

A G E N D A
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
September 28, 2016
4:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. August 31, 2016 DRC Minutes

D. OLD BUSINESS

E. NEW BUSINESS

1. C-0031-2016 4501 Noland Blvd., AutoZone
2. SP-0047-2016. Patriot's Colony Expansion

F. ADJOURNMENT

ITEM SUMMARY

DATE: 9/28/2016

TO: The Development Review Committee

FROM: Paul D. Holt, III, Secretary

SUBJECT: Minutes Adoption - August 31, 2016 Regular Minutes

ATTACHMENTS:

	Description	Type
▣	August 31, 2016 DRC Minutes	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Secretary, DRC	Approved	9/23/2016 - 12:29 PM

MINUTES
JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
August 31, 2016
4:00 PM

A. CALL TO ORDER

Mr. Heath Richardson called the meeting to order at approximately 4:00 p.m.

B. ROLL CALL

Present:

Mr. Chris Basic
 Mr. Rich Krapf
 Mr. Tim O'Connor
 Mr. Heath Richardson

Absent:

Ms. Robin Bledsoe

Staff Present:

Ms. Ellen Cook, Principal Planner
 Mr. John Carnifax, Director of Parks and Recreation
 Mr. Jose Ribeiro, Senior Planner II
 Ms. Savannah Pietrowski, Planner
 Mr. Alex Baruch, Planner
 Ms. Tori Haynes, Community Development Assistant

C. MINUTES

1. July 27, 2016 DRC Minutes

Mr. Rich Krapf made a motion to approve the July 27, 2016 meeting minutes. On a voice vote the motion carried 4 – 0.

D. OLD BUSINESS

1. SP-0049-2015, The Promenade at John Tyler

Ms. Pietrowski stated that this case had been deferred from the July meeting. Ms. Pietrowski stated that, as required by the adopted proffers, Mr. Gary Werner had submitted building elevations during the site plan review. Ms. Pietrowski stated that staff and the Planning Director found these elevations to be inconsistent with the master plan due to several inconsistencies between the proposed elevations and those provided during the rezoning process, and the applicant had appealed this determination to the DRC. Ms. Pietrowski stated that staff recommends the DRC determine that the elevations are inconsistent with the master plan.

Mr. Richardson inquired when the development had been approved by the Board of Supervisors.

Ms. Pietrowski stated that it was approved in November of 2014.

Mr. Gary Werner, of Fransiscus Homes, presented the proposed elevations and those approved during the rezoning process. Mr. Werner stated that he felt that the rezoning elevations were lacking details, and the proposed elevations were an improvement, as they included a variety of color schemes and architectural treatments. Mr. Werner noted that he did not feel that every lower roofline should be standing seam, as it is better to have variety. Mr. Werner stated that he tries to avoid cookie-cutter designs, while maintaining compatibility within the development.

Mr. John Hopke, of Hopke and Associates, stated that he worked with Mr. Werner to prepare conceptual renderings for the rezoning process, which Mr. Werner was going to later develop further based on the market. Mr. Hopke stated that it is difficult to determine consistency with conceptual elevations.

Mr. Krapf stated that each of the rezoning elevations contained cupolas, and inquired if Mr. Werner intended to include this feature in his new elevations.

Mr. Werner stated that he did not intend to include them.

Mr. Krapf stated that these discussions are difficult because when the conceptual drawings are presented during the legislative process, a vote can hinge on whether something will be aesthetically pleasing and contains good design features. Mr. Krapf stated that it is hard to balance how much of the votes were based on aesthetics versus land use.

Mr. Werner stated that providing two cupolas on each building, as shown on the rezoning elevations, may be too many.

Mr. Krapf agreed that it is possible to have too much of a good thing.

Mr. Werner reiterated that he tries to create variety, and provided an overview of the various architectural features included in the elevations.

Mr. Basic inquired about the reason for including cupolas on the rezoning elevations if Mr. Werner did not intend to include them on the final development.

Mr. Werner stated that he would prefer not to use them, and that he was perhaps not strong enough in relaying that preference when Mr. Hopke prepared the rezoning elevations. Mr. Werner noted that the choice to omit them was not due to cost, but personal preference.

Mr. Krapf inquired regarding the covered porches on the rezoning elevations.

Mr. Werner stated that every duplex building will have an open deck and optional screened porch, consistent with the rezoning elevations.

Mr. Basic stated that he agrees that there is a difference between conceptual drawings and final elevations, but noted that there are many inconsistencies found by staff. Mr. Basic asked Mr. Werner if he would be able to compromise in revising the elevations.

Mr. Werner stated that he is willing to incorporate some of the features identified by staff, but he does not feel that all of the features should be included on all of the elevations.

Mr. Richardson stated that the Board of Supervisors had approved the original design, and inquired the degree to which the DRC could negotiate aspects of that design.

Mr. O'Connor stated that he did not see a lot of deviation from the original design, aside from the cupolas. Mr. O'Connor noted that some of the features noted in the staff report could also become maintenance issues. Mr. O'Connor also stated that he finds the tenplex buildings to now be more consistent with the duplex buildings.

Ms. Pietrowski stated that staff has to have a more narrow view in determining what is or isn't consistent with approved master plans and/or elevations; however, as the appeal body, the DRC has a broader ability to determine if a proposal is consistent.

Mr. Krapf stated that the community is concerned about big companies coming in and constructing developments originally proposed by smaller custom builders. Mr. Krapf stated that carrying through architectural details results in a development that is more appealing than the standard cookie-cutter approach. Mr. Krapf noted that the aesthetics of the community help make James City County a special place to live, and this desire has been reinforced through citizen surveys. Mr. Krapf stated that he recommends having Mr. Werner work with staff to compromise on some of the discrepancies between the rezoning elevations and those now proposed, and present those elevations at the next DRC meeting.

Mr. Werner stated that he did not feel that his elevations were cookie-cutter, and enhancements had been made within the new elevations.

Mr. Krapf clarified that he was not implying that Mr. Werner's elevations were cookie-cutter.

Mr. Richardson stated that staff analysis identified many inconsistencies, and agreed with Mr. Basic and Mr. Krapf that further work could be done with staff. Mr. Richardson further stated that he felt the cupolas contributed to the feel of the community, which has been identified as an important aspect in other developments and within the Comprehensive Plan. Mr. Richardson asked Mr. Werner if he could work with staff to revise the elevations.

Mr. Werner stated that he could.

Mr. Basic stated that shortening staff's list of inconsistencies could help the DRC find the elevations consistent.

Mr. Richardson agreed that it would make him more comfortable.

Ms. Pietrowski inquired if there were any specific features the DRC felt strongly about including.

Mr. Richardson stated that Mr. Krapf had noted the standing seam roofs.

Ms. Pietrowski stated that staff did not request standing seam roofs on every building

because it is an aesthetic preference; staff noted that feature in the DRC report because it was included on every building in the rezoning elevations, but was not carried through on each new elevation.

Mr. O'Connor stated that further guidance should be given to staff and Mr. Werner, as getting the elevations finalized is important to Mr. Werner's timeline.

Mr. Richardson stated that he did not think it would be beneficial to discuss each consistency item in the staff report, as each person at the table may have a different opinion on each one.

Mr. O'Connor stated that staff has to operate in a confined box when determining consistency, and the elevations will return to the DRC if the DRC members are unable to define what they would consider consistent.

Mr. Krapf stated that he does not feel that standing seam elevations should be included on all buildings; however, the feature should be on at least some of the buildings. Mr. Krapf further stated that he is looking for more connection to the rezoning elevations, for example, including a cupola.

Mr. Werner stated that he will work with staff.

Mr. Basic stated that he does not want to micromanage the design by going through each item on the list, but he instead just wants the list to be shorter.

Mr. O'Connor stated that the cupolas are the biggest lingering issue. Mr. O'Connor stated that staff may not need direction on the smaller features, but some direction should be given in relation to the larger items.

Mr. Krapf stated that it may also be helpful to have a list of enhancements he made since the rezoning elevations to help balance the review.

Mr. Werner inquired if it was necessary to return to the DRC, or if it could be handled at the staff level.

Mr. Krapf stated that he did not believe it would have to come back to the DRC if the planning director were able to find the revised elevations consistent.

Ms. Pietrowski agreed.

Mr. Richardson inquired if someone could make a motion to return the application to the staff level to negotiate further changes.

Mr. O'Connor stated that he thinks the motion should be to find the elevations either inconsistent or consistent, and provide further direction following that motion.

Mr. Krapf moved to find the elevation inconsistent at the present, with the agreement that the elevations be reviewed again by staff.

The motion passed by a vote of 3-1; Mr. O'Connor opposed.

E. NEW BUSINESS

1. C-0065-2016, The Colonies at Williamsburg Swimming Pool Addition

Mr. Alex Baruch presented the staff report stating that Mr. William Felts of LandTech Resources has submitted a conceptual plan proposing a 4,140 square foot swimming pool where 18 timeshare units were shown on the master plan and subsequently approved through the site plan process. Mr. Baruch stated that this request is to meet the desires of the timeshare owners for a quieter pool area. Mr. Baruch stated that the property owner intends on transferring the density of the 18 timeshare units by adding a third floor to buildings shown on the previously approved site plan. The applicant understands that they will need to submit another application which will be heard by the DRC for master plan consistency determination once more specific plans are known to achieve the transfer in units and subsequent increase in building height.

Mr. Baruch stated that staff has reviewed the plan and determined that the proposed swimming pool is consistent with the master plan and SUP conditions. Staff recommends that the DRC find the replacement of 18 timeshare units with a swimming pool consistent with the master plan.

Mr. Richardson asked if the Commissioners had any questions.

Mr. Krapf asked if there were any potential issues with the height increase of the buildings to transfer the density.

Mr. Baruch stated that there are currently two three story buildings built on the property and others approved on the site plan that are not yet constructed. Staff and the DRC will have the opportunity to review the proposal when it is submitted at a future date to ensure it complies with the Zoning Ordinance and other regulations/conditions related to this development.

Mr. Chase Haper, AES Consulting Engineers, stated that he did not have any additional information to add.

Mr. Krapf stated that it seemed like a good idea as it would add an amenity to the development and still retain the density.

Mr. Chris Basic made a motion to approve the addition of the swimming pool.

The motion passed by a vote of 4-0.

2. Warhill Sports Complex Master Plan Amendment

Mr. Ribeiro stated that this case was in front of the DRC per the request of the applicant to discuss the proposed amendment to the Warhill Sports Complex master plan prior to Planning Commission and Board of Supervisors consideration. Mr. Ribeiro highlighted the changes being proposed and asked for input from the Committee.

Mr. Richardson asked for the reason behind the relocation of the community gymnasium.

Mr. Carnifax stated that the 2004 master plan showed the community gymnasium adjacent to the basketball courts. The reason for the relocation was based on proximity to the Centerville Road entrance, which is fully signalized, and the stadium parking lot

and other large parking areas at Warhill High School and Thomas Nelson Community College.

Mr. Carnifax also stated that the location of the running center was largely based on the fact that the proposed center would not be a big draw on daily users and, therefore, not a big traffic generator other than some potential cross-country, state and regional meets.

Mr. Carnifax indicated that the location of the proposed running center will not reduce the number of athletic fields shown on the master plan, which was a priority for him.

Mr. Carnifax stated that the proposed amendment to the master plan would first be considered by the Parks and Recreation Commission in September, and then Planning Commission in October and Board of Supervisors in November.

Mr. O'Connor asked Mr. Carnifax if he thought that there would be adequate parking to support the gymnasium and the running center. Mr. Carnifax stated that he thought that parking would not be an issue and that there would be some additional new parking spaces associated with the gymnasium.

Mr. Carnifax stated that, regarding traffic volume, the service road will be open year-round from 6:00 a.m. to 9:00 p.m. or 10:00 p.m. Mr. Carnifax stated the traffic impact study for the sports complex recommended consideration of signalization of the Longhill Road intersection or some form of manual traffic control during peak hours.

Mr. O'Connor stated that the opening of the service road would be very helpful but that he had concerns with the Longhill Road intersection.

Mr. Carnifax concurred and stated that at some point the intersection would have to be improved. Mr. Carnifax stated that the Longhill Road Corridor study recommended the widening of Longhill Road to four-lanes and that that the challenge would be to consider improvements to the intersection prior to the widening of the road.

Mr. O'Connor stated that a couple of years ago, through the CIP process, there was discussion regarding providing office spaces and moving Parks and Recreation operation to the Warhill Sports Complex and asked Mr. Carnifax if the proposed revisions to the master plan would address that need.

Mr. Carnifax stated that there is a desire to include a Parks and Recreation administration office in the running center building.

Mr. Hopke presented a slide show of the proposed running center building and introduced Mr. Rick Platt, founder of the Rick Platt foundation, a non-profit organization which supports and promotes the sport of running in the area. Mr. Hopke indicated that the running center would support his legacy and the running community.

Mr. Platt stated that he has been the president of the Colonial Road Runners since 1994 and that he has been writing articles about running and track-and-field and cross-country for the Virginia Gazette since 1976. Mr. Platt explained that the basic idea behind the creation of the foundation was to educate and promote the sport of running. Mr. Platt stated that the foundation will fund the construction and operation of the running center building.

Mr. Hopke presented a list of running events such as the William and Marry Invitational that will potentially take place at the running center. Mr. Hopke discussed some of the site elements of the running center such as modification of the existing parking area to accommodate bus parking. Mr. Hopke also stated that the location of the proposed running center would not interfere with the location of the future baseball fields.

