PLANNING COMMISSION CONSIDERATIONS**

There were no items for consideration.

**H. PLANNING DIRECTOR'S REPORT**

1. Planning Director's Report - January 2024

Ms. Istenes stated that she had nothing in addition to the report provided in the Agenda Packet. Ms. Istenes stated her appreciation for the service of Ms. Null, Dr. Rose, and Mr. Krapf on behalf of herself and staff.

**I. PLANNING COMMISSION DISCUSSION AND REQUESTS**

There were no items for discussion and requests.

**J. ADJOURNMENT**

Mr. Haldeman made a motion to adjourn.

The meeting was adjourned at approximately 6:37 p.m.

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Susan Istenes, Secretary

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Frank Polster, Chair

## MEMORANDUM

DATE: February 7, 2024  
TO: The Planning Commission  
FROM: Suzanne Yeats, Planner  
SUBJECT: Z-23-0010. Luck Stone Toano Proffer Amendment

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On May 11, 1994, the Board of Supervisors approved a conditional rezoning of the properties shown on a plat entitled, "Cokes Lane Rezoning Legend" (Attachment No. 2) to include the following:

- 20.68 acres, from A-1, General Agricultural, and R-1, Limited Residential, to A-1, General Agricultural with Proffers and R-1, Limited Residential with Proffers ("The A-1/R-1 Property").
- 20.39 acres, from A-1, General Agricultural, and R-1, Limited Residential with Special Use Permits (SUP-14-85, 4-89, and 14-90) to M-2, General Industrial with Proffers ("The M-2 Property").
- 32 acres, from A-1, General Agricultural with Special Use Permits (SUP-14-85, 4-89, and 14-90) to M-1, Limited Business/Industrial with Proffers ("The M-1 Property").

As a part of the existing proffers (Attachment No. 3), the following sections, "Proffers - The M-2 Property; 3. Industrial Access Road" and "Proffers - The M-1 Property; 6. Industrial Access Road", include certain conditions that require the dedication of the internal Industrial Access Road 50 feet in width, to the Virginia Department of Transportation (VDOT) as a public use road, in accordance with the standards published by VDOT for similar industrial access roads.

Since 1994, operations at this facility have grown and the owners have acquired additional property along Cokes Lane. Luck Stone is now the sole user of the internal Industrial Access Road (locations: 7734 Richmond Road [Tax Map No. 1330100001] and 3920 Cokes Lanes [Tax Map No. 1330100009]) from where it begins on U.S. Route 60. The internal roadway does not serve any other adjoining property owner. As part of a recent plan review for additional on-site improvements proposed by Luck Stone, staff brought the current Proffer requirement to the attention of the property owner.

The applicant, Ms. Kimberly Shepherd of Troutman Pepper, LLP, has now applied on behalf of Luck Stone Corporation to amend Nos. 3 and 6 of the Existing Proffers to remove the requirement to dedicate the access road for public use in accordance with the standards published by VDOT for similar industrial access roads, and the requirement for a 50-foot minimum right-of-way width. Specifically, this proposed amendment would change both Proffer No. 3 ("Proffers - The M-2 Property"), and Proffer No. 6 ("Proffers - The M-1 Property") to read:

**"Industrial Access Road:**

*The road providing direct access from U.S. Route 60 to the M-1 Property and the M-2 Property shall be constructed by the Owner(s) of the M-1 Property and the M-2 Property. This road shall be approximately 1300' to 1500' in length and be constructed with not less than 24' of paved surface. The road improvements shall also include moving the existing median break on U.S. Route 60 approximately 50 feet west to meet the access road and installing an eastbound left turn storage lane and taper and a westbound right turn storage lane and taper on U.S. Route 60. The length of all storage lanes and tapers shall be determined by the Virginia Department of Transportation.*

*The industrial access road, water service lines and sewer lines and/or force mains may be constructed in phases in accordance with approved plans of development. Upon completion of each phase, said utility lines will be dedicated to the James City Service Authority.”*

No other changes are proposed as part of this application and on January 22, 2024, VDOT informed staff it has no objections to this proposed proffer amendments.

The other safety-related improvements required by the current proffer language, including a median break on Richmond Road, an eastbound left-turn storage lane and taper, and a westbound right-turn storage lane and taper are all currently in place.

Section 15.2-2302 of the Code of Virginia (1950), as amended, allows the Board of Supervisors to waive the requirements for a public hearing where such amendments do not affect conditions of use or density. This application does not affect conditions of use or density. As such, the Board of Supervisors voiced no objection to the applicant’s request to consider amending these proffers as a consideration item.

### **Recommendation**

Staff finds that the condition of the existing industrial road leading to aggregate stockpiles and other operations germane to Luck Stone Toano are currently unsuitable for general public access or use. The current internal industrial driveway was not constructed to VDOT standards, and it also does not meet the requirements necessary for VDOT to accept the road into the public system (e.g., the roadway must serve at least three separate property owners, which the current drive does not). Staff also finds the proposed proffer amendment would not negatively impact surrounding property owners. Staff therefore recommends the Planning Commission recommend approval of the amended proffers to the Board of Supervisors (Attachment No. 4).

