PUBLIC NOTICE
WILLIAMSBURG PLANNING COMMISSION

The Williamsburg Planning Commission will hold a public hearing on March 18, 2015, 3:30 P.M. in the Third Floor Conference Room at the Williamsburg Municipal Building, 401 Lafayette Street, to consider the following:

PCR #15-002: Request of Williamsburg Chrysler, Jeep, Kia for a special use permit for an expansion of the dealership at 3012 Richmond Road. A 1,914 square foot addition is proposed. This property is zoned B-2 Corridor Business District.

PCR #15-003: Amend the Zoning Ordinance by revising the definition of *Hotel/motel* and *Visitor* [Sec. 21-2] to delete regulations pertaining to length of stay. Length of stay regulations will be added at a later date to the Williamsburg Code, Chapter 9. Licenses, Permits and Business Regulations.

PCR #15-004: Amend the Zoning Ordinance by revising provisions pertaining to residential uses allowed with a special use permit in the B-2 Corridor Business District [Sec. 21-324]. These residential uses are multifamily dwellings and townhouses, limited to not more than 67% of the gross floor area on a lot. It is proposed that these residential uses must be in conjunction with new development or major redevelopment of a property, but cannot include the reuse of existing buildings.

PCR #15-005: Amend sections of the 2013 Comprehensive Plan pertaining to residential uses in Corridor Commercial land use areas [Chapter 7, pages 7-5 and 7-6; Chapter 10, pages 10-2, 10-22, 10-23 and 10-27; and Chapter 12, page 12-3]. These changes will clarify that residential use in Corridor Commercial areas is to be allowed only for new development or major redevelopment.

PCR #15-006: Amend the Zoning Ordinance to create the PDH Planned Development Housing District [Division 15, Sec. 21-483.1 and Article V. Parking, Sec. 21-707]. The PDH District will allow the conversion of hotel rooms currently located in the B-2 Corridor Business District to provide up to 100 adaptive housing units, with no more than 50 at an individual facility. The PDH District is established to allow the conversion of a limited number of hotel/motel rooms into affordable housing for individuals and families, and thereby fulfilling a housing need not addressed by the City's existing housing inventory.

Additional information is available at www.williamsburgva.gov/publicnotice or at the Planning Department (757) 220-6130, 401 Lafayette Street. Interested citizens are invited to attend this hearing and present their comments to Planning Commission.

If you are disabled and need accommodation in order to participate in the public hearing, please call the Planning Department at (757) 220-6130, (TTY) 220-6108, no later than 12:00 noon, Wednesday, March 11, 2015.

Reed T. Nester

Reed T. Nester
Planning Director

CITY OF WILLIAMSBURG
MEMORANDUM

TO: **Planning Commission**

DATE: **February 12, 2015**

SUBJECT: **PCR #15-002**
Request of Williamsburg Chrysler, Jeep, Kia for a special use permit for an expansion of the dealership at 3012 Richmond Road

Williamsburg Chrysler, Jeep, Kia is requesting a special use permit for a 1,914 square foot expansion of the dealership. The applicant notes the expansion is needed for supporting staff with a larger diversity of standard replacement parts and the need to improve efficiency for the various specialized equipment that is presently filling every nook and corner of the existing shop. The proposed addition is highlighted in red below.

COMPREHENSIVE PLAN

This property is designated as Corridor Commercial in the 2013 Comprehensive Plan, which notes this category designates land on the City's heavily traveled entrance corridors for commercial and service uses primarily oriented to the automobile. "This category applies to local shopping areas, hotels, restaurants, and other tourism retail uses, as well as automobile-oriented commercial uses. Substantial sections of Richmond Road, Capitol Landing Road, York Street, Second Street and the small

portion of Mooretown Road located within the City limits are currently developed in this land use pattern. To ensure high quality development, the more intensive commercial uses should require special use permits. Corridor Commercial land use is intended to promote the City's economic development policy for its limited, remaining high-visibility commercial sites."

The properties to the north, south and east are designated Corridor Commercial with the land to the west designated Low Density Single-Family Detached Residential.

ZONING

This property is zoned Corridor Business District B-2. The properties to the north, south and east are zoned Corridor Business District B-2 with the property to the west zoned Single-Family Dwelling District RS-2.

The statement of intent for the B-2 District reads:

> *This district is established to provide locations on the heavily traveled collector and arterial highways for those commercial and service uses primarily oriented to the automobile. This district is applied along those streets primarily used to access local shopping areas, and providing locations for existing and future hotels, restaurants and other tourism retail uses.*

The special use permit section of the Zoning Ordinance (Sec. 21-42) establishes the following criteria for special use permits:

(a) *The proposed use shall be:*
  (1) *In harmony with the adopted comprehensive plan;*
  (2) *In harmony with the intent and purpose of the zoning district in which the use is proposed to be located;*
  (3) *In harmony with the character of adjacent properties and the surrounding neighborhoods, and with existing and proposed development.*

(b) *The proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities.*

(c) *The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.*

(d) *The proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods.*

Additional reasonable standards as deemed necessary to protect the public interest and welfare may be imposed, including: more restrictive sign standards; additional open

space, landscaping or screening requirements; additional yard requirements; special lighting requirements; limitation on hours of operation; and additional off-street parking and loading requirements.

The Planning Director or Planning Commission may require the following additional information:

(1) A traffic impact analysis, showing the effect of traffic generated by this project on surrounding streets and neighborhoods.
(2) A public utility analysis, showing the effect of this project on public water, sewer and/or storm drainage facilities.
(3) A fiscal impact analysis. The Planning Director or the Planning Commission may request the City Council to provide funds for the preparation of this study by the City.

Staff does not feel that any additional studies are needed in order to make a decision on this request.

PUBLIC HEARING DATE

A public hearing is scheduled for the regular Planning Commission meeting on March 18.

Carolyn A. Murphy

Carolyn A. Murphy, AICP
Deputy Planning Director

[PC\PCR\2015\15-002M01]

Southern Commercial Development LLC
PO Box 15471
Chesapeake, VA 23328
757-438-5619

January 15, 2015

City of Williamsburg
401 Lafayette Street
Williamsburg, VA 23185-3617

Attention: Carolyn Murphy

Reference: Addition at the back of the parts area
Williamsburg Chrysler
3012 Richmond Road
Williamsburg, VA

Ms Murphy,

The following is an explanation of reason for the proposed addition to the above automobile sales and service facility.

Since opening Williamsburg Chrysler, Dodge, Jeep, Kia in 2005 our success in the community has contributed to our growth. As we have endeavored to provide the very best service to our customers we have witnessed the need for supporting our staff with a larger diversity of standard replacement parts and the need to improve our efficiency for the various specialized equipment that is presently filling every nook and corner around the existing shop.

The present plan to effectively meet the above challenges is to construct a 40' x 50' structure that will create 1000 square feet of expansion to the existing parts storage and a 900 square foot room that will consolidate the tire changing, tire balancing equipment and other tools in a central location for the whole shop..

