A G E N D A
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
February 6, 2019
6:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENT

D. REPORTS OF THE COMMISSION

E. CONSENT AGENDA

1. Minutes of the December 5, 2018 Regular Meeting
2. Minutes of the January 2, 2019 Regular Meeting
3. Development Review Committee Action Item: Case No. C-18-0118. 4704 Lady Slipper Fence

F. PUBLIC HEARINGS

1. SUP-18-0027. 121 Leisure Road, Luxterra Electric Inc.
2. SUP-18-0031. 115 Constance Lane Detached Accessory Apartment
3. SUP-18-0032. 3020 Ironbound Road Rental of Rooms
4. Z-19-0001. Powhatan Terrace Proffer Amendment
5. SUP-18-0030. 6446 Richmond Rd. Convenience Store with Gas Pumps (Wawa)

G. PLANNING COMMISSION CONSIDERATIONS

1. C-18-0123. HRSD Treatment Plant Expansion within Carter's Grove AFD

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - February 2019

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

J. ADJOURNMENT

AGENDA ITEM NO. E.1.

ITEM SUMMARY

DATE: 2/6/2019

TO: The Planning Commission

FROM: Paul D. Holt, III, Secretary

SUBJECT: Minutes of the December 5, 2018 Regular Meeting

ATTACHMENTS:

	Description	Type
🗋	Minutes of the December 5, 2018 Regular Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	1/28/2019 - 11:25 AM
Planning Commission	Holt, Paul	Approved	1/28/2019 - 11:25 AM
Publication Management	Daniel, Martha	Approved	1/28/2019 - 11:58 AM
Planning Commission	Holt, Paul	Approved	1/28/2019 - 12:43 PM

M I N U T E S
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
December 5, 2018
6:00 PM

A. CALL TO ORDER

Mr. Heath Richardson call the meeting to order at 6:00 p.m.

B. ROLL CALL

Planning Commissioners Present:
Heath Richardson
Rich Krapf
Tim O'Connor
Danny Schmidt
Jack Haldeman
Frank Polster
Julia Leverenz

Staff Present:
Paul Holt, Director of Community Development and Planning
Max Hlavin, Deputy County Attorney
Terry Costello, Deputy Zoning Administrator
Alex Baruch, Senior Planner
José Ribeiro, Senior Planner
Louis Pancotti, Senior Zoning Officer

At Mr. Richardson's request, the Commission and audience observed a moment of silence in acknowledgement of the National Day of Mourning for George Herbert Walker Bush.

C. PUBLIC COMMENT

Mr. Richardson opened Public Comment.

As no one wished to speak, Mr. Richardson closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Rich Krapf stated that the Development Review Committee (DRC) did not meet in November.

Mr. Jack Haldeman stated that the Policy Committee met on November 8, 2018 to consider amendments to Section 24-650 of the Zoning Ordinance, which currently lists the criteria that the Board of Zoning Appeals (BZA) must find in order to grant a variance. Mr. Haldeman stated that the change would simply replace the itemized criteria with a reference to the ever-changing Section 15.2-2309 of the Code of Virginia. Mr. Haldeman stated that since the BZA is only empowered to act within criteria established by the state, embedding the State Code within the County Code will obviate the need for changing the latter at every whim of the state legislature.

Mr. Haldeman stated that the Policy Committee recommends that the Planning Commission recommend approval of this Ordinance amendment to the Board of Supervisors.

E. CONSENT AGENDA

1. Minutes of the November 7, 2018 Regular Meeting

Ms. Julia Leverenz made a motion to approve the Consent Agenda.

On a voice vote the Commission voted unanimously to approve the Consent Agenda.

F. PUBLIC HEARINGS

1. SUP-18-0026. 6096 Centerville Road Detached Accessory Apartment

Mr. Alex Baruch, Senior Planner, stated that Mr. Antwyne Anderson, Jr. has applied for a Special Use Permit (SUP) to allow a detached accessory apartment at 6096 Centerville Road along with a single-family home. Mr. Baruch noted that the property is zoned A-1, General Agricultural and designated Low-Density Residential on the 2035 Comprehensive Plan Land Use Map. Mr. Baruch stated that the property is currently vacant and Building Permit applications have been submitted for this application and are currently under review.

Mr. Baruch stated that the detached accessory structure will be 748 square feet with the proposed apartment taking up 374 square feet of the total structure. Mr. Baruch stated that the other half of the structure will be used as a garage.

Mr. Baruch stated that detached accessory apartments are a specially permitted use in the A-1, Zoning District and must further comply with the performance standards set forth in Section 24-32(b) of the Zoning Ordinance.

Mr. Baruch stated that the staff finds that the proposed accessory apartment conforms to all the requirements of Section 24-32(b). Mr. Baruch further stated that staff finds the application to be compatible with the 2035 Comprehensive and the surrounding zoning. Mr. Baruch stated that staff recommends that the Planning Commission recommend approval to the Board of Supervisors subject to the proposed conditions.

Mr. Richardson called for disclosures from the Commission.

There were no disclosures.

Mr. Richardson opened the Public Hearing.

As no one wished to speak, Mr. Richardson closed the Public Hearing.

Mr. Haldeman noted that he appreciated what the applicant is doing and wished the applicant Godspeed with the project.

Mr. Krapf made a motion to recommend approval of SUP-18-0026 subject to the proposed conditions.

On a roll call vote the Commission voted to recommend approval of SUP-18-0026, 6096 Centerville Road Detached Accessory Apartment (7-0).

2. SUP-18-0029. 7206 Merrimac Trail Rental of Rooms Renewal

Ms. Terry Costello, Deputy Zoning Administrator, stated that Shelby and Patrick Dillon have applied to renew their SUP to allow for the rental of up to three rooms in their home. Ms. Costello noted that the property is located inside the Primary Service Area (PSA) at 7206 Merrimac Trail, is zoned R-2, General Residential, and designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map. Ms. Costello stated that the Rental of Rooms up to a maximum of three rooms is a specially permitted use in the R-2 zoning district.

Ms. Costello noted that while both "tourist home" and "rental of rooms" describe types of short-term vacation rentals, the uses are distinct in two ways: the rental of rooms limits the number of rooms to a maximum of three rooms rented, whereas tourist home operators may rent the entire home on a short-term basis. Ms. Costello further stated that the rental of rooms has traditionally required that the operator or owner remain present and continue residing at the property during the time of rental, while the tourist home use does not have any residency requirements. Ms. Costello stated that the proposed use prohibits renting the entire home.

Ms. Costello stated that an SUP was approved on March 14, 2017, with an expiration date of March 14, 2019. Ms. Costello further stated that the time limit has been removed for the renewal.

Ms. Costello stated that staff considered the home's location, parking provisions, and screening all to be favorable factors in the evaluation of this application. Ms. Costello further stated that the property is a corner lot which fronts on two roadways, effectively isolating it from the James Terrace subdivision-proper, while providing direct access to the property from a main thoroughfare and all property lines are screened by existing mature vegetation. Ms. Costello stated that the home is located at the end of a long driveway and provides adequate parking capacity for the proposed use.

Ms. Costello stated that the proposed SUP conditions were designed to address and minimize potential impacts on adjacent properties by: limiting the total number of allowed guests and number of guest vehicles allowed on site; limiting any exterior changes to the home which may draw attention to this use; ensuring that the applicant has acquired all necessary licenses; and prohibiting any future driveway access to Adams Road.

Ms. Costello stated that staff has been made aware of the existence of a restrictive covenant that applies to the subject property which may affect the rental of rooms on this property. Ms. Costello further stated that the County Attorney has advised that because the County is not a party to this restrictive covenant, staff lacks the legal authority to interpret whether or not the covenant prohibits the proposed use.

Ms. Costello stated that staff finds the proposal to be compatible with the 2035 Comprehensive Plan, the Zoning Ordinance and surrounding development, and recommends that the Planning Commission Board recommend approval of this application to the Board of Supervisors, subject to the conditions listed in the staff report.

Mr. Richardson opened the Public Hearing.

Ms. Shelby Dillon, Applicant, 7206 Merrimac Trail, addressed the Commission in support of

the application and requested that the Commission approve the application.

Ms. Leverenz inquired if there has been any feedback from adjacent property owners.

Ms. Costello stated that the County has not received any feedback on this application.

Mr. Danny Schmidt inquired if there have been any complaints from adjacent property owners over the two years.

Ms. Costello stated that no complaints have been filed.

Mr. Richardson called for disclosures from the Commission.

There were no disclosures.

As no one else wished to speak, Mr. Richardson closed the Public Hearing.

Mr. Schmidt stated that he appreciated the applicant's willingness to abide by the County's regulations and processes.

Mr. Polster made a motion to recommend approval of SUP-18-0029.

On a roll call vote the Commission voted to recommend approval of SUP-18-0029, 7206 Merrimac Trail Rental of Rooms Renewal (7-0).

3. REZONING-18-0004/HEIGHT LIMITATION WAIVER-18-0002. Oakland Pointe

Nays: Haldeman, Richardson

Mr. José Ribeiro, Senior Planner, stated that Mr. Tim Trant, on behalf of Connelly Development, LLC, is requesting to rezone property at 7581 Richmond Road, from A-1, General Agricultural to R-5, Multi-family Residential to allow the development of 126 apartment units on ± 14.54 acres. Mr. Ribeiro further stated that the applicant is also requesting to rezone ± 0.42 acres of adjacent property at 7606 Richmond Road from A-1, General Agricultural to R-5, Multi-family Residential to allow for an access road to connect the apartment units to Oakland Drive. The total area subject to this rezoning application is ± 15 acres.

Mr. Ribeiro stated that the master plan shows how these apartments will be arranged in five buildings with a sixth building proposed as a clubhouse. Mr. Ribeiro stated that the recreation facilities are located at the southern and eastern part of the site with hard and soft trails providing connectivity throughout the project. Mr. Ribeiro further stated that a sidewalk along the frontage of 7581 Richmond Road and across adjacent property is proposed to allow pedestrian access to the Richmond Road intersection with Croaker Road and Pricket Road. Mr. Ribeiro stated that in addition, per the adopted Regional Bikeways Plan, the project includes a shoulder bike lane along the frontage of 7581 Richmond Road. Mr. Ribeiro stated that the master plan also shows the location of a private access road and parking area. Mr. Ribeiro stated that the proposed private access road is located on a portion of adjacent property at 7606 Richmond Road and subject to this rezoning application.

Mr. Ribeiro stated that the project is located on a Community Character Corridor per the adopted Comprehensive Plan, and thus, provides a 150-foot buffer along the Richmond Road frontage of property at 7581 Richmond Road. Mr. Ribeiro stated that the Master Plan shows

the buffer as retaining the existing wooded character.

Mr. Ribeiro stated that this project proposes a net density of 9.4 units per acre. Mr. Ribeiro further stated that in order to achieve this density, the project will need to achieve one bonus density point. The project proposes to achieve this by committing to green building techniques, specifically through the Earth Craft Gold certification.

Mr. Ribeiro stated that a Traffic Impact Study was prepared for this development which analyzed physical improvements to mitigate the increase in traffic on local roads. Mr. Ribeiro stated that the study shows that at project buildout in 2025 there is a decline in the Level of Service (LOS) from a "D" to an "E" in the A.M. peak hour for the eastbound left turn at the intersection of Richmond Road and Croaker Road. Mr. Ribeiro stated that the study also examined adjustments to the signal timing to optimize its function. Mr. Ribeiro noted that if these adjustments were done, it could result in maintaining the eastbound left at a LOS "D" in the A.M. peak hour. Mr. Ribeiro stated that staff notes that adjustments to the traffic signal timing are at the sole discretion of the Virginia Department of Transportation (VDOT). Mr. Ribeiro further stated that VDOT has indicated that they would modify the traffic signal timing if it was determined to improve the performance of the intersection.

Mr. Ribeiro stated that the applicant is proposing to fully meet most Parks and Recreation Development Guidelines; however, the applicant is requesting an exception to the guidelines for the multi-use field and the courts/pools requirements. Mr. Ribeiro stated that Planning and Parks and Recreation staff are receptive to this request; however, the waiver must be approved by the Board of Supervisors.

Mr. Ribeiro stated that in order to address stormwater issues the applicant is proposing to upgrade the existing pond on the property and include the provision of three forebays, to address on-site and off-site drainage. Mr. Ribeiro stated that staff from the Stormwater Resource Protection has reviewed this application and supports the proposed improvements.

Mr. Ribeiro stated that in order to mitigate the impacts of this development and provide public benefits assurances, the applicant is proposing a combination of notes on the Master Plan, through stated intention in the Community Impact Statement and through a proposed Easement. Mr. Ribeiro further stated that the County Attorney's office has determined that the Easement is legal and would be binding.

Mr. Ribeiro stated that the proposed development includes a number of favorable aspects. Mr. Ribeiro stated that in addition, the proposed development's density is within the range recommended for lands designated moderate-density residential (MDR) by the adopted Comprehensive Plan. Mr. Ribeiro stated that central to the MDR language is the following statement from the adopted Comprehensive Plan: "Development at this density is not recommended unless it offers particular public benefits. Examples of such public benefits include mixed-cost housing, affordable and workforce housing and enhanced environmental protection." Mr. Ribeiro stated that the applicant is proposing to offer public benefits such as commitment to affordable housing and enhanced environmental protection. Mr. Ribeiro further stated that the apartment complex is proposed to be developed in accordance with the Virginia Housing and Development Authority's Low Income Housing Tax Credit (LIHTC) program. Mr. Ribeiro stated that this application will also comply with the requirements of the Special Stormwater Criteria.

Mr. Ribeiro stated that with the exception of modifying the existing traffic signal timing at the Croaker Road intersection, staff finds the requirements of the Easement along with the binding Master Plan, would mitigate impacts from this development. Mr. Ribeiro stated that without knowing whether or not the Board of Supervisors will accept an Easement, staff cannot recommend approval of this application at this time.

Mr. Ribeiro stated that staff notes that a height limitation waiver application has also been submitted with the rezoning application for the proposed apartment buildings to be constructed up to 40 feet from grade. Mr. Ribeiro stated that proposed conditions have been included for this application for informational purposes as the Commission does not review Height Limitation Waiver requests.

Mr. Richardson opened the floor for questions from the Commission.

Mr. Haldeman inquired if it is the intent that the rent restrictions will be in force for 30 years.

Mr. Ribeiro stated that he understood this to be correct, but would defer to the applicant.

Mr. Richardson inquired who would make the determination about the signal timing and when this would happen.

Mr. Paul Holt, Director of Community Development and Planning, stated that once the project was built, VDOT would conduct the necessary studies and make the timing adjustments.

Mr. Haldeman inquired why the Traffic Study showed more left turns from eastbound Richmond Road onto Croaker Road in the A.M. hours than in the evening.

Mr. Ribeiro stated that he would defer to the traffic consultant.

Mr. Tim O'Connor inquired if the location of the access road as shown on the master plan is binding. Mr. O'Connor further inquired what approvals would be needed if the location of the road were to change.

Mr. Ribeiro stated that the location on the master plan is binding. Mr. Ribeiro further stated that if a development plan were submitted that showed a different location for the access road, it would require a Planning Director determination about consistency with the master plan.

Mr. Holt noted that it would need to come back for a public hearing

Mr. Haldeman inquired about the decrease in the negative fiscal impact. Mr. Ribeiro stated that the fiscal impact analysis worksheet is updated every year to reflect the Board of Supervisors' adopted budget.

Mr. Ribeiro further stated that the worksheet for FY 18, which was used by the applicant for the first application, had school operating costs which included the City of Williamsburg. Mr. Ribeiro further stated that for Capital Improvements Program (CIP) costs the worksheet used one year of the CIP rather than an average of the five years. Mr. Ribeiro stated that the worksheet had been revised prior to the current application to correct the deficiencies.

Mr. Richardson opened the Public Hearing.

Mr. Tim Trant, Kaufman & Canoles, 4801 Courthouse Street, stated that he represents Connelly Development. Mr. Trant noted that James Norman, Connelly Development, Dexter Williams DRW Consultants, Howard Price, AES Consulting Engineers, and Howard Skinner were in the audience.

Mr. Trant stated that the main change in the application is the access to the development. Mr. Trant stated that the earlier application proposed to take access directly from Richmond Road. Mr. Trant further stated that the current application proposes to take access from Oakland Drive, with only a pedestrian connection to Richmond Road. Mr. Trant noted that the new

access was developed based on public comment at the earlier public hearing and community outreach discussion.

Mr. Trant stated that another significant change is the reduction in negative fiscal impact. Mr. Trant noted that the County's fiscal model is conservative and understandably favorable to the County's interests. Mr. Trant stated that from the applicant's viewpoint it does not take in account all aspect of the project and all revenue generated. Mr. Trant stated that if these revenues were accounted for, they would substantially mitigate the negative fiscal impacts.

Mr. Trant further stated that the project would also be mitigated by its contribution to the County's work force. Mr. Trant noted that there is substantial employment demand in that area of the County. Mr. Trant stated that many of the larger employers have noted that their employees cannot afford to live in the County and are forced to commute long distances. Mr. Trant stated that the cost of commuting, lack of reliable transportation and difficulty finding affordable childcare contributes to chronic absenteeism and high turnover rates. Mr. Trant stated that this, in turn, inhibits productivity and limits growth potential.

Mr. Trant stated that he appreciates the thought and consideration that the Commission gives to each case. Mr. Trant further stated that he believes the decisions in this case are clear cut and that the project complies with planning policies and meets the goals of the Comprehensive Plan. Mr. Trant requested that, while weighing public comment, the Commission also consider the voices of those who are not fully represented at this meeting who would benefit from the housing product that this project will provide.

Ms. Leverenz inquired if service costs had been considered when calculating the additional revenue. Ms. Leverenz noted that most of the fees were merely offsetting the cost of providing services.

Mr. Trant stated that for many of the services such as water and sewer, the cost to expand the service is nominal. Mr. Trant said that the figures he provided are net revenues.

Mr. Krapf inquired whether the recommended rental rate was only the rent or included utilities.

Mr. Trant stated that the rental fee includes some utility considerations.

Mr. Krapf inquired how the affordability of the apartments was calculated.

Mr. Trant stated that the LIHTC program establishes the parameters for the rent restrictions. Mr. Trant further stated that the restriction is a range between 40% and 60% of the Area Median Income (AMI). Mr. Trant stated that the AMI is used to determine what a tenant in that income range can afford. Mr. Trant noted that it is a sliding scale depending on the size of the household. Mr. Trant further stated that through the LIHTC and corresponding financing program, those restrictions are in place from a regulatory perspective.

Mr. Schmidt inquired about the depth of the proposed stormwater retention basins and noted concern over the proximity of the proposed playground.

Mr. Howard Price, AES Consulting Engineers, stated that the pond would be roughly nine-feet deep. Mr. Price further stated that there will be forebays that treat the water before it reaches the pond. Mr. Price further stated that the County has requirements for safety benches. Mr. Price stated that the distance from the pond to the playground will be more than adequate where the safety benches will be applied. Mr. Price noted that the safety benches are graded to be a more gradual flatter slope. Mr. Price further noted that there was at least 100 feet from the pond to the playground.

Mr. Schmidt inquired if the pond was likely to freeze over.

Mr. Price stated that the design of the pond and the aeration devices will prevent the water from freezing.

Ms. Leverenz inquired about the timing of the median improvements on Route 60.

Mr. Trant stated that the median improvements will be part of the site plan process when construction plans are submitted. Mr. Trant stated that the off-site improvements would be constructed in phases; however, in order to get the Certificate of Occupancy (CO) all the required improvements must be complete.

Ms. Leverenz inquired if it was likely that the median improvements would not be constructed prior the start of construction.

Mr. Trant stated that he doubts that the off-site improvements would be made first. Mr. Trant stated that it was more likely that the land clearing would be done first with the intersection improvements being done sometime during the construction process. Mr. Trant noted that the construction entrance would be located where the proposed entrance road will be.

Mr. Richardson inquired about how the proposed timing of the signal at Croaker Road and Richmond Road would mitigate the traffic concerns at that intersection.

Mr. Dexter Williams, DRW Consultants, LLC, stated that adding two or three seconds to the left-turn signal would help the traffic flow. Mr. Williams further stated that once the construction plans were submitted, VDOT would do its own study to determine the necessary changes. Mr. Williams further stated that the Croaker Road widening project with an added lane at that intersection will also be cause for VDOT to look at the signal timing.

Mr. Richardson inquired if the Croaker Road widening would add two turn lanes.

Mr. Williams stated that currently there is one lane northbound and one lane southbound. Mr. Williams further stated that when widened, it will have a single approach lane with a shared left and through lane and a dedicated right-turn lane. Mr. Williams noted that this configuration will allow flexibility for the timing of other turning movements.

Mr. Richardson inquired when the Croaker Road widening would begin.

Mr. Williams stated that he did not have a timeframe for start of construction. Mr. Williams noted that when the Land Use Permit application is submitted for the off-site improvements, there will be discussion with VDOT about any necessary coordination or accommodation for the Croaker Road widening.

Mr. Richardson inquired if the project would be well underway before having discussion with VDOT.

Mr. Williams stated that they would apply for the permit once the site plan is approved.

Mr. Polster inquired if it was true that the A.M. and P.M. LOS projected for 2025 would be the same as 2017.

Mr. Williams confirmed that the overall LOS did not change much.

Mr. Polster inquired if the LOS would improve with the Croaker Road widening.

Mr. Williams confirmed.

Mr. Polster inquired if the LOS would be better than "C" or "D".

Mr. Williams stated that most likely it would not. Mr. Williams further stated that some of the turning movements would improve.

Mr. Polster inquired if the median improvements would make any improvement in the LOS for westbound traffic exiting Oakland Drive.

Mr. Williams stated that at an unsignalized intersection the LOS is only for yield movements which is the traffic on Oakland Drive which will be "C" or better with the proposed improvements.

Mr. Polster inquired if the median improvements would improve sightlines.

Mr. Williams confirmed.

Mr. Haldeman inquired why the three scenarios for the eastbound left-hand turn onto Croaker Road show a significantly higher traffic count in the morning peak hour than the evening peak hour.

Mr. Williams stated that the morning traffic count is attributed to commuters accessing the interstate.

Mr. Schmidt inquired what the median improvements would look like for the left turn from Oakland Drive.

Mr. Williams stated that AES has done some of those projections but no graphics had been provided for this meeting. Mr. Williams further stated that when the westbound left-turn lane is constructed, the slope will be cut back substantially.

Mr. Schmidt inquired if the trees would be cut back.

Mr. Williams confirmed.

Mr. Trant clarified that the VDOT improvements were not modeled in the applicant's Traffic Impact Analysis (TIA). Mr. Trant noted that the improvement in LOS provided by the Croaker Road widening will be in addition to the improvements proposed by the applicant.

Mr. Holt noted that the Croaker Road widening project is currently in the engineering phase and will then move to the utility relocation phase. Mr. Holt stated that the project should begin the construction phase in FY2023 which begins July 1, 2022.

Mr. Polster inquired about the purpose of the addition of the third forebay.

Mr. Price stated that it is part of the master plan in the Yarmouth Creek Watershed Study. Mr. Price further stated that the Stormwater and Resource Protection Division required the forebay to be added as a pre-treatment facility to meet the Level Two standard for this Best Management Practice.

Mr. Polster inquired if Marston's Pond is being used by another development to handle stormwater.

Mr. Price stated that the pond is also used by The Village at Candle Station.

Mr. Polster inquired if there was any certainty that the pond would be maintained.

Mr. Price stated that there is a maintenance agreement.

Mr. Trant clarified that this is an agreement with the adjoining landowner that is required by the County.

Mr. Haldeman noted that there are 1,100 parcels in the County that are zoned R-5 and that 29 are not yet developed. Mr. Haldeman further noted that there are 2,588 parcels zoned Mixed Use of which 404 are undeveloped. Mr. Haldeman stated that both of these zoning districts allowed apartments as a by-right use. Mr. Haldeman inquired if the applicant considered any of the vacant parcels in these zoning districts.

Mr. Trant stated that the applicant searched extensively in this market before deciding on this parcel. Mr. Trant further stated that this parcel was selected based on its location and proximity to employment centers. Mr. Trant noted that the parcel is in an area where those seeking work force housing are underserved.

Mr. Krapf noted that there are already two housing developments that take Section 8 vouchers or participate in the LIHTC program. Mr. Krapf inquired if those developments draw from a different demographic. Mr. Krapf further inquired if those developments are at capacity.

Mr. Trant stated that it was not possible to obtain data on the other developments' financing and restrictions. Mr. Trant stated that the LIHTC program is very competitive and the main criteria is to prove need. Mr. Trant stated that the market study is carefully reviewed to ensure that the need exists. Mr. Trant stated that the applicant is confident that the need exists in this area. Mr. Trant noted that both of the other properties are full and have a waiting list.

Mr. O'Connor requested that Mr. Trant provide an overview of how tenants are selected. Mr. O'Connor further requested that Mr. Trant discuss the applicant's long-term plan for the property. Mr. O'Connor also requested an explanation of the need for the height waiver. Mr. O'Connor further inquired whether Williamsburg Area Transit Authority (WATA) would be accessing the property. Mr. O'Connor also requested an explanation of the Gold Standard Certification.

Mr. Trant stated that Connelly Development is a small family run business located in South Carolina. Mr. Trant further stated that the company does almost exclusively affordable housing projects. Mr. Trant noted that the company currently owns and operates over 2,000 apartment units.

Mr. Norman Connelly, Connelly Development, stated that the company still owns the first affordable housing complex that they built. Mr. Connelly further stated that the federal oversight for these programs is very stringent. Mr. Connelly stated that, in addition, there is on-site management to ensure that the development is maintained and that tenants do not create nuisances.

Mr. Trant stated that because of the competitive nature of the tax credit program, the second most important criteria is the quality of design. Mr. Trant stated that the project calls for the use of very high quality material that will ensure durability. Mr. Trant further stated that the height waiver is needed to allow the architecture shown in the proposed elevations. Mr. Trant further stated that this design was developed to be compatible with the surrounding development and the character of the area. Mr. Trant stated that for tenants there is a financial eligibility requirement. Mr. Trant further stated that a background check is done, in particular

to check for criminal records. Mr. Trant stated that the majority of applicants are honest and hardworking individuals looking for a decent and safe place to live.

Mr. Trant stated that the Gold Standard certification would be a combination of fixed improvements installed during construction and some ongoing maintenance items.

Mr. Trant stated that there have not been any discussions with WATA. Mr. Trant further stated that the applicant studied the WATA route maps to ensure the viability of the project with available public transportation and routes that would provide access to employment centers.

Ms. Lisa Marston, 7581 Richmond Road, addressed the Commission in support of the application. Ms. Marston noted the benefits to individuals as well as the community and businesses.

Mr. Lee Alexander, 209 Crescent Drive, addressed the Commission in opposition to the application. Mr. Alexander expressed concerns about traffic congestion and safety and the impact on the Yarmouth Creek watershed.

Ms. Bonnie Brown, 105 Crescent Drive, addressed the Commission in opposition to the application. Ms. Brown expressed concerns about traffic safety.

Ms. Allison Otey, 100 Woodmont Place, addressed the Commission in opposition to the application. Ms. Otey expressed concerns about increased residential development and traffic safety.

Ms. Heather Hart, 7661 Turlington Road, addressed the Commission in opposition to the application. Ms. Hart expressed concerns about traffic safety.

Mr. Patrick McCaffery, 124 Crescent Drive, representing a group of Oakland Farms residents addressed the Commission in opposition to the application. Mr. McCaffery noted concerns about traffic volume and safety, loss of rural character, impacts on the Yarmouth Creek watershed, the negative fiscal impact and lack of consistency with the goals, strategies and actions of the Comprehensive Plan.

Mr. Earl Bittner, 7404 Wicks Road, addressed the Commission in opposition to the application. Mr. Bittner expressed concerns about loss of farmland, traffic congestion and the fiscal impact.

Ms. Susan Grainer, 111 Crescent Drive, addressed the Commission in opposition to the application. Ms. Grainer expressed concerns about traffic congestion, loss of community character and the fiscal impact.

Ms. Kim Orthner, 120 Crail, addressed the Commission in support of the application. Ms. Orthner noted that this project would be a step forward in addressing the needs of the County's work force.

Ms. Karen Grainer-Lubore, 208 Crescent Drive, addressed the Commission in opposition to the application. Ms. Grainer expressed concerns about traffic safety, impact on the Yarmouth Creek watershed and the unsuitability of the location.

Mr. Jack Lubore, 208 Crescent Drive, addressed the Commission in opposition to the application. Mr. Lubore expressed concerns about environmental impacts, traffic safety and loss of rural character.

Mr. Gary Driscole, 114 Crescent Drive, addressed the Commission in opposition to the

application. Mr. Driscole expressed concerns about the location, density, loss of natural habitats and traffic congestion and safety.

Ms. Adrienne Frank, 114 Crescent Drive, addressed the Commission in opposition to the application. Ms. Frank expressed concerns about traffic safety and congestion and stormwater runoff.

Ms. Mary Baldwin 101 Crescent Drive, addressed the Commission in opposition to the application. Ms. Baldwin expressed concerns over loss of rural character, environmental impacts, traffic congestion and safety and additional strain on the school system and public services.

Mr. Richard Baldwin, 101 Crescent Drive, addressed the Commission in opposition to the application. Mr. Baldwin expressed concerns about loss of the rural character of the area.

Mr. Joe Ripchick, 115 Crescent Drive, addressed the Commission in opposition to the application. Mr. Ripchick expressed concerns about loss of the rural character of upper James City County, impacts from additional stormwater runoff, impacts on the school system and traffic safety.

Mr. Edward A. Decker, 107 Woodmont, addressed the Commission in opposition to the application. Mr. Decker expressed concerns about traffic safety.

Mr. Mel Watson, 107 Crescent Drive, addressed the Commission in opposition to the application. Mr. Watson expressed concerns about traffic impacts, environmental impacts and economic impacts.

Mr. Thumper Newman, 3526 Governor's Landing Road, addressed the Commission in support of the application. Mr. Newman highlighted the need for affordable housing.

Mr. Nathan Groeger, 214 Crescent Drive, addressed the Commission in opposition to the application. Mr. Groeger expressed concerns about the impact on the school system.

Ms. Jane Marioneaux, 119 Crescent Drive, addressed the Commission in opposition to the application. Ms. Marioneaux expressed concerns about traffic safety and the impact of development in the upper part of the County.

Mr. Stan Treleaven, 118 Woodland Road, addressed the Commission in opposition to the application. Mr. Treleaven expressed concerns about development and growth in the County.

Mr. David Nice, 4571 Ware Creek Road, addressed the Commission in support of the application. Mr. Nice noted the difficulty of finding and retaining employees and the effect of that difficulty on business owner. Mr. Nice further noted the contributions that affordable housing residents bring to the Community.

Mr. Gary Thompson, 101 Woodmont Place, addressed the Commission in opposition to the application. Mr. Thompson expressed concerns about the additional vehicle trips generated by the development and the impact on traffic safety.

Mr. Harold McDonald, 3147 Cider House Road, addressed the Commission in support of the application. Mr. McDonald noted the quality of the proposed buildings, the thoroughness of the resident application process and the regulations to prevent nuisances.

Mr. Leif Romberg, 6 Michelle's Circle, addressed the Commission in opposition the application. Mr. Romberg expressed concerns about the project's incompatibility with the rural

nature of the area, the negative fiscal impact and the impact on the Yarmouth Creek watershed.

Mr. Jerry Burchette, 105 Timberwood Drive, addressed the Commission in opposition to the application. Mr. Burchette expressed concerns that the project is in conflict with the recommendations in the Comprehensive Plan.

Mr. Richard W. Kline, 6592 Rexford Lane, addressed the Commission in support of the application. Mr. Klein noted the need for affordable housing in the County. Mr. Klein further noted the need for affordable housing to be built in small developments that are scattered throughout the locality. Mr. Kline noted the negative impact on the local economy and social structure if all affordable housing is clustered in one area.

Mr. Tom Hardin, 207 Crescent Drive, addressed the Commission in opposition to the application. Mr. Hardin expressed concerns about traffic safety and the environmental impacts.

Ms. Karen Pribush, 7448 Wickes Road, addressed the Commission in opposition to the application. Ms. Pribush expressed concerns over the impact to the rural character of the County. Ms. Pribush also expressed concern over maintenance of the pond.

Ms. Michelle Eardly, 2996 Forge Road, addressed the Commission, in opposition to the application. Ms. Eardly expressed concerns about the loss of community character.

Ms. Ethel Eaton, 138 The Maine, addressed the Commission in support of the application. Ms. Eaton noted the need for affordable housing. Ms. Eaton also noted the benefit of the development to the goal of making Toano vibrant again.

Mr. Arch Marston, 185 Heritage Pointe, addressed the Commission in support of the application. Mr. Marston noted the documented need for affordable housing in that location and compatibility with the Comprehensive Plan.

Mr. Russ Meermans, 7323 Little Creek Road, addressed the Commission in support of the application. Mr. Meermans noted the great need for affordable housing.

Ms. Charvalla West, 206 Louise Lane, addressed the Commission in support of the application. Ms. West noted the need for affordable housing for people already in the community.

Ms. Alexandria Gruendl, 113 Crescent Drive, addressed the Commission in opposition to the application. Ms. Gruendl expressed concerns about traffic safety.

Mr. Adam Davis, 107 Willow Drive, addressed the Commission in support of the application. Mr. Davis noted the need for affordable housing in the community.

As no one else wished to speak, Mr. Richardson closed the Public Hearing.

Mr. Richardson inquired if the Commission would like a recess.

The Commission agreed to recess for ten minutes.

Mr. Holt cautioned the Commission not to discuss the present case among themselves or with anyone else. T

he Commission recessed for ten minutes at approximately 9:36 p.m.

The Commission reconvened at approximately 9:46 p.m.

Mr. Richardson opened the floor for questions and discussion by the Commission.

Mr. Krapf inquired about the timing of the median improvements in relation to the project.

Mr. Trant responded that the roadwork is intended to be completed when the project is developed.

Ms. Leverenz inquired whether the Commission could require that the median improvements be completed prior to the beginning of construction.

Mr. Holt stated that since this is not an SUP, the County cannot attach conditions.

Mr. Trant stated that the applicant has proposed an easement agreement which, while new to land use cases, is a time tested way of providing assurances. Mr. Trant further stated that the applicant would need to consider the impacts on the project budget and schedule; however, the Commission could make this part of its recommendation.

Mr. O'Connor recommended calling for disclosures before proceeding further.

Mr. Richardson called for disclosures.

Mr. Krapf stated that the applicant called him in case he had any questions about the application.

Mr. Polster stated that he received a call from Mrs. Marston who inquired if he needed any additional information or documentation.

Mr. O'Connor stated that he spoke with Mr. Marston for clarification on traffic issues.

Mr. Schmidt stated that he traded voice messages with Mr. Trant.

Mr. Haldeman stated that he spoke with the applicant following a Work Force Housing Task Force (WHTF) meeting regarding the need for affordable housing.

Mr. O'Connor inquired why the entrance road was shifted from Richmond Road to Oakland Drive. Mr. O'Connor noted that during consideration of the previous iteration of the plan, the Commission recommended that the entrance be constructed with a right-in and a right-out. Mr. O'Connor stated that the Richmond Road access with the restricted turning movements would alleviate some of the concerns about the Croaker Road and the Oakland Drive intersections.

Mr. Trant stated that the change was made to address strong community sentiment against having any access point on Richmond Road. Mr. Trant further stated that any direct access on Richmond Road was seen as problematic.

Mr. Haldeman stated that his comments were generally brief; however, for this application he had a number of thoughts for consideration.

Mr. Haldeman stated that he has represented the Commission on the WHTF for the past 12 months. Mr. Haldeman stated that this has taken him from a position of total ignorance to one of confusion and frustration. Mr. Haldeman noted that fifteen very smart, motivated people have anguished over this problem for a year and still don't have an answer. Mr. Haldeman stated that part of the problem is that we must deal with a sharp contradiction in two important

County goals: increasing workforce housing, on the one hand, and protecting open space and the County's rural, historic, small town ambiance on the other. Mr. Haldeman further stated that this is made even more difficult by land use decisions made by County officials in the 1970s through the 1990s. Mr. Haldeman stated that the rush to pave over James City County left little room for the aftereffects. Mr. Haldeman stated that nobody considered who would staff all these hotels and retail outlets and where they would live.

Mr. Haldeman stated that a related problem is the weak economic model that ensued. Mr. Haldeman further stated that the Comprehensive Plan, in stating the obvious, notes that James City County has relatively expensive housing and poor-paying jobs, which creates an unhealthy, circular pattern of long commutes as County residents leave each morning to work in high-paying jobs elsewhere and people living elsewhere commute into the County to take low-paying jobs. Mr. Haldeman noted that many of the latter simply cannot afford to live here.

Mr. Haldeman stated that, to again state the obvious, any solution to the housing part of this problem will cost money. Mr. Haldeman stated that this will tend to raise taxes which, in turn, will make houses less affordable – another contradiction.

Mr. Haldeman stated that now, the WHTF belatedly is asked to recommend a plan. Mr. Haldeman further stated that the Housing Conditions Study of 2016 recommends, in part, that the County implement sets of both land use policies and corresponding design guidelines that together set and clearly communicate public sector expectations about the location and quality of future development. Mr. Haldeman stated that any plan must involve land use designations, zoning ordinances, regulations, and economic development. Mr. Haldeman stated that it is clear to him that the County has an income problem as much as a housing problem. Mr. Haldeman further stated that the County has no plan at this point, leaving us simply to consider applications as they arise, meaning that the Commission is reduced to evaluating Oakland Pointe as a one-off, which is not an ideal process.

Mr. Haldeman stated that the project has many favorable factors and he begins by assuming that all easements, master plan notes and waivers will be legally enforceable, as the County Attorneys assert. Mr. Haldeman further stated that he also accepts that potential impacts to Yarmouth Creek will be effectively addressed. Mr. Haldeman stated that he also accepts that the impact to traffic at the Richmond Road/ Croaker Road intersection will manageable at present.

Mr. Haldeman stated that this project is consistent with an important County goal, which is to increase the supply of housing for low-paid workers. Mr. Haldeman stated that these are workers earning between 40% and 60% of AMI who will be able to rent these apartments without spending more than 30% of their gross income. Mr. Haldeman further stated that this is a goal of the Comprehensive Plan, the Strategic Plan, the Business Climate Task Force Report and the Housing Conditions Study. Mr. Haldeman stated that it is a humanitarian imperative and an economic imperative. Mr. Haldeman stated that numerous sources relate housing cost burdens to health problems, educational deficiencies, traffic congestion and difficulties in attracting and keeping businesses. Mr. Haldeman noted that a large number of County residents are cost burdened, although getting an exact number has not been easy.

Mr. Haldeman stated that staff lists four favorable factors: 1) The proposal will not negatively impact surrounding zoning and development; 2) The proposal's density is within the range recommended for lands designated MDR by the adopted Comprehensive Plan; 3) The proposal meets the Adequate Public Schools Facilities Test; and 4) While unable to provide proffers, the applicant is proposing to demonstrate commitment to various Board of Supervisors adopted policies and other public benefits to support the proposed density through notes on the Master Plan and via an Easement Agreement.

Mr. Haldeman further stated that within the context of affordable housing, this project has five other qualities that recommend approval: 1) The use of the Virginia tax credit program is one relatively painless way to finance below-market housing, and is consistent with one of the County housing imperatives, according to the Housing Conditions Study which is to implement an incentive-based framework of housing development-oriented public policies that help encourage the private sector to jump in as a genuine partner and robustly participate in the co-creation of a full housing ladder, affordable housing options for all income levels; 2) Commitment to EarthCraft Gold certification which is consistent with the Comprehensive Plan; 3) Access to public transportation which is also consistent with the Comprehensive Plan and with the R-5 requirement for access to public facilities; 4) The project is within the PSA; and 5) Mr. Connelly is listed as an experienced developer by the Virginia Housing Development Authority in its November 2018 update.

Mr. Haldeman stated that unfavorable factors include further reducing open space. Mr. Haldeman stated that although the task force has not completed its work, it has established as one of its four principles that James City County's solutions for workforce housing should be designed to respect the County's unique natural, historic and cultural resources. Mr. Haldeman noted that we cannot solve our workforce housing problem by continuing to bulldoze our open space. Mr. Haldeman stated that maintaining our unique community character, another imperative highlighted in the Comprehensive Plan, the Strategic Plan, the Business Climate Task Force Report and the Housing Conditions Study, will be difficult if we continue to approve expansive residential development, affordable or otherwise. Mr. Haldeman further stated that while uncluttered viewsheds and uncrowded roads are an important part of residents' quality of life, it is also an economic and fiscal issue. Mr. Haldeman stated that the primary principle of the County's Business Climate Task Force Report is that, while attracting, retaining and expanding businesses are essential elements of our continued quality of life, they are subordinate to preserving the uniqueness of James City County, its historic legacy, its rural and small town semi-rural life. Mr. Haldeman further stated that the Land Use Section of the Comprehensive Plan states that economic development is strongly linked to a unique community character, which is a competitive advantage in attracting asset-based businesses and potential employees. Mr. Haldeman further stated that the Comprehensive Plan projects that County population may rise from about 75,000 today to as high as 136,000 by the year 2040, driven by land use policies that were, in the words of the Housing Conditions Study, "shaped not with the knowledge we now have of the negative impacts of sprawl." Mr. Haldeman further stated that if more affordable housing – or more housing of any type, for that matter, ruins James City County's only point of market differentiation, we will doom the economic prospects of the very people we are trying to help.

Mr. Haldeman stated that staff has recommended denial for several reasons: 1) A change in state law prevents the County from accepting proffers for residential rezonings, therefore, some of the typical impacts associated with residential development are not mitigated or addressed, including impacts to schools, impacts to public facilities and utilities; 2) The annual fiscal impact from this project is projected at negative 463,425, revised downward from $635,000; 3) This proposal does not fully meet the recommendations of the Parks & Recreation Master Plan for new residential development, although Parks and Recreation staff has not expressed an objection; 4) The proposed access from Oakland Drive still adds to the cumulative impact on Richmond Road traffic.

Mr. Haldeman stated that traffic impacts are a major concern. Mr. Haldeman stated that the traffic study focused on the Croaker Road intersection, but Richmond Road traffic is a problem all the way into Williamsburg and is destined to worsen even without this project. Mr. Haldeman stated that he believes the traffic impact is much greater than what is shown in the TIA. Mr. Haldeman stated that the TIA uses a 1.08 annual growth rate factor for projecting future traffic on Richmond Road east of this project; however, there are two proposed residential projects in the Lightfoot section of upper York County that, if built, will yield 769

new homes on parcels formerly zoned Economic Development. Mr. Haldeman noted that the trip generation for the 769 new homes will be far greater than the 887 generated by Oakland Pointe. Mr. Haldeman further noted that it is not clear if the traffic impact of the other proposed developments was included in the TIA. Mr. Haldeman stated that the Comprehensive Plan states that future volumes indicate the potential need for widening Richmond Road between the City of Williamsburg and Olde Towne Road and between Humelsine Parkway and Lightfoot Road; however, it is recommended that Richmond Road remain four lanes and widening these sections should be avoided or limited due to physical limitations and the negative impacts on existing lanes. Mr. Haldeman further stated that the Comprehensive Plan recommends that new developments should be permitted only if it is determined that the project can be served by the existing road while maintaining an acceptable LOS, or if the impacts can be addressed through road and signalization improvements. Mr. Haldeman noted that the Comprehensive Plan makes clear that if we underestimate future traffic on Richmond Road, we will have no chance to fix it.

Mr. Haldeman stated that there are other inconsistencies with the Comprehensive Plan not mentioned by staff.

Mr. Haldeman stated that affordable housing is supposed to be closer to jobs, and not in rural areas. Mr. Haldeman stated that the increased demand for housing is influenced by those wanting to be residents of James City County, but who commute to work elsewhere. Mr. Haldeman stated that generally, the wages of jobs in surrounding localities are higher than the wages available in James City County. Mr. Haldeman noted that the County's HUD Affordability Index reflects generally affordable housing costs but high transportation expenses which indicates that housing that is affordable to workers is not located near jobs. Mr. Haldeman stated that the Comprehensive Plan supports the provision of mixed cost and affordable/workforce housing near employment centers and transportation hubs. Mr. Haldeman noted that the transportation section of the Comprehensive Plan recommends increasing affordable housing in proximity to job opportunities to reduce in and out commuting and congestion on major regional roadways.

Mr. Haldeman further stated that affordable housing should be in mixed-income neighborhoods. Mr. Haldeman stated that according to the Housing Conditions Study, new developments need to be mixed-income with never more than 40% allocated for households with AMI less than 50% and never with an allocation of less than 10%. Mr. Haldeman further stated that the Comprehensive Plan promotes full integration of affordable and workforce housing units with market rate units within residential developments and throughout the Primary Service Area (PSA).

Mr. Haldeman further stated that residential development should be compatible with adjacent and surrounding land uses. Mr. Haldeman noted that Oakland Pointe would be in the Norge Community Character Area (CCA) and should maintain the unique heritage and identity of the designated CCAs. Mr. Haldeman further stated that the R-5 zoning district calls for a harmonious and orderly relationship between multi-family residential uses and lower-density residential and nonresidential uses; however, this project appears to be at odds with the surrounding uses.

Mr. Haldeman stated that a number of multi-family projects have been approved recently, including Forest Glen and Powhatan Terrace. Mr. Haldeman noted that there is also a Forest Heights application coming forward in the near future. Mr. Haldeman further stated that there are literally hundreds of low-and moderate-priced housing units built or being built in Governor's Green, Settler's Market, Quarterpath, New Town, the Promenade and the Candle Station. Mr. Haldeman stated that 647 new apartment units in Upper York County are either approved or proposed. Mr. Haldeman stated that much of the multi-family housing, including is built near entrances to Routes 199 and/or I-64, prompting the question of whether

new residents work in James City County, which is consistent with the County's housing goals, or are they using the newly-widened highways to enjoy County amenities and schools while commuting to jobs in other jurisdictions. Mr. Haldeman noted that wages of jobs in surrounding localities are higher than the wages available in the County and until we equalize wages, we risk promoting the very commuting traffic congestion that affordable housing is meant to prevent.

Mr. Haldeman stated that over the past three Comprehensive Plan cycles, residents have implored the County to slow residential growth and to protect open space. Mr. Haldeman further stated that citizens are generally concerned about the pace of population growth and the effects that growth can have on traffic, water availability, open space, housing, the environment, community character, public facilities and services, demands on County tax dollars, and overall quality of life within the County. Mr. Haldeman noted that throughout public input meetings participants also identified the importance of retaining and enhancing those qualities that make James City County unique, such as its natural beauty, history and access to parks and amenities. Mr. Haldeman further noted that citizen commentary identified the most critical land use issues as growth, the environment and community character. Mr. Haldeman further stated that the overwhelming approval of the 2005 bond referendum to finance the purchase of development rights shows that residents put a monetary value on open space.

Mr. Haldeman further stated that in evaluating the application, it is necessary to consider the effects of the project.

Mr. Haldeman stated that he questions the models used for the Adequate Public Schools Facilities Test. Mr. Haldeman stated that if the 104 units right around the corner at the Station at Norge generate 73 school children how can 126 units at Oakland Pointe generate only 39. Mr. Haldeman further stated that the Adequate Facilities Test shows that Warhill High School (WHS) has the capacity for the extra 13 students; however, the School District's last CIP application requested $5.1 million to expand the school in 2022, stating that WHS is currently over capacity and enrollment is projected to increase. Mr. Haldeman stated that the CIP also has a placeholder of $53 million to build a new elementary school in 2028. Mr. Haldeman stated that even if the three affected schools have capacity today, cumulative impact will need to be considered.

Mr. Haldeman stated that another concern is water supply. Mr. Haldeman stated that the Eastern Virginia Groundwater Management Advisory Committee reported to the Virginia General Assembly and the Department of Environmental Quality (DEQ) in 2017 that available groundwater supplies are insufficient to meet the long-term demands of current and future groundwater users, and these groundwater resources are critical to the health, welfare, and economic prosperity of Eastern Virginia. Mr. Haldeman stated that, while the DEQ recently approved the County's water withdrawal permit, they did not allow any additional water withdrawal.

Mr. Haldeman noted that the Williamsburg Regional Library (WRL) is also impacted by the proposal. Mr. Haldeman stated that when it was established, the building had the capacity to serve the surrounding James City County population; however, after decades of growth, this is no longer the case. Mr. Haldeman stated that by 2025, the WRL will require an additional 45,876 square feet to meet public demand.

Mr. Haldeman stated that, in summary, this project meets an important County need and, if anything, it is too small. Mr. Haldeman stated that the applicant has gained his confidence that the buildings will be attractive and well built; that they will be well buffered from Richmond Road and neighboring homes; and that they will provide adequate protection for Yarmouth Creek. Mr. Haldeman further stated that the project will also: create a large fiscal drain; create

a cumulative impact on traffic along Richmond Road, particularly to the east that will be severe and unmitigatable; potentially encourage more people with jobs elsewhere to enjoy life in James City County but serve employers elsewhere; and remove yet another slice of precious open space in contradiction to numerous goals of the Comprehensive Plan.

Mr. Haldeman stated that there are 29 undeveloped R-5 parcels and 404 undeveloped Mixed Use parcels. Mr. Haldeman stated that this project could be built on one of these without a rezoning and, in the case of Mixed Use, without a height waiver.

Mr. Haldeman stated that if the Commission recommends approval to the Board of Supervisors, he hopes that it will condition the approval on the Board's approval of all easements, master plan notes and waivers.

Mr. Krapf stated that everyone agrees that there is a need for affordable housing. Mr. Krapf noted that a Virginia Employment Commission study showed that 19,000 employees are commuting to James City County because they cannot afford to live here. Mr. Krapf also noted that in addition, there are those who fall in the Asset Limited Income Constrained and Employed (ALICE) category. Mr. Krapf stated that for the Stonehouse District alone, 23% of households fall in the ALICE category. Mr. Krapf noted that the Commission's role is to make a land use decision. Mr. Krapf stated that the elements that must be considered are: consistency with the Comprehensive Plan and whether an applicant has adequately mitigated any adverse impacts of the proposal. Mr. Krapf stated that the proposal absolutely does fit with the Comprehensive Plan. Mr. Krapf further stated that the dichotomy is the A-1 zoning designation and the Comprehensive Plan vision that this property would ultimately be developed as MDR. Mr. Krapf further stated that the property is within the PSA and that the PSA is the major guideline for where development should occur in the County. Mr. Krapf stated that those are significant elements in favor of the project. Mr. Krapf further stated that the difficult question is whether the applicant has sufficiently mitigated the impacts of the project. Mr. Krapf noted that the application does not meet the Adequate Public Facilities Test for schools but it misses only for one school and only by two students. Mr. Krapf further stated that his greatest concern is the $460,000 negative fiscal impact. Mr. Krapf noted, however, that the majority of residential developments have a negative fiscal impact because they require public services. Mr. Krapf further noted that the County has an aging population which will require more continuing care facilities and more people to staff those facilities. Mr. Krapf further noted that it will be important to have sufficient housing for those employees. Mr. Krapf stated that he does also have concerns about the traffic issues.

Mr. Polster stated he views the Comprehensive Plan as a guideline for what the County should be over the next 20 years. Mr. Polster further stated that when evaluating the effect of land use issues on quality of life and community character, the Comprehensive Plan tells us where we would like to have development and under what conditions we want that development. Mr. Polster stated that we have defined rural lands by indicating that development should take place in the PSA. Mr. Polster further stated that the property is within the PSA and the Comprehensive Plan has also designated the property as MDR. Mr. Polster noted that all the adjacent properties are designated MDR as well. Mr. Polster further noted that the Station at Norge, approved in 2004, which provides affordable housing also required a rezoning and height waiver which is exactly the same as what this application requests. Mr. Polster stated that the application is clearly in accord with the Comprehensive Plan. Mr. Polster further stated that the issue is mitigation of impacts to traffic, the environment and the schools. Mr. Polster stated that the Comprehensive Plan has provided a path forward to find alternatives to Richmond Road which would mitigate traffic impacts. Mr. Polster stated that the County has made a substantial investment in ensuring the viability of the watershed and mitigating drainage concerns for this project as well as for future development. Mr. Polster further stated that the impact to the schools is not new and that the classrooms have been over capacity for a number of years due to the expansion of the Bright Beginnings program. Mr. Polster further

stated that the School Board has brought forward a CIP application for the Elementary School which will mitigate that impact. Mr. Polster stated that he is inclined to support the application.

Mr. O'Connor inquired where the County is with the Housing Opportunities Policy.

Mr. Holt stated that as pertaining to new development the policy was rescinded by the Board of Supervisors. Mr. Holt further stated that, for guidance, there are the Goals, Strategies and Actions of the Comprehensive Plan and the adopted Strategic Plan.

Mr. O'Connor asked Mr. Hlavin to comment on the enforceability of the proposed easement.

Mr. Max Hlavin, Deputy County Attorney, stated that enforcement through a proffer or through the easement is not greatly different. Mr. Hlavin stated that the easement would allow for checks and balances throughout the project cycle similar to proffers.

Mr. O'Connor inquired what the process would be if the County wanted to vacate the easement.

Mr. Hlavin stated that the easement would constitute a property interest at the time it is accepted and would require a public hearing process to dispose of it, just as any other property interest.

Mr. Schmidt stated that he spent time observing the Croaker Road/Richmond Road intersection during the noon hour on a weekday. Mr. Schmidt stated that the intersection is a concern. Mr. Schmidt further stated that it will not improve with the build-out of other approved developments. Mr. Schmidt stated that he is concerned about the traffic impacts if any of the other similar properties are developed in the future. Mr. Schmidt noted that he is not certain that the parcels currently zoned for this type of development are of adequate size to accommodate this type of project. Mr. Schmidt noted that the decision made tonight will have impacts into the future.

Ms. Leverenz stated that the Comprehensive Plan is in fact the guiding document for the County's future and is up for review and revision every five years. Ms. Leverenz stated that there is a review cycle starting in 2019. Ms. Leverenz further stated that the Comprehensive Plan is predicated on citizen input. Ms. Leverenz stated that citizens who are interested in the future of the County should take advantage of the opportunities to participate in this process. Ms. Leverenz noted that the property has been designated as MDR in the Comprehensive Plan for more than 25 years. Ms. Leverenz stated that the application certainly meets the criteria of compatibility with the Comprehensive Plan; however, the mitigation and traffic safety issues are of great concern. Ms. Leverenz stated that if the intersection at Oakland Drive/Richmond Road could be improved prior to start of construction, it would mitigate many of the safety concerns. Ms. Leverenz noted that congestion on Richmond Road is currently a concern and the congestion will only increase unless alternate routes are developed. Ms. Leverenz stated that she has less concern about the fiscal impact. Ms. Leverenz noted the fiscal impact will be the same wherever affordable housing is built. Ms. Leverenz stated that she believes this investment will be worthwhile.

Mr. O'Connor stated that he had requested clarification on the Housing Opportunities Policy (HOP) because it is referenced numerous times in the Comprehensive Plan. Mr. O'Connor stated that while the Comprehensive Plan is a guiding document, the HOP is not. Mr. O'Connor stated that there are multiple areas in the Comprehensive Plan suggesting ways to provide affordable housing in the County. Mr. O'Connor noted that if the County wants affordable housing, the County must be prepared to assume the cost. Mr. O'Connor noted that the high- and moderate density parcels are generally located near interchanges in order to keep traffic off longer stretches of roadway. Mr. O'Connor stated that he believes this is an

appropriate location for the project. Mr. O'Connor further stated that, if this project is not approved, other projects with similar impacts could be brought forward that would not provide the same benefit to the County. Mr. O'Connor stated that he is not comfortable with the easement document and the enforcement of the terms and conditions. Mr. O'Connor stated that he is an advocate of affordable housing; however, he is not certain that the way the County has addressed to date has been a benefit to the community. Mr. O'Connor stated that from a land use perspective the application meets all criteria; however, there are still factors that are a concern.

Mr. Richardson stated that in reviewing applications, the Commission considers projects from numerous perspectives and incorporates citizen and applicant input in its decision. Mr. Richardson stated that the Comprehensive Plan provides guidance for how the County should develop. Mr. Richardson stated that one resounding theme is the preservation of community character. Mr. Richardson stated that everyone recognizes the need for affordable housing. Mr. Richardson further stated that people also need to be able to work here, live here, grow their families here and make the County their home. Mr. Richardson further stated that we also need the necessary infrastructure. Mr. Richardson noted that in some instances what is needed for the safety or benefit of the public is not supported by the numbers. Mr. Richardson stated that the Commission considers every application from a land use perspective and whether it is in compliance with the Comprehensive Plan. Mr. Richardson stated that the final piece is mitigation of impacts. Mr. Richardson stated that the County is at a crucial crossroads to define growth, to assess the utility of the PSA and to look at alternatives to widening Richmond Road. Mr. Richardson further stated that it is time for the Williamsburg-James City County Schools to solicit some real public input for what schools we need and where they need to be. Mr. Richardson stated that it is time to formulate a Public Facilities Master Plan. Mr. Richardson stated that the County needs to catalogue what can be improved now and draw a line on development with impacts that cannot be mitigated. Mr. Richardson further stated that the County needs to achieve a solution to the affordable housing issue in a way that avoids a piecemeal solution. Mr. Richardson noted that in addition, we do not know if the Board of Supervisors will accept the easement document. Mr. Richardson stated that with due respect to both sides, he will oppose the application.

Mr. O'Connor inquired if the concern was whether the Board of Supervisors can or will accept the Easement document.

Mr. Hlavin stated that the Board of Supervisors has the authority to accept the Easement document. Mr. Hlavin stated that the staff analysis was based on the unknown of whether the Board of Supervisors would accept the Easement. Mr. Hlavin stated that the Easement document would address some ordinance requirements for the density as well as mitigate some of the development impacts.

Mr. Holt noted that staff did find that within that document the impacts had been mitigated.

Mr. Haldeman complimented Mr. Ribeiro on his thorough presentation and willingness to respond to inquiries.

Ms. Leverenz inquired if there is a procedure for recommending that mitigation of the Oakland Drive/Richmond Road intersection prior to start of construction.

Mr. Holt stated that the motion should be for what is before the Commission. Mr. Holt further stated that if there is strong sentiment from the Commission that the intersection improvements be constructed first, that will be noted in the minutes and staff will reflect it in the staff report that goes to the Board of Supervisors.

Mr. Richardson inquired if that would be a recommendation separate and apart from the

motion on what is before the Commission.

Mr. Hlavin stated that the language could be included in the motion that the applicant consider mitigation of those impacts as a matter of timing in relation to land disturbance.

Mr. Holt stated that the Commission could forward a recommendation to the Board of Supervisors that the mitigation be done sooner rather than later.

Mr. Polster stated that the Commission is requesting that the applicant consider the suggestion prior to taking this forward to the Board.

Ms. Leverenz inquired if there is consensus to build in that request.

Mr. Krapf suggested asking the applicant to report to the Board of Supervisors on the feasibility of modifying the construction schedule.

The Commission agreed to ask the applicant to provide a report to the Board of Supervisors on the feasibility of modifying the construction schedule.

Mr. Polster made a motion to recommend approval of Rezoning-18-0004/Height Limitation Waiver-18-0002, Oakland Pointe.

Mr. Holt noted that the Commission did not need to vote on the Height Limitation Waiver as by Ordinance it is only required that the Board of Supervisors review these.

On a roll call vote the Commission voted to recommend approval of Rezoning-18-0004/Height Limitation Waiver-18-0002. Oakland Pointe (5-2).

4. Case No. ORD18-0007. Consideration of a Zoning Ordinance Amendment to Authorize the Board of Zoning Appeals to Grant a Reasonable Modification in Accordance with the Americans with Disabilities Act or State and Federal Fair Housing Laws, as Applicable

Mr. Louis Pancotti, Senior Zoning Officer, stated that during the 2018 session of the General Assembly, amendments were made to Section 15.2-2309 of the Code of Virginia. Mr. Pancotti stated that the amendment provides authority to the Board of Zoning Appeals (BZA) to alleviate a hardship by granting a reasonable modification to a property or improvement thereon requested by, or on behalf of, a person with a disability in accordance with the Americans with Disabilities Act or state and federal fair housing laws, as applicable.

Mr. Pancotti stated that unlike legislative cases, variances are reviewed by the BZA which is composed of five County residents who are appointed by the Circuit Court after endorsement by the Board of Supervisors. The Code of Virginia empowers the BZA to hear appeals of Zoning Administrator determinations and grant a variance.

Mr. Pancotti stated that Section 24-650 of the Zoning Ordinance currently establishes the criteria that the BZA must find in order to grant a variance. Mr. Pancotti further stated that since the General Assembly often modifies BZA powers and duties, staff recommends that Section 24-650 be modified to simply adopt the powers granted by the Code of Virginia by referencing Section 15.2-2309 of the Code of Virginia. Mr. Pancotti stated that this change would alleviate future amendments as the BZA is only empowered to act in accordance with the criteria prescribed by statute.

Mr. Pancotti stated that at its November 2018 meeting, the Policy Committee reviewed the draft Ordinance language and voted 4-0 to approve the amendments. Mr. Pancotti further stated that staff recommends that the Planning Commission recommend approval of the Ordinance amendment to the Board of Supervisors.

Mr. Richardson opened the Public Hearing.

As no one wished to speak, Mr. Richardson closed the Public Hearing.

Mr. Schmidt made a motion to recommend approval of the ordinance amendments.

On a roll call vote the Commission voted to recommend approval of ORD-18-0007. Consideration of a Zoning Ordinance Amendment to Authorize the Board of Zoning Appeals to Grant a Reasonable Modification in Accordance with the Americans with Disabilities Act or State and Federal Fair Housing Laws, as Applicable (7-0).

5. Case Nos. ORD-18-0010 and ORD-18-0011. Amendments to Address a Code of Virginia Change Prohibiting Mandatory Conceptual Plans

Mr. Ribeiro stated that during the 2018 session of the General Assembly, amendments were made to Section 15.2-2259 of the Code of Virginia. Mr. Ribeiro further stated that the amended language states: "the local planning commission or other agent shall not delay the official submission of any proposed plat, site plan, or plan of development by requiring presubmission conferences, meetings, or reviews."

Mr. Ribeiro stated that after consultation with the County Attorney's office, it is staff's understanding that this language prohibiting the requirement of "presubmission reviews" would also prohibit the requirement for conceptual plan submissions.

Mr. Ribeiro stated that a process for submission and review of conceptual plan has been part of the County's site plan and subdivision process for many years. Mr. Ribeiro further stated that for most of that time, the sections covering conceptual plans were worded to encourage their submission, but not require it. Mr. Ribeiro stated that in 2016 the site plan section of the Zoning Ordinance was amended to require "enhanced conceptual plans" prior to the submission of a site plan when the proposal was for certain types of development that triggered review by the DRC and Planning Commission. Mr. Ribeiro stated that this change in 2016 was made to make the plan review process more efficient and predictable, without compromising review integrity. Mr. Ribeiro further stated that this language is now out of compliance with State Code.

Mr. Ribeiro stated that in order to comply with State Code, staff recommends reverting to the language of Sections 24-147 and 24-148 as they existed prior to the amendments made in 2016.

Mr. Ribeiro stated that in order to fully comply with the State Code, staff recommends a change to Section 24-144 of the Zoning Ordinance and Section 19-19 of the Subdivision Ordinance, which contain the provisions for conceptual plans, to delete a sentence that states "Unless required by the planning director, a resubmittal of conceptual plans shall not be necessary."

Mr. Ribeiro stated that the Policy Committee reviewed the draft Ordinance language at its October 2018 meeting and voted 3-0 to approve the amendments.

Mr. Ribeiro stated that staff recommends that the Planning Commission recommend approval of the ordinance amendments to the Board of Supervisors.

Ms. Leverenz inquired if an applicant could still voluntarily submit a conceptual plan.

Mr. Ribeiro confirmed. Mr. Ribeiro further stated that conceptual plans have never been mandatory. Mr. Ribeiro noted that the changes made in 2016 the enhanced were only for certain types of development.

Mr. Richardson opened the Public Hearing.

As no one wished to speak, Mr. Richardson closed the Public Hearing.

Mr. Krapf made a motion to recommend approval of the Ordinance amendments.

On a roll call vote the Commission voted to recommend approval of ORD-18-0010 and ORD-18-0011. Amendments to Address a Code of Virginia Change Prohibiting Mandatory Conceptual Plans (7-0).

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for consideration.

H. PLANNING DIRECTOR'S REPORT

Mr. Holt stated that there is one item of note in addition to the report provided in the Agenda Packet. Mr. Holt stated that on December 13, the Policy Committee would be discussing the Comprehensive Plan Review methodology. Mr. Holt noted that the three Planning Commission members who are not on the Policy Committee are invited to attend the meeting. Mr. Holt noted that this would not be the only discussion on the methodology.

Mr. Holt stated that the Board of Supervisors work session provided clarity on some of the items that would be reviewed for the Comprehensive Plan.

Mr. Krapf inquired if the Old Stage Road Event Facility application is the first one submitted under the recent Ordinance amendments.

Mr. Holt stated that it is the first.

1. Planning Director's Report - December 2018

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Schmidt inquired if the DRC would meet in December.

Mr. Holt stated that a request has been submitted for a presentation in advance of an upcoming rezoning application. Mr. Holt noted that this item would not require a vote by the DRC. Mr. Holt stated that he would update the DRC if any items came forward that would require action.

Mr. Schmidt noted that he would be out of town.

Mr. O'Connor complimented staff on providing the necessary information and updates on the Oakland Pointe case.

Mr. Polster stated that cumulative impacts and transportation impacts are areas that the County needs to assess more accurately. Mr. Polster stated that while the County contributes to the database, we need to understand how those impacts will be addressed.

J. ADJOURNMENT

Mr. Haldeman made a motion to adjourn.

The meeting was adjourned at approximately 11:12 p.m.

_____ _____

Heath Richardson, Chair Paul D. Holt, III, Secretary

AGENDA ITEM NO. E.2.

ITEM SUMMARY

DATE: 2/6/2019

TO: The Planning Commission

FROM: Paul D. Holt, III, Secretary

SUBJECT: Minutes of the January 2, 2019 Regular Meeting

ATTACHMENTS:

	Description	Type
🗋	Minutes of the January 2, 2019 Regular Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	1/28/2019 - 11:26 AM
Planning Commission	Holt, Paul	Approved	1/28/2019 - 11:27 AM
Publication Management	Daniel, Martha	Approved	1/28/2019 - 12:02 PM
Planning Commission	Holt, Paul	Approved	1/28/2019 - 12:43 PM

M I N U T E S
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg VA 23185
January 2, 2019
6:00 PM

A. CALL TO ORDER

Mr. Heath Richardson call the meeting to order at 6:00 p.m.

B. ROLL CALL

Planning Commissioners Present:
Heath Richardson
Rich Krapf
Tim O'Connor
Danny Schmidt
Jack Haldeman
Frank Polster
Julia Leverenz

Staff Present:
Paul Holt, Director of Community Development and Planning
Max Hlavin, Deputy County Attorney
Tom Leininger, Planner

C. PUBLIC COMMENT

Mr. Richardson opened Public Comment.

As no one wished to speak, Mr. Richardson closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Danny Schmidt stated that the Development Review Committee (DRC) met on Wednesday, December 28, 2018, to review one conceptual plan C-18-0110 for Hazelwood Farms. Mr. Schmidt stated that the property owners Larry Hazelwood and Debbie Drudge spoke to the Committee about the proposal. Mr. Schmidt stated that Tim Trant of Kaufman and Canoles, Arch Marston and Jason Grimes of AES consulting engineers also made presentations. Mr. Schmidt stated that the subject property is divided into two large parcels truncated by Interstate 64, and is located at the western limits of the County in the Stonehouse district. Mr. Schmidt further stated that the smaller northern parcel is comprised of 79 acres and the larger southern parcel is 325 acres. Mr. Schmidt stated that the northern parcel is currently zoned B1 and designated on the Comprehensive Plan Land Use Map as Mixed Use. Mr. Schmidt stated that the southern parcel is presently zoned as B1 and A1 and is designated as Economic Opportunity on the Comprehensive Plan Land Use Map. Mr. Schmidt noted that both parcels fall within the Primary Service Area but do not yet have public utilities serving them.

Mr. Schmidt stated that AES Consulting Engineers has conducted research as to the feasibility of a large-scale project on the land in question. Mr. Schmidt stated that the current vision is to

turn the northern parcel called Village Centre into a mixed-use parcel with a commercial emphasis, and for the southern parcel named the StoneHouse Enterprise Centre to become Economic Opportunity with a light industrial emphasis with some residential as well as commercial sections. Mr. Schmidt stated that for Enterprise Centre to change from A1 and B1 to Economic Opportunity it would have to go through the legislative rezoning process. Mr. Schmidt further stated that Village Centre would need a Special Use Permit (SUP) to change from B1 to Mixed Use. Mr. Schmidt stated that the landowners pointed out that the land is within the Foreign Trade Zone where there could potentially be incentives for businesses to avoid some tariffs on international goods. Mr. Schmidt stated that the hope is to make the Hazelwood Farms properties more desirable for development through the proposed zoning changes.

Mr. Schmidt stated that the Committee's discussion centered around the Resource Protection Area (RPA) on both parcels. Mr. Schmidt stated that the conceptual plans showed roads passing through the RPA at various locations, and there was some concern as to the impact on stream headwaters. Mr. Schmidt stated that in addition, vegetative buffers between the interstate and the properties, the costs associated with getting major utilities to the land, traffic impacts and a connection to adjacent Upper County Park were all topics of conversations initiated by the Committee. Mr. Schmidt stated that no DRC action was required.

Mr. Jack Haldeman stated that the Policy Committee met on December 13, 2018, to discuss several ordinance amendments and begin the dialogue about the Comprehensive Plan Review methodology.

Mr. Haldeman stated that staff reviewed guidance from the Board of Supervisors pertaining to proposed amendments regarding master plan consistency determinations. Mr. Haldeman stated that the amendments were thought to be of sufficient magnitude and impact on property owners to require additional discussion, so the matter was tabled until the January meeting.

Mr. Haldeman further stated that at its November 27, 2018 work session, the Board of Supervisors directed the Planning Commission and staff to develop regulations to address protections for the public water supply and areas of public health and water quality sensitivity within the Special Regulations section of the Zoning Ordinance. Mr. Haldeman stated that staff reviewed various approaches to crafting these regulations. Mr. Haldeman stated that the Committee will review similar regulations and ordinances from the City of Newport News and York County and discuss this matter at its next meeting.

Mr. Haldeman further stated that staff reviewed how changes to State Code, combined with recent Federal Communications Commission decisions regarding facilities, intended to support the deployment of 5G technology, require changes to how local Zoning Ordinances may treat applications for wireless communications facilities. Mr. Haldeman stated that these changes will further reduce local control through zoning. Mr. Haldeman stated that the Committee discussed the changes and asked staff to draft changes to bring the County's Zoning Ordinance in line with State Code.

Mr. Haldeman stated that the Planning Commission members not serving on the Policy Committee were invited to attend this meeting in order to facilitate a discussion on the methodology for revising the 2015 Comprehensive Plan. Mr. Haldeman stated that according to state code, the Comprehensive Plan must be reviewed every five years. Mr. Haldeman stated that staff presented a draft timeline beginning with a citizen survey in April 2019 and ending with adoption by the Board of Supervisors in the fall of 2021. Mr. Haldeman further stated that the process will rely heavily on public outreach by the Community Participation Team which will begin in the summer of 2019. Mr. Haldeman stated that as in prior years, the foundation of the process will be public engagement, key elements of past processes, continuity of vision and guidance from State Code.

E. CONSENT AGENDA

There were no items on the Consent Agenda.

F. PUBLIC HEARINGS

1. Z-18-0006. Ironbound Crossing Rezoning

Mr. Tom Leininger, Planner, stated that Mr. Mark Rinaldi of Bush Construction Corporation and Mr. Vernon Geddy of Geddy, Harris, Franck & Hickman have applied to rezone a property located at 4007 Ironbound Road, a portion of the Mount Pleasant Church property at 4002 Ironbound Road and approximately .76 acres of Virginia Department of Transportation (VDOT) right-of-way (ROW) along Old Ironbound Road. Mr. Leininger stated that the properties are across from Courthouse Commons, New Town and near the Monticello Avenue and Route 199 interchange.

Mr. Leininger stated that these parcels are located where Ironbound Road was constructed prior to Monticello Avenue and Route 199. Mr. Leininger stated that previously, this property was rezoned from R-8 with Proffers to B-1, General Business with Proffers to allow for a five-story office building. Mr. Leininger noted that the application was approved by the Board of Supervisors on March 12, 2002.

Mr. Leininger stated that this application is to rezone approximately .74 acres of the Mount Pleasant Church property, the .76 acres of VDOT ROW from R-8 Rural Residential to B-1 General Business with Proffers and amend the existing B-1 property Proffers. Mr. Leininger stated that the applicant is working with VDOT to purchase the .76-acre VDOT ROW to be combined with the existing property to create a 1.93-acre parcel as shown on the master plan as Area 1. Mr. Leininger further stated that the church property is known as Area 2 on the Master Plan. Mr. Leininger stated that both Areas 1 and 2 are designated Mixed Use on the 2035 Comprehensive Plan Land Use Map and are located inside the Primary Service Area.

Mr. Leininger stated that the application did not provide specific proposed use at this time; however, Area 1 is being rezoned for commercial and office use and Area 2 is being rezoned for an overflow parking lot as it is a by-right use in B-1. Mr. Leininger stated that the proposed master plan would allow up to 45,000 square feet of building development with a maximum of 20,000 square feet for commercial uses and 25,000 square feet for office uses.

Mr. Leininger stated that staff finds this proposal to be compatible with surrounding development and consistent with the 2035 Comprehensive Plan and Zoning Ordinance. Mr. Leininger further stated that staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed Proffers.

Mr. Richardson called for disclosures from the Commission.

Ms. Julia Leverenz stated that she had spoken with Mr. Geddy.

Mr. Tim O'Connor, Mr. Schmidt and Mr. Rich Krapf stated that they had spoken with Mr. Geddy.

Mr. Haldeman stated that Mr. Geddy had called him, but they had not connected.

Mr. Richardson opened the Public Hearing.

Mr. Vernon Geddy, Geddy, Harris, Franck and Hickman, LLP, representing the applicant, made a presentation to the Commission on the proposed rezoning.

Mr. Geddy noted that representatives of Mount Pleasant Baptist Church, Mark Rinaldi and members of the Development Team, John Hopke, Dexter Williams and Jason Grimes were also in attendance.

Mr. Geddy stated that 17 years ago this property was one of the first approved for development along the Monticello Avenue corridor. Mr. Geddy stated that the proposed project, a five-story office building, proved not to be financially feasible and the property has been vacant all that time. Mr. Geddy stated that in 2002, the James City Service Authority entered into a cross easement agreement with the owner of the G Square property to address development on the two parcels including access, parking and stormwater management.

Mr. Geddy stated that the purpose of the application is to permit low intensity commercial/office development on the combined G Square/ VDOT parcel and provide overflow parking and certain accessory uses for the Church. Mr. Geddy further stated that there is no particular use in mind; however, the rezoning will make the property more marketable. Mr. Geddy stated that the applicant has provided Proffers which limit uses on the property and provide for a binding Master Plan and Design Guidelines. Mr. Geddy noted that this rezoning will only allow low-intensity uses. Mr. Geddy further noted that if a more intense use were proposed, it would go through the Commercial SUP process.

Mr. Geddy requested that the Commission recommend approval of the application.

Mr. Geddy stated that he is putting on a different hat as he addresses the Commission on behalf of Mount Pleasant Baptist Church (the Church). Mr. Geddy stated that the Church has enjoyed a good relationship with Bush Construction Corporation for many years. Mr. Geddy stated that the Church is in agreement with this application due to the benefits it will provide to address overflow parking for various events and services. Mr. Geddy stated that the Church Trustees support the application and request that the Commission recommend approval to the Board of Supervisors.

Mr. Geddy stated that Mr. Rinaldi has spoken with the owner of the adjacent mini-storage who also supports the project.

As no one else wished to speak, Mr. Richardson closed the Public Hearing.

Mr. Richardson called for discussion from the Commission.

Mr. Polster noted that he would like to see the agreement with the owner of the BMP #MC032 become part of the record for this case.

Mr. Krapf made a motion to recommend approval of Z-18-0006, Ironbound Crossing Rezoning.

On a roll call vote, the Commission voted to recommend approval of Z-18-0006, Ironbound Crossing Rezoning (7-0).

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for consideration.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - January 2019

Mr. Holt stated that he had nothing in addition to the report provided in the Agenda Packet.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. Holt stated that at least one item has been submitted for Commission Discussion.

Mr. Schmidt stated that he had a Resolution of Appreciation to present and requested that Mr. Richardson join him at the podium.

