



PUBLIC NOTICE WILLIAMSBURG PLANNING COMMISSION

The Williamsburg Planning Commission will hold public hearings on Wednesday, April 17, 2019 at 3:30 P.M. in the Council Chambers of the Stryker Center, 412 North Boundary Street, to consider the following:

PCR#19-004: Request of Julius Dell on behalf of the Colonial Williamsburg Foundation to amend the Comprehensive Plan designation for a new 10,089 square foot lot which is a portion of 320 and 316 Scotland Street from Colonial Williamsburg Historic Area to Medium Density Single Family Detached Residential.

PCR#19-005: Request of Julius Dell on behalf of the Colonial Williamsburg Foundation to rezone a new 10,089 square foot lot which is a portion of 320 and 316 Scotland Street from Colonial Williamsburg Historic Area CW to Single-Family Dwelling District RS-3.

PCR#19-007: Request of the Colonial Williamsburg Foundation to amend Section 21-434 of the Zoning Ordinance to allow food trucks with a special use permit in the Museum Support District MS in accordance with Section 21-622 and to remove Section 21-622(d)(14) from the food truck regulations which only allows food trucks at 100 Visitor Center Drive in the Museum Support District MS.

PCR#19-008: Request of the Colonial Williamsburg Foundation for a special use permit to allow food trucks in the Museum Support District MS for the Summer Breeze Concert series and a special use permit to hold the Summer Breeze concert series on the lawn of the Dewitt Wallace Decorative Art Museum located at 326 West Francis Street in the Colonial Williamsburg Historic Area CW through 2023.

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, April 10, 2019.

Carolyn A. Murphy, AICP
Planning and Codes Compliance Director



CITY OF WILLIAMSBURG

MEMORANDUM

DATE: March 28, 2019

SUBJECT: PCR#19-004: Request of Julius Dell on behalf of the Colonial Williamsburg Foundation to amend the Comprehensive Plan designation for proposed lot 5 at 320 Scotland Street from Colonial Williamsburg Historic Area to Medium Density Single Family Detached Residential.

PCR#19-005: Request of Julius Dell on behalf of the Colonial Williamsburg Foundation to rezone proposed lot 5 located at 320 Scotland Street from Colonial Williamsburg Historic Area CW to Single-Family Dwelling District RS-3.

PCR#19-006: Request of Julius Dell on behalf of the Colonial Williamsburg Foundation to resubdivide two lots located at 316 Scotland Street (Lot 6) and 320 Scotland Street (Lot 5) into two new lots with different lot sizes and widths. The applicant proposes to construct a single-family dwelling on proposed Lot 5.

APPLICANT'S REQUEST

The is a request by Julius Dell on behalf of the Colonial Williamsburg Foundation to resubdivide two lots located at 316 and 320 Scotland Street into two lots for the construction of a single-family dwelling on proposed Lot 5 at 320 Scotland Street. The applicant is under contract to purchase proposed Lot 5 located at 320 Scotland Street with the Colonial Williamsburg Foundation retaining proposed Lot 6 located at 316 Scotland Street. The proposed Lot 5 at 320 Scotland Street requires amending the Comprehensive Plan and rezoning the property from Colonial Williamsburg Historic Area to Single-Family Dwelling District RS-3 to allow the construction of a single-family dwelling for the applicant. The applicant's statement is attached.

CURRENT COMPREHENSIVE PLAN DESIGNATION

The 2013 Comprehensive Plan designates this property as Colonial Williamsburg Historic Area. The 2013 Plan states:

"This District encompasses the Colonial Williamsburg Historic Area and is established to preserve, protect and maintain the distinctive character and historic importance of the restored area. This category is implemented by the CW zoning district."

Current Lot 5 and 6
Outlined in red

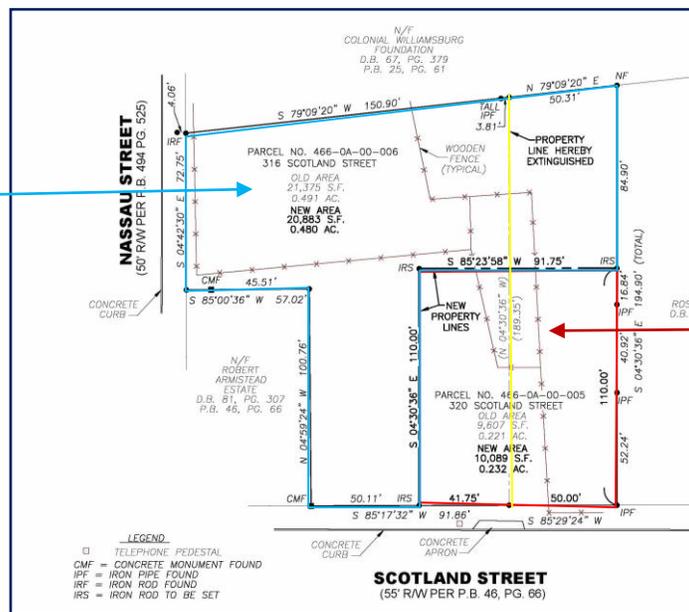


PROPOSED COMPREHENSIVE PLAN DESIGNATION

The applicant proposes to designate the newly created 0.232 lot located at 320 Scotland Street to Medium Density Single Family Detached Residential and the 2013 Plan states:

“These land areas are planned for single family detached residences developed at a moderate density of up to 5 dwelling units/net acre. This category is intended to promote the development of affordable detached housing on small lots located within mater planned, neo-traditional styled subdivisions. Lot sizes will generally range from 5,000 to 7,000 square feet. This category is implemented by the RS-3 zoning district, by a special use permit cluster subdivision regulations in the RS-2 zoning district, and by the PDR zoning district. The maximum density allowed for cluster subdivisions in the RS-2 District and for the PDR Districts should be reduced from 6 dwelling unit/net acre to 5 dwelling units/net acre to correspond with this category.”

Proposed Lot 6 to remain Colonial Williamsburg Historic Area in Comprehensive Plan

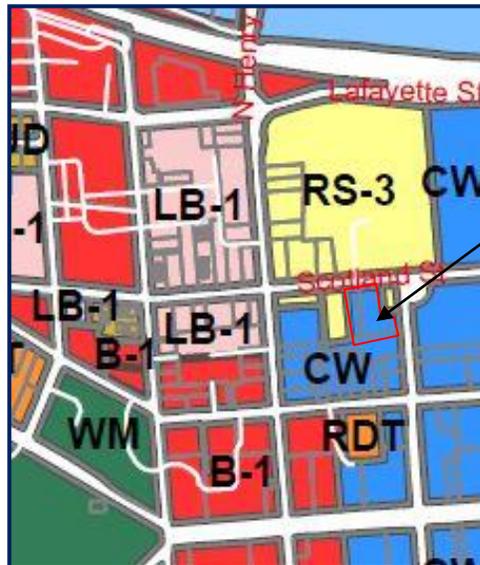


Amend Comprehensive Plan to designate Proposed Lot 5 as Medium Density Single-Family Detached Residential

CURRENT ZONING

This parcel is currently zoned Colonial Williamsburg Historic Area CW. The Statement of Intent for the Colonial Williamsburg Historic Area CW which reads:

“This district is established to preserve, protect and maintain the unique character and historic importance of the Colonial Williamsburg Historic Area.”



