



**PUBLIC NOTICE
WILLIAMSBURG CITY COUNCIL**

The Williamsburg City Council will hold a public hearing on Thursday, April 10, 2014, 2:00 p.m. in the Third Floor Conference Room at the Williamsburg Municipal Building, 401 Lafayette Street, to consider the following:

PCR #14-003: Request of Evelyn Nursery to amend the Zoning Ordinance to define garden center, allow garden centers with a special use permit in the B-2 Corridor Business District, and create off-street parking requirements for garden centers [Secs. 21-2, 21-324 and 21-707].

PCR #14-004: Request of Evelyn Nursery for a special use permit for a garden center at 910 Capitol Landing Road. This property is zoned B-2 Corridor Business District.

Additional information is available at www.williamsburgva.gov/publicnotice or at the Planning Department [(757) 220-6130], 401 Lafayette Street. Interested citizens are invited to attend this hearing and present their comments to 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, April 3, 2014.

Lisa C. Judkins
City Council Clerk



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: March 20, 2014

SUBJECT: PCR #14-003

Request of Evelyn Nursery to amend the Zoning Ordinance to define garden center, allow garden centers with a special use permit in the Corridor Business District B-2, and create off-street parking requirements for garden centers.

PCR #14-004

Request of Evelyn Nursery for a special use permit for a garden center at 910 Capitol Landing Road

Patrick C. Evelyn on behalf of Evelyn Nursery is proposing to open a garden center at 910 Capitol Landing Road. This proposal requires amending the Zoning Ordinance text by adding a definition for garden centers, by amending the Corridor Business District B-2 to allow garden centers with a special use permit, and to create off-street parking requirements for garden centers.

PCR #14-003 – ZONING ORDINANCE TEXT AMENDMENTS

This case proposes adding a definition for garden centers, amending the Corridor Business District B-2 to allow garden centers with a special use permit, and creating off-street parking requirements for garden centers, as follows:

- Garden centers are defined as “a retail establishment that sells plants, horticultural and garden supplies and services. Bulk materials such as mulch, gravel, topsoil, sand and pavers may also be sold.”
- Garden centers are added as a special use permit use in the B-2 Corridor Business District, which may include outdoor display and storage. If outdoor display and storage are proposed it shall be screened from view by an eight-foot high wall or fence with the finished side facing the exterior of the property. As a part of the special use permit process, an alternate means of screening may be required or approved, provided that it is equivalent to the required fence or wall.
- Since current parking requirements do not address garden centers, the parking regulations are amended to require that one parking space be provided for each 500 square feet of floor area, plus one parking space for each 5,000 square feet of outdoor display or storage area.

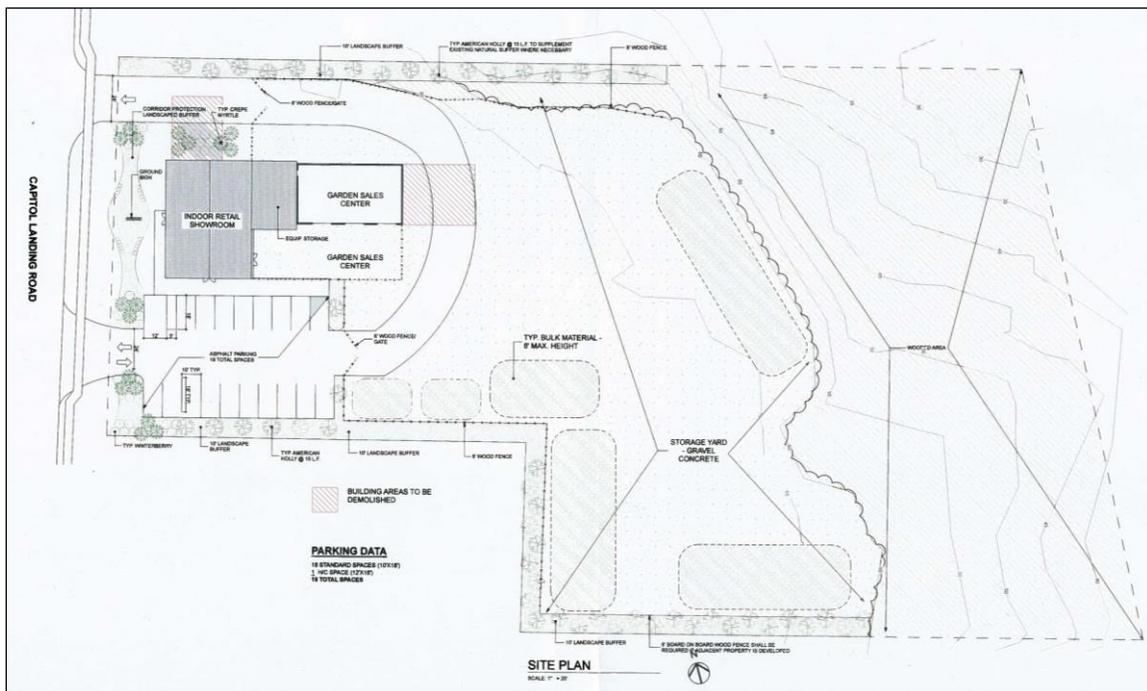
PCR #14-004 – SPECIAL USE PERMIT REQUEST

