

## **SPECIAL USE PERMIT-18-0030. 6446 Richmond Rd. Convenience Store with Gas Pumps (Wawa)**

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### **Staff Report for the February 6, 2019, Planning Commission Public Hearing**

#### **SUMMARY FACTS**

Applicant: Tim Trant, Kaufman and Canoles  
Land Owners: Doswell Ventures LLC  
Proposal: To construct a +/- 5,850-square-foot convenience store with six gas pumps  
Location: 6446 Richmond Road and parcel 2430100067 (no address)  
Tax Map/Parcel No.: 2430100046 and 2430100067  
Project Acreage: +/- .50 acres  
Zoning: B-1, General Business  
Comprehensive Plan: Mixed Use  
Primary Service Area: Inside  
(PSA)  
Staff Contact: Alex Baruch, Senior Planner

#### **PUBLIC HEARING DATES**

Planning Commission: February 6, 2019, 6:00 p.m.  
Board of Supervisors: March 12, 2019, 5:00 p.m. (tentative)

#### **FACTORS FAVORABLE**

1. With the proposed conditions, staff finds the proposal will not impact the surrounding zoning and development.
2. Staff finds the proposal consistent with the designation of Mixed Use on the Comprehensive Plan adopted in 2015, “*Toward 2035: Leading the Way*.”
3. This application passes the Adequate Transportation Facilities Test.

#### **FACTORS UNFAVORABLE**

1. This site is within a Community Character Corridor and entry way into the County. Staff does not find that the visual impacts to this entry corridor have been mitigated through enhanced architectural design, signage and landscaping requirements that have been approved by the Board of Supervisors in previous applications along Community Character Corridors, including gas station with convenience store applications.

#### **SUMMARY STAFF RECOMMENDATION**

Staff recommends that the Planning Commission recommend denial of this application to the Board of Supervisors due to the visual impacts on the entry corridor that have not been mitigated. If the Planning Commission recommends approval of this application to the Board of Supervisors, staff would recommend approval with the conditions stated in Attachment No. 2.

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#### **PROJECT DESCRIPTION**

The applicant is requesting an SUP to construct a 5,850-square-foot convenience store with six gas pumps. An SUP is required for convenience stores with gas pumps in B-1. The property is split by the York County/James City County jurisdictional line with the convenience store, parking and signage proposed in York County and a portion of the canopy and one of the two entrances located in James City County. There is currently a convenience store with gas pumps use on this property, however, when the site plan was submitted in 1985 for this existing use, an SUP was not required.

#### **PLANNING AND ZONING HISTORY**

- Z-15-1975: Rezoning from M-2, General Industrial to B-1, General Business
- SP-24-1985: Site plan for convenience store with gas pumps
- SP-0100-2004: Site plan to add a shed to the convenience store with gas pumps

#### **SURROUNDING ZONING AND DEVELOPMENT**

- Properties surrounding this parcel are zoned B-1, General Business, properties across the street are zoned M1, General Industrial, adjacent properties in York County are zoned GB, General Business. In James City County, all surrounding development is commercial.
- The subject property was developed in 1985/1986 to its current state. Prior to 1985, there was a single family home on the property.

#### **COMPREHENSIVE PLAN**

The property is designated Mixed Use on the 2035 Comprehensive Plan Land Use Map. The Mixed Use area in the Comprehensive Plan called Lightfoot describes principle uses that include limited industry, commercial and moderate density residential.

The Comprehensive Plan states that future development should be integrated with and complement the adjacent Economic Opportunity designated area to the extent possible. Staff finds the proposed use of a gas station with convenience store is consistent with the 2035 Comprehensive Plan.

##### **Community Character:**

Richmond Road is designated as a Community Character Corridor on the 2035 Comprehensive Plan Land Use Map. The Lightfoot area is an entry corridor into the County from Rt. 199 and York County. Redevelopment of the Lightfoot shopping mall through special use permits over the past years has committed to design standards and detail that reflect the Richmond Road Community Character Corridor. Staff has concerns because so much of the site is in York County but has such a visual impact to the Lightfoot Corridor in James City County and the James City County Community Character Corridor. The visual impact to this entry corridor in James City County makes it extremely important that the development of the site as a whole meet James City County standards for signage, canopy design and landscaping.

Without the ability to condition requirements on York County property to be consistent with James City County enhanced design standards there is no way to protect the character of this corridor which is such an important gateway into the County. Strategy CC 1 in the 2035 Comprehensive Plan states that the County should preserve and enhance entrance corridors and CC1.1 states that developments along

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CCCs and entrance corridors should establish entrance corridors that enhance the experience of residents and visitors.

