PUBLIC NOTICE
WILLIAMSBURG CITY COUNCIL

The Williamsburg City Council will hold a public hearing on Thursday, June 14, 2012, 2:00 p.m. in the Stryker Building, 412 North Boundary Street, to consider the following:

PCR #12-005: Request of 1406, LLC, to amend the Zoning Ordinance to create the Planned Development Urban District PDU (Sec. 21-483 and 21--484). This category is limited to land designated as general commercial land use in the Comprehensive Plan which does not front on Richmond Road and Monticello Avenue. This district will allow multifamily and student dwellings to be established with an approved development plan. The proposed dwelling unit occupancy is no more than four unrelated persons in a two or more bedroom dwelling unit, and no more than two unrelated persons in an efficiency or one-bedroom dwelling unit. Permitted residential density is 56 bedrooms/net acre, which is equivalent to the 14 four-bedroom apartments/net acre allowed in the Planned Development College District PDC (Tribe Square).

PCR #12-006: Request of 1406, LLC, to rezone 2.64 acres at 1406 Richmond Road (Quality Inn & Suites) from B-3 General Business District to PDU Planned Development Urban District. This property is identified as Williamsburg Tax Map No. 403-01-00-001. This property is designated as General Commercial land use by the Comprehensive Plan. Permitted uses and residential density in the PDU District is described in PCR #12-005. It is proposed to convert the existing building to City Lofts, a project with 94 one-bedroom student dwellings, plus a two-bedroom manager apartment, with a proposed density of 38 bedrooms/net acre.

PCR #12-007: Amendment of the LB-2 Limited Business Neighborhood District by the revision of the statement of intent, permitted uses and special use permit uses (Secs. 21-255.1, 21-255.2 and 21-255.4), including but not limited to the following changes:

- Permitted uses: multifamily dwellings with ten or less dwelling units allowed; restaurants without drive-thru windows allowed without a floor area limitation; retail sales establishments allowed without a floor area limitation; hotels/motels allowed without a room number limitation.
- Residential density: residential density will be 14 dwelling units/net acre (currently 8 dwelling units/net acre by right, and 14 dwelling units/net acre with a special use permit).

These changes are intended to provide more flexibility for establishing new uses in the Williamsburg Arts and Cultural District, and also apply to the LB-2 District on Penniman Road.

PCR #12-008: Creation of the Midtown Parking District, establishing special parking requirements for the properties within the Parking District. This District will cover the properties located in the Williamsburg Arts and Cultural District, and includes properties zoned RS-3, LB-2 and B-3. Residential parking regulations will be unchanged except that the visitor parking requirement for multifamily dwellings will be eliminated. Hotels/motels will require one parking space per bedroom. All other business uses will have a uniform parking requirement of one space for each 400 square feet of floor area. These changes are intended to provide more flexibility for establishing new uses in the Williamsburg Arts and Cultural District.

Additional information is available at www.williamsburgva.gov/Index.aspx?page=1036 or at the Planning Department [(757) 220-6130], 401 Lafayette Street. Interested citizens are invited to attend this hearing and present their comments to the Council.

If you are disabled and need accommodation in order to participate in the public hearing, please call the City Manager's office at (757) 220-6100, (TTY) 220-6108, no later than 12:00 noon, Thursday, June 7, 2012.

Donna F. Scott
City Council Clerk

CITY OF WILLIAMSBURG
MEMORANDUM

DATE: **May 23, 2012**

SUBJECT: **PCR #12-005**
Request of 1406 LLC to amend the Zoning Ordinance to create the Planned Development Urban District PDU

PCR #12-006
Request of 1406 LLC to rezone 2.64 acres at 1406 Richmond Road (Quality Suites) from B-3 to PDU and convert the building to 94 one-bedroom student dwellings

1406 LLC (Demetrios Florakis) is proposing to convert the existing Quality Inn & Suites at 1406 Richmond Road from a 118 bedroom hotel to City Lofts, 94 one-bedroom student apartments. This will require a new zoning district (PDU Planned Development Urban), rezoning the property to the new district, and approving a development plan and management plan for the project. This is the same procedure that was used for Tribe Square on Richmond Road.

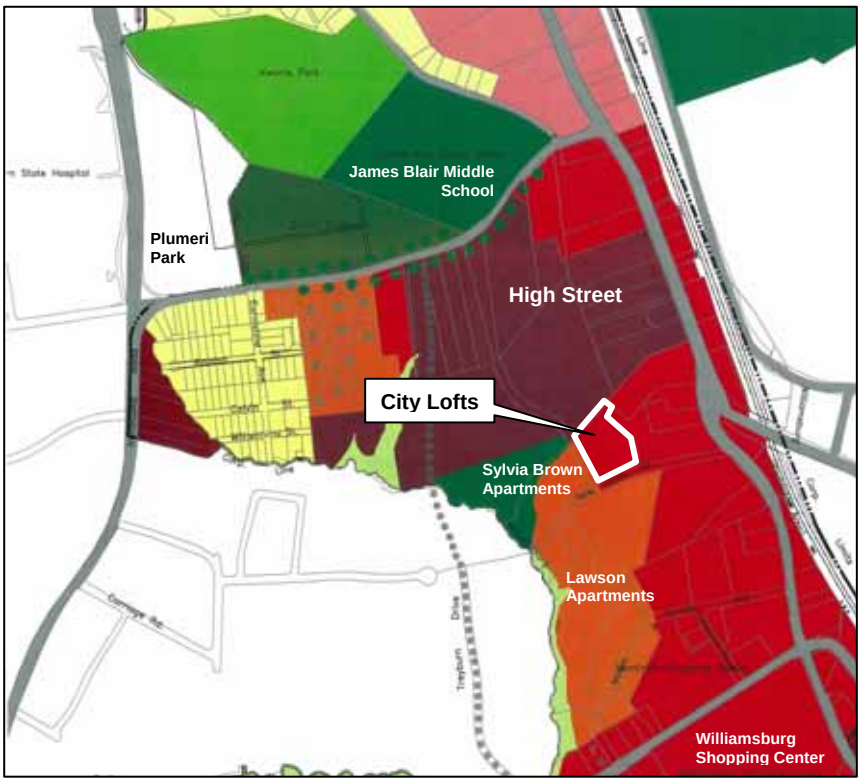
View from the High Street Parking Garage

The applicant states in the City Lofts Management Plan that "The owner's goal is to create the premier off-campus student housing community in the market. We want to deliver the highest level of comfort, security, maintenance, and convenience to our residents." Amenities provided include fitness rooms, computer lounge, dining area, study rooms, swimming pool, and bike garage.

COMPREHENSIVE PLAN

The 2006 Comprehensive Plan designates this parcel as General Commercial land use, which is defined by the Plan as follows:

> *General Commercial designates the City's most urban commercial corridor along Richmond Road between Monticello Avenue and Ironbound Road. It includes the City's two largest shopping centers, and many commercial buildings located close to the street. The area includes a mix of retail, office and service businesses, as well as hotels and timeshares.*
>
> *Residential uses should continue to be allowed in the General Commercial areas, primarily as multifamily combined with non-residential uses in a mixed-use format. Because this area includes shopping centers with a full range of commercial uses, and is located close to the downtown areas, it can also be a suitable location for multifamily dwellings used as housing for older citizens. All residential uses should require a special use permit to ensure compatibility with commercial uses.*



The Plan talks more specifically about this area, and states that "Residential uses can also play an important part in the evolution of this urban area. Because this close in area is served by Williamsburg Area Transport, and has a wide variety of commercial services within walking distance, it is well situated to be a good location for multifamily housing, and particularly housing for senior citizens."

The Commercial and Economic Development Plan listed on page 10-2 of the 2006 Comprehensive Plan states as the fourth goal:

> *<u>Encourage the "Shopping Centers Area" to serve as the centerpiece of the City's urban commercial corridor.</u> Williamsburg and Monticello Shopping Centers will continue to serve local shopping needs, and are also located conveniently to the College. The adjacent Richmond Road corridor between Monticello Avenue and Ironbound Road will connect the shopping centers with the High Street Williamsburg mixed-use area. Multifamily housing can be an important component of this area, particularly at the eastern end.*

This City Lofts proposal is also located immediately adjacent to High Density Multifamily Residential land use, which is defined by the 2006 Comprehensive Plan as follows:

> *This land use category is applied to the City's high density multifamily residential areas. There are three major areas in the City that fit this category: Merrimac Trail, Mt. Vernon Avenue, and Patriot Lane. Each of these areas incorporates low rise, garden-styled apartments (up to three stories) at densities in the range of 14 dwelling units per net developable acre….*

The Plan talks more specifically about the adjacent Mount Vernon Avenue multifamily area (Lawson Apartments), and notes that is one of the City's three major concentrations of multifamily housing. These five apartment complexes were built between 1963 and 1986. The Plan notes that:

> *These apartments are located between the College of William and Mary and the High Street Williamsburg development, interconnected by a growing network of sidewalks and bike lanes asa well as the Treyburn Drive extension. The proximity of this area to the College makes these apartments very attractive for helping to meet the need for college student housing. Because of its strategic location, this area should be further studied to determine whether or not it should be considered for a higher residential density and/or mixed-use redevelopment.*

The Housing Plan listed on page 8-7 of the 2006 Comprehensive Plan states as the seventh goal:

> <u>Develop an adequate solution to college student housing.</u> The demand for student housing on the campus of the College of William and Mary and in the area surrounding the College has an impact on the largely single family neighborhoods adjacent to the College along Richmond road and Jamestown Road. It is the responsibility of the College to provide an appropriate amount of student housing on the campus. Additionally, City regulations should encourage appropriate student oriented housing off-campus to supplement the housing provided by the College.

EXISTING ZONING

The existing zoning for the property is B-3 General Business District. The B-3 District allows a range of commercial and office uses, and allows a residential density of 14 units/net acre by right. Permitted dwelling unit occupancy may be increase to four unrelated persons with a special use permit.

The statement of intent for the B-3 District reads:

> *This district is established to promote a mixed use development pattern along arterial streets centered on the existing shopping centers at the Richmond Road/Monticello Avenue intersection. This area is more urban in character than the corridor commercial district B-2, and is therefore suitable for a mix of commercial, office and residential uses. Because this area is served by transit, and has a wide variety of commercial services within walking distance, it is a good location for multifamily housing, and particularly housing for senior citizens. Residential uses and higher intensity commercial uses such as offices and retail sales establishments in buildings exceeding 50,000 square feet area may be allowed with a special use permit to ensure that the use is compatible with the district and surrounding neighborhoods.*

Land to the west (Sylvia Brown Apartments) and south (Lawson Apartments) of the property is also zoned RM-2 Multi-Family Dwelling District. Land to the east (Fairfield Inn & Suites and Patriot Inn & Suites) is zoned B-3 General Business District, and land to the north (High Street) is zoned ED-2 Economic Development District.

APPROVALS NEEDED

The project requires two actions:

1. Amend the Zoning Ordinance text to create a new PDU District.
2. Rezone the property to PDU, which includes development plan approval.

PDU PLANNED DEVELOPMENT URBAN DISTRICT (PCR #12-005)

The proposed PDU District is an addition to the Planned Development section of the Zoning Ordinance, which now consists of the PDR Planned Development Residential District (used for Brandywyne and Capitol Landing Green), and the PDC Planned Development College District (used for Tribe Square). As was the case with the PDC District, the PDU District has been designed to address the specific City Lofts proposal, but it has also been designed with the thought that it could be used in the future if it were desired to redevelop any of the existing apartment complexes in the Midtown Planning Area.

The proposed PDU District regulations are narrowly drawn, and are designed to encourage high-density multifamily housing that includes student housing and which is located in close proximity to the College of William and Mary. To this end, only property designated as General Commercial land use and which does not front on Richmond Road or Monticello Avenue is eligible for rezoning to the PDU District.

Other provisions of the proposed PDU District are:

1. 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.
2. The only permitted residential uses are multifamily dwellings and student dwellings. A student dwelling is defined as "a building containing three or more dwelling units located in close proximity to the campus of the College of William & Mary and designed to be occupied by students at the College." Management for student dwellings is required to be provided by either the College of William and Mary or 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.
3. Permitted non-residential uses are public parks and private recreational uses such as clubhouses, pools, tennis courts and other similar facilities.
4. Permitted residential density is 56 bedrooms/net acre, which is a new way of calculating residential density. This density is equivalent to Tribe Square, which is 14 dwelling units/net acre, but which has four bedrooms per dwelling unit for a total of 56 bedrooms/net acre. This allows additional flexibility, and is necessary to allow the conversion of the hotel to student housing.
5. Permitted height is 45 feet, is the same as the height allowed in the B-3 District.
6. The rezoning to PDU District approves the development plan and the management plan.

REZONING FROM B-3 TO PDU (PCR #12-006)

The rezoning from B-3 to PDC will approve the development plan, which includes the existing four story building on a 2.64 acre parcel (2.54 net acres) fronting on New Hope Road and Middle Street. 94 one-bedroom student apartments are proposed, plus a two-bedroom manager's apartment. This results in a residential density of 38 bedrooms/net acre (96 bedrooms ÷ 2.54 net acres). 49 of the one-bedroom apartments will house two students, and 45 will house one student, for a total of 143 students in the building. The apartments will be subject to the attached "Management Plan for the Upkeep and Maintenance of City Lofts," dated March 30, 2012. An on-site resident manager will live in a first floor manager's apartment, and one Resident Community Assistant will live on each of the four floors of the complex. At least one Resident Community Assistant will be present and available at all hours.

The submitted development plan for the project is basically the existing site plan. The existing landscaping is enhanced by the planting of additional trees and ornamentals. A new evergreen hedge is planted along the parking spaces backing up to Middle Street to provide better screening. The landscaped open space requirement is 0.53 acres, and 0.65 acres is provided. An existing storage shed will be removed, and the existing dumpster screen will be rebuilt to meet current standards.

The existing 146 space parking lot will provide the off-street parking for City Lofts. 1.5 spaces are required for each of the 94 one-bedroom apartments (141 spaces) and 1.75 spaces are required for the manager's apartment, for a total requirement of 143 spaces. Access to the parking lot is provided directly from New Hope Road and Middle Street, and through easements across adjacent properties from Richmond Road. The height of the existing building is 41 feet, and meets the height requirement of the proposed PDU District. An interior room for bicycle parking will be provided, supplemented by an exterior bike rack on the Middle Street side of the building.

City Lofts Development Plan

ARCHITECTURAL REVIEW

This property is not located in an architectural review district.

ANALYSIS

The proposed City Lofts project is located in an area that the 2006 Comprehensive Plan has identified as having potential for multifamily dwellings. It is located on the border between General Commercial and High Density Multifamily Residential land uses, and between B-3 General Commercial and RM-2 Multifamily Residential zoning districts.
The Comprehensive Plan states:

- City regulations should encourage appropriate student oriented housing off-campus to supplement the housing provided by the College.
- For the General Commercial land use category: "Because this close in area is served by Williamsburg Area Transport, and has a wide variety of commercial services within walking distance, it is well situated to be a good location for multifamily housing…" The Plan also states for the adjoining High Density Multifamily Residential land use that "The proximity of this area to the College makes these apartments very attractive for helping to meet the need for college student housing. Because of its strategic location, this area should be further studied to determine whether or not it should be considered for a higher residential density and/or mixed-use redevelopment."

The location of City Lofts is located close to the College of William and Mary, with easy access by automobile, bus, walking or bicycle. The new multiuse trail behind the School of Education provides an important pedestrian and bicycle link to the main campus. A Williamsburg Area Transport bus stop is located approximately 500 feet from the building. A variety of City businesses and restaurants are available with walking distance.

The City Lofts project takes a poorly located and underperforming hotel out of circulation, and replaces it with a project that satisfies a need for increased student housing. It does so in a way that does not impact the City's close-in single family neighborhoods. This project will help meet the 2006 Comprehensive Plan's goal of developing "an adequate solution to college student housing," which states that "City regulations should encourage appropriate student oriented housing off-campus to supplement the housing provided by the College."

STAFF RECOMMENDATIONS

PCR #12-005 – PDU District
Staff recommends that Planning Commission recommend to City Council that the PDU District be created, as detailed in Proposed Ordinance #12-09.

PCR #12-006 – Rezone 1406 Richmond Road from B-3 to PDU
Staff recommends that Planning Commission recommend to City Council that 1406 Richmond Road Street be rezoned from B-3 to PDU, as detailed in Proposed Ordinance #12-10. This recommendation approves the submitted conceptual plans and conceptual architectural plans for the City Lofts development, and approves the management plan for the student dwellings.

PLANNING COMMISSION RECOMMENDATIONS

Planning Commission held a public hearing on these requests on May 16, and three citizens spoke at the hearing. Planning Commission, by a vote of 5-0, made the following recommendations to City Council:

PCR #12-005 – PDU District
That the PDU District be created, as detailed in Proposed Ordinance #12-09.

PCR #12-006 – Rezone 1406 Richmond Road from B-3 to PDU
That 1406 Richmond Road Street be rezoned from B-3 to PDU, as detailed in Proposed Ordinance #12-10. This recommendation approves the submitted conceptual plans and conceptual architectural plans for the City Lofts development, and approves the management plan for the student dwellings.

Reed T. Nester, AICP
Planning Director

[PC\PCR\2012\12-005M03]

TARLEY ROBINSON

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John Tarley, Jr.
jtarley@tarleyrobinson.com

March 19, 2012

Reed Nester
Planning Director
401 Lafayette Street
Williamsburg, Virginia 23185

Re: Statement in support of Request for Zoning Text Change and Rezoning Request

Dear Mr. Nester:

This letter supports the attached Zoning Text Change and Rezoning Application. This letter provides the reason and wording for the proposed zoning text change, and is also offered as the Applicant's Statement in support of the Rezoning Application.

Summary of Project.

1406, LLC proposes to convert the Quality Inn & Suites at 1406 Richmond Road (referred to as the "Property") into Williamsburg's premier student housing. To do so, 1406, LLC requests that City Council amend the language of the Planned Development Districts to add a Planned Development Urban ("PDU") District. If City Council adopts the PDU District, 1406, LLC requests that City Council rezone the property from its current B-3 zoning to PDU.

Ownership of 1406, LLC.

Demetrios Florakis is the principal member of 1406, LLC. Mr. Florakis is well-known for revitalizing previously underperforming property, and in the process, building vibrant residential and commercial centers throughout the City of Williamsburg. Mr. Florakis intends to turn the Property into a top quality residence building for student housing.

ZONING TEXT CHANGE REQUEST

Wording of Proposed Change.