The proposed plans show the location of the building fit between the

sales/parts wing, the shop wing and the car washing wing. While the building addition is virtually invisible from the street, the walls, trim and roof will be constructed with the same materials and finishes as the existing. The location is central to all areas of the existing facility and fulfills the present needs of our operation.

Please feel free to call me if you have questions about the plans or facility.

Respectfully submitted,

R.L.Gerling,
Construction Manager
757-438-5619
rlgerling@gmail.com

CITY OF WILLIAMSBURG
MEMORANDUM

DATE: **February 23, 2015**

SUBJECT: **PCR #15-003**
Amend the Zoning Ordinance by revising the definitions of *Hotel/Motel* and *Visitor* to delete regulations pertaining to length of stay

PCR #15-004
Amend the Zoning Ordinance by revising provisions pertaining to residential uses allowed with a special use permit in the B-2 District

PCR #15-005
Amend sections of the 2013 Comprehensive Plan pertaining to residential uses in Corridor Commercial land use areas

PCR #15-006
Amend the Zoning Ordinance to create the PDH Planned Development Housing District

City Council has delayed a vote on the request of Quarterpath Associates for a special use permit to convert 60 motel rooms to 40 apartments at 620 York Street (PCR #14-023) until the July 9 regular meeting. In the process of reviewing this request, City Council has had discussions with City staff on concepts and approaches to address the need for workforce housing in the city and the region, including the use of some existing hotel capacity. Based on the City Council discussions, staff has developed the following alternatives for consideration. On February 12, City Council referred these to Planning Commission for review and recommendation.

PCR #15-003 - Hotel/Motel Length of Stay

The Zoning Ordinance now limits the length of stay for hotels/motels to not more than 90 consecutive days, with a number of exceptions for employees, managers, and rooms and suites with complete kitchens (sink, dishwasher, range, microwave oven and refrigerator). This is specified as part of the hotel/motel definition in Section 21-2 of the Zoning Ordinance. The attached ordinance removes length of stay from the *Hotel/motel* definition. These length of stay regulations will be moved to Article 9. *Licenses, Permits and Business Regulations*, which now contains regulations for Hotel Guest Registration. The attached ordinance is proposed to take effect on July 1, 2015, which will give City Council time to amend Article 9 by adding length of stay criteria for hotels/motels. The ordinance for the Article 9 revisions will be presented to City Council at the May Council meeting. The *Visitor* definition has its “length of stay” changed from 90 to 30 days, since this definition is needed for uses other than hotel/motel.

PCR #15-004 - Residential Uses in the B-2 District

The B-2 District now allows residential uses (multifamily dwellings, condominiums and townhouses) with a special use permit provided that not more than 67% of the total floor area is devoted to residential use. This is the provision under which the Quarterpath Associates request was submitted (PCR #14-023). To clarify this provision, the attached ordinance revises the B-2 regulations to state that residential uses would need to be "in conjunction with new development or major redevelopment" and would not include the reuse of existing buildings. Under this provision, existing hotel/motel buildings could not be converted to residential use. However, the proposed PDH Planned Development Housing District (PCR #15-006) allows the creation of up to 100 adaptive housing units in the City's B-2 Districts, subject to rezoning to PDH on a case-by-case basis.

PCR #15-005 - Comprehensive Plan Amendments

To support the proposed changes to the B-2 District pertaining to residential uses allowed with a special use permit (PCR #15-004), several sections of the text of the 2013 Comprehensive Plan need to be revised. The attached ordinance includes a package of changes that will clarify that residential use in Corridor Commercial land use areas is to be allowed only for new development or major redevelopment in order to preserve and encourage commercial development and redevelopment on the limited amount of high visibility commercial sites that are available.

PCR #15-006 - PDH Planned Development Housing District

A new Planned Development Housing PDH zoning district has been developed, which is similar in concept to the existing Planned Development College PDC District (developed for Tribe Square) and the existing Planned Development Urban PDU District (developed for the City Lofts student apartments). The Planned Development District mechanism is a proven way of allowing for specific uses that are desirable to allow in specific and limited situations.

The major features of the PDH District are:

- Rezoning to the PDH District is allowed only for property currently zoned B-2.
- Rezoning to the PDH District is allowed only for existing hotels/motels.
- "Adaptive Housing" is defined as "primarily efficiency and one-bedroom units with adequate cooking facilities created from all or part of an existing hotel/motel and used for the purpose of providing non-permanent, affordable and flexible-term housing for individuals and families who may not have access to traditional housing alternatives existing in the City."
- No more than 100 adaptive housing units are permitted, with no more than 50 units in an individual adaptive housing facility.
- A new parking requirement is created for "adaptive housing" units that does not exceed the parking required for hotel/motel use.
- The rezoning application will require details of the physical layout of the adaptive housing proposal, as well as a management plan which is required to include procedures to link residents with the Williamsburg Human Services Department and other non-governmental organizations addressing human service needs.

PUBLIC HEARING DATE

A public hearing on these cases is scheduled for the regular Planning Commission meeting on March 18.

Reed T. Nester, AICP
Planning Director

[PC\PCR\2015\15-003 MEMO 1a]

PROPOSED ORDINANCE #15-__
ORDINANCE #15-__

AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE I. IN GENERAL, DIVISION 2, DEFINITIONS, PERTAINING TO HOTEL AND MOTEL USES (PCR #15-003)

WHEREAS, these revisions to the Williamsburg Code, Chapter 21, Zoning, are intended to delete from the Zoning Ordinance the regulations for length of stay in hotels and motels, which regulations will be incorporated at a future date into Chapter 9, Licenses, Permits and Business Regulations.

THEREFORE, BE IT ORDAINED that Chapter 21, Zoning, Article I. In General, Division 2, Definitions, be amended to read as follows:

ARTICLE I. IN GENERAL

Sec. 21-2. Definitions

Hotel/motel means a building or group of attached or detached buildings offering transient lodging accommodations to visitors ~~for not more than 90 consecutive days~~. A hotel/motel shall also include on the site a lobby, clerk's desk, or counter and facilities for registration and keeping of records relating to visitors. Rental of bedrooms in a single-family detached dwelling to roomers and visitors in accordance with sections 21-605 and 21-605.1 shall not be considered to be a hotel/motel. ~~Exempt from this limitation shall be:~~

~~(1) Rooms or suites occupied by employees of the hotel/motel (not to exceed five percent of the total number of rooms at the facility), which may be occupied with no maximum length of stay. Employees must work at least 20 hours per week for the hotel/motel while residing at the facility. Occupancy shall be limited to employees only, and shall not include dependents or guests of employees.~~

~~a. In addition to the employee rooms or suites described above, a room or suite with kitchen facilities may be occupied by the owner or on-site manager, and their family, and may be occupied with no maximum length of stay.~~

~~(2) Rooms or suites with a kitchen, which may be occupied by visitors with no maximum length of stay. A kitchen shall be equipped with all of the following appliances: sink, dishwasher, range, microwave oven, and refrigerator.~~

~~(3) Rooms or suites for a hotel/motel located in the museum support district MS and occupied by full-time students at the College of William and Mary, subject to the following:~~

~~a. The maximum occupancy for a room or suite shall be two students.~~

~~b. All rooms or suites shall be leased to the College of William and Mary, and the college may sublease rooms or suites to full-time students.~~

Visitor means a person who secures lodging or lodging and meals for not more than 30 ~~90~~ consecutive days for a consideration, provided that the visitor's principal place of residence is not the room or suite occupied by the visitor.

