

AGENDA
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
August 7, 2024
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 July 2, 2024, Regular Meeting
2. Development Review Committee Action Item: C-24-0001. Stonehouse Tract 10B
3. Development Review Committee Action Item: SP-23-0051. Toano RV Storage at 7816 Richmond Road - Appeal of the Director of Planning

F. PUBLIC HEARING(S)

1. SUP-24-0010. 724 Arlington Island Road Tourist Home
2. SUP-24-0014 111 Druid Drive Rental of Rooms
3. ORD-22-0001/Z-24-0008. Amendments for Scenic Roadway Protection
4. Z-23-0001/SUP-23-0031 Monticello Avenue Shops

G. PLANNING COMMISSION CONSIDERATIONS

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - August 2024

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

J. ADJOURNMENT

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
July 2, 2024
6:00 PM

A. CALL TO ORDER

Mr. O'Connor called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:

Tim O'Connor
Jack Haldeman
Frank Polster
Stephen Rodgers
Jay Everson
Scott Maye
Kira Allmann

Staff Present:

Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Christy Parrish, Zoning Administrator
Josh Crump, Principal Planner
Terry Costello, Senior Planner
Ben Loppacker, Planner I
Amanda Frazier, Community Development Assistant
Will Albiston, Community Development Assistant

C. PUBLIC COMMENT

Mr. O'Connor opened Public Comment.

As no one wished to speak, Mr. O'Connor closed Public Comment.

D. REPORTS OF THE COMMISSION

Mr. Rodgers stated that the Development Review Committee (DRC) did not meet for its Regular Meeting on Wednesday, June 19, 2024, due to the Juneteenth holiday.

Mr. Rodgers stated the DRC met for a Special Meeting on Tuesday, June 2024, at 4 p.m.

Mr. Rodgers stated that the new business item was a request from Mr. Vaughn Poller, James City County Neighborhood Development Administrator, had requested an exception to Section 19-47 of the Subdivision Ordinance to allow for lot frontage along an existing street for a major subdivision rather than requiring the lots to front onto a new road. Mr. Rodgers further stated that this item was part of the James City County Neighborhood Development Division's Clark Lane Workforce Housing Development.

Mr. Rodgers stated that the members of the DRC had a brief discussion regarding the existing conditions of the area and the potential impact of Section 19-47 on that planned development. Mr. Rodgers stated that these lots back tightly to an existing railroad line without reasonable space to build a private road. Mr. Rodgers further stated that nearby homes on the same street front the existing street in the same manner as proposed.

Mr. Rodgers stated that the DRC voted 3-0 to approve the exception request. Mr. Rodgers noted that the meeting was attended by nearby residents interested in staying informed regarding the progress of the project.

E. CONSENT AGENDA

1. Development Review Committee Action Item: C-24-0042. 179 and 191 Clark Lane Lot Frontage Exception Request

Mr. O'Connor called a vote on the remaining items of the Consent Agenda.

On a voice vote, the Commission voted to approve the DRC Action Item: C-24-0042. 179 and 191 Clark Lane Lot Frontage Exception Request. (7-0)

2. SPLN-22-0006. Settlement at Powhatan Creek Phase 4 Preliminary Plat Approval

Mr. Polster requested to discuss SPLN-22-0006. Settlement at Powhatan Creek Phase 4 Preliminary Plat Approval.

Mr. Ryan Stephenson, AES Consulting Engineers, 5248 Olde Towne Road, representing the applicant, came forward to answer questions of the Commission.

Mr. Polster raised questions regarding the proposed retaining walls on the development plan. Mr. Polster also raised concerns about the stormwater management plan in relation to the Watershed Master Plan.

Mr. Polster asked Mr. Stephenson if his client would be willing to do a water quality impact assessment in the Resource Protection Area to evaluate the streambed.

Mr. Stephenson stated that his client would be willing to study and consider providing further mitigation in the development's stormwater management plan.

Discussion ensued regarding the language of the condition Mr. Polster wished to add to a motion to approve the application.

Ms. Parman, Deputy County Attorney, stated that the condition would have to be stated with more specificity and relate to the Subdivision Ordinance.

Further discussion ensued.

Mr. Everson raised a question regarding Stormwater and Resource Protection Division's approval of the proposed plat.

Mr. Stephenson stated that improvements had been made to previously existing and approved plans for the site.

Further discussion ensued.

Mr. Haldeman raised concerns regarding increased traffic on nearby roadways.

Mr. Polster made a motion to approve the plan with the condition that the applicant consider further mitigation in the development's stormwater management plan.

On a roll call vote, the Commission voted to approve SPLN-22-0006. Settlement at Powhatan Creek Phase 4 Preliminary Plat Approval with the attached condition. (4-2-1 with Mr. O'Connor abstaining)

3. Minutes of the June 5, 2024, Regular Meeting

On a voice vote, the Commission voted to approve Minutes of the June 5, 2024, Regular Meeting. (7-0)

F. PUBLIC HEARING(S)

1. SUP-24-0008. 135 Country Club Road Two-Family Unit

Ms. Terry Costello, Senior Planner, stated that Mr. Benming Zhang of Kaufman & Canoles, P.C. had applied on behalf of Ms. Rita Roney for a Special Use Permit (SUP) to allow for a two-family dwelling at 135 Country Club Drive. Ms. Costello stated that the property is zoned R-2, General Residential, is designated Low Density Residential on the Comprehensive Plan Land Use Map, and is located inside the Primary Service Area (PSA). Ms. Costello further stated that the property is served by public water and private sewer.

Ms. Costello stated that the three-bedroom residence is approximately 2,557 square feet. Ms. Costello stated that the second dwelling is approximately 648 square feet, bringing the total square footage to 3,205 square feet.

Ms. Costello stated that at the time the building permit was issued in September of 2022, the second unit was proposed to be an attached accessory apartment. Ms. Costello stated that the proposal met all the criteria set forth in Section 24-32(a) of the Zoning Ordinance for accessory apartments. Ms. Costello stated that the intent of the Ordinance was to ensure that the dwelling appeared to be a single-family residence.

Ms. Costello stated that during an inspection, it was noted that the accessory apartment did not meet the criteria stated in the Ordinance. Ms. Costello stated that the owner and builder initiated discussions with staff about changing the plans to allow the addition to remain as is. Ms. Costello stated that staff determined that the appearance was not that of a single-family residence and would be considered a two-family dwelling.

Ms. Costello noted that Section 24-260 states the special provisions for two-family dwellings. Ms. Costello stated that the dwelling at 135 Country Club Drive meets three of the four criteria, the one being the connection to public sewer. Ms. Costello stated that the Board of Supervisors may grant a waiver from the public sewer connection if the lot was legally in existence before the date of the adoption of this section of the Ordinance, the Virginia Department of Health had approved the

application, the property is in the PSA, and the James City Services Authority has approved the application. Ms. Costello stated that all these criteria have been met.

Ms. Costello stated that with the proposed conditions, staff found this proposal to be compatible with surrounding development and consistent with the 2045 Comprehensive Plan and Zoning Ordinance. Ms. Costello stated that staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed conditions. Ms. Costello stated that staff also recommends that the Planning Commission recommend approval of the waiver to connect to public sewer.

Mr. Maye asked for clarification regarding the structure of the dwelling and the need for the SUP.

Mr. O'Connor opened the Public Hearing.

Mr. Benming Zhang, Kaufman & Canoles, P.C., 4801 Courthouse Street, Suite 300, applicant, addressed the Commission in support of the application.

Ms. Ann Merkley, 136 Country Club Drive, addressed the Commission in support of the application.

As no one further wished to speak, Mr. O'Connor closed the Public Hearing.

Mr. Polster requested clarification regarding the structure and the original building permit for an attached accessory apartment.

Ms. Costello stated that the building permit could not be approved administratively as an attached accessory apartment.

Mr. Haldeman made a motion to recommend approval of the application.

On a roll call vote, the Planning Commission voted to recommend approval of SUP-24-0008. 135 Country Club Road Two-Family Unit. (6-1)

Mr. Haldeman made a motion to recommend approval of the waiver for the residence to connect to public sewer.

On a roll call vote, the Planning Commission voted to recommend approval of the waiver for the residence to connect to public sewer. (7-0)

2. SUP-24-0011. Revocation of Special Use Permit No. 2-92, Colonial Golf Design, Inc.

Ms. Chrisy Parrish, Zoning Administrator, made a presentation to the Commission on the revocation of the SUP-2-92, Colonial Golf Design, Inc. Ms. Parrish stated that the existing SUP was approved on April 20, 1992, which allowed an 18-hole golf course, driving range, clubhouse, 3-hole practice course, maintenance building, and turf nursery. Ms. Parrish stated that the SUP was subject to 12 conditions.

Ms. Parrish noted that the operation of the golf course ceased more than a decade ago and that due to the disuse of the property, the golf course was not in compliance with one or more conditions of the existing SUP including: (1) failure to maintain Best

Management Practices (BMP) and (2) failure to submit annual integrated pest management reports to the County.

Ms. Parrish stated that after reviewing the existing property conditions and evaluating the property in accord with the requirements for revocation of SUPs, staff recommends that the Planning Commission recommend that the Board of Supervisors revoke SUP-2-92, Colonial Golf Design, Inc. in accordance with Section 24-12 of the Zoning Ordinance for the following reasons:

1. Lengthy closure of the existing golf course use;
2. Deteriorated conditions which prevent the existing BMP from effectively controlling and maintaining the rate and quality of stormwater runoff as designed when approved;
3. Failure to comply with existing SUP conditions;
4. Increased number of housing units within a two-mile radius; and
5. Reopening of the existing golf course after a lengthy closure without the benefit of being reevaluated in accordance with Section 24-9, Special use permits, of the Zoning Ordinance, could result in negative impacts to surrounding properties including but not limited to increased traffic along a rural Community Character Corridor, and possible incompatibility of the use due to the existing surrounding character of the area and the 2045 Comprehensive Plan.

Ms. Parrish noted that upon speaking with a representative of the owner, the owner of the property does not object to the revocation of the SUP for the existing golf course as a different use for the property was being planned.

Mr. Everson raised a question regarding the practical impact of revoking the SUP.

Ms. Parrish stated that revoking the current SUP would allow staff and governing bodies to review a new application for a golf course under current conditions of the area, such as increased surrounding development and an updated Comprehensive Plan.

Mr. O'Connor opened the Public Hearing.

Mr. John Sharp, 3406 N Riverside Drive, addressed the Commission in support of the application.

Ms. Paula Bennett, 3320 N Riverside Drive, addressed the Commission in support of the application.

Ms. Meryl Lessinger-Bely, 3340 N Riverside Drive, addressed the Commission in support of the application.

Mr. Frank Lobash, 3356 N Riverside Drive, addressed the Commission in support of the application and raised concerns about deteriorating conditions on the property.

Ms. Virginia McLaughlin, 3336 N Riverside Drive, addressed the Commission in support of the application.

As no one further wished to speak, Mr. O'Connor closed the Public Hearing.

Mr. Polster discussed the Watershed Master Plan for Diascund Creek and noted the current condition of the watershed. Mr. Polster stated that revoking the current SUP provides the opportunity to protect the condition of the watershed.

Mr. Polster made a motion to recommend approval of the application.

On a roll call vote, the Planning Commission voted to recommend approval of SUP-24-0011. Revocation of Special Use Permit No. 2-92, Colonial Golf Design, Inc. (7-0)

3. SUP-24-0010. Arlington Island Road Tourist Home

Mr. Josh Crump, Principal Planner, addressed the Commission stating that the applicant requested a deferral of the application to the August 7, 2024, Regular Meeting.

Mr. O'Connor opened the Public Hearing.

Dr. Ken Latimer, 704 Arlington Island Road, addressed the Commission in opposition to the application.

Mr. Polster made a motion to defer the application to the August 7, 2024, Regular Meeting.

On a voice vote, the Planning Commission voted to defer SUP-24-0010. Arlington Island Road Tourist Home to the August 7, 2024, Regular Meeting.

Mr. O'Connor stated that the Public Hearing would be continued to the August 7, 2024, Regular Meeting.

G. PLANNING COMMISSION CONSIDERATIONS

There were no items for consideration.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - July 2024

Ms. Istenes stated that she had nothing in addition to the report provided in the Agenda Packet. Ms. Istenes also reminded the Commission of the Board of Supervisors' meeting schedule, stating that the Board would not be meeting in August.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

There were no items for discussion and requests.

J. ADJOURNMENT

Mr. Haldeman made a motion to adjourn.

The meeting was adjourned at approximately 7:20 p.m.

Susan Istenes, Secretary

Tim O'Connor, Chair

MEMORANDUM

DATE: August 7, 2024
TO: The Planning Commission
FROM: Morgan Risinger, Senior Planner
SUBJECT: Development Review Committee Action Item: C-24-0001. Stonehouse Tract 10B

Mr. Jeff Huentelman submitted a conceptual plan for Tract 10B for the construction of 100 residential units with 32 units being single-family homes, 20 units being attached residences with two to four units, and 48 units being attached residences that are greater than four units and are three stories or more. The conceptual plan also includes a 9-acre commercial parcel, a 20-acre recreation area with two multipurpose/soccer fields, and an interpretive kiosk intended to depict information regarding archaeological and environmental features within the Stonehouse Master Plan area.

The reason for the Development Review Committee (DRC) Review: Proffer No. 10, approved by the Board of Supervisors on November 12, 2019, per Case No. Z-19-0010, requires a conceptual plan to be submitted to the Planning Director and the DRC for review at least 60 days prior to submittal of a development plan for the tract (or Land Bay). The purpose of this review is to determine general consistency with Zoning Ordinance requirements, the adopted Master Plan, and other applicable County policies.

On July 24, 2024, the DRC found the conceptual plan to be generally consistent with the Zoning Ordinance, adopted Master Plan, and other applicable County policies by a vote of 3-0.

MR/md
C24-1StnhsTr10B-mem

Attachments:

1. July 24, 2024, DRC Staff Report
2. Conceptual Plan Layout
3. Stonehouse Master Plan
4. Stonehouse Proffers

**CONCEPTUAL PLAN-24-0001. Stonehouse Tract 10B
Staff Report for the July 24, 2024, Development Review Committee Meeting**

SUMMARY FACTS

Applicant: Mr. Jeff Huentelman
Landowner: MCP Stonehouse LLC
Proposal: New construction of 100 residential units, creation of a 9-acre parcel for commercial development, a 20-acre recreation area, and an interpretive kiosk.
Location: 9101 Six Mount Zion Road
Tax Map/Parcel No.: Portion of 0540100002
Project Acreage: + 43.03 acres
Current Zoning: Planned Unit Development Residential (PUD-R) with Proffers
Comprehensive Plan: Mixed Use-Stonehouse
Primary Service Area Inside
Staff Contact: Morgan Risinger, Senior Planner

REASON FOR DEVELOPMENT REVIEW COMMITTEE REVIEW

Proffer No. 10, approved by the Board of Supervisors on November 12, 2019, per Case No. Z-19-0010, requires a conceptual plan to be submitted to the Planning Director and the Development Review Committee (DRC) for review at least 60 days prior to submittal of a development plan for the tract (or Land Bay). The purpose of this review is to determine general consistency with Zoning Ordinance

requirements, the adopted Master Plan, and other applicable County policies.

FACTORS FAVORABLE

1. This conceptual plan complies with the approved Master Plan for Stonehouse, aligning with the land use designations, maximum units permitted, and permitted densities for Tract 10B.
2. The conceptual plan is consistent with the approved proffers including the overall densities permitted in the Master Plan area.
3. This conceptual plan appears to be generally consistent with the zoning requirements for the PUD-R District.
4. The conceptual plan layout complies with other applicable County policies, which were evaluated during the course of the 2019 rezoning and Master Plan and proffer amendment for Stonehouse (Case Nos. Z-18-0002, MP-18-0002, and Z-19-0010).

FACTORS UNFAVORABLE

1. None.

STAFF RECOMMENDATION

Staff recommends that the DRC find the proposed conceptual plan to be generally consistent with the Zoning Ordinance, adopted Master Plan, adopted proffers, and other applicable County policies.

PROJECT DESCRIPTION

The submitted conceptual plan for Tract 10B (Attachment No. 1) includes the construction of 100 residential units with 32 units being single-family homes, 20 units being attached residences with two to

CONCEPTUAL PLAN-24-0001. Stonehouse Tract 10B
Staff Report for the July 24, 2024, Development Review Committee Meeting

four units, and 48 units being attached residences that are greater than four units and are three stories or more. The conceptual plan also includes a 9-acre commercial parcel, a 20-acre recreation area with two multipurpose/soccer fields, and an interpretive kiosk intended to depict information regarding archaeological and environmental features within the Stonehouse Master Plan area. This property is governed by the Stonehouse Master Plan (Attachment No. 2) and proffers (Attachment No. 3) which were approved in Case Nos. MP-18-0002 and Z-19-0010.

PROJECT HISTORY

The Stonehouse PUD was originally approved in November 1991 as a mixed residential/commercial community with a proposed reservoir. Since the original approval, a number of changes have been made including a number of minor proffer amendments between 1991 and 1994, the removal of language pertaining to the Ware Creek Reservoir after permitting did not succeed in 1995, and a rezoning in 1999 that incorporated a 75-acre tract into the development. The existing development in Stonehouse, including the golf course and neighborhoods on Mill Pond Run and the Stonehouse Glen neighborhood on Fieldstone Parkway, occurred over the years by several corporations including Stonehouse Development Corporation and Stonehouse at Williamsburg. In 2006, the majority of the undeveloped land was sold to GS Stonehouse Greenland Sub, LLC, (“GS Stonehouse”). In 2008, GS Stonehouse received approval for comprehensive changes for this remaining land, thoroughly revising both the Master Plan and proffers. The area that was not owned by GS Stonehouse in 2008 has continued forward under the 1999 Master Plan and proffers, while the land owned by GS Stonehouse has continued forward under the 2008 Master Plan and proffers.

In 2012, the Board of Supervisors approved an amendment relating to the dedication of conservation easements within the property. In 2015, the Board of Supervisors approved amendments to the Transportation

and Economic Development proffers; of most significance, the Transportation proffer was amended to re-sequence the order of the proffered improvements by focusing on the transportation improvements necessary to support the western/southern portion of the development and waiting to determine the triggers and/or schedule for the proffered transportation improvements needed to serve the eastern and northern portions of the property, including the major new internal road (the “Bridge Road”), by providing an updated traffic study to the County that would specify this information prior to any development occurring in that area.

In addition to these legislative cases, the Planning Commission’s DRC has approved a number of modifications and unit location transfers over the years that were deemed to not change the overall concept or character of the development.

In 2019, the Board of Supervisors approved the rezoning of an approximately 2,659.6-acre portion of James City County Real Estate Tax Map Parcel No. 0630100005 from PUD-R, to A-1, General Agricultural, along with the granting of restrictive use easements over this area. Additionally, the Board approved amendments to the Stonehouse proffers and Master Plan, reduced the size of the PUD by approximately 2,659.6 acres, reduced the maximum permitted number of dwelling units and nonresidential square footage, changed land use designations within the development, revised the approved proffers related to traffic improvements, community and recreational facilities, public sites, environmental protections, and other matters and adjusted the boundary line between PUD-Commercial (PUD-C) and PUD-R.

SURROUNDING ZONING AND DEVELOPMENT

North: PUD-R, Stonehouse Glen Subdivision (137 single-family homes), Stonehouse Tract 12 (56 single-family homes).

South: Interstate 64.

CONCEPTUAL PLAN-24-0001. Stonehouse Tract 10B
Staff Report for the July 24, 2024, Development Review Committee Meeting

East: PUD-R, Stonehouse Tract 11A Subdivision (320 single-family homes).

West: PUD-R, Stonehouse Tract 10A Subdivision (80 single-family homes, 18 attached residences with two to four units, 54 attached residences that are greater than four units and 48 attached residences that are greater than four units and are three stories or more).

STAFF ANALYSIS

The reason for this conceptual review is found in Proffer No. 10 of Case No. Z-19-0010, which states the following: “At least 60 days prior to submission of a development plan for all or any portion of a Tract, Owner shall submit a conceptual development plan for the development of the entire Tract to the Planning Director for review and comment by the Planning Director and the Development Review Committee. The conceptual development plan shall show the layout of lots/units or commercial buildings, density in units or square footage, road locations, amenity areas and improvements, trails and pedestrian paths, common and natural open space, required or proffered buffers, proposed clearing limits and any archaeology or natural resource preservation areas within the tract. Such review shall be for the purposes of determining general consistency with Zoning Ordinance requirements, the Master Plan, these proffers, and other applicable County policies.”

Accordingly, staff has reviewed: a) the conceptual plan, to ensure it is sufficiently detailed pursuant to Proffer No. 10; b) the Zoning Ordinance requirements for the PUD-R District; c) the approved Master Plan; and d) other applicable County policies.

Conceptual Plan

Staff finds the conceptual plan provides sufficient detail pursuant to the language of Proffer No. 10. Details shown on the plan include the

lot layout, proposed unit count and acreage (allowing for residential density to be calculated), road locations, amenity areas, common and natural open space, proposed clearing and grading, and archaeological or natural resource preservation areas.

PUD-R Zoning Requirements

Staff finds the conceptual plan shows compliance with all applicable zoning requirements able to be assessed at this stage in the process. The major zoning requirements for this district are listed below:

- a. *Uses.* Single-family detached units, multifamily units, and commercial uses are permitted within this district and are approved on the Master Plan for this proposal.
- b. *Minimum lot size.* This proposal is part of the larger Stonehouse development, which well exceeds this minimum requirement, as does this portion of Tract 10B.
- c. *Net density.* The density calculation on the conceptual plan indicates the development has a gross density of 2.3 units per acre. Using the developable acreage provided on the conceptual plan, the net density is 2.4 units per acre. This density is consistent with the approved Master Plan.
- d. *Open Space.* 35% of the gross area of any PUD District is required to be set aside as open space. This requirement is shown as being met on the approved Stonehouse Master Plan.
- e. *Streets.* All dedicated public streets shown on the development plan are required to meet the design and construction requirements of the Virginia Department of Transportation’s (VDOT) standards or the County Subdivision Ordinance, whichever is more stringent. The proposed layout is anticipated to be accepted by VDOT.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

**CONCEPTUAL PLAN-24-0001. Stonehouse Tract 10B
Staff Report for the July 24, 2024, Development Review Committee Meeting**

Stonehouse Master Plan

Staff finds this proposal to be consistent with the approved Stonehouse Master Plan. This portion of the parcel is designated as “Tract 10B” on the adopted “Stonehouse Master Plan” and are designated for the “A, B, C, D, E, G, I, and J” Land Use Designations, which are “Single-Family” (A), “Attached Structures Containing Two to Four Units” (B), “Attached Structures Less Than Three Stories And Containing More Than Four Units” (C), “Attached Structures of Three or More Stories and Containing More Than Four Dwelling Units” (D), “Commercial Uses” (E), “Office Uses” (G), “Institutional or Public Uses” (I), and “Areas of Common Open Space” (J). A maximum of 100 residential dwelling units are permitted in Tract 10B, with a maximum net density of five units per acre. The Master Plan also permits a maximum of 120,000 square feet of commercial development in Tract 10B. This proposal meets this requirement.

Proffers

Staff finds this proposal to be consistent with the approved proffers applicable for Tract 10B and this phase of development in Stonehouse overall. These proffers include staying beneath the proffered unit cap (Proffer No. 2), providing a recreational area at least 17 acres in size with two multipurpose/soccer fields (Proffer No. 5.1(d)), showing compliance with the building Resource Protection Area setback (Proffer No. 9.3), providing an interpretive kiosk for archaeological and environmental information (Proffer Nos. 6.1(a) and 9.7), and creating parcels for at least 8 acres of commercial development (Proffer No. 15). The additional proffers related to transportation improvements, traffic generation, and cash contributions, etc. are monitored by the County and will be applied and examined during the development of this parcel when engineered plans are submitted.

STAFF RECOMMENDATION

Staff recommends that the DRC find the proposed conceptual plan to be generally consistent with the Zoning Ordinance, adopted Master Plan, adopted proffers, and other applicable County policies.

MR/md
CP24-1StnhsTr10B

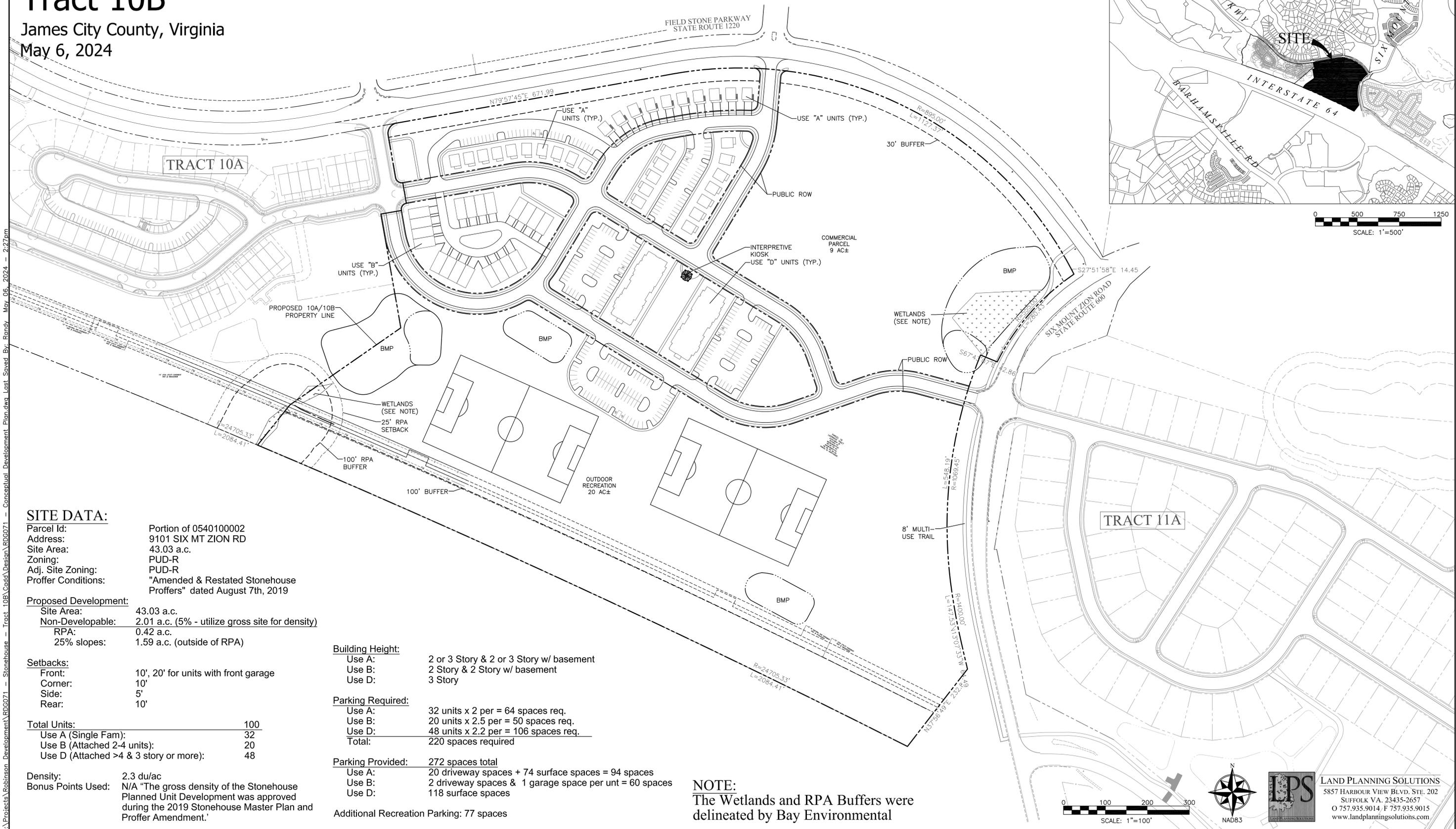
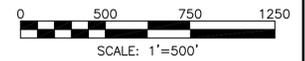
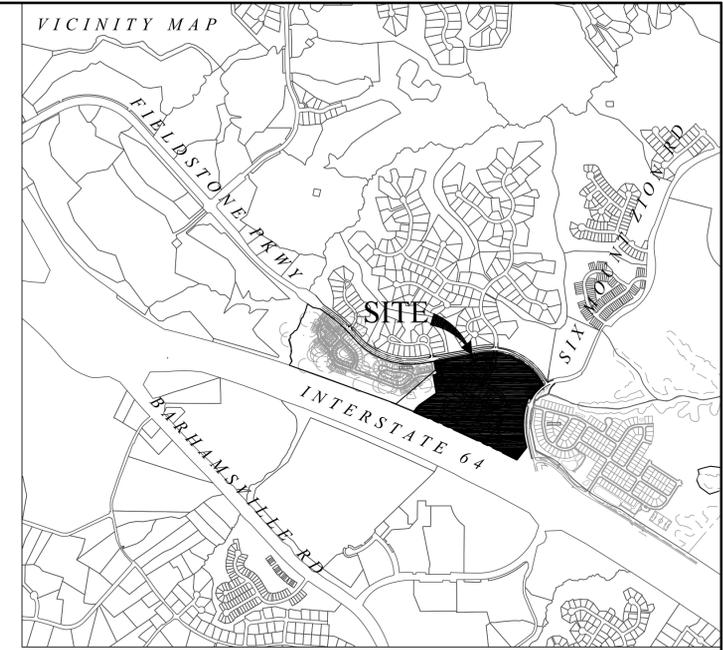
- Attachments:
1. Conceptual Plan Layout
 2. Stonehouse Master Plan
 3. Stonehouse Proffers

Stonehouse

Conceptual Development Plan

Tract 10B

James City County, Virginia
May 6, 2024



SITE DATA:

Parcel Id: Portion of 0540100002
 Address: 9101 SIX MT ZION RD
 Site Area: 43.03 a.c.
 Zoning: PUD-R
 Adj. Site Zoning: PUD-R
 Proffer Conditions: "Amended & Restated Stonehouse Proffers" dated August 7th, 2019

Proposed Development:
 Site Area: 43.03 a.c.
 Non-Developable: 2.01 a.c. (5% - utilize gross site for density)
 RPA: 0.42 a.c.
 25% slopes: 1.59 a.c. (outside of RPA)

Setbacks:
 Front: 10', 20' for units with front garage
 Corner: 10'
 Side: 5'
 Rear: 10'

Total Units:
 Use A (Single Fam): 100
 Use B (Attached 2-4 units): 20
 Use D (Attached >4 & 3 story or more): 48

Density: 2.3 du/ac
 Bonus Points Used: N/A "The gross density of the Stonehouse Planned Unit Development was approved during the 2019 Stonehouse Master Plan and Proffer Amendment."

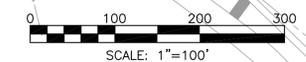
Building Height:
 Use A: 2 or 3 Story & 2 or 3 Story w/ basement
 Use B: 2 Story & 2 Story w/ basement
 Use D: 3 Story

Parking Required:
 Use A: 32 units x 2 per = 64 spaces req.
 Use B: 20 units x 2.5 per = 50 spaces req.
 Use D: 48 units x 2.2 per = 106 spaces req.
 Total: 220 spaces required

Parking Provided: 272 spaces total
 Use A: 20 driveway spaces + 74 surface spaces = 94 spaces
 Use B: 2 driveway spaces & 1 garage space per unit = 60 spaces
 Use D: 118 surface spaces

Additional Recreation Parking: 77 spaces

NOTE:
 The Wetlands and RPA Buffers were delineated by Bay Environmental



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STONEHOUSE

VIRGINIA

REZONING AND MASTER PLAN RESUBMITTAL
JAMES CITY COUNTY, VA
JULY 2019
(ORIGINAL SUBMITTAL: DECEMBER 2018)

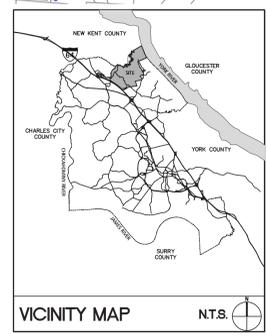
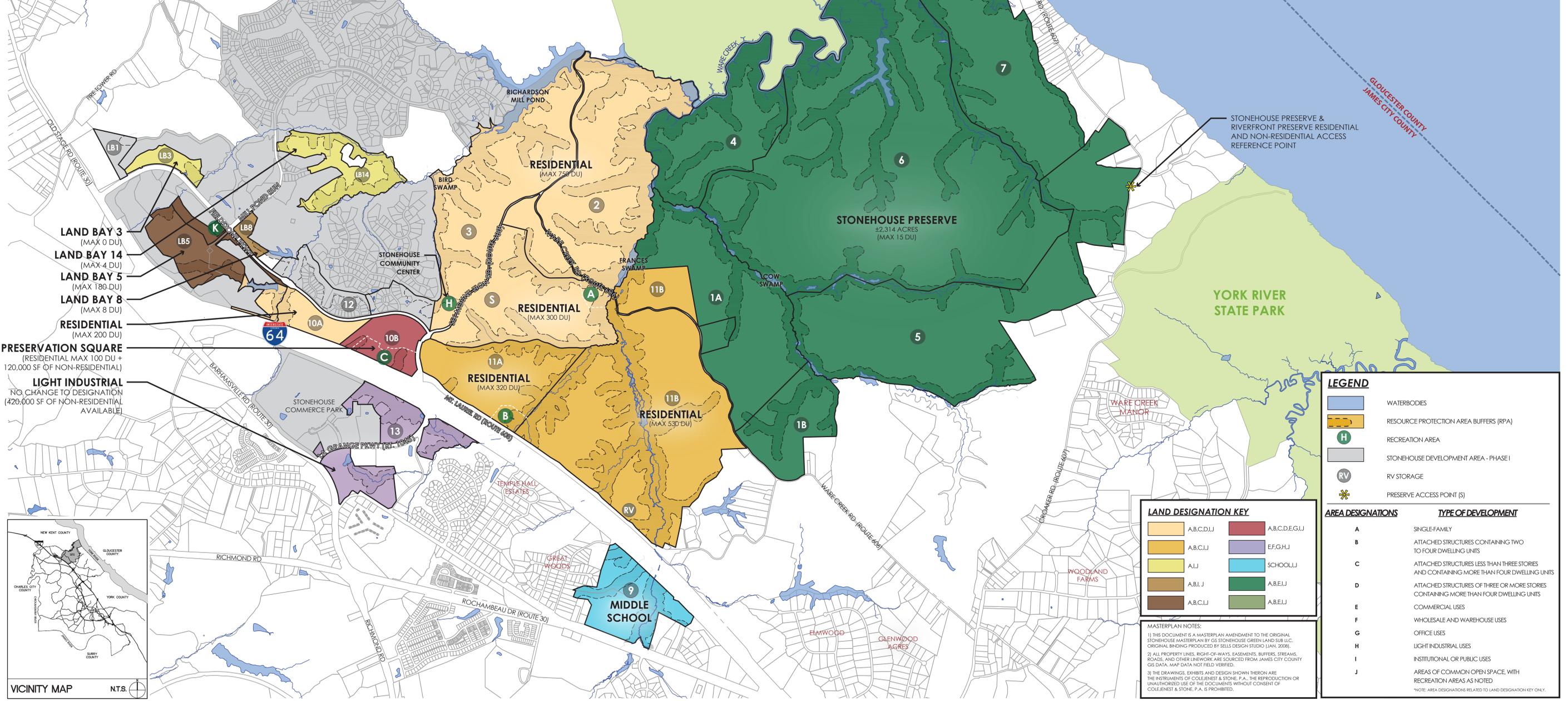
SHEET #

SHEET NAME

| | |
|---|-----------------------------------|
| 1 | MASTER PLAN (COLOR) |
| 2 | MASTER PLAN - TABLE A ENLARGEMENT |
| 3 | ZONING MAP |

| Parcel Number | Area (Acres) | | Open Space in Resource Protection Area (1) | Open Space Outside of Resource Protection Area (1) | Maximum Density | Minimum Square Footage of Non-Residential Uses (per including residential unit) | Permitted Uses | Zoning |
|----------------------|-----------------|-----------------|--|--|-----------------|---|-----------------------|--------|
| | Area (Acres) | Area (Acres) | | | | | | |
| Land Bay 3 | 18.13 | 12.44 | 1.69 | 5 | 2.0 | 0 | A.U. | RUR-B |
| Land Bay 14 | 18.73 | 11.43 | 3.30 | 4 | 4.0 | 8 | A.C.U. | RUR-B |
| Land Bay 5 | 75.21 | 18.88 | 39.03 | 18.8 | 2.0 | 4 | N/A | RUR-B |
| Tract 2 | 104.53 | 107.72 | 112.03 | 45.5 | 4.0 | 100 | A.C.U./I | RUR-B |
| Tract 10A | 11.39 | 10.92 | 15.62 | 11.9 | 8.0 | 200 | A.C.U./I | RUR-B |
| Tract 10B | 11.39 | 10.92 | 15.62 | 11.9 | 8.0 | 200 | A.C.U./I | RUR-B |
| Tract 11A | 112.46 | 219.73 | 37.17 | 22 | 4.0 | 100 | A.C.U./I | RUR-B |
| Tract 11B | 112.46 | 219.73 | 37.17 | 22 | 4.0 | 100 | A.C.U./I | RUR-B |
| Tract 12 | 118.94 | 113.38 | 85.56 | 37 | 4.0 | 200 | A.C.U./I | RUR-B |
| Tract 1A | 354.85 | 326.97 | 62.56 | 15 | 0.33 | 130,000 | A1 | AS |
| Tract 4 | 179.61 | 161.96 | 125.48 | 44.5 | 0.33 | 15 | A1 | AS |
| Tract 5 | 409.93 | 366.99 | 222.01 | 100 | 0.33 | 15 | A1 | AS |
| Tract 6 | 1006.19 | 412.44 | 429.22 | 100 | 0.33 | 15 | A1 | AS |
| Tract 7 | 372.48 | 315.5 | 79.14 | 100 | 0.33 | 15 | A1 | AS |
| Tract 8 | 361.53 | 311.12 | 211.19 | 37 | 0.33 | 4 | A1 | AS |
| Tract 13 | 21.12 | 49.85 | 26.79 | 20 | N/A | N/A | E1, E2, U | PUD-C |
| Tract 9 | 47.24 | 41.24 | 0 | 0 | N/A | N/A | SCHOOL/J | PUD-C |
| Recreation Area (1) | 47.24 | 28.35 | 16.36 | 10.5 | N/A | N/A | RECREATION FACILITY/J | N/A |
| TOTAL | 4,572.84 | 2,817.28 | 1,851.15 | 730.50 | 2,411 | 870,000 | | |
| PUD-A1 TOTALS | PUD-A1 | PUD-A1 | PUD-A1 | PUD-A1 | PUD-A1 | PUD-A1 | | |

Table A Notes:
 (1) All acreage based on James City County GIS information only. All acreage indicated as presented in approved Master Plan dated January 2008. More detailed information will be provided at the subdivision stage.
 (2) A maximum of 2.0 residential units are allowed. Exceed the proposed 2.0 units on any parcel and the actual number of units developed on each parcel of the non-residential uses remain as one for the entire tract and will be determined at the subdivision stage.
 (3) The maximum number of units on any parcel shall not exceed the corresponding density listed in the "Units Per Net Acre" column. The maximum units for proposed A-1, Tract 8 shall not exceed the number shown in the 2018 Total Density column.
 (4) The maximum number of units on any parcel shall not exceed the corresponding density listed in the "Units Per Net Acre" column. The maximum units for proposed A-1, Tract 8 shall not exceed the number shown in the 2018 Total Density column.
 (5) Recreation areas will be provided as outlined in the profiles. Final size and location of the facilities and their programs will be defined as the program, amenities and profiles are finalized.
 (6) Open space outside of RPA has been established between Land Bay 3 and Land Bay 14. The total acreage of open space outside of RPA remains 65.50 acres as in the approved Master Plan dated January 2008.
 (7) Williamsonville, James City County Schools will determine the design of the school site.
 (8) Land Bay 3 and Land Bay 14 are excluded from application. Stonehouse Preserve and Riverfront Preserve will be submitted in separate application.
 (9) Tracts 10A, 10B, 11A and 11B are excluded from application. Stonehouse Preserve and Riverfront Preserve will be submitted in separate application.
 (10) Tracts 10A, 10B, 11A and 11B are excluded from application. Stonehouse Preserve and Riverfront Preserve will be submitted in separate application.
 (11) All roads will be public roads.
 (12) All common open space areas, private recreation areas, sidewalks outside of the public right-of-way, and other privately owned but common facilities will be maintained by the homeowners' association.
 (13) Tract 13 will contain RV and boat storage as a recreational use for the Stonehouse Preserve.
 (14) For development phasing, see the sewer and water planning maps, as well as the profiles and the final impact report provided by the Applicant.
 (15) Tract 13 and 14 have been established as a Resource Protection Area (RPA). However, the maximum number of units and the square footage of the non-residential uses remain as one for the entire tract and will be determined at the subdivision stage.
 (16) Mixed use buildings will be permitted in the appropriate areas in Stonehouse should the James City County Zoning Ordinance be amended to permit such buildings in the PUD-C or PUD-B zoning districts.
 (17) The amount of RPA is based on available mapping data as field delineation. Accordingly, the actual amount of Open Space within the RPA and the actual amount of Open Space outside of RPA will vary from the 2018 Zoning Ordinance. The actual amount of Open Space within the RPA and the actual amount of Open Space outside of RPA will vary from the 2018 Zoning Ordinance. The actual amount of Open Space within the RPA and the actual amount of Open Space outside of RPA will vary from the 2018 Zoning Ordinance. The actual amount of Open Space within the RPA and the actual amount of Open Space outside of RPA will vary from the 2018 Zoning Ordinance.
 (18) The total amount of Open Space acreage determined by the 2 columns above shall be provided (e.g., if the actual amount of RPA on a particular tract increases with field delineation then amount of Open Space within the RPA shall similarly increase over the acreage shown above and the amount of Open Space outside of RPA will correspondingly decrease to the acreage shown above, but the total amount of Open Space determined by adding the 2 columns above shall be provided).



| LAND DESIGNATION KEY | |
|----------------------|---------------------|
| [Light Orange] | A, B, C, D, J |
| [Orange] | A, B, C, J |
| [Yellow] | A, J |
| [Light Green] | A, B, J |
| [Dark Green] | A, B, C, J |
| [Light Purple] | A, B, C, D, E, G, J |
| [Dark Purple] | E, F, G, H, J |
| [Light Blue] | SCHOOL/J |
| [Dark Blue] | A, B, E, J |
| [Green] | A, B, E, J |

MASTERPLAN NOTES:
 1) THIS DOCUMENT IS A MASTERPLAN AMENDMENT TO THE ORIGINAL STONEHOUSE MASTERPLAN BY GS STONEHOUSE GREEN LAND SUB LLC. ORIGINAL BINDING PRODUCED BY S&S DESIGN STUDIO (JAN. 2008).
 2) ALL PROPERTY LINES, RIGHT-OF-WAYS, EASEMENTS, BUFFERS, STREAMS, ROADS, AND OTHER LINES/WORK ARE SOURCED FROM JAMES CITY COUNTY GIS DATA. MAP DATA NOT FIELD-VERIFIED.
 3) THE DRAWINGS, EXHIBITS AND DESIGN SHOWN THEREON ARE THE INSTRUMENTS OF COLLEJENEST & STONE, P.A. THE REPRODUCTION OR UNAUTHORIZED USE OF THE DOCUMENTS WITHOUT CONSENT OF COLLEJENEST & STONE, P.A. IS PROHIBITED.

| LEGEND | |
|-----------------|--|
| [Blue] | WATERBODIES |
| [Orange/Yellow] | RESOURCE PROTECTION AREA BUFFERS (RPA) |
| [Green] | RECREATION AREA |
| [Light Green] | STONEHOUSE DEVELOPMENT AREA - PHASE I |
| [Purple] | RV STORAGE |
| [Star] | PRESERVE ACCESS POINT (S) |

| AREA DESIGNATIONS | TYPE OF DEVELOPMENT |
|-------------------|--|
| A | SINGLE-FAMILY |
| B | ATTACHED STRUCTURES CONTAINING TWO TO FOUR DWELLING UNITS |
| C | ATTACHED STRUCTURES LESS THAN THREE STORIES AND CONTAINING MORE THAN FOUR DWELLING UNITS |
| D | ATTACHED STRUCTURES OF THREE OR MORE STORIES CONTAINING MORE THAN FOUR DWELLING UNITS |
| E | COMMERCIAL USES |
| F | WHOLESALE AND WAREHOUSE USES |
| G | OFFICE USES |
| H | LIGHT INDUSTRIAL USES |
| I | INSTITUTIONAL OR PUBLIC USES |
| J | AREAS OF COMMON OPEN SPACE WITH RECREATION AREAS AS NOTED |

*NOTE: AREA DESIGNATIONS RELATED TO LAND DESIGNATION KEY ONLY.

STONEHOUSE MASTERPLAN

JAMES CITY COUNTY, VA
 07/26/2019



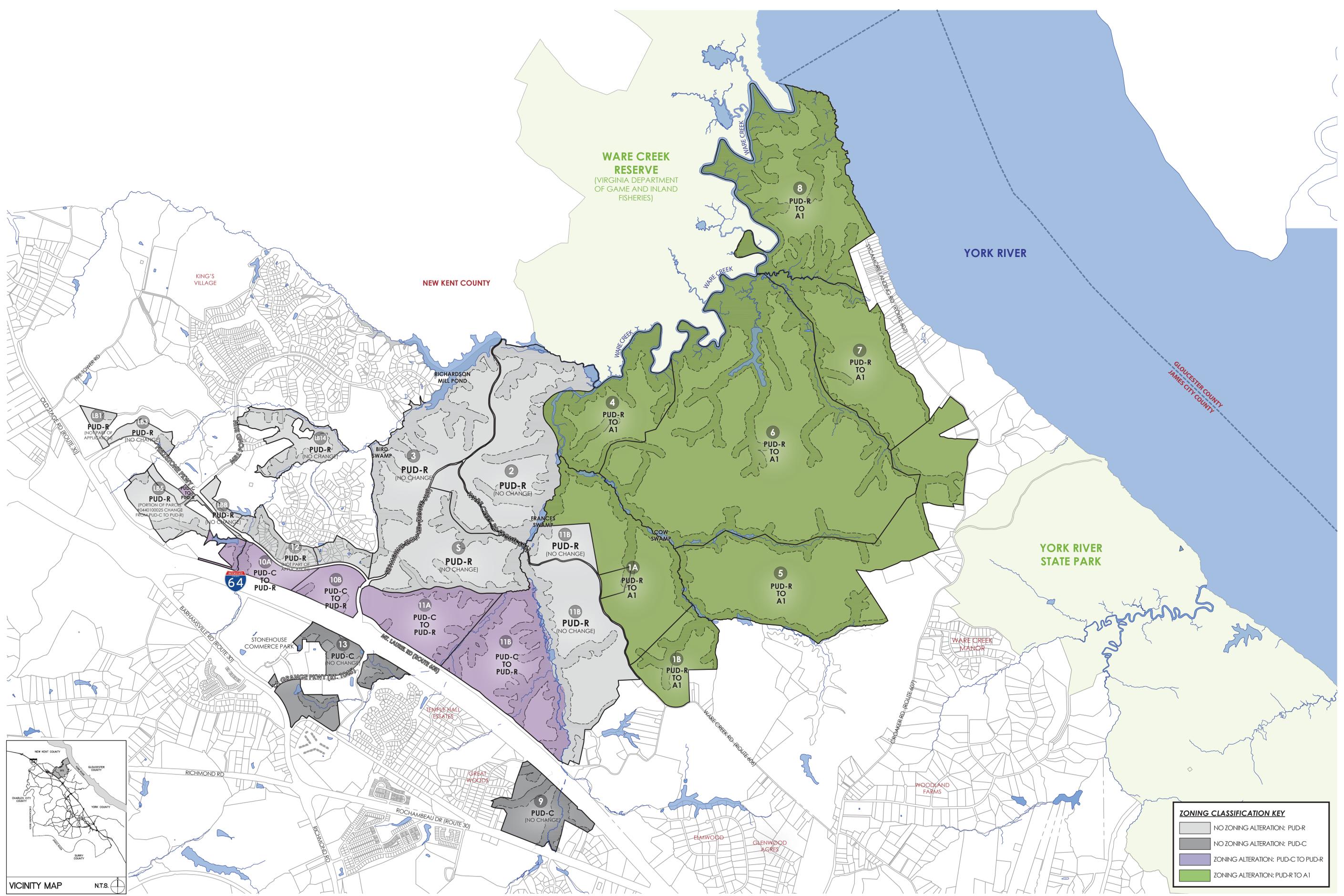
Table A: Permitted Use Categories By Tract

| Parcel Number | Area [0] (Gross Acres) | Area [0] (Net Acres) | Open Space in Resource Protection Areas [0] | Open Space Outside of Resource Protection Areas [0] [4] | Maximum Density | | Maximum Square Footage of Non-Residential Uses (Not including recreational uses) | Permitted Uses | Zoning |
|------------------------|---|---|---|---|------------------------|--|---|-------------------------|-------------------|
| | | | | | Units Per Net Acre [2] | 2018 Total Density | | | |
| Land Bay 3 | 19.13 | 12.44 | 1.69 | 5 | 2.0 | 0 | NA | A,I,J | PUD-R |
| Land Bay 5 | 67.81 | 50.05 | 18.34 | 10.7 [4] | 4.0 | 180 | NA | A,B,C,I,J | PUD-R |
| Land Bay 8 | 18.73 | 11.43 | 3.30 | 4 | 4.0 | 8 | NA | A,B,I,J | PUD-R |
| Land Bay 14 | 70.51 | 18.68 | 33.03 | 18.8 [4] | 2.0 | 4 | NA | A,I,J | PUD-R |
| Tract 2 | 326.84 | 115.68 | 165.16 | 46 | 4.0 | 400 | NA | A,B,C,D,I,J | PUD-R |
| Tract 3 | 264.83 | 107.72 | 112.61 | 44.5 | 4.0 | 350 | NA | A,B,C,D,I,J | PUD-R |
| Tract 10A | 51.95 | 24.53 | 15.92 | 11.5 | 8.0 | 200 | NA | A,B,C,D,I,J | PUD-R [7] |
| Tract 10B | 47.09 | 30.77 | 5.32 | 11 | 5.0 | 100 | 120,000 | A,B,C,D,E,G,I,J | PUD-R [7] |
| Tract 11A | 132.46 | 73.19 | 37.27 | 22 | 4.0 | 320 | NA | A,B,C,I,J | PUD-R [7] |
| Tract 11B | 503.51 | 273.77 | 189.74 | 40 | 6.0 | 530 | 200,000 | A,B,C,I,J, RV Storage | PUD-R [7] |
| Tract S (School) | 178.94 | 113.38 | 65.56 | 0 [4] | 4.0 | 300 | NA | A,B,C,D,I,J | PUD-R |
| Tract 1A | 254.86 | 106.97 | 62.56 | 449.5 | 0.33 | 15 | 130,000 | A1 Ordinance Uses | A1 [6] |
| Tract 1B | 97.44 | 36.36 | 33.75 | | | | | | A1 [6] |
| Tract 4 | 189.64 | 45.66 | 125.48 | | | | | | A1 [6] |
| Tract 5 | 493.00 | 264.99 | 122.01 | | | | | | A1 [6] |
| Tract 6 | 1006.16 | 412.44 | 429.22 | | | | | | A1 [6] |
| Tract 7 | 257.14 | 115.5 | 95.14 | | | | | | A1 [6] |
| Tract 8 | 361.31 | 93.12 | 231.19 | | | | | | A1 Ordinance Uses |
| Tract 8 | 361.31 | 93.12 | 231.19 | | | | | | A1 [6] |
| Tract 13 | 95.12 | 48.86 | 26.26 | 20 | NA | NA | 420,000 | E,F,G,H,J | PUD-C |
| Tract 9 | 88.73 | 33.49 | 41.24 | 0 | NA | NA | School [5] | School,I,J | PUD-C |
| Recreation Areas [3] | 47.64 | 28.35 | 16.36 | 10.5 | NA | NA | NA | Recreation Facility,I,J | NA |
| TOTAL | 4,572.84 acres gross | 2,017.38 acres net | 1,831.15 acres | 730.50 acres | | 2,411 2,411 maximum permitted [1] | 870,000 Total maximum square footage shown is 870,000 square feet. 600,000 square feet of floor area exists in commerce park currently. | | |
| PUD / A1 TOTALS | PUD - 1,913.29 ac A1 - 2,659.55 ac | PUD - 942.34 ac A1 - 1,075.04 ac | PUD - 731.8 ac A1 - 1,099.35 ac | PUD - 244 ac A1 - 486.5 ac | | PUD - 2,392 units A1 - 19 units | PUD - 740,000 sf A1 - 130,000 sf | | |
| Stonehouse Preserve | | | | | | | | | |
| Riverfront Preserve | | | | | | | | | |

Table A Notes:

- [0] All acreage based on James City County GIS information only. All acreage indicated as presented in approved Master Plan dated January 2008. More detailed information will be provided at the site/subdivision stage.
- [1] A maximum of 2,411 residential units are allowed. Except the proposed A-1 Tracts, the actual number of units developed on each individual Tract/Land Bay may vary from the numbers listed in the "2018 Total Density" column above, as the number of units may be transferred between Tract/Land Bay in connection with final design, but the number of units on any given Tract/Land Bay will not exceed the corresponding density listed in the "Units Per Net Acre" column. The maximum units for proposed A-1 Tracts shall not exceed the number shown in the 2018 Total Density column.
- [2] The net acreage of each tract is based on GIS information, and may change when site/subdivision plans are submitted.
- [3] Recreation Areas will be provided as outlined in the proffers. Final size and locations of the facilities and their footprints will be defined as the program, amenities and proffers are finalized.
- [4] Open space outside of RPAs has been reallocated between Land Bay 5 and Land Bay 14. The total acreage of open space outside of RPAs remains 651.50 acres as in the approved Master Plan dated January 2008.
- [5] Williamsburg - James City County Schools will determine the design of the school site.
- [6] Land Bay 1 and Tract 12 are excluded from application. Stonehouse Preserve and Riverfront Preserve will be submitted in separate application.
- [7] Tracts 10A, 10B, 11A and 11B to be amended from a PUD-C zoning classification (per the approved Master Plan dated January 2008) to a PUD-R zoning classification.
- [-] All roads will be public roads.
- [-] All common open space areas, private recreation areas, sidewalks outside of the public right-of-way, and other privately owned but common facilities will be maintained by the homeowners' association.
- [-] Tract 11B will contain RV and boat storage as a recreational use for the Stonehouse HOA.
- [-] For development phasing, see the sewer and water phasing maps, as well as the proffers and the Fiscal Impact report provided by the Applicant.
- [-] Tracts 1 and 11 have been divided into two tracts to better reflect the planned use. However, the number of units and the square footage of the non-residential uses remain as one for the entire tract and will be determined at the site/subdivision stage.
- [-] Mixed use buildings will be permitted in the appropriate areas in Stonehouse should the James City County Zoning Ordinance be amended to permit such buildings in the PUD-C or PUD-R zoning districts.
- [-]The amount of RPA is based on available mapping data and is subject to change with field delineation. Accordingly, the actual amount of Open Space inside the RPA and the actual amount of Open Space outside of the RPA at the time of development may vary from that shown in the 2 associated columns above, but the total amount of Open Space acreage determined by adding the 2 columns above shall be provided (e.g., if the actual amount of RPA on a particular tract increases with field delineation then amount of Open Space within the RPA shall similarly increase over the acreage shown above and the amount of Open Space outside of RPA will proportionately decrease from the acreage shown above, but the total amount of Open Space determined by adding the 2 columns above shall be provided).

STONEHOUSE MASTERPLAN - TABLE A ENLARGEMENT

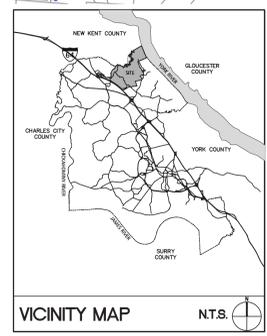


STONEHOUSE MASTERPLAN

ZONING EXHIBIT
 JAMES CITY COUNTY, VA
 07/26/2019

ZONING CLASSIFICATION KEY

| | |
|------------------|-----------------------------------|
| [Light Gray Box] | NO ZONING ALTERATION: PUD-R |
| [Dark Gray Box] | NO ZONING ALTERATION: PUD-C |
| [Purple Box] | ZONING ALTERATION: PUD-C TO PUD-R |
| [Green Box] | ZONING ALTERATION: PUD-R TO A1 |



AMENDED AND RESTATED
STONEHOUSE PROFFERS

PIN NUMBERS: 0440100030; 0530100009; 0440100029; 0440100025; 0540100011;
0540100012; 05401000015; 05401000016; 0630100005; 0630100006; 0540100002;
0540800001A; 0540800022; 0540800023; 0540800024; 0540800025; 0540800026; 0540800027;
0540800028; 0540800029; 0540800030; 0540800031; 0540800032; 0540800033; 0540800036;
0540800037; 0540800038; 0540800039; 0540800040; 0540800041; 0540800078; 0540800079;
0540800080; 0540800081; 0540800082; 0540800083; 0540800084; 0540800085; 0540800086;
0540900001A; 0540900002; 0540900003; 0540900004; 0540900005; 0540900006; 0540900007;
0540900008; 0540900009; 0540900010; 050900011; 0540900012; 0540900013; 0540900014;
0540900015; 0540900016; 0540900017; 0540900018; 0540900019; 0540900020; 0540900021;
0540900022; 0540900023; 0540900024; 0540900025; 0540900026; 0540900027; 0540100016;
0630100005; 0630100006; 0540100002; 0530100010; 0530100020; 0530100025; 0530100023;
0530100024; 0640100001; 1210100047; 1310100008A; 1310100019; 0540100017

Prepared by:

Timothy O. Trant, II, Esq. (VSB #48845)
Kaufman & Canoles, P.C.
11815 Fountain Way, Suite 400
Newport News, VA 23606

Return to:

James City County Attorney
101-C Mounts Bay Road
Williamsburg, VA 23185

Grantor:

SCP-JTL STONEHOUSE OWNER 1, LLC, a Delaware limited liability company; **SCP-JTL STONEHOUSE OWNER 2, LLC**, a Delaware limited liability company; **STONEHOUSE OWNERS FOUNDATION**, a Virginia non-stock corporation; **NVR, INC.**, a Virginia corporation; **MARY CHRISTINA ALLEGRETTO, TRUSTEE** and **JAMES DANIEL ALLEGRETTO, TRUSTEE**, in their capacities as the trustees under that certain **RESTATED REVOCABLE TRUST AGREEMENT OF MARY CHRISTINA ALLEGRETTO dated April 21, 2006 and amended December 4, 2008**; **ANIL JAIN** and **KRISHNAN MENON**; **DAVID CHRISTOPHER FERGUSON** and **TYANNE F. MCDONALD**; **VIANNEY VICTOIRE** and **GLORIA ANN SIMONNET** (all to be indexed as a grantor).

Grantee:

COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the "County") (to be indexed as grantee).

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THESE AMENDED AND RESTATED PROFFERS (“Proffers”) are made as of this 7th day of August, 2019, by SCP-JTL STONEHOUSE OWNER 1, LLC, a Delaware limited liability company; SCP-JTL STONEHOUSE OWNER 2, LLC, a Delaware limited liability company; STONEHOUSE OWNERS FOUNDATION, a Virginia non-stock corporation; NVR, INC., a Virginia corporation; MARY CHRISTINA ALLEGRETTO, TRUSTEE and JAMES DANIEL ALLEGRETTO, TRUSTEE, in their capacities as the trustees under that certain RESTATED REVOCABLE TRUST AGREEMENT OF MARY CHRISTINA ALLEGRETTO dated April 21, 2006 and amended December 4, 2008; ANIL JAIN and KRISHNAN MENON; DAVID CHRISTOPHER FERGUSON and TYANNE F. MCDONALD; VIANNEY VICTOIRE and GLORIA ANN SIMONNET (all to be indexed as a grantor) (collectively and/or individually hereinafter referred to, together with its successors and assigns, as the “Owner”); and the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the “County”) (to be indexed as grantee).

RECITALS

A. Owner is the owner of that certain real property (the “Property”) located in James City County, Virginia, more particularly described on Exhibit A attached hereto and made a part hereof, which is a portion of the property commonly referred to as the Stonehouse Planned Unit Development.

B. The Property constitutes all of the real property owned by Owner located within the Stonehouse Planned Unit Development. The Property is presently zoned PUD and is subject to (i) a conceptual plan of development entitled “STONEHOUSE VIRGINIA REZONING AND MASTER PLAN RESUBMITTAL”, dated January 2008, prepared by Chas. H. Sells, Inc., a copy of which is on file with the County Planning Director (the “Existing Master Plan”), and (ii) those

certain Amended and Restated Stonehouse Proffers dated November 27, 2007, which Proffers are recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City (the "Clerk's Office") as Instrument No. 080007838, as amended by First Amendment to Amended and Restated Stonehouse Proffers dated May 31, 2012 and recorded in the Clerk's Office as Instrument No. 120013165, and as amended by Second Amendment to Amended and Restated Stonehouse Proffers dated April 20, 2015 and recorded in the Clerk's Office as Instrument No. 150009210 (collectively, the "Existing Proffers").

C. Currently there are two master residential property owner associations within the Stonehouse Planned Unit Development: the Association at Stonehouse, Inc., a Virginia non-stock corporation and the Stonehouse Owners Foundation, a Virginia non-stock corporation. The Association at Stonehouse, Inc. is the master residential property owners association for the portions of the Stonehouse Planned Unit Development described in the Declaration of Covenants, Restrictions, Rights Affirmative Obligations and Conditions recorded in the Clerk's Office as Instrument Number 970015414, as amended and supplemented. The Stonehouse Owners Foundation is the master residential property owners association for the portions of the Stonehouse Planned Unit Development described in the Amended and Restated Declaration of Protective Covenants and Restrictions Stonehouse Owners Foundation recorded in the Clerk's Office as Instrument Number 100024411, as amended and supplemented.

D. Owner has applied to amend the Existing Master Plan and Existing Proffers. In connection therewith, Owner has filed a master plan amendment application and proffer amendment application with the County which have been assigned case numbers MP-18-0002, Z-18-0002 and Z-19-0010 respectively, by the County Planning Department (collectively, the "Application").

E. Owner has submitted to the County an amended plan of development entitled “Stonehouse Master Plan” prepared by Cole, Jenest & Stone, dated July 26, 2019 (the “Master Plan”) in accordance with Section 24-484 and Section 24-23 of the County Zoning Ordinance.

F. Owner has submitted to the County a community impact statement entitled “Community Impact Statement Stonehouse Master Plan Amendment”, dated July 25, 2019 (the “Community Impact Statement”) in accordance with Section 24-23 of the County Zoning Ordinance.

G. A traffic impact study entitled “Traffic Impact Study Stonehouse Master Plan Amendment, James City County, Virginia” prepared by Gorove Slade Associates, Inc., dated December 10, 2018 and Traffic Impact Study Addendum dated August 8, 2019 (the “Traffic Study”) has been submitted to the County in accordance with Section 24-484 and Section 24-23 of the County Zoning Ordinance. The Traffic Study has been reviewed and approved by the County and the Virginia Department of Transportation (“VDOT”).

H. Owner has submitted to the County (i) a listing of previous archaeological studies performed on the Stonehouse development, including on the Property, entitled “Previous Archaeological Excavations, Dated May 23, 2007” compiled by Carol Tyrer of Circa-Cultural Resource Management, LLC, (ii) a table listing all identified archaeological sites at the Stonehouse development, including the Property, entitled “Archaeological Sites at the Stonehouse Development, Dated March, 2007” compiled by Carol Tyrer of Circa-Cultural Resource Management, LLC, and (iii) a map identifying the approximate location of each of the identified archaeological sites entitled “Stonehouse Archaeological Exhibit” made by Chas. H. Sells, Inc. and dated April 3, 2007 (together, the “Archaeological Documents”). The Planning Director has reviewed and approved the Archaeological Documents and each of the studies listed therein.

I. It has been established that through the existing zoning of the Property, that the provisions of the Zoning Ordinance are inadequate for protecting and enhancing orderly development of the Property in accordance with the County Comprehensive Plan. Accordingly, the Owner, in furtherance of the Application, desires to amend and restate the Existing Proffers as set forth herein in addition to the regulations provided for by the Zoning Ordinance for the protection and enhancement of the development of the Property, in accordance with the provisions of Section 15.2-2303 of the Code of Virginia (1950), as amended (the "Virginia Code") and Section 24-16 of the County Zoning Ordinance.

J. The County constitutes a high-growth locality as defined by Section 15.2-2303 of the Virginia Code.

NOW, THEREFORE, in consideration of the approval by the County of the Application and the Master Plan and the acceptance of these Proffers, the Existing Proffers are hereby amended and restated insofar as they relate to the Property as set forth below. The Existing Proffers and Existing Master Plan shall continue to govern the portion of the Stonehouse Planned Unit Development not included within the Property; provided, however, these Proffers shall be deemed to satisfy Proffers 3 and 13 in the Existing Proffers. Owner agrees that the following conditions shall be met and satisfied in connection with the development of the Property.

CONDITIONS

1. **Community Association**. Owner, with the concurrence of the Association at Stonehouse, Inc., shall subject Land Bay 3, the portion of Land Bay 8 consisting of James City County Parcel Identification Number 0530100025, and Land Bay 14 (collectively, the "Mill Pond Areas") to the existing Declaration of Covenants, Restrictions, Affirmative Obligations and Conditions for Stonehouse recorded in the Clerk's Office as Instrument Number 970015414 including, without limitation, the architectural review process and guidelines. In the event the

Association at Stonehouse, Inc. does not agree to the above, the Mill Pond Areas shall be subject to the existing Amended and Restated Declaration of Protective Covenants and Restrictions Stonehouse Owners Foundation recorded in the Clerk's Office as Instrument Number 100024411. Owner shall organize a community association or associations (the "Community Association") in accordance with Virginia law in which all property owners in the development on the Property (other than the Mill Pond Areas), by virtue of their property ownership, shall be members, provided, however, Owner may subject by the recordation of supplemental declaration(s) all or portions of the Property to existing property owners association(s) (individually and collectively, considered the "Community Association") and restrictive covenants in satisfaction of this requirement. There shall be one master Community Association for all residential portions of the Property (including the existing Stonehouse Glen subdivision). The Governing Documents (hereinafter defined) shall (i) require that the Community Association adopt an annual maintenance budget and assess members for the maintenance of all properties owned or maintained by the Community Association and (ii) shall grant the Community Association the power to file liens on members' properties for non-payment of such assessments and for the cost of remedying violations of, or otherwise enforcing, the Governing Documents. The Governing Documents shall also provide for one or more design review committee(s) with the power to review and approve all site development and architectural plans within the development. Owner may organize separate neighborhood or commercial associations and impose supplemental or different restrictive covenants on individual sections of the Property. The articles of incorporation, bylaws and restrictive covenants (together, the "Governing Documents") creating and governing the

Community Association shall be submitted to the County Attorney for review and approval for consistency with these Proffers.

2. **Density**. There shall be no more than 2,392 residential units and no more than 870,000 square feet of non-residential uses, excluding recreational uses, permitted on the Property. Of the 2,392 residential units no more than 1,200 residential units shall be B - attached structures containing two to four dwelling units, C - attached structures containing more than four dwelling units or D - apartments as those terms are defined in Section 24-487 of the County Zoning Ordinance. Owner shall provide on each site plan or subdivision plan for any development within the Property a then-current accounting of the number of residential units, unit type, and square footage of non-residential development that have previously been approved by the County and are proposed by the plan being submitted for review in a form reasonably acceptable to the Planning Director to permit the accurate tracking of the progression of the development of the Property in accordance with these Proffers.

3. **Transportation Improvements**. This Proffer sets forth external and internal road and intersection improvements recommended in the Traffic Study and the phasing of the construction of such improvements.

3.1 **Phase 1 Transportation Improvements**. The construction, installation, and/or implementation of the following improvements shall be completed or guaranteed in accordance with Section 15.2-2299 of the Virginia Code (or such successor provision) and the applicable provisions of the County Code of Ordinances (such performance assurances to be herein referred to as a "Guarantee" or "Guarantees") at the times required below:

(a) Modification of the pavement and/or pavement markings on the westbound Fieldstone Parkway approach to State Route 30 to add and/or delineate a second

exclusive left-turn lane in connection with the installation of the traffic signal proffered in subsection (b) of this Section 3.1; and

(b) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 130 total dwelling units or 27,000 square feet ("sf") of non-residential use(s) on the Property (or, any combination of such uses that would result in 62 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a traffic signal warrant analysis for the intersection of State Route 30 and Fieldstone Parkway. In the event the analysis concludes, and VDOT concurs, that a traffic signal is warranted at this intersection, then the Owner shall Guarantee a traffic signal at the intersection of State Route 30 and Fieldstone Parkway prior to such final site plan or subdivision plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(i) In the event that such traffic signal is not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 390 total dwelling units or 81,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 186 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT another traffic signal warrant analysis for the intersection of State Route 30 and Fieldstone Parkway. In the event the analysis concludes, and VDOT concurs, that a traffic signal is warranted at this intersection, then the Owner shall Guarantee a traffic signal at the intersection of State Route 30 and Fieldstone Parkway prior to such final site plan or subdivision

plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(ii) In the event that such traffic signal is still not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, unless waived by the Planning Director based upon an agreed upon alternative timing plan, the Owner shall (1) Guarantee a traffic signal at the intersection of State Route 30 and Fieldstone Parkway prior to such final site plan or subdivision plat approval, (2) submit to the County and VDOT a subsequent traffic signal warrant analysis for the intersection of State Route 30 and Fieldstone Parkway prior to each following site plan(s) and/or subdivision plan(s) approval for development on the Property, and (3) complete the installation of the traffic signal at the intersection of State Route 30 and Fieldstone Parkway when deemed warranted by VDOT.

(c) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 400 total dwelling units on the Property within Tract 2 and Tract 3 (Parcels D through I), Owner shall submit to the County and VDOT a left turn lane warrant analysis for the intersection at the southern entrance to Parcel B and the single entrance to Parcel C heading northbound on Six Mount Zion Road. In the event the analysis concludes, and VDOT concurs, that a left turn lane is warranted at one or both entrances, then the Owner shall Guarantee such left turn lane(s) prior to such final site plan or subdivision plat approval and shall complete the installation of such left turn lane(s) prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(i) In the event that such left turn lane(s) is/are not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed

above the foregoing threshold; however, prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 600 total dwelling units on the Property within Tract 2 and Tract 3 (Parcels D through I), Owner shall submit to the County and VDOT another left turn lane warrant analysis for the intersection at the southern entrance to Parcel B and the single entrance to Parcel C heading northbound on Six Mount Zion Road. In the event the analysis concludes, and VDOT concurs, that such left turn lane(s) is/are warranted at one or both entrances, then the Owner shall Guarantee such left turn lane(s) prior to such final site plan or subdivision plat approval and shall complete the installation of such left turn lane(s) prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(ii) In the event that such left turn lane(s) is/are still not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing threshold; however, unless waived by the Planning Director based on an agreed upon alternative timing plan, the Owner shall (1) Guarantee such left turn lane(s) prior to such final site plan or subdivision plat approval, (2) submit to the County and VDOT a subsequent left turn lane warrant analysis for the intersection at the southern entrance to Parcel B and the single entrance to Parcel C heading northbound on Six Mount Zion Road prior to each following site plan(s) and/or subdivision plan(s) approval for development on the Property within Tract 2 and Tract 3 (Parcels D through I), and (3) complete the installation of such left turn lane(s) when deemed warranted by VDOT.

(d) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 522 total dwelling units or 75,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 248 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County

and VDOT a traffic signal warrant analysis for the intersection of State Route 30 and the I-64 Westbound Off/On-Ramps. In the event the analysis concludes, and VDOT concurs, that a traffic signal is warranted at this intersection, then the Owner shall Guarantee a traffic signal at the intersection of State Route 30 and I-64 Westbound Off/On-Ramps prior to such final site plan or subdivision plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(i) In the event that such traffic signal is not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 1,000 total dwelling units or 170,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 476 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a subsequent traffic signal warrant analysis for the intersection of State Route 30 and I-64 Westbound Off/On-Ramps. In the event the analysis concludes, and VDOT concurs, that a traffic signal is warranted at this intersection, then the Owner shall Guarantee a traffic signal at the intersection of State Route 30 and I-64 Westbound Off/On-Ramps prior to such final site plan or subdivision plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(ii) In the event that such traffic signal is still not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, unless waived by the Planning Director based on an agreed upon alternative timing plan, the Owner shall (1) Guarantee a traffic signal at the intersection of State Route 30 and I-64 Westbound Off/On-Ramps prior to such final site plan or

subdivision plat approval, (2) submit to the County and VDOT a subsequent traffic signal warrant analysis for the intersection of State Route 30 and I-64 Westbound Off/On-Ramps prior to each following site plan(s) and/or subdivision plan(s) approval for development on the Property, and (3) complete the installation of such traffic signal at the intersection of State Route 30 and I-64 Westbound Off/On-Ramps when deemed warranted by VDOT.

(e) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 522 total dwelling units or 120,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 248 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a traffic signal warrant analysis for the intersection of State Route 30 and LaGrange Parkway. In the event the analysis concludes, and VDOT concurs, that a traffic signal is warranted at this intersection, then the Owner shall Guarantee a traffic signal at the intersection of State Route 30 and LaGrange Parkway prior to such final site plan or subdivision plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(i) In the event that such traffic signal is not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 1,200 total dwelling units or 275,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 571 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a subsequent traffic signal warrant analysis for the intersection of State Route 30 and LaGrange Parkway. In the event the analysis concludes, and VDOT concurs, that a traffic

signal is warranted at this intersection, then the Owner shall Guarantee a traffic signal at the intersection of State Route 30 and LaGrange Parkway prior to such final site plan or subdivision plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(ii) In the event that such traffic signal is still not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, unless waived by the Planning Director based on an agreed upon alternative timing plan, the Owner shall (1) Guarantee a traffic signal at the intersection of State Route 30 and LaGrange Parkway prior to such final site plan or subdivision plat approval, (2) submit to the County and VDOT a subsequent traffic signal warrant analysis for the intersection of State Route 30 and LaGrange Parkway prior to each following site plan(s) and/or subdivision plan(s) approval for development on the Property, and (3) complete the installation of such traffic signal at the intersection of State Route 30 and LaGrange Parkway when deemed warranted by VDOT.

(f) Owner shall provide as a separate supplemental document with each site plan or subdivision plan for any development within the Property which would result in a mix of non-residential and residential units on the Property (and with each site plan or subdivision plan for any development within the Property thereafter), the projected peak hour vehicle trip generation associated with the development (i) proposed by the corresponding site plan or subdivision plan submission, and (ii) which has previously received final site plan or final subdivision plat approval from the County (and any site plans or subdivision plans for development within the Property then under review) in a form reasonably acceptable to the Planning Director

to permit the accurate tracking of the progression of the development of the Property in accordance with these Proffers.

3.2 Phase 2 Transportation Improvements. The following additional improvements shall be completed or Guaranteed at the times required below:

(a) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 657 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 313 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a traffic signal warrant analysis for the intersection of Six Mount Zion Road and Fieldstone Parkway. In the event the analysis concludes, and VDOT concurs, that a traffic signal is warranted at this intersection, then the Owner shall Guarantee a traffic signal at the intersection of Six Mount Zion Road and Fieldstone Parkway prior to such final site plan or subdivision plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(i) In the event that such traffic signal is not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 2,122 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 1,010 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a subsequent traffic signal warrant analysis for the intersection of Six Mount Zion Road and Fieldstone Parkway. In the event the analysis concludes, and VDOT concurs, that a traffic signal is warranted at this intersection, then the Owner shall Guarantee a

traffic signal at the intersection of Six Mount Zion Road and Fieldstone Parkway prior to such final site plan or subdivision plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(ii) In the event that such traffic signal is still not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, unless waived by the Planning Director based on an agreed upon alternative timing plan, the Owner shall (1) Guarantee a traffic signal at the intersection of Six Mount Zion Road and Fieldstone Parkway prior to such final site plan or subdivision plat approval, (2) submit to the County and VDOT a subsequent traffic signal warrant analysis for the intersection of Six Mount Zion Road and Fieldstone Parkway prior to each following site plan(s) and/or subdivision plan(s) approval for development on the Property, and (3) complete the installation of such traffic signal at the intersection of Six Mount Zion Road and Fieldstone Parkway when deemed warranted by VDOT.

(b) Install an eastbound right turn lane on Fieldstone Parkway at the intersection of Six Mount Zion Road with installation of the traffic signal proffered with subsection (a) of this Section 3.2.

(c) Install a northbound left turn lane on Six Mount Zion Road at the intersection of Fieldstone Parkway with installation of the traffic signal proffered with subsection (a) of this Section 3.2.

(d) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 1,452 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 691 or more new peak hour vehicle trips

based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a traffic signal warrant analysis for the intersection of Six Mount Zion Road and Mount Laurel Road. In the event the analysis concludes, and VDOT concurs, that a traffic signal is warranted at this intersection, the Owner shall Guarantee a traffic signal at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(i) In the event that such traffic signal is not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 2,122 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 1,010 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a subsequent traffic signal warrant analysis for the intersection of Six Mount Zion Road and Mount Laurel Road. In the event the analysis concludes, and VDOT concurs, that a traffic signal is warranted at this intersection, then the Owner shall Guarantee a traffic signal at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval and shall complete the installation of such signal prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(ii) In the event that such traffic signal is still not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, unless waived by the Planning Director based on an

agreed upon alternative timing plan, then the Owner shall (1) Guarantee a traffic signal at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval, (2) submit to the County and VDOT a subsequent traffic signal warrant analysis for the intersection of Six Mount Zion Road and Mount Laurel Road prior to each following site plan(s) and/or subdivision plan(s) approval for development on the Property, and (3) complete the installation of such traffic signal at the intersection of Six Mount Zion Road and Mount Laurel Road when deemed warranted by VDOT.

(e) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 1,452 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 691 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a warrant analysis for an exclusive westbound right-turn lane on Mount Laurel Road at the intersection of Six Mount Zion road. In the event the analysis concludes, and VDOT concurs, that an exclusive right-turn lane is warranted at this intersection, the Owner shall Guarantee such turn-lane at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval and shall complete the installation of such turn-lane prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(i) In the event that such turn lane is not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 2,122 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 1,010 or more new peak hour

vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a subsequent warrant analysis for an exclusive westbound right-turn lane on Mount Laurel Road at the intersection of Six Mount Zion Road and Mount Laurel Road. In the event the analysis concludes, and VDOT concurs, that such turn lane is warranted at this intersection, then the Owner shall Guarantee such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval and shall complete the installation of such turn lane prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(ii) In the event that such turn lane is still not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, unless waived by the Planning Director based on an agreed upon alternative timing plan, then the Owner shall (1) Guarantee a such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval, (2) submit to the County and VDOT a subsequent turn lane warrant analysis for the intersection of Six Mount Zion Road and Mount Laurel Road prior to each following site plan(s) and/or subdivision plan(s) approval for development on the Property, and (3) complete the installation of such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road when deemed warranted by VDOT.

(f) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 1,452 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 691 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a warrant analysis for an exclusive northbound right-turn lane on Six Mount Zion Road

at the intersection of Mount Laurel Road. In the event the analysis concludes, and VDOT concurs, that an exclusive right-turn lane is warranted at this intersection, the Owner shall Guarantee such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval and shall complete the installation of such turn lane prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(i) In the event that such turn lane is not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 2,122 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 1,010 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a subsequent warrant analysis for an exclusive northbound right-turn lane on Six Mount Zion Road at the intersection of Six Mount Zion Road and Mount Laurel Road. In the event the analysis concludes, and VDOT concurs, that such turn lane is warranted at this intersection, then the Owner shall Guarantee such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval and shall complete the installation of such turn lane prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(ii) In the event that such turn lane is still not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, unless waived by the Planning Director based on an agreed upon alternative timing plan, then the Owner shall (1) Guarantee a such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat

approval, (2) submit to the County and VDOT a subsequent turn lane warrant analysis for the intersection of Six Mount Zion Road and Mount Laurel Road prior to each following site plan(s) and/or subdivision plan(s) approval for development on the Property, and (3) complete the installation of such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road when deemed warranted by VDOT.

(g) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 1,452 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 691 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a warrant analysis for an exclusive southbound left-turn lane on Six Mount Zion Road at the intersection of Mount Laurel Road. In the event the analysis concludes, and VDOT concurs, that an exclusive left-turn lane is warranted at this intersection, the Owner shall Guarantee such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval and shall complete the installation of such turn lane prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(i) In the event that such turn lane is not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 2,122 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 1,010 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall submit to the County and VDOT a subsequent warrant analysis for an exclusive southbound left-turn lane on Six Mount Zion Road at the intersection of Six Mount Zion Road and Mount Laurel Road. In

the event the analysis concludes, and VDOT concurs, that such turn lane is warranted at this intersection, then the Owner shall Guarantee such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval and shall complete the installation of such turn lane prior to the issuance of building permits for the development depicted on such site plan or subdivision plat.

(ii) In the event that such turn lane is still not warranted by VDOT, then Owner's development of the Property (and permits and approvals therefor) may proceed above the foregoing thresholds; however, unless waived by the Planning Director based on an agreed upon alternative timing plan, then the Owner shall (1) Guarantee a such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road prior to such final site plan or subdivision plat approval, (2) submit to the County and VDOT a subsequent turn lane warrant analysis for the intersection of Six Mount Zion Road and Mount Laurel Road prior to each following site plan(s) and/or subdivision plan(s) approval for development on the Property, and (3) complete the installation of such turn lane at the intersection of Six Mount Zion Road and Mount Laurel Road when deemed warranted by VDOT.

(h) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 1,932 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 920 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall install or Guarantee:

(i) a second exclusive left-turn lane for the northbound State Route 30 approach to the I-64 Westbound Off/On-Ramps intersection at Exit 227 and widen the westbound I-64 On-Ramp to consist of two receiving lanes including corresponding modifications to the traffic signal proffered in Section 3.1(d).

(ii) a second exclusive left-turn lane on the I-64 Westbound Off-Ramp approach at State Route 30 including corresponding modifications to the traffic signal proffered in Section 3.1(d).

(i) Prior to approval of a site plan(s) and/or subdivision plan(s) that would result in more than 1,662 total dwelling units or 740,000 sf of non-residential use(s) on the Property (or, any combination of such uses that would result in 790 or more new peak hour vehicle trips based on the trip generation rates utilized in the Traffic Study), Owner shall install or Guarantee:

(i) a modification of the pavement and/or pavement markings on La Grange Parkway to add and/or delineate a second exclusive left-turn lane to the westbound LaGrange Parkway approach to State Route 30, including corresponding modifications to the traffic signal proffered in Section 3.1(e).

(ii) a second exclusive left-turn lane for the southbound State Route 30 approach to the LaGrange Parkway intersection, including corresponding modifications to the traffic signal proffered in Section 3.1(e).

(j) If Owner fails to comply with a requirement set forth in Section 3.1 or 3.2 hereof, the County shall not be obligated to grant the corresponding final subdivision or site plan approval or building permits, as applicable, unless and until such requirement is met.

(k) Owner shall provide, as a separate supplemental document with each site plan or subdivision plan for any development within the Property, the projected peak hour vehicle trip generation associated with the development (1) proposed by the corresponding site plan or subdivision plan submission, and (2) which has previously received final site plan or final subdivision plat approval from the County (and any site plans or subdivision plans for development within the Property then under review) in a form reasonably acceptable to the Planning Director

to permit the accurate tracking of the progression of the development of the Property in accordance with these Proffers.

3.3 Updated Traffic Study. Owner may have the Traffic Study updated, amended, or supplemented from time to time by an independent traffic consultant and may submit any such updated, amended, or supplemented Traffic Study to the Board of Supervisors and VDOT for approval. The schedule of road and intersection improvements and the phasing thereof set forth above may be amended based on such updated, amended, or supplemented Traffic Study submitted to the Board of Supervisors and VDOT. Owner shall convey, without charge, to VDOT or the County, as appropriate, all right of way owned by it that is necessary for such improvements and, when completed, shall dedicate all such improvements to VDOT or the County, as appropriate.

3.4 Traffic Signal Warrant Analyses. If VDOT determines that any intersection at which a traffic signal is proffered is approaching meeting warrants for installation of the traffic signal, then at the request of VDOT, Owner shall have a warrant analysis of that intersection conducted and submitted to the County and VDOT.

3.5 VDOT Standards. All improvements proffered in this Section 3 shall be designed and constructed in accordance with applicable VDOT standards and guidelines. All traffic signals proffered hereby shall be designed and installed to accommodate future proffered traffic improvements. Traffic signal timing equipment will be modified and signal timing plans updated as required by VDOT concurrently with capacity improvements at the intersection in question. All traffic signals proffered hereby shall include signal coordination equipment if required by VDOT.

3.6 FHWA Approvals. The proffered modifications to Interstate 64 interchanges will require the approval of the Federal Highway Administration (“FHWA”). If FHWA approval of a modification is not granted after submission through and with the approval of VDOT of all

appropriate and required interchange modification applications and supporting documentation, Owner shall propose to the Board of Supervisors and VDOT substitute improvements and provide VDOT and the Board of Supervisors with a traffic study showing the impact of the proposed substitute improvements, commensurate in traffic benefit and costs with the proffered interchange modifications for review and approval by the Board of Supervisors and VDOT. If such substitute improvements are approved by the Board of Supervisors and VDOT, the completion or posting of Guarantees for their completion with the County shall satisfy the obligation of Owner with respect to the proffered interchange modification for which FHWA approval was not granted.

3.7 Internal Road and Intersection Improvements.

(a) Owner shall improve the portion of Mount Laurel Road if required to meet current VDOT Standards for a 2 lane local road (as identified on the James City County Comprehensive Plan) from Six Mount Zion Road to any entrances constructed on Mount Laurel Road providing access to/from Tract 11A or Tract 11B. Signage shall be provided along Mount Laurel Road to make such roadway a “signed shared roadway” consistent with VDOT regulations.

(b) Owner shall improve the portion of Six Mount Zion Road if required to meet current VDOT Standards for a 2 lane local road (as identified on the James City County Comprehensive Plan) from Ware Creek Road northerly to any entrances constructed on Six Mount Zion Road providing access to/from Tract 2 or Tract 3.

(c) Owner shall improve the portion of Ware Creek Road if required to meet current VDOT Standards for a 2 lane local road (as identified on the James City County Comprehensive Plan) from Six Mount Zion Road to any entrances constructed on Ware Creek Road providing access to/from Tract 2, Tract 11B, or Tract S.

(d) With the prior approval of VDOT, at such time as any of the proffered improvements to the Six Mount Zion Road/Fieldstone Parkway intersection are triggered, Owner may install a roundabout meeting VDOT requirements in lieu of the improvements to the Six Mount Zion Road/Fieldstone Parkway intersection proffered above to include, without limitation, any turn lanes.

(e) With the prior approval of VDOT, at such time as any of the proffered improvements to the Six Mount Zion Road/Mount Laurel Road intersection are triggered, Owner may install a roundabout meeting VDOT requirements in lieu of the improvements to the Fieldstone Parkway/Mount Laurel Road intersection proffered above to include, without limitation, any turn lanes.

3.8 External Road Connections. Within one year from the date of approval of the requested rezoning by the Board of Supervisors, Owner shall petition VDOT to permit the disconnection of Ware Creek Road immediately west of its intersection with Mount Laurel Road from the portion of Ware Creek Road that extends through the Property and, if VDOT approval is obtained, physically disconnect the road, to prevent traffic from the Property from using Ware Creek Road to access Croaker Road. If VDOT refuses to allow this disconnection, Owner shall not improve a segment of Ware Creek Road of at least 1,500 linear feet in length to the west of its intersection with Mount Laurel Road to the first subdivision road in the Property and through the use of signage and other measures as approved by VDOT shall attempt to de-emphasize Ware Creek Road as a means of ingress and egress to and from the Property. A plan for signage and other measures shall be submitted within 180 days of VDOT's notification to Owner of a denial of the petition, should this occur, for Planning Director review and approval, and shall be

implemented within 180 days of such approval or within such other timeframe as is agreed to in advance by both parties.

4. **Public Sites.**

4.1 **School Site.** Owner shall, in accordance with the terms and conditions set forth in a Memorandum of Understanding and Agreement between the Owner and the County, of even date herewith, (i) convey to the County, without consideration, a site containing approximately 88.73 gross acres (the "School Site") in the location shown on the Master Plan as "9 MIDDLE SCHOOL"; or (ii) make a one-time contribution of \$837,200.00 for use by the County in expanding school capacity within the County.

4.2 **Public Recreation Trail.** A public recreation trail ("Public Trail") will be developed within a portion of the Property as more particularly described herein. Any portions of the Public Trail located outside of public right of way will be owned and maintained by the Community Association but open for use by the public subject to reasonable rules and regulations agreed upon by the Community Association and the County. Any sections of the multi-use paths located outside of public right of way and owned and maintained by the Community Association shall be built to paved trail standards as defined in the now current version of the Parks and Recreation Greenway Master Plan, dated June 25, 2002. Any portion of the Public Trail which is located within the public right of way and to be publically maintained shall be built to VDOT standards. The Public Trail will consist of a minimum of:

(a) 10,000 linear feet of multi-use trail or shoulder bike lane along Six Mount Zion Road. All improvements to Route 600 within the Property shall include a shoulder bike lane or multi-use trail except where Route 600 passes under Interstate 64 in which location a 5 foot sidewalk, which shall transition or tie into the multi-use trail or shoulder bike lane segments, as

applicable, located immediately to the north and south of the subject Interstate 64 overpass area, shall be installed (subject to receipt of all applicable governmental approvals);

- (b) 8,000 linear feet of multi-use trail along Ware Creek Road; and
- (c) 6,000 linear feet of multi-use trail along Mt. Laurel Road.

The Public Trail will be installed at the time the adjacent road is constructed or improved with the development of adjacent parcels. Any portions of the Public Trail subject to VDOT policies and regulations shall have signage consistent with those requirements.

4.3 Reversion. If (i) the Board of Supervisors makes a formal determination by resolution not to use the School Site conveyed to the Williamsburg-James City County Public School Division or applicable school board for the school facilities before construction of any improvements on such School Site, or (ii) construction of improvements has not been commenced within fifteen (15) years from the date of conveyance to the Williamsburg-James City County Public School Division or the applicable school board, then at the option of Owner title to the School Site shall revert to (a) the Owner or an entity designated by Owner (if, at such time, Owner owns any of the Property), or, if Owner does not then own any of the Property, (b) the master Community Association. The County, at the request of the Owner or Community Association (as applicable), shall deliver deeds to the Owner or Community Association, as provided above, evidencing such reversion of title. The County's obligation to return the School Site to the Owner or Community Association (as applicable) shall expire on the earlier of (i) the commencement of construction on the School Site; and (ii) the fortieth anniversary of the approval of the Application by the County.

5. **Community and Recreational Facilities.**

5.1 **Facilities and Phasing.** Owner shall construct the community and recreational facilities described below (conditioned upon Owner's obtaining all required governmental permits and approvals and in accordance with the now current James City County Parks and Recreation Master Plan Update 2017 – Appendix F Development Guidelines) generally in the locations shown on the Master Plan:

(a) Tract 3 Amenity (H) – A community building, swimming pool and playground (which currently exist). Before the issuance of the 800th building permit on the Property and within the Stonehouse Glen subdivision, 1 multi-purpose court will be constructed on the Amenity H property.

(b) Ware Creek Road Amenity (A) – Concurrent with the first preliminary site plan or subdivision plan approval for development on all or a portion of Tract 2, Tract S, Tract 3 Parcel D, or Tract 3 Parcel E, conceptual site plans for a single community facility or multiple community facilities totaling approximately 8 acres across Tract 2, Tract S, Tract 3 Parcel D, or Tract 3 Parcel E shall be submitted to the County. Such facility or combination of facilities shall include 3,000 sf of buildings, one swimming pool, one multi-purpose grass field of adequate size to accommodate a regulation soccer field, and one multi-purpose court. The facility or facilities will be required to be open to the homeowners prior to the issuance of more than 1,200 building permits on the Property.

(c) Tract 11A Amenity (B) – Concurrent with the first preliminary site plan or subdivision plan approval for Tract 11A, a conceptual plan for an approximately 8 acre community facility in Tract 11A, with a pavilion, outdoor fitness equipment, and a multi-purpose grass field of adequate size to accommodate a regulation soccer field, will be submitted to the

County. The facility will be required to be open to the homeowners prior to the issuance of more than 150 building permits on Tract 11A.

(d) Tract 10B Amenity (C) – Concurrent with the first preliminary site plan or subdivision plan approval for Tract 10B, a conceptual plan for an approximately 17 acre multi-use outdoor recreation facility and two multipurpose/soccer fields in Tract 10B as shown, generally, on that certain exhibit entitled “Tract 10B Preservation Square”, dated July 26, 2019, prepared by Cole Jenest & Stone, a copy of which is on file with the County Planning Director, will be submitted to the County. The facility will be required to be open to the homeowners prior to the issuance of more than 40 building permits on Tract 10B.

(e) Playgrounds – A minimum of 3 playgrounds shall be provided within the Property. Such playgrounds will be sited, identified, and the apparatus’ specified within the preliminary site plan or subdivision plan where such facilities are to be located.

(f) Land Bay 5 Amenity (K) – Concurrent with the first preliminary site plan or subdivision plan approval for Land Bay 5, a conceptual plan for an approximately 2 acre groomed passive open space, will be submitted to the County. The facility will be required to be open to the homeowners prior to the issuance of more than 80 building permits on Land Bay 5.

5.2 Modification of Facilities. The exact facilities to be provided at each amenity site may be modified from time to time by Owner (or the Community Association if ownership of such site has been conveyed to same) provided any such modification provides an equivalent or greater recreational benefit. Any such modification shall be subject to the prior approval of the Planning Director for consistency with this Proffer.

5.3 Trail System. In addition to the Public Trail, Owner shall install a minimum of 16,000 linear feet of soft-surface trail(s) within Tracts 11A, 11B, and S which provide connection

to Six Mount Zion Road, Ware Creek Road, and Mt. Laurel Road. Design plans for the path within a Tract shall be submitted to the County with the first development plan for the Tract and construction of such path shall begin or Guarantees for such construction shall be posted before the County is obligated to grant final subdivision or site plan approval for more than 50% of residential lots or units permitted in the Tract and in any event the path shall be installed within three years from the date of final approval of the first subdivision plat or site plan for development within the Tract in question. Such soft-surface trails shall be built to mulch trail standards as currently defined in the Parks and Recreation Greenway Master Plan, dated June 25, 2002.

6. **Archaeological Sites.**

6.1 **Archaeological Sites.**

(a) Prior to the issuance of building permits that would result in more than 50 total dwelling units or 30,000 sf of non-residential use(s) on Tract 10B, an interpretive kiosk will be constructed or Guaranteed, as generally depicted upon that certain exhibit entitled "Tract 10B Preservation Square", dated July 26, 2019, prepared by Cole Jenest Stone, a copy of which is on file in the Office of the County Planning Director. This interpretive kiosk will provide images and a cultural narrative of the historical events, significance, and sites that are located on the Stonehouse property.

(b) Archaeological sites listed in the Archaeological Documents (defined in Recital H) (each referred to as a "Site") that are potentially eligible for the National Register of Historic Places that can be avoided by the development will be clearly marked on site plans or subdivision construction plans ("development plans"). In addition, if land clearing or construction activities take place near a Site area, then the Site boundaries will be cordoned-off in the field with orange snow fencing prior to land disturbing near the area. If a Site cannot be avoided by the

development, then a Phase II evaluation will be completed on the Site prior to any land disturbance activity in the Site area. The Phase II evaluation will be submitted to the County Planning Director for review.

(c) At the conclusion of the Phase II evaluation, if a Site is determined not eligible for listing on the National Register of Historic Places, then development may occur in the Site area. If the determination is made that a Site is eligible for listing on the National Register of Historic Places, then several mitigation options are available:

(i) Avoidance. The Site may be avoided by the development by setting aside the Site in a park, RPA buffer, or vegetative area. National Register-eligible archaeological Sites that can be avoided by the development will be clearly marked on project development plans. In addition, if land clearing or construction activities take place near the Site area, then the Site boundaries will be cordoned-off in the field with orange snow fencing prior to land disturbing in the area.

(ii) Partial Avoidance/Data Recovery. The Site may be partially avoided and partially impacted. In this case, data recovery will be limited to the Site area to be impacted. The portion of the Site area to be avoided will be clearly marked on project development plans. In addition, if land clearing or construction activities take place near the Site area, then the remaining Site boundaries will be cordoned-off in the field with orange snow fencing prior to land disturbing in the area. A Treatment Plan for the portion of the Site area to be impacted will be completed and submitted to the County Planning Director for review.

(iii) Data Recovery. If the Site cannot be avoided, then a Treatment Plan will be completed and submitted to the County Planning Director for review.

(d) If the Phase II or Phase III study of a Site determines the Site is eligible for inclusion on the National Register of Historic Places and such Site is to be preserved in place, the treatment plan shall include nomination to the National Register of Historic Places. All approved treatment plans shall be incorporated into the plan of development for the affected portion of the Property and the clearing, grading or construction activities thereon.