The applicant has submitted building elevations for the convenience store that is located on the York County portion of the site. Much like the site improvements without the ability for James City County to apply an SUP Condition for the building architecture; there is no way to ensure that the final elevations meet the higher architectural standards due to the proximity to the Community Character Corridor. The enhanced building elevation is being considered by York County and the Planning Commission has recommended approval of this application. As such, it would be up to York County to require adherence to the attached elevation (Attachment No. 5).

The applicant has also submitted canopy elevations for the gas pump canopy that is located on both the York County and James City County portions of the site. Staff had recommended changes to the canopy elevation height and roofline to the applicant to better align with the community character of the area. Various alternatives of previously constructed Wawa canopies at other locations were discussed in preliminary meetings. Examples of these designs can be found in Attachment No. 8 including an example of the A-frame canopy located in Hampton, VA. Other examples of gas canopies with convenience stores that have been approved over the past two years include the Harris Teeter gas station and convenience store across the street in Lightfoot and the 7-11 adjacent to the Riverside Doctors Hospital on Pocahontas Trail. The elevations for these two gas canopies and their associated conditions can be found in Attachment No. 9. Some examples of the differences between the elevations include an increase in height above the 15' special use permit condition placed in both of the aforementioned cases and out of character roofline compared to the other examples. Staff believes that the A-frame style would be a less intrusive lower profile design with a parapet with has a similar styling to the other approved designs. Staff would be unable to support

the development as a whole if it did not meet James City County standards and if it wasn't consistent with the enhanced architectural standards that conform to other gas station canopy designs that have been approved by the Board of Supervisors over the past two years. While the applicant has continued to indicate a desire to construct the canopy as shown in the attached elevation, Condition Nos. 9 and 14 will ensure that final elevations in James City County meet the higher architectural standards due to the proximity to the Community Character Corridor. However, the York County conditions do not state any requirement for enhanced architectural design for the canopy and therefore James City County would not be able to regulate what is built on the York County portion of the site.

The LED monument style sign depicted in Attachment No. 5 is shown on the master plan on the York County portion of the property. LED signage is not allowed in James City County. The zoning ordinance requires that the Planning Director approve signage along Community Character Corridors according to three criteria, scale/proportion, materials/color/construction and intensity/quantity of lighting. Condition Nos. 11 will ensure that sign permits within James City County meet the James City County requirements; however, any signs within York County would not. The proposed LED sign is located across the jurisdictional boundary in York County and would be permitted per York County ordinance requirements.

The landscaping shown on the master plan does not meet the James City County ordinance requirements for landscaping adjacent to buildings, parking lot or Community Character Corridor along Richmond Road. A row of parking spaces in parking lots can be a maximum of 90' long. The parking adjacent to the Hardees where it shows nine spaces is over 90' long with the striping in the middle. A landscape island would need to be installed in the middle to bring this into conformance. The nine parking spaces in front of the building with the handicap parking is over 90' long and would need to be

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reduced to meet this ordinance requirement. Section 24-97 of the zoning ordinance requires landscaping adjacent to buildings. This requirement would need to be met at the site plan stage and only half of the required landscaping would be allowed to be transferred to other areas on the site. York County staff has indicated that the front and sides of the building will need to comply with their landscape ordinance which states that only half of the required landscaping adjacent to building can be transferred. The landscape adjacent to the rear of the building can be completely transferred to the perimeter of the site according to York County ordinance requirements. This application is proposing to transfer all of the building adjacent landscaping to the 45' greenbelt along Lightfoot Road which would not be allowed per York County ordinance requirements. Lastly, to be consistent with James City County standards, the area adjacent to Richmond Road shown as the 45' greenbelt should be shown as a 50' Community Character Corridor with the appropriate amount of landscaping for an urban Community Character Corridor.

The Comprehensive Plan Goals, Strategies and Action CC 3.7 states "Expect new developments to employ site and building design techniques that reduces their visual presence and scale. Design techniques include berms, buffers, landscaping, building designs that appear as collections of smaller buildings rather than a single large building, building colors and siting that cause large structures to blend in with the natural landscape, and low visibility parking locations."

While the master plan does not show dumpsters or outside display of sale or storage occurring on the JCC property, Condition Nos. 6 and 7 are included should anything of that nature be proposed later in James City County.

