AGENDA

JAMES CITY COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

COUNTY GOVERNMENT CENTER BOARD ROOM

101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

April 14, 2026

5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

E. PRESENTATION(S)

1. The Arc of Greater Williamsburg
2. Proclamation - National Library Week, April 19-25, 2026

F. PUBLIC COMMENT

G. CONSENT CALENDAR

H. PUBLIC HEARING(S)

1. Proposed Real Property Tax Increase
2. Ordinance to amend County Code sec. 20-35
3. Fiscal Years 2027-2028 County Budget
4. Z-23-0004/MP-23-0001. Westwood Park Rezoning
5. SUP-25-0016. 8285 Diascund Rd. Proposed Contractor's Offices
6. SUP-25-0019. 5251 John Tyler Hwy. Unit 47 Tobacco Outlet Expansion
7. An Ordinance to Amend and Re-Ordain Various Provisions of Appendix A - Fee Schedule for Development Related Permits to Amend the Fee Schedule for Stormwater Related Permits
8. An Ordinance to Amend and Re-Ordain Various Provisions of Appendix A - Fee Schedule for Development Related Permits to Amend the Fee Schedule for Sign Permits
9. Proposed Fiscal Year 2027-2032 Secondary Six-Year Plan
10. Ordinance to amend County Code sec. 13-4.1

I. BOARD CONSIDERATION(S)

1. Request for Amplified Sound as Part of a Special Event Permit - Bike MS 2026

2. Request for an Alternative Discharging Sewage System - 190 Jolly Pond Road

3. Virginia Department of Transportation Project No. UPC 125628. Rt 622 (Stewarts Rd) over Branch Diascund Creek bridge replacement project – Resolution of Support

4. Calendar Amendment - Ford's Colony HOA Town Hall Meeting, April 23, 2026 at 6:30 pm, at the Ford's Colony Swim and Tennis Club, 165 St. Andrews Drive, Williamsburg, VA

J. BOARD REQUESTS AND DIRECTIVES

K. REPORTS OF THE COUNTY ADMINISTRATOR

L. CLOSED SESSION

M. ADJOURNMENT

1. Adjourn until 6:30 pm on April 23, 2026 for the Ford's Colony HOA Town Hall Meeting

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Sharon B. McCarthy, Director of Financial and Management Services

SUBJECT: Proposed Real Property Tax Increase

The purpose of the Public Hearing is to invite public comment on an increase in property tax levies based upon the recent general reassessment.

The total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 10.31%.

The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be $.7444 per $100 of assessed value. This rate will be known as the "lowered tax rate."

James City County proposes to adopt a tax rate of $.80 per $100 of assessed value. The difference between the lowered tax rate and the proposed rate would be $.0556 per $100, or 7.47%. This difference will be known as the "effective tax rate increase."

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

No action is required of the Board at this meeting. The Budget Business Meeting is scheduled for Tuesday, April 28, 2026, at 1 p.m. The Board is scheduled to adopt the budget as amended, at its meeting on Tuesday, May 12, 2026.

SBM/ap
FY27PropRPTaxInc-mem

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Sharon B. McCarthy, Director of Financial and Management Services

SUBJECT: Fiscal Years 2027-2028 County Budget

James City County (the "County") has the authority to levy a tax on food and beverages sold for immediate consumption at a tax rate up to 6%. Unlike property taxes that are borne solely by County citizens, this tax is paid by both residents and visitors who dine in our community.

Staff has proposed an amendment to James City County Code Section. 20-35 to increase the tax on prepared food and beverage from 4% to 6% effective July 1, 2026. This change to the prepared food and beverage tax rate is included in the County's Fiscal Year (FY) 2027 Proposed Budget and is expected to generate approximately $3.4 million in new revenue for FY2027.

Should the Board of Supervisors wish to increase the food and beverage tax from 4% to 6%, staff recommends adopting the attached Ordinance.

SBM/tm
FY27-28CntyBdgtTxLvy-mem

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VII, TAX ON PREPARED FOOD AND BEVERAGES; SECTION 20-35, LEVY OF TAX; AMOUNT.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Taxation, is hereby amended and reordained by amending Article VII, Tax on Prepared Food and Beverages; Section 20-35, Levy of tax; amount.

Chapter 13. TAXATION

ARTICLE VII. TAX ON PREPARED FOOD AND BEVERAGES

Sec. 20-35. Levy of tax; amount.

In addition to all other taxes and fees of any kind now or hereafter imposed by law, a tax is hereby levied and imposed on the purchaser of all food served, sold or delivered for human consumption in the county in or from a restaurant, whether prepared in such restaurant or not, or prepared by a caterer. The rate of this tax shall be ~~four~~ six percent of the amount paid for such food. In the computation of this tax, any fraction of $0.005 or more shall be treated as $0.01.

BE IT FURTHER ORDAINED that this Ordinance shall be made effective July 1, 2026.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
WAINWRIGHT	____	____	____	____
NULL	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____
MCGLENNON				

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

AmdChpt20Tax-ord

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VII, TAX ON PREPARED FOOD AND BEVERAGES; SECTION 20-35, LEVY OF TAX; AMOUNT.

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BE IT FURTHER ORDAINED that this Ordinance shall be made effective July 1, 2026.

AmdChpt20Tax-ord-final

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Sharon B. McCarthy, Director of Financial and Management Services

SUBJECT: Fiscal Years 2027-2028 County Budget

The purpose of the Public Hearing is to invite public comment on any aspect of the proposed Fiscal Year (FY) 2027 Budget and the FY 2028 Plan.

No action is required of the Board at this meeting. The Budget Business Meeting is scheduled for Tuesday, April 28, 2026, at 1 p.m. The Board is scheduled to adopt the budget as amended, at its meeting on Tuesday, May 12, 2026.

SBM/ap
FY27-28Budget-mem

SUMMARY FACTS

Applicants:	Mr. Jason Grimes, AES Consulting Engineers, and Mr. Vernon Geddy, III, Geddy, Harris, Franck & Hickman, LLP
Landowner:	Commonwealth of Virginia Eastern State Hospital
Proposal:	Rezoning of approximately 79.56 acres from PL, Public Lands to PUD-R, Planned Unit Development Residential, with Proffers, to allow for up to 155 residential dwellings consisting of 82 single-family detached units and 73 single-family attached and multifamily units, and up to 24,000 square feet of commercial uses.
Location:	A portion of 4601 Ironbound Road
Tax Map/Parcel No.:	A portion of 3910100152
Current Zoning:	PL, Public Lands
Proposed Zoning:	PUD-R, Planned Unit Development Residential, with Proffers
Project Acreage:	+/- 79.56 acres
Comprehensive Plan:	Mixed Use - Eastern State
Primary Service Area (PSA):	Inside
Staff Contact:	Morgan Risinger, Senior Planner

PUBLIC HEARING DATES

Planning Commission:	April 2, 2025, 6:00 p.m.
Board of Supervisors:	October 14, 2025, 5:00 p.m. (Postponed) February 10, 2026, 5:00 p.m. (Postponed) April 14, 2026, 5:00 p.m.

FACTORS FAVORABLE

1. Staff finds the proposal to be consistent with the Zoning Ordinance and adopted policies.

2. Staff finds the proposal to be generally consistent with the Comprehensive Plan and the adopted Mixed Use - Eastern State land use designation text (see Pages 20-26).

3. The applicants have proffered a 50-foot-wide buffer from properties along Discovery Park Boulevard and 100-foot-wide buffer from properties along Rollison Drive.

4. The proposal requires a minimum of two density points and the applicants have offered two density points. Staff finds that the applicants have satisfied the requirements to achieve the density points (see Page 4-5).

5. This proposal is consistent with the recommendations on workforce and affordable housing as stated in the Comprehensive Plan (see Page 5).

6. The application is expected to have a positive cumulative fiscal impact based on analysis from the County's Fiscal Impact Model (see Pages 23-24).

7. The proposal passes the Adequate Public Schools Facilities Test (see Page 9).

8. The proposal passes the Adequate Transportation Facilities Test (see Pages 5-8).

9. The application is generally consistent with the Parks & Recreation Development Guidelines (see Pages 9-10).

10. See Impact Analysis on Pages 16-18.

FACTORS UNFAVORABLE

1. See Impact Analysis on Pages 16-18.

2. The land area percentages proposed by the application are not fully consistent with the general Mixed Use, Level 1 *Recommended Land Area Percentages* (see Page 20).

3. The densities and intensities proposed by the application are not fully consistent with the general Mixed Use, Level 1 *Recommended Density and Intensity* (see Page 21).

PLANNING COMMISSION RECOMMENDATION

At its April 2, 2025, Regular Meeting, the Planning Commission recommended denial of this application by a vote of 5-1.

CHANGES MADE SINCE THE FEBRUARY 10, 2026, BOARD OF SUPERVISORS MEETING

None.

CHANGES MADE SINCE THE OCTOBER 14, 2025, BOARD OF SUPERVISORS MEETING; these changes represent the most current application information

On December 9, 2025, the Board of Supervisors approved Case No. LU-20-0002 to change the Comprehensive Plan Land Use Map designation of the subject property from Federal, State, or County Land to the Mixed Use Level 1, Small Town or Suburban Center, designation.

The applicants have reduced the proposed residential density of the development from 176 units, comprised of 86 single-family detached and 90 single-family attached and multifamily units, to a total of 155 units, comprised of 82 single-family detached units and 73 single-family attached and multifamily units.

Adjusting for the reduction in the number of units, the applicants adjusted Proffer No. 8 to increase the per unit cash contribution from $1,276.81 to $1,451.61 so that a total cash contribution of $225,000 will be provided to the County to be used for a stream restoration project on or near the property.

The applicants have also revised the proposed design guidelines to specify that commercial and mixed use buildings shall be two to three stories in height to align with the Mixed Use Level 1 description.

CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

The applicants reduced the proposed residential density of the development from 186 units, comprised of 86 single-family detached and 100 single-family attached and multifamily units, to 176 units, comprised of 86 single-family detached units and 90 single-family attached and multifamily units. The applicants also reduced the proposed amount of commercial uses from 40,000 square feet to 24,000 square feet.

The applicants added Proffer No. 8 to require the developer to provide cash contributions to the County to be used for a stream restoration project on or near the property. Accordingly, the applicants have updated Proffer No. 7 to state that the required master stormwater management plan shall include the location of stream

restoration/improvements needed within Subwatershed 208 of the Powhatan Creek Watershed. However, Proffer No. 9 was revised to remove the proposed retrofit of the New Town Block 8 Phase 1B Dry Pond (BMP ID PC243).

Regarding the stream restoration proffer: the proffers have been made with the concept that the County would undertake the stream restoration project itself, and not the developer. Under this scenario, it would be the County who would ultimately fund, design, permit, construct, and complete the restoration project. Further, the proffers have been made with the concept that, in order to fully fund the project, proffered funds from this application, if approved, would be combined with proffered funds from the other Eastern State development application, if approved. Those combined proffered funds would then be leveraged for a future Stormwater Local Assistance Fund (SLAF) grant application to the state. If that grant application is approved, staff estimates the three sources of funding would come close to fully covering expected costs for the stream restoration project, as the stream exists today.

Without funding coming from all three of these sources (i.e., the two Eastern State development applications and from the state via a competitive SLAF grant application), staff notes that expected costs for the full stream restoration, as identified in the adopted Watershed Master Plan report, would exceed available funding. Alternatives would then need to be developed and considered.

The applicants also updated Proffer No. 4 to reflect the Area Median Income (AMI) in 2025 and revised Proffer No. 6 to reduce the area of passive parks from six acres to five acres.

SUMMARY STAFF RECOMMENDATION

Staff finds the application to be generally consistent with the County's Zoning Ordinance, Comprehensive Plan, and adopted policies. Staff recommends that the Board of Supervisors approve this application, subject to the proposed proffers.

PROJECT DESCRIPTION

Mr. Jason Grimes of AES Consulting Engineers, on behalf of ABVA Development, LP, has applied to rezone an approximately 79.56-acre portion of land located at 4601 Ironbound Road from PL, Public Lands to PUD-R, Planned Unit Development Residential, with Proffers. This application includes the following:

- The proposal is for 155 residential dwellings, with 82 single-family detached units, and 73 single-family attached (townhomes) and multifamily units (apartments). The proposal also includes up to 24,000 square feet of commercial uses.

- The parcel has approximately 25.39 acres of non-developable area which includes 8.53 acres of wetlands, 16.86 acres of Resource Protection Area (RPA), and 0.15 acres of steep slopes (outside the RPA). The net developable area of the parcel is approximately 54.05 acres.

- The proposal includes a total of 44.9 acres of open space including the 25.39 acres of non-developable area and 19.5 acres of the developable land.

- Based on the developable acreage of the parcel, this project proposes a net density of up to 2.87 units per acre. In accordance with Section 24-487(b) of the Zoning Ordinance, the project requires two density bonus points to be provided.

- The applicants are proposing pedestrian connections to connect with existing pedestrian facilities along Discovery Park Boulevard as well as pedestrian facilities on both sides of the proposed public roads. Additionally, the Zoning Ordinance requires pedestrian accommodations along at least one side of proposed internal private roads or along both sides of proposed internal private roads with areas designated as Mixed Use in the Comprehensive Plan.

- The application proposes a vegetated buffer at least 50 feet in width between the multifamily residential areas and the existing properties along Discovery Park Boulevard. The application proposes a vegetated buffer at least 100 feet in width between the single-family residential areas and the existing properties along Rollison Drive.

- Proposed recreational amenities include (1) one swimming pool 75-foot in length by 16-foot in width with a wading area at least 600-square-foot in size and a bathhouse, (2) passive parks at least five acres in size, (3) two playgrounds at least 2,500 square feet in size with at least five activities, (4) a grilling station and picnic area in a passive park, (5) a deck overlook, (6) a pavilion/bus shelter, and (7) at least 3,000 linear feet of soft surface trails. The Parks & Recreation Department has reviewed this proposal and found that it is not fully consistent with the Parks & Recreation Development Guidelines.

- At least 20% of the dwelling units permitted on the property shall be offered for sale at prices that are targeted at households earning up to 80% of the AMI.

- A Traffic Impact Analysis (TIA) for the proposal and other approved developments found that no road improvements are required.

- The application proposes one stormwater management facility retrofit and one stormwater management facility outfall repair to be completed by the developer, cash contributions to the County to be used for a stream channel restoration project, and compliance with the most updated Special Stormwater Criteria (SSC) for consistency with the Powhatan Creek Watershed Master Plan.

- The application ensures that off-site improvements necessitated by the development for the James City Service Authority (JCSA) water system and Hampton Roads Sanitation District (HRSD) sanitary sewer system will be completed by the developer.

Density Bonuses

Based on developable acreage, the proposed development of 155 residential dwelling units corresponds to a density of 2.87 units per developable acre. Per Section 24-487(b), the project requires two bonus density points which have been proposed by the following options.

- Bonus Item Option C: Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same subwatershed, as identified by an approved watershed management plan or by the Stormwater and Resource Protection Division. (Bonus Point 1.5)

  Proffer No. 9 includes proposed stormwater management facility retrofits, including the retrofit of the Courthouse Green Dry Pond (see Attachment No. 12) which the applicants have indicated is being offered to fulfill this density bonus item. The proffer ensures that the applicants will prepare the development plans for the required work, requires such plans to have been approved before building permits have been issued for more than 80 residential units, and requires that the work associated with the retrofit is substantially complete before building permits have been issued for 150 residential dwelling units. This will ensure that the development does not exceed the otherwise permissible base density before the work for this bonus item option is completed. Staff finds that the intent of this bonus item option has been fulfilled and credit has been given for this density bonus item.

- Bonus Item Option K: Developing binding design guidelines for the development that include superior architectural and design standards. Design guidelines shall be reviewed and approved by the Director of Planning. (Bonus Point 0.5)

  The design guidelines submitted have been reviewed and approved by the Director of Planning. Proffer No. 13 requires all building plans and elevations to be approved by the New Town Design Review Board (NTDRB). Credit has been given for this density bonus item.

Housing Affordability Analysis

The Comprehensive Plan encourages inclusion of affordable and workforce units within new residential developments. Per the Comprehensive Plan recommendations, at least 20% of the development's proposed new dwellings should be offered for sale or rent at prices that are targeted at workers with incomes up to 80% of AMI level as determined by the U.S. Department of Housing and Urban Development. The applicants have proffered that at least 20% (31 units) of the dwelling units shall be offered for sale or rent at prices that are targeted at households earning up to 80% of the AMI. The tables below provide the sales prices and monthly rents for certain percentages of AMI, which is currently $106,500.

Affordable Sales Price by AMI % (2025 AMI)

% AMI	Upper Limit of the Sales Price Affordable to this AMI Level
30%	$107,250
60%	$212,000
80%	$281,750
100%	$351,750
120%	$421,500

Affordable Rental Price, by AMI % (2025 AMI)

% AMI	Max. Rent Price for Household of 1	Max. Rent Price for Household of 2	Max. Rent Price for Household of 3	Max. Rent Price for Household of 4
30%	$559.13	$639	$718.88	$798.75
60%	$1,118.25	$1,278	$1,437.75	$1,597.50
80%	$1,491.25	$1,705	$1,917.50	$2,130
100%	$1,863.75	$2,130	$2,396.25	$2,662.50
120%	$2,236.50	$2,5560	$2,875.50	$3,195

Public Transportation: Vehicular

The scale of this proposal requires the submittal of a TIA. The TIA examines the existing conditions of vehicular traffic, including Level of Service (LOS), with a focus on the roads and intersections serving and impacted by the proposed development. The study projects that the development would generate 356 A.M. peak-hour trips, 458 P.M. peak-hour trips, and approximately 4,600 daily trips.

The proposed access to the development is an extension of the public Discovery Park Boulevard right-of-way. Discovery Park Boulevard is a two-lane road with connections to Ironbound Road, Casey Boulevard, and New Town Avenue. Casey Boulevard and the portion of Discovery Park Boulevard from Ironbound Road to Casey Boulevard are considered to be Minor Collector roads. LOS is not determined for Discovery Park Boulevard or Casey Boulevard. The portion of Ironbound Road which will receive traffic from this development currently operates at LOS A-C and is projected to continue to operate at LOS A-C in 2045. The portion of Monticello Avenue which receives traffic from Casey Boulevard and New Town Avenue currently operates at LOS A-C and is projected to operate at LOS E-F in 2045.

The TIA analyzed the following roads and intersections:

- Casey Boulevard
- Discovery Park Boulevard
- Ironbound Road/Discovery Park Boulevard (signalized)
- Ironbound Road/Monticello Avenue (signalized)
- Monticello Avenue/Courthouse Street (signalized)
- Monticello Avenue/Casey Boulevard/Ironbound Road (signalized)
- Discovery Park Boulevard/Casey Boulevard (unsignalized)

The tables on Pages 6-8 show the LOS of the studied intersections based on various scenarios analyzed in the TIA.

Ironbound Road/Discovery Park Boulevard										
	Existing		2026 No-Build		2026 Build		2032 No-Build		2032 Build	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Overall	B	C	B	C	B	C	B	C	B	C
EBLT	D	E	D	E	D	E	D	E	D	E
EBRT	D	D	D	D	D	D	D	D	D	D
NBLT	D	D	C	D	C	D	C	D	C	D
NBTH	A	B	A	A	A	A	A	A	A	A
SBTH	B	B	A	B	B	B	B	B	B	B
SBRT	B	B	A	B	B	B	B	B	B	B

Eastbound (EB) traffic is coming from the proposed development and traveling east towards Ironbound Road.

Northbound (NB) traffic along Ironbound Road is traveling north towards DePue Drive.

Southbound (SB) traffic along Ironbound Road is traveling towards Monticello Avenue.

Ironbound Road/Monticello Avenue										
	Existing		2026 No-Build		2026 Build		2032 No-Build		2032 Build	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Overall	D	D	D	D	D	D	D	D	D	D
EBLT	E	E	D	C	D	D	D	D	D	D
EBTH	D	D	D	C	D	C	D	C	D	C
EBRT	B	B	B	B	B	C	B	B	B	C
WBLT	D	E	D	E	D	E	D	E	D	E
WBTH	C	C	C	D	C	D	C	D	C	D
WBRT	B	B	C	C	B	B	B	B	B	B
NBLT	E	E	D	E	D	E	D	E	D	E
NBTH	D	E	D	E	D	E	D	E	D	E
NBRT	C	D	C	D	C	D	C	D	C	D
SBLT	C	F	C	D	D	E	D	E	D	E
SBTH	C	D	C	E	C	E	C	E	C	E
SBRT	F	D	F	E	F	F	F	F	F	F

Eastbound (EB) traffic along Monticello Avenue is traveling east towards the City of Williamsburg.

Westbound (WB) traffic along Monticello Avenue is traveling west towards Courthouse Street.

Northbound (NB) traffic along Ironbound Road is traveling north towards Discovery Park Boulevard.

Southbound (SB) traffic along Ironbound Road is traveling towards Strawberry Plains Road.

Monticello Avenue/Courthouse Street										
	Existing		2026 No-Build		2026 Build		2032 No-Build		2032 Build	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Overall	C	B	C	B	C	B	C	B	C	B
EBLT	B	B	B	A	B	A	B	A	B	A
EBTH	C	A	C	A	C	B	C	B	C	B
EBRT	B	B	B	A	B	B	B	A	B	B
WBLT	B	A	B	A	B	A	B	A	B	A
WBTH	C	B	C	B	C	B	B	B	B	B
WBRT	B	B	B	B	B	B	B	B	B	B
NBLT-TH	D	E	D	E	D	E	D	E	D	E
NBRT	D	D	D	E	D	E	D	E	D	E
SBLT-TH	D	D	D	D	D	D	D	D	D	D
SBRT	D	D	D	D	D	D	D	D	D	D

Eastbound (EB) traffic along Monticello Avenue is traveling east towards Ironbound Road.

Westbound (WB) traffic along Monticello Avenue is traveling west towards New Town Avenue.

Northbound (NB) traffic is traveling north from the Williamsburg/James City County (W/JCC) Courthouse towards Courthouse Street.

Southbound (SB) traffic along Courthouse Street is traveling towards the (W/JCC) Courthouse.

Monticello Avenue/Casey Boulevard/Ironbound Road										
	Existing		2026 No-Build		2026 Build		2032 No-Build		2032 Build	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Overall	C	D	C	D	C	D	C	D	C	D
EBLT	D	E	D	D	D	E	D	D	D	E
EBTH	B	C	C	C	B	C	C	C	C	C
EBRT	B	B	B	C	B	C	B	C	B	C
WBLT	D	D	C	B	D	B	C	B	C	B
WBTH-RT	C	D	C	C	C	C	C	C	C	C
NBLT	D	E	D	D	D	D	D	D	D	D
NBTH-RT	D	E	D	D	D	D	D	D	D	D
SBLT-TH	D	E	D	E	D	E	D	E	D	E
SBRT	C	D	C	D	C	D	C	D	C	D

Eastbound (EB) traffic along Monticello Avenue is traveling east towards Settlers Market Boulevard.

Westbound (WB) traffic along Monticello Avenue is traveling west towards Route 199.

Northbound (NB) traffic along Ironbound Road is traveling towards Casey Boulevard.

Southbound (SB) traffic along Casey Boulevard is traveling towards Ironbound Road.

Discovery Park Boulevard/Casey Boulevard										
	Existing		2026 No-Build		2026 Build		2032 No-Build		2032 Build	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Overall	A	A	A	A	A	A	A	A	A	A
EBLT-TH-RT	-	-	-	-	-	-	-	-	-	-
WBLT-TH-RT	-	-	-	-	-	-	-	-	-	-
NBLT-TH-RT	C	B	B	B	C	C	B	B	C	D
SBLT-TH-RT	C	C	B	B	C	C	B	B	C	C

Eastbound (EB) traffic along Discovery Park Boulevard is traveling from the proposed development east towards New Town Avenue.

Westbound (WB) traffic along Discovery Park Boulevard is traveling west towards the proposed development.

Northbound (NB) traffic along Casey Boulevard is traveling towards Discovery Park Boulevard.

Southbound (SB) traffic along Casey Boulevard is traveling towards Ironbound Road.

The County adopted the Adequate Transportation Facilities Test by resolution on August 14, 2018. This policy requires a proposed Special Use Permit (SUP) or Rezoning to be tested during the application process to ensure that transportation facilities are adequate to mitigate traffic impacts.

A proposed Rezoning or SUP application will be tested for Adequate Transportation Facilities and will pass the test if:

- No off-site improvements are required by the TIA that is approved by both the Planning Director and the Virginia Department of Transportation (VDOT); or

- All off-site improvements recommended by a TIA that are approved by both the Planning Director and VDOT are guaranteed in a form approved by the Planning Director and the County Attorney.

The recommendations listed in the TIA for the signalized intersections were to maintain existing lanes and provide optimized signal timings. The process for adjusting signal timings is administered by VDOT on a recurring basis and does not necessitate action as part of this application. VDOT has confirmed that signal timing adjustments along Monticello Avenue and Ironbound Road were completed in 2025 to account for development in the area, including the approved Wawa gas station on Ironbound Road and Westwood Park.

For the Discovery Park Boulevard/Casey Boulevard intersection, the TIA found that a right-turn lane from Discovery Park Boulevard to southbound Casey Boulevard would be warranted. However, the TIA does not recommend the installation of a right-turn lane on the basis that the right-turn movement is not stop-controlled allowing vehicles to make the right-turn without causing delay. Furthermore, the TIA finds that the additional right-of-way width required to install a right-turn lane would result in disruptions to the existing bike lane and sidewalks at this intersection. After discussion with VDOT, this recommendation was found to be acceptable given the urban context of the intersection.

As no improvements are recommended by the TIA and the TIA has been approved, this proposal passes the Adequate Transportation Facilities Test.

Schools

The County adopted the Adequate Public Schools Facilities Test by resolution on June 23, 1998. A proposed rezoning or SUP application for residential development is required to show that the schools which would serve the future development currently have adequate design capacity to accommodate the existing student population plus the additional schoolchildren generated by the development. The schools shall be deemed adequate if the projected student population does not exceed 100% of the design capacity.

However, if the affected public schools currently exceed design capacity, but the schools' student population will be brought under design capacity within three years of the time of the application's review through either physical improvements programmed in the Capital Improvements Program (CIP), and/or through a redistricting plan that was approved by the School prior to application, then the application will be deemed to have passed the test.

The proposed development is anticipated to generate an additional 46 students. As illustrated in the following table, the 43 students projected from the development would not cause the enrollment levels for Clara Byrd Baker Elementary School, James Blair Middle School, or Lafayette High School to exceed effective capacity. Thus, this proposal passes the Adequate Public Schools Facilities Test.

Student Enrollment and School Capacity, Williamsburg-James City County (WJCC) Schools 2025-2026

School	*Effective Capacity*	*Enrollment 2025-2026*	*Projected Students Generated*	*Enrollment + Projected Students*
Clara Byrd Baker Elementary School	618	502*	+19	521
James Blair Middle School	608	465	+10	475
Lafayette High School	1,514	1,211	+14	1,225

**Figure includes Pre-Kindergarten enrollment*
Source: WJCC Staff Correspondence

Parks & Recreation

This proposal includes 155 residential units consisting of 82 single-family detached units, 73 single-family attached and multifamily units. Some recreational amenities are proposed for the facility types recommended in the James City County Parks & Recreation Development Guidelines including a minimum of five acres of passive parkland, two playgrounds at least 2,500 square feet in size with five activities, and a minimum of 3,000 linear feet of soft surface trails. The applicants have proffered one pool that is 75 feet in length, 16 feet in width, and includes a shallow area at least 600 square feet in size. However, the pool does not meet the recommended size of 25 meters in length by 45 feet in width for swim competitions. The applicants have also proffered additional amenities which are not included in the Parks & Recreation Development Guidelines which include at least four bike racks, a pavilion/bus shelter, a grilling station and picnic area within the passive park, and a deck overlook. The Parks & Recreation Department has reviewed this proposal and determined that the application has satisfied the required parkland acreage, playground, and biking/jogging trails categories. Additionally, while the application does not include a multiuse field or a pool sized for competition use, additional alternative amenities as well as a second playground have been provided to offset the competition pool and multiuse field categories. Therefore, the application is generally consistent with the Parks & Recreation Development Guidelines.

James City County Parks & Recreation Development Guidelines Comparison

Minimum Requirement (units)	*Minimum Required*	*Proffered or Shown on Master Plan*
Parkland Acreage	0.61 acres	5 acres
Biking/Jogging Trails	818.40 linear feet	3,000 linear feet
Playground	1	2
Sport Court or Pool	1	One Pool
Multiuse Field	1	None

JCSA

JCSA has reviewed the proposal and determined that while the development is within the PSA and can be served by the public water and sewer systems, it is not guaranteed that required service levels are available from the existing systems to support the development and that the size, location, and configuration of the water and sewer facilities shown on the Conceptual Utility Master Plan are not approved. A detailed Utility Master Plan, including Hydraulic Analysis, are required to be submitted to and approved by JCSA prior to the submission of development plans. The configuration of the utilities, including necessity for any off-site improvements, will be determined during the Utility Master Plan review process. In addition, improvements to HRSD receiving facilities may be required to support the development.

Accordingly, the applicants have proffered the submission of a detailed Utility Master Plan depicting the proposed public water and sewer systems as well as any required off-site improvements for the systems which shall be shown on the development plans for the project and completed by the applicants.

Powhatan Creek Watershed Master Plan

The proposed development is located within Subwatershed 208 of the Powhatan Creek Watershed. On September 26, 2023, the Board of Supervisors adopted the updated Powhatan Creek Watershed Master Plan providing goals and recommended strategic actions for the watershed as well as identifying candidate site of improvements within each subwatershed.

The Watershed Master Plan identifies recommended strategic actions related to SSC measures including that they should be expanded to apply to any new development within County watersheds. The application has proffered the submission of a Master Stormwater Management Plan, including that stormwater management facility outlet protection shall be designed for 100-year storm events based on post-development conditions. The application has also proffered that the development of the property shall be in accordance with the most updated SSC, dated March 2025, which are being considered by the Board of Supervisors for adoption.

The Watershed Master Plan also identifies three candidate projects to restore stream reaches, one candidate project to stabilize the outfall of an existing stormwater management facility, and three candidate projects to retrofit existing stormwater facilities. The application has proffered cash contributions to the County for the County to undertake stream restoration projects on or near the property. The application has also proffered to complete a retrofit of the Courthouse Green Dry Pond (BMP ID PC144) (see Attachment No. 12). The Courthouse Green Dry Pond retrofit is proposed to meet the density bonus requirements of the PUD-R Zoning District. While not identified as a candidate project within the Watershed Master Plan, the application has also proffered to repair the outfall of the SunTrust Wet Pond (BMP ID PC173).

The Stormwater and Resource Protection Division has reviewed the application and found it to be generally consistent with the Powhatan Creek Watershed Master Plan.

Proffers

Voluntary proffers have been offered by the applicants to mitigate the development's impact on County resources. Staff has reviewed these proffers for enforceability and for their effectiveness in mitigating the impacts. Comments are provided in italics.

- Proffer No. 4 Affordable Housing Units. At least twenty percent of the dwelling units permitted on the Property shall be offered for sale at prices or offered for lease at rents that are targeted at households earning 80% or less of the Area Median Income as determined by the U.S. Department of Housing and Urban Development ("AMI"). The maximum sale price for such a unit sold in 2026 shall be Two Hundred Eighty-One Thousand Seven Hundred Fifty Dollars ($281,750). The per unit maximum sale price in any subsequent year shall consist of the maximum price specified above plus any adjustments included in The Marshall and Swift Building Cost Index, Section 98, Comparative Cost Multipliers, Regional City Averages (the "Index") from 2025 to the year the sale is closed. The per unit maximum sale price shall be adjusted once a year with the January supplement of the Index of the sale year. In no event shall the per unit maximum sale price be adjusted to a sum less than the maximum price specified above. If the Index is not available, a reliable government or other independent publication evaluating information heretofore used in determining the Index (approved in advance by the County Director of Financial and Management Services) shall be relied upon in establishing an inflationary factor for purposes of

increasing the per unit maximum sale price to approximate the rate of annual inflation in the County. Maximum rents shall be determined annually by the County's Neighborhood Development department based on payment of 30% of household income toward housing costs. Unless otherwise approved by the Neighborhood Development Division, sales of all targeted for sale units shall include a soft second Deed of Trust for the benefit of the County securing a shared appreciation note in an amount equal to the difference between the sale price of a comparable market rate unit and the sale price of the proffered unit and with a term of seven years. The original note, Deed of Trust, and a copy of the Settlement Statement shall be delivered to the Neighborhood Development Division after each closing. If down payment assistance loans are authorized by the Neighborhood Development Division, the soft second Deed of Trust may be recorded in third priority. Rental units shall be made available at the targeted rents for a period of 20 years. With respect to rental units provided pursuant to this proffer, if any, Developer shall submit an annual report for each year of the required 20-year term to the Zoning Administrator on or before January 30 of the current year identifying the location of the units and the rental rates charged demonstrating such rates are within the specified income range. All affordable units provided pursuant to this Proffer shall be rented or sold to persons whose incomes fall within the qualifying income range used to determine the prices/rental rates by the County's Neighborhood Development Division.

The proffer meets the Comprehensive Plan's guidance that at least 20% of dwelling units should be offered at prices affordable to households earning up to 80% of AMI.

Proffer No. 6. Recreation. The County shall not be obligated to issue building permits for more than a total of 80 dwelling units on the property until the following recreational facilities shall be provided: a swimming pool 75 feet in length and 16 feet in width with a shallow area of at least 600 square feet and a bathhouse, passive parks of at least five acres, including two playgrounds of at least 2,500 square feet and at least five activities, at least four bike racks, a pavilion/bus shelter, a grilling station and picnic area in a passive park, a deck overlook and trails/paths with a length of at least 3,000 linear feet that meet or exceed the James City County Greenway Master Plan. The exact locations of the facilities proffered hereby and the equipment to be provided at such facilities shall be subject to the approval of the Development Review Committee. The only connection between the trail/path system on the Property and the trail/path system located within the New Town development shall be adjacent to Discovery Park Boulevard unless otherwise approved by the New Town Residential Association.

The proffer ensures that recreational facilities are provided before building permits are issued for more than 80 dwelling units. While the proffer includes at least five acres of parkland, two playgrounds at least 2,500 square feet in size with five activities, and 3,000 linear feet of trails, the proffer does not include a competition-sized pool or multiuse field. However, the proffer provides additional alternative facilities as well as a second playground to offset the competition-sized pool and multiuse field categories. Therefore, the application is generally in accordance with the Parks & Recreation Development Guidelines.

- Proffer No. 7. Master Stormwater Management Plan. Developer shall submit to the County a Master Stormwater Management Plan at least three months before the initial site or development plan submittal for the Property, to include the stormwater management Best Management Practices (BMPs), for review and approval by the Stormwater and Resource Protection Division. The Master Stormwater Management Plan shall include a requirement that all outlet protection be sized for the 100-year, post-development storm and shall show the location of stream restoration/improvements needed in Powhatan Creek, Sub-

watershed 208. The Master Stormwater Management Plan may be revised and/or updated during the development of the Property with prior approval of the Stormwater and Resource Protection Division. The County shall not be obligated to approve any final development plans for the Property until the Master Stormwater Management Plan has been approved by the Stormwater and Resource Protection Division. The Master Stormwater Management Plan, as revised and/or updated, shall be implemented in all development plans for the Property. All development plans for the Property shall implement the County's SSC criteria dated March 2025.

The proffer ensures that a Master Stormwater Management Plan is submitted at least 30 days in advance of the first development plan of the property and that the Master Stormwater Management Plan shall be approved prior to approval of development plans. The proffer also ensures that enhanced outlet protection will be included for stormwater management facilities as well as that all development plans will adhere to the most current version of the SSC.

- Proffer No. 8. Stream Channel Restoration.

  a. The Developer shall make a contribution to the County in the amount of $225,000 (the "Stream Channel Restoration Amount") for preparation of stream restoration construction plans and stream channel restoration to be conducted by the County on or in the immediate vicinity of the Property, which Stream Channel Restoration Amount shall be paid in increments of $1,451.61 per residential unit developed on the Property (the "Per Unit Stream Restoration Contribution"). The Per Unit Stream Restoration Contribution shall be payable for each residential unit developed on the Property after completion of the final inspection and prior to the time of the issuance of any certificate of occupancy for the dwelling unit in question. The County shall utilize these monies for the restoration of stream channels located on or in the immediate vicinity of the Property or for a like project within the same watershed that is directly related to water quality.

  b. The Stream Channel Restoration Amount and the Per Unit Stream Restoration Contribution (the "Proffered Amounts") shall be adjusted annually beginning January 1, 2027, to reflect any increase or decrease for the preceding year in the Marshall and Swift Building Cost Index, Section 98, Comparative Cost Multipliers, Regional City Averages (the "MSI"). In no event shall the Proffered Amounts be adjusted to a sum less than the amount initially established by these Proffers. In the event a substantial change is made in the method of establishing the MSI, then the Proffered Amounts shall be adjusted based upon the figure that would have resulted had no change occurred in the manner of computing the MSI. In the event that the MSI is not available, a reliable government or other independent publication evaluating information heretofore used in determining the MSI (approved in advance by the County Manager of Financial and Management Services) shall be relied upon in establishing an inflationary factor for purposes of increasing the Proffered Amounts to approximate the rate of annual inflation in the County.

  c. Notwithstanding the foregoing, any unpaid balance of the Stream Channel Restoration Amount shall be paid to the County in full on or before the date which is five years after the date of final approval by the County of the first site plan or subdivision plan for development of the Property pursuant to the Master Plan.

  d. At the request of the County, the Developer shall provide one or more access easements over and across the property in a form acceptable to the County Attorney from public right of way to the stream channels located within or adjacent to the Property sufficient to allow the County to perform the stream

channel restoration work and any maintenance thereof. The location of the easement(s) shall be shown on the first development plan for development on the Property.

This proffer requires the Developer to provide a total cash contribution of $225,000 to the County for the County to undertake a stream restoration project on or near the property or a like project within the same watershed. Contributions shall be made in increments of $1,451.61 per residential unit prior to the issuance of a Certificate of Occupancy for that residential unit. The total cash contribution shall be paid in full within five years of the date of the first site plan approval. The developer shall provide the County with easements necessary for the stream restoration project.

- Proffer No. 9. Stormwater BMP Upgrades/Retrofits. The Developer shall prepare plans for the (i) upgrade/retrofit of the Courthouse Green Dry Pond, BMP ID PC144 in accordance with the recommendations of the Powhatan Creek Watershed Study and (ii) repair of the outfall of the SunTrust Wet Pond, PC173, and have such plans approved by the Stormwater and Resource Protection Division. The County shall not be obligated to issue building permits for more than a total of 80 dwelling units on the Property until the BMP retrofit/repair plans have been approved by the Stormwater and Resource Protection Division and work pursuant to the approved plans has commenced, as evidenced by issuance of a land disturbance permit. The County shall not be obligated to issue preliminary plan approval for more than a total of 150 dwelling units on the Property until the BMP retrofit/repair work identified by this Proffer undertaken by Developer is substantially complete. The County will grant Developer, in form and substance acceptable to the County Attorney, the right to enter on the property on which PC144 is located to perform the work. The obligations of Developer under this Proffer with respect to PC173 are subject to Developer obtaining the permission from the owners thereof to enter the property and perform the work. Developer shall diligently pursue such permission.

  This proffer is linked to Density Bonus Item Option C: Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same subwatershed. The proffer commits the applicants to fully completing the retrofit of one stormwater management facility identified in the Powhatan Creek Watershed Master Plan as well as repairing a stormwater outfall within the same subwatershed. The proffer requires the development plans for such work to be approved prior to the issuance of more than 80 dwelling units and for the work to be substantially complete prior to preliminary plan approval for more than 150 dwelling units. This will ensure that the development does not exceed the number of dwelling units which would otherwise be permissible under the base density calculations for the site until the work for the density bonus option is completed.

- Proffer No. 12. Project Phasing. The County shall not be obligated to issue building permits for more than a total of 100 dwelling units on the Property until the County has issued a building permit for construction of at least 10,000 square feet of commercial space on the Property and construction has commenced. Construction having commenced shall mean foundations have been poured and have passed inspection. The County shall not be obligated to issue building permits for more than a total of 125 dwelling units on the Property until the County has issued any Certificate of Occupancy for all or any portion of the commercial space. With all development plan submittals, Developer shall include a running tally of the number of residential building permits issued for residential units on the Property.

  The proffer requires construction of at least 10,000 square feet of commercial space to commence prior to the issuance of building permits for more than 100 dwelling units and for a Certificate of Occupancy for all or a portion of the commercial space to be issued prior to the issuance of building permits for more than 125 dwelling units.

- Proffer No. 13. Design Guidelines. Developer has submitted Design Review Guidelines prepared by Hopke/Harrison, Inc., dated January 12, 2026, to the County setting forth design and architectural standards for the development of the Property (the "Guidelines"), which Guidelines shall be kept on file in the Planning Division. Once approved as a part of the rezoning, the Guidelines may not be amended without the approval of the Director of Planning. All building plans and building elevations shall be submitted to the New Town Design Review Board ("NTDRB") for review and approval by the NTDRB for consistency with the Guidelines.

  This proffer is linked to Density Bonus Item Option K: Developing Binding Design Guidelines. The proffer would ensure that the design guidelines submitted with this application are adhered to, with any amendments requiring approval by the Director of Planning. The proffer also requires that final building plans or elevations are reviewed for consistency with the design guidelines by the NTDRB.

- Proffer No. 14. Utility Master Plan. Developer shall submit to the County an updated Water and Sewer Master Plan, including a Hydraulic Analysis and identifying any required off-site improvements necessary to serve the Property, at least three months before the initial site or development plan submittal for the Property for review and approval by the JCSA. The Water and Sewer Master Plan may be revised and/or updated during the development of the Property with prior approval of the JCSA. The County shall not be obligated to approve any final development plans for the Property until the Water and Sewer Master Plan has been approved by the JCSA. The Water and Sewer Master Plan, as revised and/or updated, shall be implemented in all development plans for the Property at the time required to serve the Property.

  This proffer ensures that the applicants will provide a detailed Utility Master Plan for the proposed public water and sewer systems to JCSA prior to the submission of development plans. It also ensures that off-site improvements which may be required for the public water and sewer systems will be included with development plans for the property and the work will be completed by the applicants.

PLANNING AND ZONING HISTORY

The property was originally zoned R-3, General Residential, until 1992 when the R-3 Zoning District was redesignated to the R-2, General Residential Zoning District. The property was rezoned to PL, Public Lands, upon the creation of the Zoning District in 2007.

The property has been owned by the Commonwealth of Virginia and the location of the Eastern State Hospital facility for decades.

During the Engage 2045 Comprehensive Plan update process, two Land Use (LU) applications were submitted requesting to change the LU designations of portions of the property from Federal, State, or County Lands to Mixed Use - New Town. Specifically, Case No. LU-20-0002 aligns with the project area of this application. On April 12, 2022, the Board of Supervisors provided guidance to change the potential LU designation for the subject property from Mixed Use - New Town to Mixed Use - Eastern State. On December 9, 2025, the Board of Supervisors approved Case No. LU-20-0002 to change the Comprehensive Plan Land Use Map designation of the subject property to the Mixed Use Level 1, Small Town or Suburban Center, designation.

SURROUNDING ZONING AND DEVELOPMENT

- The following table lists information on the parcels adjacent to the property:

	ZONING DESIGNATION	EXISTING LAND USE	FUTURE LAND USE DESIGNATION
NORTH	R-2, General Residential; R-5, Multifamily Residential; LB, Limited Business; and PL, Public Lands	Residential and commercial uses, and the JCC Recreation Center	Low Density Residential; Moderate Density Residential; and Federal, State, or County Lands
SOUTH	Mixed Use and M-1, Limited Business/Industrial	New Town, Commercial, and Industrial Uses	Mixed Use and Limited Industry
EAST	JCC: PL, Public Lands City of Williamsburg: RS-3, Single-Family Dwelling District	The College of William & Mary Facilities and Residential Uses	JCC: Federal State or County Lands City of Williamsburg: Medium-Density Single-Family Detached Residential
WEST	R-4, Residential Planned Community	Ford's Colony	Low Density Residential

IMPACT ANALYSIS

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Please note the information in the Status column indicated below does not include information from the Financial Impacts of Residential Units section of this staff report.		
Public Transportation: Vehicular	No Mitigation Required	- See discussion on Pages 5-8.
Public Transportation: Pedestrian/Bicycle	No Mitigation Required	- Pursuant to Section 24-35 of the Zoning Ordinance, pedestrian improvements for the public and private roads are required to be shown on the Construction Plan and installed as part of the development.
Public Safety	No Mitigation Required	- Fire Station 3 on John Tyler Highway is approximately 2.9 miles from this property and Fire Station 4 is approximately 3.4 miles from the property. - The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.
Public Schools	No Mitigation Required	- See discussion on Page 9.
Public Parks and Recreation	Mitigated	- See discussion on Pages 9-10.
Public Libraries and Cultural Centers	No Mitigation Required	- The proposal does not generate impacts that require mitigation to public libraries or cultural centers.
Groundwater and Drinking Water Resources	Mitigated	- See discussion on Page 10. - JCSA regulations require the submittal of Water Conservation Standards to be reviewed and approved by the JCSA prior to any development on the property. **Proffers** - Proffer No. 11 requires the submittal and approval of Water Conservation Standards for the development. - Proffer No. 14 requires the developer to submit a Water and Sewer Utility Master Plan and to complete the installation of any required off-site improvements.

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Please note the information in the Status column indicated below does not include information from the Financial Impacts of Residential Units section of this staff report.		
Watersheds, Streams, and Reservoirs	Mitigated	- See discussion on Pages 10-11. **Proffers** - Proffer No. 7 requires the submission of a Master Stormwater Management Plan before the submission of a development plan for the property. The proffer also requires enhanced stormwater management facility outlet protection and that the stormwater management plan will adhere to the most recent version of the SSC. - Proffer No. 8 proposes cash contributions to the County to be used for a stream restoration project on or near the property. - Proffer No. 9 proposes a stormwater management facility retrofit of the Courthouse Green Dry Pond (BMP ID PC144) as well as the repair of an outfall for the SunTrust Wet Pond (BMP ID PC173).
Cultural/Historic	No Mitigation Required	- A Phase I Archaeological Study was completed for the project area which determined that there are no archaeological sites requiring further investigation.
Nearby and Surrounding Properties	Mitigated	- This parcel is surrounded by residential, commercial, and public lands. - This parcel is located adjacent to the New Town Master Plan Area. - A 50-foot-wide buffer is provided from the adjacent commercial properties on Discovery Park Boulevard and a 100-foot-wide buffer is provided from the adjacent residential dwellings on Rollison Drive. - The northern, eastern, and southwestern property lines are bounded by streams and required RPA buffers which will provide buffering from adjacent properties. - A 150-foot-wide buffer will be provided from the Route 199 CCC. - Staff finds this proposal compatible with the character of the existing surrounding development. **Proffers** Proffer No. 5 requires the 50-foot-wide buffer adjacent to the commercial uses along Discovery Park Boulevard and the 100-foot-wide buffer adjacent to the residential dwellings along Rollison Drive to be included in the development plan for the project.

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Please note the information in the Status column indicated below does not include information from the Financial Impacts of Residential Units section of this staff report.		
Community Character	Mitigated	- The project includes land located inside the New Town Community Character Area (CCA). - The applicants have provided design guidelines for the development in accordance with Section 24-487(b). Staff finds that the design guidelines are generally in accordance with the County's Character Design Guidelines approved as part of the Comprehensive Plan. **Proffers** - Proffer No. 5 requires the 50-foot-wide buffer adjacent to the commercial uses along Discovery Park Boulevard and the 100-foot-wide buffer adjacent to the residential dwellings along Rollison Drive to be included in the development plan for the project. - Proffer No. 13 requires the project to adhere to the submitted design guidelines with any changes subject to approval by the Director of Planning. All building plans and elevations are required to be approved by the NTDRB for consistency with the design guidelines.

NATURAL AND CULTURAL ASSETS

The site is identified as having natural and cultural assets on the Natural & Cultural Assets Plan maps (and/or other supplemental resources such as Virginia Lands and Energy Navigator (VaLENS) as follows:

ASSET	PRESENCE	IMPACT
Habitat Core	-Present on-site (see Attachment No. 10)	-All habitat cores identified in the Natural & Cultural Assets Plan are important ecologically. Of the 1-5 ranking system used in the Plan, the core on this property is ranked in Category 3 (with 1 being the lowest priority). -The entirety of the 79.56-acre project area is designated as being within the habitat core on the property. -Some of the habitat core acreage is located within non-developable areas including the RPA and thus protected.
Corridors	-Present on-site (see Attachment No. 10)	-The portions of habitat corridors shown on the property are aligned with the RPA on the property and thus protected.
Agricultural Assets	-Present on-site (see Attachment No. 11)	-Approximately 28.66 acres or 36.0% of the property is prime farmland and approximately 9.67 acres or 12.2% of the property is farmland of statewide importance. -The proposed 5-acre passive park is sited within the areas considered to be prime farmland which will reduce the overall amount of impervious cover added to these soils.

COMPREHENSIVE PLAN

The property is currently designated as Mixed Use - Eastern State on the Comprehensive Plan Land Use Map and is adjacent to properties designated as Mixed Use to the south (New Town Mixed Use Area) and Low Density Residential to the west (Ford's Colony).

For areas designated Mixed Use on the Comprehensive Plan Land Use Map, while there is general Mixed Use Language within the plan, each geographic area that is delineated Mixed Use is then more specifically defined with guiding principles; this is in recognition that each Mixed Use area and the development planned within, is unique. Further, on any given parcel, there may be factors or property features highlighted in other Comprehensive Plan sections (e.g., historic or environmental resources) which may also influence the preferred uses, intensities and general development of the property, or determine its suitability for open space preservation.

The Mixed Use - Eastern State designation includes the following guidance for the project area:

> "For the portion of the Eastern State property located directly north of New Town and abutting Route 199, the principal suggested uses are a mixture of commercial, office, residential, and limited industrial. It is of critical importance that environmentally sensitive features such as topography, RPA features and wooded areas be protected and permanently preserved, where possible. New development or redevelopment in this area should follow consistent design guidelines and strive to integrate uses. The design, scale, and development pattern shall complement the existing New Town development located to the south."

While the application, as presented, does not fully integrate all proposed uses together, staff finds that the application adheres to the principal suggested uses, protects environmentally sensitive features, provides consistent design guidelines, and that the design, scale, and development patterns complement and is compatible with the New Town development.

Further, the Mixed Use - Eastern State designation of the project area follows the Mixed Use Designation, Descriptions, and Development Standards for the Level 1, Small Town or Suburban Center category. Specifically, the Mixed Use Level 1 designation provides the following general recommendations for the allocation of the gross land area of the Mixed Use area for different land uses, however they may be modified to better fit with the surrounding context.

Land Use	*Recommended Land Area Percentage*	*Proposed Land Area Percentage*
Residential Area	30-60%	100%
Non-residential Area	40-70%	17.3%
Civic, Open Space and Recreation Area	20%	56.4%

While the development provides more residential area and less non-residential area than the recommendations, the development provides significantly more open space area consisting of 25.4 non-developable acres and 19.5 acres of developable land.

Additionally, the Mixed Use Level 1 designation includes the following general recommended densities and intensities of land uses and structure types, however variability may be allowed to better achieve compatibility with surrounding communities.

Land Use	*Recommended Densities and Intensities*	*Proposed Densities and Intensities*
Non-residential Floor to Area Ratio (FAR)	0.2-0.4	0.01
Residential Density (units/developable acre)	4-8	2.87
Multi-family Residential Building Stories	2-3	2-3.5 (townhomes) 2-3 (apartments)
Office Building Stories	2-3	2-3
Retail and Service Commercial Building Stories	1-2	2-3

The proposed non-residential FAR and the proposed residential density are lower than recommended. The proposed number of stories for the specified structure types are higher than recommended as well. With the above findings, while staff finds that the proposed scale and intensity of the development is not consistent with the Mixed-Use Level 1 designations, generally, staff finds the project proposes densities are compatible with adjacent residential areas in New Town and building scales that are consistent with existing multi-family and non-residential buildings in New Town.

The following development standards are applicable for Mixed Use designations:

- All developments should refer to the Residential and Commercial/Industrial Development Standards, including Affordable and Workforce Housing, Enhanced Environmental Protection, and Transportation and Mobility, along with the Mixed Use Development Standards. All developments should also refer to the Character Design Guidelines for more specific guidance on development character.

  The proposed development provides affordable and workforce housing, protection of environmentally sensitive features, mitigation of stormwater runoff, water conservation standards, multimodal transportation options, and binding design guidelines which are generally consistent with the Character Design Guidelines.

- Mixed Use developments should create vibrant urban/small town environments that bring compatible land uses, public amenities, and utilities together at various scales. These developments should create pedestrian-friendly, complete communities, with a variety of uses that enable people to live, work, play, and shop in one place.

  The development proposes to create an urban core providing a mix of residential unit types, commercial development, and amenities which will be interconnected with pedestrian accommodations.

- Mixed Use developments require nearby police and fire protection, high-capacity road access, access to public utilities, large sites, environmental features such as soils and topography suitable for intense development, and proximity or easy access to large population centers. The timing and intensity of commercial development at a particular site are controlled by the maintenance

of an acceptable LOS for roads and other public services, the availability and capacity of public utilities, and the resulting mix of uses in a particular area. Master Plans are encouraged to be submitted to assist in the consideration of Mixed Use development proposals. The consideration of development proposals in Mixed Use areas should focus on the development potential of a given area compared to the area's infrastructure and the relation of the proposal to the existing and proposed mix of land uses and their development impacts.

The transportation network and public services are adequate for the development and the proffers will ensure that public utilities will be upgraded if necessary.

- The Mixed Use developments should focus on place-making. Developments should be designed to create a sense of place and should be seen as community destinations. Focal open spaces, community-oriented gathering places, unified architectural design, and a mix of uses and design that encourages pedestrian activity are all examples of creating a sense of place.

  The development will include an urban core consisting of residential and commercial uses and amenities which will serve as a focal point for the development.

- Mixed Use developments should allow for compact development that create more efficient buildings and spaces, which can be less of a burden on the environment, creating a more sustainable community.

  The development will include an urban core consisting of compact development to include all of the single-family attached, multifamily dwelling units, and commercial uses and reducing the amount of development in the remainder of the property.

- Mixed Use developments should encourage the proximity of diverse uses to make it possible to reduce vehicle trips and vehicle miles traveled, providing for a greater potential for internal capture than with typical suburban development and should provide good multimodal networks for bicycle and pedestrian uses.

  The development will include a mix of uses that could result in more trips internal to the site and will include pedestrian accommodations.

A portion of the project area is located within the New Town CCA and is encouraged to follow New Town's architectural design and features to maintain a unifying look and feel for the area. The design guidelines included with the application will ensure a consistent design which will be administered by the NTDRB.

Character Design Guidelines

As part of the Comprehensive Plan, the County adopted a set of Character Design Guidelines to be applied to all developments requiring legislative approval to encourage development to be compatible with the overall character of the County. The proposed design guidelines submitted with the application are consistent with the County's Character Design Guidelines in many areas, including providing an interconnected street network, providing pedestrian accommodations, limiting the amount of street-facing garages, creating architectural variety and discrete facades among single-family attached units, and ensuring the design of commercial buildings are of a scale and intensity that is compatible with the surrounding residential development. Overall, staff finds the proposed design guidelines to be consistent with the County's Character Design Guidelines.

Financial Impacts of Residential Units

The Comprehensive Plan includes Goals, Strategies, and Actions (GSA) LU5, which states "continue land use planning and perform development review consistent with the capacity of existing and planned public facilities and services and the County's ability to provide such facilities and services." Land Use GSA 5.3 provides guidance for the County to ensure that developments subject to Rezoning or SUP review mitigate their impacts. Information on impacts and the mitigation provided by this application are included below.

In alignment with the Comprehensive Plan, on February 28, 2023, the Board of Supervisors adopted a resolution directing staff to use the County's Fiscal Impact Model to assess the following for proposed developments:

- The fiscal impact to the County (both Operating and Capital budget) for the residential and non-residential components of the project; and
- The incremental capital costs for public facilities for the residential component of the project.

Overall Impact (Capital and Operating)

Per the Fiscal Impact Model, the development is projected to result in a net fiscal impact to the County through the year 2050 that is positive $4,146,715 (see Attachment No. 9 for additional details).

Capital Costs

Per the Fiscal Impact Model, the following are projected public facility impacts attributable to the proposed residential component of the project through 2050.

Table 1 - Per Unit Fiscal Residential Impacts Information

Category	Residential Impact	Mitigation Through Current Application
Roadways	SFD $40.18 SFA $30.68 MF $19.35	See Note 1
Parks & Recreation	SFD $3,580.93 SFA $2,363.12 MF $2,479.11	See Note 1
Fire and Emergency Services	SFD $1,013.86 SFA $669.06 MF $701.90	See Note 1
Police	SFD $7.76 SFA $5.12 MF $5.37	See Note 1
Library	SFD $460.19 SFA $303.69 MF $318.59	See Note 1
General Government	SFD $257.25 SFA $169.76 MF $178.09	See Note 1
General Services	SFD $216.18 SFA $142.66 MF $149.66	See Note 1
Courts	SFD $1,432.37 SFA $945.25 MF $991.64	See Note 1
Schools	SFD $14,133.30 SFA $7,425.42 MF $5,640.90	See Note 1
TOTAL	SFD $21,142.01 SFA $12,054.77 MF $10,484.61	See Note 1

SFD - Single Family Detached
SFA - Single Family Attached
MF - Multifamily

Note 1: The applicants have not proffered cash contributions for community impacts to the County from the physical development and operation of the Property.

Note 2: Per Proffer No. 12, a minimum of 10,000 square feet of commercial uses are required before the construction of residential units is complete. If only 10,000 square feet of commercial uses are constructed, the net fiscal impact would remain positive with an overall impact of $3,161,021.

The applicants have provided a narrative on Pages 11-12 of the Community Impact Statement (Attachment No. 6) regarding the cumulative fiscal impact of the development.

Overall, staff finds that the application does not require mitigation for the fiscal impacts of the proposed development and is therefore consistent with the guidance in the Comprehensive Plan regarding the mitigation of impacts.

Goals, Strategies, and Actions

Staff reviewed the application to determine if the proposal aligns with the Comprehensive Plan's GSAs. The analysis is as follows.

Land Use

- GSA LU4 - Direct growth into designated growth areas in an efficient and low-impact manner by:
    - GSA LU4.4 - Accommodate mixed-use developments within the PSA, as further defined in the Mixed Use land use designation and development standards. Support design flexibility to promote the mixing of various types of residential and non-residential uses and structures. Encourage mixed use developments and complete communities to develop in compact nodes in well-defined locations within the PSA.

      The proposed development is within the PSA and proposed to be designated Mixed Use with a variety of residential and non-residential uses.

- GSA LU5.2 - Through the following measures, coordinate allowable densities and intensities of proposed developments with the capacities and availability of water, public roads, schools, and other facilities and services:
    - GSA LU5.2.3 - Permit higher densities and more intensive development in accordance with the Future Land Use Map where existing public facilities and services are adequately provided.

      Staff finds that the capacities of public services and facilities are adequate for this development and that impacts to public utilities have been mitigated.

- GSA LU5.3 - Ensure that developments are subject to zoning or special use permit review to mitigate their impacts through the following means:
    - GSA LU5.3.1 - Require sufficient documentation to determine the impacts of a proposed development, including but not limited to studies of traffic impact, capacity of public schools, historic and archaeological resources, water quality and quantity, other environmental considerations, and fiscal impact.

      The application includes documentation analyzing such features to determine potential impacts.

    - GSA LU5.3.2 - Ensure that the recommendations of such studies are adequately addressed prior to preparation of development plans, or in instances where a rezoning or Special Use Permit is required, as part of those applications.

Staff finds that there are several proffers which ensure potential impacts have been or will be mitigated for the development.

Transportation

- GSA T1.2 - Expect new developments to follow recommended densities, intensities, and development patterns that will maintain an acceptable level of service on the surrounding roads and intersections consistent with the land use context (rural, suburban, urban) and the functional classification of the roadway. Ensure that new developments do not compromise planned transportation enhancements.

  While some intersections studied in the TIA currently operate below LOS C, the TIA found that LOS would not decrease and that no improvements are recommended.

- GSA T1.2.3 - Concentrate commercial development in compact nodes or in Mixed Use areas with internal road systems and interconnected parcel access rather than extending development with multiple access points along existing primary and secondary roads.

  The development concentrates commercial development within the urban core with interconnection to the surrounding residential development.

Housing

- GSA H2.1 - Guide new developments to incorporate high housing quality and design.

  This development provides a range of home types and prices, including open space, recreational amenities, connections between residential developments, trails, and sidewalks.

Community Character

- GSA CC2.3 - In New Town, continue to support the design review process by working closely with the New Town Design Review Board and supporting the implementation of New Town's design guidelines.

  - GSA CC2.3.1 - For areas within the New Town CCA but not subject to the New Town Master Plan and/or proffers, ensure that new development is consistent with existing adjacent development and the New Town design guidelines.

    The proposed design guidelines include that development should be consistent with New Town and that the NTDRB will review building plans and elevations.

- GSA CC3 - Preserve and enhance neighborhood and community appearance.

  - GSA CC3.3 - Continue to improve and protect the character of the County through use of the Character Design Guidelines.

    Staff finds the proposed design guidelines to be consistent with the County's Character Design Guidelines.

Parks & Recreation

- GSA PR5.3 - Encourage new developments requiring legislative review to provide public recreation facilities consistent with standards in the Parks & Recreation Master Plan. New developments should have neighborhood parks with trails, bikeways, playgrounds, practice fields, sports courts, and open spaces.

This proposal includes a number of recreational amenities including a passive park, trails, a pool, and two playgrounds. However, a multiuse field is not provided, and the proffered pool does not meet the recommended dimensions for competition use. The application does however include additional amenities including at least four bike racks, a pavilion/bus shelter, a grilling station and picnic area within the passive park, and a deck overlook. *Overall, the application is generally consistent with the Parks & Recreation Development Guidelines.*

STAFF RECOMMENDATION

Staff finds the application to be generally consistent with the County's Zoning Ordinance, Comprehensive Plan, and adopted policies. Staff recommends that the Board of Supervisors approve this application, subject to the proposed proffers.

MR/tm
RZ23-04_MP23-01_WPrk

Attachments:
1. Proposed Ordinance
2. Proposed Proffers
3. Location Map
4. Proposed Master Plan
5. Illustrative Conceptual Plan
6. Community Impact Statement
7. Proposed Design Guidelines
8. Traffic Impact Analysis
9. Fiscal Impact Analysis
10. Exhibit - Habitat Core and Corridors
11. Exhibit - Prime Farmland
12. Exhibit - Proposed BMP Retrofit and Outfall Repair
13. Applicant Correspondence
14. Public Correspondence
15. Approved Minutes of the April 2, 2025, Planning Commission Meeting

ORDINANCE NO._____

AN ORDINANCE TO AMEND THE ZONING DISTRICT MAPS OF JAMES CITY COUNTY, VIRGINIA, TO REZONE APPROXIMATELY 79.561 ACRES AT 4601 IRONBOUND ROAD (JAMES CITY COUNTY REAL ESTATE TAX MAP PARCEL NO. 3910100152) FROM PL, PUBLIC LANDS TO PUD-R, PLANNED UNIT DEVELOPMENT RESIDENTIAL, WITH PROFFERS AS DESCRIBED IN CASE NOS. Z-23-0004 AND MP-23-0001.

WHEREAS, Mr. Jason Grimes of AES Consulting Engineers and Mr. Vernon Geddy, III, of Geddy, Harris, Franck & Hickman, LLP, have applied to rezone approximately 79.561 acres from PL, Public Lands to PUD-R, Planned Unit Development Residential, with Proffers; and

WHEREAS, the area proposed to be rezoned is a portion of the property located at 4601 Ironbound Road, further identified as James City County Real Estate Tax Map Parcel No. 3910100152, and is shown on the Master Plan titled "Rezoning for Westwood Park" dated February 15, 2023, and revised January 22, 2026 (the "Master Plan"); and

WHEREAS, the Planning Commission, following its public hearing on April 2, 2025, recommended denial of Case Nos. Z-23-0004 and MP-23-0001 by a vote of 5-1; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case Nos. Z-23-0004 and MP-23-0001; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds Case Nos. Z-23-0004 and MP-23-0001 to promote the health, safety, convenience, and general welfare of the public and further accomplish the objectives of zoning.

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of James City County, Virginia, that Case Nos. Z-23-0004 and MP-23-0001 is hereby approved as described therein and the voluntary proffers are accepted.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
WAINWRIGHT	____	____	____	____
NULL	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____
MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

RZ23-04_MP23-01_WPrk-ord

Tax Parcel: Part of 3910100152

Prepared By: Vernon M. Geddy, III, Esquire (VSB No: 21902)
Geddy, Harris, Franck & Hickman, LLP
1177 Jamestown Road
Williamsburg, VA 2318

PROFFERS

THESE PROFFERS are made this 30th day of January, 2026 by ABVA DEVELOPMENT, LLC, a Virginia limited liability company (together with its successors in title and assigns, the "Developer").

RECITALS

A. The COMMONWEALTH OF VIRGINIA, DEPARTMENT OF GENERAL SERVICES (the "Commonwealth") is the owner of a parcel of land located in James City County, Virginia (the "County"), being a portion of Tax Parcel No. 3910100152, containing approximately 79.561 acres, more or less, and being more particularly described on Schedule A hereto (the "Property"), which Property has been declared to be surplus Property of the Commonwealth and which Property the Commonwealth of Virginia, Department of General Services has contracted to sell to Developer, pursuant to Virginia Code Section 2.2-1156.

B. Developer has contracted to purchase the Property from the Commonwealth contingent upon approval of the requested rezoning.

C. While property owned by the Commonwealth is not subject to local zoning jurisdiction, the Commonwealth, solely for the benefit of Developer as prospective purchase of the Property, (i) has permitted the Developer to apply to rezone the Property from PL - Public Lands to PUD-R Planned Unit Development - Residential,

with proffers, and (ii) has signed these Proffers solely for the purpose of acknowledging such permission.

C. Developer has submitted to the County a master plan entitled "Rezoning Plan for Westwood Park" prepared by AES Consulting Engineers dated February 15, 2023 (the "Master Plan") for the Property in accordance with the County Zoning Ordinance.

D. Developer desires to offer to the County certain conditions on the development of the Property not generally applicable to land zoned PUD-R in the form of the following Proffers.

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2303 of the Code of Virginia, 1950, as amended, and the County Zoning Ordinance, Developer agrees that it shall meet and comply with the following conditions in developing the Property. If the requested rezoning is not granted by the County or the purchase of the Property by Developer from the Commonwealth is not consummated, these Proffers shall be null and void. Acknowledgment of these Proffers by the Commonwealth does not subject the Property to local jurisdiction, or to these Proffers, so long as the Property is owned by the Commonwealth.

CONDITIONS

1. Name. The name of the development on the Property shall not include the name "New Town" or any variation thereof.

2. Density. There shall be a maximum of 82 single family detached units on Parcel A (Master Plan Designation A) shown on the Master Plan, 53 multi-family units and 24,000 square feet of commercial uses on Parcel B (Master Plan Designations B,

C, D, E, G, and I) shown on the Master Plan and 20 multi-family units on Parcel C (Master Plan Area Designations B, C and D).

3. Owners Associations. There shall be organized an owner's association for the development (the "Association") in accordance with Virginia law in which all residential property owners in the development, by virtue of their property ownership, shall be members. Owners of residential lots or units in the development shall not be a part of any property owners association in the adjacent New Town development. The articles of incorporation, bylaws, and restrictive covenants (together, the "Governing Documents") creating and governing the Association shall be submitted to and reviewed by the County Attorney for consistency with this Proffer prior to final approval of the first subdivision plat for the Property. The Governing Documents shall require that the Association adopt an annual maintenance budget, which shall include a reserve for capital components, and all other common areas (including open spaces) under the jurisdiction of the Association, shall require each purchaser of a lot to make a capital contribution to the Association for reserves and shall require that the Association (i) assess all members for the maintenance of all properties owned or maintained by the Association and (ii) file liens on members' properties for non-payment of such assessments, and shall provide for a Design Review Board in accordance with Section 11. The Governing Documents shall provide that at such time as 75% of the Lots permitted on the Property designated on the Master Plan have been conveyed to purchasers other than builders, the declarant's right to unilaterally appoint and remove members of the Board of Directors of the Association shall terminate and the Board shall thereafter be elected by the lot owners (including the declarant). The Governing

Documents shall not include a provision granting the declarant any veto rights over actions of the Board of the Association once the Board is elected by the lot owners.

4. Affordable Housing Units. At least twenty percent of the dwelling units permitted on the Property shall be offered for sale at prices or offered for rent at rents that are targeted at households earning 80% or less of the Area Median Income as determined by the U.S. Department of Housing and Urban Development ("AMI"). The maximum sale price for such a unit sold in 2026 shall be Two Hundred Eighty-One Thousand Seven Hundred and Fifty Dollars ($281,750.00). The per unit maximum sale price in any subsequent year shall consist of the maximum price specified above plus any adjustments included in the Marshall and Swift Building Costs Index, Section 98, Comparative Cost Multipliers, Regional City Averages (the "Index") from 2025 to the year the sale is closed. The per unit maximum sale price shall be adjusted once a year with the January supplement of the Index of the sale year. In no event shall the per unit maximum sale price be adjusted to a sum less than the maximum price specified above. If the Index is not available, a reliable government or other independent publication evaluating information heretofore used in determining the Index (approved in advance by the County Manager of Financial Management Services) shall be relied upon in establishing an inflationary factor for purposes of increasing the per unit maximum sale price to approximate the rate of annual inflation in the County. Maximum rents shall be determined annually by the County's Neighborhood Development department based on payment of 30 percent (30%) of household income toward housing costs. Unless otherwise approved by the Neighborhood Development department, sales of all targeted for-sale units shall include a soft second deed of trust

for the benefit of the County securing a shared appreciation note in an amount equal to the difference between the sale price of a comparable market rate unit and the sale price of the proffered unit and with a term of seven years. The original note and deed of trust and a copy of the settlement statement shall be delivered to the Neighborhood Development department after each closing. If down-payment assistance loans are authorized by the Neighborhood Development department, the soft second deed of trust may be recorded in third priority. Rental units shall be made available at the targeted rents for a period of twenty (20) years. With respect to rental units provided pursuant to this proffer, if any, Developer shall submit an annual report for each year of the required 20-year term to the County Zoning Administrator on or before January 30 of the current year identifying the location of the units and the rental rates charged demonstrating such rates are within the specified income range. All affordable units provided pursuant to this Proffer shall be rented or sold to persons whose incomes fall within the qualifying income range used to determine the prices/rental rates by the County's Neighborhood Development department.

5. New Town Buffer. There shall be a 100' wide buffer along the boundary of the Property with Section 7 of New Town in the location shown on the Master Plan and labeled "Proposed 100' Buffer" and a 50' wide buffer along the remainder of the common boundary with New Town in the location shown on the Master Plan and labeled "Proposed 50' Buffer".

6. Recreation. The County shall not be obligated to issue building permits for more than a total of 80 dwelling units on the Property until the following recreational facilities shall be provided: a swimming pool seventy-five feet in length and sixteen feet

in width with a shallows area of at least 600 square feet and bathhouse, passive parks of at least five acres, including two playgrounds of at least 2,500 square feet and at least five activities, at least four bike racks, a pavilion/bus shelter, a grilling station and picnic area in a passive park, a deck overlook and trails/paths with a length of at least 3,000 linear feet that meet or exceed the James City County Greenway Master Plan. The exact locations of the facilities proffered hereby and the equipment to be provided at such facilities shall be subject to the approval of the Development Review Committee. The only connection between the trail/path system on the Property and the trail/path system located within the New Town development shall be adjacent to Discovery Park Boulevard unless otherwise approved by the New Town Residential Association, Inc.

7. Master Stormwater Management Plan. Developer shall submit to the County a master stormwater management plan at least three months before the initial site or development plan submittal for the Property, to include the stormwater management BMPs, for review and approval by the Stormwater and Resource Protection Division. The master stormwater management plan shall include requirements that no post-development stormwater from the Property be discharged toward the boundary of the Property with the Charlotte Park subdivision and that all outlet protection be sized for the 100-year, post-development storm and shall show the location of stream restoration/improvements needed in Powhatan Creek, Sub-watershed #208. The master stormwater management plan may be revised and/or updated during the development of the Property with prior approval of the Stormwater and Resource Protection Division. The County shall not be obligated to approve any

final development plans for the Property until the master stormwater management plan has been approved by the Stormwater and Resource Protection Division. The master stormwater management plan, as revised and/or updated, shall be implemented in all development plans for the Property. All development plans for the Property shall implement the County's SSC criteria dated March, 2025.

8. Stream Channel Restoration.

a. The Developer shall make a contribution to the County in the amount of $225,000.00 (the "Stream Channel Restoration Amount") for preparation of stream restoration construction plans and stream channel restoration to be conducted by the County on or in the immediate vicinity of the Property, which Stream Channel Restoration Amount shall be paid in increments of $1,451.61 per residential unit developed on the Property (the "Per Unit Stream Restoration Contribution"). The Per Unit Stream Restoration Contribution shall be payable for each residential unit developed on the Property after completion of the final inspection and prior to the time of the issuance of any certificate of occupancy for the dwelling unit in question. The County shall utilize these monies for the restoration of stream channels located on or in the immediate vicinity of the Property or for a like project within the same watershed that is directly related to water quality.

b. The Stream Channel Restoration Amount and the Per Unit Stream Restoration Contribution (the "Proffered Amounts") shall be adjusted annually beginning January 1, 2027 to reflect any increase or decrease for the preceding year in the Marshall and Swift Building Cost Index, Section 98, Comparative Cost Multipliers, Regional City Averages (the "MSI"). In no event shall the Proffered Amounts be adjusted to a sum less than the amount initially established by these Proffers. In the event a substantial change is made in the method of establishing the MSI, then the Proffered Amounts shall be adjusted based upon the figure that would have resulted had no change occurred in the manner of computing the MSI. In the event

that the MSI is not available, a reliable government or other independent publication evaluating information heretofore used in determining the MSI (approved in advance by the County Manager of Financial Management Services) shall be relied upon in establishing an inflationary factor for purposes of increasing the Proffered Amounts to approximate the rate of annual inflation in the County.

c. Notwithstanding the foregoing, any unpaid balance of the Stream Channel Restoration Amount shall be paid to the County in full on or before the date which is five years after the date of final approval by the County of the first site plan or subdivision plan for development of the Property pursuant to the Master Plan.

d. At the request of the County, the Developer shall provide one or more access easements over and across the Property in a form acceptable to the County Attorney and in a location acceptable to the Director of Stormwater and Resource Protection from public right of way to the stream channels located within or adjacent to the Property sufficient to allow the County to perform the stream channel restoration work and any maintenance thereof. The location of the easement(s) shall be shown on the first development plan for development on the Property.

9. Stormwater BMP Upgrades/Retrofits. The Developer shall prepare plans for the (i) upgrade/retrofit of the Courthouse Green Dry Pond, BMP ID PC144 in accordance with the recommendations of the Powhatan Creek Watershed Study and (ii) repair of the outfall of the Suntrust Wet Pond, PC173, and have such plans approved by the Stormwater and Resource Protection Division. The County shall not be obligated to issue building permits for more than a total of 80 dwelling units on the Property until the BMP retrofit/repair plans have been approved by the Stormwater and Resource Protection Division and work pursuant to the approved plans has commenced as evidenced by issuance of a land disturbance permit. The County shall not be obligated to issue preliminary plan approval for more than a total of 150

dwelling units on the Property until the retrofit/repair work identified by this Proffer undertaken by Developer is substantially complete. The County will grant Developer, in form and substance acceptable to the County Attorney, the right to enter on the property on which PC144 is located to perform the work. The obligations of Developer under this Proffer with respect to PC173 are subject to Developer obtaining the permission from the owners thereof to enter the property and perform the work. Developer shall diligently pursue such permission.

10. Private Streets. Any streets on the Property may be private. Pursuant to Section 24-62 of the Zoning Ordinance, private streets within the Property shall be maintained by the Association. The party responsible for construction of a private street shall deposit into a maintenance fund to be managed by the Association an amount equal to one hundred fifty percent (150%) of the amount of the maintenance fee that would be required for a similar public street as established by VDOT - Subdivision Street Requirements or appropriate equivalent as determined by the Planning Director. The County shall be provided evidence of the deposit of such maintenance fee amount at the time of final site plan approval by the County for the phase or section which includes the street to be designated as private.

11. Water Conservation. The Developer shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority ("JCSA") and subsequently for enforcing these standards. The standards shall address such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of drought resistant native and other adopted low water use landscaping materials and warm season turf on

common areas in areas with appropriate growing conditions for such turf and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources. The standards shall be approved by the JCSA prior to first final subdivision or site plan approval.

12. Project Phasing. The County shall not be obligated to issue building permits for more than a total of 100 dwelling units on the Property until the County has issued a building permit for construction of at least 10,000 square feet of commercial space on the Property and construction has commenced. Construction having commenced shall mean foundations have been poured and have passed inspection. The County shall not be obligated to issue building permits for more than a total of 125 dwelling units on the Property until the County has issued any certificate of occupancy for all or any portion of the commercial space. With all development plan submittals, Developer shall include a running tally of the number of residential building permits issued for residential units on the Property.

13 Design Guidelines. Developer has submitted design review guidelines prepared by Hopke/Harrison, Inc. dated January 12, 2026 to the County setting forth design and architectural standards for the development of the Property (the "Guidelines"), which Guidelines shall be kept on file in the Planning Department. Once approved as a part of the rezoning, the Guidelines may not be amended without the approval of the Director of Planning. All building plans and building elevations shall be submitted to the New Town Design Review Board ("NTDRB") for review and approval by the NTDRB for consistency with the Guidelines.

14. Utility Master Plan. Developer shall submit to the County an updated water and sewer master plan, including a hydraulic analysis and identifying any required off-site improvements necessary to serve the Property, at least three months before the initial site or development plan submittal for the Property for review and approval by the JCSA. The water and sewer master plan may be revised and/or updated during the development of the Property with prior approval of the JCSA. The County shall not be obligated to approve any final development plans for the Property until the water and sewer master plan has been approved by the JCSA. The water and sewer master plan, as revised and/or updated, shall be implemented in all development plans for the Property at the time required to serve the Property.

15. Severability. The unenforceability, elimination, revision or amendment or any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of any of the other proffers or the unaffected part of any such proffer.

16. Recitals. The Recitals to these Proffers are hereby incorporated by reference, as if fully set forth in the body of these Proffers, and constitute a binding and integral part hereof.

[*signatures appear on following pages*]

WITNESS the following signatures and seals:

APPLICANT:

ABVA DEVELOPMENT, LP, a Virginia limited partnership

By: NALD, LLC, a Virginia limited liability company, general partner

By: Michael N Youngblood
Name: Michael N. Youngblood
Title: Manager

Date: 1/27/26

COMMONWEALTH /~~STATE~~ OF VIRGINIA
CITY/~~COUNTY~~ OF WILLIAMSBURG, to wit:

The foregoing Proffers were acknowledged before me this 27th day of January 2026, by Michael N. Youngblood, acting in his/her capacity as Manager of NALD, LLC, ___, a Virginia limited liability company, on behalf of the company, as General Partner of ABVA Development, LP, a Virginia limited partnership.

Vernon M Geddy III
Notary Public

My commission expires: 12/31/28
My registration no.: 183270

VERNON MEREDITH GEDDY, III
Notary Public
Commonwealth of Virginia
Reg. #183270
My Commission Expires 12/31/2028

SOLELY FOR THE PURPOSE OF PROVIDING THE ACKNOWLEDGMENT CONTEMPLATED BY THE RECITALS TO THESE PROFFERS:

COMMONWEALTH:

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF GENERAL SERVICES

By: _____
Name: Banci E. Tewolde
Title: Director

Date: 2-4-2026

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, to wit:

The foregoing Proffers were acknowledged before me this 4th day of February 2026, by Banci E. Tewolde, acting in her capacity as Director of the Commonwealth of Virginia, Department of General Services, on behalf of the Department.

_____
Notary Public

CATHERINE BOGGS
NOTARY PUBLIC
Commonwealth of Virginia
Registration No. 00341330
My Commission Expires 10/31/2028

Schedule A

Beginning at a point on the easterly right of way of Humelsine Parkway-State Route 199, a variable width public right of way. Said point also being a northerly property corner of the now or formerly FCD, LLC property. Thence, with the easterly right of way of Humelsine Parkway-State Route 199, the following courses and distances:

N03-26-03E 425.65 feet to a point.
N27-25-22W 117.14 feet to a point.
N03-57-37E 350.02 feet to a point.
Along the arc of a curve to the right, having a radius of 4,459.66 feet, an arc of 851.05 feet, the chord of said arc being N09-25-38W 849.76 feet to a point in the approximate center of a marshy area and stream.

Thence, departing the easterly right of way of Humelsine Parkway-State Route 199, and with the approximate center of marshy area and stream, the following courses and distances.
S70-05-17E 6.83 feet to a point.
S29-15-57E 10.30 feet to a point.
S03-15-18W 10.21 feet to a point.
S15-57-42E 12.22 feet to a point.
S62-33-27E 34.73 feet to a point.
S70-14-51E 36.32 feet to a point.
S37-29-12E 20.92 feet to a point.
S58-56-26E 30.36 feet to a point.
S81-32-24E 63.96 feet to a point.
S61-41-47E 27.94 feet to a point.
S80-32-02E 16.00 feet to a point.
N84-20-19E 32.13 feet to a point.
S86-36-05E 27.83 feet to a point.
S80-43-59E 29.86 feet to a point.
N82-12-02E 39.87 feet to a point.
S77-04-21E 37.66 feet to a point.
N79-16-37E 25.63 feet to a point.
S74-02-50E 44.17 feet to a point.
S75-50-18E 41.45 feet to a point.
S55-06-55E 32.25 feet to a point.
S71-13-12E 37.73 feet to a point.
S43-58-50E 31.31 feet to a point.
S65-36-10E 36.26 feet to a point.
S37-02-34E 27.19 feet to a point.
S73-47-42E 42.67 feet to a point.
S60-09-31E 36.42 feet to a point.

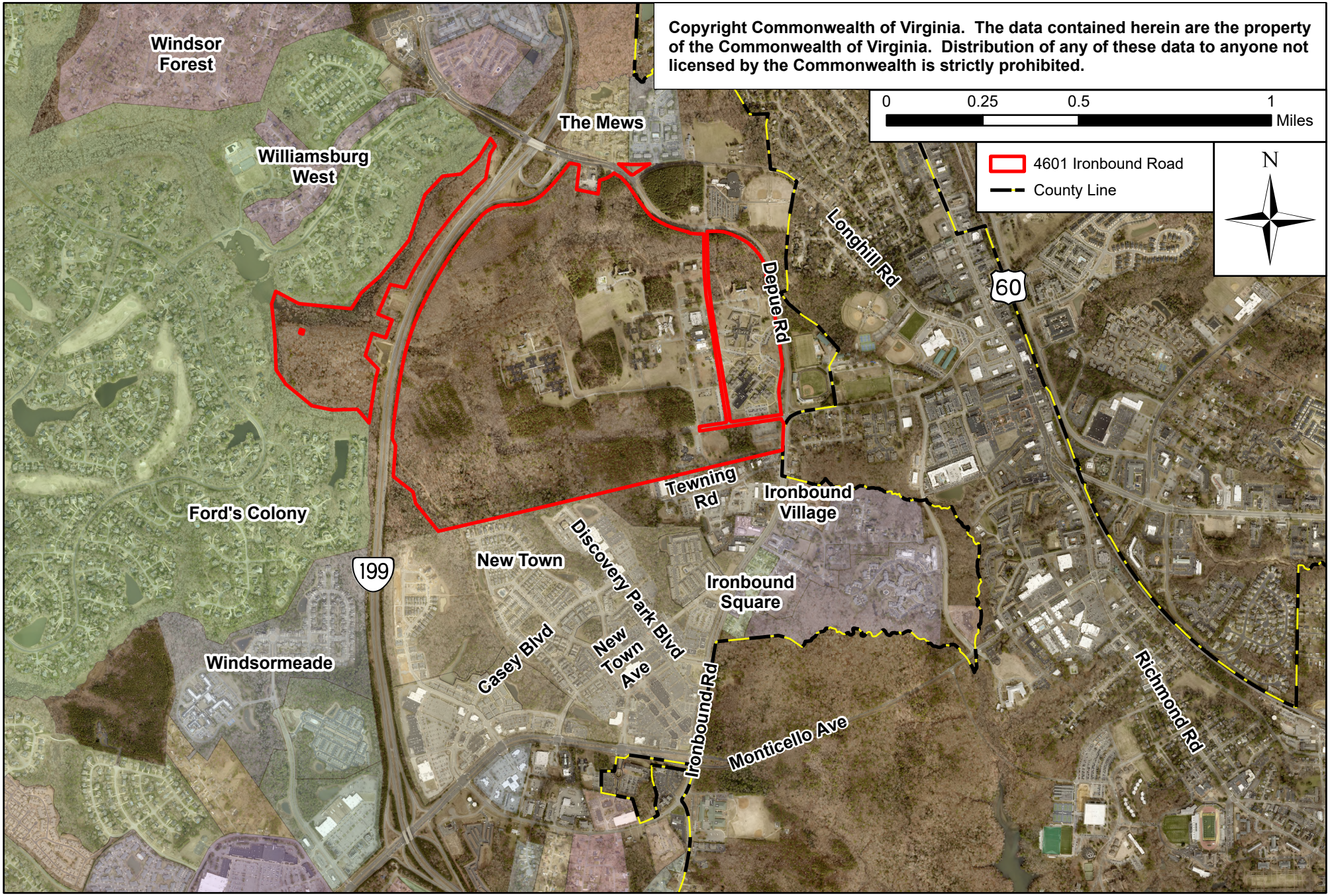
S69-19-15E 34.31 feet to a point.
S30-03-13E 32.02 feet to a point.
S44-35-21E 77.11 feet to a point.
S62-14-28E 40.98 feet to a point.
S41-17-46E 29.10 feet to a point.
S08-35-57E 38.76 feet to a point.
S01-35-26W 42.21 feet to a point.
S15-59-02E 31.09 feet to a point.
S03-44-26E 57.45 feet to a point
S24-00-21W 47.93 feet to a point.
S00-38-25E 41.10 feet to a point.
S33-29-49E 27.30 feet to a point.
S45-01-03E 28.90 feet to a point.
S00-13-17E 53.23 feet to a point.
S24-02-36E 38.52 feet to a point.
S55-13-15E 56.44 feet to a point.
S01-14-38E 38.35 feet to a point.
S58-44-59E 36.63 feet to a point.
S12-06-07E 43.35 feet to a point.
S64-56-17E 30.51 feet to a point.
S17-50-28E 23.57 feet to a point.
S62-55-13E 13.54 feet to a point.
S84-09-42E 32.92 feet to a point.
S74-18-23E 29.51 feet to a point.
S43-55-17E 64.15 feet to a point.
S55-08-53E 24.54 feet to a point.
S64-41-52E 41.57 feet to a point.
S40-44-58E 32.62 feet to a point.
S25-51-41E 54.93 feet to a point.
S02-48-12E 74.81 feet to a point.
S47-21-11E 41.11 feet to a point.
S26-02-51E 40.54 feet to a point.
S70-48-44E 34.09 feet to a point.
S84-51-39E 43.99 feet to a point.
N75-22-19E 24.05 feet to a point.
N87-39-49E 31.42 feet to a point.
N80-05-35E 81.39 feet to a point.
N62-03-23E 28.64 feet to a point.
N82-00-34E 44.32 feet to a point.
S85-33-10E 34.73 feet to a point.
S62-51-51E 48.90 feet to a point.
S23-55-49E 52.44 feet to a point.
S71-48-07E 22.51 feet to a point.
N79-40-46E 61.65 feet to a point.
N85-54-13E 27.50 feet to a point.
N59-39-41E 100.52 feet to a point.

N50-05-12E 43.79 feet to a point.
N60-35-50E 66.41 feet to a point.
N68-08-48E 47.34 feet to a point.
S82-41-10E 35.00 feet to a point.
S55-12-57E 35.87 feet to a point.
S84-16-27E 35.65 feet to a point.
N80-06-17E 40.84 feet to a point.
N61-15-26E 26.09 feet to a point.
S89-33-46E 81.06 feet to a point.
S09-25-43E 97.97 feet to a point.
S04-09-23W 186.24 feet to a point.
S03-45-14W 88.73 feet to a point.
S11-20-02E 59.16 feet to a point.
S19-34-58E 48.66 feet to a point.
S23-33-40E 77.53 feet to a point.
S09-43-59E 21.89 feet to a point.
S60-03-43E 37.84 feet to a point.
S20-05-59W 15.90 feet to a point.
S68-37-07E 8.90 feet to a point.
N59-24-41E 23.31 feet to a point.
S48-00-28E 52.72 feet to a point.
S69-59-49E 34.72 feet to a point.
S17-24-26E 48.46 feet to a point.
S59-05-45E 35.91 feet to a point.
S18-08-48E 44.29 feet to a point.
S61-53-27E 9.36 feet to a point.
N66-03-39E 35.77 feet to a point.
S61-08-08E 21.06 feet to a point on the northerly property line of the now or formerly New Town Associates, LLC property.

Thence, S76-38-09W 2,194.08 feet, running with the northerly property lines of the now or formerly New Town Associates, LLC properties and the terminus of Discovery Park Boulevard to a point.
N40-09-20W 8.01 feet to a point being a southerly property corner of the now or formerly FCD, LLC property.

Thence, with the easterly property lines of the of the now or formerly FCD, LLC property, the following courses and distances.
N40-09-20w 225.36 feet to a point.
N40-10-09W 225.48 feet to a point.
N00-29-46E 162.48 feet to a point.
N52-43-19W 337.53 feet to the point of beginning and containing 3,465,659 square feet or 79.5606 acres of land.