6.2 Unexpected Archaeological Discoveries. Should previously unidentified historic properties be identified during development of the Property, the applicant will halt all construction work involving subsurface disturbance in the area of the resource and in the surrounding area where further subsurface remains can reasonably be expected to occur and notify the Planning Director and the Virginia State Historic Preservation Officer (“SHPO”) of the discovery. The Planning Director and the SHPO will be allowed to immediately inspect the work site and determine the area and nature of the affected archaeological resource. Construction work may then continue in the area outside the archaeological resource as defined by Planning Director and the SHPO, or their designated representative. Within 14 working days of the original notification of discovery, the Planning Director, in consultation with the SHPO, will determine the National Register eligibility of the resource based on information provided by Owner’s archaeologist recovered from the field, site type, artifacts, and historic research. If the resource is determined eligible for the National Register, the applicant will prepare a plan for its avoidance, protection, recovery of information, or destruction without data recovery. The plan shall be approved by the Planning Director, in consultation with the SHPO, prior to implementation. Work in the affected area shall not proceed until either (i) the development and implementation of appropriate data recovery or other recommended mitigation procedures, or (ii) the determination is made that the located remains are not eligible for inclusion on the National Register.

6.3 Qualifications and Standards. The archaeological excavations will be conducted under the direct supervision of an archaeologist who meets the *Secretary of the Interior's Professional Qualification Standards*. All work and resulting reports will meet the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* and applicable Virginia Department of Historic Resource guidance.

7. Cash Contributions for Community Impacts.

(a) Owner shall make a one-time contribution to the County of \$2,571.27 for each residential dwelling unit constructed on the Property. Such contributions shall be used by the County for school uses.

(b) Owner shall make a one-time contribution to the County of \$1,254.94 for each residential dwelling unit constructed on the Property. Such contributions shall be used by the County for the provision of affordable housing within the County.

(c) Owner shall make to the JCSA a one-time contribution \$0.14 per gallon per day of average daily sanitary sewage flow for each non-residential building based on the use of the building(s) the sewer flows from which discharge into JCSA Lift Station 9-5 as determined by JCSA.

(d) Owner shall make to the JCSA a one-time contribution of \$0.31 per gallon per day of average daily sanitary sewage flow for each non-residential building based on the use of the building(s) the sewer flows from which discharge into JCSA Lift Station 9-7 as determined by JCSA.

(e) Owner shall make a one-time contribution of \$800,000.00 for use by the County in expanding school capacity within the County. The foregoing contribution shall be made by Owner to the County upon the earlier of (i) the approval by the County of site plans or

subdivision plats for at least 1,000 dwelling units on the Property, or (ii) within 90 days after receipt of a written request from the school district for the funds. The County shall not be obligated to grant final subdivision plat or site plan approval for residential dwelling units on the Property after such payment is triggered until the contribution is made.

(f) The contributions described in subsections (a) through (d) above shall be payable at the time of issuance of a certificate of occupancy for the residential unit or non-residential building.

(g) The per unit contribution amounts shall consist of the amounts set forth in subsections (a) and (b) above plus any adjustments included in the Marshall and Swift Building Costs Index (the "Index") from 2019 to the year a payment is made if payments are made after on or after January 1, 2020. The per unit contribution amount shall be adjusted once a year with the January supplement of the Index of the payment year. In no event shall the per unit contribution be adjusted to a sum less than the amounts set forth in the preceding subsections of this Section. In the event that the Index is not available, a reliable government or other independent publication evaluating information heretofore used in determining the Index (approved in advance by the County 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.

(h) The County, JCSA, and Owner acknowledge and agree that the obligations of Owner to make cash contributions for water system improvements is governed by the Water Facilities Agreement dated April 29, 2005 among JCSA and the predecessors in title to Owner to the Property.

8. **Water Conservation.**

(a) The Owner shall be responsible for developing water conservation standards to be submitted to and approved by JCSA. The Community Association shall be responsible for enforcing these standards. The standards shall address such water conservation measures as (i) use of a reclaimed water system ("Reclaimed Water System") for irrigation if such system is constructed, (ii) limitations on the installation and use of irrigation systems (other than the Reclaimed Water System) and irrigation wells, (iii) if the Reclaimed Water System is not constructed, the use of approved landscaping materials such as warm season turf in appropriate growing areas and drought tolerant native plants, and (iv) 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 for development on the Property.

(b) If the Owner desires to have outdoor watering of common areas on the Property it shall provide water for irrigation utilizing the Reclaimed Water System if it is constructed or otherwise from recycled water or surface water collection from surface water ponds and shall not use JCSA water or well water for irrigation purposes, except as provided below. This requirement prohibiting the use of well water may be waived or modified by the General Manager of JCSA if the Owner demonstrates to JCSA General Manager that there is insufficient water for irrigation from recycled water or in the surface water impoundments, and the Owner may apply for a waiver for shallow (less than 100 feet) wells to supplement the recycled water supply or surface water impoundments. Owner acknowledges a waiver will be required for each well requested.

9. **Environmental Protection.**

9.1 **Stormwater Management Plans.** At least 60 days prior to submission of development plans for a Tract as designated on the Master Plan within the Property, Owner shall submit to the County a conceptual master stormwater management plan for that Tract (“Stormwater Plan”). Each Stormwater Plan shall include the following: (i) narrative providing information about specific site plans including proposed land use, significant environmental constraints, and proposed method for meeting stormwater management requirements; (ii) preliminary site plan with conceptual layout of road network and utilities; (iii) completed Significant Design Consideration Checklist; (iv) identification of proposed location and type of each stormwater management device; (v) mapping of existing conditions drainage areas and environmental constraints; (vi) identification of stream crossings including proposed type of crossing and summary of environmental impacts and mitigation requirements; and (vii) outfall channels. The submittal will not include calculations or detail sheets representing the design of stormwater management devices.

9.2 **Stormwater Management Inventory System.** Owner shall create a comprehensive inventory of all stormwater management devices within the Property. This inventory shall include data sheets for every device that will include basic information including location, type, and size of device. Additionally, a digital picture and other design information such as required storage volume and general operations and maintenance requirements shall be included. The goal of the system is to provide an interactive means by which the Community Association can maintain the stormwater management system and work proactively with the County. The database will be designed in accordance with any existing James City County stormwater management inventory

standards. The initial version of the system shall be submitted with the first conceptual Stormwater Plan for the Property and the inventory system shall be updated as each Tract develops.

9.3 Building RPA Setback. A 25 foot setback from the defined RPA buffer is hereby established so that no building will be erected within 25 feet of the RPA. This additional setback shall be shown on all site plans, subdivision plans, and plans of development.

9.4 Natural Resources. A natural resource inventory of suitable habitats for S1, S2, S3, G1, G2, or G3 resources as defined in the County's Natural Resources Policy on the portion of the Property then proposed for development shall be submitted to the Planning Director for his/her review and approval prior to land disturbance of such portion of the Property. If the inventory confirms that a natural heritage resource exists, a conservation management plan shall be submitted to and approved by the Planning Director for the affected area. All inventories and conservation management plans shall meet the Virginia Department of Conservation and Recreation's Division of Natural Resources ("DCR/DNH") standards for preparing such plans, and shall be conducted under the supervision of a qualified biologist as determined by the DCR/DNH or the United States Fish and Wildlife Service. All approved conservation management plans shall be incorporated into the plan of development for the portion of the Property then proposed for development, and the clearing, grading or construction activities thereon, to the maximum extent possible. Upon approval by the Planning Director, a mitigation plan may substitute for the incorporation of the conservation management plan into the plan of development for the site. This proffer shall be interpreted in accordance with the County's Natural Resources Policy adopted by the County on July 27, 1999.

9.5 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 for the single family lots shown on each subdivision plat of the Property. The Plans shall be submitted to the County's Stormwater & Resource Protection Director for review and approval prior to the issuance of the building permits for more than 25% of the units shown on the subdivision plat. Upon approval, the Owner so long as it controls the Community Association and thereafter the Community Association shall be responsible for ensuring that any nutrients applied to common areas which are controlled by the Community 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 five years after issuance of the Certificate of Occupancy for the first 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.

9.6 Water Quality Monitoring Program. Owner shall cooperate with the Environmental and Stormwater Divisions in establishing three water quality monitoring stations on the Property in locations approved by Owner. These stations will be located to operate in conjunction with any other stream monitoring conducted by Owner pursuant to permit or regulatory requirements.

9.7 Low Impact Development Education. Prior to the issuance of building permits that would result in more than 50 total dwelling units or 30,000 sf of non-residential use(s) on Tract 10B, an interpretive kiosk will be constructed or Guaranteed, as generally depicted upon that

certain exhibit entitled “Tract 10B Preservation Square”, dated July 26, 2019, prepared by Cole Jenest & Stone, a copy of which is on file in the Office of the County Planning Director. This interpretive kiosk will provide images and a narrative explaining the significance of low impact development techniques and the location of example features within the Property.

10. **Conceptual Review.** At least 60 days prior to submission of a development plan for all or any portion of a Tract, Owner shall submit a conceptual development plan for the development of the entire Tract to the Planning Director for review and comment by the Planning Director and the Development Review Committee. The conceptual development plan shall show the layout of lots/units or commercial buildings, density in units or square footage, road locations, amenity areas and improvements, trails and pedestrian paths, common and natural open space, required or proffered buffers, proposed clearing limits and any archaeology or natural resource preservation areas within the tract. Such review shall be for the purposes of determining general consistency with zoning ordinance requirements, the Master Plan, these proffers, and other applicable County policies.

11. **Work Force Housing.** A minimum of 85 of the residential units shall be offered for sale at a price at or below \$313,735.50 (“Workforce Units”) subject to adjustment as set forth herein. The maximum price for Workforce Units shall be adjusted annually, on January 1st of each year, by increasing such price by the cumulative rate of inflation as measured by the Index annual average change for the period from 2019 to the year a Workforce Unit is sold if such sale occurs on or after January 1, 2020. 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 maximum price for Workforce Units to approximate the rate of annual inflation in the County.

The Planning Director shall be provided with a copy of the settlement statement for each sale of a Workforce Unit and a spreadsheet prepared by Owner showing the prices of all of the Workforce Units that have been sold for use by the County in tracking compliance with the price restrictions applicable to the Workforce Units.

12. **Water and Sewer Master Plans.** Owner shall submit to the JCSA for its review and approval an overall master water and sanitary sewer plan for the Property prior to the submission of any development or subdivision plans for the Property. The overall Master Plan will be submitted as a skeletized layout reflecting the major pressure lines of the system with calculations justifying the line sizes. The purpose of the overall water master plan is to be sure the “system backbone” is appropriately sized for total build-out and not handled on a section-by-section submittal basis. The overall Master Water Plan shall also identify at what point in the development a future water source/facility may be required. JCSA will not require lift station locations and gravity sewer layout to be shown as part of the overall Master Sewer Plan. These items will be included on sub-Development Area master plan submittals when more detail can be provided (i.e. lift station locations, gravity sewer layout, looping of waterlines, etc.). It is understood the Reclaimed Water System if implemented will impact the overall Master Sewer Plan. Assuming that the project will be moving forward with sections of the development prior to this determination, notes/disclaimers will be added to the overall Master Sewer Plan stating the

water re-use facility is not included. If the Reclaimed Water System does happen, then revised overall Master Sewer Plans will have to be submitted.

13. **Strip Shopping Centers Prohibited.** No non-residential development in Tract 10 shall consist of an unbroken row or line of building fronts which are one unit deep and parallel or principally oriented to either Fieldstone Parkway or Six Mount Zion Road, with the parking field for such buildings located between the building and Fieldstone Parkway. It is the intent of this proffer to prohibit retail development commonly known as “strip retail/commercial development.” Development plans for non-residential development in Tract 10 shall be subject to approval by the Planning Director as to their compliance with this proffer.

14. **Design Review.** Owner shall prepare and submit design review guidelines for each Tract of the Property to the Planning Director setting forth design and architectural standards consistent with the section of the Community Impact Statement, a copy of which is on file in the Office of the County Planning Director, entitled “Architectural Criteria” for the development of the Tract prior to the County being obligated to grant final approval to any development plans for the Tract (the “Guidelines”). Owner shall establish one or more Design Review Board(s) to review all building plans and building elevations for conformity with the Guidelines and to approve or deny such plans.

15. **Tract 10B.** Prior to approval of a site plan and/or subdivision plan for residential development of Tract 10B, Owner shall obtain approval of a subdivision plat that establishes a parcel or parcels for the non-residential use intended on Tract 10B. Such residential site plan and or subdivision plan shall include easements for access and utilities adequate to serve the non-

residential development intended for Tract 10B. The gross acreage of non-residential use(s) in Tract 10B shall be not less than 8.0 acres.

16. **Headings.** All section and subsection headings of Conditions herein are for convenience only and are not a part of these Proffers.**Severability.** If any condition or part thereof set forth herein shall be held invalid or unenforceable for any reason by a court of competent jurisdiction, the invalidity or unenforceability of such condition or part thereof shall not invalidate any other remaining condition contained in these Proffers.

18. **Successors and Assigns.** These Proffers shall run with the title to the Property and shall be binding on the parties hereto and their respective successors and assigns; provided, however once a party ceases to own any portion of the Property, such party shall have no continuing liability hereunder.

19. **Void if Amended Application not Approved.** In the event that the Amended Application is not approved by the County or is overturned by subsequent judicial determination, these Proffers and the Master Plan shall be null and void.

[Signatures located on following pages]

Signature page to the Amended and Restated Stonehouse Proffers.

WITNESS the following signatures and seals:

SCP-JTL STONEHOUSE OWNER 1 LLC

By: David C. Lan
Title: Authorized Representative

STATE OF TEXAS
CITY/COUNTY OF DALLAS, to-wit:

The foregoing instrument was acknowledged before me this 20th day of September, 2019, by DAVID A. LAN, AUTHORIZED REPRESENTATIVE, of SCP-JTL STONEHOUSE OWNER 1 LLC, a Delaware limited liability company, on behalf of the company.

Linda A. Neal
NOTARY PUBLIC

My commission expires:
9-29-2021



Signature page to the Amended and Restated Stonehouse Proffers.

SCP-JTL STONEHOUSE OWNER 2 LLC

By: David C. Lane
Title: AUTHORIZED REPRESENTATIVE

STATE OF TEXAS
CITY/COUNTY OF DALLAS, to-wit:

The foregoing instrument was acknowledged before me this 20th day of September, 2019, by DAVID A. LANE, AUTHORIZED REPRESENTATIVE, of SCP-JTL STONEHOUSE OWNER 2 LLC, a Delaware limited liability company, on behalf of the company.

Linda A. Neal
NOTARY PUBLIC

My commission expires:
7-29-2021



Signature page to the Amended and Restated Stonehouse Proffers.

STONEHOUSE OWNERS FOUNDATION

By: Robert W. Woodruff
Title: PRESIDENT

STATE OF Virginia
CITY/COUNTY OF Loudoun , to-wit:

The foregoing instrument was acknowledged before me this 23RD day of September, 2019, by Robert W. Woodruff, President, of STONEHOUSE OWNERS FOUNDATION, a Virginia non-stock corporation, on behalf of the company.

[Signature]
NOTARY PUBLIC

My commission expires:
2/28/2021



Signature page to the Amended and Restated Stonehouse Proffers.

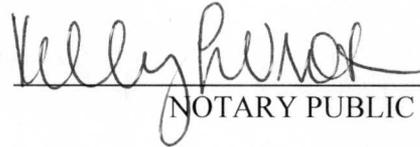
NVR, INC.



By: _____
Title: Vice President

STATE OF VA
CITY/COUNTY OF James City, to-wit:

The foregoing instrument was acknowledged before me this 23 day of September, 2019, by Jeff Ambrose, Vice President, of NVR, INC., a Virginia corporation, on behalf of the company.

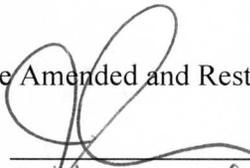

NOTARY PUBLIC

My commission expires:

5/31/2023

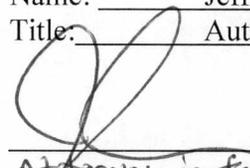
Kelly Lynn Wroten
NOTARY PUBLIC - Reg. No. 7149229
Commonwealth of Virginia
My Commission Expires May 31, 2023

Signature page to the Amended and Restated Stonehouse Proffers.


The authorized officer of NVR, Inc.
Attorney in fact for Anil Jain.
Anil Jain

By: Jeffrey C. Ambrose, the authorized officer of NVR, Inc., attorney-in-fact for Anil Jain

Name: Jeffrey C. Ambrose
Title: Authorized Officer

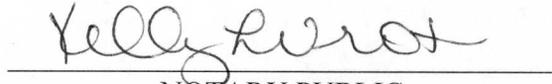

The authorized officer of NVR, Inc.
Attorney in fact for Krishnan Menon
Krishnan Menon

By: Jeffrey C. Ambrose, the authorized officer of NVR, Inc., attorney-in-fact for Krishnan Menon

Name: Jeffrey C. Ambrose
Title: Authorized Officer

STATE OF VA
CITY/COUNTY OF James City, to-wit:

The foregoing instrument was acknowledged this 23 day of September, 2019, by Jeffrey C. Ambrose, the authorized officer of NVR, Inc. as attorney-in-fact for Anil Jain and Kirshnan Menon.



NOTARY PUBLIC

My commission expires:
5/31/23

Kelly Lynn Wroten
NOTARY PUBLIC - Reg. No. 7149229
Commonwealth of Virginia
My Commission Expires May 31, 2023

Signature page to the Amended and Restated Stonehouse Proffers.

Mary Christina Allegretto

Mary Christina Allegretto, Trustee of the Restated Revocable Trust Agreement of Mary Christina Allegretto, dated April 21, 2006, amended December 4, 2008

James Daniel Allegretto

James Daniel Allegretto, Trustee of the Restated Revocable Trust Agreement of Mary Christina Allegretto, dated April 21, 2006, amended December 4, 2008

STATE OF VA
CITY/COUNTY OF James City, to-wit:

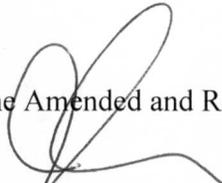
The foregoing instrument was acknowledged this 11th day of October, 2019, by Mary Christina Allegretto, Trustee and James Daniel Allegretto, Trustee of the Restated Revocable Trust Agreement of Mary Christina Allegretto, dated April 21, 2006, as amended.

Mary R. Hopkins
NOTARY PUBLIC

My commission expires:
10/31/2023

Mary Rogers Hopkins
NOTARY PUBLIC - Reg. No. 7839293
Commonwealth of Virginia
My Commission Expires October 31, 2023

Signature page to the Amended and Restated Stonehouse Proffers.

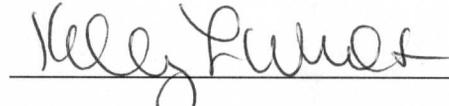

The authorized officer of NVR, Inc.
Attorney in fact for David Christopher Ferguson.
David Christopher Ferguson

By: Jeffrey C. Ambrose, the authorized officer of NVR, Inc., attorney-in-fact for David Christopher Ferguson

Name: Jeffrey C. Ambrose
Title: Authorized Officer

STATE OF VA
CITY/COUNTY OF James City, to-wit:

The foregoing instrument was acknowledged this 23 day of September, 2019, by Jeffrey C. Ambrose, the authorized officer of NVR, Inc. as attorney-in-fact for David Christopher Ferguson.



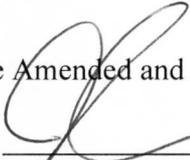
NOTARY PUBLIC

My commission expires:

5/31/23

Kelly Lynn Wroten
NOTARY PUBLIC - Reg. No. 7149229
Commonwealth of Virginia
My Commission Expires May 31, 2023

Signature page to the Amended and Restated Stonehouse Proffers.


The authorized officer of NVR, Inc.
Attorney in fact for Tyanne F. McDonald
Tyanne F. McDonald

By: Jeffrey C. Ambrose, the authorized officer of NVR, Inc., attorney-in-fact for Tyanne F. McDonald

Name: Jeffrey C. Ambrose
Title: Authorized Officer

STATE OF VA
CITY/COUNTY OF James City, to-wit:

The foregoing instrument was acknowledged this 23 day of September, 2019, by Jeffrey C. Ambrose, the authorized officer of NVR, Inc. as attorney-in-fact for Tyanne F. McDonald.

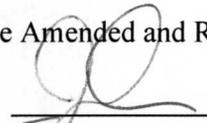


NOTARY PUBLIC

My commission expires:
5/31/23

Kelly Lynn Wroten
NOTARY PUBLIC - Reg. No. 7149229
Commonwealth of Virginia
My Commission Expires May 31, 2023

Signature page to the Amended and Restated Stonehouse Proffers.


the authorized officer of NVR, Inc., attorney in fact for Vianney Victoire
Vianney Victoire

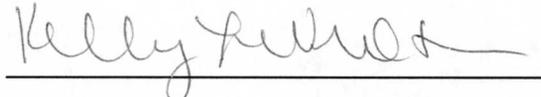
By: Jeffrey C. Ambrose, the authorized officer of NVR, Inc., attorney-in-fact for Vianney Victoire

Name: Jeffrey C. Ambrose
Title: Authorized Officer

STATE OF VA
CITY/COUNTY OF James City, to-wit:

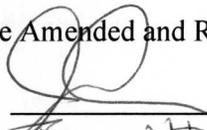
The foregoing instrument was acknowledged this 29 day of October, 2019, by Jeffrey C. Ambrose, the authorized officer of NVR, Inc. as attorney-in-fact for Vianney Victoire.

Kelly Lynn Wroten
NOTARY PUBLIC - Reg. No. 7149229
Commonwealth of Virginia
My Commission Expires May 31, 2023


NOTARY PUBLIC

My commission expires:
5/31/23

Signature page to the Amended and Restated Stonehouse Proffers.


the authorized officer of NVR,
Inc., attorney in fact for Gloria Ann Simonnet
Gloria Ann Simonnet

By: Jeffrey C. Ambrose, the authorized officer of NVR,
Inc., attorney-in-fact for Gloria Ann Simonnet

Name: Jeffrey C. Ambrose
Title: Authorized Officer

STATE OF VA
CITY/COUNTY OF James City, to-wit:

The foregoing instrument was acknowledged this 29 day of October,
2019, by Jeffrey C. Ambrose, the authorized officer of NVR, Inc. as attorney-in-fact for Gloria
Ann Simonnet.

Kelly Lynn Wroten
NOTARY PUBLIC - Reg. No. 7149229
Commonwealth of Virginia
My Commission Expires May 31, 2023



NOTARY PUBLIC

My commission expires:

5/31/23

EXHIBIT "A"
PROPERTY DESCRIPTION

OWNER: SCP-JTL STONEHOUSE OWNER 1 LLC

PIN NUMBERS: 0440100030; 0530100009; 0440100029; and 0440100025

Land Bay 5:

Parcel ID 0440100030:

All that certain lot, parcel or tract of land, lying, situate and being in Stonehouse Magisterial District, James City County, Virginia and being more particularly shown and described as Parcel B-1 on that certain plat entitled "Plat Showing Boundary Line Adjustment & Lotline Extinguishment being New Parcel B-1 and Lot 1, Section 1-A for 2J Investments, L.L.C.", prepared by G.T. Wilson, Jr., L.S., of AES Consulting Engineers, dated February 9, 2005 and recorded March 29, 2005 in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City as Instrument No. 050007055 to which plat reference is hereby made for a more particular description such property.

Parcel ID No. 0530100009:

All that certain lot, parcel or tract of land, situate, lying and being more particularly shown and described as Parcel B-2 on that certain plat of subdivision entitled "Subdivision Plat of Stonehouse Development Area One, Phase 1, Section 1-B, Section II-A, Section III-C, Parcel B and Parcel C being a subdivision of properties owned by Stonehouse Limited Liability Company and Stonehouse, Inc., prepared by Langley and McDonald, P.C., dated November 19, 1999, revised December 9, 1999, a copy of which is of record in the Clerk's Office of the Circuit Court of the City of Williamsburg and the County of James City, Virginia, in Plat Book 75 at Page 93 to which reference is hereby made for a more particular description of such property.

Land Bay 3:

Tax Parcel ID No.: 0440100029:

Section 1-B containing 19.1500 acres as shown on "Subdivision Plat of Stonehouse Development Area One, Phase I, Section I-B, Section II-A, Section III-C, Being a Subdivision of Properties Owned by Stonehouse Limited Liability Company and Stonehouse, Inc.", made by Langley and McDonald, Inc., dated November 19, 1999, last revised December 9, 1999, recorded in Plat Book 75, Pages 93-97, and that certain property shown as "Parcel R-5" on that certain "Subdivision Plat Showing Stonehouse Glen Section 1 & 2 and Right of Way of Fieldstone Parkway being a subdivision of the property of Fieldstone Investment, LLC and Stonehouse Glen, LLC" dated May 31, 2006, prepared by LandMark Design Group, recorded in the Clerk's Office for the City of Williamsburg and the County of James City as Instrument Number 060016179.

Land Bay 5 & Part of Tract 10A:

Tax Parcel ID No.: 0440100025:

All those certain lots, pieces or parcels of real property lying, being, and situated in the Stonehouse Magisterial District of James City County, Virginia, shown as "PARCEL B" on a that certain plat entitled "BOUNDARY LINE ADJUSTMENT PLAT OF PROPERTY OWNED BY STONEHOUSE, INC. AND GOLF TRUST OF AMERICA, L.P.", dated May 5, 1997, made by Langley and McDonald, P.C., recorded in the Circuit Court Clerk's Office for the County of James City and City of Williamsburg (the "Clerk's Office"), in Plat Book 66, at pages 89-93; and all that certain lot, piece or parcel of real property lying, being, and situated in the Stonehouse Magisterial District of James City County, Virginia, shown as "SECTION II-A" on that certain plat entitled "SUBDIVISION PLAT OF STONEHOUSE DEVELOPMENT AREA ONE, PHASE 1 SECTION I-B, SECTION II-A, SECTION III-C PARCEL B AND PARCEL C BEING A SUBDIVISION OF PROPERTIES OWNED BY STONEHOUSE LIMITED LIABILITY COMPANY AND STONEHOUSE INC.", dated November 19, 1999, revised December 9, 1999, prepared by Langley and McDonald, Inc., recorded in the Clerk's Office in Plat Book 75, at pages 93-97; LESS AND EXCEPT the following described property:

1. All that property shown as "PARCEL B-1" and "PARCEL B-2" on that certain plat entitled "SUBDIVISION PLAT OF STONEHOUSE DEVELOPMENT AREA ONE, PHASE 1 SECTION I-B, SECTION II-A, SECTION III-C PARCEL B AND PARCEL C BEING A SUBDIVISION OF PROPERTIES OWNED BY STONEHOUSE LIMITED LIABILITY COMPANY AND STONEHOUSE INC.", dated November 19, 1999, revised December 9, 1999, prepared by Langley and McDonald, Inc., recorded in the Clerk's Office in Plat Book 75, at pages 93-97;
2. All that property shown as "WELL FACILITY W-25" and "EXISTING WELL FACILITY W-26" on that certain plat entitled "SUBDIVISION & CONVEYANCE PLAT OF WELL FACILITY W-25 AND VARIABLE WIDTH UTILITY EASEMENT TO JAMES CITY SERVICE AUTHORITY FROM STONEHOUSE DEVELOPMENT CO., LLC", dated February 11, 2002, prepared by Landmark Design Group, recorded in the Clerk's Office in Plat Book 85, at pages 72 and 73;
3. All that property shown as "WASTEWATER LIFT STATION NO. 9-1" on that certain plat entitled "SUBDIVISION AND CONVEYANCE PLAT OF WASTEWATER LIFT STATION NO. 9-1 TO JAMES CITY SERVICE AUTHORITY FROM STONEHOUSE DEVELOPMENT CO., LLC.", dated January 15, 2002, prepared by Landmark Design Group, recorded in the Clerk's Office in Plat Book 85, at page 71; and
4. Public Right of Way and all that property shown as "FIELDSTONE PARKWAY", "BMP #6", "PARCEL R-3", "PARCEL R-4", and "Parcel R-5" on that certain plat entitled "SUBDIVISION PLAT SHOWING STONEHOUSE GLEN SECTION 1 & 2 AND RIGHT OF WAY OF FIELDSTONE PARKWAY BEING A SUBDIVISION OF THE PROPERTY OF FIELDSTONE INVESTMENT, LLC AND STONEHOUSE GLEN, LLC", dated May 31, 2006, prepared by LandMark Design Group, recorded in the Clerk's Office as Instrument Number 060016179.

OWNER: SCP-JTL STONEHOUSE OWNER 2, LLC

PIN NUMBERS: 0540100011; 0540100012; 0540100015; 0540100016; 0630100005; 0630100006; and 0540100002

Tract S:

Parcel ID 0540100011:

“Slater” Tract, containing 158 acres, more or less, as depicted on a plat thereof dated May 4, 1914, made by Sidney Smith, Surveyor, recorded in Plat Book 2, Page 50, including the church lot and the James Taylor Lot shown on the plat. Less and Except that portion of the property conveyed to the Commonwealth of Virginia for Route 600 recorded in Deed Book 53, Page 186, Being the same property conveyed The Chesapeake Corporation of Virginia by A.D. Slater and wife by deed dated December 13, 1972, recorded in Deed Book 143, Page 425.

Tax Parcel ID No.: 0540100012:

“FILICHKO” Tract, containing 10.238 acres, being more particularly shown and described on a plat of survey by B.C. Littlepage, C.L.S., dated November 5, 1971, recorded in Plat Book 29, Page 6, being the same property conveyed to Chesapeake Corporation by John R. Filichko and wife by deed dated April 11, 1988, recorded in Deed Book 387, Page 143. Less and Except that property shown as “New Right of Way” on that certain plat entitled “Plat Showing Right of Way Being The Extension of Lagrange Parkway and Re-Alignment of A Portion of State Route 600”, dated July 8, 2002, last revised January 16, 2003, prepared by LandMark Design Group, recorded in the Clerk’s Office for the City of Williamsburg and the County of James City as Instrument Number 030010861.

Land Bay 3:

Tax Parcel No. 0540100015:

That certain tract or parcel of land located in James City County, Virginia shown and designated as “Tract One 272.98+/- AC.” on the plat entitled Boundary Line Adjustment of the Properties of GS Stonehouse Green Land Sub, LLC” made by LandMark Design Group and dated 08-21-08, which plat is recorded in the Clerk’s Office as Instrument No. 080027247.

A portion of which is also shown on that certain plat entitled “SUBDIVISION PLAT SHOWING PUMP HOUSE PARCEL ON STONEHOUSE TRACT 3” dated Feb. 7, 2018 made by Timmons Group and recorded in the Clerk’s Office of the Circuit Court for the City of Williamsburg and the County of James City as Instrument No. 180020132.

Tax Parcel Nos.: 0540800001A; 0540800022; 0540800023; 0540800024; 0540800025; 0540800026; 0540800027; 0540800028; 0540800029; 0540800030; 0540800031; 0540800032; 0540800033; 0540800036; 0540800037; 0540800038; 0540800039; 0540800040; 0540800041; 0540800078; 0540800079; 0540800080; 0540800081; 0540800082; 0540800083; 0540800084; 0540800085; 0540800086:

A portion of which is also shown on that certain plat entitled "SUBDIVISION OF STONEHOUSE TRACT 3 PARCEL "A" & PARCEL "A", SECTION 1 LOTS 22 THROUGH 33, LOTS 36 THROUGH 41, & LOTS 78 THROUGH 86 STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA" dated 01/29/2019 made by LandTech Resources, Inc. and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and the County of James City as Instrument No. 190002836.

A portion of which is also shown on that certain plat entitled "BOUNDARY LINE ADJUSTMENT PLAT LOTS 22 THROUGH 33, LOTS 36 THROUGH 41, LOTS 78 THROUGH 86, OPEN SPACE #1 & PARCEL A FUTURE DEVELOPMENT STONEHOUSE TRACT 3 PARCEL "A", SECTION 1 STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA" dated September 4, 2019 made by LandTech Resources, Inc. and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and the County of James City as Instrument No. 190015433.

Tax Parcel Nos.: 0540900001A; 0540900002; 0540900003; 0540900004; 0540900005; 0540900006; 0540900007; 0540900008; 0540900009; 0540900010; 050900011; 0540900012; 0540900013; 0540900014; 0540900015; 0540900016; 0540900017; 0540900018; 0540900019; 0540900020; 0540900021; 0540900022; 0540900023; 0540900024; 0540900025; 0540900026; 0540900027:

A portion of which is also shown on that certain plat entitled "SUBDIVISION OF STONEHOUSE TRACT 3 CREATING PARCEL "B" & PARCEL "B" SECTION 1 LOTS 2 THROUGH 27 STONEHOUSE DISTRICT JAMES CITY COUNTY VIRGINIA" dated 12/12/2018 made by LandTech Resources, Inc. and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City as Instrument No. 190000917.

Tract 11A & Part of Tract 11B:

Tax Parcel No. 0540100016:

That certain tract or parcel of land located in James City County, Virginia shown and designated as "Tract Two 587.43+/- AC." on the plat entitled "Boundary Line Adjustment of the Properties of GS Stonehouse Green Land Sub, LLC" made by LandMark Design Group and dated 08-21-08, which plat is recorded in the Clerk's Office as Instrument No. 080027247.

Tract 8, Tracts 1A, 1B, 4, 5, 6 & 7, Part of Tract 11B and Part of Tract 2:

Tax Parcel No. 0630100005:

That certain tract or parcel of land located in James City County, Virginia shown and designated as "Tract Three 3031.43+/- AC." On the plat entitled "Boundary Line Adjustment of the Properties of GS Stonehouse Green Land Sub, LLC" made by LandMark Design Group and dated 08-21-08, which plat is recorded in the Clerk's Office as Instrument No. 0800272427.

LESS AND EXCEPT those certain pieces or parcels of land shown as 'RIVERFRONT PRESERVE' and "STONEHOUSE PRESERVE" on that certain exhibit entitled "EXHIBIT SHOWING THE PROPOSED LOCATION OF SUBDIVISION OF THE RIVERFRONT

PRESERVE & STONEHOUSE PRESERVE JAMES CITY COUNTY VIRGINIA” dated 10/08/2019 made by LandTech Resources, Inc., a copy of which is attached hereto as Exhibit B and made a part hereof.

Part of Tract 2:

Tax Parcel No. 0630100006:

That certain tract or parcel of land located in James City County, Virginia shown and designated as “Tract Four 38.74+/- AC.” on that plat entitled “Boundary Line Adjustment of the Properties of GS Stonehouse Green Land Sub, LLC” made by LandMark Design Group and dated 08-21-08, which plat is recorded in the Clerk’s Office as Instrument No. 080027247.

Part of Tract 10A and Tract 10B

Tax Parcel No. 0540100002:

“LAGRANGE” Tract, containing 203.29 acres, more or less, being Parcels A, B and D on a plat of survey made by John B. Vance, Jr., C.L.S., dated February 5, 1972, recorded in Plat Book 29, page 40. Being the same land conveyed to the Chesapeake Corporation of Virginia by Littleberry James Haley, Jr. et al., by deed dated March 30, 1981, recorded in Deed Book 212, Page 411.

LESS AND EXCEPT all lands lying north of the southerly boundary line of “Fieldstone Parkway” shown on that certain plat entitled “SUBDIVISION PLAT SHOWING STONEHOUSE GLEN SECTION 1 & 2 AND RIGHT OF WAY OF FIELDSTONE PARKWAY BEING A SUBDIVISION OF THE PROPERTY OF FIELDSTONE INVESTMENT, LLC AND STONEHOUSE GLEN, LLC” dated May 31, 2006, prepared by LandMark Design Group, recorded in the Clerk’s Office for the City of Williamsburg and the County of James City as Instrument Number 060016179.

OWNER: SCP-JTL STONEHOUSE OWNER 1 LLC

PIN NUMBERS: 0530100010; 0530100020; 0530100025; 0530100023; 0530100024; 0640100001; 1210100047; 1310100008A; and 1310100019

Land Bay 14:

Parcel I:

Tax Parcel ID No. 0530100010:

Section III-C containing 16.0620 acres, all as shown on “Subdivision Plat of Stonehouse Development Area One, Phase I, Section I-B, Section II-A, Section III-C, Being a Subdivision of Properties Owned by Stonehouse Limited Liability Company and Stonehouse Inc.”, made by Langley and McDonald, Inc., dated November 19, 1999, last revised December 9, 1999 and recorded in Plat Book 75 at Pages 93-97.

Parcel II: Tax Parcel ID No.: 0530100020:

All that certain piece, parcel or tract of land, situate, lying and being in Stonehouse Magisterial District, James City County, Virginia, and being more particularly shown and described on that certain plat entitled "Composite Plat showing a Portion of Parcel A, Stonehouse Development Company, L.L.C., prepared by G.T. Wilson, Jr. L.S., dated January 14, 2004 and revised March 18, 2004, a copy of which is recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City as Instrument No. 040008576, which plat was recorded with that certain Deed of Bargain and Sale from Stonehouse Development Company, LLC, a Virginia limited liability company, to 2J Investments, LLC, a Virginia limited liability company, dated March 16, 2004 and recorded March 25, 2004 in the aforesaid Clerk's Office as Instrument No. 040008576, and to which plat reference is hereby made for a more particular description of such property.

Land Bay 8:

Parcel I: Tax Parcel ID No.: 0530100025:

That certain property shown as "Parcel R-5", on that certain "Subdivision Plat showing Stonehouse Glen Section 1 and 2 and Right-of-Way of Fieldstone Parkway being a Subdivision of the Property of Fieldstone Investment, LLC and Stonehouse Glen, LLC", dated May 31, 2006, prepared by LandMark Design Group, recorded in the Clerk's Office of the City of Williamsburg and the County of James City as Instrument No. 060016179.

Parcel II: Tax Parcel ID No.: 0530100023:

All that property shown as "Parcel R-4", on that certain plat entitled "Subdivision Plat showing Stonehouse Glen Section 1 and 2 and Right-of-Way of Fieldstone Parkway being a Subdivision of the property of Fieldstone Investment, LLC and Stonehouse Glen, LLC", dated May 31, 2006, prepared by LandMark Design Group, recorded in the Clerk's Office of the City of Williamsburg and the County of James City as Instrument No. 060016179.

Parcel III: Tax Parcel ID No.: 0530100024:

All that certain piece or parcel of land located in James City County, Virginia shown and designated as "BMP #6 1.1797 ac.", on that certain plat entitled "Subdivision Plat showing Stonehouse Glen Sections 1 and 2 and Right-of-Way of Fieldstone Parkway being a Subdivision of the Property of Fieldstone Investment, LLC and Stonehouse Glen, LLC", dated May 31, 2006, prepared by LandMark Design Group, recorded in the Clerk's Office of the City of Williamsburg and the County of James City as Instrument No. 060016179.

Tract 13 & Open Space around Commerce Park:

Tax Parcel ID Nos.: 0640100001 and 1210100047:

"Lagrange" Tract containing (i) 223.89 acres as depicted on that Plat of survey dated August 26, 1988, made by Charles J. Kerns, Jr., L.S., and recorded in Plat Book 50, Page 11, as conveyed to Chesapeake Corporation by Sheldon Lumber Company, Incorporated, dated April 29, 1987 and recorded in Deed Book 393 at Page 285, and (ii) 4.75 acres, depicted as Parcel B on Plat of survey dated March 29, 1984, made by AES, and recorded in Deed Book 246 at Page 313, as conveyed

to Stonehouse Inc. by deed from Howard V. Clayton and Marion P. Clayton, dated January 28, 1992 and recorded in Deed Book 549, Page 59.

Less and Except the following described property:

1. 15.00 acres depicted on "Plat of Section A of Stonehouse Commerce Park at Stonehouse for Stonehouse, Inc." dated October 10, 1995, made by Langley and McDonald, P.C., and recorded in Plat Book 62 at Pages 94-96, as conveyed to Amoco/Enron Solar, by deed dated October 12, 1995 and recorded in Deed Book 758 at Page 721;

2. 11.1906 acres depicted as Parcel A on "Plat of Section A of Stonehouse Commerce Park at Stonehouse for Stonehouse Inc.", dated October 10, 1995, made by Langley and McDonald, P.C., and recorded in Plat Book 62 at Page 94-96, as conveyed to the Industrial Development Authority of James City County, by deed dated September 30, 1996 and recorded in Deed Book 809 at Page 728;

3. 4.600 acres depicted as Stonehouse Commerce Park, Section B, Parcel A on that Plat entitled "Plat of Section B of Stonehouse Commerce Park at Stonehouse for Stonehouse Inc.", made by Langley and McDonald, P.C., dated January 23, 1998 and recorded in Plat Book 68 at Pages 60-61, as conveyed to The Barre Company, L.L.C., by deed dated March 3, 1998 and recorded as Document No. 98-4099;

4. 6.245 acres as depicted on "Plat of Boundary Line Adjustment Stonehouse Commerce Park between Avid Realty, L.L.C. and Stonehouse Inc.", dated May 2, 2002, made by AES Consulting Engineers, and recorded in the Clerk's Office aforesaid in Plat Book 87 at Page 89, of which 3.100 acres, depicted as Stonehouse Commerce Park, Section B, Parcel B on that Plat entitled "Plat of Section B of Stonehouse Commerce Park at Stonehouse for Stonehouse Inc.", made by Langley and McDonald, P.C., dated January 23, 1998 and recorded in Plat Book 68 at Pages 60-61, was conveyed to Avid Realty, L.L.C., by deed from Stonehouse Inc., dated June 23, 1998 and recorded as Document No. 98-11721;

5. 74.3712 acres depicted as "Stonehouse Commerce Park, Section C, Parcel A", on the Plat entitled "Plat of Section C of Stonehouse Commerce Park at Stonehouse Commerce Park at Stonehouse Inc.", made by Langley and McDonald, P.C., dated March 22, 1999 and recorded in Plat Book 73 at Page 38-39, as conveyed to Wachovia Capital Investments, Inc., by deed from Stonehouse Inc., dated May 17, 1999 and recorded as Instrument No. 99-11248;

6. 4.1278 acres depicted as "Stonehouse Commerce Park, New Parcel B-1, Section C", on the Plat entitled "Resubdivision Plat of Section C, Parcel B of Stonehouse Commerce Park at Stonehouse Commerce Park at Stonehouse for Stonehouse Inc.", made by Landmark Design Group, dated April 5, 2000 and recorded in Plat Book 77 at Pages 28-29, as conveyed to Friendship Partnership, LLC, by deed from Stonehouse Inc., dated April 6, 2000 and recorded as Instrument No. 00-7666;

7. Parcel A-2B containing 4151 S.F., Parcel A-2A containing 2750 S.F. and Parcel A-1A containing 2050 S.F., all as depicted on "Resubdivision Plat of Section A, Parcel A of Stonehouse Commerce Park at Stonehouse for the Industrial Development Authority of the County of James City, Virginia", made by Landmark Design Group, dated March 17, 2000, last revised June 23, 2000 and recorded in Plat Book 78 at Pages 4-5, and as conveyed to The Industrial Development

Authority of James City County by three deeds from Stonehouse Inc., all dated June 23, 2000, June 23, 2000 and June 23, 2000 and recorded as Instrument Nos. 00-12706, 00-12707 and 00-12708, respectively;

8. All that certain lot, piece or parcel of land with all improvements hereon and appurtenances thereunto belonging, situate, lying and being in the County of James City, Virginia, known and designated as "New Parcel", consisting of 10.3+/- acres, more or less, as shown on that certain Plat entitled "Subdivision of the Property of Stonehouse at Williamsburg, LLC at Stonehouse Commerce Park, Stonehouse District, James City County, Virginia, made by Landmark Design Group, dated October 24, 2003 and revised October 28, 2003 and recorded in the Clerk's Office of the Circuit Court for the County of James City, Virginia, as Instrument No. 030039997, to which reference is here made;

9. All that certain lot, piece or parcel of land with all improvements thereon and appurtenances thereunto belonging, situate, lying and being in the County of James City, Virginia, known and designated as "Parcel A 24,157 S.F. .05689 AC", on that certain Plat entitled "Subdivision Plat of Parcel A & Parcel B Section D, Stonehouse Commerce Park being a portion of the property of Commerce Park at Stonehouse, LLC", made by Landmark Design Group, dated September 26, 2005, attached to that certain Supplemental Declaration of Protective Covenants, Easements and Restrictions for Stonehouse Commerce Park dated April 18, 2006 and recorded in the Clerk's Office of the Circuit Court for the County of James City, Virginia as Instrument No. 060009197, and the easement rights to be conveyed therewith as noted on the aforementioned Plat;

10. All that property shown as "New Right-of-Way" on that certain Plat entitled "Plat showing Right-of-Way being the extension of LaGrange parkway and Realignment of a portion of State Route 600", dated July 8, 2002, last revised January 16, 2003, prepared by LandMark Design Group, and recorded in the Clerk's Office for the City of Williamsburg and the County of James City as Instrument No. 030010861;

11. That certain lot or parcel of land located in the Stonehouse District of James City County, Virginia, shown and set out as "Parcel B, 100,898 S.F., 2.3163 AC", on the Plat of Subdivision entitled "Subdivision Plat of Parcel A and Parcel B, Section D, Stonehouse Commerce Park Being a Portion of the Property of Commerce Park at Stonehouse, LLC", prepared by Landmark Design Group, dated February 16, 2006 consisting of three sheets, which Plat of Subdivision is recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City as Instrument No. 060009197;

Tract 9 (Middle School):

Tax Parcel ID No.: 1310100008A:

Parcel I:

All that certain tract or parcel of land situate, lying and being in Stonehouse District, James City County, Virginia, known and designated as "35.0 acres, +/-", on a certain Plat entitled "Survey of 35 Acres +/-, for Conveyance to: Jackie L., Gary M. and Steve L. Massie from: Leon Carr Avery and Maxie G. Avery", made by AES, a professional corporation, dated March 11, 1982, which

Plat is recorded in the Clerk's Office, Circuit Court, James City County, Virginia, in Plat Book 37 at Page 24.

Parcel II:

All that certain tract or parcel of land, situate, lying and being in Stonehouse District, James City County, Virginia, known and designated as "7.31 acres", on Plat entitled "Boundary Survey of 7.31 acres located on the North line of Route 30", made by AES, a professional corporation, dated December 17, 1984 and described by metes and bounds in that certain deed recorded in the Clerk's Office aforesaid in Deed Book 262 at Page 455.

Tax Parcel ID No.: 1310100019:

All that certain tract of land lying in Stonehouse District, James City County, Virginia, containing 48.21 acres, more or less, and being in the residue of the "Tankard" Tract, known among the tax records for said county as Tax Map 13-1 (1-19). Reference is made to that Plat of survey recorded in the Clerk's Office, Circuit Court, James City County, Virginia, in Plat Book 50 at Page 14, and Deed recorded in Deed Book 420 at Page 712, that Plat recorded in Plat Book 88 at Pages 43-44, and that Deed recorded as Instrument No. 020027159.

OWNER: STONEHOUSE OWNERS FOUNDATION

Tax Parcel ID #0540100017

All that certain lot or parcel of land conveyed to Stonehouse Owners Foundation in Instrument No. 140015279 and shown as "New Parcel, Amenity H, 461,136 S.F./10.586 Acres" on plat recorded as Instrument No. 090021691.

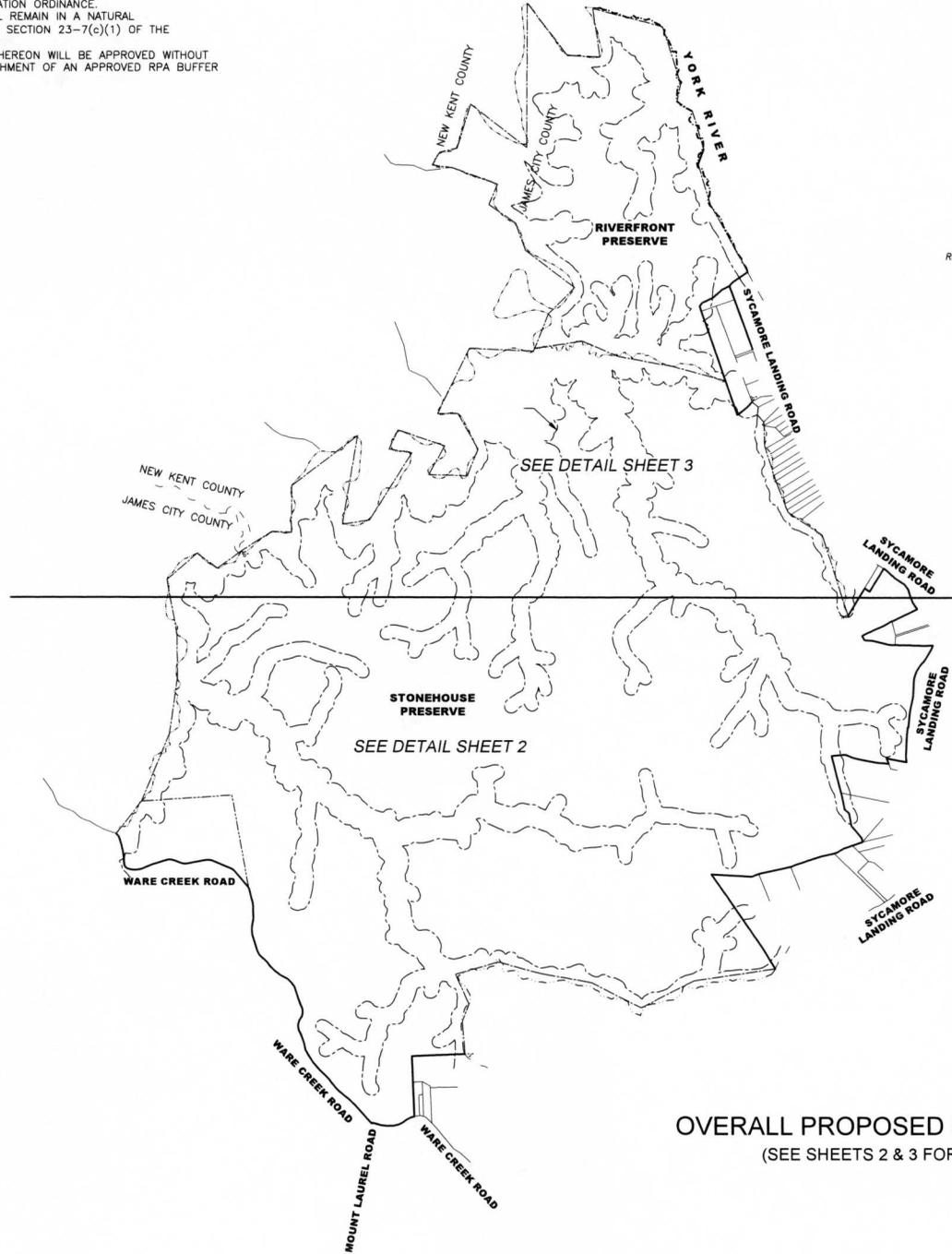
PLAT ATTACHED

INSTRUMENT 190018770
RECORDED IN THE CLERK'S OFFICE OF
WMSBG/JAMES CITY CIRCUIT ON
DECEMBER 18, 2019 AT 03:00 PM
MONA A. FOLEY, CLERK
RECORDED BY: JLZ

EXHIBIT B

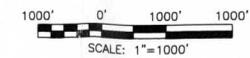
NOTES:

1. THIS EXHIBIT WAS COMPILED FROM PLATS OF RECORD AND DOES NOT REPRESENT A CURRENT FIELD SURVEY OF THE PROPERTY SHOWN HEREON.
2. THIS PROPERTY LIES WITHIN A RESOURCE PROTECTION AREA AND A RESOURCE MANAGEMENT AREA AND IS SUBJECT TO JAMES CITY COUNTY'S CHESAPEAKE BAY PRESERVATION ORDINANCE.
3. WETLANDS AND LANDS WITHIN RESOURCE PROTECTION AREAS SHALL REMAIN IN A NATURAL UNDISTURBED STATE EXCEPT FOR THOSE ACTIVITIES PERMITTED BY SECTION 23-7(c)(1) OF THE JAMES CITY COUNTY CODE.
4. NO SUBDIVISION AND/OR DEVELOPMENT OF THE PARCELS SHOWN HEREON WILL BE APPROVED WITHOUT THE REQUIRED WETLAND DELINEATION AND MAPPING AND ESTABLISHMENT OF AN APPROVED RPA BUFFER PER COUNTY CODE SECTION 23-7(C).



RPA = APPROXIMATE LIMIT OF RESOURCE PROTECTION AREA (PER INST. #080027247)

OVERALL PROPOSED SUBDIVISION
(SEE SHEETS 2 & 3 FOR DETAIL)



LRI
LANDTECH
RESOURCES, INC.
 ENGINEERING & SURVEYING CONSULTANTS
 2024 Wickham Road, York, Virginia, U.S.A. 23696
 Ph: (757) 565-1977 Fax: (757) 565-0782
 www.landtechresources.com

| |
|------------------|
| SCALE: 1"=1000' |
| DATE: 10/08/2019 |
| JOB: 17-378 |
| DRAWN BY: LRI |
| SHEET: 1 OF 3 |

| NO. | DATE | REVISION / COMMENT / NOTE |
|-----|------|---------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

EXHIBIT
 SHOWING THE PROPOSED LOCATION OF SUBDIVISION OF THE
 RIVERFRONT PRESERVE &
 STONEHOUSE PRESERVE
 JAMES CITY COUNTY VIRGINIA



OFFICIAL RECEIPT
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT
DEED RECEIPT

DATE : 12/18/2019 **TIME :** 15:00:47 **CASE # :** 830CLR190018770
RECEIPT # : 19000037535 **TRANSACTION # :** 19121800077
CASHIER : JLZ **REGISTER # :** B350 **FILING TYPE :** OTHER **PAYMENT :** FULL PAYMENT
INSTRUMENT : 190018770 **BOOK :** **PAGE :** **RECORDED :** 12/18/2019 **AT :** 15:00
GRANTOR : SCP JTL STONEHOUSE OWNER LLC **EX :** N **LOC :** CO
GRANTEE : COUNTY OF JAMES CITY VIRGINIA **EX :** N **PCT :** 100%
RECEIVED OF : JAMES CITY COUNTY VA
ADDRESS :
CASH : \$0.00
DESCRIPTION 1 : AMENDED PROFFERS **PAGES :** 066 **OP :** 0
NAMES : 0
CONSIDERATION : \$0.00 **A/VAL :** \$0.00 **MAP :** 0440100030 **PIN :**

| ACCOUNT CODE | DESCRIPTION | PAID |
|--------------|-----------------------------|--------|
| 035 | VIRGINIA OUTDOOR FOUNDATION | \$0.00 |

TENDERED : \$ 0.00
AMOUNT PAID : \$ 0.00

MEMORANDUM

DATE: August 7, 2024

TO: The Planning Commission

FROM: Jose R. Ribeiro, Senior Planner II/Landscape Planner

SUBJECT: Development Review Committee Action Item: SP-23-0051. Toano RV Storage at 7816 Richmond Road

Mr. Thomas Walker of Vanasse Hangen Brustlin (VHB), Inc. submitted a site plan to allow for the storage of Recreational Vehicles (RVs) and boats at property located at 7816 Richmond Road.

The reason for the Development Review Committee (DRC) Review: The applicant has requested a modification from the bike lane requirement based on exceptions provided in Section 24-35(d)(2) of the James City County Zoning Ordinance. The Planning Director has reviewed the request and has determined that the applicant's request does not meet the exception criteria set forth in Section 24-35(d)(2). Pursuant to Section 24-35(e), *Appeals*, the applicant has appealed the Planning Director's determination.

On July 24, 2024, the DRC found the applicant's request for a modification from the bike lane requirement to be consistent with the exception criteria provided in Section 24-35(d)(2) of the Zoning Ordinance by a vote of 2-1. The exception requires the applicant to pay for the bicycle accommodation and maintenance fund in an amount to be determined by the County in lieu of constructing the bike lane.

The DRC consistency approval is contingent on the Virginia Department of Transportation (VDOT) denial of a Design Waiver request by the applicant requesting for the construction of a bike lane along the frontage of the property at 7816 Richmond Road which does not meet current construction standards.

An engineer from VDOT has reviewed the request submitted via email by the applicant and indicated that while there is not a specific waiver for this type of request, VDOT believes that current conditions on the site do not support the installation of a 5-foot-wide bike lane within VDOT's right-of-way.

JRR/ap
SP23-51_7816RichRd-mem

Attachments:

1. July 24, 2024, DRC Staff Report
2. Location Map
3. Section 24-35 of the Zoning Ordinance - Pedestrian Accommodation
4. Email from VDOT dated July 31, 2024

**SITE PLAN-23-0051. Toano RV Storage at 7816 Richmond Road
Staff Report for the July 24, 2024, Development Review Committee**

SUMMARY FACTS

Applicant: Mr. Thomas Walker of Vanasse Hangen
Brustlin, Inc. (VHB)

Landowner: Roper Investments, LLC

Proposal: To allow for the storage of Recreational
Vehicles (RVs) and boats.

Location: 7816 Richmond Road

Tax Map/Parcel No.: 1240100030A

Property Acreage: ± 13.51 acres

Zoning: M-1, Limited Business/Industrial (front of
the parcel); and M-2, General Industrial
(middle to the rear of parcel)

Comprehensive Plan: Mixed Use-Toano

Primary Service Area: Inside

Staff Contact: Jose Ribeiro, Senior Landscape Planner II

**REASON FOR DEVELOPMENT REVIEW COMMITTEE
(DRC) REVIEW**

The applicant has requested a modification from the bike lane requirement based on exceptions provided in Section 24-35(d)(2) of the James City County Zoning Ordinance (see Attachment No. 4). The Planning Director has reviewed the request and has determined that the applicant’s request does not meet the exception criteria set forth in

Section 24-35(d)(2). Pursuant to Section 24-35(e), Appeals, the applicant has appealed the Planning Director’s determination.

FACTORS FAVORABLE

1. The request would not negatively impact the surrounding development.

FACTORS UNFAVORABLE

1. Not providing a required bike lane decreases the ability to create a continuous, safe, and uniform alternative transportation system.

SUMMARY STAFF RECOMMENDATION

The Planning Director finds that the bike lane exception request by the applicant does not meet the requirements of the Zoning Ordinance for an exception. Staff recommends the DRC uphold the Planning Director’s decision.

PROJECT DESCRIPTION

Mr. Thomas Walker of VHB has submitted a site plan (SP-23-0051) for the storage of RVs and boats at 7816 Richmond Road. The property is currently developed with commercial and industrial uses on the site. The proposed storage use will take place at the rear part of the property and will not be seen from the right-of-way or from adjacent properties due to proposed landscaping and existing fences at the property.

Section 24-35 of the James City County Zoning Ordinance states that “Pedestrian and bicycle accommodations shall be required for the subject property(ies) along all public roads as shown on the pedestrian accommodation master plan and the regional bikeways plan.” (See

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

**SITE PLAN-23-0051. Toano RV Storage at 7816 Richmond Road
Staff Report for the July 24, 2024, Development Review Committee**

Attachment Nos. 5 and 6). There is an existing sidewalk along the property's frontage within the right-of-way providing pedestrian connectivity to parcels west of the property.

Currently, there is no bike lane along this section/side of Richmond Road. However, the Virginia Department of Transportation (VDOT) has approved a plan for pedestrian accommodation facilities for this section of Richmond Road (Attachment No. 2). The plans identify the construction of a new 5-foot-wide bike lane west of the property.

According to Section 24-35(d) of the Zoning Ordinance the following should be considered as exceptions to the pedestrian accommodation requirements (*with staff's comments in italics*).

- (a) Pedestrian or bicycle accommodation is otherwise required by this section and would be substantially damaged or need to be replaced as a result of a fully engineered roadway construction project implemented by the county or VDOT. The planning director or his designee may request dedication of sufficient right-of-way for pedestrian or bicycle accommodations related to the road project in lieu of construction of the pedestrian or bicycle requirement. The requirement to dedicate right-of-way shall be based on existing right-of-way, the design of the engineered project, and additional right-of-way that is needed; or

The proposed bike lane would not be damaged and/or replaced as a result of a fully engineered roadway construction project.

- (b) In circumstances where topographical conditions make construction of pedestrian or bicycle accommodations impractical, the planning director or his designee may approve an alternative alignment that is accessible by the public that differs from the pedestrian accommodation master plan. The

alternative alignment shall link with adjacent pedestrian accommodations; or

Staff is not aware of any topographical conditions which would constrict and/or limit the installation of a bike lane in this section of Richmond Road. The site is flat and there is an existing sidewalk along the same road segment. The applicant has not offered any alternative location for the bike lane.

- (c) Pedestrian or bicycle accommodations are shown on a master plan or corridor plan approved by the board of supervisors that differs from the pedestrian accommodation master plan or the regional bikeways plan.

This is not applicable for this project.

The applicant is requesting an exception for the bicycle accommodations for the following reasons (*with staff's comments in italics below*).

- VDOT requires bike lanes to be constructed a minimum of 5 feet wide. However, the right-of-way in this section of Richmond Road available for a bike lane is only 4 feet wide.

The lack of adequate width for a bike lane is not one of the criteria used toward an exception to the bike lane requirement and the applicant can apply for a design waiver from VDOT. VDOT has reviewed this issue with the applicant and notes that adjacent parcels would need to get waivers due to similar conditions and "would prefer not to install the bike lane at this time." Staff is of the opinion that bike lane connectivity can be established as properties develop over time and the size of the parcel and the fact that neighboring properties may need a

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

**SITE PLAN-23-0051. Toano RV Storage at 7816 Richmond Road
Staff Report for the July 24, 2024, Development Review Committee**

waiver is not relevant and is not a condition that is likely to change over time.

- Issues with the available space, connectivity with neighboring parcel, and disconnection between the end of the bike lane and where the VDOT project ends.

Bike lane connectivity can be established as properties develop over time.

- The subject parcel lies approximately 370 feet east of the terminus of the proposed VDOT bike/pedestrian improvements in Toano.

The close proximity of this property to the proposed bike lane (VDOT's project) would create a semi-continuous bike lane as there are no current plans for construction of a bike lane along 7822 and 7828 Richmond Road.

VDOT has reviewed this application and indicated that there is not enough right-of-way in this location to adequately meet VDOT standards. VDOT will not approve the bike lane unless it is in compliance with their standards (i.e., 5-foot width); however, VDOT has a waiver process to allow the design of facilities that do not meet adopted standards; however, the applicant has not pursued this option.

Section 24-32(e) states that in the event the planning director disapproves plans of this section or recommends conditions or modifications which are unacceptable to the applicant, the applicant may appeal the decision to the development review committee who shall forward a recommendation to the planning commission.

PLANNING AND ZONING HISTORY

The property at 7816 Richmond Road was previously the subject of three Special Use Permit (SUP) applications. In 1987, an SUP was approved to allow for the construction of a warehouse and in 1990 two SUPs were approved to allow construction in excess of 5,000 square feet and for the construction of a concrete plant.

SURROUNDING PROPERTIES

| | ZONING DESIGNATION | EXISTING LAND USE | FUTURE LAND USE DESIGNATION |
|-------|---|--|--------------------------------|
| NORTH | M-2, General Industrial | Railroad Tracks, Owens-Illinois Glass Containers | General Industry |
| SOUTH | PL, Public Land | Toano Middle School | Federal, State, or County Land |
| EAST | M-2, General Industrial; M-1, Limited Business/Industrial | Peninsula Hardwood Mulch | Mixed Use |
| WEST | PUD-R, Planned Unit Development; M-1, Limited Business/Industrial | Burnt Ordinary Apartments; Vacant Land | Mixed Use |

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.

STAFF RECOMMENDATION

After reviewing the site plan, the Planning Director finds that the request to allow for a modification of the bike lane requirement does not meet criteria established by Section No. 24-35(c) Exemptions, nor does it meet the criteria established by Section No. 24-35(d) Exceptions of the Ordinance (Attachment No. 4). Staff recommends that the DRC uphold the Planning Director's determination that the project does not qualify for an exemption or exception under either section and does not approve this appeal of the Planning Director's determination regarding the request for the bike lane modification.

JR/md
SP23-51ToanoRVStg

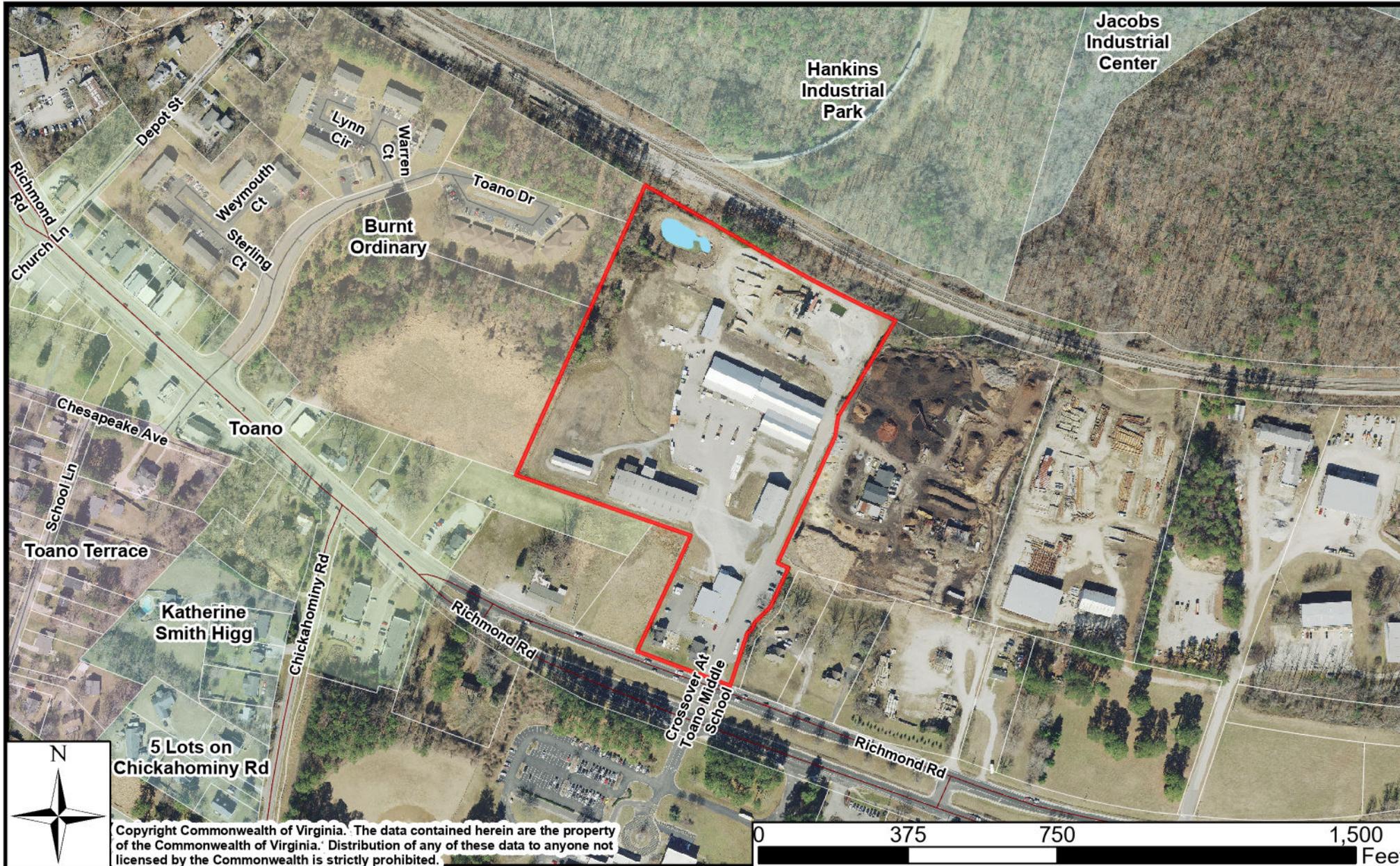
Attachments:

1. Location Map
2. Exhibit Showing Location of Proposed Pedestrian Improvements along Richmond Road by VDOT
3. Exhibit Showing Location of Proposed Alternative Pedestrian Improvements along Richmond Road by Applicant
4. Letter from Applicant Requesting Bike Lane Modification
5. Section 24-35 of the Zoning Ordinance - Pedestrian Accommodation
6. Pedestrian Accommodation Map
7. Regional Bike Lane Map

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

JCC-SP-23-0051

7816 Richmond Road (Toano RV)



Sec. 24-35. - Pedestrian and bicycle accommodations.

- (a) Pedestrian and bicycle accommodations shall be required for all projects requiring site plan or major subdivision review in accordance with the following:
- (1) Pedestrian and bicycle accommodations shall be required for the subject property(ies) along all public roads as shown on the pedestrian accommodation master plan and the regional bikeways plan. In addition to corridors identified on the pedestrian accommodation master plan, sidewalks shall be required along at least one side of all roads built within a community character area sidewalk inclusion zone as specified on the pedestrian accommodation master plan.
 - (2) *Internal public streets.* Pedestrian accommodation internal to a residential, commercial, office or industrial development with public streets shall be required pursuant to the Secondary Street Acceptance Requirements found in 24VAC30-92, as amended.
 - (3) *Internal private streets.*
 - a. Pedestrian accommodation internal to a residential, commercial, or office development with private streets shall be required on at least one side of all internal streets.
 - b. For development designated by the Comprehensive Plan as mixed use; moderate density residential; or the residential, commercial, and office sections of an economic opportunity area, pedestrian accommodations shall be required on both sides of the private streets.
 - c. Sidewalks on private streets shall not be required internal to industrial parks or industrial sections of areas designated economic opportunity on the Comprehensive Plan.
 - d. The planning director or his designee may approve alternative locations for pedestrian accommodations that are found to have equivalent connectivity as providing sidewalks along the roads internal to the development, such as paved connections between or from cul-de-sacs to other pedestrian accommodations.
 - (4) *Interconnectivity internal to a parcel.* Pedestrian accommodations shall be required between parking areas, buildings, and public areas for residential, commercial, and office development sites. Pedestrian accommodation internal to a development shall link with any existing or master planned pedestrian accommodation along an abutting road external to the development and any existing public transit stops. Development within industrial parks and industrial sections of the economic opportunity zone shall be required to meet applicable Americans with Disabilities Act (ADA) connectivity standards.
 - (5) *Interconnectivity between parcels.* Pedestrian and bicycle accommodations shall be required between residential developments and adjoining schools, park, or recreational facilities as determined by the planning director or designee. The property owner shall provide a connection internal to the development to the property line with the adjoining facility. This

criterion may be waived by the planning director or designee if the owner of the contiguous parcel objects to a connection or if a significant obstruction exists (such as wetlands, slopes exceeding 25 percent gradient and guardrails) that would make a connection impracticable.

(b) Construction standards: Pedestrian and bicycle accommodations required by section 24-35(a) shall be built in accordance with the following construction standards:

(1) If accommodations are to be publicly maintained, the accommodations shall be built to VDOT standards and located within VDOT right-of-way.

(2) The accommodations shall be shown on the final plat and/or site plan.

(3) If accommodations are to be privately maintained, they shall meet the following requirements:

a. Sidewalks shall be paved and a minimum of five feet in width and be built to VDOT construction standards;

b. Multi-use paths shall be paved and a minimum of eight feet in width and shall be built to paved trail standards in the Parks and Recreation Greenways Master Plan;

c. All pedestrian accommodations shall meet the requirements of the ADA's Accessibility Guidelines;

d. Width criteria for private accommodations may be reduced with approval by the planning director or designee if a significant obstruction exists (such as wetlands, slopes exceeding 25 percent gradient and guardrails) that would make a connection impracticable.

(c) Exemptions: Exemptions to this section may be granted by the planning director or his designee if:

(1) A proposed temporary structure(s) will not be erected for more than six months; or

(2) A proposed addition to an existing structure is less than 1,000 square feet or no changes to the building footprint are proposed; or

(3) The development is located within an office park with private streets in existence prior to November 22, 2011 and providing pedestrian accommodations along the frontage of the development site would not result in a safe and continuous connection to an existing or planned pedestrian accommodation or public transit stop; or

(4) Land disturbance on the project area is less than 2,500 square feet; or

(5) The site plan submittal is for a project associated with an existing individual multi-family dwelling unit.

(d) Exceptions: Exceptions to this section may be granted by the planning director or his designee if:

(1) A pedestrian or bicycle accommodation is otherwise required by this section and would be substantially damaged or need to be replaced as a result of a fully engineered roadway construction project implemented by the county or VDOT. The planning director or his

designee may request dedication of sufficient right-of-way for pedestrian or bicycle accommodations related to the road project in lieu of construction of the pedestrian or bicycle requirement. The requirement to dedicate right-of-way shall be based on existing right-of-way, the design of the engineered project, and additional right-of-way that is needed; or

- (2) In circumstances where topographical conditions make construction of pedestrian or bicycle accommodations impractical, the planning director or his designee may approve an alternative alignment that is accessible by the public that differs from the pedestrian accommodation master plan. The alternative alignment shall link with adjacent pedestrian accommodations; or
- (3) Pedestrian or bicycle accommodations are shown on a master plan or corridor plan approved by the board of supervisors that differs from the pedestrian accommodation master plan or the regional bikeways plan.

If an exception is granted for (d)(1) or (d)(2) above, the applicant shall be required to pay into the pedestrian or bicycle accommodation construction and maintenance fund in an amount determined by the county engineer or designee. The amount shall be based on:

- a. Projected engineering costs;
 - b. Projected material costs;
 - c. Projected labor and mobilization costs;
 - d. Current topographical conditions of the site; and
 - e. Linear feet of road frontage.
- (e) Appeals. In the event the planning director disapproves plans of this section or recommends conditions or modifications which are unacceptable to the applicant, the applicant may appeal the decision to the development review committee who shall forward a recommendation to the planning commission.

(Ord. No. 31A-118, 2-5-90; Ord. No. 31A-203, 1-26-00; Ord. No. 31A-256, 11-22-11; Ord. No. 31A-342, 8-14-18)

Jose Ribeiro

To: Patil, Yogendra (VDOT)
Subject: RE: [External]RE: waiver for bikelane

From: Patil, Yogendra (VDOT) <yogendra.patil@vdot.virginia.gov>
Sent: Wednesday, July 31, 2024 2:59 PM
To: Jose Ribeiro <Jose.Ribeiro@jamescitycountyva.gov>
Cc: Thomas Walker <twalker@VHB.com>; Josh Crump <Josh.Crump@jamescitycountyva.gov>
Subject: [External]RE: waiver for bikelane

Hello Jose,

I was out on field all day today so getting back with you now.

No I do not think we have a specific waiver for that because as I said it's a engineering judgement which we would have to go with.

Waiver is usually used when something can be done but some one cannot do it due to constraints.

Yogendra Patil

Land Use Engineer

VDOT – Williamsburg Residency
yogendra.patil@vdot.virginia.gov

From: Jose Ribeiro <Jose.Ribeiro@jamescitycountyva.gov>
Sent: Wednesday, July 31, 2024 12:48 PM
To: Patil, Yogendra (VDOT) <yogendra.patil@vdot.virginia.gov>
Cc: Thomas Walker <twalker@VHB.com>; Josh Crump <Josh.Crump@jamescitycountyva.gov>
Subject: waiver for bikelane

Good morning Yogi,

I was looking at the papers that you have submitted referencing a waiver policy for roadway design that includes bike and pedestrian Accessibility. Overall, the question I am trying to get answered is “ is there a VDOT’s waiver and/or modification that the applicant has to submit to you (VDOT) requesting for a bike lane that will not meet current VDOT standards and design (i.e. 5 feet wide)? If there is such a waiver, would VDOT be in support of such waiver . If you could provide me with answers to these questions as soon as possible that would be great as I am trying to get the Planning Commission packet ready for distribution by this afternoon and It would be great if I could have this information from you.

Thank you,

Jose Ribeiro
757-253-6890

DESIGN WAIVER POLICY FOR ROADWAY DESIGN
(APPLICABLE TO VDOT OWNED AND MAINTAINED ROADWAYS **ONLY**)

- Design waivers are required when deviations from VDOT's design criteria occur on VDOT owned and maintained roadways only. When design criteria meet or exceed

**SPECIAL USE PERMIT-24-0010. Short-Term Rental 724 Arlington Island Road
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

SUMMARY FACTS

Applicant: Mr. Cory J. Pignone
Landowner: Mr. Cory J. Pignone
Proposal: To allow for a tourist home rental of an entire one-bedroom, single-family dwelling.
Location: 724 Arlington Island Road
Tax Map/Parcel No.: 0931100001
Property Acreage: ± 8.7 acres
Zoning: A-1, General Agricultural
Comprehensive Plan: Rural Lands
Primary Service Area (PSA): Outside
Staff Contact: Tess Lynch, Planner II

PUBLIC HEARING DATES

Planning Commission: July 2, 2024, 6:00 p.m. (Public Hearing opened and deferred)
August 7, 2024, 6:00 p.m.
Board of Supervisors: September 10, 2024, 5:00 p.m. (Tentative)

FACTORS FAVORABLE

1. The applicant has acknowledged that, should this application be approved, he will obtain the proper licensing and inspections through the County and will be subject to appropriate use-based taxes.
2. There is adequate off-street parking for two vehicles.
3. Impacts: See Impact Analysis on Pages 3-4.
4. See Comprehensive Plan Analysis on Page 5.

FACTORS UNFAVORABLE

1. Staff finds the proposal is not fully consistent with the short-term rental recommendations of the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.
2. Impacts: See Impact Analysis on Pages 3-4.
3. See Comprehensive Plan Analysis on Page 5.

UPDATES SINCE JULY 2, 2024, PLANNING COMMISSION MEETING

The public hearing was opened at the July 2, 2024, Planning Commission meeting and one citizen spoke in opposition to the application. The public hearing was left open and deferred by the Planning Commission to its August 7, 2024, meeting.

SUMMARY STAFF RECOMMENDATION

Staff finds the proposal to be not fully consistent with the recommendations for short-term rentals in the Comprehensive Plan. Staff, therefore, cannot recommend approval of this application. Should the Planning Commission wish to recommend approval of this

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.

**SPECIAL USE PERMIT-24-0010. Short-Term Rental 724 Arlington Island Road
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

application, staff has included proposed conditions for consideration (Attachment No. 1).

PROJECT DESCRIPTION

Following the issuance of a zoning notification, Mr. Cory Pignone has applied for a Special Use Permit (SUP) to allow for the short-term rental of a one-bedroom, single-family dwelling as a tourist home. The proposal includes no changes to the size or footprint of the home.

The Zoning Ordinance defines a tourist home as “a dwelling where lodging or lodging and meals are provided for compensation for up to five rooms which are open to transients.”

The one-bedroom, single-family dwelling is not on public water and sewer. In previous tourist home applications, staff calculated the number of occupants to be two people per bedroom. Therefore, proposed Condition No. 4 states that the maximum number of occupants per contract, including children, is two. There is a circle drive in front of the house that would provide enough space for two vehicles.

PLANNING AND ZONING HISTORY

- There have been no legislative cases associated with the residence that was built in 1900.
- The applicant applied for an SUP for a short-term rental for this property in 2023 but withdrew it. This occurred prior to the issuance of the zoning letter.
- A zoning notification was issued by the Zoning Division in 2024 indicating that the property was being used for a short-term rental without an SUP. As of July 31, 2024, the Airbnb listing has not been removed.
- In addition, on June 26, 2023, a Field Correction Notice was issued by the Building Safety & Permits (BS&P) Division after

investigating the property for electrical work being performed without any permits or inspections after a complaint from a neighbor. In conversation with Mr. Tom Coghill, Director of BS&P, the applicant claimed the work pre-dated his ownership of the property.

- In correspondence with BS&P, the applicant was told he would need to obtain a building permit for development in the floodplain in order to build a new set of stairs leading to the water. The applicant has built the stairs without having obtained a building permit. An application for a permit was submitted on July 19, 2024.
- It appears that the steps and dock may have been substantially rebuilt without required permits and approvals from the Chesapeake Bay/Wetlands Boards and from the state.

SURROUNDING ZONING AND DEVELOPMENT

- The property is located within the Arlene’s View subdivision.
- The following table lists the information on the adjacent parcels:

| | ZONING DESIGNATION | EXISTING LAND USE | FUTURE LAND USE DESIGNATION |
|-------|---------------------------|-------------------|-----------------------------|
| NORTH | A-1, General Agricultural | Residential | Rural Lands |
| SOUTH | A-1, General Agricultural | Residential | Rural Lands |
| EAST | A-1, General Agricultural | Residential | Rural Lands |
| WEST | A-1, General Agricultural | Residential | Rural Lands |

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.

**SPECIAL USE PERMIT-24-0010. Short-Term Rental 724 Arlington Island Road
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

| Impacts/Potentially Unfavorable Conditions | Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | Considerations/Proposed Mitigation of Potentially Unfavorable Conditions |
|---|--|--|
| <u>Public Transportation: Vehicular</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The proposal is not anticipated to generate traffic exceeding typical residential use. - The subject property is located on a private road. |
| <u>Public Transportation: Bicycle/Pedestrian</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Pedestrian/bicycle accommodations are not triggered when there are no changes proposed to the building footprint. |
| <u>Public Safety</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation to the County’s Fire Department facilities or services. - The closest fire station, Fire Station 1, is 6.1 miles away. |
| <u>Public Schools</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation. |
| <u>Public Parks and Recreation</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation. |
| <u>Public Libraries and Cultural Centers</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation. |
| <u>Groundwater and Drinking Water Resources</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The property is served by a private well and private septic system. - The proposal does not generate impacts that require mitigation to groundwater or drinking water resources. |
| <u>Watersheds, Streams, and Reservoirs</u> Project is located in the Diascund Creek Watershed. | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The Stormwater and Resource Protection Division has reviewed this application and has no objections. - No new impervious surface is proposed as part of this SUP request. Should exterior site improvements be made in the future, those improvements would be subject to additional environmental review at that time. |
| <u>Cultural/Historic</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The subject property has been previously disturbed and has no known cultural resources on-site. |

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.

**SPECIAL USE PERMIT-24-0010. Short-Term Rental 724 Arlington Island Road
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

| Impacts/Potentially Unfavorable Conditions | Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | Considerations/Proposed Mitigation of Potentially Unfavorable Conditions |
|---|--|--|
| <u>Nearby and Surrounding Properties</u> | <u>No Mitigation Required</u> | - Traffic is anticipated to be typical of a residential home. The subject property must adhere to the County’s Noise Ordinance, and the proposed SUP conditions will restrict commercial signage. Future expansions of the use would require an SUP amendment. |
| <u>Community Character</u> | <u>No Mitigation Required</u> | - Arlington Island Road is not a Community Character Corridor, and this property is not located within a Community Character Area. |
| <u>Covenants and Restrictions</u> | <u>No Mitigation Required</u> | - The applicant has verified that he is not aware of any covenants or restrictions on the property that prohibit the proposed use. |

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.

**SPECIAL USE PERMIT-24-0010. Short-Term Rental 724 Arlington Island Road
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

COMPREHENSIVE PLAN

The site is designated Rural Lands on the Comprehensive Plan Land Use Map. Per the adopted Comprehensive Plan language, uses in Rural Lands should reflect and enhance the rural character of the County. Particular attention should be given to locating structures and uses outside of sensitive areas, and maintaining existing topography, vegetation, trees, and tree lines to the maximum extent possible, especially along roads and uses.

The Comprehensive Plan provides recommendations regarding locations for short-term rentals. Per the adopted Comprehensive Plan, due to the unique impacts that can arise from transient residents in short-term rentals, the County should continue to carefully consider the impacts these uses can have on a community's quality of life. The thriving rural character of James City County continues to offer a variety of agri-tourism opportunities, for which short-term rentals may provide a truly unique opportunity and experience; one that provides economic benefits to rural property owners but does not directly compete with more conventional tourism-based opportunities inside the PSA. If located within a residential context, short-term rentals should serve to complement the residential character of the area rather than altering its nature. Therefore, while every location can be considered uniquely, short-term rentals are most appropriately located subject to the following development standards:

- Be located on lands designated Rural Lands, Neighborhood Commercial, Community Commercial, Mixed Use, or Economic Opportunity.

This property is designated Rural Lands on the Comprehensive Plan Land Use Map. Therefore, the application does meet this recommendation set forth in the Comprehensive Plan.

- Be located on the edge or corner of an existing platted subdivision, rather than internal to it.

This property is located at the edge of an existing platted Arlene's View subdivision. Therefore, the application does meet this recommendation set forth in the Comprehensive Plan.

- Be located on a major road.

This property is located on Arlington Island Road. Arlington Island Road is a private road that is not within the system of the Virginia Department of Transportation streets. Therefore, the application does not meet this recommendation set forth in the Comprehensive Plan.

- Be operated in a manner such that the property owner will continue to live and reside on the property during the rental.

The owner of the home will not reside on the same property as the proposed rental. The homeowner does not reside in James City County. Therefore, the application does not meet this recommendation set forth in the Comprehensive Plan.

STAFF RECOMMENDATION

Staff finds the proposal inconsistent with the recommendations of the Comprehensive Plan.

Staff, therefore, does not recommend approval of the proposed SUP. Should the Planning Commission wish to recommend approval, staff has included proposed conditions for consideration.

TL/md
SUP24-10STR724Arl

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.

**SPECIAL USE PERMIT-24-0010. Short-Term Rental 724 Arlington Island Road
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

Attachments:

1. Proposed SUP Conditions
2. Location Map
3. Master Plan
4. Applicant Narrative
5. Airbnb Listing May 2024
6. Airbnb Listing July 2024

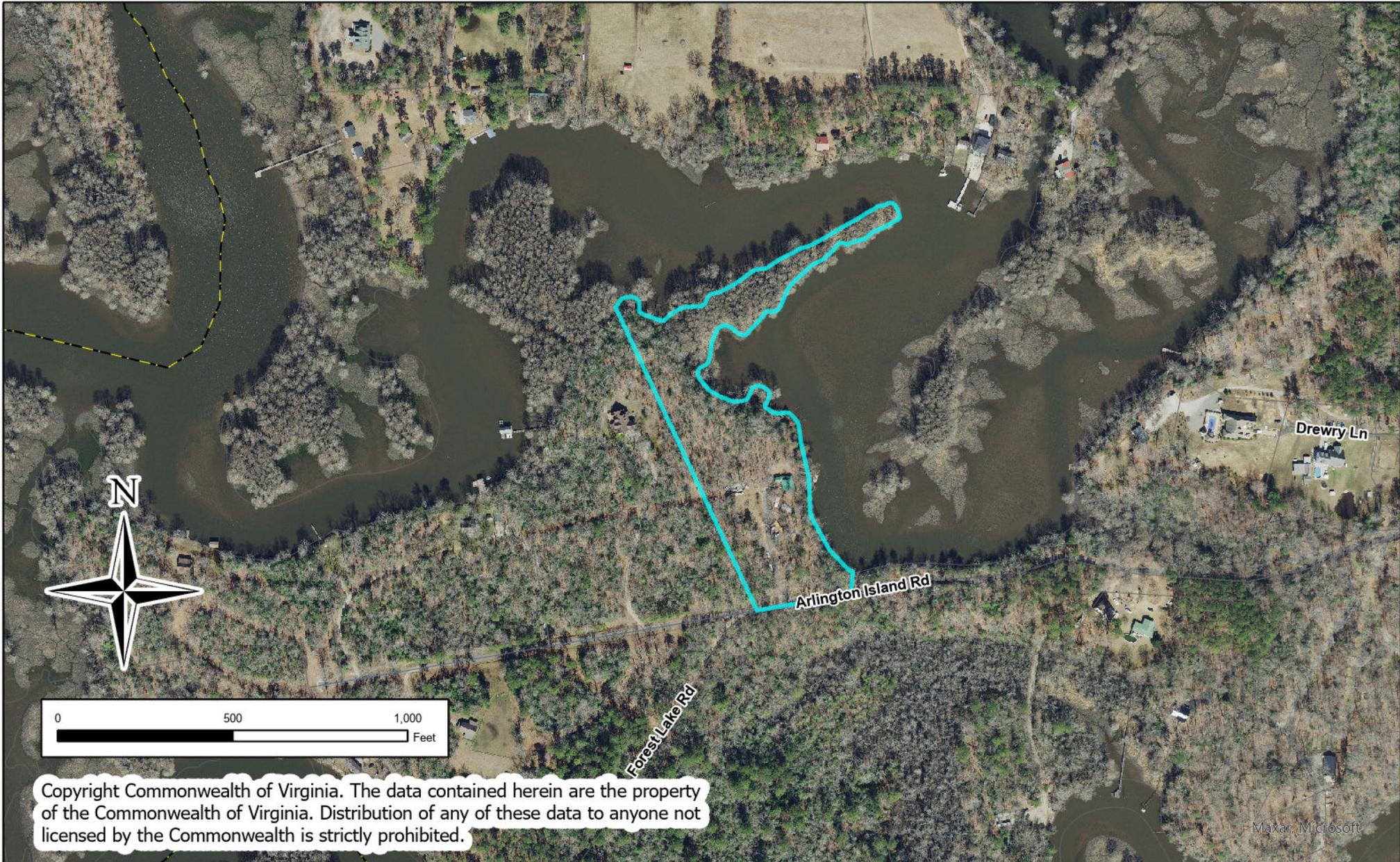
This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

Draft Conditions – SUP-24-0010, 724 Arlington Island Road Short Term Rental

1. **Master Plan.** This SUP shall permit a tourist home on property located at 724 Arlington Island Road and further identified as James City County Real Estate Tax Map Parcel No. 0931100001 (the “Property”). The use and layout of the Property shall be generally as shown on the document entitled “SUP-24-0010, 724 Arlington Island Road Short Term Rental” and date stamped June 17, 2024 (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 the SUP, or this SUP shall automatically become void.
3. **Number of rental rooms and occupants.** There shall be no more than one (1) bedroom available for rent to visitors and no more than two (2) rental occupants total at any one time.
4. **Signage.** No signage related to the tourist home shall be permitted on the Property.
5. **Parking.** Off-site parking for the tourist home shall be prohibited. No oversized commercial vehicles such as but not limited to, buses and commercial trucks and trailers, associated with rental occupants of the tourist home, shall be allowed to park on the Property. No more than two (2) cars shall be allowed to be parked on the Property.
6. **Contracts per rental period.** There shall not be simultaneous rentals of the Property under separate contracts.
7. **Existing Conditions.** All existing conditions of the Property, including any unapproved or unpermitted structures or improvements, shall be brought into full compliance with all applicable regulations prior to the operation of the short-term rental and within six months of the date of approval of the SUP. Full compliance shall mean obtaining all required permits and passing all required inspections. An inspection of the Property shall be conducted by County staff for the purpose of verifying full compliance of the Property and all permits required by the inspection shall be obtained within 12 months of the date of approval of this SUP or the SUP shall automatically be void.
8. **Validity.** This SUP shall be valid until December 31, 2027.
9. **Severance Clause.** This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

SUP-24-0010

Short Term Rental 724 Arlington Island Road



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Maxar, Microsoft

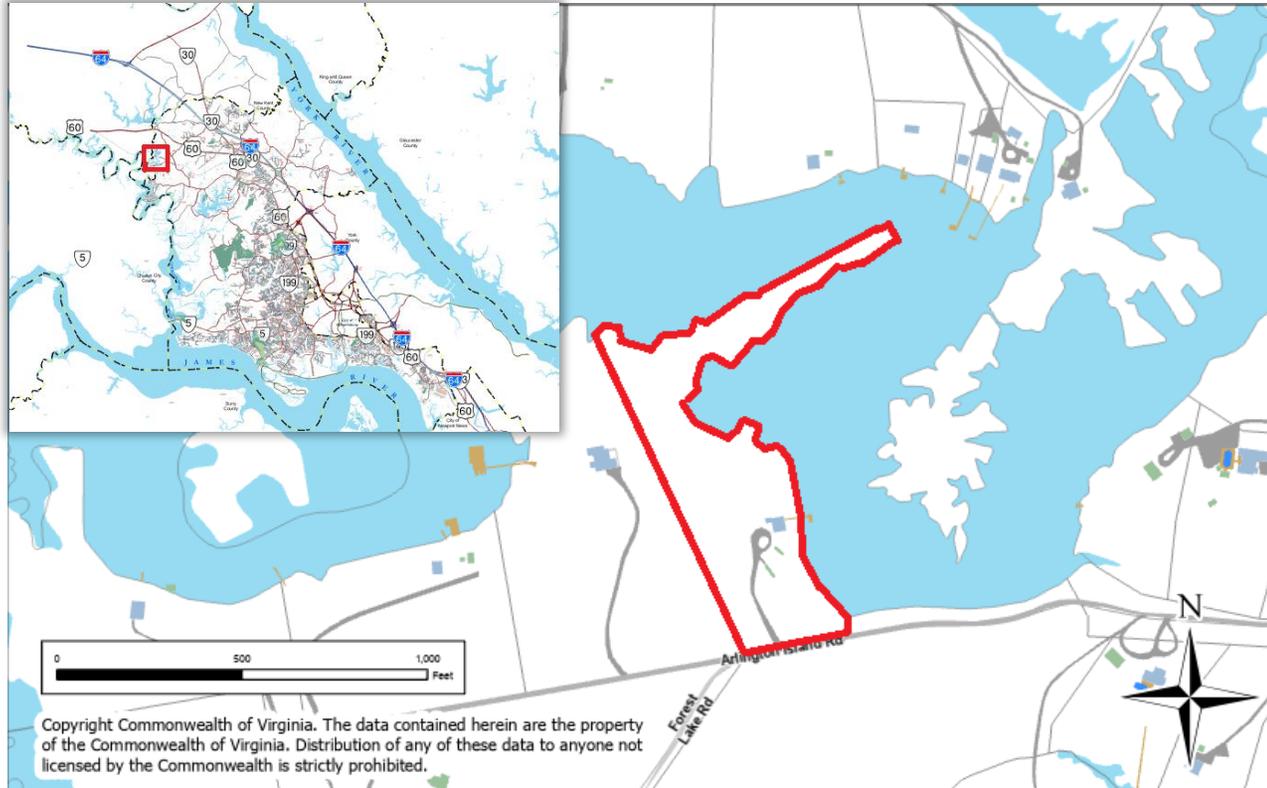
SUP-24-0010, 724 Arlington Island Road Short Term Rental

Property Information

0931100001
Cory Pignone
724 Arlington Island Road
Lanexa, VA 23089
Zoning: A-1, General
Agriculture
Comp. Plan: Rural Lands
Acres: 8.7

General Notes

1. Site is not served by public water and sewer.
2. Property is located in a FEMA floodplain zone.
3. Property does contain Resource Protection Area.
4. Property has an existing driveway.
5. A maximum of two parking spots shall be provided.



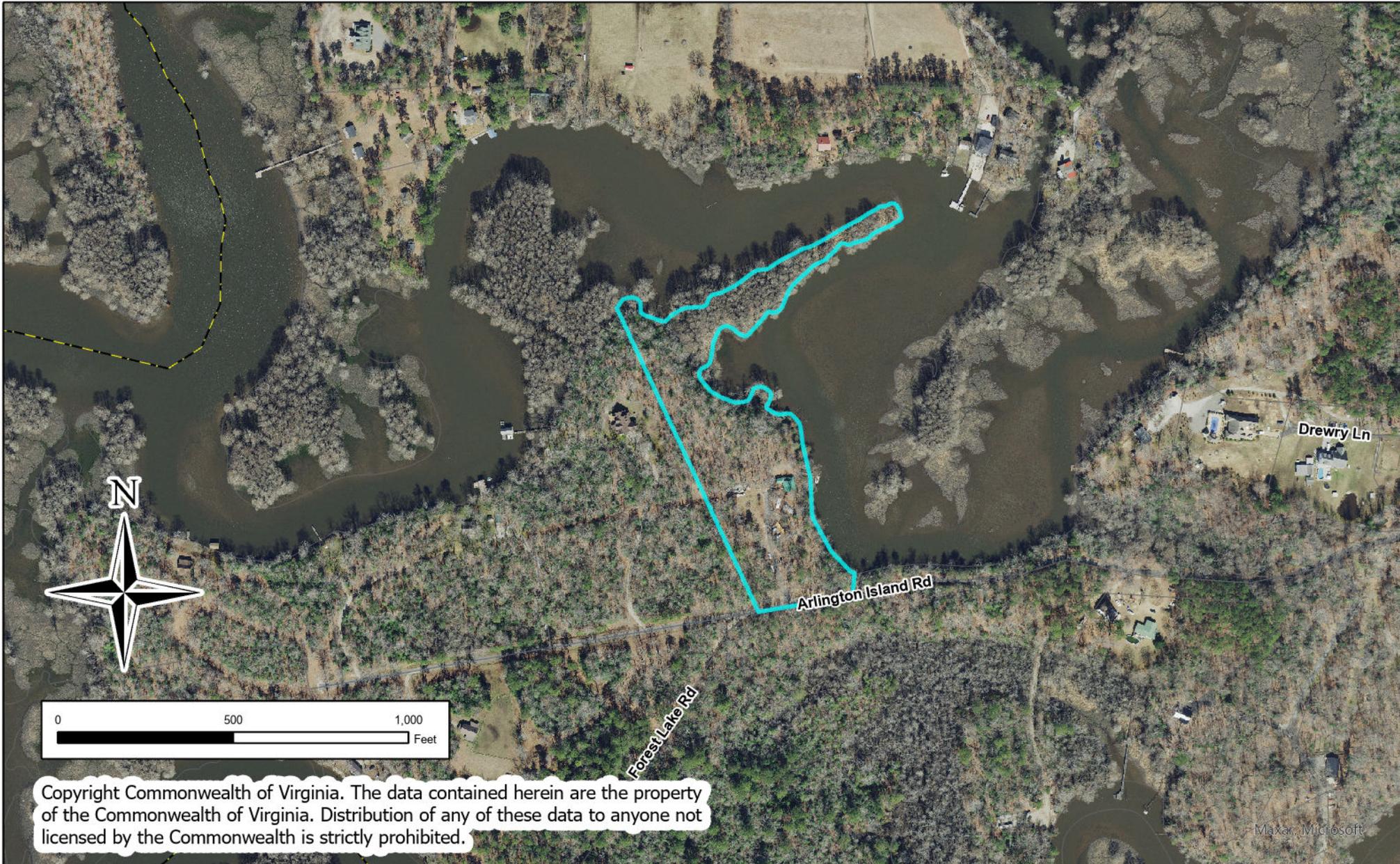
June 17, 2024

Sheet Index

1. Cover Page
2. Location Map
3. Site Photos

SUP-24-0010

Short Term Rental 724 Arlington Island Road



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Maxar, Microsoft

Dear James City County Representative,

I purchased the property at 724 Arlington Island Rd in 2022. I live in Richmond, and fell in love with the property's picturesque waterfront views along Diascund Creek. My girlfriend and I were working from home more at the time, and wanted a more scenic place to spend time apart from our home in downtown Richmond.

