



PUBLIC NOTICE WILLIAMSBURG PLANNING COMMISSION

The Williamsburg Planning Commission will hold public hearings on Wednesday, May 16, 2018 at 3:30 P.M. in the Council Chambers of the Stryker Center, 412 North Boundary Street, to consider the following:

A. PCR#18-010: Request of the Williamsburg James City County Schools for a special use permit to extend the temporary classroom trailer at Mathew Whaley School at 301 Scotland Street until 2022.

B. PCR#18-011: Request of Holly Hills LLC to rezone approximately 6.8 acres at 200 Brookwood Drive from Multifamily Dwelling District RM-1 conditional (with proffers) to Multifamily Dwelling District RM-1 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-1 conditional with a proffer 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. The applicant proposes to allow the current density allowed in the Multifamily Dwelling District RM-1 at eight dwelling units per net acre which would allow up to 38 dwelling units on the property instead of 20 dwelling units as previously proffered.

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, May 9, 2018.

Carolyn A. Murphy, AICP
Planning and Codes Compliance Director



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: April 27, 2018

SUBJECT: PCR#18-010
Request of Williamsburg-James City County Public Schools for a special use permit to extend the temporary classroom trailer at Matthew Whaley School at 301 Scotland Street until 2022.

Williamsburg-James City County Public Schools (WJCCPS) is requesting a four year extension of the special use permit authorized on March 13, 2014 (PCR#14-002) by City Council to place a double-wide classroom trailer (two classrooms) at Matthew Whaley School, 301 Scotland Street through July of 2022. The application states that "...the current enrollment is 480 students... currently at 98% of the 490 student capacity." Beyond that date, they will need to review other alternatives.

The Architectural Review Board reviewed and approved the classroom trailer design at its meeting on January 14, 2014 (ARB #14-001).

COMPREHENSIVE PLAN

This property is located in the Downtown Planning Area of the 2013 Comprehensive Plan, and is designated as Public and Semi-Public, which includes government facilities, churches, public and private schools, fraternal organizations, nursing homes and cemeteries. The Colonial Williamsburg Historic Area is located to the east with Mixed Use and Medium Density Single-Family to the west. Land to the north is designated Public & Semi-Public with land to the south designated Colonial Williamsburg Historic Area and Medium Density Single-Family.

ZONING

This property is zoned Single-Family Dwelling District RS-3. The property to the south is zoned RS-3 and Colonial Williamsburg Historic Area CW, the land to the east is zoned CW, the land to the west is zoned Single-Family Dwelling District RS-3 and Downtown Limited Business LB-1 and the land to the north is zoned Downtown Business District B-1 and Museum Support District MS. The Single-Family Dwelling District RS-3 allows, with a special use permit, "Public or private elementary, middle and 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."

The statement of intent for the Single-Family Dwelling District RS-3 reads:

This district is established as a single-family residential area with medium 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.

The special use permit section of the Zoning Ordinance (Sec. 21-43) 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.

HISTORY

This classroom trailer was approved in March 2014 for a period lasting until July 31, 2018. Prior to that approval, temporary classroom trailers were last approved for Matthew Whaley School on April 19, 2006, when a special use permit was approved by City Council for one year expiring on July 1, 2007. The Architectural Review Board approved the classroom trailer with conditions on March 14, 2006 (ARB #06-027). Prior to 2006, a site plan for three temporary classroom trailers was approved by Planning Commission on April 19, 1988. This approval was made under the old Zoning Ordinance, which did not require a special use permit. The Board of Architectural Consultants also reviewed and approved the proposal with conditions on April 20, 1988.

PUBLIC HEARING DATE

A public hearing is scheduled for the regular Planning Commission meeting on May 16, 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