1406, LLC requests that City Council approve a change in the zoning text for Division 15 of the City's Zoning Ordinance. Specifically, we request that City Council add a new district, Planned Development Urban District, to this section of the Zoning Ordinance. Working with the Planning Staff, 1406, LLC has developed specific language for the PDU District, and that language is set forth in red, underlined font in the attached Proposed Ordinance.

Reason for the Proposed Change.

This proposed zoning text change provides many benefits to the City of Williamsburg.

1. The PDU District will alleviate the pressure on the City's residential neighborhoods. As set forth in the City's Comprehensive Plan, multi-family housing is in high demand in Williamsburg because, among other reasons, not all William & Mary students can be housed on campus. 2006 Comprehensive Plan, Chapter 8, p. 8-1. Consequently, many students look to housing in the residential neighborhoods, which has caused significant concerns in those neighborhoods. By providing high quality student housing apart from the residential neighborhoods, the City can accomplish two major goals set forth in the Comprehensive Plan: a) Preserve and protect the City's single-family neighborhoods; and b) Develop a solution to college student housing.

2. The PDU District will have limited applicability. As set forth in the proposed zoning change, the PDU District is a) limited to the City's most urban commercial corridors; and b) includes only land designated as general commercial land which **does not front on Richmond Road or Monticello Avenue**. Therefore, because of this limited applicability, the City does not face the possibility of numerous requests to convert commercial property to residential uses.

3. The density in the proposed PDU District is consistent with the density of Tribe Square. Tribe Square is located in the relatively new PDC District. Within the 1 acre on which Tribe Square is located, there are allowed 56 bedrooms. The proposed PDU District will be limited to that same density.

4. The City will maintain strict controls upon any proposed project created in the PDU District. As set forth in the proposed zoning text change, if the project is to be managed privately, the City will require an approved management plan as part of the rezoning. That management plan must include adequate assurances of, among other things, "regular and emergency upkeep and maintenance on the complex and dwelling units." The City Council will have an opportunity to review that management plan prior to any approval of a rezoning request.

5. This influx of student residents into the commercial area along Richmond Road will benefit the City's businesses, without taxing the City's school system. By the nature of this proposed PDU District, these William & Mary students will not add to the rolls of the City's schools. However, keeping these students as residents of the City of Williamsburg, rather than York County or James City County, will provide a positive economic impact to the surrounding businesses in High Street and the Richmond Road corridor.

Conclusion.

For these reasons, we respectfully request that the City Council approve the zoning text change for Division 15 of the City's Zoning Ordinance, as attached.

REZONING REQUEST

Should City Council agree to amend Division 15 of the Zoning Ordinance, 1406, LLC requests that City Council rezone the Property from its current B-3 zoning to the new PDU District.

The rezoning complements the Comprehensive Plan.

a. The Comprehensive Plan states that City regulations should encourage student-oriented off-campus housing and address the demands for student housing. This project provides a significant amount of high quality off-campus housing for William & Mary students;
b. The Comprehensive Plan urges the City to create strategies to redevelop property that has changed character. Currently, the hotel on the Property is in disrepair and cannot survive economically. The commercial landscape has changed for the Property for a number reasons, including the tremendous increase in the number of hotels in the City of Williamsburg and the surrounding localities. Without roadside frontage on Richmond Road or the other main routes, the Property cannot survive without a strategy to redevelop the Property;
c. The Comprehensive Plan suggests strategies to supplement the mixed-use development of High Street. The commercial and retail development surrounding the Property will benefit from the increased number of residents within walking distance. High Street is readily accessible to the Property, and this added mix of residential property effectively supplements the City's premier mixed-use development; and
d. The Comprehensive Plan urges strategies to alleviate demand for student housing in the residential neighborhoods near the College of William & Mary, and to encourage more owner occupancy in those neighborhoods. City Council has long struggled with strategies to provide student housing, while maintaining the character of residential neighborhoods surrounding the College. This rezoning provides an opportunity to make alleviate student rentals in these residential neighborhoods, which will encourage owner occupancy.

The proposed project will become the premier location for off-campus student housing.

Just as Mr. Florakis transformed the former Southern Inn property into the immensely popular City Green Condominiums, 1406, LLC intends to transform the Property from an underperforming hotel, to a premier location for off-campus student housing.

As a brief summary, apartment units will be upgraded, an on-site property manager along with floor managers will ensure safety and security, and access to the building will be restricted by card keys. As the project proceeds, the exterior of the Property will be enhanced with landscaping, and the current pool will be removed and replaced with a park-like patio area for residents. The Property is along the WATA bus and trolley lines, promoting the expanded use of our transit system, another goal of the Comprehensive Plan. These changes, among others, will provide off-campus housing that will be attractive to students, their parents, and to City residents and businesses.

CONCLUSION

On behalf of 1406, LLC, we respectfully request the Planning Commission and the City Council approve its Zoning Text Change and its Rezoning Application.

The requested Zoning Text Change provides an opportunity to expand the success of Tribe Square to other, limited areas within the City of Williamsburg, and addresses the City's stated goal to provide student housing opportunities away from the residential neighborhoods near the College of William & Mary. The Rezoning Application will transform an underperforming property, that can never flourish under its current zoning designation and physical plant, to an exciting new student housing opportunity that accomplishes many goals of the Comprehensive Plan.

We look forward to presenting this case to the Planning Commission and City Council.

Sincerely,

TARLEY ROBINSON, PLC

John Tarley, Jr.

JT:wg

ORDINANCE #12-__
PROPOSED ORDINANCE #12-09

AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE III, DIVISION 15, PLANNED DEVELOPMENT DISTRICTS PDR AND PDC, BY ADDING THE PLANNED DEVELOPMENT URBAN DISTRICT PDU (PCR #12-005)

These revisions to Chapter 21, Zoning, are intended to promote the health, safety and general welfare of the public and to carry out the purpose and intent of Chapter 21 as stated in Sec. 21-1.

****

BE IT ORDAINED that Chapter 21, Zoning, of the Code of the City of Williamsburg, Virginia is hereby amended by revising Article III. District Regulations, Division 15 Planned Development Districts PDR and PDD, to add Sec. 21-483 Planned Development urban district PDU, which shall be revised to read as follows:

DIVISION 15. - PLANNED DEVELOPMENT DISTRICTS PDR, ~~AND~~ PDC AND PDU

Sec. 21-481. Planned development residential district PDR.

(a) *Statement of intent.* The PDR district is established to encourage innovative and creative design on large parcels of land under a single ownership or control; to allow the option of a variety of housing types in an orderly relationship to each other and to surrounding neighborhoods; to promote high standards in the layout, design and construction of residential development; to protect the natural beauty of the landscape by providing the greatest amount of open space with the least amount of disturbance to natural features; and to implement the goals and objectives of the adopted comprehensive plan.

(b) *Where permitted.* PDR districts shall be permitted only in the RS-1, RS-2 and RM-1 zoning districts.

(c) *Minimum size of district.* The minimum permitted size for any PDR district shall be five acres for property located in the RS-1 Single Family Dwelling District and three acres for property located in the RS-2 Single Family Dwelling District or RM-1 Multifamily Dwelling District.

(d) *Permitted dwelling unit occupancy.* The permitted dwelling unit occupancy in the planned development residential district PDR is as follows:

(1) A family;

(2) No more than three unrelated persons; or

(3) Four unrelated persons in a single-family detached dwelling if the provisions of section 21-619 et seq. are met.

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

(1) Single-family detached dwellings.

(2) Duplex dwellings.

(3) Multifamily dwellings.

(4) Townhouses.

(5) Churches and other permanent buildings used for religious worship.

(5.1) Playgrounds, parks and unlighted athletic fields owned and/or operated by the City of Williamsburg.

(6) Public or private elementary, middle and high schools, colleges and universities; and including temporary classroom facilities when accessory to and on the same lot as a school located in a permanent building.

(7) Day care centers.

(8) Nursing homes.

(9) Recreational uses, including clubhouses, golf courses, pools, tennis courts and similar recreational improvements and facilities.

(10) [Reserved.]

(11) Offstreet parking and loading areas for permitted uses in accordance with article V.

(12) Signs in accordance with article VI.

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

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

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

(1) Rental of bedrooms in a single-family detached dwelling to roomers and visitors in accordance with section 21-605

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

(1) Public buildings owned and/or operated by the City of Williamsburg.

(2) Lighted athletic fields owned and/or operated by the City of Williamsburg.

(h) *Density.* For PDR districts, there shall be a maximum density of three dwelling units per net acre when rezoned from property located in the RS-1 single-family dwelling district, a maximum density of six dwelling units per net acre when rezoned from property located in the RS-2 single-family dwelling district, and a maximum density of eight dwelling units per net acre when rezoned from property located in the RM-1 multifamily dwelling district. When a PDR district is rezoned from more than one zoning district, the density shall be calculated based on the density allowed for each of the underlying zoning districts, and the total dwelling units allowed may be located anywhere within the PDR district. Net acreage shall be calculated based on existing land conditions, as specified in the following chart. Twenty percent shall be subtracted from the net acreage so calculated to allow for street rights-of-way, unless it can be demonstrated to the satisfaction of the zoning administrator that the proposed street rights-of-way will be less than 20 percent of the calculated net acreage.

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) Individual lots in a PDR district shall be exempt from the minimum lot area, lot width and yard requirements, provided that front, side or rear yards shall not be less than five feet.

(2) Lots on the perimeter of the PDR district may be required to follow the normal lot areas, lot width and/or yard requirements of the adjoining zoning district or districts.

(3) The required lot area, lot width and yards shall be as shown on the approved development plan and final subdivision plat, and shall remain in effect unless the approved development plan and final subdivision plat are amended in accordance with this chapter and with chapter 16, Subdivisions. The board of zoning appeals may, under the criteria contained in sections 21-96 to 21-99, grant variances from these requirements.

(j) *Greenbelts.* Along streets designated by the comprehensive plan as greenbelts, a greenbelt of at least 50 feet shall be provided along the street line; except that at least 75 feet shall be required along Route 199. Excluded from this requirement shall be public streets and entrances located in the greenbelt areas that are approved during review of a minor site plan, site plan or subdivision. When the greenbelt is an existing wooded area, it shall be left in an undisturbed natural state, unless modifications are approved or required during review of a minor site plan, site plan or subdivision. Any modifications to an existing wooded greenbelt shall be for the purpose of maintaining its visual character as viewed from the adjacent public street. When a wooded greenbelt is part of a residential development, it may be required during review of a minor site plan, site plan or subdivision to be supplemented with evergreen trees and shrubs in order to provide an effective year-round visual screen between the proposed residential development and the street. When a greenbelt is in a non-wooded area, it shall be improved as an extensively landscaped open space between the street and the developed portion of the property. For a non-wooded greenbelt, at least one tree for each ten feet of frontage shall be planted or maintained, and the primary landscaping material shall be deciduous shade trees, supplemented by evergreen trees, shrubs and other planting material. All landscape materials shall conform to the minimum size and height standards of section 21-784(c)(5). When a non-wooded greenbelt area borders a residential development, it may be required during review of a minor site plan, site plan or subdivision that the primary landscaping material used shall be evergreen trees and shrubs in order to provide an effective year-round visual screen between the proposed residential development and the street. The landscape plans for the greenbelt area shall be prepared and certified by a certified landscape architect licensed to practice in the State of Virginia. The landscape plans shall be subject to approval by planning commission in the case of a minor site plan, site plan or subdivision of less than 25 lots; and by city council, on recommendation of the planning commission, in the case of a subdivision of 25 or more lots. Trees planted in a greenbelt shall be consistent with the standards contained in section 21-614(g), Tree Planting, Replacement and Pruning Standards.

(k) *Height.* The height requirements in the planned development residential district PDR are as follows:

(1) Buildings may be erected up to 35 feet from grade except that:

a. A public or semipublic building such as a school, church or library may be erected up to 45 feet from grade; provided that the required front, side and rear yards shall be increased one foot for each foot of height over 35 feet.

b. When height is increased over 35 feet, no reduction of a front yard, as allowed by section 21-192(1)a., shall be permitted.

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

d. 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.

(l) *Common open space.*

(1) A minimum of 25 percent of the gross area of the PDR district shall be common open space.

(2) All common open space shall be preserved for its intended purpose as shown on the approved development plan. The common open space shall be either dedicated to the city (subject to acceptance by the city), or administered by a nonprofit organization, subject to the following:

a. The developer must establish the organization prior to the recordation of the subdivision.
b. Membership in the organization shall be mandatory for all lot owners, present and future, within the cluster subdivision.
c. The organization shall own all common open space and recreational facilities, and shall provide for their maintenance, administration and operation.

(3) Common open space shall be defined for the purpose of this section as the total area of land, water, or land and water within the exterior boundaries of a PDR district designated and intended for use and enjoyment as open areas, and not improved with a building, structure, street, road or parking area, except for recreational structures and parking for recreational use. Said common open space shall not include individual lots and yards located between buildings and parking areas.

(4) All open space shall be specifically included in the development schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.

(m) *Streets, lots and blocks.*

(1) Variations from the regulations in chapter 16, Subdivisions, pertaining to streets, lots and blocks may be approved when it can be shown that:
a. Safe and convenient access will be provided to dwelling units, open space, community facilities and other nonresidential areas in the development;
b. Adequate access and circulation for emergency and service vehicles will be provided; and
c. Principal vehicular access points will be designed to permit smooth traffic flow and minimum hazards to vehicular, bicycle and pedestrian traffic.

(2) Private streets may be permitted in a PDR district provided that the private streets are constructed in accordance with section 21-783(4), and that

provisions are made for their maintenance in accordance with section 21-482(k).

(n) *Management of common open space, recreational facilities and private streets.*

(1) All common open space, recreational facilities and private streets shall be preserved for their intended purpose as shown on the development plan and subsequently on the final site plan and final plat. The developer shall choose one or a combination of the following methods of administering said common open space, recreational facilities and/or private streets:

a. Dedication to the city of the common open space and/or recreational facilities (subject to acceptance by the city).

b. Establishment of a nonprofit association to ensure the maintenance of common open space, recreational facilities and/or private streets, subject to the following:

1. The developer must establish the organization prior to the recordation of the subdivision plat for the development.

2. Membership in the organization shall be mandatory for all lot owners, present or future, within the planned development.

3. The organization shall own all common open space, recreational facilities and/or private streets, and shall provide for their maintenance, administration and operation.

Sec. 21-482. Planned development college district PDC.

(a) *Statement of intent.* The PDC district is established to encourage innovative and creative mixed use development that includes student housing in areas that are designated by the comprehensive plan as downtown commercial land use and that are located in close proximity to the College of William and Mary. The design of the PDC district should respect the character of existing development in the area, maintain and encourage the existing small scale pedestrian character of the downtown, promote high standards of design and construction, and implement the goals and objectives of the adopted comprehensive plan.

(b) *Where permitted.* PDC districts shall be permitted only on land designated as downtown commercial land use in the adopted comprehensive plan.

(c) *Permitted dwelling unit occupancy.* The permitted dwelling unit occupancy in the planned development college district PDC is as follows:

(1) No more than four persons.

(d) *Permitted uses.* The uses permitted in the planned development college district PDC are as follows:

(1) Student dwellings, subject to the following:

a. Management shall be provided by either: (1) the College of William and Mary; or (2) 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. The specific plan for the management of the student dwellings shall be approved as a part of the development plan and shall remain in effect unless the approved development plan is amended in accordance with this chapter.

(2) Bake shops.

(3) Banks and financial institutions.

(4) Convenience service establishments such as, but not limited to, barbershops, beauty parlors, tailors, shoe repair shops, self-service laundromats, and laundry and dry cleaning establishments.

(5) Convenience stores.

(6) Museums and art galleries.

(7) Offices.

(8) Parking garages.

(9) Printing and photocopying shops.

(10) Restaurants.

(11) Retail sales establishments.

(12) Storage of materials and supplies incidental to the conduct of a permitted use, provided that storage is completely enclosed or screened from view by a six-foot-high solid fence or wall, with its finished side facing the exterior of the property. The planning commission may, through the site plan review process, require or approve an alternate means of screening, provided that it is equivalent to the required fence or wall.

(13) Offstreet parking and loading areas for permitted uses in accordance with article V.

(14) Signs in accordance with article VI.

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

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

(e) *Uses permitted as special exceptions.* Uses permitted in the planned development college district PDC 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.

(f) *Uses permitted with special use permit.* Uses permitted in the planned development college district PDC 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.

(g) *Density.* The density requirements in the planned development college district PDC are as follows:

(1) Dwelling units: There shall be a maximum density of 14 dwelling units per net acre. Net acreage 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%

(2) *Other uses:* For all other uses, there shall be no maximum density requirement.

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

(1) Lots in a PDC district shall be exempt from minimum lot area, lot width and yard requirements.

(2) Lots in the PDC district may be required to follow the normal lot areas, lot width and/or yard requirements of the adjoining zoning district or districts.

(3) The required lot area, lot width and yards shall be as shown on the approved development plan, and shall remain in effect unless the approved development plan is amended in accordance with this chapter. The board of zoning appeals may, under the criteria contained in sections 21-96 to 21-99, grant variances from these requirements.

(i) *Height.* The height requirements in the planned development college district PDC are as follows:

(1) Buildings may be erected up to 35 feet from grade except that:

a. Height may be increased to 45 feet with a special use permit approved by city council in accordance with article II, division 2.

b. 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.

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

d. 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.

Sec. 21-483. Planned development urban district PDU.

(a) *Statement of intent.* The PDU district is established to encourage innovative and creative multifamily housing adjacent to the City's most urban commercial corridors of Richmond Road from Monticello Avenue to New Hope Road, and Monticello Avenue from Richmond Road to Treyburn Drive. This area, because of its proximity to existing commercial and multifamily development, and to the College of William and Mary, has potential to accommodate additional dwelling units in an evolving urban mixed use area. Development and redevelopment in the PDU district should promote high standards of design and construction, encourage pedestrian scale urban development and take advantage of proximity to existing transit routes and pedestrian and bicycle facilities.

(b) *Where permitted.* PDU districts shall be permitted only on land designated as general commercial land use in the adopted comprehensive plan which does not front on Richmond Road or Monticello Avenue.

(c) *Minimum size of district.* The minimum permitted size for any PDU district shall be two and one-half acres.

(d) *Permitted dwelling unit occupancy.* The permitted dwelling unit occupancy in the planned development urban district PDU is as follows:

(1) A family;

(2) No more than two unrelated persons in an efficiency or one bedroom dwelling unit; or

(3) No more than four unrelated persons in a two or more bedroom dwelling unit.

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

(1) Multifamily dwellings.

(2) Student dwellings, subject to the following:

a. Management shall be provided by either: (1) the College of William and Mary; or (2) 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. The specific plan for the management of the student dwellings shall be approved as a part of the development plan and shall remain in effect unless the approved development plan is amended in accordance with this chapter.