Mr. Hopke presented the building floor plan and indicated that part of the building could be opened to use without having to open the entire facility. The facility would be comprised of office spaces, a multi-purpose room, a small museum, a library, indoor and outdoor restrooms, a small lobby, concession stands, and an observation deck.

Mr. Hopke stated that, architecturally, the idea was to pick up on the same materials that already exist on the site such as thin roof and pre-cast columns.

Mr. Krapf stated that the Colonial Williamsburg Visitor Center used a similar super structure as shown on the architectural elevations for the running center building and that there was an issue with maintaining and cleaning the mess created by birds. Mr. Krapf asked if he anticipated that same issue with the design of the running center building.

Mr. Hopke indicated that this issue is made worse in areas that sell food which will be the case as there are proposed concession stands built in the building. However, there are ways to deal with this issue such as placing pigeon stakes as currently found at the James City County Recreation Center.

Mr. Krapf asked for the expected timetable for completion of the running center building.

Mr. Platt indicated that, ideally, the center would be able to host some cross country meets by 2017, even if the building is not totally built.

Mr. O'Connor expressed a concern with the location of the outdoor bathrooms as it would not be visible from the sport fields.

Mr. Hopke stated that they would look into the matter.

Mr. Hopke discussed some of the economic benefits associated with sports events.

Mr. Platt indicated that he envisioned the running center as a multi-use facility that could serve as a registration center for other sports activities during inclement weather and provide permanent office space for the Parks and Recreation staff. Mr. Platt also stated that the building will serve as the location of the Virginia Peninsula Road Racing Hall of Fame.

Mr. Basic asked Mr. Carnifax if he had an idea as to when the unbuilt elements of the master plan would come on line.

Mr. Carnifax stated that the Parks and Recreation Master Plan, which focus on facilities and programs, will soon be revised and that those unbuilt elements will be discussed during the revision process. Mr. Carnifax indicated that, currently, the two main issues related to sports facilities in the County are gymnasium space and the swimming pool. Although a swimming pool is being built at the WISC, a larger pool will be necessary in the near future.

Mr. Carnifax pointed out that the revised master plan shows the location of sports facilities but that depending on where the population is growing in the County these facilities could be built elsewhere.

Mr. Basic asked if a vote was required.

Mr. Ribeiro stated that no vote was necessary.

The DRC members indicated that they had no further questions or comments.

F. ADJOURNMENT

There being no further business, Mr. Krapf made a motion to adjourn. On a voice vote the motion carried 4 – 0 and the meeting was adjourned at approximately 5:10 p.m.

ITEM SUMMARY

DATE: 9/28/2016

TO: The Development Review Committee

FROM: Ellen Cook, Principal Planner

SUBJECT: Proposed 7,381 square foot AutoZone store at 4501 Richmond Road.

ATTACHMENTS:

	Description	Type
▣	Staff Report	Staff Report
▣	Attachment 1 Proffers	Backup Material
▣	Attachment 2 Adopted Master Plan	Backup Material
▣	Attachment 3 AutoZone Concept Layout	Backup Material
▣	Attachment 4 Building Elevation	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Cook, Ellen	Approved	9/23/2016 - 11:15 AM
Development Review Committee	Secretary, DRC	Approved	9/23/2016 - 12:16 PM
Publication Management	Burcham, Nan	Approved	9/23/2016 - 1:31 PM
Development Review Committee	Secretary, DRC	Approved	9/23/2016 - 1:51 PM

CONCEPTUAL PLAN-0031-2016. 4501 Noland Blvd., AutoZone

Staff Report for the September 28, 2016, Development Review Committee

SUMMARY FACTS

Applicant: Mr. Kevin Murphy on behalf of AutoZone

Land Owner: Wessen Properties, LLC

Proposal: Demolition of existing structure (Handel's Ice Cream) and construction of a 7,381-square-foot store for retail sales of auto parts and accessories. This use will not include auto service bays as no vehicle service or repair is proposed.

Development Review
Committee (DRC)
Review:

The applicant has requested a deviation from the master plan for the Lightfoot Mixed Use Area dated September 3, 2004. Section 24-516 of the Zoning Ordinance stipulates that development plans that differ from the approved master plan may be approved if the Planning Director concludes that the plan does not significantly alter the character of the land uses or other features or conflict with any conditions. Should the Planning Director disapproves the item, the applicant may appeal the decision of the Planning Director to the DRC which shall forward a recommendation to the Commission.

Location: 4501 Noland Boulevard

Tax Map/Parcel No.: 2430900001B

Project Acreage: +/- 1.03

Zoning: MU, Mixed Use

Comprehensive Plan: Mixed Use

Primary Service Area: Inside

Staff Contact: Ellen Cook, Principal Planner

FACTORS FAVORABLE

1. The total amount of commercial square footage remains under the cap listed on the master plan.
2. The projected trip generation appears to be within the amount projected for master plan Area 1B during the rezoning process.

FACTORS UNFAVORABLE

1. The proposal differs from the use and amount of square footage in master plan Area 1B, as compared with the adopted master plan and with what the DRC had previously found consistent with the master plan.

STAFF RECOMMENDATION

Staff recommends that the DRC affirm the Planning Director's conclusion that the proposal significantly alters the character of land uses and as such, is not consistent with the legislatively adopted Master Plan.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of 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.

PROJECT DESCRIPTION

Since rezoning approval in 2005, the residential construction toward the rear of the site has been on-going, and three commercial uses (AAAA Self Storage, AAA Tidewater Member Services Center, Handel's Ice Cream) have been constructed. A fourth commercial use, a specialty retail building that would have been located behind the Handel's on Parcel No. 2430900001C, was shown on the same site plan as Handel's and was approved but has not yet been constructed. (Please note that "specialty retail" is a term used in the Institute of Traffic Engineers trip generation book, rather than a term from the County's Zoning Ordinance. This category was selected as best matching the proposed use for the purposes of determining the projected trip generation). Staff has now received a proposal for demolition of the Handel's Ice Cream store and construction of a 7,381-square-foot AutoZone store in its place. The AutoZone use would consist of retail sales of automobile parts and accessories, it does not include vehicle service or repair and there would be no automobile service bays.

An AutoZone is a permitted use in the Mixed Use District as "retail and service stores." The master plan for the Lightfoot Mixed Use Area shows this potential site as Area 1B with the proposed general land use noted as "E or G" which would allow for commercial or office uses. Within Area 1B, some additional specific information is noted, which states "restaurant, office (up to 8,000)." The AutoZone commercial use clearly fits under the "E or G" general land uses category, however, it differs from the specific use language on the master plan which relates directly to a restaurant or office use. Please note that at its May 30, 2007 meeting, the DRC had previously reviewed the site plan for the Handel's Ice Cream and "specialty retail" stores and had found these uses consistent with the master plan.

In addition to the uses specified on the master plan, a second issue is the square footage. As noted above, the master plan specifies a cap of 8,000 square feet for Area 1B. The proposed AutoZone building would be approximately 7,381 square feet. While the "specialty retail" building discussed above has not yet been constructed, its site plan remains valid through 2017, and it appears that part of the master plan determination would also be to consider the consistency of having both the AutoZone and "specialty retail" building in Area 1B, which would be a total of 14,581 square feet. Please note that during its review of the Handel's and "specialty retail" site plan in 2007, the DRC had approved a transfer of square footage from Area 1A of the master plan to allow for the total of 9,200 square feet (approximately 2,000 square feet for Handel's and 7,200 square feet for the "specialty retail" building) in Area 1B. To have both the AutoZone and "specialty retail" building in Area 1B would be 6,581 square feet more than is shown on the master plan, and 5,381 square feet more than what the DRC had previously found consistent as part of the Handel's/ "specialty retail" determination. It is also important to note that there is approximately a 26,824-square-foot difference between what was approved for Area 1A and 1C on the master plan (123,000) and what has been built there in the form of the Self Storage facility and AAA Membership Services Building (96,176 square feet).

A third issue for consideration is traffic impacts. During the original rezoning, the traffic impact analysis for Area 1A was based on an 8,000-square-foot sit down restaurant, which was listed as generating 1,016 trips per day. The Handel's/"specialty retail" proposal was projected to generate 414 trips per day. For an AutoZone and a 7,200-square-foot "specialty retail" building the trip generation would be projected to generate 448 and 317 daily trips, respectively. Together, these total 765 daily trips, which is less than the trips associated with the original sit down restaurant.

Finally, in terms of the character of the development, staff would note that there were no elevations or design guidelines submitted or proffered as part of the Lightfoot Mixed Use rezoning. The only criteria for the appearance of the building are found in Proffer 11, which states that “the building walls of all buildings facing Route 60 shall be constructed of brick, glass, masonry or better split faced block, dryvit, stone, manufactured stone, or siding as determined by the Director of Planning. All rooftop mechanical equipment will be screened from view from Route 60.” The applicant has submitted an elevation of the proposed building which is included as Attachment No. 4.

RECOMMENDATION

Staff recommends that the DRC affirm the Planning Director’s conclusion that the proposal significantly alters the character of land uses and as such, is not consistent with the legislatively adopted Master Plan.

EC/nb
CP0031-16AutoZone-mem

Attachments:

1. Proffer Set
2. Adopted Master Plan
3. Proposed Concept Plan
4. Proposed Building Elevation

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of 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.

PROFFERS

THESE PROFFERS are made this 24th day of November, 2004 by NOLAND PROPERTIES, INC., a Virginia corporation (together with its successors in title and assigns, the "Owner").

RECITALS

A. Owner is the owner of a tract or parcel of land located in James City County, Virginia, with an address of 6601 Richmond Road, Williamsburg, Virginia and being a portion of Tax Parcel 2430100035 containing approximately 52 acres as shown on the Master Plan (defined herein), being more particularly described on Schedule A hereto (the "Property").

B. The Property is now zoned B-1, with proffers dated November 15, 1989 and recorded in James City Deed Book 458 at page 126 (the "Existing Proffers"). Owner has applied to rezone the Property from B-1, with proffers, to MU, Mixed Use District, with proffers.

C. Owner has submitted to the County a master plan entitled "Master Plan for Rezoning of Lightfoot Mixed Use Development for Noland Properties, Inc." prepared by AES Consulting Engineers dated September 3, 2004 (the "Master Plan") for the Property in accordance with the County Zoning Ordinance. Owner has submitted to the County a traffic impact analysis entitled "Traffic Analysis for Lightfoot Mixed Use Development" prepared by DRW Consultants, Inc. dated March 3, 2004 (the "Traffic Study") for the Property.

D. Owner desires to offer to the County certain conditions on the development of the Property not generally applicable to land zoned MU.

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2297 of the Code of Virginia, 1950, as amended, and the County Zoning Ordinance, Owner agrees that it shall meet and comply with all of the following conditions in developing the Property. Upon the approval of the requested rezoning, the Existing Proffers are replaced and superceded in their entirety by these Proffers. If the requested rezoning is not granted by the County, these Proffers shall be null and void and the Existing Proffers shall remain in full force and effect.

CONDITIONS

1. **Owners Association.** There shall be organized an owner's association or associations (the "Association") in accordance with Virginia law in which all property owners in the development, by virtue of their property ownership, shall be members. The articles of incorporation, bylaws and restrictive covenants (together, the "Governing Documents") creating and governing each Association shall be submitted to and reviewed by the County Attorney for consistency with this Proffer. The Governing Documents shall require that each Association adopt an annual maintenance budget, which shall include a reserve for

maintenance of stormwater management BMPs, recreation areas, private roads and parking areas, sidewalks, and all other common areas (including open spaces) under the jurisdiction of each Association 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. The Governing Documents shall grant each Association the power to file liens on members' properties for the cost of remedying violations of, or otherwise enforcing, the Governing Documents. If there is more than one Association created for the Property the Associations shall enter into a costs sharing agreement allocating responsibility for maintenance and expenses for common areas described above between the Associations.

2. Water Conservation. (a) The Association shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority 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 approved landscaping materials 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 James City Service Authority prior to final subdivision or site plan approval.

(b) If the Owner desires to have outdoor watering in the area of the Master Plan designated as Areas 2, 4 or 5 it shall provide water for irrigation utilizing surface water collection from the two surface water ponds that are shown on the Master Plan and shall not use James City Service Authority ("JCSA") water or well water for irrigation purposes, except as provided below. This requirement prohibiting the use of well water may be waived or modified by the General Manager of JCSA if the Owner demonstrates to the JCSA General Manager that there is insufficient water for irrigation in the surface water impoundments, and the Owner may apply for a waiver for a shallow (less than 100 feet), well to supplement the surface water impoundments.

3. Cash Contributions for Community Impacts. (a) A contribution of \$630.00 for each residential dwelling unit on the Property shall be made to the James City Service Authority ("JCSA") in order to mitigate impacts on the County from the physical development and operation of the Property. The JCSA may use these funds for development of alternative water sources or any project related to improvements to the JCSA water system, the need for which is generated in whole or in part by the physical development and operation of the Property.

(b) A contribution of \$382.50 for each residential dwelling unit on the Property shall be made to the James City Service Authority ("JCSA") in order to mitigate impacts on the County from the physical development and operation of the Property. The JCSA may use these funds for development of sewer system improvements or any project related to improvements to the JCSA sewer system, the need for which is generated in whole or in part by the physical development and operation of the Property.

