



GLOUCESTER COUNTY PLANNING COMMISSION AGENDA

Thursday, June 5, 2025, 6:30 p.m.

Thomas Calhoun Walker Education Center Auditorium
6099 T. C. Walker Road
Gloucester, VA 23061

	Pages
1. <u>CALL TO ORDER AND ROLL CALL</u>	
2. <u>INVOCATION AND PLEDGE OF ALLEGIANCE</u>	
3. <u>CONSENT AGENDA</u>	
a. Minutes of February 25, 2025 Joint Meeting	2
b. Minutes of May 1, 2025 Regular Meeting	10
c. Applications Before the BZA in June 2025 (none)	
d. Development Plan Review- May 2025	17
4. <u>Mr. Serio Service Recognition</u>	
5. <u>PUBLIC COMMENTS</u>	
6. <u>PUBLIC HEARING</u>	
a. Marsh Hawk Villas (Z-25-01 & CUP-25-01)	21
7. <u>OLD BUSINESS</u>	
a. TOD Town Hall Recap	75
8. <u>NEW BUSINESS</u>	
9. <u>APPLICATION(S) BEFORE THE COMMISSION IN JULY</u>	
10. <u>STAFF COMMENTS</u>	
11. <u>COMMISSIONERS' COMMENTS</u>	
12. <u>ADJOURNMENT</u>	

**2/25/2025 Board of Supervisors Joint Meeting with
Planning Commission**

**AT A JOINT MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS
AND PLANNING COMMISSION HELD AT 6:00 P.M. ON TUESDAY, FEBRUARY 25,
2025, IN THE THOMAS CALHOUN WALKER EDUCATION CENTER AUDITORIUM,
6099 T. C. WALKER ROAD, GLOUCESTER, VIRGINIA:**

1. Call to Order and Roll Call

Mr. Chriscoe called the meeting to order, and Ms. Steele took roll call for the Board of Supervisors.

Ms. Cronin, Deputy Clerk, took roll call for the Planning Commission.

THERE WERE PRESENT: Board of Supervisors:
Ashley C. Chriscoe
Kenneth W. Gibson
Christopher A. Hutson
Michael A. Nicosia
Robert J. Orth

Planning Commission:
John C. Meyer, Jr., Chair
Natalie Q. Johnson, Vice Chair
James R. Gray, Jr.
Kenneth B. Richardson
Louis E. Serio, Jr.

THERE WERE ABSENT: Board of Supervisors:
Phillip N. Bazzani
Kevin M. Smith, Chair [arrived at 6:05 p.m.]

Planning Commission:
Douglas E. Johnson
Christopher Poulson

ALSO IN ATTENDANCE: Carol Steele, County Administrator
Edwin “Ted” Wilmot, County Attorney
Anne Ducey-Ortiz, Planning, Zoning & Environmental
Programs Director

2. Public Comment Period

CHARLES KERNS - ABINGDON DISTRICT

Mr. Kerns stated that there were two holes in the Court Circle [wall]. He noted that it was time to convert the Court Circle to a roundabout. He noted that most people treated it as a roundabout. It may help to slow the traffic coming down Main Street. It was just a signage issue. He recommended that the change be made. He then stated that the coming into town from east to west, there were no left turns or U-turns at the intersections at the library and at Warehouse (Road). However, at the stop light at Route 14, left turns and U-turns were allowed. He stated that there was hardly enough space to make that turn. He also stated that there was too much traffic when it narrowed down to one lane while waiting for someone to make the turn. Finally, he noted that on those intersections of secondary roads with stop lights, there were two lights. One for the traffic going through the light and turning left and one for the right turn onto 17.

Mr. Smith arrived at 6:05 p.m.

Mr. Kerns continued stating that VDOT (Virginia Department of Transportation) forgot to install the right turn lanes. He stated that a 100 foot right turn lane would alleviate a lot of stops. He noted that the population was not growing much, but a 1-2% population growth could result in a 10% increase in traffic. He noted that the Board needed to consider these things when reviewing transportation for the Comp Plan.

3. Work Session Agenda

a. Review of November 2024 Comprehensive Plan Community Survey Results – Steve Wright, MPA – Deputy County Administrator

Mr. Wright stated that he would be reviewing the information from the survey that was completed in November 2024 using Zencity. He reviewed that the survey used some of the same questions that were used in the prior Comprehensive Plan survey. He advised that Ms. Ducey-Ortiz would review the elements for a successful Comp Plan refresh and that would involve stakeholder engagement. He stated that this was the first opportunity to get a base line of data for the current refresh. He then reviewed the methodology for the survey. He noted that there were 432 respondents who were

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recruited online through social media and online survey panels. Zencity reviewed census data and created quotas to ensure that the sample represented the entire population. He noted that they also used a process called rake-weighting in order to ensure the sample was representative. He reviewed the first theme, which was the overall experience of living in the County. He showed the results with 41% indicating that the overall experience had declined. He noted that this was not unique to Gloucester. He reviewed that 51% indicated the overall experience had improved or stayed the same. He reviewed the demographics of the respondents. He stated that this question was followed by an open ended question that asked for the reasons for their answers. He noted the reasons given for the decline included traffic and speeding, too much development, and a perceived increase in crime and/or drug activity. He stated that one of the responses was limited recreational and sports opportunities. He noted that this response came up again and again in survey results. He then reviewed the top items that respondents would change. The first and second options were volume of traffic and recreational options. He then moved to employment in Gloucester. He reviewed the percentage of respondents that worked in and outside of the County. For the 46% of the population that worked outside of the County, he noted that the top reason was for higher wages. He reviewed the types of businesses and employment growth that respondents felt were most important, noting that tourism and recreation were the top choices. He then reviewed housing. Of the respondents, 51% thought that growth in the district was too fast. More than half of the respondents felt that there was not an adequate amount of affordable housing. He reviewed the types of housing that were desired. He reviewed other answers related to Route 17 and transportation. In summary, he noted the top two answers for each category.

In response to a question, Mr. Wright advised that Zencity used the 2020 census for calculation and based on that census, 423 respondents provided a representative sample.

Mr. Chriscoe expressed his concern that the size of the sample equated to just about 1% of the population.

Mr. Meyer asked if the raw data from the survey could be provided.

Mr. Wright stated that it could be provided.

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Mr. Richardson stated that no one could define what affordable housing meant. He noted that affordable housing meant different things to different people depending on the salary they made.

Mr. Wright noted that it was also based on the market. In future public forums and surveys, more information could be requested from the respondents on their definition of affordable housing.

There was additional discussion on affordable housing, how the survey respondents were selected, and the potential for bias.

**b. Planning for the Comprehensive Plan Update – Anne Ducey-Ortiz, AICP -
Director of Planning, Zoning & Environmental Programs**

Ms. Ducey-Ortiz stated that during the last Comprehensive Plan update, there was a lot of community outreach, and meetings were held. She noted that at least three meetings were held and there was a total of 60 attendees over the three meetings. She stated that getting community input was difficult. She noted that she would be discussing plans for input in her presentation. She then stated that the Planning Commission wanted to meet with the Board to get input on how to handle the Comprehensive Plan update. One of the main reasons that people engaged in planning for the community was to protect what they valued. She reviewed the purpose and the need for the Comp Plan. She advised that it was required to be reviewed, not updated, every five years. She noted that the currently adopted future land use map may not represent what was desired or feasible based on the community's infrastructure. She stated that this was a long term project, and Ms. Rizzio would be spearheading it as she did with the zoning ordinance update. The work would be done in house as much as possible. She reviewed that the first phase would be the kickoff and organization beginning with stakeholder interviews. She noted that a steering committee should be established. She stated that during the last update the Planning Commission picked the steering committee. She reviewed the possible composition to include Board and Commission members, department and community representatives, and business owners. She advised that it would also be necessary to identify all the State requirements for what needs to be included in the plan. She reviewed some of those topics to include affordable housing, coastal resiliency, and transportation.

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Ms. Ducey-Ortiz stated that the second phase would be data gathering and analysis. She noted that the methods to use for this phase would include interviews, and reviews of past studies and reports. She stated it would include review of land use patterns, utility needs, energy planning, and other topics. She advised that the third phase would be community visioning. The existing conditions would be presented as the starting point. The plan would be to work with community engagement to do a visioning roadshow. It could include visual surveys and mapping exercises. Then summarize and build consensus. This phase may need a consultant to assist with a communication plan. The fourth phase would be policy development and strategies. This phase would involve reviewing and developing policies to include land use, housing, transportation, economic development, public infrastructure, and environmental sustainability. The steering committee would likely do most of this work and then the policies would be vetted. The fifth phase would be community review and input on the material. Then a detailed implementation plan would be developed in the sixth phase. This would be developed with responsibilities, timelines, and funding sources identified. The plan would be vetted through the key stakeholders to ensure it was doable. The plan would go through the required review by state agencies in the final phase. Finally, it would go through public hearings with the Planning Commission and the Board of Supervisors. Based on input from the public at the hearings, the plan may be modified before adoption. She noted that James City County spent \$1,000,000 on their Comp Plan and it still took five years. She stated that it takes a long time because you want the community involved and the back and forth dialogue. She asked for the Commission and Board's input on how the process should move forward.

Mr. Chriscoe asked when the last plan was adopted, the cost for the work being done in house, and the timeline for the working waterfront overlay district.

Ms. Ducey-Ortiz stated that the last plan was adopted in February 2016 and then the energy appendix was adopted in 2022. She advised that she did not have a cost estimate. The plan was that it would take Ms. Rizzio's time as she would be spearheading the project with assistance from other staff. She noted there were funds in the budget if a consultant needed to be hired for some of the work. She stated that

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there were five candidates to interview for the working waterfront intern so that would be moving forward within the next few months.

Mr. Chriscoe stated that three to four years to complete the work was too long and a way needed to be found to do this a little faster. He noted that the Board and Commission needed to take a deeper look at the plan and determine the parts that really needed to be updated.

Mr. Meyer stated that 2016 was a major revision because the Comp Plan had not been done in a while. He noted that the first step should be for each member to review the current plan and determine where it fell short. He stated that from the Planning Commission perspective, they would like to know the Board of Supervisors' vision, how that had evolved, and the strategic vision for the County. He noted some examples of how that would impact the work on the Comp Plan. He stated that the first target would be to get the vision, a strategic thread of where the Planning Commission should go, and the desired working time.

Mr. Gray asked about the last rewrite and when the five year time clock started.

Ms. Ducey-Ortiz stated that in 2016 the entire Comp Plan was rewritten. Appendix J was added in 2022 which dealt with energy such as nuclear, solar, and wind energy. She noted that there was not a set time for the five years to start.

Mr. Gray stated that he thought the Planning Commission could indicate that the Comp Plan was fine as it was right now and then starting the five year clock over. He felt that the Commission had other projects that should probably take precedence.

Ms. Ducey-Ortiz stated that based on Mr. Chriscoe's and others comments, staff could begin reviewing the Comp Plan with the Planning Commission at the next meeting. She noted some of the sections that should be updated, such as the development district, because it was known that there were issues. She stated some sections may not need to be updated, such as the natural resources section.

There was discussion on identifying and updating only those sections that needed to be modified.

Dr. Orth stated that it seemed to be the consensus to move rapidly on this and recommended fast tracking it by taking sections at a time.

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After brief comments, Mr. Chriscoe stated that Ms. Ducey-Ortiz and staff dealt with the Comp Plan more than anyone else. He recommended first having staff present to both the Board and the Commission the most challenging issues that needed to be fixed or corrected. The Board could then give the Planning Commission direction on what to address. He envisioned setting up the committee with two Board members, two Commission members and others in the community after that meeting. He thought the goal should be to get this done in 18-24 months rather than three to four years.

Ms. Ducey-Ortiz stated that future land use was the biggest issue. Housing also needed to be reviewed.

There was a discussion on housing and the definition of affordable housing.

Mr. Nicosia reviewed a recent situation with one of his constituents who was looking for housing. The average rent in Gloucester that he found was \$1,100-\$1,300 per month. Many people could not afford that amount and everyone in the County needed to be considered.

There was a brief discussion on the survey results, sample size, and raw data from the survey.

Dr. Orth stated that the homework assignment would be to pull out the Comp Plan and start reading.

Mr. Meyer stated he would also like to ask the Board to review the County vision and consider how to revise it as the vision would be the top level guidance to revising the Comprehensive Plan.

Ms. Steele noted in reference to the housing theme, there had been state level pressure for localities to allow more housing. She stated that in the case Mr. Nicosia referenced, using \$1,200 as an average rent or mortgage amount, an individual would have to make at least \$43,200 annually or \$20.77 per hour. She noted that someone working in a fast food restaurant could not afford that amount for housing. She advised that she did not have an answer, but it was likely an issue the Board would have to consider further.

Mr. McNash, Planner II, stated that in each chapter of the Comp Plan there was a section for goals, objectives, and strategies for implementation. He advised that the sections could be reformatted to have a simpler way of focusing attention. Staff looked

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at that information when making recommendations to the Planning Commission and the Board on the applications that were received. He also recommended reviewing how the sections within each chapter were laid out and determining if the sections reflected Gloucester as it was today. If not, what needed to be added, removed, or changed.

Dr. Orth stated that the plan also touched into tourism. He noted that the Board needed to look very carefully at what was going on with cruise ships. He stated that York County just made it a little more difficult for the cruise ships. However, there were still pressures out there to bring large cruise ships in which would impact Gloucester.

As there were no other comments, Mr. Smith thanked the members of the Board, Planning Commission, staff and citizens for coming to the meeting.

4. Adjournment

Dr. Orth moved, seconded by Mr. Chriscoe, to adjourn. The motion carried and the Board of Supervisors adjourned at 7:19 p.m. by a unanimous voice vote.

Ms. Johnson moved, seconded by Mr. Richardson, to adjourn. The motion carried and the Planning Commission adjourned at 7:19 p.m. by a unanimous voice vote.

John Meyer, Chair

Anne Ducey-Ortiz, Secretary



GLOUCESTER COUNTY PLANNING COMMISSION MINUTES

**May 1, 2025, 6:30 p.m.
Colonial Courthouse
6504 Main Street
Gloucester, VA 23061**

Members Present: ___ Natalie Q. Johnson
 ___ James R. Gray, Jr.
 ___ Christopher Poulson
 ___ Louis E. Serio, Jr.
 ___ Douglas Johnson
 ___ Kenneth B. Richardson
 ___ John Meyer, Chairman
 ___ Christopher Hutson- Board Liaison

Staff Present: ___ Anne Ducey-Ortiz, Planning, Zoning & Environmental
 Programs Director
 ___ Tripp Little, Planner III
 ___ Sean McNash, Planner II
 ___ Abigail Gray, Administrative Coordinator

1. **CALL TO ORDER AND ROLL CALL**

Mr. Meyer called the May1, 2025 meeting of the Gloucester County Planning Commission to order at 6:30 pm. Roll call established that a quorum was present.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Mr. Richardson led the invocation and pledge of allegiance.

3. CONSENT AGENDA

Mr. Richardson had a comment regarding item number eight to be June instead of May. Ms. Ducey-Ortiz informed Mr. Richardson that the County was out of internet the previous week and packets were sent out quickly.

Mr. Richardson moved to approve the consent agenda and agenda as modified. Seconded by Mr. Johnson. Motion passed unanimously.

- a. Minutes of April 3, 2025 Meeting**
- b. Application (s) before the BZA in May**
- c. Development Plan Review - April 2025**
- d. Quarterly Report - 2025 1st Quarter**

4. PUBLIC COMMENTS

None.

5. PUBLIC HEARING

None.

6. OLD BUSINESS

a. Schools Subdivision Analysis Update

Mr. McNash began his presentation regarding updates to data from the School Subdivision Analysis. He clarified some questions from the presentation in April such as the multiplier for apartments being low and where Staff were getting student numbers from. Mr. McNash reported a data entry error for the number of units and children for the apartments, causing the multiplier to be low. He confirmed that the data Staff received from Gloucester County Public Schools was based on the number of students enrolled and not just those that rode the bus. Mr. McNash also stated that this is an inherent undercount and does not account for home-schooled, private-schooled, or children who are not school-aged. The best time to update this data annually would be in October.

Mr. McNash showed the updated data for the apartments. The low multiplier was due to a data entry error for York View Apartments. Once the data was corrected, the multiplier for the apartments and

Multi-Family zoning went up significantly. This also impacted the projections and estimates for other apartments.

York River Crossing Apartments is still permitted to be developed through an actively approved site plan that has been extended to July 1, 2025 due to changes in the State Code, which has not been renewed by the General Assembly, so they would need to start developing before July 1st or the site plan validity would expire. Due to this, if this development does not begin by July 1st, it will expire and, therefore, would not be considered for the multiplier unless something were to change with the General Assembly.

Mr. McNash looked at the multipliers after taking the new Foxmill Rezoning into consideration. The County has received a Rezoning Application for the Foxmill Development and has given feedback to the applicant for additional information, which was deemed incomplete at the time of the meeting.

Mr. McNash wants to utilize the data for future Rezoning and Conditional Use Permit applications, other future County projects, and updating the data annually in October.

Mr. McNash completed his presentation.

Mr. Richardson requested data for every school regarding the number of students and school capacity. Mr. McNash stated that Staff is planning on working with Gloucester County Public Schools to determine capacity during the Comprehensive Plan update process.

Mr. Hutson asked about the multipliers that the applicants provided for the Foxmill Development and if they were a close to the multipliers that Staff had gathered. Mr. McNash informed him that the multipliers Staff gathered were higher by almost one hundred students. Mr. Hutson followed up asking if Staff could calculate the average home and rent prices to determine if it impacts the multipliers. Mr. McNash said that Staff could take a small sample size to start and can add more if there is a correlation.

Mr. Johnson states he believes that Gloucester County Public Schools already know their capacity information. Mr. McNash said that, with the resources such as the Schools and Real Estate Assessment, staff should be able to get the data. Mr. Johnson asked about the possible

zoning change for York River Crossing. Mr. McNash explained that the applicant wanted it to be zoned B-1 and that the site plan is valid until July 1, 2025. Staff felt rezoning the site to B-2 would be more appropriate for the site.

Ms. Johnson asked about the students from The Reserve going to Bethel Elementary School. Mr. McNash informed them that this is correct due to the boundary lines for the schools.

Mr. Johnson inquired if pre-school was included in the elementary school-aged children. Mr. McNash was not sure, due to some children not attending public school at that age. Ms. Ducey-Ortiz would like to have members from Gloucester County Public Schools present during the Comprehensive Plan Meetings to better answer some of the questions.

Mr. Meyer asked about the cause of higher multipliers for Town Homes in Planned Unit Development Zoning, compared to Multi-Family Zoning. Mr. McNash stated that, due to lack of data for Townhomes in Planned Unit Development Zoning, a higher multiplier is produced.

b. TOD Town Hall Update

Mr. Little reported that outreach had begun regarding the Technology Overlay District Meeting on May 28, 2025 at Rappahannock Community College's Glenns campus. Staff have put an announcement on the County Website, weekly notices in the Town Crier, and the May edition of the Beehive. The County has also made announcements in the form of press releases and social media.

c. Comprehensive Plan Discussion

a. Steering Committee Update

Ms. Ducey-Ortiz informed the Planning Commission that eleven residents had signed up to volunteer for the Steering Committee and that a resident from the Abingdon District was still needed. The Board of Supervisors will be selecting Steering Committee Members on May 6, 2025; the first work session will be held on May 15, 2025.

b. Work Session Meetings

Mr. McNash reviewed the materials (in the packet) regarding the Work Session Meetings. The normal Planning Commission Meetings will handle normal agenda items, and work sessions will be for discussing and reviewing the Comprehensive Plan. The meeting on August 7th, will have both normal agenda items and the Comprehensive Plan review.