Mr. Schmidt read the Resolution of Appreciation:

Resolution of Appreciation

Heath Richardson

WHEREAS, Mr. Heath Richardson has served the citizens of James City County as a member of its Planning Commission from February 2014 to December 2018; and

WHEREAS, Mr. Richardson has served on the Policy Committee and the Development Review Committee; and

WHEREAS, Mr. Richardson served as the Chairman of the 2016 Development Review Committee; and

WHEREAS, Mr. Richardson served as the Chairman of the 2018 Planning Commission; and

WHEREAS, during Mr. Richardson's service, the Planning Commission reviewed substantive updates to the Zoning Ordinance and Subdivision Ordinance and considered numerous legislative development cases; and

WHEREAS, Mr. Richardson actively participated in the update to the Comprehensive Plan: Toward 2035: Leading the Way; and

WHEREAS, Mr. Richardson served on the 2015 Planning Commission Working Group; and

WHEREAS, Mr. Richardson is a graduate of the Virginia Tech Certified Planning Commissioner Program.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of James City County, Virginia does hereby extend its sincere appreciation to

Mr. Heath Richardson

BE IT FURTHER RESOLVED that the Planning Commission wishes to express its gratitude to Mr. Heath Richardson for his time of dedicated service to the citizens of James City County.

Mr. Richardson stated that he has enjoyed serving on the Planning Commission and working with the other commissioners. Mr. Richardson stated that the experience has made him a better citizen.

J. ADJOURNMENT

Mr. Haldeman made a motion to adjourn.

The meeting was adjourned at approximately 6:27 p.m.

_____ _____

Heath Richardson, Chair Paul D. Holt, III, Secretary

AGENDA ITEM NO. E.3.

ITEM SUMMARY

DATE: 2/6/2019

TO: The Planning Commission

FROM: Alex Baruch, Senior Planner

SUBJECT: Development Review Committee Action Item: Case No. C-18-0118. 4704 Lady Slipper Fence

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Ms. Melissa Butler has applied to construct a fence within a scenic easement located at the rear of 4704 Lady Slipper Path in the Graylin Woods subdivision.

Reason for DRC Review: The scenic easement was not dedicated to any entity on the plat or by deed and therefore defaults to ownership and enforcement by the County. At the time of the original subdivision case, the County had a Subdivision Review Committee which reviewed subdivision plans. It appears to staff that this Subdivision Review Committee required the easement as part of the subdivision review and approval and provided such a recommendation to the PC. Since the Subdivision Review Committee no long exists, the most equivalent subcommittee to review the current request would be the DRC.

Link to the DRC Agenda and Staff Report: https://jamescity.novusagenda.com/AgendaPublic/CoverSheet.aspx?ItemID=4363&MeetingID=815

DRC Recommendation on January 23, 2019: Approval of the request with the conditions listed in the staff report (4-0).

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	1/25/2019 - 10:00 AM
Planning Commission	Holt, Paul	Approved	1/25/2019 - 10:00 AM
Publication Management	Daniel, Martha	Approved	1/25/2019 - 10:08 AM
Planning Commission	Holt, Paul	Approved	1/25/2019 - 10:14 AM

AGENDA ITEM NO. F.1.

ITEM SUMMARY

DATE: 2/5/2019

TO: The Planning Commission

FROM: W. Scott Whyte, Senior Landscape Planner II

SUBJECT: SUP-18-0027. 121 Leisure Road, Luxterra Electric Inc.

ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Location Map	Staff Report
🗋	Master Plan	Backup Material
🗋	Backup Material	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	1/30/2019 - 1:36 PM
Planning Commission	Holt, Paul	Approved	1/30/2019 - 1:50 PM
Publication Management	Daniel, Martha	Approved	1/30/2019 - 3:25 PM
Planning Commission	Holt, Paul	Approved	1/30/2019 - 5:00 PM

SUMMARY FACTS

Applicant:	Mr. Clifton R. Martin
Land Owner:	Forest W Hamilton Estate, Mr. Clifton R. Martin, Executor
Proposal:	A contractor's office and equipment storage for Luxterra Electric Inc. as an independent electrical contractor.
Location:	121 Leisure Road
Tax Map/Parcel No.:	1120100006
Project Acreage:	+/- 1.84 acres
Zoning:	A-1, General Agricultural
Comprehensive Plan:	Rural Lands
Primary Service Area (PSA):	Outside
Staff Contact:	W. Scott Whyte, Senior Landscape Planner II

PUBLIC HEARING DATES

Planning Commission:	February 6, 2019
Board of Supervisors:	March 12, 2019 tentative

FACTORS FAVORABLE

1. The property has been used as a contractor's office and storage since 1990.

2. The proposal is generally compatible with surrounding zoning and development, with the proposed Special Use Permit (SUP) conditions.

3. The proposal is consistent with the recommendations of the Comprehensive Plan adopted in 2015, *"Toward 2035: Leading the Way"*.

FACTORS UNFAVORABLE

1. With the attached SUP conditions for the application, staff finds that there are no unfavorable factors.

SUMMARY STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this SUP application to the Board of Supervisors, subject to the attached conditions.

PROJECT DESCRIPTION

Mr. Clifton R. Martin has applied for an SUP to allow a contractor's office with equipment storage associated with an electrical contracting business on a parcel located at 121 Leisure Road. The original owner had owned and operated his business since 1990 and the present owner has been operating the business since 2012. In order to bring the current operation into compliance, an SUP is required. Contractor's warehouses, sheds and offices are specially permitted uses in the A-1 zoning district.

In addition to the existing 2,086-square-foot single-family dwelling on the site, other existing structures on the property include a 2,665-square-foot pole barn, a 2,800-square-foot shop and a 1,622-square-foot office. The applicant has indicated that the pole barn will be used to store equipment associated with the business, such as wire, fixtures, fitting conduit and other electrical supplies. Trucks, trailers and any large equipment shall be stored in the laydown yard which has a gravel surface. Three large trailers shall be moved periodically from the laydown yard and job sites. The 2,800-square-foot shop houses equipment used to complete the electrical jobs that cannot be performed on site. Currently, the business employs nine full-time employees besides Mr. Martin. According to the applicant, operating hours are generally between 6:30 a.m. and 6:30 p.m., Monday to Saturday, with most employees just stopping by the shop in the morning or evening. Most employees take their vehicles home each day.

PLANNING AND ZONING HISTORY

- The property has operated as a contractor's office and storage since September 1990, and SUPs have been required for contractor's offices in A-1 zoned properties since June 1990.

SURROUNDING ZONING AND DEVELOPMENT

- All surrounding properties are zoned A-1, General Agricultural.

- Surrounding properties contain single-family residential dwellings adjacent to three sides of the parcel. The parcel across Leisure Road is currently undeveloped, agricultural and forested uses but is designated for future economic opportunity uses. These uses should be located in a manner that minimizes effects on agricultural and forestal activities and located where public services and facilities, especially roads, can adequately accommodate them.

COMPREHENSIVE PLAN

- The site is designated Rural Lands on the 2009 Comprehensive Plan Land Use Map.

- Principal suggested uses include agricultural and forestal activities, together with certain recreational public or semi-public and institutional uses that require a spacious site and are compatible with the natural and rural surroundings. Retail and other commercial uses serving Rural Lands are encouraged to be located at planned commercial locations on major thoroughfares inside the PSA. However, a few of the smaller direct agricultural or forestal-support uses, home-based occupations or certain uses which require very low-intensity settings relative to the site in which it will be located may be considered on the basis of a case-by-case review, provided such uses are compatible with the natural and rural character of the area, in accordance with the Rural Lands Development Standards.

- Staff finds that the proposed commercial use does not fully meet the descriptive language of "certain uses, which require very low-intensity settings relative to the site in which it will be located", as the use is slightly more intense than the surrounding properties.

- However, with the proposed SUP conditions staff finds that it is unlikely that the proposed operation, particularly with the parking of vehicles and storage of electrical contracting equipment located behind the residence, would visually impact either the right-of-way or adjacent properties. The distance of the parking area from the right-of-way is approximately 180 feet and well screened from

adjacent properties. With the proposed SUP conditions, staff finds that the rural residential character of the neighborhood will not be further impacted beyond what is currently in place.

PUBLIC IMPACTS

1. Anticipated Impact on Public Facilities and Services:

   - *Environmental/Cultural/Historic*: Stormwater and Resource Protection has reviewed this application and met with the applicant to review the proposal and the need for a stormwater management plan as discussed. There is an existing pond on site which will need some maintenance and upgrades. Additional details shall be worked out at the plan of development stage. Condition No. 9 was drafted to ensure that stormwater improvements are completed.

   - *Schools/Fire/Utility*: The site is located outside the PSA and is currently served by private well and septic systems. The Health Department has indicated no concern with the proposal provided that the use of office restrooms by employees is limited. The applicant has stated that employees are on the site only twice a day, if at all and very seldom use the restrooms in the office.

   - *Streets*: The proposal is expected to generate low daily traffic and therefore has minimal impact to the local road system. Based on the applicant's response to staff's questions, all nine employees currently use private vehicles. It is expected that no more than nine trucks leave the site early in the morning and return late in the afternoon on a daily basis. Customers do not drive to the site. All trucks will be parked at the rear of the property away from the right-of-way and screened by natural vegetation from adjacent properties. The general location of the parking area for these vehicles is shown on the attached Master Plan.

PROPOSED CONDITIONS

- The full text of the proposed conditions is attached.

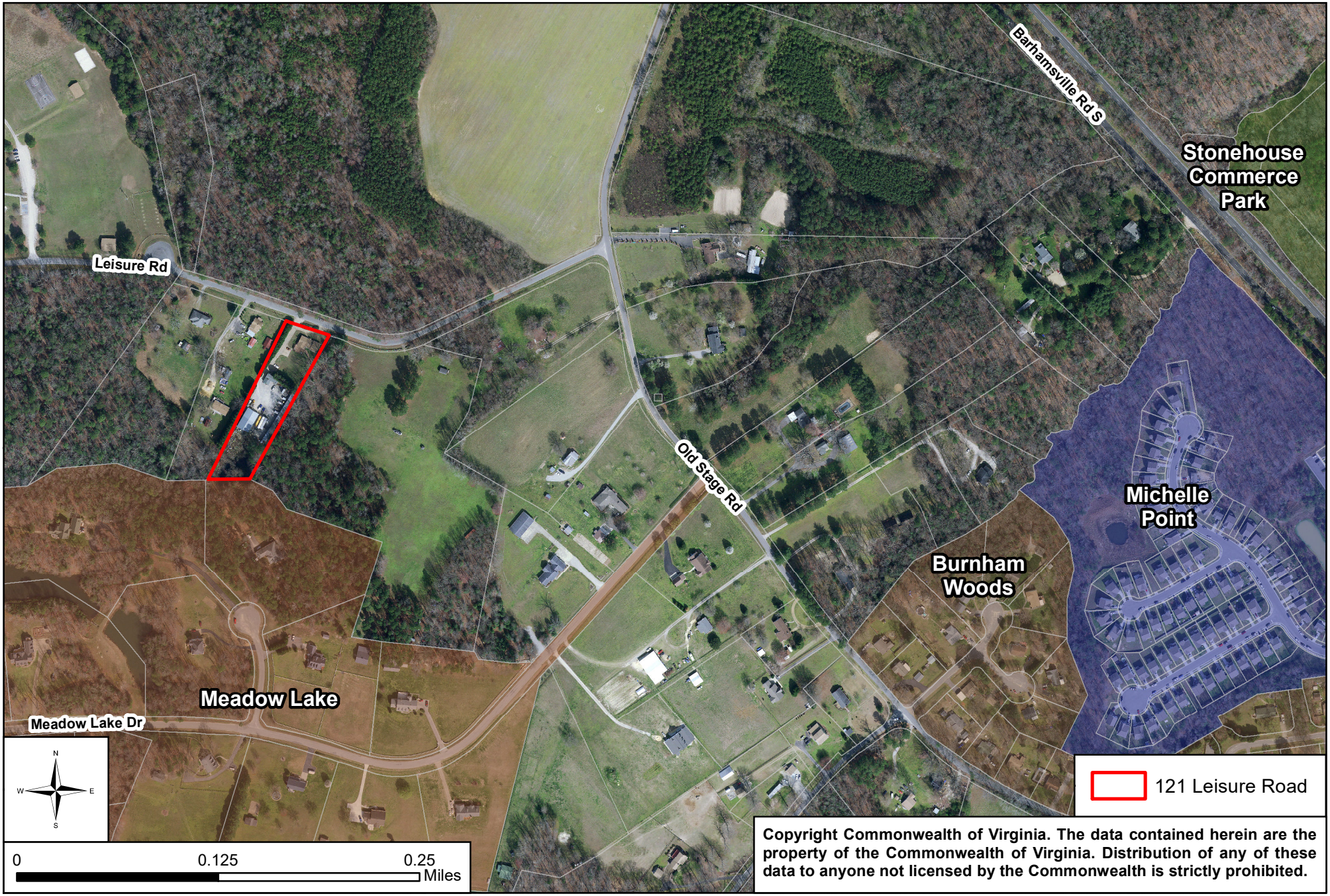
STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this SUP application to the Board of Supervisors, subject to the respective attached conditions.

WCW/md
SUP18-27Luxterra

Attachments:
1. Location Map
2. Draft SUP Conditions
3. Masterplan

JCC SUP-18-0027
121 Leisure Road, Luxterra Electric Inc.



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JCC SPECIAL USE PERMIT- 18-0027:
121 Leisure Road, Luxterra Electric Inc.

Application to obtain a Special Use Permit for Electrical Contractor's Office

Site Address: 121 Leisure Road

Property Owner:
Forest W Hamilton Estate, Clifton Martin Executor

Tax Map ID: 1120100006

Zoning: A-1

General Notes:

1. The 1,622 square foot office shall be used as the headquarters of the business
2. The pole barn and shop shall be used to store equipment and supplies.
3. The Lay-down yard shall be used to park all vehicles and trailers

Parking: The lay-down yard is approximately 14,000 square feet of an imperious gravel surface

Sheet Index:

1. Cover sheet
2. Master Plan

Location Map

Special Use Permit-18-0027, 121 Leisure Road
Luxterra Electric Inc. Masterplan 1-28-19

Proposed Special Use Permit (SUP)-18-0027 Conditions

1. Master Plan: This SUP shall be valid for a contractor's warehouse, shed and office (the "Proposal") on property located at 121 Leisure Road and further identified as James City County Real Estate Tax Map No. 1120100006 (the "Property"). The location of the Proposal and associated storage shall be generally as shown on the Master Plan titled "Special Use Permit-18-0027, 121 Leisure Road, Luxterra Electric Inc. dated 1-28-2019, (The "Master Plan") as determined by the Director of Planning with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. Limitations: No work associated with the Proposal, except for administrative/office work, storage and loading of materials on trucks and trailers shall be conducted at the Property. No retail sales of electrical products shall occur at the Property. No manufacturing, including the manufacture of any electrical products or electrical accessories, shall occur at the Property.

3. Hours of Operation: Transportation of equipment to and from the Property shall be limited to 6:30 a.m.-6:30 p.m., Monday through Saturday.

4. Vehicle Storage: Storage of vehicles, equipment and electrical supplies shall be as follows:

    a) All vehicles and equipment associated with the Proposal, including, but not limited to, trucks and trailers, shall be contained behind the residence in the laydown yard as shown on the Master Plan, and shall not be located in any required perimeter buffers or Resource Protection Areas.

    b) Electrical supplies and materials associated with the Proposal, including, but not limited to, power poles, wiring, conduits, fittings and other miscellaneous supplies shall be stored in the 2,665-square-foot pole barn as shown on the Master Plan.

    c) Equipment associated with the Proposal, including, but not limited to, electrical diagnostic machines and other equipment used to work on off-site projects shall be stored in the 2,800-square-foot shop as shown on the Master Plan.

5. Perimeter Buffer: The existing vegetation on the Property and surrounding the storage of vehicle/equipment areas as shown on the Master Plan shall remain undisturbed. The existing gap in the Leyland Cypress hedge between the Property and the adjacent residential property to the west shall be supplemented with additional 8-foot Leyland Cypress trees to fill in the gap and screen the Proposal from the adjacent property. Additionally the gap in the buffer between the front portion of the property and the office/laydown yard shall be replanted with shrubs to complete the buffer and meet the requirements of Section 24-96 and Section 24-97 of the landscape section of the Zoning Ordinance. A landscape plan showing this landscaping shall be submitted as part of the site plan and approved by the Director of Planning and installed within 12 months of final site plan approval.

6. Signage: No outdoor signage associated with this SUP shall be allowed on the Property.

7. Site Plan: A site plan based on a current survey of the Property shall be required for the Proposal. Final approval of the site plan shall be obtained within 12 months of issuance of this SUP, or the SUP shall become void. All buildings on the Property associated with the Proposal shall be brought into conformance with the appropriate building code regulations, as determined by the Director of Building Safety and Permits, within 12 months of site plan approval.

8. Environmental Inventory: The site plan submittal for the Proposal shall include a stormwater management plan per Section 8-24 of the James City County Code. Any necessary improvements for the pond, whether on-site or off-site as determined by the Director of Stormwater and Resource Protection, shall be depicted on the site plan prior to final approval. In addition, a maintenance plan for the upkeep of the pond shall be prepared and submitted for review and approval by the Director of Stormwater and Resource Protection prior to final site plan approval.

9. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

AGENDA ITEM NO. F.2.

ITEM SUMMARY

DATE: 2/6/2019

TO: The Planning Commission

FROM: Tori Haynes, Planner

SUBJECT: SUP-18-0031. 115 Constance Lane Detached Accessory Apartment

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ATTACHMENTS:

	Description	Type
	Staff Report	Staff Report
	Attachment 1. Location Map	Backup Material
	Attachment 2. Proposed SUP Conditions	Backup Material
	Attachment 3. Master Plan	Backup Material
	Attachment 4. Proposed Detached Accessory Structure Layout and Elevation	Backup Material
	Attachment 5. Existing Single-Family Home Elevations	Backup Material
	Attachment 6. Applicant Letter	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	1/28/2019 - 11:30 AM
Planning Commission	Holt, Paul	Approved	1/28/2019 - 11:31 AM
Publication Management	Daniel, Martha	Approved	1/28/2019 - 12:05 PM
Planning Commission	Holt, Paul	Approved	1/28/2019 - 12:44 PM

SUMMARY FACTS

Applicant:	Ms. Kristin Baum, Guernsey Tingle
Land Owners:	Mr. and Mrs. Bryan and Barbara Burris
Proposal:	The construction of a 393-square-foot detached accessory apartment to be occupied by the property owners' family member.
Location:	115 Constance Avenue
Tax Map/Parcel No.:	4732500002
Project Acreage:	+/- 26.83 acres
Zoning:	R-8, Rural Residential
Comprehensive Plan:	Low Density Residential
Primary Service Area:	Inside
Staff Contact:	Tori Haynes, Planner

PUBLIC HEARING DATES

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

FACTORS FAVORABLE

1. With the proposed conditions, staff finds the proposal will not impact the surrounding zoning and development.
2. With the proposed conditions, staff finds the proposal consistent with the recommendations of the Comprehensive Plan adopted in 2015, "*Toward 2035: Leading the Way*."

FACTORS UNFAVORABLE

1. With the attached conditions, staff finds no unfavorable factors.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

PROJECT DESCRIPTION

Ms. Kristin Baum has applied on behalf of Mr. and Mrs. Bryan and Barbara Burris for a Special Use Permit (SUP) to allow a detached accessory apartment to be constructed within a new detached accessory structure. The detached accessory structure will be 2,064 square feet, with the proposed apartment being 393 square feet or 19% of the floor area. A garage and workshop will also be included in the accessory structure.

R-8, Rural Residential, allows detached accessory apartments as a specially permitted use in accordance with Section 24-32(b) of the Zoning Ordinance, which states that detached accessory apartments, where approved, shall comply with the following requirements (staff comments in *italics*):

1. Only one accessory apartment shall be created per lot.

   Only one accessory apartment is proposed with this application.

2. The accessory apartment may not occupy more than 50% of the floor area of the accessory structure and shall meet all setback, yard and height regulations applicable to accessory structures in the zoning district in which it is located.

The proposed apartment unit will occupy 19% of the accessory structure's floor area and will meet all applicable setback, yard and height regulations.

3. The accessory apartment shall not exceed 400 square feet in size and shall meet all setback, yard and height regulations applicable to accessory structures in the zoning district in which it is located.

   The proposed apartment unit will be 393 square feet and will meet all applicable setback, yard and height regulations.

4. The property owner or an immediate family member as defined in Section 19-17 of the Subdivision Ordinance shall reside in either the single-family dwelling or the accessory apartment.

   Per the applicant's letter (Attachment No. 6), the property owners will continue to reside in the single-family dwelling.

5. Approval from the Health Department shall be required where the property is served by an individual well and/or sewer disposal system.

   Not applicable. The lot is served by public water/sewer.

6. The accessory structure shall be so designed such that the size and scale of the structure is compatible with surrounding structures.

   Attachment Nos. 4 and 5 show the design of the accessory structure to be compatible with surrounding structures.

7. Off-street parking shall be required in accordance with Section 24-54 of this chapter.

   The minimum off-street parking required for a single-family dwelling with an accessory apartment is three spaces. Per Attachment Nos. 5 and 6, the available off-site parking will exceed this requirement.

Staff has reviewed the proposed design and finds that all requirements have been met.

PLANNING AND ZONING HISTORY

The subject parcel was created in 1999 through a subdivision of property originally belonging to the Rees family, which was previously part of the Gospel Spreading Church (Gilley Addition) Agricultural and Forestal District.

SURROUNDING ZONING AND DEVELOPMENT

The subject parcel is adjacent to R-8, Rural Residential to the east and west, Powhatan Shores (zoned R-1, Limited Residential) to the north and the Colonial Parkway (zoned PL, Public Lands) to the south.

COMPREHENSIVE PLAN

The property is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map, as are all surrounding parcels with the exception of the Colonial Parkway. Recommended uses include single-family homes, multifamily units, accessory units and cluster housing. Staff finds the proposal consistent with the Comprehensive Plan.

PUBLIC IMPACTS

- Anticipated impact on public facilities and services: None.
- Nearby and surrounding properties: No impacts anticipated.

PROPOSED CONDITIONS

Proposed conditions are provided in Attachment No. 2.

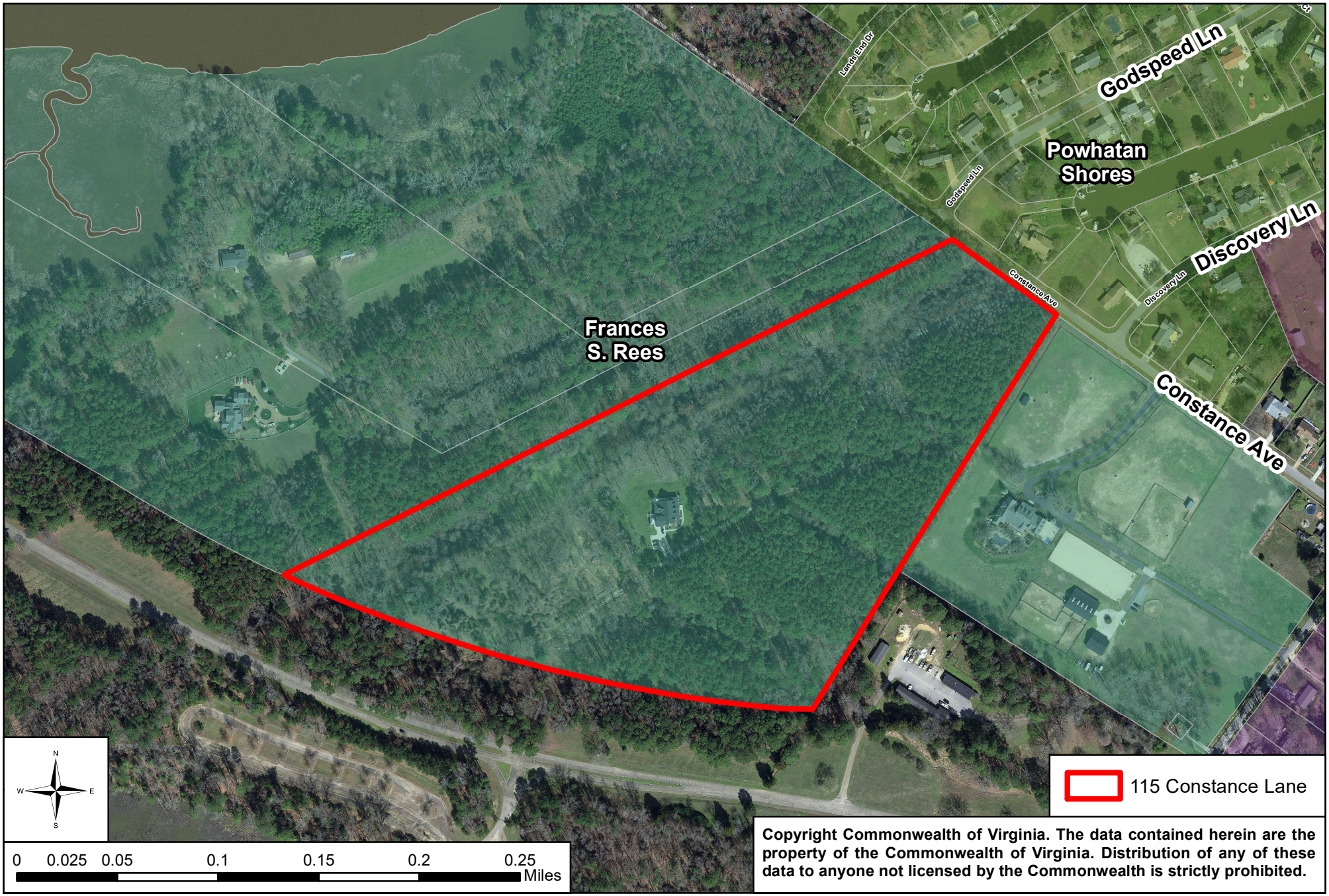
STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the attached conditions.

TH/nb
SUP18-31-115ConstanceAve

Attachments:
1. Location Map
2. Proposed SUP Conditions
3. Master Plan
4. Proposed Detached Accessory Structure Layout and Elevations
5. Existing Single-Family Home Elevations
6. Applicant Letter

JCC SUP-18-0031
115 Constance Lane, Detached Accessory Apartment



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Proposed Conditions for SUP-18-0031:

1. **Master Plan:** This SUP shall be valid for a detached accessory apartment (the "Project") located at 115 Constance Avenue, further identified as James City County Real Estate Tax Map No. 4732500002 (the "Property"). Development of the Project on the Property shall be in accordance with section 24-32(b) of the Zoning Ordinance, as amended, and shall occur generally as shown on the exhibit entitled, "Burris Residence," dated December 20, 2018, (the "Master Plan"), with any deviations considered pursuant to Section 24-23(a)(2) of the Zoning Ordinance, as amended.

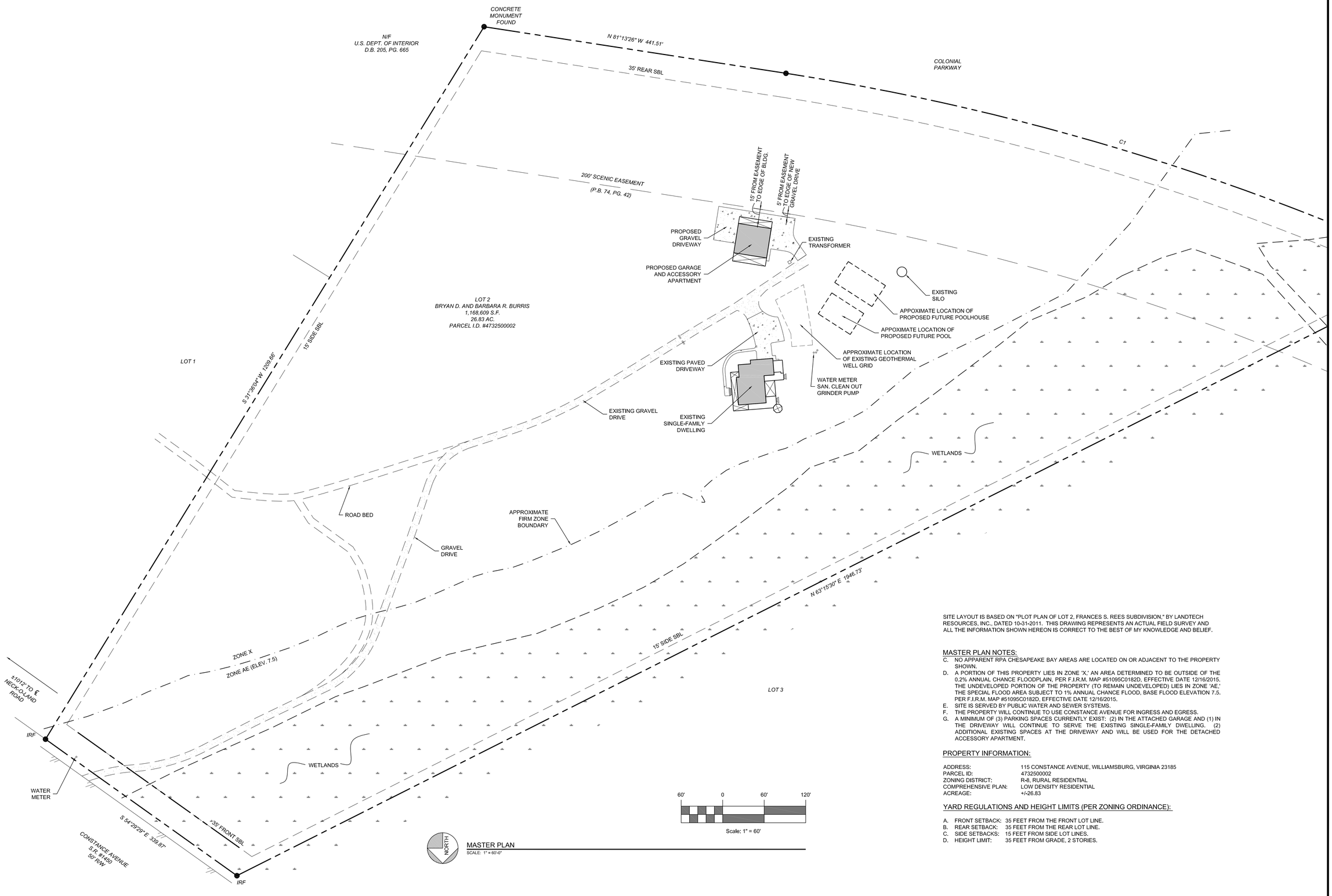
2. **Dwelling Occupied:** Within 24 months from the issuance of this SUP, a permanent Certificate of Occupancy for the Project shall be issued or the SUP shall become void.

3. **Recordation:** A certified copy of the Board of Supervisors' SUP resolution shall be recorded against the Property in the Williamsburg/James City County Circuit Court prior to issuance of any Certificate of Occupancy for the Project. Proof of recordation shall be provided to the Zoning Administrator.

4. **Access:** No new ingress/egress points shall be created to Constance Avenue. All ingress and egress to the Property shall be via the private driveway as shown on the Master Plan.

5. **Water Conservation Plan:** 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 any Certificate of Occupancy for the Project. 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.

6. **Severability:** The SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.



MASTER PLAN
SCALE: 1" = 60'-0"

SITE LAYOUT IS BASED ON "PLOT PLAN OF LOT 2, FRANCES S. REES SUBDIVISION," BY LANDTECH RESOURCES, INC., DATED 10-31-2011. THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY AND ALL THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MASTER PLAN NOTES:

C. NO APPARENT RPA CHESAPEAKE BAY AREAS ARE LOCATED ON OR ADJACENT TO THE PROPERTY SHOWN.
D. A PORTION OF THIS PROPERTY LIES IN ZONE 'X,' AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER F.I.R.M. MAP #51095C0182D, EFFECTIVE DATE 12/16/2015. THE UNDEVELOPED PORTION OF THE PROPERTY (TO REMAIN UNDEVELOPED) LIES IN ZONE 'AE,' THE SPECIAL FLOOD AREA SUBJECT TO 1% ANNUAL CHANCE FLOOD, BASE FLOOD ELEVATION 7.5. PER F.I.R.M. MAP #51095C0182D, EFFECTIVE DATE 12/16/2015.
E. SITE IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS.
F. THE PROPERTY WILL CONTINUE TO USE CONSTANCE AVENUE FOR INGRESS AND EGRESS.
G. A MINIMUM OF (3) PARKING SPACES CURRENTLY EXIST: (2) IN THE ATTACHED GARAGE AND (1) IN THE DRIVEWAY WILL CONTINUE TO SERVE THE EXISTING SINGLE-FAMILY DWELLING. (2) ADDITIONAL EXISTING SPACES AT THE DRIVEWAY AND WILL BE USED FOR THE DETACHED ACCESSORY APARTMENT.

PROPERTY INFORMATION:

ADDRESS:	115 CONSTANCE AVENUE, WILLIAMSBURG, VIRGINIA 23185
PARCEL ID:	4732500002
ZONING DISTRICT:	R-8, RURAL RESIDENTIAL
COMPREHENSIVE PLAN:	LOW DENSITY RESIDENTIAL
ACREAGE:	+/-26.83

YARD REGULATIONS AND HEIGHT LIMITS (PER ZONING ORDINANCE):

A. FRONT SETBACK: 35 FEET FROM THE FRONT LOT LINE.
B. REAR SETBACK: 35 FEET FROM THE REAR LOT LINE.
C. SIDE SETBACKS: 15 FEET FROM SIDE LOT LINES.
D. HEIGHT LIMIT: 35 FEET FROM GRADE, 2 STORIES.

GuernseyTingle
757-220-0220 Williamsburg, VA
guernseytingle.com

BURRIS RESIDENCE

115 CONSTANCE AVENUE
WILLIAMSBURG, VA 23185

REVISION SCHEDULE

#	Description	Date	Initials

These drawings and this design remain the property of Guernsey Tingle and may not be altered, reproduced, or built upon without written permission of the architect.

MASTER PLAN

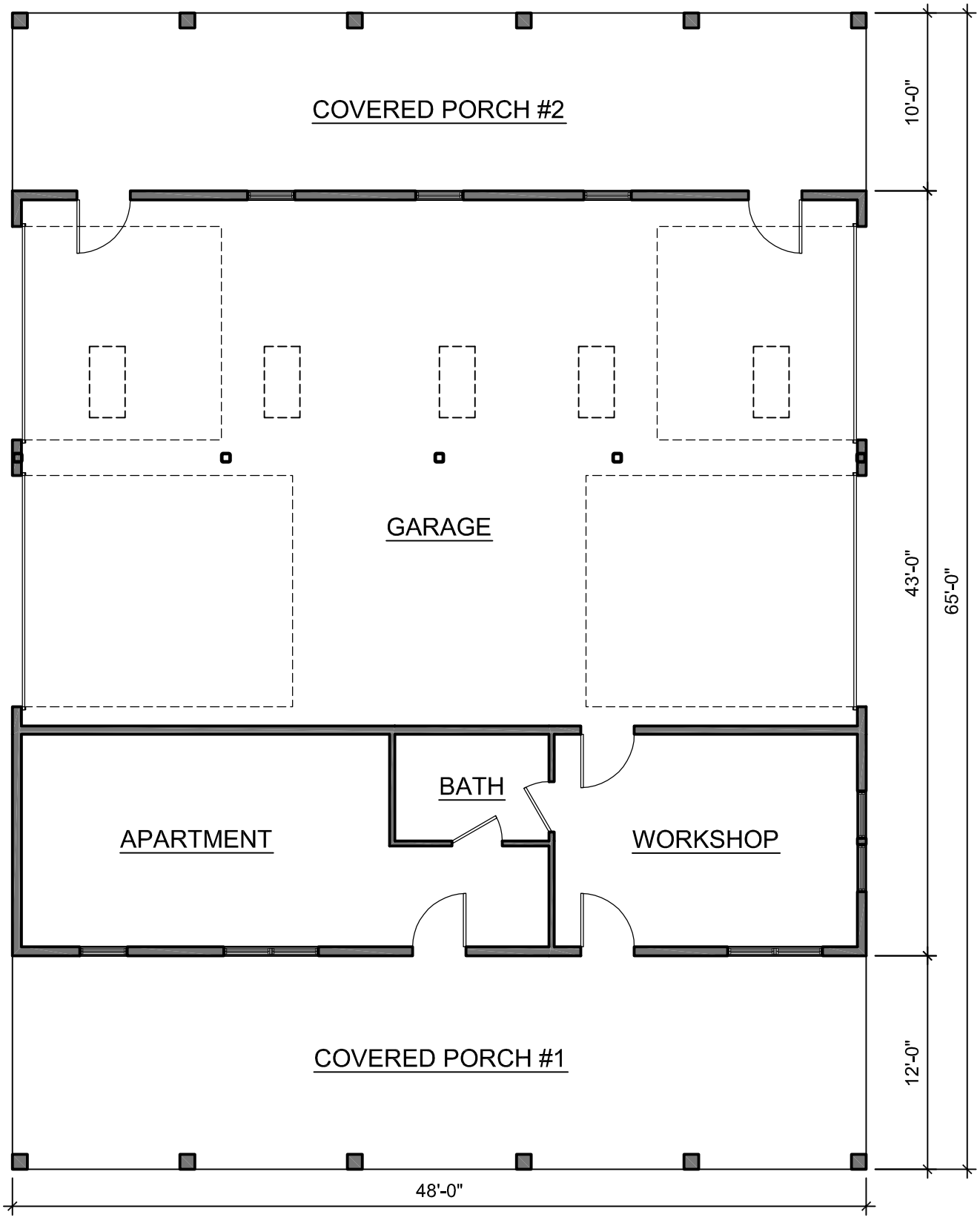
FOR SUP APPLICATION

NOT FOR CONSTRUCTION

COMMONWEALTH OF VIRGINIA
KRISTIN C. BAUM
Lic. No. 013977
12-20-18
ARCHITECT

Date: 12-20-2018
Drawn: KCB Checked: KCB
Project: 218143

C01



DETACHED GARAGE WITH ACCESSORY APARTMENT

1/8" = 1'-0"

AREA CALCULATIONS

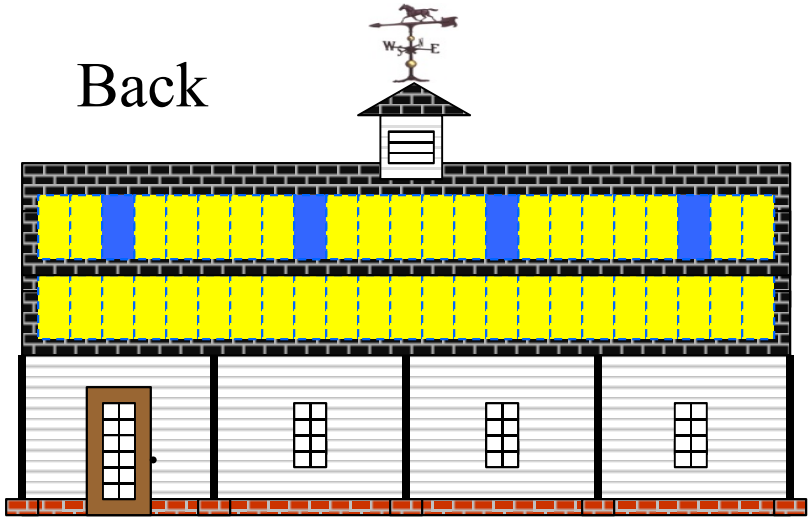
GARAGE:	1,444 SF
WORKSHOP:	227 SF
ACCESSORY APARTMENT:	393 SF
TOTAL AREA:	2,064 SF

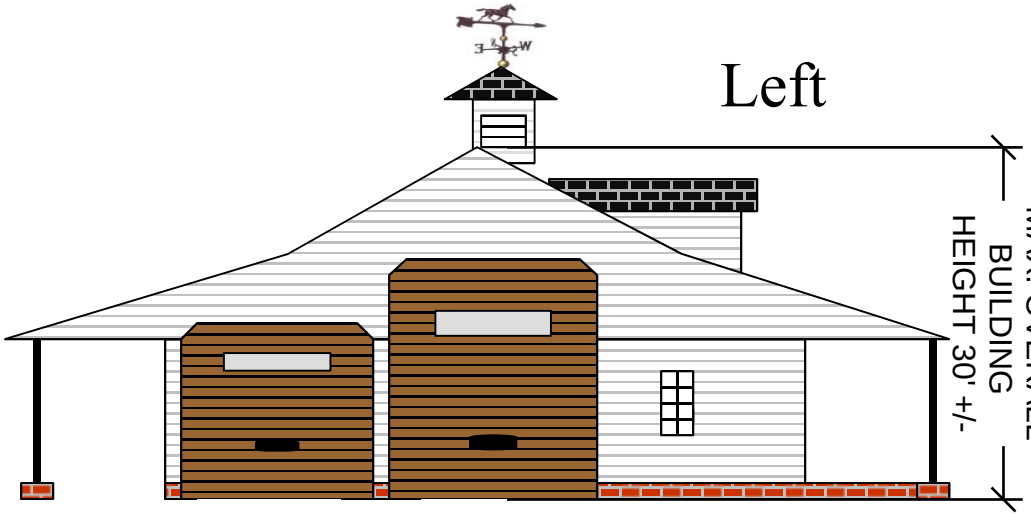
APARTMENT FLOOR AREA MAKES UP 19.04% OF THE TOTAL AREA; < 50% OF THE OVERALL FLOOR AREA OF THE ACCESSORY STRUCTURE.

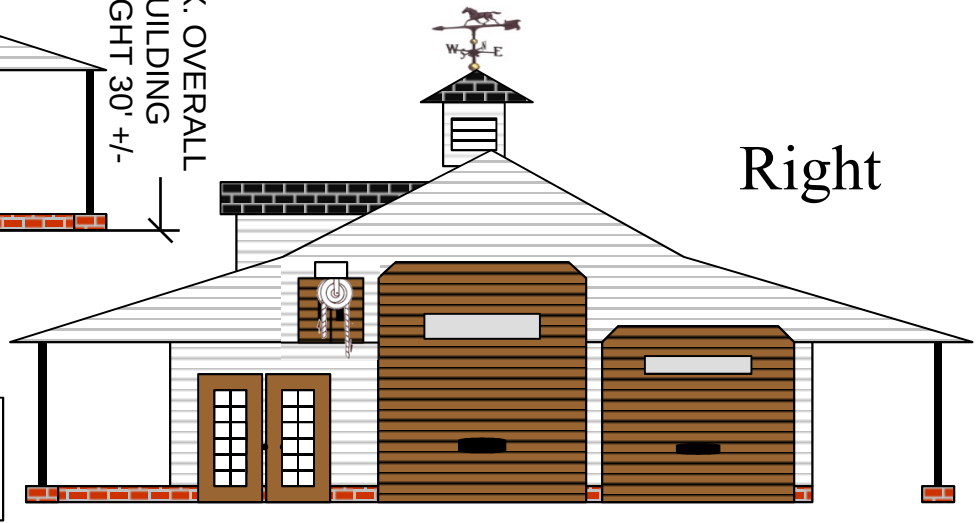
ADDITIONAL INFO:

COVERED PORCH #1:	*576 SF*
COVERED PORCH #2:	*480 SF*
TOTAL, COVERED PORCHES:	*1,056 SF*
GROSS AREA:	*3,120 SF*

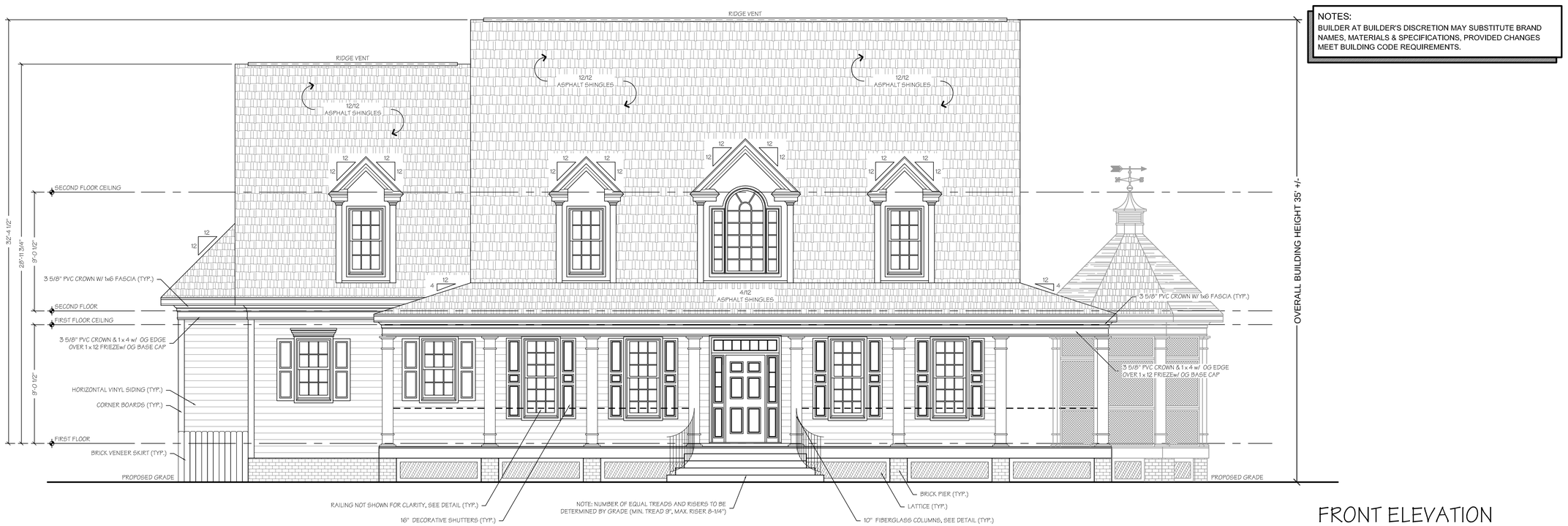
Proposed Elevations







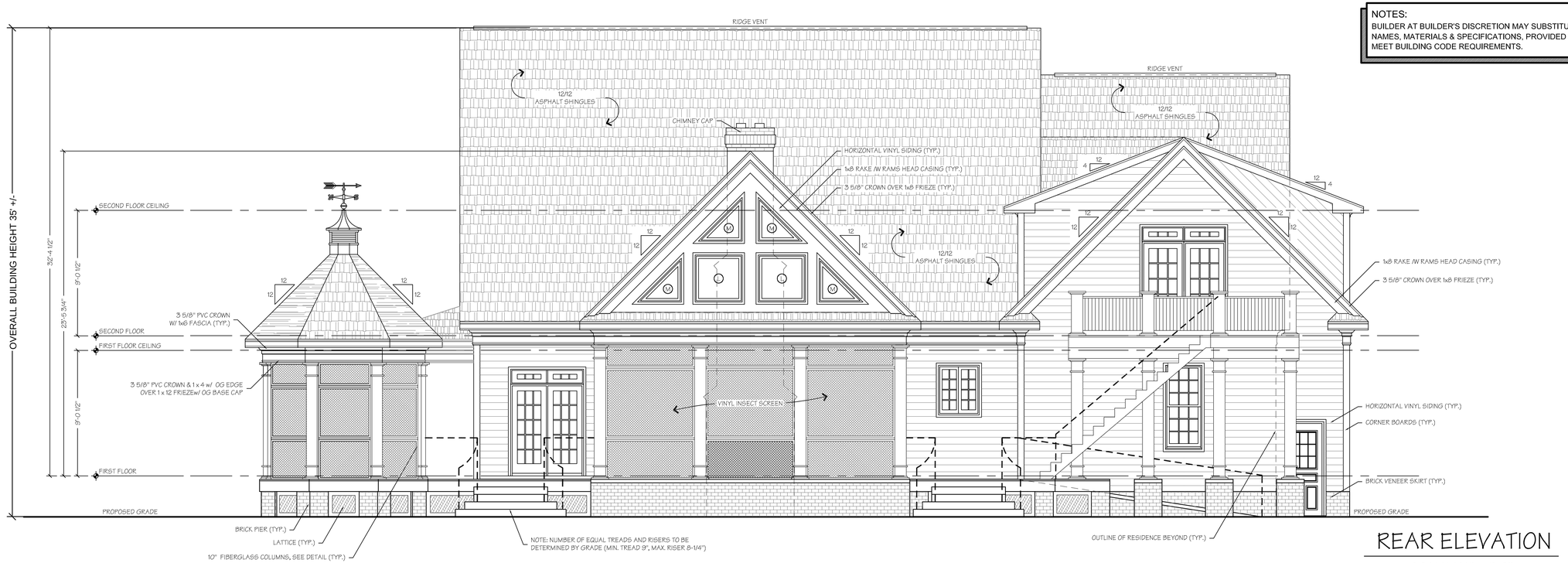
Styling (e.g., siding, shingles, windows, shutters, decking, railing, etc.) to match home



NOTES:
BUILDER AT BUILDER'S DISCRETION MAY SUBSTITUTE BRAND NAMES, MATERIALS & SPECIFICATIONS, PROVIDED CHANGES MEET BUILDING CODE REQUIREMENTS.

FRONT ELEVATION

SCALE 1/4" = 1'-0"



NOTES:
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REAR ELEVATION

SCALE 1/4" = 1'-0"

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CONTACT INFORMATION:
RONALD HUDIK
PO BOX 3683
WILLIAMSBURG, VA 23187
PHONE: (757) 876-1662

NOTE:
ALL ELEVATIONS ARE DRAWN FROM THE PERSPECTIVE OF LOOKING AT THE FRONT OF THE HOUSE.

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Scale:	Date:	File Name:
AS NOTED	12/30/10	10063

Drawn By:

No.	By	Revision	App.	Date

BURRIS RESIDENCE

FRONT & REAR ELEVATION VIEWS

JAMES CITY COUNTY VIRGINIA

Job Number	Sheet No.
10063	8

NOTES:
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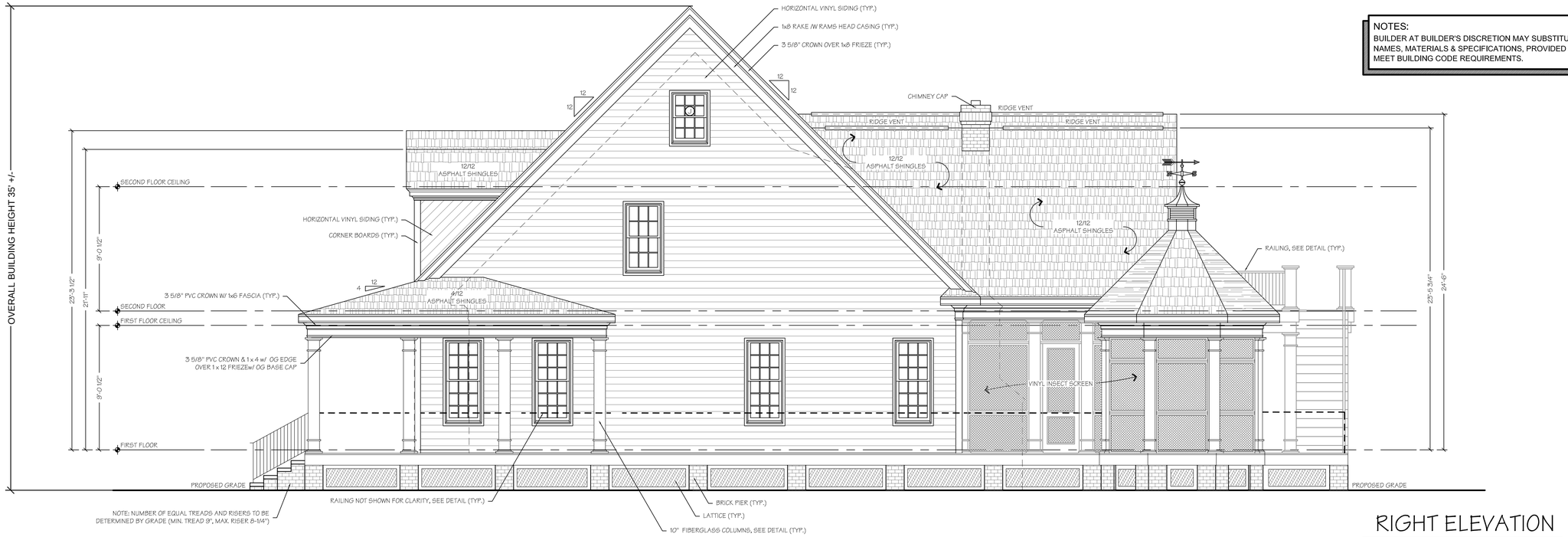

RIGHT ELEVATION

SCALE 1/4" = 1'-0"

NOTES:
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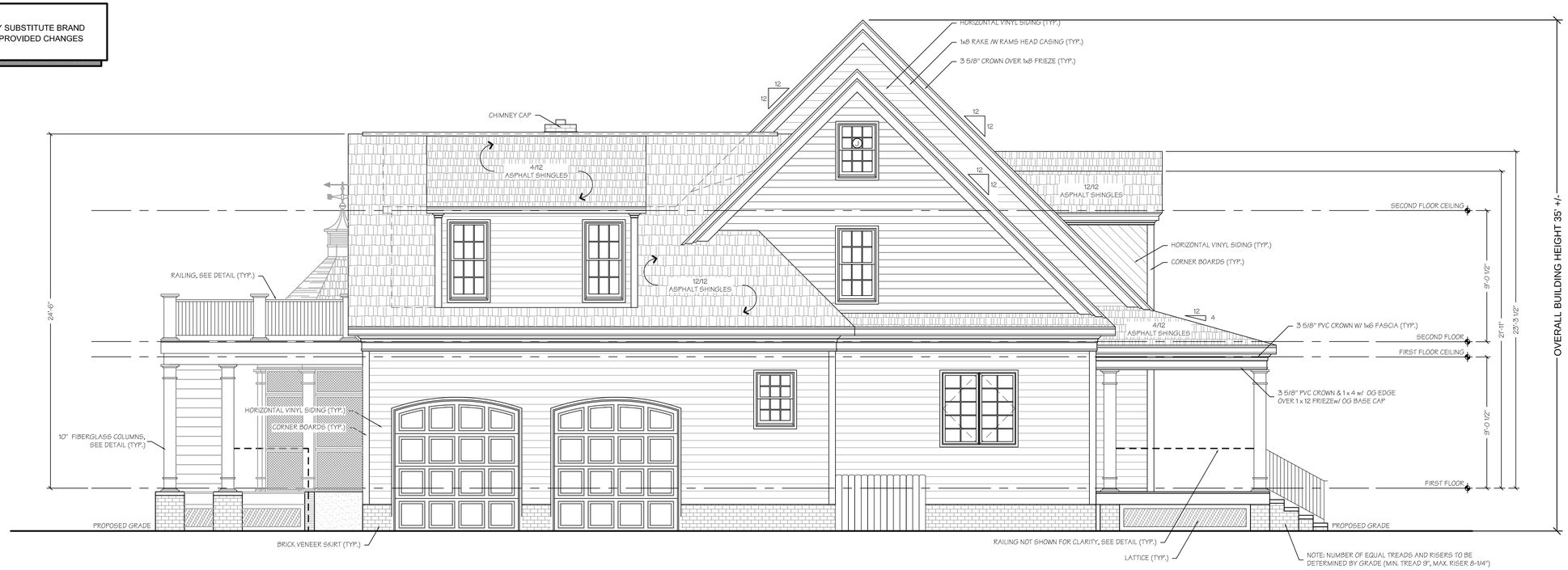

LEFT ELEVATION

SCALE 1/4" = 1'-0"

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CONTACT INFORMATION:
RONALD HUDIK
P.O. BOX 3683
PHONE: (757) 876-1662
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IT IS THE RESPONSIBILITY OF THE BUILDER OR CONTRACTOR TO INSURE ALL BUILDING PRACTICES ARE IN ACCORDANCE WITH ALL LOCAL CODES.
IT IS THE RESPONSIBILITY OF THE BUILDER OR CONTRACTOR TO VERIFY ALL SPECIFICATIONS AND DIMENSIONS PRIOR TO THE CONSTRUCTION.
ALL DIMENSIONS FOR DOORS, WINDOWS AND OPENINGS ARE APPROXIMATE. VERIFY ALL DIMENSIONS BEFORE ORDERING.
ELEVATIONS ARE SHOWN ONLY FOR EXTERIOR FINISH MATERIALS. SEE CONSTRUCTION DRAWINGS FOR ROOF PITCHES.
ALL DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED. ALL DIMENSIONS ARE NOMINAL. ACTUAL DIMENSIONS MAY VARY.
ANY CHANGES MADE TO THESE PLANS WITHOUT THE CONSENT OF RJH DRAFTING & DESIGNS, INC. WILL VOID ALL WARRANTIES AND LIABILITIES.

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BURRIS RESIDENCE

SIDE ELEVATION VIEWS

JAMES CITY COUNTY VIRGINIA

Job Number	Sheet No.
10063	9

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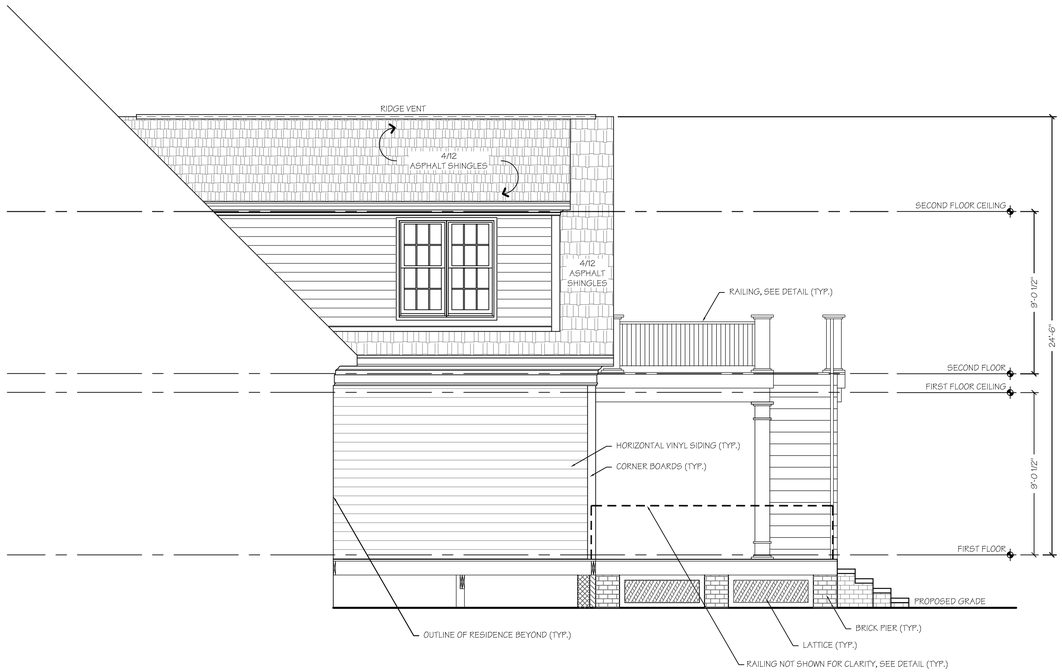

RIGHT ELEVATION

SCALE 1/4" = 1'-0"

NOTES:
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WILLIAMSBURG, VA 23187
PHONE: (757) 876-1662

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ALL BUILDING CONSTRUCTION MUST COMPLY WITH ALL APPLICABLE CODES AND REGULATIONS PERTAINING TO THE CONSTRUCTION.
ANY DISCREPANCIES OR CONFLICTS BETWEEN THE PLANS AND THE CONSTRUCTION SITE MUST BE REPORTED TO THE DESIGNER.
ELEVATIONS SHOWN ONLY DIMENSIONAL CONFLICTS BETWEEN DRAWINGS OF SECTION, SITE CONDITIONS, OR OTHER MUST BE REPORTED TO THE DESIGNER BEFORE CONSTRUCTION.
ANY CHANGES MADE TO THESE PLANS WITHOUT THE EXPRESS WRITTEN CONSENT OF R.J.H. DRAFTING & DESIGNS, INC. SHALL RELEASE R.J.H. DRAFTING & DESIGNS, INC. FROM ALL LIABILITY AND ANY RESPONSIBILITY FOR THE ARCHITECTURAL INTEGRITY OF THE DESIGN. ANY CHANGES MADE TO THESE PLANS WITHOUT THE EXPRESS WRITTEN CONSENT OF R.J.H. DRAFTING & DESIGNS, INC. SHALL VOID ANY AND ALL WARRANTIES EXPRESSED OR IMPLIED.

Scale:	Date:	File Name:
AS NOTED	12/30/10	10063

Drawn By:

No.	By	Revision	App.	Date

BURRIS RESIDENCE

SIDE ELEVATION VIEW

JAMES CITY COUNTY VIRGINIA

Job Number	Sheet No.
10063	10

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GuernseyTingle
ARCHITECTURE | INTERIORS | PLANNING

December 20, 2018

Ms. Tori Haynes, Planner
JCC Community Development
101 Mounts Bay Road, Building A
Williamsburg, VA 23185

RE: Application for Special Use Permit
115 Constance Avenue, Williamsburg, VA, 23185
Tax Map/Parcel No. 4732500002

Dear Ms. Haynes,

On behalf of the homeowners at the aforementioned property, please review our request for a Special Use Permit to build a detached accessory apartment.

The homeowners, Doug and Barbara Burris, reside in the existing single-family dwelling located on the property, and will be constructing a new detached garage/workshop building. They would like to include an accessory apartment for family members to use when they come to visit, until ultimately, Barbara's brother relocates to Virginia. At that time, Barbara's brother will reside in the apartment.

A summary of the project is as follows:

Proposal: The construction of a 393-square-foot detached accessory apartment to be occupied by the landowners' family member, as part of a new detached workshop/garage building.

Project Address: 115 Constance Avenue (Frances S. Rees Subdivision)
Williamsburg, VA 23185

Parcel Acreage: 26.83 acres

Zoning: R-8, Rural Residential

R-8, Rural Residential, allows accessory apartments as a specially permitted use in accordance with 24-32(b) of the James City County Code. Section 24-32(b) states that detached accessory apartments, where approved, shall comply with the following requirements:

1. Only one accessory apartment shall be created per lot.

   Only one accessory apartment is proposed with this application.

2. The accessory apartment may not occupy more than 50% of the floor area of the accessory structure and shall meet all setback, yard and height regulations applicable to accessory structures in the zoning district in which it is located.

   The Attachment "Proposed Garage Plan" demonstrates that only 393 square feet of the proposed detached structure will comprise the accessory apartment, which is 19% of the proposed detached structure. The Attachment "Proposed Master Plan" demonstrates that the location of the proposed detached structure meets all of the setbacks, yard, and height regulations for the R-8 Zoning District.

3. The accessory apartment shall not exceed 400 square feet in size and shall meet all setback, yard and height regulations applicable to accessory structures in the zoning district in which it is located.

   The Attachment "Proposed Garage Plan" demonstrates that the proposed accessory apartment will be 393 square feet, which is less than 400 square feet. The Attachment "Proposed Master Plan," which demonstrates that the location of the proposed detached structure meets all of the setbacks, yard, and height regulations for the R-8 Zoning District.

4. The property owner or an immediate family member as defined in Section 19-17 of the subdivision Ordinance shall reside in either the single-family dwelling or the accessory apartment.

   The detached accessory apartment will be occupied by the Owners' brother. The Owners will continue to reside in the existing single-family dwelling.

5. Approval from the Health Department shall be required where the property is served by an individual well and/or sewer disposal system.

   This requirement is not applicable; the property is served by the public sewer system.

6. The accessory structure shall be so designed such that the size and scale of the structure is compatible with surrounding structures.

   Please see the attached plans and elevations; the proposed structure will be compatible with existing surrounding structures. The structure's siding, roofing shingles, windows, shutters, decking, railing, etc. will match those of the existing home. The height of the existing single family dwelling is approximately 35'-0", and the height of the proposed detached structure is approximately 30''-0", which is less than that of the existing home.

7. Off-street parking shall be required in accordance with Section 24-54 of this chapter.

   Section 24-59 states that the minimum off-street parking required for a single-family unit with an accessory apartment is three parking spaces. The existing home has an attached two-car garage and parking for a minimum of three cars in the driveway, for a total of (5) existing spaces. Additionally, there will be a parking pad and additional parking bays in the new garage building adjacent to the apartment. Therefore, the proposed plans exceed the Ordinance requirement for three parking spaces.

We hope that this letter adequately addresses any questions regarding the project. However, if you have any questions regarding the above, please feel free to contact me. Thank you for your time, and we are excited to see this project moving forward.

Respectfully,

Kristin C. Baum, AIA, LEED AP
Vice President
GuernseyTingle

Bryan D. (Doug) Burris
Homeowner

Barbara R. Burris
Homeowner

Attachments: Proposed Master Plan
Existing Single-Family Dwelling (SFD) Plans and Elevations
Proposed Garage/Apartment Layout and Elevations

AGENDA ITEM NO. F.3.

ITEM SUMMARY

DATE: 2/6/2019

TO: The Planning Commission

FROM: Tori Haynes, Planner

SUBJECT: SUP-18-0032. 3020 Ironbound Road Rental of Rooms

ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Attachment 1. Proposed SUP Conditions	Backup Material
🗋	Attachment 2. Location Map	Backup Material
🗋	Attachment 3. Master Plan	Backup Material
🗋	Attachment 4. Applicant Letter	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	1/29/2019 - 7:52 AM
Planning Commission	Holt, Paul	Approved	1/29/2019 - 7:54 AM
Publication Management	Daniel, Martha	Approved	1/29/2019 - 8:11 AM
Planning Commission	Holt, Paul	Approved	1/29/2019 - 9:12 AM

SUMMARY FACTS

Applicant:	Mr. Ryan Newsom
Land Owner:	Mr. Ryan Newsom
Proposal:	To allow for the short-term rental of up to two bedrooms in an owner-occupied single-family home.
Location:	3020 Ironbound Road
Tax Map/Parcel No.:	4710100073
Project Acreage:	+/-1.86 acres
Zoning:	R-8, Rural Residential
Comprehensive Plan:	Low Density Residential
Primary Service Area:	Inside
Staff Contact:	Tori Haynes, Planner

PUBLIC HEARING DATES

Planning Commission: February 6, 2019, 6:00 p.m.

Board of Supervisors: March 12, 2019, 5:00 p.m. (Tentative)

FACTORS FAVORABLE

1. The homeowner and his family will continue to reside in the home and will be present during the time of rentals.
2. The subject property is located on a major collector road and no traffic impacts are expected.
3. With the proposed conditions, staff finds the proposal compatible with surrounding development and consistent with the adopted Comprehensive Plan.

FACTORS UNFAVORABLE

1. With the proposed conditions, staff finds no unfavorable factors.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

PROJECT DESCRIPTION

This proposal is to allow for the short-term rental of up to two bedrooms in an owner-occupied single-family dwelling. The rental area would also include a bathroom, living space and partial kitchen (i.e., some limited appliances but no full range and not designed to be a separate dwelling unit). The owner and his family will continue to reside in the home and will be present at the time of rentals. Short-term rental tenants will use an existing parking area located on the southern end of the property. No changes to the home's footprint are proposed.

Unlike the "Tourist Home" use, the "Rental of Rooms" limits rentals to a maximum of three bedrooms and requires the homeowner(s) to continue residing at the property during the time of rental.

SURROUNDING ZONING AND DEVELOPMENT

The zoning of all surrounding properties is R-8, Rural Residential. The subject parcel is adjacent to Coleman Nursery and Farmer's Market (3000 Ironbound Road) and across the street from

Williamsburg Unitarian Universalist Church (3051 Ironbound Road). Slightly southeast are two tourist homes approved by the Board of Supervisors in 2018.

COMPREHENSIVE PLAN

The property is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map, as are all of the surrounding parcels. Appropriate primary uses recommended by the Comprehensive Plan include single-family homes, multifamily units, accessory units and cluster housing. Limited commercial uses may also be considered appropriate should the proposal meet the following standards:

- Complements the residential character of the area. Staff finds that this proposed use would remain consistent with the residential character of the area, as this use does not propose any exterior changes.

- Have traffic, noise, lighting and other impacts similar to surrounding residential uses. Traffic is anticipated to be typical of a residential home, the subject property must adhere to the County's noise ordinance, there will be no additional outdoor lighting and the proposed conditions will limit future expansion of the use. Staff finds that impacts will be similar to nearby residential uses.

- Generally be located on collector or arterial roads at intersections. This property is located on, and takes access from, Ironbound Road, which is classified by the Virginia Department of Transportation as a major collector road.

- Provide adequate screening and buffering to protect the character of nearby residential areas. The subject parcel contains mature vegetation on much of the property to provide screening from adjacent residences and Ironbound Road.

PUBLIC IMPACTS

- Anticipated impact on public facilities and services: None.

- Nearby and surrounding properties: No impacts anticipated.

PROPOSED SPECIAL USE PERMIT (SUP) CONDITIONS

Proposed conditions are provided as Attachment No. 1.

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding development and consistent with the adopted Comprehensive Plan and Zoning Ordinance. Staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the attached conditions.

TH/md
SUP18-32-3020IrnbdRd

Attachments:
1. Proposed SUP conditions
2. Location Map
3. Master Plan
4. Applicant Letter

Proposed Conditions for SUP-18-0032:

1. **Master Plan:** This SUP shall permit the rental of rooms on property located at 3020 Ironbound Road and further identified as James City County Real Estate Tax Map Parcel No. 4710100073 (the "Property"). The use and layout of the Property shall be generally as shown on the document entitled "SUP-18-0032, 3020 Ironbound Road Rental of Rooms" and date stamped December 21, 2018 (the "Master Plan"), with any deviations considered per section 24-23(a)(2) of the Zoning Ordinance, as amended. This condition does not restrict improvements typical of a residential property as determined by the Director of Planning.

2. **Commencement:** An updated Certificate of Occupancy and evidence of a business license shall be provided to the Director of Planning within twelve (12) months from the issuance of this SUP or this SUP shall become void.

3. **Number of Rental Rooms Occupants:** There shall be no more than two (2) bedrooms available for rent to visitors and no more than four (4) rental occupants total at any one time.

4. **Contracts per Rental Period:** There shall not be simultaneous rentals of the Property under separate contracts.

5. **Signage:** No signage related to the rental of rooms shall be permitted on the Property.

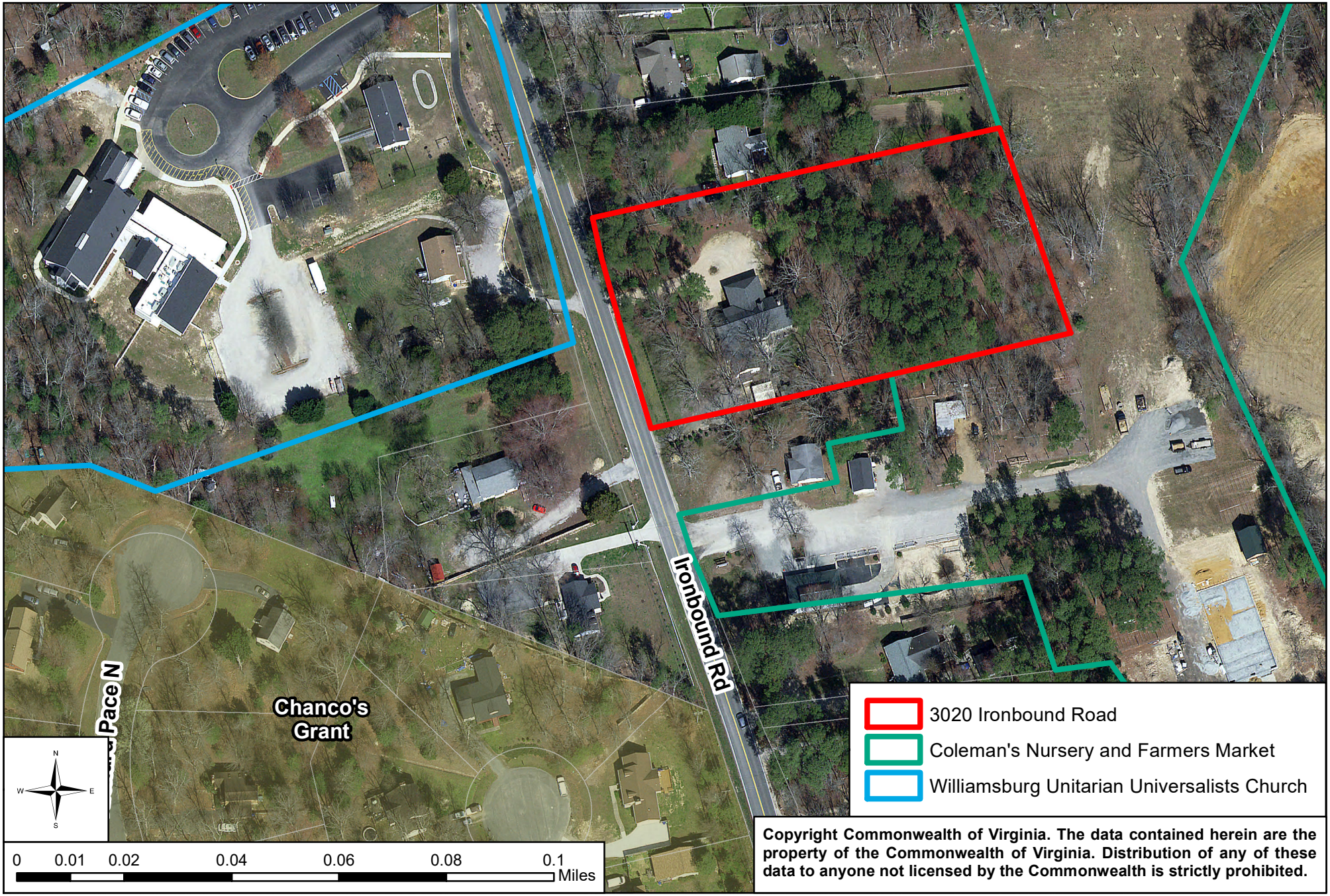
6. **Parking:** Parking shall be limited to the areas shown on the Master Plan. No oversized commercial vehicles, such as but not limited to buses, commercial trucks and trailers associated with rental occupants shall be allowed to park on the Property.

7. **Water Conservation Plan:** Water conservation standards shall be enforced on the Property. Water conservation standards shall be submitted to and approved by the James City Service Authority within six (6) months from the issuance of the SUP.

8. **Lighting:** No additional exterior lighting shall be permitted on the Property, other than lighting typically used at a single-family residence.

9. **Severance Clause:** The SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

JCC SUP-18-0032
3020 Ironbound Road, Rental of Rooms



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SUP-18-0032, 3020 Ironbound Road Rental of Rooms

Property Information

PIN 4710100073
NEWSOM, RYAN G
3020 Ironbound Road
Williamsburg, VA 23185
Zoning: R-8, Rural Residential
Comp. Plan: Low Density Residential
Acres: ±1.86

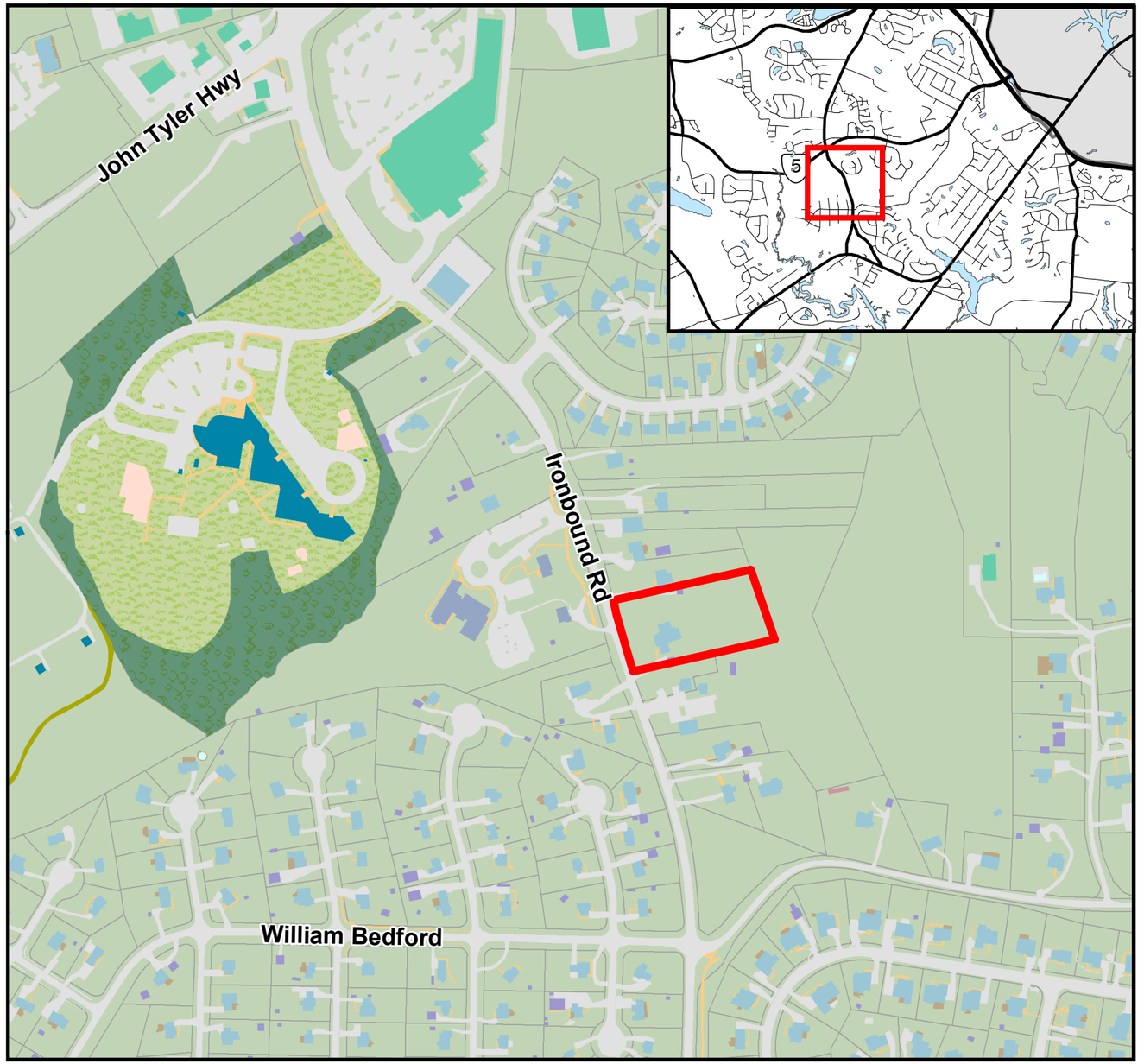
General Notes

1. Site is served by public water and sewer.
2. Property is located in Zone X per F.I.R.M. 51095C0182D, effective 12/16/15.
3. Property does not contain Resource Protection Area.
4. A minimum of three (3) off-street parking spaces shall be provided.