Williamsburg-James City County Public Schools

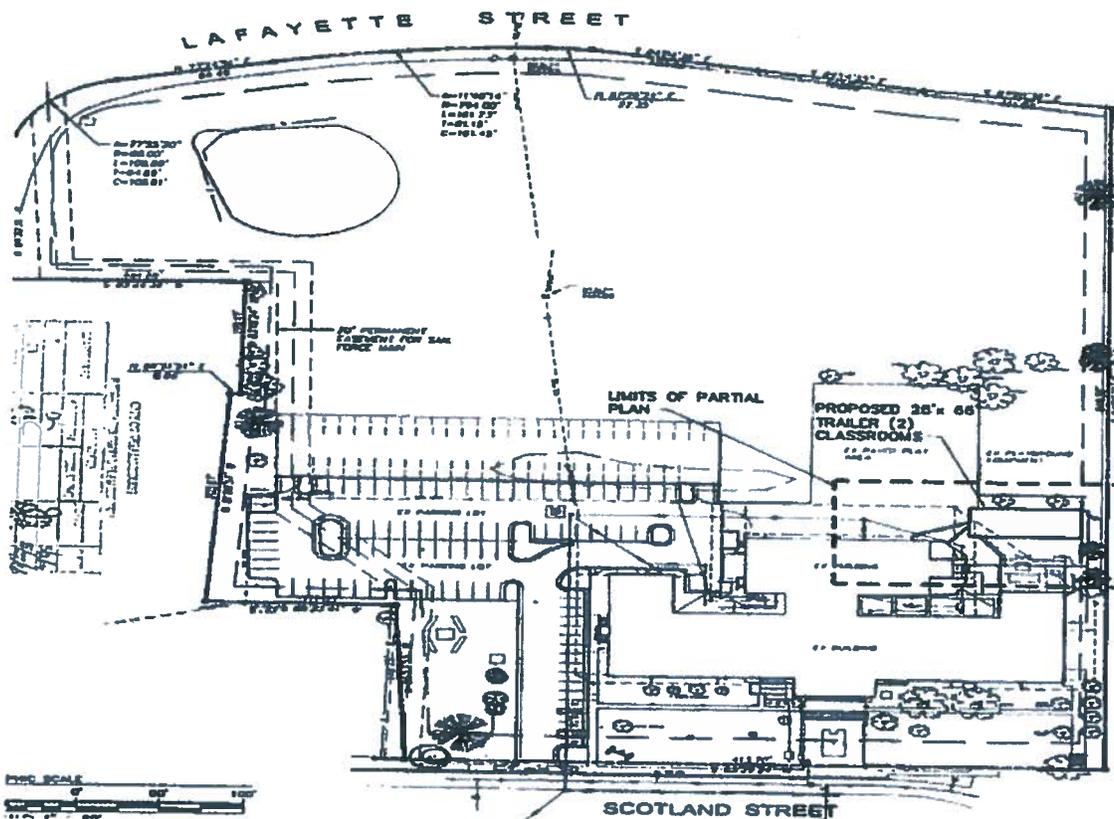
Williamsburg, Virginia

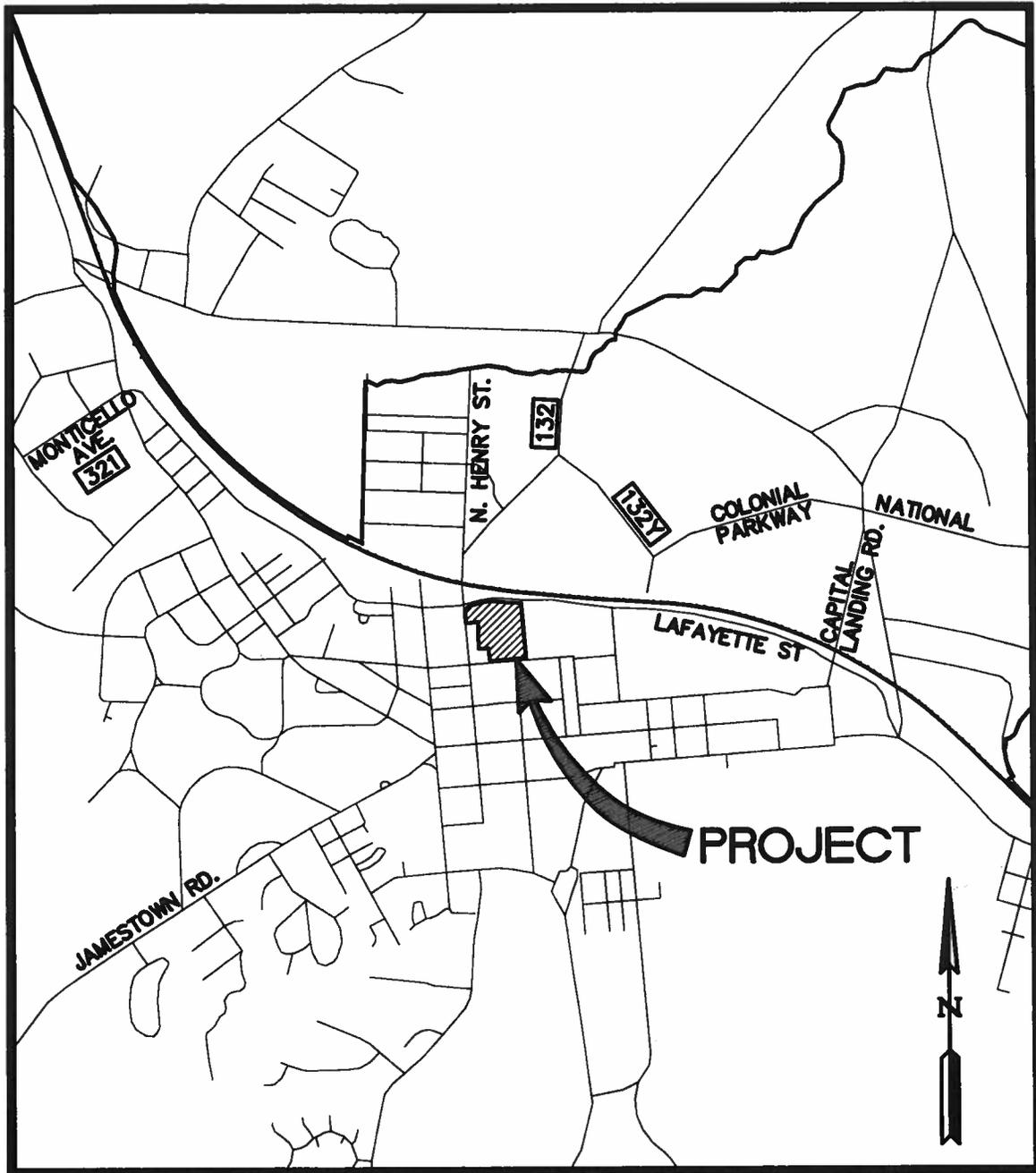
TO: Erin Burke, Principal Planner City of Williamsburg
FROM: Marcellus Snipes, Senior Director for Operations
DATE: March 12, 2018
CC: Robin Ford, Owen Herron, Monique Barnes, Scott Thorpe
SUBJECT: Extending SUP for Trailer at Matthew Whaley Elementary

WJCCPS is requesting you extend the Standard Use Permit for (1) one temporary trailer (2) two classrooms at Matthew Whaley Elementary School for fall, 2018. This trailer will remain in the same general area as previously approved by City in 2014.

As of 11/30/17, the enrollment at Matthew Whaley is 480 students. Matthew Whaley is currently at 98% of the 490 student capacity. This trailer will be in use at Matthew Whaley until July of 2022. Beyond the 2022 date, we need to review other alternatives.

Thanks for your help with this matter and if you need any additional information please contact me at (757) 565-3838.





VICINITY MAP
SCALE: 1"=2000'

TRAILER CLASSROOM

**MATTHEW WHALEY
 ELEMENTARY SCHOOL**

WILLIAMSBURG/JAMES CITY COUNTY SCHOOLS

STRYKER PRECINCT CITY OF WILLIAMSBURG, VIRGINIA

Project Contacts: LBA

Scale: 1"=2000'