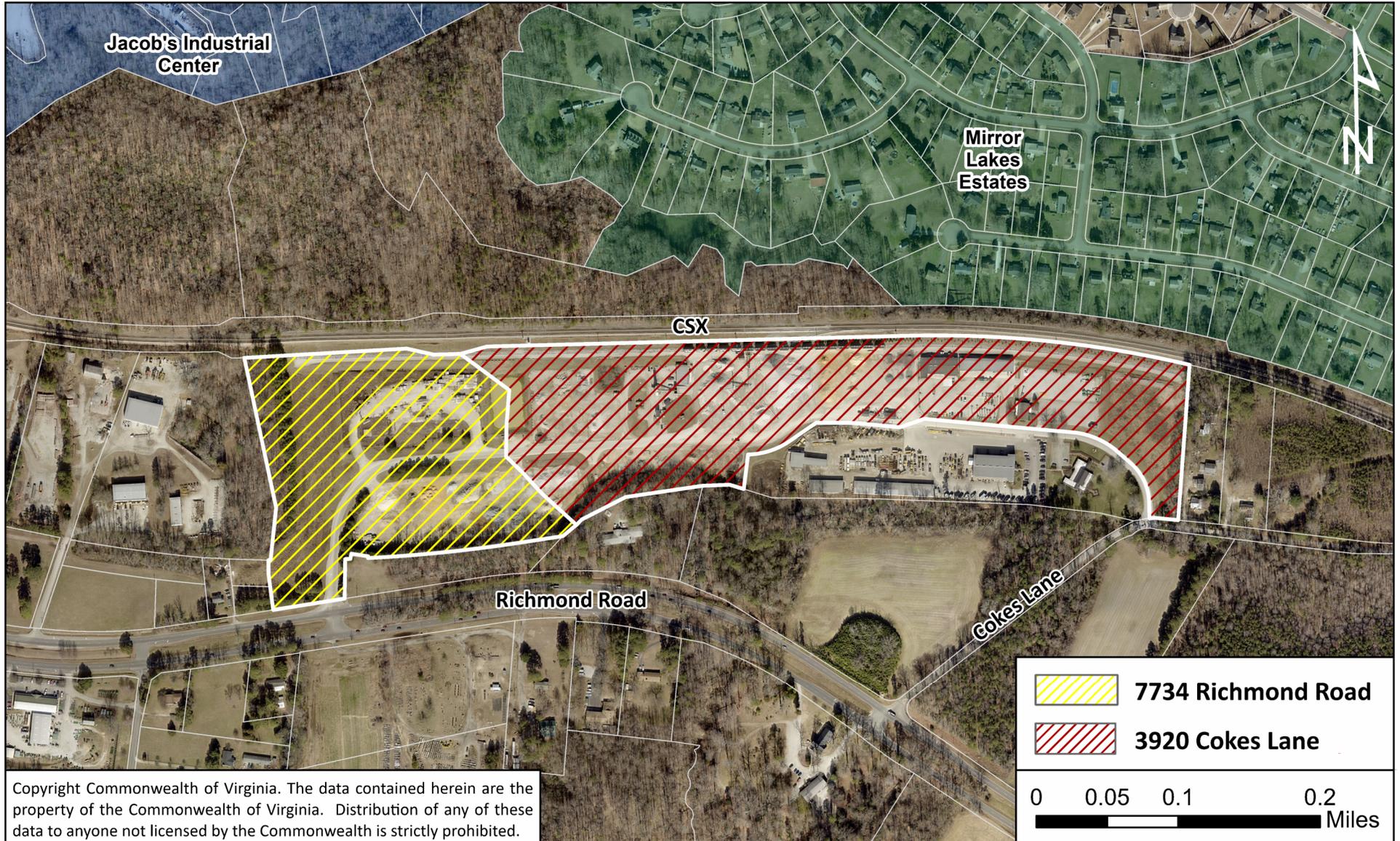
SY/md

Z23-10LuckProfAmd-mem

#### Attachments:

1. Location Map
2. Cokes Lane Rezoning Legend
3. Existing Proffers\_5-11-1994
4. Amended Proffers\_1-23-2024

**JCC-Z-23-0010**  
**7734 Richmond Road**  
**3920 Cokes Lane**  
**Luck Stone Toano Proffer Amendment**



**FIGURE 2  
LAND USE MAP**

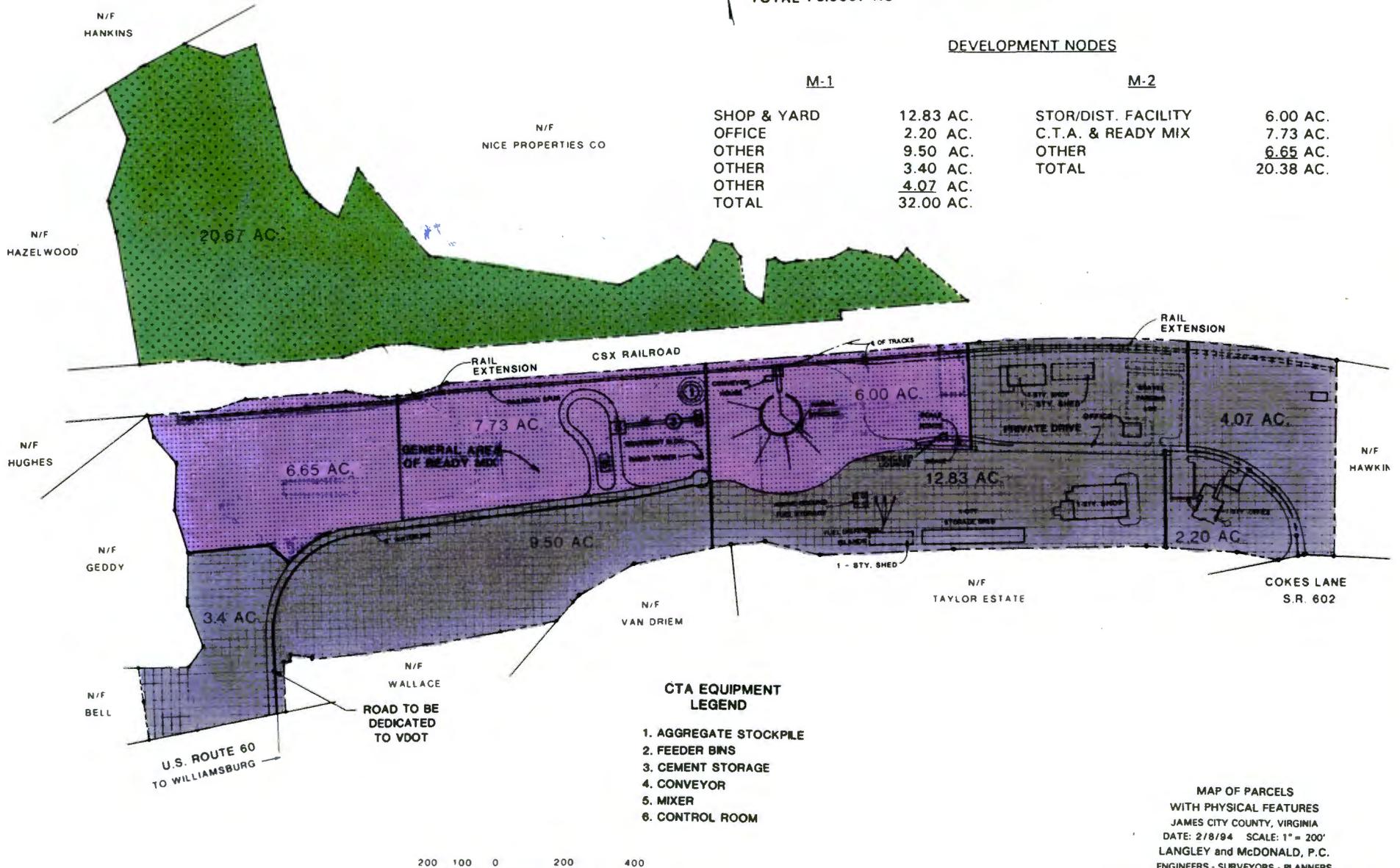
(13-3) (01-9)  
7-17-89

APPROX. AREA

20.3860 AC.	LIMITS OF M-2 ZONE W/ SUP
31.9997 AC.	LIMITS OF M-1 ZONE
20.6750 AC.	LIMITS OF A-1
<b>TOTAL 73.0607 AC</b>	

**DEVELOPMENT NODES**

M-1		M-2	
SHOP & YARD	12.83 AC.	STOR/DIST. FACILITY	6.00 AC.
OFFICE	2.20 AC.	C.T.A. & READY MIX	7.73 AC.
OTHER	9.50 AC.	OTHER	6.65 AC.
OTHER	3.40 AC.	<b>TOTAL</b>	<b>20.38 AC.</b>
OTHER	4.07 AC.		
<b>TOTAL</b>	<b>32.00 AC.</b>		



- CTA EQUIPMENT LEGEND**
1. AGGREGATE STOCKPILE
  2. FEEDER BINS
  3. CEMENT STORAGE
  4. CONVEYOR
  5. MIXER
  6. CONTROL ROOM



MAP OF PARCELS  
WITH PHYSICAL FEATURES  
JAMES CITY COUNTY, VIRGINIA  
DATE: 2/8/94 SCALE: 1" = 200'  
LANGLEY and McDONALD, P.C.  
ENGINEERS - SURVEYORS - PLANNERS  
LANDSCAPE ARCHITECTS - ENVIRONMENTAL CONSULTANTS  
VIRGINIA BEACH AND WILLIAMSBURG

