



PUBLIC NOTICE
WILLIAMSBURG CITY COUNCIL

The Williamsburg City Council will hold a public hearing on Thursday, September 13, 2012, 2:00 p.m. in the Stryker Building, 412 North Boundary Street, to consider the following:

PCR #12-013: Request of Riverside Healthcare System to amend the ED Economic Development District by revising lot width, yard, height and accessory building regulations (Secs. 21-366, 21-367, 21-368, and 21-370), and amending the parking regulations by creating an Economic Development Parking District (Sec. 21-712). These changes are intended to provide more flexibility for developing the Quarterpath at Williamsburg project.

PCR #12-018: Request of CCM, LLC for a special use permit to sell used cars at 401 Page Street. This property is zoned B-2 Corridor Commercial District, and is identified as Williamsburg Tax Map No. 468-0A-00-008. It is proposed to display approximately 25 cars and to use the service area only for cars offered for sale on the premises.

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, August 6, 2012.

Donna F. Scott
City Council Clerk



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: August 22, 2012

SUBJECT: PCR #12-013
Request of Riverside Healthcare Association, Inc. to revise the ED District lot width, yard, height and accessory building regulations, and to create an Economic Development Parking District

Riverside Healthcare Association, Inc. is requesting changes to the text of the ED Economic Development District and parking regulations to “facilitate the success of the Quarterpath Master Plan.”



The changes are proposed to facilitate several key elements essential in creating a Village Center, according to the application:

1. **Mixed-use buildings:** Buildings with commercial spaces located on the ground floor, with residential usage located on the 2-3 floors above, will create the “Main Street” feeling at the Village Center.
2. **Active streets:** All of the streets in the Village Center are envisioned to be pedestrian-friendly and will encourage interaction between residents,

workers, patrons, and visitors. Thus, the proposed text changes relating to the commercial street allow for the ground floor to open onto the sidewalk, while porches on residential streets will exit onto the sidewalk in many locations, and most importantly parking and garages will mainly be relegated to the rear.

3. **Rear-loaded Townhomes:** In order to achieve an active community with pedestrian-friendly streets, the proposed text changes allow the townhome fronts to face the main streets, while garages, utility connections, and trash will be located in rear alleys.
4. **Shared Parking:** Parking is a necessity for any successful development, however, it is not visually attractive and it consumes land. By having a shared parking arrangement, the minimum amount of land shall be consumed by parking.



PROPOSED REVISIONS

Staff has worked with the applicant to prepare the following revisions:

ED Economic Development District

1. Front yards have been reduced from 15 feet to five feet. [Secs. 21-367(1) and 21-370(3)a.]
2. Side yards on a street corner have been reduced from 15 feet to five feet. [Sec. 21-367(2)]

3. Rear yards have been reduced from 15 feet to five feet when adjacent to a public or private street or alley. [Secs. 21-367(3) and 21-370(3)c.]
4. Provisions to allow reduction of front, side and rear yards with a special use permit have been eliminated – they are not needed because of the changes proposed above. [Sec. 21-367(4)]
5. Height regulations have been revised to allow buildings up to 60 feet high when set back 100 feet from Route 60 East and Route 199. The current regulations require a 200 foot setback from Route 60 East, Route 199 and Quarterpath Road. [Sec. 21-368(1)]
6. Detached garages are allowed for townhouses. [Sec. 21-370(7)]

Parking Regulations

1. An Economic Development Parking District is created. [Sec. 21-712]
 - a. Similar to the recently created Midtown Parking District.
 - b. Applies to the ED District only. The Riverside property is the only ED zoned property in the City.
 - c. Business uses (retail establishments, restaurants, offices, art galleries, museums and other non-residential uses require one space for each 400 square feet of floor area (same as required in the Midtown Parking District).
 - d. Doctor's or dentist's offices, clinics and outpatient clinics require one space for each 400 square feet of floor area.
 - e. Residential, hotel/motel and hospital parking requirements are unchanged.
 - f. On-street parking can be counted towards meeting the parking requirement.
 - g. Parking may be located off-site if within 500 feet of a building entrance. The right to use off-site parking must be established by deed, easement, lease or similar recorded covenant or agreement, and for a minimum time period of 20 years.