Project Number: W10119-E-42

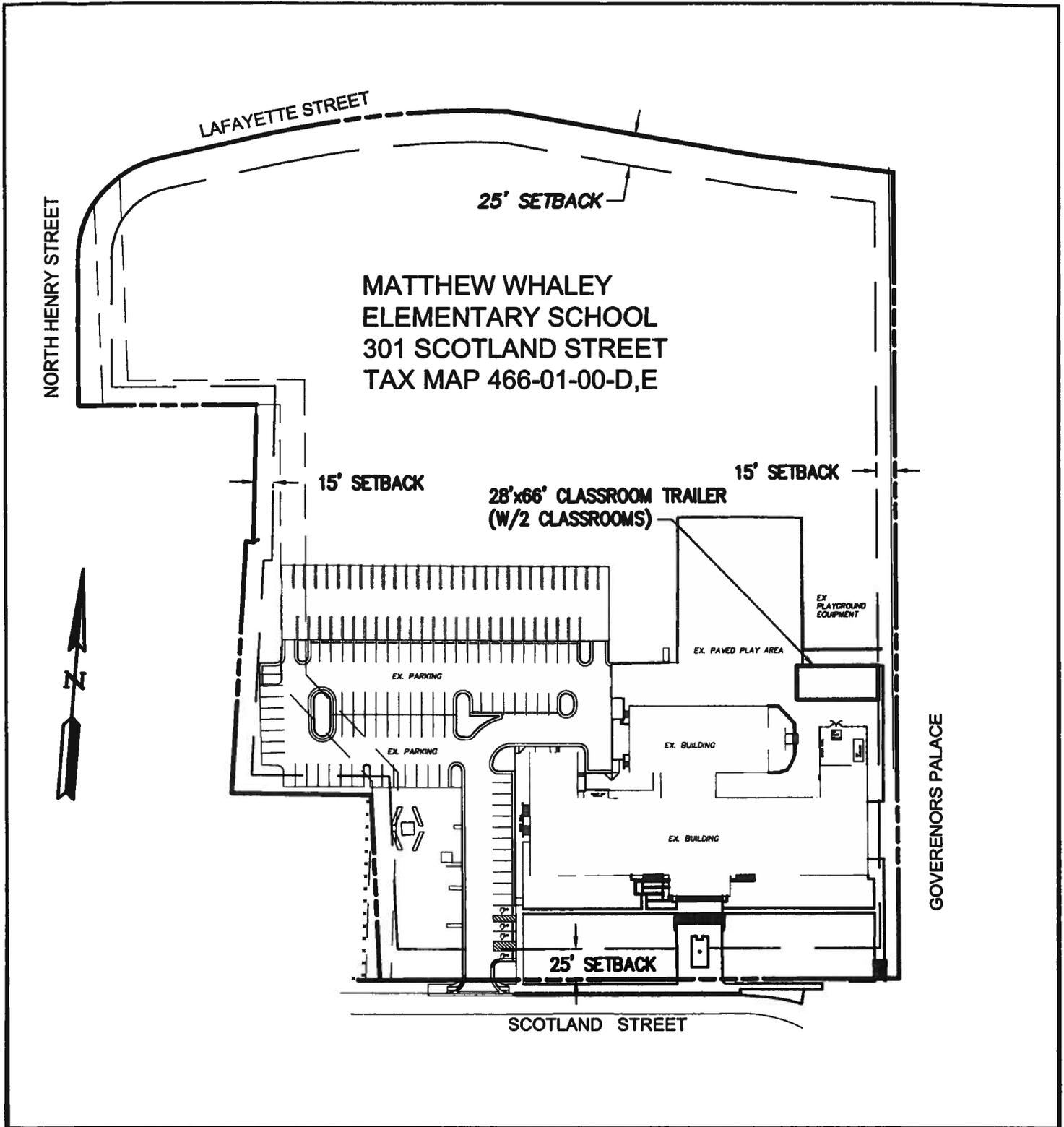
Date: 12/18/13



CONSULTING ENGINEERS

5248 Olde Towne Road, Suite 1
 Williamsburg, Virginia 23168
 Phone: (757) 253-0040
 Fax: (757) 220-8994
www.aesva.com

Hampton Roads | Central Virginia | Middle Peninsula



TRAILER CLASSROOM
**MATTHEW WHALEY
 ELEMENTARY SCHOOL**
 WILLIAMSBURG/JAMES CITY COUNTY SCHOOLS
 STRYKER PRECINCT CITY OF WILLIAMSBURG, VIRGINIA

| | |
|--|---|
| Project Contacts: LBA | Scale: 1"=2000' |
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| Hampton Roads Central Virginia Middle Peninsula | |



