



PUBLIC NOTICE
WILLIAMSBURG CITY COUNCIL

The Williamsburg City Council will hold public hearings on Thursday, September 12, 2019 at 2:00 P.M. in the Council Chambers of the Stryker Center, 412 North Boundary Street, to consider the following:

PCR#19-012: An ordinance to amend Article I, Section 21-2, Article III. District Regulations and Article IV. Supplemental District Regulations of the Zoning Ordinance by:

- Removing the food truck definition from Article 1, Section 21-2;
- Adding a mobile food unit definition to Article 1, Section 21-2;
- Removing food trucks in Article III. District Regulations as a permitted use in the LB-1, B-1, B-3*, ED* and ED-2 zoning districts and with a special use permit in the MS zoning district in accordance with Section 21-622 of the Zoning Ordinance.
- Adding mobile food unit in Article III. District Regulations as a permitted use in the LB-1, B-1, B-3*, ED* and ED-2 zoning districts and with a special use permit in the MS zoning district in accordance with Section 21-622 of the Zoning Ordinance.
- Amending Article IV. Supplemental District Regulations Section 21-622 to reflect the change from food trucks to mobile food units; providing an exemption for new mobile food units and minor changes to the text to clarify the change from food truck to mobile food unit.

PCR#19-013: Request of the Colonial Williamsburg Foundation to amend Section 21-2 Definitions by adding a definition for private plaza and Section 21-294(8) by adding private plaza with a special use permit in the Downtown Business District B-1.

PCR#19-014: Request of the Colonial Williamsburg Foundation for a special use permit to remove 40 parking spaces from the Downtown Parking District to construct a private plaza in the middle of the block currently used for parking (P3) bounded by North Henry Street, West Duke of Gloucester Street, North Boundary Street and Prince George Street located in the Downtown Business District B-1.

PCR#19-015: Request of the Colonial Williamsburg Foundation for a special use permit to construct a private plaza in the middle of the block currently used for parking (P3) bounded by North Henry Street, West Duke of Gloucester Street, North Boundary Street and Prince George Street located in the Downtown Business District B-1.

ARB#19-044: Request of Wells Fargo Bank, trust manager for the Virginia Haughwout Estate to appeal the decision of the Architectural Review Board on July 9, 2019 to deny the demolition of Bucktrout Cottage located at 300 Bucktrout Lane.

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 City Council.

If you are disabled and need accommodation in order to participate in the public hearing, please call the Planning Department at (757) 220-6130, (TTY) 220-6108, no later than 12:00 noon, Thursday, September 5, 2019.

Debi Burcham
Clerk of Council



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: August 23, 2019

SUBJECT: PCR#19-012
Zoning Text Revisions to update food truck regulations

At its 2019 Session, the Virginia General Assembly enacted Senate Bill 1425 which requires updating the Zoning Ordinance to meet the requirements of the bill. Senate Bill 1425 defines a mobile food unit and provides for an exemption for new mobile food units, in that the owner pays BPOL only in the jurisdiction where the vehicle is registered for the first two years, but not in any other in which it may operate. The Bill also allows the city to require the owner of a mobile food unit to register (without paying BPOL) the mobile food unit if it operates in the city but is not garaged here during the exemption period.

Based on Senate Bill 1425, Article I, Section 21-2, Article III. District Regulations and Article IV. Supplemental District Regulations of the Zoning Ordinance will need to be revised to meet the new requirements as follows:

- Removing the food truck definition from Article 1, Section 21-2;
- Adding a mobile food unit definition to Article 1, Section 21-2;
- Removing food trucks in Article III. District Regulations as a permitted use in the LB-1, B-1, B-3*, ED* and ED-2 zoning districts and with a special use permit in the MS zoning district in accordance with Section 21-622 of the Zoning Ordinance;
- Adding mobile food unit in Article III. District Regulations as a permitted use in the LB-1, B-1, B-3*, ED* and ED-2 zoning districts and with a special use permit in the MS zoning district in accordance with Section 21-622 of the Zoning Ordinance;
- Amending Article IV. Supplemental District Regulations Section 21-622 to reflect the change from food trucks to mobile food units; providing an exemption for new mobile food units and minor changes to the text to clarify the change from food truck to mobile food unit.

City Council amended Chapter 18 at its meeting on July 11, 2019 to create a separate BPOL classification for mobile food units and exemption as provided in Senate Bill 1425.

STAFF RECOMMENDATION

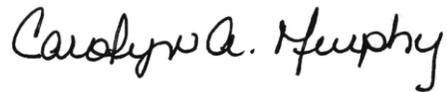
That Planning Commission recommends to City Council adoption of the proposed ordinance to bring the City's regulations in compliance with Senate Bill 1425 for mobile food units in the City.

PLANNING COMMISSION

Planning Commission held a public hearing on August 14, 2019 and no one spoke at the hearing. Planning Commission recommended to City Council approval of Proposed Ordinance #19-17 by a vote of 6-0.

CITY COUNCIL PUBLIC HEARING

A City Council public hearing is scheduled for their regular meeting on September 12, 2019 in the Council Chambers of Stryker Center at 2:00 p.m.



Carolyn A. Murphy, AICP
Codes Compliance and Planning Director

**ORDINANCE #19-
PROPOSED ORDINANCE #19-17**

**AN ORDINANCE TO AMEND THE FOLLOWING PROVISIONS OF THE WILLIAMSBURG CODE TO ARTICLE I. SECTION 21-2 DEFINITIONS, BY REMOVING THE FOOD TRUCK DEFINITION AND REPLACING IT WITH A MOBILE FOOD UNIT DEFINITION; BY AMENDING ARTICLE III. DISTRICT REGULATIONS TO ALLOW MOBILE FOOD UNITS IN THE LB-1, B-1, B-3, ED AND ED-2 ZONING DISTRICTS AND IN THE MS ZONING DISTRICT WITH A SPECIAL USE PERMIT AND AMENDING ARTICLE IV. SUPPLEMENTAL DISTRICT REGULATIONS, SECTION 21-622, BY REPLACING FOOD TRUCKS WITH MOBILE FOOD UNIT AND AMENDING SECTION 21-622 (a)(1) OF ARTICLE IV AS PROVIDED IN SENATE BILL 1425 ADOPTED BY THE VIRGINIA GENERAL ASSEMBLY AT ITS 2019 SESSION.
(PCR#19-012)**

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 I, Definitions, Article III. District Regulations and Article IV, Supplemental District Regulations are hereby amended by adding a mobile food unit definition, allowing mobile food units in the LB-1, B-1, B-3, ED and ED-2 Zoning Districts and in the MS Zoning District with a special use permit and amending Section 21-622, Mobile Food Units, to read as follows:

ARTICLE I. IN GENERAL

Sec. 21-2. Definitions.

~~*Food truck means a large, wheeled vehicle from which food is sold or served that typically contains cooking facilities where the food is prepared.*~~

Mobile food unit means a restaurant that is mounted on wheels and readily movable from place to place by an internal engine or that is towed from place to place by a motor vehicle. Mobile food unit shall not include vending carts or other conveyances which are designed to be moved by either human or animal power.

ARTICLE III. DISTRICT REGULATIONS

DIVISION 6.1 LIMITED BUSINESS DOWNTOWN DISTRICT LB-1

Sec. 21-247. Permitted uses.

The uses permitted in the limited business downtown district are as follows:

(2.1) ~~Food trucks~~ Mobile food units in accordance with Section 21-622.

DIVISION 8. DOWNTOWN BUSINESS DISTRICT B-1

Sec. 21-292. Permitted uses.

The uses permitted in the downtown business district B-1 are as follows:

(2.1) ~~Food trucks~~ *Mobile food units* in accordance with Section 21-622.

DIVISION 10. URBAN BUSINESS DISTRICT B-3*

Sec. 21-352. Permitted uses.

The uses permitted in the urban business district B-3 are as follows:

(6.3) ~~Food trucks~~ *Mobile food units* in accordance with Section 21-622.

DIVISION 10.1. ECONOMIC DEVELOPMENT DISTRICT ED*

Sec. 21-362. Permitted uses.

The uses permitted in the economic development district ED are as follows:

(7.3) ~~Food trucks~~ *Mobile food units* in accordance with Section 21-622.

DIVISION 10.2. Economic Development District ED-2

Sec. 21-372. Permitted uses.

(7.3) ~~Food trucks~~ *Mobile food units* in accordance with Section 21-622.

DIVISION 13. Museum Support District MS

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

(1) ~~Food trucks~~ *Mobile food units* in accordance with Section 21-622.

ARTICLE IV. SUPPLEMENTAL DISTRICT REGULATIONS

Sec. 21-622. ~~Food Trucks~~ *Mobile Food Units.*

When not in conjunction with a special event regulated by Chapter 9, Article II. Special Events, the operation of ~~food trucks~~ *mobile food units* when permitted by a specific zoning district shall be permitted by an administrative permit approved by the zoning administrator subject to the following provisions:

- (a) The applicant shall provide the following to the zoning administrator:
 - (1) A copy of a valid Williamsburg business license *or registration from the Williamsburg Commissioner of the Revenue, whichever is applicable, as provided by Section 18-381(2)(n).* Such business license *or registration* shall be posted in the vehicle at all times.
 - (2) A copy of a valid health permit from the Virginia Department of Health stating that the ~~food-truck~~ *mobile food unit* meets all applicable standards. A valid health permit must be maintained for the duration of the permit.
 - (3) A copy of an approved inspection certificate from the Williamsburg Fire Department stating that the ~~food-truck~~ *mobile food unit* meets the requirements of the Virginia Statewide Fire Prevention Code and all applicable standards. The ~~food-truck~~ *mobile food unit* must be re-inspected by the Fire Department annually and the inspection certificate updated accordingly. *The mobile food unit must be inspected each day of operation in the City by the Williamsburg Fire Department.*

- (4) Applicant shall provide a valid driver's license for each person who will drive the ~~food-truck~~ *mobile food unit*.
- (5) A \$50.00 application fee.
- (b) Applicant shall provide current registration for the ~~food-truck~~ *mobile food unit*, proof of current motor vehicle inspection, and proof of valid liability insurance in at least the minimum amount as required by Virginia law for the ~~food truck~~ *mobile food unit*.
- (c) The administrative permit shall be issued for a period not to exceed one year but may be renewed annually upon written request by the operator.
- (d) The following standards and conditions shall apply to all ~~food-truck~~ *mobile food unit* operations:
 - (1) The operator must have written documentation of the consent of the owner(s) of the property or properties on which the ~~food-truck~~ *mobile food unit* will be operated.
 - (2) Unless otherwise approved by the Zoning Administrator, ~~food-trucks~~ *mobile food units* shall operate only on developed and occupied property and only during the hours when the business establishment on the premises is open for business.
 - (3) The Zoning Administrator may approve ~~food-trucks~~ a *mobile food unit* remaining on-site for multi-day events or late closings on a case-by-case basis. Unless otherwise approved, ~~food-trucks~~ *mobile food units* shall be removed from the site when the on-premises establishment closes for the day. Prior to leaving the site, the ~~food-truck~~ *mobile food unit* operator shall pick up, remove, and dispose of all trash or refuse within at least 25 feet of the *mobile food unit* that consists of materials originally dispensed from the *mobile food unit*, including any packages or containers or parts thereof used with or for dispensing the menu items sold from the *mobile food unit*.
 - (4) The volume of any background music played from the ~~food-truck~~ *mobile food unit* shall be limited so as not to be plainly audible beyond the property boundaries of the site where the ~~food-truck~~ *mobile food unit* is located, or at a distance of 100 feet from the ~~food-truck~~ *mobile food unit*, whichever is less.
 - (5) Any lighting attached to the exterior of the ~~food-truck~~ *mobile food unit* or used to illuminate the menu boards or the customer waiting areas adjacent to the ~~food-truck~~ *mobile food unit* shall be provided with fixtures that do not produce light spill onto adjacent properties or into the night sky.
 - (6) Receptacles, either those already available on a site or temporary/portable ones provided by the ~~food-truck~~ *mobile food unit* operator, shall be positioned conveniently for disposal of all trash, refuse, compost, and garbage generated by the use.
 - (7) Any greywater, fats, oils, grease, or hazardous liquids generated in the mobile food vending operation shall be contained within the ~~food-truck~~ *mobile food unit* and transported off the property for proper disposal. No hazardous materials or liquids shall be released into any sewer, storm

drain, ditch, drainage canal, creek, stream, river, lake or tidal water or on the ground, sidewalk, street, highway, or into the atmosphere.

- (8) In the LB-1 and B-1 zoning districts ~~food trucks~~ *mobile food units* shall be located at least 100 feet from a restaurant.
 - (9) ~~Food trucks~~ *Mobile food units* shall not obstruct pedestrian or bicycle access or passage, impede traffic or parking lot circulation, or create safety or visibility problems for vehicles and pedestrians. Such vehicles may be parked in an existing parking lot provided that any required parking spaces are not obstructed and made unavailable.
 - (10) ~~Food trucks~~ *Mobile food units* shall not be parked in or operated from a public street right-of-way.
 - (11) Not more than two A-frame signs may be used to display and advertise menu items and other information associated with the ~~food truck~~ *mobile food unit* operation. Such signs shall not exceed six square feet in area and four feet in height, shall be positioned within 30 feet of the food truck, and shall not be placed within a public street right-of-way. Signage that is permanently affixed to the food truck shall be permitted; however, the Zoning Administrator may approve flags, banners, or other decorative appurtenances, whether attached or detached on a case-by-case basis.
 - (12) ~~Food trucks~~ *Mobile food units* may operate in residential districts in the City, however, said operation is limited to not more than two times per calendar year at any specific residential property, and ~~food trucks~~ *mobile food units* must meet the criteria contained in this section for operation in all residential districts.
 - (13) ~~Food trucks~~ *Mobile food units* are prohibited in the Colonial Williamsburg Historic Area CW, except as permitted by special event permit issued by the city manager pursuant to Chapter 9, Article II of the Williamsburg City Code.
- (e) The Zoning Administrator may revoke the permit at any time for failure of the permit holder to comply with the requirements of this section and to correct such noncompliance within the timeframe specified in a notice of violation. Notice of revocation shall be made in writing to the permit holder. Any person aggrieved by such notice may appeal the revocation to the board of zoning appeals.

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

Adopted: _____

Paul T. Freiling, Mayor

Attest: _____
Debi Burcham, City Council Clerk



Bill Text: VA SB1425 | 2019 | Regular Session | Chaptered Virginia Senate Bill 1425 (***Prior Session Legislation***)

Bill Title: License tax, local; mobile food units.

Spectrum: Partisan Bill (Republican 1-0)

Status: (*Passed*) 2019-03-22 - Governor: Acts of Assembly Chapter text (CHAP0791) [SB1425 Detail]

Download: Virginia-2019-SB1425-Chaptered.html

CHAPTER 791

An Act to amend the Code of Virginia by adding a section numbered 58.1-3715.1, relating to local license tax; mobile food units.

[S 1425]

Approved March 22, 2019

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 58.1-3715.1 as follows:

§58.1-3715.1. License requirements for mobile food units.

A. For purposes of this section, unless the context requires a different meaning:

"Mobile food unit" means a restaurant that is mounted on wheels and readily moveable from place to place at all times during operation.

"New business" means a business that locates for the first time to do business in a locality. A business shall not be deemed to be a new business based on a merger, acquisition, similar business combination, name change, or change to its business form.

B. If the owner of a new business that operates a mobile food unit pays the license tax required by the locality in which the mobile food unit is registered, such owner shall not be required to pay any further license tax imposed by any other locality for conducting business from such mobile food unit in the confines of such other locality. The exemption from paying the license tax in other localities shall expire two years after the payment of the initial license tax in the locality in which the mobile food unit is registered, and during the two-year period, the owner shall be entitled to exempt up to three mobile food units from license taxation in other localities.

C. The owner of a mobile food unit shall be required to register with the commissioner of the revenue or director of finance in any locality in which he conducts business from such mobile food unit, regardless of whether the owner is exempt from paying license tax in the locality pursuant to the provisions of this section.



CITY OF WILLIAMSBURG

MEMORANDUM

DATE: August 23, 2019

SUBJECT: PCR#19-013: Request of the Colonial Williamsburg Foundation to amend Section 21-2 Definitions by adding a definition for private plaza and Section 21-294(8) by adding private plaza with a special use permit in the Downtown Business District B-1.

PCR#19-014: Request of the Colonial Williamsburg Foundation for a special use permit to remove 40 parking spaces from the Downtown Parking District to construct a private plaza in the middle of the block currently used for parking (P3) bounded by North Henry Street, West Duke of Gloucester Street, North Boundary Street and Prince George Street located in the Downtown Business District B-1.

PCR#19-015: Request of the Colonial Williamsburg Foundation for a special use permit for the construction of a private plaza in the middle of the block currently used for parking (P3) bounded by North Henry Street, West Duke of Gloucester Street, North Boundary Street and Prince George Street located in the Downtown Business District B-1.

APPLICANT'S REQUEST

Colonial Williamsburg Foundation is proposing to create a new private plaza on the site of the existing P3 parking lot in Merchant's Square. The proposed plaza will be in the middle of the existing block between Duke of Gloucester Street, North Boundary Street, Prince George Street and North Henry Street. Four parcels are involved with the proposal 465-16-00-001A (435 West Duke of Gloucester Street), 465-0A-00-065 (412 Prince George Street), 465-0A-00-064 (134 North Henry Street) and 465-12-00-002,3* (403 West Duke of Gloucester Street).

PCR#19-013:

The request is to add a private plaza definition to the Zoning Ordinance and to allow a private plaza with a special use permit in the Downtown Business District B-1. The proposed definition of a private plaza is "a multipurpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza".

PCR#19-014:

The second request is for a special use permit to remove 40 parking spaces from the P3 parking lot for the construction of a private plaza.

PCR#19-015:

The third request is for a special use permit to construct a private plaza as shown on the conceptual elevations and site plan which are attached in the P-3 parking lot. The applicant notes in their application “a new downtown, pedestrian friendly entertainment and event space will curated, consistent, scheduled and regular experimental and cultural and opportunities will invite increasing numbers of local, regional, and visiting audiences to shop, dine, linger and explore all of downtown Williamsburg”. They noted their objective is to “enhance an already vibrant, multi-use driven, flourishing Williamsburg town center that is an ever-growing magnet for residents and visitors to enjoy”. The applicant proposes uses such as art events, outdoor movies, staged musical or theatrical entertainment and dining. Installations within the plaza may include water features, outdoor furniture, a temporary video wall, and expansion of outdoor restaurant seating.

CURRENT REGULATIONS

Comprehensive Plan

The 2013 Comprehensive Plan designates these parcels as Downtown Commercial, which is defined in the Plan as follows:

The Downtown Commercial land use category is intended to promote a variety of business uses in the Downtown Planning Area, and includes Merchants Square and other predominantly retail business areas adjacent to the Colonial Williamsburg Historic Area and the College of William and Mary. Continued use and adaption of residential dwellings is supported in the Downtown area, and residential uses are allowed at a base density of 14 dwelling units/net acre, with increased density allowed with a special use permit. The primary consideration for the approval of increased density should be how the scale and character of the proposed project related to its immediate surroundings and to the Downtown Planning Area as a whole. This category is implemented by the B-1 zoning district and by the PDC District for student dwellings with up to four unrelated persons per dwelling unit.

Lands to the east and south are designated Downtown Commercial land use. Lands to the west and north are designated William and Mary, Public and Semi Public, Downtown Commercial and Colonial Williamsburg Historic Area land use.

Zoning

These properties and properties to the east and south are zoned Downtown Business District B-1. Lands to the west and north are designated William and Mary, Downtown Business District B-1 and Colonial Williamsburg Historic Area CW.

The statement of intent for the Downtown Business District B-1 reads:

This district is established to promote harmonious development and redevelopment in the downtown business areas adjacent to the Colonial Williamsburg district and the College of William and Mary. The regulations are designed to maintain and encourage the existing small scale pedestrian character of the area, and to encourage a harmonious mixture of commercial, residential, office and institutional uses.

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.

Archaeological

This site is located in an archaeological protection district. An archaeological evaluation report has been prepared by Mark Kostro, Archaeologist with Colonial Williamsburg. A copy of the report is attached for review and consideration. The report states “a review of the documentary and archaeological evidence relating to the historical development of Block 23 indicates that the lot’s eighteenth and nineteenth century development was predominately along Duke of Gloucester and Prince George Streets, and for the most part, is outside the Goodwin Square development area”. The development plans for Goodwin Square include very limited excavation and will require extensive landfilling to raise the grade as much as three feet within the center of the development area to meet elevations along the area’s perimeter. Therefore, any cultural resources within this area will be protected. To protect any resources from being destroyed it is recommended that the Colonial Williamsburg’s Department of Archaeology monitor any demolition and record the locations of any archaeological features that are exposed prior to construction of the plaza or for the Dunlop family cemetery area.

Architectural Review Board

The Architectural Review Board reviewed and conceptually approved the design of the plaza at their June 25, 2019 meeting (ARB#19-066). I am attaching a copy of the minutes from that meeting.

Site Plan Review Committee

The Site Plan Review Committee reviewed the request at their July 17, 2019 meeting. Committee members were in favor of the conversion and expressed concerns with signage for parking located off North Boundary Street. The applicant will develop a sign packet for approval with the final site plan if a special use permit is granted.

ANALYSIS

PCR#19-013

This is a request to add a private plaza definition to the Zoning Ordinance and to allow a private plaza with a special use permit in the Downtown Business District B-1. The proposed definition of a private plaza is “a multipurpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza”.

PCR#19-014 & PCR#19-015

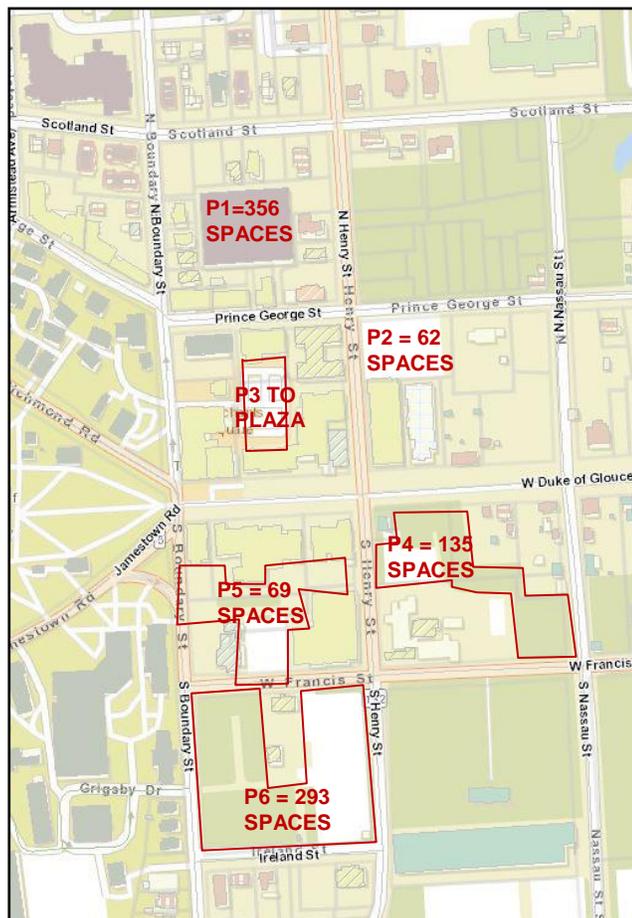
The second and third requests of the applicant is for a special use permit to remove 40 parking spaces from the P3 parking lot and a special use permit to construct a private plaza as shown on the conceptual elevations and site plan which are attached in the P-3 parking lot.

