



PUBLIC NOTICE WILLIAMSBURG CITY COUNCIL

The Williamsburg City Council will hold public hearings on Thursday, October 10, 2019 at 2:00 P.M. in the Council Chambers of the Stryker Center, 412 North Boundary Street, to consider the following:

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.

PCR#19-016: Request of Colonial Williamsburg Foundation/Berret's Restaurant to amend Section 21-2 Definitions by adding outdoor event space and Section 21-294(9.1) by adding outdoor event space with a special use permit in the Downtown Business District B-1.

PCR#19-017: Request of the Colonial Williamsburg Foundation/Berret's Restaurant for a special use permit to have outdoor music from May through October on the patio of Berret's Restaurant at 199 South Boundary Street located in the Downtown Business District B-1.

PCR#19-018: Request of the William & Mary Real Estate Foundation for a special use permit to use the existing 23,750 square foot building at 332 North Henry Street for medical and traditional office space for the university to include student affairs, student health services and general office space. The property is located in the Downtown Limited Business District LB-1.

PCR#19-019: Request of the Williamsburg James City County Schools for a special use permit to add 47 parking spaces in two phases as shown on the conceptual site plan for central office use at 117 A&B Ironbound Road located in the Single-Family Dwelling District RS-3.

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, October 3, 2019.

Debi Burcham
Clerk of Council



CITY OF WILLIAMSBURG

MEMORANDUM

DATE: September 19, 2019

SUBJECT: 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#19-014:

This 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 second 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 P3 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#19-014 & PCR#19-015

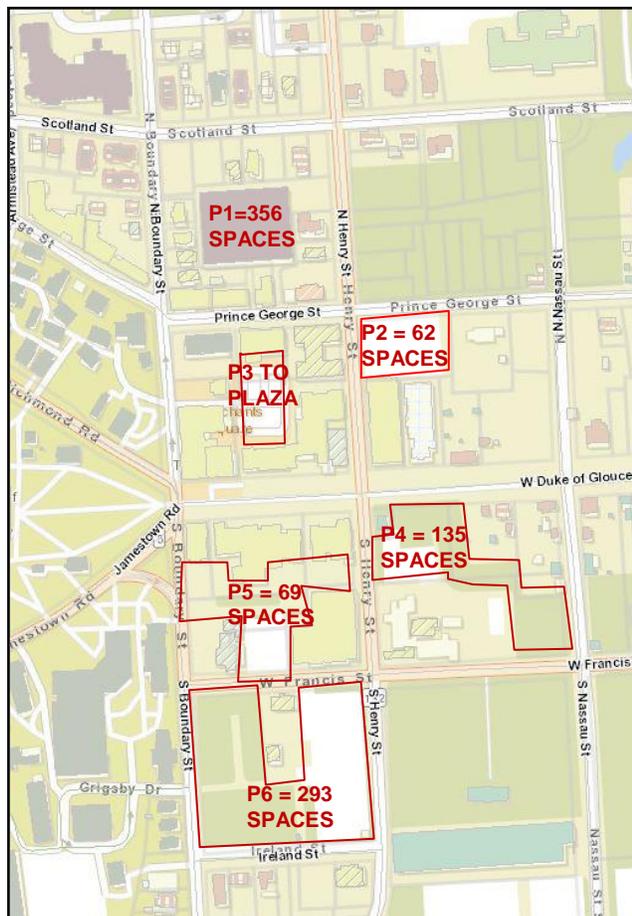
These requests of the applicant are for a special use permit to remove 40 parking spaces from the P3 parking lot and a special use permit to construct a private plaza as shown on the conceptual elevations and site plan which are attached in the P3 parking lot.

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#19-014

Staff recommends approval of the special use permit request to remove 40 parking spaces from the P3 parking lot 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 lot 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#19-014

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

PCR#19-015

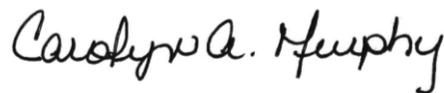
Approval of a special use permit for the construction of a private plaza in the P3 parking lot as shown on the conceptual site plan subject to the following conditions:

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 HEARING

These two cases were tabled by City Council at the September 12, 2019 meeting to the October 10, 2019 meeting at the applicant's request.

City Council public hearings are scheduled for their regular meeting on October 10, 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.

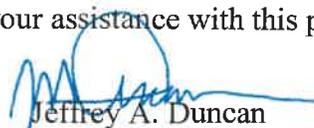
With respect to parking, changes to downtown parking generally, and in Merchants Square specifically would be minimal, with a loss of approximately 40 parking spaces out of 4,316 total parking spaces downtown, 1,080 of which are located in lots P1-P6. Approximately 8 parking spaces would be retained.

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
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

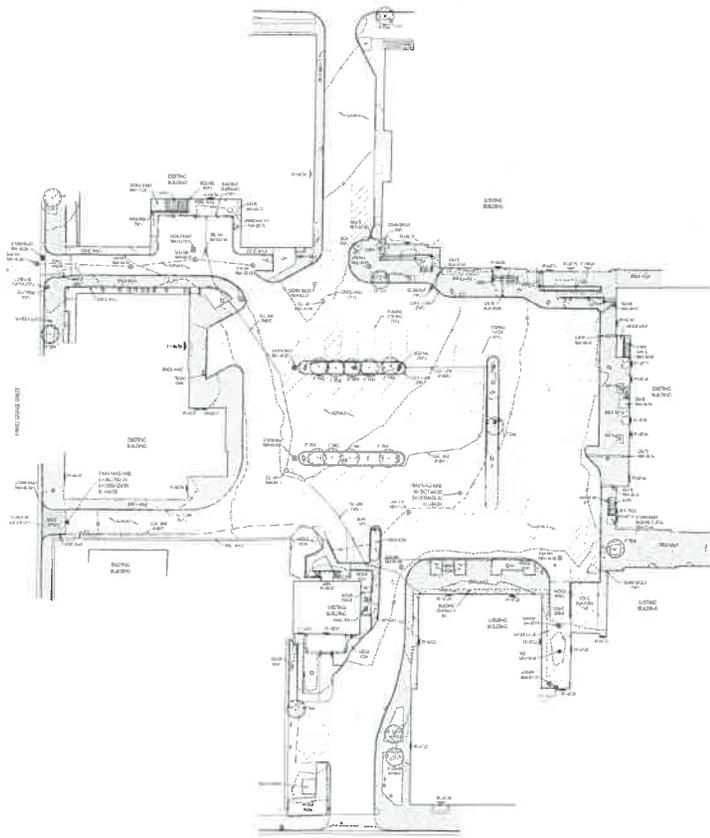
Summer Statistics	Total available parking	Highest weekday avg usage	Excess Capacity	Highest weekend avg usage	Excess Capacity
Total downtown parking (restriping caused loss of 10 spaces between spring and summer measurements)	4,316 spaces	41%	2,546 spaces	36%	2,762 spaces
Downtown parking (Merchants 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

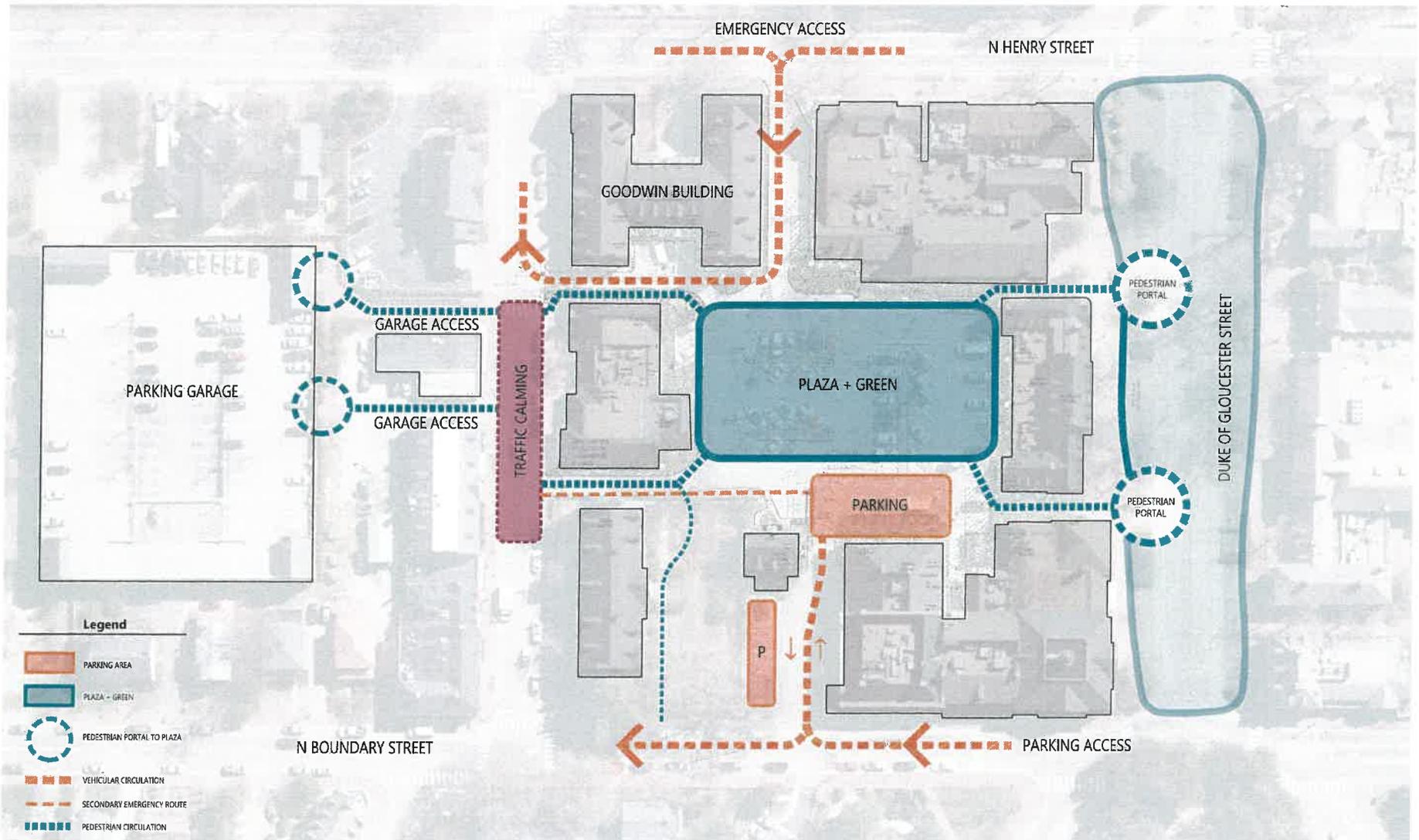


merchants square north plaza
concept design



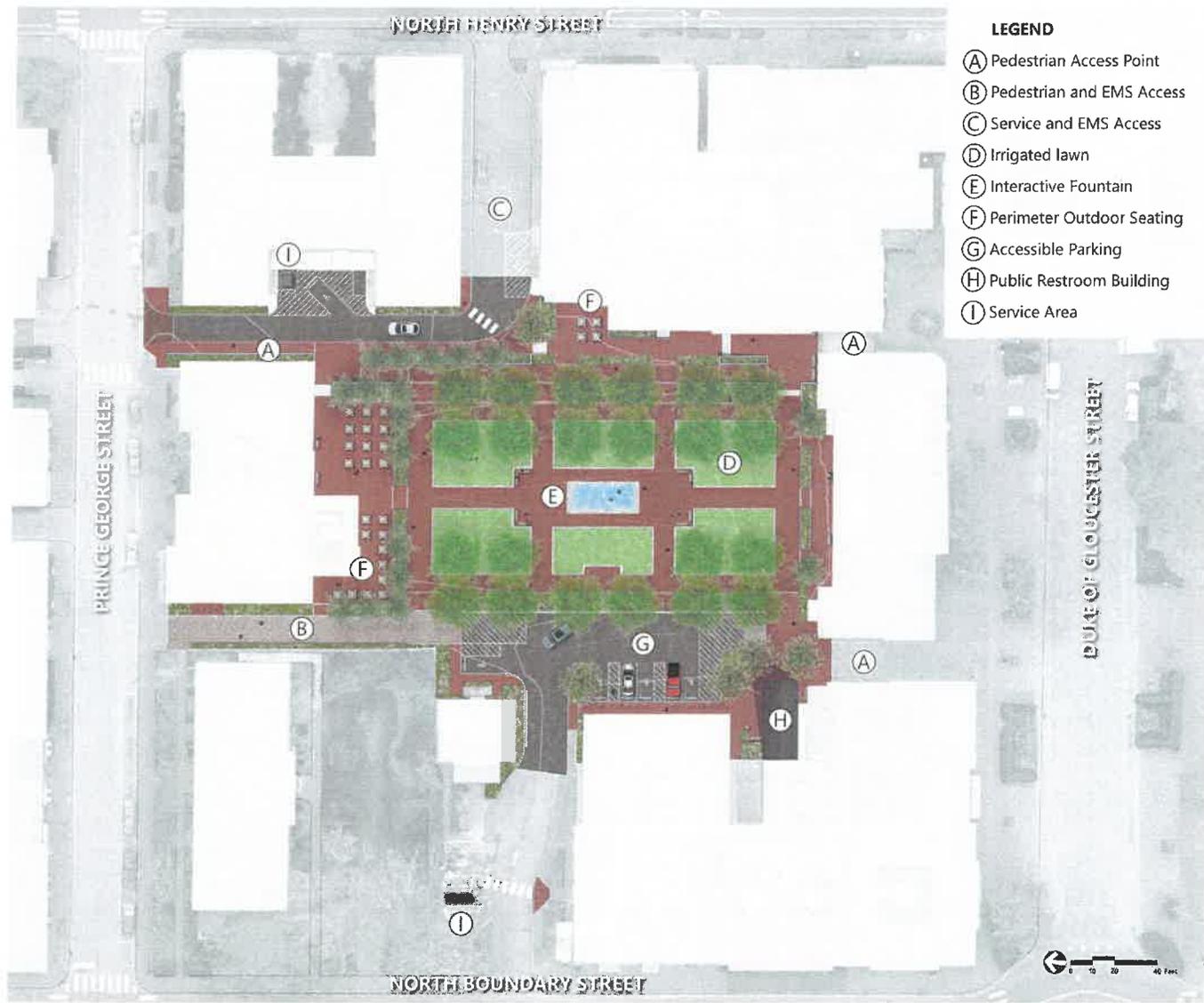
orthophotography + survey





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

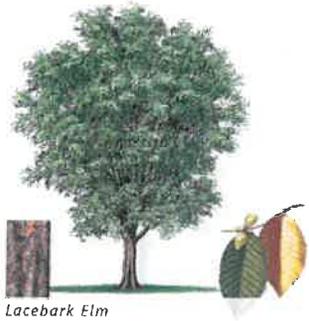


Wood Fencing

merchants square north plaza
concept design

materials palette





'Alleé' Lacebark Elm



Overdam Feather Reed Grass



Switchgrass



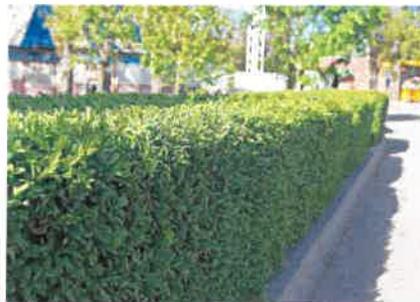
Prairie Blues Bluestem



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



The Colonial Williamsburg Foundation

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

September 5, 2019

Mr. Andrew Trivette
City Manager
City of Williamsburg
401 Lafayette Street
Williamsburg, VA 23185-3617



Dear Mr. Trivette:

Thank you and the city staff for your continuing reviews of Colonial Williamsburg's conceptual plans for creation of a new private plaza on the site of the existing P3 parking lot in Merchants Square.

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.

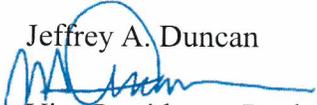
We also believe access to adequate, well-maintained, and convenient parking is an important requirement for the downtown shopping and cultural experience for visitors to Merchants Square and other downtown establishments.

Consequently, to allow additional time for Colonial Williamsburg to complete a review of potential changes to downtown parking, we request the City Council table until October the following two applications for Special Use Permits submitted by Colonial Williamsburg:

- Request to remove 40 parking spaces from the Downtown Parking District
- Request to construct a private plaza in the block currently used for parking (P3)

We also request that the following remain as an agenda item for the upcoming meeting of City Council: Colonial Williamsburg's request 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.

Thank you for your consideration of our request. I look forward to hearing back.

Jeffrey A. Duncan

Vice President – Real Estate
The Colonial Williamsburg Foundation



CITY OF WILLIAMSBURG

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DATE: September 19, 2019

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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#19-014 & PCR#19-015

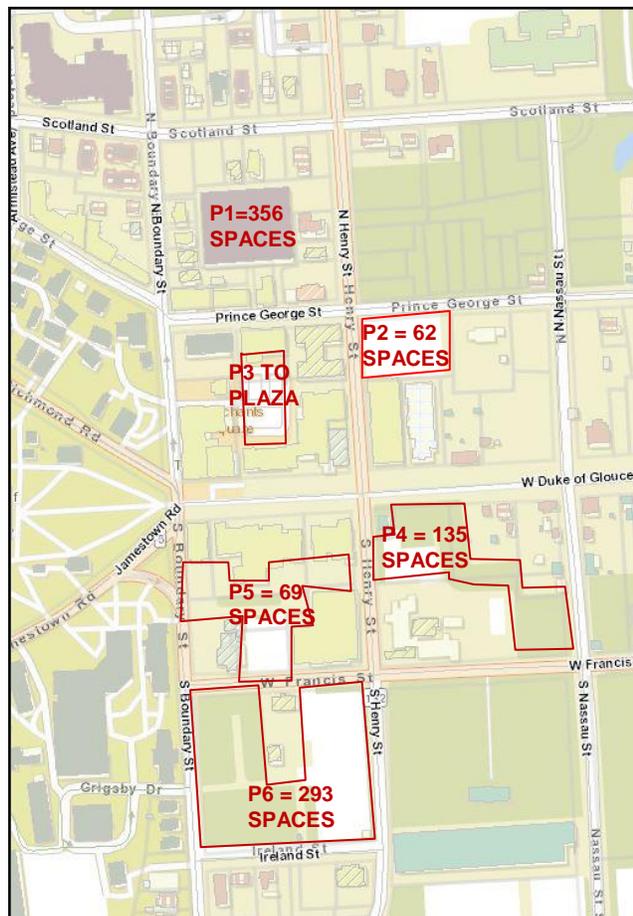
These requests of the applicant are for a special use permit to remove 40 parking spaces from the P3 parking lot and a special use permit to construct a private plaza as shown on the conceptual elevations and site plan which are attached in the P3 parking lot.