PLANNING DIVISION

Dec 21 2018

RECEIVED



Maps Not To Scale

Adjacent Properties

4710100075
Clockwork Angels LLC
3000 Ironbound Road
Williamsburg, VA 23185
R8, Rural Residential

44710100067A
Sharon Dennis
3025 Ironbound Road
Williamsburg, VA 23185
R8, Rural Residential

4710100074
Clockwork Angels LLC
3004 Ironbound Road
Williamsburg, VA 23185
R8, Rural Residential

4710100075B
John D. Armstrong
3040 Ironbound Roadl
Williamsburg, VA 23185
R8, Rural Residential

4710100067
Mark Collins
3021 Ironbound Road
Williamsburg, VA 23185
R8, Rural Residential

4710100065A
Williamsburg Universalists
3051 Ironbound Road
Williamsburg, VA 23185
R8, Rural Residential

Sheet Index

1. Cover Page
2. Site Photos

JCC SUP-18-0032
3020 Ironbound Road Rental of Rooms

To Whom It May Concern:

Thank you for taking the time to review our Special Use Permit application. We are applying for this SUP in order to give families visiting James City County the opportunity to stay in a safe, family friendly environment while they enjoy the many attractions that James City County has to offer. Providing this service will also give us the opportunity to plan a better financial future for our two young children.

We would like to rent out two rooms in our home which are equipped with a full bathroom, living space and kitchenette. These rooms have a private entrance with ample parking space and screening from neighboring properties and the main road. We will rent out this space for at least one night, but no more than two weeks at a time to one family at a time. Since we will be residing in the home as well, we will be able to monitor all activity that occurs and will not allow smoking, parties or loud noises that do not abide by county ordinances.

Our home is located in the heart of James City County and close to Jamestown Beach Event Park, the James City County Marina, Historic Jamestown, Veterans Park and several shopping areas. Not only would we gain financially by renting out rooms, but we would also help the county to expand and diversify local economy by offering a low cost rental option which will encourage families to enjoy other opportunities offered in the county by attending special events, participating in recreational opportunities and visiting local restaurants and stores.

We thank you for the opportunity to apply for the SUP and for assisting us with this process.

Sincerely,

Ryan & Tracy Newsom

3020 Ironbound Road

Williamsburg, VA 23185

757-449-3332

AGENDA ITEM NO. F.4.

ITEM SUMMARY

DATE: 2/6/2019

TO: The Planning Commission

FROM: Tori Haynes, Planner

SUBJECT: Z-19-0001. Powhatan Terrace Proffer Amendment

ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Attachment 1. Location Map	Backup Material
🗋	Attachment 2. Proposed Proffers dated January 23, 2019	Backup Material
🗋	Attachment 3. Applicant Narrative dated January 17, 2019	Backup Material
🗋	Attachment 4. Adopted Proffers dated February 13, 2008	Backup Material
🗋	Attachment 5. Adopted Amendment to Proffers dated November 28, 2018	Backup Material
🗋	Attachment 6. Staff Report for Z-0007-2007/MP-0005-2007/SUP-0020-2007, Powhatan Terrace	Backup Material
🗋	Attachment 7. Staff Report for Z-0004-2017, Powhatan Terrace Proffer Amendment	Backup Material
🗋	Attachment 8. Low-Income Housing Tax Credit Program Information	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	1/30/2019 - 7:26 AM
Planning Commission	Holt, Paul	Approved	1/30/2019 - 7:26 AM
Publication Management	Daniel, Martha	Approved	1/30/2019 - 8:21 AM
Planning Commission	Holt, Paul	Approved	1/30/2019 - 10:19 AM

SUMMARY FACTS

Applicant:	Mr. Thomas Tingle, Guernsey Tingle Architects
Land Owner:	JTR Properties, LLC
Proposal:	To amend Condition No. 19 of the adopted Proffers to allow a minimum of three affordable units to be offered for rent, rather than for sale.
Locations:	1676 Jamestown Road 1678 Jamestown Road 180 Red Oak Landing Road
Tax Map/Parcel Nos.:	4730100036 4730100037 4730100039
Project Acreage:	+/- 16.51 acres
Zoning:	R-2, General Residential, with Proffers, with Cluster Overlay
Comprehensive Plan:	Low Density Residential
Primary Service Area:	Inside
Staff Contact:	Tori Haynes, Planner

PUBLIC HEARING DATES

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

FACTORS FAVORABLE

1. There are no proposed changes to gross density.
2. The proposed Proffer amendment and participation in the Low-Income Housing Tax Credit (LIHTC) program better addresses the minimum requirements of the Housing Opportunities Policy (HOP).
3. The proposal is consistent with the recommendations of the adopted Comprehensive Plan.

FACTORS UNFAVORABLE

1. Staff finds no unfavorable factors.

SUMMARY STAFF RECOMMENDATION

Approval and acceptance of the amended Proffers.

PROJECT DESCRIPTION

Mr. Thomas Tingle of Guernsey Tingle Architects has submitted a request on behalf of Housing Partnerships, Inc. to amend Condition No. 19 of the adopted Proffers, dated February 13, 2008 (Attachment No. 4). Per the applicant, Powhatan Terrace is being developed with the use of the LIHTC program, an affordable housing program administered by the Virginia Housing Development Authority that focuses on rental housing. Upon completion of a successful LIHTC application, Powhatan Terrace will be developed with rents targeted to households in the range of 40%, 50% and 60% of the Area Median Income (AMI).

Currently, Condition No. 19 requires at least three affordable units to be offered for sale. Housing Partnerships, Inc. has determined that the three sale units required by Condition No. 19 could disqualify the

project from the LIHTC program, and therefore has requested to revise this condition to require at least three affordable rental units with rates at or below 60% AMI, with annual verification of rental rates to the Planning Director for 15 years.

PLANNING AND ZONING HISTORY

- In 2008, the Board of Supervisors rezoned approximately 16.5 acres of land located at 1676 and 1678 Jamestown Road and 180 Red Oak Landing Road from LB, Limited Business, and R-2, General Residential, to R-2, General Residential, with Proffers, and with a Special Use Permit for a Cluster Overlay. Powhatan Terrace was approved for the construction of six 2-story buildings containing a total of 36 townhouse units at a gross density of 2.18 units per acre. At that time, all units were intended to be offered for sale.

- As part of the original Proffers adopted in 2008, Condition No. 19 addressed affordable housing by requiring a minimum of three price-restricted units to be offered for sale. This Proffer was accepted prior to the adoption of the HOP.

- In 2018, the Board of Supervisors approved a request to amend Condition No. 1 of the adopted Proffers to allow Powhatan Terrace to offer rental units.

SURROUNDING ZONING AND DEVELOPMENT

The subject property is across the street from Grace Covenant Presbyterian Church (zoned LB, Limited Business); adjacent to TK Antiques (zoned LB, Limited Business) and Cottages at Stone Haven (zoned R-2, General Residential) to the east; adjacent to Raleigh Square (split zoned R-5, Multifamily Residential and R-2, General Residential) to the west; and across Powhatan Creek from Landfall at Jamestown (zoned R-2, General Residential) to the south.

HOUSING OPPORTUNITIES POLICY

The original Proffers were approved prior to the adoption of the HOP. Under the current Policy, at least 20% of the development's proposed units, or eight units, should be offered for sale/rent at prices targeted at households earning 30% to 120% of AMI. Of that 20%, the units should be targeted at the AMI ranges as specified below for a period of at least 30 years:

Housing Opportunities Policy Requirements			
Targeted Income (% of AMI)	**Price Range (2018 estimates)**	**Min. % of the Development's Proposed Units**	**Min. # of the Development's Proposed Units**
30%-60%	$118,762-$172,862	8%	3 units
60%-80%	$172,863-$236,714	7%	3 units
80%-120%	$236,715-$364,419	5%	2 units
		TOTAL	***8 units***

The original Proffers required a minimum of three units to be offered at or below $195,000, to be adjusted annually for inflation. In 2018, the adjusted price for these units would be approximately $227,538 and would satisfy the minimum requirement for the 60-80% AMI range per the HOP.

The proposed amended Proffer would bind the owner to the rent limits of the LIHTC program for a minimum of three units for at least 15 years; however, staff notes that participation in the LIHTC program requires the owner to irrevocably elect to comply with the following:

LIHTC Program Requirements			
Target Income (% of AMI)	**Min. % of the Development's Proposed Units**	**Min. # of the Development's Proposed Units**	**Min. Time Period for Targeted Rates**
50% or below	20%	8	30 years
-or-			
60% or below	40%	15	30 years

While targeted incomes above 60% of AMI will not be specifically addressed within this development, staff finds that the amended Proffer and minimum requirements of the LIHTC program would better satisfy the requirements of the HOP than the original adopted Proffers. Should the proposal be approved, the minimum number of affordable units overall as required by HOP (20% of the total development or eight units) would be met or exceeded, depending on the owner's choice to utilize the 20-50 test or 40-60 test. The minimum time period of 30 years would also be met.

COMPREHENSIVE PLAN

The property is designated Low Density Residential on the Comprehensive Plan Land Use Map. Recommended uses include single-family homes, multifamily units, accessory units, cluster housing and recreation areas. Further, Housing Action H3.4 states the County shall "assist for-profit and nonprofit developers in obtaining funds to finance affordable and workforce housing developments from programs such as the Affordable Housing Incentive Program (AHIP)." Staff finds the proposed Proffer amendment to be consistent with the adopted Comprehensive Plan.

PUBLIC IMPACTS

Staff does not anticipate additional impacts to be generated by this Proffer amendment.

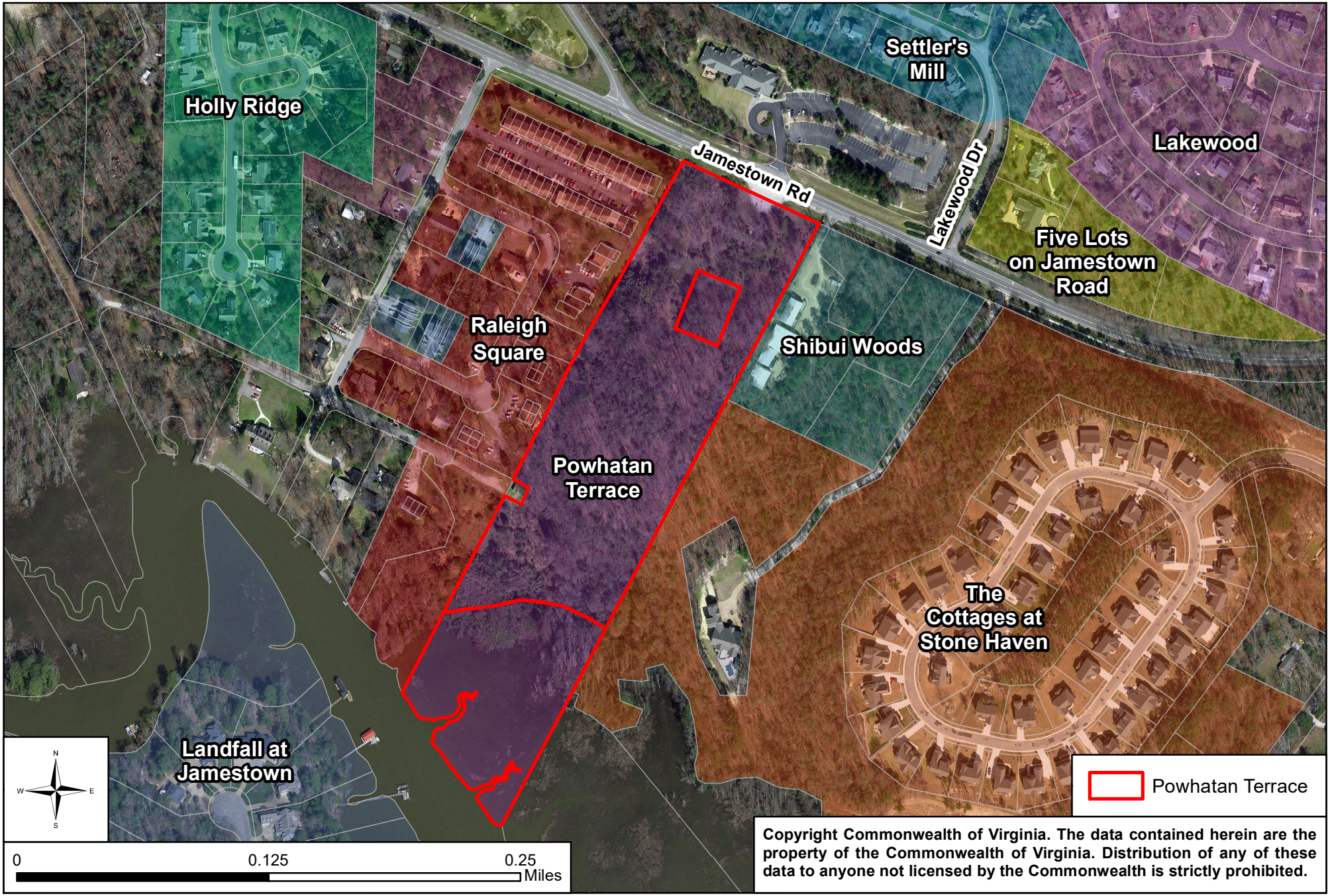
STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding development and consistent with the adopted Comprehensive Plan and Zoning Ordinance. Staff recommends that the Planning Commission recommend approval of this application and acceptance of the amended Proffers to the Board of Supervisors.

TH/md
RZ19-1PowhtnTerr

Attachments:
1. Location Map
2. Proposed Proffers, dated January 23, 2019
3. Applicant Narrative, dated January 17, 2019
4. Adopted Proffers, dated February 13, 2008
5. Adopted Amendment to Proffers, dated November 28, 2017
6. Staff Report for Z-0007-2007/MP-0005-2007/SUP-0020-2007, Powhatan Terrace
7. Staff Report for Z-0004-2017, Powhatan Terrace Proffer Amendment
8. Low-Income Housing Tax Credit Program Information

JCC Z-19-0001
Powhatan Terrace Proffer Amendment



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Parcel Nos: 4730100036, 4730100037, 4730100039

Prepared by:
Andrew M. Franck (VSB #48293)
Geddy, Harris, Franck & Hickman, LLP
1177 Jamestown Road
Williamsburg, Virginia 23185

Return to:
James City County Attorney
101-C Mounts Bay Road
Williamsburg, Virginia 23185

SECOND AMENDMENT TO PROFFERS

THIS SECOND AMENDMENT TO PROFFERS is made this 23rd day of January, 2019 by JTR PROPERTIES LLC, a Virginia limited liability company (together with its successors and assigns, the "Owner"), to be indexed as "Grantor." JAMES CITY COUNTY, a political subdivision of the Commonwealth of Virginia, to be indexed as "Grantee."

RECITALS

A. Owner is the owner of three contiguous tracts or parcels of land located in James City County, Virginia (the "Property"), now zoned R2 - General Residential, and subject to Proffers dated February 13, 2008, which Proffers are recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City as Instrument No. 080020381, as amended by First Amendment to Proffers dated November 28, 2017 recorded in the aforementioned Clerk's Office as Instrument No. 180002012 (the "Existing Proffers"). The Property is more particularly described in the Existing Proffers.

B. Owner desires to amend Condition 19 of the Existing Proffers as set forth below. All capitalized terms used herein not otherwise defined shall have the definition set forth in the Existing Proffers.

AMENDMENTS TO CONDITIONS

1. Condition 19 (Price Restricted Units) of the Existing Proffers is hereby amended to read in its entirety as follows:

> **"19. Price Restricted Units.** A minimum of three of the units shall be reserved and offered for rent for a period of at least fifteen years following issuance of a Certificate of Occupancy at a rental rate targeted to households at or below sixty percent (60%) of the Area Median Income (AMI). Rent limits shall meet IRS Section 42 Low-Income Housing Tax Credit (LIHTC) Affordable Housing Program ("Program") guidelines for that year, and rental rates shall be adjusted annually according to Program requirements. Rental rates shall be reported to the Director of Planning annually during the fifteen-year period."

2. Except as specifically amended herein, the Existing Proffers remain unchanged and in full force and effect.

WITNESS the following signature and seal.

JTR PROPERTIES LLC

By: _____ (SEAL)
Sterling M. Nichols, owner

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF James City, to-wit:

The foregoing instrument was acknowledged this 23 day of January, 2019, by Sterling M. Nichols as owner of JTR Properties LLC.

_____
NOTARY PUBLIC

My commission expires: 9/30/19

ELIZABETH A HEDSTROM
NOTARY PUBLIC
REGISTRATION # 7288580
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
SEPTEMBER 30, 2019

GuernseyTingle
ARCHITECTURE | INTERIORS | PLANNING

January 17, 2019

Ms. Tori Haynes, Planner
James City County
101-A Mounts Bay Road
Williamsburg, VA 23185

RE: Powhatan Terrace
1676-1678 Jamestown Road
James City County, VA
JCC Case Number Z-19-0001

Dear Ms. Haynes:

As requested, this letter shall further explain the reasons behind the request by Housing Partnerships, Inc. to modify the original Proffer #19 in the requested rezoning case. This modification would change three of the dwelling units from affordable "for sale" units to affordable rental units.

Housing Partnerships is developing the Powhatan Terrace project with the use of Low-Income Housing Tax Credits (LIHTC), a program administered in the Commonwealth by the Virginia Housing Development Authority (VHDA). LIHTC is an affordable housing program focused on rental housing supply and it is the primary financial vehicle through which new affordable housing is built in the United States. Housing Partnerships is excited that, if the project qualifies for the LIHTC program, Powhatan Terrace will be developed with rents targeted to households in the range of 40%, 50% and 60% of Area Median Income. While a relatively small project, Powhatan Terrace can address some of the affordable and workforce housing needs in James City County, and be developed and owned with the participation of a non-profit corporation that has been working in JCC since the mid-1980's.

Housing Partnerships has engaged Virginia Community Development Corporation (VCDC) to assist and advise with the LIHTC application and implementation process. VCDC, a 501(c)(3) non-profit corporation, is Virginia's oldest and largest manager of tax credit equity funds. VCDC's mission is to "serve as a leader in the development of innovative affordable housing and revitalization of Virginia's communities by acting as a catalyst for creative and profitable private sector investments and by empowering non-profit and other providers throughout the Commonwealth."

With VCDC's able consultation and assistance, Housing Partnerships is designing a strong project for the competitive LIHTC application process, which has a deadline this year of March 14, 2019. However, the three "for sale" units will likely result in detrimental scoring for the application, and the potential for disqualification of the project. The reasons for this are numerous, but include the following:

- The 3 for-sale units will not qualify for the LIHTC program, and effectively must be separated from the remainder of the project.

- The 3 for-sale unit parcels must be subdivided from the property, so they are not part of the parcel submitted with the LIHTC application. Since this subdivision will not take place until the property is closed and project financing is finalized (after successful LIHTC award), this would likely result in preventing an award of all points available in the application scoring process for "full plan of development" points sought in the application itself.

- The 3 for-sale units will need to be developed by a separate legal entity, and all costs for those units segregated from the costs for the remainder of the project.

- All development costs for the 3 for-sale units would have to be financed by a separate financial institution, with the risk borne by Housing Partnerships.

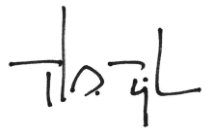
- If developed as proffered, the 3 for-sale units may not qualify for conventional mortgage programs (VA, FHA, etc.) by first-time or moderate-income buyers. These mortgage programs usually discourage or disqualify home ownership within projects containing high numbers of rental units. In Powhatan Terrace, the ratio would be 92% rental (33 units) and 8% ownership (3 units). While these 3 units may qualify for financing by a community bank, the underwriting of moderate-income buyers would likely be unattractive for conventional bank financing.

Our experienced advisors at VCDC, after consultation with VHDA, have advised us that the 3 for-sale units will put a high risk on the successful outcome for Powhatan Terrace in the very competitive LIHTC process. Further, Housing Partnerships, as a 34-year-old non-profit in the community, would be very reluctant to take on the added risk of the financial burden for the for-sale units.

The easiest and most efficient solution is to revise proffer to allow all 36 units to be rental which will provide quality, affordable housing to low-income households at or below the 60% AMI level as designed by the LIHTC program.

Thank you for your assistance with this request and with this project.

Sincerely,



Thomas G. Tingle, AIA, President
GuernseyTingle

CC: Brandie Weiler, Executive Director, Housing Partnerships, Inc.
Curtis Baker, Board Chairman, Housing Partnerships, Inc.
Sterling Nichols, JTR Properties, LLC
Chris Sterling, VP & COO, Virginia Community Development Corporation

COPY

080 020381

PROFFERS

THESE PROFFERS are made this 13th day of February, 2008 by INVESTMENT PROPERTIES OF VIRGINIA, LLC (together with its successors and assigns, the "Owner") and ASSOCIATED DEVELOPERS, INC., a Virginia corporation ("Buyer").

RECITALS

A. Owner is the owner of three contiguous tracts or parcels of land located in James City County, Virginia, one with an address of 1676 Jamestown Road, Williamsburg, Virginia and being Tax Parcel 4730100036, the second with an address of 1678 Jamestown Road, Williamsburg, Virginia and being Tax Parcel 4730100037, and the third with an address of 180 Red Oak Landing Road, Williamsburg, Virginia and being Tax Parcel 4730100039, being more particularly described on Exhibit A attached hereto (together, the "Property"). A portion of the Property is now zoned L-B and a portion is now zoned R-2.

B. Buyer has contracted to purchase the Property conditioned upon the rezoning of the Property.

C. Owner and Buyer have applied to rezone the Property from L-B and R-2 to R-2, , with proffers, and for a Special Use Permit to permit a residential cluster development of up to 36 townhouse units.

D. Buyer has submitted to the County a master plan entitled "Master Plan for Rezoning of Powhatan Terrace" prepared by AES Consulting Engineers dated June 1, 2007 (the "Master Plan") for the Property in accordance with the County Zoning Ordinance.

E. Owner and Buyer desire to offer to the County certain conditions on the development of the Property not generally applicable to land zoned R-2.

15

PLEASE RETURN TO:
COUNTY ATTORNEY
JCC - BLDG. C

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2298 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. If the requested rezoning is not granted by the County, these Proffers shall be null and void.

CONDITION

1. **Master Plan.** The Property shall be developed generally as shown on the Master Plan, with only minor changes thereto that the Development Review Committee determines do not change the basic concept or character of the development. There shall be no more than 36 residential townhouse dwelling units on the Property. All residential dwelling units on the Property shall be offered for sale by the developer thereof.

2. **Owners Association.** There shall be organized an owner's association (the "Association") in accordance with Virginia law in which all unit owners in the Property, by virtue of their property ownership, shall be members. The articles of incorporation, bylaws and restrictive covenants (together, the "Governing Documents") creating and governing the Association shall be submitted to and reviewed by the County Attorney for consistency with this Proffer. The Governing Documents shall require that the Association adopt an annual maintenance budget, which shall include a reserve for maintenance of stormwater management BMPs, recreation areas, private roads and parking areas, shall require each initial purchaser of a unit to make a capital contribution to the Association for reserves in an amount equal to one-sixth of the annual general assessment applicable to the unit (but no less than $100.00) 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 the Association the power to file liens on members' properties for the cost of remedying violations of, or otherwise enforcing, the Governing Documents.

3. **Water Conservation.** (a) Water conservation standards shall be submitted to the James City Service Authority ("JCSA") as a part of the site plan or subdivision submittal for development on the Property and Owner and/or the Association shall be responsible 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 JCSA prior to final subdivision or site plan approval.

(b) If the Owner desires to have outdoor watering it shall provide water for irrigation utilizing surface water collection from the surface water pond that is shown on the Master Plan or from rain barrels and shall not use JCSA water for irrigation purposes. 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 impoundment.

4. **Cash Contributions for Community Impacts.** For each dwelling unit on the Property the one time cash contributions set forth in this Section 4 shall be made.

(a) A contribution of $844.00 for each 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 by the physical development and operation of the Property.

(b) A contribution of $4,870.00 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 solely for school use.

(c) A contribution of $1,000.00 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 by the physical development and operation of the Property, including, without limitation, for emergency services equipment replacement and supply, off-site road improvements, library uses, and public use sites.

(d) A contribution of $300.00 for each dwelling unit on the Property shall be made to the County for off-site stream restoration in the Powhatan Creek watershed..

(e) The contributions described above, unless otherwise specified, shall be payable for each dwelling unit on the Property at or prior to the final approval of the site plan or subdivision plat for such unit. In the event dwelling units, such as townhouse units, require both a site plan and subdivision plat, the contributions described above shall be payable for each such dwelling unit shall be paid at the time of final subdivision plat approval.

(f) The per unit contribution(s) paid pursuant to this Section shall be adjusted annually beginning January 1, 2009 to reflect any increase or decrease for the preceding year in the

Marshall and Swift Building Costs Index (the "Index"). In no event shall the per unit contribution be adjusted to a sum less than the amounts set forth in paragraphs (a) and (b) 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 Index as of December 1 in the year preceding the calendar year most currently expired, and the denominator of which shall be the Index as of December 1 in the preceding year. In the event a substantial change is made in the method of establishing the Index, 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 the Index. 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 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.

5. **Jamestown Road Buffer**. There shall be a minimum 150 foot buffer along the Jamestown Road frontage of the Property generally as shown on the Master Plan. The buffer shall be exclusive of any lots or units. The entrance as shown generally on the Master Plan, landscaping and berms, the trails, sidewalks and bike lanes as shown generally on the Master Plan, and with the approval of the Development Review Committee, utilities, lighting, entrance features and signs shall be permitted in the buffer. Dead, diseased and dying trees or shrubbery, and invasive or poisonous plants may be removed from the buffer area. A combination of preservation of existing trees, enhanced landscaping (defined as 125% of County Zoning Ordinance ("Ordinance") plant size requirements) and berms shall be provided within the buffer in accordance with a landscaping plan approved by the Director of Planning which shall, when

the landscaping has reached maturity, screen the adjacent units from the direct view of vehicles traveling on Jamestown Road. The perimeter buffers between the sides/backs of buildings and the adjacent properties shall contain enhanced landscaping (defined as 125% of Ordinance size requirements) in accordance with a landscaping plan approved by the Director of Planning. The buffers shall be planted or the planting bonded in an amount and form approved by the County Attorney prior to the County being obligated to issue building permits for dwelling units located on the Property.

6. **Entrances/Turn Lanes**. There shall be one entrance into the Property to and from Jamestown Road as generally shown on the Master Plan. A northbound left turn lane with a taper and transition and an southbound right turn taper on Jamestown Road shall be constructed at the entrance to the Property. The turn lane and tapers 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.

7. **Recreation**. Owner shall provide the park, playground and passive recreational area shown on the Master Plan before the County is obligated to grant certificates of occupancy for more than 18 dwelling units on the Property. Owner shall install a mulch trail generally in the location shown on the Master Plan with the design and exact location of the mulch trails subject to the approval of the Director of Planning. 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 Director of Planning.

8. **Private Drives**. All entrance roads, interior roads, driveways, lanes or drive aisles connecting the parking areas on the Property shall be private and shall be constructed in

accordance with applicable County private street standards. Private roads shall be maintained by the Association. Owner shall deposit into a maintenance reserve fund to be managed by the Association an amount equal to one hundred and fifty percent (150%) of the amount of the maintenance fee that would be required for a public street of the same length 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.

9. **Environmental Protections**. (a) Owner shall submit to the County a stormwater management plan for the Property consistent with the Conceptual Stormwater Management Plan prepared by AES Consulting Engineers dated June 1, 2007 ("Stormwater Plan") and included in the Master Plan set submitted herewith and on file with the County, including facilities and measures necessary to meet the County's 10 point stormwater management system requirements and the special stormwater criteria applicable in the Powhatan Creek watershed ("SSC") and, in addition, including features and measures over and above those necessary to meet the 10 point and SSC requirements, which shall include, without limitation, bio-retention basins, provision of as-built drawings for the entire stormwater system, enhanced slope stabilization on all cut and fill slope, enhanced outlet protection on BMP outfall, porous pavement, rain barrels and dry swales subject to the criteria and conditions set forth on the Stormwater Plan. The stormwater plan shall be approved by the Environmental Director or his designee prior to the submission of any development plans for the Property. The stormwater management plan may be revised and/or updated during the development of the Property based on on-site conditions discovered in the field with the prior written approval of the Environmental Director or his designee. The

approved stormwater management plan, as revised and/or updated, shall be implemented in all development plans for the Property.

(b) The owner of the Property shall cause a survey to be conducted of the Property for rare, threatened and endangered species prior to any land disturbing activity on the Property. The location of any rare, threatened and endangered species located on the Property shall be shown on all subdivision or other development plans of the Property. Before any land disturbing activity is allowed in the vicinity of any rare, threatened and endangered species identified, if any, on the Property, a conservation plan shall be prepared by the owner of the Property in accordance with state and federal laws applicable to the Property at the time of development of the conservation plan and said conservation plan shall be submitted for information purposes to the Director of Planning and shall be incorporated into the development plans for the Property and implemented in the development of the Property.

10. **Archaeology**. A Phase I Archaeological Study for the Property shall be submitted to the Director of Planning for his review and approval prior to land disturbance. A treatment plan shall be submitted to, 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 being 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 II 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 area. 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 Standard 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 site and shall be adhered to during the clearing, grading and construction activities thereon.

11. **Architectural Review.** Prior to the County being obligated to grant final development plan approval for any of the buildings shown on any development plan for any portion of the Property, there shall be prepared and submitted to the Director of Planning for approval architectural and landscaping plans, including architectural elevations, for the Director of Planning to review and approve for general consistency with the architectural styles depicted in the architectural renderings prepared by Guernsey Tingle Architects submitted with the rezoning application. The Director of Planning shall review and either approve or provide written comments settings forth changes necessary to obtain approval within 45 days of the date of submission of the plans in question. Final plans and completed buildings shall be consistent with the approved conceptual plans as determined by the Director of Planning.

12. **Preservation of Specimen Trees.** Owner shall submit a tree survey of the Property with the site plan for development of the Property and shall use its best efforts to preserve trees within the Jamestown Road buffer identified on the survey as specimen trees to be preserved. If

any of the specimen trees die prior to issuance of certificates of occupancy for all units on the Property, the dead tree shall be replaced with a new tree with at least a two and one-half inch caliper.

13. **Green Building; EarthCraft House Certification.** Each residential unit shall be certified under the EarthCraft House Virginia certification process and a copy of the certification shall be provided to the Director of Planning.

14. **Streetscape Guidelines.** The Owner shall provide and install streetscape improvements 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. Streetscape improvements shall be either (i) installed within six months of the issuance of any certificate of occupancy for any residential units in adjacent structures or (ii) bonded in form and amount satisfactory to the County Attorney prior to the issuance of any certificate of occupancy for any residential units in adjacent structures.

15. **Nutrient Management Plan**. The Association shall be responsible for contacting an agent of the Virginia Cooperative Extension Office ("VCEO") or, if a VCEO agent is unavailable, a soil scientist licensed in the Commonwealth of Virginia, an agent of the Soil and Water Conservation District or other qualified professional to conduct soil tests and to develop, based upon the results of the soil tests, customized nutrient management plans (the "Plans") for all common areas within the Property and each individual lot shown on each subdivision plat of the Property. The Plans shall be submitted to the County's Environmental Director for his review and approval prior to the issuance of the building permits for more than 50% of the units

shown on the subdivision plat. Upon approval, the Owner so long as it controls the Association and thereafter the Association shall be responsible for ensuring that any nutrients applied to common areas which are controlled by the Association be applied in strict accordance with the Plan. The Owner shall provide a copy of the individual Plan for each lot to the initial purchaser thereof. Within 12 months after issuance of the Certificate of Occupancy for the final dwelling unit on the Property and every three years thereafter, a turf management information seminar shall be conducted on the site. The seminar shall be designed to acquaint residents with the tools, methods, and procedures necessary to maintain healthy turf and landscape plants.

16. Sidewalks. There shall be sidewalks five feet in width installed along one side of all streets within the Property generally as shown on the Master Plan. Owner shall install a sidewalk along the Jamestown Road frontage of the Property.

17. Underground Storage Tanks. The existing underground storage tanks on the Property shall be removed in accordance with applicable laws, regulations and ordinances prior to the issuance of any building permit for structures on the Property.

18. Curb and Gutter. Streets within the Property shall be constructed with curb and gutter provided, however, that this requirement may be waived or modified along those segments of street, including entrance roads, where structures are not planned.

19. Price Restricted Units. A minimum of three of the units shall be reserved and offered for sale at a sales price to buyer at or below $195,000 subject to adjustment as set forth herein ("Restricted Units"). The maximum price set forth herein shall be adjusted annually, or January 1st of each year, by increasing such prices by the cumulative rate of inflation as measured by the Index annual average change for the period from January 1, 2009 until January 1 of the year in question. The Director of Planning shall be provided with a copy of the

settlement statement for each sale of a Restricted Unit. The Governing Documents shall include a provision, approved by the County Attorney, providing that the Restricted Units must be occupied by the owner thereof or a family member of the owner. Short term rentals of these Restricted Unit by the owner thereof shall be permitted if the owner dies or is transferred out of the area and in similar situations.

WITNESS the following signature.

INVESTMENT PROPERTIES OF VIRGINIA, LLC

By: _____

Title: MANAGER

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

The foregoing instrument was acknowledged this 17th day of March, 2008, by Michael C. Brown as Manager of Investment Properties of Virginia, LLC.

_____
NOTARY PUBLIC

My commission expires: 06/30/2011.
Registration No.: 284510

SUSAN G. WALTRIP NOTARY PUBLIC REG. #284510 MY COMMISSION EXPIRES 6-30-2011 COMMONWEALTH OF VIRGINIA

ASSOCIATED DEVELOPERS, INC.

By: _____
Title: president

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

The foregoing instrument was acknowledged this 14th day of March, 2008, by Henry Stephens President of Associated Developers, Inc.

_____
NOTARY PUBLIC

My commission expires: 2-28-2011.
Registration No.: 183223

JANICE M. THOMPSON
NOTARY PUBLIC
REG. #183223
MY COMMISSION EXPIRES
2-28-2011
COMMONWEALTH OF VIRGINIA

EXHIBIT A

PARCEL ONE

All that certain piece or parcel of land, with the buildings and improvements thereon, consisting of 10.00 acres, more or less, situate in Jamestown District, James City County, Virginia, bounded and described as follows: Beginning at an iron stake on the southerly side of the road leading from the Main and Ambler's Farms to Powell's Mill crossing Route 31 to Jamestown on the dividing line between the land hereby conveyed and that of Robinson; thence in a westerly direction along said road the distance of 400 feet to another iron stake; thence said lot extends back in a southerly direction between parallel lines the distance of 1050 feet, more or less, to iron stakes marking its corners; and being a portion of a tract of land containing 140.62 acres as shown by survey and plat recorded in James City Plat Book 2, page 19, and is a portion of the same property of which T. T. Nixon died seized and possessed, intestate; the said tract having been conveyed to him by J. N. Richardson by deed from Henry O. Wright and wife, dated April 15, 1929, and recorded in James City Deed Book 24, page 531; the undivided one-half interest of the said Richardson having been conveyed to the said T. T. Nixon by deed dated June 5, 1930, and recorded in James City Deed Book 25, pages 514-5.

PARCEL TWO

All that certain lot, piece or parcel of land, with the buildings and improvements thereon, situate in Jamestown Magisterial District, James City County, Virginia, lying on the southerly side of the 10.00+/- acre parcel of Nixon, consisting of 6.082 acres, more or less, and described as follows: commencing at an iron stake 1,050 feet from the road leading from Ambler's and the Main Farm to Five Forks and Powell's Mill Road running thence a distance of 200 feet more or less in a southerly direction in a straight line to the low water mark of Powhatan Creek; thence in a westerly direction along the low water mark of Powhatan Creek as it meanders a distance of 400 feet more or less to a point; thence in a northerly direction in a straight line a distance of 200 feet more or less to an iron stake, the corner to the property hereby conveyed and other lands of Nixon; thence in an easterly direction along the line of the property hereby conveyed and other lands of Nixon a distance of 400 feet, more or less, to an iron stake corner to the property hereby conveyed and other lands of Nixon, being the point of departure. Said property is bounded on the northerly side of other lands of Nixon; on the southerly side by Powhatan Creek; on the easterly side by the lands of Robinson; and on the westerly side by the remaining lands of Hess N. Hart and Harry Hart, her husband, Mary B. Norman and J. D. Norman, her husband, Dorothy N. Waltrip and G. K. Waltrip, her husband. Said property is a portion of the track of land containing 140.62 acres as shown by survey and plat recorded in James City Plat Book 2, page 19, and is a portion of the same property of which T. T. Nixon died seized and possessed intestate; the said tract having been conveyed to him and J. N. Richardson by deed from Henry O. Wright and wife, dated April 15, 1929, and recorded in James City County Deed Book 24, page 531, the undivided one-half interest of said Richardson having been conveyed to the said T. T. Nixon by deed dated June 5, 1930, and recorded in James City County Deed Book 25, page 514.

PARCEL THREE

ALL that certain lot, piece or parcel of land situate, lying and being in Jamestown District, James City County, Virginia, as shown on that certain plat entitled, "E. T. Nixon, Plat of Survey, Containing .43 Acres, Two Miles Southeast of Williamsburg, James City County, Virginia" dated February 8, 1960 made by R. B. Cartwright, Certified Land Surveyor, and recorded April 1, 1960 in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City in Deed Book 74, page 100; and being more particularly described as follows: Beginning at an angle iron down a private lane leading South from State Route #31; thence South 69° 30' East 116.28 feet to an angle iron; thence South 20° 00' West 162.28 feet to an angle iron; thence North 69° 30' West 116.28 feet to an angle iron; thence North 20° 00' East 162.28 feet to an angle iron, the point of beginning.

VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
This document was admitted to record on 13 Aug 08
at 2:53 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

Parcel Nos: 4730100036, 4730100037, 4730100039

Prepared by:
Andrew M. Franck (VSB #48293)
Geddy, Harris, Franck & Hickman, LLP
1177 Jamestown Road
Williamsburg, Virginia 23185

Return to:
James City County Attorney
101-C Mounts Bay Road
Williamsburg, Virginia 23185

FIRST AMENDMENT TO PROFFERS

THIS FIRST AMENDMENT TO PROFFERS is made this 28th day of November, 2017 by JTR PROPERTIES LLC, a Virginia limited liability company (together with its successors and assigns, the "Owner"), to be indexed as "Grantor." JAMES CITY COUNTY, a political subdivision of the Commonwealth of Virginia, to be indexed as "Grantee."

RECITALS

A. Owner is the owner of three contiguous tracts or parcels of land located in James City County, Virginia (the "Property"), now zoned R2 - General Residential, and subject to Proffers dated February 13, 2008, which Proffers are recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City as Instrument No. 080020381 (the "Existing Proffers") . The Property is more particularly described in the Existing Proffers.

B. Owner desires to amend Condition 1 of the Existing Proffers as set forth below. All capitalized terms used herein not otherwise defined shall have the definition set forth in the Existing Proffers.

AMENDMENTS TO CONDITIONS

1. The last sentence of Condition 1 (Master Plan) of the Existing Proffers is hereby amended to read as follows: "All residential dwelling units on the Property shall be offered for sale or rental by the developer thereof."

Z-0004-2017 PR-107-A
Powhatan Terrace Proffer Amendment
Proffers Page 1 of 2

2. Except as specifically amended herein, the Existing Proffers remain unchanged and in full force and effect.

WITNESS the following signature and seal.

JTR PROPERTIES LLC

By: Sterling M Nichols (SEAL)

Title: owner

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Williamsburg, to-wit:

The foregoing instrument was acknowledged this 28th day of November, 2017, by Sterling M. Nichols as owner of JTR Properties LLC.

Trittie Mountcastle
NOTARY PUBLIC

My commission expires: 1/31/19.
Registration No.: 7639488

INSTRUMENT 180002012
RECORDED IN THE CLERK'S OFFICE OF
WMSBG/JAMES CITY CIRCUIT ON
January 25, 2018 AT 10:21 AM
MONA A. FOLEY , CLERK
RECORDED BY: JLZ

AGENDA ITEM NO. G-1

REZONING-0007-2007. Powhatan Terrace
MASTER PLAN-0005-2007. Powhatan Terrace
SPECIAL USE PERMIT-0020-2007. Powhatan Terrace
Staff Report for the March 25, 2008, Board of Supervisors Public Hearing

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.

PUBLIC HEARINGS	**Building F Board Room; County Government Complex**
Planning Commission:	October 3, 2007, 7:00 p.m. (3-3 vote)
Board of Supervisors:	November 13, 2007, 7:00 p.m. (indefinitely deferred by applicant) February 12, 2008, 7:00 p.m. (deferred by applicant) February 26, 2008, 7:00 p.m. (deferred by the Board of Supervisors) March 25, 2008, 7:00 p.m.

SUMMARY FACTS

Applicant:	Mr. Vernon Geddy, III, on behalf of Associated Developers, Inc.
Land Owner:	Investment Properties of Virginia, LLC
Proposal:	The applicant has proposed to rezone three parcels of land to R-2, General Residential, with a Cluster Overlay and to construct six 2-story buildings containing a total of 36 townhouse units at a gross density of 2.18 dwelling units per acre.
Location:	1676 and 1678 Jamestown Road and 180 Red Oak Landing
Tax Map/Parcel Nos.:	(47-3) (1-36), (47-3) (1-37), and (47-3) (1-39)
Parcel Size:	16.5 acres
Existing Zoning:	LB, Limited Business (4.7 acres) and R-2, General Residential (11.8 acres)
Proposed Zoning:	R-2, General Residential, with a Cluster Overlay
Comprehensive Plan:	Low-Density Residential and Conservation Area
Primary Service Area:	Inside

STAFF RECOMMENDATION

Staff believes this proposal will not negatively impact the surrounding properties. Staff believes the proposed densities meet the intention of the Comprehensive Plan with respect to offering particular public benefits to achieve a density of 2.18 dwelling units per acre. In staff's opinion, the public benefits include: lessened traffic on Jamestown Road when compared to potential by-right uses, appropriate buffer along a Community Character Corridor, preservation of mature trees along Jamestown Road, removal of underground storage tanks, off-site stream restoration money, parking lots located behind the buildings fronting on Jamestown Road, pedestrian trails, sidewalks, curb and gutter construction, implementation of the County's Archaeology Policy, implementation of the County's Natural Resource Policy, and implementation of the County's

Streetscape Guidelines. Based on this information, staff recommends that the Board of Supervisors approve this application with the acceptance of the voluntary proffers.

Staff Contact: Matthew J. Smolnik Phone: 253-6685

PLANNING COMMISSION RECOMMENDATION

The Planning Commission made a motion for approval, which resulted in a 3-3 vote at their October 3, 2007, meeting. A second vote resulted in a 6-0 decision to send this application to the Board of Supervisors with no recommendation, but with the following suggestions: 1) Correct the building type to "C" on the Master Plan; 2) Amend Proffer No. 17 to remove the existing underground storage tanks prior to the issuance of a final Certificate of Occupancy for any units developed on the property; and 3) Include more affordable housing units, as opposed to below market value units.

Proposed Changes Made Since Planning Commission Meeting

1. The building type "C" is now correctly depicted on the Master Plan.

2. Proffer No. 17 has been amended to state the existing underground storage tanks will be removed prior to the issuance of any building permit for any structures on the property.

Proposed Changes Made Since February 25, 2008, Board of Supervisors Meeting

1. The applicant has proffered $300 for each dwelling on the property for off-site stream restoration in the Powhatan Creek Watershed.

2. Proffer No. 19 has been amended to state that the restricted units must be occupied by the owner or a family member of the owner. Short-term rental by the owner shall be permitted if the owner dies or is transferred out of the area.

Proffers: Are signed and submitted in accordance with the James City County Proffer Policy.

Cash Proffer Summary (See staff report narrative and attached proffers for further details)	
Use	**Amount**
Water	$844 per residential unit
CIP projects (including schools)	$1,000 per residential unit
Schools only	$4,870 per residential unit
Off-site stream restoration	$300 per residential unit
Total Amount (2007 dollars)	**$252,504**
Total Per Lot	**$7,014**

PROJECT DESCRIPTION

Mr. Vernon Geddy, III, has applied on behalf of Associated Developers, Inc. to rezone approximately 16.5 acres located at 1676 and 1678 Jamestown Road and 180 Red Oak Landing from LB, Limited Business, and R-2, General Residential, to R-2, General Residential with a Cluster Overlay, with proffers. If approved, the developer will redevelop the property with six 2-story buildings containing a total of 36 townhouse units for sale. There are three properties being consolidated for the proposed rezoning. The two parcels nearest

Jamestown Road are currently zoned LB, Limited Business, and are currently vacant. The parcel furthest from Jamestown Road is currently zoned R-2, General Residential, and is currently undeveloped. The Comprehensive Plan defines gross density as the number of units divided by the total number of acres, which equates to 2.18 units per acre. This figure of 2.18 is used to compare the density of this development against the low-density residential standards of the Comprehensive Plan.

The Master Plan will bind the developer to the following key features of the development: total number of dwelling units; type of dwelling units, type and location of recreational amenities, open space, and LID sites. If the five buildings associated with this proposal contain a floor area that exceeds 30,000 square feet, the site plan will require development review committee review.

PUBLIC IMPACTS

Archaeology

The County archaeological policy is proffered.

Environmental

Watershed: Powhatan Creek

Proffers:

- The applicant has proffered a Turf Management Program to be implemented in the proposed development. The Homeowners Association (HOA) will be authorized to develop, implement, and enforce the program, which will apply to both any private lawns and common areas under HOA control and may be enforced by either the County or the HOA.
- Development of a stormwater management plan is proffered with the use of low-impact development techniques utilized where feasible, in accordance with the Powhatan Creek Watershed Management (PCWM) Plan.
- The applicant has proffered to conduct a survey for rare, threatened, and endangered species on the property prior to any land disturbing activity.
- The applicant has proffered to remove the existing underground storage tanks on the property in accordance with applicable laws, regulations and ordinances prior to the issuance of the first certificate of occupancy.
- Each residential unit is proffered to be certified under the EarthCraft House Virginia certification process.
- The applicant has proffered $300 for each residential dwelling unit to be used for off-site stream restoration in the Powhatan Creek Watershed.

Staff Comments: Proposed revisions as indicated in the current Community Impact Statement (dated September 18, 2007), the revised proffers, and revised master plan/concept drawings collectively have resulted in the Environmental Division having no further comment on the rezoning application in its current format. Staff believes that the applicant has met the intention of the Powhatan Creek Watershed Management Plan, believes that the proposal provides unusual environmental protection through several potential LID locations and adequately protects perennial and intermittent streams on the property. Staff has noted minor changes that can be addressed during the site plan development stage. Wetlands permits and Chesapeake Bay exceptions may be necessary for this project depending on the design.

Fiscal

The applicant has indicated but not guaranteed (with the exception of three units) that the anticipated average sales price will be $275,000 for the 33 of the 36 townhouse units for this development. Adjusting for the average sales price of the units and the school expenditures on a per student basis, results in a positive revenue flow to the County of $314 per unit per year.

Proffers:

- A cash contribution of $844 for each dwelling unit on the property shall be made to the James City Service Authority in order to mitigate impacts on the County from the physical development and operation of the property.
- A cash contribution of $1,000 for each dwelling unit on the property shall be made to James City County to be used for CIP projects.

Staff Comments: Financial and Management Services has reviewed the Fiscal Impact Statement and concurs with the conclusion that, at build-out, the project would either break even or generate a modest positive fiscal impact.

Housing

The applicant has indicated that the anticipated average sales price will be $275,000 for the 33 of the 36 townhouse units for this development.

Proffers:

- The applicant has proffered a minimum of three units shall be reserved and offered for sale at a sales price at or below $195,000.

Staff Comments: Staff would prefer that the restricted units be offered for sale as affordable units as defined by the County by lowering the maximum sales price of these units.

Public Utilities

Proffers:

- A cash contribution of $844 for each dwelling unit on the property shall be made to the James City Service Authority in order to mitigate impacts on the County from the physical development and operation of the property.
- Appropriate water conservation measures will be developed and submitted to the JCSA for review and approval prior to any site plan approval.

Staff Comments: This site is served by public water and sewer. A preliminary water model will be completed and submitted to JCSA prior to or with the site plan for their approval.

School Facilities

Proffer:

- Total contributions of $4,870 per residential unit are proffered to the County for each residential unit developed on the property.

Staff Comments: According to the Public Facilities section of the Comprehensive Plan, Action No. 4 encourages through the rezoning, special use permit or other development processes (1) evaluation of the adequacy of facility space and needed services when considering increasing development intensities and (2) encouraging the equitable participation by the developer in the provision of needed services. With respect to item (1), the Board of Supervisors has adopted the adequate public school facilities policy. With respect to item (2), the County has identified methods for calculating cash proffer amounts for schools, recreation and water supply facilities.

Powhatan Terrace is located within the Rawls Byrd Elementary School, Berkeley Middle School, and Lafayette High School districts. Under the proposed Master Plan, 36 units are proposed. Per the adequate public school facilities policy all special use permit or rezoning applications should meet the policy for adequate public school facilities. The policy adopted by the Board uses the design capacity of a school, while the Williamsburg-James City County schools recognize the effective capacity as the means of determining student capacities. With respect to the policy, the following information is offered by the applicant:

School	Design Capacity	Effective Capacity	2005 Enrollment	Projected Students Generated	Enrollment + Projected Students

Rawls Byrd Elementary	638	524	850	2.6	853
Berkeley Middle	725	816	890	1.5	892
Lafayette High	1,250	1,230	1,702	1.9	1,704

Based on the information provided by the applicant, both design and effective capacities are exceeded at Rawls Byrd Elementary School, Berkeley Middle School, and Lafayette High School. Although the design capacity of all three schools are clearly exceeded, the policy states that if physical improvements have been programmed through the County CIP then the application will meet the policy guidelines. A new middle school is scheduled to open in 2009; therefore staff believes this proposal meets the policy guidelines for the middle school level. Matoaka Elementary School and Warhill High School opened in September 2007and staff believes that with the opening of the eighth elementary school and third high school, this proposal meets the policy guidelines for the high school level.

Staff contacted the Williamsburg-James City County School district to obtain updated student enrollment figures for the three schools that would serve Powhatan Terrace. As of September 18, 2007, the student enrollment for the three schools was: Rawls Byrd Elementary – 469 students, Berkeley Middle School – 827 students, and Lafayette High School – 1,272 students.

Parks and Recreation

Proffer:

- The applicant has proffered to provide the recreational areas shown on the Master Plan along with other recreational facilities, if necessary, that meet the standards in the County's Recreational Master Plan. In lieu of such recreational facilities, the applicant has proffered to make cash contributions to the County in an amount determined pursuant to the County's Recreational Master Plan. All cash contributions for this proffer shall be used by the County for recreational capital improvements.

Staff Comments: The master plan indicates a passive recreational area, a 0.5 acre park, a mulch trail, and a 2,500-square-foot playground.

Transportation

A traffic impact study was not required because the proposed project would not generate more than 100 peak hour trips. According to the trip generation rates, the proposed townhouse units will generate approximately 16 AM peak hour vehicle trips, approximately 19 PM peak hour vehicle trips and approximately 211 daily trips.

2005 Traffic Counts: Approximately 9,297 vehicles per day in this area of Jamestown Road.

2026 Volume Projected: 10,000 vehicles per day on a two-lane road.

Road Improvements: A left-turn lane and right-turn taper will likely be required on Route 31 based on existing volumes and anticipated site trip generation.

Proffers:

- There will be one entrance into the property to and from Jamestown Road. The applicant has proffered a northbound left-turn lane with a taper and transition and a southbound right-turn taper at the entrance to the property. The turn lanes will be constructed in accordance with VDOT standards and shall be completed prior to the issuance any certificates of occupancy.

VDOT Comments: VDOT agreed on the technical merits of the study and the general conclusions after reviewing the Master Plan and the traffic impact analysis. Their preliminary analysis indicates that warrants for a left-turn lane will be marginal based on existing PM peak hour volumes on Jamestown Road. However, due to periodic heavy opposing volumes from the ferry operations to the north, VDOT recommends that a northbound left-turn lane at the site entrance be constructed. VDOT also recommends that all improvements at the site entrance shall incorporate the existing shoulder bike lane.

Staff Comments: Staff concurs with VDOT. Staff notes, however, that the new turn lane will have impacts on the appearance of Jamestown Road. Jamestown Road currently has sufficient capacity to accommodate the development west of Neck O'Land Road, with volumes ranging from 7,072 to 10,100

vehicles per day. However the section east of Neck O'Land Road is in the "watch" category due to projected volumes above the road's capacity. The Comprehensive Plan states that "Residential or commercial developments that add significant traffic along this corridor beyond that currently planned is strongly discouraged" in recognition that more intensive development will negatively impact all of Jamestown Road. Despite the site's LB and R-2 zoning, it was deliberately designated for low-density residential use in the Comprehensive Plan due to traffic concerns on Jamestown Road. Staff believes that the intent of the Comprehensive Plan is to encourage developments that have less of a traffic impact than those uses permitted by existing zoning and more akin to the uses supported by the Low Density Residential land use description. Staff believes that one of the public benefits of this proposal will be the lessened volume of traffic created on Jamestown Road compared to the volume of traffic that may be generated by other potential uses on the property. Powhatan Terrace is predicted to produce 211 daily trips on Jamestown Road. By comparison, a by-right development consisting of 9,999 square feet of retail space and 11 single-family dwelling units is predicted to produce up to 549 daily trips on Jamestown Road. If the property was designed to accommodate the maximum Comprehensive Plan density of four dwelling units per acre, the site could generate up to 616 trips per day.

COMPREHENSIVE PLAN

Land Use Map

Designation	*Low Density Residential (Page 120):* Examples of acceptable land uses within the Low Density Residential designation include single-family homes, duplexes, cluster housing, recreation areas, schools, churches, community-oriented public facilities, and very limited commercial establishments. *Conservation Area (Page 129):* Examples of preferred land uses within the Conservation Area designation include fish and game preserves, parks and other open space that complement the natural environment.
	Staff Comment: The Comprehensive Plan identifies the land across from the Grace Covenant Baptist Church as an area which has inconsistencies between their Zoning and Land Use Map designations. These parcels include the site (partially zoned LB, Limited Business) and TK Oriental (zoned LB, Limited Business). The zoning was determined prior to or without recognition of the County's Land Use Map. Unlike the zoning for these parcels, the Comprehensive Plan designation for these parcels was deliberate after considerable analysis. It recognizes adjacent land uses, traffic conditions, zoning and a variety of other considerations. Given the traffic concerns and the fact that this area is predominantly residential in character, the low density residential designation is appropriate for this area and should remain unchanged.
Development Standards	*General Land Use Standard #1 (Page 134):* To permit new development only where such developments are compatible with the character of adjoining uses and where the impact of such new developments can be adequately addressed. *General Land Use Standard #4 (Page 134):* To ensure protection of sensitive resources areas such as watersheds, historic, and archaeological resources, through the use of better site design, buffers and screening. *General Land Use Standard #7 (Page 134):* Require underground utilities in new developments. *Residential Land Use Standard #1 (Page 137):* Ensure that gross housing densities are compatible with the local environment, the scale and capacities of public services, facilities and utilities available or planned, and the character of development in the vicinity. *Residential Land Use Standard #6 (Page 137):* Locate residential development on internal roads as both an aesthetic and safety measure.
	Staff Comment: The Powhatan Terrace project is compatible in size and scale to the neighboring Raleigh Square and provides a transitional area between moderate density residential development and the commercial development of TK Oriental. The front six acres of Raleigh Square has a density of 8.2 dwelling units per acre and contains 47 two-story attached units and two single-family detached dwellings. Appropriate environmental and Community Character Corridor buffers have been provided with this application. All new utilities will be placed underground. The 11.8 acres currently zoned R-2, General Residential, and the 4.7 acres currently zoned LB, Limited Business

	are both designated Low Density Residential on the Comprehensive Plan due to traffic concerns along this section of Jamestown Road.
Goals, Strategies and Actions	*Strategy #2 (Page138):* Ensure development is compatible in scale, size, and location to surrounding existing and planned development. *Strategy #3 (Page 138):* Ensure that all land uses are located at appropriate sites in the Primary Service Area. *Strategy #6 (Page 138):* Promote the use of land consistent with the capacity of existing and planned public facilities and services. *Action #1 (Page 139):* Provide for low-density and moderate density residential development in appropriate locations inside the Primary Service Area.
	Staff Comment: The Powhatan Terrace project is compatible in size and scale to the neighboring Raleigh Square and provides a transitional area between moderate density residential development and commercial development. The Powhatan Terrace property is located inside the PSA. The 11.8 acres currently zoned R-2, General Residential, and the 4.7 acres currently zoned LB, Limited Business, are both designated Low Density Residential on the Comprehensive Plan due to traffic concerns along this section of Jamestown Road.

Parks and Recreation

Goals, Strategies and Actions	*Strategy #9 (Page 39):* Encourage new developments to proffer neighborhood and park facilities and trails as outlined in the Parks and Recreation Master Plan. *Action #4 (Page 39):* New development should dedicate right-of-way and provide sidewalks, bikeways, and greenway trails for both transportation and recreational purposes.
	Staff Comment: The master plan indicates a passive recreational area, a 0.5 acre park, a mulch trail and a 2,500-square-foot playground, which is consistent with the Parks and Recreation Master Plan.

Environment

General	*Natural Resources Protection and Management, Powhatan Watershed Management Plan (Page 47) and Action #18 (Page 67):* To fully implement the watershed protection and restoration goals and priorities identified in the Powhatan Creek Watershed Management Plan re-adopted by the Board of Supervisors on October 10, 2006.
	Staff Comment: Staff believes that the applicant has met the intention of the Powhatan Creek Watershed Management Plan, believes that the proposal provides unusual environmental protection through several potential LID locations and adequately protects perennial and intermittent streams on the property.
Goals, Strategies and Actions	*Strategy # 1 (Page 65):* Utilize existing techniques and develop new regulations and non-regulatory techniques to preserve the County's environmental quality. *Strategy # 2 (Page 65):* Assure that new development minimizes adverse impacts on the natural and built environment. *Action # 5 (Page 65):* Encourage the use of Better Site Design, Low Impact Development, and Best Management Practices (BMPs) to mitigate adverse environmental impacts by reducing the rate of increase of impervious cover. *Action # 18 (Page 67):* Fully implement the watershed protection and restoration goals and priorities identified in the Powhatan Creek Watershed Management Plan re-adopted by the Board of Supervisors on October 10, 2006. *Action #23 (Page 67):* Encourage residential and commercial water conservation.
	Staff Comment: Appropriate wetland buffers have been provided and there are several LID sites shown on the binding Master Plan. Staff believes that the applicant has met the intention of the Powhatan

	Creek Watershed Management Plan, believes that the proposal provides unusual environmental protection through several potential LID locations and adequately protects perennial and intermittent streams on the property. Water conservation standards have been proffered by the applicant.

Transportation

General	*Roadway Components of County Transportation Planning, Jamestown Road (Page 76):* Although traffic volume projections warrant the widening portions of Jamestown Road to a divided four-lane, the Comprehensive Plan recommends that this road be maintained as a two-lane facility. Residential or commercial development that adds significant traffic along this corridor beyond that currently planned is strongly discouraged.
	Staff Comment: The current proposal will produce an estimated 211 daily trips on Jamestown Road. This estimate is less than what may be produced with a by-right commercial development in conjunction with residential development on this property.
Goals, strategies and actions	*Goal #2 (Page 80):* Ensure that the transportation system supports a land use pattern that is consistent with the Comprehensive Plan. *Strategy #5 (Page 80):* Support the provision of sidewalks and bikeways in appropriate areas. *Action #5 (Page 81):* Encourage land use densities, intensities, and development patterns that recognize the capacities, roadway functional classification, and scenic corridor designations of existing and proposed roads. *Action #15 (Page 82):* Encourage the design of roads that allow automobiles, public transit, pedestrians, and bicyclists to coexist safely on roads and streets in residential and commercial areas.
	Staff Comment: The Comprehensive Plan suggests that the Powhatan Terrace property be developed in accordance with the Low Density Residential standards due to traffic concerns along Jamestown Road. The bike lane along Jamestown Road will be worked into the design of any required road improvements to Jamestown Road and sidewalks will be constructed along the interior roads and along the Jamestown Road frontage.

Community Character

General	*Community Character Corridors (Page 84*): The Comprehensive Plan designates Jamestown Road as a Community Character Corridor, which are roads that promote the rural, natural or historic character of the County. The County acknowledges that views along these roads can have a significant impact on how citizens and visitors perceive the character of the area and believes these roads warrant a high level of protection. This section of Jamestown Road is considered a Suburban Community Character Corridor. The objective of this type of Community Character Corridor is to ensure that the County retains a unique character and does not become simply another example of standard development. The predominant visual character of the Suburban Community Character Corridor should be the built environment and natural landscaping, with parking and other auto-related areas clearly a secondary component of the streetscape. Development in Suburban Community Character Corridors should not replicate standardized designs commonly found in other communities, but rather reflect nearby historic structures, a sensitivity to the history of the County in general and an emphasis on innovative design solutions. The scale and placement of buildings in relation to each other, the street and parking areas should be compatible. In these areas the Community Character Corridor designation suggests enhanced landscaping, preservation of specimen trees and shrubs, berming and other desirable design elements which complement and enhance the visual quality of the corridor.
	Staff Comment: Staff believes the Master Plan and proffers for Powhatan Terrace will adequately protect the Suburban Community Character of Jamestown Road. A 150-foot wide Community Character Corridor buffers enhanced with berms and landscaping has been proffered. Mature trees within the buffer are to be preserved and a streetscape package has been proffered to provide street trees. All new utilities will be placed underground and parking will be located behind the buildings, away from Jamestown Road. The turn lane and taper at the new entrance will widen the pavement along this section of Jamestown Road expanding the scale of the roadway from its current

	appearance.
Goals, Strategies and actions	*Strategy # 2 (Page 95):* Ensure that development is compatible in scale, size, and location to surrounding existing and planned development. *Strategy #3 (Page 95):* Ensure that development along Community Character Corridors and Areas protects the natural views of the area, promotes the historic, rural or unique character of the area, maintains greenbelt networks, and establishes entrance corridors that enhance the experience of residents and visitors. *Strategy #6 (Page 95):* Ensure that all new development blends carefully with the topography and surrounding vegetation, preserving unique formations, greenery, and scenic views. *Action # 8 (Page 96):* Continue to require or encourage the planting of street/curb side streets. *Action #11 (Page 96):* Continue to require underground utilities in all new developments. *Action #24b (Page 97):* Maintain the small town, rural, and natural character by encouraging new developments to employ site and building design techniques that reduce their visual presence and scale. Design techniques include berms, buffers, landscaping and low visibility parking locations.
	Staff Comment: The Powhatan Terrace project is compatible in size and scale to the neighboring Raleigh Square and provides a transitional area between moderate density residential development and commercial development. A 150-foot wide Community Character Corridor buffers enhanced with berms and landscaping has been proffered. Mature trees within the buffer are to be preserved and a streetscape package has been proffered to provide street trees. All new utilities will be placed underground and parking will be located behind the buildings, away from Jamestown Road.

Comprehensive Plan Staff Comments

According to the 2003 Comprehensive Plan, low-density areas are residential developments or land suitable for such developments with gross densities up to one dwelling unit per acre depending on the character and density of surrounding development, physical attributes of the property, buffers, the number of dwellings in the proposed development and the degree to which the development is consistent with the Comprehensive Plan. The Comprehensive Plan states, "In order to encourage higher quality design, a residential development with gross density greater than one unit per acre and up to four units per acre may be considered only if it offers particular public benefits to the community... Depending on the extent of the benefits, developments up to four units per acre will be considered for a special use permit". The R-1, Limited Residential, R-2, General Residential, and the Residential Cluster Development Overlay districts of the Zoning Ordinance specially permit developments with densities greater than one dwelling unit per acre. They are also the only zoning districts that specifically mention the benefits that must be provided in order to achieve densities up to four units per acre.

Staff believes that the proposed master plan with a gross density of 2.18 dwelling units per acre offers sufficient public benefits, such as lessened traffic on Jamestown Road when compared to potential by-right uses, appropriate buffer along a Community Character Corridor, preservation of mature trees along Jamestown Road, parking lots located behind the buildings fronting on Jamestown Road, pedestrian trails, sidewalks, curb and gutter construction, implementation of the County's Archaeology Policy, implementation of the County's Natural Resource Policy, and implementation of the County's Streetscape Guidelines to warrant a density greater than one unit per acre. The project will also remove the underground storage tanks on-site.

While the Comprehensive Plan uses gross acreage to calculate density, the applicant has also provided density calculations for this project with the removal of the land designated as Conservation Area on the Comprehensive Plan. There are 6.3 acres of land designated as Conservation Area, which when removed, leads to a density of 3.53 dwelling units per acre. It should be noted that this density calculation was requested of staff for comparison purposes only.

In accordance with Section 24-549(a) of the Zoning Ordinance, the Board of Supervisors may grant a SUP for residential cluster developments of more than two units per acre, but no more than three units per acre if the developer provides the following ***with staff comments in bold italics***:

1. Implementation of the County's Streetscape Guidelines, ***which has been proffered for Powhatan Terrace.***
2. Implementation of the County's Archaeological Policy, ***which has been proffered for Powhatan Terrace.***
3. Provision of sidewalks along one side of all internal streets, ***which has been proffered for Powhatan Terrace.***
4. Provision of recreation facilities in accordance with the County's Parks and Recreation Guidelines, ***which has been proffered for Powhatan Terrace.***
5. Implementation of the County's Natural Resource Policy, ***which has been proffered for Powhatan Terrace.*** Additionally, the Department of Conservation and Recreation has searched its Biotics Data System for occurrences of natural resources on the property associated with this application. Due to the scope of the activities and the distances to the resources, the Department of Conservation and Recreation does not anticipate that Powhatan Terrace will adversely impact known natural heritage resources in the project area.
6. Provision of pedestrian and/or bicycle trails; ***which have been proffered for Powhatan Terrace.***
7. Construction of curb and gutter design on all streets within the development; ***which has been proffered for Powhatan Terrace.*** This requirement may be waived or modified by the Planning Commission along those segments of road, including the entrance road, where structures are not planned.

In summary, staff believes Powhatan Terrace meets the criteria of the Cluster Overlay District to achieve the requested densities.

RECOMMENDATION

Staff believes this proposal will not negatively impact the surrounding properties. Staff believes the proposed densities meet the intention of the Comprehensive Plan with respect to offering particular public benefits to achieve a density of 2.18 dwelling units per acre. In staff's opinion, the public benefits include: lessened traffic on Jamestown Road when compared to potential by-right uses, appropriate buffer along a Community Character Corridor, preservation of mature trees along Jamestown Road, removal of underground storage tanks, off-site stream restoration money, parking lots located behind the buildings fronting on Jamestown Road, pedestrian trails, sidewalks, curb and gutter construction, implementation of the County's Archaeology Policy, implementation of the County's

Natural Resource Policy, and implementation of the County's Streetscape Guidelines. Based on this information, staff recommends that the Board of Supervisors approved this application with the acceptance of the voluntary proffers.

Matthew J. Smolnik

CONCUR:

O. Marvin Sowers, Jr.

MJS/nb
PwhTerr_032508

ATTACHMENTS:

1. Approved Planning Commission Minutes from October 3, 2007 (submitted with the February 25, 2008, Board packet)
2. Location Map
3. Master Plan dated June 1, 2007 (under separate cover)
4. Community Impact Statement dated September 18, 2007 (submitted with the February 25, 2008, Board packet)
5. Letter from Michael & Kensett Teller dated October 1, 2007 (submitted with the February 25, 2008, Board packet)
6. Email from Lakewood Homeowners Association dated October 3, 2007 (submitted with the February 25, 2008, Board packet)
7. Letter from Friends of Powhatan Creek date stamped October 3, 2007 (submitted with the February 25, 2008, Board packet)
8. Email from Sarah Kadec representing James City County Concerned Citizens; Coalition dated October 3, 2007 (submitted with the February 25, 2008, Board packet)
9. Letter from Andrew Burge and Bronwen Watts date stamped October 3, 2007 (submitted with the February 25, 2008, Board packet)
10. Email from John and Kathy Hornung to John McGlennon dated November 1, 2007 (submitted with the February 25, 2008, Board packet)
11. Proffers (dated February 13, 2008)
12. Resolution

M E M O R A N D U M

DATE: December 6, 2017

TO: The Planning Commission

FROM: Savannah Pietrowski, Senior Planner

SUBJECT: Case No. Z-0004-2017. Powhatan Terrace Proffer Amendment

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On March 25, 2008, the Board of Supervisors rezoned approximately 16.5 acres of land located at 1676 and 1678 Jamestown Road from LB, Limited Business, and R-2, General Residential, to R-2, General Residential, with proffers, and with a Special Use Permit for a Cluster Overlay. Powhatan Terrace was approved for the construction of six 2-story buildings containing a total of 36 townhouse units at a gross density of 2.18 units per acre. The site is currently undeveloped.

Ms. Brandie Weiler of Housing Partnerships, Inc. has submitted a request to amend Condition No. 1 of the adopted Proffers, dated February 13, 2008, made by Investment Properties of Virginia, LLC and Associated Developers, Inc. (Attachment No. 3) to allow rental units within the development. Housing Partnerships, Inc. is requesting this amendment in order to develop Powhatan Terrace as an affordable rental community. There are no other proposed changes to the master plan or other proffered conditions.

The proposed amendment would change Condition No. 1 to read: "*The property shall be developed generally as shown on the Master Plan, with only minor changes thereto that the Development Review Committee determines do not change the basic concept or character of the development. There shall be no more than 36 residential townhouse dwelling units on the Property. All residential units on the Property shall be offered for sale* ***or rental*** *by the developer thereof."*

Section 15.2-2302 of the Code of Virginia (1950), as amended, allows the Board of Supervisors to waive the requirements for a public hearing where such amendments do not affect conditions of use or density. This application does not affect conditions of use or density. As such, the County Attorney's office consulted the Board of Supervisors, and the Board voiced no objection to the applicant's request to consider amending these proffers as a consideration item.

Staff Recommendation:
Staff finds that the requested proffer amendment would be consistent with the recommendations of the Comprehensive Plan adopted in 2015, *"Toward 2035: Leading the Way,"* and the *2035 Strategic Plan* regarding affordable housing. Staff also finds that the requested Proffer amendment would not negatively impact surrounding development. Staff therefore recommends that the Planning Commission recommend approval of the proposed Proffer amendment to the Board of Supervisors.

SP/nb
Z04-17PowhatanTer-mem

Attachments:
1. Location Map
2. Narrative accompanying proffer amendment application
3. Draft Proposed, Proffers dated November 28, 2017
4. Z-0007-2008/MP-0005-2007/SUP-0020-2007, Powhatan Terrace Staff Report
5. Adopted Proffers, dated February 13, 2008
6. Adopted Master Plan
7. Adopted Building Elevations

Low Income Housing Tax Credit Program Information

The low-income housing tax credit was enacted by Congress to encourage new construction and rehabilitation of existing rental housing for low-income households and to increase the amount of affordable rental housing for households whose income is at or below specified income levels. In establishing the tax credit incentive, Congress recognized that a private sector developer may not receive enough rental income from a low-income housing project to: 1) cover the costs of developing and operating the project, and 2) provide a return to investors sufficient to attract the equity investment needed for development. More specifically, the LIHTC is a dollar-for-dollar reduction in tax liability to the owner of a qualified low-income housing development for the acquisition, rehabilitation ("rehab"), or construction of low-income rental housing units. To qualify for tax credits, a development must meet a number of conditions set forth in Section 42 of the Internal Revenue Code (IRC). In particular, the development must provide low-income housing units that meet certain occupancy and rent requirements. After the state allocates tax credits to developers, the developers typically sell the credits to private investors. The private investors use the tax credits to offset taxes otherwise owed on their tax returns. The money private investors pay for the credits is paid into the projects as equity financing. This equity financing is used to fill the gap between the development costs for a project and the nontax credit financing sources, such as mortgages, that could be expected to be repaid from rental income. For a LIHTC project, a minimum of 20% of the units must be occupied by households with incomes at or below 50% of the area median gross income (AMGI), as adjusted for family size; or a minimum of 40% of the units must be occupied by households, with incomes at or below 60% of the AMGI, adjusted for family size. The owner must irrevocably elect to comply with either the 20-50 or the 40-60 tests. The gross rent charged for a low-income unit may not exceed 30% of the household's income. The LIHTC program requires that these rent restrictions remain in place for 30 years.

AGENDA ITEM NO. F.5.

ITEM SUMMARY

DATE: 2/6/2019

TO: The Planning Commission

FROM: Alex Baruch, Senior Planner

SUBJECT: SUP-18-0030. 6446 Richmond Rd. Convenience Store with Gas Pumps (Wawa)

ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Location Map	Backup Material
🗋	Proposed SUP Conditions	Backup Material
🗋	Master Plan	Backup Material
🗋	Master Plan (York County)	Backup Material
🗋	Community Impact Statement and Elevations	Backup Material
🗋	Traffic Study and Supplement Traffic Study	Backup Material
🗋	Mixed Use 2035 Comprehensive Plan Lightfoot Land Use Description.	Backup Material
🗋	Wawa Alternative Canopy Design	Backup Material
🗋	Canopy Elevations and SUP Conditions from Previously Approved Gas Stations with Convenience Stores	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	ComSecretary, Planning	Approved	1/30/2019 - 6:04 PM

SUMMARY FACTS

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

PUBLIC HEARING DATES

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

FACTORS FAVORABLE

1. With the proposed conditions, staff finds the proposal will not impact the surrounding zoning and development.

2. Staff finds the proposal consistent with the designation of Mixed Use on the Comprehensive Plan adopted in 2015, "*Toward 2035: Leading the Way.*"

3. This application passes the Adequate Transportation Facilities Test.

FACTORS UNFAVORABLE

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

SUMMARY STAFF RECOMMENDATION

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

PROJECT DESCRIPTION

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

PLANNING AND ZONING HISTORY

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

SURROUNDING ZONING AND DEVELOPMENT

- Properties surrounding this parcel are zoned B-1, General Business, properties across the street are zoned M1, General Industrial, adjacent properties in York County are zoned GB, General Business. In James City County, all surrounding development is commercial.

- The subject property was developed in 1985/1986 to its current state. Prior to 1985, there was a single family home on the property.

COMPREHENSIVE PLAN

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

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

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

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

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

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

The applicant has also submitted canopy elevations for the gas pump canopy that is located on both the York County and James City County portions of the site. Staff had recommended changes to the canopy elevation height and roofline to the applicant to better align with the community character of the area. Various alternatives of previously constructed Wawa canopies at other locations were discussed in preliminary meetings. Examples of these designs can be found in Attachment No. 8 including an example of the A-frame canopy located in Hampton, VA. Other examples of gas canopies with convenience stores that have been approved over the past two years include the Harris Teeter gas station and convenience store across the street in Lightfoot and the 7-11 adjacent to the Riverside Doctors Hospital on Pocahontas Trail. The elevations for these two gas canopies and their associated conditions can be found in Attachment No. 9. Some examples of the differences between the elevations include an increase in height above the 15' special use permit condition placed in both of the aforementioned cases and out of character roofline compared to the other examples. Staff believes that the A-frame style would be a less intrusive lower profile design with a parapet with has a similar styling to the other approved designs. Staff would be unable to support the development as a whole if it did not meet James City County standards and if it wasn't consistent with the enhanced architectural standards that conform to other gas station canopy designs that have been approved by the Board of Supervisors over the past two years. While the applicant has continued to indicate a desire to construct the canopy as shown in the attached elevation, Condition Nos. 9 and 14 will ensure that final elevations in James City County meet the higher architectural standards due to the proximity to the Community Character Corridor. However, the York County conditions do not state any requirement for enhanced architectural design for the canopy and therefore James City County would not be able to regulate what is built on the York County portion of the site.

