

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, _____, 2025, IN THE COLONIAL COURTHOUSE, 6504 MAIN STREET, GLOUCESTER, VIRGINIA: ON A MOTION DULY MADE BY _____, AND SECONDED BY _____, THE FOLLOWING ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ____;
Ashley C. Chriscoe, ____;
Kenneth W. Gibson, ____;
Christopher A. Hutson, ____;
Michael A. Nicosia, ____;
Robert J. Orth, ____;
Kevin M Smith, ____;

AN ORDINANCE TO AMEND THE GLOUCESTER COUNTY ZONING MAP TO RECLASSIFY 3.8 +/- ACRES OWNED BY CADELROCK IV, LLC, LOCATED IN THE GLOUCESTER POINT MAGISTERIAL DISTRICT, WITH 3.1 +/- ACRES TO BE RECLASSIFIED FROM B-1, GENERAL BUSINESS, TO MF-1, RESIDENTIAL MULTI-FAMILY (CONDITIONAL) AND 0.7 +/- ACRES TO BE RECLASSIFIED FROM B-1, GENERAL BUSINESS, TO SF-1, RESIDENTIAL SINGLE FAMILY, FOR THE PURPOSE OF DEVELOPING 34 CONDOMINIUM UNITS ON THE MF-1 PARCEL AND 2 SINGLE FAMILY RESIDENTIAL LOTS ON THE SF-1 PARCEL

WHEREAS, a rezoning application (Z-25-01) has been submitted by Marsh Hawk Villas, LLC (Jeff Ambrose, representative) to rezone the property known as Tax Map Parcel 51A(4)-A, identified as RPC No. 25644, from B-1, General Business, to MF-1, Residential Multi-Family (Conditional), and to rezone the property known as Tax Map Parcel 51A(11)-E1, identified as RPC No. 18417, from B-1, General Business, to SF-1, Residential Single Family, and to thereby amend the Gloucester County Zoning Map; and

WHEREAS, the property requested to be rezoned is located within the Gloucester Point Magisterial District at the southern corner of the intersection of Route 17 South and Tyndall Drive (SR 1218); and

WHEREAS, the applicant has submitted a proposed Proffer Statement in accompaniment with the rezoning application; and

WHEREAS, the applicant has stated that the proposed proffer is voluntarily offered by the applicant and is not unreasonable, in accordance with § 15.2-2303.4 of the Code of Virginia; and

WHEREAS, the Gloucester County Planning Commission, after holding a duly-advertised Public Hearing at its June 5, 2025 meeting, recommended denial of Z-25-01, 5-1, to the Board of Supervisors; and

WHEREAS, the Gloucester County Board of Supervisors has held a duly advertised public hearing; and

WHEREAS, the property is identified in the Comprehensive Plan's Future Land Use Plan as the Village Scale Mixed Use and Mixed Density Residential designations and within the Development District; and

WHEREAS, the property is identified in the Gloucester Point/Hayes Village Development Area Plan as within the Transition Area designation; and

WHEREAS, the proposed rezoning furthers the Village Scale Mixed Use designation's aim that relatively high residential densities are appropriate when developed with pedestrian-oriented improvements; and

WHEREAS, the application supports the Mixed Density Residential designation's intention to provide a variety of housing types, including higher-density, village-scale neighborhood developments; and

WHEREAS, the proposed rezoning promotes the Development District's desire that this area be the County's principal population center while minimizing impacts on local roads and be served by public water and sewer facilities; and

WHEREAS, the 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; and

WHEREAS, the proposed rezoning 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; and

WHEREAS, the application promotes the Comprehensive Plan's Natural Resources chapter objective to encourage development in areas where public water and sewer are provided and implementation strategy to allow and encourage pedestrian scale development in Village Areas; and

WHEREAS, the Gloucester County Board of Supervisors finds that the rezoning application would have no additional adverse impact on the public health, safety, and welfare;

NOW, THEREFORE BE IT ORDAINED AND ENACTED by the Gloucester County Board of Supervisors on this the _____ day of _____, 2025 that Application Z-25-01 be, and it hereby is, approved to amend the Gloucester County Zoning Map to reclassify Tax Map Parcel 51A(4)-A, from B-1, General Business, to MF-1, Residential Multi-Family (Conditional), subject to and conditioned upon the Proffer Statement attached hereto and made a part hereof, and to reclassify Tax Map Parcel 51A(11)-E1, from B-1, General Business, to SF-1, Residential Single Family.

A Copy Teste:

Carol E. Steele, County Administrator

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, _____, 2025, IN THE COLONIAL COURTHOUSE, 6504 MAIN STREET, GLOUCESTER, VIRGINIA: ON A MOTION DULY MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ____;
Ashley C. Chriscoe, ____;
Kenneth W. Gibson, ____;
Christopher A. Hutson, ____;
Michael A. Nicosia, ____;
Robert J. Orth, ____;
Kevin M Smith, ____;

A RESOLUTION TO DENY REZONING APPLICATION Z-25-01, REQUESTING TO RECLASSIFY 3.8 +/- ACRES OWNED BY CADELROCK IV, LLC, LOCATED IN THE GLOUCESTER POINT MAGISTERIAL DISTRICT, WITH 3.1 +/- ACRES TO BE RECLASSIFIED FROM B-1, GENERAL BUSINESS, TO MF-1, RESIDENTIAL MULTI-FAMILY (CONDITIONAL) AND 0.7 +/- ACRES TO BE RECLASSIFIED FROM B-1, GENERAL BUSINESS, TO SF-1, RESIDENTIAL SINGLE FAMILY, FOR THE PURPOSE OF DEVELOPING 34 CONDOMINIUM UNITS ON THE MF-1 PARCEL AND 2 SINGLE FAMILY RESIDENTIAL LOTS ON THE SF-1 PARCEL

WHEREAS, a rezoning application (Z-25-01) has been submitted by Marsh Hawk Villas, LLC (Jeff Ambrose, representative) to rezone the property known as Tax Map Parcel 51A(4)-A, identified as RPC No. 25644, from B-1, General Business, to MF-1, Residential Multi-Family (Conditional), and to rezone the property known as Tax Map Parcel 51A(11)-E1, identified as RPC No. 18417, from B-1, General Business, to SF-1, Residential Single Family, and to thereby amend the Gloucester County Zoning Map; and

WHEREAS, the property requested to be rezoned is located within the Gloucester Point Magisterial District at the southern corner of the intersection of Route 17 South and Tyndall Drive (SR 1218); and

WHEREAS, the applicant has submitted a proposed Proffer Statement in accompaniment with the rezoning application; and

WHEREAS, the applicant has stated that the proposed proffer is voluntarily offered by the applicant and is not unreasonable, in accordance with § 15.2-2303.4 of the Code of Virginia; and

WHEREAS, the Gloucester County Planning Commission, after holding a duly-advertised Public Hearing at its June 5, 2025 meeting, recommended denial of Z-25-01, 5-1, to the Board of Supervisors; and

WHEREAS, the Gloucester County Board of Supervisors has held a duly advertised public hearing; and

WHEREAS, the property is identified in the Comprehensive Plan's Future Land Use Plan as the Village Scale Mixed Use and Mixed Density Residential designations and within the Development District; and

WHEREAS, the property is identified in the Gloucester Point/Hayes Village Development Area Plan as within the Transition Area designation; and

WHEREAS, the Board finds that the rezoning application does not support the Comprehensive Plan's Future Land Use chapter purpose for the Mixed Density Residential designation to preserve neighborhood character by encouraging compatible building characteristics; and

WHEREAS, the Board further finds that the rezoning application is inconsistent with the Comprehensive Plan's Future Land Use chapter purpose for the Development District to allow for new population growth based upon infrastructure availability and current development patterns; and

WHEREAS, the Board further finds that the proposed rezoning does not further the Comprehensive Plan's Transportation chapter objective to minimize the use of private roads within the County, including limiting the use of private roads for new subdivisions; and

WHEREAS, the Board finds that the rezoning application does not support the Comprehensive Plan's Housing chapter goal to promote safe and livable neighborhood density designs in new residential developments; and

NOW, THEREFORE BE IT RESOLVED by the Gloucester County Board of Supervisors on this the _____ day of _____, 2025 that Application Z-25-01 be, and it hereby is, denied.

A Copy Teste:

Carol E. Steele, County Administrator

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, _____, 2025, IN THE COLONIAL COURTHOUSE, 6504 MAIN STREET, GLOUCESTER, VIRGINIA: ON A MOTION DULY MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ____;
Ashley C. Chriscoe, ____;
Kenneth W. Gibson, ____;
Christopher A. Hutson, ____;
Michael A. Nicosia, ____;
Robert J. Orth, ____;
Kevin M. Smith, ____;

A RESOLUTION OF APPROVAL FOR A CONDITIONAL USE PERMIT (CUP-25-01) FOR AN INCREASED DENSITY FOR MULTIFAMILY DWELLINGS WITHIN THE MF-1 DISTRICT

WHEREAS, a Conditional Use Permit application (CUP-25-01) has been submitted by Marsh Hawk Villas, LLC (Jeff Ambrose, representative) to permit a density of 10.97 units per acre on Tax Map Parcel 51A(4)-A, identified as RPC No. 25644, proposed to be rezoned to the MF-1 Zoning District through concurrent Rezoning application Z-25-01; and

WHEREAS, the Gloucester County Planning Commission held a public hearing on the application on June 5, 2025; and

WHEREAS, at its Public Hearing, the Gloucester County Planning Commission determined that the CUP application did not meet the approval criteria outlined in Section 14-3(6) of the Zoning Ordinance; and

WHEREAS, at its Public Hearing, the Gloucester County Planning Commission voted 6-0 to forward application CUP-25-01 to the Board of Supervisors with a recommendation of denial; and

WHEREAS, the Gloucester County Board of Supervisors has held a duly advertised public hearing; and

WHEREAS, the application in accompaniment with the following conditions of use furthers the Comprehensive Plan's Future Land Use chapter purpose for the Village Scale Mixed Use and Mixed Density Residential designations that relatively high densities in a village-scale neighborhood development are encouraged; and

WHEREAS, the proposed CUP in accompaniment with the following conditions of use supports the Comprehensive Plan's Future Land Use chapter

purpose for the Development District to be the most suitable area for new population growth; and

WHEREAS, the proposed CUP in accompaniment with the following conditions of use promotes the Comprehensive Plan's Housing chapter implementation strategy to increase the allowable density within the multi-family zoning districts on public water and sewer; and

WHEREAS, the application in accompaniment with the following conditions of use furthers the Comprehensive Plan's Transportation chapter implementation strategy to encourage traditional neighborhood design; and

WHEREAS, the proposed CUP in accompaniment with the following conditions of use supports the Comprehensive Plan's Natural Resources chapter implementation strategies for increased density and development to be located in the Development District and Village Areas and development of projects that minimize impacts to local natural resources; and

NOW, THEREFORE, BE IT RESOLVED by the Gloucester County Board of Supervisors that application CUP-25-01 is hereby approved with the following Conditions of Approval:

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, sidewalks outside of the public right-of-way, in accompaniment with a public access easement, may be approved.
3. Internal sidewalks and continuous on-site 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.
7. (Other conditions to be determined, if deemed necessary by the Board of Supervisors)

AND BE IT FURTHER RESOLVED that this use shall be established within two years of approval by the Board of Supervisors pursuant to Section 14-3(14)(a) of the Zoning Ordinance.

AND BE IT FURTHER RESOLVED that the granting of a conditional use permit does not exempt the applicant/property owner from obtaining a Building Permit, a Certificate of Occupancy, or complying with all other requirements of the Zoning Ordinance or any applicable County, state, or federal law, as specified in Section 14-3(10) of the Zoning Ordinance.

AND BE IT FURTHER RESOLVED that this Conditional Use Permit may be immediately revoked at any time pursuant to Section 14-3(15) of the Zoning Ordinance.

AND BE IT FURTHER RESOLVED that amendments to this Conditional Use Permit shall occur in the manner specified in Section 14-3(16) of the Zoning Ordinance.