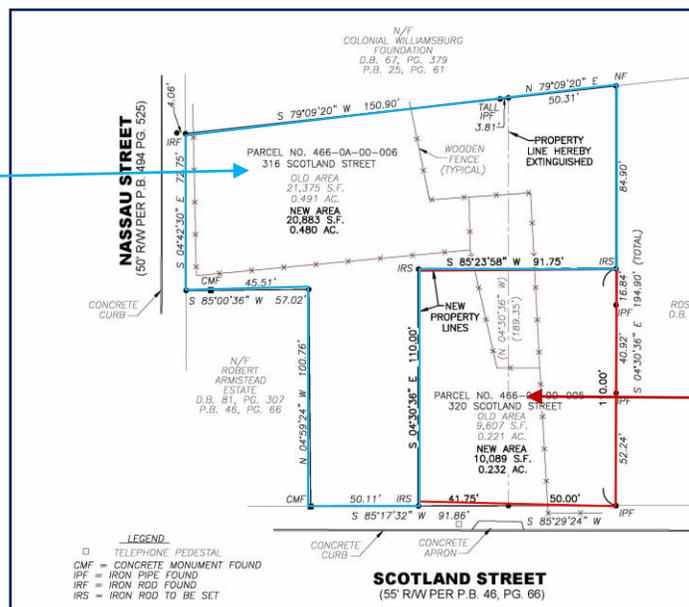
Current Lot 5 and Lot 6 Outlined in Red

PROPOSED ZONING

The applicant is proposing to rezone the newly created 0.232 lot located at 320 Scotland Street to Single-Family Dwelling District RS-3 which 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.”

Proposed Lot 6 to remain CW District



Proposed Lot 5 to be rezoned from CW to RS-3

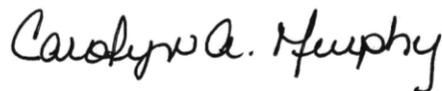
In conjunction with the rezoning request, the Planning Director or Planning Commission may require the following additional information:

- (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

Public hearings on the proposed Comprehensive Plan amendment and the rezoning of Lot 5 are scheduled for the April 17, 2019 meeting.



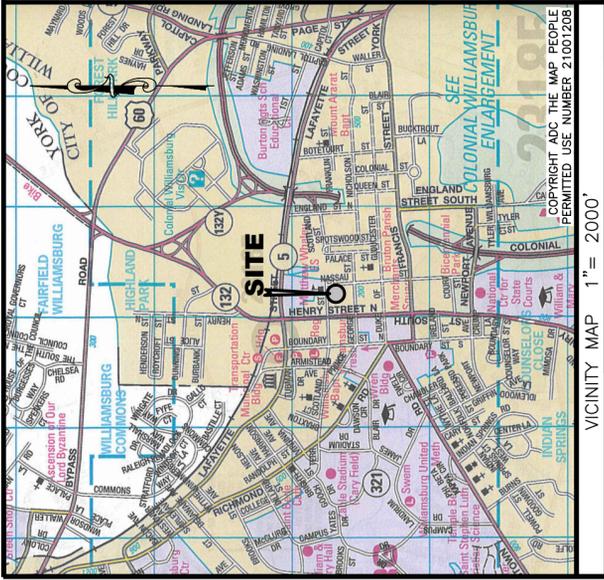
Carolyn A. Murphy, AICP
Planning & Codes Compliance Director

**ADDENDUM TO ZONING APPLICATION
STATEMENT OF APPLICANT**

This request is for the rezoning of a 0.232-Acre plat formed from portions of Lots 316 and 320 Scotland Street from CW Historic to Single Family Residential RS3. A Boundary Line Adjustment to lots 316 and 320 forms the new lot.

Colonial Williamsburg (CW) purchased lot 320 Scotland Street from Hubert and Doris Wrenn on 1/20/1970 and lot 316 from Maxie West on 1/1/1979. At the time of sale both lots were zoned Single Family Residential. The lots were purchased to provide a green space buffer zone between the end of Scotland Street and the beginning of the Historic Area. Both lots were rezoned and are currently zoned CW Historic.

A Purchase Agreement has been made between Julius and Suzanne Dell and CW to buy a small portion of lots 316 and 320 (0.232 Acre) as depicted in the attached Plat. The Dell's intent is to build a single-family residence on the property, which requires a change of Zoning to RS-3. The property remaining outside the property lines of the newly formed lot will retain the CW Historic Zoning designation which preserves the desired Green space Buffer Zone to the Historic area.



VICINITY MAP 1" = 2000'

CERTIFICATE OF SOURCE OF TITLE -- PARCEL NUMBER 466-0A-00-005

TITLE TO THE PROPERTY SHOWN HEREON STANDS IN THE NAME OF THE COLONIAL WILLIAMSBURG FOUNDATION AS RECORDED IN THE CLERKS OFFICE OF THE CIRCUIT COURT OF THE CITY OF WILLIAMSBURG/JAMES CITY COUNTY, VA. IN D.B. 49, PG. 53.

CERTIFICATE OF SOURCE OF TITLE -- PARCEL NUMBER 466-0A-00-006

TITLE TO THE PROPERTY SHOWN HEREON STANDS IN THE NAME OF THE COLONIAL WILLIAMSBURG FOUNDATION AS RECORDED IN THE CLERKS OFFICE OF THE CIRCUIT COURT OF THE CITY OF WILLIAMSBURG/JAMES CITY COUNTY, VA. IN D.B. 62, PG. 192.

OWNERS CERTIFICATE:

THE BOUNDARY LINE ADJUSTMENT AS SHOWN ON THIS PLAT IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND OR TRUSTEES.

SIGNATURE _____ DATE _____

NAME PRINTED _____ TITLE _____

CERTIFICATE OF NOTARIZATION

STATE OF VIRGINIA
 CITY/COUNTY OF _____, A NOTARY PUBLIC
 IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME IS SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.
 GIVEN UNDER MY HAND THIS _____ DAY OF _____, 2019.
 MY COMMISSION EXPIRES _____.

