



PUBLIC NOTICE WILLIAMSBURG PLANNING COMMISSION

The Williamsburg Planning Commission will hold public hearings on Wednesday, February 14, 2018 at 3:30 P.M. in the Council Chambers of the Stryker Center, 412 North Boundary Street, to consider the following:

PCR#18-001: Request of Holly Hills, LLC to rezone approximately 6.8 acres at 200 Brookwood Drive from Multifamily Dwelling District RM-1 conditional to Multifamily Dwelling District RM-2 conditional (with proffers). The current Multifamily Dwelling District RM-1 conditional zoning allows no more than 20 dwelling units on the property and the owner shall make a cash contribution in the amount of \$3,000 per lot (\$60,000) towards the construction of a sidewalk from The Carriage Homes at Holly Hills to Jamestown Road. The applicant is proposing to rezone the property to Multifamily Dwelling District RM-2 conditional with the following proffers: (1) there shall be no more than fifty (50) units on the Property; (2) uses permitted on the Property shall not include multifamily dwellings [Section 21-212(3)]; and (3) the applicant shall make a cash payment in the amount of sixty-thousand dollars (\$60,000) to the City within 30 days of the issuance of a Land Disturbing Permit for reimbursement to the City for the sidewalk previously constructed by the City from The Carriage Homes at Holly Hills to Jamestown Road.

PCR#18-002: Request of Union Baptist Church for a special use permit for a 2,600 square foot addition to the church. The property is located at 108 Alice Street and is zoned Single-Family Dwelling District RS-2.

Additional information is available at www.williamsburgva.gov/publicnotice or at the Planning Department (757) 220-6130, 401 Lafayette Street. Interested citizens are invited to attend this hearing and present their comments to 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, February 7, 2018.

Carolyn A. Murphy, AICP
Planning and Codes Compliance Director



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: January 25, 2018

SUBJECT: PCR#18-001
Request of Holly Hills, LLC to rezone 6.84 acres at 200 Brookwood Drive from RM-1 conditional to RM-2

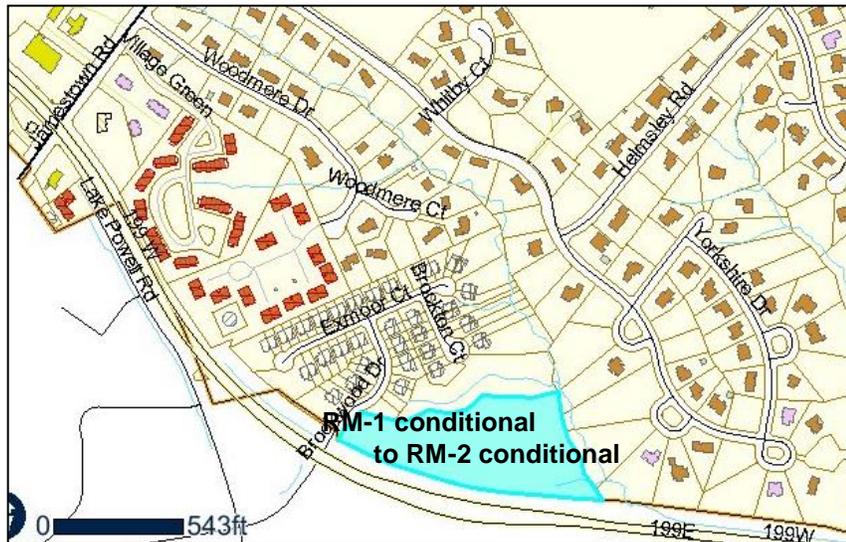
APPLICANT'S REQUEST

Holly Hills, LLC is proposing to rezone approximately 6.84 acres at 200 Brookwood Drive (southeast corner of Route 199 and Brookwood Drive) from RM-1 Multifamily Dwelling District Conditional with proffers to Multifamily Dwelling District to RM-2 Conditional with amended proffers.