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#19-014

Staff recommends approval of the special use permit request to remove 40 parking spaces from the P3 parking lot 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 lot 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#19-014

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

PCR#19-015

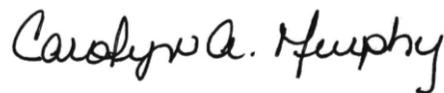
Approval of a special use permit for the construction of a private plaza in the P3 parking lot as shown on the conceptual site plan subject to the following conditions:

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.

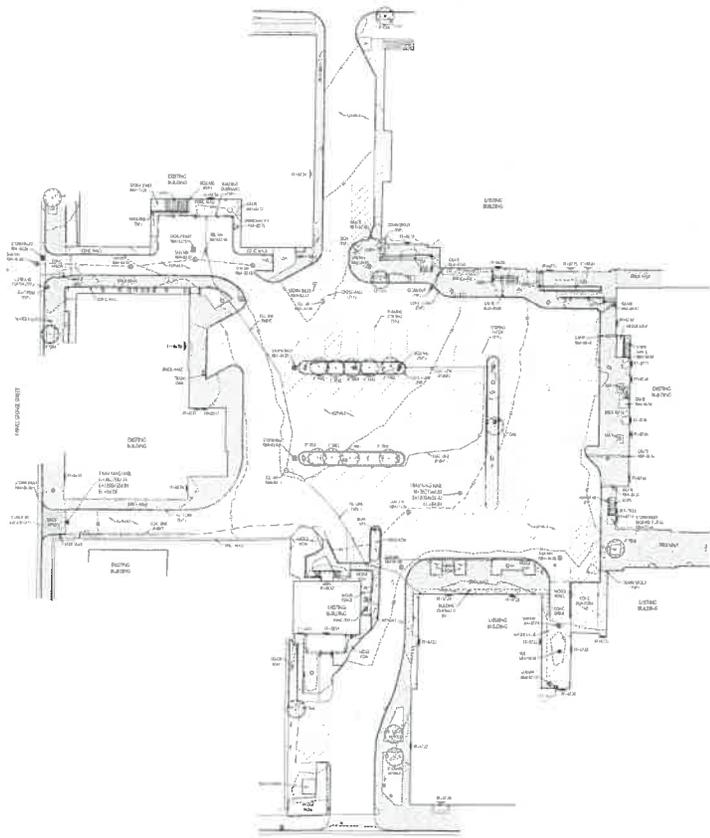
CITY COUNCIL PUBLIC HEARING

These two cases were tabled by City Council at the September 12, 2019 meeting to the October 10, 2019 meeting at the applicant's request.

City Council public hearings are scheduled for their regular meeting on October 10, 2019 in the Council Chambers of Stryker Center at 2:00 p.m.



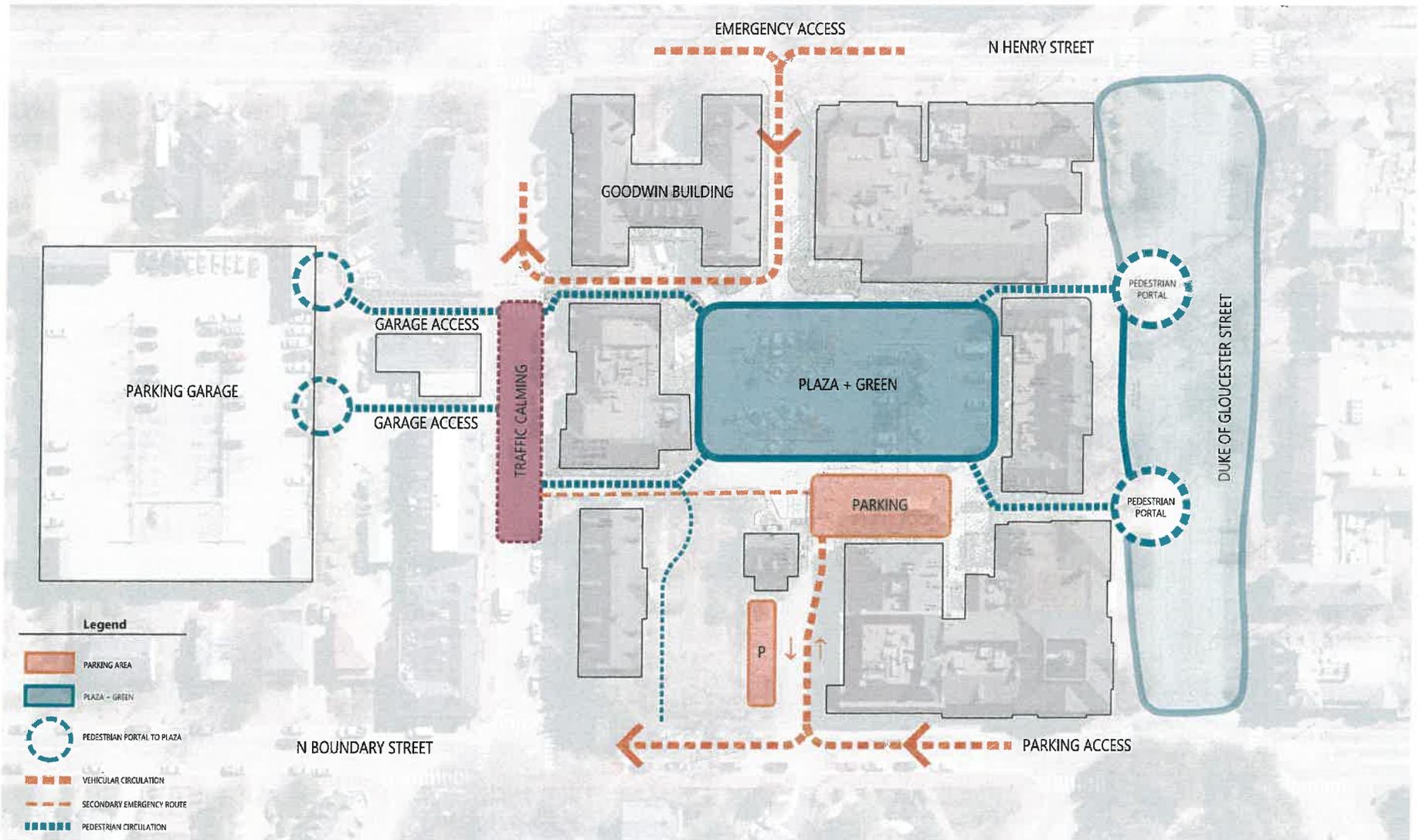
Carolyn A. Murphy, AICP
Planning and Codes Compliance Director



merchants square north plaza
concept design

orthophotography + survey



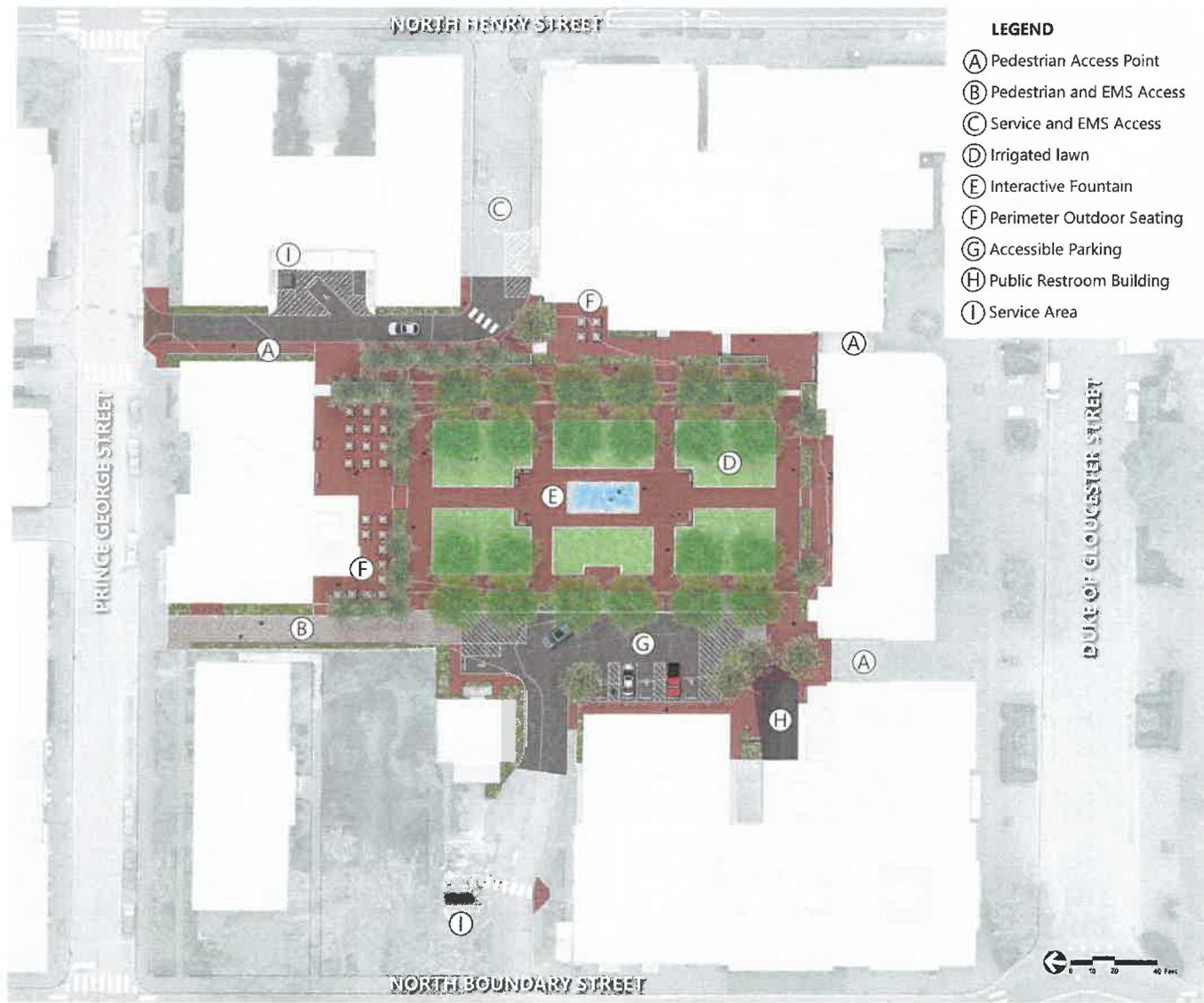


Legend

- PARKING AREA
- PLAZA + GREEN
- PEDESTRIAN PORTAL TO PLAZA
- VEHICULAR CIRCULATION
- SECONDARY EMERGENCY ROUTE
- PEDESTRIAN CIRCULATION

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

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



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.

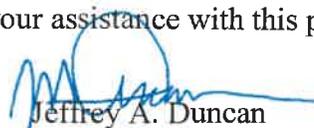
With respect to parking, changes to downtown parking generally, and in Merchants Square specifically would be minimal, with a loss of approximately 40 parking spaces out of 4,316 total parking spaces downtown, 1,080 of which are located in lots P1-P6. Approximately 8 parking spaces would be retained.

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.

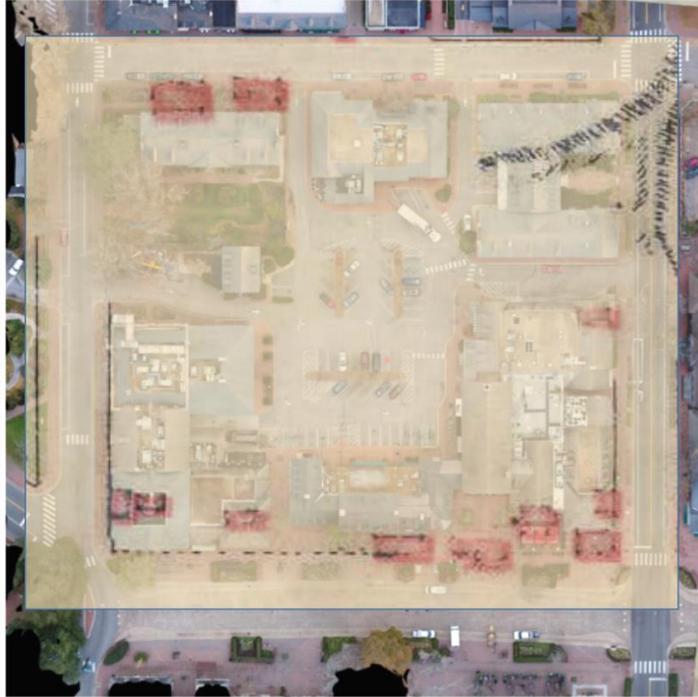


Figure 1. The Frenchman's Map (c.1782) overlaid on the project area.

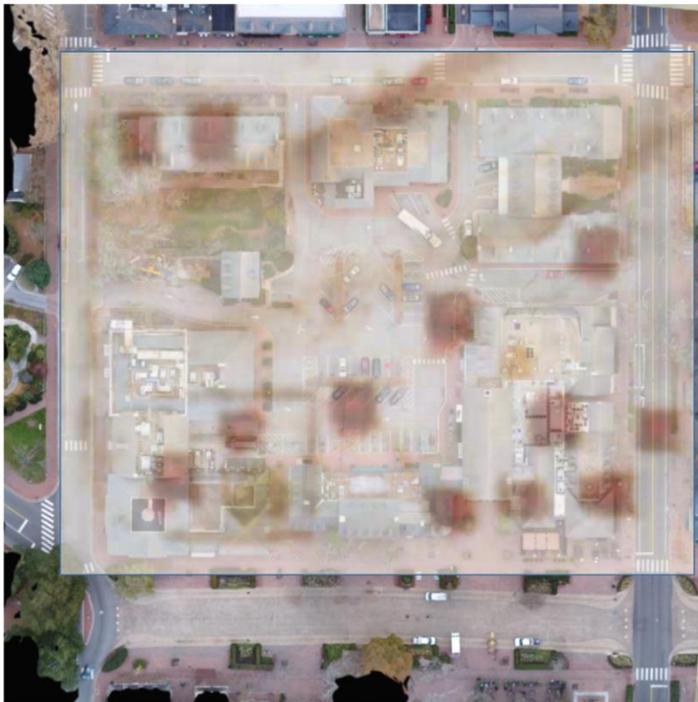


Figure 2. The Desandrouins Map (c.1782) overlaid on the project area.



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.

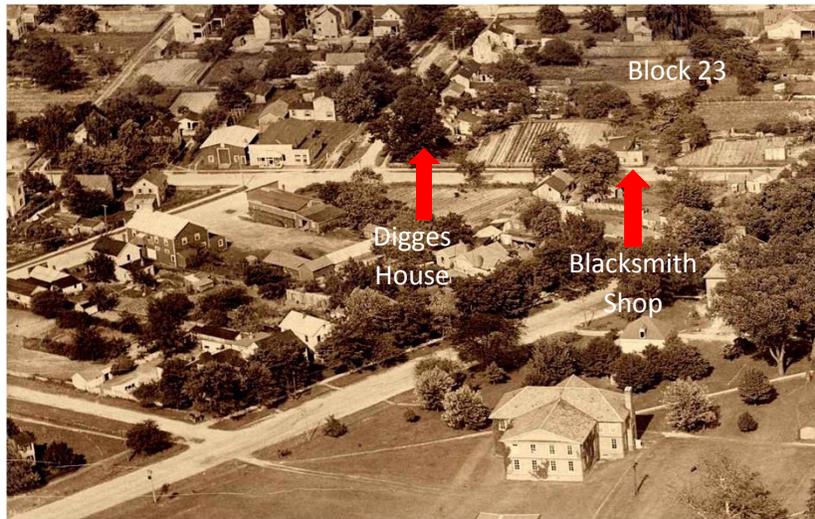


Figure 4. Early 1920s aerial photograph showing the northwest corner of Block 23 looking east.



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

The Colonial Williamsburg Foundation

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

September 5, 2019

Mr. Andrew Trivette
City Manager
City of Williamsburg
401 Lafayette Street
Williamsburg, VA 23185-3617



Dear Mr. Trivette:

Thank you and the city staff for your continuing reviews of Colonial Williamsburg's conceptual plans for creation of a new private plaza on the site of the existing P3 parking lot in Merchants Square.

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.

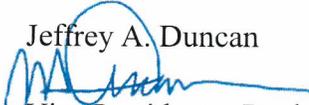
We also believe access to adequate, well-maintained, and convenient parking is an important requirement for the downtown shopping and cultural experience for visitors to Merchants Square and other downtown establishments.

Consequently, to allow additional time for Colonial Williamsburg to complete a review of potential changes to downtown parking, we request the City Council table until October the following two applications for Special Use Permits submitted by Colonial Williamsburg:

- Request to remove 40 parking spaces from the Downtown Parking District
- Request to construct a private plaza in the block currently used for parking (P3)

We also request that the following remain as an agenda item for the upcoming meeting of City Council: Colonial Williamsburg's request 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.

Thank you for your consideration of our request. I look forward to hearing back.

Jeffrey A. Duncan

Vice President – Real Estate
The Colonial Williamsburg Foundation



CITY OF WILLIAMSBURG

MEMORANDUM

DATE: September 18, 2019

SUBJECT: PCR#19-016: Text amendment to define outdoor event space and to allow outdoor event space with a special use permit in the Downtown Business District B-1.

PCR#19-017: Request of Berret's Seafood Restaurant and Taphouse Grill for a special use permit for an outdoor event space at 199 South Boundary Street.

APPLICANT'S REQUEST

Berret's Seafood Restaurant and Taphouse Grill is requesting a text change and special use permit for an outdoor event space (live music) at 199 South Boundary Street. The applicant proposes live music, both acoustic and amplified on Sundays from 12:00PM – 3:00PM and nightly from 6:00PM – 9:00PM from May through October.