ARTICLE III. DISTRICT REGULATIONS

DIVISION 8. DOWNTOWN BUSINESS DISTRICT B-1.

Sec. 21-292. Permitted uses.

The uses permitted in the downtown business district B-1 are as follows:

(11) Hotels/motels and timeshare units with ten or less bedrooms. Hotels/motels are further regulated by Article 9. Licenses, Permits and Business Regulations.

Sec. 21-294. Uses permitted with special use permit.

Uses permitted in the downtown business district B-1 with a special use permit approved by the city council in accordance with article II, division 2, are as follows:

(5) Hotels/motels and timeshare units with more than ten bedrooms, and associated meeting facilities. Hotels/motels are further regulated by Article 9. Licenses, Permits and Business Regulations.

DIVISION 9. CORRIDOR BUSINESS DISTRICT B-2

Sec. 21-321. Permitted uses.

The uses permitted in the corridor business district B-2 are as follows:

(10) Hotels/motels and timeshare units, and associated meeting facilities. Hotels/motels are further regulated by Article 9. Licenses, Permits and Business Regulations.

DIVISION 10. URBAN BUSINESS DISTRICT B-3

Sec. 21-352. Permitted uses.

The uses permitted in the urban business district B-3 are as follows:

(9) Hotels/motels and timeshare units, and associated meeting facilities. Hotels/motels are further regulated by Article 9. Licenses, Permits and Business Regulations.

DIVISION 10.1. ECONOMIC DEVELOPMENT DISTRICT ED

Sec. 21-362. Permitted uses.

The uses permitted in the economic development district ED are as follows:

(11) Hotels/motels, and associated meeting facilities. Hotels/motels are further regulated by Article 9. Licenses, Permits and Business Regulations.

DIVISION 10.2. ECONOMIC DEVELOPMENT DISTRICT ED-2

Sec. 21-372. Permitted uses.

The uses permitted in the economic development district ED-2 are as follows:

(9) Hotels/motels, and associated meeting facilities. Hotels/motels are further regulated by Article 9. Licenses, Permits and Business Regulations.

DIVISION 13. MUSEUM SUPPORT DISTRICT MS

Sec. 21-434. Uses permitted with special use permit.

Uses permitted in the museum support district MS with a special use permit approved by the city council in accordance with article II, division 2, are as follows:

(2) Hotels/motels and timeshare units, and associated meeting facilities. Hotels/motels are further regulated by Article 9. Licenses, Permits and Business Regulations.

This ordinance shall become effective on July 1, 2015.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Gerry S. Walton, Deputy Clerk

[PC\PCR\2015\15-003 ORDINANCE]

PROPOSED ORDINANCE #15-__
ORDINANCE #15-__

AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE I. IN GENERAL, DIVISION 2, DEFINITIONS, PERTAINING TO HOTEL AND MOTEL USES (PCR #15-004)

WHEREAS, these revisions to the Williamsburg Code, Chapter 21, Zoning, are intended to revise and clarify provisions pertaining to residential uses allowed with a special use permit in the B-2 district, making clear that residential uses are to be located in newly constructed buildings in conjunction with new development or major redevelopment of the property.

THEREFORE, BE IT ORDAINED that Chapter 21, Zoning, Article III. District Regulations, Division 9, Corridor Business District B-2, be amended to read as follows:

ARTICLE III. DISTRICT REGULATIONS

DIVISION 9. CORRIDOR BUSINESS DISTRICT B-2

Sec. 21-324. - Uses permitted with special use permit.

Uses permitted in the corridor business district B-2 with a special use permit approved by the city council in accordance with article II, division 2, are as follows:

(1) Residential uses in conjunction with new development or major redevelopment of a property, but not including the reuse of existing buildings, as follows:

a. ~~(1)~~ Multifamily dwellings, provided that not more than 67 percent of the gross floor area on any lot may be devoted to multifamily use. Non-residential floor area shall be constructed simultaneously with the construction of the multifamily floor area.

b. ~~(2)~~ Townhouses in accordance with section 21-330, provided that not more than 67 percent of the gross floor area on any lot may be devoted to multifamily use. Non-residential floor area shall be constructed simultaneously with the construction of the townhouse floor area.

(2) Reserved.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Gerry S. Walton, Deputy Clerk

[PC\PCR\2015\15-004 ORDINANCE]

ORDINANCE #15-__
PROPOSED ORDINANCE #15-__

AN ORDINANCE AMENDING THE 2013 COMPREHENSIVE PLAN BY REVISING THE RECOMMENDATIONS FOR RESIDENTIAL USE IN CORRIDOR COMMERCIAL AREAS (PCR #15-005)

WHEREAS, the *2013 Williamsburg Comprehensive Plan*, adopted on January 10, 2013, lists residential uses (apartments, condominiums and townhouses) as acceptable uses in Corridor Commercial land use area provided that no more than 67% of the floor area on an individual lot is devoted to residential land use; and

WHEREAS, it is desired to clarify that residential use in Corridor Commercial land use areas is to be allowed only for new development or major redevelopment in order to preserve and encourage commercial development and redevelopment on the limited amount of high visibility commercial sites that are available.

NOW, THEREFORE BE IT ORDAINED that the following section of the 2013 Comprehensive Plan be amended, in accordance with the attached pages:

1. Chapter 7 – Land Use Categories, Corridor Commercial land use definition, pages 7-5 and 7-6.
2. Chapter 10 – Commercial and Economic Development, Commercial and Economic Development Plan, item #4, page 10-2.
3. Chapter 10 – Commercial and Economic Development, Future Land Use Recommendations for the Capitol Landing Road Corridor, Second Street and Penniman Road, pages 10-22 and 10-23.
4. Chapter 10 – Commercial and Economic Development, Residential Uses in Corridor Commercial Areas, pages 10-27.
5. Chapter 12 – Implementation, Zoning Text Changes for Commercial Corridors, page 12-3.

EXCEPT, as here amended, the *2013 Williamsburg Comprehensive Plan* shall remain unchanged.