NOTARY PUBLIC _____

REGISTRATION NO. _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL

THIS SUBDIVISION IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

DATE _____ SUBDIVISION AGENT OF CITY OF WILLIAMSBURG _____

ENGINEERS OR SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE OR BELIEF, THIS PLAT COMPLIES WITH ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES FOR THE CITY OF WILLIAMSBURG, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE CITY.

02/14/2019 DATE _____ PETER FARRELL, L.S. LIC. NO. 2036

 PETER FARRELL, L.S. LIC. NO. 2036

GENERAL NOTES:

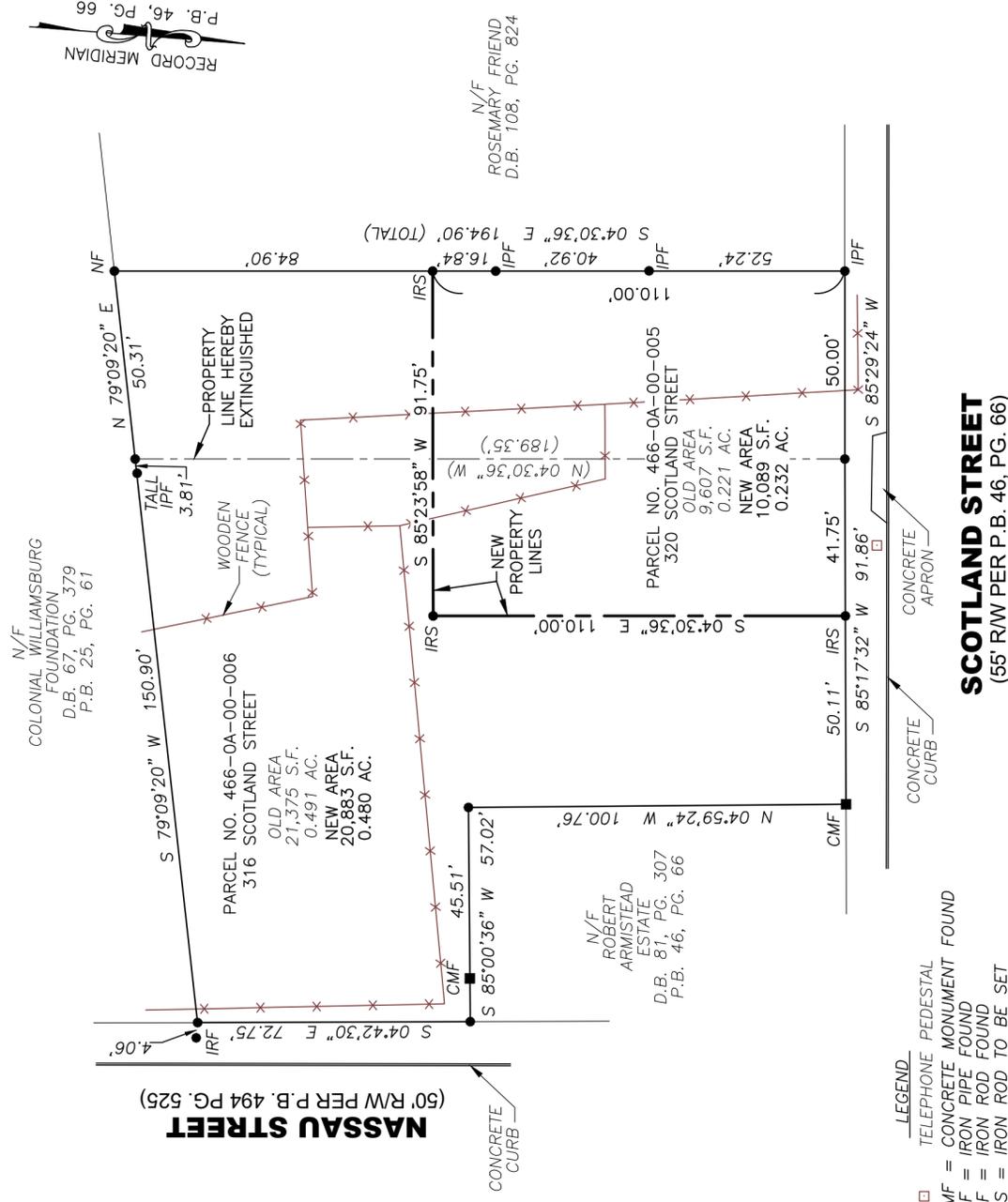
1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL ENCUMBRANCES, EASEMENTS AND SETBACKS THAT AFFECT THE SUBJECT PROPERTY.
2. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.
3. #51095C0139D DATED DECEMBER 16, 2015.
 #51095C0139D DATED DECEMBER 16, 2015.
4. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS SURVEY.
5. UNDERGROUND UTILITIES WERE NOT LOCATED.
6. THIS PLAT IS BASED ON A FIELD SURVEY PERFORMED 02/13/2019. PROPERTY LINES SHOWN ARE BASED ON MONUMENTATION FOUND AND RECORD PLATS & DESCRIPTIONS.
7. PROPERTY SHOWN HEREON IS ZONED CW (SEE CURRENT ZONING ORDINANCE FOR DETAILS).

PROPERTY INFORMATION

PARCEL NO. 466-0A-00-005
 OWNER: THE COLONIAL WILLIAMSBURG FOUNDATION
 PROPERTY ADDRESS: 320 SCOTLAND STREET WILLIAMSBURG, VIRGINIA 23185
 D.B. 49, PG. 53
 CURRENT ZONING DISTRICT: CW
 PARCEL NO. 466-0A-00-006
 OWNER: THE COLONIAL WILLIAMSBURG FOUNDATION
 PROPERTY ADDRESS: 316 SCOTLAND STREET WILLIAMSBURG, VIRGINIA 23185
 D.B. 62, PG. 192
 CURRENT ZONING DISTRICT: CW

BOUNDARY LINE ADJUSTMENT
 OF THE PROPERTY OF
 THE COLONIAL WILLIAMSBURG FOUNDATION
 PARCEL NUMBERS 466-0A-00-005 & 466-0A-00-006
 CITY OF WILLIAMSBURG, VIRGINIA

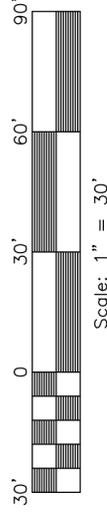
DATE: 02/14/2019 SCALE: 1"=30'
LandTech Resources, Inc.
 Engineering & Surveying Consultants
 3925 Midlands Road, Williamsburg, Virginia 23188
 Telephone: 757-565-1677 Fax: 757-565-0782
 Web: landtechresources.com