Parking

In 2016, the City hired Walker Parking Consultants to perform a parking study of the Downtown Parking District.

The parking study notes the following:

- There are 4,326 parking spaces in the Downtown Parking District.
- 87% of the parking spaces are provided off-street.
- Of the 87% off-street spaces 56% are in private lots.
- The spaces in higher demand are the 13% on-street parking spaces.
- For the study, the March counts were higher than the July counts.
- During peak weekday conditions, 1,656 spaces were vacant in the study area.
- On-street spaces were almost full before shops opened.
- Weekend parking occupancy is lower than weekday levels.
- Reviewing future demand it was projected that parking occupancy would increase from 62% to 75% which still left approximately 1,000 parking vacancies.
- They determined overall there is adequate parking downtown, with hotspots around Merchant's Square and Richmond Road.
- Demand is higher during weekdays than weekends.
- More than 1,600 vacant parking spaces exist during peak times.



The study notes there are sufficient spaces in the district. There is a perception of limited parking in the District. The study cites that this is due to customers wanting to park at or close to the business they want to visit and that short-term spaces are often being used by long-term users.

Based on the parking study, the loss of 40 parking spaces in the P3 parking lot can be accommodated without detriment to overall parking downtown because approximately 915 parking spaces are available in nearby public lots. The removal of these spaces can be absorbed by adjacent lots such as the Prince George parking garage or P6. Despite the common perception, overall the City has ample parking with a variety of parking options Downtown, within walking distance.

Private Park

As stated previously, the applicant proposes to construct a private park in the middle of the block surrounded by Prince George Street, North Henry Street, West Duke of Gloucester Street and North Boundary Street. These properties are located in Merchants Square which was developed in the 1930's to relocate local businesses and services from the Historic Area. Merchants Square was named to the National Register of Historic Places in June 2006.

The Downtown Vibrancy Study cites "the existing mix of land uses in the downtown core presents a further barrier to vibrancy". A need is cited for public open spaces that residents, students and visitors can feel free to visit and relax. Smaller areas of green spaces or plazas are necessary to ensure the downtown area is cohesively connected and people have access to a variety of open space amenities.

The Downtown Vibrancy Study recommended several green spaces downtown. One of the green spaces recommended was converting the P3 parking lot into a premier plaza with such amenities as a fountain and a gathering area for performance space.

The applicant states in their request "a new downtown, pedestrian friendly, entertainment and event space with curated, consistent, scheduled and regular experiential and cultural opportunities will invite increasing numbers of local, regional, and visiting audiences to shop, dine, linger and explore all of downtown Williamsburg".

Dumpster locations proposed are behind Shoester's and the loading area behind The Trellis. Concerns have been raised by individuals on fire access to the plaza. The conceptual plans provide fire access for the ladder truck which have been reviewed and approved by the Fire Department.

This proposed project is in harmony with the adopted comprehensive plan, and the intent and purpose of the Zoning Ordinance. The proposed use of a private plaza is in harmony with the character of the adjacent properties and will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance. This project is designed and sited so that it will not hinder or discourage the appropriate development or use of adjacent properties.

STAFF RECOMMENDATION

PCR#19-013

Staff recommends approval of the text change to define a private plaza and to allow a private plaza with a special use permit as outline in the proposed ordinance. This gives the City the flexibility to evaluate each site and determine if a proposed plaza should be allowed at a specific location.

PCR#19-014

Staff recommends approval of the special use permit request to remove 40 parking spaces from P3 as shown on the conceptual site plan

PCR#19-015

Staff recommends approval of a special use permit for the construction of a private plaza in the P3 parking as shown on the conceptual site plan subject to the following conditions:

1. Allowing audio visual entertainment equipment to be temporarily installed for a period of not more than three consecutive days. This equipment cannot be used for advertisement.
2. The use of permanent speakers in the plaza shall not be permitted because they are not in character with the district.
3. At least two dumpster containers and required enclosures shall be installed as shown on the conceptual plan.
4. A parking signage plan, bike racks and ADA accessible seating locations being submitted and approved by Planning Commission as part of the final site plan.
5. To protect any resources from being destroyed an archaeologist from the Colonial Williamsburg's Department of Archaeology must be on-site to monitor any demolition and record the locations of any archaeological features that are exposed prior to construction of the plaza or for the Dunlop family cemetery area.

PLANNING COMMISSION

Planning Commission held a public hearing on August 14, 2019. The applicant, Jeff Duncan and 22 individuals spoke at the public hearing.

Planning Commission by a vote of 6-0-0-1 recommended to City Council the following:

PCR#19-013

Approval of the text change to define a private plaza and to allow a private plaza with a special use permit as outline in Proposed Ordinance #19-18. This gives the City the flexibility to evaluate each site and determine if a proposed plaza should be allowed at a specific location.

PCR#19-014

Approval of the special use permit request to remove 40 parking spaces from P3 as shown on the conceptual site plan.

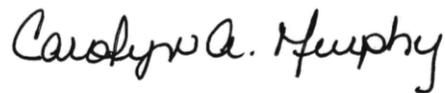
PCR#19-015

Approval of a special use permit for the construction of a private plaza in the P3 parking as shown on the conceptual site plan subject to the following conditions:

1. Allowing audio visual entertainment equipment to be temporarily installed for a period of not more than 75 days annually with the approval of City staff. This equipment cannot be used for advertisement.
2. The use of permanent speakers in the plaza shall not be permitted because they are not in character with the district.
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4. A parking signage plan, bike racks and ADA accessible seating locations being submitted and approved by Planning Commission as part of the final site plan.
5. To protect any resources from being destroyed an archaeologist from the Colonial Williamsburg's Department of Archaeology must be on-site to monitor any demolition and record the locations of any archaeological features that are exposed prior to construction of the plaza or for the Dunlop family cemetery area.

CITY COUNCIL PUBLIC HEARINGS

City Council public hearings are scheduled for their regular meeting on September 12, 2019 in the Council Chambers of Stryker Center at 2:00 p.m.



Carolyn A. Murphy, AICP
Planning and Codes Compliance Director

The Colonial Williamsburg Foundation

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

June 24, 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 conceptual plans for creation of a new private plaza on the site of the existing P3 parking lot in Merchants Square. In developing our concept, we have benefitted from guidance and advice from many City staff, as well as downtown property owners, merchants, and professionals.

We believe a new downtown, pedestrian friendly, entertainment and event space with curated, consistent, scheduled and regular experiential and cultural opportunities will invite increasing numbers of local, regional, and visiting audiences to shop, dine, linger, and explore all of downtown Williamsburg.

Our objective is to enhance an already vibrant, multi-use driven, flourishing Williamsburg town center that is an ever-growing magnet for residents and visitors to enjoy. Our plans include conversion of the P3 parking lot into a pedestrian and family-friendly area, to include service from surrounding restaurants.

Creation of the plaza would also include construction of new restroom facilities.

Because the site is located within the current Downtown Business District, by this letter, along with the attached application, Colonial Williamsburg is requesting a Zoning Text Change to the uses permitted within the Downtown Business District with a Special Use Permit in order to complete our planning for the proposed new pedestrian-friendly plaza, with uses such as art events, outdoor movies, staged musical or theatrical entertainment, and dining. Installations within the plaza may include water features, outdoor furniture, a temporary video wall, and an expansion of the current outdoor restaurant seating.

Our specific request is to include new wording to Section 21-294 – Uses permitted with special use permit, that will permit the following within the Downtown Business District:

Private Plaza - a multipurpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment and which may also include fountains, benches, temporary installations, including temporary stages, lighting, video and sound equipment, recreational facilities, outdoor furniture and seating areas, and outdoor seating for restaurants and other eating establishments that surround the plaza.

A conceptual site plan and renderings accompany this letter.

Pending approval of the attached applications, permitting, etc., construction could begin in early January 2020 and would last approximately 4 months.

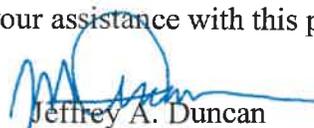
With respect to parking, changes to downtown parking generally, and in Merchants Square specifically would be minimal, with a loss of approximately 40 parking spaces out of 4,316 total parking spaces downtown, 1,080 of which are located in lots P1-P6. Approximately 8 parking spaces would be retained.

Based on the most recent parking study commissioned by the City of Williamsburg, there is significant excess parking capacity in downtown, as shown in the following chart, with data excerpted from the parking study. The loss of 40 parking spaces will retain more than 300 available spaces in Merchants Square during the busiest times on average weekends and weekdays during the spring and summer.

Spring Statistics	Total available parking	Highest weekday avg usage	Excess Capacity	Highest weekend avg usage	Excess Capacity
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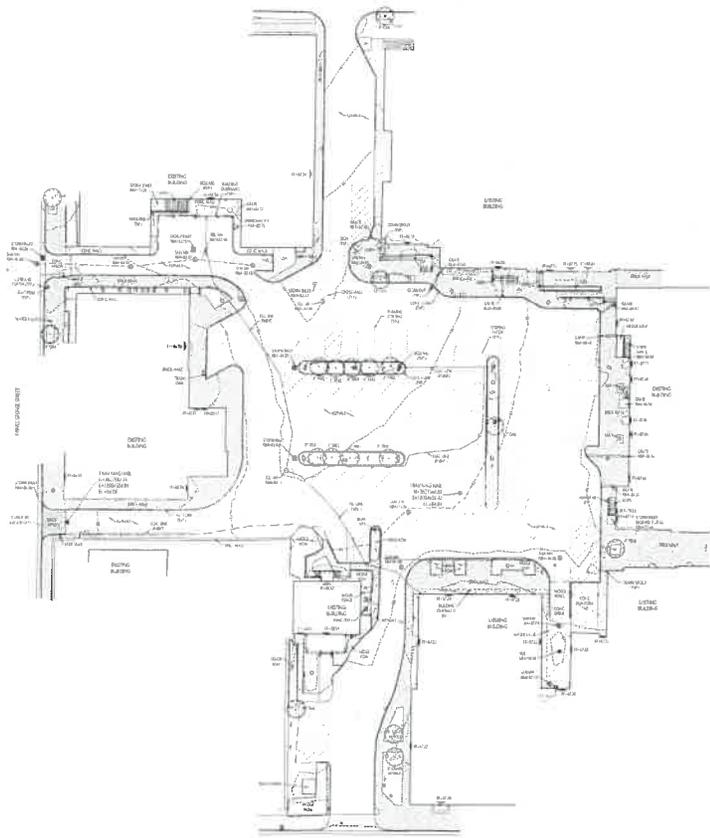
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Thanks again Carolyn for your assistance with this process. I look forward to hearing back.



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

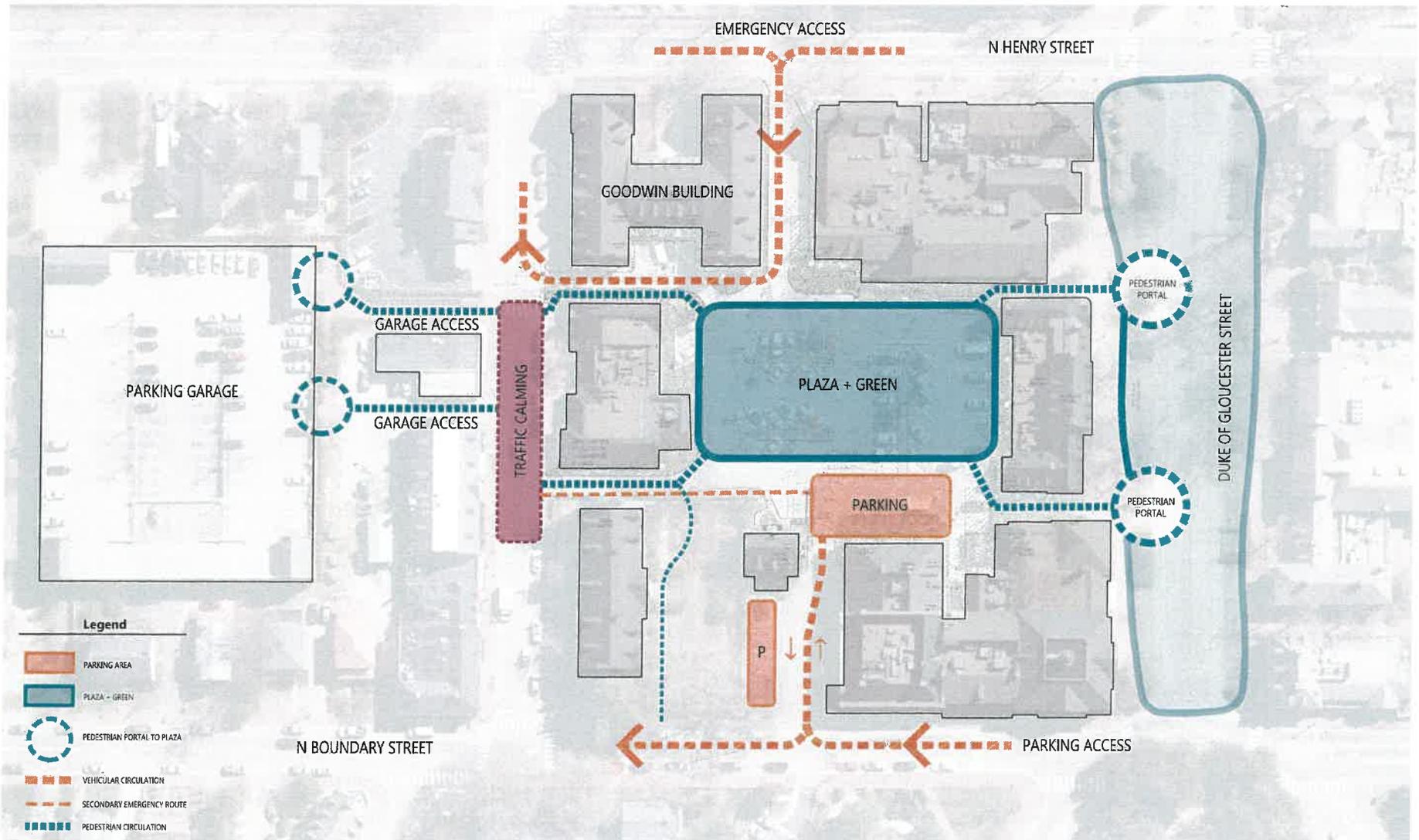
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merchants square north plaza
concept design

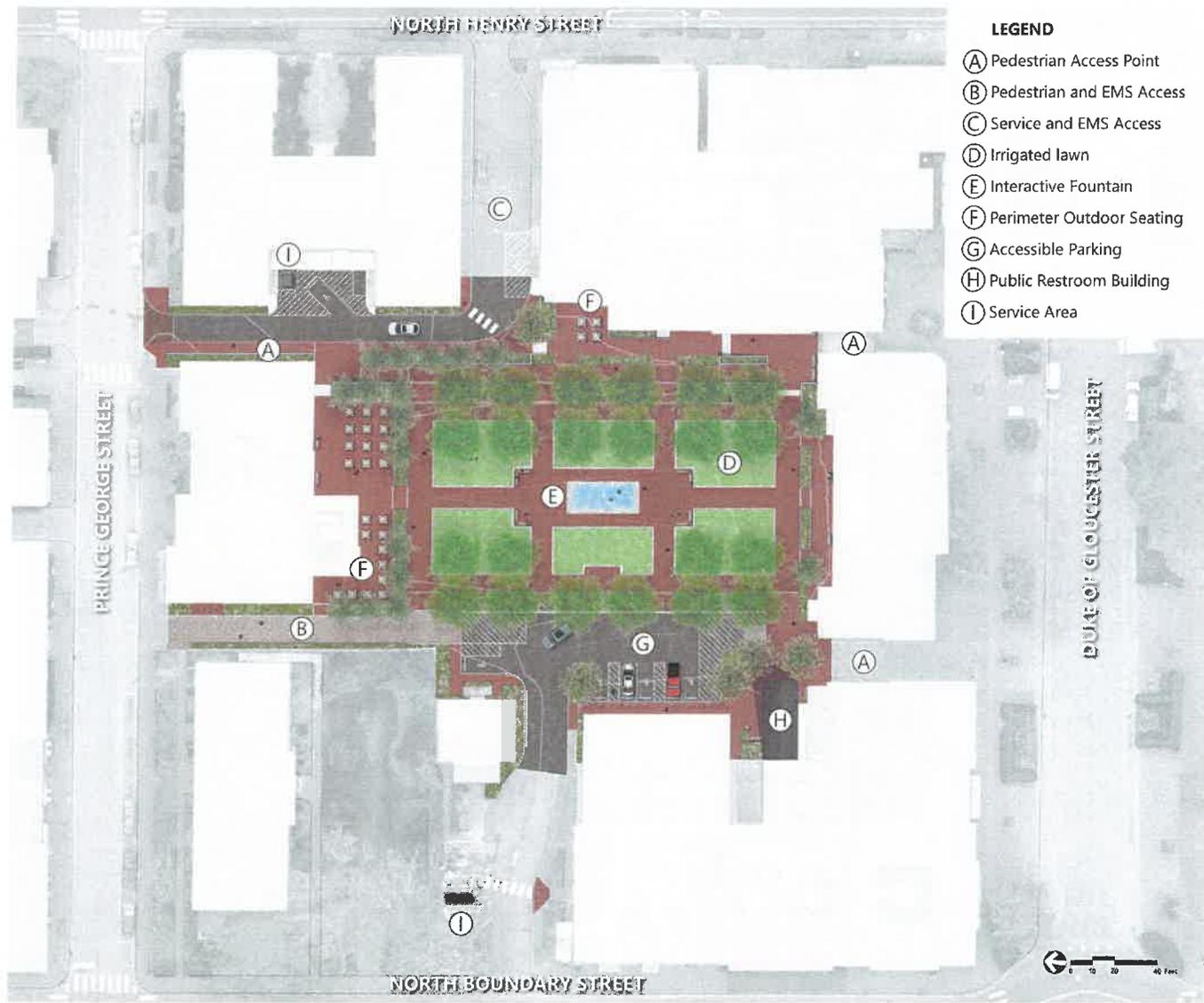
orthophotography + survey





concept diagram





merchants square north plaza
concept design

concept site plan





view looking northwest - **before**



view looking northwest - **after**

merchants square north plaza
concept design

comparison illustrations





view looking northeast - **before**



view looking northeast - **after**

merchants square north plaza
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bird's eye view looking south towards Duke of Gloucester Street

merchants square north plaza
concept design

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perspective looking north from southeast Duke of Gloucester Street access point

merchants square north plaza
concept design

conceptual illustrations





perspective view looking north of community green space

merchants square north plaza
concept design

conceptual illustrations





perspective view looking northeast of community green space

merchants square north plaza
concept design

conceptual illustrations





perspective view looking south from northwest Prince George Street access point

merchants square north plaza
concept design

conceptual illustrations





perspective view looking south of community green space

merchants square north plaza

concept design

conceptual illustrations





perspective view looking southwest of interactive fountain and community green space

merchants square north plaza
concept design

conceptual illustrations





perspective view looking south from behind Goodwin Building

merchants square north plaza
concept design

conceptual illustrations





Granite Steps



Brick Seat Wall



Brick Paving



Exposed Aggregate Paving



Granite Seat Wall



Asphalt Pavers



Granite Cobble Paving



Granite Paving



Trench Drain



Trash Receptacle



Wood Bench



Wood Fencing

merchants square north plaza
concept design

materials palette





'Alleé' Lacebark Elm



Overdam Feather Reed Grass



Switchgrass



Prairie Blues Bluestem



Kousa Dogwood



Little Henry Virginia Sweetspire



Green Velvet Boxwood



Japanese Privet



Natchez Crapemyrtle



Walker's Low Catmint



Ice Dance Sedge



Big Blue Liriope

merchants square north plaza
concept design

plant palette



**ORDINANCE #19-
PROPOSED ORDINANCE #19-18**

**AN ORDINANCE TO AMEND THE FOLLOWING PROVISIONS OF THE
WILLIAMSBURG CITY CODE; CHAPTER 21, ZONING,
ARTICLE I. SECTION 21-2 DEFINITIONS. BY ADDING A DEFINITION FOR PRIVATE
PLAZA AND
ARTICLE III. DISTRICT REGULATIONS. DIVISION 8. DOWNTOWN BUSINESS
DISTRICT B-1
BY ADDING PRIVATE PLAZA WITH A SPECIAL USE PERMIT
(PCR#19-013)**

These revisions to Chapter 21, Zoning, are intended to promote the health, safety and general welfare of the public, and to carry out the purpose and intent of Chapter 21 as stated in Sec. 21-1.

BE IT ORDAINED that Chapter 21, Zoning, Article I. In General. Sec 21-2 Definitions by adding a definition for Private Plaza; and Article III. District Regulations, Division 8. Downtown Business District B-1, Sec. 21-294. Uses permitted with a special use permit, shall be amended to add subparagraph 8 as follows:

ARTICLE I. IN GENERAL.

Sec. 21-2. Definitions.

Private plaza means a multipurpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza.

ARTICLE III. DISTRICT REGULATIONS.

DIVISION 8. DOWNTOWN BUSINESS DISTRICT B-1.

Sec. 21-294. Uses permitted with special use permit.

Uses permitted in the downtown business district B-1 with a special use permit approved by the city council in accordance with Article II, Division 2, are as follows:

(8) ~~Reserved.~~ *Private Plaza.*

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

Adopted:

Paul T. Freiling, Mayor

Attest: _____
Debi Burcham, Clerk of Council



CITY OF WILLIAMSBURG

MEMORANDUM

DATE: August 23, 2019

SUBJECT: **PCR#19-013:** Request of the Colonial Williamsburg Foundation to amend Section 21-2 Definitions by adding a definition for private plaza and Section 21-294(8) by adding private plaza with a special use permit in the Downtown Business District B-1.