The applicant notes in their revised narrative that due to opposition of citizens to the proposed Holly Hills Villas proposal based on primarily objections to rental apartments, traffic concerns and the appearance of the apartment buildings they have revised their proposal to include proffers which are attached. The applicant proposes the following conditions and proffers in exchange for the requested rezoning:

1. Density: There shall be no more than fifty (50) dwelling units developed on the Property.
2. Uses: The uses permitted on the Property shall include all of the uses permitted by Section 21-212 of Article III, Division 5 of the current Zoning Ordinance except the use described at Section 21-212(3) which is multifamily dwellings.
3. Cash Contribution for Sidewalk: Owner shall make a cash contribution of sixty-thousand dollars (\$60,000.00) for construction of the sidewalk completed by the City which now provides pedestrian access from Brookwood Drive to Jamestown Road. The cash payment shall be made within 30 days of the issuance of a Land Disturbing Permit for improvements shown on the subdivision plan for development on the Property approved by the City.

The applicant has provided a revised narrative, illustration of a townhome layout, traffic and utility analysis and proffers which are attached. The townhome layout is an illustration and has not been submitted for review by staff.



CURRENT REGULATIONS

COMPREHENSIVE PLAN

The 2013 Comprehensive Plan designates this property as Medium Density Multi Family Residential land use. The 2013 Plan states:

“Duplexes, townhouses and apartments with densities of up to 8 dwelling units/net acre are recognized by this land use category. Design standards must be applied to ensure adequate off street parking, open space and compatibility with surroundings, especially existing residential neighborhoods. Apartments and other forms of multi-family dwellings may be allowed by a special use permit in certain areas within this residential category if they are properly designed. This category is implemented by the RM-1 zoning district.”

ZONING

This parcel was zoned LBR Limited Business/Residential District when the Zoning Ordinance was revised in 1991. The property was rezoned in 2007 from LBR to RM-1 Conditional. Proffers were offered and accepted limiting the density to no more than 20 dwelling units and requiring a cash contribution in an amount equal to \$3,000 per dwelling unit for the construction of a sidewalk from The Carriage Homes at Holly Hills to Jamestown Road or the construction of a pedestrian activated signal, crosswalk and associated sidewalks for crossing Route 199 at the Brookwood Drive intersection. A sidewalk was constructed from The Carriage Homes to Jamestown Road along Route 199.

The Statement of Intent for the RM-2 District reads:

“This district is established as a residential area with high population density. Uses such as schools, churches, public buildings and other uses that may be compatible with multifamily residential uses may be allowed with special permits.”

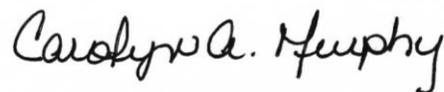
In conjunction with the rezoning request, the Planning Director or Planning Commission may require the following additional information:

- (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.

PUBLIC HEARING DATE

A public hearing on this request will be scheduled for the February 14, 2018 meeting.



Carolyn A. Murphy, AICP
Planning & Codes Compliance Director

AMENDED PROFFERS

THESE PROFFERS are made this ____ day of _____, 2018 by **Holly Hills, LLC**, a Virginia limited liability company (referred to herein as “Owner” and to be indexed in the land records as Grantor) and the **City of Williamsburg**, a Virginia municipal corporation (referred to herein as “City” and to be indexed in the land records as Grantee).

RECITALS

A. WHEREAS, Owner is the owner of a parcel of land comprising approximately 6.84 acres located in the City of Williamsburg, Virginia, identified by tax map #583-05-00-002 with an address of 200 Brookwood Drive, Williamsburg, Virginia (the “Property”); and

B. WHEREAS, the Owner has petitioned and applied to rezone the Property from RM-1 conditional to RM-2; and

C. WHEREAS, the Owner desires to offer to the City certain conditions on the development of the Property not generally applicable to land zoned RM-2.

NOW THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Va. Code § 15.2-2303 and Article II, Division 4 of the City Zoning Ordinance, Owner agrees that it or its successors in title shall meet and comply with all of the following conditions in developing the Property. If the requested rezoning is not granted by the City, these Proffers shall be null and void.

CONDITIONS

1. Density: There shall be no more than fifty (50) dwelling units developed on the Property.
2. Uses: The uses permitted on the Property shall include all of the uses permitted by Section 21-212 of Article III, Division 5 of the current City Zoning Ordinance (a true copy of which is attached hereto and incorporated by reference) except the use described at Section 21-212(3).