ANALYSIS

This package of changes will allow additional by-right flexibility for developing Quarterpath at Williamsburg as a mixed-use development. The reductions to the yard requirements will be most applicable in the Village Center area of Quarterpath at Williamsburg, arrayed around the Village Green. In the Village Center area, commercial buildings can be located right behind the sidewalk, as is the case with buildings in the B-1 District (e.g. Prince George Street). Townhouses will be allowed to locate close to the sidewalk, with porches at the property line, and buildings will be able to be closer to alleyways. More flexibility in height will be allowed.

The creation of the Economic Development Parking District will allow more flexibility in parking requirements, similar to what was done for the Midtown Parking District. On-street parking will be able to be counted toward meeting the parking requirements, and this is related to the proposal for the development of reverse-angle parking along

Battery Boulevard in the central area of the development surrounding the Village Green, and between the two cul-de-sacs.

These changes support Goal No. 6 in the Commercial and Economic Development Plan in the 2006 Comprehensive Plan:

6. Support development of High Street Williamsburg and Quarterpath at Williamsburg as the City's primary mixed-use developments. High Street Williamsburg will be a high quality shopping and entertainment area, anchored by a multiplex cinema, and Quarterpath at Williamsburg will be a diverse area with important medical uses (Doctors' Hospital of Williamsburg), local commercial, and an area for a major "destination retail" development. Both of these areas are master planned to integrate residential areas with the planned commercial and medical uses.

STAFF RECOMMENDATION

Staff recommended that Planning Commission recommend to City Council that the ED District regulations pertaining to lot width, yard, height and accessory building regulations be approved, and that the Economic Development Parking District be created, as detailed in the attached ordinance.

PLANNING COMMISSION RECOMMENDATION

Planning Commission held a public hearing on August 15, and no one spoke at the hearing. Planning Commission recommended, by a vote of 4-0, that City Council approve the amended ED District regulations pertaining to lot width, yard, height and accessory building regulations, and create the Economic Development Parking District, as detailed in the attached ordinance.

CITY COUNCIL PUBLIC HEARING

The City Council public hearing is scheduled for September 13 at 2:00 p.m. in the Council Chamber at the Stryker Building, 412 North Boundary Street.



Reed T. Nester, AICP
Planning Director

Reed T. Nester, AICP
Planning Director
City of Williamsburg
401 Lafayette Street
Williamsburg, Virginia 23185-3617

Re: Riverside Healthcare Association, Inc. Quarterpath Project

Dear Mr. Nester,

The attached proposed text changes to the Economic Development District will facilitate the success of the Quarterpath Master Plan. The Quarterpath Master Plan seeks to establish a mixed-use, pedestrian-focused Village Center as the central focus to the overall property. The changes to the Ordinance will facilitate several key elements essential in creating a Village Center. The elements are as follows:

1. **Mixed-use buildings:** Buildings with commercial spaces located on the ground floor, with residential usage located on the 2-3 floors above, will create the “Main Street” feeling at the Village Center.
2. **Active streets:** All of the streets in the Village Center are envisioned to be pedestrian-friendly and will encourage interaction between residents, workers, patrons, and visitors. Thus, the proposed text changes relating to the commercial street allow for the ground floor to open onto the sidewalk, while porches on residential streets will exit onto the sidewalk in many locations, and most importantly parking and garages will mainly be relegated to the rear.
3. **Rear-loaded Townhomes:** In order to achieve an active community with pedestrian-friendly streets, the proposed text changes allow the townhome fronts to face the main streets, while garages, utility connections, and trash will be located in rear alleys.
4. **Shared Parking:** Parking is a necessity for any successful development, however, it is not visually attractive and it consumes land. By having a shared parking arrangement, the minimum amount of land shall be consumed by parking.

Thank you for your consideration of the attached proposed text amendments which will allow the Quarterpath Development to create a mixed-use, pedestrian-focused Village Center.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracey Dowling". The signature is fluid and cursive, with a large initial "T" and "D".

