



**PUBLIC NOTICE
WILLIAMSBURG CITY COUNCIL**

The Williamsburg City Council will hold a public hearing on Thursday, October 11, 2012, 2:00 p.m. in the Stryker Building, 412 North Boundary Street, to consider the following:

PCR #12-018: Request of CCM, LLC for a special use permit to sell used cars at 401 Page Street. This property is zoned B-2 Corridor Commercial District, and is identified as Williamsburg Tax Map No. 468-0A-00-008. It is proposed to display approximately 25 cars and to use the service area only for cars offered for sale on the premises.

Additional information is available at www.williamsburgva.gov/Index.aspx?page=1036 or at the Planning Department [(757) 220-6130], 401 Lafayette Street. 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, October 4, 2012.

Donna F. Scott
City Council Clerk



CITY OF WILLIAMSBURG
MEMORANDUM

DATE: August 23, 2012

SUBJECT: PCR #12-018
Request of CCM, LLC for a special use permit to sell used cars at 401 Page Street

CCM, LLC is requesting a special use permit to sell used cars at 401 Page Street. The applicant proposes to display approximately 25 cars and to use the service area only for cars offered for sale on the premises. No service will be offered to the general public.

COMPREHENSIVE PLAN

The Comprehensive Plan designates this area as Corridor Commercial land use. This land use category designates land on the City's heavily traveled entrance corridors for commercial and service uses primarily oriented to the automobile. It also includes the automobile-oriented commercial uses along Second Street. To insure high quality developments, the more intensive commercial uses should require special use permits. Corridor Commercial land use is intended to promote the City's economic development policy for its limited, remaining high-visibility commercial sites.

ZONING

This property is located in the B-2 Corridor Business District. The statement of intent for the B-2 District reads:

This district is established to provide locations on heavily traveled collector and arterial highways for those commercial and service uses primarily oriented to the automobile. This district is applied along those streets primarily used to access local shopping areas, and providing locations for existing and future hotels, restaurants and other tourism retail uses.

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 any additional studies are needed in order to make a decision on this request.

ANALYSIS

This site is approximately 15,246 square feet in size and is basically impervious except for several small areas along the side and rear of the building. Our records indicate the building was constructed in 1954 as a service station, has a floor area of 1,668 square feet, and ceased being used as a service station in 2005. The current owners purchased the property in 2007. The applicant proposes:

- To lease the property for the sale of up to 25 used cars.
- To use the existing service bays to service cars on the property.
- To display one row of cars across the front and right side of the property.
- To repair the existing fence and dumpster.

Three parking spaces for customers will be provided on the left side of the building. Up to twenty-five vehicles are proposed to be displayed on the site with a row across the front and on the right side of the property adjacent to Howard Motors. The site has three entrances, one on Second Street and two on Page Street. It currently does not have an accessible pedestrian route to the building. One entrance on Page Street is very close to the traffic light at the intersection and should be removed.

Landscaping along the front is on the City right-of-way and contains one tree and shrubs. Requiring the current required fifteen foot landscape strip on the applicant's property will reduce the usable area resulting in an insufficient area for the display of used cars.

The use of the property for used car sales is consistent with the Corridor Commercial land use in the Comprehensive Plan and the statement of intent for the B-2 Corridor Business District, which notes that this area is to be promoted as commercial and service uses primarily oriented to the automobile.

STAFF RECOMMENDATION

Staff recommended that Planning Commission recommend to City Council that the special use permit be approved subject to the following:

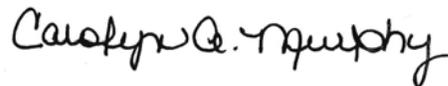
1. Display of vehicles is limited to a maximum of 25, limited to one row across the front and one row along the right side of the property adjacent to Howard Motors as shown on the attached sketch.
2. Removal of the first entrance on Page Street closest to the intersection of Second Street and Page Street along with all pavement along the frontage in the City's right-of-way.
3. Submitting a landscape plan to be approved by Planning Staff for the landscape area along the front of the property. A minimum of two additional deciduous shade trees and three ornamental trees shall be planted in the landscape strip.
4. Submitting a landscape plan to be approved by Planning Staff for shrubs in the landscape strip adjacent to Howard's Motors from Second Street to the dumpster area.
5. Providing an ADA accessible route and ramp from the public sidewalk to the building to be approved, constructed, and inspected by the City prior to the issuance of a certificate of occupancy.
6. Repairing the fence and dumpster prior to the issuance of a certificate of occupancy.
7. Entering into an agreement with the City to maintain the landscaping on the City's right-of-way in lieu of providing the landscaping required by the Zoning Ordinance.
8. The special use permit is approved for this specific business only. Any future use of the property for the sale of vehicles will require a new special use permit.

PLANNING COMMISSION RECOMMENDATION

Planning Commission held a public hearing on this request on August 16, and no citizens spoke at the hearing. A motion to recommend denial of the special use permit for the reasons that the project does not meet the criteria that it be in harmony with the character of adjacent properties and the surrounding neighborhood, and that it cannot be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development of use of adjacent properties and surrounding neighborhoods, failed on a vote of 2-2. Therefore, this request is forwarded to City Council with no Planning Commission recommendation.

CITY COUNCIL PUBLIC HEARING

The City Council public hearing is scheduled for October 11 at 2:00 p.m. in the Council Chamber at the Stryker Building, 412 North Boundary Street.