A Copy Teste:

Carol E. Steele, County Administrator

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, _____, 2025, IN THE COLONIAL COURTHOUSE, 6504 MAIN STREET, GLOUCESTER, VIRGINIA: ON A MOTION DULY MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ____;
Ashley C. Chriscoe, ____;
Kenneth W. Gibson, ____;
Christopher A. Hutson, ____;
Michael A. Nicosia, ____;
Robert J. Orth, ____;
Kevin M. Smith, ____;

A RESOLUTION FOR THE DENIAL OF A CONDITIONAL USE PERMIT (CUP-25-01) FOR AN INCREASED DENSITY FOR MULTIFAMILY DWELLINGS WITHIN THE MF-1 DISTRICT

WHEREAS, a Conditional Use Permit application (CUP-25-01) has been submitted by Marsh Hawk Villas, LLC (Jeff Ambrose, representative) to permit a density of 10.97 units per acre on Tax Map Parcel 51A(4)-A, identified as RPC No. 25644, proposed to be rezoned to the MF-1 Zoning District through concurrent Rezoning application Z-25-01; and

WHEREAS, the Gloucester County Planning Commission held a public hearing on the application on June 5, 2025; and

WHEREAS, at its Public Hearing, the Gloucester County Planning Commission determined that the CUP application did not meet the approval criteria outlined in Section 14-3(6) of the Zoning Ordinance; and

WHEREAS, at its Public Hearing, the Gloucester County Planning Commission voted 6-0 to forward application CUP-25-01 to the Board of Supervisors with a recommendation of denial; and

WHEREAS, the Gloucester County Board of Supervisors has held a duly advertised public hearing; and

WHEREAS, the Gloucester County Board of Supervisors has reviewed the application for a CUP to determine whether it met the approval criteria outlined in Section 14-3(6) of the Zoning Ordinance; and

WHEREAS, the Gloucester County Board of Supervisors finds that the proposed CUP will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted; and

WHEREAS, the Gloucester County Board of Supervisors further finds that the proposed CUP proposes an exterior architectural appeal and function plan that will be at substantial variance with the exterior architectural appeal and functional plan of the structures already constructed in the immediate neighborhood and, therefore, does not enhance the quality of the neighborhood; and

WHEREAS, the Gloucester County Board of Supervisors finds that the public interest and welfare supporting the proposed conditional use is not sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use; and

WHEREAS, the Gloucester County Board of Supervisors also finds that the proposed CUP does not satisfy the approval criteria outlined in Section 14-3(6) of the Zoning Ordinance; and

WHEREAS, the Gloucester County Board of Supervisors finds that the proposed CUP does not support the Comprehensive Plan's Housing chapter goal to promote context sensitive designs in new residential developments; and

WHEREAS, the Gloucester County Board of Supervisors further finds that the proposed CUP is inconsistent with the Comprehensive Plan's Transportation chapter goal to ensure that development results in minimal negative impact on road systems and traffic patterns within the County; and

WHEREAS, the Gloucester County Board of Supervisors finds that the proposed CUP does not further the Comprehensive Plan's Natural Resource chapter implementation strategy to design projects that minimize impacts to natural resources; and

WHEREAS, the Gloucester County Board of Supervisors further finds that the proposed Conditions of Approval do not sufficiently mitigate the adverse impacts of the development.

NOW, THEREFORE, BE IT RESOLVED by the Gloucester County Board of Supervisors that application CUP-25-01 is hereby denied.

A Copy Teste:

Carol E. Steele, County Administrator



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.

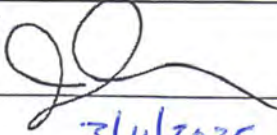
Requesting a rezoning to MF-1 to allow 34 condominium units on RPC 25644. Requesting to rezone RPC 18417 to SF-1 to allow two single family detached homes. See attached impact statement for further information.

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 DiCOM	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 STRANSEN	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

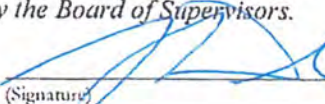
Name: Jeff Ambrose
Address: 109 Hurlston
Williamburg VA 23188


(Signature)
3/11/2025
(Date)
Phone: 804 293 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: Executive Vice President
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

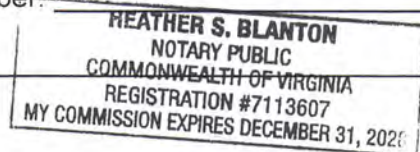
The foregoing instrument was subscribed and sworn before me this 7th day of March, 2025 by _____.

[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.

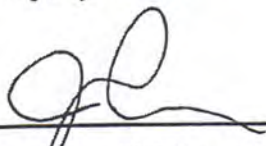
The applicant's signature on the proffers shall serve to certify that any proffered conditions are voluntary, reasonable, and directly related to the rezoning applied for. The applicant shall acknowledge that failure to address and/or mitigate impacts directly attributable to the rezoning may result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

My commission expires:



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

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

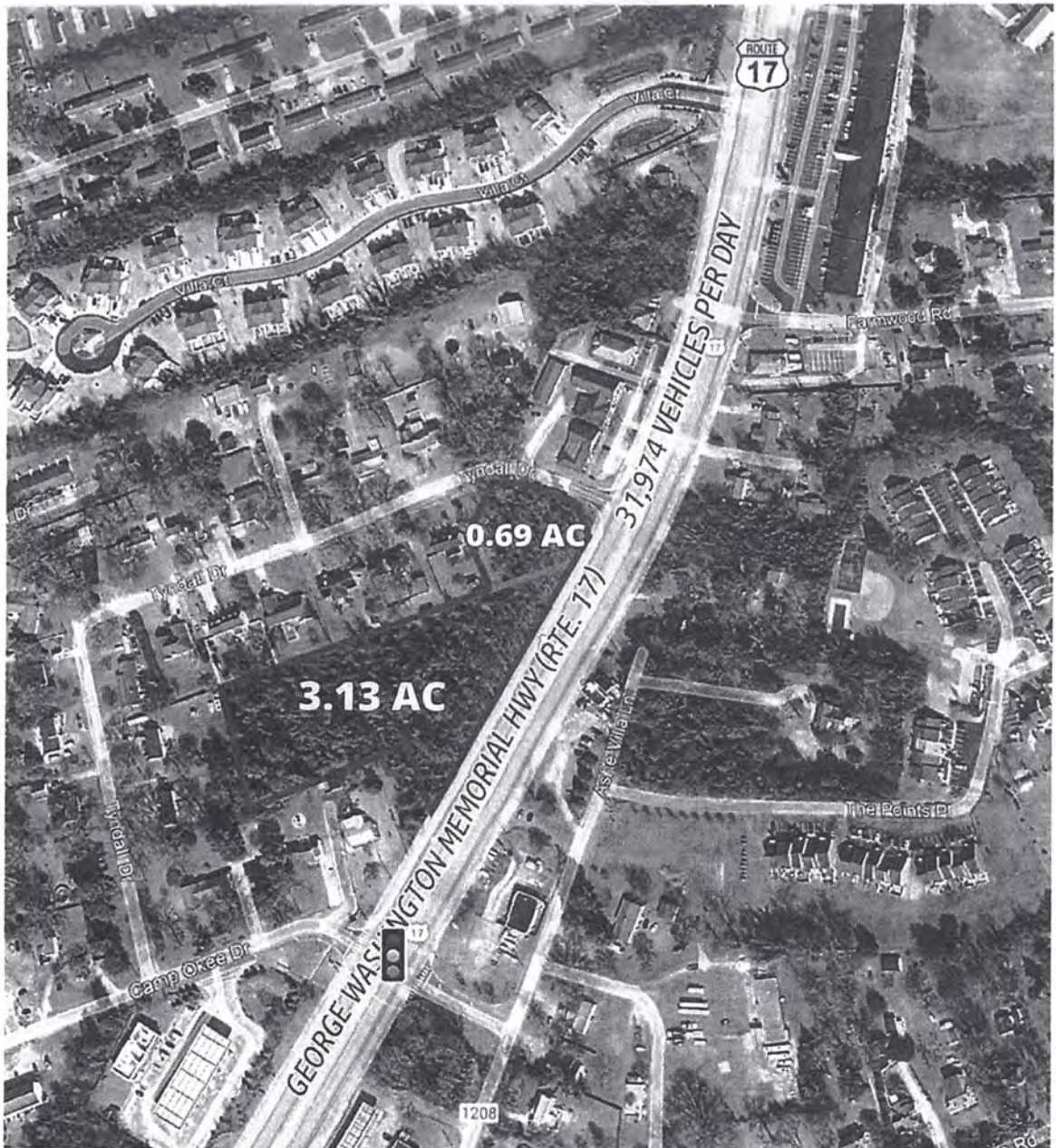
Jason Grimes 4/2/2025

Name & Date (Type or Print)

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

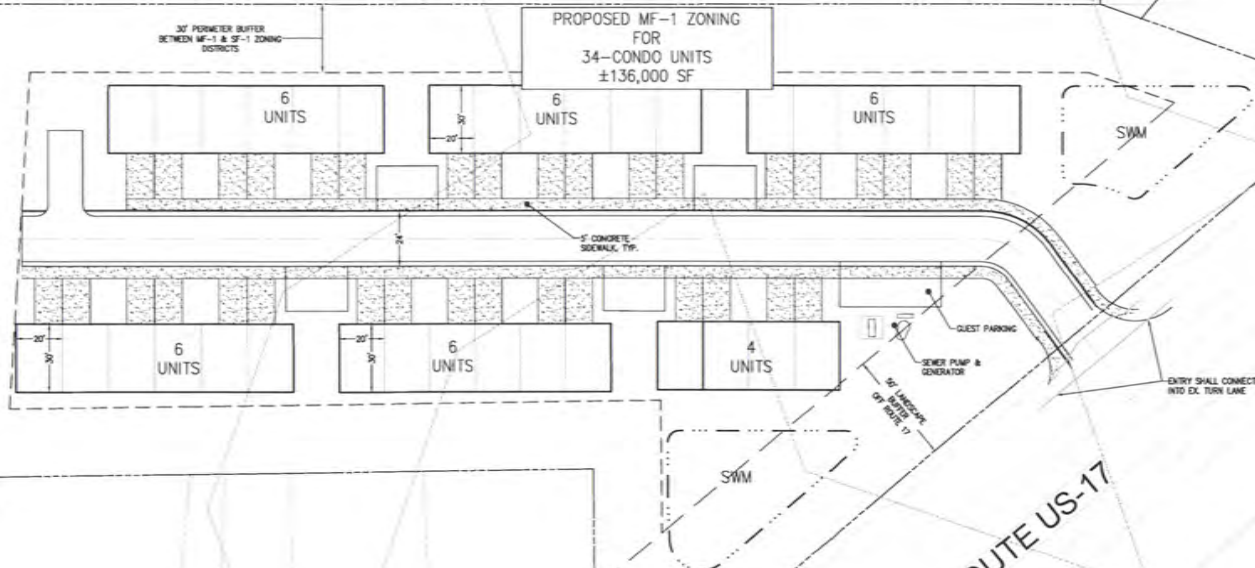
Property Description:

"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.



SITE DATA:
 TOTAL UNITS: 34 CONDO UNITS (MF-1 ZONING)
 2 SINGLE-FAMILY LOTS (SF-1 ZONING)
 AREA OF MF-1 ZONING = ±136,000 SF; ±3.1 AC
 PROPOSED DENSITY = 11 UNITS/AC
 ACREAGE OF SF-1 ZONING = ±30,000 SF; ±0.7 AC
 PROPOSED DENSITY = 3 UNITS/AC
 NOTE: AREAS BASED ON TAX PARCEL RECORDS. BOUNDARY IS NOT FIELD SURVEYED.

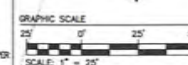
TYNDALL DRIVE



ROUTE US-17

MF-1 PARKING TABULATIONS

TOTAL UNITS:	34 CONDO UNITS
REQUIRED PARKING (CONDO):	83 SPACES (7.5 PER UNIT, PLUS 1 PER 3 UNITS FOR VISITOR PARKING)
PROVIDED PARKING:	81 SPACES (1 DRIVEWAY/GARAGE PER UNIT PLUS 17 GUEST SPACES)





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, 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
ELICAN Shalom	2334 Botter 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

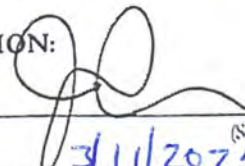
The undersigned declare(s) that the above statements and those contained in any exhibits transmitted to the Gloucester County Board of Supervisors are true.

PERSON(S) REPRESENTING THE APPLICATION:

Name: JEFF Ambrose

Address: 109 Hurlston

Williamsburg VA 23188

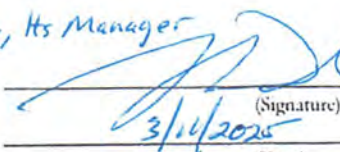

(Signature)
3/11/2025
(Date)
Phone: 804 283 2556

OWNER(S) OF THE PROPERTY:

CadleRock IV, L.L.C. Gerald A. Drake Company, Its Manager
Name: BY: X Executive Vice President

Address: 100 N Center Street

Newton Falls, OH, 44444


(Signature)
3/11/2025
(Date)
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

TABLE OF CONTENTS

I.	INTRODUCTION.....	2
II.	PLANNING CONSIDERATIONS.....	
	A. Land Use/Density	3
	B. Environmental.....	3
	C. Housing	3
III.	ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES.....	
	A. Public Water Facilities.....	3
	B. Public Sewer Facilities.....	4
	C. Solid Waste	4
	D. Utility Service Providers	4
	E. Schools.....	4
	F. Fiscal Impact.....	5
	G. Traffic Impacts.....	5

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



1 6-UNIT BUILDING ELEVATION
A-2.0 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

REVISIONS

DATE: 01/11/2025
BY: D.GUE
CHECKED: D.GUE
DATE: 01/11/2025
BY: D.GUE



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)



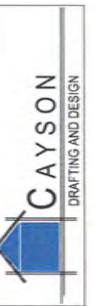
2 6-UNIT BUILDING REAR ELEVATION
A-2.2 SCALE: 3/16" = 1'-0" 3-STORY PLAN



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

REVISIONS

REV. NO. DATE
1 3/27/2025



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

LINE OF SECOND FLOOR ABOVE

3050 3050 3058 DR

LIVING ROOM
13'-6" x 12'-0"

KITCHEN
13'-6" x 10'-10"

DINING
13'-6" x 9'-0"

FOYER

PWDR

B

CLO

CAPPED KNEEWALL

3050 3050 3058 DR

30'-5"

30'-5"

30'-5"

[illegible]

28'-0"

3060 DR

3060

3060

3068 DR

UP

CAPPED KNEEWALL

3060 FIB DR

3060

3060

3060

ELEC. WH.