The single family home on the property, as well as the grounds, had fallen into neglect for several years. The prior owner had used it as a hunting and fishing cabin, as well as a collection site for scrap, old vehicles, etc. Sadly, he fell ill and passed away, and the property spent several years in disrepair before being sold. We have cleaned up the grounds, inspected, repaired or replaced the major systems in the home, and eliminated all the eyesores and safety concerns.

Now, we split time between Richmond and this home in Lanexa. We particularly enjoy spending time on the water with our 2 dogs Cash and Chloe, swimming, kayaking, retrieval training, or fishing around the property. It has all modern conveniences, yet is a world apart from downtown Richmond.

After incurring significant expenses cleaning up and improving the property, and realizing how special the place is, I would like to share it with others via AirBnB when we are not utilizing it. The home is 1 bedroom, 1 bathroom, with a large open living space, kitchen, screened in porch, and shed. It has all modern conveniences, including central HVAC, washer/dryer, dishwasher, Starlink internet with streaming services, and a new outdoor fire pit for safe controlled camp fires. We have equipped the bedroom with 2 sets of bunk beds, and the living area with 2 pull out sofas, though we have never hosted that many folks there. I had the septic system inspected and pumped by a professional, and the home is equipped with modern safety measures, including smoke detectors, kitchen fire extinguisher, and first aid kit. I have a co-host to ensure active monitoring of messaging in case a guest has an issue or emergency. I also have a full time maintenance man I employ for my business at my disposal, in the event a sudden maintenance need arises.

The property is in a secluded bend in the creek, with the nearest neighbor's house about 500 feet away through the woods (and not visible from the house; see attached screenshot). Given that this is a small house that can't accommodate many people, and the property will be marketed for its peaceful, natural allure, there is very low risk of any noise or congestion impacts to neighbors.

Thank you so much for your consideration!

Cory Pignone

Rustic Waterfront Home

[Share](#) [Save](#)



Show all photos

Entire home in Lanexa, Virginia

7 guests · 1 bedroom · 1 bath

★ 4.88 · [8 reviews](#)



Hosted by Cory

Superhost · 6 months hosting



Self check-in

Check yourself in with the keypad.



Cory is a Superhost

Superhosts are experienced, highly rated Hosts.



Free cancellation before Jul 5

Get a full refund if you change your mind.

Indulge in the allure of our newly remodeled river house, situated along the Diascund Creek. Delight in approximately half a mile of exclusive waterfront, providing a private haven for serene moments. Unwind on the private dock, taking in the beauty of the surroundings. This is more than a getaway; it's an unforgettable waterfront escape.

What this place offers



Waterfront

\$143 night

CHECK-IN
7/10/2024

CHECKOUT
7/13/2024

GUESTS
1 guest



Reserve

You won't be charged yet

\$143 x 3 nights \$429

Cleaning fee \$85

Airbnb service fee \$73

Total before taxes **\$587**



This is a rare find

Cory's place is usually fully booked.

[Report this listing](#)

-  Kitchen
-  Wifi
-  Dedicated workspace
-  Free parking on premises
-  Pets allowed
-  TV
-  Washer
-  Free dryer - In unit
-  Carbon monoxide alarm

Show all 44 amenities

3 nights in Lanexa

Jul 10, 2024 - Jul 13, 2024

<

July 2024

| Su | Mo | Tu | We | Th | Fr | Sa |
|----|----|----|----|----|----|----|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 | | | |

August 2024

| Su | Mo | Tu | We | Th | Fr | Sa |
|----|----|----|----|----|----|----|
| | | | | 1 | 2 | 3 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

>


[Clear dates](#)

★ 4.88 · 8 reviews



 **Jamie**
Norfolk, Virginia

★★★★★ · 2 weeks ago · Stayed a few nights

Rustic but comfortable, the location is fabulouse, quiet and spacious and beautiful.

 **Jennifer**
Milford, Pennsylvania

★★★★★ · 4 weeks ago · Stayed a few nights

Such a wonderful stay at Cory's place! Surroundings were absolutely beautiful...peaceful and private! House was comfortable, clean and well described....even more beautiful in person than the pictures reflect! Cory was super-helpful, easy to communicate with, responsive and kind 😊. Looking forward to staying there again soon!

[Show more](#)



Kelsey

6 years on Airbnb

★★★★★ · April 2024 · Stayed with kids

Beautiful, peaceful stay in the woods! This home was perfect for our family, the kids loved being near the water and I loved the yard that they could run around in. The beds were very comfortable and we felt very safe at this location. We would stay again in a heartbeat. Cory was very responsive and helpful.

[Show more](#)



Lydia

11 months on Airbnb

★★★★★ · March 2024 · Stayed with a pet

It was very peaceful and private. Just what we needed. We will be back very soon. Thanks for having such a wonderful place!



E.

Capitol Heights, Maryland

★★★★★ · March 2024 · Stayed over a week

Folks, buckle up for out of this world sunsets and sunrises. To start, the unit is better than the pictures. The layout is nice and open, and the living room has plenty of room for the pull out couch and a blow up bed if someone wants to not sleep on the bunk beds. The main highlight of course are the sunrises on the dock and the sunsets in the front of the house. After two weeks of watching each sunset and sunrise I have left a different person than...

[Show more](#)



Lekha

1 month on Airbnb

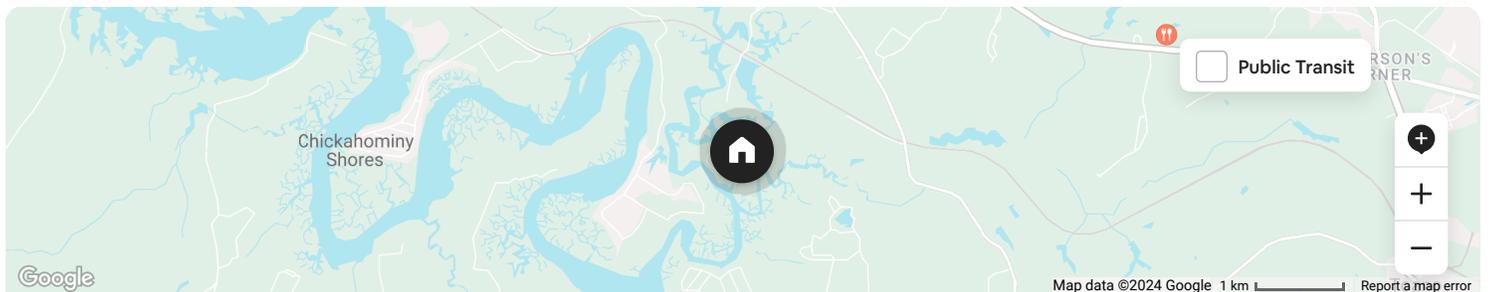
★★★★★ · March 2024 · Stayed a few nights

Perfect location for a relaxing and peaceful getaway. Both the inside and the outside are beautiful and cozy.

Show all 8 reviews

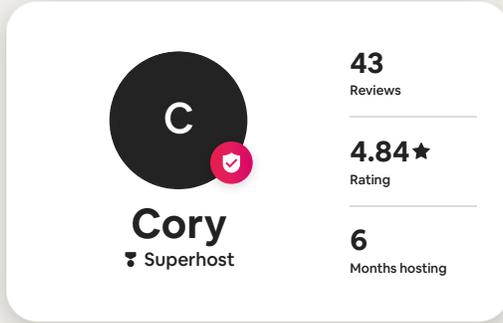
Where you'll be

Lanexa, Virginia, United States



Meet your Host



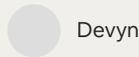


A white rounded rectangular card containing host information. On the left is a circular profile picture with a white 'C' on a black background and a red checkmark icon. Below it, the name 'Cory' is written in bold, with 'Superhost' underneath. On the right, the statistics are listed: '43 Reviews', '4.84★ Rating', and '6 Months hosting'.

Cory is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Co-hosts



Host details

Response rate: 100%
Responds within an hour

[Message Host](#)

 To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

Check-in after 3:00 PM

Checkout before 10:00 AM

7 guests maximum

[Show more >](#)

Safety & property

Carbon monoxide alarm not reported

Smoke alarm

[Show more >](#)

Cancellation policy

Free cancellation before Jul 5.

Review the Host's full cancellation policy which applies even if you cancel for illness or disruptions caused by COVID-19.

[Show more >](#)

Explore other options in and around Lanexa

Richmond

Vacation rentals

Williamsburg

Vacation rentals

Lake Anna

Vacation rentals

Massanutten

Vacation rentals

Myrtle Beach

Vacation rentals

Charlottesville

Vacation rentals

Shenandoah

Vacation rentals

Lynchburg

Vacation rentals

Roanoke

Vacation rentals

Other types of stays on Airbnb

James River vacation rentals

James River monthly stays

Vacation rentals with lake access in James River

Pet-friendly vacation rentals in James River

Waterfront vacation rentals in James River

House vacation rentals in James River

Pet-friendly vacation rentals in Virginia

Vacation rentals with lake access in Virginia

Waterfront vacation rentals in Virginia

Support

Help Center

AirCover

Anti-discrimination

Disability support

Cancellation options

Report neighborhood concern

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AirCover for Hosts

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Hosting responsibly

Airbnb-friendly apartments

Join a free Hosting class

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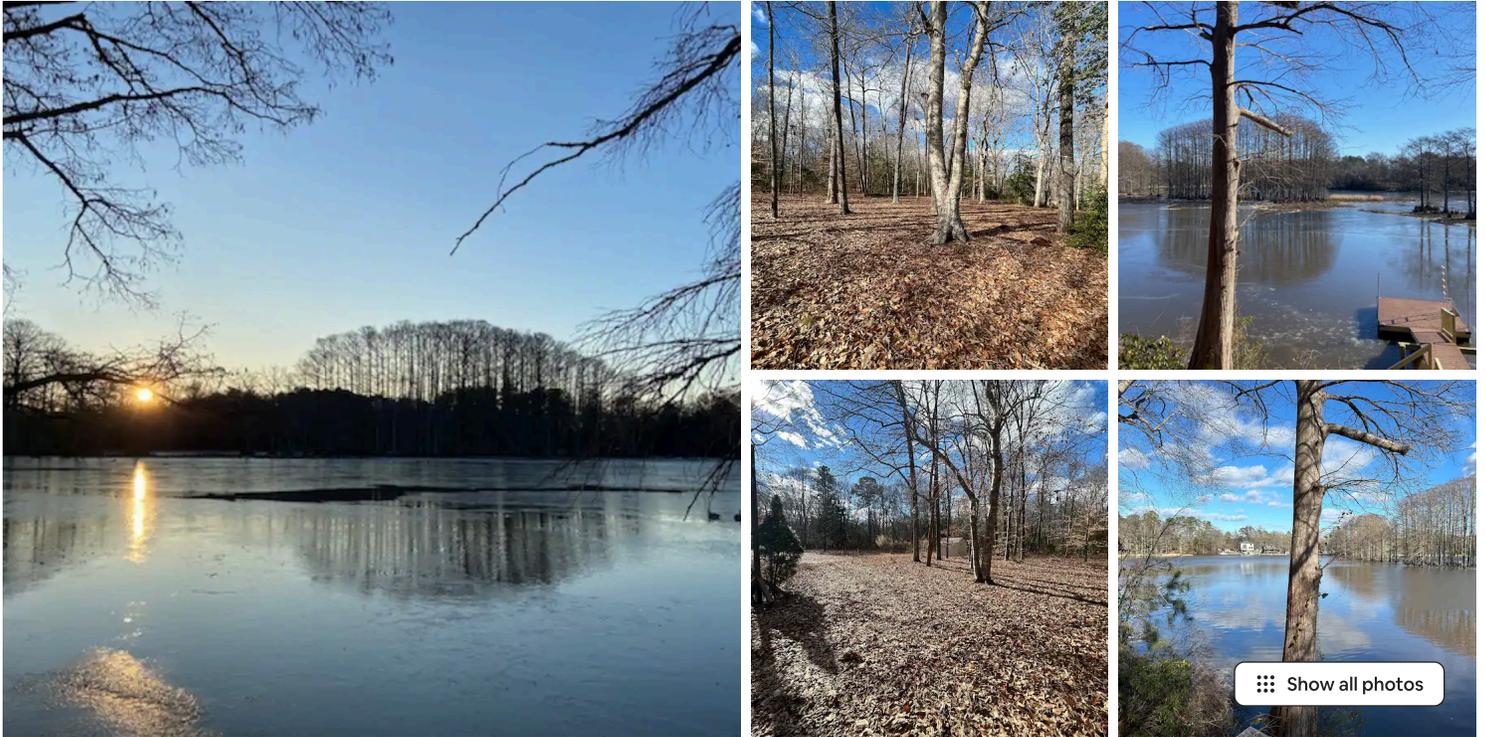
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Rustic Waterfront Home

[Share](#) [Save](#)



Show all photos

Entire home in Lanexa, Virginia

7 guests · 1 bedroom · 6 beds · 1 bath

★ 4.83 · [18 reviews](#)



Hosted by Cory

Superhost · 9 months hosting



Self check-in

Check yourself in with the keypad.



Cory is a Superhost

Superhosts are experienced, highly rated Hosts.



Free cancellation before Aug 27

Get a full refund if you change your mind.

Indulge in the allure of our newly remodeled river house, situated along the Diascund Creek. Delight in approximately half a mile of exclusive waterfront, providing a private haven for serene moments. Unwind on the private dock, taking in the beauty of the surroundings. This is more than a getaway; it's an unforgettable waterfront escape.

Where you'll sleep

\$125 night

CHECK-IN
9/1/2024

CHECKOUT
9/5/2024

GUESTS
1 guest



[Reserve](#)

You won't be charged yet

\$125 x 4 nights \$500

Cleaning fee \$180

Airbnb service fee \$96

Total before taxes \$776



This is a rare find

Cory's place is usually fully booked.

[Report this listing](#)



Bedroom

1 queen bed, 3 single beds



Living room

2 sofa beds

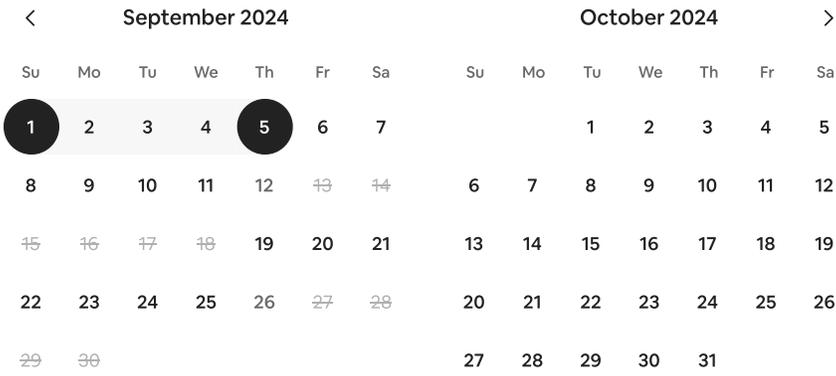
What this place offers

-  Waterfront
-  Kitchen
-  Wifi
-  Dedicated workspace
-  Free parking on premises
-  Pets allowed
-  TV
-  Washer
-  Free dryer – In unit
-  Carbon monoxide alarm

Show all 44 amenities

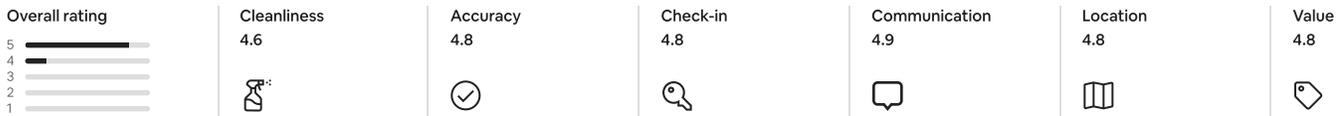
4 nights in Lanexa

Sep 1, 2024 - Sep 5, 2024



[Clear dates](#)

★ 4.83 · 18 reviews



Nick
Georgetown, Indiana

★★★★★ · 2 weeks ago · Stayed with a pet
Great location and close to Williamsburg activities. Quiet area and beautiful scenery! We enjoyed the screened in porch

David
Arlington, Virginia

★★★★★ · 3 weeks ago · Stayed with kids
Good retreat if you like fishing, secluded and quiet. It is certainly rustic. A small amount of landscaping of the yard would make it fantastic.

Beth
Fairfax, Virginia

★★★★★ · June 2024 · Stayed with a pet
Such a cute and peaceful spot for my family as we had a mini vacation. The house was very clean and super cute. Loved sitting on the porch in the morning!

Jami
Erie, Colorado

★★★★★ · June 2024 · Stayed a few nights
We loved the secluded location and beautiful surroundings. We especially enjoyed the screened in back porch. The house was also comfortable and clean.

Audra
1 year on Airbnb

★★★★★ · June 2024 · Stayed with a pet
Nice quiet place for weekend getaway!



Kristin
Vienna, Virginia

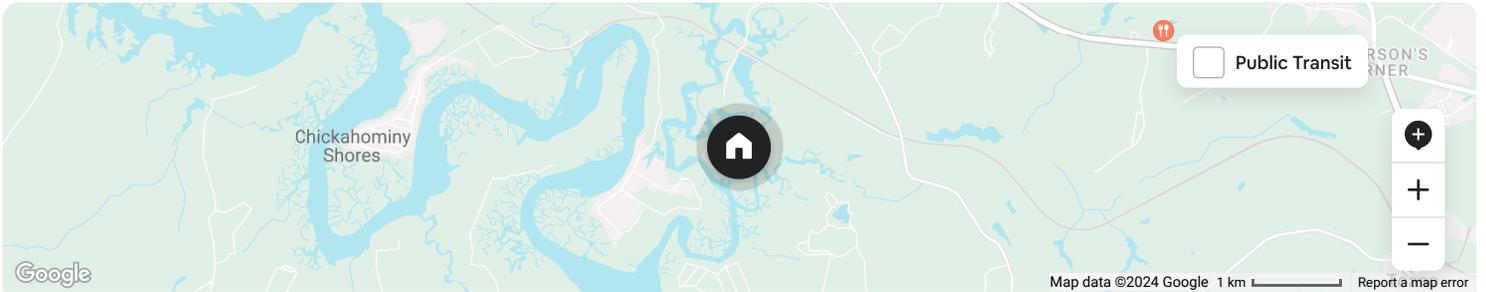
★★★★★ · June 2024 · Stayed with a pet

The house was very clean and inviting upon arrival. We enjoyed the privacy of the property and the short distance to Williamsburg. We would definitely stay at this property again.

Show all 18 reviews

Where you'll be

Lanexa, Virginia, United States



Meet your Host



Cory
Superhost

72
Reviews

4.82 ★
Rating

9
Months hosting

Cory is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Co-hosts

 Devyn

Host details

Response rate: 100%
Responds within an hour

Message Host



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

Check-in after 3:00 PM

Checkout before 10:00 AM

7 guests maximum

[Show more](#) >

Safety & property

Carbon monoxide alarm not reported

Smoke alarm

[Show more](#) >

Cancellation policy

Free cancellation before Aug 27. Cancel before check-in on Sep 1 for a partial refund.

Review this Host's full policy for details.

[Show more](#) >

[Airbnb](#) > [United States](#) > [Virginia](#) > [James River](#)

Explore other options in and around Lanexa

Richmond

Vacation rentals

Williamsburg

Vacation rentals

Lake Anna

Vacation rentals

Massanutten

Vacation rentals

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Vacation rentals

Charlottesville

Vacation rentals

Shenandoah

Vacation rentals

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Vacation rentals

Roanoke

Vacation rentals

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[James River monthly stays](#)

[Waterfront vacation rentals in James River](#)

[Vacation rentals with lake access in James River](#)

[Pet-friendly vacation rentals in James River](#)

[House vacation rentals in James River](#)

[Pet-friendly vacation rentals in Virginia](#)

[Vacation rentals with lake access in Virginia](#)

[Waterfront vacation rentals in Virginia](#)

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[Help Center](#)

[AirCover](#)

[Anti-discrimination](#)

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**SPECIAL USE PERMIT-24-0014. 111 Druid Drive Rental of Rooms
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

SUMMARY FACTS

Applicant: Ms. Roberta Valentine
Landowner: Ms. Roberta Valentine
Proposal: To allow for a short-term rental of one bedroom within the existing four-bedroom house.
Location: 111 Druid Drive
Tax Map/Parcel No.: 4720700075
Property Acreage: ± 0.39 acres
Zoning: R-1, Limited Residential
Comprehensive Plan: Low Density Residential
Primary Service Area (PSA): Inside
Staff Contact: Ben Loppacker, Planner

PUBLIC HEARING DATES

Planning Commission: August 7, 2024, 6:00 p.m.
Board of Supervisors: September 10, 2024, 5:00 p.m. (Tentative)

FACTORS FAVORABLE

1. With the proposed conditions, there is adequate off-street parking.
2. The applicant has acknowledged that should this application be approved; she will obtain the proper licensing and inspections through the County and will be subject to appropriate use-based taxes.
3. The owner will reside on-site during the time of the rentals.
4. Impacts: See Impact Analysis on Pages 3-4.
5. See Comprehensive Plan Analysis on Page 5.

FACTORS UNFAVORABLE

1. Staff finds the proposal is not fully consistent with the short-term rental recommendations of the *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.
2. Impacts: See Impact Analysis on Pages 3-4.
3. See Comprehensive Plan Analysis on Page 5.

SUMMARY STAFF RECOMMENDATION

Staff finds the proposal to be not fully consistent with the recommendations for short-term rentals in the Comprehensive Plan. Staff, therefore, cannot recommend approval of this application. Should the Planning Commission wish to recommend approval of this application, staff has included proposed conditions for consideration (Attachment No. 1).

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.

**SPECIAL USE PERMIT-24-0014. 111 Druid Drive Rental of Rooms
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

PROJECT DESCRIPTION

Ms. Roberta Valentine has applied for a Special Use Permit (SUP) to allow for a short-term rental of one bedroom within the existing four-bedroom house on the property. The proposal includes no changes to the size or footprint of the house.

Unlike the “Tourist Home” use, the “Rental of Rooms” use limits rentals to a maximum of three bedrooms and requires the homeowners to continue residing at the property during the time of rentals. This use prohibits the rental of the dwelling as a whole. While the use permits the rental of a maximum of three rooms, the applicant states that it is her intent to rent out only one bedroom on a regular basis.

The property is accessed via an existing driveway off Druid Drive. The property has an existing parking area sufficient to accommodate guests. The four-bedroom home is on public water and sewer. In previous rental of rooms applications, staff calculated the number of occupants to be two people per bedroom. Therefore, proposed Condition No. 3 states that the maximum number of occupants per contract, including children, is two.

PLANNING AND ZONING HISTORY

- There have been no legislative cases associated with the residence that was built in 1974.
- The Zoning Division mailed a notification in 2022 indicating that the property was being used for a short-term rental without an SUP. Furthermore in 2023 and 2024, Zoning issued Notices of Violation for the continued operation of a short-term rental of rooms without an SUP.

SURROUNDING ZONING AND DEVELOPMENT

- The property is located within the Druid Hills subdivision.
- The following table lists the information on the adjacent parcels:

| | ZONING DESIGNATION | EXISTING LAND USE | FUTURE LAND USE DESIGNATION |
|-------|--------------------------|-------------------|-----------------------------|
| NORTH | R-1, Limited Residential | Residential | Low Density Residential |
| SOUTH | R-1, Limited Residential | Residential | Low Density Residential |
| EAST | R-1, Limited Residential | Residential | Low Density Residential |
| WEST | R-1, Limited Residential | Residential | Low Density Residential |

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.

**SPECIAL USE PERMIT-24-0014. 111 Druid Drive Rental of Rooms
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

| Impacts/Potentially Unfavorable Conditions | Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | Considerations/Proposed Mitigation of Potentially Unfavorable Conditions |
|---|--|--|
| <u>Public Transportation: Vehicular</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The proposal is not anticipated to generate traffic exceeding a typical residential use. - The subject property is located on a local road. However, staff believes that the road is adequate for this use. |
| <u>Public Transportation: Bicycle/Pedestrian</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Per the Adopted Regional Bikeways Map and Pedestrian Accommodations Master Plan, bicycle and pedestrian accommodations are not required per Section 24-35(c)(2) of the Zoning Ordinance. |
| <u>Public Safety</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Fire Station 3 on John Tyler Highway serves this area of the County and is approximately 1.9 miles from the proposed rental of rooms property. - Staff finds this project does not generate impacts that require mitigation to the County’s Fire Department facilities or services. |
| <u>Public Schools</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - N/A since no residential dwelling units are proposed. |
| <u>Public Parks and Recreation</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - N/A since no residential dwelling units are proposed. |
| <u>Public Libraries and Cultural Centers</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation. |
| <u>Groundwater and Drinking Water Resources</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The property is served by public water and sewer. - The proposal does not generate impacts that require mitigation to groundwater or drinking water resources. |

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.

**SPECIAL USE PERMIT-24-0014. 111 Druid Drive Rental of Rooms
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

| Impacts/Potentially Unfavorable Conditions | Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | Considerations/Proposed Mitigation of Potentially Unfavorable Conditions |
|---|--|--|
| <u>Watersheds, Streams, and Reservoirs</u> Project is located in the Mill Creek Watershed. | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The Stormwater and Resource Protection Division has reviewed this application and had no objections. - No new impervious surface is proposed as part of this SUP request. Should exterior site improvements be made in the future, those improvements would be subject to additional environmental review at that time. |
| <u>Cultural/Historic</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The subject property has been previously disturbed and has no known cultural resources on-site. |
| <u>Nearby and Surrounding Properties</u> | <u>Mitigated</u> | <ul style="list-style-type: none"> - Traffic is anticipated to be typical of a residential home, the subject property must adhere to the County’s Noise Ordinance, and the proposed SUP conditions will restrict commercial signage and exterior lighting. Future expansions of the use would require an SUP amendment. |
| <u>Community Character</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Druid Drive is not designated as a Community Character Corridor and this parcel is not located within a Community Character Area. |
| <u>Covenants and Restrictions</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The applicant has verified that she is not aware of any covenants or restrictions on the property that prohibit the proposed use. |

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.

**SPECIAL USE PERMIT-24-0014. 111 Druid Drive Rental of Rooms
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

COMPREHENSIVE PLAN

The site is designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map. The Comprehensive Plan provides recommendations regarding locations for short-term rentals.

Per the adopted Comprehensive Plan, due to the unique impacts that can arise from transient residents in short-term rentals, the County should continue to carefully consider the impacts these uses can have on a community's quality of life. The thriving rural character of James City County continues to offer a variety of agri-tourism opportunities, for which short-term rentals may provide a truly unique opportunity and experience; one that provides economic benefits to rural property owners but does not directly compete with more conventional tourism-based opportunities inside the PSA. If located within a residential context, short-term rentals should serve to complement the residential character of the area rather than altering its nature. Therefore, while every location can be considered uniquely, short-term rentals are most appropriately located subject to the following development standards:

- Be located on lands designated Rural Lands, Neighborhood Commercial, Community Commercial, Mixed Use, or Economic Opportunity.

This property is designated Low Density Residential on the 2045 Comprehensive Plan Land Use Map. Therefore, the application does not meet this recommendation set forth in the Comprehensive Plan.

- Be located on the edge or corner of an existing platted subdivision, rather than internal to it.

This property is located within an existing platted subdivision. It is internal to the subdivision. Therefore, the application does not meet this recommendation set forth in the Comprehensive Plan.

- Be located on a major road.

This property is located on Druid Drive which is classified by the Virginia Department of Transportation as a local road. Therefore, the application does not meet this recommendation set forth in the Comprehensive Plan.

- Be operated in a manner such that the property owners will continue to live and reside on the property during the rental.

The owner of the property will continue to reside on-site during the rentals. Therefore, the application does meet this recommendation set forth in the Comprehensive Plan.

STAFF RECOMMENDATION

Staff finds the proposal to be not fully consistent with the recommendations for short-term rentals in the Comprehensive Plan. Staff, therefore, cannot recommend approval of this application. Should the Planning Commission wish to recommend approval of this application, staff has included proposed conditions for consideration (Attachment No. 1).

BL/md
SUP24-14_111Druid

Attachments:

1. Proposed Conditions
2. Location Map
3. Master Plan
4. Applicant Narrative

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.

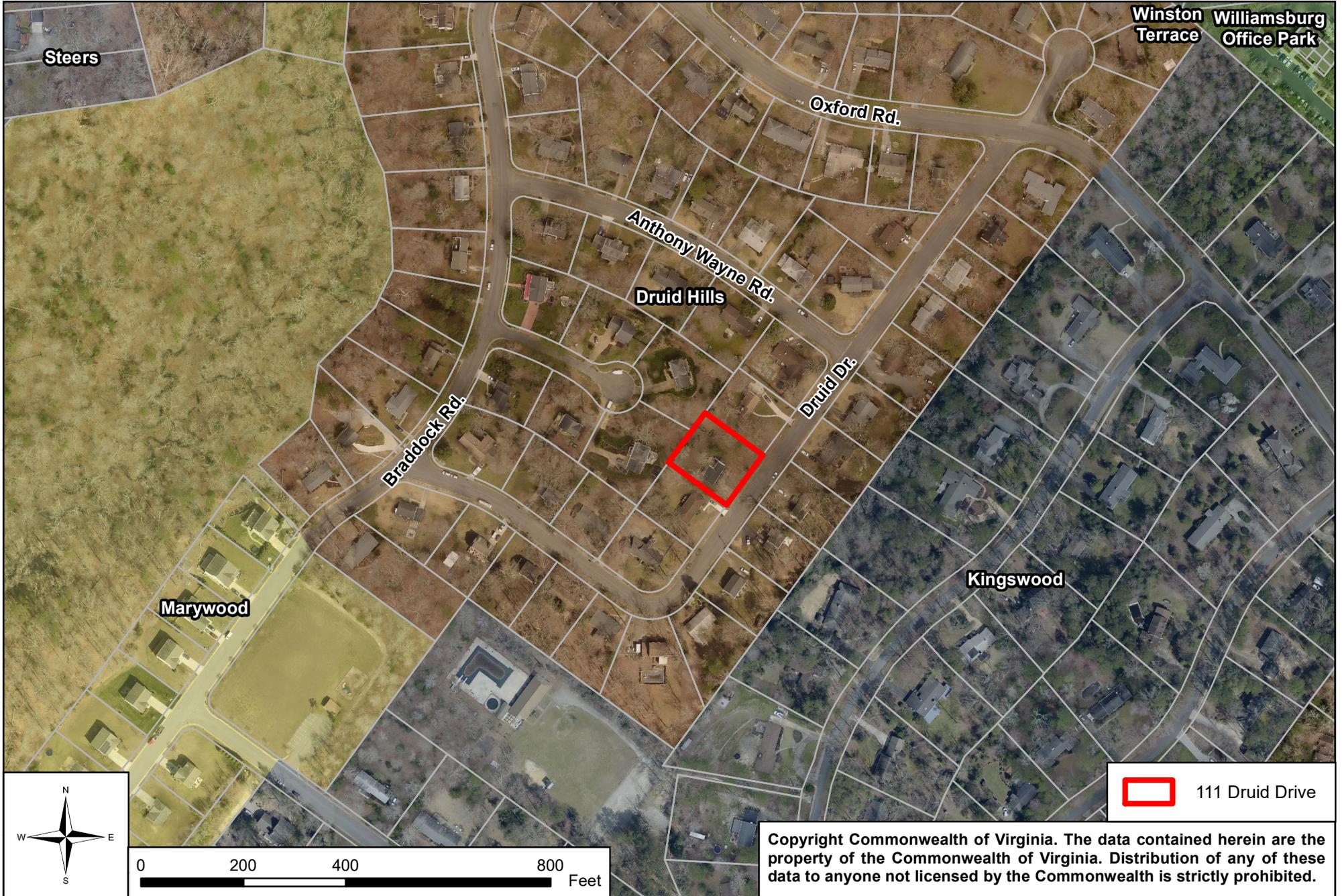
PROPOSED CONDITIONS FOR CASE NO. SUP-24-0014. 111 DRUID DRIVE

RENTAL OF ROOMS

1. Master Plan. This SUP shall permit the rental of rooms on property located at 111 Druid Drive and further identified as James City County Real Estate Tax Map Parcel No. 4720700075 (the “Property”). The use and layout of the Property shall be generally as shown on the document entitled “JCC SUP-24-0014, 111 Druid Drive Rental of Rooms” and date stamped July 12, 2024 (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. Evidence of a business license and updated Certificate of Occupancy shall be provided to the Director of Planning within twelve (12) months from the issuance of the SUP, or this SUP shall automatically be void.
3. Number of Rental Room Occupants. There shall be no more than one (1) bedroom available for rent to visitors and no more than two (2) rental occupants total at any one time.
4. Contracts per Rental Period. There shall not, during any period of time, be simultaneous rentals of the Property under separate contracts.
5. Signage. No signage related to the use of rental of rooms shall be permitted on the Property.
6. Parking. Off-site parking for this use shall be prohibited. No oversized commercial vehicles associated with rental occupants of the tourist home, such as, but not limited to, buses, commercial trucks, and trailers shall be allowed to park on the Property. Prior to the issuance of a Certificate of Occupancy for the use, the applicant shall submit a parking plan depicting four parking spaces in compliance with Section 24-59 of the James City County Zoning Ordinance. The parking plan shall be approved by the Director of Planning or their designee prior to the issuance of the Certificate of Occupancy.
7. Validity. This SUP shall be valid until December 31, 2027.
8. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

JCC SUP-24-0014

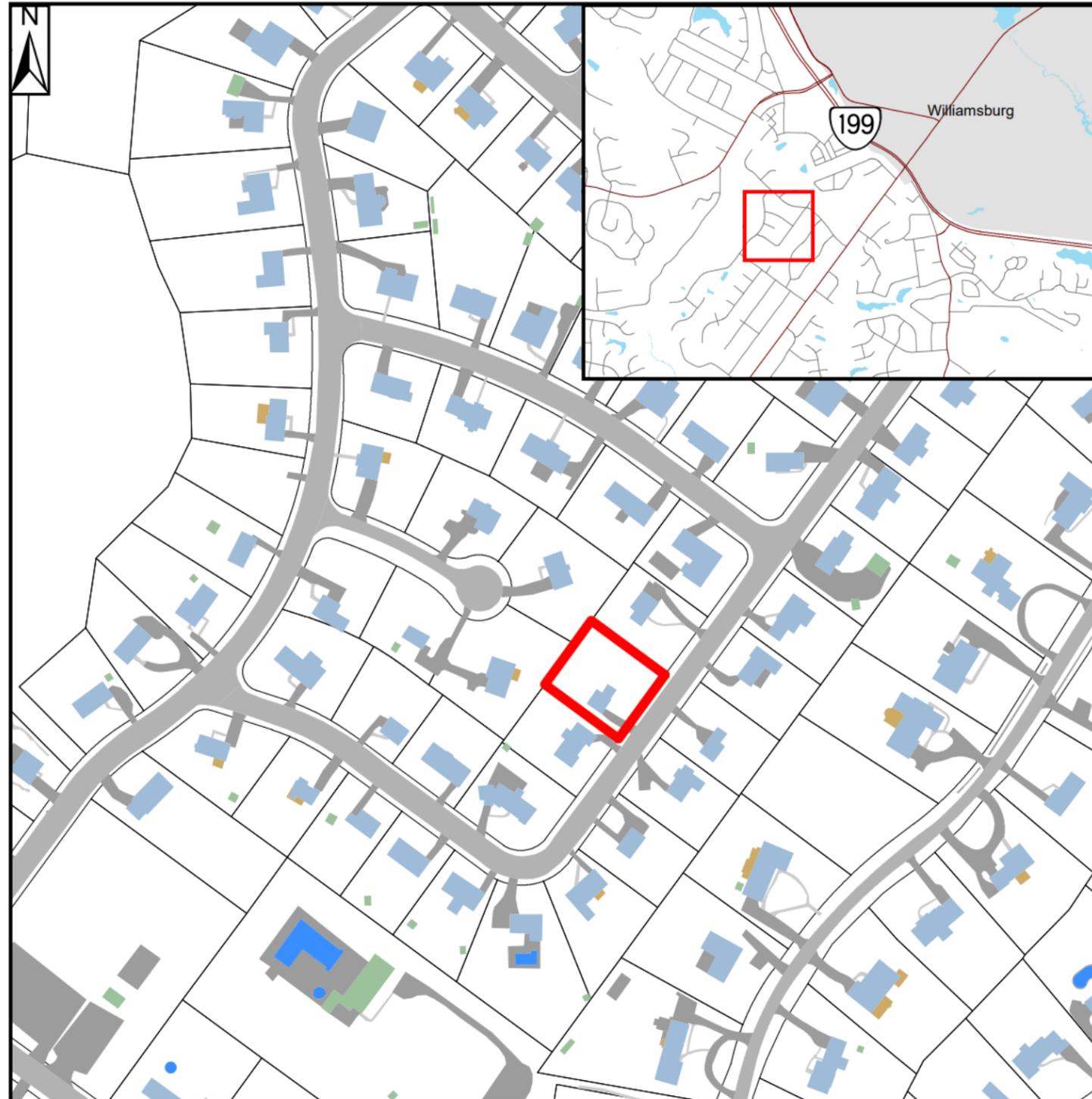
111 Druid Drive Rental of Rooms



SUP-24-0014, 111 Druid Drive Rental of Rooms

Property Information
4720700075
Roberta Valentine
111 Druid Drive
Williamsburg, VA 23185
Zoning: R1 Limited Residential
2045 Comp Plan: Low Density Residential
Parcel Acreage: 0.39 Acres

Sheet Index
1. Cover Page
2. Location Map
3. Parking Area
4. Site Details



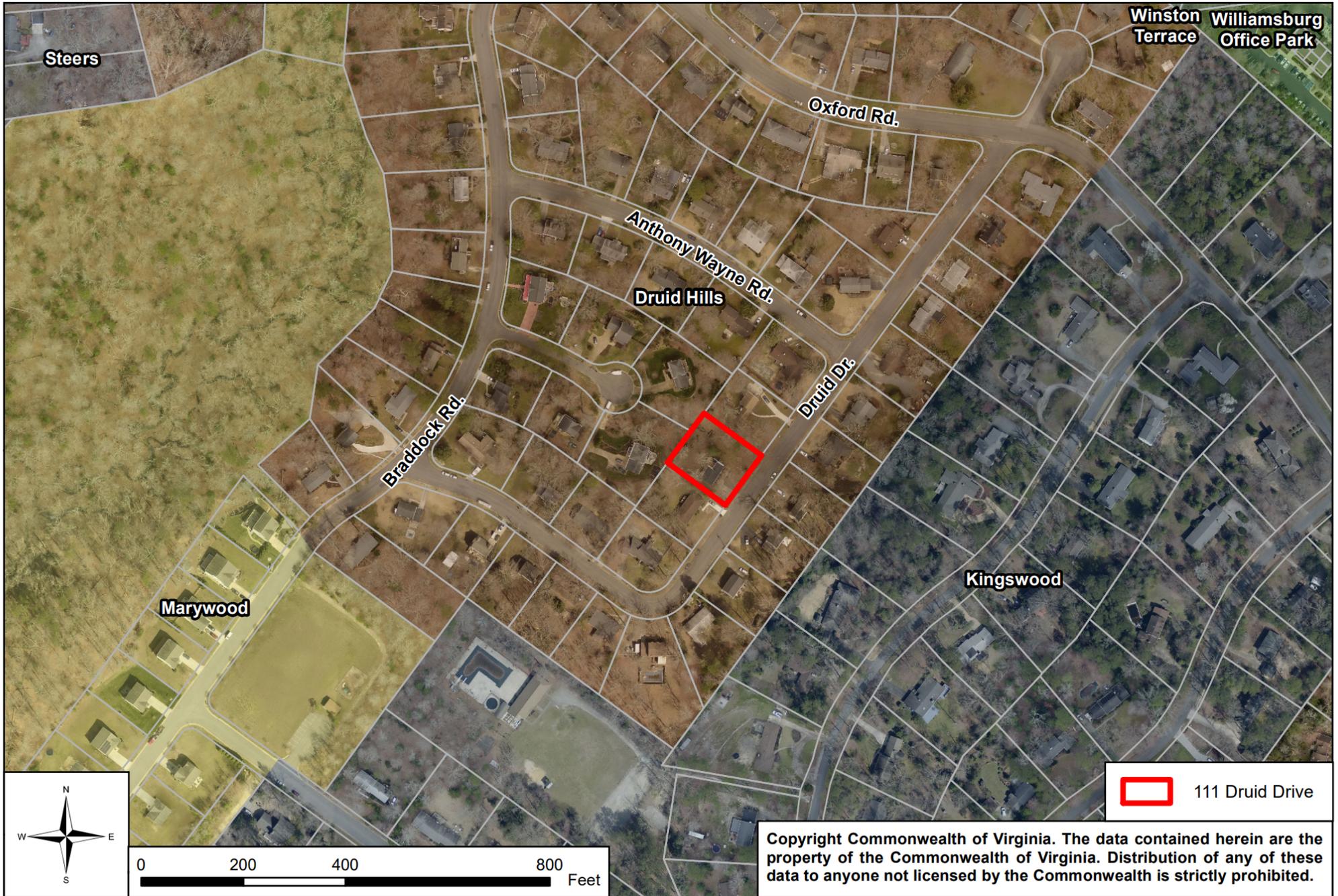
General Notes
1. Site is served by public water and sewer.
2. This site is not located in the special flood hazard area, based on Flood Insurance Rate Map 51095C0201D, effective 12/16/15.
3. Property does not contain a Resource Protected Area.
4. Property has an existing driveway.
5. A minimum of four parking spots shall be provided (one more parking space than the total bedrooms rented).

July 12, 2024

Maps Not to Scale

JCC SUP-24-0014

111 Druid Drive Rental of Rooms



JCC SUP-24-0014
Rental of Rooms



JCC SUP-24-0014 Rental of Rooms



111 Druid Drive Rental of Rooms SUP Narrative

Upstairs has 2 full bathrooms and three bedrooms. Currently, I am using one bedroom for storage and have one bedroom for short term rentals. The third bedroom is larger and has its own full bathroom. I'd like to add this to short-term rentals as well.

Downstairs has a kitchen, living room, dining area, and my bedroom. There is also a back deck with a fenced in yard and a front porch. Guests have access to all except my bedroom and the half bath that's in it. There is also a small laundry room behind my bedroom. There is a back door there for guests to access.

I live on a very quiet street in a thickly settled neighborhood. There are two parking spaces in the driveway and plenty of safe on-street parking that is rarely used.

The main rules are No Parties, No Smoking, and No Pets (I have dogs of my own). The only camera in my house is the Ring doorbell. Nobody enters or exits without me knowing about it. There's only one entrance, which is the front door. My neighbors were surprised to know I had an Airbnb. That is how low key this is.

Most of the year I'm open to guests. I can block out days or weeks if I need to. Most guests are either parents or students of William and Mary, or families visiting Busch Gardens. Most often they stay just 2 or 3 days. Sometimes a week, but rarely.

Susan M. Istenes, AICP
Director of Planning
Community Development
101-A Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23187-8784

Dear Director Istenes:

I am writing to you to comment on the application for a Special Use Permit for the property at 111 Druid Drive, before the James City County Planning Commission on August 7, 2024. My wife and I have been to this property on numerous occasions and have known the owner for some time now. Having been a City Manager for over 20 years, I am well aware that this is a nice quiet residential area and that the purpose of the current zoning is to ensure that changes are not made that would jeopardize the character of the area or impinge upon the quiet enjoyment of the properties by the owners in the area. I do not believe that this proposal will in any way change that.

Unlike other requests related to the boom in residential rentals for short term vacation usage, typified by VRBO and Air B&B, this proposal is from an owner who lives on site and is invested in both the neighborhood and the neighbors. The request is to utilize a single room for rental purposes and will not have several people coming and going and constant turnover of the people at the house. It will not noticeably affect the traffic in the neighborhood, with only a single car added to the one car already at the home. I am aware that numerous neighbors are pleased with the care given to the property by the current owner and believe the current owner is an asset to the neighborhood and fully expect that to continue.

I hope you will look favorably on this request and give it your approval at your meeting.

Respectfully,



Ed Sadler, JCC resident

PLANNING DIVISION

JUL 29 2024

RECEIVED

MEMORANDUM

DATE: August 7, 2024

TO: The Planning Commission

FROM: Morgan Risinger, Senior Planner

SUBJECT: ORD-22-0001/Z-24-0008. Amendments for Scenic Roadway Protection

Introduction

At its meeting on October 26, 2021, the Board of Supervisors unanimously adopted the 2045 James City County Comprehensive Plan: *Our County, Our Shared Future*. The adopted plan includes the following strategy within the Goals, Strategies, and Actions (GSA) portion of the Land Use Chapter that focuses on preserving scenic roadways:

LU 6.3 - To help retain the character of Rural Lands, develop additional zoning and subdivision tools (e.g., scenic easement dedication requirements, increased minimum lot sizes, increased setbacks, and/or overlay districts) to protect and preserve scenic roadways such as Forge Road. Consider 400-foot setbacks along Community Character Corridors outside the PSA.

In accordance with the Initiating Resolution adopted by the Board of Supervisors at its November 23, 2021, meeting (Attachment No. 1), Planning staff attended multiple Policy Committee, Planning Commission, and Board meetings to discuss potential zoning text amendments to fulfill this GSA. At its January 9, 2024, meeting, the Board requested additional time to consider the proposed amendments due to concerns regarding how the proposed regulations would be applied. During its February 27, 2024, and March 26, 2024, meetings, the Board indefinitely deferred the proposed amendments and directed staff to prepare materials to create an Overlay District to apply setback regulations to parcels which are at least 40 acres in size and located outside of the Primary Service Area (PSA) along Forge Road, North Riverside Drive, and Diascund Road (from Forge Road to the CSX railroad right-of-way). Subsequently, at its May 14, 2024, meeting, the Board adopted an Initiating Resolution directing staff to prepare an amendment to the Zoning Ordinance which would create an Overlay District to protect and preserve scenic roadways and to include the parcels identified on the exhibit titled "Parcels over 40 acres outside the PSA with road frontage" and dated March 12, 2024, in a rezoning to the Overlay District (Attachment No. 2).

Scenic Road Overlay District

Staff has prepared draft Ordinance language to create the Scenic Roadway (SR) Overlay District (Attachment Nos. 3 and 4). The Overlay District would include language establishing a tiered setback of up to 400 feet for structures to be applied to existing parcels rezoned to the district. This tiered approach would specify that unimproved lots with a depth greater than 500 feet would have a setback requirement of 400 feet, unimproved lots with a depth greater than 300 feet and up to and including 500 feet would have a setback requirement of 200 feet, and unimproved lots with a depth of 300 feet or less and flag lots would continue to have setbacks determined by the underlying zoning district. This tiered setback is the same approach previously presented to the Planning Commission at its November 1, 2023, meeting, and to the Board at its January 9, 2024, meeting. In addition to the tiered setback approach for existing parcels, the Ordinance language specifies that any new lots created after the effective date of the Ordinance would have a setback requirement of 400 feet. For context, staff has included an analysis of setback distances from Forge Road used in the development of the tiered approach (Attachment No. 5). As the setback is the only proposed regulation in the draft Ordinance language, the underlying zoning district regulations would remain in effect for parcels within the Overlay District.

At its July 11, 2024, meeting, the Policy Committee voted 4-0 to recommend that the full Planning Commission recommend denial of the Ordinance to the Board of Supervisors.

Should the draft Ordinance language be approved to create the SR Overlay District, staff has prepared an Ordinance to rezone the 22 parcels identified within the map referenced in the Initiating Resolution so that they are included within the Overlay District (Attachment No. 6). As shown in the map referenced within the Initiating Resolution, the parcels identified to be rezoned are at least 40 acres in size and located outside of the PSA along Forge Road, North Riverside Drive, and Diascund Road (from Forge Road to the CSX railroad right-of-way). These parcels are currently zoned A-1, General Agricultural, and designated Rural Lands on the Comprehensive Plan Land Use Map. Should the rezoning be approved, the parcels would continue to follow the regulations of the A-1 Zoning District except that the building setback requirement along these roadways would be regulated by the Overlay District. As requested by the Policy Committee, staff has included a map which visualizes the anticipated effect of the Overlay District setback regulations on the parcels included within the rezoning based on the parcels' improvement status (Attachment No. 7).

Timber Setback and Buffering Requirements

As previously presented to the Planning Commission at its November 1, 2023, meeting, and to the Board at its January 9, 2024, Regular Meeting, staff has prepared draft Ordinance language of proposed amendments to the Zoning Ordinance to provide additional timber setback and landscape buffer requirements along Wooded Community Character Corridors (CCCs). The Comprehensive Plan states that Wooded CCCs are intended to preserve natural wooded areas and encourage supplementary planting to ensure that buffers visually screen development from the road, which is best accomplished by establishing setbacks for timbering and landscape buffers, rather than building setbacks. The draft language includes the following provisions to align with the Comprehensive Plan guidance:

- Propose landscape buffer requirements along Wooded CCCs located outside the PSA to include a 100-foot-wide buffer average for commercial projects.
- Propose a 200-foot-wide buffer average requirement for major residential developments along Wooded CCCs located outside the PSA.
- Propose a timbering setback of at least 50 feet on properties along Wooded CCCs outside the PSA.

Staff has combined these provisions within a singular Ordinance (Attachment Nos. 8 and 9) but has otherwise made no changes from the language presented to the Board at its January 9, 2024, Regular Meeting.

This Ordinance is also accompanied by an Ordinance (Attachment Nos. 10 and 11) which would create a new section in the Subdivision Ordinance to implement the buffer requirement for major subdivisions as a requirement of the subdivision review process. Staff has made no changes to this proposed Ordinance language.

Staff Recommendation

Staff finds that the attached Ordinances will fulfill the intent of the Board's Initiating Resolutions and recommends the Planning Commission recommend approval of the attached Ordinances to the Board of Supervisors.

Attachments:

1. Initiating Resolution
2. Overlay District Initiating Resolution and Map
3. Overlay District Ordinance Strikethrough
4. Overlay District Ordinance Clean Copy
5. Setback Exhibits
6. Overlay District Rezoning Ordinance
7. Overlay District Rezoning Setback Map
8. Timber Setback and Landscape Buffer Ordinance Strikethrough
9. Timber Setback and Landscape Buffer Ordinance Clean Copy
10. Subdivision Buffering Ordinance Strikethrough
11. Subdivision Buffering Ordinance Clean Copy
12. Approved Minutes of the November 1, 2023, Planning Commission Regular Meeting
13. Approved Minutes of the January 9, 2024, Board of Supervisors Regular Meeting
14. Approved Minutes of the February 27, 2024, Board of Supervisors Business Meeting
15. Approved Minutes of the March 26, 2024, Board of Supervisors Business Meeting
16. Draft Minutes of the July 11, 2024, Policy Committee Regular Meeting

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE AND

SUBDIVISION ORDINANCE TO PROVIDE ADDITIONAL REQUIREMENTS TO PROTECT

AND PRESERVE SCENIC ROADWAYS SUCH AS FORGE ROAD

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the "Virginia Code"), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the "Board"), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, section 15.2-2253 of the Virginia Code and County Code Section 19-10 authorize the Board to request the Planning Commission to prepare and recommend amendments to the Subdivision Ordinance; and

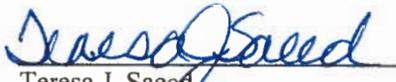
WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance and Subdivision Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning in order to consider additional requirements to protect and preserve scenic roadways such as Forge Road. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request the Planning Commission to prepare and recommend amendments to Chapter 19, Subdivisions, in order to consider additional requirements to protect and preserve scenic roadways such as Forge Road. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Subdivision Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.


Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:


Teresa J. Saeed
Deputy Clerk to the Board

| | VOTES | | | |
|-----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
| SADLER | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ICENHOUR | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LARSON | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| MCGLENNON | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| HIPPLE | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of November, 2021.

InitConsdForgeRd-res

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE

TO CREATE AN OVERLAY DISTRICT TO PROTECT AND PRESERVE SCENIC ROADWAYS

AND INITIATION OF REZONING OF IDENTIFIED PARCELS TO THE

NEW OVERLAY DISTRICT

WHEREAS, Section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the “Virginia Code”), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the “Board”), to, by resolution, initiate amendments to the boundaries of the districts or the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, at its November 23, 2021, meeting, the Board initiated consideration of amendments to the regulations of the Zoning Ordinance and Subdivision Ordinance to provide additional requirements to protect scenic roadways such as Forge Road; and

WHEREAS, at its February 27, 2024, meeting, the Board requested staff to prepare materials for the creation of a new Overlay District that includes additional requirements to protect and preserve scenic roadways; and

WHEREAS, at its March 26, 2024, meeting, the Board directed staff to include the 22 parcels identified on the exhibit titled “Parcels over 40 acres outside the PSA with road frontage” and dated March 12, 2024, in a rezoning to the new Overlay District; and

WHEREAS, the Board is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning, for the creation of a new Overlay District to protect and preserve scenic roadways. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinance and shall forward its recommendation to the Board of Supervisors in accordance with the law.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate the rezoning of the 22 parcels identified on the exhibit titled “Parcels over 40 acres outside the PSA with road frontage” and dated March 12, 2024, and any other parcels deemed to require inclusion in the Overlay District, so that they are included within the new Overlay District. The Planning Commission shall hold at least one public hearing on the consideration of the rezoning and shall forward its recommendation to the Board of Supervisors in accordance with the law.



Ruth M. Larson

Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Teresa J. Saeed
Deputy Clerk to the Board

NULL
HIPPLE
MCGLENNON
ICENHOUR
LARSON

VOTES

| <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
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Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of May, 2024.

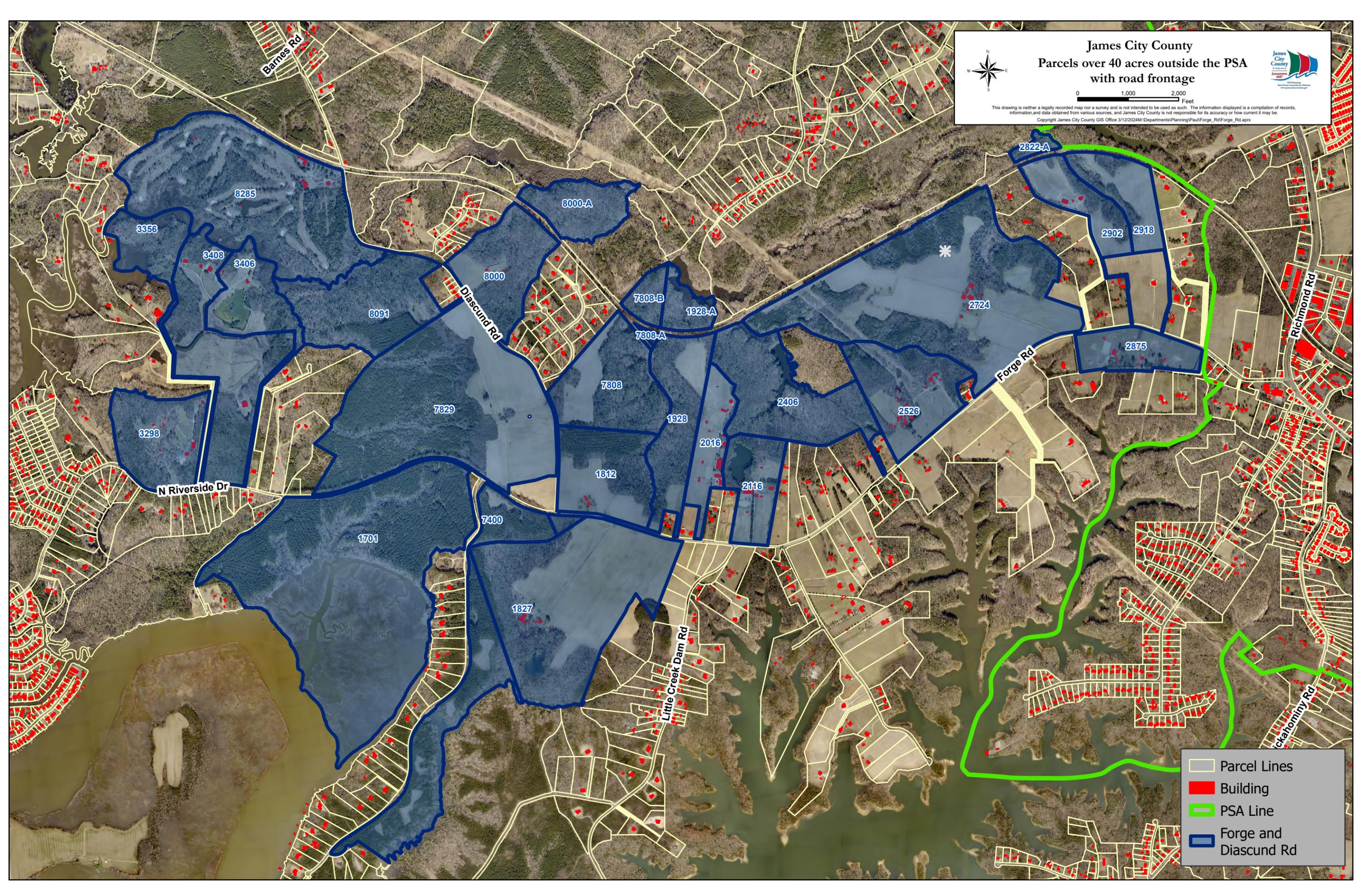
ScenicRPOvrlyDis-res

James City County Parcels over 40 acres outside the PSA with road frontage



0 1,000 2,000
Feet

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.
Copyright James City County GIS Office 3/12/2024M:\Departments\Planning\Paul Forge_Rd\Forge_Rd.aprx



- Parcel Lines
- Building
- PSA Line
- Forge and Diascund Rd

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VI, OVERLAY DISTRICTS, BY ADDING NEW DIVISION 2, SCENIC ROADWAY OVERLAY DISTRICT, SR; BY ADDING NEW SECTION 24-564, STATEMENT OF INTENT; BY ADDING NEW SECTION 24-565, APPLICABILITY; BY ADDING NEW SECTION 24-566, SCENIC ROADWAYS DEFINED; AND BY ADDING NEW SECTION 24-567, SETBACK REQUIREMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article VI, Overlay Districts, by adding new Division 2, Scenic Roadway Overlay District, SR; by adding new Section 24-564, Statement of intent; by adding new Section 24-565, Applicability; by adding new Section 24-566, Scenic roadways defined; and by adding new Section 24-567, Setback requirements.

Chapter 24. Zoning

Article VI. Overlay Districts

Division 2. Scenic Roadway Overlay District, SR

Sec. 24-564. Statement of intent.

The Scenic Roadway Overlay District is intended to protect and preserve the viewshed of scenic roadways. The district establishes an increased building setback to maintain the existing rural character along the roadways. The district is intended to impose special requirements in addition to the regulations of the principal zoning district where it applies.

Sec. 24-565. Applicability.

The governing body of James City County, Virginia, hereby establishes and delineates on the zoning district map the Scenic Roadway Overlay District, to be referred to on the zoning district map by the symbol SR. Unless otherwise stated herein, the permitted uses and other regulations of the underlying zoning districts and all other sections of this Zoning Ordinance shall continue to apply.

Sec. 24-566. Scenic roadways defined.

A "scenic roadway," for the purposes of this district, shall include State Route 610 (Forge Road), State Route 603 (Diascund Road), and State Route 715 (North Riverside Drive).

Sec. 24-567. Setback requirements.

(a) Any unimproved parcel or lot in existence as of [insert date of adoption], shall adhere to the following setback requirements:

1. *For those parcels or lots containing a lot depth of greater than 500 feet, structures shall be located a minimum of 400 feet from the street right-of-way of a scenic roadway.*
2. *For those parcels or lots containing a lot depth of greater than 300 feet but less than or equal to 500 feet, structures shall be located a minimum of 200 feet from the street right-of-way of a scenic roadway.*
3. *For those parcels or lots containing a lot depth of 300 feet or less or those parcels approved as a flag lot, the applicable setback shall be determined by the underlying zoning district regulations.*

An unimproved parcel or lot shall mean any parcel or lot which does not have a building placed upon or affixed to land. Any change in a recorded subdivision plat as defined in section 19-11 of the subdivision ordinance to circumvent the above requirements shall not be permitted.

- (b) *For any parcel or lot created after **[insert date of adoption]**, structures shall be located a minimum of 400 feet from the street right-of-way of a scenic roadway.*

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AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VI, OVERLAY DISTRICTS, BY ADDING NEW DIVISION 2, SCENIC ROADWAY OVERLAY DISTRICT, SR; BY ADDING NEW SECTION 24-564, STATEMENT OF INTENT; BY ADDING NEW SECTION 24-565, APPLICABILITY; BY ADDING NEW SECTION 24-566, SCENIC ROADWAYS DEFINED; AND BY ADDING NEW SECTION 24-567, SETBACK REQUIREMENTS.

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3. For those parcels or lots containing a lot depth of 300 feet or less or those parcels approved as a flag lot, the applicable setback shall be determined by the underlying zoning district regulations.

An unimproved parcel or lot shall mean any parcel or lot which does not have a building placed upon or is affixed to land. Any change in a recorded subdivision plat as defined in section 19-11 of the subdivision ordinance to circumvent the above requirements shall not be permitted.

- (b) For any parcel or lot created after [insert date of adoption], structures shall be located a minimum of 400 feet from the street right-of-way of a scenic roadway.



Rural Roadway Preservation



James City County Zoning Update
DRAFT August 2, 2022

Prepared by EPR,PC

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Rural Roadway Preservation

Part 1. Visual Analysis of Viewsheds

Introduction

In 2021, the James City County Board of Supervisors approved a Resolution to initiate the amendment of the James City Zoning and Subdivision ordinances in order to consider additional requirements to protect and preserve scenic roadways such as Forge Road. As part of an analysis to consider new standards for protection of these scenic roadways, EPR, PC was asked to develop analytic visualizations of the visual impacts of the viewshed on Forge Road.

The results of this analysis are presented here in two parts:

1. **Ground Level Visualizations** - The first part is a series of photomontages that were developed based on alternative measured distances from the road.
2. **Aerial Visualizations** - The second part is a series of aerial photographs of the Forge Road corridor showing different distances from the road as colored buffers along the roadway, with existing structures highlighted to show where they fall within the distance buffers.

It is important to note that, even though these are illustrative visualizations, they are based on actual measured dimensions using computer mapping for the distances so they represent a reasonably accurate representation of what potential distance standards could look like in reality.

Ground Level Visualizations

Methodology

For the purposes of the visualizations, a photograph of a segment of Forge Road was used that represents a typical “view from the road” on a relatively level portion of the road without any existing screening or buffering along the roadway. Using computer mapping, house sites were located at the following distances from the edge of the roadway (which is also the edge of the Right of Way):

- 100 feet
- 200 feet
- 300 feet
- 400 feet



Figure 1. Existing photo of Forge Road with computer mapping of different setback distances

Secondly, photographs of two typical houses were selected at the same view angle as the “view from the road” photograph to be used in composing the photomontages. House A was a simple one story brick home with attached garage and minimal landscaping and House B was a more elaborate house with detached garage and extensive landscaping in the front yard.

These houses were then photo montaged into the existing Forge Road photograph precisely at each of the distance points to show a reasonably realistic view of the visual impact of the houses at each distance parameter.

Results

The images below show the final photomontages with each house at each of the distances from the road.

House A:



Figure 2. House A. 100 ft. distance



Figure 4. House A. 200 ft. distance



Figure 3. House A. 300 ft. distance



Figure 5. House A. 400 ft. distance

House B.



Figure 6. House B. 100 ft. distance



Figure 7. House B. 200 ft. distance



Figure 8. House B. 300 ft. distance



Figure 9. House B. 400 ft. distance

Conclusions

The use of computer aided photomontage visualizations is a practical way to assess the potential visual impacts of alternative provisions for distances from the road. However, it is important to recognize that many other factors can influence the perception of different distances to houses when viewed from the road. These include topography, the presence of existing vegetation, and the general architectural character of structures. The above visualizations are of course open to different interpretations regarding what distance standards should be developed. From the consultant’s perspective, a few observations are offered for consideration from a professional planning perspective:

- The visual impact of both houses at the 100 foot distance is considerable. This scale of this distance is more reminiscent of a suburban development pattern than what is typically seen in a rural, farming based landscape.
- 300 to 400 foot distances are more similar to a typically rural context and view from the road, although houses on large lots are frequently set back even more than that. Often, homeowners who purchased large lots prefer a wide set back from the road to maintain their sense of private space and rural character.
- Particularly at the 400 foot distance line, there is an opportunity to create buffering and screening around the houses with vegetation that would be more reminiscent of a rural farm scape rather than a suburban landscape pattern.
- The architecture and landscaping around the house also influence the character of the view from the road. Large suburban houses with tall roofs and suburban style landscaping create more of a discontinuity with the rural landscape than a low ranch house with an attached garage.

Aerial Visualizations

Methodology

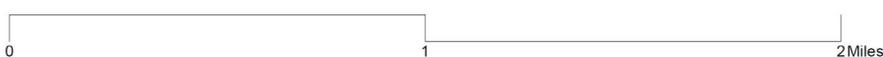
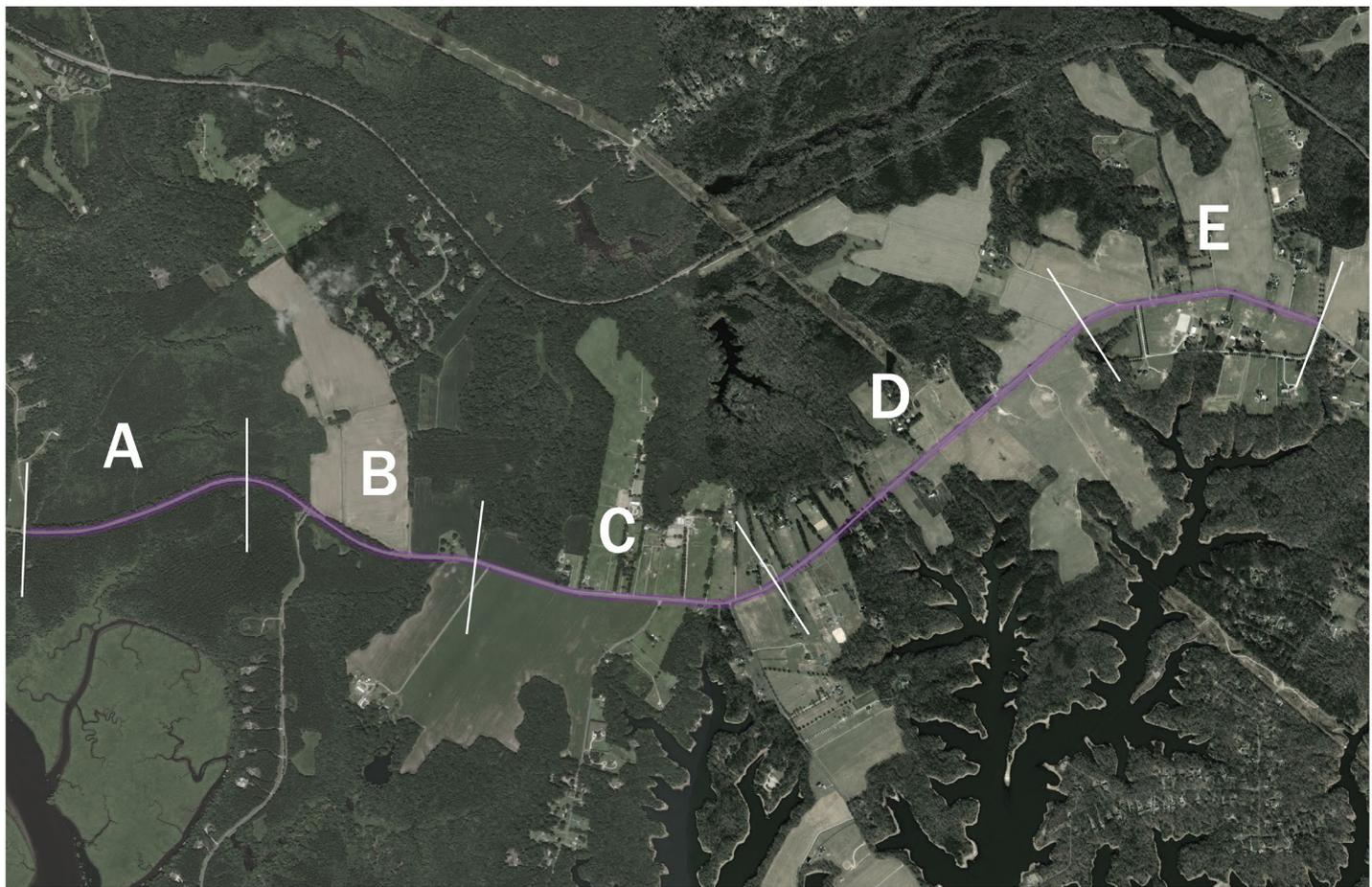
Based on County staff request, EPR developed an aerial mapping analysis of different distance widths applied to a section of Forge Road located outside of the PSA. The maps were presented as aerial photos with the distances shown as colored buffers on the photos and as oblique aerial views of segments of Forge Road showing existing structures.

The following maps were developed:

- **Baseline Setback Map.** This map shows the setback that currently applies under the existing zoning requirements for A-1.
- **Potential Alternate Distance Analysis Map:** This maps shows potential distances of 100', 200', 300' and 400'.
- **Oblique Aerials of Segments of Forge Road.** These maps show detailed oblique views of five segments of Forge Road with the potential distance ranges from 100' to 400' and highlight existing structures.

Results:

JAMES CITY COUNTY ZONING ANALYSIS | Forge Rd. Basemap (Existing Setback)



Gray: Forge Rd.
Purple: Existing 75' Setback



Figure 10. Base Map showing Existing Setback for A1 Zone

JAMES CITY COUNTY ZONING ANALYSIS | Forge Rd. Basemap (Proposed Setbacks)

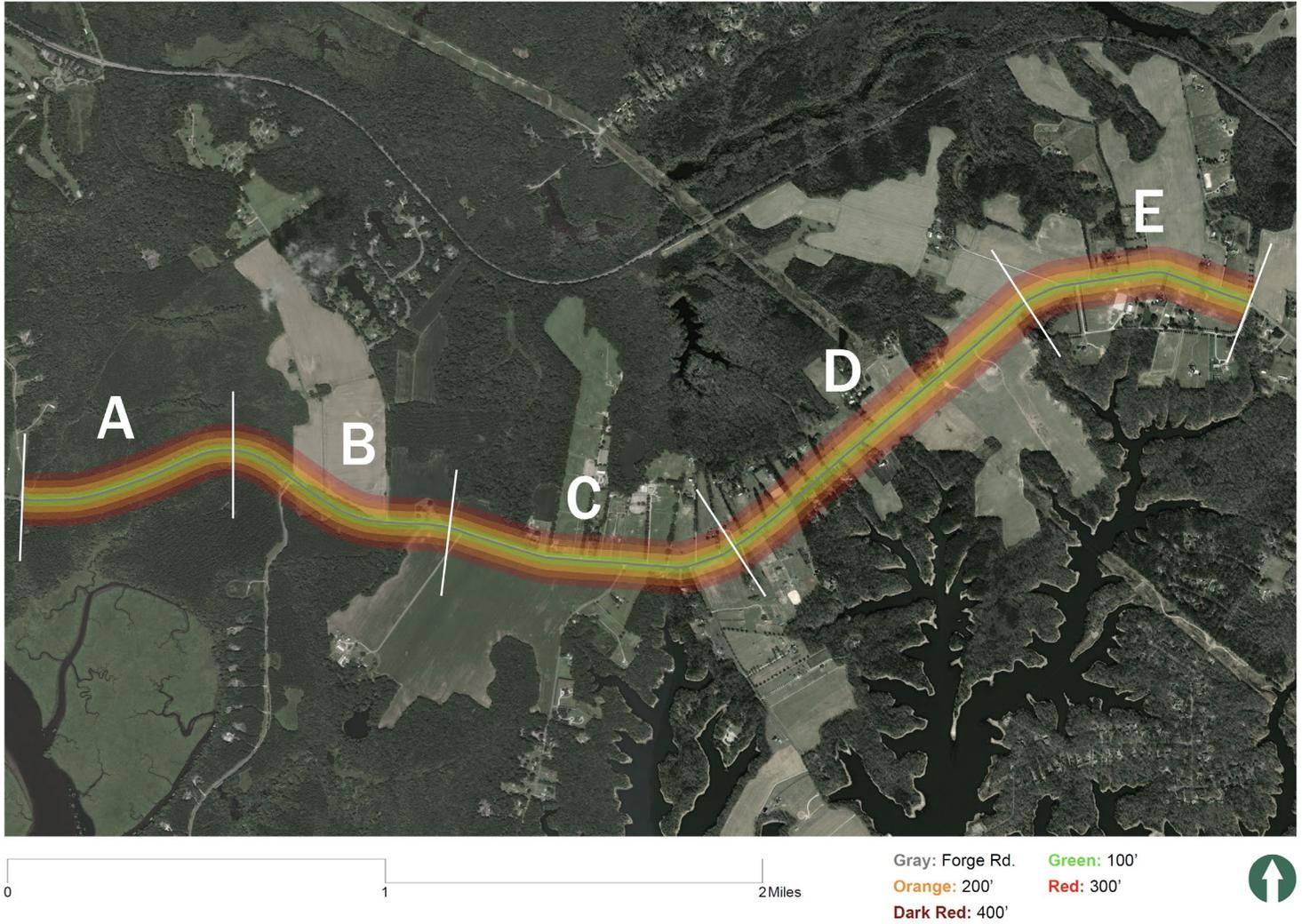


Figure 11. Base map showing alternate distances from the roadway

JAMES CITY COUNTY ZONING ANALYSIS | Forge Rd. Basemap (Proposed Setbacks) - Segment A

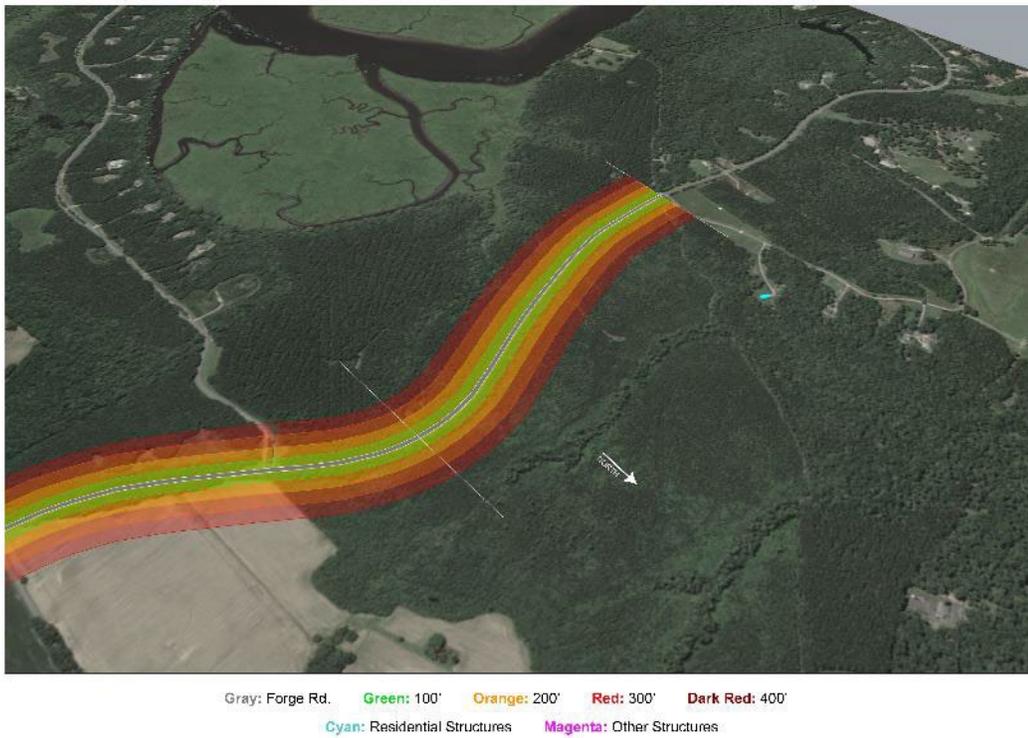


Figure 13. Potential distances - Segment A.

JAMES CITY COUNTY ZONING ANALYSIS | Forge Rd. Basemap (Proposed Setbacks) - Segment B



Figure 12. Potential distances - Segment B.

JAMES CITY COUNTY ZONING ANALYSIS | Forge Rd. Basemap (Proposed Setbacks) - Segment C

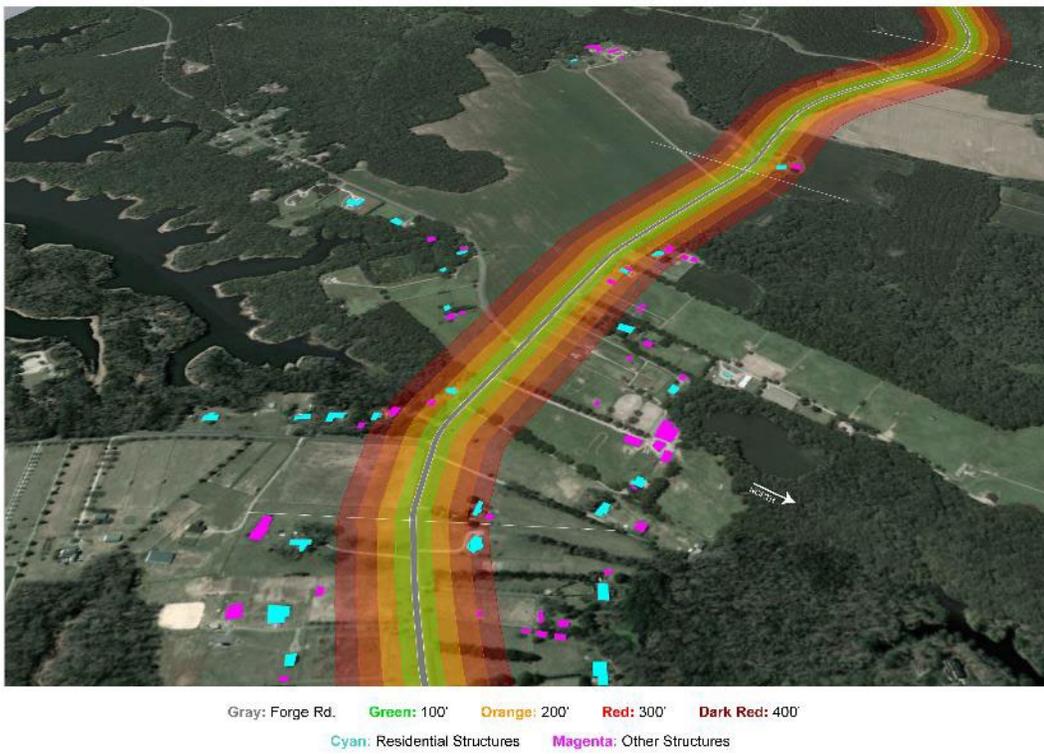


Figure 15. Potential distances - Segment C.

JAMES CITY COUNTY ZONING ANALYSIS | Forge Rd. Basemap (Proposed Setbacks) - Segment D

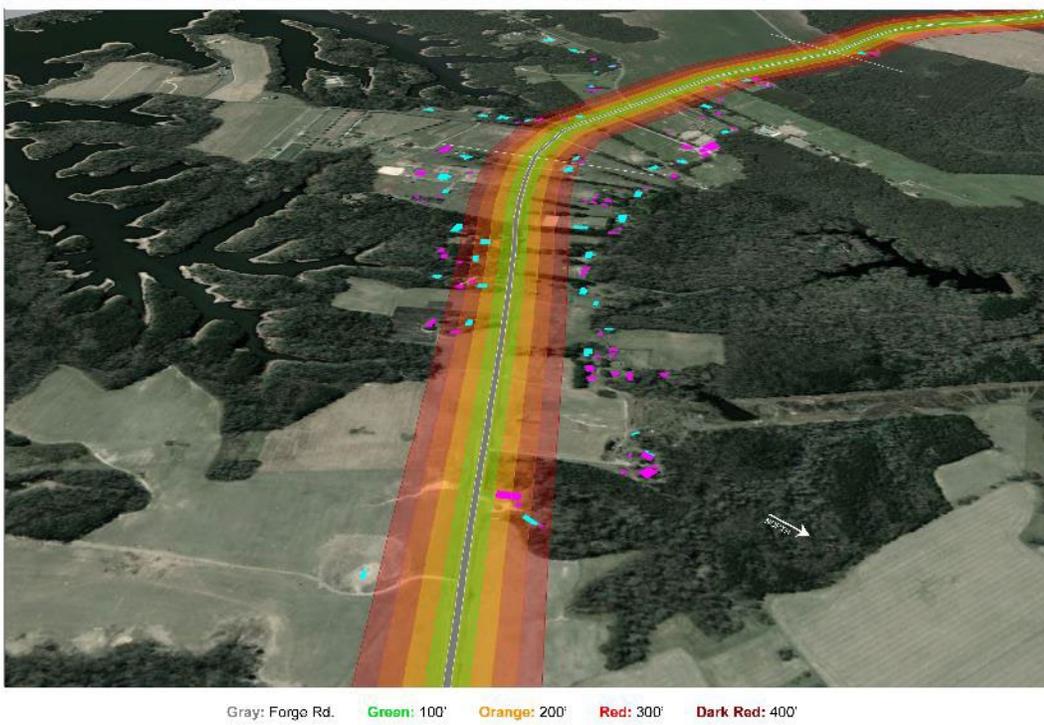


Figure 14. Potential distances - Segment D.

JAMES CITY COUNTY ZONING ANALYSIS | Forge Rd. Basemap (Proposed Setbacks) - Section E

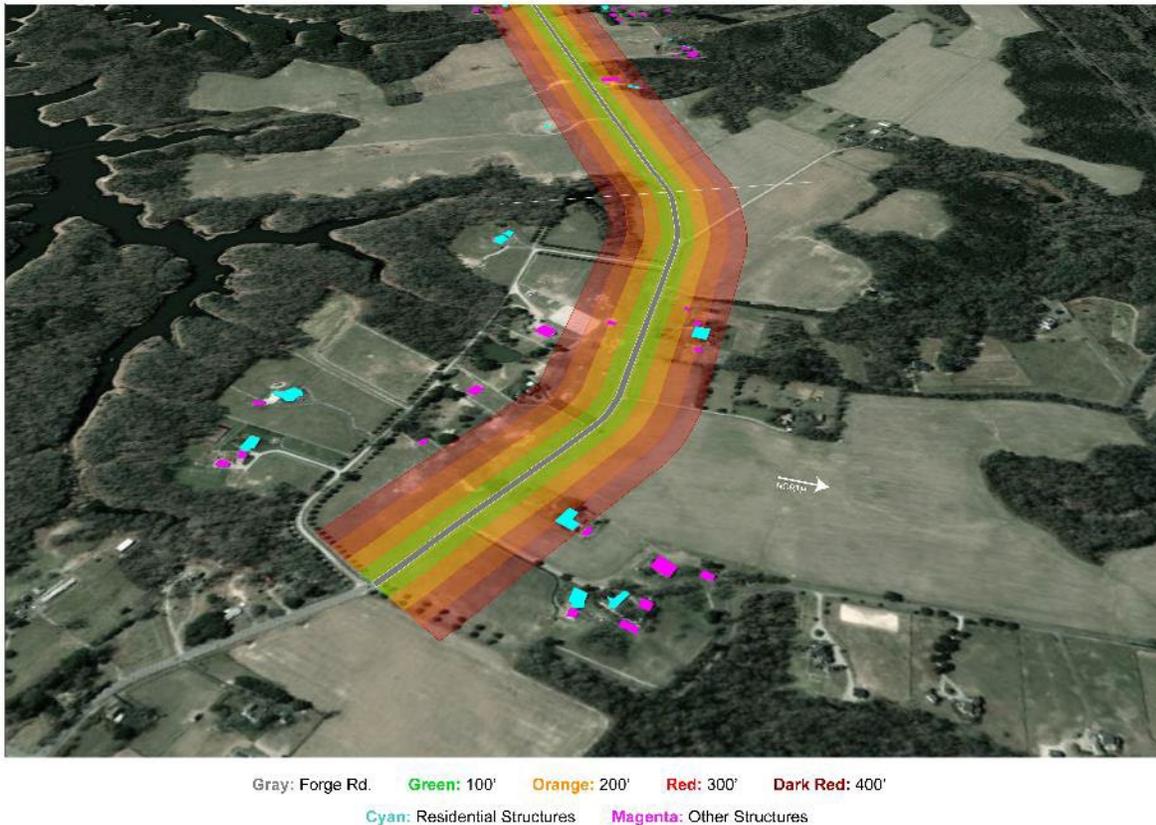


Figure 16. Potential distances - Segment E.

Conclusions

The analysis of existing and potential distances through aerial photography provides a useful assessment of the existing conditions along Forge Rd and the existing setbacks of existing structures. A few summary findings from this analysis include:

- Very few existing structures are built right up to the existing setback line of 75 feet for the A1 zoning district.
- Only one residential structure in segment C and one residential structure in segment D approach the 100 foot distance line. Also, one nonresidential structure in segment D is also built at the 100 foot distance line.
- The majority of structures that fall within the potential distance buffers range from 200 to 400 foot distances.
- a great number of structures are set back well beyond the 400 foot distance line. Segments C and D show a wide variety of structures set well back from the road up to 1000 feet or more.
- In general, both the diversity of setbacks of existing structures and the extensive average distance from the road contribute to the scenic character of Forge Rd and ensure that view sheds are not dominated by views of houses or other structures.
- In addition, the rolling terrain and pattern of existing trees and vegetation break up the views of the structures and contribute to the overall pastoral viewsheds from the road.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING DISTRICT MAPS OF JAMES CITY COUNTY, VIRGINIA, TO REZONE APPROXIMATELY 2,671.354 ACRES FROM A-1, GENERAL AGRICULTURAL, TO A-1/SR, GENERAL AGRICULTURAL/SCENIC ROADWAY OVERLAY.

CASE NO. Z-24-0008 SCENIC ROAD OVERLAY DISTRICT

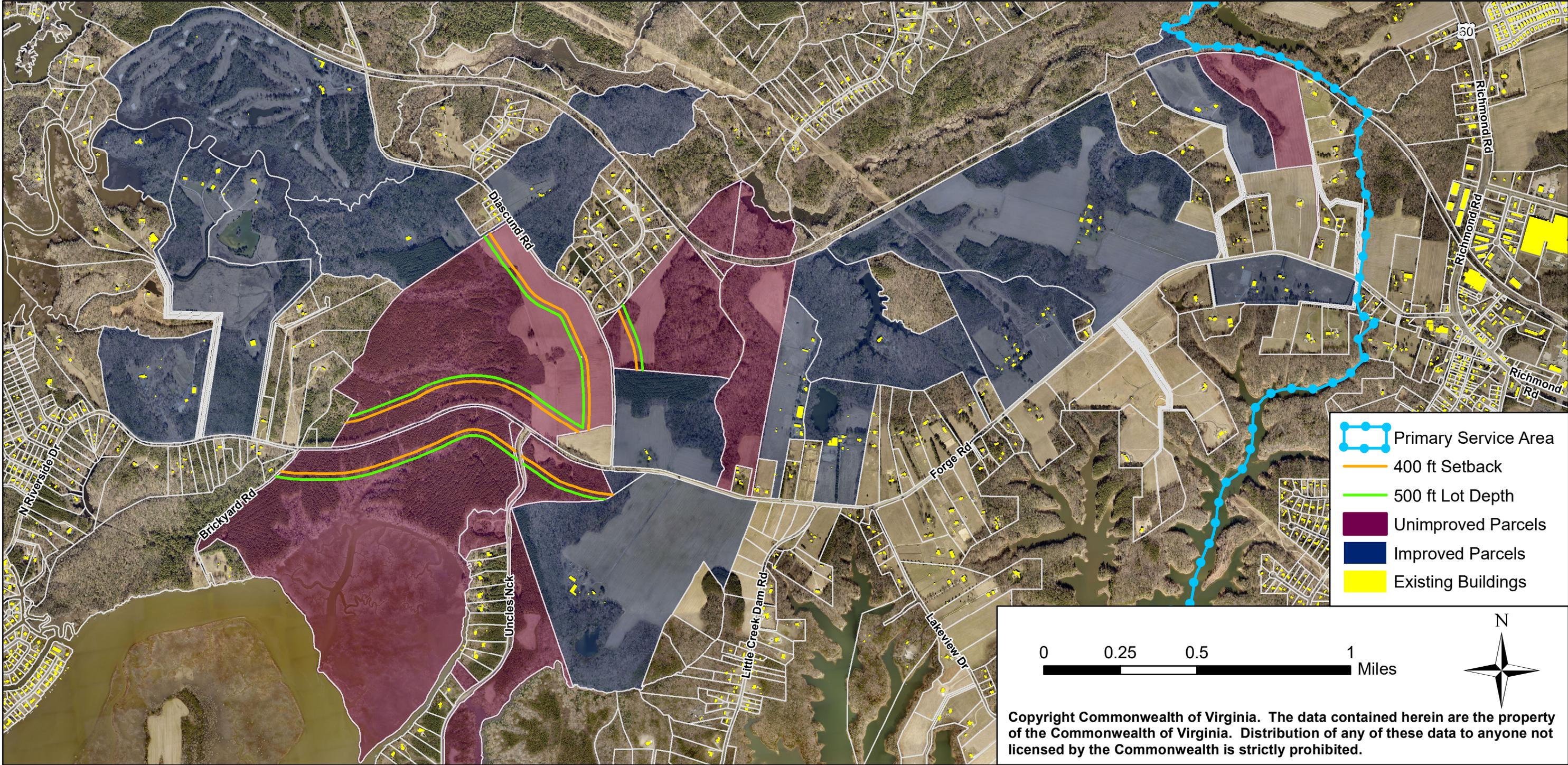
WHEREAS, on May 14, 2024, the Board adopted a resolution initiating the consideration of rezoning of approximately 2,671.354 acres from A-1, General Agricultural to A-1/SR, General Agricultural/Scenic Roadway Overlay; and

WHEREAS, the properties are located at the following James City County Real Estate Tax Map Nos. and address:

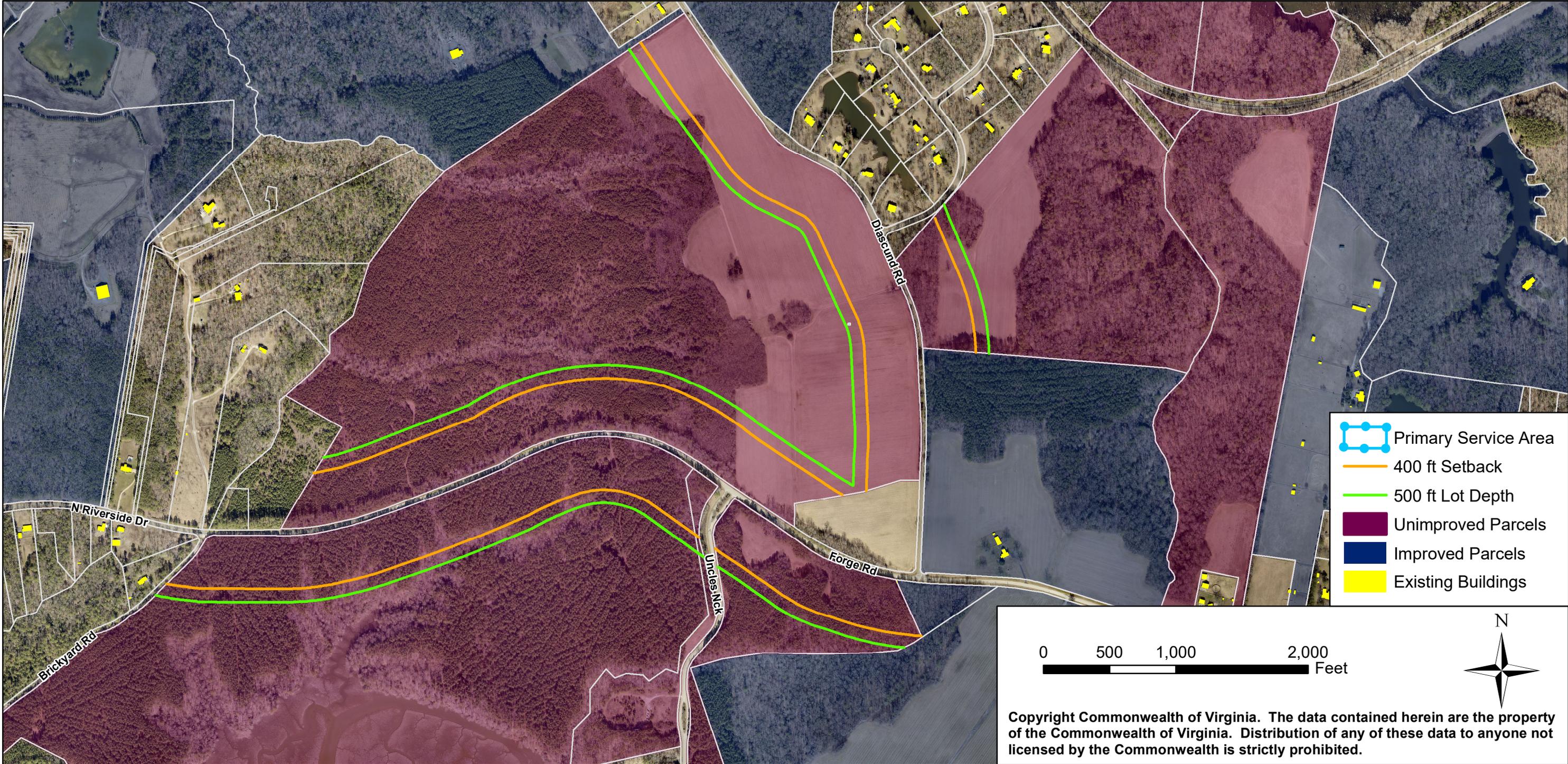
1. JCC Tax Map No. 940100002, 8285 Diascund Road
2. JCC Tax Map No. 0940100008E, 3298 North Riverside Drive
3. JCC Tax Map No. 0940100008G, 3356 North Riverside Drive
4. JCC Tax Map No. 0940100008H, 3408 North Riverside Drive
5. JCC Tax Map No. 0940100008N, 3406 North Riverside Drive
6. JCC Tax Map No. 1030100019, 8091 Diascund Road
7. JCC Tax Map No. 1040100003, 8000 Diascund Road
8. JCC Tax Map No. 1040100005, 7829 Diascund Road
9. JCC Tax Map No. 1040100006, 7808 Diascund Road
10. JCC Tax Map No. 1130100028, 2406 Forge Road
11. JCC Tax Map No. 1140100002, 2724 Forge Road
12. JCC Tax Map No. 1140100005, 7829 Forge Road
13. JCC Tax Map No. 1140200006, 2875 Forge Road
14. JCC Tax Map No. 1230100018B, 2902 Forge Road
15. JCC Tax Map No. 1230100018C, 2918 Forge Road
16. JCC Tax Map No. 2010200001A, 7400 Uncles Neck
17. JCC Tax Map No. 2020100002, 1812 Forge Road
18. JCC Tax Map No. 2020100003, 1928 Forge Road
19. JCC Tax Map No. 2020100005, 1827 Forge Road
20. JCC Tax Map No. 2020100006, 1701 Forge Road
21. JCC Tax Map No. 2110100001, 2016 Forge Road
22. JCC Tax Map No. 2110100005, 2116 Forge Road

WHEREAS, in accordance with Section § 15.2-2204 of the Code of Virginia, 1950, as amended, and Section 24-13 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Case No. Z-24-0008; and

JCC ORD-22-0001, Amendments for Scenic Roadway Protection.



JCC ORD-22-0001, Amendments for Scenic Roadway Protection.



ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, BY AMENDING DIVISION 1, IN GENERAL, SECTION 24-43, BUFFER AND SETBACK REQUIREMENTS FOR TIMBERING ACTIVITIES; AND BY AMENDING DIVISION 4, LANDSCAPING, SECTION 24-98, LANDSCAPE AREA(S) ALONG RIGHT(S)-OF-WAY; AND BY AMENDING ARTICLE V, DISTRICTS, DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, BY ADDING NEW SECTION 24-223, BUFFER REQUIREMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, by amending Division 1, In General, Section 24-43, Buffer and setback requirements for timbering activities; and by amending Division 4, Landscaping, Section 24-98, Landscape area(s) along right(s)-of-way; and by amending Article V, Districts, Division 2, General Agricultural District, A-1, by adding new Section 24-223, Buffer requirements.

Chapter 24. Zoning

Article II. Special Regulations

Division 1. In General

Sec. 24-43. Buffer and setback requirements for timbering activities.

The requirements in this section shall apply to timbering activities located in all districts. This section shall not apply to tree removal activities conducted as part of a site plan, subdivision plan, or building permit that is currently under review by the county or has received final approval. Approval of site plans, subdivision plans, or building permits shall be in accordance with other provisions of the zoning ordinance and shall not be governed or guided by the provisions of this section. This section shall also not apply to timbering activities where all timbering is conducted outside of the buffers or setback for timbering listed in paragraph (1), (2) or (3) or for timbering within such buffers or setback for timbering to construct access drives having a maximum width of 30 feet. The following provisions shall apply to all timbering activities subject to this section except as otherwise noted:

- (1) *Buffer along public roads.* This paragraph shall not apply to the General Agricultural District, A-1. An undisturbed buffer at least 75 feet wide shall be maintained along all public roads. No trees or other vegetation shall be removed from this buffer except as permitted under this section.
- (2) *Buffer along community character corridor.* This paragraph shall not apply to the General Agricultural District, A-1. On all other property fronting on roads that are identified as community character corridors on the comprehensive plan, an undisturbed buffer at least 150

feet wide shall be maintained along the community character corridor on properties that are zoned residential. No trees or other vegetation shall be removed from this buffer except as permitted under this section.

