



AGENDA
POWHATAN COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
AUGUST 24, 2020
6:30 PM CALL TO ORDER

This meeting is being held in the Village Building Auditorium and is open to the public to attend in person, but several remote options remain available to participate or watch the meeting.

If you would like to participate in the meeting, go to <https://us02web.zoom.us/j/83998792911> by computer or smartphone with the Zoom app.

or by phone, dial 1-301-715-8592 or 1-312-626-6799 or 1-929-205-6099 or 1-253-215-8782 or 1-346-248-7799 or 1-669-900-6833

Type Webinar ID: 839 9879 2911

Or iPhone one-tap :

US: +13017158592, 83998792911# or +13126266799, 83998792911#

**During the public comment period, you may raise your hand using the zoom controls on your screen or press *9 on your phone. Visit the Zoom Help Center for more information.

If you would like to watch in real-time, use this link: <http://powhatanva.gov/432/Live-Stream-of-Powhatan-County-Meetings>

If you would like to watch the meeting at your convenience later use this link: <http://powhatanva.gov/433/County-Meetings-and-Workshop-Videos-On-D>

Public comments may also be submitted to administration@powhatanva.gov. Any comments received up until 5:00 PM of the day of the meeting shall be entered into the meeting minutes.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Invocation**
4. **Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation**
5. **Formal Approval of Agenda**
6. **Public Comment** (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)
7. **Consent Agenda**
 - a. Minutes May 14, 2020 Special Meeting Pages 5-10
 - b. R-2020-49 B&A Donation for Driveway Improvements Pages 11-12
 - c. Bonded projects update Pages 13-23
 - d. Davis & Young tax relief Page 25
8. **Presentations**
 - a. DSS Senior Services Improvement Program update Pages 27-40
9. **Appointments**
 - a. Social Services Board, District 5 member Pages 41-42
 - b. Richmond Area Transportation Planning Organization Technical Advisory Committee (TAC), Alternate member Page 43
 - c. Central Virginia Transportation Authority (“CVTA”), Designee Page 45
10. **Public Hearings**
 - a. O-2020-11 (Case #20-02-CUP): Cellco Partnership d/b/a Verizon Wireless (District #2: Powhatan Station/Graceland) Pages 47-103
 - b. Ordinance #O-2020-04 (Case #19-06-REZC): Markel Eagle Partners, LLC (District #1: Subletts/Manakin/Flat Rock) Pages 105-224
 - c. Resolution R-2020-48 Amending the FY21 Powhatan County Operating Budget by Budgeting and Appropriating \$2,587,023 in the Second Half of the Coronavirus, Aid, Relief, and Economic Security (CARES) Act of 2020 in the Grants Funds and \$233,081.66 in Cares Act Funds for Schools Pages 225 - 227

11. **Public Comment** (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)
12. **County Attorney Comments**
13. **County Administrator Comments**
14. **Board Comments**
15. **Adjournment**

VIRGINIA: AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, AND REMOTELY BY ELECTRONIC MEANS ON MAY 14, 2020, AT 6:30 P.M.

Board of Supervisors Present: David T. Williams, District 1, Chairman, present in the Village Building auditorium
Larry J. Nordvig, District 2, present in the Village Building auditorium
Michael W. Byerly, District 3, present in the Village Building auditorium
Bill L. Cox, District 4, present in the Village Building conference room
Karin M. Carmack, District 5, Vice Chairman, present in the Village Building auditorium

Board of Supervisors Absent: None

County Staff Present: Bret Schardein, Interim County Administrator, present remotely from his home
Tom Lacheney, County Attorney, present remotely from his home
Phil Warner, Fire and Rescue Chief
Jeff Searfoss, Chief Deputy
Charla Schubert, Director of Finance, present remotely from her home

Constitutional Officers Present: Brad Nunnally, Sheriff

Guests Present: Larry Johns, School Board, present remotely from his home

- 1. Call to Order**
 - a. Identify Board members physically and/or electronically present
 - b. Identify opportunities for the public to access and participate in the electronic meeting

2. Pledge of Allegiance

Mr. Byerly led the Pledge of Allegiance.

3. Invocation

Mr. Nordvig provided the Invocation.

4. Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation

There were no requests.

5. Formal Approval of Agenda

Mr. Nordvig moved to approve the agenda as presented. Mr. Byerly seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

**VOTE 5-0
MOTION Passed**

6. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Chairman Williams opened the Public Comment period.

Seeing there were no speakers, Chairman Williams closed the Public Comment period.

7. Old Business

- a. Resolution R-2020-29 Adopting the Fiscal Year 2021 School Operating and Cafeteria Budgets and Appropriating the Funds Page 3

Chairman Williams opened the discussion on the school budget. Mr. Nordvig came forward with questions about the budget. He asked if the number given to them by the Commonwealth of Virginia was an official number. Mr. Larry Johns stated that it was. Next, Mr. Nordvig asked if a specific number in his packet included that official number of \$4,60,000. The answer to that question was yes, the \$23,650,639 included the additional state revenue. Mr. Nordvig asked for clarification on the large variance with the amount of \$424,543 for the public. Mr. Johns explained that the only increase in their budget for this year is the increase in the VRS expenses and health insurance. This focuses a majority on the school’s employees and their benefits, that is why that category increased more from FY20 to FY21. Mr. Nordvig reminded the public that the VRS amount is mandatory.

Mr. Byerly asked Mr. Johns if the state portion was tied to the County transfers in any way or if they receive that state portion no matter what the County does. Mr. Johns stated that the County must appropriate it, but they will receive the money no matter what the County does. He also stated that there is a minimum requirement that the County must make, and Powhatan is above that requirement. Mr. Byerly asked what that minimum requirement is. Mr. Johns estimated

about 14 million dollars. Mr. Nordvig asked for clarification if Mr. Johns was talking about the SOQ requirements. Mr. Johns replied yes.

Mr. Cox brought up a point of order involving the legal level of control within the County. Mr. Lachenev went through the legal level of control provided in the County budgetary policy. Mr. Cox asked if this inhibits in any way their ability to separate a budget approval from an appropriation approval. Mr. Lachenev responded no to Mr. Cox's question.

Chairman Williams asked Mr. Johns what the percentage in the proposed budget was for personnel. The answer was 41.3 million was for personnel and benefits and 7.4 million was for line items. Payroll was estimated to be anywhere from 82%-85% of the budget.

Mrs. Carmack made a motion to reduce the school budget strictly from County appropriation to \$21,500,000. Mr. Byerly seconded the motion. Mr. Cox asked for clarity on the exact numbers Mrs. Carmack is proposing. Mr. Nordvig asked a point of order question on how it will be handled if there are 5 different motions. Chairman Williams suggested that the motion on the table be withdrawn to allow for all the proposals be discussed openly first before any motions are made. Mrs. Carmack removed her motion to allow for discussion of all proposals

Mr. Schardein discussed the details of school board budget versions R-2020-29, R-2020-29B, R-2020-29C and R-2020-29D.

Mr. Nordvig asked for a comparison of R-2020-29 and R-2020-29B in the paragraph that discusses contracts. He asked for clarity on a section that stated the Board would commit to the funds for employee contracts. Mr. Schardein stated that the Board would need to budget it due to the school board needing some assurance that it would be funded at some point. Mr. Nordvig asked for clarity on a total budget from one of the proposals, asking if it was stating around 50 million instead of around 40 million. Mr. Schardein explained that they would adopt the original amount of around 40 million if they were to adopt that specific proposal. Next, Mr. Nordvig asked for an explanation on the state amount, He pointed out that the transfer amount was at 90% and asked for clarification on the state amount. Mrs. Schubert explained that she just applied 90% of the proposed budget in total assuming it would be 90%.

Mr. Nordvig proposed, as a temporary measure, that the Board adopt the 90% of the requested County transfer funds from the school budget. The total of that would be \$21, 012,075. He also proposed the Board adopt a policy with this budget which creates a new line item designated for the school's, titled School's Revenue Stabilization Fund. This policy would take left over funds from the end of the year to place it into a reserve for future use as a comfort cushion.

Mr. Cox proposed to stay within the projected reductions that Mr. Johns had provided and avoid reducing the budget further.

Chairman Williams discussed the difference in times that we are in at this time and suggested that they give the school board a chance to review the budget cut or cuts that the Board comes up with to give them a chance to then show what that would look like for the school's if budget cuts were to happen.

Mr. Cox asked what the meetings going forward would like as far as discussion on the remaining 10%. Mr. Nordvig mentioned the upcoming workshops already on the calendar for budget discussion and if additional dates needed to be added. Mr. Byerly asked Mr. Johns when they would issue the contracts for the school employees. Mr. Johns responded that they normally issue them once the Board adopts and appropriates a budget and would like the issue the contracts by the next week after this meeting.

The board further discussion was held on the topic of the budget.

Mr. Byerly went over his numbers for his budget proposal and how he derived those numbers which are very close to Ms. Carmack's proposal.

Mrs. Schubert reminded the Board that a decision needs to be made so it can be publicized to meet the code requirement for the next hearing.

Mrs. Carmack made a motion for an 8% reduction from the County transfer from the general fund making the budget \$21,500,000 that will be transferred to the school's budget from the County. Mr. Byerly seconded the motion.

Mr. Williams called for a roll call vote.
Mr. Schardein conducted a roll call vote:

Mr. Williams No
Mr. Nordvig No
Mr. Byerly Aye
Mr. Cox No
Mrs. Carmack Aye

VOTE 3-2
MOTION Failed

Mr. Williams made a motion to move forward with the 90% of the level funding transfer in addition to working with the school board on different scenarios to see what it would look like for them if there was a reduction of 8%, 5%, or 2%. He proposed that the remaining 10% will be acted on during the June 29th meeting when they are scheduled to adopt the budget. Mr. Nordvig seconded the motion.

Mr. Williams called for a roll call vote.
Mr. Schardein conducted a roll call vote:

Mr. Williams Aye
Mr. Nordvig Aye
Mr. Byerly No
Mr. Cox Aye
Mrs. Carmack No

VOTE 3-2
MOTION Passed

Mrs. Carmack made a motion for quarterly appropriations beginning FY 21. Mr. Nordvig seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

**VOTE 5-0
MOTION Passed**

8. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Chairman Williams opened the Public Comment period. Speakers were as follows:

Mr. Jim Carver commented virtually thanking the Board for their hard work on the County budget and for their prudent approach.

Mr. Mike Asip, 3673 Old Buckingham Road. Mr. Asip acknowledged the Board for the challenging decision to cut the transfer by 10% as well as their willingness to listen to the school board about the impacts that budget cuts would make for them. The Superintendent had said that further cuts would cause loss of positions available for employment. Mr. Asip asked the Board to be aware of those possible loss in positions and stated he is appreciative of the window they have allowed for opportunity with the school board to see the possible effects that cutting the budget could do for them. As a citizen, Mr. Asip shared his concern about the public schools of Powhatan sliding during this recession. He understands that sacrifices need to be made but reminded the Board that the Powhatan public schools are in the bottom quartile of all school divisions in the Commonwealth.

Seeing that there were no more speakers, Chairman Williams closed the public comment period.

9. County Attorney Comments

Mr. Lacheney had no comments.

10. County Administrator Comments

Mr. Schardein provided information about COVID-19. The county was showing 23 cases, and currently at the staff level they are working on a reopening plan.

11. Board Comments

Mr. Nordvig asked Mr. Schardein if he had the latest unemployment numbers for the County. Mr. Schardein stated he had not looked at them yet. Mr. Nordvig stated that the Board did not cut the schools budget but set forth a proposal with a plan to further discuss the remaining 10% at a later time.

Mr. Cox made comments about the current times they are in and stated that he has found no good news about what is to happen. He estimated that the amount of people out of work will

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continue to climb. With all of that said, Mr. Cox stated he was happy with the approach they took tonight in their decision and was happy to support it.

Mr. Byerly stated his appreciation to the school board and their efforts. He wanted to remind people watching that there is wifi on buses in the western part of the county, along with hotspots being provided by the Library and the schools.

Chairman Williams thanked Mr. Nordvig for his comment of clarification on the motion made today about the budget for the schools. He stated he is extremely proud of his staff, the schools, Mr. Schardein, and this Board for all the hard work they are providing during the current situation. He reminded everyone that they take very seriously their citizens tax dollars and they understand how scarce the tax dollars can get. Although not all of them were in agreement tonight, they are all in agreement about working together. He ended his comment by congratulating the Board on their hard work. Chairman Williams made the public announcement that the Board will be holding a Closed Meeting On may 27th for the purpose of interviewing applicants for the county administrator position.

12. Adjournment

Chairman Williams closed the meeting at 8:28pm.



Powhatan County Board of Supervisors Agenda Item

X

Meeting Date: August 24, 2020

Agenda Item Title: Resolution R-2020-49 Amending the Fiscal Year 2021 Powhatan County Operating Budget by Budgeting and Appropriating \$50,000 Donation from Fine Creek Volunteer Fire Department for Driveway Improvements

Motion: Move to approve Resolution R-2020-49 as presented

Dates Previously Considered by Board: N/A

Summary of Item: The resolution budgets and appropriates a \$50,000 donation from Company 4 to help with the improvements to their driveway. This resolution budgets and appropriates these funds.

Staff: Approve Disapprove See Comments

Commission/Board: Approve Disapprove See Comments

County Administrator: Approve Disapprove See Comments

Comments: None

Budget/Fiscal Impact: Budget and Appropriate \$50,000

Attachments: Resolution

Staff/Contact: Charla W. Schubert, Director of Finance, 804-598-5780, cschubert@powhatanva.gov

**RESOLUTION
AMENDING THE FISCAL YEAR 2021 POWHATAN COUNTY OPERATING BUDGET
BY BUDGETING AND APPROPRIATING \$50,000 DONATION FROM FINE CREEK
VOLUNTEER FIRE DEPARTMENT FOR DRIVEWAY IMPROVEMENTS**

WHEREAS, on May 14, 2020 and June 29, 2020, the Powhatan County Board of Supervisors adopted Resolution R-2020-29 and R-2020-38, respectively, which adopted the Fiscal Year 2021 Powhatan Operating Budget in the amount of \$112,844,944; and

WHEREAS, the Code of Virginia Section [15.2-2507](#) states that any locality may amend its budget and must first hold a public hearing which is advertised once in the newspaper if any such amendment exceeds one percent of the total expenditures of the currently adopted budget; and

WHEREAS, the amendment of the budget in this resolution in the amount of \$50,000 (.044%) does not exceed one percent of the adopted budget and therefore a public hearing was not held.

NOW, THEREFORE, BE IT RESOLVED that the FY 2021 Powhatan County Operating Budget is hereby amended and the funds appropriated as shown:

CAPITAL PROJECTS FUND

REVENUES

Donations and Special Gifts	3-301-018990-0030	\$	50,000.00
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EXPENDITURES

Fire Station Driveway Improvements	4-301-032200-6002	\$	50,000.00
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ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON AUGUST 24, 2020.

ATTEST:

**David T. Williams, Chairman
Powhatan County Board of Supervisors**

**Ned Smithers, Clerk
Powhatan County Board of Supervisors**

Recorded Vote:	
<i>David T. Williams</i>	
<i>Larry J. Nordvig</i>	
<i>Michael W. Byerly</i>	
<i>Bill L. Cox</i>	
<i>Karin M. Carmack</i>	

Powhatan County
 2016 Bond Funded Projects
 Radio Towers
 4-301-012510-0001

as of 7/31/2020

			<u>FUNDING SOURCE</u>	<u>Total</u>
			<u>Bonds</u>	<u>Budget</u>
			1,035,000.00	1,035,000.00
PAYMENTS				
<u>Date</u>	<u>Vendor</u>	<u>Amount</u>		
			-	-
4.20.17	Malouf Engineering	2,500.00	(2,500.00)	(2,500.00)
5.5.17	Malouf Engineering	1,000.00	(1,000.00)	(1,000.00)
6.14.17	Duley's Electric	5,810.00	(5,810.00)	(5,810.00)
			-	-
			-	-
Total Spent		<u>9,310.00</u>	<u>(9,310.00)</u>	<u>(9,310.00)</u>
Total Budget Remaining			<u>1,025,690.00</u>	<u>1,025,690.00</u>

Powhatan County
2018 Bond Funded Projects
Total All Projects

as of 7/31/2020

	<u>General Fund Funded</u>	<u>Bond Funded</u>	<u>Total Budget</u>
Budget	530,000.00	9,543,117.04	10,073,117.04
Spent	(467,838.29)	(5,451,501.68)	(5,919,339.97)
Total remaining	<u>62,161.71</u>	<u>4,091,615.36</u>	<u>4,153,777.07</u>

Powhatan County
 2018 Bond Funded Projects
 Skaggs Road Building Renovation
 4-301-014100-0001

as of 7/31/2020

		FUNDING SOURCES		Total
		General Fund	Bonds	Budget
		360,000.00	-	360,000.00
10.29.19	BA# 427	30,000.00		390,000.00
7.9.20	BT #384 R-2020-34		222,700.00	612,700.00

PAYMENTS				
Date	Vendor	Amount		
				-
11.19.19	Work Environment	3,195.00	(3,195.00)	(3,195.00)
11.19.19	Quinn Evans	2,769.55	(2,769.55)	(2,769.55)
12.3.19	Southeast Office	8,400.00	(8,400.00)	(8,400.00)
12.17.19	Quinn Evans	1,186.95	(1,186.95)	(1,186.95)
12.20.19	Stamie E. Lyttle	1,640.00	(1,640.00)	(1,640.00)
2.20.20	Quinn Evans	4,793.50	(4,793.50)	(4,793.50)
2.20.20	Work Environment	4,785.00	(4,785.00)	(4,785.00)
3.9.20	Stamie E. Lyttle	1,250.00	(1,250.00)	(1,250.00)
3.9.20	Waco, Inc	12,470.00	(12,470.00)	(12,470.00)
3.19.20	First Call Environment	6,286.50	(6,286.50)	(6,286.50)
3.19.20	Quinn Evans	13,103.69	(13,103.69)	(13,103.69)
3.19.20	Stamie E. Lyttle	8,375.00	(8,375.00)	(8,375.00)
4.9.20	Stamie E. Lyttle	8,800.00	(8,800.00)	(8,800.00)
4.16.20	Powhatan County Health	325.00	(325.00)	(325.00)
4.23.20	Keith-Fabry	235.26	(235.26)	(235.26)
4.30.20	R.C. Goodwyn	17.57	(17.57)	(17.57)
4.30.20	Waco, Inc	4,864.26	(4,864.26)	(4,864.26)
6.4.20	Quinn Evans	55,868.40	(55,868.40)	(55,868.40)
7.30.20	Work Environment	395.00	(395.00)	(395.00)
		-	-	-
Total Spent		138,760.68	(138,760.68)	(138,760.68)
				-
Total Budget Remaining			251,239.32	473,939.32

Powhatan County
 2018 Bond Funded Projects
 PMS Repurpose
 4-301-062100-8304

as of 7/31/2020

			FUNDING SOURCES		Total
			General Fund	Bonds	Budget
			-	1,284,000.00	1,284,000.00
7.30.20	BA#436	R-2020-44		100,000.00	1,384,000.00

PAYMENTS					
Date	Vendor	Amount			
3.20.19	Roof Consulting Svc	8,125.00	(8,125.00)		(8,125.00)
3.20.19	Roof Consulting Svc	7,125.00	(7,125.00)		(7,125.00)
3.20.19	Quinn Evans	3,399.00	(3,399.00)		(3,399.00)
3.20.19	Quinn Evans	2,163.00	(2,163.00)		(2,163.00)
5.29.19	Quinn Evans	7,048.00	(7,048.00)		(7,048.00)
5.29.19	Roof Consulting Svc	2,000.00	(2,000.00)		(2,000.00)
7.17.19	Lot Scapes	2,800.00	(2,800.00)		(2,800.00)
7.17.19	Village Building	63,019.50	(63,019.50)		(63,019.50)
7.31.19	Roof Systems of VA	288,100.00	(288,100.00)		(288,100.00)
8.28.19	Global Equipment	290.95	(290.95)		(290.95)
8.28.19	Global Equipment	395.03	(395.03)		(395.03)
8.28.19	Global Equipment	180.00	(180.00)		(180.00)
8.28.19	Global Equipment	1,307.66	(1,307.66)		(1,307.66)
8.28.19	Budget Blinds	4,668.05	(4,668.05)		(4,668.05)
8.28.19	Roof Systems of VA	59,140.00	(59,140.00)		(59,140.00)
9.18.19	Bronson Contractors	29,700.00	(29,700.00)		(29,700.00)
9.25.19	JMS Group	11,326.00	(11,326.00)		(11,326.00)
10.3.19	Bronson Contractors	2,340.00	(2,340.00)		(2,340.00)
10.3.19	Bronson Contractors	6,445.00	(6,445.00)		(6,445.00)
10.3.19	Servpro	6,440.00	(6,440.00)		(6,440.00)
11.7.19	DMA Floors	26,950.00	(26,950.00)		(26,950.00)
11.7.19	Watkins Nurseries	2,728.20	(2,728.20)		(2,728.20)
11.7.19	Watkins Nurseries	375.50	(375.50)		(375.50)
11.7.19	Supply Room Co	33,472.27	(33,472.27)		(33,472.27)
11.7.19	Proseal Services	16,800.00	(16,800.00)		(16,800.00)
11.13.19	DMA Floors	22,729.00	(22,729.00)		(22,729.00)
11.13.19	Village Building	28,180.50	(28,180.50)		(28,180.50)
11.13.19	Village Building	10,826.07	(10,826.07)		(10,826.07)
11.19.19	Ferguson Enterprises	483.00	(483.00)		(483.00)
11.19.19	Ferguson Enterprises	5,501.42	(5,501.42)		(5,501.42)
11.19.19	Roof Systems of VA	51,620.00	(51,620.00)		(51,620.00)
12.17.19	Roof Consulting Svc	1,500.00	(1,500.00)		(1,500.00)
2.3.20	JMS Group	4,853.00	(4,853.00)		(4,853.00)
2.3.20	CTSI	65,674.00	(65,674.00)		(65,674.00)
3.19.20	Bronson Contractors	10,000.00	(10,000.00)		(10,000.00)
3.26.20	Roof Systems of VA	38,730.00	(38,730.00)		(38,730.00)
3.26.20	Roof Systems of VA	82,710.00	(82,710.00)		(82,710.00)

Powhatan County
 2018 Bond Funded Projects
 PMS Repurpose
 4-301-062100-8304

as of 7/31/2020

			FUNDING SOURCES		Total
			General Fund	Bonds	Budget
			-	1,284,000.00	1,284,000.00
7.30.20	BA#436	R-2020-44		100,000.00	1,384,000.00

