



## **PUBLIC NOTICE WILLIAMSBURG PLANNING COMMISSION**

The Williamsburg Planning Commission will hold public hearings on Wednesday, September 20, 2017, 3:30 P.M. in the Council Chambers of the Stryker Center, 412 North Boundary Street, to consider the following:

**PCR#17-016:** Request of the William and Mary Real Estate Foundation for a special use permit to construct a Jewish Student Center at 406 and 410 Jamestown Road. The properties are zoned Single-Family Dwelling District RS-2.

**PCR#17-019:** Request of BSV Colonial Owner LLC for the following text changes with a special use permit in the Urban Business District B-3; 1) to increase the percentage of gross floor area of any new buildings on any lot that may be devoted to multifamily use from 67 percent to 80 percent as shown on the master plan; 2) to allow redevelopment projects to reduce the yard and transitional screening requirements as shown on the master plan; 3) to increase the height of buildings from 45 feet from grade to not more than 66 feet from grade; 4) to allow a reduction in landscaped open space and recreation area from 20 percent to not less than 15 percent of the total land area as shown on a master plan; and 5) to allow up to four unrelated individuals. A proposed text change to add "designed" to the definition of a student dwelling thereby adding it to permitted dwelling unit occupancy sections and special use permit sections of the Zoning Ordinance which are the Limited Business Mixed-Use District LB-3 and Urban Business District B-3. The proposed text changes will allow redevelopment of the Williamsburg Shopping Center into a new mixed-use development named Midtown Row.

**PCR#17-020:** Request of BSV Colonial Owner LLC for a special use permit to redevelop the shopping center into a mixed-use development project in accordance with the proposed Master Plan for Midtown Row. The properties are located at 1222 and 1234 Richmond Road and are zoned Urban Business District B-3.

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 hearings, please call the Planning Department at (757) 220-6130, (TTY) 220-6108, no later than 12:00 noon, Wednesday, September 13, 2017.

Carolyn A. Murphy, AICP  
Planning and Codes Compliance Director



**CITY OF WILLIAMSBURG**  
MEMORANDUM

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**DATE:** August 31, 2017

**SUBJECT:** PCR #17-016

**Request of William and Mary Real Estate Foundation for a special use permit to construct a Shenkman Jewish Center at 406 and 410 Jamestown Road**

**APPLICANT'S REQUEST**

The William and Mary Real Estate Foundation is requesting a special use permit for a 3,200 square foot building that will house the Shenkman Jewish Center. The center will include a kosher kitchen, meeting room/dining hall, study space, offices, and a rear patio. The properties are currently owned by the College of William and Mary and will be given to the Real Estate Foundation. The applicant intends to extinguish the interior lot line to accommodate the new structure. The Center is intended to provide "a home to the hundreds of Jewish students that attend the university." The space provided will serve the university students with a gathering spot to serve kosher food and observe holidays, as well as a social center for students to meet and relax. The applicant's statement is enclosed.



## **CURRENT REGULATIONS**

### **Comprehensive Plan**

This property is currently two lots. In the 2013 Comprehensive Plan, 406 Jamestown Road is designated as Low Density Single-Family Detached Residential, while 410 Jamestown Road is designated as William and Mary. The Comprehensive plan notes that Low Density Single-Family Detached Residential is the lowest intensity of residential development. The William and Mary designation notes “these lands are an integral part of the City’s character and future development and are critical to successful corridor planning and environmental preservation goals.”

The properties to the south are also Low Density Single-Family Detached Residential and the remaining adjacent properties are all designated William and Mary.

### **Zoning**

This property and the properties to the east, west, and south are zoned Single-Family Dwelling RS-2. The property to the north is zoned William and Mary.

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

*This district is established as a single-family residential area with low population density. The regulations for this district are designed to stabilize and protect the essential characteristics of the land and to promote and encourage a suitable environment for family life. To these ends, development is limited to a relatively low density and permitted uses are limited basically to providing homes for the residents. Certain additional uses that may be compatible with single-family neighborhoods, such as churches, schools and day care centers, may be allowed with the issuance of special permits.*

### **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 September 20, 2017.



Erin Burke  
Principal Planner

**GEDDY, HARRIS, FRANCK & HICKMAN, L.L.P.**

ATTORNEYS AT LAW

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VERNON M. GEDDY, JR. (1926-2005)

STEPHEN D. HARRIS

SHELDON M. FRANCK

VERNON M. GEDDY, III

SUSANNA B. HICKMAN

ANDREW M. FRANCK

MICHAEL A. GATEN

SHERRI L. NELSON

June 26, 2017

Ms. Carolyn A. Murphy, AICP  
Planning and Codes Compliance Director  
401 Lafayette Street  
Williamsburg, Virginia 23185

Re: 406 and 410 Jamestown Road – William and Mary Real Estate Foundation

Dear Carolyn:

On behalf of the William and Mary Real Estate Foundation, I enclose the following:

1. Application for a Special Use Permit to permit to permit the Shenkman Jewish Center to be located on property located at 406 and 410 Jamestown Road, together with a narrative description of the project and four copies of conceptual elevations and site plan.
3. Authorization Form signed by The College of William and Mary, the current owner of the property.
4. Check for \$812.50 for the filing fee.

As always, I look forward to working with you on this project. Please let me know if you need anything further.

Sincerely,

  
Vernon M. Geddy, III

Enclosures

Cc: Ms. Nancy J. Buchanon  
Mr. Samuel E. Jones

## **Narrative**

### **Shenkman Jewish Center**

#### **Introduction**

The applicant, William & Mary Real Estate Foundation, is applying for a special use permit (SUP) to allow the applicant to build and own a Hillel institution, to be known as the Shenkman Jewish Center, located at 406 and 410 Jamestown Road. The property is zoned RS-2. Churches and other permanent buildings used for religious worship require a SUP in the RS-2 zoning district.

The William & Mary Real Estate Foundation (WMREF) is a private, not-for-profit entity that exists for the benefit of the College of William and Mary (WM), through, in part, the purchase and development of properties to meet specific needs of the university, including cultural and heritage institutions. This request specifically addresses the community's need for Hillel House in close proximity to campus.

William & Mary is a public residential university within the Commonwealth of Virginia's higher education system. As such, the university has long been committed to diversity of experience on campus, which includes offering students cultural, heritage and leadership opportunities from a variety of professional and affiliated (student-run) organizations. The WMREF's development of lots 406 and 410 Jamestown Road into a Hillel center, the Shenkman Jewish Center, will provide the university's students a much-needed resource.

#### **Need for Hillel and the Shenkman Jewish Center**

The Jewish student body of William and Mary is very excited about the establishment and construction of the Shenkman Jewish Center. This center will finally give a home to the hundreds of Jewish students who attend the university. The Shenkman Jewish Center is being established to enable students to have a place to meet, to have a walk-up location that will serve kosher food, to provide a place to observe Jewish holidays and a gathering spot to meet fellow Jewish students and relax.

What is Hillel? Hillel ([www.Hillel.org](http://www.Hillel.org)) is a free Jewish college student organization with a mission of developing future leaders and leadership skills. According to their own website, Hillel is "enriching the lives of Jewish students so that they may enrich the Jewish people and the world." Established in 1920 at the University of Illinois, Hillel works to inspire growth and life-long learning for college students who are exploring their future place in the world. Currently on over 550 campuses, Hillel is head -quartered in Washington DC at the Charles and Lynn Schusterman International Center.

Hillel has been at the college for over 15 years. Jewish students have had to struggle to find places to meet and have not been able to observe their religious rites on campuses, particularly public ones. Students have had to go elsewhere to meet their spiritual, cultural, and social

needs. With the establishment of the Shenkman Jewish Center that void is filled. Hillel will be housed at the Shenkman Jewish Center and professionally staffed.