PCR#19-014: Request of the Colonial Williamsburg Foundation for a special use permit to remove 40 parking spaces from the Downtown Parking District to construct a private plaza in the middle of the block currently used for parking (P3) bounded by North Henry Street, West Duke of Gloucester Street, North Boundary Street and Prince George Street located in the Downtown Business District B-1.

PCR#19-015: Request of the Colonial Williamsburg Foundation for a special use permit for the construction of a private plaza in the middle of the block currently used for parking (P3) bounded by North Henry Street, West Duke of Gloucester Street, North Boundary Street and Prince George Street located in the Downtown Business District B-1.

APPLICANT'S REQUEST

Colonial Williamsburg Foundation is proposing to create a new private plaza on the site of the existing P3 parking lot in Merchant's Square. The proposed plaza will be in the middle of the existing block between Duke of Gloucester Street, North Boundary Street, Prince George Street and North Henry Street. Four parcels are involved with the proposal 465-16-00-001A (435 West Duke of Gloucester Street), 465-0A-00-065 (412 Prince George Street), 465-0A-00-064 (134 North Henry Street) and 465-12-00-002,3* (403 West Duke of Gloucester Street).

PCR#19-013:

The request is to add a private plaza definition to the Zoning Ordinance and to allow a private plaza with a special use permit in the Downtown Business District B-1. The proposed definition of a private plaza is "a multipurpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza".

PCR#19-014:

The second request is for a special use permit to remove 40 parking spaces from the P3 parking lot for the construction of a private plaza.

PCR#19-015:

The third request is for a special use permit to construct a private plaza as shown on the conceptual elevations and site plan which are attached in the P-3 parking lot. The applicant notes in their application “a new downtown, pedestrian friendly entertainment and event space will curated, consistent, scheduled and regular experimental and cultural and opportunities will invite increasing numbers of local, regional, and visiting audiences to shop, dine, linger and explore all of downtown Williamsburg”. They noted their objective is to “enhance an already vibrant, multi-use driven, flourishing Williamsburg town center that is an ever-growing magnet for residents and visitors to enjoy”. The applicant proposes uses such as art events, outdoor movies, staged musical or theatrical entertainment and dining. Installations within the plaza may include water features, outdoor furniture, a temporary video wall, and expansion of outdoor restaurant seating.

CURRENT REGULATIONS

Comprehensive Plan

The 2013 Comprehensive Plan designates these parcels as Downtown Commercial, which is defined in the Plan as follows:

The Downtown Commercial land use category is intended to promote a variety of business uses in the Downtown Planning Area, and includes Merchants Square and other predominantly retail business areas adjacent to the Colonial Williamsburg Historic Area and the College of William and Mary. Continued use and adaption of residential dwellings is supported in the Downtown area, and residential uses are allowed at a base density of 14 dwelling units/net acre, with increased density allowed with a special use permit. The primary consideration for the approval of increased density should be how the scale and character of the proposed project related to its immediate surroundings and to the Downtown Planning Area as a whole. This category is implemented by the B-1 zoning district and by the PDC District for student dwellings with up to four unrelated persons per dwelling unit.

Lands to the east and south are designated Downtown Commercial land use. Lands to the west and north are designated William and Mary, Public and Semi Public, Downtown Commercial and Colonial Williamsburg Historic Area land use.

Zoning

These properties and properties to the east and south are zoned Downtown Business District B-1. Lands to the west and north are designated William and Mary, Downtown Business District B-1 and Colonial Williamsburg Historic Area CW.

The statement of intent for the Downtown Business District B-1 reads:

This district is established to promote harmonious development and redevelopment in the downtown business areas adjacent to the Colonial Williamsburg district and the College of William and Mary. The regulations are designed to maintain and encourage the existing small scale pedestrian character of the area, and to encourage a harmonious mixture of commercial, residential, office and institutional uses.

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.

Archaeological

This site is located in an archaeological protection district. An archaeological evaluation report has been prepared by Mark Kostro, Archaeologist with Colonial Williamsburg. A copy of the report is attached for review and consideration. The report states “a review of the documentary and archaeological evidence relating to the historical development of Block 23 indicates that the lot’s eighteenth and nineteenth century development was predominately along Duke of Gloucester and Prince George Streets, and for the most part, is outside the Goodwin Square development area”. The development plans for Goodwin Square include very limited excavation and will require extensive landfilling to raise the grade as much as three feet within the center of the development area to meet elevations along the area’s perimeter. Therefore, any cultural resources within this area will be protected. To protect any resources from being destroyed it is recommended that the Colonial Williamsburg’s Department of Archaeology monitor any demolition and record the locations of any archaeological features that are exposed prior to construction of the plaza or for the Dunlop family cemetery area.

Architectural Review Board

The Architectural Review Board reviewed and conceptually approved the design of the plaza at their June 25, 2019 meeting (ARB#19-066). I am attaching a copy of the minutes from that meeting.

Site Plan Review Committee

The Site Plan Review Committee reviewed the request at their July 17, 2019 meeting. Committee members were in favor of the conversion and expressed concerns with signage for parking located off North Boundary Street. The applicant will develop a sign packet for approval with the final site plan if a special use permit is granted.

ANALYSIS

PCR#19-013

This is a request to add a private plaza definition to the Zoning Ordinance and to allow a private plaza with a special use permit in the Downtown Business District B-1. The proposed definition of a private plaza is “a multipurpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza”.

PCR#19-014 & PCR#19-015

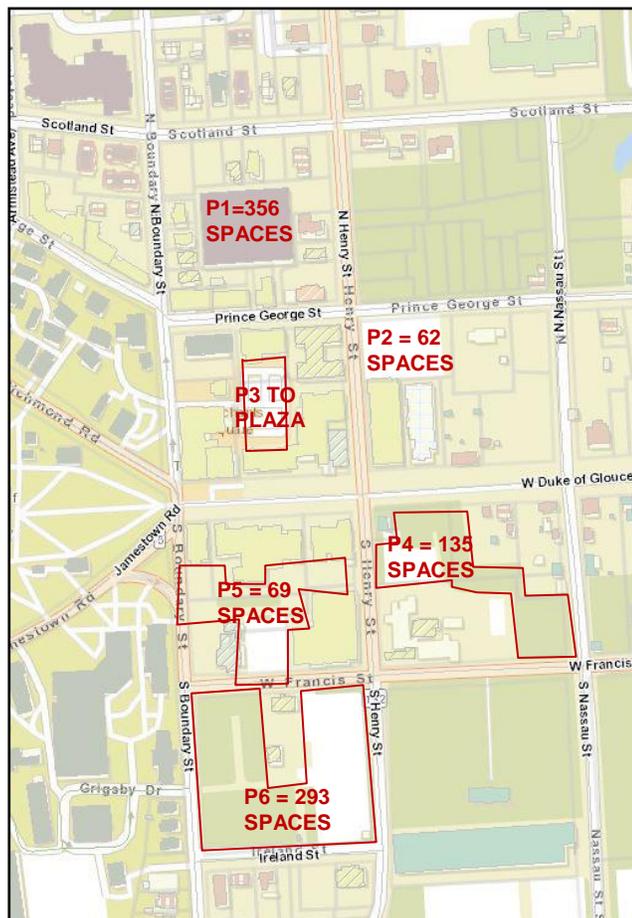
The second and third requests of the applicant is for a special use permit to remove 40 parking spaces from the P3 parking lot and a special use permit to construct a private plaza as shown on the conceptual elevations and site plan which are attached in the P-3 parking lot.

Parking

In 2016, the City hired Walker Parking Consultants to perform a parking study of the Downtown Parking District.

The parking study notes the following:

- There are 4,326 parking spaces in the Downtown Parking District.
- 87% of the parking spaces are provided off-street.
- Of the 87% off-street spaces 56% are in private lots.
- The spaces in higher demand are the 13% on-street parking spaces.
- For the study, the March counts were higher than the July counts.
- During peak weekday conditions, 1,656 spaces were vacant in the study area.
- On-street spaces were almost full before shops opened.
- Weekend parking occupancy is lower than weekday levels.
- Reviewing future demand it was projected that parking occupancy would increase from 62% to 75% which still left approximately 1,000 parking vacancies.
- They determined overall there is adequate parking downtown, with hotspots around Merchant's Square and Richmond Road.
- Demand is higher during weekdays than weekends.
- More than 1,600 vacant parking spaces exist during peak times.



The study notes there are sufficient spaces in the district. There is a perception of limited parking in the District. The study cites that this is due to customers wanting to park at or close to the business they want to visit and that short-term spaces are often being used by long-term users.

Based on the parking study, the loss of 40 parking spaces in the P3 parking lot can be accommodated without detriment to overall parking downtown because approximately 915 parking spaces are available in nearby public lots. The removal of these spaces can be absorbed by adjacent lots such as the Prince George parking garage or P6. Despite the common perception, overall the City has ample parking with a variety of parking options Downtown, within walking distance.

Private Park

As stated previously, the applicant proposes to construct a private park in the middle of the block surrounded by Prince George Street, North Henry Street, West Duke of Gloucester Street and North Boundary Street. These properties are located in Merchants Square which was developed in the 1930's to relocate local businesses and services from the Historic Area. Merchants Square was named to the National Register of Historic Places in June 2006.

The Downtown Vibrancy Study cites "the existing mix of land uses in the downtown core presents a further barrier to vibrancy". A need is cited for public open spaces that residents, students and visitors can feel free to visit and relax. Smaller areas of green spaces or plazas are necessary to ensure the downtown area is cohesively connected and people have access to a variety of open space amenities.

The Downtown Vibrancy Study recommended several green spaces downtown. One of the green spaces recommended was converting the P3 parking lot into a premier plaza with such amenities as a fountain and a gathering area for performance space.

The applicant states in their request "a new downtown, pedestrian friendly, entertainment and event space with curated, consistent, scheduled and regular experiential and cultural opportunities will invite increasing numbers of local, regional, and visiting audiences to shop, dine, linger and explore all of downtown Williamsburg".

Dumpster locations proposed are behind Shoester's and the loading area behind The Trellis. Concerns have been raised by individuals on fire access to the plaza. The conceptual plans provide fire access for the ladder truck which have been reviewed and approved by the Fire Department.

This proposed project is in harmony with the adopted comprehensive plan, and the intent and purpose of the Zoning Ordinance. The proposed use of a private plaza is in harmony with the character of the adjacent properties and will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance. This project is designed and sited so that it will not hinder or discourage the appropriate development or use of adjacent properties.

STAFF RECOMMENDATION

PCR#19-013

Staff recommends approval of the text change to define a private plaza and to allow a private plaza with a special use permit as outline in the proposed ordinance. This gives the City the flexibility to evaluate each site and determine if a proposed plaza should be allowed at a specific location.

PCR#19-014

Staff recommends approval of the special use permit request to remove 40 parking spaces from P3 as shown on the conceptual site plan

PCR#19-015

Staff recommends approval of a special use permit for the construction of a private plaza in the P3 parking as shown on the conceptual site plan subject to the following conditions:

1. Allowing audio visual entertainment equipment to be temporarily installed for a period of not more than three consecutive days. This equipment cannot be used for advertisement.
2. The use of permanent speakers in the plaza shall not be permitted because they are not in character with the district.
3. At least two dumpster containers and required enclosures shall be installed as shown on the conceptual plan.
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PLANNING COMMISSION

Planning Commission held a public hearing on August 14, 2019. The applicant, Jeff Duncan and 22 individuals spoke at the public hearing.

Planning Commission by a vote of 6-0-0-1 recommended to City Council the following:

PCR#19-013

Approval of the text change to define a private plaza and to allow a private plaza with a special use permit as outline in Proposed Ordinance #19-18. This gives the City the flexibility to evaluate each site and determine if a proposed plaza should be allowed at a specific location.

PCR#19-014

Approval of the special use permit request to remove 40 parking spaces from P3 as shown on the conceptual site plan.

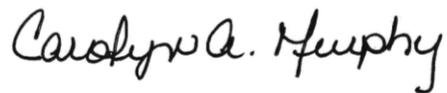
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City Council public hearings are scheduled for their regular meeting on September 12, 2019 in the Council Chambers of Stryker Center at 2:00 p.m.



Carolyn A. Murphy, AICP
Planning and Codes Compliance Director

The Colonial Williamsburg Foundation

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

June 24, 2019



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

Dear Ms. Murphy:

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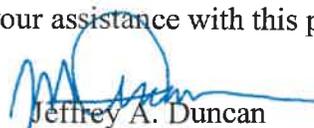
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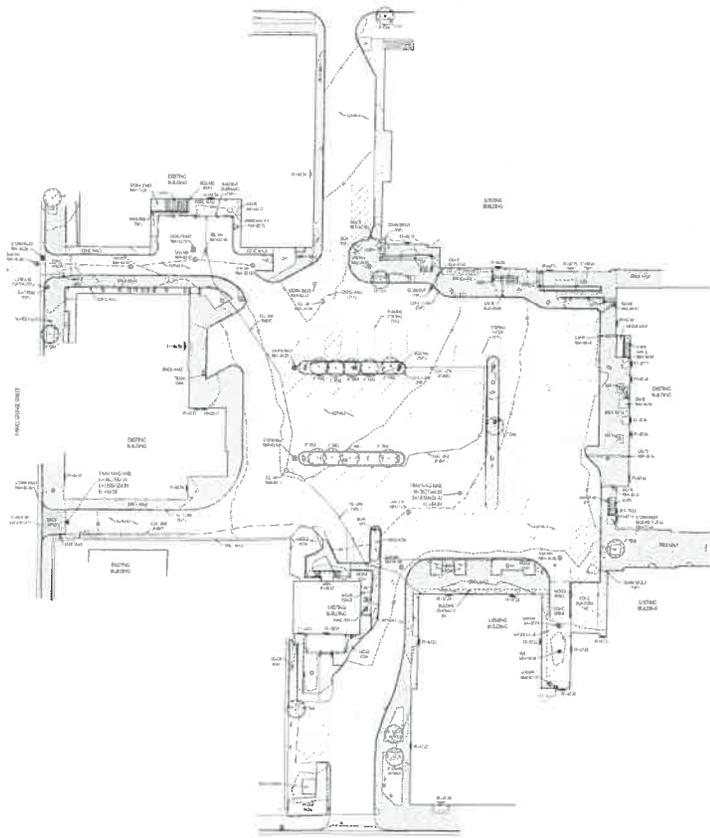
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Thanks again Carolyn for your assistance with this process. I look forward to hearing back.



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

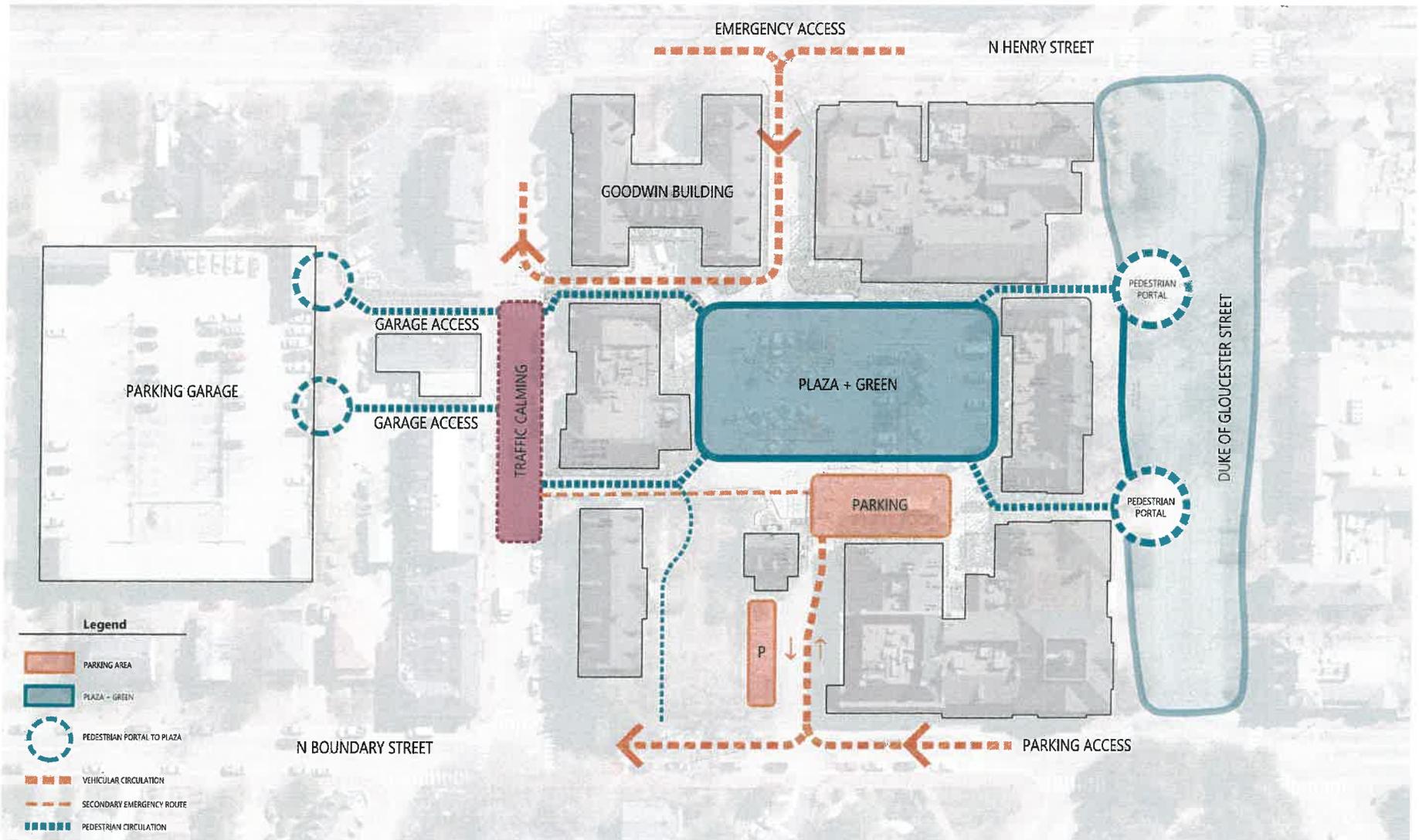
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merchants square north plaza
concept design

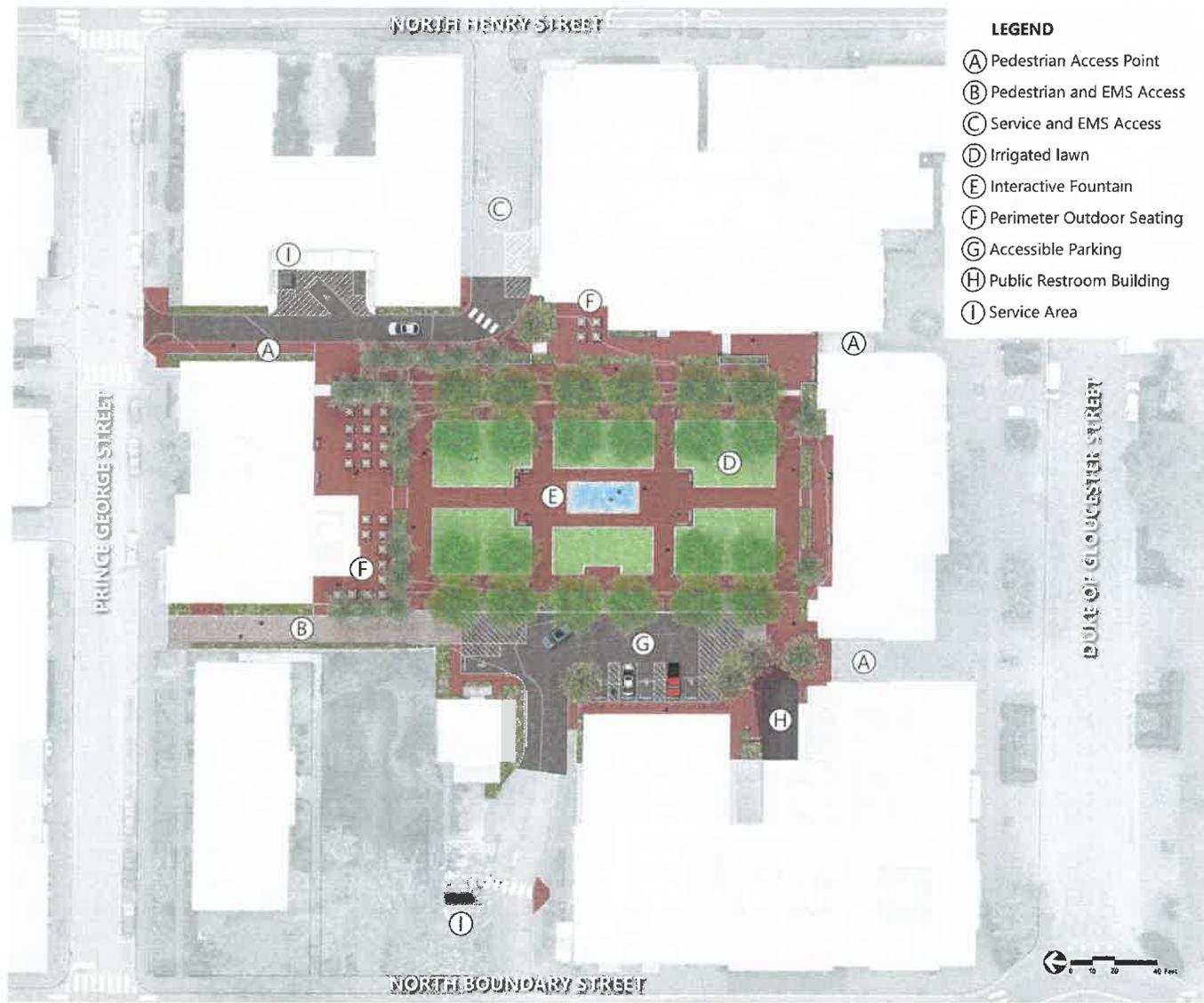
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concept diagram





merchants square north plaza
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concept site plan





view looking northwest - **before**



view looking northwest - **after**

merchants square north plaza
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bird's eye view looking south towards Duke of Gloucester Street

merchants square north plaza
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perspective looking north from southeast Duke of Gloucester Street access point

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perspective view looking north of community green space

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conceptual illustrations





perspective view looking northeast of community green space

merchants square north plaza
concept design

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perspective view looking south from northwest Prince George Street access point

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perspective view looking south of community green space

merchants square north plaza

concept design

conceptual illustrations





perspective view looking southwest of interactive fountain and community green space

merchants square north plaza
concept design

conceptual illustrations





perspective view looking south from behind Goodwin Building

merchants square north plaza
concept design

conceptual illustrations





Granite Steps



Brick Seat Wall



Brick Paving



Exposed Aggregate Paving



Granite Seat Wall



Asphalt Pavers



Granite Cobble Paving



Granite Paving



Trench Drain



Trash Receptacle



Wood Bench

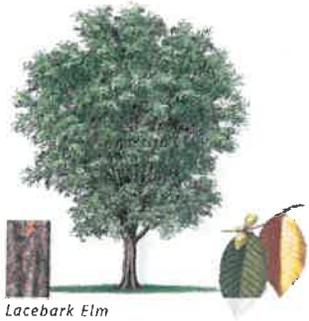


Wood Fencing

merchants square north plaza
concept design

materials palette





'Alleé' Lacebark Elm



Overdam Feather Reed Grass



Switchgrass



Prairie Blues Bluestem



Kousa Dogwood



Little Henry Virginia Sweetspire



Green Velvet Boxwood



Japanese Privet



Natchez Crapemyrtle



Walker's Low Catmint



Ice Dance Sedge



Big Blue Liriope

merchants square north plaza
concept design

plant palette





CITY OF WILLIAMSBURG

MEMORANDUM

DATE: August 23, 2019

SUBJECT: PCR#19-013: Request of the Colonial Williamsburg Foundation to amend Section 21-2 Definitions by adding a definition for private plaza and Section 21-294(8) by adding private plaza with a special use permit in the Downtown Business District B-1.