PAYMENTS					
Date	Vendor	Amount			
4.2.20	Village Building	24,484.00	(24,484.00)		(24,484.00)
4.2.20	Bronson Contractors	14,800.00	(14,800.00)		(14,800.00)
4.2.20	Bronson Contractors	14,750.00	(14,750.00)		(14,750.00)
4.9.20	Bronson Contractors	800.00	(800.00)		(800.00)
4.9.20	Bronson Contractors	4,750.00	(4,750.00)		(4,750.00)
4.9.20	Bronson Contractors	1,000.00	(1,000.00)		(1,000.00)
4.9.20	R.C. Goodwyn	37.99	(37.99)		(37.99)
4.9.20	Roof Systems of VA	124,100.00	(124,100.00)		(124,100.00)
4.16.20	Goodwyn Trucking Svc	50.00	(50.00)		(50.00)
4.30.20	Costen Floors	6,818.00	(6,818.00)		(6,818.00)
4.30.20	Costen Floors	21,170.00	(21,170.00)		(21,170.00)
4.30.20	R.C. Goodwyn	13.07	(13.07)		(13.07)
4.30.20	R.C. Goodwyn	30.97	(30.97)		(30.97)
5.7.20	R.C. Goodwyn	75.96	(75.96)		(75.96)
5.7.20	R.C. Goodwyn	10.11	(10.11)		(10.11)
5.7.20	R.C. Goodwyn	65.94	(65.94)		(65.94)
5.7.20	Time Technologies	5,959.00	(5,959.00)		(5,959.00)
5.14.20	Work Environment	3,995.00	(3,995.00)		(3,995.00)
5.14.20	R.C. Goodwyn	25.70	(25.70)		(25.70)
5.21.20	Farmville Wholesale	50.24	(50.24)		(50.24)
5.21.20	Goodwyn Trucking Svc	700.00	(700.00)		(700.00)
5.21.20	AGA Janitorial	1,800.00	(1,800.00)		(1,800.00)
5.29.20	R.C. Goodwyn	14.37	(14.37)		(14.37)
5.29.20	R.C. Goodwyn	119.99	(119.99)		(119.99)
6.4.20	R.C. Goodwyn	33.32	(33.32)		(33.32)
6.11.20	Price Supply	34.09	(34.09)		(34.09)
6.11.20	Price Supply	2,967.13	(2,967.13)		(2,967.13)
6.11.20	Price Supply	48.88	(48.88)		(48.88)
6.30.20	Farmville Wholesale	60.81	(60.81)		(60.81)
7.6.20	R.C. Goodwyn	30.90	(30.90)		(30.90)
7.6.20	Price Supply	30.06	(30.06)		(30.06)
7.30.20	Montgomery Cons	7,226.00	(7,226.00)		(7,226.00)
-					
Total Spent		<u>1,145,196.68</u>	-	<u>(1,145,196.68)</u>	<u>(1,145,196.68)</u>
Total Budget Remaining			-	<u>238,803.32</u>	<u>238,803.32</u>

Powhatan County
 2018 Bond Funded Projects
 Athletic Field Improvements
 4-301-071120-8304

as of 7/31/2020

			FUNDING SOURCES		Total
			General Fund	Bonds	Budget
				1,258,000.00	1,258,000.00
PAYMENTS					
Date	Vendor	Amount			
3.28.19	Balzer	500.00	-	(500.00)	(500.00)
7.31.19	Musco Lighting	739,759.00	-	(739,759.00)	(739,759.00)
7.31.19	Luck Stone	339.84	-	(339.84)	(339.84)
7.31.19	Luck Stone	343.58	-	(343.58)	(343.58)
7.31.19	Luck Stone	334.23	-	(334.23)	(334.23)
7.31.19	Luck Stone	343.16	-	(343.16)	(343.16)
7.31.19	Luck Stone	333.94	-	(333.94)	(333.94)
7.31.19	Luck Stone	342.29	-	(342.29)	(342.29)
7.31.19	Luck Stone	41.79	-	(41.79)	(41.79)
7.31.19	Luck Stone	39.27	-	(39.27)	(39.27)
7.31.19	Luck Stone	42.84	-	(42.84)	(42.84)
7.31.19	Luck Stone	40.53	-	(40.53)	(40.53)
8.20.19	Draper Aden	1,190.00		(1,190.00)	(1,190.00)
8.20.19	Draper Aden	765.00		(765.00)	(765.00)
9.25.19	R.C. Goodwyn	74.71		(74.71)	(74.71)
10.3.19	Hurricane Fence	8,656.00		(8,656.00)	(8,656.00)
10.3.19	Musco Lighting	251,017.50		(251,017.50)	(251,017.50)
10.3.19	Musco Lighting	24,650.00		(24,650.00)	(24,650.00)
11.7.19	Musco Lighting	228,941.08		(228,941.08)	(228,941.08)
11.26.19	Luck Stone	245.24		(245.24)	(245.24)
Total Spent		1,258,000.00	-	(1,258,000.00)	(1,258,000.00)
Total Budget Remaining			-	-	-

Powhatan County
 2018 Bond Funded Projects
 Powhatan and Pocahontas EPC
 4-301-062100-8305

as of 7/31/2020

			FUNDING SOURCE		Total
			General Fund	Bonds	Budget
2.27.19 BA #415			500,000.00	2,945,000.00	3,445,000.00
PAYMENTS					
Date	Vendor	Amount			
12.27.18	TRANE	327,889.00		(327,889.00)	(327,889.00)
3.20.19	TRANE	287,028.80		(287,028.80)	(287,028.80)
4.17.19	TRANE	606,621.55		(606,621.55)	(606,621.55)
5.8.19	TRANE	179,529.55		(179,529.55)	(179,529.55)
7.12.29	TRANE	587,583.95		(587,583.95)	(587,583.95)
7.23.19	TRANE	466,064.75		(466,064.75)	(466,064.75)
8.28.19	TRANE	296,818.75		(296,818.75)	(296,818.75)
10.3.19	TRANE	22,000.45		(22,000.45)	(22,000.45)
11.19.19	TRANE	135,439.68		(135,439.68)	(135,439.68)
12.17.19	TRANE	142,900.72	(101,588.20)	(41,312.52)	(142,900.72)
3.2.20	TRANE	43,488.20	(43,488.20)		(43,488.20)
3.2.20	TRANE	(5,289.00)	-	5,289.00	5,289.00
5.14.20	McGuire Woods	29,849.95	(29,849.95)		(29,849.95)
6.11.20	TRANE	131,776.60	(131,776.60)		(131,776.60)
Total Spent		<u>3,251,702.95</u>	<u>(306,702.95)</u>	<u>(2,945,000.00)</u>	<u>(3,251,702.95)</u>
Total Budget Remaining			<u>193,297.05</u>	<u>-</u>	<u>193,297.05</u>

Powhatan County
 2018 Bond Funded Projects
 ERP Replacement
 4-301-012510-0003

as of 7/31/2020

FUNDING SOURCES		Total
General Fund	Bonds	Budget
	1,500,000.00	1,500,000.00
		1,500,000.00
		1,500,000.00
		1,500,000.00

PAYMENTS			FUNDING SOURCES		Total
Date	Vendor	Amount Paid	General Fund	Bonds	Budget
			-	-	-
8.14.19	BerryDunn	16,990.00	-	(16,990.00)	(16,990.00)
9.4.19	BerryDunn	15,690.00	-	(15,690.00)	(15,690.00)
9.18.19	BerryDunn	6,195.00	-	(6,195.00)	(6,195.00)
12.17.19	BerryDunn	1,700.00	-	(1,700.00)	(1,700.00)
12.17.19	BerryDunn	18,545.00	-	(18,545.00)	(18,545.00)
1.22.20	BerryDunn	5,360.00	-	(5,360.00)	(5,360.00)
3.2.20	BerryDunn	1,580.00	-	(1,580.00)	(1,580.00)
3.26.20	BerryDunn	1,430.00	-	(1,430.00)	(1,430.00)
4.16.20	BerryDunn	955.00	-	(955.00)	(955.00)
4.23.20	BerryDunn	14,460.00	-	(14,460.00)	(14,460.00)
			-	-	-
Total spent		<u>82,905.00</u>	<u>-</u>	<u>(82,905.00)</u>	<u>(82,905.00)</u>
Total Budget Remaining			<u>-</u>	<u>1,417,095.00</u>	<u>1,417,095.00</u>



COMMISSIONER OF THE REVENUE

3834 Old Buckingham Rd. Ste. C
Powhatan, Virginia 23139
(804) 598-5616

Commissioner
James B. Timberlake, II

Deputies
Cherl L. Jessie
Susan L. Blankenship
Tina H. Durr
Andrea H. Ross
Latoya C. Turner
Latasha C. Bouldin
Travis Delaney

July 9, 2020

Powhatan County Board of Supervisors
3834 Old Buckingham Rd.
Powhatan, VA 23139

Board Members:

Mr. Christopher Davis and his spouse Ms. Zoie Young have applied for tax relief as a 100% disabled veteran. The property was purchased May 7, 2019 but the application for tax exemption was not submitted to this office until April 22, 2020. Since the second half bills were already in process this resulted in a full FY abatement of 2,917.20. The abatement is over the \$2,500 threshold set by State Code therefore the Board of Supervisors must authorize payment before the Treasurer can issue the refund.

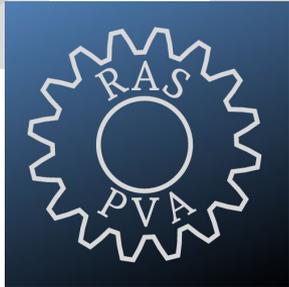
I would appreciate it if you would direct Mrs. Faye Barton, the Treasurer of Powhatan, to issue a refund to Mr. Davis and Ms. Young for the amount referenced above.

Thank you for your consideration to this request. I am available to answer any questions on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "James B. Timberlake, II".

James B. Timberlake, II
Commissioner of Revenue
Powhatan, VA



Needs of Powhatan Seniors

No longer a silent, forgotten majority

Representation by Senior Focus Group held July 9, 2020



Increase in Senior Demographic

The population of Powhatan seniors age 60+ will increase at a rate of over 41% over the next 20 years.

- Demographic Research Group
University of Virginia



Ageism In Our Community

“The needs of seniors are **negligible** in comparison to needs of age groups with full lives ahead of them.”

negligible: so small, trifling, or unimportant that it may safely be neglected or disregarded

Ageism In COVID19 Era

COVID-19 has brought to the surface a pervasive feeling that elders are disposable.

“The one bright spot has been this catalyzing moment -ageism as an egregious national problem has gone from the back burner to the forefront. There is a light shining on it.”



Major Findings/Focus Group Held July 9th

- Active and Heard
- Resources to Enrich Their Lives
- Valued for
 - ◆ Ways They Can Give
 - ◆ Life Experience and Knowledge
 - ◆ Being a Thriving Part of Community



Major Findings

Senior Center

- ◆ Permanent Space
- ◆ Open Regularly
- ◆ Programs / Presentations
 - Many Free Resources
- ◆ Socialization / Lifelong Learning
- ◆ Casual Activities



Age : Value

“Age affects our communities, bringing valuable expertise and social capital that can only be provided through elderhood.”



Age : Risk

"For adults 50 and over, being socially isolated is linked to a greater risk of dementia, coronary heart disease, diabetes, depression, and stroke. It may rival the impact of smoking and obesity on health." - American Society on Aging



Age : Risk

“Older adults who describe themselves as lonely have a 59% greater risk of functional decline and a 45% greater risk of death.”

“Loneliness Linked to Serious Health Problems and Death among Older Adults,” University of California



Social Interaction

Social interaction is essential for physical and mental health and well-being. The health benefits of human social interaction are plentiful; *delaying memory loss, improving mood, stimulating appetite, and decreasing mortality.*

National Resource Center on
Nutrition and Aging



Learning From Other Communities

Through focus group discussions, researchers learned that senior center attendees have a strong drive for self-determination to meet needs of autonomy, competence, and relatedness. Seniors also indicated they enjoy reliable, meaningful activities that included social interaction with their peers. Participants said spending time at senior centers helped them achieve their goals.

Penn State News



Aging in Powhatan

We want to value and embrace the entire spectrum of the lived experience that will be reflected in our person-centered attitude / interactions, and the resources available in our community.



Aging in Powhatan

Let's make Powhatan a place where seniors:

- Have community outlet for
 - ◆ Creativity
 - ◆ Socialization & Connection
 - ◆ Enrichment & Learning
- Valued by their community
- Are engaged and thriving
- Are heard
- Have more opportunities to volunteer and share with each other



Aging in Powhatan

Every generation has interest in the next.

This isn't just about our present day senior population; this is about the future of us all in Powhatan.



Powhatan County Board of Supervisors Agenda Item

Meeting Date: August 24, 2020

Agenda Item Title: Social Services Board (SSB)

Motion: Move to appoint Stephen Neil Stout to the Social Services Board for a four-year term commencing October 1, 2020, and expiring October 1, 2024.

Dates Previously
Considered by Board: N/A

Summary of Item: The Social Services Board is composed of three or more members. The Board of Supervisors may appoint a member of the Board of Supervisors to be one member of the Administrative Board. (Reference Code of Virginia 63.2-300, 63.2-302 & 63.2-324)

Terms are four years; and a member may serve no more than two consecutive terms. If appointed to fill someone's vacancy mid-term, a member can still be eligible to serve two complete terms after that initial term. This appointment is to fill the District 5 seat which shall become vacant after September 30, 2020.

Staff: N/A Approve ___ Disapprove ___ See Comments

Commission/Board: N/A Approve ___ Disapprove ___ See Comments

County Administrator: N/A Approve ___ Disapprove ___ See Comments

Comments: None

Budget/Fiscal Impact: None

Attachments: Application

Staff/Contact: Sharon Rochelle, Director of Social Services sharon.rochelle@dds.virginia.gov



COUNTY OF POWHATAN, VIRGINIA
APPLICATION FOR

All appointments to County Boards and Commissions are made by the Board of Supervisors. Please complete this application in its entirety.

Print and return the application by fax to (804)598-7835, by e-mail to bgallion@powhatanva.gov or by mail to Deputy Clerk to the Board of Supervisors, Powhatan County Administration, 3834 Old Buckingham Rd, Powhatan, VA 23139. For additional information regarding this application, contact Bonni Gallion at (804)598-5612.

DISTRICT:	5	CURRENT DATE:	July 27, 2020
NAME:	Stephen Neil Stout	EMAIL ADDRESS:	neil.stout@Hitestlabs.com
ADDRESS:	3660 Michaux Mill Drive	DAY PHONE:	(804) 937-8666
CITY/ST/ZIP:	Powhatan, Virginia 23139	EVENING PHONE:	(804) 598-0664

Please indicate which board/committee you are interested in being appointed to and complete the information below. A separate application must be submitted for each board/committee that you are interested in serving on. Additional and continued information can be included on an additional page.

BOARD/COMMITTEE	Social Services
EDUCATION	B.A. Hampden Sydney College J.D. Campbell University School of Law
EMPLOYMENT AND/OR VOLUNTEER WORK EXPERIENCE	Counsel, HI-Test Laboratories, Inc. 2008- present, Partner, Stout, Billy & Seli 2001-2008, Partner, Flax, Embrey & Stout 1991-2001. Board member, Center for Industrial Preservation. Counsel, Free Enterprise Institute. President and board member, Jamestown Island Society. Youth football, basketball and lacrosse coach.
INVOLVEMENT	VOLUNTEER FOR GROCERY AND MEAL DELIVERY WITH BRAD LUXFORD
SPECIAL SKILLS (please note any skills such as bilingual, multicultural interaction, youth outreach, etc.)	

By submitting this application to the Deputy Clerk to the Powhatan County Board of Supervisors, I hereby certify that all information contained herein is true and complete and I hereby consent to the dissemination of this document to the general public.


Signature

7/27/20
Date



Powhatan County Board of Supervisors Agenda Item

Meeting Date: August 24, 2020

Agenda Item Title: One Appointment to the Richmond Area Transportation Planning Organization Technical Advisory Committee (TAC)

Motion: Move to appoint Bret Schardein to the TAC as an alternate for an unexpiring term commencing August 24, 2020.

Dates Previously Considered by Board: N/A

Summary of Item: The purpose of the TPO Technical Advisory Committee is to serve as a technical advisory committee to the TPO, providing technical review, comments and recommendations on specific transportation plans, programs, studies and other appropriate documents and regional transportation issues. The Technical Advisory Committee typically consists of staff subject matter experts and shall address other matters and concerns if directed by the TPO or TPO Chairman. Planning Director Andrew Pompei serves as the primary TAC member for Powhatan. This action would replace Principal Planner Ed Howland, with Assistant County Administrator Bret Schardein, as the alternate to Mr. Pompei. This would align the primary and alternate appointments for the TPO's TAC with those of the CVTA TAC, which is Mr. Pompei(primary) and Mr. Schardein (alternate).

Staff: Approve Disapprove See Comments

Planning Commission/Board: Approve Disapprove See Comments

County Administrator: Approve Disapprove See Comments

Comments: None

Budget/Fiscal Impact: None

Attachments: None

Staff/Contact: Bret Schardein, Assistant County Administrator, (804) 598-3639,
bschardein@powhatanva.gov



Powhatan County Board of Supervisors Agenda Item

Meeting Date: August 24, 2020

Agenda Item Title: One Recommendation for Appointment to the Central Virginia Transportation Authority ("CVTA") for a designee.

Motions: Move to recommend appointment of _____ to the CVTA for a term commencing August 24, 2020, and expiring December 31, 2023.

Summary of Item: This year the General Assembly through HB1541 which created the Central Virginia Transportation Authority ("CVTA"), which is made up of the PlanRVA localities, a member of the House of Delegates, one member of Senate and one member of the Commonwealth Transportation Board who reside in a county or city in the CVTA.

The CVTA shall be responsible for prioritizing and allocating regional transportation funding sources to projects within the region.

The draft CVTA by-laws indicate the primary member shall be the Chair of the Board of Supervisors of the governing body. In the event the Chair cannot attend a meeting, they may send another Board of Supervisor member as designee in their place. The County is not required to appoint a specific designee, however for them to attend in the Chair's place the by-laws require the intent to send a designee "*shall be submitted in writing or electronically to the Chair of the Authority at least forty-eight (48) hours prior to the affected meeting.*" This may not always be feasible, for example if the absence is due to a sudden illness. By appointing a designee and informing the CVTA in writing, no further notice shall be required for that person to attend in place of the Chair when needed, even within 48 hours of a meeting.

Staff: N/A Approve ___ Disapprove ___ See Comments

Planning Commission/Board: N/A Approve ___ Disapprove ___ See Comments

County Administrator: N/A Approve ___ Disapprove ___ See Comments

Comments: None

Budget/Fiscal Impact: None

Attachments: None

Staff/Contact: Bret Schardein, Interim County Administrator, (804) 598-3639,
bschardein@powhatanva.gov



Powhatan County
Board of Supervisors
Agenda Item

Meeting Date: August 24, 2020

Agenda Item Title: **Ordinance #O-2020-11 (Case #20-02-CUP): Cellco Partnership d/b/a Verizon Wireless (District #2: Powhatan Station/Graceland)** requests a conditional use permit (CUP) to permit a telecommunications tower (up to 200 feet in height) within the Agricultural-10 (A-10) zoning district, per Sec. 83-162 of the Zoning Ordinance of the County of Powhatan. The proposed use would be located at Tax Map Parcel #52-16 (3043 Moyer Road), which consists of 148.30 acres of land located on the south side of State Route 602 (Moyer Road) between State Route 1030 (Timber Trace Road) and State Route 619 (Pineview Drive). The 2019 Long-Range Comprehensive Plan designates the subject property as Rural Preservation and Natural Conservation on the Countywide Future Land Use Map.

Motion: In accordance with Section 83-123(f)(4) of the Powhatan County Zoning Ordinance and public necessity, convenience, general welfare, and good zoning practice, the Powhatan County Board of Supervisors (*approves / denies / defers*) the request submitted by Cellco Partnership d/b/a Verizon Wireless to permit a *telecommunications tower* on Tax Map Parcel #52-16, subject to the conditions presented in the staff report.

Dates Previously Considered by Board: July 27, 2020 (Deferred for 30 Days: 5 – 0)

Summary of Item: Cellco Partnership d/b/a Verizon Wireless is requesting a conditional use permit (CUP) to allow a telecommunications tower (maximum 199 feet tall) within the Agricultural-10 (A-10) zoning district (Zoning Ordinance: Sec. 83-162). The proposed use would be located on a portion of Tax Map Parcel #52-16, between State Route 1030 (Timber Trace Road) and State Route 619 (Pineview Drive) in southeastern Powhatan County. In total, the property consists of 148.3 acres. The proposed telecommunications tower will be located within a fenced-in gravel compound (2,500 square feet) located on a portion of the property (10,000 square feet) that will be leased by the applicant.

Staff:	<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Disapprove	<input type="checkbox"/> See Comments
Commission/Board:	<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Disapprove	<input type="checkbox"/> See Comments
County Administrator:	<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Disapprove	<input type="checkbox"/> See Comments

Comments:

Budget/Fiscal Impact: None

Attachments: Draft Ordinance
Staff Report

Staff/Contact: Andrew J. Pompei, AICP, CZA: Planning Director
(804) 598-5621 x2006
apompei@powhatanva.gov

If Board members have questions, please call the staff / contact prior to the meeting.



20-02-CUP Cellco Partnership

Request for a Conditional Use Permit
to Permit a *Telecommunications Tower*
within the Agricultural-10 (A-10) Zoning District
on Tax Map Parcel #52-16
along State Route 602 (Moyer Road)

Staff Report Prepared for the Board of Supervisors
August 24, 2020

I. PUBLIC MEETINGS

Planning Commission	June 2, 2020	Public Hearing (Recommend Approval: 5-0)
Board of Supervisors	July 27, 2020	Public Hearing (Deferred for 30 Days: 5-0)
Board of Supervisors	August 24, 2020	Public Hearing (Continued from July 27, 2020)

II. GENERAL INFORMATION

Request	Conditional Use Permit	
Proposed Use	Telecommunications Tower	
Proposed Density	N/A (No Residential Units Proposed)	
Existing Zoning	Agricultural-10 (A-10)	
Parcel Size	Total Parcel Area:	148.3 acres
	Leased Area:	10,000 square feet
Parcel ID#	52-16	
Applicant	Cellco Partnership d/b/a Verizon Wireless	
Owner	E & S Land Holdings, LLC	
Location of Property	3043 Moyer Road Located on the southern side of State Route 602 (Moyer Road) between State Route 1030 (Timber Trace Road) and State Route 619 (Pineview Drive)	
Electoral District	(2) Powhatan Station/Graceland	
2019 Land Use Plan Recommendation	Rural Preservation and Natural Conservation	

III. EXECUTIVE SUMMARY

Cellco Partnership d/b/a Verizon Wireless is requesting a conditional use permit (CUP) to allow a *telecommunications tower* (maximum 199 feet tall) within the Agricultural-10 (A-10) zoning district (Zoning Ordinance: Sec. 83-162). The proposed use would be located on a portion of Tax Map Parcel #52-16, between State Route 1030 (Timber Trace

Road) and State Route 619 (Pineview Drive) in southeastern Powhatan County. In total, the property consists of 148.3 acres. The proposed telecommunications tower will be located within a fenced-in gravel compound (2,500 square feet) located on a portion of the property (10,000 square feet) that will be leased by the applicant.