The Shenkman Jewish Center will provide a walkable location with ample space for students to gather and attend presentations, participate in small discussion groups, meet with Hillel's rabbi, Rabbi Gershon Litt, or plan future programs and events. The center will be equipped with a kosher kitchen to serve the Sabbath and holiday needs of the students as well as be a kosher resource for all Jewish students and any student, faculty, or staff member who would like kosher meals on campus.

In addition to having ample space to meet, present programs, discussions, and offer religious programming the center will also simply be a central, social haven for students, a "home away from home." Students will be able to study in the center, chill out with their friends and meet fellow students who share in a common culture. In this regard, the Shenkman Jewish Center meets a long-standing need of the university and its students. Comparable facilities at the other universities include the Brody Jewish Center at the University of Virginia, and the Hillel House at Washington & Lee.

Jamestown Road offers a variety of religious, cultural and community experiences for students, and in this way the Shenkman Jewish Center will fit in well. The facility will be located just down the street from the institutions such as the Confucius Institute, Temple Beth El, the Wesley Foundation, and Christian Science. In many ways, Jamestown Road is emblematic of the Williamsburg community, which is also committed to breadth of experience and inclusion. The Shenkman Jewish Center will enhance the vibrancy of student life by contributing to the variety of experiences available to students.

### **Description of the Project**

The Shenkman Jewish Center will be situated on two existing lots (406 & 410) at the corner of Jamestown Road and Cary Street. Both lots are currently vacant. Quality is a high priority and the architecture must be finished with "William & Mary brick" and fit the campus aesthetic (see "Architecture" below). The facility will be in close proximity to Lemon and Hardy Halls (campus dormitories), Bell Hall (the office of Human Resources), Barrett Hall (campus dormitory) and the Methodist Church.

Culturally it is located just down the street from the Confucius Institute, Temple Beth El, the Wesley Foundation, and the Christian Science Reading Room – mostly non-college owned houses of worship and/or cultural institutions. But unlike its neighbors, the Shenkman Jewish Center is intended to be a pedestrian access only facility (see "Parking & Traffic" below).

The construction of the building and the improvement of the site are expected to include the following:

- A building plan of just over 3,200 gross square feet that will include:

- a welcoming front portico;
  - a kosher kitchen;
  - double height meeting/dining hall;
  - study space;
  - offices for the attending rabbi;
  - quality furnishings and interior finishes;
  - rear glazing and access to rear patio.
- A site plan that will include:
    - a patio suitable for an outdoor sukkah;
    - 12' platted & partial alley at rear of property, to be left unimproved;
    - parking for 3 vehicles, including handicapped;
    - appropriate landscaping to manage stormwater (see below).

### Architecture

Conceptual architectural elevations of the new Shenkman Jewish Center are included in the SUP submittal and are subject to review and approval by the Architectural Review Board (ARB). The design of the new Shenkman Jewish Center creates an identity fitting to its context within the cultural buildings of Jamestown Road and consistent with the William & Mary Campus. The building's primary exterior material will be unstained brick, in Flemish bond, consistent with the established standard of William & Mary. The facility will feature an entry portico, fronted with a small porch colonnade topped by a balustrade. Other building elements include hipped roofs, a brick water table, brick round arches, brick jack arches over the windows, and a substantive entablature. The main body of the house will be augmented by two wings, one to the east (kitchen space) and one to the west (study space). The rear façade will feature expansive glazing to take advantage of south-facing orientation, and the double height interior of the meeting/dining space. The rear of the building will open onto brick paver patio with a wood pergola for regular informal gathering and setup of a sukkah at during the Jewish Sukkot festival. Additional details are still in development, and will be subject to the review of the ARB.

### Parking & Traffic

As part of this Special Use Permit, the Real Estate Foundation requests exemption from the parking requirements associated with similar venues. Its location adjacent to campus, and down the street from the William & Mary Admissions Office, ensures that visitors to the Center will be walk-up rather than vehicular traffic. On the admissions front, prospective students and their parents who ask about the Center will be directed to walk up Jamestown Road where they will have access to the Center and be able to discuss campus activities with the Rabbi and current William & Mary students. William & Mary students will use the Center for both formal (scheduled visits with the Rabbi, lectures, films, etc.) and informal (kosher meals, student lounge, relaxation) activities. Access to these activities is facilitated by the Center's location adjacent to campus and within easy walking distance of the university's various residence halls.

Recognizing that students and visitors will not be driving to the Center, the request includes parking limited to a dedicated space for the Rabbi, a handicapped accessible space, and a third space to be used by guest speakers. Given its size and location, we do not expect this facility and its programs to have any impact on local traffic patterns or counts.

### Storm Water Management

Prior to a recent demolition and the proposed consolidation of lots, 406 Jamestown Road generated rain runoff associated with the house on the site while 410 Jamestown Road has been a vacant lot for many years. Given the size of the site, the project will need to address storm water run-off but will likely not need to address specific water quality issues. The intent is to manage water runoff with landscaping (rain garden, etc.) to the maximum extent possible. The Real Estate Foundation will take additional steps as necessary should landscaping options be insufficient to address this issue.

### **Ownership and Operations**

The William & Mary Real Estate Foundation will enter into a lease agreement with the United Jewish Community of the Virginia Peninsula (UJCVP), under which the local Hillel is managed. In it, standards for the Shenkman Jewish Center's operation will be established. These will include:

- programming;
- operations;
- affiliations.

The two lots proposed as the site for the Center are currently owned by the College of William & Mary. Under authority granted to the university's Board of Visitors (its governing board) by the Commonwealth, the university intends to transfer ownership of the two lots to the William & Mary Real Estate Foundation. Construction and ownership of the proposed facility will rest with the Real Estate Foundation. The two lots will be consolidated into a single parcel as the transfer of property occurs.

### **Finally...**

Hillel is not just about heritage or social organization, it also about developing lifelong habits of learning.

The Shenkman Jewish Center has the opportunity to shape meaningful lives. In the words of Noam Bentov, a former Hillel student, now an executive director for Hillel: "It is my mission now to build... a strong community that will create opportunities for students to connect to Jewish life, celebrate their identities, [and] learn and build thriving Jewish lives well beyond their college years." Another former student, says: "...[Jewish education] provided me ...the

opportunity to dig deeper and ...ask why." That's exactly the sort of lifelong habit of inquiry that university communities are built to develop.