- (3) *Setback for timbering.* In the General Agricultural District, A-1, for properties that are in the primary service area, all timbering activities shall be located a minimum of 50 feet from any public road right-of-way unless done in accordance with other provisions in section 24-43. This distance shall be known as the setback for timbering. In the general agricultural district, A-1, for properties outside the primary service area, there shall be no setback for timbering *except that those parcels adjacent to Wooded Community Character Corridors shall have a 50-foot-wide setback for timbering.*
- (4) *Buffer and setback for timbering measurement and determinations.* The width of required buffers and setbacks for timbering shall exclude any planned future right-of-way as designated on the Six-Year Primary or Secondary Road Plan.
- (5) *Tree protection.* Required buffer areas and setbacks for timbering shall be marked by painting trees along the interior edge of the buffer. Equipment, timber, or other materials shall not be placed within the buffer or setback for timbering area.
- (6) *Processing requirements.* Prior to commencing any timbering activities within a buffer or setback for timbering except for a 30-foot access drive, the property owner or agent shall complete a timber buffer modification application and submit it along with a James City County Tax Map (with topography) to the planning director that shows the site's property lines, any existing and proposed driveway entrances, required buffer areas, and setbacks for timbering, and tree protection measures. The planning director shall determine whether to permit timbering activities within a buffer or setback for timbering in accordance with paragraphs (7) and (8) below. Upon approval of the application by the planning director, timbering activities within a buffer or setback for timbering may proceed. All timbering activities within a buffer or setback for timbering including location of driveways or any other land disturbing activities, shall take place only in those areas indicated on the approved map and in accordance with the methods approved by the planning director. The planning director shall have no more than ten working days from the filing of such application to approve or disapprove the application. If disapproved, the planning director shall write a letter to the applicant identifying the revisions to be made to gain approval.
- (7) *Modifications.* The planning director may grant modifications to the buffer, setback for timbering, and tree protection requirements when, in the opinion of the planning director, an alternative design provides equivalent measures, or retains the rural character of the property, or when buffers, setbacks for timbering, or tree protection are unnecessary due to a site's physical conditions such as topography or presence of streambeds, wetlands or other natural features. The planning director may also permit tree removal within the buffer or setback for timbering when trees are weakened, dying, diseased, or insect damaged, or, in the opinion of the state forester or a certified horticulturalist, unlikely to survive or such removal will enhance the long-term effectiveness of the buffer or setback for timbering as a visual barrier.
- (8) *Partial timbering within a buffer or setback for timbering.* The planning director may approve partial timbering of buffer areas and setback for timbering and the use and type of equipment for partial timbering, after considering the following:

- a. The effect of the timbering on the long-term effectiveness of the buffer area, or setback for timbering and on adjacent roads and properties;
 - b. The anticipated development of the property and the surrounding area;
 - c. The condition of any adjacent dwelling or subdivision including whether the structures are abandoned or dilapidated;
 - d. Any recommendations of the state forester or a certified horticulturalist, including recommendations on the use and type of equipment for partial timbering;
 - e. The health and diversity of trees with emphasis on protection of mixed hardwood trees, and the reforestation of the buffer or setback for timbering; and
 - f. The market value of the timber in the buffer or setback for timbering and the timber to be removed, and the market value of the timber on the balance of the property.
- (9) *Development review committee review.* The development review committee shall consider the timber buffer modification application if there are unresolved problems between the applicant and the planning director.
- (10) *Tree Replacement.* If timbering occurs within the buffers or setbacks for timbering described above in paragraphs (1), (2) and (3) and such timbering is not approved in accordance with paragraphs (7) and (8) above, trees shall be replaced at a ratio of one tree for each 800 square feet of area timbered. All replacement trees shall be of a species native to eastern Virginia. Such trees shall meet the standards for trees stated in section 24-2. The number and type of trees and their placement shall be approved by the planning director.

All trees shall be planted within 30 days from the date the trees were removed from the buffer or setback unless such period does not fall within the planting season. In such cases, their replacement in the next planting season (October 1 through March 31) shall be guaranteed by entering into a written agreement with the county and furnishing to the county a certified check, bond with surety satisfactory to the county, or a letter of credit in an amount to cover all costs of the plantings and their installation as estimated by the planning director. Such written agreement shall be entered into and such financial guarantee shall be provided to the county within 30 days from the date the trees were removed. The form of the agreement, financial guarantee, or type of surety shall be to the satisfaction of and approved by the county attorney. If the improvements are not completed in a timely manner, the planning director shall proceed to complete the improvements by calling on the surety or financial guarantee. After the first full growing season (February 1 to November 30) after planting, any trees not in a healthy growing condition or determined to be dead, diseased, or dying, shall be replaced as determined by the planning director. Thereafter, all trees shall be maintained in a healthy growing environment and in a healthy growing condition.

The planning director may allow some or all of the trees required by this paragraph to be planted outside the buffer or off-site when, if in the opinion of the planning director, such an alternative mitigates the environmental, buffering, or wildlife habitat impacts of the tree removal.

- (11) *Violations and penalties.* Prior to any criminal or civil enforcement under this section, the administrator or designee shall give five days written notice of the violation to the owner of the

property prior to commencing enforcement. The violation of any provision of this section concerning tree replacement in paragraph 10 above is subject to a civil fine pursuant to section 24-22. The violation of any other provisions in this section is subject to a criminal sanction under section 24-22.

Division 4. Landscaping

Sec. 24-98. Landscape area(s) along right(s)-of-way.

- (a) *Width requirements.* A landscape area having an average width as specified in the following chart shall be provided adjacent to any existing or planned road right-of-way.

| Width Requirements for Landscape Areas along Right(s)-of-Way. | | | |
|--|-----------------|--|--|
| (1) Community Character Corridors | | | |
| | Standard | Minimum width conditioned upon approval of planning director. Reference section 24-98(e) for the criteria. | Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990. |
| Average Width | 50-feet | 30-feet | 20-feet or 10% of the average lot depth, whichever is greater. |
| Minimum Width | 25-feet | 20-feet | 15-feet |
| (2) Wooded Community Character Corridors Outside the Primary Service Area | | | |
| | <i>Standard</i> | | <i>Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990.</i> |
| <i>Average Width</i> | <i>100-feet</i> | | <i>20-feet or 10% of the average lot depth, whichever is greater.</i> |
| <i>Minimum Width</i> | <i>50-feet</i> | | <i>15-feet</i> |
| (3) All Other Roads | | | |
| | Standard | | Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990. |
| Average Width | 30-feet | | 20-feet or 10% of the average lot depth, whichever is greater. |
| Minimum Width | 15-feet | | 15-feet |
| (34) Further Reductions for Master Planned Communities with Approved Design Guidelines. | | | |
| The standards provided above can be further reduced for developments that are part of an approved master-planned community and have a governing set of design guidelines approved by the county. The design guidelines shall specify architectural standards, building placement and massing, parking location, sidewalks, street-lighting, streetscape standards, landscaping, signage, and other important community aesthetic features. | | | |

- (b) *Square footage calculation for landscape areas.* All landscape areas along a right-of-way shall contain a minimum amount of square footage which shall be equal to:

| Square Footage Calculation |
|---|
| Square Footage = [Applicable Average Width Requirement] * [Length of Right-of-Way Frontage] |

In no case shall any portion of any landscape area located more than *125 feet from the right-of-way of a Wooded Community Character Corridor outside the Primary Service Area*, 65 feet from the right-of-way of all other Community Character Corridors or 45 feet from the right-of-way along all other roads be counted toward meeting the requirements of this paragraph. All required square footage shall be contiguous and located in an area that is directly adjacent to the right-of-way except as provided for in section 24-98 (f)(1).

- (c) *Outdoor operations and storage.*

Any commercial or industrial operation or storage conducted in whole or in part out-of-doors shall:

- (1) Be screened from the right of way and conform to the landscape requirements in section 24-98 and 24-100 (a) of the zoning ordinance. Evergreen tree and shrub mixture requirements of section 24-94 (b) shall be used to screen the outdoor operations from the public right-of-way; and
- (2) Be well drained with adequate provisions to control storm drainage and erosion; and
- (3) Where the ground cover would be routinely disturbed because of the nature of the activity to be conducted or because of vehicular traffic, the area shall be maintained in an all-weather surface; and
- (4) Be screened from adjacent property by landscaping and fencing, except that outdoor displays for sale of vehicles, equipment, machinery and/or plant materials shall be exempt from the screening requirements where such screening would materially interfere with the visibility of the items for sale from a public road; and
- (5) Be limited to uses and items to be stored which do not create noise, odor, dust or other objectionable effects. The effects of an activity shall be assessed at the nearest property line.

- (d) *“Construction zone” setback for structures.*

- (1) All structures shall be setback a minimum of 15-feet from the perimeter of the landscape area buffer required in section 24-98 (a). For example, if the required landscape area buffer measures 50-feet in width from the right-of-way, then the structure(s) shall be no closer than 65-feet from the right-of-way.
- (2) The “construction zone” setback shall be clearly delineated on the site plan.
- (3) This “construction zone” setback shall not apply to parking lots. Parking lots may be constructed up to the edge of the required landscape buffer provided no grading, tree removal, or land disturbance occurs within the required landscape buffer.

- (e) *Waiver criteria for landscape areas along Community Character Corridors.* The average width requirement of the required landscape areas along Community Character Corridors may be reduced by the planning director if subsection(s) (1) and/or (2) provided below is satisfied. In no case shall the total reduction exceed 20 feet. In deciding whether a reduction in the standard landscape area width is warranted, the planning director shall consider the impact of proposed road and/or utility improvements on existing trees and vegetation. Planned road and/or utility improvements that will remove existing trees and vegetation will reduce the likelihood of a reduction in landscape area required. In approving a reduction request, the planning director may require additional plantings beyond the minimum ordinance requirements, alter the mixture of plantings provided, and/or specify the types of plantings to be used.
- (1) The applicant may achieve a maximum reduction of 10 feet by providing superior site design with a combination of elements such as:
- a. Parking located away from public view behind buildings or screened by other architectural features (i.e. decorative brick walls);
 - b. Innovative use of grading and topography to minimize visual impacts of parking and other unsightly features (i.e. dumpsters, HVAC equipment, loading areas, etc.);
 - c. Provision of pedestrian amenities beyond what the ordinance requires. Examples may include brick pavers to connect existing and planned pedestrian walkways, lighting, and benches; or
 - d. The use of monument style signs that are of a scale and type that complement the positive features of the surrounding architecture and streetscape. The use of wood, brick, or other natural features is recommended.
- (2) The applicant may achieve a maximum reduction of 15 feet by providing superior architecture and building materials that meet the following standards.
- a. The building architecture and materials complement the positive features of nearby existing or planned development and/or the character of Colonial Williamsburg and James City County;
 - b. Architecture and materials should be unique and not replicate standard and/or conventional prototypes; and
 - c. The proposed location of the building and parking areas shall not require the removal of specimen trees or large stands of viable mature trees.
- (f) *Right-of-way landscape area performance standards.*
- (1) Permitted breaks in landscape areas.
- a. All landscape areas along rights-of-way shall be continuous along the road right-of-way frontage, except where driveway, utility or other breaks running perpendicular to the right-of-way are necessary, and shall be designed in a manner that achieves the intent of this division.

- b. No new utilities, outside of those running parallel to permitted breaks in the required landscape areas, shall be located within the required landscape area(s) unless a waiver is granted by the planning director. The planning director shall grant a waiver only if the applicant can sufficiently demonstrate that there are unavoidable physical or regulatory constraints that warrant an intrusion into the landscape area.
 - (2) Tree preservation and criteria for tree removal.
 - a. All existing viable mature trees (eight inches or greater diameter at breast height (DBH)) and specimen trees (24 inches or greater DBH) shall be preserved within the required right-of-way landscape area. All understory trees of two inches or greater DBH shall be preserved.
 - b. The planning director or his designee may permit the removal of understory and overstory trees exceeding these size thresholds after an on-site inspection. The trees must be tagged to allow for easy identification. The planning director or his designee shall authorize removal of the tagged trees only if they are of poor quality, diseased, not consistent with the existing or planned plant species and design, poorly situated so as to interfere with the growth of other viable trees and/or shrubs, compromise safety, or interfere with other planned site improvements such as sidewalks and/or signs.
 - (3) Buffer grooming and enhancement.
 - a. Trees below the size thresholds stated above in paragraph (2) and underbrush may be hand-removed from the landscape area. No grading shall be permitted; however, hand grooming is permitted.
 - b. Overstory tree limbs may be removed/“limbed-up” to a maximum height of ten feet above the base of the tree. Understory tree limbs may be removed/“limbed-up” to a maximum height of six feet. These height limitations shall not restrict the removal of dead, diseased, or injured tree limbs above the height limits mentioned above.
 - (4) Tree protection required. The required landscape area shall be fully protected by a substantial, temporary fence or barrier with a minimum height of 40-inches. The location, type, and installation standards for this fence shall be clearly shown on the site plan. This fence shall be installed prior to the issuance of a land disturbance permit and shall remain standing until all construction activities on site have been completed.
 - (5) Landscaping required. Required landscape areas shall be supplemented where necessary with planted trees and shrubs to achieve the minimum number of trees and shrubs specified in section 24-96.
 - (6) Landscaping treatments of community character corridor buffers. Right-of-way landscape areas along community character corridors as designated on the Community Character Corridor Buffer Designation and Treatment Map shall be designed to meet the design standards found in the Community Character Corridor Buffer Treatment Guidelines as determined by the planning director.

Article V. Districts

Division 2. General Agricultural District, A-1

Sec. 24-223. Buffer requirements.

(a) *Right-of-way buffer. Within any major subdivision approved under this division, there shall be planned and maintained buffers along all external existing and planned road rights-of-way, as follows:*

(1) *The minimum right-of-way buffer on Wooded Community Character Corridors located outside the primary service area as defined in the comprehensive plan shall be 200 feet.*

(2) *The right-of-way buffer shall be planted in accordance with section 24-96, General landscape area standards and shall also adhere to the Community Character Corridor Buffer Treatment Guidelines and Map.*

(3) *Waiver provisions. The planning director may reduce the buffer depth requirements specified in (1) of this section for residential developments when:*

(i) *The developer demonstrates that due to natural or protected features, or due to adjoining physical features, a reduced buffer will screen the development as effectively as a full buffer; or*

(ii) *The developer demonstrates that the development will be adequately screened and buffered from the road using berms and landscaping. Such a request shall be supplemented with a landscaping plan and/or planting plan with photos of the existing site.*

In no case shall the right-of-way buffer be reduced by a waiver provision to less than 100 feet. The planning director may also, in the event of granting a waiver, require additional landscaping as determined on a case-by-case basis.

(b) *Requirements for buffers. All required buffers shall be exclusive of lots, remain free of structures and parking, and remain undisturbed, except for additional plantings and selective clearing approved by the planning director or designee. Soil stockpiles and staging areas shall not be permitted within any buffer, except that temporary soil stockpiles may be allowed upon approval by the planning director under the following circumstances:*

(1) *The buffer in which the temporary stockpile is to occur is non-wooded, defined as having no mature trees.*

(2) *The stockpile shall not be visible from a Community Character Corridor or Community Character Area unless the soil stockpiling is needed for approved berming in that buffer.*

(3) *Stockpiles shall not exceed 35 feet in height.*

(4) *Stockpiles shall be temporary, with a time limit of six months.*

- (5) *Once the use of the temporary soil stockpiles is completed, the ground must be adequately prepared for planting and revegetated in a manner that meets or exceeds the amount and quality of vegetation on the site previously.*
 - (6) *Stockpiling shall conform with any applicable requirements of the Virginia erosion and sediment control regulations, the Virginia erosion and sediment control handbook and county erosion and sediment control program policies.*
- (c) *Limitations on buffers. Structural BMPs such as wet and dry ponds shall not generally be permitted in the buffers, except that the planning director may approve them under the following circumstances:*
- (1) *The need is necessitated by site conditions rather than economic factors; and*
 - (2) *The screening/buffering effect of the buffer has been retained by the design of the BMP and any degradation has been mitigated with additional plantings or berms as necessary.*
- (d) *Improvements allowable within buffers. An entrance road, community and directional signage, bicycle and/or pedestrian paths, and utility connections and drainage improvements shall be permitted within the buffer with approval of the planning director. Permitted utilities and constructed drainage conveyance systems shall cross the buffer at or near a perpendicular angle to the property line, with clearing kept to a minimum necessary to accommodate the utilities, except that minor improvements to natural drainage channels may be permitted at a different angle to the property line upon approval of the planning director.*
- (e) *Roads within buffers. Entrance roads through these buffers shall be built to the narrowest cross-section possible. Roads and open space shall be located and designed in a manner that minimizes views of structures within the development from the adjoining primary or secondary road as determined by the planning director.*
- (f) *Appeals. In the event the planning director disapproves the items specified in this section or recommends conditions or modifications that are unacceptable to the applicant, the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission. Any appeal shall be in writing and may be subject to fees as specified in article I of this chapter.*

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SPECIAL REGULATIONS, BY AMENDING DIVISION 1, IN GENERAL, SECTION 24-43, BUFFER AND SETBACK REQUIREMENTS FOR TIMBERING ACTIVITIES; AND BY AMENDING DIVISION 4, LANDSCAPING, SECTION 24-98, LANDSCAPE AREA(S) ALONG RIGHT(S)-OF-WAY; AND BY AMENDING ARTICLE V, DISTRICTS, DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, BY ADDING NEW SECTION 24-223, BUFFER REQUIREMENTS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article II, Special Regulations, by amending Division 1, In General, Section 24-43, Buffer and setback requirements for timbering activities; and by amending Division 4, Landscaping, Section 24-98, Landscape area(s) along right(s)-of-way; and by amending Article V, Districts, Division 2, General Agricultural District, A-1, by adding new Section 24-223, Buffer requirements.

Chapter 24. Zoning

Article II. Special Regulations

Division 1. In General

Sec. 24-43. Buffer and setback requirements for timbering activities.

The requirements in this section shall apply to timbering activities located in all districts. This section shall not apply to tree removal activities conducted as part of a site plan, subdivision plan, or building permit that is currently under review by the county or has received final approval. Approval of site plans, subdivision plans, or building permits shall be in accordance with other provisions of the zoning ordinance and shall not be governed or guided by the provisions of this section. This section shall also not apply to timbering activities where all timbering is conducted outside of the buffers or setback for timbering listed in paragraph (1), (2) or (3) or for timbering within such buffers or setback for timbering to construct access drives having a maximum width of 30 feet. The following provisions shall apply to all timbering activities subject to this section except as otherwise noted:

- (1) *Buffer along public roads.* This paragraph shall not apply to the General Agricultural District, A-1. An undisturbed buffer at least 75 feet wide shall be maintained along all public roads. No trees or other vegetation shall be removed from this buffer except as permitted under this section.
- (2) *Buffer along community character corridor.* This paragraph shall not apply to the General Agricultural District, A-1. On all other property fronting on roads that are identified as

community character corridors on the comprehensive plan, an undisturbed buffer at least 150 feet wide shall be maintained along the community character corridor on properties that are zoned residential. No trees or other vegetation shall be removed from this buffer except as permitted under this section.

- (3) *Setback for timbering.* In the General Agricultural District, A-1, for properties that are in the primary service area, all timbering activities shall be located a minimum of 50 feet from any public road right-of-way unless done in accordance with other provisions in section 24-43. This distance shall be known as the setback for timbering. In the general agricultural district, A-1, for properties outside the primary service area, there shall be no setback for timbering except that those parcels adjacent to Wooded Community Character Corridors shall have a 50-foot-wide setback for timbering.
- (4) *Buffer and setback for timbering measurement and determinations.* The width of required buffers and setbacks for timbering shall exclude any planned future right-of-way as designated on the Six-Year Primary or Secondary Road Plan.
- (5) *Tree protection.* Required buffer areas and setbacks for timbering shall be marked by painting trees along the interior edge of the buffer. Equipment, timber, or other materials shall not be placed within the buffer or setback for timbering area.
- (6) *Processing requirements.* Prior to commencing any timbering activities within a buffer or setback for timbering except for a 30-foot access drive, the property owner or agent shall complete a timber buffer modification application and submit it along with a James City County Tax Map (with topography) to the planning director that shows the site's property lines, any existing and proposed driveway entrances, required buffer areas, and setbacks for timbering, and tree protection measures. The planning director shall determine whether to permit timbering activities within a buffer or setback for timbering in accordance with paragraphs (7) and (8) below. Upon approval of the application by the planning director, timbering activities within a buffer or setback for timbering may proceed. All timbering activities within a buffer or setback for timbering including location of driveways or any other land disturbing activities, shall take place only in those areas indicated on the approved map and in accordance with the methods approved by the planning director. The planning director shall have no more than ten working days from the filing of such application to approve or disapprove the application. If disapproved, the planning director shall write a letter to the applicant identifying the revisions to be made to gain approval.
- (7) *Modifications.* The planning director may grant modifications to the buffer, setback for timbering, and tree protection requirements when, in the opinion of the planning director, an alternative design provides equivalent measures, or retains the rural character of the property, or when buffers, setbacks for timbering, or tree protection are unnecessary due to a site's physical conditions such as topography or presence of streambeds, wetlands or other natural features. The planning director may also permit tree removal within the buffer or setback for timbering when trees are weakened, dying, diseased, or insect damaged, or, in the opinion of the state forester or a certified horticulturalist, unlikely to survive or such removal will enhance the long-term effectiveness of the buffer or setback for timbering as a visual barrier.
- (8) *Partial timbering within a buffer or setback for timbering.* The planning director may approve partial timbering of buffer areas and setback for timbering and the use and type of equipment for partial timbering, after considering the following:

- a. The effect of the timbering on the long-term effectiveness of the buffer area, or setback for timbering and on adjacent roads and properties;
 - b. The anticipated development of the property and the surrounding area;
 - c. The condition of any adjacent dwelling or subdivision including whether the structures are abandoned or dilapidated;
 - d. Any recommendations of the state forester or a certified horticulturalist, including recommendations on the use and type of equipment for partial timbering;
 - e. The health and diversity of trees with emphasis on protection of mixed hardwood trees, and the reforestation of the buffer or setback for timbering; and
 - f. The market value of the timber in the buffer or setback for timbering and the timber to be removed, and the market value of the timber on the balance of the property.
- (9) Development review committee review. The development review committee shall consider the timber buffer modification application if there are unresolved problems between the applicant and the planning director.
- (10) Tree Replacement. If timbering occurs within the buffers or setbacks for timbering described above in paragraphs (1), (2) and (3) and such timbering is not approved in accordance with paragraphs (7) and (8) above, trees shall be replaced at a ratio of one tree for each 800 square feet of area timbered. All replacement trees shall be of a species native to eastern Virginia. Such trees shall meet the standards for trees stated in section 24-2. The number and type of trees and their placement shall be approved by the planning director.

All trees shall be planted within 30 days from the date the trees were removed from the buffer or setback unless such period does not fall within the planting season. In such cases, their replacement in the next planting season (October 1 through March 31) shall be guaranteed by entering into a written agreement with the county and furnishing to the county a certified check, bond with surety satisfactory to the county, or a letter of credit in an amount to cover all costs of the plantings and their installation as estimated by the planning director. Such written agreement shall be entered into and such financial guarantee shall be provided to the county within 30 days from the date the trees were removed. The form of the agreement, financial guarantee, or type of surety shall be to the satisfaction of and approved by the county attorney. If the improvements are not completed in a timely manner, the planning director shall proceed to complete the improvements by calling on the surety or financial guarantee. After the first full growing season (February 1 to November 30) after planting, any trees not in a healthy growing condition or determined to be dead, diseased, or dying, shall be replaced as determined by the planning director. Thereafter, all trees shall be maintained in a healthy growing environment and in a healthy growing condition.

The planning director may allow some or all of the trees required by this paragraph to be planted outside the buffer or off-site when, if in the opinion of the planning director, such an alternative mitigates the environmental, buffering, or wildlife habitat impacts of the tree removal.

- (11) Violations and penalties. Prior to any criminal or civil enforcement under this section, the administrator or designee shall give five days written notice of the violation to the owner of the

property prior to commencing enforcement. The violation of any provision of this section concerning tree replacement in paragraph 10 above is subject to a civil fine pursuant to section 24-22. The violation of any other provisions in this section is subject to a criminal sanction under section 24-22.

Division 4. Landscaping

Sec. 24-98. Landscape area(s) along right(s)-of-way.

- (a) *Width requirements.* A landscape area having an average width as specified in the following chart shall be provided adjacent to any existing or planned road right-of-way.

| Width Requirements for Landscape Areas along Right(s)-of-Way. | | | |
|--|----------|--|---|
| (1) Community Character Corridors | | | |
| | Standard | Minimum width conditioned upon approval of planning director. Reference section 24-98(e) for the criteria. | Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990. |
| Average Width | 50-feet | 30-feet | 20-feet or 10% of the average lot depth, whichever is greater. |
| Minimum Width | 25-feet | 20-feet | 15-feet |
| (2) Wooded Community Character Corridors Outside the Primary Service Area | | | |
| | Standard | | Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990. |
| Average Width | 100-feet | | 20-feet or 10% of the average lot depth, whichever is greater. |
| Minimum Width | 50-feet | | 15-feet |
| (3) All Other Roads | | | |
| | Standard | | Reduction for lots less than 1.5 acres which were recorded or legally in existence prior to July 3, 1990. |
| Average Width | 30-feet | | 20-feet or 10% of the average lot depth, whichever is greater. |
| Minimum Width | 15-feet | | 15-feet |
| (4) Further Reductions for Master Planned Communities with Approved Design Guidelines. | | | |
| The standards provided above can be further reduced for developments that are part of an approved master-planned community and have a governing set of design guidelines approved by the county. The design guidelines shall specify architectural standards, building placement and massing, parking location, sidewalks, street-lighting, streetscape standards, landscaping, signage, and other important community aesthetic features. | | | |

- (b) *Square footage calculation for landscape areas.* All landscape areas along a right-of-way shall contain a minimum amount of square footage which shall be equal to:

| Square Footage Calculation |
|---|
| Square Footage = [Applicable Average Width Requirement] * [Length of Right-of-Way Frontage] |

In no case shall any portion of any landscape area located more than 125 feet from the right-of-way of a Wooded Community Character Corridor outside the Primary Service Area, 65 feet from the right-of-way of all other Community Character Corridors or 45 feet from the right-of-way along all other roads be counted toward meeting the requirements of this paragraph. All required square footage shall be contiguous and located in an area that is directly adjacent to the right-of-way except as provided for in section 24-98 (f)(1).

- (c) *Outdoor operations and storage.*

Any commercial or industrial operation or storage conducted in whole or in part out-of-doors shall:

- (1) Be screened from the right of way and conform to the landscape requirements in section 24-98 and 24-100 (a) of the zoning ordinance. Evergreen tree and shrub mixture requirements of section 24-94 (b) shall be used to screen the outdoor operations from the public right-of-way; and
- (2) Be well drained with adequate provisions to control storm drainage and erosion; and
- (3) Where the ground cover would be routinely disturbed because of the nature of the activity to be conducted or because of vehicular traffic, the area shall be maintained in an all-weather surface; and
- (4) Be screened from adjacent property by landscaping and fencing, except that outdoor displays for sale of vehicles, equipment, machinery and/or plant materials shall be exempt from the screening requirements where such screening would materially interfere with the visibility of the items for sale from a public road; and
- (5) Be limited to uses and items to be stored which do not create noise, odor, dust or other objectionable effects. The effects of an activity shall be assessed at the nearest property line.

- (d) *“Construction zone” setback for structures.*

- (1) All structures shall be setback a minimum of 15-feet from the perimeter of the landscape area buffer required in section 24-98 (a). For example, if the required landscape area buffer measures 50-feet in width from the right-of-way, then the structure(s) shall be no closer than 65-feet from the right-of-way.
- (2) The “construction zone” setback shall be clearly delineated on the site plan.
- (3) This “construction zone” setback shall not apply to parking lots. Parking lots may be constructed up to the edge of the required landscape buffer provided no grading, tree removal, or land disturbance occurs within the required landscape buffer.

- (e) *Waiver criteria for landscape areas along Community Character Corridors.* The average width requirement of the required landscape areas along Community Character Corridors may be reduced by the planning director if subsection(s) (1) and/or (2) provided below is satisfied. In no case shall the total reduction exceed 20 feet. In deciding whether a reduction in the standard landscape area width is warranted, the planning director shall consider the impact of proposed road and/or utility improvements on existing trees and vegetation. Planned road and/or utility improvements that will remove existing trees and vegetation will reduce the likelihood of a reduction in landscape area required. In approving a reduction request, the planning director may require additional plantings beyond the minimum ordinance requirements, alter the mixture of plantings provided, and/or specify the types of plantings to be used.
- (1) The applicant may achieve a maximum reduction of 10 feet by providing superior site design with a combination of elements such as:
- a. Parking located away from public view behind buildings or screened by other architectural features (i.e. decorative brick walls);
 - b. Innovative use of grading and topography to minimize visual impacts of parking and other unsightly features (i.e. dumpsters, HVAC equipment, loading areas, etc.);
 - c. Provision of pedestrian amenities beyond what the ordinance requires. Examples may include brick pavers to connect existing and planned pedestrian walkways, lighting, and benches; or
 - d. The use of monument style signs that are of a scale and type that complement the positive features of the surrounding architecture and streetscape. The use of wood, brick, or other natural features is recommended.
- (2) The applicant may achieve a maximum reduction of 15 feet by providing superior architecture and building materials that meet the following standards.
- a. The building architecture and materials complement the positive features of nearby existing or planned development and/or the character of Colonial Williamsburg and James City County;
 - b. Architecture and materials should be unique and not replicate standard and/or conventional prototypes; and
 - c. The proposed location of the building and parking areas shall not require the removal of specimen trees or large stands of viable mature trees.
- (f) *Right-of-way landscape area performance standards.*
- (1) Permitted breaks in landscape areas.
- a. All landscape areas along rights-of-way shall be continuous along the road right-of-way frontage, except where driveway, utility or other breaks running perpendicular to the right-of-way are necessary, and shall be designed in a manner that achieves the intent of this division.

Article V. Districts

Division 2. General Agricultural District, A-1

Sec. 24-223. Buffer requirements.

(a) *Right-of-way buffer.* Within any major subdivision approved under this division, there shall be planned and maintained buffers along all external existing and planned road rights-of-way, as follows:

1. The minimum right-of-way buffer on Wooded Community Character Corridors located outside the primary service area as defined in the comprehensive plan shall be 200 feet.
2. The right-of-way buffer shall be planted in accordance with section 24-96, General landscape area standards and shall also adhere to the Community Character Corridor Buffer Treatment Guidelines and Map.
3. Waiver provisions. The planning director may reduce the buffer depth requirements specified in (1) of this section for residential developments when:
 - i. The developer demonstrates that due to natural or protected features, or due to adjoining physical features, a reduced buffer will screen the development as effectively as a full buffer; or
 - ii. The developer demonstrates that the development will be adequately screened and buffered from the road using berms and landscaping. Such a request shall be supplemented with a landscaping plan and/or planting plan with photos of the existing site.

In no case shall the right-of-way buffer be reduced by a waiver provision to less than 100 feet. The planning director may also, in the event of granting a waiver, require additional landscaping as determined on a case-by-case basis.

(b) *Requirements for buffers.* All required buffers shall be exclusive of lots, remain free of structures and parking, and remain undisturbed, except for additional plantings and selective clearing approved by the planning director or designee. Soil stockpiles and staging areas shall not be permitted within any buffer, except that temporary soil stockpiles may be allowed upon approval by the planning director under the following circumstances:

1. The buffer in which the temporary stockpile is to occur is non-wooded, defined as having no mature trees.
2. The stockpile shall not be visible from a Community Character Corridor or Community Character Area unless the soil stockpiling is needed for approved berming in that buffer.
3. Stockpiles shall not exceed 35 feet in height.
4. Stockpiles shall be temporary, with a time limit of six months.

5. Once the use of the temporary soil stockpiles is completed, the ground must be adequately prepared for planting and revegetated in a manner that meets or exceeds the amount and quality of vegetation on the site previously.
 6. Stockpiling shall conform with any applicable requirements of the Virginia erosion and sediment control regulations, the Virginia erosion and sediment control handbook and county erosion and sediment control program policies.
- (c) *Limitations on buffers.* Structural BMPs such as wet and dry ponds shall not generally be permitted in the buffers, except that the planning director may approve them under the following circumstances:
1. The need is necessitated by site conditions rather than economic factors; and
 2. The screening/buffering effect of the buffer has been retained by the design of the BMP and any degradation has been mitigated with additional plantings or berms as necessary.
- (d) *Improvements allowable within buffers.* An entrance road, community and directional signage, bicycle and/or pedestrian paths, and utility connections and drainage improvements shall be permitted within the buffer with approval of the planning director. Permitted utilities and constructed drainage conveyance systems shall cross the buffer at or near a perpendicular angle to the property line, with clearing kept to a minimum necessary to accommodate the utilities, except that minor improvements to natural drainage channels may be permitted at a different angle to the property line upon approval of the planning director.
- (e) *Roads within buffers.* Entrance roads through these buffers shall be built to the narrowest cross-section possible. Roads and open space shall be located and designed in a manner that minimizes views of structures within the development from the adjoining primary or secondary road as determined by the planning director.
- (f) *Appeals.* In the event the planning director disapproves the items specified in this section or recommends conditions or modifications that are unacceptable to the applicant, the applicant may appeal the decision of the planning director to the development review committee which shall forward a recommendation to the planning commission. Any appeal shall be in writing and may be subject to fees as specified in article I of this chapter.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE III, REQUIREMENTS FOR DESIGN AND MINIMUM IMPROVEMENTS, SECTION 19-73.2, BUFFER REQUIREMENT.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivision, is hereby amended and reordained by amending Article III, Requirements for Design and Minimum Improvements, Section 19-73.2, Buffer requirement.

Chapter 19. Subdivisions

Article III. Requirements for Design and Minimum Improvements

Sec. 19-73.2. Buffer requirement.

Buffering shall be required for all major subdivisions abutting a roadway designated a Wooded Community Character Corridor and located outside the primary service area, as identified on the Land Use Plan Map in the Comprehensive Plan in accordance with section 24-223 of the zoning ordinance.

ORD22-1AmdBffrReq-ord

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE III, REQUIREMENTS FOR DESIGN AND MINIMUM IMPROVEMENTS, SECTION 19-73.2, BUFFER REQUIREMENT.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivision, is hereby amended and reordained by amending Article III, Requirements for Design and Minimum Improvements, Section 19-73.2, Buffer requirement.

Chapter 19. Subdivisions

Article III. Requirements for Design and Minimum Improvements

Sec. 19-73.2. Buffer requirement.

Buffering shall be required for all major subdivisions abutting a roadway designated a Wooded Community Character Corridor and located outside the primary service area, as identified on the Land Use Plan Map in the Comprehensive Plan in accordance with section 24-223 of the zoning ordinance.

ORD22-1AmdBffrReq-ord-final

MINUTES
JAMES CITY COUNTY PLANNING COMMISSION
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
November 1, 2023
6:00 PM

A. CALL TO ORDER

Mr. Polster called the meeting to order at 6 p.m.

B. ROLL CALL

Planning Commissioners Present:

Frank Polster
Rich Krapf
Tim O'Connor
Jack Haldeman
Rob Rose
Barbara Null
Stephen Rodgers

Staff Present:

Susan Istenes, Director of Planning
Liz Parman, Deputy County Attorney
Josh Crump, Principal Planner
Thomas Wysong, Senior Planner II
John Risinger, Senior Planner
Tess Lynch, Planner II

Mr. Polster noted if anyone in attendance was present for Case No. Z-22-0004 and SUP-22-0026. 8290 Richmond Road Hankins-Dunn Rezoning and Residential Cluster Development, that item (Public Hearing Item No. 1) had been withdrawn. He added that item would not be heard.

Ms. Null thanked Mr. Polster for that announcement, adding her initial and current opposition to the project.

C. PUBLIC COMMENT

Mr. Polster opened Public Comment.

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

D. REPORTS OF THE COMMISSION

Mr. Haldeman stated that the Policy Committee met on October 12, 2023. He noted staff attendees included Mr. Crump, Mr. Risinger, Mr. Wysong, and Ms. Istenes. Mr. Haldeman further noted the Committee's continued discussion on scenic roadway protection according to the Board of Supervisors' Initiating Resolution and the 2045 Comprehensive Plan's Goals, Strategies, and Actions (GSA) 6.3. He cited the details of staff's draft language per the Board's guidance and the Committee's 3-1 vote in favor of approval. Mr. Haldeman noted clarification

on small farm sheds as restricted structures in setbacks was confirmed by staff. He highlighted additional points discussed during the Policy Committee meeting which included Community Character Corridors (CCCs). Mr. Haldeman noted the portion of Old Stage Road outside of the Primary Service Area (PSA) would no longer be classified as a CCC. He further noted Old Stage Road and Barhamsville Road (at the intersection of Routes 30 and 60 - Anderson's Corner) and the intersection of Barnes Road and Route 30 be reclassified from Open Agricultural to Wooded CCC at the next Comprehensive Plan update. Mr. Haldeman referenced removal of the development standard for the short-term rental requirement to have the owner live on-site in the home during the rental period. He noted the Policy Committee voted unanimously not to remove that standard.

E. CONSENT AGENDA

1. Minutes of the October 4, 2023, Regular Meeting

Mr. Krapf made a motion to approve the Consent Agenda.

On a voice vote, the Commission approved the Consent Agenda. (7-0)

F. PUBLIC HEARING(S)

Item No. 1 was removed as noted previously in the meeting.

1. Z-22-0004 and SUP-22-0026. 8290 Richmond Road Hankins-Dunn Rezoning and Residential Cluster Development

2. SUP-23-0027. 118 Winston Drive Short Term Rental

Mr. Polster welcomed Ms. Tess Lynch, Planner, to her first Planning Commission meeting.

Ms. Tess Lynch, Planner II, cited the details of the Special Use Permit (SUP) requested by L&A Renovation, LLC, for short-term rental of property at 118 Winston Drive. She noted staff had not recommended approval, adding proposed conditions had been attached if the Planning Commission approved this SUP application. Ms. Lynch further noted the applicant was present if the Commission had any questions.

Mr. Polster opened the Public Hearing.

Ms. Julia Holland, 118 Winston Drive, the applicant, addressed the Board noting she was available for questions.

Mr. Haldeman asked Ms. Holland if she resided at 118 Winston Drive.

Ms. Holland replied no, adding she and her family lived approximately five miles away. She noted possibilities for various uses for the property.

Mr. Polster closed the Public Hearing as there were no additional speakers.

Mr. Haldeman stated a number of rentals were in this particular neighborhood, adding he thought most of the renters were college students. He referenced the four criteria regarding short-term rentals and the difficulty with this particular SUP as it failed to fit any of those criteria. Mr. Haldeman stated he was not in support of the SUP application.

Mr. Krapf echoed Mr. Haldeman's sentiments. He noted he was not in support either.

Ms. Null noted she was not supportive of short-term rentals, but felt a long-term rental, which required no SUP, could be a better option.

Mr. Haldeman concurred.

Mr. O'Connor noted his stance against Airbnb rentals was twofold. He further noted for the local community, it reduced available housing stock for the workforce and the affordable housing group. Mr. O'Connor stated the Airbnb rentals also increased the costs of adjacent properties which increased the affordability component. He cited additional factors and stated his opposition to this application.

Mr. Rodgers stated his agreement with his fellow Commissioners. He noted the guiding principles in the Comprehensive Plan and maintaining good stewardship to County properties. Mr. Rodgers further noted the outcome if all four criteria were waived and its future impact, particularly on a property internal to a neighborhood. He stated he was not in support of the short-term rental application.

Mr. Krapf made a motion to deny SUP-23-0027.

On a roll call vote, the Commission voted to deny SUP-23-0027. 118 Winston Drive Short-Term Rental. (7-0)

3. ORD-22-0001. Amendments for Scenic Roadway Protection

Mr. Thomas Wysong, Senior Planner II, addressed the Board citing specifics of the adopted 2045 Comprehensive Plan regarding land use criteria for preservation of County scenic roadways. He noted the Board of Supervisors adopted an Initiating Resolution that pertained to the Zoning Ordinance and Subdivision Ordinance in 2021. Mr. Wysong further noted the Initiating Resolution directed staff to consider additional requirements in both the Zoning and Subdivision Ordinances to preserve scenic roadways such as Forge Road. He stated the term scenic roadway was not defined in the County Code, but with the Comprehensive Plan as guidance, the Policy Committee identified a portion of the CCC, outside the PSA, such as Forge Road, for the sake of this Ordinance. Mr. Wysong noted Forge Road, Old Stage Road, Richmond Road, Monticello Avenue, John Tyler Memorial Highway, and Riverview Road with the latter four classified as Wooded CCCs. He cited classifications and specifics for CCCs, adding the Policy Committee had recommended preservation tools specific to the road types. Mr. Wysong noted the setback requirements in the draft Ordinance before the Commission. He further noted a proposed amendment to the Comprehensive Plan was slated for presentation later in the meeting which proposed removal of a portion of Old Stage Road outside the PSA from the Agricultural CCC category. Mr. Wysong stated he would speak in more detail on that point later. He continued noting additional criteria regarding tiered setback requirements. He added the tiered system was specifically recommended by the Board of Supervisors. Mr. Wysong noted the specific draft language as directed by the Policy Committee regarding landscape buffering along Wooded CCCs, outside the PSA, for inclusion of a 100-foot buffer average for commercial projects. He continued noting a 200-foot-wide buffer average for major residential projects along Wooded CCCs, outside the PSA and a proposed minimum 50-foot timbered setback on properties located along Wooded CCCs, outside the PSA. Mr. Wysong stated the Policy Committee voted in favor 3-1 of the draft language at its October 12, 2023, meeting. He noted a post-meeting amendment for authorization to the major subdivision buffering. Mr. Wysong stated staff recommended the Planning Commission approve the draft language to the Board of Supervisors for approval at its December 12, 2023, Regular Meeting.

Mr. O'Connor referenced the 400-foot setback with 40 nonconforming structures and four exempt parcel structures. He questioned the exemption.

Mr. Wysong explained no tiered system was used initially and the structures nonconforming to the 400-foot setback were removed. He explained 14 residents were nonconforming with 22 nonconforming structures for a total of 36.

Mr. O'Connor questioned if a barn, a stable, shed, greenhouse, and roadside vegetable stand would be considered as structures and not allowed within the 400-foot setback.

Mr. Wysong confirmed yes.

Mr. Polster opened the Public Hearing.

Mr. Polster closed the Public Hearing as there were no speakers.

Mr. O'Connor noted his initial and continued opposition to this point. He further noted the preservation of the rural character of Forge Road, in particular, was impacted by restrictions to a number of permitted uses. Mr. O'Connor stated unwanted uses had been incorporated into SUPs. He noted the impact of the 400-foot buffer to a horse owner who wanted a paddock and referenced other diminishment to landowners. Mr. O'Connor stated he would not support this Ordinance amendment nor the Comprehensive Plan amendment (Item No. 4).

Mr. Krapf noted his support of the 400-foot setback for numerous reasons. He cited community citizen surveys during the Comprehensive Plan revisions, adding the highest scoring item was preservation of the rural lands and viewsheds within those lands. Mr. Krapf stated the importance as a visual component of the beauty and its desirability to live in James City County. He noted the agricultural use of the land and local farmer markets, adding this action preserved a significant feature of the County. Mr. Krapf further noted the new construction at the 400-foot setback along Forge Road. He referenced the Photoshop analysis of properties at the various setbacks and the visual impact. Mr. Krapf addressed several points including the potential for future compensation for the 400-foot setbacks or other factors. He noted his support of this item.

Mr. Haldeman stated his strong support of the Wooded character buffering. He noted he was amenable to a smaller setback of 250 feet versus 400 feet but concurred with Mr. Krapf's comment on the Photoshop depictions at those setbacks. He noted his support of this item in its entirety.

Mr. O'Connor addressed the question of open lands in a rural landscape or promotion of agricultural uses. He noted if agricultural uses were wanted then why were solar farms being placed on agricultural land. Mr. O'Connor questioned the intent.

Mr. Polster concurred with Mr. Haldeman on the Wooded character buffering. He noted review of Barhamsville Road as Wooded and not Agricultural at the next Comprehensive Plan review. Mr. Polster further noted he had no objection to the 400-foot setback but rather the unintended consequences. He cited Old Hickory Church on Forge Road as an example.

Several Commissioners noted it was St. John Baptist Church.

Mr. Polster noted if St. John Baptist Church had wanted to put in a paved parking lot they would not be allowed to do so. He added the preacher had a mobile home and if he wanted a permanent one he would be able to do so. Mr. Polster noted if anything happened to the church and the congregation could not start rebuilding within a year then they would not be able to do so due to the lack of the 400-foot setback. He referenced accessory structures outside of the feeding areas at horse farms along the beginning of Forge Road. Mr. Polster noted if those structures were wooden and older then they were not replaceable if they collapsed. He further noted these were unintended consequences. Mr. Polster stated he was not in support, but not

based on the 400-foot setback, but rather the unintended consequences. He noted other points such as the accessory structures for consideration.

Mr. Krapf stated the accessory structures were not detriments to the rural vista in his opinion and they served a practical use. He noted Policy Committee discussion on several of these points. He cited reference to concern of an overlay district. Mr. Krapf stated the draft Ordinance language was good, but added there were valid revisions to consider in the future, particularly in reference to Mr. Polster's points.

Discussion ensued on legally nonconforming uses.

Mr. Rose noted he aligned with the majority of the Commissioners' comments with the exception of the solar farm use. He stated he felt solar farms were a totally appropriate use in agricultural land. Mr. Rose noted the definition and interpretation of rural vista and the Comprehensive Plan and the varied responses to that phrase. He further noted allowing landowners to use their land accordingly. Mr. Rose stated he felt the 400-foot setback was excessive in this case, adding he felt this was a flawed plan that may not have these necessary issues addressed. Mr. Rose stated he was not in support.

Ms. Null commented on rural lands and corridors and how they looked. She noted this language limited a landowner's ability to put up a roadside vegetable stand. Ms. Null stated she was not in support as she felt this language lacked leeway for change.

Mr. Rodgers stated he felt 400 feet was an excessive amount. He noted he was not in support as the Ordinance was drafted.

Mr. Krapf made a motion to approve the draft language of ORD-22-0001.

Mr. Polster asked Ms. Istenes to verify the yes and no vote designations.

Ms. Istenes stated a vote of yes for the motion would show support of the amendments as presented by staff.

On a roll call vote, the motion failed. (2-5)

Mr. Haldeman noted the Board of Supervisors had requested a draft Ordinance amendment to protect scenic viewsheds. He asked if the Policy Committee reworked this language to a more acceptable form or was this forwarded to the Board in its current language.

Ms. Istenes noted the Commission would be making a recommendation to the Board based on the language presented at the current meeting. She further noted this item would continue to move forward to the Board with the Planning Commission's recommendation not to support the amendments. Ms. Istenes added the Board would then consider the amendments at the Public Hearing during its meeting for a final vote.

Ms. Parman noted a motion to recommend denial would be appropriate on the Planning Commission's decision.

Mr. Rodgers made a motion to deny the draft language of ORD-22-0001.

Mr. Polster noted the importance of conveying to the Board where the Planning Commission was on the language. He further noted three to four Commissioners were accepting of the 400-foot setback of which the unintended consequences are a part. Mr. Polster added there were no issues with the Wooded component as that piece had been supported all along. He wanted the Board to know the Commission's areas of concern. He asked if there were other exceptions for consideration as part of this motion or leave the matter as currently presented.

Mr. Krapf questioned language to address accessory structures.

Mr. Polster concurred. He noted with the denial motion, he wanted the motion to convey the consensus was for the Wooded piece and for the possibility of the accessory facilities. Mr. Polster asked if the Commissioners were in agreement on those points.

Mr. O'Connor noted the Commission was mixed on the 400-foot setback piece.

Discussion ensued.

On a roll call vote, the motion to deny was approved. (5-2)

4. Comprehensive Plan Amendment: Community Character Corridor and Short-Term Rental Development Standards Revision

Mr. Wysong addressed the Commission with the details of the September 12, 2023, Board of Supervisors meeting where Planning staff was directed to prepare a very focused and very limited amendment to the Comprehensive Plan to include only these two items. He noted the first item was the revision of the CCC table list that included the portion of Old Stage Road, outside of the PSA, would no longer be classified as a CCC. Mr. Wysong further noted the second item was removal of the recommended development standard for short-term rentals regarding the property owner living and residing on the property during rental. He stated the other three criteria would remain in effect for staff's use in evaluating applications. Mr. Wysong noted staff's review process would remain unchanged with this amendment. He stated the Policy Committee, at its October 12, 2023, meeting, recommended approval of the amendment to the CCC table by a 3-1 vote. Mr. Wysong noted the development standard for short-term rentals was unanimously recommended for denial by a 4-0 vote. He further noted Planning staff recommended the Planning Commission recommend approval of both revisions to the Board.

Mr. O'Connor questioned if the CCC revision would allow the Board to remove Forge Road and allow for the 400-foot setback.

Mr. Wysong noted the revision would remove Old Stage Road.

Mr. O'Connor questioned if it would preserve the 400-foot setback on Forge Road.

Mr. Wysong responded essentially yes. He added the category revision would only include Forge Road. Mr. Wysong noted if the Board approved the revision, then the 400-foot setback would only apply to Forge Road as it was the only road in this category.

Mr. O'Connor questioned if that point was due to the 400-foot setback not working for both Old Stage Road and Forge Road.

Mr. Wysong confirmed yes. He added the setback would work, but noted the Board saw no value in doing that.

Mr. Polster opened the Public Hearing.

Mr. Polster closed the Public Hearing as there were no speakers.

Mr. O'Connor reiterated some earlier points of revisions to the Comprehensive Plan and unintended consequences. He noted he was not in support of this amendment for two reasons: the 400-foot setback on Forge Road and intermittent, spot amendments to the Comprehensive Plan.

Mr. Haldeman noted he had no objections to spot amendments as it was difficult to see everything. He further noted he had no objections to Old Stage Road's removal from the CCC designation. Mr. Haldeman indicated his support of the revision.

Mr. Krapf commented the Comprehensive Plan was not stagnant but evolved where necessary for particular situations. He noted his support of the amendment revision.

Mr. Rose indicated he was not in support of the revision.

Mr. Rodgers noted he was in favor of the ability to spot fix the Comprehensive Plan.

Mr. Polster noted the 400-foot setback in the CCC. He further noted he was in favor of removal of the area outside the PSA and not in the CCC. Mr. Polster concurred with Mr. Haldeman on the point regarding the intersection of Anderson's Corner to Interstate 64 and its reclassification from Open Agricultural to Wooded CCC at the next Comprehensive Plan update. He noted a 100-foot setback was already included in the property at that location. Mr. Polster addressed the second piece of this item which referenced the short-term rental criteria. He asked Ms. Parman about the reasoning behind the decision.

Ms. Parman noted this recommendation was to remove one of the performance standards for short-term rentals which required owners to live on-site. She cited a recent opinion from the 5th Circuit that a residency requirement such as that discriminates against interstate commerce. Ms. Parman noted while James City County was not in the 5th Circuit jurisdiction, it was a persuasive opinion that could potentially be applied in the County's circuit. She further noted the County Attorney's Office felt that performance standard should be omitted.

Mr. Polster asked the location of the 5th Circuit.

Ms. Parman responded Louisiana was the appeal location.

Mr. Polster asked if any other Virginia localities had been considered in this performance standard decision. He questioned if Hampton, Newport News, Danville, or the City of Richmond had issues and what policies these localities implemented. Mr. Polster also inquired if these localities had policies which were in conflict with the recent 5th Circuit opinion.

Ms. Parman stated she had not reviewed those localities' policies, but she would obtain that information.

Mr. Polster noted he had seen recent articles which addressed that same requirement. He further noted references to a sign-in addition to fire and safety inspections which were not currently required. Mr. Polster addressed decisions over the past few years regarding the on-site criteria. He noted he was not in support of the short-term rental change but was in support of the CCC.

Discussion ensued.

Mr. Krapf asked Mr. Polster to clarify that his comment was to retain the residency requirement in the performance factors.

Mr. Polster confirmed yes. He noted a better solution and language were needed. Mr. Polster further noted other comparable localities were experiencing this same situation and he recommended reviewing their policies on this point.

Mr. Krapf stated his viewpoint, adding the on-site residency component created a filter on short-term rentals. He discussed that point in more depth.

Mr. O'Connor asked for a point of clarification regarding an approval or denial motion.

Ms. Istenes suggested two votes as the topics were distinctly separate.

Mr. Polster requested a motion on the CCC component.

Mr. Haldeman made a motion for recommendation of approval for the Comprehensive Plan amendment for Community Character Corridor revision.

On a voice vote, the Commission approved the motion. (6-1)

Mr. Polster sought a motion on the short-term rental piece.

Mr. Haldeman made a motion for recommendation of approval for the short-term rental development standards revision.

Mr. O'Connor questioned if the motion was to remove the performance standard.

Mr. Haldeman confirmed yes.

Mr. Polster asked that the motion be restated.

Mr. Haldeman made a motion to deny the short-term rental development standards revision.

On a voice vote, the Commission approved the denial motion. (6-1)

G. PLANNING COMMISSION CONSIDERATIONS

1. Yarmouth Creek Watershed Management Plan Update

Ms. Toni Small, Director of Stormwater and Resource Protection, noted the Division was working with a consultant for updates on the Yarmouth Creek Watershed Management Plan, originally approved by the County in 2003. She further noted two public meetings were held and the draft plan was available on the County's website until November 9 for review and public comments. Ms. Small stated final revisions and draft plan would then be presented to the Board of Supervisors for consideration. She introduced Mr. Daniel Proctor and Mr. Ari Daniels from Stantec, consultants on the plan, who would provide an update and answer any questions.

Mr. Proctor, Principal Water Resources Engineer, addressed the Board noting this update was similar to the Powhatan Creek Watershed Management Plan presented to the Planning Commission earlier in the year. He noted a brief presentation highlighting the plan's components would be presented with a three-part approach to the plan. Mr. Proctor further noted the three components were review of past information, field-level reconnaissance, and desktop-level analysis and modeling. He continued the presentation with key findings regarding water quality, flood risk, and other factors. Mr. Proctor stated overall much of the watershed was very healthy despite some impairments. He added development along the Route 60 corridor could impact the watershed health if left unmitigated. Mr. Proctor highlighted the type of recommendations in the presentation. He continued the presentation highlighting public engagement elements.

Mr. O'Connor questioned Mr. Proctor's reference to Route 60 development and future impacts if unmitigated. He inquired if the impact was due to older development without stormwater infrastructure or failing stormwater infrastructure. Mr. O'Connor questioned if the current work was part of the mitigation plan and were benefits expected as part of that plan.

Mr. Proctor replied it was a variety of issues with some older development with little stormwater controls in place. He added that a fair amount of development had occurred since stormwater requirements. Mr. Proctor noted the modeling systems accounted for some system failures.

Mr. O'Connor questioned if the runoff was nutrient loaded from fertilizer. He also asked about the downstream effects.

Mr. Proctor responded it was nutrient runoff and bacteria load from pet waste and agricultural uses. He added those factors were accounted for in the analysis.

Mr. Haldeman referenced page 5 of the presentation and the field assessment note on 30% of field channels being classified as poor or marginal condition. He asked if that point referenced erosion.

Mr. Proctor noted erosion was one aspect. He further noted a variety of factors were considered and accounted for in the analysis.

Mr. Haldeman asked if this was pollution.

Mr. Proctor responded it was the health of the stream and not just pollution itself.

Ms. Small noted that 30% reflected the percentage of stream channels evaluated as all the stream channels could not be accessed. She further noted some stream channels could not be evaluated as the property owners had not granted permission.

Mr. Proctor highlighted the stream assessment in the PowerPoint that Ms. Small referenced.

Mr. Polster questioned improvements and developer involvement to address stormwater issues. He noted the upstream impact to people downstream.

Mr. Proctor noted the suggestions for upstream improvement were in the plan.

Mr. Polster noted the funding to fix the watersheds. He addressed the missing hydrology component in this plan as identified in the Powhatan Creek plan. Mr. Polster asked if that impact was known or was modeling required.

Mr. Proctor noted the modeling would need to be reviewed.

Mr. Polster noted upcoming Capital Improvements Program (CIP) budget projects. He asked Ms. Small if the CIP would include the hydrology issue for Diascund Creek, Powhatan Creek, and Yarmouth Creek.

Ms. Small noted that was a logical next step as these plans moved forward.

Discussion ensued.

Mr. Haldeman asked if development was accounted for in projections.

Mr. Proctor confirmed yes based on known future development.

Mr. Haldeman addressed headwater pollution and erosion and that impact downstream as development continued along Route 60.

Mr. Proctor confirmed yes.

Discussion ensued on these points.

Mr. Polster thanked Mr. Proctor for the presentation.

H. PLANNING DIRECTOR'S REPORT

1. Planning Director's Report - November 2023

Ms. Istenes stated she did not have anything in addition to what was provided in the Agenda Packet.

Mr. Polster noted Mr. Rodgers was the Planning Commission representative for the Board of Supervisors November meeting.

Mr. Haldeman expressed concern with the Commission's advance reading format and difficulties accessing parts of the Agenda Packet.

Mr. Polster noted some issues when files were downloaded.

Discussion ensued.

Ms. Istenes noted she would investigate those concerns.

Mr. Rose addressed light pollution in the County, adding it was possibly a statewide problem also. He noted Dominion Energy was replacing streetlights with high-intensity LEDs with no shielding. Mr. Rose further noted the LEDs were harmful to birds and bird migrations. He stated he had checked with the County and had been notified there were no regulations on Dominion Energy regarding the lights.

Ms. Null referenced Dominion Energy's program to replace the bulbs in homes and the intensity of those lights. She noted Colonial Heritage's lanterns and regulations on lumens there in reference to the LEDs.

Mr. O'Connor noted this trend was prevalent in Northern Virginia. He further noted the removal of the shield around streetlights.

I. PLANNING COMMISSION DISCUSSION AND REQUESTS

Mr. O'Connor noted there was no policy regarding affordable housing and workforce housing. He further noted the cost of local rent and looking in surrounding localities for affordable housing. Mr. O'Connor stated those were the reasons he felt so strongly about some of these issues.

Mr. Crump addressed some of Mr. O'Connor's concerns. He noted staff had been working with Mr. Vaughn Poller, Neighborhood Development Administrator, and Ms. Marion Paine, Neighborhood Development Assistant Administrator, to review State Code and development of a County affordable housing policy in the future.

Mr. Rose noted the challenges of housing within the County. He stated the frustration of hiring yet there was no good solution for housing rentals or purchases for the employees. Mr. Rose noted a County-wide policy was important and questioned if the occasional short-term rentals had much impact.

Discussion ensued on growth, density, and affordable housing.

J. ADJOURNMENT

Ms. Null made a motion to adjourn.

The meeting was adjourned at approximately 7:43 p.m.

Susan Istenes, Secretary

Frank Polster, Chair

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

January 9, 2024

5:00 PM

A. CALL TO ORDER

ADOPTED

B. ROLL CALL

FEB 27 2024

Barbara E. Null, Stonehouse District
Michael J. Hipple, Powhatan District
John J. McGlennon, Roberts District
James O. Icenhour, Jr., Vice Chair, Jamestown District
Ruth M. Larson, Chair, Berkeley District

Board of Supervisors
James City County, VA

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

Ms. Larson introduced the Pledge Leader Charlotte “Charlie” Jenkins, a 5th grade student at Matthew Whaley Elementary School. She noted Supervisor Icenhour would provide further information.

Mr. Icenhour gave highlights of Charlotte’s various interests and activities.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

Charlotte led the Board and citizens in the Pledge of Allegiance.

Ms. Larson noted Mr. Stevens desired to make an announcement.

Mr. Stevens requested Ms. Barbara Watson, Director of Social Services, come to the podium. He formally recognized Ms. Watson as the new Director of Social Services. Mr. Stevens stated Ms. Watson had resided in the County since 1967, she graduated from Lafayette High School, and had worked for the County for 37 years. He further stated Ms. Watson had served in the leadership capacity in James City County (JCC) since 2001 when she began working as the Director of Neighborhood Connections. Mr. Stevens added since 2006, Ms. Watson had served as the Assistant Director of Social Services. He highlighted Ms. Watson’s qualifications and experience. Mr. Stevens expressed positive remarks of Ms. Watson’s work ethic, experience, and robust relationships within the community. He turned the discussion over to Ms. Watson.

Ms. Watson addressed the Board and citizens noting she was really excited about her new role and eager to lead the talented group of professionals in the Social Services Department into the future. She mentioned she loved working for JCC. Ms. Watson stated she took her job very seriously, adding Social Services work was very challenging but vital. She mentioned she

looked forward to continuing to meet the needs of the most vulnerable of JCC.

The Board and citizens applauded.

Ms. Larson expressed her desire to thank her Board colleagues for entrusting her as the Board's Chair and thanked Mr. Hipple for serving as the Board's Chair last year, adding he did an outstanding job.

The Board and citizens applauded.

E. PRESENTATION(S)

1. James City County's FY2023 Audit Presentation

Mr. Rob Churchman, partner with Cherry Bekaert, LLP, addressed the Board noting he recently conducted the audit for the James City Service Authority (JCSA). He noted global standards he was required to identify for the Board at the beginning and end of each audit. Mr. Churchman provided a brief overview of the Audit Agenda on the PowerPoint presentation. He began the presentation highlighting the members of the Client Service Team displayed on the PowerPoint presentation. Mr. Churchman stated the audit issued a clean unmodified opinion. He touched on significant percentage increases regarding the County's net position, General Fund, and Unassigned Fund Balance. Mr. Churchman noted the audit showed no instances of noncompliance to be reported under *Government Auditing Standards* or the *Specifications for Audits of Counties, Cities, and Towns*, issued by the Auditor of Public Accounts of the Commonwealth of Virginia. He further noted the audit reported a material weakness in internal control over financial reporting related to the restatement of fiduciary activities' beginning net position, adding discussion on that point would be forthcoming on an upcoming PowerPoint slide. Mr. Churchman discussed the results of the single audit noting a clean unmodified opinion on the County's compliance with each major federal program, adding no material weaknesses were identified in internal control over compliance in accordance with the Uniform Guidance. He touched on corrected and uncorrected misstatements, adding the County had one misstatement which had been corrected. Mr. Churchman elaborated on that point in further detail. He spoke about changes in policies in relation to Governmental Accounting Standards Board (GASB). Mr. Churchman stated the County adopted accounting policies related to its accounting for conduit debt by adopting GASB Statement No. 91, *Conduit Debt Obligations* and leases by adopting GASB Statement No. 96, *Subscription-Based Information Technology Arrangements*. He spoke to that point in further detail. Mr. Churchman discussed related party relationships and transactions and reported no issues. He noted there were no significant unusual transactions found during the audit. Mr. Churchman further noted there were no unusual financial estimates found; in addition, the County's financial statement disclosures were considered neutral, consistent, and clear. He highlighted nonattest services and auditor independence aspects of the audit on the PowerPoint presentation. Mr. Churchman discussed required communications: difficulties encountered, disagreements with management, auditor consultations, and management representations. He noted those areas were all positive. Mr. Churchman highlighted some additional required communications: management consultations, other findings or issues, fraud and illegal acts, and ongoing concern. He reported no negative results were noted on those points. Mr. Churchman specified other information found in the audit report and highlighted some financial reporting and auditing changes forthcoming in upcoming years. He concluded the presentation and welcomed any questions the Board might have.

Ms. Larson asked if any Board members had questions.

Ms. Larson thanked Mr. Churchman.

F. PUBLIC COMMENT

None.

G. CONSENT CALENDAR

None.

H. PUBLIC HEARING(S)

Ms. Larson acknowledged Mr. Frank Polster, the Planning Commission representative, at the meeting.

1. Pre-Budget Public Hearing

Ms. Sharon McCarthy, Director of Financial and Management Services, addressed the Board noting this meeting offered public comment opportunity on the upcoming budget. She added the citizen input would provide guidance to aid staff during the budget process. Ms. McCarthy indicated there was no Board action required at this time.

Ms. Larson thanked Ms. McCarthy.

Ms. Larson opened the Public Hearing.

1. Mr. Paul Scott, 150 Point O Woods, addressed the Board noting he was present on behalf of Child Development Resources (CDR). He advised CDR was a nonprofit organization that originated in JCC in 1965. Mr. Scott stated CDR's mission was to inspire and empower children, families, and early childhood professionals to reach their full potential. Mr. Scott noted in 1965 CDR served five children, adding to date the organization served over 2,000 children annually. He further noted CDR was currently serving 248 families in the County. Mr. Scott mentioned CDR had expanded significantly over the years and the current sites utilized CDR had outgrown. He remarked thorough consideration and opportunity had been given to consolidate all locations to one centralized facility located at 312 Waller Mill Road. Mr. Scott stated the CDR Board had confirmed the site would be suitable after considerable renovations, adding it would allow for service enhancement and expansion. He remarked based on the design concept it would allow for partner agencies to utilize the facility and hoped to utilize the open space within the facility for community events. Mr. Scott requested Board consideration on a more formal discussion and support regarding this new milestone. He thanked the Board for its continued support.

Ms. Larson thanked Mr. Scott.

Ms. Larson closed the Public Hearing as there were no additional speakers.

2. AFD-23-0001. 1105 Stewarts Road Barnes Swamp AFD Addition

A motion to Approve was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Mr. Ben Loppacker, Planner, addressed the Board noting Mr. Taylor Pruitt had applied to enroll approximately 46.95 acres of land located at 1105 Stewarts Road into the Barnes Swamp Agricultural and Forestal District (AFD). He cited the specifics of the Special Use Permit (SUP) application included in the staff report in the Agenda Packet. Mr. Loppacker stated the applicant intended to utilize the property for recreational purposes and potential tenant farming on the

cleared portion of the property. He added the applicant did not plan to pursue any timbering activities. Mr. Loppacker noted at its October 19, 2023, meeting, the AFD Advisory Committee recommended approval of the application by a vote of 7-0. He further noted at its December 6, 2023, meeting, the Planning Commission recommended approval of the application by a vote of 7-0. He stated staff recommended approval of the application, adding the applicant was not in attendance; however, he welcomed any questions the Board might have for staff.

Ms. Larson asked if any Board members had questions.

Mr. Polster addressed the Board noting there were no speakers during Public Comment and no Planning Commission discussion. He stated the Planning Commission voted 7-0 to recommend approval of the application. Mr. Polster welcomed any questions the Board might have.

Ms. Larson asked if any Board members had questions.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

3. SUP-23-0026. 206 The Maine Detached Accessory Apartment

A motion to Defer the application until the Board's February 13, 2024, Regular Meeting, was made by Barbara Null, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Ms. Tess Lynch, Planner II, addressed the Board noting Mr. Jason Buckley, Promark Custom Homes, Inc., had applied for a SUP to build a detached garage to include a 365-square-foot accessory apartment. She cited the specifics of the SUP application included in the staff report in the Agenda Packet. Ms. Lynch advised that staff had reviewed the proposed design and found that most requirements had been met. She noted the property owners currently did not reside on the property, adding an SUP condition required the property owners or an immediate family member to reside in the single-family dwelling or the accessory apartment within 12 months from the issuance of the Certificate of Occupancy. Ms. Lynch further noted staff found the proposal to be compatible with surrounding development and consistent with the 2045 Comprehensive Plan and Zoning Ordinance. She stated at its December 6, 2023, meeting, the Planning Commission recommended approval of this application by a vote of 7-0. She stated staff recommended approval, subject to the proposed conditions. Ms. Lynch welcomed any questions the Board might have, adding the applicant was available as well.

Ms. Larson asked if any Board members had questions.

Ms. Larson asked if there were other detached accessory apartments in the surrounding area.

Ms. Lynch responded not that she was aware of.

Mr. Polster addressed the Board noting there were no speakers during Public Comment and no Planning Commission discussion. He noted the Planning Commission recommended approval by a vote of 7-0.

Ms. Larson asked if any Board members had questions.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

Mr. McGlennon requested staff provide data regarding the number of detached accessory apartment applications in the past several years.

Mr. Paul Holt, Director of Community Development, addressed the Board noting approximately two to four within the past four or five years.

Mr. McGlennon replied the Board recently approved an application for Kingspoint.

Mr. Holt confirmed yes and referenced another previous application for Centerville Road.

Mr. Icenhour mentioned there was one in Ford's Colony as well.

Mr. Holt replied to his knowledge that particular application was by-right as it was part of the main single-family dwelling versus being detached.

Mr. Icenhour asked if the detached accessory apartment could be rented out.

Mr. Holt replied long-term rental was possible; however, a short-term rental required a separate SUP. He noted this particular SUP would not allow short-term rental opportunities.

Mr. Icenhour asked if the detached accessory apartment could be leased to non-family members long-term.

Mr. Holt replied that was correct based on verbiage included in the County Ordinance.

Ms. Larson expressed her concern with the rental of the detached accessory apartment. She mentioned a previous instance in the neighborhood in relation to an ownership change that had caused a lot of discontent regarding surrounding neighbors. Ms. Larson noted some neighborhoods with no homeowners association created potential County involvement. She asked if the applicant could speak to the objective of the detached accessory apartment.

Mr. Buckley addressed the Board noting the property owners had planned to utilize the detached accessory apartment for their son who currently attended college at the College of William & Mary. He mentioned the landowners had no intent of renting the dwelling.

Ms. Larson expressed her concern for future use.

Mr. Buckley offered the possibility of the property owners signing written correspondence indicating no desire for rental opportunities for the detached accessory apartment.

Ms. Larson thanked Mr. Buckley. She asked Mr. Kinsman if there was a sunset clause that could be incorporated into the SUP.

Mr. Kinsman indicated the SUP ran with the land opposed to with the property owner(s). He noted a potential recorded affidavit could be submitted to confirm only family members would reside within the detached accessory apartment.

Ms. Larson asked if ownership changed the next property owner would be allowed to rent the detached accessory apartment.

Mr. Kinsman confirmed yes, adding an SUP condition could be incorporated; however, from a zoning standpoint there were challenges regarding that point.

Ms. Larson questioned the support for her request.

Mr. Icenhour asked if Ms. Larson desired extra time prior to a vote on this application.

Ms. Larson confirmed yes, if her fellow colleagues supported her request. She asked Mr. Buckley if the Board postponed action on the application if it would affect his construction timeline.

Mr. Buckley replied a building permit had not yet been acquired.

Ms. Larson thanked Mr. Buckley. She asked her fellow Board members to support her request.

Mr. McGlennon asked about the anticipated timeframe to address at a future Board meeting.

Ms. Larson replied the first meeting in February. She requested a deferral on this application. Ms. Larson asked if she could make that motion.

Mr. Kinsman stated Ms. Null's motion was currently on the floor for approval, adding Ms. Null would either need to amend or pull the motion.

Ms. Null made an amendment to the motion to defer the application until the Board's February 13, 2024, Regular Meeting.

4. SUP-23-0028. 9273 Richmond Road Contractor's Office and Warehouse

A motion to Approve was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Ms. Suzanne Yeats, Planner, addressed the Board noting Ms. Erin Martin, Crossroad Custom Builders, Inc., had applied for an SUP to allow for the construction of an approximately 6,000-square-foot building to be used as a contractor's office and warehouse. She cited the specifics of the SUP application included in the staff report in the Agenda Packet. Ms. Yeats stated the existing residence was currently occupied by a tenant and would remain as such. She mentioned the existing operation was a professional contractor's business that specialized in the building of custom homes, additions, or interior improvements. Ms. Yeats stated at its December 6, 2023, meeting, the Planning Commission voted 7-0 to recommend approval of the application with a motion to amend SUP Condition No. 8. She remarked staff found that the proposed conditions would mitigate impacts to the surrounding properties and development; in addition the proposal was compatible with surrounding zoning and development, and consistent with the 2045 Comprehensive Plan and Zoning Ordinance. Ms. Yeats noted staff recommended approval, subject to the proposed conditions. She welcomed any questions the Board might have, adding the applicant was available as well.

Ms. Larson asked if any Board members had questions.

Mr. Polster addressed the Board noting there was one speaker during Public Comment who had questioned SUP Condition Nos. 8 and 15, noise, and traffic concerns on Richmond Road in addition to future use. He spoke to that point in further detail. Mr. Polster indicated there was much discussion on SUP Condition No. 8 in relation to outdoor storage of heavy equipment. Mr. Polster discussed that point in further detail. He stated at its December 6, 2023, meeting, the Planning Commission voted 7-0 to recommend approval of the application with a motion to amend SUP Condition No. 8. Mr. Polster welcomed any questions the Board might have.

Mr. McGlennon asked about the number of residents on the property.

Ms. Yeats stated the property use consisted of 11 nonconforming units.

Mr. McGlennon asked the type of these units.

Ms. Yeats replied apartments.

Mr. McGlennon asked if all the units were currently occupied.

Ms. Yeats replied she was unsure; however, she could obtain that information for him.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

Mr. Icenhour expressed his concern regarding increased impervious cover on the property. He anticipated that the stormwater facilities would be able to mitigate and manage that. Mr. Icenhour noted the importance of Watershed Management Plans to determine the impacts on a larger scale.

5. ORD-22-0001. Amendments for Scenic Roadway Protection

A motion to Defer Agenda Item Nos. 5 and 6 until the Board's April 9, 2024, Regular Meeting, was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Ms. Larson indicated Agenda Item Nos. 5 and 6 would be discussed and voted on together.

Mr. Thomas Wysong, Principal Planner, addressed the Board stating at its October 26, 2021, meeting, the Board of Supervisors unanimously adopted the 2045 James City County Comprehensive Plan: *Our County, Our Shared Future*. He noted the adopted plan included various strategies within the Goals, Strategies, and Actions (GSAs) portion of the Land Use (LU) Chapter that focused on preserving scenic roadways. Mr. Wysong referenced and cited LU 6.3. He stated at its November 23, 2021, meeting, the Board adopted an Initiating Resolution pertaining to the Zoning Ordinance and Subdivision Ordinance. He advised the Initiating Resolution directed staff to consider additional requirements in both the Zoning Ordinance and Subdivision Ordinance to preserve scenic roadways such as Forge Road. Mr. Wysong highlighted the scenic roadways referenced in GSA LU 6.3 and their classifications. He discussed the proposed setback requirements for Wooded Community Character Corridors (CCCs). Mr. Wysong indicated to provide flexibility regarding structures made nonconforming by this proposed setback, staff had prepared language that permitted those nonconforming structures to expand as long as the expansion was not further within the setback. He touched on that point in greater detail. Mr. Wysong asked the Board if he could grab his materials for Agenda Item No. 6.

The Board agreed.

Mr. Wysong continued his presentation noting that the 2045 Comprehensive Plan amendment would be to revise the CCC list so that the portion of Old Stage Road located outside the Primary Service Area (PSA) would no longer be included on the list. He further noted per the County Attorney's recommendation and the Board's Initiating Resolution the removal of the following development standard for short-term rentals: "Be operated in such a manner that the property owner will continue to live and reside on the property during the rental." He stated the other three criteria would remain and continue to be used in staff's evaluation of these applications. Mr. Wysong stated at its November 1, 2023, meeting, the Planning Commission recommended denial of the proposed amendment regarding the proposed setbacks by a vote of 5-2. He further stated the Planning Commission recommended denial of the proposed Comprehensive Plan amendment in relation to short-term rental development standards revisions by a vote of 6-1. He concluded the presentation and welcomed any questions the

Board might have.

Mr. Hipple asked if the short-term rental development standard for the property owner to live on-site would be removed.

Mr. Wysong confirmed yes.

Mr. Hipple asked about the major road criteria.

Mr. Wysong replied that standard would remain in place.

Mr. Hipple asked what the County considered a major road.

Mr. Wysong deferred that question to Mr. Holt.

Mr. Holt replied the way it had been enforced was by the Virginia Department of Transportation definition which was essentially the minor and major arterials and collector streets. He added roads that were not considered subdivision-level streets.

Mr. Hipple questioned the major road criteria based on the rural lands aspect.

Mr. Holt replied those were the standards adopted as part of the most recent update to the Comprehensive Plan in 2021.

Mr. Hipple mentioned the County had a lot of rural lands that were not connected to a major road, adding that would create significant limitations. He mentioned unique property and the major road aspect. Mr. Hipple recommended the major road criteria be on a case-by-case basis.

Mr. Holt replied in practice since 2021, there had been quite a few applications that had come through. He noted that staff was very upfront with applicants and the recommendations Planning included in the staff reports were based on the 2045 Comprehensive Plan criteria for short-term rentals, adding it was policy guidance for the Planning Commission and the Board of Supervisors. Mr. Holt further noted each site was considered unique and evaluated as such. He elaborated on that point in further detail.

Mr. Hipple expressed his concerns with the property owner must live on-site during the rental period criteria in addition to the major road criteria. He reiterated his recommendation of the major road criteria being on a case-by-case basis.

Ms. Larson mentioned it was currently 6:25 p.m. and potential inclement weather was projected for 7 p.m. She asked the Board if she could open the Public Hearing as there was a public speaker for this item and she wanted to ensure for safety purposes individuals were able to leave in a timely manner.

Mr. Hipple mentioned his desire to postpone action on this item.

Ms. Larson replied ok.

Ms. Larson noted based on the deferral request vote the Public Hearing would remain open. She advised any individual who signed up to speak this evening would be allowed to do so, but only one opportunity to speak during the Public Hearing process was allowed.

Mr. Holt desired to speak prior to opening the Public Hearing for staff guidance on these items.

Mr. Hipple requested a deferral for both items for further evaluation purposes. He spoke to that point in further detail.

Ms. Larson opened the Public Hearing for Agenda Item No. 5.

Ms. Larson continued the Public Hearing.

Ms. Larson opened the Public Hearing for Agenda Item No. 6.

Ms. Larson continued the Public Hearing.

Mr. Polster addressed the Board regarding Agenda Item No. 5 noting there were no speakers at the Public Hearing. He noted the ongoing challenges regarding the subject matter. Mr. Polster stated the Planning Commission had separated the Old Stage Road component with a consensus reached among the Planning Commission members with the exception of Forge Road. He noted some of the Planning Commission members thought the 400-foot setback was excessive and the various potential restrictions this amendment would pose on the surrounding area and development. Mr. Polster provided examples to the Board. He stated in summary the Planning Commission desired to convey to the Board the concern on the language to address accessory structures, adding a consensus on the Wooded CCC component in relation to Agenda Item No. 5. Mr. Polster stated three to four Planning Commission members were in acceptance of the 400-foot setback despite the unintended consequences. He stated the Planning Commission recommended denial to the Board of Supervisors by a vote of 5-2.

Mr. Polster addressed the Board regarding Agenda Item No. 6 noting there were no speakers at the Public Hearing. He further noted Planning Commission discussion on the CCCs and the 400-foot setback on Forge Road. Mr. Polster stated the Planning Commission members were supportive of the revisions to the CCCs and the modifications to Old Stage Road. He spoke about the short-term rental development standards and the progress made. Mr. Polster noted Planning Commission members had raised concern regarding the elimination of one of the short-term rental development standards for short-term rentals which required owners to live on-site during the rental period, adding that only left three determining factors for review and evaluation purposes. Mr. Polster mentioned a recent opinion from the 5th Circuit that a residency requirement such as that discriminated against interstate commerce. He added while JCC was not in the 5th Circuit jurisdiction, it was a persuasive opinion that could potentially be applied in the County's circuit. Mr. Polster stated the County Attorney's Office felt that development standard should be omitted. He noted the Planning Commission recommended approval to the Board of Supervisors on the Comprehensive Plan amendment for CCC standards revision by a vote of 6-1. Mr. Polster further noted the Planning Commission recommended denial to the Board of Supervisors regarding the short-term rental development standards revision by a vote of 6-1. He welcomed any questions the Board might have.

Ms. Larson asked if any Board members had questions.

Mr. Holt addressed the Board seeking guidance on next steps. He noted these Agenda items would need to be postponed for a particular date due to being Public Hearing items. Mr. Holt asked if he should bring materials to the future meeting for both Forge Road and Old Stage Road.

Mr. Icenhour expressed he felt the Board was pretty certain regarding the Old Stage Road component, adding he preferred just the Forge Road materials. He stated his concern was not with the 400-foot setback itself, but the ability to mitigate the adverse impacts to the individuals who essentially would be made nonconforming by the setback requirement. Mr. Icenhour added he was unsure of the legal flexibility to that point and recommended discussion to ensure protection to those individuals who would be impacted. He asked the Board if that was a fair assessment.

Mr. Hipple confirmed yes, adding it was imperative if the setback requirement were to be

approved that the individuals or businesses impacted would not have restrictions and/or limitations. He recommended time for further evaluation, adding he preferred to hold off on applications regarding these areas until the Board was able to work through the subject matter. Mr. Hipple looked to Mr. Kinsman on guidance in relation to that point.

Mr. Kinsman addressed the Board noting it depended on the timeframe aspect of things. He referenced the Comprehensive Plan update as an example, adding a formal resolution was required due to the lengthy timeframe. He recommended if the Board needed six months to a year on this item he would suggest a formal resolution to notify applicants.

Mr. Hipple asked Mr. Holt on the timeframe aspect.

Mr. Holt replied the only other option aside from the options presented this evening from a legal standpoint would be the idea of rezoning specific properties and an overlay district. He advised requested Board materials could be ready as early as the Board's February 27, 2024, Business Meeting. Mr. Holt mentioned if potential amendments, readvertisements, etc. were needed he would recommend postponing this item until the Board's April 9, 2024, Regular Meeting.

Mr. Hipple requested that Agenda Item Nos. 5 and 6 were postponed until the Board's April 9, 2024, Regular Meeting.

6. Comprehensive Plan Amendment: Community Character Corridor and Short-Term Rental Development Standards Revision

As Ms. Larson mentioned Agenda Item Nos. 5 and 6 would be discussed and voted on collectively. Refer to Agenda Item No. 5 for discussion.

7. Ordinance to Amend and Reordain Chapter 20, Taxation, of the Code of the County of James City, Virginia, by Amending Article I, Exemption of Certain Persons From Real Estate Taxes, Section 20-10, Qualifications for Exemption and Section 20-11, Amount of Exemption

A motion to Approve was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Mr. Richard Bradshaw, Commissioner of the Revenue, addressed the Board noting the County had provided tax relief to its elderly and disabled homeowners since 1973. He further noted the program was designed to assist those individuals with limited resources to remain in their homes without having undue tax burden. He indicated the program did require an annual application including documentation to verify qualifying assets and income. Mr. Bradshaw advised before the Board were two Ordinances, adding one would modify the income eligibility requirements and the other would modify the benefits to the taxpayer. He advised based on changing conditions he recommended the following changes to go into effect starting next fiscal year: raising the qualifying income to \$55,000; and raising the exemption to cover the first \$150,000. Mr. Bradshaw spoke to that point in further detail and welcomed any questions the Board might have.

Ms. Larson asked if any Board members had questions.

Ms. Larson opened the Public Hearing.

Ms. Larson closed the Public Hearing as there were no speakers.

Mr. Icenhour questioned the net combined financial worth total referenced in the Chapter 20 Taxation Ordinance for Section 20-10 (b) included in the Board's Agenda Packet. He asked if

the \$200,000 net combined financial worth went from \$200,000 to \$150,000.

Mr. Bradshaw replied no, adding the total assets should remain at \$200,000.

Mr. Icenhour requested Mr. Jason Purse, Assistant County Administrator, to verify that.

Mr. Purse clarified that the strikethrough seen in the Ordinance Chapter 20 Taxation Ordinance for Section 20-10 (b) should remain \$200,000 not decrease to \$150,000. He noted those changes would be made to reflect accuracy.

Ms. Larson thanked Mr. Bradshaw.

I. BOARD CONSIDERATION(S)

None.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon mentioned he attended the dedication of new and expanded space at The Martha W. Goodson Center in McLaws Circle. He advised this facility provided support for individuals affected by memory disorders and other neurological disorders. He elaborated on that point in greater detail. Mr. McGlennon noted he attended JCC's Emerging Leaders Academy Graduation Ceremony. He mentioned positive remarks about the program.

Mr. Icenhour expressed his desire to share a photo with the community. He mentioned the Home for the Holidays Program noting this past year the program raised enough money to provide 43 Enlisted service members a \$300 stipend to travel home for the holidays. He recognized Captain Scott Rae, Command Officer, United States Coast Guard Training Center Yorktown. Mr. Icenhour displayed a photo of the service members who were not able to travel home for Christmas. Mr. Icenhour noted on Christmas Day those service members attended Sentara Williamsburg Regional Medical Center to serve meals to patients and staff. He expressed his sincerest gratitude to those service members.

Ms. Larson thanked Mr. Icenhour for all his efforts regarding the Home for the Holidays Program. She extended positive remarks to the newly elected Supervisor Null for her role and participation at her first meeting for the Board of Supervisors and the JCSA Board of Directors. Ms. Larson noted she was the Chair of Visit Williamsburg, adding Ms. Victoria Cimino, CEO of Visit Williamsburg, had decided to step down. She further noted Ms. Julia Smyth-Young had been selected as the Interim CEO of Visit Williamsburg. Ms. Larson indicated a national search would be conducted next week. She extended thanked to Ms. Cimino for her significant efforts during her tenure as CEO of Visit Williamsburg. Ms. Larson noted she attended the Visit Williamsburg Finance meeting earlier in the day and reported positive trends.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens advised a Community Conversation would be held on Wednesday, January 31, 2024, at 6 p.m. at Legacy Hall in New Town. He highlighted topics for discussion included: the regional sports complex, trash consolidation, the proposed government center, and Police Chief Mark Jamison would provide a public safety update. Mr. Stevens encouraged County citizens to attend.

L. CLOSED SESSION

A motion to Enter a Closed Session was made by Barbara Null, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 6:43 p.m., the Board entered Closed Session.

At approximately 6:56 p.m., the Board re-entered Open Session.

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

a. Appointment - Williamsburg Area Transit Authority Board of Directors

A motion to Appoint Ms. Diane Finney as an Alternate Member (no term limit) was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

b. Appointments - VPPSA Board of Directors

A motion to Appoint Ms. Grace Boone and Mr. Bob Dittman for terms to December 31, 2026, was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

c. Appointments - Historic Triangle Bicycle Advisory Committee

A motion to Appoint Ms. Grace Bascetta for a term to expire December 31, 2025, was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

d. Appointments - Board of Equalization

A motion to make recommendations to the Circuit Court Judge for four individuals for the Board of Equalization: Mr. Michael Grimes, Ms. Vickie Nase, Mr. Christopher Hedrick, and Mr. Robert Singley, Jr. for terms to expire December 31, 2027, was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

e. Appointments - Planning Commission

A motion to Appoint Mr. Michael Scott Maye - Powhatan District for a term to expire January 31, 2026, and Mr. Jay Everson - Stonehouse District for a term to expire January 31, 2028, was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

f. Appointment - Williamsburg Regional Library Board of Trustees

A motion to Appoint Mr. Eugene Bruss for a term to expire June 30, 2025, was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

2. Certification of Closed Session

M. ADJOURNMENT

1. Adjourn until 1 pm on January 23 , 2024 for the Business Meeting

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 6:58 p.m., Mr. Hipple adjourned the Board of Supervisors.

Teresa J. Saeed

Deputy Clerk

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
February 27, 2024
1:00 PM

A. CALL TO ORDER

ADOPTED

B. ROLL CALL

Barbara E. Null, Stonehouse District
Michael J. Hipple, Powhatan District
John J. McGlennon, Roberts District
James O. Icenhour, Vice Chair, Jamestown District
Ruth M. Larson, Chair, Berkeley District

MAR 26 2024

**Board of Supervisors
James City County, VA**

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

C. PRESENTATION(S)

1. Clean County Commission Annual Report

Ms. Peg Boarman, Chair of the Clean County Commission, addressed the Board with the Commission's Annual Report. She began the PowerPoint presentation with an introduction of the Clean County Commission's members. Ms. Boarman added Powhatan District still needed a representative as well as a second Commissioner for Roberts District. She highlighted the Great American Cleanup, which occurred in March 2023, in the PowerPoint. Ms. Boarman provided statistics for the event which included the number of volunteers, volunteer hours, and other data. She expressed appreciation for the volunteers and their work. Ms. Boarman continued the PowerPoint highlighting the 45th Annual County-wide Litter Cleanup which was held April 2023 and the Arbor Day Plant-A-Tree Ceremony at Freedom Park. She noted another event held was the Clean the Bay Day in June 2023. Ms. Boarman stated the Clean County Commission also participated in educational events such as the Fido Fest, the Family Fun Fest, and the Harvest Fest. She noted one highlight of the year centered on the Repair Fair and Recycling Expo. Ms. Boarman provided details on the event, adding it was well received by the community. She noted the Clean County Commission partnered with the Water Wise Garden and Human Services Center on programming. Ms. Boarman added the Clean County Commission also partnered with the Pollinator Garden at Veterans Park and the James City Lions Club. She noted the Volunteer Appreciation Will Barnes Day Picnic, held annually in June, in recognition of his legacy to the County. Ms. Boarman provided additional information on the event. She addressed the Good Neighbor Grants program and its beautification projects in the community. Ms. Boarman continued the presentation providing details on the Virginia Peninsula Clean Business Forum Awards. She noted the forum was sponsored by James City County, the Cities of Hampton and Newport News, and York County. Ms. Boarman noted several Stonehouse District businesses had been recognized previously. She encouraged businesses active in environmentally-friendly practices with adopted green initiatives from the

other districts to submit applications. Ms. Boarman thanked all the volunteers, adding 922 volunteer hours at 256 events had been logged. She provided information for community involvement with the Clean County Commission. Ms. Boarman announced Ms. Rachel West as the new Chair for the Clean County Commission in the upcoming year. Ms. Boarman noted she would be stepping down, adding it had been a difficult decision. She continued the presentation highlighting upcoming events. Ms. Boarman shared a video of Clean County Commission members and various events that had been attended. She noted Ms. West was unable to attend the meeting but wanted to share her thoughts via the video.

Ms. Larson asked if the Board had any questions for Ms. Boarman.

Ms. Boarman noted she would be back to still talk trash to the Board.

Mr. Hipple stated he had a question, adding he was very appreciative of all of Ms. Boarman's hard work over the years. He referenced the presentation highlighting the total volunteer hours, adding if those hours were paid then that information could be incorporated to show citizens the savings generated by the work of the Clean County Commission and its efforts. Mr. Hipple noted the savings to the community with the volunteer hours and not paid staff to pick up trash.

Ms. Boarman responded she had done that once previously but would work on incorporating that information into future presentations.

Mr. Hipple thanked Ms. Boarman.

Mr. McGlennon noted he had no questions, but he congratulated Ms. Boarman on her leadership during her tenure. He referenced the annual award in Ms. Boarman's name that was given in recognition of volunteers in the community. Mr. McGlennon commended the Clean County Commission for its work at many events and throughout the area.

Ms. Boarman thanked Mr. McGlennon. She commended Ms. Andrea Case and Ms. Regina Jackson as County staff members who assisted with the many events.

Mr. Icenhour extended his appreciation to Ms. Boarman. He noted the significance of the Will Barnes Picnic.

Ms. Boarman noted Board member attendance at the picnic and other events was greatly appreciated.

Ms. Larson asked when Ms. West would begin as the Chair of the Clean County Commission.

Ms. Boarman responded at the March 7, 2024, Clean County Commission meeting.

Ms. Larson asked Ms. Boarman how long she had been the Clean County Commission's Chair.

Ms. Boarman responded she had co-chaired with Mr. Barnes from 2010-2016. She added she moved into the Chair position in 2016. She cited some historical points of her time as originally it was a committee and then later became a commission in 1981. Ms. Boarman noted she had volunteered since 1979.

Ms. Larson noted that was tremendous and she extended her thanks to the Clean County Commission members. She expressed her appreciation of Ms. Boarman's educational and informative updates to address litter in the County. Ms. Larson noted Ms. Boarman's influence on her regarding personal attention to trash in the County. She thanked Ms. Boarman for her education and influence and the longevity of her volunteering commitment.

Ms. Boarman noted trash was a continual problem. She thanked the Board members for their

kind words.

Ms. Larson thanked Ms. Boarman.

2. VDOT Quarterly Update

Mr. Rossie Carroll, Virginia Department of Transportation (VDOT) Williamsburg Residency Administrator, addressed the Board noting his quarterly update covered the last quarter of 2023. He noted 442 of 510 maintenance work orders were completed, adding that was an 87% completion rate. Mr. Carroll stated some highlights included Norge Lane drop-in repair off Route 60, sinkhole and pipe repair at Nature's Way, Mount Laurel Road ditch repair, Route 60 pipe repairs, ditching in Brookhaven and several other locations, and tree and shrub clearing on Jamestown Road near the County-side of the Jamestown-Scotland Ferry. Mr. Carroll noted current project highlights included hit guardrail repairs. He added 95 of 97 identified hit repairs were completed. He further noted improvements to the Richmond Road bicycle path and sidewalk improvements with a projected completion date of the end of October 2024. Mr. Carroll stated the bridge project over Diascund Creek, adding many people referenced that area as the Hicks Island area, was ahead of schedule. He noted the pipe replacement on Route 60 between Route 30 and the New Kent County line prior to the unbonded concrete project for that area. Mr. Carroll addressed the completed projects in the closeout process. He noted upcoming projects included the Longhill Road Shared Use Path, Croaker Lane four-lane widening, Pocahontas Trail Reconstruction Phase One, a new hydraulic system on the Jamestown side of the Jamestown-Scotland Ferry pier, asphalt work, and others. Mr. Carroll referenced the PM5V, plant mix schedule, for various James City County roads this summer. He added the PM5V schedule was approximately double lane paving and cost as last year in the County. Mr. Carroll stated the Interstate 64 four-to-six lane widening project from the New Kent County line back to James City County was included in upcoming projects. He added the estimated completion date for that project was fall 2027. Mr. Carroll continued the update for County safety projects and provided details. He noted 2025 projects included work at Route 5, Greensprings Road, and the Centerville Road junction, as well as Old Stage Road and Route 30 across from School House Lane. Mr. Carroll stated those projects were currently in the Secondary Six-Year Plan and collaboration between County and VDOT staff would occur regarding project funding. He provided additional details on the projects. Mr. Carroll noted several traffic studies had occurred and he detailed the locations and results.

Ms. Larson thanked Mr. Carroll and asked the Board if there were any questions.

Mr. Icenhour asked for an update on Airport Road and Old Mooretown Road. He noted implementation of a potential traffic circle rather than a traffic light.

Mr. Carroll noted VDOT was currently in the pre-scoping phase of that intersection. He stated that project was funded through VDOT's SMART SCALE program, but it would not go to construction in the next year or two.

Mr. Icenhour noted it would be several more years before construction.

Mr. Carroll confirmed yes.

Mr. Icenhour stated it was fully funded.

Mr. Carroll confirmed yes, adding it was in the Secondary Six-Year Plan.

Mr. Icenhour thanked Mr. Carroll.

Mr. Hipple referenced the new curb on Route 60 in Toano near the former McKown's Store. He

noted the left turning issue at that location but stated the curb at Church Lane allowed for more turning access. Mr. Hipple asked Mr. Carroll to check the McKown's Store area. He thanked Mr. Carroll and VDOT for the Route 60 project, adding residents in that area of the County were pleased with the road raising project.

Mr. Carroll noted that much work had been done along Route 60.

Mr. Hipple agreed and noted it was very helpful.

Discussion ensued.

Mr. Hipple referenced the sound barriers coming down Route 60 near Rochambeau Drive. He noted he had received citizen concerns regarding the sound barriers.

Inaudible comments.

Mr. Carroll noted the contractor was also required to complete a sound study as part of the design-build project. He further noted those results could potentially impact the sound barrier locations.

Mr. Hipple asked if the design-build team would hold a public hearing to gather public input.

Mr. Carroll noted a public hearing was typically held initially. He added that once design began if issues arose that pertained to a certain area, then a meeting would be held with those communities. Mr. Carroll noted he would review that design-build to see if another public hearing would be available.

Mr. Hipple thanked Mr. Carroll. Mr. Hipple noted the two traffic lights near the Williamsburg Pottery. He further noted one was unnecessary and questioned if traffic lights were ever removed.

Mr. Carroll responded not generally, adding removal could be done.

Mr. Hipple asked if the traffic light could be repurposed to another location.

Mr. Carroll said no to relocation. He noted he was unsure who would pay for it. Mr. Carroll stated that traffic light was included as part of the development and agreement from the development would be needed. He noted future plans and development for that area were also factors. Mr. Carroll favored a blinking light status but added a large number of U-turns off Route 199 in that area. He noted the blinking light would eliminate the U-turn phase.

Discussion ensued.

Mr. Hipple asked if VDOT could review the first light coming out of Lightfoot to become a blinking light. He noted the second light could then be an actual working traffic light.

Mr. Carroll noted a need for the light at that location but that he would work with the County.

Mr. Icenhour stated as part of the need assessment there should be a study to identify the number of times traffic cones have that entrance to the Williamsburg Pottery blocked off. He noted approximately 90% of the time he traveled that way, traffic was blocked off from entering or exiting at that traffic light. Mr. Icenhour stated the owner had placed the barricade there so it was not a useful entrance or exit.

Mr. Carroll noted VDOT was the owner/operator. He stated after the development was built, then VDOT maintained the traffic light. He added the entrance from Lightfoot, though currently

coned off, was the entrance for access behind the Williamsburg Pottery. Mr. Carroll noted he was unsure of long-range plans for that area.