The applicant proposes using at 8 foot by 8 foot stage, elevated 18" off the ground. There is an electrical source at the stage. All proposed equipment will be kept on the stage and not placed on the ground or surrounding areas.

CURRENT REGULATIONS

Comprehensive Plan

The 2013 Comprehensive Plan designates this parcel 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 adaptation 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 relates 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.

Land to the north, south, and east are designated Downtown Commercial. Properties to the west are designated William & Mary land use.

Zoning

This property along with properties to the north, south, and east are designated Downtown Business B1. Lands to the west are designated William & Mary.

The statement of intent for the Downtown Business B1 District 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 this 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.

Architectural Review Board

The Architectural Review Board conceptually reviewed and approved the stage conditioned upon horizontal siding being installed to hide the undercarriage of the stage and the entire structure being painted "Ocean Storm" to match the Taphouse Grill color at their meeting on August 27, 2019 (ARB#19-094).

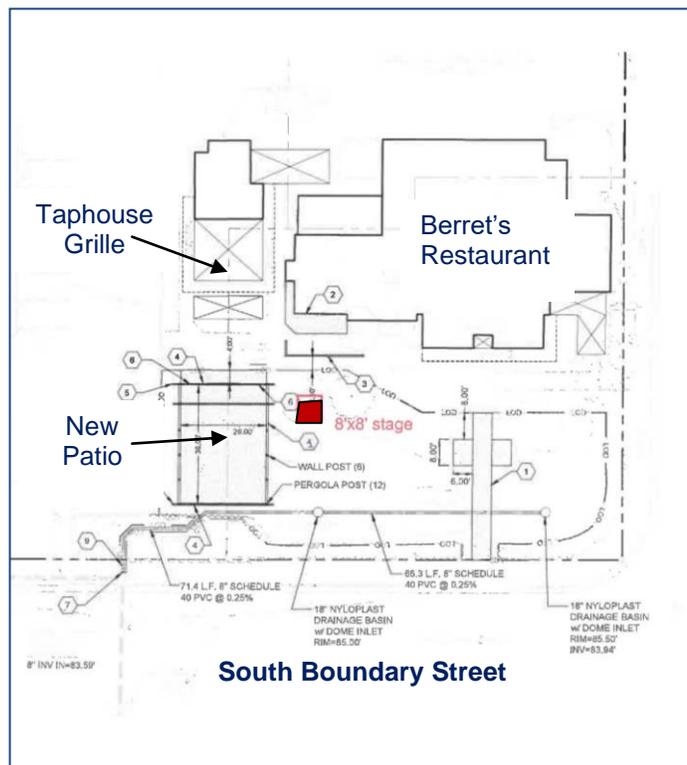
Site Plan Review Committee

The Site Plan Review Committee reviewed the request at their August 14, 2019 meeting and recommended a time limit being placed for all music to end due to the proximity of the performances to the dormitories across the street.

ANALYSIS

Berret's Taphouse and Grill is proposing live music daily from May through October on an 8' x 8' stage adjacent to a new patio as shown below with all music ending by 9:00 p.m.

Based on the proposed ending for musical entertainment at 9:00 p.m. as proposed by the applicant, staff recommends a 9:30 p.m. deadline for all music to end which allows for some spillover of music based on the performer.



The applicant notes in their application they are proposing to hold live music acts of one or two members at the entrance to Taphouse Grill from May through October on a stage shown above. They note no equipment will be placed on the ground or surrounding areas.

The applicant made the request based on a minor site plan being submitted for the patio that indicated a stage. Based on no outdoor event space use being listed in the Zoning Ordinance staff notified the applicant of the text change and subsequent use permit requirement.

Staff proposes a definition for an outdoor event space as “an outdoor space located on the property of and used by the owners or operators of a restaurant in conjunction with such restaurant use not to exceed 1,500 square feet, which contains a stage or designated performance area and seating in which live music and entertainment is performed. The applicant proposes to construct a new patio containing 936 square feet (36’x26’) adjacent to the 8’x8’ stage. Approximately 300 square feet of outdoor dining exists outside of Taphouse Grill which equals 1,300 square feet of outdoor space.

The use of the space for small venues for the restaurant is appropriate and will add to the vibrancy Downtown and is in harmony with the Comprehensive Plan.

RECOMMENDATION

PCR#19-016:

Staff recommends that Planning Commission recommend to City Council approval of the text change to define an “outdoor event space” and to allow an outdoor event space with a special use permit as outlined in the proposed ordinance. Requiring a special use permit gives the City the flexibility to evaluate each site and determine if an outdoor event space should be allowed at a specific location.

PCR#19-017:

Staff recommends that Planning Commission recommends to City Council approval of a special use permit for an outdoor event space at Taphouse Grille to contain a stage (8’x8’), a new patio (36’x26’) as shown on the enclosed conceptual site plan conditioned upon the following:

1. All musical performances must cease by 9:30 p.m.
2. The Architectural Review Board approving the final design to include any lighting or cover for the stage.
3. Musical acts shall contain no more than two individuals.
4. All equipment being contained to the stage.
5. The approval is granted for the applicant only and is not transferable.

PLANNING COMMISSION

Planning Commission held a public hearing on September 18, 2019. Other than the applicant no one spoke.

Planning Commission recommended to City Council by a vote of 4-0-2-1 the following:

PCR#19-016:

Approval of the text change to define an “outdoor event space” and to allow an outdoor event space with a special use permit as outlined in the proposed ordinance.

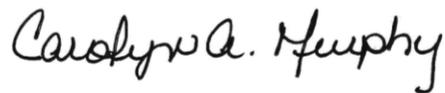
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CITY COUNCIL PUBLIC HEARING

A City Council public hearing is scheduled for their regular meeting on October 10, 2019 in the Council Chambers of Stryker Center at 2:00 p.m.



Carolyn A. Murphy, AICP
Planning & Codes Compliance Director

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

**AN ORDINANCE AMENDING CHAPTER 21, ZONING,
ARTICLE I. IN GENERAL, SECTION 21-2. DEFINITIONS BY ADDING A DEFINITION
FOR OUTDOOR EVENT SPACE AND
ARTICLE III. DISTRICT REGULATIONS, DIVISION 8. DOWNTOWN BUSINESS
DISTRICT B-1
BY ADDING OUTDOOR EVENT SPACE WITH A SPECIAL USE PERMIT
(PCR #19-016)**

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, Section 21-2 Definitions by adding outdoor event space 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 read as follows:

ARTICLE I. IN GENERAL

Section 21-2. Definitions.

Outdoor event space means an outdoor space, located on the property of and used by the owners or operators of a restaurant in conjunction with such restaurant use not to exceed 1,500 square feet, which contains a stage or designated performance area and seating in which live music and entertainment is performed.

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:

(9.1) Outdoor event space.

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

Adopted:

Paul T. Freiling, Mayor

Attest: _____
Debi Burcham. Clerk of Council

Berret's Seafood Restaurant & Taphouse Grill

Narrative to accompany Special Use Permit

We are requesting the Special Use Permit (SUP) for an 8" x 8" stage to sit adjacent to the entrance of the Taphouse Grill to hold live musical acts of one to two members. The music is both acoustic and amplified (amplified music is directed only at the guests in the Taphouse Grill).

(When inclement weather is a concern, the music is only acoustic)

Sunday Brunch, 12:00 pm-3:00 pm (acoustic only), May through October

Nightly, 6:00 pm-9:00 pm, May through October

-The stage has its own power source close by so there are no exposed cords.

-The wooden stage is 8" x 8" and sits 18" off the ground.

-All musical acts will be instructed to keep the noise level down so as to not disrupt foot-traffic in the general vicinity.

-The stage is not lit, but we have portable lights to use as needed.

-All musical acts must contain any equipment to the stage. No equipment is placed on the ground or surrounding areas.

Thank you for your consideration regarding this matter.

Brian Mahoney

General Manager

Berret's Seafood Restaurant & Taphouse Grill



CITY OF WILLIAMSBURG

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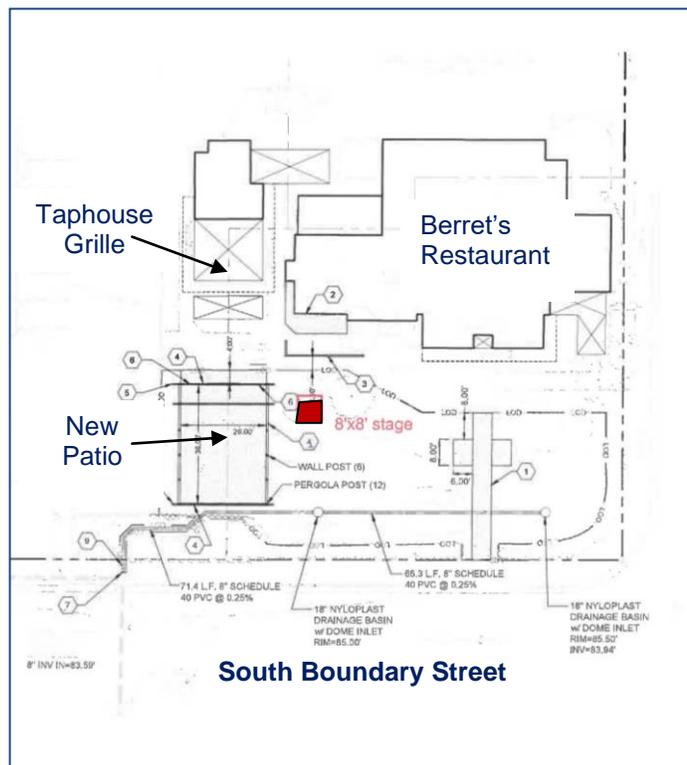
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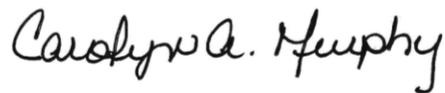
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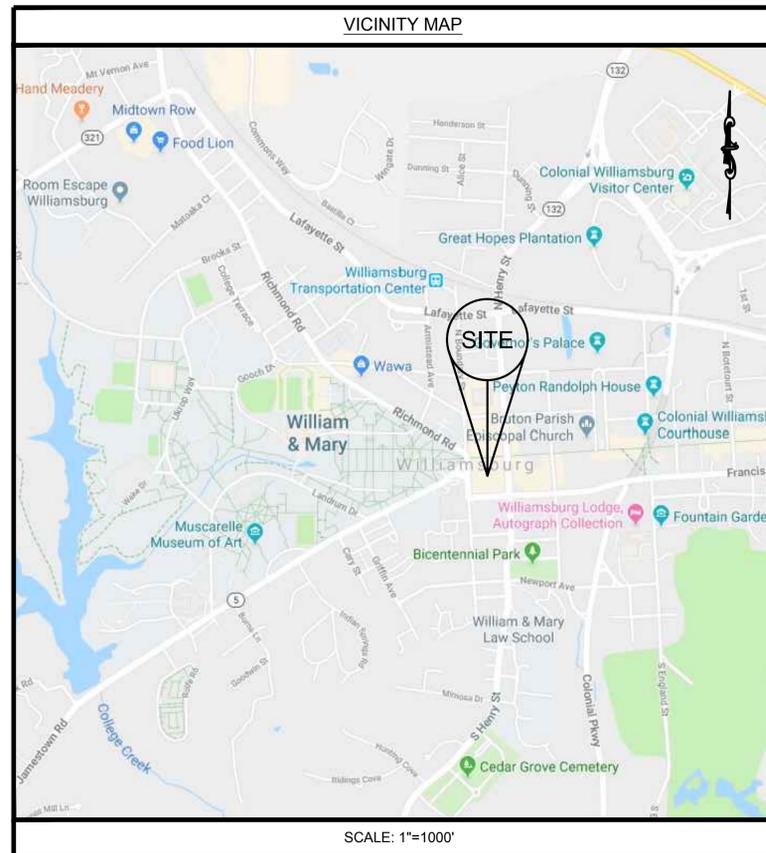
SITE PLAN OF BERRET'S RESTAURANT COURTYARD IMPROVEMENTS

CITY OF WILLIAMSBURG

VIRGINIA

PROJECT INFORMATION:

PROPERTY ADDRESS 199 S. BOUNDARY STREET
 PARCEL NUMBER 495-0A-00-024, 25
 ZONING B1 (DOWNTOWN BUSINESS)
 CURRENT USE RESTAURANT
 PROPOSED USE RESTAURANT
 WATER PUBLIC
 SEWER PUBLIC
 PROPOSED DISTURBED AREA 6,160 S.F. / 0.141 ACRES
 DISTURBED AREA COVER
EXISTING COVER
 FOREST / LANDSCAPING 700 S.F. / 0.016 AC. (11.36%)
 TURF GRASS 5,460 S.F. / 0.125 AC. (88.64%)
 IMPERVIOUS 0 S.F. / 0 AC. (0.00%)
PROPOSED COVER
 FOREST / LANDSCAPING 500 S.F. / 0.011 AC. (8.12%)
 TURF GRASS 4,060 S.F. / 0.093 AC. (65.91%)
 IMPERVIOUS 1,600 S.F. / 0.037 AC. (25.97%)
 VA HUC CODE (JL34 - COLLEGE CREEK WATERSHED)



OWNER / APPLICANT
 COLONIAL WILLIAMSBURG FOUNDATION
 CONTACT: JONATHAN LAK, A.C. (LANDSCAPE MANAGER)
 C: 757-719-3713

TABLE OF CONTENTS

C0001	01 OF 11	COVER SHEET
C0002	02 OF 11	GENERAL NOTES
VF101	03 OF 11	EXISTING CONDITIONS
CD101	04 OF 11	DEMOLITION & PHASE I EROSION & SEDIMENT CONTROL PLAN
CD501	05 OF 11	EROSION & SEDIMENT CONTROL NARRATIVE & NOTES & DETAILS
CS101	06 OF 11	SITE LAYOUT & STORM SEWER PLAN
CS501	07 OF 11	SITE NOTES & DETAILS
CS502	08 OF 11	SITE NOTES & DETAILS
CG101	09 OF 11	GRADING PLAN & FINAL EROSION & SEDIMENT CONTROL PLAN
LS101	10 OF 11	LANDSCAPE PLAN
EL101	11 OF 11	LIGHTING PLAN

SITE PLAN OF
BERRET'S RESTAURANT
 COURTYARD IMPROVEMENTS
 CITY OF WILLIAMSBURG
 VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1	06/28/2019	1 ST CITY REVIEW COMMENTS



SCALE: N/A
 DATE: 04-23-2019
 JOB: 19-101
 DRAWN BY: WSF
C0001
 COVER SHEET

**BEFORE DIGGING CALL
 "MISS UTILITY" OF VIRGINIA AT 811**

RESPONSIBLE LAND DISTURBER (RLD)

THE PROFESSIONAL ENGINEER WHOSE SEAL IS AFFIXED HEREON SHALL ACT AS THE "RESPONSIBLE LAND DISTURBER" FOR THE PLAN REVIEW PHASE OF THIS PROJECT. ONCE THE PLANS ARE APPROVED BY THE COUNTY THE OWNER/DEVELOPER SHALL PROVIDE THE COUNTY WITH THE NAME OF THE "RESPONSIBLE LAND DISTURBER" FOR THE CONSTRUCTION PHASE OF THE PROJECT.

PROPOSED LEGEND

- BLOW OFF VALVE
- CABLE PEDESTAL
- CATCH BASIN (CIRCLE)
- COMMUNICATIONS MANHOLE
- ELECTRIC MANHOLE
- FIRE HYDRANT
- GAS METER
- GUY WIRE
- LIGHT POLE
- METAL COVER
- POST INDICATOR VALVE
- SANITARY CLEANOUT
- SIAMESE CONNECTION
- SOIL BORING
- TELEPHONE PEDESTAL
- TRANSFORMER
- UTILITY MARKER
- UTILITY VAULT
- WATER METER
- WELL
- BOLLARD
- CATCH BASIN (SQUARE)
- COMMUNICATIONS BOX
- ELECTRIC BOX
- EMERGENCY PHONE
- FLAG POLE
- GAS VALVE
- HVAC UNIT
- MIAL BOX
- MONITOR WELL
- SANITARY SEWER MANHOLE
- SANITARY GRINDER PUMP
- SIGN
- STORM SEWER MANHOLE
- TRAFFIC BOX
- TRASH CAN
- UTILITY POLE
- UTILITY WITNESS POST
- WATER VALVE
- W WATER SUPPLY LINES
- COMM COMMUNICATIONS
- GAS GAS
- SS SANITARY SEWER
- STRM STORM SEWER
- E POWER
- LOD LIMITS OF DISTURBANCE

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- CMF = CONCRETE MONUMENT FOUND
- IPF = IRON PIPE FOUND
- IRS = IRON ROD SET
- PPF = PINCHED PIPE FOUND
- CMS = CONCRETE MONUMENT SET
- IRF = IRON ROD FOUND
- NF = NAIL FOUND
- W BLUE PAINT (WATER)
- COMM ORANGE PAINT (COMMUNICATION)
- GAS YELLOW PAINT (GAS)
- SS GREEN PAINT (SANITARY SEWER)
- STRM XXXXXX PAINT (STORM SEWER)
- E RED PAINT (POWER LINES)

GENERAL NOTES:

1. CONSTRUCTION ON THIS SITE SHALL ADHERE TO THE MOST CURRENT VERSION OF THE HRPDC REGIONAL CONSTRUCTION STANDARDS AND SPECIFICATION, VIRGINIA DEPARTMENT OF TRANSPORTATION CONSTRUCTION SPECIFICATIONS, AS WELL AS ALL LOCALITY CONSTRUCTION STANDARDS AND SPECIFICATIONS.
2. ANY EXISTING UNUSED WELLS DISCOVERED DURING CONSTRUCTION SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND LOCALITY CODE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO THE COMMENCEMENT OF WORK ON SITE.
4. A RIGHT OF WAY PERMIT ISSUED BY THE CITY OF WILLIAMSBURG DEPARTMENT OF PUBLIC WORKS IS REQUIRED FOR WORK IN TEH CITY RIGHT OF WAY.
5. THE PROJECT SITE IS LOCATED OUTSIDE OF ALL RMA/RPA AREAS.
6. ALL TRAFFIC CONTROL REQUIRED DURING CONSTRUCTION, IF ANY, SHALL BE IN ACCORDANCE WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION WORK AREA PROTECTION MANUAL.