The first work session in May will contain a broad overview and introduction of the Comprehensive Plan, and the following meetings will break down more specific chapters and topics. Ms. Ducey-Ortiz stated that Department Heads will also be reviewing the Comprehensive Plan to provide input.

Mr. Gray asked about the format of the meetings and if there were specific topics that would need to be reviewed. Ms. Ducey-Ortiz stated that was the goal along with comments and suggestions from the Department Heads.

Mr. Meyer suggested during the work session meeting that Steering Committee members should have the opportunity to give themselves a short introduction.

Mr. Johnson asked to clarify if there was a vetting process while selecting Steering Committee Members. Ms. Ducey-Ortiz explained that the members do have to put some background information but is ultimately up to the Board of Supervisors.

Ms. Johnson asked if the Work Session were going to be held at Thomas Calhoun Education Center. Mr. McNash stated that all future meetings through the joint meeting in August will be held at Thomas Calhoun Education Center, except for the Technology Overlay District Meeting that will be held at Rappahannock Community College and will be held at 6:30 pm.

Mr. McNash shared the format of the meeting to review the Comprehensive Plan. The meeting will be broken down by two main groups, what needs to be reviewed due to the State Code and what is not required. Within those groups, the review will consist of topics that need to be updated and what does not need to be updated. Mr. McNash asked the Planning Commission if

there was a preferred way to receive materials. Mr. Meyer stated a Dropbox link would be sufficient. Mr. McNash stated he would provide the information through Dropbox and can be provided in other formats if needed.

7. **NEW BUSINESS**

None.

8. **APPLICATION(S) BEFORE THE COMMISSION IN JUNE**

a. **Marsh Hawk Villas Joint Application (Z-25-01 & CUP-25-01)**

Mr. McNash spoke about a Rezoning and Conditional Use Permit Joint Application for Marsh Hawk Villas. He discussed how they are proposing a Multi-Family and Single-Family Zoning for different areas of the property. Marsh Hawk Villas proposes thirty-four condo units for Multi-Family Zoning and two Single Family Dwellings for Single-Family Zoning. They applied for the Conditional Use Permit due to wanting higher density for the units. Mr. McNash informed the Planning Commission that this application would be a joint hearing for the Rezoning and Conditional Use Permit.

Mr. McNash finished his presentation.

Mr. Johnson asked about the mixed use of the property. Mr. McNash clarified that there is not a mixed use, but it is Multi-Family.

Mr. Poulson inquired about the Zoning for surrounding properties. Mr. McNash stated the surround properties were Single-Family and the property for the application is zoned Business.

Mr. Meyer wanted to know if the Planning Commission could provide separate recommendations, even with a joint hearing. Mr. McNash said the recommendation from the County Attorney would be to give separate recommendations and motions.

9. **STAFF COMMENTS**

Ms. Ducey-Ortiz informed the Planning Commission that she emailed a link to a survey regarding working waterfronts in support of the National Working Waterfront Network Internship, as well as participated in a podcast with the intern.

Ms. Ducey-Ortiz stated that Staff have been working to update the Sign Ordinance to meet the requirements of the Supreme Court decision.

Staff received a new application for Gloucester Point Marina. The original had multiple units in the Resource Protection Areas, but the new application does not.

Mr. Poulson asked how the sewer approval impacts the approval of the Rezoning Application. Ms. Ducey-Ortiz explained that they would need to connect to Public Water and Sewer systems. Mr. Poulson expressed some concern about the completion of the project due to the sewer systems.

Mr. Ducey-Ortiz stated that the County currently has six ongoing surveys with the Virginia Department of Transportation. Carol Rizzio applied for and received a technical assistance grant for a data driven process to assist the County with how to prioritize projects along Route 17.

10. COMMISSIONERS' COMMENTS

Mr. Johnson informed the Planning Commission that he will not be at the meeting on July 10, 2025.

11. ADJOURNMENT

Motion made by Mr. Richardson.

Seconded by Mr. Johnson.

Meeting adjourned at 7:26 pm.

John Meyer, Chair

Anne Ducey-Ortiz, Secretary

May 2025 Development Plan Status

1

<u>Site/Development Plan</u>	<u>General Description/Use</u>	<u>Location/Tax Map #</u>	<u>Status</u>	<u>Zoning</u>
Camellia Solar Amendment	Amendment to 20 MW Solar Energy Facility conditional to CUP-20-05	Along Daffodil Lane, east of the intersection with Ware Neck Road (26-70B, 70C, 70D, 70E, 70F, 70G, 82) RPC- 34587	Approved 7-25-2024 LDP 5-3-2023	C-2
Deep Sea Ventures	Construction of a contractor's office and storage facility	Along Hayes Road, southeast of the intersection with Harbor Hills Drive (51E(3)-1) RPC- 10174	AAR CCS 4-11-2025	B-1
Fox Mill Centre- Amended Site Plan	Shopping Center- amendment to existing approved site plan	Route 17 S., south of Wal-Mart Supercenter and Outparcels (32-17, 19, 19A, 19N) RPC- 40693	Approved 11-15-2024 LDP 6-18-2024	B-1, conditional
Gateway Private School	Conversion of a building into a private school	Along Hickory Fork Road, north of the intersection with Ark Road (30-33) RPC- 23628	Approved 9-16-2024 LDP 10-28-2024	SC-1
Gloucester Fire & Rescue (Ark Station)	Construction of a storage building	Along Ark Road, east of the intersection with Hickory Fork Road (30-48B, 48C) RPC- 11550	AAR CCS 3-11-2025	SC-1
Gloucester High School Parking, Athletic Field, & Tennis Court Expansion	Expansion/relocation of parking areas, athletic fields, and tennis courts	Along Short Lane, east of the intersection with Route 17 (32-58C) RPC- 33056	AAR CCS 8-26-2024	SC-1
Gloucester Mathews Humane Society	Expansion of the existing animal shelter	Along South Jackson Lane, south of Sutton Road (32-208) RPC- 17446	Approved 3-5-2025 LDP 3-20-2025	SC-1
Mike's Tire	Expansion of parking area for automobile repair and towing	Along Route 17 N., at the intersection with Lakeside Drive (45-380A, 385) RPC- 19298	AAR CCS 3-18-2025	B-1
New Life Ministry Center	Construction of a covered pavilion	Along Route 17 S, north of the intersection with Fields Landing Road (45-231A) RPC- 18035	AAR CCS 6-24-2024	B-1
O'Reilly Auto Parts	Construction of an auto parts store	Along Walton's Lane, north of the intersection with West Main Street (32-17N) RPC- 44844	AAR CCS 4-22-2025	B-1
Patriot's Walk Phase II- Amendment	Residential- 79 lot phase, 214 lot subdivision	Route 3/14 S., near Ware Neck (26D(1)-3-1, 26D(1)-C, I, J, K, L) RPC- 42798	Approved 7-24-2024 LDP 8-30-2024	SC-1
Patriot's Way	Residential- 39 lot subdivision	Patrick Henry Way, adjacent to the Patriot's Walk Subdivision (26-35E) RPC- 13991	AAR CCS 10-29-2024	SC-1
Ram's Convenience Store	Conversion of bank to a gas station and convenience store	Intersection of Route 17N and Jordon Road (51-209) RPC- 20644	Approved 4-8-2025	B-1
The Reserve at Gloucester Village (The Villages of Gloucester)- Phase 2	Residential (141 single-family lots and 71 townhouse lots)	Along Route 17S, south of the intersection with Burleigh Road (31-102) RPC- 16480	UCR Received 5-16-2025	PUD-1, conditional
Ryan's Run Amendment	Amendment to approved site plan for 11 lot subdivision	Along Belroi Road, northeast of the intersection with Hickory Fork Road (30L(1)-1 through 30L(1)-11) RPC- 44550	Approved 2-25-2025 LDP 8-23-2018	SC-1
Sheetz	Convenience store with gas pumps	Intersection of Route 17N and Zandler Way (39-201, 208) RPC- 29093	AAR CCS 5-12-2025	B-1, conditional
Shephard's Way Apartment	Construct multi-family building	Intersection of Route 17N and Belroi Road (32A1(1)-3) RPC- 35149	AAR CCS 8-5-2024	MF-1

Note: To view each location, visit: <http://gis.gloucesterva.info/>

Note: Approved items will be taken off the list once a Final Certificate of Occupancy (CO) is granted

Note: Plan approval is valid for 5 years

*Based on General Assembly action, approvals valid as of 7/1/2020 are valid until 7/1/2025

Last updated: May 19, 2025

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AAR = Awaiting Applicant Resubmittal

CCS = County Comments Sent

LDP = Land Disturbance Permit

UCR = Under County Review

ZP = Zoning Permit

May 2025 Development Plan Status

2

<u>Site/Development Plan</u>	<u>General Description/Use</u>	<u>Location/Tax Map #</u>	<u>Status</u>	<u>Zoning</u>
The Shops at Tidemill	Expansion of parking lot for shopping center	Along Route 17S, south of the intersection with Tidemill Road (51E(2) Bk B-1, 2, 3, A, B, C, D) RPC- 28904	UCR Received 4-28-2025	B-1
Swiss Legacy Development Plan Amendment	Amendment to approved Development Plan to revise site lighting arrangement	Behind Beckwith Farms connected to Beckwith Drive (Rte. 1095) (51-232, 248, 249) RPC- 12613	Approved 7-29-2024 LDP 8-15-2023	SF-1
Verizon Wireless- Figg Shop (Co-Location)	Construct monopole cell tower	Along Indian Rd. near Beaverdam Park (18-57) RPC- 22791	Approved 10-23-2024 LDP 2-21-2025	RC-1
Ware Academy Phase 2 Amendment	Amendment to site plan for expansion of the existing school building to include additional educational areas	At the intersection of Route 3/14 and Indian Road (25-135) RPC- 10016	Approved 8-27-2024 LDP 5-23-2024	SC-1
Winterberry Solar Amendment	Amendment to the approved Site Plan for a 20 MW Solar Energy Facility conditional to CUP-20-02	Along Nursery Lane, west of the intersection with Route 17S (39-6, 7, 7A, 8C) RPC- 26891	Approved 11-14-2024 LDP 5-17-2022	SC-1, CUP-20-02
Achilles Open Broadband	Broadband tower	Behind Achilles Elementary, along Guinea Road (52-519) RPC- 23815	Approved 11-1-2023	SC-1
Art Colony	Artist studios with 4 accessory residential units	East side of Botetourt Avenue, south of Main Street (32A2(2)BK F-81, 82, 83, 86) RPC- 15510	AAR CCS 8-24-2020	B-2
Baylor Medical- Amendment	Medical Office	Route 17S., across from Riverside Walter Reed Hospital (24-120) RPC- 33048	AAR CCS 9-29-2020 LDP 1-11-2013	B-1
Brent & Becky's Open Broadband	Broadband tower	Behind Brent & Becky's Bulbs, along Daffodil Lane (26-70A) RPC- 27915	Approved 11-9-2023	B-2
Burger King	Addition of second drive-thru lane to existing restaurant	Intersection of Route 17S and First Fox Street (32-20) RPC- 24114	AAR CCS 9-24-2021	B-1
Care-A-Lot Pet Supply	Retail pet supply store	Along Route 17N at the intersection of Route 17 and Providence Road (45-531) RPC- 13630	AAR CCS 6-10-2022	B-1
Carvers Creek Solar Phase 1 Amendment	Amendment to Phase 1 of 150 MW Utility Scale Solar Energy Facility	Along Route 17 and Glenns Road (24 Parcels, 04-50) RPC- 12536	Approved 4-30-2024 LDP 4-19-2023	RC-1
Carvers Creek Solar Phase 2 Amendment	Amendment to Phase 2 of 150 MW Utility Scale Solar Energy Facility	Along Route 17 and Glenns Road (24 Parcels, 04-50) RPC- 12536	Approved 5-1-2024	RC-1
Classic Car Café	Deli - Sandwich and fountain drinks (Renovation of existing building)	Intersection of John Clayton Mem Hwy and Burkes Pond Rd (20-32A, 32B) RPC-23870	Approved 5-4-2009*	B-1
Coleman's Crossing- Amendment	Residential & Business- 82 townhouse units and mixed-use business	Route 17 S., north of Crewe Road (45-120, 45Z(1)-Z) RPC-43966	AAR CCS 10-19-2017* LDP 11-17-2010	MF-1, B-2, conditional
Cow Creek Solar	1 MW Solar Energy Facility conditional to CUP-20-03	Southeast of Foster Road (25-120C) RPC- 12629	AAR CCS 12-2-2022	SC-1, CUP-20-03

Note: To view each location, visit: <http://gis.gloucesterva.info/>

Note: Approved items will be taken off the list once a Final Certificate of Occupancy (CO) is granted

Note: Plan approval is valid for 5 years

*Based on General Assembly action, approvals valid as of 7/1/2020 are valid until 7/1/2025

Last updated: May 19, 2025

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May 2025 Development Plan Status

3

<u>Site/Development Plan</u>	<u>General Description/Use</u>	<u>Location/Tax Map #</u>	<u>Status</u>	<u>Zoning</u>
The Crossings at York River	Residential- 109 multi-family units	South of York River Crossing Shopping Center (51-78) RPC- 40099	Approved 9-29-2017* LDP 10-2-2012	RMX, conditional
Dollar General Gloucester (John Clayton)	Dollar General store	Intersection of John Clayton Mem Hwy and Burkes Pond Rd (20-32A, 32B) RPC-23870	AAR CCS 2-9-2018*	B-1
Dove Field Farms	Residential- 17 lot subdivision	Gum Fork Rd (38-43) RPC-26266	Approved 4-22-2009* LDP 5-29-2024	SC-1
Dutton Fire Station 4 Open Broadband	Broadband tower	Next to Dutton Fire Station 4, along Dutton Road (11-34F) RPC- 27694	Approved 11-1-2023	RC-1
Fiddler's Green Road Plan	Residential- 88 lot subdivision	Fiddler's Green Road (31-149) RPC- 21400	Approved 7-25-2012*	SF-1, conditional
Fiddler's Green Pump Station	Pump station for subdivision	In the subdivision (31-149) RPC- 21400	Approved 7-25-2012*	SF-1, conditional
Freeman Commercial Drive Thru Amendment	Amendment to drive-thru construction for a commercial business	Along Route 17 N, within the York River Crossing Shopping Center (51-68G) RPC- 30894	Approved 1-16-2024 LDP 11-7-2018	B-1
Girl Scout Camp- Burkes Mill Pond	Cabin for Girl Scout camp	On Burkes Pond Rd along Burkes Pond (20-19) RPC- 34759	Approved 9-6-2018*	C-2
Glenns Food Mart	Expansion of the Glenns Food Mart for diesel pumps, a motel, and associated parking	At the corner of Route 17 S and Route 33 W (4-32, 32A, 33) RPC 13618	AAR CCS 1-24-2024	B-1
Gloucester Toyota	Expanded outdoor display area	Route 17 N, north of the Gloucester Business Park (32-51A, 51B, 39-1) RPC- 41026	AAR CCS 3-2-2016*	B-1, conditional
Haywood Development Amendment	Amendment to Haywood Floor Covering development	Intersection of Commerce Drive and Enterprise Court (39-8J) RPC- 33427	Approved 9-14-2023 LDP 9-27-2023	I-1
Legacy Springs	Assisted living center	Route 17 N, south of the Lighthouse Worship Center (45-438) RPC- 30154	AAR CCS 6-19-2019*	B-1
Miller's Services Headquarters	Office location for Miller's Services	Intersection of Industrial Drive and Commerce Drive (39-8B) RPC- 41475	AAR CCS 12-29-2023	I-1
Oak Bridge Meadow Event Hall Barn	Event Venue pursuant to SE-17-05	Off Woods Cross Road near the Beaverdam Swamp (16-77) RPC- 22028	AAR CCS 3-20-2018* LDP 4-3-2018	RC-1 SE-17-05
Old Dominion Ice Company	Ice House/Parking	Route 17 N., at N-Out Food Mart (51A(3)BK B-62 thru 68, 68A) RPC- 42734	Approved 8-28-2012*	B-1
The Other Moving Company (TOMCO)	Retail and Storage Facility (After-the-fact Site Plan)	Route 17 N, south of Route 17-Brays Point Road intersection (45-532) RPC-27410	AAR CCS 9-24-2015*	B-1
Patriot's Walk Phase I Amendment	Residential- 79 lot phase, 214 lot subdivision	Route 3/14 S., near Ware Neck (26D(1)-2-2) RPC- 42798	AAR CCS 8-19-2019*	SC-1

Note: To view each location, visit: <http://gis.gloucesterva.info/>

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May 2025 Development Plan Status

4

<u>Site/Development Plan</u>	<u>General Description/Use</u>	<u>Location/Tax Map #</u>	<u>Status</u>	<u>Zoning</u>
Patriot's Walk Phase IIIA	Residential- 79 lot phase, 214 lot subdivision	Route 3/14 S., near Ware Neck (26D(1)-3-1, 26D(1)-J) RPC- 42799	AAR CCS 2-23-2019*	SC-1
The Reserve at Gloucester Village (The Villages of Gloucester)- Phase 1	Residential (28 single-family lots and 95 townhouse lots) and commercial	Along Route 17S, south of the intersection with Burleigh Road (32-34D, 36) RPC- 41259	Approved 6-21-2023 LDP 11-22-2022	PUD-1, conditional
River Club at Twin Island Amendment	Amendment to condominium section of the development (54 units)	Along Stokes Drive, southwest of the Abingdon Volunteer Fire & Rescue station (50S(1)-63, 64) RPC- 42211	Approved 5-3-2024 LDP 12-16-2024	PUD-1, conditional
Riverside Hayes Medical Center Parking Amendment	Amendment to approved site plan to expand parking lot	Along Route 17S, between intersections with Guinea Road and Tidemill Road (51E(4)-A) RPC- 35093	Approved 4-30-2024 LDP 10-9-2024	B-1
Riverside Walter Reed Cancer Center- Amendment	Amendment to addition to existing medical center building	Within the Riverside Walter Reed Hospital Complex (11 Parcels, 24-127A) RPC-41587	Approved 11-17-2023 LDP 12-13-2023	B-1
Riverside Walter Reed Wellness Center Parking Lot Expansion	Parking lot expansion	Within the Riverside Walter Reed Hospital Complex (24-127A, 127D, 127E, 127H) RPC- 43410	AAR CCS 11-17-2017*	B-1
Safe Harbor Self Storage Expansion	Expansion of the existing mini-storage (self-storage units) use onto the adjacent parcel	Along Route 17N, behind the 17 Plaza Shopping Center (45-389A) RPC- 11991	Approved 1-13-2023 LDP 2-27-2024	B-1 & I-1, conditional
Steider & Associates	Construct two office buildings	Along Steider Drive, west of Business Route 17 (32C(1)-16A, 17A, 35) RPC- 43460	Approved 7-28-2022	B-2
Stillwater Landing- Roadway Plan	Roadway Plan for Stillwater Lane improvements within Stillwater Landing Subdivision	Along Stillwater Lane, southeast of the intersection with Farys Mill Road (17-22) RPC- 40557	Approved 1-28-2022	SC-1, conditional
Tractor Supply Site Plan Amendment	Amendment to the approved Site Plan for a drive through pick up area	Along Route 17 and Beehive Drive (32-181) RPC- 41250	Approved 4-6-2021	B-1
Under The Stars	Event Venue conditional to CUP-20-01	Along Dutton Road, north of the intersection with Harcum Road (11-16 (In Part)) RPC- 11136	AAR CCS 2-8-2023	RC-1
Village Lane Condominiums	Residential- 12 condominium units	Next to Village Lanes & Hillside Cinema (32-277B) RPC-19636	AAR CCS 4-18-2013*	MF-1, conditional
WaWa, Inc.- Hickory Fork	Amendment to existing site plan to modify diesel pumps facilities	Southern corner, intersection of Hickory Fork (Rte. 614) and Rte. 17 (39-109A) RPC-20958	AAR CCS 4-15-2019*	B-1
Wawa, Inc.- Tidemill	Gas station and convenience store	Northeastern corner, intersection of Tidemill (Rte. 641) and Route 17 N (51-81) RPC- 30084	AAR CCS 2-13-2020*	B-1, conditional
Wells Fargo ATM at York River Crossing Shopping Center	Amendment to existing shopping center site plan to add a drive through ATM	Along Route 17N and Guinea Road (51-68) RPC- 26396	Approved 2-9-2024 ZP 2-6-2025	B-1
Yorkshire Woods Subdivision	Residential- 9 lot Subdivision	Pinetta Rd (22-126A) RPC-32764	Approved 1-09-2009*	SC-1