IV. REVIEW STANDARDS

Conditional Use (A-10): Telecommunications Tower
<i>Telecommunications tower</i> is listed as a conditional use within the A-10 zoning district [Sec. 83-162(11)].
Sec. 83-123(f)(4): Conditional Use Permit Review Standards
A Conditional Use Permit shall be approved if the applicant demonstrates the proposed conditional use: <ul style="list-style-type: none">a) Is consistent with the purposes, goals, objectives, and policies of the comprehensive plan and other applicable county-adopted plans;b) Complies with all applicable zoning district-specific standards in Articles III through VI;c) Complies with all applicable use-specific standards Article VII: Use Standards;d) Complies with all applicable development and design standards in Article VIII: Development Standards;e) Complies with all relevant subdivision and infrastructure standards in Chapter 68: Subdivisions of the Powhatan County Code;f) Is appropriate for its location and is compatible with the general character of surrounding lands and the uses allowed in the zoning district where proposed;g) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands;h) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;i) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;j) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;k) Complies with all other relevant county, state and federal laws and standards; andl) Is required by the public necessity, convenience, general welfare, or good zoning practice.
Sec. 83-123(f)(5): Expiration of a Conditional Use Permit
A Conditional Use Permit shall expire in accordance with any expiration date or provisions in a condition of its approval. A Conditional Use Permit shall automatically expire if a Building Permit, Site Plan, or other county approval, whichever occurs first, for the development granted by the Conditional Use Permit, is not obtained within two (2) years after the date of approval of the Conditional Use Permit, or if no subsequent county approval is required, the development is not completed and operational within two (2) years.

Sec. 83-521: Definitions
<i>Telecommunications tower</i> means any structure that is designed and constructed primarily for the purpose of supporting telecommunication antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes television transmission towers, microwave towers, common-carrier towers, wireless communication towers, alternative tower structures, and the like. (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)
Virginia State Code: Title 15.2, Chapter 22, Article 7.2 (15.2-2316.3 through 15.2-2316.5)
This section of the Virginia State Code provides standards for the regulation and review of telecommunications projects.

V. PROPERTY DESCRIPTION

Location

The proposed telecommunications tower would be located on a portion of Tax Map Parcel #52-16 (3043 Moyer Road), which is located between State Route 1030 (Timber Trace Road) and State Route 619 (Pineview Drive) in southeastern Powhatan County.

Existing Conditions

The subject parcel is currently occupied by a single-family residential dwelling. The dwelling is accessed by a driveway with two entrances off of State Route 602 (Moyer Road).

Tax Map Parcel #52-16A is surrounded by the subject parcel. Tax Map #52-16A is also occupied by a separate single-family dwelling, which uses the same two-entrance driveway for access. There are two stream-fed ponds in the southern portion of the subject property.

Surrounding Properties

Direction	Zoning	Uses
North	Agricultural-10 (A-10)	<ul style="list-style-type: none"> Single-Family Residential (Large Lot: ≥ 10 acres)
South	Agricultural-10 (A-10)	<ul style="list-style-type: none"> Vacant/Wooded Land Large Lot Single-Family Residential Subdivision (Skippers Ridge)
East	Agricultural-10 (A-10) Residential-Utility (R-U)	<ul style="list-style-type: none"> Single-Family Residential (Large Lot: ≥ 10 acres) Single-Family Residential Subdivisions (Skipper Creek Farms and Kimberly Farms: avg. 2 acre lots)
West	Single-Family Residential – 2 (R-2)	<ul style="list-style-type: none"> Single-Family Residential Subdivision (Timber Trace: avg. 2 acre lots)

VI. PROJECT ANALYSIS

Current Zoning

The subject property is currently zoned Agricultural-10 (A-10).

Proposed Use

The applicant is proposing a *telecommunications tower*, which is defined as follows [Sec. 83-521]:

Telecommunications tower means any structure that is designed and constructed primarily for the purpose of supporting telecommunication antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes television transmission towers, microwave towers, common-carrier towers, wireless communication towers, alternative tower structures, and the like.

Telecommunications tower is a conditional use within the Agricultural-10 (A-10) zoning district [Sec. 83-162(11)].

The proposed tower will be up to 199 feet tall and designed as a galvanized steel monopole structure. It is proposed to be located within a fenced-in gravel compound (50 feet by 50 feet). The lease area (10,000 square feet) will be located within the existing wooded area on the western side of the property.

The proposed lease area will be at least 509 feet from State Route 602 (Moyer Road) and 571 feet from the western property line (Timber Trace subdivision). The tower will be accessed from State Route 602 (Moyer Road) using an existing asphalt driveway located approximately 810 feet east of State Route 1030 (Timber Trace Road) (approximately 188 feet from the western property line of the subject parcel).

Land Use and Community Character

The surrounding area is rural in character, with single-family residential lots ranging in size from approximately two acres to more than ten acres.

The proposed conditions included in this report are intended to help the proposed use blend with the surrounding rural residential areas by establishing a tree protection area, 25 feet in width, surrounding the fenced compound.

Photosimulations¹ provided by the applicant indicate that the tower will not be visible from most locations in the surrounding area, with the exception of the segment of State Route 602 (Moyer Road) directly adjacent to the subject parcel, and select areas to the south along State Route 603 (Rocky Ford Road) (see Attachment #7).

¹ The photosimulations provided by the applicant were generated from photography taken during a balloon test prior to submittal of the CUP application. During the balloon test, the applicant released a balloon to the height of the proposed tower (199 feet) at the proposed tower location. The applicant then took photographs from the surrounding area (at locations selected by the Department of Community Development). A rendering of the proposed tower was added to the photos wherever the balloon was visible. The resulting photosimulations are included in Attachment #7 of this report.

Environment/Natural Resources

Agency Comments: Environmental Review (Powhatan County)

This development should comply with both stormwater management and Erosion and Sediment Control laws and regulations set forth in the Powhatan County Zoning Ordinance.

On-Site Environmental and Historic Features

- *Topography*

The subject property gently slopes downward from north to south, beginning at an elevation of approximately 340 feet above sea level and dropping to 240 feet. Per GIS, the area where the tower is proposed to be located is along the upper edge of a small valley that slopes toward a pond located to the south.

- *Streams and Wetlands*

The subject property contains two streams, the closest of which is an intermittent stream running through the pond located approximately 600 feet south of the proposed tower. The other stream is a perennial stream, which is located approximately one-half mile south of the proposed telecommunications tower. It runs along the northern edge of a second pond on the property.

Erosion and Sediment Control

Prior to starting clearing and grading, the development will be subject to both stormwater management and Erosion and Sediment Control laws and regulations set forth in the Powhatan County Code.

Riparian Buffers

The proposed tower will be required to comply with requirements for riparian buffers set forth in the Powhatan County Zoning Ordinance [Sec. 83-471]. Information provided with the application indicates that these standards will be met, as the proposed location of the tower is well outside of these requirements.

Transportation

Agency Comments: Virginia Department of Transportation (VDOT)

VDOT supports the request by Cellco Partnership d/b/a Verizon Wireless of its conditional use permit and offers the following comments:

1. A site plan shall be submitted for VDOT review and approval prior to Land Disturbance. This review shall include potential drainage impacts upon Moyer Road (Rte. 602).
 - a. VDOT Access Management does not apply for Low Volume Commercial entrances, but stopping sight distance is required.
 - b. Please provide the Trip Generation utilizing the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition for all existing and proposed uses.
 - c. If the Vehicles Per Day (VPD) exceed 50, then the existing entrance may be required to meet the Moderate Volume Commercial Entrance Design as shown per Figure 4-15 in Appendix F of the VDOT Road Design Manual. Multiples uses appear to be utilizing the existing entrance.
2. A VDOT Land Use Permit shall be required for the Maintenance required to repair the existing Low Volume Commercial entrance to the site along Moyer Road (Rte. 602).

Local Road Network

The subject property has frontage on State Route 602 (Moyer Road), between State Route 1030 (Timber Trace Road) and State Route 619 (Pineview Drive).

Roadway Characteristic	State Route 602 (Moyer Road)
Functional Classification: VDOT	Local Road
Functional Classification: Powhatan Co. Major Thoroughfare Plan	Local Road
Traffic Volume Estimates (VDOT: 2018)	280

Site Access

The conceptual plan (dated January 30, 2020) shows site access from the westernmost existing driveway off State Route 602 (Moyer Road).

Utilities and Public Infrastructure

Agency Comments: Department of Public Works (Powhatan County)

The department has no review comments.

Agency Comments: Virginia Department of Health

No comments received.

The proposed use will not negatively affect public health and will improve community telecommunication services by providing expanded collocation opportunities for cellular and wireless providers. Information provided by the applicant indicates that the closest tower with similar service is located more than two miles from the proposed tower (see Attachment #6).

After construction, the site will generally not be occupied, except for occasional maintenance visits. Lack of on-site office or industrial facilities means there will rarely be a need for emergency services, and there will be no need for on-site wells or septic systems.

Public Safety

Agency Comments: Fire Department (Powhatan County)

The Fire Department has no concerns and approves of this CUP.

Agency Comments: Sheriff's Office (Powhatan County)

The Sheriff's Office has no comments at this time.

Per information provided by the applicant, the telecommunications tower compound will be entirely enclosed by a fence and emergency responders will be given necessary access. Additionally, Verizon has informally agreed (via email) to provide collocation opportunities for emergency communications equipment to Powhatan County at no cost.

Development Requirements and Standards

Agency Comments: Building Inspections Department (Powhatan County)

The building department has noted the following comments:

1. A soil analysis with engineered footing design will be needed for the supporting footings.
2. Stamped and Sealed plans will be required for the new tower when applying for a building permit.
3. A statement of special inspections will be required when applying for a building permit.

Development Review: Next Steps

Prior to issuance of a building permit, the applicant will be required to submit a site plan(s) for review and approval [Sec. 83-123(g)].

All site plans are evaluated to ensure that proposed development adheres to standards set forth in Article VIII (Development Standards) of the zoning ordinance.

Site plan applications are reviewed by the Department of Community Development.

VII. COMPREHENSIVE PLAN ANALYSIS

Countywide Future Land Use Plan

The *2019 Long-Range Comprehensive Plan* designates the subject properties as *Rural Preservation* on the Countywide Future Land Use Plan.

Land Use: Rural Preservation

The *Rural Preservation* land use designation is described as follows (p. 68):

Rural Preservation areas will be rural in character, with preserved natural, cultural, and historic resources, including farms, agribusinesses and tourism, permanently-protected open spaces, permanent easement properties, hillsides, hilltops, floodplain, wooded and forested areas, historic landscapes, landmarks, and corridors. These areas will contribute to active agriculture, silviculture, agribusiness, equestrian operations, and tourism, with new residential development designed in such a way as to be balanced with the natural and existing manmade environment in order to minimize degradation of the rural, natural, cultural, and historic environment.

The *2019 Long-Range Comprehensive Plan* encourages the preservation of natural, cultural, and historic resources located within *Rural Preservation* areas. The proposed tower is expected to have minimal impact on the rural character of the area. The tower will not be visible from most areas, with the exception of the area adjacent to the subject parcel along State Route 602 (Moyer Road).

Infrastructure and Facilities (Chapter 6)

Strategy IF.BT.5 in the *2019 Long-Range Comprehensive Plan* encourages the county to:

Continue working with the radio project consultant to provide a telecommunications design plan for a new radio system. The design plan should include recommendations for new towers and explore all co-location opportunities on existing tower to remove “holes” in radio communication.

The proposed telecommunications tower will improve community telecommunications services by providing expanded collocation opportunities for cellular and wireless providers. Information provided by the applicant indicates that the closest tower with similar service is located more than two miles from the proposed tower (see Attachment #6).

VIII. PUBLIC COMMENTS

At the Planning Commission meeting on June 2, 2020, one member of the public provided written comments to be read during the public comment period. In his comments, he expressed support for the project, citing the potential benefits for public safety and wireless service.

IX. STAFF RECOMMENDATION

Favorable Attributes of Request

- *Limited Demands on Public Services*

The use will not require significant public services. After construction, the site will generally not be occupied, except for occasional maintenance visits. Lack of on-site office or industrial facilities means there will rarely be a need for emergency services, and there will be no need for on-site wells or septic systems.

- *Limited Noise and Odors*

Once construction is complete, the use will generate little to no noise or odor.

- *Improved Telecommunication Services*

The proposed telecommunications tower will improve community telecommunications services by providing additional collocation opportunities for cellular and wireless providers. The nearest existing tower is located two miles away.

Unfavorable Attributes of Request

- *Visual Impact*

The proposed tower will be visible above the tree line in some areas, namely along the stretch of State Route 602 (Moyer Road) adjacent to the subject property.

Recommendation

The Department of Community Development **recommends approval** of this request. With the recommended conditions, the use reflects recommendations made in the *2019 Long-Range Comprehensive Plan* and improves the local telecommunications network. Recommended conditions also address aesthetic concerns by requiring the establishment of a Tree Protection Easement (25 feet in width) surrounding the fenced compound.

X. PLANNING COMMISSION RECOMMENDATION

At their meeting on June 2, 2020, the Planning Commission held a public hearing on this request. During the public hearing, no members of the public spoke on the request. However, one member of the public submitted written comments in support of the request prior to the meeting, citing the potential benefits for public safety and wireless service. His comments were read by staff during the comment period.

Prior the public hearing, members of the Planning Commission discussed the following:

- *Land Disturbance*: Members of the Planning Commission requested additional information on the area to be disturbed. The applicant noted that the limits of disturbance are shown on the site plan included with the application.
- *Natural Buffer*: The applicant requested that the proposed Tree Protection Easement condition (Condition #9) be modified to only include area that will be within the control of the applicant (the leased area). After discussion, the Planning Commission amended the recommended condition to address this request.

After discussion and the public hearing, the Planning Commission voted to **recommend approval** (5-0) of the request, with Condition #9 amended to require a Tree Protection Area 25 feet in width surrounding the fenced compound.

XI. COLLOCATION UPDATE

This request was first considered by the Board of Supervisors at its meeting on July 27, 2020. After brief discussion, the Board of Supervisors voted to defer the request for 30 days, allowing Powhatan County and the applicant more time to discuss opportunities for the collocation of public emergency communications equipment.

Since the meeting in July, county staff has been in communication with representatives from Verizon Wireless. Through these discussions, Verizon has informally agreed (via email) to allow Powhatan County to collocate emergency response equipment at no cost. Any other equipment that Powhatan County would like to collate on the tower would be offered at a discounted rate.

XII. RECOMMENDED CONDITIONS

If approved, the Planning Commission recommends that the conditions listed below be incorporated into this request.

1. The applicant(s) shall consent to annual administrative inspections by the Department of Community Development for compliance with the requirements of this CUP.
2. The applicant(s) shall sign the list of adopted conditions for this CUP signifying acceptance and intent to comply with these conditions.
3. Failure to comply with the conditions of this CUP may result in the issuance of a Notice of Violation (NOV) by the Zoning Administrator. The Zoning Administrator may present this CUP to the Board of Supervisors for revocation if the NOV is not resolved as directed.
4. All activities associated with this CUP shall be in compliance with all local, state, and federal laws.

5. This conditional use permit shall permit a telecommunications tower (up to 199 feet in height) and related accessory uses, as defined in Sec. 83-521 of the Powhatan County Zoning Ordinance.
6. The proposed tower shall be designed and constructed as a monopole.
7. The proposed tower shall be located as generally shown on the proposed site plan prepared by NB & C Engineering Service, LLC and dated May 22, 2020.
8. The tower site shall be addressed with signage containing numbers a minimum of four (4) inches in height and reflective so they are highly visible from State Route 602 (Moyer Road). Address numbers shall be maintained throughout the life of this CUP.
9. A vegetated buffer shall be established and maintained surrounding the fenced compound. The vegetated buffer shall be a minimum of 25 feet in width. Within the buffer area, no existing trees shall be removed during or after construction, except for trees necessary to accommodate the compound itself and associated driveways or trees that are diseased, dying, or pose a danger to nearby structures. Throughout the life of the project, the Planning Director may require the installation of additional plantings within the vegetated buffer to ensure adequate screening of the fenced compound.
10. The owner of the tower shall submit to the Planning Director a bond, irrevocable letter of credit, or other appropriate surety acceptable to Powhatan County to cover the cost of removing the tower and restoring the tower site to as near its original condition as is reasonably practical. The estimated cost shall be determined by a licensed engineer and submitted to Powhatan County in writing.

XIII. PROPOSED RESOLUTION

In accordance with Section 83-123(f)(4) of the Powhatan County Zoning Ordinance and public necessity, convenience, general welfare, and good zoning practice, the Powhatan County Board of Supervisors (*approves / denies / defers*) the request submitted by Cellco Partnership d/b/a Verizon Wireless to permit a *telecommunications tower* on Tax Map Parcel #52-16, subject to the conditions presented in this report.

Attachment(s)

1. Application
2. Vicinity Map
3. Zoning Map
4. Countywide Future Land Use Map (2019)
5. Conceptual Plan
6. Nearby Verizon Wireless Tower Sites
7. Photosimulations

Attachment #1
Application



**County of Powhatan,
Virginia**

**Conditional Use Permit
Application**

For Office Use Only

Case Number

Powhatan County, Virginia
Department of Community Development
3834 Old Buckingham Road: Suite F
Powhatan, VA 23139

Applicant Information

Name of Applicant	Cellco Partnership d/b/a Verizon Wireless
Mailing Address	1831 Rady Court Richmond, VA 23222
Phone Number	804 543-7560
Email Address	Linda.French@VerizonWireless.com

Owner Information

(Complete this section if the applicant is not the current property owner)

Name of Owner	Eugene Moyer (E&S Holdings, LLC)
Mailing Address	3043 Moyer Road, Powhatan, VA 23139
Phone Number	See Applicant Representative Information
Email Address	See Applicant Representative Information

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the application (see form entitled *Consent of Owner(s) to Request Rezoning*).

If there are multiple owners, all owners must sign the application or provide other documentation consenting to the

Applicant Representative

(Complete this section if correspondence should be directed to someone other than the applicant)

Name of Representative	Euan Fuller
Mailing Address	1111 E Main Street, Suite 1905, Richmond, VA 23219
Phone Number	804-510-6888
Email Address	efuller@bci-mail.com

Parcel Information	
Tax Map Number	052-16
Physical Address	3043 Moyer Road, Powhatan, VA 23139
General Description of Property Location	Site approximately 1 mile north of Genito, tower location proposed in the trees in the north west portion of the subject parcel.
Election District	Powhatan Station / Graceland (District 2)
Total Acreage	148.30+/- acres
Current Zoning	A-10
Countywide Future Land Use: Land Use Designation	Rural Preservation

Proposed Use	
Proposed Use (Identify Use Listed in Zoning Ordinance)	Construction of a new 199' monopole cell tower
Proposed Use: Detailed Description	Addition of a new 199' monopole cell tower, associated ground equipment area and access route to existing driveway per the plans attached with this application.
If this request is approved, will new structures be constructed?	Yes
Are there existing structures on the subject property?	Yes
Will the proposed use connect to public water and/or sewer?	No
Will the proposed use have direct access to a public road?	No, new access route proposed will join existing entrance route on the subject property.

A conceptual plan that shows the general configuration of the proposed development, including land uses, building locations (existing and proposed), pedestrian and vehicular circulation, open space, and resource protection areas, should be submitted with the application. This plan should also include measurements on how far existing and proposed structures, parking areas, and other activities associated with the proposed use will be from property lines.

Proposed Use (Continued)

Describe any impacts the proposed use may have on adjacent properties and the surrounding neighborhood (e.g. noise, glare, smells, traffic, etc.).

Please see attached applicant narrative in conjunction with this application.

Statement of Validity of Information		
Every applicant shall sign the following document to substantiate the validity of submitted information.		
<p>I, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will provide written certification from the owner granting me the right to submit this application.</p> <p>I declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.</p>		
Signature of Applicant	<i>E Fuller</i>	
Name of Applicant (Printed)	Euan Fuller (Verizon Wireless Agent)	
Commonwealth of Virginia County of <u>Richmond City</u> , to wit: Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by <u>Euan Fuller</u> , whose name is signed to the above, on this <u>6</u> day of <u>February</u> 20 <u>20</u> .		
Notary Public	<i>Nicole Carty</i>	Seal NICOLE CARTY Notary Public Commonwealth of Virginia Registration No. 7797028 My Commission Expires Apr 30, 2022
Commission Expires	<i>April 30, 2022</i>	
Notary Number	<i>7797028</i>	

Ownership Disclosure

List below the names and addresses of all owners or parties in interest of the land subject to this request.
 If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

Name	Address
Eugene Moyer (E&S Holdings, LLC)	3043 Moyer Road, Powhatan, VA 23139

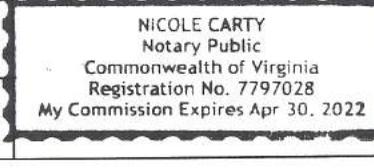
I, Eugene B. Moyer, do hereby swear and affirm to the best of my knowledge and belief, the above information is true and that I am the applicant requesting a conditional use permit for Tax Map 052-16.
 If the information listed above changes at any time while this request is being considered, I will provide Powhatan County with an updated list of owners.

Signature of Applicant Eugene B. Moyer

Name of Applicant (Printed) E. B. Moyer

Commonwealth of Virginia
 County of Richmond City, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Eugene B. Moyer, whose name is signed to the above, on this 6 day of February 2020.

Notary Public	<u>Nicole Cartz</u>	Seal
Commission Expires	<u>April 30, 2022</u>	
Notary Number	<u>7797028</u>	

Consent of Owner(s) to Permit Request

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the conditional use permit (CUP) application.

I, Eugene Moyer, am the owner of the property subject to this CUP request and consent to the request submitted by Cellco Partnership d/b/a Verizon Wireless (Applicant) for a CUP to allow the construction of a new 199' monopole cell tower, compound area and associated access route (Requested Use) on Tax Map 052-16.

