

**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**  
**October 21, 2020**  
**4:00 PM**

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**A. CALL TO ORDER**

1. This meeting will be held electronically pursuant to the Continuity of Government Ordinance adopted by the Board of Supervisors on April 14, 2020 and readopted on September 8, 2020. The meeting will be accessible through a Zoom audio meeting. Please go to <https://zoom.us/j/98796861823> or call 301-715-8592 and enter the meeting ID 987 9686 1823. Citizen comments may be submitted via U.S. Mail to the Planning Commission Secretary, P.O. Box 8784, Williamsburg, VA 23187, via electronic mail to [community.development@jamescitycountyva.gov](mailto:community.development@jamescitycountyva.gov), or by leaving a message at 757-253-6750. Comments must be submitted no later than noon on the day of the meeting. Please provide your name and address for the public record.

**B. ROLL CALL**

1. Electronic Meeting Resolution

**C. MINUTES**

1. September 23, 2020 Meeting Minutes

**D. OLD BUSINESS**

**E. NEW BUSINESS**

1. C-20-0079 Forest Heights Phase III

**F. ADJOURNMENT**

**ITEM SUMMARY**

DATE: 10/21/2020

TO: The Development Review Committee

FROM: Paul D. Holt, III, Secretary

SUBJECT: October 21, 2020 Meeting Details

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**ATTACHMENTS:**

	Description	Type
	Zoom Instructions	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Review Committee	Baruch, Alex	Approved	10/14/2020 - 9:48 AM
Development Review Committee	Holt, Paul	Approved	10/14/2020 - 11:04 AM
Publication Management	Daniel, Martha	Approved	10/14/2020 - 11:06 AM
Development Review Committee	Holt, Paul	Approved	10/14/2020 - 11:08 AM

## Zoom Instructions for Participants before a Meeting

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. You will receive notice for a videoconference or conference call via email. The notification will include a link to “Join via computer” as well as phone numbers for a conference call option. It will also include the 9-digit (usually) Meeting ID.

## Join the Videoconference

1. At the start time of your meeting, click on the link in your invitation to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your computer’s audio and microphone at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without clicking on the invitation link by going to [join.zoom.us](https://join.zoom.us) on any browser and entering the Meeting ID provided by your committee analyst.

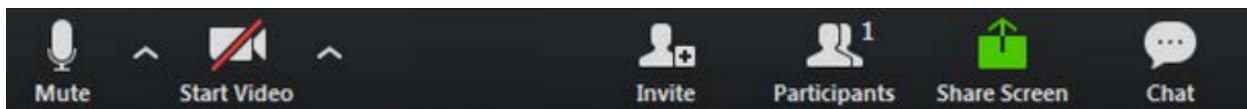
## Join Audio via Phone (Recommended for best connection)

If you have sluggish internet connection, your computer or phone lacks a microphone, or for issues with hearing the audio, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number provided in your invitation.
2. Enter the Meeting ID number (also provided in your invitation) when prompted using your touch-tone keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your 2-digit participant ID to be associated with your computer.

## During the Meeting

Using the participant controls in the lower left corner of the Zoom screen you can:



- Mute/Unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- Invite other participants
- View Participant list – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand
- Change your screen name that is seen in the participant list and video window
- Share your screen

On your Zoom screen you will also see a choice to toggle between “speaker” and “gallery” view. “Speaker view” shows the active speaker. “Gallery view” tiles all of the meeting participants (like a grid).

**ITEM SUMMARY**

DATE: 10/21/2020

TO: The Development Review Committee

FROM: Paul D. Holt, III, Secretary

SUBJECT: Electronic Meeting Resolution

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**ATTACHMENTS:**

	Description	Type
	Electronic Meeting Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Review Committee	Baruch, Alex	Approved	10/14/2020 - 3:16 PM



## RESOLUTION

### DEVELOPMENT REVIEW COMMITTEE ELECTRONIC MEETING

WHEREAS, on March 24, 2020, the James City County Board of Supervisors (the “Board”) adopted an emergency Ordinance to ensure the continuity of government in response to the coronavirus pandemic negatively affecting the health, safety, and welfare of the citizens of James City County (the “County”); and

WHEREAS, on April 14, 2020 and September 8, 2020, the Board readopted the continuity of government Ordinance (the “Ordinance”), which, under certain circumstances, permits the Board and its subordinate boards, committees, and commissions to conduct regularly scheduled, special, or emergency meetings solely by electronic or telephonic means without a quorum of members physically present (a “Virtual Meeting”); and

WHEREAS, the Development Review Committee is a committee of the Planning Commission, a subordinate appointed commission of the Board, and is therefore eligible to conduct a Virtual Meeting; and

WHEREAS, the Development Review Committee desires to conduct a Virtual Meeting on October 21, 2020, at which time those items listed on the agenda attached hereto (the “Agenda”) will be considered; and

WHEREAS, each of the members of the Development Review Committee have reviewed each of the items listed on the Agenda and have determined that consideration of each is necessary to ensure the continuation of the essential functions of the government during the emergency described in the Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Committee of James City County, Virginia, hereby finds and declares that immediate consideration of each of the items set forth in the Agenda is necessary to ensure the continuation of essential functions of the government during the emergency declared by the Board and further described in the Ordinance.

\_\_\_\_\_  
Jack Haldeman, Jr.  
Chairman, Development Review Committee

ATTEST:

\_\_\_\_\_  
Paul D. Holt, III  
Secretary to the Planning Commission

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HALDEMAN	_____	_____	_____
LEVERENZ	_____	_____	_____
NULL	_____	_____	_____
POLSTER	_____	_____	_____
KRAPF	_____	_____	_____

Adopted by the Development Review Committee of James City County, Virginia, this 21st day of October, 2020.

**ITEM SUMMARY**

DATE: 10/21/2020

TO: The Development Review Committee

FROM: Paul D. Holt, III, Secretary

SUBJECT: September 23, 2020 Meeting Minutes

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**ATTACHMENTS:**

	Description	Type
	Minutes of the September 23, 2020 DRC Meeting	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Review Committee	Baruch, Alex	Approved	10/14/2020 - 12:02 PM
Development Review Committee	Holt, Paul	Approved	10/14/2020 - 12:04 PM
Publication Management	Burcham, Nan	Approved	10/14/2020 - 1:30 PM
Development Review Committee	Holt, Paul	Approved	10/14/2020 - 1:30 PM

**MINUTES**  
**JAMES CITY COUNTY DEVELOPMENT REVIEW COMMITTEE**  
**REGULAR MEETING**  
**Building A Large Conference Room**  
**101 Mounts bay Road, Williamsburg, VA 23185**  
**September 23, 2020**  
**4:00 PM**

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**A. CALL TO ORDER**

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**B. ROLL CALL**

1. Electronic Meeting Resolution

Mr. Jack Haldeman called the Development Review Committee (DRC) meeting to order at 4 p.m. He called the roll and read the electronic meeting resolution.

Mr. Frank Polster made a motion to Adopt the electronic meeting resolution.

The resolution was adopted by a voice vote of 5-0.

**Present:**

Jack Haldeman, Chair  
Rich Krapf  
Julie Leverenz  
Barbara Null  
Frank Polster

**Staff in Attendance:**

Alex Baruch, Principal Planner  
Darryl Cook, Assistant Director, Stormwater Resource Protection Division  
Katie Pelletier, Community Development Assistant

**C. MINUTES**

1. June 17, 2020 Meeting Minutes

Ms. Julie Leverenz motioned to Approve the June 17, 2020 DRC meeting minutes.

On a voice vote, the Motion passed 5-0.

**D. OLD BUSINESS**

There was no old business.

## **E. NEW BUSINESS**

1. SP-20-0060. Chickahominy Riverfront Park Shoreline Stabilization - Tree Removal SP Amend

Mr. Alex Baruch addressed the Committee and stated that Mr. Darryl Cook of James City County Stormwater and Resource Protection Division submitted a site plan last year to stabilize portions of the shoreline of Chickahominy Riverfront Park. Mr. Baruch stated the site plan was approved by the DRC on September 18, 2019. Mr. Baruch explained that the erosion is limiting environmental habitat, encroaching on park infrastructure, and reducing the existing riparian buffer as the shoreline moves inland. He said the eroded banks also present a safety hazard for park patrons.

Mr. Baruch noted that in August during a pre-construction walk-through of the site, an additional area was identified as beginning to erode which included seven trees. He said to effectively address and include this additional area in the stabilization effort, these additional trees must be removed.

Mr. Baruch told the Committee that the adopted Special Use Permit conditions require Planning Director and DRC approval of any tree clearing on the Chickahominy Riverfront Park property. He stated the Planning Director finds the proposal acceptable, and staff recommends that the DRC find the tree clearing for this project to be acceptable. Mr. Baruch said he would be happy to answer any questions, and Mr. Cook is also available.

Mr. Haldeman asked Mr. Cook if he would like to share any additional information.

Mr. Cook stated they discovered the additional area of erosion, likely due to summer rains, during the pre-construction meeting. He said it needed to be fixed and had photos to share if helpful.

Mr. Polster asked Mr. Cook if he could put the area in context on another graphic, in relation to Gordon Creek and any boat ramp or pier.

Mr. Cook pointed out the features and said they were not altering the pier.

Mr. Rich Krapf asked about the stabilization methods after the tree removal.

Mr. Cook explained the stabilization plans for the area, including structures like those used at Jamestown Beach.

Mr. Haldeman asked if there were any other questions. He asked if there had been any public comments received.

Mr. Baruch stated there were no public comments.

Mr. Krapf motioned to Approve the tree removal and shoreline stabilization at Chickahominy Riverfront Park.

The motion passed on a voice vote of 5-0.

Mr. Haldeman asked if there were any further comments.

Mr. Polster mentioned that Mr. Haldeman and he recently attended Virginia Institute of Marine Science (VIMS) webinars discussing shoreline protection. He said they discussed a tool for evaluating the shoreline of counties but assessed the Riverfront Park shoreline at the

Chickahominy River and Gordon Creek too difficult to fix. Mr. Polster said they recommended private engineering firm support. Mr. Polster said he was impressed and fascinated by the level of engineering by the County and suggested sending a report to VIMS when complete as a sample solution for fixing steep slopes. He suggested looking at the project's progress in the November 2020 timeframe.

**F. ADJOURNMENT**

Mr. Haldeman thanked everyone for attending the meeting.

Mr. Krapf motioned to Adjourn the meeting.

Mr. Haldeman adjourned the meeting at 4:15 p.m. after a unanimous voice vote of 5-0.

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Mr. Jack Haldeman, Chair

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Mr. Paul Holt, Secretary

**ITEM SUMMARY**

DATE: 10/21/2020

TO: The Development Review Committee

FROM: Thomas Wysong, Senior Planner

SUBJECT: C-20-0079 Forest Heights Phase III

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**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Staff Report
▣	Attachment 1 Conceptual Plan Layout	Exhibit
▣	Attachment 2 Amended Master Plan	Exhibit
▣	Attachment No. 3 Applicant Narrative	Backup Material
▣	Attachment 4 Z-19-0012 Proffers	Backup Material
▣	Attachment 5 SUP 19-0020	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Review Committee	Baruch, Alex	Approved	10/14/2020 - 2:51 PM

## CONCEPTUAL PLAN-20-0079. Forest Heights Phase III

### Staff Report for the October 21, 2020, Development Review Committee Meeting

#### SUMMARY FACTS

Applicants:	Mr. Greg Warren
Land Owners:	Wayne Harbin Builder Inc.
Proposal:	Proffer B.1, approved by the Board of Supervisors on December 10, 2019 requires for development of the property to be as generally shown on the amended master plan associated with Z-19-0012 and Special Use Permit (SUP) 19-0020, Forest Heights Phase 2 (46 affordable townhouse units). Development plans may deviate from the amended master plan as provided in Section 24-23(a)(2) of the Zoning Ordinance.
Location:	6015 Richmond Road
Tax Map/Parcel No.:	3220100081
Project Acreage:	+/- 11.41 acres
Current Zoning:	R-3, Residential Redevelopment with Proffers
Comprehensive Plan:	Low Density Residential and Medium Density Residential
Primary Service Area (PSA):	Inside
Staff Contact:	Thomas Wysong, Senior Planner

#### REASON FOR DEVELOPMENT REVIEW COMMITTEE REVIEW

Proffer B.1, approved by the Board of Supervisors on December 10, 2019 as part of Z-19-0012, requires development of the property to be as generally shown on the amended master plan. The currently proposed application for these 46 affordable townhouses includes several changes from what is shown on the adopted Master Plan, including changes to parking locations and counts, the location of several townhouse units, and the scale and size of stormwater management facilities. In aggregate, staff does not find the proposal consistent. The applicant has appealed the staff determination to the Development Review Committee (DRC) to determine master plan consistency.

#### FACTORS FAVORABLE

1. This alternate layout would not affect the approved density of the total Forest Heights area, which is approximately four dwelling units per acre, nor would it negate any of the proffers or SUP conditions approved for this site.
2. The 50-unit independent living facility, which is to be located along the frontage of the property on Richmond Road and was approved via SUP 19-0020, is not negatively impacted by the alternate layout of the townhomes.

#### FACTORS UNFAVORABLE

1. Staff finds the design of the large “Proposed Extended-Detention Basin (Best Management Plan [BMP] No. 3)” adjacent to Forest Heights Road would negatively impact the existing Forest Heights neighborhood and the proposed townhome development. Furthermore, the significant depth and size of this BMP appears to be much different than what was envisioned as part of the

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*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.*

## CONCEPTUAL PLAN-20-0079. Forest Heights Phase III

### Staff Report for the October 21, 2020, Development Review Committee Meeting

adopted master plan concept. Staff finds the size and depth to be incompatible with the directly adjacent townhomes. Moreover, because of that direct proximity, it may pose a safety risk to the residents of the neighborhood.

2. The elimination of the parking area adjacent to the end of Forest Heights Road could result in increased on-street parking and congestion; two common concerns raised by citizens of Forest Heights during the public hearing process for the rezoning and SUP for this parcel.
3. The location of the proposed dry swale could prevent ample landscaping within the landscape buffer shown on the approved master plan.