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

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

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

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

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

PUBLIC IMPACTS

1. Anticipated Impact on Public Facilities and Services:

   a. *Streets*. The applicant has submitted a traffic impact analysis (TIA) to evaluate the impacts of the proposed development on the public streets and to identify if any improvements are needed to mitigate those impacts. The TIA analyzed the Lightfoot Road/Richmond Road intersection. Based on the analysis the current overall level of service (LOS) would remain at a LOS C under a year 2020 build scenario. The applicant is proposing to extend the left turn lane on eastbound Richmond Road from 275 feet to 325 feet and construct a right turn taper into the project on southbound Lightfoot Road.

      - The new configuration for ingress/egress for this proposal shows only one entrance/exit on Richmond Road with right in right out capability (down from two previously) and one entrance/exit on Lightfoot Road with a pork chop design that allows right in, right out and left out to Lightfoot Road toward Old Mooretown Road.

      - This project passes the Adequate Transportation Facilities Test at this time because the LOS when comparing the 2020 No Build and 2020 Build models are the same due to the model incorporating the signal synchronization.

      - Based on the first version of the traffic study VDOT recommended the following improvements for this proposal. An updated traffic study is being assessed by VDOT based on already existing synchronization of traffic lights that was not in the first traffic study which appear to help with the through lanes on Richmond Road going east and west. Staff will update this report if VDOT provides their analysis prior to the Planning Commission meeting. An access

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

- The Pedestrian Accommodations Master Plan shows a sidewalk for this area along Richmond Road. It appears that a sidewalk is already installed and that the Master Plan indicates that it will be upgraded to a multi-use path.

- Regional Bikeways Master Plan shows a bike lane along Richmond Road as required. This item has been addressed in SUP Condition No. 5. The Pedestrian and Bicycle Accommodations ordinance states that an exception may be granted by the Planning Director if an alternate accommodation is shown on a master plan approved by the Board of Supervisors. Currently the applicant is showing a 10' multi-use path along the Richmond Road frontage.

- The projected LOS for this segment of Richmond Road from the Regional Transportation study shows that the segment of Richmond Road from Croaker Road to Lightfoot Road will continue as a LOS A-C in 2034. The LOS for the segment of Richmond Road from Lightfoot Road to Centerville Road is projected as a LOS F in 2034.

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

2. Anticipated Impact on Environmental/Cultural/Historical:

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

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

3. Anticipated Impact on Nearby and Surrounding Properties:

a. As described above, the properties are surrounded by business zoning.

b. Many of the potential impacts are mitigated through SUP Conditions such as lighting, noise, screening of site features and architectural review.

PROPOSED CONDITIONS

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

STAFF RECOMMENDATION

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

AB/md
SUP18-30Wawa

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

JCC-SUP-18-0030,
6446 Richmond Rd.
Convenience Store with Gas Pumps (Wawa)

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Proposed Special Use Permit Conditions:

1. ***Master Plan:*** This Special Use Permit ("SUP") shall apply to property located at 6446 Richmond Road, which is further identified as James City County Real Estate Tax Map Parcel No. 2430100046 and unaddressed Tax Map Parcel No. 2430100067, (together, the "Property"). The SUP shall be valid for a convenience store of up to 5,850 square feet that sells and dispenses fuel (the "Convenience Store"). All final development plans shall be consistent with the Master Plan entitled, "Wawa 6446 Richmond Road" prepared by The Bay Company, dated January 10, 2019 (the "Master Plan") as determined by the Director of Planning with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. ***Existing Fueling Islands****:* Prior to the issuance of a Certificate of Occupancy for the Convenience Store, all unused gasoline and diesel pumps, canopies and underground fuel tanks shall be removed from the Property.

3. ***Spill Prevention, Control and Countermeasures (SPCC) Plan****:* Prior to the issuance of a Land Disturbing Permit, an SPCC Plan which addresses chemical handling, including but not limited to oil, diesel and gasoline, shall be reviewed and approved by the Director of Stormwater and Resource Protection.

4. ***Internal Pedestrian Accommodations****:* The owner of the Property shall provide internal pedestrian connections to include, but not limited to, wherever sidewalk enters the parking area or crosses any entrance to the Property and shall provide safe connections from the multi-use path shown on the Master Plan to the convenience store. The connections shall be clearly delineated by use of a different color of pavement, brick pavers or some other method shown in a detail on the site plan and determined to be acceptable by the Director of Planning prior to site plan approval. These improvements shall be installed prior to any certificate of occupancy for the convenience store or gas station.

5. ***Bicycle Accommodations***: In accordance with the Regional Bikeway Map, a bike lane shall be shown on the site plan along the Property's Richmond Road frontage and must be guaranteed in a manner acceptable to the County Attorney prior to site plan approval.

6. ***Screening of Site Features****:* All dumpsters and ground-mounted HVAC and mechanical units located on the Property shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan and shall be reviewed and approved by the Director of Planning for consistency with this condition prior to site plan approval.

7. ***Outside Display, Sale or Storage****:* No outside display, sale or storage of merchandise shall be permitted on the Property.

8. ***Intercom and Speaker Noise****:* All intercom and other speaker systems on the Property shall operate in such a manner that they shall not be audible from adjacent properties.

9. ***Architectural Review – Gas Pump Canopy***. The architecture of the canopy, including any columns, shall match the design and exterior building materials of the Convenience Store. The canopy shall have a maximum height of fifteen (15) feet measured from the finished grade to the underside of the canopy or have a pitched A-frame roof structure as shown in Attachment 8, Wawa Alternative Canopy Design. No more than two signs shall be allowed on the canopy. The canopy shall not

include gas pricing signs. The canopy architecture shall be approved by the Director of Planning prior to site plan approval.

10. ***Signage*:** No freestanding signs shall be permitted on the Property.

11. ***Lighting*:** There shall be no light trespass, defined as light intensity measured at .1 footcandle or higher extending beyond any property line or into the public right-of-way unless approved by the Director of Planning. All lights, including any lighting on the canopy, shall have recessed fixtures with no bulb, lens, or globe extending below the casing or the canopy ceiling. Light poles in the parking lot shall not exceed twenty (20) feet in height. The lighting for the Property, to include the canopy lighting, shall be reviewed and approved by the Director of Planning prior to final site plan approval.

12. ***Water Conservation Plan**:* 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 any Certificate of Occupancy for the Project. 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.

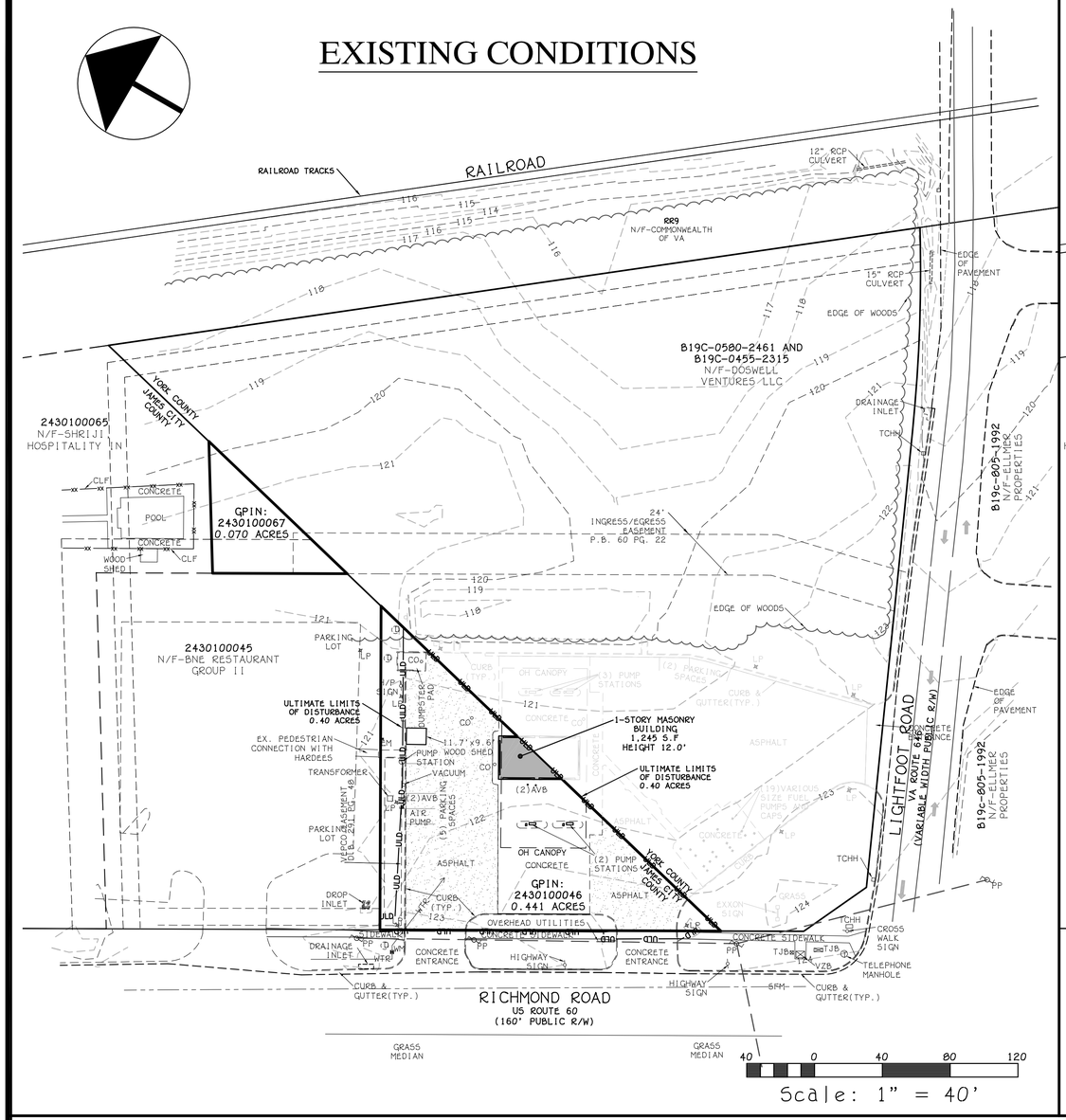
13. ***Traffic Impacts***:

    a. Prior the final site plan approval all recommended improvements and mitigation measures listed within the approved traffic study and access management exception as approved by the Director of Planning and Virginia Department of Transportation shall be guaranteed in a manner acceptable to the County Attorney.

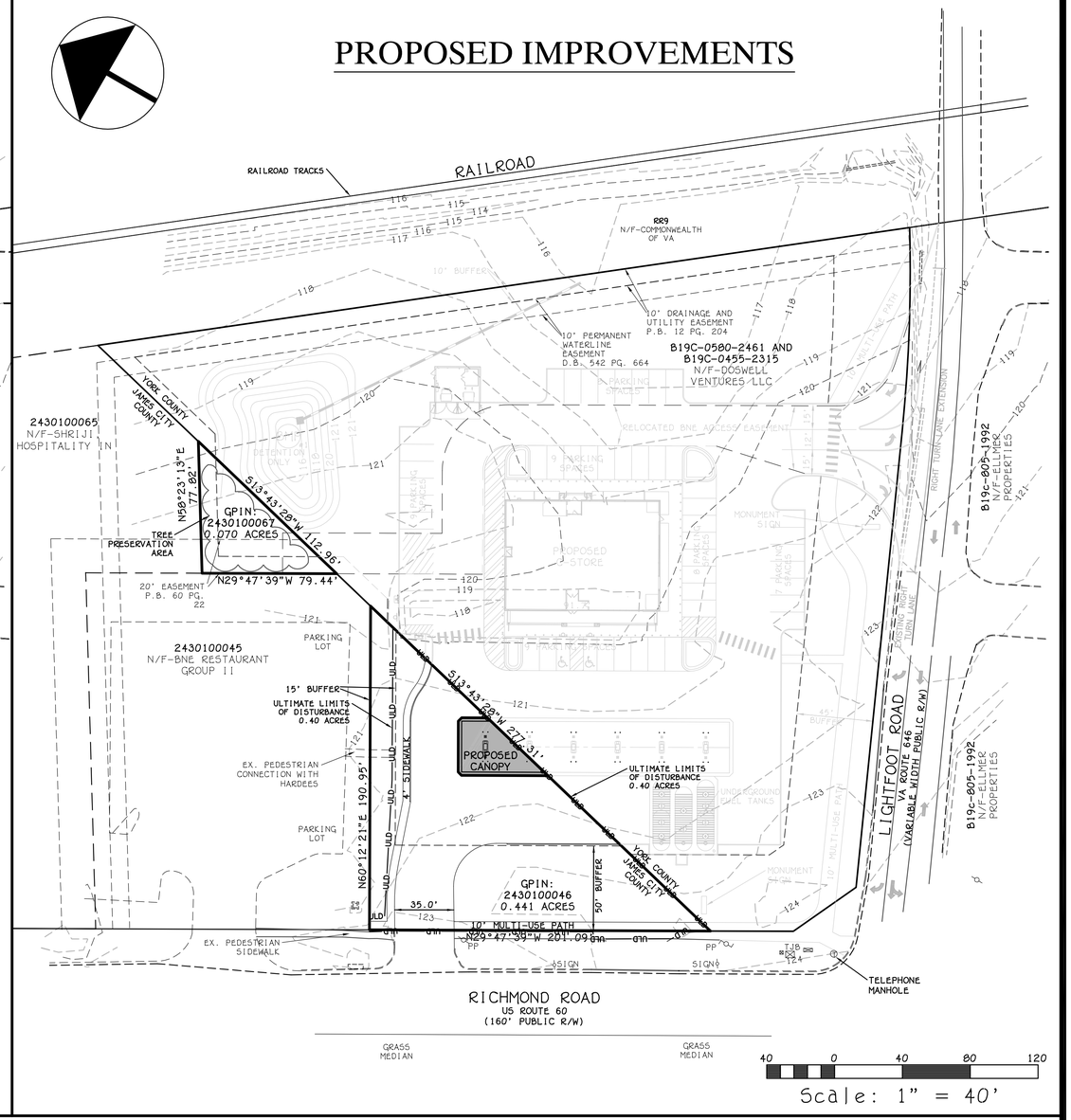
14. ***Commencement for Construction*.** Construction of the canopy shall commence within thirty-six (36) months from the date of approval of this special use permit or this permit shall be void. Construction shall be defined as obtaining building permits, an approved framing inspection for the canopy design approved under Condition No. 9 and an approved footing inspection and/or foundation inspection.

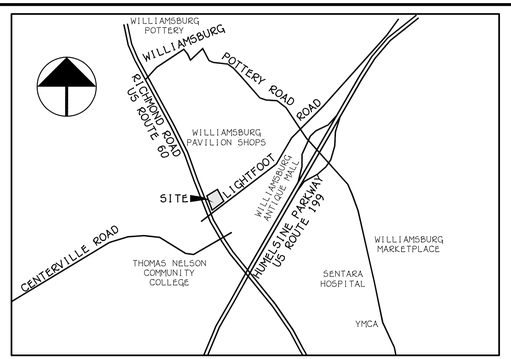
15. ***Severance Clause*.** This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

EXISTING CONDITIONS



PROPOSED IMPROVEMENTS





VICINITY MAP

SCALE: 1"=1000'

NOTE:
REQUIRED LANDSCAPING SHOWN ON LANDSCAPE PLAN SHEET.

NOTE:
THERE SHALL BE NO LIGHT TRESPASS, DEFINED AS LIGHT INTENSITY MEASURED AT 0.1 FOOT CANDLE OR HIGHER EXTENDING BEYOND THE BOUNDARIES OF THE PROPERTY OR INTO THE PUBLIC RIGHT-OF-WAY UNLESS LIGHTING THE PEDESTRIAN ACCOMMODATIONS. ALL LIGHTS, INCLUDING ANY LIGHTING ON THE CANOPY, SHALL HAVE RECESSED FIXTURES WITH NO BULB, LENS OR GLOBE EXTENDING BELOW THE CASING OR THE CANOPY CEILING. LIGHT POLES IN THE PARKING LOT SHOULD NOT EXCEED 20 FEET IN HEIGHT. THE LIGHTING FOR THE PROPERTY, TO INCLUDE THE CANOPY LIGHTING, WILL NEED TO BE REVIEWED AND APPROVED BY THE DIRECTOR OF PLANNING PRIOR TO FINAL SITE PLAN APPROVAL.

SITE STATISTICS (YORK COUNTY):

OWNER:
DOSWELL VENTURES, LLC
1823 N HAMILTON STREET
RICHMOND, VA 23230

ADDRESS:
171 LIGHTFOOT ROAD
WILLIAMSBURG, VA 23188

6446 RICHMOND ROAD
WILLIAMSBURG, VA 23188

ZONED:
GB GENERAL BUSINESS

SITE AREA:
2.58 ACRES

BUILDING SIZE:
6,049 SF

NUMBER OF PUMPS ISLAND(S):
5

GPIN(S):
B19C-058-2461 AND B19C-0455-2315

SITE STATISTICS (JAMES CITY COUNTY):

OWNER:
DOSWELL VENTURES, LLC
1823 N HAMILTON STREET
RICHMOND, VA 23230

ADDRESS:
6446 RICHMOND ROAD
WILLIAMSBURG, VA 23188

ZONED:
B1 GENERAL BUSINESS

SITE AREA:
0.50 ACRES

BUILDING SIZE:
0 SF

NUMBER OF PUMPS ISLAND(S):
1

GPIN(S):
2430100046 AND 2430100067

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FILED: 16015_Zoning (jcc)
DATE: October 4, 2018
REVISED: December 18, 2018
REVISED:
REVISED:

THE BAY COMPANIES
CIVIL ENGINEERS
8500 BELL CREEK ROAD
MECHANICSVILLE, VA 23116
(804) 569-7060
FAX: (804) 569-7061

PROJECT:

Wawa

6446 RICHMOND ROAD

James City County, Virginia

SHEET: Master Plan

SHEET NO: C1

JOB NO. 16015

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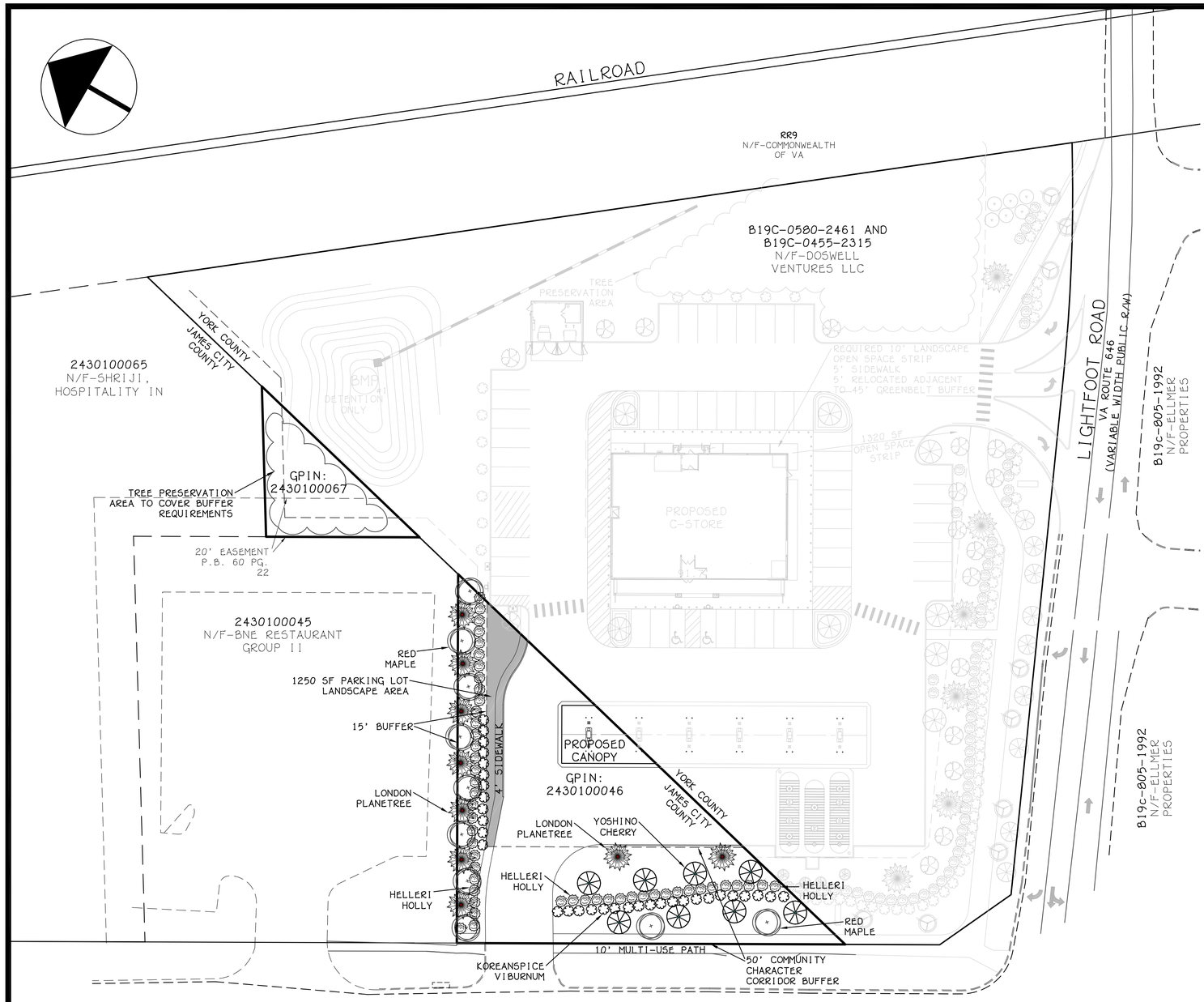


LANDSCAPE REQUIREMENTS				
BUFFER	SQUARE FOOTAGE	REQUIREMENT	REQUIRED	PROVIDED
LANDSCAPE BUFFERS	10,741 SF	1 TREE PER EVERY 400 SF 3 SHRUBS PER EVERY 400 SF	27 TREES 81 SHRUBS	27 TREES 81 SHRUBS
PARKING LOT LANDSCAPE	8,860 SF	MINIMUM 10% LANDSCAPE AREA WITHIN PARKING LOT 1 TREE AND 2 SHRUBS PER EVERY 5 PARKING SPACES	886 SF LANDSCAPE AREA 0 TREES 0 SHRUBS	1250 SF LANDSCAPE AREA 0 TREES 0 SHRUBS

LANDSCAPE DATA

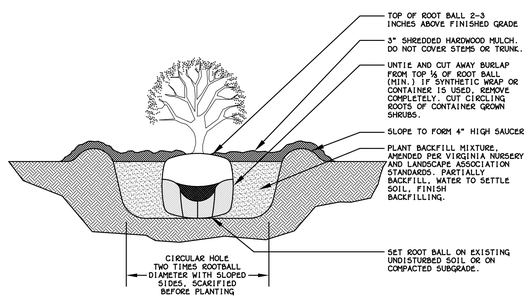
LANDSCAPE BUFFERS

KEY	NUMBER	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	ROOT	STAKING
	10	ACER RUBRUM	RED MAPLE	2.5" CAL	SEE PLAN	B & B	YES
	9	PLATANUS X ACERIFOLIA	LONDON PLANETREE	2.5" CAL	SEE PLAN	B & B	YES
	8	PRUNUS YEDOENSIS	YOSHINO CHERRY	2" CAL	SEE PLAN	B & B	IF NEEDED
	49	ILEX CRENATA	HELLERI HOLLY	18" SPRD	SEE PLAN	CANISTER	—
	32	VIBURNUM CARLESII	KOREANSPICE VIBURNUM	18" SPRD	SEE PLAN	CANISTER	—

LANDSCAPE CONTRACTOR MAY SUBSTITUTE TREE SPECIES DUE TO AVAILABILITY OR OWNER PREFERENCE. REQUIRES COUNTY APPROVAL

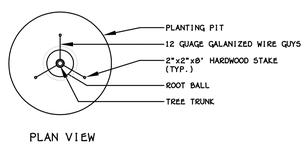
STANDARD LANDSCAPE NOTES

1. ALL TOPSOIL SHALL BE A MINIMUM 4' IN ALL SOD AREAS AND 10' - 12' IN TREE, SHRUB AND GROUND COVER BEDS, INCLUDING PARKING LOT ISLAND BEDS. IT SHALL BE APPROVED BY A WAWA CONSTRUCTION REPRESENTATIVE, PRIOR TO INSTALLATION.
2. PLANTING BEHIND PERPENDICULAR PARKING IS TO BE LOCATED A MINIMUM OF 5' BEHIND THE CURB LINE.
3. ALL LANDSCAPE AND GRASS AREAS ARE TO BE HAND RAKED AND LEFT CLEAR OF ALL STONES, ROCK, CONSTRUCTION DEBRIS AND ANY UNSUITABLE MATERIALS.
4. ALL LANDSCAPE AND GRASS AREAS ARE TO BE IRRIGATED BY AUTOMATIC SPRINKLER SYSTEM. (SEE IRRIGATION SPECIFICATION.)
5. LANDSCAPE CONTRACTOR WILL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION AND PLANTING INSTALLATION.
6. ALL AREAS TO BE LANDSCAPED OR COVERED WITH STONE MUST BE TREATED WITH A PRE-EMERGENCE HERBICIDE (SURFLAN, DACTAL OR APPROVED EQUAL) IN ACCORDANCE WITH APPLICABLE FEDERAL, STATE REGULATIONS AND THE MANUFACTURER'S INSTRUCTIONS.
7. MULCH BEDS ARE TO BE DELINEATED WITH HAND OR MACHINE DUG SHOVEL EDGING.
8. RIVER ROCK BEDS ARE TO BE DELINEATED WITH 5 ½" ALUMINUM LANDSCAPE EDGING, STAKED AT 3' INTERVALS. ALUMINUM EDGING IS TO BE CLEANLINE 3/16" X 5 ½" X 16' BY PERMALOC. (800-356-9660, //WWW.PERMALOC.COM.) FOLLOW MANUFACTURERS INSTALLATION DIRECTIONS INCLUDED AT THE END OF THIS SECTION.
9. LANDSCAPE CONTRACTOR TO SUPPLY AND INSTALL A PERVIOUS WEED BARRIER (DEWITT, DUPONT OR APPROVED EQUAL) IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS WITHIN ALL LANDSCAPES, INCLUDING STONE AND MULCH BEDS. ALL WEED BARRIER WILL BE OVERLAPPED A MINIMUM OF 6" AT ALL SEAMS. AT PLANT LOCATIONS, BARRIER SHOULD BE CUT IN AN 'X' PATTERN SO TO ACCOMMODATE ROOT BALL AND REPLACED AFTER PLANT HAS BEEN INSTALLED.
10. WEED BARRIER SHALL NOT BE VISIBLE IN AREAS DESIGNATED FOR STONE MULCH. WHEN STONE IS CALLED FOR ADJACENT TO CURB OR SIDEWALKS, IT SHALL BE FEATHERED DOWN TO CURB LEVEL FROM A DISTANCE 24" FROM THE CURB.
11. ALL PROPOSED LANDSCAPING TO BE NURSERY GROWN, TYPICAL OF THEIR SPECIES OR VARIETY. THEY ARE TO HAVE NORMAL VIGOROUS ROOT SYSTEMS, FREE FROM DEFECTS AND INFECTIONS AND IN ACCORDANCE WITH ANSI Z60.1
12. ALL PROPOSED PLANTINGS SHOULD BE INSTALLED PER STANDARDS OF THE 'AMERICAN ASSOCIATION OF NURSERYMEN' AND STATE NURSERY/ LANDSCAPE ASSOCIATIONS WITH REGARD TO PLANTING, PIT SIZE, BACKFILL MIXTURE, STAKING AND GUYING.
13. ALL PLANTING CONTAINERS AND BASKETS SHALL BE REMOVED DURING PLANTING. ALL PLANTS SHALL BE SET PLUMB AND POSITIONED SO THAT THE TOP OF THE ROOT COLLAR MATCHES, OR IS NO MORE THAN TWO (2) INCHES ABOVE, FINISHED GRADE. REPLACE AMENDED BACKFILL IN 6-INCH LAYERS AND COMPACT BACKFILL TO ELIMINATE VOIDS. CONTRACTOR SHALL PROVIDE A FOUR-INCH HIGH EARTHEN WATERING SAUCER ALONG THE PERIMETER OF EACH PLANTING PIT. CONTRACTOR SHALL WATER NEWLY PLANTED VEGETATION PRIOR TO MULCHING PLANTING PIT. ALL VOIDS SHALL BE FILLED AND SETTLING MITIGATED AS REQUIRED. ALUMINUM EDGING SHALL BE INSTALLED AROUND ALL PLANTING AREAS TO DELINEATE BETWEEN DIFFERENT LANDSCAPE MATERIALS.
14. AFTER INITIAL WATERING AND PRIOR TO MULCHING, CONTRACTOR SHALL APPLY HERBICIDES AND PRE-EMERGENT HERBICIDES AS REQUIRED TO ELIMINATE ANY WEED SEEDS OR PLANTS PRESENT ON ROOT BALL.
15. ALL PLANTING BEDS AND PITS EXCEPT FOR LANDSCAPE ISLANDS ADJACENT TO THE BUILDING AND DESIGNATED AREA AT THE FUEL VENT STACKS, SHALL BE MULCHED WITH DOUBLE GROUND HARDWOOD MULCH AT A MINIMUM DEPTH OF 3". LANDSCAPE ISLANDS ADJACENT TO THE TANK MAT SHALL BE MULCHED WITH 1"-3" 'RIVER STONE' MULCH TO AT LEAST TO A DISTANCE OF 5' FROM THE TANK MAT AND VENT STACK. FOR LANDSCAPES ADJACENT TO BUILDING, CONTACT PROJECT ENGINEER.
16. TURF SPECIFICATION AND SEEDBED PREPARATION
    A. UNLESS REQUIRED FOR PARTICULAR BMP AREAS, ALL TURF ON WAWA LEASED PREMISES IS TO BE SOD. WHEN REQUIRED FOR BMP'S, SEED MIX IS TO MEET LOCAL REQUIREMENTS. SOD SHALL BE TURF TYPE TALL FESCUE AND INSTALLED ON A MINIMUM OF 4" OF TOPSOIL.
    B. APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TESTS OR FERTILIZER MAY BE APPLIED AT THE RATE OF 260 POUNDS PER ACRE OR 6 POUNDS PER 1000 SQUARE FEET USING 10-20-10 OR EQUIVALENT. IN ADDITION, 300 POUNDS 4-1-2 PER ACRE OR EQUIVALENT OF SLOW RELEASE NITROGEN MAY BE USED IN LIEU OF TOPDRESSING.
    C. WORK LIME AND FERTILIZER INTO THE SOIL AS PRACTICAL TO A DEPTH OF 4-INCHES WITH A DISC, SPRING TOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OR DISCING OPERATION SHOULD PARALLEL TO THE GENERAL CONTOUR. CONTINUE TILLAGE UNTIL A REASONABLE UNIFORM, FINE SEEDBED IS PREPARED. ALL BUT CLAY OR SILTY SOILS AND COARSE SANDS SHOULD BE ROLLED TO FIRM THE SEEDBED WHEREVER FEASIBLE.
    D. INSPECT SEEDBED JUST BEFORE SEEDING. IF TRAFFIC HAS LEFT THE SOIL COMPACTED, THE AREA MUST BE RETILLED AND FIRMED AS OUTLINED BELOW.
17. PLANT MATERIAL SHALL BE GUARANTEED FOR ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETENESS. THE CONTRACTOR SHALL REPLACE PLANTS, DEAD, UNHEALTHY, DYING OR DAMAGED THROUGH LOSS OF BRANCHES AND/OR FOLIAGE. LAWNS THAT ARE NOT IN GOOD CONDITION AT THE END OF THE GUARANTEE PERIOD SHALL BE REPAIRED UNTIL A GOOD LAWN RESULTS. IT IS UNDERSTOOD THAT THE OWNER SHALL ASSUME RESPONSIBILITY FOR WATERING ALL PLANT MATERIAL AND LAWN AREA BEGINNING WITH THE DATE OF SUBSTANTIAL COMPLETENESS.

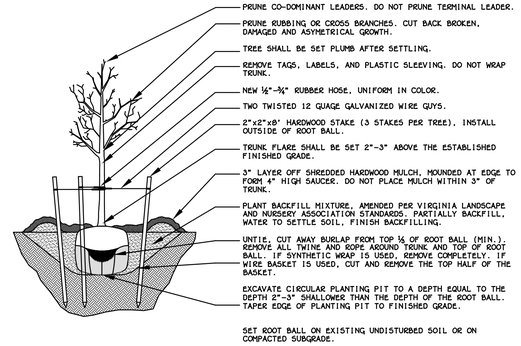


SHRUB PLANTING DETAIL

SCALE: NONE



PLAN VIEW



TREE PLANTING DETAIL

SCALE: NONE

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FILED: 16015_Zoning (jcc)

DATE: October 4, 2018

REVISED: December 18, 2018

REVISED:

REVISED:

THE BAY COMPANIES
CIVIL ENGINEERS
8500 BELL CREEK ROAD
MECHANICSVILLE, VA 23116
(804) 569-7060
FAX: (804) 569-7061

PROJECT:

Wawa

6446 RICHMOND ROAD

James City County, Virginia

SHEET: Landscape Plan

SHEET NO: L1

JOB NO. 16015

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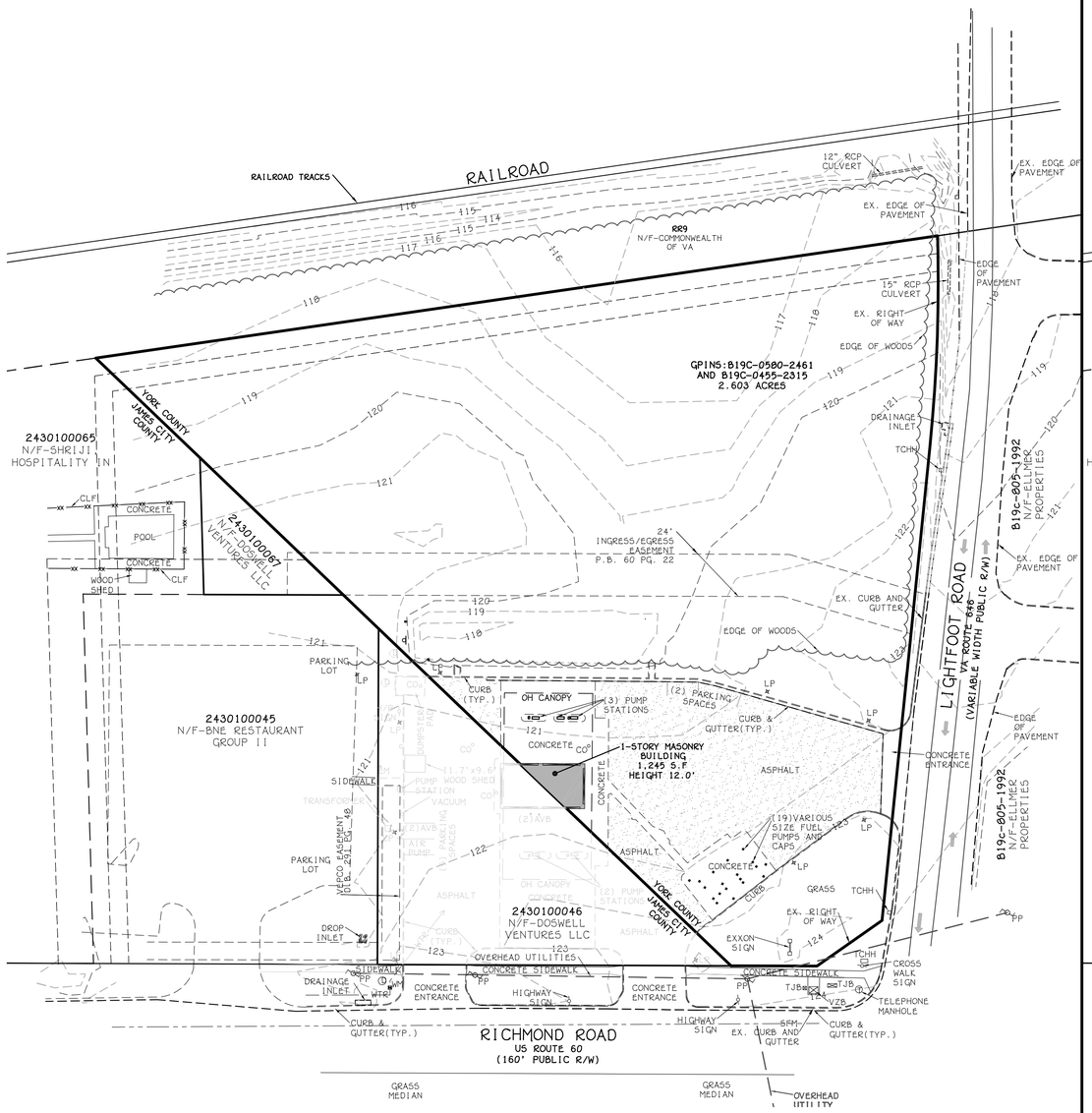
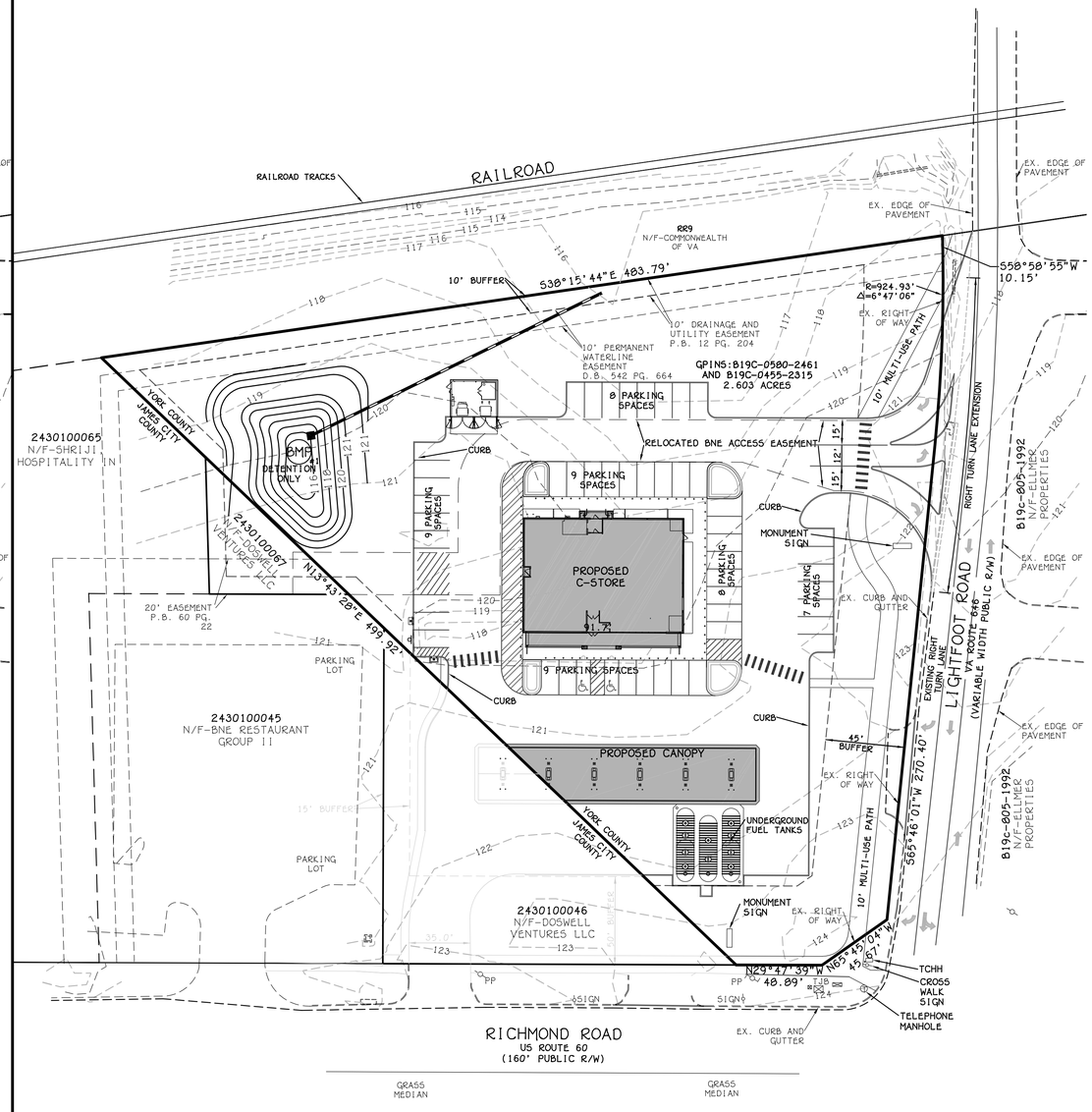
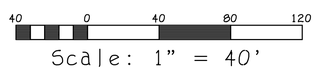
EXISTING CONDITIONS



PROPOSED IMPROVEMENTS





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FILED: 16015_Zoning (york)

DATE: October 4, 2018

REVISED: December 18, 2018

REVISED:

REVISED:

THE BAY COMPANIES
CIVIL ENGINEERS
8500 BELL CREEK ROAD
MECHANICSVILLE, VA 23116
(804) 569-7060
FAX: (804) 569-7061

PROJECT:

Wawa

6446 RICHMOND ROAD

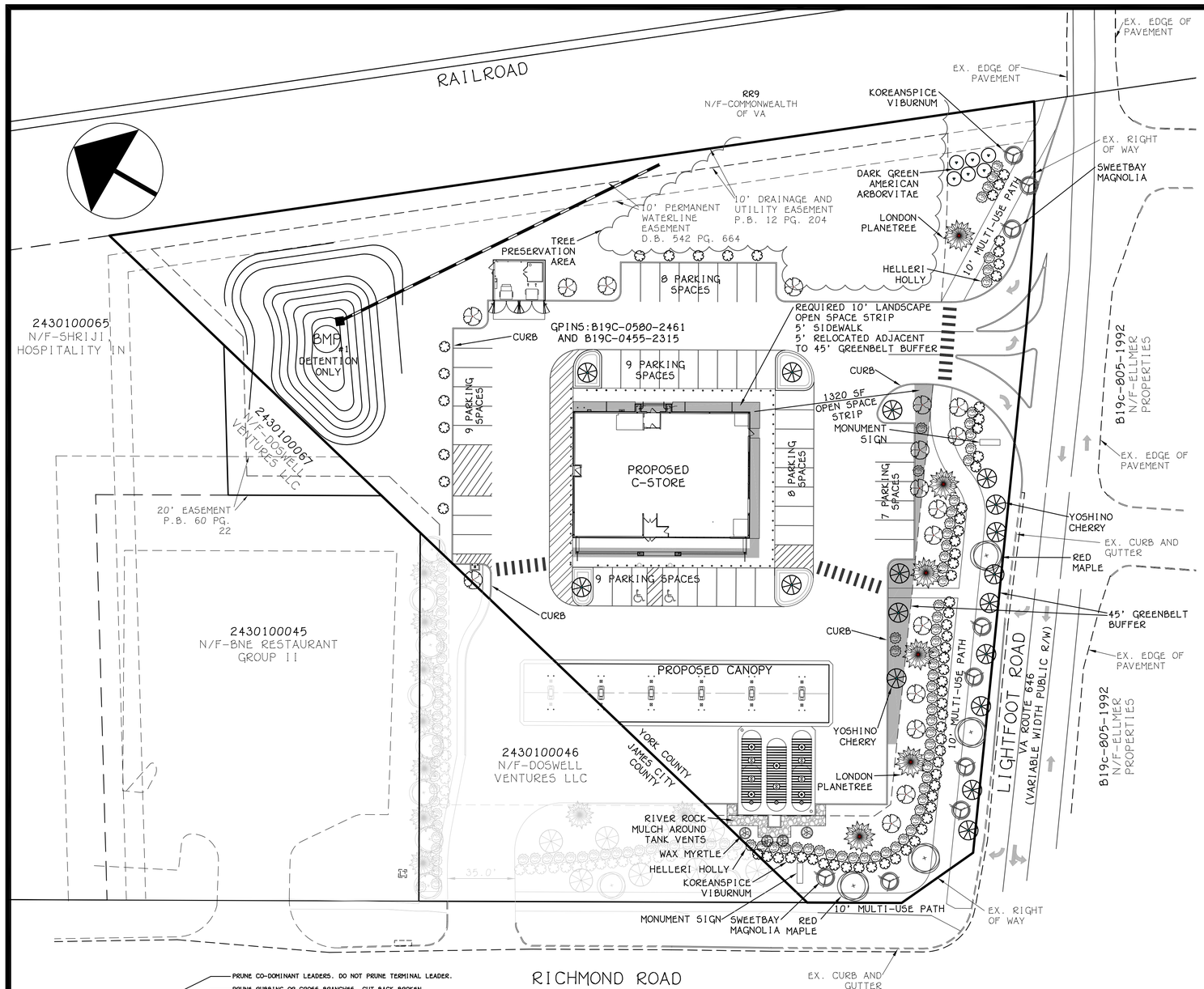
York County, Virginia

SHEET: Master Plan

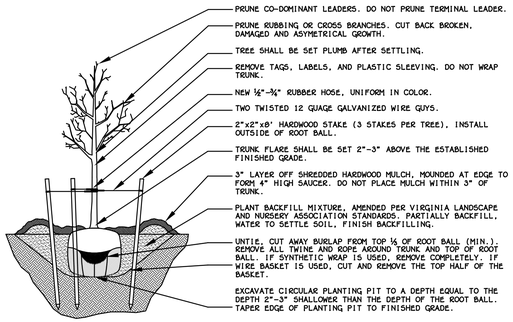
SHEET NO: C1

JOB NO. 16015

www.thebaycompanies.com

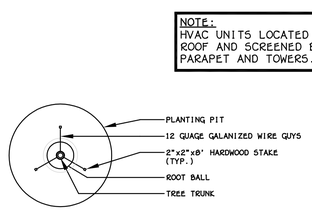


NOTE:
HVAC UNITS LOCATED ON ROOF AND SCREENED BY PARAPET AND TOWERS.

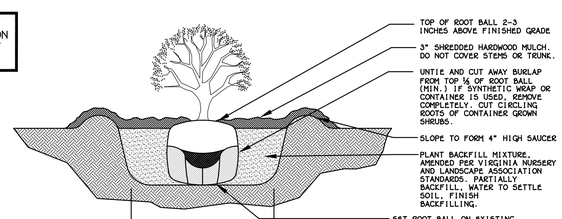


TREE PLANTING DETAIL

SCALE: NONE



PLAN VIEW



SHRUB PLANTING DETAIL

SCALE: NONE

LANDSCAPE REQUIREMENTS				
BUFFER	LENGTH	REQUIREMENT	REQUIRED	PROVIDED
45' GREEN BELT	500 LF	90 LANDSCAPE CREDITS PER 100 LINEAR FEET	500 LF/90 = 450 CREDITS	450 CREDITS
10' BUILDING PERIMETER	253 LF	15 LANDSCAPE CREDITS PER 100 LINEAR FEET	253 LF/15 = 38 CREDITS	38 CREDITS
PARKING LOT	50 SPACES	15 LANDSCAPE CREDITS PER 10 SPACES	50 SPACES/15 = 75 CREDITS	76 CREDITS

LANDSCAPE DATA
45' GREENBELT

KEY	NUMBER	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	ROOT	STAKING	LANDSCAPE CREDIT UNIT VALUE	TOTAL CREDITS
	4	ACER RUBRUM	RED MAPLE	2.5" CAL	SEE PLAN	B & B	YES	6	24
	6	PLATANUS X ACERIFOLIA	LONDON PLANETREE	2.5" CAL	SEE PLAN	B & B	YES	6	36
	8	PRUNUS YEDOENSIS	YOSHINO CHERRY	2" CAL	SEE PLAN	B & B	IF NEEDED	5	40
	9	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	2" CAL	SEE PLAN	B & B	IF NEEDED	5	45
	9	ILEX X ATTENUATA 'FOSTERI'	FOSTER'S HOLLY	2" CAL	SEE PLAN	CANISTER	IF NEEDED	5	45
	6	THUJA OCCIDENTALIS 'NIGRA'	DARK GREEN AMERICAN ARBORVITAE	2" CAL	SEE PLAN	CANISTER	IF NEEDED	5	30
	56	ILEX CRENATA	HELLERI HOLLY	18" SPRD	SEE PLAN	CANISTER	—	2	112
	55	VIBURNUM CARLESII	KOREANSPICE VIBURNUM	18" SPRD	SEE PLAN	CANISTER	—	2	110
	4	MYRICA CERIFERA	WAX MYRTLE	18" SPRD	SEE PLAN	CANISTER	—	2	8
								TOTAL	450

LANDSCAPE CONTRACTOR MAY SUBSTITUTE TREE SPECIES DUE TO AVAILABILITY OR OWNER PREFERENCE. REQUIRES COUNTY APPROVAL

LANDSCAPE DATA
10' BUILDING PERIMETER

KEY	NUMBER	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	ROOT	STAKING	LANDSCAPE CREDIT UNIT VALUE	TOTAL CREDITS
	3	PRUNUS YEDOENSIS	YOSHINO CHERRY	2" CAL	SEE PLAN	B & B	IF NEEDED	5	15
	3	ILEX X ATTENUATA 'FOSTERI'	FOSTER'S HOLLY	2" CAL	SEE PLAN	CANISTER	IF NEEDED	5	15
	4	ILEX CRENATA	HELLERI HOLLY	18" SPRD	SEE PLAN	CANISTER	—	2	8
								TOTAL	38

LANDSCAPE CONTRACTOR MAY SUBSTITUTE TREE SPECIES DUE TO AVAILABILITY OR OWNER PREFERENCE. REQUIRES COUNTY APPROVAL

LANDSCAPE DATA
PARKING LOT

KEY	NUMBER	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	ROOT	STAKING	LANDSCAPE CREDIT UNIT VALUE	TOTAL CREDITS
	5	PRUNUS YEDOENSIS	YOSHINO CHERRY	2" CAL	SEE PLAN	B & B	IF NEEDED	5	25
	5	ILEX X ATTENUATA 'FOSTERI'	FOSTER'S HOLLY	2" CAL	SEE PLAN	CANISTER	IF NEEDED	5	25
	13	VIBURNUM CARLESII	KOREANSPICE VIBURNUM	18" SPRD	SEE PLAN	CANISTER	—	2	26
								TOTAL	76

LANDSCAPE CONTRACTOR MAY SUBSTITUTE TREE SPECIES DUE TO AVAILABILITY OR OWNER PREFERENCE. REQUIRES COUNTY APPROVAL

STANDARD LANDSCAPE NOTES

1. ALL TOPSOIL SHALL BE A MINIMUM 4' IN ALL SOD AREAS AND 10' - 12' IN TREE, SHRUB AND GROUND COVER BEDS, INCLUDING PARKING LOT ISLAND BEDS. IT SHALL BE APPROVED BY A WAWA CONSTRUCTION REPRESENTATIVE, PRIOR TO INSTALLATION.
2. PLANTING BEHIND PERPENDICULAR PARKING IS TO BE LOCATED A MINIMUM OF 5' BEHIND THE CURB LINE.
3. ALL LANDSCAPE AND GRASS AREAS ARE TO BE HAND RAKED AND LEFT CLEAR OF ALL STONES, ROCK, CONSTRUCTION DEBRIS AND ANY UNSUITABLE MATERIALS.
4. ALL LANDSCAPE AND GRASS AREAS ARE TO BE IRRIGATED BY AUTOMATIC SPRINKLER SYSTEM. (SEE IRRIGATION SPECIFICATION.)
5. LANDSCAPE CONTRACTOR WILL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION AND PLANTING INSTALLATION.
6. ALL AREAS TO BE LANDSCAPED OR COVERED WITH STONE MUST BE TREATED WITH A PRE-EMERGENCE HERBICIDE (SURFLAN, DACTAL OR APPROVED EQUAL) IN ACCORDANCE WITH APPLICABLE FEDERAL, STATE REGULATIONS AND THE MANUFACTURER'S INSTRUCTIONS.
7. MULCH BEDS ARE TO BE DELINEATED WITH HAND OR MACHINE DUG SHOVEL EDGING.
8. RIVER ROCK BEDS ARE TO BE DELINEATED WITH 5 ½" ALUMINUM LANDSCAPE EDGING, STAKED AT 3' INTERVALS. ALUMINUM EDGING IS TO BE CLEANLINE 3/16" X 5 ½" X 16' BY PERMALOC. (800-356-9660, //WWW.PERMALOC.COM.) FOLLOW MANUFACTURERS INSTALLATION DIRECTIONS INCLUDED AT THE END OF THIS SECTION.
9. LANDSCAPE CONTRACTOR TO SUPPLY AND INSTALL A PERVIOUS WEED BARRIER (DEWITT, DUPONT OR APPROVED EQUAL) IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS WITHIN ALL LANDSCAPES, INCLUDING STONE AND MULCH BEDS. ALL WEED BARRIER WILL BE OVERLAPPED A MINIMUM OF 6" AT ALL SEAMS. AT PLANT LOCATIONS, BARRIER SHOULD BE CUT IN AN 'X' PATTERN SO TO ACCOMMODATE ROOT BALL AND REPLACED AFTER PLANT HAS BEEN INSTALLED.
10. WEED BARRIER SHALL NOT BE VISIBLE IN AREAS DESIGNATED FOR STONE MULCH. WHEN STONE IS CALLED FOR ADJACENT TO CURB OR SIDEWALKS, IT SHALL BE FEATHERED DOWN TO CURB LEVEL FROM A DISTANCE 24" FROM THE CURB.
11. ALL PROPOSED LANDSCAPING TO BE NURSERY GROWN, TYPICAL OF THEIR SPECIES OR VARIETY. THEY ARE TO HAVE NORMAL VIGOROUS ROOT SYSTEMS, FREE FROM DEFECTS AND INFECTIONS AND IN ACCORDANCE WITH ANSI Z60.1
12. ALL PROPOSED PLANTINGS SHOULD BE INSTALLED PER STANDARDS OF THE 'AMERICAN ASSOCIATION OF NURSERYMEN' AND STATE NURSERY/ LANDSCAPE ASSOCIATIONS WITH REGARD TO PLANTING, PIT SIZE, BACKFILL MIXTURE, STAKING AND GUYING.
13. ALL PLANTING CONTAINERS AND BASKETS SHALL BE REMOVED DURING PLANTING. ALL PLANTS SHALL BE SET PLUMB AND POSITIONED SO THAT THE TOP OF THE ROOT COLLAR MATCHES, OR IS NO MORE THAN TWO (2") INCHES ABOVE, FINISHED GRADE. REPLACE AMENDED BACKFILL IN 6-INCH LAYERS AND COMPACT BACKFILL TO ELIMINATE VOIDS. CONTRACTOR SHALL PROVIDE A FOUR-INCH HIGH EARTHEN WATERING SAUCER ALONG THE PERIMETER OF EACH PLANTING PIT. CONTRACTOR SHALL WATER NEWLY PLANTED VEGETATION PRIOR TO MULCHING PLANTING PIT. ALL VOIDS SHALL BE FILLED AND SETTLING MITIGATED AS REQUIRED. ALUMINUM EDGING SHALL BE INSTALLED AROUND ALL PLANTING AREAS TO DELINEATE BETWEEN DIFFERENT LANDSCAPE MATERIALS.
14. AFTER INITIAL WATERING AND PRIOR TO MULCHING, CONTRACTOR SHALL APPLY HERBICIDES AND PRE-EMERGENT HERBICIDES AS REQUIRED TO ELIMINATE ANY WEED SEEDS OR PLANTS PRESENT ON ROOT BALL.
15. ALL PLANTING BEDS AND PITS EXCEPT FOR LANDSCAPE ISLANDS ADJACENT TO THE BUILDING AND DESIGNATED AREA AT THE FUEL VENT STACKS, SHALL BE MULCHED WITH DOUBLE GROUND HARDWOOD MULCH AT A MINIMUM DEPTH OF 3". LANDSCAPE ISLANDS ADJACENT TO THE TANK MAT SHALL BE MULCHED WITH 1"-3" 'RIVER STONE' MULCH TO AT LEAST TO A DISTANCE OF 5' FROM THE TANK MAT AND VENT STACK. FOR LANDSCAPES ADJACENT TO BUILDING, CONTACT PROJECT ENGINEER.
16. TURF SPECIFICATION AND SEEDBED PREPARATION
    A. UNLESS REQUIRED FOR PARTICULAR BMP AREAS, ALL TURF ON WAWA LEASED PREMISES IS TO BE SOD. WHEN REQUIRED FOR BMP'S, SEED MIX IS TO MEET LOCAL REQUIREMENTS. SOD SHALL BE TURF TYPE TALL FESCUE AND INSTALLED ON A MINIMUM OF 4" OF TOPSOIL.
    B. APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TESTS OR FERTILIZER MAY BE APPLIED AT THE RATE OF 260 POUNDS PER ACRE OR 6 POUNDS PER 1000 SQUARE FEET USING 10-20-10 OR EQUIVALENT. IN ADDITION, 300 POUNDS 4-1-2 PER ACRE OR EQUIVALENT OF SLOW RELEASE NITROGEN MAY BE USED IN LIEU OF TOPDRESSING.
    C. WORK LIME AND FERTILIZER INTO THE SOIL AS PRACTICAL TO A DEPTH OF 4-INCHES WITH A DISC, SPRING TOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OR DISKING OPERATION SHOULD PARALLEL TO THE GENERAL CONTOUR. CONTINUE TILLAGE UNTIL A REASONABLE UNIFORM, FINE SEEDBED IS PREPARED. ALL BUT CLAY OR SILTY SOILS AND COARSE SANDS SHOULD BE ROLLED TO FIRM THE SEEDBED WHEREVER FEASIBLE.
    D. INSPECT SEEDBED JUST BEFORE SEEDING. IF TRAFFIC HAS LEFT THE SOIL COMPACTED, THE AREA MUST BE RETILLED AND FIRMED AS OUTLINED BELOW.
17. PLANT MATERIAL SHALL BE GUARANTEED FOR ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETENESS. THE CONTRACTOR SHALL REPLACE PLANTS, DEAD, UNHEALTHY, DYING OR DAMAGED THROUGH LOSS OF BRANCHES AND/OR FOLIAGE. LAWNS THAT ARE NOT IN GOOD CONDITION AT THE END OF THE GUARANTEE PERIOD SHALL BE REPAIRED UNTIL A GOOD LAWN RESULTS. IT IS UNDERSTOOD THAT THE OWNER SHALL ASSUME RESPONSIBILITY FOR WATERING ALL PLANT MATERIAL AND LAWN AREA BEGINNING WITH THE DATE OF SUBSTANTIAL COMPLETENESS.

PARKING SCHEDULE:

SPACES REQUIRED = 1 SPACE PER 200 SF OF GROSS FLOOR AREA
6049 SF OF FLOOR AREA PROPOSED
6049 SF/ 200 SF PER SPACE = 31 SPACES REQUIRED

SPACES PROVIDED = 50 SPACES
2 HANDICAP SPACES
48 STANDARD SPACES

ALL SPACES ARE 10'x20' IN SIZE

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THE BAY COMPANIES
CIVIL ENGINEERS
8500 BELL CREEK ROAD
MECHANICSVILLE, VA 23116
(804) 569-7060
FAX: (804) 569-7061

PROJECT:
Wawa
6446 RICHMOND ROAD
York County, Virginia

SHEET:
Landscape Plan

SHEET NO:
L1

JOB NO. 16015

www.thebaycompanies.com

James City County Community Impact Statement

December 18, 2018

Wawa (6446 Richmond Road)

1. Traffic study
   a. Provided in separate report.

2. Water and sewer impact study
   a. Project falls below the 15,500 gpd threshold. Not required.

3. Environmental Constraints Analysis
   a. Hydrologic Features
      i. Location of all bodies of water such as streams, ponds, lakes, impoundments, rivers; **No bodies of water, ponds, lakes, impoundments, rivers exist on site.**
      ii. Name of watershed in which the project is located; **Site lies with the Yarmouth Creek (JL28) and Skimino Creek (YO65) watersheds.**
      iii. Approximate location of tidal and non-tidal wetlands (e.g. sinkholes, wetland, springs, seeps, etc); **No tidal or non-tidal wetlands exist on site.**
      iv. Approximate location of perennial and intermittent streams; **No perennial or intermittent streams exist on site**
      v. Description of receiving streams; **No stream directly receives outfall. Water is discharged to ditch along railroad which ultimately outfalls to Skimino Creek.**
      vi. Floodplain delineation for 100 and 500-year storm events including tidal flooding, if applicable; **N/A, site lies within zone "X" per community panel No. 51095C0109D,**
   b. Physical Features
      i. Approximate location of steep slopes greater than 25 percent based on county GIS or better source (all sources must be referenced). The scale for which this shall be provided is at the discretion of the engineering and resource protection director; **No steep slopes exist on site. Topography based on field survey performed by The Bay Companies on August 1, 2017.**
      ii. Soils, especially prime agricultural lands and hydrologic soil groups (HSG) A&B, based on the county soil survey. **There are HSG soil group A (Kempsville Emporia fine sandy loam) and HSG soil group C (Slagle fine sandy loam) on site.**
      iii. Soils erodability based on the county soils survey; **There is low risk of soil erodability on site. K factor is 0.28 for all soils.**
      iv. Areas of forest, woodland cover and wildlife corridors; **Shown above and labeled as edge of woods on Master Plan.**
      v. Pre-developement topography based on county GIS or alternate source approved by the engineering and resource protection director (all sources must be referenced); **Topography based on field survey performed by the bay companies on August 1, 2017.**

c. Prohibited or Restricted Development Areas
   i. Location of required buffers and existing conservation easements; **Shown above and labeled on Mater Plan.**
   ii. Sites with known populations of rare, threatened or endangered species of plants or animals per studies done in accordance with the national resource policy; **No known populations of rare threatened or endangered species of plants or animals exist on site.**
   iii. Location of trees to be preserved in accordance with the Chesapeake Bay preservation ordinance; **Shown above and labeled as tree preservation area on Master Plan.**
   iv. Preliminary location of resource protection areas and legal wetlands; **No resource protection area or legal wetlands exist on site.**

d. Existing and Proposed Changes to the Site
   i. The nature of existing and approved but not yet built development(s) on the site; **Shown and labeled on Master Plan.**
   ii. Location of surrounding properties and neighborhoods; **Shown and labeled on Master Plan.**
   iii. Proposed limit of disturbance and a disturbance area estimate; **Ultimate limits of disturbance with estimated area shown on Mater Plan.**
   iv. Calculation of existing and proposed pervious and impervious areas (e.g. parking areas, roads, sidewalks, buildings, etc); **Calculations provided below.**

Existing:
Impervious = 0.354 acres
Pervious = 0.157 acres
Site = 0.511 acres

Proposed:
Impervious = 0.213 acres
Pervious = 0.298 acres
Site = 0.511 acres

   v. If used, description of better site design or low impact development techniques (e.g. pervious pavement, walks, infiltration areas. Etc.); **Low impact development not in use for this site.**
   vi. Description of how disturbance is being minimized, indigenous vegetation is being preserved, and impervious cover is being reduced; D**isturbance is being minimized and indigenous vegetation is being preserved by proposed improvements replacing already disturbed areas. See chart below showing impervious cover reduction.**
   vii. Proposed conceptual stormwater management plan, including pre and post-development discharge analysis. **Impervious cover is decreased post development. Pre developed impervious is 0.35 acres. Post developed is 0.21 acres. A stormwater management detention basin is proposed to capture runoff from combined parcels and detained to a level consistent with the energy balance equation based on the 1 year 24 hour storm.**

e. Narritive Analysis of Environmental Constraints and Recommended Environmental Measures to Conform with the Proposed Environmental Analysis
    i. Constraints: **Environmental constraints are limited to maintaining proper erosion control measures.**
    ii. Measures: **Measures used during construction include construction entrance, silt fence, silt basin, temporary seeding, permanent seeding, diversions, and/or outlet protection. These measure will be provided to maintain site stability and prevent sediment laden runoff.**

4. Adequate public facilities analysis (water, sewer, schools, fire stations, libraries)
    a. Water - An existing, public 12" watermain traverses the NE side of the site. An existing water service lateral extends to the site (along Richmond Road) as the current domestic water source.
    b. Sewer - An existing on-site private pump station ties to a public gravity sewer NW of the site, along Richmond Road.
    c. Schools - Site is non-residential. Does not apply.
    d. Fire
        i. JCC Fire Station #4 is approximately 2 miles south of the site.
        ii. James City-Bruton Vol. Fire Station is approximately 4 miles NW of the site.
        iii. York County Fire Station #5 is approximately 2 miles NE of the site.
    e. Libraries - Site is non-residential. Does not apply.

5. Identification of any new on-site and off-site public facilities or services required
    a. On-site
        i. Water - We will make a connection to the existing 12" watermain to provide an on-site waterline extension, and fire hydrants (meeting ISO requirements) around the perimeter of the site. No off-site improvements are anticipated.
    b. Off-site
        i. An extension to the existing southbound right turn lane will be provided along Lightfoot Road, terminating at the railroad right-of-way.
        ii. A 75' extension to the existing eastbound left turn lane on Richmond Road will be constructed.
        iii. The existing entrance on Lightfoot road will be closed and a new entrance will be constructed 180' further to the north, from the Richmond Road/Lightfoot Road intersection.
        iv. The closest existing entrance on Richmond Road (to the Richmond/Lightfoot intersection) will be closed and the existing entrance at the western property line will be the access onto Richmond Road.

6. Phase 1 Archaeological study
    a. Not required. Site does not fall within the JCC study area.

7. Environmental inventory

a. Not required. Site does not fall within the JCC study area.

8. Parks and recreation information
   a. Site is non-residential. Does not apply.

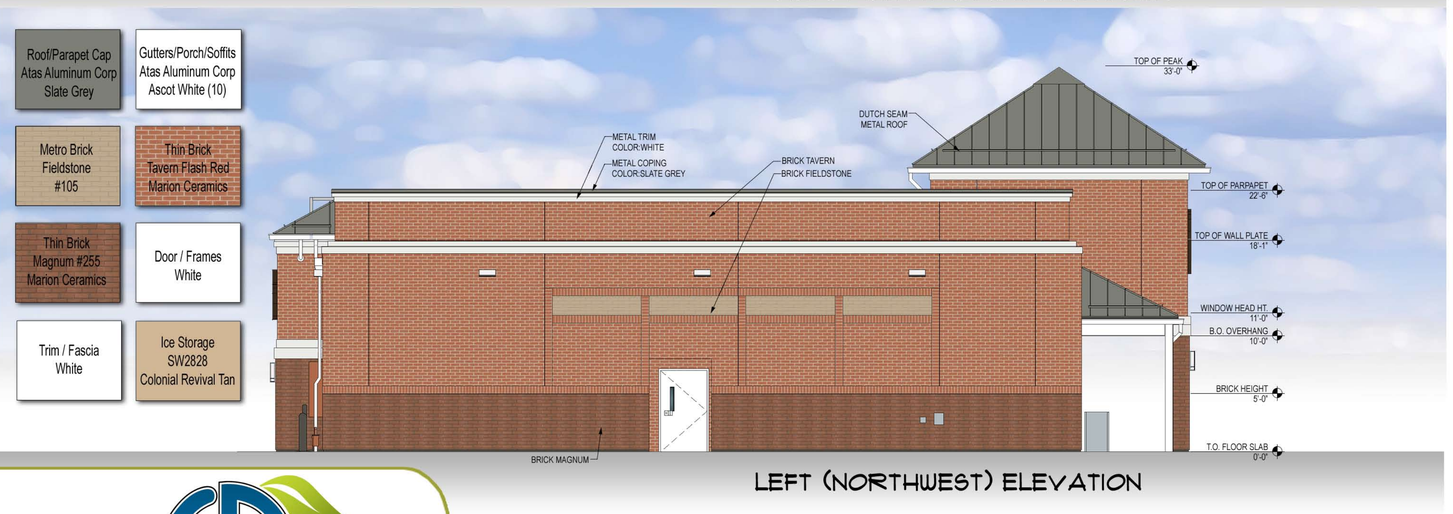
9. Master plan
   a. A convenience store (with gas) is existing and a convenience store (with gas) is proposed. A separate master plan is provided with the submittal.

10. Design guidelines or criteria
    a. See master plan.

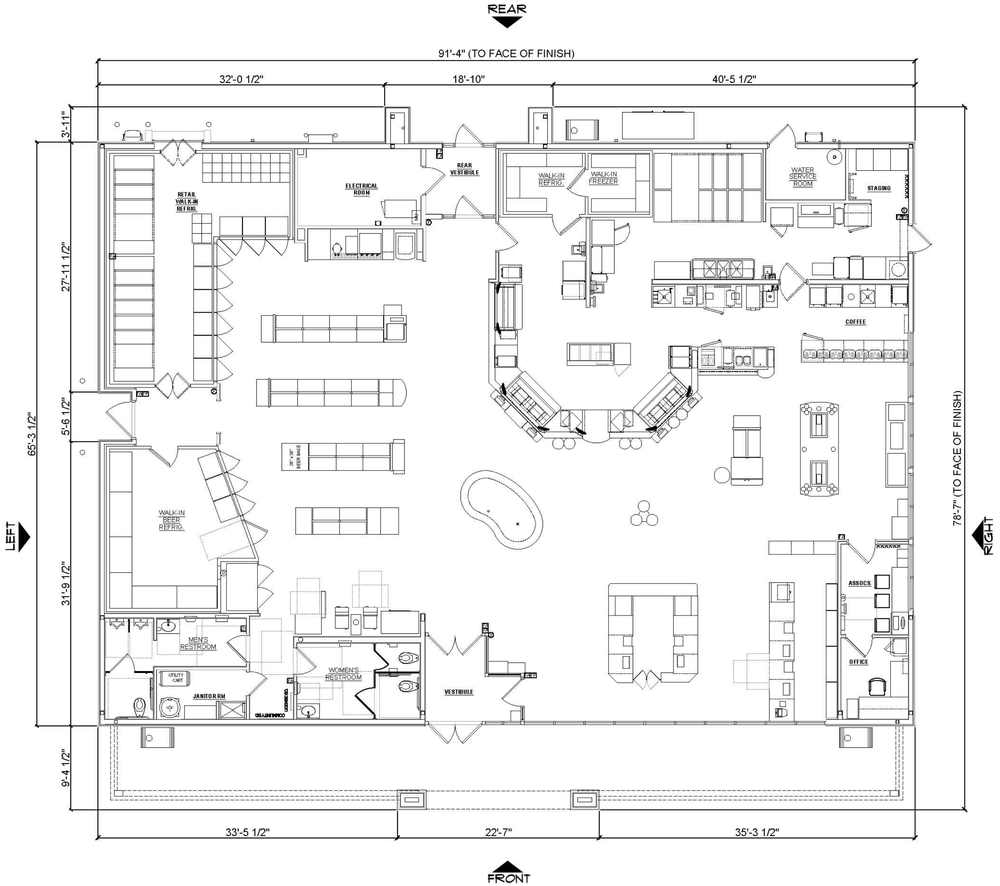
RIGHT (SOUTHEAST) ELEVATION (LIGHTFOOT RD.)

FRONT (SOUTHWEST) ELEVATION (RICHMOND RD.)

REAR (NORTHEAST) ELEVATION



LEFT (NORTHWEST) ELEVATION



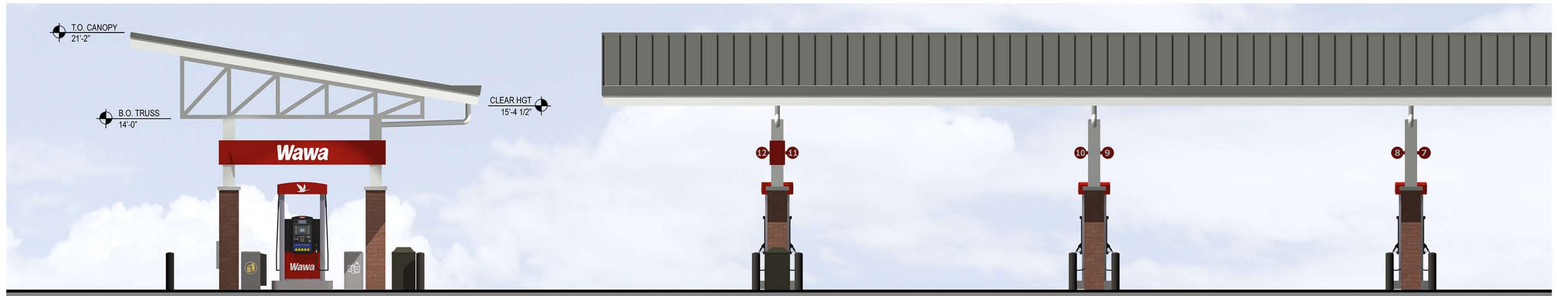
FLOOR PLAN

NOTE:
SIGNAGE IS SHOWN FOR REFERENCE ONLY
SEPARATE PERMIT REQUIRED

Cuhaci & Peterson
Architects Engineers Planners
ORLANDO • PHILADELPHIA

WAWA W50 FB M VA_v.2018.01 - STORE #8664

Richmond Rd. & Lightfoot Rd., Williamsburg, VA • C&P Project #2180705 • 01-07-2019



CANOPY END ELEVATION

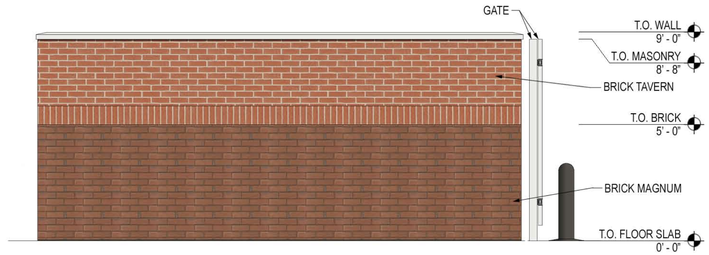
CANOPY SIDE ELEVATION

CANOPY PERSPECTIVE VIEW

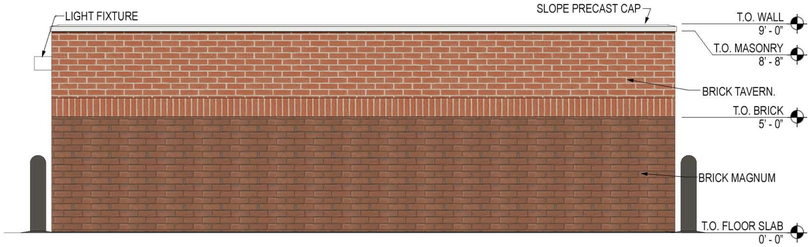
The Wawa fuel canopy is a registered service mark in the U.S. Patent and Trademark Office. The fuel canopy, as well as Wawa's brand names, slogans, logos, service marks, and other trademarks of Wawa's goods, services, and promotions belong exclusively to Wawa, Inc. and/or, Wild Goose Holding Co., Inc. and are protected from copying and simulation under national and international trademark and copyright laws and treaties throughout the world.