Signature of Owner	<u>Eugene B. Moyer</u>
Name of Owner (Printed)	Eugene Moyer

Commonwealth of Virginia
County of Richmond City to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Eugene B. Moyer, whose name is signed to the above, on this 6 day of February 2020.

Notary Public	<u>Nicole Carty</u>	Seal NICOLE CARTY Notary Public Commonwealth of Virginia Registration No. 7797028 My Commission Expires Apr 30, 2022
Commission Expires	<u>April 30, 2022</u>	
Notary Number	<u>7797028</u>	

Applicant's Permission for Inspection of Property		
I, <u>Eugene Moyer</u> , hereby grant access to the Director of Community Development, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application.		
Signature of Applicant	<u>Eugene B. Moyer</u>	
Name of Applicant (Printed)	Eugene Moyer	
Commonwealth of Virginia County of <u>Richmond City</u> , to wit: Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by <u>Eugene B. Moyer</u> , whose name is signed to the above, on this <u>6</u> day of <u>February</u> 20 <u>20</u> .		
Notary Public	<u>Nicole Cartz</u>	<div style="border: 2px dashed black; padding: 5px; text-align: center;"> Seal NICOLE CARTY Notary Public Commonwealth of Virginia Registration No. 7797028 My Commission Expires Apr 30, 2022 </div>
Commission Expires	<u>April 30, 2022</u>	
Notary Number	<u>7797028</u>	

APPLICANT NARRATIVE

SITE NAME: Moyer Road

Proposal:

Cellco Partnership d/b/a Verizon Wireless (t/a “Verizon Wireless”) (the “Applicant”) requests a Conditional Use Permit in order to construct and operate a 195-foot steel monopole telecommunications tower, with the top of all appurtenances extending to 199-feet, on a 148.3± acre parcel on Moyer Road, Powhatan and identified as Parcel ID: 052-16 (“Property”). Verizon Wireless is licensed by the Federal Communications Commission to provide wireless communications services throughout Powhatan County (“County”). Verizon Wireless currently has need to improve the network capacity in the surrounding area of the proposed site as the demand for wireless service increases and places greater strain on the surrounding network sites. In addition, this site will improve the wireless footprint throughout the County. The network of sites is largely based on the use of existing towers and tall structures built by Verizon Wireless, other carriers and tower companies.

The Applicant is proposing to locate the tower and associated ground equipment within a 50’ x 50’ fenced compound (100’ x 100’ lease area). The fenced compound area will be located set in wooded area to the South East of Moyer Road. Additional screening around the compound area will be placed in accordance with the local ordinance as applicable. The proposed tower will have an overall height of 199 feet (195 feet steel monopole telecommunications tower with the top of all appurtenances extending to 199 feet). The tower will be made of galvanized steel and it will be designed to accommodate additional users. The facility will be unmanned and will be visited occasionally, usually once a month, by technicians to conduct routine checks and maintenance. The facility will not emit any odor, fumes or glare. The noises emitted from the equipment on the ground will not be any louder than normal residential HVAC equipment. Therefore, the impact on surrounding properties resulting from this passive use will be minimal.

Purpose of Tower:

Verizon Wireless is in the process of enhancing the coverage and capacity of its wireless telecommunications network in Powhatan County by constructing new towers in areas where coverage is lacking and co-location opportunities do not exist.

The proposed tower will achieve the following:

- Improve Verizon Wireless’ existing network by providing seamless coverage in the area;
- Support the latest wireless technologies (voice and data);
- Provide coverage to the following:
 - Those living in nearby residences;
 - Those traveling on nearby roads
 - Provide multiple co-location positions for other wireless carriers to expand their networks;

- Emergency personnel operating in the area.

Consistency with Powhatan County 2019 Long-Range Comprehensive Plan:

The proposed tower is consistent with the Comprehensive Plan as follows:

Strategy IF.BT1-2, IF.BT.5 – Broadband and Telecommunications: Provide and plan for efficient public facilities and services, accelerate wireless broadband deployment, work with private partners to bring high-speed wireless communications to meet the community needs of Powhatan County.

In today’s society, reliable wireless service is a necessity for residents, students, businesses and emergency personnel. The proposed tower will provide the infrastructure needed for Verizon Wireless, as well as the opportunity for multiple other wireless carriers, to expand and improve their networks in this area of Powhatan County. This reliable wireless service will enhance the local economy and complement economic development by helping businesses to be more effective and efficient in their everyday operations, providing citizens the opportunity to work, study and shop from home as well as improving service for those traveling in the vicinity.

Zoning Ordinance Requirements

The subject property is zoned Agricultural (A-1). In accordance with section 83-152 of the zoning ordinance, Telecommunications Towers are permitted in the A-1 zoning district subject to an approved conditional use permit (CUP). Article VII (Sec. 83-432.d) of the zoning ordinance regulates telecommunications antennas and towers. The applicable requirements in this section are as follows:

ARTICLE IV. – USE STANDARDS

Sec. 83-432 (d) (1) a. – Telecommunications facility

- (1) **Purpose.** This section is intended to establish general standards for the siting of telecommunications towers and collocated telecommunications facilities that will:
 - (i) Enhance the effective and efficient provision of advanced telecommunication services throughout the county;
 - (ii) Strongly encourage the collocation of telecommunications facilities on existing towers and other structures as preferred options to construction of additional telecommunications towers;
 - (iii) Minimize the total number of new towers throughout the county by providing incentives for the use of existing structures;
 - (iv) Encourage towers to locate in nonresidential areas, especially along the Route 60 corridor, and protect residential areas and land uses from potential adverse impacts of towers;
 - (v) Encourage the location of towers, to the extent possible, in areas where the adverse impact on the community will be minimal;
 - (vi) Minimize the adverse visual impact of towers and antennas through carefully siting, configuration, design, and screening;

- (vii) Encourage public/private partnerships, where possible, to promote the telecommunications needs of the county, especially in association with fire and emergency rescue services;
- (viii) Encourage the use of engineering and careful siting of tower structures to avoid potential damage to adjacent properties from tower failure; and
- (ix) Assure that towers comply with all federal and state regulations.

(2) **Applicability.**

- (i) Unless exempted in subsection 3, exemptions, below, any new telecommunications facility—whether a principal or accessory use—shall be subject to the standards in this subsection a., telecommunications facility.
- (ii) An existing use or an existing structure on the same lot shall not preclude the installation of towers or antennas on such lot. For purposes of determining whether the installation of a tower or antenna complies with district regulations, the dimensions of the entire lot shall control, even though the towers or antennas may be located on leased area within such lots.
- (iii) Towers that are constructed and antennas that are installed in accordance with the provisions of this subsection shall not be deemed to constitute the expansion of a nonconforming use or structure.

(3) **Exemptions.** The following shall be exempt from the standards of this subsection (but may be subject to other relevant standards in this chapter, such as accessory use or design standards):

- (i) Telecommunications towers that are 35 feet or less in height in any district, or are 100 feet or less in height in the I-1 or I-2 District.
- (ii) Satellite dish antennas, as an accessory use (see accessory use standards in Section 83-438(u), Satellite dish);
- (iii) Antennas used solely for broadcast radio or television reception, as an accessory use (see section 83-438(y), Television or radio antenna)
- (iv) Antennas legally operated by FCC-licensed amateur radio operator (see section 83-438(c), Amateur radio antenna);
- (v) Emergency telecommunications facilities owned by the county or other public agency that are used wholly or in part for public safety or emergency communication purposes; and
- (vi) Portable wireless telecommunications facilities temporarily used for emergency purposes for not more than 180 days after declaration of an emergency or disaster by a responsible official of the county, state, or federal government.

(4) **Timely action of telecommunications facility applications.** The county shall process all applications for a telecommunications facility in a timely manner in accordance with the review procedures in Article II, Administration, and shall make a decision on such applications within a reasonable period of time after the application is submitted and determined complete (see application submittal and acceptance under Article II, Administration, taking into account the nature and scope of the application.

(5) **Telecommunications facility, collocated.**

- (i) The placement of an antenna on or in an existing structure such as a building, sign, light pole, utility pole, transmission/utility tower, water tank, or other free-standing structure or existing tower or pole is allowed by right, without the need for a conditional use permit, so long as placement of the antenna does not increase the height of the existing structure or tower by 20 feet or 25 percent, whichever is less.
 - (ii) A collocated antenna shall not require additional lighting pursuant to FAA or other applicable requirements.
 - (iii) A collocated antenna use also may include the placement of additional buildings or other supporting equipment used in connection with placement of the antenna so long as auxiliary building or equipment is placed within the existing structure or property and is necessary for such use.
 - (iv) Where antennas are collocated on a structure other than a telecommunications tower, the antenna and supporting electrical and mechanical equipment shall be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- (6) General standards for all Telecommunications facilities.**
- (i) Compliance with federal standards. All towers and antennas must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. This requirement includes meeting all regulatory emission standards established by the FCC.

Prior to constructing the tower, the Applicant must obtain all required approvals from the FAA and FCC. The tower will meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas

(7) Telecommunication towers.

- (i) Requirements for collocation.
 - A. No freestanding telecommunications tower shall be allowed unless it is demonstrated that no suitable existing tower, building, or other structure within the coverage area is available for the collocation of antennas. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:
 - a. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.

See attached map and representation of available existing structures.

- b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements
- c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.

- d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
 - e. The fees, costs, or contractual provisions required by the owner to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable.
 - f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- B. Except where height, structural, mechanical, or regulatory factors prevent collocation, a proposed tower shall be designed to accommodate the present and future needs of its owner and collocated antennas by at least three other telecommunications providers, subject to mutually agreeable terms and conditions negotiated between the owner and collocating providers. Any purported height, structural, mechanical, or regulatory limitations to collocation shall be described in a report submitted with the development application for the tower.

See the attached plans, prepared by a Virginia certified engineer, showing that there is enough space on the tower for at least four users, including the primary user. At the time of building permit submittal, the Applicant will submit a tower design report showing that the tower will have the structural capacity to accommodate at least four users, including the primary user

- C. Owners of towers shall provide the county collocation opportunities as a community benefit to improve communications for county departments and emergency services, provided it does not conflict with the collocation requirement in subsection B above. The owners of the tower shall provide the county with the right of first refusal to any available collocation spaces at no cost to the county—provided, however, that the county shall be responsible for placing and maintaining its own equipment.

The Applicant will accept requests for County collocations pursuant to the collocation policy enclosed with this application. The applicant respectfully submits that the language of the County's ordinance is preempted by Code of Virginia, Section § 15.2-2316.4:2; Article 7.2. Zoning for Wireless Communications Infrastructure. Application reviews. Point 2: Point (8) – the locality shall not “Condition or require the approval of an application solely on the basis of the applicant's agreement to allow any wireless facilities provided or operated, in whole or in part, by a locality or by any other entity, to be placed at or co-located with the applicant's project.”

- (ii) Height. To permit collocation, towers shall be designed and constructed to permit extensions to a maximum height of 199 feet, except as otherwise provided in the approved conditional use permit.

The tower height will be 195' (199' including all appurtenances)

- (iii) Setbacks. All towers shall be set back from any property line and from an existing residential dwelling on the same parcel by a distance equal or exceeding 120 percent of the tower height, and from an existing residential dwelling on an adjacent property by at least 500 feet, or 200 percent of the tower height, whichever is greater. Setbacks shall be measured from the base of the tower. These setback requirements do not apply from residential dwellings constructed subsequent to erection of the tower. These provisions may be modified by the board of supervisors during the conditional use permit review process, based upon the review and recommendation by the director and the planning commission.

The proposed setbacks are as follows: The tower is over 590 feet from the nearest residential dwelling on the property and over 509 feet from the nearest property line.

- (iv) Design.

- A. Towers may be designed as lattice towers, monopole towers, or as stealth towers (where the tower is designed to look like some other tall natural object (e.g., tree) or manmade structure (e.g., light standards, sculptures) allowed in the area).

The tower will be a monopole design.

- B. Towers shall either maintain a flat, non-glossy, nonreflective galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.

The tower will be made of galvanized steel. The galvanized steel color will match the backdrop of the sky.

- C. Auxiliary buildings and related structures shall, to the extent possible, be designed to use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding structures.

The 50' x 50' equipment compound will be enclosed with a 7' chain link security fence with 1' barbed wire on top. See Sheet S-1 of the attached plans for fencing details. A minimum four (4) feet wide landscape strip shall be provided outside the perimeter of the facilities as shown on the attached plan.

- D. Towers shall not be artificially lighted unless required by the FAA or other applicable authority. If lighting, beacons, and/or other safety devices are required, they shall be designed to minimize disturbance to the surrounding uses.

The tower will not be lighted.

- E. No advertising of any type may be placed on the tower or accompanying facility.

There will be no advertising on the tower.

- F. A type C perimeter buffer shall be provided around the entire facility, including support buildings (see section 83-460, Tree protection and section 83-461, Landscaping, and buffers, of Article VIII, Development Standards).

The existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible.

- G. A fence at least six feet high shall be provided around the base of the tower and any associated equipment.

The 50' x 50' equipment compound will be enclosed with a 7' chain link security fence with 1' barbed wire on top. See Sheet S-1 of the attached plans for fencing details.

(v) Other standards.

- A. The provider shall lease sufficient land area around the tower to maintain control and safety of the existing mature tree growth and natural land forms within 100 feet of the tower base.

The 50' x 50' equipment compound will sit inside a 100' x 100' lease area where the control of mature tree growth and natural land forms can be maintained

- B. To ensure the structural integrity of towers, the provider shall ensure that a tower is designed and maintained in compliance with standards contained in applicable federal, state and local building codes and regulations.

The tower will be designed and constructed in compliance with all applicable federal, state and local building codes and regulations. Construction drawings demonstrating the work to be performed will be provided at the building permit phase.

- C. The owner of the tower shall submit a report to the administrator once a year no later than July 1 that states the current user status of the tower and assesses the sufficiency and expiration status of the removal bond or other surety.

Agreed

- D. Any cost incurred by the county for review by an independent technical expert of any of the above required information shall be paid by the applicant.

Agreed

(8) Removal of abandoned telecommunications facilities.

- (i) As a condition of approval of a conditional use permit for a telecommunications tower, the owner of the tower shall submit to the director a bond, irrevocable letter of credit, or other appropriate surety acceptable to the county to cover the costs of removing the tower and restoring the tower site to as near its original condition as is reasonably practicable.

- A. The amount of the surety shall be such amount found to be necessary after issuance of the conditional use permit for a third party to remove the tower and restore the site to as near its original condition as is reasonably possible.
- B. If the surety expires, the county may initiate proceedings to revoke or terminate the conditional use permit ten days after providing the tower owner written notice of the intent to do by first class, certified, return receipt mail. The conditional use permit shall be revoked unless the tower owner submits to the director, before revocation proceedings are concluded, a new surety that is acceptable to the county and includes any costs of processing.
- C. The amount of the required surety may be reviewed every three years by the county and be adjusted as necessary.

Agreed

- (ii) If a telecommunications facility is abandoned, the owner of the facility shall dismantle and remove the facility and any accessory equipment within 90 days of receiving notice from the county stating that the facility is abandoned and demanding its removal in accordance with this subsection.
 - A. It is not operated by any user for telephone, data, radio or television, or other forms of wireless communication for a continuous period of 12 months, or
 - B. The FCC license for the tower expires and is not renewed within 12 months thereafter.

The applicant agrees to remove any antennas or tower pursuant to the terms laid out in this ordinance.

- (9) **Erosion and sedimentation control regulations.** Should the project require the disturbance of more than 10,000 square feet of land area, a land disturbance permit will be required prior to the commencement of construction activity on the site.

Agreed

- (10) **Submission requirements.** Each applicant requesting a conditional use permit for a telecommunications tower shall submit the following information with the conditional use permit application:
 - (i) A site plan consisting of a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by a licensed professional engineer, showing the location and dimensions of all improvements, including information concerning topography, zoning, vegetative buffers, tower height requirements, setbacks from property lines, drives, parking, fencing, landscaping, distances to adjacent uses and adjacent buildings, and the general location of all residential structures and residential zoning district boundaries within 2,000 feet of the proposed tower.
 - (ii) Written or graphic description of the nature and extent of tree coverage within 200 feet of the tower.

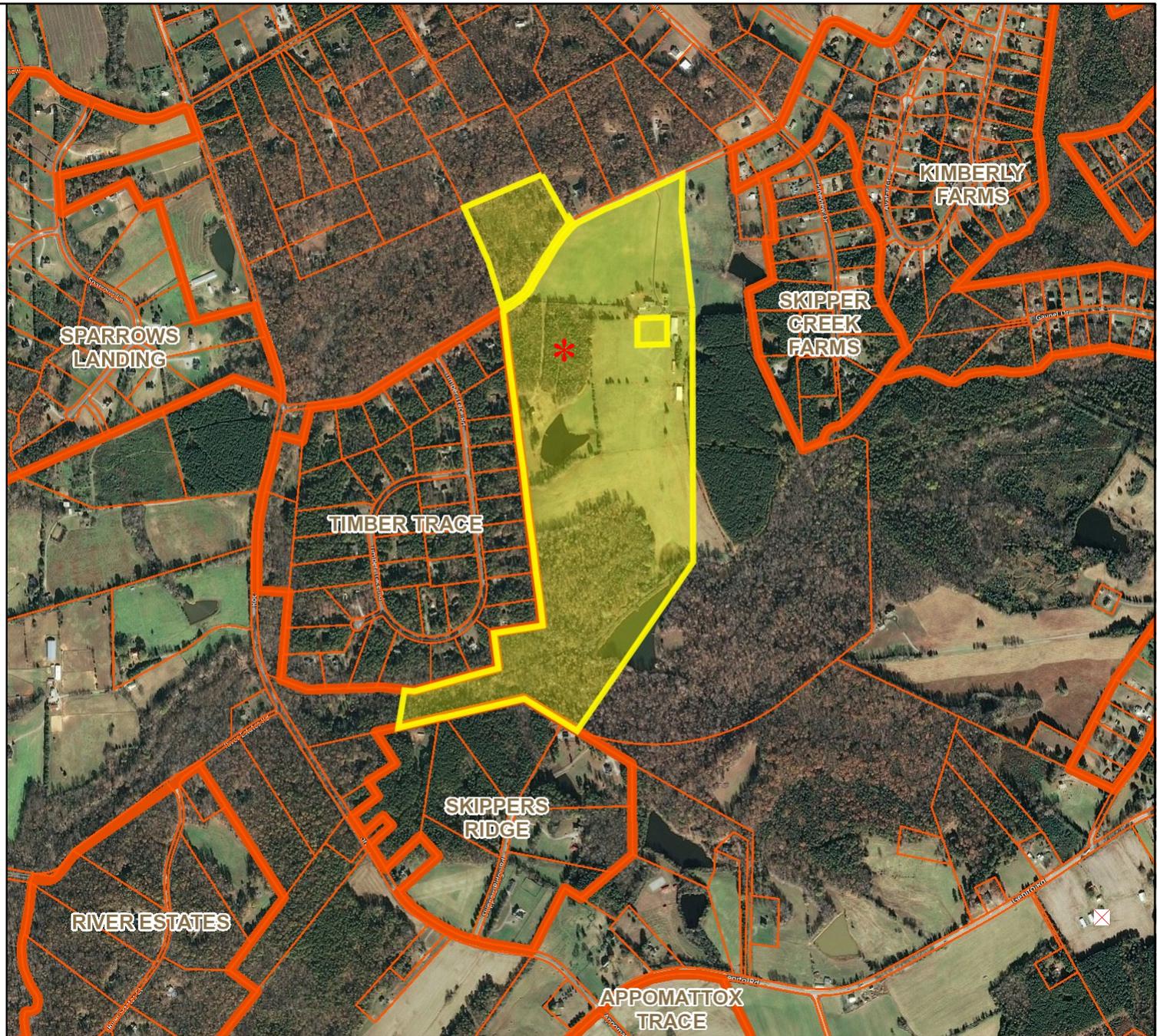
- (iii) Each applicant for an antenna and/or telecommunications tower shall provide to the department an inventory of its existing facilities that are either within the locality or within five miles of the border thereof, including specific information about the location, height and existing use and available capacity of each tower. The department may share such information with other applicants applying for approvals or a conditional use permit under this article or other organizations seeking to locate antennas within the jurisdiction of the county, provided, however that the department shall not, by sharing such information, in any way represent or warrant that such sites are available or suitable.
- (iv) A statement justifying the need for the project.
- (v) A certification from a licensed professional engineer experienced with the design and operation of telecommunications towers and antennas that the emissions from the facility will not exceed the maximum permissible exposure (MPE) standards established by the Federal Communications Commission (FCC).
- (vi) A certification from a licensed professional engineer, experienced with the design and operation of telecommunications towers and antennas that the emissions from the facility will not interfere with the radio, television or communication reception of any property owners in residence at the time of construction, or any other time.
- (vii) Verifiable evidence from the applicant of the lack of space on suitable existing towers, buildings, or other structures to locate the proposed antennas and the lack of space on existing tower sites to construct a suitable tower for the proposed antenna. A certified statement from a licensed professional engineer must be provided if radio-frequency interference or signal quality is used as the rationale for eliminating collocation on an existing facility.
- (viii) A signed statement from the applicant of the willingness and ability based on any lease agreement to allow collocation on the proposed tower and collocation of a second tower on the site, where appropriate. The statement must be signed by an officer of the company or individual authorized to commit the company.
- (ix) A signed statement from the applicant describing the efforts to be taken to screen or camouflage the facility and reduce its visual impact. The statement should consider at a minimum design, height, location, and landscaping alternatives.
- (x) A proposed construction schedule.
- (xi) A figure depicting the radio frequency coverage (or propagation map) of the proposed facility and all nearby facilities. Propagation maps shall show a minimum of three signal intensities in milliwatts.
- (xii) At least two actual photographs of the site that include simulated photographic images of the proposed tower. The photographs with the simulated image shall illustrate how the facility will look from adjacent roadways, nearby residential areas, or public building such as a school, church, etc. The county staff reserves the right to select the location for the photographic images and require additional images. The applicant at the county's request shall conduct balloon test to demonstrate the height of a proposed tower and provide the County with 48-hour notice of the test.
- (xiii) One copy of the National Environmental Protection Act (NEPA) statement along with a signed statement from the applicant indicating the Federal requirements are met.

- (xiv) The county may require other information deemed necessary to assess compliance with the ordinance.