PCR#19-014: Request of the Colonial Williamsburg Foundation for a special use permit to remove 40 parking spaces from the Downtown Parking District to construct a private plaza in the middle of the block currently used for parking (P3) bounded by North Henry Street, West Duke of Gloucester Street, North Boundary Street and Prince George Street located in the Downtown Business District B-1.

PCR#19-015: Request of the Colonial Williamsburg Foundation for a special use permit for the construction of a private plaza in the middle of the block currently used for parking (P3) bounded by North Henry Street, West Duke of Gloucester Street, North Boundary Street and Prince George Street located in the Downtown Business District B-1.

APPLICANT'S REQUEST

Colonial Williamsburg Foundation is proposing to create a new private plaza on the site of the existing P3 parking lot in Merchant's Square. The proposed plaza will be in the middle of the existing block between Duke of Gloucester Street, North Boundary Street, Prince George Street and North Henry Street. Four parcels are involved with the proposal 465-16-00-001A (435 West Duke of Gloucester Street), 465-0A-00-065 (412 Prince George Street), 465-0A-00-064 (134 North Henry Street) and 465-12-00-002,3* (403 West Duke of Gloucester Street).

PCR#19-013:

The request is to add a private plaza definition to the Zoning Ordinance and to allow a private plaza with a special use permit in the Downtown Business District B-1. The proposed definition of a private plaza is "a multipurpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza".

PCR#19-014:

The second request is for a special use permit to remove 40 parking spaces from the P3 parking lot for the construction of a private plaza.

PCR#19-015:

The third request is for a special use permit to construct a private plaza as shown on the conceptual elevations and site plan which are attached in the P-3 parking lot. The applicant notes in their application “a new downtown, pedestrian friendly entertainment and event space will curated, consistent, scheduled and regular experimental and cultural and opportunities will invite increasing numbers of local, regional, and visiting audiences to shop, dine, linger and explore all of downtown Williamsburg”. They noted their objective is to “enhance an already vibrant, multi-use driven, flourishing Williamsburg town center that is an ever-growing magnet for residents and visitors to enjoy”. The applicant proposes uses such as art events, outdoor movies, staged musical or theatrical entertainment and dining. Installations within the plaza may include water features, outdoor furniture, a temporary video wall, and expansion of outdoor restaurant seating.

CURRENT REGULATIONS

Comprehensive Plan

The 2013 Comprehensive Plan designates these parcels as Downtown Commercial, which is defined in the Plan as follows:

The Downtown Commercial land use category is intended to promote a variety of business uses in the Downtown Planning Area, and includes Merchants Square and other predominantly retail business areas adjacent to the Colonial Williamsburg Historic Area and the College of William and Mary. Continued use and adaption of residential dwellings is supported in the Downtown area, and residential uses are allowed at a base density of 14 dwelling units/net acre, with increased density allowed with a special use permit. The primary consideration for the approval of increased density should be how the scale and character of the proposed project related to its immediate surroundings and to the Downtown Planning Area as a whole. This category is implemented by the B-1 zoning district and by the PDC District for student dwellings with up to four unrelated persons per dwelling unit.

Lands to the east and south are designated Downtown Commercial land use. Lands to the west and north are designated William and Mary, Public and Semi Public, Downtown Commercial and Colonial Williamsburg Historic Area land use.

Zoning

These properties and properties to the east and south are zoned Downtown Business District B-1. Lands to the west and north are designated William and Mary, Downtown Business District B-1 and Colonial Williamsburg Historic Area CW.

The statement of intent for the Downtown Business District B-1 reads:

This district is established to promote harmonious development and redevelopment in the downtown business areas adjacent to the Colonial Williamsburg district and the College of William and Mary. The regulations are designed to maintain and encourage the existing small scale pedestrian character of the area, and to encourage a harmonious mixture of commercial, residential, office and institutional uses.

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.

Archaeological

This site is located in an archaeological protection district. An archaeological evaluation report has been prepared by Mark Kostro, Archaeologist with Colonial Williamsburg. A copy of the report is attached for review and consideration. The report states “a review of the documentary and archaeological evidence relating to the historical development of Block 23 indicates that the lot’s eighteenth and nineteenth century development was predominately along Duke of Gloucester and Prince George Streets, and for the most part, is outside the Goodwin Square development area”. The development plans for Goodwin Square include very limited excavation and will require extensive landfilling to raise the grade as much as three feet within the center of the development area to meet elevations along the area’s perimeter. Therefore, any cultural resources within this area will be protected. To protect any resources from being destroyed it is recommended that the Colonial Williamsburg’s Department of Archaeology monitor any demolition and record the locations of any archaeological features that are exposed prior to construction of the plaza or for the Dunlop family cemetery area.

Architectural Review Board

The Architectural Review Board reviewed and conceptually approved the design of the plaza at their June 25, 2019 meeting (ARB#19-066). I am attaching a copy of the minutes from that meeting.

Site Plan Review Committee

The Site Plan Review Committee reviewed the request at their July 17, 2019 meeting. Committee members were in favor of the conversion and expressed concerns with signage for parking located off North Boundary Street. The applicant will develop a sign packet for approval with the final site plan if a special use permit is granted.

ANALYSIS

PCR#19-013

This is a request to add a private plaza definition to the Zoning Ordinance and to allow a private plaza with a special use permit in the Downtown Business District B-1. The proposed definition of a private plaza is “a multipurpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza”.

PCR#19-014 & PCR#19-015

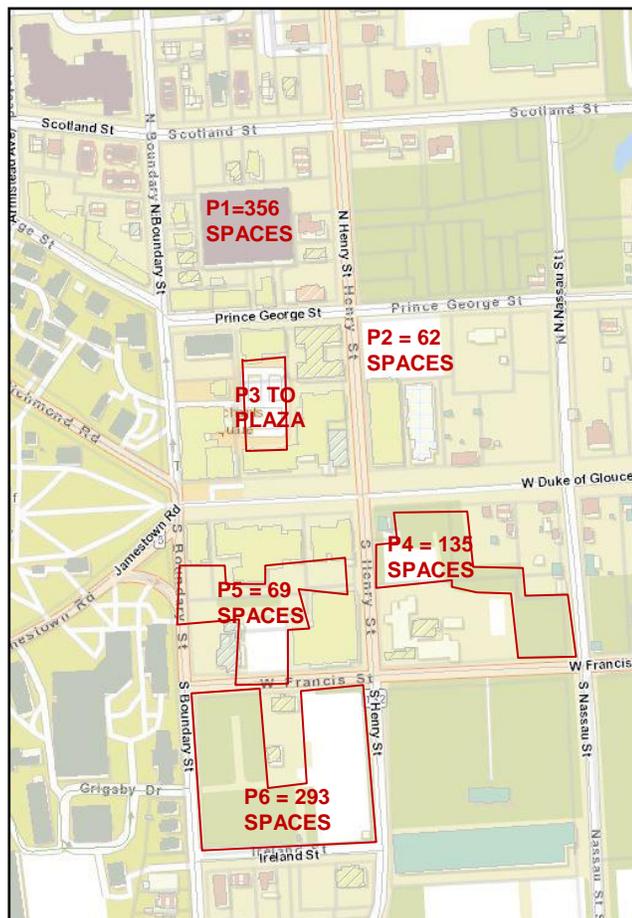
The second and third requests of the applicant is for a special use permit to remove 40 parking spaces from the P3 parking lot and a special use permit to construct a private plaza as shown on the conceptual elevations and site plan which are attached in the P-3 parking lot.

Parking

In 2016, the City hired Walker Parking Consultants to perform a parking study of the Downtown Parking District.

The parking study notes the following:

- There are 4,326 parking spaces in the Downtown Parking District.
- 87% of the parking spaces are provided off-street.
- Of the 87% off-street spaces 56% are in private lots.
- The spaces in higher demand are the 13% on-street parking spaces.
- For the study, the March counts were higher than the July counts.
- During peak weekday conditions, 1,656 spaces were vacant in the study area.
- On-street spaces were almost full before shops opened.
- Weekend parking occupancy is lower than weekday levels.
- Reviewing future demand it was projected that parking occupancy would increase from 62% to 75% which still left approximately 1,000 parking vacancies.
- They determined overall there is adequate parking downtown, with hotspots around Merchant's Square and Richmond Road.
- Demand is higher during weekdays than weekends.
- More than 1,600 vacant parking spaces exist during peak times.



The study notes there are sufficient spaces in the district. There is a perception of limited parking in the District. The study cites that this is due to customers wanting to park at or close to the business they want to visit and that short-term spaces are often being used by long-term users.

Based on the parking study, the loss of 40 parking spaces in the P3 parking lot can be accommodated without detriment to overall parking downtown because approximately 915 parking spaces are available in nearby public lots. The removal of these spaces can be absorbed by adjacent lots such as the Prince George parking garage or P6. Despite the common perception, overall the City has ample parking with a variety of parking options Downtown, within walking distance.

Private Park

As stated previously, the applicant proposes to construct a private park in the middle of the block surrounded by Prince George Street, North Henry Street, West Duke of Gloucester Street and North Boundary Street. These properties are located in Merchants Square which was developed in the 1930's to relocate local businesses and services from the Historic Area. Merchants Square was named to the National Register of Historic Places in June 2006.

The Downtown Vibrancy Study cites "the existing mix of land uses in the downtown core presents a further barrier to vibrancy". A need is cited for public open spaces that residents, students and visitors can feel free to visit and relax. Smaller areas of green spaces or plazas are necessary to ensure the downtown area is cohesively connected and people have access to a variety of open space amenities.

The Downtown Vibrancy Study recommended several green spaces downtown. One of the green spaces recommended was converting the P3 parking lot into a premier plaza with such amenities as a fountain and a gathering area for performance space.

The applicant states in their request "a new downtown, pedestrian friendly, entertainment and event space with curated, consistent, scheduled and regular experiential and cultural opportunities will invite increasing numbers of local, regional, and visiting audiences to shop, dine, linger and explore all of downtown Williamsburg".

Dumpster locations proposed are behind Shoester's and the loading area behind The Trellis. Concerns have been raised by individuals on fire access to the plaza. The conceptual plans provide fire access for the ladder truck which have been reviewed and approved by the Fire Department.

This proposed project is in harmony with the adopted comprehensive plan, and the intent and purpose of the Zoning Ordinance. The proposed use of a private plaza is in harmony with the character of the adjacent properties and will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance. This project is designed and sited so that it will not hinder or discourage the appropriate development or use of adjacent properties.

STAFF RECOMMENDATION

PCR#19-013

Staff recommends approval of the text change to define a private plaza and to allow a private plaza with a special use permit as outline in the proposed ordinance. This gives the City the flexibility to evaluate each site and determine if a proposed plaza should be allowed at a specific location.

PCR#19-014

Staff recommends approval of the special use permit request to remove 40 parking spaces from P3 as shown on the conceptual site plan

PCR#19-015

Staff recommends approval of a special use permit for the construction of a private plaza in the P3 parking as shown on the conceptual site plan subject to the following conditions:

1. Allowing audio visual entertainment equipment to be temporarily installed for a period of not more than three consecutive days. This equipment cannot be used for advertisement.
2. The use of permanent speakers in the plaza shall not be permitted because they are not in character with the district.
3. At least two dumpster containers and required enclosures shall be installed as shown on the conceptual plan.
4. A parking signage plan, bike racks and ADA accessible seating locations being submitted and approved by Planning Commission as part of the final site plan.
5. To protect any resources from being destroyed an archaeologist from the Colonial Williamsburg's Department of Archaeology must be on-site to monitor any demolition and record the locations of any archaeological features that are exposed prior to construction of the plaza or for the Dunlop family cemetery area.

PLANNING COMMISSION

Planning Commission held a public hearing on August 14, 2019. The applicant, Jeff Duncan and 22 individuals spoke at the public hearing.

Planning Commission by a vote of 6-0-0-1 recommended to City Council the following:

PCR#19-013

Approval of the text change to define a private plaza and to allow a private plaza with a special use permit as outline in Proposed Ordinance #19-18. This gives the City the flexibility to evaluate each site and determine if a proposed plaza should be allowed at a specific location.

PCR#19-014

Approval of the special use permit request to remove 40 parking spaces from P3 as shown on the conceptual site plan.

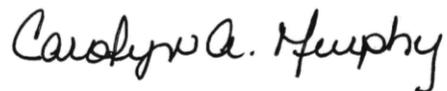
PCR#19-015

Approval of a special use permit for the construction of a private plaza in the P3 parking as shown on the conceptual site plan subject to the following conditions:

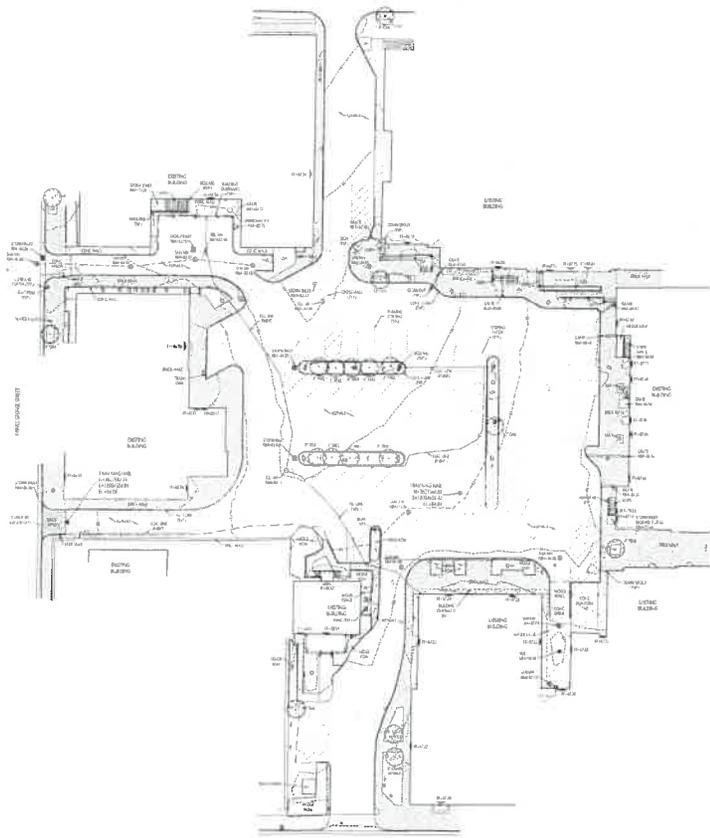
1. Allowing audio visual entertainment equipment to be temporarily installed for a period of not more than 75 days annually with the approval of City staff. This equipment cannot be used for advertisement.
2. The use of permanent speakers in the plaza shall not be permitted because they are not in character with the district.
3. At least two dumpster containers and required enclosures shall be installed as shown on the conceptual plan.
4. A parking signage plan, bike racks and ADA accessible seating locations being submitted and approved by Planning Commission as part of the final site plan.
5. To protect any resources from being destroyed an archaeologist from the Colonial Williamsburg's Department of Archaeology must be on-site to monitor any demolition and record the locations of any archaeological features that are exposed prior to construction of the plaza or for the Dunlop family cemetery area.

CITY COUNCIL PUBLIC HEARINGS

City Council public hearings are scheduled for their regular meeting on September 12, 2019 in the Council Chambers of Stryker Center at 2:00 p.m.



Carolyn A. Murphy, AICP
Planning and Codes Compliance Director

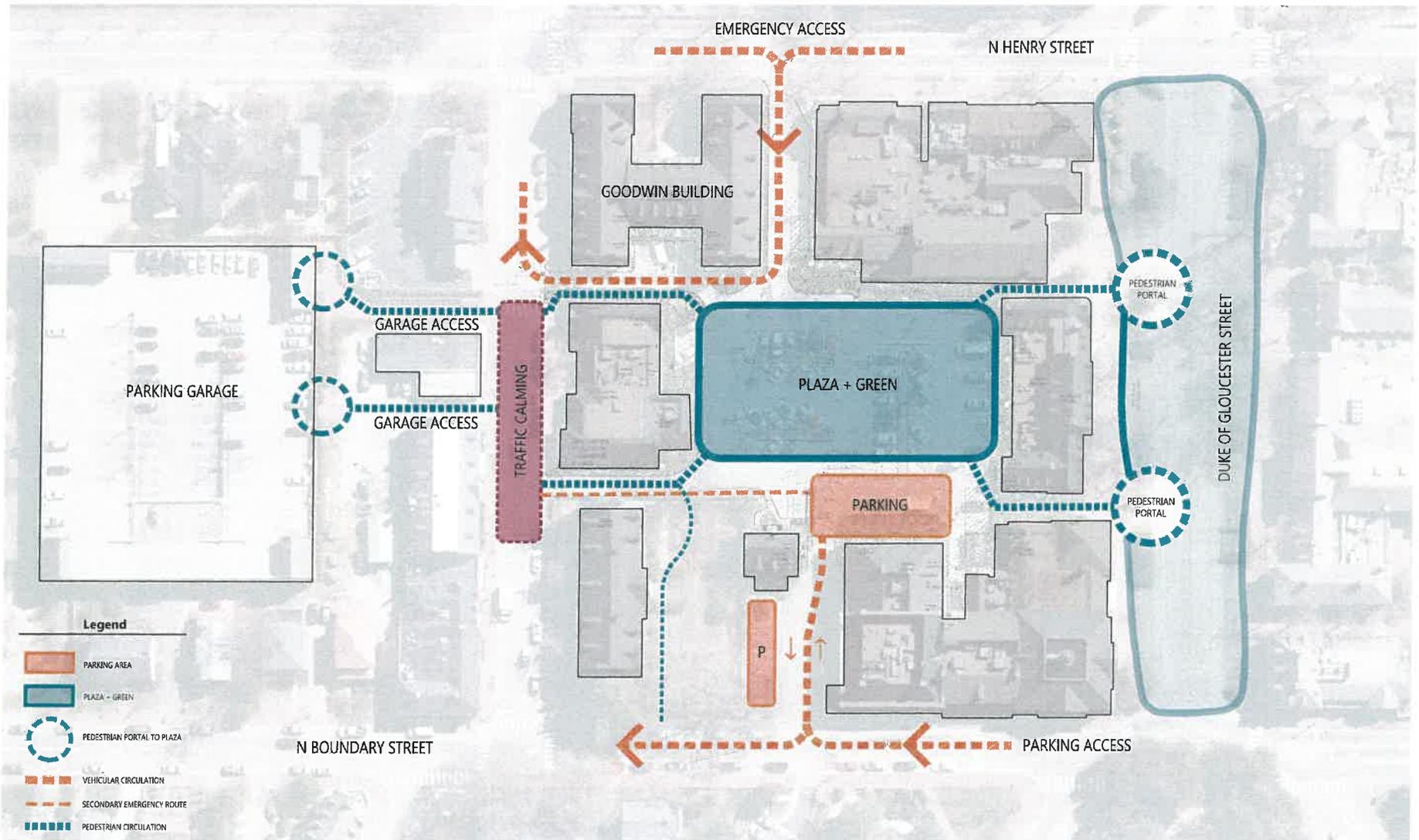


merchants square north plaza
concept design



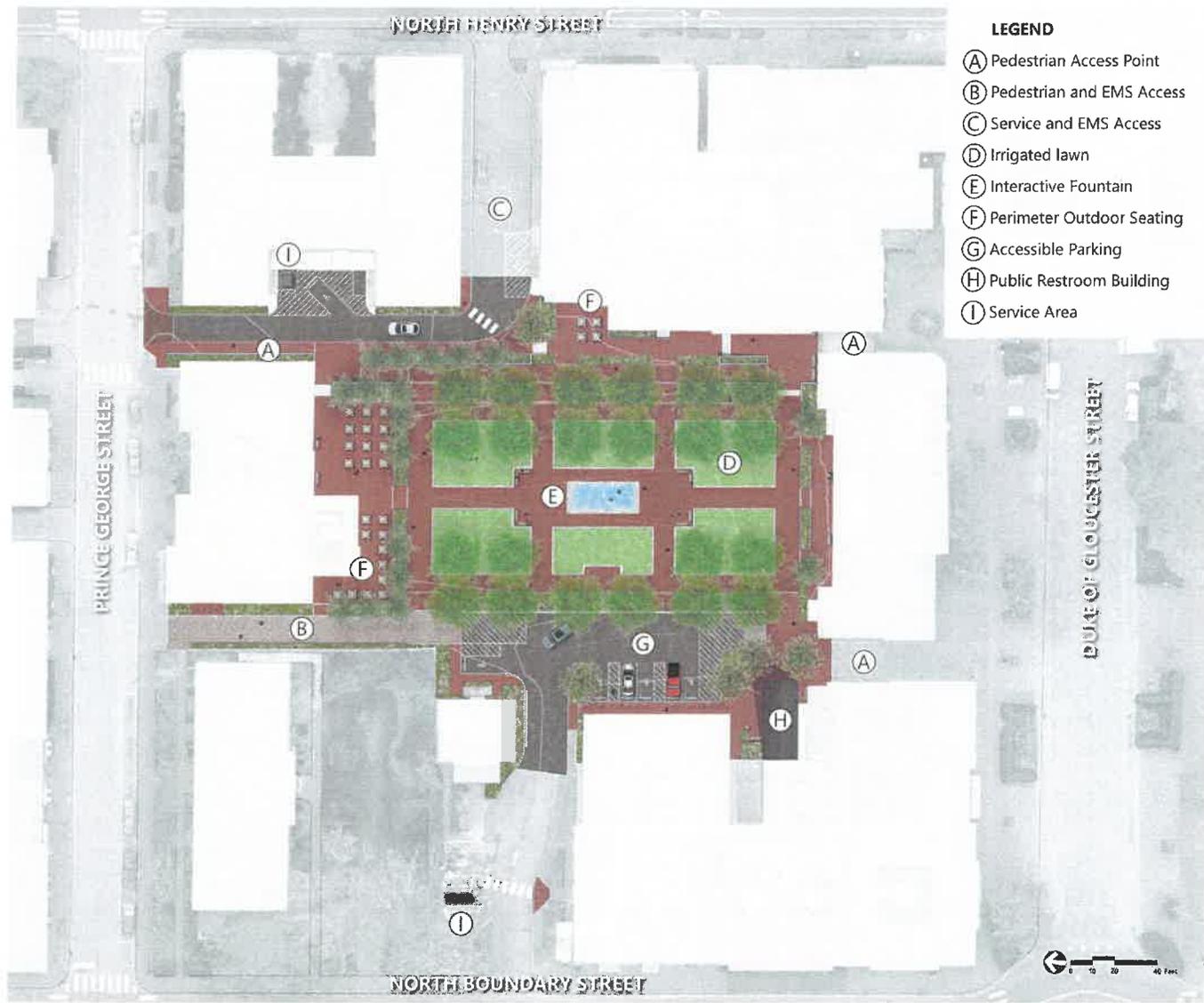
orthophotography + survey





concept diagram





merchants square north plaza
concept design

concept site plan





view looking northwest - **before**



view looking northwest - **after**

merchants square north plaza
concept design

comparison illustrations





view looking northeast - **before**



view looking northeast - **after**

merchants square north plaza
concept design

comparison illustrations





bird's eye view looking south towards Duke of Gloucester Street

merchants square north plaza
concept design

conceptual illustrations





perspective looking north from southeast Duke of Gloucester Street access point

merchants square north plaza
concept design

conceptual illustrations





perspective view looking north of community green space

merchants square north plaza
concept design

conceptual illustrations





perspective view looking northeast of community green space

merchants square north plaza
concept design

conceptual illustrations





perspective view looking south from northwest Prince George Street access point

merchants square north plaza
concept design

conceptual illustrations





perspective view looking south of community green space

merchants square north plaza

concept design

conceptual illustrations





perspective view looking southwest of interactive fountain and community green space

merchants square north plaza
concept design

conceptual illustrations





perspective view looking south from behind Goodwin Building

merchants square north plaza
concept design

conceptual illustrations





Granite Steps



Brick Seat Wall



Brick Paving



Exposed Aggregate Paving



Granite Seat Wall



Asphalt Pavers



Granite Cobble Paving



Granite Paving



Trench Drain



Trash Receptacle



Wood Bench



Wood Fencing

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Green Velvet Boxwood



Japanese Privet



Natchez Crapemyrtle



Walker's Low Catmint



Ice Dance Sedge



Big Blue Liriope

merchants square north plaza
concept design

plant palette



The Colonial Williamsburg Foundation

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

June 24, 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 conceptual plans for creation of a new private plaza on the site of the existing P3 parking lot in Merchants Square. In developing our concept, we have benefitted from guidance and advice from many City staff, as well as downtown property owners, merchants, and professionals.