**SITE PLAN OF
BERRET'S RESTAURANT
COURTYARD IMPROVEMENTS**

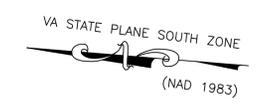
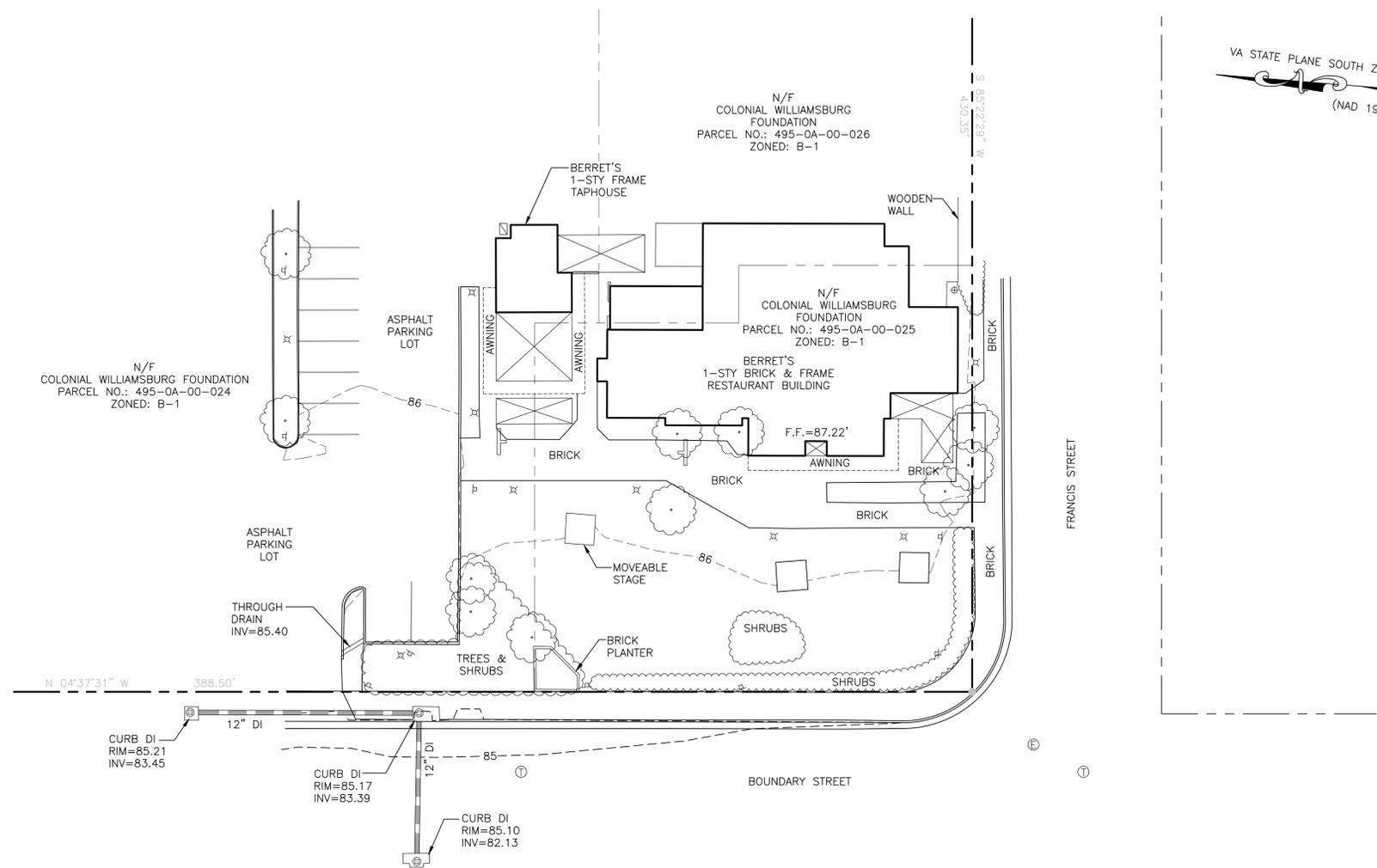
CITY OF WILLIAMSBURG
VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
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**LRI
LANDTECH
RESOURCES, INC.**
LANDSCAPE ARCHITECTURE & PLANNING CONSULTANTS
3526 MARKET STREET, SUITE 200, WILLIAMSBURG, VA 23186
Ph: (757) 565-1077 Fax: (757) 565-0782
web: landtechresources.com

SCALE: N/A
DATE: 04-23-2019
JOB: 19-101
DRAWN BY: WSF
C0002 GENERAL NOTES



- NOTES:**
1. THIS SURVEY AND SITE PLAN WERE PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT.
 2. WETLANDS WERE NOT RESEARCHED IN THE PREPARATION OF THESE DOCUMENTS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND/OR DEVELOPER/OWNER TO ASCERTAIN THE SERVICES OF A QUALIFIED PROFESSIONAL WETLAND SCIENTIST TO MAKE THE DETERMINATION OF THE EXISTENCE OF WETLANDS WITHIN THE PROPOSED PROJECT LIMITS.
 3. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES EXCEPT THOSE SHOWN. THE EXISTENCE AND LOCATION (HORIZONTAL AND VERTICAL) OF EXISTING UTILITIES ARE NOT GUARANTEED AND SHALL BE FIELD VERIFIED BY THE CONTRACTOR. ANY DISCREPANCIES SHOULD BE REPORTED IMMEDIATELY TO THIS OFFICE BEFORE ANY FURTHER WORK IS COMPLETED.
 4. ELEVATIONS AS SHOWN HEREON ARE IN FEET AND ARE RELATIVE TO CITY OF WILLIAMSBURG SURVEY MONUMENT #13 (NAVD 1988).
 5. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.
 6. THIS LOT LIES IN F.I.R.M. ZONE "X" ACCORDING TO FLOOD INSURANCE RATE MAP #51095C0139D, DATED DECEMBER 16, 2015.
 7. THIS SURVEY WAS COMPLETED BY LANDTECH RESOURCES, INC. UNDER THE DIRECT AND RESPONSIBLE CHARGE OF WILLIAM FELTS, L.S., LICENSE NO. 57903, FROM AN ACTUAL GROUND SURVEY MADE UNDER HIS SUPERVISION; THE INFORMATION SHOWN HEREON WAS OBTAINED IN APRIL 2018 AND MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
 8. THE BOUNDARY LINES AS SHOWN ARE SHOWN PER UNRECORDED SURVEY FOR THE CONVEYANCE OF LAND TO THE CITY OF WILLIAMSBURG BY WILLIAMSBURG RESTORATION, INC. DATED JULY 23, 1958.

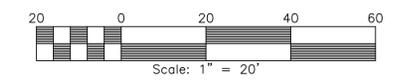
SITE PLAN OF
BERRET'S RESTAURANT
 COURTYARD IMPROVEMENTS
 CITY OF WILLIAMSBURG
 VIRGINIA

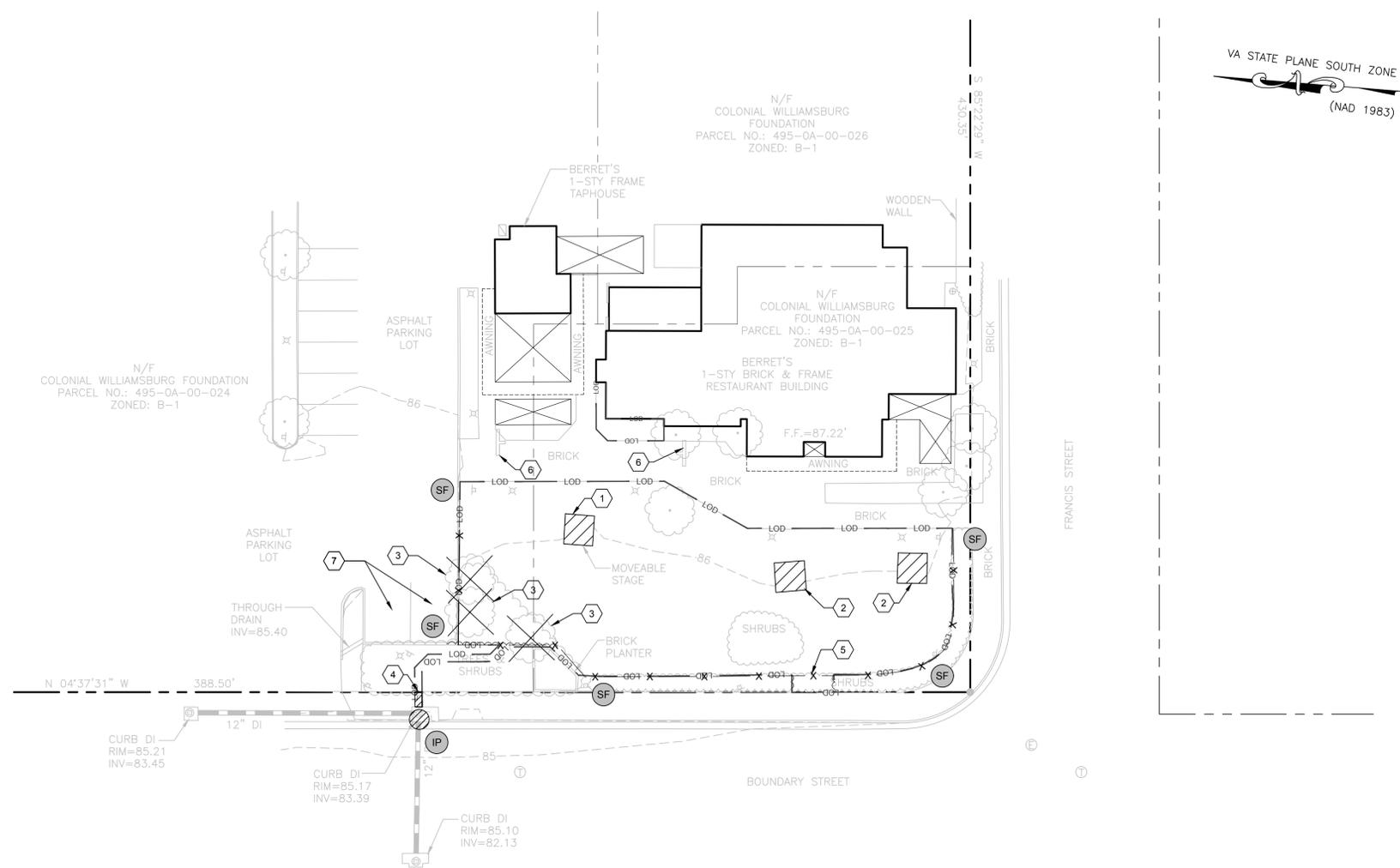
NO.	DATE	REVISION / COMMENT / NOTE
1	06/28/2019	1 ST CITY REVIEW COMMENTS



LRI LANDTECH RESOURCES, INC.
 REGISTERED PROFESSIONAL ENGINEERS
 3826 WILSON BLVD., SUITE 201
 WILLIAMSBURG, VA 23186
 Ph: (757) 565-1077 Fax: (757) 565-0782
 web: landtechresources.com

SCALE: 1"=20'
DATE: 04-23-2019
JOB: 19-101
DRAWN BY: WSF
VF101
EXISTING CONDITIONS
03 OF 11





E&S LEGEND

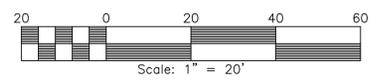
CONTROL MEASURE	SYMBOL	KEY	NO.
SAFETY FENCE	—●—	SAF	3.01
SILT FENCE	—x—	SF	3.05
STORM DRAIN INLET PROTECTION	⊗	IP	3.07
SODDING	←SO→	SO	3.33

NOTES:

1. THE CONTRACTOR IS RESPONSIBLE FOR THE DAILY INSPECTION AND MAINTENANCE OF ALL EROSION AND SEDIMENT CONTROL DEVICES INSTALLED ON SITE AS PART OF THIS PROJECT.
2. ALL OBJECTIONABLE AND DELETERIOUS MATERIAL IS TO BE REMOVED FROM THE SITE AND DISPOSED OF IN A STATE APPROVED FACILITY MEETING THE REQUIREMENTS OF ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
3. THE CONTRACTOR IS TO SECURE THE LATEST EDITION OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND COMPLY WITH ALL REQUIREMENTS AS PRESENTED IN SAID PUBLICATION, COUNTY SHALL ALSO ADHERE TO ALL LOCALITY SPECIFIC REGULATIONS PERTAINING TO EROSION AND SEDIMENT CONTROL.
4. ALL AREAS THAT ARE TO REMAIN DISTURBED MORE THAN 14 DAYS ARE TO HAVE TEMPORARY SEEDING APPLIED IN ACCORDANCE WITH THE VESCH.

KEY NOTES:

1. EXISTING STAGE PLATFORM TO BE REMOVED.
2. EXISTING PLANTERS TO BE DEMOLISHED.
3. EXISTING TREES TO BE REMOVED.
4. SAW CUT AND REMOVE 24" WIDE SECTION OF EXISTING SIDEWALK FOR INSTALLATION OF DRAIN PIPE. EXISTING BRICKS ARE TO BE REMOVED SUCH THAT THEY MAY BE REINSTALLED AND THE BASE CONCRETE SLAB SAW CUT AS NEEDED. IF OPEN CUT OF SIDEWALK SHOULD REMAIN FOR CONTINUOUS DAYS THE CONTRACTOR IS TO BACKFILL TRENCH WITH STONE TO PROVIDE FOR WALKING SURFACE AT THE END OF EACH DAY.
5. REMOVE SECTION OF EXISTING SHRUBBERY AS NEEDED FOR INSTALLATION OF NEW BRICK WALK.
6. REMOVE EXISTING WOOD PLANTER.
7. A CONSTRUCTION ENTRANCE SHALL NOT BE REQUIRED AS PART OF THIS PROJECT; ALL LOADING AND UNLOADING OF MATERIALS SHALL TAKE PLACE FROM THE ADJACENT ASPHALT PARKING LOT; ANY SEDIMENTS TRACKED ONTO HARD SURFACES SHALL BE SWEEP CLEAN AT THE END OF EACH WORKING DAY; CONTRACTOR IS TO UTILIZE 2 EXISTING PARKING SPACES FOR EQUIPMENT PARKING AND STORAGE AS NEEDED; CONTRACTOR TO ASSURE THAT THE EXISTING DRIVE AISLES ARE NOT BLOCKED DURING CONSTRUCTION.



SITE PLAN OF
BERRET'S RESTAURANT
COURTYARD IMPROVEMENTS
 CITY OF WILLIAMSBURG
 VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1	06/28/2019	1 ST CITY REVIEW COMMENTS



SCALE: 1"=20'
DATE: 04-23-2019
JOB: 19-101
DRAWN BY: WSF
CD101
DEMOLITION & PHASE I EROSION & SEDIMENT CONTROL PLAN
04 OF 11

EROSION AND SEDIMENT CONTROL NARRATIVE

EXISTING SITE CONDITIONS
The existing project site is located at the corner of South Boundary Street & Francis Street in the City of Williamsburg, Virginia. The site is made up of the existing Berret's restaurant and adjacent courtyard. The existing area currently is made of a grass areas that has become severely compacted and lacking of proper drainage and vegetation.

ADJACENT AREAS
The project work area is surrounded by the existing Berret's restaurant, an existing asphalt parking lot, and South Boundary Street and Francis Street.

OFFSITE AREAS
There are no off-site areas proposed to be disturbed in association with this project.

PROPOSED DEVELOPMENT
The proposed project will consist of the rehabilitation of the existing courtyard area. The project will include the installation of a new patio area for outside seating and events, a new brick walk connecting the entrance to the existing restaurant to South Boundary Street, and new landscaping and sod. The existing courtyard will be re-graded to provide proper draining into new Nyloplast drainage basins. The entire grass area will be covered with new sod to restore drainage patterns and soil infiltration.

ONSITE SOILS CLASSIFICATIONS
Soil delineation and classifications obtained from the USDA NRCS Web Soil Survey system accessed in April 2019.
• Slagle Fine Sandy Loam - 29B (HSG C)

CRITICAL EROSION AREAS
There are no critical erosion areas associated with this project.

EROSION & SEDIMENT CONTROL MEASURES
All measures listed within this section shall be applied, constructed, and maintained in accordance with the latest edition of the Virginia Erosion and Sediment Control Handbook (VESCH). Refer to the noted section within the VESCH (e.g. VESCH 3.18) for more detailed information. In general, all measures shall be inspected weekly and after each rainfall event for sediment buildup and repaired/cleaned out as needed. Stabilization shall occur as dictated in the sequence of construction on the approved site plan or as directed by County officials.

STRUCTURAL PRACTICES
Safety Fence (VESCH 3.01)
A protective barrier used to prevent undesirable access to an erosion control measure by the public. The safety fence is applicable to any control measure or series of control measures where public access would be considered unsafe.

The contractor is to employ the use of safety fencing as needed during construction activities.

Silt Fence (VESCH 3.05)
Synthetic filter fabric stretched across and attached to supporting posts are entrenched around the perimeter of portions of the construction site in order to intercept and detain small amounts of sediment from disturbed areas which would otherwise leave the project site. Silt fence on this project will wrap around clockwise from west to east around the limits of disturbance.

The silt fence (SF) shall be repaired should end runs and/or undercutting occur, fabric decomposes, or the fence becomes ineffective. Upon removal of the SF, any sediment buildup remaining shall be restored to finish grade and seeded/stabilized.

Storm Drain Inlet Protection (VESCH 3.07)
A sediment filter or an excavated impounding area around a storm drain drop inlet or curb inlet. Used to prevent sediment from entering storm drainage systems prior to permanent stabilization of the area.