(3) Playgrounds, parks and unlighted athletic fields owned and/or operated by the City of Williamsburg.

(4) Recreational uses, including clubhouses, pools, tennis courts and similar recreational improvements and facilities.

(5) Offstreet parking and loading areas for permitted uses in accordance with article V.

(6) Signs in accordance with article VI.

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

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

(f) *Uses permitted as special exceptions.* Uses permitted in the planned development residential district PDU 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 residential district PDU 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 PDU districts, there shall be a maximum density of 56 bedrooms per net acre, with a maximum of four bedrooms for an individual dwelling unit. Net acreage 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) Individual lots in a PDU district shall be exempt from the minimum lot area, lot width and yard requirements, provided that front, side or rear yards shall not be less than five feet.

(2) Lots on the perimeter of the PDU district may be required to follow the normal lot areas, lot width and/or yard requirements of the adjoining zoning district or districts.

(3) The required lot area, lot width and yards shall be as shown on the approved development plan, and shall remain in effect unless the approved development plan is amended in accordance with this chapter. The board of zoning appeals may, under the criteria contained in sections 21-96 to 21-99, grant variances from these requirements.

(k) *Height.* The height requirements in the planned development urban district PDU 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.

(l) *Landscaped open space.*

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

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

Sec. 21-~~483~~484. - Application procedures for planned development districts.

(a) *Preapplication conference.* Prior to formal submittal for a rezoning to PDR, ~~or~~ PDC or PDU, the developer or his representative shall hold a preapplication conference with the planning director and the city staff concerning the proposed development plan. Unofficial preliminary studies of the concept for the proposed development shall be submitted for this conference. The planning director may, if deemed necessary, submit this information to the planning commission for informal review and comments.

(b) *Rezoning.* After the preapplication review as set forth in section 21-~~483~~484(a), an application for rezoning to a PDR, ~~or~~ PDC or PDU district may be submitted in accordance with article II, division 3.

(c) *Development plan.* An application for rezoning to PDR, ~~or~~ PDC or PDU shall be accompanied by ~~15~~ six copies of a development plan. The development plan shall be prepared by an engineer, land surveyor, landscape architect, architect, city planner, land planner or others having training or experience in site plan and subdivision planning and design. The development plan shall contain the following information, together with supplementary information for the particular development as deemed necessary by the planning director:

(1) Location of tract by an insert map at a scale of not more than one inch equals 2,000 feet showing landmarks sufficient to clearly identify the location of the property.

(2) The boundaries of the property by bearings and distances.

(3) Total site acreage.

(4) Abutting street names, widths, locations of edges of pavement or curblines along frontages of the property.

(5) The owners, present zoning and current use of all abutting or contiguous parcels.

(6) Existing topography and proposed grading, with contour intervals of five feet. In cases of unusual topography, the planning director may require a contour interval of two feet over all or a portion of the property.

(7) Land use plan or plans showing, where applicable:

a. Location and arrangement of all proposed land uses, including the height and number of floors of all buildings other than single-family detached and duplex dwellings.

b. Building setbacks from the development boundaries and adjacent streets.

c. Proposed traffic circulation patterns including location and width of all streets, driveways, walkways, entrances to parking areas, and whether streets will be public or private.

d. Locations and areas of all proposed common open space and recreation areas, and whether these are proposed to be privately or publicly owned.

e. Location of offstreet parking and loading areas, including the dimensions and number of spaces.

f. Approximate locations of existing and proposed utilities, including sanitary sewer and pump stations, storm sewer and stormwater management structures, and water, electric, telephone and gas lines.

g. Location and design of all screening, indicating the type and height of such screening.

h. Gross acreages of the following physical land units shall be tabulated and computed by accurate planimetric methods at the site plan scale:

1. Slopes less than ten percent.
2. Slopes from ten percent but less than 20 percent.
3. Slopes from 20 percent but less than 30 percent.
4. Slopes 30 percent or greater.
5. 100-year floodplains.
6. Wetlands.
7. Existing water features (bodies of water, drainage channels, streams, etc.).
8. Above ground high-voltage electric transmission line easements (69 kv or greater).
9. Resource protection areas and resource management areas as specified by article VIII, Chesapeake Bay Preservation.

These areas shall also be graphically identified on the development plan.

i. A table indicating the following information, where applicable:

1. Total area of property.
2. Net area of property.
3. Total number of dwelling by units and type.
4. Residential density (based on net land area).
5. Area and percentage of property to be occupied by structures (based on net land area).
6. Total floor area with a breakdown by type (dwelling units and/or commercial floor area).

7. Area and percentage of property to be used as common open space (PDR only, based on gross land area).
8. Area and percentage of property to be used as landscaped open space (PDC and PDU only, based on gross land area).

(8) When the development is to be constructed in phases, a sequence of development schedule showing the order of construction of each principal functional element of such phases, and the approximate completion date for each phase.

(9) A plan or report indicating the extent and timing of all offsite improvements, such as road, sewer and drainage facilities, necessary for the proposed development. This plan or report shall relate to the sequence of development schedule if the development is to be constructed in stages or units.

(10) A statement showing the relationship of the proposed development to the adopted comprehensive plan.

(11) ~~A traffic impact analysis, showing the effect of traffic generated by the project on surrounding streets and neighborhoods.~~ When deemed necessary by the planning director or the planning commission, the following information shall be provided:

a. A traffic impact analysis, showing the effect of traffic generated by this project on surrounding streets and neighborhoods.
b. A public utility analysis, showing the effect of this project on public water, sewer and/or storm drainage facilities.
c. 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.

~~(12) When deemed necessary by the planning director or the planning commission, a fiscal impact analysis shall be provided. The planning director or the planning commission may request the city council to provide funds for the preparation of the study by the city.~~

(d) *Architectural review.*

(1) If all or a portion of the proposed planned development is located in the architectural preservation district AP or the corridor protection district CP, the architectural review board shall review and approve any required conceptual architectural plans and/or architectural guidelines, and shall transmit its decision to the planning commission prior to the commission's public hearing on the rezoning request. The planning commission shall not make its final decision on the proposed planned development until the decision of the architectural review board has been received. Final approval of planned development by the city council shall also approve the conceptual architectural plans and/or the architectural guidelines.

(2) Final building plans shall be substantially in accord with the approved conceptual architectural plans and/or architectural guidelines. However, minor deviations may be approved by the architectural review board if it is determined that such deviations will not materially alter the character of the approved development plan.

(3) Any changes not authorized by this section shall require amendment of the planned development in accordance with the procedures contained in this article for a new application.

(e) Status after property rezoned to planned development district.

(1) All terms, conditions, safeguards and stipulations made at the time of the rezoning to planned development status, including the approval of the development plan, with or without specified modifications, shall be binding upon the applicant or any successors in title. Deviations from approved plans or failure to comply with any requirements, conditions or safeguards shall constitute a violation of this chapter.

(2) The granting of the planned development rezoning, and the approval of the development plan, with or without specified modifications, shall not constitute the recording of a plat, nor shall it authorize the issuance of building permits. Such action shall be undertaken only after the approval of the site plan and/or the recording of the final plat.

(f) Site plans.

(1) Approval of the development plan and the rezoning shall constitute authority for the applicant to prepare site plans in accordance with article VII, Site Plans, of this chapter, and in conformity with the approved development plan.

(2) The site plan shall be for the entire project, unless the project is to be completed in phases. When completed in phases, a utilities and stormwater management plan for the entire development shall be submitted with the phase one site plan.

(3) Minor changes from the approved development plan may be approved by the planning director, or, at the option of the planning director, referred to the planning commission for consideration at a regular meeting without a public hearing. A change shall be considered minor if it:

a. Does not change the general character of the approved development plan.

b. Does not adversely effect the development or use of adjacent properties and surrounding neighborhoods.

c. Does not result in any substantial change to major external access points.

d. Does not increase the approved number of dwelling units and/or the approved amount of nonresidential floor area.

e. Does not add buildings not shown on the approved development plan.

Any changes not authorized by this section shall require amendment of the development plan in accordance with the procedures contained in this article for a new application.

(4) The site plan shall be submitted within one year after the date of approval of the rezoning. If a site plan is not submitted within said period, approval of the development plan, and subsequent authority to submit a site plan, shall terminate any development by the applicant in accordance with these regulations, and shall require a resubmission of a development plan in accordance with the procedures set forth in this article for a new application. Within 30 days prior to the expiration of said one-year period, the applicant may apply to the city council for an extension of time within which to submit a site plan in conformity with the approved development plan. The city council may grant such extension upon good cause shown by the applicant, but such extension shall not under any circumstances exceed an additional one-year period; and no more than two extensions may be granted. If such application is denied, approval of the development plan, and consequent authority to submit a site plan, shall terminate at the end of said one-year period. Upon termination of authority to develop as herein provided, property shall revert to the zoning district that existed prior to rezoning the property to the planned development district.

(g) Final plat. A final subdivision plat, meeting the requirements of the subdivision ordinance, shall be submitted with the site plan if the land is proposed to be subdivided.

(h) Issuance of building permits. No building permit shall be issued for any building or structure not indicated on the approved site plan.

Sec. 21-~~484~~485. Planned unit developments approved under provisions of previous zoning ordinances.

Planned unit developments approved under the provisions of previous zoning ordinances shall remain subject to all conditions imposed at the time of approval, and shall be designated as PUD on the official zoning map.

Adopted: _____

_____
Clyde A. Haulman, Mayor

_____
Donna Scott, City Council Clerk

[PC\PCR\2012\12-005OD1]

Management Plan for the Upkeep and Maintenance of City Lofts

This Management Plan is submitted in support of the rezoning application filed by 1406, LLC and is dated March 30, 2012.

The owner's goal is to create the premier off-campus student housing community in the market. We want to deliver the highest level of comfort, security, maintenance, and convenience to our residents. Our commitment to quality and customer service will lead to unsurpassed customer satisfaction.

Staffing

The complex will engage a management team to oversee the security, maintenance, and upkeep of the complex and all the dwelling units therein.

- A Certified Property Manager will lead the management team. The property manager will maintain overall supervision of the complex.

- An onsite Resident Manager will occupy an apartment unit on the first floor in close proximity to the main entrance to the complex. The Resident Manager will be a full-time employee who is responsible for daily on-site operations including hiring and supervising all staff, setting work schedules, managing payables, maintaining employment records, handling resident communications, and leading walk-throughs with departing tenants. A Leasing Specialist will assist the Resident Manager. The Leasing Specialist will provide support to the daily operational management of the property as needed, but his primary responsibilities will be marketing, prospect tours, leasing, lease administration, and managing receivables.

- Our front security desk will be located at the main entrance to the complex. A Security Attendant will man the security desk twenty-four hours each day. Visitors will only be given access to the complex after resident approval is provided to the Security Attendant. The Security Attendants will report directly to and be scheduled by the Resident Manager.

- Four Resident Community Assistants ("RCA") will report to the Resident Manager. An RCA will reside on each of the four floors of the complex. At least one RCA will be present and available to respond to resident inquiries and issues at all hours. RCAs will serve as a critical link in resident relations, plan the monthly community resident events, and be able to replace lost or misplaced key cards.

- Our in-house maintenance team will be led by a full-time Maintenance Manager who reports to the Resident Manager. He will be responsible for maintenance of all structures, equipment, and exterior property and ensure all preventative and corrective maintenance is completed. He will manage all service contracts and inspections as well as schedule all maintenance activities. The Maintenance Assistant/Groundskeeper will report to the Maintenance Manager and perform tasks as scheduled by the Maintenance Manager.

Security

We will maintain a highly secure environment for our residents by implementing a comprehensive security plan that integrates technology, building design, and manpower.

- Access to the property will be controlled via a key card badging system. Card readers will be at each entrance to the building. Key cards will allow access to the building, enable elevator use, and serve as room keys.

- The interior corridors of this property enable more secure control of the environment. Closed-circuit cameras will be installed in multiple locations on each floor of the building and at critical points of the exterior of the building. Along with monitoring the security desk, the Security Attendant will monitor the security camera network.

- Exterior lighting around the building and in the parking lot will also be enhanced to expand the secure environment beyond the walls of the building.

- To provide fire safety, the complex has automatic smoke detection and alarm systems, automatic sprinkler system, and will have twenty-four hour off-site alarm monitoring. Portable fire extinguishers and emergency lighting will be located throughout the property as required by code.

- Emergency evacuation plans will be posted and included in the resident handbook.

Maintenance

We will develop and implement a comprehensive plan to address scheduled / preventative as well as corrective maintenance.

- Preventative maintenance planning will be done on a five year, rolling cycle, with planned expenditures captured in our capital budget. Examples of preventative maintenance includes inspection and repair of HVAC equipment, roof and flashing, smoke detection and sprinkler systems, IT infrastructure, and other building systems as well as more basic maintenance like HVAC filter replacement, window washing, landscaping, painting, and cleaning storm drains.

- Corrective maintenance will be completed as issues arise, and the process to report issues and contact information will be detailed in the resident handbook. Residents will make requests during business hours to the Resident Manager or an RCA, via the on-line maintenance request form, or after-hours to the on-call RCA. Maintenance staff will be on call for emergency maintenance. Examples of corrective maintenance include preparing apartments for new residents, fixing leaking toilets, drywall repairs, and replacing and reprogramming locks.

Resident Handbook

Another key component of our management plan is a resident handbook that not only will establish expectations for and standards of resident conduct, it will establish safety and security protocols.

Prior to their move-in date, all residents will schedule and complete an orientation where they receive a welcome packet that includes the resident handbook. At this orientation, residents will be introduced to and oriented with their new community. The Resident Handbook will include the following sections:

- Introduction to staff – lists staff names and contact information to enable necessary interactions and customer service

- Emergency, maintenance and safety – highlights safety contact information, emergency procedures, maintenance procedures, and personal health and safety information

- Policies and procedures – establishes policies and procedures for utilization of communal and personal space

- Conduct – details rules and regulations for resident behavior to support a pleasant environment to live, work, and study

- Resident services – explains services available to residents that help make this community the most sought after off-campus student housing community

Summary

Our management team will implement a plan to ensure the property is consistently operating at peak performance. We will hire talented professionals and create effective interaction models to address any and all issues that the team encounters. To ensure high customer satisfaction, we will be very attentive to resident issues and concerns and ensure all property maintenance is completed promptly and that our secure environment is preserved at all times. An efficient process for reporting corrective maintenance issues, both in the dwelling units and in the common areas, will be detailed in the resident handbook and complemented with a rapid response program to rectify any issues that arise. Furthermore, active and engaged local ownership will provide an additional layer of oversight to make sure the property is maintained to its high standards.

1406, LLC

By: _____

Title: Managing member

Date: 3/30/12

JAMES CITY COUNTY, VIRGINIA

Subscribed and sworn to before me this 30th day of March 2012 by Demetrios Florakis, member and authorized agent of 1406, LLC.

KIMBERLY G. LOWERY
Notary Public
Commonwealth of Virginia
251593
My Commission Expires Dec 31, 2013

Kimberly G Lowery
Notary Public

EXISTING LANDSCAPE LEGEND

- SMALL SHRUB
- MEDIUM EVERGREEN
- ORNAMENTAL TREE
- LARGE EVERGREEN
- LARGE DECIDUOUS TREE

CONCEPT PLANT SCHEDULE

EVERGREEN TREES
CEDRUS DEODARA / DEODAR CEDAR
CRYPTOMERIA JAPONICA / JAPANESE CEDAR
JUNIPERUS VIRGINIANA / EASTERN RED CEDAR
MAGNOLIA GRANDIFLORA / SOUTHERN MAGNOLIA
PINUS TAEDA / LOBLOLLY PINE

LARGE SHADE TREES
ACER RUBRUM 'RED SUNSET' / RED SUNSET MAPLE
PLATANUS X ACERIFOLIA 'BLOODGOOD' / LONDON PLANE TREE
QUERCUS ALBA / WHITE OAK
ULMUS PARVIFOLIA / CHINESE ELM
ZELKOVA SERRATA 'VILLAGE GREEN' / SAWLEAF ZELKOVA

EVERGREEN SHRUBS
ABELIA X GRANDIFLORA / GLOSSY ABELIA
ILEX CRENATA 'COMPACTA' / DWARF JAPANESE HOLLY
ILEX VOMITORIA 'BORDEAUX' / BORDEAUX HOLLY
JUNIPERUS CHINENSIS 'PARSONI' / PARSONI JUNIPER
NANDINA DOMESTICA 'FIRE POWER' / FIREPOWER NANDINA

ABBREVIATIONS

SAN	-	SANITARY
LAT	-	LATERAL
EA.	-	EACH
TYP	-	TYPICAL
BC	-	BACK OF CURB
FC	-	FACE OF CURB
EP	-	EDGE OF PAVEMENT
MH	-	MANHOLE
C.O	-	CLEAN OUT
FH	-	FIRE HYDRANT
B.S.L.	-	BUILDING SETBACK LINE
L.S.L.	-	LANDSCAPE SETBACK LINE
N.I.C.	-	NOT IN CONTRACT

GRAPHIC SCALE
20' 0' 20' 40'
SCALE: 1" = 20'