(c) A contribution for each non-residential building on the Property in an amount equal to \$1.53 per gallon per day of average daily sanitary sewage flow as determined by JCSA based on the use of the building(s) shall be made to the JCSA in order to mitigate impacts on the County from the physical development and operation of the Property. Contributions for buildings on Area 1B shown on the Master Plan shall be reduced by a credit based on flows from the prior use of that Area as a restaurant. Contributions for buildings on Area 1D shown on the Master Plan shall be reduced by a credit based on flows from the prior use of that Area as retail shops. The JCSA may use these funds for development of sewer system improvements or any project related to improvements to the JCSA sewer system, the need for which is generated in whole or in part by the physical development and operation of the Property.

(d) A contribution of \$600.00 for each dwelling unit on the Property shall be made to the County in order to mitigate impacts

on the County from the physical development and operation of the Property. The County may use these funds for any project in the County's capital improvement plan, the need for which is generated in whole or in part by the physical development and operation of the Property, including, without limitation, for emergency services, off-site road improvements, library uses, and public use sites.

(e) A contribution of \$605.00 for each dwelling unit on the Property shall be made to the County in order to mitigate impacts on the County from the physical development and operation of the Property. The County may use these funds for any project in the County's capital improvement plan, the need for which is generated in whole or in part by the physical development and operation of the Property, including, without limitation, for school uses.

(f) The contributions described above shall be payable for each dwelling unit or non-residential building on the Property at the time of subdivision or site plan approval for such unit or building.

(g) The per unit contribution(s) paid in each year pursuant to this Section shall be adjusted annually beginning January 1, 2006 to reflect any increase or decrease for the preceding year in the Consumer Price Index, U.S. City Average, All Urban Consumers (CPI-U) All Items (1982-84 = 100) (the "CPI") prepared and reported monthly by the U.S. Bureau of Labor Statistics of

the United States Department of Labor. In no event shall the per unit contribution be adjusted to a sum less than the amounts set forth in paragraphs (a) through (d) of this Section. The adjustment shall be made by multiplying the per unit contribution for the preceding year by a fraction, the numerator of which shall be the CPI as of December 1 in the year preceding the calendar year most currently expired, and the denominator of which shall be the CPI as of December 1 in the preceding year, In the event a substantial change is made in the method of establishing the CPI, then the per unit contribution shall be adjusted based upon the figure that would have resulted had no change occurred in the manner of computing CPI. In the event that the CPI is not available, a reliable government or other independent publication evaluating information heretofore used in determining the CPI (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 contribution to approximate the rate of annual inflation in the County.

4. Entrances/Taper. There shall be no more than two entrances into the Property to and from Route 60 in the general locations shown on the Master Plan. An eastbound 150 foot right turn taper on Route 60 shall be constructed at the right-in, right-out entrance to the Property from Route 60. The taper

proffered hereby shall be constructed in accordance with Virginia Department of Transportation standards and shall be completed prior to the issuance of the first certificate of occupancy for a building utilizing that entrance.

5. Private Streets. All streets on the Property shall be private and shall conform to VDOT construction standards. Private streets shall be maintained by the Association(s). The party responsible for construction of a private street shall deposit into a maintenance reserve fund to be managed by the Association responsible for maintenance of that private street an amount equal to one hundred and 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. The County shall be provided evidence of the deposit of such maintenance fee at the time of final site plan or subdivision plat approval by the County for the particular phase or section which includes the relevant private street.

6. Updated Traffic Study. (a) If any use is proposed to locate on the Property with a materially higher trip generation based on ITE trip generation figures than the use used in the Traffic Study which results in an overall materially higher trip generation from the Property, then Owner shall submit with the proposed site plan for the new use an updated traffic impact study to the Director of Planning and VDOT based on the new

proposed use for their review and approval and shall implement the recommendations of the approved updated study prior to issuance of certificate of occupancy for the new use.

(b) In any event, the Owner shall submit an updated traffic impact study to the Director of Planning and VDOT for their review and approval prior to the time of the issuance of building permits for (i) 70% of the commercial square footage permitted on the Property under the Master Plan and (ii) 50% of the total number of residential units permitted on the Property under the Master Plan, unless the Director of Planning and VDOT waive such requirement. Both thresholds shall be met before the study is required to be performed. The updated traffic study shall include actual traffic counts from the developed portions of the Property and utilize ITE trip generation figures for undeveloped portions of the Property and shall account for all other traffic utilizing the entrance road into the Property and shall determine whether a traffic signal and/or second left turn lane at the main entrance to the Property are warranted. If the approved updated study determines such a signal and/or additional turn lane are warranted, the County shall not be obligated to issue any further building permits for further development on the Property until such second westbound left turn lane at the main entrance into the Property from Route 60 and/or traffic signal at the main entrance have been installed or their installation commenced and surety for their completion in form acceptable to the County

Attorney have been posted with the County. Any such traffic signal shall include signal preemption equipment for emergency use and , if required by VDOT, shall be coordinated with other traffic signals along Route 60.

7. Landscaped Setback. The 20 foot buffer adjacent to Smith Memorial Baptist Church property (Tax Map #(24-3)(1-36) and the Zaharopulus property (Tax Map #(24-3)(1-37A) shall contain enhanced landscaping, defined as 125% of the landscaping otherwise required by the County zoning ordinance. No fence located in the buffer shall be closer than 19 feet to the Property boundary line. The facade of the mini-storage warehouses facing Smith Memorial Baptist Church shall be brick and no road or driveway shall be permitted between the 20 foot buffer adjacent to Smith Memorial Baptist Church and the mini-storage warehouses.

8. Affordable Housing Units. (a) At least 5% (rounded down to the nearest whole unit) of the residential dwelling units on the Property shall be reserved and offered for sale at prices of \$110,000.00, subject to adjustment as provided below, and at least 5% (rounded down to the nearest whole unit) of the residential dwelling units on the Property shall be reserved and offered for sale at prices of \$135,000.00, subject to adjustment as provided below. The maximum price set forth herein shall be adjusted annually as of January 1 of each year by increasing such

prices by the cumulative rate of inflation as measured by the Consumer Price Index - Urban, U.S. City Average annual average change for the period from January 1, 2005 until January 1 of the year in question. The annual increase shall not exceed five percent (5%). The Director of Planning shall be provided with a copy of the settlement statement for each sale at a price at or below the maximum prices set forth above. Owner shall consult with and accept referrals of, and sell to, potential qualified buyers from the James City County Office of Housing and Community Development on a non-commission basis. The units subject to this Condition shall be constructed prior to the County being required to issue building permits for more than 200 residential dwelling units on the Property.

9. Development Phasing. The County shall not be obligated to issue building permits for any residential dwelling units on the Property until the County has issued building permits for at least 25,000 square feet of floor area within areas designated as Area 1 on the Master Plan and construction thereof (defined as footings dug and foundations poured and passed required inspections) has commenced.

10. Environmental Protections. (a) The Owner and/or the owners association shall grant, free of charge, to a County approved land conservation entity and/or the County a conservation easement with terms consistent with these Proffers

over the area designated on the Master Plan as Area 3 generally in the locations shown on the Master Plan. The exact boundaries of the Conservation Area shall be shown on subdivision plats and/or site plans of the Property. The County shall not be obligated to issue land disturbing permits for areas with preliminary plan or plat approval until the County has approved the exact location of the Conservation Area on such plats or plans. The conservation easement over the Conservation Area shown on each individual subdivision plat or site plan shall be granted at the time of final approval thereof by the County. The Conservation Area shall remain undisturbed and in its natural state, preserving indigenous vegetation except as set forth below. The stormwater BMP shown on the Master Plan may be located in the Conservation Area with road crossings/dam structure generally in the location shown on the Master Plan, unless otherwise approved by the County. With the prior approval of the County Engineer or his designee on a case by case basis, (i) dead, diseased and dying trees or shrubbery and invasive or poisonous plants may be removed from the Conservation Area; (ii) select hand clearing and pruning of trees shall be permitted in the Conservation Area to permit sight lines or vistas, and (iii) utilities, pedestrian paths, trails and bridges may intrude into or cross the Conservation Area. If vegetation is removed from the Conservation Area by development activities it shall be replaced by indigenous vegetation that is equally or

more effective in retarding runoff, preventing erosion and filtering nonpoint source pollution and in accordance with the following ratios and sizes: 2:1 for canopy trees (using 1.5 inch caliper tree), 1.5:1 for sub-canopy trees (using 1 inch caliper tree) and 1:1 for shrubs (using 5 gallon container). The Conservation Area shall be maintained by Owner unless the County approved land conservation entity or the County assumes responsibility therefor under its easement or the Conservation Area is conveyed to an owners association, at which time the association shall assume responsibility for its maintenance. The Conservation Area shall be exclusive of lots or dwelling units.

(b) Owner shall submit to the County a master stormwater management plan for the entire Property, including the regional stormwater management facility generally as shown on the Master Plan, for review and approval by the Environmental Division. The master stormwater management plan may be revised and/or updated during the development of the Property with the prior approval of the Environmental Division. The County shall not be obligated to approve any final development plans for development on the Property until the master stormwater management plan has been approved. The approved master stormwater management plan, as revised and/or updated, shall be implemented in all development plans for the Property.

(c) There shall be a 10 foot construction setback adjacent to all Resource Protection Areas on the Property. No building shall be permitted in this setback area. This setback shall be reflected on all development plans for those areas of the Property.

11. Route 60 Community Character Buffer. Owner has submitted to the County a conceptual landscape plan for the fifty foot average width community character corridor buffer shown and described on the Master Plan ("CCC Buffer") along the Route 60 frontage of the property (the "Landscaping Plan"). All site plans for development including any portion of the CCC Buffer shall contain landscaping generally consistent with the Landscaping Plan, with such landscaping to be subject to review and approval by the Director of Planning. All signs located within the CCC Buffer shall be monument signs with a consistent monument structure. The building walls of all buildings facing Route 60 shall be constructed of brick, glass, masonry or better split faced block, dryvit, stone, manufactured stone, or siding as determined by the Director of Planning. All rooftop mechanical equipment will be screened from view from Route 60.

12. Conceptual Review. Prior to submission of a preliminary site plan for any residential development in Areas 2, 4 and 5 of the Property, Owner shall submit a more detailed

conceptual site plan for the development to the Director of Planning for review and approval.

13. Pedestrian Connections. Owner shall provide pedestrian connections with a durable surface between the Property and the adjacent property upon which Williamsburg Outlet Mall is located and between each of Areas 1 - 5 shown on the Master Plan, with the plans, location and materials for such connections subject to review and approval by the Director of Planning and with such connections to be shown on the development plans for the Area in question. Pedestrian connections shall be constructed between Areas shown on the Master Plan at the time of site construction of each of the Areas being connected. The connections shall be either (i) installed or (ii) bonded in form satisfactory to the County Attorney prior to the issuance of any certificates of occupancy for any buildings in each such Area.

14. Streetscape Guidelines. The Owner shall provide and install streetscape improvements on both sides of the main entrance road into the Property in Area 1 as shown on the Master Plan and along the private roads in Areas 2, 4 and 5 as shown on the Master Plan in accordance with the applicable provisions of the County's Streetscape Guidelines policy. The streetscape improvements shall be shown on development plans for that portion of the Property and submitted to the Director of Planning for approval during the site plan approval process.

15. Reserved Right of Way. Owner shall reserve the area shown on the Master Plan as "Possible Future Connections to Adjacent Parcel (Light Duty Only)" for a possible future road connection to the adjacent parcel to the north of the Property. Owner shall have no responsibility to construct a connecting road in this area and shall not be obligated to permit the owner of the adjacent parcel to construct a road in such area unless and until Owner and the owner of the adjacent parcel have entered into an agreement providing for the equitable sharing of the cost of maintenance of such road and the main entrance road into the Property, agreed upon a restriction limiting the use by the adjacent parcel of such roads to cars and light duty trucks and obligating the owner of the adjacent parcel to pay for any required road or traffic signal improvements warranted by the additional traffic from the adjacent parcel.

16. Special Fence Requirement Area. Within the area shown on the Master Plan as "Special Fence Requirement Area" all fencing shall be either wood, dark metal picket fence or dark vinyl coated chainlink fence. If chain link fencing is used in this area it shall be supplemented with evergreen shrubs at four foot spacing along 75% of its length, with the exact location of such shrubs to be subject to the review and approval of the Director of Planning. Barbed wire or similar security fencing

material shall not be used along the top of any fencing in this Area.

17. Lighting. All exterior lighting on Area 1 of the Property shall be recessed fixtures with no bulb, lens or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. Modifications to this requirement may be approved by the Planning Director if it is determined that the modifications do not have any adverse impact on the Property or the surrounding property.

18. Recreation. There shall be provided in Areas 2, 4 and 5 recreational facilities meeting the standards set forth in the County's Recreation Master Plan or in lieu of a portion thereof Owner shall make cash contributions to the County in amount determined pursuant to the County's Recreation Master Plan (with the amount of such cash contributions being determined by escalating the amounts set forth in the Recreation Master Plan from 1993 dollars to dollars for the year the contributions are made using the formula in Section 3(f)) or some combination thereof. All cash contributions proffered by this Proffer 18 shall be used by the County for recreation capital improvements. 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.

19. Archaeology. A Phase I Archaeological Study for the entire Property shall be submitted to the Director of Planning for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of

the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the plan of development for the Property and the clearing, grading or construction activities thereon.

20. **Residential Units For Sale.** All residential units constructed on the Property shall be offered for sale by the developer thereof.

WITNESS the following signature.