3. Cash Contribution for Sidewalk: Owner shall make a cash contribution of sixty-thousand dollars (\$60,000.00) for construction of the sidewalk completed by the City which now provides pedestrian access from Brookwood Drive to Jamestown Road. The cash payment shall be made within 30 days of the issuance of a Land Disturbing Permit for improvements shown on a subdivision plan for development on the Property approved by the City.

IN WITNESS WHEREOF, the Owner and the City have executed these Proffers by their duly authorized representatives.

HOLLY HILLS, LLC

By: _____
James Hatcher Cale, Jr.

Title: _____

Date: _____

STATE/COMMONWEALTH OF _____

COUNTY/CITY OF _____

The foregoing Proffers were acknowledged before me in my City and State aforesaid the ____ day of _____, 2018 by James Hatcher Cale, Jr. who is personally known to me or presented _____ as identification, and who being duly sworn, stated that he/she has executed the foregoing Proffers on behalf of Holly Hills, LLC and is duly authorized to do so.

Witness my hand and notarial seal this ____ day of _____, 2018.

Notary Public

(Printed)

My Commission expires: _____

The City of Williamsburg joins herein to and does hereby confirm its acceptance of these Proffers as part of the rezoning of the Property from RM-1 conditional to RM-2 conditional.

CITY OF WILLIAMSBURG, VIRGINIA

By: _____

Printed Name: _____

Title: _____

Date: _____

STATE/Commonwealth of _____

County/City of _____

The foregoing Proffers were acknowledged before me in my City and State aforesaid the ____ day of _____, 2018 by _____, who is personally known to me or presented _____ as identification, and who being duly sworn, stated that he/she has executed the foregoing Proffers on behalf of the City of Williamsburg, Virginia and is duly authorized to do so.

Witness my hand and notarial seal this ____ day of _____, 2018.

Notary Public

(Printed)

My Commission expires: _____

REVISED Project Narrative

Holly Hills Townhomes

Rezoning Application

I. Introduction

Holly Hills, LLC seeks a change in the zoning classification of 200 Brookwood Drive (the "Property") to RM-2 (High Density Multifamily Residential) conditional with proffers. The Property is a small, 6.8- acre parcel (with only 4.8 net acres for purposes of density) adjacent to Route 199 and Holly Hills Carriage Homes. The City's RM-1 zoning district permits a maximum density of eight (8) dwelling units per net acre. The RM-2 district permits a maximum density of fourteen (14) dwelling units per net acre. The applicant seeks a rezoning to RM-2 on condition that there be no more than fifty (50) units on the Property. This will enable the applicant to proceed with its Holly Hills Townhomes project at a modest density of 10.4 of units per acre.

II. Conditions/Proffers

The applicant proposes the following conditions and proffers in exchange for the requested rezoning:

1. A condition that there shall be no more than fifty (50) units on the Property;
2. A condition that the uses permitted on the Property shall not include the use described at Section 21-212(3) of the current zoning ordinance (i.e. multifamily dwellings shall not be permitted);
3. In exchange for the rezoning, the applicant will make a cash payment in the amount of sixty-thousand dollars (\$60,000.00) to the City within 30 days of the issuance of a Land Disturbing Permit as and for reimbursement to the City for the sidewalk previously constructed by the City from The Carriage Homes at Holly Hills to Jamestown Road.

III. The Revised Conceptual Plan

The Holly Hills Villas luxury apartment units project initially proposed by the applicant generated significant feedback. The applicant has carefully and respectfully considered all feedback and revised its conceptual plan in an effort to ameliorate concerns raised by citizens and by City staff.

A. Citizen Concerns

Citizen opposition to the Holly Hills Villas was based primarily on objections to rental apartments, traffic concerns and appearance of the apartment buildings.

1. Rental Issue

Although the applicant respectfully disagrees with the notion that renters cannot be good neighbors, it no longer intends to proceed with a rental apartment building plan. The proposed condition (rendering multifamily dwellings impermissible) ensures that such a plan cannot proceed. The applicant instead envisions a townhome project consistent with the attached plan (subject, of course, to the subdivision and site plan approval process). The townhomes will be owned in fee simple, and governed by a homeowner's association.