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GLOUCESTER COUNTY
Planning, Zoning & Environmental
Programs Department
6489 Main Street
Gloucester, VA 23061
(804) 693-1224
www.gloucesterva.info

TO: Planning Commission

CC: Carol Steele, County Administrator
George Bains, PE, Deputy County Administrator
Ted Wilmot, County Attorney

FROM: Sean McNash, AICP, Planner II
Anne Ducey-Ortiz, AICP, Director of Planning, Zoning, and Env. Programs

DATE: May 21, 2025

RE: Joint Public Hearing on Z-25-01 and CUP-25-01- Marsh Hawk Villas

The Department of Planning, Zoning, and Environmental Programs has received a Joint Application, Rezoning Application Z-25-01 and Conditional Use Permit Application CUP-25-01, which is scheduled for a Public Hearing before the Planning Commission at their June 2025 Regular Meeting. The Rezoning Application proposes to reclassify TM 51A(4)-A (RPC 25644) from B-1 (General Business) to MF-1 (Multi-Family Residential, conditional) and TM 51A(11)-E1 (RPC 18417) from B-1 (General Business) to SF-1 (Single Family Detached Residential). The application is intended to permit the development of 34 condominium units on the parcel proposed to be zoned MF-1 and 2 single family lots on the parcel proposed to be zoned SF-1. Furthermore, the density of the parcel proposed to be zoned MF-1 would be roughly 10.86 units per acre with 34 units. In the MF-1 district, up to 8 units per acre is permitted by right and up to 12 units per acre is permitted by Conditional Use Permit (CUP), thereby necessitating an accompanying CUP application for this development. The applicant has submitted a proffer to accompany the application, limiting the condominium units to 34 units.

Staff's Report, which compares the proposed changes to the current zoning, the impacts of the request for increased density under the MF-1 district on this parcel, and any other relevant points of discussion for this joint application is attached to this memo. We have also included copies of the full Rezoning and Conditional Use Permit Applications as well as the Public Hearing Notice with the June 2025 packet.

Feel free to contact Sean or Anne at 804-693-1224 should you have any questions during your review.

<p>PC Action: Receive comments from the public during the Joint Public Hearing and provide separate recommendations for each component of the Joint Application (Rezoning Application Z-25-01 and Conditional Use Permit Application CUP-25-01) to the Board of Supervisors.</p>



County of Gloucester
Department of Planning and Zoning
6489 Main Street
Gloucester, Virginia 23061
804-693-1224 FAX 804-824-2441

FOR OFFICE USE ONLY

Date Received _____
Date Complete _____
Case No. _____
Tax Map No. _____
Receipt No. _____

REQUEST FOR REZONING

EFFECTIVE July 1, 2008, THIS APPLICATION MUST BE ACCOMPANIED BY THE CHAPTER 527 COMPLIANCE FORM & THE VDOT LANDTRACK INFORMATION SHEET.

I, (WE) Marsh Hawk Villas, LLC DO
HEREBY PETITION THE BOARD OF SUPERVISORS OF THE COUNTY OF GLOUCESTER TO
AMEND THE COUNTY ZONING ORDINANCE BY:

- ☐ Modifying section(s) _____ of the ordinance as per the attached.
- ☒ Modifying the Zoning District Classification of the following described property from the B-1
district(s), to the MF-1/SF-1 district.
- ☐ Modifying or removing one or more proffers approved as part of Rezoning Application _____.

A. PROPERTY INFORMATION

Location of property: Route 17 / Tyndall Drive

Legal description of property:

* If recorded subdivision – Name _____

Section _____ Lot _____ Block _____

Land Book Page No. _____ Parcel(s) RPC 25644 AND 18417

* If acreage, attach plat of property and a metes and bounds description.

Are the taxes on this property paid up to date?

*Pursuant to Va. Code Section 15.2-2286(B), the Board of Supervisors may, but is not mandated to, require proof of the payment of taxes prior to approval of a rezoning.

Briefly describe the current use of the property:

VACANT LAND

B. EXPLANATION OF THE APPLICATION AND RELATIONSHIP OF THE PROPOSED REZONING TO THE COUNTY'S COMPREHENSIVE PLAN (IF APPLICABLE).

Please describe the purpose of the proffer amendment or rezoning and the proposed use of the property.

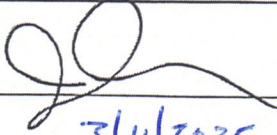
Requesting a rezoning to MF-1 to allow 34 condominium units on RPC 25644. Requesting to rezone RPC 18417 to SF-1 to allow two single family detached homes. See attached impact statement for further information.

C. LIST THE NAMES AND ADDRESSES OF OWNERS OR OCCUPANTS OF ALL ADJACENT PROPERTY OR PROPERTY ACROSS A ROAD, HIGHWAY OR RAILROAD RIGHT-OF-WAY. ADDRESSES SHOULD COINCIDE WITH THOSE IN THE COMMISSIONER OF THE REVENUE OFFICE. (Please Print)

NAME	ADDRESS	TAX MAP/PARCEL#
KATHERINE Dirom	7847 7824 O NEAL RD GL VA 23061	25954,19119,31919 18163
Warren Metzger	7573 Camp OKEE Rd GL VA 23062	29691
Scott + Chelsea Gregory	7565 Camp OKEE Rd GL VA 23062	22976
JAMES and Arcelia WINTER	P.O. Box 396 GL PT VA 23062	16985
Chang Ho Yi	13 LAKEVIEW DRIVE Newport News VA 23602	33785
ROBERT and DAWN Clute	7590 Tyndall Dr. GL PT VA 23062	17205
FREDERICK + Cheryl Gibson	7578 Tyndall Dr. GL PT VA 23062	15388
Eliran Shalom	2334 Butler Bay Dr. WINDERMERE FL 34786	22881
KAREN STANSEN	7556 Tyndall Dr. GL PT VA 23062	16084
JANICE CORBETT	7546 Tyndall Dr. GL PT VA 23062	28048
Woodrow RAINES	7534 Tyndall Dr. GL PT VA 23062	14022

D. PERSON(S) REPRESENTING THE APPLICATION

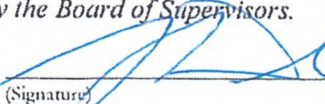
Name: Jeff Ambrose
Address: 109 Hurlston
Williamburg VA 23188


(Signature)
3/11/2025
(Date)
Phone: 804 283 2556

E. OWNER(S) OF PROPERTY

CandleRock II, L.L.C. By: The Candle Company, Its Manager
Name: Gerald A. Drake Phone: 800-827-0918
Address: 100 N Center Street
Newton Falls, OH 44444

I hereby grant permission to the designated personnel of Gloucester County, and any other agency deemed appropriate by Gloucester County, to enter the subject property for purpose of review of the proposed application, to post signs prior to the public hearing by the Planning Commission, and to remove said signs after the public hearing by the Board of Supervisors.


(Signature)
3/11/2025
(Date)

IMPORTANT: The proffer amendment or rezoning application package must be deemed complete before it can be transmitted to the Planning Commission to request a public hearing be scheduled.

Updated July 2023

Conflict of Interest Statement

In accordance with Section 14-22 of the Gloucester County Zoning Ordinance, I certify that my application for zoning amendment, ___ variance, and ___ zoning appeal, ___ special exception, or ___ conditional use permit is subject to the following is subject to the following:

Does any member of the Planning Commission, Board of Zoning Appeals, Historic Landmarks Commission, or governing body (Board of Supervisors) have any interest in the property which is the subject of this application/petition, either individually, or by ownership of stock in a corporation owning such land or partnership?

Yes

X
No

Does a member of the immediate household of any member of the Planning Commission, Board of Zoning Appeals, Historic Landmarks Commission, or governing body (Board of Supervisors) have any interest in the property which is the subject of this application/petition?

Yes

X
No

If yes to either question above, please state:

Person's name: _____

Member of: _____

Nature of their interest: _____

I, Jeffrey C. Ambrose, hereby certify that the information contained in this conflict of interest statement is true and correct to the best of my knowledge.

[Signature]
(Signature)

3/7/2025
Date

CITY/COUNTY OF James city
COMMONWEALTH OF VIRGINIA

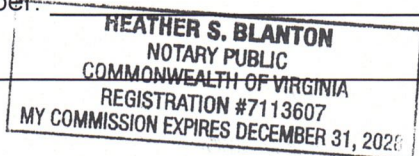
The foregoing instrument was subscribed and sworn before me this 7th day of March, 2025 by _____.

[Signature]
Notary Public

I was originally commissioned as
Heather S Gilbert, Notary Public
(Seal)

Notary Registration Number: _____

My commission expires: _____



Gloucester County
Proffer Policy for Applications for Residential Rezoning
Effective September 3, 2019 per Resolution adopted by the Gloucester County Board of Supervisors.


Gloucester County has the authority, pursuant to Va. Code Section 15.2-2298, to accept voluntary proffers, either onsite or offsite, submitted by an applicant for conditional zoning. Proffers may include land, infrastructure, cash, or other conditions and constraints on the use of the property applied for conditional zoning. There must be a reasonable relationship or connection between the proffers and the rezoning.

In order to ensure compliance with applicable law, Section 15.2-2303.4 of the Code of Virginia, and to ensure that there exists a reasonable relationship or connection between the proffers and the residential rezoning, it shall be the responsibility of the applicant to provide the County with detailed analyses of the impacts (capital, environmental, fiscal, etc.) of any development resultant from a requested residential rezoning; the applicant must then demonstrate how the project and/or any proffered conditions will mitigate those impacts.

Pursuant to Section 15.2-2303.4 of the Code of Virginia, the County and its officials, employees, and agents may suggest - but shall not require - any particular proffer associated with a requested residential rezoning. Any such requirement of a proffer shall be deemed null and void and of no effect.


The applicant's signature on the proffers shall serve to certify that any proffered conditions are voluntary, reasonable, and directly related to the rezoning applied for. The applicant shall acknowledge that failure to address and/or mitigate impacts directly attributable to the rezoning may result in the denial of the rezoning request.

I have read and understand the above proffer policy:

Cadle Rock IV, L.L.C.
BY: The Cadle Company, Its Manager
BY: 

Gerald A. Drake
Executive Vice President

Property Owner


Applicant (if different)

3/11/2025

Date

TAX MAP NO.: _____
Return to: Office of the County Attorney
7400 Justice Drive P. O. Box 1309
Gloucester, VA 23061

This document prepared by:

PROFFER STATEMENT

APPLICATION Z-___-___

WHEREAS, Cadlerock IV, LLC, ("the Owner") is the owner of certain real property known as George Washington Memorial Highway and Tyndall Drive ("the Property") totaling approximately 3.13 acres, located in Gloucester Point Magisterial District, Gloucester County, Virginia which is more particularly described as follows: "GLOU. PT. PARCELA" and "TYNDALL MERE, LOT E-1"; Map ID 051/A4//A/ and RPC 25644; and WHEREAS, the Owner has filed an application to rezone the Property from current zoning of B-1 to MF-1 Conditional, pursuant to the Gloucester County Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, the Owner desires to proffer to Gloucester County (the "County") certain conditions in connection with the development of the Property that will protect the County and its citizens, provide for the orderly development of the Property, and offset the impacts of residential development; and

WHEREAS, the below-listed proffers are designed and intended to mitigate impacts that have been identified in studies initiated and provided by the Owner; and

WHEREAS, the Owner certifies that all below-listed proffers are voluntary, reasonable, and directly related to the rezoning applied for; and

WHEREAS, the County is authorized to accept these proffers pursuant to the

Code of Virginia, and the Zoning Ordinance; and
WHEREAS, in the event that there is any conflict between these proffers and the Zoning Ordinance, the conflict shall be resolved by the County's Zoning Administrator, subject to appeal to the Board of Zoning Appeals and the courts as provided by law; and
WHEREAS, these proffers shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and assigns; and

WHEREAS, the Owner acknowledges that impacts of residential development not offset by the below-listed proffers may be cause for denial of the rezoning request. NOW, THEREFORE, the Owner agrees to meet and comply with the following proffers in connection with the development of the Property should the Owner's application to rezone the property be approved:

PROFFERS

1. **Density:** There shall be no more than 34 dwelling units on the Property.

Once proffered and accepted as part of an amendment to the zoning ordinance, these conditions shall continue in full force and effect until a subsequent amendment changes the zoning on the property covered by these conditions; provided, however, that such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

WITNESS the following signature and seal:



CadleRock IV, LLC

By: The Cadle Company, Its Manager

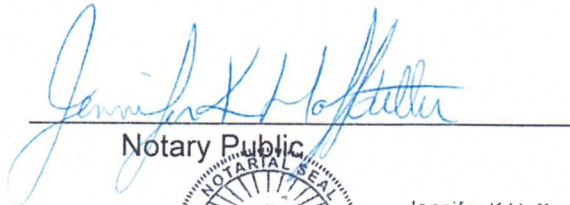
By: Gerald A. Drake, Executive Vice President

* * *

STATE OF OHIO

COUNTY OF TRUMBULL, to wit:

The foregoing instrument was acknowledged before me this 13 day of
MARCH, 2025 by GERALD A. DRAKE, EXEC VICE PRESIDENT



Notary Public



Jennifer K Hoffstetter
Notary Public, State of Ohio
My Commission Expires:
January 23, 2028

My commission expires:

Acceptance:

The Proffers herein have been accepted as follows: ("All" or list specific proffers accepted)

_____ by action of the Board of Supervisors on _____.

County Administrator



GLOUCESTER COUNTY PLANNING DEPARTMENT

Post Office Box 329
6582 Main Street
Gloucester, VA 23061

804-693-1224
Fax: 804-693-7037
www.gloucesterva.info/planning

Chapter 527 Compliance Form

Effective July 1, 2008, Rezoning that meet thresholds as specified in VDOT's Traffic Impact Analysis Regulations, Chapter 527, will require Traffic Impact Analyses (TIAs). As of this date, this form must be completed by a licensed professional and submitted with each application to the Gloucester County Planning Department in combination with a VDOT Landtrack Information Sheet.

The process for submitting TIA's shall be as follows:

1. Submit VDOT's required number of copies along with your rezoning submittal to the Gloucester County Planning Department along with a check for the appropriate review fee made payable to VDOT;
2. All copies of the TIA will be stamped by the Gloucester County Planning Department, and the Planning Department will keep its copy(s) on file; and
3. The remaining TIA copies will be picked up by VDOT within 10 business days of an application that is deemed complete.

Choose one of the two options below:

☒

I certify that this proposal **DOES NOT MEET** any of the thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application. I acknowledge that Gloucester County and/or VDOT may require that one is submitted and that action may not be taken on my proposal until this is submitted.

☐

I certify that this proposal **MEETS** at least one of the thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application. A Traffic Impact Analysis, prepared in accordance with the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155).

34-Condo and 2-Single
Family Homes

The above information is based on a proposed use of _____ with a projected daily trip generation of 216 vehicles per day and a site peak hour trip generation of 19.6 vehicles per hour, based on the stipulations of 24 VAC30-155. The 9th edition of the ITE Trip Generation Manual was used in determining the trip generation (Code Number 230/210 and Page Number _____).