**FIGURE 1  
LAND USE MAP**

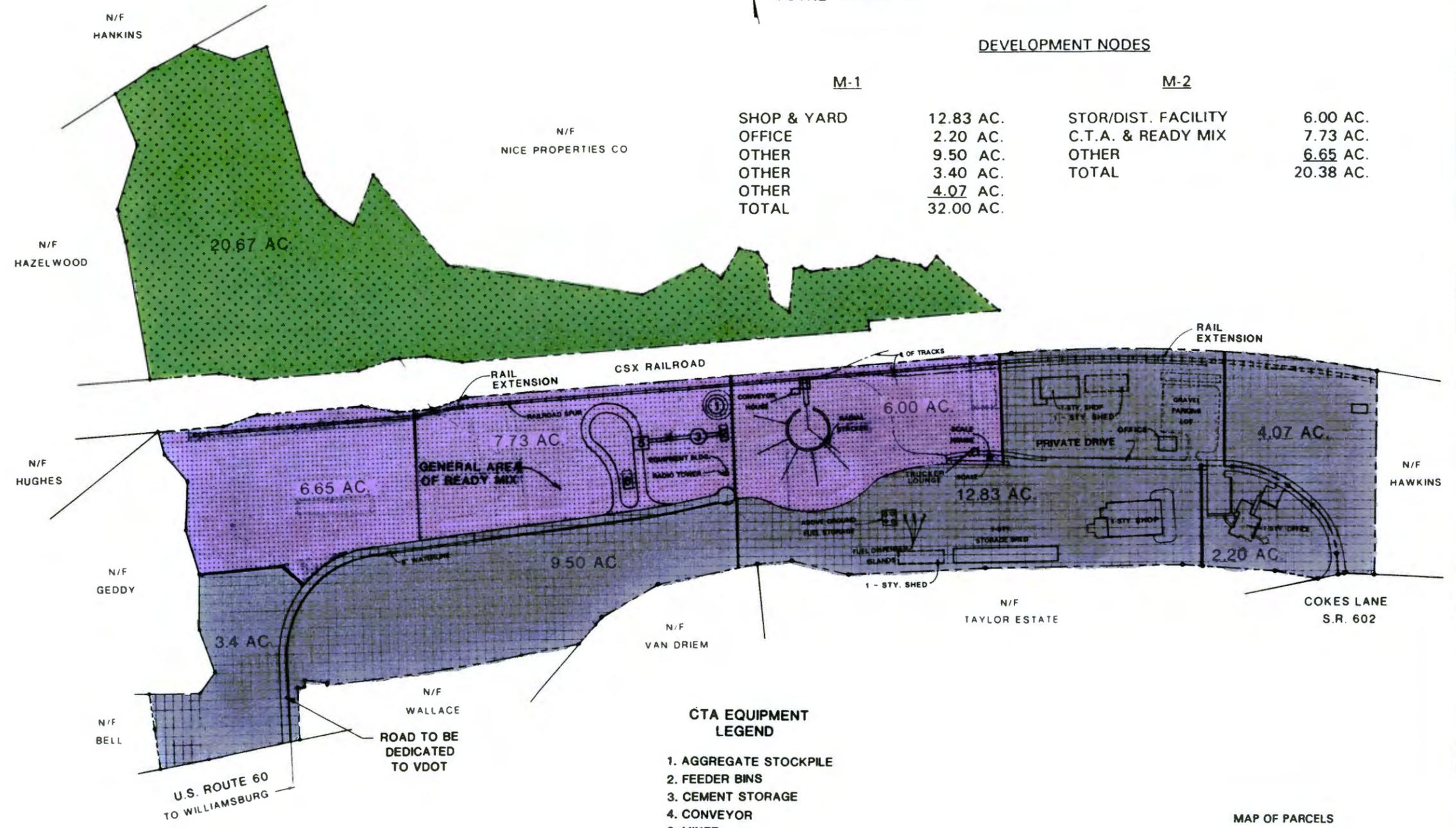
**APPROX. AREA**

20.3860 AC.
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	LIMITS OF M-2 ZONE W/ SUP
	LIMITS OF M-1 ZONE
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VIRGINIA BEACH AND WILLIAMSBURG

08224

**PROFFER AGREEMENT**

These Proffers are made as of the 11th day of May, 1994, by JACK L. MASSIE CONTRACTOR, INC., a Virginia Corporation, MASSIE CORPORATION, a Virginia Corporation and SLEEPY HOLLOW CORPORATION OF TOANO, a Virginia Corporation (collectively "the Owner" or "the Owners"), together with their respective successors and assigns, which Owners collectively own certain real property shown on the James City County Tax Map 13-3 as Parcels 1-1, 1-9, 1-9B and 1-14 and on Tax Map 12-4 as a portion of Parcel 1-40.

**RECITALS**

A. JACK L. MASSIE CONTRACTOR, INC. is the owner of certain real property in James City County, Virginia, more particularly described as follows:

All that certain parcel of land in James City County, Virginia, containing by survey 34.48 acres, shown and described on that certain plat entitled "TOPOGRAPHIC PLAT OF 34.48 ACRES FOR JACK L. MASSIE CONTRACTOR, INC., JAMES CITY COUNTY, VIRGINIA", which plat is dated April 3, 1980, made by Evans Surveying Co., P.C., a copy of which is recorded in James City County Plat Book 41, Page 5.

Being the same property conveyed to Jack L. Massie Contractor, Inc. by Deed dated June 18, 1985 from George A. Marston, Jr.; and Dorothy M. Marston, his wife, recorded in James City County Deed Book 274, Page 158, et. seq. on June 27, 1985.

MASSIE CORPORATION is the owner of certain real property in James City County, Virginia, more particularly described as follows:

All that certain tract or parcel of land situate, lying and being in Stonehouse Magisterial District, James City County, Virginia, fronting on Cokes Lane (State Route No. 602), containing 2.2076 Acres, shown and designated as "PARCEL B, AREA = 2.2076 ACRES" on plat of survey entitled, "PLAT OF PARCELS "A" & "B", BEING A SUBDIVISION OF PROPERTY STANDING IN THE NAME OF JACK L. MASSIE CONTRACTORS, INC., STONEHOUSE DISTRICT, JAMES CITY COUNTY", dated August 25, 1987, made by Langley and McDonald, P.C., Engineers, Planners, Surveyors, Virginia Beach and Williamsburg, Virginia, of record in the Clerk's Office of the Circuit Court for the City of Williamsburg and James City County, Virginia, in Plat Book 46, Page 59, to which plat reference is here made for a more accurate and particular description of the said property.

Together with a non-exclusive perpetual easement for ingress and egress over and along that fifty (50) foot street leading from Cokes Lane (State Route No. 602) in a generally northwesterly direction, shown and designated as "Entrance Road" on the plat of survey hereinabove referred to.

Being the same property conveyed to Massie Corporation by Deed dated May 27, 1988 from Jack L. Massie Contractor, Inc. recorded in James City County Deed Book 392, Page 556, et. seq. on May 31, 1988.