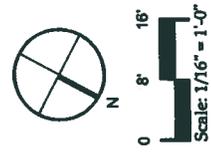
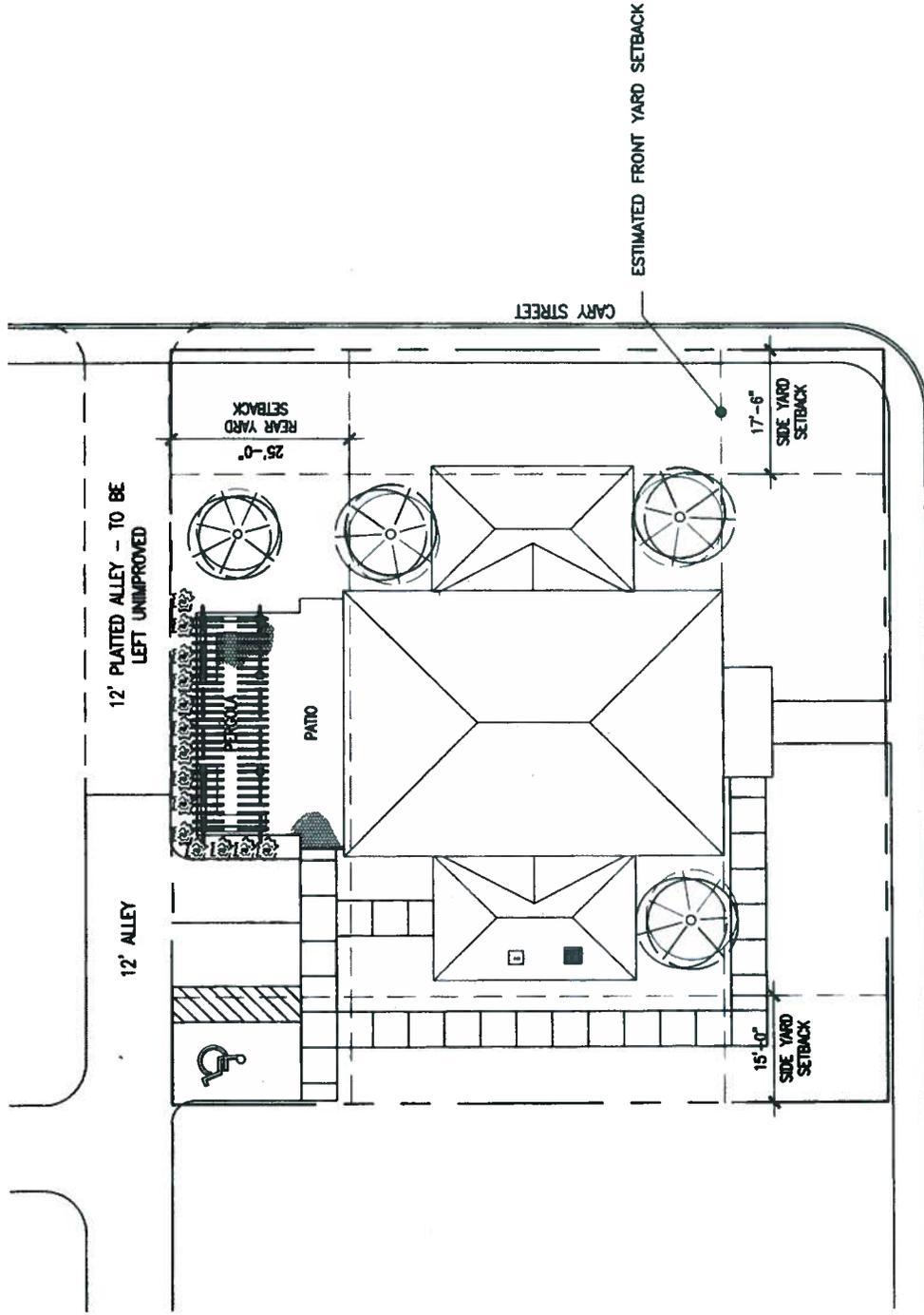
*William and Mary Real Estate Foundation*

**Shenkman Jewish Center**  
**Williamsburg, Virginia**

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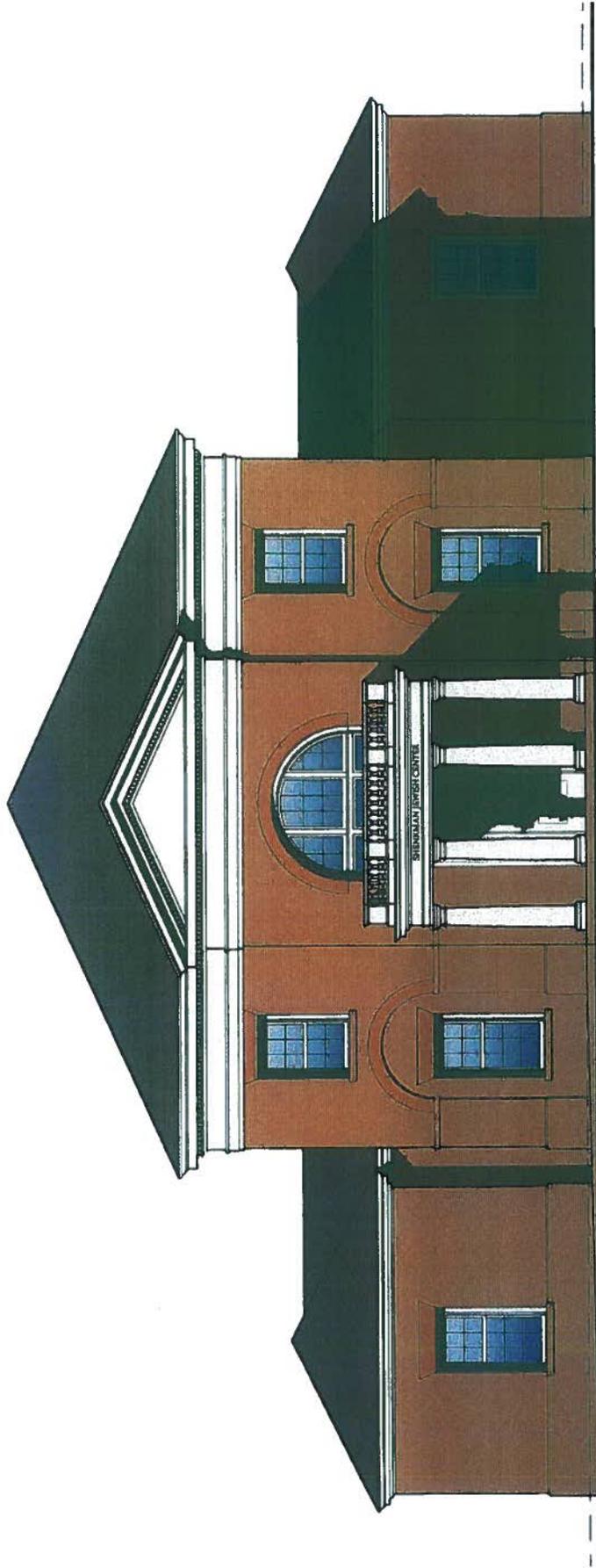
**SPECIAL USE PERMIT APPLICATION**

June 22, 2017



# Shenkman Jewish Student Center

*William and Mary Real Estate Foundation*

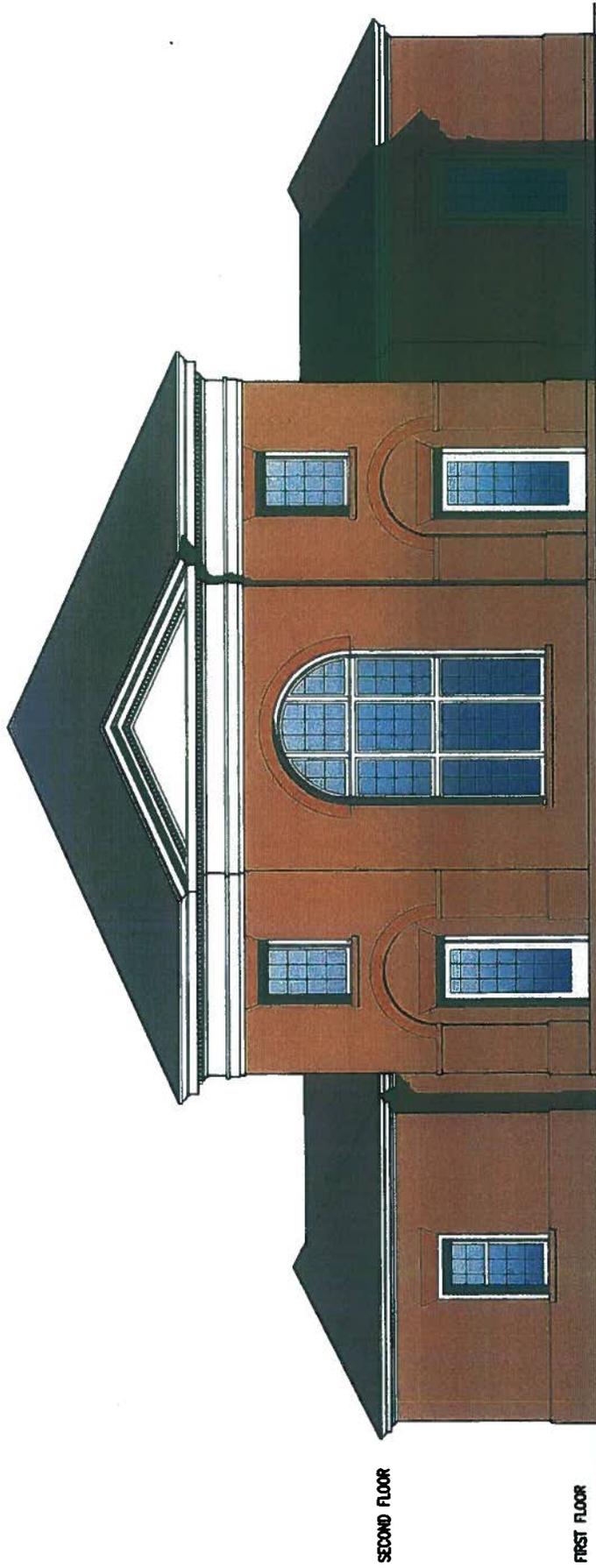


0 10'-8" 21'-4"  
Scale: 3/16" = 1'-0"