*Please attach a sheet indicating how each of the thresholds for this proposal were calculated including but not limited to use, size of the proposed project (square footage, number of units)



License Professional's (Signature)

VA 40170

License Number or Stamp and Seal

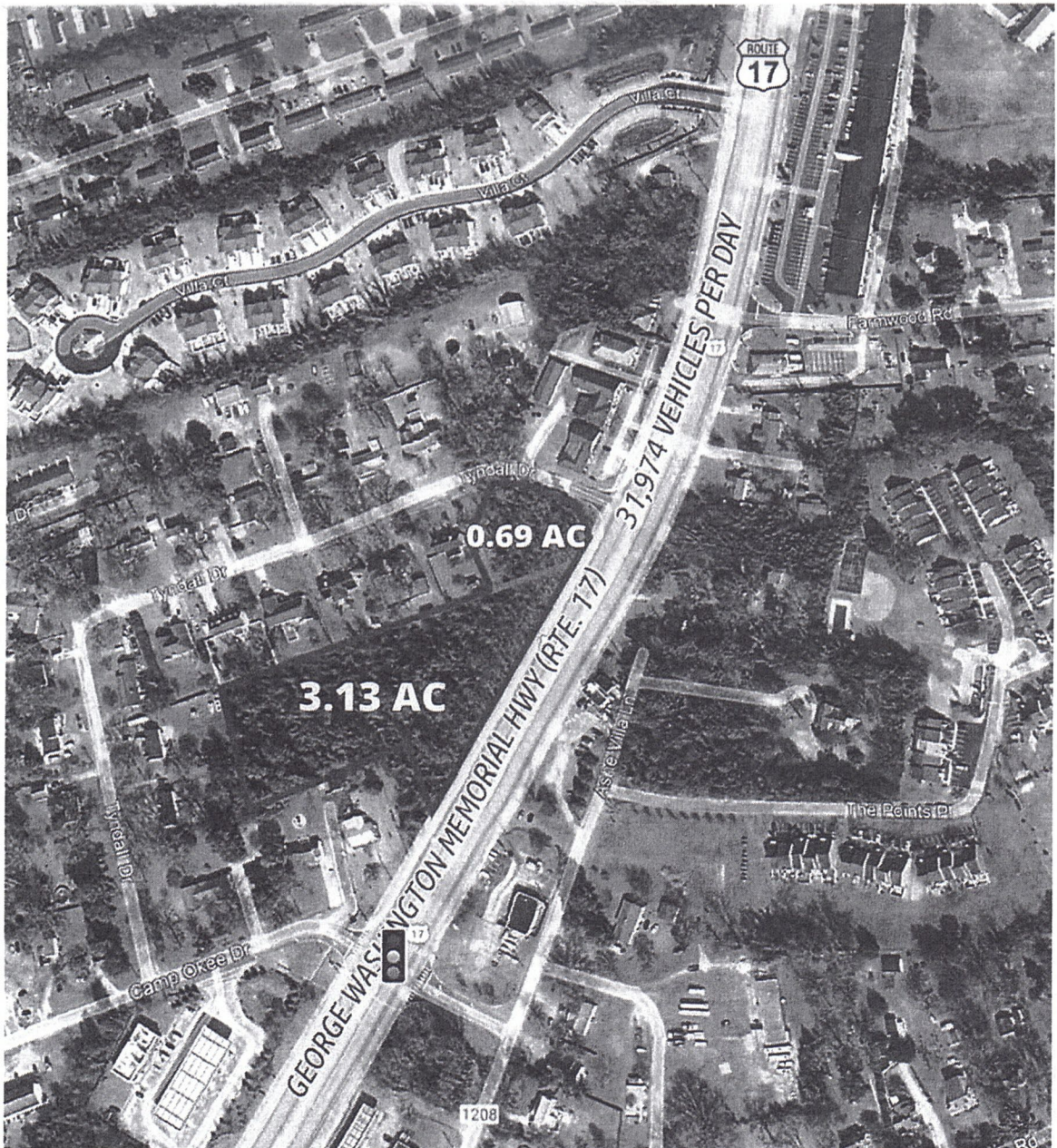
Jason Grimes 4/2/2025

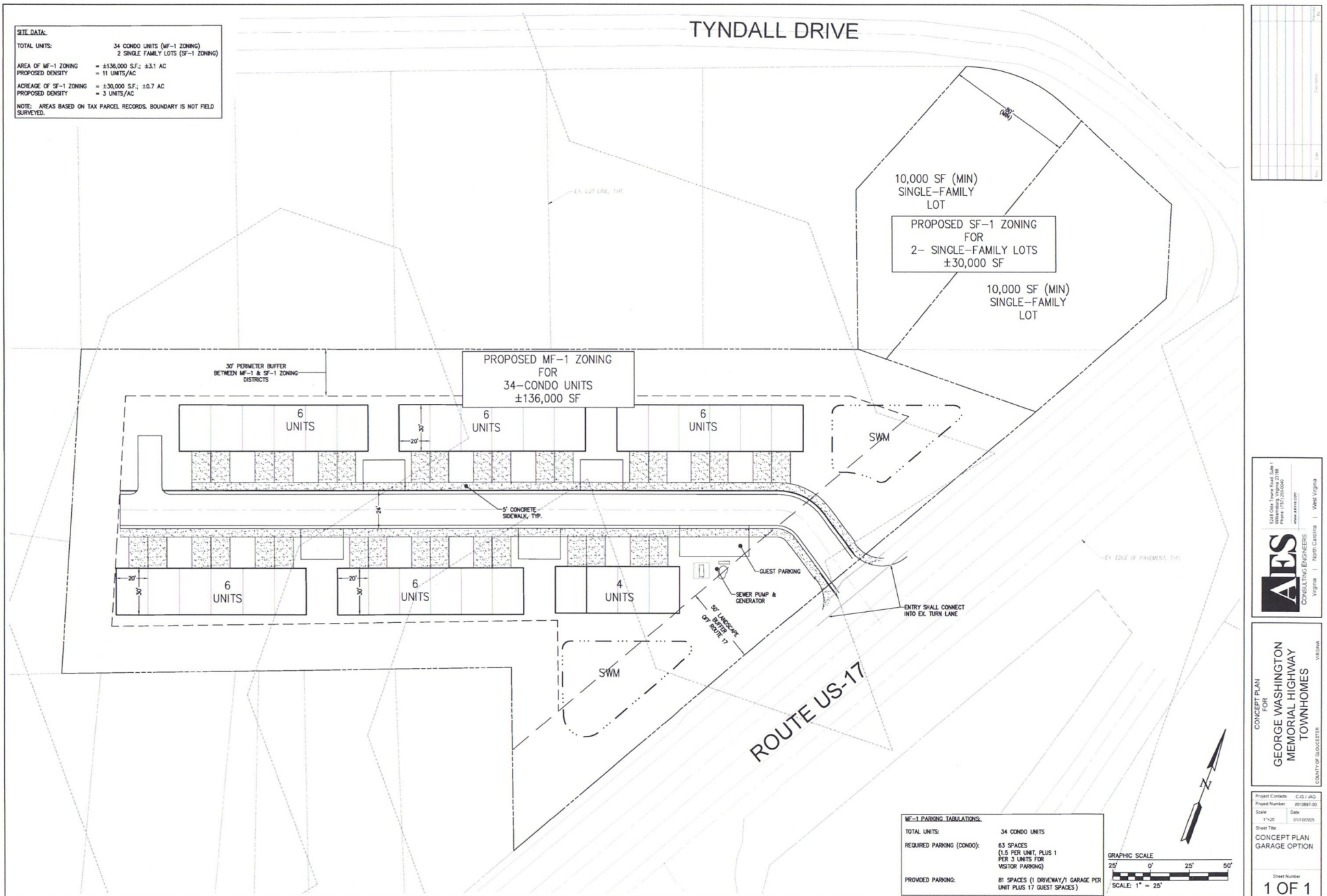
Name & Date (Type or Print)

* As of July 1, 2011 applications for Major Subdivisions will no longer require a Chapter 527 Compliance Form.

Property Description:

"GLOU. PT. PARCEL A" and "TYNDALL MERE, LOT E-1"; Map ID 051/A4//A/ and RPC 25644 and Map ID 051/A1 1//E/ and RPC 18417.







County of Gloucester
 Department of Planning & Zoning
 6489 Main Street
 Gloucester, Virginia 23061
 804-693-1224 FAX 804-824-2441
www.gloucesterva.info/planning

FOR OFFICE USE ONLY

Date Received _____
 Date Complete _____
 Tax Map/Parcel No. _____
 Receipt No. _____
 Received by _____

APPLICATION FOR A CONDITIONAL USE PERMIT

- ☐ A pre-application conference shall be scheduled by the applicant with the zoning administrator or his designated agent to discuss the proposal. Meeting date: 2/6/2025

A. PROPERTY INFORMATION:

Property Owner Name: Cadlerock IV, LLC
 Mailing Address: 100 N Center Street Newton Falls OH 44444
 E-911 Address: _____
 Magisterial District: Gloucester Point Tax Map Number(s): 25644
 Current Use: B-1 Conditional Use Requested: MF-1

B. SUPPORTING DOCUMENTATION

At a *minimum* the following documentation is required for this application to be deemed complete:

- ☒ A Site Plan, meeting the requirements for CUP in Zoning-Appendix B, Article 14
 If the plan is larger than 11"x 17", submit **25** folded copies for review by appropriate agencies and distribution to the Planning Commission and Board of Supervisors. *Additional copies may be required.*
- ☒ Front, side and rear elevations and floor plans of any proposed buildings.

C. APPROVAL CRITERIA

In addition to the application and supporting documents identified in Section B above, the following items must be answered in detail on a separate page. The application will not be considered complete until this information is received.

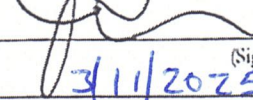
- Describe in detail the proposed use of the property.
- Describe in detail how the proposed use may impact surrounding properties. Please relate your response to the existing zoning and land uses in the area, plus the characteristics of the proposed use- hours of operation, traffic volume, activity levels on-site, appearance, etc.
- Describe what techniques will be used to control traffic flow and what impacts the proposed use will have on existing roadways. A professionally prepared Traffic Impact Analysis may be required.
- Describe the proposed water and wastewater utility infrastructure including sources, discharges, permits, construction, ownership, and maintenance responsibilities.
- Describe in detail how this use is consistent with the Future Land Use Map or other element of the Comprehensive Plan.
- Describe the environmental impact of the proposed development and the efforts planned to abate air, water, noise, stormwater, and other environmental impacts during and after construction.
- Describe the impact the proposed use will have on Gloucester County public services- schools, libraries, law enforcement, fire and rescue, etc.
- Describe the impact the proposed use will have on any historic site or structures in the County.
- Describe the impact the proposed use will have on any rare, endangered, or irreplaceable species or natural areas.
- Describe the impact the proposed use will have on the scenic or natural beauty of the County.

D. LIST THE NAMES AND ADDRESSES OF OWNERS OR OCCUPANTS OF ALL ADJACENT PROPERTY OR PROPERTY ACROSS A ROAD, HIGHWAY OR RAILROAD RIGHT-OF-WAY. ADDRESSES SHOULD COINCIDE WITH THOSE IN THE

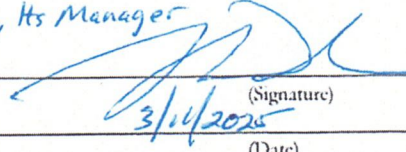
NAME	ADDRESS	TAX MAP/PARCEL#
KATHERINE Dirom	7847 7881 O NEAL RD GL VA 23061	25954, 19117, 31919 18163
Warren Metzger	7573 Camp OKEE Rd GL VA 23062	29691
Scott + Chelsea Gregory	7565 Camp OKEE Rd GL VA 23062	22976
JAMES AND Arcelia WINTER	P.O. Box 396 GL PT VA 23062	16985
Chang Ho Yi	13 LAKEVIEW DRIVE Newport News VA 23602	33785
ROBERT AND DAWN Clute	7590 Tyndall Dr. GL PT VA 23062	17205
FREDERICK + Cheryl Gibson	7578 Tyndall Dr. GL PT VA 23062	15388
ELICAN Shalom	2334 Botler Bay Dr. WINDERMERE FL 34786	22881
KAREN STANSEN	7556 Tyndall Dr. GL PT VA 23062	16084
JANICE Corbett	7546 Tyndall Dr. GL PT VA 23062	28048
WOODROW RAINES	7534 Tyndall Dr. GL PT VA 23062	14022

The undersigned declare(s) that the above statements and those contained in any exhibits transmitted to the Gloucester County Board of Supervisors are true.

PERSON(S) REPRESENTING THE APPLICATION:

Name: Jeff Ambrose  (Signature)
Address: 109 Hurleton
Williamsburg VA 23188 (Date) 3/11/2025
Phone: 804 283 2556

OWNER(S) OF THE PROPERTY:

CadleRock IV, L.L.C. Gerald A. Drake Company, Its Manager
Name: BY: X Executive Vice President  (Signature)
Address: 100 N Center Street
Newton Falls, OH, 44444 (Date) 3/11/2025
Phone: 800-827-0918

By signing the above I hereby grant permission to the designated personnel of Gloucester County, and any other agency deemed appropriate by Gloucester County, to enter the subject property for purpose of review of the proposed application, to post signs prior to the public hearing by the Planning Commission, and to remove said signs after the public hearing by the Board of Supervisors.

IMPORTANT: The conditional use permit application package must be deemed complete before it can be transmitted to the Planning Commission to request that a public hearing be scheduled.

Submit a completed application and all supporting documents, including the application fee of \$1,000.00 (cash or check made payable to Gloucester County), to the Gloucester County Department of Planning & Zoning.

Conflict of Interest Statement

In accordance with Section 14-22 of the Gloucester County Zoning Ordinance, I certify that my application for zoning amendment, ___ variance, and ___ zoning appeal, ___ special exception, or X conditional use permit is subject to the following is subject to the following:

Does any member of the Planning Commission, Board of Zoning Appeals, Historic Landmarks Commission, or governing body (Board of Supervisors) have any interest in the property which is the subject of this application/petition, either individually, or by ownership of stock in a corporation owning such land or partnership?

Yes

X
No

Does a member of the immediate household of any member of the Planning Commission, Board of Zoning Appeals, Historic Landmarks Commission, or governing body (Board of Supervisors) have any interest in the property which is the subject of this application/petition?

Yes

X
No

If yes to either question above, please state:

Person's name: _____

Member of: _____

Nature of their interest: _____

I, Jeffrey C. Ambrose, hereby certify that the information contained in this conflict of interest statement is true and correct to the best of my knowledge.

[Signature]

(Signature)

3/7/2025
Date

CITY/COUNTY OF James City
COMMONWEALTH OF VIRGINIA

The foregoing instrument was subscribed and sworn before me this 7th day of March, 2025 by Jeffrey Ambrose.

[Signature]
Notary Public

(Seal)

I was originally commissioned as
Heather S Gilbert, Notary Public

Notary Registration Number: _____

My commission expires: _____

HEATHER S. BLANTON
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
REGISTRATION #7113607
MY COMMISSION EXPIRES DECEMBER 31, 2025

Community Impact Statement
For
Route 17 and Tyndall Drive Rezoning

March 20, 2025

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I. INTRODUCTION

The proposed project encompasses two parcels (#25644 which is 3.1 acres and #18417 which is .7 acres) for a total of approximately 3.8 acres both properties are currently within the B-1 zoning district. The applicant proposes to rezone parcel 25644 to the MF-1 zoning district to accommodate 34 condominium units. In addition, we are requesting to rezone parcel #18417 to the SF-1 zoning district to accommodate two single family detached residential lots.

The primary entrance to the future MF-1 property will be a connection onto Route 17. The SF-1 lots will have driveways entering onto Tyndall Drive in similar fashion as the existing SF-1 homes on Tyndall Drive.

Presently, the sites are vacant and have been for sale for several years. The sites are predominantly wooded, a HRSD sewer line and Gloucester County water line run alongside the boundary with Route 17. According to the current Gloucester County Comprehensive Plan, the properties fall within two designations. The Comprehensive Plan identifies this site as Village Scale Mixed Use (in the front) and Mixed Density Residential (in the rear). The proposed MF-1 infill development aims to maintain a 30' buffer along the adjacent SF-1 properties and will have a 50' buffer along Route 17.

For the remainder of this document, we will focus on the impacts of the proposed MF-1 zoning district. We feel the impacts of adding two single family detached lots entering onto Tyndall Drive will be minimal and aligns itself well with the other housing that already exists along Tyndall Drive. These two lots will be serviced by both public water and sewer.

II. PLANNING CONSIDERATIONS

A. Land Use/ Density

The envisioned land use plan for this condominium projects will incorporate an interior road network including sidewalks and streetlights that will provide a pedestrian friendly environment. The entrance road will connect with route 17 and the sidewalks present in that area will allow for connectivity to the nearby services. The overall gross density of the project will be capped at 34 dwelling units which calculates to 10.9 units per acre.

B. Environmental

The site is approximately 3.1 acres and is currently wooded. The proposed development would leave a 30' buffer against existing SF-1 zoning and a 50' buffer along route 17. There are not any wetland or RPA areas on the site. We are confident the site does not contain any historically significant sites or any environmentally sensitive habitat. The site would be designed with a stormwater system that would handle all drainage and tie into the existing storm water system along Route 17.

C. Provides Diversity to Existing Housing Stock

The developer is proposing either a two story or three story attached style townhome condominium. This product will help to provide much need affordable housing to the Gloucester Point area and add to the diversity of residential product which is discussed in the Comprehensive Plan as a need.

III. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES

A. Public Water Facilities

The subject property will be served with public drinking water by the existing Gloucester County water distribution system in the area. Gloucester County currently maintains an existing 8-inch water main along Route 17.

B. Sewer Facilities

Sanitary sewer service is intended to be provided to the subject property by extending a gravity sewer line along Route 17 and connecting to the existing pump station at the front of York Town Villas.

C. Solid Waste

The proposed development on the subject property will generate solid waste that will require collection and disposal to promote a safe and healthy environment. Reputable private contractors, hired by the Condominium Association will handle the collection of solid waste. Both trash and recyclable material will be removed from this site to a solid waste transfer station.

D. Utility Service Providers

Dominion Virginia Power, and Cox Communications provide, respectively, electricity, cable TV service, and telephone service to this area. The current policy of these utility service providers is to extend service to the development at no cost to the developer when positive revenue is identified; plus, with new land development, these utility service providers are required to place all new utility service underground.

E. Schools

This project is located within the Achilles Elementary School, Peasley Middle School, and Gloucester High School districts. The number of school age children projected for 34 attached style units using the TischlerBise study performed for Anne Arundel County Maryland in April of 2024 is a total of 13 school children: 7 elementary, 3 middle and 3 high school students. We currently understand that there is sufficient capacity for these additional students in the associated schools.

F. Fiscal Impact

While it is difficult to determine the overall fiscal impact for a project this size the goal of the developer would be to use as many local contractors as possible during the buildout of the community and long term we feel the annual tax revenues from the real estate taxes and additional add on taxes associated with 34 additional housing units will be sufficient to offset the added costs to the county.

G. Traffic Impacts

Given the current B-1 zoning district we believe the traffic impact for our development will be less intensive given its residential use. We calculate daily trip generation of approximately 173 vehicles per day and a site peak hour trip generation of approximately 18 vehicles per hour, based on the stipulations of 24 VAC30-155. See attached Chapter 527 Compliance Form.