#### STAFF RECOMMENDATION

Staff recommends that the DRC find the proposed conceptual plan to be inconsistent with the master plan approved by the Board of Supervisors as part of Z-19-0012 and SUP 19-0020. If the DRC were to find the alternate layout consistent, staff recommends that fencing (design and scale to be approved by the Planning Director and shown in detail on the site plan prior to site plan approval) be required for BMP No. 3 to ensure safety.

#### PROJECT DESCRIPTION

This proposal is for an alternate layout of the 46 affordable townhomes that were approved as part of Z-19-0012 and SUP 19-0020 (Forest Heights Rezoning and Independent Living Facility). Specifically, the conceptual plan layout shows the following major differences:

1. BMP No. 3. The conceptual plan shows a large “Proposed Extended-Detention Basin (BMP No. 3)” adjacent to Forest Heights Road. Instead of the four units shown on the approved

master plan with the “SWM LID Feature” located behind it. These four units are redistributed throughout the site, resulting in a slightly varied design of units when comparing the conceptual plan to the approved amended master plan.

2. Parking. The conceptual plan includes 26 visitor parking spaces. This is 17 less than the 43 visitor spaces shown on the approved amended master plan. This reduction is proposed via the elimination of the parking area adjacent to the end of Forest Heights Road, as well as individual spaces shown on the two visitor lots located adjacent to the intersection of “Road A” and “Road B.”
3. Landscape Buffer. The conceptual plan shows a “Proposed Dry Swale-BMP No. 4” within an area designated as “Landscape Buffer” on the approved amended master plan.

As referenced in the applicant’s current request, retaining the original location of the four-unit townhome group in the southwest portion of the property would require large retaining walls in order to accommodate the BMP proposed to the rear. Given this is an affordable housing project, the applicant has stated that such a stormwater design would result in construction costs that would increase the difficulty of accomplishing the purpose of this project, which is to provide affordable housing.

#### PROJECT HISTORY

In 2011, the James City County Board of Supervisors initiated the rezoning of approximately 47.1 acres of the Forest Heights area from R-2, General Residential to MU, Mixed Use (Z-0001-2011). The purpose of the rezoning was twofold. First, the County desired to facilitate improvements to the existing Forest Heights neighborhood in partnership with the Office of Housing and Community Development. Second, the Salvation Army planned to build new



## CONCEPTUAL PLAN-20-0079. Forest Heights Phase III

### Staff Report for the October 21, 2020, Development Review Committee Meeting

offices, a community meeting space and gym, and other accessory uses on the property it owns adjacent to the Forest Heights neighborhood.

The rezoning succeeded in improving the Forest Heights neighborhood in a number of ways. The County was able to facilitate the rearrangement of property boundary lines to bring lot owners into compliance with the County Zoning Ordinance. The County also coordinated infrastructure improvements, including the addressing of previously uncontrolled and untreated drainage and stormwater; the upgrading of water and sewer mains; the realignment, widening, and paving of Forest Heights Road and Neighbors Drive; safety improvements to Richmond Road; the addition of open space and pedestrian amenities; and the provision of streetlights and street trees. The proposed project also included the rehabilitation of homes (including energy audits and energy efficiency improvements), the construction of new affordable housing, and the demolition of vacant, dilapidated dwellings. The proffers approved for this rezoning required water conservation and green building measures for certain sites, the inclusion of affordable and workforce housing, and the establishment of a homeowners association.

Regarding the second purpose of the 2011 rezoning, the Salvation Army had not pursued the development of the planned non-residential uses on its property. Its 11.42-acre property remains wooded and vacant and is the proposed location of the townhomes and independent living facility. The Salvation Army sold this parcel to Wayne Harbin Builder Inc. in the winter of 2020.

The James City County Board of Supervisors, in partnership with Mr. Harbin, rezoned the Forest Heights area from MU, Mixed Use with proffers to R-3, Residential Redevelopment and R-3, Residential Redevelopment with proffers, and issued an SUP to allow for the addition of 46 townhomes and a 50-unit independent living facility. All 96 of these units are proffered to be affordable, and included other

proffers and conditions to mitigate impacts, such as cash proffers and water conservation and sustainable building practices (see Attachment Nos. 4 and 5).

### SURROUNDING ZONING AND DEVELOPMENT

North: R-3, Residential Redevelopment, single-family residential development.

South: R-3, Residential Redevelopment, single-family residential development.

East: R-2, General Residential, single-family residential development.

West: R-2, General Residential, single-family residential development.

### STAFF ANALYSIS

Pursuant to Sec. 24-23(a)(2) of the Zoning Ordinance, a development plan may deviate from the master plan if it is concluded that the development plan does not do the following:

1. Significantly affect the general location or classification of housing units or buildings as shown on the master plan;
2. Significantly alter the distribution of recreation or open space areas on the master plan;
3. Significantly affect the road layout as shown on the master plan;
4. Significantly alter the character of land uses or other features or conflict with any building conditions placed on the corresponding legislatively approved case associated with the master plan.

## CONCEPTUAL PLAN-20-0079. Forest Heights Phase III

### Staff Report for the October 21, 2020, Development Review Committee Meeting

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Staff considers the size, scale, and the significant grading and depth of “BMP 3” to be a significant alteration to the character of land uses for this development. This is because the proposed BMP replaces the previously approved location of residential units, which breaks up the continuity of the proposed residential structures facing the road. Furthermore, the scale and depth of the BMP and its proximity to adjacent homes could have a detrimental effect on the character of the neighborhood. This is especially notable when compared to the approved master plan, which shows the BMP being screened behind these units.

Staff also finds the elimination of the off-street parking adjacent to Forest Heights Road to be potentially problematic. This could result in an increase of on-street parking and traffic congestion, two items of common concern from citizens during the public hearing process for the Forest Heights rezoning and SUP. The location of the dry swale in the landscape buffer on the southern portion of the property also has the potential to negatively impact residential property in the existing Forest Heights neighborhood.

#### STAFF RECOMMENDATION

Staff recommends that the DRC find the proposed conceptual plan to be inconsistent with the master plan approved by the Board of Supervisors as part of Z-19-0012 and SUP 19-0020. If the DRC were to find the alternate layout consistent, staff recommends that fencing be required for BMP No. 3 to ensure safety.

TW/md  
CP20-79ForHtsPh3

#### Attachments:

1. Conceptual Plan Layout
2. Adopted Amended Master Plan
3. Applicant Request
4. Z-19-0012 Proffers
5. SUP 19-0020 Conditions



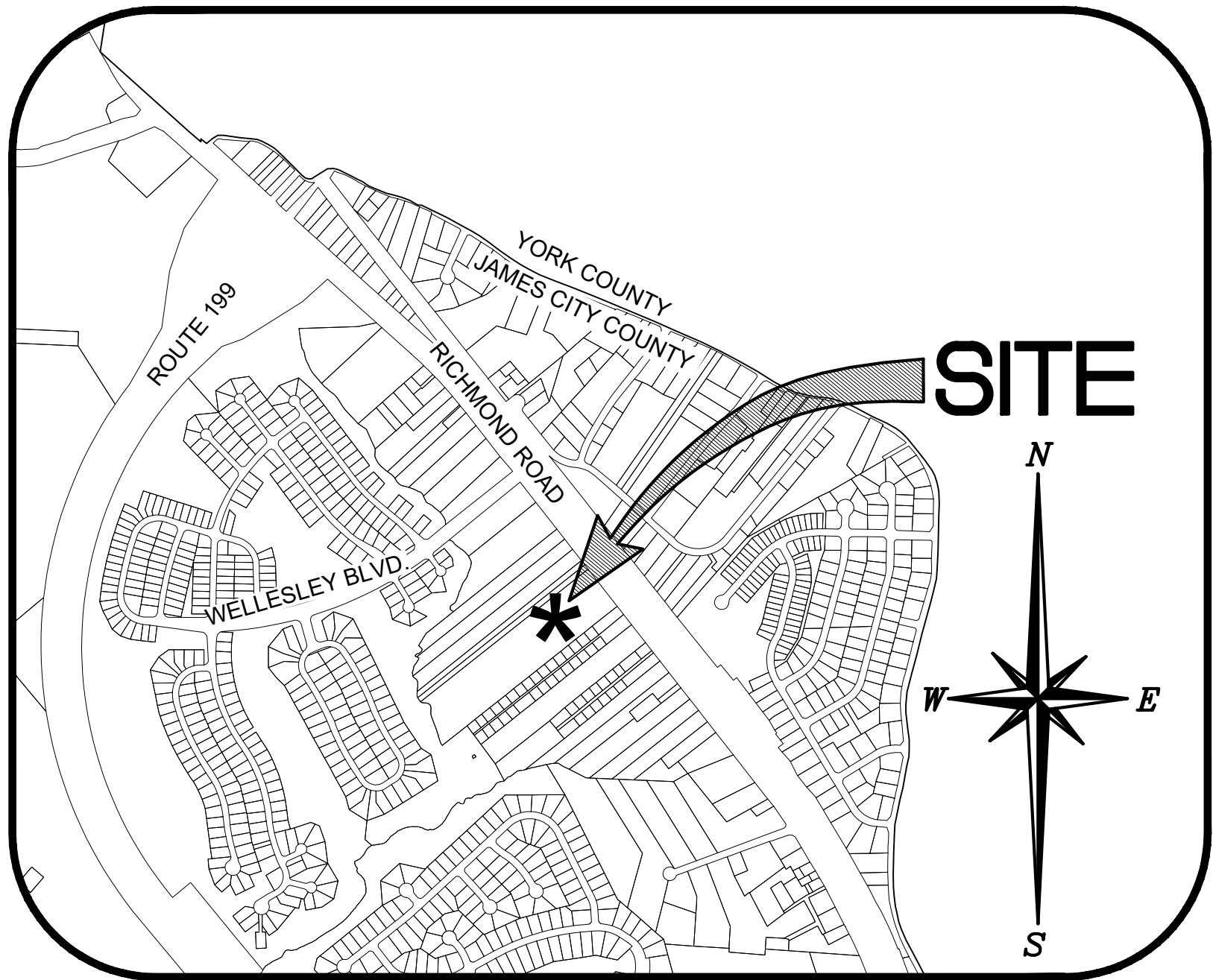
CONCEPTUAL PLAN  
FOR  
FOREST HEIGHTS NEIGHBORHOOD  
PHASE III

ALL WORK IS TO BE OBSERVED BY A QUALIFIED LICENSED PROFESSIONAL. BONDS AND SURETY WILL NOT BE RELEASED UNTIL RECORD DRAWINGS AND CONSTRUCTION CERTIFICATIONS ARE PROVIDED TO AND APPROVED BY THE J.C.C. ENGINEERING AND RESOURCES PROTECTION DIVISION THAT ARE CONSISTENT WITH THE STORMWATER MANAGEMENT / BMP FACILITIES RECORD DRAWING AND CONSTRUCTION CERTIFICATION FORMS.

GENERAL NOTES:

1. SITE IS CURRENTLY ZONED R-3 (RESIDENTIAL REDEVELOPMENT DISTRICT).
2. CURRENT SITE ADDRESS: 6015 RICHMOND ROAD, WILLIAMSBURG, VA, 23188.
3. NO AREAS WITH AN ELEVATION LESS THAN FOUR FEET ABOVE MEAN SEA LEVEL EXIST ON SITE.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING MISS UTILITY (1-800-552-7001) FOR EXISTING UTILITY LOCATIONS PRIOR TO COMMENCING CONSTRUCTION.
5. THE CONTRACTOR SHALL SATISFY THEMSELVES TO ALL EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION.
6. EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES.
7. ALL UTILITIES SHALL BE PLACED UNDERGROUND.
8. A LAND DISTURBING PERMIT AND SILTATION AGREEMENT, WITH SURETY, ARE REQUIRED FOR THIS PROJECT.
9. THERE IS NO OFF-SITE LAND DISTURBANCE ASSOCIATED WITH THE DEVELOPMENT OF THIS SITE.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR THIS PROJECT.
11. THE PROFESSIONAL WHOSE SEAL IS AFFIXED HEREON SHALL ACT AS THE "RESPONSIBLE LAND DISTURBER" FOR PURPOSES OF PLAN APPROVAL ONLY. PRIOR TO ISSUANCE OF THE LAND DISTURBING PERMIT, THE OWNER OR DEVELOPER SHALL PROVIDE THE NAME OF A "RESPONSIBLE LAND DISTURBER" WHO SHALL ASSUME RESPONSIBILITY AS THE "RESPONSIBLE LAND DISTURBER" FOR THE CONSTRUCTION PHASE OF THE PROJECT. THE OWNER OR DEVELOPER SHALL PROVIDE WRITTEN NOTIFICATION SHOULD THE "RESPONSIBLE LAND DISTURBER" CHANGE DURING CONSTRUCTION.
12. CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF CONSTRUCTION EFFORTS WITH VIRGINIA NATURAL GAS, VIRGINIA POWER, C&P TELEPHONE, COX CABLE, JCSA, VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) AND OTHERS THAT MAY BE REQUIRED.
13. 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 EROSION AND SEDIMENT CONTROL REGULATIONS, AND ANY OTHER APPLICABLE COUNTY OR STATE ORDINANCES, CODES, AND LAWS PRIOR TO ANY CONSTRUCTION ACTIVITY.
14. PRIOR TO OBTAINING A LAND DISTURBING PERMIT, THE OWNER OR CONTRACTOR SHALL OBTAIN A VSPM PERMIT (VIRGINIA STORMWATER MANAGEMENT PROGRAM) FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) FOR THE DISCHARGE OF STORMWATER FROM CONSTRUCTION ACTIVITIES. THIS PERMIT WILL REQUIRE DAILY LOGS OF EARTHWORK, RECORDATION OF STORM EVENTS, LOGS OF MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AND OTHER ACTIONS DURING CONSTRUCTION.
15. NEITHER VDOT NOR JAMES CITY COUNTY ASSUME RESPONSIBILITY FOR MAINTENANCE OF THE DETENTION/RETENTION PONDS OR THEIR STRUCTURES, AND SHALL BE SAVED HARMLESS FROM ANY DAMAGE.
16. THE OWNER AND/OR CONTRACTOR RESERVES THE RIGHT AND PRIVILEGE TO ENHANCE, AUGMENT, REPAIR, REPLACE OR DUPLICATE THE EROSION AND SEDIMENT CONTROL MEASURES AS OUTLINED ON THESE PLANS OR AS SPECIFIED IN THE LATEST EDITIONS OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, AND TO REINFORCE THOSE MEASURES AS SPECIFIED ON THESE PLANS, DUE TO UNSEASONABLE WEATHER CONDITIONS OR DUE TO CHANGE IN FIELD CONDITIONS AS WARRANTED BY THE OWNER/CONTRACTOR.
17. STORM SEWER PIPE SHALL BE CLASS III RCP (ASTM C76, ASTM C1433/AASHTO M 170-09/AASHTO HI-93) OR SMOOTH WALL INTERIOR HDPE PIPE (N-12) (AASHTO M252) UNLESS OTHERWISE DESIGNATED.
18. STORM STRUCTURES SHALL CONFORM TO THE CURRENT VDOT ROAD AND BRIDGE STANDARDS AND VDOT SPECIFICATIONS. ALL MANHOLES SHALL INCLUDE INLET SHAPING (IS-1) AND MANHOLES DEEPER THAN 4 FEET SHALL HAVE STEPS (ST-1). PIPE BEDDING SHALL BE IN ACCORDANCE WITH VDOT PB-1 AND MANUF. SPECS/GUIDELINES.
19. ALL EXISTING UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY COUNTY CODE.
20. 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.
21. THE OWNER CAN SUBSTITUTE SIMILAR SIZE AND TYPES OF TREES AND SHRUBS BASED AVAILABILITY AT THE TIME OF PLANTING.
22. EASEMENTS DENOTED AS "JCSA UTILITY EASEMENTS" ARE FOR THE EXCLUSIVE USE OF THE JAMES CITY SERVICE AUTHORITY AND THE PROPERTY OWNER. OTHER UTILITY SERVICE PROVIDERS DESIRING TO USE THESE EASEMENTS WITH THE EXCEPTION OF PERPENDICULAR UTILITY CROSSINGS MUST OBTAIN AUTHORIZATION FOR ACCESS AND USE FROM JCSA AND THE PROPERTY OWNER. ADDITIONALLY, JCSA SHALL NOT BE HELD RESPONSIBLE FOR ANY DAMAGE TO IMPROVEMENTS WITHIN THIS EASEMENT, FROM ANY CAUSE.
23. ALL NEW SIGNS SHALL BE IN ACCORDANCE WITH ARTICLE II, DIVISION 3 OF THE JAMES CITY COUNTY ZONING ORDINANCE.
24. 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 CODE COMPLIANCE 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.
25. LOCAL PLAN REVIEW AND INSPECTION FEES ARE REQUIRED FOR THIS PROJECT IN ACCORDANCE WITH CHAPTER 8, CHAPTER 19, CHAPTER 23, AND CHAPTER 24 OF COUNTY CODE.
26. A STANDARD DECLARATION OF COVENANTS - INSPECTION/MAINTENANCE AGREEMENT IS REQUIRED TO BE EXECUTED WITH THE COUNTY DUE TO THE PROPOSED STORMWATER CONVEYANCE SYSTEMS AND/OR STORMWATER MANAGEMENT/BMP FACILITIES ASSOCIATED WITH THIS PROJECT.
27. THE STORMWATER MANAGEMENT/BMP FACILITIES AND ASSOCIATED STORMWATER CONVEYANCE SYSTEMS AS PROPOSED FOR THIS PROJECT WILL REQUIRE SUBMISSION, REVIEW, AND APPROVAL OF A RECORD DRAWING (AS-BUILT) AND CONSTRUCTION CERTIFICATION PRIOR TO RELEASE OF THE POSTED BOND/SURETY. CONTRACTOR SHOULD INSURE THAT ALL APPLICABLE AS-BUILT INSPECTIONS AND RECORDS ARE KEPT BEFORE, DURING, AND AFTER CONSTRUCTION TO ENSURE THAT ALL COUNTY GUIDELINES HAVE BEEN MET.
28. EFFECTIVE JULY 1, 2014 THE COUNTY IS DESIGNATED A LOCAL VSPM AUTHORITY AND IS RESPONSIBLE TO ADMINSTRATE AND ENFORCE CERTAIN PROVISIONS OF THE STATE'S NON-POINT SOURCE POLLUTION PROGRAMS INCLUDING THE VIRGINIA STORMWATER MANAGEMENT PROGRAM (VSPM) AND VPDES CONSTRUCTION GENERAL PERMIT PROGRAMS. REFER TO ARTICLE II OF CHAPTER 8 (EROSION AND SEDIMENT CONTROL AND VIRGINIA STORMWATER MANAGEMENT PROGRAM ORDINANCE OF THE COUNTY CODE.
29. SINCE THE DISTURBED AREA EXCEEDS 2,500 S.F. IT IS THE OWNERS RESPONSIBILITY TO REGISTER FOR COVERAGE UNDER THE STATE GENERAL VPDES PERMIT FOR DISCHARGE OF STORMWATER FROM CONSTRUCTION ACTIVITIES (VAR10) THROUGH THE LOCAL VSPM AUTHORITY, IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STATE WATER CONTROL BOARD AND THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY. VISIT THE ENGINEERING AND RESOURCE PROTECTION DIVISION OR VIRGINIA DEQ WEBSITE FOR ADDITIONAL INFORMATION AND FORMS.
30. 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.
31. THIS SITE PLAN WAS PREVIOUSLY REFERRED TO AS SUP-19-0020; Z-19-0012; Z-0001-2011

JAMES CITY COUNTY POWHATAN MAGISTERIAL DISTRICT VIRGINIA  
C-20-0079



VICINITY MAP SCALE: 1"=2000'

SUBMITTAL DATE: JULY 21, 2020

SHEET INDEX:

SHEET NUMBER:	SHEET TITLE:
1	COVER SHEET
2	EXISTING CONDITIONS & ENVIRONMENTAL INVENTORY PLAN
3	OVERALL CONCEPTUAL PLAN
4	CONCEPTUAL PLAN
5	CONCEPTUAL PLAN
6	POST-DEVELOPMENT DRAINAGE AREA MAP (BMP)

STATISTICAL INFORMATION:

ZONING:	R-3 (RESIDENTIAL REDEVELOPMENT DISTRICT)
PROPOSED SITE USE:	RESIDENTIAL (TOWNHOMES)
MAGISTERIAL DISTRICT:	POWHATAN
TAX MAP PARCEL ID:	3220100081
SITE ADDRESS:	6015 RICHMOND ROAD WILLIAMSBURG, VA 23188

UTILITIES:	
WATER	PUBLIC
SEWER	PUBLIC
BUILDING SETBACKS:	
FRONT YARD:	NONE
SIDE YARD:	NONE
REAR YARD:	NONE

OVERALL SITE AREA:	
PARCEL A (TOWNHOMES):	374,161 S.F.±, 8.59 AC.±
PARCEL B (APARTMENTS):	122,961 S.F.±, 2.82 AC.±
TOTAL SITE AREA:	496,852 S.F.±, 11.41 AC.±

EXISTING IMPERVIOUS AREA:	0 S.F.±, 0.00 AC.± (0%)
EXISTING OPEN SPACE:	496,852 S.F.±, 11.41 AC.± (100%)
TOTAL EXISTING SITE AREA:	496,852 S.F.±, 11.41 AC.±

PARCEL A:	
TOTAL LOT AREA (46 LOTS):	110,167 S.F.±, 2.53 AC. (29.5%)
TOTAL RI/W AREA:	71,661 S.F.±, 1.65 AC. (19.2%)
TOTAL OPEN SPACE:	192,333 S.F.±, 4.42 AC. (51.5%)
TOTAL PARCEL A SITE AREA:	374,161 S.F.±, 8.59 AC. (100.0%)

PARCEL A:	
PROPOSED IMPERVIOUS AREA:	124,689 S.F.±, 2.86 AC.± (44.6%)
PROPOSED OPEN SPACE:	249,472 S.F.±, 5.73 AC.± (55.4%)
TOTAL PROPOSED SITE AREA:	374,161 S.F.±, 8.59 AC.±

PARCEL B:	
PROPOSED IMPERVIOUS AREA:	806 S.F.±, 0.02 AC.± (0.7%)*
FUTURE IMPERVIOUS AREA (AS SHOWN):	55,925 S.F.±, 1.28 AC.± (45.4%)*
PROPOSED OPEN SPACE:	66,230 S.F.±, 1.52 AC.± (53.9%)
TOTAL PROPOSED SITE AREA:	122,961 S.F.±, 2.82 AC.±

\*TOTAL ALLOWABLE IMPERVIOUS AREA FOR PARCEL B: 73,777 S.F.±, 1.69 AC. (60% MAX.)

TOTAL DISTURBED AREA:	301,132 S.F.±, 6.91 AC.±
PARKING REQUIRED:	2.5 SPACE PER UNIT (46 UNITS) = 115 SPACES
PARKING PROVIDED:	2 SPACES PER EACH UNIT (46 UNITS) = 92 SPACES VISITOR PARKING LOTS = 26 SPACES TOTAL PARKING SPACES =118 SPACES

FLOOD HAZARD MAP:	THIS PROPERTY IS LOCATED WITHIN ZONE "A" AND ZONE "X", AS SHOWN ON MAP NUMBER 51095C0128D, PANEL 0128, FOR COMMUNITY NUMBER 51095, DATED DECEMBER 16, 2015 OF THE FLOOD INSURANCE RATE MAPS FOR JAMES CITY COUNTY, VIRGINIA. ZONE "A" IS A SPECIAL FLOOD HAZARD AREA WITHOUT BASE FLOOD ELEVATION, AND ZONE "X" IS DEFINED AS AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN. THERE IS NO ROAD OR BUILDING CONSTRUCTION PROPOSED WITHIN ZONE A.
-------------------	---

HYDROLOGICAL INFORMATION:	
SUBWATERSHED:	POWHATAN CREEK (JL31)
SUBBASIN:	JAMES RIVER - POWHATAN CREEK (JL-G)
WATERSHED:	LOWER JAMES RIVER

HYDROLOGICAL UNIT CODE (HUC):	JL31
-------------------------------	------

OWNER:

CONTACT: WAYNE HARBIN BUILDERS, INC.  
DOUG HARBIN  
3705 STRAWBERRY PLAINS ROAD  
WILLIAMSBURG, VA 23188  
(757) 220-8860

ENGINEER:

LANDTECH RESOURCES, INC.

CONTACT: WILLIAM FELTS, P.E.  
205-E BULIFANTS BOULEVARD  
WILLIAMSBURG, VA 23188  
(757) 565-1677

LANDSCAPE ARCHITECT:

GREENSPRINGS LANDSCAPE ARCHITECTURE

CONTACT: CHRISTOPHER BASIC  
4067 LONGVIEW LANDING  
WILLIAMSBURG, VA 23188  
(757) 565-2306

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Keep Virginia Safe!



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, CONTACT THE ENGINEER BEFORE PROCEEDING

REVISION / COMMENT / NOTE

DATE

NO.

CONCEPTUAL PLAN  
FOR  
FOREST HEIGHTS NEIGHBORHOOD  
PHASE III  
PROPOSED TOWNHOMES

JAMES CITY COUNTY POWHATAN MAGISTERIAL DISTRICT VIRGINIA

Scale: As Noted  
Date: July 21, 2020  
Job Number: 17-268  
Designed By: GSW  
Sheet Title:  
COVER SHEET

Sheet Number:  
1



SOILS LEGEND	
	SOILS BOUNDARY
	SOILS TYPE
15D	

SOIL No.	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K)	EROSION FACTOR (T)
11C	CRAVEN-UCHEE COMPLEX	B	6-10%	0.32-0.37	3
14B	EMPORIA FINE SANDY LOAM	B	2-6%	0.20-0.28	4
15D	EMPORIA COMPLEX	B	10-15%	0.20-0.28	4
17	JOHNSON COMPLEX	A/D	0-2%	0.17-0.20	5
29B	SLAGLE FINE SANDY LOAM	C	2-6%	0.24-0.24	3

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

SOIL SUSCEPTIBILITY TO EROSION CLASSIFICATION (K)  
0.23 AND LOWER - LOW ERODIBILITY  
0.23 TO 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.