JCC Z-23-0004 / MP-23-0001, Westwood Park Rezoning



REZONING FOR WESTWOOD PARK

WESTWOOD, LLC

PROJECT TEAM

DEVELOPER: WESTWOOD, LLC

CIVIL CONSULTING: AES CONSULTING ENGINEERS

LAND PLANNING: HOPKE & ASSOCIATES

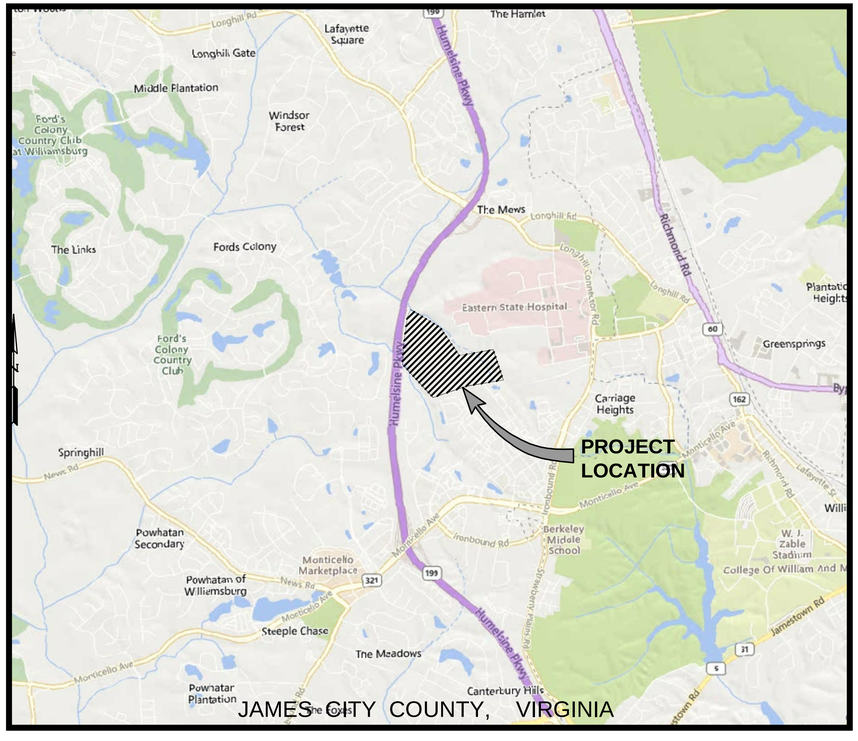
ENVIRONMENTAL: ECS LIMITED, LLC

TRAFFIC: MCPHERSON CONSULTING / VHB

LEGAL COUNSEL: GEDDY, HARRIS, FRANK & HICKMAN, LLP

SITE DATA:

PARCEL ID:	3910100152 (PORTION OF)
PROPERTY OWNERS:	COMMONWEALTH OF VIRGINIA
PROPERTY ADDRESS:	4601 IRONBOUND ROAD
PROPERTY ACREAGE:	79.56 AC. ± (PER VHB PLAT)
CURRENT ZONING:	PL (PUBLIC LANDS)
PROPOSED ZONING:	PUD-R (W/PROFFERS) UP TO 17.26 AC RESERVED FOR MIXED USE TO INCLUDE UP TO 24,000 SF OF COMMERCIAL USES



JAMES CITY COUNTY, VIRGINIA

VICINITY MAP

(APROX. SCALE 1"=2000')

ORIGINALLY SUBMITTED: FEBRUARY 15, 2023

RESUBMITTED: JANUARY 22, 2026

JCC CASE # Z-23-0004 / MP-23-0001

INDEX OF SHEETS

MP1.0	COVER SHEET
MP2.0	ENVIRONMENTAL INVENTORY
MP3.0	MASTER PLAN
MP4.0	UTILITY MASTER PLAN

NOTE: THIS PROJECT LIES WITHIN THE POWHATAN CREEK WATERSHED OF THE JAMES RIVER. THE PROPERTY IS PART OF POWHATAN CREEK SUBWATERSHED 208 (LOWER CHISEL RUN)

Rev.	Date	Description	Revised By
7	01/22/26	CORRECTIONS TO PROJECT AREA MP3.0	JAG
7	01/07/26	REVISED DENSITY PER CLIENT	JAG
6	09/16/25	REVISED PER PC MEETING COMMENTS	JAG
5	07/8/25	REVISED PER PC MEETING COMMENTS	JAG
4	02/25/25	REVISED PER JCC STAFF COMMENTS	JAG

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www.aesva.com

AES CONSULTING ENGINEERS

Middle Peninsula | Central Virginia | Hampton Roads

REZONING PLAN FOR WESTWOOD PARK

JAMES CITY COUNTY | JAMESTOWN DISTRICT | VIRGINIA

Project Contacts:	JAG
Project Number:	W10634-00
Scale: AS NOTED	Date: 02/15/2023
Sheet Title:	COVER SHEET
Sheet Number	MP1.0

SOIL CHARACTERISTICS

SOIL #	SOIL NAME	TYPICAL SLOPES	EROSION FACTOR (K)	EROSION FACTOR (T)
11C	CRAVEN-UCHEE COMPLEX	6-10%	0.28	5
14B	EMPORIA	2-6%	0.28	5
15E	EMPORIA COMPLEX	15-25%	0.28	5
17	JOHNSTON COMPLEX	0-2%	0.37	5
18B	KEMPSVILLE FINE SANDY LOAM	2-6%	0.28	5
19B	KEMPSVILLE-EMPORIA	2-6%	0.28	5
31B	SUFFOLK FINE SANDY LOAM	2-6%	0.24	5

INFORMATION TAKEN FROM "SOIL SURVEY OF JAMES CITY AND YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VIRGINIA" ISSUED IN APRIL, 1985 BY THE UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE IN COOPERATION WITH VIRGINIA POLYTECHNIC INSTITUTE AND STATE

SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)
0.23 AND LOWER - LOW ERODIBILITY
0.23-0.36 - MODERATE ERODIBILITY
0.36 AND UP - HIGH ERODIBILITY

THE MAP SHOWN IS A "BEST FIT MODEL" OF THE SCS MAPS WITH EXISTING BASE INFORMATION.

WETLANDS INFORMATION SHOWN BASE UPON FIELD INVESTIGATION BY ECS LIMITED ON JANUARY 13, 2020

DENOTES 25% OR GREATER SLOPES

DENOTES POTENTIAL IMPACT TO 25% OR GREATER SLOPES

WETLAND AREA:	371,567 S.F./8.53 AC.
RPA BUFFER AREA:	734,312 S.F./16.86 AC.
STEEP SLOPES (OUTSIDE OF RPA FEATURES):	6,630 S.F./0.15 AC.

LEGEND

RPA IMPACTS

WETLANDS AREA

WETLANDS IMPACTS

N/F
COMMONWEALTH OF VIRGINIA
EASTERN STATE HOSPITAL
4601 IRONBOUND RD
PARCEL ID: 3910100152
ZONED PL

EXISTING PRIVATE SANITARY SEWER

±3900 SF OF STEEP SLOPES

PROPOSED SUBDIVISION BOUNDARY BY VHB

FEMA FLOOD ZONE "AE", SHOWN ON MAP NUMBER 51095C0136D ELEV: 42-55

150' COMMUNITY CHARACTER CORRIDOR BUFFER

±600 SF OF STEEP SLOPE IMPACT

100' RPA BUFFER

±500 SF OF STEEP SLOPE IMPACT

±300 SF OF STEEP SLOPE IMPACT

±1300 SF OF STEEP SLOPE IMPACT

PROPOSED SUBDIVISION BOUNDARY BY TIMMONS

±30 SF OF STEEP SLOPE IMPACT

±0.71 AC. OF RPA IMPACTS FOR ROAD CROSSING

PROPOSED 100' BUFFER FROM RESIDENTIAL USE BOUNDARY

±4,728 SF OF NON-TIDAL WETLAND IMPACTS AND ±106 LF OF STREAM IMPACTS

N/F
NEW TOWN COMMERCIAL ASSOCIATION
4201 IRONBOUND RD
PARCEL ID: 3910100157
ZONED MU

N/F
NEW TOWN COMMERCIAL ASSOCIATION
5625 DISCOVERY PARK BLVD
PARCEL ID: 3824300021A
ZONED MU

N/F
NEW TOWN COMMERCIAL ASSOCIATION
5585 DISCOVERY PARK BLVD
PARCEL ID: 3824300022
ZONED MU

N/F
NEW TOWN COMMERCIAL ASSOCIATION
5725 DISCOVERY PARK BLVD
PARCEL ID: 3910100157A
ZONED MU

N/F
FCD, LLC
11750 HUMELSINE PARKWAY
PARCEL ID: 3820100005
ZONED R4

DISCOVERY PARK BOULEVARD (74' PUBLIC R/W)
(SEE JCC-SP-004-2019)

NEW TOWN SECTION 6

NEW TOWN SECTION 7

NEW TOWN SECTION 8

Route 199

GRAPHIC SCALE
100' 0' 100' 200'
SCALE: 1" = 100'

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REZONING PLAN
FOR
WESTWOOD PARK
JAMES CITY COUNTY | JAMESTOWN DISTRICT | VIRGINIA

Project Contacts:	JAG
Project Number:	W10634-00
Scale: 1"=100'	Date: 02/15/2023

Sheet Title:
ENVIRONMENTAL INVENTORY

Sheet Number
MP2.0

STORMWATER MANAGEMENT NARRATIVE

A STORMWATER MANAGEMENT MASTER PLAN SHALL BE SUBMITTED FOR THIS SITE TO MEET THE GENERAL CRITERIA OF THE COMMONWEALTH OF VIRGINIA AND JAMES CITY COUNTY'S STORMWATER REQUIREMENTS. THE PLAN SHALL BE SUBMITTED PRIOR TO A FINAL SUBDIVISION PLAN AND SHALL PROVIDE A STORMWATER SOLUTION UTILIZING A TREATMENT TRAIN OF BEST MANAGEMENT PRACTICES AND PIPE DRAINAGE NETWORKS THAT ULTIMATELY DISCHARGE INTO DOWNSTREAM WATERWAYS. UPSTREAM BIORETENTION PONDS, FILTERRAS, DRY SWALES, AND OTHER LOW IMPACT DEVELOPMENT MEASURES WILL CONTRIBUTE TO STORMWATER QUALITY CONTROL AND WILL FEED INTO PONDS TO CONTROL FLOWS. ADDITIONAL CONSIDERATION SHALL BE GIVEN TO REACHES OF THE POWHATAN CREEEK THAT HAVE EXISTING DEGRADATION. OUTFALLS INTO DEGRADED AREAS OF THE CREEK SHALL BE LIMITED AND/OR INCORPROATE STREAM ENCHANCEMENTS AND/OR REPAIRS. ADDITIONAL STREAM ENCHANCEMENTS WILL BE CONSIDERED UNDER THE REVIEW OF THIS MASTER PLAN IN COORINATION WITH WETLANDS CONSULTANT AND JCC SRP. USE OF WATER QUALITY POLLUTANT CREDITS SHALL NOT BE PERMITTED TO ACHIEVE COMPLIANCE. ADDITIONALLY, SPECIAL STORMWATER CRITERIA SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS AT THE TIME OF SUBMITTAL OF THE MASTER PLAN FOR APPROVAL.

DEVELOPMENT TABULATION

PARCEL	AREA DESIGNATION	PROPOSED LAND USE	NUMBER OF UNITS	TOTAL AREA (AC.)	NON-DEVELOPABLE AREA (AC.)(1)	NET DEVELOPABLE AREA (AC.)	BASE DENSITY	W/ 2 DENSITY BONUS POINTS	MAX PROPOSED NET DENSITY
B	B,C,D,E,G,I	MIXED USE (MULTIFAMILY/OFFICE/RETAIL)	APPROX 53 RESIDENTIAL UP TO 24,000 OFFICE/RETAIL	±13.3 (16.7%)	±3.63	±9.67	5 UNITS/AC	10.6 UNITS/AC	5.5 UNITS/AC
C	B,C,D	RESIDENTIAL (MULTIFAMILY)	APPROX 20 RESIDENTIAL	±4.0 (5.0%)	±0.75	±3.25	5 UNITS/AC	10.6 UNITS/AC	6.2 UNITS/AC
A	A	RESIDENTIAL (SINGLE FAMILY LOTS)	UP TO 82 LOTS	±62.3 (78.3%)	±21.17	±41.13	2.0 UNITS/AC	2.66 UNITS/AC	2.0 UNITS/AC
		TOTALS	**MAX 155 RESIDENTIAL & 24,000 OFFICE/RETAIL**	**±79.6**	**±25.55**	**±54.05**	**4 UNITS/AC**		**2.9 UNITS/AC**

*DENSITY PER NET ACRE = DWELLING UNITS/ ACRE

DESIGNATED LAND USE KEY:
- A: SINGLE FAMILY
- B: MULTIFAMILY TOWNHOMES UP TO 4 UNITS
- C: MULTIFAMILY TOWNHOMES MORE THAN 4 DWELLING UNITS
- D: APARTMENTS
- E: COMMERCIAL USES
- G: OFFICE USES
- I: INSTITUTIONAL OR PUBLIC USES

DENSITY BONUS POINTS

C. OFFSITE BMP IMPROVEMENT (SEE PROFFERS FOR SPECIFICS)	1.5
K. BINDING DESIGN GUIDELINES	0.5
TOTAL DENSITY BONUS POINTS	2.0

DEVELOPMENT TABULATION NOTES:

1. NON-DEVELOPABLE AREAS ARE COMPRISED OF:
   - A. RESOURCE PROTECTION AREAS
   - B. FEMA FLOOD HAZARD ZONES
   - C. STEEP SLOPES (AREAS 1,000 SF OR GREATER)

   PER JAMES CITY COUNTY ZONING ORDINANCE
2. BUILDINGS SHALL BE LESS THAN 60-FT UNLESS A HEIGHT WAVIER IS OBTAINED.

OPEN SPACE

NON-DEVELOPABLE OPEN SPACE	± 25.4 AC
DEVELOPABLE LAND	± 54.1 AC
DEVELOPABLE OPEN SPACE REQUIRED (35% OF TOTAL DEVELOPABLE LAND)	± 18.9 AC
DEVELOPABLE OPEN SPACE PROVIDED	± 19.5 AC
1. AREAS USED TO MEET COUNTY POLICIES PERTAINING TO NATURAL RESOURCES, ARCHAEOLOGY, PARKS AND REC	5.0 AC
2. AREAS ONSITE USED TO ACHIEVE DENSTITY BONUS	0.0 AC
3. AREA WITHIN PERIMETER BUFFERS AND RIGHTS OF WAY	11.5 AC
4. AREA IN STORMWATER MANAGEMENT FACILITIES	3.0 AC
5. OTHER QUALIFYING OPEN SPACE	0.0 AC
TOTAL OPEN SPACE	± 44.9 AC

ANTICIPATED ENVIRONMENTAL IMPACTS

TIDAL WETLANDS:	NONE
TIDAL SHORES:	NONE
100 FT RPA BUFFER:	24,220 S.F.; 0.556 AC.
NON-TIDAL WETLANDS IN RMA:	NONE
NON-TIDAL WETLANDS IN RPA:	4,728 S.F.; 0.108 AC.
HYDRIC SOILS:	NOT MODIFIED
25% OR GREATER SLOPES:	8,000± S.F.; 0.18 AC.
NON-RPA BUFFERS:	NONE

ANTICIPATED SITE DATA:

FORESTED AREA:	± 29 ACRES	(35%)
MANAGED TURF AREA:	± 38 ACRES	(46%)
IMPERVIOUS AREA:	± 15 ACRES	(19%)
TOTAL SITE AREA:	± 81.5 ACRES	(100.00%)

LEGEND

- PEDESTRIAN ACCESS
- PUBLIC ROAD ACCESS
- PRIVATE ROAD ACCESS
- GENERAL LOCATION OF RECREATIONAL OPEN SPACE

N/F
COMMONWEALTH OF VIRGINIA - EASTERN STATE HOSPITAL
4601 IRONBOUND RD
PARCEL ID: 3910100152
ZONED PL

PARCEL D

FEMA FLOOD ZONE "AE", SHOWN ON MAP NUMBER 51095C0136D ELEV: 42-55

150' COMMUNITY CHARACTER CORRIDOR BUFFER

100' RPA BUFFER

PARCEL A (USE A) 62.30± AC

4 AC. PASSIVE PARK (MIN)

LOCATION OF PASSIVE PARK SPACES TO BE DEFINED WITH FINAL PLAN OF DEVELOPMENT. NO LESS THAN 5 ACRES OF PASSIVE PARK AND AT LEAST 3,000LF OF SOFT SURFACE TRAILS TO BE PROVIDED

POOL AND BATHOUSE

PARCEL B (USES B,C,D,E,G,I) 13.8± AC

50' PERIMETER BUFFER

PRIVATE ROAD ACCESS POINT

PUBLIC ROAD ACCESS POINT

100-FT PERIMETER BUFFER (EXPANDED FROM 50')

PARCEL C RESIDENTIAL (B,C,D) 4.0± AC

N/F
NEW TOWN COMMERCIAL ASSOCIATION
4201 IRONBOUND RD
PARCEL ID: 3824300022
ZONED MU

TEWNING RD

JCSA

N/F
NEW TOWN COMMERCIAL ASSOCIATION
5625 DISCOVERY PARK BLVD
PARCEL ID: 3824300021A
ZONED MU

N/F
FCD, LLC
11750 HUMELSINE PARKWAY
PARCEL ID: 3820100005
ZONED R4

NEW TOWN SECTION 6

DISCOVERY PARK BOULEVARD (A PUBLIC R/W)

ROLLISON DRIVE

N/F
NEW TOWN COMMERCIAL ASSOCIATION
5725 DISCOVERY PARK BLVD
PARCEL ID: 3910100157A
ZONED MU

OLIVE DRIVE

NEW TOWN SECTION 7

N/F
NEW TOWN COMMERCIAL ASSOCIATION
5585 DISCOVERY PARK BLVD
PARCEL ID: 3824300022
ZONED MU

NEW TOWN SECTION 8

Route 199

Broadwater
Samoset
Harbourside
Heritage Pointe
FORD'S COLONY
Killington
Belleview
s Creek

GRAPHIC SCALE
200' 0' 200' 400'
SCALE: 1" = 200'

N

Rev.	Date	Description	Revised By
7	01/23/26	CORRECTIONS TO PROJECT AREA MP3.0	JAG
7	01/07/26	REVISED DENSITY PER CLIENT	JAG
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REZONING PLAN FOR
WESTWOOD PARK
JAMES CITY COUNTY | JAMESTOWN DISTRICT | VIRGINIA

Project Contacts:	JAG
Project Number:	W10634-00
Scale: 1"=200'	Date: 02/15/2023

Sheet Title: MASTER PLAN

Sheet Number
MP3.0

NOTES:

- ALL GRAVITY SEWER MAINS SHALL BE 8" DIAMETER
- ALL WATERMAIN SHALL BE DUCTILE IRON
- ALL UNITS SHALL BE SERVED BY PUBLIC SEWER.
- FINAL WATERLINE SIZE WITHIN SINGLE FAMILY DEVELOPMENT TO BE CONFIRMED WITH JCSA TO ENSURE CAPACITY FOR FUTURE 12" INTERCONNECTION UNDER ROUTE 199.
- ADDITIONAL FIRE HYDRANTS WILL BE PLACED AT THE TIME OF SITE PLAN TO ENSURE PROPER FIRE DEPARTMENT ACCESS AND COVERAGE.
- UPGRADES OF JCSA LS 10-4 ARE ANTICIPATED TO HANDLE THE PROPOSED SEWAGE FLOWS DIRECTED TO THE EXISTING STATION.
- FLOWS TOWARDS LS 1-5 REQUIRE TURN OVER OF EASTERN STATE INSTALLED SANITARY SEWER TO BE INSPECTED AND CONVEYED TO JCSA. EXISTING PRIVATE SEWER DOWNSTREAM OF CONNECTION POINT WAS INSTALLED BY STATE OF VIRGINIA. DEVELOPER TO TEST AND CONVEY TO JCSA TO SERVICE THIS PROPERTY. AS-BUILTS WERE COMPLETED IN 2020 FOLLOWING INSTALLATION.
- THIS UTILITY LAYOUT IS CONCEPTUAL IN NATURE AND MAY NEED TO BE MODIFIED AS PART OF THE FINAL ENGINEERING DESIGN. THE LAYOUT WILL BE CONFIRMED WITH AND APPROVED BY JCSA PRIOR TO SUBMISSION OF DEVELOPMENT PLAN DRAWINGS

WATER DEMAND @ MAXIMUM BUILDOUT = ±156,150 GPD

THE LAYOUT SHOWN IS CONCEPTUAL AND USED TO SHOW GENERAL UTILITY LAYOUT, WATERLINE LOOPING TO ROUTE 199 AND SEWER FLOW DIRECTION.

N/F
COMMONWEALTH OF VIRGINIA
EASTERN STATE HOSPITAL
4601 IRONBOUND RD
PARCEL ID: 3910100152
ZONED PL

ASSUMED FLOWS TO LS 1-5 - 46.3 GPM PEAK

SEWER FLOWS TO JCSA LS 1-5

EXISTING SANITARY SEWER DOWNSTREAM OF PROJECT TO BE CONVEYED TO JCSA

EX MH
INV: 40.29

DEDICATE 20' JCSA UTILITY EASEMENT TO ROUTE 199 FOR FUTURE CONNECTION TO JCSA SYSTEM

PROVIDE 12" WATER STUB FOR FUTURE CONNECTION

"150' COMMUNITY CHARACTER CORRIDOR BUFFER (NATURAL VEGETATION TO BE PRESERVED)

FIRE HYDRANT

FEMA FLOOD ZONE "AE", SHOWN ON MAP NUMBER 51095C0136D ELEV: 42-55

12" W

SAN MH

POND

100' RPA BUFFER

12" WATERLINE OR LOOPED WATER SYSTEM TO BE PROVIDED

EX. JCSA SANITARY SEWER

Route 199

8" W

6" W

POOL

MIXED-USE PARCEL

N/F
NEW TOWN COMMERCIAL ASSOCIATION
4201 IRONBOUND RD
PARCEL ID: 3910100157
ZONED MU

RESIDENTIAL PARCEL 2

RESIDENTIAL PARCEL 1

EXTEND EXISTING 12" WATER

EX MH
INV: 80.32

FLOWS TO JCSA LS 10-4

N/F
FCD, LLC
11750 HUMELSINE PARKWAY
PARCEL ID: 3820100005
ZONED R4

N/F
NEW TOWN COMMERCIAL ASSOCIATION
5625 DISCOVERY PARK BLVD
PARCEL ID: 3824300021A
ZONED MU

N/F
NEW TOWN COMMERCIAL ASSOCIATION
5585 DISCOVERY PARK BLVD
PARCEL ID: 3824300022
ZONED MU

N/F
NEW TOWN COMMERCIAL ASSOCIATION
5725 DISCOVERY PARK BLVD
PARCEL ID: 3910100157A
ZONED MU

NEW TOWN SECTION 6

NEW TOWN SECTION 7

NEW TOWN SECTION 8

ASSUMED FLOWS TO LS 10-4 - 80.1 GPM PEAK

DISCOVERY BOULEVARD

GRAPHIC SCALE
100' 0' 100' 200'
SCALE: 1" = 100'

N

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REZONING PLAN
FOR
WESTWOOD PARK
JAMES CITY COUNTY | JAMESTOWN DISTRICT | VIRGINIA

Project Contacts:	JAG
Project Number:	W10634-00
Scale: 1"=100'	Date: 02/15/2023

Sheet Title:
UTILITY CONCEPTUAL MASTER PLAN

Sheet Number
MP4.0

AREA/UNIT COUNT:

Single Family Lots:	82
Townhomes:	57
Apartments/Condos:	16
Total Multifamily:	73
Total Residential:	155
Commercial:	24,000 sf
	((4) mixed-use buildings)

0 300 600 1200

H & A # 41067

08 JAN 2026

CONCEPTUAL SITE PLAN for WESTWOOD VILLAGE

JAMES CITY COUNTY VA

HOPKE/HARRISON, Inc
Architecture Planning Interiors

Community Impact Statement

For

Westwood Park

Prepared For

ABVA DEVELOPMENT, LP

Originally Submitted May 2023
Revised January 22, 2026
AES Project Number W10634-00

Prepared by:

AES
CONSULTING ENGINEERS

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TABLE OF CONTENTS

I. INTRODUCTION 2

II. THE PROJECT TEAM 3

III. EXISTING CONDITIONS 3

IV. PROJECT DESCRIPTION 4

V. PLANNING CONSIDERATIONS .....
- A. Land Use/Zoning 5
- B Environmental 5
- C. Parks and Recreation 6

VI. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES .....
- A. Public Water Facilities 6
- B Public Sewer Facilities 7
- C. Fire Protection and Emergency Services 8
- D. Solid Waste 8
- E. Utility Service Providers 8
- F. Schools 9

VII. ANALYSIS OF ENVIRONMENTAL IMPACTS .....
- A. Preliminary Wetland Determination 9
- B. Resource Protection Areas 9
- C. Soils 9

VIII. ANALYSIS OF STORMWATER MANAGEMENT 10

IX. ANALYSIS OF IMPACTS TO TRAFFIC 11

X. FISCAL IMPACT STUDY 11

XI. CONCLUSIONS 12

I. INTRODUCTION/PROJECT HISTORY

ABVA DEVELOPMENT, LP, proposes to create a development consisting of a mix of residential single-family, multi-family, and neighborhood commercial/office uses. The master plan covers approximately 81 acres of vacant land currently owned by the Commonwealth of Virginia as a part of their Eastern State holdings located at the existing terminus of Discovery Park Boulevard. This proposal requests changing the zoning from Public Lands to Planned Unit Development (PUD-R).

In 2008 the Commonwealth of Virginia engaged Urban Land Associates to create a conceptual plan for the redevelopment of the Eastern State Hospital property. The plan was developed in a process that engaged a wide range of stakeholders, which included the city and county governments, mental health agencies, the business community and representatives of area neighborhoods.

With this concept plan in hand, the Commonwealth of Virginia approached ABVA Development in 2018 to develop 80 acres of the Eastern State property adjacent to the New Town Community. ABVA and affiliated entities have developed most of the residential neighborhoods in New Town, including the adjacent Charlotte Park neighborhood. They have also developed a number of commercial and mixed-use buildings in New Town.

In February 2021 ABVA Development and the Commonwealth of Virginia submitted a request to change the James City County Comprehensive Plan to designate the property as Mixed Use and to allow the subject property to be incorporated into the New Town development. During the review process, including a town meeting in New Town and a public hearing, residents of New Town, along with the Board of Supervisors provided suggestions. The Developer has modified the plans in response to these suggestions. Specifically, the Developer has made the following adjustments:

1. The new development will not use the New Town name and will not be deemed part of New Town;
2. The new development will have its own Homeowners' Association;
3. The new development will have its own design guidelines. The land planner John Hopke has created these guidelines, and there will be an architectural review process to ensure any future construction adheres to these guidelines;
4. Access to the site will be via Discovery Park Boulevard only, bringing traffic through the existing commercial corridor;
5. Olive Drive will not be extended and the land at the end of Olive Drive in Charlotte Park has been deeded over to the New Town Residential Association to ensure no future extension of the road;
6. The new development will have walking trails throughout the site;
7. The new development's trail system will only connect to the New Town trails in the vicinity of Discovery Park Boulevard;
8. The new development will have its own swimming pool and changing area;
9. The density has been reduced considerably from the plan originally shown.

In conclusion, the proposed use of the parcels considered here for rezoning results in a total residential density of approximately 1.9 residential units per gross acre (*The proposed Master Plan notes the density as 2.9 units per NET developable acre based on updated JCC calculations*), plus 24,000 square feet of commercial space. By comparison, the residential density of New Town Section 7 and 8 is 3.7 units per gross acre. Thus the proposed new development is approximately 49% less dense than the neighboring communities; providing greater open space and larger lots.

II. THE PROJECT TEAM

The organizations that participated in the preparation of the information provided with this rezoning submission are as follows:

- Developer - ABVA DEVELOPMENT, LP
- Attorney - Geddy, Harris, Franck & Hickman, LLP
- Civil Engineering - AES Consulting Engineers
- Environmental/Wetlands - ECS, Limited
- Powhatan Creek - Stantec, Inc.
- Traffic - McPherson Traffic Consulting
- Archaeological - Cultural Resources Management, LLC
- Land Planning - Hopke & Associates

III. EXISTING CONDITIONS

Master Plan Sheet 2.0 contains location information on wetlands, buffers, soils, and slopes. A pre-development site analysis revealed the following results:

Wetland areas:	*8.53 acres*
Buffers:	*16.85 acres*
Uplands Land	*54.18 acres*
Total Site Area	***79.56 acres***

Site Location:

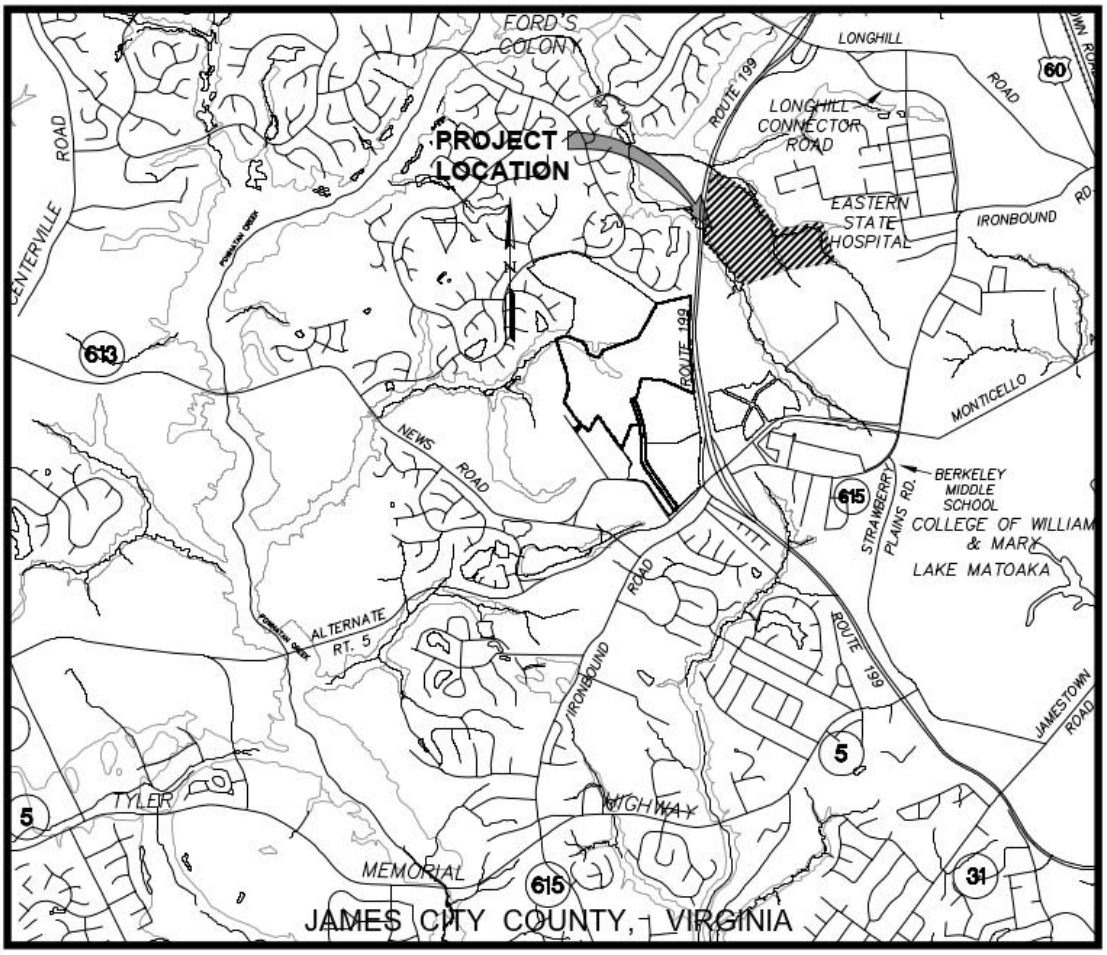

Figure 1

IV. PROJECT DESCRIPTION

Westwood Park is envisioned as an 80-acre mixed-use community located at the terminus of Discovery Park Boulevard in James City County providing 155 residential units and approximately 24,000sf of commercial uses. Approximately 70% of the site is preserved in open space, with wetlands, streams, and associated buffers being preserved in compliance with James City County ordinances and policies. Other developable lands have been provided as common open space, either in the form of buffer areas or recreation open space.

V. PLANNING CONSIDERATIONS

A. Land Use

The proposed land use for Westwood Park is consistent with the surrounding Mixed Use property zoning, and while the property is currently listed as Public Lands on the Comprehensive Plan, simultaneously with the rezoning application, the County will be considering the change in the Comprehensive Plan land use designation to a Mixed Use designation. We submit that a change to PUD-R will provide zoning regulations consistent with the Mixed Use zoning of the adjoining properties. We believe that the proposed development will fit in appropriately with the adjoining properties, allowing the development to be less dense as it moves away from the core development of New Town and Monticello/Ironbound Roads. The development furthest from Ironbound/Monticello will be solely single family residential with lots larger than found in the adjacent New Town development and the portion closest to New Town will be developed at a higher density with a mix of commercial and multi-family development.

B. Density

The overall mix of residential units results in a combined overall density of approximately 2.9 dwelling unit per net developable acre. From a comparison standpoint, the overall density is less than the adjacent sections of New Town. The base density within the proposed PUD zoning is for 2 single family residential units per acre and up to 12 multifamily units per acre (depending on the unit types). The proposed densities within the identified use areas are around the cap at 2.0, 5.5 and 6.2 units per developable acre respectively, however as some of the development pods slightly exceed the limits we are proposing additional offsite BMP enhancements as a Density Bonus. The offsite BMP enhancements are proffered and also discussed further in the Section 8: Stormwater Analysis. *Note: The developable areas are listed and density calculated as noted on Sheet MP3.0 on the Master Plan.*

C. Environmental

A environmental site analysis was conducted on this property. The proposed portion of the Eastern State property is a hardwood forest. Recent work performed by the Environmental Services Division of ECS Limited, identified roughly 10.5 acres of wetlands and streams. ECS also conducted a perennial stream analysis on the property and is in the process of coordinating a review with the James City County Environmental Department. The master plan anticipates impacts to both wetlands and the Resource Protection Area (RPA) buffers; these are associated with a required roadway crossing to access the western portion of the property (to avoid access through New Town Section 7 residential development). ECS also provided an evaluation of endangered species on the property which was included in the application, with no noted species of concern.

Additionally, Stantec was added to the project team to provide input on the Powhatan Creek tributary and minimizing the impact of the development on the creek. Areas of the streams that are already impacted were reviewed (as previously noted in the Powhatan Creek study prepared by Stantec for James City County). As part of this

project we are proffering funds to make improvements to address existing concerns and committing to stormwater management measures that will protect the creek from future development on the property.

D. Parks and Recreation

The developer proposes to provide both active and passive recreational amenities designed to meet the needs of the anticipated residents while exceeding James City County policy standards. The main active amenities for the project will be in the mixed-use designated section of the development. Additionally, the residential section of the development is envisioned with large swaths of passive open space containing soft surface trails and seating areas. The active amenities are to include a pool, bathhouse, natural trails and sidewalks.

E. Natural and Cultural Resources

A large portions of the forested area within Eastern State and the subject property has been identified as a wildlife habitat core. Our conceptual master plan has attempted to address maintaining a large swath of the residential area to maintain a wildlife corridor through the center of the project and maintaining large buffers around the perimeter to preserve natural open space. Outside of the wildlife habitat we also reviewed endangered species (plant and animal) and while noting isolated areas of potential habitat did not determine that any species at the time of review. Additional studies shall occur based on time of year requirements.

Additionally, we have reviewed cultural resources through an archeological study on the property. The study did not identify any areas of significance within the limits of the property.

VI. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES

The subject property is located within the Primary Service Area of James City County. Parcels and subsequent land development activities within the Primary Service Area are required to connect to public water and sanitary sewer service provided by the James City Service Authority (JCSA). Sheet 4.0 of the Master Plan, *The Master Utility Plan* is intended to supplement this report for information on public water and public sanitary sewer.

A. Public Water Facilities

The subject property will be served with public drinking water by the existing JCSA water distribution system in the area. JCSA currently maintains an existing 12-inch water main within Discovery Park Boulevard. This line is supported by loops throughout the existing New Town development from Monticello Avenue and Ironbound Roads. The system facilities in this area are anticipated to be adequate for this development based upon previous flow data taken within the New Town development. This would indicate adequate pressures and flows will be present throughout the proposed development. **Additionally, the developer is making accommodations to provide**

JCSA with a future redundancy loop through the project via Route 199. This loop is not envisioned to be necessary to service the proposed project.

A detailed phased water distribution system model will be completed and submitted as part of the subdivision review process. The model will examine flow rates and pressures throughout the immediate water system area to ensure adequate flow and pressure to accommodate the required fire flows.

Table 1 – Projected Water Flows from *Westwood Park*

Type of Development	No. of Units	Flow (GPD/Unit)	Average Daily Flow (GPD)	Duration (hrs)	Avg. Flow (GPM)	Peak Flow (GPM)
RESIDENTIAL						
Single-family	82	310	25,420	24	17.65	70.60
Multi Family	73	310	22,630	24	19.38	77.52
Subtotal	155		48,050		37.89	148.12
NON-RESIDENTIAL						
Retail/Office	24,000	0.2	4,800	12	6.67	26.68
Total			**52,850**		**44.56**	**174.80**

B. Public Sewer Facilities

Sanitary sewer service is provided to the subject property via two different sewer sheds. A newly upgraded private sewer within the Eastern State property will service the site and drain to Lift Station 1-5 (located within Ford's Colony). It is understood that the existing private sewer will need to be inspected prior to JCSA acceptance. Additionally, we are aware that there is a JCSA sewer line (and easement) that runs along the western boundary of the property towards LS 1-5, however, that sewer run is near capacity and would not be able to accept significant flows from the proposed development.

The mixed-use portion of the property drains towards LS 10-4 located on Discovery Park Boulevard. This station will need minor upgrades to accept the additional flows from this development. We anticipate pump modifications should be achievable to accommodate the newly proposed flows and to elevate existing flow issues at that station.

Table 2 – Projected Wastewater Flows from *Westwood Park*

Type of Development	No. of Units	Flow (GPD/Unit)	Average Daily Flow (GPD)	Duration (hrs)	Avg. Flow (GPM)	Peak Flow (GPM)
RESIDENTIAL						
Single-family	82	310	25,420	24	17.65	46.28
Multi Family	73	310	22,630	24	19.38	48.45
Subtotal	155		56,660		40.04	94.73
NON-RESIDENTIAL						
Retail/Office	24,000	0.2	4,800	12	6.67	20.00
Total (to LS 1-5)			**25,420**		**17.65**	**46.28**
Total (to LS 10-4)			**27,430**		**26.5**	**68.45**

C. Fire Protection and Emergency Services

There are currently five fire stations providing fire protection and Emergency Medical Services (EMS) to James City County. The closest fire station to the subject site is Station #3 at 5077 John Tyler Highway, approximately 2.9 miles south of this project. From this station, an estimated response time will be less than nine minutes. A similar distance away are both Station #4 (Olde Town Road) and Station #5 (Monticello Avenue). These three fire stations, and the emergency medical staff available at these stations, will provide a more than adequate response to potential emergencies. In addition, through cooperative agreements between Williamsburg, James City County, and York County, and the City of Williamsburg Station on Lafayette Street is only 3 miles away.

D. Solid Waste

The proposed development on the subject property will generate solid wastes that will require collection and disposal to promote a safe and healthy environment. Reputable, private contractors, hired by the Homeowners 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.

E. Utility Service Providers

Virginia Natural Gas, Dominion Virginia Power, and Cox Communications provide, respectively, natural gas, 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.

F. Schools

Westwood Park is located within the Clara Byrd Baker Elementary School, James Blair Middle School, and Lafayette High School districts. This development will generate 46 school age children per James City County methodology: 19 elementary students, 10 middle school students, and 14 high school students.

VII. ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Preliminary Wetland Determination

Investigations were conducted by ECS Limited, LLC in January of 2020. The extent of wetland features is shown on the existing conditions map included in the master plan (Sheet 2). The U.S. Army Corps of Engineers confirmation of delineated wetlands is currently underway.

Based on the investigation, approximately 10.5 acres of wetlands are present on the property. In the Master Plan for the proposed development, we have attempted to avoid all impacts to the wetlands, but there is a known need to cross the wetlands with a roadway to access the single-family lots within the development. In addition, there may be some stormwater outfalls with disturbances to steep slopes, buffers and wetlands. All of the above-described items may require proper state and federal permits prior to the issuance of James City County Land Disturbance Permits.

B. Resource Protection Areas

The property contains Resource Protection Areas (RPA) and associated buffers which are shown on Master Plan Sheet 2- Existing Conditions. Also illustrated is an expanded Powhatan Creek buffer as previously coordinated with James City County.

C. Soils

The Soil Survey of James City and York Counties and the City of Williamsburg, Virginia (USDA 1985) shows several soil types within the property boundary. This property is predominantly situated on well-drained soils of Craven-Uchee, Emporia Complex, Emporia, and Slagle soil types. Detailed soils breakdown are noted on sheet 3 of the master plan.

VIII. ANALYSIS OF STORMWATER MANAGEMENT

The project will implement water quality controls that exceed State stormwater requirements, in accordance with James City County policy to protect the natural resources of the watershed. These measures, which align with the County's Special Stormwater Criteria (SSC), will enhance the quality of stormwater runoff from the development and assist in the preservation of pre-development hydrology. Water quality measures to be implemented include manufactured filtering devices, bioretention facilities, enhanced outlet protection at all piped outfalls, and enhanced slope stabilization measures applied site-wide.

As the property falls within the Powhatan Creek Watershed, our team has reviewed the recently prepared Powhatan Creek Watershed Management Plan (PCWMP, September 2023). The plan identifies concerns with stream channels ST3-49-G and ST3-48-G, which are located along the boundaries of the property. While the project team considered undertaking direct repairs, discussions with Stantec and other stakeholders made it clear that a financial proffer would be a more effective solution. This is primarily because the channels are significantly impacted by flows from the larger, upstream Eastern State property, making isolated repairs impractical. By proffering funds, we can contribute to a holistic restoration effort for the entire creek, help activate State matching funds, and ensure the improvements are coordinated with surrounding developments.

The proposed proffer amount of $1,433.12 per unit is based directly on the cost estimates within the PCWMP. The plan identifies the repair costs for the specific stream reaches abutting our project being between $750,000 and $1 million. Using the $1 million figure as a conservative estimate, we calculated our proportional contribution. Our 80-acre project constitutes 20% of the total 400-acre project area, resulting in a base contribution of $200,000. In good faith, we increased the total amount being proffered to $225,000 even following a reduction in overall residential density for the project. We believe this contribution is appropriate, as the damage to these channels is the result of historic watershed manipulation and not our proposed development. This proffer represents our commitment to a shared, amicable goal where developers, James City County, and the Commonwealth of Virginia all play a role in improving the watershed's condition.

Additionally, as part of our commitment and in keeping with the Stantec study, we propose a separate proffer to provide enhancements to existing ponds identified in the PCWMP within the subwatershed to improve water quality upstream of our property. This proffer is in addition to the stream restoration funds and the general stormwater controls being provided onsite.

Recognizing the complexities of the watershed, the applicant proffers to prepare a detailed Project Stormwater Management Plan prior to the submission of any final engineering plans. This additional step will ensure the following design commitments are met:

- The locations of ponds and other stormwater management features will be placed to discharge into field-identified impacted areas of the surrounding creek.
- Protection of existing forestland and unimproved areas will be prioritized. Large, natural perimeter buffers will be preserved to the greatest extent possible.
- Within the single-family section, a large wooded passive park will be maintained, providing benefits for both stormwater management and wildlife habitats.
- The applicant will restrict the impervious cover for the entire site at full buildout. The reduction in commercial building area has reduced the need for surface parking lots and permitted a reduction in impervious cover.

In summary, the comprehensive stormwater management plan and associated proffers for Westwood Park are specifically crafted to protect and enhance the Powhatan Creek. The on-site design will preserve the watershed's natural hydrology, while the proffered funds will address existing, off-site problem areas. This dual approach ensures the project will be a positive contributor to the long-term health of the watershed.

IX. ANALYSIS OF IMPACTS TO TRAFFIC

A traffic study memo has been prepared by McPherson Traffic Consulting to review the major intersections associated with the Monticello Avenue and Ironbound corridors and additionally looked at significant internal intersections within New Town. In summary of that study, the impacts associated with the rezoning are well within the safe operating limits of the surrounding roadway network and do not propose any undue time increases for turning motions that would result in failing turning motions.

X. FISCAL IMPACT STUDY

County Staff performed a fiscal impact analysis of the project for a 25-year period using the County's proprietary software program and County generated standard assessed values based on average data for the applicable fiscal analysis zone within the County that estimated total revenues of $25,599,435 which is a combination of General Fund Revenues and Schools Revenues ($19,625,120 + $5,974,314).

Total projected expenditures were calculated by James City County were unchanged at $21,452,720 which is a combination of Operating Expenditures ($5,108,276), Schools Operating Expenditures ($13,709,221), and Capital Expenditures ($2,635,223).

County Staff also performed a fiscal impact analysis of the Project using the projected assessed values provided by the Applicant (note this analysis excludes units being provided at below market rates). The Applicant believes these projected assessed values are more realistic than those used by the County. This analysis estimated total revenues of $33,020,242 which is a combination of General Fund Revenues and Schools Revenues ($27,045,928 & $5,974,314).

Total projected expenditures were calculated by James City County were unchanged at $18,817,497 which is a combination of Operating Expenditures ($5,108,276), Schools Operating Expenditures ($13,709,221), and Capital Expenditures ($2,635,223).

A simple subtraction of revenues minus expenditures equates to a positive net fiscal impact of $11,567,522.

XI. CONCLUSIONS

In summary, the Community Impact Statement for the rezoning and subsequent development of *Westwood Park* highlights the following conclusions and public benefits:

- This project will provide a significant financial benefit to James City County; with a net positive contribution of approximately $166k per year based upon County Base Pricing and $463k per year using Applicant projected unit pricing. [confirmed by JCC analysis]
- The rezoning is consistent with the surrounding land uses designated on the current Comprehensive Plan for this area. Further, the proposed residential development is less dense than the adjacent neighborhoods.
- Density has been reduced from previous applications to directly address impervious cover within the watershed.
- The project provides enhanced buffers and provides reduced impacts from the adjoining developments.
- There is adequate capacity in the system of roads serving this project.
- Adequate public services (water and sewer, fire) and utility services (gas, electricity, cable television, and telephone) are available for development.
- A detailed Stormwater Master Plan will be filed and reviewed prior to initiating the construction plans for this project.
- Additionally a proffer addressing the Powhatan Creek has been provided to address existing degradation within the stream reaches surrounding the project.

Design Guidelines for Westwood Park

Discovery Park Boulevard
James City County, Virginia

Draft: January 12, 2026

prepared by

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Table of Contents

List of Figures 2
INTRODUCTION and DEFINITIONS 3
Definitions 4
East Parcel 4
West Parcel 6
GENERAL STREET DESIGN, BUILDING PLACEMENT AND PEDESTRIAN CONNECTIONS 7
Pedestrian Circulation 7
General Building Placement and Massing 8
West Parcel Single Family Structures 9
East Parcel Townhomes 11
East Parcel Multifamily Structures 14
East Parcel: Commercial 16
VISUAL CHARACTER 17
Edge Definition and Screening 17
Scale and Articulation 17
Generally 17
Single Family Dwellings 18
Townhomes 18
Apartments 18
Commercial and Mixed-use Buildings 18
Amenities 19
Roofs and Parapets 19
Generally 19
Commercial, Apartments and Mixed-use Buildings 19
Windows and Doors 20
Generally 20
Commercial buildings 20
Residential Buildings (single-family homes, townhomes and apartments) 20
Frontage and Façade Treatments 20
Generally 20
Commercial buildings and Apartments 21

Single-family Residential and Townhomes 22
Townhomes 22
Exterior Materials 22
Wall Cladding 22
Roofing 23
Other Building Elements: 23
Roof Forms 23
Fenestration 23
Color and Material Palettes 25
LANDSCAPE AND OPEN SPACE STANDARDS 26
Landscape, Hardscape and Planting 26
Streets 27
Parking Areas 27
Neighborhood, urban and pocket parks 27
SITE LIGHTING 29
SIGNAGE 30

List of Figures

Figure 1 East Parcel: mixed uses of commercial and multifamily residential 3
Figure 2 East Parcel: mixed uses of commercial and multifamily residential 5
Figure 3: West Parcel: single family residential 6
Figure 4: Example Design Concept for commercial building massing and organization 8
Figure 5: Example of single family sites and streetscape development 9
Figure 6: Examples of acceptable single- family lot/house configurations 10
Figure 7: Conceptual Design for acceptable single family homes 11
Figure 9: Conceptual Elevation of Townhomes showing acceptable facade development 11
Figure 8: Townhomes oriented to Promenades 12
Figure 10: Front-loaded Townhomes (oriented to a Stree) 13
Figure 11: Example of multifamily building bordering car court 14
Figure 12: Apartment building site considerations 14
Figure 13: Conceptual Design Elevations: apartment facades 15
Figure 14: Conceptual Design Elevations: commercial/mixed-use facades 15
Figure 15: Commercial buildings in foreground with multi-family apartments beyond 16
Figure 16: Example of amenities architecture in keeping with character of development 19
Figure 17: Example of acceptable signage and site lighting 30

INTRODUCTION and DEFINITIONS

Westwood Village is a proposed development, adjacent to the New Town development, which will anchor Discovery Park Boulevard. Westwood Village is located on an 81 acre parcel being purchased from The Commonwealth of Virginia as vacant surplus property of Eastern State Hospital by ABVA Development, LP who proposes to create a development consisting of a mix of residential single-family, multi-family, and neighborhood commercial/office uses.

Although not a part of New Town, the developer proposes to develop the property with the enforcement of design guidelines which will maintain a consistency of fundamental principles undergirding New Town itself. To that end, these guidelines borrow heavily from design guidelines which were proposed, approved and adopted for Sections 7 and 8 in New Town as well as guidelines from the commercial sections of New Town, Sections 5 and 6. At the same time, these guidelines will not duplicate the existing housing and land planning patterns, in an effort to make the offerings in the vicinity of New Town more diverse.

Figure 1 East Parcel: mixed uses of commercial and multifamily residential

The proposed development is best understood as two complementary parcels: the East Parcel, which strictly single-family lots, and the West Parcel, which is more urban in character.

Definitions

We wish to note that the terminology used in these guidelines is intended to be consistent with the James City County Zoning Ordinance. In particular, the meanings of the following terms shall be as follows:

Single-family detached dwelling: A detached structure arranged or designed to be occupied by one family, the structure having only one dwelling unit.

Multi-family dwellings: A building or structure including, but not limited to, townhouses, duplexes, and triplexes that are arranged or designed to be occupied by more than one family living in separate dwelling units with separate cooking, toilet facilities, and entrances.

Apartments: A building or structure arranged or designed to be occupied by three or more families living in separate dwelling units but sharing the entrance to the building.

Other terms that are or may be used within this document, or in discussions of its application for evaluation of designs, are listed below. *(Please note, some terms may not be consistent with definitions used in the Virginia Construction Code.)*:

Commercial Structures: buildings that are primarily used for Assembly, Retail, Office or Restaurant.

Multifamily Structures: buildings that are composed of attached dwelling units. These structures can take the form of "Multi-family dwellings" or "Apartments" as defined by the zoning ordinance.

Flats: "Apartments", as defined by the zoning ordinance.

Townhomes: dwelling units which are organized horizontally such that each dwelling reads as a separate unit with a separate main entrance for each unit, including "Multi-family dwellings" as defined by the zoning ordinance.

Multiuse Structures: buildings which contain more than one use, typically apartments over commercial functions.

East Parcel

Discovery Park Boulevard will be extended into the development and will terminate in an intersection designed as a point of transition to those traveling by car, bike or foot. The intersection shall be designed to "calm" traffic, and create a sense of arrival into Westwood Park.

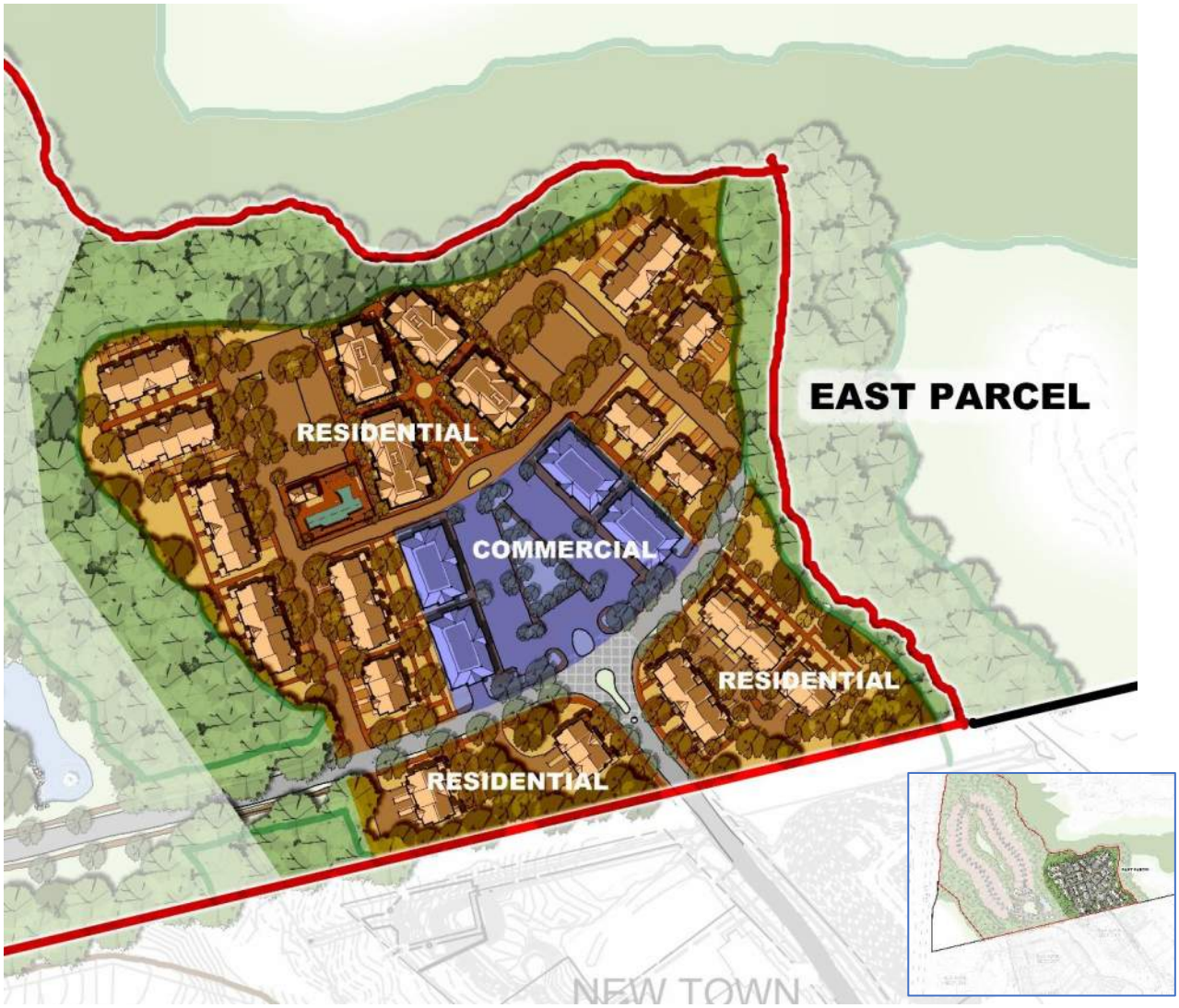


Figure 2 East Parcel: mixed uses of commercial and multifamily residential

The two quadrants of that intersection which border New Town are reserved for multi-family residential development. Beyond the intersection is a parcel of land surrounded on three sides by wetlands, which is to be developed as mixed-use, with multi-family housing that is urban in character and may include townhomes, multi-story apartments, or low-rise apartments. The building forms are to be arranged about a network of streets and parking lots to reinforce a sense of a walk-able village-like community. Interwoven with the multi-family buildings will be up to 40,000 square feet of commercial space disbursed among multiple buildings of similar scale and character as the residential buildings. The commercial structures may also be mixed-use, with apartments on upper floors. Structured parking is encouraged but not required.

West Parcel

To the west of this parcel, a spine road will extend to an adjacent parcel of land which itself is bounded by New Town to the south, Route 199 to the west, and wetlands to the north and east. This neighborhood will be developed with individual single-family homes on individual lots, each facing onto the spine road. These lots are to be somewhat larger than those in the adjacent Charlotte Park in New Town and an enlarged landscape buffer between the two is proposed. Here forward we will refer to this area as the "west parcel".

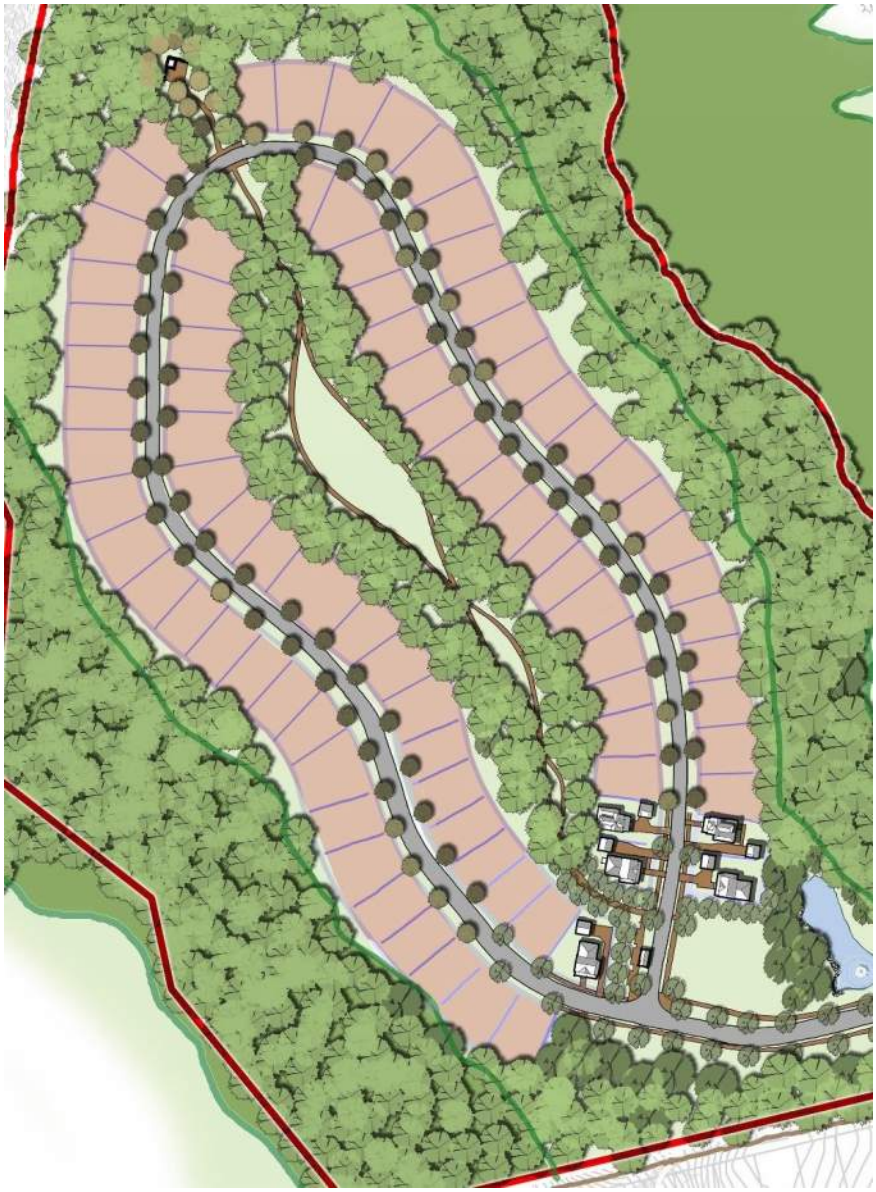


Figure 3: West Parcel: single family residential

GENERAL STREET DESIGN, BUILDING PLACEMENT AND PEDESTRIAN CONNECTIONS

Street design and walking trails are constrained by wetlands and grades. However, the intention of these guidelines is to provide an appropriate terminus to Discovery Park Boulevard and transition to street patterns appropriate for residential neighborhoods. Therefore, the following applies to both the east and west parcels and both residential and commercial uses.

Arrival by automobile is to be organized by an intersection designed to calm traffic. Arrival by bicycle and by foot will also be anticipated and promoted. Natural connectivity with adjacent pedestrian ways is to be a part of the landscape/hardscape plan. As well, a bike rack is to be included at commercial locations and amenities, convenient to appropriate services and within 50' of the main entrance of each building. Bicycle racks should be an ornamental design that will support the bicycle in two places, is durable and securely anchored. Paths should be provided to and from bicycle storage to ensure safe travel throughout the site.

Pedestrian Circulation

Pedestrian circulation is to be emphasized. Following are specific concepts and measures which shall be drawn from in the specific site design:

Curb design should accommodate pedestrian safety and reduce pedestrian conflicts with vehicles. Where sidewalks cross a drive lane, a demarcated and ADA accessible crosswalk shall be provided.

Pedestrian circulation routes shall be physically separated from the flow of vehicular traffic. Protection from weather elements is also encouraged. Methods and techniques include:

- Arcades, porticos, or other shade structures;
- Pedestrian light features;
- Curbs or curbing;
- Bollards;
- Seat walls or benches;
- Drinking water fountains; or
- Landscape planters.

Pedestrian walkways shall be a minimum width of five feet and connect:

- Entrances to each building on the site, including outparcel buildings;
- Between buildings on site and form buildings to the main pedestrian ways.
- Sidewalks located on the perimeter of the site.

When located within a parking area or vehicle right of way, clearly demarcate pedestrian walkways and crosswalks. Methods and techniques include:

- Changing paving material, patterns, or color;
- Changing paving height;
- Decorative bollards;
- Raised median walkways with landscaped buffers; or

- Stamped asphalt.

General Building Placement and Massing

Fundamentally, building masses are to be broken down into smaller, pedestrian scaled elements. Architectural elements, businesses and services with street activities such as sidewalk-dining and balcony overlooks are strongly encouraged. There should be a mix of sloped roof elements and/or parapet-roofed facades. Buildings are to have a predominantly 1-1/2 to 3-1/2 story expression.

The sense of scale of proposed commercial buildings shall be in keeping with existing adjacent developments. The total square footage of commercial buildings will be limited to 40,000 sf (gross), comprised in two or more separate buildings. Large floor plates (exceeding 10,000 sf) are generally not preferred, but if such a use is offered requiring a larger floor plate, building masses are to be visually broken down into smaller elements to give the appearance of an assembly of multiple smaller buildings.

Figure 4: Example Design Concept for commercial building massing and organization

Front building façades of more than 50 feet in length shall be articulated into a series of evenly-spaced storefronts to increase visual interest and pedestrian orientation. Incorporate two or more of the following design elements on each façade visible from a street:

- Changes in wall plane (such as projections or recesses) with an offset or depth of at least one foot, a width of at least ten feet, located a minimum of every 25 feet;
- Distinct changes in texture and color of wall surfaces;
- Variations in roof form and parapet heights;

- Vertical accents or focal points; or
- Features such as arcades, display windows, entry areas, or awnings.
- Step-back upper floors to reduce visual impact at the pedestrian scale, also permitting balconies in the step-back.
- Whenever possible, develop with smaller lot increments not to exceed one hundred feet in width.

Building massing shall prioritize human scale. Building massing shall not detract from the pedestrian experience, but rather enhance it. Visual rhythm of massing shall relate as closely as possible to existing massing, creating similar visual masses throughout the block. This rhythm and articulation across the massing helps relate to both the people that use the buildings and the other adjacent buildings.

Building Entrances: each building shall have at least one primary entrance onto a main street. Entrances shall be visibly prominent and shall include features such as changes in building materials or color, projection or recesses of at least 5 feet, outdoor spaces, canopies, porticos, archways, etc..

Building materials for walls shall promote visual interest. Large, monolithic structures with a single material should be avoided. Building walls shall prioritize the use of brick, wood, stucco, and glazing.

West Parcel Single Family Structures

The west parcel is intended to provide, in the terminology of New Urbanism, a suburban zone of the "Urban-Rural Transect". As such, the street pattern is less geometric and responds to the natural contours of the site. The homes are to face onto a single spine road which loops around onto itself. The street is to be edged with a sidewalk on both sides to promote pedestrian activity along it. Simultaneously, an informal walking trail is to traverse the site through common green spaces, connect to a passive park to create a symbolic entrance to the neighborhood, and then connect to the sidewalk system extending into the east parcel.

Figure 5: Example of single family sites and streetscape development

Homes along the spine road should be planned to reinforce the integrity of the street. To do so, they are required to accomplish the following:

- Engage a build-to line of 15'-0" from edge of right-of-way to the face of a structure. Structure may be the house façade, porch façade, face of freestanding garage or office, formal fencing, or some combination.
- Stoops and steps may encroach into the space between the build-to line and front property line by no more than 10'-0". Stoops may be covered with a roof element, if the roof element is substantially subordinate to the main façade of the house.

- Where fencing alone is utilized at the build-to line, fencing design must be substantial and turn back along side lot lines. Fencing alone, as the build-to line engagement, is not to be allowed for multiple contiguous lots.
- Side setbacks and rear setbacks are generally 5'-0" minimum. Reductions to not less than 3'-0" may be allowed on a case-by-case basis, if justified by unusual lot shape or grade.
- Garages shall comply with a 5'-0" side setback and are to be one of the following types:

    - Front/courtyard loading type
    - located to the rear of the rear façade of principle structure of the house, either attached or free-standing*
    - Located under the principle structure of the house (and accessed from the side or rear).

- Garage doors may not face the street unless the garage is detached and behind the rear façade of the principle structure of the house. Exceptions, due to specific site constraints, will be considered on a case-by-case basis.

At right are examples of possible siting configurations to be regarded as illustrative only. Other configurations are possible and acceptable where complying with the guidelines above:

A. House with rear-loading garage below, retaining wall small covered stoop forward of the build-to line, and well screened side patio.

B. House with recessed front porch, freestanding garage to rear of property.

C. House with substantial front porch (complying with build-to line) and rear-courtyard loading garage.

D. House with front courtyard loading garage and rear deck.

Figure 6: Examples of acceptable single- family lot/house configurations

Figure 7: Conceptual Design for acceptable single family homes

East Parcel Townhomes

This parcel is to be developed in the spirit of a “General Urban” edge zone, where street layout is geometric in character, while still responding to the unique grade and wetland challenges. Streets should read as streets - with or without parallel parking - and parking areas should read as alleys or courtyards – separated from the streets and not conducive to through-traffic..

The residential development along the roads and parking lots shall likewise be sited to reinforce the integrity of streets, courtyards and promenades. Streets are to include on-street parallel parking where possible and appropriate and sidewalks on both sides.

Figure 8: Conceptual Elevation of Townhomes showing acceptable facade development

Alley-loaded Townhomes

Alleyways should be utilized as the preferred means of access to garages and parking areas.

The use of rear alleys and front porches facing onto a pedestrian plaza, courtyard or “promenade” are required for at least 75% of the total number of units..

Along the front façade, variation is required. This includes a clearly discernable “bay rhythm” (e.g. ‘ABA’, ‘ABBA’, ‘BAAB’, ‘ABCBA’), and a balanced mix of external wall materials (simple color changes do not suffice). Design features that differentiate the individual dwelling units are also required. Examples of such design features include: offsets and (min.) 16” step backs in facades and rooflines, entry door/porch variation, variation in roof forms and pitch, etc..

Front-loaded Townhomes

Although not represented in the conceptual design developed for these guidelines, front loaded (ie units with a garage on the front façade) are permitted. These twnhomes shall be a minimum of 20’ to 24’ wide. No less than 3 units and no more than 6 units shall be attached in a row of townhomes. Along the front façade, variation is required. This includes a clearly discernable “bay rhythm” (e.g. ‘ABA’, ‘ABBA’, ‘BAAB’, ‘ABCBA’), and a balanced mix of external wall materials (simple color changes do not suffice). Design features that differentiate the individual dwelling units are also required. Examples of such design features include: offsets and

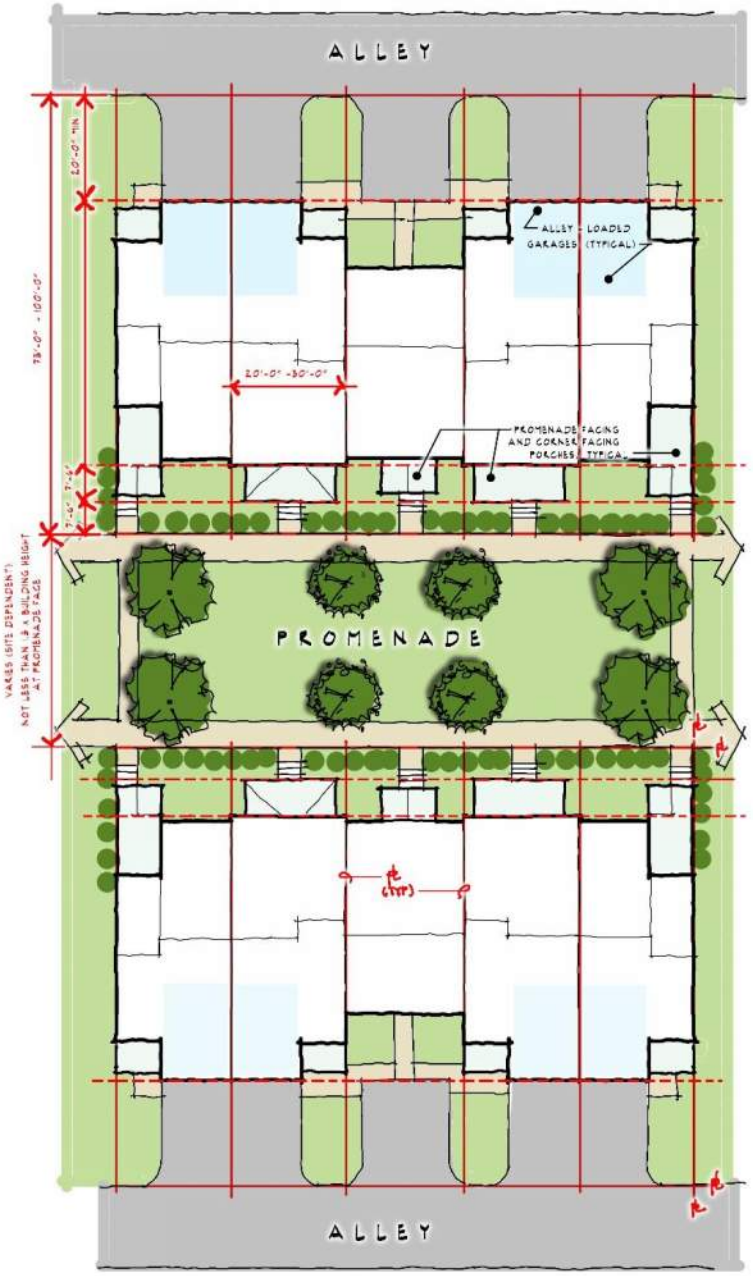


Figure 9: Townhomes oriented to Promenades

(min.) 16” step backs in facades and rooflines, entry door/porch variation, variation in roof forms and pitch, etc

Garages shall not be located side-by-side unless doors are kept to a maximum of 9’ width with a minimum of 24” between them. No more than two doors in a row shall appear in a single wall plane.

Where the townhome faces a street (as opposed to an alley), the garage driveway is to be 20’ clear beyond the sidewalk, to allow for off-street parking that does not conflict with pedestrian ways. In such cases, parallel spaces on-street are not required.

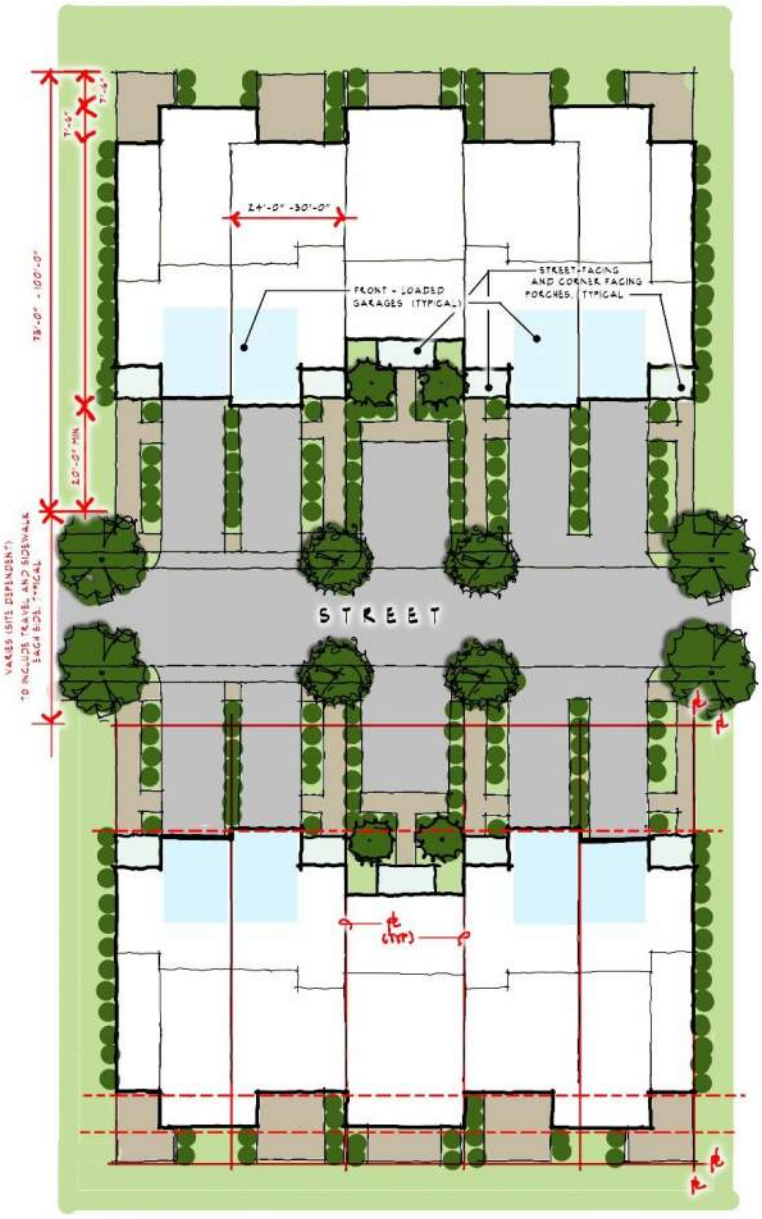


Figure 10: Front-loaded Townhomes (oriented to a Stree)

East Parcel Multifamily Structures

Parking for multifamily structures may be located on street, in parking lots or in parking structures. Parking lots shall be designed to appear as formal public spaces where pedestrian areas are identified by changing paving patterns and raised cross walks. Parking spaces against the residential buildings are discouraged. Large parking lots are to be avoided, and small parking lots separated by landscaping is encouraged. Parking structures shall be architecturally designed and arranged to be consistent with the design standards for multifamily structures.

Multifamily residential structures should be designed to reinforce shared outdoor spaces in each unit. Units should include private and shared outdoor spaces, such as balconies and porches, that promote observation of shared spaces, yet provide privacy by way of landscape buffers and vertical elevation.

Figure 11: Example of multifamily building bordering car court

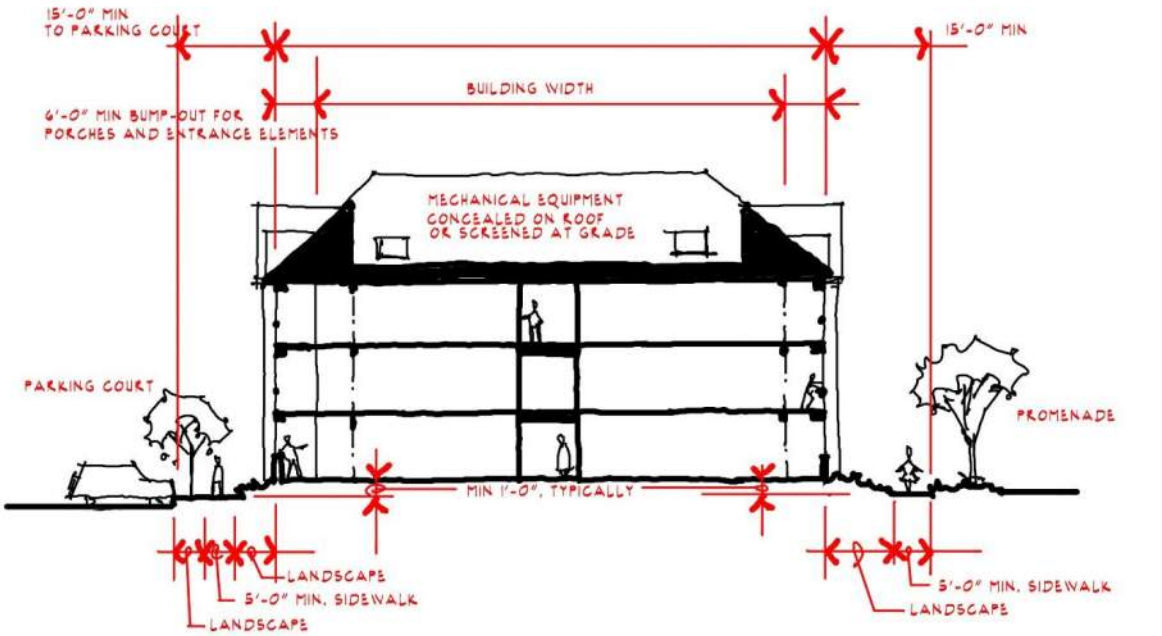


Figure 12: Apartment building site considerations

Figure 13: Conceptual Design Elevations: apartment facades

Figure 144: Conceptual Design Elevations: commercial/mixed-use facades

East Parcel: Commercial

Commercial buildings are to be interwoven with the multifamily buildings and are to be developed consistent with the other commercial properties in mixed use sections of New Town. As such, we wish to propose those buildings be developed consistent with the spirit of the existing design guidelines for those sections of New Town, with the following emphasis:

- The terrain may be steep where these buildings are sited. Use of the terrain for parking below the buildings is encouraged to preserve greenspace.
- The commercial buildings should be clustered to create a commercial district, with logical and walkable connections to the multifamily buildings.
- Mixed Use buildings, where multifamily is planned above commercial on the lower level(s), is not prohibited but not required. The scale of the development and conceptual plan anticipates the more likely scenario of mixed uses horizontally.

Figure 155: Commercial buildings in foreground with multi-family apartments beyond

VISUAL CHARACTER

Both parcels are to be developed with architecture which extends the urban fabric of New Town. To that end, the following requirements are to be incorporated. Please note that unless noted as “special requirements” or “exceptions”, these provisions apply to all portions of the project and building types.

Edge Definition and Screening

Fences, walls and hedges are to be used to define street edges and parking areas or to conceal utilities and mechanical equipment.

Fences and walls should be architecturally consistent with the buildings they serve. Walls should be of stucco concrete block or brick. Fences are to be made of wood pickets, wrought iron, vinyl, pvc or painted metal. Chain link fencing is not permitted. Landscaping may be used in conjunction with fences and walls to better define edges or screen views. Landscaping alone may be deemed acceptable where retained buffers provide natural screening.

Use of fences, walls and landscape along property lines is encouraged. Fences and walls are to be a maximum height of 6’-0”, except those located along public rights-of-way, along a shared public way, or forward of the “front” or main body of a structure, which are to be a maximum of 42” in height. Where fences or walls intersect, they should be consistent in height.

Ground mounted mechanical equipment, solid waste collection, recycling collection, and loading spaces shall be located in an area that minimizes the view of such areas from adjacent buildings and roadways and shall be screened with walls or opaque fences combined with plantings.

All roof mounted mechanical equipment is to be screened from public view.

Dumpsters are to be screened by a fully enclosing wall and/or opaque fencing. Trash cans shall be screened by a fence or wall of adequate height to conceal from them from view from the street or public pedestrian way.

Scale and Articulation

Generally

Buildings with large volumes should be designed to appear smaller through the articulation of the overall massing as a collection of smaller elements. The use of architectural elements such as bays, balconies, porches, loggias and arcades add interest to building facades and aid in relating the proportions of any building to the human form (ie makes the scale more humane). Roofs may be articulated through use of dormers, lanterns, monitors, widow’s walks, cupolas and other like elements. Roof elements should be designed to transmit light to the attic story, vent air, or be openings to habitable spaces. The appearance of false stories with faux windows should be avoided. However, bricked-in openings, closed operable shutters and other devices to articulate an otherwise bland façade are acceptable devices.

The building designs will make use of architectural elements which add interest to building facades and aid in relating the scale of any building to human dimensions, such as canopies, columns, pilasters and reveals. Roofs may be articulated through the use of varying parapet heights, mansard roofs, and/or other building forms. Such devices are intended to add character and interest to the buildings of the development which, in turn, will reinforce the site character envisioned by these guidelines.

All buildings should conform to the nature of the streets and/or open spaces which they front. Variations in the building facades are required to express multi-tenant occupancies. Each building shall be designed to look attractive from all "public" sides – i.e. facades visible from Discovery Park Blvd or the Spine Road or public pedestrian ways. Building facades not exposed to public view shall nevertheless be articulated by architectural relief, material changes and landscape screening.

With these general requirements in mind, there are special requirements for the various building types anticipated:

Single Family Dwellings

Single Family Dwellings may range from 1-1/2 stories to 3-1/2 stories and should utilize simple geometric shapes in plan and elevation. The overall massing of the house should be a collection of simple volumes All houses should have pitched roofs except at porches and bays where a shallow pitch is acceptable. Minimum roof slope for the main body of the house is 6:12.

Townhomes

Townhomes may range from 2 to 3-1/2 stories and should be individually expressed through window patterns, roof massing, porch expression or placement relative to the front build-to line. Townhomes may be constructed as duplexes and, when so designed, shall have a secondary entrance to the lower dwelling unit from the exterior which is formally expressed.

Apartments

Apartment Buildings may be 2 to 3 stories in height, plus a walk-out basement level on no more than 50% of the perimeter of the foundation if finish grades allow. They should be articulated through use of multi-story porches, covered balconies or multi-story recesses or bays to articulate end bays, wings, or entrance elements. Each unit must have direct access to the exterior (e.g. a porch or balcony). Apartments may also occur on the upper floors of a mixed-use (commercial on the lower floors) building, but should always appear "residential" in character, as communicated through the scale of fenestration and use of roof forms.

Commercial and Mixed-use Buildings

These buildings may be 2 to 3 stories and should differentiate themselves from residential buildings, through the use of a grander sense of scale, window treatments, arcades, canopies, etc.. which are common elements in retail and office design. Nevertheless, the overall scale of the commercial buildings should live comfortably within the development of residential structures. For additional guidance, the designer may wish to review the New Town Design Guidelines of Sections 5 and 6 (Discovery Park Boulevard) and/or the completed buildings for compatible commercial buildings' scale and articulation.

Amenities

Buildings and structures associated with amenities (e.g. Bathhouse at Pool) which are to be shared by residents of the west and east parcels shall be designed with an architectural and hardscape character that blends those of both parcels such that the amenities read as a community asset belonging to all.

Figure 166: Example of amenities architecture in keeping with character of development

For all buildings it must be noted that the change in natural grade on these sites is a particular challenge.. and an opportunity. Design review will provide flexibility for design solutions which are environmentally sensitive.

Roofs and Parapets

Generally

Roof forms shall be evocative of a traditional small-town commercial quality and convey the use (commercial versus apartments versus townhouse and single-family residential) that they shelter.

Sloped roofs can be gabled, hipped, hipped gables, gabled hips or gambrel in a symmetrical fashion. Generally, the minimum roof slope of a 1 or 1-1/2-story building should be 9:12 and a 2-story or greater shall be 6:12. Secondary sloped roofs which are a shed type shall have a minimum slope of 2:12. Secondary roofs which are a gabled type shall have a minimum slope of 9:12 or 6:12 if “Classical” or “Federal” in character. Deviations from these minimums will be considered on a case-by-case basis.

- Exception: Buildings which have long front-to-back dimensions may deviate from the minimum roof slope, if complying would create a disproportionate amount of roof. In such cases, designer may utilize a “Bastard Hip” with a shallow front-to-back slope if coupled with steep side-to-side hips and intersecting gables, creating the illusion of a steeper pitches throughout.

Commercial, Apartments and Mixed-use Buildings

- Buildings with parapets are acceptable, but must be broken up to appear as an assembly of smaller buildings. Utilizing some pitched-roof elements to relate to the scale and quality of the residential district are encouraged.

- Articulations in the roof form should follow the form of the façade, breaking roof spans over 50 feet in length into a series of roofs with variations in shape, size, and height to create visual interest and better integrate with surrounding building masses.

- Flat roofs are to have horizontal parapets. Roofing shall be designed to drain efficiently without water pooling on the surface of the roof. Parapets shall be used to create cohesion between masses.

- Building materials for roofs shall match context. Buildings with fat roofs shall prioritize the use of reflective colored roofing materials to help reduce the heat absorbed into the buildings from the roof. These include light colored roofing membranes such as PVC, EPDM or TPO. Building with pitched roofs shall prioritize the use of asphalt or slate, both of which exemplify the traditional and historic character of the massing.

- Special roof-top elements shall be symmetrically situated or aligned with the rhythm of structural bays and fenestration. Roof-top mechanical enclosures must be concealed from view by sloped roofs or parapets.

Windows and Doors

Generally

Windows and doors shall help dictate the organization of masses, articulating entries, pedestrian pathways, and other massing features. Provide fenestration that conveys the use (commercial versus residential) by the use of appropriate scale and detail.

Commercial buildings

- Retail Windows shall have storefront elements that break up glazing into panes of no more than 16 square feet or otherwise articulate the surface with other architectural devices.
- Office Windows shall be rectangular with a minimum proportion of 1.5 vertical to 1 horizontal.
- Bay windows may be rectangular or chamfered.
- Doors shall be rectangular with rectangular transoms, if used. Glazing within doors shall be consistent with window glazing.

Residential Buildings (single-family homes, townhomes and apartments)

- The front façade of buildings should include windows oriented to the street. Ground floor windows should be minimum 48 inches tall.
- Windows shall be rectangular (except where arched or ocular are appropriate to the architecture) with a minimum proportion of 1.5 vertical to 1 horizontal, proportions of 2:1 per window are preferred.
- Picture windows and projecting bay windows are also suitable and may have wider proportions.
- Dormers can be pitched or eyebrow. Use dormers to break-up large roof masses and to provide additional animation of façades in the vicinity of entrances, and to bring light and ventilation to living spaces.
- Bay windows are suitable and may be rectangular or chamfered.
- Doors shall be rectangular. Transoms shall be rectangular (or arched if appropriate to the architecture), if used. Glazing within doors shall be consistent with window glazing.
- Garage doors shall be 16 feet maximum in width, articulated to appear as multiple doors where possible.

Frontage and Façade Treatments

Generally

Building facades and frontage should have an appropriate scale and treatment in accordance with their use (e.g. residential vs. retail, public vs. private, etc..). Following are requirements and guidance based upon different categories of building use anticipated:

Commercial buildings and Apartments

- Frontage conditions shall prioritize a pedestrian scale on the ground floor. Front façades and entrances shall be scaled appropriately for pedestrian use. If the height or width of a front façade is too large, the façade shall be broken up into smaller façades, which can relate much better to pedestrians who use them. Provide one or more of the following elements at the primary facade:

    - Plaza;
    - Placement of primary pedestrian entry;
    - Distinctive roof form; or
    - Other architectural features.

- The building façade containing the primary entrance is considered as the primary façade and shall face a public street, parking lot or courtyard. Public entrances shall feature no less than three of the following:

    - Canopies or porticos;
    - Overhangs;
    - Recesses/projections;
    - Arcades;
    - Raised corniced parapets over the door;
    - Peaked roof forms;
    - Arches;
    - Outdoor patios;
    - Display windows;

- Architectural detail such as tile work and moldings integrated into the building structure and design; or
- Integral planters that incorporate landscaped areas and places for siting.

- The front façade of buildings shall have high fenestration. Include glazing for at least 40 percent of the ground floor façade area between 2 feet above grade to 8 feet above grade towards the street that the front façade faces.

- All street-level widows shall be visually permeable between a height of three feet and eight feet above the walkway grade. Reflective or tinted glass that obstructs views into the building should not be used on 1st floor building façades adjacent to sidewalks.

- The use of porches, balconies, bays, loggias, arcades, chimneys, cupolas, dormers, and operable windows are encouraged as devices that help reduce the scale of buildings, making them more approachable and village-like.

- Mechanical units and building utilities, such as electrical meters and panels, are to be located so as not to detract from the architecture and are to be screened. Roof-top equipment should be architecturally screened and not visible from major roads, Generally, screens should be constructed of permanent materials that relate to the building architecture, such as stone and stucco. Where located against the property buffers, or otherwise not plainly visible from adjacent

streets, utilities and mechanical units may be screened with landscaping alone. Drainage from building roofs should be channeled underground to the storm water system unless "spilling at grade" can be engineered without compromising landscaping or pedestrian areas.

Single-family Residential and Townhomes

- The entrance must face a public street and be accessed via a porch or stoop.
- Corner lots should prioritize the frontage on the more primary or public street.
- Provide one or more of the following elements:
    - Placement of primary pedestrian entry;
    - Distinctive roof form; or
    - Other architectural features (e.g. porches, canopies).
- Porches must be a minimum of 8 feet deep and 12 feet wide except where serving only to cover a stoop. Single story porches are preferred.
- Stoops must be a minimum 5 feet deep and 6 feet wide.
- More ornate door styles are recommended with stoops to clearly indicate the entrance. A door with transom, tall molding or gabled profle are recommended styles.
- Any monolithic or stark appearance resulting from building design and materials is prohibited.
- Building design, rooflines, and materials should be used to add detail and relief from large blank walls. Blank lengths of wall exceeding 15 linear feet are prohibited on all front façades and side façades on a corner lot.
- Fenestration shall comprise at least 25%, but not more than 70% of all façades.

Townhomes

- In addition to the above, variation along the front façade of the entire building is required. This includes a clearly discernable “bay rhythm” (e.g. ‘ABA’, ‘ABBA’, ‘BAAB’, ‘ABCBA’), and a balanced mix of external wall materials (simple color changes do not suffice). Design features that differentiate the individual dwelling units are also required. Examples of such design features include: offsets and (min.) 16” step backs in facades and rooflines, entry door/porch variation, variation in roof forms and pitch, etc..

Exterior Materials

Following are general requirements of all building forms, independent of use.

Wall Cladding

- Building walls: brick, stucco, hardie-plank, clad wood, wood shingle, wood clapboard, wood board and batten, fiber cement siding are acceptable. Limited use of Vinyl may be approved on a case-by-case basis.
- Exposed foundation walls: Brick, stone, brick veneer, stucco over concrete/concrete block are acceptable.
- Material transitions should occur appropriately so as not to allow masonry to appear “paper thin” by terminating at an outside corner. Where possible, masonry should terminate at an inside corner. Where masonry terminates at an outside corner of a façade, the façade must be a gable and framed with a substantial corner board (as a customary masonry end-wall in local vernacular colonial architecture).