Front Elevation  
June 22, 2017

**Shenkman Jewish Student Center**  
*William and Mary Real Estate Foundation*





SECOND FLOOR

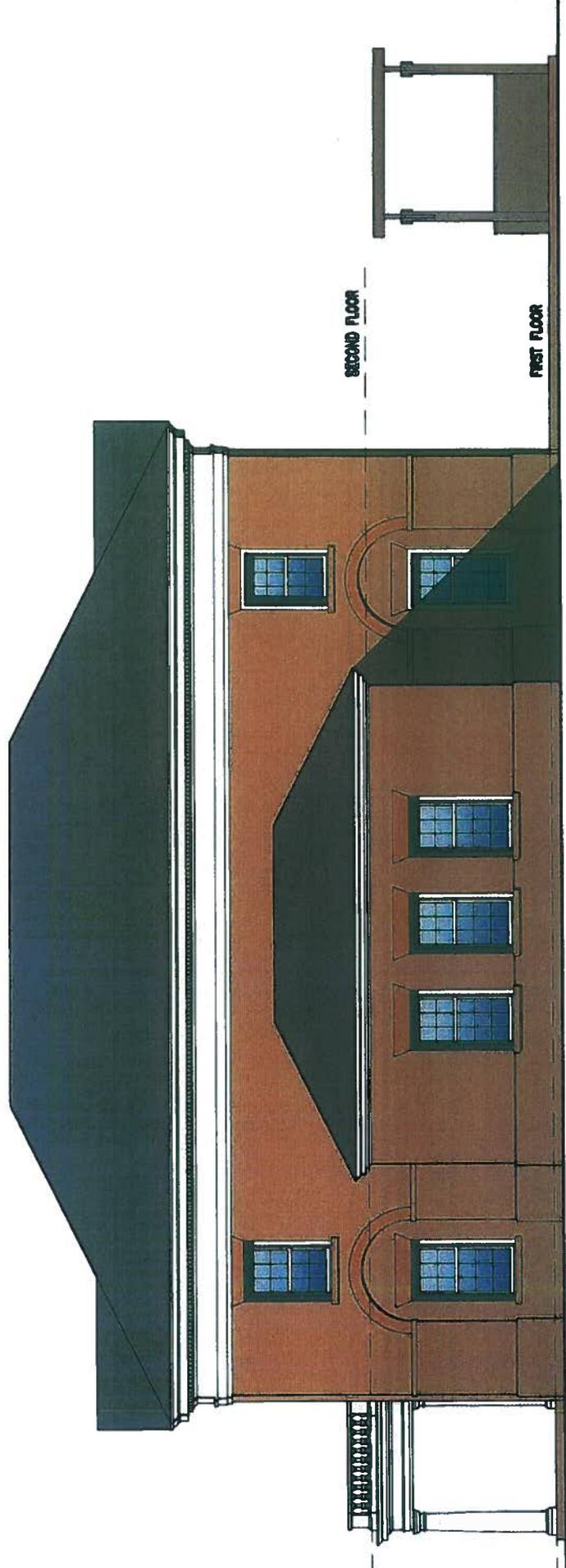
FIRST FLOOR

0 10'-8" 21'-4"  
Scale: 3/16" = 1'-0"

Rear Elevation  
June 22, 2017

**Shenkman Jewish Student Center**  
*William and Mary Real Estate Foundation*



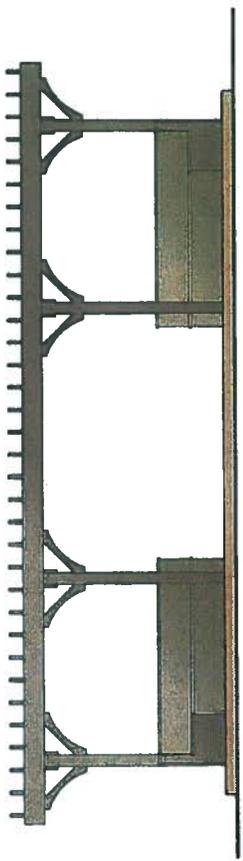


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Side Elevation  
June 22, 2017

**Shenkman Jewish Student Center**  
*William and Marv Real Estate Foundation*



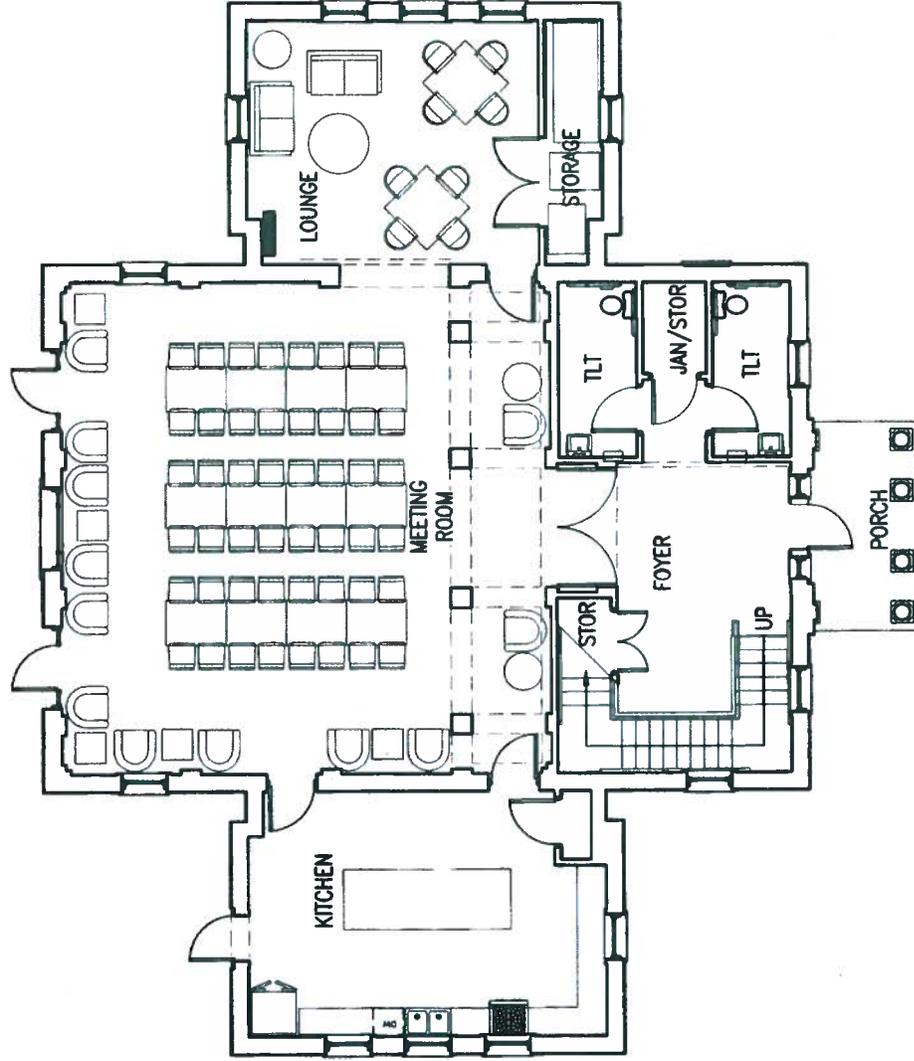


0 10'-8" 21'-4"  
Scale: 3/16" = 1'-0"