All that certain lot, piece or parcel of land situate, lying and being in Stonehouse District, County of James City, Virginia, containing  $17.257 \pm$  Acres, and designated as "PARCEL "C"  $17.257 \pm$  ACRES (FORMERLY PARCEL B)", as shown on that certain plat entitled, "PLAT OF PARCELS C and D STANDING IN THE NAME OF ALACO CORPORATION (D.B. 222, PG. 413) TO BE CONVEYED TO MASSIE CORPORATION, STONEHOUSE DISTRICT, COUNTY OF JAMES CITY, VIRGINIA," dated 9/21/88 and made by Langley and McDonald, P.C., Engineers, Planners, Surveyors, a copy of which plat is duly recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and the County of James City, Virginia, in Plat Book 49, Page 72, to which reference is here made.

Being a portion of the same property conveyed to Massie Corporation by Deed dated October 4, 1988 from Alaco Corporation recorded in James City County Deed Book 411, Page 90, et. seq., and James City County Deed Book 431, Page 503, et. seq. on October 7, 1988 and April 17, 1989, respectively.

SLEEPY HOLLOW CORPORATION OF TOANO is the owner of certain real property in

James City County, Virginia, more particularly described as follows:

All that certain tract or parcel of land situate, lying and being in Stonehouse District, James City County, Virginia, containing 12.465 Acres, more or less, designated "PARCEL "D"  $12.465 \pm$  ACRES (FORMERLY PARCEL A)" as shown on that certain plat entitled, "PLAT OF PARCELS C and D STANDING IN THE NAME OF ALACO CORPORATION (D.B. 222, PG. 413) TO BE CONVEYED TO MASSIE CORPORATION, STONEHOUSE DISTRICT, COUNTY OF JAMES CITY, VIRGINIA", dated September 21, 1988, made by Langley and McDonald, P.C., Engineers, Planners, Surveyors, a copy of which plat is duly recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City, Virginia, in Plat Book 49, Page 72, to which reference is here made.

Being the same property conveyed to Sleepy Hollow Corporation of Toano by Deed dated December 14, 1990 from Massie Corporation recorded in James City County Deed Book 498, Page 614, et. seq. on December 21, 1990.

All that certain tract or parcel of land situate, lying and being in Stonehouse District, James City County, Virginia, containing 8.21 Acres, more or less, as shown on that certain plat entitled, "PLAT OF LOT LINE ADJUSTMENT, PROPERTIES OF SLEEPY HOLLOW CORPORATION OF TOANO AND NICE PROPERTIES,

INC.", dated July 27, 1990, revised October 29, 1990, made by The DeYoung-Johnson Group, Inc., Engineers, Architects, Surveyors, Williamsburg, Virginia, a copy of which plat is to be recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City, Virginia and to which plat reference is here made.

Being a portion of the same property conveyed to Sleepy Hollow Corporation of Toano by Deed of Exchange dated December 17, 1990 from Stonehouse, Inc. recorded in James City County Deed Book 498, Page 611, et. seq. on December 21, 1990.

All those two certain tracts or parcels of land situate, lying and being in Stonehouse District, James City County, Virginia, designated "PARCEL 1", containing 0.3261 Acres, and "PARCEL 2", containing 0.3232 Acres, all as shown on plat of survey entitled, "PLAT OF PROPERTY TO BE CONVEYED BY FRANK L. AND MARY KAY FERNANDEZ TO JACK L. MASSIE CONTRACTORS, INC., STONEHOUSE DISTRICT - COUNTY OF JAMES CITY, VIRGINIA", dated June 15, 1990, made by Langley and McDonald, P.C., Engineers, Planners, Surveyors, Virginia Beach and Williamsburg, Virginia, a copy of which plat of survey is recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and James City County, Virginia, in Plat Book 52, Page 96, to which plat of survey reference is here made for a more accurate and particular description of the property herein conveyed.

Being a portion of the same property conveyed to Sleepy Hollow Corporation of Toano by Deed of Exchange dated August 28, 1990 with Delmarva Properties, Inc. and Stonehouse, Inc., recorded in James City County Deed Book 487, Page 124, et. seq. on August 30, 1990.

All of the above described properties are herein collectively referred to as "the Property".

B. The Property is more particularly shown on a plat entitled "COKES LANE REZONING LEGEND" and "MAP OF PARCELS WITH PHYSICAL FEATURES, JAMES CITY COUNTY, VIRGINIA", dated 2/8/94, prepared by Langley and McDonald, P.C., which drawing is hereinafter referred to as "the Rezoning Legend".

C. The Owners have applied for a rezoning of the Property. The rezonings requested include the following:

- 20.6750 Acres, more or less, from General Agricultural District, A-1 and Limited Residential District, R-1 to General Agricultural District, A-1 with Proffers and Limited Residential District, R-1 with Proffers ("the A-1/R-1 Property").

- 20.3860 Acres, more or less, from General Agricultural District, A-1 with Special Use Permits (SUP 14-85, 4-89 & 14-90) to General Industrial District, M-2 with Proffers ("the M-2 Property").
- 31.9997 Acres, more or less, from the General Agricultural District, A-1 with Special Use Permits (SUP 14-85, 4-89 & 14-90) to Limited Business/Industrial District, M-1 with Proffers ("the M-1 Property").

D. The County's Comprehensive Plan Land Use Map specifically designates the A-1/R-1 Property as "Low Density Residential", the M-2 Property as "General Industry" and the M-1 Property as "Mixed Use".

E. The provisions of the James City County Zoning Ordinance may be deemed inadequate for the orderly development of the Property.

F. The Owners desire to offer to the County certain proffers on the development of the Property not generally applicable to land similarly zoned for the protection and enhancement of the community and to provide for the high quality and orderly development of the Property.

NOW, THEREFORE, for and in consideration of the approval by James City County ("the County") of the rezonings set forth above, and pursuant to §15.1-491.1, et. seq., of the Code of Virginia, 1950, as amended, and §20-16 of the County Code, the Owners agree that they will meet and comply with all of the following proffers in developing the Property. In the event all of the requested rezonings are not granted by the County, these Proffers shall thereupon become null and void.

**PROFFERS - THE A-1/R-1 PROPERTY**

Uses:

The uses of the A-1/R-1 Property shall be limited to:

- Preserves and conservation areas for protection of natural features and wildlife.
- Water impoundments, new or expansion of, less than 20 acres and with dam heights of less than 15 feet, which impoundments shall be used for

stormwater management facilities for the A-1/R-1 Property, the M-2 Property and the M-1 Property.

- Extensions or private connections to utilities which are intended to serve existing or future customers and which are accessory to existing or proposed development.
- Open space as defined by the County's Zoning Ordinance required for the development of the portion of the Property south of the CSX railroad.
- The Owner shall use its best efforts to limit the clearing of the A-1/R-1 Property to maximize to the extent reasonably practicable its effectiveness as a visual screen between the developed portion of the Mirror Lakes subdivision and the M-2 Property. Accordingly, the Owner shall submit all of its clearing plans of the A-1/R-1 Property to the Development Review Committee of the County's Planning Commission for its review and approval.

