

APR 29 2014

RECEIVED



**COMPREHENSIVE PLAN FUTURE LAND USE MAP**  
**CHANGE APPLICATION**

For Internal Use: Date Received: April 29, 2014 LU: 0001-2014

**To the Planning Commission and Board of Supervisors of James City County, Virginia:**

*I (We), the undersigned do hereby respectfully make application and petition the Governing Body of James City County, Virginia, to amend the Comprehensive Plan Land Use Map as hereinafter requested, and in support of this application, the following facts are shown.*

*\*Please see the attached Land Use Designation Change Application Resources document for websites where some of the requested information is available.*

**1. Property Information**

a. Property address(es): 7809 Croaker Road

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b. The property is owned by Gary M. Massie Revocable Trust as evidenced by deed from James L. Baumann & Susan C. Baumann recorded 12-21-2006 at 9:50 AM recorded in Book Instrument # 060031361, Page \_\_\_\_\_, Registry of James City County, Virginia.

c. Parcel ID(s): 1340100016D

d. Is site inside Primary Service Area? Yes  No

e. Current Zoning: A-1

f. Is the property in a FEMA Flood Zone? Yes  No

g. Gross property acreage: 2.42

h. Estimated net developable property acreage: 2.42

i. This property is currently being used for:

<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Agriculture/forestry	<input type="checkbox"/> Commercial/retail	<input type="checkbox"/> Office
<input type="checkbox"/> Industrial	<input type="checkbox"/> Vacant	<input type="checkbox"/> Park/open space	<input type="checkbox"/> Institutional

Other: \_\_\_\_\_

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**2. Applicant/Contact Information**

Name: Gary M. Massie  
Company: \_\_\_\_\_ Phone: 757 645-4870  
Address: 8644 Merry Oaks Lane Fax: 757 645-4860  
Toano VA, 23168 E-mail: gary.massie@jsgcorp.com

**3. Property Owner Information**

Name: Gary M. Massie Revocable Trust  
Company: \_\_\_\_\_ Phone: 757 645-4870  
Address: 8644 Merry Oaks Lane Fax: 757 645-4860  
Toano, VA 23168 E-mail: gary.massie@jsgcorp.com  
Is there an existing contract of sale or any options to purchase on said property?  Yes  No

**4. Proposal Information** (see <http://www.jamescitycountyva.gov/pdf/planning/2009CompPlan/land-use-and-descriptions.pdf> for descriptions of each designation)

<u>a. Current Comprehensive Plan Future Land Use Map Designation (check all that are applicable)</u>	<u>Proposed Comprehensive Plan Future Land Use Designation (check all that are applicable)</u>
<input type="checkbox"/> Rural Lands	<input type="checkbox"/> Rural Lands
<input checked="" type="checkbox"/> Low Density Residential	<input type="checkbox"/> Low Density Residential
<input type="checkbox"/> Moderate Density Residential	<input type="checkbox"/> Moderate Density Residential
<input type="checkbox"/> Neighborhood Commercial	<input checked="" type="checkbox"/> Neighborhood Commercial
<input type="checkbox"/> Community Commercial	<input type="checkbox"/> Community Commercial
<input type="checkbox"/> Limited Industrial	<input type="checkbox"/> Limited Industrial
<input type="checkbox"/> General Industrial	<input type="checkbox"/> General Industrial
<input type="checkbox"/> Mixed Use	<input type="checkbox"/> Mixed Use
<input type="checkbox"/> Park, Public or Semi-Public Open Space	<input type="checkbox"/> Park, Public or Semi-Public Open Space
<input type="checkbox"/> Conservation Area	<input type="checkbox"/> Conservation Area
<input type="checkbox"/> Federal, State or County Land	<input type="checkbox"/> Federal, State or County Land
<input type="checkbox"/> Economic Opportunity	<input type="checkbox"/> Economic Opportunity

b. Is the applicant requesting an adjustment to the Primary Service Area?  
Yes  (Addition of property to the PSA  Removal of property )  
No