- Thin-stone or cultured stone veneer is also acceptable if corner units are utilized to wrap the corners to give the appearance of a depth of 4 inches or more.
- Each façade shall have a balance of two or three siding materials. One material, such as lapped weatherboard shall be primary to establish consistency while the others are secondary and utilized to provide interest and variation.

Roofing

- Roofs may be wood shingles, galvanized or painted metal seamed roof, copper, lead-coated copper, slate, synthetic slate or 30# fiberglass asphaltic shingles.
- Gutters and downspouts: galvanized or painted aluminum, painted or zinc coated steel, or copper.

Other Building Elements:

- Chimneys: brick, brick veneer, stucco.
- Arcades and colonnades: brick, stucco, wood, polystone, fiberglass
- Porches/Columns: painted wood, painted metal, polystone, fiberglass
- Posts, spindles, balusters: painted wood, painted metal, polystone, fiberglass
- Stoops and exterior stairs: brick, concrete or wood where adequately detailed to provide non-utilitarian appeal.
- Decks: wood, composite lumber or high-quality synthetic decking. Shiny plastic decking is not acceptable.
- Awnings and Canopies: canvass covered metal framing only.
- Signs: Wood, painted metal, hard foam, or as otherwise allowed by James City County ordinances.

Roof Forms

All buildings should have a varied character of traditionally shaped roofs:

- Principal Roofs: Gabled, hipped, hipped gables, clipped hips, gambrel roof in symmetrical fashion with a slope of 6:12 to 16:12. 10:12 to 12:12 pitch is appropriate for Colonial roof forms whereas 6:12 to 12:12 is more appropriate for Georgian structures. Parapeted, low slope roofs may be deemed acceptable if properly detailed to provide architectural character and interest.
- Secondary Roofs: Shed with minimum 2:12 slope or low-slope with parapet or balustrade.
- Flat roofs: Where allowed for above or as required for mechanical equipment, should be concealed by false mansard or other building element.
- Dormers: shed, gabled, eyebrow, etc.. as appropriate to complement the architecture of the building on which they reside.
- Narrow/Deep Lots: Where a building form may be limited in width, a shallower roof pitch for the primary roof form may be acceptable if hipped or intersected with cross gables of a steep pitch, giving the illusion of a steeper slope for the entire structure.

Fenestration

Generally

All buildings should have fenestration treatment that convey a sense of authenticity and attention to proportion, scale and detail. Except for necessary “back of house” functions, which are to be screened, all facades should be treated as “public facades”. Side and rear facades, which may properly have less detail than the front façade, shall nevertheless be designed with a similar attention to proportion, scale and cladding material quality.

Residential Buildings

Generally, the following apply to all residential buildings (multi-family, apartments, and residential portions of mixed-use buildings):

- Windows may be metal, wood, wood clad with metal or vinyl, or fiberglass.
- Bay windows: wood or metal with metal roofing.
- Shutters: wood, fiberglass resin or cellular pvc; shutters should be equipped with shutter hardware and be operable or give the appearance of being operable.
- Doors: wood, metal, or glass; utility doors should be metal or fiberglass.
- Windows shall appear as “punched openings” in façades. The horizontal dimension of the opening may not exceed the vertical dimension.
- Windows may be ganged horizontally if each grouping (maximum five per group) is separated by a mullion, column, pier or wall section that is at least seven inches wide.
- Windows may be no closer than 30 inches to building corners (excluding bay windows).
- Rectangular and ocular windows: a vertical orientation (ie width less than or equal to height).
- Rectangular window grilles: a vertical orientation (ie width of lites less than or equal to height).
- Garage doors: 9’-0” width maximum or articulated to appear as multiple doors.
- Shutters: operable or equipped with hardware to appear operable, sized to fully cover and only cover the fenestration opening.

Commercial Buildings

In addition to the above, the following apply to all commercial and apartment buildings:

- Residential portions of multi-story buildings should comply with the above section “Residential Buildings”.
- When occupying floors above the ground level, office and retail functions should comply with the above section “Residential Buildings”, or be designed so as to complement adjacent apartment structures.
- Storefront window mullions should not exceed 48" in the horizontal dimension or should be mullion-less “all glass” window systems.
- Where clear windows are not useful to the function with portions of buildings, a false window (with “spandrel glass”, for example), closed shutters, or masonry recesses may be utilized to add interest to a façade’s fenestration.
- Ground story fenestration shall comprise 40% to 90% of the surface area on public facing walls of retail buildings. Upper stories and other uses shall have fenestration comprising 20% to 70% of the surface area of public facing walls.
- For storefront windows, a minimum of 80% of the window surface shall allow a view into the building for a depth of at least 15 feet.

Color and Material Palettes

Generally, the use of different materials and colors should be done with the intent of creating a balanced façade in the context of a streetscape with adequate variation to stir visual interest, but adequate consistency to convey a strong sense of order. For all buildings, there should be no more than three different materials for exterior cladding and no more than two different colors for painted surfaces. More than those maximums will only be considered on a case-by-case basis and only with a strong rationale from the designer.

Single Family Residential

It is anticipated that the West Parcel may be developed by a single builder or multiple builders (as opposed to a lot-by-lot basis). Whether one or several builder/developers, a limited set of optional colors and materials, complying with the guidance of the requirements above, is to be submitted and approved. All subsequent homes shall utilize selections from that palette of options.

Amendments to the palette of options will be considered on a case-by-case basis; however, additional colors must be compatible and/or complementary.

Townhomes

Townhomes are to be designed within a single palette of materials approved at the time of design submission. All exterior materials must be selected for compatibility with Apartments, Commercial and Mixed-use Buildings.

Apartments, Commercial and Mixed-Use Buildings

Larger buildings are to be designed with a single palette of materials. Materials should express a more monumental and permanent character (e.g. brick v. siding; cast stone v. brick) than the residential construction, and yet be compatible with it (see above).

LANDSCAPE AND OPEN SPACE STANDARDS

Whenever possible, existing natural features such as wetlands and ravines, high points of topography or special groupings of trees, should serve as neighborhood open space. Designed open spaces should possess individual character in their scale and articulation and by the uses that adjoin them. Landscaped open spaces should have emphasis placed on their edges either with buildings or plantings to create “outdoor rooms”.

Preserve existing specimen and mature trees. Prioritize preserving existing tree canopy as much as possible. All development plans shall contain tree protection/preservation plans.

Using natural elements to create privacy between spaces is preferred. Grooming is important. Remove underbrush and maintain or “limb” trees to permit better visibility into a site. Incorporate a good balance of trees and shrubs, including a balance of evergreen and deciduous trees.

When possible, existing mature trees should be retained in the open space areas of the west parcel. The use of hedges, shrubs, ground cover and ornamental trees is encouraged throughout these lots.

Landscape, Hardscape and Planting

Building Perimeters - Landscaping at buildings shall meet or exceed the requirements as specified in the James City County Zoning Ordinance, Section 24-97. The use of trellis and landscape structures to facilitate the growth of live plant material immediately in front of or on the buildings is encouraged.

Parking layout and landscaping is to comply with the requirements of the relevant landscape standards of the James City County Zoning Ordinance (Article II, Division 4). Hedges planted to screen the parking lots from the perimeter shall be planted at an installed height of 30". The predominant tree type used within parking lots shall be deciduous shade trees. Evergreen trees shall be provided where additional screening is desirable. All deciduous trees in parking lots shall be 2-1/2" caliper at installation

Landscaped open spaces, parking areas and pedestrian ways shall have emphasis placed on their edges either with buildings or plantings to create the effect of “outdoor rooms.” Walk-ways adjacent to buildings shall reinforce the sense of a public street. Walk-ways adjacent to open spaces shall be lined with trees or plants to reinforce the edge of the open space. Landscaping along residential areas should provide visibility into the development while creating an effective buffer for parking and “back of house” building elements. Other property edges should retain natural buffers, to the extent practical, to maintain a character consistent with the surrounding area

Landscape plantings shall be selected to reinforce a purpose, based on their location:

- Plantings for the purpose of screening will occur to screen the building and parking areas from the adjacent residential properties to the south. These planting are to be primarily evergreen with the intent of screening the view of automobiles and reduce the scale of the rear building façade. Evergreen hedges are to be used adjacent to parking spaces which face Discovery Park Blvd or the Spine Road.
- Foundation plantings will be selected and provide a natural base to the service side facade of the building and enhance the public facades. Public side plantings will be chosen to complement the architecture without limiting visibility of building face signage.
- Transitional landscaping will occur along the east and west property lines to augment existing natural landscaping, or replace existing landscaping which must be removed to accommodate construction.

- Street-side landscape will be provided along Discovery Park Blvd or the Spine Road, selected to create a lush setting for the building, while promoting the pedestrian character of the corridor and ensuring adequate visibility into the development from the street.
- Landscaping with vertical elements of a minimum 10 feet high should be included on sides adjacent to residential uses to provide screening. Tree rows or groups of trees are appropriate, and/or lower bushes and vegetation combined with berming, natural topographic features, and fencing. Fences should not occur within the front 10 feet of the lot so as to not impede pedestrian connectivity and visibility along the sidewalks between uses

Street Furnishings, including street and parking lot light fixtures, benches, trash receptacles, bike racks and bollards, shall include selections from or comparable to those items identified and/or illustrated in the New Town Streetscape Package prepared by Cooper Robertson & Partners dated May 5, 2003 and/or present within the nearby Courthouse Commons development

Streets

The street within the west parcel is to be planted with trees spaced a maximum of 40'-0" on center. Shade/Canopy type trees are preferred; however ornamental trees may be used for areas of interest, pedestrian ways and minor streets.

Streets within the east parcel should be selected to create a formal rhythm of shade trees along main streets. Smaller ornamental trees may be selected to articulate alleys, minor streets and pedestrian ways.

Discovery Park Boulevard and the commercial sites flanking it are required to comply with the New Town open space standards articulated in the New Town Discovery Park Boulevard guidelines.

Parking Areas

On street parking is to be parallel and integrated with the building configurations and pedestrian ways to create a coordinated network that prioritizes pedestrian circulation and safety and/or reinforces building entrances.

Parking fields or lots should be arranged in groupings of no more than 40 parking spaces without a landscaped edge separating it from an adjacent street or parking field. Landscaping along the perimeter of each field should be designed to screen the front grilles of vehicles, such as hedges with a minimum height of 30".

Landscaping of attached and multifamily structures, commercial, public and mixed use buildings shall contain landscaping per James City County ordinance standards, but may be considered for reductions or modifications to these standards on a case-by-case basis. Waivers may be granted to minimum landscape quantities when provisions are made for the addition of outdoor furnishings, site structures and hardscaping that would offset the need for additional landscaping.

Neighborhood, urban and pocket parks

Whenever possible, existing natural features such as wetlands and ravines, high points of topography or special groupings of existing trees should serve as the basis for neighborhood open space. Designed open spaces should possess individual character in their scale and articulation and by the uses which front them. The landscape of each open space should reflect its internal character and use. In general, the landscape of open spaces should define its edges, acting to define an "outdoor room".

A pedestrian trail is to be provided that is punctuated by resting areas at locations with particular views or features, designed for the use of residents of the east and west parcels. These areas should include site furniture and screening landscaping where needed.

As one of these resting areas, the west parcel shall contain a passive park of open space size equal to or greater than approximately two residential lots.

Where possible, storm water retention facilities should be incorporated in the park planning to provide natural features (such as ponds) and landscaping to complement the open spaces and/or provide an edge for the pedestrian trail.

Smaller urban and pocket parks are to be incorporated in the east parcel. To complement the land planning of this parcel, these parks should be more formal in character, incorporating formal geometry and perimeter edges that create the sense of an “outdoor room”.

The pedestrian trail should integrate with the sidewalk system in the east parcel such that a continuous pedestrian route can be traversed along the trail and sidewalks, and through (or by) the urban and pocket parks without utilizing vehicular streets except for crossing.

A transitional buffer provided between Sections 7 and 8 and this proposed develop is to be maintained and enhanced. The existing 50’ buffer within Sections 7 and 8 is to be complemented with a minimum 100’ buffer within the proposed development. The existing forested vegetation, which is well established, is to be retained. Where needed by adjacent clearing for site development, understory plantings may be required at the edge of clearing. No pedestrian connection to Sections 7 and 8, planned or informal, is to be allowed along this buffer.

SITE LIGHTING

All lighting is to be designed and/or selected to meet the requirements of James City County Standards. Architecturally, site Lighting shall consist of two different types of fixtures:

- Lighting for parking and security - this lighting is for general visibility and security and should be tall and pole-mounted (30’ maximum). These fixtures may be contemporary in nature and are not intended to be architectural elements in-and-of themselves.
- Lighting for pedestrians should consist of decorative building-mounted fixtures, bollard-type fixtures and/or landscape mounted. These fixtures are intended to reinforce the overall architectural expression of the buildings and landscaping and should be arranged to help guide pedestrian movement about the site.

SIGNAGE

All signage recommendations shall be subject to the provisions of Article II, Division 3 of the James City County Zoning Ordinance.

Building mounted signs and free-standing signs will comply with the James City County Zoning Ordinance for sign location and construction. Wall mounted signage should be integrated with and/or be properly proportionate to the architecture of the building. They are to be mounted flat upon the facade or with "stand-offs" no greater than 6".

A free-standing sign for the development, if provided, is to be located at the end of Discovery Park Boulevard. This sign is to be monument style and designed to promote visual unity within the development. Individual letters in signs may be internally lit. Its size and scale should be in keeping with established monument signs on the corridor (e.g. Settlers Market and Courthouse Commons).

Other signs, when illuminated, must be externally lit. "Halo" lighting of individual letter signs (where the letters are opaque but an internal light washes the background of the letters) are acceptable as externally lit signage.

Way-finding signage is encouraged, but subject to regulation by the zoning administrator per James City County Zoning Ordinance, Section 24-73. Lettering and mounting height should be sized to assist the pedestrian in finding a building entrance, or a driver of a vehicle to find a parking space. Number and size of such signage is not specifically dictated but should be kept to the minimum number necessary and clearly subservient to other site signage. Generally, lettering should not be over 4" in height, and logos of that same size are permissible but shall not dominate the message of the sign. Street signs and traffic control signs within State right-of-way will utilize the New Town models, subject to VDOT approval.

Figure 17: Example of acceptable signage and site lighting

Traffic Impact Analysis

Westwood Park Development

James City County, Virginia

PREPARED FOR

AES Consulting Engineers, LLC
5248 Olde Towne Road Suite 1
Williamsburg, VA 23188

PREPARED BY

Vanasse Hangen Brustlin (VHB), Inc.
4500 Main Street, Suite 400
Virginia Beach, VA 23462

8/12/2024

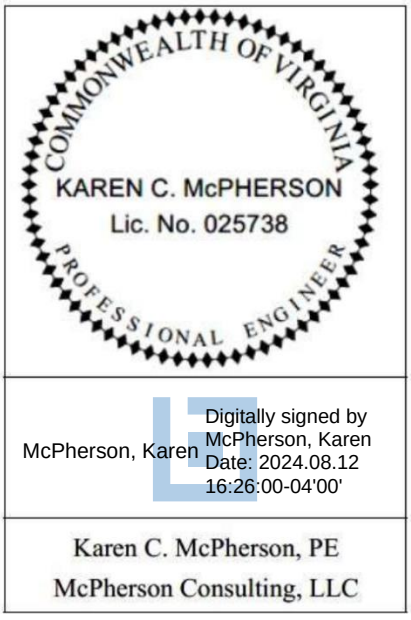


Table of Contents

1 Executive Summary 1

2 Introduction 2

1.1 Project History and Background 2
1.2 Study Area 5
1.3 Existing Land Use 5
1.4 Existing Conditions 5

3 Analysis of Existing Conditions 8

2.1 Capacity Analyses at Critical Points 8
2.2 Turning Movement Counts (TMCs) 8
2.3 Average Daily Traffic (ADT) Counts 9
2.4 Capacity and Levels of Service Analyses at Critical Points 11

4 Future Conditions without Development 12

3.1 Approved Development 12
3.2 Growth Rate 12

5 Trip Generation 18

4.1 Trip Generation 18
4.2 Internal Capture 19
4.3 Pass-by 19

6 Site Traffic Distribution and Traffic Assignments 20

5.1 Trip Distribution 20
5.2 Trip Assignment 20

7 Future Conditions with Development 22

6.1 Future Traffic Volume 22
6.2 Capacity and Level of Service Analyses at Critical Points 27
6.2.1 Ironbound Road / Discovery Park Boulevard 27
6.2.2 Ironbound Road / Monticello Avenue 29
6.2.3 Monticello Avenue / Courthouse Street 30
6.2.4 Monticello Avenue / Casey Boulevard / Ironbound Road 31
6.2.5 Discovery Park Boulevard / Casey Boulevard 32
6.3 Queuing Analysis 34

8 Conclusions and Recommend Improvements 36

List of Tables

Table No.	Description	Page
Table 4	Ironbound Road / Discovery Park Boulevard Signalized Intersection | Level of Service	28
Table 5	Ironbound Road / Monticello Avenue Signalized Intersection | Level of Service	29
Table 6	Monticello Avenue / Courthouse Street Signalized Intersection | Level of Service	31
Table 7	Monticello Avenue / Casey Boulevard / Ironbound Road Signalized Intersection | Level of Service	32
Table 8	Discovery Park Boulevard / Casey Boulevard Unsignalized Intersection | Level of Service	33

List of Figures

Figure No.	Description	Page
Figure 1	Study Area	3
Figure 2	Site Plan	4
Figure 3	2022 Existing Roadway Conditions	6
Figure 4	2022 Peak Hour Traffic Volumes and ADTs	10
Figure 5	Approved Developments: Total	13
Figure 6	2026 Background Traffic Volumes (AM)	14
Figure 7	2026 Background Traffic Volumes (PM)	15
Figure 8	2032 Background Traffic Volumes (AM)	16
Figure 9	2032 Background Traffic Volumes (PM)	17
Figure 10	Total Trip Distribution and Assignment	21
Figure 8	2026 Build: AM Peak	23
Figure 9	2026 Build: PM Peak	24
Figure 10	2032 Build: AM Peak	25
Figure 11	2032 Build: PM Peak	26
Figure 15	2036 Queuing	35

Executive Summary

The proposed Westwood Park mixed use development is located in James City County on the northern termini of Discovery Park Boulevard. This proposed development is an extension to an overall Newtown Development where the site is located on Eastern State Parcel C. **Figure 1** illustrates the study area and the five study area intersections that were agreed upon during the scoping meeting that occurred on July 22, 2022. **Figure 2** illustrates the proposed Westwood Park Development site plan.

McPherson Consulting, LLC (McPherson) was retained to perform a traffic impact analysis. In May 2024, McPherson Consulting merged with VHB. This updated TIA is being prepared by VHB to addressed minor changes to unit counts along with VDOT comments. The Virginia Department of Transportation (VDOT) maintains the roadways within James City County; therefore, this report has been prepared for review and approval by both James City County and VDOT based on criteria outlined in the Chapter 527 guidelines. The study will evaluate existing and future traffic conditions, and make recommendations to mitigate traffic impacts, if necessary, within the proposed study area.

Based on the level of development, the following recommendations are proposed for the study area:

Ironbound Road / Discovery Park Boulevard

- Maintain existing laneage.
- Provide optimized signal timings.

Ironbound Road / Monticello Avenue

- Maintain existing laneage.
- Provide optimized signal timings.

Monticello Avenue / Courthouse Street

- Maintain existing laneage.
- Provide optimized signal timings.

Monticello Avenue / Casey Boulevard / Ironbound Road

- Maintain existing laneage.
- Provide optimized signal timings.

Discovery Park Boulevard / Casey Boulevard

- Maintain existing laneage.

1 Introduction

1.1 Project History and Background

The proposed Westwood Park mixed-use development is located in James City County on the northern termini of Discovery Park Boulevard. **Figure 1** illustrates the study area and the five study area intersections that were agreed upon during the scoping meeting that took place on July 22, 2022. **Figure 2** illustrates the proposed Westwood Park Development site plan. For this study, Ironbound Road and Casey Boulevard are oriented in a north/south direction, and Monticello Avenue and Discovery Park Road are oriented in an approximate east/west direction.

VHB was retained to perform a traffic impact analysis for the proposed development. VDOT maintains the roadways within James City County; therefore, this report has been prepared for review and approval by both James City County and VDOT based on criteria outlined in the Chapter 527 guidelines. The study will evaluate existing and future traffic conditions, and make recommendations to mitigate traffic impacts, if necessary, within the proposed study area.

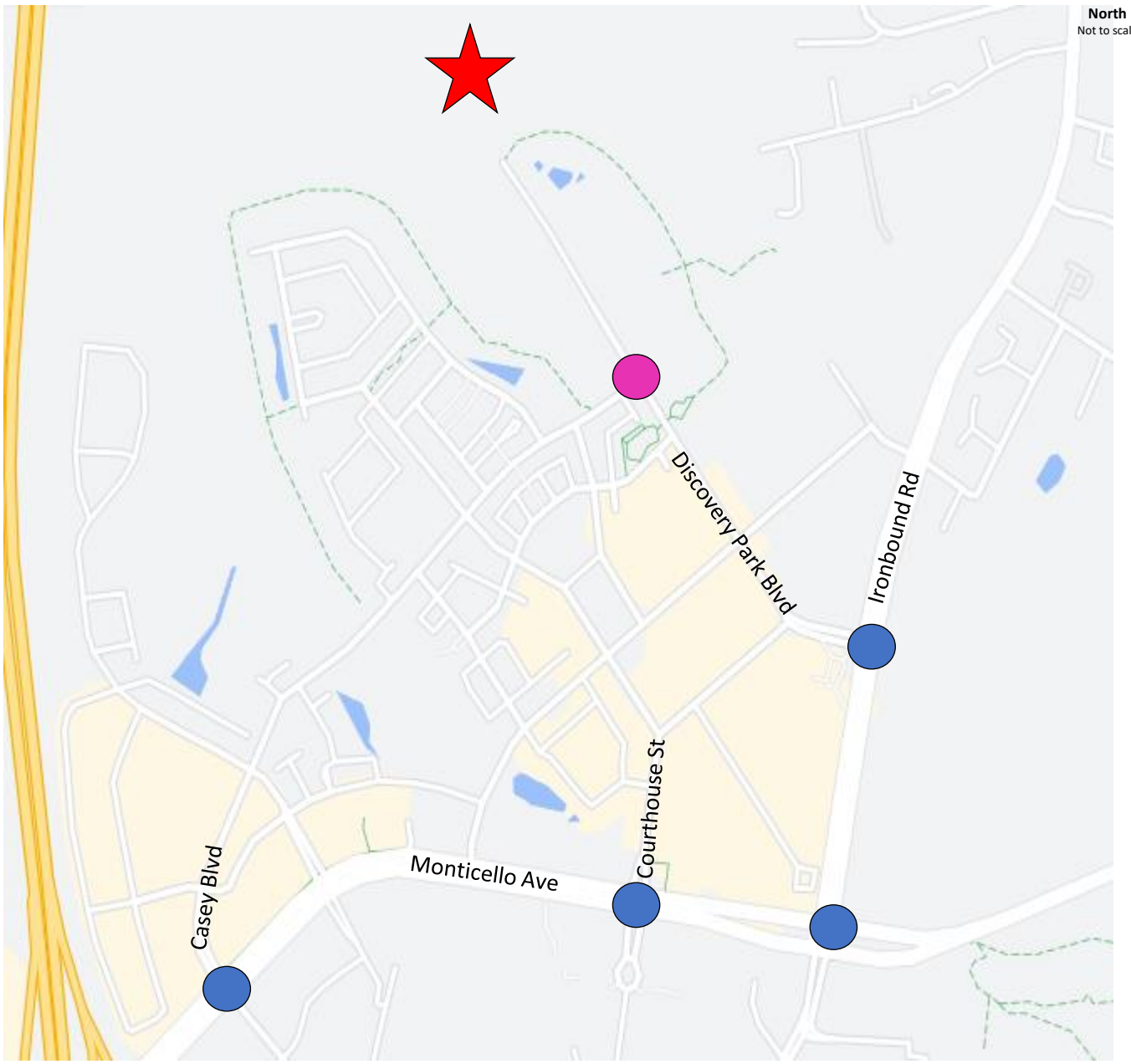
Assumptions regarding the study area, count data, traffic generation, trip distribution patterns, and analysis scenarios were discussed with VDOT and James City County and are documented in the Scoping Meeting documents included in the **Appendix**. The scoping meeting occurred on July 21, 2022. Since, several revisions have taken place on assumptions with the initial proposal to include the following:

Updated Scoping form included in appendix to reflect internal capture at 20%, no change to analysis

Background developments updated to include Ironbound Crossing Development site traffic.

Background developments updated to include unbuilt Sections 7,8,9 of New Town Development.

Study Area



Legend

- Site Location
- Study Area Intersection Signalized
- Study Area Intersection Unsignalized

SITE DATA (BASED UPON CONCEPT):
TOTAL SITE AREA=
3,551,447 S.F.; 81.53 AC±
ANTICIPATED DISTURBED AREA=
2,069,100 S.F.; 47.5 AC±
(58.3% OF TOTAL SITE)
ANTICIPATED IMPERVIOUS COVER=
763,561 S.F.; 17.5 AC±
(21.5% OF TOTAL SITE)
COMMERCIAL=
326,700 S.F.; 7.5 AC±
SINGLE FAMILY IMPERVIOUS COVER=
435,600 S.F.; 10.0 AC±
UNDISTURBED OPEN AREA =
1,507,176 S.F.; 34.03 AC±
(41.7% OF TOTAL SITE)

Rev.	Date	Description	Revised By
2.	6/3/24	REVISED PER JCC STAFF COMMENTS	JAG
1.	1/11/24	REVISED PER JCC STAFF COMMENTS	JAG

WEST PARCEL
EAST PARCEL
COMMERCIAL
COMMERCIAL
Route 199
ROLLISON DRIVE
NEW TOWN
SECTION 6
DISCOVERY PA
75'

HOPKE / HARRISON, Inc.
Architecture • Planning • Interiors

AES CONSULTING ENGINEERS
5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 253-0040
www.aesva.com
Hampton Roads | Central Virginia | Middle Peninsula

REZONING PLAN
FOR
WESTWOOD PARK
JAMES CITY COUNTY JAMESTOWN DISTRICT VIRGINIA

Project Contacts:	JAG
Project Number:	W10634-00
Scale: 1"=100'	Date: 02/15/2023
Sheet Title: CONCEPTUAL MASTER PLAN	
Sheet Number	MP 3.1

S:\2023\W10634 - Eastern State\00 - Comp Plan Update\Planning\Master Planning\W10634-00_MP 3.1 Conceptual Master Plan.dwg, 6/6/2024 1:55:39 PM, Marcin Pigan

1.2 Study Area

The study area for this analysis includes the following roadways and intersections as illustrated in **Figure 1**:

Roadways:

- Casey Boulevard
- Discovery Park Boulevard

Intersections:

- Ironbound Road / Discovery Park Boulevard (signalized)
- Ironbound Road / Monticello Avenue (signalized)
- Monticello Avenue / Courthouse Street (signalized)
- Monticello Avenue / Casey Boulevard / Ironbound Road (signalized)
- Discovery Park Boulevard / Casey Boulevard (unsignalized)

Study area roadways and intersections were identified and agreed upon by VDOT and James City County staff during the scoping meeting.

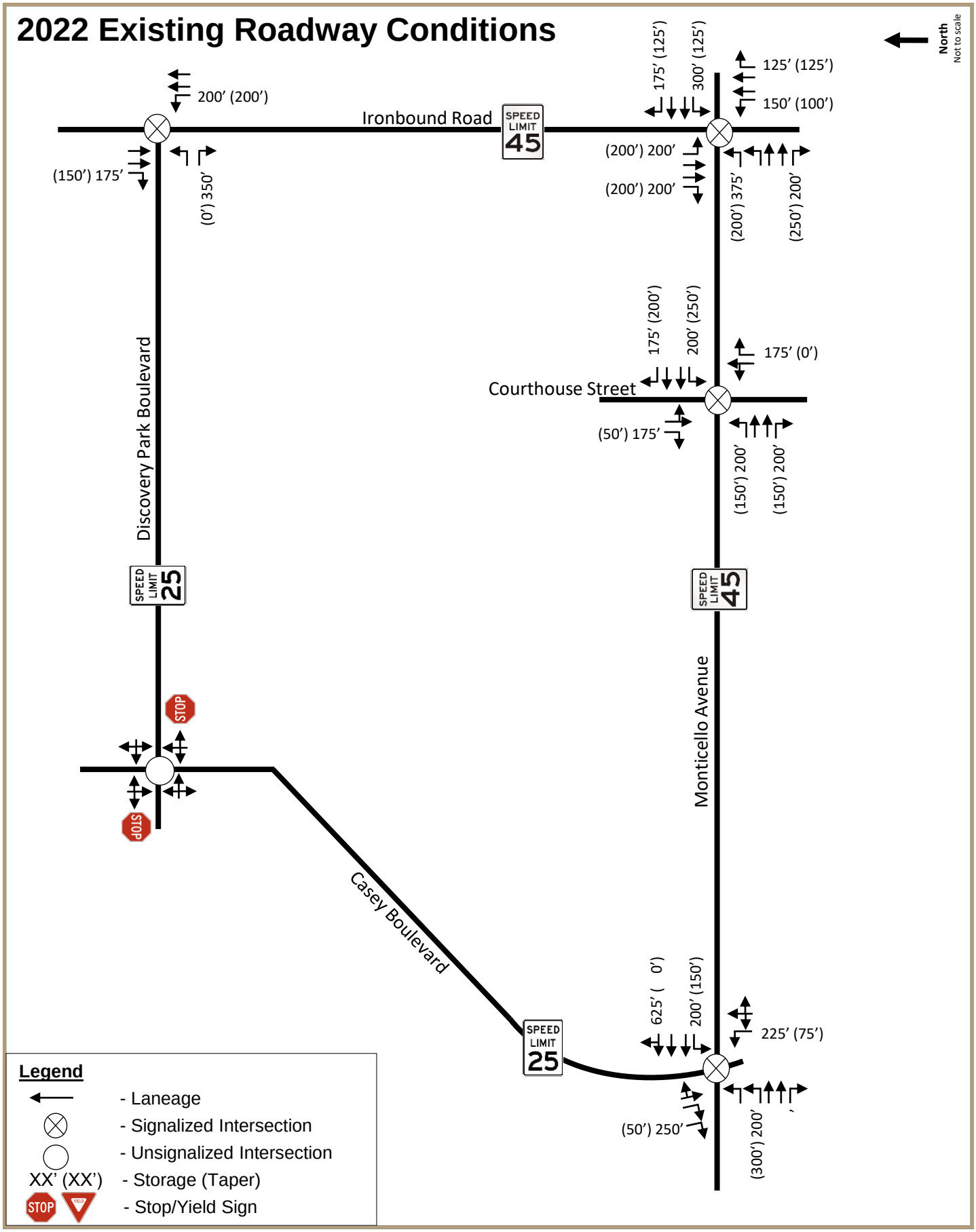
1.3 Existing Land Use

The Westwood Park Development is currently zoned as PL-Public Lands and is currently vacant. Within the immediate area of the Westwood Park Development is an established mixed-use development with numerous residential several local commercial and office developments, various retail businesses, medical offices, banks, and restaurants.

1.4 Existing Conditions

Discovery Park Boulevard will serve as the local direct roadway connection to Westwood Park with multiple connections to the external roadway network. Discovery Park Boulevard creates a signalized T-intersection with Ironbound Road. Within the Westwood Park Development, Discovery Park Boulevard has an unsignalized intersection with Casey Boulevard. Casey Boulevard extends south to a signalized intersection with Monticello Avenue. Approximately 1,100’ east of this signalized intersection is Monticello Avenue has and interchange with Route 199. Existing roadway conditions (laneage, storage, taper, and speed limits) are illustrated in **Figure 3**.

2022 Existing Roadway Conditions



The following provides a short description of the study area roadways:

Discovery Park Boulevard – has a varying cross section; west of Casey Boulevard, Discovery Park Boulevard is a two-lane, undivided roadway with on-street parking. East of Casey Boulevard, Discovery Park Boulevard has a 3-lane section with dedicated bicycle lanes. Discovery Park Boulevard has a posted speed limit of 25 miles per hour (mph) with an average daily traffic (ADT) of approximately 3,800 vehicles per day (vpd) as obtained from actual study area counts.

Ironbound Road – is a four-lane, divided major arterial north of Monticello Avenue. This section of Ironbound Road has a posted speed limit of 45 mph and an ADT of 12,000 vpd per *VDOT 2022 Annual Average Daily Traffic Volumes Estimate*.

Monticello Avenue – is a four-lane, divided major arterial in the immediate vicinity of the proposed project location that extends form Route 199 (Humelsine Parkway) to Ironbound Road in the eastern end of this study area. This roadway has a posted speed limit of 45 mph and an ADT of 30,000 vpd per *VDOT 2022 Annual Average Daily Traffic Volumes Estimate*.

Casey Boulevard – is a two-lane, undivided local roadway within the Westwood Park Development that connects Discovery Park Boulevard to Monticello Avenue. On-street parking and dedicated bicycle lanes are provided in some sections where space is available. Casey Boulevard has a posted speed limit of 25 mph and an ADT of 2,900 vpd as obtained from actual study area counts.

2

Analysis of Existing Conditions

2.1 Capacity Analyses at Critical Points

Intersection turning movement counts were used in conjunction with the number of lanes and traffic operations at each study intersection to determine existing and future levels of service. Level of service (LOS) describes traffic conditions—the amount of traffic congestion—at an intersection or on a roadway. **Table 1** shows the LOS and delay range for signalized and unsignalized intersections.

Table 1 Levels of Service and Ranges of Delay

LOS	Delay per Vehicle (seconds per vehicle)	
	Signalized	**Unsignalized**
A	≤ 10	≤ 10
B	> 10 - 20	> 10 - 15
C	> 20 - 35	> 15 - 25
D	> 35 - 55	> 25 - 35
E	> 55 - 80	> 35 - 50
F	> 80	> 50

2.2 Turning Movement Counts (TMCs)

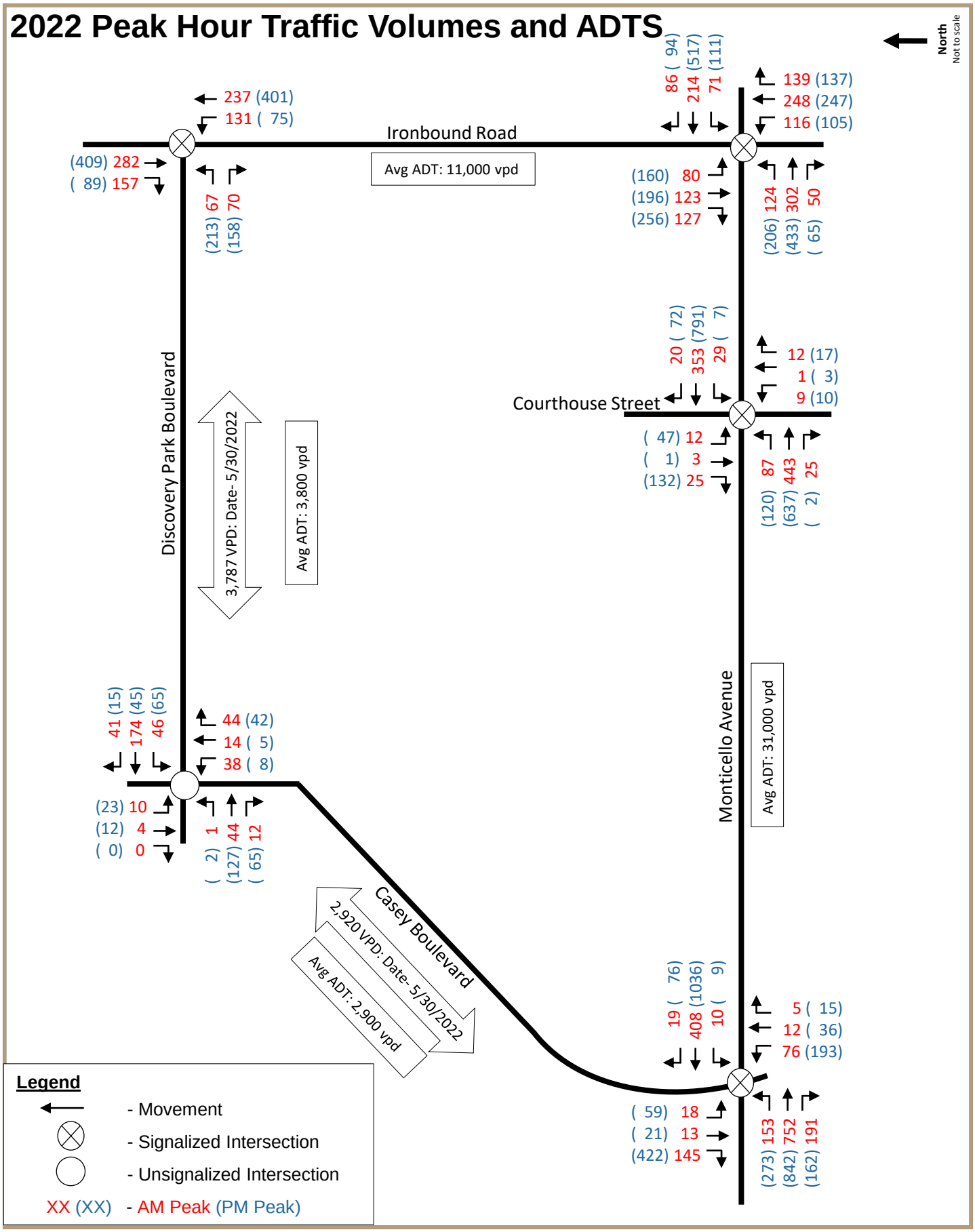
TMCs were collected by Data Collection Group at each of the following study area intersections on June 2, 2022, during the AM (7:00 to 9:00) and PM (4:00 to 6:00) peak periods:

- Ironbound Road / Discovery Park Boulevard
- Ironbound Road / Monticello Avenue
- Monticello Avenue / Courthouse Street
- Monticello Avenue / Casey Boulevard / Ironbound Road
- Discovery Park Boulevard / Casey Boulevard

2.3 Average Daily Traffic (ADT) Counts

Historic ADT counts from the VDOT *2021 Historic Average Daily Traffic Counts book* were collected for both Ironbound Road and Monticello Avenue. ADT counts were collected along Casey Boulevard and Discovery Park Boulevard to capture current travel patterns within the internal roadway network.

The TMC collected data is illustrated in **Figure 4** for the AM and PM peak periods at the study area intersections along with the location of the ADT data.


2022 Peak Hour Traffic Volumes and ADTS
North
Not to scale
Ironbound Road
Avg ADT: 11,000 vpd
Discovery Park Boulevard
3,787 VPD: Date- 5/30/2022
Avg ADT: 3,800 vpd
Courthouse Street
Monticello Avenue
Avg ADT: 31,000 vpd
Casey Boulevard
2,920 VPD: Date- 5/30/2022
Avg ADT: 2,900 vpd
237 (401)
131 (75)
(409) 282
(89) 157
(213) 67
(158) 70
86 (94)
214 (517)
71 (111)
139 (137)
248 (247)
116 (105)
(160) 80
(196) 123
(256) 127
(206) 124
(433) 302
(65) 50
20 (72)
353 (791)
29 (7)
12 (17)
1 (3)
9 (10)
(47) 12
(1) 3
(132) 25
(120) 87
(637) 443
(2) 25
41 (15)
174 (45)
46 (65)
44 (42)
14 (5)
38 (8)
(23) 10
(12) 4
(0) 0
(2) 1
(127) 44
(65) 12
19 (76)
408 (1036)
10 (9)
5 (15)
12 (36)
76 (193)
(59) 18
(21) 13
(422) 145
(273) 153
(842) 752
(162) 191
Legend
- Movement
- Signalized Intersection
- Unsignalized Intersection
XX (XX) - AM Peak (PM Peak)

2.4 Capacity and Levels of Service Analyses at Critical Points

Capacity analyses for the AM and PM peak hours were performed for the existing conditions for each study area intersection. Analyses were completed to determine the operating characteristics using *Synchro Professional 11.1*, which uses methodologies contained in the *2000 Highway Capacity Manual (HCM) [TRB Special Report 209, 2000]* and *HCM 6th Edition*.

Level of service analyses for the study area intersections were performed using optimized signal timings assuming coordination along Ironbound Road and Monticello Avenue. To compare operations among various scenarios, detailed analyses are illustrated in Chapter 6 to provide a side-by-side comparison.

3

Future Conditions without Development

Background traffic growth is the increase in traffic volumes due to usage increase and non-specific growth throughout an area. One method of determining reasonable growth rates for an area is to research past traffic counts for a roadway or intersection and review historical data or use knowledge of the surrounding area. After reviewing VDOT historical count data, it was noted that the traffic growth was relatively flat. However, based on discussion during the scoping meeting, stakeholders agreed to use a 1% annual growth rate to project the 2026 and 2032 Background traffic volumes.

3.1 Approved Development

In addition to an annual growth rate, VDOT requested approved developments be considered and then combined with annual growth to establish background conditions. Traffic generated from the following development is included in the background condition.

- Ironbound Crossing Development
- New Town- Sections 7,8 and 9

The trip generation and assignment for these two developments were obtained from the County.

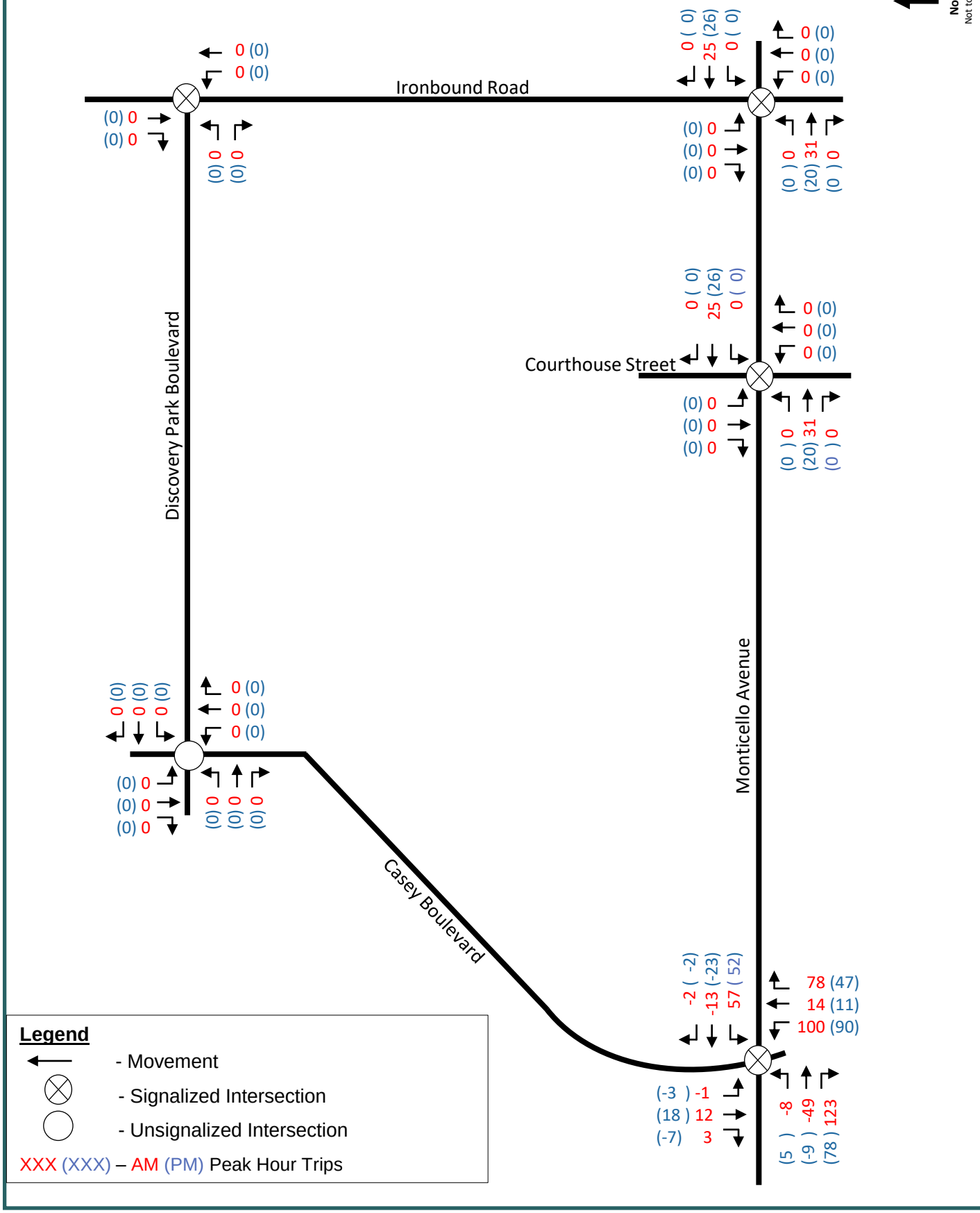
3.2 Growth Rate

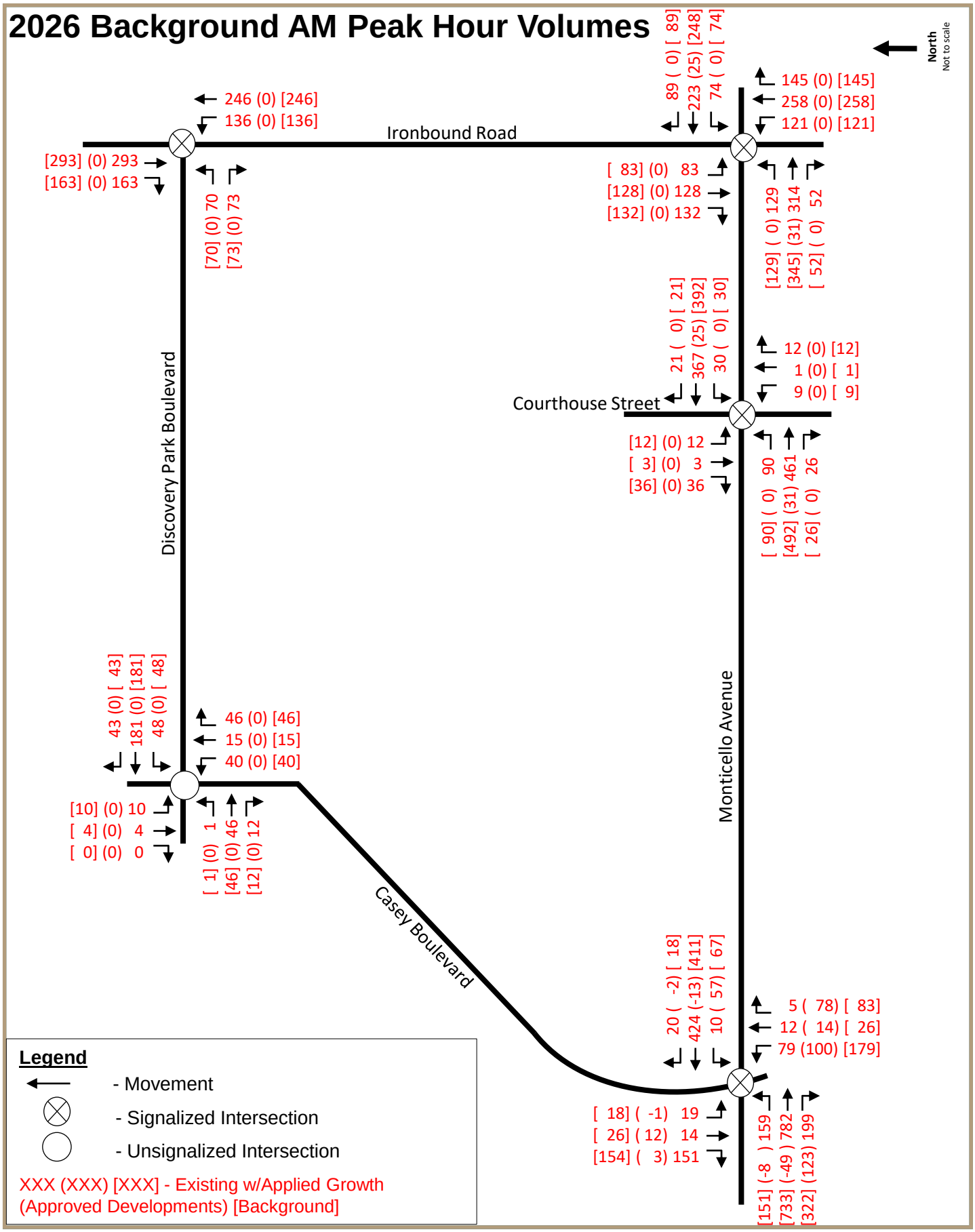
The agreed upon 1% annual growth rate was applied to the 2022 data over a period of four years and 10 years, resulting in a factor of 1.04 and 1.10 to generate the 2026 and 2032 background year volumes, respectively when combines with the approved developments site generated traffic. The assignment from each study is provided in the **Appendix** and the total approved development traffic is illustrated in **Figure 5.**

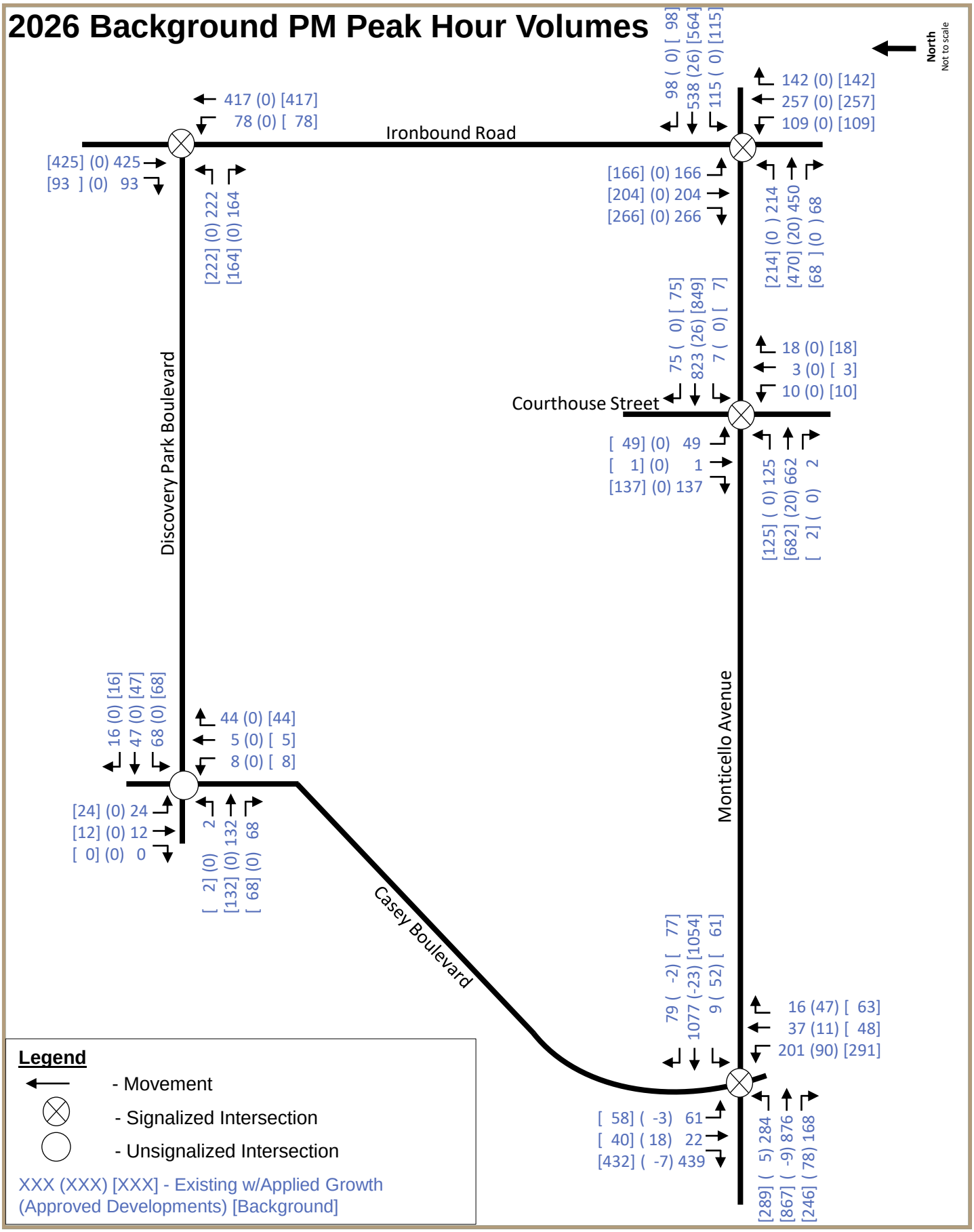
The following figures illustrate the study intersections background condition volumes for the AM and PM peak hours:

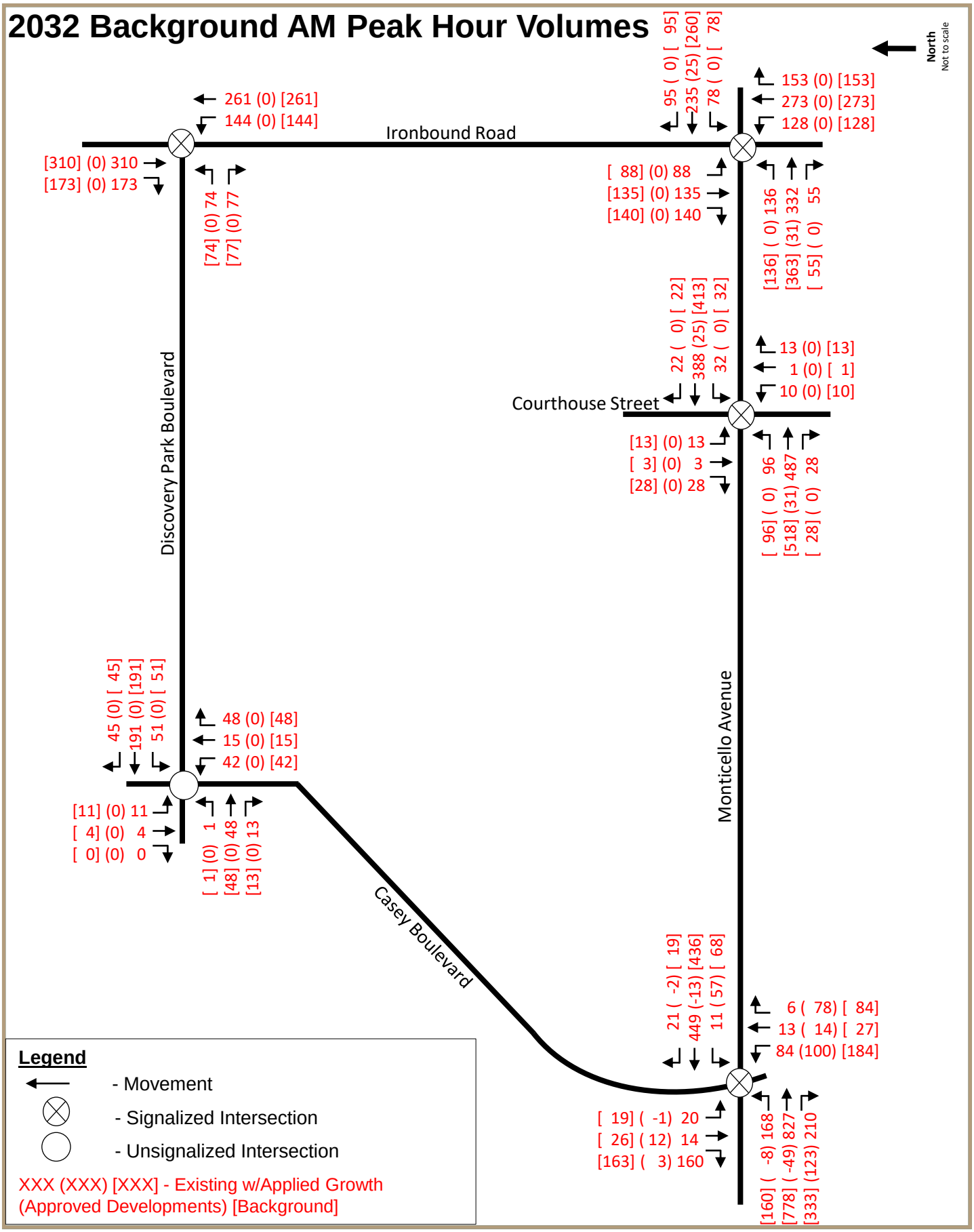
- **Figure 6** – 2026 Background Traffic Volumes (AM)
- **Figure 7** – 2026 Background Traffic Volumes (PM)
- **Figure 8** – 2032 Background Traffic Volumes (AM)
- **Figure 9** – 2032 Background Traffic Volumes (PM)

Approved Developments: *Total*

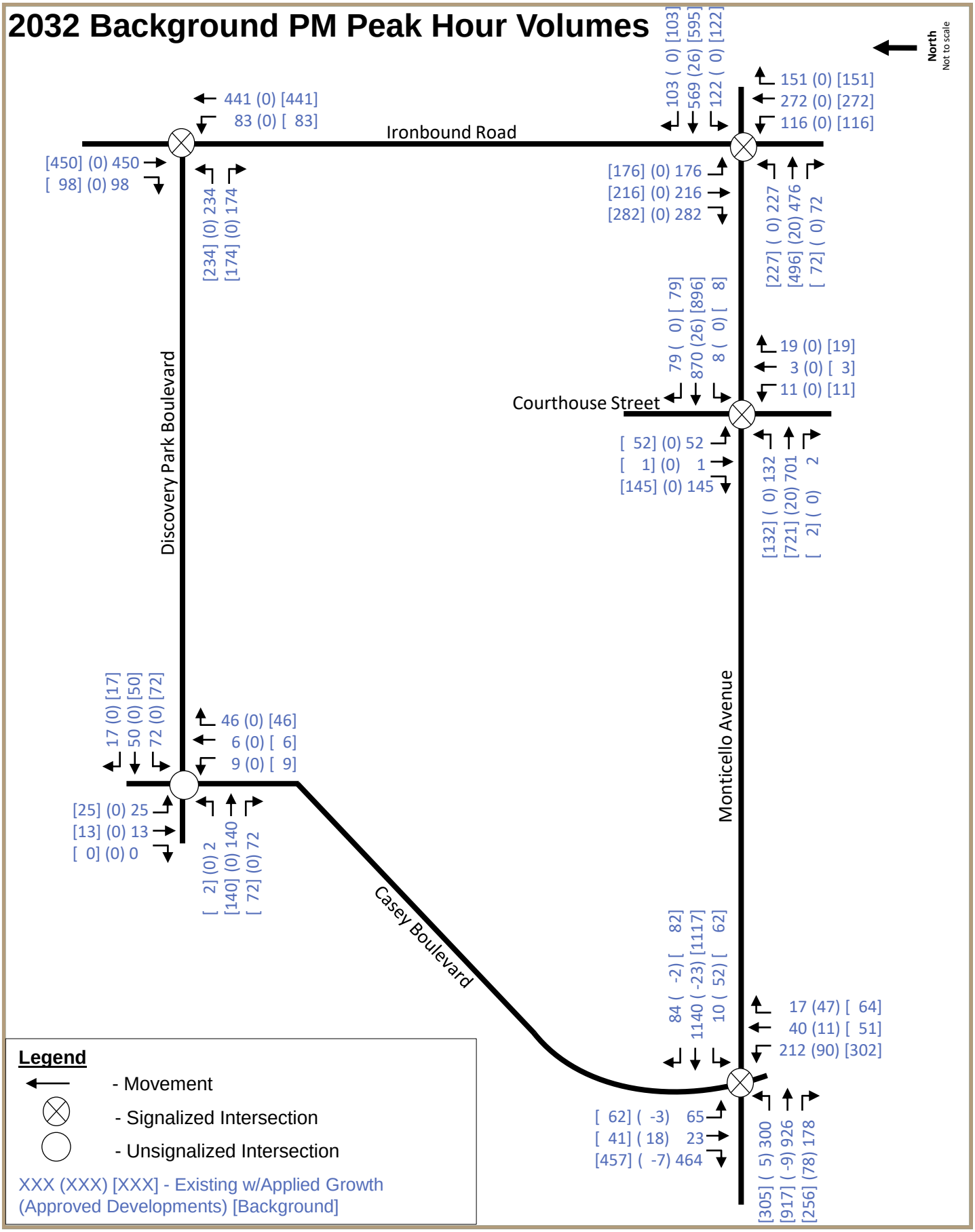



2026 Background AM Peak Hour Volumes
North
Not to scale
Ironbound Road
Courthouse Street
Discovery Park Boulevard
Monticello Avenue
Casey Boulevard
246 (0) [246]
136 (0) [136]
[293] (0) 293
[163] (0) 163
[70] (0) 70
[73] (0) 73
89 (0) [89]
223 (25) [248]
74 (0) [74]
145 (0) [145]
258 (0) [258]
121 (0) [121]
[83] (0) 83
[128] (0) 128
[132] (0) 132
[129] (0) 129
[345] (31) 314
[52] (0) 52
21 (0) [21]
367 (25) [392]
30 (0) [30]
12 (0) [12]
1 (0) [1]
9 (0) [9]
[12] (0) 12
[3] (0) 3
[36] (0) 36
[90] (0) 90
[492] (31) 461
[26] (0) 26
43 (0) [43]
181 (0) [181]
48 (0) [48]
46 (0) [46]
15 (0) [15]
40 (0) [40]
[10] (0) 10
[4] (0) 4
[0] (0) 0
[1] (0) 1
[46] (0) 46
[12] (0) 12
20 (-2) [18]
424 (-13) [411]
10 (57) [67]
5 (78) [83]
12 (14) [26]
79 (100) [179]
[18] (-1) 19
[26] (12) 14
[154] (3) 151
[151] (-8) 159
[733] (-49) 782
[322] (123) 199
Legend
- Movement
- Signalized Intersection
- Unsignalized Intersection
XXX (XXX) [XXX] - Existing w/Applied Growth
(Approved Developments) [Background]


2026 Background PM Peak Hour Volumes
North
Not to scale
Ironbound Road
Courthouse Street
Discovery Park Boulevard
Monticello Avenue
Casey Boulevard
417 (0) [417]
78 (0) [78]
[425] (0) 425
[93] (0) 93
[222] (0) 222
[164] (0) 164
98 (0) [98]
538 (26) [564]
115 (0) [115]
142 (0) [142]
257 (0) [257]
109 (0) [109]
[166] (0) 166
[204] (0) 204
[266] (0) 266
[214] (0) 214
[470] (20) 450
[68] (0) 68
75 (0) [75]
823 (26) [849]
7 (0) [7]
18 (0) [18]
3 (0) [3]
10 (0) [10]
[49] (0) 49
[1] (0) 1
[137] (0) 137
[125] (0) 125
[682] (20) 662
[2] (0) 2
16 (0) [16]
47 (0) [47]
68 (0) [68]
44 (0) [44]
5 (0) [5]
8 (0) [8]
[24] (0) 24
[12] (0) 12
[0] (0) 0
[2] (0) 2
[132] (0) 132
[68] (0) 68
79 (-2) [77]
1077 (-23) [1054]
9 (52) [61]
16 (47) [63]
37 (11) [48]
201 (90) [291]
[58] (-3) 61
[40] (18) 22
[432] (-7) 439
[289] (5) 284
[867] (-9) 876
[246] (78) 168
Legend
- Movement
- Signalized Intersection
- Unsignalized Intersection
XXX (XXX) [XXX] - Existing w/Applied Growth
(Approved Developments) [Background]


2032 Background AM Peak Hour Volumes
North
Not to scale
Ironbound Road
Courthouse Street
Discovery Park Boulevard
Monticello Avenue
Casey Boulevard
261 (0) [261]
144 (0) [144]
[310] (0) 310
[173] (0) 173
[74] (0) 74
[77] (0) 77
95 (0) [95]
235 (25) [260]
78 (0) [78]
153 (0) [153]
273 (0) [273]
128 (0) [128]
[88] (0) 88
[135] (0) 135
[140] (0) 140
[136] (0) 136
[363] (31) 332
[55] (0) 55
22 (0) [22]
388 (25) [413]
32 (0) [32]
13 (0) [13]
1 (0) [1]
10 (0) [10]
[13] (0) 13
[3] (0) 3
[28] (0) 28
[96] (0) 96
[518] (31) 487
[28] (0) 28
45 (0) [45]
191 (0) [191]
51 (0) [51]
48 (0) [48]
15 (0) [15]
42 (0) [42]
[11] (0) 11
[4] (0) 4
[0] (0) 0
[1] (0) 1
[48] (0) 48
[13] (0) 13
21 (-2) [19]
449 (-13) [436]
11 (57) [68]
6 (78) [84]
13 (14) [27]
84 (100) [184]
[19] (-1) 20
[26] (12) 14
[163] (3) 160
[160] (-8) 168
[778] (-49) 827
[333] (123) 210
Legend
- Movement
- Signalized Intersection
- Unsignalized Intersection
XXX (XXX) [XXX] - Existing w/Applied Growth
(Approved Developments) [Background]

2032 Background PM Peak Hour Volumes



4

Trip Generation

4.1 Trip Generation

Traffic generated by the proposed development was determined using trip generation methodology contained in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition,* 2021.

Per the VDOT TOSAM, trip generation is calculated using, the Average Rate (R), provided by the ITE Trip Generation Manual, when the R squared value was greater than or equal to 0.80. When the R squared value was less than 0.80, the Fitted Curve Equation (E), provided by the ITE Trip Generation Manual was utilized.

Table 2 summarizes the site generated traffic with the proposed rezoning.

Table 2 Westwood Park Trip Generation

Land use (code)	Variable (units)	Daily			AM Peak			PM Peak		
		E/R	In	Out	E/R	In	Out	E/R	In	Out
Single Family Detached Housing (210)	86 units	R	406	405	R	15	45	R	51	30
Senior Adult Housing | Multifamily (252)	100 units	R	337	337	E	13	41	R	32	19
Residential Total		**-**	**743**	**742**	**-**	**28**	**86**	**-**	**83**	**49**
General Office Building (710)	162 empl.	R	270	270	R	70	9	R	12	61
Office Total		**-**	**270**	**270**	**-**	**70**	**9**	**-**	**12**	**61**
Variety Store (814)	7 ksf	R	223	223	R	12	9	R	24	23
Fast Casual Restaurant (930)	4 ksf	R	195	194	R	3	3	E	31	25
Fast Casual Restaurant (930)	4 ksf	R	195	194	R	3	3	E	31	25
Fast-Food Restaurant without Drive-Through (933)	3 ksf	R	676	675	R	75	55	E	47	47
Commercial Total		**-**	**1,289**	**1,286**	**-**	**93**	**70**	**-**	**133**	**120**
Total		**-**	**2,302**	**2,298**	**-**	**191**	**165**	**-**	**228**	**230**

4.2 Internal Capture

Internal capture accounts for those motorists who access multiple land uses during a single trip and do not access the external roadway network.

The Westwood Park Development is envisioned as a mixed-use development with neighborhood commercial land uses. Based on the site's locations and existing commercial developments located along the primary external roadways (i.e., Ironbound Road and Monticello Avenue), a 20% internal capture will be applied to the number of vehicle trips to/from the external network but will be originating from the Newtown Development. This internal capture was agreed upon by VDOT and James City County during the scoping meeting.

4.3 Pass-by

Based on the nature of this development, no pass-by reductions were applied to the network as part of the trip assignment.

5

Site Traffic Distribution and Traffic Assignments

5.1 Trip Distribution

The directional distribution and assignment of trips generated by the proposed development is based on a review of existing intersection traffic volumes, an understanding of travel patterns within the study area, and discussions with VDOT and James City County staff during the scoping meeting.

Due to the different land use types, separate distributions were applied to the Residential/Office uses versus the Commercial uses. The overall external distribution applied to each land use illustrates how trips are distributed within the limits of study area as agreed upon during the scoping meeting and is outlined below:

Table 3 Westwood Park Trip Distribution

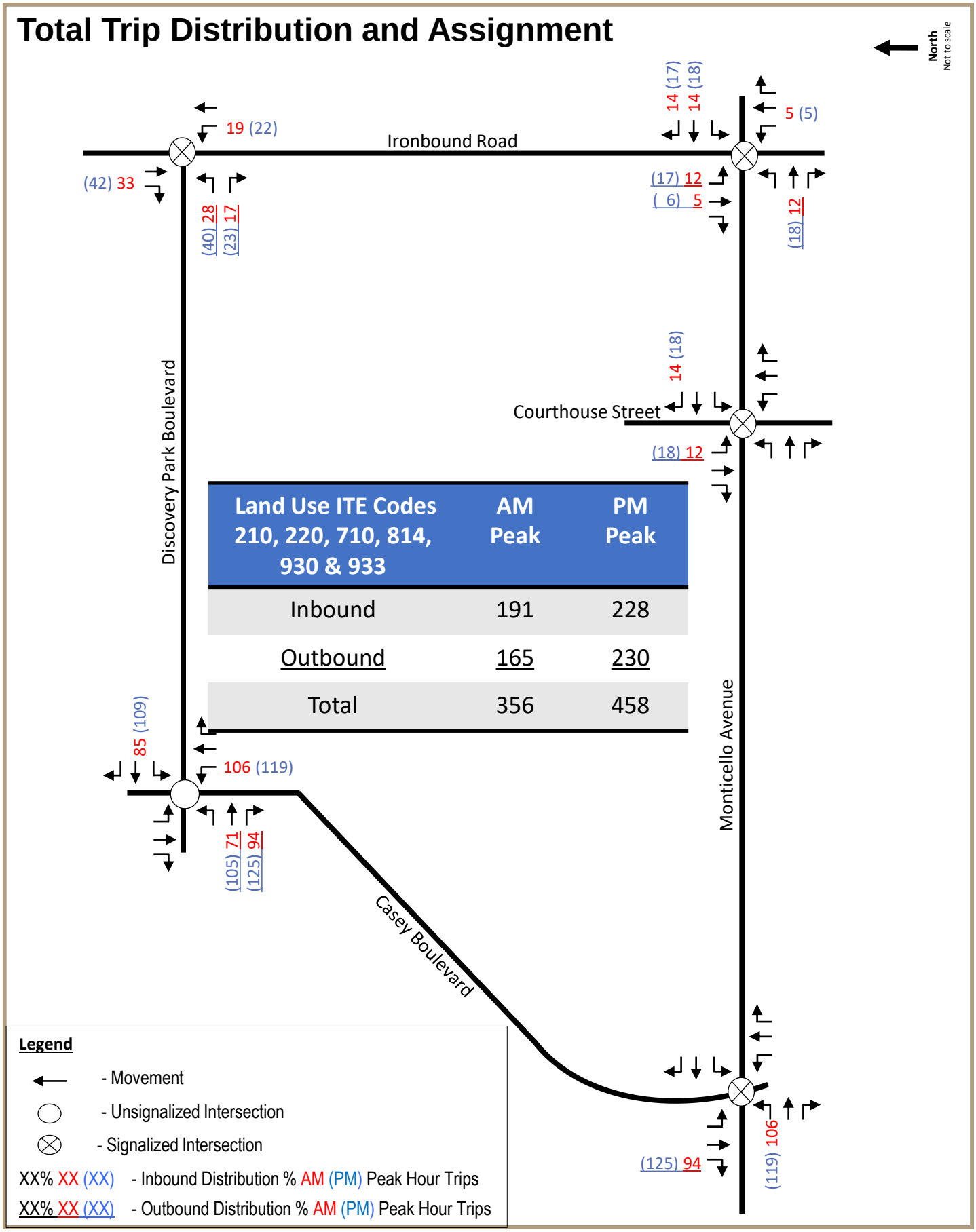
Origin/Destination	Residential	Office	Commercial
To/From North	15%	15%	20%
To/From South	5%	5%	0%
To/from East	10%	10%	20%
To/From West	70%	70%	40%
Internal Capture	0%	0%	20%

Detailed trip distribution for each land use type illustrating how trips are distributed beyond the study area to the regional network is included in the **Appendix**.

5.2 Trip Assignment

The trip distribution percentage outlined in **Table 3** for each land use was applied to the proposed trip generation outlined in **Table 2**. The detailed AM and PM peak hour trip assignments for each land use are provided in the **Appendix**. These trips were then combined to reflect the overall site generated traffic for the AM and PM peak periods for each of the study area intersections and are illustrated in **Figure 10**.

Total Trip Distribution and Assignment



Land Use ITE Codes 210, 220, 710, 814, 930 & 933	AM Peak	PM Peak
Inbound	191	228
Outbound	165	230
Total	356	458

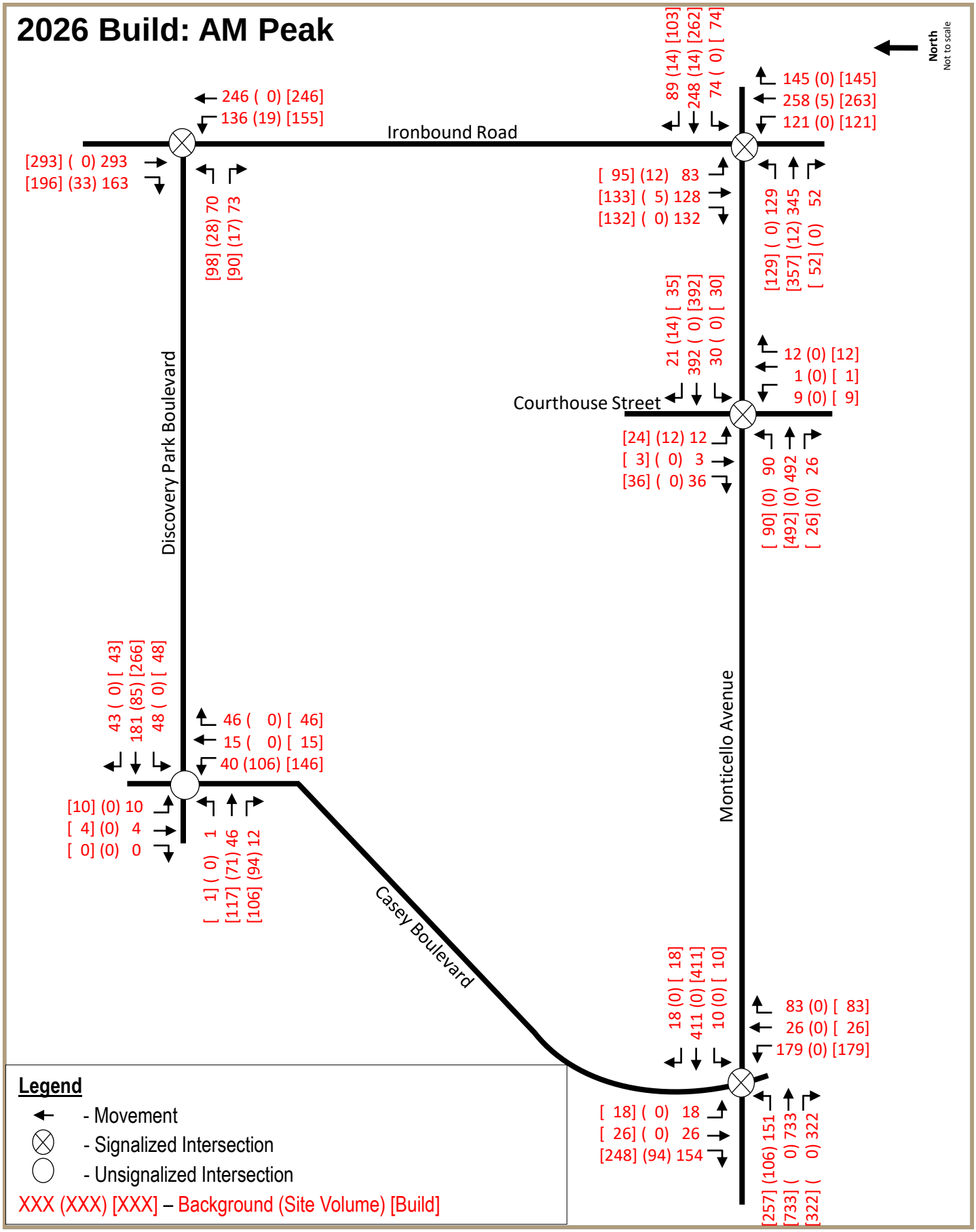
6

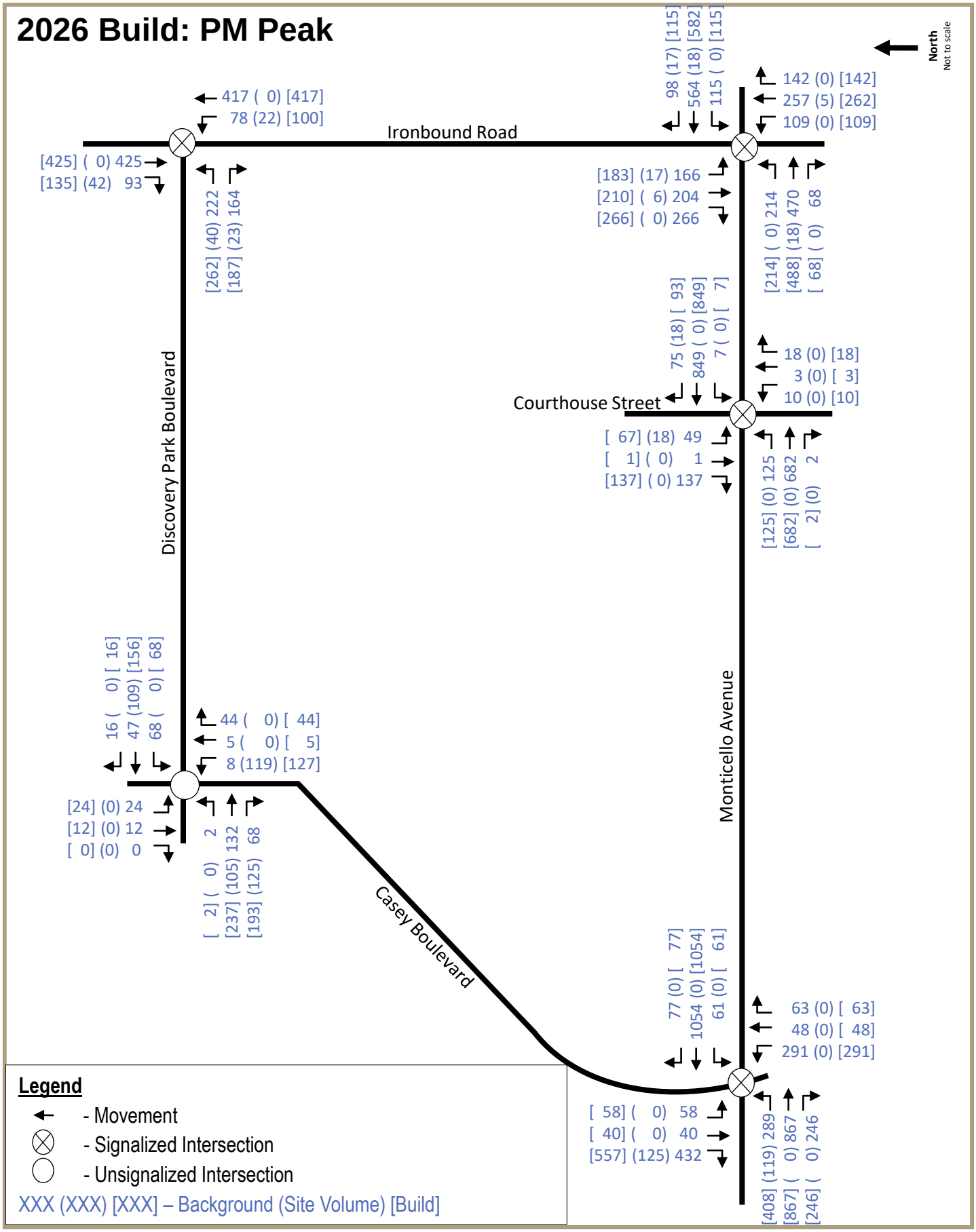
Future Conditions with Development

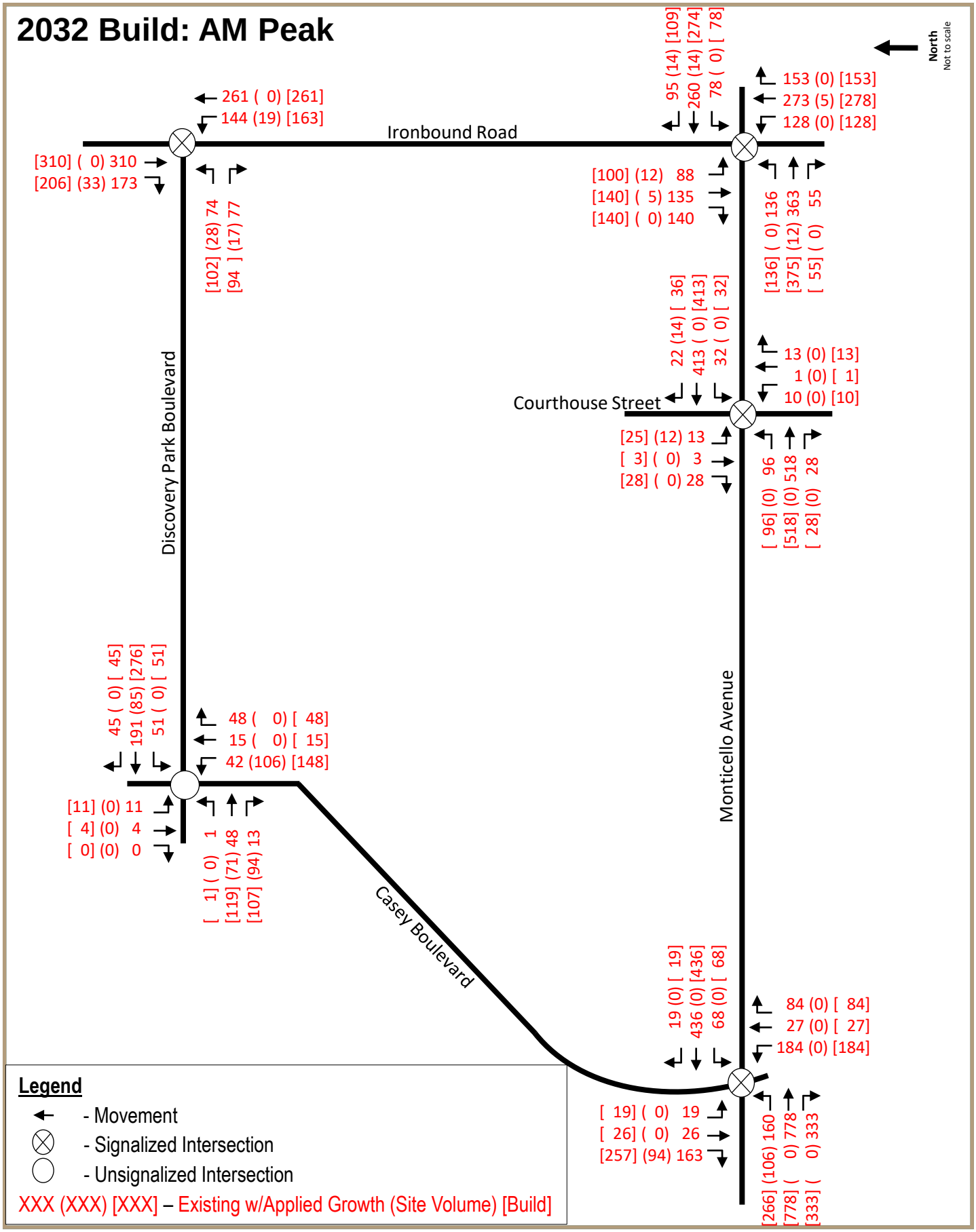
6.1 Future Traffic Volume

Total future traffic volumes represent the addition of traffic generated by the proposed Westwood Park Development in addition to the background traffic volumes. These resulting volumes are also referred to as "build" volumes. The future build conditions were generated by combining the 2026 and 2032 background conditions with the proposed volumes and are illustrated in the following figures:

- **Figure 11** – 2026 Build: AM Peak
- **Figure 12** – 2026 Build: PM Peak
- **Figure 13** – 2032 Build: AM Peak
- **Figure 14** – 2032 Build: PM Peak


2026 Build: AM Peak
North
Not to scale
Ironbound Road
Courthouse Street
Discovery Park Boulevard
Monticello Avenue
Casey Boulevard
246 (0) [246]
136 (19) [155]
[293] (0) 293
[196] (33) 163
[98] (28) 70
[90] (17) 73
89 (14) [103]
248 (14) [262]
74 (0) [74]
145 (0) [145]
258 (5) [263]
121 (0) [121]
[95] (12) 83
[133] (5) 128
[132] (0) 132
[129] (0) 129
[357] (12) 345
[52] (0) 52
21 (14) [35]
392 (0) [392]
30 (0) [30]
12 (0) [12]
1 (0) [1]
9 (0) [9]
[24] (12) 12
[3] (0) 3
[36] (0) 36
[90] (0) 90
[492] (0) 492
[26] (0) 26
43 (0) [43]
181 (85) [266]
48 (0) [48]
46 (0) [46]
15 (0) [15]
40 (106) [146]
[10] (0) 10
[4] (0) 4
[0] (0) 0
[1] (0) 1
[117] (71) 46
[106] (94) 12
18 (0) [18]
411 (0) [411]
10 (0) [10]
83 (0) [83]
26 (0) [26]
179 (0) [179]
[18] (0) 18
[26] (0) 26
[248] (94) 154
[257] (106) 151
[733] (0) 733
[322] (0) 322
Legend
- Movement
- Signalized Intersection
- Unsignalized Intersection
XXX (XXX) [XXX] – Background (Site Volume) [Build]


2026 Build: PM Peak
North
Not to scale
Ironbound Road
Courthouse Street
Discovery Park Boulevard
Monticello Avenue
Casey Boulevard
417 (0) [417]
78 (22) [100]
[425] (0) 425
[135] (42) 93
[262] (40) 222
[187] (23) 164
98 (17) [115]
564 (18) [582]
115 (0) [115]
142 (0) [142]
257 (5) [262]
109 (0) [109]
[183] (17) 166
[210] (6) 204
[266] (0) 266
[214] (0) 214
[488] (18) 470
[68] (0) 68
75 (18) [93]
849 (0) [849]
7 (0) [7]
18 (0) [18]
3 (0) [3]
10 (0) [10]
[67] (18) 49
[1] (0) 1
[137] (0) 137
[125] (0) 125
[682] (0) 682
[2] (0) 2
16 (0) [16]
47 (109) [156]
68 (0) [68]
44 (0) [44]
5 (0) [5]
8 (119) [127]
[24] (0) 24
[12] (0) 12
[0] (0) 0
[2] (0) 2
[237] (105) 132
[193] (125) 68
77 (0) [77]
1054 (0) [1054]
61 (0) [61]
63 (0) [63]
48 (0) [48]
291 (0) [291]
[58] (0) 58
[40] (0) 40
[557] (125) 432
[408] (119) 289
[867] (0) 867
[246] (0) 246
Legend
- Movement
- Signalized Intersection
- Unsignalized Intersection
XXX (XXX) [XXX] – Background (Site Volume) [Build]


2032 Build: AM Peak
North
Not to scale
Ironbound Road
Courthouse Street
Discovery Park Boulevard
Monticello Avenue
Casey Boulevard
261 (0) [261]
144 (19) [163]
[310] (0) 310
[206] (33) 173
[102] (28) 74
[94] (17) 77
95 (14) [109]
260 (14) [274]
78 (0) [78]
153 (0) [153]
273 (5) [278]
128 (0) [128]
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[140] (0) 140
[136] (0) 136
[375] (12) 363
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22 (14) [36]
413 (0) [413]
32 (0) [32]
13 (0) [13]
1 (0) [1]
10 (0) [10]
[25] (12) 13
[3] (0) 3
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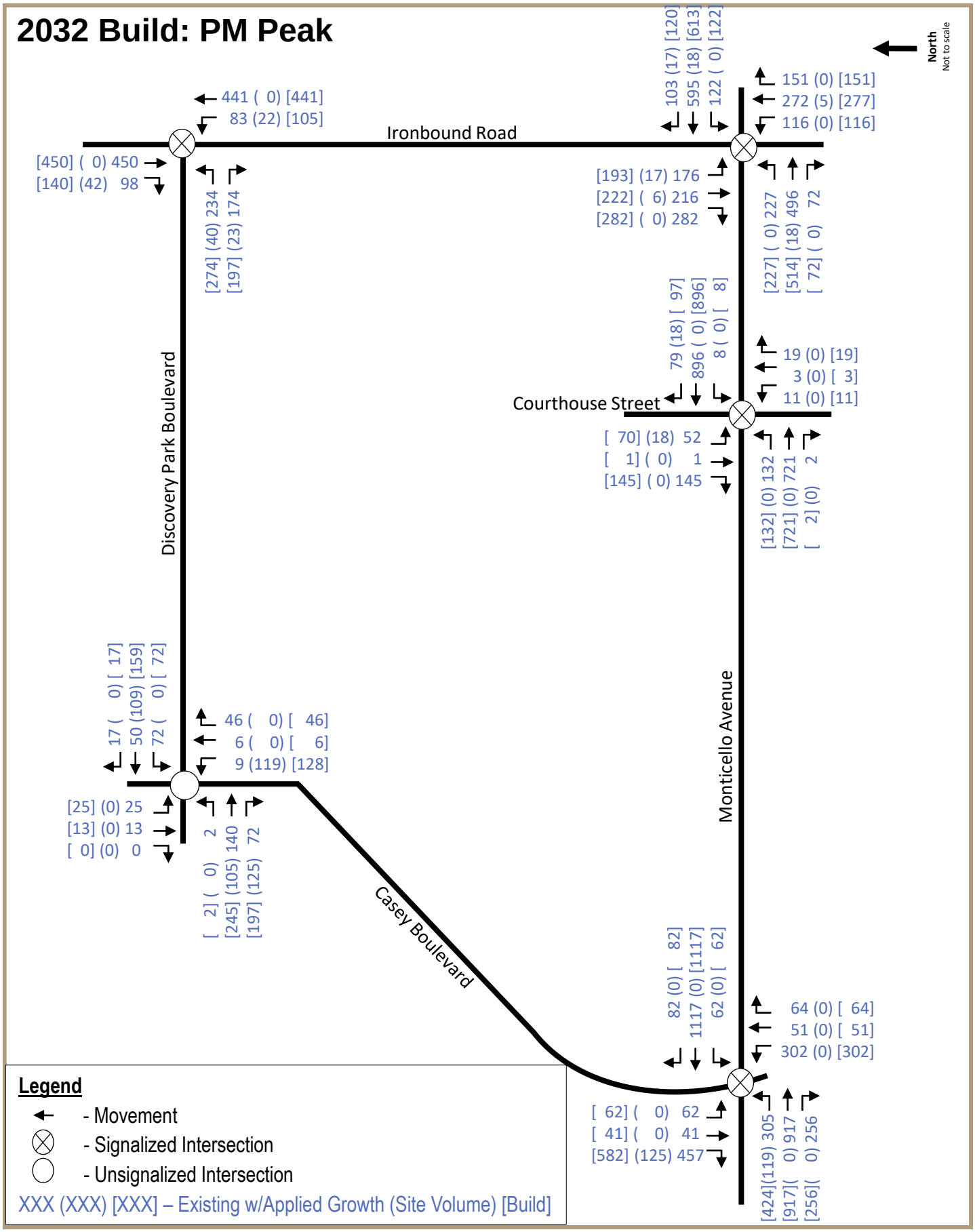
[96] (0) 96
[518] (0) 518
[28] (0) 28
45 (0) [45]
191 (85) [276]
51 (0) [51]
48 (0) [48]
15 (0) [15]
42 (106) [148]
[11] (0) 11
[4] (0) 4
[0] (0) 0
[1] (0) 1
[119] (71) 48
[107] (94) 13
19 (0) [19]
436 (0) [436]
68 (0) [68]
84 (0) [84]
27 (0) [27]
184 (0) [184]
[19] (0) 19
[26] (0) 26
[257] (94) 163
[266] (106) 160
[778] (0) 778
[333] (0) 333
Legend
- Movement
- Signalized Intersection
- Unsignalized Intersection
XXX (XXX) [XXX] – Existing w/Applied Growth (Site Volume) [Build]


2032 Build: PM Peak
North
Not to scale
Ironbound Road
Courthouse Street
Discovery Park Boulevard
Monticello Avenue
Casey Boulevard
441 (0) [441]
83 (22) [105]
[450] (0) 450
[140] (42) 98
[274] (40) 234
[197] (23) 174
103 (17) [120]
595 (18) [613]
122 (0) [122]
151 (0) [151]
272 (5) [277]
116 (0) [116]
[193] (17) 176
[222] (6) 216
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[227] (0) 227
[514] (18) 496
[72] (0) 72
79 (18) [97]
896 (0) [896]
8 (0) [8]
19 (0) [19]
3 (0) [3]
11 (0) [11]
[70] (18) 52
[1] (0) 1
[145] (0) 145
[132] (0) 132
[721] (0) 721
[2] (0) 2
17 (0) [17]
50 (109) [159]
72 (0) [72]
46 (0) [46]
6 (0) [6]
9 (119) [128]
[25] (0) 25
[13] (0) 13
[0] (0) 0
[2] (0) 2
[245] (105) 140
[197] (125) 72
82 (0) [82]
1117 (0) [1117]
62 (0) [62]
64 (0) [64]
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302 (0) [302]
[62] (0) 62
[41] (0) 41
[582] (125) 457
[424](119) 305
[917](0) 917
[256](0) 256
Legend
- Movement
- Signalized Intersection
- Unsignalized Intersection
XXX (XXX) [XXX] – Existing w/Applied Growth (Site Volume) [Build]

6.2 Capacity and Level of Service Analyses at Critical Points

Capacity analyses for the study area intersections during the AM and PM peak hours were performed for the 2026 and 2032 Background and Build conditions. Analyses were completed to determine the operating characteristics of the study area intersections and roadways using *Synchro Professional 11.1*, which uses methodologies contained in the *2000 Highway Capacity Manual (HCM)*.