NOLAND PROPERTIES, INC.
By: [Signature]
Title: AUTHORIZED SIGNATORY

STATE OF VIRGINIA AT LARGE
CITY/COUNTY OF WILLIAMSBURG, to-wit:

The foregoing instrument was acknowledged this 24th day of November, 2004, by Robert J. Singley, Jr. as Authorized Signatory of NOLAND PROPERTIES, INC. on behalf of the corporation.

Vernon M. Geddy, III
NOTARY PUBLIC

My commission expires: 12/31/04.

Prepared by:
Vernon M. Geddy, III, Esquire
Geddy, Harris, Franck & Hickman, LLP
1177 Jamestown Road
Williamsburg, VA 23185
(757) 220-6500

SCHEDULE A

ALL that certain piece or parcel of land, situate, lying and being in James City County, Virginia, containing 53.44 acres more or less shown on a plat entitled "ALTA/ACSM LAND TITLE SURVEY A PARCEL CONTAINING 53.44 ACRES +/- OWNED BY EASTERN OREO, INC." dated May 10, 1995, made by AES Consulting Engineers of Williamsburg, Virginia, together with the buildings and improvements thereon, which plat is recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and James City County, Virginia in Plat Book 61, page 79.

LESS AND EXCEPT that certain parcel of land containing approximately 1.4 acres constituting a portion of the property described above shown and set out as "Proposed Chesapeake Bank Site, 1.4 AC." on the Master Plan.

VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
This document was admitted to record on 21 June 05
at 11:32 AM/PM. The taxes imposed by Virginia Code
Section 58.1-801, 58.1-802 & 58.1-814 have been paid.
STATE TAX LOCAL TAX ADDITIONAL TAX
\$ _____ \$ _____ \$ _____
TESTE: BETSY B. WOOLRIDGE, CLERK
BY: Betsy B. Woolridge Clerk

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT
DEED RECEIPT

DATE: 01/27/05 TIME: 11:32:48 ACCOUNT: 830CLR050001464 RECEIPT: 05000002555
CASHIER: CHB REG: WD45 TYPE: OTHER PAYMENT: FULL PAYMENT
INSTRUMENT : 050001464 BOOK: PAGE: RECORDED: 01/27/05 AT 11:32
GRANTOR: NOLAND PROPERTIES INC EX: N LOC: CD
GRANTEE: JAMES CITY COUNTY EX: N PCT: 100%

AND ADDRESS :
RECEIVED OF : JCCO DATE OF DEED: 11/24/04

CHECK : \$30.00
DESCRIPTION 1: 53.44 AC EASTERN DRED INC PROFFERS PAGES: 20
2: NAMES: 0

CONSIDERATION: .00 ASSUME/VAL: .00 MAP: PAID
CODE DESCRIPTION PAID CODE DESCRIPTION PAID
301 DEEDS 28.50 145 VSLF 1.50

TENDERED : 30.00
AMOUNT PAID: 30.00
CHANGE AMT : .00

CLERK OF COURT: BETSY B. WOOLRIDGE

SE RETURN TO:
TY ATTORNEY
LDG. 6

30.00

FILED
BETSY B. WOOLRIDGE

2005 JAN 25 PM 0:07

CLERK OF COURT

PERCENTAGE OF DEVELOPABLE AREA (48.5 AC.) SUMMARY

	DESCRIBED AREA	ACRES	% OF NET DEVELOPABLE	% OF OVERALL PROPERTY
NON OPEN SPACE AREAS	ROADS, DRIVEWAYS, SIDEWALKS	8.3	17.1%	15.9%
	BLDG. FOOTPRINTS AND 10' PERIMETERS	13.6	28.0%	26.2%
	COMMERCIAL SITE CONSTRUCTION ENVELOPE *	9.6	19.8%	18.4%
	SUBTOTAL	31.5	64.9%	60.5%
OPEN SPACE	AREAS OF COMMON OPEN SPACE & BUFFERS	7.3	15.1%	14.0%
	OTHER OPEN SPACE IN NET DEVELOPABLE AREA (NOT PART OF ANY ADDITIONAL REQUIRED YARD)	9.7	20.0%	18.7%
	SUBTOTAL	17	35.1%	32.7%
	TOTAL DEVELOPABLE ACRES	48.5	100%	93.2%

PERCENTAGE OF TOTAL PROJECT AREA (52 AC.) SUMMARY

	DESCRIBED AREA	ACRES	% OF NET DEVELOPABLE	% OF OVERALL PROPERTY
OPEN SPACE AREAS	AREAS WITHIN NON-DEVELOPABLE AREAS	3.41	N/A	6.6%
	AREAS WITHIN DEVELOPABLE AREAS	17.0	35%	32.7%
	TOTAL PROJECT OPEN SPACE	20.41	N/A	39.3%

THIS PLAN HAS NOT RECEIVED FINAL APPROVAL, AND IS NOT APPROVED FOR CONSTRUCTION.

DEVELOPMENT TABULATION

AREA NUMBER	AREA DESIGNATION	PROPOSED USE	AREA IN ACRES	PERCENT OF TOTAL SITE	DENSITY TOTAL UNITS	DENSITY PER GROSS ACRE*	GFA (MAXIMUM)	FLOOR TO AREA RATIO
1	M(FGE)	COMMERCIAL	± 13.5	26.0%**	N/A	N/A	144,800	0.25
1A	M(EFG)	COMMERCIAL	± 8.1	15.6%	N/A	N/A	110,000	0.31
1B	E OR G	COMMERCIAL	± 2.6	5.0%	N/A	N/A	8,000	0.07
1C	F OR G	COMMERCIAL	± 1.2	2.3%	N/A	N/A	13,000	0.25
1D	G	COMMERCIAL	± 1.6	3.1%	N/A	N/A	13,800	0.20
2,3,4,5	B,C,J,M(XG)	RESIDENTIAL/ RECREATION COMMON OPEN SPACE	±38.5 (MAX)	74% (MAX)	244 (MAX)	6.30 (MAX)		
2	B,C,J,M(XG)	RESIDENTIAL/RECREATION	±16.1	30.9%	148	9.8 DU/AC	5,000	
3	J	COMMON OPEN/RECREATION	± 9.4	18.2%	N/A	N/A		
4	B,C,J,M(XG)	RESIDENTIAL/RECREATION	± 5.8	11.1%	44	7.6 DU/AC	5,000	
5	B,C,J,M(XG)	RESIDENTIAL/RECREATION	± 7.2	13.8%	52	7.3 DU/AC	5,000	
TOTALS			± 52.0	100.0	244	N/A	144,800	

* DENSITY PER GROSS ACRE = DWELLING UNITS/ ACRE

**28% W/ CHESAPEAKE BANK SITE (1.4 AC.) INCLUDED AS PART OF PARENT PARCEL (±53.48)

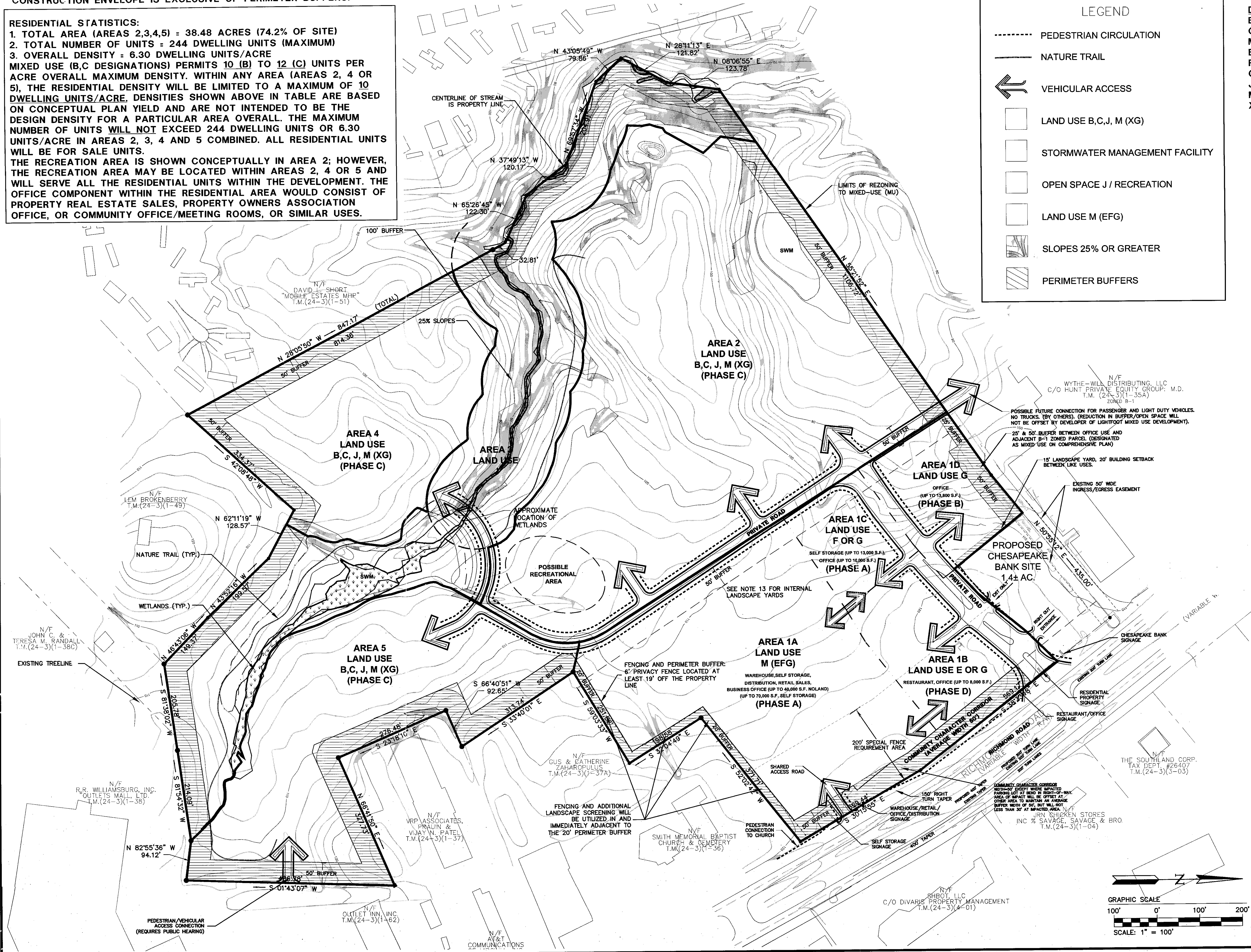
DESIGNATED LAND USE KEY:

- B: ATTACHED STRUCTURES CONTAINING TWO TO FOUR DWELLING UNITS
C: ATTACHED STRUCTURES LESS THAN THREE STORIES AND CONTAINING MORE THAN FOUR DWELLING UNITS
E: COMMERCIAL USES
F: WHOLESALE AND WAREHOUSE USES
G: OFFICE USES
J: AREAS OF COMMON OPEN SPACE, WITH RECREATION AREAS NOTED
M: STRUCTURES CONTAINING A MIXTURE OF USES
X: OTHER STRUCTURES, FACILITIES OR AMENITIES

* CONSTRUCTION ENVELOPE IS EXCLUSIVE OF PERIMETER BUFFERS.

RESIDENTIAL STATISTICS:

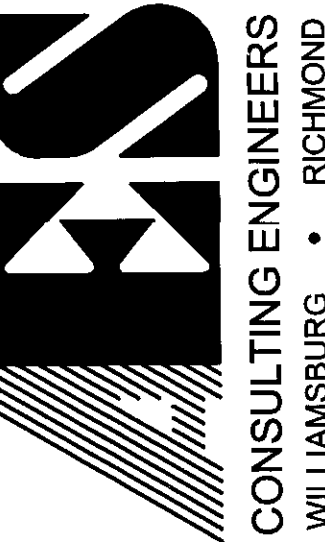
1. TOTAL AREA (AREAS 2,3,4,5) = 38.48 ACRES (74.2% OF SITE)
2. TOTAL NUMBER OF UNITS = 244 DWELLING UNITS (MAXIMUM)
3. OVERALL DENSITY = 6.30 DWELLING UNITS/ACRE MIXED USE (B,C DESIGNATIONS) PERMITS 10 (B) TO 12 (C) UNITS PER ACRE OVERALL MAXIMUM DENSITY. WITHIN ANY AREA (AREAS 2, 4 OR 5), THE RESIDENTIAL DENSITY WILL BE LIMITED TO A MAXIMUM OF 10 DWELLING UNITS/ACRE. DENSITIES SHOWN ABOVE IN TABLE ARE BASED ON CONCEPTUAL PLAN YIELD AND ARE NOT INTENDED TO BE THE DESIGN DENSITY FOR A PARTICULAR AREA OVERALL. THE MAXIMUM NUMBER OF UNITS WILL NOT EXCEED 244 DWELLING UNITS OR 6.30 UNITS/ACRE IN AREAS 2, 3, 4 AND 5 COMBINED. ALL RESIDENTIAL UNITS WILL BE FOR SALE UNITS.
- THE RECREATION AREA IS SHOWN CONCEPTUALLY IN AREA 2; HOWEVER, THE RECREATION AREA MAY BE LOCATED WITHIN AREAS 2, 4 OR 5 AND WILL SERVE ALL THE RESIDENTIAL UNITS WITHIN THE DEVELOPMENT. THE OFFICE COMPONENT WITHIN THE RESIDENTIAL AREA WOULD CONSIST OF PROPERTY REAL ESTATE SALES, PROPERTY OWNERS ASSOCIATION OFFICE, OR COMMUNITY OFFICE/MEETING ROOMS, OR SIMILAR USES.