Pergola Elevation  
June 22, 2017

**Shenkman Jewish Student Center**  
*William and Mary Real Estate Foundation*

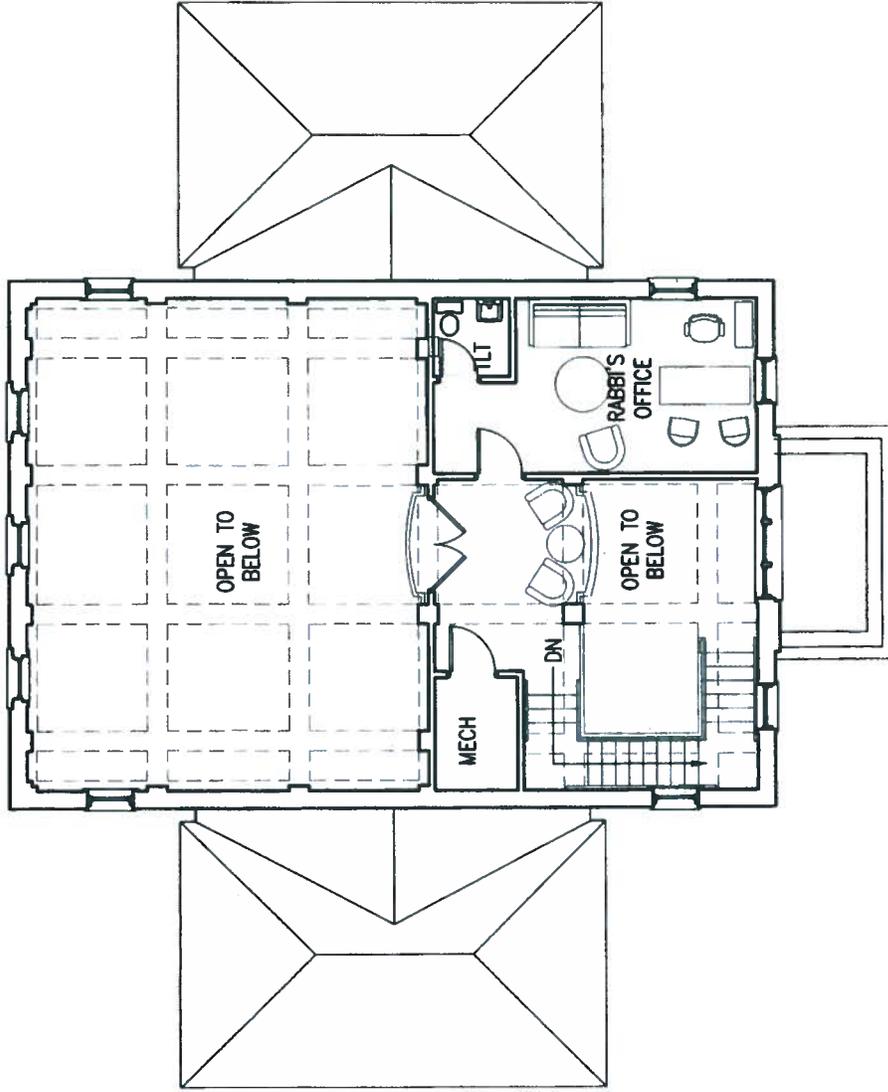




Floor Plans - Level One  
 June 22, 2017

**Shenkman Jewish Student Center**  
*William and Mary Real Estate Foundation*





Floor Plans - Level Two  
 June 22, 2017

**Shenkman Jewish Student Center**  
*William and Mary Real Estate Foundation*





# CITY OF WILLIAMSBURG

## MEMORANDUM

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**DATE:** August 31, 2017

**SUBJECT:** PCR #17-019

**Request of BSV Colonial Owner LLC for text amendments to the Urban Business District B-3 to allow redevelopment of the Williamsburg Shopping Center into a new mixed use development named Midtown Row.**

**PCR#17-020**

**Request of BSV Colonial Owner LLC for a special use permit to redevelop the shopping center into a mixed use development project in accordance with the proposed Master Plan for Midtown Row. The properties are located at 1222 and 1234 Richmond Road and zoned Urban Business District B-3.**

### **APPLICANT'S REQUEST**

BSV Colonial Owner LLC, the owner of the property plans to redevelop the shopping center into a new mixed-use development project named Midtown Row.

### **PCR#17-019 Text Changes**

The applicant proposes the following text changes to the zoning ordinance in the Urban Business District B-3 with a special use permit which requires City Council approval in accordance with Article II, Division 2 of the Zoning Ordinance: 1) to increase the percentage of gross floor area of any new buildings on any lot that may be devoted to multifamily use from 67 percent to 80 percent as shown on the master plan; 2) to allow redevelopment projects to reduce the yard and transitional screening requirement as shown on the master plan; 3) to increase the height of buildings from 45 feet from grade to not more than 66 feet from grade; 4) to allow a reduction in landscaped open space and recreation area from 20 percent to not less than 15 percent of the total land area as shown on a master plan; and 5) to allow up to four unrelated individuals. Staff is proposing to add "designed" to the definition of a student dwelling thereby adding it to permitted dwelling unit occupancy sections and special use permit sections of the Zoning Ordinance which are the Limited Business Mixed-Use District LB-3, Urban Business District B-3, Planned Development College District PDC and Planned Development Urban District PDU.

## **PCR#17-020 Special Use Permit**

The applicant has submitted a special use permit to redevelop and construct commercial, residential and a hotel building in a new mixed use development of the existing Williamsburg Shopping Center. The shopping center is situated on 19.44 acres at the intersection of Richmond Road and Monticello Avenue and is currently zoned Urban Business District B-3.

The applicant has submitted a Master Plan with two possible layouts. The applicant notes “the first option is the preferred option and includes a hotel on the corner of Richmond Road and Monticello Avenue. The second option does not include a hotel and retains more of the existing retail space.”

### **Master Plan Layout Option 1**

Midtown Row will contain four new five story mixed-use buildings totaling approximately 320,000 square feet of residential and amenity space with over 60,000 square feet of new ground floor retail/restaurant space. A new 140 room hotel (Building 5) is proposed at the intersection of Richmond Road and Monticello Avenue. Building 7 will be approximately 15,000 square feet and will retain Sal's by Victor, the ABC store and a smaller retail space. The existing Food Lion (Building 8) with approximately 33,413 square feet will remain and be refurbished. The existing ACE Hardware (Building 9) containing approximately 20,332 square feet will be refurbished and converted into a food and entertainment use.

This option contains 240 residential units with approximately 127,990 square feet of retail/restaurant space. A two level parking structure is proposed with approximately 239 parking spaces.

### **Master Plan Layout Option 2**

This option contains the four new five story mixed-use buildings. However, Building 4 is smaller in size and contains less residential units (40 instead of 72 in Option 1). This option does not contain the hotel (Building 5) and retains a larger portion of the existing Building 7 along Richmond Road. A portion of the existing building will be removed to allow for parking and driveway connection to other portions of the development.

This option contains 208 residential units with approximately 162,696 square feet of retail/restaurant space. The two level parking structure with approximately 239 parking spaces is also included in this option.

### **Other**

In both Master Plans, the developer proposes a well-landscaped new road system with extra wide sidewalks to encourage a pedestrian friendly experience with outdoor dining

and new retail establishments. A new road from Monticello Avenue opens into a public plaza designed for neighbors, students and visitors to meet, relax and enjoy their stay.

A special use permit is required for the parking structure, multi-family and text changes proposed by the applicant. Master plan Layout Options 1 and 2 are attached for your reference. The developer and the City are working together to redesign Monticello Avenue to include new sidewalks, stoplights, cycle track, parking, landscaping and street furniture.