Tracey Dowling, Administrative Director

ORDINANCE #12-__
PROPOSED ORDINANCE #12-__

**AN ORDINANCE AMENDING CHAPTER 21, ZONING,
ARTICLE III, DIVISION 10.1, ECONOMIC DEVELOPMENT DISTRICT ED,
PERTAINING TO LOT WIDTH, YARD AND HEIGHT REGULATIONS,
AND ARTICLE V, PARKING, CREATING THE ECONOMIC DEVELOPMENT
PARKING DISTRICT
(PCR #12-013)**

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 10.1. Economic Development District ED, Sec. 21-366. Lot width, Sec. 21-367. Yards, Sec. 21-368. Height, and Sec. 21-370. Regulations for townhouses, shall be amended to read as follows:

DIVISION 10.1. ECONOMIC DEVELOPMENT DISTRICT ED

Sec. 21-366. Lot width.

The minimum lot width at the building line in the economic development district ED shall be 50 feet, and shall not be less than 25 feet at the street line, except for townhouses regulated by Sec. 21-370.

Sec. 21-367. Yards.

The yard requirements in the economic development district ED are as follows:

- (1) *Front.* There shall be a front yard of not less than ~~45~~ five 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 21-367(1)b.
 - c. No accessory building shall be located in a front yard.

- (2) *Side.*
- a. No side yard shall be required. However, if a building is not built on the property line, there shall be a side yard of at least ten feet.
 - b. 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 45 five feet for both main and accessory buildings, unless a greater side yard is designated on a recorded subdivision plat.
 - c. Side yards for accessory buildings, except for those on corner lots, shall not be less than three feet.
 - d. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-367(4).
- (3) *Rear.*
- a. There shall be a rear yard of not less than 15 feet, or five feet when adjacent to a public or private street or alley.
 - 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 21-367(4).
- (4) ~~*Reduction of front, side and rear yard requirements.*~~
- a. ~~Required front, side and rear yards may be reduced with a special use permit approved by city council in accordance with article ii, division 2, if it is found that:~~
 1. ~~The reduction will allow an innovative or creative layout of buildings on the property that is superior to that which could be achieved under the standard regulations; and~~
 2. ~~The reduction will allow the buildings to relate better to the streetscape and to other buildings in the immediate vicinity; and~~
 3. ~~The reduction will not unreasonably impair an adequate supply of light and air to adjacent properties.~~
 - b. ~~Side and rear yards may be reduced to zero provided that easements or covenants establish the rights of the two abutting properties where main structures are to be constructed on or within five feet of a property line. Such easements or covenants shall establish the rights of each affected owner to gain access to each owner's structure for purposes of performing essential maintenance and service.~~
 - c. ~~Yards on the perimeter of the property may be required to meet or exceed the normal requirements of the ED District.~~

Sec. 21-368. Height.

The height requirements in the economic development district ED are as follows:

- (1) Buildings may be erected up to 45 feet from grade except that:
 - a. A hospital may be erected up to 60 feet from grade.
 - b. Buildings other than a hospital that are set back at least 200 ~~100~~ feet from the following streets may be erected up to 60 feet from grade: Route 60 East and Route 199, ~~provided that required front, rear and side yards shall be increased one foot for each foot of height over 35 feet: Ironbound Road, Richmond Road, Route 60 East, Route 199, Treyburn Drive and Quarterpath Road.~~
 - c. 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 10 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.
 - d. Parapet walls shall not exceed the building height of the roof by more than four feet.
 - e. 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. 21-370. Regulations for townhouses.

The regulations for townhouses in the economic development district ED are as follows:

- (1) *Density.*
 - a. The density of a townhouse development shall be regulated by Sec. 21-365(1), and shall be included as part of the total number of dwelling units allowed.
 - b. There shall be no minimum lot area required for an individual townhouse lot.
- (2) *Lot width.* The minimum lot width for each townhouse shall be 20 feet.
- (3) *Yard regulations.*
 - a. *Front.* No front yard shall be required for an individual townhouse lot. However, all buildings in the townhouse development shall be located at least 45 ~~45~~ five feet from any street or highway right-of-way.
 - b. *Side.* Each townhouse located at the end of a group of townhouses shall have a side yard of at least seven and one-half feet.