We believe a new downtown, pedestrian friendly, entertainment and event space with curated, consistent, scheduled and regular experiential and cultural opportunities will invite increasing numbers of local, regional, and visiting audiences to shop, dine, linger, and explore all of downtown Williamsburg.

Our objective is to enhance an already vibrant, multi-use driven, flourishing Williamsburg town center that is an ever-growing magnet for residents and visitors to enjoy. Our plans include conversion of the P3 parking lot into a pedestrian and family-friendly area, to include service from surrounding restaurants.

Creation of the plaza would also include construction of new restroom facilities.

Because the site is located within the current Downtown Business District, by this letter, along with the attached application, Colonial Williamsburg is requesting a Zoning Text Change to the uses permitted within the Downtown Business District with a Special Use Permit in order to complete our planning for the proposed new pedestrian-friendly plaza, with uses such as art events, outdoor movies, staged musical or theatrical entertainment, and dining. Installations within the plaza may include water features, outdoor furniture, a temporary video wall, and an expansion of the current outdoor restaurant seating.

Our specific request is to include new wording to Section 21-294 – Uses permitted with special use permit, that will permit the following within the Downtown Business District:

Private Plaza - a multipurpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment and which may also include fountains, benches, temporary installations, including temporary stages, lighting, video and sound equipment, recreational facilities, outdoor furniture and seating areas, and outdoor seating for restaurants and other eating establishments that surround the plaza.

A conceptual site plan and renderings accompany this letter.

Pending approval of the attached applications, permitting, etc., construction could begin in early January 2020 and would last approximately 4 months.

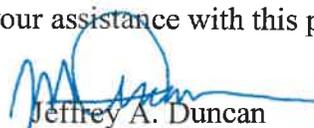
With respect to parking, changes to downtown parking generally, and in Merchants Square specifically would be minimal, with a loss of approximately 40 parking spaces out of 4,316 total parking spaces downtown, 1,080 of which are located in lots P1-P6. Approximately 8 parking spaces would be retained.

Based on the most recent parking study commissioned by the City of Williamsburg, there is significant excess parking capacity in downtown, as shown in the following chart, with data excerpted from the parking study. The loss of 40 parking spaces will retain more than 300 available spaces in Merchants Square during the busiest times on average weekends and weekdays during the spring and summer.

Spring Statistics	Total available parking	Highest weekday avg usage	Excess Capacity	Highest weekend avg usage	Excess Capacity
Total downtown parking	4,326 spaces	62%	1,643 spaces	45%	2,379 spaces
Downtown parking (Merchants Square lots only, P1-P6)	1,080 spaces	74%	280 spaces	67%	356 spaces

Summer Statistics	Total available parking	Highest weekday avg usage	Excess Capacity	Highest weekend avg usage	Excess Capacity
Total downtown parking (restriping caused loss of 10 spaces between spring and summer measurements)	4,316 spaces	41%	2,546 spaces	36%	2,762 spaces
Downtown parking (Merchants Square lots only, P1-P6)	1,080 spaces	59%	443 spaces	64%	389 spaces

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: Neil Ellwein, Colonial Williamsburg
 Dale Trowbridge, Colonial Williamsburg

Goodwin Square (Block 23) Archaeological Resource Management Plan

**Mark Kostro, PhD, RPA
November 2, 2018**

In October 2018 Colonial Williamsburg announced plans for the redevelopment of the Block 23 Parking Lot on the north side of Merchant's Square as a pedestrian plaza to be known as Goodwin Square which is located within the City of Williamsburg's Archaeological Protection District. The project will entail the demolition of the existing asphalt pavement, curbs and the concrete base that underlies the asphalt within the interior of the block. Replacing the parking lot will be a plaza that includes green space, brick sidewalks, outdoor seating, a splash pad and a large video screen. The project also includes the construction of a new public restroom at the plaza's southwest corner. Historic map overlays, historic photographs and a review of previous archaeology indicate the potential for the disturbance of archaeological resources within a small portion the development area. The most sensitive of these is the Dunlop family cemetery approximately located within the access road connecting N.Boundary to the parking lot. The present document reviews the known and potential cultural resources within the project area, evaluates the pressures to their *in situ* preservation, and outlines the course of action to be undertaken if significant archaeological resources are discovered in the course of site work.

Historical Background

Located within the Merchant's Square portion of Williamsburg, little attention has been paid the history of Block 23 until recently. The scant documentary hints to the block's eighteenth-century development include a reference to a tavern in the 1710s at the corner of Duke of Gloucester and N.Boundary Streets, various dwellings along Duke of Gloucester Street, and the operation of a charity school in the 1760s for free and enslaved African American children (Bray School) in a rented dwelling at the corner of Prince George and N.Boundary Streets (Goodwin 1950; Meyers 2004; Schupp 2000; Vinciguerra 2003). In the late eighteenth century, the block is depicted on at least two maps of the town. The Frenchman's Map of 1782 shows seven structures fronting along Duke of Gloucester Street, two at the northwest corner of the block fronting on Prince George Street, and a ravine running SW to NE intersecting with the block's northeast corner (Figure 1). The Desandrouins Map of the same year also shows various buildings at the block's perimeter and the ravine, but also shows two possible structures nearer to the center of the block (Figure 2).

No nineteenth century maps of Block 23 survive, but an oral history given by John S. Charles (1928) describes the block at the time the Civil War began as having "only six houses on it". He further identifies the house at the northwest corner of the block as the Dudley Digges house and that it was occupied by "an old white woman, 'Miss Gresham'", and the house at the block's southwest corner as "a small two story frame house, owned by the heirs of a respected colored man who was a blacksmith." Charles was referring to Alexander Dunlop, a free African American who acquired the property sometime between 1852 and 1858, and worked as a blacksmith prior to the Civil War.

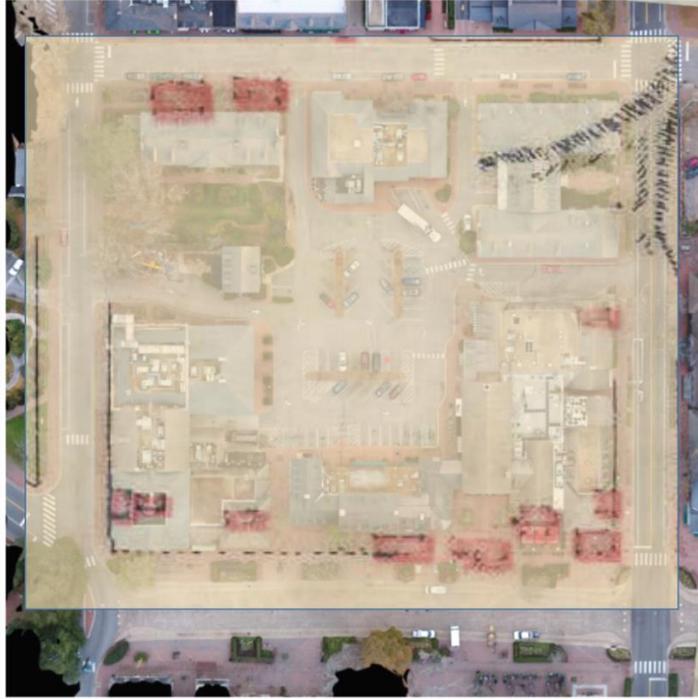


Figure 1. The Frenchman's Map (c.1782) overlaid on the project area.



Figure 2. The Desandrouins Map (c.1782) overlaid on the project area.



Figure 3. 1921 Sanborn Fire Insurance Map overlaid on the project area.

Early twentieth century Sanborn Fire Insurance maps indicate that the block's residential development continued to be concentrated along Duke of Gloucester and Prince George Streets, with only a small number of buildings along N.Boundary and N.Henry Streets, and minimal improvement of the block's interior (Figure 3). The largest of the buildings along N.Boundary Street is identified as a one-story blacksmith shop on the 1921 Sanborn Map. An early 1920s aerial photograph that includes the northwest corner of Block 23 also shows the blacksmith shop as well as the residential dwellings along Prince George including the aforementioned Digges House. The undeveloped portions of the block are either yards or cultivated as gardens (Figure 4). Three years later, another aerial photograph shows the entire block (Figure 5), and documents the residences on Duke of Gloucester and Prince George Streets, as well as, a wide variety of outbuildings behind the main structures. The photo also shows that by 1924 the blacksmith shop on N.Boundary Street had been replaced by a new building to the southwest of the shop's 1921 location. To the north of the shop, four white objects are also visible in the photograph. This is very close to where stone grave markers for Lucy Ann Dunlop (Alexander Dunlop's wife) and Robert F. Hill (Lucy Anne's father) were uncovered in 1965 and again in 2003, suggesting the possibility that the white objects in the photograph are grave markers (Vinciguerra 2003). If true, the photo indicates that two other, as yet undiscovered and unidentified, individuals may have been interred alongside Mrs. Dunlop and Mr. Hill.

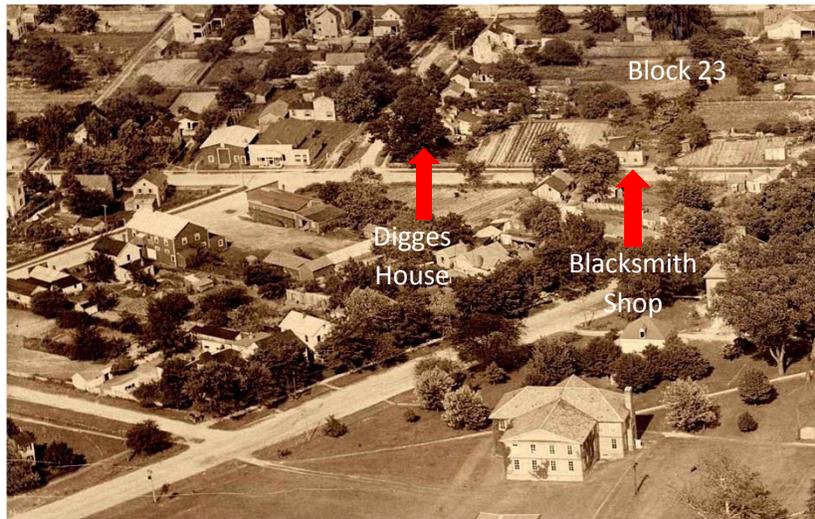


Figure 4. Early 1920s aerial photograph showing the northwest corner of Block 23 looking east.



Figure 5. 1924 aerial photograph of Block 23 looking west. The red arrow indicates possible gravemarkers.

By the end of the 1920s, the Williamsburg Methodist Church had acquired all the property on the west side of Block 23 along N. Boundary Street. In 1925 the Methodists demolished the Dunlop family home and built a new brick church at the corner of Duke of Gloucester and N. Boundary Streets. Archaeological evidence also suggests the graves of Mrs. Dunlop and Mr. Hill were moved a short distance the east and out of the new church's footprint at the time of the church's construction (Vinciguerra 2003). It is probable, although unconfirmed, that if other graves were located alongside Dunlop and Hill, they were also moved at this time. Five years later, in 1930, the Methodists built a three story brick dormitory (named Brown Hall in 1939) on the site of the Digges house (Meyers 2004). The rest of Block 23 was gradually acquired by the Williamsburg Holding Corporation in the 1930s and was ultimately redeveloped as Merchant's Square. The Methodist Church was also later sold to Colonial Williamsburg

in 1965 and demolished in 1981, while Brown Hall dormitory was sold to the College of William & Mary in 1939.

Previous Archaeology

Archaeological investigations of Block 23 have been limited to a series of salvage investigations of the Dunlop/Methodist Church/College Corner property at the block's southwest corner; and a three year investigation of the William & Mary-owned Bray School / Digges House site at the block's northwest corner. Presumably because Block 23 is located outside of Colonial Williamsburg's Historic Area, the Foundation's architects never cross-trenched the block.

The first of the salvage efforts included the documentation of the aforementioned Hill and Dunlop grave markers in 1965. Lost since 1925, the two grave markers were uncovered during the grading for the expansion of the present parking lot. Their location was mapped and the grave markers were photographed *in situ* before they were reburied. In early 2003, Colonial Williamsburg's Department of Archaeological Research attempted to relocate the grave markers prior to the construction of the new College Corner building. That effort was unsuccessful, but a couple months later, the two grave markers were unexpectedly re-exposed under the College Corner Building's northeast corner and removed along with the partial remains of two individuals (Figure 6)(Vinciguerra 2003). Both markers are on currently display at the First Baptist Church where Lucy Ann's husband Alexander was a trustee and deacon; while the excavated human remains were reinterred at the city's Cedar Grove Cemetery following their examination by William & Mary's Institute for Historical Biology (Blakey and Mahoney 2004).



Figure 6. The red dot depicts where the Dunlop and Hill gravestones were discovered in 2003. The red box shows the potential boundaries of the Dunlop family cemetery.

In 1969, rescue archaeology was conducted in a small area between Binn's Department Store and the Methodist Church building. The area had been graded by machinery in order to begin construction of a basement addition to the store. A series of round and rectangular pits, and a part of a cellar that had been filled before the 1730s. A number of eighteenth century artifacts were found, including tin-glazed cups, cutlery, tobacco pipes, and fragments of bottles. Additional archaeological monitoring was conducted in 1981 during the church's demolition to look for evidence of the site's eighteen-century occupation, but the earliest artifacts found dated to the mid-nineteenth century, and no structural remains were found (Schupp 2000:3).

In 2000 and 2001, two separate phase II investigations of the former Methodist Church property were carried out in advance of the construction of the College Corner Building. In both instances, the testing revealed no intact archaeological features pre-dating the church's demolition (Schupp 2000; Boroughs 2001). In July 2002, however, the excavation of a basement for the College Corner Building revealed two wells, one eighteenth century and the other nineteenth century. A small sample of artifacts was recovered from each well (Edwards 2002). Also part of the College Corner Building's construction was the archaeological monitoring of a new storm drain between it and the Goodwin Building. Within the drain trench, Colonial Williamsburg archaeologists recorded a series of deeply buried (>4 feet) underground eighteenth-century storm drains leading into the ravine to the northeast (Vinciguerra 2003).

The most in-depth archaeological investigation of Block 23 was the three year investigation of the Bray School / Digges House site by the Colonial Williamsburg / College of William & Mary annual archaeological field school. The project yielded significant evidence of Block 23's continuous occupation from the late seventeenth through the early twentieth century including outbuildings, underground storage pits, a well and numerous artifacts (Kostro 2014).

Archaeological Impact Assessment & Recommendations

The review of the documentary and archaeological evidence relating to the historical development of Block 23 indicates that the lot's eighteenth and nineteenth century development was predominantly along Duke of Gloucester and Prince George Streets, and for the most part, is outside the Goodwin Square development area. Furthermore, the development plans include only very limited excavation and instead calls for extensive landfilling in order to raise the grade as much as three feet within the center of the development area to meet the elevations along the area's perimeter. The landfilling will provide significant *in situ* protection to whatever cultural resources might exist within development area including the pair of buildings depicted on the Desandrouins Map that might lay within the development area. **Nevertheless, to ensure that no cultural resources are inadvertently destroyed, Colonial Williamsburg's Department of Archaeology will monitor the demolition of the extant parking lot and record the locations of any archaeological features that are exposed prior to the landfilling necessary for the pedestrian plaza's construction.**

In addition, all earthmoving activities within the Dunlop family cemetery will also monitored. The cemetery potentially includes the area west of the current parking lot and between the College Corner Building to the south and the brick wall that encloses the garden at Brown Hall to the north (see Figure 6). The planned excavations within this portion of the development area are limited to new

curb footers which the Department of Archaeology will monitor. In addition, given the sensitivity of the area, the Department of Archaeology will proactively apply for a Burial Permit from the Virginia Department of Historic Resources (VDHR). If graves or human remains are encountered, their removal will proceed immediately upon discovery in accordance with all provisions set forth by the VDHR in the burial permit.

Works Cited:

Blakey, Michael L. and Shannon Mahoney. 2004. *Report on the Human Remains Recovered from Block 23CB on Colonial Williamsburg Property*. Report No. 2, Institute for Historical Biology, College of William & Mary, Williamsburg, Virginia.

Edwards, Andrew C., n.d. "Block 23 Wells". Report on file, Department of Archaeology, Colonial Williamsburg Foundation.

Goodwin, Mary, 1950. *Blocks 15, 14 (South) & 23, 22 (North) Historical Report*. Colonial Williamsburg Foundation Library Report Series 1314. Rockefeller Library, Colonial Williamsburg Foundation.

Kostro, Mark, 2004. "The Bray School Archaeological Project, 2012-2014" *Virginia Archaeologist*, Vol. 31, No. 2 (Fall), p.12-13.

Meyers, Terry, 2004. "This Old House: Moved, mislabeled and misplaced, building at the college dates to 1700s. *Virginia Gazette*, 19 June 2004, pp 1A, 12A-13A.

Schupp, Katherine, 2000. *A Phase II Archaeological Assessment of the Old Methodist Church Lot*. Department of Archaeological Research, Colonial Williamsburg Foundation, Williamsburg, Virginia.

Vinciguerra, Lucie. 2003. Block 23 Storm Drain Monitoring. Report on file, Department of Archaeology, Colonial Williamsburg Foundation.

WILLIAMSBURG
ARCHITECTURAL REVIEW BOARD MINUTES
Tuesday, June 25, 2019

The regular semi-monthly meeting of the Williamsburg Architectural Review Board was held on Tuesday, June 25, 2019 at 6:30 p.m. in Room #128 in the Stryker Center, 412 North Boundary Street, Williamsburg, Virginia.

CALL TO ORDER and ATTENDANCE

Chair Scott Spence called the meeting to order. Present in addition to Chair Spence were Vice Chair David Stemann and Board members Ken Gross, Andrew Edwards, Mark Kostro, Donald Koehler, and Michael Stevens. Staff members present were Principal Planner Erin Burke and Planning Clerk Michele Arthur.

CONCEPTUAL REVIEW

ARB#19-066: CWF/403 & 435 West Duke of Gloucester Street, 412 Prince George Street, 134 North Henry Street (P3 Parking Lot) – Conversion to Private Plaza

Vice-Chair Stemann recused himself and left the dais to join the applicant.

Mr. Kostro recused himself as an employee of Colonial Williamsburg.

Jeff Duncan, Vice President of Real Estate for Colonial Williamsburg, presented the application. He noted this is an updated application to the one the Board had previously seen to convert downtown parking lot P3 to a pedestrian plaza. This project would entail removal of approximately 40 parking spaces while maintaining about 8 parking spaces (mostly ADA). A major change from prior proposal is the removal of the proposed permanent video wall. Mr. Duncan stated they may still use an inflatable screen in the plaza for movie nights, similar to what is currently done on Prince George Street. Mr. Duncan gave a slide presentation with several conceptual views of the project proposal. Mr. Duncan described the traffic entrance/exit routes, as well as, the pedestrian flows to the plaza for the proposal change. Mr. Duncan presented a conceptual view with green spaces, as, well as, a splash pad on the walkway surface (that can be turned off/on). There will be seating behind Blue Talon (non-public), and seating behind The Peanut Shop/Baskin Robbins (public). There will be no free standing signs; however, there will be some directional/store front signage. The plaza will be a consistent level, as there will not be curbing behind Precious Gem or Blue Talon. This will make ADA access easier. Mr. Duncan advised the Board of the location of the bollards that can be lowered for emergency vehicles. The seating in the plaza will be consistent with the existing seating in Merchant Square. They can be removed if there are events that require that use of space. Mr. Duncan presented with a materials slide that are consistent with Merchant Square usage. The planting materials are still up for consideration.

