



**PUBLIC NOTICE
WILLIAMSBURG CITY COUNCIL**

The Williamsburg City Council will hold a public hearing on Thursday, January 14, 2010, 2:00 p.m. in the Stryker Building, 412 North Boundary Street, to consider the following:

PCR #09-022: Amend the Zoning Ordinance to revise the hotel/motel definition to allow rooms or suites in a hotel/motel in any zoning district to be occupied by full-time students at the College of William and Mary. [Article I, Sec. 21-2 Definitions]

Additional information is available at www.williamsburgva.gov/Index.aspx?page=483; at the Planning Department [(757) 220-6130], 401 Lafayette Street; or at the Williamsburg Regional Library. Interested citizens are invited to attend this hearing and present their comments to the Council.

If you are disabled and need accommodation in order to participate in the public hearing, please call the City Manager's office at (757) 220-6100, (TTY) 220-6108, no later than 12:00 noon, Thursday, January 7, 2010.

Donna F. Scott
City Council Clerk



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: December 22, 2009

SUBJECT: PCR #09-022
Use of Hotels and Motels in all zoning districts for Student Housing

On November 12 City Council approved, by a vote of 4-0-1, a change to the zoning ordinance to allow hotels/motels in the MS District to be occupied by full-time students at the College of William and Mary (PCR #09-016). Planning Commission recommended on October 14, by a vote of 5-1, that this change be denied. After approving the change, City Council asked Planning Commission, by a vote of 5-0, to consider whether or not this change should be applied to hotels and motels in all zoning districts. Council also asked that the potential impact on rental apartments in the City be considered.

The memo to City Council on *Potential Sites for Off-Campus Student Housing* identified the B-1 Downtown Business District and the B-3 General Business District as logical districts to consider for allowing students to stay in hotels and motels. In addition to these districts, hotels/motels are allowed in the LB-1, LB-2, B-2, ED, ED-2, CW and MS Districts. The hotel/motel definition could be revised to include more zoning districts in addition to the MS District, or it could be revised to eliminate references to a specific zoning district and to apply in any district that allows hotels/motels as a permitted or special use permit use.

CHANGE APPROVED BY CITY COUNCIL (PCR #09-016)

The language of the change approved by City Council is:

- [Exempt from the 90-day limit are] rooms or suites for a hotel/motel located in the museum support district MS and occupied by full-time students at the College of William and Mary, subject to the following:
- a. The maximum occupancy for a room or suite shall be two students.
 - b. All rooms or suites shall be leased to the College of William and Mary, and the College may sublease rooms or suites to full-time students.

CHANGE NEEDED TO APPLY TO ALL ZONING DISTRICTS

To have this provision apply to all zoning districts in which hotels/motels are allowed requires the following language:

[Exempt from the 90-day limit are] rooms or suites ~~for a hotel/motel located in the museum support district MS and~~ occupied by full-time students at the College of William and Mary, subject to the following:

- a. The maximum occupancy for a room or suite shall be two students.
- b. All rooms or suites shall be leased to the College of William and Mary, and the College may sublease rooms or suites to full-time students.

COMMENTS MADE AT THE CITY COUNCIL PUBLIC HEARING

Several persons, including hotel and motel representatives, spoke at the public hearing in favor of having this provision apply to hotels and motels throughout the City, rather than be limited to the MS District. Two persons, representing rental apartments, spoke in opposition to allowing students to occupy hotels and motels because of existing rental apartment vacancies.

COLLEGE OF WILLIAM AND MARY POSITION

Michael Fox, Assistant to the President at the College of William and Mary, addressed the need for additional housing at the City Council public hearing on amending the Zoning Ordinance to allow this as a permitted exemption. He said that the hotel/motel rooms at the Governor's Inn have been typically used when transfer students come in over the summer and most all of the on-campus housing has already been taken; the issue the transfer students have faced the last couple of summers has been finding appropriate housing since they are not familiar with the area. Mr. Fox said that the criteria used by the College now and in the future would be: proximity to the campus within walking distance or near a bus line, safety monitoring, cost, and in keeping with the City's clear request to limit the number of students in residential neighborhoods. Mr. Fox feels that the maximum demand for this type of housing would not exceed 50 students.