FRONT ELEVATION

RIGHT ELEVATION



LEFT ELEVATION



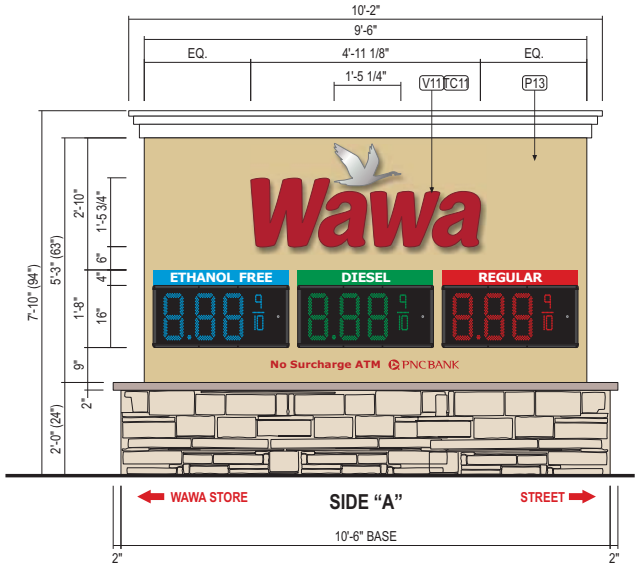
REAR ELEVATION

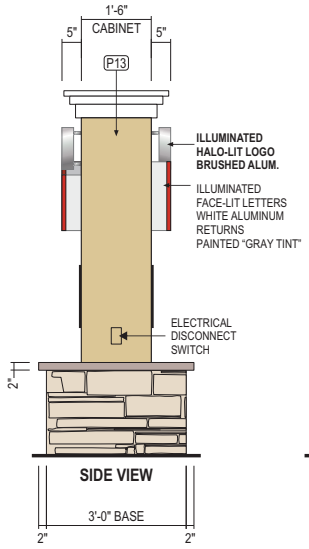
Metal Door	Trim	Thin Brick	Thin Brick
Benjamin Moore White Diamond BM 2121-60	James Hardie Arctic White JH10-20	Tavern Flash Red Marion Ceramics	Magnum #255 Marion Ceramics

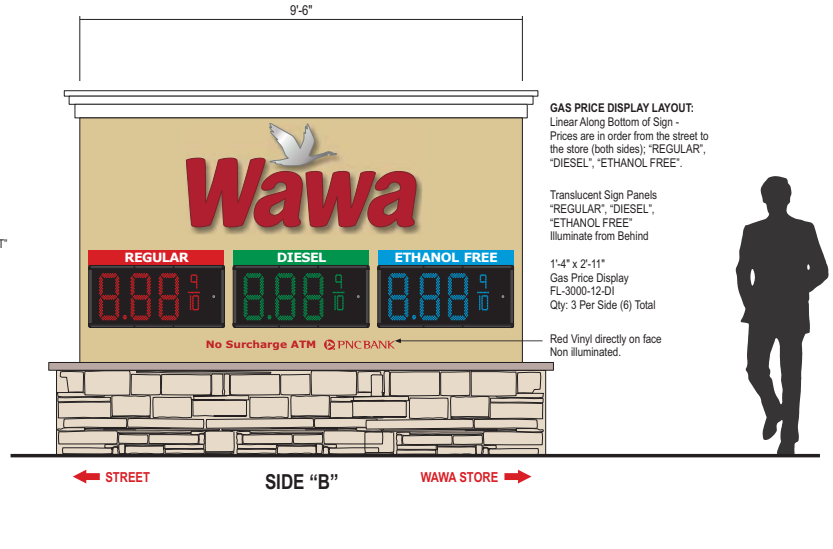
Cuhaci & Peterson
Architects Engineers Planners

WAWA GAS CANOPY STRAIGHT 6 - TRASH COMPOUND MASQ17-R - STORE #8458

Richmond Road & Lightfoot Road, Williamsburg,VA • C&P Project #2180705 • 01-07-2019







GAS PRICE DISPLAY LAYOUT:
Linear Along Bottom of Sign -
Prices are in order from the street to the store (both sides); "REGULAR", "DIESEL", "ETHANOL FREE".

Translucent Sign Panels
"REGULAR", "DIESEL", "ETHANOL FREE"
Illuminate from Behind

1'-4" x 2'-11"
Gas Price Display
FL-3000-12-DI
Qty: 3 Per Side (6) Total

Red Vinyl directly on face
Non illuminated.

12" / 3 PRODUCT (OPTION 1B)
M-50 D/F ILLUMINATED MONUMENT SIGN (49.87 SQ. FT.)

STANDARD SPECS - SEE COLOR SPECIFICATION LIBRARY

SCALE: 3/8"=1'-0"

SANDLEWOOD

COLORS:
POLES & CABINETS - MATCH DRYVIT SPECIAL COLOR SC13-082SB
(SANDLEWOOD IN SANDBLAST -LV1-5504713)

MID-ATLANTIC SIGN FAMILY

Drawing prepared by: ICON

M50 D/F ILLUM. MONUMENT SIGN

Location:	Proj #:
VARIOUS	3038
	Loc #:
	0000

File Path: Active\ACCOUNTS\W\Wawa\Locations\Project 3038\3038_Mid-Atlantic Sign Family_BA_R4.cdr

Drawing prepared for: Wawa

Rev #:	Req#:	Date:	Req. By:	Drawn By:	Revision Description:
Original	225205	01/08/16	RN	Lv	
Rev 1	227358	02/11/16	SL	Lv	updated specs on letters and ground signs.
-	228954	03/07/16	SL	Lv	updated board call out notes on pg 6
Rev 2	000000	11/04/16	SL	KP	Revise scale on 32" illuminated letterset.
Rev 3	260643	11/06/17	SL	NPP	Added Pump Indicators (Gas, Diesel & E15 E85) to family
Rev 4	262587	11/28/17	SL	NPP	Added All Pump Indicators to family
Rev 5	000000	00/00/00	XXX	XXX	

Rev #:	Req#:	Date:	Req. By:	Drawn By:	Revision Description:
Rev 7	000000	00/00/00	XXX	XXX	Notes
Rev 8	000000	00/00/00	XXX	XXX	
Rev 9	000000	00/00/00	XXX	XXX	
Rev 10	000000	00/00/00	XXX	XXX	
Rev 11	000000	00/00/00	XXX	XXX	
Rev 12	000000	00/00/00	XXX	XXX	
Rev 13	000000	00/00/00	XXX	XXX	

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Virginia Department of Transportation

February 2015

ACCESS MANAGEMENT EXCEPTION REQUEST: AM-E

ACCESS MANAGEMENT REGULATIONS 24 VAC 30-73

SECTION 120

Submitted by:		**Date:**
Email Address:		**Phone:**
Address:		
Project Name:	**Rte #**	**Locality:**
Description of Project:		
VDOT District:	**Area Land Use Engineer:**	

NOTES:
(1). Submit this form and any attachments to one of the District's Area Land Use Engineers.
(2). See Section 120 of the Regulations for details on the requirements, exceptions, and exception request review process.
(3). Attach additional information as necessary to justify the exception request(s).
(4). If a traffic engineering study is required, the decision on the request will be based on VDOT engineering judgment.
(5). Use the LD-440 Design Exception or the LD-448 Design Waiver forms for *design and engineering standards*, e.g. radius, grade, sight distance. See IIM-LD-227 on VDOT web site for additional instructions.

Select the Exception(s) Being Requested

☐ **Exception to the shared commercial entrance requirement.** (Access M. Regulations Section 120 C.2)

Reason for exception:

☐ **A. An agreement to share the entrance could not be reached with adjoining property owner.**

☐ **Attached:** Written evidence that adjoining property owner will not share the entrance.

☐ **B. Physical constraints: topography, adjacent hazardous land use, stream, wetland, other.**

☐ **Specify constraint:**

☐ **Attached:** Documentation of constraint such as aerial photo or topographic map.

☐ **Exception to the vehicular connection to adjoining undeveloped property requirement.** (Section 120 C.4)

Reason for exception:

☐ **A. Physical constraints: topography, adjacent hazardous land use, stream, wetland, other.**

☐ **Specify constraint:**

☐ **Attached:** Documentation of constraint such as aerial photo or topographic map.

☐ **B. Other reason:**

☐ **Exception to the commercial entrance shall not be located within the functional area of an intersection requirement.** (See Regulation Section 120 C. 1; Appendix F, Rd Design Manual)

☐ **Attached:** A traffic engineering study documenting that the operation of the intersection and public safety will not be adversely impacted.

☐ **EXCEPTION TO THE SPACING STANDARDS FOR:**

- **Commercial entrances; intersections/median crossovers (Table 2-2);**
- **Commercial entrances/intersections near interchange ramps (Tables 2-3, 2-4);** or
- **Corner clearance (Figure 4-4).** Appendix F, Road Design Manual

Information on the Exception Request

☐ **ON A STATE HIGHWAY**

Functional classification: Principal Arterial: ☐ Minor Arterial: ☐ Collector: ☐ Local: ☐

Posted speed limit: _____mph

☐ **NEAR AN INTERCHANGE RAMP** (Submittal of a traffic engineering study required)

☐ **CORNER CLEARANCE** (Submittal of a traffic engineering study required)

Type of intersection/entrance: Signalized ☐ Unsignalized ☐ Full Access ☐ Partial Access ☐

Required spacing distance _____ft

Proposed spacing distance _____ft 280 ft to east / 120 feet to west along U.S. 60

Requested exception: Reduction in required spacing _____**ft** 25 ft to east / 185 feet to west along U.S. 60

REASON FOR EXCEPTION:

☐ **A. To be located on an older, established business corridor along a highway where existing spacing did not meet the standards prior to 7/1/08 or 10/14/09.** (Regulation Section 120 C.3.c)

☐ **Attached:** Dated aerial photo of corridor identifying proposed entrance/intersection location.

☐ **B. Not enough property frontage to meet spacing standard, but the applicant does not want a partial access right-in/right-out entrance.** (Section 120 C.3.f)

☐ **Attached:** A traffic engineering study documenting that left turn movements at the entrance will not have a negative impact on highway operation or safety.

☐ **C. To be located <u>within</u> a new urbanism mixed use type development.** (Section 120 C.3.d)

☐ **Attached:** The design of the development and compliance with intersection sight distance.

☐ **D. The proposed entrance meets the signal warrants but does not meet the signalized intersection spacing standard. The applicant requests an exception to the spacing standard.**

☐ **Attached:** A traffic engineering study that (i) evaluates the location's suitability for a roundabout and (ii) provides documentation that the proposed signal will not impact safety and traffic flow. (Section 120 C.5)

☐ **E. The development's 2nd (or additional) entrance does not meet the spacing standards but is necessary for the streets to be accepted into the secondary system.** (Section 120 C.3.e)

☐ **Attached:** Information on the development that identifies the location of entrances.

☐ **F. To be located within the limits of a VDOT and locality approved access management corridor plan.**

☐ **Attached:** Aerial photo of corridor identifying proposed entrance/intersection location. (Sect 120 C.3.b)

FOR VDOT USE ONLY

Recommendation on Exception Request: Approve ☐ Deny ☐	**Date:**
Area Land Use Engineer or:	**Name**
Remarks:	

Exception Request Action: Approved ☐ Denied ☐	**Date:**
District Administrator or Designee: **Name (and position if Designee)**	
Remarks:	

District Staff: Please email copy to Bradley.Shelton@VDOT.Virginia.gov

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

RAMEY KEMP & ASSOCIATES, INC.
4343 Cox Road
Glen Allen, VA 23060
Phone: 804-217-8560 Fax: 804-217-8563
www.rameykemp.com

October 8, 2018

Ms. Susan Kassel
Director of Planning and Development Services
York County
224 Ballard Street
Yorktown, Virginia 23690
Phone: (757) 890-3531

Reference: Lightfoot Road C-Store
Traffic Impact Analysis (TIA) and Access Management Exception (AME) Request
York County and James City County, Virginia

Dear Ms. Kassel,

There is currently an Exxon station with 10 fueling positions in the northwest quadrant of the U.S. 60 (Richmond Road) at Lightfoot Road intersection. The Exxon station has two right-in / right-out driveways on U.S. 60, and one full-movement driveway on Lightfoot Road. The applicant is planning to redevelop the site, and construct a new convenience store with 12 fueling positions, and Ramey Kemp & Associates, Inc. (RKA) has performed this TIA to support the proposed redevelopment.

Based on meetings and coordination with the Virginia Department of Transportation (VDOT), the proposed access plan includes closing the eastern right-in / right-out driveway on U.S. 60, and shifting the site driveway on Lightfoot Road approximately 180 feet to the north, converting it to a partial access driveway with a right-in / right-out / left-out configuration, and constructing a southbound right-turn taper on Lightfoot Road. If approved, the proposed C-store is expected to be built in 2020. Figure 1 shows the site location and study intersections, and Figure 2 shows the conceptual site plan.

Based on the TIA scoping meeting with you and VDOT on February 6, the purpose of this letter report is to provide the following:

- Trip generation calculations
- Capacity analysis of the study intersections
- Evaluation of turn lane warrants at the site driveways
- AME Request for the existing right-in / right-out driveway on U.S. 60 that will remain

Existing Roadway Conditions

U.S. 60 (Richmond Road) is a Principal Arterial with an average daily traffic (ADT) volume of approximately 20,000 vehicles per day (vpd), and a posted speed limit of 45 miles per hour (mph) in the vicinity of the site.

Lightfoot Road is a Major Collector with an ADT volume of approximately 8,800 vpd, and a posted speed limit of 45 mph in the vicinity of the site.

Figure 3 shows the existing lane configuration.

Existing Traffic Volumes
The AM peak hour (7:00 to 9:00 AM) and PM peak hour (4:00 to 6:00 PM) turning movement counts were conducted by VHB Engineering at the following intersection in October 2016:

- U.S. 60 at Lightfoot Road / Williamsburg Outlet Mall Driveway

Based on discussion with VDOT, these traffic volumes were grown by 1.0% per year for two years to estimate the existing 2018 traffic volumes.

The AM peak hour (7:00 to 9:00 AM) and PM peak hour (4:00 to 6:00 PM) turning movement counts were conducted by Peggy Malone & Associates at the following intersections on June 12, 2018:

- U.S. 60 at West Right-in / Right-out Driveway
- U.S. 60 at East Right-in / Right-out Driveway
- Lightfoot Road at Full-Movement Driveway

The traffic count data are enclosed, and the existing 2018 volumes are shown in Figure 4.

Approved Development
Lightfoot Apartments is a potential mixed-use development located in the southeast quadrant of the Lightfoot Road at Old Mooretown Road intersection. The site plan includes 216 apartments, 32 townhomes, up to 13,000 square feet (s.f.) of general office and retail space, and up to 7,000 s.f. of restaurant space. The Lightfoot Apartment site trips shown in Figure 5 are based on the September 2017 Lightfoot Apartments TIA prepared by VHB.

Lightfoot Marketplace is a commercial center on the south side of U.S. 60 across from the site. The original TIA was performed by Bryant B. Goodloe, P.C. in October 2013, which included a number of outparcels along U.S. 60, which are now approved for construction:

- 26,625 s.f. of medical / dental office space
- 33,943 s.f. of general retail space
- 5,000 s.f. expansion of the existing Harris Teeter store
- Panera restaurant with 100 seats
- Fuel center with 10 fueling positions

Bryant B. Goodloe, P.C. submitted an updated trip generation memo for these uses in September 2017. The trip generation potential and distribution of those trips are included in this analysis based on that memo.

The trip generation potential of the Lightfoot Marketplace outparcels during a typical weekday, AM peak hour, and PM peak hour was estimated using the methodologies published by the Institute of Transportation Engineers (ITE) *Trip Generation Manual – 10th Edition*. Table 1 summarizes the trip generation calculations for the Lightfoot Marketplace outparcels.

Table 1
Lightfoot Marketplace Outparcels – ITE Trip Generation – Weekday – 10th Edition

Land Use (ITE Land Use Code)	Size	Average Daily Traffic (vpd)		AM Peak Hour (vph)		PM Peak Hour (vph)	
		Enter	Exit	Enter	Exit	Enter	Exit
Medical-Dental Office (720)	26,625 s.f.	468	468	58	16	26	66
General Retail Space (820)	33,943 s.f.	1,442	1,442	20	12	117	127
Supermarket (850)	5,000 s.f. expansion	784	784	11	8	42	41
Fast-Food Restaurant with Drive-Thru Window (934)	100 seats	976	976	69	62	51	46
Gasoline / Service Station (944)	10 f.p.	860	860	51	52	70	70
Driveway Volumes		4,530	4,530	209	150	306	350
Pass-By Trips:							
General Retail – 34%		-490	-490	-5	-5	-41	-41
Supermarket – 36%		-282	-282	-3	-3	-14	-14
Fast-Food Restaurant – 49% AM / 50% PM		-483	-483	-32	-32	-24	-24
Gas Station – 58% AM / 42% PM		-430	-430	-29	-29	-29	-29
Net New External Trips		**2,845**	**2,845**	**137**	**81**	**198**	**242**

The Lightfoot Marketplace trip distributions and assignments are shown in Figure 6. The total approved development trips are shown in Figure 7.

Background Traffic Growth

Based on discussion with you and VDOT, the 2018 peak hour traffic volumes were grown by an annual rate of 1.0% for two years to estimate the 2020 peak hour traffic volumes. The no-build 2020 peak hour trips were estimated by growing the existing volumes for two years and combining the approved development trips (Figure 7). Figure 8 shows the estimated 2020 no-build peak hour traffic volumes.

Trip Generation
The trip generation potential of the proposed C-store during a typical weekday, AM peak hour, and PM peak hour was estimated using the methodologies published by the ITE *Trip Generation Manual – 10th Edition*. Table 2 summarizes the trip generation calculations.

Table 2
Lightfoot Road C-Store – ITE Trip Generation – Weekday – 10th Edition

Land Use (ITE Land Use Code)	Size	Weekday Daily Traffic (vpd)		AM Peak Hour (vph)		PM Peak Hour (vph)	
		Enter	Exit	Enter	Exit	Enter	Exit
Super Convenience Market / Gas Station (960)	12 f.p.	1,383	1,383	169	169	138	138
Pass-By Trips – 63% AM / 66% PM		-892	-892	-106	-106	-91	-91
Net New External Trips		**491**	**491**	**63**	**63**	**47**	**47**

C-stores attract pass-by trips, which are made by drivers who are already driving by the site today and will visit the C-store in the future because it is convenient. Table 2 shows the ITE pass-by trip adjustments that were applied in the study.

Site Traffic Distribution
The following primary traffic distribution was applied based on a review of the existing traffic volumes, the adjacent roadway network, and engineering judgement:

- 40% to / from the east on U.S. 60
- 30% to / from the west on U.S. 60
- 25% to / from the north on Lightfoot Road
- 5% to / from the south on the Williamsburg Outlet Mall Driveway

It was assumed that all of the pass-by trips will originate from U.S. 60, and the following pass-by trip directional distributions were used:

- 75% westbound / 25% eastbound

Figure 10 shows the primary and pass-by site trip distributions, Figure 11 shows the primary and pass-by site trip assignments, and Figure 12 shows the total site trips.

Existing Exxon Trip Adjustment
Under build conditions, the existing Exxon trips were removed from the roadway network as shown in Figure 9. The build 2020 peak hour volumes, which are shown in Figure 12, were estimated by combining the no-build volumes (Figure 8) with the existing trip adjustment (Figure 9) and the total site trips (Figure 12).

VDOT Intersection Spacing Standards
VDOT requires at least 250 feet of separation between partial access driveways and full-movement intersections on Major Collector roadways posted 45 mph. The proposed right-in / right-out / left-out driveway on Lightfooot Road is approximately 380 feet north of the intersection of U.S. 60 and Lightfoot Road, which exceeds VDOT's minimum intersection spacing standards.

VDOT requires at least 305 feet of separation between partial access driveways and full-movement driveways on Principal Arterial roadways posted 45 mph. The proposed right-in / right-out driveway on U.S. 60 is approximately 280 feet west of Lightfoot Road and approximately 120 east of the Hardee's driveway, which does not meet VDOT's minimum intersection spacing standards. An Access Management Exception (AME) request form is enclosed.

VDOT Turn Lane Warrant Analysis
The projected build-out AM and PM peak hour traffic volumes at the proposed site driveway on Lightfoot Road were compared to the turn lane warrants in the Virginia Department of Transportation (VDOT) *Access Management Design Standards for Entrances and Intersections*.

- A southbound right-turn lane or taper on Lightfoot Road is <u>not</u> warranted, but the applicant is proposing a southbound right-turn taper to improve Lightfoot Road as much as possible along the property frontage

The VDOT turn lane warrant diagram is enclosed for reference.

Traffic Capacity Analysis

Traffic capacity analysis for the study intersections was performed using Synchro 10, which is a comprehensive software package that allows the user to model signalized and unsignalized intersections to determine levels-of-service based on the thresholds specified in the Highway Capacity Manual (HCM) – 6th Edition.

Table 3 summarizes the capacity analysis results for the signalized intersection of U.S. 60 at Lightfoot Road / Williamsburg Outlet Mall Driveway.

Table 3
Level-of-Service Summary for U.S. 60 at Lightfoot Road / Williamsburg Outlet Mall Driveway

CONDITION	LANE GROUP	AM PEAK HOUR				PM PEAK HOUR			
		Lane LOS	Lane Delay (sec)	Queue (ft)	Overall LOS (Delay)	Lane LOS	Lane Delay (sec)	Queue (ft)	Overall LOS (Delay)
Existing 2018 Traffic Conditions	EBU/L	D	50.1	219	C (23.6 sec)	E	71.4	320	C (30.7 sec)
	EBT	B	15.8	218		C	25.7	365	
	EBR	A	0.1	0		A	0.2	0	
	WBL	D	49.1	45		D	50.6	85	
	WBT	C	25.1	207		C	32.1	378	
	WBR	A	0.1	0		A	0.2	0	
	NBL	D	49.4	51		D	50.7	85	
	NBL/T	D	49.4	53		D	50.5	87	
	NBR	A	1.2	0		A	1.7	0	
	SBT/L	D	50.7	173		E	57.8	371	
	SBR	A	8.9	49		A	7.8	78	
No-Build 2020 Traffic Conditions	EBU/L	D	50.8	212	C (26.0 sec)	E	75.3	319	D (35.1 sec)
	EBT	C	20.3	214		C	32.1	356	
	EBR	A	4.0	34		A	4.6	47	
	WBL	D	53.4	104		E	58.5	174	
	WBT	C	27.9	218		D	35.9	382	
	WBR	A	0.1	0		A	0.2	0	
	NBL	D	51.3	76		D	54.2	140	
	NBL/T	D	51.0	76		D	54.1	141	
	NBR	A	2.2	0		B	11.6	60	
	SBT/L	D	51.7	195		E	65.4	396	
	SBR	A	8.6	52		B	13.8	138	
Build 2020 Traffic Conditions	EBU/L	D	51.7	251	C (28.3 sec)	E	60.6	315	D (39.0 sec)
	EBT	C	20.7	201		C	33.5	350	
	EBR	A	3.9	34		A	4.7	47	
	WBL	E	57.1	107		E	56.2	172	
	WBT	C	32.0	229		D	48.0	458	
	WBR	A	0.1	0		A	0.2	0	
	NBL	D	52.2	77		D	54.4	140	
	NBL/T	D	52.3	81		D	54.3	143	
	NBR	A	2.3	0		B	11.6	60	
	SBT/L	D	52.2	239		E	72.7	470	
	SBR	A	7.7	51		B	16.4	163	

Capacity analysis indicates this intersection currently operates at LOS C during the AM and PM peak hours. Under no-build 2020 traffic conditions, this intersection is expected to operate at LOS C during the AM peak hour and at LOS D during the PM peak hour. Under build 2020 traffic conditions, this intersection is projected to continue to operate at LOS C during the AM peak hour and at LOS D during the PM peak hour with all movements operating at LOS E or better.

The following improvement is recommended to accommodate the projected queue length on the eastbound U.S. 60 left-turn lane:

- Extend the eastbound left-turn lane on U.S. 60 from 275 feet to 325 feet

Table 4 summarizes the capacity analysis results for the unsignalized intersection of Lightfoot Road at Site Driveway.

Table 4
Level-of-Service Summary for Lightfoot Road at Site Driveway

CONDITION	LANE GROUP	AM PEAK HOUR				PM PEAK HOUR			
		Lane LOS	Lane Delay (sec)	Queue (ft)	Overall LOS (Delay)	Lane LOS	Lane Delay (sec)	Queue (ft)	Overall LOS (Delay)
Existing 2018 Traffic Conditions	EBL[1] EBR[1] NBL/T[2] SBT/R	B B A -	14.3 10.1 8.0 -	3 0 0 -	N/A[3]	C B A -	22.4 12.9 9.0 -	3 0 0 -	N/A[3]
No-Build 2020 Traffic Conditions	EBL[1] EBR[1] NBL/T[2] SBT/R	B B A -	15.1 10.5 8.1 -	3 0 0 -	N/A[3]	C B A -	24.3 13.3 9.1 -	3 0 0 -	N/A[3]
Build 2020 Traffic Conditions	EBL[1] EBR[1] NBT SBT/R	C B - -	15.4 11.3 - -	3 13 - -	N/A[3]	D B - -	25.5 14.8 - -	5 13 - -	N/A[3]

1. Level of service for minor approach.
2. Level of service for major street left turn movement.
3. HCM methodology does not provide lane group or overall LOS, delay, and queue lengths for major street through movements or right turns at unsignalized intersections.

Capacity analysis indicates the minor street left-turn movement currently operates with short delays (less than 25 seconds) during the AM and PM peak hours. Under no-build 2020 traffic conditions, the minor street left-turn movement is expected to continue to operate with short delays (less than 25 seconds) during the AM and PM peak hours.

The proposed redevelopment includes shifting this driveway approximately 180 feet to the north along Lightfoot Road, converting it to partial access with a right-in / right-out / left-out configuration, and constructing a southbound right-turn taper on Lightfoot Road. Under the build 2020 traffic conditions, the minor street left-turn movement is projected to operate with short delays (less than 25 seconds) during the AM peak hour, and with moderate delays (between 25 and 50 seconds) during the PM peak hour with the proposed improvements.

Table 5 summarizes the capacity analysis results for the unsignalized intersection of U.S. 60 at Right-in / Right-out Driveway.

Table 5
Level-of-Service Summary for U.S. 60 at Right-in / Right-out Driveway

CONDITION	LANE GROUP	AM PEAK HOUR				PM PEAK HOUR			
		Lane LOS	Lane Delay (sec)	Queue (ft)	Overall LOS (Delay)	Lane LOS	Lane Delay (sec)	Queue (ft)	Overall LOS (Delay)
Existing 2018 Traffic Conditions	EBT WBT WBR SBR[1]	- - - B	- - - 10.8	- - - 3	N/A[2]	- - - B	- - - 14.8	- - - 5	N/A[2]
No-Build 2020 Traffic Conditions	EBT WBT WBR SBR[1]	- - - B	- - - 11.1	- - - 3	N/A[2]	- - - C	- - - 15.7	- - - 5	N/A[2]
Build 2020 Traffic Conditions	EBT WBT WBR SBR[1]	- - - B	- - - 11.4	- - - 10	N/A[2]	- - - C	- - - 16.7	- - - 15	N/A[2]

1. Level of service for minor approach.
2. HCM methodology does not provide lane group or overall LOS, delay, and queue lengths for major street through movements or right turns at unsignalized intersections.

Capacity analysis indicates the minor street right-turn movement currently operates with short delays (less than 25 seconds) during the AM and PM peak hours. Under no-build and build 2020 conditions, the minor street right-turn movement is expected to continue to operate with short delays (less than 25 seconds) at build out of the proposed redevelopment. No improvements are warranted or recommended at this intersection.

Recommendations

Based on the capacity analysis, the following improvements are recommended to accommodate the projected 2020 traffic volumes:

U.S. 60 at Lightfoot Road / Williamsburg Outlet Mall Driveway:

- Extend the eastbound left-turn lane on U.S. 60 from 275 feet to 325 feet

Lightfoot Road at Proposed Right-in / Right-out / Left-out Driveway:

- Construct the site driveway with one ingress lane and two egress lanes
- Construct a southbound taper on Lightfoot Road

Figure 13 shows the recommended roadway laneage.

Based on the results of the traffic capacity analysis, we recommend approval of the AME request for the existing right-in / right-out driveway on U.S. 60 that will remain for the following reasons:

- The applicant will close the eastern right-in / right-out driveway on U.S. 60
- The full-movement site driveway on Lightfoot Road will be downgraded to a partial access driveway, and shifted approximately 180 feet to the north to increase the separation from U.S. 60
- All of the study intersections will function at an acceptable overall level-of-service at build-out of the proposed redevelopment
- Figure 14 shows that this site is on an established business corridor on a highway where the existing driveway spacing does not meet current standards

We appreciate your attention to this matter. Please contact me at (804) 217-8560 if you have any questions about this report.

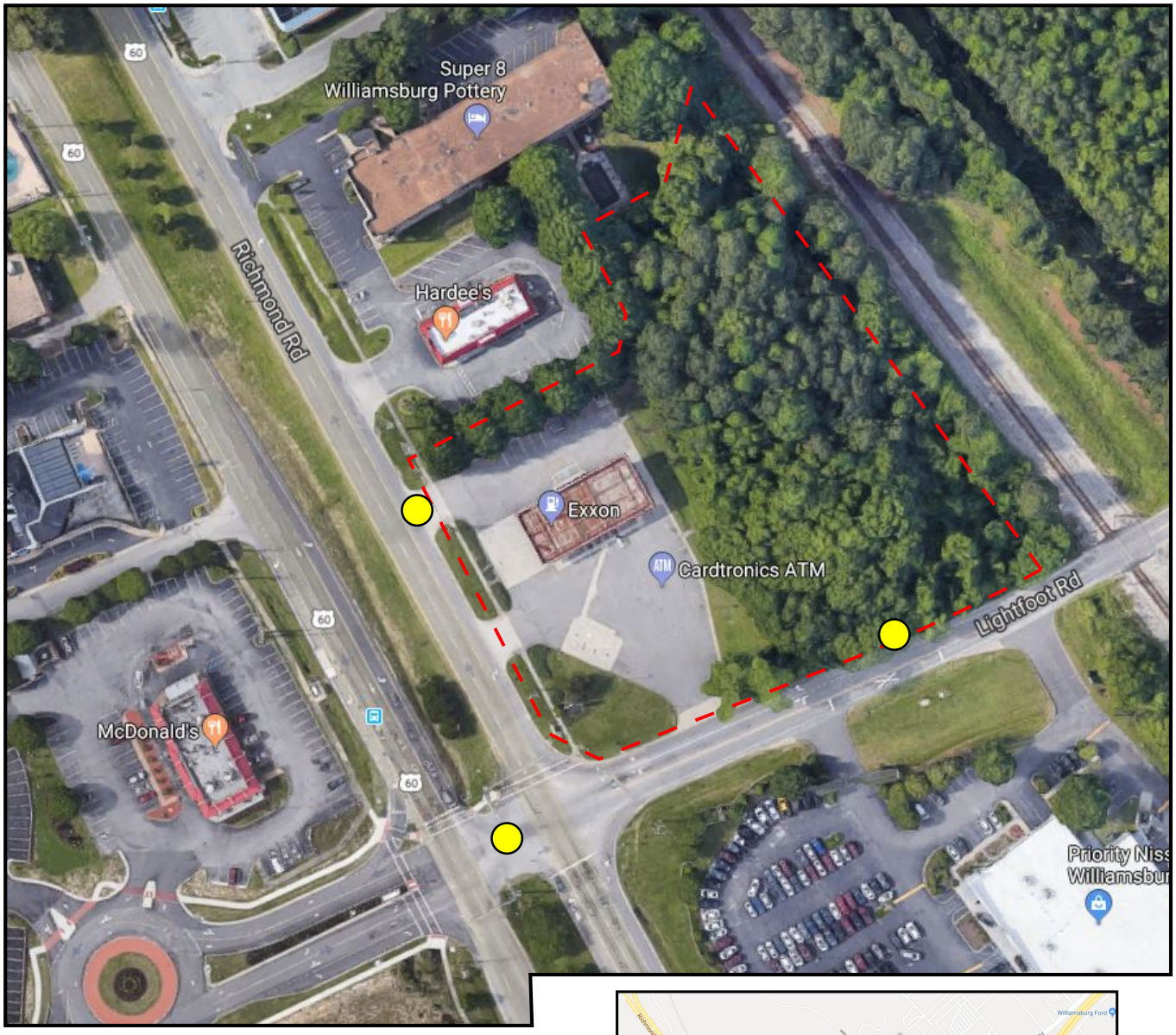
Sincerely yours,
Ramey Kemp & Associates, Inc.

COMMONWEALTH OF VIRGINIA
CARL A. HULTGREN
Lic. No. 049624
10-8-18
PROFESSIONAL ENGINEER

Carl Hultgren, P.E., PTOE
Regional Manager

Enclosures: Figures, VDOT turn lane warrant diagram, Traffic count data, Synchro output

Copy to: Mr. Paul Holt, AICP, York County Planning
Ms. Ellen Cook, York County Planning
Mr. Jason Fowler, P.E., VDOT
Mr. Glenn Brooks, P.E., VDOT
Mr. Andy Sadler, Woodfin
Mr. Timothy Trant, Kaufman & Canoles, P.C.
Mr. Dan Caskie, P.E., Bay Companies



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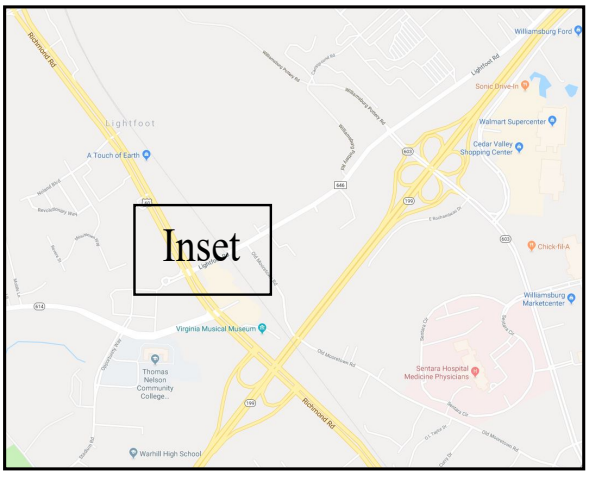


Overview

LEGEND

N

Study Intersection

Site Boundary

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

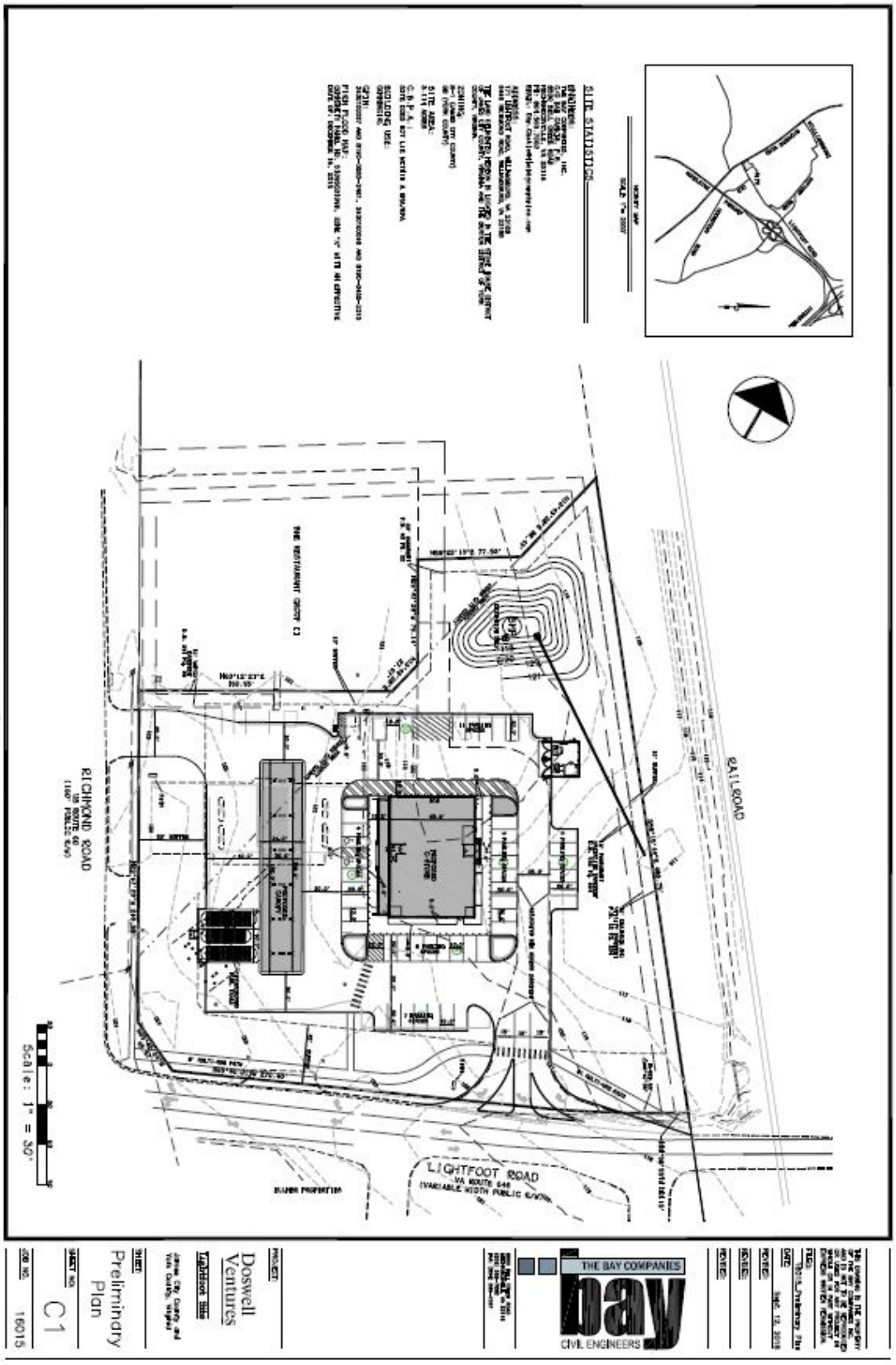
Lightfoot Road C-Store

York County and James City County, Virginia

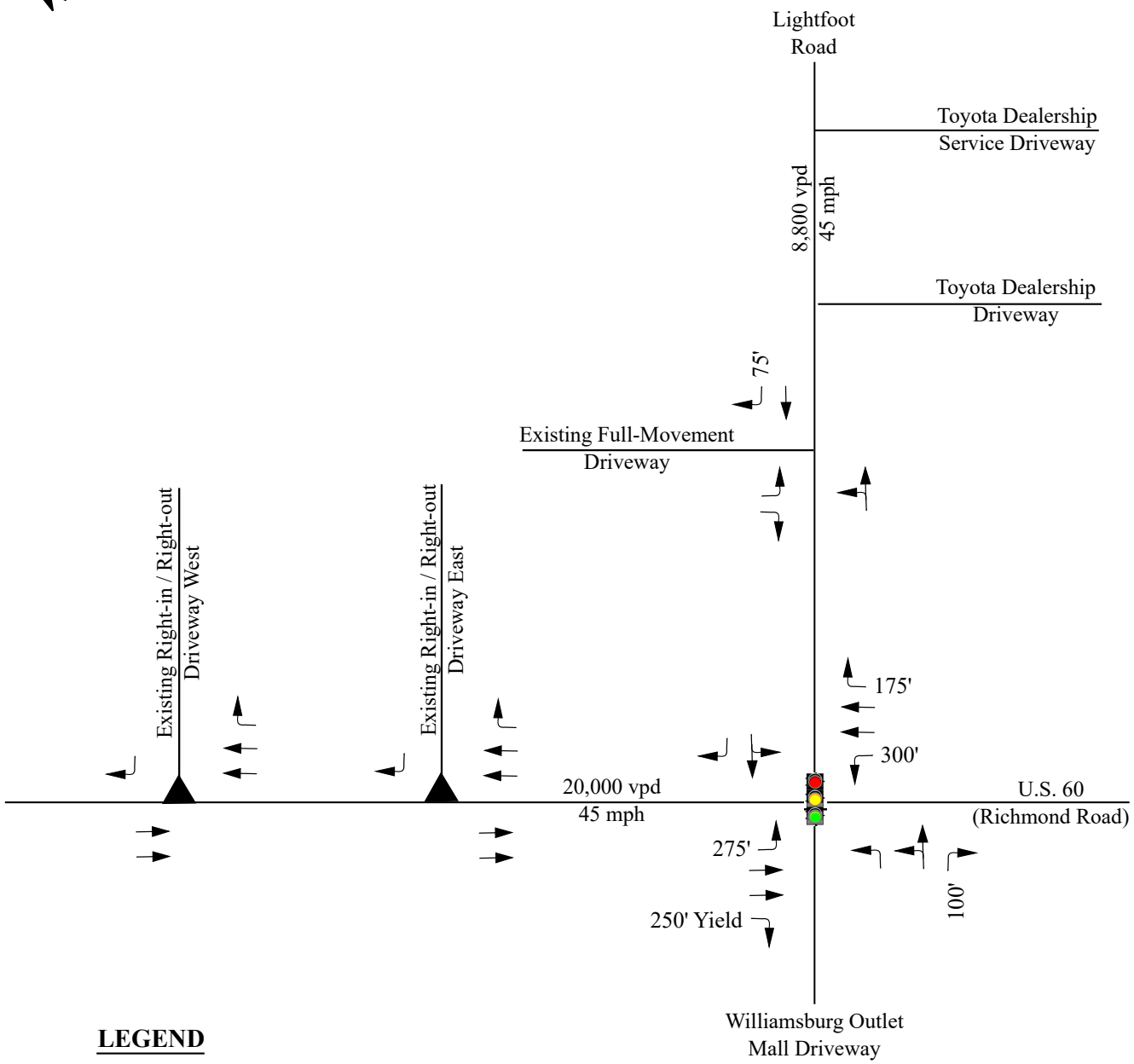
Site Location and Study Intersections

Scale: Not to Scale

Figure 1



RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	Lightfoot Road C-Store York County and James City County, Virginia	Conceptual Site Plan Scale: Not to Scale | Figure 2



LEGEND

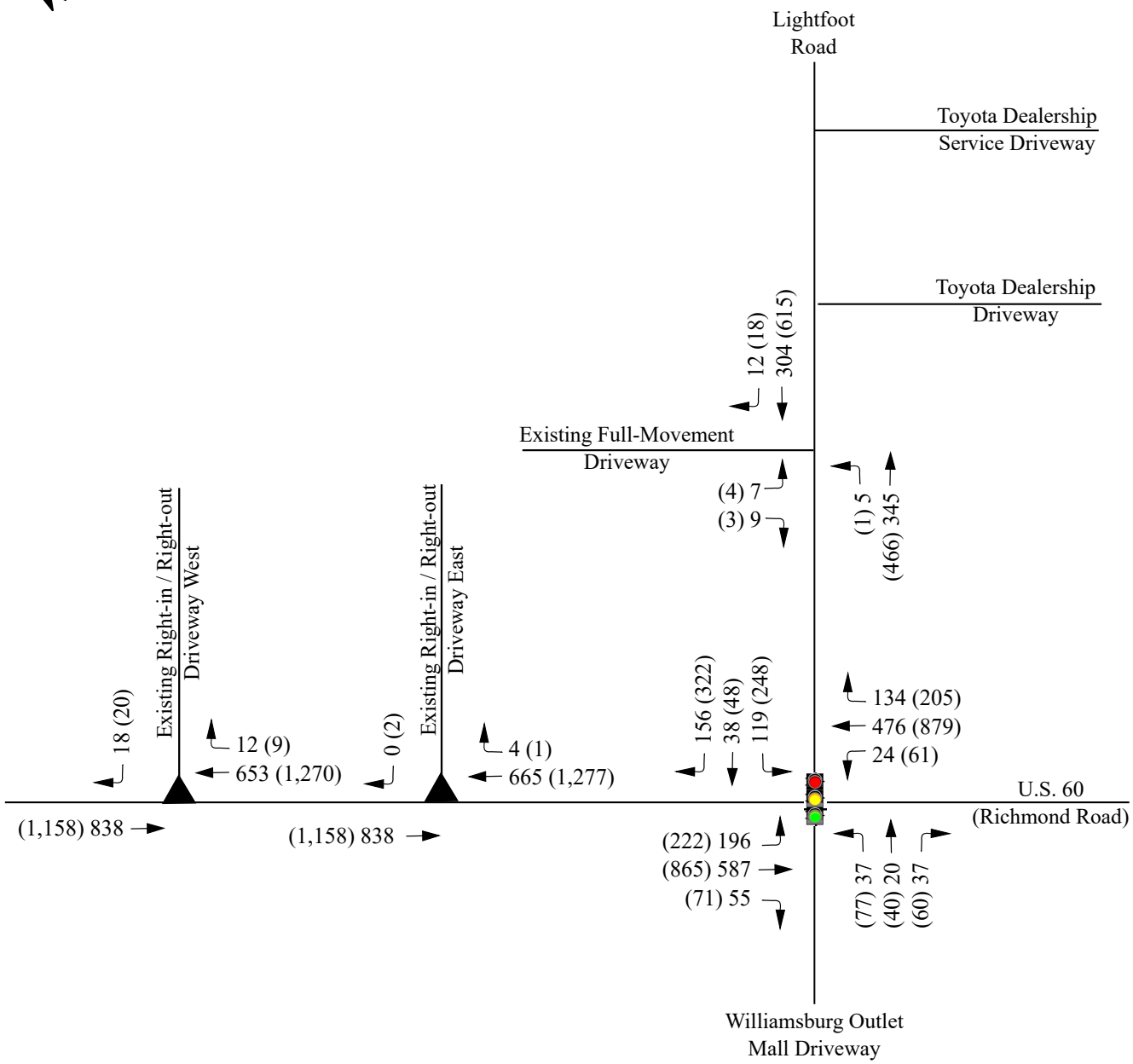
- Existing Traffic Signal
- Existing Lane
- X' Storage (In Feet)

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Lightfoot Road C-Store
York County and James City County, Virginia

Existing Lane Configurations

Scale: Not to Scale | Figure 3



LEGEND

X (Y) AM (PM) Peak Hour

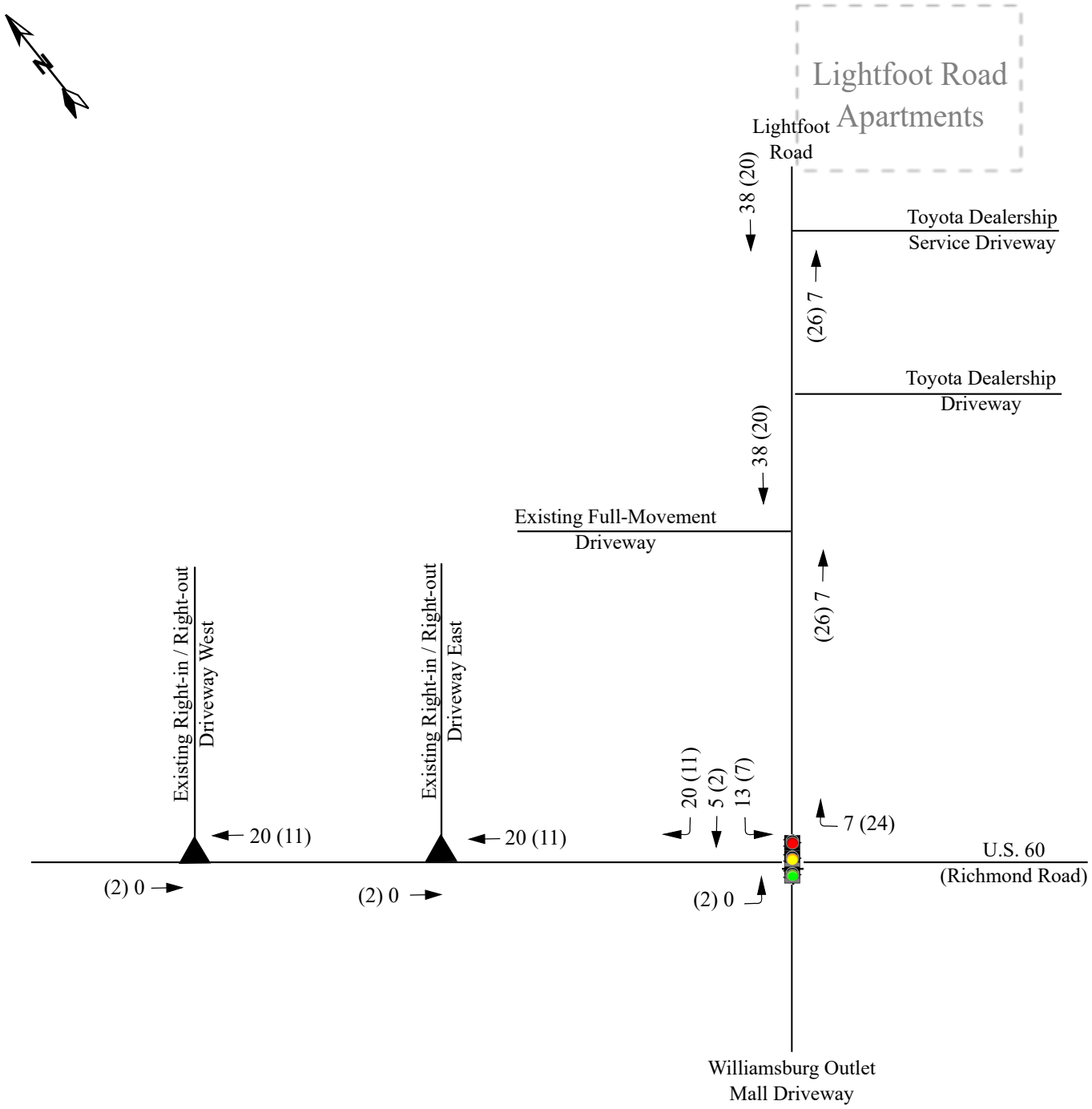
RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Lightfoot Road C-Store
York County and James City County, Virginia

Existing (2018)
Peak Hour Traffic Volumes

Scale: Not to Scale

Figure 4

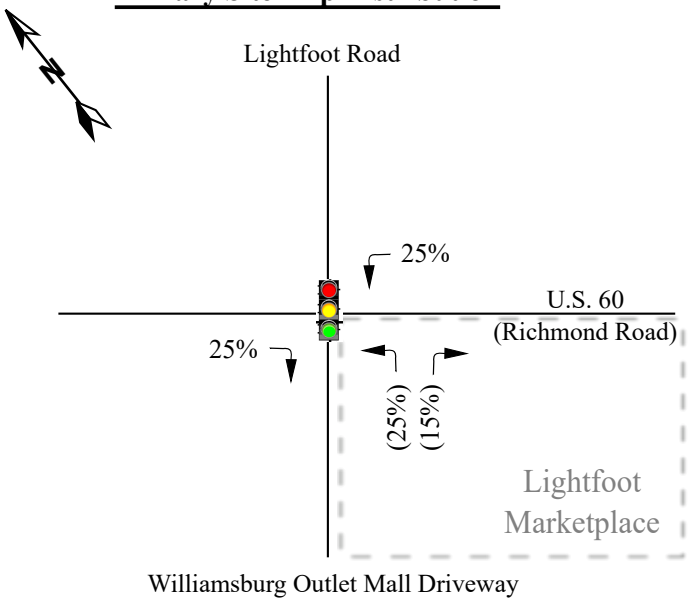


LEGEND

X (Y) AM (PM) Peak Hour

RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	Lightfoot Road C-Store York County and James City County, Virginia	Lightfoot Apartments Site Trips Scale: Not to Scale | Figure 5

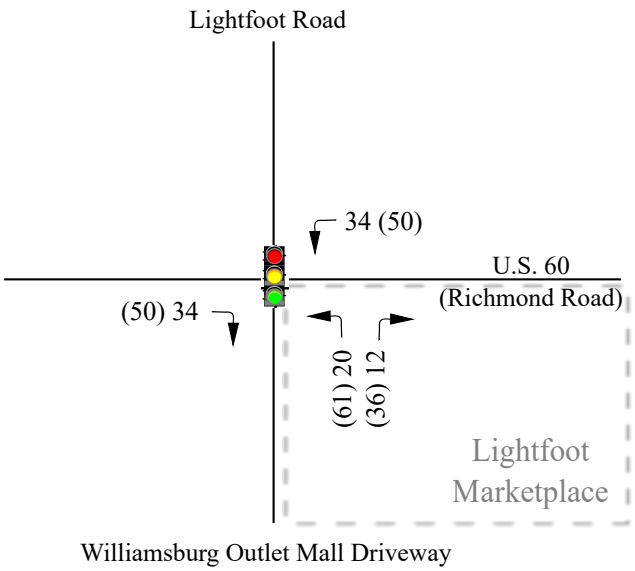
Primary Site Trip Distribution



LEGEND

X% (Y%) Entering (Exiting) Trip Distribution

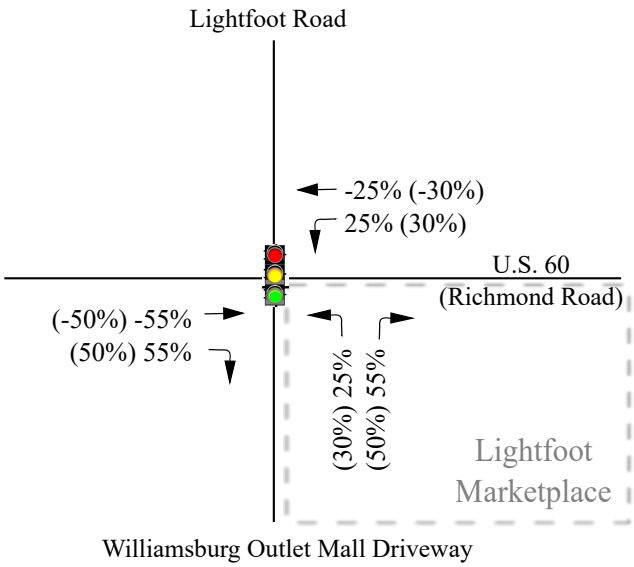
Primary Site Trip Assignment



LEGEND

X (Y) AM (PM) Peak Hour

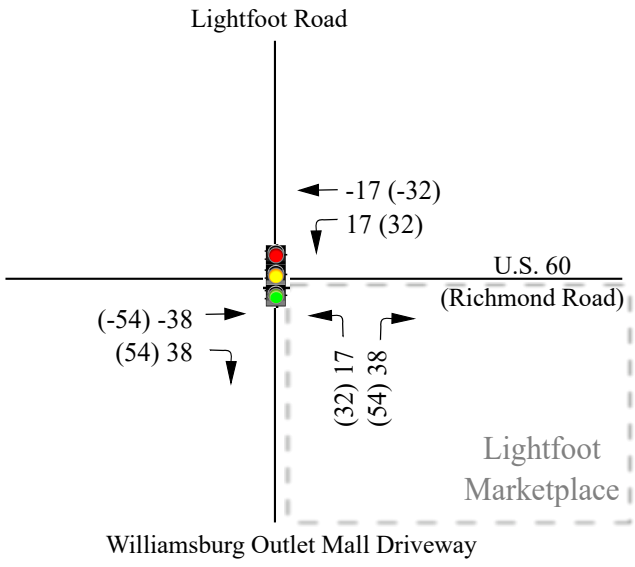
Pass-By Site Trip Distribution



LEGEND

X% (Y%) AM (PM) Trip Distribution

Pass-By Site Trip Assignment



LEGEND

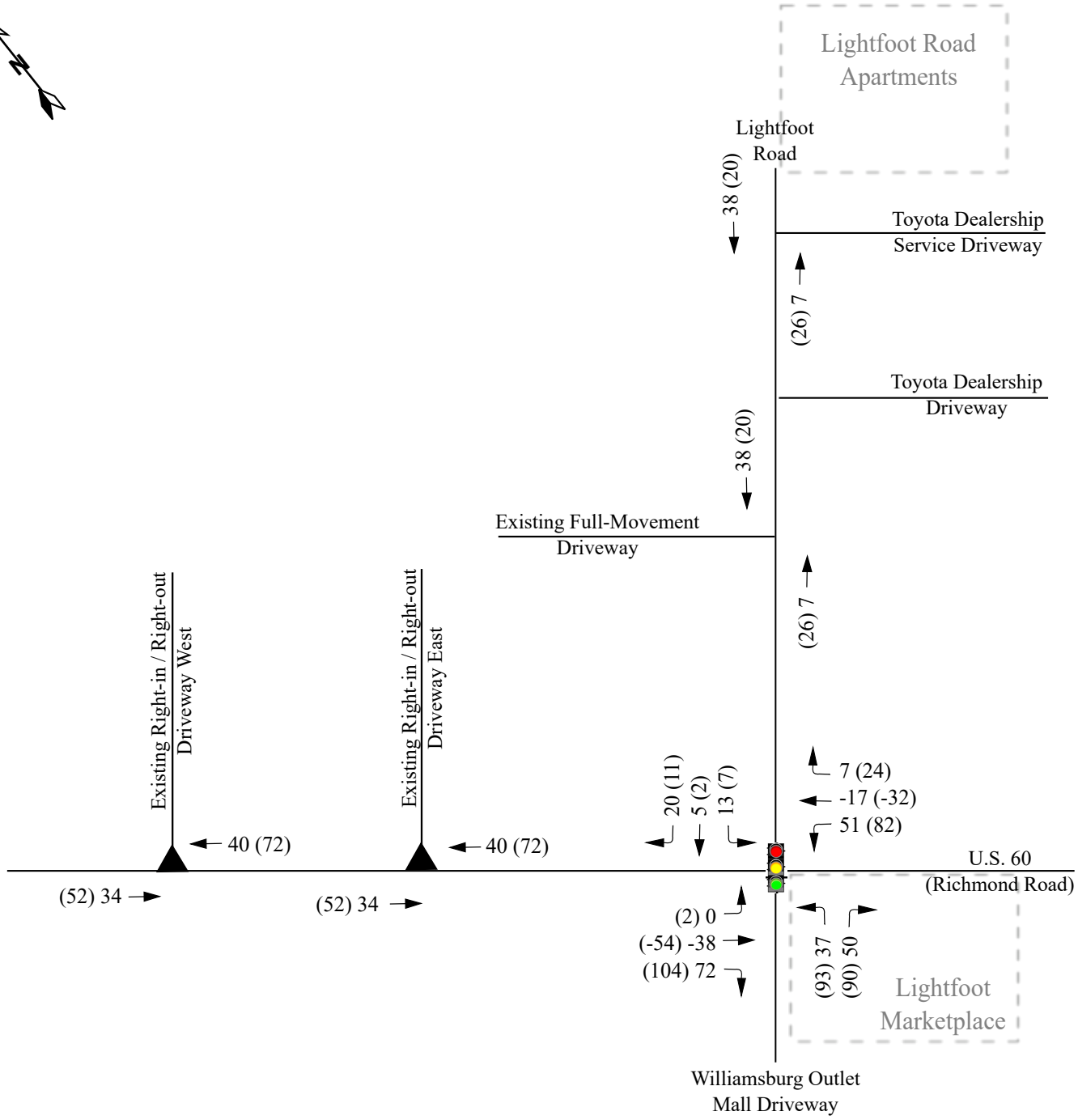
X (Y) AM (PM) Peak Hour

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Lightfoot Road C-Store
York County and James City County, Virginia

Lighfoot Marketplace
Distribution and Assignments

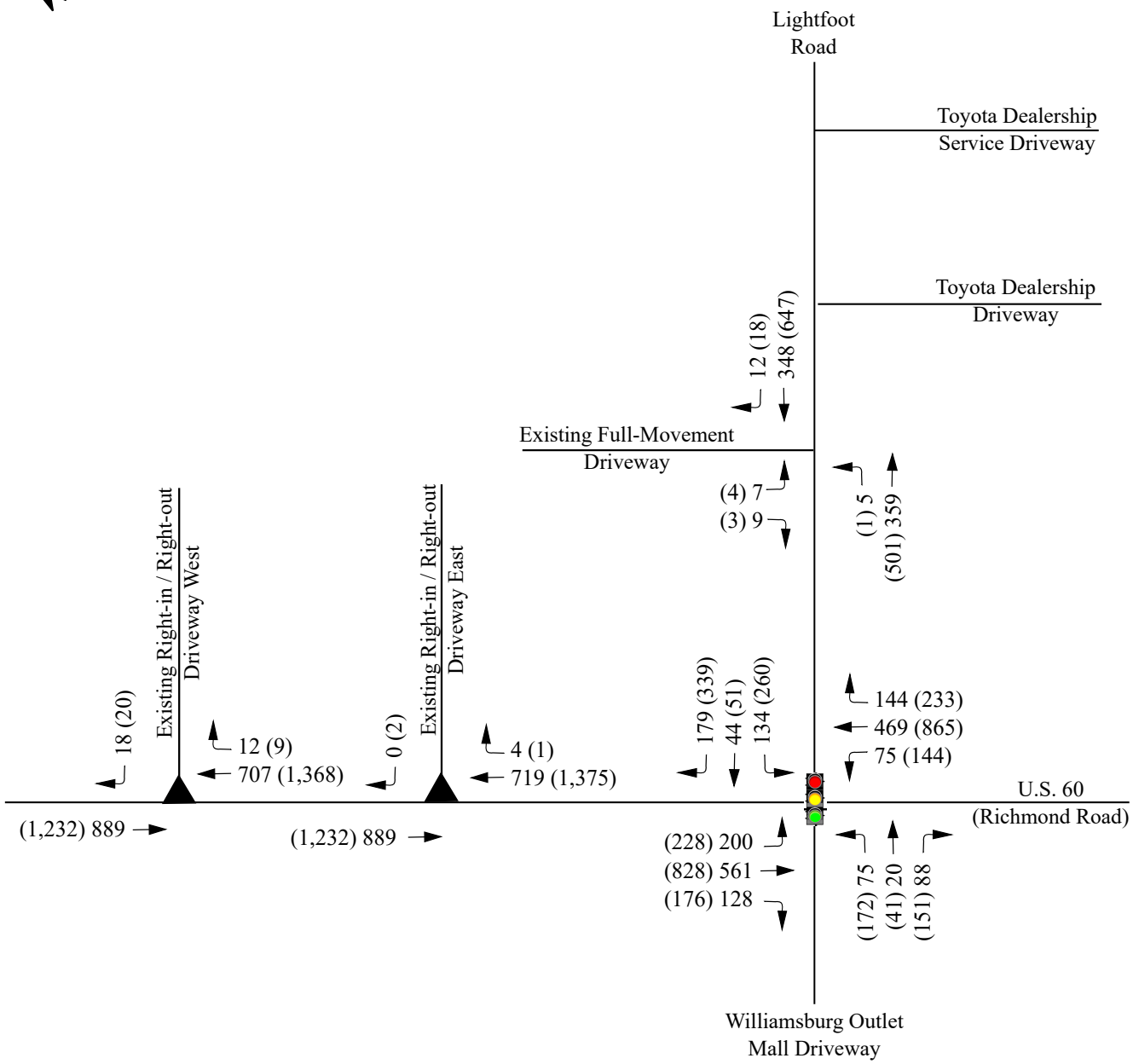
Scale: Not to Scale | Figure 6



LEGEND

X (Y) AM (PM) Peak Hour

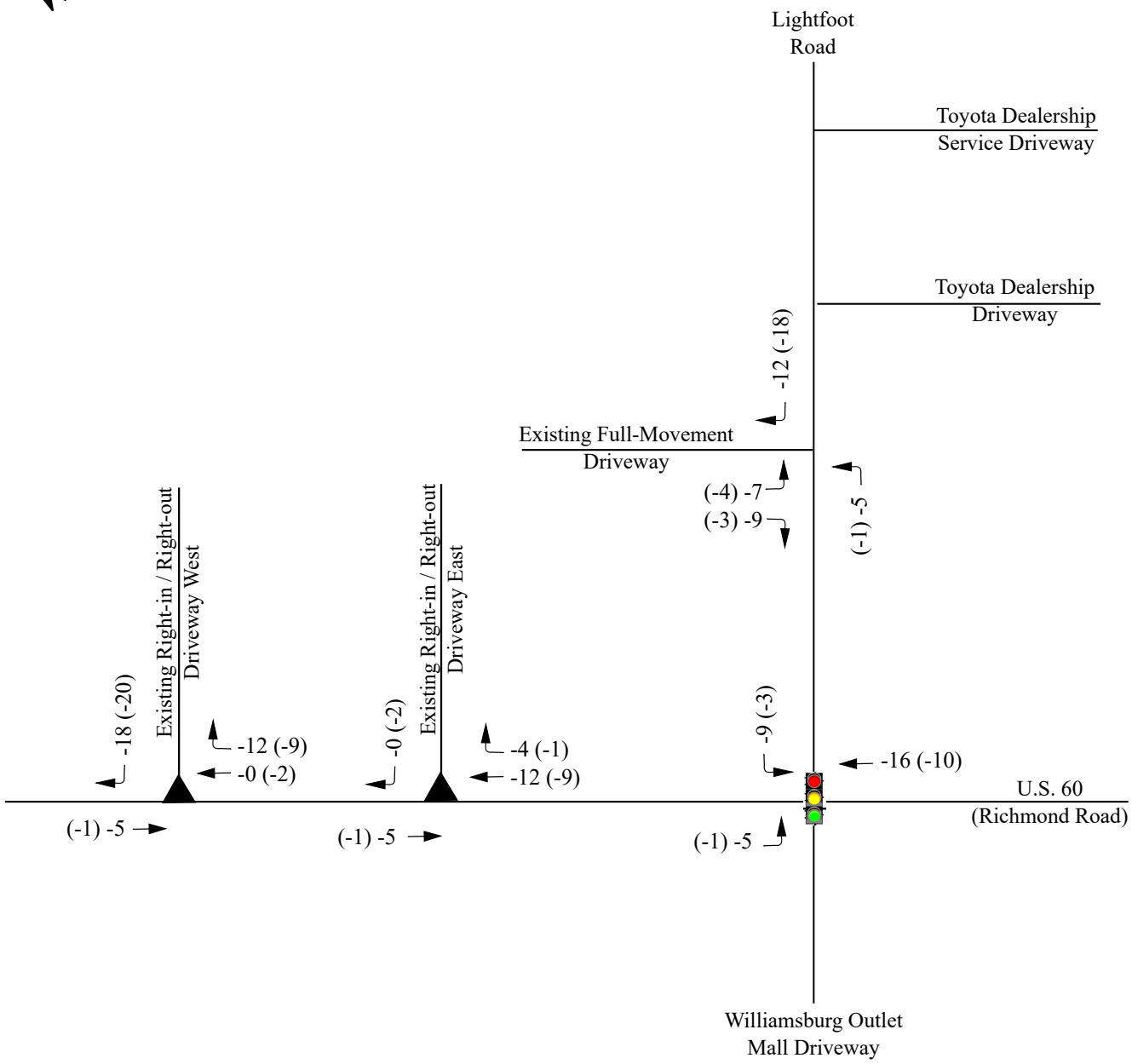
RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	Lightfoot Road C-Store York County and James City County, Virginia	Total Approved Development Volumes Scale: Not to Scale | Figure 7



LEGEND

X (Y) AM (PM) Peak Hour

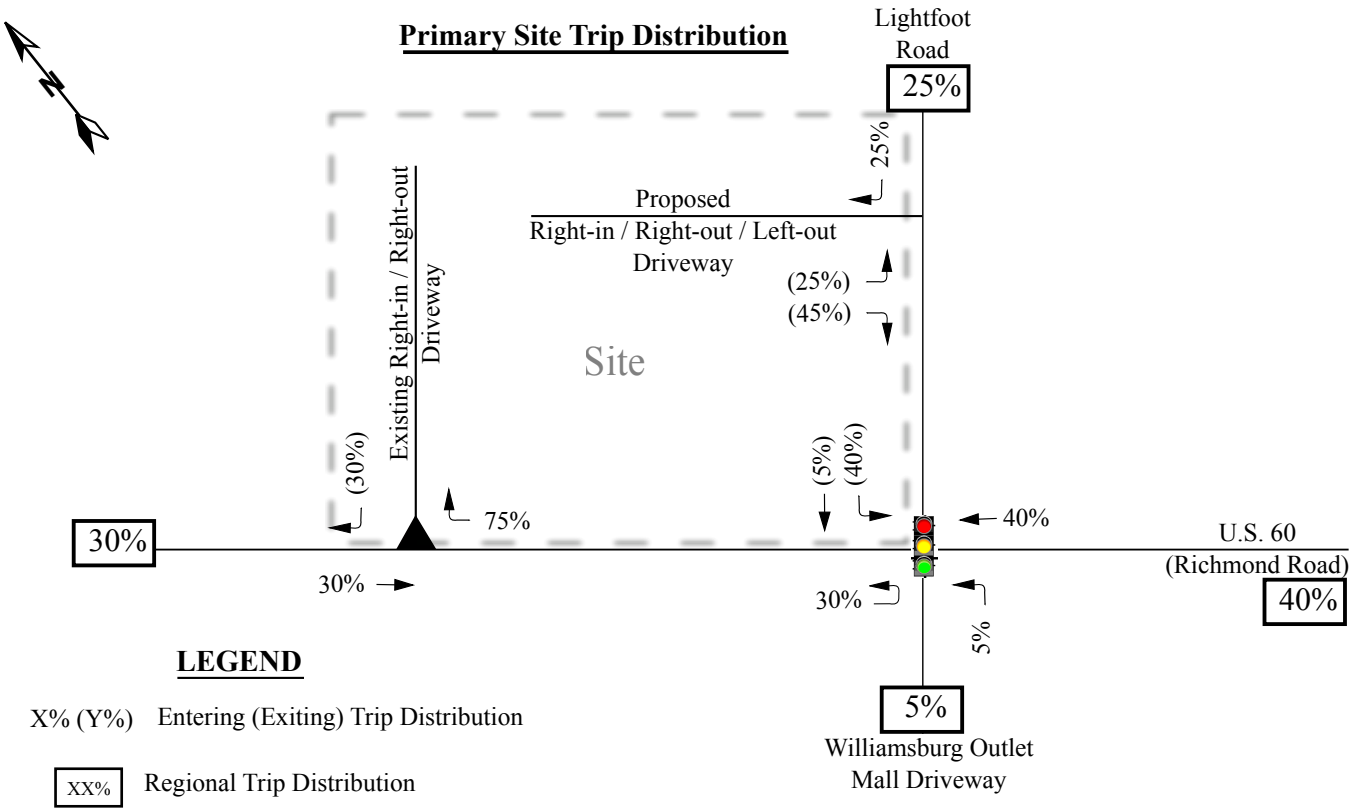
RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	Lightfoot Road C-Store York County and James City County, Virginia	No-Build (2020) Peak Hour Traffic Volumes Scale: Not to Scale | Figure 8

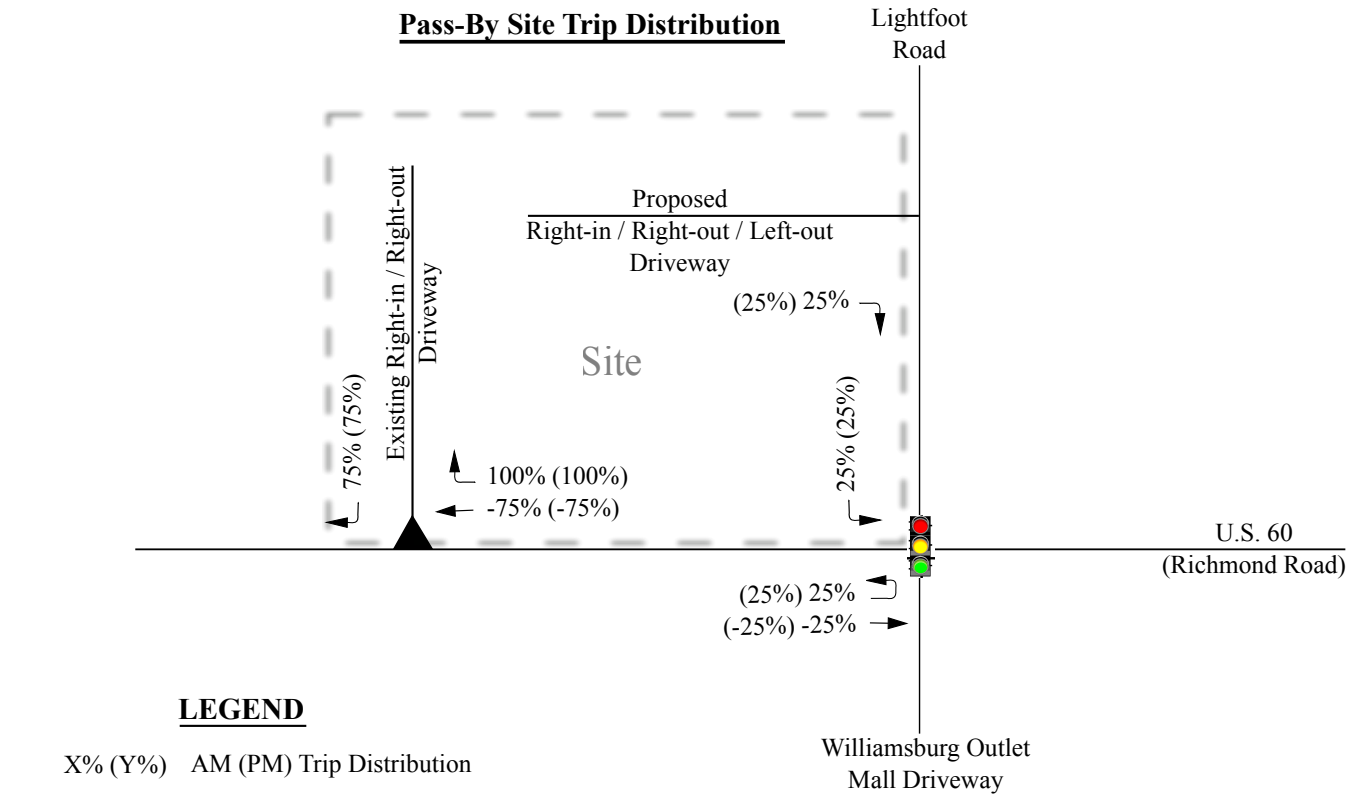


LEGEND

X (Y) AM (PM) Peak Hour

RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	Lightfoot Road C-Store York County and James City County, Virginia	Existing Site Trip Adjustment Scale: Not to Scale | Figure 9



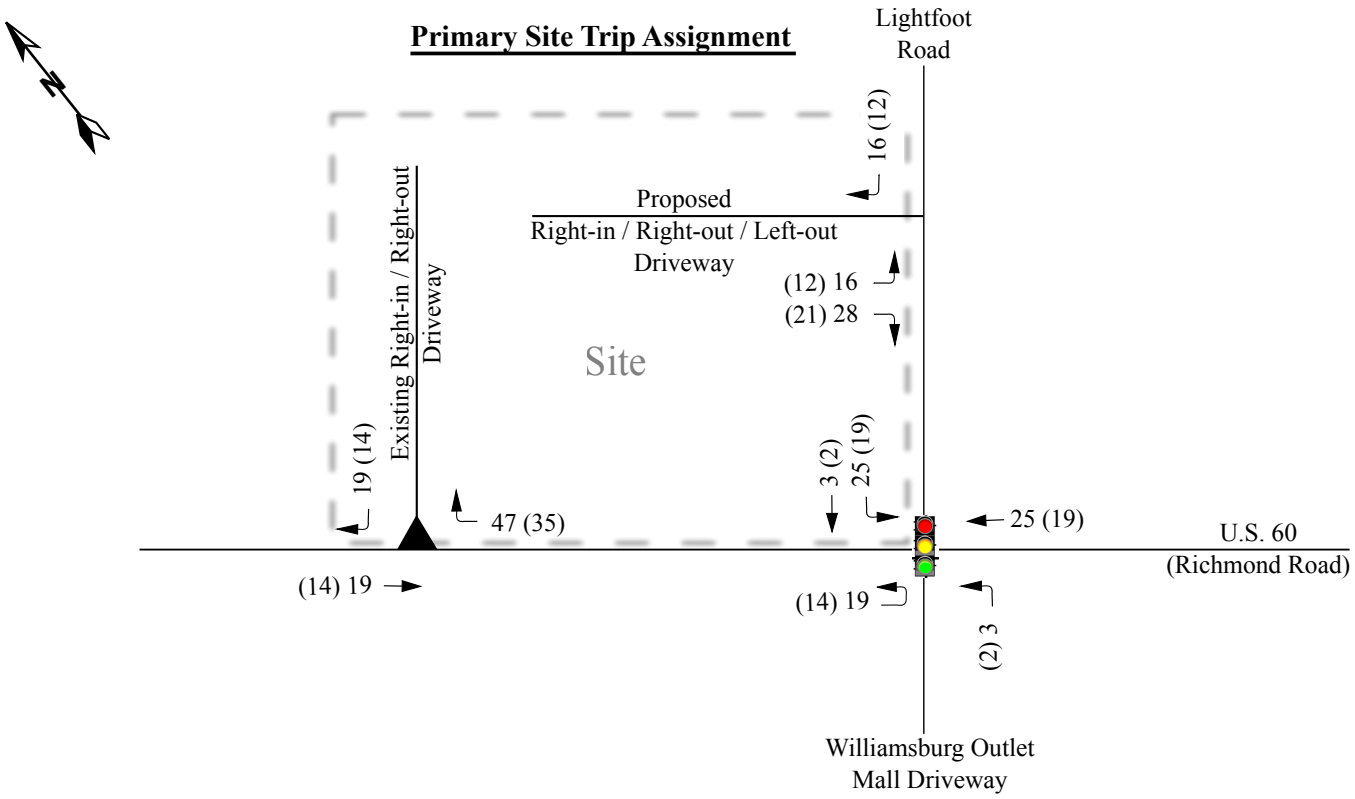


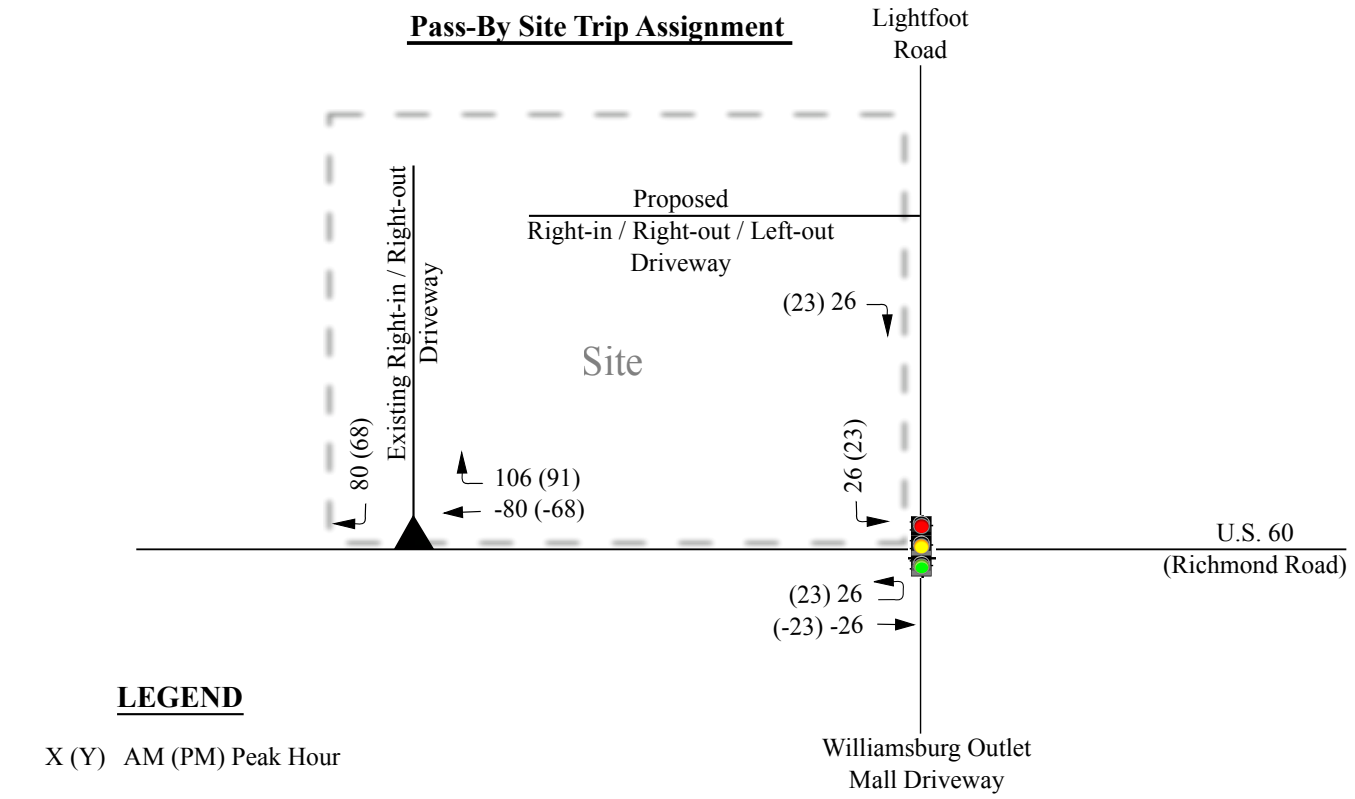
RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Lightfoot Road C-Store
York County and James City County, Virginia