Ms. Null addressed the left turn heading north or west and the property there. She noted the property was under contract for an assisted living facility and the commercial use would have access with that traffic light. She cited some specifics to the road and the property.

Mr. Carroll suggested the flashing yellow and red sequence for the traffic light.

Ms. Null concurred that option was great.

Mr. McGlennon asked if the Gate House Farms issue off Neck-O-Land Road had been resolved. He added it focused on the intersection between Gate House Boulevard and Neck-O-Land Road.

Mr. Carroll asked if Mr. McGlennon was referencing the drainage test.

Mr. McGlennon confirmed yes.

Mr. Carroll replied he was unsure but he would look into that issue.

Mr. McGlennon asked Mr. Carroll to contact him regarding a final resolution. He added he was pleased with the Pocahontas Trail Phase One plans. Mr. McGlennon noted the start date for those plans was approximately two years out.

Mr. Carroll confirmed the May date was the award date.

Mr. McGlennon questioned the timeline and relaying information to citizens. He noted citizens were hoping for another public meeting for updates. Mr. McGlennon questioned if any property acquisition would be involved prior to advertisement or related matters.

Mr. Carroll noted he would get back with Mr. McGlennon on those points.

Mr. McGlennon thanked Mr. Carroll.

Ms. Larson asked about some trees closely bordering Route 5. She noted due to beaver damage there was concern the trees would fall into the road, adding she thought that area was VDOT property.

Mr. Carroll noted that was VDOT property and VDOT was aware of the issue.

Ms. Larson stated she had received concerns from several people. She requested an update on the bicycle path cleanup schedule. Ms. Larson added the County was checking pond levelers near Route 5 due to beaver activity.

Mr. Carroll noted the ongoing struggle with that point.

Ms. Larson thanked Mr. Carroll.

Mr. Carroll thanked the Board.

D. CONSENT CALENDAR

Ms. Larson asked if any Board member wished to pull any item(s).

1. Board Appropriation - Chesapeake Bay Mitigation Fund - 4113 South Riverside Drive - \$21,125

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

2. Compensation Plan and Personnel Policies Agreement with Clerk

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

3. Contract Award - \$123,750 - Replacement Emergency Medical Services Supervisor Vehicle

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

4. Dedication of the Streets in Phase 2 of the Landfall at Jamestown Subdivision

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

5. Grant Award - \$1,500 - LOVE Sign

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

6. Minutes Adoption

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

The Minutes Approved for Adoption included the following meetings:

- o December 1, 2023, James City County Board of Supervisors Joint Meeting with Williamsburg City Council and Williamsburg-James City County School Board
- o January 9, 2024, Regular Meeting
- o January 23, 2024, Business Meeting

Ms. Larson noted she wanted to draw attention to two items. She stated the first was the dedication of the streets in Phase 2 of the Landfall at Jamestown subdivision. Ms. Larson noted the subdivision was in Mr. McGlennon's district but had previously been in the Berkeley District for many years. She inquired if these roads were the last ones for dedication. Ms. Larson noted Ms. Toni Small, Director of Stormwater and Resource Protection Division, acknowledged yes with a head nod. Ms. Larson thanked Ms. Small for the confirmation. Ms. Larson then asked Ms. Elizabeth O'Connor, Clerk of the Circuit Court, if she would come forward for an introduction. She noted Ms. O'Connor had served as the Acting Clerk when Ms. Mona Foley, former Clerk of the Circuit Court, retired prior to Ms. O'Connor's election in November 2023. Ms. Larson stated Item No. 2 regarding the Compensation Plan and Personnel Policies Agreement was for the Clerk of the Circuit Court.

Ms. O'Connor confirmed yes.

Ms. Larson inquired if all the necessary parties had worked with Ms. O'Connor to establish the compensation plan and personnel policies.

Ms. O'Connor confirmed yes, adding Mr. Kinsman and Mr. Brad Rinehimer, Assistant County Administrator, had been very helpful. She thanked the Board for its review and support of the materials.

Ms. Larson thanked Ms. O'Connor for the opportunity to introduce her.

Ms. O'Connor thanked Ms. Larson.

E. BOARD DISCUSSIONS

Ms. Larson asked if Mr. Stevens would address Item No. 1.

Mr. Stevens noted he would introduce Mr. Dayle Gallagher, Director of Real Estate Assessments Division, to address the reassessment process. He stated Mr. Gallagher had a short presentation followed by any questions from the Board.

1. Real Estate Assessments

Mr. Gallagher addressed the Board stating one responsibility of the Real Estate Assessments Division was to determine fair market value. He began the PowerPoint presentation identifying fair market value. Mr. Gallagher detailed the components of a mass appraisal. He noted the analysis began with recent sales and provided criteria used. He stated the goal was to ensure the database contained sufficient information for verification of an arm's-length sale transaction and that the sale price reflected the market value of the real property. Mr. Gallagher noted many steps were taken by real estate assessors when sales occurred. He highlighted the number of residential sales used over the past two years, adding James City County performed biennial reassessments. Mr. Gallagher noted all sales were required to be submitted to the state. He added that disqualified sales were coded with an explanation as to the reason and the analysis was based on the remaining sales.

Mr. McGlennon referenced the biennial total of 2,488 and asked if that number was representative of approximately 7.5% of residential properties in the County as turnover in the past two years.

Mr. Gallagher responded possibly. He continued the presentation highlighting the preliminary results of the reassessment based on property classes. Mr. Gallagher noted the property classes were agricultural, commercial, residential, and multifamily. He further noted the residential results were based on valuation not revenue, adding the overall County residential increased 21%. Mr. Gallagher used four County neighborhoods as examples for the changes in median sales price and median assessed value. He cited factors that drove the market were location and price range. Mr. Gallagher displayed an example of the reassessment impact for years 2023 and 2024 using the median value at the \$0.83 tax rate.

Mr. Icenhour asked if the median value for a home in the County was \$411,000.

Mr. Gallagher replied that it was now. He continued the presentation displaying the reassessment notice postcard and the breakdown for the property.

Mr. Icenhour questioned the mail date for the postcards.

Mr. Gallagher noted the postcards would be mailed on February 29, 2024. He stated upon receipt of the postcard, homeowners would question the increase. Mr. Gallagher addressed options available to homeowners which included appealing the reassessment to the Board of Equalization (BOE).

Ms. Vickie Hogg Nase, a real estate broker for 43 years and an appraiser for 21 years, addressed the Board. She noted she had served on the BOE since 2014. Ms. Nase stated assessments were mailed to homeowners in February. She detailed the steps of the assessment process if a homeowner had questions. Ms. Nase noted the appraiser reviewed square footage, number of bedrooms, number of bathrooms, fireplaces, and other features that impacted the appraisal. She further noted if the homeowner was still dissatisfied with the review, then the homeowner received the BOE forms for completion within 30 days. She noted those forms were required to be returned to the Real Estate Assessor's Office by April 30. Ms. Nase explained that the appraiser from the Assessor's Office requested the homeowner select three properties within the homeowner's neighborhood to use as the basis for the assessment number. She added questions usually involved why the assessment number was lower. Ms. Nase stated homeowners were aware of neighboring home prices when sold but were unaware of the components of an assessment. She cited the specific details as mandated by federal law for assessments. Ms. Nase noted the homeowner(s) present their specific data and the assessors present their data. She addressed homeowners understanding the assessment process. Ms. Nase also addressed commercial property assessments. She noted the next step after the Assessor's Office and the BOE was court. Ms. Nase referenced her research was based on the Williamsburg Multiple Listing Service (WMLS) which was statistically updated monthly. She noted supply was low with a high demand and that pattern had led since the COVID-19 pandemic. Ms. Nase cited statistics for a variety of multiple listings since January 2024, adding the median home price in the County was \$587,500 with 29 days on the market. She noted in January 2023, the price was \$400,950 with 19 days on the market, adding that was a major difference. Ms. Nase stated these numbers reflected the median value and included condominiums, townhouses, and other specific criteria. She referenced statistics from one day and the bidding wars on property. Ms. Nase provided insight and past experience with sales, adding buyers were very savvy as 98% of homes were sold on the internet prior to actually being present on the property. She noted the use of Realtor.com and principles applied to listings on that site.

Mr. Gallagher continued the presentation highlighting some important dates. He noted the dates included the reassessment notice mailings, proposed budget release, community meetings with Supervisors, public hearing, and the Board meetings for the budget followed by its adoption.

Mr. McGlennon noted the average value price of a home. He asked about the average median sale price of a home and the difference between the two prices.

Ms. Nase noted the difference was vast.

Mr. Gallagher noted assessors used the number from sales and Ms. Nase was using WMLS numbers.

Mr. McGlennon asked if Mr. Gallagher was looking at all homes while Ms. Nase was looking at actual sales within the specified time period. Mr. McGlennon noted homes that were being reassessed versus home prices for those properties on the market. He further noted Mr. Gallagher's numbers were reflective of the County's housing stock.

Mr. Gallagher and Ms. Nase confirmed that point.

Mr. Hipple noted the reassessments were not based on the selling price.

Discussion ensued.

Ms. Sharon McCarthy, Director of Financial and Management Services, addressed the Board noting she worked closely with Mr. Gallagher. She noted the assessments were done every two years with Ms. Nase's numbers were based on the January data of each year. Ms. McCarthy stated the home values continued to escalate. She noted the values were based County-wide over the 2,500 sales which equated to approximately 7.5% of total taxable parcels over a two-year period. Ms. McCarthy stated median sales meant half of the sales were below that number while the other half were above it, adding mean represented the average.

Mr. Hipple noted the assessments were based on market values from two years prior and not current market values.

Ms. McCarthy noted calendar year 2022 and calendar year 2023.

Discussion ensued.

Mr. Gallagher noted the County podcast on the Real Estate Assessments process that was currently on the County website. He noted a sales statistic for 2022 that reflected sales were at 100% or more due to the market rise in 2023. Mr. Gallagher stated the impact on current reassessment values.

Mr. Hipple suggested citizens listen to the podcast. He stated it was very informative about the reassessment process.

Ms. Larson thanked Mr. Gallagher, Ms. Nase, and Ms. McCarthy. She noted if the Board members had additional questions, they could ask them at the Retreat though reassessments were not a topic. Ms. Larson stated Mr. Stevens would be available and other questions could be forwarded to Mr. Gallagher.

2. Financial Update, FY2024 Second Quarter

Ms. Cheryl Holland, Budget Manager, addressed the Board noting she would provide updates for Fiscal Year 2024 second quarter, which ended December 31, 2023. She stated the presentation would only focus on the General Fund and not covering the Capital Improvements Program, American Rescue Plan Act, or other grant funding. She highlighted the County's General Fund revenues in the PowerPoint presentation with a comparison to the prior year. Ms. Holland noted the General Property Taxes category was the largest revenue source at two-thirds of total revenue. She added the category included real estate and personal property taxes. Ms. Holland noted General Property Taxes reflected an increase primarily related to personal property with new vehicle purchases and a higher retention level of value for older vehicles. She added the other revenue types did not have the same billing or collection frequency as General Property Taxes. Ms. Holland provided details on the other categories depicted in the PowerPoint presentation. She continued with a breakdown of the General Fund Spending categories. Ms. Holland noted the Actual data reflected both expenditures and encumbrances. She continued the presentation with a departmental breakdown of the percentage of the budget use. Ms. Holland stated that departments with expenses over 50% reflected that not all expenses were incurred evenly during the year. She added the Information Technology Department had the majority of its contracts, licensing, and other factors due at the beginning of the year. Ms. Holland noted the Contribution & Transfers category reflected funding to outside services which typically occurred at the beginning of the fiscal year.

Ms. Larson thanked Ms. Holland for the update.

3. ORD-22-0001. Amendments for Scenic Roadway Protection
Comprehensive Plan Amendment: Community Character Corridor and Short-Term
Rental Development Standards Revision

Mr. Thomas Wysong, Principal Planner, addressed the Board regarding the specifics of this case. He noted the Board had requested more time for consideration regarding the proposed setback impact on existing structures along affected roadways and additional discussion on short-term rental standards. Mr. Wysong addressed the proposed amendments to the Zoning Ordinance regarding certain scenic roadways. He provided details regarding setbacks and highlighted the Forge Road Corridor in a PowerPoint presentation. Mr. Wysong noted only Forge Road would be affected if the Comprehensive Plan amendment were approved. He addressed the creation of the Overlay District regarding setback standards, adding in the absence of an Overlay District with varying setback standards was advised against by the County Attorney's Office. Mr. Wysong added that advice was based on uniformity of zoning regulations for each class or kind of building and use throughout each district and must treat similarly situated property similarly. He noted a limited Comprehensive Plan amendment regarding the Community Character Corridor (CCC) and revisions to the County's CCC Table designations list for a portion of Old Stage Road located outside of the Primary Service Area which would no longer be classified as a CCC. Mr. Wysong further noted that the proposed setback requirements would then only apply to Forge Road. He continued stating the second issue addressed the recommendation for removal of development standards for short-term rentals regarding the property owner continuing to live and reside on the property during the rental. Mr. Wysong noted the following standards, based on the Comprehensive Plan as adopted on October 26, 2021, would still be retained regarding short-term rentals: located on lands designated Rural Lands, Neighborhood Commercial, Community Commercial, Mixed Use, or Economic Opportunity; located on the edge or corner of an existing platted subdivision, rather than internal to it; and located on a major road. Mr. Wysong stated staff looked forward to the Board's feedback and guidance. He added a map was created to represent the affected lots by the setback concept.

Ms. Larson thanked Mr. Wysong. She looked to the Board for discussion.

Mr. Hipple noted he was fine with the removal of Old Stage Road. He added he was in favor of protecting Forge Road. He noted existing structures and application regarding new structures. Mr. Hipple discussed this point in detail adding the County needed to work with property owners who had limited amounts of land. He noted he was concerned for houses built on the roadside and losing the current look of the Forge Road corridor. Mr. Hipple added he did not want Forge Road crowded like other roads in the County. He noted his original proposal was to protect the existing corridor, protect the existing structures, and limit the proximity of new structures to the road. Mr. Hipple stated a compromise for corridor preservation and landowner rights was needed.

Ms. Null stated her agreement.

Mr. Icenhour addressed nonconformity and setbacks. He noted the use of the Overlay District and the ability to target particular areas for designation without arbitrary setbacks. Mr. Icenhour questioned staff if an Overlay District was created would Old Stage Road need to be removed from the CCC designation. He stated if Old Stage Road remained a CCC with an Overlay District then that designation would only apply to the areas identified for protection.

Mr. Hipple stated he wanted to focus on Forge Road first. He noted any knowledge learned in the process could later be applied to other areas.

Mr. Icenhour noted Overlay Districts could be applied to additional CCCs. He questioned the need then to remove Old Stage Road from the CCC designation if the Overlay District addressed concerns.

Mr. Hipple agreed.

Mr. Icenhour questioned staff on the timeline, workload, and other factors regarding these points.

Mr. Paul Holt, Director of Community Development, addressed the Board noting the public hearing on this item had been formally postponed until the Board's April 9, 2024, Regular Meeting. He noted one option was an indefinite postponement while staff worked on the Board's input. Mr. Holt stated the public hearing could be readvertised at a later date. He noted obtaining Board consensus on particular properties without reconsidering the varied setbacks was another factor. Mr. Holt stated he would review the timeline with staff and get that schedule to the Board.

Mr. Hipple cited the various criteria for the Overlay District and the setbacks while still protecting and preserving the land. He noted the Board would work on finding a happy medium that was beneficial to citizens.

The Board thanked Mr. Holt.

Mr. Holt noted at the April 9, 2024, Regular Meeting, this item would be on the Agenda but that it be deferred indefinitely pending Board consideration. He further noted that status would apply to both the Ordinance amendment and the Comprehensive Plan amendment. Mr. Holt stated at the time for those items to be presented, a public hearing would be readvertised.

Ms. Larson and Mr. Hipple thanked Mr. Holt.

Ms. Larson thanked Mr. Wysong.

F. BOARD CONSIDERATION(S)

None.

G. BOARD REQUESTS AND DIRECTIVES

Ms. Null noted she had no comments.

Mr. Hipple noted he had one, but he thought it would be discussed at the Board's upcoming Retreat. He stated a review of the \$0.83 per \$100 tax rate particularly in light of increased revenue.

Mr. McGlennon noted he would pass.

Mr. Icenhour noted on February 16, he and Mr. Hipple spoke to Ford's Colony newcomers. He stated the event was well attended with many good questions and answers. Mr. Icenhour added that opportunity was an enjoyable way to meet the public. He stated the Hampton Roads Workforce Council (HRWC) met on February 21, adding its annual budget was approximately \$38 million currently. Mr. Icenhour noted a major driver was the United States Navy contracts dealing with maritime trades. He added the HRWC Board was very productive in getting many things done for the region. Mr. Icenhour noted he had spoken with his fellow Board members and staff regarding upcoming changes to the County Code regarding stormwater management and erosion and sediment control. He further noted the state had issued a new model Ordinance to be effective July 1, 2024. Mr. Icenhour stated during the Board's consideration of these changes, opportunities for consideration of other amendments of interest to the County would be available. He noted the areas of special stormwater criteria and implementation of County

watershed management plans. Mr. Icenhour stated earlier watershed management plans had been based on rainfall and were very outdated. He noted the numbers were higher based on climate changes, adding many facilities were undersized and not performing well which would significantly impact future development. Mr. Icenhour indicated with upcoming changes that the Board had directed staff to draft a resolution to not schedule items for legislative consideration until after adoption of the changes. He noted additionally that staff was to inform applicants of the Board's expectation that forthcoming applications incorporate these changes. Mr. Icenhour asked his fellow Board members for support in requesting staff present at the March 26, 2024, Business Meeting, a resolution stating new legislative applications be postponed for Board consideration until the adoption of new Stormwater Ordinances with staff informing applicants of the anticipated changes. Mr. Icenhour noted these changes would significantly affect Eastern State properties around New Town, Chanco's Grant, and the White Hall development. He further noted these changes would ensure the proper size stormwater facilities were in place for these developments.

Mr. Hipple asked about the date.

Mr. Icenhour noted the resolution would be presented at the March 12, 2024, Regular Meeting. He further noted year-end for the study.

Discussion ensued.

Ms. Larson noted recent plans for a family whale watching trip in Virginia Beach. She further noted the event was cancelled due to high winds, so she and her family attended the Virginia Aquarium & Marine Science Center. Ms. Larson stated the Aquarium was very busy and lots of educational activities were available. She noted Hampton Roads Sanitation District was on-site doing a Sustainable Water Initiative for Tomorrow (SWIFT) presentation. Ms. Larson further noted the City of Virginia Beach's Department of Parks & Recreation was also there with numerous educational and informational games and exhibits. She provided details on the various presentations. Ms. Larson stated the opening of the sports complex would present a wonderful opportunity for regional education of local points of interest and programs like those for the Chesapeake Bay and area waterways.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted he would defer on his report due to the Closed Session Agenda.

I. CLOSED SESSION

A motion to Enter a Closed Session was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 2:50 p.m., the Board of Supervisors entered a Closed Session.

At approximately 4:32 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those matters indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

1. Discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure, pursuant to Section 2.2-3711(A)(19) of the Code of Virginia

2. Discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(29) of the Code of Virginia and pertaining to the contract for the joint operation of schools between the County and the City of Williamsburg.

3. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

A motion for the following Appointments was made by James Icenhour, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

- a. Board of Zoning Appeals Appointment

Mr. Icenhour noted Mr. Andrew Franck was recommended for an appointment to the Circuit Court Judge for a five-year term that expires on March 31, 2029.

- b. Wetlands Board and Chesapeake Bay Board

Mr. Icenhour noted appointment of Mr. Mark McElroy as an alternate for a term that should begin March 1, 2024, and expire December 31, 2030.

- c. Historical Commission Appointment

Mr. Icenhour noted appointment of Mr. William Fox to a term that will expire June 30, 2026.

- d. Agricultural and Forestal District Advisory Committee Appointment

Mr. Icenhour noted appointment of Mr. Will McElfresh with no expiration date listed.

4. Certification of Closed Session

J. ADJOURNMENT

1. Adjourn until 8 am on March 2, 2024 for the Board Retreat

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 4:33 p.m., Ms. Larson adjourned the Board of Supervisors.

Teresa J. Saeed

Deputy Clerk

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

March 26, 2024

1:00 PM

A. CALL TO ORDER

ADOPTED

B. ROLL CALL

APR 23 2024

Barbara E. Null, Stonehouse District
Michael J. Hipple, Powhatan District
John J. McGlennon, Roberts District
James O. Icenhour, Vice Chair, Jamestown District
Ruth M. Larson, Chair, Berkeley District

Board of Supervisors
James City County, VA

Scott A. Stevens, County Administrator
Adam R. Kinsman, County Attorney

C. PRESENTATION(S)

1. Proclamation Celebrating 100 years of Boy Scout Troop 103

Ms. Larson noted the Scout Master unfortunately was unable to attend, but she read several excerpts from the Proclamation. She added the Proclamation would be delivered to Troop 103 and its leaders.

2. Retiree Recognition - Bernadette Williams

Fire Chief Ryan Ashe addressed the Board noting he had two retirees being recognized. He stated Ms. Williams was present. Chief Ashe provided details regarding Ms. Williams' service years with the County's Fire Department. He noted during the early stages of the COVID-19 pandemic, Ms. Williams was instrumental in tracking the firefighters' protective gear, masks, and other necessities. Chief Ashe further noted Ms. Williams' work in tracking the necessary equipment and supplies for various County departments as well. He stated her dedication to also ensuring firefighters had drinks and food even during the early hour shifts. Chief Ashe thanked Ms. Williams and wished her well in her retirement.

Ms. Williams thanked Chief Ashe. She noted her 30-year tenure had been a fantastic time. She noted the exemplary work of the County staff and Fire Department toward citizens. Ms. Williams extended her thanks to the Board and the Fire Department.

3. Retiree Recognition - Eric Smith

Chief Ashe noted another retiree was to be recognized, but he was unable to attend. Chief Ashe presented details on Mr. Smith's 25-year tenure with the County's Fire Department. He added Mr. Smith's responsibility over the past 15 years as a primary Self-Contained Breathing Apparatus (SCBA) technician, adding SCBA units were the air packs firefighters wore on their

backs. Chief Ashe noted the SCBA maintenance performed by Mr. Smith was in addition to his firefighter duties. He extended well wishes to Mr. Smith in his retirement.

Ms. Larson asked Chief Ashe to extend the Board's thanks to Mr. Smith for his service to the County, adding she was sorry he was unable to attend. She thanked Chief Ashe for his comments regarding Mr. Smith.

4. Update from Virginia Peninsula Community College

Ms. Larson welcomed Mr. Todd Estes, Vice President of Workforce Development and Innovation and Mr. Joe Fairchild, Associate Vice President for Academic Affairs from Virginia Peninsula Community College (VPCC).

Mr. Estes addressed the Board and highlighted VPCC's 2022-2023 enrollment numbers in a PowerPoint presentation. He noted enrollment included 8,676 academic credit students and 1,530 non-credit students. Mr. Estes explained the credit category reflected traditional post-secondary college courses while the non-credit category reflected primarily the workforce training. He stated skilled trades, Allied Health, and Information Technology were included in the latter category. Mr. Estes continued the presentation to address the growth of VPCC. He stated the increased enrollment reflected reversal of a trend where VPCC's enrollment had been declining for a while. He added that point was consistent with the national trend for community colleges since 2012. Mr. Estes cited some of the driving factors impacting that trend, adding VPCC had now entered a growth phase. He noted a 27% increase in dual enrollment and provided additional statistics on other areas. Mr. Estes further noted of the 23 community colleges in the system, VPCC was ranked fourth in the number of workforce industry credential trainings. He stated Mr. Fairchild would address the next section of the presentation.

Mr. Fairchild addressed the Board highlighting the dual enrollment breakdown. He noted categorical increases throughout VPCC with improved retention rates and graduation rates. Mr. Fairchild further noted these increases reflected more students returning to VPCC, more students successfully graduating, and more short-term certificate completions. He provided details on the Passport and Uniform Certificate of General Studies (UCGS) Program, adding the Passport and UCGS Program greatly benefited dual enrollment students.

Mr. Estes noted the importance of those pathway transfers and the university partnerships involved in the program. He continued the presentation highlighting employment statistics after program completion. Mr. Estes noted the return on investment to students and the community. He further noted workforce training was a vehicle to employment and VPCC was highly cognizant of that fact. Mr. Estes addressed the economic impact analysis factor which included approximately \$30 million in operational spending, \$5.5 million in student impact, and \$211.6 million in alumni impact. He continued the presentation with three perspectives for investment analysis: student, taxpayer, and social. Mr. Estes noted the positive outcome of the investment analysis findings. He stated VPCC was growing and addressed expansion projects that included rebuild of the Performing Arts Theater (Hampton campus), Student Success and Campus Administration Building (Hampton campus), the Center for Excellence in Childhood Development, and a New Skilled Trades Center with the latter two projects in the City of Newport News Southeast Center, near the Marshall-Ridley neighborhood. Mr. Estes noted the February 2023 opening of the Toano Trades Center emphasizing its welding and carpentry programs.

Mr. Fairchild addressed new academic programming was launching and would be housed at the Historic Triangle Campus. He provided details on the licensed practical nurse program, which would be accepting students in the fall semester. Mr. Fairchild noted the Passport and UCGS program would be available at the Historic Triangle Campus. He added VPCC was also reimagining its Dental Hygiene Assistant Program due to cost challenges. Mr. Fairchild provided details on the reimagining plan. He addressed other areas of increased future

community impact which included the Center for Career, Internship, and Transfer Services (Hampton campus), the Healthcare Training Center, and the Educational Programming and Innovation Center. Mr. Fairchild thanked the Board.

Ms. Larson asked the Board if any member had questions.

Mr. McGlennon noted increased community outreach from VPCC over the past months. He commended VPCC for its efforts particularly in the workforce area.

Ms. Larson referenced the Williamsburg-James City County (WJCC) School dual enrollment numbers. She questioned the reduction and if it was fewer students or program slots.

Mr. Fairchild responded that 218 students participated in dual enrollment in fall 2022.

Ms. Larson asked if the 218 was total or only WJCC students.

Mr. Fairchild stated 218 was students from Jamestown, Lafayette, and Warhill High Schools. He provided additional statistics on dual enrollment. Mr. Fairchild noted VPCC's concerted effort to work with school agencies regarding dual enrollment, adding challenges existed in matching programs to school systems and credentials for high school faculty regarding the college courses.

Ms. Larson thanked Mr. Fairchild. She cited personal experience with her youngest daughter in the dual enrollment program. Ms. Larson expressed her support of dual enrollment. She extended her appreciation to Mr. Estes and Mr. Fairchild.

D. CONSENT CALENDAR

Ms. Larson asked if any Board member wished to pull any item.

1. Authorization to Continue Leasing Flock Safety LPR Cameras

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

2. Grant Award - \$7,974 - Circuit Court Records Preservation Program

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

3. Grant Award - \$15,000 - Virginia DEQ CBPA Support Grant 2024

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

4. Grant Award \$9,164 - Virginia Conservation Assistance Program Funding - Brickyard Landing Park

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

5. Minutes Adoption

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

The Minutes Approved for Adoption included the following meetings:

- o February 13, 2024, Regular Meeting
- o February 27, 2024, Business Meeting
- o March 2, 2024, Board of Supervisors Retreat

6. Resolution of Chesapeake Bay Preservation Ordinance Violation at 156 Spencer's Grant

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

E. BOARD DISCUSSIONS

1. Forge Road Scenic Roadway Protection

Mr. Jason Purse, Assistant County Administrator, stated the Board had discussed this item several times over the past few months. He noted concern regarding the Community Character Corridor focus and potential regulatory impacts to additional properties which may be unwanted. Mr. Purse stated staff was reviewing the best option for addressing that point and the possibility of an Overlay District along Forge Road. He noted Agenda Packet material identified properties of 40 acres or more along Forge Road. Mr. Purse further noted the properties in a PowerPoint presentation. He asked if the Board could support this configuration and if so then staff could present it to the Policy Committee for additional discussion.

Mr. Hipple indicated he was fine with that point and ready to move forward.

As the Board had no questions or concerns, Ms. Larson thanked Mr. Purse.

2. Government Center Update

Mr. Brad Rinehimer, Assistant County Administrator, addressed the Board reiterating his commitment to provide updates on the Government Center at the Board's Business Meetings. He referenced a recent large staff meeting consisting of County leadership that offered the group an opportunity to provide input on their needs for the facility. Mr. Rinehimer provided additional details on that meeting. He added a list had been compiled for a stakeholder group comprised of citizens and business owners who lived or worked in the County. Mr. Rinehimer noted invitations had been extended to the stakeholder group for additional input. He further noted the timeline for the stakeholder meeting. Mr. Rinehimer stated the bi-weekly meetings with the builder group continued and added a tour of the Law Enforcement Center was slated for the group on March 27. He noted the tour offered the group the opportunity to see firsthand implementation of security and safety features. Mr. Rinehimer stated work continued on the programming phase. He added that the architects were currently meeting with department directors regarding space needs and addressing reduction of the total square footage. Mr. Rinehimer noted scheduling time with the Board for its input also. He further noted tours of the Virginia Beach Municipal Center and the Suffolk Municipal Building were being scheduled toward the end of April and welcomed any Board members who were available to attend. Mr. Rinehimer noted he would provide a definitive date to the Board for the tours.

Ms. Larson stated her appreciation for the large staff meeting and the safety and security

concerns from staff. She noted the many requests and varied ideas from staff for consideration, adding she thought the exercise had gone very well.

3. Appointment - Eastern Virginia Regional Industrial Facilities Authority

A motion to Appoint Ms. Null was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

Ms. Larson noted Board discussion on an appointment to the Eastern Virginia Regional Industrial Facilities Authority (EVRIFA).

Mr. Stevens stated Ms. Sue Sadler, former Supervisor, had been appointed to EVRIFA. He noted Mr. Chris Johnson, Director of Economic Development, had discussed the EVRIFA appointment with Ms. Null. Mr. Stevens added this was an elected official position and alternates were available if schedule conflicts arose. Mr. Stevens noted this appointment was therefore being brought to the Board's attention.

Ms. Larson thanked Mr. Stevens. She asked Ms. Null if she would serve on the EVRIFA.

Ms. Null stated she was willing and happy to take the appointment.

Ms. Larson asked if a roll call was necessary.

Mr. Stevens confirmed yes to make the appointment official.

F. BOARD CONSIDERATION(S)

None.

G. BOARD REQUESTS AND DIRECTIVES

Both Ms. Null and Mr. Hipple noted they had no comments.

Mr. McGlennon noted he had taken a tour of Jamestown High School on March 13. He stated he was joined by Ms. Amy Chen, a newly selected member of the Williamsburg City Council for the WJCC School Board. He provided details of the tour and expressed his appreciation of the opportunity to visit two classrooms and experience the teacher-student interaction. Mr. McGlennon referenced the Joint Meeting with the Williamsburg City Council and the WJCC School Board on March 15 and the budget requests.

Mr. Icenhour thanked Mr. Purse for his assistance with a constituent concern regarding abandoned vehicles in one of the neighborhoods in his district. Mr. Icenhour noted Mr. Purse had the situation quickly resolved. He added a nice thank you had been received and he wanted to be sure to direct the appreciation to Mr. Purse and staff on the matter. Mr. Icenhour stated he recently attended the Greater Williamsburg Chamber of Commerce Board meeting, adding the Chamber met every other month. He noted the meeting was held at the Yorktown Naval Weapons Station Training Center. Mr. Icenhour provided details of the meeting. He noted he was joined by Ms. Larson at a recent monthly breakfast group meeting.

Ms. Null noted she had attended the graduation at the Virginia Peninsula Regional Jail for the five women who had completed their class for getting off drugs. She further noted she was joined by the Honorable Virginia Delegate Amanda Batten and other dignitaries. Ms. Null provided additional details on the program and graduation.

Ms. Larson noted attendance at the Joint Meeting with the Williamsburg City Council and the WJCC School Board. She stated shortly after that meeting, she went to the Williamsburg Community Chapel where the Williamsburg Symphony was presenting a program for local elementary students. Ms. Larson noted the presentation was on Ellis Island and she provided additional details, adding it was an excellent program. She stated later that day she was joined by Mr. McGlennon, Williamsburg City Council Member Mr. Caleb Rogers, and Assistant County Administrator Brad Rinehimer for the local government talk with the Sorensen Institute for Political Leadership's Political Leaders Program (PLP) class for this year. She extended her thanks to Mr. McGlennon and Mr. Rinehimer. Ms. Larson noted her participation on a panel at the Williamsburg Landing and extended her thanks to the group. She stated she and Ms. Sarah Ortego, Chair of the WJCC School Board, participated in a webinar with the Virginia Association of Counties (VACo) about School Board and Board of Supervisor relations. Ms. Larson noted Ms. Null was in the VACo class for the Virginia Certified County Supervisors' Program certification. Ms. Larson further noted meeting with the owner of Muddy Marley's Dog Wash, Ms. Rebecca Mulvain, a Director on the County's Economic Development Authority. Ms. Larson provided information on an upcoming dog event coordinated by Ms. Mulvain. She noted she would provide additional details at a later date. Ms. Larson stated she and Mr. Stevens attended the Hampton Roads Transportation Planning Organization (HRTPO) and Hampton Roads Planning District Commission (HRPDC) meetings in Chesapeake on March 21. She noted a recap of the meetings should be available to Board members and to notify her if members were not receiving the recaps.

Mr. Hipple noted he had received notice of Ms. Larson's good comments made during the meetings.

Ms. Larson thanked Mr. Hipple.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted the 46th Annual County-wide Spring Cleanup will take place on Saturday, April 27. He further noted the Clean County Commission would provide equipment, location, and other details for volunteers. Mr. Stevens stated groups and individuals were welcome and more information was available by calling 757-259-5375. He noted the Real Estate Assessments Division had been fielding numerous calls related to the real estate assessments that had been sent in late February. Mr. Stevens asked for patience as staff returned calls. He added the assessment process was driven by State Code and if citizens felt their assessment value was wrong to contact the Real Estate Assessments Office at 757-253-6650. Mr. Stevens noted the staff deadline regarding assessments was the end of March while the Board of Equalization appeal deadline was April 29, adding there was still time for citizens to appeal their assessments if they felt they were in error. He further noted the Fiscal Year 2025-2026 Proposed Budget would be released March 29. Mr. Stevens encouraged residents to learn more about the budget, adding Board members would be hosting a public meeting in their respective districts regarding the proposed budget. He noted residents were welcome to attend any meeting regardless of the district. Mr. Stevens stated the schedule for the Community Budget Meetings included the following dates: Berkeley District, April 3 at Legacy Hall at 6 p.m., Jamestown District, April 4 at the James City County (JCC) Recreation Center at 6 p.m., Stonehouse District, April 8 at Toano Middle School at 6 p.m., Powhatan District, April 10 at Lois S. Hornsby Middle School at 6 p.m., and Roberts District, April 11 at the JCC Government Center, Building F at 4 p.m. Mr. Stevens noted the Public Hearing for the Proposed Budget would be held at the Board's April 9, 2024, Regular Meeting sometime after the 5 p.m. start of the meeting. He stated he and Ms. Sharon McCarthy, Director of Financial and Management Services, would participate in a budget podcast that would appear prior to April 5. Mr. Stevens noted the primary need for increased revenue was for staff, both County and WJCC School staff. He further noted the pay was not competitive in many areas and addressed those points. Mr. Stevens stated May 14 was slated for the Board to adopt the budget.

Ms. Larson referenced the 3% rate increase for WJCC School staff, but the WJCC School Board requested a 4.5% rate increase.

Mr. Stevens confirmed yes.

Ms. Larson asked if the Proposed Budget reflected the 4.5% rate increase.

Mr. Stevens confirmed yes. He stated if the School Division went with a 1% rate increase, particularly if above the state amount, then the difference was on the localities and would be a significant amount for the County and the City of Williamsburg. Mr. Stevens noted the cost of salaries and benefits and its impact on the budget.

Ms. Larson thanked Mr. Stevens. She noted the dog event was chesapeake dock dogs.org and sponsorships were available. Ms. Larson also extended thanks to the General Services Department with its assistance when a motorist hit a sign across from Jamestown High School. She noted no one claimed ownership on the sign, but General Services and Mr. Kinsman were very helpful on that point. Ms. Larson added a search for the party to assist with payment was underway.

I. CLOSED SESSION

A motion to Enter a Closed Session was made by Michael Hipple, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 1:52 p.m., the Board of Supervisors entered a Closed Session.

At approximately 2:23 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those matters indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

1. Consultation with the County Attorney regarding specific legal matters requiring the provision of legal advice by the County Attorney; in particular, ownership and road maintenance status of the road known as Route 1101, Shellbank Drive, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia
2. Certification of Closed Session

Ms. Larson asked if there were any other matters before the Board to address.

Mr. McGlennon referenced Board Requests and Directives. He noted over the past few years a constituent with a stormwater concern had contacted him. Mr. McGlennon further noted some concern between staff and the constituent over responsibility and stormwater erosion damage on the constituent's property. Mr. McGlennon stated the constituent was told by staff that no current funding for the erosion was earmarked, but that he would be put on a list for potential projects. He noted the constituent asked was there a list, where was he on the list, and was there any likelihood he would move on the list. Mr. McGlennon further noted despite several requests he had not received any answers. He questioned if any type of funding to address such issues was available and if not, should it be in the future. Mr. McGlennon also questioned

responsibility and a sense of direction on those points.

Ms. Larson noted that point was valid for both individuals as well as neighborhoods and ensuing development. She further noted grant funding but questioned if Mr. McGlennon's request could be addressed.

Mr. Stevens stated he had heard about a list but added with regard to stormwater the point to address the issue(s) needed to be determined. He referenced the Virginia Department of Transportation's (VDOT) criteria regarding drainage ditches.

Mr. Icenhour noted an earlier conversation with Mr. Stevens about the Meadows II neighborhood in his district. He stated the neighborhood had a homeowners association (HOA) that was responsible for a Best Management Practice (BMP) with a cost of approximately \$100,000 in upcoming maintenance. Mr. Icenhour noted the neighborhood was comprised of approximately 135 homes. He added about half of the drainage area from the BMP came from non-HOA homes or VDOT right-of-way. Mr. Icenhour noted the inequity of some homeowners paying while others did not have to address the issue. He further noted direction on these types of situations.

Mr. Stevens noted discussion on general stormwater issues and existing concerns with the Board at a future meeting. He further noted then a direction could be established.

Mr. McGlennon agreed. He noted the possibility of adding the stormwater issues on the Legislative Agenda with reference to VDOT. Mr. McGlennon stated the stormwater issues also had potential consequences to the Chesapeake Bay and other areas.

Ms. Larson thanked Mr. McGlennon.

Mr. Icenhour referenced the previous discussion on the Utility-Scale Solar Facility applications and the incorporation of a policy rather than an Ordinance. He noted he was in favor of Mr. Kinsman's suggestion to use a policy. Mr. Icenhour stated he had drafted policy revisions that he had shared with Mr. Stevens and Mr. Kinsman. He added he would give Mr. Paul Holt, Director of Community Development, a copy and email copies to his fellow Board members. Mr. Icenhour asked each member to review it and include additional revisions. He stated a policy would allow staff to address the applications without presenting them to the Board.

Ms. Larson asked if staff feedback would be noted.

Inaudible response.

Ms. Larson asked if the Community meetings would remain open for each meeting or what procedure would be used.

Inaudible response.

Mr. Stevens noted some concern regarding the recent court ruling. He further noted the meeting was not being held for a roll call. He added Ms. Larson and the respective District representative would be present but he and staff would facilitate the majority of speaking at the meetings. Mr. Stevens stated the Board members would not be taking any action at these meetings, but the meetings were advertised per the interpretation of the current law where if three Board members were in attendance with or without action taken then advertisement was required.

Ms. Larson questioned adjournment and if the meetings should be called and other procedural questions.

Mr. Kinsman's response was inaudible.

Ms. Larson noted the current meeting would be adjourned with a call for the April 3, 2024, Community Meeting, if three or more Board members were present. She further noted that procedure would be done for each Community Meeting.

Mr. Kinsman's response was inaudible.

Mr. Hipple questioned the process.

Mr. Kinsman's response was inaudible.

J. ADJOURNMENT

1. Adjourn until 6 pm on April 3, 2024 for the Berkeley District Community Meeting

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Null

At approximately 2:33 p.m., Ms. Larson adjourned the Board of Supervisors.

Teresa J. Saeed

Deputy Clerk

MINUTES
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
BUILDING A LARGE CONFERENCE ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
July 11, 2024
3:00 PM

A. CALL TO ORDER

Mr. Jack Haldeman called the meeting to order at 3 p.m.

B. ROLL CALL

Committee Members Present:

Jack Haldeman
Frank Polster
Jay Everson
Kira Allmann

Staff Present:

Christy Parrish
Josh Crump
Thomas Wysong
Morgan Risinger

C. MINUTES

1. Minutes of the February 22, 2024, Regular Meeting

Mr. Everson stated that he would abstain from voting on the Minutes as he was not present for that meeting. Dr. Allmann stated that she would also abstain from voting.

Mr. Polster made a motion to approve the Minutes.

On a voice vote, the Minutes of the February 22, 2024, meeting were approved 2-2-0.

D. OLD BUSINESS

1. ORD-22-0001. Amendments for Scenic Roadway Protection

Ms. Risinger made a presentation to the Committee on the Board of Supervisors' directive to create an Overlay District to protect and preserve scenic roadways. Ms. Risinger noted that parcels included in the Overlay District would be those over 40 acres and outside the PSA, with frontage on Forge Road, Diascund Road, and North Riverside Drive. Ms. Risinger further noted that the Ordinance provides for tiered setbacks of up to 400 feet for structures to be applied to unimproved parcels that would be rezoned to the Overlay District. This tiered approach specifies that lots with a depth greater than 300 feet and up to and including 500 feet to have a setback requirement of 200 feet, and lots with a depth greater than 500 feet to have the 400-foot setback. Lots with a depth of 300 feet or less and flag lots would continue to have setbacks determined by the underlying zoning district.

After studying the maps and discussing the draft ordinance, the Committee decided that the limited benefit provided by the Ordinance was not worth the significant negative impact to the selected property holders, and the Committee, therefore, voted unanimously to recommend that the full Planning Commission recommend denial of the Ordinance to the Board of Supervisors.

The enhanced buffering for four Wooded Community Character Corridors, as unanimously recommended by the Policy Committee at its November 10, 2022, meeting, will be advanced to the Planning Commission for its consideration.

E. NEW BUSINESS

There was no new business.

F. ADJOURNMENT

Mr. Polster made a motion to adjourn.

The meeting was adjourned at 3:26 pm

Susan Istenes, Secretary

Jack Haldeman, Chair

**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

SUMMARY FACTS

Applicant: Mr. Timothy Trant II, Kaufman & Canoles, P.C.

Landowners: Mr. Larry Cooke
Judy H. Ertl Trustee, Ms. Edith Ward
Judy Hodges Ertl Trustee, Mr. Ed Ward

Proposal: Rezoning of 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road from R-8, Rural Residential to B-1, General Business with Proffers, and a Special Use Permit (SUP) to allow a total of 12,000 square feet of commercial development in three separate buildings, each 4,000 square feet in area.

Locations: 4744 Old News Road
3897 Ironbound Road
3905 Ironbound Road

Tax Map/Parcel Nos.: 3830100002A
3830100004
3830100003

Project Acreage: Total Acreage ± 2.75 acres

Current Zoning: R-8, Rural Residential

Proposed Zoning: B-1, General Business with Proffers

Comprehensive Plan: Neighborhood Commercial

Primary Service Area (PSA): Inside

Staff Contact: Ben Loppacker, Planner

PUBLIC HEARING DATES

Planning Commission: August 7, 2024, 6:00 p.m.

Board of Supervisors: September 10, 2024, 5:00 p.m. (Tentative)

FACTORS FAVORABLE

1. Staff finds the proposal consistent with *Our County, Our Shared Future: James City County 2045 Comprehensive Plan*.
2. With the proposed proffers and conditions, the proposal is compatible with surrounding zoning and development.
3. The applicant has proffered design guidelines that are generally consistent with the County’s Character Design Guidelines (Attachment No. 5).
4. The proposal passes the Traffic Impact Analysis (TIA) Submittal Requirements Policy.
5. Impacts: Please see Impact Analysis on Pages 6-9.

FACTORS UNFAVORABLE

1. Impacts: Please see Impacts Analysis on Pages 6-9.

SUMMARY STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed proffers and SUP conditions.

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.

**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

PROJECT DESCRIPTION

Mr. Tim Trant II of Kaufman & Canoles, P.C., on behalf of Mr. Brett Skinner of Verdad Real Estate Development, has applied for a rezoning and a SUP for the development of three parcels along Monticello Avenue and Ironbound Road (double frontage). The three parcels are located at 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road. The current zoning of the properties is R-8, Rural Residential and the applicant is proposing to combine the parcels and rezone them to B-1, General Business with Proffers. The site is located within the New Town Community Character Area (CCA) and along the Monticello Avenue Community Character Corridor (CCC). The Master Plan proposes three, 4,000-square-foot buildings fronting Monticello Avenue with shared parking. The applicant has indicated that there is no specific commercial or office user at this point in time. The applicant has included a proffer to restrict certain uses that would otherwise be permitted in the B-1, General Business District, by-right; however, a commercial SUP is required per Section 24-11 of the Zoning Ordinance to allow for any commercial building or group of buildings which exceeds 10,000 square feet of floor area.

The proposed site will include one egress/ingress off Monticello Avenue that will be shared with the existing Monticello Marketplace Shoppes. There are a total of 83 proposed shared parking spaces to serve the entire development. The parking is calculated based on the highest intensity use; however, the final parking calculations will be determined during site plan review. The proposed development will include shared parking for the entire site, sidewalks, and pedestrian connectivity to surrounding development.

The applicant is proposing a decrease in the building setbacks and the landscape buffers along Ironbound Road and Monticello Avenue, respectively, citing the relatively narrow depth of the site (200 feet), the desire for development of this site to have enhanced architecture,

and other site elements that are generally consistent with the New Town form of development.

- The applicant is proposing the following building setback reduction:
 - Required 50-foot building setback to a 35-foot building setback along Ironbound Road.
- The applicant is proposing the following landscape buffer reductions:
 - Required 50-foot landscape buffer to a 20-foot landscape buffer along Monticello Avenue.

The applicant is offering site design standards which meet or exceed the Comprehensive Plan Development Standards through its proffered Design Guidelines and meets the County’s Character Design Guidelines (Attachment No. 5). Staff also notes that the Monticello Marketplace Shoppes development to the west of the project also features a 20-foot landscape buffer along Monticello Avenue and a 35-foot building setback along Ironbound Road.

Based on a preliminary review of the setback and landscape buffer reduction requests and with the proposed SUP Condition No. 4 requiring enhanced landscaping along Monticello Avenue and Ironbound Road, staff and the Director of Planning are generally supportive of these requests. The proposed SUP conditions require that the Director of Planning review the final landscape plan during site plan review to ensure that the proposal meets the criteria found in Section 24-98(a)(3) and Section 24-392 of the Zoning Ordinance to support the requested reductions.

PUBLIC IMPACTS

The scale of this proposal requires the submittal of a TIA. The TIA examines the existing conditions of vehicular traffic, including Level

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.

**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

of Service (LOS), with a focus on the roads and intersections serving and impacted by the proposed development.

Per the TIA Submittal Requirements Policy, all Rezoning and SUP applications are subject to the adequate transportation facilities test. A proposed Rezoning or SUP application will pass the test if:

- No off-site improvements are required by the TIA that is approved by both the Planning Director and the Virginia Department of Transportation (VDOT); or
- All off-site improvements recommended by a TIA that are approved by both the Planning Director and VDOT are guaranteed in a form approved by the Planning Director and the County Attorney.

The TIA (Attachment No. 7) analyzed the AM and PM peak hour traffic which estimates that this development will generate 662 total vehicle trips per day. There is an estimated 48 AM and 72 PM peak hour trips entering and exiting the site. The following intersections were included in the study:

Monticello Avenue and Windsormeade Way

The current LOS at the intersection of Monticello Avenue and Windsormeade Way is an overall LOS A in the AM peak hour and LOS B in the PM peak hour with some individual through or turn movements operating at LOS D or E. With the proposed development, the LOS overall would remain LOS A in the AM peak hour and LOS B in the PM peak hour, which is still considered to be an acceptable LOS. The through movements on Monticello Avenue remain LOS A and B; however, similar to existing conditions, most turning movements are projected to operate at LOS D or E, with no movements decreasing in LOS in the AM peak hour. In the PM peak

hour, there are three turning movements, Eastbound Approach, Southbound Approach and Southbound Left, that would decrease in LOS. However, the LOS for Southbound Left and Southbound Approach will decrease from LOS D to LOS E in both the build and no build scenarios.

| Monticello Avenue at Windsormeade Way LOS - AM/PM Peak Hour | 2022 Existing Conditions | | Projected 2024 (“No-build”) | | Projected 2024 with Monticello Shops (“Build”) | |
|---|--------------------------|---|-----------------------------|---|--|---|
| | Level Of Service AM/PM | | Level Of Service AM/PM | | Level Of Service AM/PM | |
| Overall Intersection | A | B | A | B | A | B |
| Eastbound Approach | A | A | A | A | A | B |
| Eastbound U/Left | A | E | E | E | E | E |
| Eastbound Through | A | A | A | A | A | A |
| Westbound Approach | A | B | A | B | A | B |
| Westbound Through/Right | A | B | A | B | A | B |
| Southbound Approach | D | D | D | E | D | E |
| Southbound Left | D | D | D | E | D | E |
| Southbound Right | C | D | C | D | C | D |

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.

**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

Monticello Avenue and Monticello Marketplace

The current LOS at the intersection of Monticello Avenue and Monticello Marketplace is an overall LOS C in the AM peak hour and LOS D in the PM peak hour with multiple individual turning movements operating at LOS D or E. With the proposed development, the overall LOS would remain at LOS C in the AM peak hour and LOS D in the PM peak hour. Similar to existing conditions, most turning movements are projected to operate at LOS D or E. In the AM peak hour, four turn movements, Eastbound Approach, Eastbound Through, Westbound U/Left and Westbound Through, decreasing in LOS. In the PM peak hour, two turning movements, Westbound U/Left and Northbound U/Left/Through, decreasing in LOS. However, in the AM peak hour, the LOS for Eastbound Approach and Westbound Through movements would decrease in LOS in both the build and no-build scenarios. In the PM peak hour, the LOS for Northbound U/Left/Through will decrease from LOS D to LOS E in both the build and no build scenarios.

| Monticello Avenue at Monticello Marketplace LOS - AM/PM Peak Hour | 2022 Existing Conditions | | Projected 2024 (“No-build”) | | Projected 2024 with Monticello Shops (“Build”) | |
|---|--------------------------|---|-----------------------------|---|--|---|
| | Level Of Service AM/PM | | Level Of Service AM/PM | | Level Of Service AM/PM | |
| Overall Intersection | C | D | C | D | C | D |
| Eastbound Approach | B | C | C | C | C | C |
| Eastbound U/Left | D | E | D | E | D | E |
| Eastbound Through | B | C | B | C | C | C |
| Eastbound Right | B | C | B | C | B | C |
| Westbound Approach | D | D | D | D | D | D |
| Westbound U/Left | C | D | C | D | D | E |
| Westbound Through | B | D | C | D | C | D |
| Westbound Right | F | E | F | E | F | E |
| Northbound Approach | D | D | D | D | D | D |
| Northbound U/Left/Through | D | D | D | E | D | E |
| Northbound Right | D | D | D | D | D | D |
| Southbound Approach | D | E | D | E | D | E |
| Southbound Left | D | E | D | E | D | E |
| Southbound Left/Through/Right | D | E | D | E | D | E |

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**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

Monticello Avenue and Old News Road

With the proposed development and improvements, the right-in-right out entrance and exit at Old News Road would continue to operate at an overall LOS B for both the AM and PM peak hour, with no change in the LOS for through or turning movements.

The TIA recommends the following improvements:

- Construct a 100-foot eastbound right-turn taper on Monticello Avenue.

At build-out, all three intersections in the study would operate at a LOS D or better at the AM and PM peak hour. Each of the traffic movements would operate at a LOS E or better.

Staff has conditioned that development of the property shall not exceed 48 AM and 72 PM peak hour trips (Proposed Condition No. 9).

VDOT and the Director of Planning have reviewed and approved the traffic study. The proposed Rezoning and SUP applications provide off-site improvements recommended by the TIA that is approved by VDOT and shall be constructed or bonded in a manner acceptable to the County Attorney prior to a Certificate of Occupancy for the initial building.

PLANNING AND ZONING HISTORY

- During the 2009 Comprehensive Plan update, all three properties, as well as the property immediately to the east, were designated Neighborhood Commercial. Previously, the parcels were designated Moderate Density Residential.

- In 2019, a Rezoning and SUP proposal was submitted for the subject parcels; however, it was withdrawn prior to the January 2020, Board of Supervisors meeting.
- During the 2020 Comprehensive Plan update, amending the land use from Neighborhood Commercial to Community Character Conservation, Open Space or Recreation was discussed for all three properties, as well as the property immediately to the east. Ultimately, the decision was made to retain the land use designation as Neighborhood Commercial.

SURROUNDING ZONING AND DEVELOPMENT

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

| | ZONING DESIGNATION | EXISTING LAND USE | FUTURE LAND USE DESIGNATION |
|-------|---|-------------------|-----------------------------|
| NORTH | MU, Mixed Use District | Commercial | Mixed Use |
| SOUTH | R-2, General Residential District | Residential | Low Density Residential |
| EAST | R-8, Rural Residential District | Residential | Low Density Residential |
| WEST | R-4, Residential Planned Community District | Commercial | Neighborhood Commercial |

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REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing

| Impacts/Potentially Unfavorable Conditions | Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | Considerations/Proposed Mitigation of Potentially Unfavorable Conditions |
|--|---|--|
| Public Transportation: Vehicular | Mitigated | <ul style="list-style-type: none"> - The new development would take access from Monticello Avenue via a shared right-in-right-out ingress/egress with the adjacent Monticello Marketplace/Monticello Shops. - There shall be one shared ingress and egress with Monticello Marketplace as well as no vehicle access onto Ironbound Road (Proposed SUP Condition No. 3). - The improvements recommended in the final TIA as approved by both VDOT and the Director of Planning shall be constructed or bonded in a manner acceptable to the County Attorney prior to a Certificate of Occupancy for the initial building (Proposed SUP Condition No. 6). - Staff has conditioned that development of the property shall not exceed 48 AM and 72 PM peak hour trips (Proposed Condition No. 9). - The Eastbound Approach for the Monticello Avenue at Windsormeade Way intersection would decrease from a LOS A to LOS B in the PM peak hour due to this development. - The Eastbound Through and Westbound U/Left for the Monticello Avenue at Monticello Marketplace intersection would decrease from LOS B to C and C to D in the AM peak hour due to this development. - The Westbound U/Left for the Monticello Avenue at Monticello Marketplace intersection would decrease from LOS D to E in the PM peak hour due to this development. - The application passes the TIA Submittal Requirements Policy Test. - VDOT and the Director of Planning have reviewed and approved the traffic study. |

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.

**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

| Impacts/Potentially Unfavorable Conditions | Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | Considerations/Proposed Mitigation of Potentially Unfavorable Conditions |
|---|--|--|
| <u>Public Transportation: Bicycle/Pedestrian</u> | <u>Mitigated</u> | <ul style="list-style-type: none"> - Per the Pedestrian Accommodation’s Master Plan, a sidewalk is required along the north side of Ironbound Road and along Monticello Avenue. The adopted Regional Bikeways Master Plan specifies bike lanes along Monticello Avenue. The site is located within the New Town CCA Sidewalk Inclusion Zone and sidewalks shall be constructed on the north or east side of internal roads. A sidewalk is required along the north side of Ironbound Road. - There is an existing sidewalk and bike lane along Monticello Avenue. - The proposed Master Plan includes a sidewalk on the north side of Ironbound Road. |
| <u>Public Safety</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Fire Station 3 on John Tyler Highway serves this area of the County, approximately 2.3 miles from the proposed development. - Staff finds this project does not generate impacts that require mitigation to the County’s Fire Department facilities or services. |
| <u>Public Schools</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - N/A since no residential dwelling units are proposed. |
| <u>Public Parks and Recreation</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - N/A since no residential dwelling units are proposed. |
| <u>Public Libraries and Cultural Centers</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - Staff finds this project does not generate impacts that require mitigation. |
| <u>Groundwater and Drinking Water Resources</u> | <u>Mitigated</u> | <ul style="list-style-type: none"> - The property is served by public water and sewer. - James City Service Authority (JCSA) has reviewed the proposal and noted items that will need to be addressed at the development stage. - The applicant has proffered the development of water conservation standards to be submitted and approved by JCSA (Proposed Proffer No. 3). |

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**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

| Impacts/Potentially Unfavorable Conditions | Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | Considerations/Proposed Mitigation of Potentially Unfavorable Conditions |
|---|--|---|
| <u>Watersheds, Streams, and Reservoirs</u> Project is located in the Powhatan Creek Watershed. | <u>Mitigated</u> | <ul style="list-style-type: none"> - This project will need to demonstrate full compliance with environmental regulations at the development plan stage and provide evidence that the development will not negatively affect the existing off-site facilities. - Stormwater and Resource Protection reviewed and approved the application with Proposed SUP Condition Nos. 10 and 11 to address impervious cover capture and runoff reduction. |
| <u>Cultural/Historic</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none"> - The Monticello Avenue Shops site is located in a moderate sensitivity area, which does not require a phase 1A archaeological study per Section 24-23 of the Zoning Ordinance. A study is required by the Zoning Ordinance at the time of site plan review. |
| <u>Nearby and Surrounding Properties</u> | <u>Mitigated</u> | <ul style="list-style-type: none"> - Staff finds that this proposal is generally consistent with the character of the existing surrounding development, which is generally commercial in nature. Proffered design guidelines for this project help ensure consistency with the character of the area. - Proposed SUP Condition No. 4 addresses the requirement for enhanced landscaping and proper screening from adjacent properties. - The design of the property shall be consistent with the proffered Design Guidelines and be approved by the Director of Planning and New Town Design Review Board (Proposed SUP Condition No. 2). - An SUP condition is proposed to mitigate any negative impacts from the proposed dumpster enclosures (Proposed SUP Condition No. 6). |

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**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

| Impacts/Potentially Unfavorable Conditions | Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | Considerations/Proposed Mitigation of Potentially Unfavorable Conditions |
|---|--|---|
| <u>Community Character</u> The project is located along the Monticello Avenue CCC. | <u>No Mitigation Required</u> | - The Comprehensive Plan designates Monticello Avenue as a CCC. Monticello is characterized as an “Urban and Suburban” CCC. Urban and Suburban CCCs have high to moderate traffic, commercial, and some residential uses. The predominant visual character of these areas should be the built environment and the natural landscape, with parking and other auto-related areas as a secondary component. - This parcel also falls within the New Town CCA and the Sidewalk Inclusion Zone. - A discussion of the project buffer along Monticello Avenue is included in the Project Description above. The applicant has proffered design guidelines to help ensure consistency with the character of the area. Proposed SUP Condition No. 4 requires enhanced landscaping for the landscape buffers along Monticello Avenue and Ironbound Road. |
| <u>Covenants and Restrictions</u> | <u>No Mitigation Required</u> | - The applicant has verified that he is not aware of any covenants or restrictions on the property that prohibit the proposed use. |

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**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

COMPREHENSIVE PLAN

The site is designated Neighborhood Commercial on the Comprehensive Plan Land Use Map.

- Lands designated Neighborhood Commercial are located in the PSA and serve the residents of the surrounding neighborhoods in the immediate area with limited impact on nearby development. Sites are generally small, take access from collector or arterial streets, preferably at intersections, and are served by public water and sewer. The sites shall have environmental features such as soils and topography suitable for compact development with adequate buffering by physical features to protect nearby residential development and preserve the natural and wooded character of the County.
- The primary uses include Neighborhood-Scale Commercial, professional and office uses such as individual medical offices, branch banks, small service establishments, daycare centers, places of public assembly, convenience stores with limited hours of operation, small restaurants, and smaller public facilities. Examples of uses which are considered unacceptable include fast-food restaurants, 24-hour convenience stores, and gas stations.
- The total building area within any area designated Neighborhood Commercial should generally be no more than 60,000 square feet in order to retain a small-scale neighborhood character. The maximum recommended floor to area ratio is 0.2.

Staff finds this proposal satisfies the requirements in the Comprehensive Plan for the Neighborhood Commercial land use designation through the proffering of design guidelines, the Master Plan, and the restriction of certain uses that are otherwise permitted in the B-1 Zoning District. The floor area ratio for the

project would be 0.1, which would not exceed the recommended floor area ratio in the Comprehensive Plan.

The property is located along the Richmond Road CCC, an Urban/Suburban CCC.

- Characterized as having high to moderate traffic, commercial uses, and some residential uses.
- Predominant visual character should be the built environment and natural landscape.
- Buffer treatments should incorporate existing and new vegetation, berms, and other desirable design features to complement and enhance the visual quality of the corridor.
- Vehicle-related activities such as parking lots, deliveries, and outdoor operations should be screened.

Staff finds this proposal satisfies the requirements in the Comprehensive Plan for Urban/Suburban CCCs through the proffering of design guidelines to help ensure consistency with surrounding development.

The property is also located within the New Town CCA. The area designated as the New Town CCA is mostly the same area shown on the adopted Master Plan for New Town; however, some parcels located within the CCA are not part of the Master Plan or subject to the same proffers. For the parcels that are located within the New Town Master Plan area and which were rezoned, development must follow the standards provided by the adopted Design Guidelines. For the parcels that are in the New Town Master Plan area and referenced in the design guidelines but were not rezoned or bound by proffers, development is strongly encouraged to follow the design guidelines.

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**REZONING-23-0001/SUP-23-0031. Monticello Avenue Shops
Staff Report for the August 7, 2024, Planning Commission Public Hearing**

For parcels located outside the New Town Master Plan area, development is encouraged to follow New Town’s architectural and design features in order to maintain a unifying look and feel to the area.

Staff finds this proposal satisfies the requirements in the Comprehensive Plan for the New Town CCA through the proffering of design guidelines, as well as Condition No. 2, which requires all architectural elevations, building materials, colors, signage, site lighting, and hardscapes to be approved by the Director of Planning and the New Town Design Review Board.

Staff finds the proposed project to be consistent with the elements of the Comprehensive Plan noted above. The project proposes 12,000 square feet of commercial development with uses consistent with the recommended primary uses, and which is also consistent with its location near the Route 199 interchange. For the CCC and CCA, the applicant has submitted design guidelines to address these standards. Condition No. 2 requires that the Director of Planning and the New Town Design Review Board review and approve all architectural elevations, building materials, colors, signage, and other project elements at the development stage.

STAFF RECOMMENDATION

With the proposed conditions and proffers, staff finds that impacts to adjacent properties would be mitigated. Staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the proposed proffers and SUP conditions.

BL/ap
RZ23-1_SUP23-31MontAve

Attachments:

1. Proposed SUP Conditions
2. Signed Proffers
3. Location Map
4. Master Plan
5. Design Guidelines
6. Community Impact Statement
7. TIA
8. Citizen Comments

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.

CASE NO. SUP-23-0031. MONTICELLO AVENUE SHOPS PROPOSED CONDITIONS

1. Master Plan. This commercial Special Use Permit (“SUP”) shall apply to property consisting of parcels located at 4744 Old News Road, 3897 Ironbound Road, and 3905 Ironbound Road, further identified as James City County Real Estate Tax Map Parcel Nos. 3830100002A, 3830100004, and 3830100003, respectively (together, the “Property”). The SUP shall be valid for up to 12,000 square feet of commercial development, on the Property (the “Proposal”). All final development plans for the Proposal shall be consistent with the master plan entitled, “Monticello Avenue Shops” prepared by AES and dated July 12, 2024 (the “Master Plan”), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.
2. Architectural Review. The design and materials of the Proposal shall be consistent with the design guidelines, titled “Design Guidelines for Monticello Shops,” dated February 26, 2024, and submitted with Z-23-0001 (the “Design Guidelines”), as determined by the Director of Planning. Prior to final site plan approval, all architectural elevations, building materials, colors, signage, site lighting, and hardscapes shall be submitted to the Director of Planning and the New Town Design Review Board (DRB) for the Director of Planning’s and the DRB’s review and approval for consistency with the Design Guidelines.
3. Site Access. No vehicle entrance to the Property shall be constructed along Ironbound Road. Prior to preliminary site plan approval, the applicant shall, in a manner acceptable to the County Attorney’s Office, provide permissions from the landowner of the property between Parcel ID Nos. 3830100002A and 3830100009C and commonly known as “Abandoned News Road” that the shared entrance on the western side can be constructed as shown on the Master Plan.
4. Landscaping. Prior to final approval of the site plan, the Director of Planning or their designee shall review and approve the proposed landscaping plan for the Property. A minimum thirty-five (35) foot wide transitional landscape buffers shall be provided along the side and rear boundary lines of the Property and along Ironbound Road. A twenty (20) foot wide landscape buffer shall be provided along Monticello Avenue. The landscape buffers along Monticello Avenue and Ironbound Road shall contain enhanced landscaping as follows:
 - The perimeter buffer shall be landscaped to the provisions of Section 24-96 of the Zoning Ordinance for General Landscape Areas, except that the required evergreen tree and shrub mixture shall be increased from 35% to at least 45%.
 - Each buffer shall contain the following elements: (i) a minimum of two rows of deciduous shade trees (ii) evergreen and ornamental understory plantings and (iii) an evergreen hedgerow of a minimum height of three feet.

In addition to the required buffers, street trees shall be provided along the Monticello Avenue right-of-way. Unless otherwise prohibited by the Virginia Department of Transportation (“VDOT”), the required street tree plantings may be located within the right of way; however, such plantings shall be privately maintained.

5. Screening of Site Features. All dumpsters and roof 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. Such features and enclosures shall be shown on the site plan and shall be reviewed and approved by the Director of Planning or their designee for consistency with this condition prior to final site plan approval. Trash collection shall be limited to no earlier than 7:00 am and no later than 9:00 pm.

6. Traffic Improvements. Prior to final site plan approval, the recommended 100-foot eastbound right-turn taper on Monticello Avenue identified in the Traffic Impact Analysis titled “Traffic Impact Analysis Monticello Avenue Commercial” prepared by Gorove Slade, sealed September 2023, shall be guaranteed in a manner acceptable to the County Attorney and installed prior to the issuance of any Certificate of Occupancy for the Project.
7. Signage. The Property shall have only one free-standing sign, which shall be a monument-style sign. Such sign shall be externally illuminated and shall not exceed eight feet in height from finished grade. The base of the sign shall be brick or shall use materials similar in type and color with the Proposal’s architecture. The design of the sign shall be approved by the Director of Planning for consistency with this condition.
8. Internal Access to Adjacent Property. As shown on the Master Plan, the Proposal contemplates future access to the adjacent property to the east of the Property. Prior the issuance of a Certificate of Occupancy for the initial building on the Property (unless other timing is approved by the Director of Planning in writing), an ingress/egress easement to the adjacent property from the Monticello Avenue entrance shall be recorded. Such easement shall provide for any improvements necessary on the Property to allow for the construction of the future access and all needed corollary improvements, including, but not limited to, reconstruction of the parking lot, and the relocation of required lighting and landscaping.
9. Peak Hour Trips. Development of the Property shall not exceed 48 AM or 72 PM peak hour trips as determined by the most recent edition of the Institute of Transportation Engineers Trip Generation Manual (the “ITE Manual”). Prior to any site plan approval, the applicant shall provide the AM and PM peak hour trips for the Property. Further, if any proposed use on the Property would cause cumulative peak hour trips from the Property to exceed 48 AM or 72 PM peak hour trips, then an SUP amendment shall be required prior to operating.
10. Impervious Cover Capture. All proposed impervious cover on the Property resulting from the proposed site improvements shall be captured and conveyed to on-site stormwater management facilities. Special Stormwater Criteria credit(s), for the capture and conveyance of existing impervious cover to proposed on-site stormwater management facilities, shall be determined by the Director of Stormwater and Resource Protection Division.
11. Virginia Runoff Reduction Method. The Forested Open Space (FOS) Land use category may not be used toward the required water quality associated with the proposed development, within or outside of the proposed VDOT right-of-way.
12. Commencement for Construction. If construction has not commenced on the Proposal within thirty-six (36) months from the issuance of the special use permit, the permit shall become void. Construction shall be defined as (i) obtaining permits for building construction, (ii) installation of footings and/or foundations, and (iii) passing the required inspections.
13. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

KAUFMAN & CANOLES
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and

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July 17, 2024

VIA EMAIL AND HAND DELIVERY

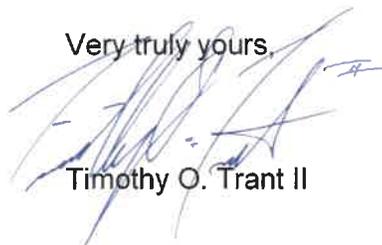
Ben Loppacker, Planner
James City County Community Development
101-A Mounts Bay Road
Williamsburg, VA 23185

**RE: Z-23-0001/SUP-23-0031 Monticello Shops
4744 Old News Road, 3897 and 3905 Ironbound Road (the "Property")
Our matter number 0184000**

Dear Mr. Loppacker:

In connection with the above referenced applications, enclosed please find the original signed Proffer Agreement. Please do not hesitate to contact us if you have any questions.

Very truly yours,



Timothy O. Trant II

TOT/ral
Enclosure

cc: Verdad Real Estate
Thomas Leininger

Tax Parcel Numbers 3830100002A, 3830100003, and 3830100004

PROFFERS

MONTICELLO AVENUE SHOPS

_____, 2024

Prepared by:
Kaufman & Canoles, P.C.
4801 Courthouse Street, Suite 300
Williamsburg, Virginia 23188

MONTICELLO AVENUE SHOPS PROFFERS

THESE PROFFERS ("Proffers") are made this ___ day of _____, 2024, by and between VERDAD REAL ESTATE, INC., a Texas corporation, LARRY R. COOKE, and CHERYL SUTHERLAND, AS SUCCESSOR TRUSTEE, OF THE HENRY NEAL ERTL FAMILY TRUST DATED JANUARY 1, 2011, (collectively, "Owner") (to be indexed as grantor), and THE COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia ("County") (to be indexed as grantee), provides as follows:

RECITALS

R-1. Owner is the owner of certain real property located in James City County, Virginia, being more particularly described on EXHIBIT A attached hereto and made a part hereof (the "Property").

R-2. The Property is now zoned R8 – Rural Residential. The Property is designated Neighborhood Commercial on the County's Comprehensive Plan Future Land Use Map.

R-3. Owner has applied to rezone the Property from R8 – Rural Residential to B1 – General Business, with proffers. The rezoning of the Property to B1, with proffers, is consistent both with the land use designation for the Property in the County's Comprehensive Plan and the statement of intent for the General Business zoning district set forth in Section 24-389 of the County Zoning Ordinance, Section 24-1 *et seq.* of the County Code of Ordinances, in effect on the date hereof (the "Zoning Ordinance").

R-4. A community impact study ("Community Impact Study") entitled "Community Impact Statement Rezoning of Monticello Avenue Shops" prepared by AES Consulting Engineers, dated January 2023 and last revised May 2024, has been submitted to the County Planning Director for review by the County in connection with this proposed rezoning. The Community Impact Study is on file in the office of the County Planning Director.

R-5. Developer has submitted to the County a traffic impact study (“Traffic Impact Study”) entitled “Traffic Impact Analysis” prepared by Grove Slade, dated September 18, 2023, which has been prepared to address traffic associated with the Property. The Traffic Study is on file in the office of the County Planning Director.

R-6. Developer has submitted to the County a conceptual plan of development (“Master Plan”) entitled “Master Plan for Rezoning and Special Use Permit for Monticello Avenue Shops”, dated January 27, 2023 and last revised June 7, 2024, prepared by AES Consulting Engineers, for the Property in accordance with the County Zoning Ordinance. The Master Plan is on file in the office of the County Planning Director.

R-7. Developer has submitted to the County design guidelines for the proposed improvements to the Property (“Design Guidelines”) entitled “Design Guidelines for Monticello Shops in James City County, Virginia”, dated February 26, 2023, prepared by Hopke | Harrison, Inc. The Design Guidelines are on file in the office of the County Planning Director.

R-8. The County constitutes a high-growth locality as defined by Section 15.2-2298 of the Virginia Code.

R-9. The provisions of the Zoning Ordinance, may be deemed inadequate for protecting and enhancing orderly development of the Property. Accordingly, Owner, in furtherance of the above-described application for rezoning, desires to proffer certain conditions which are limited solely to those set forth herein in addition to the regulations provided for by the Zoning Ordinance for the protection and enhancement of the development of the Property, in accordance with the provisions of Sections 15.2-2303 and 15.2-2303.4(D)(1) of the Code of Virginia, as amended (the “Virginia Code”), Ordinance N0.31A-346 adopted by the James City County Board of Supervisors on October 8, 2019 and Sec 24-16 of the Zoning Ordinance.

NOW, THEREFORE, for and in consideration of the approval by the Board of Supervisors of the County of the rezoning set forth above and the Master Plan, and pursuant to Sections 15.2-

2303 and 15.2-2303.4(D)(1) of the Virginia Code, and Section 24-16 of the Zoning Ordinance, it is agreed that all of the following conditions shall be met and satisfied in developing the Property.

PROFFERS:

1. **Design**. The Property shall be developed generally in accordance with the Master Plan and Design Guidelines and with only changes thereto that the County or its duly authorized designee determines do not alter the basic concept or character of the development in accordance with Section 24-23(a)(2)(f) of the Zoning Ordinance in effect on the date hereof; provided, however, such development shall be expressly subject to such changes in configuration, composition and location as required by all other governmental authorities having jurisdiction over such development.

2. **Prohibited Uses**. The following uses shall be prohibited on the Property:

- a. Convenience Store with fuel sales;
- b. Grocery Store;
- c. Fast Food Restaurant with drive-through;
- d. Funeral Home;
- e. Machinery Sales and Service;
- f. New and Rebuilt Automotive Parts Sales;
- g. Vehicle Repair and Service; and
- h. Vehicle and Trailer Sales and Service.

3. **Water Conservation**. Water conservation standards for the Property shall be developed and submitted to and approved by the James City Service Authority ("JCSA") for general consistency with the terms of this Proffer prior to final site plan approval for development of the Property. The standards shall address such customary and reasonable water conservation measures as limitations on 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. Design features, including the use of drought tolerant grasses and plantings, a water conservation plan, and drought management plan shall be implemented to accomplish the limitation on use of public water and groundwater.

4. **Nutrient Management Plan.** The owner of any portion of the Property proposed for development shall be responsible for coordinating with an agent of the Colonial Soil and Water Conservation District (“CSWCD”) or, if a CSWCD agent is unavailable, a soil scientist licensed in the Commonwealth of Virginia, or other qualified professional approved by the County’s Director of Planning, to conduct soil tests and to develop, based upon the results of the soil tests, customized nutrient management plans (the “Nutrient Plans”) for all turf areas within the portions of the Property proposed for development. A Nutrient Plan for each portion of the Property proposed for development shall be submitted to the County Stormwater & Resource Protection Director for review and approval prior to the issuance of a Certificate of Occupancy for each portion of the Property developed. Upon approval, the owner of such portion of the Property shall be responsible for ensuring that any nutrients applied to the turf areas on such portion of the Property be applied in accordance with the applicable Nutrient Plan or any updates or amendments thereto as may be approved by the County Stormwater & Resource Protection Director.

5. **Transportation.**

a. **Traffic Improvements.** Development of the Property shall include the construction of an 100 foot eastbound right-turn taper on Monticello Avenue at the entrance to the Property, which right-turn taper shall be installed (or guaranteed in accordance with Section 15.2-2299 of the Virginia Code, or such successor provision, and the applicable provisions of the County Code of Ordinances) by Owner when deemed warranted by the County and the Virginia Department of Transportation (“VDOT”), but in no event prior to final site plan approval for the first building to be constructed on the Property in accordance with the Master Plan.

b. Trip Generation. Development of the Property shall not exceed 72 PM peak hour trips as determined by the most recent edition of the Institute of Transportation Engineers Trip Generation Manual (the "ITE Manual") at the time of each site plan approval for the development of the Property. Accordingly, each site plan for the development of the Property shall, when submitted to the County for review, contain an accounting of the PM peak hour trip generation, as determined by the ITE Manual, associated with the development proposed by such site plan, all development shown on previously approved site plans for development of the Property (except to the extent the proposed site plan is in lieu of a previously approved site plan for development of the Property), and all development shown on site plans then under review by the County for development of the Property. No site plan for development of the Property shall be approved by the County which includes an amount of development that, together with all other development shown on previously approved site plans for development of the Property (except to the extent the proposed site plan is in lieu of a previously approved site plan for development of the Property), would generate more than 72 PM peak hour trips as determined by the ITE Manual. In determining and accounting for the foregoing PM peak hour trips: (i) internal and pass-by capture shall be determined in accordance with VDOT standards, and (ii) traffic counts for completed and occupied development on the Property may, with the approval of the County's Director of Planning, be substituted for ITE Manual estimated trips.

6. Headings. All section headings and subheadings of these Proffers are for convenience only and shall not be read as a part of these Proffers or utilized in interpretation thereof.

7. Delegation of Subsequent Approvals. The County Board of Supervisors by accepting these Proffers is exercising its legislative function. While these Proffers provide for subsequent approvals by the County or by its duly authorized designees appointed by the County,

such subsequent approvals by any duly authorized designee of the County shall not include the exercise of any legislative function.

8. **Severability**. In the event that any clause, sentence, paragraph, section or subsection of these Proffers shall be adjudged by any court of competent jurisdiction to be invalid or unenforceable for any reason, including a declaration that it is contrary to the Constitution of the Commonwealth of Virginia or of the United States, or if the application thereof to any owner of any portion of the Property or to any government agency is held invalid, such judgment or holding shall be confined in its operation to the clause, sentence, paragraph, section or subsection hereof, or the specific application thereof directly involved in the controversy in which the judgment or holding shall have been rendered or made, and shall not in any way affect the validity of any other clause, sentence, paragraph, section or provision hereof.

9. **Successors and Assigns**. These Proffers shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and/or assigns; provided, however once a party ceases to own any portion of the Property, such party shall have no continuing liability hereunder.

10. **Void if Rezoning Not Approved**. In the event that any of the proposed rezoning sought by this application is not approved by the County as submitted or is overturned by subsequent judicial determination, these Proffers shall be null and void.

11. **Reasonable Proffers**. The Owner, as evidenced by its signature below, deems these proffers to be reasonable and appropriate.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

[COUNTERPART SIGNATURE PAGE TO PROFFERS]

WITNESS the following signatures, thereunto duly authorized:

VERDAD REAL ESTATE, INC.

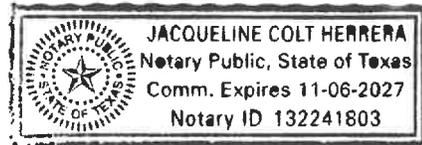
By: Johanna Lawrence
Name: Johanna Lawrence
Title: Chief Operating Officer

STATE OF TEXAS
COUNTY OF TARRANT

The foregoing instrument was acknowledged before me this 16 day of July, 2024, by Johanna Lawrence, COO of Verdad Real Estate, Inc., on its behalf.

Jacqueline Colt Herrera
Notary Public

My commission expires: 11-06-2027
My registration number is: 132241803



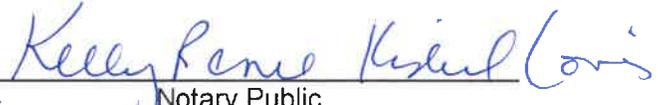
[COUNTERPART SIGNATURE PAGE TO PROFFERS]



Larry R. Cooke

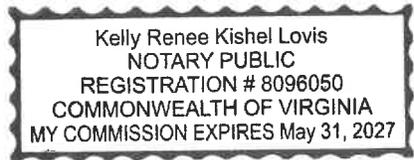
COMMONWEALTH OF VIRGINIA
AT LARGE, to-wit:

The foregoing instrument was acknowledged before me this 16 day of July, 2024, by
Larry R. Cooke.



Notary Public

My commission expires: May 31, 2027
My registration number is: 8096050



[COUNTERPART SIGNATURE PAGE TO PROFFERS]

Cheryl Sutherland, Trustee
Cheryl Sutherland, as Successor Trustee of the
Henry Neal Ertl Family Trust Dated January 1,
2011

COMMONWEALTH OF VIRGINIA
AT LARGE, to-wit:

The foregoing instrument was acknowledged before me this 16 day of July, 2024, by Cheryl Sutherland, as Successor Trustee of the Henry Neal Ertl Family Trust Dated January 1, 2011.

Nettie M. Burrell-Warner
Notary Public

My commission expires: July 31, 2026
My registration number is: 7604557

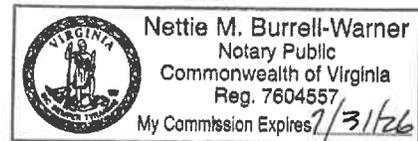


EXHIBIT A

Parcel ID: 3830100002A

ALL THAT certain piece or parcel of land, together with all improvements thereon and appurtenances thereunto, containing 2.0 acres, more or less, situated in James City County, Virginia, shown and designated as Section No. 1 on a plat entitled, "Plat Showing Two Parcels of Land Surveyed for Carlton C. Casey", made by V.D. McManus October 23, 1950, said plat being duly of record in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City in Plat Book 12 at page 20.

LESS AND EXCEPT that portion of the property conveyed to the Commonwealth of Virginia by deed dated April 15, 1966 and recorded in the Clerk's Office of the Circuit Court of James City County, Virginia in Deed Book 108 at page 564.

FURTHER LESS AND EXCEPT that portion of the property conveyed to the Commonwealth of Virginia by Certificate of Take recorded in the Clerk's Office of the Circuit Court of James City County, Virginia in Deed Book 792 at page 276, confirmed by Order recorded as Instrument Number 000003039, and further confirmed by Order recorded as Instrument Number 020006408.

Parcel ID: 3830100004

All that certain piece or parcel of land, situate in Jamestown District, James City County, Virginia, bounded and described as follows: at an iron stake on the westerly side of Iron Bound Road on the dividing line between the land hereby conveyed and that of Drummond E. New; thence in a southwesterly direction along the said Road the distance of 105 feet to a point; the said parcel of land then extends back between parallel lines N 54 degrees 30' W the distance of 438.91' on its northeasterly side and the distance of 439 feet, more or less, on its southwesterly side, all four corners being marked by iron stakes.

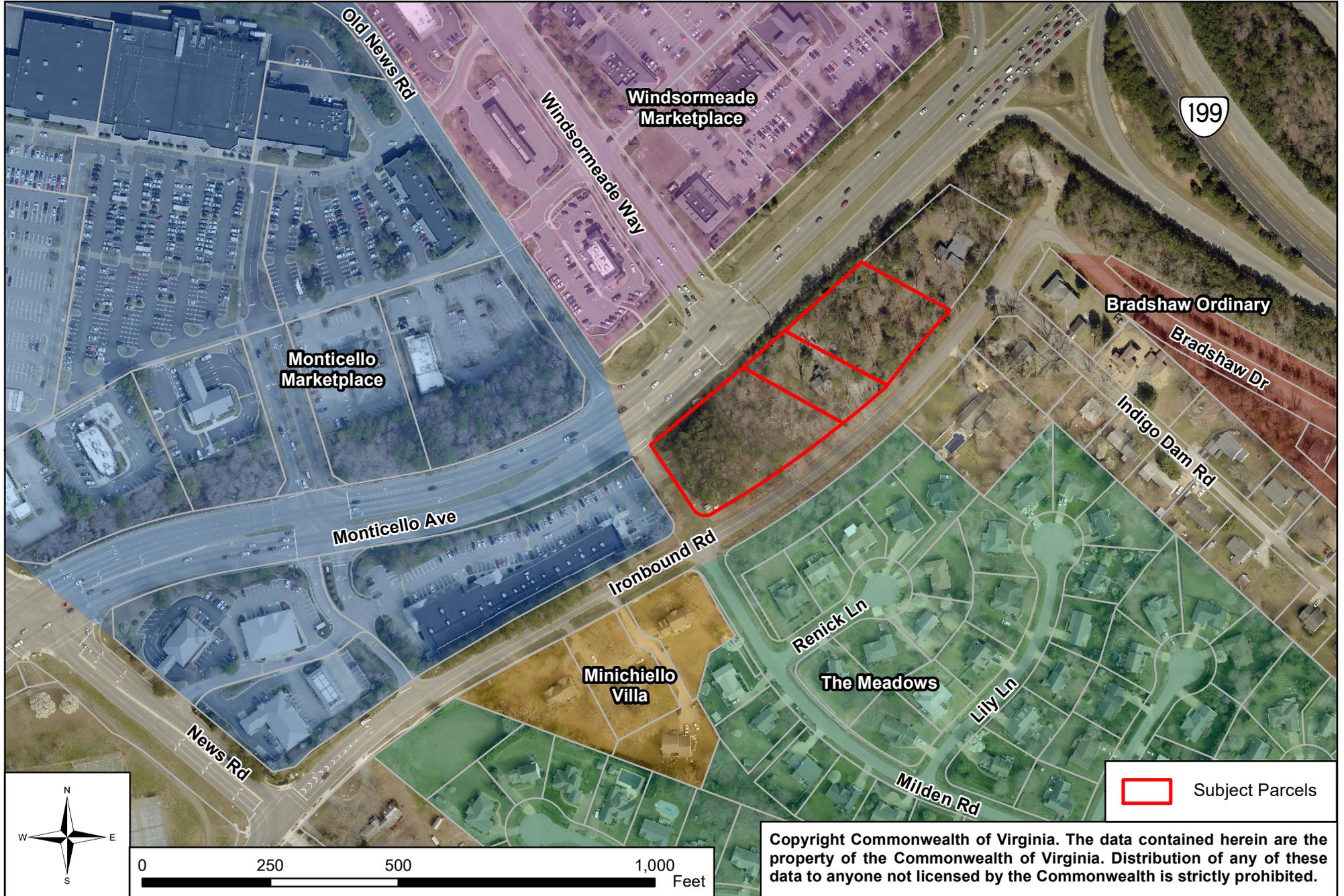
LESS AND EXCEPT that portion of the property conveyed to the Commonwealth of Virginia by deed dated April 15, 1966 and recorded in the Clerk's Office of the Circuit Court of James City County, Virginia in Deed Book 109 at page 386.

FURTHER LESS AND EXCEPT that portion of the property conveyed to the Commonwealth of Virginia by deed dated May 3, 1996 and recorded in the Clerk's Office of the Circuit Court of James City County, Virginia in Deed Book 787 at page 487.

Parcel ID: 3830100003

All that tract, piece or parcel of land situate in James City County, Virginia and containing 1.83 acres, more or less, as shown on that certain plat of survey entitled "Survey of a parcel of land for conveyance from the Drummond E. New estate to Henry F. Ertl and Edith D. Ertl", dated September 22, 1977, made by Douglas E. White, C.L.S., a copy of which plat is recorded in the Office of the Clerk of the Circuit Court of James City County, Virginia, in Deed Book 180 at page 243.

JCC Z-23-0001/SUP-23-0031, Monticello Avenue Shops Rezoning



MASTER PLAN FOR REZONING FOR MONTICELLO AVENUE SHOPS

JAMES CITY COUNTY

VIRGINIA

AES PROJECT NUMBER W10509-01

ORIGINAL SUBMITTAL DATE: 1/27/2023

GENERAL NOTES

- PROPERTY OWNERS:**

COOKE, LARRY R
4005 POWHATAN SECONDARY
WILLIAMSBURG, VA 23188

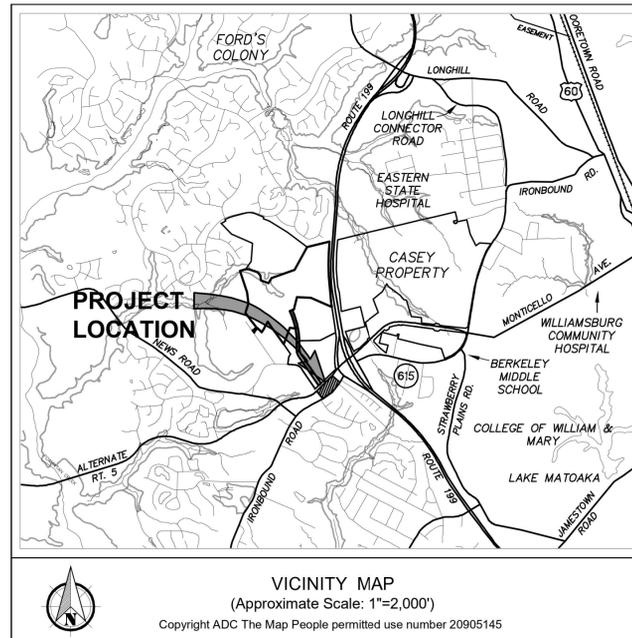
ERTL, JUDY HODGES TRUSTEE & WARD EDITH
140 OLD STAGE ROAD
TOANO, VA 23168

ERTL, JUDY HODGES TRUSTEE & WARD EDITH
140 OLD STAGE ROAD
TOANO, VA 23168
- PARCEL IDENTIFICATIONS**

PARCEL ID: 3830100002A
ADDRESS: 4744 OLD NEWS ROAD
WILLIAMSBURG, VA 23188

PARCEL ID: 3830100004
ADDRESS: 3897 IRONBOUND ROAD
WILLIAMSBURG, VA 23188

PARCEL ID: 3830100003
ADDRESS: 3905 IRONBOUND ROAD
WILLIAMSBURG, VA 23188
- SITE IS ZONED RURAL RESIDENTIAL (R8). NO CURRENT PROFFERS OR CONDITIONS FOR APPROVAL ARE ASSOCIATED WITH THESE SITES.
- SITE IS SITUATED IN SUBWATERSHED 210 OF THE POWHATAN CREEK WATERSHED. HYDROLOGIC UNIT CODE = JL31
- BASED ON THE FEMA FLOOD INSURANCE RATE MAP FOR JAMES CITY COUNTY, VIRGINIA (MAP PANEL 51095C0119D) NO PORTIONS OF THIS PROPERTY FALL WITHIN THE 100-YEAR FLOODPLAIN.
- SITE #1 AREA = 1.33 AC. ± (57,935 S.F.±)
SITE #2 AREA = 0.51 AC. ± (22,216 S.F.±)
SITE #3 AREA = 0.91 AC. ± (39,640 S.F.±)
TOTAL AREA = 2.75 AC. ± (119,790 S.F.±)



INDEX OF SHEETS

| SHEET NO. | SHEET DESCRIPTION |
|-----------|---------------------------|
| MP1 | COVER SHEET |
| MP2 | EXISTING CONDITIONS |
| MP3 | MASTER PLAN |
| MP4 | CONCEPTUAL LANDSCAPE PLAN |

DEVELOPER INFORMATION:

CONTACT: VERDAD REAL ESTATE
SOUTHLAKE, TX 76092

SITE DATA:

OWNERS: LARRY R. COOKE, JUDY HODGES TRUSTEE & EDITH WARD

PARCEL IDS: 3830100002A, 3830100004, 3830100003

SITE AREA: 2.75 AC.±; 119,790 S.F.± (TOTAL)
1.33 AC.±; 57,935 S.F.±
0.51 AC.±; 22,216 S.F.±
0.91 AC.±; 39,640 S.F.±

CURRENT ZONING: R8 - RURAL RESIDENTIAL

PROPOSED ZONING: B1 - GENERAL BUSINESS WITH PROFFERS

PROPOSED USES: OFFICE, RETAIL, MEDICAL OFFICE

*NOTE: SEE SHEET MP3 FOR PROPOSED PARCEL DATA.

Monticello Ave Commercial

Trip Generation

| Land Use | ITE Code | Size | Units | Weekday | | | | | | | |
|-------------------------------------|----------|--------------------|-----------|--------------|-----------|-----------|--------------|-----------|------------|---------------|--|
| | | | | AM Peak Hour | | | PM Peak Hour | | | Weekday Total | |
| | | | | In | Out | Total | In | Out | Total | | |
| Medical Clinic | 630 | 4,000 s.f. | 14 | 3 | 17 | 5 | 12 | 17 | 178 | | |
| Animal Hospital / Veterinary Clinic | 640 | 4,000 s.f. | 10 | 5 | 15 | 6 | 8 | 14 | 86 | | |
| Strip Retail (<40ksf) | 822 | 4,000 s.f. | 9 | 7 | 16 | 20 | 21 | 41 | 398 | | |
| Total Trips | | 12,000 s.f. | 33 | 15 | 48 | 31 | 41 | 72 | 662 | | |

| Rev. | Date | Description | Received By |
|------|----------|-----------------------------|-------------|
| 5 | 6/7/24 | REVISED PER COUNTY COMMENTS | JAG |
| 4 | 5/16/24 | REVISED PER COUNTY COMMENTS | JAG |
| 3 | 2/22/24 | REVISED PER COUNTY COMMENTS | JAG |
| 2 | 10/19/23 | REVISED PER COUNTY COMMENTS | JAG |
| 1 | 7/12/23 | REVISED PER COUNTY COMMENTS | JAG |

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Williamsburg, Virginia 23188
Phone: (757) 283-0040
Fax: (757) 226-8994
www.aesva.com

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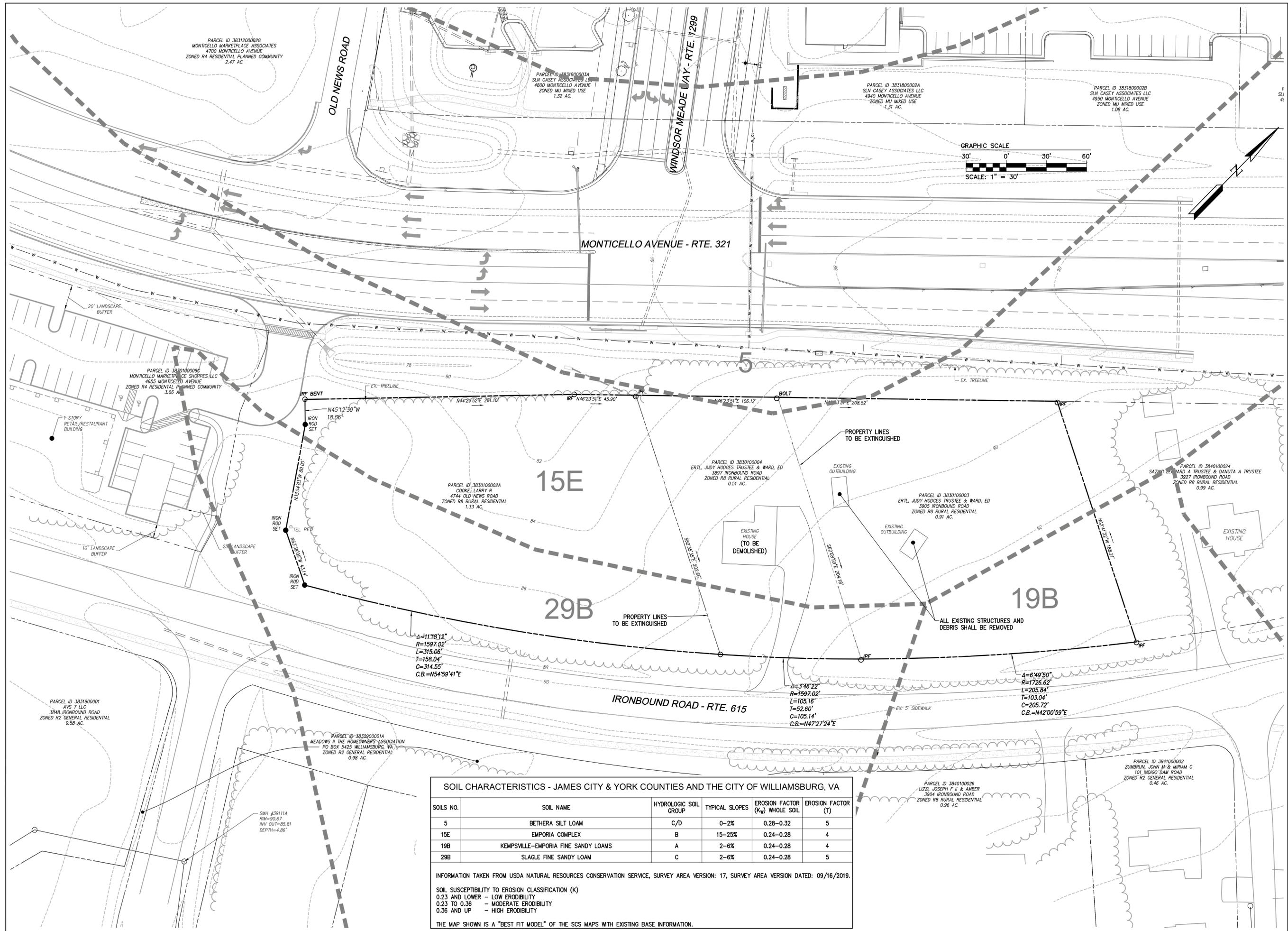
**MONTICELLO AVENUE SHOPS
MASTER PLAN**

JAMES CITY COUNTY
VIRGINIA

Project Contacts: JAG
Project Number: W10509-01
Scale: N/A Date: 1/27/2023

Sheet Title:
COVER SHEET

Sheet Number
MP1



| Rev. | Date | Description |
|------|----------|-----------------------------|
| 4 | 5/16/24 | REVISED PER COUNTY COMMENTS |
| 3 | 2/22/24 | REVISED PER COUNTY COMMENTS |
| 2 | 10/19/23 | REVISED PER COUNTY COMMENTS |
| 1 | 7/12/23 | REVISED PER COUNTY COMMENTS |

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 VIRGINIA
 JAMES CITY COUNTY

**MONTICELLO AVENUE SHOPS
 MASTER PLAN**

Project Contacts: JAG
 Project Number: W10509-01
 Scale: 1"=30'
 Date: 1/27/2023

Sheet Title:
**EXISTING
 CONDITIONS**

Sheet Number
MP2

SOIL CHARACTERISTICS - JAMES CITY & YORK COUNTIES AND THE CITY OF WILLIAMSBURG, VA

| SOILS NO. | SOIL NAME | HYDROLOGIC SOIL GROUP | TYPICAL SLOPES | EROSION FACTOR (K _w) WHOLE SOIL | EROSION FACTOR (T) |
|-----------|-------------------------------------|-----------------------|----------------|---|--------------------|
| 5 | BETHERA SILT LOAM | C/D | 0-2% | 0.28-0.32 | 5 |
| 15E | EMPORIA COMPLEX | B | 15-25% | 0.24-0.28 | 4 |
| 19B | KEMPSVILLE-EMPORIA FINE SANDY LOAMS | A | 2-6% | 0.24-0.28 | 4 |
| 29B | SLAGLE FINE SANDY LOAM | C | 2-6% | 0.24-0.28 | 5 |

INFORMATION TAKEN FROM USDA NATURAL RESOURCES CONSERVATION SERVICE, SURVEY AREA VERSION: 17, SURVEY AREA VERSION DATED: 09/16/2019.