- c. *Rear.* Each townhouse shall have a rear yard of not less than 15 feet, or five feet when adjacent to a public or private street or alley.
 - d. *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 10 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 Sec. 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.
- (4) *Street frontage.* Each townhouse shall front on a dedicated public street or shall have access to a 22 foot minimum pavement width private street. If access is to be provided by means of a private street, the private street shall be paved to meet City of Williamsburg standards for public streets.

- (5) *Sidewalks.* Sidewalks of at least four feet in width, constructed of concrete, brick or other material of reasonable durability and approved by the planning commission, shall be constructed to provide a pedestrian circulation system for the townhouse project.
- (6) *Architectural treatment.* The facades of townhouses in a group shall be varied by changed setbacks or variations in materials or design so that no more than three abutting townhouses will have the same or essentially the same architectural treatment of facades and roof lines.
- (7) *Accessory buildings.* No accessory buildings shall be permitted, except for detached garages.
- (8) *Management of common open space, recreational facilities and private streets.*
 - a. All common open space, recreational facilities and private streets shall be preserved for their intended purpose as expressed in the final site plan approved by the planning commission and filed with the planning department.
 - b. When common open space, recreational facilities and private streets are to be administered by a nonprofit organization, the organization shall conform to the following requirements:
 - 1. The developer must establish the organization prior to the recordation of the subdivision plat for the townhouse development.
 - 2. Membership in the organization shall be mandatory for all residential property owners, present or future, within the townhouse development.
 - 3. The organization shall own all common open space, recreational and cultural facilities and/or private streets; shall provide for the maintenance, administration and operation of said land and improvements and any other common land within the townhouse development.
 - c. Recreation areas may be dedicated to the city (subject to acceptance by the city).

BE IT FURTHER ORDAINED that Chapter 21, Zoning, Article V, Parking, shall be amended by the addition of Sec. 21-712. Economic Development Parking District, to read as follows:

ARTICLE V. PARKING

Sec. 21-712. Economic Development Parking District

(a) An Economic Development Parking District is created to establish special parking requirements appropriate to the character of the ED Economic Development District, which is designed for innovative mixed use development with an emphasis on high quality design standards.

(b) The Economic Development Parking District shall apply to all areas of the city zoned ED Economic Development District.

(c) The offstreet parking required for the Economic Development Parking District shall be provided and maintained on the basis of the following table:

	<u>Use Type</u>	<u>Required Parking Spaces</u>
(1)	<u>Residential uses:</u>	
	a. <u>Townhouses</u>	<u>2 for each dwelling unit, plus 0.25 for each dwelling unit for visitor parking.</u>
	b. <u>Multifamily dwellings</u>	<u>1.25 for each efficiency and one bedroom dwelling unit, and 1.5 for each two or more bedroom dwelling unit, plus 0.25 for each dwelling unit for visitor parking.</u>
(2)	<u>Transient lodgings:</u>	
	a. <u>Hotels/motels:</u> <u>1-100 bedrooms</u> <u>101-200 bedrooms</u> <u>201-300 bedrooms</u> <u>301 and over</u>	<u>1 for each bedroom</u> <u>100 spaces plus 0.9 for each bedroom over 100</u> <u>190 spaces plus 0.8 for each bedroom over 300</u> <u>270 spaces plus 0.7 for each bedroom over 300</u>
	<u>Meeting rooms, banquet rooms and restaurants located within a hotel/motel</u>	<u>1 for each 400 square feet of floor area</u>
(3)	<u>Business uses:</u>	
	a. <u>Retail establishments, restaurants, offices, art galleries, museums and other non-residential uses that are not otherwise listed.</u>	<u>1 for each 400 square feet of floor area</u>
(4)	<u>Medical uses:</u>	
	a. <u>Doctor's or dentist's office, clinic and outpatient clinic</u>	<u>1 for each 400 square feet of floor area</u>
	b. <u>Hospital</u>	<u>2 for each bed, plus 1 for each 300 square feet of floor area devoted to patient care services, such as cardiopulmonary, physical therapy, radiology, surgery and laboratory</u>

(d) Required parking spaces may be located off-street or on-street. Dimensions of parking spaces for on-street parking shall meet the dimensions specified by Sec. 21-704. Size of parking spaces.