ANALYSIS

The proposed ordinance would make all hotels/motels in the City eligible to house full-time students at the College of William and Mary. However, this is limited by the requirement that the rooms or suites be leased by the College and subleased to the full-time students. This will substantially limit the applicability of the change, and the College feels that a maximum of 50 students would be housed in this manner. However, there is no limit on the number of rooms that can be leased in the proposed ordinance.

The City has a total of 4,288 hotel/motel rooms that could be available for student housing if the rooms were leased by the College.

LB-2 LIMITED BUSINESS NEIGHBORHOOD DISTRICT	
Days Inn, 902 Richmond Road	98 rooms
B-1 DOWNTOWN BUSINESS DISTRICT	
Hospitality House, 415 Richmond Road	318 rooms
Fife and Drum Inn, 441 Prince George Street	10 rooms
B-2 CORRIDOR COMMERCIAL DISTRICT	
America's Best Inn, 1600 Richmond Road	163 rooms
Hilton Gardens, 1628 Richmond Road	119 rooms
Spring Hill Suites, 1644 Richmond Road	120 rooms
Residence Inn, 1648 Richmond Road	108 rooms
Econo Lodge, 1800 Richmond Road	77 rooms
Hampton Inn, 1880 Richmond Road	100 rooms
Days Inn, 1900 Richmond Road	85 rooms
Motel 6, 1330 Richmond Road	169 rooms
Holiday Inn Patriot, 1332 Richmond Road	160 rooms
Budget Inn, 800 Capitol Landing Road	27 rooms
Colonial Hotel, 814 Capitol Landing Road	139 rooms
Red Roof Inn, 824 Capitol Landing Road	52 rooms
Travelodge, 834 Capitol Landing Road	68 rooms
Lord Padget Motel, 901 Capitol Landing Road	94 rooms
Hampton Inn, 911 Capitol Landing Road	109 rooms
White Lion Motel, 912 Capitol Landing Road	34 rooms
Colonel Waller Motel, 917 Capitol Landing Road	27 rooms
Country Hearth Inn, 924 Capitol Landing Road	57 rooms
Rochambeau Motel, 929 Capitol Landing Road	22 rooms
Econo Lodge Colonial Motel, 216 Parkway Drive	50 rooms
Econo Lodge Motel, 442 Parkway Drive	48 rooms
Quality Inn Colony Motel, 309 Page Street	59 rooms
Super 8 Motel, 304 Second Street	107 rooms
Patrick Henry Inn, 315 York Street	125 rooms
Clarion Hotel, 351 York Street	142 rooms
Howard Johnson Inn, 505 York Street	85 rooms
Quarterpath Inn, 620 York Street	130 rooms
Bassett Motel, 800 York Street	18 rooms
B-3 GENERAL BUSINESS DISTRICT	
Super 8 Motel, 1233 Richmond Road	68 rooms
Heritage Inn, 1350 Richmond Road	72 rooms
Fairfield Inn & Suites, 1402 Richmond Road	148 rooms
Quality Suites, 1406 Richmond Road	118 rooms
Patriot Inn, 1420 Richmond Road	109 rooms
Holiday Inn Express, 1452 Richmond Road	93 rooms
MS MUSEUM SUPPORT DISTRICT	
Governor's Inn, 506 North Henry Street	200 rooms
Woodlands Hotel, 105 Visitor Center Drive	225 rooms
Cascades Motel, 123 Visitor Center Drive	42 rooms
Williamsburg Inn, 300 East Francis Street	75 rooms
Providence Hall Wing, 424 East Francis Street	60 rooms
Williamsburg Lodge, 310 South England Street	<u>275 rooms</u>
TOTAL HOTEL/MOTEL ROOMS	4,288 ROOMS

There are five hotels/motels that are in close proximity to the College, and that are located on bus routes:

Governor's Inn, 506 North Henry Street	200 rooms
Hospitality House, 415 Richmond Road	318 rooms
Days Inn, 902 Richmond Road	98 rooms
Super 8 Motel, 1233 Richmond Road	68 rooms
Fife and Drum Inn, 441 Prince George Street	<u>10 rooms</u>
TOTAL	694 ROOMS

There are a total of 1,302 dwelling units in rental apartment complexes throughout the City. These figures do not include duplexes, condominiums, townhouses, or single family dwellings that have been converted to apartment use.