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: April 27, 2018

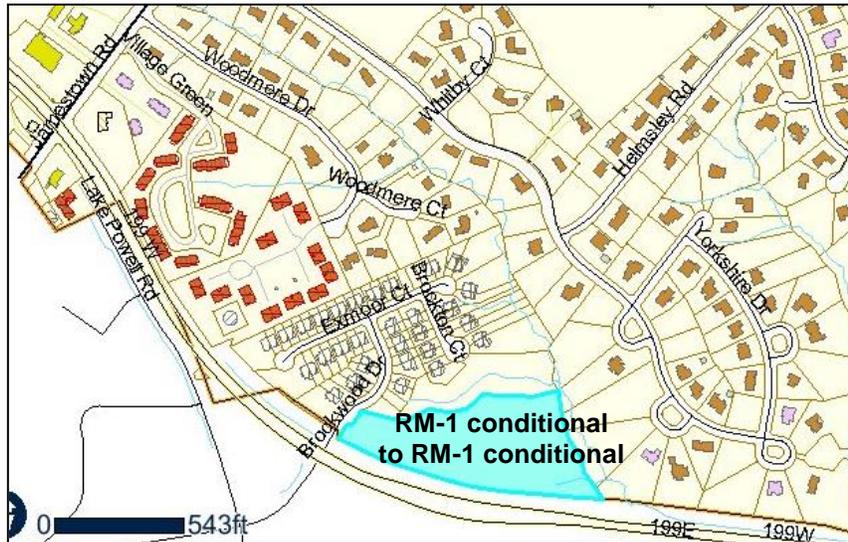
SUBJECT: PCR#18-011
Request of Holly Hills, LLC to rezone 6.84 acres at 200 Brookwood Drive from RM-1 conditional to RM-1 conditional

APPLICANT'S REQUEST

Holly Hills LLC is requesting to rezone approximately 6.8 acres at 200 Brookwood Drive from Multifamily Dwelling District RM-1 conditional (with proffers) to Multifamily Dwelling District RM-1 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-1 conditional with a proffer 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. The applicant proposes to allow the current density allowed in the Multifamily Dwelling District RM-1 at eight dwelling units per net acre which would allow up to 38 dwelling units on the property instead of 20 dwelling units as previously proffered.

The application states that:

“Holly Hills, LLC seeks a change in the zoning classification of 200 Brookwood Drive (the “Property”). The Property is currently zoned RM-1 (Medium 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. Accordingly, RM-1 zoning would permit 38 dwelling units on the Property as a matter of right. Historically, the Property was subject to RM-1 zoning without condition or limitation. At the present time, however, Proffers dated February 13, 2008 (the “2008 Proffers”) provide that no more than twenty (20) dwelling units may be developed on the Property. The applicant requests to be relieved from the 2008 Proffers. This will enable development of the Property in manner consistent with the City’s 2013 Comprehensive Plan and its prior zoning classification.”



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.

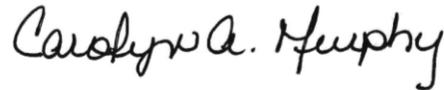
In conjunction with the rezoning request, the Planning Director or Planning Commission may require the following additional information:

- (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 May 16, 2018 meeting.



Carolyn A. Murphy, AICP
Planning & Codes Compliance Director

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"). The Property is currently zoned RM-1 (Medium 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. Accordingly, RM-1 zoning would permit 38 dwelling units on the Property as a matter of right. Historically, the Property was subject to RM-1 zoning without condition or limitation. At the present time, however, Proffers dated February 13, 2008 (the "2008 Proffers") provide that no more than twenty (20) dwelling units may be developed on the Property. The applicant requests to be relieved from the 2008 Proffers. This will enable development of the Property in a manner consistent with the City's 2013 Comprehensive Plan and its prior zoning classification.

II. Conditions/Proffers

The applicant proposes the following amended proffer to replace and supersede the 2008 Proffers:

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. Evolution Of The Conceptual Plan

In a November 2017 application, the applicant proposed a 53-unit luxury apartment project for the Property and sought a change in zoning classification to RM-2 to enable that plan. The prospect of renters near their community generated a great deal of opposition from the Holly Hills Carriage Home community. Although the applicant respectfully disagrees with the notion that renters cannot be good neighbors, it abandoned the rental apartment building plan. The applicant then acquiesced to the resistance to its alternative plan to develop a 50-unit townhome project at a density beyond the RM-1 threshold.

The applicant now envisions a 38-unit 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.

The footprint for the project has been designed to be sensitive to both the Route 199 viewshed and the adjacent carriage homes. The Property is subject to a large setback screening it from view of vehicles passing by on Rt. 199. The "single loaded" street provides an additional setback from Route 199 and ensures that the rear facade of a row of townhomes is not presented to Route 199. The Property is not visible from the majority of the Holly Hills Carriage Home units. Only a handful of Holly Hills Carriage Home units adjacent to the western boundary line have a view of the Property, and that boundary is left as undeveloped, green space.