- LEGEND:**
- TELEPHONE PEDESTAL FOUND
 - CMF = CONCRETE MONUMENT FOUND
 - IPF = IRON PIPE FOUND
 - IRF = IRON ROD FOUND
 - IRS = IRON ROD TO BE SET



STATE OF VIRGINIA, CITY OF WILLIAMSBURG
 IN THE CLERKS OFFICE OF THE CIRCUIT COURT FOR THE CITY OF WILLIAMSBURG THE _____ DAY OF _____, 2019,
 THIS MAP WAS PRESENTED AND ADMITTED TO RECORD AS THE LAW DIRECTS AS DOCUMENT NO. _____
 TESTE _____
 BY _____, CLERK



Scale: 1" = 30'

**316-320 Scotland Street (Block 30-1)
Archaeological Assessment**

**Mark Kostro, PhD, RPA
February 15, 2019**

On February 12, 2019, Julius "Bill" Dell inquired the status and extent of the archaeological investigation(s) at the northeast corner of Block 30-1 within the City of Williamsburg. The context of the inquiry was a pending agreement between Mr. Dell and the Colonial Williamsburg Foundation for the purchase of a .233-acre subdivision to be formed from the north half of 316 Scotland Street (Parcel #466-0A-00-006) and northwest corner of 320 Scotland Street (Parcel #466-0A00-005) (Figure 1).



Figure 1. "Lot A" represents the proposed subdivision of 316 and 320 Scotland Street.

Historical Background¹

The parcel of land known today as Block 30-1 was first mentioned in May 1716 when the Trustees of the City of Williamsburg issued a deed for ten lots (lots 319-328) to Robert King, a carpenter, of York County. King reportedly lived on the property until his death in 1727. Having no heirs, his will named Thomas Jones the executor of his estate and requested that the property be sold. In 1729, Jones wrote to King's relatives in England and described "a dwelling House two outhouses & Sixx Lotts containing three Acres of Land in the city of Williamsburg" (Stephenson 1990:5). There is a discrepancy between the ten lots originally granted to Robert King in 1716 and the "Sixx Lotts" described in Jones' letter to King's relatives. The four lots appear to have been disposed of during King's tenure between 1716 and 1727. The historical record indicates that Charles Bridges, an artist, rented the property between 1736 and 1737 and Dr. William Webb's widow rented it between 1737 and 1738.

Henry Hacker purchased the property from the King estate in 1736/7. Hacker's will, written in 1740 and proved two years later, directs that following the death of his wife the "house called Kings and the Garden belonging to it with the smoke house and the hen houses as it is now laid out by paling" be given to James Cocke (Stephenson 1990:7-9). Cock was on the property in 1750 and lived there until sometime around 1782 when Joseph Prentis Sr. acquired the property. The Desandrouins Map (1782) shows two clusters of buildings in the vicinity of Block 30-1 (Figure 2). A house and a dependency are located near the corner of Henry and Scotland Streets while a second structure and two dependencies are clustered near the corner of Prince George and Nassau Streets. None of the maps from this period show any improvements at the northeast corner of the block.



Figure 2. Block 30-1 (shaded blue) on the Desandrouins Map (1782).

¹ The historical overview is a summary of the historical report written by Mary Stephenson in 1958 (Stephenson 1990).

When Joseph Prentis Sr. acquired the property, the property was renamed "Green Hill". Prentis's garden book (1784-1788) suggests that he established extensive gardens on the property, and in 1790, he offered Green Hill for sale which he described as:

....a dwelling house, brick stables, and carriage house lately built, and other out houses in very good repairA considerable part of these lots are well enclosed, being laid off into two gardens; and a sufficiency of good timber provided for enclosing the remaining lots (Stephenson 1990:15).

The property failed to sell and remained in the Prentis family until after the death of Joseph Prentis in 1809. The Green Hill property was described in a letter from St. George Tucker to Fulwar Skipwith in 1809:

...a small but convenient house, with all necessary out houses, Garden and lot which including the Garden contains about 4 acres on which there is a very good spring and spring house all in excellent and neat repair. The house contains two rooms below about 16 by 20 feet and two rooms over them with dormant (sic) windows in the common style in Virginia, but Mr. Prentis has added to the west an apartment containing a large Bed Chamber about 24 by 21 or 22 feet on the north side of which there is a small room about 12 by 10 and an Ante-chamber of nearly the same size...and in a different part of the yard is another small house with I believe two rooms below and one above. There is a good stable etc. (Stephenson 1990:20).

Several people owned the property in the decades following Judge Prentis's death. Henry Skipwith purchased the property representing Fulwar Skipwith's wife, Evelina Barbe Skipwith, from the Prentis estate in 1811. The property is listed under Fulwar Skipwith's name until 1813 when John Goodall is listed as the owner of the lots. Goodall sold the property to Robert B. Randolph in 1818. Randolph advertised Green Hill for sale in 1828, but it may not have sold until 1837 when John B. Gregory is listed as its owner. Robert H. Armistead acquired the property in 1841 and held it until 1884 when it sold to Robert F. and Henry D. Cole. The "Recollections of John S. Charles" recorded in 1930 provide an idea of how the Green Hill property looked during the Armistead occupation:

The only house except one on the entire block, enclosed by Henry, Scotland, Prince George, and Nassau Streets, was the residence of Col. R.H. Armistead. This house removed just a few years ago, was a one and a half story frame building with dormer windows and attached to the western end was a large single story annex. In the rear, on what is now known as Scotland Street, were stables, barns, dairy and negro quarters....A vegetable garden containing at least one acre was on the east side (Stephenson 1990:24).

The Cole brothers owned the Green Hill property until the 1920s when it was subdivided and sold. The northeast corner of Green Hill was ultimately purchased by Henry Davis who constructed a modest house at 316 Scotland Street. A bungalow-style dwelling was built around this same time at 320 Scotland Street.

Previous Archaeology

The Colonial Williamsburg Foundation initiated a program of archaeological testing and excavation of the northeast corner of Block 30-1 in 1983 and 1984. An additional phase 1 evaluation of the western end of 320 Scotland Street was carried out in 1995.

The 1980s archaeological investigations included separate explorations of the Davis Lot (316 Scotland Street and the eastern half of 320 Scotland Street), "Prentis Corner" located at the corner of Scotland and Nassau Streets (312 Scotland Street), and the "Contested Property" – an L-shaped parcel that separated the Davis Lot from "Prentis Corner" (312 Scotland Street) (Figure 3). The latter investigation of the "Contested Property" was conducted in compliance with a Court Order (Chancery No.5395) in the effort to settle a legal dispute pertaining to the question of the parcel's legal title. The primary objectives of these investigations were to locate the Prentis family cemetery identified in the 1810 deed as being in the North East Corner of the Easternmost Garden" and to identify the remains of the garden established by Judge Joseph Prentis (Brown and Myzk 1984:1).