2. Traffic Impact

Traffic concerns are unwarranted. The Holly Hills stoplight configuration was designed with the future build out of the Property in mind. The entrance to the proposed Holly Hills Townhomes is located such that no traffic entering the townhome project will pass by any unit in Holly Hills Carriage Homes. An analysis by Vanasse Hangen Brustlin, Inc. (attached) projects additional vehicle traffic at a rate far below the threshold for concern.

3. Appearance

The architectural details of the Holly Hills Townhomes and the materials used in their construction will be of high quality, will be compatible with and compliment the Holly Hills Carriage Homes, and will be subject to rigorous scrutiny under the City's Corridor Protection District guidelines. Compared to the previously-proposed Villas, the revised Holly Hills Townhomes plan presents buildings that are greatly reduced in mass. The Property is subject to a large setback screening it from view of vehicles passing by on Rt. 199. The Property is not visible from the majority of the Holly Hills Carriage Home units.

B. Staff Issues

City staff recommended against the Holly Hills Villas project. Applicant's revised conceptual plan and proffers and conditions are proposed in an effort to address staff concerns as well. Staff identified three issues: loss of cash proffer; apartment complex location; and, inconsistency with 2013 Comprehensive Plan.

1. Loss of Cash Proffers

The revised plan not only restores the \$60,000.00 cash proffer it improves the City's position by providing that the proffered cash will be paid more promptly.

2. Apartment Complex Location

The revised plan does not contemplate the previously-proposed apartment buildings and the rezoning will include conditions that would render them an impermissible use.

3. Consistency with 2013 Comprehensive Plan

The 2013 Comprehensive Plan map identifies the Property as RM-1. RM-1 provides for a maximum density of 8 units. The rezoning requested includes a condition that would cap density at 50 units, or approximately 10.4 units per acre. This density is much more consistent with the 8 unit/acre density allowed by RM-1 than the 14 unit/acre allowed by RM-2, and would further the City's goal to foster a more vibrant and dynamic downtown capable of supporting thriving businesses. As such, the very moderate increase in density beyond that allowed by RM-1 presents no significant inconsistency with the 2013 Comprehensive Plan.

IV. The Project Team

The Holly Hills Villas project is brought forward by a veteran team of residential real estate developers and managers. Holly Hills, LLC's principal, James Hatcher Cale Jr., is a Newport News native with an established track record of successful development projects. Over four decades, Hatcher Cale (through the affiliated company McCale Development Corporation) has developed more than 3,000 single family and multi-family parcels from Richmond, Virginia to Conway, South Carolina but with a primary focus on Hampton Roads. In the Williamsburg area, some of his notable projects include Holly Hills, Holly Hills Carriage Homes and Landfall at Jamestown. All of these projects have been highly successful and desirable additions to the community framework.



SITE PROGRAM

Parcel ID: 583-05-00-002
 Current Zoning: RM-1
 Total: 6.88 Acres
 Net: 4.75 Acres
 RM-2 Zoning Permits (14) DU/Net Acre Max.
 Proposed (50) Units = (10.50) DU/Net Acre
 Parking: (2.0) Per Unit + 0.25 per unit for Visitor
 Proposed Parking: 114



Holly Hills Townhomes
 Williamsburg, Virginia
 January 22, 2018

vhb
 351 McLaws Circle, Suite 3
 Williamsburg, VA 23185-5797
 Engineers | Scientists | Planners | Designers
 www.vhb.com



Mr. Aaron Small, PE
City Engineer
401 Lafayette Street
Williamsburg, Virginia 23185

January 15, 2018

Re: Holly Hills, LLC 200 Brookwood Drive

Dear Mr. Small:

Mc Cale Development Corporation has filed an application to Rezone the subject property from RM-1 Conditional to RM-2. The subject property contains 6.8448 acres, of which, 4.75 acres were determined to be developable per our prior efforts on this property. The RM-2 Land Use category would allow for 67 units based on a density of 14 units per developable acre.