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Gerry S. Walton, Deputy Clerk

[PC\PCR\2015\15-005 ORDINANCE]

6. **Urban Residential** ***Density determined when property rezoned***

This land use category is designed specifically for the multifamily residential area in the Midtown Planning Area that is suitable for redevelopment to a higher density residential use. This area located between the College of William and Mary and the High Street Williamsburg development, and interconnected by a growing network of sidewalks, bike lanes and public transit. The proximity of this area to the College makes it very attractive for helping to meet the need for college student housing, and only multifamily dwellings and student dwellings are allowed. The permitted dwelling unit occupancy is two unrelated persons in an efficiency or one bedroom dwelling unit, and four unrelated persons in a two or more bedroom dwelling unit.

The existing RM-2 zoning should remain in place until an acceptable development plan is presented for rezoning to a revised PDU Planned Development Urban District, with the density allowed determined through the rezoning process. The primary consideration for the density approved should be how the scale and character of the proposed project relates to its immediate surroundings and to the Midtown Planning Area as a whole.

Office, Commercial and Mixed Use Categories

The Land Use Plan designates five office, commercial and mixed-use classifications. These range in intensity from Office and Mixed Use to Downtown and Urban Commercial, with Corridor Commercial holding the middle ground.

1. **Office**

The office land use category accommodates primarily offices and financial institutions as low density transitional uses between residential neighborhoods and higher intensity business uses. This land use is intended for outlying areas including Strawberry Plains Road, John Tyler Lane, Monticello Avenue and Capitol Landing Road. The basic permitted uses are offices and financial institutions. Residential uses are not allowed. To supplement the permitted office uses, convenience service establishments such as barber shops, beauty parlors, tailors and shoe repair shops should be allowed as permitted uses. A limited range of related low-intensity commercial uses could also be allowed with a special use permit. This category is implemented by the LB-4 zoning district.

2. **Downtown Commercial** ***14 or more du/net ac.***

The Downtown Commercial land use category is intended to promote a variety of business uses in the Downtown Planning Area, and includes Merchants Square and other predominantly retail business areas adjacent to the Colonial Williamsburg Historic Area and the College of William and Mary. Continued use and adaptation of residential dwellings is supported in the Downtown area, and residential uses are allowed at a base density of 14 dwelling units/net acre, with increased density allowed with a special use permit. The primary consideration for the approval of increased density should be how the scale and character of the proposed project relates to its immediate surroundings and to the Downtown Planning Area as a whole. This category is implemented by the B-1 zoning district, and by the PDC District for student dwellings with up to four unrelated persons per dwelling unit.

3. **Corridor Commercial** ***14 du/net ac.***

This land use category designates land on the City's heavily traveled entrance corridors for commercial and service uses primarily oriented to the automobile. This category applies to local shopping areas, hotels, restaurants and other tourism retail uses, as well as automobile-oriented commercial uses. Substantial sections of Richmond Road, Capitol Landing Road, York Street, Second Street and the small portion of Mooretown Road located within the City limits are currently developed in this land use pattern. To ensure high quality development, the more intensive commercial uses should require special use permits. Corridor Commercial land use is

intended to promote the City's economic development policy for its limited, remaining high-visibility commercial sites.

Residential are allowed in Corridor Commercial areas but only as townhouse or multifamily residential combined with non-residential uses in a mixed-use format. Residential density is up to 14 dwelling units/net acre. ~~To allow more flexibility, the current prohibition of rental housing should be eliminated.~~ No more than 67% of the floor area on an individual lot should be devoted to residential use, which ensures that valuable commercial land is not completely used for residential purposes. All residential uses (apartments, condominiums and townhouses) should be in conjunction with new development or major redevelopment, should be located in new buildings specifically designed for residential use and should require a special use permit to ensure compatibility with corridor commercial uses. This category is implemented by the B-2 zoning district.

4. Urban Commercial ***14 or more du/net ac.***

Urban Commercial designates the City's most urban commercial corridor along Richmond Road between Monticello Avenue and Bypass Road, and along Monticello Avenue from Richmond Road to Treyburn Drive. The City's two oldest shopping centers are located in this area, which includes a mix of retail, office and service businesses, as well as hotels and timeshares and a small number of apartments. Because the Urban Commercial area is located close to downtown and the College of William and Mary, it has much potential for future major redevelopment as a mixed use area with housing for both college students and senior citizens. Maintaining a strong commercial component is essential, and an appropriate mix of retail space needs to be retained to serve the needs of the downtown area, including basic uses like grocery, hardware and drug stores.

Residential uses in the Urban Commercial area are allowed only as multifamily combined with non-residential uses in a mixed-use format. To encourage mixed use redevelopment, the base residential density should remain 14 dwelling units/net acre, but additional density should be allowed with a special use permit. The primary consideration for the approval of increased density should be how the scale and character of the proposed project relates to its immediate surroundings and to the Midtown Planning Area as a whole. Residential use is limited to no more than 67% of the floor area on an individual lot to ensure that valuable commercial land is not completely used for residential purposes, and a special use permit is required so that impacts to the surrounding commercial areas can be considered. Student dwellings should be added as special use permit use with a permitted dwelling unit occupancy of two unrelated persons in an efficiency or one bedroom dwelling unit, and four unrelated persons in a two or more bedroom dwelling unit. Building height should remain 45 feet. This category is implemented by the B-3 zoning district, with modifications.

5. Mixed Use ***8 or more du/net ac.***

The Mixed Use land use category is intended to provide a degree of flexibility in land uses to be developed in areas suitable for a mixture of residential and commercial uses. Incorporating a potential range of residential, office, and moderately-scaled commercial uses, mixed use development should be subject to a thorough urban design review which stresses quality architecture, proper building siting, and well-designed landscaping. Equally important, this category should promote the preservation, revitalization, and adaptive reuse, where appropriate, of existing historic structures. The density of the residential component of mixed use development should be appropriate to the character of the area. *Mixed Use* land use is designed to be more limited than Downtown Commercial, Corridor Commercial and Urban Commercial land use, but more flexible than Office land use.

Mixed Use is implemented by the LB-1 Limited Business Downtown District for the *North Henry/North Boundary Street* area north of Merchants Square, the *South Henry Street Residential* area south of Merchants Square, and the Blayton Building property at 613 Scotland Street. The

COMMERCIAL AND ECONOMIC DEVELOPMENT PLAN

The 2012 Comprehensive Plan's Commercial and Economic Development Plan is detailed in the following sections of this chapter, and is summarized below:

1. Maintain the Merchants Square area as a high quality mixed use commercial area serving residents, college students and visitors. Merchants Square and the surrounding mixed use areas are strategically located between the Colonial Williamsburg Historic Area and the College of William and Mary, and are distinguished by high quality and historically important architecture. Commercial establishments, restaurants, residences, and high quality infrastructure creates a vibrant and walkable urban area. This area is served by ample on and off-street parking and both Williamsburg Area Transport (including the Williamsburg Trolley) and Colonial Williamsburg bus systems.

2. Encourage businesses to locate adjacent to the College of William and Mary. These businesses will serve the needs of the 8,200 students at the College, as well as those of residents and visitors. They should be located adjacent to the College, primarily on Richmond Road and Prince George Street between Armistead Avenue and Scotland Street. The Midtown Planning Area is an important secondary area, particularly the Arts and Cultural District on Richmond Road between Brooks Street and Williamsburg Shopping Center.