Figure 3. Plan map of the 1983-4 archaeological investigations at the northeast corner of Block 30-1. The blue-shaded box indicates the proposed subdivision of 316 and 320 Scotland Street. Note: the archaeological overlay is an approximation.

The investigation of the Davis Lot failed to locate evidence of the Prentis family cemetery in this area, but did identify several garden features that may date to the eighteenth and nineteenth centuries. Three drainage ditches were also discovered on an east-west axis along Scotland Street and sampled. Artifacts discovered in these features suggest they were established no earlier than the late eighteenth century and were in use or at least extant into the early twentieth century. The remains of fence were also discovered between the northern-most two ditches (Brown and Myzk 1984).

The archaeological investigation of the "Prentis Corner" likewise revealed no evidence of the Prentis cemetery in this area, although excavation did reveal three ditches a few feet south of Scotland Street that are believed to represent a continuation of the complex of ditches identified thirty feet west on the Davis Lot. Likewise, fence lines identified in this area probably represent property boundaries dating from the eighteenth and nineteenth centuries (Brown and Myzk 1984).

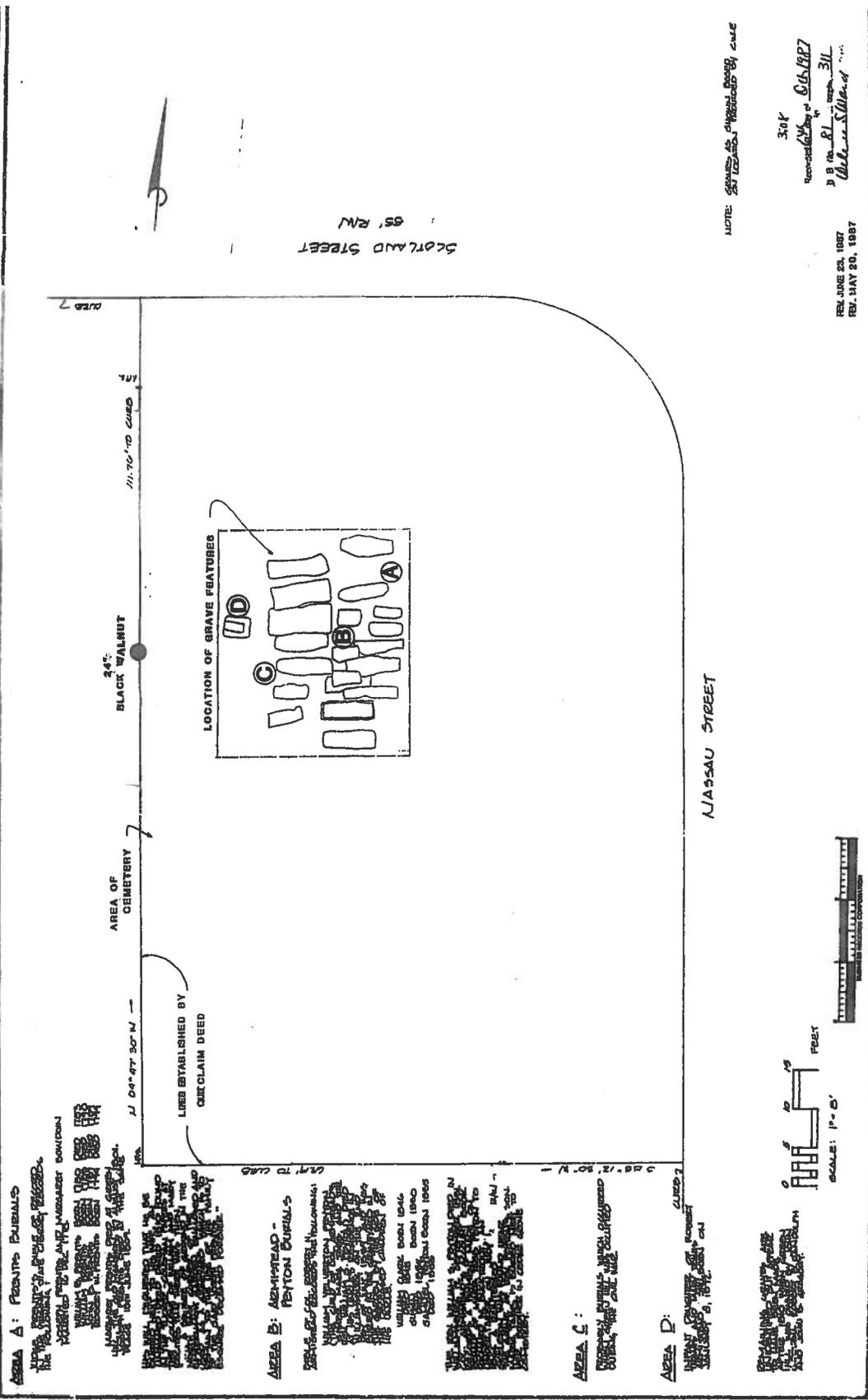
The archaeological investigation of the "Contested Property" revealed conclusive evidence of a cemetery on the property that was in use from 1790 until the third quarter of the 19th-century (Brown et al. 1985). The archaeological evidence indicates the boundaries of the cemetery are confined to 312 Scotland Street.

In 1995 Colonial Williamsburg's Department of Archaeological Research completed a preliminary investigation of the western end of 320 Scotland Street. This investigation included the excavation of 5 shovel tests spaced 10-meters apart in a north-south alignment midway between the former site of the bungalow dwelling at 320 Scotland Street and the extant Friend House at 322 Scotland Street.² The purpose of the survey was to evaluate the archaeological potential of the proposed site for the relocation of the Cary Peyton Armistead House. The result of the 1995 investigation was the determination that cultural material related to the eighteenth century occupation of the Green Hill tract is present within the project area and holds high research potential in terms of colonial gardens and the development of Williamsburg during the eighteenth and nineteenth centuries. Based on the results of the assessment, it was recommended further testing of the lot to determine the integrity and nature of the archaeological deposits before any ground disturbance to the site (Metz 1995), although no further work was carried out as the Cary Peyton Armistead House was relocated elsewhere.