VEGETATIVE PRACTICES
Temporary Seeding (VESCH 3.31)
The establishment of a temporary vegetative cover on disturbed areas by seeding with appropriate rapidly growing annual plants. The purpose is to reduce erosion and sedimentation by stabilizing areas that will not be brought to final grade for a period of more than 14 days and reduce damage from sediment and runoff to downstream or off-site areas, and to provide protection to bare soils exposed during construction until permanent vegetation or other erosion control measures can be established.

Sodding (VESCH 3.33)
Stabilizing fine-graded disturbed areas by establishing permanent grass stands with sod. Its role is to establish permanent turf immediately, prevent erosion and damage from sediment and runoff by stabilizing the soil surface, reduce the production of dust and mud associated with bare soil surfaces, stabilize drainage ways where concentrated overland flow will occur, and to be used as a filtering device for sediments in areas prior to achieving permanent stabilization.

It is well suited for location with waterways carrying intermittent flow, areas around drop inlets or in grassed swales, and residential or commercial lawns.

MANAGEMENT STRATEGIES
1) Sediment trapping measures will be installed as the first step in grading and will be seeded and mulched immediately following installation.
2) Temporary seeding or other stabilization will follow immediately after grading.
3) The contractor shall be responsible for the installation and maintenance of all erosion and sediment control practices depicted on the Plans.
4) After achieving adequate stabilization, the temporary controls will be cleaned and removed. Any areas disturbed in the removal process shall be graded, top soiled, and seeded accordingly.

PERMANENT STABILIZATION
All areas disturbed by construction shall be stabilized with sodding as reflected on the landscape plan.

MAINTENANCE OF CONTROL MEASURES
In general, all erosion and sediment control measures will be checked daily and after each significant rainfall. The following items will be checked in particular:

- Silt Fence (VESCH 3.05)
 - Silt fence shall be inspected immediately after each rainfall and at least daily during prolonged rainfall. Any required repairs shall be made immediately.
 - Close attention shall be paid to the repair of damaged silt fence resulting from end runs and undercutting.
 - Should the fabric on a silt fence decompose or become ineffective prior to the end of the expected usable life and the barrier still be necessary, the fabric shall be replaced promptly.
 - Sediment deposits should be removed after each storm event, they must be removed when deposits reach approximately one-half the height of the barrier.
 - Any sediment deposits remaining in place after silt fence is no longer required shall be dressed to conform with the existing grade, prepared and seeded.

Storm Drain Inlet Protection (VESCH 3.07)

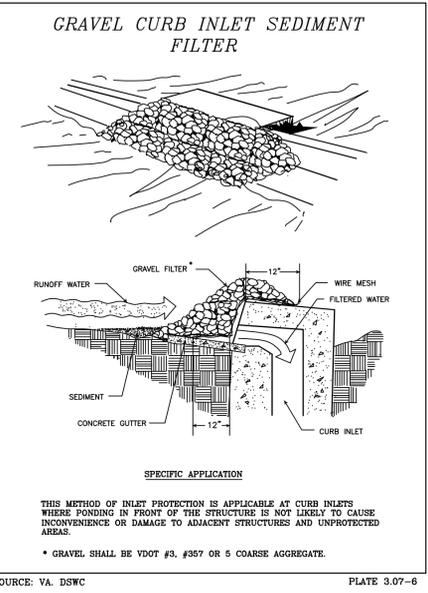
- The straining shall be inspected after each rain and repairs made as needed
- sediment shall be removed and the trap restored to its original dimensions when the sediment has accumulated to one half the design depth of the trap, removed sediment shall be deposited in a suitable area and in such a manner that it will not erode.
- Structures shall be removed and the area stabilized when the remaining drainage area has been properly stabilized.

Sodding (VESCH 3.33)

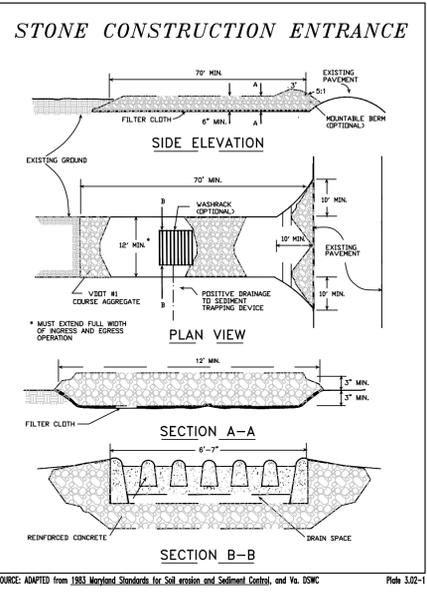
- During the 2 to 3 week establishment stage, sod shall be watered as necessary to maintain adequate moisture in the root zone and prevent dormancy of sod.
- No more than one third of the shoot (grass leaf) should be removed in any mowing grass height should be maintained between 2 and 3 inches unless otherwise specified
- After the first growing season, established sod will require fertilization and may require lime. Follow soil test recommendations when possible, or apply maintenance levels as outlined in table 3.33-B.

STOCKPILING
There are no anticipated stock pile areas associated with this project.

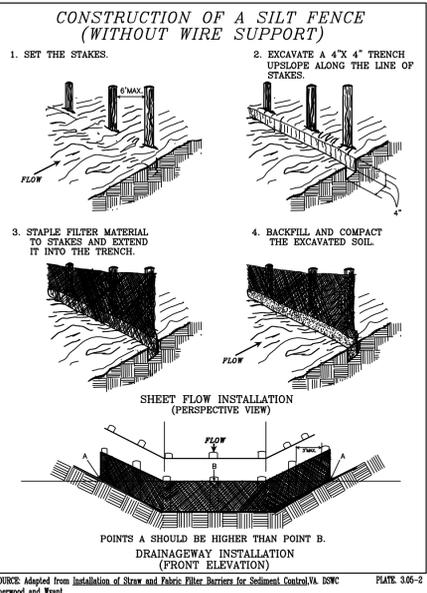
- SEQUENCE OF CONSTRUCTION**
- Obtain all required permits from the City of Williamsburg
 - Schedule and attend a pre-construction meeting with City of Williamsburg officials.
 - Install all E&S measures as shown on sheet CD101.
 - Demolish items as shown on sheet CD101.
 - Install proposed storm drainage piping as shown on sheet CS101.
 - Install new brick patio and new brick walk.
 - Re-grade courtyard area as shown on sheet CG101.
 - Install new landscaping along existing parking lot as shown on sheet L101.
 - All disturbed areas not covered by brick pavers or new landscape beds should be covered with permanent sod at this time per sheet L101.
 - After all areas have been permanently stabilized and permission to do so has been given by City of Williamsburg inspectors all E&S measures may be removed from the project work area.



SOURCE: VA. DSWC PLATE 3.07-6



SOURCE: ADAPTED FROM 1983 Maryland Standards for Soil Erosion and Sediment Control, and Va. DSWC Plate 3.02-1

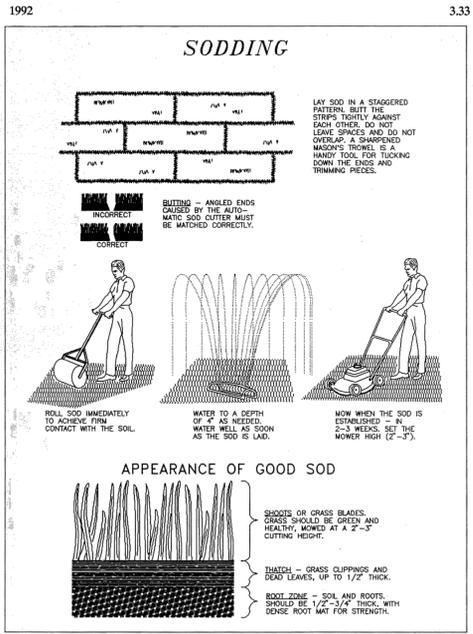


SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, Va. DSWC Plate 3.06-2

STANDARD EROSION AND SEDIMENT CONTROL NOTES FOR THE CITY OF WILLIAMSBURG, VIRGINIA REVISED JULY 1, 2014

The purpose of the erosion control measures shown on these plans shall be to preclude the transport of all waterborne sediments resulting from construction activities from entering onto adjacent properties or state waters. If field inspection reveals the inadequacy of the plan to confine sediment to the project site, appropriate modifications will be made to correct any plan deficiencies. In addition to these notes, all provisions of the Erosion and Sediment Control Ordinance of the City of Williamsburg (Chapter 7, Article II of Code of the City of Williamsburg) and the Virginia Erosion and Sediment Control Regulations (9VAC25-840 et. seq.) shall apply to this project.

- All erosion and sediment control measures shall be installed and maintained in accordance with the "Virginia Erosion and Sediment Control Handbook," (VESCH) latest edition. The Contractor shall be thoroughly familiar with all applicable Minimum Standards & Specs (MSS) and Minimum Standards (MS) contained therein that may be pertinent to this project.
- For disturbances greater than 1 Ac. and where required by City ordinances or State regulations, Contractor shall register for coverage under the Virginia Stormwater Management Program (VSWMP) General Permit for Discharges of Stormwater from Construction Activities. The construction general permit requires the construction site operator to develop and implement a site specific Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must be prepared prior to submitting a registration statement for permit coverage. The SWPPP is to be retained at the construction site along with a copy of the permit and permit coverage letter.
- The Contractor shall supply the City with the name of the individual who will be responsible for ensuring maintenance of installed measures on a daily basis. If required, this individual shall be the lead in developing, implementing and maintaining the SWPPP and committing the resources necessary to prevent pollution. Maintenance of all erosion and sediment control practices shall be scheduled on a weekly basis and after each runoff producing rainfall event per the VESCH.
- Erosion and sediment control measures may require minor field adjustments at time of construction to insure their intended purpose is accomplished. City approval will be required for any deviations from the approved plans.
- Permanent or temporary soil stabilization shall be applied to denuded areas within 7 days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied to denuded areas that may not be at final grade but will remain dormant (undisturbed) for longer than 14 days. Permanent stabilization shall be applied to areas that are to be left dormant for more than one year.
- The Contractor shall place soil stockpiles at the locations shown on this plan or as approved by the City. Soil stockpiles shall be stabilized and protected with sediment trapping measures at the toe of slopes. Offsite waste or borrow areas shall be approved by the City prior to the import of any borrow or export of any waste to or from the project site.
- Temporary soil stabilization measures include vegetative establishment, mulching, and the early application of crushed stone base material on areas to be paved. Permanent vegetation shall not be considered established until a ground cover is achieved that is uniform, mature enough to survive, and will inhibit erosion. Permanent vegetative cover (stabilization) shall consist of placing top soil, incorporating lime, fertilizing, seeding, and mulching to assure a firm stand of vegetation. Irrigation may be required to ensure establishment of vegetative cover.
- All temporary or permanent erosion and sediment control practices necessary for retaining sediments on the construction site shall be installed and tree protection fencing shall be erected at the locations as specified on the approved plans prior to any land clearing, grubbing, grading or earth moving activities.
- Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment onsite must be constructed as a first step in grading and be made functional before upslope land disturbance takes place. Earthen structures such as dams, dikes, and diversions must be seeded and mulched immediately after installation. The basin(s) are to be kept clear of debris and sediments shall be cleaned out periodically during and after construction activities.
- All slopes steeper than 3:1 shall require the use of erosion control matting (EC-2 or EC-3) to aid in the establishment of a vegetative cover. No slopes shall be created steeper than 2:1 without prior approval from the City.
- Surface flows over cut and fill slopes shall be controlled by redirecting flows from traversing the slopes or by installing structural devices (paved flumes, channels, or slope drains) to safely convey water down-slope without causing erosion. Adequate drainage or other protection shall be provided to minimize the potential for water seeps from slope faces. Additional slope stabilization measures shall be necessary for slopes found to be eroding excessively within one year of permanent stabilization.
- Inlet protection in accordance with MSS 3.07 shall be provided for all storm drain inlets as soon as practical following construction. Storm drain and culvert inlet protections, in accordance with MSS 3.07 and 3.08, may be removed at the discretion of the City on a case-by-case basis should placement of the measure result in excessive street flooding or traffic hazard or result in the redirection of drainage onto or toward existing lots, driveways or structures.
- Paved ditches shall be required wherever erosion is evident. Particular attention shall be paid to those areas where grades exceed 3 percent. Temporary liners, such as polyethylene sheets, shall be provided for all paved ditches until the permanent concrete liner is installed.
- Contractor shall complete drainage facilities within 30 days following completion of rough grading at any point within the project. The installation of drainage facilities shall take precedence over all underground utilities. Outfall ditches from drainage structures shall be stabilized immediately after construction of the structures. This includes installation of outlet protection, erosion control stone, or paved ditches where required. Any drainage outfalls required for a street must be completed before street grading or utility installation begins.
- Construction within streams shall be such that damage to the existing stream is minimized. Where applicable, temporary stream crossings shall be constructed using non-erodible materials. Contractor shall stabilize bed and banks of a watercourse immediately after the work within the watercourse is complete. All applicable federal, state, and local regulations pertaining to working in or crossing live watercourses shall be addressed.
- All areas designated for underground utilities shall be stabilized as soon as practical but not exceeding 14 days following their installation and backfilling. Trench length to be opened at any one time is not to exceed 300 feet. Excavated material shall be placed on the uphill side of trenches. Effluent from dewatering operations shall be filtered or passed through approved sediment trapping device, or both, and discharged in a manner that does not adversely affect flowing streams or off-site property.
- All points of construction ingress and egress shall be protected by a temporary construction entrance to prevent tracking of mud onto public rights-of-way. A right-of-way permit from the City of Williamsburg is required prior to any construction activity within City rights-of-way. Where sediment is transported onto a public street, the road shall be thoroughly cleaned at the end of each day.
- Temporary erosion control measures are not to be removed until all disturbed areas are stabilized. After stabilization is complete, and upon approval by the City, all measures shall be removed within 30 days. Trapped sediment shall be spread and seeded.
- Concentrated runoff leaving the development site shall discharge to an adequate channel, pipe, or storm sewer system. Outfalls from a detention facility discharging to a receiving channel shall have adequate energy dissipaters provided. Increased volumes of sheet flows shall be diverted to a stable outlet, adequate channel, pipe or storm sewer system, or detention facility. All measures shall be employed in a manner that minimizes impacts to state waters and downstream properties.
- Record Drawings (As-Builts) are required for all stormwater management/BMP facilities. Also upon completion, the construction of all stormwater management BMP facilities shall be certified by a professional engineer who inspected the structure during construction. The certification shall state that to the best of their judgment, knowledge, and belief, the structure was constructed in accordance with the approved plans and specifications.



SOURCE: VA. DSWC PLATE 3.33-1

TABLE 3.33-B MAINTENANCE FERTILIZATION OF ESTABLISHED SOD

Cool Season Grasses
4 lbs. nitrogen (N) per 1000 sq. ft./year
1 lb. phosphorus (P) per 1000 sq. ft./year
2 lbs. Potash (K) per 1000 sq. ft./year

75% of the total requirements should be applied between September 1 and December 31st. The balance should be applied during the remainder of the year.

Warm Season Grasses
Apply 4-5 lbs. nitrogen (N) per 1000 sq. ft. per year (between May 1st and August 15th).
Phosphorus (P) and Potash (K) should only be applied according to soil tests.
Maintenance fertilizations should utilize slow release fertilizers which reduce the number of applications per year and subsequently reduce the adverse impacts on groundwater.

Source: Va. DSWC

SOD INSTALLATION

- ALL AREAS TO RECEIVE SOD SHOULD BE TILLED TO A MINIMUM DEPTH OF 16" -18" TO ALLOW FOR THE ESTABLISHMENT OF NEW VEGETATION.

SITE PLAN OF BERRET'S RESTAURANT COURTYARD IMPROVEMENTS

CITY OF WILLIAMSBURG VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
1	06/28/2019	1 ST CITY REVIEW COMMENTS

COMMONWEALTH OF VIRGINIA

William S. Felts

Lic. No. 57903

06/28/2019

PROFESSIONAL ENGINEER

LRI LANDTECH RESOURCES, INC.