Rev.	Date	Description	Revised

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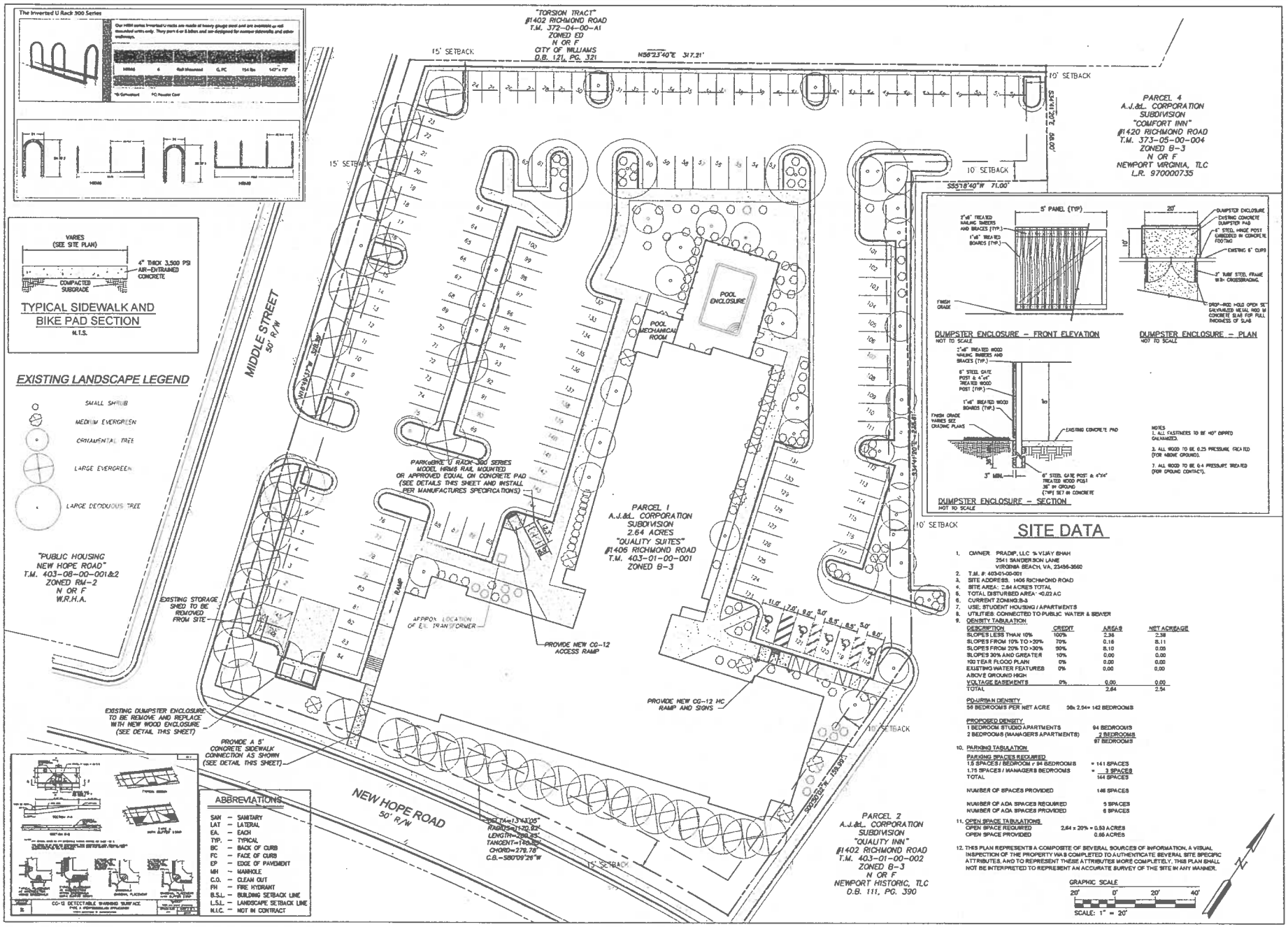
Hampton Roads | Central Virginia | Middle Peninsula

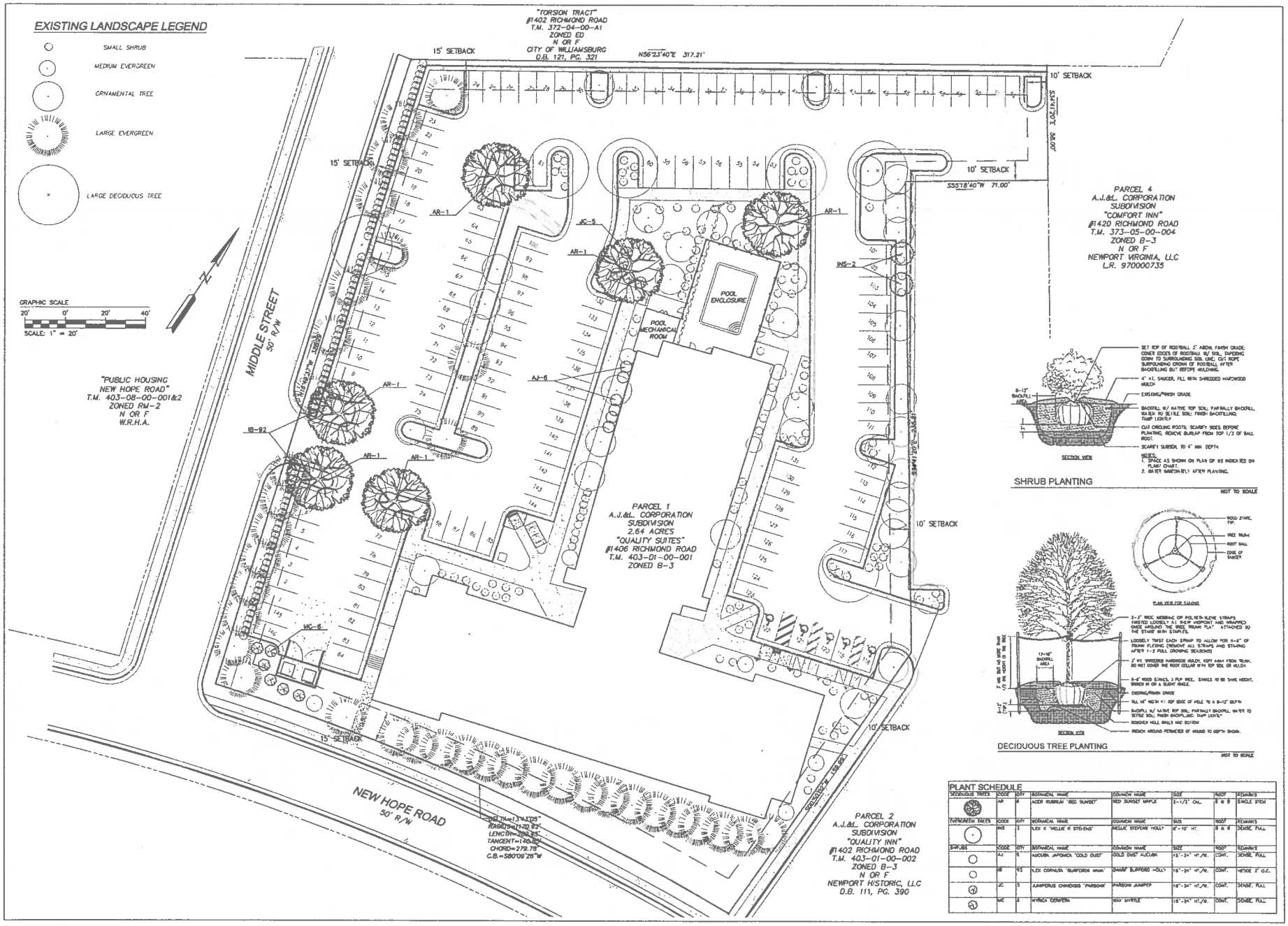
SCHEMATIC PLAN OF DEVELOPMENT
1406 RICHMOND ROAD
BERKELEY PRECINCT CITY OF WILLIAMSBURG VIRGINIA

Project Contacts:	LBA
Project Number:	W20-22073
Scale: 1"=20'	Date: 3/13/17

Sheet Title
CONCEPTUAL LANDSCAPE PLAN

Sheet Number
LO1


The Inverted U Rack 300 Series
"TORSION TRACT"
#1402 RICHMOND ROAD
T.M. 372-04-00-A1
ZONED ED
N OR F
CITY OF WILLIAMS
D.B. 121, PG. 321
15' SETBACK
N56°23'40"E 317.21'
10' SETBACK
PARCEL 4
A.J.&L. CORPORATION
SUBDIVISION
"COMFORT INN"
#1420 RICHMOND ROAD
T.M. 373-05-00-004
ZONED B-3
N OR F
NEWPORT VIRGINIA, TLC
L.R. 970000735
S55°18'40"W 71.00'
VARIES
(SEE SITE PLAN)
4" THICK 3,500 PSI
AIR-ENTRAINED
CONCRETE
COMPACTED
SUBGRADE
TYPICAL SIDEWALK AND
BIKE PAD SECTION
N.T.S.
EXISTING LANDSCAPE LEGEND
SMALL SHRUB
MEDIUM EVERGREEN
ORNAMENTAL TREE
LARGE EVERGREEN
LARGE DECIDUOUS TREE
MIDDLE STREET
50' R/W
POOL ENCLOSURE
POOL MECHANICAL ROOM
PARKSBRE U RACK 300 SERIES
MODEL NRM6 RAIL MOUNTED
OR APPROVED EQUAL ON CONCRETE PAD
(SEE DETAILS THIS SHEET AND INSTALL
PER MANUFACTURES SPECIFICATIONS)
PARCEL 1
A.J.&L. CORPORATION
SUBDIVISION
2.64 ACRES
"QUALITY SUITES"
#1406 RICHMOND ROAD
T.M. 403-01-00-001
ZONED B-3
"PUBLIC HOUSING
NEW HOPE ROAD"
T.M. 403-08-00-001&2
ZONED RM-2
N OR F
W.R.H.A.
EXISTING STORAGE
SHED TO BE
REMOVED
FROM SITE
APPROX. LOCATION
OF ELE. TRANSFORMER
PROVIDE NEW CG-12
ACCESS RAMP
PROVIDE NEW CG-12 HC
RAMP AND SIGNS
EXISTING DUMPSTER ENCLOSURE
TO BE REMOVE AND REPLACE
WITH NEW WOOD ENCLOSURE
(SEE DETAIL THIS SHEET)
PROVIDE A 5'
CONCRETE SIDEWALK
CONNECTION AS SHOWN
(SEE DETAIL THIS SHEET)
NEW HOPE ROAD
50' R/W
PARCEL 2
A.J.&L. CORPORATION
SUBDIVISION
"QUALITY INN"
#1402 RICHMOND ROAD
T.M. 403-01-00-002
ZONED B-3
N OR F
NEWPORT HISTORIC, TLC
D.B. 111, PG. 390
5' PANEL (TYP)
DUMPSTER ENCLOSURE - FRONT ELEVATION
NOT TO SCALE
DUMPSTER ENCLOSURE - PLAN
NOT TO SCALE
DUMPSTER ENCLOSURE - SECTION
NOT TO SCALE
NOTES
1. ALL FASTENERS TO BE HOT DIPPED GALVANIZED.
3. ALL WOOD TO BE 0.25 PRESSURE TREATED (FOR ABOVE GROUND).
7. ALL WOOD TO BE 0.4 PRESSURE TREATED (FOR GROUND CONTACT).
SITE DATA
1. OWNER: PRADIP, LLC % VIJAY SHAH
2541 SANDERSON LANE
VIRGINIA BEACH, VA. 23456-3560
2. T.M. #: 403-01-00-001
3. SITE ADDRESS: 1406 RICHMOND ROAD
4. SITE AREA: 2.64 ACRES TOTAL
5. TOTAL DISTURBED AREA: ±0.02 AC
6. CURRENT ZONING: B-3
7. USE: STUDENT HOUSING / APARTMENTS
8. UTILITIES: CONNECTED TO PUBLIC WATER & SEWER
9. DENSITY TABULATION
DESCRIPTION | CREDIT | AREA-9 | NET ACREAGE
SLOPES LESS THAN 10% | 100% | 2.38 | 2.38
SLOPES FROM 10% TO >20% | 70% | 0.16 | 0.11
SLOPES FROM 20% TO >30% | 50% | 0.10 | 0.05
SLOPES 30% AND GREATER | 10% | 0.00 | 0.00
100 YEAR FLOOD PLAIN | 0% | 0.00 | 0.00
EXISTING WATER FEATURES ABOVE GROUND HIGH | 0% | 0.00 | 0.00
VOLTAGE EASEMENTS | 0% | 0.00 | 0.00
TOTAL | | 2.64 | 2.54
PO-URBAN DENSITY
56 BEDROOMS PER NET ACRE 56x 2.54= 142 BEDROOMS
PROPOSED DENSITY
1 BEDROOM STUDIO APARTMENTS 94 BEDROOMS
2 BEDROOMS (MANAGERS APARTMENTS) 2 BEDROOMS
97 BEDROOMS
10. PARKING TABULATION
PARKING SPACES REQUIRED
1.5 SPACES / BEDROOM x 94 BEDROOMS = 141 SPACES
1.75 SPACES / MANAGER'S BEDROOMS = 3 SPACES
TOTAL 144 SPACES
NUMBER OF SPACES PROVIDED 146 SPACES
NUMBER OF ADA SPACES REQUIRED 5 SPACES
NUMBER OF ADA SPACES PROVIDED 6 SPACES
11. OPEN SPACE TABULATIONS
OPEN SPACE REQUIRED 2.64 x 20% = 0.53 ACRES
OPEN SPACE PROVIDED 0.66 ACRES
12. THIS PLAN REPRESENTS A COMPOSITE OF SEVERAL SOURCES OF INFORMATION. A VISUAL INSPECTION OF THE PROPERTY WAS COMPLETED TO AUTHENTICATE SEVERAL SITE SPECIFIC ATTRIBUTES, AND TO REPRESENT THESE ATTRIBUTES MORE COMPLETELY. THIS PLAN SHALL NOT BE INTERPRETED TO REPRESENT AN ACCURATE SURVEY OF THE SITE IN ANY MANNER.
GRAPHIC SCALE
SCALE: 1" = 20'
ABBREVIATIONS
SAN - SANITARY
LAT - LATERAL
EA. - EACH
TYP. - TYPICAL
BC - BACK OF CURB
FC - FACE OF CURB
EP - EDGE OF PAVEMENT
MH - MANHOLE
C.O. - CLEAN OUT
FH - FIRE HYDRANT
B.S.L. - BUILDING SETBACK LINE
L.S.L. - LANDSCAPE SETBACK LINE
N.I.C. - NOT IN CONTRACT
CG-12 DETECTABLE WARNING SURFACE
AES
CONSULTING ENGINEERS
SCHEMATIC PLAN
OF
DEVELOPMENT
1406 RICHMOND ROAD
BURKLEY PRECINCT CITY OF WILLIAMSBURG VIRGINIA
Project Number: 97291.220072
Scale: 1"=20'
Date: 3/13/17
Sheet Title: OVERALL PLAN
Sheet Number: CO1



SHRUB PLANTING

NOT TO SCALE

DECIDUOUS TREE PLANTING

NOT TO SCALE

PLANT SCHEDULE

DECIDUOUS TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
	AR	8	ACER RUBRUM 'RED SUNSET'	RED SUNSET MAPLE	2-1/2" CAL.	B & B	SINGLE STEM
EVERGREEN TREES	**CODE**	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**ROOT**	**REMARKS**
	IHS	2	ILEX X 'MELLIE R STEVENS'	MELLIE STEVENS HOLLY	8'-10' HT.	B & B	DENSE, FULL
SHRUBS	**CODE**	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**ROOT**	**REMARKS**
	AJ	16	AUCUBA JAPONICA 'GOLD DUST'	GOLD DUST AUCUBA	15"-24" HT./W.	CONT.	DENSE, FULL
	IB	92	ILEX CORNUTA 'BURFORDII NANA'	DWARF BURFORD HOLLY	18"-24" HT./W.	CONT.	DENSE 2' O.C.
	JC	5	JUNIPERUS CHINENSIS 'PARSONI'	PARSONS JUNIPER	18"-24" HT./W.	CONT.	DENSE, FULL
	HC	4	HYDRIA CONFERTA	ASIAN MYRTLE	18"-24" HT./W.	CONT.	DENSE, FULL

Rev.	Date	Description	Drawn
2	5/7/12	ADDED BIKE RACK PER CITY OF WILLIAMSBURG	LBA
1	1/25/12	REVISION PER CITY OF WILLIAMSBURG COMMENTS	LBA

AES CONSULTING ENGINEERS
5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone (757) 565-1677
Fax (757) 565-1936
www.aescorp.com
Hampton Roads | Central Virginia | Middle Peninsula

SCHEMATIC PLAN OF DEVELOPMENT

1406 RICHMOND ROAD

BERKELEY PRECINCT CITY OF WILLIAMSBURG VIRGINIA

Project Contacts: LBA

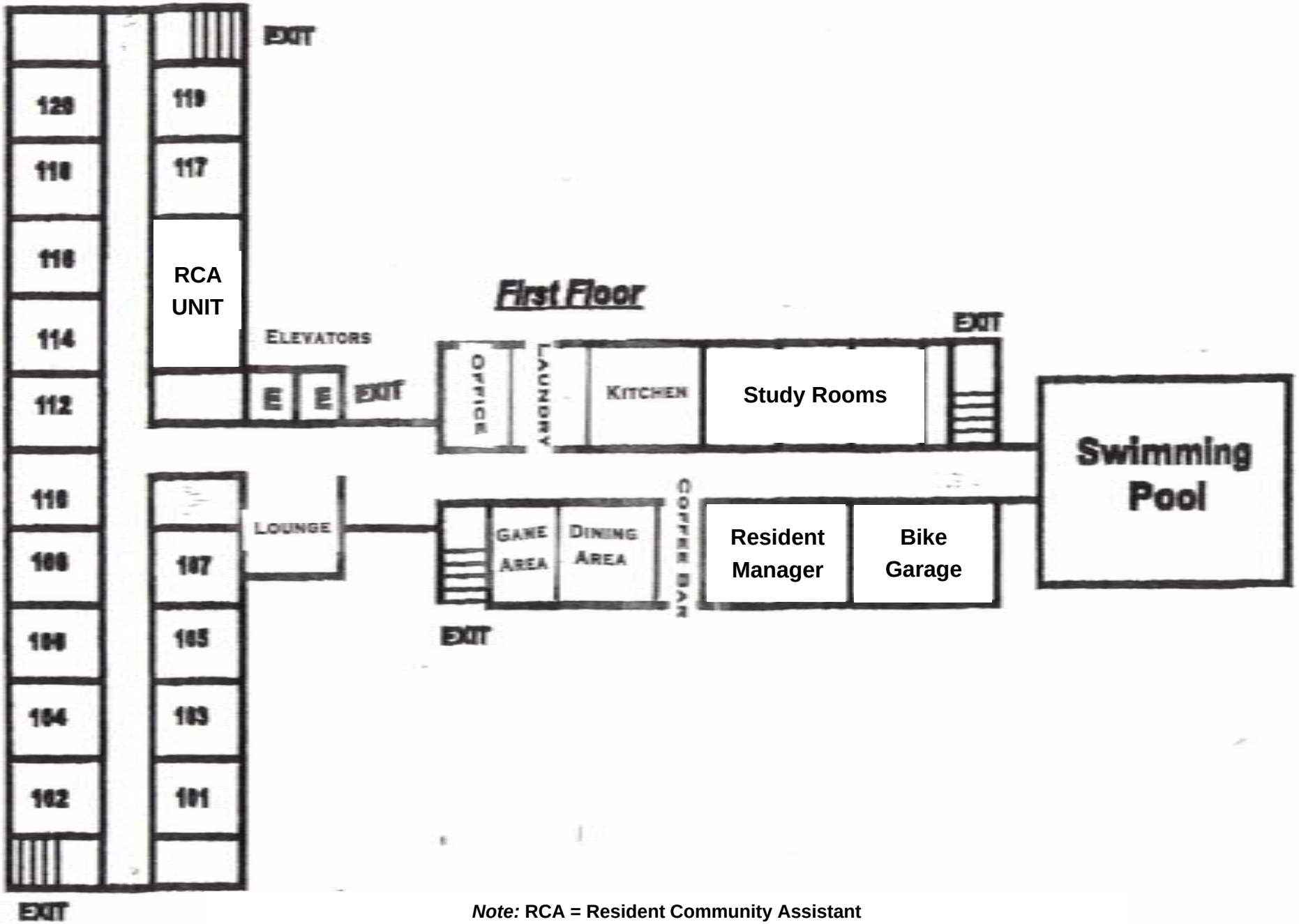
Project Identifier: W391.2306F2

Scale: 1"=20'