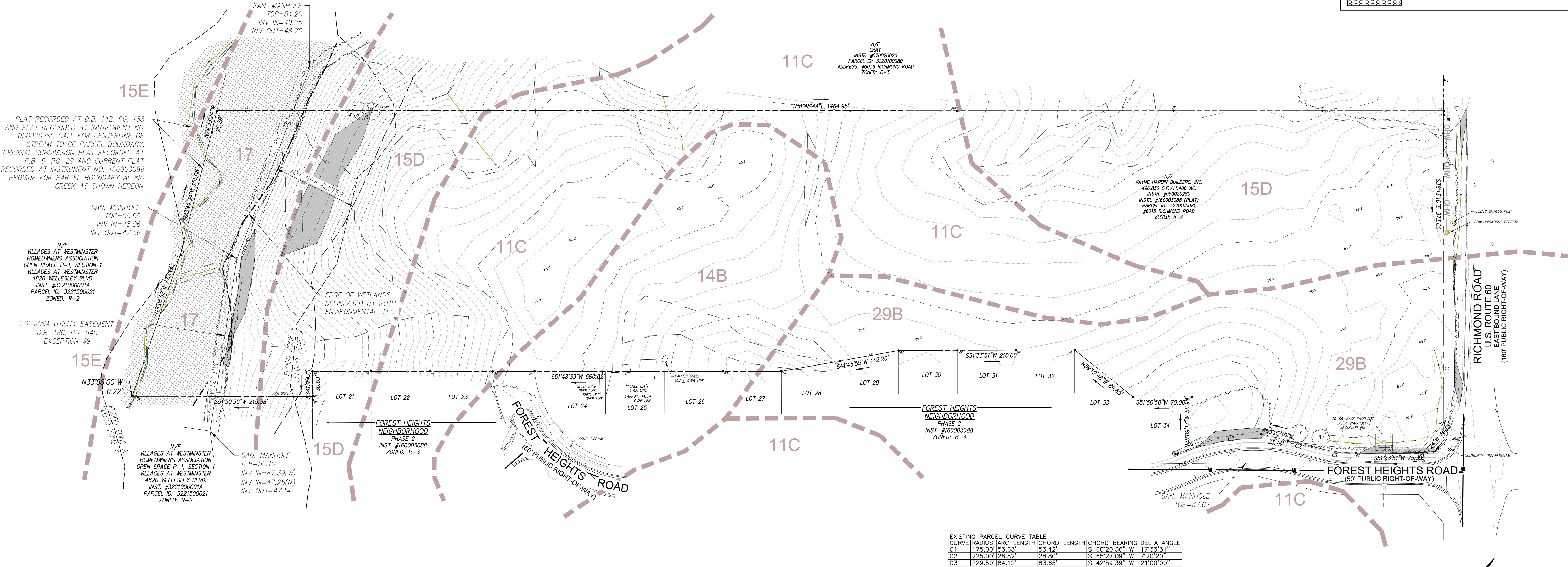
ENVIRONMENTAL INVENTORY IMPACTS	
TIDAL WETLANDS:	NONE ON SITE
TIDAL SHORES:	NONE ON SITE
NON-TIDAL WETLANDS:	PRESENT (NO IMPACT)
100 FT RPA BUFFER:	?? ACRES
NON TIDAL WETLANDS IN RMA:	NONE ON SITE
HYDRIC SOILS:	PRESENT (NO IMPACT)
25% SLOPES OR GREATER	?? ACRES

NOTE: THIS PROPERTY IS IN FLOOD ZONE A AND X AS SHOWN ON MAP NUMBER 51095C01280, PANEL 0128, FOR COMMUNITY NUMBER 51095, DATED 12/16/15 OF THE FLOOD INSURANCE RATE MAPS FOR JAMES CITY COUNTY, VIRGINIA. ZONE A IS A SPECIAL FLOOD HAZARD AREA WITHOUT BASE FLOOD FLOOD ELEVATION AND ZONE X IS DEFINED AS AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

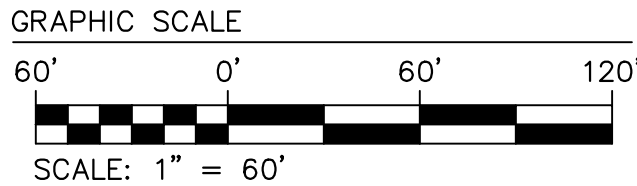
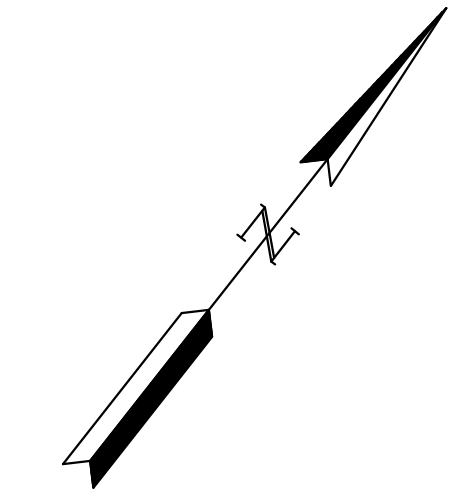
NOTE: PHASE I ENVIRONMENTAL SITE ASSESSMENT CONDUCTED BY ROTH ENVIRONMENTAL IN JANUARY 2020.

NOTE: PRELIMINARY JURISDICTIONAL NON-TIDAL WETLANDS, U.S. ARMY CORPS OF ENGINEERS PERMIT #NAO-2020-00388 (LONGHILL SWAMP), VALID UNTIL 03/18/2025 PER U.S. ARMY CORPS OF ENGINEERS, NORFOLK DISTRICT LETTER DATED 03/19/2020; 32,670 S.F./0.75 ACRES; 380 L.F.

LEGEND	
	DENOTES 25% OR GREATER SLOPES
	DENOTES JURISDICTIONAL NON-TIDAL WETLANDS
	DENOTES 100' RPA BUFFER TO BE DEDICATED AS CONSERVATION EASEMENT
	DENOTES IMPACT TO 25% OR GREATER SLOPES
	DENOTES IMPACT TO 100' RPA BUFFER
	DENOTES IMPACT TO NON-TIDAL WETLANDS



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	175.00'	153.63'	53.42'	S 60°20'36" W	17°33'31"
C2	225.00'	128.82'	28.80'	S 65°27'09" W	7°20'20"
C3	229.50'	184.12'	83.65'	S 42°59'59" W	121°00'00"



REVISION / COMMENT / NOTE

DATE

NO.

CONCEPTUAL PLAN FOR

FOREST HEIGHTS NEIGHBORHOOD

PHASE II

PROPOSED TOWNHOMES

JAMES CITY COUNTY    POWHATAN MAGISTERIAL DISTRICT    VIRGINIA

Scale: 1"=60'

Date: July 21, 2020

Job Number: 17-268

Designed By: GSW

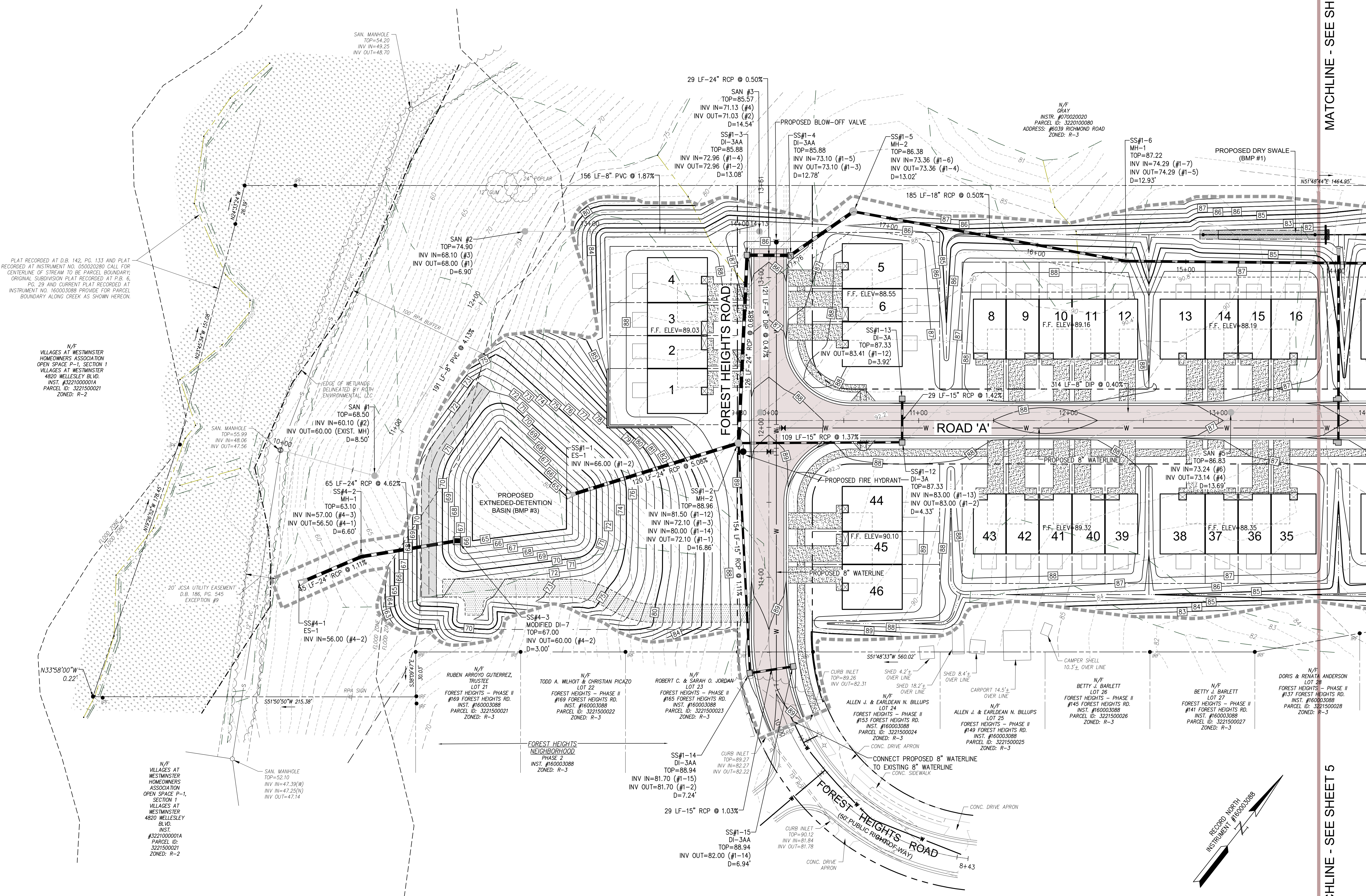
Sheet Title: EXISTING CONDITIONS AND ENVIRONMENTAL INVENTORY

Sheet Number: 2





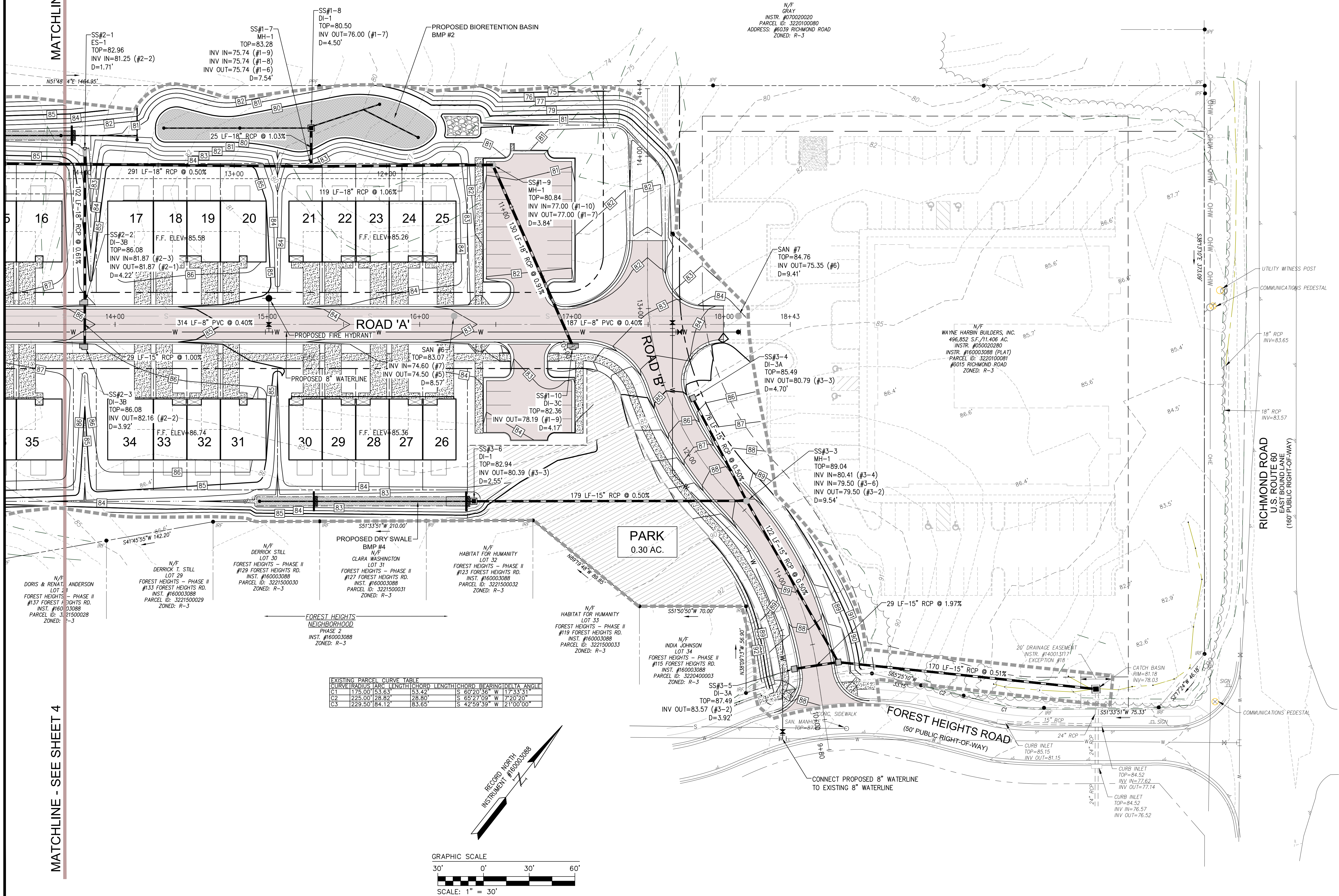






MATCHLINE - SEE SHEET 4

MATCHLINE - SEE SHEET 4



REVISION / COMMENT / NOTE

DATE

NO.

