

ORDINANCE #15-08

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

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

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

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

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

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

Adopted: April 9, 2015

Attest:


Gerry S. Walton, Deputy
Clerk of Council


Clyde A. Haulman, Mayor

6. Urban Residential

Density determined when property rezoned

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

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

Office, Commercial and Mixed Use Categories

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

1. Office

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

2. Downtown Commercial

14 or more du/net ac.

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

3. Corridor Commercial

14 du/net ac.

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

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

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

4. Urban Commercial

14 or more du/net ac.

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

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

5. Mixed Use

8 or more du/net ac.

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

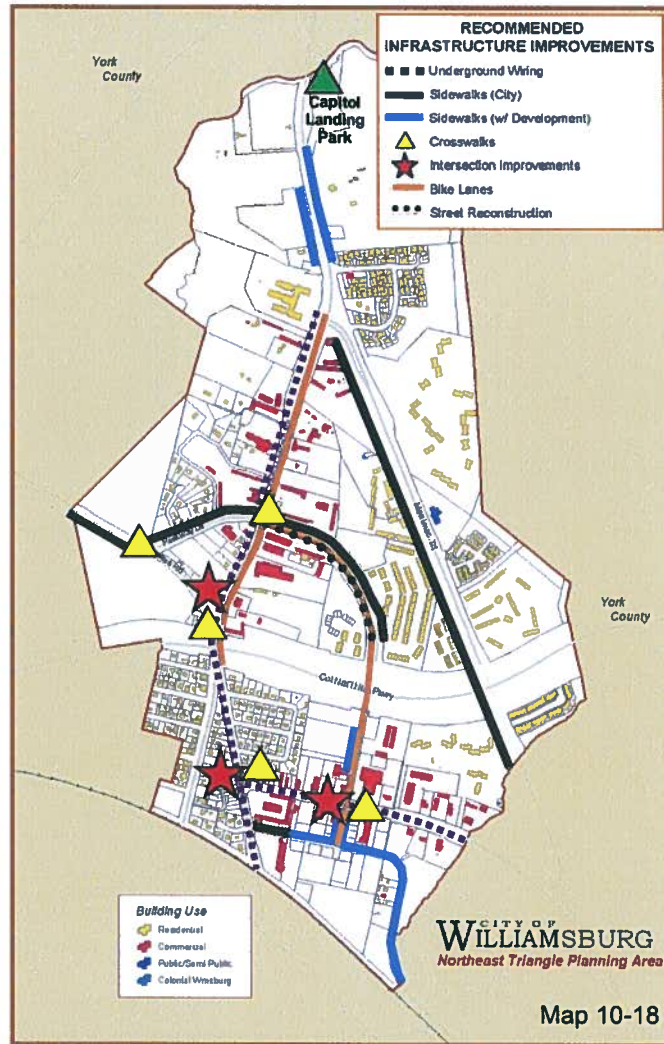
Mixed Use is implemented by the LB-1 Limited Business Downtown District for the *North Henry/North Boundary Street* area north of Merchants Square, the *South Henry Street Residential* area south of Merchants Square, and the Blayton Building property at 613 Scotland Street. The