GW MEMORIAL HW / TYNDALL DRIVE

SAMPLE PRODUCT ELEVATIONS

DRAFT VERSIONS (SUBJECT TO CHANGE)

March 26, 2025

DRAFT (SUBJECT TO CHANGE)



2
A-2.0 6-UNIT BUILDING ELEVATION
SCALE: 3/16" = 1'-0" 3-STORY PLAN



1
A-2.0 6-UNIT BUILDING ELEVATION
SCALE: 3/16" = 1'-0" 2-STORY PLAN

REVISIONS

REV. NO. DATE DESCRIPTION



PROJECT:
GW MEMORIAL HIGHWAY
20' TOWNHOMES
GLOUCESTER COUNTY
VIRGINIA
CLIENT:
HAYSTACK MOUNTAIN, LLC

CONTENT:
DESIGN ELEVATIONS

DRAWN BY: D.GUE

DATE: 3.27.2025

SHEET NUMBER:

A-2.0

DRAFT (SUBJECT TO CHANGE)



3 BUILDING LEFT ELEVATION
A-2.1 SCALE: 3/16" = 1'-0" 3-STORY PLAN



4 BUILDING RIGHT ELEVATION
A-2.1 SCALE: 3/16" = 1'-0" 3-STORY PLAN



1 BUILDING LEFT ELEVATION
A-2.1 SCALE: 3/16" = 1'-0" 2-STORY PLAN



2 BUILDING RIGHT ELEVATION
A-2.1 SCALE: 3/16" = 1'-0" 2-STORY PLAN

REV.	NO.	DATE	BY	CHK.	APP.	DESCRIPTION
1	1	03/27/2025	D.GUE			INITIAL DESIGN
2	2					
3	3					
4	4					
5	5					
6	6					
7	7					
8	8					
9	9					
10	10					



PROJECT:
GW MEMORIAL HIGHWAY
20' TOWNHOMES
GLOUCESTER COUNTY
VIRGINIA
CLIENT:
HAYSTACK MOUNTAIN, LLC

CONTENT:
DESIGN ELEVATIONS

DRAWN BY: D.GUE
DATE: 3.27.2025
SHEET NUMBER:

A-2.1

DRAFT (SUBJECT TO CHANGE)



2 6-UNIT BUILDING REAR ELEVATION
A-2.2 SCALE: 3/16" = 1'-0" 3-STORY PLAN



1 6-UNIT BUILDING REAR ELEVATION
A-2.2 SCALE: 3/16" = 1'-0" 2-STORY PLAN

REMARKS

REV. NO. DATE
01 03/2025 INITIALS



PROJECT:
GW MEMORIAL HIGHWAY
20' TOWNHOMES
GLOUCESTER COUNTY
VIRGINIA
CLIENT:
HAYSTACK MOUNTAIN, LLC

CONTENT:
DESIGN ELEVATIONS

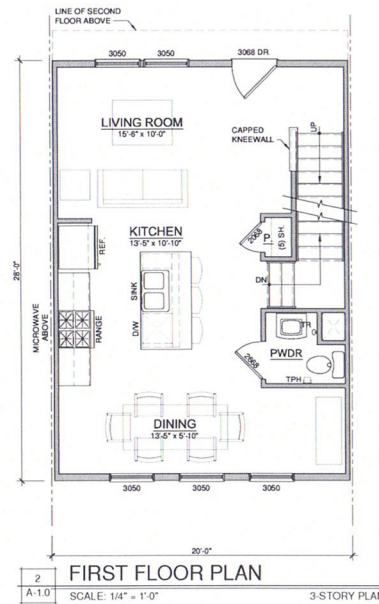
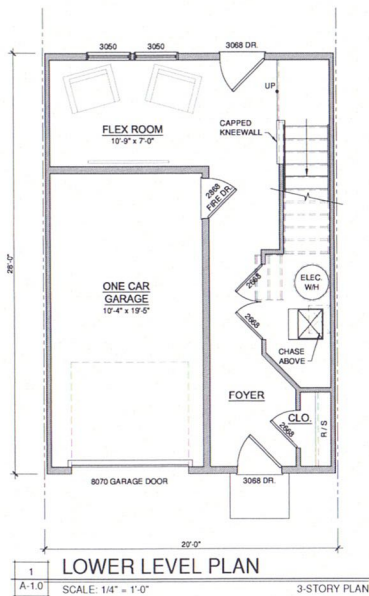
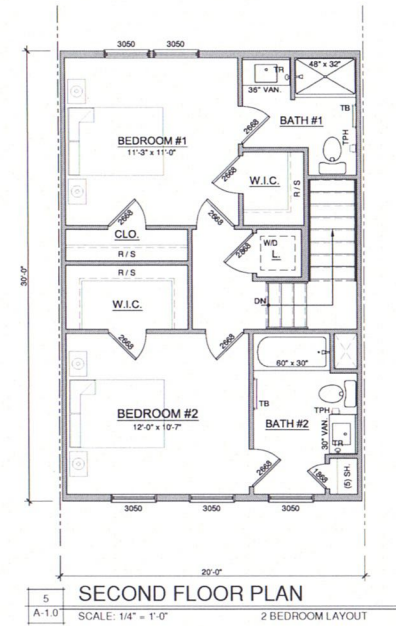
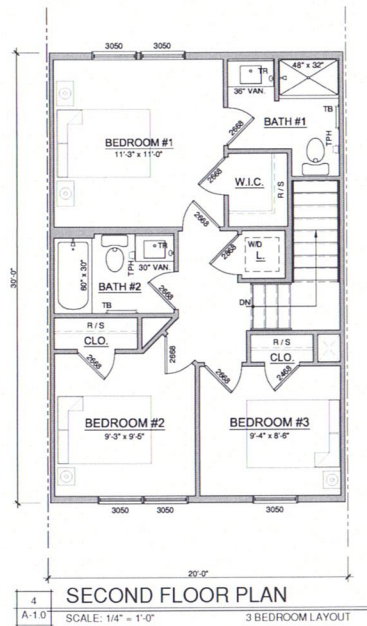
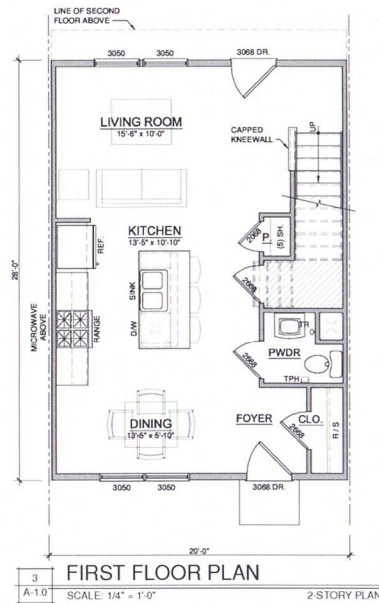
DRAWN BY: D.GUE

DATE: 3/27/2025

SHEET NUMBER:

A-2.2

DRAFT (SUBJECT TO CHANGE)



REV	NO.	DATE	BY	CHKD	DESCRIPTION
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2	2				
3	3				
4	4				
5	5				



PROJECT:
GW MEMORIAL HIGHWAY
20' TOWNHOMES
GLOUCESTER COUNTY
VIRGINIA
CLIENT:
HAYSTACK MOUNTAIN, LLC

CONTENT:
DESIGN PLANS

DRAWN BY: D.GUE

DATE: 3.27.2025

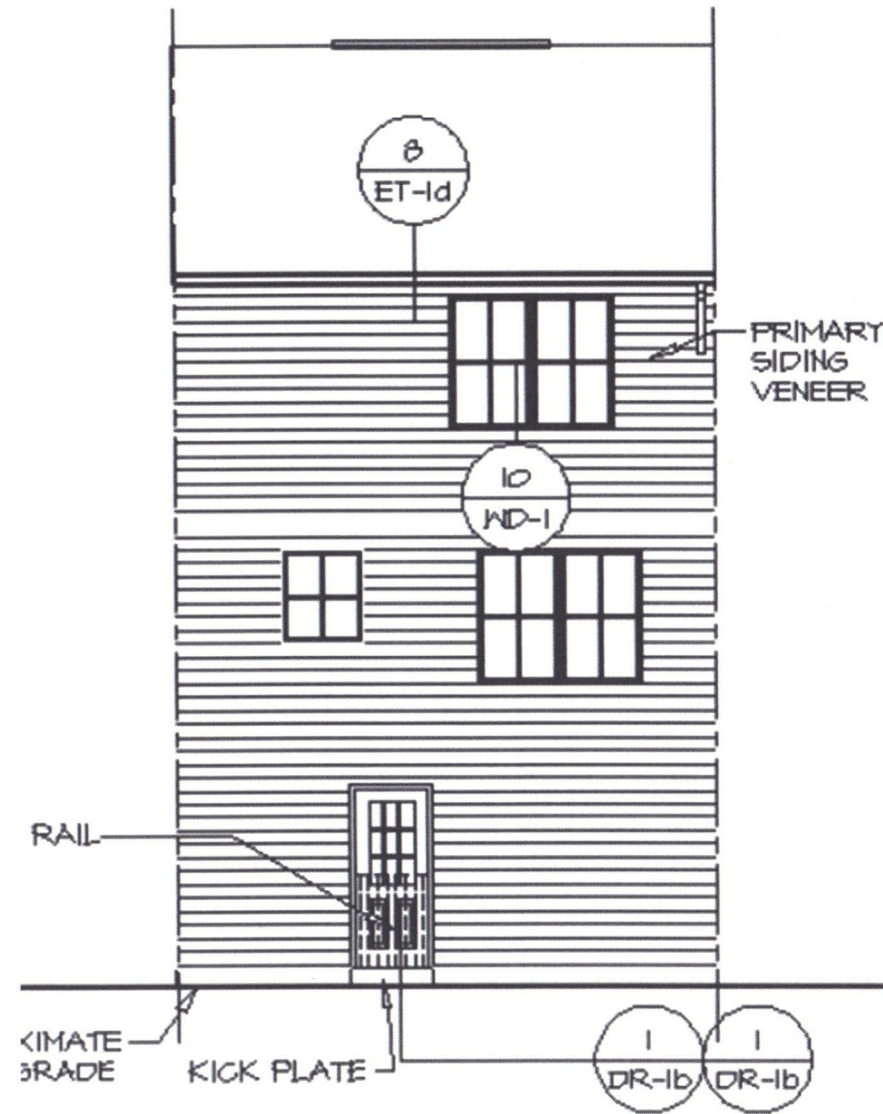
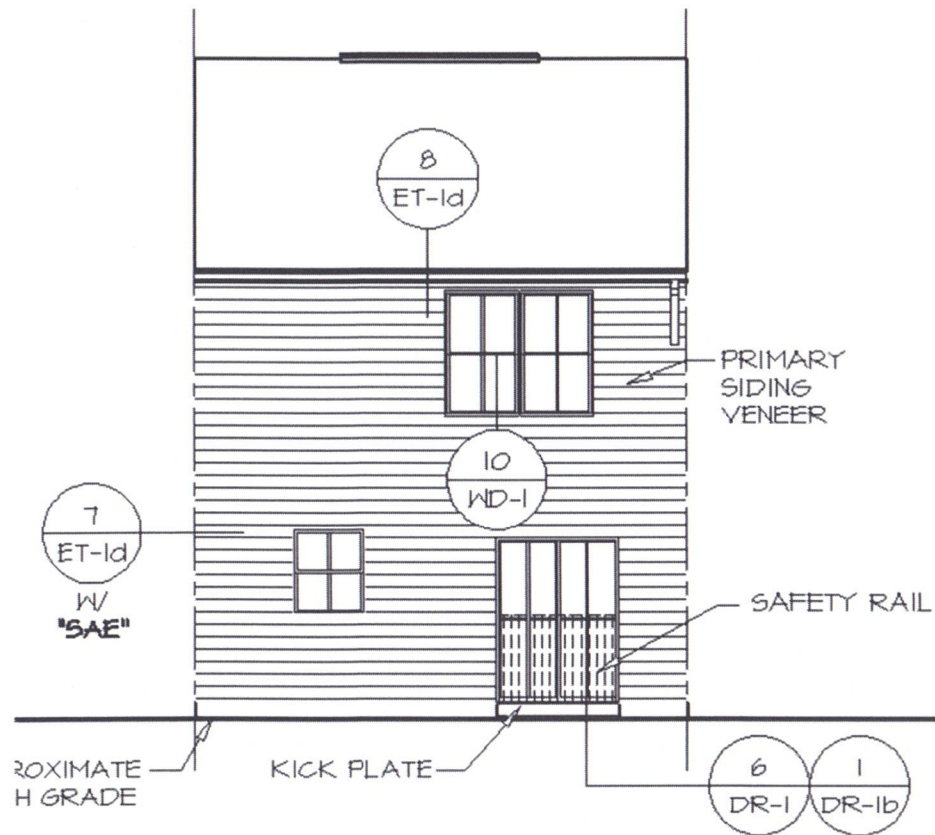
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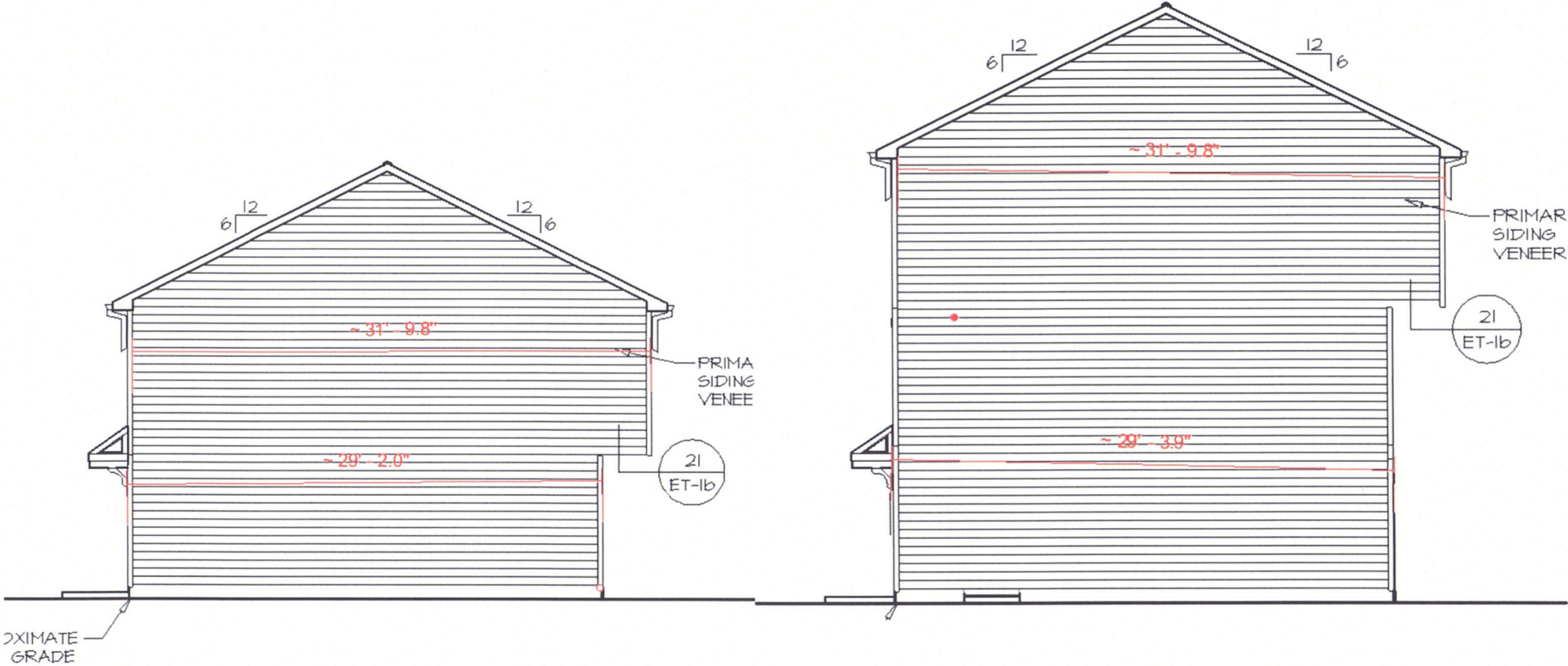
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DRAFT



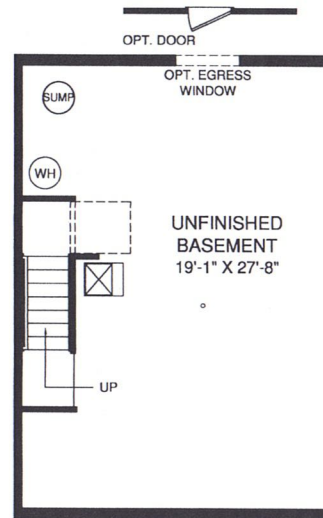
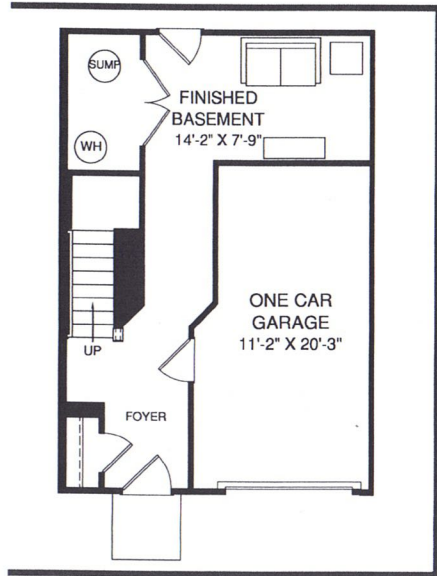
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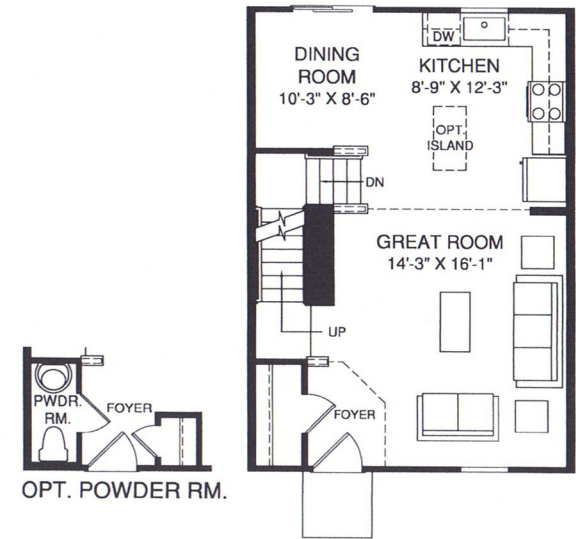


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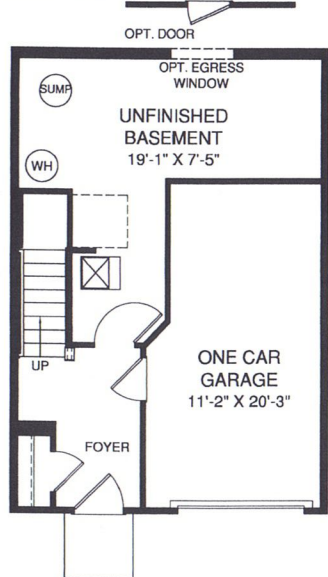
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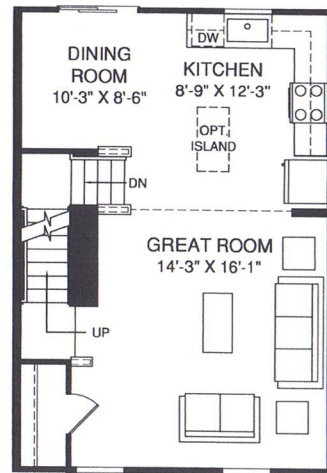
LOWER LEVEL