This case is the request for a special use permit for a garden center at 910 Capitol Landing Road (formerly the old City Shop). The applicant proposes to demolish two small additions (left front building and rear addition to the bay area) of the existing building and to remodel the remaining building into the garden center. The front portion of the building will contain an office, indoor retail showroom and equipment storage. The rear bay areas and area in front of the bay areas will contain garden sales.



A conceptual plan has been submitted to the Architectural Review Board (ARB #14-004) for review and comment. A majority of the concrete will be removed in front of the building and replaced with landscaping. Two entrances will be constructed with 19 parking spaces on the right side of the property. A wooden board-on-board fence and gate is proposed to screen the front and sides of the property from view. A ten-foot landscape strip proposed in front of the fence to meet our landscape requirements. The proposed storage will be located behind the fenced area and will not exceed eight feet in height and will be screened from the street by the fence and landscaping.

The area behind the fence is approximately 40,000 square feet with approximately 3,250 square feet of indoor retail showroom. The applicant notes "Evelyn Garden Center will unload, store, and load garden materials and supplies outdoors.... In addition to shrubs and trees, the garden center will contain a variety of landscaping and hardscaping products which include items such as mulch, gravel, pavers, topsoil, hay, straw, and sand products." They further note that they will not store trash, debris or rubbish of any kind and that no manufacturing of products will occur on site. The applicant also proposes to provide landscape consultation, design and off-site installation services.



COMPREHENSIVE PLAN

This property is designated as Corridor Commercial land use in the 2013 Comprehensive Plan. This land use category designates land on the City's heavily traveled entrance corridors for commercial and service uses primarily oriented to the automobile. This category applies to local shopping areas, hotels, restaurants and substantial sections of Richmond Road, Capitol Landing Road, York Street, Second Street and the small portion of Mooretown Road located within the City limits are currently developed in this land use pattern. To ensure high quality development, the more intensive commercial uses should require special use permits. Corridor Commercial land use is intended to promote the City's economic development policy for its limited, remaining high-visibility commercial sites.

Land to the north, south and west are designed as Corridor Commercial land use. The land to the east is designated Conservation Area and High-Density Multifamily Residential.

ZONING

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

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 tourist retail uses.

SPECIAL USE PERMIT

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

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

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

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

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

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

ANALYSIS

PCR#14-003: Text Changes for the Garden Center

The B-2 District is designed to apply to commercial corridors, and is in place for Capitol Landing Road, Second Street, York Street, Richmond Road west of New Hope Road and Jamestown Road/Route 199. The proposed addition of garden centers as a use requiring a special use permit in the B-2 District will ensure that any projects approved are in harmony with the Comprehensive Plan, other uses in the B-2 District and uses on adjacent properties. The special use permit process allows special conditions such as bonds, special lighting requirements, limitation on the hours of operation, additional open space, landscaping and screening requirements to be imposed on a case-by-case basis for each application.

Adding garden centers as a special use permit use in the B-2 District also requires adding a definition for garden centers, and amending the parking regulations. The proposal to add a parking requirement for one parking space for each 500 square feet of floor area, plus one parking space for each 5,000 square feet of outdoor display or storage area is acceptable to staff.

PCR#14-004: Special Use Permit for Evelyn Garden Center

The applicant proposes to use the property and portions of the existing building for a garden center. They propose to upgrade the property by removing the large amount of paving in the front, landscaping this area and creating a parking area to the right of the existing building that meets our landscape and parking requirements. The outdoor storage area will be screened from view by a fence and landscaping. The proposed use of a garden center at this location is appropriate. It will bring a use that is not currently located in the City and will upgrade the building and site, which will enhance the streetscape of Capitol Landing Road.

SITE PLAN REVIEW COMMITTEE

The Site Plan Review Committee reviewed this request on February 19 and recommends approval as proposed.

ARCHITECTURAL REVIEW BOARD

The Architectural Review Board reviewed the conceptual design at their meeting on January 28 and recommended conceptual approval of the changes to the existing building conditioned upon the applicant submitting final plans to keep the character of the existing building as discussed at the meeting.

STAFF RECOMMENDATION

Staff recommends that Planning Commission recommend to City Council:

PCR #14-003: Text Changes for Garden Center

That the Zoning Ordinance be amended to add a definition for “garden centers”, to revise the Corridor Business District B-2 to allow garden centers with a special use permit and to revise the off-street parking requirements to add a requirement for garden centers, all as detailed in the attached ordinance.