3. Promote the Midtown Planning Area as a major redevelopment area. The Midtown Planning Area has the potential to become a multifaceted urban mixed use neighborhood. Its location close to the downtown area and to the College of William and Mary should support specialty commercial uses, and there is potential for the redevelopment of the two existing shopping centers. Increasing the residential component of this area is important, and it is well positioned to become an important location for college student housing. The Arts and Cultural District is well positioned to support the City's creative economy, and is also a transition area between automobile-oriented commercial to the west and residential uses to the east.

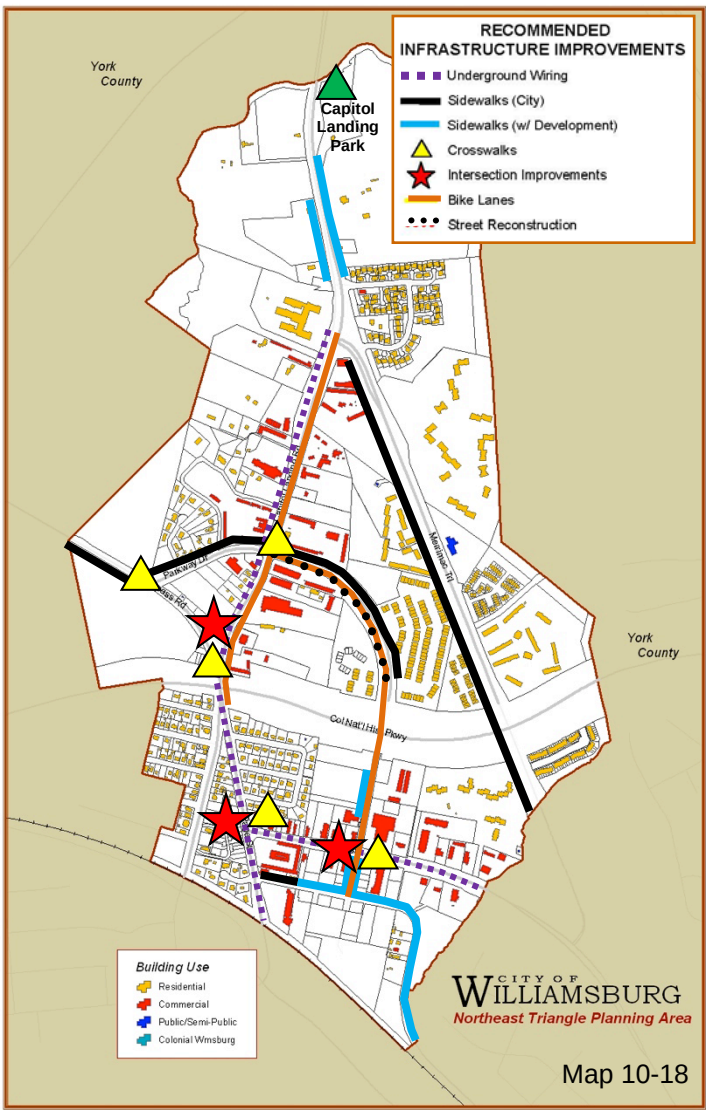
4. Maintain the City's *Corridor Commercial* areas as the primary location for tourist-oriented businesses. The primary tourist-oriented areas are Richmond Road west of Bypass Road, York Street, Second Street and Capitol Landing Road. These areas, along with the Colonial Williamsburg Foundation hotels around the Historic Area, provide locations for the majority of the City's lodging and restaurant businesses. Both new development and redevelopment should be encouraged in these areas. When housing is provided as part of a mixed use project, it should be in conjunction with new development or a major redevelopment, and no more than 67% of the floor area should be devoted to residential use.

5. Support development of High Street and Quarterpath at Williamsburg as the City's primary mixed use developments. High Street is a high quality shopping and entertainment area, anchored by a multiplex cinema, and Quarterpath at Williamsburg will be a mixed use area anchored by Doctors' Hospital and its adjacent medical campus. Both of these master planned developments integrate residential and non-residential uses.

6. Provide opportunities for mixed use development on Penniman Road. A 20 acre *Mixed Use* area between Penniman Road and the CSX Railroad is strategically located adjacent to *Corridor Commercial* areas and within walking distance of Colonial Williamsburg and the downtown area. It has the potential for a high-quality mixed use development with a major residential component.

7. Maintain appropriately located areas for office use throughout the City. These areas provide needed transition uses between major commercial areas and residential areas. Primary office areas are located along the John Tyler Lane/Strawberry Plains Road corridor and along Capitol Landing Road. Office uses can also be a part of mixed-use areas.

- *Parks*. Capitol Landing Park at Queen's Creek, has been recommended in every Comprehensive Plan since 1953. The value of creating a park at this site should be better understood and a long term strategy developed for its realization.



Map 10-18

Future Land Use Recommendations Commercial, Office and Mixed Use Areas

1. Capitol Landing Road Corridor.
   - The existing *Corridor Commercial* land use designation between Merrimac Trail and the Colonial Parkway should be continued, with residential density remaining at 14 dwelling units/net acre. For mixed use development in this corridor, multifamily dwellings (apartments and condominiums) and townhouses should be allowed only in conjunction with new development or major redevelopment and with a special use permit so that impacts to the commercial corridor can be considered during the approval process. The commercial floor area requirement for a mixed use project should be continued at the present requirement of 33%, and the commercial floor area must be constructed simultaneously with the construction of the residential floor area. This should be implemented by the B-2 Corridor Business District.