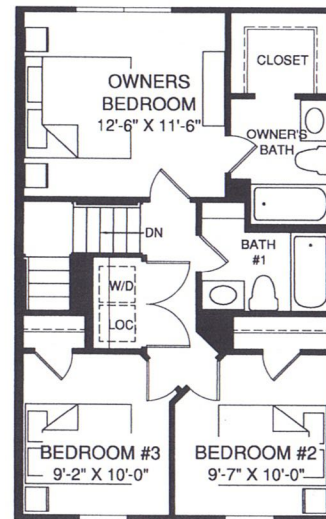
MAIN LEVEL ENTRY



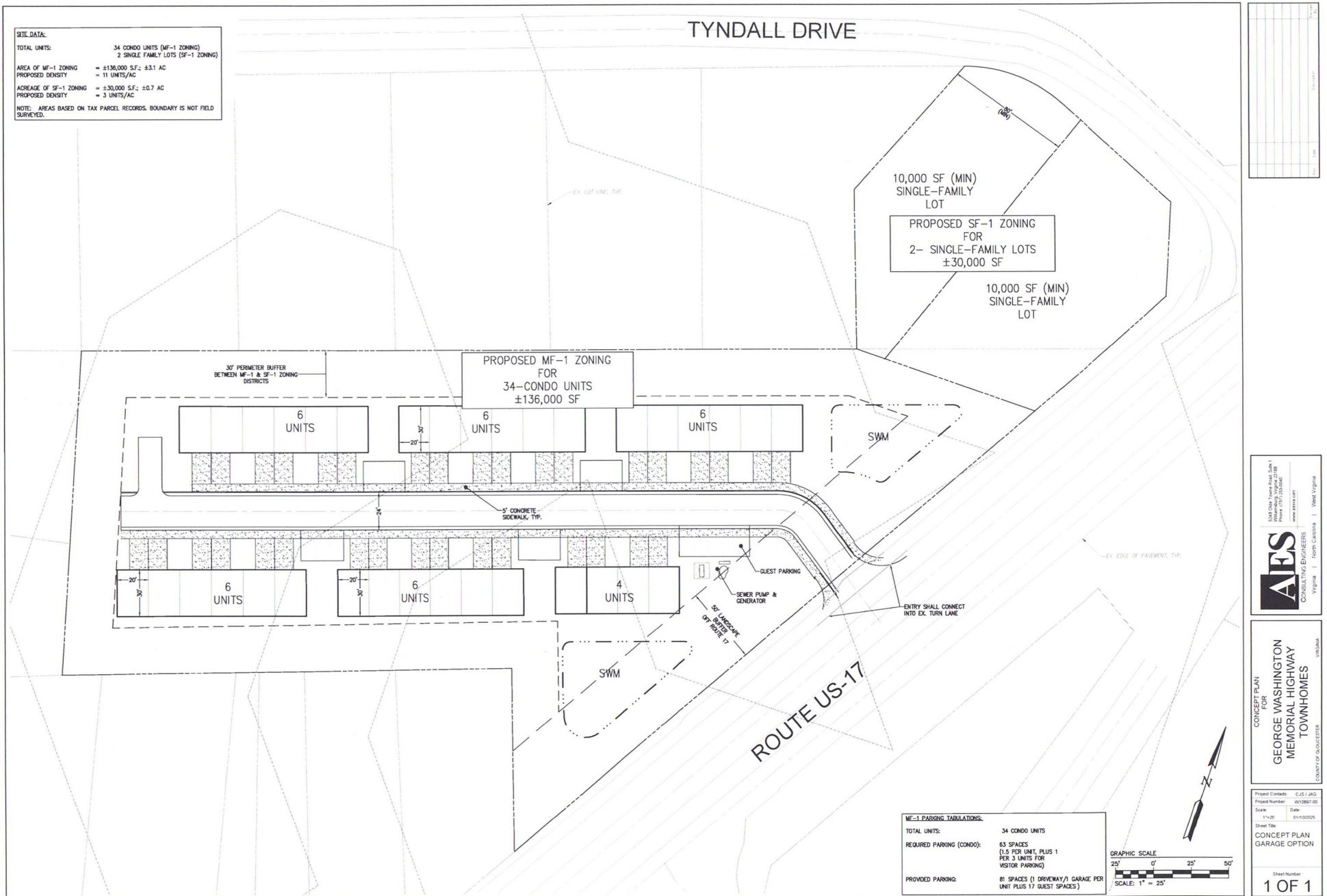
LOWER LEVEL ENTRY



MAIN LEVEL



UPPER LEVEL



Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application

Planning Commission Public Hearing June 5, 2025

Overview

<i>Owner and Applicant:</i>	Cadlerock IV, LLC (Property Owner) Jeff Ambrose (Applicant)
<i>Location:</i>	Route 17 South, between the intersections with Tyndall Drive (SR 1218) and Camp Okee Drive (SR 1240)
<i>Tax Map and Parcel #'s:</i>	51A(4)-A & 51A(11)-E1
<i>RPC #'s:</i>	18417 & 25644
<i>Acreage:</i>	3.82 +/-
<i>Existing Zoning:</i>	B-1, Business
<i>Existing Use:</i>	Vacant, undeveloped
<i>Requested Zoning:</i>	MF-1, Residential Multi-Family (conditional), and SF-1, Residential Single Family
<i>Purpose:</i>	Reclassify the parcels for 34 condominium units (on the MF-1 parcel) and 2 single-family lots (on the SF-1 parcel) through a rezoning and permit a density of 10.86 units per net acre on the MF-1 parcel through the Conditional Use Permit process
<i>Proffers Submitted:</i>	Yes (for the MF-1 parcel)
<i>Surrounding Land Uses:</i>	East (across Route 17): Grubbs Garage Auto Repair Shop West: Residential (along Tyndall Drive) North: Residential (along Tyndall Drive) South: Residential (along Camp Okee Drive)

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Planning Commission Public Hearing June 5, 2025

General Project Description

The applicant is proposing to rezone TM 51A(4)-A (RPC 25644) from the B-1 (General Business) district to the MF-1 (Multi Family Residential) district (conditional) and TM 51A(11)-E1 (RPC 18417) from the B-1 (General Business) district to the SF-1 (Single Family Detached Residential) district in order to develop 34 condominium units on the MF-1 parcel and create 2 single family lots from the SF-1 parcel. The applicant has submitted a proffer for the MF-1 parcel limiting the number of condominium units to no more than 34 units, a density of roughly 10.86 units per net acre. Under the MF-1 district, up to 8 units per net acre can be developed by right, whereas, between 8 and 12 units per net acre can be developed through the Conditional Use Permit (CUP) process (with no greater than 12 units per net acre permitted in any manner in this district). Therefore, for this development, a CUP application is required to permit the density of roughly 10.86 units per net acre in accompaniment with the zoning reclassification. Furthermore, development of both the condominium units at this density and the single-family lots at the size proposed (less than 30,000 sf) would require all units/lots to be connected to public water and sewer.

The applicant's Conceptual Plan also illustrates (on the MF-1 parcel) a 50 ft. landscape buffer along Route 17 South and a required 30 ft. perimeter buffer along the property lines adjacent to SF-1 zoning (all other property lines). In addition, the condominium units will be served by a private road owned and maintained by a private Homeowners Association whereas the SF-1 lots will directly access Tyndall Drive (SR 1218). Finally, stormwater produced from the MF-1 parcel will be routed to onsite stormwater management features, shown on the Conceptual Plan at the front of the parcel.

In addition, the following two CUP conditions of use are proposed by staff to accompany the CUP component of the joint application. For further analysis of the purposes of the proposed conditions of use, see the Transportation Impact (for Conditions 2 and 3) and Other Impacts (for Conditions 4, 5, and 6) sections of this Staff Report. However, should the Planning Commission or Board of Supervisors feel that additional or different conditions of use are necessary to offset any impacts from the CUP component (request for greater density) identified at their Public Hearing, they can be included during their review of the application.

1. The MF-1 parcel shall be developed generally in accordance with the Conceptual Plan (formally titled "Conceptual Plan Garage Option") with only changes thereto that the Zoning Administrator reasonably determines do not alter the basic concept or character of the development of this parcel; provided, however, such development of this parcel shall be expressly subject to such changes in configuration, composition and location as required by all other governmental authorities having jurisdiction over such development.
2. A sidewalk compliant with Sections 6A-4(2) and 6A-4(3) of the Zoning Ordinance shall be provided by the applicant within the public right-of-way from the intersection with Tyndall Drive (SR 1218) to the intersection with Camp Okee Drive

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Planning Commission Public Hearing June 5, 2025

(SR 1240). Where it is not feasible to provide sidewalks compliant with the aforementioned sections within the public right-of-way, either sidewalks outside of the public right-of-way, in accompaniment with a public access easement, may be approved or a fee in lieu, determined by the costs detailed in Section 15-10(3) of the Zoning Ordinance, shall be provided to the County.

3. Internal sidewalks and continuous onsite pedestrian circulation in a safe and convenient manner shall be provided within the site.
4. All units within the development shall be connected to public water and sewer. Public sewer shall be provided by the applicant either by an on-site pump station connected to the HRSD public sewer line or a public sewer line extended to connect to Pump Station 28. If a sewer line is extended to Pump Station 28, the line shall be at least 10 ft. from all existing and proposed hardscape public surfaces, whether public roadways or sidewalks. The public sewer line shall be contained within a public utility easement, inclusive of 10 ft. of easement area on each side of the line, except for portions of the easement area contained within the public right-of-way.
5. The 50 ft. landscape buffer shown on Route 17 shall contain a continuous landscaped buffer consistent with Section 9C-3, 11-6(3), or 11-6(5) of the Zoning Ordinance. This continuous buffer shall avoid utility lines, stormwater management features, and other elements which may cause a break in the continuous buffer except where it is not practically feasible to avoid such elements.
6. Any lights used to illuminate the site shall be so arranged as to reflect light away from adjoining premises and shall not reflect light beyond the boundary of the property.

In 2023, Rezoning Application Z-23-02 (Legacy Land, LLC) was submitted for review by the County. This application proposed to rezone the property to the RMX (Residential Mixed Use) district (now B-2 district under the 2024 Zoning Ordinance Update) to allow 57 townhouse units to be developed on the property at a density of roughly 15 units per acre. The Planning Commission held a Public Hearing on this application (Z-23-02) and tabled their decision for a future meeting while requesting additional information (based on comments from the public and Commission discussion) regarding impacts from the development on local schools (children to be generated by the development), traffic impacts (on the intersection of Route 17 South and Camp Okee Drive), impacts to adjacent property real estate values, fire and rescue provision, buffering from adjacent properties zoned SF-1 that will be utilized, a Conceptual Plan, and elevations (side views) of the proposed units. Prior to further discussing this application, the applicant chose to withdraw the application, leaving the property to be zoned B-1, as it currently remains. **It is to be noted prior to further evaluation of the joint application (Rezoning Application Z-25-02 and Conditional Use Permit Application CUP-25-01) that this application substantially differs from Rezoning Application Z-23-02 in numerous ways (most notably the zoning districts proposed as well as the number of units proposed and resulting density) and the current applicant is not the same as that for the 2023 application. Furthermore, as a result of multiple discussions with staff, the current applicant has taken various steps to address the issues raised during**

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Planning Commission Public Hearing June 5, 2025

the Planning Commission's review of Rezoning Application Z-23-02. Although this Staff Report will not provide a comparison between the two applications, staff is including this history in the report to note the differences between the applications and that they have resulted from the current applicant's efforts to address the Commission's concerns with the previous application reviewed for this property.

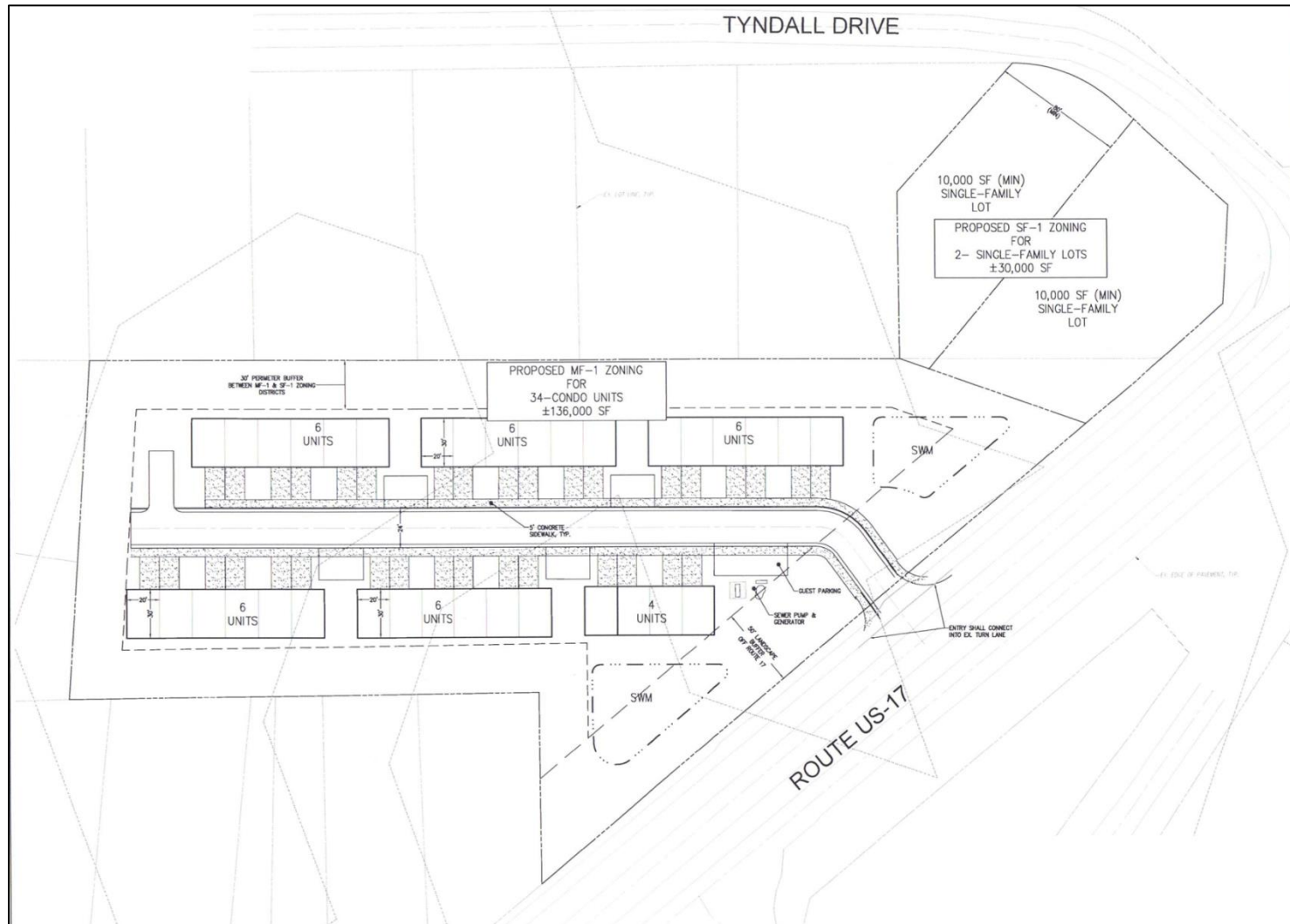
Existing Zoning



Purple Outline: Applicant's Parcels
Red: B-1 (General Business)
Tan: SF-1 (Single Family Detached Residential)
Green: MF-1 (Multi Family Residential)

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Planning Commission Public Hearing June 5, 2025

Conceptual Plan



Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Planning Commission Public Hearing June 5, 2025

Comprehensive Plan and Gloucester Point/Hayes Village Development Plan

The Comprehensive Plan identifies this site as Village Scale Mixed Use (in the front) and Mixed Density Residential (in the rear). Furthermore, this site is also located within the County's Development District, as designated on the Future Land Use Map. The Development District is intended to be the County's primary population center, with utility, service, and employment provision while minimizing impacts on local roads. The Village Scale Mixed Use and Mixed Density Residential classifications aim to provide a variety of housing types, including higher-density, village-scale neighborhood development (containing sidewalks, street lighting, landscaping, and open space encouraged) served by public water and sewer.

The Comprehensive Plan states that "the guidance provided within the *Gloucester Point/Hayes Village Development Area Plan* and *Gloucester Court House Village Sub-Area Plan* should be referenced when considering applications within these VDA's." This project is located within the *Gloucester Point/Hayes Village Development Area Plan*, which identifies the site as within the Transitional Area. This area is intended to be primarily residential, but can include more intensive residential uses, such as apartments, condominiums, and townhomes, than areas outside of the *Gloucester Point/Hayes Village Development Area Plan's* designations. Furthermore, developments would contain with houses closer to each other (as a result of smaller lots) than typical suburban developments with walkability incorporated.

The joint application proposes higher density development (roughly 10.86 units per net acre) on the parcel proposed to be rezoned to the MF-1 district within the County's Gloucester Point/Hayes Village Development Area and Development District. Though the MF-1 district allows for a density of 8 units per net acre by right, necessitating the CUP component of the joint application for the increased density, by right density would permit 25 condominium units, whereas the applicant is proposing 34 units, an increase of 9 units (36 percent). However, the applicant's Conceptual Plan illustrates internal sidewalks, which would directly connect to sidewalks along Route 17 (proposed to be replaced by VDOT compliant sidewalks as a CUP condition of use). In addition, the project includes the required 30 ft. buffer from all properties zoned SF-1 and a 50 ft. buffer from Route 17. Finally, the property will be connected to public water and sewer. The combination of these features, open space (buffers), and utility provision at the density proposed by the applicant supports the designations of both the Comprehensive Plan and *Gloucester Point/Hayes Village Development Area Plan*.

The joint application also proposes a parcel to be rezoned to the SF-1 district. Since this parcel is proposed to be subdivided into lots less than 30,000 sf in size, they would also need to be connected to public water and sewer. In addition, though they will increase the number of curb cuts along Tyndall Drive (SR 1218), this prevents curb cuts from being added to Route 17 South (beyond that required for the MF-1 parcel), reducing the potential traffic impact of this component of the development. Finally, the proposed zoning

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(SF-1) would be similar to that of adjacent properties, more closely aligning the zoning for this property with that of the surrounding properties than its current zoning (B-1) does.

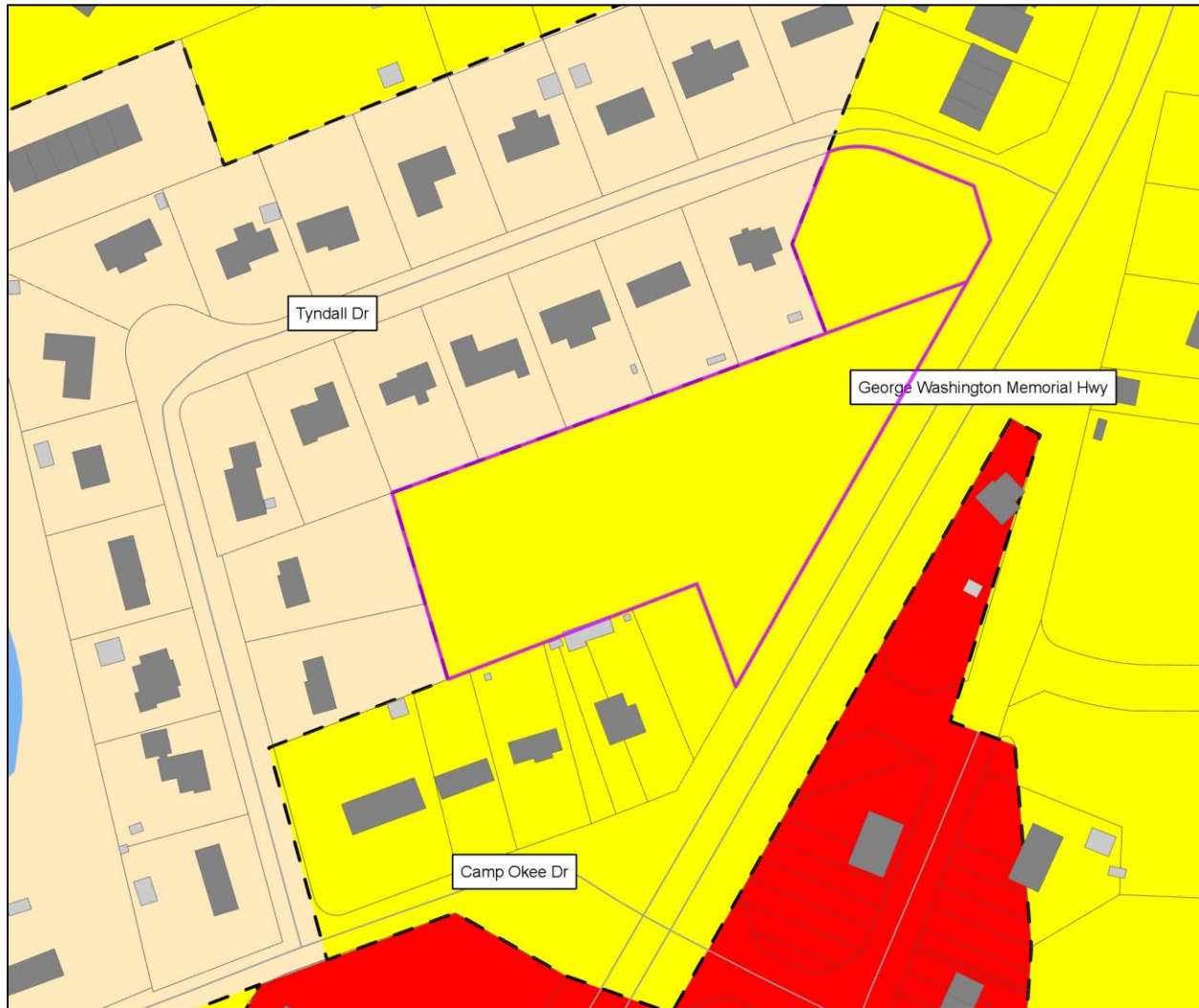
Comprehensive Plan Designation



Red: Village Scale Mixed Use
Brown: Mixed Density Residential
Yellow: Suburban High Density

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Gloucester Point/Hayes Village Development Plan Designation



Red: Gloucester Point/Hayes Core Area

Yellow: Gloucester Point/Hayes Transition Area

Tan: Outside of the Gloucester Point/Hayes Village Development Area Plan's
Future Land Use Plan

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Transportation Impact

This property is directly adjacent to both Route 17 South and Tyndall Drive (State Route 1218), which are categorized as a “principal arterial” and “local” road, respectively, under the Virginia Department of Transportation’s (VDOT) functional classification system. This section of Route 17 experiences roughly 30,000 average daily trips with roughly 33,000 average weekday trips. Tyndall Drive is an unsignalized intersection with Route 17 South, with only a “right in, right out” design and no ability to make left turning movements onto or out of this roadway. The nearest signalized intersection is Camp Okee Drive (SR 1240), to the south of the site, which would require a “U-Turn” movement for those leaving the site to travel northward.