(e) The off-street parking facilities required by this section shall be located on the same lot or parcel of land that they are intended to serve, or on-street and located along the frontage of the adjoining public street and contiguous to the lot, except as follows:

(1) Parking may be located off-site if located within 500 feet of any publicly accessible pedestrian entry point to a building. The right to use such property for parking shall be established by deed, easement, lease or similar recorded covenant or agreement; shall be approved as to form and content by the city attorney; shall be recorded in the clerk's office of the circuit court of the city and the County of James City so as to ensure availability of such spaces for a minimum time period of not less than 20 years.

Adopted: _____

Clyde A. Haulman, Mayor

Donna Scott, City Council Clerk



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: August 23, 2012

SUBJECT: PCR #12-018
Request of CCM, LLC for a special use permit to sell used cars at 401 Page Street

CCM, LLC is requesting a special use permit to sell used cars at 401 Page Street. The applicant proposes to display approximately 25 cars and to use the service area only for cars offered for sale on the premises. No service will be offered to the general public.

COMPREHENSIVE PLAN

The Comprehensive Plan designates this area as Corridor Commercial land use. This land use category designates land on the City's heavily traveled entrance corridors for commercial and service uses primarily oriented to the automobile. It also includes the automobile-oriented commercial uses along Second Street. To insure high quality developments, the more intensive commercial uses should require special use permits. Corridor Commercial land use is intended to promote the City's economic development policy for its limited, remaining high-visibility commercial sites.

ZONING

This property is located in the B-2 Corridor Business District. The statement of intent for the B-2 District reads:

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

The special use permit section of the Zoning Ordinance (Sec. 21-43) establishes the following criteria for special use permits:

- (a) *The proposed use shall be:
 - (1) *In harmony with the adopted comprehensive plan;*
 - (2) *In harmony with the intent and purpose of the zoning district in which the use is proposed to be located;*
 - (3) *In harmony with the character of adjacent properties and the surrounding neighborhoods, and with existing and proposed development.**
- (b) *The proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities.*
- (c) *The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.*

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

Additional reasonable standards as deemed necessary to protect the public interest and welfare may be imposed, including: more restrictive sign standards; additional open space, landscaping or screening requirements; additional yard requirements; special lighting requirements; limitation on hours of operation; and additional off-street parking and loading requirements.

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

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

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

ANALYSIS

This site is approximately 15,246 square feet in size and is basically impervious except for several small areas along the side and rear of the building. Our records indicate the building was constructed in 1954 as a service station, has a floor area of 1,668 square feet, and ceased being used as a service station in 2005. The current owners purchased the property in 2007. The applicant proposes:

- To lease the property for the sale of up to 25 used cars.
- To use the existing service bays to service cars on the property.
- To display one row of cars across the front and right side of the property.
- To repair the existing fence and dumpster.

Three parking spaces for customers will be provided on the left side of the building. Up to twenty-five vehicles are proposed to be displayed on the site with a row across the front and on the right side of the property adjacent to Howard Motors. The site has three entrances, one on Second Street and two on Page Street. It currently does not have an accessible pedestrian route to the building. One entrance on Page Street is very close to the traffic light at the intersection and should be removed.

Landscaping along the front is on the City right-of-way and contains one tree and shrubs. Requiring the current required fifteen foot landscape strip on the applicant's property will reduce the usable area resulting in an insufficient area for the display of used cars.

The use of the property for used car sales is consistent with the Corridor Commercial land use in the Comprehensive Plan and the statement of intent for the B-2 Corridor Business District, which notes that this area is to be promoted as commercial and service uses primarily oriented to the automobile.