WILLIAM S. FELTS  
Lic. No. 57903  
1/1/20

**LRI LANDTECH**  
RESOURCES, INC.  
ENGINEERING • SURVEYING • GPS  
200-E Bullitts Boulevard - Williamsburg, VA 23188  
Ph: (757) 835-0702  
Web: landtechresources.com

CONCEPTUAL PLAN  
FOR  
FOREST HEIGHTS NEIGHBORHOOD  
PHASE II  
PROPOSED TOWNHOMES

JAMES CITY COUNTY POWHATAN MAGISTERIAL DISTRICT VIRGINIA

Scale: 1"=30'  
Date: July 21, 2020  
Job Number: 17-268  
Designed By: GSW  
Sheet Title:  
CONCEPTUAL  
LAYOUT PLAN  
Sheet Number:  
**5**







MASTER PLAN AMENDMENT FOR

FOREST HEIGHTS

NEIGHBORHOOD

JCC CASE NO.: Z-19-0012 / SUP-19-0020

JAMES CITY COUNTY

VIRGINIA

STATISTICAL INFORMATION

PROPERTY ADDRESS	6015 RICHMOND ROAD
TAX MAP No.	3220100081
EXISTING ZONING	ALL SUBJECT PROPERTIES ARE MU, MIXED USE, WITH PROFFERS.(SEE NOTE 4)
PROPOSED ZONING	ALL SUBJECT PROPERTIES ARE R-3, RESIDENTIAL REDEVELOPMENT DISTRICT, WITH PROFFERS.(SEE NOTE 4)
TOTAL SITE AREA	47.1± AC.
WATER	PUBLIC
SEWER	PUBLIC
HYDROLOGIC UNITS	
SUBWATERSHED	POWHATAN CREEK (JL31)
WATERSHED	JAMES RIVER-POWHATAN CREEK (JL-G)
SUBBASIN	LOWER JAMES
PARKING SPACES	
REQUIRED PARKING-MULTIFAMILY:	2.5 SPACES PER UNIT (46) 115 TOTAL SPACES
PROVIDED PARKING-MULTIFAMILY:	43 SPACES (PARKING LOTS) 1 GARAGE SPACE PER UNIT (46) 1 DRIVEWAY SPACE PER UNIT (46) 135 TOTAL SPACES
REQUIRED PARKING-SENIOR LIVING:	50 TOTAL APARTMENTS 1.5 SPACES PER SINGLE BEDROOM (17*1.5=26) 2.2 SPACES PER DOUBLE BEDROOM (21*2.2=46)
PROVIDED PARKING-SENIOR LIVING:	1 SPACE PER SINGLE BEDROOM (17) 2 SPACES PER DOUBLE BEDROOM (42) 62 TOTAL SPACES
(VARIANCE REQUIRED)	

VICINITY MAP

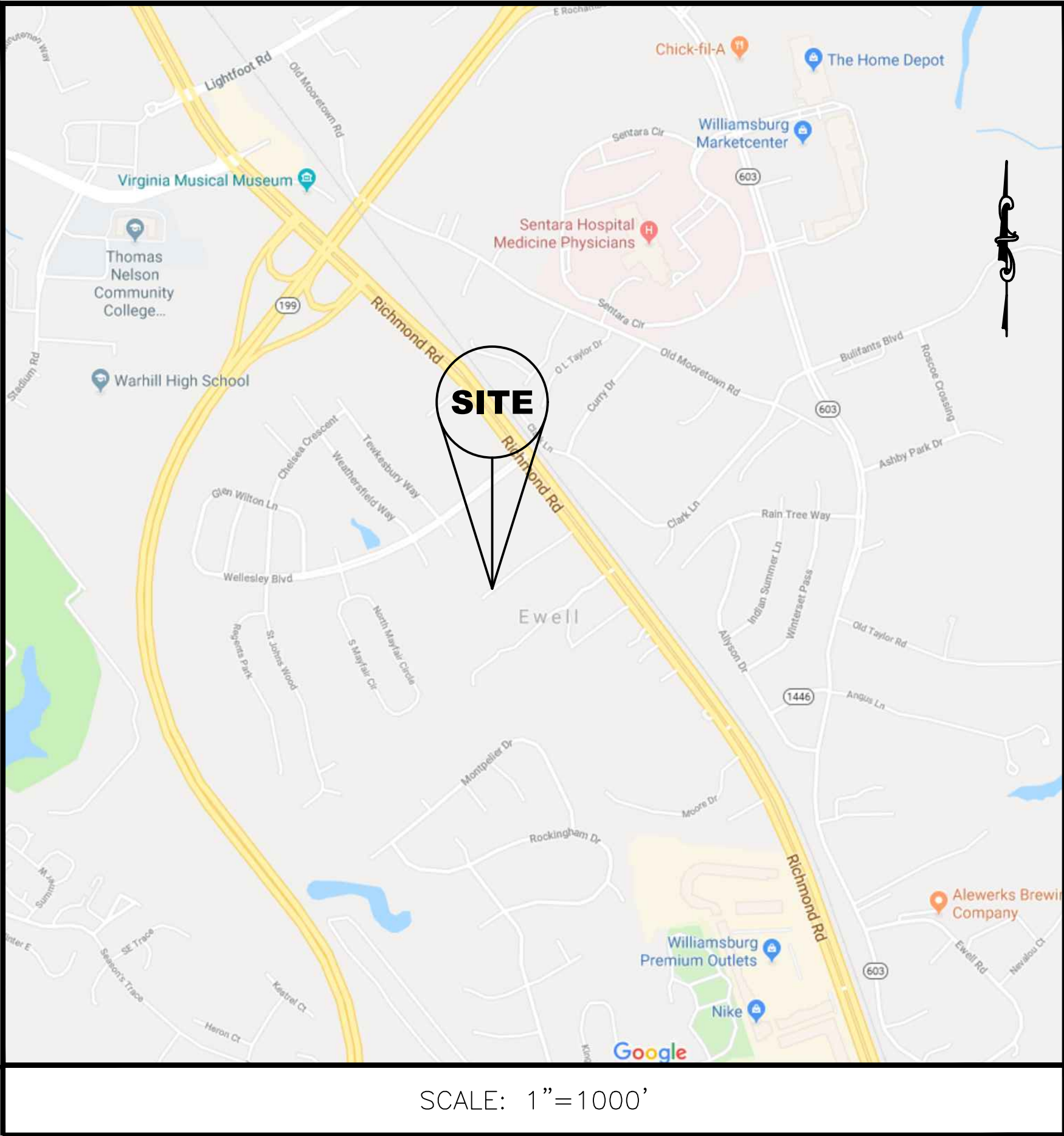


TABLE OF CONTENTS

SHEET NO.	SHEET TITLE
C0.01	COVER SHEET
C0.02	MASTER PLAN
C0.03	LAYOUT

NOTES:

- 1) THIS MASTER PLAN WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT.
- 2) TOPOGRAPHIC INFORMATION IS SHOWN PER JAMES CITY COUNTY GIS MAPPING AT 2' INTERVALS.
- 3) NO STRUCTURES WITHIN THE DEVELOPMENT SHALL EXCEED 45' IN HEIGHT.
- 4) FOR PROFFERS REFER TO JCC Z-0001-2011 ADOPTED BY THE BOARD OF SUPERVISORS ON DECEMBER 13, 2011.
- 5) ALL PARCELS SHALL BE SERVED BY PUBLIC WATER AND SEWER.
- 6) CURB AND GUTTER STREETS ARE PROPOSED.
- 7) THIS PROJECT IS LOCATED WITHIN THE POWHATAN CREEK WATERSHED.
- 8) NEW RESIDENTIAL HOMES TO BE ASSOCIATED WITH NEW H.O.A., NOT EXISTING FOREST HEIGHTS H.O.A..

STORMWATER NOTES:

- 1) THE FOLLOWING SSC PRACTICES SHALL NOT BE ACCEPTED FOR US IN THIS DEVELOPMENT TO SATISFY SSC AND VRRM: DISCONNECTION OF IMPERVIOUS AREA, SUMPED OR BOTTOMLESS INLETS, ENHANCED OUTLET PROTECTIONS, FILTER/BUFFER STRIPS, RECORD DRAWINGS OF STORM SYSTEMS, AND ADDITIONAL POLLUTANT LOAD REDUCTION.
- 2) SHOULD THE 1.5 DENSITY BONUS POINTS SPECIFIED IN SEC. 24-273.7B OF THE ZONING ORDINANCE BE UTILIZED, THE FOLLOWING REQUIREMENTS FOR LID MEASURE SHALL BE MET:

2)1) AT LEAST THREE PRACTICES MUST BE INCLUDED IN EACH PROVIDED LID TREATMENT TRAIN.

2)2) AT LEAST TWO SEPARATE TREATMENT TRAINS MUST BE PROVIDED FOR THE DEVELOPMENT OF THE PROPERTY.

2)3) THE SWM LID FEATURED AT THE REAR OF THE PROPERTY, JUST UPLAND OF THE RPA, MUST INCLUDE AT LEAST ONE PRETREATMENT PRACTICE FOR EACH INLET DISCHARGE POINT.
- 3) IF THE DESIGN FOR THIS PROJECT INTENDS TO DIRECT FLOWS IN PC289, THE FOLLOWING CONDITIONS MUST BE MET AT THE TIME OF THE SITE PLAN REVIEW:

3)1) CONTRIBUTING DRAINAGE MUST BE BELOW THE APPROVED PRE-DEVELOPMENT RATE FOR THE APPROXIMATELY 1.5 AC. THAT FLOWS TO THE EXISTING FOREST HEIGHTS BMP.

3)2) FULL STORM SYSTEM CALCULATIONS WILL BE REQUIRED TO ENSURE THE HYDRAULIC GRADE LINE DOES NOT CAUSE POTENTIAL PONDING OR FLOODING ISSUES DURING THE 10-YEAR STORM EVENT.

3)3) A JOINT DECLARATION OF COVENANTS/INSPECTIONS AND MAINTENANCE AGREEMENT MUST BE EXECUTED WITH THE COUNTY FOR THE APPROPRIATE PORTION OF CONTRIBUTING DRAINAGE AREA.

MASTER PLAN AMENDMENT FOR  
FOREST HEIGHTS  
NEIGHBORHOOD

VIRGINIA

JAMES CITY COUNTY

NO.	DATE	REVISION / COMMENT / NOTE
2	10/24/2019	REVISED FOR MU TO R-3 DEVELOPMENT
1	9/25/2019	REVISED FOR MU TO R-3 DEVELOPMENT



SCALE: N/A
DATE: 02-20-2019
JOB: 17-268
DRAWN BY: CG

C0.01  
COVER SHEET



SOIL CHARACTERISTICS

SOILS TYPE	SOIL NAME	HYDROLOGIC SOIL GROUP	TYPICAL SLOPES	EROSION FACTOR (K <sub>w</sub> )	EROSION FACTOR (T)	WATER TABLE UPPER LIMIT (FT)
11C	CRAVEN COMPLEX	C	6-10%	0.32	5	2.0-3.0
14B	EMPORIA FINE SANDY LOAM	C	2-6%	0.24-0.28	4	3.0-4.5
15D	EMPORIA COMPLEX	C	10-15%	0.24-0.28	4	3.0-4.5
29B	SLAGLE FINE SANDY LOAM	C	2-6%	0.24-0.28	5	1.5-3.0
17	JOHNSTON COMPLEX	D	0-2%	0.17	5	0.0

PROPOSED LAND USE KEY:

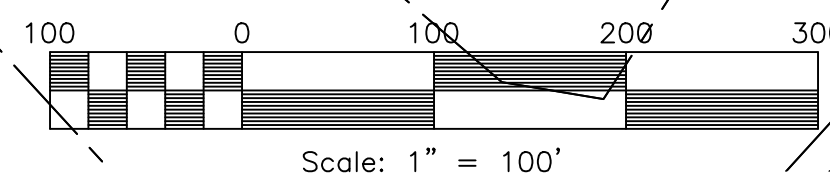
SINGLE FAMILY - A  
MULTI-FAMILY UP TO 4 UNITS - B  
APARTMENTS - D  
OPEN SPACE - J

ANTICIPATED LOW IMPACT DEVELOPMENT

MEASURES TO BE INCORPORATED:

1. DRY SWALES
2. BIORETENTION BASIN OR FILTER
3. WIDE FLAT BOTTOM SWALES
4. INFILTRATION TRENCHES/PITS
5. SUMPED OR BOTTOMLESS INLETS
6. ENHANCED OUTLET PROTECTION

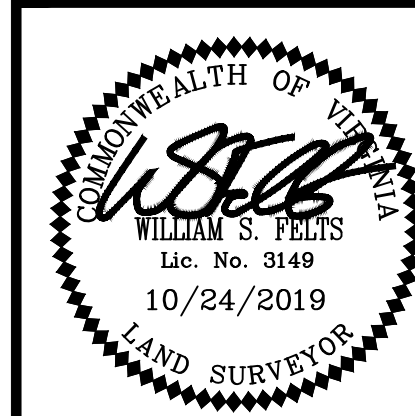
NOTE: LID MEASURES ABOVE MAY BE USED FOR ACHIEVING CREDIT TOWARDS JCC SPECIAL STORMWATER CRITERIA (SSC)



MASTER PLAN AMENDMENT FOR  
FOREST HEIGHTS  
NEIGHBORHOOD

JAMES CITY COUNTY VIRGINIA

NO.	DATE	REVISION / COMMENT / NOTE
2	10/24/2019	REVISED FOR MU TO R-3 DEVELOPMENT
1	9/25/2019	REVISED FOR MU TO R-3 DEVELOPMENT