COMMERCIAL AND ECONOMIC DEVELOPMENT PLAN

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

1. Maintain the Merchants Square area as a high quality mixed use commercial area serving residents, college students and visitors. Merchants Square and the surrounding mixed use areas are strategically located between the Colonial Williamsburg Historic Area and the College of William and Mary, and are distinguished by high quality and historically important architecture. Commercial establishments, restaurants, residences, and high quality infrastructure creates a vibrant and walkable urban area. This area is served by ample on and off-street parking and both Williamsburg Area Transport (including the Williamsburg Trolley) and Colonial Williamsburg bus systems.
2. Encourage businesses to locate adjacent to the College of William and Mary. These businesses will serve the needs of the 8,200 students at the College, as well as those of residents and visitors. They should be located adjacent to the College, primarily on Richmond Road and Prince George Street between Armistead Avenue and Scotland Street. The Midtown Planning Area is an important secondary area, particularly the Arts and Cultural District on Richmond Road between Brooks Street and Williamsburg Shopping Center.
3. Promote the Midtown Planning Area as a major redevelopment area. The Midtown Planning Area has the potential to become a multifaceted urban mixed use neighborhood. Its location close to the downtown area and to the College of William and Mary should support specialty commercial uses, and there is potential for the redevelopment of the two existing shopping centers. Increasing the residential component of this area is important, and it is well positioned to become an important location for college student housing. The Arts and Cultural District is well positioned to support the City's creative economy, and is also a transition area between automobile-oriented commercial to the west and residential uses to the east.
4. Maintain the City's Corridor Commercial areas as the primary location for tourist-oriented businesses. The primary tourist-oriented areas are Richmond Road west of Bypass Road, York Street, Second Street and Capitol Landing Road. These areas, along with the Colonial Williamsburg Foundation hotels around the Historic Area, provide locations for the majority of the City's lodging and restaurant businesses. Both new development and redevelopment should be encouraged in these areas. When housing is provided as part of a mixed use project, it should be in conjunction with new development or a major redevelopment, and no more than 67% of the floor area should be devoted to residential use.
5. Support development of High Street and Quarterpath at Williamsburg as the City's primary mixed use developments. High Street is a high quality shopping and entertainment area, anchored by a multiplex cinema, and Quarterpath at Williamsburg will be a mixed use area anchored by Doctors' Hospital and its adjacent medical campus. Both of these master planned developments integrate residential and non-residential uses.
6. Provide opportunities for mixed use development on Penniman Road. A 20 acre *Mixed Use* area between Penniman Road and the CSX Railroad is strategically located adjacent to *Corridor Commercial* areas and within walking distance of Colonial Williamsburg and the downtown area. It has the potential for a high-quality mixed use development with a major residential component.
7. Maintain appropriately located areas for office use throughout the City. These areas provide needed transition uses between major commercial areas and residential areas. Primary office areas are located along the John Tyler Lane/Strawberry Plains Road corridor and along Capitol Landing Road. Office uses can also be a part of mixed-use areas.

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



Future Land Use Recommendations Commercial, Office and Mixed Use Areas

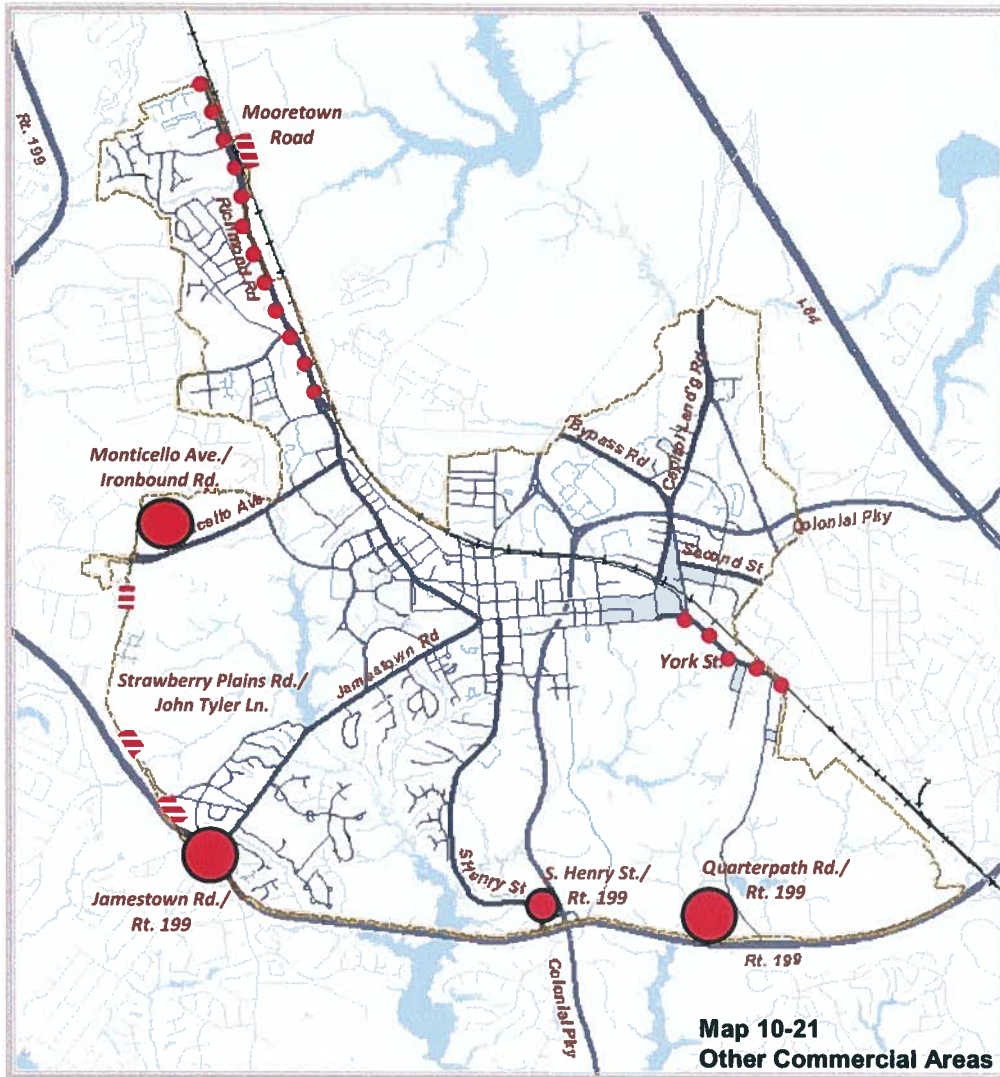
1. Capitol Landing Road Corridor.