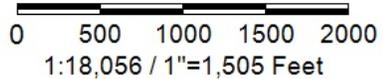
Powhatan County

Legend

- Parcels
- Subdivisions



Feet



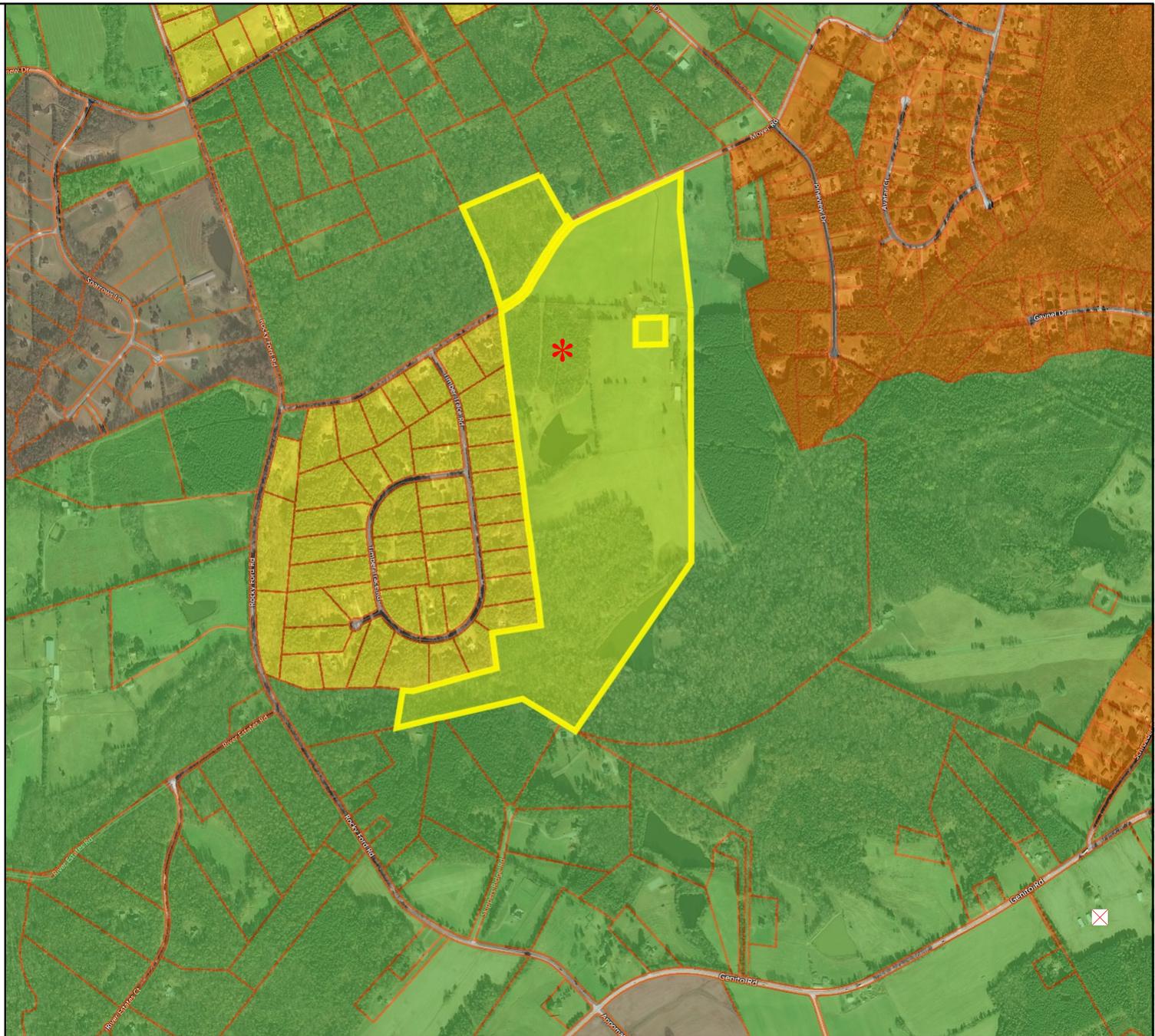
Attachment #2: Vicinity Map

DISCLAIMER: ALL INFORMATION DEPICTED ON THIS MAP SHALL BE TREATED AS CONFIDENTIAL INFORMATION AND SHALL ONLY BE USED FOR THE SOLE PURPOSE FOR WHICH IT WAS PROVIDED. ANY OTHER USE OF THIS MAP, OR THE INFORMATION INCLUDED THEREON, IS STRICTLY PROHIBITED. THE DATA SHOWN ON THIS MAP IS FOR INFORMATION PURPOSES ONLY. THIS MAP MAY NOT BE COPIED OR OTHERWISE MADE AVAILABLE TO ANY OTHER PARTY IN PAPER OR ELECTRONIC FORMAT.

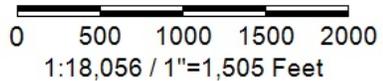
Powhatan County

Legend

-  Parcels
- Zoning**
-  Agriculture A-10
-  Agricultural/Animal Confinement
-  Commerce Center Planned Development
-  Commerce Center
-  Commercial
-  Courthouse Square Center
-  Industrial - 1
-  Industrial - 2
-  Mining
-  Office
-  Residential - 2
-  Rural Residential 5
-  Residential Commercial
-  Residential Utility
-  Rural Residential
-  Village Center Planned Development
-  Village Center



Feet



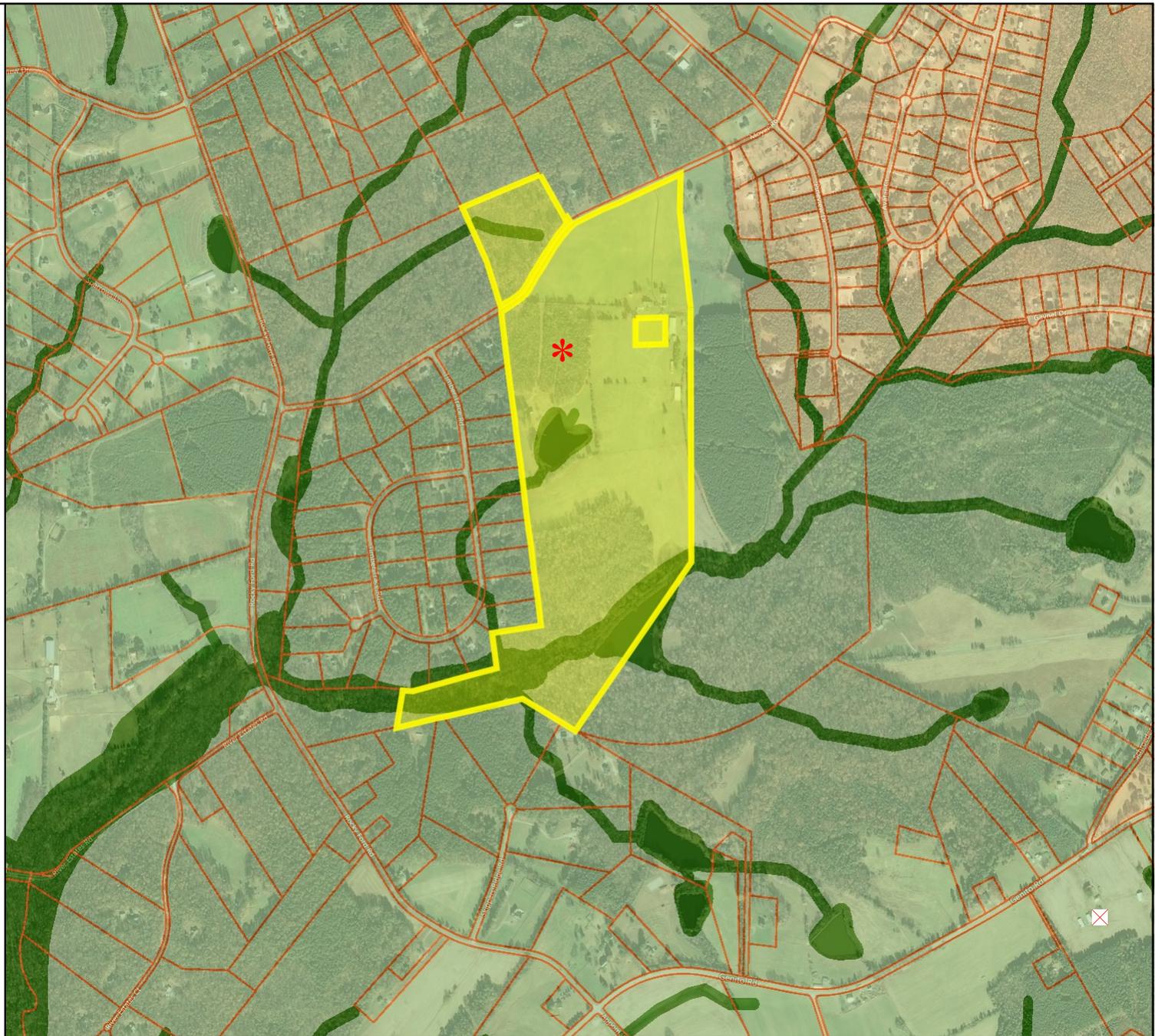
Attachment #3: Zoning Map

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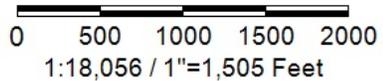
Powhatan County

Legend

- Parcels
- Crossroads
- Growth Area Boundaries
- Rural Enterprise Zone Boundary
- Future Land Use**
- Public Lands
- Natural Conservation
- Rural Preservation
- Rural Residential
- Low Density Residential
- Village Residential
- Village Center
- Commerce Center
- Economic Opportunity
- Industrial



Feet



Attachment #4: Countywide Future Land Use Map (2019)

DISCLAIMER: ALL INFORMATION DEPICTED ON THIS MAP SHALL BE TREATED AS CONFIDENTIAL INFORMATION AND SHALL ONLY BE USED FOR THE SOLE PURPOSE FOR WHICH IT WAS PROVIDED. ANY OTHER USE OF THIS MAP, OR THE INFORMATION INCLUDED THEREON, IS STRICTLY PROHIBITED. THE DATA SHOWN ON THIS MAP IS FOR INFORMATION PURPOSES ONLY. THIS MAP MAY NOT BE COPIED OR OTHERWISE MADE AVAILABLE TO ANY OTHER PARTY IN PAPER OR ELECTRONIC FORMAT.

Attachment #5
Conceptual Plan



NB+C ENGINEERING SERVICES, LLC.
455 WATERFRONT DRIVE, SUITE 100
GLEN ALLEN, VA 23060
(804) 548-4075

"MOYER ROAD"

PSLC - 255633
3043 MOYER RD
POWHATAN, VA 23139
POWHATAN COUNTY

SITE INFORMATION

PROJECT DESCRIPTION: RAWLAND, PROPOSED INSTALLATION OF TELECOMMUNICATIONS TOWER AND RELATED EQUIPMENT WITHIN SECURED COMPOUND.

SITE ADDRESS: 3043 MOYER RD
POWHATAN, VA 23139

LATITUDE (NAD 83): 37° 28' 37.6001"
LONGITUDE (NAD 83): -77° 51' 35.0437"

GROUND ELEVATION: 312.3± AMSL

JURISDICTION: POWHATAN COUNTY

ZONING: A-10 (AGRICULTURAL)

PARCEL ID: 052-16

PARCEL AREA: 148.30± ACRES

PARCEL OWNER: E & S LAND HOLDINGS LC
3043 MOYER RD,
POWHATAN, VA 23139

TOWER OWNER: VERIZON WIRELESS
1831 RADY COURT
RICHMOND, VA 23222

STRUCTURE TYPE: MONOPOLE

HEIGHT OF STRUCTURE: 195.0± AGL

RAD CENTER: 192.0± AGL

OVERALL HEIGHT OF STRUCTURE: 199.0± AGL

TOTAL LEASE AREA: 10,000± SQ. FT.

POWER PROVIDER: SOUTHSIDE ELECTRIC (800) 552-2118

TELCO PROVIDER: VERIZON (800) 837-4966

EMERGENCY INFORMATION:

VOLUNTEER FIRE DEPARTMENT INC.: (804) 794-3575
POWHATAN COUNTY SHERIFF'S OFFICE: (804) 698-5652

PROJECT TEAM

CONSTRUCTION MANAGER: TCM LLC
MIKE REYNOLDS
(434) 841-0752

PROJECT MANAGEMENT FIRM: BCI
SEAN BAMMAN
(804) 928-0154

ENGINEERING FIRM: NB+C ENGINEERING SERVICES, LLC.
455 WATERFRONT DRIVE
SUITE 100
GLEN ALLEN, VA 23060
(804) 548-4079

VICINITY MAP



DIRECTIONS

HEAD SOUTH ON GOODES BRIDGE RD TOWARD WALMSLEY BLVD, TURN RIGHT ONTO WALMSLEY BLVD, TURN LEFT ONTO US-360 W / HULL ST RD, TURN RIGHT ONTO VA-604 W / GENITO RD, BEAR RIGHT ONTO GENITO RD, TURN RIGHT ONTO ROCKY FORD RD, TURN RIGHT ONTO MOYER RD, ARRIVE AT MOYER RD ON THE RIGHT, THE LAST INTERSECTION IS TIMBER TRACE RD, IF YOU REACH PINEVIEW DR, YOU'VE GONE TOO FAR

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- 2015 INTERNATIONAL BUILDING CODE
- 2014 NATIONAL ELECTRICAL CODE
- 2015 NFPA 101, LIFE SAFETY CODE
- 2015 IFC
- AMERICAN CONCRETE INSTITUTE
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION
- MANUAL OF STEEL CONSTRUCTION 13TH EDITION
- ANS/I/A-222-G
- TIA 607
- INSTITUTE FOR ELECTRICAL & ELECTRONICS ENGINEER 81
- IEEE C2 NATIONAL ELECTRIC SAFETY CODE LATEST EDITION
- TELECORDIA GR-1275
- ANS/I/T 311

DRAWING INDEX

T-1	TITLE SHEET
Z-1	SITE PLAN
Z-2	ADJACENT PROPERTY INFO
C-1	COMPOUND PLAN
C-2	TOWER ELEVATION DETAILS & NOTES
S-1	CONSTRUCTION DETAILS

DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FORMATTED TO BE FULL-SIZE AT 24"X36". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

APPROVAL BLOCK

REVISIONS

REV	DATE	DESCRIPTION	BY
2	05/22/20	REVISED	CCC
1	01/30/20	FINAL ZONING	JAD
0	11/18/19	PRELIMINARY ZONING	CCC

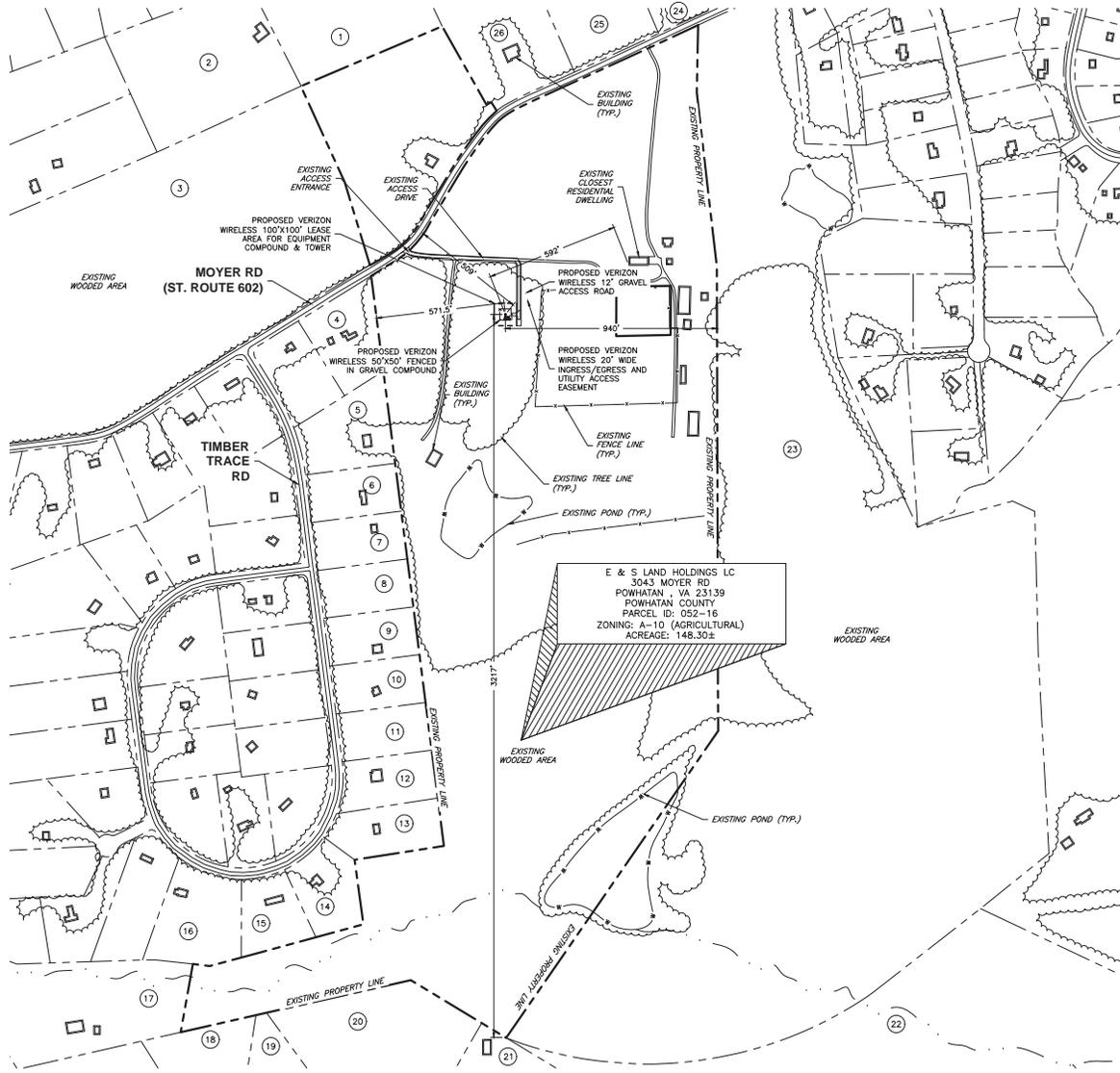


JOHN A. DAUGHTREY III, P.E.
VA PROFESSIONAL ENGINEER LIC. #052122

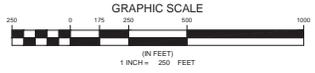
TITLE SHEET

T-1

ENGINEER	
APPLICANT	
SITE INFORMATION	
DESIGN RECORD	
PROFESSIONAL STAMP	
ENGINEER	
SHEET TITLE	
SHEET NUMBER	



1 SITE PLAN
SCALE: 1" = 250'



VICINITY MAP

ZONING COLOR CODE

GREEN: AGRICULTURAL A-10
YELLOW: RESIDENTIAL 2
ORANGE: RESIDENTIAL UTILITY
GRAY: RURAL RESIDENTIAL 5

- GENERAL NOTES
1. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
 2. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
 3. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION. THERE IS NO HANDICAP ACCESS REQUIRED.
 4. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.

LEGEND

- PROPERTY LINE - SUBJECT PARCEL
- PROPERTY LINE - ABUTTERS
- EXISTING ROAD
- EXISTING FENCE
- PROPOSED EASEMENT
- PROPOSED LEASE AREA
- EXISTING EASEMENT
- PROPOSED FENCE
- EXISTING BUILDING

ZONING INFORMATION

JURISDICTION: POWHATAN COUNTY		
ZONING: A-10		
DIMENSION	REQUIREMENT	PROPOSED ±
FRONT YARD SETBACK:	75'	500' 0"
SIDE YARD SETBACK:	20'	571' 6"
REAR YARD SETBACK:	50'	3217' 0"
LOT AREA: 148.30 ± ACRES		
(ALL MEASUREMENTS ARE IN FEET ± UNLESS OTHERWISE NOTED)		



ENGINEER	 NB+C ENGINEERING SERVICES, LLC. 435 WATERFRONT DRIVE, SUITE 100 GLEN ALLEN, VA 23060 804-548-4075																		
APPLICANT	 1831 RADY COURT RICHMOND, VA 23222																		
SITE INFORMATION	MOYER ROAD PSLC - 255633 VERIZON RAW LAND 3043 MOYER ROAD POWHATAN, VA 23139 POWHATAN COUNTY																		
DESIGN RECORD	<table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>05/22/20</td> <td>REVISED</td> <td>CCC</td> </tr> <tr> <td>1</td> <td>01/30/20</td> <td>FINAL ZONING</td> <td>JAD</td> </tr> <tr> <td>0</td> <td>11/18/19</td> <td>PRELIMINARY ZONING</td> <td>CCC</td> </tr> </tbody> </table>			REV	DATE	DESCRIPTION	BY	2	05/22/20	REVISED	CCC	1	01/30/20	FINAL ZONING	JAD	0	11/18/19	PRELIMINARY ZONING	CCC
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PROFESSIONAL STAMP																			
ENGINEER	JOHN A. DAUGHTREY III, P.E. VA PROFESSIONAL ENGINEER LIC. #052122																		
SHEET TITLE	SITE PLAN																		
SHEET NUMBER	Z-1																		

①
CHRISTOPHER COPELAND LANZILLOTTI
3147 PINEVIEW DR
POWHATAN, VA 23139
PARCEL ID: 052-2-3
ZONING: A-10
AREA: 10.00± ACRES

②
GAY DAVID
3153 PINEVIEW DRIVE
POWHATAN, VA 23139
PARCEL ID: 052-2-4
ZONING: A-10
AREA: 10.00± ACRES

③
MASON LLC
301 51 1/2 STREET
VA BEACH, VA 23451
PARCEL ID: 052-9A
ZONING: A-10
AREA: 43.31± ACRES

④
MOYER EUGENE B
3043 MOYER RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-1
ZONING: RESIDENTIAL - 2
AREA: 2.64± ACRES

⑤
HUNTER HARRY CURTIS JR
1160 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-3
ZONING: RESIDENTIAL - 2
AREA: 3.02± ACRES

⑥
HOWARD RANDALL E & LORA S
1152 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-4
ZONING: RESIDENTIAL - 2
AREA: 2.00± ACRES

⑦
BRIDGFORTH BASKERVILLE P
& KAREN C
1144 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-5
ZONING: RESIDENTIAL - 2
AREA: 2.00± ACRES

⑧
THOMPSON BRAD C
1136 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-6
ZONING: RESIDENTIAL - 2
AREA: 2.00± ACRES

⑨
HARTMAN DOUGLAS C & CHRISTINE L
1128 TIMBER TRACE
POWHATAN, VA 23139
PARCEL ID: 052A-1A-7
ZONING: RESIDENTIAL - 2
AREA: 2.00± ACRES