To compare operations among various scenarios, detailed analyses are illustrated in **Tables 4 – 8** to provide a side-by-side comparison for the following five scenarios:

- Existing Conditions
- 2026 Background Conditions
  - annual growth for 4 years plus approved development site traffic
- 2026 Build Conditions
  - *2026 Background plus Westwood Park Development*
- 2032 Background Conditions
  - annual growth for 10 years plus approved development site traffic
- 2032 Build Conditions
  - *2032 Background plus Westwood Park Development*

6.2.1 Ironbound Road / Discovery Park Boulevard

At this intersection, Ironbound Road is oriented in a north/south direction, and Discovery Park Boulevard is oriented in an eastbound direction. Currently, this signalized intersection provides the following laneage:

- Ironbound Road (northbound) – one exclusive left-turn lane and two through lanes.
- Ironbound Road (southbound) – two through lanes and one exclusive right-turn lane.
- Discovery Park Boulevard (eastbound) – one exclusive left-turn lane and one exclusive right-turn lane.

The results of the intersection analysis for the five scenarios are illustrated in **Table 4**. Detailed analysis is provided in the **Appendix**.

Table 4 Ironbound Road / Discovery Park Boulevard Signalized Intersection | Level of Service

Scenario	Overall Delay (LOS)	Delay per Lane Group by Approach [sec/veh] (Level of Service)					
		Eastbound		Northbound		Southbound	
		LT	RT	LT	TH	TH	RT
AM Peak Hour							
Existing	18.2 (B)	39.3 (D)	36.0 (D)	38.8 (D)	5.8 (A)	11.3 (B)	11.2 (B)
		37.5 (D)		17.4 (B)		11.2 (B)	
2026 No Build	15.0 (B)	41.2 (D)	37.6 (D)	28.6 (C)	2.6 (A)	10.0 (A)	9.8 (A)
		39.4 (D)		11.9 (B)		9.9 (A)	
2026 Build	16.9 (B)	39.0 (D)	35.2 (D)	29.0 (C)	3.7 (A)	12.0 (B)	11.9 (B)
		37.2 (D)		13.5 (B)		12.0 (B)	
2032 No Build	15.0 (B)	41.2 (D)	37.4 (D)	27.7 (C)	2.6 (A)	10.4 (B)	10.2 (B)
		39.2 (D)		11.5 (B)		10.3 (B)	
2032 Build	17.1 (B)	39.1 (D)	35.1 (D)	29.0 (C)	3.7 (A)	12.5 (B)	12.3 (B)
		37.2 (D)		13.4 (B)		12.4 (B)	
PM Peak Hour							
Existing	26.9 (C)	62.1 (E)	40.7 (D)	38.7 (D)	14.5 (B)	13.3 (B)	12.0 (B)
		53.5 (D)		19.2 (B)		13.1 (B)	
2026 No Build	22.1 (C)	62.2 (E)	42.3 (D)	45.0 (D)	1.1 (A)	12.1 (B)	10.9 (B)
		53.8 (D)		8.1 (A)		11.9 (B)	
2027 Build	25.1 (C)	68.3 (E)	40.9 (D)	42.6 (D)	1.4 (A)	14.4 (B)	13.2 (B)
		56.9 (E)		9.4 (A)		14.1 (B)	
2032 No Build	22.6 (C)	63.7 (E)	41.9 (D)	40.1 (D)	1.2 (A)	13.9 (B)	12.3 (B)
		54.4 (D)		7.3 (A)		13.6 (B)	
2032 Build	25.6 (C)	70.6 (E)	40.6 (D)	43.5 (D)	1.4 (A)	14.8 (B)	13.4 (B)
		58.1 (E)		9.5 (A)		14.5 (B)	

This signalized intersection operates at an overall LOS C or better during all peak periods. The side street eastbound left-turn experiences the longest delay during the PM peak period, based on the existing green time and the actuated coordinated operations, which allocates unused green time to the mainline. The Build scenarios incorporate optimized timings, using the same cycle lengths but adjustments were made to splits and offsets to accommodate the changes in traffic demands. Optimized timings have been implemented to enhance progression along Ironbound Road. Additionally, the overall intersection LOS remained at a B and C in the AM and PM peaks respectively.

6.2.2 Ironbound Road / Monticello Avenue

At this intersection, Ironbound Road is oriented in a north/south direction and Monticello Avenue is oriented in an east/west direction. Currently, this signalized intersection provides the following laneage:

- Ironbound Road (northbound) – one exclusive left-turn lane, two through lanes, and one exclusive right-turn lane.
- Ironbound Road (southbound) – one exclusive left-turn lane, two through lanes, and one exclusive right-turn lane.
- Monticello Avenue (eastbound) – two left-turn lanes, two through lanes, and one exclusive right-turn lane.
- Monticello Avenue (westbound) – one exclusive left-turn lane, two through lanes, and one exclusive right-turn lane.

The results of the intersection analysis for the five scenarios are illustrated in Table 5. A detailed analysis is shown in the Appendix.

Table 5 Ironbound Road / Monticello Avenue Signalized Intersection | Level of Service

Scenario	Overall Delay (LOS)	Delay per Lane Group by Approach [sec/veh] (Level of Service)											
		Eastbound			Westbound			Northbound			Southbound		
		LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
AM Peak Hour													
Existing	46.0 (D)	60.7 (E)	50.5 (D)	18.6 (B)	48.4 (D)	29.0 (C)	19.6 (B)	56.1 (E)	41.0 (D)	26.9 (C)	32.4 (C)	29.2 (C)	120.0 (F)
		48.5 (D)			32.4 (C)			41.1 (D)			66.7 (E)		
2026 No Build	46.9 (D)	41.0 (D)	37.5 (D)	17.7 (B)	40.3 (D)	34.7 (C)	24.5 (C)	44.9 (D)	40.5 (D)	28.0 (C)	32.5 (C)	28.8 (C)	191.9 (F)
		36.4 (D)			33.5 (C)			38.0 (D)			92.4 (F)		
2026 Build	46.4 (D)	51.2 (D)	41.1 (D)	18.0 (B)	40.3 (D)	29.5 (C)	19.7 (B)	44.9 (D)	40.6 (D)	27.9 (C)	38.4 (D)	27.6 (C)	182.8 (F)
		41.3 (D)			29.0 (C)			38.1 (D)			87.2 (F)		
2032 No Build	46.3 (D)	50.3 (D)	40.5 (D)	18.0 (B)	40.5 (D)	29.5 (C)	19.8 (B)	46.5 (D)	40.8 (D)	27.7 (C)	35 (D)	28.3 (C)	175.8 (F)
		40.7 (D)			29.4 (C)			38.5 (D)			86.7 (F)		
2032 Build	44.5 (D)	49.2 (D)	40.0 (D)	18.2 (B)	40.5 (D)	30.0 (C)	19.9 (B)	46.5 (D)	41.2 (D)	27.7 (C)	39.3 (D)	27.2 (C)	155.7 (F)
		40.1 (D)			29.4 (C)			38.7 (D)			77.7 (E)		
PM Peak Hour													
Existing	48.9 (D)	59.7 (E)	38.8 (D)	17.5 (B)	57.9 (E)	32.4 (C)	18.7 (B)	68.6 (E)	64.3 (E)	37.9 (D)	111.1 (F)	51.3 (D)	45.7 (D)
		42.9 (D)			34.6 (C)			58.1 (E)			64.2 (E)		
2027 No Build	43.7 (D)	32.5 (C)	21.5 (C)	19.6 (B)	61.1 (E)	41.0 (D)	21.5 (C)	56.0 (E)	55.2 (E)	37.3 (D)	54.5 (D)	56.2 (E)	75.0 (E)
		24.5 (C)			41.6 (D)			50.4 (D)			63.6 (E)		
2027 Build	44.7 (D)	39.3 (D)	20.4 (C)	20.0 (C)	62.8 (E)	37.3 (D)	18.0 (B)	56.0 (E)	56.1 (E)	37.6 (D)	55.2 (E)	55.6 (E)	89.2 (F)
		25.8 (C)			38.2 (D)			51.0 (D)			69.1 (E)		
2032 No Build	44.9 (D)	39.8 (D)	20.6 (C)	19.9 (B)	63.9 (E)	37.5 (D)	18.2 (B)	56.4 (E)	55.7 (E)	37.0 (D)	55.1 (E)	57.2 (E)	88.6 (F)
		26.0 (C)			39.1 (D)			50.6 (D)			69.8 (E)		
2032 Build	45.0 (D)	40.1 (D)	21.6 (C)	20.5 (C)	64.5 (E)	39.1 (D)	18.2 (B)	56.4 (E)	57.0 (E)	37.2 (D)	55.7 (E)	55.8 (E)	83.2 (F)
		26.8 (C)			39.9 (D)			51.4 (D)			66.9 (E)		

This intersection operates at a LOS D during all peak periods. There is a slight decrease in delay between No Build and Build scenarios during the AM peak. This is the result of better utilization of the intersection as the amount of green time serving the southbound movement is consistent between both scenarios however, there is slight increase in vehicle demand in the Build scenario that results in a

smaller delay per vehicle for this approach. However, the overall delay is consistent between both scenarios (i.e. < 0.1 sec difference in delay)

The proposed development will add minimal traffic to these intersections. However, with minor adjustments to splits and offsets, the optimized signal timings reduce overall delay from the existing scenario to the 2032 Build scenario in both AM and PM peaks.

6.2.3 Monticello Avenue / Courthouse Street

At this intersection, Monticello Avenue is oriented in an east/west direction and Courthouse Street is oriented in a north/south direction. Currently, this signalized intersection with the following laneage:

- Courthouse Street (northbound) – one shared left-through lane and one exclusive right-turn lane.
- Courthouse Street (southbound) – one shared left-through lane and one exclusive right-turn lane.
- Monticello Avenue (eastbound) – one exclusive left-turn lane, two through lanes, and one exclusive right-turn lane.
- Monticello Avenue (westbound) – one exclusive left-turn lane, two through lanes, and one exclusive right-turn lane.

The results of the intersection analysis for the five scenarios are illustrated in **Table 6**. A detailed analysis is shown in the **Appendix**.

Table 6 Monticello Avenue / Courthouse Street Signalized Intersection | Level of Service

Scenario	Overall Delay (LOS)	Delay per Lane Group by Approach [sec/veh] (Level of Service)									
		Eastbound			Westbound			Northbound		Southbound	
		LT	TH	RT	LT	TH	RT	LT-TH	RT	LT-TH	RT
AM Peak Hour											
Existing	24.4 (C)	18.1 (B)	25.0 (C)	12.8 (B)	17.9 (B)	23.1 (C)	13.9 (B)	43.2 (D)	40.4 (D)	42.8 (D)	40.7 (D)
			23.1 (C)			22.1 (C)		42.1 (D)		41.7 (D)	
2027 No Build	22.2 (C)	14.9 (B)	23.2 (C)	11.4 (B)	15.4 (B)	20.8 (C)	12.4 (B)	44.3 (D)	42.3 (D)	42.4 (D)	41.1 (D)
			21.4 (C)			20.0 (B)		43.2 (D)		41.5 (D)	
2027 Build	23.7 (C)	19.2 (B)	26.1 (C)	12.3 (B)	16.3 (B)	20.3 (C)	13.6 (B)	44.3 (D)	42.3 (D)	41.1 (D)	39.5 (D)
			24.4 (C)			19.5 (B)		43.2 (D)		40.1 (D)	
2032 No Build	21.7 (C)	14.5 (B)	23.4 (C)	11.4 (B)	15.7 (B)	19.7 (B)	12.6 (B)	44.5 (D)	42.3 (D)	42.5 (D)	41.0 (D)
			21.5 (C)			19.1 (B)		43.3 (D)		41.6 (D)	
2032 Build	22.0 (C)	15.1 (B)	23.8 (C)	11.7 (B)	15.2 (B)	19.6 (B)	13.0 (B)	44.5 (D)	42.3 (D)	42.9 (D)	40.5 (D)
			21.9 (C)			18.8 (B)		43.3 (D)		41.7 (D)	
PM Peak Hour											
Existing	18.7 (B)	11.0 (B)	7.3 (A)	11.5 (B)	7.7 (A)	18.3 (B)	15.0 (B)	56.5 (E)	54.3 (D)	54.9 (D)	51.4 (D)
			7.9 (A)			17.8 (B)		55.3 (E)		52.3 (D)	
2027 No Build	14.7 (B)	4.8 (A)	8.1 (A)	9.8 (A)	8.5 (A)	11.6 (B)	13.4 (B)	57.9 (E)	55.9 (E)	55.0 (D)	52.1 (D)
			7.6 (A)			11.7 (B)		56.7 (E)		52.8 (D)	
2027 Build	17.5 (B)	7.8 (A)	14.2 (B)	10.3 (B)	7.9 (A)	12.2 (B)	14.0 (B)	57.9 (E)	55.9 (E)	54.8 (D)	50.9 (D)
			13.2 (B)			12.3 (B)		56.7 (E)		52.2 (D)	
2032 No Build	17.0 (B)	6.5 (A)	13.5 (B)	9.9 (A)	8.6 (A)	12.1 (B)	13.6 (B)	58.1 (E)	55.9 (E)	54.9 (D)	51.8 (D)
			12.4 (B)			12.2 (B)		56.8 (E)		52.6 (D)	
2032 Build	17.7 (B)	8.3 (A)	14.1 (B)	10.4 (B)	8.4 (A)	12.6 (B)	14.2 (B)	58.1 (E)	55.9 (E)	54.9 (D)	50.8 (D)
			13.2 (B)			12.8 (B)		56.8 (E)		52.2 (D)	

This intersection operates at a LOS C or better during all peak hours. The north and southbound side street approaches experience some delay. Minor adjustments to splits and offsets result in a reduced overall intersection delay between the existing scenario and the 2032 Build scenario for both the AM and PM peak periods.

6.2.4 Monticello Avenue / Casey Boulevard / Ironbound Road

At this intersection, Monticello Avenue is oriented in an east/west direction, Ironbound Road and Casey Boulevard are oriented in a north/south direction. Currently, this signalized intersection has the following laneage:

- Ironbound Road (northbound) – one exclusive left-turn lane and one shared left-through-right turn lane.
- Casey Boulevard (southbound) – one shared left-through lane and two exclusive right-turn lanes.
- Monticello Avenue (eastbound) – two left-turn lanes, two through lanes, and one exclusive right-turn lane.
- Monticello Avenue (westbound) – one exclusive left-turn lane, two through lanes, and one shared through-right turn lane.

The results of the intersection analysis for the five scenarios are illustrated in **Table 7**. A detailed analysis is shown in the **Appendix**.

There are planned improvements associated with the Ironbound Crossing Development. These improvements will provide additional capacity on the northbound leg of the intersection. The future laneage at this intersection include:

› Ironbound Road (northbound) – two exclusive left-turn lanes and one shared left-through-right turn lane.

2026 and 2032 Build scenarios were analyzed using planned improvements at this intersection.

Table 7 Monticello Avenue / Casey Boulevard / Ironbound Road Signalized Intersection | Level of Service

Scenario	Overall Delay (LOS)	Delay per Lane Group by Approach [sec/veh] (Level of Service)								
		Eastbound			Westbound		Northbound		Southbound	
		LT	TH	RT	LT	TH-RT	LT	TH-RT	LT-TH	RT
AM Peak Hour										
Existing	26.4 (C)	39.0 (D)	19.7 (B)	15.5 (B)	37.0 (D)	32.3 (C)	41.7 (D)	41.1 (D)	44.6 (D)	32.1 (C)
			21.1 (C)			32.5 (C)		41.4 (D)	35.3 (D)	
2027 No Build	27.6 (C)	39.0 (D)	23.1 (C)	19.0 (B)	32.0 (C)	26.8 (C)	38.9 (D)	37.0 (D)	44.2 (D)	32.2 (C)
			23.9 (C)			27.5 (C)		38.1 (D)	34.9 (C)	
2027 Build	27.5 (C)	41.5 (D)	19.7 (B)	16.6 (B)	43.7 (D)	29.6 (C)	38.9 (D)	37.0 (D)	44.2 (D)	31.3 (C)
			23.0 (C)			29.9 (C)		38.1 (D)	33.3 (C)	
2032 No Build	28.0 (C)	39.1 (D)	23.7 (C)	19.1 (B)	33.3 (C)	27.8 (C)	39.1 (D)	37.0 (D)	44.3 (D)	32.1 (C)
			24.3 (C)			28.6 (C)		38.3 (D)	34.8 (C)	
2032 Build	29.1 (C)	42 (D)	23.7 (C)	19.1 (B)	34.8 (C)	28.9 (C)	39.1 (D)	37.0 (D)	44.3 (D)	31.7 (C)
			25.9 (C)			29.7 (C)		38.3 (D)	33.6 (C)	
PM Peak Hour										
Existing	42.2 (D)	58.5 (E)	23.8 (C)	17.9 (B)	42.8 (D)	47.3 (D)	59.9 (E)	58.2 (E)	67.5 (E)	44.8 (D)
			31.4 (C)			47.3 (D)		59.1 (E)	49.0 (D)	
2027 No Build	36.6 (D)	52.8 (D)	27.3 (C)	20.8 (C)	17.3 (B)	33.7 (C)	53.6 (D)	48.0 (D)	63.1 (E)	43.0 (D)
			31.4 (C)			32.9 (C)		52.0 (D)	46.7 (D)	
2027 Build	36.3 (D)	56.9 (E)	27.3 (C)	20.8 (C)	18.5 (B)	28.0 (C)	53.6 (D)	48.0 (D)	63.1 (E)	45.7 (D)
			33.8 (C)			27.5 (C)		52.0 (D)	48.4 (D)	
2032 No Build	35.4 (D)	52.9 (D)	28.5 (C)	21.1 (C)	19.0 (B)	28.8 (C)	53.8 (D)	48.0 (D)	65.4 (E)	43.2 (D)
			32.3 (C)			28.3 (C)		52.2 (D)	47.3 (D)	
2032 Build	37.3 (D)	57.5 (E)	28.5 (C)	21.1 (C)	19.5 (B)	29.7 (C)	53.8 (D)	48.0 (D)	65.4 (E)	46.6 (D)
			34.7 (C)			29.2 (C)		52.2 (D)	49.5 (D)	

This intersection operates with a LOS D or better during all peak periods. The northbound and southbound approaches experience some delay during the PM peak period. With minor adjustments to splits and offsets, the optimized timings reduce overall intersection delays in the PM Build scenarios compared to existing conditions.

6.2.5 Discovery Park Boulevard / Casey Boulevard

At this intersection, Discovery Park Boulevard is oriented in an east/west direction and Casey Boulevard is oriented in a north/south direction. Currently, this unsignalized intersection provides the following laneage:

› Discovery Park Boulevard (eastbound) – one shared left-through-right-turn lane.

- Discovery Park Boulevard (westbound) – one shared left-through-right-turn lane.
- Casey Boulevard (northbound) – one shared left-through-right-turn lane.
- Casey Boulevard (southbound) – one shared left-through-right-turn lane.

The results of the intersection analysis for the five scenarios are illustrated in **Table 8**. A detailed analysis is shown in the **Appendix**.

Table 8 Discovery Park Boulevard / Casey Boulevard Unsignalized Intersection | Level of Service

Scenario	Overall Delay (LOS)	Delay per Lane Group by Approach [sec/veh] (Level of Service)			
		Eastbound	Westbound	Northbound	Southbound
		LT-TH-RT	LT-TH-RT	LT-TH-RT	LT-TH-RT
AM Peak Hour					
Existing	7.6 (A)	-	-	20.9 (C)	16.7 (C)
2027 No Build	3.8 (A)	-	-	11.3 (B)	12.4 (B)
2027 Build	6.2 (A)	-	-	21.2 (C)	15.8 (C)
2032 No Build	3.8 (A)	-	-	11.5 (B)	12.7 (B)
2032 Build	6.5 (A)	-	-	22.4 (C)	16.3 (C)
PM Peak Hour					
Existing	3.3 (A)	-	-	12.5 (B)	19.0 (C)
2027 No Build	3.8 (A)	-	-	10.2 (B)	13.0 (B)
2027 Build	6.3 (A)	-	-	24.6 (C)	19.1 (C)
2032 No Build	3.9 (A)	-	-	10.5 (B)	13.4 (B)
2032 Build	6.8 (A)	-	-	26.5 (D)	19.9 (C)
- Indicates Unimpeded Movement					

This unsignalized intersection operates at an overall LOS A during all peak period scenarios. The Westwood Park Development will increase the traffic volumes at this location. However, with multiple access points to the external roadway (i.e., Ironbound Road and Monticello Avenue) the traffic volumes are evenly dispersed and such that the intersection operates at a LOS A, during the AM and PM peak periods.

1.2.5.1 Right-Turn Lane Warrant

A right turn lane warrant was performed at this study area intersection and the detailed right turn lane warrant is located in the **Appendix.**

While the southbound volumes on Discovery Park Boulevard meet turn lane warrants from a volume threshold, a right-turn lane is not recommended. The intersection currently operates at a LOS A during all peak periods and the current infrastructure is sufficient to accommodate the site generated traffic. At this intersection, Discovery Park Boulevard is unimpeded, and the side street is stop controlled. The additional southbound right-turns will have the right of way and do not negatively impact the through

movements. Additionally, due to the nature of the internal roadway, the construction of a right turn lane would create unnecessary right of way impacts and connectively to existing bike lanes and pedestrian accommodations.

6.3 Queuing Analysis

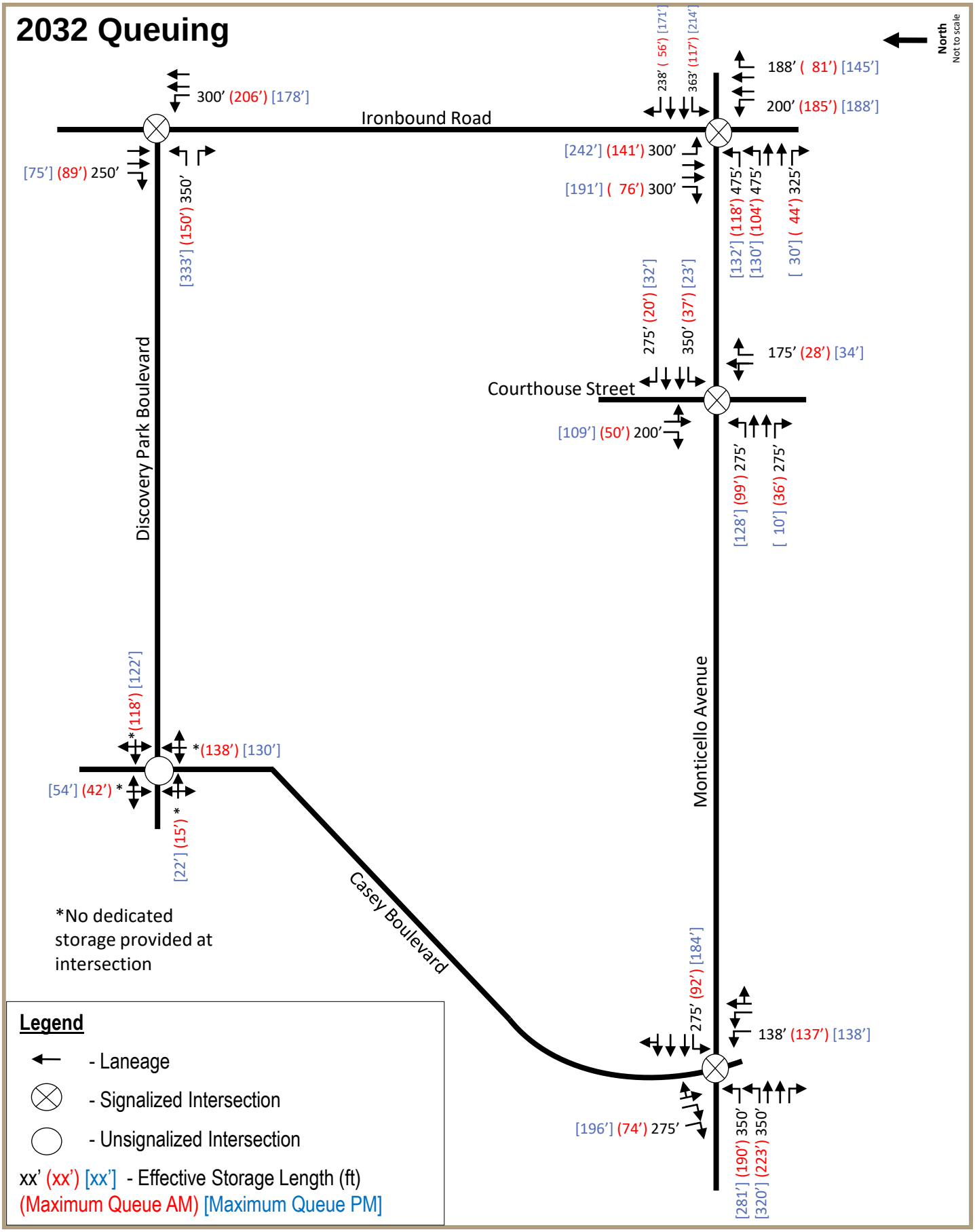
To further evaluate the potential impacts of the Westwood Park Development, queuing analysis was performed for all analysis scenarios using Sim Traffic Software.

The maximum queue lengths in feet (ft) are summarized for all analysis scenarios in the **Appendix.**

Overall, the intersection turn lanes are adequate to accommodate the anticipated queue and no additional turn lane improvements are warranted.

At the internal intersection of Discovery Parkway Boulevard and Casey Boulevard, the northbound and westbound approaches reflect the largest queue during the AM and PM peaks, which was approximately 126’ and 121’ respectively in the AM and approximately 136’and 138’ respectively in the PM with all other approaches under 100’ during both peak periods.

Figure 15 illustrates 2036 Build scenario queueing.


2032 Queuing
North
Not to scale
Ironbound Road
Discovery Park Boulevard
Courthouse Street
Monticello Avenue
Casey Boulevard
300' (206') [178']
[75'] (89') 250'
[333'] (150') 350'
238' (56') [171']
363' (117') [214']
188' (81') [145']
200' (185') [188']
[242'] (141') 300'
[191'] (76') 300'
[132'] (118') 475'
[130'] (104') 475'
[30'] (44') 325'
275' (20') [32']
350' (37') [23']
175' (28') [34']
[109'] (50') 200'
[128'] (99') 275'
[10'] (36') 275'
*(118') [122']
*(138') [130']
[54'] (42') *
[22'] (15') *
275' (92') [184']
138' (137') [138']
[196'] (74') 275'
[281'] (190') 350'
[320'] (223') 350'
*No dedicated storage provided at intersection
Legend
- Laneage
- Signalized Intersection
- Unsignalized Intersection
xx' (xx') [xx'] - Effective Storage Length (ft)
(Maximum Queue AM) [Maximum Queue PM]

7

Conclusions and Recommended Improvements

The proposed Westwood Park mixed-use development is located in James City County on the northern termini of Discovery Park Boulevard within the Westwood Park Development. This proposed Westwood Park Development study area includes roadways and intersections in the immediate vicinity of the proposed site location. As currently proposed, the development, along with the background traffic, will only slightly increase the volume of traffic on roadways and at intersections throughout the study area. The following recommendations will mitigate impacts associated with development and provide acceptable levels of service for the study area intersections

Ironbound Road / Discovery Park Boulevard

- Maintain existing laneage.
- Provide optimized signal timings.

Ironbound Road / Monticello Avenue

- Maintain existing laneage.
- Provide optimized signal timings.

Monticello Avenue / Courthouse Street

- Maintain existing laneage.
- Provide optimized signal timings.

Monticello Avenue / Casey Boulevard / Ironbound Road

- Maintain existing laneage.
- Provide optimized signal timings.

Discovery Park Boulevard / Casey Boulevard

- Maintain existing laneage.

Community Development
101-A Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23187-8784
P: 757-253-6671
F. 757-253-6822
community.development@jamescitycountyva.gov

jamescitycountyva.gov

Building Safety & Permits 757-253-6626
Neighborhood Development 757-253-6640
Planning 757-253-6685
Zoning 757-253-6671

January 22, 2026

Mr. Jason Grimes
AES Consulting Engineers
5248 Olde Towne Rd.
Suite 1
Williamsburg, VA 23188

Re: Z-23-0004/MP-23-0001, Westwood Park Rezoning

Mr. Grimes,

Thank you for the opportunity to review the above-referenced special use permit application. Staff has begun review of your application and offers the following comments as guidance. These comments reflect the issues or areas of concern that staff will consider in making a recommendation of approval or denial of your application to the Planning Commission and Board of Supervisors.

Planning:

1. *Fiscal Impact Analysis.* Fiscal Impact Analysis. In alignment with the 2045 Comprehensive Plan, on February 28, 2023, the Board of Supervisors adopted a resolution directing staff to use the County's Fiscal Impact Model to assess proposed developments. To that end, staff has taken the information provided by the applicant in the fiscal input form provided on 1/22/2026 and used the County's model to analyze fiscal impacts.

    a. Overall fiscal impact (capital and operating costs). The fiscal model output information is below – this includes the model standard assessed values based on average data for the applicable fiscal analysis zone within the County (Attachment A).

    b. Capital Expenditures. This amount represents impacts to County facilities and services attributable to this proposed development. This amount is shown in Attachment A and is further broken out below by type of capital expenditure and by unit type (Attachment B).

    For item (a), this information, using the standard/default assessed values, will be included in the staff report. Staff has also run the model using the unit assessed values provided in the fiscal input form submitted by the applicant (Attachment C). The applicant could include this information in the CIS or other submittal document if desired.

    For item (b), the staff report will include an assessment of this application's consistency with the 2045 Comprehensive Plan which provides guidance for the County to ensure that developments subject to zoning or special use permit review mitigate their impacts. If the applicant feels there are components of the application that the County should consider in making this assessment, the applicant can provide a narrative describing these components for staff review and inclusion with the packet.

2. *Projected School Enrollment.* For your use in the Community Impact Statement, the current County methodology projects 43 students based on the number and types of residential units. The projected numbers

at the different school levels would be 19 elementary students, 10 middle school students, and 14 high school students. This information will be provided in the staff report, together with an assessment of the capacity of the schools.

Important Note: In future submittals of this application, if any of the input data changes (number or type of unit, estimated assessed values, etc.), the applicant team will need to submit an updated version of the Fiscal Impact Analysis Data Sheet and staff will re-run the model. Should that occur, the results from the model would be different than what is shown in this letter and the referenced attachments.

Please do not hesitate to contact me at (757)253-6691 or Morgan.Risinger@jamescitycountyva.gov should you have any questions or concerns.

Respectfully,

Morgan Risinger
Senior Planner

Attachments
Attachment A
Attachment B
Attachment C

Attachment A

NET FISCAL IMPACT	Westwood Park - Default Values	%
PROJECTED REVENUES		
General Property Taxes	$16,753,752	85%
Other Local Taxes	$1,843,170	9%
Licenses, Permits & Fees	$186,897	1%
Fines & Forfeitures	$13,078	0%
Use of Money & Prop	$0	0%
Commonwealth	$0	0%
Federal Government	$0	0%
Charges for Services	$828,222	4%
Miscellaneous	$0	0%
Total General Fund Revenues	$19,625,120	100%
Schools Revenues (Non-County)	$5,974,314	
GRAND TOTAL REVENUES	**$25,599,435**	
PROJECTED EXPENDITURES		
Operating Expenditures		
General Adminstration	$37,429	0%
Court Services	$48,641	0%
Public Safety	$2,993,002	16%
Financial Administration	$95,787	1%
Info Resources Management	$71,773	0%
Community Development	$23,523	0%
General Services	$425,099	2%
Parks & Recreation	$72,871	0%
Other Contributions And Transfers To Other Funds^	$1,340,152	7%
Total General Fund Expenditures	$5,108,276	27%
School Operating Expenditures	$13,709,221	73%
GRAND TOTAL OPERATING EXPENDITURES	**$18,817,497**	**100%**
Capital Expenditures		
Non-Schools Capital	$951,990	36%
Schools Capital	$1,683,232	64%
GRAND TOTAL OPERATING EXPENDITURES	**$2,635,223**	**100%**
GRAND TOTAL EXPENDITURES	**$21,452,720**	
CUMULATIVE NET FISCAL IMPACT	**$4,146,715**	
Average Annual Net Fiscal Impact	*$165,869*	

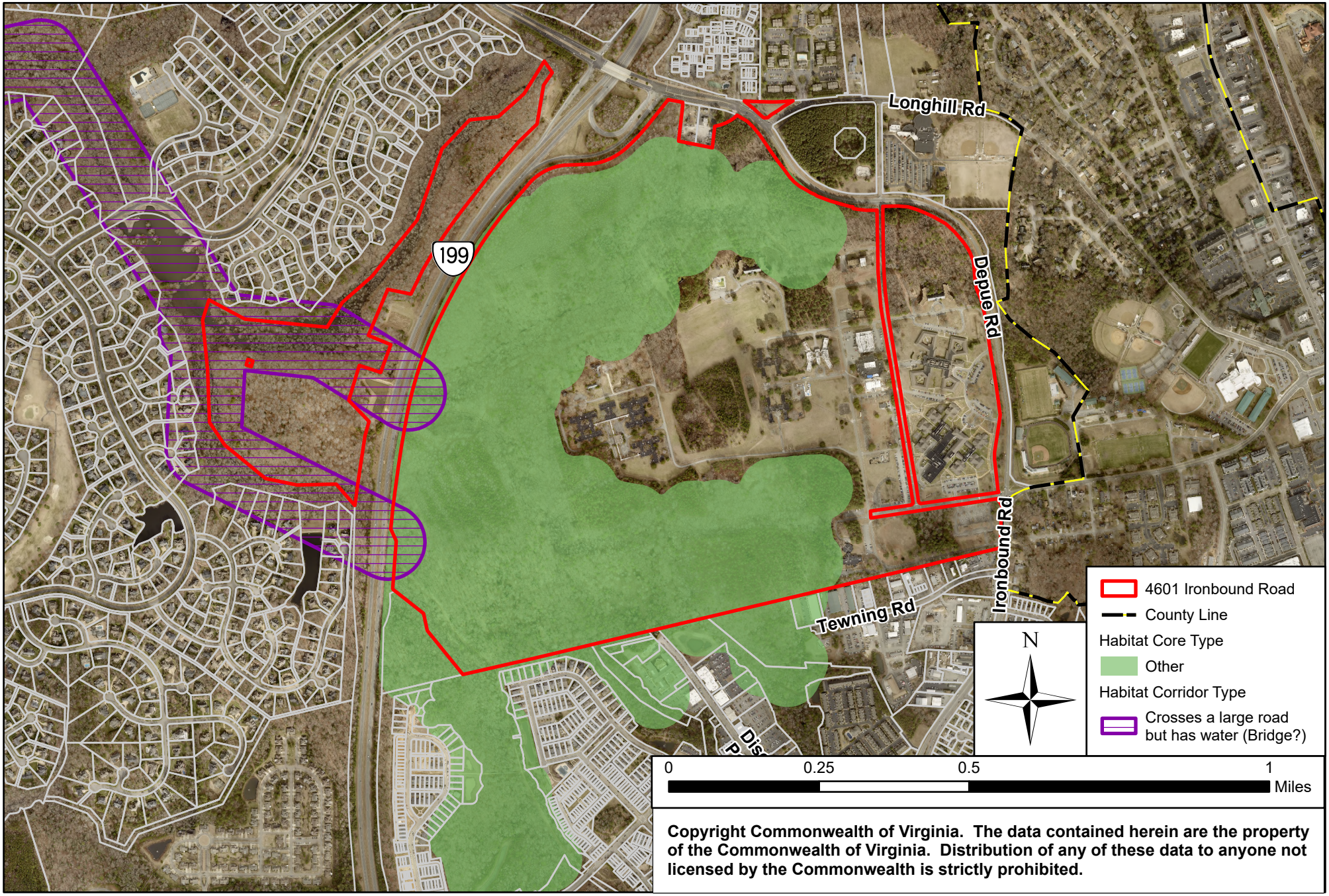
Attachment B

CAPITAL IMPACTS PER UNIT	Westwood Park - Default
Transportation	
Single Family Detached	$40.18
Single Family Attached	$30.68
Multifamily	$19.35
Parks and Recreation	
Single Family Detached	$3,580.93
Single Family Attached	$2,363.12
Multifamily	$2,479.11
Fire and Emergency Services	
Single Family Detached	$1,013.86
Single Family Attached	$669.06
Multifamily	$701.90
Police	
Single Family Detached	$7.76
Single Family Attached	$5.12
Multifamily	$5.37
Library	
Single Family Detached	$460.19
Single Family Attached	$303.69
Multifamily	$318.59
General Government	
Single Family Detached	$257.25
Single Family Attached	$169.76
Multifamily	$178.09
General Services	
Single Family Detached	$216.18
Single Family Attached	$142.66
Multifamily	$149.66
Courts	
Single Family Detached	$1,432.37
Single Family Attached	$945.25
Multifamily	$991.64
Schools	
Single Family Detached	$14,133.30
Single Family Attached	$7,425.42
Multifamily	$5,640.90
TOTAL	
Single Family Detached	**$21,142.01**
Single Family Attached	**$12,054.77**
Multifamily	**$10,484.61**

Attachment C

NET FISCAL IMPACT	Westwood Park - Developer Values without Affordable Units	%	Westwood Park - Developer Values with Affordable Units	%
PROJECTED REVENUES				
General Property Taxes	$23,858,832	88%	$21,968,928	88%
Other Local Taxes	$2,069,886	8%	$2,007,990	8%
Licenses, Permits & Fees	$275,909	1%	$252,696	1%
Fines & Forfeitures	$13,078	0%	$13,078	0%
Use of Money & Prop	$0	0%	$0	0%
Commonwealth	$0	0%	$0	0%
Federal Government	$0	0%	$0	0%
Charges for Services	$828,222	3%	$828,222	3%
Miscellaneous	$0	0%	$0	0%
Total General Fund Revenues	$27,045,928	100%	$25,070,915	100%
Schools Revenues (Non-County)	$5,974,314		$5,974,314	
GRAND TOTAL REVENUES	**$33,020,242**		**$31,045,229**	
PROJECTED EXPENDITURES				
Operating Expenditures				
General Adminstration	$37,429	0%	$37,429	0%
Court Services	$48,641	0%	$48,641	0%
Public Safety	$2,993,002	16%	$2,993,002	16%
Financial Administration	$95,787	1%	$95,787	1%
Info Resources Management	$71,773	0%	$71,773	0%
Community Development	$23,523	0%	$23,523	0%
General Services	$425,099	2%	$425,099	2%
Parks & Recreation	$72,871	0%	$72,871	0%
Other Contributions And Transfers To Other Funds^	$1,340,152	7%	$1,340,152	7%
Total General Fund Expenditures	$5,108,276	27%	$5,108,276	27%
School Operating Expenditures	$13,709,221	73%	$13,709,221	73%
GRAND TOTAL OPERATING EXPENDITURES	**$18,817,497**	**100%**	**$18,817,497**	**100%**
Capital Expenditures				
Non-Schools Capital	$951,990	36%	$951,990	36%
Schools Capital	$1,683,232	64%	$1,683,232	64%
GRAND TOTAL OPERATING EXPENDITURES	**$2,635,223**	**100%**	**$2,635,223**	**100%**
GRAND TOTAL EXPENDITURES	**$21,452,720**		**$21,452,720**	
CUMULATIVE NET FISCAL IMPACT	**$11,567,522**		**$9,592,509**	
Average Annual Net Fiscal Impact	*$462,701*		*$383,700*	

JCC Z-23-0004 / MP-23-0001, Westwood Park Rezoning
Habitat Core and Habitat Corridor Map



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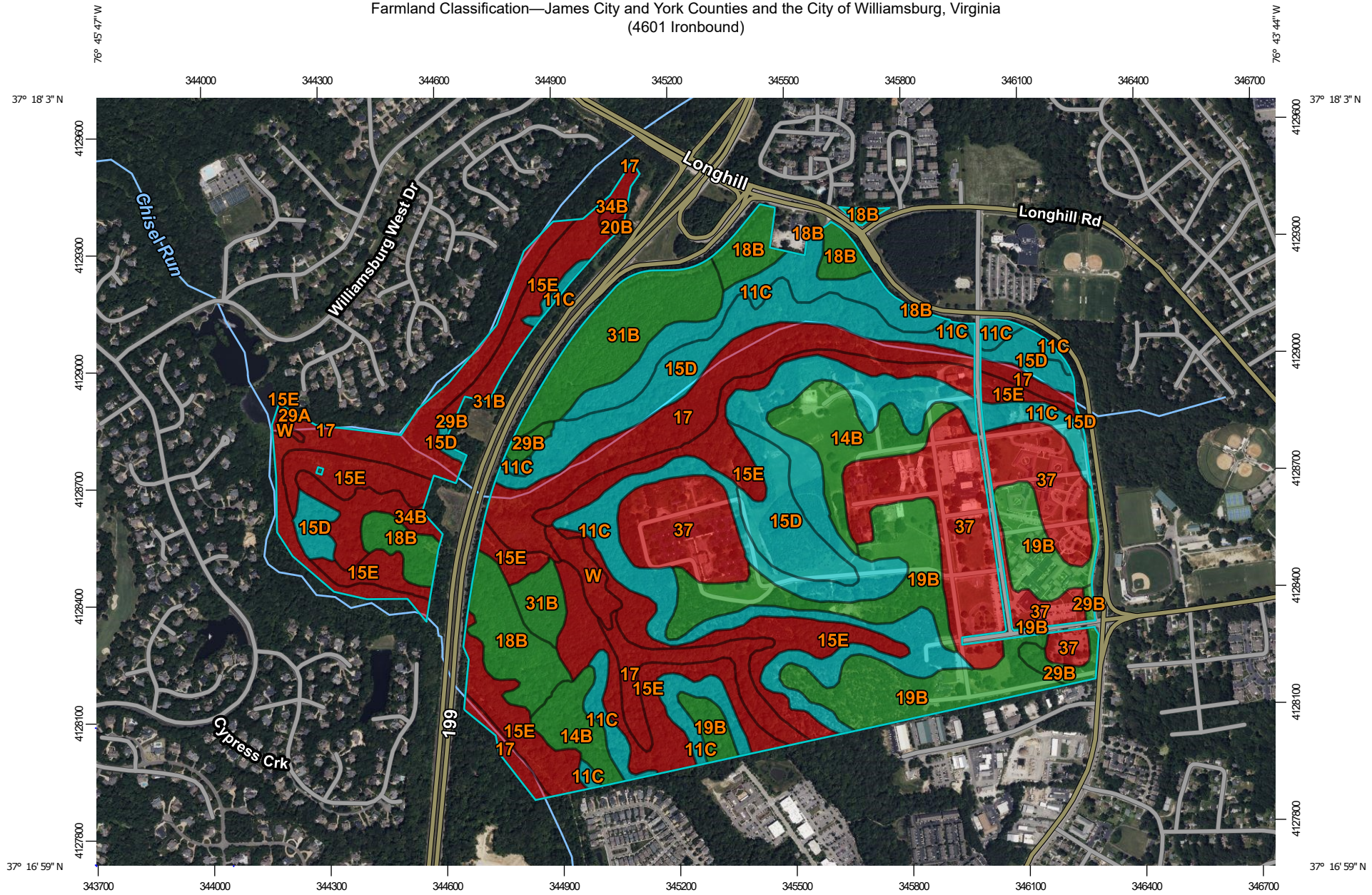
Farmland Classification—James City and York Counties and the City of Williamsburg, Virginia
(4601 Ironbound)



MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

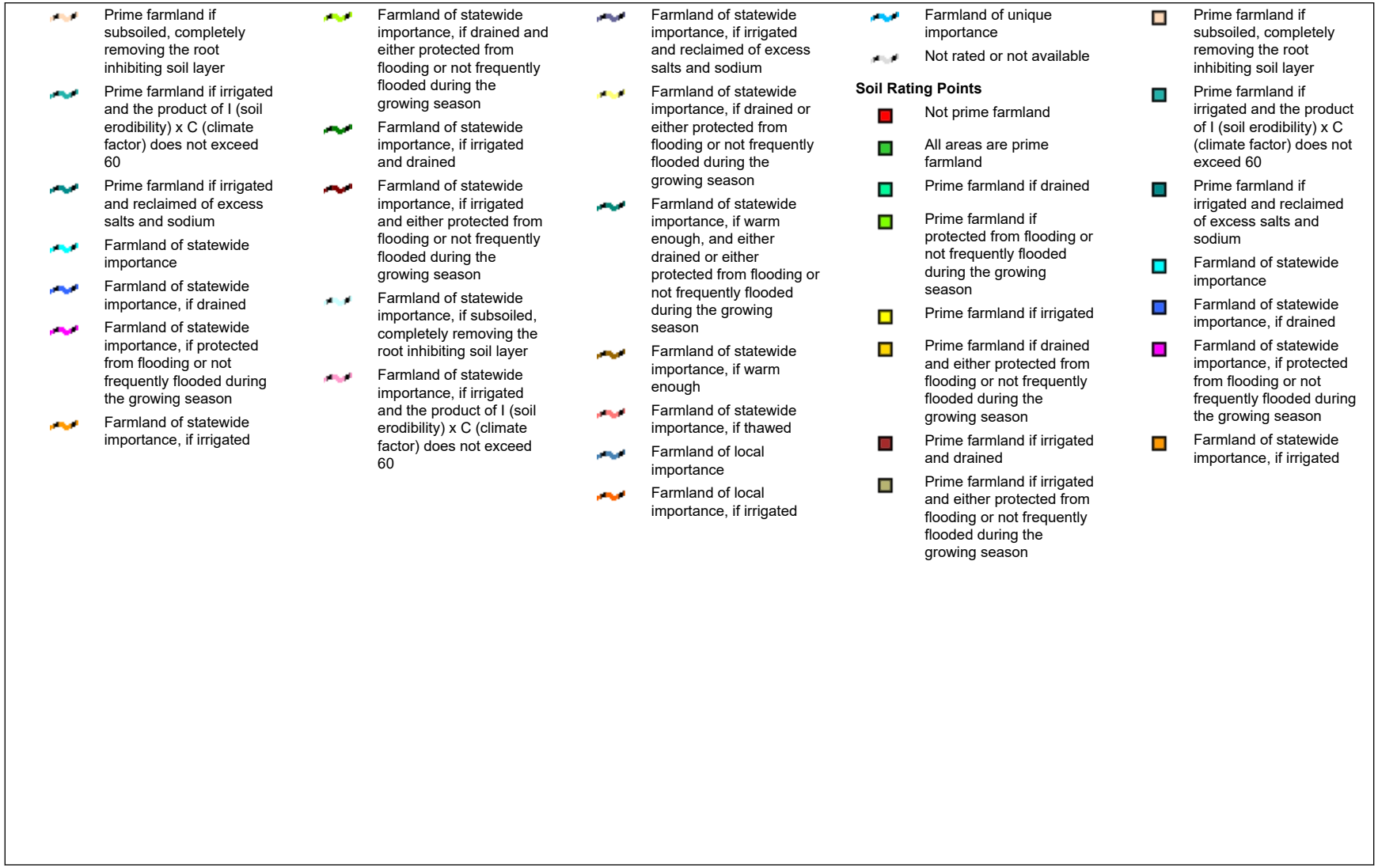
Soils

Soil Rating Polygons

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Lines

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season


Prime farmland if subsoiled, completely removing the root inhibiting soil layer
Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
Prime farmland if irrigated and reclaimed of excess salts and sodium
Farmland of statewide importance
Farmland of statewide importance, if drained
Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if irrigated
Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if irrigated and drained
Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
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Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if warm enough
Farmland of statewide importance, if thawed
Farmland of local importance
Farmland of local importance, if irrigated
Farmland of unique importance
Not rated or not available
Soil Rating Points
Not prime farmland
All areas are prime farmland
Prime farmland if drained
Prime farmland if protected from flooding or not frequently flooded during the growing season
Prime farmland if irrigated
Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
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Farmland of statewide importance, if drained
Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
Farmland of statewide importance, if irrigated

- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
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- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:15,800.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: James City and York Counties and the City of Williamsburg, Virginia
Survey Area Data: Version 22, Aug 30, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 21, 2022—Jul 13, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
11C	Craven-Uchee complex, 6 to 10 percent slopes	Farmland of statewide importance	88.6	17.8%
14B	Emporia fine sandy loam, 2 to 6 percent slopes	All areas are prime farmland	22.8	4.6%
15D	Emporia complex, 10 to 15 percent slopes	Farmland of statewide importance	44.7	9.0%
15E	Emporia complex, 15 to 25 percent slopes	Not prime farmland	84.7	17.0%
17	Johnston complex	Not prime farmland	64.9	13.0%
18B	Kempsville fine sandy loam, 2 to 6 percent slopes	All areas are prime farmland	27.2	5.4%
19B	Kempsville-Emporia fine sandy loams, 2 to 6 percent slopes	All areas are prime farmland	54.1	10.8%
20B	Kenansville loamy fine sand, 2 to 6 percent slopes	Not prime farmland	0.3	0.1%
29A	Slagle fine sandy loam, 0 to 2 percent slopes	All areas are prime farmland	0.1	0.0%
29B	Slagle fine sandy loam, 2 to 6 percent slopes	All areas are prime farmland	5.0	1.0%
31B	Suffolk fine sandy loam, 2 to 6 percent slopes	All areas are prime farmland	25.9	5.2%
34B	Uchee loamy fine sand, 2 to 6 percent slopes	Not prime farmland	8.4	1.7%
37	Urban land	Not prime farmland	67.4	13.5%
W	Water	Not prime farmland	4.6	0.9%
Totals for Area of Interest			**498.7**	**100.0%**

Description

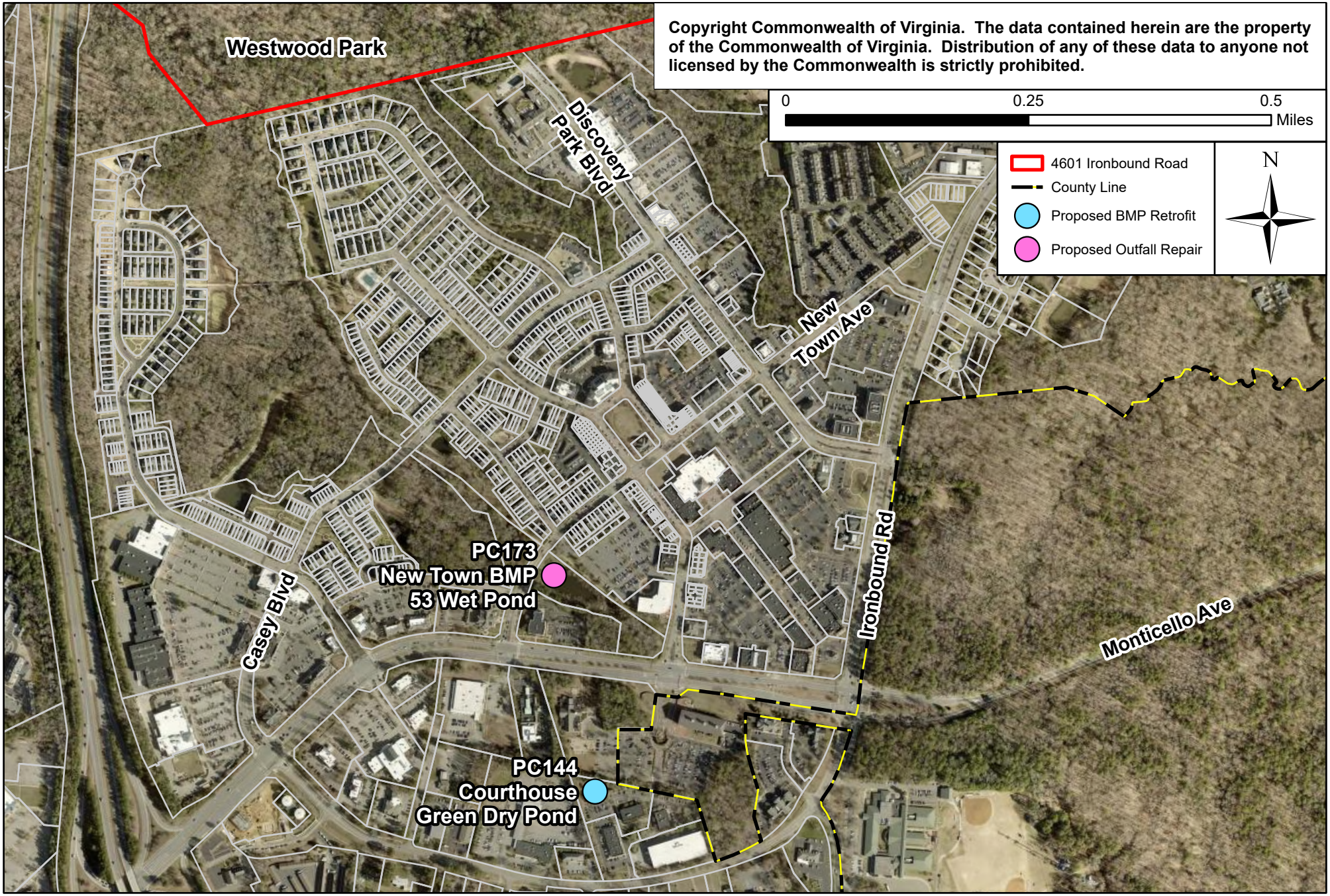
Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

JCC Z-23-0004 / MP-23-0001, Westwood Park Rezoning
Proposed BMP Retrofit and Outfall Repair



AES
CONSULTING ENGINEERS

5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone (757) 253-0040
aesva.com

February 9, 2026

Transmitted Electronically

TO: James City County Board of Supervisors

FROM: Jason A. Grimes, P.E., AES Consulting Engineers, on behalf of ABVA Development

RE: Response to New Town Residential Association Correspondence Regarding Westwood Park (Z-23-0004 / MP-23-0001)

Dear Members of the Board,

AES Consulting Engineers, on behalf of ABVA, the developer of New Town Section 8 (Shirley Park) and the applicant for Westwood Park rezoning would like to formally respond to a letter we were furnished by Paul Holt as submitted by the New Town Residential Association (NTRA) dated February 2, 2026 on Friday. The developer and project team were surprised by the NTRA's letter, as we have worked transparently with the Association's leadership for several years to address any concerns with the Westwood proposal.

Status and Accountability in Shirley Park

It is the sincere desire of both the developer, ABVA, and the contractor, Henderson, Inc., to see Shirley Park completed correctly and as quickly as possible; however, Shirley Park remains an active construction site and is not yet ready for turnover. ABVA is not now asking that turnover take place. James City County regulations require the substantial completion of home construction before the County reviews final as-builts and begin the formal turnover of work. Following the successful process established at Charlotte Park, the developer intends to include the Association in all final inspections with the County at the appropriate time. The most effective time for the Association to engage a third-party engineer is during this joint inspection phase, as that is the milestone where the developer formally suggests to the County that the work is substantially complete.

The developer remains well-capitalized and has posted over $1.2 million in outstanding letters of credit with James City County to secure its obligations to complete the subdivision infrastructure in accordance with the approved plans and also holds financial

retainage from the contractor to ensure every standard is met before final release. To date, the developer has invested a substantial sum to redesign and install alternative stormwater measures specifically to protect homeowner-installed landscaping and hardscaping that were in direct conflict with the original approved plans. ABVA is committed to working with the Association on a smooth and amicable turnover when the appropriate time comes.

Furthermore, while not completely clear from the letter, references were made to three BMPs and a sewer bridge which are not part of Shirley Park. At this time, we are unaware of the exact facilities in question but would note that ABVA has no direct involvement with the historic maintenance or modifications of those specific items.

Integrity of the Westwood Park Proposal

It is vital to distinguish the pending Westwood Park application from the final stages of the Shirley Park neighborhood:

- Standalone Governance: As previously shared with the Association, at the request of the Association Westwood Park is a standalone development. It will have its own independent homeowners' association and will not be added to or affiliated with the NTRA.
- Drainage Flow and Downstream Protection: The concern that drainage from Westwood Park will negatively impact Charlotte Park is not supported by the project's topography and engineering. Contrary to the assertion that runoff would flow toward existing homes, Westwood Park and its proposed drainage improvements and outfalls will be entirely designed downstream of the improvements within Charlotte Park. The applicant is prepared to proffer that no post-development stormwater from Westwood Park will be discharged toward the Charlotte Park boundary.

Regarding the request for a defined stormwater plan for Westwood Park, we have proactively addressed this through the following commitments in our application:

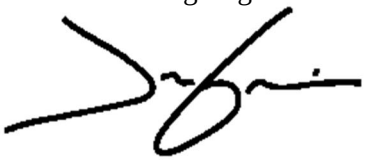
- Master Stormwater Management Plan: We have proffered the submission of a detailed Master Stormwater Management Plan at least three months prior to any development plan submittal which must be reviewed and approved by the Stormwater and Resource Protection Division, ensuring that all 100-year post-development storm protections are integrated.
- Regional Restoration: We have committed a $225,000 cash contribution for stream restoration within the Powhatan Creek Watershed to address regional, historic issues that have impacted Powhatan Creek effectively improving the overall health of the creek system for all downstream neighbors.

- Enhanced Standards: The has proffered to adhere to the most current Special Stormwater Criteria (SSC), representing the highest level of protection currently required by the County.
- Stormwater Upgrades: The developer is proffering enhancements to a County owned stormwater facility within Powhatan Creek Subwatershed 208 in accordance with the Powhatan Creek Watershed Study.

ABVA stands ready to fully complete the work associated with Shirley Park and to ensure the development of Westwood Park does not negatively impact the residents of New Town. We remain fully committed to the superior standards of engineering and community benefit proposed for Westwood Park.

Respectfully,

AES Consulting Engineers



Jason A. Grimes, P.E.
Vice President/Partner

New Town Residential Association
Chesapeake Bay Management Company
337 McLaws Circle, Suite 1
Williamsburg, VA 23185

RE: Z-23-0004/MP-23-0001, Westwood Park Rezoning

The New Town Residential Association (NTRA) Board of Directors representing 600+ homeowners asks that the Board of Supervisors significantly improve the planned stormwater prevention mechanisms related to any development of Eastern State Hospital surplus land. New Town lies immediately downstream of the proposed Westwood Park Development in Watershed 208, an already deteriorating area.

Prior to any approval of the Westwood Park Development, we have two specific requests:

1. That any approval of ABVA's proposed development of the Westwood Park community be contingent on ABVA's bringing NTRA's Shirley Park neighborhood, currently under construction, into full compliance with the plans submitted by the developer and approved by the county, and with good engineering practices.

Background: ABVA and affiliated entities have developed most of the residential neighborhoods in New Town, including the adjacent Charlotte Park neighborhood as well as the Abbey Commons, Chelsea Green and Shirley Park neighborhoods. In 2020 homeowner control of our Association Board began and since then, we have unraveled a continuing string of problems related to stormwater management. As developer property was turned over, BMPs failed inspection and needed major repair. NTRA owners have paid for those repairs since 2023 in conjunction with grant money from the County to fix three BMPs. So James City County taxpayers have been supporting us in correcting problems from this rezoning applicant.

NTRA's Shirley Park neighborhood is the 6th and final of New Town's residential neighborhoods. NTRA recently hired Giles Flythe Engineers to perform a transition study of the Shirley Park common areas in anticipation of the turnover of those areas by ABVA to our Association. This engineering study identified significant deficiencies in the Shirley Park common areas, especially in its stormwater management system. Thirteen of the 20 deficiencies (65%) were related to drainage, specifically improper grading of central open spaces, missing or incorrectly installed elements of multiple bioretention areas, buried or obscured inflow/outflow protections and vegetation overgrowth in the permanent stormwater pond, missing drainage ditches, and improper street construction. These items deviated from the submitted design plans. According to this study, the cost of repairs (where a cost can be assigned) is nearly $70,000.

Most concerning to the NTRA is a line item that simply says, "Evaluation and design of grading and stormwater management," cost TBD. It is recommended by our engineering firm that a more in-depth engineering study be conducted to address the many deficiencies in both design and execution of the stormwater management systems in all of Shirley Park. Deviations from design were noted on owner lots, as well as in these common areas. Specified drainage systems on owner lots are missing or nonfunctional. Stormwater management deficiencies on homeowner properties are inextricably linked with the stormwater management deficiencies in common areas; they cannot be considered separately, as each impacts the other. Any successful repair must include the entire neighborhood. The cost of the

type of study and repairs needed, based on early investigation, will be approximately $300,000. This is on top of the $70,000 in repairs already specified.

Our Board has a fiscal responsibility to owners. To require NTRA owners to shoulder the cost of the needed investigations and repairs in Shirley Park, or to fund legal action against ABVA to address the Shirley Park deficiencies, is an undue burden on those owners.

Stormwater management is important to NTRA and to James City County. We are asking you to please hold ABVA accountable for good stormwater practices in Shirley Park and make any approval of the development of the Westwood community by ABVA contingent on their correcting both common area and owner lot stormwater management deficiencies.

Our second request:

2. That any approval of development on the Eastern State property have a defined stormwater management plan in place that protects NTRA's neighborhoods downstream.

As part of the turnover of a large parcel of land from New Town Associates in 2025, NTRA received the trail system and bridge adjoining where Westwood Park is proposed for development. Due to unmanaged stormwater runoff from the Eastern State property, the bridge has become unsafe. To quote the bridge repair engineer: "The bridge columns cemented in place have become completely eroded away from the changing creek bed. The creek bed flow has completely undermined this bridge's support columns. You can actually see where the existing bridge support columns and the cement balls are literally suspended over the creek." The cost to NTRA owners for repair of 16 feet of this bridge is nearly $15,000, which we will pay for in 2026.

There is also evidence that owner property values are being negatively impacted by the unmanaged stormwater runoff from the Eastern State property. A recently sold home in our Charlotte Park neighborhood alongside the proposed Westwood Park development has been classified as being susceptible to flooding. This results in increased homeowner insurance rates and difficulty in selling the property.

The conceptual plans for Westwood Park show at least one planned retention pond situated directly behind our Charlotte Park homes, in an area that already remains wet much of the time. This retention pond sits at a higher elevation than Charlotte Park. When asked how this might impact our community and the homes there, ABVA's representatives answered that it probably won't make it worse. That is little reassurance to NTRA homeowners.

So we ask that any approval of development of the Eastern State property, including Westwood Park, feature, up front, a solid engineering plan for stormwater management that protects properties downstream and stronger oversight by James City County in its execution. "Probably not making things worse" isn't good enough.

Sommer Wrona
President

5 February 2026

When I was President of the New Town Residential Association (NTRA), I wrote a letter to Mike Youngblood who submitted it to the Board of Supervisors in December 2025 expressing NTRA's support of the Westwood Development. That letter was based on the information I had at the time of writing.

Since then, NTRA's leadership has changed, and new information has become available. Considering new information regarding wetlands, drainage and water runoff, I must rescind my statement that the reduction of density and removal of apartments will eliminate the vast majority of the remaining New Town opposition to the Westwood Development. This is no longer true.

The NTRA's Board of Directors supports the letter written by Sommer Wrona, President, as our current position.

Jack L Espinal
Past President
New Town Residential Association

Z-23-0004/MP-23-0001, Westwood Park Rezoning

5178 Rollison Drive
Williamsburg, VA 23188

February 4, 2026

Dear Board of Supervisors,

As New Town homeowners bordering this property, we are writing to express our concern with the planned rezoning of Parcel C of the Eastern State Hospital surplus land for the Westwood Park development **without significant State stormwater intervention and stronger County oversight**.

We have watched this project evolve since its earliest stages 6 years ago. We know that the applicant, ABVA, has made many concessions and design changes in response to concerns voiced by our community. We welcome these changes and believe that the development's current configuration is an improvement over its initial plan. At the same time, our homeowners Association is bearing the brunt of past ABVA construction errors and shortcomings, especially as it relates to BMPs and stormwater systems. So our experience shows what is on paper does not prove to be what this company executes.

Two philosophies should govern the Board of Supervisors consideration of the Westwood Park project: 1) do no harm, and 2) consider the big picture.

1) Do no harm

This property lies in a watershed area that the County has analyzed as "poor". The County's 2023 Powhatan Watershed Management Plan forecast that with the development of even 100 acres of Eastern State land, 39 percent of the area would be "nonsupporting" in other words severely degraded due to high levels of development. (Per the hydrology experts, nonsupporting streams "no longer support their designated uses in terms of hydrology, channel stability, habitat, water quality, or biological diversity" and "it may be difficult or impossible to fully recover predevelopment stream function and diversity.") The County's Plan states that this "significant increase in impervious surface areas" from the development of Eastern State would contribute to quicker and higher runoff downstream and "lead to potential deterioration of downstream aquatic ecosystems." This downstream area is New Town.

Remedying the conditions of the Powhatan watershed and minimizing future impacts was a major theme of the Planning Commission's recent recommendation not to approve the Westwood Park rezoning application. ABVA subsequently made changes to their application hoping to ameliorate several issues. How will the County ensure that ABVA commitments are appropriately implemented and do no further damage in New Town?

The reality is once development occurs, homes in New Town that are currently outside of FEMA flood maps are likely to be remapped as part of a Special Flood Hazard Area (or worse) due to the loss of pervious cover provided by Eastern State's woodlands. A neighbor recently sold their property for significantly less than our JCC real estate assessments in part due to findings that their location is susceptible to weather-related flooding events. Will more of New Town's downstream housing experience similar losses in value?

Westwood Park's potential damage to the Powhatan Watershed 208 should not be ignored in your decisionmaking. Each Eastern State Hospital rezoning applicant points to problems inherited from the Commonwealth's Department of Behavioral Health's lack of stormwater management. But it does not appear this State agency has been involved in fixing anything. We believe the Board of Supervisors should seek compensation or physical corrective actions from the Commonwealth of Virginia for the current condition of the Eastern State stormwater systems before any new construction begins in this already weakened area. Are we completely powerless to demand or expect landowner accountability?

2) Consider the big picture

Westwood Park is the first of two major mixed-use developments planned for Eastern State. The larger proposed Cardinal Ridge development on Parcels A&B will be located across from the new JCC Government complex. Two other parcels of land closeby along Ironbound Rd (the JCC General Services office complex at Tewning Rd and the JCC offices at Palmer Road complex) are becoming available potentially for new purposes.

JCC Planning Division staff must analyze each individual rezoning application against existing codes and requirements. Only the Board of Supervisors can ultimately determine if a rezoning project or a combination of rezoning projects fits the vision for James City County and improves our community.

Please carefully consider the potential cumulative effects of adding up to 1136 homes to the Ironbound Rd corridor, along with the JCC Administrative Offices, and whatever is developed on the two other Ironbound Road vicinity plots. What will all this growth do to traffic, stormwater management, and quality of life in this corner of James City County?

This is not an easy rezoning decision to make, and after 6 years of effort it is probably unfair for one applicant to bear the full burden of being first in line. We hope that you will thoughtfully deliberate over all rezoning options that might be possible for Eastern State Hospital's property, and if approved, include specific compliance conditions for this Westwood Park applicant.

Sincerely,

Mary Cheston Richard Cheston

Mary and Richard Cheston

December 9, 2025

To the Board of Supervisors:

I am writing in reference to the Westwood project proposal . As the Vice president of the New Town Commercial Association, I am in full support of this project as it will add to the wonderful community that was established more than 20 plus years ago in James City County.

The addition to mainly residents will help support the commercial association that is here as it is people that make the association grow and thrive. Also having a little additional commercial space in the proposed project area will not only enhance the experience of the people that live there but help support the main commercial area in the heart of new town.

On a personal note, I have owned Iron-Bound Gym since 2001 and had the opportunity to move and build in new town in 2006. I recently expanded the gym in May in a space right across the street from our current location. Since then, we have grown our business mainly due to serving people in the local area and others in the immediate surroundings.

A gym along with other business in the community do best where there are people nearby as it creates a sense of a larger community. The Westwood project would simply add to the New Town community and grow our presence not only as a gym but as part of the whole New Town area itself.

Thank you for your time and look forward to this project thriving in our newa future.

Sincerely,

Scott Grafton

New Town Residential Association
Chesapeake Bay Management Company
337 McLaws Circle Suite 1
Williamsburg, VA 23185

4 December 2025

Mike,

Thank you for sending me your updated plans for the Westwood development yesterday. I will use the information in my briefing to our residents at our annual meeting on 10 December 2025 at Legacy Hall. Our residents continue to be concerned about commercial development in the areas around New Town. Based upon current vacancy rates, additional commercial development is simply not needed. Further, commercial development produces significantly more hardscape because of the need for additional parking. This results in more water runoff and is not environmentally sound as residential development where much of the runoff percolates naturally into the water table. The additional vehicle traffic for commercial areas also has a negative impact on the New Town community.

Our Charlotte Park owners on Rollison near Olive Drive as well as many others in New Town will be pleased with the additional buffer created by the elimination of four of the originally planned single-family homes. This, and the overall reduction in density, and the removal of apartments will eliminate the vast majority of any remaining New Town opposition to the Westwood development.

I really appreciate the efforts that you have made in making Westwood acceptable to our residents.

Respectfully,

Jack Espinal
President
New Town Residential Association

Iron-Bound Gym
4325 New Town Avenue
Williamsburg, VA 23188

April 2, 2025

Dear Morgan Risinger:

I am writing in reference to the Westward Project proposal. As the Vice President of the New Town Commercial Association, I am in full support of this project as it will add to the wonderful New Town community that was established over the last 20+ years ago in James City County. The addition of mainly residents will help support the commercial association that is here as it is people that make the association grow and thrive. Also, having a little additional commercial space in the proposed project area will enhance the experience of those that live there while adding support to the main commercial area in the heart of New Town.

On a personal note, I have owned Iron-Bound Gym since 2001 and had the opportunity to move and build in New Town in 2006. Since then, we have grown our business, mainly due to serving people in the local area and others in the surrounding. A gym, along with other businesses in the community do best where there are people nearby as it creates a sense of a larger community.

The Westward Project would simply add to the New Town community and grow our presence not only as a gym but as part of the whole New Town area.

Thank you for the opportunity to write and look forward to seeing this project thriving in the future.

Sincerely,

Scott Grafton
NTCA Vice President
Iron-Bound Gym Owner

Morgan Risinger

Subject: RE: [External]Westward Park Rezoning April 2, 2025

From: Ann Hewitt <hewittann45@gmail.com>
Sent: Wednesday, April 2, 2025 11:57 AM
To: Planning <planning@jamescitycountyva.gov>
Subject: [External]Westward Park Rezoning April 2, 2025

Dear Commissioners,
I am writing to respectfully request the the Westward Park Rezoning Application be denied.
The submission is fraught with glaring omissions and vague misstatements . That the applicant has refused to honor requests from Stormwater and Resource Protection Division speaks volumes. "This plan is NOT compliant with the 2923 Powhatan Creek Watershed Plan."
There are too many other environmental issues to address here. It must go back to the drawing board and follow County and state guidelines. The applicant has simply written a narrative about what he might do, if he gets a Rezoning approval without submitting pre- developmental required environmental studies.

Sincerely,
Ann Hewitt
147 Raleigh Street
Wmsbg VA

Date: May 13, 2025

From: Linda Rice, President of Friends of Forge Road and Toano
2394 Forge Road
Toano, VA 23168
Lindarice678@cox.net

To: The Honorable Members of the Board of Supervisors

Re: Opposition to Rezoning Application Z-23-0004 and Master Plan-23-0001

Friends of Forge Road and Toano (F.O.R.T.) is a non-profit group founded in 2004 by concerned citizens in Upper James City County. We work with neighborhood associations and various other groups to promote the preservation of rural areas, enhance awareness of our region's historical significance, and support agri-tourism. We currently have approximately 125 paid members. Some of our members have served on the James City County Planning Commission, the Chesapeake Bay Board, the Wetlands Board, the James City County Historical Commission and the Purchase of Development Rights Committee.

We are writing to express our alignment with and strong support of the Friends of Powhatan Creek and in opposition to the proposed Westwood Park project.

In an extensive, highly detailed presentation at the April 2, 2025 Planning Commission meeting, Ken Goldsmith of Friends of Powhatan Creek outlined the many deficiencies in this rezoning application. Stormwater runoff is a key factor in the currently threatened Powhatan Creek, an already environmentally sensitive

area. The applicants are applying for the rezoning application based on the assumption that the required Stormwater Management Plan will be submitted sometime **after** the rezoning is approved. With all respect, this is the proverbial pig in a poke.

In his presentation, Mr. Goldsmith affirmed the unique value of maintaining this property as currently zoned, noting:

> It is one of the last intact habitat cores in the most highly developed portion of the County. The high ecological value of the site is as a large, intact area of mature forest.

While some growth in James City County may be inevitable, destroying unique habitats such as this is not.

As to utilities, JCSA reviewed this proposal and found that "it is not guaranteed that required service levels are available from the existing systems to support the development" (Staff Report, p. 9). Once again, the applicants provide an undefined promise that **after** the rezoning is complete they will submit for approval a "detailed Utility Master Plan depicting the proposed public water and sewer systems." (Staff Report, p. 9) This is another pig in a poke.

Somewhat surprisingly, the proposed development passed the "Adequate Public Schools Facilities Test." According to the criteria utilized, the 86 single family homes and 100 multi-family units in the development are estimated to generate only 48 additional students in the public schools. Logic dictates actual numbers would likely be substantially higher.

This rezoning application (Z-23-0004) and its accompanying master plan application (Master Plan-23-0001) present a unique set of issues. It is currently owned by the State and is not the property of the applicant. Thus, the usual private land ownership considerations are not present. The property is currently zoned PL (Public Lands) and is listed as "Federal, State or County Lands" in the Comprehensive Plan. The applicant is asking the County to legislate on their behalf, rezoning the property PUD-R (Planned Unit Development Residential, with Proffers) so that they can purchase it from the State and add yet another development to the already congested New Town area.

The Planning Commission, in a 5 to 1 vote, appropriately decided not to recommend approval of this highly unusual and wildly speculative application. The commissioners expressed their legitimate concerns that they did not have adequate information to make an informed decision on a project of this magnitude. They repeatedly affirmed the objective to make a decision that would "do no harm."

F.O.R.T. strongly encourages the honorable members of the James City County Board of Supervisors to do the same.

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
April 2, 2025
6:00 PM

A. CALL TO ORDER

Dr. Allman called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:
Kira Allmann, Vice Chair
Frank Polster
Stephen Rodgers
Jay Everson
Scott Maye
Crystal Haskins

Planning Commissioners Absent;
Jack Haldeman, Chair

Staff Present:
Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Christy Parrish, Zoning Administrator
Tom Leininger, Principal Planner
Jose Ribeiro, Senior Planner/Landscape Planner
Terry Costello, Senior Planner
Roberta Sulouff, Senior Planner
Allison Jackura, Senior Planner
Morgan Risinger, Senior Planner
Will Albiston, Planner
Linda Titus, Community Development Assistant
Hannah Hunnicutt, Community Development Assistant

C. PUBLIC COMMENT

Dr. Allman opened Public Comment.

As no one wished to speak, Dr. Allman closed Public Comment.

D. REPORTS OF THE COMMISSION

Dr. Allman stated that the Policy Committee did not meet in March.

Mr. Rodgers stated that the Development Review Committee (DRC) met on March 26, 2024, to discuss two new items, SIGN-25-0032. Mason Park Subdivision Entrance Sign and C-25-0002. Solara Woods Water and Sewer Subdivision Exception Request. The DRC voted to approve the location of SIGN-25-0032. Mason Park Subdivision Entrance Sign (3-0). The applicant for C-25-0002. Solara Woods Water and Sewer Subdivision Exception Request had requested the case be deferred to the May 21, 2025, meeting. On a voice vote, the Committee voted to defer C-25-0002. Solara Woods Water and Sewer Subdivision Exception Request to the May 21, 2025, meeting.

E. CONSENT AGENDA

1. SPLN-22-0012. Ford's Village Phases A and B

2. Minutes of the March 5, 2025, Regular Meeting

3. Minutes of the March 17, 2025, Regular Meeting

Mr. Polster asked to pull SPLN-22-0012. Ford's Village Phases A and B from the Consent Agenda.

On a voice vote, the Commission voted to approve the motion. (6-0)

Mr. Polster discussed the Stormwater Management Master Plan and how it relates to the proposed Westwood Park Rezoning case in the Public Hearing.

F. PUBLIC HEARING(S)

1. SUP-24-0034. 7649 Cypress Drive Rental of Rooms

Ms. Terry Costello, Senior Planner, addressed the Commission stating that Ms. Sharon Elliot had applied for a Special Use Permit (SUP) to allow the operation of the rental of rooms at 7649 Cypress Drive. Ms. Costello explained that the rental of rooms SUP would allow for the short-term rental of one bedroom within the existing three-bedroom residence. Ms. Costello noted that the property is zoned A-1, General Agricultural, is designated Rural Lands on the Comprehensive Plan, and is located outside of the Primary Service Area (PSA).

Ms. Costello stated that staff considered the home's location, parking provisions, and that the owner would reside on-site during the time of the rentals, to be favorable factors in the evaluation of this application. Ms. Costello explained that the property has an existing driveway and parking area sufficient to accommodate guests. Ms. Costello stated that staff is recommending conditions which are intended to mitigate the impacts of the use and preserve the residential character of the home. Ms. Costello noted that such conditions include limitations on the number of rooms rented and total number of rental occupants per stay.

Ms. Costello explained that there was a previously approved SUP for a tourist home which expired due to a condition not being met within the required timeframe.

Ms. Costello stated that while staff believes that this location is generally considered appropriate for this use, staff finds that the proposal is not fully consistent with the

Comprehensive Plan recommendations for short-term rentals and therefore staff cannot recommend approval. Ms. Costello explained that should the Planning Commission wish to recommend approval to the Board of Supervisors, staff has included proposed conditions for consideration.

Ms. Sharon Elliot, 7649 Cypress Drive, Lanexa, VA, addressed the Commission stating that her previous SUP had expired due to the need for an updated Certificate of Occupancy.

Mr. Everson stated that he would not support the case as it is not consistent with the Comprehensive Plan.

Mr. Maye made a statement regarding approving cases that were not consistent with the Comprehensive Plan.

Discussion ensued.

Mr. Rodgers made a motion to recommend approval of SUP-24-0034. 7649 Cypress Drive Rental of Rooms.

On a roll call vote, the Commission voted to recommend approval. (5-1)

2. SUP-25-0001. Christ Fellowship Church of Williamsburg

Mr. Will Albiston, Planner, addressed the Commission stating that Mr. Terry Lackey had applied for a SUP on behalf of Christ Fellowship Church of Williamsburg to allow the operation of a place of public assembly and expand the existing development on the site by adding two storage sheds and a playground area at 3687 Ironbound Road and 3695 Ironbound Road. Mr. Albiston noted that the properties were approximately 4.77 acres in size, zoned R-8, Rural Residential, with Proffers and PUD-R, Planned Unit Development Residential, designated Low Density Residential on the Comprehensive Plan Land Use Map, and located inside the PSA.

Mr. Albiston explained that the Master Plan showed the existing site development with the proposed site improvements. Mr. Albiston stated that the existing site was developed with two main structures, a parking area, and a stormwater management facility. Mr. Albiston explained that the proposed site improvements solely consist of the addition of two 8-foot by 12-and-a-half-foot storage sheds and 50-foot by 50-foot playground area. Mr. Albiston noted that should this SUP be approved, any future development on the site that is not generally consistent with the Master Plan would require a Master Plan amendment to be approved by the Board of Supervisors.

Mr. Albiston stated that staff found this proposal to be compatible with surrounding development and generally consistent with the Comprehensive Plan and Zoning Ordinance. Mr. Albiston informed the Commission that staff recommended that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions.

Dr. Allman opened the Public Hearing.

Mr. Scott Dobson, 209 Cliftons Bluff, Williamsburg, VA, addressed the Commission in support of the project.

Mr. Terry Lackey, 8323 Barons Court, Williamsburg, VA, addressed the Commission in support of the project.

Mr. S. Aden Digges, 3701 Ironbound Road, Williamsburg, VA, addressed the Commission in support of the project with the condition that a parking lot expansion would not be proposed in the future.

Dr. Allman closed the Public Hearing.

Mr. Polster inquired about the Master Plan and if the Christ Fellowship Church of Williamsburg were to try to expand the parking lot, would they need to reapply for an SUP.

Mr. Albiston explained the Zoning Ordinance gives the Planning Director he authority to make interpretations and judgements on whether proposed development is consistent with an approved Master Plan. If found inconsistent, a Master Plan amendment would need to be submitted to the Planning Commission and the Board of Supervisors.

Mr. Everson made a motion to approve SUP-25-0001. Christ Fellowship Church of Williamsburg with the proposed conditions.

On a roll call vote, the Commission voted to recommend approval. (6-0)

3. Z-24-0012/SUP-24-0023. Chickahominy Haven Marina - Rezoning and Special Use Permit (R-2 to A-1)

Ms. Roberta Sulouff, Senior Planner, addressed the Commission stating that Mr. Jason Grimes of AES Consulting Engineers, had applied on behalf of Sincere Estates, LLC, to rezone the site of the Chickahominy Haven Marina from R-2, General Residential to A-1, General Agricultural, with proffers. Ms. Sulouff explained that along with the rezoning, the applicant is requesting an SUP to allow for the legal operation of the existing marina and existing and proposed accessory uses including a restaurant, boat storage, boat trailer parking, a general store, wet slips, docks and piers. Ms. Sulouff noted that the subject property is located outside the PSA, zoned R-2, General Residential, and is designated Rural Lands on the Comprehensive Plan.

Ms. Sulouff stated that this lot is shown on the 1965 Master Plan for the Chickahominy Haven subdivision as a commercial lot, but the plat predates the Zoning Ordinance. Ms. Sulouff explained that when the site received a zoning designation of R-2, it had been operating as a commercial Marina for several years. Ms. Sulouff noted that boating facilities associated with homeowners associations (HOA) were permitted uses in the R-2 zoning District; however, this marina is owned and operated privately and has operated as a legal nonconformity for much of its existence. Ms. Sulouff explained that many uses on the site, including the general store, restaurant, and wet slip rentals have lost their legally nonconforming status as they have ceased operation for a period of over two years.

Ms. Sulouff stated that the new owners of the marina wished to reestablish those uses, but reestablishing the uses is not permitted in the current zoning district. Ms. Sulouff explained that renovations of structures related to uses that have maintained their legally nonconforming status were limited by the Zoning Ordinance, to avoid the expansion of nonconforming uses.

Ms. Sulouff stated that the applicant requested a rezoning to the A-1 Zoning District, which permits marinas and their accessory uses by SUP. Ms. Sulouff explained that the applicant had proffered to exclude all other uses permitted in the A-1 District aside from the marina and its accessory uses. Ms. Sulouff noted that staff had also proposed SUP conditions which would mitigate impacts of the use, and provide an opportunity to address existing issues on the site, such as parking nonconformities and unaddressed stormwater runoff.

Ms. Sulouff stated that with the conditions and draft proffers, staff found that the proposal was compatible with surrounding zoning and development and consistent with the Comprehensive Plan.

Ms. Sulouff stated that staff recommended that the Planning Commission recommend approval of the proposed Rezoning and SUP applications to the Board of Supervisors, subject to the attached conditions and proffers.

Dr. Allman opened the Public Hearing.

Mr. James Cumming, 100 Lakeview Drive, Toano VA, addressed the Commission in support of the proposed project, stating that the goal of the proposed project was to bring the marina back to its previous operation.

Mr. Steven Barone, 7464 Little Creek Dam Road, Toano VA, addressed the Commission in support of the proposed project.

Mr. Logan Hall, 1102 Hitchens Lane, Williamsburg VA, addressed the Commission in support of the proposed project.

Dr. Allman closed the Public Hearing.

Mr. Polster stated that Mr. Haldeman had visited the site of the marina and was in support of the proposed project.

Discussion ensued.

Mr. Rodgers raised concerns about potential noise from special events held at the marina.

Ms. Sulouff explained that any special events would have to be permitted and abide by the Noise Ordinance.

Mr. Polster made a motion to recommend approval of Z-24-0012/SUP-24-0023. Chickahominy Haven Marina - Rezoning and Special Use Permit (R-2 to A-1) with conditions.

On a roll call vote, the Commission voted to recommend approval. (6-0)

4. SUP-24-0032. 232 Lakeview Drive

Mr. Jose Ribiero, Senior Planner/Landscape Planner, addressed the Commission stating that SUP-24-0032. 232 Lakeview Drive had been deferred to this meeting on April 2, 2025, to allow time for the applicant to have the 100-foot Resource Protection Area (RPA) delineated. Mr. Ribiero noted that the applicant had contracted Stantec to delineate the RPA. Mr. Ribero explained that Stantec evaluated the results of the recent delineation of on-site features within 100 feet of the project area to determine the extent of the RPA buffer associated with the Little Creek Reservoir. Mr. Ribeiro confirmed that the storage area is located outside the 100-foot RPA. Mr. Ribeiro stated that there was no need to have this project evaluated by the Chesapeake Bay Board as the RPA was not impacted by this proposal.

Mr. Ribeiro stated that Mr. James Beavers of Williamsburg Contracting, LLC, had applied for an SUP to allow for a contractor's office and storage of vehicles and equipment on his property located at 232 Lakeview Drive. Mr. Ribeiro noted that the property is zoned A-1, General Agricultural, and designated as Rural Lands and Community Character Conservation, Open Space, or Recreation on the Comprehensive Plan. Mr. Ribeiro explained that a contractor's office and storage yard required an SUP on properties zoned A-1, General Agricultural.

Mr. Ribeiro stated that Mr. Beavers currently operates his business without the required SUP. Mr. Ribeiro explained that if the SUP application was approved, the land use would come into compliance with current zoning regulations. Mr. Ribeiro noted that all reviewing agencies had evaluated this application.

Mr. Ribeiro stated that the property is designated as Rural Lands and Community Character Conservation, Open Space, or Recreation on the Comprehensive Plan Land Use Map.

Mr. Ribeiro explained that appropriate primary uses in Rural Lands include traditional agricultural and farming activities, but home-based occupations, or certain uses that require low-intensity settings relative to the site in which it would be located may be considered in a case-by-case review. Mr. Ribeiro noted that staff found the proposed scale of the business to be low intensity, which would not negatively impact the natural and rural character of the area.

Mr. Ribeiro stated that per the Comprehensive Plan, land uses that were most appropriate for the Community Character Conservation, Open Space, or Recreation designation were those that currently contribute to the rural, historic, and scenic character of the County.

Mr. Ribeiro explained that the current use of this property is not consistent with the Community Character Conservation, Open Space, or Recreation designation of the Comprehensive Plan, but the use has already been established in this area as of 2019. Mr. Ribeiro stated that Condition No. 4 prohibits parking, storage of equipment and vehicles, and additional soil disturbance within 15 feet of the RPA buffer and Condition No. 11 that limits the number of vehicles that can be parked on-site to ensure that the area subject to this SUP would not expand further into the Conservation, Open

Space, or Recreation area. Mr. Ribeiro noted that the proposed new Condition No. 12 further prohibits development within this Comprehensive Plan designation.

Mr. Ribeiro stated that staff recommends the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions.

Mr. Polster commended Mr. Ribeiro for including a map with the RPA buffer and noted that the applicant had been placing drip pans under the equipment to prevent spillage.

Discussion ensued.

Dr. Allman opened the Public Hearing.

Ms. Amanda Beavers and Mr. James Beavers, 232 Lakeview Drive, Toano, VA, addressed the Commission and explained that the site is only used for storage of equipment, and no work is done on the property.

Dr. Allman closed the Public Hearing.

Mr. Polster thanked the applicant for moving forward with the RPA delineation as instructed and stated that he intends to support the proposed project.

Mr. Rodgers made a motion to recommend approval of SUP-24-0032. 232 Lakeview Drive with the proposed conditions.