GENERAL NOTES:

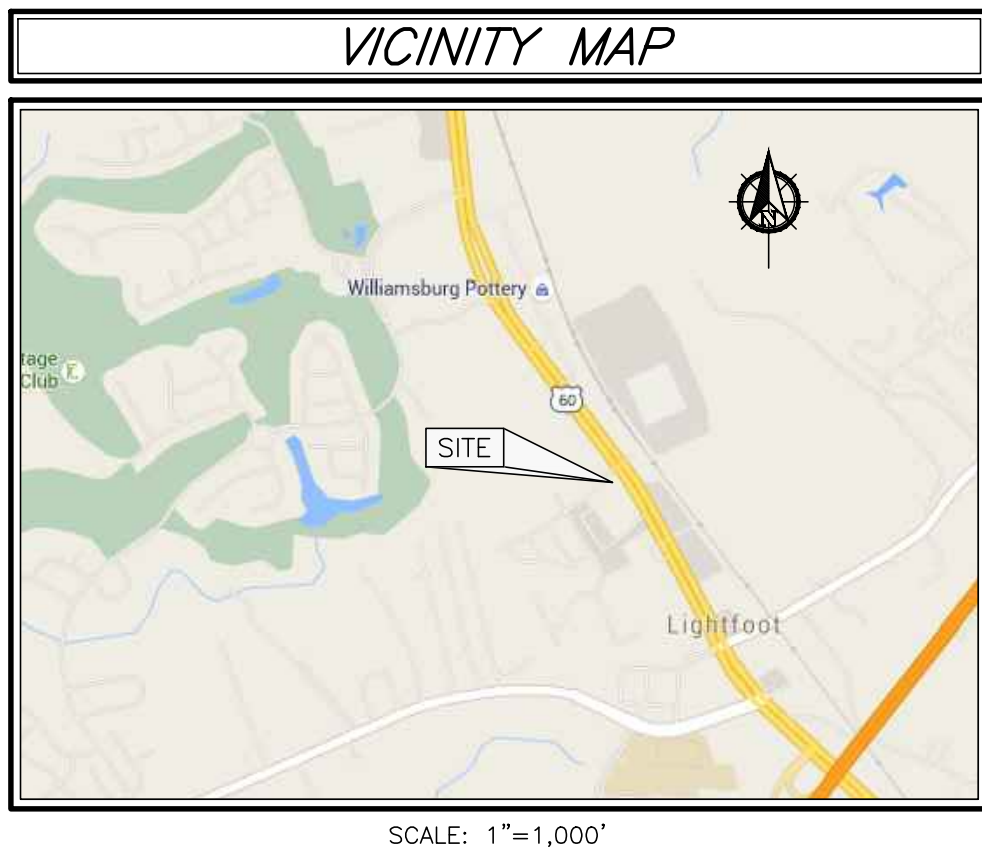
1. THE BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY AES DATED MAY 10, 1995.
2. TOPOGRAPHY SHOWN HEREON IS 2-FOOT CONTOUR INTERVAL BY AES.
3. ACCORDING TO FEMA MAPPING PANEL 51201-0020B DATED FEB. 6, 1991, THERE IS NO 100-YEAR FLOOD PLAIN ON THIS PROPERTY.
4. AREA DESIGNATED UNDEVELOPABLE IS A COMBINATION OF 25% SLOPES, RPA AND ASSOCIATED BUFFERS AND WETLANDS. THE ACREAGE INDICATED IS SUBJECT TO CHANGE AS FINAL SITE DATA IS MADE AVAILABLE.
5. THE OWNER RESERVES THE RIGHT TO LOCATE UTILITIES, BMP FACILITIES, AND RECREATION FEATURES, INSIDE THE OPEN SPACE AREAS. BMP FACILITIES LOCATED WITHIN OPEN SPACE AREAS WILL NOT BE COUNTED TOWARDS MEETING MINIMUM OPEN SPACE REQUIREMENTS.
6. SIDEWALKS WILL BE LOCATED ON AT LEAST ONE SIDE OF ALL ROADS WITHIN THE DEVELOPMENT.
7. THE 50' AVERAGE WIDTH COMMUNITY CHARACTER CORRIDOR BUFFER ALONG RICHMOND ROAD WILL BE EXCLUSIVE OF TRANSPORTATION PROJECTS (BUT NOT EXCLUSIVE OF UTILITIES, SIGNAGE, SIDEWALKS AND LANDSCAPING (IN CONFORMANCE WITH JCC ORDINANCES)).
8. NO WETLAND OR ENVIRONMENTAL PERMITTING IS GIVEN WITH THE APPROVAL OF THIS MASTER PLAN.
9. CONNECTIVITY FOR PEDESTRIAN TRAFFIC SHALL BE ESTABLISHED BETWEEN THE RESIDENTIAL AND NONRESIDENTIAL LAND BAYS. THE PEDESTRIAN TRAIL SYSTEM SHALL BE FINALIZED DURING SUBDIVISION AND/OR SITE PLAN REVIEW.
10. ALL STREETS (AS DEFINED BY THE COUNTY CODE) WITHIN THE PROPERTY SHOWN HEREON SHALL BE PRIVATE AND SHALL CONFORM TO VDOT CONSTRUCTION STANDARDS. ALL PRIVATE STREETS SHALL BE CERTIFIED TO THE SATISFACTION OF THE COUNTY ENGINEER AS REQUIRED BY SECTION 19-49 OF THE COUNTY ORDINANCES. ALL PRIVATE STREETS WILL BE MAINTAINED BY THE DEVELOPER'S PROPERTY OWNER ASSOCIATION.
11. SHOULD ADJACENT PROPERTY (T.M. (24-3)(1-35A)) CONNECT TO LIGHTFOOT MIXED USE DEVELOPMENT INTERNAL PRIVATE ROADS, A MAINTENANCE COST SHARING AGREEMENT SHALL BE PROVIDED AND ANY TURN LANE OR TRAFFIC LIGHT IMPROVEMENTS REQUIRED AS A RESULT OF THE ADDITIONAL TRAFFIC WILL BE SOLELY THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER.
12. ADDITIONAL MONUMENT-TYPE SIGNAGE MAY BE LOCATED INTERNALLY ALONG PRIVATE ROAD FRONTAGE.
13. A 10' TOTAL WIDTH LANDSCAPE YARD WILL BE PROVIDED BETWEEN USES WITHIN AREA 1A AND 1C EXCEPT ALONG ROADS OF SHARED ACCESS. THE LANDSCAPE YARD MAY BE SPLIT BETWEEN ADJACENT PARCELS OR BE ENTIRELY ON ONE PARCEL. BUILDINGS WILL BE OUTSIDE THE LANDSCAPE YARD. FENCES WILL BE PERMITTED ALONG THE LANDSCAPE YARD.
14. THE DESIGN OF ALL STORMWATER FACILITIES WILL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE JAMES CITY COUNTY GUIDELINES FOR DESIGN AND CONSTRUCTION OF STORMWATER MANAGEMENT BMP'S.
15. PERENNIAL STREAM DELINEATION BY WEG HAS BEEN CONFIRMED BY JAMES CITY COUNTY VIA CORRESPONDENCE DATED JULY 14, 2004.
16. THE HEAD-CUT LOCATED AT THE UPPER END OF THE PERENNIAL STREAM WILL BE ADDRESSED WITH THE PLACEMENT OF THE SWM FACILITY AND ROAD CROSSING INTO AREA 4.
17. CHANNEL ADEQUACY FOR THE SWM DISCHARGES WILL BE CONFIRMED.
18. HISTORIC STRUCTURE (047-5235) IS UNDER EVALUATION BY JAMES RIVER INSTITUTE FOR ARCHEOLOGY (JRIA). IN ADDITION TO THIS REPORT DISCUSSIONS OF THE SIGNIFICANCE OF POTENTIALLY HISTORICALLY RELATED SITES 445C1124 AND 441C1125 WILL BE INCLUDED IN THIS REPORT DUE AUGUST 2004. POTENTIAL HISTORIC CEMETERY 441C191 WAS INVESTIGATED BY JRIA AND DOES NOT EXIST.
19. EXISTING UTILITY, ACCESS, AND DRAINAGE EASEMENTS ON THE PROPERTY ARE SHOWN ON THE ALTA SURVEY PROVIDED IN THE COMMUNITY IMPACT STUDY.
20. THE PROPERTY HAS BEEN SURVEYED BY WILLIAMSBURG ENVIRONMENTAL GROUP FOR THREATENED AND ENDANGERED SPECIES INCLUDING THE SMALL WHORLED POGONIA. NO THREATENED AND ENDANGERED SPECIES WERE FOUND. SEE WEG REPORT DATED JULY 7, 2004 INCLUDED IN THE COMMUNITY IMPACT STUDY.
21. PHASING SHOWN HEREON DOES NOT REPRESENT CHRONOLOGICAL ORDER; HOWEVER, PER THE OFFERS, 25,000 SQUARE FEET OF THE COMMERCIAL LAND MUST HAVE BUILDING PERMITS ISSUED PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR RESIDENTIAL DEVELOPMENT.

5248 Old Towne Road, Suite 1
Williamsburg, Virginia 23188
(757) 253-0040
Fax (757) 220-8894



MASTER PLAN FOR REZONING
LIGHTFOOT MIXED USE DEVELOPMENT
for
Noland Properties, Inc.
JAMES CITY COUNTY
STONEHOUSE DISTRICT
VIRGINIA

Designed: JHB
Scale: 1" = 100'
Project No.: 9353
Drawing No.: 3 OF 3
Drawn: SCB
Date: 5/28/04



ZONING INFORMATION

ZONING DISTRICT: MU (MIXED USE)
THE RETAIL SALE OF AUTO PARTS IS A PERMITTED USE WITHIN THIS ZONING DISTRICT.

DESCRIPTION	REQUIRED	PROPOSED
MINIMUM LOT AREA	NO REQUIREMENT	44,736.12 SF
MINIMUM LOT WIDTH	NO REQUIREMENT	231.41'
MINIMUM LOT DEPTH	NO REQUIREMENT	205.53'
MINIMUM FRONT YARD SETBACK (RICHMOND ROAD)	NO REQUIREMENT	55'-0"
MINIMUM SIDE YARD SETBACK	NO REQUIREMENT	15'-0" (NORTHWEST) 108'-7" (SOUTHEAST)
MINIMUM REAR YARD SETBACK	15'-0"	33'-3" (SOUTHWEST)
MAXIMUM BUILDING HEIGHT	60'-0"	19'-0"
MAXIMUM OPEN SPACE (§ 24-520)	10% OF THE DEVELOPABLE AREA OF THE SITE = 4,474 SF	5,850 SF*

* 5,850 SF = 25-FOOT WIDE LANDSCAPE STRIP ALONG RICHMOND ROAD, AS RECORDED PER DEED BOOK 458, PAGE 126.