Date: 3/1/2012

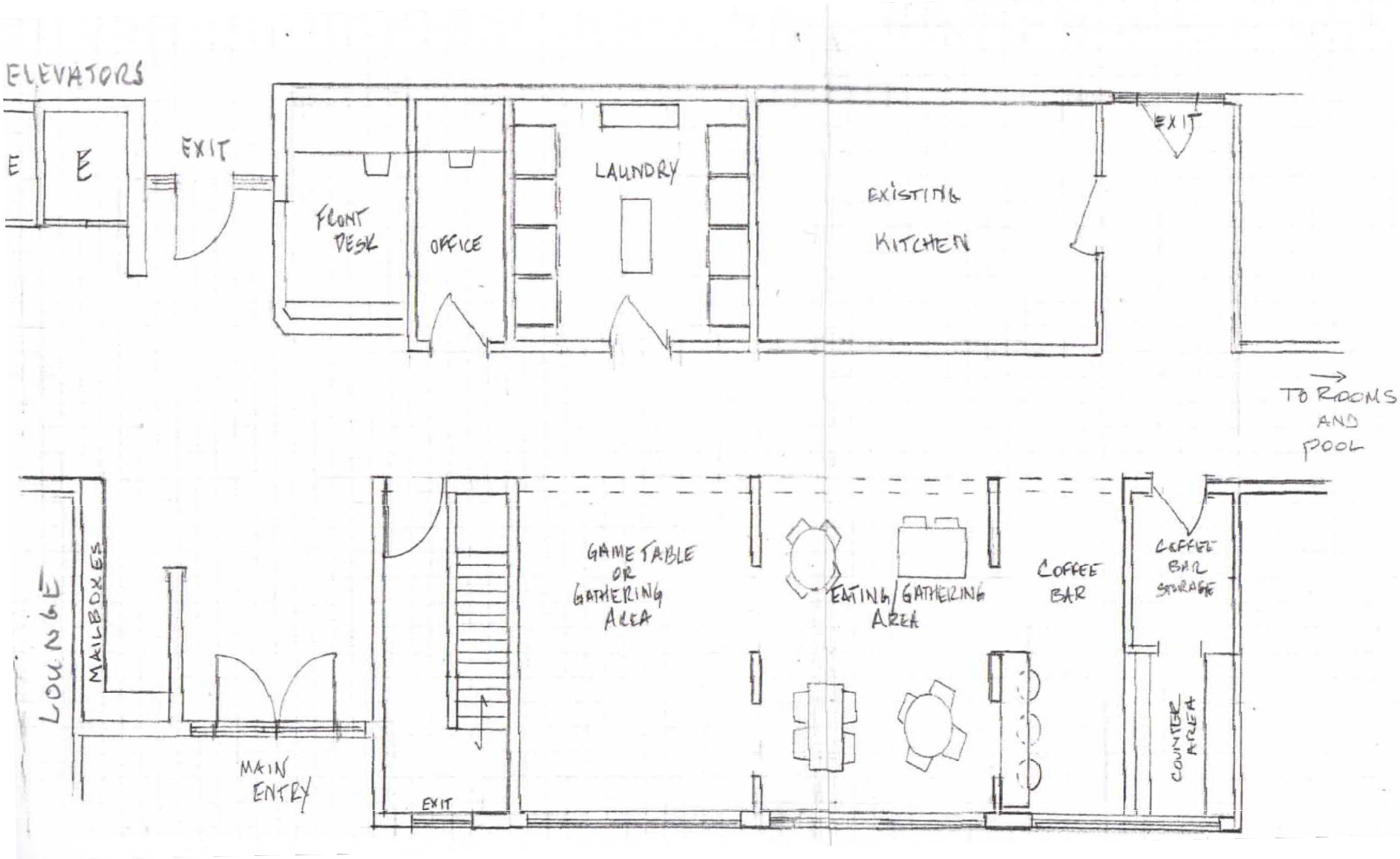
Sheet Title: LANDSCAPE PLAN

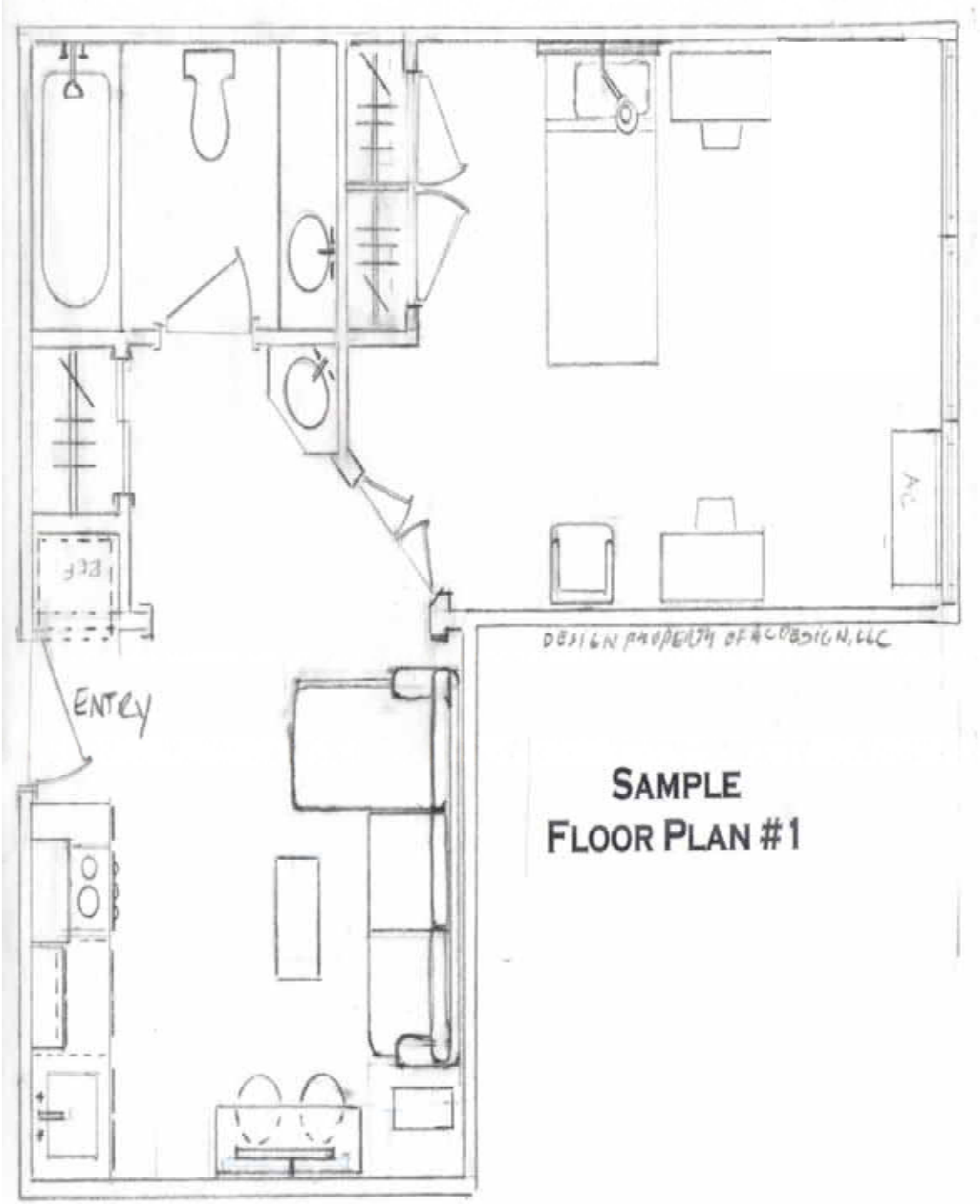
Sheet Number: L01



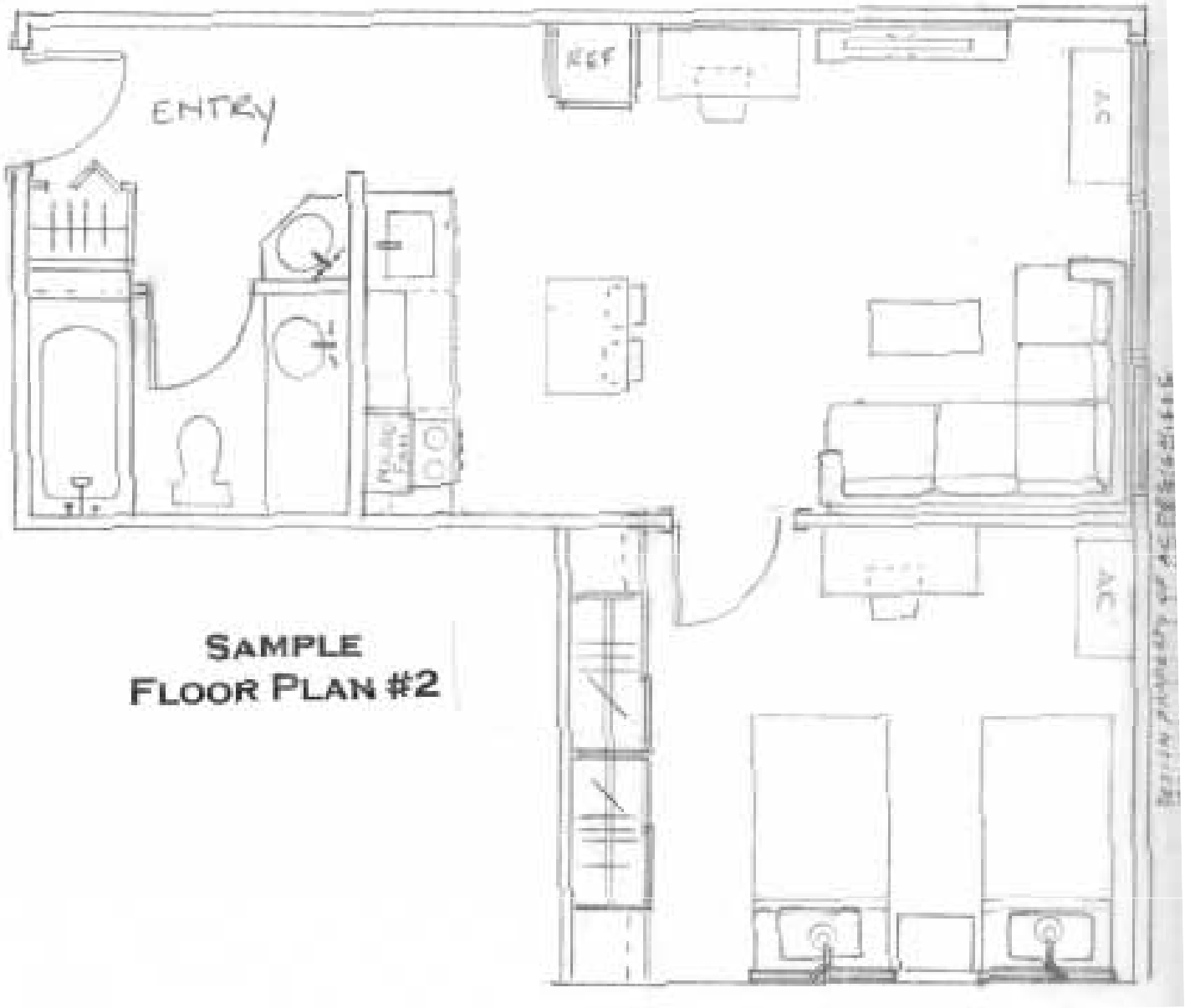
Note: **RCA = Resident Community Assistant**