**5. Information to Accompany the Application**

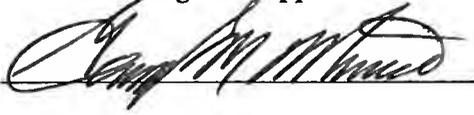
- a. A vicinity map or property survey clearly marking the property(ies) or portion of the property that is the subject of this application.
- b. A narrative describing future plans for the property use and/or details about the physical development proposed on the property if the land use designation change is granted. Please be as detailed as possible and include specific proposed uses (such as office, retail, apartments, restaurant, single-family homes, etc.), densities, approximate acreages of each use (if applicable), and intensities.
- c. A narrative describing the justification for this amendment. Narrative should address why this land use would be superior to that adopted previously for this property, how it demonstrates a novel idea or concept for land development that was not anticipated or addressed in the previous Comprehensive Plan and how the goals of the Comprehensive Plan could be more effectively met or implemented if the proposed change is approved. Include references to relevant Comprehensive Plan topics, including but not limited to, the project's financial impacts to the County, impact on public schools, transportation, and public services (if any) or superior growth management concept data, inventory, or analysis or other improvements/necessary updates or modifications to the current Comprehensive Plan. Please be as thorough as possible.
- d. Applicant must generally identify wetlands, Resource Protection Areas (RPA), flood zones, historic resources, prime agricultural soils, endangered species, or species of special concern that are known to exist on the property.

***PLEASE NOTE: Staff anticipates scheduling meetings with each applicant to help compile the information requested above and ensure each application is complete. If needed, staff may request additional information regarding this application.***

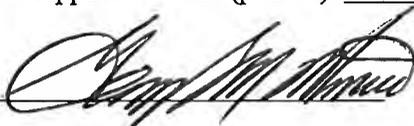
**6. Optional Information to Accompany Application**

- a. Detailed proposed layout or conceptual designs for the property.
- b. Current level(s) of service and Annual Average Daily Traffic for the roadway(s) where your property enters or exits and any major surrounding roadways.
- c. Specific information about trip generation rates including the land use category used as defined by the latest edition of the ITE Trip Generation Manual.
- d. Basic description of surrounding roadways and intersections such as configuration and conditions.

**7. The property owner MUST sign this application in order for the application to be processed.**

Applicant Signature:  Date: 4-29-2014

Applicant Name (printed): CARY M. MASSIE

Property Owner Signature:  Date: 4-29-2014

Property Owner Name (printed): CARY M. MASSIE

**5b. Information to Accompany the Application**

**Reference: 7809 Croaker Road Land Use Map Change Application  
Request change of Land Use Designation from Low Density Residential to  
Neighborhood Commercial by Gary M. Massie Revocable Trust Parcel ID #  
1340100016D**

Granting the Land Use Designation requested in the above referenced application will allow the land to be proposed for rezoning as LB Zoning that would serve the neighborhoods that are accessed via Croaker Road. The uses would include neighborhood scale commercial, professional and office uses.

These types of uses include the following:

- Individual medical office
- Professional office
- Branch Banks
- Day Care Center
- Small restaurants

Since the current zoning is A-1 any development on the parcel to the requested Land Use Designation would require rezoning. The subsequent rezoning would allow the planning staff, commissioners, and board to control the development of this parcel. These uses would serve as a good transition from the current residences that border the North and East of the property and the ultimate development of the currently undeveloped property to the East.

The parcels configuration allows adequate room for a buffer between the adjoining residences. The frontage along Croaker Road with immediate access to route 60 or I-64 allows for free flow of traffic without lowering the level of service.

### **5c. Information to Accompany the Application**

**Reference: 7809 Croaker Road Land Use Map Change Application  
Request change of Land Use Designation from Low Density Residential to  
Neighborhood Commercial by Gary M. Massie Revocable Trust Parcel ID #  
1340100016D**

In regards to the above referenced application there are several reasons that the requested amendment to the Land Use Designation should be granted. These reasons are:

- This parcel is uniquely located fronting on a busy transportation corridor opposite a publicly owned facility and the rear and side yard are adjacent to an established single family neighborhood. The current designation "Low Density Residential" does not reflect the urban character of the traffic corridor on the front of the parcel. Croaker Road is a non limited access road which has a full four leaf clover interchange with I-64 within 1,000 feet of this parcel.
- Due to increasing traffic volumes and increased usage of the James City County library the current designation is inappropriate and could negatively impact public health and safety. Encouraging low density residential with children and slow turning traffic associated with residential land use is incompatible with the existing traffic pattern on Croaker Road. Public funds have been spent to acquire the necessary right of way to develop a four lane urban transportation corridor to link interstate-64 with the existing major east west commuter corridor, primary route 60.
- The requested change to Neighborhood Commercial is ideally suited for this unique parcel. Located within the PSA this parcel would serve surrounding neighborhoods and any impacts to adjoining parcels could be mitigated within the parcel. The small size 2.42 acres, fronting on a collector road, with public water and sewer available and having a flat terrain with little environmental sensitivity make this parcel an excellent candidate for designation as Neighborhood Commercial. Most importantly the Neighborhood Commercial designation would direct development opportunities towards a transitional use protecting the existing residential neighborhood and complimenting the James City County library.
- Reviewing Chart #3 in the 2009 Comprehensive plan which defines the desirable characteristics for Neighborhood Commercial and the parcel in this application this application meets the criteria outlined in the 2009 Comprehensive Plan.
  - Basic Description
    - This application is located within the PSA
    - This application would serve surrounding neighborhoods and have limited impact on nearby development.
    - This application is a small site
    - This application has direct access to a collector road, public water and public sewer
    - Topographically the site is well suited for development