Traffic Impact Analysis:

Per ITE Trip Generation Manual, 9th Edition, the average trip generation per dwelling unit varies from 5.81 VPD per unit for Townhouses to 6.65 VPD per unit for Apartments. 67 Townhouses would generate 389 VPD. 67 Apartments would generate 446 VPD. It is our understanding that VDOT Williamsburg Residency's current Traffic Impact Analysis (TIA) threshold is 5000 vpd for residential rezonings. Additionally, 67 Apartments would generate 42 trips @ 0.62 vehicle per unit in the PM Peak hour and 67 Townhouses would generate 35 trips @ 0.52 vehicle per unit in the PM peak hour. It is our understanding that many localities do not require TIA unless the peak hour trips are greater than 100.

Public Utility Analysis:

Water – It is our opinion that there is an adequate supply of water given that the original Holly Hills project included 106± acres not developed and now owned by the City. It is our opinion that this 106± acres would have supported the development of 85 single family residential lots. Additionally, there is a City water tank less than a quarter mile from the subject property and an 8” waterline has been extended partially into the property.

Sewer – Prior development of Holly Hills included a significant upgrade to the City's Pumping Station #6 (The Woods) by Mc Cale Development Corporation. This upgrade was to provide capacity for the then entire Holly Hills project which included 106± acres not developed and now owned by the City. It is our opinion that this 106± acres would have supported the development of 85 single family residential lots.

Engineers | Scientists | Planners | Designers

351 McLaws Circle
Suite 3
Williamsburg, Virginia 23185
P 757.220.0500
F 757.220.8544



Storm Water – The Wet Pond BMP constructed as part of the Holly Hills Carriage Homes project was designed to accommodate runoff from development of the subject property.

Please feel free to contact me 757-279-2848 or sromeo@vhb.com if you wish to discuss this.

Best Regards,

A handwritten signature in blue ink that reads "Stephen A. Romeo".

Stephen A. Romeo, LS
Principal
Vanasse Hangen Brustlin, Inc.

Copy: Carolyn Murphy
Hatcher Cale
John Cale
Dan Quarles



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: January 25, 2018

SUBJECT: PCR#18-002
Special Use Permit - Union Baptist Church Fellowship Hall Addition
108 Alice Street

APPLICANT'S REQUEST

The Union Baptist Church is requesting a special use permit to construct a 2,596.75 square foot addition to the existing church at 108 Alice Street. The addition will contain a fellowship hall, storage, a single restroom, and a kitchen. The proposed addition meets all of the set back requirements, but does not address existing nonconformities. The applicant's statement is enclosed.



CURRENT REGULATIONS

Comprehensive Plan

In the 2013 Comprehensive Plan, 108 Alice Street is designated as Low Density Single-Family Detached Residential. The Comprehensive plan notes that Low Density Single-Family Detached Residential is the lowest intensity of residential development.

All of the surrounding properties to the south are also Low Density Single-Family Detached Residential.

Zoning

This property and all surrounding properties 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 February 14, 2018.

A handwritten signature in black ink, appearing to read 'E. B.', with a long horizontal line extending to the right.