REGULATORY & ENVIRONMENTAL CONSULTANTS

5826 Main Street, Suite 107, Williamsburg, VA 23188

Ph: (757) 565-1077 Fax: (757) 565-0782

web: landtechresources.com

SCALE: N/A

DATE: 04-23-2019

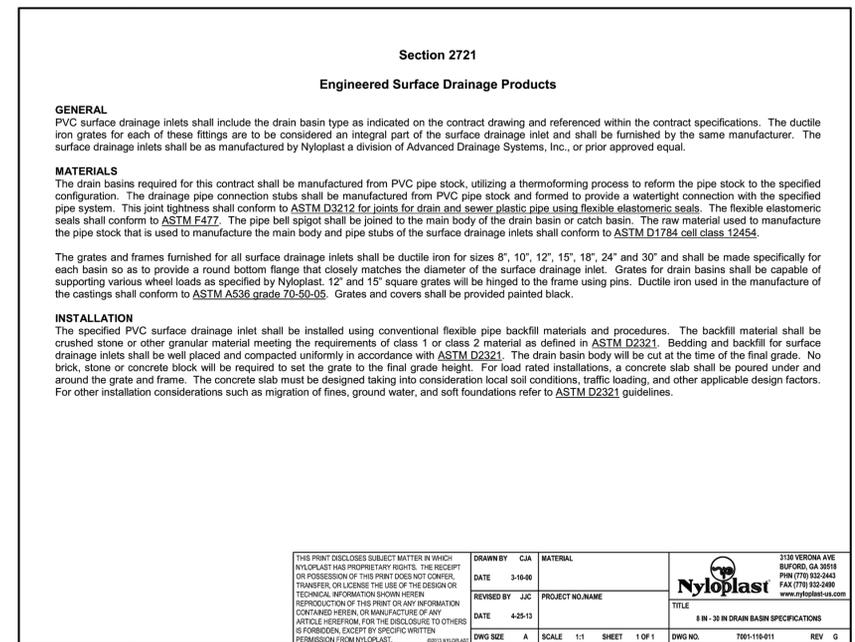
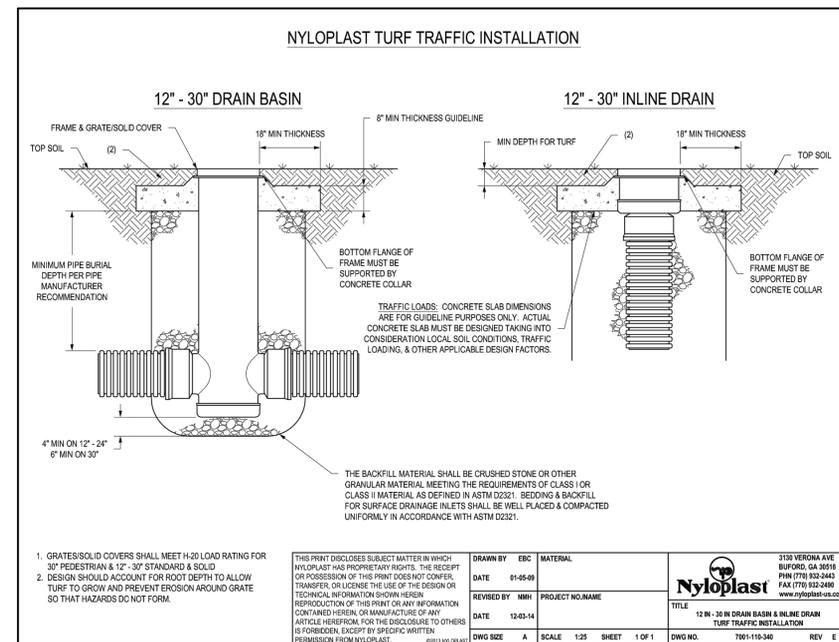
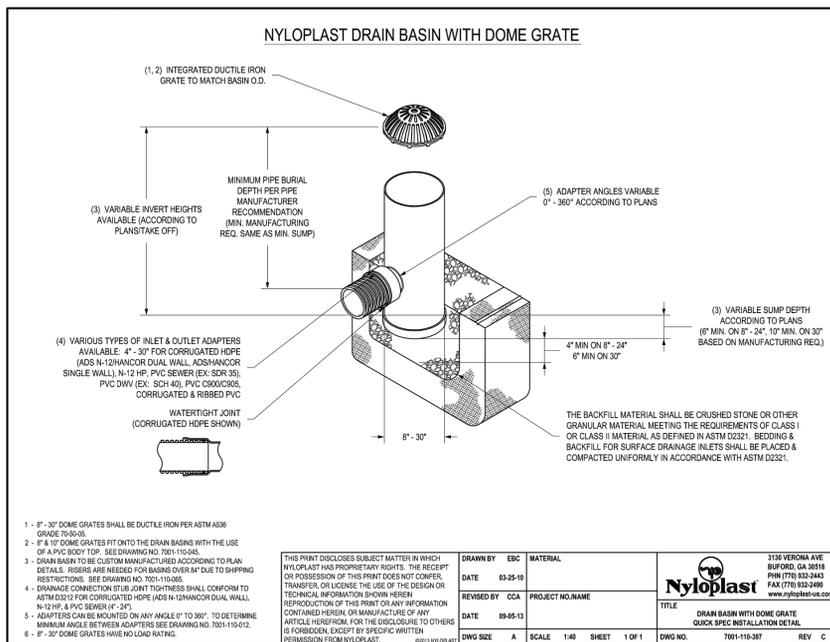
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DRAWN BY: WSF

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EROSION & SEDIMENT CONTROL NARRATIVE & NOTES & DETAILS

05 OF 11

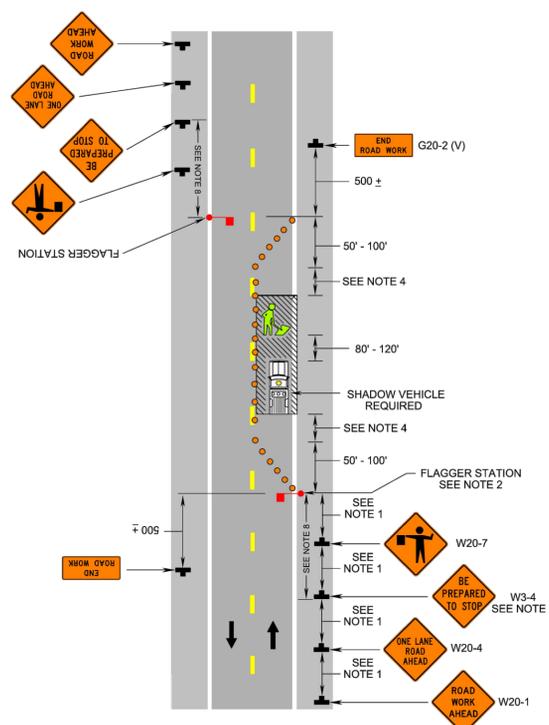


Typical Traffic Control
Lane Closure on a Two-Lane Roadway Using Flaggers
(Figure TTC-23.0)

NOTES

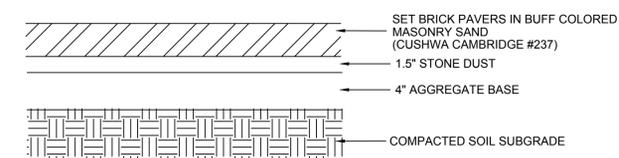
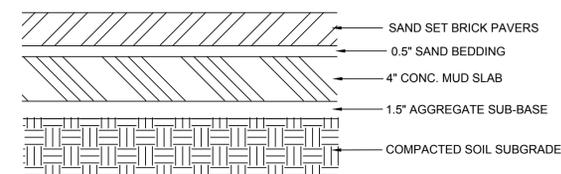
- Guidance:**
- Sign spacing distance should be 350'-500' where the posted speed limit is 45 mph or less, and 500'-800' where the posted speed limit is greater than 45 mph.
 - Care should be exercised when establishing the limits of the work space and allow sufficient distance for departing traffic in the left lane to return to the right lane before reaching opposing traffic (see Table 6H-3 on Page 6H-5).
 - All flaggers shall be state certified and have their certification card in their possession when performing flagging duties (see Section 6E.01, Qualifications for Flaggers).
 - Cone spacing shall be at the following:
- | Location | Posted Speed Limit (mph) |
|--------------------|--------------------------|
| Transition Spacing | 0 - 35 36 + |
| Travelway Spacing | 20' 40' |
| | 40' 80' |
- Option:**
- Where Right-of-Way or geometric conditions prevent the use of 48" x 48" signs, 36" x 36" signs may be used.
 - A supplemental flagger may be required in this area to give advance warning of the operation ahead by slowing approaching traffic prior to reaching the flagger station or queued traffic.
- Guidance:**
- If the queue of traffic reaches the BE PREPARED TO STOP (W3-4) sign, then the signs should be readjusted at greater distances.
 - When a highway-rail crossing exists within or upstream of the transition area and it is anticipated that queues resulting from the lane closure might extend through the highway-rail grade crossing, the temporary traffic control zone should be extended so that the transition area precedes the highway-rail crossing (see Figure TTC-56 for additional information on highway-rail crossings).
- Standard:**
- At night, flagger stations shall be illuminated, except in emergencies (see Section 6E.08).
- Option:**
- Cones may be eliminated when using a pilot vehicle operation or when the total roadway width is 20 feet or less.
 - For low-volume situations with short work zones on straight roadways where the flagger is visible to road users approaching from both directions, a single flagger, positioned to be visible to road users approaching from both directions, may be used (see Chapter 6E).

Lane Closure on a Two-Lane Roadway Using Flaggers
(Figure TTC-23.0)



TRAFFIC CONTROL NOTES:

- TEMPORARY TRAFFIC CONTROLS SHALL BE COORDINATED WITH THE DEPARTMENT OF PUBLIC WORKS AT 757-220-6140 A MINIMUM OF 48-HOURS PRIOR TO IMPLEMENTATION.
- LAND CLOSURES, WHEN PERMITTED, SHALL ONLY BE DURING DAYLIGHT HOURS AND LIMITED TO BETWEEN 9AM TO 3PM ON WEEKDAYS EXCLUDING HOLIDAYS AND SPECIAL EVENTS, UNLESS APPROVED BY THE CITY OF WILLIAMSBURG.



REVISION / COMMENT / NOTE

DATE

NO.

06/28/2019

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CITY REVIEW COMMENTS



SCALE: N/A

DATE: 04-23-2019

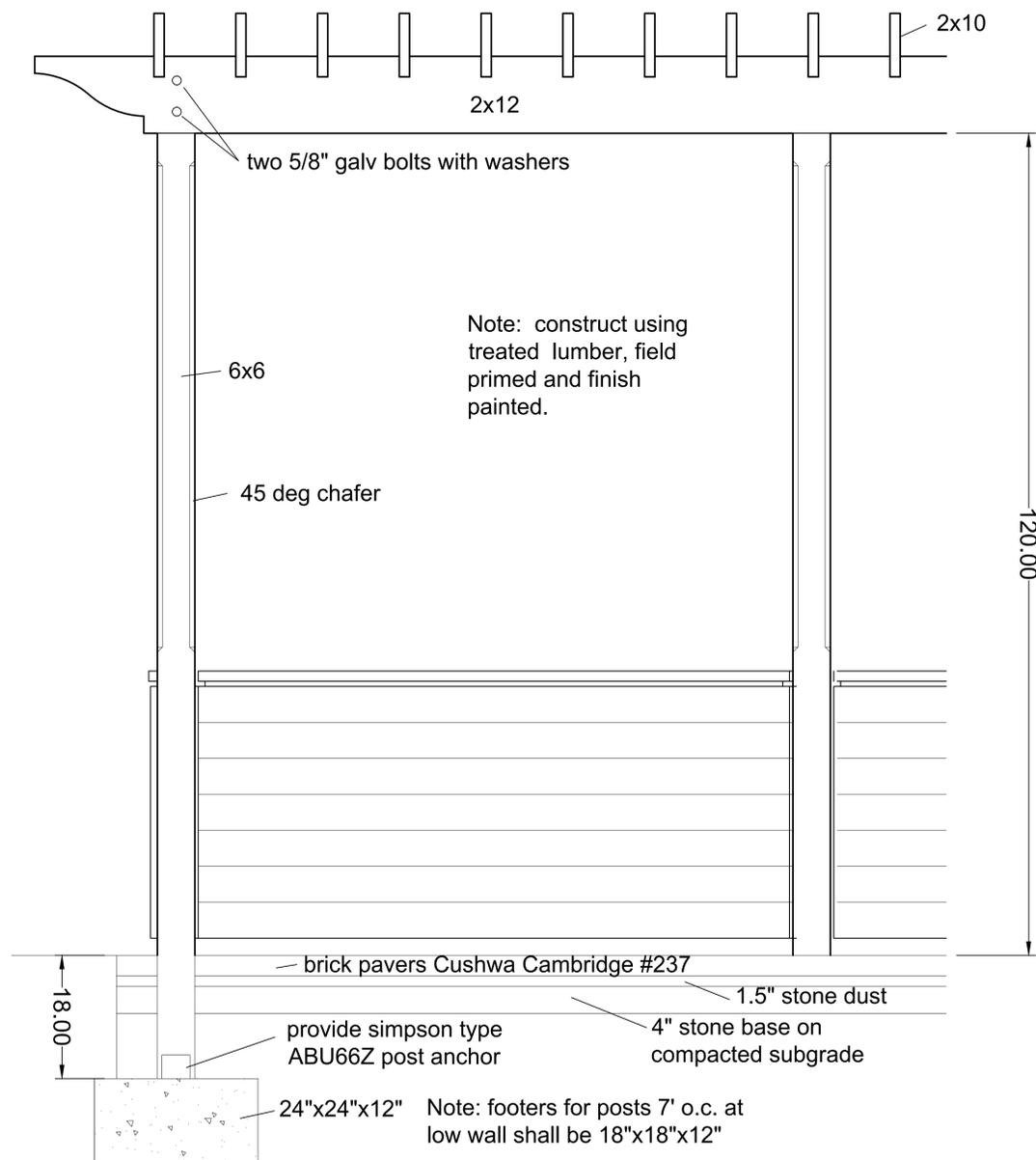
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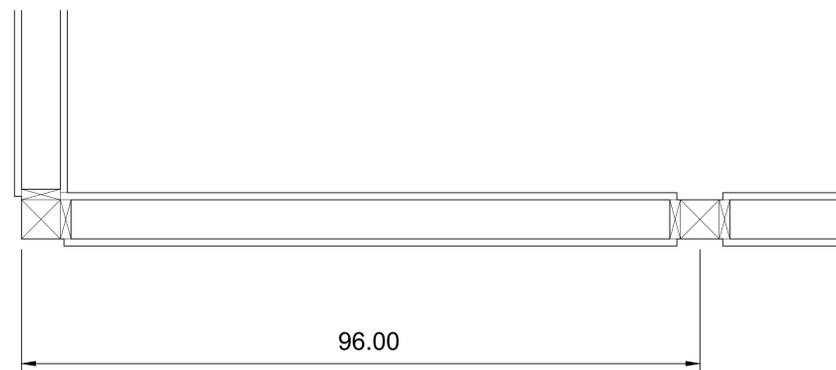
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SITE NOTES & DETAILS

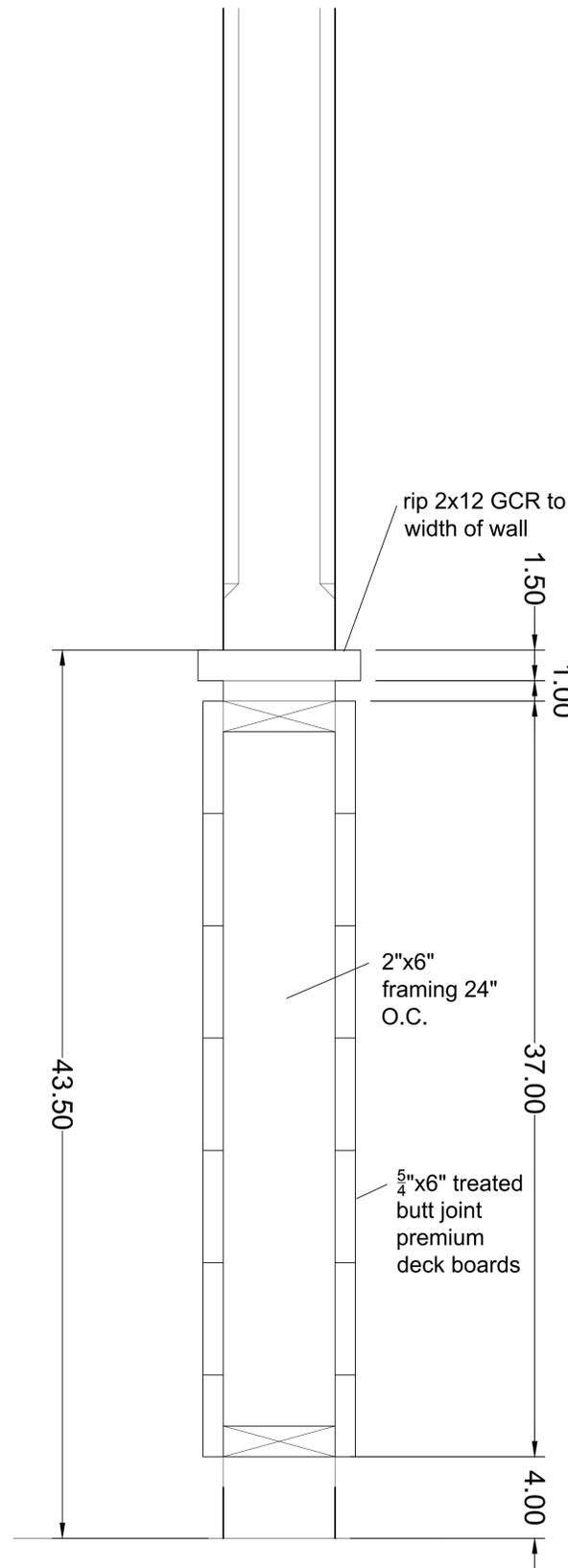
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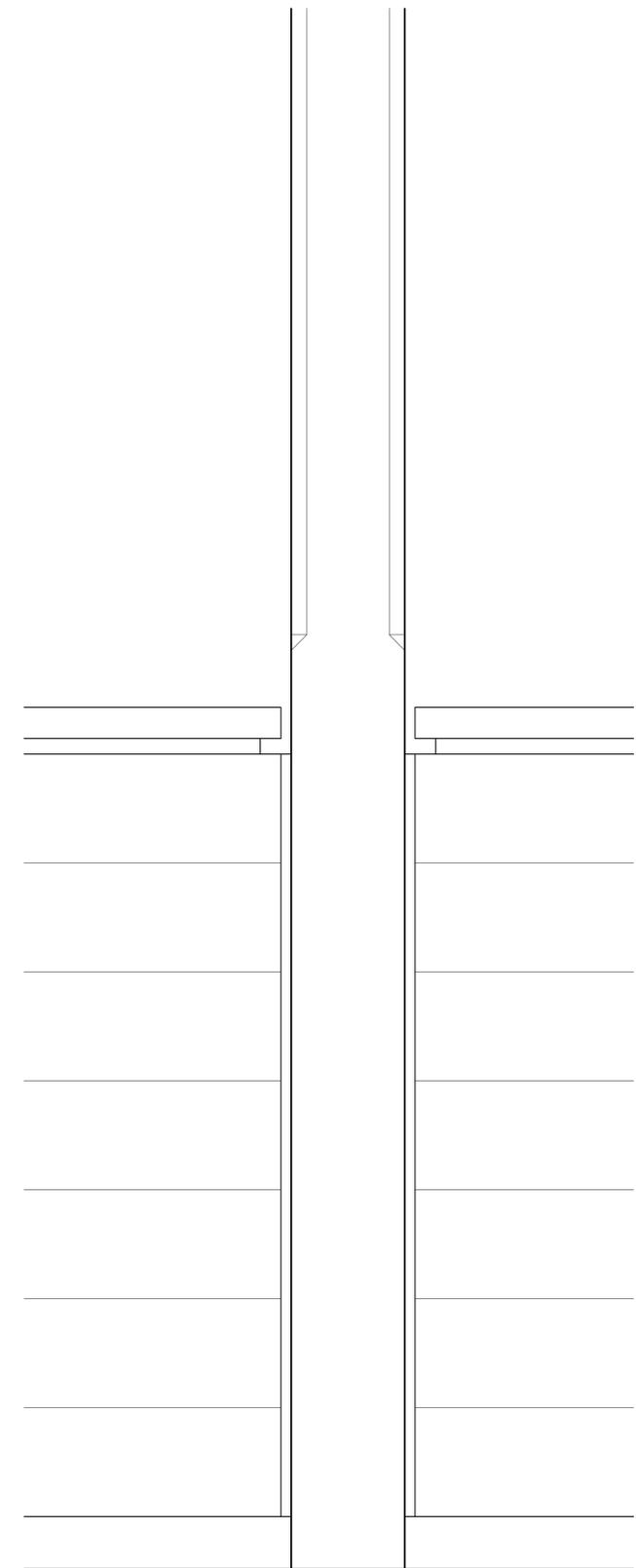
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2 PLAN AT CORNER Scale: 1"=1'-0"