- Recommended Intensity
  - This application will result in development well within the intensity designated for neighborhood commercial
  - This application will retain a small-scale neighborhood character
- Recommended Uses
  - This application is for uses that are recommended as Neighborhood Commercial such as:
    - Individual Medical Office
    - Branch Bank
    - Day Care Center
    - Small Restaurant
    - Professional Office
- Compatibility
  - This application will provide for a transitional use between the residencies located North and East of this application and the Croaker Road corridor to the South and the undeveloped land to the East.
  - This application will have a limited impact and since a subsequent rezoning would be required the planning staff, commission and board will control the development and be able to insure that impacts, if any, are adequately mitigated.
- Public Services
  - This application is within the PSA and there is adequate water and sewer available.
- Environmental Protection
  - This application does not impact any environmentally sensitive areas.
  - This application does not impact any historical or archeological resources.
- Transportation
  - This application will access Croaker Road without creating a loss of LOS.
  - This application will result in the need for a rezoning. The rezoning process will allow the planning staff, commission and board to reserve adequate right of way for the widening of Croaker Road and any bike lane or pedestrian paths that are a part of the improvements to Croaker Road.
- Streetscapes
  - This application will require a rezoning from A-1 to LB after the approval of the changed Land Use Designation. The rezoning process will allow the planning staff, commission and board to insure that the developed site retains the character of Croaker Road.

**5d. Identify Wetlands, Resource Protection Areas, Flood Zones, Historic Resources, Prime agricultural soils, Endangered Species, or Species of Special Concern**

**Reference: 7809 Croaker Road Land Use Map Change Application  
Request change of Land Use Designation from Low Density Residential to  
Neighborhood Commercial by Gary M. Massie Revocable Trust Parcel ID #  
1340100016D**

In regards to the above referenced application there are several reasons that the requested amendment to the Land Use Designation should be granted. These reasons are:

- This application does not contain any known wetlands.
- This application does not contain any known Resource Protection Areas.
- This application is not in a flood zone see the attached survey item 5a.
- This application does not contain any known historical resources.
- This application is wooded there are no prime agricultural soils.
- This application does not contain any known endangered species, or species of special concerns

**6. Optional Information to Accompany Application**

**Reference: 7809 Croaker Road Land Use Map Change Application  
Request change of Land Use Designation from Low Density Residential to  
Neighborhood Commercial by Gary M. Massie Revocable Trust Parcel ID #  
1340100016D**

In regards to the above referenced application we are not offering any additional information at this time. Due to the current zoning of A-1 a rezoning will be required after the approval of this application. At the time of rezoning a conceptual design, LOS of roadways, specific trip generation rates, and basic description of surrounding roadways will be provided. The rezoning will allow planning staff, commission and board to control the development of the property after approval of this application.

5a.