### **PUBLIC IMPACTS**

#### **1. Anticipated Impact on Public Facilities and Services:**

- a. *Streets.* The applicant has submitted a traffic impact analysis (TIA) to evaluate the impacts of the proposed development on the public streets and to identify if any improvements are needed to mitigate those impacts. The TIA analyzed the Lightfoot Road/Richmond Road intersection. Based on the analysis the current overall level of service (LOS) would remain at a LOS C under a year 2020 build scenario. The applicant is proposing to extend the left turn lane on eastbound Richmond Road from 275 feet to 325 feet and construct a right turn taper into the project on southbound Lightfoot Road.
  - The new configuration for ingress/egress for this proposal shows only one entrance/exit on Richmond Road with right in right out capability (down from two previously) and one entrance/exit on Lightfoot Road with a pork chop design that allows right in, right out and left out to Lightfoot Road toward Old Mooretown Road.
  - This project passes the Adequate Transportation Facilities Test at this time because the LOS when comparing the 2020 No Build and 2020 Build models are the same due to the model incorporating the signal synchronization.
  - Based on the first version of the traffic study VDOT recommended the following improvements for this proposal. An updated traffic study is being assessed by VDOT based on already existing synchronization of traffic lights that was not in the first traffic study which appear to help with the through lanes on Richmond Road going east and west. Staff will update this report if VDOT provides their analysis prior to the Planning Commission meeting. An access

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management exception (AME) was requested by the applicant from VDOT for a proposed entrance that does not meet VDOT minimum distance requirements from the intersection. The AME was granted with two conditions, (1) dedication/reserve right of way along Lightfoot Road to facilitate future improvements to the road and the Lightfoot/Richmond Road intersection (2) if safety becomes an issue with cars mistakenly trying to turn into the proposed development from Lightfoot Road VDOT has reserved the right to require the driveway to be reconstructed as a right-in/right-out only entrance.

- The Pedestrian Accommodations Master Plan shows a sidewalk for this area along Richmond Road. It appears that a sidewalk is already installed and that the Master Plan indicates that it will be upgraded to a multi-use path.
- Regional Bikeways Master Plan shows a bike lane along Richmond Road as required. This item has been addressed in SUP Condition No. 5. The Pedestrian and Bicycle Accommodations ordinance states that an exception may be granted by the Planning Director if an alternate accommodation is shown on a master plan approved by the Board of Supervisors. Currently the applicant is showing a 10' multi-use path along the Richmond Road frontage.
- The projected LOS for this segment of Richmond Road from the Regional Transportation study shows that the segment of Richmond Road from Croaker Road to Lightfoot Road will continue as a LOS A-C

in 2034. The LOS for the segment of Richmond Road from Lightfoot Road to Centerville Road is projected as a LOS F in 2034.

- b. *Schools/Fire/Utilities.* This area of the County is served by Fire Station 4 on Olde Towne Road. This parcel is inside the PSA and is served by public water and sewer.

#### **2. Anticipated Impact on Environmental/Cultural/Historical:**

- a. *Environmental:* The Stormwater and Resource Protection Division has reviewed the proposal and approved the application. Additional coordination will take place regarding the construction during the site plan process. Spill Prevention, Control and Countermeasures Plan will be reviewed and approved by Stormwater and Resource Protection prior to issuance of a Land Disturbance permit as described in Condition No. 3.

- b. *Cultural/Historic:* The subject properties are shown as moderately sensitive areas on the Comprehensive Plan's Archaeologically Sensitive Areas Map (CC-1, page 101). Past development activities resulted in land disturbance for the entirety of this site.

#### **3. Anticipated Impact on Nearby and Surrounding Properties:**

- a. As described above, the properties are surrounded by business zoning.
- b. Many of the potential impacts are mitigated through SUP Conditions such as lighting, noise, screening of site features and architectural review.

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**PROPOSED CONDITIONS**

- Proposed conditions are provided in Attachment No. 2 if approval is recommended.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission recommend denial of this application to the Board of Supervisors due to the visual impact on the entry corridor that has not been mitigated. If the Planning Commission recommends approval of this application to the Board of Supervisors, staff would recommend approval with the conditions stated in Attachment No. 2.

AB/md

SUP18-30Wawa

Attachments:

1. Location Map
2. Proposed SUP Conditions
3. Master Plan
4. York County Master Plan
5. Community Impact Study and Elevations
6. Traffic Study and Supplement Traffic Study
7. Mixed Use 2035 Comprehensive Plan Lightfoot Land Use Description.
8. Wawa Alternative Canopy Design
9. Canopy Elevations and SUP Conditions from Previously Approved Gas Station with Convenience Stores

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