Recommendations

Reiterating the recommendations found in Metz (1995), given the location of 320 Scotland Street with the City of Williamsburg's Archaeological Protection District, a phase II-style archaeological assessment is recommended in advance of any ground disturbances to the site. The recommended phase II assessment should include the hand excavation of 75cm x 75cm test units at a ten meter interval across the western half of 320 Scotland in an attempt to identify artifact concentrations or archaeological features and establish their integrity in advance of ground disturbance to the site. If intact archaeological features are identified, one or more, larger test units should be excavated to more thoroughly evaluate the archaeological features integrity and research potential.

² The line of shovel tests are shown as 12.5-meters (41-feet) east of the Friend House.



NOTE: GRAVE FEATURES A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ

1026A

DATE MAY 1, 1987 DESIGNED DRAWN VOB SCALE

THE DE YOUNG-JOHNSON GROUP, INC
ENGINEERS ARCHITECTS SURVEYORS
1000 W. 10th St., Suite 200, Lincoln, NE 68502
TEL: 402-441-2200 FAX: 402-441-2201

1984

A FLAT SHOWING THE LOCATION OF GRAVE FEATURES AT THE GREEN HILL FAMILY BURIAL GROUND AS ESTABLISHED BY AN ARCHEOLOGICAL STUDY CONDUCTED BY THE COLONIAL WILLIAMSBURG FOUNDATION

PBJ-25



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: March 28, 2019

SUBJECT: PCR#19-007: Request of the Colonial Williamsburg Foundation to amend the Zoning Ordinance to allow food trucks with a special use permit in the Museum Support District MS.

APPLICANT'S REQUEST

Colonial Williamsburg Foundation is proposing to amend the Zoning Ordinance to allow Food Trucks with a special use permit in the Museum Support District MS.

The applicant notes that they would like to have the option of allowing food trucks to support other food options for events they host in the Museum Support District such as the Summer Breeze Concerts. The recently adopted food truck regulations would be applicable in the Museum Support District MS should this text amendment be approved.

CURRENT REGULATIONS

Comprehensive Plan

The 2013 Comprehensive Plan designates these parcels as Colonial Williamsburg Support, which is defined in the Plan as follows:

The Colonial Williamsburg Support uses include a variety of commercial and industrial facilities that support the functioning of the Colonial Williamsburg Historic District. The Visitor Center, Bruton Heights Education Campus and the Colonial Williamsburg Nursery fall under this category. This category is implemented by the MS zoning district.

Zoning

The statement of intent for the Museum Support District MS reads:

This district is established to allow uses that are related to and support the functioning of the Colonial Williamsburg historic area. The most intensive uses may be allowed with special permits, to ensure compatibility with the Colonial Williamsburg historic area and surrounding residential neighborhoods.

PCR#19-007
March 28, 2019
Page 2

PUBLIC HEARING DATE

A Planning Commission public hearing is scheduled for the April 17, 2019 regular meeting in the Council Chambers of the Stryker Center at 3:30 p.m. at 412 North Boundary Street.

A handwritten signature in black ink, consisting of a stylized 'E', a period, and a 'B' followed by a horizontal line.

Erin Burke,
Principal Planner

The Colonial Williamsburg Foundation

To feed the human spirit by sharing America's enduring story



February 21, 2019

Ms. Carolyn A. Murphy
Director of Planning and Codes Compliance
City of Williamsburg
401 Lafayette Street
Williamsburg, VA 23185-3617

Dear Ms. Murphy:

Thank you for reviewing Colonial Williamsburg's plans for the 2019 *Summer Breeze – Unleashed Concert Series*.

Moving the concert series to the lawn of the *Art Museums of Colonial Williamsburg* in 2018 proved to be a smashing success! Here are a few statistics:

- 16 weekly concerts beginning at 6pm, an increase from 8 weekly concerts beginning at 7pm on Duke of Gloucester Street in Merchants Square in the prior 27 years
- On July 4th we hosted double billings, and nearly 5,000 concert goers, beginning at 4pm with a special military band concert, followed by a second concert and an evening of fireworks
- One concert was cancelled in September due to the threat of hurricane Florence
- Concert attendance totaled nearly 20,000 for the season



- Food and beverage sales at the concert venue totaled about \$50,000. Incremental downtown food and beverage sales were estimated to be \$100,000-\$150,000 for the season.
- For the first time during its existence, the concert series was supported financially through sponsorships from: *Morgan Stanley; the City of Williamsburg; SunTrust Bank; Cushman & Wakefield – Thalhimer; and Mellow Mushroom*
- The success of the concert series on the museum lawn generated significant additional interest in downtown events on the lawn, with subsequent events October 2018 – February 2019, such as “*Chowderfest*”, “*Noktoberfest*”, “*Filed Dayz Fest*” and the recent *Colonial Half Marathon*



We are looking forward to continued success during the 2019 season and beyond, and therefore, along with the attached application, Colonial Williamsburg is requesting a **five-year Special Use Permit** in order to complete our planning and scheduling for the upcoming concert season and beyond, which will begin June 26 and run through September 18.

Pending approval of the attached application, we are making plans to once again hold the concerts on a corner of the lawn located in front of the *Art Museums of Colonial Williamsburg*.

We also request again this year that the stage and tent be kept in the concert location for the entirety of the concert season. As last year, the concert schedule will be attached to the side of the tent for the duration of the season. Our schedule will be established to begin the season the week following the ***Williamsburg Live*** concert weekend presented on the museum lawn by *Virginia Arts Festival*, June 21-22.



With respect to the weekly concerts, Colonial Williamsburg is collaborating with Culturefix, which will provide concert oversight for setup and security. Culturefix will coordinate food and beverage service at the concerts, working with local food establishments, restaurants, and microbreweries. Small, 10x10, canopy tents will be set up for those operations.

For the 2019 concert series, we also request permission to include **food trucks** parked within the new *Allee Garden* between the Museum and Public Hospital, as shown below, which will be opening in mid-June.

Accordingly, I have also attached a Zoning Text Change form, proposing a change to the Food Truck regulations that would permit food trucks in the area shown below.



The proposed location is approximately 450 feet from the nearest restaurant in B1, as shown on the following.



The concerts will be free and open to the public. Outside food and non-alcoholic drinks will be allowed within the fenced area. However, no outside alcoholic beverages will be allowed inside the fenced area, which will be restricted to alcoholic beverages sold at the venue.

Parking near the concerts will be abundant and available across Francis Street, S. Henry Street, and Nassau Street, as well in other lots around Merchants Square.

As an improvement to access this year, we plan to mark a section of brick paved walkway for easier access for guests with wheelchairs or other special mobility needs (see venue plan on following pages).

