



## **PUBLIC NOTICE WILLIAMSBURG PLANNING COMMISSION**

The Williamsburg Planning Commission will hold a public hearing on Wednesday, January 18, 2017, 3:30 P.M. in the Council Chambers of the Stryker Center, 412 North Boundary Street, to consider the following:

**Five-Year Capital Improvement Program (FY18 to FY22).** Citizens are requested to present items for inclusion in the Capital Improvement Program.

**PCR#17-001:** Request of the William and Mary Real Estate Foundation to amend the Zoning Ordinance to define student dormitory and to allow a student dormitory with a special use permit in the LB-2 Limited Business Neighborhood District [Secs. 21-2 and 21-255.4].

**PCR#17-002:** Request of the William and Mary Real Estate Foundation for a special use permit for a student dormitory at 902 Richmond Road (Days Inn) in the LB-2 Limited Business Neighborhood District.

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

If you are disabled and need accommodation in order to participate in the public hearing, please call the Planning Department at (757) 220-6130, (TTY) 220-6108, no later than 12:00 noon, Wednesday, January 11, 2017.

Carolyn A. Murphy, AICP  
Planning and Codes Compliance Director



# CITY OF WILLIAMSBURG

## MEMORANDUM

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**TO: Planning Commission**

**DATE: December 30, 2016**

**SUBJECT: PCR #17-001**

**Request of William and Mary Real Estate Foundation to amend the Zoning Ordinance to define a “student dormitory, to allow a student dormitory with a special use permit and to amend the lot area/density requirements in the LB-2 Limited Business Neighborhood District [Sec 21-2, 21-255.4 and 21-55.5].**

**PCR#17-002**

**Request of the William and Mary Real Estate Foundation for a special use permit for a student dormitory at 902 Richmond Road (Days Inn) in the LB-2 Limited Business Neighborhood District.**

The William and Mary Real Estate Foundation is proposing to purchase and convert the Days Inn at 902 Richmond Road from a hotel to a student dormitory. The applicant notes the Days Inn property is a 1.609 acre parcel that contains 102 guest rooms with 102 parking spaces. The applicant anticipates that the project could house between 150 to 180 students in single and double rooms. The applicant's statement is attached.

The current LB-2 District does not allow student dormitories. The applicant's proposal is to amend the Zoning Ordinance to define a student dormitory, to allow a student dormitory with a special use permit and to amend the lot area/density requirements in the LB-2 Business Neighborhood District. In deciding on the density allowed, it is proposed that the maximum number of rooms to be allowed, City Council shall consider the proximity of the property to the campus of the College of William and Mary, the unique characteristics of the property, the reuse of the existing buildings and structures on the property, the quality of the buildings and site design of the proposed development, and how the scale and character of the development relates to its immediate surroundings and to the Planning Area in which it is located as a whole.



## COMPREHENSIVE PLAN

The 2013 Comprehensive Plan designates this parcel as Mixed Use land use, which is defined by the Plan as follows:

*This 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.*

*Mixed Use is implemented by the LB-2 Limited Business Neighborhood District for the Arts and Cultural District area on Richmond Road and the area south of Berkeley Middle School on Strawberry Plains Road. The LB-2 District allows a range of uses including single-family, duplex dwellings, banks, bake shops, hotels with 10 or less rooms, museums and art galleries, offices, restaurants and*

*retail stores. More intensive uses, such as multifamily dwellings, hotels with more than 10 rooms, larger restaurants and retail stores, and buildings with a floor area exceeding 10,000 square feet require a special use permit. Residential uses are allowed at a base density of 8 dwellings units/net acre, and up to 14 dwelling units/net acre with a special use permit.*

Land to the north, east and south are designated Mixed Use Land use with areas to the west designated as Low-Density Single Family Detached Residential land use.

## **ZONING**

This property is located in the Limited Business Neighborhood District LB-2.

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

*This district is established to allow a mixture of office, commercial and residential uses in areas that are designated by the Comprehensive Plan and Mixed Use land use, and which are located outside of the City Center 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 buildings with a floor area exceeding 10,000 square feet, multifamily dwellings, hotels with more than ten rooms, and larger restaurants may be allowed with a special use permit to ensure that the use is compatible with surrounding neighborhoods.*

Land to the north, east and south are zoned Limited Business Neighborhood District LB-2 with land to the west designated Single-Family Dwelling District RS-2.

## **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.

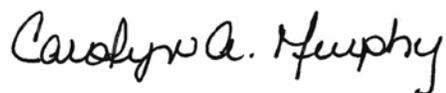
The Planning Director or Planning Commission may require the following additional information:

- (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.

#### **PUBLIC HEARING DATE**

A public hearing is scheduled for the regular Planning Commission meeting on January 18, 2017.