RS-2 SINGLE FAMILY DWELLING DISTRICT	
Indian Springs Apartments, 112 Indian Springs Road	14 dwellings
Holmes Apartments, 321 Dunning Street	6 dwellings
RM-1 MULTIFAMILY DISTRICT	
Glazener Apartments, 403 South Boundary Street	3 dwellings
WRHA – 321 Dunning Street	24 dwellings
WRHA – 143 Mimosa Drive	14 dwellings
WRHA – Sylvia Brown Apartments, 200 New Hope Rd.	28 dwellings
RM-2 MULTIFAMILY DISTRICT	
Ironbound Road Apartments, 294 Ironbound Road	5 dwellings
Ludwell Apartments, 100 Rolfe Road	118 dwellings
Village at Woodshire, 159 Merrimac Trail	252 dwellings
Colonial Pines, 222 Merrimac Trail	132 dwellings
Colonial Towne, 327 Merrimac Trail	148 dwellings
Parkway Apartments, 400 Merrimac Trail	160 dwellings
Lawson Enterprises Apartments, Mt. Vernon Avenue	267 dwellings
411 York Street	54 dwellings
Brentwood Apartments, 514 York Street	13 dwellings
RDT DOWNTOWN RESIDENTIAL DISTRICT	
Glazener Apartments, 702 South Henry Street	4 dwellings
WRHA – Blayton Building, 613 Scotland Street	38 dwellings
B-1 DOWNTOWN BUSINESS DISTRICT	
King and Queen Apartments, 732 Scotland Street	26 dwellings
Sacalis Building, 433 Prince George Street	6 dwellings
B-3 GENERAL BUSINESS DISTRICT	
Monticello Apartments, 228 Monticello Avenue	14 dwellings
Spring Road Annex, 1301 N. Mt. Vernon Avenue	28 dwellings
ED-2 ECONOMIC DEVELOPMENT DISTRICT	
Sterling Manor Apartments, 151 Sterling Manor Drive	<u>191 dwellings</u>
TOTAL APARTMENT DWELLINGS	1,545 DWELLINGS

To summarize this data, there are 4,288 hotel/motel rooms in the City, and 694 rooms are within close proximity to the College of William and Mary. There are 1,545 multifamily dwellings in apartment complexes in the City.

Potential Impacts on Apartment Complexes and Hotels/Motels

It is difficult to calculate the exact impact on existing apartment complexes by allowing hotel/motel rooms to be rented to full-time students at the College of William and Mary, since these rentals are dependent upon the College of William and Mary deciding to lease rooms to sublease to students. The College has stated that they anticipate a future demand for no more than 50 students to be housed in hotels/motels. This number of students could be housed in 25 apartments (two-person occupancy). **If an average rent of \$800 is assumed, it could represent a potential loss to apartment complexes of \$200,000 a year if 50 students selected hotel/motel accommodations through the College instead of rental apartments** ($\$800/\text{month} * 25 \text{ apartments} = \$20,000/\text{month} * 10 \text{ months} = \$200,000$). The potential loss of revenue would be less if some of the apartments had three-person occupancy.

A student choosing to live in a College sanctioned hotel/motel room instead of a rental apartment will, on the other hand, represent a gain of revenue for the participating hotel/motel, assuming that the rooms would be otherwise unoccupied. **The College's listed semester rent per student for a double-occupancy room at Governor's Inn is \$1,920, so for 50 students the potential gain of revenue for a hotel/motel is \$196,000 a year** assuming that the rooms would not otherwise be rented ($\$1,920/\text{student}/\text{semester} * 50 \text{ students} * 2 \text{ semesters} = \$196,000$). Since the room rate translates to about \$29/day, it is less than the room would bring if rented as a hotel/motel room.

Presently, seven students are residing at the Governor's Inn, which represents a minimal impact on apartment rental revenue in the City, as well as a minimal impact on hotel/motel revenue. But it is clear that any student choosing to live in a College sanctioned hotel/motel room instead of a rental apartment will result in a loss of revenue for the apartment complex, and a gain of revenue to the hotel/motel. By the same token, the construction of additional dormitory rooms in the future could also result in a loss of potential revenue for apartment complexes, as well as for individual houses that are rented to students.