**AREA OF PARCEL D**

105,294 S.F.±  
2.42 AC.±

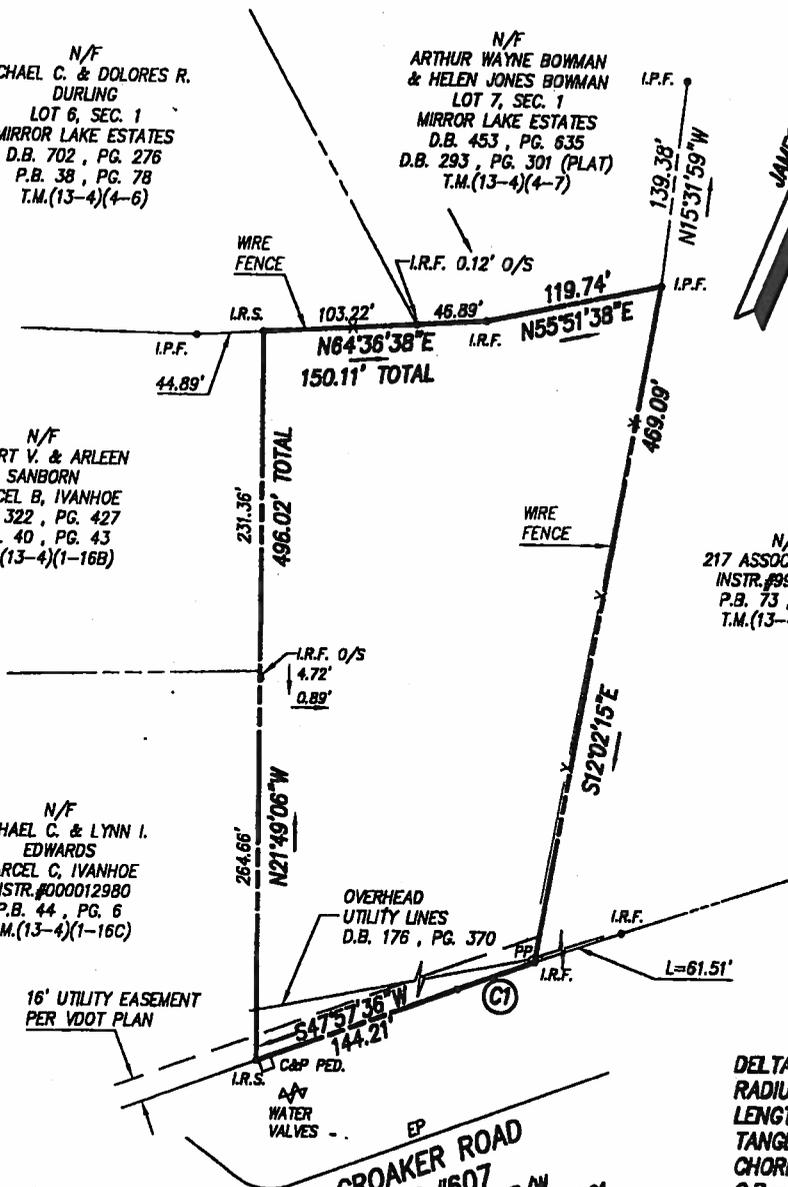
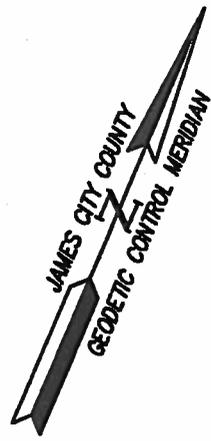
N/F  
MICHAEL C. & DOLORES R.  
DURLING  
LOT 6, SEC. 1  
MIRROR LAKE ESTATES  
D.B. 702, PG. 276  
P.B. 38, PG. 78  
T.M.(13-4)(4-6)

N/F  
ARTHUR WAYNE BOWMAN  
& HELEN JONES BOWMAN  
LOT 7, SEC. 1  
MIRROR LAKE ESTATES  
D.B. 453, PG. 635  
D.B. 293, PG. 301 (PLAT)  
T.M.(13-4)(4-7)

N/F  
ROBERT V. & ARLEEN  
SANBORN  
PARCEL B, IVANHOE  
D.B. 322, PG. 427  
P.B. 40, PG. 43  
T.M.(13-4)(1-16B)

N/F  
MICHAEL C. & LYNN I.  
EDWARDS  
PARCEL C, IVANHOE  
INSTR.#000012980  
P.B. 44, PG. 6  
T.M.(13-4)(1-16C)

N/F  
217 ASSOCIATES LTD.  
INSTR.#990015559  
P.B. 73, PG. 99  
T.M.(13-4)(1-15)



Ⓢ  
DELTA=00°32'25"  
RADIUS=5843.58'  
LENGTH=55.10'  
TANGENT=27.55'  
CHORD=55.10'  
C.B.=S48°13'48\"/>



**CROAKER ROAD**  
S.R.#607  
VARIABLE WIDTH R/W  
PROJECT 0607-047 116, C-501  
SHEET 4  
HWY. P.B. 5, PG. 28

TAX PARCEL: (13-4)(1-16D)  
STREET ADDRESS: #7809 CROAKER ROAD  
NOTE:  
THIS PROPERTY LIES IN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN) PER F.I.R.M.#510201 0020 B, DATED 2/6/91.