⑩
PERRY DAVID L
1120 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-8
ZONING: RESIDENTIAL - 2
AREA: 2.00± ACRES

⑪
DAVIS THERESA L
2166 TOWER HILL ROAD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-9
ZONING: RESIDENTIAL - 2
AREA: 2.00± ACRES

⑫
SIMMONS RANDOLPH C
1104 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-10
ZONING: RESIDENTIAL - 2
AREA: 2.14± ACRES

⑬
TUCKER DAVID E & VENDELLA W
1096 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-11
ZONING: RESIDENTIAL - 2
AREA: 2.36± ACRES

⑭
STAFFIERI CHRISTOPHER
& TRACY
1088 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-12
ZONING: RESIDENTIAL - 2
AREA: 2.27± ACRES

⑮
SANTELLA DAVID W & TOMIKO T
1080 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-13
ZONING: RESIDENTIAL - 2
AREA: 2.05± ACRES

⑯
WALLACE KEITH C & REGINA S
1072 TIMBER TRACE RD
POWHATAN, VA 23139
PARCEL ID: 052A-1A-6
ZONING: RESIDENTIAL - 2
AREA: 3.47± ACRES

⑰
MADISON DEBORAH L
864 ROCKY FORD RD
POWHATAN, VA 23139
PARCEL ID: 052-88
ZONING: A-10
AREA: 10.00± ACRES

⑱
GALLIER RICHARD B JR
& MONICA A
920 ROCKY FORD ROAD
POWHATAN, VA 23139
PARCEL ID: 052-5-1
ZONING: A-10
AREA: 10.05± ACRES

⑲
ROBERTS GREGORY L & TRACEY
3011 SHIPPERS RIDGE
POWHATAN, VA 23139
PARCEL ID: 052-5-4
ZONING: A-10
AREA: 10.00± ACRES

⑳
MCGEE RENEE M
3020 SHIPPERS RIDGE
POWHATAN, VA 23139
PARCEL ID: 052-5-5
ZONING: A-10
AREA: 10.00± ACRES

㉑
PALMER MICHAEL RAY
3020 SHIPPERS RIDGE ROAD
POWHATAN, VA 23139
PARCEL ID: 052-5-6
ZONING: A-10
AREA: 10.00± ACRES

㉒
CABLE WILLIAM D JR &
2983 GENITO RD
POWHATAN, VA 23139
PARCEL ID: 052-15
ZONING: A-10
AREA: 176.14± ACRES

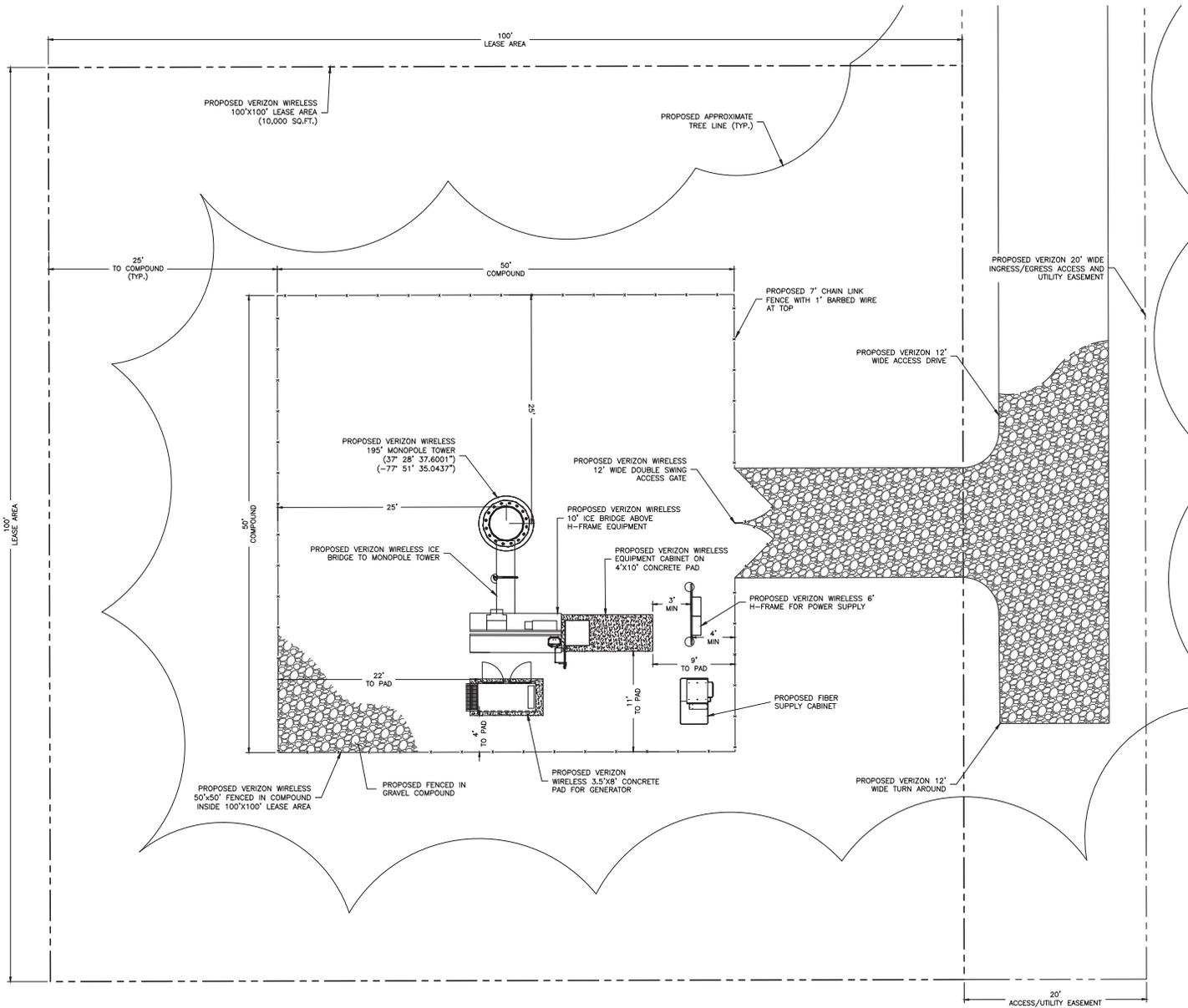
㉓
E & S LAND HOLDINGS LC
3043 MOYER RD
POWHATAN, VA 23139
PARCEL ID: 052-17
ZONING: A-10
AREA: 101.43± ACRES

㉔
GOLDEN JEFFREY ROBERT &
3040 MOYER RD
POWHATAN, VA 23139
PARCEL ID: 052-20A
ZONING: A-10
AREA: 10.00± ACRES

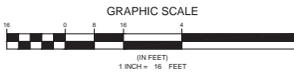
㉕
BARDEN JAY SHAWN &
3050 MOYER RD
POWHATAN, VA 23139
PARCEL ID: 052-20B
ZONING: A-10
AREA: 10.00± ACRES

㉖
WORSHAM PHILLIP A & MARIE H
3060 MOYER RD
POWHATAN, VA 23139
PARCEL ID: 052-20C
ZONING: A-10
AREA: 10.00± ACRES

ENGINEER	 TOTALLY COMMITTED. <small>NB+C ENGINEERING SERVICES, LLC. 435 WATERFRONT DRIVE, SUITE 150 GLENN HILLER, VA 23060 (804) 548-4075</small>																				
APPLICANT	 1831 RADY COURT RICHMOND, VA 23222																				
SITE INFORMATION	MOYER ROAD PSLC - 255633 VERIZON RAW LAND 3043 MOYER ROAD POWHATAN, VA 23139 POWHATAN COUNTY																				
DESIGN RECORD	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4" style="text-align: center;">REVISIONS</th> </tr> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>05/22/20</td> <td>REVISED</td> <td>CCC</td> </tr> <tr> <td>1</td> <td>01/30/20</td> <td>FINAL ZONING</td> <td>JAD</td> </tr> <tr> <td>0</td> <td>11/18/19</td> <td>PRELIMINARY ZONING</td> <td>CCC</td> </tr> </tbody> </table>	REVISIONS				REV	DATE	DESCRIPTION	BY	2	05/22/20	REVISED	CCC	1	01/30/20	FINAL ZONING	JAD	0	11/18/19	PRELIMINARY ZONING	CCC
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ENGINEER	JOHN A. DAUGHTREY III, P.E. VA PROFESSIONAL ENGINEER LIC. #0521122																				
SHEET TITLE	ADJACENT PROPERTY INFO																				
SHEET NUMBER	Z-2																				

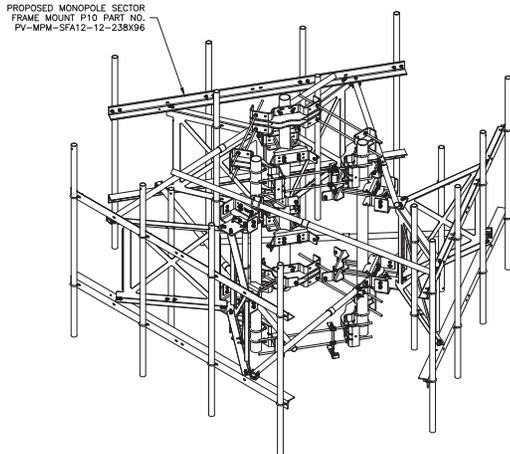
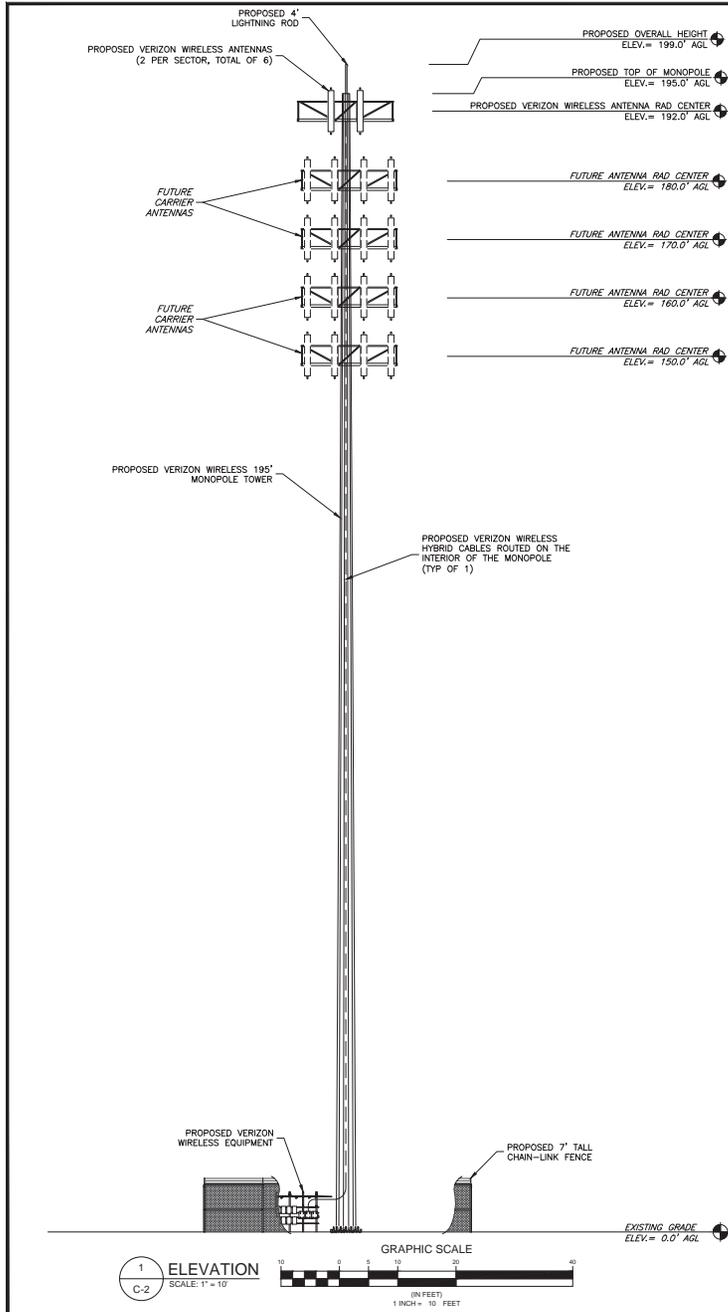


1 COMPOUND PLAN
SCALE: 3/16" = 1'-0"
C-1



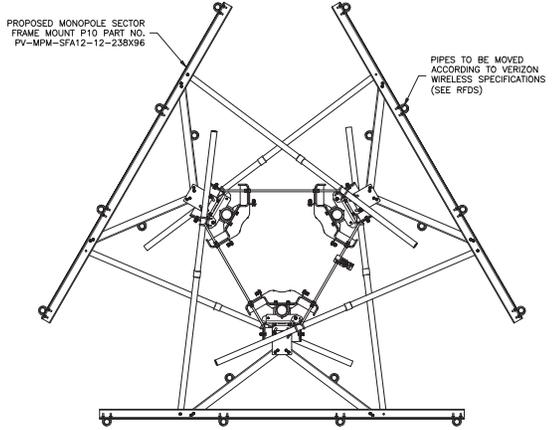
Know what's below.
Call before you dig.

ENGINEER	 NB+C ENGINEERING SERVICES, LLC. 435 WATERFRONT DRIVE, SUITE 100 GLEN ALLEN, VA 23060 804-548-4075																						
APPLICANT	 1831 RADY COURT RICHMOND, VA 23222																						
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PROFESSIONAL STAMP																							
ENGINEER	JOHN A. DAUGHTREY III, P.E. VA PROFESSIONAL ENGINEER LIC. #052122																						
SHEET TITLE	COMPOUND PLAN																						
SHEET NUMBER	C-1																						



NOTE:
 1. TIEBACKS MUST BE CONNECTED TO A RIGID MEMBER THAT PROVIDES ADEQUATE SUPPORT WITHIN THE LIMITS NOTED IN THE TIEBACK ANGLE RANGE DETAIL.
 2. PROPOSED COLLAR IS SUITABLE FOR MONOPOLE DIAMETERS 15" - 50".

NOTE: THE P10 PV-MPM-SFA12-12-238X96 MOUNT MEETS BOTH VERIZON WIRELESS'S MOUNT CLASSIFICATION STANDARD "NSTD-445 MINIMUM CRITERIA FOR THE SOUTH MARKET WHICH IS 1. M14006-4(6) AND M1000R(1)-4(6) 2. THIS DESIGNATION MUST BE INSTALLED ON THE MOUNT VIA A METAL TAG



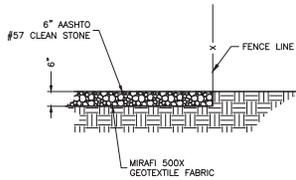
GENERAL NOTES

- THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITIES COMPANY OR OTHER PUBLIC AUTHORITIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
- THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID DOCUMENTS SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR THE OVERALL INTENT OF THESE DRAWINGS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
- THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
- THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
- CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTH WITH RF ENGINEERING PRIOR TO INSTALLATION.
- TRANSMITTER EQUIPMENT AND ANTENNAS ARE DESIGNED TO MEET ANSI/TIA 222-G REQUIREMENTS.
- ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
- CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES PRIOR TO EXCAVATING.
- IF ANY UNDERGROUND UTILITIES OR STRUCTURES EXIST BENEATH THE PROJECT AREA, CONTRACTOR MUST LOCATE IT AND CONTACT THE APPLICANT & THE OWNER'S REPRESENTATIVE.
- OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION BY TECHNICIANS APPROXIMATELY 2 TIMES PER MONTH.
- PRIOR TO THE INSTALLATION OF THE PROPOSED EQUIPMENT OR MODIFICATION OF THE EXISTING STRUCTURE, A STRUCTURAL ANALYSIS SHALL BE PERFORMED BY THE OWNER'S AGENT TO CERTIFY THAT THE EXISTING/PROPOSED COMMUNICATION STRUCTURE AND COMPONENTS ARE STRUCTURALLY ADEQUATE TO SUPPORT ALL EXISTING AND PROPOSED ANTENNAS, COAXIAL CABLES AND OTHER APPURTENANCES.
- PROPERTY LINE INFORMATION WAS PREPARED USING DEEDS, TAX MAPS, AND PLANS OF RECORD AND SHOULD NOT BE CONSTRUED AS AN ACCURATE BOUNDARY SURVEY.
- THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
- NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
- THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION (NO HANDICAP ACCESS REQUIRED).
- THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
- POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.

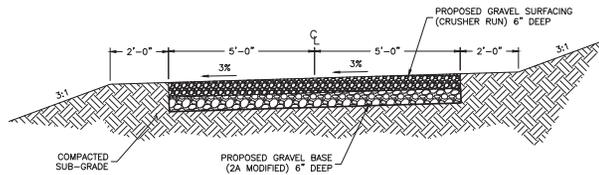
NOTE: STRUCTURAL ANALYSIS OF STRUCTURE PERFORMED INDEPENDENT FROM THESE DRAWINGS.

ENGINEER																			
APPLICANT																			
SITE INFORMATION	MOYER ROAD PSLC - 255633 VERIZON RAW LAND 3043 MOYER ROAD POWHATAN, VA 23139 POWHATAN COUNTY																		
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PROFESSIONAL STAMP																			
ENGINEER	JOHN A. DAUGHTREY III, P.E. VA PROFESSIONAL ENGINEER LIC. #052122																		
SHEET TITLE	TOWER ELEVATION & NOTES																		
SHEET NUMBER	C-2																		



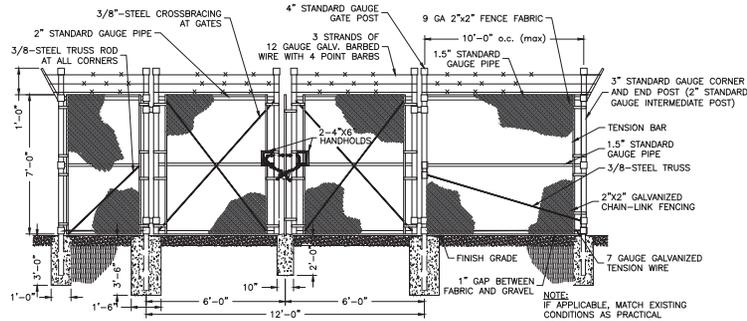


1 GRAVEL COMPOUND DETAIL
S-1 NTS

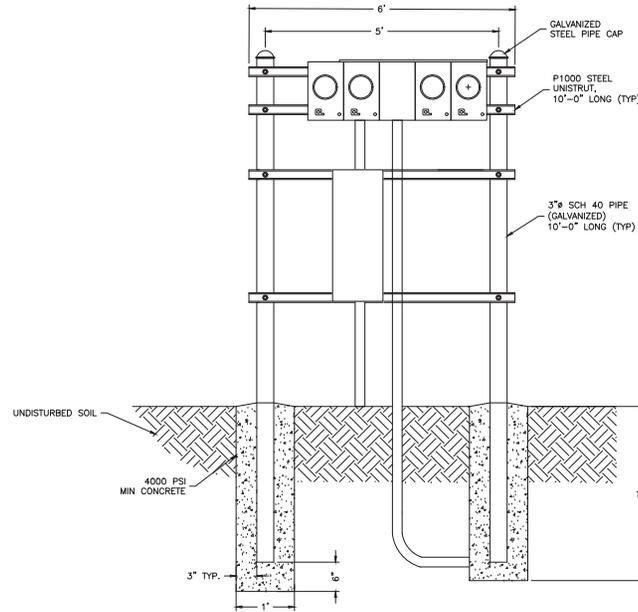


- NOTE:
- CONTRACTOR TO USE 6" DEEP GRAVEL BASE (2A MODIFIED) AS MEANS OF ACCESS FOR ALL HEAVY CONSTRUCTION TRAFFIC. PROPOSED GRAVEL SURFACE (6" DEEP CRUSHER RUN) TO BE INSTALLED AFTER ALL MAJOR CONSTRUCTION HAS BEEN COMPLETED.
 - THE PROPOSED ROAD MUST BE KEYS INTO THE EXISTING GRADE. THE FINAL FINISHED GRADE SHALL BE FLUSH WITH THE EXISTING GRADE TO ALLOW FOR PROPER DRAINAGE ACROSS THE ROAD.