Mr. Koehler asked if there had been an impact study in regards to the removal of the parking spaces. Mr. Duncan said that the city did a parking study a year ago and determined that there 1,000 ADA spaces downtown and in excess of the needs, therefore, removal of 40 spaces should not affect the current usage. Mr. Duncan went on to say that the parking structure is about 80 steps from the Goodwin Square site and that the parking structure is hardly ever full. Mr. Koehler asked how the business owners have responded to the proposed change. Mr. Duncan said that there have been mixed reactions. There are about 1.5 million people that come through Merchant Square on an annual basis, and the goal is to increase that number. The proposal could provide another quiet location where people will spend more time downtown.

Per Mr. Duncan, next is submission of applications to the Planning Commission for special use permits to remove 40 parking spaces and to convert the parking lot into a pedestrian plaza. Also, they will be requesting a change to the zoning text to allow for the plaza. Mr. Stemann added that they would be back as soon as they can to present before the Board. Mr. Duncan added that they applied through the tourism development fund for project funding.

There being no additional business before the Board, the meeting adjourned at 7:34 p.m.



Michele Arthur



CITY OF WILLIAMSBURG

MEMORANDUM

DATE: August 21, 2019

SUBJECT: ARB#19-044: Appeal of the Architectural Review Board decision regarding the request of Virginia Haughwout Estate to demolish the single-family dwelling located at 300 Bucktrout Lane.

On July 9, 2019, the Architectural Review Board denied the above application for the demolition of "Bucktrout Cottage" located at 300 Bucktrout Lane by a vote of 5-1-0-1.

The Board denied the request for the following reasons:

- The dwelling is over 50 years old, built in 1946 and is eligible to be on the National Register of Historic Places.
- Inspection of the property revealed the dwelling was in pretty good shape in that the roof, trim and most of the paint looked good. It was noted that the landscape was a little overgrown; but the overall condition of the house looked good.
- A goal of Architectural Preservation is to retain and restore dwellings unless a compelling case is made for removal. The applicant has not demonstrated a compelling reason for the demolition of this dwelling.

Attached is the following:

Appeal to City Council

- The applicant's appeal letter.

ARB Meeting Information

- ARB application #19-044.
- Minutes of the July 9, 2019 meeting.
- Staff comments.
- Letter of denial to the applicant from Erin Burke, Principal Planner.
- **Design Review Guidelines** for Demolition.
- **Section 21-855(c). Razing, Demolition or Moving Criteria**, from the Architectural Review article of the Zoning Ordinance.
- Excerpts from the 2013 Comprehensive Plan (Chapter 2, Goals and Chapter 5, Community Character).

ARB APPEAL PROCESS

Section 21-857 of the Zoning Ordinance regulates the appeal process. It requires that City Council hold a public hearing to review the appeal not more than 45 days after the

first Council meeting following the receipt of the appeal. The City Council may affirm, reverse or modify the decision of the Architectural Review Board, in whole or in part. The applicant has the right to appeal City Council's decision to the Circuit Court.

STANDARDS FOR APPROVAL

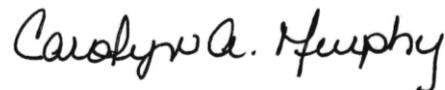
The Architectural Review article of the Zoning Ordinance states that the same standards shall be applied by the Council as are established for the Board. These standards include the "Criteria for Approval" listed in Section 21-855(c), the design guidelines adopted by City Council on October 13, 2013, and Historic Preservation and Urban Design from the 2013 Comprehensive Plan (excerpts are attached). City Council needs to use these standards in deciding on the appeal from the Architectural Review Board's decision.

ARB DESIGN REVIEW GUIDELINES

This property is located in the City's **Architectural Preservation District AP-1** of the **Design Review Guidelines**, which were adopted by the City Council on October 10, 2013.

PUBLIC HEARING DATE

A public hearing is scheduled for the regular City Council meeting on Thursday, September 12, 2019 in the Council Chambers of Stryker Center at 2:00 p.m.



Carolyn A. Murphy, AICP
Planning & Codes Compliance Director

Luis Portal
Senior Real Estate Asset Manager

The Private Bank
Real Estate Asset Management
1753 Pinnacle Drive, 4th Floor
MAC R3076-042
McLean, VA 22102-3833
703.760.6164



August 5, 2019

Erin Burke
Principal Planner
City of Williamsburg
401 Lafayette Street
Williamsburg, VA 23185

Re: 300 Bucktrout Lane Williamsburg, VA - ARB # 19-044 dated 7-9-2019

Dear Erin:

We would like to request an appeal of the Architectural Review Board's decision denying the demolition of the property referenced above to the City Council. If you need further information from me please let me know. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Luis Portal", written in a cursive style.

Luis Portal
Senior Real Estate Asset Manager



ARB # A-044
DATE FILED 3-18-19

**CITY OF WILLIAMSBURG
APPLICATION FOR ARCHITECTURAL REVIEW**

Architectural Review Board
401 Lafayette Street
Williamsburg, VA 23185-3617
(757) 220-6130
Fax (757) 220-6130

F/B/O Wells Fargo Bank N/A

Property Owner's Printed Name <u>Luis Portol</u> Address <u>1753 Pinnacle Dr</u> City/State/Zip <u>McLean, VA 22102</u> Phone/FaxNo. <u>703-760-6164</u> E-mail <u>Luis.Portol@wellsfargo.com</u> Property Owner's Signature <u>F/B/O Wells Fargo Bank N/A</u> Date <u>3/18/19</u>	Representative's printed Name _____ Address _____ City/State/Zip _____ Phone/Fax No. _____ E-mail _____
<p>By signing this application, I give the applicant permission to represent me regarding this request. I also give City of Williamsburg employees and members of the Architectural Review Board the right to enter my property.</p>	

The signature of the property owner is required for the application to be processed. Any application submitted without the property owner's signature will not be processed and will be returned to the applicant.

DESCRIPTION OF PROPOSAL (please attach a separate sheet if necessary):

Demolition of structure

Location of Proposal: 300 Bucktrout Ln Williamsburg, VA 23185

ARB District: AP-1 **Tax Map Number:** 4997-01-00-R

Business Name (if applicable): _____

PLEASE NOTE THAT CONSIDERATION WILL NOT BE GIVEN TO INCOMPLETE APPLICATIONS.

- _____ Elevations and drawings to scale (nine sets if larger than 8.5"x 11"). One set if 8.5"x 11".
- _____ Colored renderings for commercial projects are required.
- _____ Site plan or survey plat of property.

A LIST OF ALL MATERIALS USED AND COLORS PROPOSED MUST BE SUBMITTED WITH THE APPLICATION.

The following list must be completed for the application to be processed. Samples of colors not on the approved color palettes must be submitted when the application is submitted for review. Failure to submit specific materials and colors will result in the application not being processed and returned for completion. For any materials that do not apply to the specific application, please note N/A in the space.

PROPOSED MATERIAL:

PROPOSED COLOR:

Foundation: _____	_____
Walls: _____	_____
Roof: _____	_____
Doors: _____	_____
Windows: _____	_____
Trim: _____	_____
Deck: _____	_____
Chimney: _____	_____
Gutters/Downspouts: _____	_____
Fence: _____	_____
Rails: _____	_____
Dumpster Screening: _____	_____
Driveway/Sidewalks: _____	_____

Application was: [] Approved [] Approved with Conditions [] Denied

Date of ARB Action: 7.9.19

for Architectural Review Board

Approval by the Architectural Review Board of this application shall expire 12 months from the date of approval by the Board unless the approval is granted in conjunction with a site plan which extends the approval date until the expiration date of the site plan.

300 Bucktrout Ln

Architectural Review Board Factors

- 1) The building is not on the National Register of Historic Places (Chapter XII appendix 1)
- 2) The building does not have any historic or architectural value. It was built as a personal residence and was occupied as such until 2016. The property has been vacant since 2016.
- 3) The demolition will not impact the surrounding neighborhood. In fact, the tenant of the neighboring properties Colonial Williamsburg Foundation would have better use for the vacant land.
- 4) There are no plans to replace the building it will be left as vacant land.
- 5) The building will be demolished and the land will remain vacant.
- 6) The building is functionally obsolete but in fair condition.
- 7) It is not economically feasible to restore the building because the cost to maintain the property exceeds any potential income. An appraisal completed in 2016 indicated that the highest and best use would be to demolish the building.

WILLIAMSBURG ARCHITECTURAL REVIEW BOARD

July 9, 2019

Page 1

ARCHITECTURAL PRESERVATION DISTRICT

ARB#19-044: Virginia Haughwout Estate/300 Bucktrout Lane

This is an application for demolition of the single-family residence known as the Bucktrout Cottage constructed in 1946.

This property is located in the **AP-1 Zone** of the **Architectural Preservation District** and Chapter XI, Demolition of the **Design Review Guidelines** pertains to demolition. The Demolition Section states that “many factors need to be weighed by the Architectural Review Board when reviewing requests for demolition in the Architectural Preservation District”, many of which are listed in Section 21-855(c) of the Zoning Ordinance. These factors include:

1. Whether or not the building or neighborhood in which it is located is listed on or eligible for the National Register of Historic Places.
2. The historic and architectural value of the building.
3. The effect the demolition will have on the surrounding neighborhood.
4. The type and quality of the project that will replace the building.
5. The Comprehensive Plan’s goals for historic preservation.
6. The condition of the building.
7. The economic feasibility of restoring the building.

The applicant has provided responses to these seven factors which are included in your packet.

Staff has reviewed this request and visited the property. After reviewing the **Guidelines** and the materials presented by the applicant, staff recommends denial of the application since the materials presented do not indicate a necessity for demolition.



Erin Burke,
Principal Planner



CITY OF WILLIAMSBURG

Planning and Codes Compliance Department

July 12, 2019

Mr. Luis Portal
Vice President, Senior Real Estate Asset Manager
Eastern Region/Real Estate Asset Management
Wells Fargo Private Bank
1753 Pinnacle Drive
McLean, VA 22102-3833

RE: 300 Bucktrout Lane,
Williamsburg, VA

Mr. Portal:

Please let this letter and attached completed copy of the application for the City of Williamsburg, Architectural Review Board (ARB) serve as official notice of the ARB denial of the request to demolish the house located at 300 Bucktrout Lane, known as "Bucktrout Cottage".

According to the Section 21-857 of the City of Williamsburg Zoning Ordinance this decision may be appealed to City Council:

Sec. 21-857. - Appeals.

(a) Appeals from architectural review board to city council.

- (1) Any persons aggrieved by any decision of the architectural review board shall have the right to appeal the decision to the city council. An appeal shall be filed with the zoning administrator within 30 days after the final decision of the review board. The city council shall schedule a public hearing on the appeal not more than 45 days after the first council meeting following the receipt of the appeal.*
- (2) On any appeal, the final decision of the review board appealed from shall be stayed pending the outcome of the appeal before the council, except that the filing of such petition shall not stay the decision of the review board if such decision denies the right to raze, demolish or move a building in the architectural preservation district.*
- (3) The city council may affirm, reverse or modify the decision of the review board, in whole or in part. The same standards shall be applied by the council as are established for the review board.*

(b) Appeals from city council to the circuit court. Any persons aggrieved by the decision of the city council shall have the right to appeal such decision to the circuit court for a review. Such appeal shall be taken by filing a petition at law, setting forth the alleged illegality of the action of city council, provided such petition is filed within the 30 days after the final decision is rendered by the city council. The filing of the appeal shall stay the decision of the council pending the outcome of the appeal to circuit court, except that the filing of such petition shall not stay the decision of the city council if such decision denies the right to raze, demolish or move a building in the architectural preservation district. The court may reverse or modify the decision of the city council in whole or in part, if it finds upon review that the decision of the city council is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the city council.

Please note that in addition to this appeal section, Section 21-858 also applies:

Sec. 21-858. - Additional or concurrent right to demolish buildings in the architectural preservation district.

(a) In addition to the right of appeal, the owner of a building or structure in the architectural preservation district, the razing or demolition of which is subject to the provisions of this article, shall, as a matter of right, be entitled to demolish such building or structure provided that:

(1) The owner has applied to the city council for such right.

(2) The owner has, for the period of time set forth in the time schedule in section 21-858(a)(3) and at a price reasonably related to its fair market value, made a bona fide offer to sell such building or structure and the land pertaining thereto to the city or to any person, firm, corporation or agency thereof or political subdivision or agency thereof which gives reasonable assurance that it is willing to preserve and restore the building or structure and the land pertaining thereto.

(3) No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such building or structure and the land pertaining thereto prior to the expiration of the applicable time period set forth in the time schedule below. Any appeal which may be taken to the court from the decision of the review board, whether instituted by the owner or by the other proper party, notwithstanding the provisions heretofore stated relating to a stay of the decision appealed from, shall not affect the right of the owner to make the bona fide offer to sell referred to in this paragraph. No offer to sell shall begin more than one year after the final decision of the review board, but thereafter the owner may renew his request to the review board to approve the razing or demolition of the building or structure. The time schedule for offers shall be as follows:

<i>Property Valued At</i>	<i>Minimum Offer to Sell</i>	<i>Period</i>
<i>Less than \$25,000.00</i>		<i>3 months</i>
<i>\$25,000.00—\$39,999.00</i>		<i>4 months</i>
<i>\$40,000.00—\$54,999.00</i>		<i>5 months</i>

\$55,000.00—\$74,999.00	6 months
\$75,000.00—\$89,999.00	7 months
\$90,000.00 or more	12 months

(4) Before making a bona fide offer to sell, an owner shall first file a statement with the zoning administrator. The statement shall identify the property, and state the offering price, the date the offer of sale is to begin, and the name of the real estate agent, if any. No time period set forth in the schedule contained in section 21-858(a)(3) shall begin to run until the statement has been filed. Within five days of receipt of a statement, copies of the statement shall be delivered by the zoning administrator to the city manager, members of the city council and members of the review board.

Please let me know if you have any questions or need any additional information.

Sincerely,

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

Erin Burke,
Principal Planner

CHAPTER XI DEMOLITION

It is the intent of the demolition section of the *Design Review Guidelines* to ensure that property owners consider the role which existing buildings play in defining the character of the community. In addition, certain buildings possess individual significance as examples of certain architectural styles and periods in the City's history. Williamsburg has experienced in a high level of demolition activity within the last eighty years, which significantly altered the character of certain areas in the community. In addition as a result of the restoration of the Colonial Capitol, the City's redevelopment efforts, and continuing development pressures on land adjacent to the Historic Area, demolition has removed a sizeable portion of the City's post-Colonial era historic fabric. Historic resources, which are especially threatened, are from the city's depleted supply of Victorian and early twentieth century buildings. These non-colonial historic buildings contribute to the City's character and are evidence of the City's evolutionary process between the colonial period and the present time.

A 1930 survey and buildings map illustrates the level of demolition and redevelopment that has occurred within the last eighty years in the areas surrounding the Colonial Williamsburg Historic Area. Of the approximately 286 buildings (156 residential, 24 commercial, 106 accessory), which existed in the area bounded by Virginia Avenue, Richmond Road, North Boundary Street and the CSX Railroad right-of-way in 1930, 241 (84%) have been lost (119 residential, 21 commercial, 101 accessory). The Peacock Hill area (Boundary Street, Prince George Street, Nassau Street over to Lafayette Street) contained 123 buildings (61 residential and 62 accessory). 79% of the 122 buildings (37 dwellings and 59 accessory) have been lost. In the area of South Boundary Street, Ireland Street and South Henry Street 68% (17 residential and 21 accessory buildings) of the 56 (35 residential and 21 accessory buildings) have been lost. In the Colonial Extension Subdivision, 70% (21) of the 30 residential buildings have been lost. All of the buildings, which existed on York Street, have been lost. It is not known how many buildings, which existed prior to 1930 in the area now known as the Historic Area, were lost to make the restoration project possible. Redevelopment pressures and the phenomenon of demolition by neglect continue to threaten the City's remaining nineteenth century and early twentieth-century historic buildings.

The Architectural Review Board reviews all proposals to demolish buildings in the **Architectural Preservation Districts**. Prior to submitting a proposal for demolition of a building listed on or eligible for the National Register of Historic Places (Chapter XII, Appendix 1), it is recommended that property owners analyze the situation carefully and explore alternatives to demolition. Depending on the condition of the building and the nature of the intended land use, property owners should consider the potential of the building for rehabilitation. Many historic buildings are suitable for adaptive re-use projects and the Rehabilitation (Chapter IX) section of the *Design Review Guidelines* outlines this process. The Architectural Review Board may make recommendations to the Planning Commission and the Board of Zoning Appeals for exceptions to standard yard requirements, off-street parking requirements, and open space and landscape

requirements, for significant buildings in older neighborhoods which do not meet current zoning requirements.

If relocation is determined to be necessary as the only means of preserving the building, then property owners should refer to the Relocation (Chapter X) section of the ***Design Review Guidelines***.

If, after every other option is considered, the property owner still wishes to demolish the building, the procedures outlines in the Architecture Review Article of the Zoning Ordinance (Chapter XII, Appendix 6) must be followed. The applicant must apply to the Architectural Review Board for the right to demolish the building. At this time, if the building is listed on or eligible for the National Register of Historic Places (Chapter XII, Appendix 1), the applicant should submit interior and exterior photographs of the building and site to the Planning Department, or the property owner should allow the City access to the property to photograph the building and site. It is recommended that the applicant check with the Planning Department for available information on the property to avoid duplication of reporting.

Many factors need to be weighed by the Architectural Review Board when reviewing requests for demolition in **Architectural Preservation Districts**, many of which are listed in Section 21-855(c) of the Zoning Ordinance (Chapter XII, Appendix 6). These factors include:

1. Whether or not the building or neighborhood in which it is located is listed on or eligible for the National Register of Historic Places (Chapter XII, Appendix 1).
2. The historic and architectural value of the building.
3. The effect the demolition will have on the surrounding neighborhood.
4. The type and quality of the project that will replace the building.
5. The Comprehensive Plan's goals for historic preservation.
6. The condition of the building.
7. The economic feasibility of restoring the building.

The Board must strike the proper balance between preserving buildings that make important contributions to the history and character of the City, the surrounding neighborhood and allowing for new development in **Architectural Preservation Districts**. A listing of buildings in the Architectural Preservation District that are 50 years old or older has been compiled to assist the Board in its deliberations (Chapter XII, Appendix 2).

If the Architectural Review Board denies the demolition request, the applicant may appeal to the City Council. If demolition is denied by the City Council, the property owner has the right to demolish the building if no buyer has been found for the property within the stipulated time period after a bonafide effort has been made to sell the property under the procedures outlined in Section 21-858(a)(3) of the Zoning Ordinance (Chapter XII, Appendix 6). An alternative to this process is for the applicant to appeal the City Council's decision to the Circuit Court.

consistent with the Uniform Statewide Building Code, Part III Maintenance, determines that it constitutes such a hazard that it shall be razed, demolished or moved.

- (1) For the purpose of this article, a contributing landmark, building or structure is one that adds to or is consistent with the historic or architectural qualities, historic associations, or values for which the district was established pursuant to § 15.2-2306, because it (i) was present during the period of significance, (ii) relates to the documented significance of the district, and (iii) possesses historic integrity or is capable of yielding important information about the period.

(Ord. No. 862, 10-10-91; Ord. No. 12-32, 12-13-12)

Sec. 21-855. Criteria for approval.

(a) Before approving the erection, reconstruction, alteration, restoration, razing, demolition or moving of a building or structure in the Colonial Williamsburg historic area portion of the architectural preservation district, the review board shall consider, among other things:

- (1) Documented historical and/or archaeological evidence of the existence of such building or structure prior to the year 1800.
- (2) For accessory buildings and structures, historical and/or archaeological evidence indicating that such a building or structure could have existed prior to the year 1800, even though there exists no specific historical or archaeological evidence to support this.
- (3) The historical value and significance of the building, structure, sign or exterior architectural feature and its relationship to the historic character of the Colonial Williamsburg historic area CW.
- (4) The compatibility of the proposed building, structure, sign or exterior architectural feature with the comprehensive plan's goals for historic preservation, visual quality and design.

(b) Before approving the erection, reconstruction, alteration or restoration of a building, structure, sign or exterior architectural feature in the architectural preservation or corridor protection district (except for the Colonial Williamsburg historic area CW), the review board shall consider, among other things:

- (1) The historical or architectural value and significance of the building, structure, sign or exterior architectural feature.
- (2) The extent to which the building, structure, sign or exterior architectural feature will be architecturally compatible with historic buildings in the area in which it is proposed to be located; or, if located in the corridor protection district, will be architecturally compatible with the character of the architectural preservation district.

- (3) The appropriateness of the general design, proportion, scale, building material, texture and color of the proposed building, structure, sign or exterior architectural feature to the area in which it is proposed to be located.
 - (4) The relationship of the proposal to design criteria adopted by the review board. Such criteria shall be consistent with the purposes of this article.
 - (5) The compatibility of the proposed building, structure, sign or exterior architectural feature with the comprehensive plan's goals for historic preservation, visual quality and design.
- (c) Before approving the razing, demolition or moving of a building or structure in the architectural preservation district (except for the Colonial Williamsburg historic area), the review board shall consider, among other things:
- (1) The historic and architectural value of the building or structure.
 - (2) The effect of the proposed razing, demolition or moving on the surrounding area.
 - (3) The impact of the proposed razing, demolition or moving on the comprehensive plan's goals for historic preservation.
 - (4) The condition of the building or structure.
 - (5) The economic feasibility of restoring the building or structure.
- (Ord. No. 862, 10-10-91)

Sec. 21-856. Duration of approval.

(a) Approval by the review board of any erection, reconstruction, alteration, restoration, razing, demolition or moving of a building, structure, sign or exterior architectural feature (except when plans are reviewed in conjunction with a site plan submitted in accordance with Article VII) shall expire 12 months from the date of approval unless a building permit has been obtained for construction; or if a building permit has been issued, upon the expiration of the building permit.

(b) When reviewed in conjunction with a site plan submitted in accordance with Article VII, approval by the review board of any erection, reconstruction, alteration, restoration, razing, demolition or moving of a building, structure, sign or exterior architectural feature shall remain in force for the duration of the site plan approval, unless a building permit has been obtained for construction; or, if a building permit has been issued, upon the expiration of the building permit.

(c) The applicant may apply to the review board for re-approval in the event that the original approval has expired.