CHASE ABOVE

FOYER

CLO

RY 15

ONE CAR GARAGE
12'-4" x 19'-5"

FLEX ROOM
12'-8" x 7'-0"

8670 GARAGE DOOR

3068 DR

27'-0"

LINE OF SECOND FLOOR ABOVE

3050 3050 3068 DR

LIVING ROOM
15'-6" x 12'-0"

CAPPED KNEEWALL

5'-0"

10'-0" TP

6'-0" DR

6'-0" PWDR

TPH

MAXIMUM ABOVE

3050 3050 3060

KITCHEN
13'-0" x 10'-10"

BK

10'-0" TP

6'-0" DR

6'-0" PWDR

TPH

DINING
13'-0" x 9'-0"

3050 3050 3060

20'-0"

REV. NO.	DATE	REMARKS
----------	------	---------

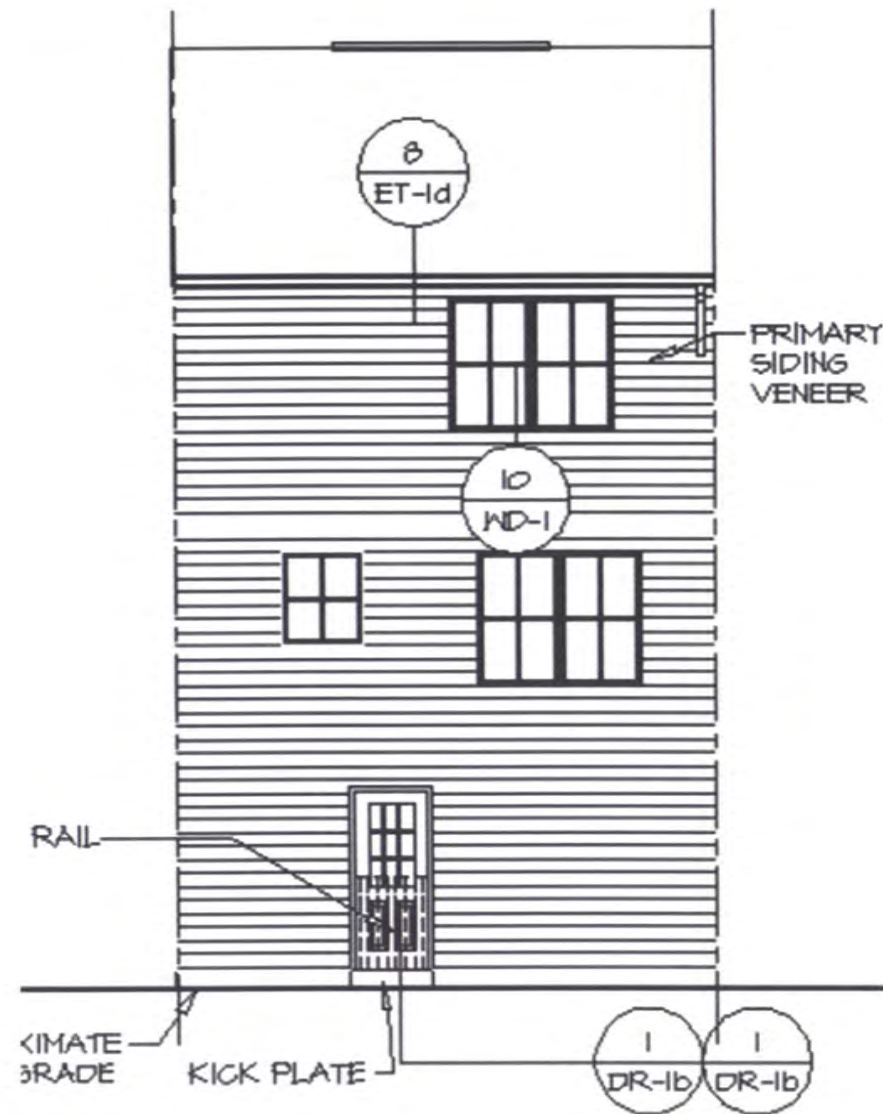
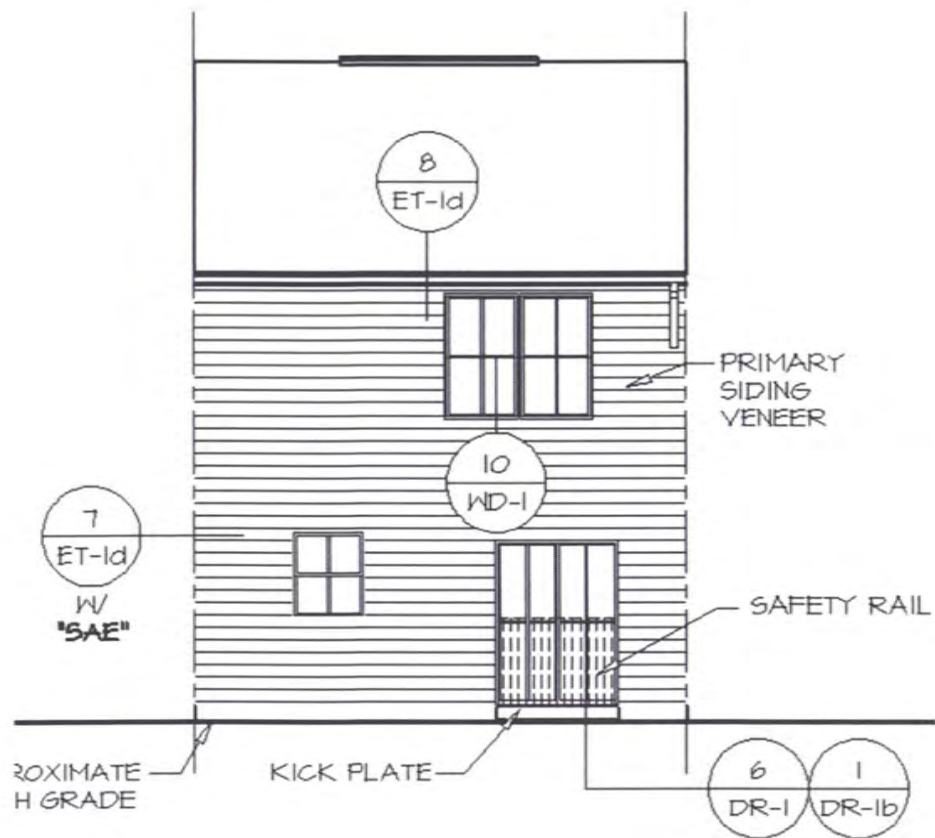


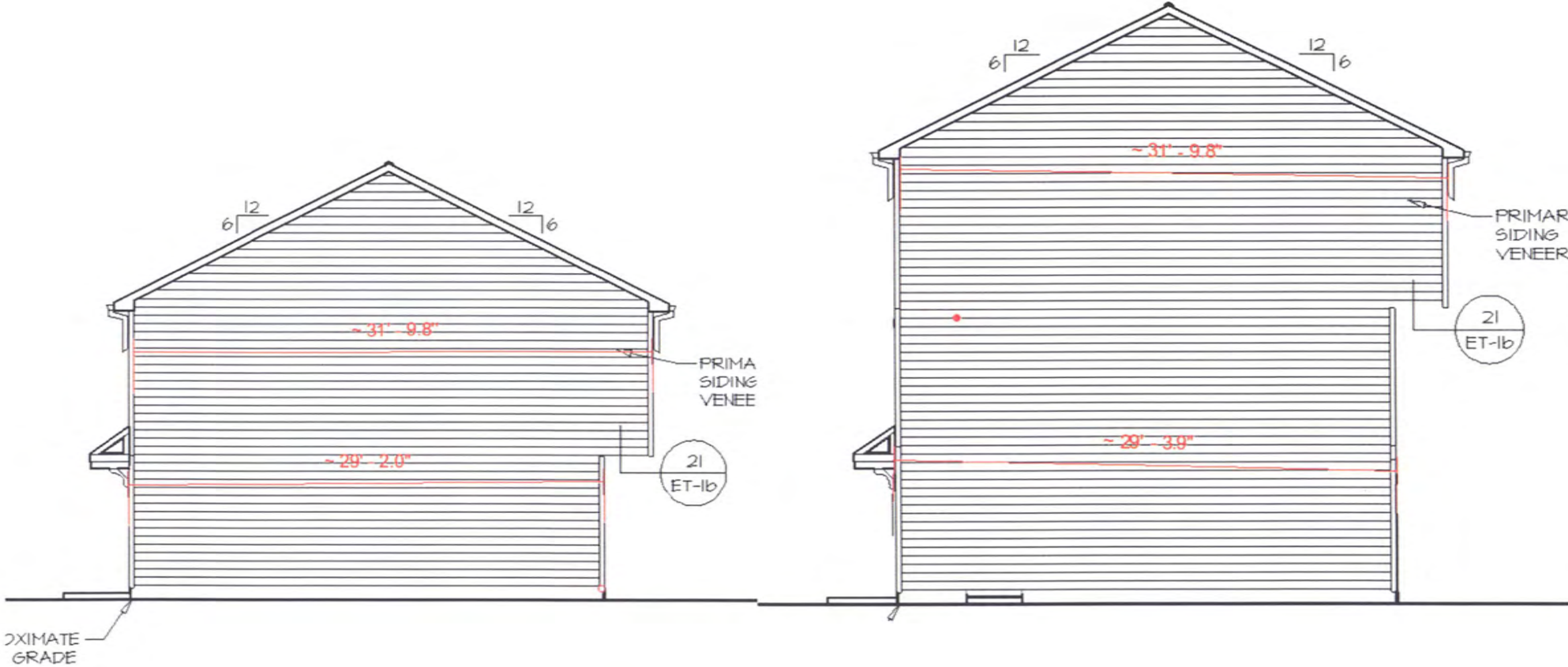
A-1.0

DRAFT



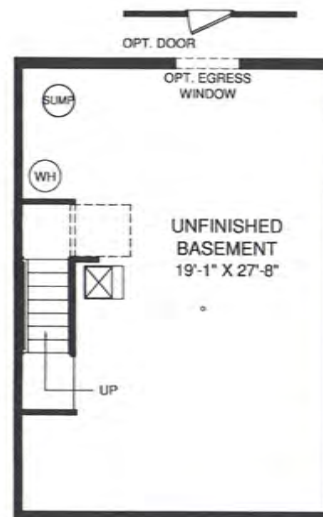
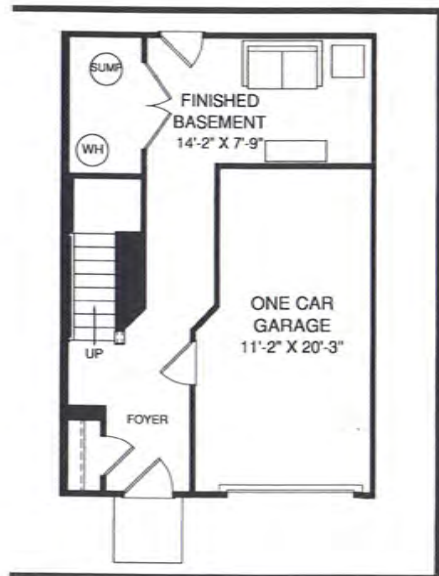
DRAFT