2 PROPOSED GRAVEL DRIVEWAY TYPICAL SECTION
S-1 NTS

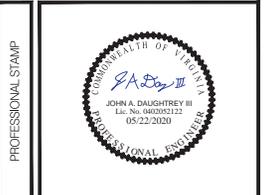


3 TYPICAL FENCE AND GATE DETAIL
S-1 NTS



4 4-GANG METER BANK H-FRAME
S-1 NTS

REVISIONS			
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0	11/18/19	PRELIMINARY ZONING	CCC

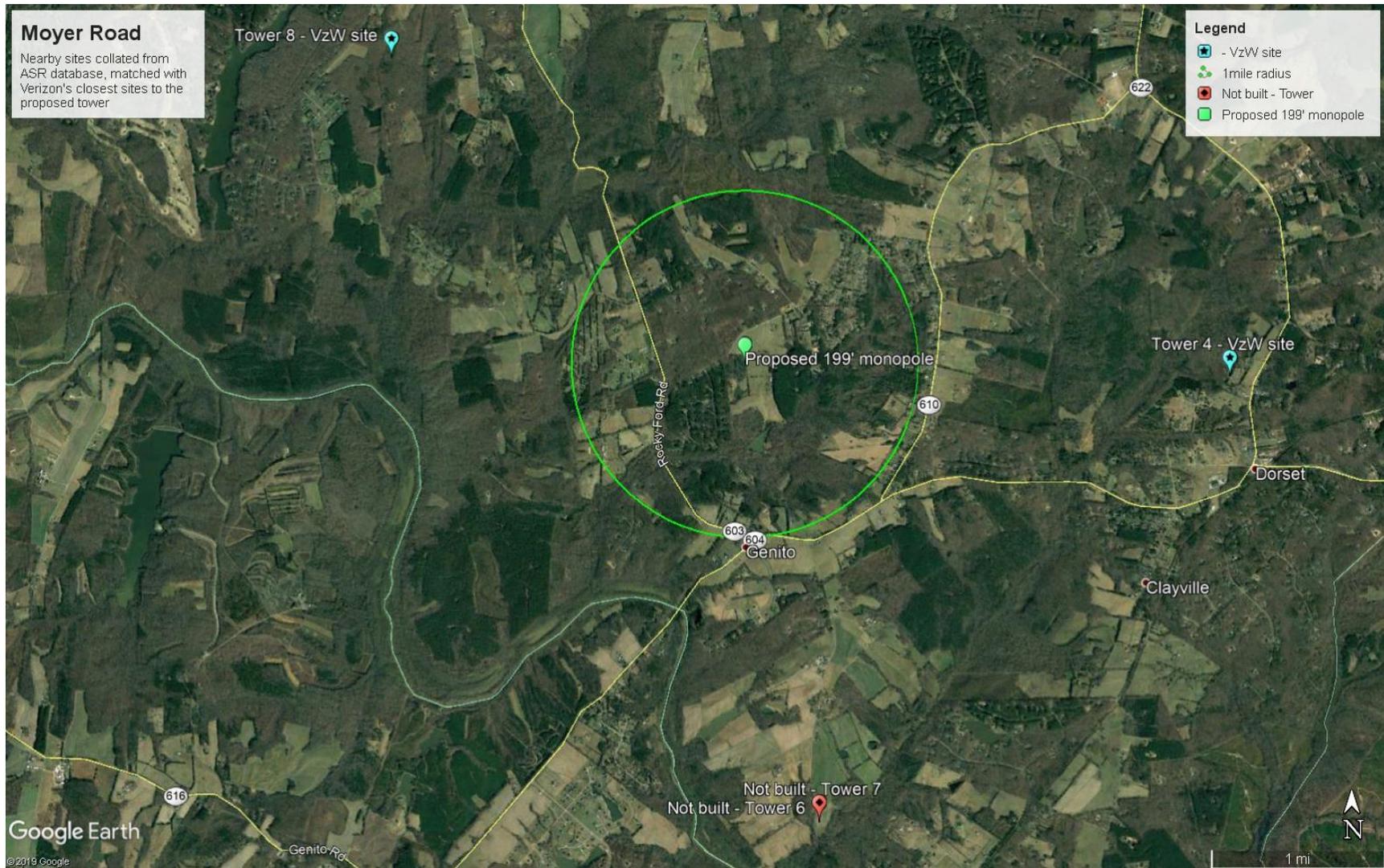


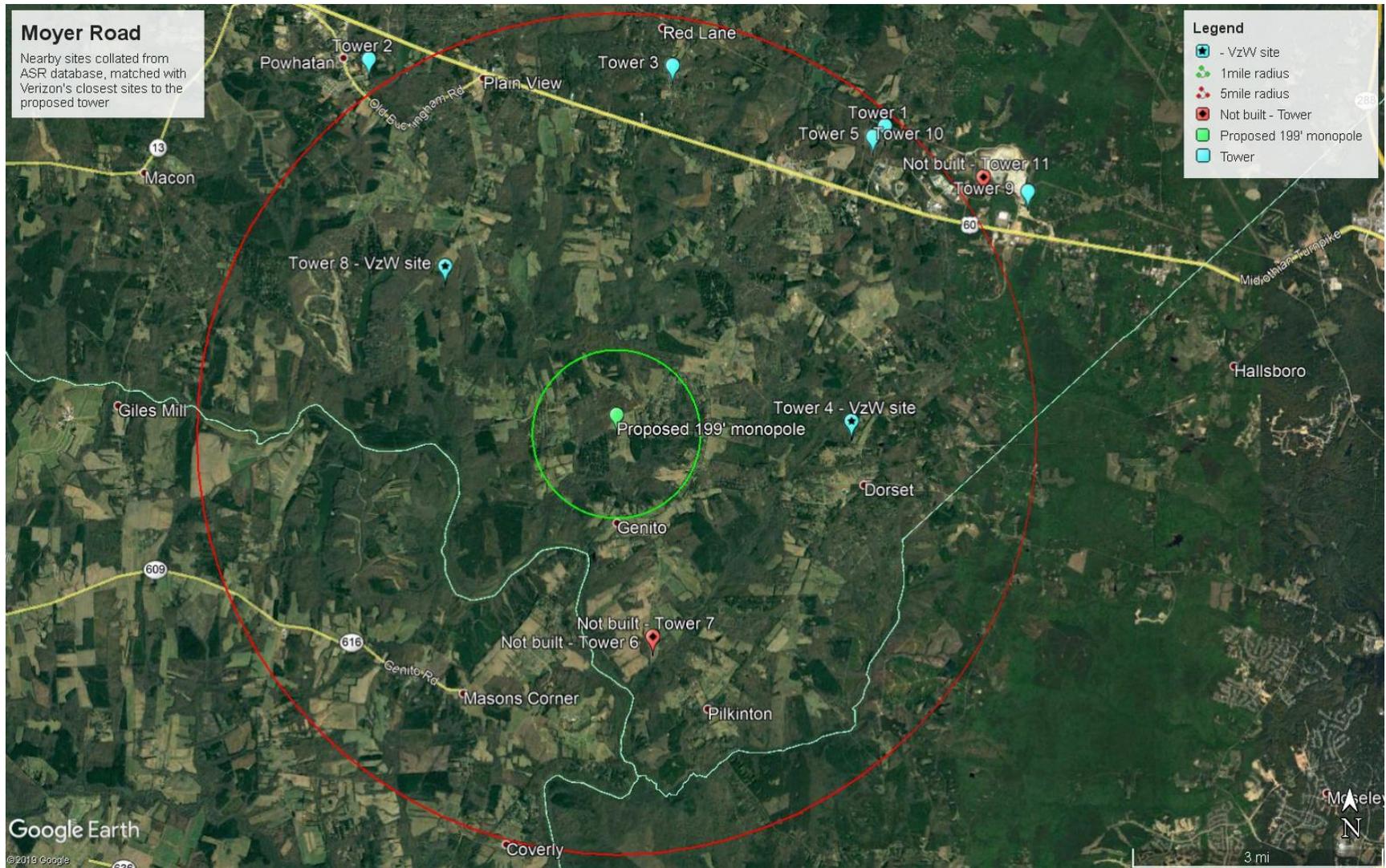
Attachment #6
Nearby Verizon Wireless Tower Sites

Verizon Wireless Moyer Road

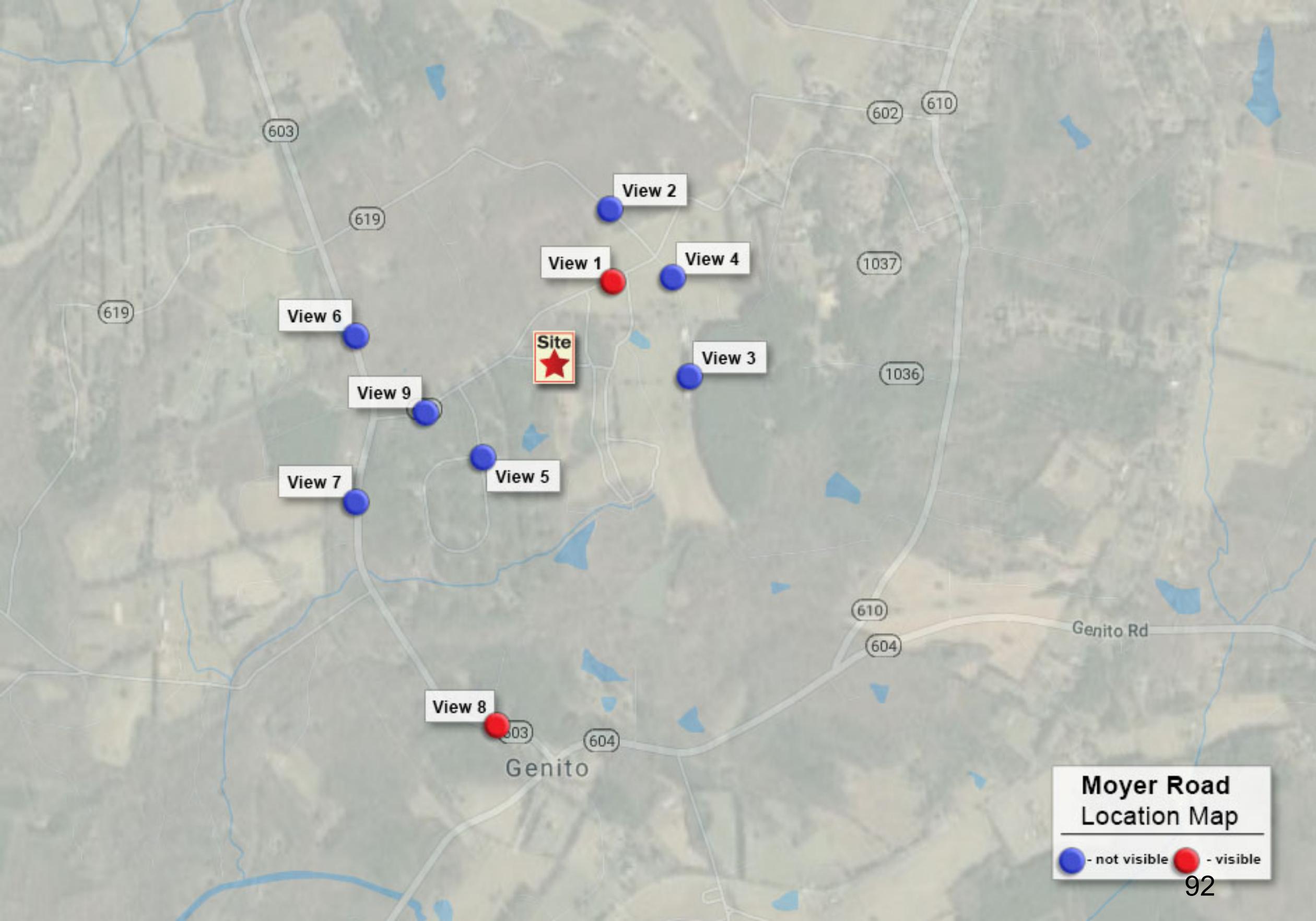
Please see below an inventory of the neighboring sites taken from the FCC’s ASR registration inventory cross referenced with Verizon Wireless’s closest sites to the proposed. The closest Verizon sites are highlighted in bold.

Tower Number	Registration Number	Status	File Number	Latitude	Longitude	Structure City/State	Overall Height Above Ground (AGL) (meters)	Overall Height Above Ground (AGL) (feet)	Distance to tower (miles)
1	1015409	Constructed	A0814990	37-31-35.6N	077-48-05.9W	FLAT ROCK, VA	65.2	214	4.7
2	1017863	Constructed	A0021427	37-32-17.0N	077-54-48.0W	POWHATAN, VA	87.0	285	5.15
3	1023702	Constructed	A0815042	37-32-12.7N	077-50-51.3W	POWHATAN, VA	93.2	306	4.18
4	1044373	Constructed	A1149155	37-28-33.7N	077-48-32.0W	CLAYVILLE, VA	119.8	393	2.8
5	1055659	Constructed	A0874899	37-31-28.9N	077-48-15.3W	POWHATAN, VA	80.7	265	4.5
6	1230379	Granted	A0219288	37-26-20.5N	077-51-06.9W	Pilkinton, VA	125.0	410	2.65
7	1246367	Granted	A0416642	37-26-20.5N	077-51-06.9W	Pilkinton, VA	150.0	492	2.65
8	1279704	Constructed	A1112531	37-30-09.4N	077-53-48.7W	Powhatan, VA	61.0	200	2.7
9	1281737	Constructed	A1135297	37-30-55.4N	077-46-14.2W	POWHATAN, VA	44.2	145	5.6
10	1290375	Constructed	A0971827	37-31-28.9N	077-48-15.3W	Powhatan, VA	80.7	265	4.5
11	1312709	Granted	A1144024	37-31-04.3N	077-46-49.0W	Powhatan, VA	123.4	405	5.2





Attachment #7
Photosimulations



Site

View 2

View 1

View 4

View 6

View 3

View 9

View 5

View 7

View 8

Moyer Road Location Map

● - not visible ● - visible



Site Name: Moyer Road
Wireless Communication Facility
1680 Wisconsin Ave NW
Washington, DC 20007

Photograph Information:
View 1 - State Rd 602
View from the Northeast
Showing the Proposed Site



 Catchment Area for 99%
 of the James River and the Chesapeake Bay
 Watersheds
 The James River and the Chesapeake Bay
 Watersheds are the source of drinking water for
 over 10 million people in the Washington, DC
 Metropolitan Area and the surrounding region.
 The James River and the Chesapeake Bay
 Watersheds are the source of drinking water for
 over 10 million people in the Washington, DC
 Metropolitan Area and the surrounding region.
 The James River and the Chesapeake Bay
 Watersheds are the source of drinking water for
 over 10 million people in the Washington, DC
 Metropolitan Area and the surrounding region.

EDGEHILL FARM
 A Moyer Family Farm
 Since 1889



 SUNSHINE FARM

NB+CTM
TOTALLY COMMITTED.



Site Name: Moyer Road
Wireless Communication Facility
1680 Wisconsin Ave NW
Washington, DC 20007

Photograph Information:
View 2 - State Rd 619
View from the Northeast
SITE NOT VISIBLE

NB-C
TOTALLY COMMITTED



Site Name: Moyer Road
Wireless Communication Facility
1680 Wisconsin Ave NW
Washington, DC 20007

Photograph Information:
View 3 - Pineview Drive
View from the East
SITE NOT VISIBLE

NB+CTM
TOTALLY COMMITTED.



Site Name: Moyer Road
Wireless Communication Facility
1680 Wisconsin Ave NW
Washington, DC 20007

Photograph Information:
View 4 - Pineview Drive
View from the Northeast
SITE NOT VISIBLE

NB-CTM
TOTALLY COMMITTED.

96



Site Name: Moyer Road
Wireless Communication Facility
1680 Wisconsin Ave NW
Washington, DC 20007

Photograph Information:
View 5 - Timber Trace Road
View from the Southwest
SITE NOT VISIBLE

NB-CTM
TOTALLY COMMITTED.



Site Name: Moyer Road
Wireless Communication Facility
1680 Wisconsin Ave NW
Washington, DC 20007

Photograph Information:
View 6 - Rocky Ford Road
View from the West
SITE NOT VISIBLE

NBIC
TOTALLY COMMITTED.



Site Name: Moyer Road
Wireless Communication Facility
1680 Wisconsin Ave NW
Washington, DC 20007

Photograph Information:
View 7 - Rocky Ford Road
View from the Southwest
SITE NOT VISIBLE

NB-CTM
TOTALLY COMMITTED.

99



Site Name: Moyer Road
Wireless Communication Facility
1680 Wisconsin Ave NW
Washington, DC 20007

Photograph Information:
View 8 - Rocky Ford Road
View from the South
Showing the Proposed Site



100



Site Name: Moyer Road
Wireless Communication Facility
1680 Wisconsin Ave NW
Washington, DC 20007

Photograph Information:
View 9 - State Rd 602
View from the West
SITE NOT VISIBLE

NBIC
TOTALLY COMMITTED.

101

ORDINANCE #O-2020-11**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CASE #20-02-CUP) TO CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS TO PERMIT A TELECOMMUNICATIONS TOWER ON TAX MAP PARCEL #52-16 (3043 MOYER ROAD).**

WHEREAS, Cellco Partnership d/b/a Verizon Wireless requests a conditional use permit (CUP) to permit a *telecommunications tower* within the Agricultural-10 (A-10) zoning district per Sec. 83-213 of the Zoning Ordinance of the County of Powhatan; and

WHEREAS, §15.2-1427 and §15.2-1433 of the *Code of Virginia*, 1950, as may be amended from time to time, enable a local governing body to adopt, amend, and codify ordinances or portions thereof; and

WHEREAS, §15.2-2280, §15.2-2285 and §15.2-2286 of the *Code of Virginia*, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

WHEREAS, on June 2, 2020, the Powhatan County Planning Commission held a public hearing on this matter and all of those who spoke on this topic were heard; and

WHEREAS, on June 2, 2020, the Powhatan County Planning Commission voted to recommend to the Board of Supervisors approval (5-0) of the request to grant the Conditional Use Permit (CUP); and

WHEREAS, the Powhatan County Board of Supervisors caused to be published a notice of public hearing on this matter in *Powhatan Today* on July 15, 2020 and July 22, 2020; and

WHEREAS, the full application was available for public inspection in the Powhatan County Administrator's Office, County Administration Building, 3834 Old Buckingham Road, Powhatan, Virginia 23139; and

WHEREAS, on July 27, 2020 and August 24, 2020, the Powhatan County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

NOW, THEREFORE, BE IT ORDAINED by the Powhatan County Board of Supervisors, in accordance with §83-123(f)(4) of the *Code of the County of Powhatan*, public necessity, convenience, general welfare, and good zoning practice, that the CUP request is hereby approved subject to the following conditions:

1. The applicant(s) shall consent to annual administrative inspections by the Department of Community Development for compliance with the requirements of this CUP.
2. The applicant(s) shall sign the list of adopted conditions for this CUP signifying acceptance and intent to comply with these conditions.
3. Failure to comply with the conditions of this CUP may result in the issuance of a Notice of Violation (NOV) by the Zoning Administrator. The Zoning Administrator may present this CUP to the Board of Supervisors for revocation if the NOV is not resolved as directed.

4. All activities associated with this CUP shall be in compliance with all local, state, and federal laws.
5. This conditional use permit shall permit a telecommunications tower (up to 199 feet in height) and related accessory uses, as defined in Sec. 83-521 of the Powhatan County Zoning Ordinance.
6. The proposed tower shall be designed and constructed as a monopole.
7. The proposed tower shall be located as generally shown on the proposed site plan prepared by NB & C Engineering Service, LLC and dated May 22, 2020.
8. The tower site shall be addressed with signage containing numbers a minimum of four (4) inches in height and reflective so they are highly visible from State Route 602 (Moyer Road). Address numbers shall be maintained throughout the life of this CUP.
9. A vegetated buffer shall be established and maintained surrounding the fenced compound. The vegetated buffer shall be a minimum of 25 feet in width. Within the buffer area, no existing trees shall be removed during or after construction, except for trees necessary to accommodate the compound itself and associated driveways or trees that are diseased, dying, or pose a danger to nearby structures. Throughout the life of the project, the Planning Director may require the installation of additional plantings within the vegetated buffer to ensure adequate screening of the fenced compound.
10. The owner of the tower shall submit to the Planning Director a bond, irrevocable letter of credit, or other appropriate surety acceptable to Powhatan County to cover the cost of removing the tower and restoring the tower site to as near its original condition as is reasonably practical. The estimated cost shall be determined by a licensed engineer and submitted to Powhatan County in writing.

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON AUGUST 24, 2020.

David T. Williams, Chairman
Powhatan County Board of Supervisors

ATTEST:

Ned Smither, Clerk
Powhatan County Board of Supervisors

Recorded Vote:

<i>David T. Williams</i>	
<i>Larry J. Nordvig</i>	
<i>Michael W. Byerly</i>	
<i>Bill L. Cox</i>	
<i>Karin M. Carmack</i>	



Powhatan County Board of Supervisors Agenda Item

Meeting Date: August 24, 2020

Agenda Item Title: **Ordinance #O-2020-04 (Case #19-06-REZC): Markel Eagle Partners, LLC (District #1: Subletts/Manakin/Flat Rock)** requests the rezoning of Tax Map Parcels #42-55A, 42-55B, 42-57G, 42-72 and a portion of Tax Map Parcel #42-55 from Agricultural-10 (A-10) and General Commercial (C) with proffered conditions (Case #06-14-REZC) to Commerce Center (CC) with proffered conditions and Village Residential Planned Development (VR-PD) with proffered conditions and amendment of the zoning district map of approximately 43.15 acres of land with frontage along the north side of U.S. Route 60 (Anderson Highway) at its intersection with State Route 1101 (Holly Hills Road) and along the south side of State Route 675 (Page Road) at its intersection with State Route 1110 (Old Powhatan Estates), including 1680 Anderson Highway and 1647 Page Road. Approximately 5.06 acres will be rezoned to CC with proffered conditions and approximately 38.09 acres will be rezoned to VR-PD with proffered conditions (Maximum Density: 79 Dwelling Units/2.07 Dwelling Units Per Acre). Proffered conditions associated with the proposed CC zoning district address building materials, parking lot surfacing, and shared access. Proffered conditions associated with the proposed VR-PD zoning district address adherence to a master plan, maximum residential densities (up to 79 single-family dwelling units), perimeter buffers, stormwater management, transportation improvements, provision of age-restricted units, and cash proffers. The 2019 Long-Range Comprehensive Plan designates the subject properties as Commerce Center and Village Residential (Route 60 Corridor East Special Area Plan) on the Countywide Future Land Use Plan, with maximum recommended densities in the Village Residential land use designation being four dwelling units per acre.

Motion: In accordance with public necessity, convenience, general welfare and good zoning practice, move to approve/deny/defer Ordinance #O-2020-04.

Dates Previously Considered by Board: N/A

Summary of Item: Markel Eagle Partners, LLC is requesting the rezoning of several properties with frontage along the north side of U.S. Route 60 (Anderson Highway) at its intersection with State Route 1101 (Holly Hills Road) and along the south side of State Route 675 (Page Road) at its intersection with State Route 1110 (Old Powhatan Estates).

The project totals approximately 43.15 acres, with the applicant requesting that:

- Approximately 38.09 acres be rezoned to Village Residential Planned Development (VR-PD) with proffered conditions, accommodating up to 79 dwelling units (age-restricted, single-family detached dwellings).
- Approximately 5.06 acres be rezoned to Commerce Center (CC) with proffered conditions, accommodating commercial development.

In accordance with Sec. 68-175(e)(5)(d) of the Powhatan County Subdivision Ordinance, the applicant is also requesting a waiver from local intersection spacing requirements set forth in Table 68-175(e)(5)(d), allowing a new entrance to be

If Board members have questions, please call the staff / contact prior to the meeting.

constructed along U.S. Route 60 (Anderson Highway) that aligns with State Route 1101 (Holly Hills Road).

The Planning Commission reviewed the rezoning request and modification to local intersection spacing standards at several workshops and meetings. On March 3, 2020, the Planning Commission voted to **recommend denial** of this request (5-0).

Staff:	<input checked="" type="checkbox"/>	Approve	<input type="checkbox"/>	Disapprove	<input type="checkbox"/>	See Comments
Commission/Board:	<input type="checkbox"/>	Approve	<input checked="" type="checkbox"/>	Disapprove	<input type="checkbox"/>	See Comments
County Administrator:	<input type="checkbox"/>	Approve	<input type="checkbox"/>	Disapprove	<input checked="" type="checkbox"/>	See Comments

Comments: The County Administrator understands the complexity of the applicant's request, but was not involved in the case presentation as it occurred prior to his tenure as County Administrator of Powhatan County

Budget/Fiscal Impact: The applicant submitted a fiscal impact analysis, which studies per capita expenditures (based upon the FY 2020 budget) and estimates local tax revenues (personal property tax and real estate tax) per household. This analysis estimates that each age-restricted unit within the development will require \$3,302 in public services annually, but generate \$3,685 in local revenue annually (positive fiscal impact of \$383 annually per age-restricted unit).