## **CURRENT REGULATIONS**

### **COMPREHENSIVE PLAN**

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

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 area can be considered. Student dwelling units should be added as special use permit use with a permitted dwelling unit occupancy of two unrelated persons in an efficiency or one bedroom unit, and four unrelated persons in a two or more bedroom dwelling unit. Building height should remain at 45 feet. This category is implemented by the B-3 zoning district, with modifications.

Surrounding areas are designated Urban Commercial, Mixed Land Use, Low-Density Single-Family Detached Residential, Medium-Density Single-Family Detached

Residential, William and Mary and Sensitive Environmental Area and Chesapeake Bay Preservation Area land uses.

## **ZONING**

This property is located in the Urban Business B-3 zoning district.

The statement of intent for the Urban Business B-3 zoning district reads:

*This district is established to allow high quality mixed-use development in the Midtown Planning Area for areas designated as Urban Commercial land use. This area is more urban in character than the corridor business district B-2, and is therefore suitable for a mix of commercial, office and residential uses. Because this area is served by transit, and has a wide variety of commercial services within walking distance, it is a good location for multifamily housing, and particularly housing for college students and senior citizens. Residential uses and higher intensity commercial uses such as offices and retail sales establishments in buildings exceeding 50,000 square feet may be allowed with a special use permit to ensure that the use is compatible with the district and surrounding neighborhoods.*

Land to the north is zoned Urban Business District B-3. Lands to the east are zoned Urban Business District B-3 and Limited Business Neighborhood District LB-2, lands to the south are zoned Limited Business District LB-2 and Urban Business District B-3 with lands to the west designated William and Mary and Urban Business District B-3.

## **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.

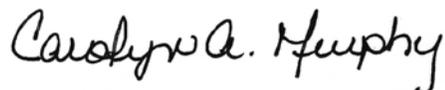
The Planning Director or Planning Commission may require the following additional information:

- (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.

A fiscal impact analysis and traffic impact analysis will be provided for this project.

### **PUBLIC HEARING DATE**

Public hearings are scheduled for the regular Planning Commission meeting on September 20, 2017.



Carolyn A. Murphy, AICP  
Planning and Codes Compliance Director



**BROAD STREET REALTY**

VIEW 1

**MIDTOWN DEVELOPMENT**

Bonstia Haines | gh

**03**

JULY 3, 2017  
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**BROAD STREET REALTY**

**VIEW 2**

**MIDTOWN DEVELOPMENT**

JULY 3, 2017  
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**04**

Bonstah | Haresign



**BROAD STREET REALTY**

**VIEW 3**

**MIDTOWN DEVELOPMENT**

JULY 3, 2017  
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**05**

Benisha | Heritage Architects

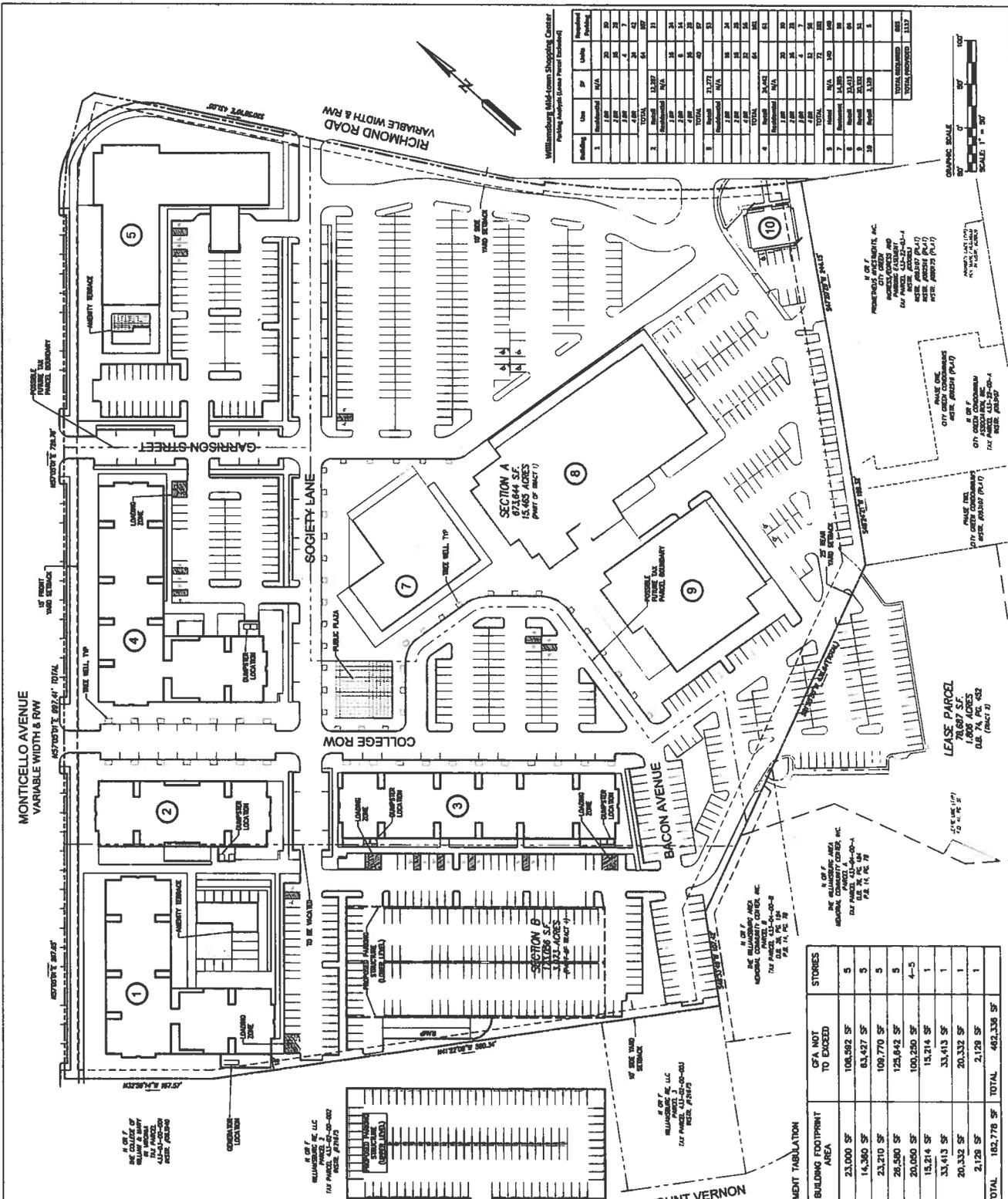


NO.	DATE	REVISION

**AES**  
CONSULTING ENGINEERS  
10000 West 10th Street  
Denver, Colorado 80231  
Phone: 303.750.0000  
Fax: 303.750.0001  
www.aes-engineers.com

**MASTER PLAN  
FOR  
MIDTOWN ROW MIXED USE  
DEVELOPMENT  
SPECIAL USE PERMIT**

**3**  
MASTER PLAN  
LAYOUT OPTION 1



**Development Tabulation**

Building	Use	SF	Units	Proposed	Existing
1	Residential/Amenity	108,592	5	5	0
2	Residential/Retail	63,427	5	5	0
3	Residential/Retail	109,770	5	5	0
4	Residential/Retail	125,642	5	5	0
5	Hotel	100,250	4-5	5	0
7	Retail	15,214	1	1	0
8	Retail	33,413	1	1	0
9	Retail	20,332	1	1	0
10	Retail	2,129	1	1	0
<b>TOTAL</b>		<b>182,778</b>	<b>TOTAL</b>	<b>452,338</b>	<b>0</b>