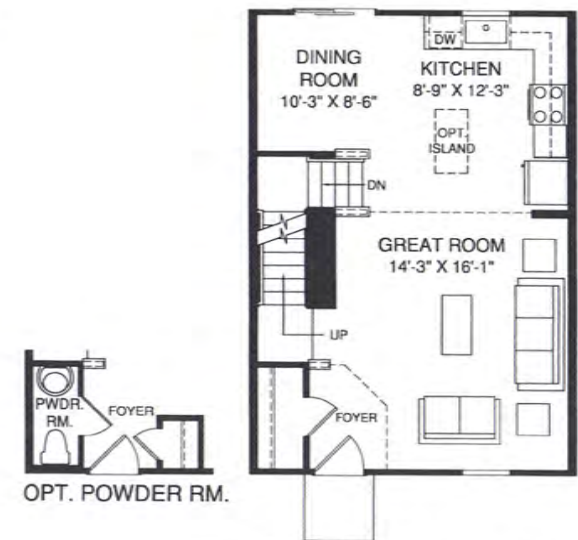


DRAFT

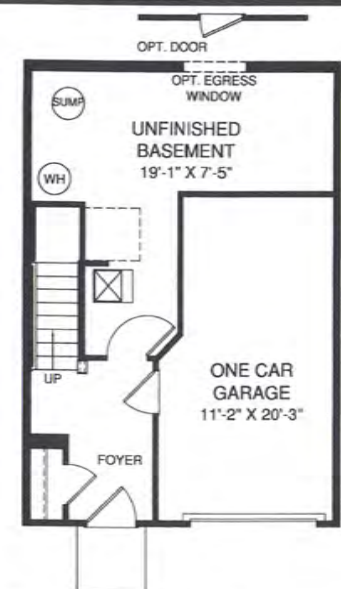
DRAFT



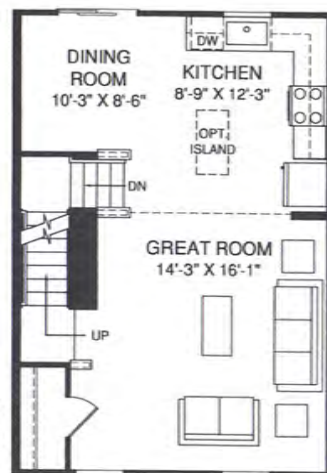
LOWER LEVEL



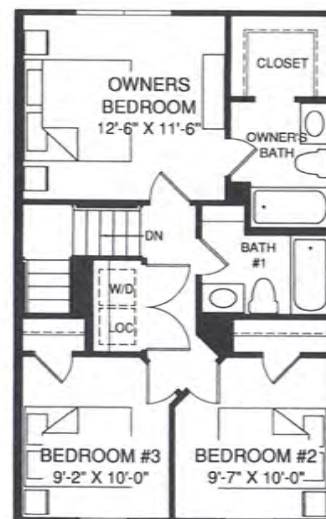
MAIN LEVEL ENTRY



LOWER LEVEL ENTRY



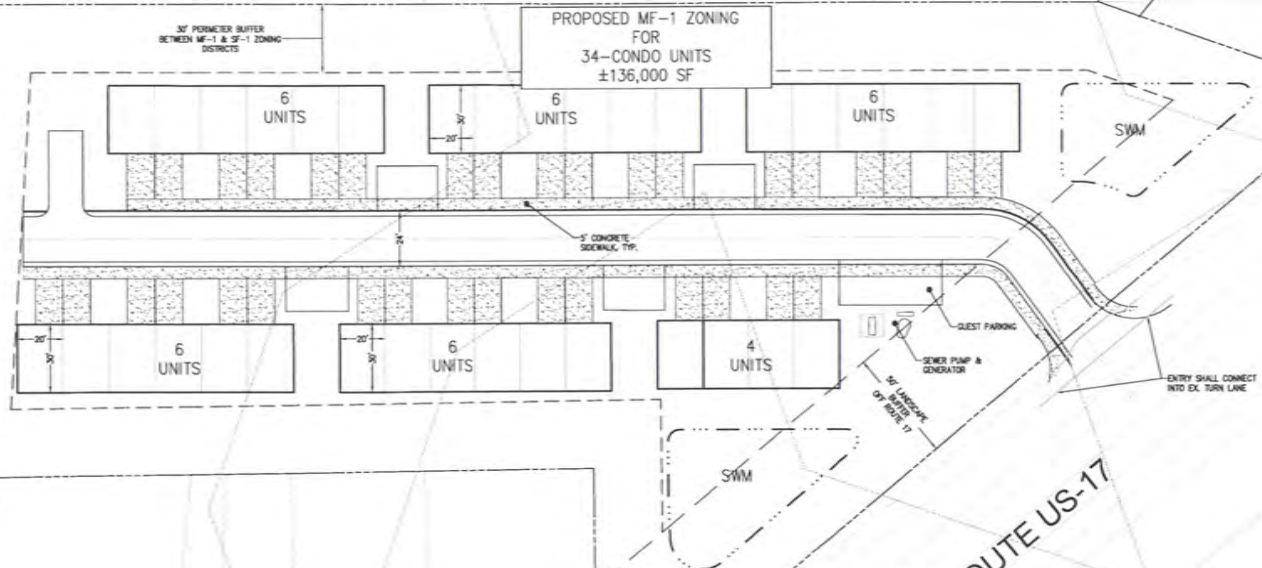
MAIN LEVEL



UPPER LEVEL

SITE DATA:
 TOTAL UNITS: 34 CONDO UNITS (MF-1 ZONING)
 2 SINGLE-FAMILY LOTS (SF-1 ZONING)
 AREA OF MF-1 ZONING = ±136,000 SF; ±3.1 AC
 PROPOSED DENSITY = 11 UNITS/AC
 AREA OF SF-1 ZONING = ±30,000 SF; ±0.7 AC
 PROPOSED DENSITY = 3 UNITS/AC
 NOTE: AREAS BASED ON TAX PARCEL RECORDS. BOUNDARY IS NOT FIELD SURVEYED.

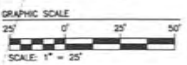
TYNDALL DRIVE



ROUTE US-17

MF-1 PARKING TABULATIONS:

TOTAL UNITS:	34 CONDO UNITS
REQUIRED PARKING (CONDO):	63 SPACES (1.5 PER UNIT, PLUS 1 FOR 3 UNITS FOR VISITOR PARKING)
PROVIDED PARKING:	81 SPACES (1 DRIVEWAY/1 GARAGE PER UNIT PLUS 17 GUEST SPACES)



CONCEPT PLAN FOR
 GEORGE WASHINGTON
 MEMORIAL HIGHWAY
 TOWNHOMES
 COUNTRY SUBSITES

Project Controls: C-017-001
 Project Number: 001001-00
 Scale: 1/4"=1'-0"
 Sheet: 100
 Date: 01/11/2023

CONCEPT PLAN
 GARAGE OPTION
 Sheet Number:
 1 OF 1

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

Board of Supervisors Public Hearing July 15, 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, General Business
<i>Existing Use:</i>	Vacant, undeveloped
<i>Requested Zoning:</i>	MF-1, Multi Family Residential (conditional), and SF-1, Single Family Detached Residential
<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

Board of Supervisors Public Hearing July 15, 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 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 (SR 1240). Where it is not feasible to provide sidewalks compliant with the

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

aforementioned sections within the public right-of-way, sidewalks outside of the public right-of-way, in accompaniment with a public access easement, may be approved.

3. Internal sidewalks and continuous on-site 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 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

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

this history in the Staff 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.

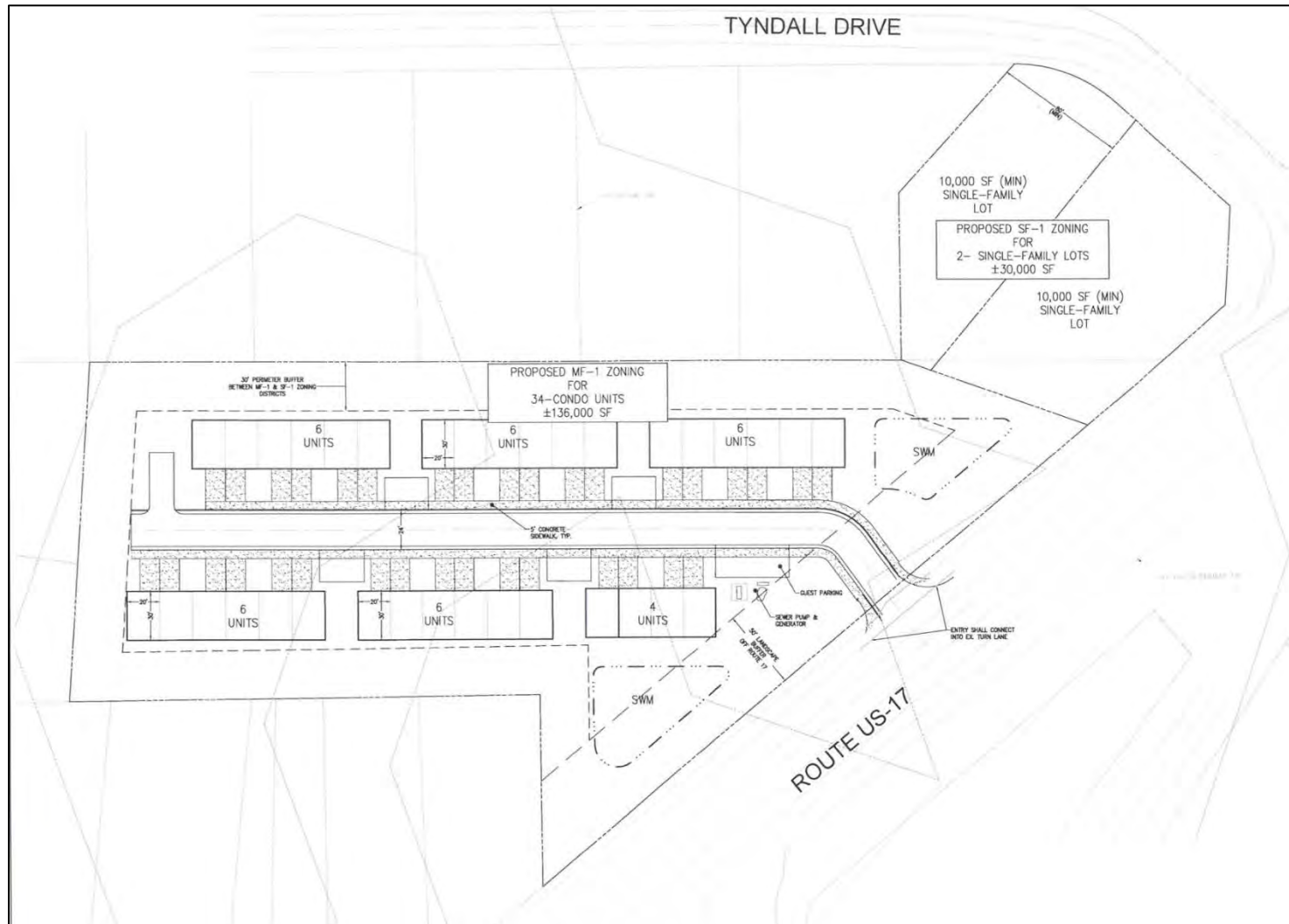
Existing Zoning



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 Board of Supervisors Public Hearing July 15, 2025

Conceptual Plan



Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 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* Core and Transitional Area designations. Furthermore, developments would contain 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), allowing residents to access various points of interest in near proximity through the existing sidewalk network along Route 17. 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

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

(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.

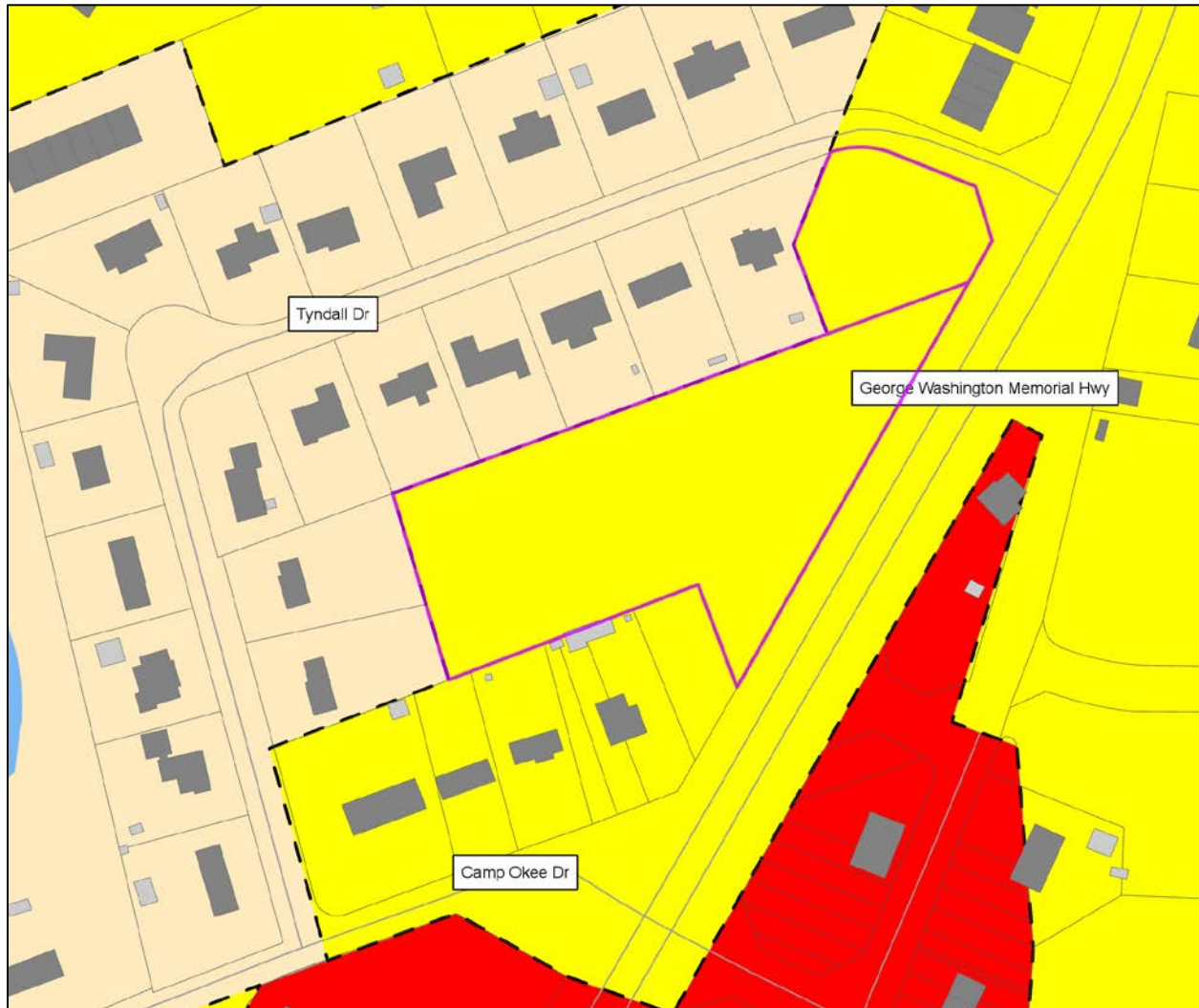
Comprehensive Plan Designation



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

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application
Board of Supervisors Public Hearing July 15, 2025

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

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

Board of Supervisors Public Hearing July 15, 2025

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 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

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

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 use 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 are 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

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

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

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

Board of Supervisors Public Hearing July 15, 2025

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 joint application is 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

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

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 of use 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 of use was included as a result of concerns raised by citizens and the Planning Commission during their 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.

