



## **Project Description**

Ms. Finley currently owns and operates a child day care center at her residence. Ms. Finley wishes to expand her existing operation to 50 children and must find another site in order to receive accreditation under State regulation. The project will be housed in the old radio station building, previously used by WPTG The Local Channel, on the Ironbound Road cul-de-sac.

## **Existing Property Zoning and Development**

The existing structure is located on R-8, Rural Residential property. All adjacent property to the north is zoned R-8 and unimproved. Contiguous land to the north via Monticello Avenue is known as “New Town” and zoned R-8 as well. The adjacent property to the south is being used as Ironbound Road Mini Storage, which is B-1, Limited Business. Both properties to the immediate east and west are unimproved lots owned by the Virginia Department of Transportation with the property to the west being zoned M-1, or Limited Business/Industrial. The closest developed properties are Ironbound Road Mini Storage and Mount Pleasant Baptist Church.

## **Comprehensive Planning**

The Comprehensive Plan denotes this parcel and the surrounding property as being Mixed-Use within the Casey Fields Area. Suggested uses for this area are a mixture of commercial, office, and limited industrial with some residential as a secondary use. The special use permit is consistent with the specific designation of the Comprehensive Plan. In addition the property is located within the newly created New Town. New Town has enhanced design and landscaping standards which any changes to the structure or parcel would have to adhere to for compatibility.

## **Transportation Issues**

The proposed use will create fewer than 125 vehicular trips on both Ironbound Road cul-de-sac and Monticello Avenue, thus not significantly impacting either.

Currently, half of the site’s parking sits on an adjacent property. This issue of parking will have to be resolved before final site plan approval. With the adjacent property owner’s approval the off-street parking may remain in it’s present location. If this permission is not obtained, the child day care center would need to create adequate parking, per the Planning Director’s determination, on-site to replace lost spaces.

The site is accessed by an existing single entrance drive on Ironbound Road cul-de-sac. The entrance will need to be upgraded, per VDOT standards, to be classified as a commercial entrance. These standards include such requirements as a 30-foot wide entrance, rolled curb and guttering, and adequate site distance for viewable entrance safety. This will enable the use to adequately handle its daily traffic.

## **Topography and Physical Features**

The proposed parcel is clear and level to three sides with a large drainage ditch running along the fourth or west property line. The ditch however will not inhibit outdoor recreational uses due to an adequate portion of the land remaining level and free of hazard. This parcel has no environmentally sensitive areas.

## **RECOMMENDATION:**

This proposal is generally consistent with the Comprehensive Plan and surrounding development. Staff feels that the conditions attached to the Special Use Permit will assure orderly development of the site and assure aesthetic sensitivity.

Staff finds the proposal consistent with surrounding property uses. Staff also finds the proposal consistent with the Comprehensive Plan and consistent with previous actions taken by the Board of Supervisors. On September 6, 2000, the Planning Commission unanimously voted 7-0 to approve recommendation of approval to the Board of Supervisors. Additionally, staff recommends the Board of Supervisors approve this special use permit with the attached conditions. The conditions listed below adequately address the impacts of development. Staff recommends that Board of Supervisors approve the proposal subject to the following conditions:

1. Prior to the issuance of a permanent Certificate of Occupancy, a landscaping plan, in accordance with Article II, Division 4 of the James City County Zoning Ordinance, shall be submitted and approved by the Director of Planning.
2. Prior to the issuance of a permanent Certificate of Occupancy, enhanced landscaping shall be created upon the property so that the required number of plants equal at least one hundred thirty-three percent (133%) of the County's Landscaping Ordinance in accordance with New Town Design Standards.
3. Prior to the issuance of a permanent Certificate of Occupancy, the planning director shall approve the material color, style, location, and size of any new structures and fences.
4. The child day care center shall have no more than 50 children enrolled at any one time. Additional enrollment above the number of 50 children will require an additional special use permit.
5. A permanent Certificate of Occupancy for the facility shall be obtained within one year of the date of issuance of the special use permit or the special use permit shall become void.
6. Prior to the issuance of a permanent Certificate of Occupancy, the applicant shall show that current on-site parking is adequate, obtain permission from adjacent property owner to continue parking on their property, or create on-site parking with the number of spaces being the determined by the Director of Planning.
7. Prior to the issuance of a permanent Certificate of Occupancy, the applicant shall upgrade the existing entrance to meet the Virginia Department of Transportation's commercial entrance standards.
8. Prior to the issuance of a permanent Certificate of Occupancy, the applicant shall remove all evidence of a prior business, such as signage, dish antennas, satellite hardware, radio antennas, and towers from the property.
9. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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Benjamin A. Thompson

CONCUR:

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O. Marvin Sowers, Jr.

BAT/tlc  
sup1800.wpd

Attachments:

1. Planning Commission minutes
2. Location Map
3. Photo Pages
4. Resolution