On a roll call vote, the Commission voted to recommend approval. (6-0)

5. Z-24-0014 & MP-25-0001. Fort Magruder Mixed Use Rezoning

Ms. Allison Jackura, Senior Planner, addressed the Commission regarding the rezoning of the Fort Magruder Hotel and Conference Center property located at 6945, 6927, and 6951 Pocahontas Trail. Ms. Jackura stated that the proposed Rezoning and Master Plan is to convert the existing hotel and conference space into 126 apartments and 32,000 square feet of commercial space. Ms. Jackura explained that the applicant is proposing to rezone the property to MU, Mixed Use.

Ms. Jackura stated that 40% of the residential units would be designated as affordable and workforce housing, which is proffered by the applicant. Ms. Jackura explained that the existing landscape buffers that were required by the Ordinance to exist in Mixed Use districts were to be retained and enhanced. Ms. Jackura noted that existing vegetation that needs to be removed would be identified and enhanced landscaping would be planted.

Ms. Jackura explained that the parking lot would be brought into compliance with the current requirements, with landscape islands being installed and required access aisles added to ADA accessible parking spaces. Ms. Jackura noted that stormwater facilities would be brought into compliance with current requirements, and details would be addressed during the site plan process if the case is approved. Ms. Jackura stated that the total impervious surface of this property is approximately 75% and with the

proposed landscape islands in the parking lot, the impervious surface would be reduced to approximately 70%. Ms. Jackura noted that the existing indoor and outdoor pools were proffered to remain as recreational amenities, as well as the 1.1-acre Civil War era redoubt located on the property.

Ms. Jackura explained that the front landscaping is required to be an average of 30 feet in depth, and the applicants have stated that they would be expanding slightly to come into compliance with the requirement. Ms. Jackura noted that the fencing, stockade wall, and canons would be removed from the landscape buffer and the side and rear buffers would be retained as a provision granted by the Planning Director. She noted that the condition being that the same quantity of vegetation be planted in the buffers.

Ms. Jackura stated that the architecture of the building would remain, and the existing canopy affixed to the entrance and roundabout in the parking lot would be removed to create more space.

Ms. Jackura noted that the property is designated Mixed Use according to the Comprehensive Plan and the proposal does align with the Comprehensive Plan. Ms. Jackura stated that the proposed plan meets the updated Code and Ordinance requirements and passes most adopted policies. Ms. Jackura noted that the proposed plan does not meet the Parks & Recreation Facilities Guidelines, but staff did note that there were constraints in regard to how the guidelines were written and the nature of the property itself, specifically the Civil War Era redoubt, which prevents the ability to put a playground. Ms. Jackura noted that the development already exists, which limits the options of what they can do but they have proffered additional amenities.

Ms. Jackura stated that staff recommended the Planning Commission recommend approval of Z-24-0014 with proffered conditions and MP-25-0001 to the Board of Supervisors.

Mr. Vernon Geddy, 1177 Jamestown Road Williamsburg, VA, addressed the Commission stating that he was representing Conserve Holdings, LLC. Mr. Geddy stated that Conserve Holdings, LLC, is a real estate investment company that owns and operates several multifamily properties in the County. Mr. Geddy noted that the Fort Magruder Hotel and Conference Center property is under contract with Conserve Holdings, LLC.

Mr. Geddy explained that the proposed project is for the adoptive reuse of an underutilized property through a multi-million dollar renovation to provide quality affordable, workforce, and market-rate housing and commercial space. Mr. Geddy noted that the fact that it is an adoptive reuse of an existing property creates a few challenges under the Zoning Ordinance.

Mr. Geddy stated that 40% of the proposed residential units are proffered as workforce and affordable housing. Mr. Geddy noted that the plan passes the Adequate Public Schools Facilities Test and Adequate Transportation Facilities Test, and there is a proffer to create an updated traffic study if necessary.

Dr. Haskins asked Mr. Geddy to clarify the distinction between market rate and affordable workforce housing, and what the additional 60% of housing would be.

Mr. Geddy explained that 60% of housing would be at the market rate price, while the 40% of affordable and workforce housing would follow the policy of 60%, 80%, and 120% of the Area Median income (AMI). Mr. Geddy noted that the range of each would vary based on family size.

Discussion ensued.

Dr. Allman opened the Public Hearing.

Ms. Allison Woodard, 11 Heath Place, Newport News, VA, addressed the Commission as a representative of the Williamsburg Battlefield Association and advocated for the preservation of the Civil War redoubt on the property.

Ms. Bonnie Smith, 301 Lewis Burwell Place, Williamsburg, VA, addressed the Commission with concerns about the proposed project.

Dr. Allman closed the Public Hearing.

Mr. Polster asked the applicants to confirm if the restaurant on the property would be retained.

Mr. Geddy confirmed that there would be a restaurant with a commercial kitchen.

Discussion ensued.

Mr. Polster made a motion to recommend approval of Z-24-0014 & MP-25-0001. Fort Magruder Mixed Use Rezoning.

On a roll call vote, the Commission voted to recommend approval. (6-0)

6. Z-23-0004/MP-23-0001. Westwood Park Rezoning

Ms. Morgan Risinger, Senior Planner, addressed the Commission stating that Mr. Jason Grimes of AES Consulting Engineers, and Mr. Vernon Geddy of Geddy, Harris, Franck, and Hickman, had applied on behalf of ABVA Development to rezone approximately 79.56 acres of property located at 4601 Ironbound Road. Ms. Risinger stated that the property is currently zoned PL, Public Land, is inside the PSA, and is designated Federal, State, or County Land on the Comprehensive Plan.

Ms. Risinger explained that the application requested to rezone the property from PL, Public Lands to PUD-R, Planned Unit Development Residential. Ms. Risinger stated that the proposed development includes a maximum of 186 residential dwellings, of which 86 would be single-family detached units and 100 would be single-family attached and multifamily units. Ms. Risinger noted that this corresponds to a proposed residential density of 3.44 units per developable acre. Ms. Risinger explained that 20% of the homes, or 38 homes, would be made affordable for those making up to 80% of the AMI and the proposal also includes a maximum of 40,000 square feet of commercial and office uses.

Ms. Risinger stated that the proposed landscape buffers for the site include a 50-foot-wide buffer from the properties adjacent to Discovery Park Boulevard and a 100-foot-

wide buffer from the properties along Rollison Drive in New Town. Ms. Risinger explained that a 150-foot-wide buffer would also be provided from Route 199. Ms. Risinger noted that the proposed recreational amenities include a swimming pool and bathhouse, at least six acres of passive parks including areas for picnics and grilling, two playgrounds, and at least 3,000 linear feet of soft-surface trails.

Ms. Risinger explained that the proposed residential density requires two density bonus points for the development and to meet the required density bonus points, the applicants have proposed to undertake a stormwater management facility retrofit at the Courthouse Green development which is in the same subwatershed. Ms. Risinger stated that staff found that this bonus point item was met and corresponds to 1.5 density bonus points. Ms. Risinger explained that the applicants have also proposed binding design guidelines and staff found that this bonus point item was met and corresponds to 0.5 density bonus points.

Ms. Risinger stated that the property is located in the Powhatan Creek watershed and was reviewed for consistency with the Watershed Master Plan. Ms. Risinger explained that in addition to the stormwater management facility retrofit proposed for bonus points, the application also proposes another stormwater management facility retrofit in New Town Block 8 as well as a stormwater management facility outfall repair near the SunTrust Building in New Town. Ms. Risinger noted that the application also ensured the submission of a Master Stormwater Plan where all stormwater management facility outfalls had outlet protection designed for 100-year storm events, and compliance with the most updated version of the County's Special Stormwater Criteria. Ms. Risinger stated that staff found that the application was consistent with the Powhatan Creek Watershed Master Plan.

Ms. Risinger explained that during the Comprehensive Plan update process, a Land Use (LU) application, LU-20-0002, was submitted requesting to change the LU designation for this portion of the property from Federal, State, or County Land to the Mixed Use - New Town designation. Ms. Risinger stated that at its June 24, 2021, meeting, the Planning Commission recommended approval of the Comprehensive Plan including the land use application. Ms. Risinger noted that following consideration by the Board of Supervisors, the LU application was deferred to be reviewed concurrently with the Rezoning application and guidance was received to change the proposed LU designation to Mixed Use - Eastern State. Ms. Risinger stated that staff found the application consistent with the proposed draft language for the Mixed Use - Eastern State designation.

Ms. Risinger stated that staff found several factors favorable for the application, including that the proposal is consistent with the Zoning Ordinance, Comprehensive Plan, and workforce and affordable housing recommendations. Ms. Risinger also noted that the proposal is expected to have a positive cumulative fiscal impact, passes the Adequate Public Schools Facilities Test, Adequate Transportation Facilities Test, and satisfied the requirement for two density bonus points. Ms. Risinger stated that Parks & Recreation Department staff found the proposed amenities consistent with the Parks & Recreation Master Plan.

Ms. Risinger stated that staff found the application included mitigation for potential impacts and had no unfavorable factors. Ms. Risinger noted that staff had received correspondence from citizens, which was provided to the Planning Commission.

Ms. Risinger stated that staff recommends that the Planning Commission recommend approval of the proposed rezoning application to the Board of Supervisors, subject to the proposed proffers.

Dr. Allman asked for clarification on the steps of this process, and what would occur prior to ground being broken on the site.

Ms. Risinger stated that there were two proffers proposed, one being that a Stormwater Management Master Plan be submitted three months prior to a development plan for the property. This Master Plan would be reviewed by the Stormwater and Resource Protection Division. Ms. Risinger noted that there would also be a Utility Master Plan required for the James City Service Authority staff to review the proposed utility infrastructure would be and if there were any off-site improvements required.

Dr. Allman asked if the development plan would come back to the Planning Commission.

Ms. Risinger explained that major subdivisions were subject to approval through the Planning Commission, but not as a public hearing.

Mr. Rodgers asked what would happen if the Stormwater Management Master Plan did not work.

Ms. Risinger explained that the Stormwater Management Master Plan must be approved before any final development plan is approved.

Dr. Allman opened the Public Hearing.

Mr. Vernon Geddy, 1177 Jamestown Road, Williamsburg, VA, addressed the Commission stating that he was representing ABVA Development. Mr. Geddy explained that the property is currently being sold by the Commonwealth of Virginia. Mr. Geddy noted that this project has been worked on for approximately five years and after receiving feedback from the Board of the New Town Residential Association, several changes had been made to the proposed development.

Dr. Allman asked Mr. Geddy if the capital contribution to the HOA would be a monthly payment.

Mr. Geddy explained that there is typically a one-time capital contribution when the property is purchased, and monthly payments would be billed based on the HOAs assessment of the funds it would need.

Dr. Allman asked if the HOA contribution is factored in the cost of the proposed affordable and workforce housing.

Mr. Mike Youngblood, 4808 Courthouse Street, Williamsburg, VA, explained that the cost of the HOA fee for market-rate housing would differ from the affordable and workforce housing.

Discussion ensued.

Dr. Allman opened the Public Hearing.

Mr. Jack Espinal, 4615 Town Creek Drive, Williamsburg, VA, addressed the Commission in support of the proposed project.

Ms. Ann Hewitt, 147 Raleigh Street, Williamsburg, VA, addressed the Commission with concerns about the proposed project.

Mr. Ken Goldsmith, 258 Sandy Bay Road, Williamsburg, VA, a representative of Friends of Powhatan Creek, addressed the Commission with concerns about the proposed project.

Dr. Allman closed the Public Hearing.

Mr. Polster commended staff and the applicant for their work on the proposed project but brought up concerns regarding the Powhatan Creek watershed.

Mr. Everson asked Mr. Polster what he would like the applicants to do regarding the concerns about the health of the Powhatan Creek watershed.

Discussion ensued.

Mr. Geddy stated that current problems with the Powhatan Creek watershed stem from Tewning Road and Eastern State, where water is flowing with no stormwater management. Mr. Geddy explained that the applicants had initially offered to design a stream restoration plan, but the County did not have a Capital Improvement Plan in place to accept money for restoration. Mr. Geddy noted that with the uninhibited water coming from upstream, it was likely that any stream restoration would eventually be destroyed.

Discussion continued.

Mr. Everson asked Ms. Risinger if the issue with the stream would be addressed in a Stormwater Management Master Plan.

Ms. Risinger stated that she did not believe it would include a requirement to restore the stream, but it would look at the quality and quantity of the stormwater on-site.

Mr. Everson asked if the purpose of the Stormwater Management Master Plan was to not make the current situation worse.

Ms. Risinger stated that the Master Plan was to handle the stormwater from the proposed development.

Discussion continued.

Mr. Polster asked staff if the Board of Supervisors would have to approve any proposed development on the property.

Ms. Risinger stated that the project would not be possible without approval of the Rezoning application.

Discussion continued.

Mr. Polster made a motion to recommend denial of Z-23-0004/MP-23-0001. Westwood Park Rezoning to the Board of Supervisors.

On a roll call vote, the Planning Commission voted to recommend denial. (5-1)

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for consideration.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - April 2025

   Ms. Istenes reminded the Commissioners about the Board of Supervisors coverage chart attached to the Planning Director's Report.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Polster discussed how the Stormwater Management Master Plan is not required and stated that he would like to see it become a requirement.

Mr. Everson disagreed, stating it was too large of an expense to expect from applicants before the proposed plans were approved.

Discussion ensued.

J. ADJOURNMENT

Dr. Allman asked for a motion to adjourn.

Mr. Rodgers made a motion to adjourn.

The meeting was adjourned at approximately 6:39 p.m.

_____ _____

Susan Istenes, Secretary Kira Allman, Vice Chair

SUMMARY FACTS

Applicants:	Mr. Joshua Glass, G.B. Glass LLC Mr. John West, ATCO Fasteners
Landowner:	J&J Property Investments LLC
Proposal:	To permit two contractor offices to operate within the existing two structures on the property.
Location:	8285 Diascund Road
Tax Map/Parcel No.:	0940100002
Property Acreage:	± 210 acres
Zoning:	A-1, General Agricultural SR, Scenic Roadway
Comprehensive Plan:	Rural Lands
Primary Service Area (PSA):	Outside
Staff Contact:	Allison Jackura, Planner III

PUBLIC HEARING DATES

Planning Commission:	March 4, 2026, 6:00 p.m.
Board of Supervisors:	April 14, 2026, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed conditions (Attachment No. 1), staff finds the proposal compatible with surrounding zoning and development and consistent with the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.

2. The proposal will reuse existing improvements which are currently abandoned, enhancing the character of the property and the surrounding environment.

3. Impacts: See Impact Analysis on Pages 6-8.

FACTORS UNFAVORABLE

1. Staff does not identify any unfavorable factors.

2. Impacts: See Impact Analysis on Pages 6-8.

PLANNING COMMISSION RECOMMENDATION

At its March 4, 2026, Regular Meeting, the Planning Commission recommended approval of this application with amended conditions by a vote of 7-0.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

During the Planning Commission meeting, the applicants requested an alteration to the staff-proposed Condition No. 4 to allow for bulk material storage. The applicants indicated that they occasionally store piles of excess supplies such as pipe and coils of wiring and would like to have that ability to maintain a competitive advantage for their businesses. The proposed altered condition language ensures that fencing would surround any material storage, the storage would not exceed the height of that fence, and that no loose materials would be

stored which may cause dust, odor, or runoff. Staff did not identify any negative impact of the alteration and supported the proposed change. After discussion, the Planning Commission voted to recommend approval with the alteration.

Additionally, a Planning Commissioner asked if native plants would be required for the landscaping. Staff noted that the condition language used did not include that requirement. While the Planning Commission did not include that language in its vote to recommend approval, native plantings are typically included in conditioned landscaping and are the recommended preference within the Zoning Ordinance. Staff has updated the landscape condition to require a percentage of native plantings.

SUMMARY STAFF RECOMMENDATION

Staff recommends the Board of Supervisors (BOS) approve this application, subject to the proposed conditions.

PROJECT DESCRIPTION

Mr. Glass and Mr. West have applied for a Special Use Permit (SUP) to allow for the operation of both contractor businesses on the property. The property was formerly the Colonial Golf Course which had ceased operation and subsequently had its SUP revoked in 2024. The applicants are seeking to locate their contractor offices within the existing, currently vacant buildings left by the golf course operation. In the A-1, General Agricultural Zoning District, contractor warehouses, sheds, and offices require an SUP. Should this SUP be approved by the BOS, any development on the site associated with this proposal would be required to be consistent with the Master Plan, all adopted SUP conditions, and the Zoning Ordinance.

As shown on the Master Plan (Attachment No. 3), the businesses will operate within the former pro golf shop and the former garage workshop at the site. The applicants have provided the following information regarding expected on-site operations:

- The hours of operation will be Monday through Friday, 7 a.m. to 4 p.m.
- Outdoor storage of equipment and trailers is expected, but there will be no outdoor storage of materials or construction operations. The applicants have provided images of the existing work vehicles, and existing screening from one of the rights-of-way. Landscape screening will be further reviewed during the site plan process.
- As indicated on the Master Plan, three of the existing five parking bays will be repurposed for storage of the contractors' vehicles, equipment, and trailers. The remaining two bays shall be generally used for employee and visitor parking as needed.
- The office space will be used for administrative tasks. Pick-ups and deliveries are expected to occur periodically.
- The applicants have requested a separate SUP for an event venue at the site in the existing two-story clubhouse building and nearby three parking bays. That SUP is on hold until this SUP is considered so that the applicants can prioritize getting their businesses relocated. The event venue SUP case may be brought forward in the future and will be separately advertised for a new public hearing at such time.
- In the future, the applicants plan to subdivide and construct two single-family residences for their own use within the undeveloped area of the property. Additionally, they will be

utilizing the property for timbering and personal recreational activities. Single-family homes are permitted by-right in the A-1 Zoning District.

- The remaining undeveloped land will be maintained as part of an existing mitigation bank. It is currently a conservation easement and monitored by the Department of Environmental Quality for continued compliance with water quality credits. The applicants have indicated they would like to add that area of the property to the Mill Creek Agricultural and Forestal District (AFD) at a later date. Again, that request may be brought forward in the future and will be separately advertised for a new public hearing at such time.

PLANNING AND ZONING HISTORY

- An SUP was approved in 1992 to allow for the Colonial Golf Course, inclusive of a maintenance building, an office building, and a two-story clubhouse
- In 2023, Davey Mitigation established a mitigation bank on parts of the golf course to receive nutrient and sediment reduction credits, improving the local tributaries and downstream waters. See Attachment No. 5 for additional information.
- After being closed for more than a decade, the BOS initiated a revocation process for the golf course SUP in 2024. The SUP for the golf course was revoked on July 2, 2024.
- The property has remained vacant since the golf course closed, with the three existing golf course buildings, associated parking, trails, stormwater Best Management Practices (BMP), and courses remaining as they were.
- The property is within the Scenic Roadway Overlay; however, the setback does not apply as the property was already improved on October 8, 2024.

SURROUNDING ZONING AND DEVELOPMENT

- All surrounding parcels are zoned A-1, General Agricultural.
- All surrounding parcels are designated Rural Lands on the Comprehensive Plan.
- Certain parcels to the north, east, and south are within the Mill Creek AFD.

	ZONING DESIGNATION	EXISTING LAND USE	FUTURE LAND USE DESIGNATION
NORTH	A-1, General Agricultural	Forested Land	Rural Lands
SOUTH	A-1, General Agricultural; SR, Scenic Roadway	Single-Family Residential	Rural Lands
EAST	A-1, General Agricultural	Forested Land	Rural Lands
WEST	A-1, General Agricultural	Single-Family Residential	Rural Lands

IMPACTS ANALYSIS

- *Traffic/Transportation:* The applicants have indicated there are a total of 17 field employees and four office employees expected between the maintenance building and the office building. The applicants have provided pictures within the submitted narrative (see Attachment No. 4) of the current vehicle fleet for the two businesses, which consist mostly of small trucks and vans. There are no proposed retail sales and only occasional pickup or delivery of equipment or supplies.

  The existing entrance to the property is located on Diascund Road which is categorized by Virginia Department of Transportation

(VDOT) as a local road. Diascund Road is two-lane, striped, and of variable width. Per the Historic Triangle Traffic Study, this section of Diascund Road has an annual average daily traffic of 620 trips. The existing entrance to the property is within 150 feet of the private Hockaday Road, and approximately 200 feet from the railroad crossing to the north. To the south, there are no driveways or road curves for over 1,000 feet. Within the Institute of Transportation Engineers Trip Generation Manual 11th Edition, this use would be categorized as a specialty trade contractor, land use code 180. Given a proposed total of 21 employees, the project would be expected to generate 15.33 peak-hour AM weekday trips, and 16.8 peak-hour PM weekday trips.

Condition Nos. 4, 7, and 8 would limit heavy construction vehicles, limit the hours of operation, prohibit retail sales, and limit the hours for any deliveries, respectively.

VDOT was provided a copy of this application and did not indicate any concerns. Based upon the low number of generated vehicle trips, the fact that the entrance existed in its current configuration while a golf course operated for a number of years without issue, and the proposed conditions to mitigate potential impacts, staff concludes there are not any unmitigated impacts of this proposal.

- *Utilities:* The existing septic fields will be analyzed for sufficiency prior to use with any necessary improvements being reviewed and approved by the Virginia Department of Health (VDH).

- *Stormwater/Environment:* The applicants are utilizing currently abandoned buildings and existing site improvements, providing an adaptive reuse rather than greenfield development. They are also allowing the remainder of the site to continue to function as a mitigation bank, enhancing the water quality and environment in the surrounding area.

  The existing stormwater pond on the site was built to serve the golf course in 1992. The design and construction pre-dated requirements for a Declaration of Covenants or as-built construction drawings. Sometime after the golf course closed in 2010, the embankment at the outfall for the pond eroded and failed. Given that the proposed project does not include any increase in impervious cover within the drainage area of the pond, the applicants can rehabilitate the existing pond to the then-current permitted design of the pond. If any new impervious cover is added within the drainage area, or if the applicants desire to improve the pond, then the design must meet current stormwater management requirements for both quality and quantity.

- *Nearby Properties:* Staff is recommending a number of conditions to mitigate any potential neighbor impacts, such as landscape screening, lighting limitations, storage limitations, and prohibiting retail sales on-site.

- *Public Safety:* The existing buildings will be required to comply with the building code for fire safety, due to the change of use. The Fire Department has indicated that the estimated fire flow rate is likely 1,750-2,000 gallons per minute. As there are no fire hydrants in this area of the County, the required water would be brought in the Fire apparatus in the event of an emergency. The Fire Department did not have any concerns with the proposal.

- *Public Schools:* Staff does not anticipate any relevant impacts which require mitigation as this proposal does not include any new residences.

- *Public Parks and Recreation:* Staff does not anticipate any relevant impacts which require mitigation as this proposal does not include any new residences.

- *Public Libraries and Cultural Centers:* Staff does not anticipate any relevant impacts which require mitigation as this proposal does not include any new residences.

- *Cultural/Historic:* This property had a Phase 1 Archaeological Study conducted as part of the golf course approval, and no additional development is proposed as part of this adaptive reuse of the existing improvements. Staff does not anticipate any impacts which require mitigation.

- *Community Character:* This property is not within a Community Character Area or Corridor and is an adapted reuse of existing structures which will not alter the existing character of the area. Additional landscaping will be installed, which will enhance the character.

See the following table for additional details on staff analysis of impacts:

Impacts/Potentially Unfavorable Conditions	Status *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
Public Transportation: Vehicular	No Mitigation Required	- The contractor's offices will not exceed 100 peak-hour trips. - The buildings will continue to be served by the existing driveway. - VDOT had no comments regarding this application.
Public Transportation: Bicycle/Pedestrian	No Mitigation Required	- Per the Adopted Regional Bikeways Map and Pedestrian Accommodations Master Plan, neither a bike lane nor pedestrian accommodations are required. - This location is not within walking distance of a Williamsburg Area Transit Authority bus stop.
Public Safety	No Mitigation Required	- Fire Station 1 on Forge Road serves this area of the County and is approximately five miles from the property. - The Fire Department has reviewed the proposal and does not have concerns with the Master Plan.
Public Schools	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Public Parks and Recreation	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Public Libraries and Cultural Centers	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Groundwater and Drinking Water Resources	No Mitigation Required	- The property is on a private well and septic. - VDH has reviewed the proposal and indicates an analysis of the existing septic capacity will be necessary but has no additional concerns.

Impacts/Potentially Unfavorable Conditions	Status *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
Watersheds, Streams, and Reservoirs Project is located in the Diascund Creek Watershed.	Mitigated	- The Stormwater and Resource Protection (SRP) Division has reviewed this application and commented that the existing stormwater BMP must be rehabilitated or redesigned to current standards. - If the applicants pursue rehabilitation, Condition No. 9 requires the work to be completed prior to SRP approval of the site plan necessary for the parking

Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Watersheds, Streams, and Reservoirs Project is located in the Diascund Creek Watershed.	Mitigated	- The Stormwater and Resource Protection (SRP) Division has reviewed this application and commented that the existing stormwater BMP must be rehabilitated or redesigned to current standards. - If the applicants pursue rehabilitation, Condition No. 9 requires the work to be completed prior to SRP approval of the site plan necessary for the parking improvements. - If the applicants pursue redesign, SRP will require appropriate stormwater management, including requiring bonding of the improvements, during site plan review.
Cultural/Historic	No Mitigation Required	- The subject property has been previously disturbed and has no known cultural resources onsite.
Nearby and Surrounding Properties	Mitigated	- The project will need to demonstrate full compliance with lighting and landscaping regulations in the Zoning Ordinance at the site plan stage. - The Landscape Ordinance requires screening buffers between the subject property and the adjacent rights-of-way. The Proposed Condition No. 2 will require that the parking area in addition to the storage areas are screened. - Proposed Condition No. 4 restricts outdoor operations and storage of material. - Proposed Condition No. 5 requires the screening of trash cans, dumpsters, HVAC, and mechanical units. - Proposed Condition No. 6 provides lighting standards for the project to minimize impacts to adjacent properties. - Proposed Condition No. 7 prohibits retail sales on the property. - Proposed Condition No. 7 also limits hours of operation from 7 a.m. to 7 p.m., Monday through Friday. - Proposed Condition No. 8 limits deliveries to the site from 7 a.m. to 7 p.m., Monday through Friday.
Community Character	No Mitigation Required	- Diascund Road is not a Community Character Corridor and this parcel is not located within a Community Character Area.

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
		- The property is within the Scenic Roadway Overlay District; however, the property was already improved prior to the adoption of the Overlay District, so the required setback of the overlay does not apply.
Covenants and Restrictions	No Mitigation Required	- The applicants have provided information regarding the approved mitigation bank in conservation in other areas of the property. They are not aware of any covenants or restrictions on the property which would prohibit the proposed use.

NATURAL AND CULTURAL ASSETS PLAN

The site is identified as having natural and cultural assets on the Natural & Cultural Assets Plan maps (and/or other supplemental resources such as the USDA's Natural Resources Conservation Service Web Soil Survey). The SUP area indicated within the Master Plan is approximately 17.9 acres of the approximately 210-acre property.

This proposal does not alter any of the existing natural resources on the property. It will be utilizing the existing built infrastructure and improvements; the mitigation bank and associated conservation easement will continue to preserve the forested and undeveloped areas. The natural and cultural assets are further detailed in the table below.

ASSET	PRESENCE	IMPACT
Habitat Core	Present on-site	The existing improvements where the contractor offices are proposed would not be within the Habitat Core, so there is no anticipated impact.
Corridors	None present on-site	Not Applicable
Agricultural Assets	Present on-site	± 0.7 acres within the boundary of the SUP is designated as farmland of statewide importance. ± 11 acres within the boundary of the SUP is designated as prime farmland. The proposed SUP area will utilize the existing structures, areas immediately adjacent to the existing structures, and area for the septic drainfields. This area will not be impacted more than it already has been permitted to be impacted. The remaining 192.1 acres outside of the SUP boundary can remain in natural and forestal use.

RELEVANT POLICIES

The Planning Commission's policy related to transitional uses within Rural Lands would apply to this proposal. The policy provides specific criteria for consideration which staff has provided below with staff analysis.

a. Traffic generation in comparison to that generated by the other uses in the immediate area.

   Staff analysis: Condition No. 8 limits the hours of any deliveries, and Condition No. 7 prohibits retail sales at the site, and limits the hours of operation for the businesses. Condition No. 4 prohibits storage of heavy construction vehicles except for one bulldozer and one backhoe which the applicants have indicated would be infrequently needed. The project is not proposing any traffic impacts which would differ from allowed adjacent agricultural uses.

b. Noise, odor, dust, vibration, fumes, smoke, light intensity, light blockage, or other likely nuisances which may be created by the proposed use.

   Staff analysis: There will not be any on-site construction activities, nor any storage of loose materials that might result in dust, odor, or fumes. Proposed Condition No. 6 prohibits any light trespass on adjacent properties.

c. The number of employees anticipated for the proposed business and the facilities required to accommodate them. *Staff Analysis: There will be four office employees and 17 field employees, with no additional facilities required. Any future improvements necessary would be evaluated for consistency with the conditioned Master Plan.*

d. The number of clients or customers the proposed business anticipates, the facilities required to accommodate them, and the traffic they will generate. *Staff Analysis: The business does not propose having customers on-site, and Condition No. 7 would ensure that there are no retail sales which limits the client or customer traffic to the property.*

e. Any need for outside storage and whether or not its impact can be accommodated or mitigated. *Staff Analysis: The business will be utilizing some existing parking areas for storage of company vehicles, trailers, and equipment. Those areas will be screened per Condition No. 4 and staff does not anticipate any impacts to surrounding properties.*

COMPREHENSIVE PLAN

The site is designated Rural Lands on the Comprehensive Plan Land Use Map.

Per the Comprehensive Plan, appropriate primary uses include traditional agricultural and forestal activities, but also innovative agriculture, horticulture, silviculture, specialty or niche farming, commercial and noncommercial equine opportunities, agri-tourism, rural-based public or commercial recreation, rural-support businesses, and certain public or semi-public and institutional uses that require a spacious site and are compatible with the natural and rural surroundings.

Retail and other commercial uses serving Rural Lands are encouraged to be located at planned commercial locations on major thoroughfares inside the PSA. However, appropriately scaled and located direct agricultural or forestal-support uses (including agri-business and eco-tourism), home-based occupations, or certain uses which require very low-intensity settings relative to the site in which it will be located may be considered on a case-by-case review, provided such uses are compatible with the natural and rural character of the area and are in accordance with the Rural Lands Development Standards.

Staff Analysis: While the proposed use is not on a major thoroughfare or within a planned commercial location, the property was already developed and permitted to operate as a business, and this is an adaptive reuse of the existing business improvements. The project is not proposing any traffic impacts which would differ from allowed agricultural uses.

Additionally, this proposal consists of very limited outdoor operations and storage, minimal anticipated traffic impacts, and landscaping and screening requirements set forth in the proposed conditions and the James City County Landscape Ordinance. While it is not an agricultural or forestal use, staff finds the proposed scale of the businesses would be very low-intensity operation which would not negatively impact the natural and rural character of the area.

According to the Rural Lands Development Standards for Use and Character Compatibility, uses should reflect and enhance the rural character of the County. Particular attention should be given to the following:

i. Locating structures and uses outside of sensitive areas. *Staff Analysis: This standard is met as the businesses will operate in already existing improved areas.*

ii. Maintaining existing topography, vegetation, trees, and tree lines to the maximum extent possible, especially along roads and between uses. *Staff Analysis: This standard is met as no regrading or vegetation clearing is proposed. There are a total of 109.3 acres of preserved area under conservation easement for the existing mitigation bank. The remaining acreage on the site is intended to remain undeveloped other than two potential residential dwellings. For this proposal, additional vegetation will be planted along portions of the adjacent roads to enhance the existing screening.*

iii. Discouraging development on farmland, open fields, scenic roadside vistas, and other important agricultural/forestal soils and resources. *Staff Analysis: This standard is met as this proposal does not include new development within a scenic roadside vista, it will operate within the footprint of existing structures and parking areas. The property is within the Scenic Roadway Overlay; however, the enhanced setback requirement does not apply as the property was not unimproved on October 8, 2024.*

iv. Encouraging enhanced landscaping to screen structures located in open fields using a natural appearance or one that resembles traditional hedgerows and windbreaks. *Staff Analysis: This standard does not directly apply as this project is not within an open field. However, the screening buffers and large amount of the property within a conservation easement achieve similar results.*

v. Locating new driveways or service roads so that they follow existing contours and old roadway corridors whenever feasible. *Staff Analysis: This standard does not apply as no new driveways are proposed.*

vi. Generally limiting the height of structures to an elevation below the height of surrounding mature trees and scaling buildings to be compatible with the character of the existing community. *Staff Analysis: This standard is met as the height of the existing structures are lower than most of the surrounding mature trees.*

vii. Minimizing the number of street and driveway intersections along the main road by providing common driveways. *Staff Analysis: This standard does not apply as no new driveways are proposed.*

viii. Utilizing lighting only where necessary and in a manner that eliminates glare and brightness. *Staff Analysis: This standard is satisfied by the requirements in Proposed Condition No. 6, which prohibit light trespass of 0.1-foot-candles or greater across property lines and limits the height of light fixtures.*

The preservation and reuse of existing structures and ensuring the existing road network is suitable to proposed developments are recommendations for developments in Rural Lands. Staff finds this proposal consistent with both of these recommendations.

STAFF RECOMMENDATION

Per the Impact Analysis noted above, staff finds the proposed use does not negatively impact surrounding property or development, nor is it expected to negatively impact roads or other public services. Staff finds that this proposal is consistent with the Zoning Ordinance and generally consistent with the Rural Lands designation of the Comprehensive Plan.

Staff recommends the BOS approve this application, subject to the proposed conditions.

AJ/tm
SUP25-16-8285DiscndRd

Attachments:
1. Resolution
2. Location Map
3. Master Plan
4. Applicant's Narrative
5. Mitigation Bank Documents
6. Unapproved Minutes of the March 4, 2026, Planning Commission Regular Meeting

R E S O L U T I O N

CASE NO. SUP-25-0016. 8285 DIASCUND ROAD

PROPOSED CONTRACTOR OFFICES

WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board"), has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit ("SUP") process; and

WHEREAS, Mr. Joshua Glass, G.B. Glass, LLC, and Mr. John West, ATCO Fasteners, have applied for an SUP to allow two contractor offices to operate within the existing two structures on the property located at 8285 Diascund Road and further identified as James City County Real Estate Tax Map Parcel No. 0940100002 (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on March 4, 2026, recommended approval of Case No. SUP-25-0016 by a vote of 7-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-25-0016; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the 2045 Comprehensive Plan Land Use Map designation for the Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code (the "County Code"), does hereby approve the issuance of Case No. SUP-25-0016 as described herein with the following conditions:

1. *Master Plan.* This SUP shall be valid for the operation of contractor offices, and accessory uses thereto (the "Project"), on property located at 8285 Diascund Road and further identified as James City County Real Estate Tax Map Parcel No. 0940100002 (the "Property"). The Project shall be developed and constructed substantially in accordance with the Master Plan titled "Special Use Permit For 8285 Diascund Road PIN #0940100002" dated December 2, 2025 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the James City County Zoning Ordinance, as amended.

2. *Landscape Buffer and Screening.* Prior to final approval of the site plan referenced in Condition No. 12, the Director of Planning or designee shall review and approve a landscape and screening plan for the Project. The landscape and screening plan shall provide: (i) a fence or a minimum 15-foot landscaped buffer along Hockaday Road between the parking and storage areas and the rights-of-way, and (ii) a minimum 30-foot landscaped buffer along Diascund Road between the parking and storage areas and the rights-of-way. The buffers shall be provided by one of the three treatment options listed below:

a. In areas of the buffer that are currently comprised of mature forest, as determined by the Director of Planning or designee, the buffer shall be left undisturbed in its natural state.

b. In areas of the buffer that are not completely comprised of mature forest, as determined by the Director of Planning or designee, supplementation with evergreen shrubs and trees shall be required in accordance with Condition No. 2c.

c. In areas of the buffer where little or no vegetation exists, as determined by the Director of Planning or designee, the buffer shall be landscaped to the provisions of Section 24-96 of the Zoning Ordinance for General Landscape Areas except that the required evergreen tree and shrub mixture shall be native to southeast Virginia, and shall be increased from 35% to at least 45%.

   All vegetation required to achieve the buffering effect shall be installed within 12 months of site plan approval, unless an extension is requested of and approved by the Director of Planning due to unforeseen circumstances or inappropriate weather conditions for installation of vegetation.

3. *Fencing.* The screening fence shown on the Master Plan shall be installed within 12 months of approval of the site plan referenced in Condition No. 12. Any fence on the Property shall be black or other neutral color and shall not exceed a height of 8 feet above finished grade and shall not contain any barbed wire. Prior to final approval of any site plan, the Director of Planning or designee shall review and approve a detail of any proposed fencing on the Property for consistency with this condition.

4. *Outdoor Operations and Storage.* No outdoor operations or storage of materials that may generate dust, odors, or stormwater runoff, including soil stockpiles as defined by Section 24-46 of the Zoning Ordinance, shall be permitted on the Property. Any material storage shall be within a fenced and screened area where the materials do not exceed the height of the fence. Shipping containers, also known as Conex boxes, shall be permitted to be used for storage on the Property. Storage of heavy construction vehicles, including but not limited to tractor-trailer trucks, semi-trailers, and tri-axle dump trucks or larger, shall be prohibited; except for one (1) bulldozer and one (1) backhoe provided they are not visible from Diascund Road or Hockaday Road.

5. *Screening of Site Features.* All trash cans, dumpsters, and HVAC and mechanical units serving the Project shall be screened by landscaping, an enclosure composed of wood, masonry, closed-cell PVC, prefinished metal, or cementitious panels, in detail and colors to blend with adjacent construction materials. Such features and enclosures shall be shown on the site plan and shall be reviewed and approved by the Director of Planning or designee for consistency with this condition prior to final site plan approval.

6. *Lighting.* All light poles and building-mounted fixtures shall not exceed 20 feet in height from finished grade. No light trespass, defined as 0.1-foot-candle or higher, shall extend across any property line as a component of or result of this Project. Light poles shall be operated by a motion detector or be able to be turned on as needed. Lights shall not be routinely illuminated from dusk until dawn.

7. *Limitations.* No retail sales shall occur on the Property. The hours of operation shall be limited to 7 a.m. to 7 p.m., Monday through Friday.

8. *Deliveries.* Deliveries, including trash pickup, shall be limited to 7 a.m. to 7 p.m., Monday through Friday.

9. *Existing Stormwater Pond.* The existing failed stormwater pond shall be either rehabilitated to the original approved design or redesigned to meet the stormwater design guidelines current at the time of plan submittal. Rehabilitation shall be completed with final as-built case approved, prior to County approval for the required site plan referenced in Condition No. 12.

10. *Maintenance of Permanent Stormwater Facilities*. Per Section 8-14 of the Erosion and Stormwater Management Ordinance, a Standard Declaration of Covenants - Inspection and Maintenance agreement shall be executed with the County, prior to County approval for any site plan.

11. *Wastewater.* The applicants will provide evidence of approval to the Director of Planning from the Virginia Department of Health for operation of the wastewater treatment system for the Project prior to issuance of a final building inspection or Certificate of Occupancy for either building at the Property.

12. *Site Plan.* A site plan shall be required for this Project. Final approval of the site plan shall be obtained within 36 months of issuance of this SUP, or the SUP shall become void.

13. *Severance Clause.* This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

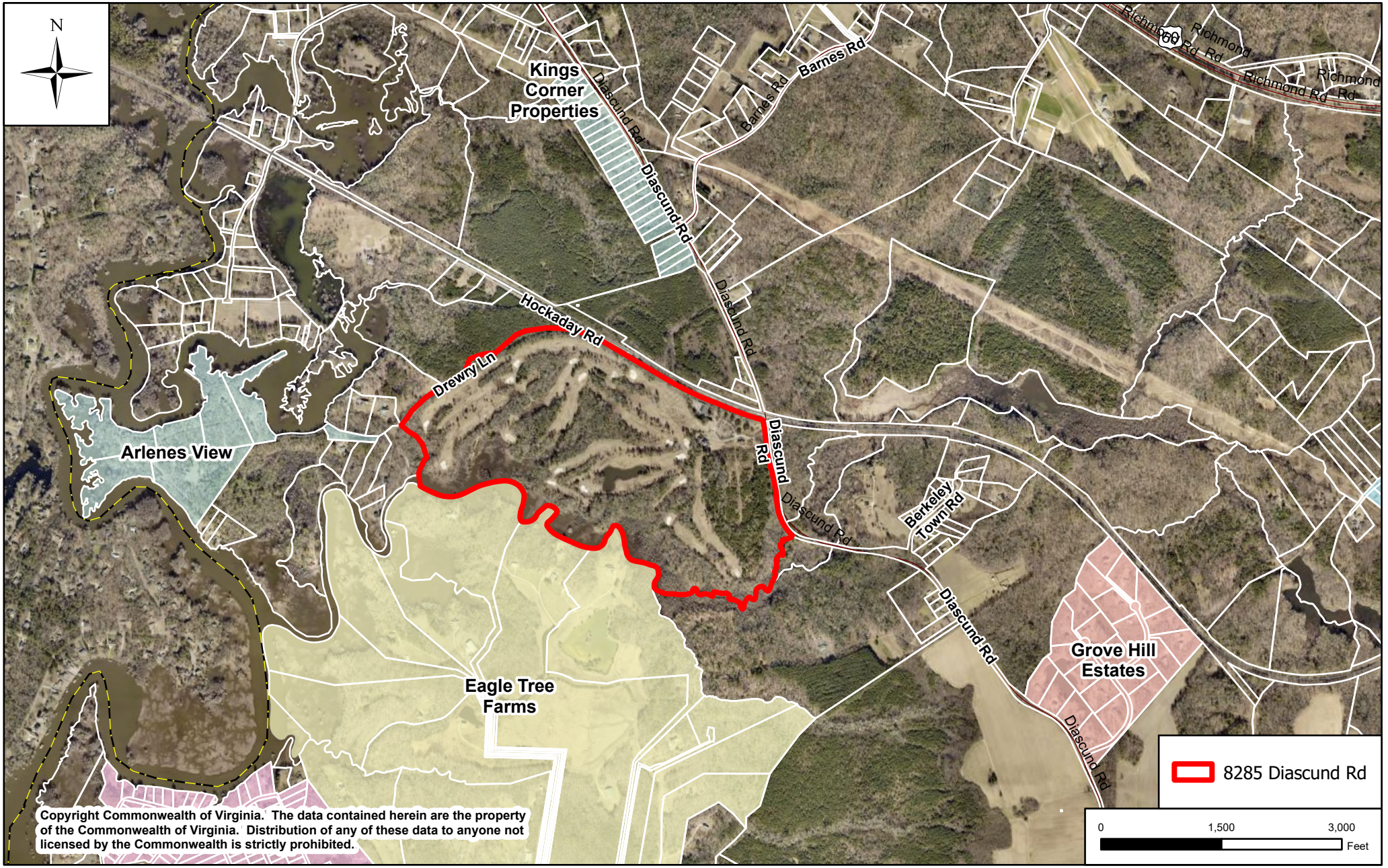
_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
WAINWRIGHT	____	____	____	____
NULL	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____
MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

SUP25-16-8285DiscndRd-res

SUP-25-0016. 8285 Diascund Road Contractor Offices



SPECIAL USE PERMIT
FOR
8285 DIASCUND ROAD
PIN #0940100002

JAMES CITY COUNTY POWHATAN DISTRICT VIRGINIA

PROJECT NARRATIVE:

THE SUBJECT PROPERTY IS LOCATED AT 8285 DIASCUND ROAD IN JAMES CITY COUNTY, VIRGINIA, IDENTIFIED AS TAX MAP PARCEL 0940100002. THE PROPERTY INCLUDES SEVERAL EXISTING BUILDINGS AND IMPROVEMENTS FORMERLY ASSOCIATED WITH A GOLF COURSE, INCLUDING MAINTENANCE STRUCTURES, PRO SHOP, AND PARKING LOT. THE APPLICANT SEEKS ONE SPECIAL USE PERMIT FOR THE OPERATION OF TWO CONTRACTOR'S OFFICES ON THE PROPERTY. IT IS NOTED ON THAT THE APPLICANT MAY CONSIDER A FUTURE USE FOR OTHER AREAS OF THE PROPERTY AS AN EVENT SPACE, WHICH IS NOT A PART OF THIS APPLICATION.

GENERAL NOTES:

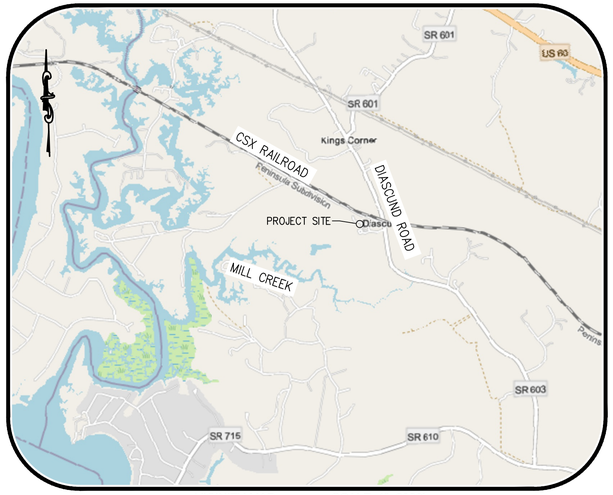
1. A SITE PLAN WILL BE REQUIRED TO REDESIGN THE PARKING LOT, LIGHTING AND LANDSCAPING TO COMPLY WITH CURRENT JAMES CITY COUNTY STANDARDS. THE PLAN SHALL ALSO REHABILITATE THE EXISTING RETENTION POND TO ACHIEVE APPROVED DESIGN STANDARDS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING MISS UTILITY (1-800-552-7001) FOR EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.
3. THE CONTRACTOR SHALL SATISFY THEMSELVES TO ALL EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION.
4. EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES.
5. ALL UTILITIES SHALL BE PLACED UNDERGROUND.
6. THERE IS NO OFF-SITE LAND DISTURBANCE ASSOCIATED WITH THIS PROJECT.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR THIS PROJECT.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF CONSTRUCTION EFFORTS WITH VIRGINIA POWER, C&P TELEPHONE, COX CABLE, VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) AND OTHERS THAT MAY BE REQUIRED.
9. ALL CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM WITH THE CURRENT JAMES CITY COUNTY STANDARDS AND SPECIFICATIONS, VIRGINIA DEPARTMENT OF TRANSPORTATION ROAD AND BRIDGE STANDARDS AND SPECIFICATIONS, VIRGINIA STORMWATER MANAGEMENT REGULATIONS, AND ANY OTHER APPLICABLE COUNTY OR STATE ORDINANCES, CODES, AND LAWS PRIOR TO ANY CONSTRUCTION ACTIVITY.
10. ALL EXISTING UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY COUNTY CODE.
11. ANY EXISTING ON-SITE ABOVE GROUND UTILITIES REQUIRING RELOCATION FOR ANY REASON SHALL BE REMOVED AND PLACED UNDERGROUND. IN THE EVENT THE PROJECT IMPACTS EXISTING OFF-SITE ABOVE GROUND UTILITIES AND NECESSITATES THEIR RELOCATION ONTO THE DEVELOPMENT SITE, SUCH UTILITIES SHALL BE PLACED UNDERGROUND. THE DEVELOPER/CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS INCURRED FOR REMOVAL AND PLACEMENT OF ALL UTILITIES.
12. ALL NEW SIGNS SHALL BE IN ACCORDANCE WITH THE JAMES CITY COUNTY ZONING ORDINANCE.
13. PRIVATELY OWNED UTILITIES (WATER, FIRE MAINS, SEWER LINES, ETC.) SHOWN ON THIS PLAN ARE REGULATED BY THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE AND ENFORCED BY THE BUILDING SAFETY AND PERMITS DIVISION. THESE PRIVATELY OWNED UTILITIES MUST COMPLY FULLY WITH THE INTERNATIONAL PLUMBING CODE, THE NATIONAL FIRE PREVENTION ASSOCIATED STANDARD 24, AND THE INTERNATIONAL FIRE CODE. CONTRACTORS WORKING FROM THIS SITE PLAN ARE CAUTIONED NOT TO INSTALL OR CONCEAL PRIVATELY OWNED SITE UTILITIES WITHOUT OBTAINING REQUIRED PERMITS AND INSPECTIONS.
14. ALL OBJECTIONABLE AND DELETERIOUS MATERIALS ARE TO BE REMOVED FROM THE SITE AND DISPOSED OF IN A STATE APPROVED FACILITY MEETING THE REQUIREMENTS OF ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.
15. PROJECT HORIZONTAL DATUM IS BASED UPON THE VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 83).
16. PROJECT VERTICAL DATUM IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).

STORMWATER NARRATIVE:

THE PROPOSED DEVELOPMENT LOCATED AT 8285 DIASCUND ROAD CALLS FOR THE CONVERSION OF THE EXISTING UNUSED GOLF COURSE FACILITY TO BE REFURBISHED INTO TWO CONTRACTOR'S OFFICES AND A WEDDING/EVENT VENUE WITH OVERNIGHT ACCOMMODATIONS.

THE CONTRACTOR'S OFFICES AND EVENT VENUE WILL UTILIZE EXISTING IMPERVIOUS SURFACES INCLUDING PARKING AREAS, SIDEWALKS AND BUILDINGS. THESE SURFACES WILL BE REFURBISHED AND REMAIN IN PLACE CAUSING NO IMPACT TO THE OVERALL DRAINAGE ON THE PROPERTY. THE EXISTING GOLF COURSE FACILITY CONTAINS A STORM SYSTEM OF MULTIPLE INLETS THAT DRAIN TO AN EXISTING RETENTION POND DIRECTLY WEST OF THE FACILITY WHICH SHALL CONTINUE TO BE UTILIZED AND MAINTAINED. THESE STRUCTURES WILL BE RE-SEALED BY THE CONTRACTOR TO ENSURE THEY ARE IN WORKING CONDITION.

AS THIS PROJECT UTILIZES ENTIRELY EXISTING IMPERVIOUS AREA AND PROPOSES NO DISTURBANCE, THERE SHALL BE NO CHANGE TO THE STORMWATER RUNOFF QUALITY OR QUANTITY FROM THE SITE. NO FURTHER ANALYSIS IS WARRANTED.



VICINITY MAP SCALE: 1"=2000'

TABLE OF CONTENTS	
SHEET 1	COVER SHEET
SHEET 2	SUP AREA
SHEET 3	SUP AREA
SHEET 4	OVERVIEW MAP

STATISTICAL INFORMATION:

ZONING:	A1SR - GENERAL AGRICULTURE SCENIC ROAD
PROPOSED SITE USE:	CONTRACTOR'S OFFICE
MAGISTERIAL DISTRICT:	POWHATAN
PARCEL NUMBER:	0940100002
UTILITIES:	
WATER	PRIVATE
SEWER	PRIVATE
BUILDING SETBACKS:	
FRONT YARD:	400' (FROM PUBLIC RIGHT-OF-WAY)
SIDE YARD:	15'
REAR YARD:	35'
PARCEL AREA:	±210.2 AC. (ENTIRE PROPERTY) 17.87 AC. (SUP AREA)
PARKING PROVIDED:	136 SPACES (6 H.C./ 5 VAN-ACCESSIBLE SPACES) (SEE PARKING ANALYSIS SHEET 2)
FLOOD HAZARD MAP:	SPECIAL USE PERMIT AREA IS LOCATED IN ZONE X PER F.I.R.M. #51095C0019D & #51095C0038D DATED 12/16/2015. PROPERTY IS LOCATED IN ZONE X AND ZONE AE (ELEV. 7) PER F.I.R.M. #51095C0019D & #51095C0038D DATED 12/16/2015.
HYDROLOGICAL INFORMATION:	
SUBWATERSHED:	DIASCUND CREEK- MILL CREEK (VAHU6 JL27)
SUBBASIN:	LOWER CHICKAHOMINY RIVER (JL-F)
WATERSHED:	LOWER JAMES (HUC8 02080206)

OWNER:

J&J PROPERTY INVESTMENTS LLC

CONTACT: JOSHUA GLASS
MANAGING PARTNER
GB GLASS LLC
757-258-9050
JOSH@GBGLASSLLC.COM

JOHN WEST
VICE PRESIDENT
ATCO FASTENERS
757-250-3723
JOHN@ATCOFASTENERS.COM

ENGINEER:

LANDTECH RESOURCES, INC.

CONTACT: WILLIAM FELTS, P.E., L.S.
205-E BULIFANTS BOULEVARD
WILLIAMSBURG, VA 23188
(757) 565-1677

CONTRACTOR SHALL NOTIFY MISS UTILITY @ 811 OR (800) 552-7001 PRIOR TO STARTING CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR LOCATING AND DETERMINING SIZES OF ALL UTILITIES PRIOR TO CONSTRUCTION. IF CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLANS, SONTACT THE ENGINEER BEFORE PROCEEDING

NO.	DATE	REVISION / COMMENT / NOTE
1	02-02-26	REVISION PER COUNTY COMMENT LETTER

COMMONWEALTH OF VIRGINIA
WILLIAM S. FELTS
Lic. No. 57903
02/02/2026
PROFESSIONAL ENGINEER

LRI LANDTECH RESOURCES, INC.
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205-E Bulifants Boulevard – Williamsburg, VA 23188
Ph: (757) 565-1677 Fax: (757) 565-0782
web: landtechresources.com

SPECIAL USE PERMIT
PIN #0940100002
8285 DIASCUND ROAD
JAMES CITY COUNTY VIRGINIA

Scale: N/A
Date: 12/02/2025
Job Number: 24-444
Drawn By: MVT
Sheet Title: COVER
Sheet Number: SHEET 1

PARKING CALCULATION		
USE	REQUIRED PARKING	PROVIDED PARKING
TOTAL PARKING ON SITE	–	136 SPACES (6 HC)
BUILDING A (CONTRACTORS OFFICE)	15 SPACES / 1 HC	25 SPACES (1 HC)
BUILDING B (CONTRACTOR'S OFFICE)	6 SPACES / 1 HC	28 SPACES (2 HC)
BUILDING C (POTENTIAL FUTURE USE)	–	83 SPACES (3 HC)

SCREENING NOTE
SCREENING OF SUP AREA FROM HOCKADAY ROAD AND DISCUND ROAD WILL BE ACHIEVED VIA PROPOSED SCREENING FENCE, EXISTING 3-5' TALL LANDSCAPE BERM, AND PROPOSED PLANTINGS. PROPOSED AND EXISTING VEGETATION WILL BE INVENTORIED ON SITE PLAN TO ENSURE THEY MEET JCC STANDARDS.

VIRGINIA STATE PLANE COORDINATES (VA SOUTH ZONE)(NAD 83)

CSX RAILROAD
VARIABLE WIDTH R/W
VAL MAP 13062
D.B. 10, PG. 643
P.B. 2, PG. 7
D.B. 4, PG. 259

HOCKADAY ROAD
(PRIVATE– LOCATED WITHIN CSX R/W)

10' APPROXIMATE C&P UNDERGROUND TELEPHONE EASEMENT D.B. 181, PG. 437 P.B. 1 PG. 311

SCREENING FENCE (TYP.)

CONTRACTOR'S OFFICE/WORKSHOP (5,405 SF)
12 FIELD EMPLOYEES
3 OFFICE EMPLOYEES
15 TOTAL

1–STY BRICK GARAGE F.F.=36.41

STORAGE (916 SF)

16.3' AT&T COMMUNICATIONS EASEMENT D.B. 713, PG. 323 ADJOINING & PARALLEL TO CSX R/W

TRUCK AND TRAILER OVERNIGHT STORAGE

BLOCK WALL

OIL TANK

STORAGE (1650 SF)

FUEL TANK

ASPHALT

1–STY VINYL GARAGE/WORKSHOP F.F.= 36.51

GRAVEL

BUILDING A

GUEST PARKING BUILDING A

TRANS

BUILDING A EMPLOYEE & GUEST PARKING

15' VEPCO UNDERGROUND POWER EASEMENT INSTR. #190017037

APPROXIMATE VEPCO EASEMENT D.B. 713, PG. 323

EX. LANDSCAPE BERM TO REMAIN

15' SIDE YARD

EX. LANDSCAPE BERM TO REMAIN

CONC.

BOUNDARY OF SPECIAL USE PERMIT

20' X 10' STEEL SEMI-TRUCK UNLOADING RAMP

LOADING AREA H/C SPACE

LANDSCAPE ISLAND

GRINDER PUMP

INV.=36.48

TRAILER & EQUIPMENT STORAGE

TRAILER & EQUIPMENT STORAGE

TRAILER & EQUIPMENT STORAGE

LANDSCAPE SCREENING

GRAVEL

OHW

APPROXIMATE VEPCO EASEMENT D.B. 713, PG. 323

BUILDING B EMPLOYEE & GUEST PARKING

N/F
J&J PROPERTY INVESTMENTS LLC
INSTR. #202416720
P.B. 56, PG. 98
PIN #0940100002
±210.2 AC.

LANDSCAPE ISLAND

H/C LOADING AREA

INV.=36.65 (BURIED)

BRICK WALL

20' WELL LOT ACCESS EASEMENT P.B. 61, PG. 38

IRON GATES

DISCUND ROAD
STATE ROUTE 603
VARIABLE WIDTH R/W
(VDOT PROJ.: 0603-047-000, 1347-01;0603-047-121, C-501)
D.B. 96, PG. 494; D.B. 154, PG. 160

INV.=37.25 (BURIED)

400' SCENIC ROADWAY DWELLING SETBACK

POTENTIAL FUTURE USE EVENT SPACE PARKING

1–STY BRICK FRAME

2–STY BRICK FRAME F.F.=35.67 BASEMENT GARAGE F.F.=28.68

POTENTIAL FUTURE USE (EVENT SPACE)

BUILDING C

1–STY BRICK FRAME

BUILDING B

1–STY BRICK FRAME F.F.= 37.76

TRANS

H/C RAMP ACCESS TO BUILDING

CONTRACTOR'S OFFICE
(2,022 SF)
5 FIELD EMPLOYEES
1 OFFICE EMPLOYEE
6 TOTAL

BOUNDARY OF SPECIAL USE PERMIT

15' CONSTRUCTION ZONE SETBACK

30' FRONT LANDSCAPE YARD

TRANS
SATTELITE DISH

MATCH: SEE SHEET 2

40 0 40 80 120
Scale: 1" = 40'

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02/02/2026
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web: landtechresources.com

SPECIAL USE PERMIT
PIN #0940100002
8285 DISASCUND ROAD

JAMES CITY COUNTY — VIRGINIA

Scale: 1" = 40'
Date: 12/02/2025
Job Number: 24-444
Drawn By: MVT
Sheet Title: SUP AREA
Sheet Number: SHEET 2

LINE TYPES LEGEND

- EXISTING EDGE OF PAVEMENT
- OHW — OVERHEAD UTILITY LINE
- PARCEL BOUNDARY
- W — W — W — WATER LINE
- SS — SS — SEPTIC DRAIN LINE
- STORM PIPE
- DRAINAGE DITCH
- COMM — COMMUNICATIONS LINE
- E — E — E — UNDERGROUND ELECTRIC LINE
- EDGE OF GRAVEL
- X — X — X — FENCE

EXISTING FEATURES LEGEND

- UTILITY POLE
- LIGHT POLE
- E — ELECTRICAL PANEL
- TRANS — ELECTRIC TRANSFORMER
- SIGN
- BOLLARD
- COMMUNICATIONS PEDESTEL
- STEPS
- OVERHANG
- HVAC UNIT
- W — WELL
- U — FIBEROPTIC CABLE UTILITY WITNESS POST

DENOTES OPEN SPACE EASEMENT

SURVEY MONUMENTS LEGEND

IRF = IRON ROD FOUND
PPF = PINCHED PIPE FOUND

GENERAL SURVEY NOTES:

1. THE TOPOGRAPHICAL SURVEY SHOWN HEREON IS FROM A FIELD SURVEY COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF WILLIAM S. FELTS FROM AN ACTUAL GROUND AND AERIAL SURVEY MADE UNDER HIS SUPERVISION, THE IMAGERY AND/OR ORIGINAL DATA WAS OBTAINED IN MARCH 2025, THIS PLAT, MAP OR DIGITAL GEOSPATIAL DATA INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. NOT ALL EASEMENTS MAY BE SHOWN.
3. UNDERGROUND UTILITIES ARE SHOWN PER FIELD-LOCATED UTILITY MARKINGS BY MISS UTILITY. THE EXISTENCE AND LOCATION (HORIZONTAL AND VERTICAL) OF EXISTING UTILITIES ARE NOT GUARANTEED AND SHALL BE FIELD VERIFIED BY THE CONTRACTOR; ANY DISCREPANCIES SHOULD BE REPORTED IMMEDIATELY TO THIS OFFICE BEFORE ANY FURTHER WORK IS COMPLETED.
4. ELEVATIONS AS SHOWN HEREON ARE IN FEET AND ARE RELATIVE TO THE NAVD 1988 VERTICAL DATUM BASED ON GPS OBSERVATIONS.
5. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.

STORM PIPES INFORMATION

1. SS-1 ▶ OUTFALL ±81 LF @ 2.01%
2. SS-2 ▶ SS-1 ±485 LF @ 2.04%
3. SS-3 ▶ SS-2 ±102 LF @ 0.86%
4. SS-20 ▶ SS-3 ±78 LF @ 2.19%
5. SS-4 ▶ SS-3 ±147 LF @ 1.02%
6. SS-23 ▶ SS-4 ±258 LF @ 0.58%
7. SS-17 ▶ SS-23 ±121 LF @ 0.56%
8. SS-16 ▶ SS-15 ±98 LF @ 1.70%
9. SS-15 ▶ SS-23 ±134 LF @ 0.80%
10. SS-6 ▶ SS-4 ±134 LF @ 0.48%
11. SS-10 ▶ SS-6 ±102 LF @ 0.72%
12. 4" PVC ▶ SS-11 ±126 LF @ 2.43%
13. SS-11 ▶ SS-10 ±52 LF @ 7.20%
14. SS-14 ▶ SS-10 ±144 LF @ 1.85%
15. SS-13 ▶ SS-14 ±163 LF @ 0.42%
16. SS-9 ▶ SS-10 ±70 LF @ 1.15%
17. SS-8 ▶ SS-9 ±72 LF @ 0.68%
18. SS-7 ▶ SS-8 ±52 LF @ 0.46%
19. SS-12 ▶ SS-7 ±181 LF @ 0.32%
20. SS-19 ▶ SS-12 ±70 LF @ 1.59%
21. SS-18 ▶ SS-12 ±174 LF @ 0.52%
22. SS-22 ▶ SS-20 ±121 LF @ 1.11%
23. SS-21 ▶ SS-22 ±50 LF @ 2.81%
24. SS-5 ▶ SS-21 ±62 LF @ 4.06%

STORM STRUCTURES INFORMATION

SS-1
RIM=17.50
INV. IN (24")=14.24
INV. IN (4")=16.55
INV. OUT (24")=14.78

SS-2
RIM=32.02
INV. IN (8")=25.15
INV. IN (8")=25.17
INV. IN (24")=24.14
INV. OUT (24")=24.14

SS-3
RIM=33.59
INV. IN (24")=25.24
INV. IN (12")=25.49
INV. OUT (24")=25.02

SS-4
RIM=34.28
INV. IN (24')=26.74
INV. IN (15")=30.13
INV. IN (6")=32.18
INV. OUT (24")=26.74

SS-5
RIM=34.76
INV. OUT (8")=33.03

SS-6
RIM=34.94
INV. IN (24")=27.49
INV. OUT (24")=27.39

SS-7
RIM=34.25
INV. IN (18")=30.11
INV. OUT (18")=29.87

SS-8
RIM=34.84
INV. IN (18")=29.63
INV. OUT (18")=29.59

SS-9
RIM=35.67
INV. IN (18")=29.10
INV. OUT (18")=29.10

SS-10
RIM=35.16
INV. IN (15")=28.57
INV. IN (24")=28.30
INV. IN (12")=28.71
INV. OUT (24")=28.23

SS-11
RIM=35.94
INV. IN (4")=33.53
INV. OUT (12")=32.44

SS-12
RIM=35.68
INV. IN (15")=30.81
INV. IN (12")=30.78
INV. OUT (18")=30.69

SS-13
RIM=35.77
INV OUT (15")=32.05

SS-14
RIM=35.98
INV. IN (15")=31.36
INV. OUT (15")=31.24

SS-15
RIM=35.32
INV. IN (2")=33.04
INV. OUT (15")=32.81

SS-16
RIM=36.34
INV. OUT=34.71

SS-17
RIM=34.90
INV. OUT (15")=32.42

SS-18
RIM=35.16
INV. OUT (15")=31.72

SS-19
RIM=35.75
INV. OUT (12")=31.90

SS-20
RIM=33.66
INV. IN (12")=27.38
INV. OUT (12")=27.38

SS-21
RIM=33.45
INV. IN (4")=30.62
INV. IN (8")=30.52
INV. OUT (12")=30.13

SS-22
RIM=33.47
INV. IN (12")=28.72
INV. OUT (12")=28.72

SS-23
RIM=34.11
INV. IN (15")=31.74
INV. IN (15")=31.74
INV. OUT (15")=31.63

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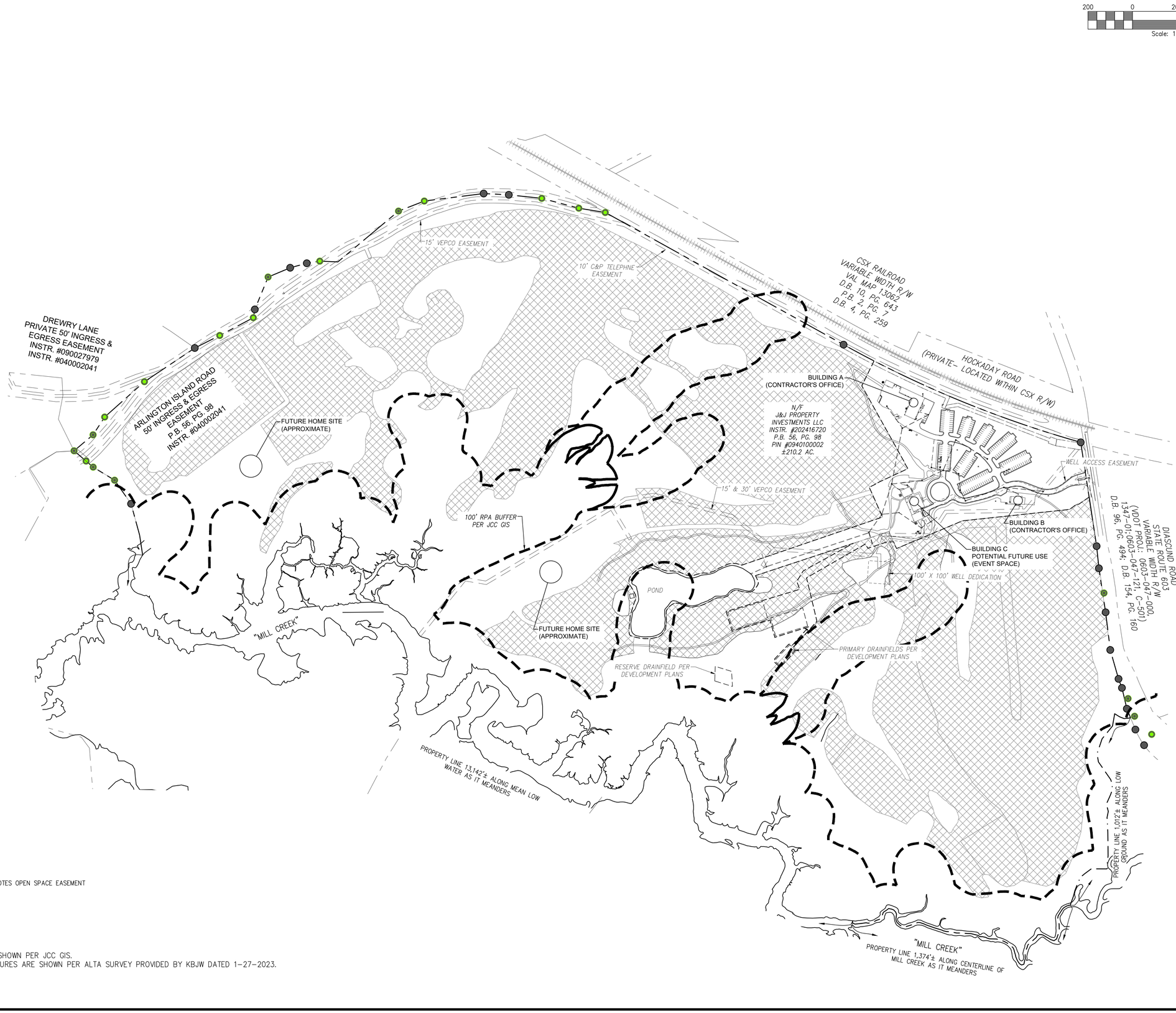
SPECIAL USE PERMIT
PIN #0940100002
8285 DISASCUND ROAD

JAMES CITY COUNTY — VIRGINIA

Scale:	1" = 40'
Date:	12/02/2025
Job Number:	24-444
Drawn By:	MVT
Sheet Title:	SUP AREA
Sheet Number:	SHEET 3



LEGEND

DENOTES OPEN SPACE EASEMENT

NOTES:

1. CONTOURS ARE SHOWN PER JCC GIS.
2. ALL OTHER FEATURES ARE SHOWN PER ALTA SURVEY PROVIDED BY KBJW DATED 1-27-2023.

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JAMES CITY COUNTY — VIRGINIA

Scale:	1" = 200'
Date:	12/02/2025
Job Number:	24-444
Drawn By:	MVT
Sheet Title:	OVERVIEW MAP
Sheet Number:	SHEET 4

February 2nd, 2026

Special Use Permit Project Description

8285 Diascund Road — James City County, Virginia

SUP-25-0017 & SUP-25-0016
Event Space & Two Contractors' Offices

Applicants:

Joshua Glass – G.B. Glass LLC

John West – ATCO Fasteners

Property Information:

The subject property is located at 8285 Diascund Road in James City County, Virginia, identified as Tax Map Parcel 0940100002. The property includes several existing buildings and improvements formerly associated with a golf course, including maintenance structures, pro shop, and parking lot. The applicant seeks one Special Use permit for the operation of two Contractor's Offices on the property. It is noted that the applicant may consider a future use for other areas of the property as an event space, which is not a part of this application.

I. Special Use Permit Request: Two Contractors' Offices

Businesses Proposed for the Existing Maintenance Buildings:

Two established local businesses propose to use the existing maintenance buildings and golf academy building remaining from the former golf course. The former golf academy building at the front of the property will be utilized for office space while the rear maintenance buildings will be utilized as shops for the businesses.

1. G.B. Glass LLC

A long-standing local business offering top-quality utility and advanced contracting services. G.B. Glass LLC will utilize a portion of one maintenance building for office space, equipment storage, and operational support.

2. ATCO Fasteners

A reputable local distributor of fasteners and industrial safety supplies. ATCO will occupy the remaining portion of the buildings for administrative functions, inventory management, and equipment storage.

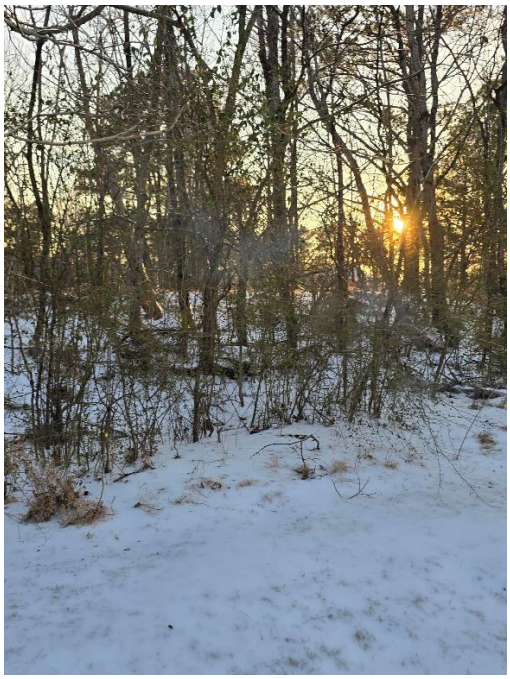
Hours of Operation:

Both businesses will typically operate **Monday through Friday, 7:00 AM to 4:00 PM**.

Outdoor Storage and Site Use:

- Shared outdoor storage areas, identified on the Master Plan, will be used by both businesses.
- Storage will consist primarily of work equipment and contractor vehicles.
- No stockpiles of loose material or bulk supplies are planned.
- All storage will be screened or buffered in accordance with County requirements.

The following photos were taken from Hockaday road and demonstrate the existing screening vegetation and berm. A site plan will be prepared which will verify the existing and proposed screening on site.



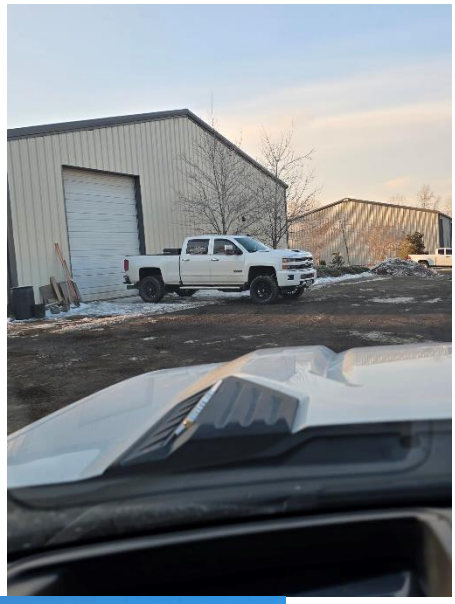
Traffic and Site Activity:

Activity will consist mainly of:

- Employee vehicles
- Occasional equipment loading/unloading
- Periodic customer pickup and inventory and supply deliveries

This traffic level is typical for contractor office/yard uses and is not expected to create significant impacts on the roadway network.

The following photos show the current G.B. Glass work truck fleet. There are 4 additional four-door pickup trucks that are take-home vehicles (not pictured) to make a total of 10 vehicles.



The following photos show the current ATCO fasteners work truck fleet (3 vehicles total). ATCO also receives deliveries from a box truck or 18-wheeler approximately 2 times a week.

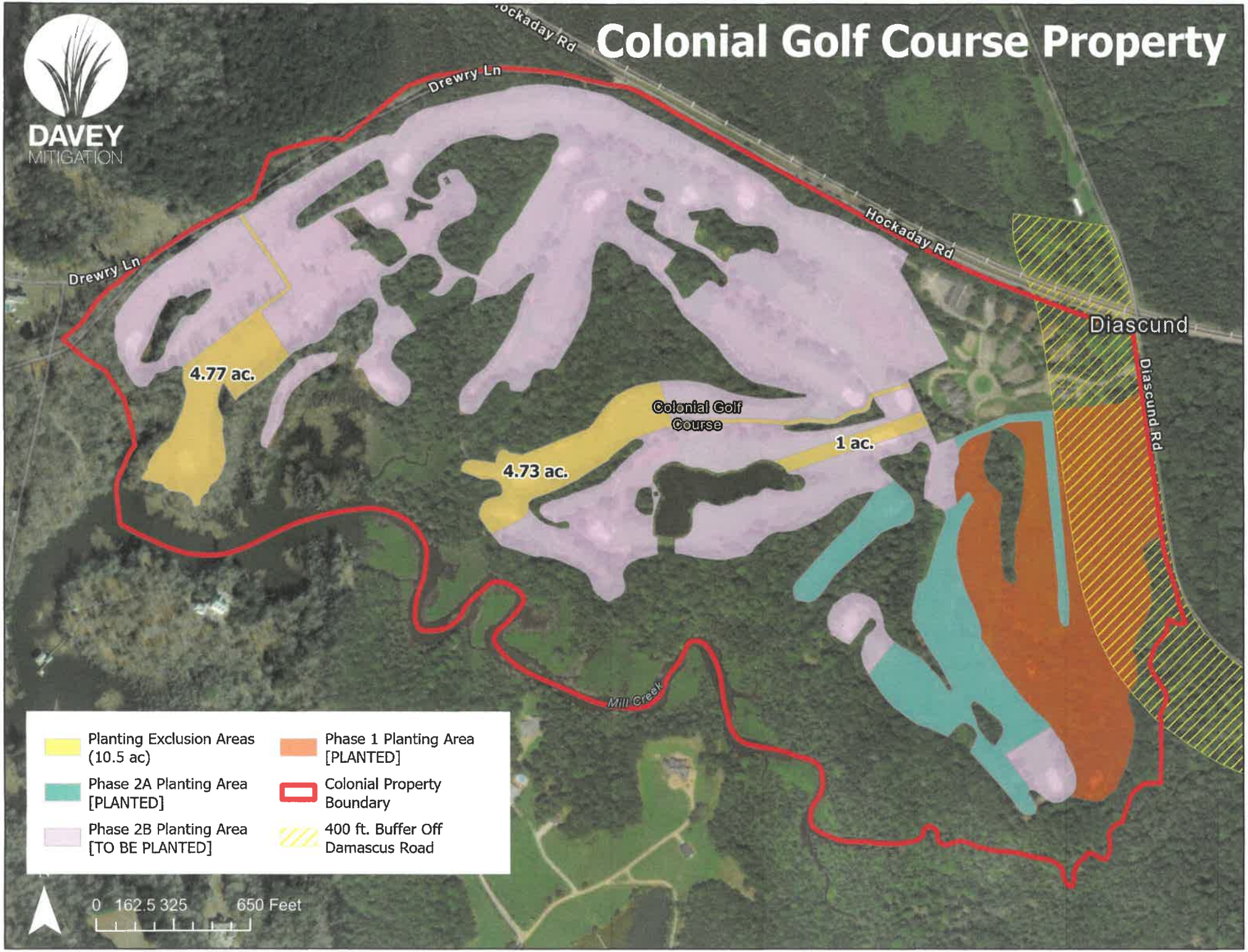
Environmental Compatibility:

Because the project reuses existing buildings and requires minimal land disturbance, environmental impacts are expected to be low. All Chesapeake Bay Preservation Act, stormwater, and erosion & sediment control requirements will be fully met.

III. Overall Project Summary

The proposed Special Use Permit will allow the productive, low-impact redevelopment of a former golf course property. By reusing existing buildings and site improvements, the project minimizes environmental disturbance while creating opportunities for local businesses.

The contractors' offices provide long-term operational stability for two established local businesses—G.B. Glass LLC and ATCO Fasteners—utilizing the former maintenance buildings efficiently and responsibly. This use is compatible with the property's setting and advances the goals of James City County's Comprehensive Plan by supporting economic development, adaptive reuse, and rural preservation.


Colonial Golf Course Property
DAVEY
MITIGATION
Drewry Ln
Hockaday Rd
Drewry Ln
Hockaday Rd
Diascund
Diascund Rd
4.77 ac.
Colonial Golf Course
1 ac.
4.73 ac.
Mill Creek
Planting Exclusion Areas (10.5 ac)
Phase 1 Planting Area [PLANTED]
Phase 2A Planting Area [PLANTED]
Colonial Property Boundary
Phase 2B Planting Area [TO BE PLANTED]
400 ft. Buffer Off Damascus Road
0 162.5 325 650 Feet

Colonial / Mill Creek Preserve Nutrient Mitigation Bank

James City County, Virginia

February 26, 2020

Revised: June 16, 2023

Prepared by:
Davey Mitigation
c/o Wetland Studies and Solutions, Inc.
5300 Wellington Branch Drive, Suite 100
Gainesville, VA 20155

Table of Contents

1. Introduction & Project Description 4
2. Project Description 4
2.1. Purpose 4
2.2. Property Description 4
2.3. Contact Information/Property Ownership 5
2.4. Project Description 6
3. Operational Practices 8
3.1. Baseline Practices 8
3.2. Acquisition of necessary permits 8
3.3. Restrictive Covenant 8
4. Service Area 8
5. Credit Analysis 9
5.1. Schedule of Credit availability 9
6. Monitoring, Maintenance, and Reporting 11
6.1. Monitoring Criteria 11
6.2. Maintenance Criteria 11
6.3. Reporting Criteria 11
7. Accounting / Financial 11
7.1. Financial Assurances 11
7.2. Credit Ledger 12
8. Other Information 12
9. Exhibits: 13
Exhibit 1: Nutrient Bank Concept Plan 13
Exhibit 2: Vicinity Map 13
Exhibit 3: USGS 7.5' Quadrangle Map 13
Exhibit 4: USGS 7.5' Quadrangle Map Focused on Mitigation Area 13
Exhibit 5: Tax Map 13
Exhibit 6: 2005 Aerial Exhibit 13
Exhibit 7: 2012 Aerial Exhibit 13
Exhibit 8: 2017 Aerial Exhibit 13

Exhibit 9: 2023 Aerial Exhibit 13
Exhibit 10: Service Area Map 13
Exhibit 11: Land Cover Conditions 13
Exhibit 12: Land Conversion Areas Management Plan 13

1. Introduction & Project Description

Davey Mitigation, a subsidiary of Davey Resource Group, LLC, (hereinafter, the Sponsor) proposes to establish, maintain, and sponsor the Colonial/Mill Creek Preserve (hereinafter, the Bank). A nutrient reduction implementation plan (NRIP) for this bank was originally submitted by Restoration Systems, LLC in February, 2020. DEQ's Sara Felker confirmed receipt of the NRIP via email on February 26, 2023. Since then, Restoration Systems, LLC was acquired by the Davey Resource Group. Davey Mitigation has modified the NRIP herein to reflect the change in sponsor name.

In addition, after further reviewing the project site the Sponsor has decided to remove the previously proposed stream restoration component of the nutrient bank and focus only on land conversion practices to generate nutrient credits at the project site. Finally, the land conversion activities have been broken down into two phases—**Phase 1** which includes areas that are currently forested but were NOT forested in 2005, and **Phase 2** which involves planting native pines to convert active unforested golf course areas to forested conditions. These activities will reduce nutrient and sediment loadings in local tributaries as well as downstream waters and improve the water quality of the James River watershed.

2. Project Description

2.1. Purpose

The property is located in James City County, Virginia and is part of the James River watershed. The purpose of this plan is to describe the development, use, and maintenance of a nutrient credit bank as authorized by the Virginia Department of Environmental Quality (DEQ). The nutrient credits will be eligible for transfer to entities requiring credits in accordance with the Chesapeake Bay Watershed Nutrient Credit Exchange Program (VA Code § 62.1-44.19:14 et seq.), the Virginia stormwater nutrient credit program (VA Code § 62.1-44.15:35) and the MS4 Sediment Trading statute (§ 62.1-44.19:21.1).

Nutrient and sediment reductions will be produced by the land conversion of an active golf course to forested conditions. The land conversion activities have been broken down into two phases— **Phase 1** which includes areas that are currently forested but were NOT forested in 2005, and **Phase 2** which involves planting native pines to convert active unforested golf course areas to forested conditions. These activities will reduce nutrient and sediment loadings in local tributaries as well as downstream waters and improve the instream habitat and water quality of the James River watershed.

2.2. Property Description

The property limits (shown in Exhibit 1) consist of approximately 218 acres located at 8285 Diascund Road in Lanexa, at the southwest intersection of State Route 610 (Diascund Road) and Hockaday Road in James City County (see Exhibit 2 for Vicinity Map). The property was developed as The Colonial Golf Course in 1994 and was in operation until 2010. Except for the forested area included as part of **Phase 1**, the majority of the open areas (fairways, greens and

rough) of the course have continued to be privately mowed and maintained from 2010 through the present. There are approximately 31,000+ linear feet of streams located within the property including the northern side of Mill Creek (which constitutes the southern edge of the property boundary).

The property drains to Mill Creek, then to Diascund Creek, the Chickahominy River, the James River and the Chesapeake Bay. The property contains approximately 88.3 acres of open land (fairways, greens and rough), 71.5 acres of existing forest, 4 acres of wetland habitat, 10 acres of riparian wetland type habitat along Mill Creek, 11.7 impervious acres (parking lots, access roads, clubhouse and maintenance buildings) and an 11-acre pond (see Exhibit 11 for Land Cover Map).

2.3. Contact Information/Property Ownership

Sponsor	**Agent**
Davey Mitigation	**Davey Mitigation**
c/o Davey Resource Group, Inc.	**c/o Davey Resource Group, Inc.**
717 N. Courthouse Road, Suite 101	717 N. Courthouse Road, Suite 101
Richmond, Virginia 23236	Richmond, Virginia 23236
ATTN: Caitlan Parker	ATTN: Caitlan Parker
caitlan.parker@davey.com	caitlan.parker@davey.com
843-261-3049	843-261-3049

The property is owned fee simple by Davey Resource Group, LLC and is free from any easements or encumbrances that would interfere with the nutrient-reduction objectives of the project. The Sponsor agrees to provide ownership and/or title documentation upon DEQ request.

To comply with the requirements of this NRIP the sponsor will record a Declaration of Restrictions (DOR), thereby providing perpetual protection and preservation for the Bank. The DOR shall be generated using the standard template. These provisions will conform to the current guidance with language to allow for road easements, hike/bike trails, hunting, and other activities, subject to approval by the DEQ.

If the Sponsor elects to sell the property or transfer landownership, they shall offer to transfer all interest in the Bank, at no cost, to the new landowners. If the new landowners decline to accept the properties, the Sponsor shall then transfer interest to a public resource agency, a non-profit agency engaged in conservation activities, or an academic institution engaged in research activities subject to written approval of the receiving entity by the DEQ.

2.4. Project Description

The Colonial project will consist of land conversions that will be completed in two Phases. **Phase 1** involves placing a conservation easement on 21 acres of the site that has naturally regenerated into a forested landscape after 2012 (see Exhibits 6-9 for aerial images showing the regeneration). **Phase 2** involves converting 88.3 acres of non-forested golf course fairways by actively planting loblolly pine during the winter/spring of 2023/2024 with the goal of achieving a stem density of at least 400 stems per acre. planting with native pines. The enclosed Nutrient Bank Concept Plan (Exhibit 1) depicts the limits of proposed land conversion efforts. The proposed actions will reduce nutrient and sediment loads and generate corresponding nutrient and sediment credits.

Following are a series of site photos of the bank site:

Image 1: Phase 1 – Natural Regeneration Area (February 2023)

Image 2: Phase 2 – Existing golf fairways / Proposed Planting Areas (February 2023)

3. Operational Practices

3.1. Baseline Practices

a) Soil Conservation: A Soil Conservation Plan is not required at this time as no portion of the property will be managed for agricultural purposes.
b) Nutrient Management Plan: A Nutrient Management Plan is not required at this time as no portion of the property will be managed for agricultural purposes.
c) Cover Cropping: Cover cropping will not be required as no portion of the property will be managed for agricultural purposes.
d) Livestock Stream Exclusion: No livestock will be kept on the property.
e) Riparian Buffer: The Sponsor will maintain a minimum 35' riparian buffer on all perennial and intermittent U.S. waters located within the property.

3.2. Acquisition of necessary permits

At this time no permits are required to implement the proposed nutrient reduction activities.

3.3. Restrictive Covenant

To comply with the requirements of this NRIP the sponsor will record a Declaration of Restrictions (DOR), thereby providing perpetual protection and preservation for the Bank. The DOR shall be generated using the standard template. These provisions will conform to the current guidance with language to allow for road easements, hike/bike trails, hunting, and other activities, subject to approval by the DEQ.

4. Service Area

The credits generated within the property will be used to compensate for nutrient loadings in excess of federal, state or local regulations within the James River watershed. The service area for permit applicants under the VSMP regulations is shown in Exhibit 10. The service area for other permit programs is the entire James River watershed.

5. Credit Analysis

Per the developed land conversions table provided by DEQ[1], golf courses are considered pervious urban areas and converting golf courses to forest below the fall line in the James River watershed will yield nutrient removal rates of 2.36 pounds phosphorus, 11.68 pounds nitrogen, and 57.89 sediment per pound of phosphorous generated. Exhibits 6-9 provide historical satellite imagery of the property conditions from 2005 to the present. A table identifying nutrient reductions based on the land conversion activities and the corresponding credit generation is located in Table 1 below.

5.1. Schedule of Credit availability

Credits will be available for transfer following implementation of the nutrient and sediment reducing practices and recordation of the deed restriction. The sponsor estimates that deed restrictions for **Phase 1** shall be recorded in June/July 2023, while subsequent deed restrictions for **Phase 2** will be recorded in early 2024 following planting activities. As such, the bank sponsor proposes the following credit release schedule:

- **19.21% of credits (49.56 phosphorus credits / 100% of the Phase 1 Area)** released when a Declaration of Restrictions is recorded over the 21-acre Phase 1 area.
- **40.39% of credits (104.195 phosphorus credits / 50% of Phase 2 Area)** released when the 88.3-acre Phase 2 area is planted and Declaration of Restrictions is recorded over the Phase 2 area.
- **40.39% of credits (104.195 phosphorus credits / 50% of Phase 2 Area)** released upon submission and approval of Phase 2-Year 1 monitoring reports, showing the planting in the Phase 2 Area has achieved an initial survival density of a minimum of 400 deciduous tree or evergreen tree woody stems per acre including any noninvasive volunteers.
- **5% of credits will be retired** prior to the sale of remaining credits.

[1] As *of February 2020, when this NRIP was originally submitted and subsequently approved.*

Table 1: Credit Generation Table

Land Conversion Implemented	Acres	Nitrogen Reduction/Acre	Total Nitrogen Reductions (delivered lbs/yr)	Phosphorous Reduction/Acre	Total Phosphorous Reduction (delivered lbs/yr)	Sediment Credit Generated per Pound of Phosphorous (lbs/ac)	Sediment Credit (delivered lbs/yr)
Phase 1: Natural Regeneration- Pervious Urban Area (Golf Course) to Forest	21	11.68	245.28	2.36	49.56	57.89	2,869.03
Phase 2: Active Planting- Pervious Urban Area (Golf Course) to Forest	88.3	11.68	1,031.34	2.36	208.39	57.89	12,063.58
Subtotal			1,276.62		257.95		14,932.61
5% Retirement of Credits			63.83		12.90		746.63
Total Credits Available for Sale			**1,212.79**		**245.05**		**14,185.98**

6. Monitoring, Maintenance, and Reporting

6.1. Monitoring Criteria

The Sponsor will periodically provide aerial and/or ground-level photographs sufficient to document the ongoing establishment of forested conditions within the Land Conversion Areas. The Sponsor will undertake periodic site visits and collect relevant data including photo documentation to assess the site conditions.

- **Phase 1:** This area has naturally regenerated into a forest community since 2005, and currently meets the success criteria set by DEQ for forested habitats. No additional monitoring is being proposed.
- **Phase 2:** The Sponsor is targeting the initial establishment of 400 stems per acre to include both installed and volunteer species. Actual installation rate will be approximately 500 to 600 stems per acre. Supplemental plantings may be implemented if necessary to maintain a minimum of 400 stems per acre.