Primary and Pass-By Site Trip Distribution

Scale: Not to Scale | Figure 10





LEGEND

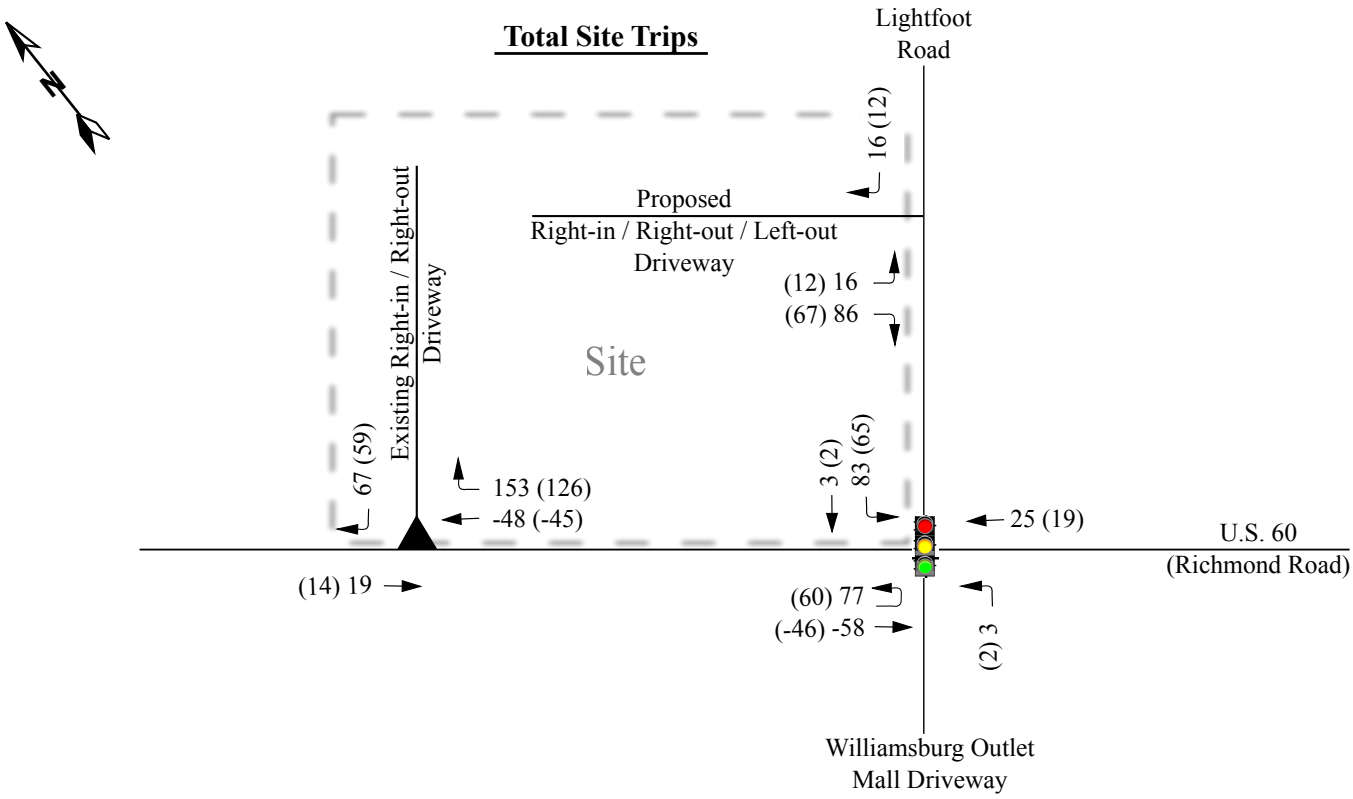
X (Y) AM (PM) Peak Hour

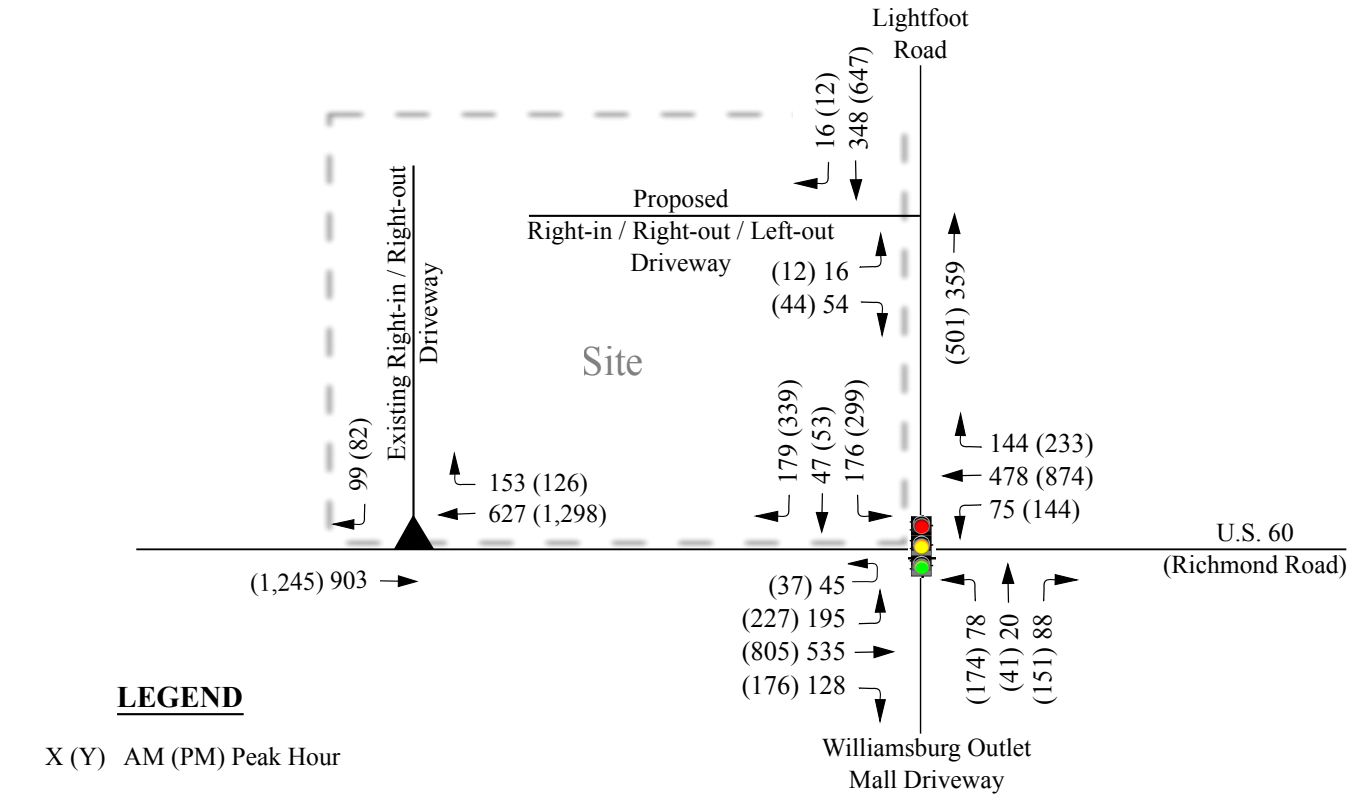
RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Lightfoot Road C-Store
York County and James City County, Virginia

Primary and Pass-By Site Trip Assignment

Scale: Not to Scale | Figure 11





LEGEND

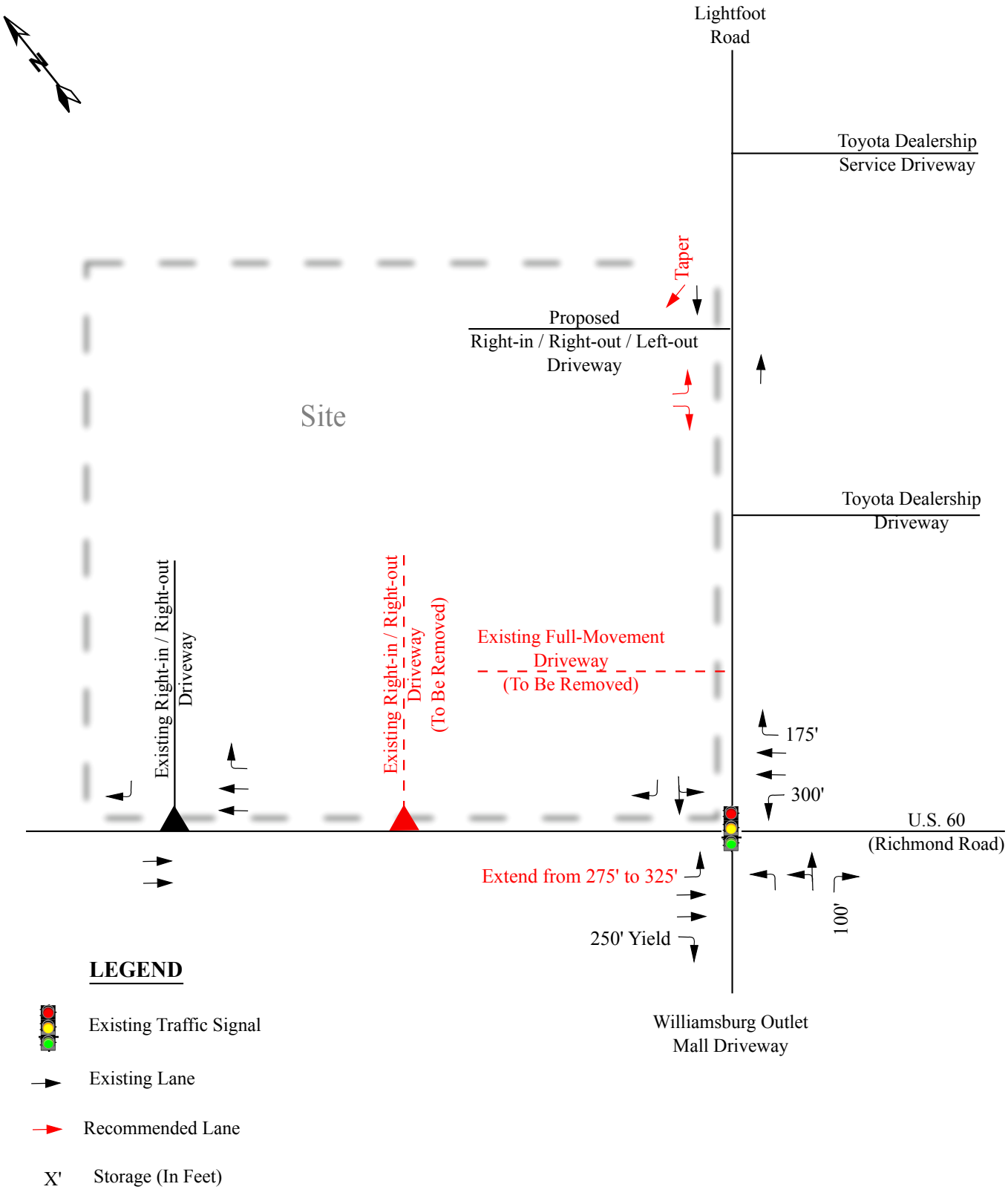
X (Y) AM (PM) Peak Hour

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Lightfoot Road C-Store
York County and James City County, Virginia

Total Site Trips and Build (2020) Peak Hour Traffic Volumes

Scale: Not to Scale | Figure 12



RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

Lightfoot Road C-Store
York County and James City County, Virginia

Recommended Lane Configuration

Scale: Not to Scale

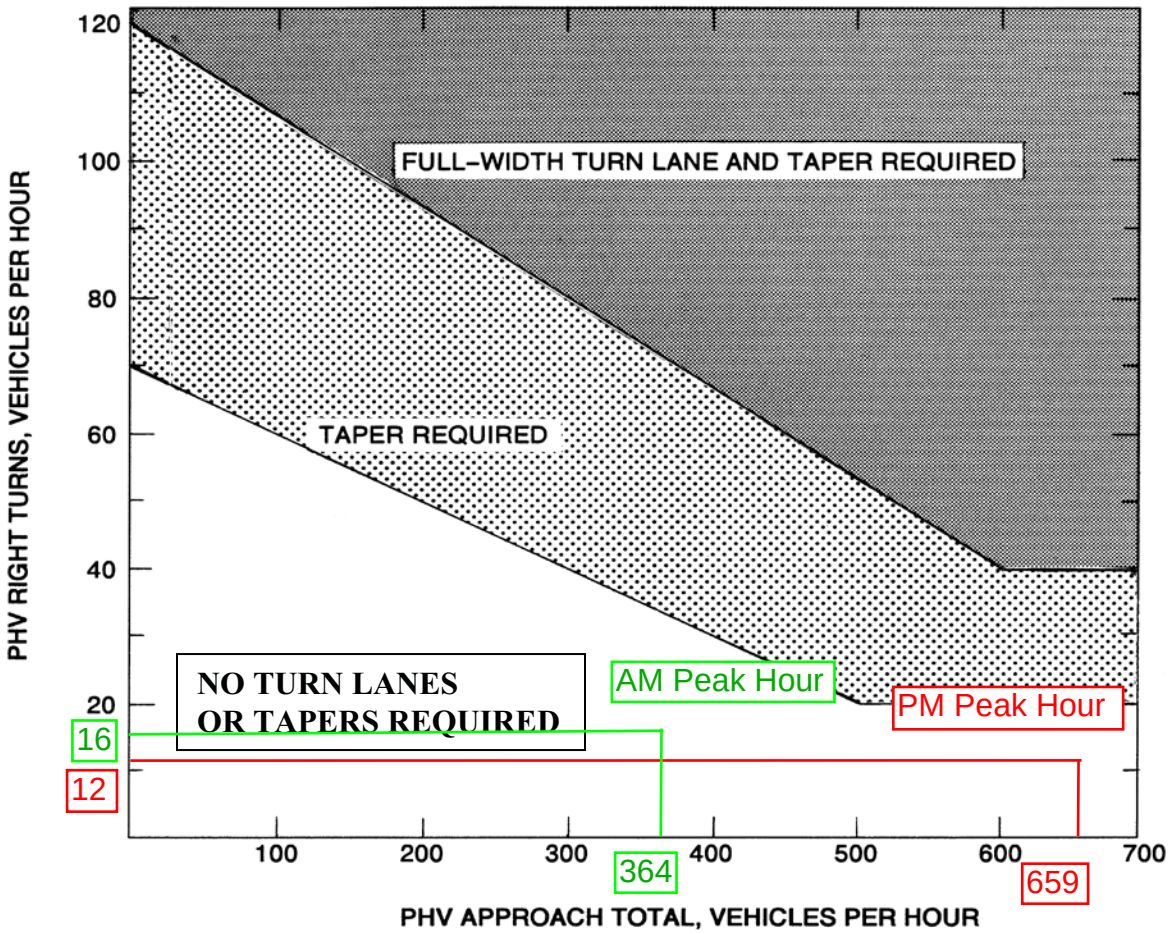
Figure 13

LEGEND

X' Intersection Spacing (In Feet)

RAMEY KEMP & ASSOCIATES TRANSPORTATION ENGINEERS	Lightfoot Road C-Store York County and James City County, Virginia	1/31/2007 Aerial of Corridor Scale: Not to Scale | Figure 14

Lightfoot Road at Site Driveway
Build (2020) Volumes
Southbound Right-Turn Lane Warrant



Appropriate Radius required at all Intersections and Entrances (Commercial or Private).

LEGEND

PHV - Peak Hour Volume (also Design Hourly Volume equivalent)

Adjustment for Right Turns

For posted speeds at or under 45 mph, PHV right turns > 40, and
PHV total < 300.
Adjusted right turns = PHV Right Turns - 20
If PHV is not known use formula: PHV = ADT x K x D

K = the percent of AADT occurring in the peak hour
D = the percent of traffic in the peak direction of flow

Note: An average of 11% for K x D will suffice.

When right turn facilities are warranted, see Figure 3-1 for design criteria.*

FIGURE 3-26 WARRANTS FOR RIGHT TURN TREATMENT (2-LANE HIGHWAY)

* Rev. 1/15

VHB Engineering NC, P.C.

4000 WestChase Boulevard, Suite 530
Raleigh, NC 27607
p: 919-829-0328 f: 919.833-0034

File Name : US60@Lightfoot
Site Code :
Start Date : 10/20/2016
Page No : 1

Groups Printed- Passenger Vehicles - Single Unit - TTST - Bicycles on Crosswalk - Pedestrians

	US 60 (Richmond Road) Southbound				Lightfoot Road Westbound				US 60 (Richmond Road) Northbound				Lightfoot Road Eastbound						
Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Exclu. Total	Inclu. Total	Int. Total
07:00 AM	33	151	47	0	35	20	24	0	10	118	21	0	5	1	8	0	0	473	473
07:15 AM	27	140	13	0	15	9	25	0	11	138	24	0	6	3	8	0	0	419	419
07:30 AM	35	152	18	0	32	8	33	0	6	81	28	0	7	5	15	0	0	420	420
07:45 AM	51	160	9	1	24	9	38	0	7	112	31	0	14	7	5	0	1	467	468
Total	146	603	87	1	106	46	120	0	34	449	104	0	32	16	36	0	1	1779	1780
08:00 AM	40	144	13	0	20	8	25	2	9	109	31	0	9	5	10	0	2	423	425
08:15 AM	50	132	5	0	25	8	39	0	3	113	38	0	7	4	9	0	0	433	433
08:30 AM	53	153	16	0	27	10	44	0	5	105	19	0	9	3	8	0	0	452	452
08:45 AM	49	146	20	0	45	11	45	0	7	140	43	0	11	8	9	0	0	534	534
Total	192	575	54	0	117	37	153	2	24	467	131	0	36	20	36	0	2	1842	1844
*** BREAK ***																			
04:00 PM	60	216	17	0	51	8	82	0	6	195	47	0	17	8	16	0	0	723	723
04:15 PM	55	181	27	0	58	8	67	0	14	221	48	0	12	9	10	0	0	710	710
04:30 PM	68	195	18	0	52	18	80	0	11	210	56	0	20	10	16	0	0	754	754
04:45 PM	53	201	16	0	67	8	94	0	17	208	40	0	22	10	16	0	0	752	752
Total	236	793	78	0	228	42	323	0	48	834	191	0	71	37	58	0	0	2939	2939
05:00 PM	54	204	15	0	57	12	68	0	14	201	55	0	17	12	11	0	0	720	720
05:15 PM	43	248	21	0	67	9	74	0	18	243	50	0	16	7	16	0	0	812	812
05:30 PM	42	211	22	0	57	10	68	0	10	183	44	0	21	12	10	0	0	690	690
05:45 PM	51	185	25	0	65	10	61	0	19	173	56	0	16	7	21	0	0	689	689
Total	190	848	83	0	246	41	271	0	61	800	205	0	70	38	58	0	0	2911	2911
Grand Total	764	2819	302	1	697	166	867	2	167	2550	631	0	209	111	188	0	3	9471	9474
Apprch %	19.7	72.6	7.8		40.3	9.6	50.1		5	76.2	18.8		41.1	21.9	37				
Total %	8.1	29.8	3.2		7.4	1.8	9.2		1.8	26.9	6.7		2.2	1.2	2		0	100	
Passenger Vehicles	746	2735	297		684	160	851		166	2475	622		201	110	185		0	0	9232
% Passenger Vehicles	97.6	97	98.3	0	98.1	96.4	98.2	0	99.4	97.1	98.6	0	96.2	99.1	98.4	0	0	0	97.4
Single Unit	14	81	4		12	6	15		0	72	8		8	0	3		0	0	223
% Single Unit	1.8	2.9	1.3	0	1.7	3.6	1.7	0	0	2.8	1.3	0	3.8	0	1.6	0	0	0	2.4
TTST	4	3	1		1	0	1		1	3	1		0	1	0		0	0	16
% TTST	0.5	0.1	0.3	0	0.1	0	0.1	0	0.6	0.1	0.2	0	0	0.9	0	0	0	0	0.2
Bicycles on Crosswalk	0	0	0		0	0	0		0	0	0		0	0	0		0	0	0
% Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pedestrians	0	0	0		0	0	0		0	0	0		0	0	0		0	0	3
% Pedestrians	0	0	0	100	0	0	0	100	0	0	0	0	0	0	0	0	0	0	0

Peggy Malone & Associates
(888) 247-8602

File Name : 1-US 60 and Exxon Driveways AM
Site Code : 00000000
Start Date : 6/12/2018
Page No : 1

Groups Printed- All Vehicles (no classification)

	US 60 Southbound					fake approach Westbound					US 60 Northbound					Exxon (N) Driveway Southwestbound					
Start Time	Thru	Left	Hard Left	Peds	App. Total	Hard Right	Right	Left	Peds	App. Total	Right	Bear Right	Thru	Peds	App. Total	Hard Right	Bear Left	Hard Left	Peds	App. Total	Int. Total
07:00 AM	0	0	0	0	0	0	0	0	0	0	1	2	0	0	3	3	0	0	0	3	6
07:15 AM	0	0	0	0	0	0	1	0	0	1	0	3	0	0	3	2	0	0	0	2	6
07:30 AM	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	2	0	0	0	2	3
07:45 AM	0	0	0	0	0	0	0	0	0	0	1	1	0	0	2	0	0	0	0	0	2
Total	0	0	0	0	0	0	2	0	0	2	2	6	0	0	8	7	0	0	0	7	17
08:00 AM	0	0	0	0	0	0	0	0	0	0	1	2	0	0	3	4	0	0	0	4	7
08:15 AM	0	0	0	0	0	0	0	0	0	0	3	4	0	0	7	7	0	0	0	7	14
08:30 AM	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2	4	0	0	0	4	6
08:45 AM	0	0	0	0	0	0	0	0	0	0	0	4	0	0	4	3	0	0	0	3	7
Total	0	0	0	0	0	0	0	0	0	0	4	12	0	0	16	18	0	0	0	18	34
Grand Total	0	0	0	0	0	0	2	0	0	2	6	18	0	0	24	25	0	0	0	25	51
Apprch %	0	0	0	0		0	100	0	0		25	75	0	0		100	0	0	0		
Total %	0	0	0	0	0	0	3.9	0	0	3.9	11.8	35.3	0	0	47.1	49	0	0	0	49	

	US 60 Southbound					fake approach Westbound					US 60 Northbound					Exxon (N) Driveway Southwestbound					
Start Time	Thru	Left	Hard Left	Peds	App. Total	Hard Right	Right	Left	Peds	App. Total	Right	Bear Right	Thru	Peds	App. Total	Hard Right	Bear Left	Hard Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 08:00 AM																					
08:00 AM	0	0	0	0	0	0	0	0	0	0	1	2	0	0	3	4	0	0	0	4	7
08:15 AM	0	0	0	0	0	0	0	0	0	0	**3**	**4**	0	0	**7**	**7**	0	0	0	**7**	**14**
08:30 AM	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2	4	0	0	0	4	6
08:45 AM	0	0	0	0	0	0	0	0	0	0	0	4	0	0	4	3	0	0	0	3	7
Total Volume	0	0	0	0	0	0	0	0	0	0	4	12	0	0	16	18	0	0	0	18	34
% App. Total	0	0	0	0		0	0	0	0		25	75	0	0		100	0	0	0		
PHF	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.333	.750	.000	.000	.571	.643	.000	.000	.000	.643	.607

Peggy Malone & Associates
(888) 247-8602

File Name : 1-US 60 and Exxon Driveways PM
Site Code : 00000000
Start Date : 6/12/2018
Page No : 1

Groups Printed- All Vehicles (no classification)

	US 60 Southbound				fake approach Westbound				US 60 Northbound				Exxon (N) Driveway Southwestbound				
Start Time	Thru	Left	Hard Left	App. Total	Hard Right	Right	Left	App. Total	Right	Bear Right	Thru	App. Total	Hard Right	Bear Left	Hard Left	App. Total	Int. Total
04:00 PM	0	0	0	0	0	1	0	1	0	5	0	5	5	0	0	5	11
04:15 PM	0	0	0	0	0	1	0	1	1	3	0	4	8	0	0	8	13
04:30 PM	0	0	0	0	0	0	0	0	1	3	0	4	5	0	0	5	9
04:45 PM	0	0	0	0	0	0	0	0	0	1	0	1	2	0	0	2	3
Total	0	0	0	0	0	2	0	2	2	12	0	14	20	0	0	20	36
05:00 PM	0	0	0	0	0	2	0	2	0	3	0	3	7	0	0	7	12
05:15 PM	0	0	0	0	0	0	0	0	0	2	0	2	6	0	0	6	8
05:30 PM	0	0	0	0	0	0	0	0	0	2	0	2	2	0	0	2	4
05:45 PM	0	0	0	0	0	2	0	2	0	1	0	1	4	0	0	4	7
Total	0	0	0	0	0	4	0	4	0	8	0	8	19	0	0	19	31
Grand Total	0	0	0	0	0	6	0	6	2	20	0	22	39	0	0	39	67
Apprch %	0	0	0		0	100	0		9.1	90.9	0		100	0	0		
Total %	0	0	0	0	0	9	0	9	3	29.9	0	32.8	58.2	0	0	58.2	

	US 60 Southbound				fake approach Westbound				US 60 Northbound				Exxon (N) Driveway Southwestbound				
Start Time	Thru	Left	Hard Left	App. Total	Hard Right	Right	Left	App. Total	Right	Bear Right	Thru	App. Total	Hard Right	Bear Left	Hard Left	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:15 PM																	
04:15 PM	0	0	0	0	0	1	0	1	**1**	**3**	0	**4**	**8**	0	0	**8**	**13**
04:30 PM	0	0	0	0	0	0	0	0	1	3	0	4	5	0	0	5	9
04:45 PM	0	0	0	0	0	0	0	0	0	1	0	1	2	0	0	2	3
05:00 PM	0	0	0	0	0	**2**	0	**2**	0	3	0	3	7	0	0	7	12
Total Volume	0	0	0	0	0	3	0	3	2	10	0	12	22	0	0	22	37
% App. Total	0	0	0		0	100	0		16.7	83.3	0		100	0	0		
PHF	.000	.000	.000	.000	.000	.375	.000	.375	.500	.833	.000	.750	.688	.000	.000	.688	.712

Peggy Malone & Associates
(888) 247-8602

File Name : 2-Exxon and US 60 AM
Site Code :
Start Date : 6/12/2018
Page No : 1

Groups Printed- All Vehicles (no classification)

	Exxon Southbound					Lightfoot Westbound				Nissan Northbound					Lightfoot Eastbound				
Start Time	Right	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Int. Total
07:00 AM	0	0	3	0	3	4	1	0	5	0	0	0	0	0	1	5	0	6	14
07:15 AM	2	0	7	0	9	2	2	0	4	0	0	0	0	0	2	2	0	4	17
07:30 AM	2	0	1	0	3	1	0	0	1	1	0	1	0	2	1	1	0	2	8
07:45 AM	1	0	1	0	2	1	3	0	4	0	0	0	0	0	2	2	0	4	10
Total	5	0	12	0	17	8	6	0	14	1	0	1	0	2	6	10	0	16	49
08:00 AM	1	0	1	0	2	5	0	0	5	0	0	0	0	0	1	2	0	3	10
08:15 AM	0	0	1	1	2	2	1	0	3	1	0	0	0	1	0	2	0	2	8
08:30 AM	3	0	4	2	9	3	2	0	5	3	0	0	0	3	1	0	0	1	18
08:45 AM	5	0	1	0	6	2	0	0	2	0	0	0	0	0	5	1	0	6	14
Total	9	0	7	3	19	12	3	0	15	4	0	0	0	4	7	5	0	12	50
Grand Total	14	0	19	3	36	20	9	0	29	5	0	1	0	6	13	15	0	28	99
Apprch %	38.9	0	52.8	8.3		69	31	0		83.3	0	16.7	0		46.4	53.6	0		
Total %	14.1	0	19.2	3	36.4	20.2	9.1	0	29.3	5.1	0	1	0	6.1	13.1	15.2	0	28.3	

	Exxon Southbound				Lightfoot Westbound			Nissan Northbound				Lightfoot Eastbound			
Start Time	Right	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	Left	App. Total	Right	Left	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1															
Peak Hour for Entire Intersection Begins at 07:00 AM															
07:00 AM	0	0	3	3	**4**	1	**5**	0	0	0	0	1	**5**	**6**	14
07:15 AM	**2**	0	**7**	**9**	2	2	4	0	0	0	0	**2**	2	4	**17**
07:30 AM	2	0	1	3	1	0	1	**1**	0	**1**	**2**	1	1	2	8
07:45 AM	1	0	1	2	1	**3**	4	0	0	0	0	2	2	4	10
Total Volume	5	0	12	17	8	6	14	1	0	1	2	6	10	16	49
% App. Total	29.4	0	70.6		57.1	42.9		50	0	50		37.5	62.5		
PHF	.625	.000	.429	.472	.500	.500	.700	.250	.000	.250	.250	.750	.500	.667	.721

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File Name : 2-Exxon and US 60 PM
Site Code :
Start Date : 6/12/2018
Page No : 1

Groups Printed- All Vehicles (no classification)

	Exxon Southbound					Lightfoot Westbound				Nissan Northbound					Lightfoot Eastbound				
Start Time	Right	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Left	Peds	App. Total	Int. Total
04:00 PM	0	0	0	0	0	4	2	0	6	0	0	5	0	5	1	0	0	1	12
04:15 PM	1	0	2	0	3	7	0	0	7	0	0	0	0	0	3	0	0	3	13
04:30 PM	0	0	0	0	0	3	2	0	5	2	0	2	0	4	2	1	0	3	12
04:45 PM	3	0	2	0	5	2	1	0	3	0	0	0	0	0	0	0	0	0	8
Total	4	0	4	0	8	16	5	0	21	2	0	7	0	9	6	1	0	7	45
05:00 PM	0	0	0	0	0	8	2	0	10	7	1	0	0	8	1	0	0	1	19
05:15 PM	0	1	2	0	3	5	1	0	6	8	1	1	0	10	2	0	0	2	21
05:30 PM	0	0	2	0	2	5	1	0	6	3	0	4	0	7	1	0	0	1	16
05:45 PM	2	0	0	0	2	4	0	0	4	0	0	0	0	0	1	2	0	3	9
Total	2	1	4	0	7	22	4	0	26	18	2	5	0	25	5	2	0	7	65
Grand Total	6	1	8	0	15	38	9	0	47	20	2	12	0	34	11	3	0	14	110
Apprch %	40	6.7	53.3	0		80.9	19.1	0		58.8	5.9	35.3	0		78.6	21.4	0		
Total %	5.5	0.9	7.3	0	13.6	34.5	8.2	0	42.7	18.2	1.8	10.9	0	30.9	10	2.7	0	12.7	

	Exxon Southbound				Lightfoot Westbound			Nissan Northbound				Lightfoot Eastbound			
Start Time	Right	Thru	Left	App. Total	Right	Left	App. Total	Right	Thru	Left	App. Total	Right	Left	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1															
Peak Hour for Entire Intersection Begins at 05:00 PM															
05:00 PM	0	0	0	0	**8**	**2**	**10**	7	**1**	0	8	1	0	1	19
05:15 PM	0	**1**	**2**	**3**	5	1	6	**8**	1	1	**10**	**2**	0	2	**21**
05:30 PM	0	0	2	2	5	1	6	3	0	**4**	7	1	0	1	16
05:45 PM	**2**	0	0	2	4	0	4	0	0	0	0	1	**2**	**3**	9
Total Volume	2	1	4	7	22	4	26	18	2	5	25	5	2	7	65
% App. Total	28.6	14.3	57.1		84.6	15.4		72	8	20		71.4	28.6		
PHF	.250	.250	.500	.583	.688	.500	.650	.563	.500	.313	.625	.625	.250	.583	.774

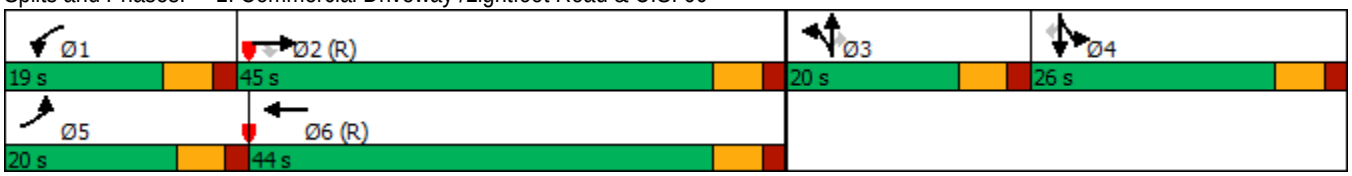
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	196	587	55	24	476	134	37	20	37	119	38	156
Future Volume (vph)	196	587	55	24	476	134	37	20	37	119	38	156
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	300		175	0		100	0		0
Storage Lanes	1		1	1		1	1		1	0		1
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	1681	1741	1583	0	1794	1583
Flt Permitted	0.950			0.950			0.950	0.984			0.963	
Satd. Flow (perm)	1770	3539	1583	1770	3539	1583	1681	1741	1583	0	1794	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			149			208			149			181
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		182			666			417			201	
Travel Time (s)		2.8			10.1			11.4			3.0	
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Shared Lane Traffic (%)							25%					
Lane Group Flow (vph)	228	683	64	28	553	156	32	34	43	0	182	181
Turn Type	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA	Perm
Protected Phases	5	2		1	6		3	3		4	4	
Permitted Phases			2			Free			3			4
Detector Phase	5	2	2	1	6		3	3	3	4	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0	16.0
Total Split (s)	20.0	45.0	45.0	19.0	44.0		20.0	20.0	20.0	26.0	26.0	26.0
Total Split (%)	18.2%	40.9%	40.9%	17.3%	40.0%		18.2%	18.2%	18.2%	23.6%	23.6%	23.6%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lead	Lead	Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min	C-Min	None	C-Min		None	None	None	None	None	None
Act Effct Green (s)	21.6	63.8	63.8	9.3	46.7	110.0	9.7	9.7	9.7		18.3	18.3
Actuated g/C Ratio	0.20	0.58	0.58	0.08	0.42	1.00	0.09	0.09	0.09		0.17	0.17
v/c Ratio	0.66	0.33	0.07	0.19	0.37	0.10	0.22	0.22	0.16		0.61	0.44
Control Delay	50.1	15.8	0.1	49.1	25.1	0.1	49.4	49.4	1.2		50.7	8.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Delay	50.1	15.8	0.1	49.1	25.1	0.1	49.4	49.4	1.2		50.7	8.9
LOS	D	B	A	D	C	A	D	D	A		D	A
Approach Delay		22.8			20.7			30.4			29.9	
Approach LOS		C			C			C			C	
Queue Length 50th (ft)	147	145	0	19	146	0	22	24	0		120	0
Queue Length 95th (ft)	219	218	0	45	207	0	51	53	0		173	49
Internal Link Dist (ft)		102			586			337			121	
Turn Bay Length (ft)				300		175			100			
Base Capacity (vph)	347	2051	980	241	1550	1583	244	253	357		365	466
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0		0	0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Reduced v/c Ratio	0.66	0.33	0.07	0.12	0.36	0.10	0.13	0.13	0.12		0.50	0.39

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 0 (0%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 65
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.66
Intersection Signal Delay: 23.6 Intersection LOS: C
Intersection Capacity Utilization 49.3% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



Intersection	
Int Delay, s/veh	0.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	7	9	5	345	304	12
Future Vol, veh/h	7	9	5	345	304	12
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	-	50
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	8	10	5	375	330	13

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	715	330	343	0	-	0
Stage 1	330	-	-	-	-	-
Stage 2	385	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	397	712	1216	-	-	-
Stage 1	728	-	-	-	-	-
Stage 2	688	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	395	712	1216	-	-	-
Mov Cap-2 Maneuver	395	-	-	-	-	-
Stage 1	724	-	-	-	-	-
Stage 2	688	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	11.9	0.1	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1216	-	395	712	-	-
HCM Lane V/C Ratio	0.004	-	0.019	0.014	-	-
HCM Control Delay (s)	8	0	14.3	10.1	-	-
HCM Lane LOS	A	A	B	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	0	-	-

Intersection	
Int Delay, s/veh	0.1

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑↑	↑↑	↱		↱
Traffic Vol, veh/h	0	838	653	12	0	18
Future Vol, veh/h	0	838	653	12	0	18
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	0	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	911	710	13	0	20

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	-	0	-	0	-	355
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	0	-	-	-	0	641
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	-	641
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	10.8
HCM LOS			B

Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	-	641
HCM Lane V/C Ratio	-	-	-	0.031
HCM Control Delay (s)	-	-	-	10.8
HCM Lane LOS	-	-	-	B
HCM 95th %tile Q(veh)	-	-	-	0.1

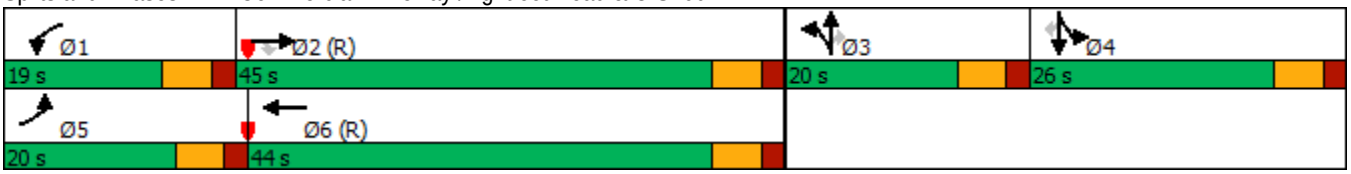
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	222	865	71	61	879	205	77	40	60	248	48	322
Future Volume (vph)	222	865	71	61	879	205	77	40	60	248	48	322
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	300		175	0		100	0		0
Storage Lanes	1		1	1		1	1		1	0		1
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	1681	1741	1583	0	1788	1583
Flt Permitted	0.950			0.950			0.950	0.984			0.960	
Satd. Flow (perm)	1770	3539	1583	1770	3539	1583	1681	1741	1583	0	1788	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			149			208			149			346
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		182			666			417			201	
Travel Time (s)		2.8			10.1			11.4			3.0	
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Shared Lane Traffic (%)							25%					
Lane Group Flow (vph)	239	930	76	66	945	220	62	64	65	0	319	346
Turn Type	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA	Perm
Protected Phases	5	2		1	6		3	3		4	4	
Permitted Phases			2			Free			3			4
Detector Phase	5	2	2	1	6		3	3	3	4	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0	16.0
Total Split (s)	20.0	45.0	45.0	19.0	44.0		20.0	20.0	20.0	26.0	26.0	26.0
Total Split (%)	18.2%	40.9%	40.9%	17.3%	40.0%		18.2%	18.2%	18.2%	23.6%	23.6%	23.6%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lead	Lead	Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min	C-Min	None	C-Min		None	None	None	None	None	None
Act Effct Green (s)	17.7	51.6	51.6	11.4	43.0	110.0	11.4	11.4	11.4		24.3	24.3
Actuated g/C Ratio	0.16	0.47	0.47	0.10	0.39	1.00	0.10	0.10	0.10		0.22	0.22
v/c Ratio	0.84	0.56	0.09	0.36	0.68	0.14	0.36	0.36	0.22		0.81	0.56
Control Delay	71.4	25.7	0.2	50.6	32.1	0.2	50.7	50.5	1.7		57.8	7.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Delay	71.4	25.7	0.2	50.6	32.1	0.2	50.7	50.5	1.7		57.8	7.8
LOS	E	C	A	D	C	A	D	D	A		E	A
Approach Delay		32.9			27.4			33.9			31.8	
Approach LOS		C			C			C			C	
Queue Length 50th (ft)	169	275	0	44	303	0	43	45	0		208	0
Queue Length 95th (ft)	#320	365	0	85	378	0	85	87	0		#371	78
Internal Link Dist (ft)		102			586			337			121	
Turn Bay Length (ft)				300		175			100			
Base Capacity (vph)	284	1660	821	241	1406	1583	244	253	357		397	621
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0		0	0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Reduced v/c Ratio	0.84	0.56	0.09	0.27	0.67	0.14	0.25	0.25	0.18		0.80	0.56

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 0 (0%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 80
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.84
Intersection Signal Delay: 30.7 Intersection LOS: C
Intersection Capacity Utilization 69.5% ICU Level of Service C
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



Intersection	
Int Delay, s/veh	0.1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	4	3	1	466	615	18
Future Vol, veh/h	4	3	1	466	615	18
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	-	50
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	100	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	4	3	1	507	668	20

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1177	668	688	0	-	0
Stage 1	668	-	-	-	-	-
Stage 2	509	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	211	458	906	-	-	-
Stage 1	510	-	-	-	-	-
Stage 2	604	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	211	458	906	-	-	-
Mov Cap-2 Maneuver	211	-	-	-	-	-
Stage 1	509	-	-	-	-	-
Stage 2	604	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	18.5	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	906	-	211	458	-	-
HCM Lane V/C Ratio	0.001	-	0.021	0.007	-	-
HCM Control Delay (s)	9	0	22.4	12.9	-	-
HCM Lane LOS	A	A	C	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	0	-	-

Intersection	
Int Delay, s/veh	0.1

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑↑	↑↑	↱		↱
Traffic Vol, veh/h	0	1158	1270	9	0	20
Future Vol, veh/h	0	1158	1270	9	0	20
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	0	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	1259	1380	10	0	22

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	-	0	-	0	-	690
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	0	-	-	-	0	388
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	-	388
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	14.8
HCM LOS			B

Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	-	388
HCM Lane V/C Ratio	-	-	-	0.056
HCM Control Delay (s)	-	-	-	14.8
HCM Lane LOS	-	-	-	B
HCM 95th %tile Q(veh)	-	-	-	0.2

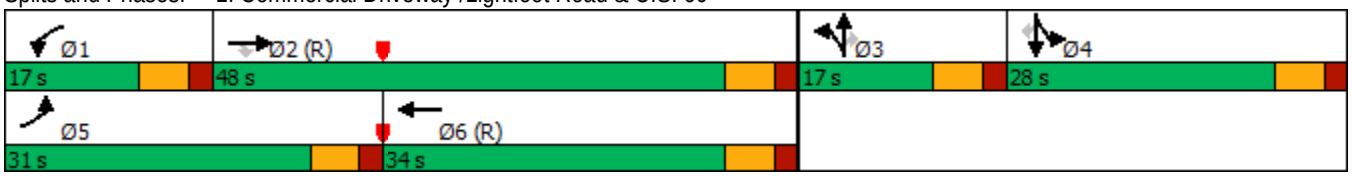
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	200	561	128	75	469	144	75	20	88	134	44	179
Future Volume (vph)	200	561	128	75	469	144	75	20	88	134	44	179
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	300		175	0		100	0		0
Storage Lanes	1		1	1		1	1		1	0		1
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	1681	1720	1583	0	1796	1583
Flt Permitted	0.950			0.950			0.950	0.972			0.964	
Satd. Flow (perm)	1770	3539	1583	1770	3539	1583	1681	1720	1583	0	1796	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			149			268			208			208
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		182			666			417			201	
Travel Time (s)		2.8			10.1			11.4			3.0	
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Shared Lane Traffic (%)							37%					
Lane Group Flow (vph)	233	652	149	87	545	167	55	55	102	0	207	208
Turn Type	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA	Perm
Protected Phases	5	2		1	6		3	3		4	4	
Permitted Phases			2			Free			3			4
Detector Phase	5	2	2	1	6		3	3	3	4	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0	16.0
Total Split (s)	31.0	48.0	48.0	17.0	34.0		17.0	17.0	17.0	28.0	28.0	28.0
Total Split (%)	28.2%	43.6%	43.6%	15.5%	30.9%		15.5%	15.5%	15.5%	25.5%	25.5%	25.5%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lead	Lead	Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min	C-Min	None	C-Min		None	None	None	None	None	None
Act Effct Green (s)	21.4	54.5	54.5	11.9	42.5	110.0	10.7	10.7	10.7		19.4	19.4
Actuated g/C Ratio	0.19	0.50	0.50	0.11	0.39	1.00	0.10	0.10	0.10		0.18	0.18
v/c Ratio	0.68	0.37	0.17	0.45	0.40	0.11	0.34	0.33	0.30		0.66	0.46
Control Delay	50.8	20.3	4.0	53.4	27.9	0.1	51.3	51.0	2.2		51.7	8.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Delay	50.8	20.3	4.0	53.4	27.9	0.1	51.3	51.0	2.2		51.7	8.6
LOS	D	C	A	D	C	A	D	D	A		D	A
Approach Delay		24.8			24.9			27.6			30.1	
Approach LOS		C			C			C			C	
Queue Length 50th (ft)	153	156	0	58	147	0	38	38	0		137	0
Queue Length 95th (ft)	212	214	34	104	218	0	76	76	0		195	52
Internal Link Dist (ft)		102			586			337			121	
Turn Bay Length (ft)				300		175			100			
Base Capacity (vph)	434	1752	859	213	1367	1583	198	203	370		391	508
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0		0	0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Reduced v/c Ratio	0.54	0.37	0.17	0.41	0.40	0.11	0.28	0.27	0.28		0.53	0.41

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 0 (0%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 65
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.68
Intersection Signal Delay: 26.0 Intersection LOS: C
Intersection Capacity Utilization 50.4% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



Intersection	
Int Delay, s/veh	0.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	7	9	5	359	348	12
Future Vol, veh/h	7	9	5	359	348	12
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	-	50
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	8	10	5	390	378	13

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	778	378	391	0	-	0
Stage 1	378	-	-	-	-	-
Stage 2	400	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	365	669	1168	-	-	-
Stage 1	693	-	-	-	-	-
Stage 2	677	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	363	669	1168	-	-	-
Mov Cap-2 Maneuver	363	-	-	-	-	-
Stage 1	690	-	-	-	-	-
Stage 2	677	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.5	0.1	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1168	-	363	669	-	-
HCM Lane V/C Ratio	0.005	-	0.021	0.015	-	-
HCM Control Delay (s)	8.1	0	15.1	10.5	-	-
HCM Lane LOS	A	A	C	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	0	-	-

Intersection	
Int Delay, s/veh	0.1

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑↑	↑↑	↱		↱
Traffic Vol, veh/h	0	889	707	12	0	18
Future Vol, veh/h	0	889	707	12	0	18
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	0	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	966	768	13	0	20

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	-	0	-	0	-	384
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	0	-	-	-	0	614
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	-	614
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	11.1
HCM LOS			B

Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	-	614
HCM Lane V/C Ratio	-	-	-	0.032
HCM Control Delay (s)	-	-	-	11.1
HCM Lane LOS	-	-	-	B
HCM 95th %tile Q(veh)	-	-	-	0.1

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	228	828	176	144	865	233	172	41	151	260	51	339
Future Volume (vph)	228	828	176	144	865	233	172	41	151	260	51	339
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	300		175	0		100	0		0
Storage Lanes	1		1	1		1	1		1	0		1
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1788	1583
Flt Permitted	0.950			0.950			0.950	0.970			0.960	
Satd. Flow (perm)	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1788	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			189			208			162			300
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		182			666			417			201	
Travel Time (s)		2.8			10.1			11.4			3.0	
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Shared Lane Traffic (%)							39%					
Lane Group Flow (vph)	245	890	189	155	930	251	113	116	162	0	335	365
Turn Type	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA	Perm
Protected Phases	5	2		1	6		3	3		4	4	
Permitted Phases			2			Free			3			4
Detector Phase	5	2	2	1	6		3	3	3	4	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0	16.0
Total Split (s)	21.0	43.0	43.0	20.0	42.0		20.0	20.0	20.0	27.0	27.0	27.0
Total Split (%)	19.1%	39.1%	39.1%	18.2%	38.2%		18.2%	18.2%	18.2%	24.5%	24.5%	24.5%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lead	Lead	Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min	C-Min	None	C-Min		None	None	None	None	None	None
Act Effct Green (s)	17.5	41.7	41.7	14.8	39.0	110.0	13.8	13.8	13.8		23.7	23.7
Actuated g/C Ratio	0.16	0.38	0.38	0.13	0.35	1.00	0.13	0.13	0.13		0.22	0.22
v/c Ratio	0.87	0.66	0.26	0.65	0.74	0.16	0.54	0.54	0.48		0.87	0.63
Control Delay	75.3	32.1	4.6	58.5	35.9	0.2	54.2	54.1	11.6		65.4	13.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Delay	75.3	32.1	4.6	58.5	35.9	0.2	54.2	54.1	11.6		65.4	13.8
LOS	E	C	A	E	D	A	D	D	B		E	B
Approach Delay		36.1			31.8			36.5			38.5	
Approach LOS		D			C			D			D	
Queue Length 50th (ft)	172	282	0	104	304	0	78	81	0		228	38
Queue Length 95th (ft)	#319	356	47	174	382	0	140	141	60		#396	138
Internal Link Dist (ft)		102			586			337			121	
Turn Bay Length (ft)				300		175			100			
Base Capacity (vph)	281	1340	717	257	1265	1583	244	249	368		388	579
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0		0	0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Reduced v/c Ratio	0.87	0.66	0.26	0.60	0.74	0.16	0.46	0.47	0.44		0.86	0.63

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 0 (0%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 80
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.87
Intersection Signal Delay: 35.1 Intersection LOS: D
Intersection Capacity Utilization 70.3% ICU Level of Service C
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60

Intersection	
Int Delay, s/veh	0.1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	4	3	1	501	647	18
Future Vol, veh/h	4	3	1	501	647	18
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	-	50
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	100	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	4	3	1	545	703	20

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1250	703	723	0	-	0
Stage 1	703	-	-	-	-	-
Stage 2	547	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	191	438	879	-	-	-
Stage 1	491	-	-	-	-	-
Stage 2	580	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	191	438	879	-	-	-
Mov Cap-2 Maneuver	191	-	-	-	-	-
Stage 1	490	-	-	-	-	-
Stage 2	580	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	19.8	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	879	-	191	438	-	-
HCM Lane V/C Ratio	0.001	-	0.023	0.007	-	-
HCM Control Delay (s)	9.1	0	24.3	13.3	-	-
HCM Lane LOS	A	A	C	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	0	-	-

Intersection	
Int Delay, s/veh	0.1

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑↑	↑↑	↱		↱
Traffic Vol, veh/h	0	1232	1368	9	0	20
Future Vol, veh/h	0	1232	1368	9	0	20
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	0	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	1339	1487	10	0	22

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	-	0	-	0	-	744
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	0	-	-	-	0	357
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	-	357
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	15.7
HCM LOS			C

Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	-	357
HCM Lane V/C Ratio	-	-	-	0.061
HCM Control Delay (s)	-	-	-	15.7
HCM Lane LOS	-	-	-	C
HCM 95th %tile Q(veh)	-	-	-	0.2

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	45	195	535	128	75	478	144	78	20	88	176	47
Future Volume (vph)	45	195	535	128	75	478	144	78	20	88	176	47
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0		0	300		175	0		100	0	
Storage Lanes		1		1	1		1	1		1	0	
Taper Length (ft)		100			100			100			100	
Satd. Flow (prot)	0	1770	3539	1583	1770	3539	1583	1681	1718	1583	0	1792
Flt Permitted		0.950			0.950			0.950	0.971			0.962
Satd. Flow (perm)	0	1770	3539	1583	1770	3539	1583	1681	1718	1583	0	1792
Right Turn on Red				Yes			Yes			Yes		
Satd. Flow (RTOR)				149			268			208		
Link Speed (mph)			45			45			25			45
Link Distance (ft)			321			666			417			402
Travel Time (s)			4.9			10.1			11.4			6.1
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Shared Lane Traffic (%)								38%				
Lane Group Flow (vph)	0	279	622	149	87	556	167	56	58	102	0	260
Turn Type	Prot	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA
Protected Phases	5	5	2		1	6		3	3		4	4
Permitted Phases				2			Free			3		
Detector Phase	5	5	2	2	1	6		3	3	3	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0
Total Split (s)	32.0	32.0	49.0	49.0	15.0	32.0		16.0	16.0	16.0	30.0	30.0
Total Split (%)	29.1%	29.1%	44.5%	44.5%	13.6%	29.1%		14.5%	14.5%	14.5%	27.3%	27.3%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0
Total Lost Time (s)		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lag		Lead	Lead	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	C-Min		None	None	None	None	None
Act Effct Green (s)		23.7	52.9	52.9	10.9	37.6	110.0	10.5	10.5	10.5		22.2
Actuated g/C Ratio		0.22	0.48	0.48	0.10	0.34	1.00	0.10	0.10	0.10		0.20
v/c Ratio		0.73	0.37	0.18	0.50	0.46	0.11	0.35	0.36	0.30		0.72
Control Delay		51.7	20.7	3.9	57.1	32.0	0.1	52.2	52.3	2.3		52.2
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
Total Delay		51.7	20.7	3.9	57.1	32.0	0.1	52.2	52.3	2.3		52.2
LOS		D	C	A	E	C	A	D	D	A		D
Approach Delay			26.6			28.1			28.7			32.4
Approach LOS			C			C			C			C
Queue Length 50th (ft)		183	156	0	58	165	0	38	41	0		171
Queue Length 95th (ft)		251	201	34	107	229	0	77	81	0		239
Internal Link Dist (ft)			241			586			337			322
Turn Bay Length (ft)					300		175			100		
Base Capacity (vph)		450	1703	839	183	1210	1583	183	187	358		423
Starvation Cap Reductn		0	0	0	0	0	0	0	0	0		0

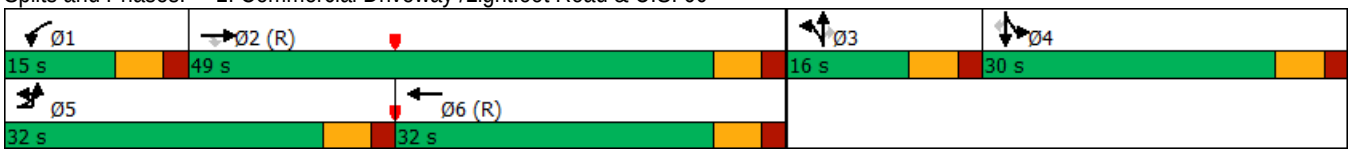
Lane Group	SBR
Lane Configurations	
Traffic Volume (vph)	179
Future Volume (vph)	179
Ideal Flow (vphpl)	1900
Storage Length (ft)	225
Storage Lanes	1
Taper Length (ft)	
Satd. Flow (prot)	1583
Flt Permitted	
Satd. Flow (perm)	1583
Right Turn on Red	Yes
Satd. Flow (RTOR)	208
Link Speed (mph)	
Link Distance (ft)	
Travel Time (s)	
Peak Hour Factor	0.86
Shared Lane Traffic (%)	
Lane Group Flow (vph)	208
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Detector Phase	4
Switch Phase	
Minimum Initial (s)	5.0
Minimum Split (s)	16.0
Total Split (s)	30.0
Total Split (%)	27.3%
Yellow Time (s)	4.0
All-Red Time (s)	2.0
Lost Time Adjust (s)	-2.0
Total Lost Time (s)	4.0
Lead/Lag	Lag
Lead-Lag Optimize?	Yes
Recall Mode	None
Act Effct Green (s)	22.2
Actuated g/C Ratio	0.20
v/c Ratio	0.43
Control Delay	7.7
Queue Delay	0.0
Total Delay	7.7
LOS	A
Approach Delay	
Approach LOS	
Queue Length 50th (ft)	0
Queue Length 95th (ft)	51
Internal Link Dist (ft)	
Turn Bay Length (ft)	225
Base Capacity (vph)	533
Starvation Cap Reductn	0

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Spillback Cap Reductn		0	0	0	0	0	0	0	0	0		0
Storage Cap Reductn		0	0	0	0	0	0	0	0	0		0
Reduced v/c Ratio		0.62	0.37	0.18	0.48	0.46	0.11	0.31	0.31	0.28		0.61

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 0 (0%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 65
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.73
Intersection Signal Delay: 28.3 Intersection LOS: C
Intersection Capacity Utilization 55.4% ICU Level of Service B
Analysis Period (min) 15

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



Lane Group	SBR
Spillback Cap Reductn	0
Storage Cap Reductn	0
Reduced v/c Ratio	0.39

Intersection Summary

Intersection	
Int Delay, s/veh	1.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	16	86	0	359	348	16
Future Vol, veh/h	16	86	0	359	348	16
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	17	93	0	390	378	17

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	777	387	-	0	-	0
Stage 1	387	-	-	-	-	-
Stage 2	390	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	-	-
Pot Cap-1 Maneuver	365	661	0	-	-	-
Stage 1	686	-	0	-	-	-
Stage 2	684	-	0	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	365	661	-	-	-	-
Mov Cap-2 Maneuver	365	-	-	-	-	-
Stage 1	686	-	-	-	-	-
Stage 2	684	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	11.9	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	-	365	661	-	-
HCM Lane V/C Ratio	-	0.048	0.141	-	-
HCM Control Delay (s)	-	15.4	11.3	-	-
HCM Lane LOS	-	C	B	-	-
HCM 95th %tile Q(veh)	-	0.1	0.5	-	-

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑↑	↑↑	↱		↱
Traffic Vol, veh/h	0	903	659	153	0	67
Future Vol, veh/h	0	903	659	153	0	67
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	0	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	982	716	166	0	73

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	-	0	-	0	-	358
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	0	-	-	-	0	638
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	-	638
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	11.4
HCM LOS			B

Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	-	638
HCM Lane V/C Ratio	-	-	-	0.114
HCM Control Delay (s)	-	-	-	11.4
HCM Lane LOS	-	-	-	B
HCM 95th %tile Q(veh)	-	-	-	0.4

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	37	227	805	176	144	874	233	174	41	151	299	53
Future Volume (vph)	37	227	805	176	144	874	233	174	41	151	299	53
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		325		0	300		175	0		100	0	
Storage Lanes		1		1	1		1	1		1	0	
Taper Length (ft)		100			100			100			100	
Satd. Flow (prot)	0	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1786
Flt Permitted		0.950			0.950			0.950	0.970			0.959
Satd. Flow (perm)	0	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1786
Right Turn on Red				Yes			Yes			Yes		
Satd. Flow (RTOR)				189			208			162		
Link Speed (mph)			45			45			25			45
Link Distance (ft)			321			666			417			407
Travel Time (s)			4.9			10.1			11.4			6.2
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Shared Lane Traffic (%)								39%				
Lane Group Flow (vph)	0	284	866	189	155	940	251	114	117	162	0	379
Turn Type	Prot	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA
Protected Phases	5	5	2		1	6		3	3		4	4
Permitted Phases				2			Free			3		
Detector Phase	5	5	2	2	1	6		3	3	3	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0
Total Split (s)	27.0	27.0	42.0	42.0	21.0	36.0		20.0	20.0	20.0	27.0	27.0
Total Split (%)	24.5%	24.5%	38.2%	38.2%	19.1%	32.7%		18.2%	18.2%	18.2%	24.5%	24.5%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0
Total Lost Time (s)		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lag		Lead	Lead	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	C-Min		None	None	None	None	None
Act Effct Green (s)		21.8	39.6	39.6	15.3	33.1	110.0	13.9	13.9	13.9		25.2
Actuated g/C Ratio		0.20	0.36	0.36	0.14	0.30	1.00	0.13	0.13	0.13		0.23
v/c Ratio		0.81	0.68	0.27	0.63	0.88	0.16	0.54	0.54	0.48		0.93
Control Delay		60.6	33.5	4.7	56.2	48.0	0.2	54.4	54.3	11.6		72.7
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
Total Delay		60.6	33.5	4.7	56.2	48.0	0.2	54.4	54.3	11.6		72.7
LOS		E	C	A	E	D	A	D	D	B		E
Approach Delay			35.2			40.0			36.7			45.1
Approach LOS			D			D			D			D
Queue Length 50th (ft)		190	275	0	103	337	0	80	82	0		266
Queue Length 95th (ft)		#315	350	47	172	#458	0	140	143	60		#470
Internal Link Dist (ft)			241			586			337			327
Turn Bay Length (ft)		325			300		175			100		
Base Capacity (vph)		370	1273	690	273	1066	1583	244	249	368		409
Starvation Cap Reductn		0	0	0	0	0	0	0	0	0		0

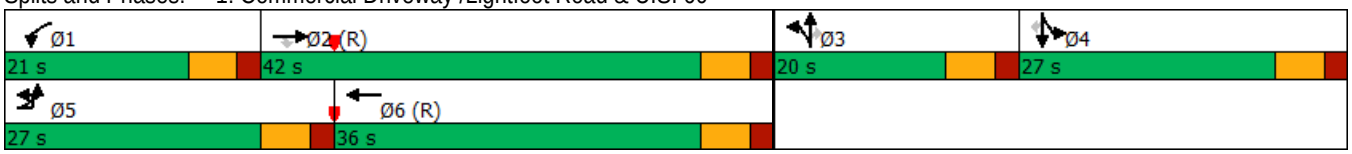
Lane Group	SBR
Lane Configurations	
Traffic Volume (vph)	339
Future Volume (vph)	339
Ideal Flow (vphpl)	1900
Storage Length (ft)	225
Storage Lanes	1
Taper Length (ft)	
Satd. Flow (prot)	1583
Flt Permitted	
Satd. Flow (perm)	1583
Right Turn on Red	Yes
Satd. Flow (RTOR)	272
Link Speed (mph)	
Link Distance (ft)	
Travel Time (s)	
Peak Hour Factor	0.93
Shared Lane Traffic (%)	
Lane Group Flow (vph)	365
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Detector Phase	4
Switch Phase	
Minimum Initial (s)	5.0
Minimum Split (s)	16.0
Total Split (s)	27.0
Total Split (%)	24.5%
Yellow Time (s)	4.0
All-Red Time (s)	2.0
Lost Time Adjust (s)	-2.0
Total Lost Time (s)	4.0
Lead/Lag	Lag
Lead-Lag Optimize?	Yes
Recall Mode	None
Act Effct Green (s)	25.2
Actuated g/C Ratio	0.23
v/c Ratio	0.64
Control Delay	16.4
Queue Delay	0.0
Total Delay	16.4
LOS	B
Approach Delay	
Approach LOS	
Queue Length 50th (ft)	55
Queue Length 95th (ft)	163
Internal Link Dist (ft)	
Turn Bay Length (ft)	225
Base Capacity (vph)	572
Starvation Cap Reductn	0

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Spillback Cap Reductn		0	0	0	0	0	0	0	0	0		0
Storage Cap Reductn		0	0	0	0	0	0	0	0	0		0
Reduced v/c Ratio		0.77	0.68	0.27	0.57	0.88	0.16	0.47	0.47	0.44		0.93

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 97 (88%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 90
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.93
Intersection Signal Delay: 39.0 Intersection LOS: D
Intersection Capacity Utilization 79.0% ICU Level of Service D
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



Lane Group	SBR
Spillback Cap Reductn	0
Storage Cap Reductn	0
Reduced v/c Ratio	0.64

Intersection Summary

Intersection	
Int Delay, s/veh	1

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	12	67	0	501	647	12
Future Vol, veh/h	12	67	0	501	647	12
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	100	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	13	67	0	545	703	13

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1255	710	-	0	-	0
Stage 1	710	-	-	-	-	-
Stage 2	545	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	-	-
Pot Cap-1 Maneuver	189	434	0	-	-	-
Stage 1	487	-	0	-	-	-
Stage 2	581	-	0	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	189	434	-	-	-	-
Mov Cap-2 Maneuver	189	-	-	-	-	-
Stage 1	487	-	-	-	-	-
Stage 2	581	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	16.5	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	-	189	434	-	-
HCM Lane V/C Ratio	-	0.069	0.154	-	-
HCM Control Delay (s)	-	25.5	14.8	-	-
HCM Lane LOS	-	D	B	-	-
HCM 95th %tile Q(veh)	-	0.2	0.5	-	-

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑↑	↑↑	↱		↱
Traffic Vol, veh/h	0	1245	1321	126	0	59
Future Vol, veh/h	0	1245	1321	126	0	59
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	0	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	1353	1436	137	0	64

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	-	0	-	0	-	718
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.32
Pot Cap-1 Maneuver	0	-	-	-	0	371
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	-	371
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	16.7
HCM LOS			C

Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	-	371
HCM Lane V/C Ratio	-	-	-	0.173
HCM Control Delay (s)	-	-	-	16.7
HCM Lane LOS	-	-	-	C
HCM 95th %tile Q(veh)	-	-	-	0.6

RAMEY KEMP & ASSOCIATES
TRANSPORTATION ENGINEERS

RAMEY KEMP & ASSOCIATES, INC.
4343 Cox Road
Glen Allen, VA 23060
Phone: 804-217-8560 Fax: 804-217-8563
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January 16, 2019

Ms. Ellen Cook
James City County – Community Development
101 Mounts Bay Road
Building A
Williamsburg, Virginia 23185
Phone: (757) 253-6671

Reference: Lightfoot Road C-Store
Traffic Impact Analysis (TIA) – **Supplement #1**
York County and James City County, Virginia

Dear Ms. Cook,

Ramey Kemp & Associates, Inc. (RKA) submitted the Traffic Impact Analysis (TIA) for this proposed convenience store redevelopment on October 8. The purpose of this letter is to respond to the two TIA review comments in the County's letter dated December 3.

In response to Comment #1, yes – the build 2020 analysis includes the recommended extension of the eastbound U.S. 60 left-turn lane. The turn lane storage lengths do not affect the vehicle delay and level-of-service (LOS) calculations in Synchro.

In the TIA, we analyzed the signalized intersection of U.S. 60 (Richmond Road) at Lightfoot Road / Williamsburg Outlet Mall Driveway. This intersection is part of a coordinated signal system along U.S. 60, but it was the only traffic signal in our Synchro model. Therefore, the Synchro model assumed it was isolated, and did not account for the benefit of coordination with the other traffic signals on the corridor. As a result, the LOS during the PM peak hour went from LOS C for the existing conditions, to just into the LOS D range for the no-build and build conditions.

The Centerville Road traffic signal is approximately 685 feet southeast of the Lightfoot Road signal. We added the Centerville Road signal to the Synchro model to account for the progression of the through volumes on both directions of U.S. 60. As a result, the average delays at the Lightfoot Road signal decreased by 0.6 seconds during the AM peak hour, and by 4.6 seconds during the PM peak hour for the build-out condition, so LOS C is maintained in both peak hours at build-out.

Table 1 summarizes the updated capacity analysis results for the signalized intersection of U.S. 60 at Lightfoot Road / Williamsburg Outlet Mall Driveway, which takes into account coordination with the Centerville Road signal.

Table 1
Level-of-Service Summary for U.S. 60 at Lightfoot Road / Williamsburg Outlet Mall Driveway

CONDITION	LANE GROUP	AM PEAK HOUR				PM PEAK HOUR			
		Lane LOS	Lane Delay (sec)	Queue (ft)	Overall LOS (Delay)	Lane LOS	Lane Delay (sec)	Queue (ft)	Overall LOS (Delay)
Existing 2018 Traffic Conditions	EBU/L	D	50.7	207	C (22.6 sec)	E	61.8	273	C (27.8 sec)
	EBT	B	17.3	242		C	25.6	330	
	EBR	A	0.1	0		A	0.2	0	
	WBL	D	35.2	39		D	38.2	88	
	WBT	C	20.1	213		C	25.3	292	
	WBR	A	0.1	0		A	0.2	0	
	NBL	D	49.5	51		D	53.2	88	
	NBL/T	D	49.5	53		D	52.9	90	
	NBR	A	0.8	0		A	1.2	0	
	SBT/L	D	51.4	176		E	57.0	334	
	SBR	A	6.3	33		A	7.5	74	
No-Build 2020 Traffic Conditions	EBU/L	D	50.8	212	C (24.9 sec)	E	63.0	283	C (31.7 sec)
	EBT	C	24.8	233		C	34.0	356	
	EBR	A	4.7	37		A	4.6	47	
	WBL	C	33.8	64		D	40.3	170	
	WBT	C	20.5	144		C	29.6	353	
	WBR	A	0.1	0		A	0.2	0	
	NBL	D	51.3	76		E	63.7	155	
	NBL/T	D	51.0	76		E	63.6	156	
	NBR	A	2.2	0		A	6.8	30	
	SBT/L	D	51.7	195		E	59.6	360	
	SBR	A	8.6	52		A	7.5	77	
Build 2020 Traffic Conditions	EBU/L	D	51.7	251	C (27.7 sec)	E	60.6	315	C (34.1 sec)
	EBT	C	27.9	225		C	34.6	339	
	EBR	A	5.0	38		A	4.6	46	
	WBL	C	32.4	69		D	37.0	152	
	WBT	C	24.8	161		C	33.2	428	
	WBR	A	0.1	0		A	0.2	0	
	NBL	D	52.2	77		E	64.5	156	
	NBL/T	D	52.3	81		E	64.3	160	
	NBR	A	2.3	0		A	6.9	30	
	SBT/L	D	52.2	239		E	68.8	434	
	SBR	A	7.7	51		A	8.6	91	

Capacity analysis indicates this intersection currently operates at LOS C during the AM and PM peak hours. Under no-build 2020 traffic conditions, this intersection is expected to continue to operate at LOS C during the AM and PM peak hours. Under build 2020 traffic conditions, this intersection is projected to continue to operate at LOS C during the AM and PM peak hours without degrading the LOS for any individual lane group.

We appreciate your attention to this matter. Please contact me at (804) 217-8560 if you have any questions about this report.

Sincerely yours,
Ramey Kemp & Associates, Inc.