SCALE: 1" = 100

DATE: 02-20-2019

JOB: 17-268

DRAWN BY: CG

**C0.02**

MASTER PLAN

**02 OF 03**



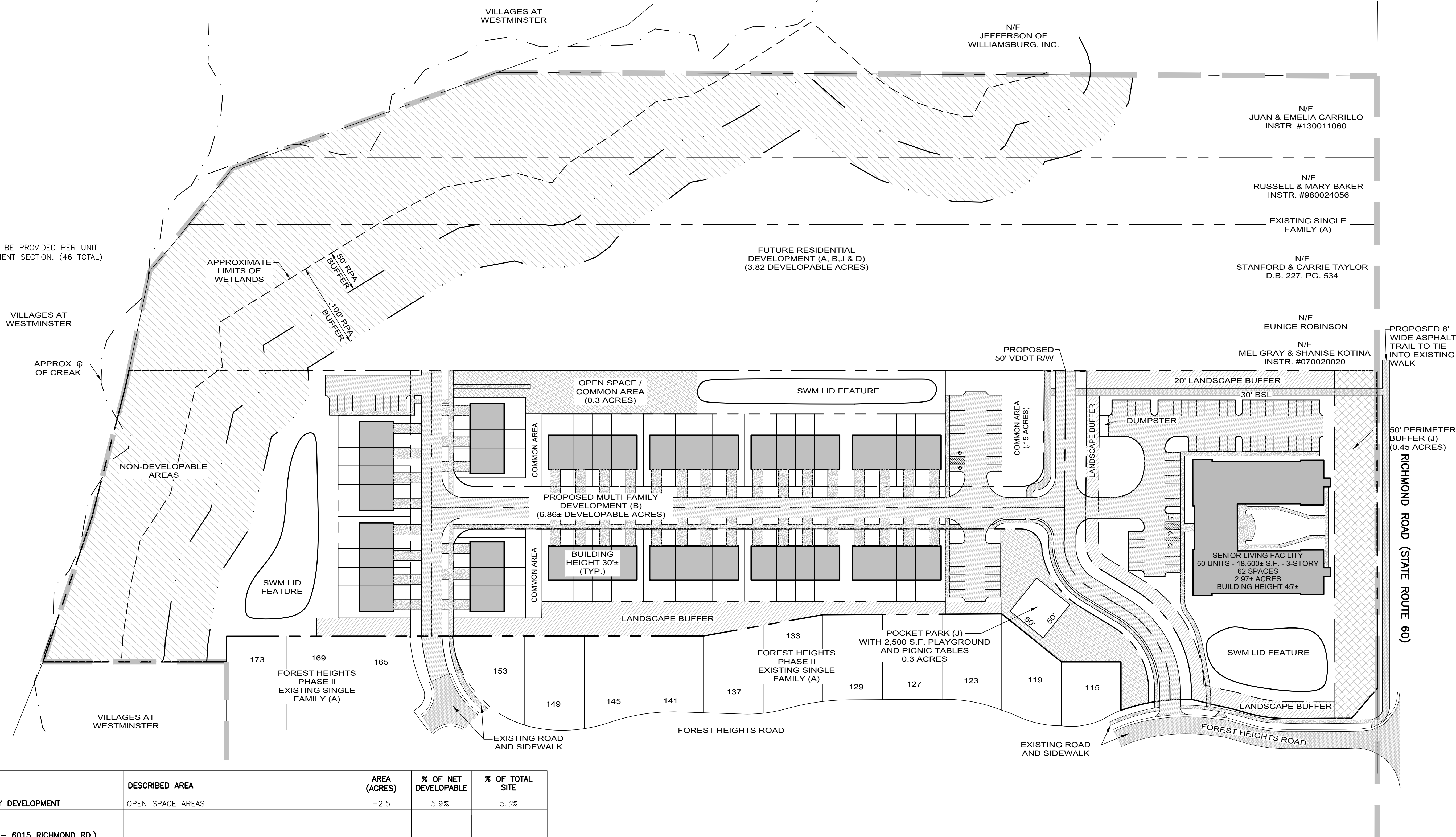
NET DEVELOPABLE AREA CALCULATION		
	ACRES	% OF NET DEVELOPABLE AREA
GROSS LAND AREA	±47.1	100.0%
AREAS SUBTRACTED		
25% SLOPES OR GREATER	±0.2	0.5%
RPA, FEMA ZONE A	±14.1	29.9%
SUBTOTAL	±14.3	30.4%
NET DEVELOPABLE AREA	±32.8	
AREAS SUBTRACTED/GROSS LAND AREA = PERCENT NON-DEVELOPABLE (14.3/47.1)*100=30.3%		
47.1*0.2 = 9.4 ACRES (PERCENT OF GROSS ACERAGE ADDED TO THE DEVELOPABLE LAND)		
32.8+9.4 = 42.2 (GROSS ACERAGE TO BE UTILIZED FOR DENSITY CALCULATION)		

DEVELOPABLE AREA (LAND USE BREAKDOWN)					
LAND USE AREA	USE DESIGNATION	GROSS AREA	PERCENT OF TOTAL SITE	TOTAL DWELLING UNITS	NON-DEVELOPABLE LAND
SINGLE FAMILY RESIDENTIAL	A	±23.61	50.1%	62	±8.33
OPEN SPACE	J	±3.80	8.1%	N/A	±0.02
MULTI-FAMILY DWELLING (UP TO 4 UNITS)	B	±8.44	17.9%	46	±1.49
SENIOR LIVING FACILITY	D	±2.97	6.3%	50	N/A
FUTURE RESIDENTIAL	A, B, & D	±8.28	17.6%	10	±5.00
TOTAL SUMMARY		±47.10	100.0%	168	

168 D.U. / 42.2 ACRES = 4.0 du/AC.

GENERAL NOTE:

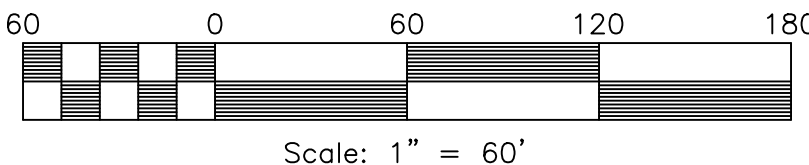
1. 1 GARAGE PARKING SPACE WILL BE PROVIDED PER UNIT IN THE MULTI-FAMILY DEVELOPMENT SECTION. (46 TOTAL)



OPEN SPACE SUMMARY

	DESCRIBED AREA	AREA (ACRES)	% OF NET DEVELOPABLE	% OF TOTAL SITE
EXISTING SINGLE FAMILY DEVELOPMENT	OPEN SPACE AREAS	±2.5	5.9%	5.3%
REMAINING PROPERTY (SALVATION ARMY SITE - 6015 RICHMOND RD.)				
MULTI-FAMILY RESIDENTIAL DEVELOPMENT	OPEN SPACE AREAS	±1.2	2.8%	2.5%
FUTURE RESIDENTIAL	OPEN SPACE AREAS	±1.3	3.1%	2.8%
TOTAL		±5.0	11.8%	8.5%

THE EXISTING 2.5 ACRES OF OPEN SPACE LISTED WITHIN THE EXISTING SINGLE FAMILY DEVELOPMENT IS MADE UP OF THE EXISTING PARK AND AREAS WITHIN THE NATURAL OPEN SPACE EASEMENT THAT LIES WITHIN AREAS OF DEVELOPABLE LANDS; THE EXACT LOCATION OF FUTURE OPEN SPACE AREAS WITHIN THE FUTURE RESIDENTIAL DEVELOPMENT HAVE NOT BEEN DETERMINED.

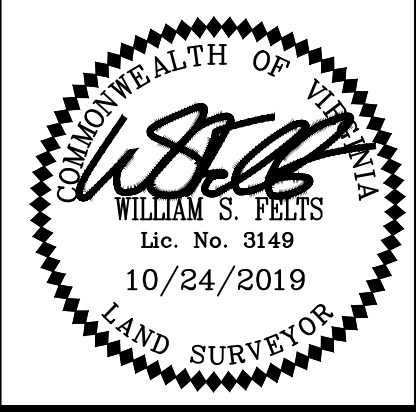


MASTER PLAN AMENDMENT FOR  
FOREST HEIGHTS  
NEIGHBORHOOD

VIRGINIA

JAMES CITY COUNTY

NO.	DATE	REVISION / COMMENT / NOTE
2	10/24/2019	REVISED FOR MU TO R-3 DEVELOPMENT
1	9/25/2019	REVISED FOR MU TO R-3 DEVELOPMENT



SCALE: 1" = 60

DATE: 02-20-2019

JOB: 17-268

DRAWN BY: CG

C0.03

LAYOUT

03 OF 03



LANDTECH RESOURCES, INC.

---

# **Conceptual Plan Project Narrative**

**For**

## **Forest Heights Neighborhood Phase III**

**James City County, Virginia**

**Preparation Date:**

**July 21, 2020**

**LRI Project No. 17-268**

**JCC C-20-0079**

---

**ENGINEERING • SURVEYING • GPS**

205-E Bulifants Boulevard - Williamsburg, VA 23188

Ph.: (757) 565-1677 Fax: (757) 565-0782

Web: [landtechresources.com](http://landtechresources.com)

# **Project Narrative**

**For:**

## **Forest Heights Neighborhood – Phase III**

**James City County, Virginia**

**Plan Prepared For:**

Wayne Harbin Builders, Inc.

Contact: Doug Harbin

3705 Strawberry Plains Road

Williamsburg, Virginia 23188

Phone: (757) 220-8860

**Plan Prepared By:**

LandTech Resources, Inc.

Contact: William Felts, P.E.

205-E Bulifants Boulevard

Williamsburg, Virginia 23188

Phone: 757-565-1677

Email: [william@landtechresources.com](mailto:william@landtechresources.com)

## **Forest Heights Neighborhood – Phase III**

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## **Project Overview and Existing Conditions**

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### **Project Site Information**

**Project/Site Name:** Forest Heights Neighborhood – Phase III

**Project Street/Location:** 6015 Richmond Road

**City/County:** James City County      **State:** Virginia      **ZIP Code:** 23188

**Municipality:** James City County

**Map #:** 3220100081

**Latitude (DMS):** 37° 32' 82"

**Longitude (DMS):** -76° 74' 44" W

**Source of Latitude/Longitude:** Google Earth

**Private / Public / Federal / State:** Private

**Residential / Commercial / Industrial / Other (specify):** Residential

**County (or City) Site Plan Number (if applicable):** C-20-0079

**Total Site Area:** 11.41 Acres

**Disturbed Area:** 6.91 Acres

## **Existing Site Conditions**

This project is located at 6015 Richmond Road in James City County, Virginia, and is identified as Parcel ID #3220100081. The site totals 496,852 S.F./11.41 acres and is zoned R-3 (Residential Redevelopment District). The entire site is wooded with light to moderate understory. The site is located in FEMA flood zones 'A' and 'X' according to firm number 51095C0128D, dated December 16, 2015. Existing site topography has a ridge and saddle that more or less splits the property in the middle of the site from east to west. The western portion of the property slopes to the existing wetlands and RPA known as the Long Hill Swamp. The northern portion of the site flows to existing ravines that flow through the parcel to the north and inevitably to the Long Hill Swamp. The southeastern portion of the property flows to the south through the existing Forest Heights Neighborhood to an existing storm sewer system which discharges to JCC wet pond (PC289). The eastern portion of the site has slopes that range between 2 and 15 percent, whereas the western portion of the site has steeper slopes that range between 3 and 30 percent.

## **Adjacent Properties**

This parcel is bound to the west by the Villages of Westminster (Parcel #3221500021), owned by the Village of Westminster's Home Owners Association, to the north by a parcel owned by Mel Grey and Shanise Kotina (Parcel #3220100080), to the east by Richmond Road, and to the south by numerous parcels within the Forest Heights Neighborhood Phase II development.

## **Offsite Areas**

There are no off-site disturbance areas associated with this project.

## **Proposed Development**

This Conceptual Plan proposes a 46 unit townhome development. The property will be divided into two separate parcels. Parcel A being the proposed townhome development associated with this Conceptual Plan, and Parcel B being the remainder of the property that includes a future senior living apartment complex. There is a total of 2.86 acres of impervious area proposed with Parcel A. Parcel B impervious area is shown with 1.30 acres of impervious area, however this Parcel is for future development and the final site layout is unknown at this point in time. The stormwater for this project will be collected via grassed swales and storm sewer systems that will flow to proposed LID facilities located throughout the site. For this project we are addressing water quantity and water quality for the entire site (Parcels A and B) in regards to DEQ current regulations (Please refer to the Stormwater Management section of this narrative for specifics).

For sanitary sewer we are proposing to tie into the existing JCSA 12" sanitary sewer trunk line that follows along the Long Hill Swamp. The proposed sanitary sewer system will run to the eastern position of the site and will be stubbed out for future connection to Parcel B for the apartment facility. Water to the site will be provided by connecting to the existing JCSA 8" waterline that currently terminates at the western end of Forest Heights Road. A proposed 8" waterline will then be directed through the proposed townhome development and loop back into the existing JCSA 8" waterline along the proposed Road 'B' intersection with Forest Heights Road.



## **Onsite Soils Classifications**

*Soil delineation and classifications obtained from the USDA NRCS Web Soil Survey system accessed in March 2017.*

**11C - Craven-Uchee Complex, 6 to 10 percent slopes**

**14B - Emporia Fine Sandy Loam, 2 to 6 percent slopes**

**15D - Emporia Complex, 10 to 15 percent slopes**

**17 – Johnson Complex, 0 to 2 percent slopes**

**29B – Slagle Fine Sandy Loam, 2 to 6 percent slopes**

## **Critical Erosion Areas**

There are no critical erosion areas associated with this project.

## **Stormwater Management**

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### **Water Quality**

The water quality requirements for this site are achieved through a series of LID treatment trains that include dry swales and bioretention basins, as well as an extended-detention basin and an existing JCC wet pond (PC289). Per the approved subdivision plans and storm water calculations for the 'Forest Heights Road Neighborhood Improvement Plan' prepared by AES and approved on October 11, 2012, the existing wet pond was designed to treat 18.10 acres of runoff with a CN value of 86. There is approximately 4.8 acres on this parcel, and as part of this development, that were intended to be treated with this wet pond. With this plan of development we are proposing to direct 2.53 acres of runoff to the existing wet pond. 2.16 acres of this total will be treated with a dry swale and bioretention basin before discharging into the existing storm sewer system and inevitably into the existing wet pond. Refer to the Post-Development Drainage Area Map (Sheet 6) which shows the overall drainage shed.

### **Water Quantity**

With the proposed LID treatment trains and the proposed extended-detention basin we are attenuating the 1, 2, and 10-year storms from the site to below pre-developed conditions and reducing the 100-year storm at P.O.C. 'A'.