#### **PROFFERS - THE M-2 PROPERTY**

1. Uses:

The following uses otherwise permitted under the County Zoning Ordinance on the M-2 Property shall be prohibited pursuant to these proffers:

- Boiler shops.
- Breweries and other necessary associated activities.
- Drop-forge industries, manufacturing forgings with a power hammer.
- Manufacture and processing of acrylic and other synthetic fibers.
- Manufacture and sale of manufactured homes, mobile homes, modular homes, and industrialized housing units.
- Manufacture of batteries.
- Manufacture of boats, marine equipment and boat trailers.
- Manufacture of cans and other metal products from previously processed metals.
- Manufacture of furniture.
- Manufacture of glass and glass products.
- Metal foundry and heavy weight casting.
- Drop hammers.
- Wood preserving operations.

2. Landscaping:

In conjunction with the development of the M-2 Property, the Owner(s) of the M-2 Property shall maintain a buffer of evergreen plant material consisting of Leyland Cypress or other buffering material as may be approved by the County Planning Director, placed between the railroad spur line and its mainline extending from the northeastern corner of the M-2 Property to the west approximately 315' until it

intersects the clear zone required for the crossover spur to the mainline. The plants shall be planted in 2 parallel rows each of which rows shall be approximately 4.5 feet apart. The plants in each row shall be staggered from the other row and be planted on approximately 12.5 foot centers.

3. Industrial Access Road:

The road providing direct access from U.S. Route 60 to the M-1 Property and the M-2 Property shall be constructed and dedicated to public use by the Owner(s) of the M-1 Property and the M-2 Property, all in accordance with the standards published by the Virginia Department of Transportation for similar industrial access roads. This road shall be approximately 1300' to 1500' in length and be constructed within a right of way not less than 50' in width with not less than 24' of paved surface. The road improvements shall also include moving the existing median break on U.S. Route 60 approximately 50 feet west to meet the access road and installing an eastbound left turn storage lane and taper and a westbound right turn storage lane and taper on U.S. Route 60. The length of all storage lanes and tapers shall be determined by the Virginia Department of Transportation.

The industrial access road, water service lines and sewer lines and/or force mains may be constructed in phases in accordance with approved plans of development. Upon completion of each phase, said roads and utility lines will be dedicated to the Virginia Department of Transportation or the James City Service Authority, as appropriate.

4. Ready-Mix Concrete Plant:

Prior to the issuance of a certificate of occupancy for the ready-mix concrete plant, the Owner(s) of the M-2 Property shall meet and satisfy all of the following conditions:

- a Spill Prevention and Control and Counter Measure Plan shall be approved by the Director of Code Compliance;
- all roads and parking areas shown as paved on the Rezoning Legend shall be paved;
- a dust collection system shall be provided equivalent or better in design and function to the C & W Manufacturing and Sales Company, Inc. Model No. CW-RA-140 portable dust collection system; and
- a facility shall be provided to control runoff from the wash area, cement loading area and waste storage area of the ready-mix concrete plant designed for a 25-year storm event of a 24-hour duration. This facility shall contain one additional foot of freeboard capacity in addition to the volume necessary for control of stormwater runoff.

5. Traffic signal(s) - U.S. Route 60:

The Owner shall, at its expense, commission a traffic study for the intersections of Cokes Lane with U.S. Route 60 and the Industrial Access Road with U.S. Route 60 prior to the issuance of a Certificate of Occupancy for any building which would exceed 200,000 square feet of building area on the M-1 Property and on the M-2 Property. Building area shall include all existing and new buildings, but not include the ready-mix concrete plant and the cement treated aggregate facility. The traffic study shall address the requirement, if any, of a traffic signal at either or both of said intersections based on the traffic generated by the Property at the point of study and at the full buildout stage of the Property, the then existing background traffic on U.S. Route 60 and safety considerations. After the review and approval of the traffic study by both the County and the Virginia Department of Transportation, the Owner shall pay for the cost of the purchase and installation of a traffic signal at either or both of said intersections if such signal(s) is(are) required as determined by the traffic study.

**PROFFERS - THE M-1 PROPERTY**

1. Uses:

The following uses otherwise permitted under the County Zoning Ordinance on the M-1 Property shall be prohibited pursuant to these proffers:

- Automobile sales
- Barber and beauty shops.
- Book stores.
- Candy stores.
- Carpet stores.
- Department stores.
- Dressmaking stores.
- Drugstores.
- Dry cleaners.
- Employment services or agencies.
- Farmer's markets.
- Feed, seed, and farm supply stores.
- Florist stores.
- Furniture stores.
- Furrier stores.
- Greeting card stores.
- Home appliance sales and service.
- Hotels, motels or convention centers with accessory retail sales, barber shops and beauty shops located within the hotel, motel or convention center for the principal benefit of the resident guest.
- Ice cream stores.
- Indoor sport facilities, health clubs, exercise clubs, and fitness centers.
- Jewelry sales and service.

- Locksmith and gunsmith shops excluding shooting ranges.
- Manufacture and assembly of musical instruments, toys, novelties, and rubber and metal stamps.
- Manufactured home or mobile home sales.
- Music and record stores.
- Non-emergency medical transport.
- Pet stores.
- Picture framing stores.
- Places of worship.
- Plant and garden supply and hardware and paint stores.
- Post Offices.
- Tearooms and taverns.
- Retail food stores, bakeries and fish markets.
- Security service offices.
- Shoe stores.
- Sporting goods stores.
- Stamp and coin stores.
- Tailor shops.
- Tobacco and pipe stores.
- Toy stores.
- Travel bureaus.
- Veterinary hospitals and kennels.
- Wearing apparel stores.
- Yard goods stores.

2. Certain Permitted Uses with Additional Restrictions:

The signage for the following generally permitted uses shall not be visible from either U.S. Route 60 or Cokes Lane; the buildings for said uses shall neither face U.S. Route 60 or Cokes Lane nor be used by persons other than Owners, operators, employees, customers and subcontractors of the other generally permitted uses on the Property:

- Automobile service with major repair (limited to a fully enclosed building).
- Automobile service stations with or without the sale of fuel.
- Restaurants.
- Tire, transmission, glass, body and fender and other automotive product sales and service with major repair (limited to a fully enclosed building) and vehicle storage screened from adjacent property by landscaping and fencing.
- Vehicle and trailer sales and service, with major repair (limited to a fully enclosed building).

3. Landscaped Earthen Berms:

The Owner(s) of the M-1 Property shall maintain each of the following existing landscaped earthen berms on the M-1 Property:

- the 8' high landscaped berm located 20' from the southeastern corner of the M-1 Property adjacent to and paralleling the eastern boundary of the M-1 Property being approximately 350' in length; and
- the 10' high landscaped berm located adjacent to and paralleling the southern border of the M-1 Property (adjacent to property of Van Driem) being approximately 410' in length.

4. Additional Landscaping:

In conjunction with the development of the M-1 Property, the Owner(s) of the M-1 Property shall plant (or maintain in the case of existing landscaping) as necessary a buffer of evergreen plant material consisting of Leyland Cypress or other buffering material as may be approved by the County Planning Director. The plants shall be planted in 2 parallel rows each of which rows shall be approximately 4.5 feet apart. The plants in each row shall be staggered from the other row and be planted on approximately 12.5 foot centers at the following locations:

- along that portion of the southern and eastern boundaries of the M-1 Property abutting the Wallace property;
- along that portion of the western boundary of the M-1 Property abutting the Bell property;
- along that portion of the southern boundary of the M-1 Property abutting the Van Driem property, excluding that portion of said boundary along which is currently constructed a 10' landscaped earthen berm;
- along that portion of the southern boundary of the M-1 Property abutting the Taylor Estate property, excluding that portion of said boundary for which planting has previously been accomplished in conjunction with previously approved site plans; and
- along that portion of the northern boundary of the M-1 Property between the CSX railroad and the spur line on the M-1 Property.