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

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

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

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 has discussed all proposed conditions of use with the applicant and County Attorney and no objections or concerns have been raised. The Board can modify, add, or remove any proposed condition of use at this Public Hearing in accompaniment with a vote to approve the CUP component of the joint 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 of use 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 of use 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 of use is proposed requiring the existing sidewalks along Route 17, which are not compliant with VDOT's current sidewalk standards, to be replaced with sidewalks compliant with these standards. The condition of use 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 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, conditions of use can added, modified, or removed during their review of the application.***

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.

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application
Board of Supervisors Public Hearing July 15, 2025

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 (although a 50 ft. setback is required by the HCDD) 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 a 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 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, conditions of use can added, modified, or removed 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 whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.**

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

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 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 Board of Supervisors feel that additional or different conditions of use are necessary***

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

to offset any impacts from the application (request for greater density) identified at their Public Hearing, conditions of use can added, modified, or removed 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 of use 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 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, conditions of use can added, modified, or removed during their review of the application.***

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.

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

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 a CUP condition of use 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 Development 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 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, conditions of use can added, modified, or removed 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 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

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

(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 recommended that 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.

Furthermore, staff recommended that 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

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

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, sidewalks outside of the public right-of-way, in accompaniment with a public access easement, may be approved.
3. Internal sidewalks and continuous on-site 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.

Planning Commission Recommendation

The Planning Commission held a Joint Public Hearing on the joint application (Rezoning Application Z-25-01 and CUP Application CUP-25-01) at their June 5, 2025 meeting. Comments were received by four citizens, all submitted electronically prior to the meeting. One comment was in favor of the joint application, believing that it fulfilled a type of housing need in demand but low in inventory within the County while meeting the Comprehensive Plan goals and producing minimal impacts. Conversely, three comments were opposed to the proposal due to impacts to the community's character and quality of life (for the adjacent neighborhood located along Tyndall and Camp Okee Drive) along with traffic, noise, and maintenance impacts.

During the ensuing Planning Commission discussion, numerous views on the joint application were expressed. One Planning Commissioner stated that, since some

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application Board of Supervisors Public Hearing July 15, 2025

planning guidance describes this area as mixed-use, if the Commission is to approve an application for these parcels, the development should reflect a mixed-use development with a combination of commercial and residential uses at a reasonable density. However, the prevailing opinion amongst the Commissioners was to consider the existing B-1 zoning compared to the proposed MF-1 (conditional) and SF-1 zoning. When evaluating each of these circumstances, the Planning Commission generally believed that the proposed MF-1 (conditional) and SF-1 zoning and resulting development would be of no greater benefit to the County than what could be possible under the existing B-1 zoning (even if not developed immediately) and, as a result, the current zoning was the more appropriate zoning for these parcels. In response to comments from the Commissioners reflecting this opinion, the Board liaison expressed his concern regarding the various uses permitted by right under the existing B-1 zoning, their likely impacts (compared to the mitigating measures required by the Zoning Ordinance and conditions of use proposed by staff), and resulting lack of opportunity for the public to contribute to the review and approval process should a by right use be developed under the current zoning.

As advised by the staff, including the County Attorney, the Planning Commission decided to forward recommendations on each component of the joint application (Rezoning Application Z-25-01 and CUP Application CUP-25-01) by individual actions. This was recommended to clearly and separately express the Planning Commission's recommendations on the change in zoning district proposed by the rezoning application (component) and increase in density for the parcel proposed to be zoned MF-1, as requested by the CUP application (component).

When a recommendation was requested for the rezoning component, no Commissioner initially provided a motion on the application. Following concern from Mr. Gray that the Planning Commission's role is to advise the Board on these applications and forwarding the application with no recommendation from the Planning Commission was not fulfilling this role, a recommendation to deny the rezoning component (Rezoning Application Z-25-01) was forwarded to the Board of Supervisors by the following vote:

**Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application
Board of Supervisors Public Hearing July 15, 2025**

Commissioner	Yes	No	Abstain	Absent
James Gray, Jr.	X			
Douglas Johnson	X			
Natalie Johnson		X		
John Meyer, Jr.	X			
Christopher Poulson	X			
Kenneth Richardson	X			
Louis Serio				X
Chris Hutson	Non-voting BOS Liaison			

*Note: Since the Planning Commission's motion was a recommendation of denial for the rezoning component, a vote of "Yes" voted in favor for the recommendation of denial while a vote of "No" voted against the recommendation of denial.

Following the Planning Commission's vote on the rezoning component, for procedural reasons, a motion was requested for the CUP component (CUP Application CUP-25-01). Similarly, this component was forwarded to the Board of Supervisors with a recommendation of denial by the following vote. Please note that, since a recommendation of denial was forwarded, no discussion on the proposed conditions of use for the CUP component occurred.

Commissioner	Yes	No	Abstain	Absent
James Gray, Jr.	X			
Douglas Johnson	X			
Natalie Johnson	X			
John Meyer, Jr.	X			
Christopher Poulson	X			
Kenneth Richardson	X			
Louis Serio				X
Chris Hutson	Non-voting BOS Liaison			

*Note: Since the Planning Commission's motion was a recommendation of denial for the CUP component, a vote of "Yes" voted in favor for the recommendation of denial while a vote of "No" voted against the recommendation of denial.

Z-25-01 & CUP-25-01- Marsh Hawk Villas Joint Application
Board of Supervisors Public Hearing July 15, 2025

Site Aerial



Marsh Hawk Villas Joint Application (Rezoning Application Z-25-01 and Conditional Use Permit Application CUP-25-01)

Gloucester County Board of Supervisors

July 15, 2025 Public Hearing

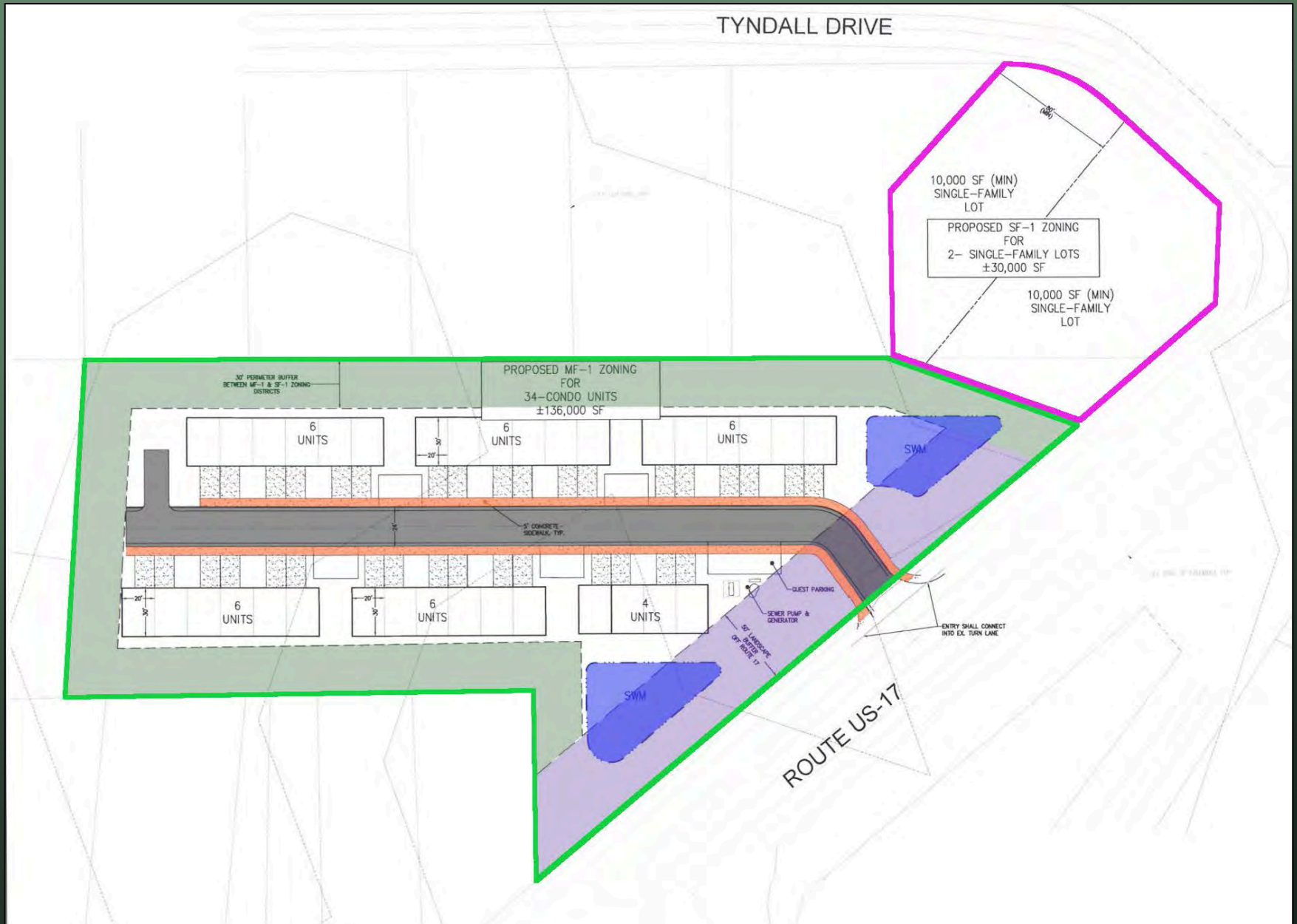
EXISTING CONDITIONS



ZONING AND SURROUNDING AREA



PROPOSED PROJECT



PROPOSED CONDITIONS

Conditions proposed by Staff (discussed with the applicant and reviewed by the County Attorney)

- Developed in accordance with the Conceptual Plan (included in the application)
- Construction of a VDOT-compliant sidewalk along Route 17 South frontage from the intersection with Tyndall Drive to the intersection with Camp Okee Drive
- Continuous on-site pedestrian circulation through internal sidewalks
- Connection to public water and sewer. Public sewer connection provided through a new on-site pump station or connection to Pump Station 28 (located at York River Villas development)
- Continuous 50 ft. landscaped buffer along Route 17
- Site lighting reflecting away from adjacent properties and not extending beyond the boundary of the property