CLR200000797

Prepared By: JAMES CITY COUNTY 101 MOUNTS BAY RD WILLIAMSBURG, VA 23188	Return To: JAMES CITY COUNTY 101-D MOUNTS BAY RD. WILLIAMSBURG, VA 23188
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**JCC Tax Map Parcel Nos.** 3220100081  
3221500001A, 3221500002A,  
3220500012, 3220500009,  
3220500001, 3220100116,  
and 3220500014

### FOREST HEIGHTS AREA PROFFERS

THESE PROFFERS are made this 15<sup>th</sup> day of JANUARY, 2020 by the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia (together with its successors and assigns, the "County"), and THE SALVATION ARMY, a Georgia Corporation (together with its successors and assigns, the "Salvation Army" and together with the County, the "Owners").

### RECITALS

- A. On December 13, 2011, the Board of Supervisors of James City County ("the Board"), adopted an Ordinance rezoning approximately 47.1 acres in the Forest Heights redevelopment area, shown on the "Master Plan for Rezoning for Forest Heights Road/Neighbors Drive/Richmond Road Areas" (the "Master Plan"), from R-2, General Residential to MU, Mixed Use, with proffers.
- B. The proffers adopted as part of the Board's 2011 rezoning were dated October 20, 2011 and recorded on April 26, 2012 as Instrument No. 120008937 in the Clerk's Office for the Williamsburg-James City County Circuit Court (the "Existing Proffers").
- C. On August 13, 2019, the Board initiated the rezoning of the same area from MU, Mixed Use to R-3, Residential Redevelopment.
- D. The Salvation Army owns an ±11.42 acre parcel located at 6015 Richmond Road, further identified as JCC Real Estate Tax Map No. 3220100081 (the "Salvation Army

Property”), which property is more particularly described in Exhibit A.

- E. The County owns property located at 100 Forest Heights Road, 506 Benefit Lane, 115 Neighbors Drive, 127 Neighbors Drive, 134 Neighbors Drive, 140 Neighbors Drive, and 5951 Richmond Road, further identified as CC Real Estate Tax Map Nos. 3221500001A, 3221500002A, 3220500012, 3220500009, 3220500001, 3220100116, and 3220500014, respectively (the “County-owned Property”), which property is more particularly described in Exhibit B.
- F. The Salvation Army and the County desire to supplement the regulations of the zoning ordinance and restate the Existing Proffers as more particularly set forth below.

NOW, THEREFORE, in consideration of the approval of the requested rezoning and pursuant to Sections 15.2-2303 and 15.2-2303.4(D) of the *Code of Virginia*, 1950, as amended, Ordinance No. 31A-346 adopted by the Board of Supervisors on October 8, 2019, and Section 24-16 the County Zoning Ordinance, the County and the Salvation Army agree that they shall meet and comply with the applicable following conditions:

**PART A.** The following, Part A proffers shall apply only to the County-owned Property:

A.1. Water Conservation/Sustainable Building. Water conservation measures will be implemented to reduce the water usage in the home and to heat that water more efficiently. Such water conservation measures shall apply to County-owned lots and to rehabilitations on the County-owned Property and include: conducting water leakage tests to ensure there are no bulk water leaks inside of the structure, replacement of old toilets and old showerheads in pre-existing bathrooms with new fixtures that meet the National Energy Policy Act standards for low flow, installation of high efficiency water heaters that meet Energy Star standards, and

insulation of the first few feet of hot and cold water lines to reduce conductive losses and wasted water.

A.2. Owners Association. The County shall establish an owners' association (the "Association") in accordance with Virginia law, which all current property owners on Forest Heights Road and Neighbors Drive may voluntarily join, and all purchasers of County-owned Property shall be required to join. The articles of incorporation, bylaws, and restrictive covenants (together, the "Governing Documents") creating and governing the Association shall be submitted to and approved by the County Attorney prior to issuance of any building permit for a County-owned or developed lot. The Governing Documents shall require that the Association adopt an annual maintenance budget, which shall include a reserve for maintenance of dedicated open space and common areas. The Declaration of Covenants and Restrictions as Instrument Number 120004713 in the Clerk's Office for the Williamsburg-James City County Circuit Court.

**PART B.** The following, Part B, proffers shall apply to the Salvation Army Property only:

B.1. Master Plan. The Salvation Army Property shall be developed generally as shown on the Amended Master Plan. Development plans may deviate from the Amended Master Plan as provided in Section 24-23 of the Zoning Ordinance. There shall be no more than 46 single-family attached dwelling units ("townhouse units") and no more than 50 apartment dwelling units ("apartments") on the Salvation Army Property.

B.2. Housing Opportunities.

(a) All of the townhouse units permitted on the Salvation Army Property shall be offered for sale or made available for rent at prices determined in accordance with the Housing Opportunities Policy and Housing Opportunities Policy Guide adopted by the Board of

Supervisors on November 27, 2012 ("HOP"). In no event shall the maximum initial sale price of a townhouse unit exceed \$275,000.00 subject to escalation in accordance with paragraph (b) of this Section (the "Maximum Sale Price"). All apartments shall be offered at rents targeted to households earning 30% to 60% of Area Median Income. The forgoing affordable/workforce dwelling units shall be provided consistent with the criteria established by the HOP.

(b) The Maximum Sale Price shall consist of the \$275,000.00 plus any adjustments included in the Marshall and Swift Building Costs Index, Section 98, Comparative Cost Multipliers, Regional City Averages (the "Index") from 2019 to the year a sale is made if sales are made on or after January 1, 2020. The Maximum Sale Price shall be adjusted once a year with the January supplement of the Index of the payment year. In no event shall the Maximum Sale Price be adjusted to a sum less than \$275,000.00. In the event that 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 Management Services) shall be relied upon in establishing an inflationary factor for purposes of increasing the Maximum Sale Price to approximate the rate of annual inflation in the County.

B.3. Age Restriction. All apartments shall be age restricted to persons fifty-five (55) years of age or older in accordance with the following parameters:

(a) It is the intent of the parties that apartments shall be occupied by persons fifty-five (55) years of age or older and that no apartment shall be occupied by a person under the age of eighteen (18). In some instances, persons under the age of fifty-five (55) but over the age of eighteen (18) shall be entitled to occupy an apartment, subject, at all times, to the laws and regulations governing age fifty-five (55) and over restricted housing as more particularly set forth and described in subparagraph (ii) below.



(b) The apartments shall be developed and operated in compliance with applicable federal and state laws and regulations regarding housing intended for occupancy by persons fifty five (55) years of age or older, including but not limited to: the Fair Housing Act, 42 U.S.C. § 3601 et seq. and the exemption therefrom provided by 42 U.S.C. § 3607(b)(2)(C) regarding discrimination based on familial status; the Housing for Older Persons Act of 1995, 46 U.S.C. § 3601 et seq.; the Virginia Fair Housing Law Va. Code § 36-96.1 et seq.; any regulations adopted pursuant to the foregoing; any judicial decisions arising thereunder; any exemptions and/or qualifications thereunder; and any amendments to the foregoing as now or may hereafter exist.

**B.4. Cash Contributions.**

(a) A one-time contribution shall be made to the County of \$6,051.31 for each townhouse unit constructed on the Salvation Army Property, subject to paragraph (d) below. Such contributions shall be used by the County for school uses.

(b) A one-time contribution shall be made to the County of \$67.92 for each dwelling unit constructed on the Salvation Army Property, subject to paragraph (d) below. Such contributions shall be used by the County for recreational uses.

(c) A one-time contribution shall be made to the James City Service Authority of \$1,113.00 for each dwelling unit constructed on the Salvation Army Property, subject to paragraph (d) below. Such contributions shall be used by the County for water or wastewater system uses.

(d) The cash contributions proffered in paragraphs (a), (b) and (c) above shall be reduced in accordance with Section 3 of the HOP.

(e) Such per unit contributions shall be paid to the County after completion of the final inspection and prior to the time of the issuance of any certificate of occupancy for the unit in question.

(f) The per unit contribution amounts shall consist of the amounts set forth in paragraphs (a) through (c) plus any adjustments included in the Marshall and Swift Building Costs Index, Section 98, Comparative Cost Multipliers, Regional City Averages (the "Index") from 2019 to the year a payment is made if payments are made after on or after January 1, 2020, subject to reduction as provided in paragraph (d). The per unit contribution amount shall be adjusted once a year with the January supplement of the Index of the payment year. In no event shall the per unit contribution be adjusted to a sum less than the amounts set forth in the preceding paragraphs of this Section. In the event that 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 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.

B.5. Recreation. The 0.18 mile of multi-use path, the 2,500 square foot playground and the 0.37 acre pocket park shown on the Master Plan shall be installed prior to the County being obligated to issue more than 23 building permits for dwelling units on the Salvation Army Property.

B.6. Design Guidelines and Elevations. All building plans and building elevations shall be generally consistent with the Guidelines and Elevations. Prior to the issuance of final site plan approval for each building on the Salvation Army Property, architectural plans for such buildings shall be submitted to the Director of Planning for his review for general consistency



with the Guidelines and Elevations. The Director of Planning shall review and either approve or provide written comments setting forth changes necessary to obtain approval within 30 days of the date of submission of the plans in question. If the Director of Planning refuses to approve architectural plans, such refusal may be appealed to the Development Review Committee whose decision shall be final. All buildings shall be constructed in accordance with the approved plans. In the case of plans that will be used on more than one building, Director of Planning approval need only be obtained for the initial building permit.

B.7. Townhouse Owners Association. There shall be organized an owner's association (the "Association") in accordance with Virginia law in which all townhouse unit owners in the Salvation Army Property, by virtue of their property ownership, shall be members.

B.8. Prohibited Uses. The following uses, otherwise permitted by right in the R-3 district, shall not be permitted on the Salvation Army Property:

- a) Coin laundries which are accessory to other residential uses and for the primary use of its residents.
- b) Hospitals and mental health facilities.
- c) Water impoundments, new or expansion of, less than 50 acres and with dam heights of less than 25 feet.
- d) Water impoundments, new or expansion of, 50 acres or more and dam heights of 25 feet or more.
- e) Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures, that utilize alternative mounting structures. All facilities shall comply with article II, division 6 of this chapter.
- f) Communications facilities (public or private), including, but not limited to, antennas, towers, and support structures, that are camouflaged; or multi-antenna systems. All facilities shall comply with article II, division 6 of this chapter.
- g) Electrical generation facilities, public or private, electrical substations with a capacity of 5,000 kilovolt amperes or more and electrical transmission lines capable of transmitting 69 kilovolts or more.
- h) Railroad facilities including tracks, bridges and stations. However, spur lines which are to serve and are accessory to existing or proposed development adjacent to existing railroad rights-of-way and track and safety improvements in existing railroad rights-of-way are permitted generally and shall not require a special use permit.
- i) Telephone exchanges and telephone switching stations.

- j) Transmission pipelines (public or private), including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids. However, extensions for private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and shall not require a special use permit.
- k) Water facilities (public or private), and sewer facilities (public), including, but not limited to, treatment plants, pumping stations, storage facilities and transmission mains, wells and associated equipment such as pumps to be owned and operated by political jurisdictions.
- l) Timbering in accordance with section 24-43.

**PART C.** The following proffers shall apply to both the County-owned Property and the Salvation Army Property:

C.1. Shared maintenance agreement for the stormwater facilities. Owners agree to develop and execute a Shared Maintenance Agreement (the "Agreement") prior to issuance of any building permit on the Salvation Army Property. The Agreement shall provide for routine and non-routine maintenance of the stormwater basin to be located on the property currently known as 506 Benefit Lane.

C.2. Water Conservation. Owners shall be responsible for developing and implementing water conservation standards which shall be submitted to and approved by the James City Service Authority prior to any final development plan approval(s). The standards shall address such water conservation measures as prohibitions 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.

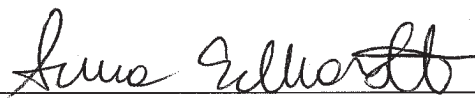
WITNESS the following signatures:

THE COUNTY OF JAMES CITY, VIRGINIA

BY:   
Scott A. Stevens, County Administrator

COMMONWEALTH OF VIRGINIA  
COUNTY OF JAMES CITY, to-wit:

The foregoing Proffers were acknowledged before me this 15<sup>th</sup> day of January, 2020 by Scott A. Stevens  
AE

  
Notary Public

My Commission expires: October 31, 2021  
Registration No. 7566372



Approved as to form:

  
County Attorney

THE SALVATION ARMY A GEORGIA CORP.

BY: \_\_\_\_\_

JAMES K. SEILER, TREASURER

Its: \_\_\_\_\_

STATE OF

CITY/COUNTY OF

Georgia

Fulton

, to wit:

The foregoing Proffers were acknowledged before me this 5<sup>th</sup> day of December, 2019, by \_\_\_\_\_.

William Sec  
Notary Public

My Commission expires: 03-05-2023

Registration No. 0001615232

## EXHIBIT A

### **6015 Richmond Road, Parcel Identification Number 3220100081**

ALL that certain lot, piece, or parcel of land situate, lying and being in Powhatan District (formerly Berkeley District), James City County, Virginia, known and designated as Lots "E" and "F" as shown on that certain plat entitled, 'PLAT OF: LOTS: "E" & "F", D. WARREN MARSTON'S PROPERTY SUBDIVISION PROPERTY OF PETER EPPS,' made by Stephen Stephens, CLS, dated January, 1973, a copy of which is recorded in James City County Deed Book 142, page 133.

LESS AND EXCEPT that lot, piece or parcel of land known and designated as "AREA CONVEYED TO JAMES CITY COUNTY FROM SALVATION ARMY, 36,608 S.F., 0.840 AC." As shown on that certain plat entitled, "PLAT OF BOUNDARY LINE EXTINGUISHMENT, ADJUSTMENT AND SUBDIVISION OF LOTS 10 - 19, 21 - 33, 6015 RICHMOND ROAD AND RIGHT-OR-WAY DEDICATION, PHASE 2 OF FOREST HEIGHTS NEIGHBORHOOD. PREPARED FOR: JAMES CITY COUNTY HOUSING & COMMUNITY DEVELOPMENT, POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA," made by AES Consulting Engineers, Williamsburg, Virginia, dated July 31, 2014 and recorded in the Circuit Court Clerk's Office for the City of Williamsburg and County of James City, Virginia as Instrument Number 160003088.