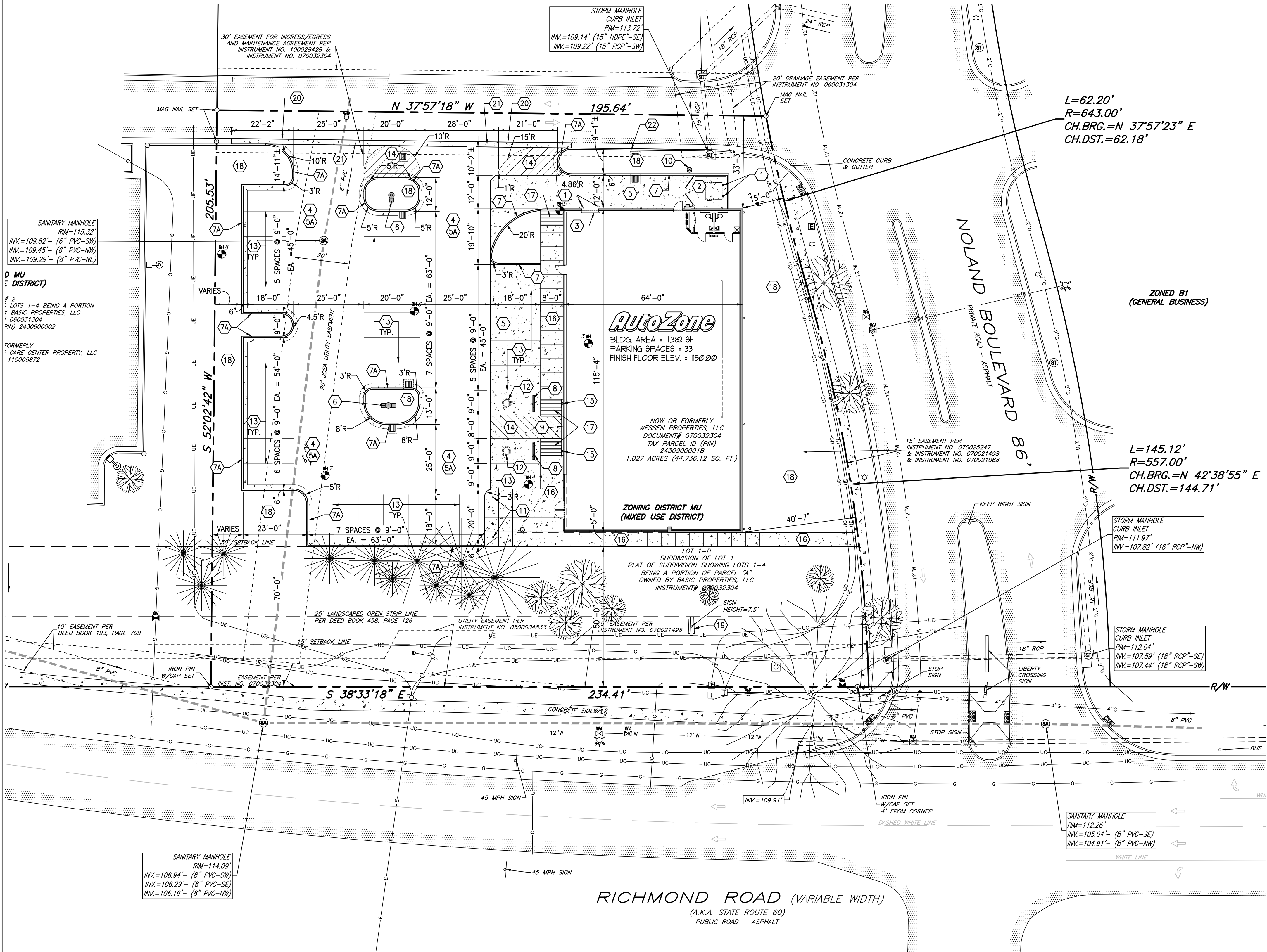
PARKING REQUIREMENTS

DESCRIPTION	REQUIRED	PROPOSED
§ 24-59(b) - CATEGORY B - MODERATE USE:		
ONE (1) STALL FOR EVERY 250 SF OF RETAIL FLOOR AREA, BUT NOT MORE THAN 120% OF THE MINIMUM.		
6,862 SF OF RETAIL FLOOR AREA ÷ 250 SF = 27.45 STALLS MINIMUM 27.45 x 120% = 32.94 STALLS MAXIMUM	28 MINIMUM 33 MAXIMUM	33 STALLS
PARKING STALL SIZES	9'x18'	9'x18'
MINIMUM AISLE WIDTH	24'	25'
LOADING SPACE: PROVIDE ONE (1) 10'x50' LOADING SPACE	YES	YES
BICYCLE PARKING	NO	NO



GENERAL CONSTRUCTION NOTES

- ALL CONSTRUCTION SHALL COMPLY WITH LOCAL MUNICIPALITY AND COUNTY CODES AND STANDARDS. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE OSHA, FEDERAL, STATE AND LOCAL REGULATIONS.
- THE CONTRACTOR SHALL OBTAIN ALL NECESSARY CONSTRUCTION PERMITS REQUIRED TO PERFORM ALL THE WORK. THE CONTRACTOR SHALL POST ALL BONDS, PAY ALL FEES, PROVIDE PROOF OF INSURANCE AND PROVIDE TRAFFIC CONTROL NECESSARY FOR THIS WORK.
- THE CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS IN THE FIELD AND CONTACT THE OWNER IF THERE ARE ANY QUESTIONS OR CONFLICTS REGARDING THE CONSTRUCTION DOCUMENTS AND/OR FIELD CONDITIONS SO THAT APPROPRIATE REVISIONS CAN BE MADE PRIOR TO CONSTRUCTION. ANY CONFLICT BETWEEN DRAWINGS AND THE SPECIFICATIONS SHALL BE CONFIRMED WITH THE CONSTRUCTION MANAGER PRIOR TO BIDDING. SHOULD ANY UNCHARTED, OR INCORRECTLY CHARTED, EXISTING PIPING OR OTHER UTILITY BE UNCOVERED DURING EXCAVATION, CONSULT THE ENGINEER AND THE ARCHITECT IMMEDIATELY BEFORE PROCEEDING FURTHER WITH THE WORK IN THIS AREA.
- DO NOT INTERRUPT EXISTING UTILITIES SERVICING FACILITIES OCCUPIED AND USED BY THE OWNER OR OTHERS DURING OCCUPIED HOURS EXCEPT WHEN SUCH INTERRUPTIONS HAVE BEEN AUTHORIZED IN WRITING BY THE OWNER, LOCAL MUNICIPALITY AND/OR UTILITY COMPANY. INTERRUPTIONS SHALL ONLY OCCUR AFTER ACCEPTABLE TEMPORARY OR PERMANENT SERVICE HAS BEEN PROVIDED.
- THE CONTRACTOR SHALL ABIDE BY ALL OSHA, FEDERAL, STATE AND LOCAL REGULATIONS WHEN OPERATING CRANES, BOOMS, HOISTS, ETC. IN CLOSE PROXIMITY TO OVERHEAD ELECTRIC LINES. IF CONTRACTOR MUST OPERATE EQUIPMENT CLOSE TO ELECTRIC LINES, CONTACT THE POWER COMPANY TO MAKE ARRANGEMENTS FOR PROPER SAFEGUARDS.
- THE CONTRACTOR SHALL RESTORE ANY STRUCTURES, PIPE, UTILITY, PAVEMENT, CURBS, SIDEWALKS, LANDSCAPED AREAS, ETC. WITHIN THE SITE OR ADJOINING PROPERTIES DISTURBED DURING DEMOLITION OR CONSTRUCTION TO THEIR ORIGINAL CONDITION OR BETTER, AND TO THE SATISFACTION OF THE OWNER AND LOCAL MUNICIPALITY. ALL COSTS TO COMPLETE THIS WORK SHALL BE INCLUDED IN THE BASE BID FOR THIS PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO INSTALL AND MAINTAIN TRAFFIC DEVICES FOR PROTECTION OF PEDESTRIANS AND VEHICLES CONSISTING OF DRUMS, BARRIERS, SIGNS, LIGHTS, FENCES AND UNIFORM TRAFFIC CONTROLLERS IN ACCORDANCE WITH THE STATE DEPARTMENT OF TRANSPORTATION OR AS REQUIRED OR DIRECTED BY THE SITE ENGINEER OR CONSTRUCTION MANAGER OR LOCAL GOVERNING AUTHORITIES. CONTRACTOR SHALL MAINTAIN ALL TRAFFIC LANES AND PEDESTRIAN WALKWAYS AT ALL TIMES UNLESS WRITTEN APPROVAL FROM THE DEPARTMENT OF TRANSPORTATION, LOCAL MUNICIPALITY, COUNTY, OR OTHER GOVERNING AUTHORITY IS RECEIVED.
- THE CONTRACTOR SHALL NOTIFY THE ENGINEER SHOULD ANY DISCREPANCY REGARDING THE PROPOSED WORK OR UNFORESEEN CONDITIONS ARISE PRIOR TO PROCEEDING FURTHER WITH THE AFFECTED WORK.
- THE CONTRACTOR SHALL PROVIDE AS-BUILT RECORDS OF ALL CONSTRUCTION (INCLUDING UNDERGROUND UTILITIES) TO THE OWNER AND THE ARCHITECT FOLLOWING COMPLETION OF CONSTRUCTION ACTIVITIES.
- REFER TO DETAIL SHEETS FOR EROSION AND SEDIMENT CONTROL, STORM DRAINAGE, UTILITY, PAVING, CURBING, SIGNAGE, AND RETAINING WALL DETAILS AS APPLICABLE.
- PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH DEPARTMENT OF TRANSPORTATION GUIDELINES AND SHALL BE EITHER COLD LAID THERMOPLASTIC TAPE OR PAINTED AS DESIGNATED ON THE PLANS OR PAVEMENT MARKING DETAILS.
- DIRECTIONAL TRAFFIC ARROWS SHALL BE PAINTED WHITE UNLESS OTHERWISE NOTED.
- SITE DIMENSIONS ARE REFERENCED TO THE FACE OF CURBS OR EDGE OF PAVING UNLESS OTHERWISE NOTED. ALL BUILDING DIMENSIONS ARE REFERENCED TO THE OUTSIDE FACE OF THE STRUCTURE UNLESS OTHERWISE NOTED.
- ALL PAVING MATERIALS FURNISHED AND WORK COMPLETED SHALL BE IN STRICT ACCORDANCE WITH THE STATE DEPARTMENT OF TRANSPORTATION GUIDELINES UNLESS OTHERWISE SPECIFIED.
- THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF ALL RUBBISH, TRASH, DEBRIS, AND ORGANIC MATERIAL IN A LAWFUL MANNER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS FOR BUILDING, WALLS, CONCRETE SLABS, AND UTILITY SERVICE POINT CONNECTIONS AND NOTIFYING THE OWNER AND ENGINEER OF ANY CONFLICTS OR DISCREPANCIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REFERENCE BUILDING CONSTRUCTION PLANS FOR EXACT LOCATIONS OF ALL UTILITY CONNECTIONS TO BUILDINGS AND DOOR STEP LOCATIONS.
- PIPE BOLLARDS SHALL BE INSTALLED IN TRAFFIC AND LOADING AREAS AS REQUIRED TO PROTECT BUILDING CORNERS, RECEIVING AREAS, HYDRANTS, TRANSFORMERS, METERS, GENERATORS, COMPACTORS, STEPS, AND RAILINGS, AS NECESSARY.
- THE OWNER, AT THEIR DISCRETION, RESERVES THE RIGHT TO MODIFY THE DETAILS AND STANDARDS OF CONSTRUCTION FOR ALL PRIVATE FACILITIES FROM THAT INDICATED ON THE APPROVED PLAN, PROVIDED THAT THE ALTERNATE STANDARD COMPLIES WITH LOCAL CODE AND/OR UTILITY COMPANY REQUIREMENTS AND THE GENERAL DESIGN INTENT OF THE PROJECT IS NOT COMPROMISED.
- THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF ALL PRODUCTS, MATERIALS AND PLAN SPECIFICATIONS TO THE ARCHITECT AS REQUIRED FOR REVIEW AND APPROVAL, PRIOR TO FABRICATION OR DELIVERY TO THE SITE. ALLOW A MINIMUM OF 14 WORKING DAYS FOR REVIEW.
- THE CONTRACTOR SHALL REFERENCE ARCHITECTURAL PLANS FOR EXACT DIMENSIONS AND CONSTRUCTION DETAILS OF BUILDING ADDITIONS, ROOF DRAINS, RAISED CONCRETE SIDEWALKS, AND RAMPS.
- TRAFFIC CONTROL SIGNAGE SHALL CONFORM TO THE STATE DEPARTMENT OF TRANSPORTATION STANDARD DETAIL SHEETS AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. SIGNS SHALL BE INSTALLED PLUMB.
- INFORMATION ON EXISTING UTILITIES HAS BEEN COMPILED FROM AVAILABLE INFORMATION INCLUDING UTILITY COMPANY AND MUNICIPAL RECORD MAPS AND FIELD SURVEY AND IS NOT GUARANTEED CORRECT OR COMPLETE. UTILITIES ARE SHOWN TO ALERT THE CONTRACTOR TO THEIR PRESENCE AND THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETERMINING ACTUAL LOCATIONS AND ELEVATIONS OF ALL UTILITIES INCLUDING SERVICES. PRIOR TO DEMOLITION OR CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY WITHIN THREE (3) WORKING DAYS BEFORE COMMENCEMENT OF WORK AT 1-800-552-7001 AND VERIFY ALL LOCATIONS.
- PROPERTY IS LOCATED WITHIN FLOOD ZONE X (UNSHADED) OF FLOOD INSURANCE RATE MAP NO. 51085C 0107 D, WHICH IS A NON-PRINTED FLOOD MAP BOUNDARY, AND HAS AN EFFECTIVE DATE OF DECEMBER 16, 2015.
- FIRE LANES SHALL BE ESTABLISHED AND PROPERLY DESIGNATED IN ACCORDANCE WITH THE LOCAL MUNICIPALITY AND LOCAL FIRE DEPARTMENT REQUIREMENTS.



- KEYNOTES
- PIPE GUARD - SEE DETAIL 11/C1.A.
 - DUMPSITE LAYOUT - SEE DETAILS 13, 14, 15 & 16/C1.A.
 - SERVICE DOOR - SEE DETAIL 10/C1.A.
 - ASPHALT PAVING - SEE DETAILS 2 & 4/C1.A.
 - CONCRETE PAVING - SEE DETAIL 3/C1.A. EXPANSION AND CONTROL JOINTS - SEE DETAILS 21 & 23/C1.A. MAXIMUM SPACING FOR CONTROL JOINTS IS 15' O.C. EACH WAY.
 - G.C. TO PROVIDE ALTERNATE BID FOR CONCRETE PAVING, WHERE NOTED.
 - CONCRETE LIGHT POLE BASE - SEE DETAIL 12/C1.A. AIM LIGHT FIXTURE IN DIRECTION AS INDICATED.
 - ROLL-OVER CURB @ CONCRETE PAVING - SEE DETAIL 1/C1.A.
 - ROLL-OVER CURB @ ASPHALT PAVING - SEE DETAIL 2/C1.A.
 - PRE-CAST CONCRETE WHEEL STOPS. SEE DETAIL 22/C1.A.
 - CONSTRUCT 6" WIDE CONCRETE CURB AGAINST BUILDING AT ACCESSIBLE RAMP.
 - FROST-PROOF HOSE BIBB - SEE DETAIL 4 SHEET M2.
 - BOLLARD PLAN - SEE DETAIL 9/C1.A.
 - BARRIER-FREE PARKING SYMBOL - SEE DETAIL 7/C1.A.
 - 4" WIDE PARKING STRIPE PAINTED WHITE (TYP.).
 - 4" WIDE DIAGONAL STRIPES PAINTED WHITE AT 2 FT. O.C. STRIPES AT ACCESSIBLE PARKING TO BE BLUE - SEE DETAIL 6/C1.A.
 - ACCESSIBLE PARKING SIGN - SEE DETAIL 8/C1.A. G.C. TO PROVIDE ONE VAN ACCESSIBLE SIGN.
 - CONCRETE SIDEWALK - SEE DETAILS 20 & 25/C1.A FOR SIDEWALKS AROUND BUILDING.
 - ACCESSIBLE RAMP - SEE DETAILS 5 & 6/C1.A - MAX. SLOPE 1:12 (8.33%), MAX. CROSS SLOPE 1:50 (2.00%), TRUNCATED DOME TO BE A CONTRASTING COLOR.
 - NEW LANDSCAPE AREA - PROVIDE 3" TOPSOIL & SOD. - SEE SHEET L1.0 FOR ADDITIONAL INFORMATION.
 - EXISTING MONUMENT SIGN TO REMAIN AND BE REFACED. SEE SIGNAGE DRAWINGS. (UNDER SEPARATE PERMIT). ALL SIGNS SHALL BE PERMITTED IN ACCORDANCE WITH COUNTY REGULATIONS. PROVIDE CONDUIT AND WIRE TO NEW ELECTRIC PANEL.
 - LIMITS OF NEW PAVEMENT.
 - NEW CONCRETE GUTTER TO MATCH EXISTING, PER VA DOT REQUIREMENTS.
 - NEW CONCRETE CURB TO MATCH EXISTING, PER VA DOT REQUIREMENTS.