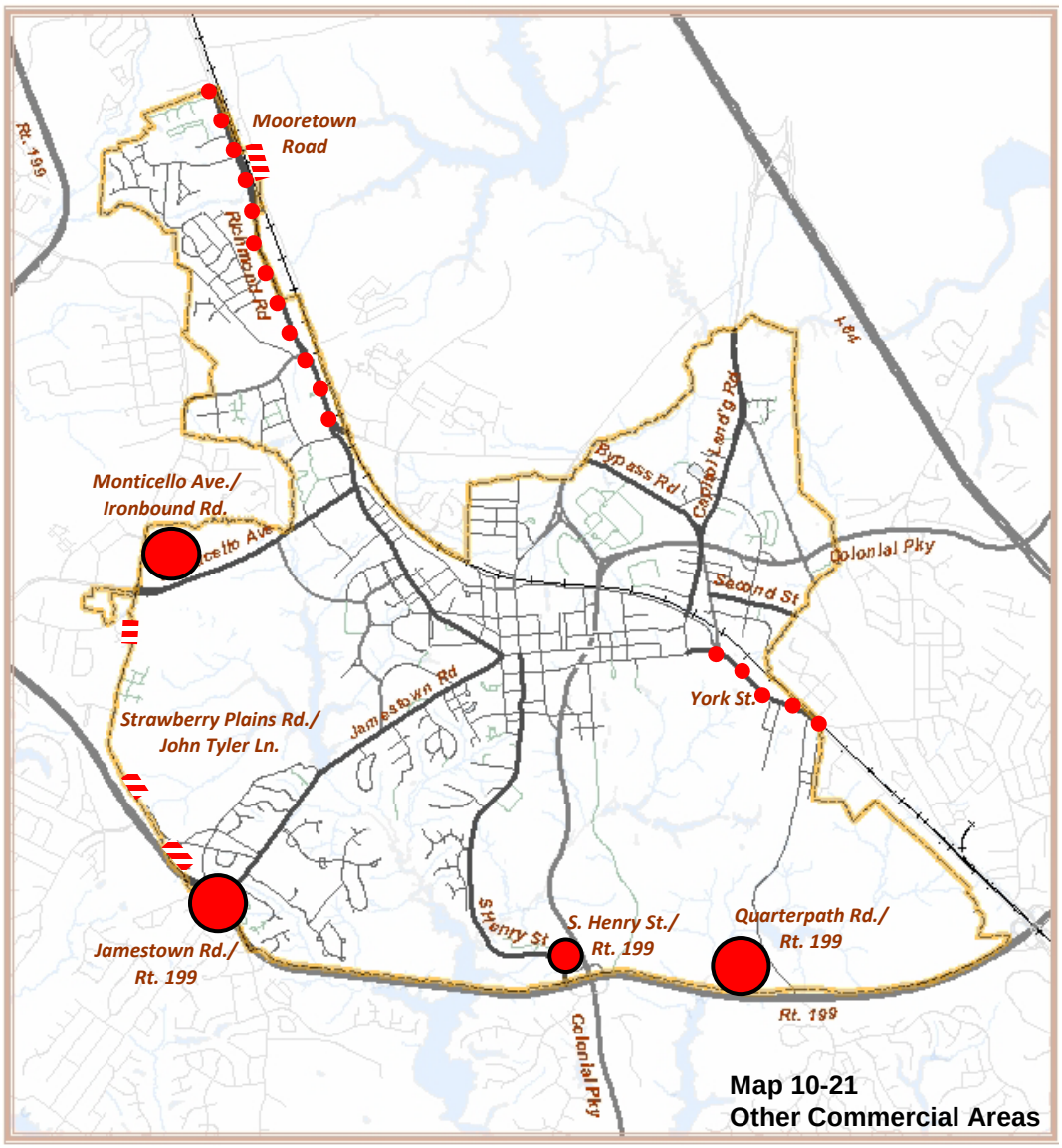
- The *Office* land use designation at the intersection of Capitol Landing Road and Merrimac Trail should be continued, providing a transition between the *Low Density Single Family Detached Residential* land use to the north and the *Corridor Commercial* land use to the south. This should be implemented by the LB-4 Limited Business Corridor District. However, the *Office* land used to the rear of the Alexander Commons offices at 921 and 925 Capitol Landing Road should be changed to *Corridor Commercial* land use to match the existing land use to the north and east, and implemented by the B-2 Corridor Business District. The required transitional screening buffer requirements and the existing topography will protect the Woods Drive residential area to the south.
- The land used designation for The Beeches, 1030 Capitol Landing Road, should be changed from *Low Density Single Family Detached Residential* to *Mixed Use* land use. This historic house, eligible for individual listing on the National Register of Historic Places, should be preserved and incorporated into a redevelopment of the property that preserves the house and utilizes the beautiful environmental character of the land surrounding the house. The *Mixed Use* land use designation is implemented by a revised LB-3 Limited Business Residential District, but because of the strategic and sensitive location of this property, a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property.

2. Second Street.
   - The existing *Corridor Commercial* land use designation should be continued for the Second Street corridor, with residential density remaining at 14 dwelling units/net acre. For mixed use development in this corridor, multifamily dwellings (apartments and condominiums) and townhouses should be allowed only in conjunction with new development or major redevelopment and with a special use permit so that impacts to the commercial corridor can be considered during the approval process. The commercial floor area requirement for a mixed use project should be continued at the present requirement of 33%, and the commercial floor area must be constructed simultaneously with the construction of the residential floor area. This should be implemented by the B-2 Corridor Business District.
   - Revisions to the zoning regulations are needed to address the setback and buffer requirements for the north side of Second Street between Page Street and Parkway Drive, and particularly the area adjacent to Pine Crest Subdivision. The existing setback and buffer requirements are inappropriate for redevelopment of this area.

3. Penniman Road
   - The south side of Penniman Road should be changed from *Corridor Commercial* land use to *Mixed Use* land use. This area has potential for a high quality mixed-use development with a major residential component. Commercial and offices uses could be located along Penniman Road and Page Street adjacent to the Corridor Commercial area, with the interior of the property developed with residential uses. Timeshares or hotel use could be part of a mixed use development. Senior housing could be one of the appropriate residential uses because of the proximity of this area to existing commercial uses, Colonial Williamsburg and downtown. Student housing could be another appropriate residential use because of the relative nearness of the College of William and Mary and the availability of bus transportation. This area has 17.8 net developable acres, which could allow up to 249 dwellings units at a density of 14 dwelling units/net acre. The existing B-2 zoning should remain in place until a satisfactory plan is submitted for a mixed use development. The *Mixed Use* land use designation would be implemented by a revised LB-3 Limited Business Residential District, but because of the strategic and sensitive location of this area, a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property.

The Northeast Triangle Planning Area Future Land Use Map on the following page (Map 10-19) illustrates these recommendations.

OTHER COMMERCIAL AREAS



Map 10-21
Other Commercial Areas

Residential Uses in Corridor Commercial Areas

While residential uses can be an appropriate ~~important~~ part of certain commercial areas (Downtown Commercial and Urban Commercial land use), steps should be taken to ensure that land in the *Corridor Commercial* areas remains available primarily for commercial development and redevelopment. This is particularly important because only 6% of the City's land area is currently devoted to commercial use, and only 6% of the City's vacant land is available for new commercial or mixed use development. ~~*Corridor Commercial* land developed for mixed use projects should have a limitation on the maximum amount of residential use allowed to preserve the availability of land for commercial uses.~~ Residential uses should be allowed only as a mixed use in conjunction with new development or major redevelopment in the *Corridor Commercial* the areas, and should be located in new buildings specifically designed for residential use. There should also be a limitation on the maximum amount of residential use allowed to preserve the availability of land for commercial uses.

> *Recommendation.* To allow more flexibility and to encourage well-planned mixed use projects, apartments, condominiums and townhouses should be allowed in the B-2 District, but with a special use permit to allow the review of projects on a case by case basis. The residential threshold should remain at 67% of the total floor area on an individual lot, which would allow either one floor of commercial use with residential use above, or commercial use on the front of the property with residential use on the rear. To encourage commercial redevelopment and ensure the quality of any residential component of a mixed use development, existing commercial buildings should not be allowed to be converted to residential use.