AND THAT certain lot, piece or parcel of land known and designated as "REMAINDER 2 (REM 2) AREA CONVEYED TO SALVATION ARMY FROM JAMES CITY COUNTY, 16,862 S.F., 0.387 AC." As shown on that certain plat entitled, "PLAT OF BOUNDARY LINE EXTINGUISHMENT, ADJUSTMENT AND SUBDIVISION OF LOTS 10 - 19, 21 - 33, 6015 RICHMOND ROAD AND RIGHT-OR-WAY DEDICATION, PHASE 2 OF FOREST HEIGHTS NEIGHBORHOOD. PREPARED FOR: JAMES CITY COUNTY HOUSING & COMMUNITY DEVELOPMENT, POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA," made by AES Consulting Engineers, Williamsburg, Virginia, dated July 31, 2014 and recorded in the Circuit Court Clerk's Office for the City of Williamsburg and County of James City, Virginia as Instrument Number 160003088.

## EXHIBIT B

### **100 Forest Heights Road, Real Estate Tax Number 3221500001A**

ALL THAT CERTAIN lot, piece or parcel of land, situate, lying and being in the County of James City, Virginia, shown and designated as "CA-1, 26,440 S.F. 0.607 AC." on that certain plat entitled, "PLAT OF BOUNDARY LINE EXTINGUISHMENT AND SUBDIVISION, LOTS 3 - 9 AND RIGHT-OF-WAY DEDICATION FOR PHASE 1 OF FOREST HEIGHTS NEIGHBORHOOD, PREPARED FOR: JAMES CITY COUNTY HOUSING & COMMUNITY DEVELOPMENT, POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA," made by AES Consulting Engineers, Williamsburg, Virginia dated May 15, 2014, and recorded in the Office of the Clerk of the Circuit Court of the City of Williamsburg and County of James City, Virginia, as Instrument Number 140013117.

IT BEING a portion of the property conveyed to the County of James City, Virginia, by deed from EJK Properties, LLC dated November 22, 2010 and duly recorded in the Office of the Clerk of the Circuit Court of the City of Williamsburg and the County of James City, Virginia, as Instrument Number 100025393; and a portion of the property conveyed to the County of James City, Virginia, by deed from Dianne Clark Mitchell, et als., dated January 30, 2011 and duly recorded in the Office of the Clerk of the Circuit Court of the City of Williamsburg and the County of James City, Virginia, as Instrument Number 1110003718.

### **506 Benefit Lane, Real Estate Tax Number 3221500002A**

ALL THOSE CERTAIN lots, pieces or parcels of land, situate, lying and being in the County of James City, Virginia, shown and designated as "OPEN SPACE 2 96,921 S.F. 2.225 AC." on that certain plat entitled, "PLAT OF BOUNDARY LINE EXTINGUISHMENT, ADJUSTMENT AND SUBDIVISION OF LOTS 10 - 19, 21 - 33, 6015 RICHMOND ROAD AND RIGHT-OF-WAY DEDICATION PHASE 2 OF FOREST HEIGHTS NEIGHBORHOOD PREPARED FOR: JAMES CITY COUNTY HOUSING & COMMUNITY DEVELOPMENT POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA," dated July 31, 2014, made by AES Consulting Engineers, Williamsburg, Virginia, and recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City, Virginia on February 19, 2016 as Instrument No. 160003088.

BEING portions of the same property conveyed to the County of James City, Virginia, by deed from EJK Properties, LLC dated November 22, 2010 and duly recorded in the Office of the Clerk of the Circuit Court of the City of Williamsburg and the County of James City, Virginia, as Instrument Number 100025393.



**115 Neighbors Drive, Real Estate Tax Number 3220500012**

All that certain lot, piece or parcel of land, with the buildings and improvements thereon, lying, situate and being in Powhatan District, James City County, Virginia, shown and designated as "LOT 12, 8,967 S.F. 0.206 AC.," on that certain plat entitled, "PLAT OF SUBDIVISION SHOWING LOTS 1, 8, 9, 12, 13, 14 & NATURAL OPEN SPACE, JAMES CITY COUNTY, VIRGINIA", made by Michael Surveying & Mapping, P.C., dated October 30, 2015 and recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City, Virginia as Instrument Number 160000079.

IT BEING a portion of the same property conveyed to the County of James City, Virginia by deed from Torsion, Inc. dated February 28, 2010 and recorded in the aforesaid Clerk's Office as Instrument Number 100005533 and by deed from Alma K Rogers dated August 7, 2014 and recorded in the aforesaid Clerks Office as Instrument Number 140015480.

**127 Neighbors Drive, Real Estate Tax Number 3220500009**

All that certain lot, piece or parcel of land, with the buildings and improvements thereon, lying, situate and being in Powhatan District, James City County, Virginia, shown and designated as "LOT 9, 6,293 S.F. 0.144 AC.," on that certain plat entitled, "PLAT OF SUBDIVISION SHOWING LOTS 1, 8, 9, 12, 13, 14 & NATURAL OPEN SPACE, JAMES CITY COUNTY, VIRGINIA", made by Michael Surveying & Mapping, P.C., dated October 30, 2015 and recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City, Virginia as Instrument Number 160000079.

IT BEING a portion of the same property conveyed to the County of James City, Virginia by deed from Torsion, Inc. dated February 28, 2010 in the aforesaid Clerk's Office as Instrument Number 100005533 and by deed from Robert James and Gladine James, dated April 21, 2011 and recorded in the aforesaid Clerk's Office as Instrument Number 110010257.

**134 Neighbors Drive, Real Estate Tax Number 3220500001**

All that certain lot, piece or parcel of land, with the buildings and improvements thereon, lying, situate and being in Powhatan District, James City County, Virginia, shown and designated as "LOT 1, 5,168 S.F. 0.119 AC.," on that certain plat entitled, "PLAT OF SUBDIVISION SHOWING LOTS 1, 8, 9, 12, 13, 14 & NATURAL OPEN SPACE, JAMES CITY COUNTY, VIRGINIA", made by Michael Surveying & Mapping, P.C., dated October 30, 2015 and recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City, Virginia as Instrument Number 160000079.

IT BEING a portion of the same property conveyed to the County of James City, Virginia by deed from J. Everett Johnson dated March 2, 2010 and recorded in the aforesaid Clerk's Office as Instrument Number 100004286.

**140 Neighbors Drive, Real Estate Tax Number 3220100116**

All those certain lots, pieces or parcels of land, with the buildings and improvements thereon, lying, situate and being in Powhatan District, James City County, Virginia, shown and designated as "**OPEN SPACE CONSERVATION PARCEL**, 269,367 S.F. – 6.184 AC.," on that certain plat entitled, "PLAT OF SUBDIVISION SHOWING LOTS 1, 8, 9, 12, 13, 14 & NATURAL OPEN SPACE, JAMES CITY COUNTY, VIRGINIA", made by Michael Surveying & Mapping, P.C., dated October 30, 2015 and recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City, Virginia as Instrument Number 160000079.

BEING portions of the same properties conveyed to the County of James City, Virginia by deeds from:

1. Levi Wallace, Jr. and Levi Z. Wallace, III dated December 27, 2012 in the aforesaid Clerk's Office as Instrument Number 120026513,
2. Torsion, Inc. dated February 28, 2010 in the aforesaid Clerk's Office as Instrument Number 100005533,
3. deed from Martha Lee Maurice Smith, dated June 10, 2015 in the aforesaid Clerk's Office as Instrument Number 15001172333

**5951 Richmond Road, Real Estate Tax Number 3220100116**

All that certain lot, piece or parcel of land, with the buildings and improvements thereon, lying, situate and being in Powhatan District, James City County, Virginia, shown and designated as "**LOT 14**, 17,633 S.F. 0.405 AC." on that certain plat entitled, "PLAT OF SUBDIVISION SHOWING LOTS 1, 8, 9, 12, 13, 14 & NATURAL OPEN SPACE, JAMES CITY COUNTY, VIRGINIA", made by Michael Surveying & Mapping, P.C., dated October 30, 2015 and recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City, Virginia as Instrument Number 160000079.

IT BEING a portion of the same property conveyed to the County of James City, Virginia by deed from Torsion, Inc. dated February 28, 2010 in the aforesaid Clerk's Office as Instrument Number 100005533.

INSTRUMENT 200000797  
RECORDED IN THE CLERK'S OFFICE OF  
WMSBG/JAMES CITY CIRCUIT ON  
JANUARY 16, 2020 AT 02:53 PM  
MONA A. FOLEY, CLERK  
RECORDED BY: JLZ





OFFICIAL RECEIPT  
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT  
DEED RECEIPT

DATE : 01/16/2020  
RECEIPT # : 20000001985  
CASHIER : JLZ  
INSTRUMENT : 200000797  
GRANTOR : COUNTY OF JAMES CITY VIRGINIA  
GRANTEE : SALVATION ARMY THE  
RECEIVED OF : JAMES CITY COUNTY VA  
ADDRESS :  
CASH : \$0.00  
DESCRIPTION 1 : PROFFERS FOREST HEIGHTS  
NAMES : 0  
CONSIDERATION : \$0.00

CASE # : 830CLR2000000797

FILING TYPE : OTHER  
RECORDED : 01/16/2020  
EX : N  
EX : N  
PAGE :  
AT : 14:53  
LOC : CO  
PCT : 100%

OP : 0

PAGES : 014

PIN OR MAP : 3220100081

AVAL : \$0.00

ACCOUNT CODE	DESCRIPTION	PAID
035	VIRGINIA OUTDOOR FOUNDATION	\$0.00

TENDERED : \$ 0.00  
AMOUNT PAID : \$ 0.00

## RESOLUTION

### CASE NO. SUP 19-0020 FOREST HEIGHTS

WHEREAS, on December 1, 2011, the Board of Supervisors of James City County, Virginia (the "Board") rezoned approximately 47.1 acres from R-2, General Residential to MU, Mixed Use, with proffers applicable to the properties owned by the County and the Salvation Army (the "Forest Heights MU District"); and

WHEREAS, on August 13, 2019, the Board adopted a resolution initiating the consideration of rezoning the Forest Heights MU District from MU, Mixed Use and MU, Mixed Use with proffers to R-3, Residential Redevelopment and R-3, Residential Redevelopment with proffers; and

WHEREAS, in conjunction with this rezoning, Mr. Doug Harbin of Wayne Harbin Builder, Inc. on behalf of the Salvation Army, applied for a 50-unit independent living facility on  $\pm$  11.42 acres located at 6015 Richmond Road, further identified as James City County Real Estate Tax Map No. 3220100081 within the Forest Heights R-3, Residential Redevelopment District; and

WHEREAS, in accordance with Section 15.2-2204 of the Code of Virginia, 1950, as amended, and Section 24-13 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Case No. SUP 19-0020; and

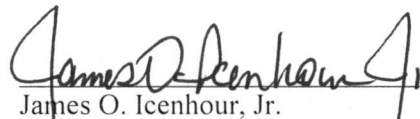
WHEREAS, on May 1, 2019, the Planning Commission recommended approval of Case No. SUP 19-0020 by a vote of 6-0; and

WHEREAS, the Board finds Case No. SUP 19-0020 to be required by public necessity, convenience, general welfare, and good zoning practice.

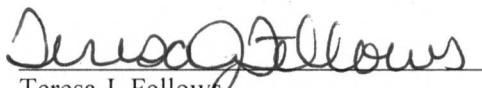
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve Case No. SUP 19-0020 with the following conditions:

1. Master Plan: This Special Use Permit ("SUP") shall allow an independent living facility of up to fifty (50) units (the "Facility") on an approximately 2.97 developable acre portion of property located at 6015 Richmond Road, further identified as a portion of James City County Real Estate Tax Map Parcel No. 3220100081 (the "Property"). The Property is designated as "senior living facility" on the Master Plan entitled, "Master Plan Amendments for Forest Heights Neighborhood" prepared by LandTech Resources and dated September 25, 2019 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.
2. Subdivision: Prior to final site plan approval, a plat of subdivision shall be recorded for the Property to allow the Facility to be located on an independent parcel of property.
3. Architecture: Prior to final site plan approval, the Director of Planning shall review and approve the final architectural design of the Facility. The Facility shall be reasonably consistent, as determined by the Director of Planning, with the architectural elevations titled "Forest Heights" submitted with this SUP application, dated September 26, 2019 and drawn by dBF Associate Architects.

4. Water Conservation: Water conservation standards shall be enforced on the Property. Water conservation standards shall be submitted to and approved by the James City Service Authority prior to site plan approval. The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought-tolerant plants where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
5. Landscaping & Buffering: A landscape plan for the Property shall be submitted for review and approval by the Director of Planning with the initial plan of development for the Facility. The landscape plan shall show landscaping meeting the 50-foot Urban/Suburban Character Corridor landscape buffer consistent with the Community Character Corridor Buffer Treatment Guidelines policy. All landscaping on the landscape plan shall be installed or guaranteed prior to the issuance of the initial final Certificate of Occupancy for the Facility. The amount of any surety guaranteeing installation of landscaping shall be determined by the Director of Planning or designee.
6. Screening: Dumpsters shall be screened with a brick enclosure or other materials substantially in accordance with the architectural character of the Facility, as shown on architectural elevations titled "Forest Heights" submitted with this SUP application, dated September 26, 2019 and drawn by dBF Associate Architects.
7. Commencement of Construction: If construction has not commenced on the Facility within thirty (36) months from the issuance of this SUP, the SUP shall automatically be void. Commencement of construction shall be defined as satisfying both:(i) obtained permits for building construction, and ii) footings and/or foundation passed required inspections.
8. Severability: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

  
Teresa J. Fellow  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	✓	—	—
LARSON	✓	—	—
SADLER	✓	—	—
MCGLENNON	✓	—	—
ICENHOUR	✓	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of December 2019.