The proposed rezoning would generate a cumulative of 216 trips per day and roughly 20 peak hour trips between the condominium and single family uses. This would be the maximum trips possible due to the proffered maximum number of 34 condominium units offered by the applicant and lot characteristics of the proposed SF-1 parcel, which limits it to a maximum subdivision potential of 2 lots. Comparatively, the B-1 district (the property’s current zoning) permits a number of other uses, ranging from retail/sales, offices, and restaurants to a hotel, warehouse (or mini-warehouse), or funeral home, which may produce as many trips, if not more, than those estimated to be generated from the proposed MF-1 and SF-1 districts.

In order to assist the Planning Commission and Board of Supervisors in evaluating the traffic (vehicular) impacts of the joint application (including the increased density), staff has provided the following table, which contains the application’s anticipated traffic impacts as well as those supplied for comparable developments in the County (based upon data provided on the approved site plans for the developments).

Development				Trip Generation	
Name	Zoning	Use(s)	Acres (Disturbed)	Vehicles Per Day	Peak Hour Vehicles
Marsh Hawk Villas (proposed)	MF-1 (conditional)/SF-1	34 Condominium Units and 2 Single Family Dwellings	3.82	216	19.6
Daffodil Gardens (Phase 2)	MF-1 (conditional)	40 Apartment Units (Age-Restricted)	3.99	79	20
Dunkin Donuts	B-1	Drive Through Restaurant	0.55	1,700	102.5
Langley Federal Credit Union	B-1 (conditional)	Bank with Drive Through Service	0.85	697	Not provided
Valvoline	B-1 (conditional)	Drive Through Oil Change Service	1.00	120	14
York River Crossing	MF-1 (conditional)	50 Condominium Units	9.35	290	27

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The Virginia Department of Transportation has reviewed the rezoning application and stated that the access location(s) (site entrances) onto state highways will be designed in accordance with VDOT standards. Though VDOT does not typically review the engineered design of rezoning and CUP applications, they will perform cursory reviews of these applications and provide initial comments. Since a Site Plan (referred to as a Development Plan for residential projects) will be required for this project, the development will have to comply with all applicable VDOT requirements, which will be reviewed by this agency at the time of Development Plan submittal should the joint application be approved.

As shown on the applicant's Conceptual Plan, a private internal road will need be provided to serve the condominium units, which will directly access Route 17 South. Since two curb cuts currently exist along Route 17 South for this parcel, this development will consolidate these curb cuts into one and all internal entrances onto the internal road. These specific location of the internal road's connection to Route 17 South will need to either meet VDOT's spacing (distance) standards to the nearest intersection(s) or be granted a waiver by VDOT if it does not meet the spacing standards, which would occur at the time of Development Plan review. The SF-1 parcel, proposed to be subdivided into two parcels, will create curb cuts on Tyndall Drive for each parcel, which is typical for single-family residential parcels directly adjacent to public roadways and not within major subdivisions.

As part of the implementation of the Gloucester Point/Hayes Village Development Plan, the County has been working with VDOT to create the pedestrian and multimodal environment to support higher densities and encourage residents to walk to nearby amenities. This project fronts along a portion of Route 17 that was retrofitted with a sidewalk that does not fully comply with VDOT's Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) standards for sidewalks since there is no buffer (verge) between the sidewalk and the street. As part of the development of this project, a CUP condition of approval has been proposed to require VDOT compliant sidewalks to be installed along the Route 17 frontage (within the public right-of-way where possible or, where not possible, within a public access easement) between the intersection with Tyndall Drive and the intersection with Camp Okee Drive. Furthermore, the applicant shows sidewalks along the internal road that would connect to the sidewalks along Route 17 and make this development a pedestrian friendly environment where residents will be able to walk to many of the nearby places of interest rather than needing to utilize automobiles, as envisioned in the Village Plan.

Fiscal Impact

The proposed 34 condominium units and 2 single family lots is anticipated to increase the assessed value of the land (and, therefore, the tax revenue generated) since the land will be improved from wooded, undeveloped land to land developed with both multifamily and single-family units. In 2023, when a previous rezoning was proposed for this site, questions about the impacts to the assessed values of adjacent properties were raised

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from both citizens and the Planning Commission. In addition to stating that this appears to be a “good and logical use for the site”, the County Assessor also provided input on how this current joint application may impact adjacent properties. Although it is hard to estimate at this stage the full impacts (if any), the Assessor generally stated that both multifamily and single-family uses are considered “residential” uses for the purposes of property assessment and, when determining impacts, residential adjacent to residential typically has the lowest impact (if any) on assessments for adjacent properties. Therefore, if there were to be any impact to the assessed values of adjacent properties, the current zoning of B-1, a business zoning district, which could permit uses ranging from retail/sales, offices, and restaurants to a hotel, warehouse (or mini-warehouse), or funeral home, would likely have a greater impact than that of the proposed MF-1 and SF-1 zoning districts, even with the increased density requested on the MF-1 parcel.

In addition to direct revenues from increased assessed land values, the County may also receive additional indirect revenue temporarily from jobs created during project construction and potentially more permanently from residents relocating to this development from outside of the County. As local businesses receive additional revenue from residents of this development, the County will receive indirect revenue through taxes collected from these businesses. The applicant has stated in the CUP component’s Community Impact Statement the desire to use as many local contractors as possible during site buildout.

Previously, the County has used a New Construction Calculator from Housing Forward Virginia to calculate more specifically the anticipated short- and long-term economic impact, including the jobs created (short term) and supported (long term) as well as the fiscal revenues and local economic growth (both evaluated in the short- and long-term periods). However, the data utilized to produce these estimates are from 2012-2014 sources and staff has determined that, since this data may be outdated, this calculator is not applicable for residential projects unless the data is updated in the future.

However, more recently, in partnership with the Gloucester County Public Schools, departmental staff has developed a preliminary Subdivision Schools Calculator that can provide preliminary estimates on the number of school children to be expected from proposed developments based upon existing developments in the County. These estimates are based upon the proposed zoning district, type of housing use, and combination of these two factors. Although limited sample sizes exist for both the MF-1 district and condominium uses, the estimate provided from this calculator can begin to help the Planning Commission and Board of Supervisors understand the anticipated impact to local schools from proposals they are reviewing.

Furthermore, in the comments they have provided, the Gloucester County Public Schools (GCPS) have provided an estimated number of students (low and high estimate) to expect from this development based upon the data they use to determine school bus distribution and routing. Finally, in the Community Impact Statement provided by the applicant for the CUP component of the joint application, they have provided an estimate for the number

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of school children to be expected from their development based on a study of Anne Arundel County (Maryland) performed in April 2024. The table below provides estimates from the applicant, GCPS, and departmental staff.

Estimator		Estimate			School Breakdown		
		Low	High	Average	Elementary	Middle	High
Applicant		13			7	3	3
Gloucester County Public Schools		7	16	12	Not analyzed		
Gloucester County Planning Division	Housing Type	9			3	3	3
	Zoning Type	14			6	4	4
	Housing & Zoning Type	9			3	3	3

Although staff has not received comments from the Abingdon Volunteer Fire & Rescue Service, all buildings will need to be constructed to the applicable building code, which includes appropriate fire control and/or resistance measures. Therefore, based upon the input provided by the County's Assessor and GCPS, staff's estimator for school children, and building code requirements for this development, substantial fiscal impacts as well as impacts to the local schools and fire and rescue force are not anticipated.

Environmental Impact

No environmental features of significant concern appear to exist on the property and sensitive environmental features, including Resource Protection Areas (RPA) features, such as wetlands and connected waterways, have not been identified by the applicant on their Conceptual Plan or Environmental Programs during their review of the application. Since a Development Plan will be required for this project, the development will have to comply with the County's environmental regulations, including the Erosion and Sediment Control, Stormwater, and Chesapeake Bay Preservation Ordinances. Environmental impacts on this property resulting from the development (including the requested increase in density to 10.86 units per net acre, if approved) will be addressed through Environmental Program's review of the Development Plan (if the applications are approved).

Other Impacts

This project will be required to be served by public water and sewer. Although a public water line (6 in. diameter) currently runs along the property's frontage, the water demand generated by this development may exceed the capabilities of this water line. If so, the applicant will need to either increase the size of this water line or connect a public water line (8 in. diameter) to the public water line (8 in. diameter) on the opposite (north) side of Route 17.

In addition, the applicant will have multiple options for connecting to public sewer. The most direct manner of connection can be through construction of a pump station (to be

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dedicated to Gloucester County) on the site, which will be sized to serve the development as well as additional properties in the vicinity. Alternatively, the applicant can connect to Pump Station 28, located adjacent to the York River Villas development, roughly 1,000 ft. from the property. The applicant has stated that this is their preferred method of connecting to public sewer. However, if this option is chosen, they will need to ensure that the sewer line is at least 10 ft. from all public hardscape surfaces (paved public roads and sidewalks) and contained in a 20 ft. wide public utility easement.

Staff has proposed a CUP condition of use (Condition 2) to ensure that, if the development will connect to Pump Station 28, the connection will occur in the manner required by the Gloucester County Department of Public Utilities. This condition of use reinforces the Zoning Ordinance requirement that the development be connected to both public water and sewer. In all circumstances, the applicant will be required to perform a water and sewer study for this project, which will need to be submitted to the Gloucester County Department of Public Utilities and confirmed as appropriate.

The Conceptual Plan illustrates a 50 ft. landscape buffer from Route 17. A CUP condition of use (Condition 5) has been proposed to specify options to be used for this landscaping buffer based upon buffering used in the Zoning Ordinance. In addition, the proposed condition requires the landscaped buffer to be continuous and avoid all features that may prevent it from continuing unless avoiding these features are infeasible (such as the internal roadway's connection to Route 17).

Staff has also proposed a CUP condition of use (Condition 6) to ensure that all site lighting for the MF-1 property will reflect away from adjoining properties and no lighting will reflect beyond the property's boundaries. This proposed condition was included as a result of concerns raised by citizens and the Planning Commission during the review of the Legacy Land Rezoning Application (Z-23-01).

Although a private well or drainfield will not be required for this development, any existing wells or drainfields on this property will need to be properly abandoned in accordance with the Health Department's regulations. In addition, the development will need to meet the applicable setbacks from existing septic systems and private wells on adjacent properties, including setbacks from a pump station (if constructed on the site), which should be assisted by the 30 ft. perimeter buffer illustrated on the Conceptual Plan and required by the Zoning Ordinance.

The applicant has also stated that other utilities, including electricity, cable TV, telephone, and internet, would be extended to the development at no cost to the developer when positive revenue is identified, as is required by policy of the service providers. Furthermore, as required by the Zoning Ordinance, lines for these utilities shall be placed underground. Finally, the MF-1 portion of the development will be served by a private solid waste collection and disposal service, paid for as part of the Condominium Association fees. This servicer will collect both trash and recyclable material.

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Approval Criteria

The project requires Conditional Use Permit (CUP) approval for the requested density of roughly 10.86 units per net acre in the MF-1 district. The purpose of the CUP is as follows:

The purpose of this section is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions, be acceptable in certain specific locations. These uses are permitted only through the issuance of a conditional use permit by the Board of Supervisors after ensuring that the use can be appropriately accommodated on the specific property, will be in conformance with the Comprehensive Plan, can be constructed and operated in a manner which is compatible with the surrounding land uses and overall character of the community, and that the public interest, safety, and general welfare of the citizens of the County will be protected.

No inherent right exists to receive a conditional use permit; such permits are a special privilege granted by the Board of Supervisors under a specific set of circumstances and conditions, and each application and situation is unique. Consequently, mere compliance with the generally applicable requirements may not be sufficient, and additional measures, occasionally substantial, may be necessary to mitigate the impact of the proposed use. In some situations, no set of conditions would be sufficient to approve an application, even though the same request in another location would be approved.

Although the property is currently zoned B-1, the applicant is requesting the parcel containing condominium units to be zoned MF-1 with a CUP request for density greater than 8 units per net acre (but not more than 12 units per net acre) in the MF-1 district. Therefore, evaluation of the CUP component of the joint application will be relative to the proposed MF-1 zoning for the condominium parcel, not the current B-1 zoning, as well as the surrounding SF-1 zoning of the neighboring properties (including the adjacent parcel proposed to be zoned SF-1 by the applicant). The intent of the MF-1 district is as follows:

The intent of the MF-1 district is to provide for a variety of housing accommodations, in suitable areas within the Development District, at moderate and high densities allowing for efficient delivery of utility services including public and semi-public facilities to serve the residents. Development in this district is intended to be served by public water and sewer.

The CUP requires applicants to meet specific criteria in order for the Board of Supervisors to grant approval. As specified in Section 14-3(6) of the Zoning Ordinance, the applicant

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must demonstrate that the proposed development will satisfy the following¹ criteria. Should further measures be necessary to satisfy these criteria, additional conditions may be imposed by the Board of Supervisors, as specified in Section 14-3(8)(b) of the Zoning Ordinance.

- 1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this section, and all applicable provisions of the Zoning Ordinance.**

The applicant has submitted a completed application in accordance with Section 14-3(3) of the Zoning Ordinance. Staff is currently discussing all proposed conditions of use with the applicant and County Attorney and will incorporate their feedback (if any) into the version presented to the Planning Commission at their Public Hearing on the application. The Commission can modify, add, or remove any proposed condition of use at this Public Hearing in accompaniment with their recommendation on the application to the Board of Supervisors. Ultimately, if approved, the Board will determine the final conditions of use for this application.

- 2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.**

The applicant proposes 34 units developed at a density of 10.86 units per net acre. As a result of the density proposed, the development is required to be connected to public water and sewer. A CUP condition is proposed reinforcing this requirement and stating that the connection shall be done through an onsite pump station or extension of a public sewer line to Pump Station 28. The proposed condition also reinforces the need for this line to be outside of paved public surfaces (roads and sidewalks) and within a public utility easement, supporting the Utility Department's maintenance needs while reducing the impact to Route 17 (lane closures) when maintenance will occur (if a line is extended). Furthermore, another CUP condition is proposed requiring the existing sidewalks along Route 17 exist, which are not compliant with VDOT's current sidewalk standards, to be replaced with sidewalks compliant with these standards. The condition proposes for the replacement to occur along the Route 17 frontage within the public right-of-way between the intersection with Tyndall Drive and the intersection with Camp Okee Drive. Finally, the development will be served by an internal roadway, reducing the number of access points along Route 17 from two (existing) to one (proposed). These improvements will support, or even enhance, the public health, safety, morals, comfort, and general welfare as a result of the development. ***However, should the Planning Commission or Board of Supervisors feel that additional or different conditions of use are necessary to offset any impacts***

¹ In addition to meeting the approval criteria detailed in Section 14-3(6), the applicant must satisfy and maintain compliance with any other applicable requirements of the Zoning Ordinance.

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from the application (request for greater density) identified at their Public Hearing, they can be included during their review of the application.

3. **The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.**

The property is in proximity to the SF-1 district and the adjacent area generally contains properties developed for residential use. Furthermore, the property's frontage is along Route 17, the County's primary thoroughfare. The Conceptual Plan illustrates a 30 ft. perimeter buffer along property lines adjacent to SF-1 zoning and a 50 ft. landscaped buffer along Route 17. Although the buffer from adjacent SF-1 properties is required by Section 9B-9.30(2) of the Zoning Ordinance, the buffer along Route 17 is not required for this development and is proposed as a CUP condition of use by staff based upon the Conceptual Plan provided by the applicant.

Since a 30 ft. setback is the required rear yard setback for the SF-1 district (with no accompanying landscaping requirement), these buffers are greater than what would be required for a development in the SF-1 district. Since these buffers meet or exceed the zoning requirements for single family development, the property in the immediate vicinity should experience minimal impacts, if any. Furthermore, the increased density (10.86 units per net acre) is shown on the Conceptual Plan without any impact to either the perimeter buffer (to properties zoned SF-1) or the landscaped buffer (to Route 17). Finally, the Noise Ordinance (Chapter 11 of the County Code) will apply to this development, so any activities within this development will also need to be in compliance with these requirements, which is regulated by the Sherriff's Office. Therefore, it is not expected that the CUP (increase in density) will be injurious to the use and enjoyment or impair the use of properties in the immediate vicinity. ***However, should the Planning Commission or Board of Supervisors feel that additional or different conditions of use are necessary to offset any impacts from the application (request for greater density) identified at their Public Hearing, they can be included during their review of the application.***

4. **The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and**

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whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.

The MF-1 district permits condominiums (under the “Dwelling, multifamily” use) at a density of 8 units per net acre by right when connected to public water and sewer. However, as previously stated, when granted through a CUP and connected to public water and sewer, this use may be developed in the MF-1 district at a density of up to 12 units per net acre. Under the by right density of 8 units per net acre, the property (3.13 acres) would be permitted 25 units. However, the application is requesting a CUP be granted to develop 34 units at a density of 10.86 units per net acre. Therefore, if issued, the CUP would allow for 9 additional units beyond that permitted by right in the MF-1 district for this property, an increase of 36%.

As previously stated in the MF-1 district intent, this district desires for housing variety in suitable areas within the Development District at moderate and high densities served by public water and sewer. Compared to the impact of 25 units in the MF-1 district, both densities would necessitate similar improvements as a result of their impacts. Both densities would require connection to public water and sewer, site entrance improvements (per VDOT standards), onsite stormwater management, and a buffer from adjacent properties zoned SF-1. Furthermore, the MF-1 district does not permit greater location, size, or height standards for developments with densities permitted by CUP than those permitted by right.