STAFF RECOMMENDATION

Staff recommended that Planning Commission recommend to City Council that the special use permit be approved subject to the following:

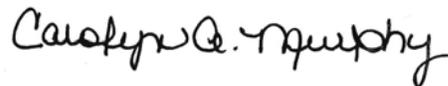
1. Display of vehicles is limited to a maximum of 25, limited to one row across the front and one row along the right side of the property adjacent to Howard Motors as shown on the attached sketch.
2. Removal of the first entrance on Page Street closest to the intersection of Second Street and Page Street along with all pavement along the frontage in the City's right-of-way.
3. Submitting a landscape plan to be approved by Planning Staff for the landscape area along the front of the property. A minimum of two additional deciduous shade trees and three ornamental trees shall be planted in the landscape strip.
4. Submitting a landscape plan to be approved by Planning Staff for shrubs in the landscape strip adjacent to Howard's Motors from Second Street to the dumpster area.
5. Providing an ADA accessible route and ramp from the public sidewalk to the building to be approved, constructed, and inspected by the City prior to the issuance of a certificate of occupancy.
6. Repairing the fence and dumpster prior to the issuance of a certificate of occupancy.
7. Entering into an agreement with the City to maintain the landscaping on the City's right-of-way in lieu of providing the landscaping required by the Zoning Ordinance.
8. The special use permit is approved for this specific business only. Any future use of the property for the sale of vehicles will require a new special use permit.

PLANNING COMMISSION RECOMMENDATION

Planning Commission held a public hearing on this request on August 16, and no citizens spoke at the hearing. A motion to recommend denial of the special use permit for the reasons that the project does not meet the criteria that it be in harmony with the character of adjacent properties and the surrounding neighborhood, and that it cannot be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development of use of adjacent properties and surrounding neighborhoods, failed on a vote of 2-2. Therefore, this request is forwarded to City Council with no Planning Commission recommendation.

CITY COUNCIL PUBLIC HEARING

The City Council public hearing is scheduled for September 13 at 2:00 p.m. in the Council Chamber at the Stryker Building, 412 North Boundary Street.