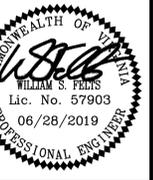


3 SECTION THROUGH WALL Scale: 3"=1'-0"



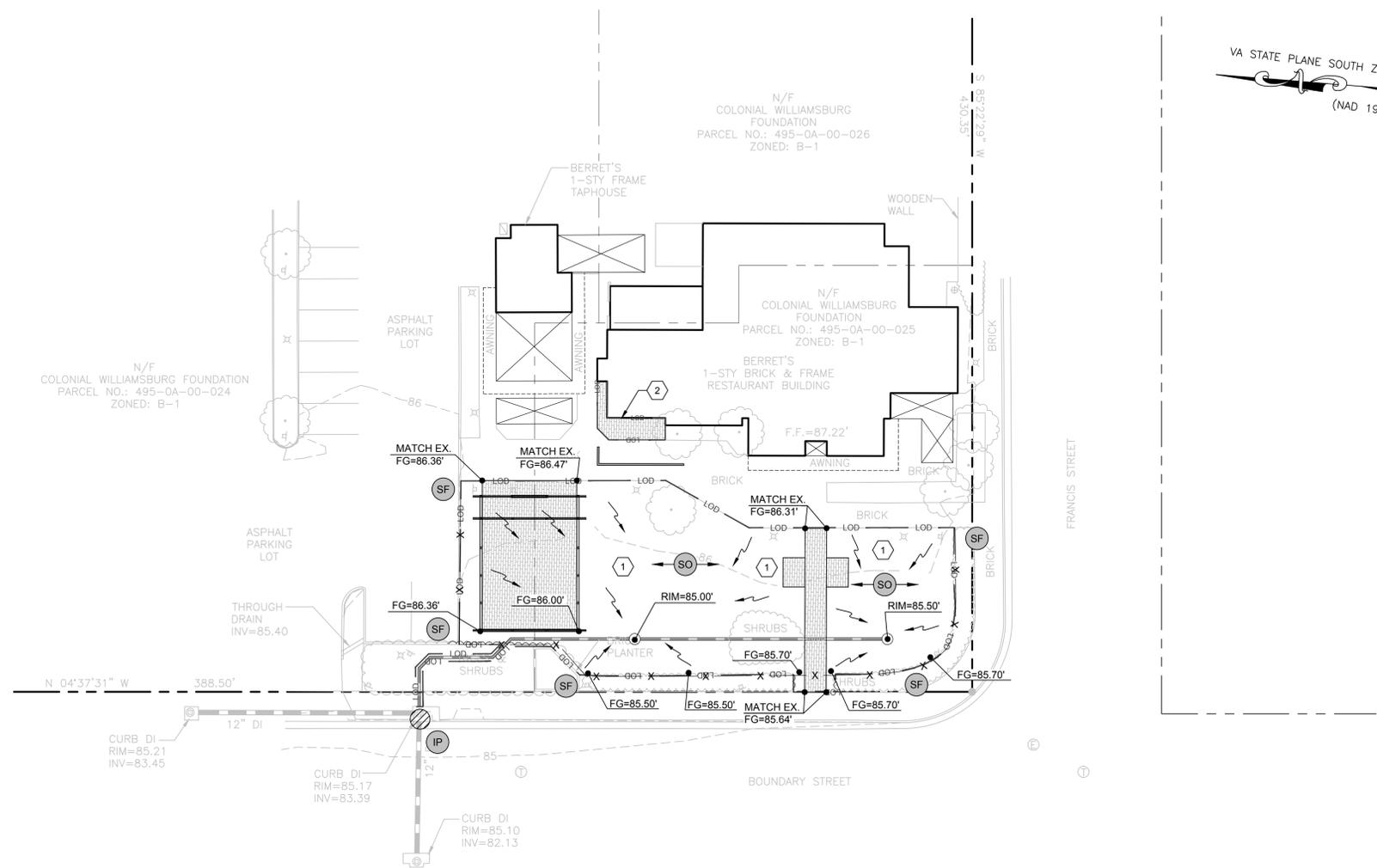
4 ELEVATION DETAIL AT POST Scale: 3"=1'-0"

NO.	DATE	REVISION / COMMENT / NOTE
1	06/28/2019	1 ST CITY REVIEW COMMENTS



SCALE: N/A
 DATE: 04-23-2019
 JOB: 19-101
 DRAWN BY: WSF

CS502
 SITE NOTES & DETAILS



KEY NOTES:

1. CONTRACTOR TO SLOPE TURF AREAS OF COURTYARD TOWARDS PROPOSED NYLOPLAST DRAINAGE BASINS.
2. SLOPE NEW PAVERS TOWARDS EXISTING PAVERS AT MIN. 1% SLOPE.

E&S LEGEND

CONTROL MEASURE	SYMBOL	KEY	NO.
SAFETY FENCE			3.01
SILT FENCE			3.05
STORM DRAIN INLET PROTECTION			3.07
SODDING			3.33

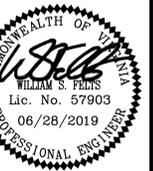
SITE PLAN OF
BERRET'S RESTAURANT
 COURTYARD IMPROVEMENTS
 CITY OF WILLIAMSBURG
 VIRGINIA

REVISION / COMMENT / NOTE

DATE

NO.

1	06/28/2019	1 ST CITY REVIEW COMMENTS
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SCALE: 1"=20'

DATE: 04-23-2019

JOB: 19-101

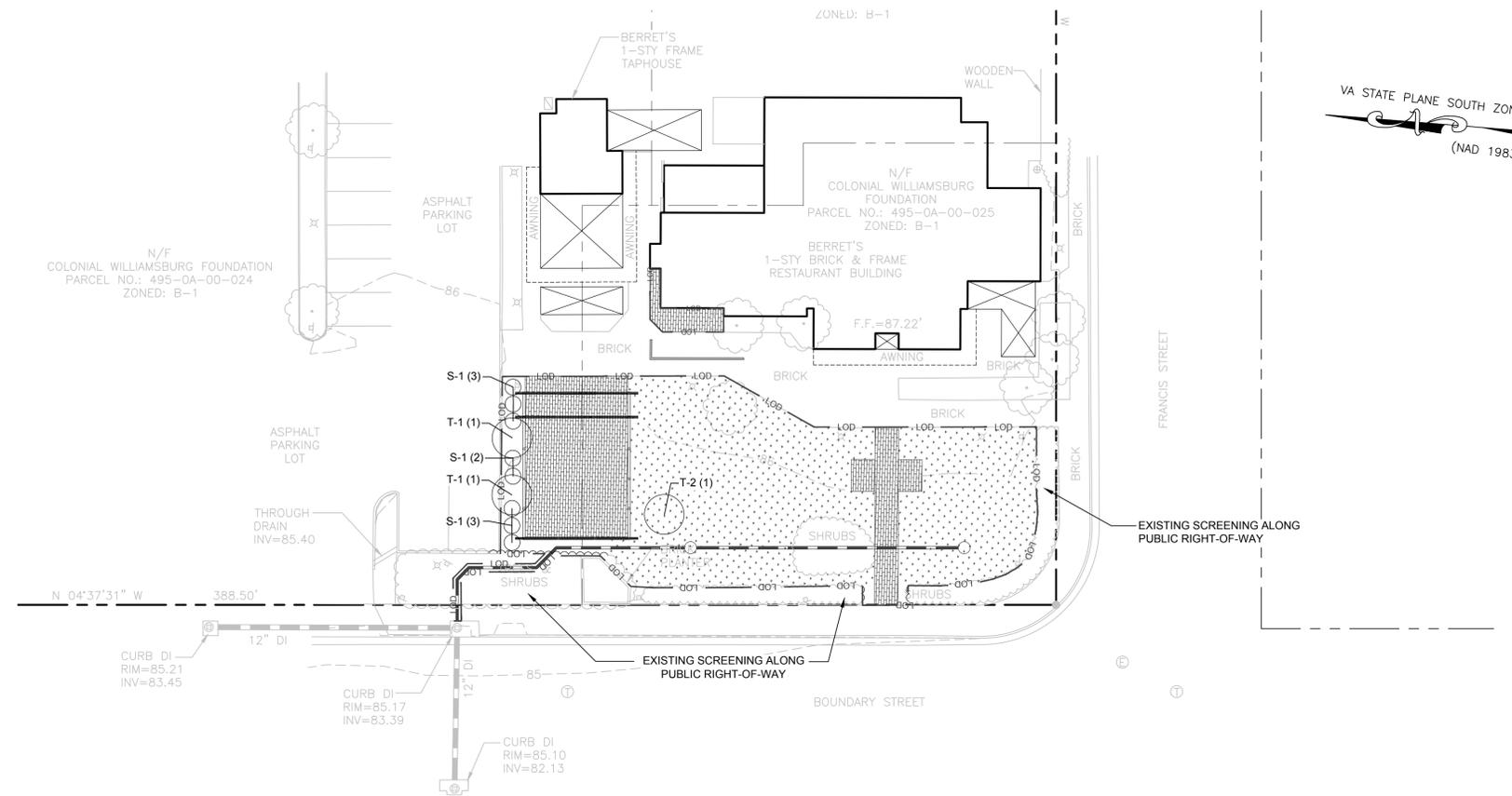
DRAWN BY: WSF

CG101

GRADING PLAN



LANDSCAPE LEGEND				
SHRUBS	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE
S-1	ILEX CORNUTA	DWARF BURFORD HOLLY	8	18" MIN.
TREES				
T-1	LAGERSTROEMIA x SIOUX	SIOUX CRAPE MYRTLE	2	1.5" CALIPER MIN.
T-2	TILIA CORDATA	LITTLELEAF LINDEN	1	2" CALIPER MIN.

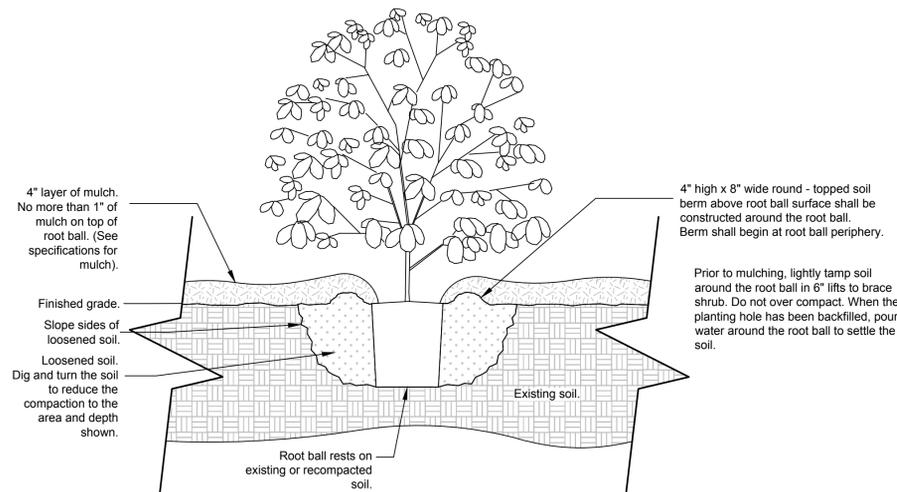


LANDSCAPE LEGEND

AREAS TO BE SODDED w/ TIFTUF BERMUDA
 SHRUB
 TREE

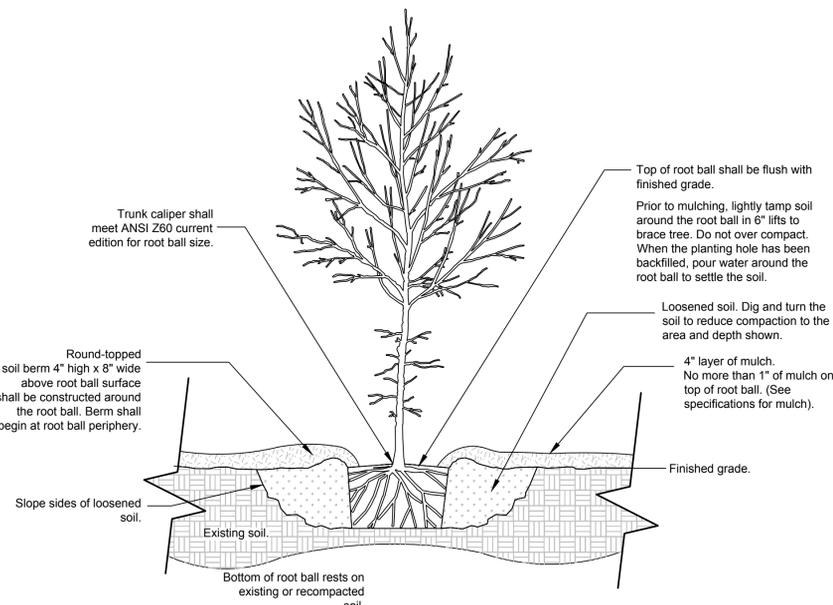
CANOPY CALCULATIONS:

PARCEL 495-0A-00-024 & 495-0A-00-025
 TOTAL PARCEL AREA = ±0.85 AC.
 EX. CANOPY COVERAGE: 0.15 AC. (17.6%)
 PROPOSED CANOPY COVERAGE: 0.15 (17.6%)



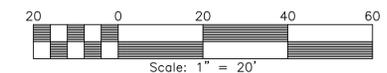
Notes:
 1- Shrubs shall be of quality prescribed in the root observations detail and specifications.
 2- See specifications for further requirements related to this detail.

SHRUB PLANTING
N.T.S.

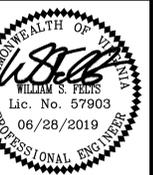


Notes:
 1- Trees shall be of quality prescribed in crown observations and root observations details and specifications.
 2- See specifications for further requirements related to this detail.

TREE PLANTING
N.T.S.



NO.	DATE	REVISION / COMMENT / NOTE
1	06/28/2019	1 ST CITY REVIEW COMMENTS



SCALE: 1"=20'
 DATE: 04-23-2019
 JOB: 19-101
 DRAWN BY: WSF

LS101
LANDSCAPE PLAN

Berret's Seafood Restaurant & Taphouse Grill

Narrative to accompany Special Use Permit

We are requesting the Special Use Permit (SUP) for an 8" x 8" stage to sit adjacent to the entrance of the Taphouse Grill to hold live musical acts of one to two members. The music is both acoustic and amplified (amplified music is directed only at the guests in the Taphouse Grill).

(When inclement weather is a concern, the music is only acoustic)

Sunday Brunch, 12:00 pm-3:00 pm (acoustic only), May through October

Nightly, 6:00 pm-9:00 pm, May through October

-The stage has its own power source close by so there are no exposed cords.

-The wooden stage is 8" x 8" and sits 18" off the ground.

-All musical acts will be instructed to keep the noise level down so as to not disrupt foot-traffic in the general vicinity.

-The stage is not lit, but we have portable lights to use as needed.

-All musical acts must contain any equipment to the stage. No equipment is placed on the ground or surrounding areas.

Thank you for your consideration regarding this matter.

Brian Mahoney

General Manager

Berret's Seafood Restaurant & Taphouse Grill



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: September 19, 2019

SUBJECT: PCR#19-018: Request of William & Mary for a special use permit to operate a medical office and traditional office space greater than 10,000 square feet at 332 North Henry Street.

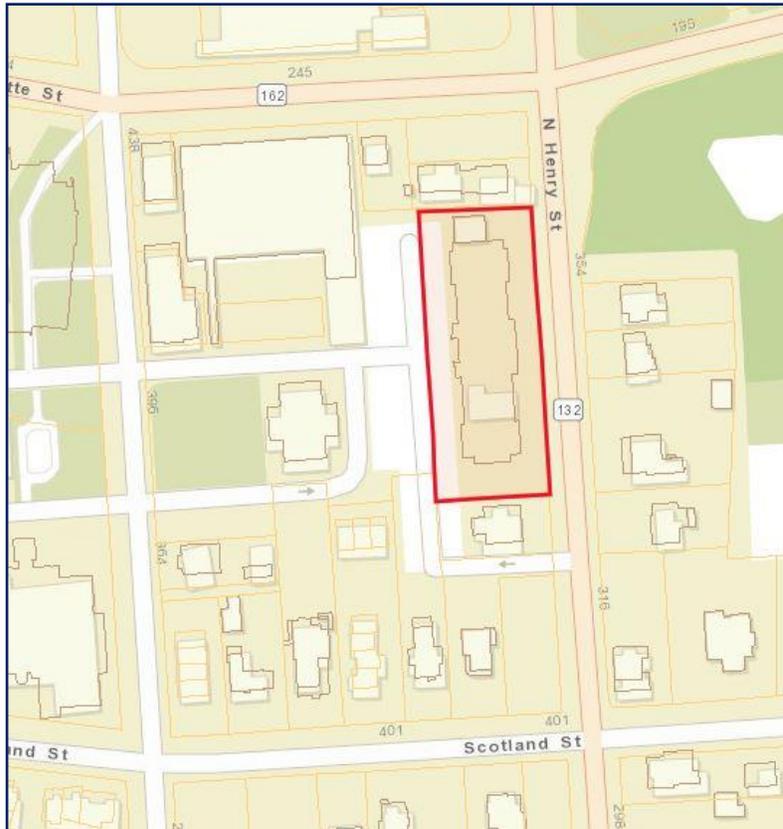
APPLICANT'S REQUEST

William & Mary Real Estate Foundation is requesting a special use permit to operate a medical office and traditional office space greater than 10,000 square feet in the 23,750 square foot building located at 332 North Henry Street. The applicant's statement has been included in the packet.