Carolyn A. Murphy, AICP  
Planning and Codes Compliance Director

**ORDINANCE #17-\_\_**  
**PROPOSED ORDINANCE #17-**

**AN ORDINANCE AMENDING CHAPTER 21, ZONING,  
ARTICLE I. IN GENERAL, SEC. 21-2 DEFINITIONS;  
ARTICLE III. DISTRICT REGULATIONS, DIVISION 6.2. LIMITED BUSINESS  
NEIGHBORHOOD DISTRICT LB-2, SEC 21-255.4 USES PERMITTED WITH A  
SPECIAL USE PERMIT AND SEC. 21-255.5 LOT AREA/DENSITY FOR THE  
PURPOSE OF ADDING STUDENT DORMITORY AS A SPECIAL USE PERMIT IN  
THE LB-2 DISTRICT  
(PCR #17-001)**

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, Section 21-2. Definitions; Article III. District Regulations, Division 6.2, Limited Business Neighborhood District LB-2, Sec. 21-255.4 and 21-255.5 be amended by the addition of the following:

**ARTICLE I. IN GENERAL**

**Sec. 21-2. Definitions**

*Student dormitory means a residential space operated or leased by the College of William and Mary where persons attending the College of William and Mary are housed, communally, by assignment of the College of William and Mary, and which may have shared facilities, such as bathrooms, activity rooms or kitchens.*

**ARTICLE III. DISTRICT REGULATIONS**

**DIVISION 6.2. LIMITED BUSINESS NEIGHBORHOOD DISTRICT LB-2**

**Sec. 21-255.4. Uses permitted with a 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:

- (1) Multifamily dwellings.
- (2) *Student dormitory.*
- ~~(3)(2)~~ Townhouses in accordance with section 21-255.10.
- ~~(4)(3)~~ Churches and other buildings used for religious worship.
- ~~(5)(4)~~ Day care centers located in the same building as a church or public or private school.
- ~~(6)(5)~~ Hotels/motels and timeshare units, and associated meeting facilities with more than ten bedrooms.

- (7)(6) Laundry and dry cleaning establishments.
- (8)(7) Lighted athletic fields owned and/or operated by the City of Williamsburg.
- (9)(8) 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.
- (10)(9) Radio and television broadcasting stations, studios and offices, but excluding onsite towers.
- (11)(10) Restaurants without drive-thru windows and with a gross floor area exceeding 2,500 square feet.
- (12)(11) Retail sales establishments with a gross floor area exceeding 5,000 square feet.
- (13)(12) 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. Medical and dental offices and clinics.
  - e. Museums and art galleries.
  - f. Offices.
  - g. Printing and photocopying shops.
  - h. Restaurants without drive-thru windows and with a gross floor area exceeding 2,500 square feet.
  - i. 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:*

<u>Physical Land Unit</u>	<u>Percent Credited Toward Net Acreage</u>
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,	0%

drainage channels, streams, etc.)	
Above ground high voltage electric transmission line easements (69 kv or greater)	0%

(2) Student dormitory. For student dormitories in the LB-2 district, the maximum number of rooms permitted shall be determined as a part of the special use permit process. In deciding on the maximum number of rooms to be allowed, city council shall consider the proximity of the property to the College of William and Mary, the unique characteristics of the property, the reuse of existing buildings and structures on the property, the quality of the building and site design of the proposed development, and how the scale and character of the development relates to its immediate surroundings and to the Planning Area in which it is located as a whole.

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

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

Adopted:

\_\_\_\_\_  
Paul T. Freiling, Mayor

Attest: \_\_\_\_\_  
Gerry S. Walton, Clerk of Council

The applicant, William and Mary Real Estate Foundation, is the contract purchaser of the Days Inn located at 902 Richmond Road. The applicant is applying, contingent upon approval by City Council of its Application for Zoning Text Change submitted herewith, for a special use permit to allow the applicant to utilize the Days Inn as “student dormitory” to be leased to and operated by the College of William and Mary. The goal of the project is to provide college operated student housing in close proximity to campus.

The Days Inn contains approximately 38,600 square feet (plus basement) and has 102 guest rooms and the same number of parking spaces. The hotel sits on a 1.609 acre parcel.

The applicant proposes converting the existing hotel building into a student dormitory. The property will be operated by the College’s Office of Residence Life and residents will be subject to all applicable College rules and policies. The Office of Residence Life will staff the facility with one Head Resident and five Resident Assistants who will supervise the student residents and enforce applicable rules and policies. The Staff will monitor and address any noise issues on site with the goal of being a good neighbor.

The applicant will make any changes to the building required to meet applicable building or life safety code requirements for student housing. The swimming pool now located in the central courtyard of the hotel will be filled and the space will be converted to an outdoor courtyard/green space with landscaping. The applicant does not plan any new pole mounted lighting for the parking lot. Existing building mounted parking lot lighting will be reviewed for code compliance and will be upgraded as necessary. The applicant plans to secure the property with a decorative metal fence, subject to Architectural Review Board approval, with controlled access for pedestrians and vehicles. The College will provide both trash and recycling collection.

The applicant anticipates that the project could house from 150 to 180 students in a combination of single and double rooms. The project will initially provide housing for upper class students and badly needed swing space so major renovations can occur at other residence halls on campus. Another potential use of the property is for graduate student housing.

This project continues the College’s commitment to provide additional College operated student housing on or in close proximity to campus, removing students from the single family detached residential neighborhoods in the City helping meet the goal of the City’s Housing Plan of preserving and protecting the City’s single-family neighborhoods. The City notes in the Housing Trends section of the Comprehensive Plan that the growth in student enrollment at the College has exceeded the number of new on campus beds. The Housing Plan recognizes the need for additional student housing both on-campus and in suitable off-campus locations. The applicant submits this site is a suitable off-campus location. This project also places over one hundred and fifty students/customers in close proximity to the businesses in the Arts District and the Williamsburg Shopping Center. The applicant submits this project will benefit both the College and the City.