- GENERAL NOTES
- PROOF ROLL BUILDING AND ALL PARKING AREAS. NOTIFY THE ARCHITECT OF ANY UNACCEPTABLE AREAS.
 - EDGE OF NEW PAVEMENT TO BE FLUSH WITH EXISTING PAVEMENT.
 - ALL SIDEWALK CURB AND GUTTER STREET PAVING, CURB CUTS, DRIVEWAY APPROACHES, HANDICAP RAMP, ETC. CONSTRUCTED OUTSIDE THE PROPERTY LINE IN THE RIGHT-OF-WAY SHALL CONFORM TO ALL MUNICIPAL AND/OR STATE SPECIFICATIONS AND REQUIREMENTS.
 - FOR AREAS OUTSIDE THE PROPERTY LINES, REPAIR AND/OR REPLACE ALL DAMAGE DONE TO EXISTING ELEMENTS (SIDEWALKS, PAVING, LANDSCAPING, ETC.) AS REQUIRED BY OWNER AND/OR GOVERNING AUTHORITY.
 - FOR PROPOSED UTILITY LOCATIONS, SEE THE UTILITY PLAN.

Owner / Developer: **AutoZone Development, LLC**
123 South Front Street, 3rd Floor
Memphis, Tennessee 38103
Tel: (901) 495-8709 Fax: (901) 495-8969
For Bidding & Contractor Information Contact:
F.W. Dodge Plan Room Tel: (615) 884-1017

AutoZone STORE DEVELOPMENT

Store No.: 6194
4501 NOLAND BOULEVARD
DISTRICT OF STONEHOUSE, COUNTY OF JAMES CITY
COMMONWEALTH OF VIRGINIA

SITE PLAN

PREPARED FOR: [Blank]

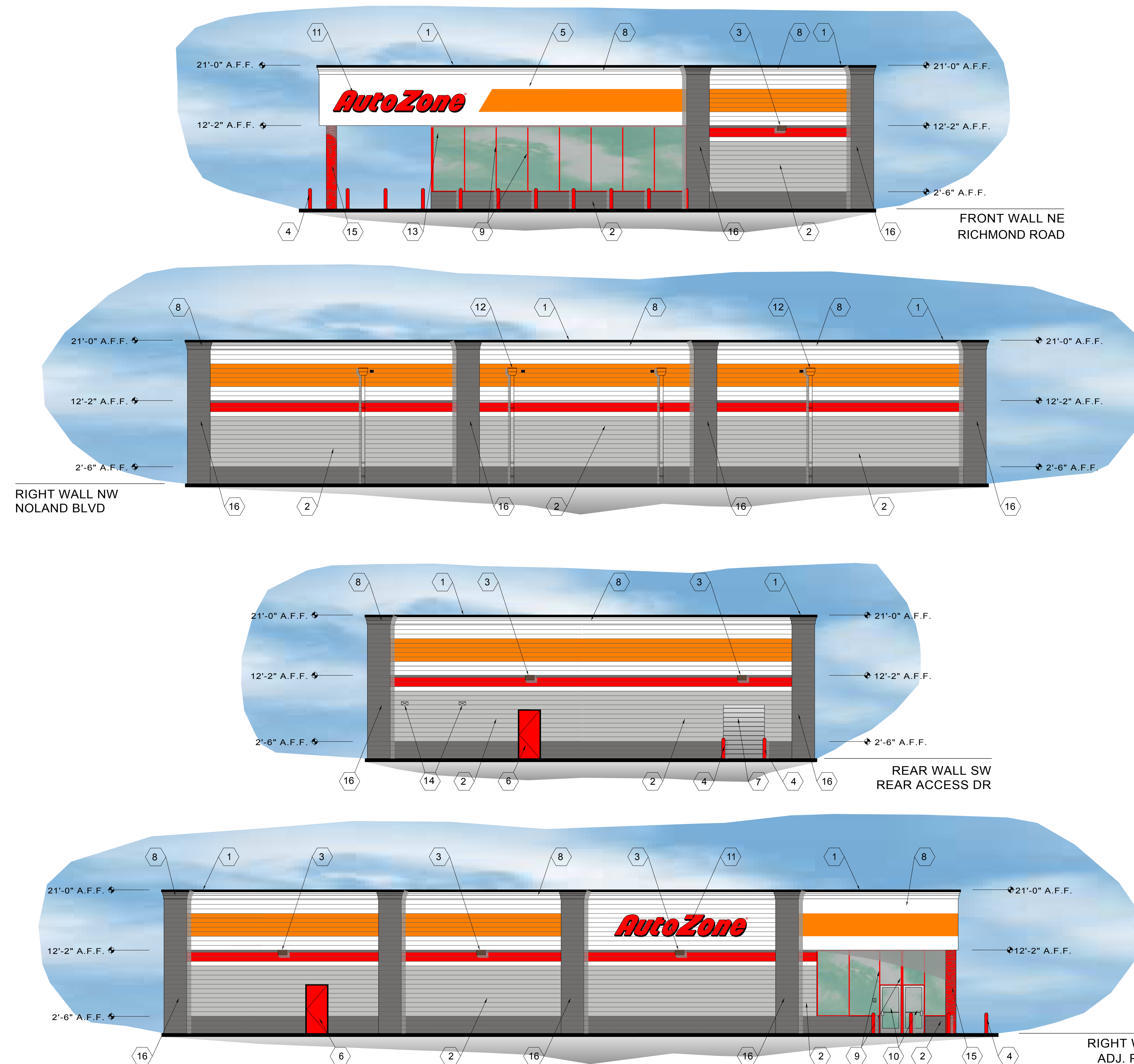
SCALE: 1" = 20'-0"

REVISIONS

NO.	DESCRIPTION
1.	
2.	
3.	
4.	
5.	
6.	
7.	

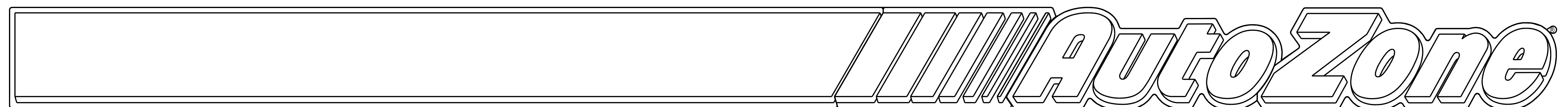
ARCHITECT: LE
DRAFTSMAN: CWT
CHECKED BY: CADD
DATE: 7-18-16
PROTOTYPE SIZE: 7x2-R

C-0031-2016
C1.0
SHEET 4 of 14



- 1 TWO PIECE COMPRESSION TRIM
- 2 SPLIT FACE CMU - PAINTED COLOR SCHEME
- 3 WALL MOUNTED LIGHT FIXTURE
- 4 PIPE GUARD WITH RED SLEEVE
- 5 MFG. WHITE EXTERIOR INSULATED FINISH - PAINT WHITE
- 6 PAINT MAN DOOR RED & METAL FRAMES BLACK
- 7 DO NOT PAINT OVERHEAD DOOR PAINT ANGLES BLACK
- 8 DECORATIVE FOAM CORNICE: SEE COLOR SCHEME THIS SHEET
- 9 ALUMINUM STOREFRONT - RED KYNAR FINISH
- 10 GLASS AND ALUMINUM DOORS - CLEAR ANODIZED FINISH
- 11 FRONT & LEFT WALL SIGN - 36" Cloud NStrp
- 12 SCUPPERS AND DOWNSPOUTS. PAINTED TO MATCH BACKGROUND WALL COLOR. ADJACENT 4" H. X 6" W. OVERFLOW SCUPPER. FLOWLINE 2" ABOVE ROOF.
- 13 STORE ADDRESS - 6" WHITE REFLECTIVE NUMBERS
- 14 TOILET WALL VENTS PAINT TO MATCH WALL
- 15 CORRUGATED COLUMN PAINT RED
- 16 3'-4" WD X 4" DP. SPLIT FACE PILASTER - SEE COLOR SCHEME DETAIL THIS SHEET

Color Elevation
AutoZone Store #6194
Williamsburg, Virginia



ITEM SUMMARY

DATE: 9/28/2016

TO: The Development Review Committee

FROM: Jose Ribeiro, Senior Planner II

SUBJECT: To place a stormwater facility outfall within a 50-foot buffer along the eastern boundary of the Greensprings National Historic site. Adopted proffer associated with Z-0005-2015/MP-0002-2015/HW-0002-2015 states that the buffer shall remain undisturbed and exclusive of any lots subject only to appropriate stormwater management as approved by the DRC.

ATTACHMENTS:

	Description	Type
▣	Staff report	Staff Report
▣	Location Map	Exhibit
▣	Sheet No. 5 of site plan SP-0047-2016	Exhibit
▣	Sheet No 13 A of site plan SP-0047-2016	Exhibit
▣	Adopted Master Plan	Exhibit
▣	Adopted Proffer No. 4 Historic Buffer Area	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Development Review Committee	Cook, Ellen	Approved	9/23/2016 - 11:15 AM
Development Review Committee	Secretary, DRC	Approved	9/23/2016 - 12:16 PM
Publication Management	Burcham, Nan	Approved	9/23/2016 - 1:33 PM
Development Review Committee	Secretary, DRC	Approved	9/23/2016 - 1:51 PM

SITE PLAN-0047-2016. Patriot's Colony Expansion**Staff Report for the September 28, 2016, Development Review Committee**

SUMMARY FACTS

Applicant: Mr. Jonathan Jackson of Bowman Consulting

Land Owner: Riverside Healthcare Associates, Inc.

Proposal: To place a stormwater facility outfall within a 50-foot buffer along the eastern boundary of the Greensprings National Historic site. According to adopted proffer associated with Z-0005-2015/MP-0002-2015/HW-0002-2015, the historical site buffer shall be undisturbed and exclusive of any lots subject only to appropriate stormwater management and utility improvements/easements as approved by the DRC.

Location: 3400 John Tyler Highway

Tax Map/Parcel No.: 4520100013

Project Acreage: +/- 88.59 acres

Zoning: R-4, Residential Planned Community, with proffers

Comprehensive Plan: Low Density Residential/Rural Lands

Primary Service Area: Inside/Outside

Staff Contact: Jose Ribeiro, Senior Planner II

FACTORS FAVORABLE

1. The proposal does not change the basic concept of character of the adopted Patriot's Colony Master Plan.

FACTORS UNFAVORABLE

1. An area of ±450 square feet within the 50-foot buffer is expected to be disturbed. However, with the conditions listed below, staff finds that this unfavorable factor will be mitigated.

STAFF RECOMMENDATION

Staff recommends approval, subject to the following conditions: (1) prior to final site plan approval a plan addressing the re-vegetation of the disturbed area associated with the stormwater facility outfall shall be submitted for review and approval of the Director of Planning or his designee. Such plan shall be in accordance with Section 24-96 of the Zoning Ordinance; and (2) clearing within the buffer shall be limited to no more than 10 feet in width.

PLANNING AND ZONING HISTORY

- The Board of Supervisors approved Z-0005-2015/MP-0002-2015/HW-0002-2015 for the expansion of Patriot's Colony on April 12, 2016.

PROJECT DESCRIPTION

The applicant has submitted a site plan for the development of 80 apartment units located in four buildings. As part of the site plan review process a stormwater plan was submitted showing the location of two bioretention basins. One of these stormwater facilities is proposed behind Building 3 (see Attachment No. 2) with the outfall

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of 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.

SITE PLAN-0047-2016. Patriot's Colony Expansion

Staff Report for the September 28, 2016, Development Review Committee

encroaching in the 50-foot buffer.

During the site plan review, staff worked with the applicant to minimize the proposed disturbance in the buffer associated with the outfall. The width of the outfall area is now proposed at 10 feet, with a total disturbed area of ± 450 square feet. In order to further reduce impacts to the buffer the applicant will field stake the outfall area for accuracy and if possible, realign the outfall area to avoid impacts to specimen trees.