They note in their application "the request specifically addresses the student community's need for additional student health facilities in close proximity to campus and the university's need for additional office space near campus".

Despite the opening of the McLeod Tyler Wellness Center on campus in 2018, they state "there are times when health related needs of the campus community exceed the capacities of the existing wellness center and sports medicine facilities".

This limits the timeliness of addressing needs for the campus community. The facility is within easy walking distance for students and staff the applicant notes in their application.



CURRENT REGULATIONS

Comprehensive Plan

The 2013 Comprehensive Plan designates this parcel as Mixed Use, which is defined in the Plan as follows:

The Mixed Use land use category is intended to provide a degree of flexibility in land uses to be developed in areas suitable for a mixture of residential and commercial uses. Incorporating a potential range of residential, office, and moderately-scaled commercial uses, mixed use development should be subject to a thorough urban design review which stresses quality architecture, proper building siting, and well-designed landscaping. Equally important, this category should promote the preservation, revitalization, and adaptive reuse, where appropriate, of existing historic structures. The density of the residential component of mixed use development should be appropriate to the character of the area. Mixed Use land use is designed to be more limited than Downtown Commercial, Corridor Commercial and Urban Commercial land use, but more flexible than Office land use.

Land to the north and south are also designated Mixed Use. Properties to the west are designated Public/Semi Public. Properties to the east are designated Public/Semi Public and Medium Density Residential

Zoning

This property along with properties to the north, south, and west are designated Downtown Limited Business LB-1. Lands to the east are designated Single Family Dwelling RS-3.

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

This district is established to allow a mixture of residential, office and commercial uses in the areas north and south of the B-1 Downtown Business District that are designated by the Comprehensive Plan as Mixed Use land use. Residential yard requirements are imposed to help maintain the residential scale and character of the areas. Increased residential density and higher intensity uses such as parking garages may be allowed with the issuance of a special use permit.

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.

ANALYSIS

Architectural Review Board

Since the building is existing and no exterior changes are proposed no Architectural Review Board approval is necessary.

Site Plan Review Committee

The Site Plan Review Committee reviewed this request at their August 14, 2019 meeting and recommends approval of the special use permit.

In 2005, a special use permit was issued for a 23,750 square foot Health Evaluation Center at 332 North Henry Street conditioned upon the Lawson House being relocated to 411 Scotland Street (PCR#05-031). A site plan was approved and a building permit was issued for the facility which was completed in 2009.

The applicant notes there are 24 deeded parking spaces located on the property which should be sufficient for the proposed use. These spaces will serve as staff and visitor parking. Since the property is located in the Downtown Parking District, no additional spaces are required for the use. The applicant anticipates many of the students will be pedestrian in nature due to the proximity to campus.

The proposed use is in harmony with the adopted comprehensive plan, and the intent and purpose of the Zoning Ordinance. It 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. The existing building is sited so that it will not hinder or discourage the appropriate development or use of adjacent properties.

STAFF RECOMMENDATION

Staff has reviewed the request and recommends that Planning Commission recommend to City Council approval of the special use permit for the William & Mary Real Estate Foundation to operate a medical office and traditional office space in the 23,750 square foot building at 332 North Henry Street.

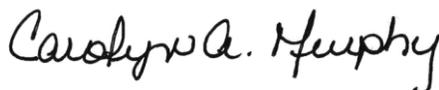
PLANNING COMMISSION

Planning Commission held a public hearing on September 18, 2019. Other than the applicant, two individuals spoke in favor of the request.

Planning Commission recommended to City Council by a vote of 5-0-1-1, approval of the special use permit for the William & Mary Real Estate Foundation to operate a medical office and traditional office space in the 23,750 square foot building at 332 North Henry Street.

CITY COUNCIL PUBLIC HEARING

A City Council public hearing is scheduled for their regular meeting on October 10, 2019 in the Council Chambers of Stryker Center at 2:00 p.m.



Carolyn A. Murphy, AICP
Codes Compliance and Planning Director

**Applicant's Narrative
332 North Henry Street**

Introduction

The applicant, William & Mary Real Estate Foundation, is applying for a special use permit (SUP) to allow the applicant to operate medical office and traditional office space within the existing 23,332 square foot building located at 332 North Henry Street.

The William & Mary Real Estate Foundation (WMREF) is a private, not-for-profit entity that exists for the benefit of William & Mary (W&M), through, in part, the purchase and development of properties to meet specific needs of the university, including student affairs, student health services, and general office space. This request specifically addresses the student community's need for additional student health facilities in close proximity to campus and the university's need for additional office space near campus.

William & Mary is a public residential university within the Commonwealth of Virginia's higher education system. The university has long been committed to the holistic health of its students and the larger university community. The WMREF's acquisition of 332 North Henry Street, will provide the university's students a needed resource.

The building, located at 332 North Henry Street, was constructed in 2008 to serve as an executive health facility. It operated only a short time before closing and has been unused in any significant fashion since that time. The property is within the LB-1 zoning district. The zoning ordinance allows medical and office uses by right in LB-1 for facilities under 10,000 square feet. However, medical and office uses in buildings over 10,000 square feet within the LB-1 zoning district require a SUP. The existing building is over 10,000 square feet, thus a SUP is required for almost any use of the facility. The property has a SUP for the original medical use, however the City is unable to transfer the existing SUP to WMREF per City staff. The applicant is seeking to utilize this long dormant facility in the manner consistent with which the facility was constructed, for medical and office use.

Need for medical office and office space at William & Mary

The health services roles and needs of universities have evolved and grown over time. Today, the demands placed on university health services are greater and more complex than ever. Across the country, more students today attend campuses with significant health needs. University health centers have also developed a sharper focus on mental health issues, sexual assaults, and alcohol and substance abuse.

William & Mary Real Estate Foundation
332 North Henry Street Special Use Permit Application
July 22, 2019

William & Mary, similar to many of our university peers, has experienced similar increased demand for health services infrastructure. At William & Mary, great effort continues to create an integrated, comprehensive system of wellness programs for students and all campus community members. The university has altered its approach in recent decades to focus on 8 dimensions of health: social, emotional, spiritual, intellectual, physical, environmental, financial and occupational health. This holistic approach to overall health is served by 4 departments within the larger Health & Wellness organization at William & Mary, which include campus recreation, the counseling center, health promotion, and the student health center. In 2016, William & Mary Student Affairs was awarded Williamsburg Health Foundation's annual award for these efforts.

Despite these forward thinking actions and the opening of the new McLeod Tyler Wellness Center on campus in 2018, there are times when health related needs of the campus community exceed the capacities of the existing student wellness center and sports medicine facilities. When this happens, there are limited options to serve those students in a timely and effective manner. The existing medical facility at 332 North Henry Street, within 3 blocks of many of the College facilities in the Richmond Road corridor, is within easy walking distance for students and staff. The additional health services space would help William & Mary continue to stay competitive to its university peers in health care offerings.

In the unlikely event that campus health services demand subside, the applicant intends to utilize the facility as traditional office space to support William & Mary. Given that a SUP is required for buildings over 10,000 square feet in LB-1, City staff has encouraged the applicant to apply for both medical and office use in the special use permit application. As William & Mary staff has detailed to the City of Williamsburg Planning Commission previously, there are a variety of capital projects occurring on the William & Mary campus over the next decade. As part of the construction activity, there are relocations of staff to allow the required construction and/or renovation to occur. These future office space moves will generate requirements for space this facility can serve in the absence of health services use.

Description of the Project

The building at 332 North Henry will serve as an additional health services facility for the university. The facility will be in close proximity to Brown Hall (dormitory), Tribe Square (mixed use dormitory), One Tribe Place (dormitory), Monroe Hall (dormitory), the Sorority Court (Greek life houses), and the campus bookstore in Merchants Square.

The construction of the building and the improvement of the site were completed under the previous owners in 2008. There is no additional exterior construction or exterior redevelopment planned.

Architecture

The existing building is steel frame construction with brick veneer and a shingled roof system. The design was approved previous to construction in the early 2000's and is part of the architectural fabric of Williamsburg. There will be no new architecture associated with the project. Any additional or changed signage will be in keeping with current regulations and approval processes within the City of Williamsburg.

As such, the project and the use of the facility maintain the City's desired architectural community character, and continues to support the Henry Street entry corridor. The architecture is purposefully respectful of neighboring parcels, Colonial Williamsburg, William & Mary, and the downtown Williamsburg area.

Parking & Traffic

This property is located within the Downtown Parking district and as a result is exempt from traditional parking requirements. There are 24 deeded parking spaces currently in existence on the property. These will serve as staff and visitor parking. Additional visitor parking needs will be served via street parking or in community parking structures. However, it is anticipated many of the students and visitors to 332 North Henry Street will be pedestrian in nature. Its close proximity to campus and several of the university's various residence halls ensures pedestrian visits rather than vehicular travel by most visitors. Given the existing building, infrastructure, and location, we do not expect this facility and its programs to have any new impact on local traffic patterns or counts.

Storm Water Management

The applicant is not aware of any outstanding storm water management issues relative to the existing site and building. The Real Estate Foundation will take additional steps as necessary should a storm water issue arise related to the property.

Ownership and Operations

The William & Mary Real Estate Foundation will enter into a master lease agreement with William & Mary, for university use as a medical office and traditional office space. Maintenance and operations of the facility will be kept at existing levels and conditions or better, in keeping with standards associated with William & Mary, a world class liberal arts institution. Maintenance will also be mindful of the prominence of the facility from a tourism and downtown neighborhood perspective.

William & Mary Real Estate Foundation
332 North Henry Street Special Use Permit Application
July 22, 2019

A healthier community

William & Mary's pursuit of additional student health space is not just about another facility, it is about continuing the development of lifelong and holistic health practices within the William & Mary community. This facility has the opportunity to serve the students in meaningful and necessary ways by reducing wait times, providing additional health related services, and doing so within walking distance of campus. Additionally, it will reactivate a vacant building in Williamsburg, add vibrancy by drawing students through the downtown area, and continue to generate property tax revenues for the City of Williamsburg. Student and community health is a vital part of the William & Mary experience, one which will be significantly enhanced by the function and space at 332 North Henry Street.



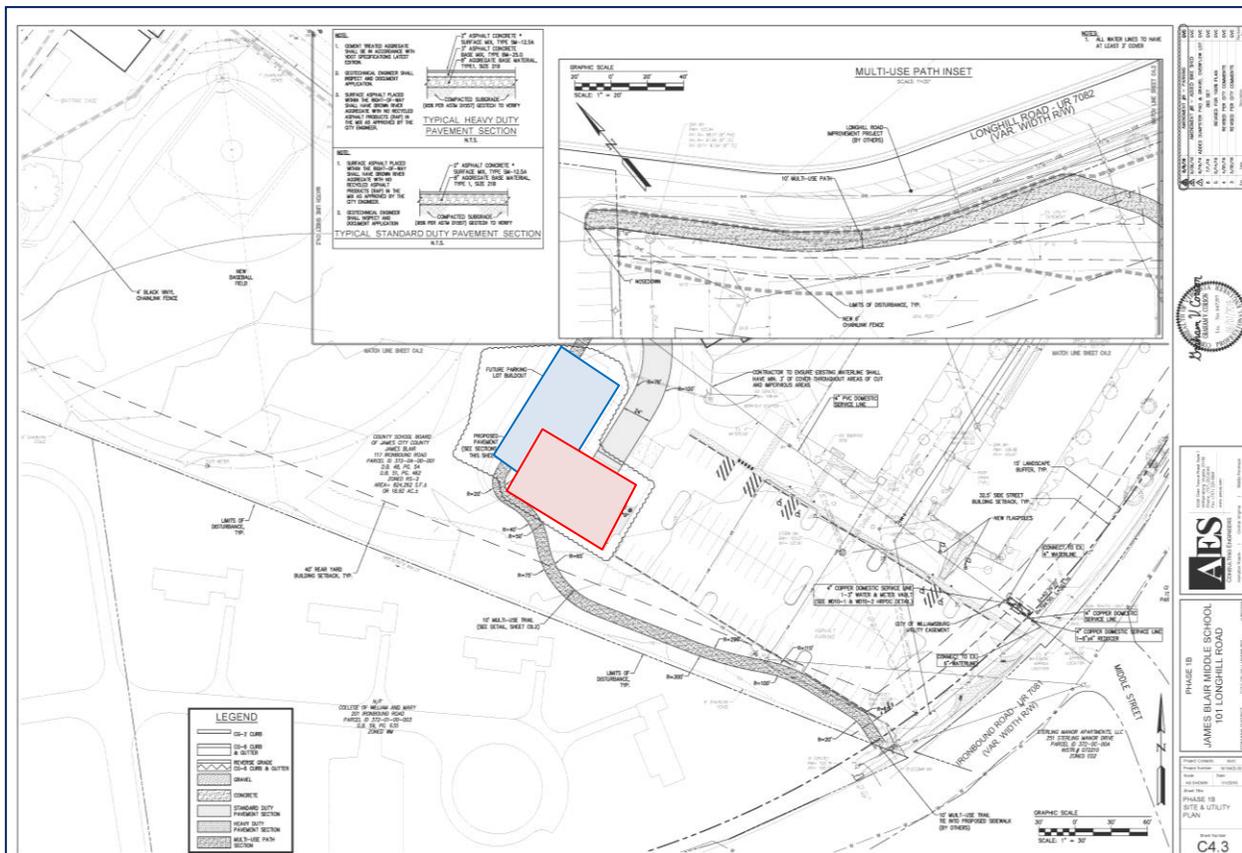
CITY OF WILLIAMSBURG

MEMORANDUM

DATE: September 19, 2019

SUBJECT: PCR#19-019
Request of the Williamsburg James City County School Board for a special use permit to expand the paved parking area associated with the Central Office at 117 A & B Ironbound Road.

Williamsburg-James City County Public Schools (WJCCPS) is requesting a special use permit to expand the paved parking area associated with the central office at 117 A & B Ironbound Road. The applicant is proposing two phases of construction for the parking. The first phase will include 15 spaces (outlined in red) and is proposed to be constructed immediately. The second phase will add an additional 32 spaces (outlined in blue) and will be constructed when needed.



COMPREHENSIVE PLAN

This property is designated as *Public and Semi-Public* in the 2013 Comprehensive Plan, which includes government facilities, churches, public and private schools, fraternal organizations, nursing homes and cemeteries. Land to the north and east are designated *Low Density Single Family Detached Residential* land use and *Corridor Commercial* land use with lands to the south and west designated *Corridor Commercial, Economic Development, William and Mary and Parks, Parkway and Recreation* land use.

ZONING

This property is zoned Single-Family Dwelling District RS-2. The property to the north and east are zoned RS-2 and B-2 with lands to the south and west zoned B-2, ED-2, WM and RS-2.

The RS-2 District allows, with a special use permit, "Public or private elementary, middle and high schools, colleges and universities; and including temporary classroom facilities when accessory to and on the same lot as a school located in a permanent building."

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

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

The special use permit section of the Zoning Ordinance (Sec. 21-43) establishes the following criteria for special use permits:

- (a) *The proposed use shall be:*
 - (1) *In harmony with the adopted comprehensive plan;*
 - (2) *In harmony with the intent and purpose of the zoning district in which the use is proposed to be located;*
 - (3) *In harmony with the character of adjacent properties and the surrounding neighborhoods, and with existing and proposed development.*
- (b) *The proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities.*
- (c) *The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.*

- (d) *The proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods.*

Additional reasonable standards as deemed necessary to protect the public interest and welfare may be imposed, including: more restrictive sign standards; additional open space, landscaping or screening requirements; additional yard requirements; special lighting requirements; limitation on hours of operation; and additional off-street parking and loading requirements.

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

- (1) A traffic impact analysis, showing the effect of traffic generated by this project on surrounding streets and neighborhoods.
- (2) A public utility analysis, showing the effect of this project on public water, sewer and/or storm drainage facilities.
- (3) A fiscal impact analysis. The Planning Director or the Planning Commission may request the City Council to provide funds for the preparation of this study by the City.

Staff does not feel that any additional studies are needed in order to make a decision on this request.

ANALYSIS

Architectural Review

This property is outside of the Architectural Review District therefore no review is required.

Site Plan Review Committee

The Site Plan Review Committee reviewed the request at their August 14, 2019 meeting and recommends approval.

The applicant is proposing two phases of construction for the parking. The first phase will include 15 spaces (outlined in red) and is proposed to be constructed immediately. The second phase will add an additional 32 spaces (outlined in blue) and will be constructed when needed. Staff has received a complaint from a citizen that the school waters the adjacent ball field and runs a garden hose over the multi-use path which creates an unsafe condition for pedestrians and bicycles using the path.

The property is adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities. The proposed project is in harmony with the adopted comprehensive plan, and the intent and purpose of the Zoning Ordinance. The proposed use 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 and surrounding neighborhoods.

STAFF RECOMMENDATION

Staff recommends that Planning Commission recommend to City Council approval of the special use permit request to add up to 47 parking spaces in two phases as shown on the conceptual site plan conditioned upon no garden hoses or other materials or devices being placed on the multi-use path which renders the path unsafe by obstructing the flow on the multi-use path.

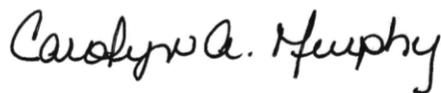
PLANNING COMMISSION

Planning Commission held a public hearing on September 18, 2019. Other than the applicant, no one spoke at the hearing.

Planning Commission recommended to City Council approval of the special use permit to add up to 47 parking in two phases as shown on the conceptual site plan conditioned upon no garden hoses or other materials or devices being placed on the multi-use path which renders the path unsafe by obstructing the flow on the multi-use path by a vote of 6-0-0-1.

CITY COUNCIL PUBLIC HEARING

A City Council public hearing is scheduled for their regular meeting on October 10, 2019 in the Council Chambers of Stryker Center at 2:00 p.m.



Carolyn A. Murphy, AICP
Director of Planning and Codes Compliance