Tax Impacts

Another impact is the effect on the City's room tax revenues. Since the College of William and Mary is a state agency, they are not subject to local taxes, and would therefore not be obligated to pay the 5% room tax or the \$2 tax. There would be a loss of tax revenue to the City if the rooms were leased to the College instead of visitors; however, if the rooms would be otherwise vacant, there would be no tax loss to the City.

Summary

The change that was made to allow hotel/motel rooms in the MS District to be leased to the College of William and Mary and then subleased to full-time students satisfies the immediate needs of the College. Extending this option to all hotels and motels in the City would give the College more flexibility in selecting rooms to lease, but their needs can be satisfied by rooms already available in the MS District. Under the assumption

that the College is correct in stating that their maximum need is to house 50 students, the extension of the option to all hotels and motels in the City would not increase the impact on rental apartments or City tax revenue since the need can be handled by the existing rooms in the MS District alone. And in either case, there will be additional options for housing students outside of single family neighborhoods.

STAFF RECOMMENDATION

Staff recommends that Planning Commission recommend to City Council that the "hotel/motel" definition be amended to add an exemption to the 90 day occupancy rule for hotels/motels for full-time students at the College of William and Mary, as detailed in Proposed Ordinance #10-01. This will apply to all zoning districts where hotels/motels are allowed by right or with a special use permit.

PLANNING COMMISSION PUBLIC HEARING

Planning Commission held a public hearing on this request on December 16. One person spoke in opposition to the proposal. Planning Commission recommended to City Council, by a vote of 6-1, that the "hotel/motel" definition be amended to add an exemption to the 90 day occupancy rule for hotels/motels for full-time students at the College of William and Mary, as detailed in Proposed Ordinance #10-01. This will apply to all zoning districts where hotels/motels are allowed by right or with a special use permit.

CITY COUNCIL PUBLIC HEARING

The City Council public hearing is scheduled for January 14, 2010, at 2:00 p.m. in the Council Chamber at the Stryker Building, 412 North Boundary Street.



Reed T. Nester, AICP
Planning Director

ORDINANCE #10-__
PROPOSED ORDINANCE #10-01

**AN ORDINANCE AMENDING CHAPTER 21, ZONING,
ARTICLE I, IN GENERAL, SECTION 21-2, DEFINITIONS,
PERTAINING TO DEFINITION OF HOTEL/MOTEL
(PCR #09-022)**

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, of the Code of the City of Williamsburg, Virginia is hereby amended by revising Article I. In General, Section 21-2, Definitions, which shall be revised to read as follows:

Sec. 21-2. Definitions

Hotel/motel means a building or group of attached or detached buildings offering transient lodging accommodations to visitors for not more than 90 consecutive days. A hotel/motel shall also include on the site a lobby, clerk's desk, or counter and facilities for registration and keeping of records relating to visitors. Rental of bedrooms in a single-family detached dwelling to roomers and visitors in accordance with section 21-605 shall not be considered to be a hotel/motel. Exempt from this limitation shall be:

- (1) Rooms or suites occupied by employees of the hotel/motel (not to exceed five percent of the total number of rooms at the facility), which may be occupied with no maximum length of stay. Employees must work at least 20 hours per week for the hotel/motel while residing at the facility. Occupancy shall be limited to employees only, and shall not include dependents or guests of employees.
 - a. In addition to the employee rooms or suites described above, a room or suite with kitchen facilities may be occupied by the owner or on-site manager, and their family, and may be occupied with no maximum length of stay.
- (2) Rooms or suites with a kitchen, which may be occupied by visitors with no maximum length of stay. A kitchen shall be equipped with all of the following appliances: sink, dishwasher, range, microwave oven, and refrigerator.
- (3) Rooms or suites ~~for a hotel/motel located in the museum support district~~ **MS and** occupied by full-time students at the College of William and Mary, subject to the following:
 - a. The maximum occupancy for a room or suite shall be two students.
 - b. All rooms or suites shall be leased to the College of William and Mary, and the College may sublease rooms or suites to full-time students.

This ordinance shall become effective on the tenth day following its passage.

Adopted: January 14, 2010

Jeanne Zeidler, Mayor

Donna Scott, City Council Clerk