Landing Road. Rezoning of these areas can be approved if an acceptable master plan is submitted.

Zoning Map Changes

1. Change the RS-2 Single Family Dwelling District for the Capitol Heights area and Pine Crest Subdivision to RS-3 Single Family Dwelling District.
2. Change the LB-4 Limited Business Corridor District at the rear of 921 and 925 Capitol Landing Road to B-2 Corridor Business District.

Commercial Corridors

Recommendations for the Corridor Commercial areas are detailed in *Chapter 10 – Commercial and Economic Development*. The following changes are needed to implement the Plan's recommendations for the Commercial Corridors:

Zoning Text Changes

1. Revise the yard requirements for the B-2 District to require a 15 foot front yard between New Hope Road/Bypass Road and Ironbound Road.
2. Revise the use regulations for the B-2 Corridor Business District to eliminate multifamily with up to 50% of total floor area as a permitted use, and to allow up to 67% of the total floor area on an individual lot to be used for the following residential uses with a special use permit: apartments, condominiums and townhouses. Add a provision that the residential uses must be in conjunction with new development or major redevelopment, and located in new buildings specifically designed for residential use.
3. Revise the use regulations for the B-2 Corridor Business District to allow newspaper printing and publishing facilities with a special use permit.

Zoning Map Changes

1. Change the B-3 General Business District along Richmond Road between New Hope Road/Bypass Road and Ironbound Road to B-2 Corridor Business District.
2. Change the B-3 General Business District for the Virginia Gazette at 216 Ironbound Road to B-2 Corridor Business District.

Residential Areas

The following changes are needed to bring zoning regulations into agreement with the Medium Density Single Family Residential land use category:

Zoning Text Changes

1. Revise the cluster subdivision requirements for the RS-2 District to reduce the maximum density allowed for cluster subdivisions from 6 to 5 dwelling units/net acre with a special use permit.
2. Revise the density requirements for the PDR District to reduce the maximum density allowed when rezoning from an RS-2 District from 6 to 5 dwelling units/net acre.

Other Areas

The following changes are needed to bring zoning regulations into agreement with the Future Land Use Map for properties that were exchanged in 1996 between the City and the College of William and Mary:

Zoning Map Changes

1. Change the WM William and Mary District at 951 South Henry Street to RS-1 Single-Family Dwelling District. This property is owned by the City and is designated *Conservation Area* land use.
2. Change the RS-2 Single-Family Dwelling District at 190 Strawberry Plains Road (behind Berkeley Middle School) to WM William and Mary District. This property is owned by the College of William and Mary and is designated *William and Mary* land use.

PROPOSED ORDINANCE #15-__
ORDINANCE #15-__

AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE III. DISTRICT REGULATIONS, DIVISION 15, PLANNED DEVELOPMENT DISTRICTS PDR, PDC AND PDU, AND ARTICLE V. PARKING, TO ADD THE PLANNED DEVELOPMENT HOUSING DISTRICT PDH (PCR #15-006)

WHEREAS, these revisions to the Williamsburg Code, Chapter 21, Zoning, are intended to create a new Planned Development Housing District PDH which will allow converting a limited number of existing hotel rooms in the B-2 District for the purpose of providing non-permanent affordable and flexible-term housing for individuals and families who may not have access to traditional housing alternatives that exist in the City.

THEREFORE, BE IT ORDAINED that Chapter 21, Zoning, Article III. District Regulations, Division 15, Planned Development Districts PDR, PDC and PDU be amended by the addition of Sec. 21-483.1 Planned Development Housing District PDH, to read as follows:

ARTICLE III. DISTRICT REGULATIONS

DIVISION 15. PLANNED DEVELOPMENT DISTRICTS PDR, PDC, PDU AND PDH

Sec. 21-483.1. Planned development housing district PDH.

(a) *Statement of intent.* The PDH district is established to encourage adaptive housing by allowing conversion of a limited number of existing hotel/motel rooms located in the B-2 zoning district into affordable housing for individuals and families, and thereby fulfilling a housing need not addressed by the City's existing housing inventory. The PDH district should be located so as to take advantage of proximity to existing transit routes and pedestrian and bicycle facilities, and should not be located on sites that have significant redevelopment potential.

(b) *Where permitted.* PDH districts shall be permitted only in the B-2 zoning district.

(c) *Minimum size of district.* There is no minimum size required for a planned development housing district PDH.

(d) *Permitted dwelling unit occupancy.* The permitted occupancy in a planned development housing district PDH is as follows:

(1) No more than three persons in an efficiency or one bedroom unit; or

(2) No more than five persons in a two or more bedroom unit.

(e) *Permitted uses.* The uses permitted in the planned development housing district PDH are as follows:

(1) Adaptive housing, subject to the following:

a. *Definition.* "Adaptive housing" is defined for the purpose of this section [21-483.1] as primarily efficiency and one-bedroom units with adequate cooking facilities created from all or part of an existing hotel/motel, and used for the purpose of providing non-permanent, affordable and flexible-term housing for individuals and families who may not have access to traditional housing alternatives existing in the City of Williamsburg but who are not visitors as defined in Sec. 21-2.

b. *Management.* Management shall be provided in accordance with a management plan that is approved as a part of the rezoning and which provides for prompt and adequate performance of regular and emergency upkeep and maintenance on the complex and all dwelling units therein, and shall remain in effect unless the approved development plan is amended in accordance with this chapter. The management plan shall include procedures to link residents with the Williamsburg Human Services Department and with other non-governmental organizations addressing human service needs.

c. *Number.* No more than a total of 100 adaptive housing units shall be permitted in the City, and there shall be no more than 50 units in an individual adaptive housing facility.

d. *Review standards.* When reviewing an application for rezoning to planned development housing district PDH, city council shall consider the location of the hotel/motel, the potential of the site for significant redevelopment, the history of property maintenance and fire code violations for the proposed site, the proximity of the site to existing transit routes, the proximity of the site to pedestrian and bicycle facilities, the inclusion of housing for suitable for seniors and for persons with disabilities when it is appropriate as part of the adaptive housing facility, the suitability of the proposed management plan, and the compatibility of the adaptive housing facility with existing residential and commercial development in the vicinity of the proposed location.

f. *Reversion.* In the event that the owner of the property desires to convert or redevelop the property to a use or uses allowed in the corridor business district B-2, the owner may apply for a rezoning to the previous corridor business district B-2 zoning in accordance with article II, division 3.

(2) Hotels/motels and associated meeting facilities.

(3) Off-street parking and loading areas for permitted uses in accordance with article V.

(4) Signs in accordance with article VI.

(5) Accessory uses in accordance with section 21-603

(6) Home occupations in accordance with section 21-606

(f) *Uses permitted as special exceptions.* Uses permitted in the planned development housing district PDH with a special exception approved by the board of zoning appeals in accordance with section 21-97(f) are as follows:

No special exception uses are listed for this district.