First floor common areas

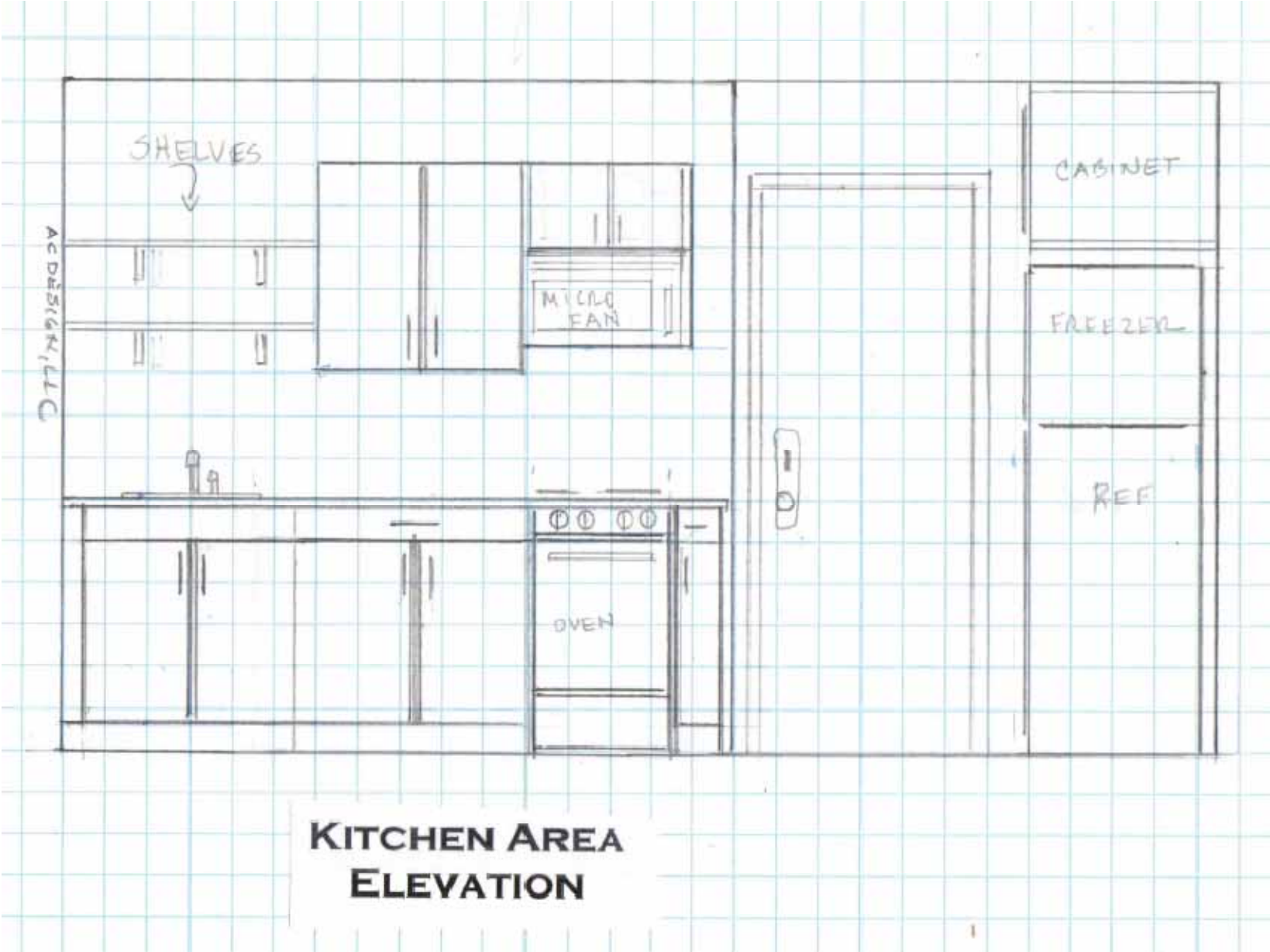




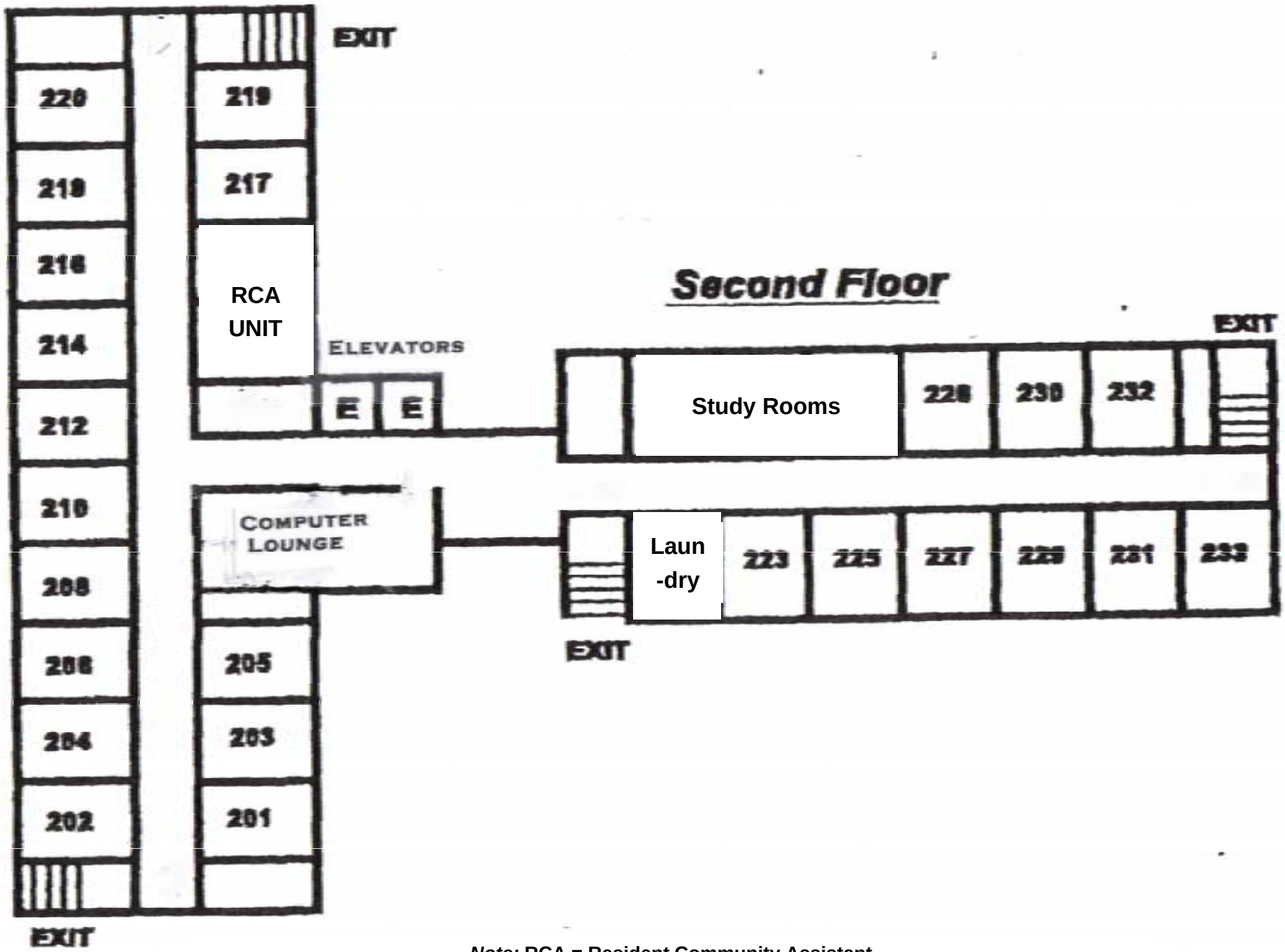
SAMPLE
FLOOR PLAN #1



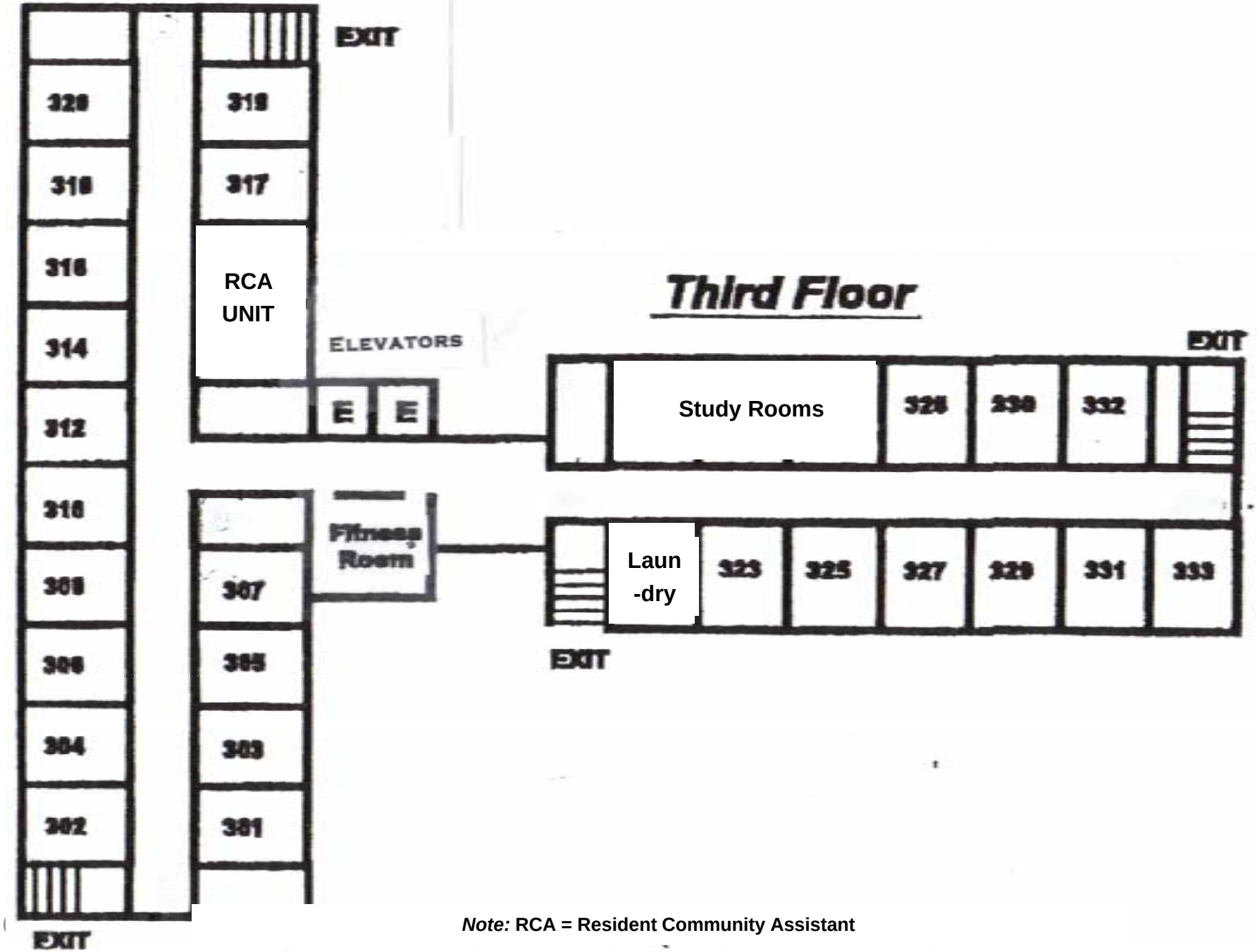
SAMPLE FLOOR PLAN #2



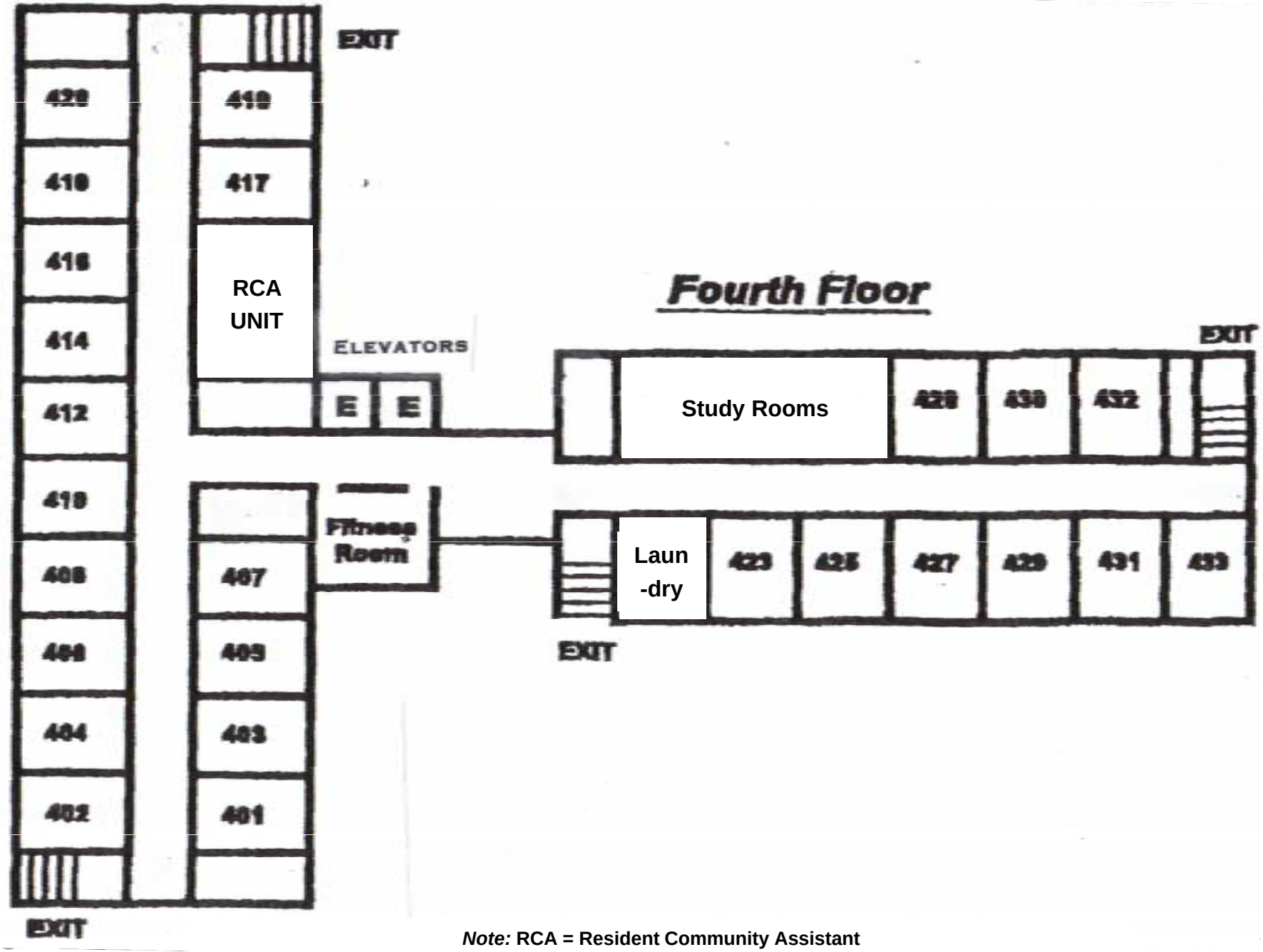
KITCHEN AREA ELEVATION



Note: **RCA = Resident Community Assistant**



Note: **RCA = Resident Community Assistant**



Note: **RCA = Resident Community Assistant**

ORDINANCE #12-__
PROPOSED ORDINANCE #12-10

AN ORDINANCE TO REZONE 2.64 ACRES AT 1406 RICHMOND ROAD FROM B-3 TO PDU (PCR #12-006)

WHEREAS, it has been determined by City Council that the general welfare of the City of Williamsburg would be served by rezoning the property located at 1406 Richmond Road from B-3 General Business District to PDU Planned Development Urban District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Williamsburg that the Official Zoning Map of the City of Williamsburg, Virginia be amended by rezoning 2.64 acres located at 1406 Richmond Road from B-3 General Business District to PDU Planned Development Urban District for the City Lofts, a student apartment building. This property is listed as Williamsburg Tax Map Number 403-01-00-001, and is further described by the attached Exhibit A.

BE IT FURTHER ORDAINED that the rezoning is subject to the following conditions:

1. The rezoning approval is for 94 one-bedroom student dwelling units (49 units will accommodate two students, and 45 will accommodate one student), one two-bedroom manager's apartment, and various support facilities (fitness room, lounge, media room, study areas, etc.).
2. The rezoning approves the plans titled "SCHEMATIC PLAN OF DEVELOPMENT, 1406 RICHMOND ROAD," dated 3/12/12, and prepared by AES Consulting Engineers, which is also the final site plan.
3. The rezoning approves the "Management Plan for the Upkeep and Maintenance of City Lofts," dated March 30, 2012.

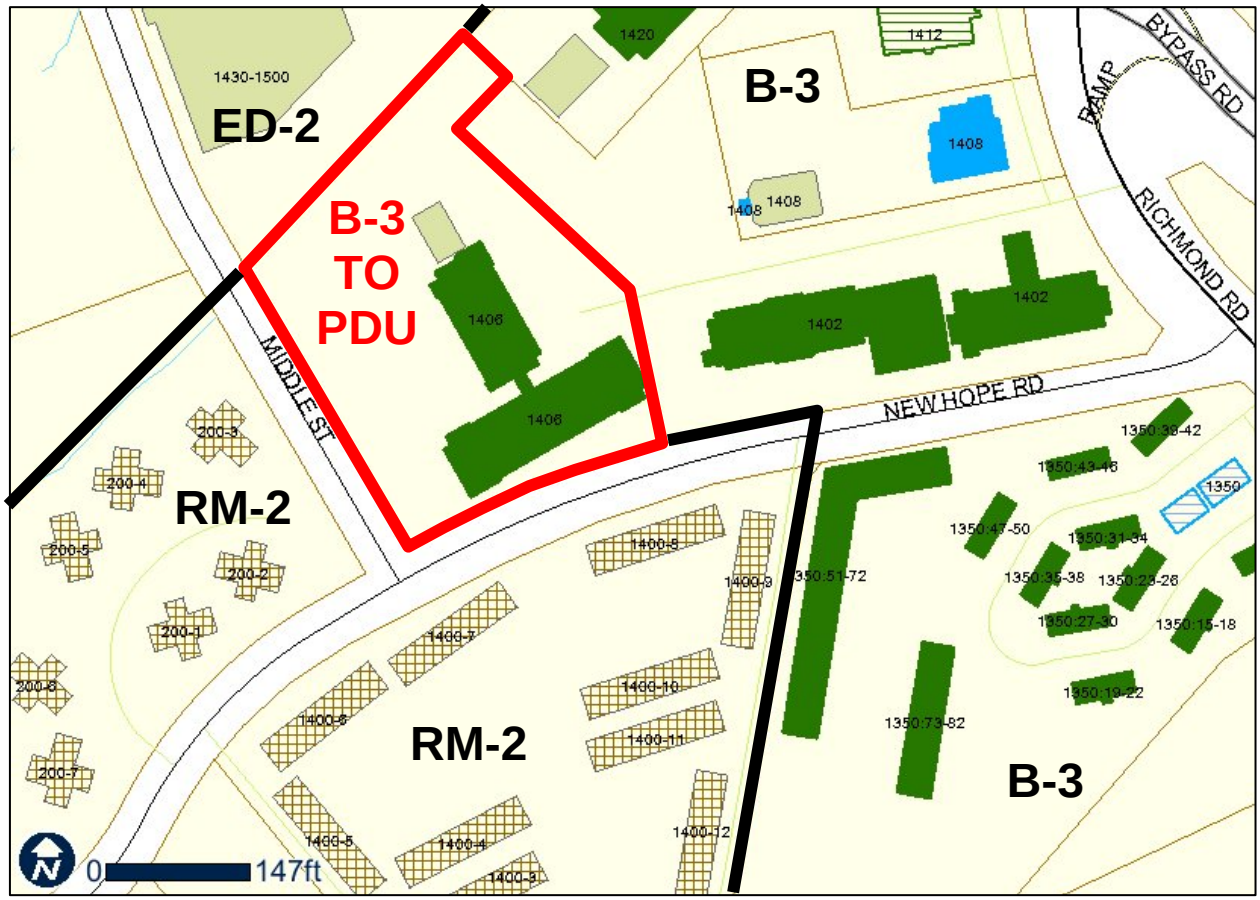
Adopted: _____

_____
Clyde A. Haulman, Mayor

_____
Donna Scott, City Council Clerk

[PC\PCR\2012\12-006OD1]

PCR #12-006: CITY LOFTS REZONING – B-3 TO PDU
1406 Richmond Road



CITY OF WILLIAMSBURG
MEMORANDUM

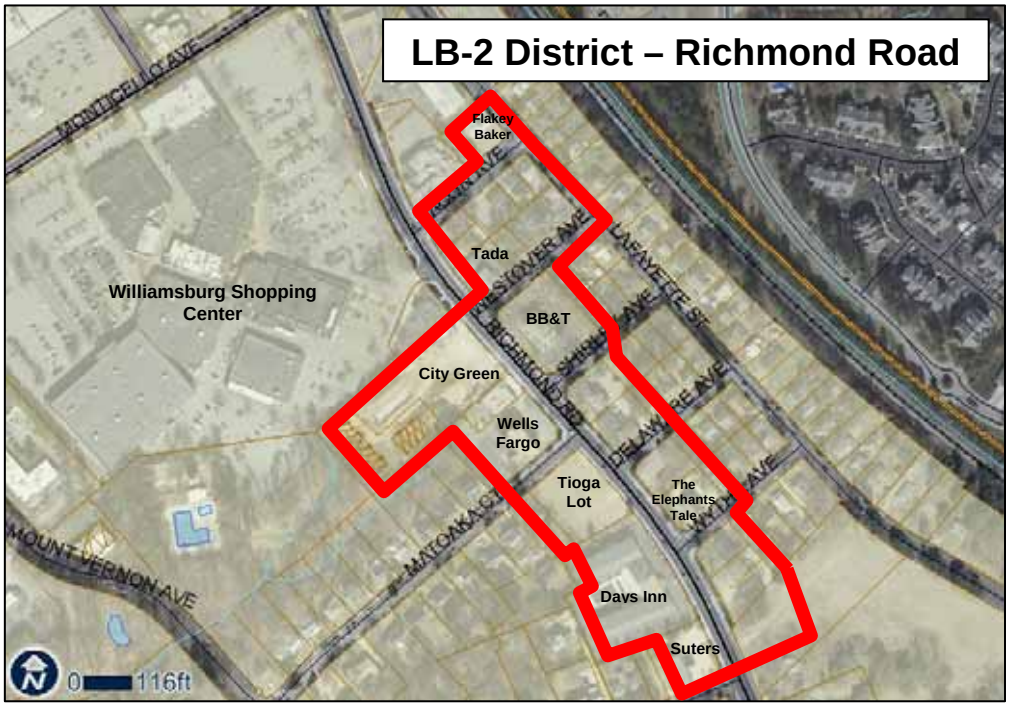
DATE: **May 23, 2012**

SUBJECT: **Review of Use and Parking Regulations in the Arts and Cultural District**

PCR #12-007
Revise permitted and special use permit uses in the LB-2 Limited Business Neighborhood District, and allow a residential density of 14 dwelling units/net acre by right

PCR #12-008
Create a Midtown Parking District which will establish special parking requirements for the properties within the Parking District. This District will cover the properties located in the LB-2 District and a small portion of the B-3 District.

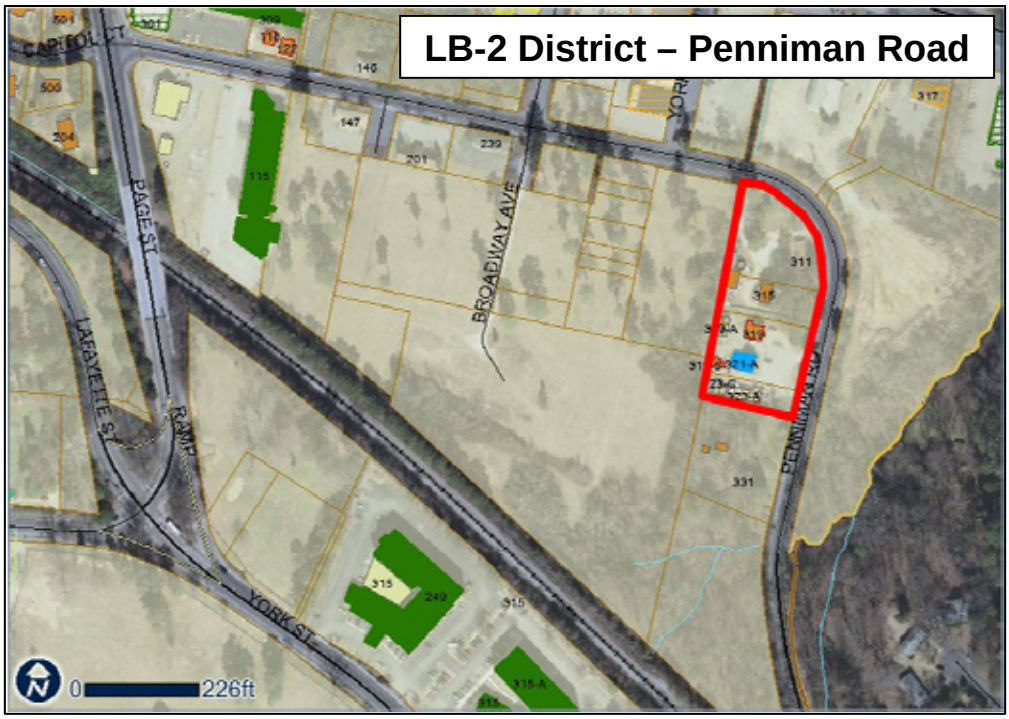
The Williamsburg Economic Development Authority has requested that staff and Planning Commission review the parking and use requirements in the Arts and Cultural District, with the objective of streamlining the regulations to encourage redevelopment and adaptive reuse, and notes that these changes are needed as soon as possible in order to allow creative businesses to locate in the Arts and Cultural District. These changes are most applicable to the LB-2 District, which is shown on the map below:



The EDA's letter made several comments that apply specifically to the LB-2 District regulations:

- Additional flexibility is needed to attract businesses to the district and to allow the Arts District to achieve its potential as a vibrant, mixed use area of the City, within walking distance of downtown and the College.
- The ordinance regulations should not impede redevelopment and adaptive re-use that are good for the vibrancy and economic growth of the City.
- Off-street parking regulations have been an impediment to the establishment of some creative businesses, and parking should not dictate the type of businesses that locate in the district.