6.2. Maintenance Criteria

The Sponsor will maintain the Land Conversion Areas as needed to ensure that conversion activities are providing the nutrient reductions as detailed in this plan (see Exhibit 12 for details). If the Sponsor identifies any areas during the periodic site inspections that require remediation, the Sponsor will undertake activities necessary to bring these areas into compliance.

6.3. Reporting Criteria

The Sponsor will maintain all records regarding credit generation and transfer within the property. Monitoring data and other site-specific documentation will be provided to DEQ as necessary to verify that the property is providing the required nutrient reductions. The Sponsor shall provide annual reports to DEQ documenting that the Land Conversion Areas are being maintained in a condition sufficient to provide the nutrient reductions and associated credits as described in this document for a period of time not to exceed 10 years from credit release.

7. Accounting / Financial

7.1. Financial Assurances

Per June conversations in field on June 6, 2023 with Tyler Montieth, Nutrient Trading Program Coordinator at DEQ, the agency is no longer requiring financial assurances for nutrient banks undergoing land conversion practices.

7.2. Credit Ledger

The Sponsor will maintain a credit ledger for the Property that will detail information regarding credit generation and transfer. The Sponsor will submit an up-to-date credit ledger to DEQ detailing credits available for exchange, credits exchanged, and associated purchaser information. The report shall cover the period from July 1 through June 30 of each year and be submitted annually by August 15 unless an alternative reporting period and submittal date are provided for in the nutrient credit certification.

8. Other Information

Access/Inspection – The Sponsor will provide access to representatives of the DEQ and credit purchasers to the Property for the purposes of verifying implementation and maintenance of the credit generating activities. Representatives and credit purchasers will be required to provide 48 hours-notice prior to any onsite inspection, and any other parties wishing to enter the Property must consent to a waiver of liability provided by the Sponsor.

Adjustment of Credits Generated – The Sponsor may need to adjust the agreed-upon credit amounts based on actual on-the-ground conditions or other factors, prior, during and after land use alteration. Any credit adjustments must be agreed to in writing by both the Sponsor and the DEQ.

Documentation of Credit Purchase – The Sponsor will provide the Credit purchaser with documentation regarding the generation and transfer of credits necessary to fulfill the purchaser's regulatory obligations. A notarized Affidavit of Credit transfer will be delivered to the DEQ following each transfer.

9. Exhibits:

Exhibit 1: Nutrient Bank Concept Plan

Exhibit 2: Vicinity Map

Exhibit 3: USGS 7.5' Quadrangle Map

Exhibit 4: USGS 7.5' Quadrangle Map Focused on Mitigation Area

Exhibit 5: Tax Map

Exhibit 6: 2005 Aerial Exhibit

Exhibit 7: 2012 Aerial Exhibit

Exhibit 8: 2017 Aerial Exhibit

Exhibit 9: 2023 Aerial Exhibit

Exhibit 10: Service Area Map

Exhibit 11: Land Cover Conditions

Exhibit 12: Land Conversion Areas Management Plan

EXHIBIT 1

Colonial Nutrient Bank - Concept Plan

James City County, Virginia

L:\30000\30800\30859.01\GIS\C_DRG\MXD\ColonialGCNRB701_ConceptPlan_11x17.mxd

NORTH

Aerial: Nearmap February 2023

0 0.125 0.25 0.5 Miles

Map last modified: June 1, 2023

DAVEY MITIGATION

EXHIBIT 2

Colonial Nutrient Bank - Location Map

James City County, Virginia

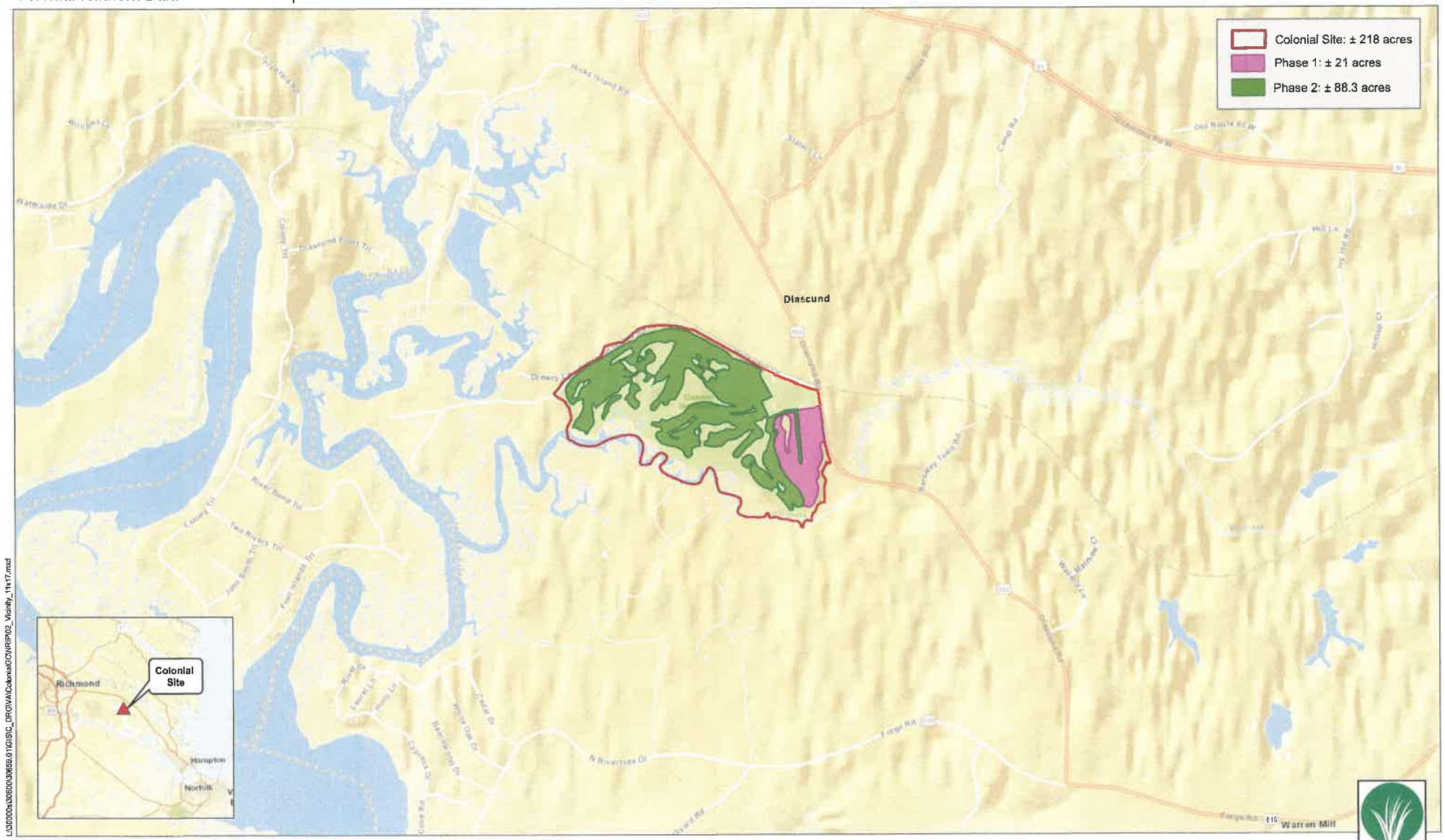
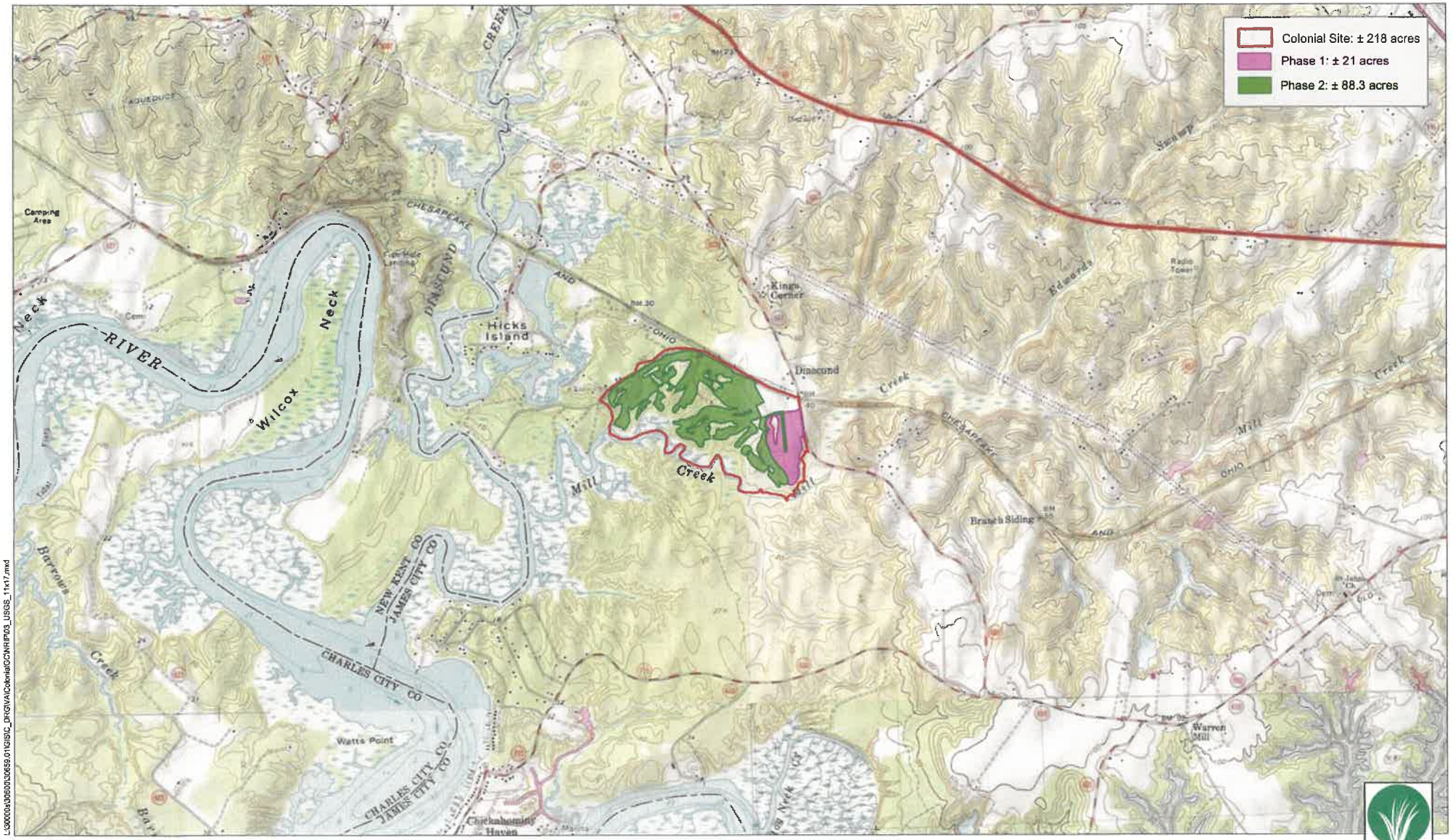


EXHIBIT 3

Colonial Nutrient Bank - USGS 7.5' Quadrangle Map

James City County, Virginia



L:\30000s\30600\30659.01\GIS\C_DHG\MXD\Colonial\GCMHP03_USGS_11x17.mxd

NORTH

Toano, VA 1966
Walkers, VA 1989
Latitude: 37°23'34"N
Longitude: 76°52'37"W
Hydrologic Unit Code (HUC): 020802060603

0 0.5 1 2 Miles

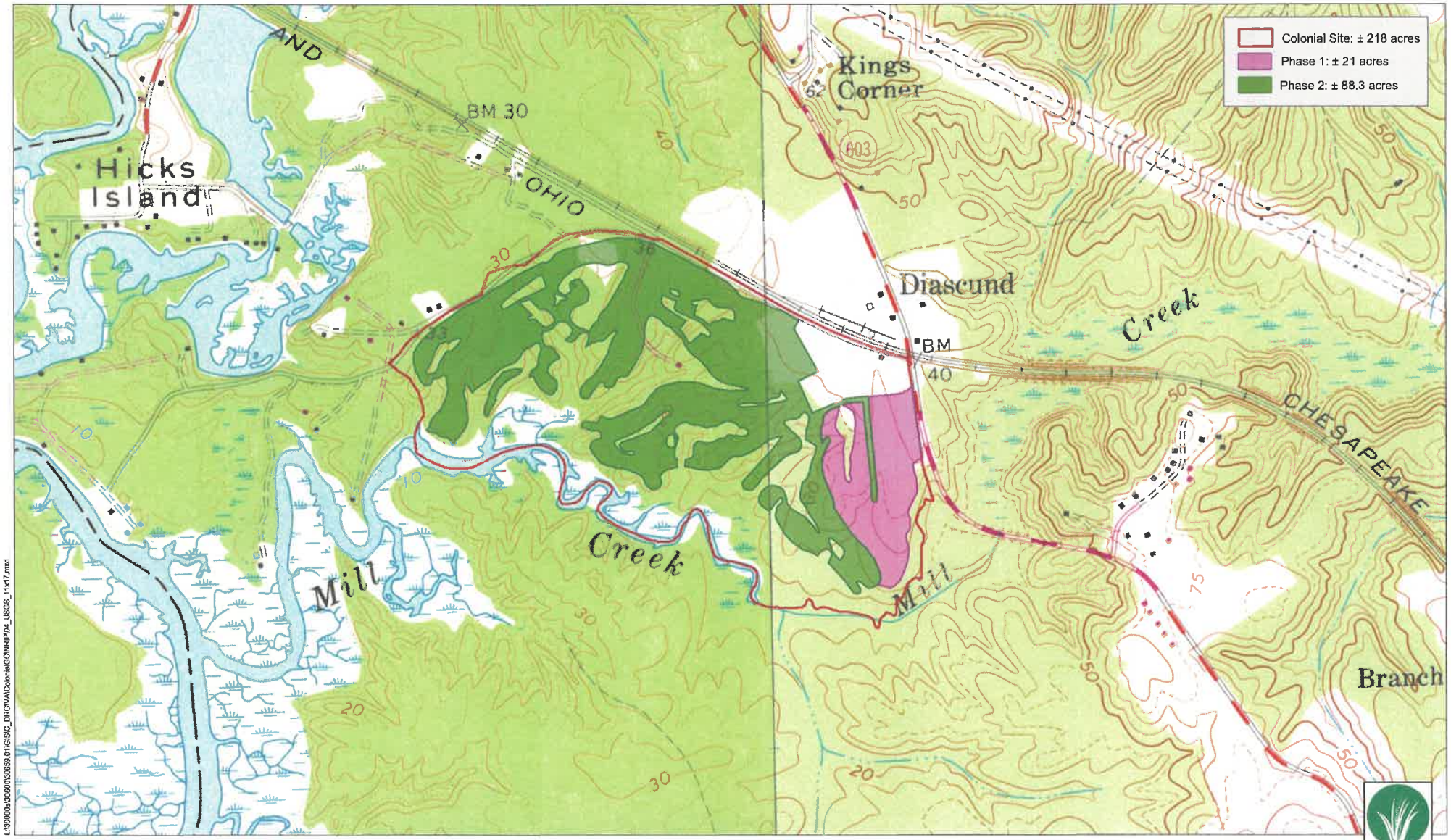
Map last modified: June 1, 2023

DAVEY MITIGATION

EXHIBIT 4

Colonial Nutrient Bank - USGS 7.5' Quadrangle Map

James City County, Virginia



L:\30000s\30960\30659.01\GIS\C_DRGN\ACobrinal\GCNRI\P04_USGS_11x17.mxd

NORTH

Topo, VA 1986
Walkers, VA 1989
Latitude: 37°23'34"N
Longitude: 76°52'37"W
Hydrologic Unit Code (HUC): 020802060803

0 0.25 0.5 1 Miles

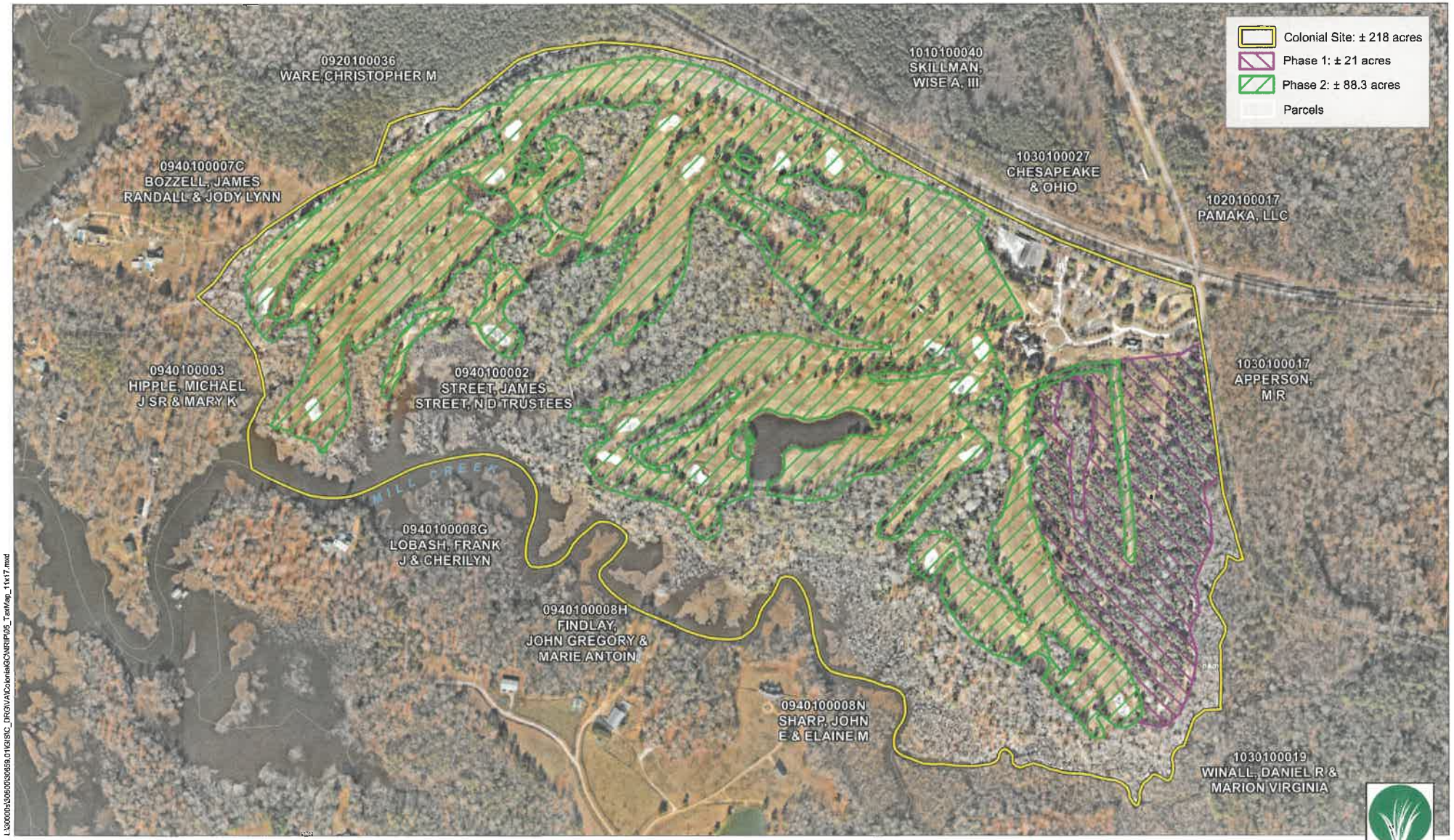
Map last modified: June 1, 2023

DAVEY MITIGATION

EXHIBIT 5

Colonial Nutrient Bank - Tax Map

James City County, Virginia



L:\30000\30600\30659.01\GIS\C_DRGN\AColonial\GCNRIP05_TaxMap_11x17.mxd

NORTH

Aerial: Nearmap, 2023
Land Records as of: June 1, 2023

0 0.125 0.25 0.5 Miles

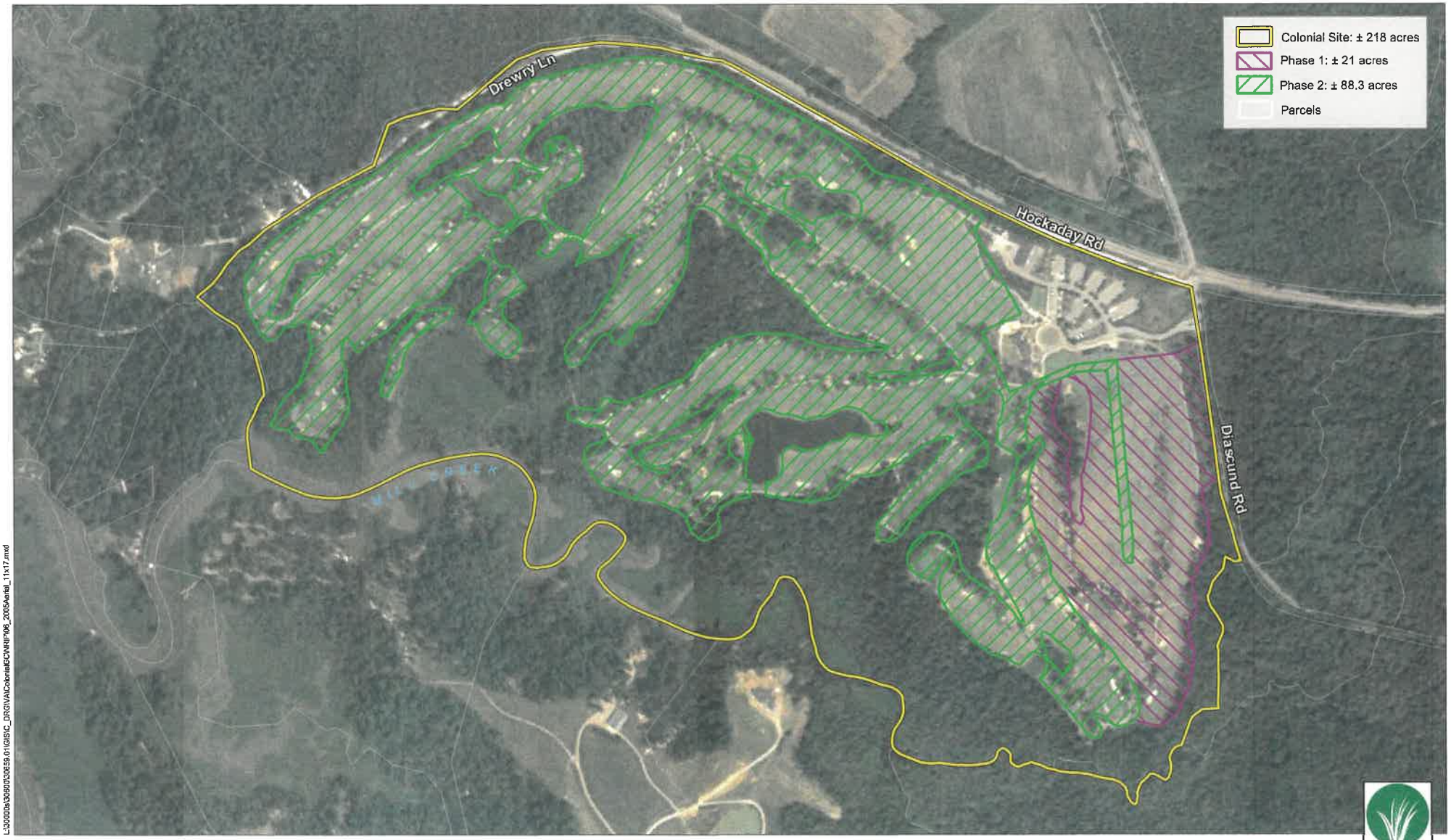
Map last modified: June 1, 2023

DAVEY MITIGATION

EXHIBIT 6

Colonial Nutrient Bank - 2005 Aerial

James City County, Virginia



L:\30000s\30950\30859.01\GIS\C_DRGIVA\Colonial\GCIWKIP\06_2005Aerial_11x17.mxd

NORTH

Aerial: NAIP 2005

0 0.125 0.25 0.5 Miles

Map last modified: June 1, 2023

DAVEY MITIGATION

EXHIBIT 7

Colonial Nutrient Bank - 2012 Aerial

James City County, Virginia

L:\39000s\39060\30659.01\GIS\C_DRG\VA\ColonialGCNRIP907_2012Aerial_11x17.mxd

NORTH

Aerial: NAIP 2012

0 0.125 0.25 0.5 Miles

Map last modified: June 1, 2023

DAVEY MITIGATION

EXHIBIT 8

Colonial Nutrient Bank - 2017 Aerial

James City County, Virginia

L:\30000s\30600\30659.01\GIS\C_DRGN\MXD\Colonial\CONTRIP08_2017Aerial_11x17.mxd

NORTH

Aerial: NAIP 2017

0 0.125 0.25 0.5 Miles

Map last modified: June 1, 2023

DAVEY MITIGATION

EXHIBIT 9

Colonial Nutrient Bank - 2023 Aerial

James City County, Virginia

I:\30000s\30600\30658.01\GIS\C_DRG\MXD\Colonial\GCNRIP08_2023Aerial_11x17.mxd

NORTH

Aerial: Nearmap February 2023

0 0.125 0.25 0.5 Miles

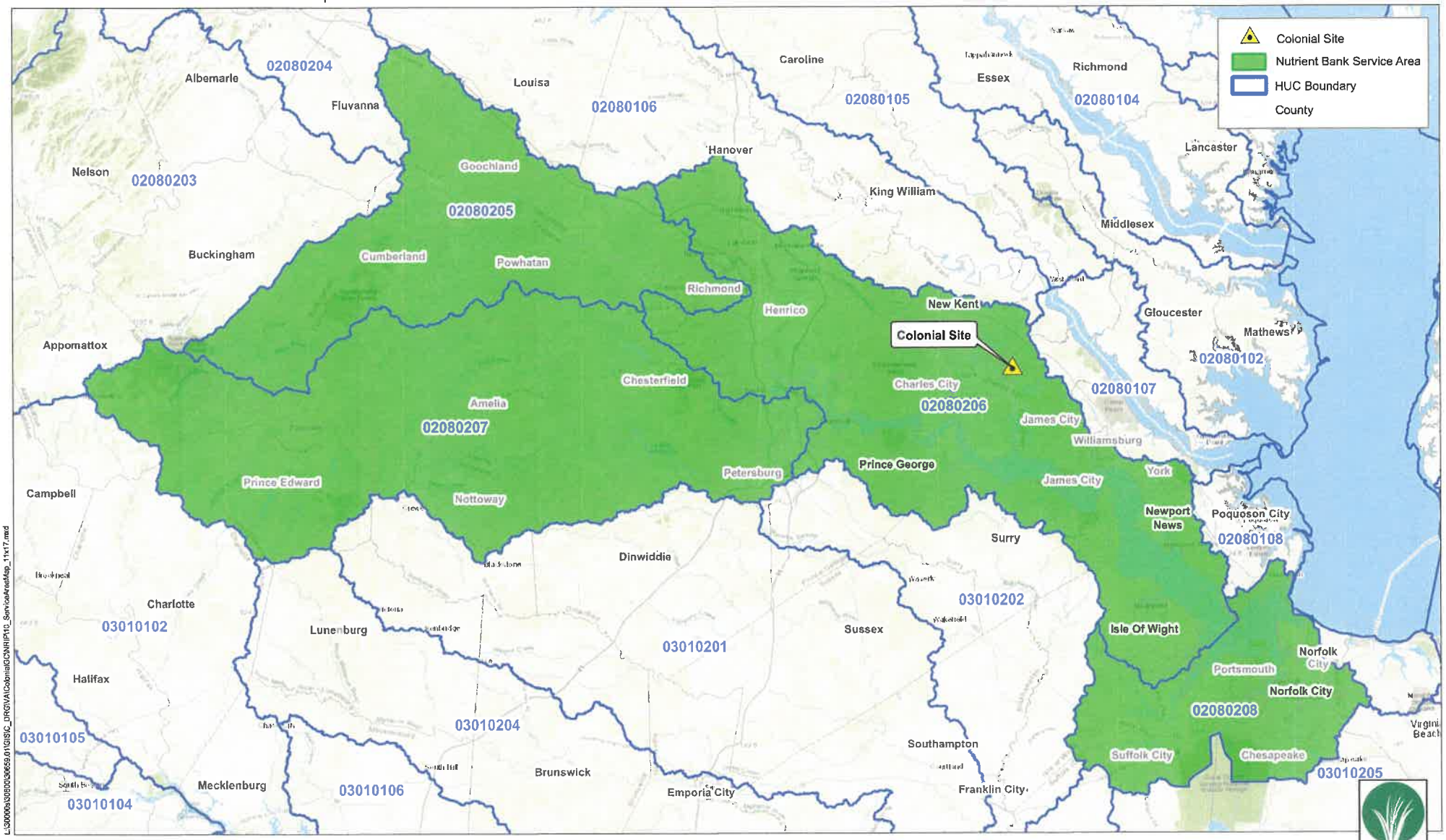
Map last modified: June 1, 2023

DAVEY MITIGATION

EXHIBIT 10

Colonial Nutrient Bank - Service Area Map

James City County, Virginia



Base: ESRI
Hydrologic Unit Code:
https://water.usgs.gov/GIS/huc.html

Map last modified: June 1, 2023

DAVEY MITIGATION

L:\30000s\30850\30659.01\GIS\C_DRG\VA\ColonialG3NRIP\10_ServiceAreaMap_11x17.mxd

EXHIBIT 11

Colonial Nutrient Bank - 2023 Land Cover Conditions

James City County, Virginia

L:\32000s\30800s\30859.01\GIS\C_DRGNVA\Colonial\GCNRUP\11_LandCover2023_Streams.mxd

NORTH

Aerial: Nearmap. February 4, 2023

0 500 1,000 2,000 Feet

Map last modified: June 1, 2023

DAVEY MITIGATION

EXHIBIT 12

THE COLONIAL/MILL CREEK PRESERVE
Land Conversion Area Management Plan

I. PROPERTY LOCATION AND DESCRIPTION

The Colonial/Mill Creek Preserve property consists of approximately 218+ acres located in James City County, Virginia. The property drains to Mill Creek, then to Diascund Creek, the Chickahominy River, the James River and the Chesapeake Bay. The Colonial project includes 109.3+ acres of land conversion from an active golf course to forested conditions. The land conversion activities have been broken down into two phases—Phase 1 which includes areas that are currently forested but were NOT forested in 2005, and Phase 2 which involves planting native pines to convert active unforested golf course areas to forested conditions.

II. PROJECT GOALS

As described in the NRIP, project goals include:

- Conversion of an active golf course located within the property limits into forested conditions. Phase 1 which includes areas that are currently forested but were NOT forested in 2005, and Phase 2 which involves planting native pines to convert active unforested golf course areas to forested conditions.
- Reduce nutrient (nitrogen and phosphorus) and sediment loading into the James River watershed and its tributaries located adjacent to the property through the conversion of an active golf course.
- Generate nonpoint nutrient credits for transfer under existing and future federal, state and local programs, regulations and guidance.
- Development of wildlife corridors to increase habitat connectivity between existing forested tracts.
- The landowner reserves the right to practice commercial silvicultural activities in the land conversion areas. Any harvesting of timber shall adhere to best management practices as set forth by DOF's Water Quality Guide and any other applicable local, state, or federal laws or requirements. A copy of the timbering plan shall be submitted to the department at least 90 days prior to the occurrence of any land disturbance or timbering.

III. IMPLEMENTATION DESCRIPTION

The project Sponsor will implement land conversion activities on 109.5± acres of the project property for DEQ approval. Planting and management details for the overall project land conversion areas are as follows.

Acres: 109.3± acres

- **Phase 1** which includes areas that are currently forested but were NOT forested in 2005, and
- **Phase 2** which involves planting native pines to convert active unforested golf course areas to forested conditions.

Planned Forest Type: Loblolly pine, mixed pine and hardwood, naturalized understory as develops under natural forest succession for the region.

Probable Species: For Phase 2, the Sponsor will install VADOF Elite and Premium loblolly pine seedlings. Volunteer forest species will likely include cedar, red maple, sweet gum, sycamore, and other successional, native species depending upon the location within the property of the land conversion area.

Trees/acres:

- **Phase 1:** This area has naturally regenerated into a forest community since 2005, and currently meets the success criteria set by DEQ for forested habitats. No additional monitoring is being proposed.
- **Phase 2:** The Sponsor is targeting the initial establishment of 400 stems per acre to include both installed and volunteer species. Actual installation rate will be approximately 500 to 600 stems per acre. Supplemental plantings may be implemented if necessary to maintain a minimum of 400 stems per acre.

Fertilizers/Herbicides: The project Sponsor will not use any fertilizers in the land conversion areas to assist in forest establishment or at any time while nutrient credits are being generated and transferred for permitted activities. The Sponsor may use Oust, Clethodim, other selective herbicides, or mowing between rows to assist the installed species with survival and growth during early stages of development in former agricultural areas.

Planting Timeline: The land conversion areas of the project will be planted in winter/spring.

Invasive Species: The project Sponsor will monitor for woody invasive species, as identified on the Virginia Department of Conservation and Recreation's Invasive Alien Plant List found at http://www.dcr.virginia.gov/natural_heritage/documents/invlist.pdf. The Sponsor will enact control and/or eradication measures if woody invasive plant species cover 5% or more of the nutrient credit-generating acreage.

Wildlife habitat: The land conversion areas may contain hardwoods, softwoods and typical successional species for the region.

Additional Maintenance: The property will be further maintained for recreational activities including hunting, hiking and wildlife observation as well as for fire control and management access.

History: According to previous landowners and examination of historical satellite imagery, the land conversion areas of the property have been maintained as an active golf course since 1994.

IV. GENERAL MANAGEMENT

A. LAND CONVERSION AREA BOUNDARIES

The Sponsor will mark the boundaries of the land conversion areas at implementation to assist with planting and maintenance of those areas.

B. WETLANDS / STREAMS

The property contains several perennial, intermittent and ephemeral stream systems. A baseline 35' forested buffer will be maintained between the streams and land conversion areas.

C. FOREST HEALTH

As part of the project maintenance and management described in the NRIP, the Sponsor will annually review the reforested areas for any unusual changes to the developing successional forest. The Sponsor will coordinate with DEQ to remedy situations that are found to prevent the land conversion areas from providing the nutrient reductions and associated nutrient credits that are the basis for the project.

D. PLAN REVISION

The Sponsor will review this plan annually for a minimum of three years to determine if revisions to this plan and the associated forest management activities are necessary. Any revisions to this plan will be submitted to and approved by DEQ.

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
March 4, 2026
6:00 PM

A. CALL TO ORDER

Mr. Haldeman called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:
Jack Haldeman, Chair
Frank Polster
Steve Rodgers
Jay Everson
Kira Allman
Crystal Haskins
Vincent Passero

Staff Present:
Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Christy Parrish, Zoning Administrator
Allison Jackura, Senior Planner
Will Albiston, Planner
Linda Titus, Administrative Coordinator
Hannah Hunnicutt, Administrative Coordinator

C. PUBLIC COMMENT

Mr. Haldeman opened Public Comment.

As no one wished to speak, Mr. Haldeman closed the Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Haldeman stated that the Development Review Committee (DRC) did not meet in February.

Mr. Everson stated that the Policy Committee met on February 11, 2026, to discuss ORD-25-0005. Equine Stocking Rates. Mr. Everson noted the high level of public participation and relayed attendee feedback to the Commissioners. Mr. Everson explained that the Policy Committee agreed to repeal the Initiating Resolution to address stocking rates and voted to create an Initiating Resolution to address livestock management (2-1).

Mr. Everson explained that the Board of Supervisors had directed the Policy Committee to determine if the Capital Improvement Plan (CIP) project proposals were generally in conformance with the Comprehensive Plan. Mr. Everson stated that the Policy Committee voted to find all project proposals in conformance with the Comprehensive Plan (3-0).

E. CONSENT AGENDA

1. Minutes of the February 4, 2026, Regular Meeting

   On a voice vote, the Commission voted to approve the minutes. (7-0)

F. PUBLIC HEARING(S)

1. AFD-25-0001. 2756, 2900, and 3006 Jolly Pond Road Gordon Creek AFD Addition

   Mr. Will Albiston, Planner, addressed the Commission stating that Mr. William C. Kane had applied on behalf of Mr. William C. Kane, Jr., Trustee, and Ms. Angelia K. Kane, Trustee, to enroll approximately 50 acres of land located at 2756 Jolly Pond Road, 2900 Jolly Pond Road, and 3006 Jolly Pond Road into the Gordon Creek Agricultural and Forestal District (AFD). Mr. Albiston noted that the properties were zoned A-1, General Agricultural, designated Rural Lands on the 2045 Comprehensive Plan Land Use Map, and located outside of the Primary Service Area (PSA).

   Mr. Albiston explained that the land was primarily forested and contained a portion of Jolly Pond and a portion of the vacated section of Jolly Pond Road. Mr. Albiston noted that the applicant had no plans to harvest timber or develop the properties.

   Mr. Albiston explained that as required by the Code of Virginia, the subject parcels were within one mile of the core parcels in the Gordon Creek AFD and were contiguous with other parcels currently in the district.

   Mr. Albiston explained that staff found that the proposed addition met all state and local requirements for inclusion in the Gordon Creek AFD and found the application to be consistent with the 2045 Comprehensive Plan. Mr. Albiston stated that staff recommends that the Planning Commission recommend approval of the proposed addition to the Board of Supervisors.

   Mr. Haldeman opened the Public Hearing.

   As no one wished to speak, Mr. Haldeman closed the Public Hearing.

   Mr. Rodgers made a motion to recommend approval of AFD-25-0001. 2756, 2900, and 3006 Jolly Pond Road Gordon Creek AFD Addition to the Board of Supervisors.

   On a roll call vote, the Commission voted to recommend approval. (7-0)

2. SUP-25-0016. 8285 Diascund Rd. Proposed Contractor Offices

   Ms. Allison Jackura, Senior Planner, addressed the Commission stating that a Special Use Permit (SUP) had been applied for to operate contractor offices located at 8285

Diascund Road. Ms. Jackura stated that this was the former property of The Colonial Golf Course that ceased operation in 2010. Ms. Jackura explained that after the golf course closed, a mitigation bank was established in 2023 and that much of the property that was within the mitigation bank was under a conservation easement.

Ms. Jackura stated that the applicants, GB Glass, LLC, and ATCO Fasteners, were proposing to utilize the existing infrastructure on the property as contractor offices. Ms. Jackura noted that the businesses currently operate Monday through Friday, from 7 a.m. to 4 p.m. and were proposing to store work trucks, equipment, and trailers on the property.

Ms. Jackura explained that the remaining improvements from the golf course, including the three parking bays and existing structure, were not part of this proposal. Ms. Jackura noted that the applicants might bring forth a separate SUP application in the future for an event venue. Ms. Jackura explained that the SUP boundaries include the pond and drain field because they were necessary for the property's commercial use.

Ms. Jackura explained that this proposal was an adaptive use of multiple existing structures, did not require any additional disturbance, low traffic generation, enhanced landscape screening, limitations on operations, and two existing local businesses would be supported with the approval of this application.

Ms. Jackura stated that staff found no negative impacts to adjacent properties and that the project aligned with the Comprehensive Plan, and therefore staff recommends that Planning Commission recommend approval to the Board of Supervisors.

Mr. Polster asked for clarification on what was permitted to be stored on the property.

Ms. Jackura explained that outdoor operations and storage of materials on the property would be prohibited but the storage of equipment and trailers was permitted. Ms. Jackura noted that temporary storage, such as shipping containers or Conex boxes, would not be permitted.

Mr. Polster asked what would be stored on the property.

Ms. Jackura explained that heavy construction equipment and vehicles, such as tractor trailers, would not be permitted but pick-up trucks and work vans were permitted because they were not considered to be heavy equipment.

Mr. Polster asked what the screening would look like around the proposed parking and storage areas.

Ms. Jackura stated that landscape screening along the road would cover all parking and storage.

Mr. Rodgers asked if native species would be planted in the landscape screening.

Ms. Jackura noted that the proposed conditions did not state that specifically, but it could be incorporated.

Discussion ensued.

Mr. Passero asked for clarification on where the heavy equipment would be stored.

Ms. Jackura deferred to the applicants for specifics but explained that the applicants typically did not require heavy equipment for their work, which is why the storage of it was conditioned out. Ms. Jackura explained storage of trailers were permitted so if a job required heavy equipment, it could be stored on a trailer.

Mr. Haldeman asked if the applicants would rehabilitate the stormwater pond that had failed after the closing of the golf course.

Ms. Jackura stated that the applicants have the option to maintain the pond or redesign the pond to current standards if desired. Ms. Jackura noted that the applicants must do one or the other, and they intend to redesign the pond.

Mr. Chase Grogg of Landtech Resources, Inc., 205-E Bulifants Boulevard Williamsburg, VA, gave the Commission a presentation about the proposed project. Mr. Grogg provided background information about the two businesses that were proposing to use the property and stated that they would utilize the former golf shop and maintenance buildings. Mr. Grogg stated that the traffic impact would be very low, as well as the environmental impact as most of the property would remain preserved.

Mr. Grogg requested on behalf of the applicants to amend Condition No. 4 to allow for the storage of materials that were contained within a fenced area, with the materials not exceeding past the height of the fence.

Mr. Polster asked for clarification on what type of material would be stored.

Mr. Grogg explained that it would be physical materials, such as reels or pipes, not loose material.

Mr. Everson made a motion to recommend approval of SUP-25-0016. 8285 Diascund Rd. Proposed Contractor Offices to the Board of Supervisors with the modified conditions.

On a roll call vote, the Commission voted to recommend approval. (7-0)

3. SUP-25-0019. 5251 John Tyler Highway, Unit 47. Tobacco Outlet Expansion

Ms. Allison Jackura, Senior Planner, addressed the Commission stating that this SUP application was for the expansion of an existing smoke shop within the Williamsburg Crossing Shopping Center. Ms. Jackura noted that the property was zoned B-1, General Business, designated Mixed Use according to the Comprehensive Plan, and was located inside the PSA.

Ms. Jackura explained that an SUP was required for smoke/vape shops due to a change in the Zoning Ordinance in 2023. Ms. Jackura noted that this business existed prior to the Ordinance change and was permitted to continue operating without an SUP. Ms. Jackura explained that now that the business wished to expand into the neighboring unit, an SUP was required.

Ms. Jackura explained that if approved, the business would be brought into conformity with the current Zoning Ordinance, and the conditions proposed would limit potential nuisance to the street and neighboring properties.

Ms. Jackura stated that staff recommends that the Planning Commission recommend approval to the Board of Supervisors.

Mr. Passero asked what hours the business would be open.

Ms. Jackura stated that the conditions would allow the business to be open from 8 a.m. to 9 p.m., which was in alignment with the other existing businesses in the shopping center.

Discussion ensued.

Ms. Jackura stated that staff included conditions prohibiting outside display sales or storage of merchandise to discourage patrons from lingering outside of the business. Ms. Jackura explained that the conditions prohibit flashing signs and lights, including within the windows of the business.

Dr. Haskins asked if the conditions were consistent with the surrounding businesses.

Ms. Jackura explained that the Zoning Ordinance prohibits flashing signs but did not include limitations on window signage, making the condition to prohibit window signage unique to this property.

Ms. Christy Parrish, Zoning Administrator, explained the Zoning Ordinance did not allow staff to cite interior signage but because this was an SUP, staff could regulate the lighting from inside the property, and therefore any flashing lights or illuminated signage was prohibited by the proposed conditions.

Discussion ensued.

Mr. Haldeman asked if the lighting condition would only apply to the new unit.

Ms. Parrish stated that the SUP application applied to both units.

Mr. Haldeman opened the Public Hearing.

Mr. Mason Rachino, manager of the Tobacco Outlet located at 5251 John Tyler Highway, Unit 47, spoke to the Commission representing the owner and applicant.

Mr. Passero asked if kratom or THC were sold at this store.

Mr. Rachino replied that kratom was not available for sale, and no strains of THC, including synthetic variants, were available for sale.

Discussion continued.

Mr. Haldeman closed the Public Hearing.

Mr. Passero stated that after hearing more information from the applicant he planned to support the application.

Mr. Rodgers stated that he was in support of the application.

Mr. Everson made a motion to recommend approval of SUP-25-0019. 5251 John Tyler Highway, Unit 47. Tobacco Outlet Expansion with conditions to the Board of Supervisors.

On a roll call vote, the Commission voted to recommend approval. (7-0)

G. PLANNING COMMISSION CONSIDERATIONS

1. Rescission of Consideration of Amendments to the Equine Stocking Rates

Ms. Liz Parman, Deputy County Attorney, stated that the recommendation to the Commission was to not consider an Initiating Resolution that would allow the Ordinance to regulate agricultural livestock management. Ms. Parman explained that regulation of livestock management was already covered by other areas of the law, such as Virginia State Code and State Water Control Board. Ms. Parman noted that the County has an Illicit Discharge Ordinance and Chesapeake Bay Preservation Ordinance that address discharges into waterways, sewers, and stormwater systems.

Mr. Polster asked if the County Attorney's Office had any reservations regarding the current resolution on stocking rates.

Ms. Parman stated that stocking rates have been generally accepted as something localities could regulate.

Mr. Passero asked what case law had been found about localities regulating stocking rates.

Ms. Parman stated she had not found any Supreme Court decisions on the matter.

Mr. Polster stated that he recommended not rescinding the resolution to amend stocking rates and going back to the Policy Committee to work out a solution.

Mr. Robert Lund spoke to the Commission representing the Colonial Soil and Water Conservation District. Mr. Lund stated that he agreed with Mr. Polster's recommendation to continue working on a solution.

Mr. Haldeman explained he did not want to do anything to discourage people from operating horse farms in the County, but he was also concerned about agricultural runoff being a major source of pollution in the watersheds. Mr. Polster stated he was unsure of how to address this problem.

Discussion continued.

Mr. Polster asked Ms. Parman whether the current resolution for equine stocking rates was within the purview of the Planning Commission.

Ms. Parman explained that the Planning Commission could regulate stocking rates, but agricultural management practices were not within its purview.

Mr. Lund asked if a farm wanted to exceed their number of horses past the stocking rate, would they then be required by the Ordinance to do certain maintenance practices, or have a nutrient management plan.

Ms. Parman stated that the Chesapeake Bay Preservation Ordinance already addresses that requirement.

Mr. Polster stated that the County had many SUPs that require nutrient management plans and suggested that the Ordinance could be amended to allow the requirement for farms exceeding the stocking rate.

Discussion ensued.

Mr. Polster opposed rescinding the resolution, citing the County's obligation to prioritize clean water efforts.

Ms. Parrish stated that if the Commission did not wish to rescind the resolution at this time, staff was willing to continue research into other localities' stocking rates and consolidate the information to present to the Policy Committee.

Dr. Haskins stated that in addition to more research into other localities' stocking rates, she would also like to see any court cases at a local government level pertaining to the matter.

Discussion continued.

Mr. Everson asked how enforcement of management practices would work.

Dr. Haskins stated that the research would help them determine that.

Mr. Haldeman asked if enforcement was almost always on a reporting basis.

Ms. Parrish confirmed that was correct.

Discussion ensued.

Dr. Allman requested that in their research, staff investigate stocking rates of other livestock, not only horses.

Ms. Parrish agreed to have staff look into all stocking rates and stated that it was typical for stocking rates of animals to be grouped together in an Ordinance.

Mr. Passero asked if someone owned only one or two livestock animals, would they be held to the same standards of someone with a horse farm.

Ms. Parrish explained that the goal was to set a specific livestock threshold that would trigger regulatory requirements, thereby exempting smaller operations from regulation.

Mr. Haldeman asked if everyone agreed about rescinding the resolution based on the offer for staff to continue research.

Mr. Everson stated he would like to see it rescinded and had concerns about the ability of the County to enforce anything that would result from a change in the Ordinance. Mr. Everson explained that he had only supported the Ordinance at the Policy Committee meeting due to the fact that it could be enforced administratively and did not require an SUP.

Mr. Haldeman stated he would be in favor of rescinding the resolution because he believed the Planning Commission would need to make another Initiating Resolution when staff returned with more information.

Discussion continued.

Mr. Polster made a motion to send the proposed Ordinance back to the Policy Committee.

Mr. Passero seconded the motion.

On a voice vote, the Commission voted to approve the motion. (6-1)

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - March 2026

   Ms. Istenes reminded the Commission that the Organizational Meeting would be on Monday, March 16, 2026, at 6 p.m.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Haldeman stated Mr. Rodgers would be covering the March 10, 2026, Board of Supervisors meeting.

J. ADJOURNMENT

Mr. Haldeman asked for a motion to adjourn.

Mr. Everson made a motion to adjourn.

The meeting was adjourned at approximately 7:45 p.m.

_____ _____

Susan Istenes, Secretary Jack Haldeman, Chair

SUMMARY FACTS

Applicant:	Mr. Khalid Alarid, Tobacco Outlet
Landowner:	Williamsburg Crossing Associates LLC
Proposal:	To allow for a vape/smoke shop expansion into an adjoining storefront unit which is currently vacant.
Location:	5251 John Tyler Highway, Units 47 and 49
Tax Map/Parcel No.:	4812200002
Property Acreage:	± 16.3 acres
Zoning:	B-1, General Business
Comprehensive Plan:	Mixed Use
Primary Service Area (PSA):	Inside
Staff Contact:	Allison Jackura, Planner III

PUBLIC HEARING DATES

Planning Commission:	March 4, 2026, 6:00 p.m.
Board of Supervisors:	April 14, 2026, 5:00 p.m.

FACTORS FAVORABLE

1. The application would fill currently vacant, already constructed commercial space without the need for additional infrastructure improvements.
2. Impacts: See Impact Analysis on Pages 4-5.
3. See Comprehensive Plan Analysis on Page 6.

FACTORS UNFAVORABLE

1. Staff does not identify any unfavorable factors.
2. Impacts: See Impact Analysis on Pages 4-5.

PLANNING COMMISSION RECOMMENDATION

At its March 4, 2026, Regular Meeting, the Planning Commission recommended approval of this application with staff-proposed conditions by a vote of 7-0.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

There have been no proposed changes since the Planning Commission meeting.

SUMMARY STAFF RECOMMENDATION

Per the Impact Analysis noted below, staff finds the proposed use will not negatively impact surrounding property nor is it expected to negatively impact roads or other public services. Per the Comprehensive Plan analysis noted below, staff finds that the proposed use aligns with the Mixed Use recommendations within the

Comprehensive Plan. Staff, therefore, recommends the Board of Supervisors (BOS) approve this application with proposed conditions (Attachment No. 1).

PROJECT DESCRIPTION

Mr. Kalid Alarid has applied for a Special Use Permit (SUP) to allow for the expansion of the existing smoke shop into Unit 47 of the Williamsburg Crossing Shopping Center. The property is within the B-1, General Business Zoning District located at 5251 John Tyler Highway (James City County Real Estate Tax Map Parcel No. 4812200002).

The business is located within the smaller building which fronts on Kings Way, with existing parking located in front of the building. Current neighboring businesses within the building include a consignment shop, a barber shop, and a restaurant. The business, Tobacco Outlet, has operated within the Williamsburg Crossing Shopping Center since at least 2007. The applicant is seeking to expand the floor area to provide more merchandise for customers. If permitted to expand, the business would occupy approximately 1,500 square feet of retail space. The business is currently open Monday through Saturday from 9 a.m. to 7 p.m., and on Sunday from 9 a.m. to 5 p.m. The merchandise consists primarily of tobacco, cigars, and cigarettes, with some vape products sold as well.

PLANNING AND ZONING HISTORY

Prior to May 9, 2023, vape and smoke shops were categorized within the Zoning Ordinance as general retail sales. On May 9, 2023, the BOS adopted a Zoning Ordinance amendment, ORD-23-0001, which established definitions and uses for "vape/smoke shop" and "vape/smoke lounge". The adopted definition of "vape/smoke shop" is "*A retail establishment that sells cigars, tobacco, and/or tobacco products, such as, but not limited to cigars, pipe tobacco, roll-your-own supplies, herbal and wax vaporizers, and glassware; hookah and water pipes; cannabis and/or hemp products, such as, but not limited to Cannabidiol (CBD); and/or e-cigarettes and associated equipment, such as, but not limited to vape batteries, coils, and e-liquids. Drug stores, retail food stores, grocery stores and convenience stores, the primary purpose of which is to sell goods and services other than those listed above, shall not be considered vape or smoke shops even if the above referenced goods are offered for sale*."

Within the B-1 Zoning District, the "vape/smoke shop" use was established as requiring an SUP. Businesses such as the subject application which pre-date the Ordinance amendment are permitted to continue operating within their existing footprint without obtaining a SUP. If their use ceases to operate for a period of two years, then any operation of a vape/smoke shop after that two-year period would be required to obtain a SUP.

Expansion of this legally existing nonconforming use is not allowed without first obtaining a SUP for the expanded use. This SUP application, if approved, would bring the current business into conformity with the SUP requirement and permit the operation within the additional unit.

SURROUNDING ZONING AND DEVELOPMENT

This property is located within the Williamsburg Crossing Shopping Center, along Kings Way, John Tyler Highway, and Route 199. To the west are the La Fontaine condominiums, to the south are the Riverside Medical Offices, to the east are The Promenade at John Tyler townhomes, and to the north are single-family residences.

Within the Williamsburg Crossing Shopping Center, the Greenwood Christian Academy operates a school program for preschool and Kindergarten through 8th grade, with before-and after-school childcare. The school originally began operation within the center in

2009 as a by-right use and then sought a SUP in 2022 to expand the use at the center. The smoke shop began operation at the center prior to the school locating there, and staff is unaware of any existing land use conflicts at this time.

- The following table lists the information on the adjacent parcels:

	ZONING DESIGNATION	EXISTING LAND USE	FUTURE LAND USE DESIGNATION
NORTH	R-8, Rural Residential, R-1, Limited Residential	Single-Family Residential	Low Density Residential
SOUTH	B-1, General Business	Medical office	Mixed Use
EAST	MU, Mixed Use	Townhouses	Mixed Use
WEST	MU, Mixed Use	Multifamily	Mixed Use

IMPACT ANALYSIS

- *Traffic/Transportation:* The business is not expected to generate a significant increase in vehicle trips to the site. The Williamsburg Crossing Shopping Center takes direct access from John Tyler Highway. This roadway is a minor arterial roadway per the Virginia Department of Transportation's (VDOT) Roadway Classification Map. The section of John Tyler Highway from Route 199 to Stanley Drive currently operates at an acceptable Level of Service (LOS) (A-C) and is expected to remain operating at an acceptable LOS in 2045 for the PM peak hour.

- *Utilities:* The existing infrastructure was designed to accommodate the full occupancy of the building. James City Service Authority staff had no concerns.

- *Stormwater/Environment:* The application would fill a currently vacant commercial space without increasing impervious areas within the County. If exterior site improvements are proposed in the future, those improvements would be subject to environmental review at that time.

- *Nearby Properties:* Staff is recommending conditions to ensure that the business does not cause adverse land use impacts on the neighbors, by limiting operational hours, outdoor operation, and signage.

See the following table for additional details on staff analysis of impacts.

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Public Transportation: Vehicular	No Mitigation Required	- The proposal is not anticipated to generate significant traffic given the small footprint of the retail space. - The subject property is located on Route 199, John Tyler Highway, and Kings Way, publicly maintained roads that are classified by the VDOT as other freeway, minor arterial, and local road, respectively. Staff finds that the roads are adequate for this use.
Public Transportation: Bicycle/Pedestrian	No Mitigation Required	- The James City County Sidewalk Master Plan indicates a sidewalk is planned for the south side of John Tyler Highway. The Regional Bikeways Plan indicates that John Tyler Highway is a shared roadway. Zoning Ordinance Section 24-35 would not require installation of the sidewalk for this proposal, as a site plan or major subdivision are not required at this time.
Public Safety	No Mitigation Required	- Fire Station 3 on John Tyler Highway serves this area of the County and is less than half a mile from the proposed smoke shop.
Public Schools	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Public Parks and Recreation	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.
Public Libraries and Cultural Centers	No Mitigation Required	- Staff finds this project does not generate impacts that require mitigation.

Impacts/Potentially Unfavorable Conditions	**Status** *(No Mitigation Required/Mitigated/Not Fully Mitigated)*	**Considerations/Proposed Mitigation of Potentially Unfavorable Conditions**
Groundwater and Drinking Water Resources	No Mitigation Required	- The property is served by public water and sanitation. - The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.
Watersheds, Streams, and Reservoirs Project is located in the Mill Creek Watershed.	No Mitigation Required	- No new impervious surface is proposed as part of this SUP request. Should exterior site improvements be made in the future, those improvements would be subject to environmental review at that time.
Cultural/Historic	No Mitigation Required	- No new impervious surface is proposed as part of this SUP request. The subject property has no known cultural resources on-site.
Nearby and Surrounding Properties	Mitigated	- The use currently operates at the property with no known adverse impacts. - Condition No. 2 would limit the hours of operation from 8 a.m. to 9 p.m. - Condition Nos. 3 and 4 would prohibit outside display and flashing signs or lights to prevent any nuisance or unsafe conditions for pedestrians or vehicular traffic.
Community Character	No Mitigation Required	- The proposal does not include any alteration that would affect the existing landscaping along the existing roadways.
Covenants and Restrictions	No Mitigation Required	- The applicant has verified that he is not aware of any covenants or restrictions on the property that prohibit the proposed use.

COMPREHENSIVE PLAN

The site is designated Mixed Use on the Comprehensive Plan Land Use Map. In particular, this is designated as "Williamsburg Crossing", a small town or suburban center type of mixed use area.

Per the adopted Comprehensive Plan, appropriate primary uses include "commercial, office, and moderate density residential. Continued access management is needed to maintain acceptable LOS on John Tyler Highway (Route 5). Additional access points beyond those that currently exist for the Route 199 corridor will be strongly discouraged by the County."

Staff analysis: This proposal does not include any additional access points and would fill a currently existing and vacant commercial space.

Several Mixed Use development standards, such as standards b, e, and f, support a diverse mix of uses allowing for compact development, pedestrian utilization, and reduction of vehicle trips. The business currently exists next to a barber shop, a restaurant, and a youth consignment shop. Directly across the road is a residential complex. The retail nature of this business supports the diversity of uses within this area and encourages multiple destination vehicle or pedestrian trips.

The Economic Development Strategy ED 4.2 encourages redevelopment of non-residential uses to occur mainly in areas where public utilities are either available or accessible within the PSA and infrastructure is supportive. *Staff analysis: Filling the vacant commercial space within the PSA with a business which has operated for 20 years aligns with the strategy.*

STAFF RECOMMENDATION

Per the Impact Analysis noted above, staff finds the proposed use will not negatively impact surrounding property nor is it expected to negatively impact LOS for roads or other public services. Per the Comprehensive Plan analysis noted above, staff finds that the proposed use aligns with the Mixed Use recommendations within the Comprehensive Plan. Staff, therefore, recommends the BOS approve this application with proposed conditions (Attachment No. 1).

AJ/tm
SUP25-19_5251JhnTylr

Attachments:
1. Resolution
2. Location Map
3. Master Plan
4. Applicant Narrative
5. Unapproved Minutes of the March 4, 2026, Planning Commission Regular Meeting

R E S O L U T I O N

CASE NO. SUP-25-0019. 5251 JOHN TYLER HIGHWAY, UNIT 47

TOBACCO OUTLET EXPANSION

WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board"), has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit ("SUP") process; and

WHEREAS, Mr. Khalid Alarid, Tobacco Outlet has applied for an SUP to allow for a vape/smoke shop located at 5251 John Tyler Highway and further identified as James City County Real Estate Tax Map Parcel No. 4812200002 (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on March 4, 2026, recommended approval of Case No. SUP-25-0019 by a vote of 7-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the 2045 Comprehensive Plan Land Use Map designation for the Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code (the "County Code"), does hereby approve the issuance of Case No. SUP-25-0019 as described herein with the following conditions:

1. *Master Plan*. This SUP shall permit a vape/smoke shop within Units 47 and 49 (the "Business") on the property located at 5251 John Tyler Highway and further identified as James City County Real Estate Tax Map Parcel No. 4812200002 (the "Property"). The use and layout of the Business on the Property shall be generally as shown on the document entitled "SUP-25-0019. 5251-47 John Tyler Hwy Tobacco Outlet Business Expansion" and dated January 5, 2026 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. *Hours of Operation*. Hours of operations for the Business shall be limited from 8 a.m. to 9 p.m., Monday through Sunday.

3. *Outside Display, Sale, or Storage*. No outside display, sale, or storage of merchandise shall be permitted at the Property.

4. *Signage*. There shall be no flashing signs or lights visible from the exterior of the Business, including within the Business windows.

5. *Commencement of Use*. A final building inspection for the Business expansion into Unit 47 shall be obtained within twenty-four (24) months from the date of approval of this SUP, or this SUP shall automatically be void.

6. *Discontinuance of Use*. Should the use permitted by this SUP be discontinued for a period of two (2) years, the SUP shall become void.

7. *Severability*. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

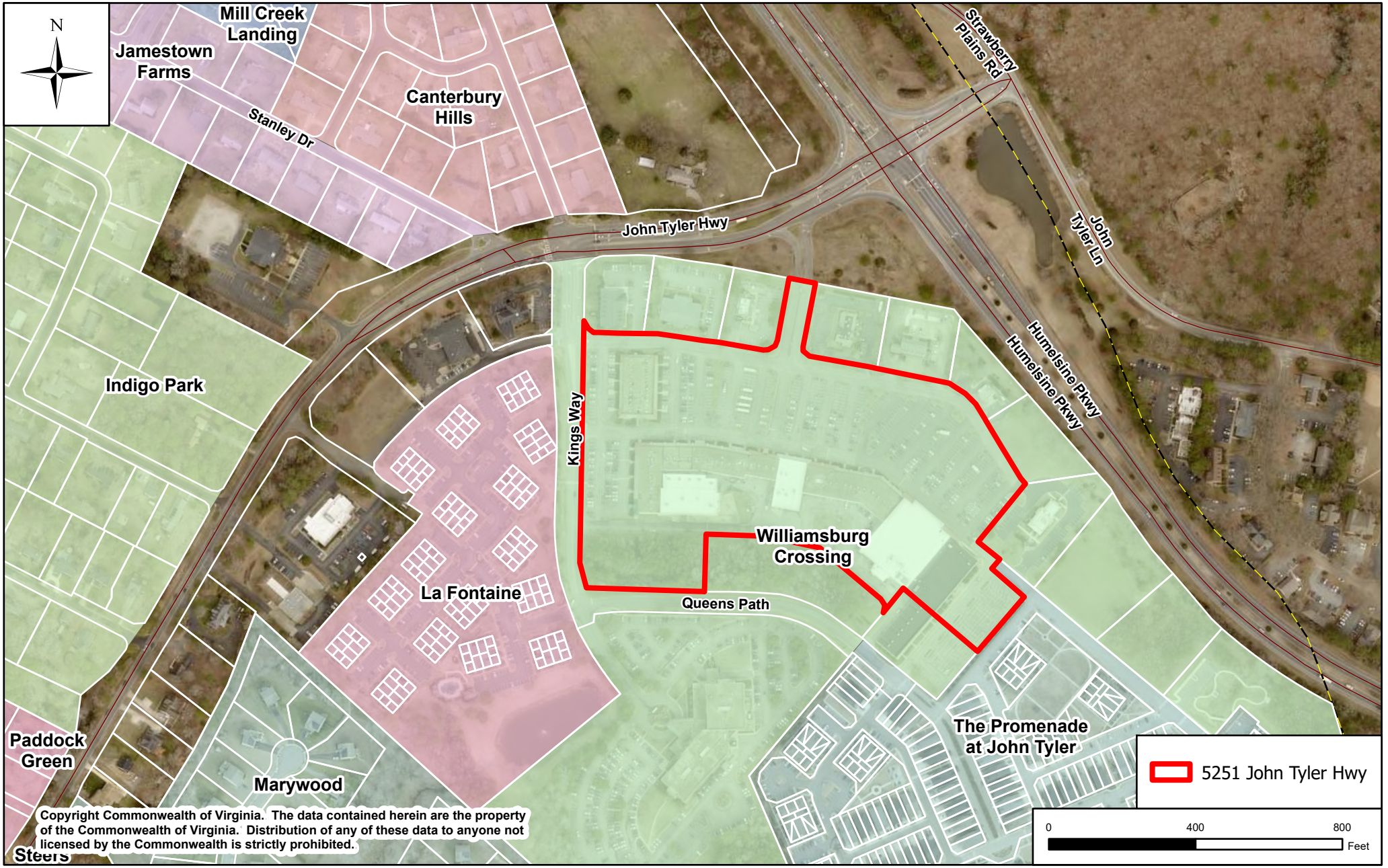
_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
WAINWRIGHT	____	____	____	____
NULL	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____
MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

SUP25-19_5251JhnTylr-res

SUP-25-0019. 5251 John Tyler Hwy. Unit 47
Tobacco Outlet Expansion



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SUP-25-0019. 5251 John Tyler Hwy. Unit 47
Tobacco Outlet Expansion

SUP-25-0019. 5251-47 John Tyler HWY
Tobacco Outlet Business Expansion

January 5, 2026

Property Information

4812200002
5251-47 John Tyler Hwy
Williamsburg, VA 23185
B1 General Business
PSA: Inside

General Notes

1. No changes to water/sewer utilities.

2. This site does not appear to be located in the Resource Protection Area.

3. This site does appear to be located in Zone X on Flood Insurance Rate Map 51095C0138D,effective 12/16/15.

4. No outdoor lighting is proposed.

5. Call Miss Utility at 811 to mark any utilities prior to construction.

Sheet Index

1. Cover Page
2. Master Plan

SUP-25-0019. 5251 John Tyler Hwy - Tobacco Outlet Business Expansion Master Plan

Dear Sir

We are applying for special use permit to expand our business located at 5251 john tyler hwy, Williamsburg unit 49.I have already rented unit 47 that sit next to unit 49 and would like to open a door between the two units and move some of my inventory to unit 47 so we have more space and better organization. I have been paying rent since September. This business have been in the market for more than 20 years and the size of unit 49 is relatively small and it is very crowded with tobacco, cigar and cigarettes where is no more space available to grow this business or bring more items that will help us to grow and survive. Unit 47 will be our best solution and will help us to bring and display our merchandise nicely and be able to serve our community. I hope you study my request and help me to achieve my goals that eventually will benefit the city and the community.

Best regards

Khalid alarid

Noufa company

230 W Olney rd

Norfolk, VA 23510

Email: tobaccoinn@yahoo.com

Tel: 7575153631

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
March 4, 2026
6:00 PM

A. CALL TO ORDER

Mr. Haldeman called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:
Jack Haldeman, Chair
Frank Polster
Steve Rodgers
Jay Everson
Kira Allman
Crystal Haskins
Vincent Passero

Staff Present:
Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Christy Parrish, Zoning Administrator
Allison Jackura, Senior Planner
Will Albiston, Planner
Linda Titus, Administrative Coordinator
Hannah Hunnicutt, Administrative Coordinator

C. PUBLIC COMMENT

Mr. Haldeman opened Public Comment.

As no one wished to speak, Mr. Haldeman closed the Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Haldeman stated that the Development Review Committee (DRC) did not meet in February.

Mr. Everson stated that the Policy Committee met on February 11, 2026, to discuss ORD-25-0005. Equine Stocking Rates. Mr. Everson noted the high level of public participation and relayed attendee feedback to the Commissioners. Mr. Everson explained that the Policy Committee agreed to repeal the Initiating Resolution to address stocking rates and voted to create an Initiating Resolution to address livestock management (2-1).

Mr. Everson explained that the Board of Supervisors had directed the Policy Committee to determine if the Capital Improvement Plan (CIP) project proposals were generally in conformance with the Comprehensive Plan. Mr. Everson stated that the Policy Committee voted to find all project proposals in conformance with the Comprehensive Plan (3-0).

E. CONSENT AGENDA

1. Minutes of the February 4, 2026, Regular Meeting

   On a voice vote, the Commission voted to approve the minutes. (7-0)

F. PUBLIC HEARING(S)

1. AFD-25-0001. 2756, 2900, and 3006 Jolly Pond Road Gordon Creek AFD Addition

   Mr. Will Albiston, Planner, addressed the Commission stating that Mr. William C. Kane had applied on behalf of Mr. William C. Kane, Jr., Trustee, and Ms. Angelia K. Kane, Trustee, to enroll approximately 50 acres of land located at 2756 Jolly Pond Road, 2900 Jolly Pond Road, and 3006 Jolly Pond Road into the Gordon Creek Agricultural and Forestal District (AFD). Mr. Albiston noted that the properties were zoned A-1, General Agricultural, designated Rural Lands on the 2045 Comprehensive Plan Land Use Map, and located outside of the Primary Service Area (PSA).

   Mr. Albiston explained that the land was primarily forested and contained a portion of Jolly Pond and a portion of the vacated section of Jolly Pond Road. Mr. Albiston noted that the applicant had no plans to harvest timber or develop the properties.

   Mr. Albiston explained that as required by the Code of Virginia, the subject parcels were within one mile of the core parcels in the Gordon Creek AFD and were contiguous with other parcels currently in the district.

   Mr. Albiston explained that staff found that the proposed addition met all state and local requirements for inclusion in the Gordon Creek AFD and found the application to be consistent with the 2045 Comprehensive Plan. Mr. Albiston stated that staff recommends that the Planning Commission recommend approval of the proposed addition to the Board of Supervisors.

   Mr. Haldeman opened the Public Hearing.

   As no one wished to speak, Mr. Haldeman closed the Public Hearing.

   Mr. Rodgers made a motion to recommend approval of AFD-25-0001. 2756, 2900, and 3006 Jolly Pond Road Gordon Creek AFD Addition to the Board of Supervisors.

   On a roll call vote, the Commission voted to recommend approval. (7-0)

2. SUP-25-0016. 8285 Diascund Rd. Proposed Contractor Offices

   Ms. Allison Jackura, Senior Planner, addressed the Commission stating that a Special Use Permit (SUP) had been applied for to operate contractor offices located at 8285

Diascund Road. Ms. Jackura stated that this was the former property of The Colonial Golf Course that ceased operation in 2010. Ms. Jackura explained that after the golf course closed, a mitigation bank was established in 2023 and that much of the property that was within the mitigation bank was under a conservation easement.

Ms. Jackura stated that the applicants, GB Glass, LLC, and ATCO Fasteners, were proposing to utilize the existing infrastructure on the property as contractor offices. Ms. Jackura noted that the businesses currently operate Monday through Friday, from 7 a.m. to 4 p.m. and were proposing to store work trucks, equipment, and trailers on the property.

Ms. Jackura explained that the remaining improvements from the golf course, including the three parking bays and existing structure, were not part of this proposal. Ms. Jackura noted that the applicants might bring forth a separate SUP application in the future for an event venue. Ms. Jackura explained that the SUP boundaries include the pond and drain field because they were necessary for the property's commercial use.

Ms. Jackura explained that this proposal was an adaptive use of multiple existing structures, did not require any additional disturbance, low traffic generation, enhanced landscape screening, limitations on operations, and two existing local businesses would be supported with the approval of this application.

Ms. Jackura stated that staff found no negative impacts to adjacent properties and that the project aligned with the Comprehensive Plan, and therefore staff recommends that Planning Commission recommend approval to the Board of Supervisors.

Mr. Polster asked for clarification on what was permitted to be stored on the property.

Ms. Jackura explained that outdoor operations and storage of materials on the property would be prohibited but the storage of equipment and trailers was permitted. Ms. Jackura noted that temporary storage, such as shipping containers or Conex boxes, would not be permitted.

Mr. Polster asked what would be stored on the property.

Ms. Jackura explained that heavy construction equipment and vehicles, such as tractor trailers, would not be permitted but pick-up trucks and work vans were permitted because they were not considered to be heavy equipment.

Mr. Polster asked what the screening would look like around the proposed parking and storage areas.

Ms. Jackura stated that landscape screening along the road would cover all parking and storage.

Mr. Rodgers asked if native species would be planted in the landscape screening.

Ms. Jackura noted that the proposed conditions did not state that specifically, but it could be incorporated.

Discussion ensued.

Mr. Passero asked for clarification on where the heavy equipment would be stored.

Ms. Jackura deferred to the applicants for specifics but explained that the applicants typically did not require heavy equipment for their work, which is why the storage of it was conditioned out. Ms. Jackura explained storage of trailers were permitted so if a job required heavy equipment, it could be stored on a trailer.

Mr. Haldeman asked if the applicants would rehabilitate the stormwater pond that had failed after the closing of the golf course.

Ms. Jackura stated that the applicants have the option to maintain the pond or redesign the pond to current standards if desired. Ms. Jackura noted that the applicants must do one or the other, and they intend to redesign the pond.

Mr. Chase Grogg of Landtech Resources, Inc., 205-E Bulifants Boulevard Williamsburg, VA, gave the Commission a presentation about the proposed project. Mr. Grogg provided background information about the two businesses that were proposing to use the property and stated that they would utilize the former golf shop and maintenance buildings. Mr. Grogg stated that the traffic impact would be very low, as well as the environmental impact as most of the property would remain preserved.

Mr. Grogg requested on behalf of the applicants to amend Condition No. 4 to allow for the storage of materials that were contained within a fenced area, with the materials not exceeding past the height of the fence.

Mr. Polster asked for clarification on what type of material would be stored.

Mr. Grogg explained that it would be physical materials, such as reels or pipes, not loose material.

Mr. Everson made a motion to recommend approval of SUP-25-0016. 8285 Diascund Rd. Proposed Contractor Offices to the Board of Supervisors with the modified conditions.

On a roll call vote, the Commission voted to recommend approval. (7-0)

3. SUP-25-0019. 5251 John Tyler Highway, Unit 47. Tobacco Outlet Expansion

Ms. Allison Jackura, Senior Planner, addressed the Commission stating that this SUP application was for the expansion of an existing smoke shop within the Williamsburg Crossing Shopping Center. Ms. Jackura noted that the property was zoned B-1, General Business, designated Mixed Use according to the Comprehensive Plan, and was located inside the PSA.

Ms. Jackura explained that an SUP was required for smoke/vape shops due to a change in the Zoning Ordinance in 2023. Ms. Jackura noted that this business existed prior to the Ordinance change and was permitted to continue operating without an SUP. Ms. Jackura explained that now that the business wished to expand into the neighboring unit, an SUP was required.

Ms. Jackura explained that if approved, the business would be brought into conformity with the current Zoning Ordinance, and the conditions proposed would limit potential nuisance to the street and neighboring properties.

Ms. Jackura stated that staff recommends that the Planning Commission recommend approval to the Board of Supervisors.

Mr. Passero asked what hours the business would be open.

Ms. Jackura stated that the conditions would allow the business to be open from 8 a.m. to 9 p.m., which was in alignment with the other existing businesses in the shopping center.

Discussion ensued.

Ms. Jackura stated that staff included conditions prohibiting outside display sales or storage of merchandise to discourage patrons from lingering outside of the business. Ms. Jackura explained that the conditions prohibit flashing signs and lights, including within the windows of the business.

Dr. Haskins asked if the conditions were consistent with the surrounding businesses.

Ms. Jackura explained that the Zoning Ordinance prohibits flashing signs but did not include limitations on window signage, making the condition to prohibit window signage unique to this property.

Ms. Christy Parrish, Zoning Administrator, explained the Zoning Ordinance did not allow staff to cite interior signage but because this was an SUP, staff could regulate the lighting from inside the property, and therefore any flashing lights or illuminated signage was prohibited by the proposed conditions.

Discussion ensued.

Mr. Haldeman asked if the lighting condition would only apply to the new unit.

Ms. Parrish stated that the SUP application applied to both units.

Mr. Haldeman opened the Public Hearing.

Mr. Mason Rachino, manager of the Tobacco Outlet located at 5251 John Tyler Highway, Unit 47, spoke to the Commission representing the owner and applicant.

Mr. Passero asked if kratom or THC were sold at this store.

Mr. Rachino replied that kratom was not available for sale, and no strains of THC, including synthetic variants, were available for sale.

Discussion continued.

Mr. Haldeman closed the Public Hearing.

Mr. Passero stated that after hearing more information from the applicant he planned to support the application.

Mr. Rodgers stated that he was in support of the application.

Mr. Everson made a motion to recommend approval of SUP-25-0019. 5251 John Tyler Highway, Unit 47. Tobacco Outlet Expansion with conditions to the Board of Supervisors.

On a roll call vote, the Commission voted to recommend approval. (7-0)

G. PLANNING COMMISSION CONSIDERATIONS

1. Rescission of Consideration of Amendments to the Equine Stocking Rates

Ms. Liz Parman, Deputy County Attorney, stated that the recommendation to the Commission was to not consider an Initiating Resolution that would allow the Ordinance to regulate agricultural livestock management. Ms. Parman explained that regulation of livestock management was already covered by other areas of the law, such as Virginia State Code and State Water Control Board. Ms. Parman noted that the County has an Illicit Discharge Ordinance and Chesapeake Bay Preservation Ordinance that address discharges into waterways, sewers, and stormwater systems.

Mr. Polster asked if the County Attorney's Office had any reservations regarding the current resolution on stocking rates.

Ms. Parman stated that stocking rates have been generally accepted as something localities could regulate.

Mr. Passero asked what case law had been found about localities regulating stocking rates.

Ms. Parman stated she had not found any Supreme Court decisions on the matter.

Mr. Polster stated that he recommended not rescinding the resolution to amend stocking rates and going back to the Policy Committee to work out a solution.

Mr. Robert Lund spoke to the Commission representing the Colonial Soil and Water Conservation District. Mr. Lund stated that he agreed with Mr. Polster's recommendation to continue working on a solution.

Mr. Haldeman explained he did not want to do anything to discourage people from operating horse farms in the County, but he was also concerned about agricultural runoff being a major source of pollution in the watersheds. Mr. Polster stated he was unsure of how to address this problem.

Discussion continued.

Mr. Polster asked Ms. Parman whether the current resolution for equine stocking rates was within the purview of the Planning Commission.

Ms. Parman explained that the Planning Commission could regulate stocking rates, but agricultural management practices were not within its purview.

Mr. Lund asked if a farm wanted to exceed their number of horses past the stocking rate, would they then be required by the Ordinance to do certain maintenance practices, or have a nutrient management plan.

Ms. Parman stated that the Chesapeake Bay Preservation Ordinance already addresses that requirement.

Mr. Polster stated that the County had many SUPs that require nutrient management plans and suggested that the Ordinance could be amended to allow the requirement for farms exceeding the stocking rate.

Discussion ensued.

Mr. Polster opposed rescinding the resolution, citing the County's obligation to prioritize clean water efforts.

Ms. Parrish stated that if the Commission did not wish to rescind the resolution at this time, staff was willing to continue research into other localities' stocking rates and consolidate the information to present to the Policy Committee.

Dr. Haskins stated that in addition to more research into other localities' stocking rates, she would also like to see any court cases at a local government level pertaining to the matter.

Discussion continued.

Mr. Everson asked how enforcement of management practices would work.

Dr. Haskins stated that the research would help them determine that.

Mr. Haldeman asked if enforcement was almost always on a reporting basis.

Ms. Parrish confirmed that was correct.

Discussion ensued.

Dr. Allman requested that in their research, staff investigate stocking rates of other livestock, not only horses.

Ms. Parrish agreed to have staff look into all stocking rates and stated that it was typical for stocking rates of animals to be grouped together in an Ordinance.

Mr. Passero asked if someone owned only one or two livestock animals, would they be held to the same standards of someone with a horse farm.

Ms. Parrish explained that the goal was to set a specific livestock threshold that would trigger regulatory requirements, thereby exempting smaller operations from regulation.

Mr. Haldeman asked if everyone agreed about rescinding the resolution based on the offer for staff to continue research.

Mr. Everson stated he would like to see it rescinded and had concerns about the ability of the County to enforce anything that would result from a change in the Ordinance. Mr. Everson explained that he had only supported the Ordinance at the Policy Committee meeting due to the fact that it could be enforced administratively and did not require an SUP.

Mr. Haldeman stated he would be in favor of rescinding the resolution because he believed the Planning Commission would need to make another Initiating Resolution when staff returned with more information.

Discussion continued.

Mr. Polster made a motion to send the proposed Ordinance back to the Policy Committee.

Mr. Passero seconded the motion.

On a voice vote, the Commission voted to approve the motion. (6-1)

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - March 2026

   Ms. Istenes reminded the Commission that the Organizational Meeting would be on Monday, March 16, 2026, at 6 p.m.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Haldeman stated Mr. Rodgers would be covering the March 10, 2026, Board of Supervisors meeting.

J. ADJOURNMENT

Mr. Haldeman asked for a motion to adjourn.

Mr. Everson made a motion to adjourn.

The meeting was adjourned at approximately 7:45 p.m.

_____ _____

Susan Istenes, Secretary Jack Haldeman, Chair

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Toni E. Small, Director of Stormwater and Resource Protection Division

SUBJECT: An Ordinance to Amend and Re-Ordain Various Provisions of Appendix A - Fee Schedule for Development Related Permits to Amend the Fee Schedule for Stormwater Related Permits

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As part of the Fiscal Year 2027 Budget process, staff are proposing changes to stormwater related permit fees. These proposed fee changes are to align with updated state fees.

In 2025, the Department of Environmental Quality (DEQ) amended the Virginia Erosion and Stormwater Management Regulation (9VAC25-875) to change the statewide permit fee schedule for the Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities. The fee increases apply to individual and general VPDES permits, municipal separate storm sewer system (MS4) permits, permit modification fees, and permit maintenance fees. The purpose of this statewide fee increase is to provide 60 to 62% of the direct costs for the administration, compliance, and enforcement of DEQ's Erosion and Stormwater Management program. The last regulatory action to modify most of DEQ's fees was in 2010 and most fees have not changed since 2010.

To ensure consistency with the new State Code requirements, staff recommends adoption of the attached Ordinance. If adopted, these proposed fee changes would take effect on July 1, 2026.

TES/ap
AppxACh8-mem

Attachments:
1. Proposed Ordinance Amendments to Appendix A of the County Code, Strikethrough Version
2. Proposed Ordinance Amendments to Appendix A of the County Code, Clean Version

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN APPENDIX A, FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS, CHAPTER 8, EROSION AND SEDIMENT CONTROL OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Appendix A, Fee Schedule for Development Related Permits, Chapter 8, Erosion and Sediment Control of the Code of the County of James City, Virginia is hereby amended and reordained.

STORMWATER AND RESOURCE PROTECTION		
CHAPTER 8 - EROSION AND STORMWATER MANAGEMENT		
CODE REFERENCE	**DESCRIPTION**	**FEE**
8-21	**Land Disturbing Activity and Erosion Control & Stormwater Management Plans**	
	Single-family residential structure	$105.00
	Residential subdivisions	$73.50 per lot
	All other land disturbing activities (residential site plan)	$882.00 per acre for first 15 acres plus $588.00 for each additional acre over 15 acres
	All other land disturbing activities (nonresidential plan)	$630.00 per acre for first 15 acres plus $420.00 for each additional acre over 15 acres
8-21	The permit fee shall be double for any land disturbing that has commenced before a permit is obtained.	As listed above
8-21	**Fees for Individual Permit or Coverage Under the General Permit of Discharges of Stormwater from Construction Activities**	
	Chesapeake Bay Preservation Act land disturbing activity (not subject to general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	$290.00~~304.50~~
	General/Stormwater Management - small construction activity/land disturbing activity in a Chesapeake Bay Preservation Area (not subject to general permit coverage)/land clearing (single-family detached residential structures within or outside a common plan of development or sale with land disturbance acreage less than five acres)	$209.00~~304.50~~

	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre, except for single-family detached residential structures)	$450.00~~304.50~~
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	$4,100.00~~2,835.00~~**
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	$5,100.00~~3,570.00~~
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	$6,800.00~~4,725.00~~
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$9,100.00~~6,405.00~~
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	$14,300.00~~10,080.00~~
	~~**Pursuant to amendments to the Virginia Stormwater Management Act, as amended, § 62. 1-44. 15:28 of the Code of Virginia this fee tier will be $304.50 for small construction activity involving a single-family detached residential structure with a site or area, within or outside a common plan" of development or sale, that is equal to or greater than one acre but less than five acres. In addition, neither a registration statement nor payment of the Department's portion of the statewide permit fee shall be required for construction activity involving a single-family detached residential structure, within or outside a common plan of development or sale within this tier, and all other tiers consistent with §62. 1-44. 15:28(A)(8).~~	
8-21	**Fees for the Modification or Transfer of Individual Permits or of Registration Statements for the General Permit for Discharges of Stormwater from Construction Activities 9VAC25 - 875-1410.**	
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance less than one acre, except for single-family detached residential structures)	$30.00~~21.00~~
	General/Stormwater Management - small construction activity/land disturbing activity in a Chesapeake Bay Preservation Area (not subject to general permit coverage)/land clearing (single-family detached residential structures within or outside a common plan of development or sale with land disturbance acreage less than five acres)	$20.00

	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	$320.00~~210.00~~
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	$400.00~~262.50~~
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	$480.00~~315.00~~
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$720.00~~472.50~~
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	$1,120.00~~735.00~~
8-21	**Maintenance Fees 9VAC25 - 875-1420.**	
	Chesapeake Bay Preservation Act Land Disturbing Activity (not subject to the general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	$80.00~~52.50~~
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre, except for single-family detached residential structures)	$80.00~~52.50~~
	General/Stormwater Management - small construction activity/land disturbing activity in a Chesapeake Bay Preservation Area (not subject to general permit coverage)/land clearing (single-family detached residential structures within or outside a common plan of development or sale with land disturbance acreage less than five acres)	$80.00
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	$650.00~~420.00~~
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than 10 acres)	$800.00~~525.00~~
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of	$1,050.00~~682.50~~

	development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$1,450.00~~945.00~~
8-21	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	$2,250.00~~1,470.00~~
8-21	The permit fee shall be double for any construction that has commenced before a permit is obtained.	As listed above
8-21	Certificate of Occupancy (No certificate of occupancy shall be issued until all inspection fees have been paid, includes residential and nonresidential)	$52.50
8-21	30-day temporary certificate of occupancy - residential	$52.50
8-21	30-day temporary certificate of occupancy - nonresidential	$105.00
8-21	30-day temporary certificate of occupancy renewal - residential	$105.00
8-21	30-day temporary certificate of occupancy renewal - residential	$210.00
8-21	Reinspection	First: $52.50 Second: $105.00 Third and Subsequent: $210.00
8-21	As-Built Plan Review: Small Nonresidential (up to 3 BMPs)	$300.00
8-21	As-Built Plan Review: Large Nonresidential (> 3 BMPs)	$500.00
8-21	As-Built Plan Review: Small Residential (less than 5 acres)	$300.00
8-21	As-Built Plan Review: Large Residential (> 5 acres)	$500.00
8-22	Initial Surety establishment	$500.00
8-22	Surety Renewal: Years 1 - 2	$-
8-22	Surety Renewal: Years 3 - 5	$500.00
8-22	Surety Renewal: Years 6 - 9	$700.00
8-22	Surety Renewal: Year 10	$1,200.00
8-22	Surety Renewal: Year 11 plus each subsequent year	$2,000.00

BE IT FURTHER ORDAINED that this Ordinance shall be effective July 1, 2026.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
WAINWRIGHT	____	____	____	____
NULL	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____
MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

AppxA-Ch8-ord

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN APPENDIX A, FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS, CHAPTER 8, EROSION AND SEDIMENT CONTROL OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Appendix A, Fee Schedule for Development Related Permits, Chapter 8, Erosion and Sediment Control of the Code of the County of James City, Virginia is hereby amended and reordained.

STORMWATER AND RESOURCE PROTECTION		
CHAPTER 8 - EROSION AND STORMWATER MANAGEMENT		
CODE REFERENCE	**DESCRIPTION**	**FEE**
8-21	**Land Disturbing Activity and Erosion Control & Stormwater Management Plans**	
	Single-family residential structure	$105.00
	Residential subdivisions	$73.50 per lot
	All other land disturbing activities (residential site plan)	$882.00 per acre for first 15 acres plus $588.00 for each additional acre over 15 acres
	All other land disturbing activities (nonresidential plan)	$630.00 per acre for first 15 acres plus $420.00 for each additional acre over 15 acres
8-21	The permit fee shall be double for any land disturbing that has commenced before a permit is obtained.	As listed above
8-21	**Fees for Individual Permit or Coverage Under the General Permit of Discharges of Stormwater from Construction Activities**	
	Chesapeake Bay Preservation Act land disturbing activity (not subject to general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	$290.00
	General/Stormwater Management - small construction activity/land disturbing activity in a Chesapeake Bay Preservation Area (not subject to general permit coverage)/land clearing (single-family detached residential structures within or outside a common plan of development or sale with land disturbance acreage less than five acres)	$209.00

	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre, except for single-family detached residential structures)	$450.00
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	$4,100.00**
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	$5,100.00
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	$6,800.00
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$9,100.00
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	$14,300
8-21	**Fees for the Modification or Transfer of Individual Permits or of Registration Statements for the General Permit for Discharges of Stormwater from Construction Activities 9VAC25 - 875-1410.**	
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance less than one acre, except for single-family detached residential structures)	$30.00
	General/Stormwater Management - small construction activity/land disturbing activity in a Chesapeake Bay Preservation Area (not subject to general permit coverage)/land clearing (single-family detached residential structures within or outside a common plan of development or sale with land disturbance acreage less than five acres)	$20.00
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	$320.00
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	$400.00

	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	$480.00
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$720.00
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	$1,120.00
8-21	**Maintenance Fees 9VAC25 - 875-1420.**	
	Chesapeake Bay Preservation Act Land Disturbing Activity (not subject to the general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	$80.00
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre, except for single-family detached residential structures)	$80.00
	General/Stormwater Management - small construction activity/land disturbing activity in a Chesapeake Bay Preservation Area (not subject to general permit coverage)/land clearing (single-family detached residential structures within or outside a common plan of development or sale with land disturbance acreage less than five acres)	$80.00
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	$650.00
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than 10 acres)	$800.00
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	$1,050.00
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$1,450.00
8-21	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of	$2,250.00

	development or sale with land disturbance acreage equal to or greater than 100 acres)	
8-21	The permit fee shall be double for any construction that has commenced before a permit is obtained.	As listed above
8-21	Certificate of Occupancy (No certificate of occupancy shall be issued until all inspection fees have been paid, includes residential and nonresidential)	$52.50
8-21	30-day temporary certificate of occupancy - residential	$52.50
8-21	30-day temporary certificate of occupancy - nonresidential	$105.00
8-21	30-day temporary certificate of occupancy renewal - residential	$105.00
8-21	30-day temporary certificate of occupancy renewal - residential	$210.00
8-21	Reinspection	First: $52.50 Second: $105.00 Third and Subsequent: $210.00
8-21	As-Built Plan Review: Small Nonresidential (up to 3 BMPs)	$300.00
8-21	As-Built Plan Review: Large Nonresidential (> 3 BMPs)	$500.00
8-21	As-Built Plan Review: Small Residential (less than 5 acres)	$300.00
8-21	As-Built Plan Review: Large Residential (> 5 acres)	$500.00
8-22	Initial Surety establishment	$500.00
8-22	Surety Renewal: Years 1 - 2	$-
8-22	Surety Renewal: Years 3 - 5	$500.00
8-22	Surety Renewal: Years 6 - 9	$700.00
8-22	Surety Renewal: Year 10	$1,200.00
8-22	Surety Renewal: Year 11 plus each subsequent year	$2,000.00

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Christy H. Parrish, Zoning Administrator

SUBJECT: An Ordinance to Amend and Re-Ordain Various Provisions of Appendix A - Fee Schedule for Development Related Permits to Amend the Fee Schedule for Sign Permits

---

As part of the Fiscal Year 2027 Budget process, staff proposes a change as to how fees are assessed for certain sign permit applications. Historically, the Zoning Division has not charged permit fees for businesses requesting to replace existing signage, even though the review process requires the same review time and effort as new sign permit applications. The majority of the sign replacements are generated by larger businesses such as banks, convenience stores, gas stations, auto dealerships, fast food establishments, etc. due to rebranding or design change.