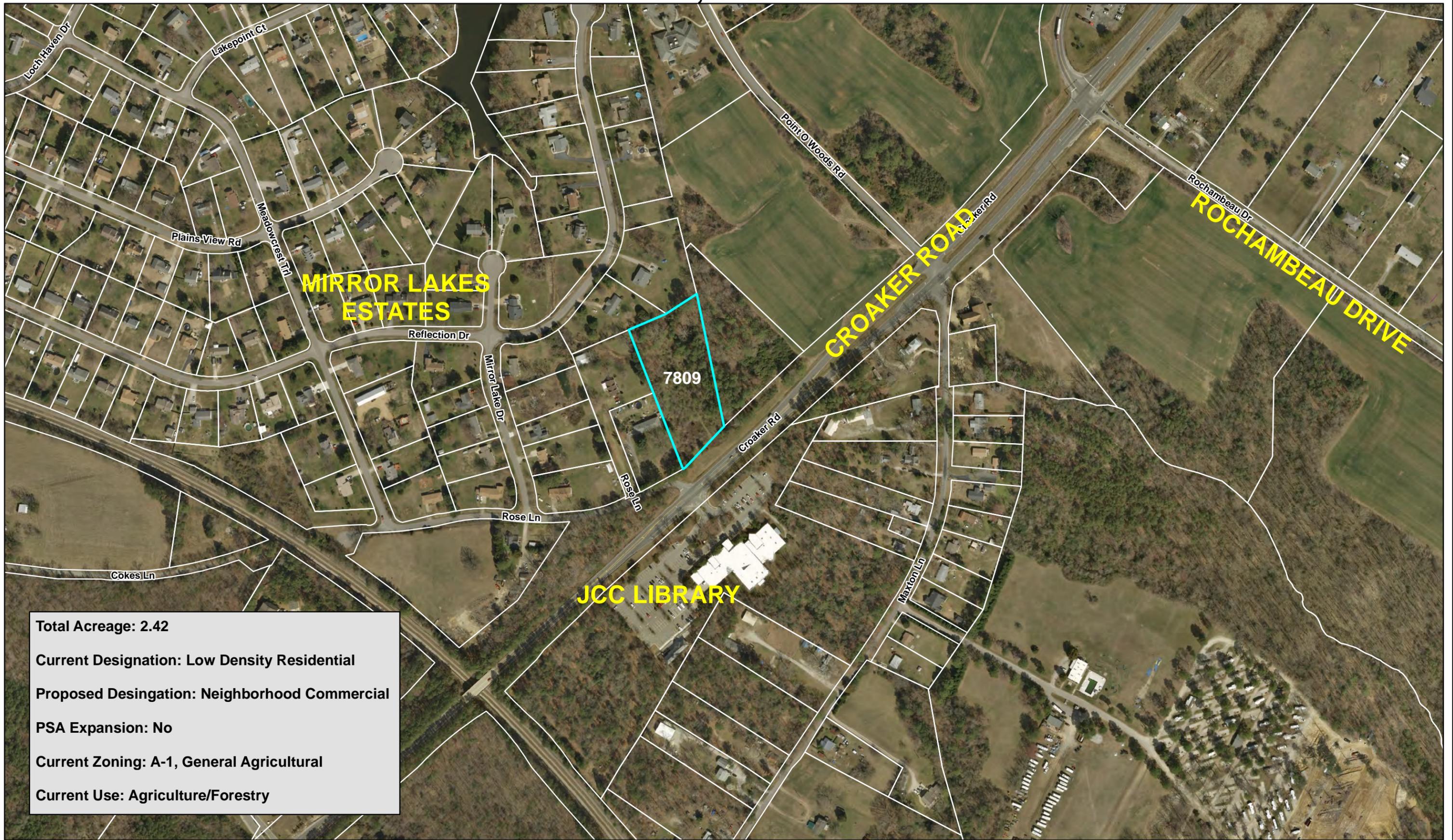
**CONSULTING ENGINEERS**  
WILLIAMSBURG • RICHMOND • GLOUCESTER

5248 Olde Towne Road, Suite 1  
Williamsburg, Virginia 23188  
(757) 253-0040 Fax (757) 220-8994

**PLAT OF SURVEY PARCEL D, IVANHOE**  
A PARCEL CONTAINING 2.42 ACRES±  
FOR CONVEYANCE TO THE GARY M. MASSIE REVOCABLE TRUST  
STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA

Scale: 1"=100'    Ref: NOTED    Date: 11/27/2006    Job No: 9807

# LU-0001-2014, 7809 Croaker Road



**Total Acreage: 2.42**  
**Current Designation: Low Density Residential**  
**Proposed Desingation: Neighborhood Commercial**  
**PSA Expansion: No**  
**Current Zoning: A-1, General Agricultural**  
**Current Use: Agriculture/Forestry**

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section.