The LB-2 District changes also apply to the small LB-2 District on Penniman Road. No changes to parking regulations are proposed for the Penniman Road area.



LB-2 HISTORY

The creation of the present LB-2 District was recommended by the 2006 Comprehensive Plan, and was adopted in February, 2008.

The existing LB-2 District implemented goals number 3 and 7 in the Commercial and Economic Development Plan in Chapter 10 of the 2006 Comprehensive Plan:

3. <u>Promote Richmond Road between Brooks Street and the Williamsburg Shopping Center as a unified Mixed-Use Area.</u> New regulations should be developed to treat both sides of this important corridor uniformly, with low

> intensity uses such as offices and banks allowed by right, and higher intensity uses like retail and restaurants requiring a special use permit. Home studios for artists and artisans should also be allowed by right or with a special use permit, depending on their character and intensity. The location of this area near the College and the Center City should support specialty shopping and office uses. This is an important transition area between automobile-oriented commercial to the west and bed and breakfast and residential uses to the east.

7. Provide opportunities for additional mixed-use development on Penniman Road and Ironbound Road. A small existing mixed-use area on Penniman Road near the York County line is strategically located adjacent to the Corridor Commercial areas and within walking distance of Colonial Williamsburg and the Center City area….

The LB-2 District is designated as Mixed Use land use by the 2006 Comprehensive Plan, which describes it as follows:

> 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 ….

The LB-2 District is discussed as a part of the Richmond Road Focus Area in Chapter 10 of the 2006 Comprehensive Plan, Commercial and Economic Development, pages 10-9 and 10-10. The LB-2 zoning designation was described as being

> … similar in intent to the LB-1 Limited Business Downtown District in the City Square/Merchants Square area, and is designed so that the more intensive uses require a special use permit. Uses such as single family and duplex dwellings, banks, bake shops, hotels/motels/ timeshares with 10 or less rooms, museums/art galleries and offices would be allowed by right, and uses such as restaurants, retail stores, hotels/motels/timeshares with more than 10 rooms, and multifamily dwellings (condominiums could be required, and senior housing could be a possibility) would be allowed with a special use permit. Home studios for artists and artisans should also be allowed by right or with a special use permit, depending on their character and intensity.

The LB-2 District is also discussed as a part of the Penniman Road area in Chapter 10 of the 2006 Comprehensive Plan, Commercial and Economic Development, pages 10-15. The mixed use area on Penniman Road was described as follows:

The existing mixed use area near the York County line (305, 315, 319, and 323A Penniman Road) should be designated as Mixed Use land use, implemented by a LB-2 Limited Business Neighborhood zoning district, designed so that the more intensive uses require a special use permit. Uses such as single family and duplex dwellings, banks, bake shops, hotels/motels/timeshares with 10 or less rooms, museums/art galleries and offices would be allowed by right, and uses such as restaurants, retail stores, hotels/motels/timeshares with more than 10 rooms and multifamily dwellings would be allowed with a special use permit. Home studios for artists and artisans should also be allowed by right or with a special use permit, depending on their character and intensity.

LB-2 DISTRICT ANALYSIS

Use Regulations

When the LB-2 District was written, the regulations were very tightly drawn:

- Commercial uses allowed by right were limited to buildings with a gross floor area less than 10,000 square feet, and within such buildings retail sales establishments were allowed with a floor area of up to 5,000 square feet, and restaurants up to 1,000 square. If these parameters were exceeded, a special use permit was required.
- Special use permits were required for multifamily dwellings, churches, day care centers in churches or schools, hotels/motels and timeshares with more than 10 rooms, laundry and dry cleaning establishments, public and private schools, radio and TV broadcasting stations without towers, and commercial uses in buildings with a gross floor area exceeding 10,000 square feet, restaurants with a gross floor area exceeding 1,000 square feet, and retail sales establishments with a gross floor area exceeding 5,000 square feet.
- Residential density was 8 dwelling units/net acre by right, and 14 dwelling units/net acre with a special use permit.

Since the district was approved four years ago, several uses have been established that would not have been allowed in the previous LBR District on the railroad side of Richmond Road: Tada Beads and Art, The Elephant's Tale, Flakey Bakers and Nana's Nook. All of these uses were permitted by right.

City Green was approved in 2009, which allowed the construction of the commercial/residential mixed use development. The floor area is 24% commercial area and 76% residential. The residential density is 12.2 dwelling units/net acre (24 units total), and required a special use permit. The two restaurants, having floor areas of more than 1,000 square feet, required special use permits.

There is one hotel in the district, the Days Inn, which has 98 rooms and a floor area of 42,400 square feet.

When we look at the commercial building stock (excluding hotels) in the LB-2 District, only one commercial building is over 10,000 square feet of floor area, and that is the Wells Fargo building at 1006 Richmond Road (16,623 sq.ft.). Of the 24 existing commercial buildings, only eight are more than 3,000 square feet, and the average building size is 3,385 square feet.

The vacant Tioga lot at 906 Richmond Road, which is owned by the City, can accommodate a building with more than 10,000 sq.ft. of floor area, but it would probably need to be three stories, which is allowed in the LB-2 District. In addition, there are several lots, or pairs of lots, that could be redeveloped to accommodate buildings with over 10,000 square feet of floor area, but this depends upon the demolition of existing buildings. These lots are 901-905 Richmond Road between Wythe and Delaware Avenues (G-Square), 902 Richmond Road (Days Inn), 1001 and 1003 Richmond Road between Delaware and Shirley Avenues (G-Square), and 1031 Richmond Road (BB&T). With these potentials in mind, it is proposed to keep in place the regulation that buildings with a gross floor area exceeding 10,000 square feet require a special use permit.

The proposed ordinance for the revised LB-2 District is attached. Here are the suggested changes to the use regulations:

PERMITTED USES – PROPOSED ADDITIONS

- Multifamily dwellings with ten or less units allowed.
- Restaurants without drive-thru windows allowed without a floor area limitation (currently limited to 1,000 square feet).
- Retail sales establishments allowed without a floor area limitation (currently limited to 5,000 square feet).
- Hotels/motels allowed without a room number limitation (currently limited to 10 rooms)
- Radio and television broadcasting stations, studios and offices allowed (excluding on-site towers).

PERMITTED USES – PROPOSED DELETIONS

- Churches.
- Day care centers located in the same building as a church or public or private school.
- Playgrounds, parks and unlighted athletic fields owned and/or operated by the City of Williamsburg.
- Public and private schools.

SPECIAL USE PERMIT USES – STAYS THE SAME

- Buildings with a gross floor area exceeding 10,000 square feet will continue to require a special use permit. These buildings can contain permitted uses, special exception uses and special use permit uses.

RESIDENTIAL DENSITY – PROPOSED CHANGE

- Allowed residential density is 14 dwelling units/net acre (currently 8 dwelling units/net acre by right, and 14 dwelling units/net acre with a special use permit). This is consistent with the adjoining B-3 District, and with the B-1 Downtown Business District.

The idea behind the use regulation and residential density changes is to streamline and simplify the regulations, and to reduce the requirement for special use permits as much as possible. The mix of uses has been proposed based upon the specific characteristics of the LB-2 Districts.

Parking Regulations

Another concern raised by the EDA has been with the off-street parking regulations, which have been an impediment to some uses proposed in the district.

The parking regulations base off-street parking on the gross floor area of the specific use. For example, an office requires one space per 400 square feet of floor area, a retail store requires one space per 200 square feet of floor area, and a restaurant requires one space per 100 square feet of floor area. This means that additional parking is required to change from office use to retail use, and from retail use to restaurant use. By comparison, a shopping center like Williamsburg Shopping Center has a requirement of one space per 300 square feet of floor area for all uses, so that once the parking requirement is met, there is complete freedom to change between uses. In the Downtown Parking District, no additional off-street parking is required for new uses, although existing parking spaces need to be maintained. This allowed for the approval of the Cook Building next to Paul's Delly with no additional off-street spaces, and Prince George Commons with 12 off-street spaces (about 70 would have been required to meet the standard requirements prior to the Downtown Parking District).

The Arts District area is more similar to a shopping center or the downtown area than to B-2 Commercial Corridors, where there is little if any nearby on-street parking. The Arts District is interconnected with a basic sidewalk network (although improvements are needed), there is on-street parking along Lafayette Street and the side streets, and it is within easy walking distance of the College. It is also on two Williamsburg Area Transport bus lines as well as the Williamsburg Trolley route. In my estimation the existing parking regulations require more parking than is needed for the uses that are likely to locate in this area.

As an example of what can happen under the existing parking regulations, the Flaky Baker at 110 Bacon Ave. inquired about adding table and chairs for a small inside café area. However, that classified the use as a restaurant and required additional parking that they could not provide due to the physical constraints of the property. Allowing this type of use at this location would not have harmed anything in the LB-2 District.

A study of the Arts District area shows that there are 24 commercial buildings and two hotels. For the 24 commercial buildings there are 367 off-street parking spaces, with a average of one parking space for each 260 square feet of floor area. There are 16 buildings (67%) that meet or exceed the one space/400 square foot requirement. There are 12 buildings (50%) that meet or exceed the one space/300 square foot requirement.

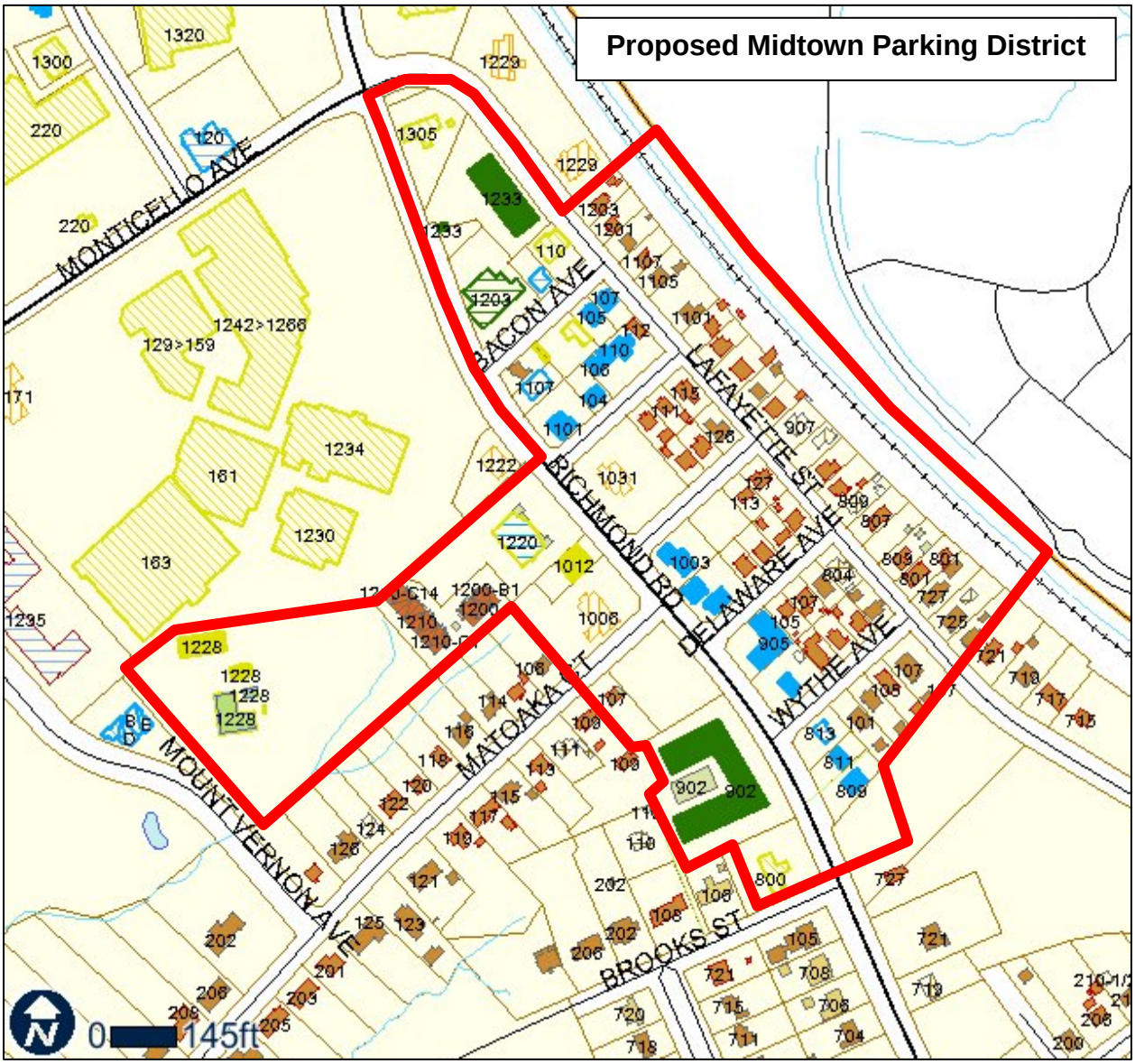
There are about 108 on-street parking spaces available in the Arts District: Lafayette St. – 40; Wythe Ave. – 12; Delaware Ave – 9 (14 additional spaces are Residential Permit Parking); Shirley Ave. – 22; Westover Ave. – 17; and Bacon Ave. – 8.

My suggestion is that a Midtown Parking District be created that coincides with the boundaries of the Arts District, which includes all of the LB-2 District, the adjoining RS-3 District, and portions of the adjoining B-3 District. The Midtown Parking District would have special regulations designed specifically for this area, as was done when the Downtown Parking District was created and expanded. And it raises the future possibility that it could be expanded to serve the entire Midtown Planning Areas as we move forward with the implementation of the 2012 Comprehensive Plan.

This change would allow great flexibility for existing buildings used for business uses, and since the parking requirement is the same for all uses, uses can be changed between any permitted business use without providing additional off-street parking. This would allow a bakery to add tables and chairs for a small café. It would allow a Suter's Furniture to be changed to a retail store or a restaurant. It would allow a bank to be converted to a coffee shop. It would allow the prime determinant of business uses to be market demand rather than off-street parking requirements. And it would provide additional flexibility for constructing new buildings in the area.

The impacts of these changes on a new 10,000 square foot building are as follows:

- A new 10,000 sq.ft. building that is all offices would require 25 parking spaces under both the existing and proposed parking regulations (10,000/400 = 25).
- A new 10,000 sq.ft. building that is 1/2 offices, 1/4 retail, and 1/4 restaurant would require 50 spaces under the existing parking regulations (5,000/400 + 2,500/200 + 2,500/100 = 50), and 25 parking spaces under the proposed parking regulations (10,000/400 = 25).
- A new 10,000 sq.ft. building that has 5 2-bedroom apartments on the second floor and is 1/2 retail and 1/2 restaurant on the ground floor would require 46 spaces under the existing parking regulations (5*1.75 + 2,500/200 + 2,500/100 = 46.25), and 20 parking spaces under the proposed parking regulations (5*1.5 + 5,000/400 = 20).



PROPOSED MIDTOWN PARKING REQUIREMENTS

- Single Family – 2 (unchanged).
- Duplex – 2 for each unit (unchanged). Duplex dwellings are not allowed in the RS-3 District.
- Multifamily – 1.25 for each efficiency and one bedroom dwelling unit, and 1.5 for each two or more bedroom unit (unchanged). The visitor parking requirement of 0.25 parking spaces per dwelling unit has been eliminated because of on-street parking in the area. Multifamily dwellings are not allowed in the RS-3 District.
- Hotels/motels – 1 for each bedroom (unchanged under the assumption that there will be no hotels/motels of more than 100 rooms built in the district).
- Room rentals to roomers – 1 for each roomer (unchanged)
- Room rentals to visitors – 1 for each bedroom rented (unchanged)
- Business uses (retail establishments, restaurants, offices, art galleries, museums, etc.) – 1 for each 400 square feet of gross floor area (this is a major change)

STAFF RECOMMENDATIONS

PCR #12-007 – Revise permitted and special use permit uses in the LB-2
Staff recommends that Planning Commission recommend to City Council that the LB-2 District revisions be approved, as detailed in Proposed Ordinance #12-11.

PCR #12-008 – Create Midtown Parking District
Staff recommends that Planning Commission recommend to City Council that the Midtown Parking District be created, as detailed in Proposed Ordinance #12-12.

PLANNING COMMISSION RECOMMENDATIONS

Planning Commission held a public hearing on these requests on May 16, and eight citizens spoke at the hearing. Planning Commission, by a vote of 3-2, recommended to City Council that PCR #12-007 and PCR #12-008 be denied and considered further in the context of the Comprehensive Plan review process.

Reed T. Nester, AICP
Planning Director

[PC\PCR\2012\12-007M03]

CITY OF WILLIAMSBURG

Economic Development Authority

March 12, 2012

Sean Driscoll, Chair
Williamsburg Planning Commission
401 Lafayette St
Williamsburg, VA 23185

Sean:

Since the creation of the Williamsburg Arts District Ordinance by City Council in February 2011, the following creative economy businesses have located in the district and created at total of 32 jobs (ten full time and 22 part time).