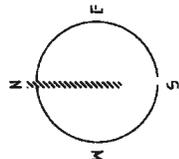
Erin Burke
Principal Planner

LOT 244
TAX MAP PARCEL
485-01-00-0244
D.B. 46, P.6, 281
8506 ROTCROFT LANE

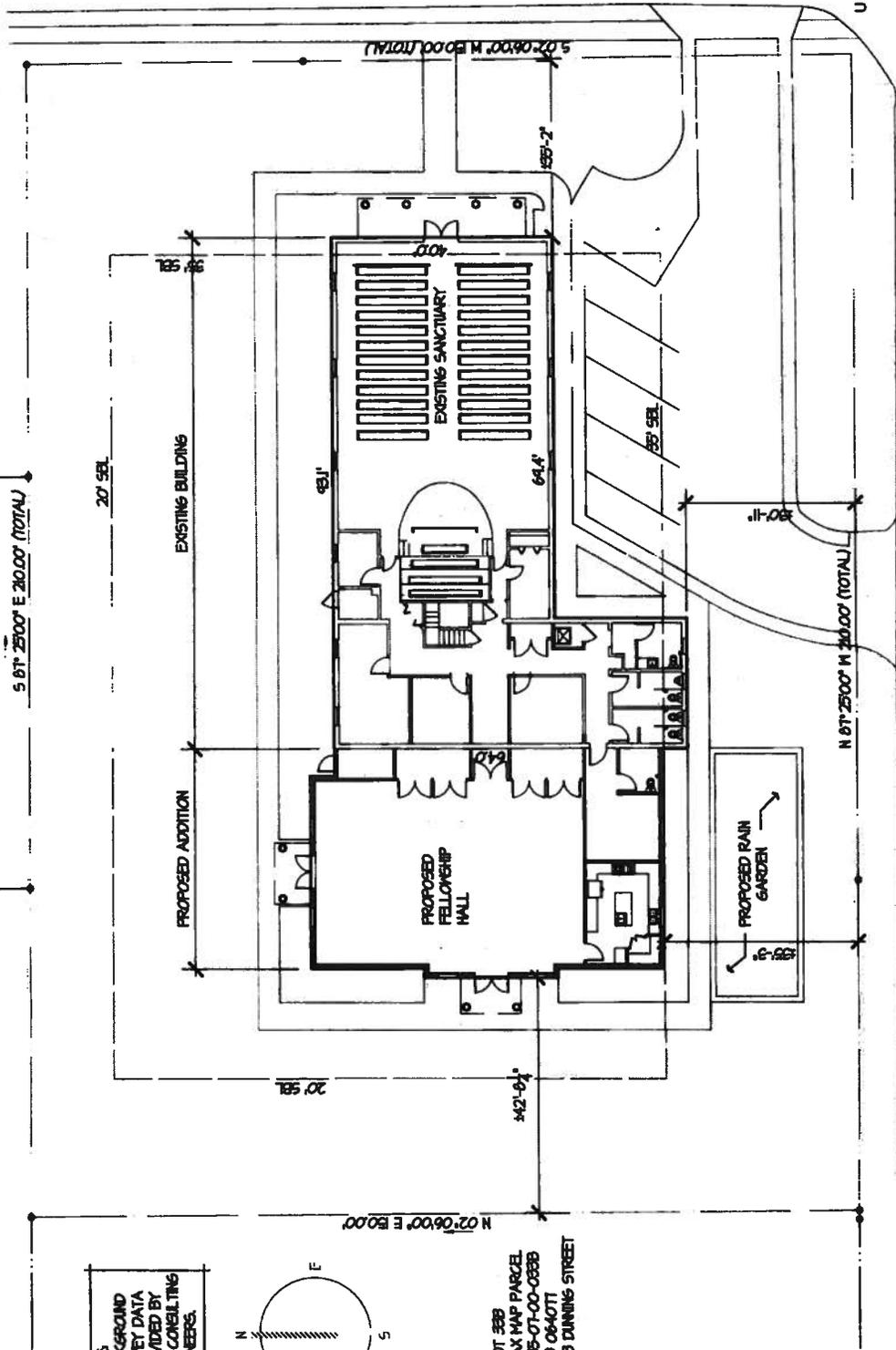
LOT 258
TAX MAP PARCEL
485-01-00-0258
D.B. 41, P.6, 341
8504 ROTCROFT LANE

LOT 25A
TAX MAP PARCEL
485-01-00-025A
D.B. 121, P.6, 481
8502 ROTCROFT LANE

NOTE:
BACKGROUND
SURVEY DATA
PROVIDED BY
AES CONSULTING
ENGINEERS.



LOT 588
TAX MAP PARCEL
485-01-00-0388
I.M. 0840TT
588 DANNING STREET



ALICE STREET (45' R/W)
(PLAT BOOK 1, PAGE 166)

DANNING STREET (45' R/W) (PLAT BOOK 1, PAGE 166)



CONCEPTUAL SITE PLAN
UNION BAPTIST CHURCH ADDITION
HOPKE & ASSOCIATES #37021

HOPKE & ASSOCIATES INC.
ARCHITECTURE & PLANNING & INTERIORS
1166 Jamestown Road, Suite C
Williamsburg, VA 23185
781.228.1100 Telephone
781.228.0888 Facsimile
www.hopke.com

The applicant wishes to submit for a Special Use Permit to expand the existing Union Baptist Church facility at 108 Alice Street. The proposed addition will provide a much needed Fellowship Hall. The addition will not expand the Sanctuary or alter its seating capacity. The proposed addition will comply with ordinance required setbacks, but will not address existing, non-compliant conditions. Please see the attached conceptual site plan for additional detail.