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

- The *Office* land use designation at the intersection of Capitol Landing Road and Merrimac Trail should be continued, providing a transition between the *Low Density Single Family Detached Residential* land use to the north and the *Corridor Commercial* land use to the south. This should be implemented by the LB-4 Limited Business Corridor District. However, the *Office* land used to the rear of the Alexander Commons offices at 921 and 925 Capitol Landing Road should be changed to *Corridor Commercial* land use to match the existing land use to the north and east, and implemented by the B-2 Corridor Business District. The required transitional screening buffer requirements and the existing topography will protect the Woods Drive residential area to the south.
 - The land use designation for The Beeches, 1030 Capitol Landing Road, should be changed from *Low Density Single Family Detached Residential* to *Mixed Use* land use. This historic house, eligible for individual listing on the National Register of Historic Places, should be preserved and incorporated into a redevelopment of the property that preserves the house and utilizes the beautiful environmental character of the land surrounding the house. The *Mixed Use* land use designation is implemented by a revised LB-3 Limited Business Residential District, but because of the strategic and sensitive location of this property, a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property.
2. Second Street.
- The existing *Corridor Commercial* land use designation should be continued for the Second Street corridor, with residential density remaining at 14 dwelling units/net acre. For mixed use development in this corridor, multifamily dwellings (apartments and condominiums) and townhouses should be allowed only in conjunction with new development or major redevelopment and with a special use permit so that impacts to the commercial corridor can be considered during the approval process. The commercial floor area requirement for a mixed use project should be continued at the present requirement of 33%, and the commercial floor area must be constructed simultaneously with the construction of the residential floor area. This should be implemented by the B-2 Corridor Business District.
 - Revisions to the zoning regulations are needed to address the setback and buffer requirements for the north side of Second Street between Page Street and Parkway Drive, and particularly the area adjacent to Pine Crest Subdivision. The existing setback and buffer requirements are inappropriate for redevelopment of this area.
3. Penniman Road
- The south side of Penniman Road should be changed from *Corridor Commercial* land use to *Mixed Use* land use. This area has potential for a high quality mixed-use development with a major residential component. Commercial and offices uses could be located along Penniman Road and Page Street adjacent to the Corridor Commercial area, with the interior of the property developed with residential uses. Timeshares or hotel use could be part of a mixed use development. Senior housing could be one of the appropriate residential uses because of the proximity of this area to existing commercial uses, Colonial Williamsburg and downtown. Student housing could be another appropriate residential use because of the relative nearness of the College of William and Mary and the availability of bus transportation. This area has 17.8 net developable acres, which could allow up to 249 dwellings units at a density of 14 dwelling units/net acre. The existing B-2 zoning should remain in place until a satisfactory plan is submitted for a mixed use development. The *Mixed Use* land use designation would be implemented by a revised LB-3 Limited Business Residential District, but because of the strategic and sensitive location of this area, a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property.

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

OTHER COMMERCIAL AREAS



Residential Uses in Corridor Commercial Areas

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

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

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

Zoning Map Changes

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

Commercial Corridors

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

Zoning Text Changes

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

Zoning Map Changes

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

Residential Areas

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

Zoning Text Changes

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

Other Areas

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

Zoning Map Changes

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