5. Building and Site Lighting Arrangement:

In order to mitigate possible noise, light and dust impacts to adjacent property, the Owner(s) of the M-1 Property shall arrange all buildings, doors, points of access for shipping and receiving and site lighting (for all structures for which site plan approval has not been previously granted by the County) as follows:

- the front of buildings will face away from adjacent properties which are not zoned Industrial; and
- doors and points of access for shipping and receiving and site lighting shall be reviewed and approved by the Development Review Committee so as to minimize adverse impacts on adjoining properties which are not zoned Industrial; however, access to the approved railroad spurs and the meeting of all code requirements shall not be limited by this provision.

6. Industrial Access Road:

The road providing direct access from U.S. Route 60 to the M-1 Property and the M-2 Property shall be constructed and dedicated to public use by the Owner(s) of the M-1 Property and the M-2 Property, all in accordance with the standards published by the Virginia Department of Transportation for similar industrial access roads. This road shall be approximately 1300' to 1500' in length and be constructed within a right of way not less than 50' in width with not less than 24' of paved surface. The road improvements shall also include moving the existing median break on U.S. Route 60 approximately 50 feet west to meet the access road and installing an eastbound left turn storage lane and taper and a westbound right turn storage lane and taper on U.S. Route 60. The length of all storage lanes and tapers shall be determined by the Virginia Department of Transportation.

The industrial access road, water service lines and sewer lines and/or force mains may be constructed in phases in accordance with approved plans of development. Upon completion of each phase, said roads and utility lines will be dedicated to the Virginia Department of Transportation or the James City Service Authority, as appropriate.

7. Traffic signal(s) - U.S. Route 60:

The Owner shall, at its expense, commission a traffic study for the intersections of Cokes Lane with U.S. Route 60 and the Industrial Access Road with U.S. Route 60 prior to the issuance of a Certificate of Occupancy for any building which would exceed 200,000 square feet of building area on the M-1 Property and on the M-2 Property. Building area shall include all existing and new buildings, but not include the ready-mix concrete plant and the cement treated aggregate facility. The traffic study shall address the requirement, if any, of a traffic signal at either or both of said intersections based on the traffic generated by the Property at the point of study and at the full buildout stage of the Property, the then existing background traffic on U.S. Route 60 and safety considerations. After the review and approval of the traffic study by both the County and the Virginia Department of Transportation, the Owner shall pay for the cost of the purchase and installation of a traffic signal at either or both of said intersections if such signal(s) is(are) required as determined by the traffic study.

8. Landscaping of Buffer Along U.S. Route 60 (Richmond Road):

The Owner(s) of the M-1 Property shall submit for review and approval to the Development Review Committee of the County's Planning Commission a plan for an enhanced evergreen landscaping with berms and/or moguls along the U.S. Route 60 (Richmond Road) frontage of the M-1 Property to a depth of 50 feet. Except for the Industrial Access Road shown on the Rezoning Legend, no other roads or driveways shall cross this buffer area. The existing billboard within the buffer shall be removed within 62 months from the date hereof.

**GENERAL PROFFERS**

1. Headings:

All section and subsection headings of this Agreement are for convenience only and are not part of these proffers.

2. Rezoning Legend:

The Property will be developed in accordance with the Rezoning Legend. The Owner(s) may from time to time, in final subdivision plats or site plans submitted to the County, relocate the specific uses shown on the Rezoning Legend (provided that such uses are permitted by the County's Zoning Ordinance and these proffers) provided that the Planning Commission determines that said relocations do not alter the basic concept or character of the development.

3. Phasing of Additional Landscaping:

The additional landscaping required pursuant to this Agreement may be installed in phases in accordance with approved site plans.

4. Conflict with Vested Rights:

These Proffers are subject and inferior to the Owner's vested rights pursuant to site plans previously approved by the County. Any conflict between the terms of these Proffers and the Owner's vested rights shall be resolved in accordance with the Owner's vested rights.

5. Severability of Provisions:

If any clause, sentence, paragraph, section or subsection of these Proffers shall be adjudged by any Court of competent jurisdiction to be invalid for any reason, including a declaration that it is contrary to the Constitution of the Commonwealth or of the United States, or if the application thereof to the Owner or to any government agency or circumstance is held invalid, such judgment or holding shall be confined in its operation to the clause, sentence, paragraph, section or subsection hereof or the specific application thereof, directly involved in the controversy in

which the judgment or holding shall have been rendered or made, and shall not in any way affect the validity of any other clause, sentence, paragraph, section or subsection hereof, or affect the validity of the application thereof to the Owner or to any other government agency, person or circumstance.

WITNESS the following signatures and seals:

**JACK L. MASSIE CONTRACTOR, INC.**

By:

  
Vice President

**MASSIE CORPORATION**

By:

  
Vice President

**SLEEPY HOLLOW CORPORATION OF TOANO**

By:

  
Treasurer

STATE OF VIRGINIA

COUNTY OF JAMES CITY, to-wit:

The foregoing instrument was acknowledged before me this 11th day of May, 1994 by GARY M. MASSIE, Vice President of JACK L. MASSIE CONTRACTOR, INC., a Virginia corporation, its officer in this behalf first duly authorized, GARY M. MASSIE, Vice President of MASSIE CORPORATION, a Virginia corporation, its officer in this behalf first duly authorized, and GARY M. MASSIE, Treasurer of SLEEPY HOLLOW CORPORATION OF TOANO, a Virginia corporation, its officer in this behalf first duly authorized.

Cheri L. Smith  
NOTARY PUBLIC

My commission expires: 9-30-97



VIRGINIA: City of Williamsburg and County of James City, to Wit:

In the Clerk's office of the Circuit Court of the City of Williamsburg and County of James City the

18 day of May, 1994. This Progen was presented with certificate annexed and admitted to record at 3:48 o'clock

Teste: Helene S. Ward, Clerk  
by Helene S. Ward  
Deputy Clerk

Prepared by:  
Robert P. Beaman III, Esquire (VSB#74668)  
Troutman Pepper Hamilton Sanders, LLP  
222 Central Park Avenue, Suite 2000  
Virginia Beach, VA 23462

Return to:  
County Attorney  
James City County  
101-D Mounts Bay Road  
Williamsburg, VA 23185

TAX PARCEL #s:    **1330100001**  
                          **1330100009**

## FIRST AMENDMENT TO PROFFER AGREEMENT

This FIRST AMENDMENT TO PROFFER AGREEMENT is made this 23<sup>rd</sup> day of January, 2024, by **LUCK STONE CORPORATION**, a Virginia corporation (“Luck Stone”), to be indexed as Grantor, and **JAMES CITY COUNTY, VIRGINIA**, to be indexed as Grantee.