(d) No action of the review board shall affect the approval period for a site plan, which is determined by section 21-777(3)c.
(Ord. No. 862, 10-10-91; Ord. No. 15-99, 4-8-99; Ord. No. 12-33, 12-13-12)

Chapter 2
Goals for the Future of Williamsburg

The 2012 Comprehensive Plan is designed to guide the physical and economic development of Williamsburg by offering a distinctive vision for both its natural and built environment. The planning process has incorporated a range of public participation opportunities to allow citizens to express their visions and expectations for the future of the City. A number of neighborhood planning forums, three community forums in conjunction with James City County and York County, as well as multiple work sessions with both public officials and citizens, have been or will be conducted. The comments received, as well as a review of the recommendations of the City’s past Comprehensive Plans, were used by the Planning Commission in establishing these goals and objectives, which have been grouped into eight general categories:

- I. Character of the City**
- II. Economic Vitality**
- III. Transportation**
- IV. Public Safety**
- V. Education and Human Services**
- VI. Recreation and Culture**
- VII. Environmental Sustainability**
- VIII. Implementation**

Within each of these categories, specific goals and objectives are listed to serve as the basis for planning and evaluating the City’s future.

I. Character of the City.

Protect and enhance Williamsburg’s unique character as defined by its residential neighborhoods, urban places, open spaces, and by its iconic places – the Colonial Williamsburg Historic Area and the campus of the College of William and Mary.

- A. Protect the character and integrity of the Colonial Williamsburg Historic Area, the historic campus of the College of William and Mary, and the City’s historic neighborhoods and commercial areas.
- B. Improve the quality of life in the neighborhoods surrounding William and Mary by building and maintaining effective working relationships between the city, college, students, neighbors and landlords, and by supporting the work of the Neighborhood Relations Committee.
- C. Encourage appropriate scale and character for new and infill residential development, taking into consideration the scale and character of existing neighborhoods, environmental constraints, and the capacity of existing and proposed services.
- C. Encourage an appropriate mix of housing and commercial uses in mixed-use developments, particularly in the Downtown, Midtown, Northeast Triangle, High Street and Quarterpath Road areas.
- D. Evaluate and update regulations, design standards and capital improvements to ensure that they properly implement the City’s goals and that they facilitate new or adaptive reuse projects supported by the Comprehensive Plan.

II. Economy Vitality.

Increase employment opportunities, income, business success, and City revenues by supporting and promoting the City's economic base of heritage tourism and education and other development and redevelopment opportunities.

- A. Support and expand visitation through tourism-oriented destinations and related businesses, visitation to the College of William and Mary, and promotion of arts, sports and other special events related to tourism.
- B. Participate in efforts to advance regional tourism and economic development goals both within the Historic Triangle and the greater Hampton Road region.
- C. Support business expansion and job opportunities related to Colonial Williamsburg and the College of William and Mary.
- D. Encourage high quality commercial and institutional development consistent with the character of the City in order to expand the City's economic base.
- E. Encourage the creative economy through support for the City's Arts District, The Colonial Williamsburg Art Museums, and the future William and Mary Fine and Performing Arts Complex.
- F. Identify areas suitable for infill development and redevelopment, and develop strategies to encourage such development and redevelopment.
- G. Support the economic development goals of the City's Economic Development Authority as reflected in the EDA's Economic Development Strategic Plan.
- H. Cooperate with the Colonial Williamsburg Foundation, the College of William and Mary, and Riverside Healthcare Systems to coordinate their land use planning and economic development efforts with the City's Comprehensive Plan and Economic Development Strategic Plan.

III. Transportation.

Provide an effective transportation system which is compatible with the future land use plan, serving pedestrians, bicyclists and motorists, and promoting the expanded use of transit and rail.

- A. Improve and expand bicycle and pedestrian facilities as an important part of the transportation system, with special emphasis on filling in gaps to create a safe and interconnected system with connections to transit services.
- B. Support the Williamsburg Area Transit Authority's provision of an acceptable level of transit service for the Williamsburg area, including the continuation of the Williamsburg Trolley service, an improved system of bus shelters, and maintaining a regional multimodal hub at the the Williamsburg Transportation Center.
- C. Incorporate traffic-calming measures in appropriate locations to minimize traffic impacts on the City's neighborhoods.
- D. Evaluate existing parking regulations and facilities to ensure that adequate parking is provided for residents and visitors.
- E. Support the development and implementation of improved high-speed rail down the Virginia Peninsula, with at least one additional train per day both ways, as well as future light-rail service, with the Williamsburg Transportation Center serving as the regional multimodal hub.
- F. Complete the widening and improvement of Ironbound Road between Richmond Road and Longhill Connector.
- G. Work with the Beautification Advisory Committee to improve the character of the City's entrance corridors, and also with James City County and York County to ensure that the visual quality of the entrance corridors is consistent among the three jurisdictions.

IV. Public safety.

Secure an ever safer community by enabling police, fire, emergency management and judicial operations to protect and serve City residents, visitors, businesses and historical assets.

- A. Maintain and upgrade public safety facilities to enable the City to provide quality services for law enforcement, firefighting, communications, and emergency operations.
- B. Support safe residential communities by increasing community participation in neighborhood watch programs to enhance and improve police/community partnerships, particularly in the Merrimac Trail area.
- C. Support the operation and maintenance of the Williamsburg-James City County Courthouse, the Virginia Peninsula Regional Jail, and the Middle Peninsula Juvenile Detention Facility (Merrimac Center).

V. Human Services and Education.

Seek opportunities and implement programs that address the educational, health, social and training needs and expectations of City residents and workers.

- A. Encourage adequate housing opportunities by creating a balanced distribution of housing types throughout the City.
- B. Facilitate the work of private and quasi-public agencies such as the Williamsburg Redevelopment and Housing Authority and Williamsburg Housing Partnership, Inc. in creating and improving moderately priced owner-occupied housing, and coordinate these efforts with neighboring jurisdictions to address housing needs on a regional basis.
- C. Support the expansion of affordable senior housing on the Williamsburg Redevelopment and Housing Authority's Blayton Building property on Scotland Street.
- D. Investigate the use of zoning incentives to increase the supply of new workforce housing in Williamsburg, particularly in the areas of prospective development such as the southeast quadrant of the City.
- E. Support the operation of the Williamsburg-James City County school system and provide necessary facilities within the City.
- F. Provide appropriate public support for human services agency facilities and other capital improvements as needed to meet critical health and human service needs, especially for vulnerable populations.

VI. Recreation and Culture.

Add to the quality and availability of cultural and recreational facilities and programming, as might be typically available only in larger communities, to meet the needs and expectations of City residents and visitors.

- A. Expand and enhance the City's system of parks, open space and recreational facilities, serving all segments of the population.
- B. Encourage conservation of open space in the City and promote preservation, maintenance and access to natural areas and historic sites through efforts such as public acquisition, delineation of greenbelt corridors, private dedication of easements, and passive recreational use.
- C. Protect significant archaeological resources by preservation or recovery through resource management plans.
- D. Preserve the portion of the Country Road between the Mounts Bay County Government Complex and South England Street near the Williamsburg Lodge as a multiuse trail under City and County ownership.
- E. Encourage regional cooperation in the development, expansion and promotion of arts festivals, sports tournaments and other special events.
- F. Support the development of the City's Arts District, improvements to The Colonial Williamsburg Art Museums, and the future William and Mary Fine and Performing Arts Complex.

VII. Environmental Sustainability.

Build an evermore sustainable and healthy City pursuing multiple strategies for conservation and restoration, and providing essential environmental services related to drinking water, waste water, stormwater and solid waste.

- A. Protect Waller Mill Reservoir from the adverse environmental impacts that could result from future development within the watershed.
- B. Continue to upgrade the City's water distribution system to provide adequate quantity and quality for both daily usage and fire flows.
- C. Continue to maintain and expand the City's sanitary sewerage system, including both distribution lines and pump stations.
- D. Continue to coordinate the City's Stormwater Management Plan with other City land use regulations, such as zoning, erosion and sedimentation control and site plan review, and ensure that future development meets the standards of the Chesapeake Bay Preservation Act.
- E. Update the City's Stormwater Management Plan to incorporate new state standards.
- F. Continue to implement and promote solid waste disposal and recycling programs which meet community needs and state mandates in the Peninsula region.
- G. Evaluate and revise architectural standards to allow more flexibility in green building design and in the use of environmentally sustainable materials.

VIII. Implementation

Implement the recommendations of the Comprehensive Plan by updating the City's zoning, subdivision and site plan controls, and by incorporating the Plan's recommendations into the Capital Improvement Program.

Chapter 5 **Community Character**

INTRODUCTION

The most important goal of the Comprehensive Plan is the first:

Protect and enhance Williamsburg's unique character as influenced by its iconic institutions – Colonial Williamsburg and the College of William and Mary – and as reinforced by the natural and manmade environment of its entrance corridors, open spaces, residential neighborhoods and people places.

Protecting this character is by necessity a joint effort of the entire community. The City needs to work closely with its major institutions – the Colonial Williamsburg Foundation and the College of William & Mary. Cooperation and coordination with James City County and York County is also important, since the character and visual quality of the major entrance corridors into the City transcend jurisdictional boundaries. Important open space needs to be preserved, maintained and made accessible through efforts such as enforcement of the standards of the Chesapeake Bay Preservation Act, public acquisition, delineation of greenbelt corridors, private dedication of easements, and passive recreational use.

This chapter deals with the built environment component of community character: historic preservation, design review and entrance corridors. The natural environment component, including greenbelts and open space, is discussed in *Chapter 6 - Environmental Management*. Each component is important separately, but collectively they define our community.

HISTORIC PRESERVATION AND DESIGN REVIEW

Recognition of the importance of history and historic preservation has strong roots in Williamsburg. When the capital of the Virginia colony was moved to the present site of Williamsburg in 1699, then-Governor Nicholson prepared a detailed plan for the colonial city based upon Baroque city design principles, and including very specific standards – uniform setbacks for buildings, roof pitch, size of windows and specific prescriptions for street widths and the design of public buildings. Williamsburg began to decline after the capital was moved to Richmond in 1778, but was rescued through the generous support of John D. Rockefeller, Jr. The extensive restoration effort began in 1927 and continues today under the auspices of the Colonial Williamsburg Foundation.

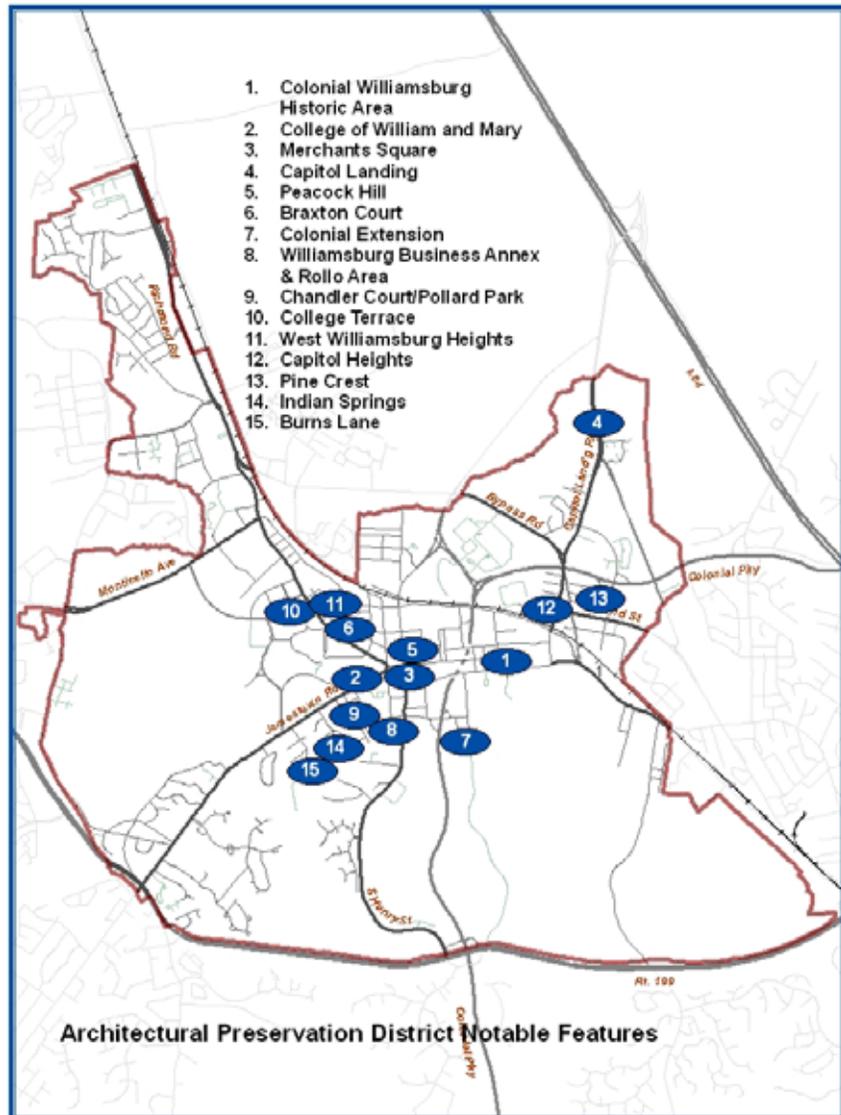
But Williamsburg has continued to grow and change since its beginning. A neighborhood of fashionable Victorian style houses, referred to as Peacock Hill, developed north of the City on the old Wheatland Farm following the coming of the C&O Railroad in 1881. The establishment of other nearby residential areas such as Chandler Court, College Terrace and West Williamsburg Heights followed during the 1920s and 1930s. Residential neighborhoods continued to develop around the Downtown as the Colonial Williamsburg restoration effort matured in the 1940s and 1950s. As the Downtown area evolved into a tourist destination, shopping centers followed the suburban movement away from downtown in the 1950's. Developments of the past 20 years have seen the continued outward expansion of the City's residential areas; expansion, infill and redevelopment of the commercial corridors; and major investments in the Downtown area including the development of the City Square area, the Prince George Parking Garage, College Corner Building, Municipal Building expansion, Tribe Square, The Cooke Building and Prince George Commons.

Williamsburg has been involved in design review since its founding. Governor Nicholson's standards for the colonial capital and the carefully researched standards used by the Colonial Williamsburg Foundation in its restoration efforts are noteworthy precedents. Since 1958, Williamsburg has had an architectural review board responsible for reviewing new construction in the City.

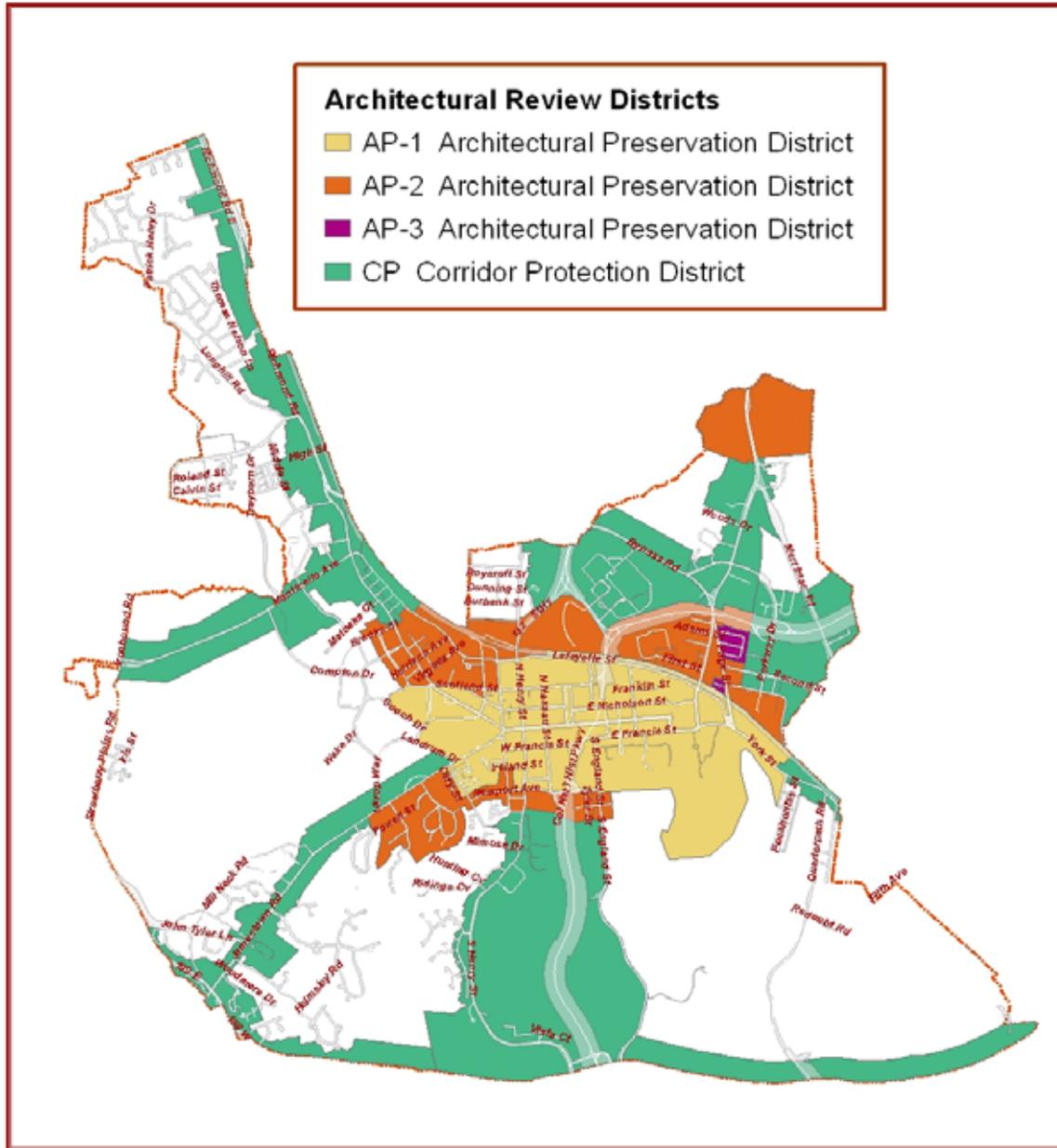
As recommended by the 1989 Comprehensive Plan, the City's historic preservation and design review efforts were strengthened based on Sec. 15.2-2306 of the State Code. This allows the designation of historic areas and areas of unique architectural value, as well as delineation of areas contiguous to arterial streets or highways that are significant routes of tourist access to these designated areas. The architectural review section of the Zoning Ordinance was revised in 1991 and established an Architectural Preservation District (AP) and a Corridor Protection District (CP). The Architectural Review Board's duties include: review of all new construction and alterations to existing buildings in the AP and CP districts, review of signs in both districts; and review of demolition and relocation of buildings in the AP district. In the spring of 1994, the City's preservation program was recognized by the Virginia Department of Historic Resources when Williamsburg became the 13th Certified Local Government in Virginia.

Architectural Preservation District (AP)

While many associate Williamsburg's image and history with the restored colonial capital, Merchants Square, the Colonial Parkway and the College of William & Mary, there are also many other buildings and neighborhoods that have evolved over time. These contribute to a sense of history as well as to the visual character of the community, and enhance the setting of the Colonial Williamsburg Historic Area. These include the neighborhoods of Braxton Court, Chandler Court and Pollard Park (both on the National Register of Historic Places), Peacock Hill, College Terrace, West Williamsburg Heights, the downtown Richmond Road and Jamestown Road area, and the 18th century port of Capitol Landing (on the Virginia Landmarks Register). These areas should be protected from adverse influences and new uses, structures and signs should be in keeping with the character of the district. These significant areas are located on the map *Architectural Preservation District – Notable Features*.



More details on the history and architectural character of each of these areas are contained in an appendix to the Design Review Guidelines.



Corridor Protection District (CP)

The major entrance corridors provide significant routes of tourist access to the Colonial Williamsburg Historic Area and are included in the design review process as Corridor Protection Districts. These routes are identified on the map *Architectural Review Districts*, and include the following streets: Richmond Road, Jamestown Road, Monticello Avenue, Lafayette Street, North and South Henry Street, Route 132, Visitor Center Drive, Bypass Road, Merrimac Trail, Capitol Landing Road, Parkway Drive, Second Street, York Street and Route 199.

Because these entrance corridors do not always neatly conform to jurisdictional boundaries, Williamsburg, James City County and York County need to work together to insure that corridor beautification efforts are coordinated. This was done in 2011 for the Route 60 East corridor that is detailed in the discussion of the York Street Entrance Corridor later in this chapter.

Architectural Inventory

As recommended in the 1989 Comprehensive Plan, a survey and assessment of architectural resources in the Architectural Preservation District was completed in 1992. With the assistance of a matching grant from the Virginia Department of Historic Resources (DHR), a reconnaissance level architectural survey was conducted for all buildings over 50 years old in the AP district. The report from the survey identified 12 buildings and five districts for potential nomination to the National Register of Historic Places and the Virginia Landmarks Register. Based on the 1992 survey report, a listing of locally significant architecture and areas was created to assist the Architectural Review Board with their deliberations.

This 15 year old inventory is being updated, and detailed field work has been completed. The information needs to be entered into the DHR database to complete the survey update, and this work should be completed by 2013.

Architectural Review Guidelines

The 1989 Comprehensive Plan recommended the preparation of Design Review Guidelines, which were first adopted in 1993. The Guidelines assist the Architectural Review Board in reaching fair and objective decisions when reviewing proposals in the AP and CP districts. In March 2006, a one-year review and update of the Guidelines was conducted by the Architectural Review Board, Planning Commission and City Council. This resulted in updated Guidelines which were adopted by City Council in 2006. This extensive review process ensured that the Guidelines reflect the City's goals for development and redevelopment as well as those for architectural preservation and design review. These Guidelines are the City's best tool for encouraging the preservation and improvement of its architectural character.