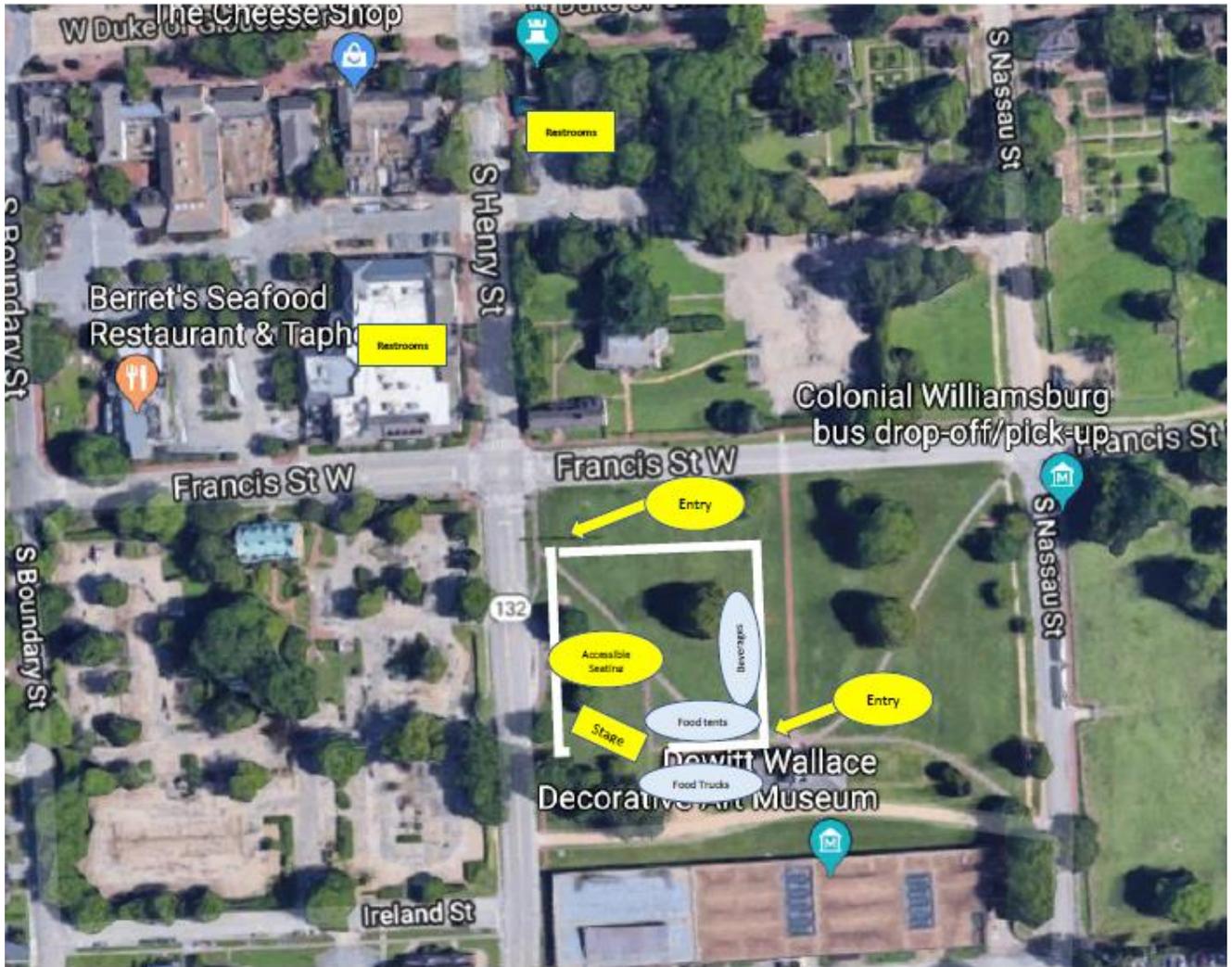


As were provided last season, restrooms will be closely accessible ½ block and 1 block away in Merchants Square’s Henry Street Shops building and in Colonial Williamsburg’s ticket building.

Fencing to enclose the venue will be repeated based on last year’s fencing plan. While the stage and tent will remain in place for the season, the fencing will be installed prior to and removed following each week’s concert.

The proposed stage location, along with the planned placement of the fencing enclosure is shown on the following page. The stage and tent setup will be the same size as last year, with a 30x30 tent over top of a slightly smaller stage. Sponsor signage will be placed on the tent and fencing during the concerts and removed weekly when the fencing is removed.





Thanks again Carolyn for your assistance with this process. I look forward to hearing back.

Jeffrey A. Duncan
Vice President – Real Estate
The Colonial Williamsburg Foundation

Copy to: Steve Rose, Culturefix

**ORDINANCE #19-
PROPOSED ORDINANCE #19-**

**AN ORDINANCE TO AMEND THE FOLLOWING PROVISIONS OF THE
WILLIAMSBURG CODE BY AMENDING ARTICLE III. DISTRICT REGULATIONS TO
ALLOW FOOD TRUCKS IN THE MS ZONING DISTRICT WITH A SPECIAL USE
PERMIT AND BY AMENDING ARTICLE IV. SUPPLEMENTAL DISTRICT
REGULATIONS BY REMOVING SECTION 21-622(d)(14).
(PCR #19-007)**

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 the Williamsburg Code, Chapter 21, Zoning, Article III. District Regulations and Article IV. Supplemental District Regulations are hereby amended by allowing food trucks in the MS Zoning District, to read as follows:

ARTICLE III. DISTRICT REGULATIONS

DIVISION 13. Museum Support District MS

Sec. 21-434. Uses permitted with a special use permit.

Uses permitted in the Museum Support District with a special use permit approved by the City Council in accordance with Article II, Division 2, are as follows:

(1) Food trucks in accordance with Section 21-622.

(1.1) Golf Courses, including clubhouses and maintenance facilities, but excluding miniature golf courses or driving ranges that are not accessory to a golf course.

ARTICLE IV. SUPPLEMENTAL DISTRICT REGULATIONS

Sec. 21-622. Food Trucks.

~~*(d)(14) Food trucks are permitted at 100 Visitor Center Drive in the Museum Support District MS as shown on the Museum Support food truck overlay map below. They are prohibited in other areas of the Museum Support District.*~~

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

Adopted: _____

Paul T. Freiling, Mayor

Attest: _____

Debi Burcham, City Council Clerk



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: March 28, 2019

SUBJECT: PCR#19-008

Request of the Colonial Williamsburg Foundation for a special use permit to hold the Summer Breeze concerts on the Dewitt Wallace Decorative Art Museum lawn located at 326 West Francis Street in the Colonial Williamsburg Historic Area CW through 2023 and a special use permit to allow food trucks for the event on the Allee Garden which is located between the Public Hospital and the Dewitt Wallace Decorative Art Museum in the Museum Support District MS.