The architectural details of the Holly Hills Townhomes and the materials used in their construction will be of high quality and will be compatible with and compliment the Holly Hills Carriage Homes. The architectural details and materials will be subject to rigorous scrutiny by the Architectural Review Board and will conform with the City's stringent Corridor Protection District guidelines.

The minor increase in density (to the amount already contemplated by the 2013 Comprehensive Plan) does not warrant any concerns regarding traffic. An analysis by Vanasse Hangen Brustlin, Inc. (attached) projected additional vehicle traffic at a rate far below the threshold for concern even when the applicant was seeking a far greater increase in density. The stoplight configuration at 199/Brookwood was already designed with the future build out of the Property in mind. In addition, VDOT recently announced that it was commencing a project in March of 2018 to improve the 199/Brookwood intersection in a manner calculated to improve safety and increase capacity. There is no doubt that the intersection has the capacity to absorb the additional 18 units the applicant seeks.

The entrance to the proposed Holly Hills Townhomes from Brookwood Drive is located such that no traffic entering the townhome project will pass by any unit in Holly Hills Carriage Homes. Vehicles traveling to the townhomes take a right turn into the Property before ever passing by any of the carriage homes.

The 2013 Comprehensive Plan map identifies the Property as RM-1. RM-1 provides for a maximum density of 8 units per net acre. But the Property is currently limited by the 2008 Proffers to only 4.16 units per net acre. The rezoning requested will bring the Property's allowed density into conformity with the Comp Plan and further the City's goal to foster a more vibrant and dynamic downtown capable of supporting thriving businesses.

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.

AMENDED PROFFERS

THESE AMENDED PROFFERS are made this 22ND day of MARCH, 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 Property is zoned RM-1 but is subject to certain conditions memorialized in Proffers dated February 13, 2008 (the “2008 Proffers”); and

C. WHEREAS, Owner desires to be relieved of the terms and conditions of the 2008 Proffers; and

D. WHEREAS, the Owner desires to offer to the City amended conditions on the development of the Property not generally applicable to land zoned RM-1.

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 Amended Proffers shall be null and void. If the requested rezoning is granted, these Amended Proffers shall supersede and replace the 2008 Proffers.

CONDITIONS

1. 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 Amended Proffers by their duly authorized representatives.

HOLLY HILLS, LLC

By: J. Hatcher Cale, Jr.
James Hatcher Cale, Jr.

Title: Managing Member

Date: 3/22/18

STATE/Commonwealth of Virginia

COUNTY/CITY OF Williamsburg

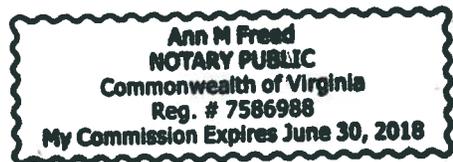
The foregoing Proffers were acknowledged before me in my City and State aforesaid the 22 day of March, 2018 by James Hatcher Cale, Jr. who is personally known to me or presented License as identification, and who being duly sworn, stated that he/she has executed the foregoing Amended Proffers on behalf of Holly Hills, LLC and is duly authorized to do so.

Witness my hand and notarial seal this 22 day of March, 2018.

Ann M. Freed
Notary Public

Ann M. Freed
(Printed)

My Commission expires: June 30, 2018



The City of Williamsburg joins herein to and does hereby confirm its acceptance of these Amended Proffers as part of the rezoning of the Property by amending and varying its conditional RM-1 zoning classification.

CITY OF WILLIAMSBURG, VIRGINIA

By: _____

Printed Name: _____

Title: _____

Date: _____

STATE/Commonwealth of _____

County/City of _____

The foregoing Amended 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: _____



SITE PROGRAM

Parcel ID: 583-05-00-002

Current Zoning: RM-1

Total: 6.88 Acres

Net: 4.75 Acres

Zoning Permits (8) DU/Net Acre Max.

Proposed (38) Units = (8.0) DU/Net Acre

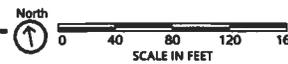
Parking: (2.0) Per Unit + 0.25 per unit for Visitor

Proposed Parking: 87

Holly Hills Townhomes

Williamsburg, Virginia

March 21, 2018



351 McLaws Circle, Suite 3
Williamsburg, VA 23185-5797

Engineers | Scientists | Planners | Designers
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