Carolyn A. Murphy, AICP
Deputy Planning Director

Applicant's Statement

Application for Special Use Permit

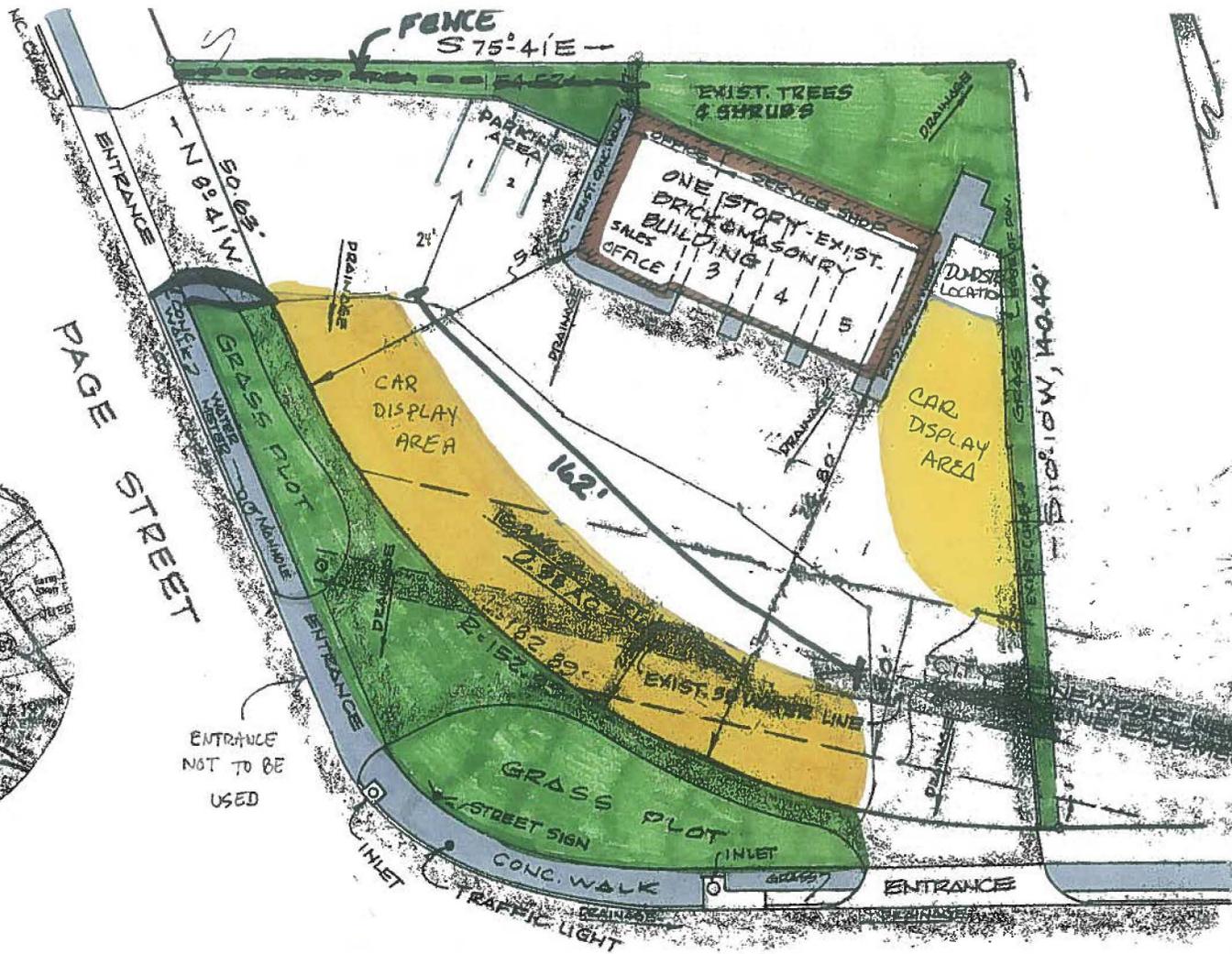
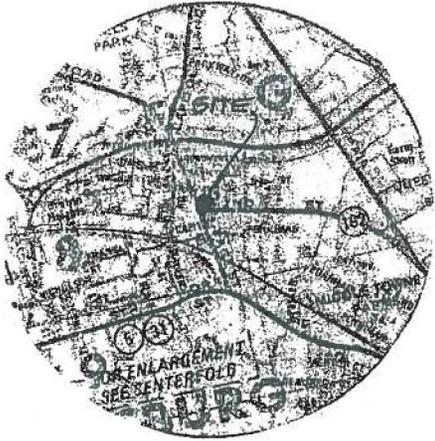
The Applicant is applying for a Special Use Permit to permit automobile sales only at the property located at 401 Page Street. This site was formerly a full service gas station. The Applicant proposes to sell used cars at the site. The only service performed on site would be on cars offered for sale. Service would not be offered to the general public. The applicant intends to clean up the property, repair the existing wooden fence and relocate and screen the dumpster but does not plan any changes to the existing building or paved area. The Applicant plans to display approximately 25 cars for sale in the locations on the site shown on the plan submitted herewith. The site currently has three entrances, two from Page Street and one from Second Street. The Applicant does not intend to utilize the middle entrance and would agree to an SUP condition prohibiting use of that entrance. The sales office would be located in the existing 1,668 square foot building.

The Applicant is a small businessman who currently has two used car sales lots in Newport News. All cars sold are operative and in good condition and generally include higher end models. Pictures of the Applicant's Jefferson Avenue site are submitted with the application.

The Applicant submits that this is a low impact use that will allow this site to be put back to a productive, tax generating use. Because no physical changes are being made to the site, this proposed use would not preclude any future re-development opportunities for the property.

SUP
EXHIBIT

VICINITY MAP
SCALE: 1" = 2000'



2ND STREET
SCALE: 1" = 20'