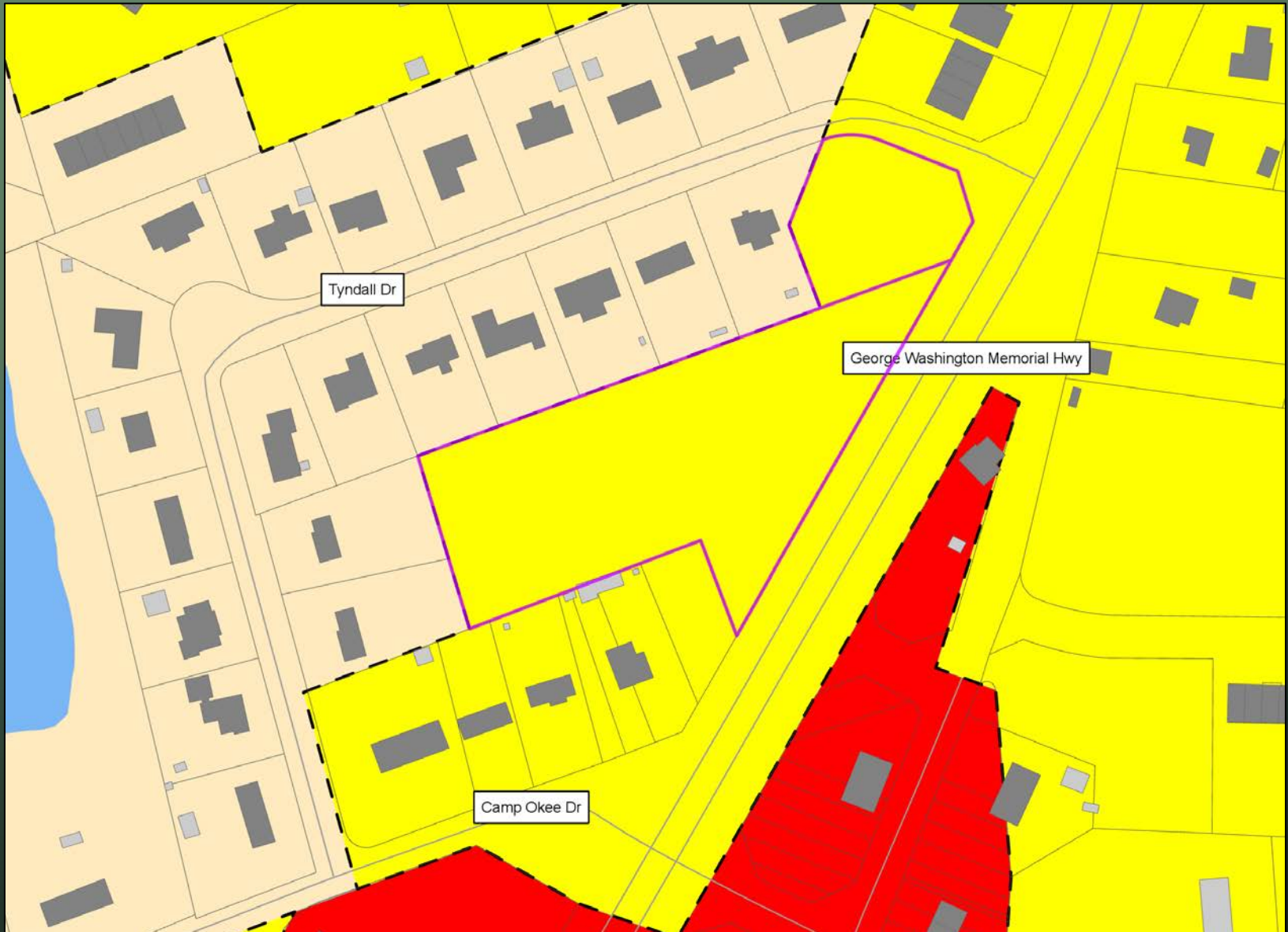


STAFF ANALYSIS

COMPREHENSIVE PLAN GUIDANCE



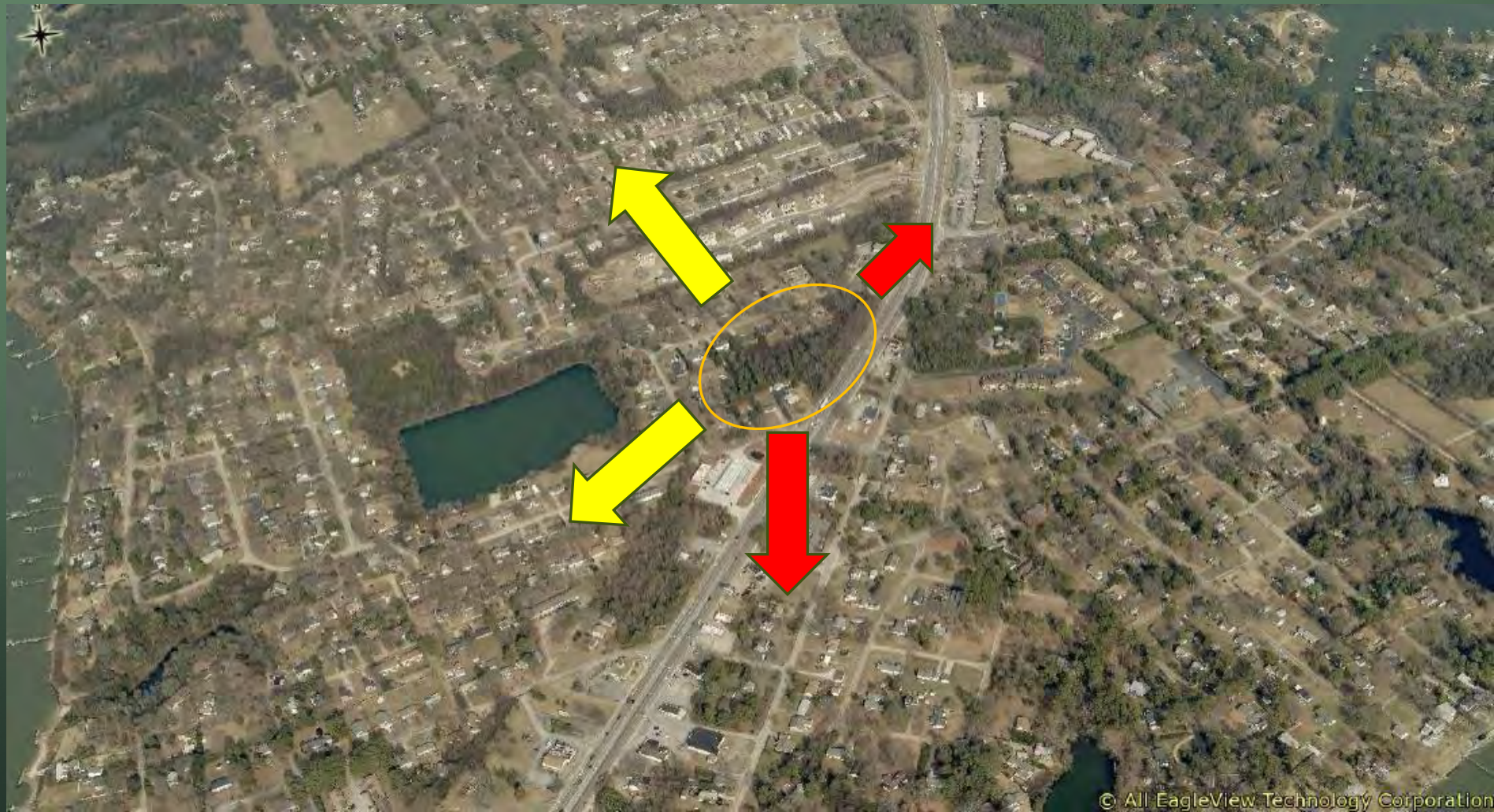
GLOUCESTER POINT/HAYES VILLAGE DEVELOPMENT AREA PLAN GUIDANCE



COMPREHENSIVE & GLOUCESTER POINT/HAYES PLAN ANALYSIS

- Transitional Area The Transitional Area is meant to divide the active and highly commercial Core Area from quieter residential areas. It is as a bridge between the activity and high density of the core, and quieter, less dense residential areas. ***The Transitional Area will be primarily residential, but made up of more intensive residential uses such as apartments, condominiums, and town homes.*** The Transitional Area will also include a mix of commercial uses, but at a lower commercial density than in the Core Area. It serves as the ideal location for small shops, restaurants, or offices that primarily serve the residences around them. ***Development parameters for the Transitional Area should seek to bridge those used in Core and residential areas, including minimums and maximums established for building height, front and side yards, and other parameters***

TRANSITIONAL AREA



TRANSPORTATION IMPACT

ROUTE 17S INTERSECTION WITH
TYNDALL DRIVE



ROUTE 17S INTERSECTION WITH
CAMP OKEE DRIVE



TRANSPORTATION IMPACT (CONT.)



TRANSPORTATION IMPACT (CONT.)

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

TRANSPORTATION IMPACT (CONT.)



FISCAL IMPACT

ADJACENT PROPERTIES ALONG TYNDALL DRIVE



ADJACENT PROPERTIES ALONG CAMP OKEE DRIVE



FISCAL IMPACT (CONT.)

- Additional potential revenues to be received by the County:
 - Indirect temporary revenue from jobs created during project construction
 - Indirect revenue from any residents relocating to the development from outside of the County
- Other resources used to anticipate fiscal impacts:
 - New Construction Calculator from Housing Forward Virginia (previously used)
 - Subdivision Schools Calculator (currently used)
 - Applicant's Community Impact Statement
 - Gloucester County Public Schools Analysis (if available)

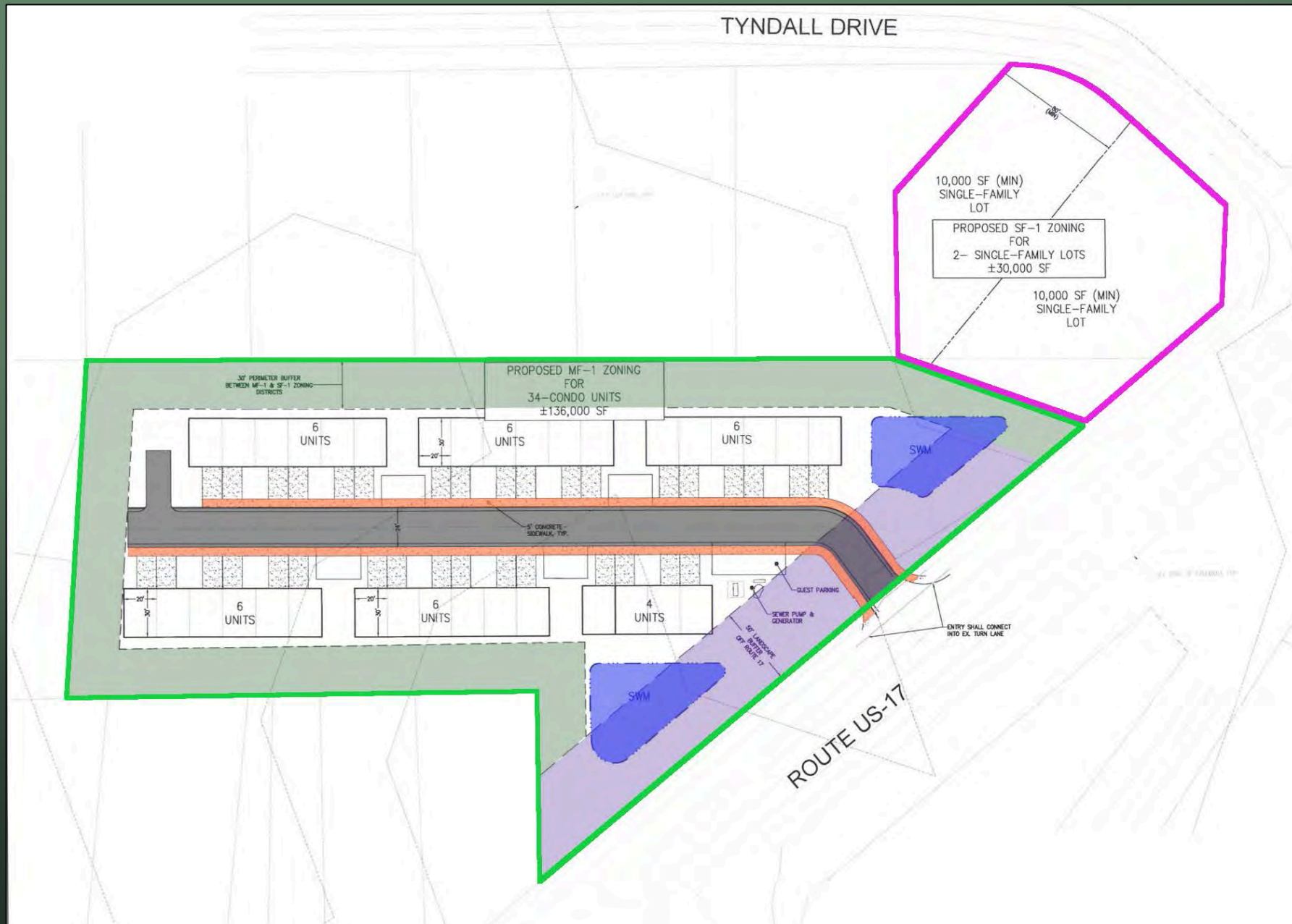
FISCAL IMPACT (CONT.)

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

FISCAL IMPACT (CONT.)

- Staff does not anticipate significant fiscal impacts:
 - Anticipated increase in direct and indirect tax revenues
 - Limited (if any) impacts to adjacent property assessments
 - Limited impact to public schools
 - Buildings would need to be constructed to applicable building code (including appropriate fire control and/or resistance measures)
- Fiscal Impact would be different if the site was developed commercial, but until such development occurs, it is assessed as vacant commercial land.

ENVIRONMENTAL IMPACT



OTHER IMPACTS

- Project will be served by public water and sewer
 - Both MF-1 and SF-1 parcels will need to be connected
- Public water options:
 - Increase the size of the current water line along the property's frontage
 - Connect to the larger water line along the opposite (north) side of Route 17
- Public sewer options:
 - Construct a pump station (dedicated to the County) on the site
 - Connect to Pump Station 28 within York River Villas (roughly 1,000 ft. to the north)
- Applicant will need to perform a water and sewer study for the project and confirm the study with the Department of Public Utilities
- No existing wells or drainfields known on the property

OTHER IMPACTS (CONT.)