According to the applicant the location of the bioretention basin behind Building 3 is preferred as it is closer to the apartment's impervious area and to the natural outfall points located east of the property. The applicant also indicated that the bioretention basins will limit off-site land disturbance while preserving developable area for the future Phase B of the project (120 institutional bed/units). The large stormwater facility shown on the adopted master plan may be implemented in future phases of the project.

The Engineering & Resource Protection (ERP) division is currently reviewing the site plan and has no objections to the location of the proposed outfall.

RECOMMENDATION

Staff recommends the DRC recommend approval of this request subject to the following conditions: (1) prior to final site plan approval a plan addressing the re-vegetation of the disturbed area associated with the stormwater facility outfall shall be submitted for review and approval of the Director of Planning or his designee. Such plan shall be in accordance with Section 24-96 of the Zoning Ordinance; and (2)

clearing within the buffer shall be limited to no more than 10 feet in width.

JR/nb

SP0047-16PatriotsColExpsn

Attachments:

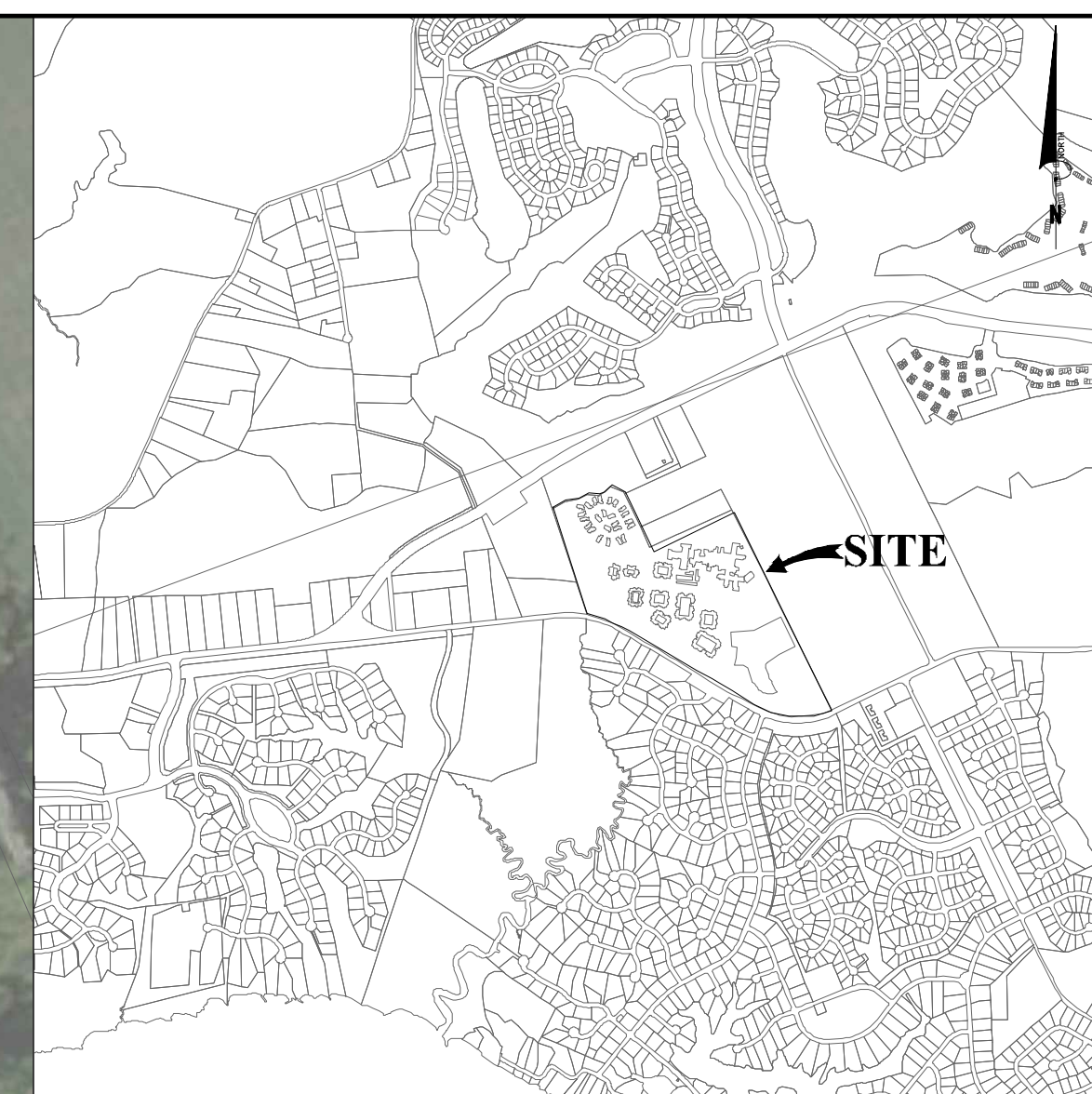
1. Location Map
2. Sheet Nos. 5 and 13A of the site plan (SP-0047-2016) showing location of the bioretention basin and outfall
3. Adopted Master Plan
4. Adopted Proffer No. 4 Historic Buffer Area

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of 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.

JCC-SP-0047-2016

Patriot's Colony Expansion





Bowman
CONSULTING

Bowman Consulting Group, Ltd.
3951 Westerre Parkway
Suite 150
Richmond, Virginia 23233

Phone: (804) 616-3240
Fax: (804) 270-2008
www.bowmanconsulting.com

© Bowman Consulting Group, Ltd.

MASTER PLAN
PATROT'S COLONY
(LAND BAY M-10 OF GREENSPRINGS)
JAMESTOWN WAGESTERIAL DISTRICT
JAMES CITY COUNTY

COUNTY PROJECT NUMBER

--	--

PLAN STATUS	

[illegible]

DATE	DESCRIPTION	
KC/JJ DESIGN	KC DRAWN	JJ CHKD
SCALE	H: 150' V:	

JOB No. 009316-01-004
DATE : Feb. 17, 2016
FILE No. 009316-01-004
SHEET 2 OF 2

VICINITY MAP
SCALE 1" = 2000'

SITE DATA:

1. SITE ADDRESS: 1400 John John Tyler Highway
Williamsburg, VA 23185-1457
2. ACREAGE: 88.59 acres (Per PB 62, PG 12 and County GIS)
3. PARCEL NUMBER: GPIN #4520100013
Parcel ID: 8098
4. OWNER/DEVELOPER: Riverside Healthcare Association, Inc.
5. ENGINEER: Bowman Consulting Group
Contact: Jonathan Jackson, P.E.
3951 Westerre Parkway, Suite 150
Richmond, Virginia 23233
Phone: (804) 616-3240
Fax: (804) 270-2008
e-mail: jjackson@bowmanmcg.com
6. PREVIOUS ZONING CASE: MP-0002-1999 and Z-0011-1999
7. CURRENT ZONING: R-4, Residential Planned Community District
9. SETBACKS: Front: 150' Greenbelt buffer along Route 5

Side: 50' Historical Buffer (Eastern)

OPEN SPACE: See calculations, this sheet.
 $25.32/88.59 = 28.6\%$ open space

GROSS ACREAGE: Non-developable land (RPAs, steep slopes, FEMA floodzones) = 13.92 acres
Developable land = 88.59 - 13.92 = 74.67 ac. (15.7%)
Since percent non-developable land < 20% use total parcel acreage.
Gross acreage = 88.59 ac

- | 10. PROPOSED UNIT COUNT: | | | | |
|---------------------------------|---------|-------------------|-------|---------|
| UNIT TYPE | CURRENT | PLANNED EXPANSION | TOTAL | DENSITY |
| Greenspring Homes (Type A) | 24 | 0 | 24 | 0.27/ac |
| Villa Homes (Type B < 4) | 8 | 0 | 8 | 0.09/ac |
| Villa Homes (Type C > 4) | 60 | 0 | 60 | 0.67/ac |
| Ind. Living Apartments (Type D) | 90 | 0 | 90 | 1.02/ac |
| NEW CONSTRUCTION | | | | |
| Hybrid Homes (Type D) | | 80 | 80 | 0.90/ac |
| Totals | 182 | 80 | 262 | 2.95/ac |

Note that assisted living, nursing home, and memory care units are considered institutional uses and therefore do not fall under density requirements.

INSTITUTIONAL UNIT COUNT:

UNIT TYPE	CURRENT	PLANNED EXPANSION	PLANNED REMOVAL	TOTAL
Nursing (Skilled Nursing)	60	80	-30	110
Assisted Living/Memory Care	68	78	-20	126
Total Institutional	128	158	-50	236

Note: The institutional unit counts shown are based on the number of proposed/existing beds.

11. NOTES:
 - A. All streets shown within the M10 land bay are private.
 - B. A height limitation waiver request has been submitted. Whereas, a portion of the property was proffered to restrict the maximum height permitted to 45 feet and two of the structures shown on the master plan exceed the 45 foot restriction and the remainder of the property is in the R4 district where the maximum height permitted is 60 feet. Whereas, waivers are available for taller structures. Applicant is requesting a height limitation waiver to allow four buildings that will be five stories high that not exceed 70 feet above average finished grade. Please note that average height above mean sea level will range up to 111' based on existing grade, tentative finished floor elevations, and maximum building height permissible (under the proposed height waiver).
 - C. Existing vegetation to be preserved and supplemented as needed, or replaced, with low, mid and high canopy vegetation so as to provide aural and visual screening of proposed buildings from Rte. 5/First Colonial neighborhood.
 - D. Clearing limits/proposed stormwater management limits for Phases A, B, C, and future parking area shown hereon total approximately 12 acres. Note that these acreage calculations are preliminary only.

PARKING REQUIREMENTS

<u>UNIT TYPE</u>	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>	<u>TOTAL</u>
Single Family Detached (24, Type A) – 2 sp/unit	48	58		58
Attached Multi-Family (8 Villas, Type B) – 1.5 sp/unit	12	153		153
Multi-Family (60 units, Type C) – Min 0.76 sp/unit	46	121		121
Multi-Family (90 tower units, Type D) – 1.5 sp/unit	135	142		142
Multi-Family (60 hybrid units, Type D) – 1.5 sp/unit	120		139	139 (55 surface lot spaces + 84 garage spaces)
Nursing Home (110 @ 1 sp/4 units + 1 sp/empl) (28+30)	58	–	–	–
Assisted Living (126 @ 1 sp/4 units + 1 sp/empl) (32+30)	62	–	–	–
Proposed Garden			6	6
Proposed Maintenance Building			9	9
Proposed Additional Parking Area			54	54
Total	481	474	208	682

Path: P:\009316 - Patriots Colony\009316-01-004 (ENG) - Indep Living\Engineering\Exhibits\2016-02-16 Patriot's Colony Master Concept Plan.dwg, Plot Created Feb 17, 2016 - 3:04pm by kcox

OPEN AREA:

AREA	ACRES
DEDICATED OPEN SPACE	11.94
PROPOSED DEDICATED OPEN SPACE	6.36
HISTORICAL BUFFER	4.37
GREEN BELT BUFFER	1.15
RECREATIONAL/SPORT AREA	0.82
SITE WALKWAY/TRAIL NETWORK	0.68
TOTAL	25.32

SITE COVER TABULATIONS:

<u>CONDITION</u>	<u>IMPERVIOUS AREA (AC)</u>	<u>PERVIOUS AREA (AC)</u>	<u>TOTAL (AC)</u>
EXISTING CONDITION	16.74	71.85	88.59
SITE EXPANSION (SP-0108-2015)	17.24	71.35	88.59
FUTURE INSTITUTIONAL AND PARKING EXPANSION	17.78	70.81	88.59
REZONING (HYBRID UNITS AND ASSOCIATED PARKING)	19.94	68.65	88.59
REZONING (LONG TERM CARE UNITS AND PARKING)	NOT YET DETERMINED AT THIS TIME.		

68.63
NOT YET DETERMINED AT THIS TIME.

4. Historical Site Buffer There shall be a 50-foot buffer (undisturbed and exclusive of any lots) along the eastern and western boundaries of the Greensprings National Historic Site subject only to appropriate stormwater management and utility improvements/easements as approved by the Development Review Committee (the "Historical Site Buffer"). During any construction on the Property that is in close proximity to the Historical Site Buffer, the Owner shall provide temporary fencing along the Historical Site Buffer in order to avoid damage to the Historical Site Buffer.

5. Screening Landscaped areas have been created as a part of development of the Property under the Conceptual Plan, so as to create an evergreen buffer and visual screening between buildings one (1) through four (4) inclusive shown on the Conceptual Plan and the Greensprings Plantation National Historic Site ("Historic Site") as shown on the Conceptual Plan. The landscaping and plantings within such areas shall be subject to approval by the County's Director of Planning (the "Director of Planning") prior to final site plan approval. Furthermore, landscaped areas shall be created as part of future development of the Property under the Master Plan, so as to create an evergreen buffer and visual screening between the buildings shown on Phase A, Phase B and Phase C of the Master Plan and the Historic Site. Lower ever-green plantings shall be integrated within the 50 foot Historical Site Buffer so as to provide additional screening. The landscaping and plantings within such area shall be subject to approval by the Director of Planning prior to final site plan approval.

6. Building Materials Exterior building/siding materials employed in buildings one (1) through six (6) inclusive shown on the Conceptual Plan shall be of brick or other non-glossy materials which are dark, naturally occurring colors, on such surfaces which front upon, face or are visible from the Historic Site. Samples of such building materials and colors shall be