Carolyn A. Murphy, AICP
Deputy Planning Director

Applicant's Statement

Application for Special Use Permit

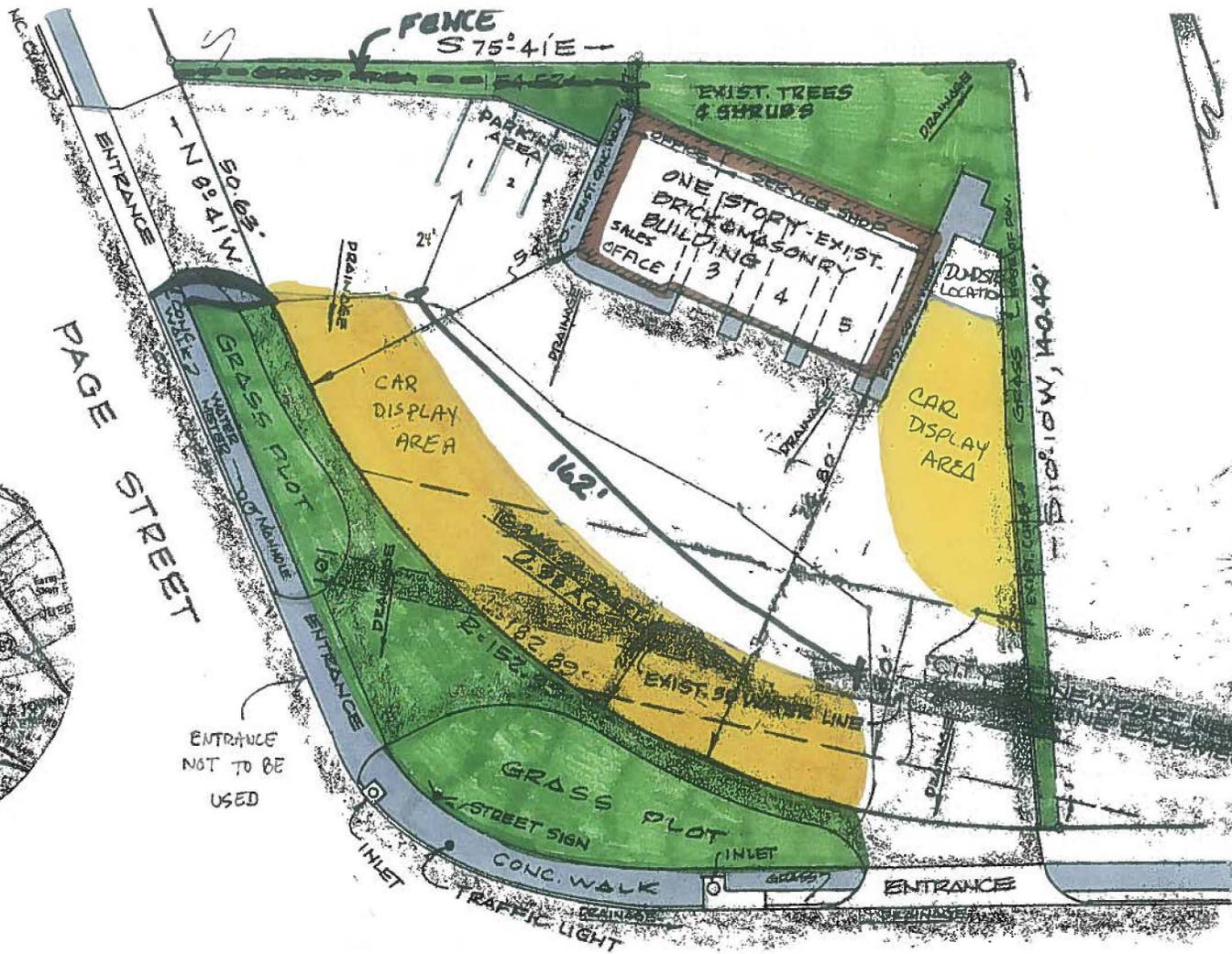
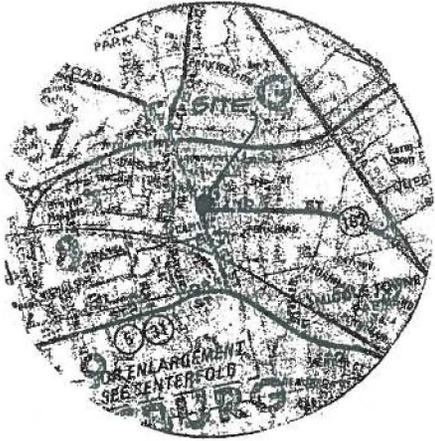
The Applicant is applying for a Special Use Permit to permit automobile sales only at the property located at 401 Page Street. This site was formerly a full service gas station. The Applicant proposes to sell used cars at the site. The only service performed on site would be on cars offered for sale. Service would not be offered to the general public. The applicant intends to clean up the property, repair the existing wooden fence and relocate and screen the dumpster but does not plan any changes to the existing building or paved area. The Applicant plans to display approximately 25 cars for sale in the locations on the site shown on the plan submitted herewith. The site currently has three entrances, two from Page Street and one from Second Street. The Applicant does not intend to utilize the middle entrance and would agree to an SUP condition prohibiting use of that entrance. The sales office would be located in the existing 1,668 square foot building.

The Applicant is a small businessman who currently has two used car sales lots in Newport News. All cars sold are operative and in good condition and generally include higher end models. Pictures of the Applicant's Jefferson Avenue site are submitted with the application.

The Applicant submits that this is a low impact use that will allow this site to be put back to a productive, tax generating use. Because no physical changes are being made to the site, this proposed use would not preclude any future re-development opportunities for the property.

SUP
EXHIBIT

VICINITY MAP
SCALE: 1" = 2000'



2ND STREET

SCALE: 1" = 20'