(g) *Uses permitted with special use permit.* Uses permitted in the planned development housing district PDH with a special use permit approved by the city council in accordance with article II, division 2, are as follows:

No special use permit uses are listed for this district.

(h) *Density.* For the planned development housing district PDH residential density shall be determined as a part of the rezoning process. In deciding on the density to be allowed, city council shall consider the quality of the building and site design of the proposed development, and how the scale and character of the development relates to its immediate surroundings. The approved density shall be based upon the net acreage, which shall be calculated based on existing land conditions, as specified in the following chart:

Physical Land Unit	**Percent Credited Toward Net Acreage**
Slopes less than 10%	100%
Slopes from 10% but less than 20%	70%
Slopes from 20% but less than 30%	50%
Slopes 30% or more	10%
100-year floodplains	0%
Wetlands	0%
Existing water features (bodies of water, drainage channels, streams, etc.)	0%
Above ground high voltage electric transmission line easements (69 kv or greater)	0%

(i) *Lot area, lot width and yards.*

(1) *Lot area.* There shall be no lot area required in the planned development housing district PDH.

(2) *Lot width.* The minimum lot width at the building line in the planned development housing district PDH shall be 50 feet, and the lot width shall not be less than 25 feet at the street line.

(3) *Yards.* The yard requirements in the planned development housing district PDH are as follows:

a. *Front.* There shall be a front yard of not less than 35 feet, except that for lots fronting on Richmond Road between New Hope/Bypass Road and Ironbound Road, Parkway Drive, Penniman Road and Second Street, there shall be a front yard of not less than 15 feet; and except that for lots fronting on Second Street between Page Street and Parkway Drive there shall be a front yard of not less than five feet.

1. Where 40 percent or more of the frontage on one side of the street within the same block is improved with buildings, no building on that side of the street within the same block shall be required to have a front yard greater than the average front yard of the existing buildings. However, when there are buildings on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of the front yards of the buildings on the adjacent lots. The side line of a building on a corner lot shall not be a factor in these calculations.

2. When a lot has a double frontage, front yards shall be provided on both streets, subject to such reductions as may be allowed under subsection 21-483.1(i)(3)a.1. above.

3. No accessory building shall be located in a front yard.

b. *Side.*

1. There shall be side yards of not less than ten feet.

2. *Corner lots:* On a corner lot, the owner shall choose which yard is the front yard unless the front yard is designated on the recorded subdivision plat. The rear yard shall be opposite the chosen front yard. The other yard abutting the street shall be a side yard and shall not be less than 17½ feet for both main and accessory buildings (not less than 15 feet for both main and accessory buildings adjacent to Parkway Drive, Penniman Road and Second Street), unless a greater side yard is designated on a recorded subdivision plat. Gasoline pump islands, pump island canopies and outdoor dining areas shall be required to have a side yard of not less than 15 feet.

3. Side yards for accessory buildings, except for those on corner lots, shall not be less than three feet.

4. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-483.1(i)(3)d. below.

c. *Rear.*

1. There shall be a rear yard of not less than 15 feet.

3. Rear yards for accessory buildings shall not be less than five feet.

4. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-483.1(i)(3)d. below.

d. *Transitional screening.*

1. A landscaped open space area for transitional screening at least 35 feet in width shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district or to the Colonial Parkway, except that:

i. A landscaped open space area for transitional screening at least ten feet in width shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district for lots fronting on Second Street between Page Street and Parkway Drive. The transitional screening open space shall include the required side and rear yards. In conjunction with site plan review, planning commission

may require a screening fence or wall in conjunction with or in lieu of the required landscaping.

ii. No transitional screening open space shall be required when multifamily dwellings adjoin multifamily zoning districts.

2. Landscaping of transitional screening open space areas shall be in accordance with landscaping standards contained in section 21-784(e).

3. Transitional screening open space shall not contain accessory buildings or be used for storage purposes. No more than 25 percent of a transitional screening open space area shall be used for stormwater management facilities.

4. Transitional screening open space shall be in addition to the required side and rear yards, unless otherwise specified.

5. The planning commission may reduce the required width of transitional open space. A reduction shall not be approved unless it is found that:

i. The provision of the required transitional screening open space would unreasonably restrict the use of the property due to exceptional narrowness, shallowness, size or shape of the lot, or by reason of exceptional topographic conditions or other extraordinary situation or condition of the property; and

ii. Additional landscaping and/or screening is proposed that will provide screening equivalent to that required by this section.

(j) *Height.* The height requirements in the planned development housing district PDH are as follows:

(1) Buildings may be erected up to 45 feet from grade except that:

a. Stair towers, equipment penthouses, mechanical equipment and screening walls are exempt from the height limitations, provided that they shall not cover more than 30 percent of the total roof area and shall not exceed the building height by more than ten feet. Equipment penthouses, mechanical equipment and screening walls shall be set back from the front wall of the building one foot for each foot of height above the roof level.

b. Parapet walls shall not exceed the building height by more than four feet.

c. Cupolas, spires and steeples may be erected to a height of 90 feet above grade, and may extend higher if a special exception is approved by the board of zoning appeals in accordance with section 21-97(f). The board shall not approve the special exception unless it finds that the cupola, spire or steeple is in proper proportion to the building.

(k) *Landscaped open space.*

(1) The landscaped open space requirements in the planned development housing district PDH are as follows:

a. At least 20 percent of the total land area of the lot shall be landscaped open space.

BE IT FURTHER ORDAINED that Chapter 21, Zoning, Article III. District Regulations, Division 15, Planned Development Districts PDR, PDC and PDU, Sec. 21-484. *Application procedures for planned development districts* be amended by changing "PDR, PDC or PDU" to "PDR, PDC, PDU and PDH" in subsections (a), (b), (c), and by changing "PDC and PDU" to "PDC, PDU and PDH" in subsection (c)(7)i.8.

BE IT FURTHER ORDAINED that Chapter 21, Zoning, Article V. Parking, Sec. 21-207. Amount of offstreet parking required, be amended to read as follows:

ARTICLE V. PARKING

Sec. 21-207. Amount of offstreet parking required.

The offstreet parking required by this article shall be provided and maintained on the basis of the following table, except as otherwise provided in this article:

Use Type	*Required Parking Spaces*
(a) *Residential uses:*	
(1) Single-family detached dwelling	2 for each dwelling unit
(2) Duplex dwellings	2 for each dwelling unit
(3) Townhouses and planned unit developments	2 for each dwelling unit, plus 0.25 for each dwelling unit for visitor parking
(4) Multifamily dwellings	1.25 for each efficiency and one bedroom dwelling unit, and 1.5 for each two or more bedroom dwelling unit, plus 0.25 for each dwelling unit for visitor parking
(5) Senior housing, as defined	1 for each 2 dwelling units
(6) Adaptive housing, as defined	1 for each efficiency and one bedroom unit, and 2 for each two or more bedroom unit

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Gerry S. Walton, Deputy Clerk

[PC\PCR\2015\15-006 ORDINANCE]