Carl Hultgren, P.E., PTOE
Regional Manager

Enclosures: Synchro output

Copy to: Mr. Paul Holt, AICP, James City County Planning
Ms. Susan Kassel, York County Planning
Mr. Jason Fowler, P.E., VDOT
Mr. Glenn Brooks, P.E., VDOT
Mr. Andy Sadler, Woodfin
Mr. Timothy Trant, Kaufman & Canoles, P.C.
Mr. Dan Caskie, P.E., Bay Companies

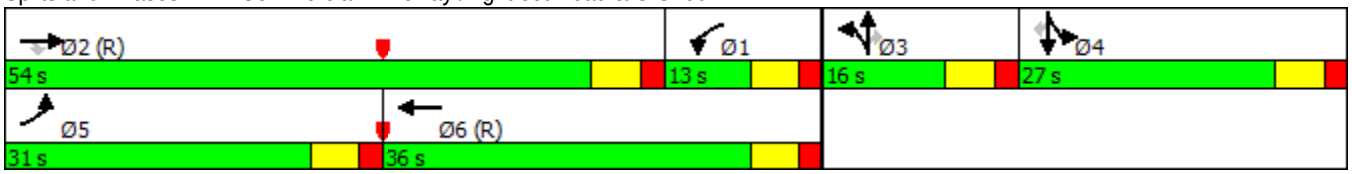
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	196	587	55	24	476	134	37	20	37	119	38	156
Future Volume (vph)	196	587	55	24	476	134	37	20	37	119	38	156
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	300		175	0		100	0		0
Storage Lanes	1		1	1		1	1		1	0		1
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	1681	1741	1583	0	1794	1583
Flt Permitted	0.950			0.950			0.950	0.984			0.963	
Satd. Flow (perm)	1770	3539	1583	1770	3539	1583	1681	1741	1583	0	1794	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			149			268			208			208
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		182			741			417			201	
Travel Time (s)		2.8			11.2			11.4			3.0	
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Shared Lane Traffic (%)							25%					
Lane Group Flow (vph)	228	683	64	28	553	156	32	34	43	0	182	181
Turn Type	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA	Perm
Protected Phases	5	2		1	6		3	3		4	4	
Permitted Phases			2			Free			3			4
Detector Phase	5	2	2	1	6		3	3	3	4	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0	16.0
Total Split (s)	31.0	54.0	54.0	13.0	36.0		16.0	16.0	16.0	27.0	27.0	27.0
Total Split (%)	28.2%	49.1%	49.1%	11.8%	32.7%		14.5%	14.5%	14.5%	24.5%	24.5%	24.5%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lead	Lead	Lag	Lag		Lead	Lead	Lead	Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min	C-Min	None	C-Min		None	None	None	None	None	None
Act Effct Green (s)	21.1	63.1	63.1	12.8	47.4	110.0	9.6	9.6	9.6		18.1	18.1
Actuated g/C Ratio	0.19	0.57	0.57	0.12	0.43	1.00	0.09	0.09	0.09		0.16	0.16
v/c Ratio	0.67	0.34	0.07	0.14	0.36	0.10	0.22	0.22	0.13		0.62	0.42
Control Delay	50.7	17.3	0.1	35.2	20.1	0.1	49.5	49.5	0.8		51.4	6.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Delay	50.7	17.3	0.1	35.2	20.1	0.1	49.5	49.5	0.8		51.4	6.3
LOS	D	B	A	D	C	A	D	D	A		D	A
Approach Delay		24.0			16.5			30.3			28.9	
Approach LOS		C			B			C			C	
Queue Length 50th (ft)	150	105	0	19	110	0	22	24	0		120	0
Queue Length 95th (ft)	207	242	0	39	213	0	51	53	0		176	33
Internal Link Dist (ft)		102			661			337			121	
Turn Bay Length (ft)				300		175			100			
Base Capacity (vph)	434	2145	1018	212	1527	1583	184	190	358		375	495
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0		0	0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Reduced v/c Ratio	0.53	0.32	0.06	0.13	0.36	0.10	0.17	0.18	0.12		0.49	0.37

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 96 (87%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 65
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.67
Intersection Signal Delay: 22.6 Intersection LOS: C
Intersection Capacity Utilization 49.3% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



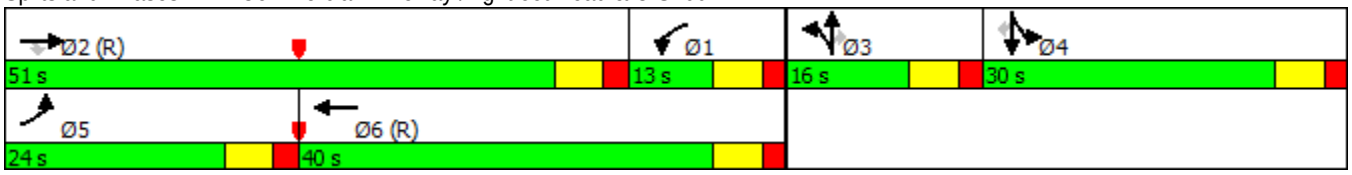
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	222	865	71	61	879	205	77	40	60	248	48	322
Future Volume (vph)	222	865	71	61	879	205	77	40	60	248	48	322
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	300		175	0		100	0		0
Storage Lanes	1		1	1		1	1		1	0		1
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	1681	1741	1583	0	1788	1583
Flt Permitted	0.950			0.950			0.950	0.984			0.960	
Satd. Flow (perm)	1770	3539	1583	1770	3539	1583	1681	1741	1583	0	1788	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			149			268			208			346
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		182			750			417			201	
Travel Time (s)		2.8			11.4			11.4			3.0	
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Shared Lane Traffic (%)							25%					
Lane Group Flow (vph)	239	930	76	66	945	220	62	64	65	0	319	346
Turn Type	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA	Perm
Protected Phases	5	2		1	6		3	3		4	4	
Permitted Phases			2			Free			3			4
Detector Phase	5	2	2	1	6		3	3	3	4	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0	16.0
Total Split (s)	24.0	51.0	51.0	13.0	40.0		16.0	16.0	16.0	30.0	30.0	30.0
Total Split (%)	21.8%	46.4%	46.4%	11.8%	36.4%		14.5%	14.5%	14.5%	27.3%	27.3%	27.3%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lead	Lead	Lag	Lag		Lead	Lead	Lead	Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min	C-Min	None	C-Min		None	None	None	None	None	None
Act Effct Green (s)	19.0	51.4	51.4	12.4	42.4	110.0	10.6	10.6	10.6		24.3	24.3
Actuated g/C Ratio	0.17	0.47	0.47	0.11	0.39	1.00	0.10	0.10	0.10		0.22	0.22
v/c Ratio	0.78	0.56	0.09	0.33	0.69	0.14	0.38	0.38	0.19		0.81	0.56
Control Delay	61.8	25.6	0.2	38.2	25.3	0.2	53.2	52.9	1.2		57.0	7.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Delay	61.8	25.6	0.2	38.2	25.3	0.2	53.2	52.9	1.2		57.0	7.5
LOS	E	C	A	D	C	A	D	D	A		E	A
Approach Delay		31.0			21.5			35.4			31.3	
Approach LOS		C			C			D			C	
Queue Length 50th (ft)	161	291	0	46	347	0	43	45	0		209	0
Queue Length 95th (ft)	#273	330	0	88	292	0	88	90	0		#334	74
Internal Link Dist (ft)		102			670			337			121	
Turn Bay Length (ft)				300		175			100			
Base Capacity (vph)	321	1742	854	203	1363	1583	183	189	358		424	639
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0		0	0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Reduced v/c Ratio	0.74	0.53	0.09	0.33	0.69	0.14	0.34	0.34	0.18		0.75	0.54

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 100 (91%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 80
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.81
Intersection Signal Delay: 27.8 Intersection LOS: C
Intersection Capacity Utilization 69.5% ICU Level of Service C
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



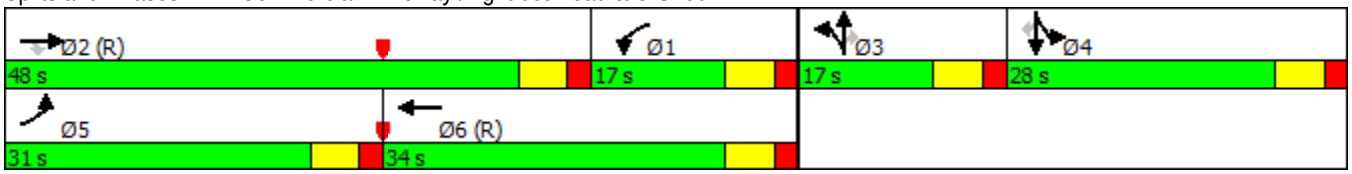
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	200	561	128	75	469	144	75	20	88	134	44	179
Future Volume (vph)	200	561	128	75	469	144	75	20	88	134	44	179
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	300		175	0		100	0		0
Storage Lanes	1		1	1		1	1		1	0		1
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	1681	1720	1583	0	1796	1583
Flt Permitted	0.950			0.950			0.950	0.972			0.964	
Satd. Flow (perm)	1770	3539	1583	1770	3539	1583	1681	1720	1583	0	1796	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			149			268			208			208
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		182			744			417			201	
Travel Time (s)		2.8			11.3			11.4			3.0	
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Shared Lane Traffic (%)							37%					
Lane Group Flow (vph)	233	652	149	87	545	167	55	55	102	0	207	208
Turn Type	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA	Perm
Protected Phases	5	2		1	6		3	3		4	4	
Permitted Phases			2			Free			3			4
Detector Phase	5	2	2	1	6		3	3	3	4	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0	16.0
Total Split (s)	31.0	48.0	48.0	17.0	34.0		17.0	17.0	17.0	28.0	28.0	28.0
Total Split (%)	28.2%	43.6%	43.6%	15.5%	30.9%		15.5%	15.5%	15.5%	25.5%	25.5%	25.5%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lead	Lead	Lag	Lag		Lead	Lead	Lead	Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min	C-Min	None	C-Min		None	None	None	None	None	None
Act Effct Green (s)	21.4	48.7	48.7	17.7	42.5	110.0	10.7	10.7	10.7		19.4	19.4
Actuated g/C Ratio	0.19	0.44	0.44	0.16	0.39	1.00	0.10	0.10	0.10		0.18	0.18
v/c Ratio	0.68	0.42	0.19	0.31	0.40	0.11	0.34	0.33	0.30		0.66	0.46
Control Delay	50.8	24.8	4.7	33.8	20.5	0.1	51.3	51.0	2.2		51.7	8.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Delay	50.8	24.8	4.7	33.8	20.5	0.1	51.3	51.0	2.2		51.7	8.6
LOS	D	C	A	C	C	A	D	D	A		D	A
Approach Delay		27.8			17.7			27.6			30.1	
Approach LOS		C			B			C			C	
Queue Length 50th (ft)	153	178	0	52	116	0	38	38	0		137	0
Queue Length 95th (ft)	212	233	37	64	144	0	76	76	0		195	52
Internal Link Dist (ft)		102			664			337			121	
Turn Bay Length (ft)				300		175			100			
Base Capacity (vph)	434	1640	813	299	1367	1583	198	203	370		391	508
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0		0	0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Reduced v/c Ratio	0.54	0.40	0.18	0.29	0.40	0.11	0.28	0.27	0.28		0.53	0.41

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 85 (77%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 65
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.68
Intersection Signal Delay: 24.9 Intersection LOS: C
Intersection Capacity Utilization 50.4% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



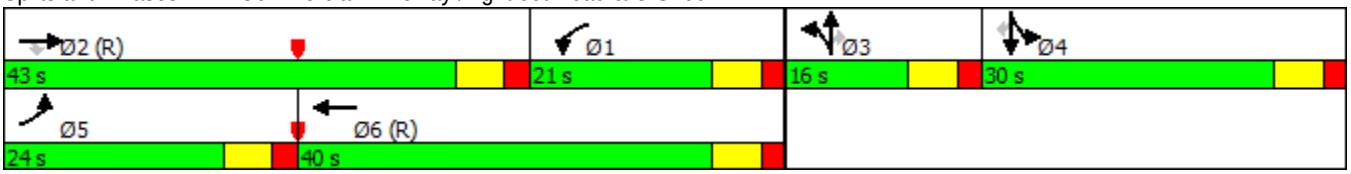
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	228	828	176	144	865	233	172	41	151	260	51	339
Future Volume (vph)	228	828	176	144	865	233	172	41	151	260	51	339
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	300		175	0		100	0		0
Storage Lanes	1		1	1		1	1		1	0		1
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1788	1583
Flt Permitted	0.950			0.950			0.950	0.970			0.960	
Satd. Flow (perm)	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1788	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			189			268			208			365
Link Speed (mph)		45			45			25			45	
Link Distance (ft)		182			750			417			201	
Travel Time (s)		2.8			11.4			11.4			3.0	
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Shared Lane Traffic (%)							39%					
Lane Group Flow (vph)	245	890	189	155	930	251	113	116	162	0	335	365
Turn Type	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA	Perm
Protected Phases	5	2		1	6		3	3		4	4	
Permitted Phases			2			Free			3			4
Detector Phase	5	2	2	1	6		3	3	3	4	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0	16.0
Total Split (s)	24.0	43.0	43.0	21.0	40.0		16.0	16.0	16.0	30.0	30.0	30.0
Total Split (%)	21.8%	39.1%	39.1%	19.1%	36.4%		14.5%	14.5%	14.5%	27.3%	27.3%	27.3%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0	-2.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lead	Lead	Lag	Lag		Lead	Lead	Lead	Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes
Recall Mode	None	C-Min	C-Min	None	C-Min		None	None	None	None	None	None
Act Effct Green (s)	19.2	39.5	39.5	18.1	38.5	110.0	11.7	11.7	11.7		24.7	24.7
Actuated g/C Ratio	0.17	0.36	0.36	0.16	0.35	1.00	0.11	0.11	0.11		0.22	0.22
v/c Ratio	0.80	0.70	0.27	0.53	0.75	0.16	0.63	0.64	0.46		0.84	0.57
Control Delay	63.0	34.0	4.6	40.3	29.6	0.2	63.7	63.6	6.8		59.6	7.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Delay	63.0	34.0	4.6	40.3	29.6	0.2	63.7	63.6	6.8		59.6	7.5
LOS	E	C	A	D	C	A	E	E	A		E	A
Approach Delay		35.2			25.4			40.1			32.5	
Approach LOS		D			C			D			C	
Queue Length 50th (ft)	166	282	0	110	344	0	81	84	0		223	0
Queue Length 95th (ft)	#283	356	47	170	353	0	#155	#156	30		#360	77
Internal Link Dist (ft)		102			670			337			121	
Turn Bay Length (ft)				300		175			100			
Base Capacity (vph)	321	1288	696	291	1238	1583	185	189	359		422	652
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0		0	0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0		0	0
Reduced v/c Ratio	0.76	0.69	0.27	0.53	0.75	0.16	0.61	0.61	0.45		0.79	0.56

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 104 (95%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 80
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.84
Intersection Signal Delay: 31.7 Intersection LOS: C
Intersection Capacity Utilization 70.3% ICU Level of Service C
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	45	195	535	128	75	478	144	78	20	88	176	47
Future Volume (vph)	45	195	535	128	75	478	144	78	20	88	176	47
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0		0	300		175	0		100	0	
Storage Lanes		1		1	1		1	1		1	0	
Taper Length (ft)		100			100			100			100	
Satd. Flow (prot)	0	1770	3539	1583	1770	3539	1583	1681	1718	1583	0	1792
Flt Permitted		0.950			0.950			0.950	0.971			0.962
Satd. Flow (perm)	0	1770	3539	1583	1770	3539	1583	1681	1718	1583	0	1792
Right Turn on Red				Yes			Yes			Yes		
Satd. Flow (RTOR)				149			268			208		
Link Speed (mph)			45			45			25			45
Link Distance (ft)			321			666			417			402
Travel Time (s)			4.9			10.1			11.4			6.1
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Shared Lane Traffic (%)								38%				
Lane Group Flow (vph)	0	279	622	149	87	556	167	56	58	102	0	260
Turn Type	Prot	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA
Protected Phases	5	5	2		1	6		3	3		4	4
Permitted Phases				2			Free			3		
Detector Phase	5	5	2	2	1	6		3	3	3	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0
Total Split (s)	32.0	32.0	49.0	49.0	15.0	32.0		16.0	16.0	16.0	30.0	30.0
Total Split (%)	29.1%	29.1%	44.5%	44.5%	13.6%	29.1%		14.5%	14.5%	14.5%	27.3%	27.3%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0
Total Lost Time (s)		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lag		Lead	Lead	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	C-Min		None	None	None	None	None
Act Effct Green (s)		23.7	52.9	52.9	10.9	37.6	110.0	10.5	10.5	10.5		22.2
Actuated g/C Ratio		0.22	0.48	0.48	0.10	0.34	1.00	0.10	0.10	0.10		0.20
v/c Ratio		0.73	0.37	0.18	0.50	0.46	0.11	0.35	0.36	0.30		0.72
Control Delay		51.7	20.7	3.9	57.1	32.0	0.1	52.2	52.3	2.3		52.2
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
Total Delay		51.7	20.7	3.9	57.1	32.0	0.1	52.2	52.3	2.3		52.2
LOS		D	C	A	E	C	A	D	D	A		D
Approach Delay			26.6			28.1			28.7			32.4
Approach LOS			C			C			C			C
Queue Length 50th (ft)		183	156	0	58	165	0	38	41	0		171
Queue Length 95th (ft)		251	201	34	107	229	0	77	81	0		239
Internal Link Dist (ft)			241			586			337			322
Turn Bay Length (ft)					300		175			100		
Base Capacity (vph)		450	1703	839	183	1210	1583	183	187	358		423
Starvation Cap Reductn		0	0	0	0	0	0	0	0	0		0

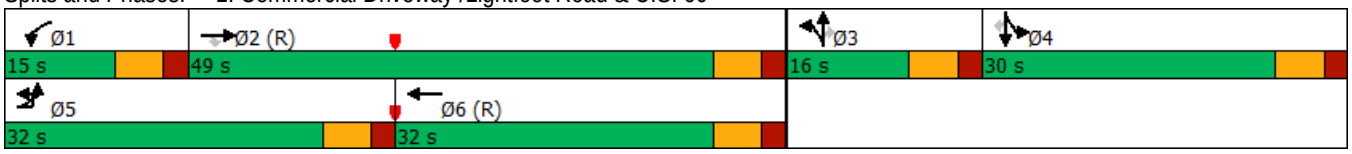
Lane Group	SBR
Lane Configurations	
Traffic Volume (vph)	179
Future Volume (vph)	179
Ideal Flow (vphpl)	1900
Storage Length (ft)	225
Storage Lanes	1
Taper Length (ft)	
Satd. Flow (prot)	1583
Flt Permitted	
Satd. Flow (perm)	1583
Right Turn on Red	Yes
Satd. Flow (RTOR)	208
Link Speed (mph)	
Link Distance (ft)	
Travel Time (s)	
Peak Hour Factor	0.86
Shared Lane Traffic (%)	
Lane Group Flow (vph)	208
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Detector Phase	4
Switch Phase	
Minimum Initial (s)	5.0
Minimum Split (s)	16.0
Total Split (s)	30.0
Total Split (%)	27.3%
Yellow Time (s)	4.0
All-Red Time (s)	2.0
Lost Time Adjust (s)	-2.0
Total Lost Time (s)	4.0
Lead/Lag	Lag
Lead-Lag Optimize?	Yes
Recall Mode	None
Act Effct Green (s)	22.2
Actuated g/C Ratio	0.20
v/c Ratio	0.43
Control Delay	7.7
Queue Delay	0.0
Total Delay	7.7
LOS	A
Approach Delay	
Approach LOS	
Queue Length 50th (ft)	0
Queue Length 95th (ft)	51
Internal Link Dist (ft)	
Turn Bay Length (ft)	225
Base Capacity (vph)	533
Starvation Cap Reductn	0

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Spillback Cap Reductn		0	0	0	0	0	0	0	0	0		0
Storage Cap Reductn		0	0	0	0	0	0	0	0	0		0
Reduced v/c Ratio		0.62	0.37	0.18	0.48	0.46	0.11	0.31	0.31	0.28		0.61

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 0 (0%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 65
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.73
Intersection Signal Delay: 28.3 Intersection LOS: C
Intersection Capacity Utilization 55.4% ICU Level of Service B
Analysis Period (min) 15

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



Lane Group	SBR
Spillback Cap Reductn	0
Storage Cap Reductn	0
Reduced v/c Ratio	0.39

Intersection Summary

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	37	227	805	176	144	874	233	174	41	151	299	53
Future Volume (vph)	37	227	805	176	144	874	233	174	41	151	299	53
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		325		0	300		175	0		100	0	
Storage Lanes		1		1	1		1	1		1	0	
Taper Length (ft)		100			100			100			100	
Satd. Flow (prot)	0	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1786
Flt Permitted		0.950			0.950			0.950	0.970			0.959
Satd. Flow (perm)	0	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1786
Right Turn on Red				Yes			Yes			Yes		
Satd. Flow (RTOR)				189			208			162		
Link Speed (mph)			45			45			25			45
Link Distance (ft)			321			666			417			407
Travel Time (s)			4.9			10.1			11.4			6.2
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Shared Lane Traffic (%)								39%				
Lane Group Flow (vph)	0	284	866	189	155	940	251	114	117	162	0	379
Turn Type	Prot	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA
Protected Phases	5	5	2		1	6		3	3		4	4
Permitted Phases				2			Free			3		
Detector Phase	5	5	2	2	1	6		3	3	3	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0
Total Split (s)	27.0	27.0	42.0	42.0	21.0	36.0		20.0	20.0	20.0	27.0	27.0
Total Split (%)	24.5%	24.5%	38.2%	38.2%	19.1%	32.7%		18.2%	18.2%	18.2%	24.5%	24.5%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0
Total Lost Time (s)		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lag		Lead	Lead	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	C-Min		None	None	None	None	None
Act Effct Green (s)		21.8	39.6	39.6	15.3	33.1	110.0	13.9	13.9	13.9		25.2
Actuated g/C Ratio		0.20	0.36	0.36	0.14	0.30	1.00	0.13	0.13	0.13		0.23
v/c Ratio		0.81	0.68	0.27	0.63	0.88	0.16	0.54	0.54	0.48		0.93
Control Delay		60.6	33.5	4.7	56.2	48.0	0.2	54.4	54.3	11.6		72.7
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
Total Delay		60.6	33.5	4.7	56.2	48.0	0.2	54.4	54.3	11.6		72.7
LOS		E	C	A	E	D	A	D	D	B		E
Approach Delay			35.2			40.0			36.7			45.1
Approach LOS			D			D			D			D
Queue Length 50th (ft)		190	275	0	103	337	0	80	82	0		266
Queue Length 95th (ft)		#315	350	47	172	#458	0	140	143	60		#470
Internal Link Dist (ft)			241			586			337			327
Turn Bay Length (ft)		325			300		175			100		
Base Capacity (vph)		370	1273	690	273	1066	1583	244	249	368		409
Starvation Cap Reductn		0	0	0	0	0	0	0	0	0		0

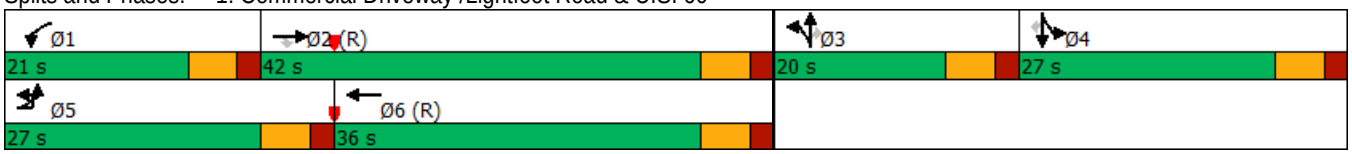
Lane Group	SBR
Lane Configurations	
Traffic Volume (vph)	339
Future Volume (vph)	339
Ideal Flow (vphpl)	1900
Storage Length (ft)	225
Storage Lanes	1
Taper Length (ft)	
Satd. Flow (prot)	1583
Flt Permitted	
Satd. Flow (perm)	1583
Right Turn on Red	Yes
Satd. Flow (RTOR)	272
Link Speed (mph)	
Link Distance (ft)	
Travel Time (s)	
Peak Hour Factor	0.93
Shared Lane Traffic (%)	
Lane Group Flow (vph)	365
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Detector Phase	4
Switch Phase	
Minimum Initial (s)	5.0
Minimum Split (s)	16.0
Total Split (s)	27.0
Total Split (%)	24.5%
Yellow Time (s)	4.0
All-Red Time (s)	2.0
Lost Time Adjust (s)	-2.0
Total Lost Time (s)	4.0
Lead/Lag	Lag
Lead-Lag Optimize?	Yes
Recall Mode	None
Act Effct Green (s)	25.2
Actuated g/C Ratio	0.23
v/c Ratio	0.64
Control Delay	16.4
Queue Delay	0.0
Total Delay	16.4
LOS	B
Approach Delay	
Approach LOS	
Queue Length 50th (ft)	55
Queue Length 95th (ft)	163
Internal Link Dist (ft)	
Turn Bay Length (ft)	225
Base Capacity (vph)	572
Starvation Cap Reductn	0

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Spillback Cap Reductn		0	0	0	0	0	0	0	0	0		0
Storage Cap Reductn		0	0	0	0	0	0	0	0	0		0
Reduced v/c Ratio		0.77	0.68	0.27	0.57	0.88	0.16	0.47	0.47	0.44		0.93

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 97 (88%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 90
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.93
Intersection Signal Delay: 39.0 Intersection LOS: D
Intersection Capacity Utilization 79.0% ICU Level of Service D
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



Lane Group	SBR
Spillback Cap Reductn	0
Storage Cap Reductn	0
Reduced v/c Ratio	0.64

Intersection Summary

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	45	195	535	128	75	478	144	78	20	88	176	47
Future Volume (vph)	45	195	535	128	75	478	144	78	20	88	176	47
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0		0	300		175	0		100	0	
Storage Lanes		1		1	1		1	1		1	0	
Taper Length (ft)		100			100			100			100	
Satd. Flow (prot)	0	1770	3539	1583	1770	3539	1583	1681	1718	1583	0	1792
Flt Permitted		0.950			0.950			0.950	0.971			0.962
Satd. Flow (perm)	0	1770	3539	1583	1770	3539	1583	1681	1718	1583	0	1792
Right Turn on Red				Yes			Yes			Yes		
Satd. Flow (RTOR)				149			268			208		
Link Speed (mph)			45			45			25			45
Link Distance (ft)			321			732			417			402
Travel Time (s)			4.9			11.1			11.4			6.1
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Shared Lane Traffic (%)								38%				
Lane Group Flow (vph)	0	279	622	149	87	556	167	56	58	102	0	260
Turn Type	Prot	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA
Protected Phases	5	5	2		1	6		3	3		4	4
Permitted Phases				2			Free			3		
Detector Phase	5	5	2	2	1	6		3	3	3	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0
Total Split (s)	32.0	32.0	49.0	49.0	15.0	32.0		16.0	16.0	16.0	30.0	30.0
Total Split (%)	29.1%	29.1%	44.5%	44.5%	13.6%	29.1%		14.5%	14.5%	14.5%	27.3%	27.3%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0
Total Lost Time (s)		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0
Lead/Lag	Lead	Lead	Lead	Lead	Lag	Lag		Lead	Lead	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	C-Min		None	None	None	None	None
Act Effct Green (s)		23.7	44.4	44.4	19.4	37.6	110.0	10.5	10.5	10.5		22.2
Actuated g/C Ratio		0.22	0.40	0.40	0.18	0.34	1.00	0.10	0.10	0.10		0.20
v/c Ratio		0.73	0.44	0.20	0.28	0.46	0.11	0.35	0.36	0.30		0.72
Control Delay		51.7	27.9	5.0	32.4	24.8	0.1	52.2	52.3	2.3		52.2
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
Total Delay		51.7	27.9	5.0	32.4	24.8	0.1	52.2	52.3	2.3		52.2
LOS		D	C	A	C	C	A	D	D	A		D
Approach Delay			31.0			20.5			28.7			32.4
Approach LOS			C			C			C			C
Queue Length 50th (ft)		183	187	0	37	121	0	38	41	0		171
Queue Length 95th (ft)		251	225	38	69	161	0	77	81	0		239
Internal Link Dist (ft)			241			652			337			322
Turn Bay Length (ft)					300		175			100		
Base Capacity (vph)		450	1636	812	320	1210	1583	183	187	358		423
Starvation Cap Reductn		0	0	0	0	0	0	0	0	0		0

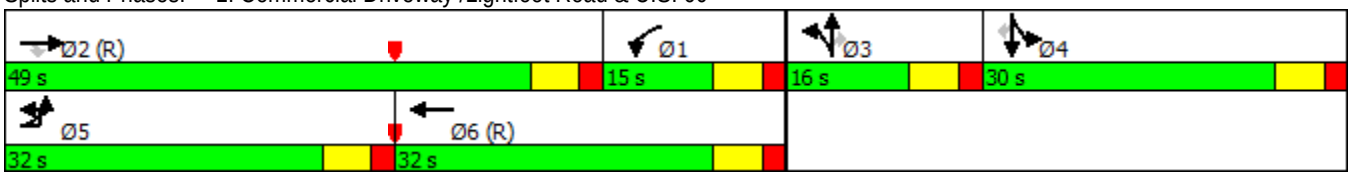
Lane Group	SBR
Lane Configurations	
Traffic Volume (vph)	179
Future Volume (vph)	179
Ideal Flow (vphpl)	1900
Storage Length (ft)	225
Storage Lanes	1
Taper Length (ft)	
Satd. Flow (prot)	1583
Flt Permitted	
Satd. Flow (perm)	1583
Right Turn on Red	Yes
Satd. Flow (RTOR)	208
Link Speed (mph)	
Link Distance (ft)	
Travel Time (s)	
Peak Hour Factor	0.86
Shared Lane Traffic (%)	
Lane Group Flow (vph)	208
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Detector Phase	4
Switch Phase	
Minimum Initial (s)	5.0
Minimum Split (s)	16.0
Total Split (s)	30.0
Total Split (%)	27.3%
Yellow Time (s)	4.0
All-Red Time (s)	2.0
Lost Time Adjust (s)	-2.0
Total Lost Time (s)	4.0
Lead/Lag	Lag
Lead-Lag Optimize?	Yes
Recall Mode	None
Act Effct Green (s)	22.2
Actuated g/C Ratio	0.20
v/c Ratio	0.43
Control Delay	7.7
Queue Delay	0.0
Total Delay	7.7
LOS	A
Approach Delay	
Approach LOS	
Queue Length 50th (ft)	0
Queue Length 95th (ft)	51
Internal Link Dist (ft)	
Turn Bay Length (ft)	225
Base Capacity (vph)	533
Starvation Cap Reductn	0

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Spillback Cap Reductn		0	0	0	0	0	0	0	0	0		0
Storage Cap Reductn		0	0	0	0	0	0	0	0	0		0
Reduced v/c Ratio		0.62	0.38	0.18	0.27	0.46	0.11	0.31	0.31	0.28		0.61

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 85 (77%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 65
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.73
Intersection Signal Delay: 27.7 Intersection LOS: C
Intersection Capacity Utilization 55.4% ICU Level of Service B
Analysis Period (min) 15

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60



Lane Group	SBR
Spillback Cap Reductn	0
Storage Cap Reductn	0
Reduced v/c Ratio	0.39

Intersection Summary

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	37	227	805	176	144	874	233	174	41	151	299	53
Future Volume (vph)	37	227	805	176	144	874	233	174	41	151	299	53
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		325		0	300		175	0		100	0	
Storage Lanes		1		1	1		1	1		1	0	
Taper Length (ft)		100			100			100			100	
Satd. Flow (prot)	0	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1786
Flt Permitted		0.950			0.950			0.950	0.970			0.959
Satd. Flow (perm)	0	1770	3539	1583	1770	3539	1583	1681	1717	1583	0	1786
Right Turn on Red				Yes			Yes			Yes		
Satd. Flow (RTOR)				189			268			208		
Link Speed (mph)			45			45			25			45
Link Distance (ft)			321			679			417			407
Travel Time (s)			4.9			10.3			11.4			6.2
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Shared Lane Traffic (%)								39%				
Lane Group Flow (vph)	0	284	866	189	155	940	251	114	117	162	0	379
Turn Type	Prot	Prot	NA	Perm	Prot	NA	Free	Split	NA	Perm	Split	NA
Protected Phases	5	5	2		1	6		3	3		4	4
Permitted Phases				2			Free			3		
Detector Phase	5	5	2	2	1	6		3	3	3	4	4
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0		5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	13.0	13.0	13.0	13.0	13.0	16.0		16.0	16.0	16.0	16.0	16.0
Total Split (s)	27.0	27.0	44.0	44.0	20.0	37.0		16.0	16.0	16.0	30.0	30.0
Total Split (%)	24.5%	24.5%	40.0%	40.0%	18.2%	33.6%		14.5%	14.5%	14.5%	27.3%	27.3%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)		-2.0	-2.0	-2.0	-2.0	-2.0		-2.0	-2.0	-2.0		-2.0
Total Lost Time (s)		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0		4.0
Lead/Lag	Lead	Lead	Lead	Lead	Lag	Lag		Lead	Lead	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes
Recall Mode	None	None	C-Min	C-Min	None	C-Min		None	None	None	None	None
Act Effct Green (s)		21.8	38.1	38.1	18.7	35.0	110.0	11.6	11.6	11.6		25.6
Actuated g/C Ratio		0.20	0.35	0.35	0.17	0.32	1.00	0.11	0.11	0.11		0.23
v/c Ratio		0.81	0.71	0.28	0.52	0.84	0.16	0.64	0.65	0.46		0.91
Control Delay		60.6	34.6	4.6	37.0	33.2	0.2	64.5	64.3	6.9		68.8
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
Total Delay		60.6	34.6	4.6	37.0	33.2	0.2	64.5	64.3	6.9		68.8
LOS		E	C	A	D	C	A	E	E	A		E
Approach Delay			35.9			27.5			40.7			39.2
Approach LOS			D			C			D			D
Queue Length 50th (ft)		190	272	0	108	350	0	82	84	0		261
Queue Length 95th (ft)		#315	339	46	152	#428	0	#156	#160	30		#434
Internal Link Dist (ft)			241			599			337			327
Turn Bay Length (ft)		325			300		175			100		
Base Capacity (vph)		370	1286	695	300	1125	1583	183	187	358		422
Starvation Cap Reductn		0	0	0	0	0	0	0	0	0		0

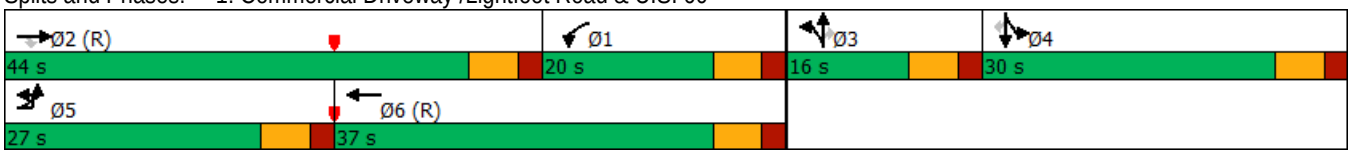
Lane Group	SBR
Lane Configurations	
Traffic Volume (vph)	339
Future Volume (vph)	339
Ideal Flow (vphpl)	1900
Storage Length (ft)	225
Storage Lanes	1
Taper Length (ft)	
Satd. Flow (prot)	1583
Flt Permitted	
Satd. Flow (perm)	1583
Right Turn on Red	Yes
Satd. Flow (RTOR)	348
Link Speed (mph)	
Link Distance (ft)	
Travel Time (s)	
Peak Hour Factor	0.93
Shared Lane Traffic (%)	
Lane Group Flow (vph)	365
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Detector Phase	4
Switch Phase	
Minimum Initial (s)	5.0
Minimum Split (s)	16.0
Total Split (s)	30.0
Total Split (%)	27.3%
Yellow Time (s)	4.0
All-Red Time (s)	2.0
Lost Time Adjust (s)	-2.0
Total Lost Time (s)	4.0
Lead/Lag	Lag
Lead-Lag Optimize?	Yes
Recall Mode	None
Act Effct Green (s)	25.6
Actuated g/C Ratio	0.23
v/c Ratio	0.57
Control Delay	8.6
Queue Delay	0.0
Total Delay	8.6
LOS	A
Approach Delay	
Approach LOS	
Queue Length 50th (ft)	9
Queue Length 95th (ft)	91
Internal Link Dist (ft)	
Turn Bay Length (ft)	225
Base Capacity (vph)	639
Starvation Cap Reductn	0

Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Spillback Cap Reductn		0	0	0	0	0	0	0	0	0		0
Storage Cap Reductn		0	0	0	0	0	0	0	0	0		0
Reduced v/c Ratio		0.77	0.67	0.27	0.52	0.84	0.16	0.62	0.63	0.45		0.90

Intersection Summary

Area Type: Other
Cycle Length: 110
Actuated Cycle Length: 110
Offset: 3 (3%), Referenced to phase 2:EBT and 6:WBT, Start of Green
Natural Cycle: 90
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.91
Intersection Signal Delay: 34.1 Intersection LOS: C
Intersection Capacity Utilization 79.0% ICU Level of Service D
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 1: Commercial Driveway /Lightfoot Road & U.S. 60

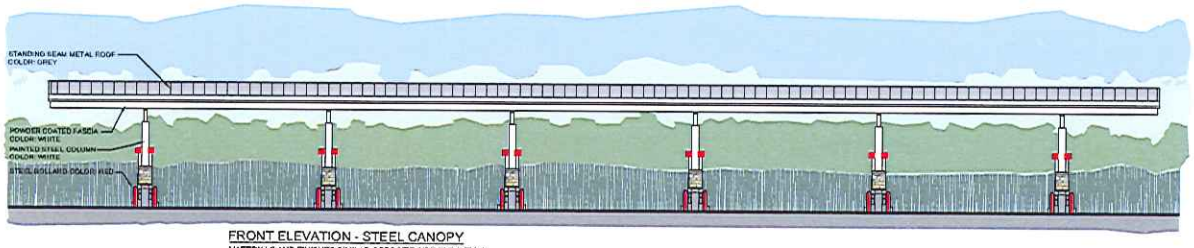


Lane Group	SBR
Spillback Cap Reductn	0
Storage Cap Reductn	0
Reduced v/c Ratio	0.57

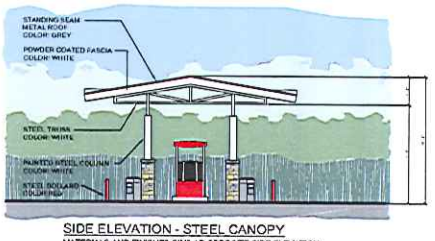
Intersection Summary

5. Croaker Interchange	Future development for the Mixed Use interchange quadrants should be developed in accordance with a binding master plan which maintains the appropriate mixture of principal and secondary uses. The binding master plan shall address how the future development and/or redevelopment of adjacent parcels would be integrated into the overall plan of development for the Mixed Use area. As development occurs for each of these quadrants, an appropriate mixture of preferred and secondary uses shall be maintained at all times. Future development for these interchange quadrants will be conditioned upon County acceptance of a specific plan and implementation schedule to maintain adequate levels of service on the surrounding road system, including the interstate and the interchange. Suggested uses for the two quadrants are outlined below. **5A. Northwest Quadrant (adjacent to and east of the Mirror Lakes subdivision)** For lands within the northwest quadrant of the Croaker Road and I-64 interchange, the principal suggested uses include commercial and office. Secondary uses may include light industry and moderate density residential development. Moderate density residential development would be accommodated where it does not preclude the development of the principal uses. For the three properties to the west of Point O Woods Road and to the north of Croaker Road, suggested uses are those that meet the description and intensity of the Neighborhood Commercial designation (as found in Chart 3. Commercial/Industrial Designation Descriptions in the Land Use section), including medical offices, professional offices, branch banks, day care centers and small restaurants. These three properties should be designed so they can share a single entrance onto Croaker Road, in a way that implements or incorporates best practices for access management. Particular attention should also be paid to adequately buffering potential development from the existing adjacent residential areas, and complementing the architecture of surrounding uses. **5B. Southeast Quadrant** For lands within the southeast quadrant of the Croaker Road and I-64 interchange, the principal suggested uses include light manufacturing and office. Secondary uses shall only be permitted where they do not preclude the development of the principal uses. Commercial and limited residential development that complements the principal uses may be considered as secondary uses provided they require significantly smaller portions of land area than the primary uses; are master planned and developed commensurate with an appropriate level of primary uses; are integrated with the primary uses as an interconnected mixed use community as intended in the Comprehensive Plan rather than separate developments; do not significantly diminish the ability of the primary uses to meet level of service standards, particularly for road and interchange capacity; and support the overall quality of economic development expected in this area. Commercial and limited residential development shall be located away from the immediate interchange area. In particular, residential development shall be limited to the area zoned R-5, Multifamily Residential, as of May 5, 2003, and to the portions of the site fronting Croaker Road and in the area between the existing golf clubhouse and along the length of the lake to the dam.
6. Lightfoot	The land east of Richmond Road (Route 60) is developed or developing as support uses for the Williamsburg Pottery Factory. The property is adjacent to the railroad and (if passenger or light rail were to become available) would be suitable for a transit-oriented mixed use development with a mixture of limited industry, commercial, and moderate density housing. Recognizing that shallow parcels may limit development options, uses should emphasize shared access and parking in order to mitigate traffic congestion as well as consistent treatment for landscaping and architecture. Uses in this area should complement the adjacent Economic Opportunity designated area to the extent possible. For lands west of Richmond Road (Route 60), the principal suggested uses are moderate density housing, commercial developments and office developments. The commercial uses should not be developed in a "strip" commercial fashion and should emphasize shared access and parking as well as consistent treatment for landscaping and architecture. Measures to mitigate traffic congestion will be critical to maintaining the economic vitality of the area and to maintaining an acceptable degree of mobility. For land west of the Colonial Heritage entrance, for the parcels along Richmond Road with existing B-1 zoning, office uses and low traffic generating secondary uses are recommended in order ensure the commercial separation between Lightfoot and Norge. All other design criteria should follow the existing description for the west side of Richmond Road.
7. New Town	New Town is located in the vicinity of and including the Route 199/Monticello Avenue interchange and extends from just west of Route 199 to just west of Ironbound Road and the border with the City of Williamsburg. The principal suggested uses are a mixture of commercial, office and limited industrial with some residential as a secondary use. The development in this area is governed by a detailed master plan and design guidelines for each distinct area within New Town, which provides guidelines for street, building, open space design and construction which complements the scale, architecture and urban pattern found in the City of Williamsburg. New development or redevelopment in this area should follow the appropriate design guidelines and strive to integrate uses as appropriate. Along the west side of the Ironbound Road corridor, the expansion of existing businesses, or similar uses, is encouraged, with the added opportunity for mixed use structures that incorporate housing as a clearly secondary use in upper stories. The area located south of Monticello Avenue and zoned M-1 should follow the same principal and secondary suggested uses, should be developed under a master plan and should follow the same general design guidelines as the rest of New Town. *(Chart 4 continued on next page)*

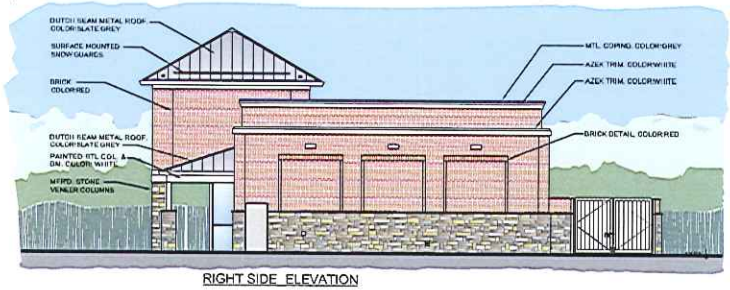
Wawa
Hampton, VA
2401 W Mercury Blvd



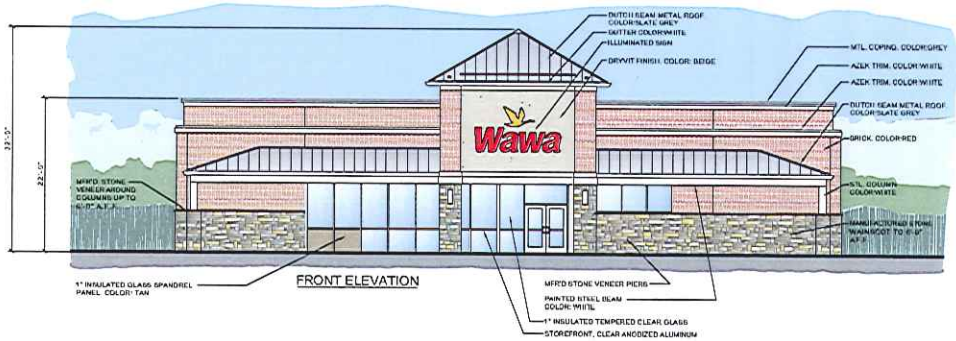
FRONT ELEVATION - STEEL CANOPY
MATERIALS AND FINISHES SIMILAR OPPOSITE SIDE ELEVATION



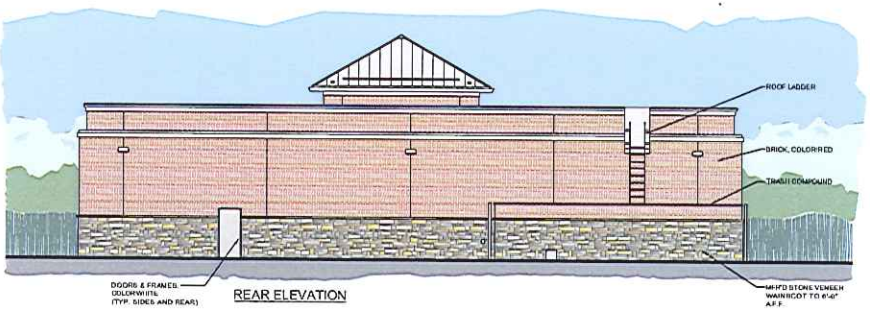
SIDE ELEVATION - STEEL CANOPY
MATERIALS AND FINISHES SIMILAR OPPOSITE SIDE ELEVATION



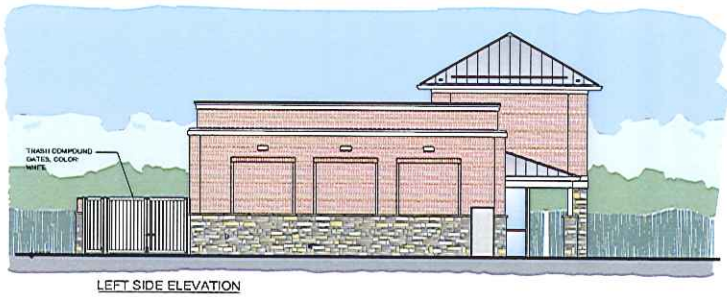
RIGHT SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

Proposed Wawa

Mercury Boulevard & Aberdeen Road
Hampton, Virginia

March 12, 2012 Scale: 1/8" = 1'-0" Store Code: MRC/W40 Virginia

lma | ARCHITECTS LLC
921 Penllyn - Blue Bell Pike . Blue Bell, PA 19422

STOP

Wawa
Wawa
Wawa
Metal
Atas International
Bone White
26
Roof
Atas Aluminum Corp
Slate Grey
WAWA A-FRAME GAS CANOPY - M.A. STRAIGHT 6 W/KIOSKS
Route 22 & Glenside Avenue - Scotch Plains Township, NJ • C&P Project #2140827 • 09-25-15

Building 6b

MANSARD STANDING SEAM METAL ROOF
COLOR: BRONZE

SIGNAGE TO BE PERMITTED SEPARATELY

Harris Teeter Fuel

UNLEADED 1.28⁹ DIESEL 1.35⁹

STAINLESS STEEL FUEL PUMPS

MANSARD STANDING SEAM METAL ROOF
COLOR: BRONZE

BRICK FACADE
GENERAL SHALE 'PHOENIX'

This side faces Richmond Road

East Elevation
Scale: 1/4" = 1'-0"

MANSARD STANDING SEAM METAL ROOF
COLOR: BRONZE

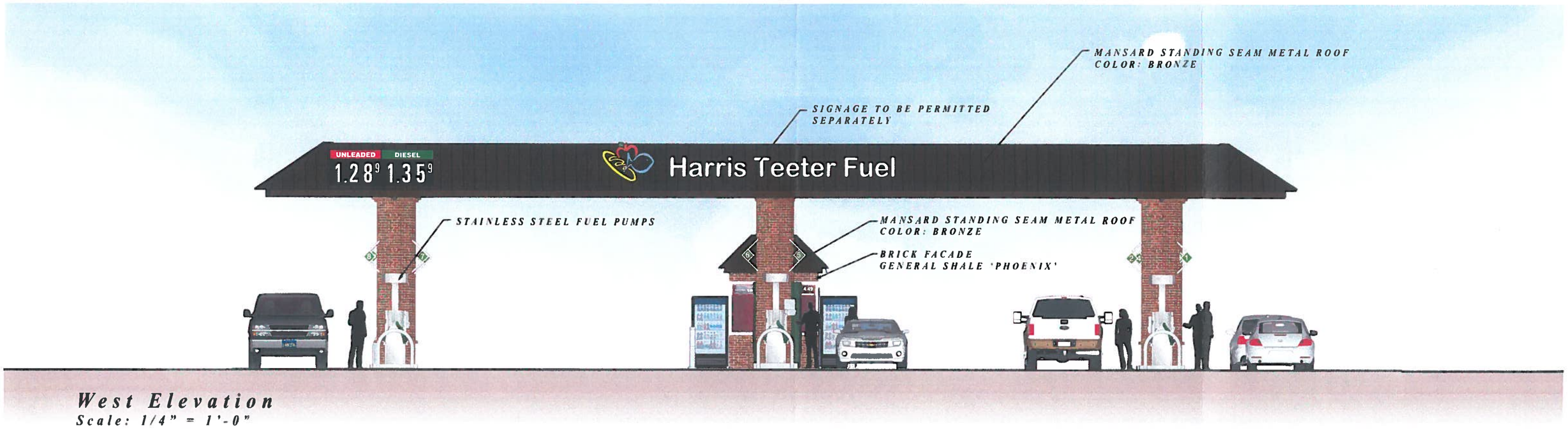
BRICK FACADE
GENERAL SHALE 'PHOENIX'

STAINLESS STEEL FUEL PUMPS

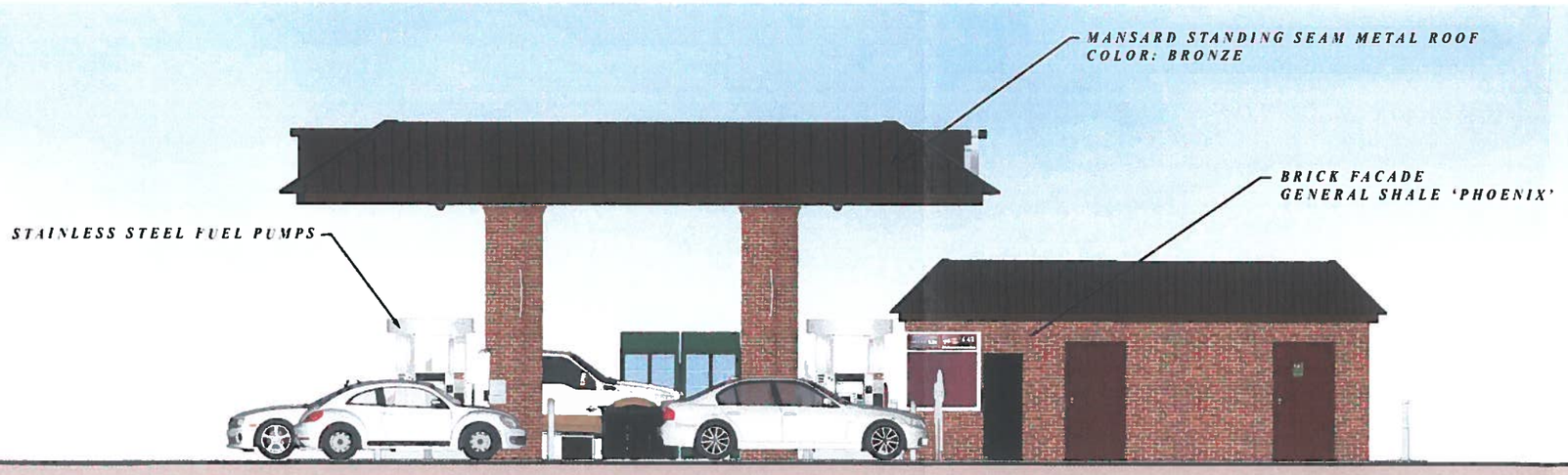
ICE

North Elevation
Scale: 1/4" = 1'-0"

HARRIS TEETER FUEL CENTER - WILLIAMSBURG, VA - STORE #356



West Elevation
Scale: 1/4" = 1'-0"



South Elevation
Scale: 1/4" = 1'-0"

HARRIS TEETER FUEL CENTER - WILLIAMSBURG, VA - STORE #356

RESOLUTION

CASE NO. SUP-0006-2017. LIGHTFOOT MARKETPLACE CONVENIENCE STORE

WITH GAS PUMPS

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Lightfoot Marketplace Shopping Center, LLC (the "Owner") owns property located at 6401 Richmond Road further identified as James City County Real Estate Tax Map Parcel No. 2430100038; and

WHEREAS, on behalf of the Owner, Mrs. Jennifer Harris, of Armada Hoffer, has applied for an SUP to allow for a convenience store with five gas pumps as shown on the master plan titled: "Master Plan Amendment Lightfoot Marketplace for Special Use Permit" and dated September 19, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0006-2017; and

WHEREAS, the Planning Commission, following its public hearing on October 4, 2017 recommended approval of this application by a vote of 6-1.

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-0006-2017, as described herein with the following conditions:

1. *Master Plan.* This Special Use Permit ("SUP") shall apply to that certain property located at 6401 Richmond Road and further identified as James City County Tax Parcel No. 2430100038 (the "Property"). The SUP shall be valid for the construction of a convenience store with gas pumps (the "Convenience Store") and a canopy (the "Canopy") as shown and designated on that certain master plan entitled "Master Plan Amendment Lightfoot Marketplace" dated September 19, 2017, and prepared by AES Consulting Engineers (the "Master Plan"). All final development plans shall be consistent with the Master Plan, but may deviate from the Master Plan if the Director of Planning concludes that the development plan does not: significantly affect the general location or classification of buildings as shown on the Master Plan; significantly alter the distribution of recreation or open space areas on the Master Plan; significantly affect the road layout as shown on the Master Plan; or 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. If the Director of Planning determines that a proposed change would deviate from the approved Master Plan, the amendment shall be submitted and approved in accordance with Section 24-13. In the event the Director of Planning disapproves the

amendment, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission.

2. *Gas Pumps*. There shall be no more than five fueling islands on the Property.

3. *Spill Prevention, Control and Countermeasures (SPCC) Plan*. Prior to the issuance of a Land Disturbing Permit, a Spill Prevention, Control and Countermeasures Plan which addresses chemical handling, including but not limited to oil, diesel and gasoline, shall be submitted to the Director of Stormwater and Resource Protection for review and approval.

4. *Architectural Review*.
   a. Prior to issuance of a Building Permit for the convenience store (to also specifically include the Canopy), the Director of Planning, or his designee, shall review and approve the final building elevations, architectural design and colors and materials for the convenience store and canopy. The final building elevations shall specifically include the view of the building for all sides visible from Centerville or Richmond Road. Buildings shall be substantially consistent with the Lightfoot Marketplace Architectural Guidelines dated December 27, 2013, and the architectural elevations titled "Harris Teeter Fuel Center-Williamsburg, VA-Store# 356" submitted with this SUP application. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the DRC which shall forward a recommendation to the Planning Commission.

   b. The architecture of the Canopy, including any columns, shall match the design and exterior building materials of the convenience store. The Canopy shall have a maximum height of 15 feet measured from the finished grade to the underside of the Canopy. No more than two signs shall be allowed on the Canopy. The Canopy shall not include gas pricing signs.

5. *Enclosed dumpsters*. Dumpsters shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels, in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan and shall be reviewed and approved by the Director of Planning for consistency with this condition.

6. *Outside display, sale, or storage*. Unless otherwise stated in this condition, no outside display, sale, or storage of merchandise shall be permitted. As used for this condition, the term "merchandise" shall include but not be limited to ice, soda, candy, and/or snack machines. For the Convenience Store, outside vending machines and/or cabinets (consistent with the above referenced elevations) and one outside ice chest shall be permitted.

7. *Landscaping*. Prior to final site plan approval, a landscape plan shall be submitted to the Director of Planning, or his designee, showing evergreen screening of a minimum of three-feet tall located within the islands/medians flanking the proposed gasoline service station, as shown on the Master Plan. In order to accommodate the landscaping, the islands/medians shall be constructed to a minimum of five-feet wide.

Landscaping of the islands/medians shall be installed and/or bonded before issuance of any Certificate of Occupancy for the proposed gasoline service station.

8. *Commencement of Construction*. Construction on the Convenience Store and the Canopy shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining Building Permits and an approved footing inspection and/or foundation inspection.

9. *Severance Clause*. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

Kevin D. Onizuk
Chairman, Board of Supervisors

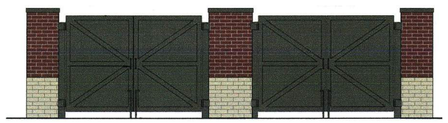
	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	✓		
SADLER	✓		
HIPPLE	✓		
LARSON	✓		
ONIZUK	✓		

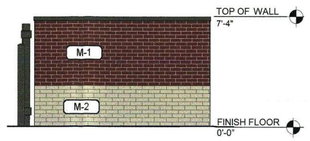
ATTEST:

Bryan J. Hill
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.

SUP06-17LMPumps-res





7 ELEVATION - DUMPSTER ENCLOSURE
3/16" = 1'-0"

BDF NA35 WINDOW FILM
BLACK - MEDIUM

LAWRENCEVILLE BRICK
BURNT CHIMNEY

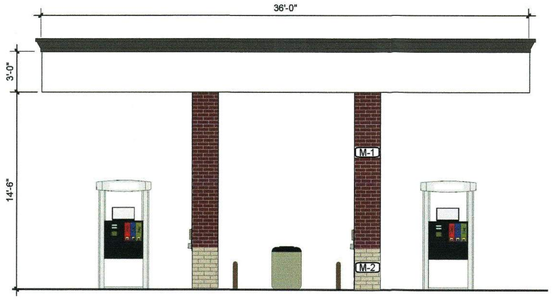
GENERAL SHALE
BRICK - GRAYSTONE VELOUR

EXTERIOR MATERIALS SCHEDULE		
NO.	MATERIAL	MANUF.-COLOR
MR - 1	MEMBRANE ROOFING	DUROLAST - WHITE
M-1	LAWRENCEVILLE BRICK	BURNT CHIMNEY
M-2	GENERAL SHALE BRICK	GRAYSTONE VELOUR
P-3	EXTERIOR HM DOORS, FRAMES, TRASH ENCLOSURE GATE, GRAVEL GUARDS, AND LIGHT POLES.	SHERWIN WILLIAMS - SEAL SKIN SW 7675
P-6	EXTERIOR BOLLARDS WALL PACKS, PARAPET CAP, ELECTRICAL SWITCHGEAR	MATCH STOREFRONT FINISH
S-1	ALUMINUM STOREFRONT GLAZING	KAWNEER - 451T VG
C-1	PREFINISHED ALUMINUM CANOPY	MAPES LUMISHADE CANOPY - DARK BRONZE W/ REAR GUTTER CONNECTIONS ON FRONT CANOPY OR APPROVED EQUAL

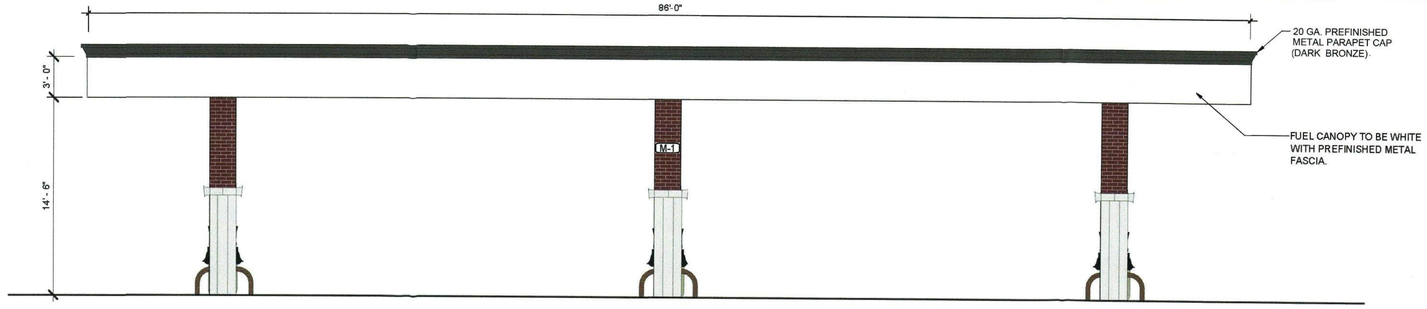
7-Eleven Sustainability Measures

7-Eleven is committed to protecting the environment and controlling energy consumption for all its stores. Below is a listing of items and measures currently being utilized in construction of new stores.

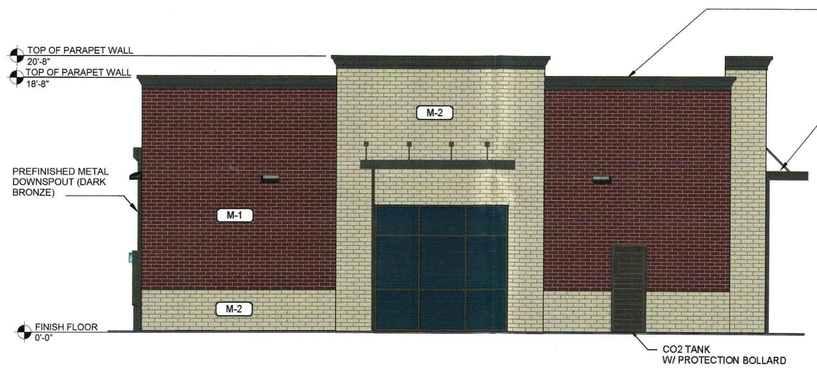
- LED Lighting - 7-Eleven incorporates LED lighting on both interior and exterior of its buildings.
- Single Ply White Roof – Incorporates white roofs into the design which is highly reflective and provides many energy saving qualities.
- Energy Management Controls – uses computer aided controls to monitor, control, and optimize the performance of its mechanical and electrical systems.
- High Efficiency HVAC Systems – High efficiency HVAC systems minimize on off cycling. Variable speed motors to insure consistent air flow.
- Low Flow Plumbing Fixtures – low flow sink faucets and toilets use less water per minute than older, traditional models.



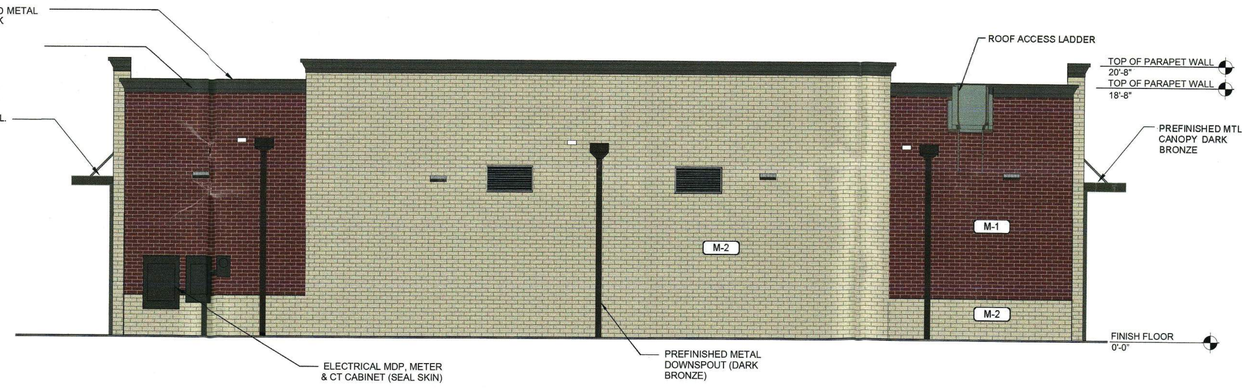
6 CANOPY ELEVATION - SHORT
3/16" = 1'-0"



5 CANOPY ELEVATION - LONG
3/16" = 1'-0"



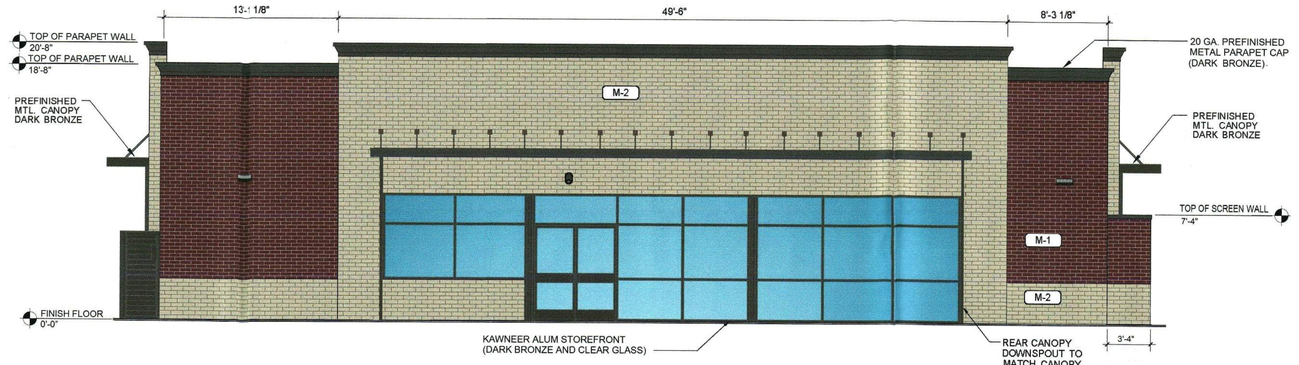
4 ELEVATION - FACING BATTERY BLVD.
3/16" = 1'-0"



3 ELEVATION - REAR
3/16" = 1'-0"

2 ELEVATION RIGHT SIDE
3/16" = 1'-0"

TRANSPARENCY AREA REQUIREMENT TABLE:	
REQ'D:	PROVIDED:
60% OF TOTAL LENTH OF FACADE MEASURED FROM 2'-0" A.F.F TO 8'-0" A.F.F.: (49'-11" x 6'-0") x 0.60 = 179.7 SQFT REQ'D	(15'-0" x 6'-0") + (15'-0" x 6'-0") = 180 SQFT PROVIDED



1 ELEVATION - FACING POCAHONTAS TRAIL
3/16" = 1'-0"

TRANSPARENCY AREA REQUIREMENT TABLE:	
REQ'D:	PROVIDED:
60% OF TOTAL LENTH OF FACADE MEASURED FROM 2'-0" A.F.F TO 8'-0" A.F.F.: (71'-0" x 6'-0") x 0.60 = 255.6 SQFT REQ'D	(42'-10" x 6'-0") = 257 SQFT PROVIDED

ARCHITECT:
Intrépide design
4101 HUNTINGTON DRIVE #6305
ROGERS, AR 72758 PHONE: 479.721.4814

Seal:

FOR REVIEW/REFERENCE ONLY
NOT FOR CONSTRUCTION

Consultants:

MEP ENGINEER:

STRUCTURAL ENGINEER:

CIVIL ENGINEER:

FIRE PROTECTION ENGINEER:

LANDSCAPE ARCHITECT:

Submissions:

DATE:	PHASE

7-ELEVEN STORE
7337 POCAHONTAS TRAIL
WILLIAMSBURG, VA 23185
VERTICAL CONSTRUCTION
1211 SOUTH WHITE CHAPEL
SOUTHLAKE, TX 76092

Client Site/Store #:

Drawing Size	Project #:
24 x 36	
Drawn By:	Checked By:

Title:

EXTERIOR ELEVATIONS

Sheet Number:

RB-E

Date:

RESOLUTION

CASE NO. SUP-0016-2016. 7-ELEVEN CONVENIENCE STORE WITH GAS PUMPS AND DRIVE-THROUGH RESTAURANT AT QUARTERPATH

WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board") has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Southland Corporation and Quarterpath Williamsburg, LLC (the "Owners") own property located at 7327, 7337, 7341 Pocahontas Trail and 3000 Battery Boulevard, further identified as James City County Real Estate Tax Map Parcel Nos. 5020100030, 5020100030A, 5020700004B and 5020100075A, respectively (together, the "Property"); and

WHEREAS, on behalf of the Owners, Mr. Mark Richardson of Timmons Group (the "Applicant") has applied for an SUP to allow a convenience store with gas pumps and a drive-through restaurant, as shown on the exhibit titled "7-11 Convenience Store with Gas and Drive-Thru Restaurant Conceptual Master Plan" prepared by Timmons Group, dated August 25, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0016-2016; and

WHEREAS, the Planning Commission, following its public hearing on September 6, 2017, recommended approval of the application by a vote of 7-0.

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 the issuance of Case No. SUP-0016-2016 as described herein with the following conditions:

1. *Master Plan:* This Special Use Permit ("SUP") shall apply to that certain properties located at 3000 Battery Boulevard and 7327, 7337 and 7341 Pocahontas Trail, which are further identified as James City County Real Estate Tax Map Parcel Nos. 5020100075A, 5020100030, 5020100030A, and 5020700004B, respectively (the "Property"). The SUP shall be valid for a convenience store of up to 2,940 square feet that sells and dispenses fuel (the "Convenience Store"), and a drive-through fast food restaurant of up to 4,000 square feet (the "Restaurant"). All final development plans shall be consistent with the Master Plan entitled, "7-11 Convenience Store with Gas and Drive-Thru Restaurant Conceptual Master Plan" prepared by Timmons Group, dated August 25, 2017 (the "Master Plan") as determined by the Director of Planning with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. *Gas Pumps:* There shall be no more than six fueling islands on the Property as shown on the Master Plan.

3. *Archaeological Study:* A Phase I historic and archaeological study for the Property shall be submitted to the Director of Planning, or his designee, 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, II and 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.

4. *Phasing of Improvements Between the Different Principal Uses:* Prior to the issuance of any site plan approvals for the Restaurant, all shared improvements (including but not limited to all entrance improvements to/from Pocahontas Trail and Battery Boulevard, shared parking, shared stormwater management features and internal circulation improvements) shall be constructed and completed. Should development of the Restaurant precede development of the Convenience Store, the Director of Planning may approve an alternative phasing plan to ensure compliance and consistency with the Master Plan.

5. *Phasing of the Convenience Store and Gas Pumps:* Redevelopment of the gas pump canopy (the "Canopy") and gas pumps in a manner consistent with the Master Plan and these conditions shall occur prior to the issuance of any Certificate of Occupancy for the Convenience Store. The intent of this condition is to ensure that the existing gas pumps and existing canopy are not left in their existing location and condition.

6. *Existing Fueling Islands:* Prior to the issuance of a Certificate of Occupancy for the Convenience Store, all unused gasoline and diesel pumps, canopies and underground fuel tanks shall be removed from the Property.

7. *Spill Prevention, Control and Countermeasures (SPCC) Plan:* Prior to the issuance of a Land Disturbing Permit, an SPCC Plan shall be reviewed and approved by the Director of Stormwater and Resource Protection.

8. *Stormwater Management:* Unless otherwise approved by the Director of Stormwater and Resource Protection, development of the Property shall comply with the City of Williamsburg-approved *Stormwater Management Master Plan* (revised January 28, 2013) and *Best Management Practices Land Bay Design Guidelines* (January 7, 2013) reports for Quarterpath at Williamsburg.

9. *Internal Pedestrian Accommodations:* The owner of each property shall provide internal pedestrian connections to include, but not limited to, wherever sidewalk enters the parking area or crosses any entrance to the Property or drive-through lane and shall provide safe connections from the existing Williamsburg Area Transit Authority (WATA) bus stop. The connections shall be clearly delineated by use of a different color of pavement, brick pavers or some other method determined to be acceptable by the Director of Planning.

10. *Pedestrian and Bicycle Accommodations*: In accordance with the Regional Bikeway Map, a bike lane shall be provided along the Property's Pocahontas Trail frontage. In accordance with the adopted Pedestrian Accommodations Master Plan, a sidewalk shall be provided along the Property's Pocahontas Trail frontage. In lieu of a sidewalk, the Owners shall have the option of installing a multi-use trail to be consistent with other multi-use trails that may be a part of the larger Quarterpath at Williamsburg master plan; however, should the Owners elect to install a multi-use trail, a bike lane must still be provided. Pedestrian and bike accommodations shall be installed or bonded prior to the issuance of a Certificate of Occupancy for any building on the Property.

11. *Traffic Improvements:* Until a traffic signal is operational at the intersection of Pocahontas Trail and Battery Boulevard (the "Intersection"), access to the Property shall be limited to one ingress/egress entrance on Pocahontas Trail and one ingress/egress entrance on Battery Boulevard, as more specifically shown on the Master Plan. "Operational" is defined as electrified and controlling the movement of traffic at the Intersection. At such time that a traffic signal at the Intersection is operational, a second egress-only exit may be constructed on Pocahontas Trail, as more specifically shown on the Master Plan. Prior to the first Certificate of Occupancy for the Property, a raised landscape median on Pocahontas Trail across the Pocahontas Trail frontage of the Property as shown on the Master Plan shall be constructed or guaranteed by the owners of the Property in a manner acceptable to the County Attorney. The design of the raised landscape median shall be shown on the initial site plan. If the traffic light is not warranted within ten years from approval of this SUP, the raised landscape median referenced above shall not be required.

12. *Architectural Review:* Prior to issuance of a Building Permit for each structure shown on the Master Plan (specifically including the Canopy), the Director of Planning, or his designee, shall review and approve the final building elevations and architectural design for such structure. Exterior building materials and colors for all structures shall be generally consistent with the drawing entitled "Riverside Doctors' Hospital Williamsburg Exterior Mock-up 03-09-2012" as contained within the Community Impact Statement. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission. Samples of such building materials and colors shall be approved by the Director of Planning prior to final site plan approval.

13. *Architectural Review – Gas Pump Canopy:* The architecture of the Canopy, including any columns, shall match the design and exterior building materials of the Convenience Store. The Canopy shall have a maximum height of 15 feet measured from the finished grade to the underside of the Canopy. No more than two signs shall be allowed on the Canopy. The Canopy shall not include gas pricing signs.

14. *Screening of Site Features:* All dumpsters and ground-mounted HVAC and mechanical units shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan for the adjacent building and shall be reviewed and approved by the Director of Planning for consistency with this condition.

15. *Outside Display, Sale or Storage:* Unless otherwise stated in this condition, no outside display, sale or storage of merchandise shall be permitted at the Property. As used for this condition, the term "merchandise" shall include but not be limited to ice, soda, candy and/or snack machines. For the Convenience Store, only one outside vending machine and one outside ice chest shall be permitted and, if used, shall be situated against the exterior wall that faces the Restaurant and both shall be screened with building materials similar in type and color with the site architecture to minimize visual impacts from adjacent road rights-of-way. Final screening design shall be approved by the Director of Planning.

16. *Intercom and Speaker Noise:* All intercom and other speaker systems on the Property shall operate in such a manner that they shall not be audible from adjacent properties.

17. *Lighting:* There shall be no light trespass, defined as light intensity measured at 0.1 foot candle or higher extending beyond the boundaries of the Property or into the public right-of-way unless lighting the pedestrian accommodations. All lights, including any lighting on the Canopy, shall have recessed fixtures with no bulb, lens or globe extending below the casing or the Canopy ceiling. Light poles in the parking lot shall not exceed 20 feet in height. The lighting for the Property, to include the Canopy lighting, shall be reviewed and approved by the Director of Planning prior to final site plan approval.

18. *WATA Facilities:* Any change or relocation of existing WATA facilities shall be subject to approval by the Director of Planning prior to final site plan approval.

19. *Signage:* All building face signage shall be externally illuminated or use back-lit or channeled lettered lighting as defined in Section 24-67 of the Zoning Ordinance. For any back-lit or channeled lettered signs the sign shall meet the criteria listed in Section 24-72 of the Zoning Ordinance, or successor section. In addition to any building face signage as permitted by the Zoning Ordinance, the Convenience Store and the Restaurant may each have one exterior freestanding sign. Freestanding signs shall be externally illuminated monument style signs not to exceed 8 feet in height and the base of the signs shall be brick or shall use materials similar in type and color with the site architecture.

20. *Sustainable Design Initiatives:*

    a. Sustainable design initiatives shall be implemented during development of the Property as shown on the Master Plan to achieve the equivalent of 36 points from the Leadership in Energy and Environmental Design (LEED) for New Construction and Major Renovations (based on 2017 guidelines) (the "Credits"). Prerequisite items in the LEED 2017 guidelines shall not be required to be completed in addition to the Credits. In addition, documentation of the building energy performance shall be provided by a mechanical engineer to the Director of

Planning before the Certificate of Occupancy for the initial building to demonstrate an improvement in efficiency of the building's thermal envelope, mechanical systems and electrical systems over code-required baseline performance.

b. The strategies to achieve the Credits will be incorporated into the construction documents either as part of the design or as requirements for the contractor to substantiate during the course of construction. Compliance with the Credit requirements will be validated in a straightforward way through things like, but not limited to, review of contractor submittals, submission of design calculations and letters certifying that requirements have been met. This validation will be overseen by a LEED-accredited professional and approved by the Director of Planning or his designee with Credits related to the design of the project approved prior to issuance of the final site plan approval, and Credits related to the construction of the project approved prior to issuance any Certificate of Occupancy.

21. *Commencement for Convenience Store and Gas Pumps*: Construction on the Convenience Store and the Canopy shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.

22. *Commencement for Drive-Through Restaurant:* Construction on the Restaurant shall commence within 36 months from the date of approval of this SUP. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.

23. *Severance Clause:* This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED that SUP-0016-2016 shall amend, replace and supersede SUP-21-1991, and SUP-21-1991 shall no longer have any force or effect.

Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:

Bryan J. Hill
Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	✓		
SADLER	Absent		
HIPPLE	✓		
LARSON	✓		
ONIZUK	✓		

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of October, 2017.

SUP-16-16PocTr7-11-res

AGENDA ITEM NO. G.1.

ITEM SUMMARY

DATE: 2/6/2019

TO: The Planning Commission

FROM: Tori Haynes, Planner

SUBJECT: C-18-0123. HRSD Treatment Plant Expansion within Carter's Grove AFD

ATTACHMENTS:

	Description	Type
🗋	Staff Report	Staff Report
🗋	Attachment 1. Location Map	Backup Material
🗋	Attachment 2. Adopted Carter's Grove AFD Ordinance	Backup Material
🗋	Attachment 3. HRSD Report, dated December 12, 2018	Backup Material
🗋	Attachment 4. Supplemental HRSD Report, dated January 15, 2019	Backup Material
🗋	Attachment 5. Letter from Representatives of Carter's Grove Associates, LLC, dated January 10, 2019	Backup Material
🗋	Attachment 6. Request to DCR from Representatives of Carter's Grove Associates, LLC, dated January 10, 2019	Backup Material
🗋	Attachment 7. Unapproved Minutes of the January 24, 2019 AFD Advisory Committee Meeting	Minutes
🗋	Attachment 8. State Code § 15.2-4313	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	ComSecretary, Planning	Approved	1/30/2019 - 5:25 PM

SUMMARY FACTS

Applicant:	Mr. Ted Henifin, Hampton Roads Sanitation District
Land Owner:	Carter's Grove Associates, LLC
Location:	250 Ron Springs Drive
Tax Map/Parcel No.:	5820100002
Parcel Acreage:	± 76.10 acres
Agricultural & Forestal District (AFD):	Carter's Grove
Zoning:	R-2, General Residential
Comprehensive Plan:	Federal, State and County Land
Primary Service Area:	Inside
Staff Contact:	Tori Haynes, Planner

PUBLIC MEETINGS

AFD Advisory Committee:	January 24, 2019, 4:00 p.m.
Planning Commission:	February 6, 2019, 6:00 p.m.
Board of Supervisors:	March 12, 2019, 5:00 p.m.

PROJECT DESCRIPTION

Hampton Roads Sanitation District (HRSD) has stated it requires additional land adjacent to its Williamsburg Treatment Plant (WTP), located at 300 Ron Springs Drive, to add advanced treatment facilities to support alternative disposal of wastewater. Specifically, adding advanced water treatment and aquifer recharge facilities will allow HRSD to divert over 90% of the treated wastewater that is currently being discharged from the WTP into the James River to a beneficial reuse as a sustainable groundwater supply. This work has been proposed in response to a federal enforcement action taken by the United States Environmental Protection Agency (US EPA) and the Department of Justice (DOJ) against HRSD.

HRSD has stated there is insufficient property at 300 Ron Springs Drive for the construction of such facilities. In accordance with State Code §25.1-106 and §15.2-4313, HRSD has stated its intent to acquire Parcel No. 5820100002 by condemnation for public utility purposes. This parcel is currently within the AFD.

While HRSD is pursuing ownership of the entire parcel, it has stated that it is not HRSD's intention to develop or remove all ± 76 acres from the Carter's Grove AFD. It is anticipated that approximately seven acres within the AFD will ultimately need to be cleared to support the new facilities. The undeveloped portions of the property will continue to serve as a buffer between the WTP and adjacent properties.

HRSD plans to minimize the impact to the District by designing and locating facilities in as compact a footprint as possible and utilizing tree surveys to preserve the most valuable specimens. The undisturbed portion of Parcel No. 5820100002 will be preserved and protected in accordance with the requirements of the AFD. HRSD has stated it is willing to dedicate a permanent conservation easement over the remaining portion of the parcel.

PARCEL AND DISTRICT HISTORY

- The site of the current HRSD WTP, 300 Ron Springs Drive, was acquired by HRSD from the Colonial Williamsburg Foundation prior to the creation of the Carter's Grove AFD. The parcel created at that time was carved out of 250 Ron Springs Drive,

which wholly surrounds the HRSD property. 300 Ron Springs Drive is not part of the AFD.

- The Carter's Grove AFD was created in 2002 for a term of four years and originally consisted of three parcels totaling ± 320 acres.
- In 2006, the District was renewed for a four-year term. At this time, a 2.26-acre portion was withdrawn.
- The District was renewed for four-year terms in 2010 and 2014 with no additions or withdrawals.
- In 2015, a 1.56-acre parcel owned by Colonial Williamsburg Foundation was withdrawn.
- In 2018, the District was renewed for a four-year term with no additions or withdrawals.