### RECITALS

A. Luck Stone is the owner of (1) James City Tax Parcel # 1330100009 located at 3920 Cokes Lane; and (2) James City Tax Parcel # 1330100001 located at 7734 Richmond Road; both located in James City County, Virginia, being more particularly described on **Exhibit A** attached hereto (“Parcels 1330100009 and 1330100001”).

B. Parcels 1330100001 and 1330100009 are herein sometimes referred to as the “Property.”

C. The Property is now subject to proffered zoning conditions set forth in Proffers dated May 11, 1994 made Jack L. Massie Contractor, Inc., a Virginia corporation, Massie Corporation, a Virginia corporation, and Sleepy Hollow Corporation of Toana, a Virginia corporation, and recorded May 18, 1994 in the Clerk’s Office of the Circuit Court for the City of Williamsburg and County of James City in Deed Book 0687, at Page 105 (the “Existing Proffers”).

D. The parties desire to amend the Existing Proffers as provided herein.

NOW, THEREFORE, the Existing Proffers are hereby amended as follows:

1. Section 3 of that portion of the Existing Proffers that is labeled “Proffers - The M-2 Property” is hereby amended to read in its entirety as follows:

**Industrial Access Road:**

The road providing direct access from U.S. Route 60 to the M-1 Property and the M-2 Property shall be constructed by the Owner(s) of the M-1 Property and the M-2 Property. This road shall be approximately 1300' to 1500' in length and be constructed with not less than 24' of paved surface. The road improvements shall also include moving the existing median break on U.S. Route 60 approximately 50 feet west to meet the access road and installing an eastbound left turn storage lane

and taper and a westbound right turn storage lane and taper on U.S. Route 60. The length of all storage lanes and tapers shall be determined by the Virginia Department of Transportation.

The industrial access road, water service lines and sewer lines and/or force mains may be constructed in phases in accordance with approved plans of development. Upon completion of each phase, said utility lines will be dedicated to the James City Service Authority.”

2. Section 6 of that portion of the Existing Proffers that is labeled “Proffers - The M-1 Property” is hereby amended to read in its entirety as follows:

“Industrial Access Road:

The road providing direct access from U.S. Route 60 to the M-1 Property and the M-2 Property shall be constructed by the Owner(s) of the M-1 Property and the M-2 Property. This road shall be approximately 1300' to 1500' in length and be constructed with not less than 24' of paved surface. The road improvements shall also include moving the existing median break on U.S. Route 60 approximately 50 feet west to meet the access road and installing an eastbound left turn storage lane and taper and a westbound right turn storage lane and taper on U.S. Route 60. The length of all storage lanes and tapers shall be determined by the Virginia Department of Transportation.

The industrial access road, water service lines and sewer lines and/or force mains may be constructed in phases in accordance with approved plans of development. Upon completion of each phase, said utility lines will be dedicated to the James City Service Authority.”

3. Except as specifically modified by this First Amendment, the Existing Proffers remain in full force and effect.

[INTENTIONALLY LEFT BLANK]

WITNESS the following signatures by due authority:

LUCK STONE CORPORATION,  
a Virginia corporation

By: [Signature]  
Title: Land Use Development Manager

STATE OF Virginia

COUNTY/CITY OF Greenland

The foregoing instrument was acknowledged before me in my aforesaid jurisdiction this 23<sup>rd</sup> day of February, 2024, by Jad Mabach, as Land Use Dev. Manager of Luck Stone Corporation, a Virginia corporation, on behalf of the corporation.

[Signature] (SEAL)  
NOTARY PUBLIC

My Commission expires: 4/30/24

Notary ID# 7803200



## Exhibit A

### *Legal Description*

#### **PARCEL 1330100009**

All that certain piece or parcel of land, lying, situate and being in Stonehouse District, James City County, Virginia, containing 25.43 +/- Acres, being identified as "Parcel A", as shown on plat entitled "PLAT OF BOUNDARY LINE ADJUSTMENT & PROPERTY LINE EXTINGUISHMENT PARCELS A & B AND ALLOCATION OF OFFSITE NATURAL OPEN SPACE AREAS FOR PARCELS A, B, & C, MASSIE PROPERTY, STONEHOUSE DISTRICT, COUNTY OF JAMES CITY, VIRGINIA", dated August 31, 2010, prepared by AES Consulting Engineers, Williamsburg, Virginia, a copy of which is recorded as Instrument Number 100020969 in the Clerk's Office, Circuit Court, James City County, Virginia, to which reference is hereby made for a more particular description.

IT BEING a portion of that certain piece or parcel of land, lying, situate and being in Stonehouse District, James City County, Virginia, containing 32.28 +/- Acres, being identified as "Parcel A", as shown on plat entitled "PLAT SHOWING IMPROVEMENTS BEING PARCEL 'A' CONTAINING 32.27 ACRES +/- OWNED BY JACK L MASSIE CONTRACTOR, INC., STONEHOUSE DISTRICT, JAMES CITY COUNTY, VIRGINIA", dated May 17, 1996, prepared by AES Consulting Engineers, Williamsburg, Virginia, a copy of which is recorded in Plat Book 64, Page 25, Clerk's Office, Circuit Court, James City County, Virginia, to which reference is hereby made for a more particular description.

Less and except that portion of land described as beginning at a point, said point being the southern most point of Parcel B, and being the common point of the lands of R. K. Taylor, Sr., Estate, Massie Corporation and the northern right-of-way line of Cokes Lane, said point being approximately 1,160 feet more or less from the right-of-way of Richmond Road, U.S. Route 60; thence along the common property line of R. K. Taylor, Sr., Estate, and Massie Corporation, N 76°30'14" W, a distance of 126.10 feet to a point; thence N 82°51'24" W, a distance of 208.40 feet to a point, said point to be the Point of Beginning of the lands to be conveyed to Massie Corporation; thence from the Point of Beginning along the northern property line of R. K. Taylor, Sr., Estate, N 82°51'24" W, a distance of 58.00 feet to a point; thence N 87°29'39" W, a distance of 568.06 feet to a point; thence N 89°06'04" W, a distance of 392.88 feet to a point; thence N 72°40'34" W, a distance of 111.38 feet to a point, said point on the northern property line of R. K. Taylor, Sr., Estate; thence leaving the property line of R. K. Taylor, Sr., Estate, in a northerly direction N 07°26'19" E, a distance of 129.45 feet to a point; thence along a curve to the left with a radius of 265.00 feet, an arc length of 159.86 feet, a tangent of 82.45 feet, a delta of 34°33'50", a chord distance of 157.45 feet and a chord bearing of N 72°59'29"E, to a point; thence N 55°42'34" E, a distance of 125.23 feet to a point; thence S 89°37'06" E, a distance of 129.95 feet to a point; thence S 84°28'36" E, a distance of 185.80 feet to a point; thence N 71°01'11" E, a distance of 94.92 feet to a point; thence S 84°27'13" E, a distance of 464.06 feet to a point; thence S 02°38'34" W, a distance of 283.92 feet to the Point of Beginning, containing 6.84 acres, more or less, as shown on that certain plat entitled 'Plat of Boundary Line Adjustment & Property Line Extinguishment parcels A & B and Allocation of Offsite natural Open Space Areas for Parcels A, B, & C Massie Property" dated August 31, 2010, and prepared by AES Consulting Engineers, a copy of which is attached to that certain Deed

recorded with the Clerk's Office, Circuit Court, James City County, Virginia as Instrument No. 100020969.