**Development Tabulation**

Building Number	Proposed Use	Building Footprint Area	GFA NOT TO EXCEED	Stores
1	Residential/Amenity	23,000 SF	108,592 SF	5
2	Residential/Retail	14,360 SF	63,427 SF	5
3	Residential/Retail	23,210 SF	109,770 SF	5
4	Residential/Retail	26,560 SF	125,642 SF	5
5	Hotel	20,050 SF	100,250 SF	4-5
7	Retail	15,214 SF	15,214 SF	1
8	Retail	33,413 SF	33,413 SF	1
9	Retail	20,332 SF	20,332 SF	1
10	Retail	2,129 SF	2,129 SF	1
<b>TOTAL</b>		<b>182,778</b>	<b>TOTAL</b>	<b>452,338</b>

**Willametteburg Mid-Town Shopping Center**  
Parking Analysis (Excludes Present Footprint)

Building	Use	SF	Units	Proposed	Existing
1	Residential/Amenity	N/A	5	5	0
2	Residential/Retail	N/A	5	5	0
3	Residential/Retail	N/A	5	5	0
4	Residential/Retail	N/A	5	5	0
5	Hotel	100,250	4-5	5	0
7	Retail	15,214	1	1	0
8	Retail	33,413	1	1	0
9	Retail	20,332	1	1	0
10	Retail	2,129	1	1	0
<b>TOTAL</b>		<b>21,727</b>	<b>25</b>	<b>25</b>	<b>0</b>

**SITE AREA:**

**EXISTING:** EXISTING IMPROVEMENTS AREA: 17,250 AC (2014)  
 APPROX. EXISTING GREEN SPACE: 1.8 AC (2014)  
 TOTAL SITE: 19,050 AC (2014)

**PROPOSED:** PROPOSED IMPROVEMENTS AREA: 15,800 AC (2014)  
 APPROX. PROPOSED GREEN SPACE: 1.8 AC (2014)  
 TOTAL SITE: 17,600 AC (2014)

**SITE TABULATIONS:**

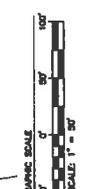
PROPERTY IS ALL OF THE PARCELS  
 1. 15,800 AC (SECTION 1)  
 2. 15,800 AC (SECTION 2)  
 3. 15,800 AC (SECTION 3)  
 4. 15,800 AC (SECTION 4)  
 5. 15,800 AC (SECTION 5)

**AREA TABLE:**

SECTION A: 15,800 AC  
 SECTION B: 15,800 AC  
 TOTAL: 31,600 AC

**LEASE PARCELS OR PART OF THE PARCELS:**

LEASE PARCEL AREA: 1.8 AC (2014)  
 LEASE PARCEL AREA: 1.8 AC (2014)



**PROPOSED BY:** AES CONSULTING ENGINEERS  
**CITY OF DENVER:** PLANNING DEPARTMENT  
**PLANNING CASE NO.:** 15-001-001-1  
**APPROVAL DATE:** 08/14/2015  
**APPROVAL TYPE:** SPECIAL USE PERMIT

**PROPOSED BY:** AES CONSULTING ENGINEERS  
**CITY OF DENVER:** PLANNING DEPARTMENT  
**PLANNING CASE NO.:** 15-001-001-1  
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**APPROVAL DATE:** 08/14/2015  
**APPROVAL TYPE:** SPECIAL USE PERMIT



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

**AN ORDINANCE AMENDING CHAPTER 21, ZONING,  
ARTICLE I, IN GENERAL BY ADDING “DESIGNED” TO THE STUDENT DWELLING  
DEFINATION;  
ARTICLE III, DISTRICT REGULATIONS, DIVISION 6.3 LIMITED BUSINESS MIXED-  
USE DISTRICT LB-3 BY ADDING “STUDENT DESIGNED DWELLING” TO  
PERMITTED DWELLING UNIT OCCUPANCY & SPECIAL USE PERMIT SECTION;  
ARTICLE III. DISTRICT REGULATIONS, DIVISION 10. URBAN BUSINESS DISTRICT  
B-3,  
BY ADDING “STUDENT DESIGNED DWELLING TO THE PERMITTED DWELLING  
UNIT OCCUPANCY AND SPECIAL USE PERMIT SECTION AND WITH A SPECIAL  
USE PERMIT APPROVED BY CITY COUNCIL FOUR UNRELATED PERSONS, AN  
INCREASE IN THE GROSS FLOOR AREA RATIO TO 80%, YARD AND  
TRANSITIONAL SCREENING REDUCATIONS, HEIGHT INCREASE UP TO 66 FEET,  
AND LANDSCAPE OPEN SPACE REDUCTION TO 15%; AND TO  
ARTICLE III, DISTRICT REGULATIONS, DIVISION 15. PLANNED DEVELOPMENT  
DISTRICTS PDR, PDC AND PDU BY ADDING “STUDENT DESIGNED DWELLING”  
TO THE PERMITTED DWELLING OCCUPANCY IN THE PLANNED DEVELOPMENT  
COLLEGE PDC AND PLANNED DEVELOPMENT URBAN PDU DISTRICTS**

**(PCR #17-019)**

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, Division 6.3. Limited Business Mixed-Use District LB-3, Sec 21-256.1 and 21-256.4; and Division 10. Urban Business District B-3, Sec. 21-351.1, Sec. 21-354, Sec. 21-357, Sec. 21-358 and Sec. 21-359 be amended to read as follows:

**ARTICLE I**

**Sec. 21-2. Definitions.**

Dwelling means any building or portion thereof which is designed or used exclusively for residential purposes, but not including hotels, motels, time-share units, travel trailers, recreational vehicles, or similar accommodations.

- (3.1) Student **designed** dwelling means a building containing three or more dwelling units located in close proximity to the campus of the College of William and Mary and designed to be occupied by students at the college.

**ARTICLE III**  
**DIVISION 6.3. LIMITED BUSINESS MIXED-USE DISTRICT LB-3**

**Sec. 21-256.1.1. Permitted dwelling unit occupancy**

The permitted dwelling unit occupancy in the limited business mixed-use district LB-3 is as follows:

- (4) For student **designed** dwellings in accordance with section 21-256.4(4), no more than two unrelated persons in an efficiency or one bedroom dwelling unit/or no more than four unrelated persons in a two or more bedroom dwelling unit.

**Sec. 21-256.4 Uses permitted with special use permit**

Uses permitted in the limited business mixed-use district LB-3 with a special use permit approved by the city council in accordance with article II, division 2, are as follows:

- (4) Student **designed** dwellings, subject to the following:
  - a. Management shall be provided by either: (1) the College of William and Mary; or (2) in accordance with a management plan that is approved as a part of the rezoning and which provides for prompt and adequate performance of regular and emergency upkeep and maintenance on the complex and all dwelling units therein. The specific plan for the management of the student dwellings shall be approved as a part of the special use permit and shall remain in effect unless the approved special use permit is amended in accordance with article II, division 2.

**ARTICLE III**  
**DIVISION 10. URBAN BUSINESS DISTRICT B-3\***

**Sec. 21-351.1. Permitted dwelling unit occupancy.**

The permitted dwelling unit occupancy in the urban business district B-3 is as follows:

- (1) A family;
- (2) No more than three unrelated persons **unless increased to four unrelated persons pursuant to a special use permit approved by the city council**; or
- (3) For student **designed** dwellings in accordance with section 21-354, no more than two unrelated persons in an efficiency or one bedroom dwelling unit/or no more than four unrelated persons in a two or more bedroom dwelling unit.