DISTRICT DESCRIPTION

Carter's Grove AFD consists of ± 316 acres which were originally part of historic Carter's Grove Plantation. The District is mostly wooded with wetlands located near the river. The mansion and areas immediately surrounding it, including the gardens and entrance road, are not included in the AFD.

ANALYSIS AND REASON FOR PLANNING COMMISSION REVIEW

The applicant is not requesting a withdrawal of the property at this time. Rather, per State Code, utilities may acquire interests in properties within an AFD provided the local governing body, in consultation with the AFD Advisory Committee and Planning Commission, reviews the proposal and specifically examines the following criteria found in §15.2-4313 (staff comments in *italics*):

(i) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and the policy of this chapter;

The applicant has stated they will reduce clearing impacts to approximately seven acres. Acquisition of the entire parcel will allow flexible siting of the new facilities to mitigate impacts to the forestal resources. Undeveloped portions of the parcel and the resources therein would be preserved in the AFD and would be subject to AFD regulations.

(ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner;

Per the applicant, the proposed action is in response to a federal enforcement action taken by the US EPA and the DOJ and will provide necessary service to the public by alleviating groundwater shortages in the Hampton Roads region. The proposed acquisition will allow the project to be completed in the most economical and practical manner possible, as the new facilities can be constructed on property directly adjacent to the existing facilities and HRSD will be able to control the perimeter buffer and maintain the existing slopes and shorelines from erosion.

(iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district.

An alternative 24-acre parcel adjacent to the Carter's Grove AFD, located at 200 Ron Springs Drive, was evaluated as a potential site. Use of this site would increase capital costs by over $1,000,000, not including land acquisition costs. There would also be increased operation and maintenance costs due to the separation between the existing facilities and the 24-acre site.

This alternative site would not eliminate impacts to the AFD, as HRSD would need to construct an access and utility corridor through the Carter's Grove AFD to reach the non-contiguous parcel. Given the landlocked nature of the HRSD parcel, staff finds there is no practical way to avoid action within this district if the project is to be completed in the most economical and practical manner possible.

The evaluation and analysis of the proposal against these three criteria are a State Code-mandated process that is required when acquisition of a parcel by a political subdivision of the state is proposed. Once this step is concluded, HRSD will continue with its acquisition efforts.

At a future point in time, and prior to constructing any of the referenced improvements, HRSD must return to the County to apply to withdraw the property from the AFD and any legislative approvals required for the plant expansion. Accordingly, the Planning Commission will consider the withdrawal request at that time. The requested action today should be a recommendation based on the three criteria above.

COMPREHENSIVE PLAN

The Comprehensive Plan designates this parcel as Federal, State and County Land. Public Facilities Action PF 3.7 states the County shall "support alternative water supply and conservation projects, such as collection and use of stormwater, reuse of gray water and reclamation of wastewater, where practical and financially feasible." Further, PF 3.8 states the County shall "explore opportunities to develop regional reclamation and reuse technologies and infrastructure in conjunction with neighboring jurisdictions and Hampton Roads Sanitation District."

AFD ADVISORY COMMITTEE RECOMMENDATION

At its January 24, 2019 meeting, the AFD Advisory Committee voted 5-1-1 to recommend that the proposal is not necessary to provide service to the public in the most economic and practical manner and that it would have an unreasonably adverse effect upon state or local policy.

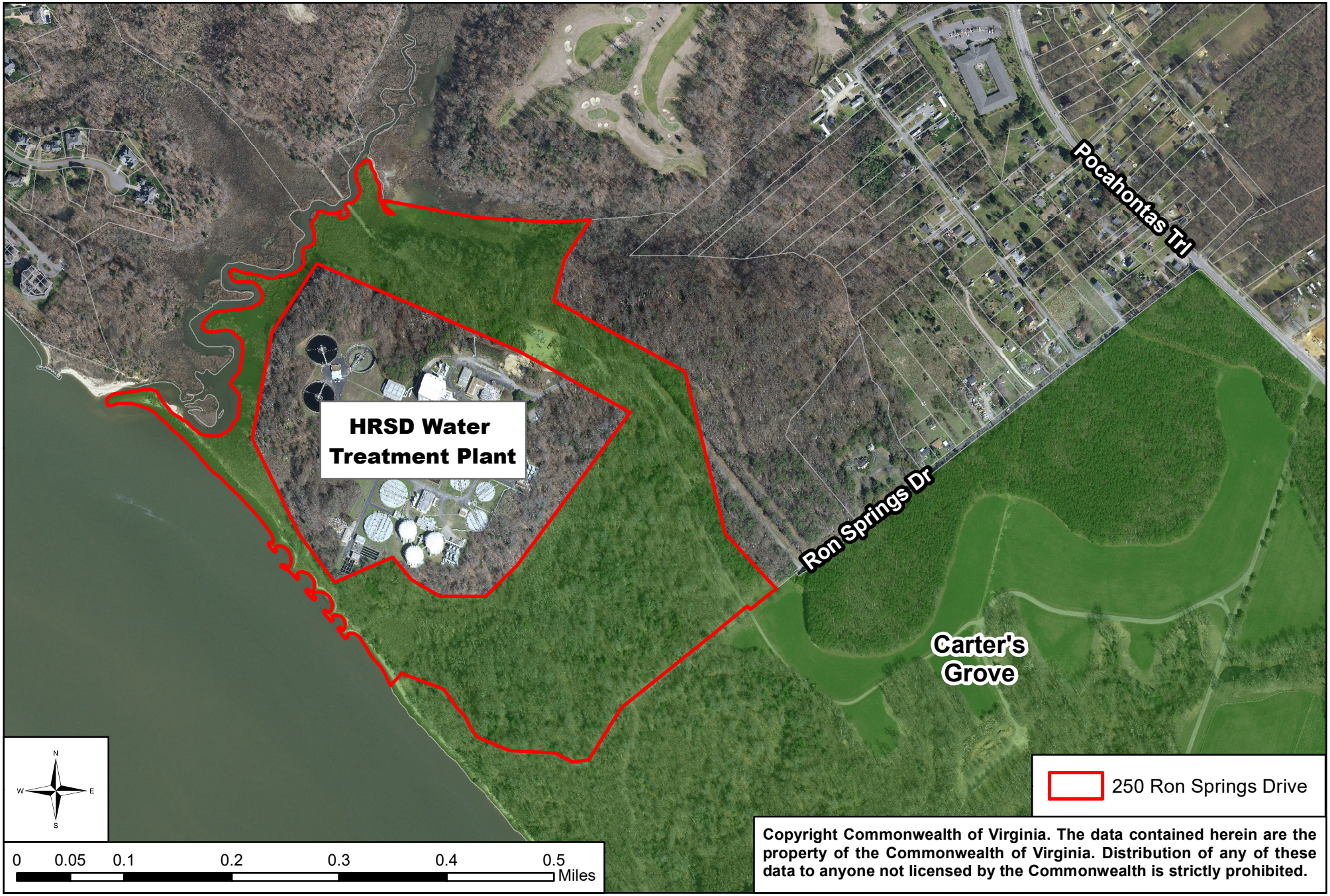
STAFF RECOMMENDATION

In consideration of the criteria discussed above, staff recommends that the Planning Commission find the proposal necessary to provide service to the public in the most economical and practical manner and that it will not have an unreasonably adverse effect upon state or local policy.

TH/md
CP18-123HRSDCartGrvAFD

Attachments:
1. Location Map
2. Adopted Carter's Grove AFD Ordinance
3. HRSD Report dated December 12, 2018
4. Supplemental HRSD Report dated January 15, 2019
5. Letter from representatives of Carter's Grove Associates, LLC dated January 10, 2019
6. Request to DCR from representatives of Carter's Grove Associates, LLC dated January 10, 2019
7. Unapproved minutes of the January 24, 2019 AFD Advisory Committee meeting
8. State Code § 15.2-4313

JCC C-18-0123
HRSD Treatment Plant Expansion Within Carter's Grove AFD



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CORRECTED

ADOPTED

SEP 11 2018

Board of Supervisors
James City County, VA

ORDINANCE NO. 197A-5

AGRICULTURAL AND FORESTAL DISTRICT-1-02-1-2018

CARTER'S GROVE 2018 RENEWAL

WHEREAS, James City County has completed a review of the Carter's Grove Agricultural and Forestal District (the "District"); and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code"), property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the District; and

WHEREAS, the Agricultural and Forestal District (AFD) Advisory Committee at its meeting on June 21, 2018, voted 9-0 to recommend renewal of the District; and

WHEREAS, the Planning Commission following its public hearing on August 1, 2018, concurred with the recommendation of staff and the AFD Advisory Committee and voted 5-0 to recommend renewal of the District with the conditions listed below.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that:

1. The Carter's Grove Agricultural and Forestal District (the "District") is hereby continued to October 31, 2022 in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq. (the "Act").

2. That the District shall include the following parcels, provided, however, that all land within 25 feet of road right-of-ways is excluded from the District:

Owner	Parcel No.	Acres
Carter's Grove Associates	5820100002	76.10
Carter's Grove Associates	5910100030	240.04
	Total:	316.14

3. That pursuant to Sections 15.2-4312 and 15.2-4313 of the Act, the Board of Supervisors requires that no parcel in the District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

   a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City

County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCFs), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

b. No land outside the Primary Service Area and within the District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the District may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawal of Properties from Agricultural and Forestal Districts, adopted September 28, 2010.

c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with the Act, which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for WCFs on properties in the District that are in accordance with the County's policies and Ordinances regulating such facilities.

Ruth M. Larson
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	✓	—	—
ICENHOUR	✓	—	—
SADLER	✓	—	—
HIPPLE	✓	—	—
LARSON	✓	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of September, 2018.

AFDCrtrsGrvRenw-res

HRSD

PLANNING DIVISION

DEC 17 2018

RECEIVED

December 12, 2018

Paul Holt, Director
Community Development/Planning
James City County
PO Box 8784
Williamsburg, VA 23185

Subject: **Notice of proposed acquisition of land within Agricultural and Forestal District (AFD) 1-02-1-2018 in James City County, Ordinance No, 197A-5, Parcel No. 5820100002**

Dear Mr. Holt:

This letter report is provided in accordance with Virginia Code §25.1-106 and §15.2-4313 as notice of the intent of Hampton Roads Sanitation District (HRSD) to acquire real property by condemnation for public utility purposes located within the Agricultural and Forestal District 1-02-1-2018 (AFD). The following information is provided pursuant to the requirements of Code of Virginia:

1. HRSD requires additional land adjacent to its Williamsburg Treatment Plant in James City County to add advanced treatment facilities to support alternative disposal of treated wastewater. The HRSD Williamsburg Treatment Plant (WTP) was constructed on property acquired from the Colonial Williamsburg Foundation in James City County. The parcel created at that time was carved out of a larger parcel that completely surrounds the HRSD property. There is insufficient property on the current parcel to support HRSD requirements for construction of advanced treatment facilities and the associated aquifer recharge wells that will minimize surface water discharge. This work has been proposed by HRSD in response to a federal enforcement action taken by the United States Environmental Protection Agency and the Department of Justice against HRSD. The proposed schedule requires construction of these facilities to be complete by 2023. To meet that completion schedule, site investigation and surveying must begin no later than April 1, 2019.

2. HRSD is a political subdivision of the Commonwealth of Virginia created in 1940 to protect the waters of Hampton Roads from pollution, "in all respects for the benefits of the inhabitants of the Commonwealth and for the promotion of their safety, health, welfare, convenience and prosperity." (Acts of the Assembly 1960, c. 66). Adding advanced water treatment facilities and recharge wells will allow HRSD to divert over 90 percent of the treated wastewater that is currently discharged to the James River and ultimately the Chesapeake Bay from the Williamsburg Treatment Plant to a beneficial reuse as a sustainable groundwater supply. The demand for groundwater to support Virginians in Eastern Virginia is outpacing the natural recharge rate and this beneficial

reuse will ensure adequate supply for future generations. The diversion from the surface water discharge will improve the health of the James River and help Virginia meet its federally mandated nutrient reductions more cost effectively and faster than otherwise possible.

3. HRSD intends to take by condemnation the entire parcel 5820100002 shown on the attached map. In June 2017 HRSD conducted a public hearing concerning its need to acquire this parcel. As part of that process, HRSD provided notice to Carter's Grove Associates, LLC, the landowner of record, and a representative of Carter's Grove appeared and spoke at the public hearing. In July 2017, the HRSD Commission formally adopted a resolution approving the acquisition of the property through condemnation or other means. Since that time, HRSD has been in negotiations with the owner to reach an agreement to purchase parcel 5820100002 but negotiations have stalled. Given the current stalled status of negotiations after more than a year of effort, the pressing schedule to begin on-site survey, soil borings and related investigations, and the authorization by the HRSD Commission to acquire parcel 5820100002 by condemnation, HRSD intends to proceed with condemnation upon receiving the required AFD impact approvals from James City County.

4. It is possible that HRSD could avoid impact to the 6.10 acres within parcel 5820100002 that are listed in the ordinance as being within the AFD but that cannot be determined without a detailed survey showing the specific limits of the AFD within parcel 5820100002. Assuming HRSD cannot avoid impacting the acreage within the AFD, the short term impacts include clearing and land disturbing activities associated with construction of the new HRSD facilities. It is anticipated that approximately 7 acres will need to be cleared to support the new facilities. Clearing will be kept to the absolute minimum. No impact to agricultural operations is anticipated as there are none immediately adjacent to the existing HRSD facilities. Long term impacts will be the loss of approximately 7 acres of forestal land. Impact will be minimized through designing and locating facilities in as compact a footprint as possible and utilizing detailed tree surveys to avoid impact and preserve the most valuable specimens. The undisturbed portion of parcel 5820100002 will be preserved and protected in accordance with the requirements of the AFD. HRSD would be willing to discuss the establishment of a permanent conservation easement over the remaining portion of parcel 5820100002 once the specific limits of our required impact has been identified.

5. Due to the location of the current WTP facility, totally surrounded by parcel 5820100002 some or all of which is located in the AFD, there are no feasible alternatives that will not require action within this AFD. The current plant cannot be relocated and the proposed new facilities must be immediately adjacent to the existing facility to be viable.

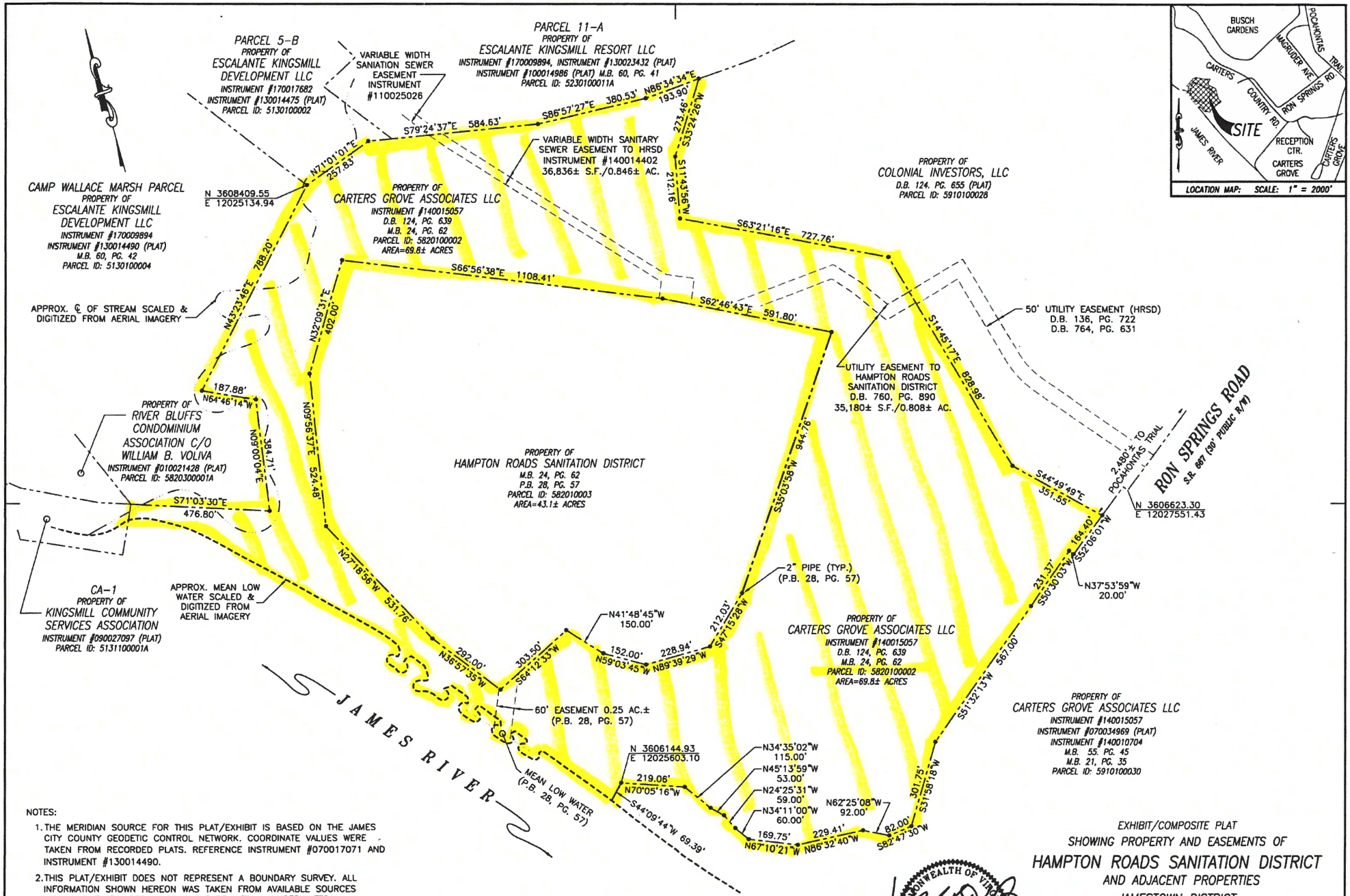
6. The proposed facilities have the potential to resolve groundwater shortages for the residents of Eastern Virginia, including the residents of James City County.

Time is of the essence and we would appreciate action by the County as quickly as possible within the requirements of the Code of Virginia and local ordinance. We are providing notice to Carter's Grove Associates, LLC, the landowner of our filing of this proposed action with your office as required by §15.2-4313. Please let me know if you need additional information.

Sincerely

Ted Henifin, P.E.
General Manager

c. Doug Powell, General Manager JCSA



NOTES:

1. THE MERIDIAN SOURCE FOR THIS PLAT/EXHIBIT IS BASED ON THE JAMES CITY COUNTY GEODETIC CONTROL NETWORK. COORDINATE VALUES WERE TAKEN FROM RECORDED PLATS. REFERENCE INSTRUMENT #070017071 AND INSTRUMENT #130014490.
2. THIS PLAT/EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY. ALL INFORMATION SHOWN HEREON WAS TAKEN FROM AVAILABLE SOURCES INCLUDING PLATS, DEEDS, GIS DATABASE, AERIAL IMAGERY, ETC.
3. THIS PLAT/EXHIBIT WAS PREPARED WITHOUT FIELD LOCATION OF SURVEY MONUMENTS OR PROPERTY CORNERS.
4. THE PLAT/EXHIBIT WAS PREPARED WITHOUT THE USE OF A CURRENT TITLE REPORT AND MAY NOT SHOW ALL MATTERS AFFECTING THE PROPERTY.
5. AREAS SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON AVAILABLE RECORDED INFORMATION. SEE NOTE 2.

COMMONWEALTH OF VIRGINIA
MARK A. HASKETT
Lic. No. 1728
11.07.17
LAND SURVEYOR

EXHIBIT/COMPOSITE PLAT
SHOWING PROPERTY AND EASEMENTS OF

HAMPTON ROADS SANITATION DISTRICT

AND ADJACENT PROPERTIES
JAMESTOWN DISTRICT
JAMES CITY COUNTY, VIRGINIA
SCALE: 1" = 200' – NOVEMBER 3, 2017
SHEET 1 OF 1

JOHNSON, MIRMIRAN & THOMPSON
Engineering A Brighter Future®
272 Bendix Road, Suite 260 Virginia Beach, VA 23452

JMT PROJECT #17-10162-001

January 15, 2019

Paul Holt, Director
Community Development/Planning
James City County
PO Box 8784
Williamsburg, VA 23185

Subject: Notice of proposed acquisition of land within Agricultural and Forestal District (AFD) 1-02-1-2018 in James City County, Ordinance No, 197A-5, Parcel No. 5820100002

Dear Mr. Holt:

This letter provides additional information requested as a result of the meeting with HRSD staff on Friday, January 11, 2019. We appreciate the opportunity to discuss this proposed action with you and your staff and remain available to address other questions or provide additional information as needed. We also appreciate the clarification and correction of the scrivener's error in the ordinance and understand the entire parcel is within the AFD, not just the 6.1 acres referred to in the printed ordinance and referenced in our original notification. The references to the 6.1 acres have been struck through in our original notification language.

This additional information is focused on this specific notification and the statutory elements to be addressed with our notification to assist James City County in making a determination as to whether this proposed action is necessary to provide service to the public in the most economic and practical manner and will not have an unreasonably adverse effect upon state or local policy.

Some context may be helpful before addressing your specific request. HRSD acquired the land for the Williamsburg Treatment Plant in 1971 to meet the wastewater treatment needs of a growing Williamsburg/James City County population and support the development of a brewery in James City County. HRSD provides a vital public service to the residents of James City County, treating their wastewater to exacting standards, protecting public health and the water quality of the James River and the Chesapeake Bay. The HRSD parcel has been in continuous use as a wastewater treatment plant for more than 40 years immediately adjacent (actually totally surrounded) to the AFD, which was established after HRSD began operations. There have been no concerns relayed to HRSD regarding our operations adjacent to the AFD.

During the meeting on Friday we agreed to provide additional information to supplement our responses related to minimizing impact and investigation of alternatives. I have appended the supplemental information to the language provided in the original notification (repeated herein (italicized) to provide the complete response in one document). Supplemental text is bolded for easier reference.

1. *HRSD requires additional land adjacent to its Williamsburg Treatment Plant in James City County to add advanced treatment facilities to support alternative disposal of treated wastewater. The HRSD Williamsburg Treatment Plant (WTP) was constructed on property acquired from the Colonial Williamsburg Foundation in James City County. The parcel created at that time was carved out of a larger parcel that completely surrounds the HRSD property. There is insufficient property on the current parcel to support HRSD requirements for construction of advanced treatment facilities and the associated aquifer recharge wells that will minimize surface water discharge. This work has been proposed by HRSD in response to a federal enforcement action taken by the United States Environmental Protection Agency and the Department of Justice against HRSD. The proposed schedule requires construction of these facilities to be complete by 2023. To meet that completion schedule, site investigation and surveying must begin no later than April 1, 2019.*

2. *HRSD is a political subdivision of the Commonwealth of Virginia created in 1940 to protect the waters of Hampton Roads from pollution, "in all respects for the benefits of the inhabitants of the Commonwealth and for the promotion of their safety, health, welfare, convenience and prosperity." (Acts of the Assembly 1960, c. 66). Adding advanced water treatment facilities and recharge wells will allow HRSD to divert over 90 percent of the treated wastewater that is currently discharged to the James River and ultimately the Chesapeake Bay from the Williamsburg Treatment Plant to a beneficial reuse as a sustainable groundwater supply. The demand for groundwater to support Virginians in Eastern Virginia is outpacing the natural recharge rate and this beneficial reuse will ensure adequate supply for future generations. The diversion from the surface water discharge will improve the health of the James River and help Virginia meet its federally mandated nutrient reductions more cost effectively and faster than otherwise possible.*

3. *HRSD intends to take by condemnation the entire parcel 5820100002 shown on the attached map. In June 2017 HRSD conducted a public hearing concerning its need to acquire this parcel. As part of that process, HRSD provided notice to Carter's Grove Associates, LLC, the landowner of record, and a representative of Carter's Grove appeared and spoke at the public hearing. In July 2017, the HRSD Commission formally adopted a resolution approving the acquisition of the property through condemnation or other means. Since that time, HRSD has been in negotiations with the owner to reach an agreement to purchase parcel 5820100002 but negotiations have stalled. Given the current stalled status of negotiations after more than a year of effort, the pressing schedule to begin on-site survey, soil borings and related investigations, and the authorization by the HRSD Commission to acquire parcel 5820100002 by condemnation, HRSD intends to proceed with condemnation upon receiving the required AFD impact approvals from James City County.*

4. ~~*It is possible that HRSD could avoid impact to the 6.10 acres within parcel 5820100002 that are listed in the ordinance as being within the AFD but that cannot be determined without a detailed survey showing the specific limits of the AFD within parcel 5820100002. Assuming HRSD cannot avoid impacting the acreage within the AFD,*~~ *The short term impacts include clearing and land disturbing activities associated with construction of the new HRSD facilities. It is anticipated that approximately 7 acres will need to be cleared to support the new facilities. Clearing will be kept to the absolute minimum. No impact to agricultural operations is anticipated as there are none immediately adjacent to the existing HRSD facilities. Long term impacts will be the loss of approximately 7 acres of forestal land. Impact will be minimized through designing and locating facilities in as compact a footprint as possible and utilizing detailed tree surveys to avoid impact and preserve the most valuable specimens. The undisturbed portion of parcel 5820100002 will be preserved and protected in accordance with the requirements of the AFD. HRSD would be willing to discuss the establishment of a permanent conservation easement over the remaining portion of parcel 5820100002 once the specific limits of our required impact has been identified.*

   HRSD has been unable to perform a detailed survey and analysis of the specific impacts as we have no right to access the privately owned parcel that surrounds our existing treatment facilities. Once we have full access to the parcel, our surveyors and engineers can develop a detailed plan that will clearly identify exact impacts on the parcel and the amount of land that would be available to be placed in a permanent conservation easement. Without the ability to perform the required detailed survey including subsurface exploration, HRSD cannot commit to a specific portion or acreage on the existing parcel and thus must acquire the entire parcel to provide the maximum flexibility to design and site facilities to minimize impact on rare species and other valuable natural resources. Acquisition of the entire parcel provides the most flexibility and the greatest ability to minimize impacts to the AFD.

   A significant portion of the parcel is unsuited for plant expansion or any development due to steep slopes and the presence of wetlands, James River tributaries and the associated Resource Protection Area (RPA). When these areas are considered, the actual land available to support HRSD's needed new facilities is reduced to approximately 30 acres. The remaining acreage would provide buffer from the adjacent remaining AFD as well as buffer from the other adjacent uses. HRSD ownership of this perimeter ensures safe operation of the plant, protection of our investment of public funds by maintaining the slopes and shore lines, and providing full access to critical infrastructure in existing easements.

In summary, the proposed acquisition includes the entire parcel to allow flexible siting of new facilities to minimize impacts to the forestal resources; to allow HRSD to control and maintain buffer around the entire plant site; to avoid creation of residue that has no dedicated access and limited value; and to protect the investment of public funds by ensuring slopes and shorelines are adequately maintained in the future by HRSD.

It should be noted, this is not a request to remove parcel 582010002 from the AFD. This is only the notification of HRSD's intent to acquire this parcel by condemnation. A future request to remove a portion of parcel 582010002 will be made by HRSD once exact impacts can be determined. HRSD will work with James City County staff and the AFD Advisory Committee to ensure the request to remove a portion of parcel 582010002 meets the needs of the JCC AFD program.

5. *Due to the location of the current WTP facility, totally surrounded by parcel 5820100002 some or all of which is located in the AFD, there are no feasible alternatives that will not require action within this AFD. The current plant cannot be relocated and the proposed new facilities must be immediately adjacent to the existing facility to be viable.*

To maximize the benefits to the Chesapeake Bay (through reduction of discharged nutrients) the advanced water treatment facilities will be designed to treat the entire average daily flow from the existing facilities at the Williamsburg Treatment Plant. Preliminary analysis indicates this will be approximately 8 million gallons per day. Fully treated effluent from the existing treatment facilities will be piped to the advanced treatment process facilities where the water is treated to meet drinking water standards. Each process has some backwash system that must be piped back to the existing wastewater plant for treatment and discharge. Additionally there are critical control points throughout the advanced water treatment system that will divert water back to the wastewater plant if real-time monitoring shows it fails to meet specific parameters. Proximity to the existing plant is critical to controlling capital costs (pumps and piping required to move water back and forth from the existing treatment processes to the advanced treatment processes) and on-going operation and maintenance costs associated with moving more than 8 million gallons daily between two facilities separated by any distance. Staffing costs will also increase with separation of the advanced treatment facilities from the existing plant. Current financial forecasts are based on sharing operators and maintenance staff on the same plant site.

HRSD evaluated the potential use of a 24 acre site at 200 Ron Springs Road. Use of this site increased capital costs by over $1,000,000 (not including land

acquisition costs) and would increase operation and maintenance costs due to the separation between the existing facilities and the 24 acre site. The parcel proposed to be acquired through condemnation (5820100002) would still be impacted as a significant pipe/utility and access corridor would need to be constructed between the existing facilities and the 24 acre parcel. Thus, use of the 24 acre parcel would still require disturbing land within the AFD on parcel 582010002. Based on our unsuccessful negotiations with the owner of parcel 582010002, condemnation would likely still be required to obtain the pipe/utility and access corridor across parcel 582010002, so this notification and process would still be necessary. Additionally, condemnation of a non-contiguous parcel appears to be an over-reach of authority when the only reason would be to minimize impact in an AFD, especially considering the 24 acre parcel is nearly identical from both a current land use and from a flora and fauna perspective to the adjacent parcel within the AFD.

6. The proposed facilities have the potential to resolve groundwater shortages for the residents of Eastern Virginia, including the residents of James City County.

Thanks again for meeting to discuss this notification. Please let me know if you need additional information.

Sincerely

Ted Henifin, P.E.
General Manager

KAUFMAN & CANOLES
attorneys at law

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Suite 2100
Norfolk, VA 23510

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Norfolk, VA 23514

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Kristan B. Burch
(757) 624.3343
kbburch@kaufcan.com

January 10, 2019

HAND DELIVERY

Paul Holt, Director
Community Development/Planning
James City County
101 Mounts Bay Road
Building A
Williamsburg, VA 23185

Re: Landowner Response and Written Request for Department of Conservation and Recreation Involvement with HRSD's Notice of proposed acquisition of land within Agricultural and Forestal District (AFD) 1-02-1-2018 in James City County, Ordinance No, 197A-5 Parcel No. 5820100002

Dear Mr. Holt:

We serve as counsel for Carter's Grove Associates, LLC ("Carter's Grove" or "Landowner") regarding the above-referenced matter.

This letter responds to Hampton Roads Sanitation District's ("HRSD") letter to James City County ("County"), dated December 12, 2018 ("Letter Report"), requesting the County's approval to proceed with the condemnation of seventy-six (76) acres of property within an Agricultural and Forestal District owned by Carter's Grove at 250 Ron Springs Drive, Williamsburg, Virginia 23185, Tax Map ID No. 582-01-00-002 ("76 Acre Parcel").

In 2014, the Landowner purchased Carter's Grove plantation from Colonial Williamsburg and in doing so purchased a 400+ acre historic property on which the Carter's Grove Manor Home ("Manor Home") and other improvements, dependencies, and unique archaeological sites are situated along with the subject parcel consisting of 76.10 acres which is the subject of the Letter Report. The 76 Acre Parcel completely surrounds HRSD's existing Water Treatment Plant and provides an important and well planned physical buffer between the Treatment Plant and the remainder of Carter's Grove plantation. HRSD is seeking to acquire the 76 Acre Parcel to build a new SWIFT (Sustainable Water Initiative for Tomorrow) water treatment facility that will treat waste water and inject it into the Potomac Aquifer.

Deficiencies in the Letter Report

HRSD's Letter Report fails to comply with the requirements of Virginia Code § 15.2-4313 and gives the County no substantive information from which it can properly review the proposed condemnation action and make an informed decision.

Section 15.2-4313 requires that, "at least ninety days prior" to any condemnation action affecting property within an Agricultural and Forestal District ("AFD"), HRSD give "[n]otice to the local governing body . . . in the form of a report" which contains the following information:

> 1. A detailed description of the proposed action, including a proposed construction schedule;
> 2. All the reasons for the proposed action;
> 3. A map indicating the land proposed to be acquired or on which the proposed dwellings, commercial or industrial facilities, or water or sewer facilities to serve nonfarm structures are to be constructed;
> 4. An evaluation of anticipated short-term and long-term adverse impacts on agricultural and forestal operations within the district and how such impacts are proposed to be minimized;
> 5. An evaluation of alternatives which would not require action within the district; and
> 6. Any other relevant information required by the local governing body.

Va. Code Ann. § 15.2-4313(A).

The Letter Report submitted by HRSD is on its face deficient and fails to properly address the statutory factors listed above. Specifically, the Letter Report includes (a) little to no evaluation of the short-term and long-term adverse impacts on agricultural and forestal operations within the district and how such impacts are proposed to be minimized; and (b) no analysis of one of the most important factors – potential alternative sites that would not require action within an AFD.

After reviewing HRSD's Letter Report, the County, in consultation with the local planning commission and the advisory committee, is required by statute to make written findings as to the following:

> (i) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and the policy of this chapter;
>
> (ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and
>
> (iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district.

Va. Code Ann. § 15.2-4313(B). Thus, it is essential for HRSD to provide substantive details and support for the conclusions made in the Letter Report to ensure that County has sufficient information to make the written findings detailed above in subsections (i), (ii) and (iii).

Therefore, the Landowner requests that the County require HRSD to resubmit a more detailed report that properly evaluates and provides substantive and detailed information on all six of the statutory factors described in § 15.2-4313(A).

Request for Advice from the Department of Conservation and Recreation

Pursuant to its statutory right, the Landowner hereby requests that the Director of the Department of Conservation and Recreation advise the County on this proposed action in accordance with § 15.2-4313(B). *See* Va. Code Ann. § 15.2-4313(B) ("If requested to do so by any owner of land that will be directly affected by the proposed action . . . the Director of the Department of Conservation and Recreation, or his designee, may advise the local governing body on the issues listed in clauses (i), (ii) and (iii) of this subsection").

The involvement of the Department of Conservation and Recreation is particularly important in this case as HRSD has provided (a) minimal to no information on the short-term and long-term adverse impacts on the agricultural and forestal operations and how such impacts are proposed to be minimized and (b) no information on "whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestall resources within the district." *Id.*

Carter's Grove is sending a separate formal request for involvement to the Department of Conservation and Recreation and the County.

HRSD's Rush to Condemn

Section 15.2-4313 contemplates that the locality thoroughly consider all proposals to acquire land in an AFD before issuing its approval, including the potential for a public hearing and the circulation of notice in a newspaper within the affected district. *See* Va. Code Ann. § 15.2-4313(C). Based on the history of communications to date and the brevity of the Letter Report, Carter's Grove is concerned that HRSD is attempting to inappropriately rush the approval process without engaging in a thorough consideration of the factors relevant to land acquisition in an AFD.

Although HRSD was statutorily required to obtain the County's approval *before* taking any condemnation action in connection with an AFD designated property, HRSD issued a condemnation notice to the Landowner on November 13, 2018 without first obtaining the County's approval. (*See* notice of condemnation letter attached hereto as Exhibit A). It was not until after Carter's Grove raised the review required by Section 15.2-4313 that HRSD indicated that it was going to follow the requirements of the statute.

After the Landowner contested the condemnation notice and brought Section 15.2-4313 to HRSD's attention, HRSD then failed to give notice to the Landowner that it had filed the Letter Report. Although such notice to the Landowner is statutorily required, and although HRSD's Letter Report to the County explicitly states that it provided notice to the Landowner, ***no such notice was ever provided to Carter's Grove***. *See* Va. Code Ann. § 15.2-4313(A) ("Notice to landowners shall be sent by first-class or registered mail and shall state that further information on the proposed action is on file with the local governing body."). The Landowner did not learn that HRSD had submitted the Letter Report almost a month ago, on December 12, 2018, until recent inquiry was made with the County regarding whether a letter report had been submitted by HRSD.

Originally, HRSD had no intentions of engaging in the review process required by Section 15.2-4313. Now that HRSD has realized it must submit its request to the County for review, Carter's Grove is concerned that HRSD is attempting to rush the required review process. Based upon the Letter Report, HRSD apparently has agreed to complete construction of the proposed facility by 2023 in order to resolve a federal enforcement action taken by the United States Environmental Protection Agency ("EPA") and the Department of Justice ("DOJ"). The fact that a federal enforcement action was brought against HRSD and that HRSD proposed a schedule requiring construction to be completed by 2023 does not affect the review which otherwise must be completed under Section 15.2-4313.

Substantive Response to the Letter Report

Carter's Grove reiterates its request that the County require HRSD to resubmit its Letter Report in order to provide the detail and analysis outlined above. For the issues already addressed in the Letter Report, the Landowner responds as follows:

1. HRSD does not require 76.10 acres to accomplish its public purpose of providing advanced treatment facilities to support alternative disposable of treated waste water. As pointed out in No. 4 of HRSD's Letter Report, it is anticipated that "approximately 7 acres will need to be cleared to support the new facilities". Taking the entire 76 Acre Parcel, which has served as a necessary part of the historic Carter's Grove plantation since Colonial Williamsburg acquired the property from Sealantic in the 1970s, such that HRSD can build a new Water Treatment Plant with a footprint of approximately 7 acres, is a wholly unnecessary taking of lands within the AFD. The 76 Acre Parcel should continue to provide potential outdoor and recreation value, should be conserved as a natural habitat of rare species of plant life, and serve as a continued buffer between the HRSD Treatment Plant and the Manor Home. HRSD's proposed acquisition will effectively eliminate the historic Country Road between the Manor Home and Grove Creek. This means Carter's Grove no longer will have a secondary access to its property to be used as an emergency access and access for large tractor trailers and farm equipment. Condemnation of the 76 Acre Parcel completely alters the current Landowner's use and enjoyment of Grove Creek and the beach along the James River (including one of the only flat portions of the James River beach).

   Significantly, the AFD is populated with a coastal plain calcareous ravine forest as evidenced by the dominance of American beech (*Fagus grandifolia*), southern sugar maple (*Acer floridanum*), and calcareous soils weathered by Tertiary shell deposits which contain fossils. The coastal plain calcareous ravine forest contains several unusual plant species including, but not limited, to black cohosh (*Acataea racemosa*) and American bellflower (*Campanula americanum*). The forest contains stands of old growth trees, which can seldom be found elsewhere in Virginia, the only place in the world which harbors this natural community. There will be significant impact to the AFD and effectively to the Commonwealth of Virginia by the potential damage and loss of this rare flora.

2. While HRSD is a political subdivision of the Commonwealth of Virginia with some limited quick take condemnation powers, there is a substantial legal question as to whether it has the power to condemn the 76 Acre Parcel by a Certificate of Take based on its own Charter. *See* Hampton Roads Sanitation Dist. Comm'n, Va. Acts 1960, c. 66 as

amended, §11(b). Therefore, there are a number of legal issues associated with HRSD's proposed acquisition by condemnation.

3. As addressed in No. 1 above, HRSD seeks to condemn the entire 76 Acre Parcel. **All 76 acres fall within the AFD** – not just 6.10 acres as HRSD suggests.

   HRSD seeks to take advantage of a clear scrivener's error in the ordinance addressing the 2018 AFD renewal which inadvertently transposes "76.10 acres" as "6.10 acres." The Landowner previously brought this error to HRSD's and the County's attention, and the County corrected such error. (See File Memo and Corrected Ordinance, attached hereto as Exhibit B.)

   A copy of a drawing which shows the AFDs is attached as Exhibit C. Carter's Grove owns the property designated in green on Exhibit C which is located within an AFD.

4. HRSD has been in negotiations with the Landowner to reach an agreement on a limited purchase of property to expand the footprint of the existing Water Treatment Plant by approximately 7 acres, but negotiations have stalled with respect to the issue of just compensation.[1] Carter's Grove had suggested that to the extent an agreement on a limited acquisition could be reached (and efforts have been made between HRSD and engineers retained by Carter's Grove who are also specialists in SWIFT initiatives), there remains a question of just compensation under the Virginia Constitution.

   According to representations made by HRSD in its Letter Report, HRSD is under a consent decree with the EPA and DOJ and has a proposed schedule to complete the new facility in 2023. However, given the gravity of the taking of the entire parcel, its potential disturbance of lands within the AFD, and its significant adverse impact to the Manor Home parcel - a national historic treasure that is subject to a complex historic conservation easement and that the Landowner is painstakingly restoring for future generations - the proposed acquisition by HRSD requires, at a minimum, a public hearing in order to fully explore the impacts within the AFD.[2] As noted above, concurrently with this written response, the Landowner also has written to the Director of the Department of Conservation and Recreation, as permitted under Virginia Code §15.2-4313, to request the Director's review, evaluation and assistance to prevent the permanent taking of the 76 Acre Parcel that should be conserved. Because the Commonwealth of Virginia itself, and not just the locality, is involved in this process HRSD's plea to the County for quick approval of its plan should not be accepted.

---

[1] Through counsel, Carter's Grove has been in contact with HRSD since the summer of 2017, when HRSD first expressed its intention to acquire this property, and has engaged with HRSD in significant discussions since that time through December 2018.

[2] In 2014, Carter's Grove purchased the Manor Home parcel and the 76 Acre Parcel with the intention of reestablishing agricultural operations. In addition to an extensive historic restoration of the Manor Home and the formal grounds, Carter's Grove has been reclaiming and fencing fields and pastures and is building a large farm complex to store hay, shelter livestock, and maintain the necessary farming equipment. Reestablishing agricultural operations is a multi-year undertaking, and Carter's Grove continues to takes steps to accomplish this goal.

Instead, the proposed taking of Agricultural and Forestal lands for industrial use requires deliberate and thoughtful evaluation.

5. HRSD recites, that it can "avoid impact to the 6.10 acres" [*sic*]. As stated above, the actual parcel size is 76.10 acres per the corrected Ordinance. However, HRSD acknowledges that without a detailed survey showing the specific limits of the AFD within the parcel it cannot advise the County as to whether even a limited acquisition will not disturb the forests within the AFD.

   HRSD should not have submitted a Letter Report in which it is unable to identify for the County the extent of the areas affected within the AFD. To simply take the 76 Acre Parcel and avoid its requirements under the statute to properly analyze, assess and report to the locality why it is taking the property *in toto,* does not comply with Section 15.2-4313.

   HRSD has not provided the County with any information, attachments, exhibits or analysis of exactly what acreage within the AFD its expansion will impact. Further, while HRSD expects no short-term impact to agricultural operations, its long-term impacts will be more than 7 acres of forestal land.

   HRSD also has failed to identify the impact from building injection wells on the 76 Acre Parcel. It takes approximately 1 acre to clear and build injection wells. HRSD has not explained to the County whether injection wells will be placed on the existing Water Treatment Plant or on the expanded footprint of 7 acres, or elsewhere in the AFD. Each injection well site will require a permanent site of at least one-half acre of land, resulting in further loss of forest within the AFD and potentially rare plant life as described above. The long-term impacts are far more than the approximate 7 acres of forestal land. The impact to existing trees and plants can be significant and certainly no analysis has been made by HRSD as to impact on those rare species, as HRSD admits it does not know the limits of the AFD within the 76 Acre Parcel.

   HRSD is obligated under the statute to present the County with a true report. Its vague assertion that it is "willing to discuss" the establishment of a permanent conservation easement over the remaining unused portion is not in any way a defined plan.

6. The Landowner disagrees with HRSD's statement that "there are no feasible alternatives that will not require action within this AFD" as there are alternatives. For example, there is an approximately 24 acre parcel located at 200 Ron Springs Drive. Unlike the 76 Acre Parcel, the 24 acre parcel presents few environmental constraints for use by HRSD for its plant expansion.

   Regulatory restrictions on the 76 Acre Parcel are primarily due to jurisdictional waters of the United States (wetlands) that border its western and northern boundaries. These resources are subject to a 100 foot RPA buffer in the County which leaves a much smaller percentage of developable land outside the RPA and situated above the 50 foot elevation in the 76 Acre Parcel.

   The 24 acre parcel is not part of an AFD and therefore is not subject to the same land use change requirements as the 76 Acre Parcel. Again, it is important to consider that

there is old growth forest in the 76 Acre Parcel, which requires continued protection of this area under an AFD. As stated, the coastal plain calcareous ravine forest is itself a rare habitat type which is found only in several places in Virginia and contains several species which are uncommon for the area including but not limited to black cohosh and American bellflower.

In addition to its clear physical features and topographical advantages, the 24 acre parcel, provides significant and compelling advantages over the current proposed acquisition parcel owned by Carter's Grove, to include without limitation:

i. Larger buildable footprint;

ii. Flatter terrain and anticipated reduced earth moving costs;

iii. More adjacent space for future expansion;

iv. More space for construction staging;

v. Convenient access adjacent to Log Cabin Beach Road;

vi. Adequate area for the stormwater management features that will be required to account for increased impervious area;

vii. Additional area for injection wells;

viii. Potential lower land cost for HRSD;

ix. Potential for lower construction cost for HRSD; and

x. No overlap with resource protection areas and buffer zones.

Any concerns by HRSD as to security could be easily accommodated on the 24 acre parcel.

HRSD is incorrect when it states no alternatives exist. It appears that no analysis has been done by HRSD as to whether there are feasible alternatives that will not require action within this AFD.

For the reasons stated above, the Landowner requests that the County require HRSD to resubmit a more detailed report that properly evaluates and provides substantive and detailed information on all six of the statutory factors described in § 15.2-4313(A). In addition, the Landowner requests the involvement of the Department of Conservation and Recreation in the County's review of the Letter Report.

Very truly yours,

Kristan B. Burch

Kristan B. Burch

KBB:wr
Enclosures

cc (w/encls.): Scott Stevens, County Administrator (scott.stevens@jamescitycountyva.gov)
Adam Kinsman, County Attorney (adam.kinsman@jamescitycountyva.gov)
Jim Icenhour, Chair, Board of Supervisors (james.icenhour@jamescitycountyva.gov)
Brad Baskette, Assistant Director of Stewardship, Virginia Outdoors Foundation (bbaskette@vofonline.org)
Robyn Hylton Hansen, Esq. (rhansen@jbwk.com)

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P.O. BLECHMAN, 1905-1986
ARTHUR W. WOLTZ, 1905-1993
THOMAS N. DOWNING, 1919-2001
SVEIN J. LASSEN, 1947-2006
HERBERT V. KELLY, 1920-2007
B.M. MILLNER, 1929-2011

REBECCA L. SHWAYDER AMAN
JENNIFER L. MUSE
BLAIR M. MATHIAS

Direct Dial No. (757) 873-8125
E-Mail Address: mmeadows@jbkw.com

November 13, 2018

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED
AND US MAIL FIRST CLASS

Carter's Grove Associates, LLC
Attn: Samuel M. Mencoff
70 West Madison, Suite 4600
Chicago, IL 60602-4215

Dear Mr. Mencoff:

Re: 250 Ron Springs Drive, Williamsburg, Virginia 23185
Tax Map ID No. 582-01-00-002
Filing of Certificate of Take Pursuant to Va. Code § 25.1-300 *et seq.*

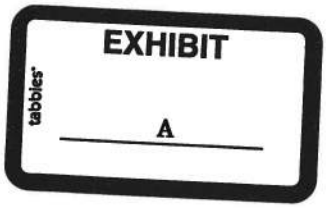
As you are aware, this firm represents the Hampton Roads Sanitation District ("HRSD"). Please accept this letter as notice pursuant to Virginia Code § 25.1-306 that HRSD will file a Certificate of Take within thirty (30) to forty-five (45) days in the James City County Circuit Court condemning the above referenced property owned by Carter's Grove Associates, LLC. If you have any questions or concerns, please feel to contact me.

Very truly yours,
JONES, BLECHMAN, WOTLZ & KELLY, P.C.

Matthew D. Meadows

MDM/jlm
cc: R. Barrow Blackwell, Esq. (via email (rbblackwell@kaufcan.com)
Paul W. Gerhardt, Esq. (via email (pwgerhardt@kaufcan.com)
Conway H. Sheild, III, Esq.
Edward G. Henifin, P.E., General Manager, HRSD (via email)
John Dano, Project Manager, HRSD (via email)

619393



James City County
VIRGINIA
Jamestown 1607

County Attorney's Office
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P. O. Box 8784
Williamsburg, VA 23187-8784
757-253-6612
jamescitycountyva.gov

FILE MEMORANDUM

To: File

From: Adam Kinsman, County Attorney

Date: December 18, 2018

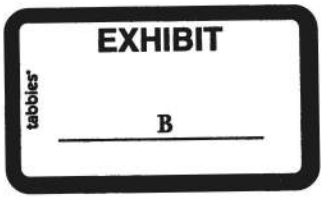
Re: Ordinance No. 197A-5

ISSUE:

It has come to my attention that Ordinance No. 197A-5 adopted by the Board of Supervisors on September 11, 2018 (the "Ordinance") contains an error in Ordinance section number two. This section indicates that the Carter's Grove Agricultural and Forestal District (the "AFD") includes two parcels: James City County Real Estate Tax Map Parcel No. 5820100002 ("Parcel No. 1") and James City County Real Estate Tax Map Parcel No. 5910100030 ("Parcel No. 2"). It appears that an error occurred when listing the total acreage of Parcel No. 1, which is listed as being 6.10 acres in size, rather than 76.10 acres.

FACTS:

1. The Staff Report to the Board of Supervisors dated September 11, 2018 (the "Report") states that the AFD was created in 2002 and originally consisted of three parcels totaling approximately 320 acres. In 2006, a 2.26-acre portion was withdrawn from the AFD. In 2015, a 1.56-acre parcel was withdrawn, leaving the AFD with two parcels totaling 316.14 acres.
2. The Report notes that there have been no withdrawals of land from the AFD since 2015.
3. The Report indicates that the entire 76.10-acre Parcel No. 1 was to be included in the AFD.
4. The AFD map presented to the Board of Supervisors on September 11, 2018 (the "Map") shows the entire 76.10-acre Parcel No. 1 as being included in the AFD.
5. The legal newspaper advertisement listed the AFD as including "approximately 316 acres of land."
6. Section number two in the Ordinance lists the total acreage of the AFD as 316.14.



ANALYSIS:

A scrivener's error is an error that tends to occur singularly and is one that is "demonstrably contradicted by all other documents." Westgate at Williamsburg Condo Ass'n, Inc. v. Philip Richardson Co., Inc., 270 Va. 566, 575 (2002). Every document associated with this AFD renewal, including the newspaper advertisement, the Report, the Map, and the total acreage listed in the Ordinance, indicates that the entire 76.10-acre Parcel No. 1 was to be included in the AFD, not just a 6.10-acre portion of it. There is no evidence showing an intent to remove 70 acres from the AFD and not one single reference to a total AFD size of 246.14 rather than the oft-repeated total of 316.14.

CONCLUSION:

It is my opinion that the 6.10-acre notation in the Ordinance constitutes a scrivener's error. A new page one stamped "CORRECTED" should be slip-sheeted and should indicate that Parcel No. 1 is 76.10 acres.

CORRECTED

ADOPTED

SEP 11 2018

Board of Supervisors
James City County, VA

ORDINANCE NO. 197A-5

AGRICULTURAL AND FORESTAL DISTRICT-1-02-1-2018

CARTER'S GROVE 2018 RENEWAL

WHEREAS, James City County has completed a review of the Carter's Grove Agricultural and Forestal District (the "District"); and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code"), property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the District; and

WHEREAS, the Agricultural and Forestal District (AFD) Advisory Committee at its meeting on June 21, 2018, voted 9-0 to recommend renewal of the District; and

WHEREAS, the Planning Commission following its public hearing on August 1, 2018, concurred with the recommendation of staff and the AFD Advisory Committee and voted 5-0 to recommend renewal of the District with the conditions listed below.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that:

1. The Carter's Grove Agricultural and Forestal District (the "District") is hereby continued to October 31, 2022 in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq. (the "Act").

2. That the District shall include the following parcels, provided, however, that all land within 25 feet of road right-of-ways is excluded from the District:

Owner	Parcel No.	Acres
Carter's Grove Associates	5820100002	76.10
Carter's Grove Associates	5910100030	240.04
	Total:	316.14

3. That pursuant to Sections 15.2-4312 and 15.2-4313 of the Act, the Board of Supervisors requires that no parcel in the District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

   a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City

County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCFs), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.

b. No land outside the Primary Service Area and within the District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the District may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawal of Properties from Agricultural and Forestal Districts, adopted September 28, 2010.

c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with the Act, which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for WCFs on properties in the District that are in accordance with the County's policies and Ordinances regulating such facilities.

Ruth M. Larson
Chairman, Board of Supervisors

	VOTES		
	AYE	NAY	ABSTAIN
MCGLENNON	✓	—	—
ICENHOUR	✓	—	—
SADLER	✓	—	—
HIPPLE	✓	—	—
LARSON	✓	—	—

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of September, 2018.

AFDCrtrsGrvRenw-res

James City County, Virginia

Legend

- Parcels

Agricultural & Forestal Districts AFD

- Armistead
- Barnes Swamp
- Carter's Grove
- Christenson's Corner
- Cranston's Pond
- Croaker
- Gordon Creek
- Gospel Spreading Church
- Hill Pleasant Farm
- Mill Creek
- Pates Neck
- Wrights Island
- Yarmouth Island

tabbies'

EXHIBIT

C

Feet

0 500 1000 1500 2000

1:18,056 / 1"=1,189 Feet

Title:

Date: 4/25/2018

DISCLAIMER:This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records,information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.

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attorneys at law

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January 10, 2019

Via Email (paul.holt@jamescitycountyva.gov)
Paul Holt, Director
Community Development/Planning
James City County
P.O. Box 8784
Williamsburg, VA 23185

Via Federal Express and Email (clyde.cristman@dcr.virginia.gov)
Clyde Cristman, Director
Department of Conservation and Recreation
600 E. Main St., 24th Floor
Richmond, VA 23219

Via Federal Express and Email (tyler.meader@dcr.virginia.gov)
Tyler Meader, Locality Liaison
Department of Conservation and Recreation
Division of Natural Heritage
600 East Main Street; 24th Floor
Richmond, VA 23219

Re: Request Pursuant to Virginia Code § 15.2-4313

Dear Mr. Holt, Mr. Cristman, and Mr. Meader:

On December 12, 2018, Hampton Roads Sanitation District ("HRSD") submitted a report ("Report") to James City County pursuant to Virginia Code § 15.2-4313, as notice of its intent to acquire real property by condemnation for public utility purposes located within an Agricultural and Forestal District ("AFD"). Carter's Grove Associates, LLC owns the property at issue in the Report.

Enclosed is a copy of the Report by HRSD. Also enclosed is a copy of the letter in response to the Report which Carter's Grove Associates, LLC is sending to James City County today.

Virginia Code § 15.2-4313(B) states as follows:

> B. Upon receipt of a notice filed pursuant to subsection A, the local governing body, in consultation with the local planning commission and the advisory committee, shall review the proposed action and make written findings as to (i) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and the policy of this chapter; (ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and (iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district. **If requested to do so by any owner of land that will be directly affected by the proposed action of the agency, corporation, or political subdivision, the Director of the Department of Conservation and Recreation, or his designee, may advise the local governing body on the issues listed in clauses (i), (ii) and (iii) of this subsection.**

(emphasis added).

Through this letter, Carter's Grove Associates, LLC, as owner of the property at issue in the Report, requests that the Director of the Department of Conservation and Recreation or his designee ("DCR") advise James City County regarding the following issues listed in Section 15.2-4313(B):

(i) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and the policy of this chapter;

(ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and

(iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district.

Carter's Grove Associates, LLC assumes James City County will take all steps necessary with DCR, including completing any forms or making any payments required, in order for DCR to advise James City County on the issues outlined above.

To the extent that additional information is needed, please contact me as counsel for Carter's Grove Associates, LLC.

Very truly yours,

Kristan B. Burch

KBB:wr
Enclosures

cc: Brad Baskette, Assistant Director of Stewardship, Virginia Outdoors Foundation (via email) (w/o encls.)
Robyn Hylton Hansen, Esq. (via email) (w/o encls.)

Unapproved Minutes of the January 24, 2019 AFD Advisory Committee Meeting
C-18-0123. HRSD Treatment Plant Expansion within Carter's Grove AFD

Ms. Tori Haynes stated Hampton Roads Sanitation District currently operates the Williamsburg Treatment Plant located at 300 Ron Springs Drive. This is a landlocked parcel that is wholly surrounded by 250 Ron Springs Drive and the Carter's Grove AFD.

HRSD has stated that it requires a facility expansion adjacent to the Williamsburg Treatment Plant. This expansion is in response to federal enforcement action taken by the EPA and Dept. of Justice. HRSD has stated there is insufficient property on their current parcel to accommodate the facility expansion, and as such has stated its intent to acquire 250 Ron Springs Drive by condemnation for public utility purposes.

HRSD is not requesting a withdrawal of the property from the AFD at this time. Rather, per State Code, utilities may acquire interests in properties within an AFD provided that the Board of Supervisors, in consultation with the AFD Advisory Committee and Planning Commission, reviews the proposal and specifically examines the following criteria found in §15.2-4313: (i) the effect the action would have upon the preservation and enhancement of agricultural and forestal resources within the district and associated policies; (ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and (iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts within the district.

The evaluation and analysis of the proposal against these three criteria are a State-Code mandated process that is required when acquisition of a parcel by a political subdivision of the state is proposed.

Ultimately, the Board of Supervisors will consider the above criteria and make a determination as to whether the proposed action might have an unreasonably adverse effect upon state or local policy.

This review does not withdraw any portion of the parcel from the AFD or grant any sort of approval for the facility expansion itself. Should HRSD be successful in acquiring ownership of the subject parcel, they would then need to apply separately for those items, and accordingly, the AFD Advisory Committee would consider the withdrawal request at that time.

Staff recommends that each of the above criteria be discussed individually to make clear the findings of the Committee to the Planning Commission and Board of Supervisors.

In consideration of the criteria, staff ultimately found that the proposal was necessary to provide service in the most economical and practical manner, and that it will not have an unreasonably adverse effect upon state or local policy.

Mr. Taylor disclosed to the Committee and staff that he is affiliated with companies represented by Kaufman and Canoles law firm. However, he does not feel this will sway

his opinion or recommendations while serving on the Committee.

Mr. Taylor then asked staff to clarify whether the Committee would be voting to agree or disagree with the HRSD proposal.

Ms. Haynes stated the Committee would not be considering any AFD withdrawal at this time but needed to determine if the action of taking the parcel would have an adverse effect on State or local policy. She said this is an automatic review of three criteria triggered or prompted by the intent stated by HRSD to acquire the parcel by condemnation for public utility purposes. Their findings will then go to the Planning Commission and Board of Supervisors.

Ms. Haynes suggested discussion of the three criteria found in §15.2-4313 and stated that representatives of HRSD and Carter's Grove Associates, LLC are available to answer questions.

Ms. Haynes then shared staff's understanding of the proposal. HRSD is looking to expand beyond their current borders into the Carter's Grove AFD. They propose clearing approximately 7 acres, but a final site has not been located yet.

Mr. Wanner stated HRSD is under Federal mandate to make improvements to the facility.

Ms. Haynes confirmed there is a Federal action against HRSD, and existing lands cannot accommodate the necessary expansion. They require an additional seven acres.

Mr. Taylor stated HRSD is attempting to acquire 76 acres.

Ms. Haynes stated HRSD is pursing ownership of the entire parcel but not necessarily withdrawal of all 76 acres from the AFD. She reiterated that this review is prompted by the intent to condemn lands within an AFD by a political subdivision.

Mr. Hitchens asked staff why HRSD would need to withdraw land from the AFD if they are a public entity.

Ms. Haynes answered that a Special Use Permit (SUP) is not allowed in an AFD unless it is related to farming practices. If HRSD takes ownership of the parcel, and a use is permitted with a SUP, they will need to withdraw that portion of land from the AFD.

Mr. Abbott asked the HRSD representative for an explanation of their plan.

Ted Henifin, General Manager at HRSD, addressed the Committee and began with a discussion on the impact of topography in the subject parcel. He explained the land has steep slopes, wetlands and Resource Protection Area and is largely undevelopable. He stated that of the 76 acres, maybe only 30 acres are buildable. He showed the Committee on a map the area of the parcel most likely suitable for their facility expansion and access points. Mr. Henifin stated there have been many discussions with the property owner

regarding alternatives to condemnation in the past year with no resolution. Regarding the consent order, Mr. Henifin stated the federal enforcement action is driving the timeline tied to the project.

Mr. Henifin explained HRSD requires the 76 acres because of the unusual, unique residual that would be created by the project and buildout. The mostly unbuildable, remaining land would serve as a buffer between the WTP and surrounding properties to protect the investment and property, in case slopes erode. He said they have an outfall through an easement on the beach and have already had to make improvements on the beach for erosion. Mr. Henifin said they would like to have control long-term and do not find much residual value in the remaining property beyond the buildable acres. He stated it would be difficult to assess the value of the residual property, and there is also potential for further expansion requirements in the future. He noted HRSD has stated it is willing to dedicate a permanent conservation easement over the remaining portion of the parcel. He said they do not know the exact project location until they can access the land and survey.

Mr. Abbott asked about the purpose of the project or facility improvements.

Mr. Henifin stated this will be the first of several projects whereby HRSD is adding advanced water treatment capability and drinking water standards to their current treatment plants. Of the 22 million gallons of wastewater treated per day, 8 million gallons will be treated in this manner and discharged into the Potomac aquifer instead of the James River.

Mr. Henifin stressed HRSD does not currently have room to expand within their current site as it is mostly built out. He stated the proposal will protect their ability to advance wastewater treatment in as compact a footprint and most economical way as possible. The water will need to move through several process and control points, so use of an alternative or nearby property would still impact the AFD with easement connections. From a cost perspective, Mr. Henifin said sharing a property and fence line allows for the sharing of other resources such as operators and security.

Mr. Taylor asked about the purpose of owning the residual property if it is largely unusable.

Mr. Henifin expressed the difficulty in defining both the acquisition of land required and also the value of the residual property. A one-time take would avoid these issues and allow for additional land use if needed in the future.

Mr. Tim Trant, attorney with Kaufman and Canoles, introduced his law partner also present at the meeting, Mr. Paul Gerhardt. Mr. Trant said they represent Mr. Sam Mencoff, owner of Carter's Grove Associates, LLC and the 76-acre parcel located at 250 Ron Springs Drive in the Carter's Grove AFD which surrounds the HRSD WTP. Mr. Mencoff also owns the adjacent 400-acre Carter's Grove parcel. Mr. Trant said Mr. Mencoff's intent when purchasing the property was to fulfil the County and community interest in restoration and preservation of the historic Carter's Grove property, and he has since invested heavily in the property.

Mr. Trant said they object to HRSD's request at this time, stating the HRSD intent to take 76 acres and develop a small portion of seven acres does not meet the statutory criteria. He said Mr. Mencoff desires to keep the buffer, the take is larger than it needs to be, the proposal is not the most practical way to provide the service, and there are reasonable alternatives. Mr. Trant stated they request that the Committee defer action on this item until they can continue their conversation with HRSD, and they do not support any plan to take the entire property.

Mr. Trant said HRSD approached them last year about the need for some additional land and felt there was constructive dialogue. However, he said, HRSD required them to enter into a Nondisclosure Agreement in connection with those conversations so he cannot disclose any details. Mr. Trant said they would like those conversations to continue. Regarding the compulsory timeline for HRSD, Mr. Trant said they did not create this sense of urgency and noted HRSD has been under the consent decree since 2010 to implement the changes.

Mr. Wanner noted all of Hampton Roads is under the same consent.

Mr. Trant said the timeline is a proposal, and as a landowner invested in historic property, his client would like the opportunity for thoughtful dialogue to reach a reasonable resolution.

Mr. Hitchens asked Mr. Trant if a survey would be possible.

Mr. Trant referenced the Nondisclosure Agreement but stated there is a willingness to engage in reasonable conversation about what is needed. He said the threat of condemnation of 76 acres is an attempt to short-circuit the process as a negotiating tactic.

Mr. Wanner asked the staff how long it might be possible to defer.

Ms. Haynes stated that, on counsel from the County Attorney's Office, deferral is not an option because of the State code requirements. The March 12, 2019 Board of Supervisor's meeting is the ninety day deadline from the date the original report was filed. If the Board determines there is an unreasonably adverse effect upon state or local policy, they may then hold a public hearing within the next 60 days.

Ms. Haynes stated the Committee needs to determine if the action of taking the parcel would have an adverse effect on State or local policy then forward their finding to the Planning Commission for their February meeting before the Board of Supervisor's March meeting.

Mr. Trant said HRSD could also withdraw their request, continue the conversation with Mr. Mencoff and return with a proposal that meets the criteria.

Ms. Sue Sadler asked Mr. Henifin about the status of the Sustainable Water Initiative for Tomorrow (SWIFT) project.

Mr. Henifin said the SWIFT research center is putting water in the ground, and the aquifer is 400-500 feet below the surface. He said the issue with surveying is having relative assurance against the potential waste of money surveying land not yet acquired. Mr. Henifin mentioned the challenges of negotiations and said the Nondisclosure Agreement was actually a requirement of Mr. Trant's client. He said condemnation includes compensation for the legal value of the land, and they are seeking a willing partner.

Mr. Trant noted one of the County's articulated benefits for landowners in joining an AFD is a layer of protection from condemnation. He said the County would offend that commitment by recommending or condoning the action by HRSD.

Mr. Wanner stated he believes the public good is served by condemnation of some amount of land in this situation.

Mr. Abbott said he believes a buffer should be maintained and owned by the original owner.

Mr. Trant asked for a recommendation of deferral until an agreement is made between HRSD and the landowner.

Ms. Sulouff and Ms. Haynes stated that as long as there is an application, the Board is required to make a determination within 90 days. If HRSD chooses not to withdraw, the process moves forward in accordance with State code. The Committee may tailor its recommendation to reflect the discussion.

Mr. Henifin said with HRSD surrounded by the AFD, it will be impacted but any withdrawal will be brought forward later and separately. He said the full 76-acre parcel is required to protect the facility, slopes and beachfront.

Mr. Trant said there is a mutual interest in protecting the property and facility, and there have been no problems addressing any issues on the property to date.

Ms. Haynes suggested addressing each of the three criteria being considered. Regarding criteria (i) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and associated policies, Ms. Haynes noted to the Committee there is some planned, intended agricultural activities but no formal activity, and they are not receiving land use valuation. Ms. Haynes did note that Carter's Grove Associates, LLC representatives did appeal to the Department of Conservation and Recreation (DCR) to advise the County on this proposed action. DCR was not able to provide a full report based on access and timeline, but there are some known natural resource heritage areas there.

Ms. Sulouff stated this Committee review and recommendation is significant as an extra board hearing and part of the extra protection provided to landowners in an AFD.

Ms. Haynes then read to the Committee criteria (ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and criteria (iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district.

Mr. Taylor said the third criteria is most troubling when considering how much of the parcel is required by HRSD and the Committee's commitment to AFD landowners.

Mr. Henifin stated he has little confidence an agreement could be made, given the proposals already rejected by the landowner.

Mr. Trant said they are also frustrated and feel there have been reasonable counter-offers.

Mr. Wanner asked how soon HRSD could reapply, if they were to withdraw their application.

Ms. Haynes answered the 90-day clock would start again upon resubmittal.

Mr. Hitchens said the landowner has made a great investment in the County and feels uncomfortable with HRSD taking the entire parcel.

Mr. Abbott motioned, based on the Committee's consideration of the three criteria found in §15.2-4313, that the proposed action by HRSD to acquire 250 Ron Springs Drive, located in the Carter's Grove AFD, by condemnation for public utility purposes might have an unreasonably adverse effect upon state or local policy. The proposed action (i) would have an unreasonably adverse effect upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and associated policies; (ii) there is no necessity of the proposed action to provide service to the public in the most economical and practical manner; and (iii) there could be reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district.

Mr. Harcum seconded the motion.

On a voice vote of 5-1-1, the motion was approved.

Ms. Garrett, Mr. Hitchens, Mr. Harcum, Mr. Abbott, and Mr. Taylor voted yes, the proposed action might have an unreasonably adverse effect upon state or local policy. Mr. Wanner voted against the motion, and Ms. Sadler abstained from the vote.

§ 15.2-4313. Proposals as to land acquisition or construction within district.

A. Any agency of the Commonwealth or any political subdivision which intends to acquire land or any interest therein other than by gift, devise, bequest or grant, or any public service corporation which intends to:

(i.) acquire land or any interest therein for public utility facilities not subject to approval by the State Corporation Commission, provided that the proposed acquisition from any one farm or forestry operation within the district is in excess of one acre or that the total proposed acquisition within the district is in excess of ten acres or

(ii.) advance a grant, loan, interest subsidy or other funds within a district for the construction of dwellings, commercial or industrial facilities, or water or sewer facilities to serve nonfarm structures, shall at least ninety days prior to such action notify the local governing body and all of the owners of land within the district. Notice to landowners shall be sent by first-class or registered mail and shall state that further information on the proposed action is on file with the local governing body. Notice to the local governing body shall be filed in the form of a report containing the following information:

1. A detailed description of the proposed action, including a proposed construction schedule;
2. All the reasons for the proposed action;
3. A map indicating the land proposed to be acquired or on which the proposed dwellings, commercial or industrial facilities, or water or sewer facilities to serve nonfarm structures are to be constructed;
4. An evaluation of anticipated short-term and long-term adverse impacts on agricultural and forestal operations within the district and how such impacts are proposed to be minimized;
5. An evaluation of alternatives which would not require action within the district; and
6. Any other relevant information required by the local governing body.

B. Upon receipt of a notice filed pursuant to subsection A, the local governing body, in consultation with the local planning commission and the advisory committee, shall review the proposed action and make written findings as to

(i.) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and the policy of this chapter;

(ii.) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and

(iii.) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district.

If requested to do so by any owner of land that will be directly affected by the proposed action of the agency, corporation, or political subdivision, the Director of the Department of Conservation and Recreation, or his designee, may advise the local governing body on the issues listed in clauses (i), (ii) and (iii) of this subsection.

C. If the local governing body finds that the proposed action might have an unreasonably adverse effect upon either state or local policy, it shall

(i.) issue an order within ninety days from the date the notice was filed directing the agency, corporation or political subdivision not to take the proposed action for a period of 150 days from the date the notice was filed and

(ii.) hold a public hearing, as prescribed by law, concerning the proposed action. The hearing shall be held where the local governing body usually meets or at a place otherwise easily accessible to the district. The locality shall publish notice in a newspaper having a general circulation within the district, and mail individual notice of the hearing to the political subdivisions whose territory encompasses or is part of the district, and the agency, corporation or political subdivision proposing to take the action. Before the conclusion of the 150-day period, the local governing body shall issue a final order on the proposed action.

Unless the local governing body, by an affirmative vote of a majority of all the members elected to it, determines that the proposed action is necessary to provide service to the public in the most economic and practical manner and will not have an unreasonably adverse effect upon state or local policy, the order shall prohibit the agency, corporation or political subdivision from proceeding with the proposed action.

If the agency, corporation or political subdivision is aggrieved by the final order of the local governing body, an appeal shall lie to the circuit court having jurisdiction of the territory wherein a majority of the land affected by the acquisition is located. However, if such public service corporation is regulated by the State Corporation Commission, an appeal shall be to the State Corporation Commission.

1977, c. 681, § 15.1-1512; 1979, c. 377; 1987, c. 552; 1997, c. 587; 1998, c. 833; 2000, c. 1069.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

AGENDA ITEM NO. H.1.

ITEM SUMMARY

DATE: 2/6/2019

TO: The Planning Commission

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Planning Director's Report - February 2019

ATTACHMENTS:

	Description	Type
🗋	Memorandum	Cover Memo
🗋	Spreadsheet Listing New Applications Received	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Planning Commission	Holt, Paul	Approved	1/30/2019 - 7:15 AM
Planning Commission	Holt, Paul	Approved	1/30/2019 - 7:16 AM
Publication Management	Daniel, Martha	Approved	1/30/2019 - 8:17 AM
Planning Commission	Holt, Paul	Approved	1/30/2019 - 10:19 AM

PLANNING DIRECTOR'S REPORT
February 2019

This report summarizes the status of selected Department of Community Development activities during the past month.

- **Planning**

  - **Monthly Case Report:** For a list of all cases received in the last month, please see the attached documents.

  - **Board Action Results:**

    - **January 8, 2019**
      - No cases
    - **January 22, 2019**
      - SUP-18-0026. 6096 Centerville Road Detached Accessory Apartment
        Approved 5-0

      - SUP-18-0029. 7206 Merrimac Trail Rental of Rooms Renewal
        Approved 5-0

  - Savannah Pietrowski and Alex Baruch conducted a well-received training on the new PermitLink system for AES, Consulting Engineers. The training covered setting up an account, searching for plans and going through the review process. This training is available by request for businesses and organizations that frequently submit development plans or permits for review.

- **Community Development**

  - Mark your calendars! Special Events Galore!
    (First Quarter – 2019)

    Permits Issued:
    Toano Middle School Icy 8K Frosty 5K – February 2, 2019

    Permits in Review:
    St Patrick's Day Weekend at Billsburg – March 16 & 17, 2019
    Fido Fest March 16, 2019
    PLZN Fest at Billsburg – April 6, 2019
    Bunny Hopps at Billsburg – April 20, 2019
    Colonial Relay – April 27, 2019
    Walk MS at Colonial Heritage – April 27, 2019

New Cases for January 2019

Case Type	Plan Number	Case Title	Address	Description	Assigned To	District
Conceptual Plan	C-18-0117	King of Glory Lutheran Church Conceptual Master Plan	4897 LONGHILL RD	Conceptual master plan for King of Glory Lutheran Church.	Ribeiro, Jose	Jamestown
	C-18-0123	HRSD Treatment Plant Expansion Within Carter's Grove AFD	300 RON SPRINGS DR	HRSD, a political subdivision of the Commonwealth, has stated its intent to acquire a parcel within the Carter's Grove AFD, 250 Ron Springs Drive, for public utility facilities. In accordance with State Code § 15.2-4313, the Board of Supervisors, in consultation with the AFD Advisory Committee and Planning Commission, must review the proposal and make written findings as to the effect and necessity of the proposed action, and whether reasonable alternatives are available.	Haynes, Tori	Roberts
	C-18-0124	3889 News Road The Village at Ford's Colony	3889 NEWS RD	Conceptual plan for CCRC in Ford's Colony.	Baruch, Alex	Jamestown
	C-18-0125	119 Oak Road Subdivision	119 OAK RD	Conceptual plan for subdividing 119 Oak Road into 2 parcels.	Leininger, Thomas	Berkeley
	C-19-0006	USA Waste of Virginia/Brancsome Borrow Pit	700 & 750 BLOW FLATS RD	Yearly report for the Branscome and USA Waste of Va Borrow Pits.	Costello, Terry	Roberts
	C-19-0007	3640 News Road Subdivision	3640 NEWS RD	Conceptual plan to subdivide 3640 News Road into 3 parcels.	Wysong, Thomas	Powhatan
Subdivision	S-18-0080	716 & 720 Arlington Island Rd BLA	716 ARLINGTON ISLAND RD	Boundary line adjustment between 716 & 720 Arlington Island Rd.	Baruch, Alex	Powhatan
	S-18-0093	9901 Walnut Creek Setback Line Adjustment	9901 WALNUT CREEK	Setback line adjustment for 9901 Walnut Creek.	Cook, Ellen	Stonehouse
	S-19-0002	124 Indigo Dam Rd Subdivision	124 INDIGO DAM RD	Subdivision of 124 Indigo Dam Rd. into 2 parcels.	Baruch, Alex	Jamestown
	S-19-0003	7686 Richmond Road Utility Easement Courthouse Plat	7686 RICHMOND RD	Courthouse plat for utility easement on 7686 Richmond Rd.	Cook, Ellen	Stonehouse
Site Plan	SP-18-0141	The Bluffs at Williamsburg Landing	5700 WILLIAMSBURG LANDING DR	Site Plan for 3 duplexes (6 units) in Williamsburg Landing.	Baruch, Alex	Roberts
	SP-18-0144	4039 Ironbound Road Backup Generator SP Amend.	4039 IRONBOUND RD	Site Plan Amendment for backup generator at existing cell tower at 4039 Ironbound Rd.	Leininger, Thomas	Jamestown
	SP-19-0001	Powhatan Terrace	1676 JAMESTOWN RD	Site Plan for Powhatan Terrace.	Haynes, Tori	Berkeley
	SP-19-0003	Alewerks Chiller SP Amend.	5711 RICHMOND RD, STE 36	Site Plan Amendment for adding a chiller unit (A/C) and bollards for interior brewing room at the Premium Outlets Alewerks.	Leininger, Thomas	Powhatan
Special Use Permit	SUP-18-0031	115 Constance Lane Detached Accessory Apartment	115 CONSTANCE AVE	Special Use Permit for new construction detached accessory apartment on 115 Constance Lane.	Haynes, Tori	Berkeley
	SUP-18-0032	3020 Ironbound Road Rental of Rooms	3020 IRONBOUND RD	Special Use Permit for Rental of Rooms in existing single family dwelling on 3020 Ironbound Rd.	Haynes, Tori	Berkeley
Rezoning	Z-19-0001	Powhatan Terrace Proffer Amendment	1676 JAMESTOWN RD	Proffer amendment for Powhatan Terrace.	Haynes, Tori	Berkeley