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

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

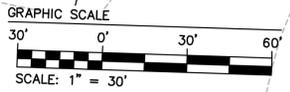
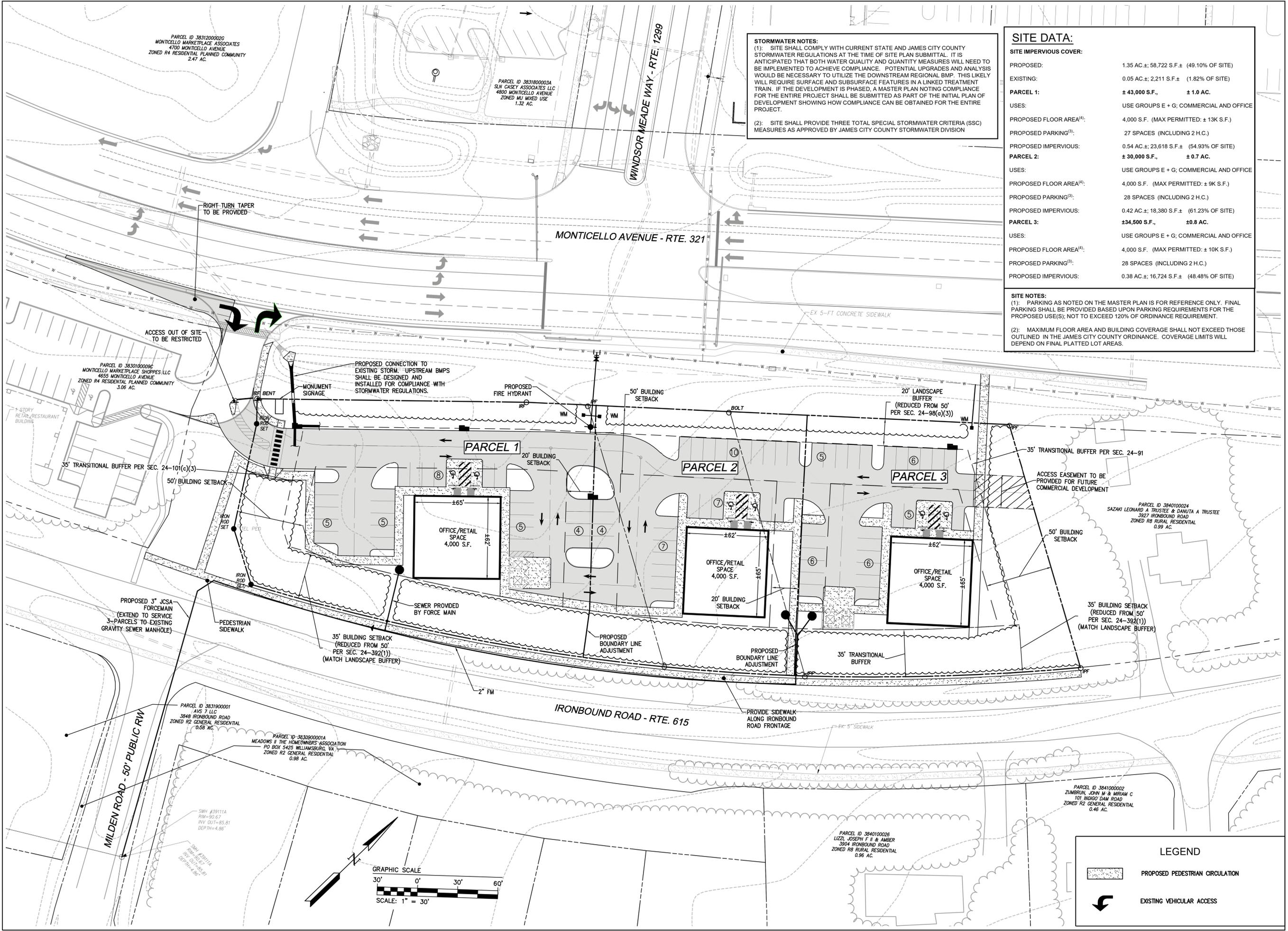
PARCEL ID 38312000026
MONTICELLO MARKETPLACE ASSOCIATES
4700 MONTICELLO AVENUE
ZONED R4 RESIDENTIAL PLANNED COMMUNITY
2.47 AC.

PARCEL ID 38318000034
SW CASEY ASSOCIATES LLC
4800 MONTICELLO AVENUE
ZONED MU MIXED USE
1.32 AC.

STORMWATER NOTES:
(1): SITE SHALL COMPLY WITH CURRENT STATE AND JAMES CITY COUNTY STORMWATER REGULATIONS AT THE TIME OF SITE PLAN SUBMITTAL. IT IS ANTICIPATED THAT BOTH WATER QUALITY AND QUANTITY MEASURES WILL NEED TO BE IMPLEMENTED TO ACHIEVE COMPLIANCE. POTENTIAL UPGRADES AND ANALYSIS WILL BE NECESSARY TO UTILIZE THE DOWNSTREAM REGIONAL BMP. THIS LIKELY WILL REQUIRE SURFACE AND SUBSURFACE FEATURES IN A LINKED TREATMENT TRAIN. IF THE DEVELOPMENT IS PHASED, A MASTER PLAN NOTING COMPLIANCE FOR THE ENTIRE PROJECT SHALL BE SUBMITTED AS PART OF THE INITIAL PLAN OF DEVELOPMENT SHOWING HOW COMPLIANCE CAN BE OBTAINED FOR THE ENTIRE PROJECT.
(2): SITE SHALL PROVIDE THREE TOTAL SPECIAL STORMWATER CRITERIA (SSC) MEASURES AS APPROVED BY JAMES CITY COUNTY STORMWATER DIVISION

| SITE DATA: | |
|---|--|
| SITE IMPERVIOUS COVER: | |
| PROPOSED: | 1.35 AC.±; 58,722 S.F.± (49.10% OF SITE) |
| EXISTING: | 0.05 AC.±; 2,211 S.F.± (1.82% OF SITE) |
| PARCEL 1: | ± 43,000 S.F., ± 1.0 AC. |
| USES: | USE GROUPS E + G; COMMERCIAL AND OFFICE |
| PROPOSED FLOOR AREA ⁽⁴⁾ : | 4,000 S.F. (MAX PERMITTED: ± 13K S.F.) |
| PROPOSED PARKING ⁽³⁾ : | 27 SPACES (INCLUDING 2 H.C.) |
| PROPOSED IMPERVIOUS: | 0.54 AC.±; 23,618 S.F.± (54.93% OF SITE) |
| PARCEL 2: | ± 30,000 S.F., ± 0.7 AC. |
| USES: | USE GROUPS E + G; COMMERCIAL AND OFFICE |
| PROPOSED FLOOR AREA ⁽⁴⁾ : | 4,000 S.F. (MAX PERMITTED: ± 9K S.F.) |
| PROPOSED PARKING ⁽³⁾ : | 28 SPACES (INCLUDING 2 H.C.) |
| PROPOSED IMPERVIOUS: | 0.42 AC.±; 18,380 S.F.± (61.23% OF SITE) |
| PARCEL 3: | ± 34,500 S.F., ± 0.8 AC. |
| USES: | USE GROUPS E + G; COMMERCIAL AND OFFICE |
| PROPOSED FLOOR AREA ⁽⁴⁾ : | 4,000 S.F. (MAX PERMITTED: ± 10K S.F.) |
| PROPOSED PARKING ⁽³⁾ : | 28 SPACES (INCLUDING 2 H.C.) |
| PROPOSED IMPERVIOUS: | 0.38 AC.±; 16,724 S.F.± (48.48% OF SITE) |
| SITE NOTES: | |
| (1): PARKING AS NOTED ON THE MASTER PLAN IS FOR REFERENCE ONLY. FINAL PARKING SHALL BE PROVIDED BASED UPON PARKING REQUIREMENTS FOR THE PROPOSED USE(S); NOT TO EXCEED 120% OF ORDINANCE REQUIREMENT. | |
| (2): MAXIMUM FLOOR AREA AND BUILDING COVERAGE SHALL NOT EXCEED THOSE OUTLINED IN THE JAMES CITY COUNTY ORDINANCE. COVERAGE LIMITS WILL DEPEND ON FINAL PLATTED LOT AREAS. | |

| Rev. | Date | Description |
|------|----------|-----------------------------|
| 1 | 7/1/23 | REVISED PER COUNTY COMMENTS |
| 2 | 10/19/23 | REVISED PER COUNTY COMMENTS |
| 3 | 2/22/24 | REVISED PER COUNTY COMMENTS |
| 4 | 5/16/24 | REVISED PER COUNTY COMMENTS |



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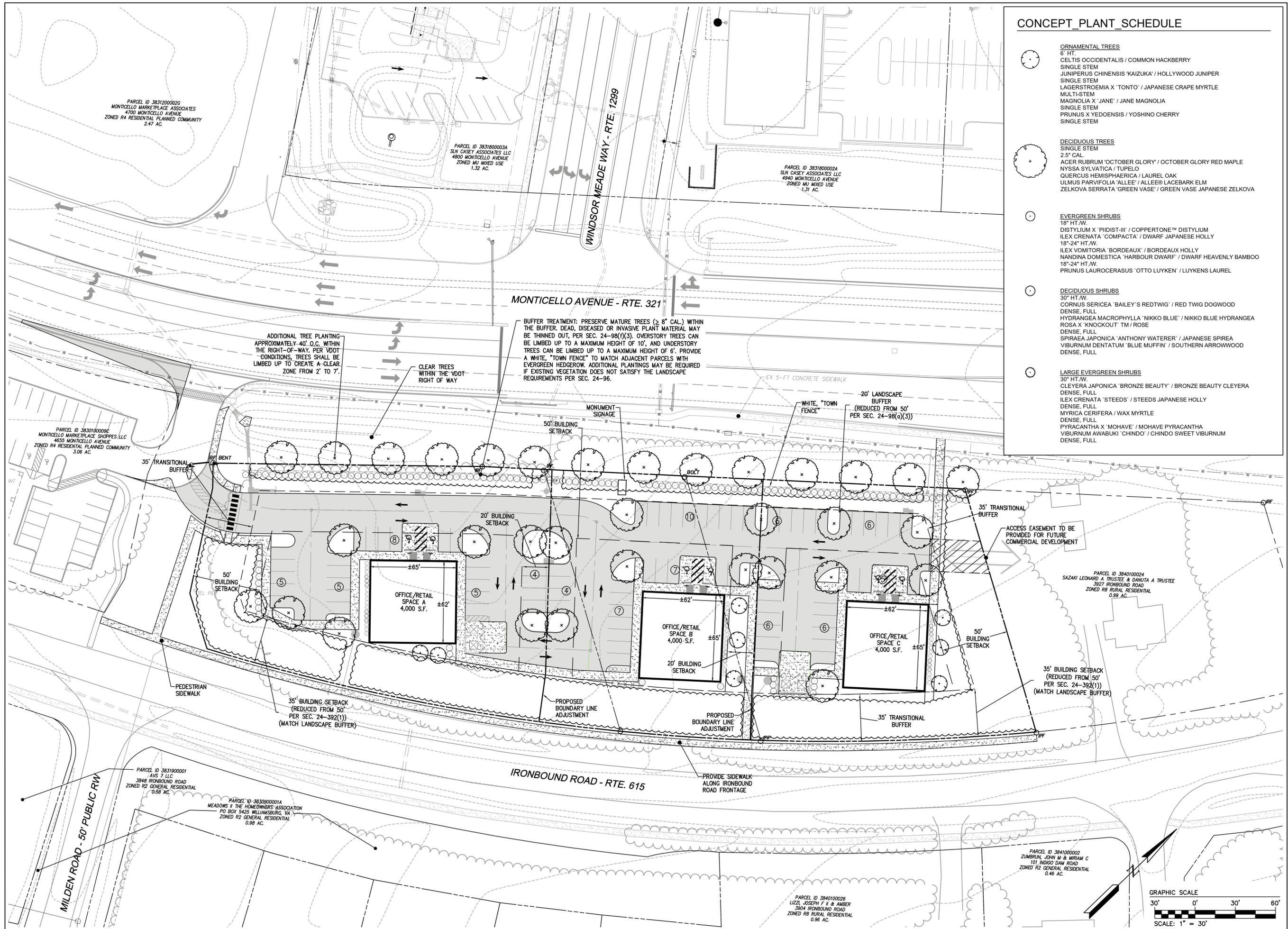
**MONTICELLO AVENUE SHOPS
MASTER PLAN**

JAMES CITY COUNTY

Project Contacts: JAG
Project Number: W10509-01
Scale: Date:
1"=30' 1/27/2023

Sheet Title:
MASTER PLAN

Sheet Number:
MP3



CONCEPT_PLANT_SCHEDULE

- ORNAMENTAL TREES**
 6' HT.
 CELTIS OCCIDENTALIS / COMMON HACKBERRY
 SINGLE STEM
 JUNIPERUS CHINENSIS 'KAIZUKA' / HOLLYWOOD JUNIPER
 SINGLE STEM
 LAGERSTROEMIA X 'TONTO' / JAPANESE CRAPE MYRTLE
 MULTI-STEM
 MAGNOLIA X 'JANE' / JANE MAGNOLIA
 SINGLE STEM
 PRUNUS X 'VEDDENSIS' / YOSHINO CHERRY
 SINGLE STEM
- DECIDUOUS TREES**
 SINGLE STEM
 2.5" CAL.
 ACER RUBRUM 'OCTOBER GLORY' / OCTOBER GLORY RED MAPLE
 NYSSA SYLVATICA / TUPELO
 QUERCUS HEMISPHERICA / LAUREL OAK
 ULMUS PARVIFOLIA 'ALLEE' / ALLEE LACEBARK ELM
 ZELKOVA SERRATA 'GREEN VASE' / GREEN VASE JAPANESE ZELKOVA
- EVERGREEN SHRUBS**
 18" HT./W.
 DISTYLUM X 'PIDIST-III' / COPPERTONE™ DISTYLUM
 ILEX CRENATA 'COMPACTA' / DWARF JAPANESE HOLLY
 18"-24" HT./W.
 ILEX VOMITORIA 'BORDEAUX' / BORDEAUX HOLLY
 NANDINA DOMESTICA 'HARBOUR DWARF' / DWARF HEAVENLY BAMBOO
 18"-24" HT./W.
 PRUNUS LAUROCERASUS 'OTTO LUYKEN' / LUYKENS LAUREL
- DECIDUOUS SHRUBS**
 30" HT./W.
 CORNUS SERICEA 'BAILEY'S REDTIG' / RED TWIG DOGWOOD
 DENSE, FULL
 HYDRANGEA MACROPHYLLA 'NIKKO BLUE' / NIKKO BLUE HYDRANGEA
 ROSA X 'KNOCKOUT™' / ROSE
 DENSE, FULL
 SPIRAEA JAPONICA 'ANTHONY WATERER' / JAPANESE SPIREA
 VIBURNUM DENTATUM 'BLUE MUFFIN' / SOUTHERN ARROWWOOD
 DENSE, FULL
- LARGE EVERGREEN SHRUBS**
 30" HT./W.
 CLEYERA JAPONICA 'BRONZE BEAUTY' / BRONZE BEAUTY CLEYERA
 DENSE, FULL
 ILEX CRENATA 'STEEDS' / STEEDS JAPANESE HOLLY
 DENSE, FULL
 MYRICA CERIFERA / WAX MYRTLE
 DENSE, FULL
 PYRACANTHA X 'MOHAVE' / MOHAVE PYRACANTHA
 VIBURNUM AWABUKI 'CHINDO' / CHINDO SWEET VIBURNUM
 DENSE, FULL

| Rev. | Date | Description |
|------|----------|-----------------------------|
| 4 | 5/16/24 | REVISED PER COUNTY COMMENTS |
| 3 | 2/22/24 | REVISED PER COUNTY COMMENTS |
| 2 | 10/19/23 | REVISED PER COUNTY COMMENTS |
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Hampton Roads | Central Virginia | Middle Peninsula
 VIRGINIA

**MONTICELLO AVENUE SHOPS
 MASTER PLAN**

Project Contacts: JAG
 Project Number: W10509-01
 Scale: 1"=30'
 Date: 1/27/2023

Sheet Title:
**CONCEPTUAL
 LANDSCAPE
 PLAN**

Sheet Number:
MP4

Design Guidelines
for the
Monticello Shops

in
James City County, Virginia
Draft: 26 Feb 2024



Prepared for

Verdad Real Estate, Inc.
and Verdad Construction Services LLC.
1211 South White Chapel Blvd.
Southlake, TX, 76092

Provided by

HOPKE | HARRISON, Inc.
1156 Jamestown Road, Suite C
Williamsburg, VA 23185
www.hopke.com

Contents

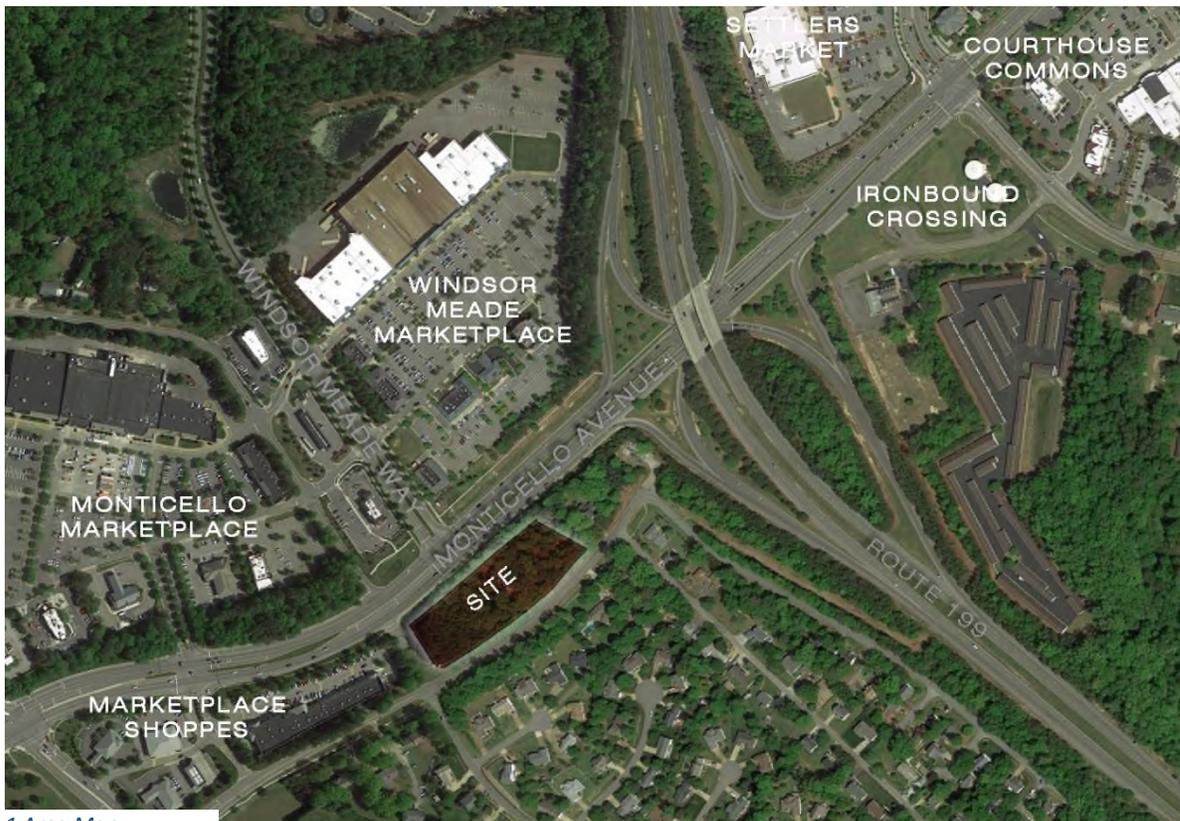
- Introduction 2
- Site Features and Opportunities 5
- Pedestrian Circulation..... 7
- Building Placement and Massing 9
- Architectural Character..... 11
- Allowable Materials 14
- Landscape, Hardscape and Planting 16
- Site Lighting..... 18
- Signage 19

Introduction

1. The Monticello Shops will be a mix of commercial uses located in James City County along the south Side of the Monticello Avenue corridor, near the intersection with Route 199 and in proximity to the New Town development and other properties which have been developed in a cooperative spirit.
2. These design guidelines function to provide architectural design guidance to the developer and designers and/or subsequent owners of the property. Although this property is not a part of New Town, it is instructive to reference the following, from the New Town Guidelines:

The more urban centers of New Town are appropriately located at the [through-] intersection of Monticello and Ironbound, while more regionally targeted development occurs near Monticello's intersection with Route 199. These commercial centers establish the first image and impression of New Town to those who pass by or visit from other areas in the region. The planning and design of these sites, then, becomes paramount in setting the desired character for all of the neighborhoods located in the town. [Cooper Robertson, quoted from design guidelines for Windsor Meade Shopping Center].

3. Given that the character, rhythm and quality of the corridor is now well established, development of this property should be consistent -- addressing arrival by automobile, with adequate, convenient and logical on-site parking, while also promoting movement within the project and between adjacent parcels by foot.



1 Area Map

4. The following guidelines are written in that spirit, along with certain unique site constraints and opportunities:
- The geometry of the land parcel is long but narrow, with its long dimension along Monticello Avenue. Its shallowness in depth creates a challenge in accommodating a customary retail building shell with adequate showroom depth and service access.



- Access to the site by automobile is dictated by existing intersections. The only vehicular access to the site from Monticello Avenue will be through a right-in-right out intersection that aligns with Old News Road. This necessitates a considerable amount of land consumed by the geometry of vehicular movement. It also limits options for the positioning of buildings. Reasonable development of the property thus requires relief of rear building buffers.
- Properties to the south of the parcel are residential and should be screened from the proposed development and building with appropriately selected and sized landscaping.
- The site can also be seen as an extension of the successful, narrow retail sites already developed along



2 (Adjacent) Marketplace Shoppes

the south side of Monticello. Thus, pedestrian access from and to those sites should be accommodated.

- Architecturally, the development should also extend the current quality of building forms that give the appearance of smaller buildings assembled to create a “village-scape” along Monticello. This is to be accomplished by breaking large building footprints into smaller footprints with offsets and architectural features that address the human scale.



4 Courthouse Commons



3 Settlers Market

Site Features and Opportunities

1. This site features a long but narrow geometry, with its long dimension along Monticello Avenue. With this location, the site can be seen as an extension of the successful, narrow retail sites already developed along the south side of Monticello and adjacent to the subject site. With carefully designed vehicular and pedestrian access to and from these established sites, these established retail projects will benefit from the new development.
2. The middle of the property is on-axis with Windsor Meade Way, providing the opportunity for a building to serve as a terminus to that important street in New Town.



5 Preliminary Site Plan provided by AES, Consulting Engineers

3. Access to the site by automobile is dictated by existing intersections. The only vehicular access to the site will be through a right-in-right out intersection that aligns with Old News Road. This necessitates a considerable amount of land be consumed by the geometry of vehicular movement. It also limits options for the positioning of buildings. Reasonable development of the property thus requires relief of rear building buffers.
4. Parking access and organization will be designed to limit the amount of curb, gutter and asphalt on the site and promote the ease of movement about the site by pedestrians. To that end, raised or surface patterned crosswalks, shade trees, building-mounted pedestrian lights and/or formal sidewalk geometries should be incorporated to emphasize the primacy of the pedestrian over the automobile.

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

Pedestrian Circulation

Pedestrian circulation is to be promoted as an organizing planning objective. Following are specific concepts and measures which shall be drawn from in the specific site design:

1. Curb design should accommodate pedestrian safety and reduce pedestrian conflicts with vehicles. Where sidewalks cross a drive lane, a demarcated and ADA accessible crosswalk shall be provided. Pedestrian circulation routes shall be physically separated from the flow of vehicular traffic. Protection from weather elements is also encouraged. Methods and techniques include:
 - Arcades, porticos, or other shade structures;
 - Pedestrian light features;
 - Curbs or curbing;
 - Bollards;
 - Seat walls or benches;
 - Drinking water fountains; or
 - Landscape planters.
2. Pedestrian walkways shall be a minimum width of five feet in width and connect to:
 - Entrances to each building on the site;
 - Focal points of pedestrian activity such as, but not limited to, street crossings, buildings and stores;
 - Sidewalks located on the perimeter of the site.
3. When located within a parking area or vehicle right of way, clearly demarcate pedestrian walkways and crosswalks. Methods and techniques include:
 - Changing paving material, patterns, or color;
 - Changing paving height;
 - Decorative bollards;
 - Raised median walkways with landscaped buffers; or
 - Stamped asphalt.
4. Pedestrian circulation routes shall be physically separated from the flow of vehicular traffic. Protection from weather elements is also encouraged. Methods and techniques include:
 - Arcades, porticos, or other shade structures;
 - Pedestrian light features;
 - Curbs or curbing;
 - Bollards;
 - Seat walls or benches;
 - Drinking water fountains; or
 - Landscape planters.

5. Where space is adequate and not in conflict with vehicular travel and parking, gathering spaces are to be provided between buildings, with pedestrian amenities (e.g. benches, pedestrian-scale decorative lighting, and landscaping) and have direct access to the site's pedestrian network.

Building Placement and Massing

1. Buildings should be organized to anticipate vehicular and pedestrian arrival to the site. Thus, buildings, including their main façade, will be oriented to Monticello Avenue. Where parking must be behind or to the side of a building, a secondary entrance more convenient to vehicle access is acceptable.



6 Example of Massing and Entries (prospective building, by Verdad)

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

3. The sense of scale of the proposed buildings shall be in keeping with existing adjacent developments. The total square footage of buildings will be limited to 12,000 sf (gross), comprised in two to four separate buildings. Large floor plates (exceeding 10,000 sf) are generally not preferred, but if such a use is offered requiring a larger floor plate, building masses are to be visually broken down into smaller elements to give the appearance of an assembly of multiple smaller buildings.



7 Courthouse Commons: example of arcade use



8 Courthouse Commons: example of desired massing

4. Front building façades of more than 50 feet in length shall be articulated into a series of evenly-spaced storefronts to increase visual interest and pedestrian orientation. Incorporate two or more of the following



9 Settlers Market

design elements on each façade visible from a street:

- Changes in wall plane (such as projections or recesses) with an offset or depth of at least one foot, a width of at least ten feet, located a minimum of every 25 feet;
 - Distinct changes in texture and color of wall surfaces;
 - Variations in roof form and parapet heights;
 - Vertical accents or focal points; or
 - Features such as arcades, display windows, entry areas, or awnings.
5. Building massing shall prioritize human scale. Building massing shall not detract from the pedestrian experience, but rather enhance it. Visual rhythm of massing shall relate as closely as possible to existing massing, creating similar visual masses throughout the development. This rhythm and articulation across the massing helps relate to both the people that use the buildings and the other adjacent buildings.
 6. Building materials for walls shall promote visual interest. Large, monolithic structures with a single material should be avoided. Building walls shall prioritize the use of brick, wood, stucco, and glazing.

Architectural Character

1. Architectural Style:

These guidelines are not intended to require a specific architectural style. Rather, once chosen, there should be a consistency of architectural style and character throughout the site. The following visual design criteria are meant to be style-independent, although they clearly lend themselves to existing similar examples in New Town.

2. Edge Definition and Screening:

Fences and walls shall be architecturally consistent with the building designs. Walls are to be made of a combination of materials, including brick, decorative cmu, siding, stone, and to a limited extent, stucco. Fences and privacy screens are to be made of wood pickets, pvc lumber, wrought iron, vinyl board on board fencing, or painted metal. Chain link fences are not permitted. Landscaping may be used in conjunction with fences and walls to better define edges or screen views and activities.

Dumpsters are to be screened by a fully enclosing wall and/or opaque fencing.



Figure 10: Example of acceptable dumpster screen

3. Scale and Articulation:

Scale is the relationship in size between buildings and the human form. Articulation is the way in which architectural elements are used to reduce the scale of the masses that compose the building form. Buildings shall be designed to appear smaller through the articulation of the overall massing and being organized as a collection of smaller component masses.

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

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

4. Roofs and Parapets

Roof forms shall be evocative of a traditional small-town commercial quality.

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

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

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

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

Sloped roofs can be gabled, hipped, hipped gables, gabled hips or gambrel in a symmetrical fashion with a slope of 4:12 to 8:12. Secondary sloped roofs shall be a shed shape with minimum slope of 2:12.

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

5. Storefront windows and doors

Windows and doors shall help dictate the organization of masses, articulating entries, pedestrian pathways, and other massing features.

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

6. Frontage and Façade Treatments

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

- Plaza;
- Placement of primary pedestrian entry;

- Distinctive roof form; or
 - Other architectural features.
7. The building façade containing the primary entrance is considered as the primary façade and shall face a public street, parking court or courtyard. Public entrances shall feature no less than three of the following:
- Canopies or porticos;
 - Overhangs;
 - Recesses/projections;
 - Arcades;
 - Raised corniced parapets over the door;
 - Peaked roof forms;
 - Arches;
 - Outdoor patios;
 - Display windows;
 - Architectural detail such as tile work and moldings integrated into the building structure and design; or
 - Integral planters that incorporate landscaped areas and places for siting.
8. The front façade of buildings shall have high fenestration. Include glazing for at least 40 percent of the ground floor façade area between 2 feet above grade to 8 feet above grade towards the street that the front façade faces.
9. All street-level windows shall be visually permeable between a height of three feet and eight feet above the walkway grade. Reflective or tinted glass that obstructs views into the building should not be used on 1st floor building façades adjacent to sidewalks.

Allowable Materials

All buildings are to use a similar or complementary palette of materials on this site. Fitting with a desire to respect the existing architectural fabric, this material palette will require the use of exterior finishes already in heavy use along the Monticello corridor. Specifically:

1. Walls:

- Brick veneer
- Fiber Cement Panel (rain screen) siding systems
- Stucco (EIFS) siding.
- Wood or Cementitious Siding (with 5/8" or greater relief in profile or overlap)
- Cast Stone Trim, Veneer, and/or Coping
- Wood or Cellular PVC for Trim
- Fiberglass, Aluminum, or EIFS Cornice and Fascia
- Pigmented, Textured Concrete Block is acceptable on rear and non-public facades
- Horizontal vinyl clapboard siding is not acceptable.
- Textured concrete block as a primary building element of the public facades is not acceptable.
- Thin-stone or cultured stone veneer is also acceptable if corner units are utilized to wrap the corners to give the appearance of a depth of 4 inches or more.
- Each façade shall have a balance of two or three siding materials. One material, such as lapped weatherboard shall be primary to establish consistency while the others are secondary and utilized to provide interest and variation.

2. Roofing:

- Sloped roofing may be: Slate, Simulated Slate (rubber); fiberglass asphalt roofing (300# or better); standing seam Metal (aluminum, copper, or steel).
- Gutters and Downspouts: copper or aluminum, round or box (residential Ogee shape is not acceptable).
- Flat or Low-sloped roofs may be of metal or synthetic membrane, where concealed from public view by a parapet.

3. Building Elements:

- Columns may be pre-fabricated synthetic, or field-fabricated wood or masonry. Chimneys are to be of brick or stucco.
- Posts, spindles, balusters may be of painted wood or metal. Synthetics such as hard foam or cellular PVC may be utilized if adequately heavy in dimension and anchored and painted.
- Stoops and exterior steps: brick or stone (concrete may be utilized for non-public entrances where screened or not visible to the general public).
- Awnings and Canopies: canvas covered with metal support structure.
- Chimneys: brick or stucco
- Arcades and colonnades: brick, stucco, wood
- Posts, spindles, balusters: painted wood, painted metal,
- Stoops, exterior stairs: brick, concrete
- Decks: wood
- Signs: Wood, painted metal, hard foam, or as otherwise allowed by James City County ordinances.

4. Fenestration:

- Windows may be wood or metal
- Storefront window mullions should not exceed 48" in the horizontal dimension or should be mullion-less "all glass" window systems.
- Bay windows: wood or metal with metal roofing.
- Shutters: wood, fiberglass resin or cellular pvc; shutters should be equipped with shutter hardware and be operable or give the appearance of being operable.
- Doors: wood, metal, or glass; utility doors should be metal or fiberglass.
- Where clear windows are not useful to the function with portions of buildings, a false window (with "spandrel glass", for example), closed shutters, or masonry recesses may be utilized to add interest to a façade's fenestration.
- Ground story fenestration shall comprise 40% to 90% of the surface area on public facing walls of retail buildings. Upper stories and other uses shall have fenestration comprising 20% to 70% of the surface area of public facing walls.
- Windows shall appear as "punched openings" in façades. The horizontal dimension of the opening may not exceed the vertical dimension. Windows may be ganged horizontally if each grouping (maximum five per group) is separated by a mullion, column, pier or wall section that is at least seven inches wide.
- Windows may be no closer than 30 inches to building corners (excluding bay windows and storefronts).
- For storefront windows, a minimum of 80% of the window surface shall allow a view into the building for a depth of at least 15 feet.

5. Stylistically, all buildings within the development are to retain a common identity, incorporating the use of brick and cast stone or cast stone-like elements. The use of porches, balconies, bays, loggias, arcades, chimneys, cupolas, dormers, and operable windows are encouraged as devices that help reduce the scale of buildings, making them more approachable and village-like. The principal roof forms are to be parapeted. Where slope roofs are incorporated, gabled or hipped and may range between 4/12 and 12/12. Shed roofs should be 2/12 to 6/12 in slope.

6.

Mechanical units and building utilities, such as electrical meters and panels, are to be located so as not to detract from the architecture and are to be screened. Roof-top equipment should be architecturally screened and not visible from major roads, except for reasonable exception to the elevated portions of Rte 199. Generally, screens should be constructed of permanent materials that relate to the building architecture, such as stone and stucco. Where located against the property buffers, or otherwise not plainly visible from adjacent streets, utilities and mechanical units may be screened with landscaping alone. Drainage from building roofs should be channeled underground to the storm water system unless "spilling at grade" can be engineered without compromising landscaping or pedestrian areas.

Landscape, Hardscape and Planting

1. Building Perimeters - Landscaping at buildings shall meet or exceed the requirements as specified in the James City County Zoning Ordinance, Section 24-97. The use of trellis and landscape structures to facilitate the growth of live plant material immediately in front of or on the buildings is encouraged.
2. Landscaped open spaces, parking areas and pedestrian ways shall have emphasis placed on their edges either with buildings or plantings to create the effect of “outdoor rooms.” Walk-ways adjacent to buildings shall reinforce the sense of a public street. Walk-ways adjacent to open spaces shall be lined with trees or plants to reinforce the edge of the open space. Landscaping along residential areas should provide visibility into the development while creating an effective buffer for parking and “back of house” building elements. Other property edges should retain natural buffers, to the extent practical, to maintain a character consistent with the surrounding area
3. Landscape plantings shall be selected to reinforce a purpose, based on their location:
 - Plantings for the purpose screening will occur to screen the building and parking areas from the adjacent residential properties to the south. These planting are to be primarily evergreen with the intent of screening the view of automobiles and reduce the scale of the rear building façade. Evergreen hedges are to be used adjacent to parking spaces which face Monticello Avenue or Ironbound Road.
 - Foundation plantings will be selected and provide a natural base to the service side facade of the building and enhance the public facades. Public side plantings will be chosen to complement the architecture without limiting visibility of building face signage.
 - Transitional landscaping will occur along the east and west property lines to augment existing natural landscaping, or replace existing landscaping which must be removed to accommodate construction.
 - Street-side landscape will be provided along Monticello Avenue, selected to create a lush setting for the building, while promoting the pedestrian character of the corridor and ensuring adequate visibility into the development from the street, similar to the nearby Wendy’s property (see below).
 - Landscaping with vertical elements of a minimum 10 feet high should be included on sides adjacent to residential uses to provide screening. Tree rows or groups of trees are appropriate, and/or lower bushes and vegetation combined with berming, natural topographic features, and fencing. Fences should not occur within the front 10 feet of the lot so as to not impede pedestrian connectivity and visibility along the sidewalks between uses



11 View of existing Wendy's development from Monticello Avenue

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

5. To further link the development to the New Town community, the developer is encouraged to incorporate similarly inspired design details used in New Town. For example, at pedestrian crossings and along streets, a combination of concrete pavers, brick pavers and gray concrete can be used to emphasize points of arrival and to create a sense of hierarchy among the site elements.

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



12 Example of bike rack (New Town)



13 Example of street furnishings (New Town)

Site Lighting

1. Site Lighting shall consist of two different types of fixtures:
 - Lighting for parking and security - this lighting is for general visibility and security and should be tall and pole-mounted (30' maximum), delivering a general lighting level as required or recommended by local law enforcement or an end user's specific site safety standards. These fixtures may be contemporary in nature and are not intended to be architectural elements in-and-of themselves, but rather deliver an ambient lighting level where critical.
 - Lighting for pedestrians should consist of decorative building-mounted fixtures or bollard-type fixtures. These fixtures are intended to reinforce the overall architectural expression of the buildings and should be arranged to help guide pedestrian movement about the site.
2. Site light fixtures shall be selected so as to complement the building architecture, with the exception of the parking lot lighting which is expected to be taller and contemporary in character.

Signage

1. All signage recommendations shall be subject to the provisions of Article II, Division 3 of the James City County Zoning Ordinance.
2. Building mounted signs and free-standing signs will comply with the James City County Zoning Ordinance for sign location and construction. Wall mounted signage should be integrated with and/or be properly proportionate to the architecture of the building. They are to be mounted flat upon the facade or with “stand-offs” no greater than 6”.
3. A free-standing sign for the development, if provided, is to be located in accordance with the master plan accompanying these guidelines. This sign is to be monument style and designed to promote visual unity within the development. Individual letters in signs may be internally lit. Its size and scale should be in keeping with established monument signs on the corridor (e.g. Settlers Market and Courthouse Commons).
4. Other signs, when illuminated, must be externally lit. "Halo" lighting of individual letter signs (where the letters are opaque but an internal light washes the background of the letters) are acceptable as externally lit signage.
5. Way-finding signage is encouraged, but subject to regulation by the zoning administrator per James City County Zoning Ordinance, Section 24-73. Lettering and mounting height should be sized to assist the pedestrian in finding a building entrance, or a driver of a vehicle to find a parking space. Number and size of such signage is not specifically dictated but should be kept to the minimum number necessary and clearly subservient to other site signage. Generally, lettering should not be over 4" in height, and logos of that same size are permissible but shall not dominate the message of the sign. Street signs and traffic control signs within State right-of-way will utilize the New Town, Courthouse Commons or Settler’s Market models, subject to VDOT approval.



14 Example of acceptable street sign design (New Town)

Community Impact Statement

Rezoning

Of

Monticello Avenue Shops

Prepared For

Verdad Real Estate
1211 S. White Chapel Blvd
Southlake, TC 76092

January 2023
Revised May 2024

AES Project Number: W10509-03

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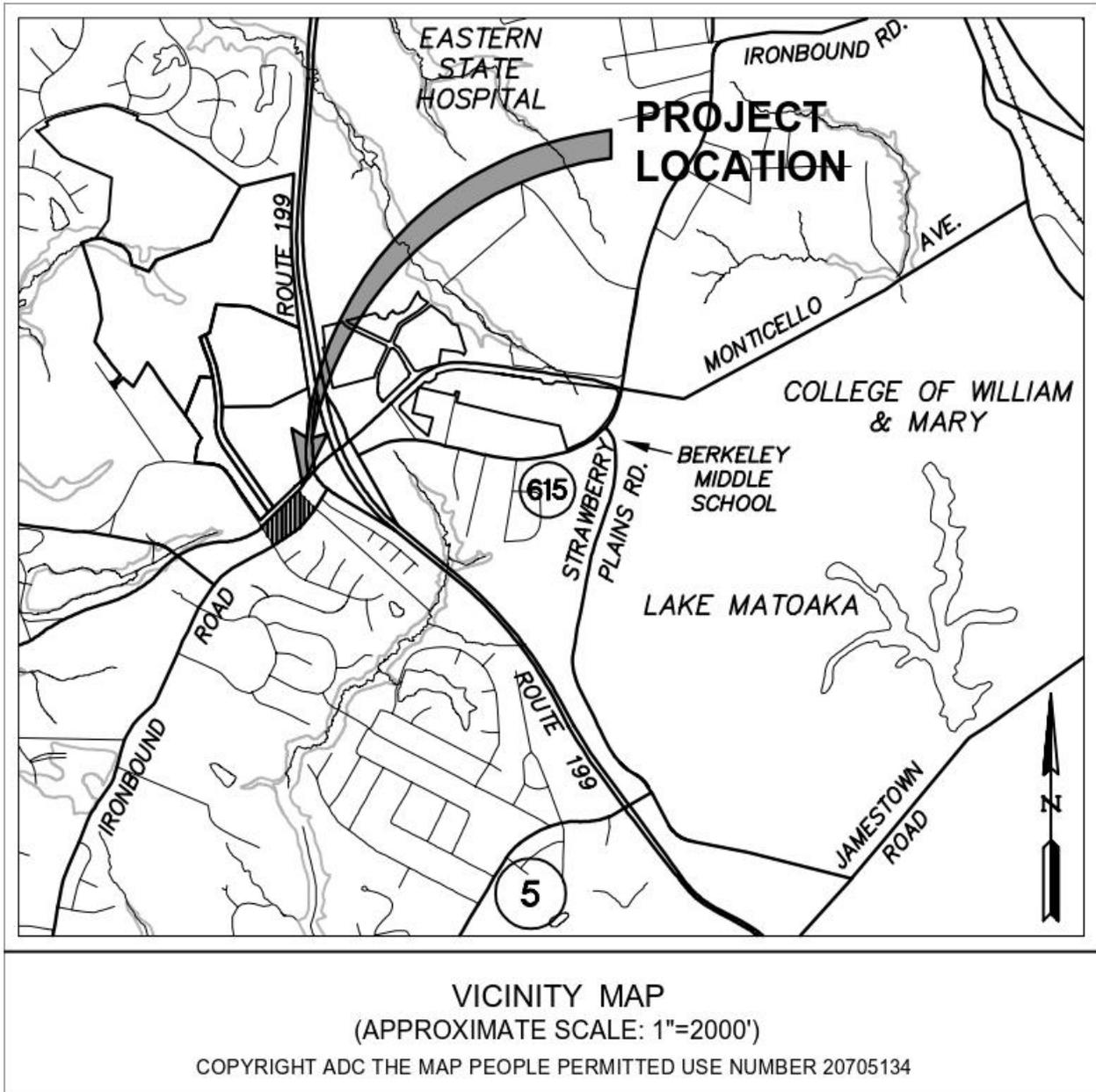
 Phase I Cultural Resources Assessment.....

 Endangered Species Report

I. INTRODUCTION

On behalf of Mr. Brett Skinner of Verdad Real Estate, we are applying to rezone three parcels located at 4744 Old News Road, 3905 Ironbound Road and 3897 Ironbound Road (the "Property") in the Jamestown District from R-8 (Rural Residential) to B-1 (General Business), with proffers. The project is to be called the Monticello Avenue Shops. These Properties are approximately 2.75 acres total, are designated Neighborhood Commercial on the Comprehensive Plan and is located within the Primary Service Area (PSA). The property is located on the South-Eastern side of Monticello Avenue, Rte. 321, and accessible on the North-Western side by Monticello Avenue. The proposal includes up to 12,000 square feet of commercial development. The proposed proffers will limit the permitted uses of the site consistent with its Comprehensive Plan designation, provide for required traffic improvements and establish Design Guidelines for the project to ensure the project will be consistent in appearance with surrounding development.

Exhibit 1 – Location Map



II. THE PROJECT TEAM

The organizations that participated in the preparation of the information provided in this impact study are as follows:

- Developer - Verdad Real Estate
- Legal - Kaufman & Canoles, P.C.
- Land Planning - AES Consulting Engineers
- Civil Engineering - AES Consulting Engineers
- Traffic - Grove Slade Associates
- Architecture - Hopke and Associates

III. PROJECT DESCRIPTION AND PLANNING CONSIDERATIONS

Project Description

The developer is proposing to rezone three parcels from R-8 to B-1 for the purpose of developing a project to include a medical office and retail/commercial on approximately 2.75 acres in the Jamestown District in James City County.

Planning Considerations

The Monticello Avenue Shops lies within the New Town Community Character Area, the Primary Service Area (PSA) of the County, is designated Neighborhood Commercial in the JCC Comprehensive Plan and is bounded by Monticello Avenue (US Rte. 321), which is identified by James City County as a Community Character Corridor.

The property falls within the New Town Community Character Area and is intended to be complimentary to the surrounding development within the New Town master plan. The architectural guidelines submitted for this project intend to be consistent with the surrounding developments, creating a “village-scape” along Monticello and the residential development to the rear. The “village-scape” is created by having smaller residential scale buildings with smaller parking fields and architectural significance on multiple sides of the buildings.

The Primary Service Area (PSA) is an important planning tool within James City County and it encourages efficient use of public facilities and services, avoids overburdening such facilities and services, helps ensure facilities are available where and when needed, increases public benefit per dollar spent, promotes public health and safety through improved emergency response time, and minimizes well and septic failures. As this Site is within the PSA it has been identified as one where James City County has planned for growth with the knowledge that services can be brought to the site and that there is ample capacity in these systems to support

this project.

The project frontage along Monticello Avenue (US Rte. 321) is designated as a Community Character Corridor classification. It is the intent to create an enhancement with the installation of a project that matches the character of this area of the County and do so by implementation of Design Guidelines. The site is designated as Neighborhood Commercial on the Comprehensive Plan and is suitable for business development, physical attributes and density of the property being planned, and the degree of the project’s consistency with the Comprehensive Plan.

IV. ANALYSIS OF IMPACTS TO PUBLIC FACILITIES AND SERVICES

Public water and public sanitary sewer services (and other public services such as police, fire and life rescue, and transportation) are presently provided to parcels within the Primary Service Area.

A. Public Water Facilities

The subject property will be served with public drinking water by the existing JCSA water distribution system in the area. JCSA currently maintains a 12” water line in the right of way of Monticello Avenue (Rte. 321). Discussions with representatives of the James City Service Authority have not revealed any concerns on the ability of the current water system to meet the demands of this proposed project.

The project’s internal water system will likely consist of 8-inch water mains, thus providing the project adequate volumes and pressures for consumption and fire protection. Verification of the adequacy of the JCSA existing water system and design of the on-site water main extensions will be further analyzed with modeling techniques during development of construction plans for the project.

Water consumption for the proposed project is estimated at a Daily Water Demand of 2,400 gallons per day. Peak Hour Water Demand for this project is estimated at approximately 13.3 gallons per minute.

TABLE 1 - PROJECTED WATER USAGE

| Type of Use | Design Units | Flow (GPD/Unit) | Total Flow (GPD) | Duration (hrs) | Avg Flow (GPM) | Peak Flow (GPM) |
|-----------------|--------------|-----------------|------------------|----------------|----------------|-----------------|
| Shopping Center | 12,000 SF | 0.2 | 2,400 | 12 | 3.33 | 13.33 |
| Total | | | 2,400 | | 3.33 | 13.33 |

B. Public Sewer Facilities

This project is to serve as a commercial development including uses such as retail shops, restaurant, and a quick service automotive facility. The properties and buildings in the development are anticipated to be served by two sanitary private package stations which will flow into the adjacent JCSA gravity sewer. The estimated average daily flow generated from the proposed development is 2,400 gallons per day (GPD) with a peak flow rate of 10.0 gallons per minute (GPM). See Table 2 below for details of projected wastewater flows.

Table 2 – Wastewater Flows

| Type of Use | Design Units | Flow (GPD/Unit) | Total Flow (GPD) | Duration (hrs) | Avg Flow (GPM) | Peak Flow (GPM) |
|-----------------|--------------|-----------------|------------------|----------------|----------------|-----------------|
| Shopping Center | 12,000 SF | 0.2 | 2,400 | 12 | 3.33 | 10.00 |
| Total | | | 2,400 | | 3.33 | 10.00 |

C. Fire Protection and Emergency Services

There are currently five fire stations providing fire protection and Emergency Medical Service (EMS) to James City County. Each station is situated within the County in such a way as to help achieve the response goal of six minutes or less. Every station is staffed by three shifts of career and volunteer Firefighters. Station crews are responsible for the pre-planning of target hazards in their area as well as safety inspections of private businesses within the response district.

In addition, there exists a mutual aid agreement with the York County and City of Williamsburg for backup assistance. The location of the project allows for coverage by two of the county’s five stations: James City County Station 5, located on Monticello Avenue; James City County Station 3, located on John Tyler Highway; and the City of Williamsburg as a third backup all will be within reasonable response times of the project.

D. Solid Waste

The proposed development on the subject property will generate solid wastes that will require collection and disposal to promote a safe and healthy environment. Reputable, private contractors will handle the collection of solid waste. Both commercial trash and recyclable material will be removed from this site to a solid waste transfer station. Locations of dumpster enclosures are indicated on the master plan.

E. Franchise Utility Service Providers

Virginia Natural Gas, Dominion Enginry, Cox Communications, and Verizon Communications provide, respectively, natural gas, electricity, cable TV/ Internet service, and telephone service to this area. The current policy of these utility service providers is to extend service to new development at no cost to the developer when positive revenue is identified; plus, with new land development, these utility service providers are required to place all new utility service underground.

F. Transit

The Monticello Avenue Shops site is located along the Monticello route of the Williamsburg Area Transit Authority (WATA). Stop 1225, Monticello Ave. (at Marketplace Shoppes) is the nearest bus stop to the proposed site.

V. ANALYSIS OF ENVIRONMENTAL IMPACTS

Initial evaluation of the property determined that there were no environmentally sensitive areas associated with these properties. There is an existing residential home and several outbuildings located on the properties that will require demolition. Through an onsite investigation, review of JCC GIS and National Wetlands inventory there appear to be no wetlands, surface waters or potential locations for these to exist on the property.

VI. ANALYSIS OF STORMWATER MANAGEMENT

AES reviewed the requirements for the site in accordance with the general criteria of the Commonwealth of Virginia and James City County's stormwater requirements and noted the following items:

- The property currently drains to an existing regional BMP (BMP PC140) via drainage within Monticello Avenue
- The existing sites are mostly forested with a couple of residential homes and outbuildings
- The project site largely consists of flatter site grades with 0 to 6% slopes, there are steeper slopes just outside the property which are 3:1 within the existing ditches.

In evaluating the stormwater management needs of the proposed development we understand that the site will need to be approved to handle the necessary water quality and quantity needs as outlined in the current state stormwater standards. In discussions with JCC, it is understood that the existing BMP PC140 will not be able to be utilized (in its current status) to provide stormwater benefits from this site. As part of the site plan process, the site will need to

show compliance with the state regulations and additionally will need to provide Special Stormwater Criteria measures per the regulations at the time the site plan is prepared. It is anticipated that bioretention and similar treatment devices will be utilized for water quality and that potential retention measures will be utilized to ensure compliance for offsite discharge. Any stormwater measures proposed with the site will be designed and installed in accordance with all current applicable standards.

We would note that the existing downstream regional BMP that was originally designed to handle the drainage from this parcel has been identified to require upgrades as part of the 2023 Powhatan Creek Watershed Management Plan. Changes or upgrades to that facility would be outside of the ability of this project to handle.

VII. ANALYSIS OF IMPACTS TO TRAFFIC

The traffic impacts for the proposed development have been reviewed and improvements shown on the master plan to address those impacts. A traffic analysis was prepared by Groove Slade Associates. The project has undergone extensive review from previous applications and the current plan avoids additional access breaks along Monticello and does not impact the current Monticello and WindsorMeade intersection. The access between the existing adjoining shopping center is restricted to prevent cut through traffic and a new right turn taper will be added at the existing entrance to the development in accordance with the traffic analysis.

X. CONCLUSION

In summary, The Monticello Avenue Shops are being planned as a neighborhood commercial center generally matching the aesthetics of the surrounding centers as a commercial development. The Community Impact Statement for The Monticello Avenue Shops development concludes that the County and the community would realize the tangible public benefits to include the following:

- The proposed use is consistent with the intended land use designated on the current Comprehensive Plan for this area
- The Master Plan and proffered Design Guidelines will provide a high standard of architecture and layout to enhance this area of the County for decades to come
- The development provides a tax benefit to the County
- There is adequate capacity in the roadway network serving this project, with limited impacts on existing traffic patterns
- The stormwater management will be performed in such a way as to add water quality benefits for the site through the use of Special Stormwater Criteria measures, in

addition to State stormwater requirements.

Traffic Impact Analysis

Monticello Avenue Commercial

James City County, Virginia

September 2023

Prepared for:

Verdad Real Estate
1211 S. White Chapel Boulevard
Southlake, TX 76092



GOROVE SLADE
Transportation Planners and Engineers

Figure 1: Site Location and Study Intersections

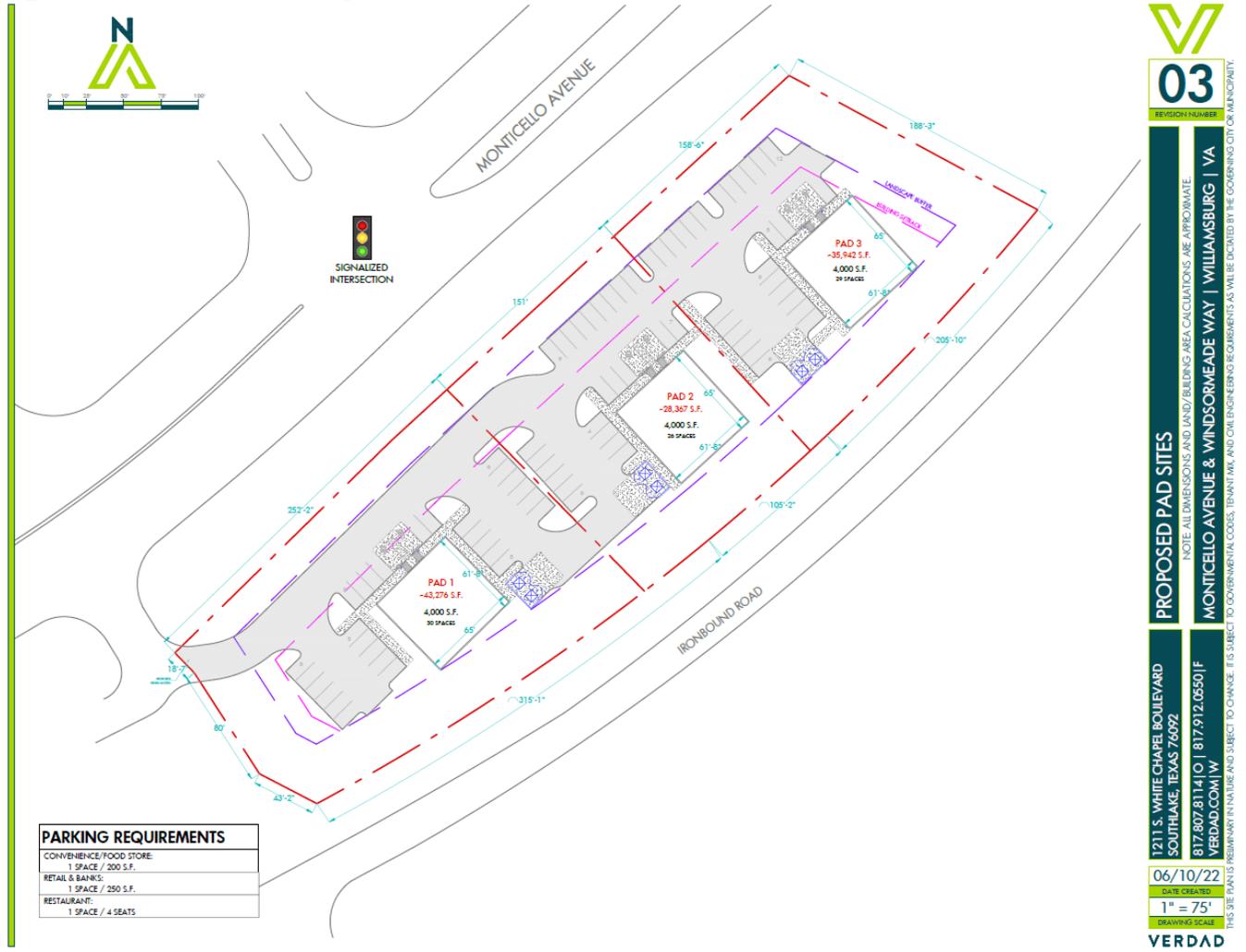


Figure 2: Site Plan (Provided by Verdad)

Existing Conditions (2022)

Existing Roadway Network

A description of the major roadways within the study area is provided in Table 1. The AADT's shown are based on published 2019 VDOT data.

Table 1: Existing Roadway Network

| Roadway | RTE # | VDOT Classification | Legal / Design Speed Limit (mph) | AADT (vpd) | Road Segment Between: |
|-------------------|-------|---------------------|----------------------------------|------------|---------------------------|
| Monticello Avenue | 321 | Minor Arterial | 45 | 41,000 | News Road SR-199 |
| Windsormeade Way | 1299 | Local | 40 | 1,300 | Monticello Ave Cul-de-sac |

The existing lane configuration is shown in Figure 3.

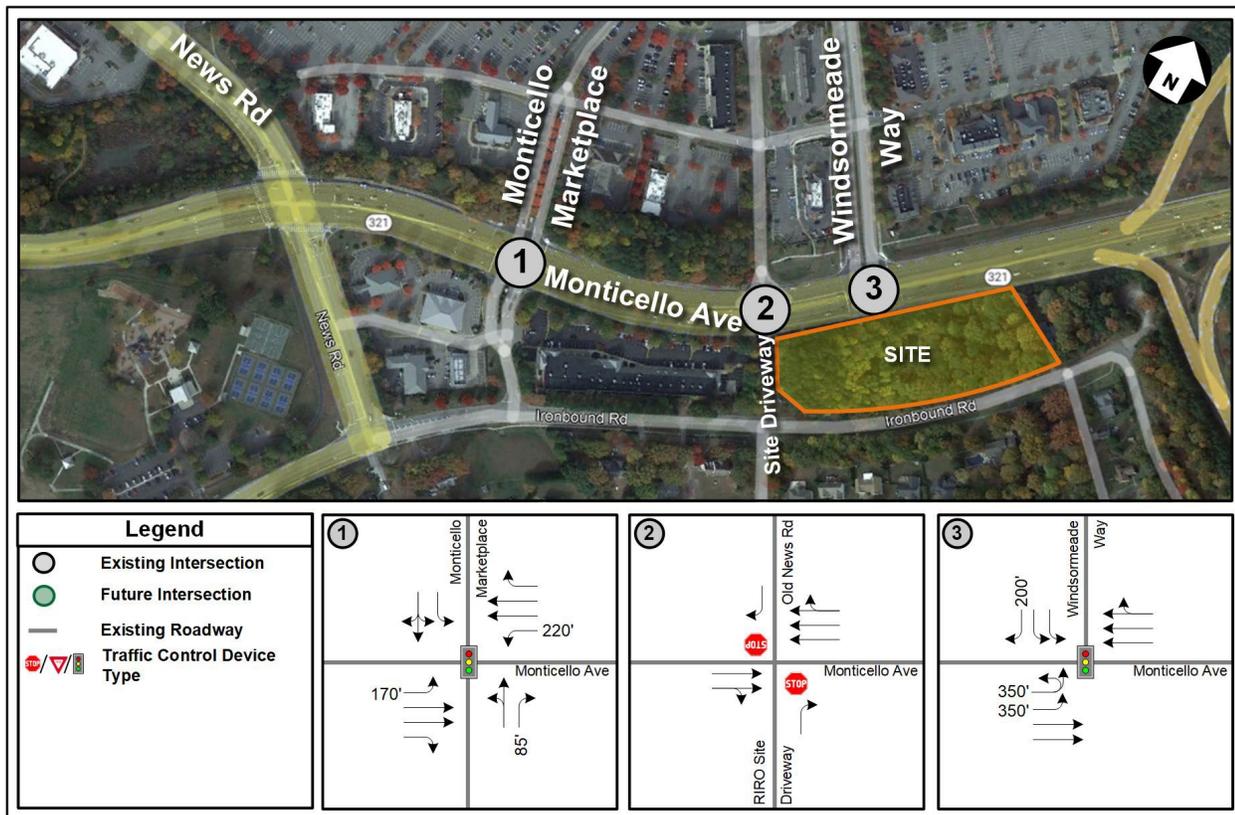


Figure 3: Existing Lane Configuration

Existing Traffic Volumes

Turning movement counts were conducted during the AM peak hour (7:00 to 9:00 AM) and PM peak hour (4:00 to 6:00 PM) by Burns Services Inc. (BSI), during the week of October 10, 2022, at the following intersections:

- Monticello Avenue at Monticello Marketplace
- Monticello Avenue at Old News Road / Right-In/Right Out Driveway

Additional peak hour turning movement count data was collected by BSI on June 7 at the intersection of Monticello Avenue at Windsormeade Way. Traffic volumes from the 2023 count were decreased by the annual growth rate to estimate the 2022 turning movement count volumes. Finally, some movements were increased as necessary to balance between study intersections to be conservative. Figure 4 shows the existing 2022 AM and PM peak hour traffic volumes.

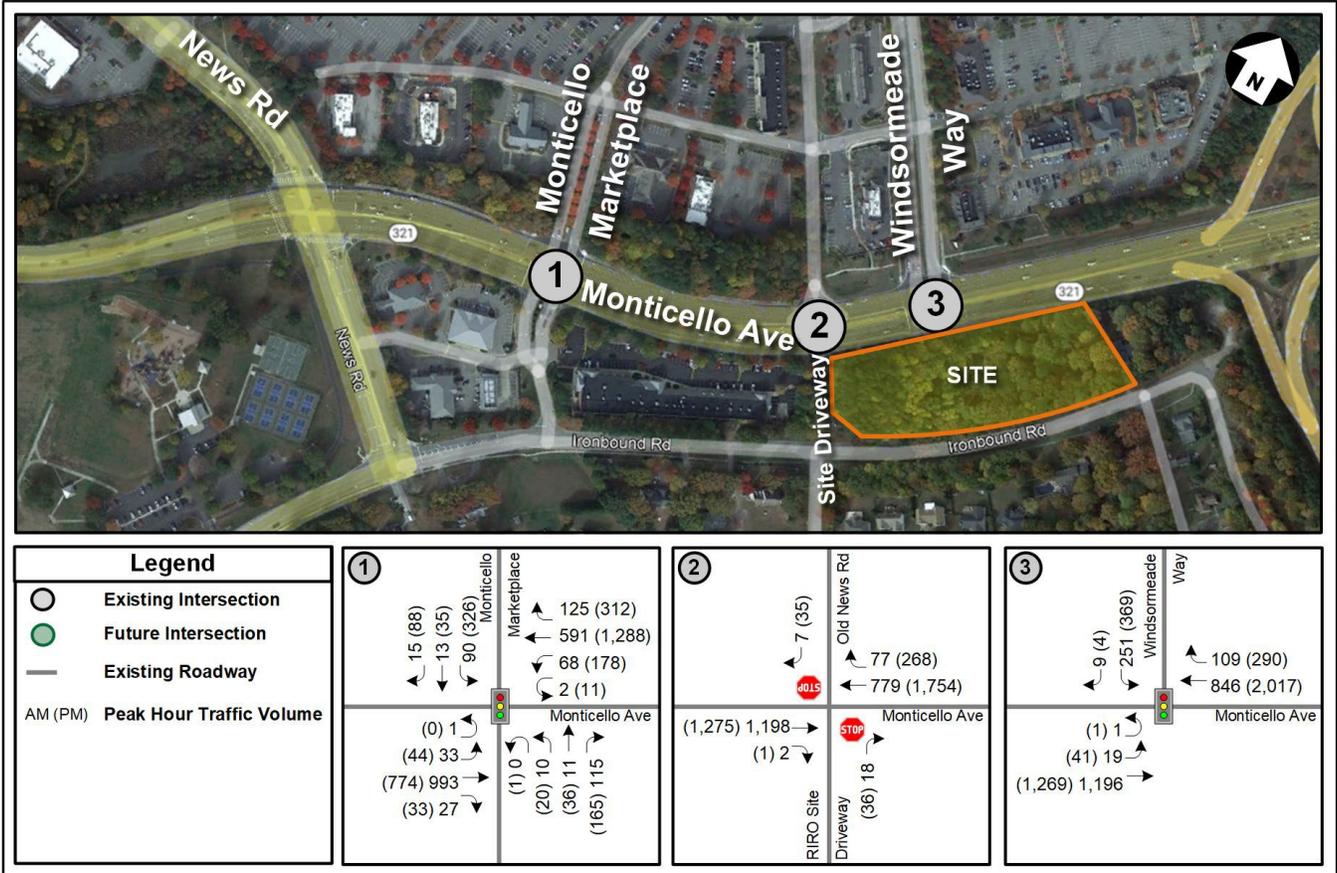


Figure 4: Existing (2022) Peak Hour Traffic Volumes

No-Build Conditions (2024)

Approved Developments

Based on discussion with the development team, we understand there are no approved developments in the vicinity of the site that will have a significant impact on the study intersections.

No-Build (2024) Traffic Volumes

An annual growth rate of 2.0% was applied to the existing traffic volumes to estimate the No-Build (2024) peak hour traffic volumes, which are shown in Figure 5.

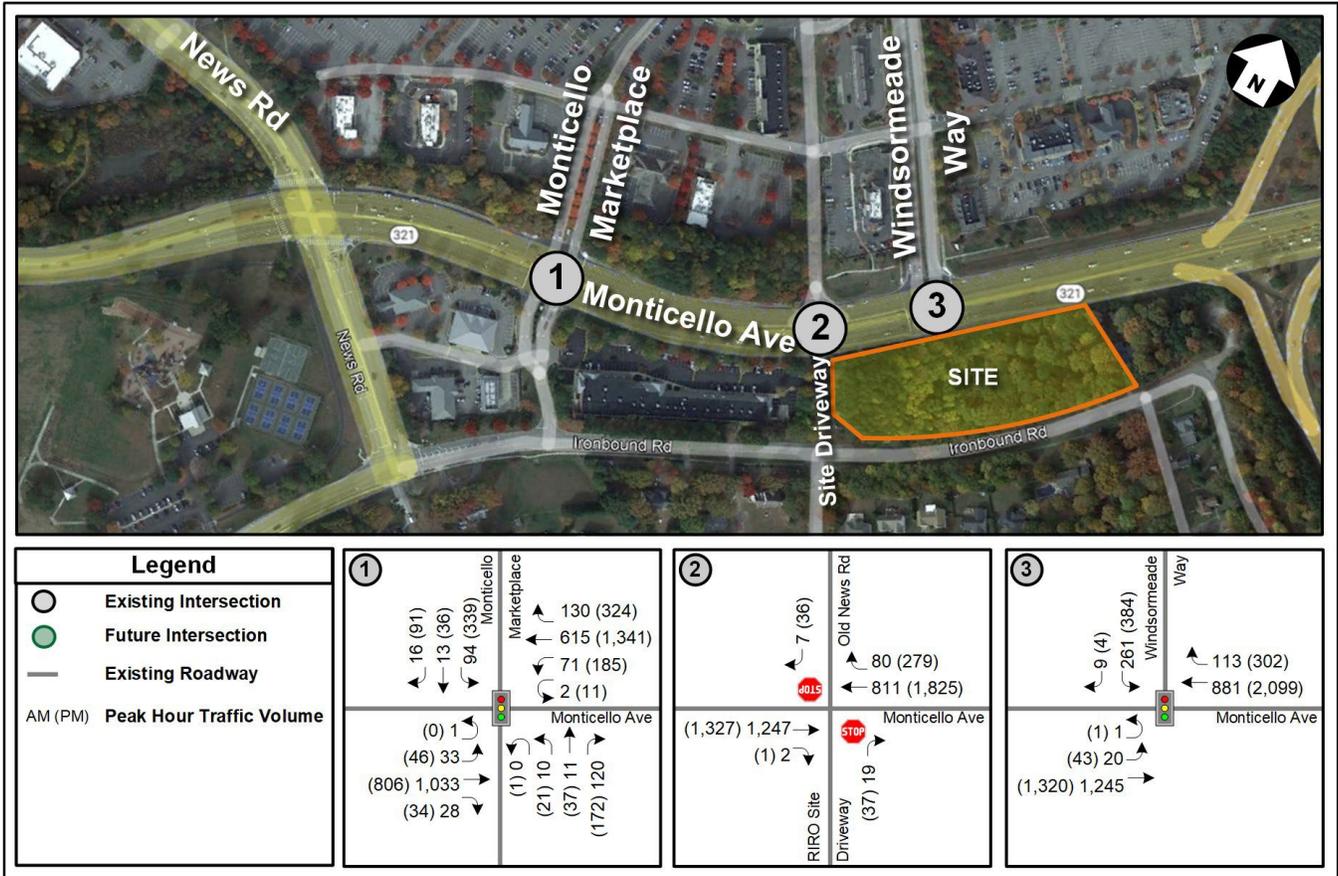


Figure 5: No-Build (2024) Peak Hour Traffic Volumes

Build Conditions (2024)

Site Generated Volumes

Table 2 shows the trip generation potential of the proposed development based on the Institute of Traffic Engineers (ITE) *Trip Generation Manual 11th Edition*.

Table 2: ITE Trip Generation – Typical Weekday – 11th Edition

| Land Use | ITE Code | Size | Units | ----- Weekday ----- | | | | | | |
|-------------------------------------|----------|--------------------|-----------|---------------------|-----------|-----------|--------------|-----------|------------|---------------|
| | | | | AM Peak Hour | | | PM Peak Hour | | | Weekday Total |
| | | | | In | Out | Total | In | Out | Total | |
| Medical Clinic | 630 | 4,000 s.f. | 14 | 3 | 17 | 5 | 12 | 17 | 178 | |
| Animal Hospital / Veterinary Clinic | 640 | 4,000 s.f. | 10 | 5 | 15 | 6 | 8 | 14 | 86 | |
| Strip Retail (<40ksf) | 822 | 4,000 s.f. | 9 | 7 | 16 | 20 | 21 | 41 | 398 | |
| Total Trips | | 12,000 s.f. | 33 | 15 | 48 | 31 | 41 | 72 | 662 | |

Site Traffic Distribution

The site trip distribution was determined based on the proposed land uses, a review of existing traffic patterns, and engineering judgement. The following site trip distribution was applied:

- 60% to / from the east on Monticello Avenue
- 40% to / from the west on Monticello Avenue

Figure 6 shows the site trip distribution and Figure 7 shows site trip assignment. The Build 2024 peak hour volumes are shown in Figure 8.

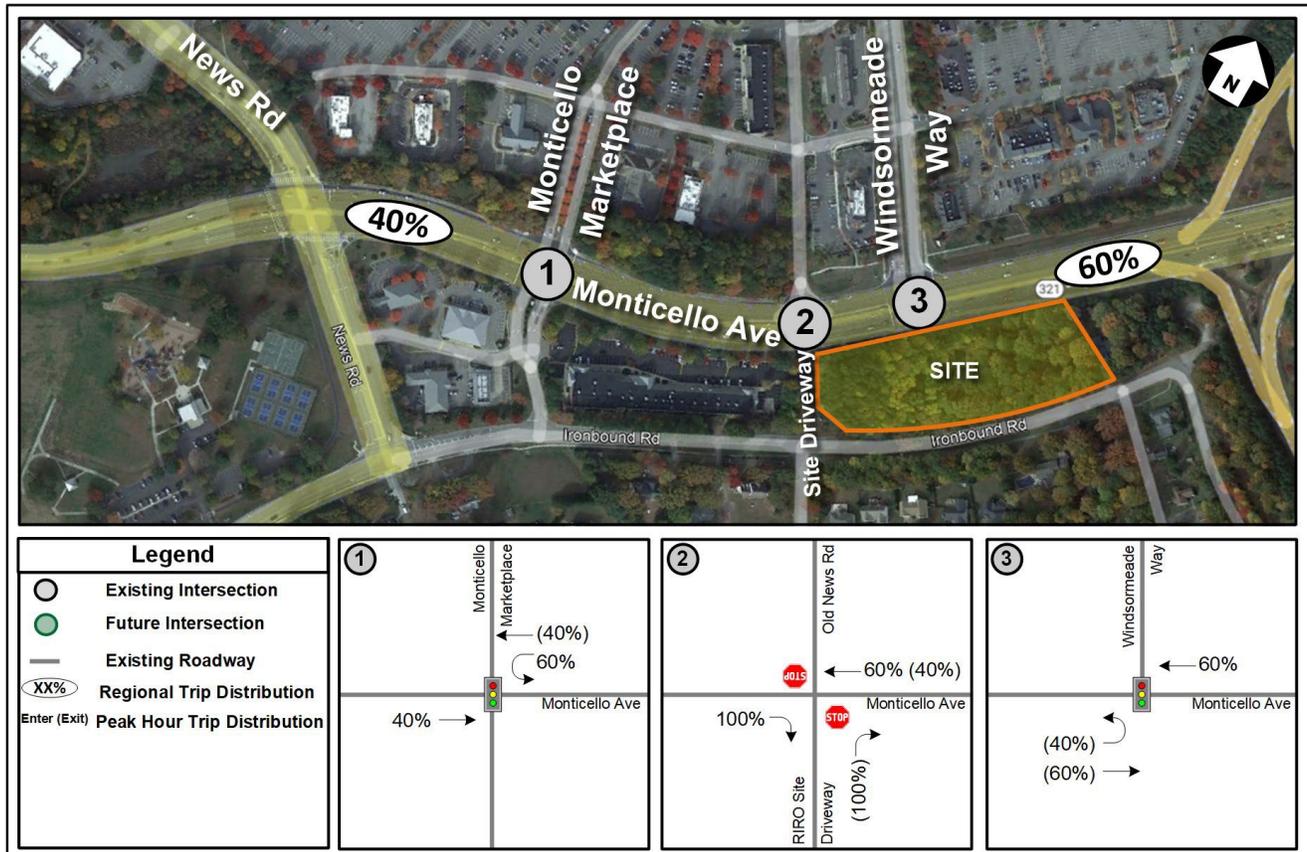


Figure 6: Site Trip Distribution

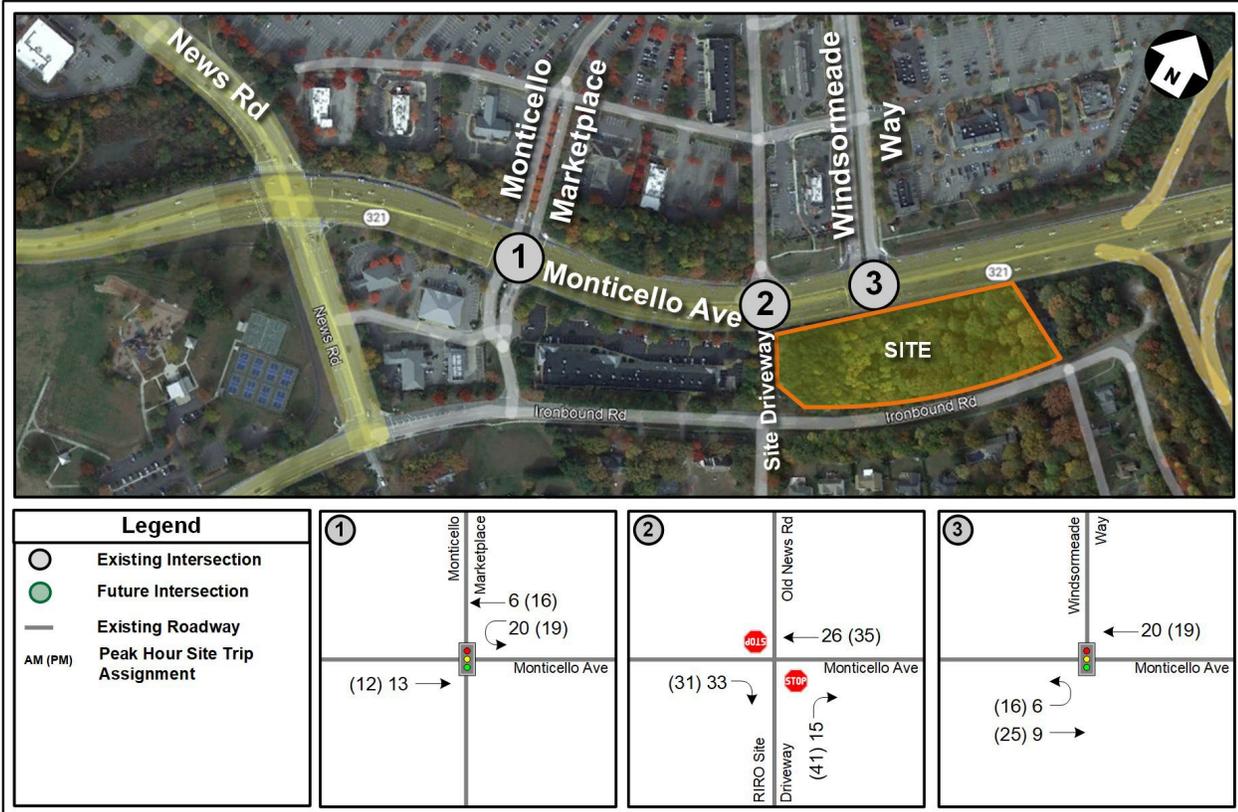


Figure 7: Site Trip Assignment

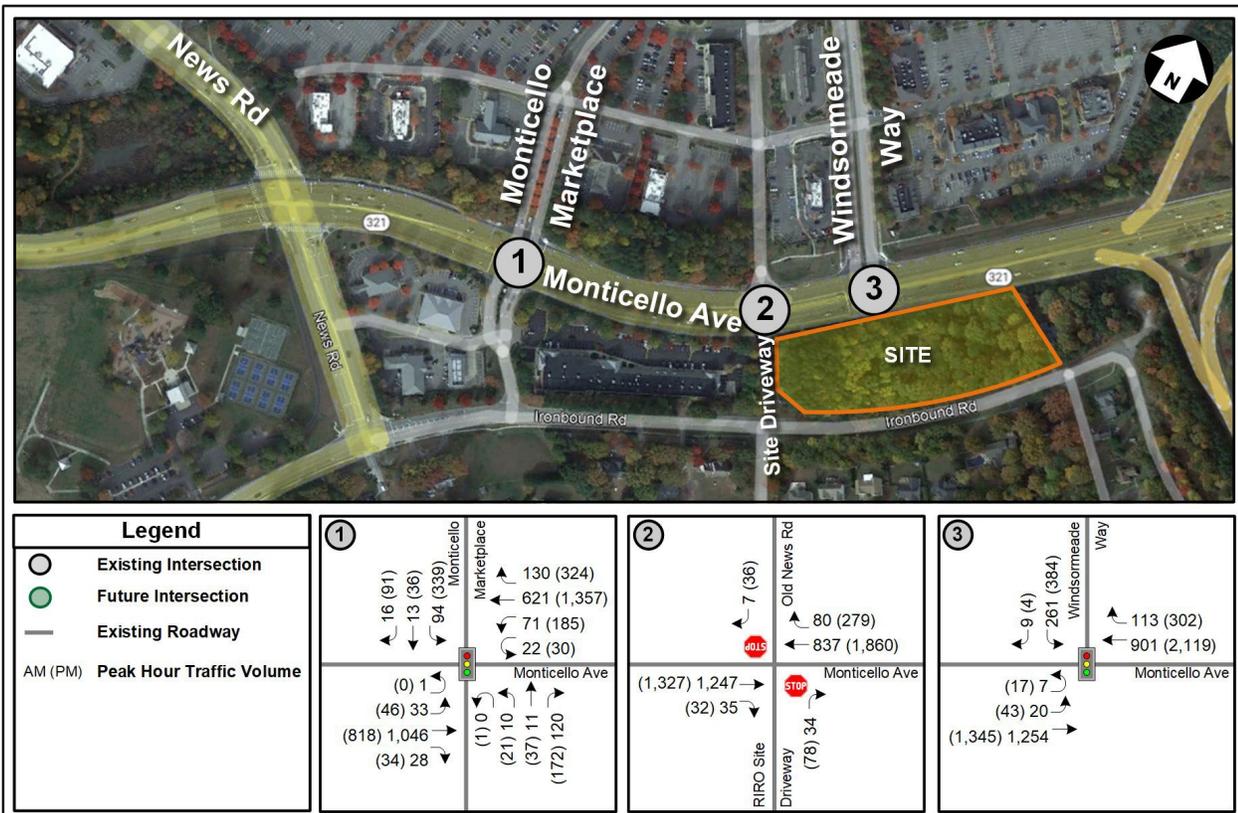


Figure 8: Build (2024) Peak Hour Traffic Volumes

Traffic Capacity Analysis

Capacity analysis was performed at the study intersection during the weekday AM and PM peak hours. *Synchro, Version 11* was used to analyze the study intersection based on the *Highway Capacity Manual (HCM) 2000* Edition methodology and includes level of service (LOS) and delay comparisons for the turning movements analyzed. HCM 2000 methodology was used because HCM 6th Edition is unable to process U-turn movements, which were present in the existing traffic counts. Queue lengths were generated using SimTraffic and were based on the maximum of an average of 10 microsimulation runs. The capacity analysis results are summarized in Table 3 through Table 5 and the Synchro / SimTraffic output reports are included in the attachments.

Table 3: Level-of-Service Summary for Monticello Avenue at Monticello Marketplace

| Analysis Scenario | Intersection (Movement) | Effective Storage Length (ft.) | AM Peak Hour | | | PM Peak Hour | | |
|-------------------------------|-----------------------------|--------------------------------|--------------|-----------------|----------------------|--------------|-----------------|----------------------|
| | | | LOS | Delay (sec/veh) | Ave. Max Queue (ft.) | LOS | Delay (sec/veh) | Ave. Max Queue (ft.) |
| | | | Synchro | | SimTraffic | Synchro | | SimTraffic |
| Existing (2022) Conditions | Overall Intersection | | C | 33.9 | | D | 46.5 | |
| | Eastbound Approach | | B | 19.4 | | C | 28.8 | |
| | Eastbound U/Left | 170 | D | 42.7 | 174 | E | 56.2 | 194 |
| | Eastbound Through | | B | 18.8 | 294 | C | 27.6 | 351 |
| | Eastbound Right | | B | 12.2 | 41 | C | 20.5 | 41 |
| | Westbound Approach | | D | 51.3 | | D | 48.3 | |
| | Westbound U/Left | 220 | C | 32.7 | 121 | D | 48.9 | 245 |
| | Westbound Through | | B | 17.7 | 198 | D | 42.6 | 605 |
| | Westbound Right | | F | 220.8 | 48 | E | 71.2 | 90 |
| | Northbound Approach | | D | 39.8 | | D | 53.3 | |
| | Northbound U/Left/Through | | D | 40.2 | 48 | D | 55.0 | 112 |
| | Northbound Right | 85 | D | 39.7 | 64 | D | 52.7 | 103 |
| | Southbound Approach | | D | 40.7 | | E | 69.3 | |
| | Southbound Left | | D | 41.0 | 114 | E | 74.5 | 258 |
| Southbound Left/Through/Right | | D | 40.4 | 83 | E | 63.8 | 245 | |
| No-Build (2024) Conditions | Overall Intersection | | C | 34.2 | | D | 48.0 | |
| | Eastbound Approach | | C | 20.1 | | C | 31.5 | |
| | Eastbound U/Left | 170 | D | 42.8 | 150 | E | 59.7 | 194 |
| | Eastbound Through | | B | 19.6 | 321 | C | 30.3 | 396 |
| | Eastbound Right | | B | 12.3 | 45 | C | 21.8 | 53 |
| | Westbound Approach | | D | 51.2 | | D | 49.5 | |
| | Westbound U/Left | 220 | C | 34.6 | 148 | D | 50.9 | 245 |
| | Westbound Through | | C | 21.1 | 218 | D | 44.9 | 630 |
| | Westbound Right | | F | 203.1 | 60 | E | 67.5 | 195 |
| | Northbound Approach | | D | 39.7 | | D | 54.2 | |
| | Northbound U/Left/Through | | D | 40.1 | 60 | E | 56.9 | 145 |
| | Northbound Right | 85 | D | 39.6 | 82 | D | 53.2 | 108 |
| | Southbound Approach | | D | 40.7 | | E | 70.4 | |
| | Southbound Left | | D | 41.0 | 122 | E | 72.0 | 304 |
| Southbound Left/Through/Right | | D | 40.3 | 89 | E | 68.7 | 284 | |
| Build (2024) Conditions | Overall Intersection | | C | 34.3 | | D | 48.3 | |
| | Eastbound Approach | | C | 20.8 | | C | 32.4 | |
| | Eastbound U/Left | 170 | D | 42.8 | 167 | E | 59.7 | 194 |
| | Eastbound Through | | C | 20.3 | 327 | C | 31.3 | 381 |
| | Eastbound Right | | B | 12.6 | 40 | C | 22.3 | 45 |
| | Westbound Approach | | D | 50.2 | | D | 49.6 | |
| | Westbound U/Left | 220 | D | 37.5 | 151 | E | 55.1 | 245 |
| | Westbound Through | | C | 20.9 | 215 | D | 45.0 | 636 |
| | Westbound Right | | F | 199.8 | 58 | E | 65.3 | 320 |
| | Northbound Approach | | D | 39.7 | | D | 54.2 | |
| | Northbound U/Left/Through | | D | 40.1 | 58 | E | 56.9 | 133 |
| | Northbound Right | 85 | D | 39.6 | 84 | D | 53.2 | 108 |
| | Southbound Approach | | D | 40.7 | | E | 70.4 | |
| | Southbound Left | | D | 41.0 | 111 | E | 72.0 | 292 |
| Southbound Left/Through/Right | | D | 40.3 | 84 | E | 68.7 | 278 | |

Capacity analysis indicates that the intersection currently operates at LOS C during the AM peak hour and at LOS D during the PM peak hour. Under no-build conditions, the intersection is expected to continue to operate at LOS C during the AM peak hour and at LOS D during the PM peak hour.

Under build conditions, the intersection is expected 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.

No improvements are warranted or recommended at this intersection at build-out of the proposed commercial center.

Table 4: Level-of-Service for Monticello Avenue at Right-in/Right-out Site Driveway

| Analysis Scenario | Intersection (Movement) | Effective Storage Length (ft.) | AM Peak Hour | | | PM Peak Hour | | |
|-----------------------------------|----------------------------|--------------------------------|--------------|-----------------|----------------------|--------------|-----------------|----------------------|
| | | | LOS | Delay (sec/veh) | Ave. Max Queue (ft.) | LOS | Delay (sec/veh) | Ave. Max Queue (ft.) |
| | | | Synchro | | SimTraffic | Synchro | | SimTraffic |
| Existing (2022) Conditions | Eastbound Approach | | - | - | - | - | - | - |
| | Eastbound Through/Right | | - | - | - | - | - | - |
| | Westbound Approach | | - | - | - | - | - | - |
| | Westbound Through/Right | | - | - | - | - | - | - |
| | Northbound Approach | | B | 10.4 | | B | 10.7 | |
| | Northbound Right | | B | 10.4 | 38 | B | 10.7 | 62 |
| No-Build (2024) Conditions | Southbound Approach | | A | 8.6 | | B | 10.1 | |
| | Southbound Right | | A | 8.6 | 28 | B | 10.1 | 54 |
| | Eastbound Approach | | - | - | - | - | - | - |
| | Eastbound Through/Right | | - | - | - | - | - | - |
| | Westbound Approach | | - | - | - | - | - | - |
| | Westbound Through/Right | | - | - | - | - | - | - |
| Build (2024) Conditions | Northbound Approach | | B | 10.6 | | B | 11.0 | |
| | Northbound Right | | B | 10.6 | 45 | B | 11.0 | 60 |
| | Southbound Approach | | A | 8.7 | | B | 10.3 | |
| | Southbound Right | | A | 8.7 | 26 | B | 10.3 | 54 |
| | Eastbound Approach | | - | - | - | - | - | - |
| | Eastbound Through/Right | | - | - | - | - | - | - |
| Build (2024) Conditions | Westbound Approach | | - | - | - | - | - | - |
| | Westbound Through/Right | | - | - | - | - | - | - |
| | Northbound Approach | | B | 10.9 | | B | 11.6 | |
| | Northbound Right | | B | 10.9 | 59 | B | 11.6 | 92 |
| | Southbound Approach | | A | 8.7 | | B | 10.4 | |
| | Southbound Right | | A | 8.7 | 28 | B | 10.4 | 56 |

The minor street right-turn movements currently operate with short delays during the AM and PM peak hours. Under no-build conditions, the minor street right-turn movements are expected to continue to operate with short delays during both peak hours.

Under build conditions, the minor street right-turn movements are expected to continue to operate with short delays during the AM and PM peak hours with queue lengths of four vehicles or less with the following improvement:

- Construct a 100-foot eastbound right-turn taper on Monticello Avenue

Table 5: Level-of-Service Summary for Monticello Avenue at Windsormeade Way

| Analysis Scenario | Intersection (Movement) | Effective Storage Length (ft.) | AM Peak Hour | | | PM Peak Hour | | |
|-----------------------------------|-----------------------------|--------------------------------|--------------|-----------------|-------------------------------------|--------------|-----------------|-------------------------------------|
| | | | LOS | Delay (sec/veh) | Ave. Max Queue (ft.) ^[2] | LOS | Delay (sec/veh) | Ave. Max Queue (ft.) ^[2] |
| | | | Synchro | | SimTraffic | Synchro | | SimTraffic |
| Existing (2022) Conditions | Overall Intersection | | A | 10.0 | | B | 16.0 | |
| | Eastbound Approach | | A | 5.3 | | A | 4.9 | |
| | Eastbound U/Left | 350 | E | 55.2 | 54 | E | 72.6 | |
| | Eastbound Thru | | A | 4.5 | 223 | A | 2.7 | |
| | Westbound Approach | | A | 8.0 | | B | 16.0 | |
| | Westbound Through/Right | | A | 8.0 | 187 | B | 16.0 | |
| | Southbound Approach | | D | 39.0 | | D | 54.7 | |
| | Southbound Left | | D | 39.1 | 191 | D | 54.8 | |
| Southbound Right | 200 | C | 34.4 | 28 | D | 43.7 | | |
| No-Build (2024) Conditions | Overall Intersection | | A | 9.2 | | B | 17.8 | |
| | Eastbound Approach | | A | 3.7 | | A | 9.5 | |
| | Eastbound U/Left | 350 | E | 62.9 | 62 | E | 62.3 | |
| | Eastbound Thru | | A | 2.7 | 220 | A | 7.8 | |
| | Westbound Approach | | A | 8.1 | | B | 16.2 | |
| | Westbound Through/Right | | A | 8.1 | 189 | B | 16.2 | |
| | Southbound Approach | | D | 39.1 | | F | 56.9 | |
| | Southbound Left | | D | 39.2 | 200 | E | 57.0 | |
| Southbound Right | 200 | C | 34.3 | 26 | D | 43.7 | | |
| Build (2024) Conditions | Overall Intersection | | A | 9.5 | | B | 18.2 | |
| | Eastbound Approach | | A | 3.9 | | B | 10.3 | |
| | Eastbound U/Left | 350 | E | 59.4 | 63 | E | 61.9 | |
| | Eastbound Thru | | A | 2.6 | 228 | A | 8.0 | |
| | Westbound Approach | | A | 8.8 | | B | 16.5 | |
| | Westbound Through/Right | | A | 8.8 | 209 | B | 16.5 | |
| | Southbound Approach | | D | 39.1 | | F | 56.9 | |
| | Southbound Left | | D | 39.2 | 207 | E | 57.0 | |
| Southbound Right | 200 | C | 34.3 | 32 | D | 43.7 | | |

Capacity analysis indicates that the intersection currently operates at LOS A during the AM peak hour and at LOS B during the PM peak hour. Under no-build conditions, the intersection is expected to continue to operate at LOS A during the AM peak hour and at LOS B during the PM peak hour.

Under build conditions, the intersection is expected to continue to operate at LOS A during the AM peak hour and at LOS B during the PM peak hour, with all movements operating at LOS E or better.

No improvements are warranted or recommended at this intersection at build-out of the proposed commercial center.

Turn Lane Warrant Analysis

A right turn lane warrant analysis was performed for the existing right-in / right-out site driveway based on the Build (2024) peak hour traffic volumes. The results of the analysis are shown in Table 6 below, and the turn lane warrant diagram is included in the attachments.

Table 6: Turn Lane Warrant Summary

| Study Scenario | Approach Volume | Right Turn Volume | Minimum Right Turn Taper Threshold | Minimum Right Turn Full Lane Threshold | Treatment |
|----------------------------------|-----------------|-------------------|------------------------------------|--|----------------|
| INT 1 - EBR - 2024 Build AM Peak | 1,282 | 35 | 10 | 40 | Taper Required |
| INT 1 - EBR - 2024 Build PM Peak | 1,359 | 32 | 10 | 40 | Taper Required |

As shown in Table 6, a right-turn taper is warranted during both peak hours.

Conclusions

Based on the capacity analysis, all study intersections will operate with acceptable delay and queuing with the following recommendations:

Monticello Avenue at Right-In / Right-Out Site Driveway:

- Construct an eastbound right-turn taper on Monticello Avenue with 100 feet of taper length

The recommended lane configuration is shown in Figure 9.