Appendix A of the County Code establishes sign permit fees at $5.25 per square foot of gross sign area but does not explicitly limit the fee to new signs. Staff reviewed 84 sign replacement permits issued between 2020 and 2025 and determined that this practice resulted in more than $14,000 in unrealized revenue. The table below summarizes the number of permits issued and provides estimated revenue calculations as if the permits had been assessed at the standard rate for new sign permits.

Calendar Year	No. of Sign Replacement Permits Issued	Fees Not Collected
2020	8	$1,014.12
2021	16	$4,392.05
2022	12	$1,776.81
2023	13	$1,763.53
2024	25	$3,652.48
2025	10	$1,412.77
Totals	**84**	**$14,011.76**

To ensure transparency, staff recommends that the Board of Supervisors formalize this suggested change in practice, allow sign fees to be applied to sign replacement permits, and update Appendix A to state: “Sign Permits (including sign-face replacements or any modifications requiring approval)” within the fee schedule. This revision will provide transparency and clear guidance to citizens, businesses, and sign companies.

Staff recommends the Board approve this change to Appendix A of the County Code effective on July 1, 2026. Should the Board not approve this change, staff will continue to not assess fees for sign replacement permits.

CHP/tm
AppxASgnPmts-mem

Attachments
1. Proposed Ordinance Amendments to Appendix A of the County Code, Strikethrough Version
2. Proposed Ordinance Amendments to Appendix A of the County Code, Clean Version

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN APPENDIX A, FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS, CHAPTER 24, ZONING ORDINANCE OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, Appendix A, Fee Schedule for Development Related Permits, Chapter 24, Zoning Ordinance of the Code of the County of James City, Virginia is hereby amended and reordained.

PLANNING AND ZONING		
CHAPTER 24 - ZONING		
CODE REFERENCE	**DESCRIPTION**	**FEE**
24-7	**Sign Permits** (including sign-face replacements or any modifications requiring approval.)	Size (per square foot of gross sign area) x $5.25

BE IT FURTHER ORDAINED that this Ordinance shall be effective July 1, 2026.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
WAINWRIGHT	____	____	____	____
NULL	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____
MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

AppxASgnPmts-ord

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN APPENDIX A, FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS, CHAPTER 24, ZONING ORDINANCE OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, Appendix A, Fee Schedule for Development Related Permits, Chapter 24, Zoning Ordinance of the Code of the County of James City, Virginia is hereby amended and reordained.

PLANNING AND ZONING		
CHAPTER 24 - ZONING		
CODE REFERENCE	**DESCRIPTION**	**FEE**
24-7	**Sign Permits** (including sign-face replacements or any modifications requiring approval.)	Size (per square foot of gross sign area) x $5.25

BE IT FURTHER ORDAINED that this Ordinance shall be effective July 1, 2026.

AppxASgnPmts-ord-final

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development

SUBJECT: Proposed Fiscal Year 2027-2032 Secondary Six-Year Plan

---

Each year the Virginia Department of Transportation (VDOT) works with the James City County (JCC) Board of Supervisors to develop a list of project priorities for the Secondary Six-Year Plan (SSYP). The SSYP is a priority-funding plan for the improvement and construction of secondary roads (roads with route numbers of 600 or greater). As part of the review process, a public hearing has been advertised for the April 14, 2026, meeting to provide an opportunity for public comment.

Allocations

Through the SSYP, the County receives yearly state and federal allocations to fund proposed improvements on secondary roads. Funding is primarily derived from state and federal gasoline taxes, vehicle title fees, vehicle sales tax, and state sales tax. The predictability of funding amounts is greatly dictated by the financial climate of the times and changes to funding levels by the federal and state government. For Fiscal Years (FY) 2027-2032, the proposed SSYP allocations for JCC total $1,156,956 with an expected annual funding allocation of $192,826 for each of the six years.

Throughout the Comprehensive Plan update, citizen responses to surveys focused on prioritizing walking and biking amenities in locations that increase connectivity between neighborhoods and shopping, schools, employment areas, and greenways. Comments from the open-ended questions included that the County should encourage more walking and biking paths, increase public transportation, and reduce congestion while improving roadways. Public input demonstrates that biking and walking accessibility is important to the community for both recreation and essential transportation needs. Respondents supported prioritizing County resources for enhancing quality of life amenities. Applying these funds to create complete streets and multimodal corridors will help achieve the goals of the citizens.

Secondary allocations are not the only funding source for transportation projects. The County has applied and received or been recommended for competitive grants from the Highway Construction District Grant Program and High-Priority Projects Program via the Smart Scale process, the Regional Surface Transportation Program (RSTP), and the Congestion Mitigation and Air Quality (CMAQ) Improvement Program for Longhill Road and Croaker Road. County staff will continue to apply for more Smart Scale, RSTP, CMAQ, and Revenue Sharing funds to help fund projects in future fiscal years.

Listed below is a brief summary of current and special funding projects for the priority list for the FY27-31 SSYP.

Current Projects

<u>Croaker Road (Route 607)</u>

This project will widen the section of roadway between Richmond Road and the JCC Library from two to four lanes (Attachment No. 3). The project will include preliminary engineering, right-of-way acquisition, and construction of a new two-lane bridge parallel to the existing bridge over the CSX lines, two additional

travel lanes, and a shared use path. Staff recommends keeping this project as the top priority on the SSYP. This project is currently funded and construction is underway.

Intersection Safety Improvements

Over the past several years, VDOT has been studying two intersections. In March of 2021, VDOT placed temporary bollards at the intersections of Old Stage Road and Route 30 and Centerville Road and Route 5. These temporary improvements were done after VDOT completed Roadway Safety Assessments. In coordination with VDOT, the next step for these two intersections will be to construct the permanent safety improvements. Staff recommends including the following two projects in this year's priority rankings as the second and third priorities, respectfully:

A. Old Stage Road and Route 30 Intersection Improvements
VDOT's current cost estimate for this project is approximately $192,000.

B. Centerville Road and Route 5 Intersection Improvements
VDOT's current cost estimate for this project is approximately $204,000.

The Engineering phase is complete for these two projects and staff will continue to work with VDOT to keep the two projects fully funded.

Recommendation

Given the funding levels expected in the next six years and the current projects that are underway, staff recommends the following priorities:

1. Croaker Road
2. Old Stage Road and Route 30 Intersection Improvements
3. Centerville Road and Route 5 Intersection Improvements

Staff recommends adoption of the attached resolution, which endorses the secondary road priority list as set forth in this memorandum for the FY27-32 SSYP.

PDH/tm
PropFY27-32SSYP-mem

Attachments:
1. Resolution
2. Map of FY26-31 SSYP Projects
3. Aerial Map - Croaker Road
4. Aerial Map - Old Stage Road
5. Aerial Map - Centerville Road

R E S O L U T I O N

PROPOSED FISCAL YEAR 2027-2032 SECONDARY STATE HIGHWAY SIX-YEAR PLAN

WHEREAS, Section 33.2-331 of the Code of Virginia, 1950, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation (VDOT) in developing a Secondary State Highway Six-Year Plan; and

WHEREAS, James City County, Virginia (the "County") has consulted with the VDOT District Project Manager to set priorities for improvements to the County's secondary state highways; and

WHEREAS, a public hearing was advertised for the regularly scheduled Board of Supervisors meeting on April 14, 2026, so citizens of the County would have the opportunity to participate in the hearing and to make comments and recommendations concerning the proposed list of priorities for improvement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves of the list of priorities for improvements to the Secondary State Highway System as presented at the public hearing and the County Administrator is hereby authorized to sign and execute all such documents as are necessary to evidence the Board's approval of the Six-Year Plan.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
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LARSON	____	____	____	____
MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

PropFY27-32SSYP-res

James City County
FY 27-32 SSYP Projects

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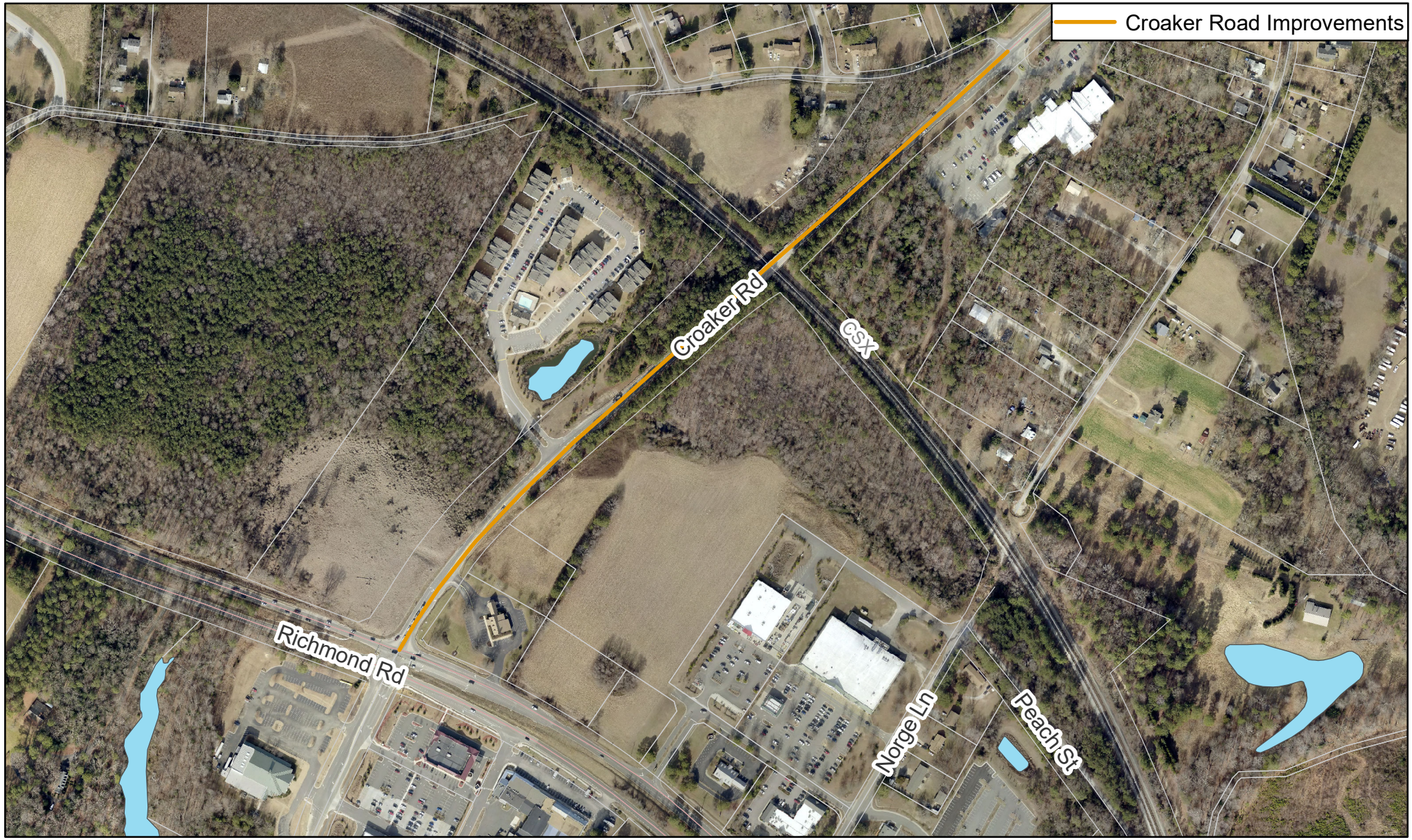
Croaker Road (Route 607) Improvements



500 250 0 500 1,000 Feet

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Old Stage Road and Route 30 Intersection Improvements

0.2 0.1 0 0.2 Miles

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Centerville Road and Route 5 Intersection Improvements

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Miles

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Copyright Commonwealth of Virginia. The data contained herein are the property of the Commonwealth of Virginia. Distribution of any of these data to anyone not licensed by the Commonwealth is strictly prohibited.

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Liz Parman, Deputy County Attorney

SUBJECT: Ordinance to Amend County Code Section 13-4.1

James City County Code Section 13-4.1 requires persons 14 years of age or younger to wear a helmet when riding a bicycle on any highway, sidewalk, or public bicycle path.

The Virginia General Assembly amended Virginia Code Section 46.2-906.1 permitting localities to include electric personal assistive mobility devices, toy vehicles, and electric power-assisted bicycles in their bicycle helmet Ordinances. The attached Ordinance requires persons 14 years of age or younger to wear a helmet when riding a bicycle, *an electric personal assistive mobility device, a toy vehicle, and an electric power-assisted bicycles* on any highway, sidewalk, or public bicycle path.

Staff recommends adoption of the attached Ordinance.

LP/ap
Sec13-4.1OrdAmdt-mem

Attachment

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL; SECTION 13-4.1, BICYCLE HELMET REQUIRED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Motor Vehicles and Traffic, is hereby amended and reordained by amending Article I, In General; Section 13-4.1, Bicycle helmet required.

Chapter 13. MOTOR VEHICLES AND TRAFFIC

ARTICLE I. IN GENERAL

Sec. 13-4.1. Bicycle helmet required.

a) Every person 14 years of age or younger shall wear a protective helmet that at least meets the Consumer Product Safety Commission standard ~~which meets the standards promulgated by the American National Standards Institute or the Snell Memorial Foundation~~ whenever riding or being carried on a bicycle, an electric personal assistive mobility device, a toy vehicle, or an electric power-assisted bicycle on any highway (as defined in § 46.2-100, Code of Virginia), street, sidewalk, or bicycle path.

b) Violation of this section shall be punishable by a fine of $25.00. However, such fine shall be suspended (i) for the first-time violators and (ii) for violators who, subsequent to the violation but prior to imposition of the fine, purchase helmets of the type required by the ordinance. ~~with respect to any person riding or being carried on a bicycle, such fine shall be suspended for any person who meets both of the following criteria: (i) is a first-time violator and (ii) purchases a helmet of the type required by this section subsequent to the violation but prior to imposition of the fine.~~

c) Violation of this section shall not constitute negligence or assumption of risk, be considered in mitigation of damages of whatever nature, be admissible in evidence, or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation of any bicycle, electric personal assistive mobility device, toy vehicle, or electric power-assisted bicycle, nor shall anything in this section change any existing law, rule, or procedure pertaining to any civil action.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
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MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

Sec13-4.1OrdAmdt-ord

ORDINANCE NO._____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL; SECTION 13-4.1, BICYCLE HELMET REQUIRED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Motor Vehicles and Traffic, is hereby amended and reordained by amending Article I, In General; Section 13-4.1, Bicycle helmet required.

Chapter 13. MOTOR VEHICLES AND TRAFFIC

ARTICLE I. IN GENERAL

Sec. 13-4.1. Bicycle helmet required.

a) Every person 14 years of age or younger shall wear a protective helmet that at least meets the Consumer Product Safety Commission standard whenever riding or being carried on a bicycle, an electric personal assistive mobility device, a toy vehicle, or an electric power-assisted bicycle on any highway (as defined in § 46.2-100, Code of Virginia), street, sidewalk, or bicycle path.

b) Violation of this section shall be punishable by a fine of $25.00. However, such fine shall be suspended (i) for the first-time violators and (ii) for violators who, subsequent to the violation but prior to imposition of the fine, purchase helmets of the type required by the ordinance.

c) Violation of this section shall not constitute negligence or assumption of risk, be considered in mitigation of damages of whatever nature, be admissible in evidence, or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation of any bicycle, electric personal assistive mobility device, toy vehicle, or electric power-assisted bicycle, nor shall anything in this section change any existing law, rule, or procedure pertaining to any civil action.

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development

SUBJECT: Request for Amplified Sound as Part of a Special Event Permit - Bike MS 2026

Chapter 14 of the County Code outlines the requirements and conditions applicable to Special Event Permits that are issued for Outdoor Gatherings, Parades, and Road Races.

One of the requirements outlined in Section 14-6 (a) of the Code states that "Unless specifically approved by the board of supervisors, no stage presentation, music, dance, or other performing arts shall take place at a special event between the hours of 11:00 p.m. and 9:00 a.m. and no activity involving the use of any means of sound amplification shall be permitted between the hours of 11:00 p.m. and 9:00 a.m."

The National Multiple Sclerosis Society has applied for a Special Event Permit to hold the 2026 Bike MS: Colonial Crossroads event at Chickahominy Riverfront Park on Memorial Day Weekend (Saturday, May 30 and Sunday, May 31).

As part of this event, the event organizers have requested approval for announcements and amplified music to be played at the Start/Finish line, beginning as early as 7:15 a.m.

Full event information can be found at:

https://events.nationalmssociety.org/2543?utm_medium=semg&referrer=sld-bikefy26-cross-comk-semg-eg&utm_content=sem_eg&utm_source=sld&utm_campaign=bikefy26_cross_comk&gad_source=1

More information detailing the request, as well as an event layout diagram are attached.

As part of the request, event organizers have committed to directing the speakers towards the river and limiting the sound to +/- 95 decibels, which is equivalent to everyday items such as gas-powered lawn mowers, electric drills, leaf blowers, a food processor or an old hair dryer. Staff recommends approval of the resolution authorizing the request.

PDH/tm
SEP_ReqAmpSnd-mem

Attachments
1. Resolution
2. Information request from the event organizer
3. Event Layout Diagram

R E S O L U T I O N

REQUEST FOR AMPLIFIED SOUND AS PART OF A SPECIAL EVENT PERMIT -

BIKE MS 2026

WHEREAS, Chapter 14 of the County Code outlines the requirements and conditions applicable to Special Event Permits that are issued for Outdoor Gatherings, Parades, and Road Races; and

WHEREAS, one of the requirements outlined in Section 14-6 (a) of the Code states that "Unless specifically approved by the board of supervisors, no stage presentation, music, dance, or other performing arts shall take place at a special event between the hours of 11:00 p.m. and 9:00 a.m. and no activity involving the use of any means of sound amplification shall be permitted between the hours of 11:00 p.m. and 9:00 a.m."; and

WHEREAS, the National Multiple Sclerosis Society has applied for a Special Event Permit to hold the 2026 Bike MS: Colonial Crossroads event at Chickahominy Riverfront Park on Memorial Day Weekend; and

WHEREAS, as part of this event, the event organizers have requested approval for announcements and amplified music to be played at the Start/Finish line, beginning as early as 7:15 a.m.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the use of amplified music and announcements as part of the 2026 Bike MS: Colonial Crossroads event at Chickahominy Riverfront Park on May 30 and May 31, 2026, beginning at 7:15 a.m., provided that all speakers are generally oriented towards the Chickahominy River and that noise levels do not exceed approximately 95 decibels at any property line.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Secretary to the Board

	VOTES			
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WAINWRIGHT	____	____	____	____
NULL	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____
MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

SEP_ReqAmpSnd-res

From: Paul Nevill <Paul.Nevill@nmss.org>
Sent: Tuesday, March 3, 2026 9:21 AM
To: Beth Klapper <Beth.Klapper@jamescitycountyva.gov>
Cc: Casey Svanda <Casey.Svanda@nmss.org>; Melissa Reynolds <melissa@limitlesseventsolutions.com>
Subject: [External]RE: James City County Noise Ordinance BOS Approval Required for Bike MS Colonial Crossroads

Thank you very much for your help on behalf of the MS Society, Beth! Here is your information:

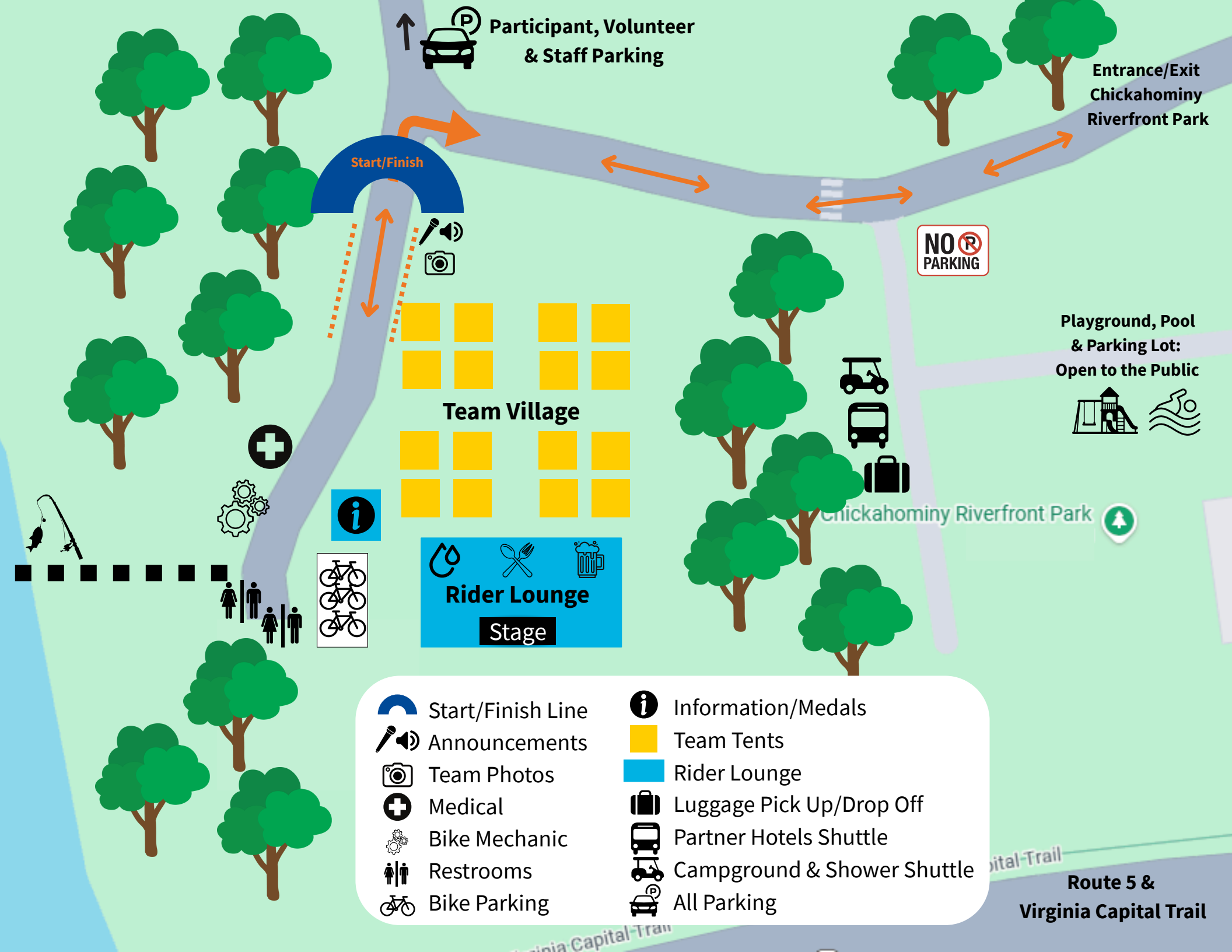
- We are requesting approval for Announcements and Music to be played at our Start/Finish arch location
- The times will be on Saturday 5/30/26 from about 7:15 AM to 8:00 AM and on Sunday 5/31/26 from about 7:45 AM to 8:30 AM
- Music will be played as the bicycle riders line up, then 5 minutes of announcements, followed by about 30 minutes of music as the riders depart each morning
- Decibel level for Music will be 90-95 dB maximum and level for Announcements will be 60-70 dB maximum
- See the attached site diagram, start/finish arch location is in the upper left. Two speakers will be pointed to the West and South in the direction of the cyclists lining up on the road behind the arch, which is also in the direction of the River.
- Music is very important to our event participants. Some will be riding their bicycles distances up to 100 miles that day and we need to provide motivation and inspiration for our MS Mission to the participants.

We believe that fun, bouncy music at the start of the event will carry over for the participants to have a good experience and raise money for our cause.

Please let me know if you need any additional information, and we really appreciate you going to the Board of Supervisors with our request. Thanks again!

Paul Nevill

Director, Regional Event Production


Participant, Volunteer & Staff Parking
Entrance/Exit Chickahominy Riverfront Park
Start/Finish
NO PARKING
Playground, Pool & Parking Lot: Open to the Public
Team Village
Chickahominy Riverfront Park
Rider Lounge
Stage
Start/Finish Line
Announcements
Team Photos
Medical
Bike Mechanic
Restrooms
Bike Parking
Information/Medals
Team Tents
Rider Lounge
Luggage Pick Up/Drop Off
Partner Hotels Shuttle
Campground & Shower Shuttle
All Parking
Route 5 & Virginia Capital Trail

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development

SUBJECT: Request for an Alternative Discharging Sewage System - 190 Jolly Pond Road

---

Chapter 17 of the County Code outlines the requirements and conditions under which the Board of Supervisors may approve an Alternative Discharging Sewage System (ADSS).

An ADSS means any device or system which results in a point source (i.e., open pipe) discharge of treated sewage for an individual single-family dwelling with flows less than or equal to 1,000 gallons per day and which is only permissible when the Virginia Department of Health (VDH) determines, in writing, that an existing alternative on-site sewage system serving an existing, occupied structure has failed and cannot be repaired or replaced and that the only available means of providing sewage disposal to such dwelling other than pump-and-haul is via an ADSS operating permit.

The attached request and supporting information are from Ms. Haley Logan and Mr. David Logan, the current owners of 190 Jolly Pond Road. According to the Logans, the original drainfield for this parcel was installed in 1963 and was located in the front right corner of the parcel (facing the property from the road). The system was replaced in 1991 in the same general area due to failure. In 1995, the permit was upgraded to allow a three-bedroom home instead of the originally permitted two-bedrooms. In 2020, a third system was installed, this one located in the back of the parcel. This third system is currently in a state of failure.

No objections to this request have been raised by either the James City Service Authority (JCSA) or the Stormwater and Resource Protection Division. Staff recommends approval of the attached resolution. If approved, several ongoing testing and reporting requirements will be mandated by the County Code, including filing with the General Manager of the JCSA a copy of the results of all state-mandated testing and inspections no later than one week after the results are submitted to the VDH, and to repair or replace such system, as necessary, to correct any deficiencies identified in any inspection report to ensure compliance with the applicable regulations of the Board of Health. Also required is the need to provide yearly testing results to the JCSA and to permit VDH and JCSA staff to enter the property to inspect such system and to determine whether such system is installed, operated, and maintained, and to enforce conditions associated with the County issued permit, and the regulations of the Board of Health.

PDH/tm
ReqADSS_190JollyPdRd-mem

Attachments:
1. Resolution
2. Location Map
3. Applicant Narrative, Dated January 28, 2026
4. Approval Letter and Package from the VDH Authorizing Construction of an ADSS (Included Within This Package Is Approval from the Department of Environmental Quality)
5. Executive Summary and Project Scope Narrative from Soils Inc.
6. Copy Of Letter from VDH Denying the Request to Construct a Conventional On-Site Sewage System
7. Copy Of Application to VDH from Soils Inc.
8. Copy Of Application to VDH And DEQ from Soils Inc.
9. Copy Of Recorded VDH Permit from the Courthouse
10. Copy Of Chapter 17 of the County Code

R E S O L U T I O N

REQUEST FOR AN ALTERNATIVE DISCHARGING SEWAGE SYSTEM -

190 JOLLY POND ROAD

WHEREAS, Chapter 17 of the County Code outlines the requirements and conditions under which the Board of Supervisors may approve an Alternative Discharging Sewage System (ADSS); and

WHEREAS, an ADSS is only permissible when the Virginia Department of Health (VDH) determines, in writing, that an existing alternative on-site sewage system serving an existing, occupied structure has failed and cannot be repaired or replaced and that the only available means of providing sewage disposal to such dwelling other than pump-and-haul is via an ADSS operating permit; and

WHEREAS, the current septic system of the occupied home located at 190 Jolly Pond Road (James City County Real Estate Tax Map Parcel No. 3110100006) is currently in a state of failure; and

WHEREAS, the VDH has denied the property owners request to construct another on-site treatment system; and

WHEREAS, both the VDH and the Virginia Department of Environmental Quality have approved the property owners request to construct an ADSS.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the use of an ADSS, subject to the requirements of Chapter 17 of the County Code.

BE IT FURTHER RESOLVED that failure to conduct mandatory monitoring or to report monitoring results as required in 12VAC5-640-490 and 12VAC5-640-510 may constitute a violation of County Code and may also result in the revocation of the ADSS permit granted pursuant to County Code.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
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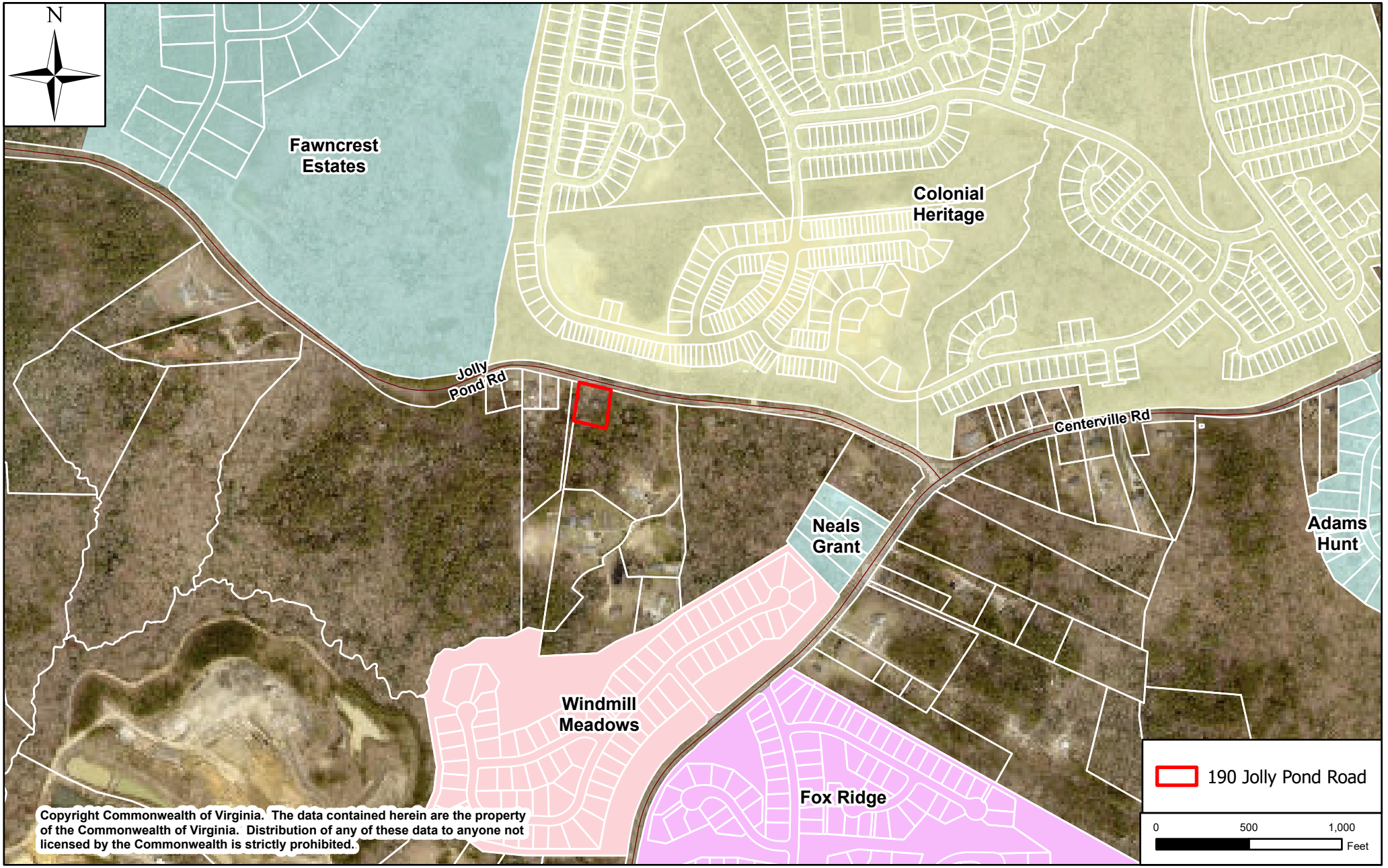
MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

ReqADSS_190JollyPdRd-res

190 Jolly Pond Road



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January 28, 2026

James City County Board of Supervisors
PO Box 8784
Williamsburg, VA 23187
jccboard@jamescitycountyva.gov

RE: Direct Discharge for 190 Jolly Pond Rd.

To Whom it May Concern:

We are writing this narrative to explain the necessity of a direct discharge system for our property and to provide the history leading to this decision.

The original drainfield for this parcel was installed in 1963 and was located in the front right corner of the parcel (facing the property from the road) and replaced in 1991 in the same general area due to failure. In 1995 the permit was upgraded to allow a 3-bedroom home instead of the originally permitted 2-bedrooms. In 2020 a third system was installed, this one located in the back of the parcel, which is currently in a state of failure.

Since moving into the property, January 19, 2021, we have had ongoing problems with the septic system and repeatedly contacted the builder to repair it.

In late spring 2023, raw sewage was bubbling up from the ground near the distribution box. After months of complaints, the builder finally hired licensed soil scientist, Ann L. Ruff, to inspect the property in June/July 2023. The report from July 10, 2023, found long-term sewage on the ground surface, untreated sewage backing up in the distribution box, and the drain field completely waterlogged.

Ms. Ruff determined the septic system had failed, was a health hazard to the family and their pets and needed to be replaced with a new drain field in a different location. Records from the Virginia Department of Health show a prior permit for a conventional septic drainage field for the property, which is in the front portion of the house, resulting in a lack of available space for a new drainage field.

We hired Miller's Services, who brought in soil specialist David R. Miles to evaluate the property on September 7, 2023. His report from September 16, 2023, revealed serious problems: the system as built didn't match the approved permit, and the original soil testing done by Adam's Septic contained false information. Adam's Septic claimed there was no water table issue down to 60 inches and reported a soil absorption rate of 40 minutes per inch. Mr. Miles found there actually was a water table at 42-60 inches and the real absorption rate was 45-75 minutes per inch. The installed system was too small to handle the waste from a three-bedroom house, let alone a 4-bedroom house that was purchased. Mr. Miles also noted that if the drain lines were installed during wet weather and the installation damaged the soil (smearing the trench walls),

it would cause the system to fail prematurely, which is likely what happened. He indicated that any onsite repair would "…have a degree of uncertainty about the longevity, in consideration of the soils that I encountered".

On February 14, 2024, representatives of Soils, Inc. completed a site evaluation. The original intent of this evaluation was to repair the existing septic system, but the site was found to be unable to provide sufficient area or proficient soils to accommodate the repair. The site exhibited unideal soil conditions, low lying topography, existing utilities, shallow depth to water table and insufficient area to provide a new drainfield area. They recommended direct discharge as the only viable option since three drainfields have failed on this parcel.

We contracted with Soils, Inc to complete the discharge design and submittal. During the design process it was discovered that the dwelling actually had 4 bedrooms, so a conditional permit was issued by the health department on August 7, 2025, to upgrade the number of permitted bedrooms to 4, while keeping the usage at 450 gallons per day.

The health department issued their approval of the discharge system on December 23, 2025.

We understand that in addition to all state-mandated testing and maintenance requirements, the we are required to comply with the following responsibilities:

1. File with the General Manager of the Authority a copy of the results of all state-mandated testing and inspections no later than one week after the results are submitted to the Health Department, and to repair or replace such system, as necessary, to correct any deficiencies identified in any inspection report in compliance with the applicable regulations of the Board of Health.
2. Provide yearly testing results to the Authority in such form and with such information deemed necessary by the Authority.
3. Permit the Health Department and Authority staff to enter the property to inspect such system and to determine whether such system is installed, operated, and maintained in accordance with this section, any conditions associated with the County issued permit, and the regulations of the Board of Health.

We understand that failure to conduct mandatory monitoring or to report monitoring results as required in 12VAC5-640-490 and 12VAC5-640-510 may constitute a violation of county code and may also result in the revocation of the ADSS permit granted pursuant to this section.

We also understand that if sanitary or other sewer system owned or operated by James City County or the Authority becomes available within two hundred (200) linear feet from the boundary of our property that we will be required to connect to the sanitary or other sewer system within one (1) year of the date of availability or when necessary or desired work to the alternative discharging sewage system equals or exceeds 50% of its then-current replacement cost, whichever comes first.

Thank you for your time and consideration of this application. We look forward to receiving your approval so we can finally gain back full use of our property with a properly functioning sewage disposal system.

Sincerely,

Haley & David Logan
Homeowner

VDH VIRGINIA DEPARTMENT OF HEALTH
To protect the health and promote the well-being of all people in Virginia

Williamsburg/James City County Office
5300 Palmer Lane
Williamsburg, VA 23188
(757) 603-4277

Discharge Construction Permit Cover Letter

December 23, 2025

Alternative Discharging Sewage Treatment System Construction Permit Letter

David and Haley Logan
190 Jolly Pond Road
Williamsburg, VA 23188

RE: 190 Jolly Pond Road Williamsburg, VA 23188
Tax Map/GPIN: 3110100006
Permit ID: 095-25-0080 **DEQ General Permit number:** VAG403102
System Capacity: Residential, 4.00 Bedrooms, 450.00 gallons per day, Conditional 6 occupants maximum
Approval Status: Approved
Type of Discharge Point: Dry Ditch

Dear David and Haley Logan:

This letter and the attached drawings, specifications, and calculations dated 10/9/2025, constitute your permit to install an alternative discharging sewage treatment system on the property referenced above. Your application for a permit was submitted pursuant to §32.1 of the Code of Virginia, which authorizes the Health Department to supervise and regulate the construction, location, and operation of alternative discharging sewage treatment systems with flows less than or equal to 1,000 gallons per day for single family dwellings. VDH conducted the site evaluation or reviewed the site evaluation conducted by a licensed professional engineer, reviewed construction plans, and verified issuance of a General Permit from the Department of Environmental Quality prior to the issuance of this permit.

VDH hereby recognizes that the design submitted by Wayne Savage, PE complies with the requirements of the Code of Virginia and the Alternative Discharging Sewage Treatment Regulations for Single Family Home Dwellings and grants permission to install the system as designed and shown on the attached plans and specifications. This construction permit is null and void if any substantial physical change in the site conditions occurs where the alternative discharging sewage treatment system is to be located.

If modifications or revisions are necessary between now and when you construct your dwelling, please contact the PE who produced the design on which this permit is based. The PE is authorized to make minor adjustments in the location or design of the system at the time of construction provided adequate documentation in the form of a dimensioned site sketch is included in the system operation and maintenance manual provided to the local health district office.

The PE that submitted the certified design for this permit is required to conduct a final inspection of this alternative discharging sewage treatment system when it is installed and to submit an inspection report and completion statement. If your PE did not submit an Operation and Maintenance Manual with the plan package, then (s)he will be required to do so prior to issuance of an Operation Permit. The alternative discharging sewage treatment system may not be placed into operation, except for testing, until you have obtained an Operation Permit from your local health district office.

VDH may revoke or modify any permit if, at a later date, it finds that the conditions and/or design do not substantially comply with the Alternative Discharging Sewage Treatment Regulations for Single Family Home Dwellings, 12 VAC 5-640-5 et seq., or if the system would threaten public health or the environment.

This permit approval has been issued in accordance with applicable regulations based on the information and materials provided at the time of application. There may be other local, state, or federal laws or regulations that apply to the proposed construction of this alternative discharging sewage treatment system. The owner is responsible at all times for complying with

all applicable local, state, and federal laws and regulations. If you have any questions, please contact me.

This permit expires: 06/23/2027. This permit is not transferable to another owner or location except in accordance with 12 VAC 5-640-220.E.

Sincerely,

James Davis

CC: Wayne Savage, PE

Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

www.deq.virginia.gov

Stefanie K. Taillon
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director

December 18, 2025

David and Haley Logan
190 Jolly Pond Road
Williamsburg, VA 23188

Sent via email: haley.lauckern@gmail.com
wayne.savage@soils-inc.com

RE: General VPDES Permit for Domestic Sewage Discharges ≤ 1,000 GPD
Permit No. VAG403102
Logan Residence
190 Jolly Pond Road, Williamsburg, VA 23188
Unnamed tributary to Yarmouth Creek to the Chickahominy River; 7Q10 <0.2 MGD; freshwater zone; non-shellfish water

Dear Mr. and Mrs. Logan:

We have reviewed your Combined Application received on November 24, 2025, the revised Combined Application received on December 5, 2025, and determined that this domestic sewage treatment facility is hereby covered under the referenced General VPDES Permit. The permit is enclosed.

Please read it carefully, because you are responsible for assuring that the treatment facility is operated and maintained in accordance with the limitations and conditions of the General Permit. Also enclosed is a form which may be used to request an ownership transfer for the General VPDES permit. This form can also be found on the DEQ's web page at the link provided below. If you wish to have the permit ownership transferred, please complete the form and return it to this office.

Approval for coverage under this general VPDES permit does not relieve any owner of the responsibility to comply with any other applicable federal, state or local statute, ordinance or regulation, including the Alternative Discharging Sewage Treatment Regulations for Individual Single Family Dwellings (12VAC5-640) of the Virginia Department of Health. The DEQ monitoring requirements are attached. The Virginia Department of Health regulations at 12VAC5-640-500 specify operation and maintenance (O&M) requirements for treatment works serving

individual single family dwellings. No O&M information is needed by DEQ for these facilities. However, the VDH requires testing and O&M as described in 12VAC5-640-490 and 500. Under 12VAC5-640-510, testing, repairs, modifications, alterations, and expansions shall be reported electronically to the VDH by the 15th of the month following the month in which the activity occurred. In addition, when formal testing indicates that a discharge limit established in the General Permit is being exceeded or when informal testing indicates a discharging system may be in violation of the General Permit requirements, the owner shall notify the maintenance provider and the VDH within 24 hours. The VDH regulations require that a licensed operator (a valid Class IV or higher wastewater works operator license or an alternative onsite sewage system operator license issued by the Board for Waterworks and Wastewater Works Operations and Onsite Sewage System Professionals) be engaged to ensure monitoring (unless a monitoring waiver has been granted prior to December 16, 2015) and operations and maintenance is occurring. Reporting in accordance with 12VAC5-640-510 is sufficient evidence that an owner has engaged a licensed operator.

If you have any questions, please contact Julie Gilliam at (757) 374-6546 or julie.k.gilliam@deq.virginia.gov.

Sincerely,

Noah M. Hill, VPDES Permits Manager
Virginia Department of Environmental Quality
(757) 373-9459
noah.hill@deq.virginia.gov
Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, VA 23462

Enclosures: Permit No. VAG403102
Change of Ownership Agreement Form
Monitoring requirements for the discharge from your residence

DEQ Web Site for General Permits:
https://www.deq.virginia.gov/news-info/shortcuts/permits/water/surface-waters-vpdes

VDH Alternative Sewage Treatment Regulations for Individual Single Family Dwellings:
http://law.lis.virginia.gov/admincode/title12/agency5/chapter640/

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

General Permit No.: VAG403102
Effective Date: August 2, 2021
Expiration Date: July 31, 2026

GENERAL PERMIT FOR DOMESTIC SEWAGE DISCHARGES OF LESS THAN OR EQUAL TO 1,000 GALLONS PER DAY

AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act (33 USC § 1251 et seq.), as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of treatment works with domestic sewage discharges of a design flow of less than or equal to 1,000 gallons per day on a monthly average are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those waters specifically named in board regulations that prohibit such discharges.

The authorized discharge shall be in accordance with the information submitted with the registration statement or combined application, this cover page, Part I-Effluent Limitations, Monitoring Requirements and Special Conditions, and Part II-Conditions Applicable to All VPDES Permits, as set forth herein.

Part I
Effluent Limitations, Monitoring Requirements and Special Conditions

A. Effluent limitations and monitoring requirements - receiving waters where the 7Q10 flows are less than 0.2 MGD.

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall number **001** to receiving waters where the 7Q10 flows are less than 0.2 MGD.

The discharge shall be limited and monitored by the permittee as specified in the following table:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Instantaneous Minimum	Instantaneous Maximum	Frequency	Sample Type
Flow (MGD)[1]	NA	NL	1/year	Estimate
BOD_5	NA	30 mg/l	1/year	Grab
Total Suspended Solids	NA	30 mg/l	1/year	Grab
Total Residual Chlorine[2]				
After contact tank	1.0 mg/l	NA	1/year	Grab
Final effluent	NA	0.016 mg/l[6]	1/year	Grab
E. coli[3]	NA	126 CFU/100 ml	1/year	Grab
enterococci[4]	NA	35 CFU/100 ml	1/year	Grab
Fecal Coliform Bacteria[5]	NA	200 CFU/100 ml	1/year	Grab
pH (standard units)	6.0	9.0	1/year	Grab
Dissolved Oxygen	5.0 mg/l[6]	NA	1/year	Grab

NL = No Limitation, monitoring required
NA = Not Applicable

(1) The design flow of this treatment works is less than or equal to 1,000 gallons per day.
(2) Applies only when chlorine is used for disinfection and the discharge is into freshwater (see 9VAC25-260-140 C for the classes of waters and boundary designations).
(3) Applies only when methods other than chlorine are used for disinfection and the discharge is into freshwater (see 9VAC25-260-140 C for the classes of waters and boundary designations). When the treatment works is discharging, continuous disinfection shall be provided in order to maintain this effluent limit.
(4) Applies only when the discharge is into saltwater or the transition zone (see 9VAC25-260-140 C for the classes of waters and boundary designations). When the treatment works is discharging, continuous disinfection shall be provided in order to maintain this effluent limit.
(5) Applies only when the discharge is into shellfish waters (see 9VAC25-260-160 for the description of what are shellfish waters). When the treatment works is discharging, continuous disinfection shall be provided in order to maintain this effluent limit.
(6) Does not apply when the receiving stream is an ephemeral stream. "Ephemeral streams" are drainage ways, ditches, hollows, or swales that contain only (i) flowing water during or immediately following periods of rainfall or (ii) water supplied by the discharger. These waterways would normally have no active aquatic community.

2. All monitoring data required by Part I A 1 shall be maintained on site in accordance with Part II B. Monitoring results for treatment works serving buildings or dwellings other than individual single family dwellings shall be submitted to the department on a Discharge Monitoring Report (DMR) no later than the 10th of September following the monitoring period. The monitoring period is September 1 through August 31. A copy of the maintenance log required by Part I D 2 b (2) (e) shall also be submitted with the DMR. Monitoring results for treatment works serving individual single family dwellings are submitted to the Virginia Department of Health in accordance with 12VAC5-640.

3. The 30-day average percent removal for BOD_5 and total suspended solids shall not be less than 85%.

B. Effluent limitations and monitoring requirements - receiving waters where the 7Q10 flows are equal to or greater than 0.2 MGD. **(This subsection intentionally omitted)**

C. Effluent limitations and monitoring requirements - discharges to receiving waters subject to the Policy for the Potomac River Embayments (9VAC25-415). **(This subsection intentionally omitted)**

D. Special Conditions.

1. There shall be no discharge of floating solids or visible foam in other than trace amounts.

2. Operation and maintenance.

a. Treatment works serving individual single family dwellings. Operation and maintenance requirements for treatment works serving individual single family dwellings are specified in the Virginia Department of Health regulations at 12VAC5-640.

b. Treatment works serving buildings or dwellings other than individual single family dwellings.

(1) To ensure the treatment works is operated, maintained, monitored, and reported properly, the permittee shall engage a licensed operator as defined in subdivision D 3 of this section.

(2) The permittee shall:
(a) Have the system operated and maintained by a licensed operator, including the responsibilities specified in Part I D 2 b (3);
(b) Have a licensed operator visit the system at least semiannually;
(c) Have a licensed operator collect, analyze, and submit to the department any samples required under Part I A, Part I B, or Part I C, as appropriate, of this general permit;
(d) Provide prompt maintenance and repair of the treatment works once notified by the operator that repair or maintenance is necessary. The owner is responsible for all costs associated with the maintenance or repair. Immediately upon receipt of notice that repair or maintenance is required, the owner shall begin emergency pump and haul of all sewage generated from the building or dwelling or otherwise ensure that no discharge occurs if full and complete repairs cannot be accomplished within 48 hours;
(e) Maintain a copy of the log provided by the operator on the property where the system is located in electronic or hard copy form, make the log available to the department upon request, and make a reasonable effort to transfer the log to any future owner;
(f) Follow the treatment works operation and maintenance (O&M) manual (where available) and keep a copy of the O&M manual in electronic or hard copy form on the property where the system is located, make the O&M manual available to the department upon request, and make a reasonable effort to transfer the O&M manual to any future owner;

(3) The licensed operator has the following responsibilities:
(a) Perform all monitoring required in accordance with either Part I A, Part I B, or Part I C, as appropriate, and periodic (at least semiannually) inspections of the treatment works. Note: Discharges from the treatment works should to the maximum extent feasible be sampled during normal discharging operations or normal discharging conditions (i.e., operations that are normal for that treatment works);

(b) During visits required by this subsection, fulfill the operator responsibilities specified in this subsection through observing the system and through laboratory or field tests required by this permit or that the operator deems appropriate. In performing a required visit, the operator is responsible for the entire system and, where applicable, shall follow the O&M manual;
(c) Provide a written or electronic notification to the owner within 24 hours whenever the operator becomes aware that maintenance or repair of the owner's treatment works is necessary;
(d) Report monitoring results to DEQ as required in Part I A 2, Part I B 2, and Part I C 2, as applicable, as well as Part II C, and maintain at the treatment works and provide to the permittee a log of the following items:
(i) Results of all tests and sampling. Note: If sampling is attempted, but no sample was taken or possible, the log shall show all sampling attempts and document and explain why no sample was taken or possible;
(ii) Alarm activation incidents, including the date and time of equipment failure and return to service;
(iii) Maintenance, including the date and amount of disinfection chemicals added to the chlorinator, the date and amount of dechlorination chemicals added if applicable, the date and approximate volume of sludge removed, and date receipts for chemicals and equipment purchased and maintenance performed;
(iv) Corrective or repair activities performed;
(v) Recommended repair or replacement items;
(vi) Copies of all reports prepared by the operator; and
(vii) Sludge or solids removal; and
(e) Conduct an inspection within 48 hours after notification by the owner that a problem may be occurring.

3. All individuals who perform maintenance on discharging systems pursuant to this general permit are required to hold a valid Class IV or higher wastewater works operator license or an alternative onsite sewage system operator license issued by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals. For purposes of this general permit, this requirement is satisfied where an individual is directly supervised by and under the direction of a licensed operator who remains responsible for such maintenance.

4. Compliance recordkeeping under Part I A, Part I B, and Part I C.

a. The quantification levels (QL) shall be less than or equal to the following concentrations:

Effluent Parameter	Quantification Level
BOD_5	2 mg/l
$cBOD_5$	2 mg/l
Ammonia as N	0.20 mg/l
Total Phosphorus	0.10 mg/l
TSS	1.0 mg/l
Chlorine	0.10 mg/l

The QL is defined as the lowest concentration used to calibrate a measurement system in accordance with the procedures published for the test method.

b. Recording results. Any concentration data below the QL used in the analysis shall be recorded as "<QL" if it is less than the QL in subdivision 4 a of this subsection. Otherwise the numerical value shall be recorded.

c. Monitoring results shall be recorded using the same number of significant digits as listed in the permit. Regardless of the rounding convention used by the permittee (e.g., 5 always rounding up or to the nearest even number), the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

5. The discharges authorized by this permit shall be controlled as necessary to meet water quality standards.

Part II
Conditions Applicable to All VPDES Permits

A. Monitoring.
1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will ensure accuracy of measurements.
4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45 (Certification for Noncommercial Environmental Laboratories) or 1VAC30-46 (Accreditation for Commercial Environmental Laboratories).

B. Records.
1. Records of monitoring information shall include:
   a. The date, exact place, and time of sampling or measurements;
   b. The individuals who performed the sampling or measurements;
   c. The dates and times analyses were performed;
   d. The individuals who performed the analyses;
   e. The analytical techniques or methods used; and
   f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.

C. Reporting monitoring results. Monitoring results under this permit must be submitted consistent with the requirements in Part I A 2, Part I B 2, and Part I C 2, as applicable.
1. Monitoring results submitted to the department shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the department. Following notification from the department of the start date for the required electronic submission of monitoring reports, as provided for in 9VAC25-31-1020, such forms and reports submitted after that date shall be electronically submitted to the department in compliance with this section and 9VAC25-31-1020. There shall be at least three months' notice provided between the notification from the department and the date after which such forms and reports must be submitted electronically.
2. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted on the DMR or reporting form specified by the department.
3. Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information that the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage under this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from the discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department, upon request, copies of records required to be kept by this permit.

E. Compliance schedule reports. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized discharges. Except in compliance with this permit, or another permit issued by the board, it shall be unlawful for any person to:
   1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
   2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, to animal or aquatic life, to the use of such waters for domestic or industrial consumption, for recreation, or for other uses.

G. Reports of unauthorized discharges. Any permittee that discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F, or that discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department within five days of discovery of the discharge. The written report shall contain:
   1. A description of the nature and location of the discharge;
   2. The cause of the discharge;
   3. The date on which the discharge occurred;
   4. The length of time that the discharge continued;
   5. The volume of the discharge;
   6. If the discharge is continuing, how long it is expected to continue;
   7. If the discharge is continuing, what the expected total volume of the discharge will be; and
   8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

   Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include any discharge resulting from:
   1. Unusual spillage of materials resulting directly or indirectly from processing operations;
   2. Breakdown of processing or accessory equipment;
   3. Failure or taking out of service some or all of the treatment works; and

4. Flooding or other acts of nature.

I. Reports of noncompliance.
   1. The permittee shall report any noncompliance that may adversely affect state waters or may endanger public health.
      a. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information that shall be reported within 24 hours under this subdivision:
         (1) Any unanticipated bypass; and
         (2) Any upset that causes a discharge to surface waters.
      b. A written report shall be submitted within five days and shall contain:
         (1) A description of the noncompliance and its cause;
         (2) The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
         (3) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.
   2. The permittee shall report all instances of noncompliance not reported under Part II I 1, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 1.
   3. The immediate (within 24 hours) reports required in Part II G, H, and I may be made to the department's regional office. Reports may be made by telephone, FAX, or online at https://portal.deq.virginia.gov/prep/Report/Create. For reports outside normal working hours, a message may be left and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Management maintains a 24-hour telephone service at 1-800-468-8892.
   4. Where the permittee becomes aware that it failed to submit any relevant facts in a permit registration statement or submitted incorrect information in a permit registration statement or in any report to the department, it shall promptly submit such facts or information.

J. Notice of planned changes.
   1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
      a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
         (1) After promulgation of standards of performance under § 306 of the Clean Water Act (33 USC § 1251 et seq.) that are applicable to such source; or
         (2) After proposal of standards of performance in accordance with § 306 of the Clean Water Act that are applicable to such source, but only if the standards are promulgated in accordance with § 306 within 120 days of their proposal;
      b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
      c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or of disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
   2. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

K. Signatory requirements.

1. Registration statement. All registration statements shall be signed as follows:
   a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or other actions taken to gather complete and accurate information for permit registration requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
   b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
   c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) the chief executive officer of the agency or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits and other information requested by the board shall be signed by a person described in Part II K 1 or by a duly authorized representative of that person. A person is a duly authorized representative only if:
   a. The authorization is made in writing by a person described in Part II K 1;
   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and
   c. The written authorization is submitted to the department.
3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the department prior to or together with any reports or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Part II K 1 or 2 shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action or for permit coverage termination; or for denial of a permit coverage renewal.

The permittee shall comply with effluent standards or prohibitions established under § 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under § 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to reapply.

1. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, and the permittee does not qualify for automatic permit coverage renewal, the permittee shall submit a new registration statement, or for an individual single family dwelling a combined application, at least 60 days before the expiration date of the existing permit, unless permission for a later date has been granted by the board. The board shall not grant permission for registration statements or combined applications to be submitted later than the expiration date of the existing permit.
2. A permittee qualifies for automatic permit coverage renewal and is not required to submit a registration statement, or for an individual single family dwelling a combined application, if:
   a. The ownership of the treatment works has not changed since this general permit went into effect on August 2, 2021, or, if the ownership has changed, (i) a new registration statement or for an individual single family dwelling a combined application or (ii) a VPDES Change of Ownership form was submitted to the department by the new owner at the time of the title transfer;
   b. There has been no change in the design or operation, or both, of the treatment works since this general permit went into effect on August 2, 2021;
   c. For treatment works serving individual single family dwellings, the Virginia Department of Health does not object to the automatic permit coverage renewal for this treatment works based on system performance issues, enforcement issues, or other issues sufficient to the board. If the Virginia Department of Health objects to the automatic renewal for this treatment works, the permittee will be notified by the board in writing; and
   d. For treatment works serving buildings or dwellings other than single family dwellings, the board has no objection to the automatic permit coverage renewal for this treatment works based on system performance issues, enforcement issues, or other issues sufficient to the board. If the board objects to the automatic renewal for this treatment works, the permittee will be notified by the board in writing.
3. Any permittee that does not qualify for automatic permit coverage renewal shall submit a new registration statement, or for an individual single family dwelling a combined application, in accordance with Part II M 1

N. Effect of a permit. This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State law. Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to, any other state law or regulation or under authority preserved by § 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U) and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§ 62.144.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also include effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges. Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.
   1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and 3.
   2. Notice.
      a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible, at least 10 days before the date of the bypass.
      b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part III.
   3. Prohibition of bypass.
      a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass, unless:
         (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
         (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
         (3) The permittee submitted notices as required under Part II U 2.
      b. The board may approve an anticipated bypass after considering its adverse effects if the board determines that it will meet the three conditions listed in Part II U 3 a.

V. Upset.
   1. An upset, defined in 9VAC25-31-10, constitutes an affirmative defense to an action brought for noncompliance with technology-based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
   2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed, contemporaneous operating logs, or other relevant evidence that:
      a. An upset occurred and that the permittee can identify the cause(s) of the upset;
      b. The permitted facility was at the time being properly operated;
      c. The permittee submitted notice of the upset as required in Part III; and
      d. The permittee complied with any remedial measures required under Part II S.
   3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and entry. The permittee shall allow the director, or an authorized representative (including an authorized contractor acting as a representative of the administrator), upon presentation of credentials and other documents as may be required by law, to:
   1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
   2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
   3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
   4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

      For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit actions. Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permit coverage. Permits are not transferable to any person except after notice to the department. Coverage under this permit may be automatically transferred to a new permittee if:
   1. The current permittee notifies the department within 30 days of the transfer of the title to the facility or property, unless permission for a later date has been granted by the board;
   2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
   3. The board does not notify the existing permittee and the proposed new permittee of its intent to deny the new permittee coverage under the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2.

Z. Severability. The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

The purpose of this page is to provide you the monitoring requirements specific to the discharge from your facility based on information provided in your Combined Application for the VPDES General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day. Monitoring results for treatment works serving buildings or dwellings other than individual single family dwellings shall be submitted to the department on a Discharge Monitoring Report (DMR). Monitoring results for treatment works serving individual single family dwellings are submitted to the Virginia Department of Health in accordance with 12VAC5-640. Refer to Part I.A.2 and D.2 of the general permit for more specific information regarding effluent monitoring requirements.

These monitoring requirements apply when the receiving stream has a 7Q10 flow < 0.2 MGD, is a fresh water and is not a shellfish water; and the method of disinfection is other than chlorination.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Instantaneous Minimum	Instantaneous Maximum	Frequency	Sample Type
Flow *	NA	NL	1/year	Estimate
pH (Standard Units)	6.0	9.0	1/year	Grab
BOD_5	NA	30 mg/l	1/year	Grab
Total Suspended Solids	NA	30 mg/l	1/year	Grab
Dissolved Oxygen	5.0**	NA	1/year	Grab
E. coli	NA	126/100 ml	1/year	Grab

* The design flow of your treatment facility is less than or equal to 1,000 gallons per day.

** Does not apply when the receiving stream is an ephemeral stream. An ephemeral stream is defined as drainage ways, ditches, hollows, or swales that contain only (i) flowing water during or immediately following periods of rainfall or (ii) water supplied by the discharger. These waterways would normally have no active aquatic community.

COMBINED APPLICATION

Virginia Department of Health Discharging System Application
For Single Family Dwellings Discharging Sewage Less Than or Equal To 1,000 Gallons per Day
and
State Water Control Board Virginia Pollutant Discharge Elimination System
General Permit Registration Statement For
Domestic Sewage Discharges Less Than or Equal to 1,000 Gallons Per Day

PART A. General Information

Types of Application: X New, _____ Repair, _____ Modification, _____ Expansion

James City County or City Health Department Date: December 4, 2025

Name of Facility/Residence: Logan
Street Address 190 Jolly Pond Rd
City, State, Zip Williamsburg, VA 23188-7319
Day Phone: _____ Cell: _____

Owner(s) of Facility/Residence: David & Haley Logan
Street Address 190 Jolly Pond Rd
City, State, Zip Williamsburg, VA 23188-7319
Day Phone: (734) 639-0492 Cell: _____
Email Address: haley.lauckem@gmail.com

Agent (if applicable): Soils Inc.
Street Address 8331 W. Main Street
City, State, Zip Marshall, VA 20115
Day Phone: 540-364-1122 Cell: _____

Tax Map#: 3110100006 Subdivision: _____ Sect/Block: _____ Lot #: _____
Size of Parcel: 0.836 Acres. _____ Proposed Use (# of bedrooms): 4, conditional to 6 occupants
Proposed volume of discharge (gallons per day): 450 gpd _____

If the discharge is to a wetland, attach the statement from the Army Corps of Engineers confirming the wetland delineation.

		YES	NO
1.	Are central sewage facilities available to this site/facility? If yes, explain:	_____	X
2.	Does the residence/facility (existing or proposed) currently have an existing VPDES permit? If yes, please provide the VPDES permit number:	_____	X
3.	Will any pollutants other than domestic sewage be treated or discharged? If yes, please indicate what:	_____	X
4.	Is this application for a system to replace a failing septic system?	X	_____

5. Discharge permits can only be issued to sites with no onsite solution in accordance with 12VAC5-640

   Attach a copy of the onsite sewage permit denial.

   OSE/PE: Markham D. Smith Date of Denial: 4/17/2025 PE/OSE License #: 1940001392

I hereby give permission to the Health Department to enter onto the above referenced property for the purpose of processing this application. I certify that the property lines and the proposed location of the treatment system. discharge point, proposed structures. water supplies. utilities, easements, are clearly marked and the property is sufficiently clear to see the topography.

Haley Logan DC
Signature of Property Owner

12/5/2025
Date

PART B. Site Evaluation

		YES	NO	N/A
6.	Will discharge be directly to a year-round, all-weather stream? If so Name of Proposed Receiving Stream: _____		X	
7.	If discharge is to an intermittent stream or to a dry ditch, how far will discharge flow before leaving this property? 270 ft.			
		YES	NO	N/A
8.	If discharge is to an intermittent stream, a dry ditch, or a wetland, and discharge will flow less than 500 feet on this property, can an easement be obtained in accordance with 12 VAC 5-640-370?		X	
		YES	NO	
9.	If discharge is to an intermittent stream or to a dry ditch, is the slope ≥ 1% for all of the fifty foot segments?	X		
10.	Is the average slope ≥ 2%?	X		
11.	In the first 500 feet will the path of wastewater flow within 100 feet of any well or domestic water supply?		X	
12.	Are there any springs used for human consumption within 1500 feet downstream, or 100 feet upstream of the discharge point?		X	
13.	Is there any public water supply intake within one mile downstream of the proposed discharge point?		X	
14.	Are there any public swimming areas designated for public use or prohibited discharge areas within one mile downstream from the proposed discharge point?		X	
15.	Is the receiving stream classified as, or does it discharge to, shellfish waters?		X	
16.	Are there any other existing or proposed VPDES discharges within 500 feet of this proposed discharge point along the flow path?		X	
17.	Will any part of the proposed treatment system (excluding the discharge pipe and any aeration steps) be located within the 100 year flood plain?		X	
18.	Will any part of the proposed treatment system (excluding the discharge pipe and any aeration steps) be located in a topographically low, wet, or swampy area?		X	
19.	Will the building served by this system be used intermittently, or be subject to frequent electrical power interruptions?		X	
20.	Provide verification that this proposed activity is consistent with all local ordinances adopted pursuant to Title 15.2 of the Code of Virginia including wetlands.	X		

21. How will the discharge be disinfected? Circle one: Chlorine; Ultraviolet radiation; Other_____

PART C. Site Sketch

PLEASE ATTACH A SITE SKETCH TO THIS APPLICATION SHOWING:

1) A survey plat with topographic contour, and the location of existing structures, easements, utilities, water supplies, and springs should be provided by the owner. Other information referenced in this application is to be plotted on the survey plat.

2) Directions to and boundaries of the property.

3) The specific location of the property including the county tax map number (where available), a copy of the United States Geological Survey 7.5 minute topographic map showing the discharge point and downstream for five miles.

4) The location and distance to any existing or proposed buildings, wells, sewage treatment systems, VPDES discharges, water sources, water lines, easements, or utilities within 600 feet of any part of the proposed sewage disposal system. Indicate the discharge point, property boundaries, limestone outcrops and wells within 500 feet.

5) The important topographic features of the site (drainways, sinkholes, ponds, lakes, streams) including the limits of the 100-year flood plain.

6) The path of wastewater flow to the receiving year-round stream.

7) A diagram of the existing or proposed sewage treatment system, including the location of the residence/facility and the individual sewage treatment units.

8) The elevation of the discharge point and the elevation and slope every 50 feet for 500 feet downstream along the discharge path. Also include the slope of the channel sides every 50 feet for 500 feet downstream along the discharge path.

9) The latitude and longitude of the proposed discharge point in degrees, minutes, and seconds.

Certification:

To the best of my knowledge the information provided on the site sketch and the site evaluation are accurate.

Site Summary: Discharge Point Type: Dry Ditch

Easement Required? No (VDOT R/W)

Site Evaluation and Site Sketch prepared by: Wayne A. Savage Date: 12/4/2025

VDH Site Evaluation Concurrence by: _____ Date: _____

PART C. Permissions

As the applicant for a construction permit on the above referenced property, I certify that, to the best of my knowledge, the above information and the attached site sketch and topographic map are true, correct, and complete. I understand that if the department finds a satisfactory site in response to this application that I will be required to submit construction permit application and plans and specifications for the treatment system prepared by an engineer and, certified copies of any necessary easements

Wayne A. Savage — 12/4/2025

Signature of Applicant — Date

As the applicant for an alternative discharging system construction and operations permit on the above referenced property, I hereby give permission to the Health Department, or their authorized agent, to enter onto the above referenced property for the purpose of inspecting the construction of and monitoring the operation and quality of effluent from my sewage treatment plant.

Wayne A. Savage — 12/4/2025

Signature of Applicant — Date

Department of Environmental Quality Certification

I hereby grant to duly authorized agents of the Department of Environmental Quality, upon presentation of credentials, permission to enter the property where the treatment works is located for the purpose of determining compliance with or the suitability of coverage under the General Permit. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

Wayne A. Savage — 12/4/2025

Signature of Applicant — Date

PART D. CERTIFICATION

I understand that I am responsible for contracting with a licensed operator to conduct all operation, maintenance, monitoring, and reporting for this permitted wastewater treatment system in accordance with 12VAC5-640. I certify that this system will be maintained by a licensed operator in accordance with 12VAC5-640.

Wayne A. Savage — 12/4/2025

Signature of Applicant — Date

INSPECTION:

A PRE-CONSTRUCTION MEETING IS REQUIRED PRIOR TO INSTALLATION OF ANY OF THE SEPTIC COMPONENTS, UNLESS WAIVED BY OUR OFFICE. SOILS, INC. SHALL BE NOTIFIED AT LEAST 72-HOURS PRIOR TO THE PLANNED INSTALLATION DATE TO SCHEDULE THE PRE-CONSTRUCTION MEETING.

CONTRACTOR TO NOTIFY ENGINEER 24 HOURS AHEAD OF COMPLETION OF DRAINBED BASE PRIOR TO PLACING SAND OR AGGREGATE.

SYSTEM USE:

KEEP DAILY WASTEWATER FLOW WITHIN DESIGN PARAMETERS.

INTRODUCE ONLY NORMAL RESIDENTIAL WASTEWATER INTO THE SYSTEM:

- SOLVENTS, PAINTS, PHARMACEUTICALS, AGGRESSIVE CLEANING PRODUCTS, AND NON-BIODEGRADABLE ITEMS SHOULD NOT BE INTRODUCED INTO THE SYSTEM
- SOLIDS, SUCH AS, BUT NOT LIMITED TO, CIGARETTE BUTTS, DIAPERS, FEMININE HYGIENE PRODUCTS, CAT LITTER, AND PAPER TOWELS SHOULD NOT BE INTRODUCED INTO THE SYSTEM
- MAINTAIN LEAK-FREE DWELLINGHOLD PLUMBING FIXTURES, SUCH AS FAUCETS AND TOILETS
- DO NOT USE A GARBAGE DISPOSAL.
- DO NOT PUT FATS, OILS OR GREASE INTO THE SYSTEM
- FLOOR DRAINS FROM GARAGE AND WORKROOMS SHOULD BE DIVERTED AWAY FROM THE SEPTIC SYSTEM

SURFACE DRAINAGE:

- DIVERT DOWNSPOUTS, ROOF DRAINAGE, DRIVEWAY RUNOFF, AND SUMP PUMP DISCHARGE AWAY FROM THE DRAINFIELD.
- DO NOT INSTALL IRRIGATION SYSTEMS IN VICINITY OF DRAINFIELD OR TANKS.
- DO NOT DIG IN THE DRAINFIELD OR BUILD ANYTHING OVER IT.
- DO NOT DRIVE OVER ANY PORTION OF THE SYSTEM (TANK, PIPING, DRAINFIELD) EXCEPT FOR NORMAL YARD TRAFFIC, I.E., LAWN MOWERS.
- DO NOT PLANT TREES NEAR ANY PORTION OF YOUR SYSTEM.

WATER TREATMENT EQUIPMENT:

BACK FLUSH FROM WATER TREATMENT SYSTEMS, HOT TUBS AND SWIMMING POOLS, ETC. SHOULD NOT BE DISCHARGED INTO THE SEWER SYSTEM LEADING TO THE SEPTIC TANK AND DRAINFIELD. THE DRAINFIELD IS NOT SIZED FOR THIS TYPE OF DISCHARGE.

SANITARY SURVEY STATEMENT:
THERE ARE NO WELLS OR SPRINGS THAT WOULD IMPACT THE LOCATION OF THE PROPOSED DRAINFIELD OR TREATMENT UNITS WITHIN THE DISTANCES REQUIRED BY THE VIRGINIA SEWAGE DISPOSAL & HANDLING REGULATIONS.

MISS UTILITY

BEFORE YOU DIG CALL
811 IN VIRGINIA OR
1-800-552-7001
PROTECT YOURSELF, GIVE THREE
WORKING DAYS NOTICE

Soils, Inc., makes no representation as to the existence or non-existence of any utilities at the construction site. Shown on these construction drawings are those utilities which have been identified. It is the responsibility of the landowners or operators and contractors to assure themselves that no hazard exists or damage will occur to utilities.

VICINITY MAP
SCALE: 1"= 2000'

TREATMENT SYSTEM AND ABSORPTION AREA SHOWN HEREON ARE BASED ON EXHIBIT SHOWING EXISTING CONDITIONS BY SEBERT SURVEYING & LAYOUT, LLC DATED MARCH 10, 2025. CONTRACTOR TO CONFIRM LOCATION WITH ENGINEER PRIOR TO COMMENCING CONSTRUCTION.

TABLE OF CONTENTS

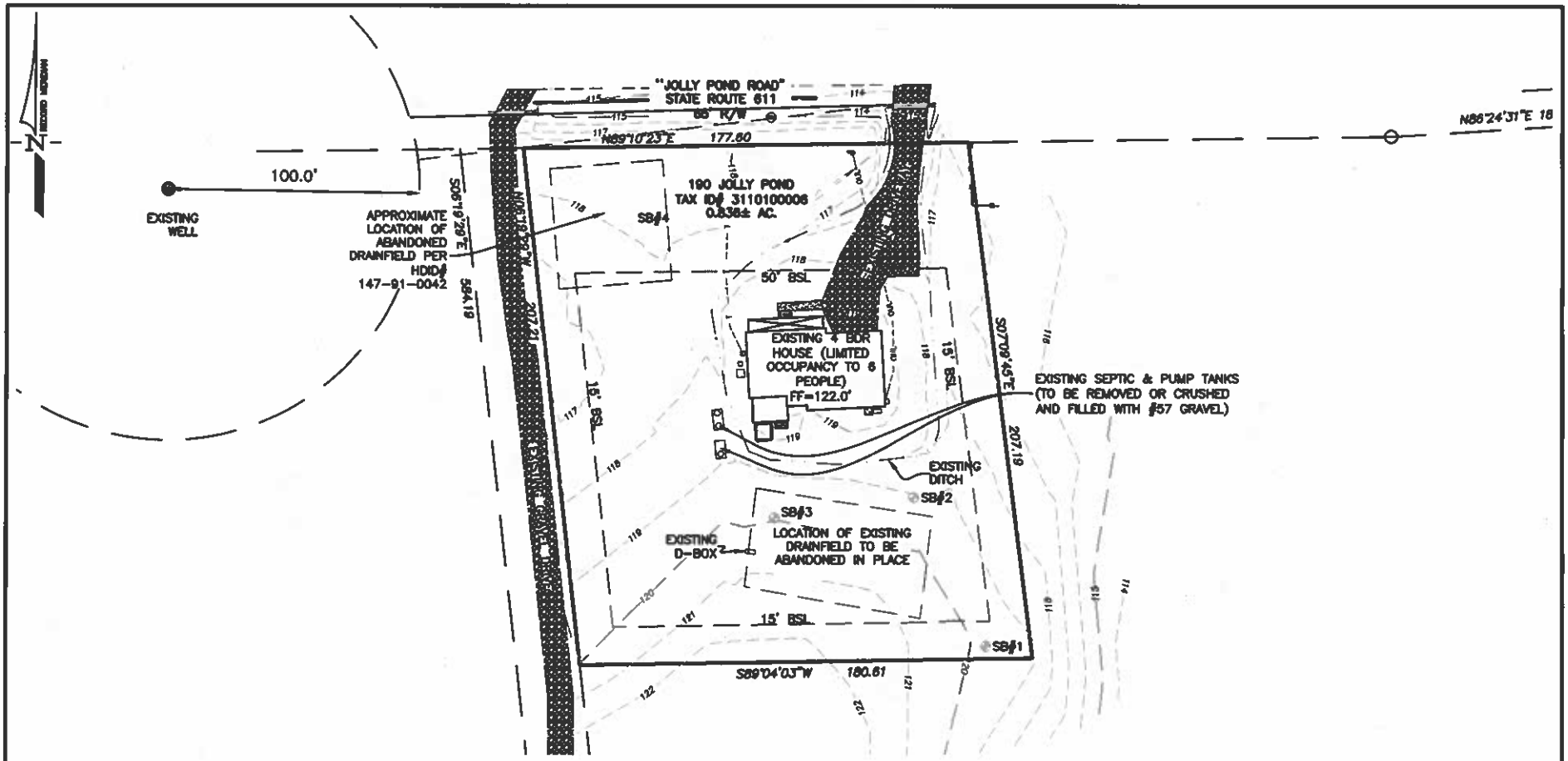
SHEET 1	COVER SHEET
SHEET 2	EXISTING CONDITIONS
SHEET 3	PROPOSED LAYOUT
SHEET 4	DETAILED LAYOUT
SHEET 5	HYDRAULIC PROFILE
SHEET 6	TREATMENT TANK DETAIL
SHEET 7&8	ADVANTEX AX 20 SPECIFICATION SHEETS
SHEET 9	TREATMENT TANK DETAILS
SHEET 10	UV DETAIL
SHEET 11	PUMP TANK DETAILS
SHEET 12	PUMP DETAIL
SHEET 13	VERICOMM CONTROL PANEL
SHEET 14	WATER METER SPECIFICATIONS
SHEET 15	POST AERATION DETAILS
SHEET 16	DOWNSTREAM MAP

COMMONWEALTH OF VIRGINIA
Wayne A. Savage
WAYNE A. SAVAGE
Lic. No. 56830
12-04-2025
PROFESSIONAL ENGINEER

COVER SHEET

SOILS INC.
8331 WEST MAIN ST, MARSHALL, VA 20115
P.844.447.SOIL (7645) F.540.364.2060

PROJECT: 190 JOLLY POND RD
DATE: 9/15/2025 JOB #T5826
REV: 10/09/2025 12/4/2025
GPIN OR TM #: 3110100006
COUNTY/STATE: JAMES CITY COUNTY, VA



EXISTING CONDITIONS

PAGE 2

SOILS INC.
8331 WEST MAIN ST. MARSHALL, VA 20115
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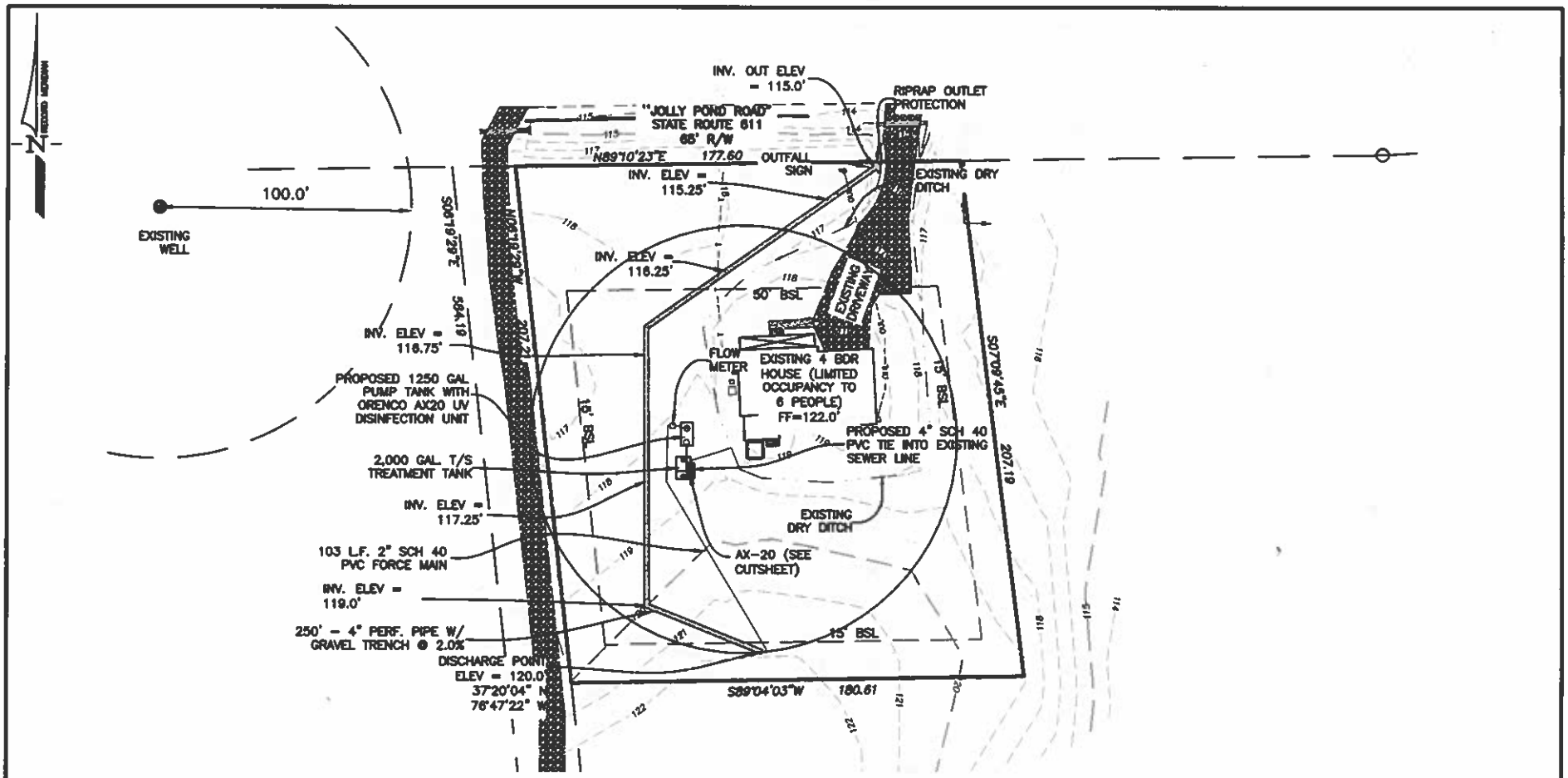

NOTES:

1. MAINTAIN 10' MIN. SEPARATION BETWEEN TREATMENT SYSTEM, WATER LINE AND BUILDINGS.
2. MAINTAIN MIN 50' SEPARATION BETWEEN WELL AND TREATMENT SYSTEM AND FORCEMAIN.
3. MAINTAIN 10' MIN. SEPARATION BETWEEN TREATMENT SYSTEM AND PROPERTY LINES.
4. INSTALL DURING DRY WEATHER CONDITIONS.
5. THE LOCATION OF ALL EXISTING UTILITIES MAY OR MAY NOT BE SHOWN; ALL LOCATIONS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL EXISTING UTILITIES TO HIS SATISFACTION PRIOR TO EXCAVATION. THE CONTRACTOR SHALL PROVIDE PROPER NOTIFICATION TO "MISS UTILITY" (800-552-7001) PRIOR TO COMMENCEMENT OF CONSTRUCTION.

COMMONWEALTH OF VIRGINIA
Wayne A. Savage
WAYNE A. SAVAGE
Lic. No. 56830
12-04-2025
PROFESSIONAL ENGINEER

0 40 80 120

SCALE: 1" = 40'

PROPOSED LAYOUT

PAGE 3

SOILS INC.
8331 WEST MAIN ST. MARSHALL, VA 20115
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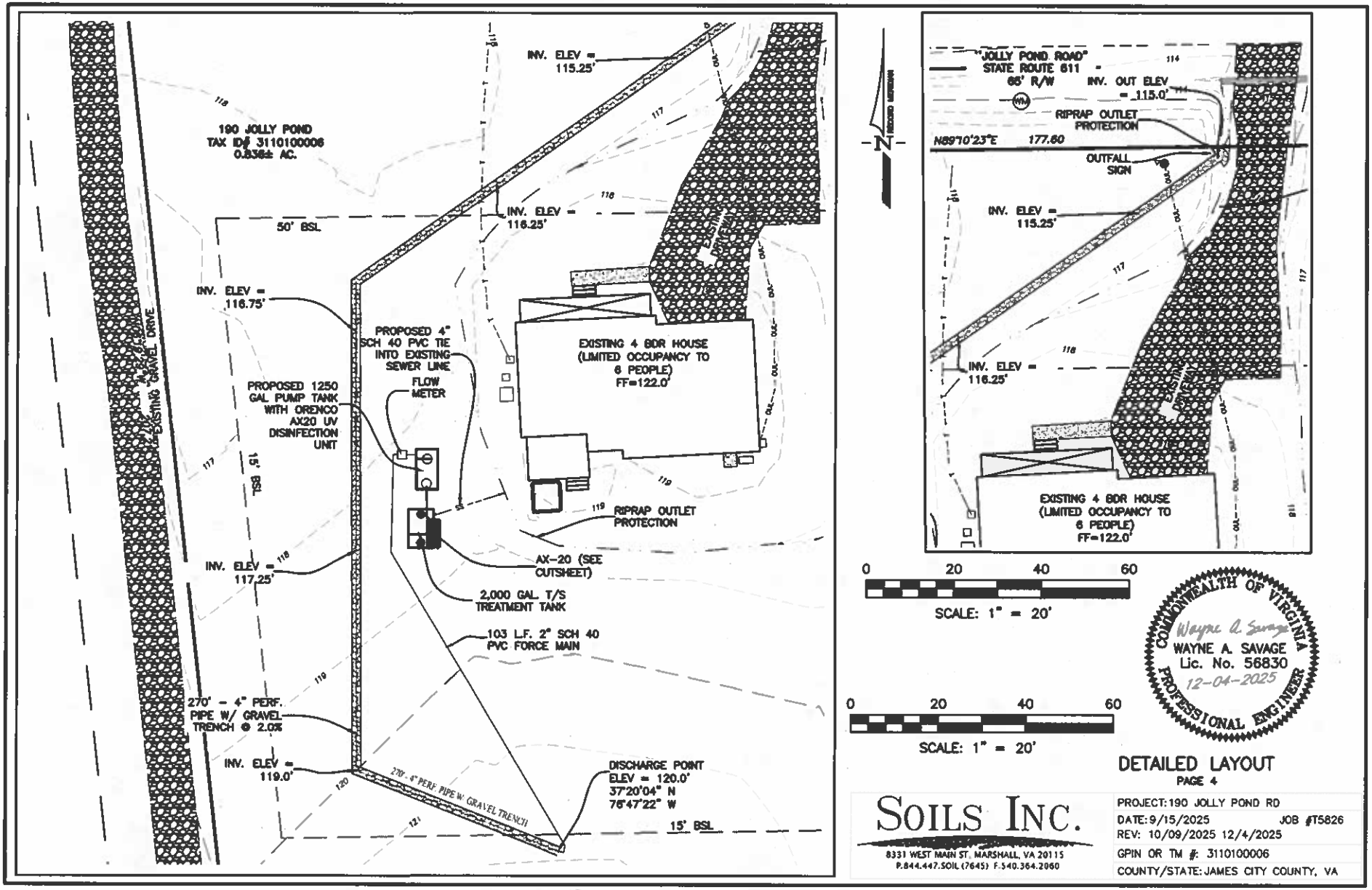

COMMONWEALTH OF VIRGINIA
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12-04-2025
PROFESSIONAL ENGINEER

DETAILED LAYOUT

PAGE 4

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8331 WEST MAIN ST. MARSHALL, VA 20115
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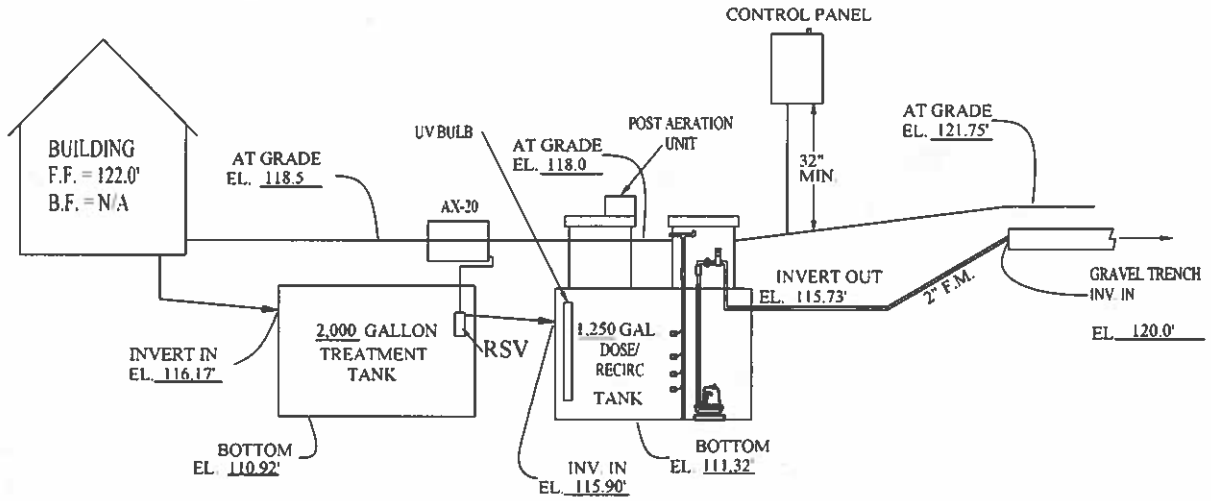

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HYDRAULIC PROFILE

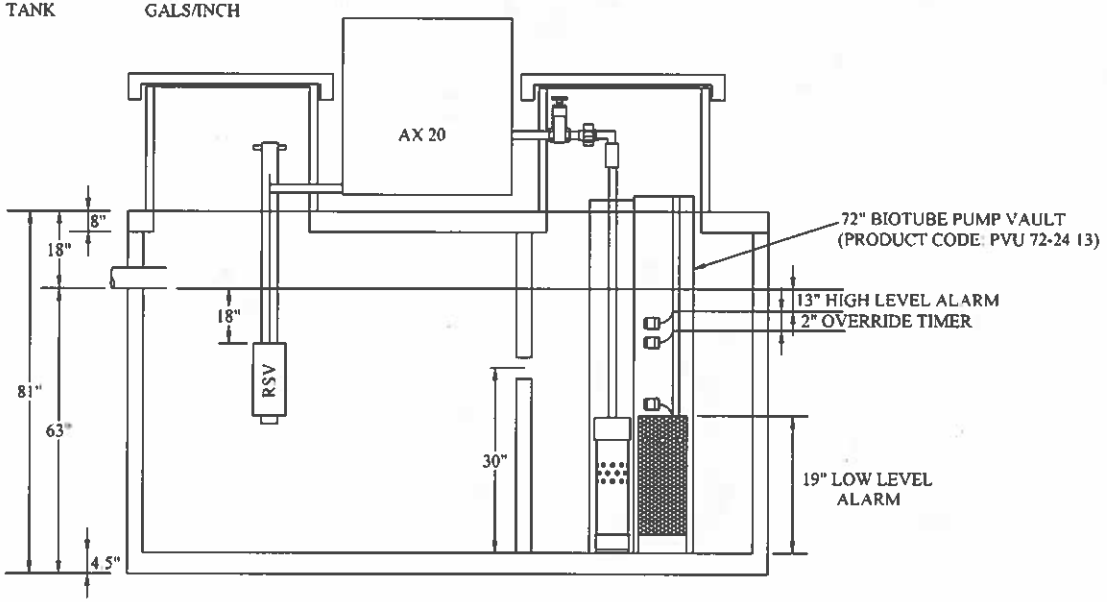
PAGE 5

SOILS INC.
8331 WEST MAIN ST. MARSHALL, VA 20115
P.844.447.SOIL (7645) F.540.364.2060

PROJECT: 190 JOLLY POND RD	
DATE: 9/15/2025	JOB #T5826
REV: 10/09/2025 12/4/2025	
GPIN OR TM #: 3110100006	
COUNTY/STATE: JAMES CITY COUNTY, VA	

ANY APPROVED PRECAST TOP SEAM
TANK MANUFACTURER

2,000 GALLON TREATMENT TANK 36.36 GALS/INCH



EMERGENCY STORAGE PROVIDED:
HIGH LEVEL ALARM TO TANK INLET IS 13"
13" * 36.36 GPI = 472.7 GAL OF EMERGENCY STORAGE.