A number of other uses are also permitted in the MF-1 district, whether by right, by Special Exception, or by CUP. In many of these cases, the uses could produce similar or greater impacts than the 34 units proposed by the applicant. Churches and other places of worship, and public elementary or secondary schools are both permitted by right and would likely produce significantly more trips during the highest usage times of the day or week. Similarly, a major commercial wireless communication facility is permitted by Special Exception, which could produce greater impacts to neighboring properties due to its height and proximity to Route 17. Finally, a residential group home for 9 or more individuals or multifamily dwelling of a different type (apartment, townhouse, etc.) or density (greater than 34 units, but not more than 37 units), both permitted by CUP, could potentially produce greater impacts to the local roadways and school system than that proposed by the applicant.

Therefore, though the CUP would allow for an additional 9 units at a density of 10.86 units per net acre (a 36% increase when compared to that permitted at 8 units per net acre), the zoning requirements for the development are comparable at both densities. Furthermore, other uses permitted in the MF-1 district, whether by right, by Special Exception, or by CUP may produce greater impacts than 9 additional (34 total) condominium units. As a result, the development produces by a density of 10.86 units per net acre on this parcel conforms to the character of this zoning district, has no more adverse impacts on health, safety, or comfort, and

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is no more injurious to property or improvements in the neighborhood than would any other use permitted in the MF-1 district. ***However, should the Planning Commission or Board of Supervisors feel that additional or different conditions of use are necessary to offset any impacts from the application (request for greater density) identified at their Public Hearing, they can be included during their review of the application.***

5. The exterior architectural appeal and function plan of any proposed structure will not be at substantial variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.

The applicant has provided both a Conceptual Plan as well as draft elevations of the condominium units. The Conceptual Plan illustrates the condominium units being served by an internal private road with one access point on Route 17 whereas the property, though undeveloped, currently has two access points along Route 17. Furthermore, the elevations provided illustrate both 2-story and 3-story models. Although the Conceptual Plan does not specify which units will be 2 or 3-story, all units are shown to be buffered by a 30 ft. perimeter buffer from adjacent properties zoned SF-1. Finally, sidewalks are shown along the internal roadway, which will connect to sidewalks along Route 17. Though the sidewalks along Route 17 exist and were previously installed by VDOT, they are not compliant with VDOT's current sidewalk standards and a CUP condition is proposed to require sidewalks compliant with these standards to be constructed along the Route 17 frontage within the public right-of-way between the intersection with Tyndall Drive and the intersection with Camp Okee Drive.

The property is currently an undeveloped wooded parcel and, therefore, any development will change the character of the property. However, the internal roadway will consolidate all driveways onto this road and will reduce the access points onto Route 17 from two to one. Furthermore, the sidewalk provisions will allow for alternative transportation options to the residents while providing VDOT compliant sidewalks along the Route 17 frontage between the two nearest intersections, improving pedestrian safety along this roadway. Finally, the perimeter buffer illustrated on the Conceptual Plan and required by Section 9B-9.30(2) of the Zoning Ordinance, will ensure that the 34 units (and increased density) will be appropriately screened from the immediate neighborhood, including the adjacent properties zoned SF-1. ***However, should the Planning Commission or Board of Supervisors feel that additional or different conditions of use are necessary to offset any impacts from the application (request for greater density) identified at their Public Hearing, they can be included during their review of the application.***

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- 6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.**

The proposed development provides for a housing type lacking in the County and in an area (Gloucester Point) in proximity to the Peninsula, where a significant portion of Gloucester's population is employed. Furthermore, the aforementioned sidewalk improvements proposed by CUP condition will be available to both the residents of the development as well as the general population. Finally, depending on whether a pump station is constructed on the site or a public sewer line is extended to Pump Station 28, additional properties may be able to connect to this pump station or line. However, this benefit would be determined at the time of site plan approval and may be limited depending on the viability of connecting to Pump Station 28.

Though the adjacent properties may be affected by the loss of vacant wooded property, the applicant is proposing a perimeter buffer between the units and these properties. Although this is required by the Zoning Ordinance, the applicant also took this step in order to address issues identified when an application was previously proposed for this property. In addition, the applicant illustrates a landscaped buffer between the development and Route 17 (reinforced by a CUP condition of use), which is not required by the Zoning Ordinance. As a result, the applicant has taken numerous steps to provide benefits to the public interest and welfare while mitigating effects to those adversely affected. ***However, should the Planning Commission or Board of Supervisors feel that additional or different conditions of use are necessary to offset any impacts from the application (request for greater density) identified at their Public Hearing, they can be included during their review of the application.***

- 7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic, archeological, or historic importance.**

The property is not listed on a local, state, or national register for its historic or archaeological significance. Furthermore, there are no known areas of ecological or scenic significance within the proximity of this site. Therefore, the application is not expected to produce any impact resulting in destruction, loss, or damage to areas of ecological, scenic, archaeological, or historic importance.

Staff Comments

No significant concerns have been raised during staff's review of the joint application (Rezoning Application Z-25-01 and Conditional Use Permit Application CUP-25-01). If approved, a Development Plan will need to be submitted for the MF-1 parcel, which will

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be reviewed by the County and VDOT staff to confirm that the condominium development meets all applicable requirements prior to land disturbance and construction.

As previously stated, although the applicant is requesting a density of 10.86 units per net acre on the MF-1 parcel, an increase of 9 units beyond the by right allowance of 34 units (an increase of 36%), when comparing the impact of 25 units (permitted by right if rezoned) and 34 units (requested by the applicant), it appears that the impacts, if any, have been addressed through the design of the Conceptual Plan, proffered limitation of no more than 34 units, and CUP conditions of use proposed by departmental staff. As a result, any remaining impacts resulting from the increased density are negligible.

Staff Recommendation

Staff recommends the Planning Commission forward the joint application (Rezoning Application Z-25-01 and Conditional Use Permit Application CUP-25-01) to the Board of Supervisors with a recommendation of approval for the following reasons:

1. The proposed joint application furthers the Village Scale Mixed Use designation's aim that relatively high residential densities are appropriate when developed with pedestrian-oriented improvements.
2. The joint application supports the Mixed Density Residential designation's intention to provide a variety of housing types, including higher-density, village-scale neighborhood developments.
3. The joint application promotes the Development District's desire that this area be the County's principal population center and most suitable area for new population growth while impacts on local roads is minimized and developments are served by public water and sewer facilities.
4. The joint application furthers the Comprehensive Plan's Housing chapter goals to encourage housing of various types and promote the use of safe and livable neighborhood designs in new residential developments as well as its implementation strategy to increase the allowable density within the multi-family zoning districts on public water and sewer.
5. The joint application supports the Comprehensive Plan's Transportation chapter goals to ensure that development results in minimal negative impacts on road systems and traffic patterns and encourage the provision of adequate mobility for all segments of the community as well as its implementation strategy to encourage traditional neighborhood design.
6. The joint application promotes the Comprehensive Plan's Natural Resources chapter objective to encourage development in areas where public water and sewer are provided as well as its implementation strategies to allow for increased density and development to be located in the Development District and encourage pedestrian scale development in Village Areas.

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Planning Commission Public Hearing June 5, 2025

Furthermore, staff recommends the Planning Commission forward the following conditions of use with the CUP component (CUP Application CUP-25-01 for the MF-1 parcel) of the joint application to the Board of Supervisors:

1. The MF-1 parcel shall be developed generally in accordance with the Conceptual Plan (formally titled "Conceptual Plan Garage Option") with only changes thereto that the Zoning Administrator reasonably determines do not alter the basic concept or character of the development of this parcel; provided, however, such development of this parcel shall be expressly subject to such changes in configuration, composition and location as required by all other governmental authorities having jurisdiction over such development.
2. A sidewalk compliant with Sections 6A-4(2) and 6A-4(3) of the Zoning Ordinance shall be provided by the applicant within the public right-of-way from the intersection with Tyndall Drive (SR 1218) to the intersection with Camp Okee Drive (SR 1240). Where it is not feasible to provide sidewalks compliant with the aforementioned sections within the public right-of-way, either sidewalks outside of the public right-of-way, in accompaniment with a public access easement, may be approved or a fee in lieu, determined by the costs detailed in Section 15-10(3) of the Zoning Ordinance, shall be provided to the County.
3. Internal sidewalks and continuous onsite pedestrian circulation in a safe and convenient manner shall be provided within the site.
4. All units within the development shall be connected to public water and sewer. Public sewer shall be provided by the applicant either by an on-site pump station connected to the HRSD public sewer line or a public sewer line extended to connect to Pump Station 28. If a sewer line is extended to Pump Station 28, the line shall be at least 10 ft. from all existing and proposed hardscape public surfaces, whether public roadways or sidewalks. The public sewer line shall be contained within a public utility easement, inclusive of 10 ft. of easement area on each side of the line, except for portions of the easement area contained within the public right-of-way.
5. The 50 ft. landscape buffer shown on Route 17 shall contain a continuous landscaped buffer consistent with Section 9C-3, 11-6(3), or 11-6(5) of the Zoning Ordinance. This continuous buffer shall avoid utility lines, stormwater management features, and other elements which may cause a break in the continuous buffer except where it is not practically feasible to avoid such elements.
6. Any lights used to illuminate the site shall be so arranged as to reflect light away from adjoining premises and shall not reflect light beyond the boundary of the property.

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Planning Commission Public Hearing June 5, 2025

Site Aerial



NOTICE OF PUBLIC HEARING GLOUCESTER COUNTY PLANNING COMMISSION

The Gloucester County Planning Commission will hold a Public Hearing in the Thomas Calhoun Walker Education Center Auditorium, 6099 T. C. Walker Road, Gloucester, Virginia on June 5, 2025 beginning at 6:30 PM to consider the following:

Joint Application: Rezoning Z-25-01 and Conditional Use Permit CUP-25-01

A joint application by Marsh Hawk Villas, LLC (Jeff Ambrose, representative) to amend the Gloucester County Zoning Map to reclassify 3.1 +/- acres (TM 51A(4)-A, RPC #25644) from B-1, General Business, to MF-1, Residential Multi-Family (Conditional), and 0.7 +/- acres (TM 51A(11)-E1, RPC #18417) from B-1, Business to SF-1, Residential Single Family. Furthermore, the joint application seeks to allow a density of 10.97 dwelling units per acre on the parcel proposed to be rezoned to the MF-1 district (TM 51A(4)-A, RPC #25644) through a Conditional Use Permit (CUP). The property is located in the Gloucester Point Magisterial District with the MF-1 parcel adjacent to Route 17 South and the SC-1 parcel at the intersection of Route 17 South and Tyndall Drive (SR 1218).

The CUP is intended to provide for uses which, due to their unique characteristics or potential impact on adjacent land uses, are not permitted in certain zoning districts by-right but may be acceptable under certain circumstances and with specific conditions to offset potential impacts. In the MF-1 district, a maximum density of 8 dwelling units per net acre is permitted by right for multifamily dwellings. However, when approved through the CUP application process, a maximum density of up to 12 units per net acre may be permitted in the MF-1 district.

The purpose of this joint application is to permit the construction of 34 condominium units on the parcel proposed to be rezoned to the MF-1 district (TM 51A(4)-A, RPC #25644) at a density of 10.97 dwelling units per net acre. The applicant has voluntarily proffered a limitation on the number of units to be developed on this parcel (and the resulting density), proposed to be not more than 34 units. In addition, the Conceptual Plan illustrates (for the MF-1 parcel) an internal private road, a 50 ft. landscape buffer along Route 17, and a 30 ft. perimeter buffer along all other property lines. The parcel proposed to be rezoned to the SF-1 district (TM 51A(11)-E1, RPC #18417) is shown on the Conceptual Plan as being subdivided into two lots of at least 10,000 sf in size. As required by the density proposed in the MF-1 and SF-1 districts, all units and lots proposed by this development will be required to connect to public water and sewer.

The Comprehensive Plan's Future Land Use Plan identifies this area as Village Scale Mixed Use (on the front of the parcels) and Mixed Density Residential (on the rear of the parcels) within the Development District. Furthermore, the Gloucester Point/Hayes Village Development Area Plan identifies this area as within the Transition Area. These designations are the County's principal population centers that can support residential development in a village-scale environment. Relatively high residential densities with housing variety, such as condominiums, townhomes, and apartments, and containing pedestrian-oriented improvements are appropriate. Finally, these areas should be served by public water and sewer and developments should minimize impacts on local roads.

The preceding is a summary, not the full text, of the joint application. It is not intended to be a comprehensive representation of the full joint application and does not substitute for the full text of the joint application, which is available for review in the Gloucester County Department of Planning, Zoning, & Environmental Programs located at 6489 Main Street, Gloucester, Virginia or on the department's website at www.gloucesterva.info/planning.

The meeting will be broadcast live through the County website meeting portal at: <https://www.gloucesterva.gov/640/Meeting-Portal> and on Cox channel 48.

All interested parties are invited to express their views on this matter. Public comments may be submitted prior to the public hearing by three different methods:

- To submit comments online, complete the [Public Comment Submission](http://www.gloucesterva.gov/publiccomment) form (www.gloucesterva.gov/publiccomment). Please follow the instructions on the form to indicate the public hearing on which you want to comment.
- Comments may also be submitted by calling and leaving a message at 804-824-2760. Follow the prompts to leave comments for this specific public hearing, and clearly indicate your name (including spelling if needed) and your magisterial district.
- Finally, comments may be submitted by US Mail to County Administration, ATTN: PUBLIC HEARING, 6489 Main Street, Gloucester, Virginia 23061. Any mailed comments must include your name, your magisterial district, and the title of this public hearing clearly printed at the top, and all such comments must be received by the scheduled date of this hearing. Please type or print all comments legibly.

Comments submitted through one of these methods prior to the public hearing must be received by the County no later than 4:30 PM on June 5, 2025 and will be read or played during the public hearing.

"Form letters," consisting of communications which are verbatim duplicates (other than the identifying information of the author/submitter) of one or more other communications received by the County pertaining to the matter to be considered at the public hearing, shall be read only once per letter, along with the list of persons submitting the same comments pursuant to such "form letter."

Persons requiring assistance to attend the hearing should contact the Department of Planning, Zoning, & Environmental Programs at (804) 693-1224 between the hours of 8:00 AM and 4:30 PM Monday through Friday.

John C. Meyer, Jr., Chairman
Gloucester County Planning Commission



GLOUCESTER COUNTY
Planning, Zoning & Environmental
Programs Department
6489 Main Street
Gloucester, VA 23061
(804) 693-1224
www.gloucesterva.info

M E M O R A N D U M

TO: Planning Commission

CC: Carol Steele, County Administrator
George Bains, Deputy County Administrator
Ted Wilmot, County Attorney

FROM: Anne Ducey-Ortiz, Planning, Zoning & Env. Programs Director
Tripp Little, Planner III

DATE: May 27, 2025 for June 5, 2025 meeting

SUBJECT: Technology Overlay District – Public Meeting Recap and Discussion

The Department of Planning, Zoning and Environmental Programs will be hosting a meeting at Rappahannock Community College (RCC) in Glens on May 28, 2025 to provide information about a potential Technology Overlay District (TOD) and to get public feedback. As you recall, the Board of Supervisors asked the Planning Commission to consider a code amendment to encourage the development of data centers in the County (see attached memo from May 2, 2024 PC meeting for background). The Planning Commission decided to get public input on the concept before developing a recommendation or an ordinance. Hopefully most of you will have attended the meeting to learn more about data centers and to hear the public's feedback.

The meeting will include a PowerPoint presentation from Carol Steele, County Administrator, Joe Lerch, Director of Local Government Policy, Virginia Association of Counties and Tripp Little, Planner III explaining the good, the bad and the ugly about data centers and why Glens. Then there will be an opportunity for questions and feedback from the audience. Staff worked with our Community Engagement Department to develop a short survey that people can take using a QR Code. This will be available at the meeting and after. Staff also worked with staff from RCC so that the meeting can be recorded for those that cannot attend. Links to both the meeting video and the survey will be provided to the public and the Planning Commission.

After hearing from the public, the Planning Commission will need to determine the next steps in responding to the Board's request.

PC Action: Work with staff to determine the next steps.



GLOUCESTER COUNTY
Planning, Zoning & Environmental
Programs Department
6489 Main Street
Gloucester, VA 23061
(804) 693-1224
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M E M O R A N D U M

TO: Planning Commission

CC: Carol Steele, County Administrator
George Bains, Deputy County Administrator
Ted Wilmot, County Attorney

FROM: Anne Ducey-Ortiz, Planning, Zoning and Environmental
Programs Director

DATE: April 23, 2024 for May 2, 2024 meeting

SUBJECT: Potential Code Amendment – Technology Overlay District (TOD)

During the Board of Supervisors' work session on April 16th, the Board expressed a desire to have the Planning Commission and staff to develop a Technology Overlay District (TOD) to encourage the development of data centers in the County. When data centers were originally discussed by the Planning Commission for the Zoning Ordinance Update, there was doubt they would be viable in Gloucester County and there was concern about noise and the extensive water needs reported with such facilities. As such, the Planning Commission chose to allow them by Conditional Use Permit (CUP) in the I-1 Industrial district in case the technology changed that would enable one to be proposed in the County. The CUP process would allow the Commission to set reasonable conditions, if approved, to address any concerns. It was recently determined that some of the transmission lines on the Middle Peninsula could support the energy needs required by a data center. In Gloucester County, it appears that Glens would be the only location that has the type of transmission lines that could support the development of data centers.

As a result, Carol Steele, Gloucester County's County Administrator, the two Deputy County Administrators, the Director of Economic Development, and the Chief Information Officer along with the county administrators from Middlesex and King and Queen and Trent Funkhouser, the Middlesex County EDA Director, went on a tour of the QTS Data Center in Henrico County. The tour was arranged by Melanie Rapp Beale, the County's Dominion Power representative, who also attended. Based on the tour, they learned that the newer data centers have addressed many of the concerns previously associated with these uses – specifically noise impacts and water use. In addition, they generate substantial tax revenues but with limited impact on County

services or the transportation network. Subsequently, Carol Steele gave an overview of the tour as well as some of her research as to how other localities permit and encourage this use in their localities to the Board. The Board and administration feel that the county should create an overlay district, similar to the one developed by Louisa County, that could allow data centers and their accessory components by right in the Glenns area while still protecting the rural character at the north end of county through substantial buffering and set back requirements established through the district regulations. The following links to Louisa's webpage on their TOD and the ordinance in municode may provide some background information that may be helpful for Gloucester.

<https://www.louisacounty.gov/3244/Technology-Overlay-District-TOD>

https://library.municode.com/va/louisa_county/codes/code_of_ordinances?nodeId=CO_CH86LADERE_ARTIIZOORMA_DIV6ZODILAUS_S86-331ESTEOVDI

Staff is meeting with administration on Wednesday April 24th to discuss their ideas and a potential process to move forward and will provide you with an overview at our May meeting. Ms. Steele is planning on attending the May 2nd Planning Commission meeting but may be a little late due to a prior meeting. However, since we have several items under "Old Business" to cover before this item, she should be there in time for this discussion.

PC Action: Listen to Planning Staff and Administration about ideas for TOD's and provide feedback and direction.
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