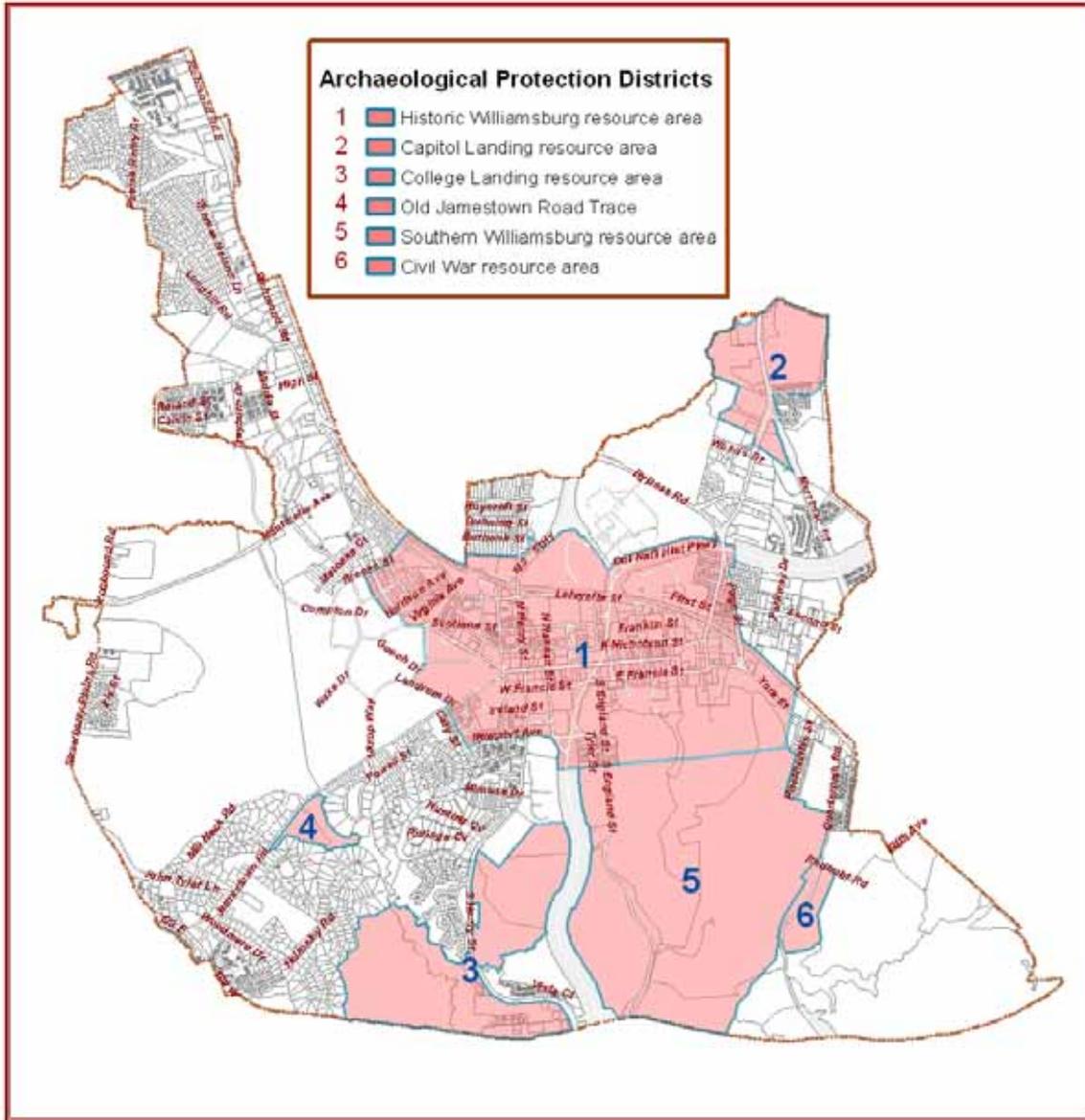
The guidelines are based in part on the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, and distinguish between the different character of the AP and CP districts, and also between different parts of the AP District (AP-1, AP-2 and AP-3 Districts are designated). The most restrictive guidelines are in the AP-1 District adjacent to the Colonial Williamsburg Historic Area, the old campus of William & Mary, and the National Register Historic Districts of Pollard Park and Chandler Court. The Colonial Williamsburg Historic Area is the most important part of the AP district. To ensure that the integrity of this nationally significant resource is maintained for future generations, building projects are required to be based on documented historical and/or archaeological evidence. Development in the AP district is encouraged to be compatible with existing buildings and neighborhoods. In the CP district, development is encouraged which respects the overall character of the City and enhances the City's entrance corridors. Since it has been five years since the last review, an update of the Design Review Guidelines is needed as a part of the Comprehensive Plan implementation process.

Archaeological Preservation

While the thrust of preservation activities in Williamsburg has centered on 17th, 18th and 19th-century American history, other remnants of Williamsburg's past still exist and can contribute toward an understanding and appreciation of the cultural landscape. Some of these prehistoric and historic resources include sites and structures occupied or used since the 17th century, as well as important 20th century sites. In order to determine the level of significance of these resources, the areas should be studied prior to any proposed development or redevelopment, and should be protected from adverse influences whenever possible.

The City's known significant archaeological resources were identified in a Resource Protection Planning Process (RP3) study conducted by the Colonial Williamsburg Foundation for James City County, York County and the City in 1985 (revised in 1990). The 1989 Comprehensive Plan recommended that these areas be studied for significant resources to provide a reasonable assurance that any future development or redevelopment in the City does not have an adverse impact on unidentified resources. As a means of identifying all documented historic archaeological resources and predicting prehistoric archaeological

resource areas in the City, an Archaeological Map Assessment Study was developed for the City by the Colonial Williamsburg Foundation.



As recommended in the 1989 Comprehensive Plan, an Archaeological Review section was added to the Zoning Ordinance in 1995. Five Archaeological Protection Districts were initially designated. These areas have been re-evaluated with assistance from the Colonial Williamsburg’s Department of Architectural and Archaeological Research, and new and re-adjusted districts are shown on the map *Archaeological Protection Districts*. The City’s Archaeological Review Districts map should be revised to reflect these changes as part of the Comprehensive Plan implementation.

The mechanism triggering archaeological review is the preparation of site plans and subdivisions within these districts. Archaeological surveys and evaluation reports must be undertaken as part of the development review process, with the Planning Commission acting as the archaeological review board. If significant archaeological resources will be adversely affected by the development project, the Planning Commission may require the modification of the site plan or subdivision plan to avoid the resources.

Williamsburg's Role in the Civil War

At the outbreak of the American Civil War, Williamsburg was little more than a small southern college town with fewer than 2,000 inhabitants. The College of William & Mary and the Eastern Lunatic Asylum were the town's major institutions. In 1862 the Virginia peninsula between the James and York rivers became the corridor for the Union Army of the Potomac to advance on Richmond. Just east of town stretched the Williamsburg defensive line. The line consisted of 14 forts, commonly called "redoubts", which comprised the third Confederate line encountered by Federal troops during their advance toward Richmond. The Battle of Williamsburg was fought in wet and raw conditions on May 5, 1862. Nearly 20,000 troops fought within earshot of the town's inhabitants. Following the battle, the Confederate army continued its withdrawal toward Richmond, and Williamsburg fell under Federal martial law for the remainder of the war.

The development of plans for "Quarterpath at Williamsburg" by Riverside Healthcare System resulted in the construction of the 21 acre Redoubt Park on the east side of Quarterpath Road north of Tutter's Neck Pond. Redoubts #1 and #2, which supported the defense of Fort Magruder, have been preserved and interpreted as a part of the park. The setting of these redoubts beside historic Quarterpath Road should be preserved, and to this end it is proposed to convert the gravel portion of Quarterpath Road to a paved multiuse path, rerouting automobile traffic through the adjoining Quarterpath at Williamsburg development along Redoubt Road and Battery Boulevard. This is detailed in *Chapter 11 - Infrastructure*.

ENTRANCE CORRIDORS

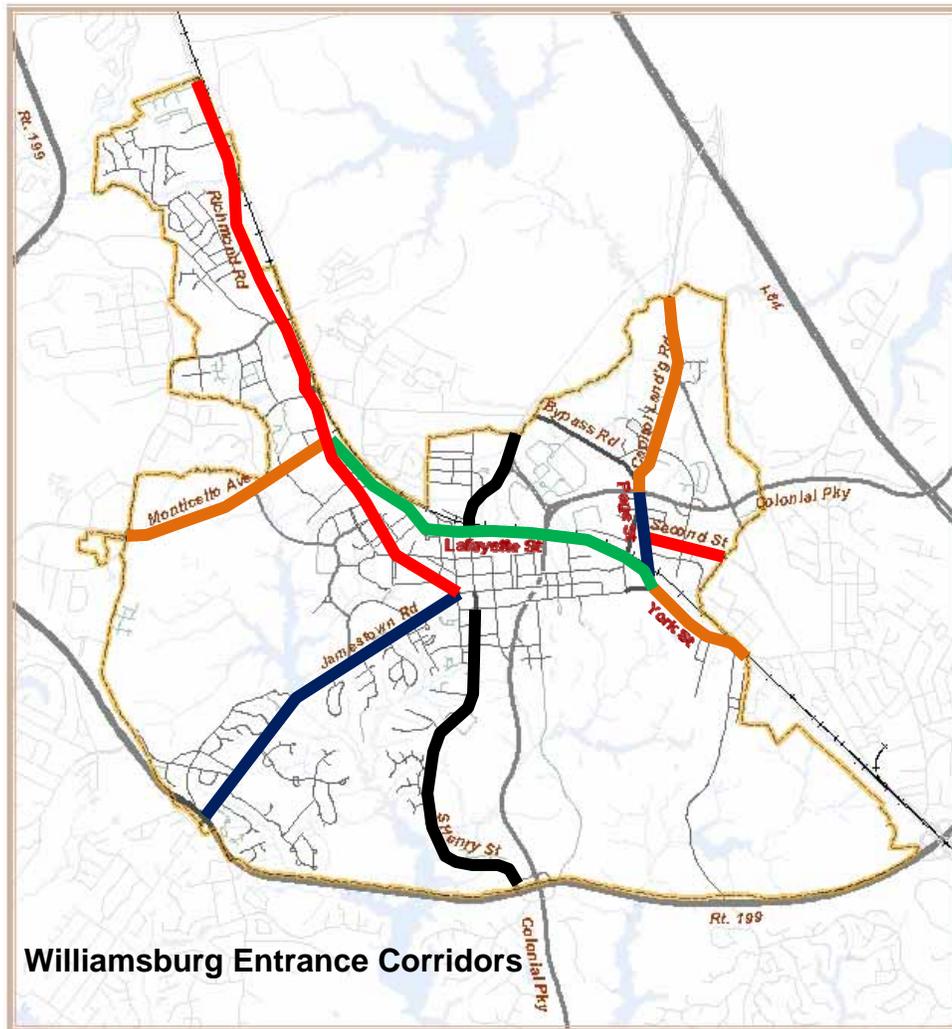
The City's ten entrance corridors present the initial character and image of Williamsburg to those traveling into the City, and are shown on the map *Williamsburg Entrance Corridors*:

- Richmond Road** from the City limits to College Corner
- Monticello Avenue** from Ironbound Road to Richmond Road
- Jamestown Road** from Route 199 to College Corner
- North Henry Street/Route 132** from Bypass Road to Lafayette Street
- South Henry Street** from Route 199 to Francis Street
- Capitol Landing Road** from Queen's Creek to the Colonial Parkway
- Second Street** from the City limits to Page Street
- Page Street** from the Colonial Parkway to York Street
- Lafayette Street** from Richmond Road to York Street
- York Street** from the City limits to Page Street

In 1994, the City commissioned LDR International, Inc. to prepare an *Entrance Corridor Beautification Study* to develop strategies, concepts and standards to promote the improvement and beautification of these corridors. Based on these standards, the following goals were established for the City's entrance corridors:

- Strengthen the concept of "gateway" and create a strong sense of arrival, offering a clear message that one is entering Williamsburg.
- Improve the functional and visual character of the corridors, while maintaining a balance between convenient vehicular access and a quality pedestrian environment.
- Achieve consistency in streetscape through simplicity of design, repetition of common landscape and streetscape elements, and placing of utilities underground.
- Implement street improvements with an appropriate scale and capacity to serve long-range traffic demands, while respecting the environment and scale of the surrounding neighborhoods.
- Support economic development by using publicly supported streetscape and landscape improvements to leverage and stimulate private investment.
- Promote intergovernmental cooperation to improve the City's major entrance corridors, recognizing that the visual quality of these entrances transcend jurisdictional boundaries.

- Reinforce standards contained in the Architectural Review Board’s Design Review Guidelines.
- Develop design standards for landscaping, sidewalks, lighting and other streetscape elements, and incorporate these standards into the City’s zoning regulations.



Williamsburg Entrance Corridors

Corridor Specifics

Richmond Road

Richmond Road is the City’s predominant commercial corridor, serving as a transition from James City County to the heart of the City at College Corner, where Richmond Road meets Jamestown Road at the College of William & Mary. Great strides have been made over the past 20 years to enhance this corridor, and the greatest accomplishment has been the undergrounding of overhead utility lines from College Corner to the Dominion Power Easement near the City limits. Only one-half mile of the three-mile corridor remains to be placed underground. Other recommendations that have been implemented include new street name and traffic signage, new City entrance signs, requiring monument signs for commercial uses, wider brick sidewalks and landscaping from Merchants Square to Scotland Street, planting a substantial number of trees in the median of the dual-lane section of Richmond Road west of the Dominion Power easement, and planting additional street trees from Brooks Street to New Hope Road.

A number of improvements are still needed for the Richmond Road corridor. These include minimizing and consolidating the number of curb cuts for commercial properties, planting additional street trees where possible, and continuing to encourage the elimination or reduction of parking in front of commercial buildings (as has been done with Red, Hot and Blue, Applebee's, Chili's, and the General Store).

Monticello Avenue

Monticello Avenue is a scenic entrance corridor into the City from the west, connecting directly to Route 199 and Route 5 in James City County. The importance of this corridor has increased because of the completion of Route 199, the construction of the Williamsburg-James City County Courthouse, the New Town development in James City County, and the designation of Monticello Avenue as the primary entrance to the College of William & Mary. Adequate greenbelts of at least 50 feet should be maintained along both sides of the road.

The Ironbound Road/Monticello Avenue intersection has been improved with new signage and landscaping identifying this entrance as an important gateway into the City. In the future, the wooded section of Monticello Avenue between Ironbound Road and Treyburn Drive should be improved as a "more refined parkway" without curb and gutter but with a multiuse trail connecting the College with New Town in James City County and with improved pedestrian connections to High Street and the Williamsburg & Monticello Shopping Centers.

The commercial section of Monticello Avenue, from Treyburn Drive to Richmond Road, has been greatly improved by underground wiring and landscaping, but may need additional improvements to accommodate additional traffic generated by redevelopment in the Midtown Planning Area.

Jamestown Road

Jamestown Road connects the Downtown area to Route 199 and Jamestown and serves as an important entrance from the southwest. Jamestown Road should continue to retain its residential character along its southwest portion, with commercial uses limited to the area around the Route 199 intersection. Lake Matoaka provides a clear transition between the southwest portion of the corridor and its terminus at College Corner, with the campus of the College of William and Mary located along the north side bordered by residential and residential scale buildings along the south side of the road.

The "campus" character should be retained along the north side, but new development on the William & Mary campus should be compatible with the residential image of the south side. The lack of a sidewalk on the north side of the street in front of the College's Phi Beta Kappa Hall interrupts the pedestrian flow along the corridor in the College area, and this gap should be eliminated. The new sidewalk and pedestrian crosswalk at the corner of Ukrop Way and Jamestown Road has improved the connectivity between the campus and students who live at Ludwell Apartments. The maintenance of the College properties on the south side of Jamestown Road from Cary Street to the Undergraduate Admissions Office should be improved, since their physical condition detracts from the well-maintained character of the rest of the corridor.

North Henry Street/Route 132

The North Henry Street/Route 132 corridor is a major access route from the north, connecting Interstate 64 with the Colonial Williamsburg Visitor Center and the Downtown. The portion of the route within the City (south of Bypass Road) retains its natural character because it follows the topography of the drainage swale, has little visible roadside development and has a heavily wooded edge.

The character of this corridor should be maintained by avoiding unnecessary pavement widening or excessive curb cuts. The City should continue to maintain the high quality landscaping at the northeast corner of North Henry Street and Lafayette Street, and the vacant lot on the southwest corner should be improved with landscaping and/or buildings as the City Square area is redeveloped.

South Henry Street

South Henry Street is the major access route from the south connecting Route 199 with the Downtown. More importantly, the road section north of College Landing Park follows the historic route connecting Colonial Williamsburg with its southern port at College Landing on College Creek. The route retains much of its “country road” character with a natural landscaped edge and varied topography.

The gateway character of the South Henry Street/Route 199 intersection should be emphasized by protecting and enhancing the signage and landscaping in this area. The adjoining lower section of South Henry Street should continue to retain its rural character and the integrity of the historic route should be protected, and it should be continued to be designated as a greenbelt corridor. Views to College Creek, College Landing Park and the proposed Papermill Creek Park at the crossing of College Creek and South Henry Street should be emphasized through careful management of the roadside landscape. The mixed use character of the corridor from Mimosa Drive to Francis Street should be retained and enhanced, and redevelopment on the west side of the street between Mimosa Drive and Ireland Street should respect both the residential character to the south and the “campus” character of the National Center for State Courts and the College of William & Mary Law School.

Capitol Landing Road

Capitol Landing Road serves as an important entrance into the City from the north, and follows the approximate location of the original eighteenth century road from Capitol Landing on Queen’s Creek into the Downtown. The present entrance corridor extends from the Route 143/Interstate 64 interchange in York County and continues across Queen’s Creek (the corporate limits) for approximately one mile until it meets the Colonial Parkway and Page Street. The northern section from Queen’s Creek to the Merrimac Trail intersection is predominantly undeveloped and wooded in character, while the remainder of the route to the Colonial Parkway is primarily commercial in character, with numerous opportunities for further development and redevelopment.

The section of the corridor from Queen’s Creek to the Merrimac Trail intersection is an important “gateway” into the City, and its importance will be increased as the land adjoining the corridor is developed. A cluster subdivision on the west side of Merrimac Trail called Queen’s Mary Port was approved for 41 lots in 2011. An important part of the design and approval was the provision of substantial landscape buffers along both Capitol Landing Road and Queen’s Creek. The Queen’s Creek buffer includes the future dedication of a conservation easement to the Williamsburg Land Conservancy to ensure its preservation. The majority of the road in this section is lined with mature trees and vegetation, and the greenbelt designation should be retained. The proposed future Capitol Landing Park at Queen’s Creek will further enhance the character of this corridor.

As the commercial portion of this corridor is developed and redeveloped, redundant entrances to individual parcels should be eliminated or consolidated. Underground wiring should be considered, with emphasis placed on removing cross street service lines. Sidewalks need to be extended toward Queen’s Creek when the areas west of the Merrimac Trail intersection are developed.

Second Street

The Second Street corridor is dominated by auto-oriented commercial. The corridor was included in the *Richmond Road and Second Street Streetscape Study*, an in-depth analysis of the two commercial corridors that included specific recommendations for the visual improvement of the area. Suggestions included placing overhead utility lines underground, planting continuous street trees, improving the street lighting, screening of parking, new landscaping and signage. Based on this study, a specific streetscape plan for Second Street was developed and implemented in 1990-91.

There are several major parcels suitable for redevelopment east of Parkway Drive, which will present an opportunity to consolidate entrances and increase landscaping along the corridor. The placing of utilities underground should remain a future goal for this important corridor.

York Street

York Street enters the City from the east, and is the City portion of Route 60 from Route 199 to Page Street. This corridor parallels the CSX Railroad tracks and supports several businesses and four major hotels. A large portion of the southern frontage is owned and used by the Colonial Williamsburg Foundation and is part of the Historic Area. The corridor terminates at the “Tri-Corner” intersection on York Street where Lafayette Street, Page Street and York Street intersect. In 1997, the City relocated the granite curb and widened the asphalt paving between Page and Lafayette Streets to accommodate truck turning movements. In addition, new brick sidewalks and painted crosswalks were installed. Placing obtrusive overhead wires underground near the Williamsburg/James City County line is included in the Capital Improvement Plan for 2017.

In 2011 coordinated efforts by the three jurisdictions to enhance the Route 60 Corridor along York Street in the City to Busch Gardens in James City County resulted in a detailed plan for corridor improvements prepared by Carlton Abbott and Partners (*Framework for the Beautification of the Route 60 Corridor - Colonial Williamsburg East To Busch Gardens*). In 2011 the three jurisdictions applied for a Virginia Transportation Enhancement Grant to implement this plan, but the grant was not funded. It will be resubmitted in 2013.

Page Street

Page Street is not really an entrance corridor, but it provides an important connection between three other entrance corridors: Capitol Landing Road, Second Street and York Street. The section between the Colonial Parkway and Second Street is largely residential in character, and the east side of the street from Second Street to the CSX Railroad is commercial in character. There is a major redevelopment opportunity at the southeast corner of Page Street and Penniman Road, and the design for this area should be carefully reviewed because it is just across the railroad tracks from the eastern end of the Colonial Williamsburg Historic Area. Placing overhead wires underground between Penniman Road and Monumental Avenue is included in the Capital Improvement Plan for 2013. The character of Page Street is defined more by the buildings than the landscaping, and the Architectural Review Board should carefully evaluate plans for new and renovated building in this corridor.

Lafayette Street

Lafayette Street, like Page Street, is not a formal entrance corridor. However, it provides an important connection between York Street and Richmond Road. The western end is anchored by the Arts and Cultural District in the Midtown Planning Area and the eastern end is defined by the Colonial Williamsburg Historic Area. This corridor traverses residential neighborhoods, the Williamsburg Municipal Center, Matthew Whaley Elementary School, and the Historic Area. Landscaping has been installed along the CSX Railroad between Henry Street and Botetourt Street to beautify the area between the street and the railroad, and across the street the rear yard of Matthew Whaley Elementary School has been defined by a decorative fence and landscaping creating a well-defined street edge. The most noticeable future changes for this corridor will be in the Arts and Cultural District, which was established by City Council in February 2011 as a way to encourage and enhance the City’s creative economy as an economic development initiative.

BEAUTIFICATION ADVISORY COMMITTEE

The Beautification Advisory Committee provides advice to Planning Commission and City Council on beautification issues, and has been meeting at least four times a year for over 20 years. In the last year, the Committee has created a vision to enhance the City’s character by encouraging individuals to get out of their vehicles and enjoy the City by foot and bicycle. They strongly recommend outdoor dining areas, wider sidewalks, pedestrian crosswalks, bike lanes, adequate lighting and colorful plantings in commercial and public areas to encourage visitors to return to Williamsburg. They suggest that a cohesive design for the streetscape be developed to include sidewalks, street lights, trash cans, bike racks,

benches, signage and landscaping. Reducing on-street parking and creating a pedestrian friendly downtown is also strongly recommended.

In the past five years, the Beautification Advisory Committee has prepared the following beautification projects:

- Plantings along the CSX tracks on Lafayette Street from North Henry Street to Botetourt Street.
- A landscape design for Prince George Street from Armistead Avenue to Scotland Street which includes new sidewalks and fencing.
- Encouraging development of a landscape design and wider sidewalks for Richmond Road from Merchant's Square to Scotland Street to further enhance the walk ability of this area.
- Creating a landscape grant program for neighborhoods to use to beautify their entrances in the City by applying for a grant up to \$500 towards plant material.

The Beautification Advisory Committee's Vision Statement is included as Appendix A3.