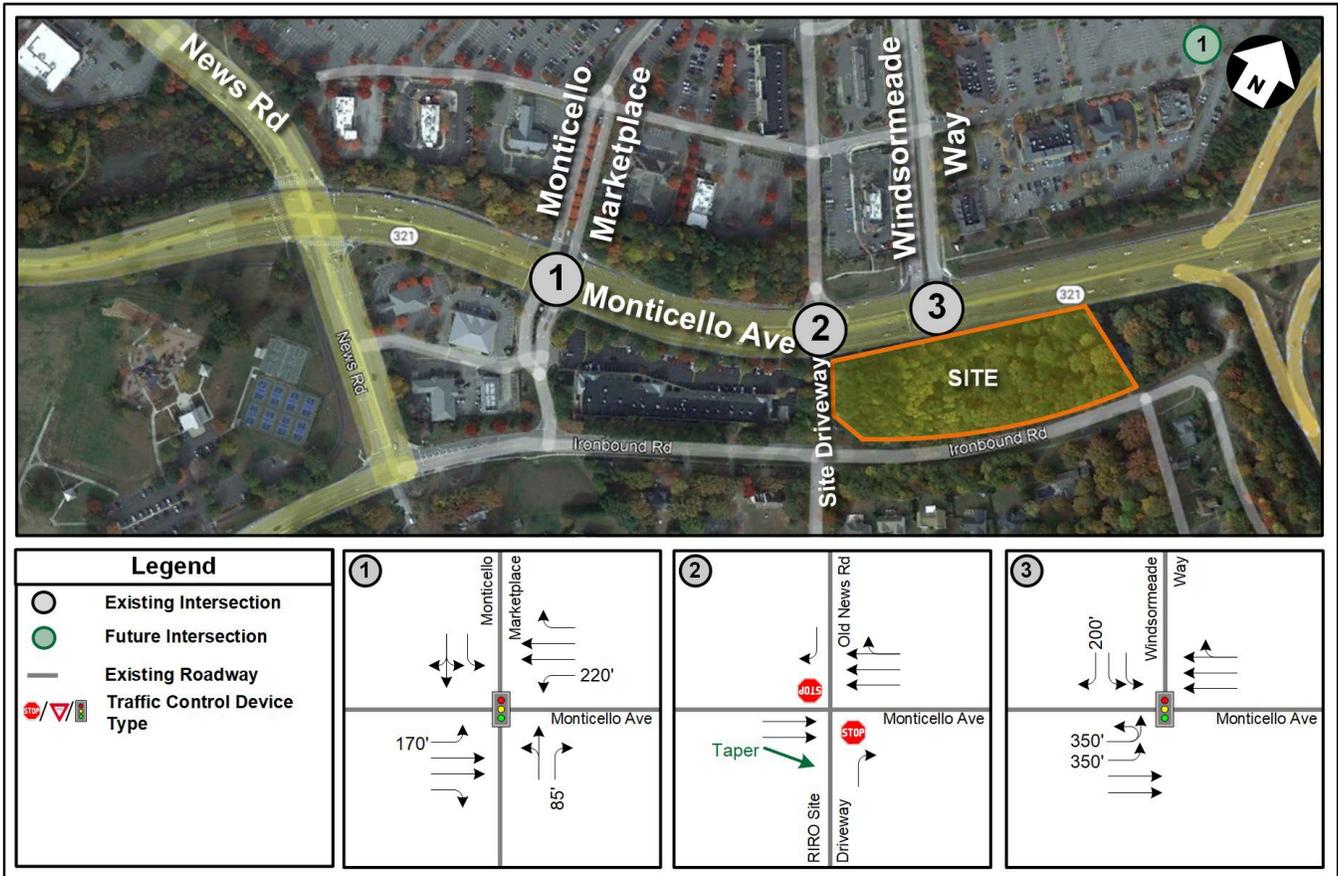


Figure 9: Recommended Lane Configuration

Monticello Avenue Commercial

TECHNICAL APPENDIX

Monticello Avenue Commercial

TECHNICAL APPENDIX

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APPENDIX F

Turn Lane Warrant Assessment

Monticello Avenue Commercial

APPENDIX A

Turning Movement Count Data and Signal Timing Plans



TRAFFIC DATA COLLECTION

File Name : James City(Monticello Avenue and Marketplace Shoppes Driveway)
 Site Code :
 Start Date : 10/11/2022
 Page No : 1

Groups Printed- Cars + - Trucks

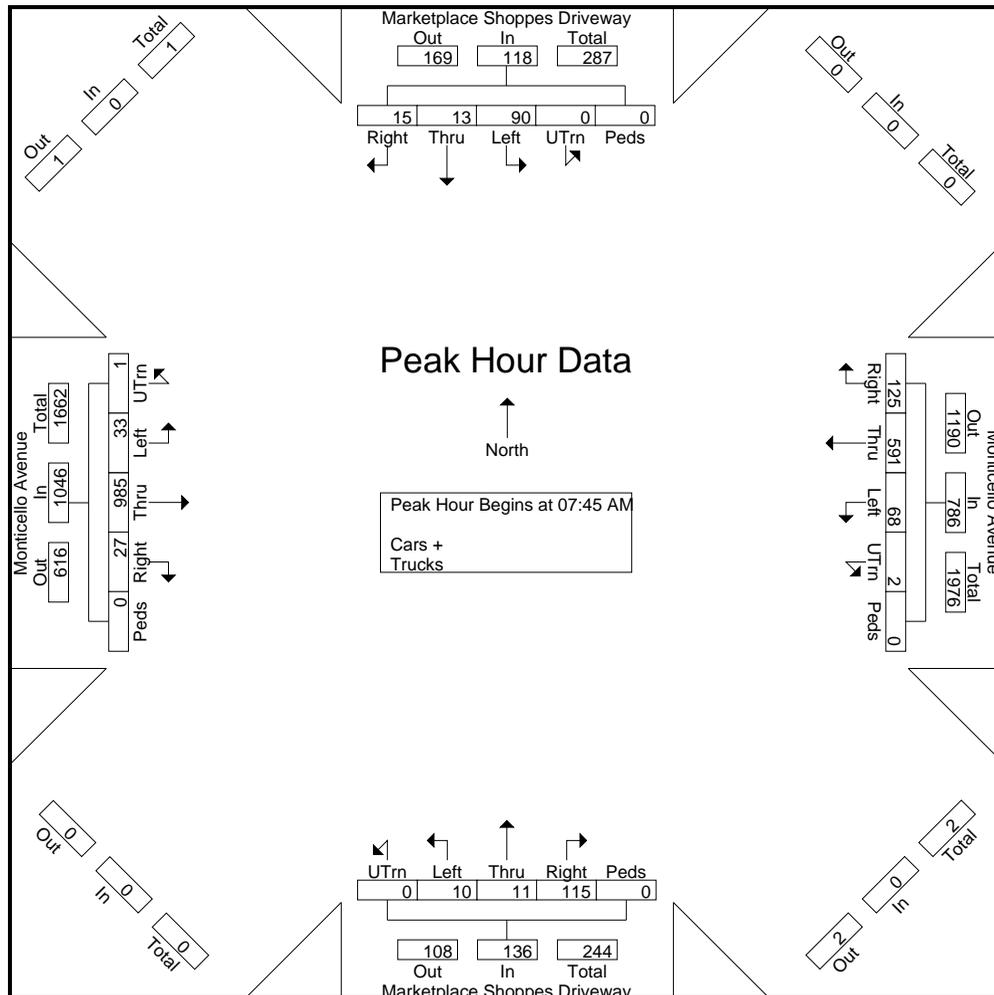
| Start Time | Marketplace Shoppes Driveway Southbound | | | | | | Monticello Avenue Westbound | | | | | | Marketplace Shoppes Driveway Northbound | | | | | | Monticello Avenue Eastbound | | | | | | Int. Total |
|--------------------|---|-------------|------------|----------|----------|-------------|-----------------------------|-------------|------------|------------|----------|-------------|---|------------|------------|----------|----------|-------------|-----------------------------|-------------|------------|------------|----------|-------------|-------------|
| | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | |
| 07:00 AM | 2 | 2 | 12 | 0 | 0 | 16 | 18 | 93 | 5 | 1 | 0 | 117 | 30 | 0 | 0 | 0 | 0 | 30 | 12 | 146 | 1 | 0 | 0 | 159 | 322 |
| 07:15 AM | 5 | 1 | 8 | 0 | 0 | 14 | 11 | 86 | 12 | 0 | 0 | 109 | 27 | 1 | 2 | 0 | 0 | 30 | 3 | 250 | 2 | 0 | 0 | 255 | 408 |
| 07:30 AM | 1 | 3 | 10 | 0 | 0 | 14 | 25 | 88 | 13 | 1 | 0 | 127 | 42 | 4 | 0 | 0 | 0 | 46 | 5 | 258 | 4 | 0 | 0 | 267 | 454 |
| 07:45 AM | 4 | 1 | 24 | 0 | 0 | 29 | 24 | 154 | 18 | 0 | 0 | 196 | 35 | 6 | 0 | 0 | 0 | 41 | 9 | 274 | 7 | 0 | 0 | 290 | 556 |
| Total | 12 | 7 | 54 | 0 | 0 | 73 | 78 | 421 | 48 | 2 | 0 | 549 | 134 | 11 | 2 | 0 | 0 | 147 | 29 | 928 | 14 | 0 | 0 | 971 | 1740 |
| 08:00 AM | 3 | 5 | 19 | 0 | 0 | 27 | 38 | 121 | 13 | 1 | 0 | 173 | 32 | 0 | 5 | 0 | 0 | 37 | 7 | 227 | 11 | 1 | 0 | 246 | 483 |
| 08:15 AM | 3 | 4 | 18 | 0 | 0 | 25 | 29 | 154 | 21 | 1 | 0 | 205 | 20 | 2 | 3 | 0 | 0 | 25 | 3 | 247 | 9 | 0 | 0 | 259 | 514 |
| 08:30 AM | 5 | 3 | 29 | 0 | 0 | 37 | 34 | 162 | 16 | 0 | 0 | 212 | 28 | 3 | 2 | 0 | 0 | 33 | 8 | 237 | 6 | 0 | 0 | 251 | 533 |
| 08:45 AM | 9 | 2 | 31 | 0 | 0 | 42 | 41 | 148 | 23 | 3 | 0 | 215 | 36 | 3 | 5 | 0 | 0 | 44 | 6 | 236 | 6 | 0 | 0 | 248 | 549 |
| Total | 20 | 14 | 97 | 0 | 0 | 131 | 142 | 585 | 73 | 5 | 0 | 805 | 116 | 8 | 15 | 0 | 0 | 139 | 24 | 947 | 32 | 1 | 0 | 1004 | 2079 |
| Grand Total | 32 | 21 | 151 | 0 | 0 | 204 | 220 | 1006 | 121 | 7 | 0 | 1354 | 250 | 19 | 17 | 0 | 0 | 286 | 53 | 1875 | 46 | 1 | 0 | 1975 | 3819 |
| Apprch % | 15.7 | 10.3 | 74 | 0 | 0 | | 16.2 | 74.3 | 8.9 | 0.5 | 0 | | 87.4 | 6.6 | 5.9 | 0 | 0 | | 2.7 | 94.9 | 2.3 | 0.1 | 0 | | |
| Total % | 0.8 | 0.5 | 4 | 0 | 0 | 5.3 | 5.8 | 26.3 | 3.2 | 0.2 | 0 | 35.5 | 6.5 | 0.5 | 0.4 | 0 | 0 | 7.5 | 1.4 | 49.1 | 1.2 | 0 | 0 | 51.7 | |
| Cars + | 26 | 21 | 151 | 0 | 0 | 198 | 217 | 964 | 121 | 7 | 0 | 1309 | 249 | 19 | 17 | 0 | 0 | 285 | 51 | 1838 | 46 | 1 | 0 | 1936 | 3728 |
| % Cars + | 81.2 | 100 | 100 | 0 | 0 | 97.1 | 98.6 | 95.8 | 100 | 100 | 0 | 96.7 | 99.6 | 100 | 100 | 0 | 0 | 99.7 | 96.2 | 98 | 100 | 100 | 0 | 98 | 97.6 |
| Trucks | 6 | 0 | 0 | 0 | 0 | 6 | 3 | 42 | 0 | 0 | 0 | 45 | 1 | 0 | 0 | 0 | 0 | 1 | 2 | 37 | 0 | 0 | 0 | 39 | 91 |
| % Trucks | 18.8 | 0 | 0 | 0 | 0 | 2.9 | 1.4 | 4.2 | 0 | 0 | 0 | 3.3 | 0.4 | 0 | 0 | 0 | 0 | 0.3 | 3.8 | 2 | 0 | 0 | 0 | 2 | 2.4 |



TRAFFIC DATA COLLECTION

File Name : James City(Monticello Avenue and Marketplace Shoppes Driveway)
 Site Code :
 Start Date : 10/11/2022
 Page No : 2

| Start Time | Marketplace Shoppes Driveway Southbound | | | | | | Monticello Avenue Westbound | | | | | | Marketplace Shoppes Driveway Northbound | | | | | | Monticello Avenue Eastbound | | | | | | Int. Total |
|--|---|------|------|------|------|------------|-----------------------------|------|------|------|------|------------|---|------|------|------|------|------------|-----------------------------|------|------|------|------|------------|------------|
| | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | |
| Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Peak Hour for Entire Intersection Begins at 07:45 AM | | | | | | | | | | | | | | | | | | | | | | | | | |
| 07:45 AM | 4 | 1 | 24 | 0 | 0 | 29 | 24 | 154 | 18 | 0 | 0 | 196 | 35 | 6 | 0 | 0 | 0 | 41 | 9 | 274 | 7 | 0 | 0 | 290 | 556 |
| 08:00 AM | 3 | 5 | 19 | 0 | 0 | 27 | 38 | 121 | 13 | 1 | 0 | 173 | 32 | 0 | 5 | 0 | 0 | 37 | 7 | 227 | 11 | 1 | 0 | 246 | 483 |
| 08:15 AM | 3 | 4 | 18 | 0 | 0 | 25 | 29 | 154 | 21 | 1 | 0 | 205 | 20 | 2 | 3 | 0 | 0 | 25 | 3 | 247 | 9 | 0 | 0 | 259 | 514 |
| 08:30 AM | 5 | 3 | 29 | 0 | 0 | 37 | 34 | 162 | 16 | 0 | 0 | 212 | 28 | 3 | 2 | 0 | 0 | 33 | 8 | 237 | 6 | 0 | 0 | 251 | 533 |
| Total Volume | 15 | 13 | 90 | 0 | 0 | 118 | 125 | 591 | 68 | 2 | 0 | 786 | 115 | 11 | 10 | 0 | 0 | 136 | 27 | 985 | 33 | 1 | 0 | 1046 | 2086 |
| % App. Total | 12.7 | 11 | 76.3 | 0 | 0 | | 15.9 | 75.2 | 8.7 | 0.3 | 0 | | 84.6 | 8.1 | 7.4 | 0 | 0 | | 2.6 | 94.2 | 3.2 | 0.1 | 0 | | |
| PHF | .750 | .650 | .776 | .000 | .000 | .797 | .822 | .912 | .810 | .500 | .000 | .927 | .821 | .458 | .500 | .000 | .000 | .829 | .750 | .899 | .750 | .250 | .000 | .902 | .938 |





TRAFFIC DATA COLLECTION

File Name : James City(Monticello Avenue and Marketplace Shoppes Driveway)
 Site Code :
 Start Date : 10/11/2022
 Page No : 1

Groups Printed- Cars + - Trucks

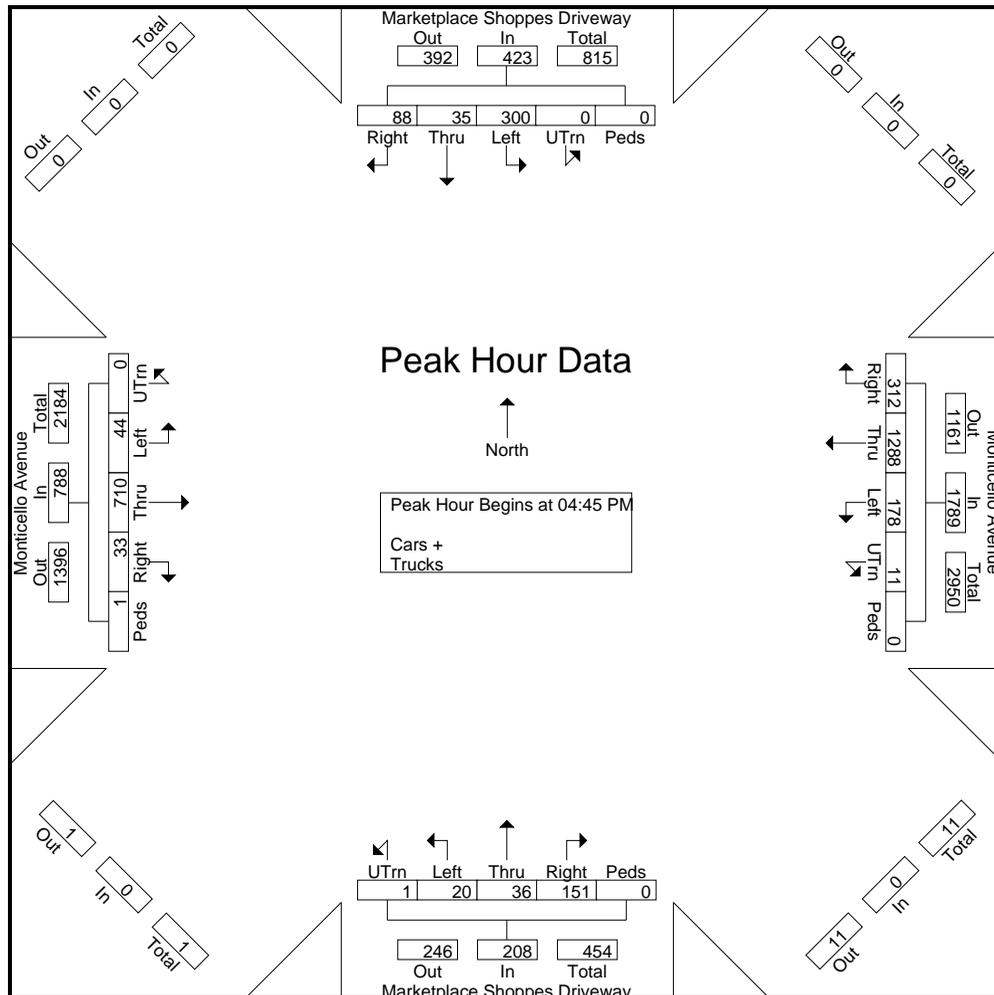
| Start Time | Marketplace Shoppes Driveway Southbound | | | | | | Monticello Avenue Westbound | | | | | | Marketplace Shoppes Driveway Northbound | | | | | | Monticello Avenue Eastbound | | | | | | Int. Total |
|--------------|---|-----------|------------|----------|----------|------------|-----------------------------|-------------|------------|-----------|----------|-------------|---|-----------|-----------|----------|----------|------------|-----------------------------|------------|-----------|----------|----------|------------|-------------|
| | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | |
| 04:00 PM | 19 | 9 | 84 | 0 | 0 | 112 | 86 | 238 | 27 | 5 | 0 | 356 | 39 | 5 | 3 | 0 | 0 | 47 | 7 | 173 | 6 | 0 | 0 | 186 | 701 |
| 04:15 PM | 24 | 7 | 85 | 0 | 0 | 116 | 60 | 294 | 42 | 2 | 0 | 398 | 55 | 5 | 5 | 0 | 0 | 65 | 12 | 202 | 11 | 0 | 0 | 225 | 804 |
| 04:30 PM | 21 | 6 | 74 | 0 | 0 | 101 | 86 | 268 | 36 | 5 | 0 | 395 | 33 | 6 | 7 | 0 | 0 | 46 | 11 | 182 | 10 | 0 | 0 | 203 | 745 |
| 04:45 PM | 28 | 7 | 70 | 0 | 0 | 105 | 74 | 351 | 51 | 1 | 0 | 477 | 42 | 4 | 7 | 0 | 0 | 53 | 9 | 167 | 13 | 0 | 0 | 189 | 824 |
| Total | 92 | 29 | 313 | 0 | 0 | 434 | 306 | 1151 | 156 | 13 | 0 | 1626 | 169 | 20 | 22 | 0 | 0 | 211 | 39 | 724 | 40 | 0 | 0 | 803 | 3074 |
| 05:00 PM | 17 | 9 | 82 | 0 | 0 | 108 | 82 | 278 | 38 | 5 | 0 | 403 | 34 | 8 | 6 | 1 | 0 | 49 | 10 | 190 | 10 | 0 | 1 | 211 | 771 |
| 05:15 PM | 15 | 10 | 76 | 0 | 0 | 101 | 80 | 348 | 46 | 2 | 0 | 476 | 43 | 13 | 2 | 0 | 0 | 58 | 9 | 179 | 12 | 0 | 0 | 200 | 835 |
| 05:30 PM | 28 | 9 | 72 | 0 | 0 | 109 | 76 | 311 | 43 | 3 | 0 | 433 | 32 | 11 | 5 | 0 | 0 | 48 | 5 | 174 | 9 | 0 | 0 | 188 | 778 |
| 05:45 PM | 26 | 12 | 52 | 0 | 0 | 90 | 54 | 285 | 53 | 1 | 0 | 393 | 29 | 5 | 6 | 0 | 0 | 40 | 5 | 184 | 13 | 0 | 0 | 202 | 725 |
| Total | 86 | 40 | 282 | 0 | 0 | 408 | 292 | 1222 | 180 | 11 | 0 | 1705 | 138 | 37 | 19 | 1 | 0 | 195 | 29 | 727 | 44 | 0 | 1 | 801 | 3109 |
| Grand Total | 178 | 69 | 595 | 0 | 0 | 842 | 598 | 2373 | 336 | 24 | 0 | 3331 | 307 | 57 | 41 | 1 | 0 | 406 | 68 | 1451 | 84 | 0 | 1 | 1604 | 6183 |
| Apprch % | 21.1 | 8.2 | 70.7 | 0 | 0 | | 18 | 71.2 | 10.1 | 0.7 | 0 | | 75.6 | 14 | 10.1 | 0.2 | 0 | | 4.2 | 90.5 | 5.2 | 0 | 0.1 | | |
| Total % | 2.9 | 1.1 | 9.6 | 0 | 0 | 13.6 | 9.7 | 38.4 | 5.4 | 0.4 | 0 | 53.9 | 5 | 0.9 | 0.7 | 0 | 0 | 6.6 | 1.1 | 23.5 | 1.4 | 0 | 0 | 25.9 | |
| Cars + | 178 | 69 | 594 | 0 | 0 | 841 | 598 | 2355 | 336 | 24 | 0 | 3313 | 305 | 57 | 41 | 1 | 0 | 404 | 68 | 1430 | 84 | 0 | 1 | 1583 | 6141 |
| % Cars + | 100 | 100 | 99.8 | 0 | 0 | 99.9 | 100 | 99.2 | 100 | 100 | 0 | 99.5 | 99.3 | 100 | 100 | 100 | 0 | 99.5 | 100 | 98.6 | 100 | 0 | 100 | 98.7 | 99.3 |
| Trucks | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 18 | 0 | 0 | 0 | 18 | 2 | 0 | 0 | 0 | 0 | 2 | 0 | 21 | 0 | 0 | 0 | 21 | 42 |
| % Trucks | 0 | 0 | 0.2 | 0 | 0 | 0.1 | 0 | 0.8 | 0 | 0 | 0 | 0.5 | 0.7 | 0 | 0 | 0 | 0 | 0.5 | 0 | 1.4 | 0 | 0 | 0 | 1.3 | 0.7 |



TRAFFIC DATA COLLECTION

File Name : James City(Monticello Avenue and Marketplace Shoppes Driveway)
 Site Code :
 Start Date : 10/11/2022
 Page No : 2

| Start Time | Marketplace Shoppes Driveway Southbound | | | | | | Monticello Avenue Westbound | | | | | | Marketplace Shoppes Driveway Northbound | | | | | | Monticello Avenue Eastbound | | | | | | Int. Total | |
|--|---|------|------|------|------|------------|-----------------------------|------|------|------|------|------------|---|------|------|------|------|------------|-----------------------------|------|------|------|------|------------|------------|-----|
| | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | | |
| Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Peak Hour for Entire Intersection Begins at 04:45 PM | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 04:45 PM | 28 | 7 | 70 | 0 | 0 | 105 | 74 | 351 | 51 | 1 | 0 | 477 | 42 | 4 | 7 | 0 | 0 | 53 | 9 | 167 | 13 | 0 | 0 | 189 | 824 | |
| 05:00 PM | 17 | 9 | 82 | 0 | 0 | 108 | 82 | 278 | 38 | 5 | 0 | 403 | 34 | 8 | 6 | 1 | 0 | 49 | 10 | 190 | 10 | 0 | 0 | 1 | 211 | 771 |
| 05:15 PM | 15 | 10 | 76 | 0 | 0 | 101 | 80 | 348 | 46 | 2 | 0 | 476 | 43 | 13 | 2 | 0 | 0 | 58 | 9 | 179 | 12 | 0 | 0 | 0 | 200 | 835 |
| 05:30 PM | 28 | 9 | 72 | 0 | 0 | 109 | 76 | 311 | 43 | 3 | 0 | 433 | 32 | 11 | 5 | 0 | 0 | 48 | 5 | 174 | 9 | 0 | 0 | 0 | 188 | 778 |
| Total Volume | 88 | 35 | 300 | 0 | 0 | 423 | 312 | 1288 | 178 | 11 | 0 | 1789 | 151 | 36 | 20 | 1 | 0 | 208 | 33 | 710 | 44 | 0 | 1 | 788 | 3208 | |
| % App. Total | 20.8 | 8.3 | 70.9 | 0 | 0 | | 17.4 | 72 | 9.9 | 0.6 | 0 | | 72.6 | 17.3 | 9.6 | 0.5 | 0 | | 4.2 | 90.1 | 5.6 | 0 | 0.1 | | | |
| PHF | .786 | .875 | .915 | .000 | .000 | .970 | .951 | .917 | .873 | .550 | .000 | .938 | .878 | .692 | .714 | .250 | .000 | .897 | .825 | .934 | .846 | .000 | .250 | .934 | .960 | |





TRAFFIC DATA COLLECTION

File Name : James City(Monticello and Old News)
 Site Code :
 Start Date : 10/11/2022
 Page No : 1

Groups Printed- Cars + - Trucks

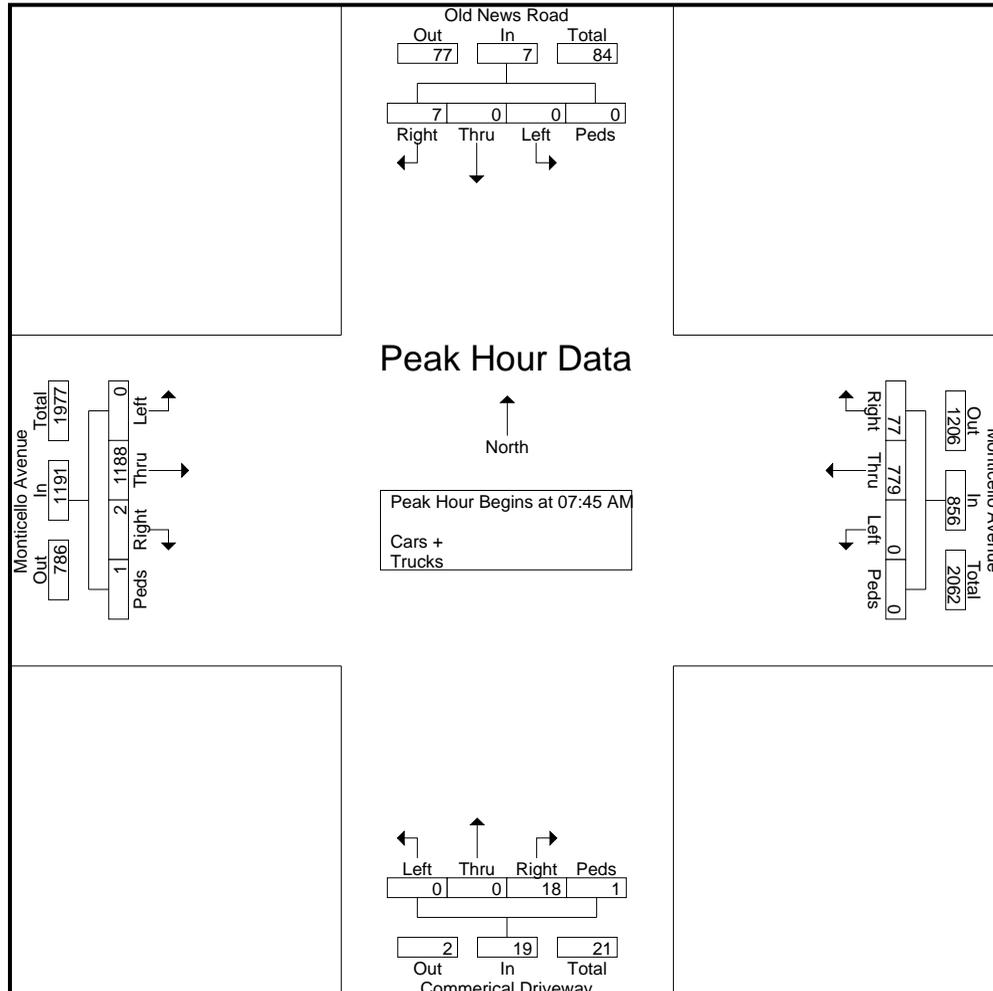
| Start Time | Old News Road Southbound | | | | | Monticello Avenue Westbound | | | | | Commerical Driveway Northbound | | | | | Monticello Avenue Eastbound | | | | | Int. Total |
|-------------|--------------------------|------|------|------|------------|-----------------------------|------|------|------|------------|--------------------------------|------|------|------|------------|-----------------------------|------|------|------|------------|------------|
| | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | |
| 07:00 AM | 2 | 0 | 0 | 0 | 2 | 13 | 114 | 0 | 0 | 127 | 1 | 0 | 0 | 0 | 1 | 0 | 189 | 0 | 0 | 189 | 319 |
| 07:15 AM | 0 | 0 | 0 | 0 | 0 | 14 | 109 | 0 | 0 | 123 | 2 | 0 | 0 | 0 | 2 | 0 | 279 | 0 | 0 | 279 | 404 |
| 07:30 AM | 0 | 0 | 0 | 0 | 0 | 18 | 129 | 0 | 0 | 147 | 3 | 0 | 0 | 0 | 3 | 1 | 308 | 0 | 0 | 309 | 459 |
| 07:45 AM | 2 | 0 | 0 | 0 | 2 | 14 | 196 | 0 | 0 | 210 | 7 | 0 | 0 | 0 | 7 | 0 | 332 | 0 | 1 | 333 | 552 |
| Total | 4 | 0 | 0 | 0 | 4 | 59 | 548 | 0 | 0 | 607 | 13 | 0 | 0 | 0 | 13 | 1 | 1108 | 0 | 1 | 1110 | 1734 |
| 08:00 AM | 1 | 0 | 0 | 0 | 1 | 20 | 171 | 0 | 0 | 191 | 4 | 0 | 0 | 0 | 4 | 1 | 274 | 0 | 0 | 275 | 471 |
| 08:15 AM | 2 | 0 | 0 | 0 | 2 | 18 | 200 | 0 | 0 | 218 | 4 | 0 | 0 | 1 | 5 | 0 | 289 | 0 | 0 | 289 | 514 |
| 08:30 AM | 2 | 0 | 0 | 0 | 2 | 25 | 212 | 0 | 0 | 237 | 3 | 0 | 0 | 0 | 3 | 1 | 293 | 0 | 0 | 294 | 536 |
| 08:45 AM | 2 | 0 | 0 | 0 | 2 | 31 | 206 | 0 | 0 | 237 | 3 | 0 | 0 | 1 | 4 | 0 | 307 | 0 | 0 | 307 | 550 |
| Total | 7 | 0 | 0 | 0 | 7 | 94 | 789 | 0 | 0 | 883 | 14 | 0 | 0 | 2 | 16 | 2 | 1163 | 0 | 0 | 1165 | 2071 |
| Grand Total | 11 | 0 | 0 | 0 | 11 | 153 | 1337 | 0 | 0 | 1490 | 27 | 0 | 0 | 2 | 29 | 3 | 2271 | 0 | 1 | 2275 | 3805 |
| Apprch % | 100 | 0 | 0 | 0 | | 10.3 | 89.7 | 0 | 0 | | 93.1 | 0 | 0 | 6.9 | | 0.1 | 99.8 | 0 | 0 | | |
| Total % | 0.3 | 0 | 0 | 0 | 0.3 | 4 | 35.1 | 0 | 0 | 39.2 | 0.7 | 0 | 0 | 0.1 | 0.8 | 0.1 | 59.7 | 0 | 0 | 59.8 | |
| Cars + | 10 | 0 | 0 | 0 | 10 | 140 | 1293 | 0 | 0 | 1433 | 27 | 0 | 0 | 2 | 29 | 3 | 2233 | 0 | 1 | 2237 | 3709 |
| % Cars + | 90.9 | 0 | 0 | 0 | 90.9 | 91.5 | 96.7 | 0 | 0 | 96.2 | 100 | 0 | 0 | 100 | 100 | 100 | 98.3 | 0 | 100 | 98.3 | 97.5 |
| Trucks | 1 | 0 | 0 | 0 | 1 | 13 | 44 | 0 | 0 | 57 | 0 | 0 | 0 | 0 | 0 | 0 | 38 | 0 | 0 | 38 | 96 |
| % Trucks | 9.1 | 0 | 0 | 0 | 9.1 | 8.5 | 3.3 | 0 | 0 | 3.8 | 0 | 0 | 0 | 0 | 0 | 0 | 1.7 | 0 | 0 | 1.7 | 2.5 |



TRAFFIC DATA COLLECTION

File Name : James City(Monticello and Old News)
 Site Code :
 Start Date : 10/11/2022
 Page No : 2

| Start Time | Old News Road Southbound | | | | | Monticello Avenue Westbound | | | | | Commerical Driveway Northbound | | | | | Monticello Avenue Eastbound | | | | | Int. Total |
|--|--------------------------|------|------|------|------------|-----------------------------|------|------|------|------------|--------------------------------|------|------|------|------------|-----------------------------|------|------|------|------------|------------|
| | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | |
| Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Peak Hour for Entire Intersection Begins at 07:45 AM | | | | | | | | | | | | | | | | | | | | | |
| 07:45 AM | 2 | 0 | 0 | 0 | 2 | 14 | 196 | 0 | 0 | 210 | 7 | 0 | 0 | 0 | 7 | 0 | 332 | 0 | 1 | 333 | 552 |
| 08:00 AM | 1 | 0 | 0 | 0 | 1 | 20 | 171 | 0 | 0 | 191 | 4 | 0 | 0 | 0 | 4 | 1 | 274 | 0 | 0 | 275 | 471 |
| 08:15 AM | 2 | 0 | 0 | 0 | 2 | 18 | 200 | 0 | 0 | 218 | 4 | 0 | 0 | 1 | 5 | 0 | 289 | 0 | 0 | 289 | 514 |
| 08:30 AM | 2 | 0 | 0 | 0 | 2 | 25 | 212 | 0 | 0 | 237 | 3 | 0 | 0 | 0 | 3 | 1 | 293 | 0 | 0 | 294 | 536 |
| Total Volume | 7 | 0 | 0 | 0 | 7 | 77 | 779 | 0 | 0 | 856 | 18 | 0 | 0 | 1 | 19 | 2 | 1188 | 0 | 1 | 1191 | 2073 |
| % App. Total | 100 | 0 | 0 | 0 | | 9 | 91 | 0 | 0 | | 94.7 | 0 | 0 | 5.3 | | 0.2 | 99.7 | 0 | 0.1 | | |
| PHF | .875 | .000 | .000 | .000 | .875 | .770 | .919 | .000 | .000 | .903 | .643 | .000 | .000 | .250 | .679 | .500 | .895 | .000 | .250 | .894 | .939 |





TRAFFIC DATA COLLECTION

File Name : James City(Monticello and Old News)
 Site Code :
 Start Date : 10/11/2022
 Page No : 1

Groups Printed- Cars + - Trucks

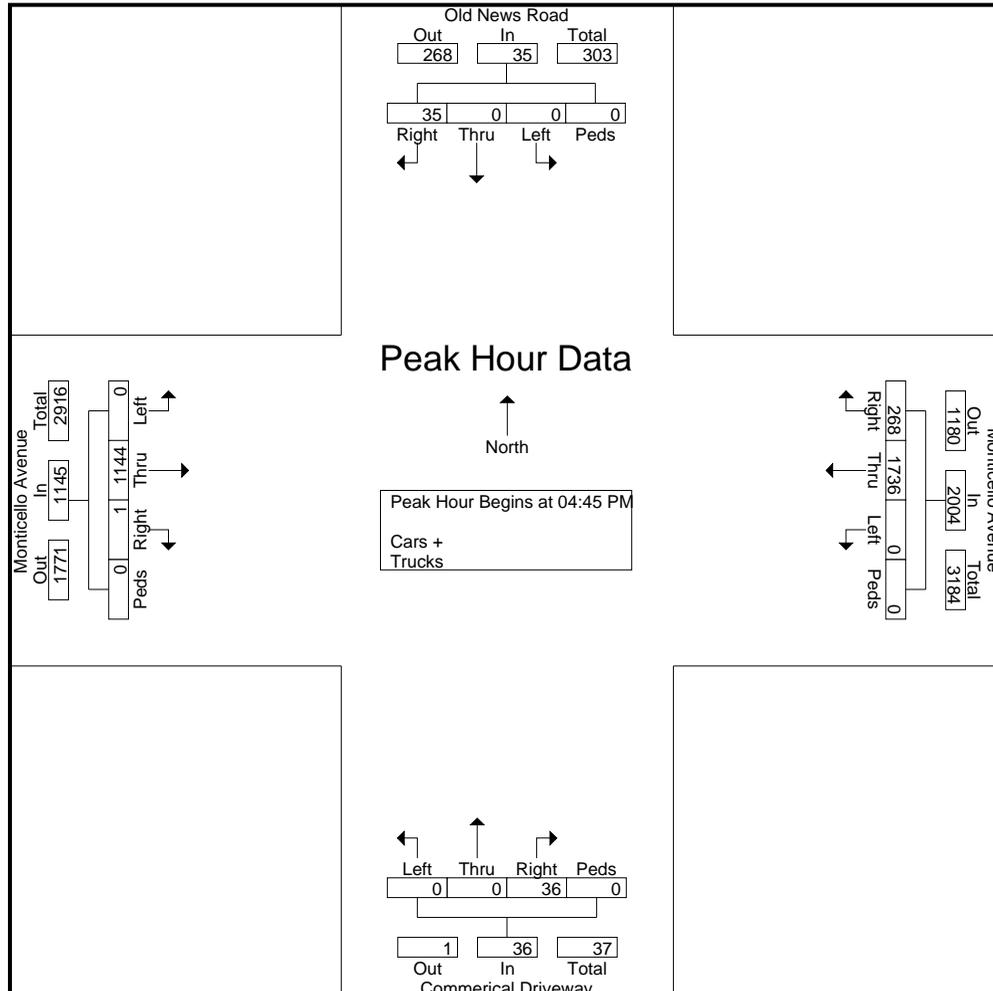
| Start Time | Old News Road Southbound | | | | | Monticello Avenue Westbound | | | | | Commerical Driveway Northbound | | | | | Monticello Avenue Eastbound | | | | | Int. Total |
|-------------|--------------------------|------|------|------|------------|-----------------------------|------|------|------|------------|--------------------------------|------|------|------|------------|-----------------------------|------|------|------|------------|------------|
| | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | |
| 04:00 PM | 4 | 0 | 0 | 0 | 4 | 64 | 350 | 0 | 0 | 414 | 7 | 0 | 0 | 0 | 7 | 1 | 291 | 0 | 0 | 292 | 717 |
| 04:15 PM | 4 | 0 | 0 | 0 | 4 | 49 | 389 | 0 | 0 | 438 | 10 | 0 | 0 | 0 | 10 | 1 | 341 | 0 | 0 | 342 | 794 |
| 04:30 PM | 7 | 0 | 0 | 0 | 7 | 64 | 385 | 0 | 0 | 449 | 10 | 0 | 0 | 0 | 10 | 2 | 285 | 0 | 0 | 287 | 753 |
| 04:45 PM | 4 | 0 | 0 | 0 | 4 | 66 | 461 | 0 | 0 | 527 | 10 | 0 | 0 | 0 | 10 | 1 | 274 | 0 | 0 | 275 | 816 |
| Total | 19 | 0 | 0 | 0 | 19 | 243 | 1585 | 0 | 0 | 1828 | 37 | 0 | 0 | 0 | 37 | 5 | 1191 | 0 | 0 | 1196 | 3080 |
| 05:00 PM | 15 | 0 | 0 | 0 | 15 | 74 | 395 | 0 | 0 | 469 | 10 | 0 | 0 | 0 | 10 | 0 | 297 | 0 | 0 | 297 | 791 |
| 05:15 PM | 7 | 0 | 0 | 0 | 7 | 64 | 458 | 0 | 0 | 522 | 7 | 0 | 0 | 0 | 7 | 0 | 297 | 0 | 0 | 297 | 833 |
| 05:30 PM | 9 | 0 | 0 | 0 | 9 | 64 | 422 | 0 | 0 | 486 | 9 | 0 | 0 | 0 | 9 | 0 | 276 | 0 | 0 | 276 | 780 |
| 05:45 PM | 5 | 0 | 0 | 0 | 5 | 54 | 383 | 0 | 0 | 437 | 8 | 0 | 0 | 0 | 8 | 0 | 264 | 0 | 0 | 264 | 714 |
| Total | 36 | 0 | 0 | 0 | 36 | 256 | 1658 | 0 | 0 | 1914 | 34 | 0 | 0 | 0 | 34 | 0 | 1134 | 0 | 0 | 1134 | 3118 |
| Grand Total | 55 | 0 | 0 | 0 | 55 | 499 | 3243 | 0 | 0 | 3742 | 71 | 0 | 0 | 0 | 71 | 5 | 2325 | 0 | 0 | 2330 | 6198 |
| Apprch % | 100 | 0 | 0 | 0 | | 13.3 | 86.7 | 0 | 0 | | 100 | 0 | 0 | 0 | | 0.2 | 99.8 | 0 | 0 | | |
| Total % | 0.9 | 0 | 0 | 0 | 0.9 | 8.1 | 52.3 | 0 | 0 | 60.4 | 1.1 | 0 | 0 | 0 | 1.1 | 0.1 | 37.5 | 0 | 0 | 37.6 | |
| Cars + | 55 | 0 | 0 | 0 | 55 | 496 | 3226 | 0 | 0 | 3722 | 71 | 0 | 0 | 0 | 71 | 5 | 2301 | 0 | 0 | 2306 | 6154 |
| % Cars + | 100 | 0 | 0 | 0 | 100 | 99.4 | 99.5 | 0 | 0 | 99.5 | 100 | 0 | 0 | 0 | 100 | 100 | 99 | 0 | 0 | 99 | 99.3 |
| Trucks | 0 | 0 | 0 | 0 | 0 | 3 | 17 | 0 | 0 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 24 | 0 | 0 | 24 | 44 |
| % Trucks | 0 | 0 | 0 | 0 | 0 | 0.6 | 0.5 | 0 | 0 | 0.5 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0.7 |



TRAFFIC DATA COLLECTION

File Name : James City(Monticello and Old News)
 Site Code :
 Start Date : 10/11/2022
 Page No : 2

| Start Time | Old News Road Southbound | | | | | Monticello Avenue Westbound | | | | | Commerical Driveway Northbound | | | | | Monticello Avenue Eastbound | | | | | Int. Total |
|--|--------------------------|------|------|------|------------|-----------------------------|------|------|------|------------|--------------------------------|------|------|------|------------|-----------------------------|------|------|------|------------|------------|
| | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | Right | Thru | Left | Peds | App. Total | |
| Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | |
| Peak Hour for Entire Intersection Begins at 04:45 PM | | | | | | | | | | | | | | | | | | | | | |
| 04:45 PM | 4 | 0 | 0 | 0 | 4 | 66 | 461 | 0 | 0 | 527 | 10 | 0 | 0 | 0 | 10 | 1 | 274 | 0 | 0 | 275 | 816 |
| 05:00 PM | 15 | 0 | 0 | 0 | 15 | 74 | 395 | 0 | 0 | 469 | 10 | 0 | 0 | 0 | 10 | 0 | 297 | 0 | 0 | 297 | 791 |
| 05:15 PM | 7 | 0 | 0 | 0 | 7 | 64 | 458 | 0 | 0 | 522 | 7 | 0 | 0 | 0 | 7 | 0 | 297 | 0 | 0 | 297 | 833 |
| 05:30 PM | 9 | 0 | 0 | 0 | 9 | 64 | 422 | 0 | 0 | 486 | 9 | 0 | 0 | 0 | 9 | 0 | 276 | 0 | 0 | 276 | 780 |
| Total Volume | 35 | 0 | 0 | 0 | 35 | 268 | 1736 | 0 | 0 | 2004 | 36 | 0 | 0 | 0 | 36 | 1 | 1144 | 0 | 0 | 1145 | 3220 |
| % App. Total | 100 | 0 | 0 | 0 | | 13.4 | 86.6 | 0 | 0 | | 100 | 0 | 0 | 0 | | 0.1 | 99.9 | 0 | 0 | | |
| PHF | .583 | .000 | .000 | .000 | .583 | .905 | .941 | .000 | .000 | .951 | .900 | .000 | .000 | .000 | .900 | .250 | .963 | .000 | .000 | .964 | .966 |





TRAFFIC DATA COLLECTION

File Name : Williamsburg(Windsormeade Way and Monticello Ave)
 Site Code :
 Start Date : 6/7/2023
 Page No : 1

Groups Printed- Cars + - Trucks

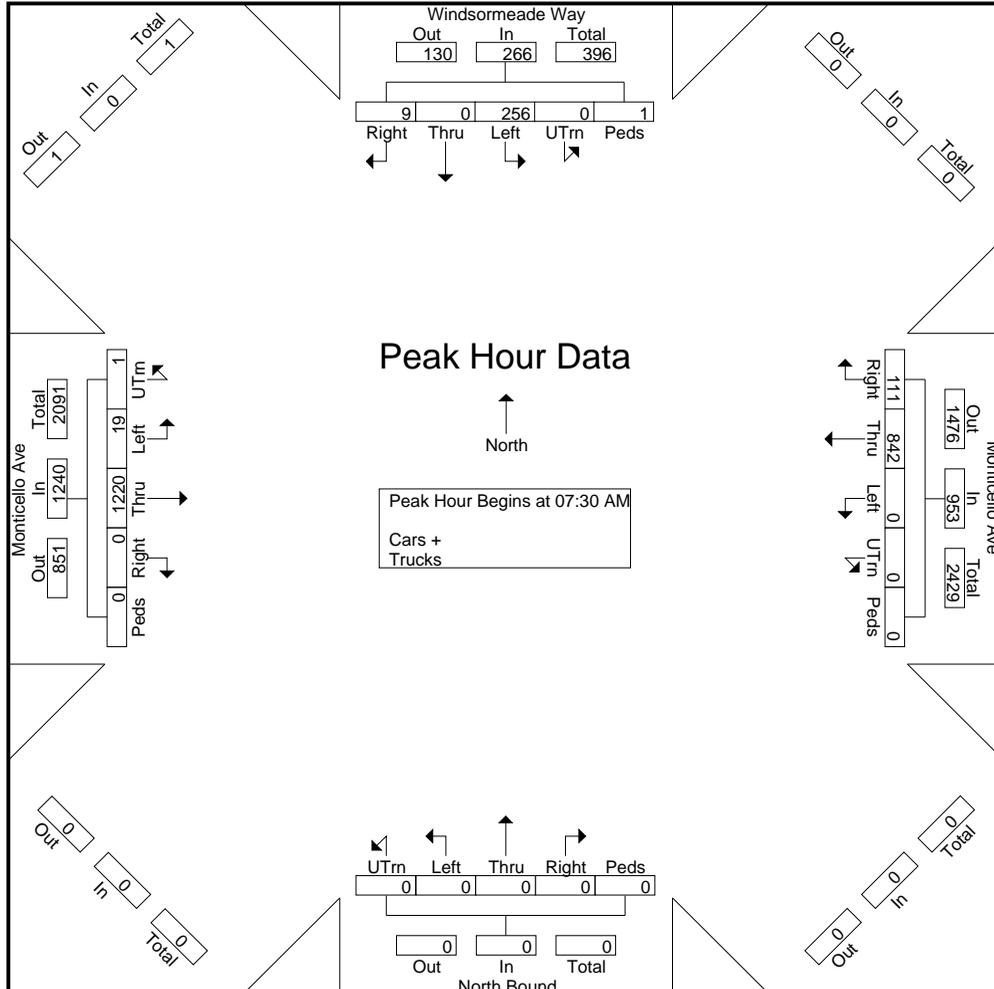
| Start Time | Windsormeade Way Southbound | | | | | | Monticello Ave Westbound | | | | | | North Bound Northbound | | | | | | Monticello Ave Eastbound | | | | | | Int. Total |
|--------------------|-----------------------------|------|------|------|------|------------|--------------------------|------|------|------|------|------------|------------------------|------|------|------|------|------------|--------------------------|------|------|------|------|------------|------------|
| | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | |
| 07:00 AM | 2 | 0 | 32 | 0 | 1 | 35 | 19 | 133 | 0 | 0 | 0 | 152 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 219 | 1 | 0 | 0 | 220 | 407 |
| 07:15 AM | 6 | 0 | 56 | 0 | 0 | 62 | 18 | 168 | 0 | 0 | 0 | 186 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 253 | 1 | 0 | 0 | 254 | 502 |
| 07:30 AM | 5 | 0 | 73 | 0 | 0 | 78 | 21 | 161 | 0 | 0 | 0 | 182 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 335 | 3 | 1 | 0 | 339 | 599 |
| 07:45 AM | 1 | 0 | 66 | 0 | 0 | 67 | 33 | 234 | 0 | 0 | 0 | 267 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 340 | 7 | 0 | 0 | 347 | 681 |
| Total | 14 | 0 | 227 | 0 | 1 | 242 | 91 | 696 | 0 | 0 | 0 | 787 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1147 | 12 | 1 | 0 | 1160 | 2189 |
| 08:00 AM | 0 | 0 | 67 | 0 | 0 | 67 | 32 | 223 | 0 | 0 | 0 | 255 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 271 | 2 | 0 | 0 | 273 | 595 |
| 08:15 AM | 3 | 0 | 50 | 0 | 1 | 54 | 25 | 224 | 0 | 0 | 0 | 249 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 274 | 7 | 0 | 0 | 281 | 584 |
| 08:30 AM | 4 | 0 | 70 | 0 | 0 | 74 | 22 | 215 | 0 | 0 | 0 | 237 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 261 | 4 | 0 | 0 | 265 | 576 |
| 08:45 AM | 2 | 0 | 61 | 0 | 0 | 63 | 41 | 266 | 0 | 0 | 0 | 307 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 294 | 3 | 0 | 0 | 297 | 667 |
| Total | 9 | 0 | 248 | 0 | 1 | 258 | 120 | 928 | 0 | 0 | 0 | 1048 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1100 | 16 | 0 | 0 | 1116 | 2422 |
| Grand Total | 23 | 0 | 475 | 0 | 2 | 500 | 211 | 1624 | 0 | 0 | 0 | 1835 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2247 | 28 | 1 | 0 | 2276 | 4611 |
| Apprch % | 4.6 | 0 | 95 | 0 | 0.4 | | 11.5 | 88.5 | 0 | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 98.7 | 1.2 | 0 | 0 | | |
| Total % | 0.5 | 0 | 10.3 | 0 | 0 | 10.8 | 4.6 | 35.2 | 0 | 0 | 0 | 39.8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 48.7 | 0.6 | 0 | 0 | 49.4 | |
| Cars + | 22 | 0 | 469 | 0 | 1 | 492 | 207 | 1573 | 0 | 0 | 0 | 1780 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2202 | 26 | 1 | 0 | 2229 | 4501 |
| % Cars + | 95.7 | 0 | 98.7 | 0 | 50 | 98.4 | 98.1 | 96.9 | 0 | 0 | 0 | 97 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 98 | 92.9 | 100 | 0 | 97.9 | 97.6 |
| Trucks | 1 | 0 | 6 | 0 | 1 | 8 | 4 | 51 | 0 | 0 | 0 | 55 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 45 | 2 | 0 | 0 | 47 | 110 |
| % Trucks | 4.3 | 0 | 1.3 | 0 | 50 | 1.6 | 1.9 | 3.1 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 7.1 | 0 | 0 | 2.1 | 2.4 |



TRAFFIC DATA COLLECTION

File Name : Williamsburg(Windsormeade Way and Monticello Ave)
 Site Code :
 Start Date : 6/7/2023
 Page No : 2

| Start Time | Windsormeade Way Southbound | | | | | | Monticello Ave Westbound | | | | | | North Bound Northbound | | | | | | Monticello Ave Eastbound | | | | | | Int. Total |
|--|-----------------------------|------|------|------|------|------------|--------------------------|------|------|------|------|------------|------------------------|------|------|------|------|------------|--------------------------|------|------|------|------|------------|------------|
| | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | |
| Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Peak Hour for Entire Intersection Begins at 07:30 AM | | | | | | | | | | | | | | | | | | | | | | | | | |
| 07:30 AM | 5 | 0 | 73 | 0 | 0 | 78 | 21 | 161 | 0 | 0 | 0 | 182 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 335 | 3 | 1 | 0 | 339 | 599 |
| 07:45 AM | 1 | 0 | 66 | 0 | 0 | 67 | 33 | 234 | 0 | 0 | 0 | 267 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 340 | 7 | 0 | 0 | 347 | 681 |
| 08:00 AM | 0 | 0 | 67 | 0 | 0 | 67 | 32 | 223 | 0 | 0 | 0 | 255 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 271 | 2 | 0 | 0 | 273 | 595 |
| 08:15 AM | 3 | 0 | 50 | 0 | 1 | 54 | 25 | 224 | 0 | 0 | 0 | 249 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 274 | 7 | 0 | 0 | 281 | 584 |
| Total Volume | 9 | 0 | 256 | 0 | 1 | 266 | 111 | 842 | 0 | 0 | 0 | 953 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1220 | 19 | 1 | 0 | 1240 | 2459 |
| % App. Total | 3.4 | 0 | 96.2 | 0 | 0.4 | | 11.6 | 88.4 | 0 | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | | 98.4 | 1.5 | 0.1 | 0 | | |
| PHF | .450 | .000 | .877 | .000 | .250 | .853 | .841 | .900 | .000 | .000 | .000 | .892 | .000 | .000 | .000 | .000 | .000 | .000 | | .897 | .679 | .250 | .000 | .893 | .903 |





TRAFFIC DATA COLLECTION

File Name : Williamsburg(Windsormeade Way and Monticello Ave)
 Site Code :
 Start Date : 6/7/2023
 Page No : 1

Groups Printed- Cars + - Trucks

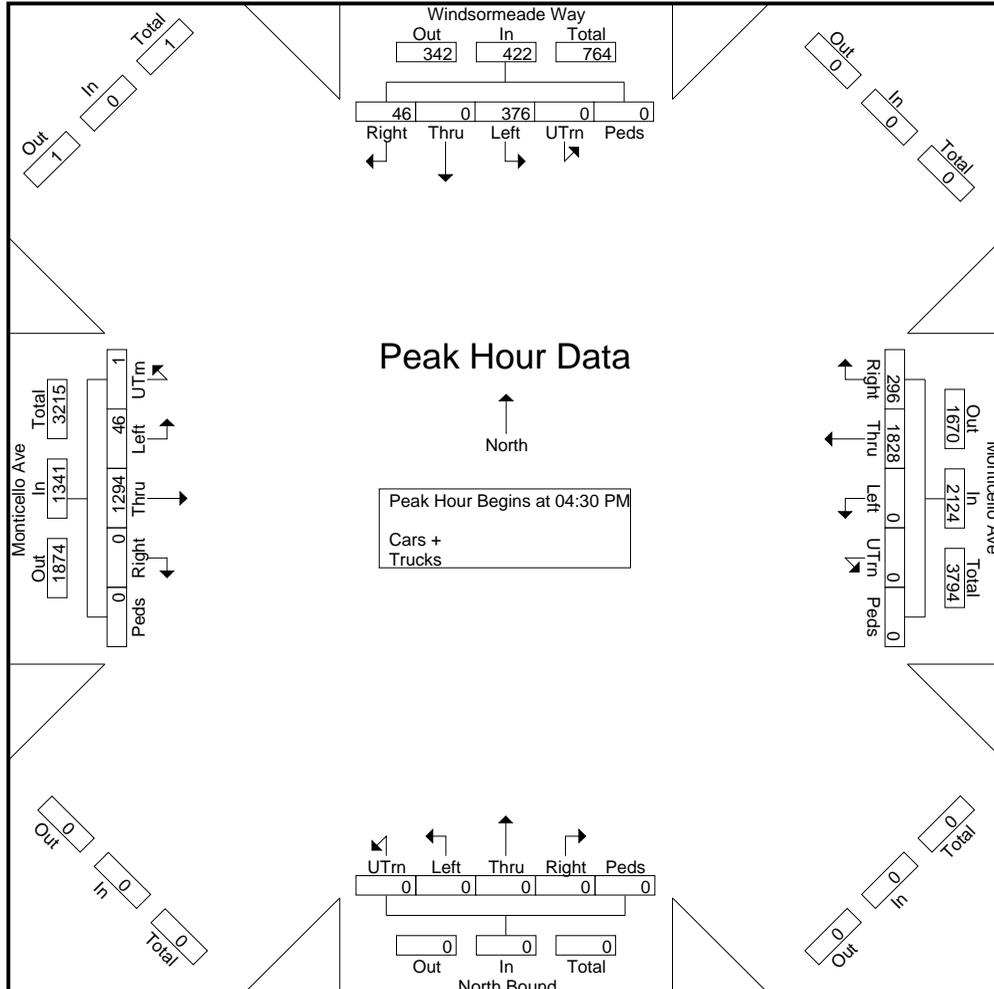
| Start Time | Windsormeade Way Southbound | | | | | | Monticello Ave Westbound | | | | | | North Bound Northbound | | | | | | Monticello Ave Eastbound | | | | | | Int. Total |
|--------------------|-----------------------------|----------|-------------|----------|----------|-------------|--------------------------|-------------|----------|----------|----------|-------------|------------------------|----------|----------|----------|----------|------------|--------------------------|-------------|-------------|------------|----------|-------------|-------------|
| | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | |
| 04:00 PM | 4 | 0 | 86 | 0 | 0 | 90 | 71 | 441 | 0 | 0 | 0 | 512 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 290 | 7 | 0 | 0 | 297 | 899 |
| 04:15 PM | 7 | 0 | 85 | 0 | 0 | 92 | 61 | 411 | 0 | 0 | 0 | 472 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 336 | 8 | 1 | 0 | 345 | 909 |
| 04:30 PM | 13 | 0 | 76 | 0 | 0 | 89 | 70 | 419 | 0 | 0 | 0 | 489 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 347 | 6 | 0 | 0 | 353 | 931 |
| 04:45 PM | 9 | 0 | 110 | 0 | 0 | 119 | 77 | 433 | 0 | 0 | 0 | 510 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 321 | 13 | 0 | 0 | 334 | 963 |
| Total | 33 | 0 | 357 | 0 | 0 | 390 | 279 | 1704 | 0 | 0 | 0 | 1983 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1294 | 34 | 1 | 0 | 1329 | 3702 |
| 05:00 PM | 10 | 0 | 98 | 0 | 0 | 108 | 81 | 475 | 0 | 0 | 0 | 556 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 294 | 11 | 1 | 0 | 306 | 970 |
| 05:15 PM | 14 | 0 | 92 | 0 | 0 | 106 | 68 | 501 | 0 | 0 | 0 | 569 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 332 | 16 | 0 | 0 | 348 | 1023 |
| 05:30 PM | 12 | 0 | 88 | 0 | 0 | 100 | 71 | 422 | 0 | 0 | 0 | 493 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 295 | 20 | 0 | 0 | 315 | 908 |
| 05:45 PM | 17 | 0 | 91 | 0 | 0 | 108 | 58 | 396 | 0 | 0 | 0 | 454 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 289 | 8 | 1 | 0 | 298 | 860 |
| Total | 53 | 0 | 369 | 0 | 0 | 422 | 278 | 1794 | 0 | 0 | 0 | 2072 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1210 | 55 | 2 | 0 | 1267 | 3761 |
| Grand Total | 86 | 0 | 726 | 0 | 0 | 812 | 557 | 3498 | 0 | 0 | 0 | 4055 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2504 | 89 | 3 | 0 | 2596 | 7463 |
| Apprch % | 10.6 | 0 | 89.4 | 0 | 0 | | 13.7 | 86.3 | 0 | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 96.5 | 3.4 | 0.1 | 0 | | |
| Total % | 1.2 | 0 | 9.7 | 0 | 0 | 10.9 | 7.5 | 46.9 | 0 | 0 | 0 | 54.3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 33.6 | 1.2 | 0 | 0 | 34.8 | |
| Cars + | 86 | 0 | 722 | 0 | 0 | 808 | 555 | 3480 | 0 | 0 | 0 | 4035 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2483 | 88 | 3 | 0 | 2574 | 7417 |
| % Cars + | 100 | 0 | 99.4 | 0 | 0 | 99.5 | 99.6 | 99.5 | 0 | 0 | 0 | 99.5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 99.2 | 98.9 | 100 | 0 | 99.2 | 99.4 |
| Trucks | 0 | 0 | 4 | 0 | 0 | 4 | 2 | 18 | 0 | 0 | 0 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 21 | 1 | 0 | 0 | 22 | 46 |
| % Trucks | 0 | 0 | 0.6 | 0 | 0 | 0.5 | 0.4 | 0.5 | 0 | 0 | 0 | 0.5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.8 | 1.1 | 0 | 0 | 0.8 | 0.6 |



TRAFFIC DATA COLLECTION

File Name : Williamsburg(Windsormeade Way and Monticello Ave)
 Site Code :
 Start Date : 6/7/2023
 Page No : 2

| Start Time | Windsormeade Way Southbound | | | | | | Monticello Ave Westbound | | | | | | North Bound Northbound | | | | | | Monticello Ave Eastbound | | | | | | Int. Total | |
|--|-----------------------------|------|------|------|------|------------|--------------------------|------|------|------|------|------------|------------------------|------|------|------|------|------------|--------------------------|------|------|------|------|------------|------------|------|
| | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | Right | Thru | Left | UTrn | Peds | App. Total | | |
| Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Peak Hour for Entire Intersection Begins at 04:30 PM | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 04:30 PM | 13 | 0 | 76 | 0 | 0 | 89 | 70 | 419 | 0 | 0 | 0 | 489 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 347 | 6 | 0 | 0 | 353 | 931 | |
| 04:45 PM | 9 | 0 | 110 | 0 | 0 | 119 | 77 | 433 | 0 | 0 | 0 | 510 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 321 | 13 | 0 | 0 | 334 | 963 | |
| 05:00 PM | 10 | 0 | 98 | 0 | 0 | 108 | 81 | 475 | 0 | 0 | 0 | 556 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 294 | 11 | 1 | 0 | 306 | 970 | |
| 05:15 PM | 14 | 0 | 92 | 0 | 0 | 106 | 68 | 501 | 0 | 0 | 0 | 569 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 332 | 16 | 0 | 0 | 348 | 1023 | |
| Total Volume | 46 | 0 | 376 | 0 | 0 | 422 | 296 | 1828 | 0 | 0 | 0 | 2124 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1294 | 46 | 1 | 0 | 1341 | 3887 | |
| % App. Total | 10.9 | 0 | 89.1 | 0 | 0 | | 13.9 | 86.1 | 0 | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | | 96.5 | 3.4 | 0.1 | 0 | | | |
| PHF | .821 | .000 | .855 | .000 | .000 | .887 | .914 | .912 | .000 | .000 | .000 | .933 | .000 | .000 | .000 | .000 | .000 | .000 | | .000 | .932 | .719 | .250 | .000 | .950 | .950 |



Intersection Information:

Operations Region: Eastern
 Locality: James City County
 Intersection Node: N/A
 Reference #: 095016
 EB/WB Street: Monticello Ave - Route 321
 NB/SB Street: Monticello Marketplace - Route Private

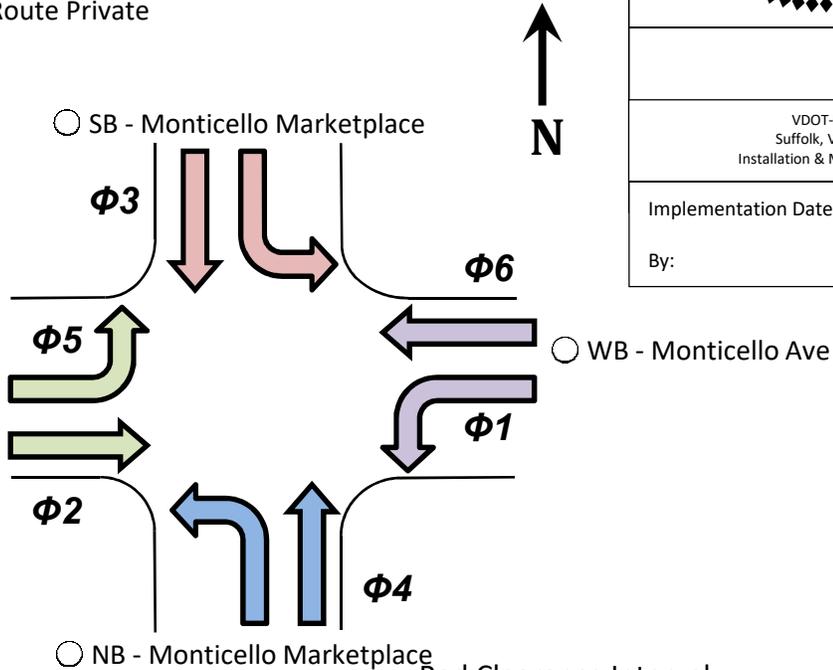
Traffic Engineering

VDOT Yellow Change & Red Clearance Interval Calculator

VDOT-ERO
 Suffolk, Virginia
 Installation & Maintenance

Implementation Date:
 By:

Additional Notes:



Yellow Change Interval: $Y = t + \frac{1.47 * V}{2a + 64.4g}$ $a = 10 \text{ ft/s}^2$ $t = 1 \text{ s}$

Red Clearance Interval: $R = \frac{w + L}{1.47 * V} - 1$ V_{lts} is used in place of V for calculation of R_{lt}

| Approach - Street - Movement | V (mph)* | V data | g | V _{LTS} (mph)* | L (ft)* | w (ft)* | Y (s)** | R (s)** |
|---------------------------------------|----------|-----------|------|-------------------------|---------|---------|-----------|-----------|
| EB - Monticello Ave - Through | 42 | SL + 7 | 0.00 | | 20 | 100 | 4.1 | 0.9 (1.0) |
| EB - Monticello Ave - Left | 30 | SL - 5 | 0.00 | 20 | 20 | 85 | 3.2 | 2.6 |
| WB - Monticello Ave - Through | 42 | SL + 7 | 0.00 | | 20 | 100 | 4.1 | 0.9 (1.0) |
| WB - Monticello Ave - Left | 30 | SL - 5 | 0.00 | 20 | 20 | 125 | 3.2 | 3.9 |
| NB - Monticello Marketplace - Through | 32 | Engr Jgmt | 0.00 | | 20 | 120 | 3.4 | 2.0 |
| NB - Monticello Marketplace - Left | 20 | Engr Jgmt | 0.00 | 20 | 20 | 125 | 2.5 (3.0) | 3.9 |
| SB - Monticello Marketplace - Through | 32 | Engr Jgmt | 0.00 | | 20 | 120 | 3.4 | 2.0 |
| SB - Monticello Marketplace - Left | 20 | Engr Jgmt | 0.00 | 20 | 20 | 125 | 2.5 (3.0) | 3.9 |

Engineering judgment applied for all numbers in red and italics. Provide supporting documentation.
*** Calculated intervals in blue indicate values below the minimum required time. ***

| Phase Street - Movement | Right Turn Overlap | Left Turn Phase Type | Y Output Phase Adjusted | R Output Phase Adjusted | Controller Input Y | Controller Input R |
|--|--------------------|-----------------------|-------------------------|-------------------------|--------------------|--------------------|
| 1 WB - Monticello Ave - Left | | Protected | 3.2 | 3.9 | 3.2 | 3.9 |
| 2 EB - Monticello Ave - Through | | | 4.1 | 1.0 | 4.1 | 1.0 |
| 3 SB - Monticello Marketplace - Through + Left | | Split - Shared Signal | 3.4 | 3.9 | 3.4 | 3.9 |
| 4 NB - Monticello Marketplace - Through + Left | | Split - Shared Signal | 3.4 | 3.9 | 3.4 | 3.9 |
| 5 EB - Monticello Ave - Left | | Protected | 3.2 | 2.6 | 3.2 | 2.6 |
| 6 WB - Monticello Ave - Through | | | 4.1 | 1.0 | 4.1 | 1.0 |

Intersection Information:

Operations Region: Eastern
 Locality: James City County
 Intersection Node: N/A
 Reference #: 095017
 EB/WB Street: Monticello Ave - Route 321
 NB/SB Street: Windsormeade Way - Route N/A

Traffic Engineering

VDOT Yellow Change & Red Clearance Interval Calculator

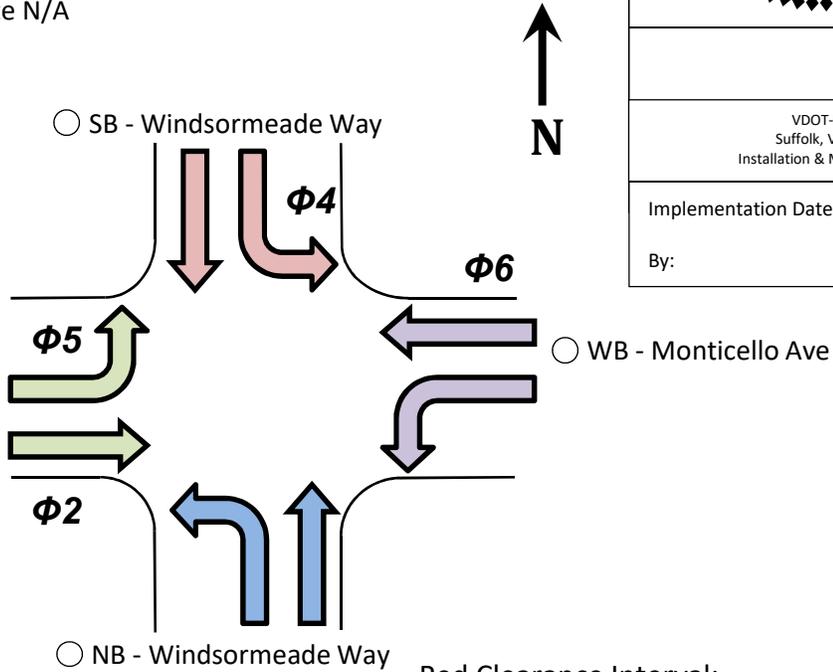
JOHN LAWRENCE
 BISNETT JR.
 Lic. No. 054261

VDOT-ERO
 Suffolk, Virginia
 Installation & Maintenance

Implementation Date:

By:

Additional Notes:



Yellow Change Interval:

$$Y = t + \frac{1.47 * V}{2a + 64.4g}$$

$a = 10 \text{ ft/s}^2$
 $t = 1 \text{ s}$

Red Clearance Interval:

$$R = \frac{w + L}{1.47 * V} - 1$$

V_{LTS} is used in place of V for calculation of R_{lt}

| Approach - Street - Movement | V (mph)* | V data | g | V_{LTS} (mph)* | L (ft)* | w (ft)* | Y (s)** | R (s)** |
|---------------------------------|----------|--------|-------|------------------|---------|---------|---------|------------------|
| EB - Monticello Ave - Through | 52 | SL + 7 | 0.01 | | 20 | 82 | 4.7 | 0.3 (1.0) |
| EB - Monticello Ave - Left | 40 | SL - 5 | 0.01 | 20 | 20 | 103 | 3.8 | 3.2 |
| WB - Monticello Ave - Through | 52 | SL + 7 | -0.01 | | 20 | 107 | 4.9 | 0.7 (1.0) |
| WB - Monticello Ave - Left | | | | | | | | |
| NB - Windsormeade Way - Through | | | | | | | | |
| NB - Windsormeade Way - Left | | | | | | | | |
| SB - Windsormeade Way - Through | | | | | | | | |
| SB - Windsormeade Way - Left | 35 | SL - 5 | 0.01 | 20 | 20 | 107 | 3.5 | 3.3 |

Engineering judgment applied for all numbers in red and italics. Provide supporting documentation.
*** Calculated intervals in blue indicate values below the minimum required time. ***

| Phase Street - Movement | Right Turn Overlap | Left Turn Phase Type | Y Output Phase Adjusted | R Output Phase Adjusted | Controller Input Y | Controller Input R |
|-----------------------------------|--------------------|----------------------|-------------------------|-------------------------|--------------------|--------------------|
| 2 EB - Monticello Ave - Through | | | 4.7 | 1.0 | 4.7 | 1.0 |
| 4 SB - Windsormeade Way - Left | | Protected | 3.5 | 3.3 | 3.5 | 3.3 |
| 5 EB - Monticello Ave - Left | | Protected | 3.8 | 3.2 | 3.8 | 3.2 |
| 6 WB - Monticello Ave - Through | | | 4.9 | 1.0 | 4.9 | 1.0 |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Monticello Avenue Commercial

APPENDIX B

Level of Service Definitions

TECHNICAL MEMORANDUM

Subject: Level of Service Definitions

Introduction

The purpose of this memorandum is to define the level of service (LOS) metric that commonly used as a measure of effectiveness (MOE) for traffic operations.

All capacity analyses are based on the procedures specified by the Transportation Research Board's (TRB) Highway Capacity Manual (HCM), which is currently on its sixth edition. Level of service ranges from A to F. A brief description of each level of service for signalized and unsignalized intersections is provided below.

Signalized Intersections

Level of service is based upon the traffic volume present in each lane on the roadway, the capacity of each lane at the intersection and the delay associated with each directional movement. The levels of service for signalized intersections are defined below:

- **Level of Service A** describes operations with very low average delay per vehicle, i.e., less than 10.0 seconds. This occurs when progression is extremely favorable, and most vehicles arrive during the green phase. Most vehicles do not stop. Short signal cycle lengths may also contribute to low delay.
- **Level of Service B** describes operations with average delay in the range of 10.1 to 20.0 seconds per vehicle. This generally occurs with good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher levels of average delay.
- **Level of Service C** describes operations with delay in the range of 20.1 to 35.0 seconds per vehicle. These higher delays may result from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant at this level although many still pass through the intersection without stopping. This is generally considered the lower end of the range of the acceptable level of service in rural areas.
- **Level of Service D** describes operations with delay in the range of 35.1 to 55.0 seconds per vehicle. At LOS D, the influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, and/or high traffic volumes as compared to the roadway capacity. Many vehicles are required to stop and the number of vehicles that do not have to stop declines. Individual signal cycle failures, where all waiting vehicles do not clear the intersection during a single green time, are noticeable. This is generally considered the lower end of the range of the acceptable level of service in urban areas.
- **Level of Service E** describes operations with delay in the range of 55.1 to 80.0 seconds per vehicle. These higher delay values generally indicate poor progression, long cycle lengths, and high traffic volumes. Individual cycle failures are frequent occurrences. LOS E has been set as the limit of acceptable conditions.
- **Level of Service F** describes operations with average delay in excess of 80.0 seconds per vehicle. This is considered to be unacceptable to most drivers. This condition often occurs with over-saturation, i.e., when traffic arrives at a flow rate that exceeds the capacity of the intersection. It may also occur at high volumes with many individual cycle failures. Poor progression and long cycle lengths may also contribute to such delays.

Unsignalized Intersections

At an unsignalized intersection, the major street through traffic and right-turns are assumed to operate unimpeded and therefore receive no level of service rating. The level of service for the minor street and the major street left-turn traffic is dependent on the volume and capacity of the available lanes, and, the number and frequency of acceptable gaps in the major street traffic to make a conflicting turn. The level of service grade is provided for each conflicting movement at an unsignalized intersection and is based on the total average delay experienced by each vehicle. The delay includes the time it takes a vehicle to move from the back of a queue through the intersection.

The unsignalized intersection level of service analysis does not account for variations in driver behavior or the effects of nearby traffic signals. Therefore, the results from this analysis usually indicate worse levels of service than may be experienced in the field. The unsignalized intersection level of service descriptions are provided below:

- **Level of Service A** describes operations where there is very little to no conflicting traffic for a minor side street movement, i.e., an average total delay of less than 10.0 seconds per vehicle.
- **Level of Service B** describes operations with average total delay in the range of 10.1 to 15.0 seconds per vehicle.
- **Level of Service C** describes operations with average total delay in the range of 15.1 to 25.0 second per vehicle.
- **Level of Service D** describes operations with average total delay in the range of 25.1 to 35.0 seconds per vehicle.
- **Level of Service E** describes operations with average total delay in the range of 35.1 to 50.0 seconds per vehicle.
- **Level of Service F** describes operations with average total delay of 50 seconds per vehicle. LOS F exists when there are insufficient gaps of suitable size to allow a side street demand to cross safely through or enter a major street traffic stream. This level of service is generally evident from extremely long total delays experienced by side street traffic and by queuing on the minor approaches. It is important to note that LOS F may not always result in long queues but may result in adjustments to normal driver behavior.

Monticello Avenue Commercial

APPENDIX C

Intersection Capacity Analysis Results – Existing Conditions (2022)

Monticello Ave Commercial - James City Co, VA
 101: Monticello Mktplc & Monticello Ave

Existing 2022 Conditions
 Timing Plan: AM Peak Hour

| Movement | EBU | EBL | EBT | EBR | WBU | WBL | WBT | WBR | NBL | NBT | NBR | SBL | |
|-----------------------------------|------|------|-------|------|---------------------------|-------|-------|-------|-------|-------|------|-------|--|
| Lane Configurations | | | | | | | | | | | | | |
| Traffic Volume (vph) | 1 | 33 | 993 | 27 | 2 | 68 | 591 | 125 | 10 | 11 | 115 | 90 | |
| Future Volume (vph) | 1 | 33 | 993 | 27 | 2 | 68 | 591 | 125 | 10 | 11 | 115 | 90 | |
| Ideal Flow (vphpl) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | |
| Total Lost time (s) | | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | 7.3 | 7.3 | 7.3 | |
| Lane Util. Factor | | 1.00 | 0.95 | 1.00 | | 1.00 | 0.95 | 1.00 | | 1.00 | 1.00 | 0.95 | |
| Frt | | 1.00 | 1.00 | 0.85 | | 1.00 | 1.00 | 0.85 | | 1.00 | 0.85 | 1.00 | |
| Flt Protected | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | 0.98 | 1.00 | 0.95 | |
| Satd. Flow (prot) | | 1805 | 3539 | 1553 | | 1805 | 3471 | 1599 | | 1856 | 1615 | 1715 | |
| Flt Permitted | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | 0.98 | 1.00 | 0.95 | |
| Satd. Flow (perm) | | 1805 | 3539 | 1553 | | 1805 | 3471 | 1599 | | 1856 | 1615 | 1715 | |
| Peak-hour factor, PHF | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | |
| Adj. Flow (vph) | 1 | 35 | 1056 | 29 | 2 | 72 | 629 | 133 | 11 | 12 | 122 | 96 | |
| RTOR Reduction (vph) | 0 | 0 | 0 | 15 | 0 | 0 | 0 | 63 | 0 | 0 | 114 | 0 | |
| Lane Group Flow (vph) | 0 | 36 | 1056 | 14 | 0 | 74 | 629 | 70 | 0 | 23 | 8 | 63 | |
| Heavy Vehicles (%) | 0% | 0% | 2% | 4% | 0% | 0% | 4% | 1% | 0% | 0% | 0% | 0% | |
| Turn Type | Prot | Prot | NA | Perm | Prot | Prot | NA | Perm | Split | NA | Perm | Split | |
| Protected Phases | 5 | 5 | 2 | | 1 | 1 | 6 | | 4 | 4 | | 3 | |
| Permitted Phases | | | | 2 | | | 6 | | | | 4 | | |
| Actuated Green, G (s) | | 4.4 | 43.5 | 43.5 | | 7.1 | 47.5 | 47.5 | | 5.8 | 5.8 | 6.8 | |
| Effective Green, g (s) | | 4.4 | 43.5 | 43.5 | | 7.1 | 47.5 | 47.5 | | 5.8 | 5.8 | 6.8 | |
| Actuated g/C Ratio | | 0.05 | 0.48 | 0.48 | | 0.08 | 0.53 | 0.53 | | 0.06 | 0.06 | 0.08 | |
| Clearance Time (s) | | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | 7.3 | 7.3 | 7.3 | |
| Vehicle Extension (s) | | 2.0 | 4.0 | 4.0 | | 2.0 | 4.0 | 4.0 | | 2.0 | 2.0 | 2.0 | |
| Lane Grp Cap (vph) | | 88 | 1710 | 750 | | 142 | 1831 | 843 | | 119 | 104 | 129 | |
| v/s Ratio Prot | | 0.02 | c0.30 | | | c0.04 | c0.18 | | | c0.01 | | c0.04 | |
| v/s Ratio Perm | | | | 0.01 | | | | 0.04 | | | 0.00 | | |
| v/c Ratio | | 0.41 | 0.62 | 0.02 | | 0.52 | 0.34 | 0.08 | | 0.19 | 0.08 | 0.49 | |
| Uniform Delay, d1 | | 41.5 | 17.1 | 12.1 | | 39.8 | 12.3 | 10.5 | | 39.9 | 39.6 | 39.9 | |
| Progression Factor | | 1.00 | 1.00 | 1.00 | | 0.78 | 1.40 | 21.01 | | 1.00 | 1.00 | 1.00 | |
| Incremental Delay, d2 | | 1.1 | 1.7 | 0.0 | | 1.5 | 0.5 | 0.2 | | 0.3 | 0.1 | 1.1 | |
| Delay (s) | | 42.7 | 18.8 | 12.2 | | 32.7 | 17.7 | 220.8 | | 40.2 | 39.7 | 41.0 | |
| Level of Service | | D | B | B | | C | B | F | | D | D | D | |
| Approach Delay (s) | | | 19.4 | | | | 51.3 | | | 39.8 | | | |
| Approach LOS | | | B | | | | D | | | D | | | |
| Intersection Summary | | | | | | | | | | | | | |
| HCM 2000 Control Delay | | | 33.9 | | HCM 2000 Level of Service | | | | | | C | | |
| HCM 2000 Volume to Capacity ratio | | | 0.56 | | | | | | | | | | |
| Actuated Cycle Length (s) | | | 90.0 | | Sum of lost time (s) | | | | | | 26.8 | | |
| Intersection Capacity Utilization | | | 64.9% | | ICU Level of Service | | | | | | C | | |
| Analysis Period (min) | | | 15 | | | | | | | | | | |
| c Critical Lane Group | | | | | | | | | | | | | |

Monticello Ave Commercial - James City Co, VA
101: Monticello Mktplc & Monticello Ave

Existing 2022 Conditions
Timing Plan: AM Peak Hour

| Movement | SBT | SBR |
|------------------------|---|---|
| Lane Configurations |  |  |
| Traffic Volume (vph) | 13 | 15 |
| Future Volume (vph) | 13 | 15 |
| Ideal Flow (vphpl) | 1900 | 1900 |
| Total Lost time (s) | 7.3 | |
| Lane Util. Factor | 0.95 | |
| Frt | 0.96 | |
| Flt Protected | 0.97 | |
| Satd. Flow (prot) | 1614 | |
| Flt Permitted | 0.97 | |
| Satd. Flow (perm) | 1614 | |
| Peak-hour factor, PHF | 0.94 | 0.94 |
| Adj. Flow (vph) | 14 | 16 |
| RTOR Reduction (vph) | 15 | 0 |
| Lane Group Flow (vph) | 48 | 0 |
| Heavy Vehicles (%) | 0% | 19% |
| Turn Type | NA | |
| Protected Phases | 3 | |
| Permitted Phases | | |
| Actuated Green, G (s) | 6.8 | |
| Effective Green, g (s) | 6.8 | |
| Actuated g/C Ratio | 0.08 | |
| Clearance Time (s) | 7.3 | |
| Vehicle Extension (s) | 2.0 | |
| Lane Grp Cap (vph) | 121 | |
| v/s Ratio Prot | 0.03 | |
| v/s Ratio Perm | | |
| v/c Ratio | 0.40 | |
| Uniform Delay, d1 | 39.7 | |
| Progression Factor | 1.00 | |
| Incremental Delay, d2 | 0.8 | |
| Delay (s) | 40.4 | |
| Level of Service | D | |
| Approach Delay (s) | 40.7 | |
| Approach LOS | D | |
| Intersection Summary | | |

Monticello Ave Commercial - James City Co, VA
 102: Existing Site Driveway/Old News Rd & Monticello Ave

Existing 2022 Conditions
 Timing Plan: AM Peak Hour

| Movement | EBL | EBT | EBR | WBL | WBT | WBR | NBL | NBT | NBR | SBL | SBT | SBR |
|-----------------------------------|------|------|-------|------|----------------------|------|------|------|------|------|------|------|
| Lane Configurations | | | | | | | | | | | | |
| Traffic Volume (veh/h) | 0 | 1198 | 2 | 0 | 779 | 77 | 0 | 0 | 18 | 0 | 0 | 7 |
| Future Volume (Veh/h) | 0 | 1198 | 2 | 0 | 779 | 77 | 0 | 0 | 18 | 0 | 0 | 7 |
| Sign Control | | Free | | | Free | | | Stop | | | Stop | |
| Grade | | 0% | | | 0% | | | 0% | | | 0% | |
| Peak Hour Factor | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 |
| Hourly flow rate (vph) | 0 | 1274 | 2 | 0 | 829 | 82 | 0 | 0 | 19 | 0 | 0 | 7 |
| Pedestrians | | | | | | | | | | | | |
| Lane Width (ft) | | | | | | | | | | | | |
| Walking Speed (ft/s) | | | | | | | | | | | | |
| Percent Blockage | | | | | | | | | | | | |
| Right turn flare (veh) | | | | | | | | | | | | |
| Median type | | None | | | None | | | | | | | |
| Median storage veh | | | | | | | | | | | | |
| Upstream signal (ft) | | 626 | | | 245 | | | | | | | |
| pX, platoon unblocked | 0.91 | | | | | | 0.91 | 0.91 | | 0.91 | 0.91 | 0.91 |
| vC, conflicting volume | 911 | | | 1276 | | | 1558 | 2186 | 320 | 1208 | 2146 | 317 |
| vC1, stage 1 conf vol | | | | | | | | | | | | |
| vC2, stage 2 conf vol | | | | | | | | | | | | |
| vCu, unblocked vol | 559 | | | 1276 | | | 1270 | 1959 | 320 | 885 | 1915 | 0 |
| tC, single (s) | 4.1 | | | 4.1 | | | 7.5 | 6.5 | 6.9 | 7.5 | 6.5 | 6.9 |
| tC, 2 stage (s) | | | | | | | | | | | | |
| tF (s) | 2.2 | | | 2.2 | | | 3.5 | 4.0 | 3.3 | 3.5 | 4.0 | 3.3 |
| p0 queue free % | 100 | | | 100 | | | 100 | 100 | 97 | 100 | 100 | 99 |
| cM capacity (veh/h) | 931 | | | 551 | | | 115 | 59 | 682 | 215 | 62 | 993 |
| Direction, Lane # | EB 1 | EB 2 | EB 3 | EB 4 | WB 1 | WB 2 | WB 3 | NB 1 | SB 1 | | | |
| Volume Total | 364 | 364 | 364 | 184 | 332 | 332 | 248 | 19 | 7 | | | |
| Volume Left | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Volume Right | 0 | 0 | 0 | 2 | 0 | 0 | 82 | 19 | 7 | | | |
| cSH | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 682 | 993 | | | |
| Volume to Capacity | 0.21 | 0.21 | 0.21 | 0.11 | 0.20 | 0.20 | 0.15 | 0.03 | 0.01 | | | |
| Queue Length 95th (ft) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | | | |
| Control Delay (s) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.4 | 8.6 | | | |
| Lane LOS | | | | | | | | B | A | | | |
| Approach Delay (s) | 0.0 | | | | 0.0 | | | 10.4 | 8.6 | | | |
| Approach LOS | | | | | | | | B | A | | | |
| Intersection Summary | | | | | | | | | | | | |
| Average Delay | | | 0.1 | | | | | | | | | |
| Intersection Capacity Utilization | | | 27.4% | | ICU Level of Service | | | | A | | | |
| Analysis Period (min) | | | 15 | | | | | | | | | |

Monticello Ave Commercial - James City Co, VA
103: Monticello Ave & Windsormeade Way

Existing 2022 Conditions
Timing Plan: AM Peak Hour

| |  |  |  |  |  |  |  |
|-----------------------------------|---|---|---|---|---|---|---|
| Movement | EBU | EBL | EBT | WBT | WBR | SBL | SBR |
| Lane Configurations | |  |  |  | |  |  |
| Traffic Volume (vph) | 1 | 19 | 1196 | 846 | 109 | 251 | 9 |
| Future Volume (vph) | 1 | 19 | 1196 | 846 | 109 | 251 | 9 |
| Ideal Flow (vphpl) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Lane Util. Factor | | 0.97 | 0.95 | 0.91 | | 0.97 | 1.00 |
| Frt | | 1.00 | 1.00 | 0.98 | | 1.00 | 0.85 |
| Flt Protected | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (prot) | | 3282 | 3539 | 4955 | | 3467 | 1553 |
| Flt Permitted | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (perm) | | 3282 | 3539 | 4955 | | 3467 | 1553 |
| Peak-hour factor, PHF | 0.90 | 0.90 | 0.90 | 0.90 | 0.90 | 0.90 | 0.90 |
| Adj. Flow (vph) | 1 | 21 | 1329 | 940 | 121 | 279 | 10 |
| RTOR Reduction (vph) | 0 | 0 | 0 | 12 | 0 | 0 | 0 |
| Lane Group Flow (vph) | 0 | 22 | 1329 | 1049 | 0 | 279 | 10 |
| Heavy Vehicles (%) | 0% | 7% | 2% | 3% | 2% | 1% | 4% |
| Turn Type | Prot | Prot | NA | NA | | Prot | Perm |
| Protected Phases | 5 | 5 | 2 | 6 | | 4 | |
| Permitted Phases | | | | | | | 4 |
| Actuated Green, G (s) | | 2.3 | 65.9 | 56.4 | | 11.6 | 11.6 |
| Effective Green, g (s) | | 2.3 | 65.9 | 56.4 | | 11.6 | 11.6 |
| Actuated g/C Ratio | | 0.03 | 0.73 | 0.63 | | 0.13 | 0.13 |
| Clearance Time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Vehicle Extension (s) | | 2.0 | 4.0 | 4.0 | | 2.0 | 2.0 |
| Lane Grp Cap (vph) | | 83 | 2591 | 3105 | | 446 | 200 |
| v/s Ratio Prot | | 0.01 | c0.38 | 0.21 | | c0.08 | |
| v/s Ratio Perm | | | | | | | 0.01 |
| v/c Ratio | | 0.27 | 0.51 | 0.34 | | 0.63 | 0.05 |
| Uniform Delay, d1 | | 43.0 | 5.2 | 8.0 | | 37.1 | 34.4 |
| Progression Factor | | 1.27 | 0.74 | 1.00 | | 1.00 | 1.00 |
| Incremental Delay, d2 | | 0.5 | 0.6 | 0.1 | | 2.0 | 0.0 |
| Delay (s) | | 55.2 | 4.5 | 8.0 | | 39.1 | 34.4 |
| Level of Service | | E | A | A | | D | C |
| Approach Delay (s) | | | 5.3 | 8.0 | | 39.0 | |
| Approach LOS | | | A | A | | D | |
| Intersection Summary | | | | | | | |
| HCM 2000 Control Delay | | | 10.0 | | HCM 2000 Level of Service | | A |
| HCM 2000 Volume to Capacity ratio | | | 0.58 | | | | |
| Actuated Cycle Length (s) | | | 90.0 | | Sum of lost time (s) | | 19.7 |
| Intersection Capacity Utilization | | | 50.6% | | ICU Level of Service | | A |
| Analysis Period (min) | | | 15 | | | | |
| c Critical Lane Group | | | | | | | |

Existing 2022 Conditions Queuing and Blocking Report

Monticello Ave Commercial - James City Co, VA
AM Peak Hour

Intersection: 101: Monticello Mktplc & Monticello Ave

| Movement | EB | EB | EB | EB | WB | WB | WB | NB | NB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|----|-----|-----|
| Directions Served | UL | T | T | R | UL | T | T | LT | R | UL | LTR |
| Maximum Queue (ft) | 174 | 294 | 261 | 41 | 121 | 198 | 184 | 48 | 64 | 114 | 83 |
| Average Queue (ft) | 35 | 170 | 120 | 8 | 52 | 88 | 75 | 11 | 25 | 55 | 26 |
| 95th Queue (ft) | 104 | 265 | 225 | 30 | 98 | 175 | 161 | 33 | 51 | 100 | 64 |
| Link Distance (ft) | | 554 | 554 | 554 | | 554 | 554 | 493 | | 332 | 332 |
| Upstream Blk Time (%) | | | | | | | | | | | |
| Queuing Penalty (veh) | | | | | | | | | | | |
| Storage Bay Dist (ft) | 170 | | | | 220 | | | | 85 | | |
| Storage Blk Time (%) | 0 | 6 | | | | 0 | | | 0 | | |
| Queuing Penalty (veh) | 0 | 2 | | | | 0 | | | 0 | | |

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

| Movement | EB | EB | WB | WB | NB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|
| Directions Served | T | TR | T | TR | R | R |
| Maximum Queue (ft) | 27 | 29 | 1 | 5 | 38 | 28 |
| Average Queue (ft) | 2 | 2 | 0 | 0 | 14 | 5 |
| 95th Queue (ft) | 15 | 19 | 1 | 5 | 39 | 21 |
| Link Distance (ft) | 554 | 554 | 167 | 167 | 371 | 400 |
| Upstream Blk Time (%) | | | | | | |
| Queuing Penalty (veh) | | | | | | |
| Storage Bay Dist (ft) | | | | | | |
| Storage Blk Time (%) | | | | | | |
| Queuing Penalty (veh) | | | | | | |

Intersection: 103: Monticello Ave & Windsormeade Way

| Movement | EB | EB | EB | EB | WB | WB | WB | SB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | UL | L | T | T | T | T | TR | L | L | R |
| Maximum Queue (ft) | 33 | 54 | 215 | 223 | 187 | 128 | 154 | 191 | 156 | 28 |
| Average Queue (ft) | 3 | 16 | 84 | 103 | 88 | 36 | 55 | 105 | 41 | 5 |
| 95th Queue (ft) | 19 | 43 | 184 | 203 | 154 | 90 | 116 | 169 | 120 | 20 |
| Link Distance (ft) | 167 | 167 | 167 | 167 | 580 | 580 | 580 | 410 | 410 | |
| Upstream Blk Time (%) | | | 1 | 2 | | | | | | |
| Queuing Penalty (veh) | | | 3 | 6 | | | | | | |
| Storage Bay Dist (ft) | | | | | | | | | | 200 |
| Storage Blk Time (%) | | | | | | | | | 0 | |
| Queuing Penalty (veh) | | | | | | | | | 0 | |

Network Summary

Network wide Queuing Penalty: 11

Monticello Ave Commercial - James City Co, VA
 101: Monticello Mktplc & Monticello Ave

Existing 2022 Conditions
 Timing Plan: PM Peak Hour

| |  |  |  |  |  |  |  |  |  |  |  |  |
|------------------------|---|---|---|---|---|---|---|---|---|---|---|---|
| Movement | EBL | EBT | EBR | WBU | WBL | WBT | WBR | NBU | NBL | NBT | NBR | SBL |
| Lane Configurations |  |  |  | |  |  |  | | |  |  |  |
| Traffic Volume (vph) | 44 | 774 | 33 | 11 | 178 | 1288 | 312 | 1 | 20 | 36 | 165 | 326 |
| Future Volume (vph) | 44 | 774 | 33 | 11 | 178 | 1288 | 312 | 1 | 20 | 36 | 165 | 326 |
| Ideal Flow (vphpl) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | | 7.3 | 7.3 | 7.3 |
| Lane Util. Factor | 1.00 | 0.95 | 1.00 | | 1.00 | 0.95 | 1.00 | | | 1.00 | 1.00 | 0.95 |
| Frt | 1.00 | 1.00 | 0.85 | | 1.00 | 1.00 | 0.85 | | | 1.00 | 0.85 | 1.00 |
| Flt Protected | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | | 0.98 | 1.00 | 0.95 |
| Satd. Flow (prot) | 1805 | 3574 | 1615 | | 1805 | 3574 | 1615 | | | 1866 | 1615 | 1715 |
| Flt Permitted | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | | 0.98 | 1.00 | 0.95 |
| Satd. Flow (perm) | 1805 | 3574 | 1615 | | 1805 | 3574 | 1615 | | | 1866 | 1615 | 1715 |
| Peak-hour factor, PHF | 0.96 | 0.96 | 0.96 | 0.96 | 0.96 | 0.96 | 0.96 | 0.96 | 0.96 | 0.96 | 0.96 | 0.96 |
| Adj. Flow (vph) | 46 | 806 | 34 | 11 | 185 | 1342 | 325 | 1 | 21 | 38 | 172 | 340 |
| RTOR Reduction (vph) | 0 | 0 | 20 | 0 | 0 | 0 | 130 | 0 | 0 | 0 | 160 | 0 |
| Lane Group Flow (vph) | 46 | 806 | 14 | 0 | 196 | 1342 | 195 | 0 | 0 | 60 | 12 | 238 |
| Heavy Vehicles (%) | 0% | 1% | 0% | 0% | 0% | 1% | 0% | 0% | 0% | 0% | 0% | 0% |
| Turn Type | Prot | NA | Perm | Prot | Prot | NA | Perm | Split | Split | NA | Perm | Split |
| Protected Phases | 5 | 2 | | 1 | 1 | 6 | | 4 | 4 | 4 | | 3 |
| Permitted Phases | | | 2 | | | | 6 | | | | 4 | |
| Actuated Green, G (s) | 6.6 | 50.2 | 50.2 | | 15.9 | 60.8 | 60.8 | | | 8.1 | 8.1 | 19.0 |
| Effective Green, g (s) | 6.6 | 50.2 | 50.2 | | 15.9 | 60.8 | 60.8 | | | 8.1 | 8.1 | 19.0 |
| Actuated g/C Ratio | 0.05 | 0.42 | 0.42 | | 0.13 | 0.51 | 0.51 | | | 0.07 | 0.07 | 0.16 |
| Clearance Time (s) | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | | 7.3 | 7.3 | 7.3 |
| Vehicle Extension (s) | 2.0 | 4.0 | 4.0 | | 2.0 | 4.0 | 4.0 | | | 2.0 | 2.0 | 2.0 |
| Lane Grp Cap (vph) | 99 | 1495 | 675 | | 239 | 1810 | 818 | | | 125 | 109 | 271 |
| v/s Ratio Prot | 0.03 | 0.23 | | | c0.11 | c0.38 | | | | c0.03 | | c0.14 |
| v/s Ratio Perm | | | 0.01 | | | | 0.12 | | | | 0.01 | |
| v/c Ratio | 0.46 | 0.54 | 0.02 | | 0.82 | 0.74 | 0.24 | | | 0.48 | 0.11 | 0.88 |
| Uniform Delay, d1 | 55.0 | 26.2 | 20.5 | | 50.7 | 23.4 | 16.6 | | | 53.9 | 52.6 | 49.4 |
| Progression Factor | 1.00 | 1.00 | 1.00 | | 0.69 | 1.74 | 4.26 | | | 1.00 | 1.00 | 1.00 |
| Incremental Delay, d2 | 1.3 | 1.4 | 0.1 | | 13.8 | 1.9 | 0.5 | | | 1.1 | 0.2 | 25.2 |
| Delay (s) | 56.2 | 27.6 | 20.5 | | 48.9 | 42.6 | 71.2 | | | 55.0 | 52.7 | 74.5 |
| Level of Service | E | C | C | | D | D | E | | | D | D | E |
| Approach Delay (s) | | 28.8 | | | | 48.3 | | | | 53.3 | | |
| Approach LOS | | C | | | | D | | | | D | | |

Intersection Summary

| | | | |
|-----------------------------------|-------|---------------------------|------|
| HCM 2000 Control Delay | 46.5 | HCM 2000 Level of Service | D |
| HCM 2000 Volume to Capacity ratio | 0.79 | | |
| Actuated Cycle Length (s) | 120.0 | Sum of lost time (s) | 26.8 |
| Intersection Capacity Utilization | 77.0% | ICU Level of Service | D |
| Analysis Period (min) | 15 | | |
| c Critical Lane Group | | | |

Monticello Ave Commercial - James City Co, VA
101: Monticello Mktplc & Monticello Ave