PCR #14-004: Special Use Permit for Evelyn Garden Center

That a special use permit for Evelyn Garden Center at 910 Capitol Landing Road be approved conditioned upon the following:

- The height of the materials stored outside of the building on the property shall not exceed the height of the proposed fence.
- If the retail/office portion of the garden center ceases, the storage of all materials outside of the building must be removed.
- This permit is approved for the current owners/applicants. Any change in ownership will require a new special use permit with specific details of the operation.

PLANNING COMMISSION RECOMMENDATION

Planning Commission held a public hearing on March 19. Henry Haupt representing the applicant spoke in favor of the request. Planning Commission recommended by a vote of 6-0, approval of the recommended text changes PCR#14-003, as detailed in the attached ordinance and approval of the special use permit PCR#14-004 as recommended by staff.

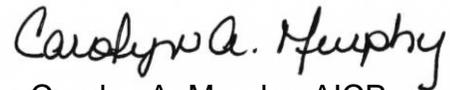
PCR #14-003 and PCR #14-004

March 20, 2014

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CITY COUNCIL PUBLIC HEARING

The City Council public hearing is scheduled for April 10, 2014 at 2:00 p.m. in the Third Floor Conference Room, at the Municipal Building, 401 Lafayette Street.

A handwritten signature in black ink that reads "Carolyn A. Murphy". The signature is written in a cursive, flowing style.

Carolyn A. Murphy, AICP
Deputy Planning Director

ORDINANCE #14-__
PROPOSED ORDINANCE #14-__

**AN ORDINANCE AMENDING CHAPTER 21, ZONING,
ARTICLE I. IN GENERAL, SEC. 21-2 DEFINITIONS, ARTICLE III. DISTRICT
REGULATIONS, DIVISION 9, B-2 DISTRICT, SEC. 21-234 USES PERMITTED WITH
A SPECIAL USE PERMIT, AND ARTICLE V. PARKING, SEC. 21-707, FOR THE
PURPOSE OF ADDING GARDEN CENTERS AS A SPECIAL USE PERMIT USE IN
THE B-2 DISTRICT
(PCR #14-003)**

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 I. In General, Sec. 21-2. Definitions; Article III. District Regulations, Division 9, Corridor Business District B-2, Sec. 21-234; and Article V. Parking, Sec. 21-707(e) be amended by the addition of the following:

ARTICLE I. IN GENERAL

Sec. 21-2. Definitions.

Garden center means a retail establishment that sells plants, horticultural and garden supplies and services. Bulk materials such as mulch, gravel, topsoil, sand, and pavers may also be sold.

ARTICLE III. DISTRICT REGULATIONS

DIVISION 9. CORRIDOR BUSINESS DISTRICT B-2

Sec. 21-324. Uses Permitted with a special use permit.

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

- (5.1) Garden centers, which may include outdoor display and storage. Outdoor display and storage shall be screened from view by an eight-foot high wall or fence with the finished side facing the exterior of the property. As a part of the special use permit process, an alternate means of screening may be required or approved, provided that it is equivalent to the required fence or wall.

ARTICLE V. PARKING.

Sec. 21-707. Amount of offstreet parking required.

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

	<i>Use Type</i>	<i>Required Parking Spaces</i>
(e)	<i>Business:</i>	
	(1) Retail establishments (unless otherwise specified)	1 for each 200 square feet of floor area
	(2) Automobile sales and rental establishments, automobile service center, service stations and tire stores	1 for each 500 square feet of enclosed sales/rental floor area, plus 2 for each service bay (bay area not counted)
	(3) Furniture, hardware, home furnishing, automobile parts and supplies	1 for each 500 square feet of floor area
	(4) <u>Garden centers</u>	<u>1 for each 500 square feet of floor area, plus 1 for each 5,000 square feet of outdoor display and storage area</u>
	(5) (3.01) Mini-storage warehouses	0.02 for each storage unit, plus 2 spaces for office, plus 2 spaces for the on-site caretaker's residence (if provided)
	(6) (3.1) Pharmacy, freestanding, with a drive-through window for drop off and pick up of prescriptions	1 for each 400 square feet of floor area
	(7) (5) Restaurant or nightclub	1 for each 100 square feet of floor area, plus 1 for each 100 square feet of outdoor dining area in excess of 1,000 square feet
	(8) (5.1) Restaurant, carry-out	1 for each 200 square feet of floor area
	(9) (6) Outdoor sales and display	1 for each 500 square feet of open sales and display area
	(10) (7) Wholesale, inventory and storage uses not otherwise specified	1 for each 1,000 square feet of floor area devoted to enclosed storage

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

Adopted: _____

Clyde A. Haulman, Mayor

Attest: _____
Lisa C. Judkins, City Council Clerk