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TREATMENT TANK DETAIL

PAGE 6

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GPIN OR TM #: 3110100006
COUNTY/STATE: JAMES CITY COUNTY, VA

Orenco WATER *Technical Data Sheet*

AdvanTex® AX20 Textile Filter

Applications

Orenco's AdvanTex AX20 Treatment System is an innovative technology for onsite treatment. The heart of the system is the modular AdvanTex AX20 filter, a sturdy, watertight basin filled with an engineered textile material. This lightweight, highly absorbent textile material treats a tremendous amount of wastewater in a small space.

AdvanTex AX20 Textile Filter

Features/Specifications

To specify this product, require the following:

- Non-skid lid surface
- Easily removable and serviceable fixed-film textile media (a polyester plastic), operated in an unsaturated condition
- Consistent media quality
- Completely serviceable manifold
- Watertight construction and corrosion-proof materials
- Multiple inlet and vent locations available for flexible orientation of the unit
- Foam core lid with insulation value of R-6 (RSI-1.1)

Product Code Diagram

AX 20 - [ ] - [ ]

- Application options: Blank = Residential (includes Alt VENT adp); COM = Commercial (includes antibuoyancy flanges only)
- Lid color options: Blank = Green; B = Brown
- 20ft² (1.9m²) nominal treatment area
- AdvanTex® Treatment System

Related Information

See *AdvanTex Air Vents Technical Data Sheet*, NTD-ATX-VENT-1 for information on air vents.

Physical Specifications*

Filter basin length, in (mm)	91 (2311)
Width, in (mm)	40 (1016)
Height, in (mm)	31 (787)
Area (footprint), ft² (m²)	20 (1.85)
Filter dry weight, lb (kg)	383 (174)

* Nominal values provided. See AdvanTex Treatment System drawings for exact dimensions.

NSF *AdvanTex Treatment Systems are listed to NSF/ANSI Standards 40 and 245 for Class I Systems.*

All product and performance assertions are based on proper design, installation, operation, and maintenance according to Orenco's current published documentation.

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ADVANTEX AX20 SPECIFICATION SHEETS
PAGE 7

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GPIN OR TM #: 3110100006
COUNTY/STATE: JAMES CITY COUNTY, VA

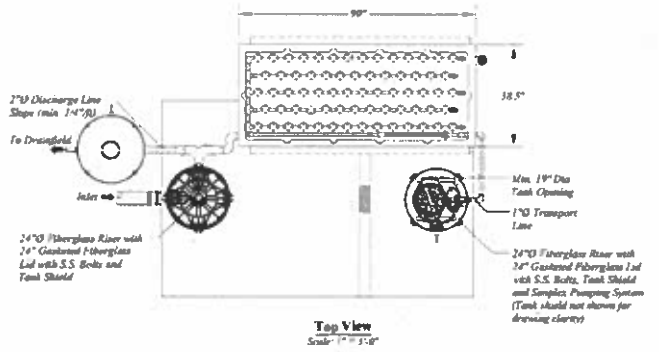
AdvanTex® AX20 Mode 3B

Design Notes

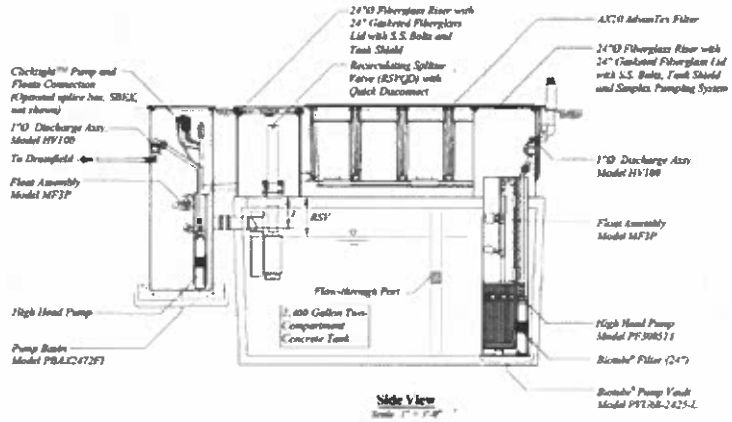
For residential strength waste up to 4 bedrooms.

Installation to be performed by an AdvanTex Authorized Installer only

Start up and service to be performed by an AdvanTex Authorized Service Provider only

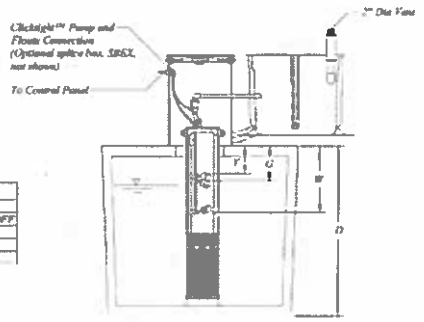


Top View
Scale: 1" = 3'-0"



Side View
Scale: 1" = 3'-0"

Float Functions	
H	High Level Alarm
O	Override Timer ON/OFF
M	LLARM
B	Pump On
B	Pump Off



End View
Scale: 1" = 3'-0"

Orenco SYSTEMS	© Orenco Systems, Inc. Portions of all of the Proposed System Configuration Drawing as appropriate, may be reproduced and integrated into the site-specific layout and configuration of a system by its designer	Disclaimer: The Proposed System Configuration Drawing is provided solely as a design aid and illustrates one possible configuration of a system that would comply with Orenco's design criteria for the requirements and/or specifications that have been communicated to Orenco (based on third-party standards, testing protocols and performance reports, as applicable). Design customers, including the actual layout and configuration of the system and its viability for the project, are at the sole discretion of the customer's designer	AX20 Mode 3B	Drawn By: BAS	Scale: 1" = 3'-0"
				Reviewed By:	Sheet: 1 OF 1
			Design Aid	File name: NDM-ATX-BNDR-6.DWG	Rev: 6.0 Date: 9/23/2022

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ADVANTEX AX20 SPECIFICATION SHEETS
PAGE 8

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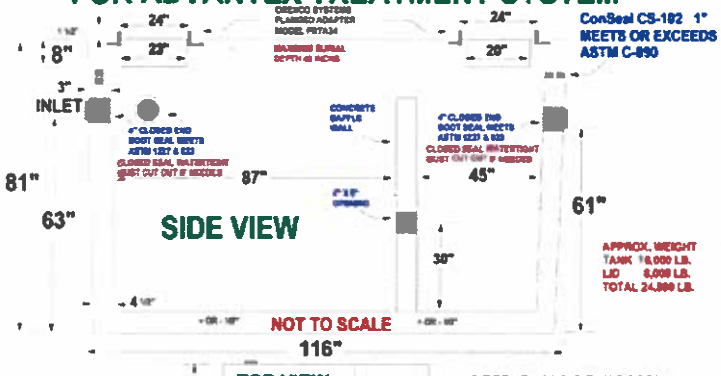
Hanover PRECAST

2000 GALLON TOP SEAM BAFFLED TANK
FOR ADVANTEX TREATMENT SYSTEM



ConSeal CS-102 1" MEETS OR EXCEEDS ASTM C-990

APPROX. WEIGHT
TANK 18,000 LB.
LID 6,000 LB.
TOTAL 24,000 LB.

INLET 4" CLOSED END BOOT SEAL MEETS OR EXCEEDS ASTM 1227 (10 PSI) AND ASTM 923 (13 PSI)

5 REBAR 12" O/C B/W BOTTOM AND SIDES. TOP HAS #5 REBAR 5000 PSI CONCRETE WITH FIBER FOR SECONDARY REINFORCMENT

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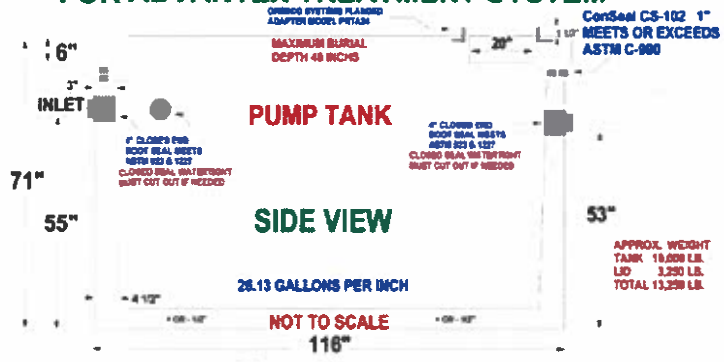
Hanover PRECAST

1250 GALLON TOP SEAM PUMP TANK
FOR ADVANTEX TREATMENT SYSTEM



ConSeal CS-102 1" MEETS OR EXCEEDS ASTM C-990

APPROX. WEIGHT
TANK 10,000 LB.
LID 3,250 LB.
TOTAL 13,250 LB.

INLET & OUTLET HAVE 4 INCH CLOSED END BOOT SEALS MEETS OR EXCEEDS ASTM 1227 (10 PSI) & ASTM 923 (13 PSI)

4 REBAR 12" O/C B/W BOTTOM AND SIDES. TOP HAS #5 REBAR 5000 PSI CONCRETE WITH FIBER FOR SECONDARY REINFORCMENT

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TANK DETAILS
PAGE 9

SOILS INC.
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PROJECT: 190 JOLLY POND RD
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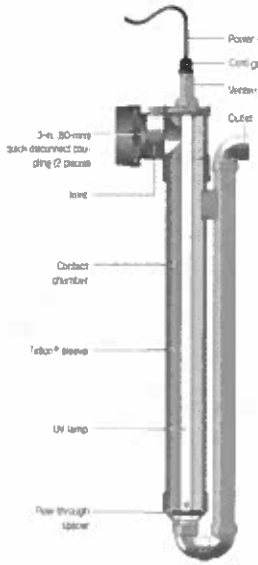
COUNTY/STATE: JAMES CITY COUNTY, VA

Orenco Technical Data Sheet

Orenco® AXUV Disinfection Unit

Applications

The Orenco® AXUV Disinfection Unit is designed for use in residential applications after advanced secondary treatment (10 mg/L cBOD$_5$/TSS) by an AdvanTex® Treatment System when disinfection is required before disposal. It requires installation inside a pump or gravity discharge basin or in a separate tank following an AdvanTex Treatment System. AXUV units can be also be mounted in the AX20-RT Treatment System.



AXUV Disinfection Unit, Cutaway View

UL-recognized

General

Treated effluent flows by gravity through the contact chamber and around the UV lamp where it is disinfected in a 360-degree contact zone. The unit uses no chemicals and has no moving parts. It requires annual cleaning and lamp replacement.

In side-by-side NSF® testing, the AXUV reduced bacteria by 99.999% (5 logs), meeting or exceeding the performance of other residential UV disinfection units.

For protection, the power ballast and lamp current sensor for the AXUV disinfection unit are housed in either an Orenco MVP™ digital control panel or a VeriComm™ remote telemetry control panel. These panels prevent discharge of non-disinfected effluent due to lamp failure or control panel failure. The current sensor monitors lamp function and, in the event of lamp failure, the discharge pump is automatically disabled. With MVP-equipped systems, an audible and visible alarm is activated. With VeriComm equipped systems, an e-mail alert is sent to the Service Provider.

Features/Specifications

- UL-recognized for US and Canada
- Bacteria reduced by 99.999% (5 logs)
- Flow path designed for maximum contact time between effluent and lamp
- Teflon sleeve to protect lamp and minimize buildup and service intervals
- Quick-disconnect fitting for easy inspection and unit cleaning
- Power ballast and lamp current sensor housed in a control panel (not a tank or riser) to minimize corrosion and failure due to environmental exposure
- Components designed to work together with AdvanTex Treatment Systems — no piecemeal disinfection assemblies and wiring

Standard Model

AXUV-125/31

Product Code Diagram

AXUV - 125/31 - ☐

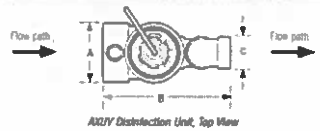
Power cord length
Blank = 25 ft (7.62 m)
60 = 60 ft (18.3 m)

Lamp watts
31 = 31 W (254 nm)

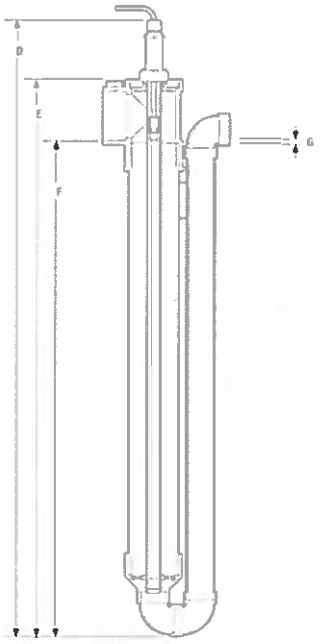
Lamp outlet & cover
125 = 1¼ in (32 mm)

Assembled UV disinfection unit

Orenco Technical Data Sheet



AXUV Disinfection Unit, Top View



AXUV Disinfection Unit, Side Cutaway View

Materials of Construction

Cord grip	Nylon
Contact chamber	3-in. (80-mm) diameter Sch 40 black ABS
Inlet tee	3-in. (80-mm) Sch 40 black ABS
Other fittings	Black ABS
Quick-disconnect coupling	Black ABS
1½ in. PS outlet	Black ABS
Lamp assembly seal	EPDM rubber
Lamp sleeve	Teflon®

Specifications

UV Unit Dimensions, in. (mm)	
A	5.63 (143)
B	18.06 (459)
C	1.50 IPS (40 DN)
D	42.25 (1073)
E	38.16 (970)
F	34.50 (876)
G, inlet-to-outlet tail	0.50 (13)
UV Unit Performance	
Typical contact chamber UV dose (65% transmittance, 25% lamp degradation)	270,000 µW-sec/cm² at 1 gpm (0.06 L/sec) 55,000 µW-sec/cm² at 5 gpm (0.32 L/sec) 28,000 µW-sec/cm² at 10 gpm (0.63 L/sec)
Minimum target dose	30,000–38,000 µW-sec/cm²
Lamp	31 inches (787 mm), 92 VAC, 50 or 60 Hz, 425 mA, 38 W, 254 nm UVC intensity at 1m is 125 µW/cm²
Power cord	600V, 18/2 UL Type TC
Cord plug	UL listed four-pin connector, ferroresonant, electronic discharge, 1,200 V or less
Ballast	120V AC, 50 or 60 Hz located in UL listed Orenco® control panel

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UV DETAILS
PAGE 10

SOILS INC.
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PROJECT: 190 JOLLY POND RD
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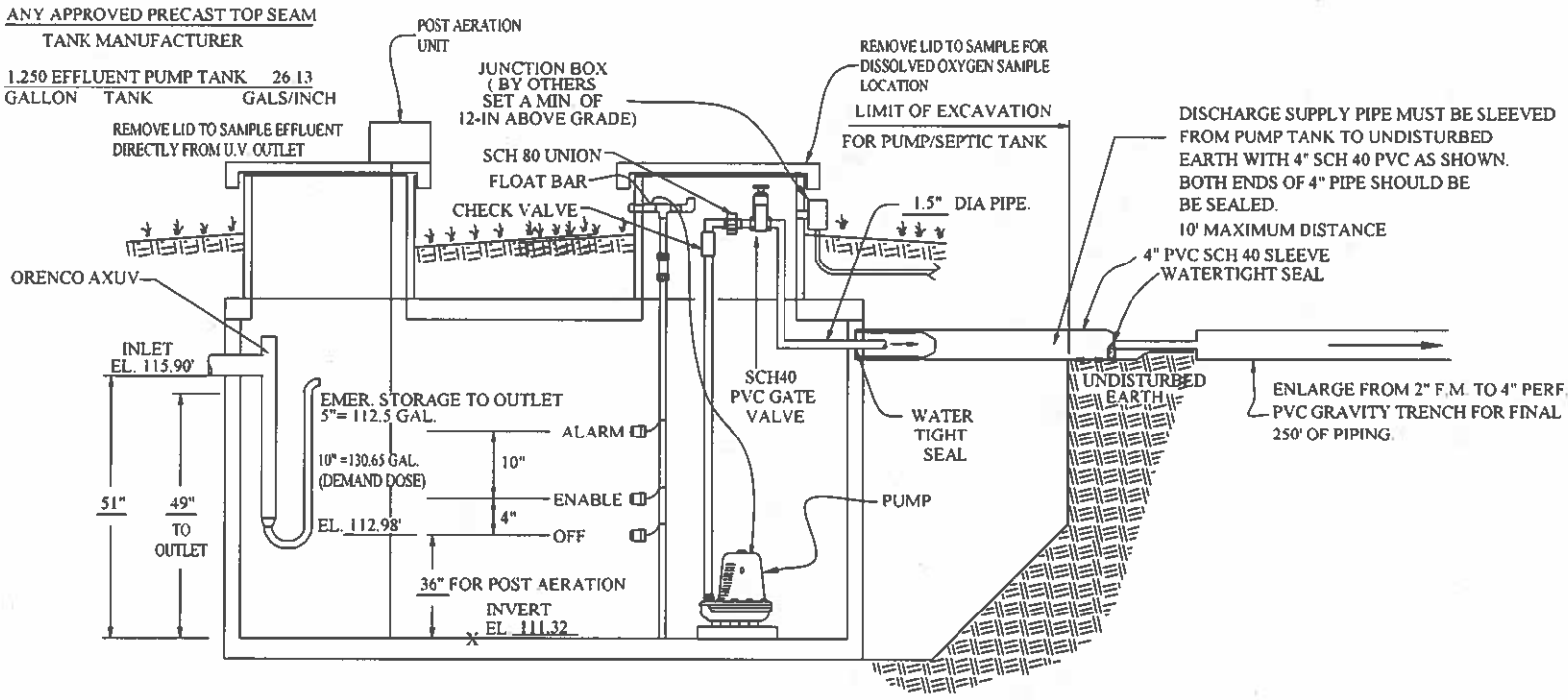

DEMAND DOSING REQUIREMENTS
PUMP - ZOELLER 53 - MIN 21.0 GPM @ TDH OF 9.79 (DOSING)

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PUMP TANK DETAIL

PAGE 11

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Trusted Tested Tough®

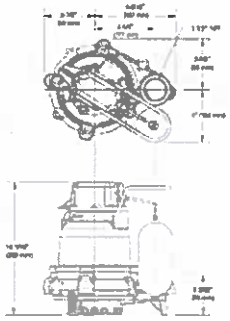
ZOELLER® PUMP COMPANY

TECHNICAL DATA SHEET
MIGHTY-MATE SERIES
Cast Iron Models 53, 57 and Bronze Models 55, 59
Submersible Effluent / Dewatering Pumps

PRODUCT SPECIFICATIONS

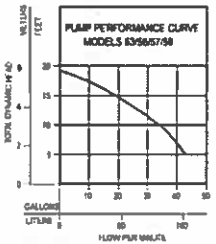
MOTOR	Horse Power	1/2
	Voltage	115 or 230
	Phase	1 Ph
	Hertz	60 Hz
	RPM	3 450
	Type	Shaded pole
	Insulation	Class B
	Amps	4.8 - 9.7
PUMP	Operation	Automatic or manual/on/off
	Auto On/Off Rating	7 1/4" (18.4 cm) / 3" (7.6 cm)
	Discharge Size	1 1/2" NPT
	Solids Handling	1/2" (12 mm) spherical solids
	Cord Length	9' (3 m) as assembled, 30' (9 m) recommended
	Cord Type	UL listed, 3-wire, grounded (SJTO)
	Max. Head	30 ft. (9.2 m)
	Max. Flow Rate	42 GPM (160 LPM)
	Max. Operating Temp.	104° F (40° C)
	Cooling	Oil filled
	Motor Protection	Auto reset thermal overload
MATERIALS	Cap	Cast iron or bronze
	Motor Housing	Cast iron or bronze
	Pump Housing	Cast iron or bronze
	Shaft	Cast iron, bronze or engineered thermoplastic
	Upper Bearing	Sleeve bearing
	Lower Bearing	Sleeve bearing
	Mechanical Seals	Carbon and ceramic
	Impeller Type	Non-clogging vortex
	Impeller	Plastic, cast iron or bronze
	Hardware	Stainless steel
	Motor Shaft	AISI 1213 cold rolled steel
	Gasket	Neoprene

NOTE: See model comparison chart for specific details.



TOTAL DYNAMIC HEAD FEET FLOW PER MINUTE

MODEL		53/55/57/59	
Feet	Meters	Gal.	Liters
5	1.5	43	163
10	3.0	34	128
15	4.6	19	72
Shut-off Head		19.25 ft. (5.9m)	



MODEL COMPARISON

Model	Shell	Mode	Volts	Ph	Amps	HP	Hz	Lbs.	Kg	Stringless	Duplex
53	Single	Auto	115	1	9.7	1/2	60	23	10	-	-
53-1/2	Single	Tran	115	1	9.7	1/2	60	23	10	3	3 & 4
57	Single	Auto	115	1	9.7	1/2	60	28	13	*	-
57-1/2	Single	Auto	230	1	4.8	1/2	60	24 / 32	11 / 15	*	-
59	Single	Auto	230	1	4.8	1/2	60	28	13	*	-
59-1/2	Single	Tran	230	1	4.8	1/2	60	28	13	3	3 & 4
55	Single	Auto	115	1	9.7	1/2	60	28 / 36	13 / 16	1	-
55-1/2	Single	Tran	115	1	9	1/2	60	28 / 36	13 / 16	3	3 & 4
55-230	Single	Auto	115	1	9.7	1/2	60	28	13	-	-
55-1/2-230	Single	Auto	230	1	4.8	1/2	60	28 / 36	13 / 16	-	-
55-1/2-230	Single	Tran	230	1	4.8	1/2	60	28 / 36	13 / 16	3	3 & 4
59-230	Single	Tran	230	1	4.8	1/2	60	28 / 36	13 / 16	3	3 & 4

* Single piggyback switch included

SPECIAL MODEL FEATURES

Submersible cord lengths are available in 10' (3 m), 20' (6 m) and 30' (9 m). 50' (15 m) cord length available for 230 V units only.

SE and SN models include a piggyback variable level float switch.

Model 59 cast iron switch case, motor and pump housing, a plastic impeller and base. Model 57 all cast iron construction with a cast iron impeller. Model 55, bronze switch case, motor and pump housing, a plastic impeller and base. Model 53, bronze construction with a plastic impeller.

Optional pump stand P/N 16 20271.

SELECTION GUIDE

1. Manual float-operated mechanical switch, no external control required.
2. Single piggyback variable level float switch in double piggyback variable level float switch. Refer to Page 17
3. Say PUMP-2 for contact Model of Electrical Alternator
4. Variable level control switch 10 (24) used as a control saver with electrical alternator (3) or (4) float system

⚠ CAUTION: All installation of electrical, pneumatic devices and wiring should be done by a qualified licensed electrician. All electrical and safety codes should be followed including the most recent National Electrical Code (NEC) and the Occupational Safety and Health Act (OSHA).

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Known Flow

Effluent

Sizing ID: 9FM-N36-QZW

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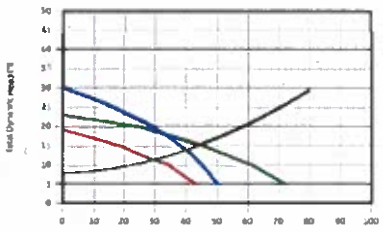

System Curve

GPM	TDH (ft)
0.00	8.00
16.00	9.08
32.00	11.91
48.00	16.28
64.00	22.11
80.00	29.33
96.00	37.90

Flow (GPM)*: 21.00
TDH (ft)*: 9.79
*Per user data

Fittings

Thru Tees	1
Branch Tees	1
45° Elbows	7
90° Elbows	1
Gate Valves	1
Check Valves	2

Curve	Models	Eq. Flow	Eq. Head
	53	29.75	11.42
	57	29.75	11.42
	55	44.36	15.19
	59	39.90	13.68

Pump Specs

Electrical	115 volt, 1 phase, 60 Hertz
Physical	
Discharge Size	1.50" NPT
Pipe Size	2.00"
Pipe Length (ft)	150.0000
Pipe Type	Plastic
Solids Handling (in.)	0.5
Static Head (ft)	8.0000
Discharge Pressure	0 PSI

By registering on this site, user acknowledges that Zoeller Company is not responsible for inaccurate pump sizing or misapplication due to incorrect information entered by the user. For sizing assistance, please contact Zoeller's Product Support Department at 1-800-928-7867 or +1-502-778-0211 | customer@zoeller.com

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12-04-2025
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PUMP DETAILS
PAGE 12

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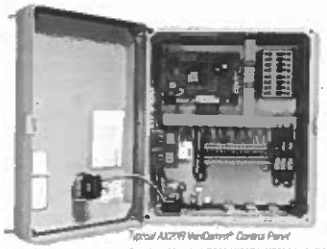
Orenco SYSTEMS Technical Data Sheet

VeriComm® AX20B Control Panels

Applications

VeriComm® AX20B remote telemetry control panels are used in Advantex® AX20 Treatment Systems with two pumps for timed recirculation and pump discharge. Coupled with the web-based VeriComm Monitoring System, these affordable control panels give the ability to remotely monitor and control treatment system operation, with real-time efficiency to wastewater system operators and maintenance organizations, while remaining invisible to the homeowner. AX20B panels allow remote operators to change system parameters, including timer settings, from the web interface. Interlocked controls prevent recirculation pump operation if there is a high-level alarm on the discharge side.



Typical AX20B VeriComm® Control Panel
Standard Models: VCOM-AX20B1, VCOM-AX20B2

Features

Three Operating Modes

- "Start-Up Mode" collects trend data and establishes operating standards during the first 30 days of operation
- "Normal Mode" manages day to day functions
- "Test Mode" suspends data collection and alarm reporting during installation and service

Data Collection and Utilization

- Compiles data logs of system conditions and events such as pump run times, pump cycles, and alarm conditions

Troubleshooting and Diagnostic Logic

- Reports suspected component failures, which then trigger alarms

Features, cont.

Advanced Control Logic

- Activates system diagnostics in the event of a float failure or malfunction and maintains normal system operation until servicing can occur

Communication and Alarm Management

- Provides remote telemetry and a web-based monitoring application for communication and alarm management (see *VeriComm Monitoring System*, MTD-CP-VCOM-1)
- Updates point values (including timer settings) and queued changes during each host communication session
- Contacts with host normally more frequently during alarm conditions

Multiple Communication Methods

- Call-in to VeriComm® Host (phone line or optional high speed internet)
  - Signals critical fault conditions that require immediate attention (e.g., pump failure) through automatic alarm notifications
  - Signals less critical fault conditions (e.g., stuck float switch) through automatic alert notifications and triggers the panel's troubleshooting logic and alternative operating mode
  - Sends updates through automatic update notifications, including alarm updates or all-clear notifications following alarms/alerts, as well as normally scheduled monthly panel reports
  - Allows manual, forced communication from panel to host for updating point values and receipt of queued changes
- Real-Time, Manual Direct Panel Connection
  - Allows a local operator real-time access to detailed logged data and the ability to change point values through direct connection via RS-232 serial port from a laptop or Android® device with optional Bluetooth® kit
  - Allows a local operator to initiate an auto-answer mode in real time to access detailed logged data and the ability to change point values via direct, forced communication at the site

Open-architecture software with password security is used during real-time, manual connections. Orenco offers BT-VCOM software as an option, but VeriComm panels require no proprietary software. VT100 protocol allows access and control from a Mac or PC computer using a simple communication program (e.g., Windows® HyperTerminal), with multilevel password protection ensuring that only qualified personnel can access the panel's data.

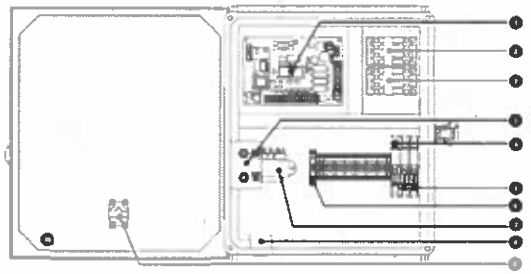
Status Light Indicators

- Flashing green LED for normal operation
- Yellow LEDs for status of digital inputs
- Red LEDs for status of digital outputs and modem activity

UL-recognized and FCC-approved

For more information, or our online demo at www.vericomm.net, use password: veriprod

Orenco SYSTEMS Technical Data Sheet



Standard Components

VERICOMM-AX20-B1-UV-IB-HT-SA- VIRGINIA

Feature	Specifications
1. VeriComm® Remote Telemetry Unit*	ATRU-100; 36/18 VAC center tap transformer; 8 digital inputs, 4 analog inputs, 4 digital outputs, 0 analog outputs, on-board modem (2400 baud); LED input and output indicators; 1 year battery backup of data and program settings
2. Motor Start Contactors	120 V, 16 FLA, 1 hp (0.75 kW), 60 hz, 2.5 million cycles at FLA (6 million at 50% of FLA) 240 V, 16 FLA, 3 hp (2.24 kW), 60 hz, 2.5 million cycles at FLA (6 million at 50% of FLA)
3. Toggle Switch	Single pole, single-throw, momentary manual switch; 20 A, 3/4 hp (0.75 kW)
4. Controls Circuit Breaker	10 A, OFF/ON switch, single-pole 120 V, DIN rail mounting with thermal magnetic tripping characteristics (240 V units are available for international markets)
5. Pump Circuit Breaker	20 A, OFF/ON switch, single-pole 120 V or double pole 240 V, DIN rail mounting with thermal magnetic tripping characteristics
6. Fuse	250 VAC, 1 A
7. Transformer	120 VAC primary, 36 VCT @ 0.85 A secondary
8. Audible Alarm	95 dB at 24 in. (610 mm), warble tone sound
9. Visual Alarm	2.6-in. (22-mm) diameter red lens, "Push-to-silence", UL Type 4X rated, 1 W LED light, 120 V
10. Panel Enclosure	Measures 13.51 in. high × 11.29 in. wide × 5.58 in. deep (343 × 287 × 135 mm). UL Type 4X rated. Constructed of UV-resistant fiberglass; hinges and latch are stainless steel.

*See VeriComm® Monitoring System (MTD-CP-VCOM-1) for details

Optional Components

Feature	Specifications	Product Code Adder
Pump Run Lights	2.6-in. (22-mm) diameter green lens, UL Type 4X rated, 1 W LED light, 120 V	PRL
Heater	Anti-condensation heater, self-regulating, radiates additional wattage at temperature drops	HT
Programmable Timer	Discharge pump timed dosing	PT
UV Disinfection Compatibility	UV grounded power circuit and alarm contacts; pump disable upon UV failure	UV

Additional options available on a custom basis. Contact Orenco Systems for more information

COMMONWEALTH OF VIRGINIA
Wayne A. Savage
WAYNE A. SAVAGE
Lic. No. 56830
12-04-2025
PROFESSIONAL ENGINEER

VERICOMM CONTROL PANEL

PAGE 13

SOILS INC.
8331 WEST MAIN ST. MARSHALL, VA 20115
P.844.447.SOIL (7645) F.540.364.2060

PROJECT: 190 JOLLY POND RD
DATE: 9/15/2025 JOB #T5826
REV: 10/09/2025 12/4/2025
GPIN OR TM #: 3110100006
COUNTY/STATE: JAMES CITY COUNTY, VA

Accent
CONTROL SYSTEMS

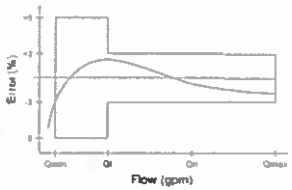
ACS Series
Multi-Jet Cold Water Meters
Plastic Body

ACS Series water meters use the widely accepted multi-jet principle, as a gear train drives the register totalizer dials. For pulse output meters, a reed switch sensor is attached to the outside of the lens and detects a magnet arm that has replaced one of the dial pointers. The reed switch output is a dry contact closure and does not require power.

Main Technical Data

Nominal diameter		DN	062 - 1/2"	075 - 3/4"	100 - 1"	150 - 1 1/2"
Maximum flow rate	US gpm	Qmax	20	20	50	88
Nominal flow rate	US gpm	Qn	10	10	25	44
Transition flow rate	US gpm	Qt	1	1	3	3.5
Minimum flow rate	US gpm	Qmin	0.25	0.25	0.75	0.88
Minimum reading	US gallon		0.01	0.01	0.1	0.1
Minimum graduation	US gallon		0.005	0.005	0.1	0.1

Accuracy Curve



Specifications

Temperature		105° F (40° C) max	
Pressure		150 psi operating	
Materials	**Body**	FRP-Reinforced polyamide	
	Couplings	Brass couplings (Std) Lead Free EcoBrass (Opt)	
	Internals	Engineered thermoplastic	
	Magnet	Alnico	
Accuracy		+/- 1.5% of reading	
Sensor		**Reed switch**	**Totalizer only**
Maximum Current		20 mA	n/a
Maximum Voltage		24 Vdc or Vac	n/a
Cable Length		12' (4m) std 2000' max run	n/a

Model Codes - How to Order

ACS - NM - 075 - R/10P

Size
062 = 1/2"
075 = 3/4"
100 = 1"
150 = 1 1/2"

Pulse Rate (if applicable)
R/20P = 20 pulse/gal only in 1/2"a 3/4"
R/10P = 10 pulse/gal only in 1/2"a 3/4"
R/4P = 4 pulse/gal
R/2P = 2 pulse/gal
R/1P = 1 pulse/gal
R/5G = 5 gal/pulse
R/10G = 10 gal/pulse
R/50G = 50 gal/pulse
R/100G = 100 gal/pulse
Totalizer only meter would have nothing after the size designation

Examples: ACS-NM-075-R/10G is a 3/4" meter with a pulse output (reed switch) sensor with a pulse rate of 10 gallons/pulse
ACS-NM-100 is a 1" meter with totalizer only

www.accent-control.com •2101 Potshop Lane •Norristown, PA 19403 •888-265-5632

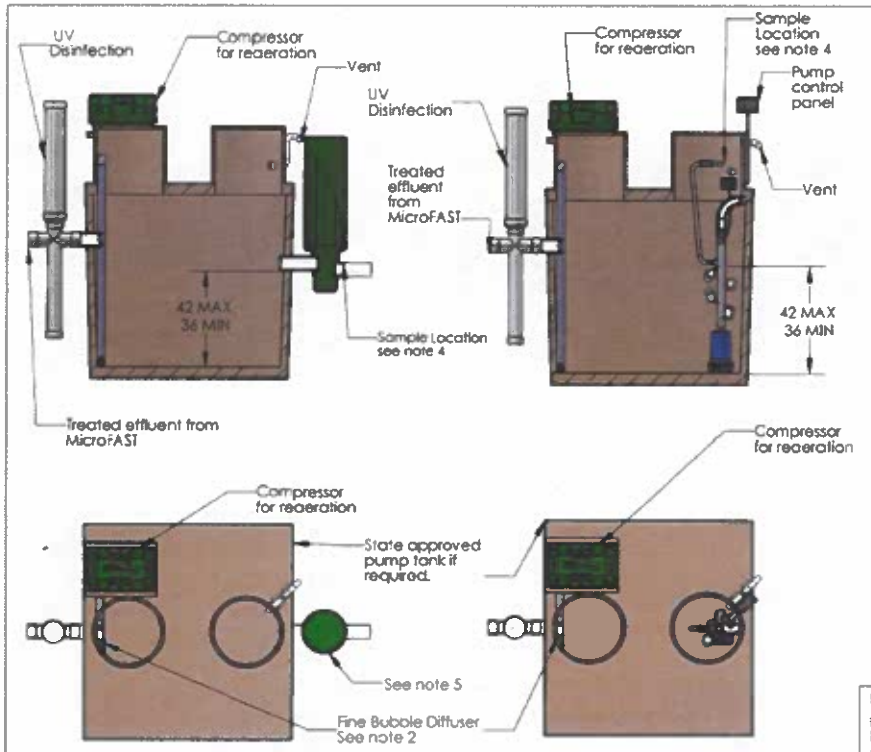
COMMONWEALTH OF VIRGINIA
Wayne A Savage
WAYNE A. SAVAGE
Lic. No. 56830
12-04-2025
PROFESSIONAL ENGINEER

WATER METER

PAGE 14

SOILS INC.
8331 WEST MAIN ST, MARSHALL, VA 20115
P.844.447.SOIL (7645) F.540.364.2060

PROJECT: 190 JOLLY POND RD
DATE: 9/15/2025 JOB #T5826
REV: 10/09/2025 12/4/2025
GPIN OR TM #: 3110100006
COUNTY/STATE: JAMES CITY COUNTY, VA



Notes:

1. A minimum water level of 36" must be maintained for aeration.
2. Fine bubble diffuser shall be mounted on the floor of the basin.
3. UV and aeration blower are linked to the Track® Dialer when utilizing their Salcor UV unit in a Gravity System.
4. Effluent sample will be pulled through access riser which is greater than 8" diameter.
5. Inlet to sample chamber to be 2 inches higher than outlet of sample chamber Sample chamber to be deep enough to allow for 8 inches below the inlet pipe to the sample chamber.
6. The minimum volume is based on MicroFAST® model sizes:

MicroFAST	Minimum Volume
0.50	70 Gallons
0.75	105 Gallons
0.90	126 Gallons
1.50	210 Gallons

740-RE/AERMCF0.5

DO NOT SCALE
UNLESS NOTED DIMENSIONS ARE IN INCHES [CENTIMETERS] TOLERANCES ± 0.02 IN/IN [± 0.05 CM/CM]

BIO-MICROBICS

Post Aeration

Tank Installation

SIZE A | SHEET 2 OF 2

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF BIO-MICROBICS INC. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF BIO-MICROBICS INC. IS PROHIBITED. DESIGN AND INVENTION RIGHTS ARE RESERVED IN THE INTEREST OF TECHNOLOGICAL ADVANCEMENT. ALL PRODUCTS ARE SUBJECT TO DESIGN AND OR MATERIAL CHANGE WITHOUT NOTICE. BIO-MICROBICS © 2010

COMMONWEALTH OF VIRGINIA
Wayne A. Savage
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12-04-2025
PROFESSIONAL ENGINEER

BIO-MICROBICS POST AERATION UNIT

PAGE 15

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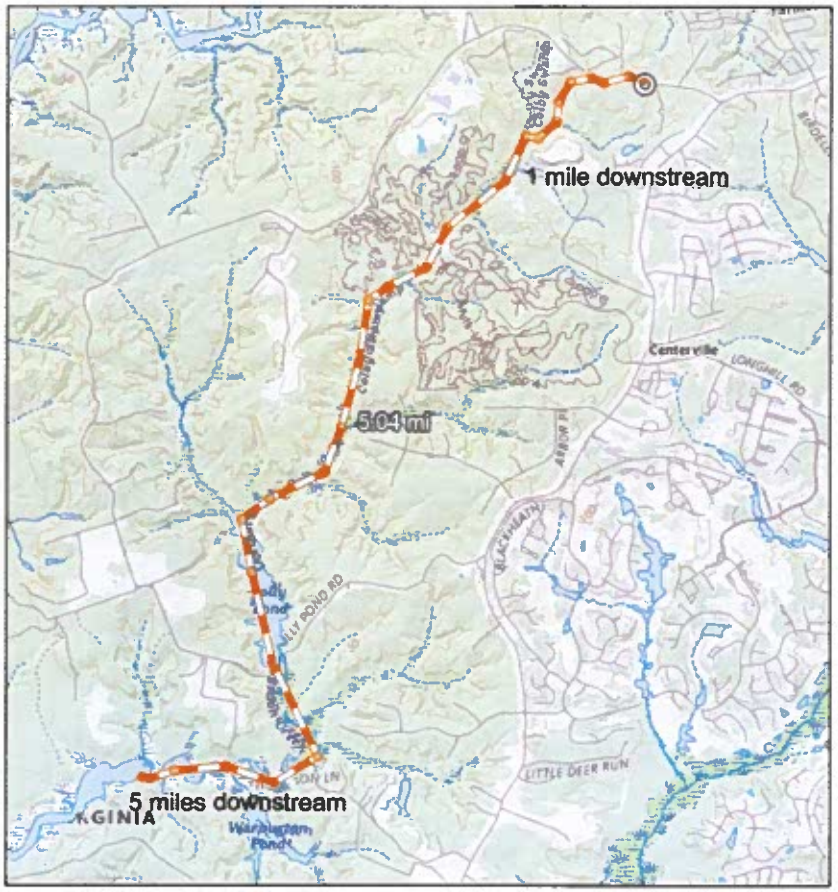
190 JOLLY POND



4/22/2025

State or Territory Large-Scale
County or Equivalent
USGSHydroCached
Red: Band_1
Green Band_2
Blue Band_3
Inland Waters
Emergent Wetlands
Forest/shrub Wetlands
Wetlands
Layers
Red Band_1
Green Band_2
Blue Band_3

1:40,000

0 0.28 0.55 1.1 mi
0 0.42 0.85 1.7 km

USGS TNM – National Structures Dataset. Data Refreshed March, 2025. USGS The National Map: National Hydrography Dataset. Data refreshed February, 2025. USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program. Geographic Names Information System: National Hydrography Dataset. National Land Cover Database. National Structures

COMMONWEALTH OF VIRGINIA
Wayne A. Savage
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12-04-2025
PROFESSIONAL ENGINEER

DOWNSTREAM MAP

PAGE 16

SOILS INC.
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DATE: 9/15/2025 JOB #T5826
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GPIN OR TM #: 3110100006
COUNTY/STATE: JAMES CITY COUNTY, VA

SOILS INC.

Soil Scientists • Engineers • Waste Water Professionals

Markham D. Smith, A.O.S.E., L.P.S.S.,
President

8331 West Main Street, Marshall, Virginia 20115 (540) 364-1122
10805 Main Street, Suite 700, Fairfax, Virginia 22030 (703) 662-5398

F. (540) 364-2060 soils-inc.com

Owner of record:	David & Haley Logan
Owner address:	190 Jolly Pond Rd Williamsburg, VA 23188-7319
Bedrooms:	4 bedrooms, conditional to 6 occupants
Water:	Public
Design flow:	150-gpd * Number of Occupants = 450-gpd
Disposal method:	Surface Discharge

Executive Summary

The subject design is for a new point source discharge for an existing single-family residence in James City County. Current topographic and boundary information provided by field run survey prepared by others. The subject point source discharges design consists of an AX-20 pre-treatment unit with a 2,000 gallon tank, 1,250 gallon pump tank, Orenco AXUV disinfection unit and Bio-Microbics post aeration, two (2) inch force main, perforated gravity discharge pipe with a gravel trench, and rip-rap outlet protection. All information provided herein needs to be field verified and MISS Utility needs to be contacted a minimum of 72-hours prior to any land disturbance on the subject property.

Project Scope

Pursuant to the provision set forth under 532.1-12, 32.1-163 and 532.1-164 of the Code of Virginia, the State Board of Health is empowered to supervise and regulate the construction, location and operation of alternative discharging sewage treatment systems with flows less than or equal to 1,000 gallons per day on a yearly average for an individual single family dwelling within the Commonwealth when such a system is regulated by the Virginia State Water Control Board pursuant to a Virginia Pollutant Discharge Elimination System General Permit. The following summary highlights the requisite new construction information required for all new point source Discharge systems outside the Potomac Embayment Overlay District:

1. 12VAC5-640-240.D.1--Information gathered in the site review evaluation: Discharge permit number is pending.
2. 12VAC5-640-240.D.2-System components-Advantex AX-20 with treatment tank, UV disinfection, Bio-Microbics post aeration, pump tank, pump and telemetry control panel;
3. 12VAC5-640-240.D.3-location: James City, VA Also identified as parcel 3110100006.
4. 12VAC5-640-240.D.4-Grades: existing grade information provided by field run survey prepared by others. Discharge shall terminate at the northeastern corner of the property at road ditch.
5. 12VAC5-640-240.D.5-Distances: distance between elevations have been provided within the package as required.
6. 12VAC5-640-240.D.6-Pumps: Zoeller 53
7. 12VAC5-640-240.D.7-Floodplain: No portion of the discharge is within the 100yr floodplain. A FEMA firm map has been provided for reference within the package.
8. 12VAC5-640-430-Performance Criteria: noted.
9. 12VAC5-640-432-Components: the AX-20 is generally approved as a TL-3 pretreatment unit.
10. 12VAC5-640-434-Reliability: This discharge design falls under Class 1 - The AX-20 shall provide TL-3 effluent. The VeriComm control panel with telemetry and the use of 2,000 gallon septic tank shall satisfy the reliability component of use telemetry and 24-hour storage of raw sewage. UV will provide disinfection. Please refer to cutsheets contained herein.
11. 12VAC5-640-440-Special Factors: Noted
12. 12VAC5-640-450-design criteria for dry ditches: Noted.
13. 12VAC5-640-460-UV & post aeration: UV and post aeration provided. Please refer to cutsheets contained herein.
14. 12VAC5-640-470-construction standards: Noted.

The proposed point source discharge system will discharge into a 270’ proposed gravel trench exiting the property at the north eastern corner. The entire discharge length is contained on the subject property. This design does not propose a fence or any other type of obstructive device for the discharge path due to the nature of the treatment unit and flow path.

Appurtenances Specifications

Component 1: Building Sewer

Materials:

The building sewer shall be 4" SCH. 40 PVC with a minimum slope ¼" per foot. The preferred depth is 18-inches. To be constructed in accordance with manufacturers specifications regarding preparation (sanding and primer) and gluing (chemical fusion) requirements. Joining of pipes of different sizes and or materials shall be accomplished using a manufactured adapter specifically designed for that purpose. Maintain the run as straight as possible. Elbows (if absolutely necessary) are not to exceed 45 degrees.

Cleanouts:

There shall be no bends greater than 45 degrees. Cleanouts on the building sewer shall be provided within 5-feet from the structure (residence), every 50-feet thereafter and within 10 feet of the treatment unit.

Bedding And Support:

The entire length of the sewer line is to be bedded uniformly on natural, in place soil or on rock/stone dust over in place soil to provide uniform support along the length. Where the line crosses filled areas, the lines are to be sleeved, firmly placed on solid, natural ground for 2-feet at either end.

Backfilling:

The trench is to be backfilled with suitable material free of large stones and clumps of earth. The fill is to be firmly tamped during the backfilling process to prevent movement of the sewer. Sewer lines passing within 50' of nonpublic water supply source are to meet special construction requirements as specified by the health department.

Component 2: Advantex AX-20

Tanks

Please refer to the cut sheets provided herein for the AX-20. All tanks shall be installed as shallow as possible, out of low areas, isolated from surface drainage including, drive, road and gutters and by methods to minimize and preferably eliminate water infiltration. Parge the inside and outside of the tank seam. Additional tarring and plastic wrapping on the outside may be indicated for additional protection. ("top seam" are required).

Component 3: Orenco AXUV

Please refer to the cut sheets provided herein for the Orenco AXUV Disinfection unit.

Component 4: Conveyance To Pump Tank

The gravity conveyance line is to be constructed, bedded, supported (as necessary), and back filled as outlined under component #1, building sewer.

Component 5: Pump Tank

Tanks

Please refer to the cut sheets provided herein for the pump tank. Said tank shall also have Orenco UV disinfection lamp, submersible pump and Bio-Microbics for post UV aeration. All tanks shall be installed as shallow as possible, out of low areas, isolated from surface drainage including, drive, road and gutters and by methods to minimize and preferably eliminate water infiltration. Parge the inside and outside of the tank seam. Additional tarring and plastic wrapping on the outside may be indicated for additional protection. ("top seam" are required).

Component 6: Post Aeration

Please refer to the cut sheets provided herein for the Bio-Microbics Post Aeration Unit model 740-RE/AERMCF0.

Component 7: Discharge Point

New Discharge Point

The treated effluent is to be conveyed initially via a 2" SCH. 40 PVC force main. The treated effluent will discharge into a 270-foot 4" perforated PVC gravity main contained within a 2' wide, 1' deep gravel trench that is daylighted at the existing road ditch. Riprap is to be placed at the end of the gravel trench to prevent erosion. A white sign with one-inch-high black text shall be placed within 3 feet of the discharge point. The sign shall be clearly visible from 25' and shall state, "this pipe carries treated sewage effluent and is not suitable for human consumption. This system is owned by (full name of permit holder) and is maintained by (name and phone number of maintenance provider in maintenance contract).The treated effluent will travel another 15.5’ until it reaches the road ditch.

Component 8: Conveyance Channel

The treated effluent is to be discharged into a proposed 270’ x 2’ x 1’ gravel trench from which it will leave the property at the northeast corner.

Installation procedure

1. Pre-construction meeting required between the Contractor and Engineer prior to construction, a minimum of 48-hours prior to work. The Engineer shall be notified a minimum of 72 hours prior to inspection of said drain field system. No system will be accepted by the health department without proper inspection. Contractor shall notify MISS Utility 48-hours prior to excavation.
2. Connect proposed gravity main to stub from house.
3. Set treatment tank, AX-20, and pump tank.
4. Mount VeriComm control panel.
5. Install UV unit, pump and Bio-Microbics post aeration unit within the pump vault.
6. Wire units with appurtenances to control panels.
7. Run force main and enlarge to 4" perforated gravity main to discharge point, daylight and place within gravel trench and place riprap at discharge point to prevent erosion.
8. Place discharge sign.

Material specifications

Control Panel

VeriComm AX20B1 (HTSAIBUV-(VA)). Said panel shall control AX-20, recirculation pump, UV disinfection, and submersible pump. AX-20, UV disinfection and post aeration unit shall have a current meter to detect failures. A separate control panel will be provided by Bio-Microbics for the post aeration unit. Any failures will automatically alarm and notify homeowner and maintenance provider via telemetry settings.

Gravity Piping

All gravity piping shall be SCH. 40 perforated PVC as a minimum. Fittings shall be SCH. 40 PVC suitable for underground installation. All joints shall be solvent welded with the use of primer and PVC glue.

Gravel Trench

Gravel trench is to be 2' wide and 1’ deep filled with stone.

Pipe Bedding

In-ground piping shall be installed according to local codes. Freestanding piping shall be SCH. 40 PVC and assembled with retrained joints.

Outfall Protection

VDOT Class 1 Riprap

Inspection Schedule

A preconstruction meeting shall be held with the engineer and certified installer to discuss location, dispersal method, location of tanks and preparation.

Date of inspection:
Preconstruction attendees:

A startup meeting shall be held with the Engineer of record and installer. Installer shall have all components installed and uncovered for said inspection. Installer shall have water (via well or other temporary method such as pool truck) and power (via permanent power or generator) to check the entire system for leaks. Topsoil shall be onsite as well for inspection.

Date of inspection:
Startup attendees:

A programming meeting shall be held with the Engineer of record, maintenance provider, and installer to ensure the system is dosed as specified. It should be noted that if final grading for the entire lot, not just the discharge area, is complete the subsequent inspection may be waived.

Date of inspection:
Programming attendees:

A final grade inspection shall be held with the Engineer and Installer to ensure final grades preclude the ponding of water on and around the discharge and its components. It should be noted that the manual will be provided with the completion statement.

Date of inspection:
Final grade attendees:

VDH VIRGINIA DEPARTMENT OF HEALTH
To protect the health and promote the well-being of all people in Virginia

Williamsburg/James City County Office
5300 Palmer Lane
Williamsburg, VA 23188
(757) 603-4277

Denial of COSS application 32.1 163.5

April 17, 2025

NOTICE OF DENIAL CONVENTIONAL ONSITE SEWAGE SYSTEM CONSTRUCTION PERMIT APPLICATION

David & Haley Logan
190 Jolly Pond Road
Williamsburg, VA 23188

RE: Conventional Onsite Sewage System (COSS) Construction Permit Application (095-25-0031)
190 Jolly Pond Road, Williamsburg, VA 23188; James City County

Dear Mr. and Mrs. Logan;

This Notice of Denial for your Construction Permit Application (Notice) is to inform you Williamsburg/James City County Office reviewed your COSS construction application submitted on 04/07/2025 as required by Code of Virginia § 32.1-163 et seq. James Davis, Environmental Health Specialist, reviewed your submission and for the specific reasons below, Williamsburg/James City County Office is denying your construction permit application based upon observations of alleged violations of the Sewage Handling and Disposal Regulations (12VAC5-610 et seq.; Regulations). Observations forming the basis of this Notice include:

Observations and Factual Understanding

12VAC5-610-450. General.
Article 1
Evaluation Criteria for Subsurface Soil Absorption Systems
Soil evaluation for a subsurface soil absorption system shall follow a systematic approach including consideration of physiographic province, topography, available area, degree of slope, and soil profile (thickness of each horizon, color, permeability, and texture). The evaluation is intended to document sufficient information to conclude whether or not the site can accommodate an onsite sewage treatment and dispersal system listed in Part IV (12VAC5-610-591 et seq.) of this chapter. The topography, available area, seasonal water table, drinking water supplies, bodies of water, shellfish growing areas, soil horizon, depth, rate of absorption, or combination of any of the above shall be considered in such evaluation. A percolation test may be required as a prerequisite to the issuance of a permit. When the district or local health department questions the estimated percolation rate, the district or local health department may require a percolation test. Percolation tests shall be analyzed as only one of many criteria in determining soil suitability for absorption of treated sewage.

Applicable Law (in part)

Code of Virginia § 32.1-24. Applicability of Administrative Process Act.

The provisions of the Administrative Process Act (§ 2.2-4000 et seq.) shall govern the procedures for rendering all case decisions, as defined in § 2.2-4001, and issuing all orders and regulations under the provisions of this Code administered by the Board, the Commissioner or the Department unless exempt from the Administrative Process Act.

12VAC5-610-170 A. Enforcement of Regulations.

All sewage handling and disposal facilities shall be constructed and operated in compliance with the requirements as set forth in this chapter. The commissioner may enforce this chapter through any means lawfully available.

A. Notice. Subject to the exceptions indicated below whenever the commissioner or the district or local health department has reason to believe a violation of any of these regulations has occurred or is occurring, the alleged violator shall be notified.

Such notice shall be made in writing, shall be delivered personally or sent by certified mail, shall cite the regulation or regulations that are allegedly being violated, shall state the facts which form the basis for believing the violation has occurred or is occurring, shall include a request for a specific action by the recipient by a specified time and shall state the penalties associated with such violations (See § 32.1-27 of the Code of Virginia). When the commissioner deems it necessary he may initiate criminal prosecution or seek civil relief through mandamus or injunctive relief prior to giving notice.

Recommendations

Williamsburg/James City County Office recommends you take the following steps to address the alleged regulatory non-compliance presented by your COSS construction permit application:
1. Submit an Application for repair alternative sewage system application for direct dispersal of effluent with design and treatment requirements.
3. Alternatively, request a refund of your application fee should you decline to appeal this COSS application Notice. (Contact this office for additional guidance regarding fee refunds)

Rights of the named party

This Notice sets forth above Williamsburg/James City County Office's observations, alleged violations, and provides recommended application considerations. You have the right to an Informal Fact-finding Conference (IFFC) as provided by the Code of Virginia §§ 2.2-4019, 32.1-164.1, and the Regulations at 12VAC5-610-230 (Appeal.), with the Environmental Health Manager presiding. During the IFFC you may contest the denial of your submitted COSS construction permit application or submit additional facts or evidence to be considered by the Department. To schedule an IFFC, please submit a written request for an IFFC, to Mary Wainwright at 5300 Palmer Lane, Williamsburg, Virginia 23188 within 30 days of receipt of this Notice as provided in 12 VAC5-610-230 and outlined in GMP #1997-01 Time Limits to Appeal Case Decisions. Should you schedule an IFFC and fail to appear absent good cause, the presiding officer may issue an adverse case decision as contemplated by Code of Virginia § 2.2-4020.2 (Default)

If you need a reasonable accommodation for a disability, a translator, or a sign language interpreter to participate in the IFFC, please contact Jayme Humphrey, Environmental Health Supervisor at (757) 603--4277 or via email at jayme.humphrey@vdh.virginia.gov within 15 days of the scheduled hearing date.

Please contact Jayme Humphrey, Environmental Health Supervisor at (757) 603--4277 or via email at jayme.humphrey@vdh.virginia.gov, Environmental Health Supervisor should you have questions or wish to discuss this Notice, including application fee refunds.

Sincerely,

James Davis
Environmental Health Specialist, Sr.

Cc: Markham D. Smith, AOSE

SOILS INC.

OSE/PE Report For:

☑ Construction Permit ☐ Repair Permit ☐ Voluntary Upgrade Permit ☐ Certification Letter ☐ Minor Modification ☐ Subdivision Approval

Property Location:

911 Address ***190 Jolly Pond Rd*** City, State, Zip: ***Williamsburg, VA 23188-***

Lot: ***-*** Section: ***-*** Subdivision: ***-***

GPIN or Tax Map #: ***3110100006*** Health Dept. ID #:

Latitude: 37.3349 Longitude: -76.7894

Owner :

Name: ***David & Haley Logan***

Address: ***190 Jolly Pond Rd*** ***Williamsburg, VA 23188-7319***

Prepared by:

OSE Name: License #

Address:

PE Name: ***Wayne Savage*** License # ***402056830***

Address: ***8331 West Main Street, Marshall, VA 20115***

Date of Report: ***9/15/2025*** Date of Revision #1:

OSE/PE Job # ***T5826*** Date of Revision #2:

Contents/Index of this report:

1. Cover Sheet

2. Application

3-16. Design

Certification Statement

I hereby certify that the evaluations and/or designs contain herein were conducted in accordance with the *applicable provisions of the Sewage Handling & Disposal Regulations (12VAC5-610), the Private Well Regulations (12VAC5-630), the Regulations for Alternative Onsite Systems (12VAC5-613)* and all other applicable laws, regulations, and policies implemented by the Virginia Department of Health. I further certify that I currently posses any professional license required by the laws and regulations of the Commonwealth that have been duly issued by the applicable agency charged with licensure to perform the work contained herein. The potential for both conventional and alternative onsite sewage systems has been discussed with the owner/applicant.

☐ The work attached to this cover page has been conducted under an exemption to the practice of engineering, specifically the exemption in Code of Virginia Section 54.1-402.A.11

I recommend that a: ☑ Construction Permit ☐ Subdivision Approval ☐ Certification Letter ☐ Repair Permit ☐ Voluntary Upgrade ☐ Minor Modification be: ☑ ***Issued*** ☐ ***Denied***

OSE/PE Signature: Wayne A. Savage Date: 9/15/2025

COMMONWEALTH OF VIRGINIA

VDH USE ONLY
Health Dept. ID#_____
Due Date:_____

Application for: ☑ Sewage System ☐ Water Supply

Owner: **David & Haley Logan** Phone: **757-566-2391 (Paul White Builders)**

Mailing Address: **190 Jolly Pond Rd** Email: **DianneNewman@cox.net (Paul White Builders)**

Williamsburg, VA 23188-7319 Phone:

Agent: **Soils Inc.** Phone: **540-364-1122**

Mailing Address: **8331 W. Main Street Marshall, VA 20115** Fax:

Site Address: **190 Jolly Pond Rd** Email: **submissions@soils-inc.com**

Williamsburg, VA 23188-7319

Directions to Property: ***From VDH: Turn right onto Ironbound Rd./DePue Dr. In 1 mi continue onto Longhill Rd. Go 3.9 mi to right onto Centerville Rd. In 1.3 mi turn left onto Jolly Pond. Property on left***

Subdivision: **-** Section: **-** Block: **-** Lot: **-**

Tax Map: **3110100006** Other Property Info: Acreage: **0.836± ac.**

Sewage System

Type of Approval: Applicants for new construction are advised to apply for a certification letter to determine if the land is suitable for a sewage system and to apply for a construction permit (valid for 18 months) **only when ready to build.**

☐ Certification Letter ☑ Construction Permit ☐ Repair ☐ Voluntary Upgrade ☐ Minor Modification

Proposed Use:

Single Family Home **(Number of Bedrooms)** **4** Multifamily Home **(Total # of Bedrooms)**

Other (Describe): **limit occupancy to 6 people**

Basement ☐ Yes ☑ No Walk-Out Basement? ☐ Yes ☑ No Fixtures in Basement? ☐ Yes ☑ No

Conditional Permit Desired? ☑ Yes ☐ No If yes, what type of conditions are desired?

☐ Reduced Water Flow ☑ Limited Occupancy ☐ Intermittent or seasonal use ☐ Temporary Use (1 yr. maximum)

Do you wish to apply for a betterment loan eligibility letter? ☐ Yes** ☑ No

**There is a $50 fee for determination of eligibility.

Water Supply

Will the water supply be ☑ Public or ☐ Private Is the water supply ☑ Existing or ☐ Proposed

If proposed, is this a replacement well? ☐ Yes ☑ No If yes, will the old well be abandoned? ☐ Yes ☐ No

Are any adjacent properties used for an agricultural operation? ☐ Yes ☑ No

Well Type (e.g. domestic use, agricultural, irrigation, etc.) **Domestic Use**

All Applicants

Is the property intended to serve as your (the owners') principal place of residence? ☑ Yes ☐ No

All applications must be accompanied by private sector evaluations and designs, unless a petition for VDH services is approved. Is a Petition for Service form attached? ☐ Yes ☑ No

In order for VDH of process your application for a sewage system, you must attach a plat of the property and a site sketch. For water supplies, a plat of the property is recommenced and a site sketch is required. The site sketch should show your property lines, actual and/or proposed buildings, and the desired location of your well and/or sewage system. When the site evaluation is conducted, the property lines, building location and the proposed well and sewage sites must be clearly marked and the property sufficiently visible to see the topography. I give permission to the Virginia Department of Health to enter onto the property described during normal business hours for the purpose of processing this application and to perform quality assurance checks of evaluations and designs certified by a private sector Onsite Soil Evaluator or Professional Engineer as necessary until the sewage disposal system and/or private water supply has been constructed and approved.

Wayne A. Savage

Signature of Owner/Agent

9/15/2025

Date

This form contains personal information subject to disclosure under the Freedom of Information Act.

COMBINED APPLICATION

Virginia Department of Health Discharging System Application
For Single Family Dwellings Discharging Sewage Less Than or Equal To 1,000 Gallons per Day
and
State Water Control Board Virginia Pollutant Discharge Elimination System
General Permit Registration Statement For
Domestic Sewage Discharges Less Than or Equal to 1,000 Gallons Per Day

PART A. General Information

Types of Application: X New, _____ Repair, _____ Modification, _____ Expansion

James City County or City Health Department Date: December 4, 2025

Name of Facility/Residence: Logan
Street Address 190 Jolly Pond Rd
City, State, Zip Williamsburg, VA 23188-7319
Day Phone: _____ Cell: _____

Owner(s) of Facility/Residence: David & Haley Logan
Street Address 190 Jolly Pond Rd
City, State, Zip Williamsburg, VA 23188-7319
Day Phone: (734) 639-0492 Cell: _____
Email Address: haley.lauckern@gmail.com

Agent (if applicable): Soils Inc.
Street Address 8331 W. Main Street
City, State, Zip Marshall, VA 20115
Day Phone: 540-364-1122 Cell: _____

Tax Map#: 3110100006 Subdivision: _____ Sect/Block: _____ Lot #: _____
Size of Parcel: 0.836 Acres. _____ Proposed Use (# of bedrooms): 4, conditional to 6 occupants
Proposed volume of discharge (gallons per day): 450 gpd _____

If the discharge is to a wetland, attach the statement from the Army Corps of Engineers confirming the wetland delineation.

		YES	NO
1.	Are central sewage facilities available to this site/facility? If yes, explain: _____		X
2.	Does the residence/facility (existing or proposed) currently have an existing VPDES permit? If yes, please provide the VPDES permit number: _____		X
3.	Will any pollutants other than domestic sewage be treated or discharged? If yes, please indicate what: _____		X
4.	Is this application for a system to replace a failing septic system?	X	
5.	Discharge permits can only be issued to sites with no onsite solution in accordance with 12VAC5-640 Attach a copy of the onsite sewage permit denial. OSE/PE: Markham D. Smith Date of Denial: 4/17/2025 PE/OSE License #: 1940001392		

I hereby give permission to the Health Department to enter onto the above referenced property for the purpose of processing this application. I certify that the property lines and the proposed location of the treatment system, discharge point, proposed structures, water supplies, utilities, easements, are clearly marked and the property is sufficiently clear to see the topography.

_____ _____
Signature of Property Owner Date

PART B. Site Evaluation

		YES	NO	N/A
6.	Will discharge be directly to a year-round, all-weather stream? If so Name of Proposed Receiving Stream: _____		X	
7.	If discharge is to an intermittent stream or to a dry ditch, how far will discharge flow before leaving this property? 270 ft.			
		YES	NO	N/A
8.	If discharge is to an intermittent stream, a dry ditch, or a wetland, and discharge will flow less than 500 feet on this property, can an easement be obtained in accordance with 12 VAC 5-640-370?		X	
		YES	NO	
9.	If discharge is to an intermittent stream or to a dry ditch, is the slope ≥ 1% for all of the fifty foot segments?		X	
10.	Is the average slope ≥ 2%?		X	
11.	In the first 500 feet will the path of wastewater flow within 100 feet of any well or domestic water supply?			X
12.	Are there any springs used for human consumption within 1500 feet downstream, or 100 feet upstream of the discharge point?			X
13.	Is there any public water supply intake within one mile downstream of the proposed discharge point?			X
14.	Are there any public swimming areas designated for public use or prohibited discharge areas within one mile downstream from the proposed discharge point?			X
15.	Is the receiving stream classified as, or does it discharge to, shellfish waters?			X
16.	Are there any other existing or proposed VPDES discharges within 500 feet of this proposed discharge point along the flow path?			X
17.	Will any part of the proposed treatment system (excluding the discharge pipe and any aeration steps) be located within the 100 year flood plain?			X
18.	Will any part of the proposed treatment system (excluding the discharge pipe and any aeration steps) be located in a topographically low, wet, or swampy area?			X
19.	Will the building served by this system be used intermittently, or be subject to frequent electrical power interruptions?			X
20.	Provide verification that this proposed activity is consistent with all local ordinances adopted pursuant to Title 15.2 of the Code of Virginia including wetlands.		X	

21. How will the discharge be disinfected? Circle one: Chlorine; Ultraviolet radiation; Other_____

PART C. Site Sketch

PLEASE ATTACH A SITE SKETCH TO THIS APPLICATION SHOWING:

1) A survey plat with topographic contour, and the location of existing structures, easements, utilities, water supplies, and springs should be provided by the owner. Other information referenced in this application is to be plotted on the survey plat.

2) Directions to and boundaries of the property.

3) The specific location of the property including the county tax map number (where available), a copy of the United States Geological Survey 7.5 minute topographic map showing the discharge point and downstream for five miles.

4) The location and distance to any existing or proposed buildings, wells, sewage treatment systems, VPDES discharges, water sources, water lines, easements, or utilities within 600 feet of any part of the proposed sewage disposal system. Indicate the discharge point, property boundaries, limestone outcrops and wells within 500 feet.

5) The important topographic features of the site (drainways, sinkholes, ponds, lakes, streams) including the limits of the 100-year flood plain.

6) The path of wastewater flow to the receiving year-round stream.

7) A diagram of the existing or proposed sewage treatment system, including the location of the residence/facility and the individual sewage treatment units.

8) The elevation of the discharge point and the elevation and slope every 50 feet for 500 feet downstream along the discharge path. Also include the slope of the channel sides every 50 feet for 500 feet downstream along the discharge path.

9) The latitude and longitude of the proposed discharge point in degrees, minutes, and seconds.

Certification:

To the best of my knowledge the information provided on the site sketch and the site evaluation are accurate.

Site Summary: Discharge Point Type: Dry Ditch

Easement Required? No (VDOT R/W)

Site Evaluation and Site Sketch prepared by: Wayne A. Savage Date: 12/4/2025

VDH Site Evaluation Concurrence by: _____ Date: _____

PART C. Permissions

As the applicant for a construction permit on the above referenced property, I certify that, to the best of my knowledge, the above information and the attached site sketch and topographic map are true, correct, and complete. I understand that if the department finds a satisfactory site in response to this application that I will be required to submit construction permit application and plans and specifications for the treatment system prepared by an engineer and, certified copies of any necessary easements

Wayne A. Savage — 12/4/2025

Signature of Applicant — Date

As the applicant for an alternative discharging system construction and operations permit on the above referenced property, I hereby give permission to the Health Department, or their authorized agent, to enter onto the above referenced property for the purpose of inspecting the construction of and monitoring the operation and quality of effluent from my sewage treatment plant.

Wayne A. Savage — 12/4/2025

Signature of Applicant — Date

Department of Environmental Quality Certification

I hereby grant to duly authorized agents of the Department of Environmental Quality, upon presentation of credentials, permission to enter the property where the treatment works is located for the purpose of determining compliance with or the suitability of coverage under the General Permit. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

Wayne A. Savage — 12/4/2025

Signature of Applicant — Date

PART D. CERTIFICATION

I understand that I am responsible for contracting with a licensed operator to conduct all operation, maintenance, monitoring, and reporting for this permitted wastewater treatment system in accordance with 12VAC5-640. I certify that this system will be maintained by a licensed operator in accordance with 12VAC5-640.

Wayne A. Savage — 12/4/2025

Signature of Applicant — Date

CLR202512262

VDH VIRGINIA DEPARTMENT OF HEALTH
To protect the health and promote the well-being of all people in Virginia

Williamsburg/James City County Office
5300 Palmer Lane
Williamsburg, VA 23188
(757) 603-4277

Sewage Disposal System Conditional Construction Permit

August 07, 2025

Sewage Disposal System Conditional Construction Permit

David & Haley Logan
190 Jolly Pond Road
Williamsburg, VA 23188

Subject: Permit ID: 095-25-0069
Tax Map Number/GPIN: 21140 / 3110100006
190 Jolly Pond Road Williamsburg, VA 23188

Dear Mr. & Mrs. Logan:

The attached schematic shows the permitted sewage disposal system that has been installed to serve the single family dwelling on your property.

In addition, your permit has the following conditions in accordance with the Code of Virginia, Title 32.1 and 32.1-164.1. Article I, Board of Health, Commonwealth of Virginia, Sewage Handling and Disposal Regulations, and current agency policy:

Sewage Conditions: Limited Occupancy, no more than six (6) persons living in the dwelling.

This letter shall become and is a part of the sewage disposal system permit issued for the above referenced location. Due to the conditional nature of this system, this permit shall not become valid until the following items are completed:

1. The permit shall be recorded in the Grantor Index of the land records of the Circuit Court of the County of JAMES CITY.
2. The owner or his agent shall furnish to the Williamsburg/James City County Office certification by the Clerk of the Circuit Court of the Deed Book Number and Page Number upon which the permit and all provisions have been recorded. The Deed Book Number and Page Number must be placed on all copies of the permit prior to giving validation to the building officials for issuance of a building permit

In accordance with the Sewage Handling and Disposal Regulations, you have the right of appeal to obtain a modification or elimination of the conditions set herein. A written request to review the conditions must be submitted to the Health Director of Williamsburg/James City County Office.

The following documents will be required to obtain the Operation Permit:

Receipt of Recordation of Conditional Permit

This Minor Modification Permit is null and void if conditions are changed from those shown on your application or if conditions are changed from those shown on the Site and Soil Evaluation Report and the attached construction drawings, specifications, and calculations. VDH may revoke or modify any permit if, at a later date, it finds that the site and soil conditions and/or design do not substantially comply with the Sewage Handling and Disposal Regulations, 12 VAC 5-610-20 et seq., or if the system would threaten public health or the environment. This permit approval has been issued in accordance with applicable regulations based on the information and materials provided at the time of application. There may be other local, state, or federal laws or regulations that apply to the proposed construction of this onsite sewage system or well (if applicable). The owner is responsible at all times for complying with all applicable local, state, and federal laws and regulations.

This minor modification permit is transferable until expired or deemed null and void. A permit transfer form may be found on the VDH website at http://www.vdh.virginia.gov/environmental-health/gmp-2015-01-forms/.
If you have any questions, please contact me. This minor modification permit expires: 02/07/2027.

Issued by:

James Davis, Environmental Health Specialist, Sr.

Environmental Health Supervisor/Manager

COMMONWEALTH OF VIRGINIA, COUNTY/CITY OF _____, to wit:
Subscribed and acknowledged before me this 8 day of August, 2025.

NOTARY PUBLIC for the COMMONWEALTH OF VIRGINIA AT LARGE

Registration #: 8028252 My Commission expires 2/28/2027

As owner/legal representative of the property included in this permit, I have reviewed and accept all provisions in the conditional sewage disposal system permit.

David and/or Haley Logan

8/22/2025
Date

COMMONWEALTH OF VIRGINIA, COUNTY/CITY OF James City, to wit:

Subscribed and acknowledged before me this 22nd day of August, 2025.

NOTARY PUBLIC for the COMMONWEALTH OF VIRGINIA AT LARGE

Registration #: 00359243 My Commission expires Jan 31, 2029

RUDY MOSQUEIRA
Notary Public
Commonwealth of Virginia
Registration No. 00359243
My Commission Expires Jan 31, 2029

SOILS INC.

OSE/PE Report For:

☐ Construction Permit ☐ Repair Permit ☐ Voluntary Upgrade Permit ☐ Certification Letter ☑ Minor Modification ☐ Subdivision Approval

Property Location:

911 Address ***190 Jolly Pond Rd*** City, State, Zip: ***Williamsburg, VA 23188-***

Lot: - Section: - Subdivision: -

GPIN or Tax Map #: ***3110100006*** Health Dept. ID #:

Latitude: 37.3349 Longitude: -76.7894

Owner :

Name: ***David & Haley Logan***

Address: ***190 Jolly Pond Rd*** ***Williamsburg, VA 23188-7319***

Prepared by:

OSE Name: License #

Address:

PE Name: ***Wayne Savage*** License # ***402056830***

Address: ***8331 West Main Street, Marshall, VA 20115***

Date of Report: ***7/31/2025*** Date of Revision #1:

OSE/PE Job # ***T5826*** Date of Revision #2:

Contents/Index of this report:

1. Cover Sheet

2. Application

COMMONWEALTH OF VIRGINIA
WAYNE A. SAVAGE
Lic. No. 56830
PROFESSIONAL ENGINEER

Certification Statement

I hereby certify that the evaluations and/or designs contain herein were conducted in accordance with the *applicable provisions of the Sewage Handling & Disposal Regulations (12VAC5-610), the Private Well Regulations (12VAC5-630), the Regulations for Alternative Onsite Systems (12VAC5-613)* and all other applicable laws, regulations, and policies implemented by the Virginia Department of Health. I further certify that I currently posses any professional license required by the laws and regulations of the Commonwealth that have been duly issued by the applicable agency charged with licensure to perform the work contained herein. The potential for both conventional and alternative onsite sewage systems has been discussed with the owner/applicant.

☐ The work attached to this cover page has been conducted under an exemption to the practice of engineering, specifically the exemption in Code of Virginia Section 54.1-402.A.11

I recommend that a: ☐ Construction Permit ☐ Subdivision Approval be: ☑ ***Issued***

☐ Certification Letter ☐ Repair Permit ☐ Voluntary Upgrade ☐ ***Denied***

☑ Minor Modification

OSE/PE Signature: Wayne A. Savage Date: 7/31/2025

COMMONWEALTH OF VIRGINIA

VDH USE ONLY
Health Dept. ID#_____
Due Date:_____

Application for: ☑ Sewage System ☐ Water Supply

Owner: **David & Haley Logan** Phone: **757-566-2391 (Paul White Builders)**

Mailing Address: **190 Jolly Pond Rd** Email: **DianneNewman@cox.net (Paul White Builders)**

Williamsburg, VA 23188-7319 Phone:

Agent: **Soils Inc.** Phone: **540-364-1122**

Mailing Address: **8331 W. Main Street Marshall, VA 20115** Fax:

Site Address: **190 Jolly Pond Rd** Email: **submissions@soils-inc.com**

Williamsburg, VA 23188-7319

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Subdivision: - Section: - Block: - Lot: -

Tax Map: **3110100006** Other Property Info: Acreage: **0.836± ac.**

Sewage System

Type of Approval: Applicants for new construction are advised to apply for a certification letter to determine if the land is suitable for a sewage system and to apply for a construction permit (valid for 18 months) **only when ready to build.**

☐ Certification Letter ☑ Construction Permit ☐ Repair ☐ Voluntary Upgrade ☐ Minor Modification

Proposed Use:

Single Family Home **(Number of Bedrooms)** 4 Multifamily Home **(Total # of Bedrooms)**

Other (Describe): **limit occupancy to 6 people**

Basement ☐ Yes ☑ No Walk-Out Basement? ☐ Yes ☑ No Fixtures in Basement? ☐ Yes ☑ No

Conditional Permit Desired? ☑ Yes ☐ No If yes, what type of conditions are desired?

☐ Reduced Water Flow ☑ Limited Occupancy ☐ Intermittent or seasonal use ☐ Temporary Use (1 yr. maximum)

Do you wish to apply for a betterment loan eligibility letter? ☐ Yes** ☑ No

**There is a $50 fee for determination of eligibility.

Water Supply

Will the water supply be ☑ Public or ☐ Private Is the water supply ☑ Existing or ☐ Proposed

If proposed, is this a replacement well? ☐ Yes ☑ No If yes, will the old well be abandoned? ☐ Yes ☐ No

Are any adjacent properties used for an agricultural operation? ☐ Yes ☑ No

Well Type (e.g. domestic use, agricultural, irrigation, etc.) **Domestic Use**

All Applicants

Is the property intended to serve as your (the owners') principal place of residence? ☑ Yes ☐ No

All applications must be accompanied by private sector evaluations and designs, unless a petition for VDH services is approved. Is a Petition for Service form attached? ☐ Yes ☑ No

In order for VDH of process your application for a sewage system, you must attach a plat of the property and a site sketch. For water supplies, a plat of the property is recommenced and a site sketch is required. The site sketch should show your property lines, actual and/or proposed buildings, and the desired location of your well and/or sewage system. When the site evaluation is conducted, the property lines, building location and the proposed well and sewage sites must be clearly marked and the property sufficiently visible to see the topography. I give permission to the Virginia Department of Health to enter onto the property described during normal business hours for the purpose of processing this application and to perform quality assurance checks of evaluations and designs certified by a private sector Onsite Soil Evaluator or Professional Engineer as necessary until the sewage disposal system and/or private water supply has been constructed and approved.

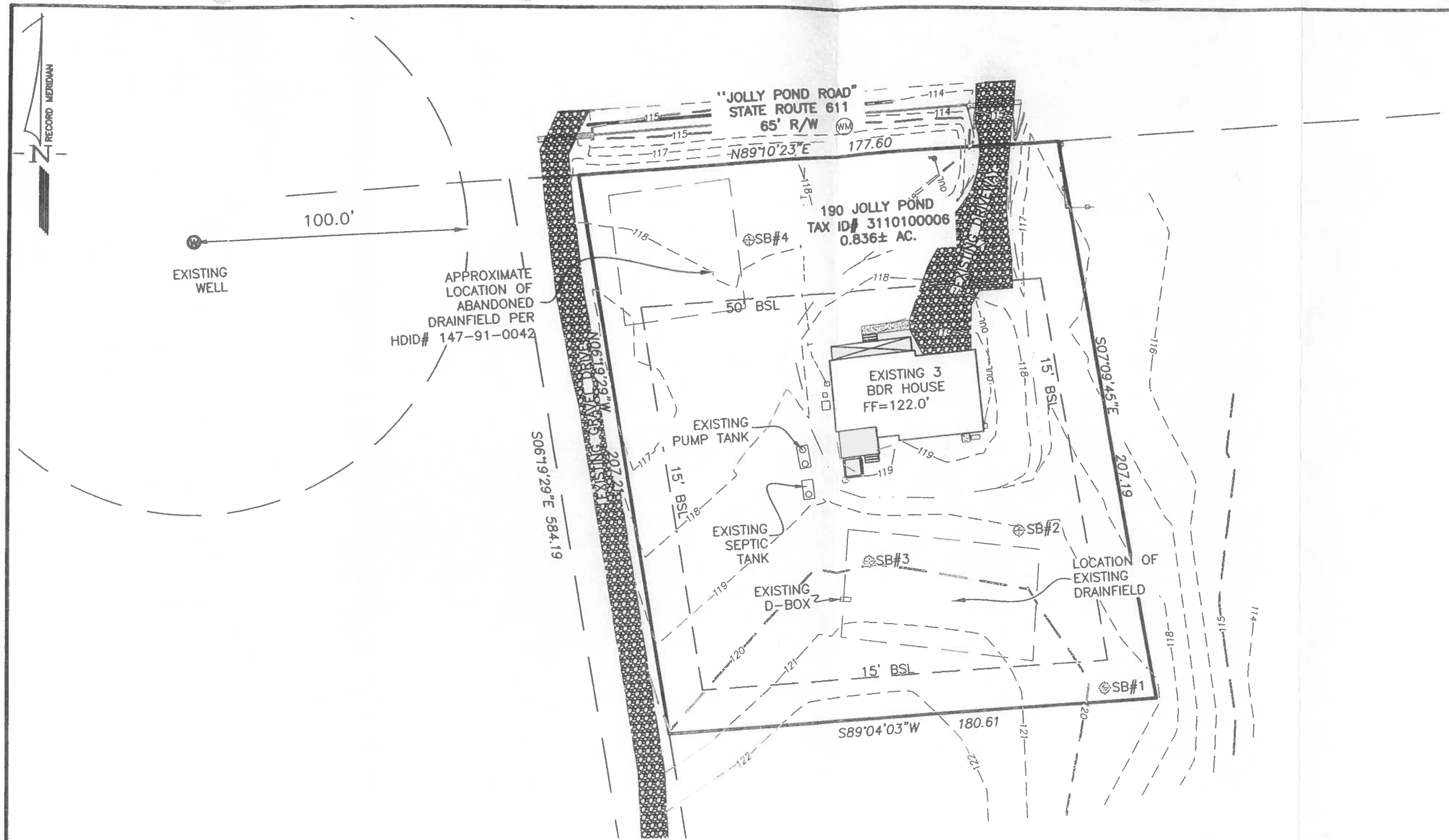
Wayne A. Savage 7/31/2025

Signature of Owner/Agent Date

This form contains personal information subject to disclosure under the Freedom

VALIDATION STAMP ON BACK

INSTRUMENT 202512262
RECORDED IN THE CLERK'S OFFICE OF
WMSBG/JAMES CITY CIRCUIT ON
AUGUST 22, 2025 AT 02:26 PM
ELIZABETH E. O'CONNOR, CLERK
RECORDED BY: SPA



EXISTING CONDITIONS

PAGE 1

Page 5 & 5

SOILS INC.
8331 WEST MAIN ST, MARSHALL, VA 20115
P.844.447.SOIL (7645) F.540.364.2060

PROJECT: 190 JOLLY POND RD

DATE: 4/4/2025 JOB #T5826

GPIN OR TM #: 3110100006

COUNTY/STATE: JAMES CITY COUNTY, VA

ARTICLE I. - ALTERNATIVE DISCHARGING SEWER SYSTEM

Sec. 17-1. - Definitions.

For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

"Alternative onsite sewage system" shall mean a treatment works that is not a conventional onsite sewage system or an alternative discharging sewage system.

"Alternative discharging sewage system" or *("ADSS")* shall mean any device or system which results in a point source discharge of treated sewage for which the State Board of Health may issue a permit authorizing construction and operation when such system is regulated by the State Water Control Board pursuant to a general Virginia Pollutant Discharge Elimination System permit issued for an individual single-family dwelling with flows less than or equal to 1,000 gallons per day.

"Authority" or *"JCSA"* shall mean the James City Service Authority.

"Conventional onsite sewage system" shall mean a treatment works consisting of one or more septic tanks with gravity, pumped, or siphoned conveyance to a gravity distributed subsurface drainfield.

"Health Department" or *"VDH"* shall mean the James City County-Williamsburg Health Department or its successor.

"Board of Health" shall mean the Virginia Board of Health.

(Ord. No. 14A-4, 12-12-23)

Sec. 17-2. - Limitations on the use of alternative discharging sewage systems.

No ADSS shall be permitted unless each of the following occurs:

1. The Health Department determines in writing that an existing alternative onsite sewage system serving an existing, occupied structure has failed and cannot be repaired or replaced and that the only available means of providing sewage disposal to such dwelling other than pump-and- haul is by an alternative discharging sewage system.
2. The Board of Supervisors issues an ADSS operating permit.

(Ord. No. 14A-4, 12-12-23)

Sec. 17-3. - James City County ADSS permit.

1. *Application.* An application to obtain a permit to operate an ADSS in James City County shall be submitted in writing to the County Administrator and shall include, at a minimum, the following:
    a. A copy of the application form and material(s) submitted to the VDH; and
    b. Written documentation from VDH that all other methods of sewage disposal permitted in the Commonwealth of Virginia have been investigated and that the alternative discharging sewage system is the only remaining alternative for this previously improved property; and
    c. A written narrative from the property owner.
2. *Consideration.*
    a. Within four (4) months of receipt of the application or as soon thereafter as they are reasonably able, the County Administrator shall place the application on a Board of Supervisors agenda for its consideration as a Board Discussion item.
    b. The Board shall determine if the application materials are complete and whether issuance of the permit will be in the best interests of the public's health, safety, and welfare.
    c. The Board may approve, approve with conditions, deny, or defer any application before it.

(Ord. No. 14A-4, 12-12-23)

Sec. 17-4. - Alternative discharging sewage system maintenance and testing.

In addition to all state-mandated testing and maintenance requirements, the property owner is required to comply with the following responsibilities:

1. File with the General Manager of the Authority a copy of the results of all state-mandated testing and inspections no later than one week after the results are submitted to the Health Department, and to repair or replace such system, as necessary, to correct any deficiencies identified in any inspection report in compliance with the applicable regulations of the Board of Health.
2. Provide yearly testing results to the Authority in such form and with such information deemed necessary by the Authority.
3. Permit the Health Department and Authority staff to enter the property to inspect such system and to determine whether such system is installed, operated, and maintained in accordance with this section, any conditions associated with the County issued permit, and the regulations of the Board of Health.
4. Failure to conduct mandatory monitoring or to report monitoring results as required in 12VAC5-640-490 and 12VAC5-640-510 may constitute a violation of county code and may also result in the revocation of the ADSS permit granted pursuant to this section.

(Ord. No. 14A-4, 12-12-23)

Sec. 17-5. - Availability of sanitary or other sewer; discontinuance of alternative discharging sewage system.

If sanitary or other sewer system owned or operated by James City County or the Authority becomes available within two hundred (200) linear feet from the boundary of any parcel served by an alternative discharging sewage system, the owner of said property shall be required to connect to the sanitary or other sewer system within one (1) year of the date of availability or when necessary or desired work to the alternative discharging sewage system equals or exceeds 50% of its then-current replacement cost, whichever comes first.

(Ord. No. 14A-4, 12-12-23)

Secs. 17-6, 17-7. - Reserved.

M E M O R A N D U M

DATE: April 14, 2026

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development

SUBJECT: Virginia Department of Transportation Project No. UPC 125628. Route 622 (Stewarts Road) over Branch Diascund Creek Bridge Replacement Project - Resolution of Support

---

Route 622 (Stewarts Road) is a one-lane undivided road, functionally classified as a local road with a 40 mph posted speed limit which handles approximately, on average, 269 vehicles per day. The existing roadway width on the bridge is 14 feet from curb to curb. Crash data from the past five years (November 2020 - October 2025) within a 0.5-mile segment (0.25 miles on both sides of the bridge) shows zero vehicle crashes along Stewarts Road/Liberty Church Road.

The bridge is at the point where it needs to be replaced by the Virginia Department of Transportation (VDOT). While VDOT's general policy is not to build one-lane bridges, this project proposes to widen the bridge from 14 feet (curb-to-curb distance) to 15 feet 8 inches wide from face-of-guardrail to face-of-guardrail, within which would be a single-lane of traffic with a 12 foot-wide travel lane with a one foot-wide shoulder on each side.

Given the location and the existing condition of the approaching roadway, replacing the bridge to current VDOT standards may be too large of a facility for the context of the area. Reducing the width of the replacement bridge from current VDOT standards to the proposed one-lane bridge design requires concurrence from the governing body.

Staff recommends approval of the attached resolution. The local VDOT residency finds that such a reduction represents a good common-sense engineering decision. Further, the project location does not appear to be crash-prone based on the crash data observed over the past five years. The observed crash rate is significantly lower than both statewide and district averages, and the segment recorded no fatal or injury-related crashes during this period.

Additionally, the historical crash data reveals no instances of head-on, sideswipe or run-off the-road collisions, which are typically associated with narrow lanes and shoulder widths. The proposed wider bridge geometry is anticipated to enhance safety compared to existing conditions.

Staff has further confirmed that a reduction in the design scope of the project will still meet the needs of the County's first responders. In addition, a reduction in the design scope is expected to have less of an environmental impact and fewer impacts on the existing roadway and area.

PDH/ap
VDOTRt622-mem

Attachment

R E S O L U T I O N

VIRGINIA DEPARTMENT OF TRANSPORTATION PROJECT NO. UPC 125628.

ROUTE 622 (STEWARTS ROAD) OVER BRANCH DIASCUND CREEK BRIDGE

REPLACEMENTPROJECT - RESOLUTION OF SUPPORT

WHEREAS, the Virginia Department of Transportation (VDOT) has identified a need to replace the existing bridge on Stewarts Road over Branch Diascund Creek; and

WHEREAS, the existing bridge is currently a one-lane, 14-foot-wide bridge; and

WHEREAS, a replacement bridge meeting full VDOT Standards may be too large of a facility for the context of the area; and

WHEREAS, with concurrence of the Board of Supervisors, VDOT would consider designing the bridge to be a one-lane bridge, 15 feet 8 inches wide from face-of-guardrail to face-of-guardrail, within which would be a single-lane of traffic with a 12 foot-wide travel lane with a one foot-wide shoulder on each side; and

WHEREAS, such a reduction in the design scope of the project will still meet the needs of the community and will still meet the needs of the County's first responders, but is expected to have less of an environmental impact and fewer impacts on the neighborhood; and

WHEREAS, the local VDOT residency finds that such a reduction represents a good common-sense engineering decision that would be a better fit.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests VDOT consider a design modification for the Route 622 (Stewarts Road) over Branch Diascund Creek Bridge Replacement Project and requests VDOT continue to resolve any outstanding design issues to address citizen concerns in a timely manner.

_____
John J. McGlennon
Chair, Board of Supervisors

ATTEST:

_____
Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	AYE	NAY	ABSTAIN	ABSENT
WAINWRIGHT	____	____	____	____
NULL	____	____	____	____
ICENHOUR	____	____	____	____
LARSON	____	____	____	____
MCGLENNON	____	____	____	____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2026.

VDOTRt622-res

Figure 1: Project Location and Existing Geometry