APPLICANT'S REQUEST

Colonial Williamsburg Foundation is proposing to continue the Summer Breeze concerts on the lawn of the Dewitt Wallace Decorative Art Museum at 326 West Francis Street for the next five years, through the 2023 concert season. The applicant is proposing to run the concert series for 14 weeks each year and notes, "Moving the concert series to the lawn of the *Arts Museums of Colonial Williamsburg* in 2018 proved to be a smashing success!" They estimate 2018's seasonal attendance at nearly 20,000 with one concert cancelled in September due to the threat of Hurricane Florence.

The applicant proposes continued use of a 30' x 30' tent with a stage under the tent and fencing on the lawn as shown on the sketch. They propose signage on the tent, sponsorship signage on the fencing and a ground mounted sign at the sidewalk entrance to the museum as noted in the narrative to advertise the schedule. The sponsorship signage on the fence and tent will be removed weekly along with the fencing. The request is to leave the tent and stage up at this location for the 14 week event with the fencing and smaller tents being removed following each week's concert.

The applicant notes they are again "collaborating with *Culturefix* who will provide concert oversight for setup and security. *Culturefix* will coordinate food and beverage service at the concerts, working with local food establishments, restaurants and microbreweries. Small 10' x 10' canopy tents will be set up for those operations". The concerts will be free and open to the public. Outside food and non-alcoholic drinks will be allowed within the fenced area but no outside alcoholic beverages will be allowed inside the fenced area.

New this season, the applicant is proposing up to two food trucks along the Allée Garden between the Museum and Public Hospital which requires a special use permit.

The proposed food trucks location has been indicated on a map shown on the applicant's statement.

Beginning this season the applicant plans to "mark a section of brick paved walkway for easier access for guests with wheelchairs or other special mobility needs" as noted on the venue plan.

CURRENT REGULATIONS

Comprehensive Plan

The 2013 Comprehensive Plan designates this parcel as Colonial Williamsburg Historic Area, which is defined in the Plan as follows:

The district encompasses the Colonial Williamsburg Historic Area and is established to preserve, protect and maintain the distinctive character and historic importance of the restored area. This category is implemented by the CW zoning district.

Land to the north and east are designated Colonial Williamsburg Historic Area land use. Properties to the south are designated Colonial Williamsburg support land use, with land to the east designated Downtown Commercial land use.

Zoning

This property along with properties to the north and east are designated Colonial Williamsburg Historic Area CW. Lands to the south are designated Museum Support District MS with land to the east being designated Downtown Business District B-1.

The statement of intent for the Colonial Williamsburg Historic Area CW District reads:

This district is established to preserve, protect and maintain the unique character and historic importance of the Colonial Williamsburg Historic Area.

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 April 17, 2019 Planning Commission meeting.



Erin Burke,
Principal Planner

The Colonial Williamsburg Foundation

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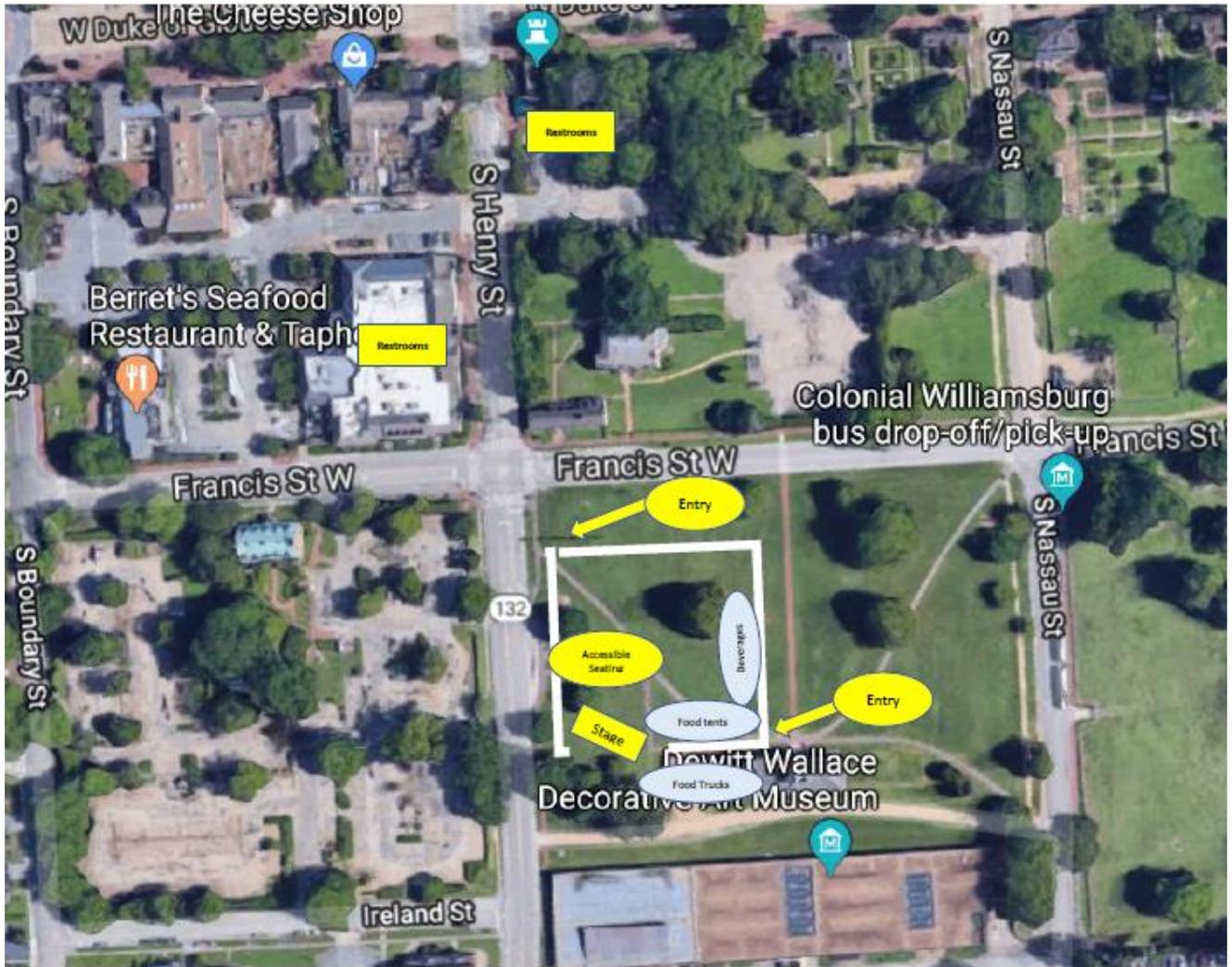


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