Existing 2022 Conditions
Timing Plan: PM Peak Hour

| Movement | SBT | SBR |
|------------------------|---|---|
| Lane Configurations |  |  |
| Traffic Volume (vph) | 35 | 88 |
| Future Volume (vph) | 35 | 88 |
| Ideal Flow (vphpl) | 1900 | 1900 |
| Total Lost time (s) | 7.3 | |
| Lane Util. Factor | 0.95 | |
| Frt | 0.94 | |
| Flt Protected | 0.98 | |
| Satd. Flow (prot) | 1660 | |
| Flt Permitted | 0.98 | |
| Satd. Flow (perm) | 1660 | |
| Peak-hour factor, PHF | 0.96 | 0.96 |
| Adj. Flow (vph) | 36 | 92 |
| RTOR Reduction (vph) | 20 | 0 |
| Lane Group Flow (vph) | 210 | 0 |
| Heavy Vehicles (%) | 0% | 0% |
| Turn Type | NA | |
| Protected Phases | 3 | |
| Permitted Phases | | |
| Actuated Green, G (s) | 19.0 | |
| Effective Green, g (s) | 19.0 | |
| Actuated g/C Ratio | 0.16 | |
| Clearance Time (s) | 7.3 | |
| Vehicle Extension (s) | 2.0 | |
| Lane Grp Cap (vph) | 262 | |
| v/s Ratio Prot | 0.13 | |
| v/s Ratio Perm | | |
| v/c Ratio | 0.80 | |
| Uniform Delay, d1 | 48.7 | |
| Progression Factor | 1.00 | |
| Incremental Delay, d2 | 15.1 | |
| Delay (s) | 63.8 | |
| Level of Service | E | |
| Approach Delay (s) | 69.3 | |
| Approach LOS | E | |
| Intersection Summary | | |

Monticello Ave Commercial - James City Co, VA
 102: Existing Site Driveway/Old News Rd & Monticello Ave

Existing 2022 Conditions
 Timing Plan: PM Peak Hour

| Movement | EBL | EBT | EBR | WBL | WBT | WBR | NBL | NBT | NBR | SBL | SBT | SBR |
|-----------------------------------|------|------|-------|------|----------------------|------|------|------|------|------|------|------|
| Lane Configurations | | | | | | | | | | | | |
| Traffic Volume (veh/h) | 0 | 1275 | 1 | 0 | 1754 | 268 | 0 | 0 | 36 | 0 | 0 | 35 |
| Future Volume (Veh/h) | 0 | 1275 | 1 | 0 | 1754 | 268 | 0 | 0 | 36 | 0 | 0 | 35 |
| Sign Control | | Free | | | Free | | | Stop | | | Stop | |
| Grade | | 0% | | | 0% | | | 0% | | | 0% | |
| Peak Hour Factor | 0.97 | 0.97 | 0.97 | 0.97 | 0.97 | 0.97 | 0.97 | 0.97 | 0.97 | 0.97 | 0.97 | 0.97 |
| Hourly flow rate (vph) | 0 | 1314 | 1 | 0 | 1808 | 276 | 0 | 0 | 37 | 0 | 0 | 36 |
| Pedestrians | | | | | | | | | | | | |
| Lane Width (ft) | | | | | | | | | | | | |
| Walking Speed (ft/s) | | | | | | | | | | | | |
| Percent Blockage | | | | | | | | | | | | |
| Right turn flare (veh) | | | | | | | | | | | | |
| Median type | | None | | | None | | | | | | | |
| Median storage veh | | | | | | | | | | | | |
| Upstream signal (ft) | | 626 | | | 245 | | | | | | | |
| pX, platoon unblocked | 0.67 | | | | | | 0.67 | 0.67 | | 0.67 | 0.67 | 0.67 |
| vC, conflicting volume | 2084 | | | 1315 | | | 1953 | 3398 | 329 | 2312 | 3261 | 741 |
| vC1, stage 1 conf vol | | | | | | | | | | | | |
| vC2, stage 2 conf vol | | | | | | | | | | | | |
| vCu, unblocked vol | 919 | | | 1315 | | | 726 | 2868 | 329 | 1257 | 2664 | 0 |
| tC, single (s) | 4.1 | | | 4.1 | | | 7.5 | 6.5 | 6.9 | 7.5 | 6.5 | 6.9 |
| tC, 2 stage (s) | | | | | | | | | | | | |
| tF (s) | 2.2 | | | 2.2 | | | 3.5 | 4.0 | 3.3 | 3.5 | 4.0 | 3.3 |
| p0 queue free % | 100 | | | 100 | | | 100 | 100 | 94 | 100 | 100 | 95 |
| cM capacity (veh/h) | 506 | | | 533 | | | 203 | 11 | 673 | 83 | 15 | 736 |
| Direction, Lane # | EB 1 | EB 2 | EB 3 | EB 4 | WB 1 | WB 2 | WB 3 | NB 1 | SB 1 | | | |
| Volume Total | 375 | 375 | 375 | 189 | 723 | 723 | 638 | 37 | 36 | | | |
| Volume Left | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Volume Right | 0 | 0 | 0 | 1 | 0 | 0 | 276 | 37 | 36 | | | |
| cSH | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 673 | 736 | | | |
| Volume to Capacity | 0.22 | 0.22 | 0.22 | 0.11 | 0.43 | 0.43 | 0.38 | 0.06 | 0.05 | | | |
| Queue Length 95th (ft) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 4 | | | |
| Control Delay (s) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.7 | 10.1 | | | |
| Lane LOS | | | | | | | | B | B | | | |
| Approach Delay (s) | 0.0 | | | | 0.0 | | | 10.7 | 10.1 | | | |
| Approach LOS | | | | | | | | B | B | | | |
| Intersection Summary | | | | | | | | | | | | |
| Average Delay | | | 0.2 | | | | | | | | | |
| Intersection Capacity Utilization | | | 49.9% | | ICU Level of Service | | | | A | | | |
| Analysis Period (min) | | | 15 | | | | | | | | | |

Monticello Ave Commercial - James City Co, VA
103: Monticello Ave & Windsormeade Way

Existing 2022 Conditions
Timing Plan: PM Peak Hour

| |  |  |  |  |  |  |  |
|-----------------------------------|---|---|---|---|---|---|---|
| Movement | EBU | EBL | EBT | WBT | WBR | SBL | SBR |
| Lane Configurations | |  |  |  | |  |  |
| Traffic Volume (vph) | 1 | 41 | 1269 | 2017 | 290 | 369 | 4 |
| Future Volume (vph) | 1 | 41 | 1269 | 2017 | 290 | 369 | 4 |
| Ideal Flow (vphp) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Lane Util. Factor | | 0.97 | 0.95 | 0.91 | | 0.97 | 1.00 |
| Frt | | 1.00 | 1.00 | 0.98 | | 1.00 | 0.85 |
| Flt Protected | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (prot) | | 3468 | 3574 | 5045 | | 3467 | 1615 |
| Flt Permitted | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (perm) | | 3468 | 3574 | 5045 | | 3467 | 1615 |
| Peak-hour factor, PHF | 0.95 | 0.95 | 0.95 | 0.95 | 0.95 | 0.95 | 0.95 |
| Adj. Flow (vph) | 1 | 43 | 1336 | 2123 | 305 | 388 | 4 |
| RTOR Reduction (vph) | 0 | 0 | 0 | 12 | 0 | 0 | 0 |
| Lane Group Flow (vph) | 0 | 44 | 1336 | 2416 | 0 | 388 | 4 |
| Heavy Vehicles (%) | 0% | 1% | 1% | 1% | 0% | 1% | 0% |
| Turn Type | Prot | Prot | NA | NA | | Prot | Perm |
| Protected Phases | 5 | 5 | 2 | 6 | | 4 | |
| Permitted Phases | | | | | | | 4 |
| Actuated Green, G (s) | | 5.1 | 89.8 | 77.5 | | 17.7 | 17.7 |
| Effective Green, g (s) | | 5.1 | 89.8 | 77.5 | | 17.7 | 17.7 |
| Actuated g/C Ratio | | 0.04 | 0.75 | 0.65 | | 0.15 | 0.15 |
| Clearance Time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Vehicle Extension (s) | | 2.0 | 4.0 | 4.0 | | 2.0 | 2.0 |
| Lane Grp Cap (vph) | | 147 | 2674 | 3258 | | 511 | 238 |
| v/s Ratio Prot | | 0.01 | c0.37 | c0.48 | | c0.11 | |
| v/s Ratio Perm | | | | | | | 0.00 |
| v/c Ratio | | 0.30 | 0.50 | 0.74 | | 0.76 | 0.02 |
| Uniform Delay, d1 | | 55.7 | 6.1 | 14.4 | | 49.1 | 43.7 |
| Progression Factor | | 1.30 | 0.35 | 1.00 | | 1.00 | 1.00 |
| Incremental Delay, d2 | | 0.3 | 0.6 | 1.6 | | 5.7 | 0.0 |
| Delay (s) | | 72.6 | 2.7 | 16.0 | | 54.8 | 43.7 |
| Level of Service | | E | A | B | | D | D |
| Approach Delay (s) | | | 4.9 | 16.0 | | 54.7 | |
| Approach LOS | | | A | B | | D | |
| Intersection Summary | | | | | | | |
| HCM 2000 Control Delay | | | 16.0 | | HCM 2000 Level of Service | | B |
| HCM 2000 Volume to Capacity ratio | | | 0.75 | | | | |
| Actuated Cycle Length (s) | | | 120.0 | | Sum of lost time (s) | | 19.7 |
| Intersection Capacity Utilization | | | 66.5% | | ICU Level of Service | | C |
| Analysis Period (min) | | | 15 | | | | |
| c Critical Lane Group | | | | | | | |

Existing 2022 Conditions Queuing and Blocking Report

Monticello Ave Commercial - James City Co, VA
PM Peak Hour

Intersection: 101: Monticello Mktplc & Monticello Ave

| Movement | EB | EB | EB | EB | WB | WB | WB | WB | NB | NB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | UL | T | T | R | UL | T | T | R | ULT | R | UL | LTR |
| Maximum Queue (ft) | 194 | 351 | 316 | 41 | 245 | 605 | 595 | 90 | 112 | 103 | 258 | 245 |
| Average Queue (ft) | 59 | 220 | 174 | 14 | 200 | 394 | 383 | 3 | 36 | 42 | 170 | 144 |
| 95th Queue (ft) | 152 | 316 | 273 | 38 | 303 | 580 | 557 | 70 | 85 | 88 | 243 | 224 |
| Link Distance (ft) | | 554 | 554 | 554 | | 554 | 554 | 554 | 493 | | 332 | 332 |
| Upstream Blk Time (%) | | | | | | 1 | 1 | | | | | |
| Queuing Penalty (veh) | | | | | | 8 | 6 | | | | | |
| Storage Bay Dist (ft) | 170 | | | | 220 | | | | | | 85 | |
| Storage Blk Time (%) | 0 | 17 | | | 3 | 22 | | | 3 | 1 | | |
| Queuing Penalty (veh) | 0 | 8 | | | 20 | 42 | | | 5 | 0 | | |

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

| Movement | EB | EB | WB | WB | WB | NB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | T | TR | T | T | TR | R | R |
| Maximum Queue (ft) | 59 | 62 | 20 | 28 | 2 | 62 | 54 |
| Average Queue (ft) | 3 | 4 | 1 | 1 | 0 | 23 | 20 |
| 95th Queue (ft) | 26 | 30 | 13 | 17 | 3 | 48 | 46 |
| Link Distance (ft) | 554 | 554 | 167 | 167 | 167 | 371 | 400 |
| Upstream Blk Time (%) | | | | | | | |
| Queuing Penalty (veh) | | | | | | | |
| Storage Bay Dist (ft) | | | | | | | |
| Storage Blk Time (%) | 0 | | | | | | |
| Queuing Penalty (veh) | 0 | | | | | | |

Intersection: 103: Monticello Ave & Windsormeade Way

| Movement | EB | EB | EB | EB | WB | WB | WB | SB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | UL | L | T | T | T | T | TR | L | L | R |
| Maximum Queue (ft) | 51 | 75 | 220 | 228 | 414 | 458 | 502 | 280 | 235 | 25 |
| Average Queue (ft) | 12 | 30 | 55 | 74 | 258 | 224 | 252 | 178 | 134 | 2 |
| 95th Queue (ft) | 39 | 63 | 172 | 189 | 378 | 390 | 425 | 244 | 222 | 13 |
| Link Distance (ft) | 167 | 167 | 167 | 167 | 580 | 580 | 580 | 410 | 410 | |
| Upstream Blk Time (%) | | | 1 | 2 | | 0 | 0 | | | |
| Queuing Penalty (veh) | | | 4 | 6 | | 0 | 0 | | | |
| Storage Bay Dist (ft) | | | | | | | | | | 200 |
| Storage Blk Time (%) | | | | | | | | | 0 | |
| Queuing Penalty (veh) | | | | | | | | | 0 | |

Network Summary

Network wide Queuing Penalty: 99

Monticello Avenue Commercial

APPENDIX D

Intersection Capacity Analysis Results – No-Build Conditions (2024)

Monticello Ave Commercial - James City Co, VA
 101: Monticello Mktplc & Monticello Ave

No-Build 2024 Conditions
 Timing Plan: AM Peak Hour

| Movement | EBU | EBL | EBT | EBR | WBU | WBL | WBT | WBR | NBL | NBT | NBR | SBL | |
|-----------------------------------|------|------|-------|------|---------------------------|-------|-------|-------|-------|-------|------|-------|--|
| Lane Configurations | | | | | | | | | | | | | |
| Traffic Volume (vph) | 1 | 33 | 1033 | 28 | 2 | 71 | 615 | 130 | 10 | 11 | 120 | 94 | |
| Future Volume (vph) | 1 | 33 | 1033 | 28 | 2 | 71 | 615 | 130 | 10 | 11 | 120 | 94 | |
| Ideal Flow (vphpl) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | |
| Total Lost time (s) | | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | 7.3 | 7.3 | 7.3 | |
| Lane Util. Factor | | 1.00 | 0.95 | 1.00 | | 1.00 | 0.95 | 1.00 | | 1.00 | 1.00 | 0.95 | |
| Frt | | 1.00 | 1.00 | 0.85 | | 1.00 | 1.00 | 0.85 | | 1.00 | 0.85 | 1.00 | |
| Flt Protected | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | 0.98 | 1.00 | 0.95 | |
| Satd. Flow (prot) | | 1770 | 3539 | 1553 | | 1770 | 3471 | 1583 | | 1819 | 1583 | 1681 | |
| Flt Permitted | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | 0.98 | 1.00 | 0.95 | |
| Satd. Flow (perm) | | 1770 | 3539 | 1553 | | 1770 | 3471 | 1583 | | 1819 | 1583 | 1681 | |
| Peak-hour factor, PHF | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | |
| Adj. Flow (vph) | 1 | 35 | 1099 | 30 | 2 | 76 | 654 | 138 | 11 | 12 | 128 | 100 | |
| RTOR Reduction (vph) | 0 | 0 | 0 | 16 | 0 | 0 | 0 | 66 | 0 | 0 | 120 | 0 | |
| Lane Group Flow (vph) | 0 | 36 | 1099 | 14 | 0 | 78 | 654 | 72 | 0 | 23 | 8 | 66 | |
| Heavy Vehicles (%) | 2% | 2% | 2% | 4% | 2% | 2% | 4% | 2% | 2% | 2% | 2% | 2% | |
| Turn Type | Prot | Prot | NA | Perm | Prot | Prot | NA | Perm | Split | NA | Perm | Split | |
| Protected Phases | 5 | 5 | 2 | | 1 | 1 | 6 | | 4 | 4 | | 3 | |
| Permitted Phases | | | | 2 | | | 6 | | | | 4 | | |
| Actuated Green, G (s) | | 4.4 | 43.2 | 43.2 | | 7.1 | 47.2 | 47.2 | | 5.9 | 5.9 | 7.0 | |
| Effective Green, g (s) | | 4.4 | 43.2 | 43.2 | | 7.1 | 47.2 | 47.2 | | 5.9 | 5.9 | 7.0 | |
| Actuated g/C Ratio | | 0.05 | 0.48 | 0.48 | | 0.08 | 0.52 | 0.52 | | 0.07 | 0.07 | 0.08 | |
| Clearance Time (s) | | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | 7.3 | 7.3 | 7.3 | |
| Vehicle Extension (s) | | 2.0 | 4.0 | 4.0 | | 2.0 | 4.0 | 4.0 | | 2.0 | 2.0 | 2.0 | |
| Lane Grp Cap (vph) | | 86 | 1698 | 745 | | 139 | 1820 | 830 | | 119 | 103 | 130 | |
| v/s Ratio Prot | | 0.02 | c0.31 | | | c0.04 | c0.19 | | | c0.01 | | c0.04 | |
| v/s Ratio Perm | | | | 0.01 | | | | 0.05 | | | 0.01 | | |
| v/c Ratio | | 0.42 | 0.65 | 0.02 | | 0.56 | 0.36 | 0.09 | | 0.19 | 0.08 | 0.51 | |
| Uniform Delay, d1 | | 41.6 | 17.7 | 12.3 | | 39.9 | 12.5 | 10.7 | | 39.8 | 39.5 | 39.8 | |
| Progression Factor | | 1.00 | 1.00 | 1.00 | | 0.79 | 1.64 | 19.02 | | 1.00 | 1.00 | 1.00 | |
| Incremental Delay, d2 | | 1.2 | 1.9 | 0.0 | | 3.0 | 0.5 | 0.2 | | 0.3 | 0.1 | 1.1 | |
| Delay (s) | | 42.8 | 19.6 | 12.3 | | 34.6 | 21.1 | 203.1 | | 40.1 | 39.6 | 41.0 | |
| Level of Service | | D | B | B | | C | C | F | | D | D | D | |
| Approach Delay (s) | | | 20.1 | | | | 51.2 | | | 39.7 | | | |
| Approach LOS | | | C | | | | D | | | D | | | |
| Intersection Summary | | | | | | | | | | | | | |
| HCM 2000 Control Delay | | | 34.2 | | HCM 2000 Level of Service | | | | | C | | | |
| HCM 2000 Volume to Capacity ratio | | | 0.59 | | | | | | | | | | |
| Actuated Cycle Length (s) | | | 90.0 | | Sum of lost time (s) | | | | | 26.8 | | | |
| Intersection Capacity Utilization | | | 66.5% | | ICU Level of Service | | | | | C | | | |
| Analysis Period (min) | | | 15 | | | | | | | | | | |
| c Critical Lane Group | | | | | | | | | | | | | |

Monticello Ave Commercial - James City Co, VA
101: Monticello Mktplc & Monticello Ave

No-Build 2024 Conditions
Timing Plan: AM Peak Hour

| Movement | SBT | SBR |
|------------------------|---|---|
| Lane Configurations |  |  |
| Traffic Volume (vph) | 13 | 16 |
| Future Volume (vph) | 13 | 16 |
| Ideal Flow (vphpl) | 1900 | 1900 |
| Total Lost time (s) | 7.3 | |
| Lane Util. Factor | 0.95 | |
| Frt | 0.96 | |
| Flt Protected | 0.97 | |
| Satd. Flow (prot) | 1588 | |
| Flt Permitted | 0.97 | |
| Satd. Flow (perm) | 1588 | |
| Peak-hour factor, PHF | 0.94 | 0.94 |
| Adj. Flow (vph) | 14 | 17 |
| RTOR Reduction (vph) | 15 | 0 |
| Lane Group Flow (vph) | 50 | 0 |
| Heavy Vehicles (%) | 2% | 19% |
| Turn Type | NA | |
| Protected Phases | 3 | |
| Permitted Phases | | |
| Actuated Green, G (s) | 7.0 | |
| Effective Green, g (s) | 7.0 | |
| Actuated g/C Ratio | 0.08 | |
| Clearance Time (s) | 7.3 | |
| Vehicle Extension (s) | 2.0 | |
| Lane Grp Cap (vph) | 123 | |
| v/s Ratio Prot | 0.03 | |
| v/s Ratio Perm | | |
| v/c Ratio | 0.41 | |
| Uniform Delay, d1 | 39.5 | |
| Progression Factor | 1.00 | |
| Incremental Delay, d2 | 0.8 | |
| Delay (s) | 40.3 | |
| Level of Service | D | |
| Approach Delay (s) | 40.7 | |
| Approach LOS | D | |
| Intersection Summary | | |

Monticello Ave Commercial - James City Co, VA
 102: Existing Site Driveway/Old News Rd & Monticello Ave

No-Build 2024 Conditions
 Timing Plan: AM Peak Hour

| |  |  |  |  |  |  |  |  |  |  |  |  |
|-----------------------------------|---|---|---|---|---|---|--|---|---|---|---|---|
| Movement | EBL | EBT | EBR | WBL | WBT | WBR | NBL | NBT | NBR | SBL | SBT | SBR |
| Lane Configurations | |    | | |    | | | |    | | |    |
| Traffic Volume (veh/h) | 0 | 1247 | 2 | 0 | 811 | 80 | 0 | 0 | 19 | 0 | 0 | 7 |
| Future Volume (Veh/h) | 0 | 1247 | 2 | 0 | 811 | 80 | 0 | 0 | 19 | 0 | 0 | 7 |
| Sign Control | | Free | | | Free | | | Stop | | | Stop | |
| Grade | | 0% | | | 0% | | | 0% | | | 0% | |
| Peak Hour Factor | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 |
| Hourly flow rate (vph) | 0 | 1327 | 2 | 0 | 863 | 85 | 0 | 0 | 20 | 0 | 0 | 7 |
| Pedestrians | | | | | | | | | | | | |
| Lane Width (ft) | | | | | | | | | | | | |
| Walking Speed (ft/s) | | | | | | | | | | | | |
| Percent Blockage | | | | | | | | | | | | |
| Right turn flare (veh) | | | | | | | | | | | | |
| Median type | | None | | | None | | | | | | | |
| Median storage veh | | | | | | | | | | | | |
| Upstream signal (ft) | | 626 | | | 245 | | | | | | | |
| pX, platoon unblocked | 0.91 | | | | | | 0.91 | 0.91 | | 0.91 | 0.91 | 0.91 |
| vC, conflicting volume | 948 | | | 1329 | | | 1623 | 2276 | 333 | 1257 | 2234 | 330 |
| vC1, stage 1 conf vol | | | | | | | | | | | | |
| vC2, stage 2 conf vol | | | | | | | | | | | | |
| vCu, unblocked vol | 582 | | | 1329 | | | 1326 | 2047 | 333 | 923 | 2001 | 0 |
| tC, single (s) | 4.1 | | | 4.1 | | | 7.5 | 6.5 | 6.9 | 7.5 | 6.5 | 6.9 |
| tC, 2 stage (s) | | | | | | | | | | | | |
| tF (s) | 2.2 | | | 2.2 | | | 3.5 | 4.0 | 3.3 | 3.5 | 4.0 | 3.3 |
| p0 queue free % | 100 | | | 100 | | | 100 | 100 | 97 | 100 | 100 | 99 |
| cM capacity (veh/h) | 909 | | | 515 | | | 102 | 51 | 663 | 200 | 55 | 989 |
| Direction, Lane # | EB 1 | EB 2 | EB 3 | EB 4 | WB 1 | WB 2 | WB 3 | NB 1 | SB 1 | | | |
| Volume Total | 379 | 379 | 379 | 192 | 345 | 345 | 258 | 20 | 7 | | | |
| Volume Left | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Volume Right | 0 | 0 | 0 | 2 | 0 | 0 | 85 | 20 | 7 | | | |
| cSH | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 663 | 989 | | | |
| Volume to Capacity | 0.22 | 0.22 | 0.22 | 0.11 | 0.20 | 0.20 | 0.15 | 0.03 | 0.01 | | | |
| Queue Length 95th (ft) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | | | |
| Control Delay (s) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.6 | 8.7 | | | |
| Lane LOS | | | | | | | | B | A | | | |
| Approach Delay (s) | 0.0 | | | | 0.0 | | | 10.6 | 8.7 | | | |
| Approach LOS | | | | | | | | B | A | | | |
| Intersection Summary | | | | | | | | | | | | |
| Average Delay | | | 0.1 | | | | | | | | | |
| Intersection Capacity Utilization | | | 28.1% | | ICU Level of Service | | | | A | | | |
| Analysis Period (min) | | | 15 | | | | | | | | | |

Monticello Ave Commercial - James City Co, VA
 103: Monticello Ave & Windsormeade Way

No-Build 2024 Conditions
 Timing Plan: AM Peak Hour

| Movement | EBU | EBL | EBT | WBT | WBR | SBL | SBR |
|-----------------------------------|------|------|-------|------|---------------------------|-------|------|
| Lane Configurations | | | | | | | |
| Traffic Volume (vph) | 1 | 20 | 1245 | 881 | 113 | 261 | 9 |
| Future Volume (vph) | 1 | 20 | 1245 | 881 | 113 | 261 | 9 |
| Ideal Flow (vphpl) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Lane Util. Factor | | 0.97 | 0.95 | 0.91 | | 0.97 | 1.00 |
| Frt | | 1.00 | 1.00 | 0.98 | | 1.00 | 0.85 |
| Flt Protected | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (prot) | | 3282 | 3539 | 4955 | | 3467 | 1553 |
| Flt Permitted | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (perm) | | 3282 | 3539 | 4955 | | 3467 | 1553 |
| Peak-hour factor, PHF | 0.92 | 0.92 | 0.92 | 0.92 | 0.92 | 0.92 | 0.92 |
| Adj. Flow (vph) | 1 | 22 | 1353 | 958 | 123 | 284 | 10 |
| RTOR Reduction (vph) | 0 | 0 | 0 | 14 | 0 | 0 | 0 |
| Lane Group Flow (vph) | 0 | 23 | 1353 | 1067 | 0 | 284 | 10 |
| Heavy Vehicles (%) | 0% | 7% | 2% | 3% | 2% | 1% | 4% |
| Turn Type | Prot | Prot | NA | NA | | Prot | Perm |
| Protected Phases | 5 | 5 | 2 | 6 | | 4 | |
| Permitted Phases | | | | | | | 4 |
| Actuated Green, G (s) | | 2.3 | 65.8 | 56.3 | | 11.7 | 11.7 |
| Effective Green, g (s) | | 2.3 | 65.8 | 56.3 | | 11.7 | 11.7 |
| Actuated g/C Ratio | | 0.03 | 0.73 | 0.63 | | 0.13 | 0.13 |
| Clearance Time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Vehicle Extension (s) | | 2.0 | 4.0 | 4.0 | | 2.0 | 2.0 |
| Lane Grp Cap (vph) | | 83 | 2587 | 3099 | | 450 | 201 |
| v/s Ratio Prot | | 0.01 | c0.38 | 0.22 | | c0.08 | |
| v/s Ratio Perm | | | | | | | 0.01 |
| v/c Ratio | | 0.28 | 0.52 | 0.34 | | 0.63 | 0.05 |
| Uniform Delay, d1 | | 43.0 | 5.3 | 8.0 | | 37.1 | 34.3 |
| Progression Factor | | 1.45 | 0.39 | 1.00 | | 1.00 | 1.00 |
| Incremental Delay, d2 | | 0.6 | 0.6 | 0.1 | | 2.1 | 0.0 |
| Delay (s) | | 62.9 | 2.7 | 8.1 | | 39.2 | 34.3 |
| Level of Service | | E | A | A | | D | C |
| Approach Delay (s) | | | 3.7 | 8.1 | | 39.1 | |
| Approach LOS | | | A | A | | D | |
| Intersection Summary | | | | | | | |
| HCM 2000 Control Delay | | | 9.2 | | HCM 2000 Level of Service | | A |
| HCM 2000 Volume to Capacity ratio | | | 0.59 | | | | |
| Actuated Cycle Length (s) | | | 90.0 | | Sum of lost time (s) | | 19.7 |
| Intersection Capacity Utilization | | | 52.3% | | ICU Level of Service | | A |
| Analysis Period (min) | | | 15 | | | | |
| c Critical Lane Group | | | | | | | |

No-Build 2024 Conditions Queuing and Blocking Report

Monticello Ave Commercial - James City Co, VA
AM Peak Hour

Intersection: 101: Monticello Mktplc & Monticello Ave

| Movement | EB | EB | EB | EB | WB | WB | WB | NB | NB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|----|-----|-----|
| Directions Served | UL | T | T | R | UL | T | T | LT | R | UL | LTR |
| Maximum Queue (ft) | 150 | 321 | 292 | 45 | 148 | 218 | 202 | 60 | 82 | 122 | 89 |
| Average Queue (ft) | 36 | 176 | 127 | 11 | 55 | 94 | 81 | 12 | 29 | 55 | 27 |
| 95th Queue (ft) | 110 | 286 | 241 | 36 | 112 | 187 | 176 | 41 | 65 | 103 | 70 |
| Link Distance (ft) | | 554 | 554 | 554 | | 554 | 554 | 493 | | 332 | 332 |
| Upstream Blk Time (%) | | | | | | | | | | | |
| Queuing Penalty (veh) | | | | | | | | | | | |
| Storage Bay Dist (ft) | 170 | | | | 220 | | | | 85 | | |
| Storage Blk Time (%) | | 8 | | | | 0 | | 0 | 0 | | |
| Queuing Penalty (veh) | | 3 | | | | 0 | | 0 | 0 | | |

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

| Movement | EB | EB | WB | NB | SB |
|-----------------------|-----|-----|-----|-----|-----|
| Directions Served | T | TR | TR | R | R |
| Maximum Queue (ft) | 23 | 31 | 4 | 45 | 26 |
| Average Queue (ft) | 1 | 1 | 0 | 16 | 6 |
| 95th Queue (ft) | 12 | 16 | 0 | 42 | 23 |
| Link Distance (ft) | 554 | 554 | 167 | 371 | 400 |
| Upstream Blk Time (%) | | | | | |
| Queuing Penalty (veh) | | | | | |
| Storage Bay Dist (ft) | | | | | |
| Storage Blk Time (%) | | | | | |
| Queuing Penalty (veh) | | | | | |

Intersection: 103: Monticello Ave & Windsormeade Way

| Movement | EB | EB | EB | EB | WB | WB | WB | SB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | UL | L | T | T | T | T | TR | L | L | R |
| Maximum Queue (ft) | 39 | 62 | 200 | 220 | 189 | 144 | 143 | 200 | 160 | 26 |
| Average Queue (ft) | 5 | 20 | 66 | 90 | 90 | 38 | 56 | 114 | 45 | 5 |
| 95th Queue (ft) | 24 | 53 | 157 | 188 | 155 | 96 | 109 | 177 | 128 | 20 |
| Link Distance (ft) | 167 | 167 | 167 | 167 | 580 | 580 | 580 | 410 | 410 | |
| Upstream Blk Time (%) | | | 1 | 1 | | | | | | |
| Queuing Penalty (veh) | | | 2 | 5 | | | | | | |
| Storage Bay Dist (ft) | | | | | | | | | | 200 |
| Storage Blk Time (%) | | | | | | | | | | |
| Queuing Penalty (veh) | | | | | | | | | | |

Network Summary

Network wide Queuing Penalty: 10

Monticello Ave Commercial - James City Co, VA
 101: Monticello Mktplc & Monticello Ave

No-Build 2024 Conditions
 Timing Plan: PM Peak Hour

| Movement | EBL | EBT | EBR | WBU | WBL | WBT | WBR | NBU | NBL | NBT | NBR | SBL |
|------------------------|------|------|------|------|-------|-------|------|-------|-------|-------|------|-------|
| Lane Configurations | | | | | | | | | | | | |
| Traffic Volume (vph) | 46 | 806 | 34 | 11 | 185 | 1341 | 324 | 1 | 21 | 37 | 172 | 339 |
| Future Volume (vph) | 46 | 806 | 34 | 11 | 185 | 1341 | 324 | 1 | 21 | 37 | 172 | 339 |
| Ideal Flow (vphpl) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | | 7.3 | 7.3 | 7.3 |
| Lane Util. Factor | 1.00 | 0.95 | 1.00 | | 1.00 | 0.95 | 1.00 | | | 1.00 | 1.00 | 0.95 |
| Frt | 1.00 | 1.00 | 0.85 | | 1.00 | 1.00 | 0.85 | | | 1.00 | 0.85 | 1.00 |
| Flt Protected | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | | 0.98 | 1.00 | 0.95 |
| Satd. Flow (prot) | 1770 | 3539 | 1553 | | 1770 | 3471 | 1583 | | | 1829 | 1583 | 1681 |
| Flt Permitted | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | | 0.98 | 1.00 | 0.95 |
| Satd. Flow (perm) | 1770 | 3539 | 1553 | | 1770 | 3471 | 1583 | | | 1829 | 1583 | 1681 |
| Peak-hour factor, PHF | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 |
| Adj. Flow (vph) | 49 | 857 | 36 | 12 | 197 | 1427 | 345 | 1 | 22 | 39 | 183 | 361 |
| RTOR Reduction (vph) | 0 | 0 | 22 | 0 | 0 | 0 | 139 | 0 | 0 | 0 | 171 | 0 |
| Lane Group Flow (vph) | 49 | 857 | 14 | 0 | 209 | 1427 | 206 | 0 | 0 | 62 | 12 | 253 |
| Heavy Vehicles (%) | 2% | 2% | 4% | 2% | 2% | 4% | 2% | 2% | 2% | 2% | 2% | 2% |
| Turn Type | Prot | NA | Perm | Prot | Prot | NA | Perm | Split | Split | NA | Perm | Split |
| Protected Phases | 5 | 2 | | 1 | 1 | 6 | | 4 | 4 | 4 | | 3 |
| Permitted Phases | | | 2 | | | | 6 | | | | 4 | |
| Actuated Green, G (s) | 6.1 | 48.1 | 48.1 | | 16.8 | 60.1 | 60.1 | | | 7.6 | 7.6 | 20.7 |
| Effective Green, g (s) | 6.1 | 48.1 | 48.1 | | 16.8 | 60.1 | 60.1 | | | 7.6 | 7.6 | 20.7 |
| Actuated g/C Ratio | 0.05 | 0.40 | 0.40 | | 0.14 | 0.50 | 0.50 | | | 0.06 | 0.06 | 0.17 |
| Clearance Time (s) | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | | 7.3 | 7.3 | 7.3 |
| Vehicle Extension (s) | 2.0 | 4.0 | 4.0 | | 2.0 | 4.0 | 4.0 | | | 2.0 | 2.0 | 2.0 |
| Lane Grp Cap (vph) | 89 | 1418 | 622 | | 247 | 1738 | 792 | | | 115 | 100 | 289 |
| v/s Ratio Prot | 0.03 | 0.24 | | | c0.12 | c0.41 | | | | c0.03 | | c0.15 |
| v/s Ratio Perm | | | 0.01 | | | | 0.13 | | | | 0.01 | |
| v/c Ratio | 0.55 | 0.60 | 0.02 | | 0.85 | 0.82 | 0.26 | | | 0.54 | 0.12 | 0.88 |
| Uniform Delay, d1 | 55.6 | 28.4 | 21.7 | | 50.3 | 25.4 | 17.2 | | | 54.5 | 53.0 | 48.4 |
| Progression Factor | 1.00 | 1.00 | 1.00 | | 0.70 | 1.65 | 3.90 | | | 1.00 | 1.00 | 1.00 |
| Incremental Delay, d2 | 4.1 | 1.9 | 0.1 | | 15.6 | 3.1 | 0.5 | | | 2.4 | 0.2 | 23.6 |
| Delay (s) | 59.7 | 30.3 | 21.8 | | 50.9 | 44.9 | 67.5 | | | 56.9 | 53.2 | 72.0 |
| Level of Service | E | C | C | | D | D | E | | | E | D | E |
| Approach Delay (s) | | 31.5 | | | | 49.5 | | | | 54.2 | | |
| Approach LOS | | C | | | | D | | | | D | | |

Intersection Summary

| | | | |
|-----------------------------------|-------|---------------------------|------|
| HCM 2000 Control Delay | 48.0 | HCM 2000 Level of Service | D |
| HCM 2000 Volume to Capacity ratio | 0.85 | | |
| Actuated Cycle Length (s) | 120.0 | Sum of lost time (s) | 26.8 |
| Intersection Capacity Utilization | 79.2% | ICU Level of Service | D |
| Analysis Period (min) | 15 | | |
| c Critical Lane Group | | | |

Monticello Ave Commercial - James City Co, VA
101: Monticello Mktplc & Monticello Ave

No-Build 2024 Conditions
Timing Plan: PM Peak Hour

| Movement | SBT | SBR |
|------------------------|---|---|
| Lane Configurations |  |  |
| Traffic Volume (vph) | 36 | 91 |
| Future Volume (vph) | 36 | 91 |
| Ideal Flow (vphpl) | 1900 | 1900 |
| Total Lost time (s) | 7.3 | |
| Lane Util. Factor | 0.95 | |
| Frt | 0.94 | |
| Flt Protected | 0.98 | |
| Satd. Flow (prot) | 1526 | |
| Flt Permitted | 0.98 | |
| Satd. Flow (perm) | 1526 | |
| Peak-hour factor, PHF | 0.94 | 0.94 |
| Adj. Flow (vph) | 38 | 97 |
| RTOR Reduction (vph) | 21 | 0 |
| Lane Group Flow (vph) | 222 | 0 |
| Heavy Vehicles (%) | 2% | 19% |
| Turn Type | NA | |
| Protected Phases | 3 | |
| Permitted Phases | | |
| Actuated Green, G (s) | 20.7 | |
| Effective Green, g (s) | 20.7 | |
| Actuated g/C Ratio | 0.17 | |
| Clearance Time (s) | 7.3 | |
| Vehicle Extension (s) | 2.0 | |
| Lane Grp Cap (vph) | 263 | |
| v/s Ratio Prot | 0.15 | |
| v/s Ratio Perm | | |
| v/c Ratio | 0.85 | |
| Uniform Delay, d1 | 48.1 | |
| Progression Factor | 1.00 | |
| Incremental Delay, d2 | 20.6 | |
| Delay (s) | 68.7 | |
| Level of Service | E | |
| Approach Delay (s) | 70.4 | |
| Approach LOS | E | |
| Intersection Summary | | |

Monticello Ave Commercial - James City Co, VA
 102: Existing Site Driveway/Old News Rd & Monticello Ave

No-Build 2024 Conditions
 Timing Plan: PM Peak Hour

| Movement | EBL | EBT | EBR | WBL | WBT | WBR | NBL | NBT | NBR | SBL | SBT | SBR |
|-----------------------------------|------|------|-------|------|----------------------|------|------|------|------|------|------|------|
| Lane Configurations | | | | | | | | | | | | |
| Traffic Volume (veh/h) | 0 | 1327 | 1 | 0 | 1825 | 279 | 0 | 0 | 37 | 0 | 0 | 36 |
| Future Volume (Veh/h) | 0 | 1327 | 1 | 0 | 1825 | 279 | 0 | 0 | 37 | 0 | 0 | 36 |
| Sign Control | | Free | | | Free | | | Stop | | | Stop | |
| Grade | | 0% | | | 0% | | | 0% | | | 0% | |
| Peak Hour Factor | 0.97 | 0.94 | 0.94 | 0.94 | 0.94 | 0.97 | 0.94 | 0.97 | 0.94 | 0.97 | 0.97 | 0.97 |
| Hourly flow rate (vph) | 0 | 1412 | 1 | 0 | 1941 | 288 | 0 | 0 | 39 | 0 | 0 | 37 |
| Pedestrians | | | | | | | | | | | | |
| Lane Width (ft) | | | | | | | | | | | | |
| Walking Speed (ft/s) | | | | | | | | | | | | |
| Percent Blockage | | | | | | | | | | | | |
| Right turn flare (veh) | | | | | | | | | | | | |
| Median type | | None | | | None | | | | | | | |
| Median storage veh | | | | | | | | | | | | |
| Upstream signal (ft) | | 626 | | | 245 | | | | | | | |
| pX, platoon unblocked | 0.65 | | | | | | 0.65 | 0.65 | | 0.65 | 0.65 | 0.65 |
| vC, conflicting volume | 2229 | | | 1413 | | | 2096 | 3642 | 354 | 2477 | 3498 | 791 |
| vC1, stage 1 conf vol | | | | | | | | | | | | |
| vC2, stage 2 conf vol | | | | | | | | | | | | |
| vCu, unblocked vol | 1019 | | | 1413 | | | 816 | 3184 | 354 | 1400 | 2964 | 0 |
| tC, single (s) | 4.1 | | | 4.1 | | | 7.5 | 6.5 | 6.9 | 7.5 | 6.5 | 6.9 |
| tC, 2 stage (s) | | | | | | | | | | | | |
| tF (s) | 2.2 | | | 2.2 | | | 3.5 | 4.0 | 3.3 | 3.5 | 4.0 | 3.3 |
| p0 queue free % | 100 | | | 100 | | | 100 | 100 | 94 | 100 | 100 | 95 |
| cM capacity (veh/h) | 449 | | | 478 | | | 166 | 7 | 643 | 62 | 10 | 712 |
| Direction, Lane # | EB 1 | EB 2 | EB 3 | EB 4 | WB 1 | WB 2 | WB 3 | NB 1 | SB 1 | | | |
| Volume Total | 403 | 403 | 403 | 203 | 776 | 776 | 676 | 39 | 37 | | | |
| Volume Left | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Volume Right | 0 | 0 | 0 | 1 | 0 | 0 | 288 | 39 | 37 | | | |
| cSH | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 643 | 712 | | | |
| Volume to Capacity | 0.24 | 0.24 | 0.24 | 0.12 | 0.46 | 0.46 | 0.40 | 0.06 | 0.05 | | | |
| Queue Length 95th (ft) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 4 | | | |
| Control Delay (s) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 11.0 | 10.3 | | | |
| Lane LOS | | | | | | | | B | B | | | |
| Approach Delay (s) | 0.0 | | | | 0.0 | | | 11.0 | 10.3 | | | |
| Approach LOS | | | | | | | | B | B | | | |
| Intersection Summary | | | | | | | | | | | | |
| Average Delay | | | 0.2 | | | | | | | | | |
| Intersection Capacity Utilization | | | 51.5% | | ICU Level of Service | | | | A | | | |
| Analysis Period (min) | | | 15 | | | | | | | | | |

Monticello Ave Commercial - James City Co, VA
 103: Monticello Ave & Windsormeade Way

No-Build 2024 Conditions
 Timing Plan: PM Peak Hour

| Movement | EBU | EBL | EBT | WBT | WBR | SBL | SBR |
|-----------------------------------|------|------|-------|-------|---------------------------|-------|------|
| Lane Configurations | | | | | | | |
| Traffic Volume (vph) | 1 | 43 | 1320 | 2099 | 302 | 384 | 4 |
| Future Volume (vph) | 1 | 43 | 1320 | 2099 | 302 | 384 | 4 |
| Ideal Flow (vphp) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Lane Util. Factor | | 0.97 | 0.95 | 0.91 | | 0.97 | 1.00 |
| Frt | | 1.00 | 1.00 | 0.98 | | 1.00 | 0.85 |
| Flt Protected | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (prot) | | 3468 | 3574 | 5045 | | 3467 | 1615 |
| Flt Permitted | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (perm) | | 3468 | 3574 | 5045 | | 3467 | 1615 |
| Peak-hour factor, PHF | 0.95 | 0.95 | 0.95 | 0.95 | 0.95 | 0.95 | 0.95 |
| Adj. Flow (vph) | 1 | 45 | 1389 | 2209 | 318 | 404 | 4 |
| RTOR Reduction (vph) | 0 | 0 | 0 | 15 | 0 | 0 | 0 |
| Lane Group Flow (vph) | 0 | 46 | 1389 | 2512 | 0 | 404 | 4 |
| Heavy Vehicles (%) | 0% | 1% | 1% | 1% | 0% | 1% | 0% |
| Turn Type | Prot | Prot | NA | NA | | Prot | Perm |
| Protected Phases | 5 | 5 | 2 | 6 | | 4 | |
| Permitted Phases | | | | | | | 4 |
| Actuated Green, G (s) | | 4.3 | 89.8 | 78.3 | | 17.7 | 17.7 |
| Effective Green, g (s) | | 4.3 | 89.8 | 78.3 | | 17.7 | 17.7 |
| Actuated g/C Ratio | | 0.04 | 0.75 | 0.65 | | 0.15 | 0.15 |
| Clearance Time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Vehicle Extension (s) | | 2.0 | 4.0 | 4.0 | | 2.0 | 2.0 |
| Lane Grp Cap (vph) | | 124 | 2674 | 3291 | | 511 | 238 |
| v/s Ratio Prot | | 0.01 | c0.39 | c0.50 | | c0.12 | |
| v/s Ratio Perm | | | | | | | 0.00 |
| v/c Ratio | | 0.37 | 0.52 | 0.76 | | 0.79 | 0.02 |
| Uniform Delay, d1 | | 56.5 | 6.2 | 14.4 | | 49.4 | 43.7 |
| Progression Factor | | 1.09 | 1.16 | 1.00 | | 1.00 | 1.00 |
| Incremental Delay, d2 | | 0.5 | 0.6 | 1.7 | | 7.6 | 0.0 |
| Delay (s) | | 62.3 | 7.8 | 16.2 | | 57.0 | 43.7 |
| Level of Service | | E | A | B | | E | D |
| Approach Delay (s) | | | 9.5 | 16.2 | | 56.9 | |
| Approach LOS | | | A | B | | E | |
| Intersection Summary | | | | | | | |
| HCM 2000 Control Delay | | | 17.8 | | HCM 2000 Level of Service | | B |
| HCM 2000 Volume to Capacity ratio | | | 0.78 | | | | |
| Actuated Cycle Length (s) | | | 120.0 | | Sum of lost time (s) | | 19.7 |
| Intersection Capacity Utilization | | | 68.8% | | ICU Level of Service | | C |
| Analysis Period (min) | | | 15 | | | | |
| c Critical Lane Group | | | | | | | |

No-Build 2024 Conditions Queuing and Blocking Report

Monticello Ave Commercial - James City Co, VA
PM Peak Hour

Intersection: 101: Monticello Mktplc & Monticello Ave

| Movement | EB | EB | EB | EB | WB | WB | WB | WB | NB | NB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | UL | T | T | R | UL | T | T | R | ULT | R | UL | LTR |
| Maximum Queue (ft) | 194 | 396 | 358 | 53 | 245 | 630 | 620 | 195 | 145 | 108 | 304 | 284 |
| Average Queue (ft) | 64 | 232 | 188 | 16 | 203 | 418 | 413 | 12 | 38 | 45 | 183 | 154 |
| 95th Queue (ft) | 164 | 345 | 305 | 42 | 298 | 622 | 599 | 132 | 94 | 92 | 263 | 244 |
| Link Distance (ft) | | 554 | 554 | 554 | | 554 | 554 | 554 | 493 | | 332 | 332 |
| Upstream Blk Time (%) | | 0 | | | | 3 | 2 | 0 | | | 0 | 0 |
| Queuing Penalty (veh) | | 0 | | | | 17 | 12 | 0 | | | 0 | 0 |
| Storage Bay Dist (ft) | 170 | | | | 220 | | | | | 85 | | |
| Storage Blk Time (%) | 0 | 19 | | | 3 | 22 | | | 2 | 1 | | |
| Queuing Penalty (veh) | 0 | 9 | | | 21 | 44 | | | 4 | 1 | | |

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

| Movement | EB | EB | WB | WB | WB | NB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | T | TR | T | T | TR | R | R |
| Maximum Queue (ft) | 29 | 41 | 50 | 45 | 5 | 60 | 54 |
| Average Queue (ft) | 1 | 2 | 3 | 2 | 0 | 23 | 22 |
| 95th Queue (ft) | 14 | 22 | 29 | 20 | 5 | 50 | 47 |
| Link Distance (ft) | 554 | 554 | 167 | 167 | 167 | 371 | 400 |
| Upstream Blk Time (%) | | | | | | | |
| Queuing Penalty (veh) | | | | | | | |
| Storage Bay Dist (ft) | | | | | | | |
| Storage Blk Time (%) | | | | | | | |
| Queuing Penalty (veh) | | | | | | | |

Intersection: 103: Monticello Ave & Windsormeade Way

| Movement | EB | EB | EB | EB | WB | WB | WB | SB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | UL | L | T | T | T | T | TR | L | L | R |
| Maximum Queue (ft) | 48 | 72 | 217 | 224 | 414 | 459 | 500 | 276 | 230 | 25 |
| Average Queue (ft) | 13 | 32 | 76 | 100 | 262 | 225 | 251 | 178 | 131 | 2 |
| 95th Queue (ft) | 39 | 65 | 190 | 206 | 380 | 378 | 413 | 246 | 227 | 14 |
| Link Distance (ft) | 167 | 167 | 167 | 167 | 580 | 580 | 580 | 410 | 410 | |
| Upstream Blk Time (%) | | | 1 | 2 | | 0 | 0 | | | |
| Queuing Penalty (veh) | | | 3 | 5 | | 0 | 0 | | | |
| Storage Bay Dist (ft) | | | | | | | | | | 200 |
| Storage Blk Time (%) | | | | | | | | | 0 | |
| Queuing Penalty (veh) | | | | | | | | | 0 | |

Network Summary

Network wide Queuing Penalty: 116

Monticello Avenue Commercial

APPENDIX E

Intersection Capacity Analysis Results – Build Conditions (2024)

Monticello Ave Commercial - James City Co, VA
 101: Monticello Mktplc & Monticello Ave

Build 2024 Conditions
 Timing Plan: AM Peak Hour

| Movement | EBU | EBL | EBT | EBR | WBU | WBL | WBT | WBR | NBL | NBT | NBR | SBL |
|------------------------|------|------|-------|------|------|-------|-------|-------|-------|-------|------|-------|
| Lane Configurations | | | | | | | | | | | | |
| Traffic Volume (vph) | 1 | 33 | 1046 | 28 | 22 | 71 | 621 | 130 | 10 | 11 | 120 | 94 |
| Future Volume (vph) | 1 | 33 | 1046 | 28 | 22 | 71 | 621 | 130 | 10 | 11 | 120 | 94 |
| Ideal Flow (vphpl) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | 7.3 | 7.3 | 7.3 |
| Lane Util. Factor | | 1.00 | 0.95 | 1.00 | | 1.00 | 0.95 | 1.00 | | 1.00 | 1.00 | 0.95 |
| Frt | | 1.00 | 1.00 | 0.85 | | 1.00 | 1.00 | 0.85 | | 1.00 | 0.85 | 1.00 |
| Flt Protected | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | 0.98 | 1.00 | 0.95 |
| Satd. Flow (prot) | | 1770 | 3539 | 1553 | | 1770 | 3471 | 1583 | | 1819 | 1583 | 1681 |
| Flt Permitted | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | 0.98 | 1.00 | 0.95 |
| Satd. Flow (perm) | | 1770 | 3539 | 1553 | | 1770 | 3471 | 1583 | | 1819 | 1583 | 1681 |
| Peak-hour factor, PHF | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 |
| Adj. Flow (vph) | 1 | 35 | 1113 | 30 | 23 | 76 | 661 | 138 | 11 | 12 | 128 | 100 |
| RTOR Reduction (vph) | 0 | 0 | 0 | 16 | 0 | 0 | 0 | 66 | 0 | 0 | 120 | 0 |
| Lane Group Flow (vph) | 0 | 36 | 1113 | 14 | 0 | 99 | 661 | 72 | 0 | 23 | 8 | 66 |
| Heavy Vehicles (%) | 2% | 2% | 2% | 4% | 2% | 2% | 4% | 2% | 2% | 2% | 2% | 2% |
| Turn Type | Prot | Prot | NA | Perm | Prot | Prot | NA | Perm | Split | NA | Perm | Split |
| Protected Phases | 5 | 5 | 2 | | 1 | 1 | 6 | | 4 | 4 | | 3 |
| Permitted Phases | | | | 2 | | | 6 | | | | 4 | |
| Actuated Green, G (s) | | 4.4 | 42.6 | 42.6 | | 7.7 | 47.2 | 47.2 | | 5.9 | 5.9 | 7.0 |
| Effective Green, g (s) | | 4.4 | 42.6 | 42.6 | | 7.7 | 47.2 | 47.2 | | 5.9 | 5.9 | 7.0 |
| Actuated g/C Ratio | | 0.05 | 0.47 | 0.47 | | 0.09 | 0.52 | 0.52 | | 0.07 | 0.07 | 0.08 |
| Clearance Time (s) | | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | 7.3 | 7.3 | 7.3 |
| Vehicle Extension (s) | | 2.0 | 4.0 | 4.0 | | 2.0 | 4.0 | 4.0 | | 2.0 | 2.0 | 2.0 |
| Lane Grp Cap (vph) | | 86 | 1675 | 735 | | 151 | 1820 | 830 | | 119 | 103 | 130 |
| v/s Ratio Prot | | 0.02 | c0.31 | | | c0.06 | c0.19 | | | c0.01 | | c0.04 |
| v/s Ratio Perm | | | | 0.01 | | | | 0.05 | | | 0.01 | |
| v/c Ratio | | 0.42 | 0.66 | 0.02 | | 0.66 | 0.36 | 0.09 | | 0.19 | 0.08 | 0.51 |
| Uniform Delay, d1 | | 41.6 | 18.2 | 12.6 | | 39.9 | 12.6 | 10.7 | | 39.8 | 39.5 | 39.8 |
| Progression Factor | | 1.00 | 1.00 | 1.00 | | 0.76 | 1.62 | 18.71 | | 1.00 | 1.00 | 1.00 |
| Incremental Delay, d2 | | 1.2 | 2.1 | 0.0 | | 7.3 | 0.5 | 0.2 | | 0.3 | 0.1 | 1.1 |
| Delay (s) | | 42.8 | 20.3 | 12.6 | | 37.5 | 20.9 | 199.8 | | 40.1 | 39.6 | 41.0 |
| Level of Service | | D | C | B | | D | C | F | | D | D | D |
| Approach Delay (s) | | | 20.8 | | | | 50.2 | | | 39.7 | | |
| Approach LOS | | | C | | | | D | | | D | | |

Intersection Summary

| | | | |
|-----------------------------------|-------|---------------------------|------|
| HCM 2000 Control Delay | 34.3 | HCM 2000 Level of Service | C |
| HCM 2000 Volume to Capacity ratio | 0.61 | | |
| Actuated Cycle Length (s) | 90.0 | Sum of lost time (s) | 26.8 |
| Intersection Capacity Utilization | 68.0% | ICU Level of Service | C |
| Analysis Period (min) | 15 | | |
| c Critical Lane Group | | | |

Monticello Ave Commercial - James City Co, VA
101: Monticello Mktplc & Monticello Ave

Build 2024 Conditions
Timing Plan: AM Peak Hour

| Movement | SBT | SBR |
|------------------------|---|---|
| Lane Configurations |  |  |
| Traffic Volume (vph) | 13 | 16 |
| Future Volume (vph) | 13 | 16 |
| Ideal Flow (vphpl) | 1900 | 1900 |
| Total Lost time (s) | 7.3 | |
| Lane Util. Factor | 0.95 | |
| Frt | 0.96 | |
| Flt Protected | 0.97 | |
| Satd. Flow (prot) | 1588 | |
| Flt Permitted | 0.97 | |
| Satd. Flow (perm) | 1588 | |
| Peak-hour factor, PHF | 0.94 | 0.94 |
| Adj. Flow (vph) | 14 | 17 |
| RTOR Reduction (vph) | 15 | 0 |
| Lane Group Flow (vph) | 50 | 0 |
| Heavy Vehicles (%) | 2% | 19% |
| Turn Type | NA | |
| Protected Phases | 3 | |
| Permitted Phases | | |
| Actuated Green, G (s) | 7.0 | |
| Effective Green, g (s) | 7.0 | |
| Actuated g/C Ratio | 0.08 | |
| Clearance Time (s) | 7.3 | |
| Vehicle Extension (s) | 2.0 | |
| Lane Grp Cap (vph) | 123 | |
| v/s Ratio Prot | 0.03 | |
| v/s Ratio Perm | | |
| v/c Ratio | 0.41 | |
| Uniform Delay, d1 | 39.5 | |
| Progression Factor | 1.00 | |
| Incremental Delay, d2 | 0.8 | |
| Delay (s) | 40.3 | |
| Level of Service | D | |
| Approach Delay (s) | 40.7 | |
| Approach LOS | D | |
| Intersection Summary | | |

Monticello Ave Commercial - James City Co, VA
 102: Existing Site Driveway/Old News Rd & Monticello Ave

Build 2024 Conditions
 Timing Plan: AM Peak Hour

| |  |  |  |  |  |  |  |  |  |  |  |  |
|-----------------------------------|---|---|---|---|---|---|--|---|---|---|---|---|
| Movement | EBL | EBT | EBR | WBL | WBT | WBR | NBL | NBT | NBR | SBL | SBT | SBR |
| Lane Configurations | |  | | |  | | | |  | | |  |
| Traffic Volume (veh/h) | 0 | 1247 | 35 | 0 | 837 | 80 | 0 | 0 | 34 | 0 | 0 | 7 |
| Future Volume (Veh/h) | 0 | 1247 | 35 | 0 | 837 | 80 | 0 | 0 | 34 | 0 | 0 | 7 |
| Sign Control | | Free | | | Free | | | Stop | | | Stop | |
| Grade | | 0% | | | 0% | | | 0% | | | 0% | |
| Peak Hour Factor | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 |
| Hourly flow rate (vph) | 0 | 1327 | 37 | 0 | 890 | 85 | 0 | 0 | 36 | 0 | 0 | 7 |
| Pedestrians | | | | | | | | | | | | |
| Lane Width (ft) | | | | | | | | | | | | |
| Walking Speed (ft/s) | | | | | | | | | | | | |
| Percent Blockage | | | | | | | | | | | | |
| Right turn flare (veh) | | | | | | | | | | | | |
| Median type | | None | | | None | | | | | | | |
| Median storage veh | | | | | | | | | | | | |
| Upstream signal (ft) | | 626 | | | 245 | | | | | | | |
| pX, platoon unblocked | 0.90 | | | | | | 0.90 | 0.90 | | 0.90 | 0.90 | 0.90 |
| vC, conflicting volume | 975 | | | 1364 | | | 1649 | 2320 | 350 | 1300 | 2296 | 339 |
| vC1, stage 1 conf vol | | | | | | | | | | | | |
| vC2, stage 2 conf vol | | | | | | | | | | | | |
| vCu, unblocked vol | 583 | | | 1364 | | | 1332 | 2078 | 350 | 945 | 2052 | 0 |
| tC, single (s) | 4.1 | | | 4.1 | | | 7.5 | 6.5 | 6.9 | 7.5 | 6.5 | 6.9 |
| tC, 2 stage (s) | | | | | | | | | | | | |
| tF (s) | 2.2 | | | 2.2 | | | 3.5 | 4.0 | 3.3 | 3.5 | 4.0 | 3.3 |
| p0 queue free % | 100 | | | 100 | | | 100 | 100 | 94 | 100 | 100 | 99 |
| cM capacity (veh/h) | 901 | | | 500 | | | 100 | 49 | 646 | 187 | 51 | 982 |
| Direction, Lane # | EB 1 | EB 2 | EB 3 | EB 4 | WB 1 | WB 2 | WB 3 | NB 1 | SB 1 | | | |
| Volume Total | 379 | 379 | 379 | 227 | 356 | 356 | 263 | 36 | 7 | | | |
| Volume Left | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Volume Right | 0 | 0 | 0 | 37 | 0 | 0 | 85 | 36 | 7 | | | |
| cSH | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 646 | 982 | | | |
| Volume to Capacity | 0.22 | 0.22 | 0.22 | 0.13 | 0.21 | 0.21 | 0.15 | 0.06 | 0.01 | | | |
| Queue Length 95th (ft) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 1 | | | |
| Control Delay (s) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.9 | 8.7 | | | |
| Lane LOS | | | | | | | | B | A | | | |
| Approach Delay (s) | 0.0 | | | | 0.0 | | | 10.9 | 8.7 | | | |
| Approach LOS | | | | | | | | B | A | | | |
| Intersection Summary | | | | | | | | | | | | |
| Average Delay | | | 0.2 | | | | | | | | | |
| Intersection Capacity Utilization | | | 28.7% | | ICU Level of Service | | | | A | | | |
| Analysis Period (min) | | | 15 | | | | | | | | | |

Monticello Ave Commercial - James City Co, VA
 103: Monticello Ave & Windsormeade Way

Build 2024 Conditions
 Timing Plan: AM Peak Hour

| |  |  |  |  |  |  |  |
|-----------------------------------|---|---|---|---|---|---|---|
| Movement | EBU | EBL | EBT | WBT | WBR | SBL | SBR |
| Lane Configurations | |  |  |  | |  |  |
| Traffic Volume (vph) | 7 | 20 | 1254 | 901 | 113 | 261 | 9 |
| Future Volume (vph) | 7 | 20 | 1254 | 901 | 113 | 261 | 9 |
| Ideal Flow (vphpl) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Lane Util. Factor | | 0.97 | 0.95 | 0.91 | | 0.97 | 1.00 |
| Frt | | 1.00 | 1.00 | 0.98 | | 1.00 | 0.85 |
| Flt Protected | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (prot) | | 3331 | 3539 | 4957 | | 3467 | 1553 |
| Flt Permitted | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (perm) | | 3331 | 3539 | 4957 | | 3467 | 1553 |
| Peak-hour factor, PHF | 0.92 | 0.92 | 0.92 | 0.92 | 0.92 | 0.92 | 0.92 |
| Adj. Flow (vph) | 8 | 22 | 1363 | 979 | 123 | 284 | 10 |
| RTOR Reduction (vph) | 0 | 0 | 0 | 14 | 0 | 0 | 0 |
| Lane Group Flow (vph) | 0 | 30 | 1363 | 1088 | 0 | 284 | 10 |
| Heavy Vehicles (%) | 0% | 7% | 2% | 3% | 2% | 1% | 4% |
| Turn Type | Prot | Prot | NA | NA | | Prot | Perm |
| Protected Phases | 5 | 5 | 2 | 6 | | 4 | |
| Permitted Phases | | | | | | | 4 |
| Actuated Green, G (s) | | 3.5 | 65.8 | 55.1 | | 11.7 | 11.7 |
| Effective Green, g (s) | | 3.5 | 65.8 | 55.1 | | 11.7 | 11.7 |
| Actuated g/C Ratio | | 0.04 | 0.73 | 0.61 | | 0.13 | 0.13 |
| Clearance Time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Vehicle Extension (s) | | 2.0 | 4.0 | 4.0 | | 2.0 | 2.0 |
| Lane Grp Cap (vph) | | 129 | 2587 | 3034 | | 450 | 201 |
| v/s Ratio Prot | | 0.01 | c0.39 | 0.22 | | c0.08 | |
| v/s Ratio Perm | | | | | | | 0.01 |
| v/c Ratio | | 0.23 | 0.53 | 0.36 | | 0.63 | 0.05 |
| Uniform Delay, d1 | | 41.9 | 5.3 | 8.7 | | 37.1 | 34.3 |
| Progression Factor | | 1.41 | 0.37 | 1.00 | | 1.00 | 1.00 |
| Incremental Delay, d2 | | 0.3 | 0.7 | 0.1 | | 2.1 | 0.0 |
| Delay (s) | | 59.4 | 2.6 | 8.8 | | 39.2 | 34.3 |
| Level of Service | | E | A | A | | D | C |
| Approach Delay (s) | | | 3.9 | 8.8 | | 39.1 | |
| Approach LOS | | | A | A | | D | |
| Intersection Summary | | | | | | | |
| HCM 2000 Control Delay | | | 9.5 | | HCM 2000 Level of Service | | A |
| HCM 2000 Volume to Capacity ratio | | | 0.60 | | | | |
| Actuated Cycle Length (s) | | | 90.0 | | Sum of lost time (s) | 19.7 | |
| Intersection Capacity Utilization | | | 52.5% | | ICU Level of Service | | A |
| Analysis Period (min) | | | 15 | | | | |
| c Critical Lane Group | | | | | | | |

Build 2024 Conditions Queuing and Blocking Report

Monticello Ave Commercial - James City Co, VA
AM Peak Hour

Intersection: 101: Monticello Mktplc & Monticello Ave

| Movement | EB | EB | EB | EB | WB | WB | WB | NB | NB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|----|-----|-----|
| Directions Served | UL | T | T | R | UL | T | T | LT | R | UL | LTR |
| Maximum Queue (ft) | 167 | 327 | 273 | 40 | 151 | 215 | 210 | 58 | 84 | 111 | 84 |
| Average Queue (ft) | 35 | 181 | 135 | 9 | 65 | 97 | 88 | 12 | 28 | 51 | 27 |
| 95th Queue (ft) | 104 | 295 | 254 | 32 | 123 | 187 | 181 | 38 | 61 | 95 | 65 |
| Link Distance (ft) | | 554 | 554 | 554 | | 554 | 554 | 493 | | 332 | 332 |
| Upstream Blk Time (%) | | | | | | | | | | | |
| Queuing Penalty (veh) | | | | | | | | | | | |
| Storage Bay Dist (ft) | 170 | | | | 220 | | | | 85 | | |
| Storage Blk Time (%) | | 8 | | | | 0 | | | 0 | | |
| Queuing Penalty (veh) | | 3 | | | | 0 | | | 0 | | |

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

| Movement | EB | EB | WB | WB | NB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|
| Directions Served | T | TR | T | TR | R | R |
| Maximum Queue (ft) | 42 | 61 | 6 | 3 | 59 | 28 |
| Average Queue (ft) | 2 | 3 | 0 | 0 | 22 | 4 |
| 95th Queue (ft) | 21 | 25 | 6 | 4 | 51 | 20 |
| Link Distance (ft) | 554 | 554 | 167 | 167 | 371 | 400 |
| Upstream Blk Time (%) | | | | | | |
| Queuing Penalty (veh) | | | | | | |
| Storage Bay Dist (ft) | | | | | | |
| Storage Blk Time (%) | 0 | | | | | |
| Queuing Penalty (veh) | 0 | | | | | |

Intersection: 103: Monticello Ave & Windsormeade Way

| Movement | EB | EB | EB | EB | WB | WB | WB | SB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | UL | L | T | T | T | T | TR | L | L | R |
| Maximum Queue (ft) | 46 | 63 | 208 | 228 | 209 | 167 | 159 | 207 | 164 | 32 |
| Average Queue (ft) | 8 | 18 | 68 | 93 | 103 | 43 | 61 | 119 | 48 | 6 |
| 95th Queue (ft) | 32 | 51 | 166 | 192 | 180 | 114 | 120 | 186 | 136 | 22 |
| Link Distance (ft) | 167 | 167 | 167 | 167 | 580 | 580 | 580 | 410 | 410 | |
| Upstream Blk Time (%) | | | 1 | 1 | | | | | | |
| Queuing Penalty (veh) | | | 2 | 5 | | | | | | |
| Storage Bay Dist (ft) | | | | | | | | | | 200 |
| Storage Blk Time (%) | | | | | | | | | 0 | |
| Queuing Penalty (veh) | | | | | | | | | 0 | |

Network Summary

Network wide Queuing Penalty: 10

Monticello Ave Commercial - James City Co, VA
 101: Monticello Mktplc & Monticello Ave

Build 2024 Conditions
 Timing Plan: PM Peak Hour

| Movement | EBL | EBT | EBR | WBU | WBL | WBT | WBR | NBU | NBL | NBT | NBR | SBL |
|------------------------|------|------|------|------|-------|-------|------|-------|-------|-------|------|-------|
| Lane Configurations | | | | | | | | | | | | |
| Traffic Volume (vph) | 46 | 818 | 34 | 30 | 185 | 1357 | 324 | 1 | 21 | 37 | 172 | 339 |
| Future Volume (vph) | 46 | 818 | 34 | 30 | 185 | 1357 | 324 | 1 | 21 | 37 | 172 | 339 |
| Ideal Flow (vphpl) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | | 7.3 | 7.3 | 7.3 |
| Lane Util. Factor | 1.00 | 0.95 | 1.00 | | 1.00 | 0.95 | 1.00 | | | 1.00 | 1.00 | 0.95 |
| Frt | 1.00 | 1.00 | 0.85 | | 1.00 | 1.00 | 0.85 | | | 1.00 | 0.85 | 1.00 |
| Flt Protected | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | | 0.98 | 1.00 | 0.95 |
| Satd. Flow (prot) | 1770 | 3539 | 1553 | | 1770 | 3471 | 1583 | | | 1829 | 1583 | 1681 |
| Flt Permitted | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 | 1.00 | | | 0.98 | 1.00 | 0.95 |
| Satd. Flow (perm) | 1770 | 3539 | 1553 | | 1770 | 3471 | 1583 | | | 1829 | 1583 | 1681 |
| Peak-hour factor, PHF | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 | 0.94 |
| Adj. Flow (vph) | 49 | 870 | 36 | 32 | 197 | 1444 | 345 | 1 | 22 | 39 | 183 | 361 |
| RTOR Reduction (vph) | 0 | 0 | 22 | 0 | 0 | 0 | 138 | 0 | 0 | 0 | 171 | 0 |
| Lane Group Flow (vph) | 49 | 870 | 14 | 0 | 229 | 1444 | 207 | 0 | 0 | 62 | 12 | 253 |
| Heavy Vehicles (%) | 2% | 2% | 4% | 2% | 2% | 4% | 2% | 2% | 2% | 2% | 2% | 2% |
| Turn Type | Prot | NA | Perm | Prot | Prot | NA | Perm | Split | Split | NA | Perm | Split |
| Protected Phases | 5 | 2 | | 1 | 1 | 6 | | 4 | 4 | 4 | | 3 |
| Permitted Phases | | | 2 | | | | 6 | | | | 4 | |
| Actuated Green, G (s) | 6.1 | 47.3 | 47.3 | | 17.6 | 60.1 | 60.1 | | | 7.6 | 7.6 | 20.7 |
| Effective Green, g (s) | 6.1 | 47.3 | 47.3 | | 17.6 | 60.1 | 60.1 | | | 7.6 | 7.6 | 20.7 |
| Actuated g/C Ratio | 0.05 | 0.39 | 0.39 | | 0.15 | 0.50 | 0.50 | | | 0.06 | 0.06 | 0.17 |
| Clearance Time (s) | 5.8 | 5.1 | 5.1 | | 7.1 | 5.1 | 5.1 | | | 7.3 | 7.3 | 7.3 |
| Vehicle Extension (s) | 2.0 | 4.0 | 4.0 | | 2.0 | 4.0 | 4.0 | | | 2.0 | 2.0 | 2.0 |
| Lane Grp Cap (vph) | 89 | 1394 | 612 | | 259 | 1738 | 792 | | | 115 | 100 | 289 |
| v/s Ratio Prot | 0.03 | 0.25 | | | c0.13 | c0.42 | | | | c0.03 | | c0.15 |
| v/s Ratio Perm | | | 0.01 | | | | 0.13 | | | | 0.01 | |
| v/c Ratio | 0.55 | 0.62 | 0.02 | | 0.88 | 0.83 | 0.26 | | | 0.54 | 0.12 | 0.88 |
| Uniform Delay, d1 | 55.6 | 29.2 | 22.2 | | 50.2 | 25.6 | 17.2 | | | 54.5 | 53.0 | 48.4 |
| Progression Factor | 1.00 | 1.00 | 1.00 | | 0.70 | 1.63 | 3.76 | | | 1.00 | 1.00 | 1.00 |
| Incremental Delay, d2 | 4.1 | 2.1 | 0.1 | | 20.0 | 3.2 | 0.5 | | | 2.4 | 0.2 | 23.6 |
| Delay (s) | 59.7 | 31.3 | 22.3 | | 55.1 | 45.0 | 65.3 | | | 56.9 | 53.2 | 72.0 |
| Level of Service | E | C | C | | E | D | E | | | E | D | E |
| Approach Delay (s) | | 32.4 | | | | 49.6 | | | | 54.2 | | |
| Approach LOS | | C | | | | D | | | | D | | |

Intersection Summary

| | | | |
|-----------------------------------|-------|---------------------------|------|
| HCM 2000 Control Delay | 48.3 | HCM 2000 Level of Service | D |
| HCM 2000 Volume to Capacity ratio | 0.86 | | |
| Actuated Cycle Length (s) | 120.0 | Sum of lost time (s) | 26.8 |
| Intersection Capacity Utilization | 80.6% | ICU Level of Service | D |
| Analysis Period (min) | 15 | | |
| c Critical Lane Group | | | |

Monticello Ave Commercial - James City Co, VA
101: Monticello Mktplc & Monticello Ave

Build 2024 Conditions

Timing Plan: PM Peak Hour

| Movement | SBT | SBR |
|------------------------|---|---|
| Lane Configurations |  |  |
| Traffic Volume (vph) | 36 | 91 |
| Future Volume (vph) | 36 | 91 |
| Ideal Flow (vphpl) | 1900 | 1900 |
| Total Lost time (s) | 7.3 | |
| Lane Util. Factor | 0.95 | |
| Frt | 0.94 | |
| Flt Protected | 0.98 | |
| Satd. Flow (prot) | 1526 | |
| Flt Permitted | 0.98 | |
| Satd. Flow (perm) | 1526 | |
| Peak-hour factor, PHF | 0.94 | 0.94 |
| Adj. Flow (vph) | 38 | 97 |
| RTOR Reduction (vph) | 21 | 0 |
| Lane Group Flow (vph) | 222 | 0 |
| Heavy Vehicles (%) | 2% | 19% |
| Turn Type | NA | |
| Protected Phases | 3 | |
| Permitted Phases | | |
| Actuated Green, G (s) | 20.7 | |
| Effective Green, g (s) | 20.7 | |
| Actuated g/C Ratio | 0.17 | |
| Clearance Time (s) | 7.3 | |
| Vehicle Extension (s) | 2.0 | |
| Lane Grp Cap (vph) | 263 | |
| v/s Ratio Prot | 0.15 | |
| v/s Ratio Perm | | |
| v/c Ratio | 0.85 | |
| Uniform Delay, d1 | 48.1 | |
| Progression Factor | 1.00 | |
| Incremental Delay, d2 | 20.6 | |
| Delay (s) | 68.7 | |
| Level of Service | E | |
| Approach Delay (s) | 70.4 | |
| Approach LOS | E | |
| Intersection Summary | | |

Monticello Ave Commercial - James City Co, VA
 102: Existing Site Driveway/Old News Rd & Monticello Ave

Build 2024 Conditions
 Timing Plan: PM Peak Hour

| |  |  |  |  |  |  |  |  |  |  |  |  |
|-----------------------------------|---|---|---|---|---|---|--|---|---|---|---|---|
| Movement | EBL | EBT | EBR | WBL | WBT | WBR | NBL | NBT | NBR | SBL | SBT | SBR |
| Lane Configurations | |  | | |  | | | |  | | |  |
| Traffic Volume (veh/h) | 0 | 1327 | 32 | 0 | 1860 | 279 | 0 | 0 | 78 | 0 | 0 | 36 |
| Future Volume (Veh/h) | 0 | 1327 | 32 | 0 | 1860 | 279 | 0 | 0 | 78 | 0 | 0 | 36 |
| Sign Control | | Free | | | Free | | | Stop | | | Stop | |
| Grade | | 0% | | | 0% | | | 0% | | | 0% | |
| Peak Hour Factor | 0.97 | 0.94 | 0.94 | 0.94 | 0.94 | 0.97 | 0.94 | 0.97 | 0.94 | 0.97 | 0.97 | 0.97 |
| Hourly flow rate (vph) | 0 | 1412 | 34 | 0 | 1979 | 288 | 0 | 0 | 83 | 0 | 0 | 37 |
| Pedestrians | | | | | | | | | | | | |
| Lane Width (ft) | | | | | | | | | | | | |
| Walking Speed (ft/s) | | | | | | | | | | | | |
| Percent Blockage | | | | | | | | | | | | |
| Right turn flare (veh) | | | | | | | | | | | | |
| Median type | | None | | | None | | | | | | | |
| Median storage veh | | | | | | | | | | | | |
| Upstream signal (ft) | | 626 | | | 245 | | | | | | | |
| pX, platoon unblocked | 0.64 | | | | | | 0.64 | 0.64 | | 0.64 | 0.64 | 0.64 |
| vC, conflicting volume | 2267 | | | 1446 | | | 2126 | 3696 | 370 | 2559 | 3569 | 804 |
| vC1, stage 1 conf vol | | | | | | | | | | | | |
| vC2, stage 2 conf vol | | | | | | | | | | | | |
| vCu, unblocked vol | 1038 | | | 1446 | | | 819 | 3253 | 370 | 1491 | 3057 | 0 |
| tC, single (s) | 4.1 | | | 4.1 | | | 7.5 | 6.5 | 6.9 | 7.5 | 6.5 | 6.9 |
| tC, 2 stage (s) | | | | | | | | | | | | |
| tF (s) | 2.2 | | | 2.2 | | | 3.5 | 4.0 | 3.3 | 3.5 | 4.0 | 3.3 |
| p0 queue free % | 100 | | | 100 | | | 100 | 100 | 87 | 100 | 100 | 95 |
| cM capacity (veh/h) | 437 | | | 465 | | | 163 | 6 | 627 | 49 | 8 | 704 |
| Direction, Lane # | EB 1 | EB 2 | EB 3 | EB 4 | WB 1 | WB 2 | WB 3 | NB 1 | SB 1 | | | |
| Volume Total | 403 | 403 | 403 | 236 | 792 | 792 | 684 | 83 | 37 | | | |
| Volume Left | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Volume Right | 0 | 0 | 0 | 34 | 0 | 0 | 288 | 83 | 37 | | | |
| cSH | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 1700 | 627 | 704 | | | |
| Volume to Capacity | 0.24 | 0.24 | 0.24 | 0.14 | 0.47 | 0.47 | 0.40 | 0.13 | 0.05 | | | |
| Queue Length 95th (ft) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 11 | 4 | | | |
| Control Delay (s) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 11.6 | 10.4 | | | |
| Lane LOS | | | | | | | | B | B | | | |
| Approach Delay (s) | 0.0 | | | | 0.0 | | | 11.6 | 10.4 | | | |
| Approach LOS | | | | | | | | B | B | | | |
| Intersection Summary | | | | | | | | | | | | |
| Average Delay | | | 0.4 | | | | | | | | | |
| Intersection Capacity Utilization | | | 52.2% | | ICU Level of Service | | | | A | | | |
| Analysis Period (min) | | | 15 | | | | | | | | | |

Monticello Ave Commercial - James City Co, VA
103: Monticello Ave & Windsormeade Way

Build 2024 Conditions
Timing Plan: PM Peak Hour

| |  |  |  |  |  |  |  |
|-----------------------------------|---|---|---|---|---|---|---|
| Movement | EBU | EBL | EBT | WBT | WBR | SBL | SBR |
| Lane Configurations | |  |  |  | |  |  |
| Traffic Volume (vph) | 17 | 43 | 1345 | 2118 | 302 | 384 | 4 |
| Future Volume (vph) | 17 | 43 | 1345 | 2118 | 302 | 384 | 4 |
| Ideal Flow (vphp) | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 | 1900 |
| Total Lost time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Lane Util. Factor | | 0.97 | 0.95 | 0.91 | | 0.97 | 1.00 |
| Frt | | 1.00 | 1.00 | 0.98 | | 1.00 | 0.85 |
| Flt Protected | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (prot) | | 3477 | 3574 | 5046 | | 3467 | 1615 |
| Flt Permitted | | 0.95 | 1.00 | 1.00 | | 0.95 | 1.00 |
| Satd. Flow (perm) | | 3477 | 3574 | 5046 | | 3467 | 1615 |
| Peak-hour factor, PHF | 0.95 | 0.95 | 0.95 | 0.95 | 0.95 | 0.95 | 0.95 |
| Adj. Flow (vph) | 18 | 45 | 1416 | 2229 | 318 | 404 | 4 |
| RTOR Reduction (vph) | 0 | 0 | 0 | 14 | 0 | 0 | 0 |
| Lane Group Flow (vph) | 0 | 63 | 1416 | 2533 | 0 | 404 | 4 |
| Heavy Vehicles (%) | 0% | 1% | 1% | 1% | 0% | 1% | 0% |
| Turn Type | Prot | Prot | NA | NA | | Prot | Perm |
| Protected Phases | 5 | 5 | 2 | 6 | | 4 | |
| Permitted Phases | | | | | | | 4 |
| Actuated Green, G (s) | | 4.5 | 89.8 | 78.1 | | 17.7 | 17.7 |
| Effective Green, g (s) | | 4.5 | 89.8 | 78.1 | | 17.7 | 17.7 |
| Actuated g/C Ratio | | 0.04 | 0.75 | 0.65 | | 0.15 | 0.15 |
| Clearance Time (s) | | 7.0 | 5.7 | 5.9 | | 6.8 | 6.8 |
| Vehicle Extension (s) | | 2.0 | 4.0 | 4.0 | | 2.0 | 2.0 |
| Lane Grp Cap (vph) | | 130 | 2674 | 3284 | | 511 | 238 |
| v/s Ratio Prot | | 0.02 | c0.40 | c0.50 | | c0.12 | |
| v/s Ratio Perm | | | | | | | 0.00 |
| v/c Ratio | | 0.48 | 0.53 | 0.77 | | 0.79 | 0.02 |
| Uniform Delay, d1 | | 56.6 | 6.3 | 14.7 | | 49.4 | 43.7 |
| Progression Factor | | 1.08 | 1.19 | 1.00 | | 1.00 | 1.00 |
| Incremental Delay, d2 | | 0.8 | 0.6 | 1.8 | | 7.6 | 0.0 |
| Delay (s) | | 61.9 | 8.0 | 16.5 | | 57.0 | 43.7 |
| Level of Service | | E | A | B | | E | D |
| Approach Delay (s) | | | 10.3 | 16.5 | | 56.9 | |
| Approach LOS | | | B | B | | E | |
| Intersection Summary | | | | | | | |
| HCM 2000 Control Delay | | | 18.2 | | HCM 2000 Level of Service | | B |
| HCM 2000 Volume to Capacity ratio | | | 0.79 | | | | |
| Actuated Cycle Length (s) | | | 120.0 | | Sum of lost time (s) | | 19.7 |
| Intersection Capacity Utilization | | | 69.2% | | ICU Level of Service | | C |
| Analysis Period (min) | | | 15 | | | | |
| c Critical Lane Group | | | | | | | |

Build 2024 Conditions Queuing and Blocking Report

Monticello Ave Commercial - James City Co, VA
PM Peak Hour

Intersection: 101: Monticello Mktplc & Monticello Ave

| Movement | EB | EB | EB | EB | WB | WB | WB | WB | NB | NB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | UL | T | T | R | UL | T | T | R | ULT | R | UL | LTR |
| Maximum Queue (ft) | 194 | 381 | 332 | 45 | 245 | 636 | 626 | 320 | 133 | 108 | 292 | 278 |
| Average Queue (ft) | 61 | 236 | 191 | 14 | 214 | 433 | 424 | 14 | 38 | 47 | 181 | 161 |
| 95th Queue (ft) | 158 | 343 | 297 | 40 | 299 | 649 | 624 | 149 | 94 | 95 | 264 | 252 |
| Link Distance (ft) | | 554 | 554 | 554 | | 554 | 554 | 554 | 493 | | 332 | 332 |
| Upstream Blk Time (%) | | | | | | 4 | 3 | 0 | | | 0 | 0 |
| Queuing Penalty (veh) | | | | | | 28 | 21 | 1 | | | 0 | 0 |
| Storage Bay Dist (ft) | 170 | | | | 220 | | | | | 85 | | |
| Storage Blk Time (%) | 0 | 21 | | | 9 | 20 | | | 2 | 2 | | |
| Queuing Penalty (veh) | 0 | 10 | | | 58 | 42 | | | 4 | 1 | | |

Intersection: 102: Existing Site Driveway/Old News Rd & Monticello Ave

| Movement | EB | EB | WB | WB | WB | NB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | T | TR | T | T | TR | R | R |
| Maximum Queue (ft) | 17 | 45 | 119 | 97 | 24 | 92 | 56 |
| Average Queue (ft) | 1 | 3 | 8 | 5 | 0 | 42 | 22 |
| 95th Queue (ft) | 11 | 22 | 54 | 45 | 7 | 77 | 48 |
| Link Distance (ft) | 554 | 554 | 167 | 167 | 167 | 371 | 400 |
| Upstream Blk Time (%) | | | 0 | 0 | 0 | | |
| Queuing Penalty (veh) | | | 1 | 1 | 0 | | |
| Storage Bay Dist (ft) | | | | | | | |
| Storage Blk Time (%) | | | | | | | |
| Queuing Penalty (veh) | | | | | | | |

Intersection: 103: Monticello Ave & Windsormeade Way

| Movement | EB | EB | EB | EB | WB | WB | WB | SB | SB | SB |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Directions Served | UL | L | T | T | T | T | TR | L | L | R |
| Maximum Queue (ft) | 71 | 67 | 204 | 233 | 469 | 523 | 514 | 284 | 251 | 27 |
| Average Queue (ft) | 24 | 28 | 66 | 96 | 276 | 237 | 254 | 189 | 145 | 3 |
| 95th Queue (ft) | 59 | 59 | 171 | 203 | 407 | 409 | 419 | 262 | 234 | 16 |
| Link Distance (ft) | 167 | 167 | 167 | 167 | 580 | 580 | 580 | 410 | 410 | |
| Upstream Blk Time (%) | | | 1 | 2 | 0 | 0 | 0 | | | |
| Queuing Penalty (veh) | | | 3 | 6 | 0 | 0 | 0 | | | |
| Storage Bay Dist (ft) | | | | | | | | | | 200 |
| Storage Blk Time (%) | | | | | | | | | 1 | |
| Queuing Penalty (veh) | | | | | | | | | 0 | |

Network Summary

Network wide Queuing Penalty: 175

Monticello Avenue Commercial

APPENDIX F

Turn Lane Warrant Assessment

**RDM Right Turn Lane Warrant Assessment
Four-Lane Highway**

Right Turn Lane Warrant Assessment

Four-Lane Highways

Based on NCHRP Report 279 / VDOT RDM Appendix F
"Intersection Channelization Guide"

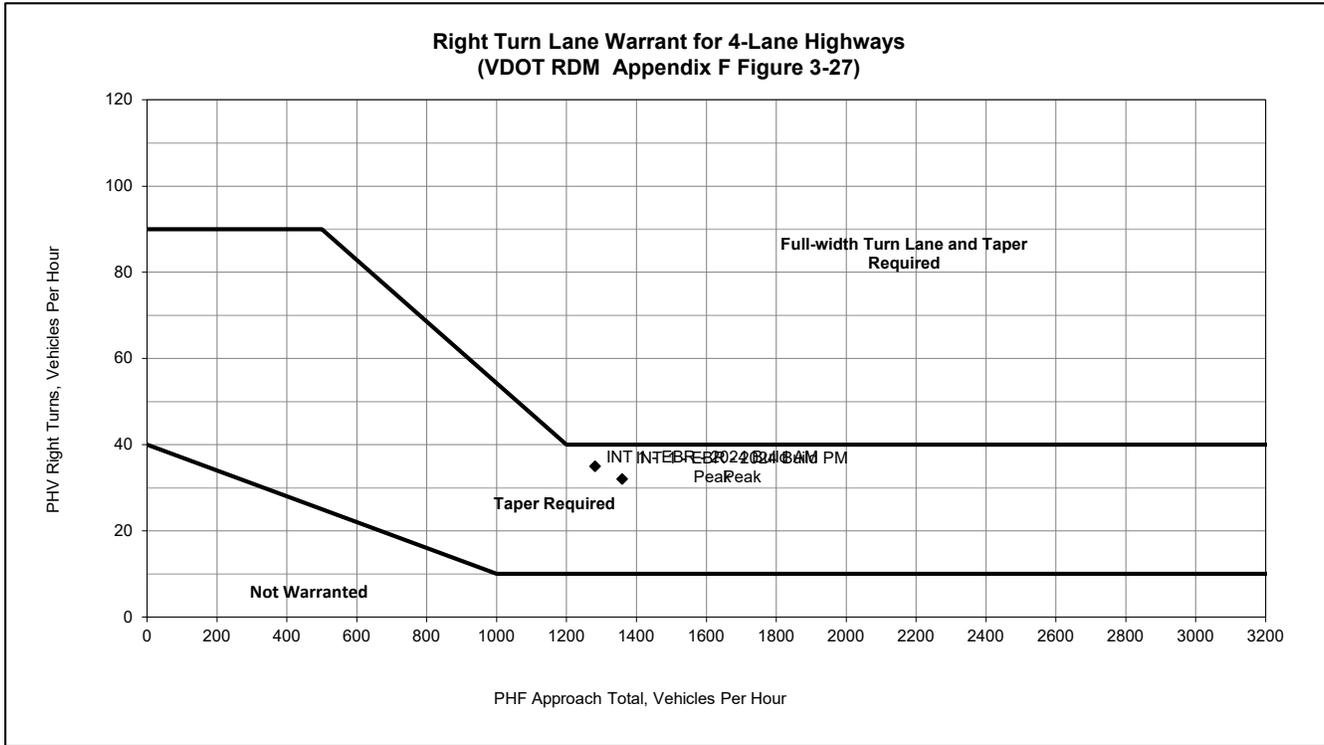
Background:

Warrants for right-turn storage lanes on four-lane highways at unsignalized intersections are based on Figure 3-27 in Appendix F of the Virginia Department of Transportation's (VDOT) *Road Design Manual* (RDM). This figure provides a graphical representation for determining the necessity of a right turn lane and / or taper by comparing the total volumes of a given approach with their respective right turn volumes.

Project Information:

| | |
|---|--|
| Project: | Monticello Avenue Commercial |
| Project ID: | |
| Intersection(s) and Movement(s): | 1 - Monticello Avenue at Site Driveway |
| Scenario: | Build (2024) Conditions |
| Analyst: | Gorove Slade |

| Study Scenario | Approach Volume | Right Turn Volume | Minimum Right Turn Taper Threshold | Minimum Right Turn Full Lane Threshold | Treatment |
|----------------------------------|-----------------|-------------------|------------------------------------|--|----------------|
| INT 1 - EBR - 2024 Build AM Peak | 1,282 | 35 | 10 | 40 | Taper Required |
| INT 1 - EBR - 2024 Build PM Peak | 1,359 | 32 | 10 | 40 | Taper Required |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |



Ben Loppacker

From: Amanda Frazier
Sent: Tuesday, January 9, 2024 1:16 PM
To: Ben Loppacker
Subject: FW: [External]Re: SUP-23-0031 - Monticello Redevelopment

From: WDTP Info <info@wdtp.com>
Sent: Tuesday, January 9, 2024 12:11 PM
To: Amanda Frazier <Amanda.Frazier@jamescitycountyva.gov>
Cc: Frank Polster <Frank.Polster@jamescitycountyva.gov>; Richard Krapf <Richard.Krapf@jamescitycountyva.gov>; Tim OConnor <Tim.OConnor@jamescitycountyva.gov>; Steve Rodgers <Steve.Rodgers@jamescitycountyva.gov>; Rob Rose <Rob.Rose@jamescitycountyva.gov>; Barbara Null <Barbara.Null@jamescitycountyva.gov>
Subject: [External]Re: SUP-23-0031 - Monticello Redevelopment

Amanda,

I'm curious as to why this is listed as Monticello Avenue shops rezoning when it appears to be a residential rezoning to business.

This area has been up for discussion a few times over the years with rezoning having been denied in the past due to traffic concerns by VDOT and planning commission members. See articles/videos below:

<https://www.youtube.com/watch?v=D3GLIvxH9Sc&t=3327s>

<https://www.ipetitions.com/petition/stop-building-on-monticello-avenue-in>

<https://www.13newsnow.com/article/news/local/virginia/williamsburg/petition-circulating-to-stop-building-on-monticello-avenue-in-williamsburg/291-c35321b8-3af4-46ea-926b-775b95630087>

<https://wydaily.com/news/local/2020/01/22/no-go-for-new-retail-shops-on-monticello-avenue/>

Community members have spoken out against an SUP or rezoning for this area due to traffic concerns and it has only gotten worse over the past four years. **Is there new information the planning commission is considering with regards to development at this intersection? The county is currently flush with VACANT commercial space.**

The introduction statement made by Verdad Real Estate (Community Impact Statement_Nov 2023.pdf) states that the parcels located at 3897 IRONBOUND RD and 3905 IRONBOUND RD are designated **Neighborhood Commercial** on the Comprehensive Plan. According to James City County Property information system, this not the case for these residential properties. They are designated R8.

Will this be voted on by planning commission members during the February meeting? I haven't seen any physical signs located on this property of upcoming zoning hearings.

Susan Tisdale

PLANNING DIRECTOR'S REPORT
August 2024

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 document.

- **Board Action Results:**
 - AFD-24-0001. 2394 Forge Road, Mill Creek Addition. (Approved 5-0)
 - AFD-24-0002. 10135 Fire Tower Road Barnes Swamp AFD Addition. (Approved 5-0)
 - SUP-24-0001, 7146 Little Creek Dam Road Rental of Rooms. (Approved 5-0)
 - SUP-24-0009. Lovett 64 Commerce Center (Formerly Hazelwood Farms – The Enterprise Center) SUP Amendment. (Approved 5-0)

| Plan Type | Plan Number | Address | Plan District | Plan Assigned To | Plan Description |
|-------------------------------|------------------------------|--|---------------|------------------|---|
| Conceptual Plan | C-24-0043 | 9547 BARNES RD Toano, VA 23168 | Powhatan | Roberta Sulouff | 9547-9557 Barnes Road Shared Driveway/Drainage Easement Conceptual |
| | C-24-0044 | 4363 ROCHAMBEAU DR Williamsburg, VA 23188 | Stonehouse | Roberta Sulouff | 4363 Rochambeau Dr- Campground/Commercial Rezoning Conceptual Plan |
| | C-24-0045 | 2736 JOCKEYS NECK TRL Williamsburg, VA 23185 | Roberts | Tess Lynch | 2736 & 2737 Jockeys Neck Trl BLE Conceptual Plan |
| | C-24-0048 | 926 STEWARTS RD Lanexa, VA 23089 | Powhatan | Kyle Sirico | 926, 930 & 932 Stewarts Rd BLA Plat Conceptual Plan |
| | C-24-0049 | 146 JACKSON ST Williamsburg, VA 23185 | Roberts | Will Albiston | 146 Jackson Street- Three Lot Subdivision Conceptual |
| Subdivision Plat | S-24-0017 | 4601 IRONBOUND RD Williamsburg, VA 23188 | Jamestown | Josh Crump | Eastern State/Colonial Behavioral Health Subdivision |
| | S-24-0020 | 5365 CENTERVILLE RD Williamsburg, VA 23185 | Powhatan | Roberta Sulouff | Liberty Ridge Section 2C Subdivision Plat |
| | S-24-0023 | 9250 SIX MOUNT ZION RD Toano, VA 23168 | Stonehouse | Morgan Risinger | Stonehouse Tract S, Phase 1, Section 1 Subdivision |
| | S-24-0024 | 100 MOORE DR Williamsburg, VA 23188 | Powhatan | Tess Lynch | 100 Moore Drive Two Lot Subdivision Plat |
| | S-24-0025 | 4311 JOHN TYLER HWY Williamsburg, VA 23185 | Berkeley | Terry Costello | 4311 John Tyler Hwy Subdivision Plat |
| Site Plan | SP-24-0059 | 360 RACEFIELD DR Toano, VA 23168 | Powhatan | Morgan Risinger | 360 Racefield Dr. Small-Scale Solar Generation Facility Site Plan |
| | SP-24-0060 | 1324 JAMESTOWN RD Williamsburg, VA 23185 | Roberts | Paxton Condon | 1324 Jamestown Road - privacy fencing Site Plan |
| | SP-24-0061 | 2205 JAMESTOWN RD Williamsburg, VA 23185 | Berkeley | Tess Lynch | 2205 Jamestown Rd- Jamestown Event Beach Park- Asphalt Paths SP Amend |
| | SP-24-0067 | 4640-11B MONTICELLO AVE Unit: 11B Williamsburg, VA 23188 | Jamestown | Roberta Sulouff | 4640 Monticello Ave, Water and Sewer Upgrades SP Amend |
| | SP-24-0068 | 6500 PATRIOTS COLONY DR Williamsburg, VA 23188 | Berkeley | Tess Lynch | 6500 Patriots Colony Drive, New Patient Rehabilitation Facility Site Plan |
| | SP-24-0069 | 4095 IRONBOUND RD Williamsburg, VA 23188 | Jamestown | Roberta Sulouff | 4095 Ironbound Road- Office of Election sidewalk addition |
| | SP-24-0070 | 4002 IRONBOUND RD Williamsburg, VA 23188 | Jamestown | Ben Loppacker | 4007 Ironbound Rd- Wawa Lighting Modification SP Amend. |
| | SP-24-0073 | 4610 MONTICELLO AVE Williamsburg, VA 23188 | Jamestown | Morgan Risinger | 4610 Monticello Ave. Chick-fil-A Redevelopment Parking and Drive Through SP Amend. |
| Special Use Permit | SUP-24-0013 | 1671 GREEN MOUNT PKWY Williamsburg, VA 23185 | Roberts | Morgan Risinger | 1671 Green Mount Parkway, Ziegler Plumbing & Sewer, Inc Resource Recovery SUP |
| | SUP-24-0015 | 8691 BARHAMSVILLE RD Toano, VA 23168 | Powhatan | Terry Costello | Anderson's Corner Commercial Rezoning & SUP (See Z-24-0007) |
| Subdivision Construction Plan | SPLN-24-0005 | 9150 SIX MOUNT ZION RD Toano, VA 23168 | Stonehouse | Morgan Risinger | Stonehouse - Tract S - Phase 1 SPLN Amend. |
| Rezoning | Z-24-0007 | 8554 RICHMOND RD Toano, VA 23168 | Powhatan | Terry Costello | Anderson's Corner Commercial Rezoning & Special Use Permit (A-1 & B-1 to B-1 with Proffers) |
| | Z-24-0008 | 8285 DIASCUND RD Lanexa, VA 23089 | Powhatan | Morgan Risinger | Scenic Roadway Overlay District Rezoning |