### **Sec. 21-354. Uses permitted with special use permit.**

Uses permitted in the urban business district B-3 with a special use permit approved by city council in accordance with article II, division 2, are as follows:

- (1) Multifamily dwellings, provided that not more than 67 percent of the gross floor area of any new buildings on any lot may be devoted to multifamily use. **The gross floor area may be increased up to 80 percent if a special use permit is approved by the city council.** Non-residential floor area shall be constructed simultaneously with the construction of the multifamily floor area.
- (2) Senior housing, as defined.
- (3) Student **designed** dwellings, subject to the following:
  - a. Management shall be provided by either: (1) the College of William and Mary; or (2) in accordance with a management plan that is approved as a part of the rezoning and which provides for prompt and adequate performance of regular and emergency upkeep and maintenance on the complex and all dwelling units therein. The specific plan for the management of the student dwellings shall be approved as a part of the special use permit and shall remain in effect unless the approved special use permit is amended in accordance with article II, division 2.
- (4) Amusement arcades.
- (5) Billiard and pool rooms.
- (6) Bowling alleys.
- (7) Lighted athletic fields owned and/or operated by the City of Williamsburg.
- (8) Micro-brewery, micro-distillery, micro-winery and/or micro-cidery, with a capacity of not more than 15,000 barrels per year.
- (8.1) Museums and art galleries with outdoor display.
- (9) Nursing homes.
- (10) Offices in buildings with a gross floor area exceeding 50,000 square feet.
- (11) Parking garages.
- (12) Recreation centers.
- (13) Retail sales establishments in buildings with a gross floor area exceeding 50,000 square feet.
- (14) Tourist or visitor information centers.
- (15) Use of land as parking for and/or access to a use in an adjoining jurisdiction.

### **Sec. 21-357. Yards.**

The yard requirements in the urban business district B-3 are as follows:

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

- a. Where 40 percent or more of the frontage on one side of the street within the same block is improved with buildings, no building on that side of the street within the same block shall be required to have a front yard greater than the average front yard of the existing buildings. However, when there are buildings on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of the front yards of the buildings on the adjacent lots. The side line of a building on a corner lot shall not be a factor in these calculations.
- b. When a lot has a double frontage, front yards shall be provided on both streets, subject to such reductions as may be allowed under section 21-357(1)a.
- c. Gasoline pump islands, pump island canopies and outdoor dining areas shall be required to have a front yard of not less than 15 feet.
- d. No accessory building shall be located in a front yard.

(2) *Side.*

- a. There shall be side yards of not less than 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 15 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 21-357(4).

(3) *Rear.*

- a. Multifamily dwellings: For buildings containing multifamily dwellings, there shall be a rear yard of not less than 25 feet.
- b. Other uses: There shall be a rear yard of not less than 15 feet.
- c. Rear yards for accessory buildings shall not be less than five feet.
- d. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-357(4).

(4) *Transitional screening.*

- a. A landscaped open space area for transitional screening shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district or to the Colonial Parkway, except that no transitional screening open space shall be required when multifamily dwellings adjoin

multifamily zoning districts. The width of the transitional screening open space shall be determined by the adjacent use, as follows:

1. Parking lot or driveway: Ten feet.
  2. One Story Building: Ten feet.
  3. Two Story Building: 20 feet.
  4. Three or Four Story Building: 30 feet.
- b. Landscaping of transitional screening open space areas shall be in accordance with landscaping standards contained in section 21-784(e).
  - c. Transitional screening open space shall not contain accessory buildings or be used for storage purposes. No more than 25 percent of a transitional screening open space area shall be used for stormwater management facilities.
  - d. Transitional screening open space shall be in addition to the required side and rear yards, but may be counted toward the landscaped open space required by section 21-359.
  - e. The planning commission may reduce the required width of transitional open space. A reduction shall not be approved unless it is found that:
    1. The provision of the required transitional screening open space would unreasonably restrict the use of the property due to exceptional narrowness, shallowness, size or shape of the lot, or by reason of exceptional topographic conditions or other extraordinary situation or condition of the property; and
    2. Additional landscaping and/or screening is proposed that will provide screening equivalent to that required by this section.

(5) *Greenbelts.*

- a. 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.
- b. When the greenbelt is an existing wooded area, it shall be left in an undisturbed natural state, unless modifications are approved or required during review of a minor site plan, site plan or subdivision. Any modifications to an existing wooded greenbelt shall be for the purpose of maintaining its visual character as viewed from the adjacent public street. When a wooded greenbelt is part of a residential development, it may be required during review of a minor site plan, site plan or subdivision to be supplemented with evergreen trees and shrubs in order to provide an effective year-round visual screen between the proposed residential development and the street. When a greenbelt is in a non-wooded area, it shall be improved as an extensively

landscaped open space between the street and the developed portion of the property. For a non-wooded greenbelt, at least one tree for each ten feet of frontage shall be planted or maintained, and the primary landscaping material shall be deciduous shade trees, supplemented by evergreen trees, shrubs and other planting material. All landscape materials shall conform to the minimum size and height standards of section 21-784(c)(5). When a non-wooded greenbelt area borders a residential development, it may be required during review of a minor site plan, site plan or subdivision that the primary landscaping material used shall be evergreen trees and shrubs in order to provide an effective year-round visual screen between the proposed residential development and the street. The landscape plans for the greenbelt area shall be prepared and certified by a certified landscape architect licensed to practice in the State of Virginia. The landscape plans shall be subject to approval by planning commission in the case of a minor site plan, site plan or subdivision of less than 25 lots; and by city council, on recommendation of the planning commission, in the case of a subdivision of 25 or more lots. Trees planted in a greenbelt shall be consistent with the standards contained in section 21-614(g), Tree Planting, Replacement and Pruning Standards.

- c. Greenbelts may be counted toward required yards, and toward the landscaped open space required by section 21-359.

**(6) Variation by Special Use Permit.**

For redevelopment projects, the yard and transitional screening requirements of this section may be reduced to the widths shown on a master plan approved by a special use approved by the city council in accordance with article II, division 2.

**Sec. 21-358. Height.**

The height requirements in the urban business district B-3 are as follows:

- (1) Buildings may be erected up to 45 feet from grade except that:
  - a. Stair towers, equipment penthouses, mechanical equipment and screening walls are exempt from the height limitations, provided that they shall not cover more than 30 percent of the total roof area and shall not exceed the building height by more than ten feet. Equipment penthouses, mechanical equipment and screening walls shall be set back from the front wall of the building one foot for each foot of height above the roof level.
  - b. Parapet walls shall not exceed the building height by more than four feet.
  - c. Cupolas, spires and steeples may be erected to a height of 90 feet above grade, and may extend higher if a special exception is approved by the board of zoning appeals in accordance with section 21-97(f). The board shall not approve the special exception unless it finds that the cupola, spire or steeple is in proper proportion to the building.

- (2) Buildings may be erected with a height greater than 45 feet from grade but not more than 66 feet from grade, subject to the exceptions set forth in Section (1), paragraphs a, b and c above, pursuant to a special use permit approved by the city council in accordance with article II, division 2.

**Sec. 21-359. Landscaped open space and recreation area.**

- (a) At least 20 percent of the total land area of a lot in the urban business district B-3 shall be landscaped open space. For redevelopment projects, the landscaped open space may be reduced to not less than 15% of the total land area of a lot as shown on a master plan approved by a special use permit approved by the city council in accordance with article II, division 2.

**ARTICLE III**

**DIVISION 15. PLANNED DEVELOPMENT DISTRICTS PDR, PDC AND PDU**

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

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

- (1) Student **designed** dwellings, subject to the following:
  - a. Management shall be provided by either: (1) the College of William and Mary; or (2) in accordance with a management plan that is approved as a part of the rezoning and which provides for prompt and adequate performance of regular and emergency upkeep and maintenance on the complex and all dwelling units therein. The specific plan for the management of the student dwellings shall be approved as a part of the special use permit and shall remain in effect unless the approved special use permit is amended in accordance with this chapter.

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

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

- (2) Student **designed** dwellings, subject to the following:
  - a. Management shall be provided by either: (1) the College of William and Mary; or (2) in accordance with a management plan that is approved as a part of the rezoning and which provides for prompt and adequate performance of regular and emergency upkeep and maintenance on the complex and all dwelling units therein. The specific plan for the management of the student dwellings shall be approved as a part of the special use permit and shall remain in effect unless the approved special use permit is amended in accordance with this chapter.

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

Adopted:

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

Attest: \_\_\_\_\_  
Donna (Dee) Scott, Clerk of Council

[PC\PCR\2017\17-0191OD1]