Creative Businesses and Jobs Created in Arts District, since February 2011			
	Business Name	**Opening Date**	**Type of Business**
1	Tada Beads and Art	March 2012	Bead shop, handmade jewelry, pottery and art consignment
2	The Elephant's Tale	February 2012	Antique store
3	Extraordinary Cupcakes	February 2012	Bakery
4	TCAG Education Center	April 2011	Art education
5	Flakey Bakers	March 2011	Bakery
6	Nana's Nook	March 2011	Floral arrangements and antiques
7	Dancer's Boutique	March 2011	Dancer apparel and supplies

While we are pleased with the early success, as we work with prospective businesses to locate in the Arts District, the Economic Development Director and the Economic Development Authority (EDA) have become aware of practical problems with the existing zoning regulations in the district. Additional flexibility is needed to continue to attract businesses to the district and to allow the Arts District to achieve its potential as a vibrant, mixed use area of the City, within walking distance of downtown and the College of William and Mary.

In an effort to encourage the creation of diverse creative businesses in this area, the Zoning Ordinance needs to be revised and updated. The ordinance regulations should not impede redevelopment and adaptive re-use that are good for the vibrancy and economic growth of the City. Off-street parking regulations have been an impediment to the establishment of some creative businesses, and parking should not dictate the type of businesses that locate in the district.

On-street parking is available on Lafayette Street and the side streets within the Arts District. Additionally, public transportation is available and the district is within walking distance of the college and downtown. The current Zoning Ordinance parking regulations view this area as a typical corridor commercial area, but instead it needs to be viewed as part of the vibrant downtown area, where customers visit businesses not only by automobile, but also by foot, bicycle, and public transit.

In 2005, the downtown parking district created special parking regulations for downtown. This change has been extremely successful in allowing redevelopment and investment in the downtown area, notably on Prince George Street. Also, special parking regulations apply to shopping centers, which allow easier transition from different commercial uses within the units of the shopping center. These examples provide precedence for establishing special parking district regulations for the Arts District, and the City needs to make it easier to establish new uses and change existing commercial uses.

The EDA respectfully requests that City staff and the Planning Commission review the parking and use requirements in the Arts District, with the objective of streamlining the regulations to encourage redevelopment and adaptive reuse. We are aware that the Planning Commission plans to review these regulations as part of the Comprehensive Plan update, but the EDA notes that these changes are needed as soon as possible in order to allow creative businesses to locate in the Arts District.

Sincerely,

T. Montgomery Mason
Chairman

Copy: Reed Nester, Planning Director
Michele Mixner DeWitt, Economic Development Director

ORDINANCE #12-__
PROPOSED ORDINANCE #12-11

AN ORDINANCE AMENDING CHAPTER 21, ZONING, LIMITED BUSINESS NEIGHBORHOOD DISTRICT LB-2, PERTAINING TO PERMITTED AND SPECIAL USE PERMIT USES (PCR #12-007)

These revisions to Chapter 21, Zoning, are intended to promote the health, safety and general welfare of the public, and to carry out the purpose and intent of Chapter 21 as stated in Sec. 21-1.

****

BE IT ORDAINED that Chapter 21, Zoning, Article III, Division 6.2. Limited Business Neighborhood District LB-2, Sec. 21-255.1. Statement of intent, Sec. 21-255.2. Permitted Uses, and Sec. 21-255.4. Uses permitted with special use permit, shall be amended to read as follows:

DIVISION 6.2. LIMITED BUSINESS NEIGHBORHOOD DISTRICT LB-2

Sec. 21-255.1. Statement of intent.

This district is established to allow a mixture of office, commercial and residential uses in areas that are designated by the Comprehensive Plan as Mixed Use land use, and which are located outside of the Center City area. In keeping with the urban mixed use character of these areas, studios and workshops for artists and artisans are allowed with a special exception. Higher intensity uses such as ~~banks, offices and retail sales establishments large buildings, restaurants, and hotels with more than ten rooms~~ buildings with a floor area larger than 10,000 square feet, multifamily dwellings with more than ten dwelling units, laundry and dry cleaning establishments, and restaurants with drive-thru windows may be allowed with a special use permit to ensure that the use is compatible with surrounding neighborhoods.

Sec. 21-255.1.1. Permitted dwelling unit occupancy.

The permitted dwelling unit occupancy in the limited business neighborhood district LB-2 is as follows:

(1) A family;

(2) No more than three unrelated persons; or

(3) Four unrelated persons in a single-family detached dwelling if the provisions of section 21-619 et seq. are met.

Sec. 21-255.2. Permitted uses.

The uses permitted in the limited business neighborhood district LB-2 are as follows [buildings with a gross floor area exceeding 10,000 square feet require a special use permit in accordance with Sec. 21-255.4(4)]:

(1) Single-family detached dwellings. There shall be only one single-family dwelling on an individual lot.

(2) Duplex dwellings.

~~(3) Hotels/motels with ten or less bedrooms.~~

~~(4) Playgrounds, parks and unlighted athletic fields owned and/or operated by the City of Williamsburg.~~

(3) Multifamily dwellings with ten or less dwelling units.

(4) Bake shops.

(5) Banks and financial establishments.

(6) Convenience service establishments, limited to barbershops, beauty parlors, tailors and shoe repair shops.

(7) Hotels/motels.

(8) Museums and art galleries.

(9) Offices.

(10) Printing and photocopying shops.

~~(4.1)~~ (11) Public buildings owned and/or operated by the City of Williamsburg.

(12) Restaurants without drive-thru windows.

(13) Retail sales establishments.

(14) Radio and television broadcasting stations, studios and offices, but excluding on-site towers.

~~(5) Uses in buildings with a gross floor area not exceeding 10,000 square feet per building:~~

~~a. Bake shops.~~
~~b. Banks and financial establishments.~~
~~c. Convenience service establishments, limited to barbershops, beauty parlors, tailors, and shoe repair shops.~~
~~d. Museums and art galleries.~~
~~e. Offices.~~
~~f. Printing and photocopying shops.~~
~~g. Restaurants with a gross floor area not to exceed 1,000 square feet.~~
~~h. Retail sales establishments with a gross floor area not to exceed 5,000 square feet.~~

~~(6)~~ (15) Offstreet parking and loading areas for permitted uses in accordance with Article V.

~~(7)~~ (16) Signs in accordance with Article VI.

~~(8)~~ (17) Accessory uses in accordance with section 21-603

~~(9)~~ (18) Home occupations in accordance with section 21-606

Sec. 21-255.3. Uses permitted as special exceptions.

Uses permitted in the limited business neighborhood district LB-2 with a special exception approved by the board of zoning appeals in accordance with section 21-97(f) are as follows [buildings with a gross floor area exceeding 10,000 square feet require a special use permit in accordance with Sec. 21-255.4(4)]:

(1) Studios or workshops for artists and artisans, either as a separate use or in conjunction with a residential use on the premises, as follows:

a. Artists may include, but are not limited to, woodworkers, potters/ceramicists, candle makers, stained-glass makers, glass artists, textile artists, jewelers, painters, printmakers, photographers, musical instrument makers, papermakers, sculptors, and other arts and crafts uses of a similar nature.

b. Use of the premises may include the showing and sale of art, made either on- or off-premises.

c. An electric or gas-fired kiln with an interior volume of up to 50 cubic feet may be used for pottery and/or ceramics.

d. Materials and supplies shall not be stored outdoors.

Sec. 21-255.4. Uses permitted with special use permit.

Uses permitted in the limited business neighborhood district LB-2 with a special use permit approved by the city council in accordance with article II, division 2, are as follows [buildings with a gross floor area exceeding 10,000 square feet require a special use permit in accordance with Sec. 21-255.4(4)]:

(1) Multifamily dwellings with more than ten dwelling units.

(2) Laundry and dry cleaning establishments.

(3) Restaurants with drive-thru windows.

(4) Buildings with a gross floor area exceeding 10,000 square feet containing permitted uses (Sec. 21-255.2), uses permitted with a special exception (Sec. 21-255.3), and/or uses permitted with a special use permit (Sec. 21-255.4).

~~(2) Churches and other buildings used for religious worship.~~

~~(3) Day care centers located in the same building as a church or public or private school.~~

~~(4) Hotels/motels and timeshare units, and associated meeting facilities with more than ten bedrooms.~~

~~(5) Laundry and dry cleaning establishments.~~

~~(5.1) Lighted athletic fields owned and/or operated by the City of Williamsburg.~~

~~(6) Public or private elementary, middle or high schools, colleges and universities, and including temporary classroom facilities when accessory to and on the same lot as a school located in a permanent building.~~

~~(7) [Reserved.]~~

~~(8) Radio and television broadcasting stations, studios and offices, but excluding onsite towers.~~

~~(9) Uses in buildings with a gross floor area exceeding 10,000 square feet per building:~~

~~a. Bake shops.~~
~~b. Banks and financial establishments.~~
~~c. Convenience service establishments, limited to barbershops, beauty parlors, tailors, and shoe repair shops.~~
~~d. Museums and art galleries.~~
~~e. Offices.~~
~~f. Printing and photocopying shops.~~
~~g. Restaurants with a gross floor area exceeding 1,000 square feet.~~
~~h. Retail sales establishments with a gross floor area exceeding 5,000 square feet.~~

Sec. 21-255.5. Lot area/density.

The density requirements in the limited business neighborhood district LB-2 are as follows:

(1) Dwelling units: There shall be a maximum density of ~~eight dwelling units per net acre, except that the maximum density may be increased up to~~ 14 dwelling units per net acre ~~with a special use permit approved by the city council in accordance with article II, division 4~~. Net acreage shall be based on existing land conditions, as specified in the following chart:

Physical Land Unit	**% 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%

(2) Other uses: For all other uses, there shall be no minimum lot area required.

Sec. 21-255.6. Lot width.

The lot width requirements in the limited business neighborhood district LB-2 are as follows:

(1) *Single-family detached dwellings:* The minimum lot width at the building line shall be 50 feet and shall not be less than 25 feet at the street line.

(2) *Duplex dwellings:* The minimum lot width at the building line shall be 60 feet; however, when each dwelling unit is located on a separate lot the minimum lot width at the building line shall be 30 feet for each lot. The lot width shall not be less than 25 feet for each lot at the street line.

(3) *Multifamily dwellings:* The minimum lot width at the building line shall be 50 feet and shall not be less than 25 feet at the street line.

(4) *Other uses:* The minimum lot width at the building line shall be 50 feet and shall not be less than 25 feet at the street line.

Sec. 21-255.7. Yards.

The yard requirements in the limited business neighborhood district LB-2 are as follows:

(1) *Front.* There shall be a front yard of not less than 15 feet, except:

a. 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.

b. 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 21-255.7(1)a.

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

(2) *Side.*

a. *Single-family detached and duplex dwellings:* There shall be side yards of not less than seven and one-half feet.

b. Duplex dwellings with each dwelling unit on a separate lot: There shall be side yards of not less than seven and one-half feet, except that no side yard shall be required for the common property line between attached units.

c. *Multifamily dwellings:* There shall be side yards of at least ten feet.

~~b.~~ (d.) *Other uses:* There shall be a side yard of at least ten feet.

~~d.~~ (e.) *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 15 feet for both main and accessory buildings, unless a greater side yard is designated on a recorded subdivision plat. Parking shall be prohibited in the side yard abutting the street.

~~e.~~ (f.) *Side yards for accessory buildings,* except for those on corner lots, shall not be less than three feet.

~~f.~~ (g.) *Transitional screening* shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-255.7(4).

(3) *Rear.*

a. There shall be a rear yard of not less than 25 feet.

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

c. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-255.7(4).

(4) *Transitional screening.*

a. A landscaped open space 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. The transitional screening open space shall include the required side and rear yards.

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

c. Transitional screening open space shall not contain driveways, parking spaces, accessory buildings, mechanical equipment, or be used for storage purposes. No more than 25 percent of a transitional screening open space shall be used for stormwater management facilities.

d. Transitional screening open space may be counted toward the landscaped open space required by section 21-255.9

e. In conjunction with site plan review, planning commission may, in accordance with section 21-784(f), reduce the required width of transitional screening open space. A reduction shall not be approved unless it is found that:

1. 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

2. Additional landscaping and/or screening will be provided that will provide screening equivalent to that required by this section.

Sec. 21-255.8. Height.

The height requirements in the limited business neighborhood district LB-2 are as follows:

(1) Buildings may be erected up to 35 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% 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.

Sec. 21-255.9. Landscaped open space.

The landscaped open space requirements in the limited business neighborhood district LB-2 are as follows:

(1) At least 15 percent of the total land area of the lot shall be landscaped open space.

Adopted: _____

_____
Clyde A. Haulman, Mayor

_____
Donna Scott, City Council Clerk

[PC\PCR\2012\12-007OD2]

ORDINANCE #12-__
PROPOSED ORDINANCE #12-12

AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE V. PARKING, BY ADDING SEC. 21-711. MIDTOWN PARKING DISTRICT (PCR #12-008)

These revisions to Chapter 21, Zoning, are intended to promote the health, safety and general welfare of the public, and to carry out the purpose and intent of Chapter 21 as stated in Sec. 21-1.

****

BE IT ORDAINED that Chapter 21, Zoning, Article V. Parking, be amended by the addition of Sec. 21-711 Midtown Parking District, which shall read as follows:

ARTICLE V. PARKING

Sec. 21-711. Midtown parking district.

(a) A midtown parking district is established to recognize the special character of the area, which is included in the city's Arts District, and the location of on-street parking within the district. It is the intent of this section to establish special parking requirements appropriate to the unique character of this area.

(b) The boundaries of the midtown parking district are delineated on the official midtown parking district map, adopted on [date of ordinance adoption]. The official midtown parking district map, and all notations, references and other information shown thereon, is a part of this article, and has the same force and effect as if the official midtown parking district map were fully set forth or described in this article.

(c) The offstreet parking required for the midtown parking district shall be provided and maintained on the basis of the following table:

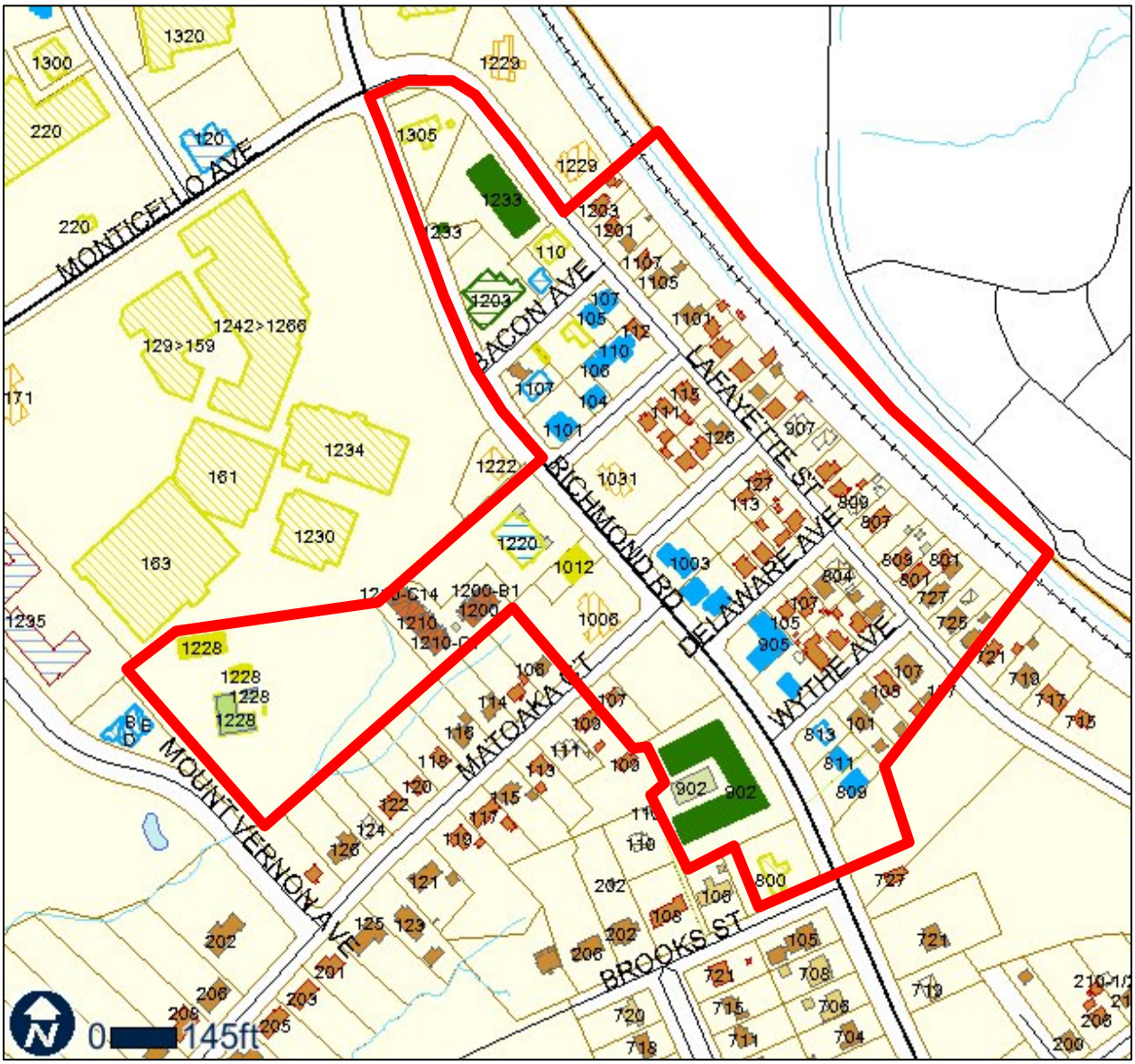
	Use Type		**Required Parking Spaces**
(1)	***Residential uses:***		
	a.	Single-family detached dwelling	2 for each dwelling unit
	b.	Duplex dwellings	2 for each dwelling unit
	c.	Multifamily dwellings	1.25 for each efficiency and one bedroom dwelling unit, and 1.5 for each two or more bedroom dwelling unit.
(2)	***Transient lodgings:***		
	a.	Hotels/motels:	1 for each bedroom
		Meeting rooms, banquet rooms and restaurants located within a hotel/motel	1 for each 400 square feet of floor area
	b.	Room rentals in single-family detached dwellings (in addition to the parking required by section 21-711(a)):	
		For more than 1 roomer	1 for each roomer
		For visitors	1 for each bedroom rented
(3)	***Business uses:***		
	a.	Retail establishments, restaurants, offices, art galleries, museums and other non-residential uses.	1 for each 400 square feet of floor area

Adopted: _____

_____
Clyde A. Haulman, Mayor

_____
Donna Scott, City Council Clerk

[PC\PCR\2012\12-00_OD1]



Midtown Parking District Map
[insert adoption date of ordinance]