- Landscaped buffers proposed for the development
 - 50 ft. landscaped buffer along Route 17
 - 30 ft. landscaped buffer from adjacent properties
- CUP condition of use proposed for all site lighting for the MF-1 property:
 - Reflects away from adjoining properties
 - No lighting reflects beyond the property's boundaries
- Other utilities (electricity, cable, telephone, etc.) will be extended to the development and placed underground
- MF-1 property served by private waste collection and disposal service paid for by HOA fees



CUP APPROVAL CRITERIA

CUP PURPOSE

- Section 14-3- Conditional Use Permits
 - The purpose of this section is to **provide for certain uses which...are not generally permitted...but which may...be acceptable in certain specific locations**
 - These uses are permitted...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
 - The **public interest, safety, and general welfare** of the citizens of the County will be protected
 - Such permits are a special privilege...and **each application and situation is unique**. Consequently...**additional measures...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**

MF-1 ZONING DISTRICT INTENT

- “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.”

COMPLIANCE WITH APPROVAL CRITERIA

CUP Approval Criteria

1. Compliance with Zoning Ordinance (Secs. 14-23 and 9-28)	✓
2. Not detrimental to, and will not endanger, the public health, safety, morals, comfort, and general welfare	✓
3. Not be injurious to the use and enjoyment of other property in the immediate vicinity or substantially impair the use of other property within the immediate proximity	✓
4. Conforms to the character of the neighborhood within the same zoning district in which it is located	✓
5. The exterior architectural appeal and function plan of any proposed structure consistent with the character	✓
6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests which are adversely affected	✓
7. Not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic, archeological, or historic importance	✓

A light green, torn-edge shape, resembling a piece of paper or a brushstroke, is centered on a dark green background. The shape has irregular, jagged edges, particularly on the right side where it looks like it might be torn or frayed. Inside this shape, the text is written in a bold, black, sans-serif font.

**STAFF COMMENTS, STAFF
RECOMMENDATION, AND
PC RECOMMENDATION**

STAFF COMMENTS

- No significant concerns raised during staff's review of the Joint Application
 - Applicant is requesting an increase in MF density to roughly 10.86 units per net acre (increase from 25 to 34 units)
 - Any impacts have been addressed through the design of the Conceptual Plan, proffered limit of 34 condominium units, and CUP conditions of use
- If approved, a Development Plan (Site Plan) will need to be submitted for the MF-1 parcel and reviewed by state and local agencies for conformance prior to land disturbance and construction

STAFF RECOMMENDATION

- Staff recommended the PC forward the Joint Application (Z-25-02 and 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.

STAFF RECOMMENDATION

- Staff recommended the PC forward the Joint Application (Z-25-02 and CUP-25-01) to the Board of Supervisors with a recommendation of approval for the following reasons:
 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.

RECOMMENDED CONDITIONS

- Staff recommended the PC include the following conditions of use with the CUP component (CUP-25-01) of the Joint 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 (SR 1240). Where it is not feasible to provide sidewalks compliant with the aforementioned sections within the public right-of-way, sidewalks outside of the public right-of-way, in accompaniment with a public access easement, may be approved.
 3. Internal sidewalks and continuous on-site pedestrian circulation in a safe and convenient manner shall be provided within the site.

RECOMMENDED CONDITIONS

- Staff recommended the PC include the following conditions of use with the CUP component (CUP-25-01) of the Joint Application:
 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.

PLANNING COMMISSION PUBLIC HEARING

- Planning Commission Joint Public held on June 5
- One comments submitted in favor of the joint application
 - Fulfilled a type of housing in demand but low in inventory
 - Met Comprehensive Plan goals and produced minimal impacts
- Three comments submitted opposed to the joint application
 - Impacts to the community's character and quality of life for the adjacent neighborhood (behind the property along Tyndall and Camp Okee Drive)
 - Traffic, Noise, and Maintenance Impacts

PLANNING COMMISSION PUBLIC HEARING

- Multiple views expressed from the Planning Commission
 - Most Commissioners felt that the existing B-1 zoning (even if not developed immediately) was more appropriate for these parcels than the benefits provided from the proposed MF-1 (conditional) and SF-1 zoning and proposed development
 - One Commissioner felt that, since planning guidance describes area as mixed-use, the development should reflect a mixed-use development with commercial and residential at a reasonable density
 - The Board Liaison expressed concern about the potential uses permitted by right in the B-1 district, their impacts, and the public's lack of opportunity to contribute to the review and approval process for these uses
- As advised by staff, the PC voted on each component separately

PC RECOMMENDATION- RZ COMPONENT

Commissioner	Yes	No	Abstain	Absent
James Gray, Jr.	X			
Douglas Johnson	X			
Natalie Johnson		X		
John Meyer, Jr.	X			
Christopher Poulson	X			
Kenneth Richardson	X			
Louis Serio				X
Chris Hutson	Non-voting BOS Liaison			

*Note: Since the Planning Commission's motion was a recommendation of denial for the rezoning component, a vote of "Yes" voted in favor for the recommendation of denial while a vote of "No" voted against the recommendation of denial.

PC RECOMMENDATION- CUP COMPONENT

Commissioner	Yes	No	Abstain	Absent
James Gray, Jr.	X			
Douglas Johnson	X			
Natalie Johnson	X			
John Meyer, Jr.	X			
Christopher Poulson	X			
Kenneth Richardson	X			
Louis Serio				X
Chris Hutson	Non-voting BOS Liaison			

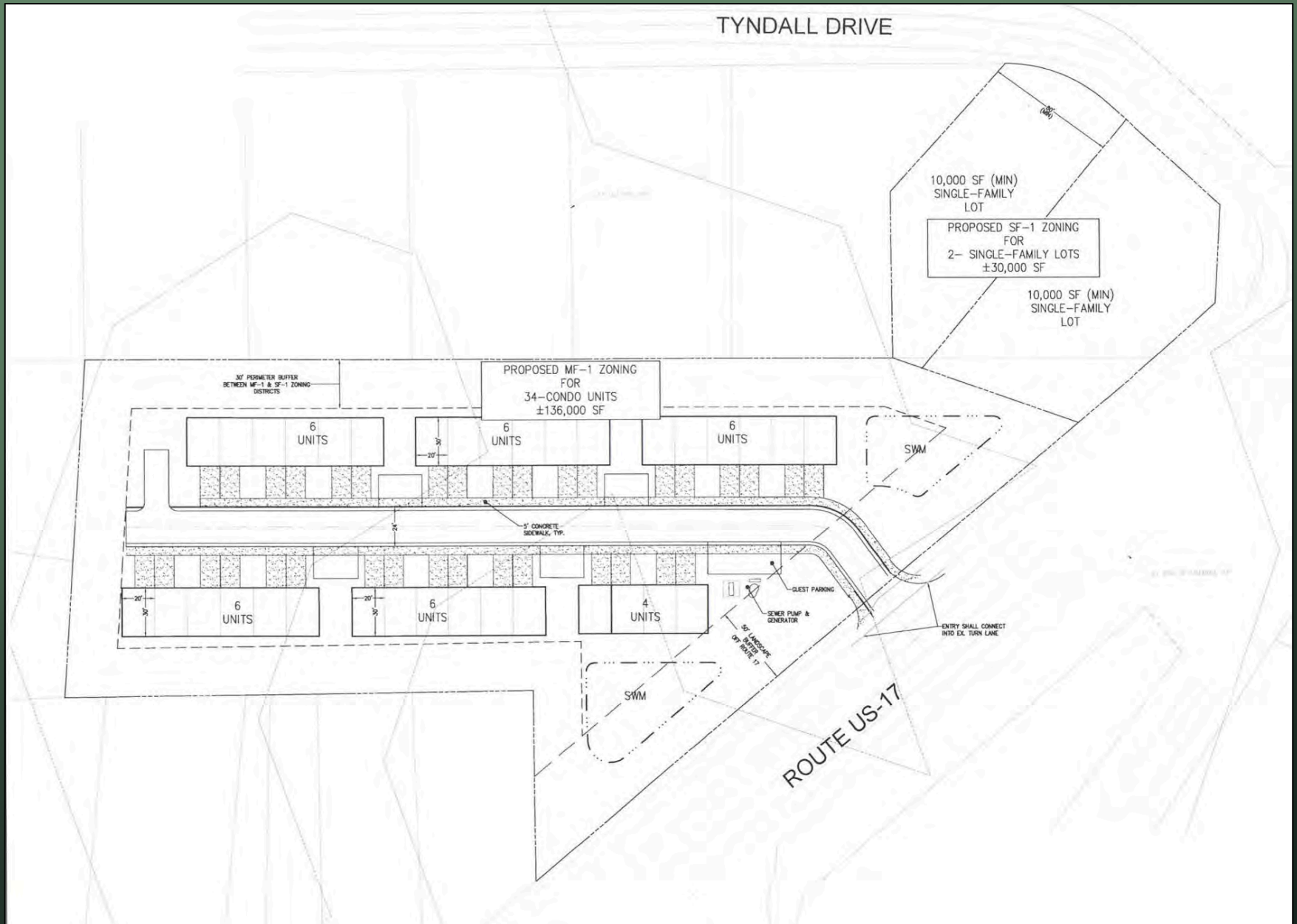
*Note: Since the Planning Commission's motion was a recommendation of denial for the CUP component, a vote of "Yes" voted in favor for the recommendation of denial while a vote of "No" voted against the recommendation of denial.

END OF STAFF'S PRESENTATION

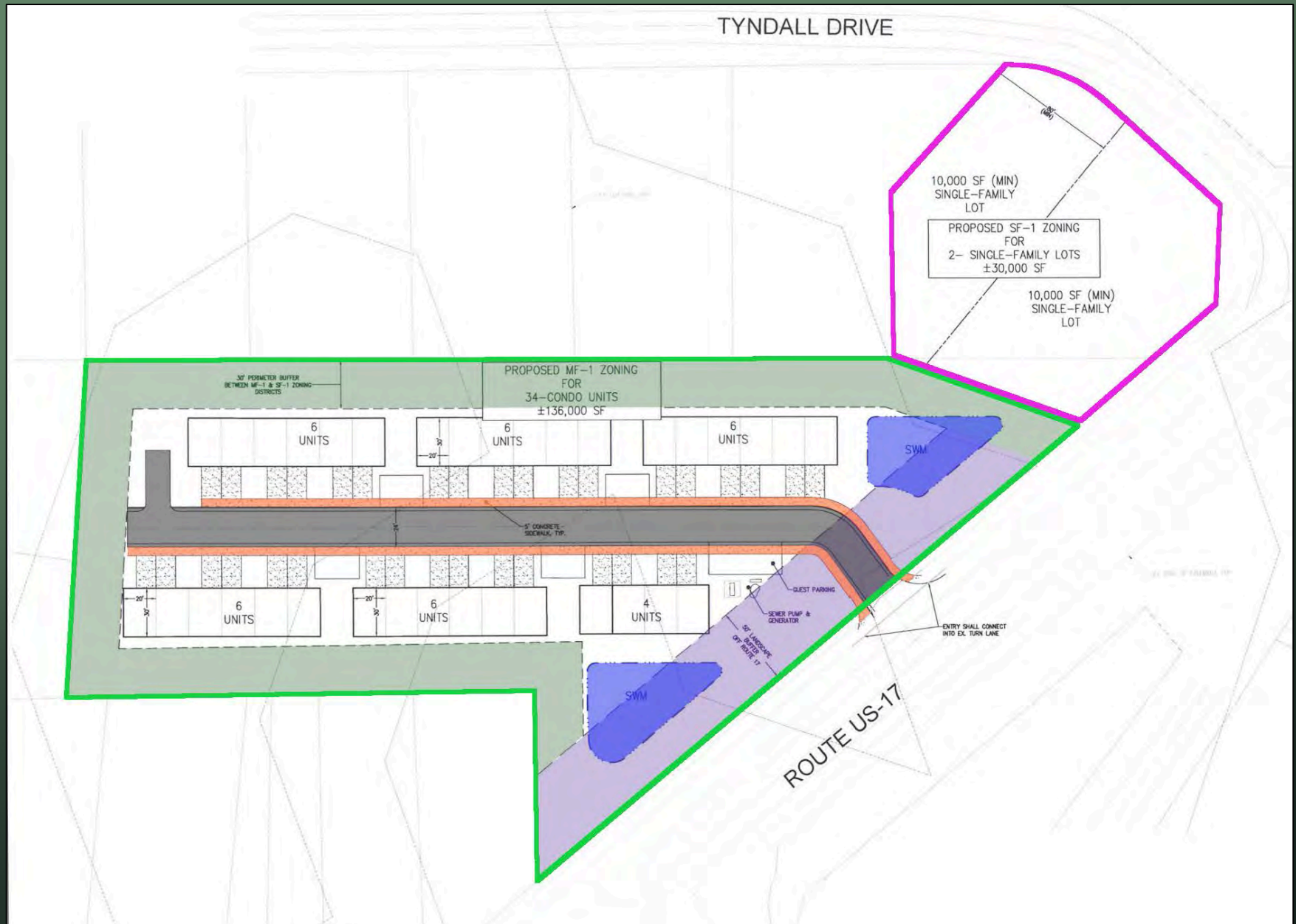
Next Steps:

- Applicant's Presentation
- Questions and Public Comments
 - Joint Public Hearing for Z-25-01 & CUP-25-01
- Additional Discussion by the BOS
- BOS Vote on Joint Application
 - Individual motions and votes for each component of the application (Z-25-01 and CUP-25-01)

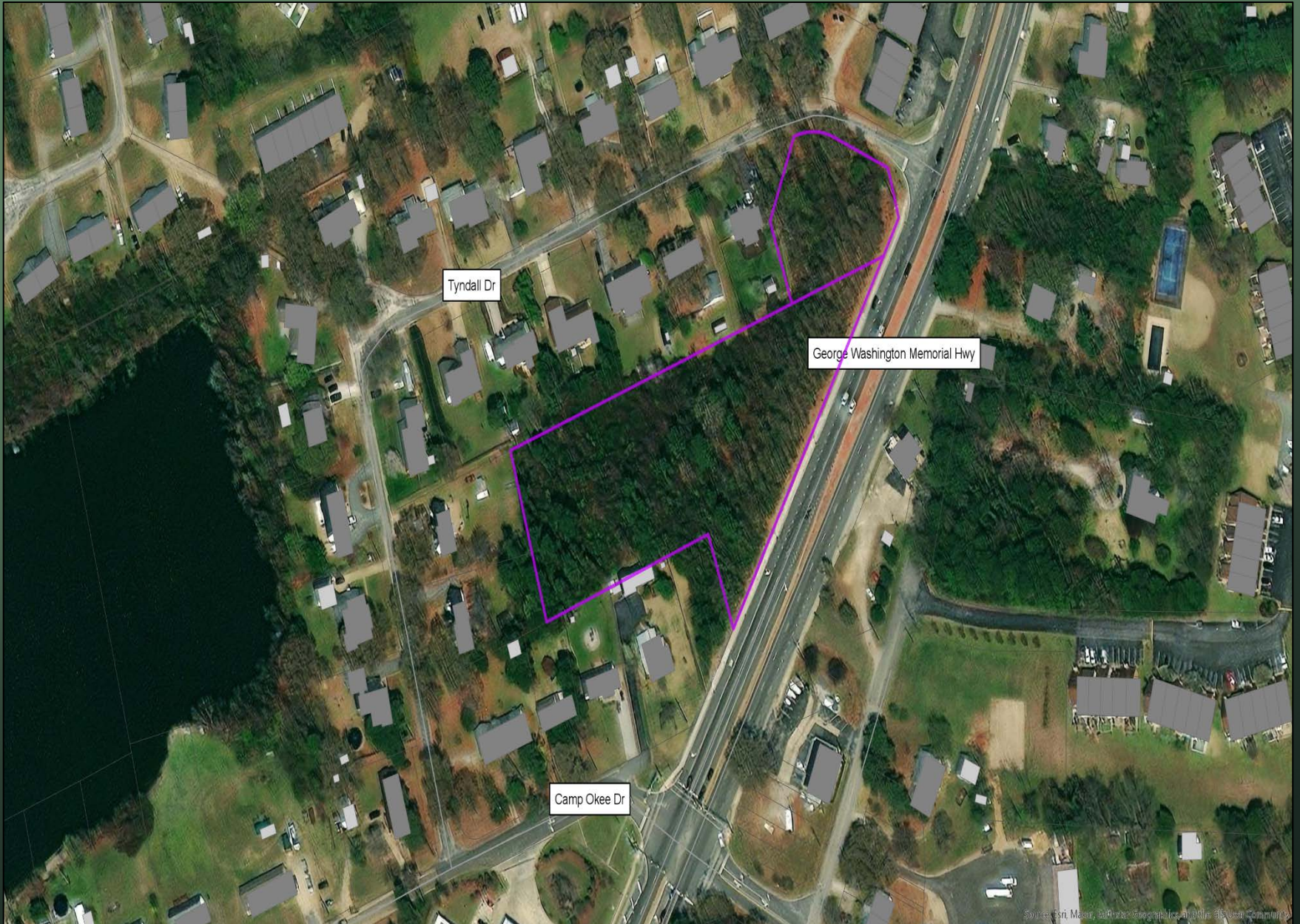
CONCEPTUAL PLAN



CONCEPTUAL PLAN (ILLUSTRATED)



SITE AERIAL



Property Summary

- Current B-1 zoning
- Request for MF-1 with CUP and SF-1 zoning – 34 townhome condominium units and 2 single family lots
- MF zoning is consistent with current Comprehensive Plan which recommends higher density
- Buffer surrounding the entire property to help with transition to Route 17 and adjacent homes.
- Provides much needed diversity in housing types and price points as discussed in the Comprehensive Plan.

Why this Property?

- Property has been for sale for several years and is under utilized – commercial is not the best use for this property.
- This property allows for infill development versus suburban sprawl.
- Infill development like this has limited impact on the environment and allows for connection to already existing public utilities.
- This development helps provide additional rooftops and customers for the already existing businesses along Route 17.

Alignment with Comprehensive Plan

- Excerpt from the Gloucester Planning Division website. “The Comprehensive Plan acts as a general, long-range guide concerning the overall growth and development of the county for local decision makers.”
- Staff discussed in their report why this project aligns well with the comprehensive plan.
- Comprehensive plan discusses in the Housing Chapter the need for more diverse housing and specifically states – “..future growth will require new, creative housing techniques that increase housing affordability and density where appropriate.”

Commercial Zoning - is this really the best zoning for these properties?

- **Allowed uses under current zoning** – convenience store, restaurant/drive thru, automobile service facility, motel/hotel, church and daycare.
- Property has been zoned B-1 since the 1990's with no development.
- Property has been for sale since at least 2022 with no interest for commercial users. Only other interest was from a different multi-family developer that was looking to do double the density of my project.
- The property is not ideally suited from commercial development due to the following challenges:
 - Lack of good access – this property is a right in and out only – most commercial users require better access.
 - Size and configuration of the parcels makes it difficult for commercial development
 - Property is adjacent to residential zoning which limits compatibility for high traffic business operations.
- Current statistics for Gloucester County as of June 30, 2025:
 - 19 commercial buildings for sale or lease in Gloucester totaling approximately 130,000 square feet of space for immediate occupancy.
 - Total of 1600 acres of vacant land that is currently zoned B-1 (165 different parcels).

Gloucester Housing Market

- Gloucester County comprehensive plan outlines the need for more diversity in housing.
- Only 13 homes currently on the market in the County below \$300K and zero new construction below \$300K.
- Those 13 homes currently on the market are an average age of 42 years old.
- First time buyers are left with little to choose from and older homes will all need additional upgrades.
- Goal of this property is to provide housing for **LOCAL** first-time buyers. The buyers of these properties will most likely come from local residents that already live in the county and are currently renting (police officers, fire fighters, nurses, county staff, etc.).
- This will not be subsidized housing - the expected starting price points will be in the \$275K range.

Two Story Sample Product

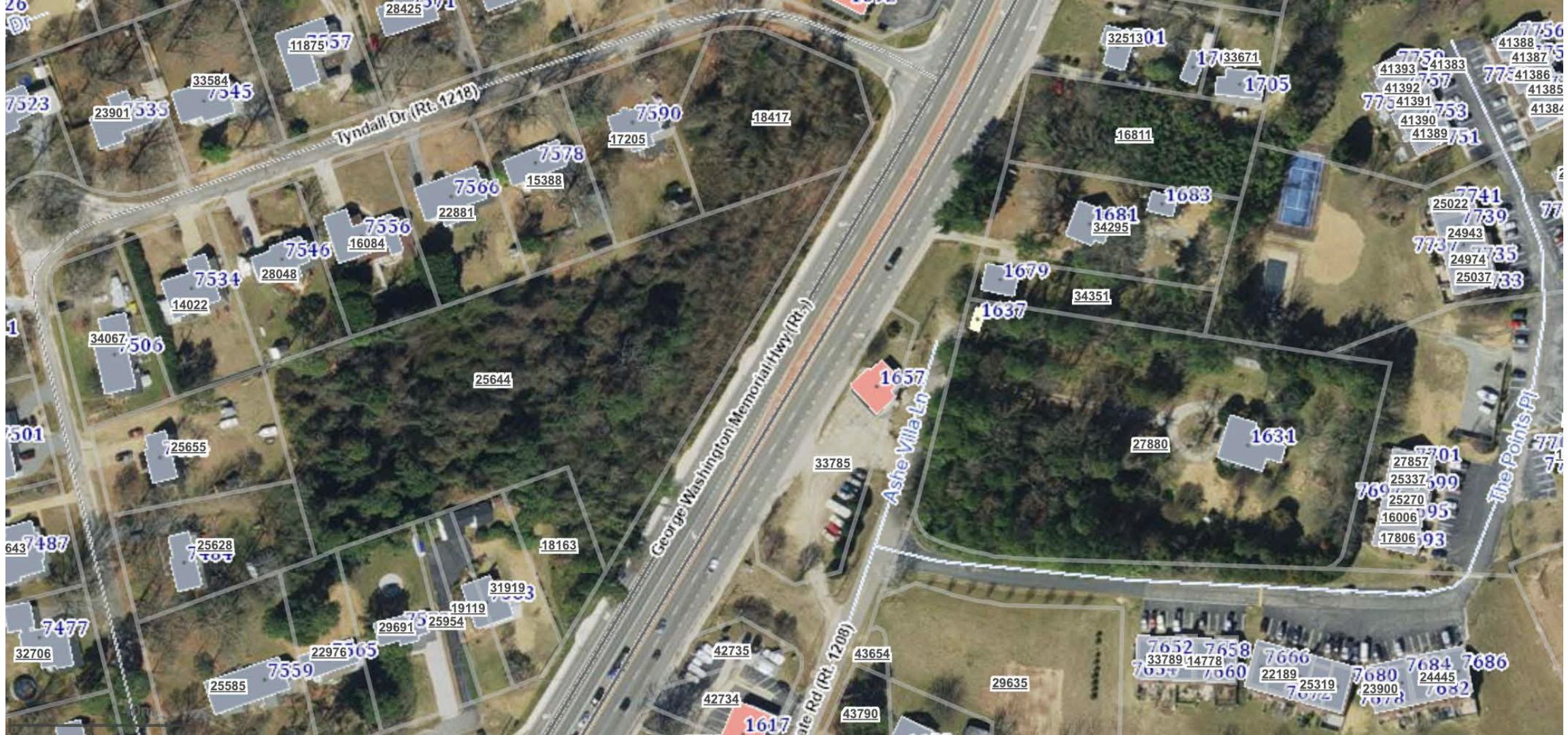


Approximately 1,200 square feet
2-3 bedrooms
2-2.5 bathrooms

Three Story Sample Product



Approximately 1,500 square feet
2-3 bedrooms
2-2.5 bathrooms
1 car garage



TYNDALL DRIVE

10,000 SF (MIN)
SINGLE-FAMILY
LOT

6
UNITS

SVN

4
UNITS

ROUTE US-17

34 CONDO UNITS
63 SPACES
(1.5 PER UNIT, PLUS 1
PER 3 UNITS FOR
VISITOR PARKING)

A horizontal scale bar with markings at 25 and 0.

CONCEPT PLAN

CONCEPT PLAN
FOR
GEORGE WASHINGTON
MEMORIAL HIGHWAY
TOWNHOMES

Project Number: 1000000000
Project Name: CONCEPT PLAN
Garage Option

1 OF 1

PUBLIC HEARING NOTICE
GLOUCESTER COUNTY BOARD OF SUPERVISORS

The Gloucester County Board of Supervisors will conduct a Public Hearing on Tuesday, July 15, 2025, beginning at 6:00 p.m. in the Colonial Courthouse, 6504 Main Street, Gloucester, Virginia 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, General Business to SF-1, Residential Single Family. Furthermore, the joint application seeks to allow a density of 10.86 dwelling units per net 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 SF-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 10.86 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.

A number of conditions of use have been recommended by the Planning Commission for the Board of Supervisors to consider, including a VDOT-compliant sidewalk along the property's Route 17 frontage, a sidewalk network along the internal road, connection to public sewer compliant to the Department of Public Utilities

standards, continuous landscaping within the 50 ft. landscape buffer along Route 17, internal site lighting standards, and consistency with the application's Conceptual Plan. The Board of Supervisors may require additional conditions as they deem necessary based on their review of the application and input from the public.

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 application. It is not intended to be a comprehensive representation of the full application and does not substitute for the full text of the application, which is available for review on the web at www.gloucesterva.gov, and in the County Administrator's Office at 6489 Main Street, Gloucester, Virginia.

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, VA 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 these methods must be received by 4:30 PM on July 15, 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 or public comment period, 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 submit comments for the meeting should contact the Gloucester County Administrator’s office at (804) 693-4042.

Carol E. Steele, County Administrator