Together with a non-exclusive perpetual easement for ingress and egress over and along that fifty (50) foot street leading from Cokes Lane (State Route No. 602) in a generally northwesterly direction, shown and designated as "Entrance Road" on the plat of survey hereinabove referred to.

Being a portion of the same real estate conveyed to Luck Stone Corporation, a Virginia corporation, by deed from Jack L. Massie Contractor, Inc., a Virginia corporation, Massie Corporation, a Virginia corporation, and J.S.G. Corporation, a Virginia corporation, dated September 30, 2010, recorded October 1, 2010, Clerk's Office, Circuit Court, James City County, Virginia, in Instrument No. 100020973.

**PARCEL 1330100001**

All that certain lot, piece or parcel of land situate, lying and being in Stonehouse District, County of James City, Virginia, containing 17.257± Acres, and designated as "PARCEL 'C 17.257± ACRES (FORMERLY PARCEL B)", as shown on that certain plat entitled, "PLAT OF PARCELS C and D STANDING IN THE NAME OF ALACO CORPORATION (D.B. 222, PG. 413) TO BE CONVEYED TO MASSIE CORPORATION STONEHOUSE DISTRICT COUNTY OF JAMES CITY, VIRGINIA," dated 9/21/88 and made by Langley and McDonald, P.C., Engineers-Planners-Surveyors, a copy of which plat is duly recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and the County of James City, Virginia, in Plat Book 49, Page 72, to which reference is here made.

Less and except that parcel containing 0.115 acres, more or less, shown on plat entitled "PLAT SHOWING BOUNDARY LINE ADJUSTMENT BETWEEN PROPERTIES STANDING IN THE NAMES OF MASSIE CORPORATION & W. BARRY BRYANT STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA", dated February 29, 1999, recorded in Plat Book 73, Page 36, conveyed to W. Barry Bryant from Massie Corporation, by Boundary Line Agreement, dated May 5, 1999, recorded May 21, 1999, Clerk's Office, Circuit Court, James City County, Virginia, as Instrument Number 990011074.

Being a portion of the same real estate conveyed to Luck Stone Corporation, a Virginia corporation, by deed from Jack L. Massie Contractor, Inc., a Virginia corporation, Massie Corporation, a Virginia corporation, and J.S.G. Corporation, a Virginia corporation, dated September 30, 2010, recorded October 1, 2010, Clerk's Office, Circuit Court, James City County, Virginia, in Instrument No. 100020973.

## **PLANNING DIRECTOR'S REPORT**

### **February 2024**

This report summarizes the status of selected Department of Community Development activities during the past month.

➤ **Planning**

- **Monthly Case Report:** For a list of all cases received in the last month, please see the attached document.
  
- **Board Action Results:**
  - AFD-23-0001. 1105 Stewarts Road Barnes Swamp AFD Addition (Approved 5-0)
  - SUP-23-0026. 206 The Maine Detached Accessory Apartment (Deferred)
  - SUP-23-0028. 9273 Richmond Road Contractor's Office and Warehouse (Approved 5-0)
  - ORD-22-0001. Amendments for Scenic Roadway Protection (Deferred)
  - Comprehensive Plan Amendment: Community Character Corridor and Short-Term Rental Development Standards Revision (Deferred)

**New Cases for February 2024**

<b>Plan Type</b>	<b>Plan Number</b>	<b>Case Title</b>	<b>Address</b>	<b>Plan District</b>	<b>Plan Description</b>	<b>Plan Assigned To</b>
Conceptual Plan	C-23-0074	125 Moore Drive- Additional Dwelling Concept Plan	125 MOORE DR Williamsburg, VA 23188	Powhatan	125 Moore Drive- Additional Dwelling Concept Plan	John Risinger
	C-24-0001	Stonehouse Tract 10B Development & Stormwater Plan	9101 SIX MOUNT ZION RD Toano, VA 23168	Stonehouse	Stonehouse Tract 10B Development & Stormwater Plan	John Risinger
	C-24-0002	Annual Borrow Pit Progress Report for SUP-18-0011 and SUP-18-0023	700 BLOW FLATS RD 6030100003 Williamsburg, VA 23185	Roberts	Annual Borrow Pit Progress Report for SUP-18-0011 and SUP-18-0023	Paxton Condon
Subdivision Plat	S-23-0052	2508 Campbell Close Subdivision	2508 CAMPBELL CLOSE Williamsburg, VA 23185	Roberts	2508 Campbell Close Subdivision	Ben Loppacker
	S-23-0053	3072 & 3076 Torrington Trail BLE	3076 TORRINGTON TRL Williamsburg, VA 23188	Berkeley	3072 & 3076 Torrington Trail BLE	Ben Loppacker
	S-24-0001	Norge Center Parcels 1, 2, & 6 BLA (7624, 7516, 7508 Richmond Rd.)	7508 RICHMOND RD Williamsburg, VA 23188	Stonehouse	Norge Center Parcels 1, 2, & 6 BLA (7624, 7516, 7508 Richmond Rd.)	Tess Lynch
	S-24-0002	136 & 140 Freshwater Bay BLA	140 FRESHWATER BAY Williamsburg, VA 23188	Powhatan	136 & 140 Freshwater Bay BLA	Ben Loppacker

Plan Type	Plan Number	Case Title	Address	Plan District	Plan Description	Plan Assigned To
Site Plan	SP-23-0110	Jamestown High School Cafeteria Expansion SP Amend	3751 JOHN TYLER HWY Williamsburg, VA 23185	Berkeley	Jamestown High School Cafeteria Expansion SP Amend	Suzanne Yeats
	SP-24-0001	4700 Monticello Ave- McDonald Garden Market Site Plan	4700 MONTICELLO AVE Williamsburg, VA 23188	Jamestown	4700 Monticello Ave- McDonald Garden Market Site Plan	Ben Loppacker
	SP-24-0002	Lee's Pit Resource Recovery Area Site Plan	750 BLOW FLATS RD Williamsburg, VA 23185	Roberts	Lee's Pit Resource Recovery Area Site Plan	Terry Costello
	SP-24-0003	127 Carriage Rd Cell Tower SP Amend	127 CARRIAGE RD Williamsburg, VA 23188	Jamestown	127 Carriage Rd Cell Tower SP Amend	Suzanne Yeats
	SP-24-0004	5541 Richmond Rd- Starbucks Drive-thru changes- SP Amend	5541 RICHMOND RD Williamsburg, VA 23188	Powhatan	5541 Richmond Rd- Starbucks Drive-thru changes- SP Amend	Paxton Condon
	SP-24-0006	James City County Library Natural Playground Site Plan	7770 CROAKER RD Williamsburg, VA 23188	Stonehouse	James City County Library Natural Playground Site Plan	Suzanne Yeats
Rezoning	Z-23-0010	Luck Stone Toano Proffer Amendment	3920 COKES LN Williamsburg, VA 23168	Stonehouse	Luck Stone Toano Proffer Amendment	Suzanne Yeats
Zoning Verification Letter	ZVL-24-0001	ZVL for 3889 News Road	3889 NEWS RD 3730100004 Williamsburg, VA 23188	Jamestown	ZVL for 3889 News Road	Taylor Orne