Attachments: Draft Ordinance
Staff Report

Staff/Contact: Andrew J. Pompei, AICP, CZA: Planning Director
(804) 598-5621 x2006
apompei@powhatanva.gov



19-06-REZC

Markel Eagle Partners, LLC

Request to Rezone Tax Map Parcels #42-55A, 43-55B, 42-57G, 42-72 and
a Portion of Tax Map Parcel #42-55
from Agricultural-10 (A-10) and General Commercial (C) with Proffered Conditions
to Village Residential Planned Development (VR-PD) with Proffered Conditions
and Commerce Center (CC) with Proffered Conditions

Staff Report Prepared for the Board of Supervisors
August 24, 2020

I. PUBLIC MEETINGS

Neighborhood Meeting	July 1, 2019	
Planning Commission	August 6, 2019	Workshop
	September 3, 2019	Workshop
	October 1, 2019	Deferred by Applicant
	November 6, 2019	Public Hearing (Deferred for 60 Days: 4 – 0)
	January 7, 2020	Public Hearing (Continued) (Deferred for 60 Days: Applicant Request)
	March 3, 2020	Public Hearing (Continued) (Recommended Denial: 5 – 0)
Board of Supervisors	August 24, 2020	Public Hearing

II. GENERAL INFORMATION

Request	Rezone to Village Residential Planned Development (VR-PD) (38.09 acres) with Proffered Conditions and Commerce Center (CC) with Proffered Conditions (5.06 acres)
Existing Zoning	Agricultural-10 (A-10): 38.09 acres General Commercial (C) with Proffered Conditions (Case #06-14-REZC): 5.063 acres
Parcel ID#	42-55A, 43-55B, 42-57G, 42-72, and 42-55 (Part)
Total Area	43.15
Proposed Density	79 Residential Units Maximum (VR-PD Portion: 38.09 acres) (2.07 units per acre in VR-PD)
Applicant	Markel Eagle Partners, LLC
Applicant Rep.	Ricky Core/Nathalie Croft (Markel Eagle Partners, LLC)
Owners	Sprouses Corner LLC, New Ventures Real Estate LLC, and Dorothy M. Brown

Location of Property 1647 Page Road and 1680 Anderson Highway
 Properties have frontage along the north side of U.S. Route 60 (Anderson Highway) at its intersection with State Route 1101 (Holly Hills Road) and along the south side of State Route 675 (Page Road) at its intersection with State Route 1110 (Old Powhatan Estates)

Electoral District (1) Subletts/Manakin/Flat Rock

2019 Land Use Plan Village Residential and Commerce Center
 Recommendation (Route 60 Corridor East Special Area Plan)

III. EXECUTIVE SUMMARY

The applicant is requesting approval to rezone approximately 43.15 acres in eastern Powhatan County to Village Residential Planned Development (VR-PD) with proffered conditions and Commerce Center (CC) with proffered conditions. The properties are located north of the intersection of U.S. Route 60 (Anderson Highway)/State Route 1101 (Holly Hills Road) and south of the intersection of State Route 675 (Page Road)/State Route 1110 (Old Powhatan Estates). A portion of the property along U.S. Route 60 (Anderson Highway) would accommodate commercial development (5.06 acres), with the remainder of the site (38.09 acres) developed as an age-restricted residential neighborhood with up to 79 single-family dwellings.

IV. PROPERTY DESCRIPTION

Location

The proposed project, which totals approximately 43.15 acres, is located between U.S. Route 60 (Anderson Highway) and State Route 675 (Page Road) in eastern Powhatan County. The properties have frontage on U.S. Route 60 (Anderson Highway) north of its intersection with State Route 1101 (Holly Hills Road) and along State Route 675 (Page Road) south of its intersection with State Route 1110 (Old Powhatan Estates).

Existing Conditions

Parcel (Tax Map #)	Acreage	Existing Conditions
42-55	24.03 (13.86 acres part of zoning case)	This parcel includes an existing single-family dwelling (1647 Page Road). It is mostly wooded, with open areas along State Route 675 (Page Road). An intermittent stream (a tributary to Swift Creek) flows from north to south through the property. Only 13.86 acres of this parcel are included within the zoning request. The remaining 10.17 acres [which are located along State Route 675 (Page Road) and include the existing single-family dwelling] would remain zoned A-10.
42-55A	6.36	This parcel remains undeveloped and wooded, with frontage along State Route 675 (Page Road).
42-55B	6.35	This parcel remains undeveloped and wooded, with frontage along State Route 675 (Page Road).

Parcel (Tax Map #)	Acreage	Existing Conditions
42-57G	11.25	This parcel remains undeveloped and wooded, with frontage along State Route 675 (Page Road) south of its intersection with State Route 1110 (Old Powhatan Estates).
42-72	5.06	This parcel includes an existing single-family dwelling (1680 Anderson Highway) and associated outbuildings. It includes a mix of wooded and open areas, with an existing driveway off of U.S. Route 60 (Anderson Highway).

Surrounding Properties

Direction	Zoning	Uses
North	Single-Family Residential-2 (R-2) Agricultural-10 (A-10)	<ul style="list-style-type: none"> • Vacant Properties • Single-Family Dwellings in Old Powhatan Estates (Lots 1 – 3 Acres) and along State Route 675 (Page Road)
South	Agricultural-10 (A-10) Commerce Center (CC)	<ul style="list-style-type: none"> • Church • Commercial/Office Uses along U.S. Route 60 (Anderson Highway) • Single-Family Dwellings along State Route 1101 (Holly Hills Road)
East	Agricultural-10 (A-10) Commerce Center (CC)	<ul style="list-style-type: none"> • Vacant Properties • Single-Family Dwelling along State Route 675 (Page Road) • Commercial Uses (Powhatan Professional Center)
West	Agricultural-10 (A-10)	<ul style="list-style-type: none"> • Vacant Properties • Single-Family Dwelling along State Route 675 (Page Road)

V. PROJECT ANALYSIS

Current Zoning

Four of the subject properties (Tax Map Parcels #42-55, 42-55A, 43-55B, and 42-57G) are currently zoned Agricultural-10 (A-10).

Tax Map Parcel #42-72 is zoned General Commercial (C) with proffered conditions (Case #06-14-REZC: Approved November 9, 2006).¹

¹ Proffered conditions associated with Case #06-14-REZC address adherence to a conceptual plan; right-of-way dedication; roadway improvements; permitted uses; cross access; provision of underground utilities; required setbacks; and development of a fire protection plan.

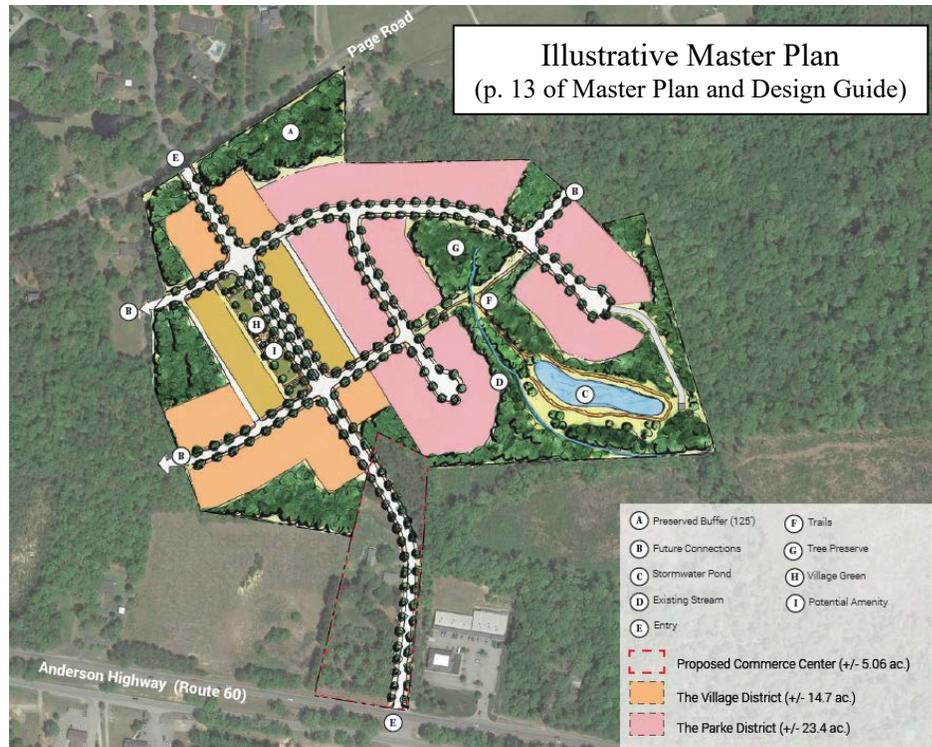
Proposed Project

The applicant is proposing to rezone the properties to VR-PD with proffered conditions and CC with proffered conditions to accommodate residential and commercial development:

- 38.09 acres adjacent to State Route 675 (Page Road) would be rezoned to VR-PD with proffered conditions to accommodate up to 79 single-family dwellings with an overall density of 2.07 units per acre. The proposed residential neighborhood would be an age-restricted community.
- 5.06 acres adjacent to U.S. Route 60 (Anderson Highway) would be rezoned to CC with proffered conditions, accommodating commercial development.

The portion of the project zoned VR-PD would include two different lot types:

- *The Village District* would include the smallest lots, with the minimum lot size and lot width dependent upon whether or not there is alley access. Lots with alley access would have a minimum lot width of 40 feet and a minimum lot area of 4,000 square feet, while lots without alley access will have a minimum lot width of 55 feet and a minimum lot area of 7,000 square feet. *The Village District* would include 32 to 40 single-family dwellings.
- *The Parke District* would include 39 to 47 single-family dwellings. Lots would have a minimum lot width of 65 feet and a minimum lot area of 8,000 square feet. Most of these lots would not have alley access, but would have front- or side-loading garages accessing adjacent streets.



Community Character

The subject properties extend from U.S. Route 60 (Anderson Highway) northward to State Route 675 (Page Road), with each of those roadways having a different character.

U.S. Route 60 (Anderson Highway) Corridor

On the north side of U.S. Route 60 (Anderson Highway), most properties are vacant or have single-family dwellings on larger parcels. There is an existing shopping center immediately adjacent to the subject properties.

The south side of U.S. Route 60 (Anderson Highway) is more developed, with a mix of commercial, institutional, and residential uses located along the roadway. Some of these uses are located within Holly Hills, an older residential development.

At this location, most of the median is heavily treed, with trees also lining the roadway.

State Route 675 (Page Road) Corridor

There is low-density residential development along State Route 675 (Page Road). There are existing single-family dwellings on lots ranging from one to three acres. Some of these homes front directly on the roadway, with others located within the Old Powhatan Estates subdivision (Zoned R-2). Farther east, there are larger parcels, with some being vacant and others having existing single-family dwellings.



View of Adjacent Shopping Center East of Subject Properties
(1660/1664 Anderson Highway)

Environment/Natural Resources

Agency Comments: Environmental Review (Powhatan County)

All riparian buffers and setbacks shall be enforced per Sec. 83-471 of the Powhatan County Zoning Ordinance. The development will also be required to adhere to all stormwater management design criteria.

On-Site Natural Resources

An intermittent stream (a tributary to Swift Creek) flows from north to south through a portion of the subject properties. Some wetlands are located adjacent to the intermittent stream. In accordance with Sec. 83-471(a), protected riparian buffers are required adjacent to wetlands, intermittent streams, and perennial streams.² The master plan shows that the intermittent streams and associated wetlands will be located within preserved open space.

Most of the subject properties are forested.

There is varied topography on the subject properties. Per GIS, elevations range from approximately 344 feet in the southwestern portion of Tax Map Parcels #42-55B and 42-57G to approximately 292 feet in the far southeastern corner of the proposed project (where the intermittent stream joins another tributary to Swift Creek). Based on analysis of public GIS data, 6.59 percent of the total area includes steep slopes (primarily near an intermittent stream).

Stormwater Management

The conceptual plan shows the general location of a proposed stormwater management pond, which will be positioned in the southeastern corner of the proposed project. Per the master plan and proffered conditions, the stormwater management pond will be designed to serve as an amenity, with a fountain and surrounding pedestrian trails. A portion of the stormwater management pond may encroach into a riparian buffer located adjacent to an intermittent stream.³ Prior to subdivision approval, a stormwater management plan will need to be submitted and approved by the Virginia Department of Environment Quality (DEQ) to ensure that the necessary infrastructure is in place to control the quantity and quality of runoff.

² Sec. 83-471(a) requires that riparian buffers at least 50 feet wide be provided adjacent to wetlands and intermittent streams and at least 100 feet wide along perennial streams.

³ Per Sec. 83-471(a)(5)(d) stormwater management facilities and sediment and erosion control devices may be located within riparian buffers, where determined to be necessary by the Planning Director.

Transportation

Agency Comments: Virginia Department of Transportation (VDOT)

A full response from VDOT (letter dated October 22, 2019) is included as Attachment #6. Excerpts are below:

- The Virginia Department of Transportation (Department) has reviewed the resubmitted traffic study, dated October 9, 2019 for the proposed Donnelly Creek site along the north side of Anderson Highway (US 60), adjacent to the Powhatan Professional Center, and across from the intersection of Holly Hills Road (Route 1101), and the responses to the original review comments. Based on the comment responses, the Department finds that the revised report conforms to the requirements of a traffic impact analysis in regard to the accuracy of the methodologies, assumptions, and conclusions presented in the analysis (p. 1).
- The proposed site will construct a new road between Anderson Highway and Page Road, intersecting each road at the following locations:

- Existing Anderson Highway Intersection with Holly Hills Road (Route 1101)
- Existing Page Road intersection with Old Powhatan Estates (Route 1110)

Both existing intersections are three-legged intersections that will be converted to four-legged intersections with the construction of this new site access road. Along US 60, the applicant is proposing the following turn lane enhancements at the intersection to mitigate site traffic:

- Extend the existing eastbound left turn lane storage from 100 feet to 325 feet.
- Extend the existing westbound right turn lane storage from 175 feet to 450 feet.

Turn lane warrants were analyzed for both right and left turn lanes on Page Road at the intersection with Old Powhatan Estates and the proposed site access road. The report demonstrates that the projected site traffic in the build out year of 2025 does not meet either the Department or Powhatan County turn lane warrants at this intersection. As a result of the turn lane warrant analysis, no turn lanes are proposed at this intersection (p. 1).

- The proposed turn lane enhancements on US 60 will mitigate the proposed site traffic impact on the build out year traffic. The projected LOS F for the Holly Hills Road and the Proposed Site Access Road are typical of unsignalized street connections to high volume four-lane divided highways, such as US 60 (p. 3).

Local Road Network

The subject properties have frontage on U.S. Route 60 (Anderson Highway) and State Route 675 (Page Road).

Roadway Characteristic	State Route 675 (Page Road)	U.S. Route 60 (Anderson Highway)
Functional Classification: VDOT	Major Collector	Other Principal Arterial ⁴
Functional Classification: Powhatan Co. Major Thoroughfare Plan	Rural Collector (Existing)	Major Arterial (Existing)
Traffic Volume Estimates (VDOT: 2017)	720 ⁵	34,000

Traffic Analysis

Green Light Solutions, Inc. prepared a traffic assessment (revised October 9, 2019: Attachment #4) to analyze potential impacts the proposed project may have on the local transportation network. This analysis studied existing peak hour traffic conditions and anticipated peak hour conditions in 2025 (with already-approved developments and with proposed development).

Per the traffic assessment, the following issues are occurring under existing traffic conditions:

“Analysis of the existing peak hour traffic conditions indicates that the northbound left-right movement at the intersection of U.S. 60 and Holly Hills Road is operating at unacceptable levels of service. Analysis indicates that all proposed site access movements are expected to work at acceptable levels of service except for the southbound left-through movement at the intersection of U.S. 60 and Holly Hills Road/Site Access #1” (Traffic Assessment: p.1).

Per the traffic assessment, the following issues are expected at buildout (2025):

“Analysis of buildout peak hour traffic conditions (background, approved development, and site volumes) indicates that all study area traffic movements are expected to operate at acceptable levels of service expect for the southbound and northbound side street movements at the intersection of U.S. 60 and Holly Hills Road/Site Drive #1. Due to significant peak hour through volumes on U.S. 60,

⁴ U.S. Route 60 (Anderson Highway) between U.S. Route 522 (Maidens Road) and the Chesterfield County line is part of VDOT’s Arterial Preservation Network. For roadways that are part of this network, VDOT aims to implement innovative strategies aimed at adding capacity, improving safety, and minimizing delays for through traffic.

⁵ Traffic volumes are from 2017 and represent the segment of State Route 675 (Page Road) between its western intersection with U.S. Route 60 (Anderson Highway) and State Route 635 (Manakintown Ferry Road).

side street movements do not have sufficient gaps in traffic flow to provide for acceptable operations” (Traffic Assessment: p. 2).⁶

Based on this analysis, the study recommends the following improvements if the proposed development is constructed (Traffic Assessment: p. 2):

- Extend the existing eastbound left-turn lane [from U.S. Route 60 (Anderson Highway)] from its existing 100 foot storage length to a 325 foot storage length.
- Extend the existing westbound right-turn lane [from U.S. Route 60 (Anderson Highway)] from its existing 175 foot storage length to a 450 foot storage length.
- As part of right-turn lane improvements, it is recommended to restrict existing right-turn egress movements from Powhatan Professional Center and to provide internal access to Powhatan Professional Center, so that all egress (exit) movements from the existing commercial site can use the planned entrance to Donnelly Creek (the proposed development).

Two proffered conditions (Proffered Condition #9: VR-PD and Proffered Condition #4: CC) address recommendations made in the traffic assessment.

Site Entrances: Spacing and Improvements

The proposed development will have two entrances:

- Entrance #1:
U.S. Route 60 (Anderson Highway) at State Route 1101 (Holly Hills Road)
- Entrance #2:
State Route 675 (Page Road) at State Route 1110 (Old Powhatan Estates)

Sec. 68-170(b)(7) of the Powhatan County Subdivision Ordinance requires that subdivisions with 50 to 249 lots have at least two vehicular access points.

Three stub roads are shown on the Conceptual Master Plan, accommodating future connections to adjacent vacant parcels (should they develop).⁷ Two stub roads would connect with future development to the west, while one stub road would accommodate any future development to the east. The applicant has also proffered to dedicate right-of-way to Tax Map #42-74 and to construct a connection to Tax Map Parcel #42-73A from the planned collector road (CC: Proffered Condition #4).

Due to existing commercial development (and an associated existing entrance), one modification to local intersection spacing requirements [Table 68-175(e)(5)(d)] would need to be approved to permit a proposed entrance, in accordance with Sec. 68-175(e)(5)(d) (revised January 28, 2019). The proposed entrance from U.S. Route 60 (Anderson Highway) at State Route 1101 (Holly Hills Road) does not meet minimum

⁶ The traffic assessment did not only consider existing and approved developments, but also includes an analysis that considers the previously-proposed Ellis Farm development, which was reviewed by the Board of Supervisors on October 28, 2019 and denied (Case #19-03-REZC). Since the traffic assessment was originally submitted, the proposed development has changed (per proffered conditions) from including conventional single-family detached dwellings to being an age-restricted community. With this change, fewer daily and peak hour trips are expected (Attachment #5).

⁷ Sec. 68-175(e)(6) of the Powhatan County Subdivision Ordinance requires that stub roads be provided to adjacent undeveloped parcels.

spacing requirements from an existing commercial entrance. A written request for this modification is included as Attachment #7.

Proposed Entrance	Conditions Necessitating Modification
<p>Proposed Entrance: U.S. Route 60 (Anderson Highway) at State Route 1101 (Holly Hills Road)</p>	<p>The proposed entrance aligns with an existing crossover, but is only 245 feet west of an existing commercial entrance to 1660/1664 Anderson Highway (Tax Map Parcel #42-73A). Per Table 68-175(e)(5)(d), minimum intersection spacing is 625 feet.</p> <p>Per Proffered Condition #4 (CC), the applicant will provide Tax Map Parcel #42-73A with access to the proposed entrance road, allowing motorists to travel between the proposed and existing development.</p> <p>Per the waiver request, the applicant has indicated that the existing entrance to Tax Map Parcel #42-73A will be reconfigured to be right-in only.</p>

Major Thoroughfare Plan

The Major Thoroughfare Plan (2019 Long-Range Comprehensive Plan: Chapter 9), establishes guidance regarding long-term development of the local transportation network. Per that plan, three major thoroughfares bisect or are adjacent to the subject properties:

- *State Route 675 (Page Road)*

Major Thoroughfare Plan: No specific improvements are listed along State Route 675 (Page Road), but the document recommends that roads designated as Rural Collectors have an ultimate right-of-way of at least 70 feet.

Proposed Improvements: The applicant is not proposing any specific improvements to State Route 675 (Page Road). If this request is approved, VDOT will review the proposed entrance at the time of preliminary plat approval to determine if additional improvements are required. Based on the traffic assessment, turn lanes are not warranted at the proposed entrance from State Route 675 (Page Road) (Traffic Assessment: p. 2 and Appendix G).

- *U.S. Route 60 (Anderson Highway)*

Major Thoroughfare Plan: There are no specific improvements recommended for the intersection of U.S. Route 60 (Anderson Highway)/State Route 1101 (Holly Hills Road), but there is general language stating that Powhatan County should improve U.S. Route 60 countywide by realigning intersections, modifying signals, and adding turn lanes as needed (Map ID 22: p. 138).

Proposed Improvements: A proposed entrance will align with State Route 1101 (Holly Hills Road).

The applicant has proffered to extend the existing left-turn lane from U.S. Route 60 (Anderson Highway) eastbound into the proposed development, as recommended in the traffic analysis (Proffered Condition #9: VR-PD). The existing left-turn lane has

100 feet of storage, with the applicant proposing to extend the turn lane to include 325 feet of storage. This improvement would be completed prior to issuance of the first residential Certificate of Occupancy (CO) within the development.

The applicant would install a right-turn lane from U.S. Route 60 (Anderson Highway) westbound into the proposed development by extending the existing turn lane accessing 1660/1664 Anderson Highway. That turn lane will have 450 feet of storage and will be completed prior to issuance of the first residential CO within the development.

- *Proposed Collector Road*

Major Thoroughfare Plan: A proposed two-lane rural collector (New Collector #5: Map ID #43) is shown on the Major Thoroughfare Plan as a future connection between U.S. Route 60 (Anderson Highway) and State Route 675 (Page Road) through the subject properties. Construction of this future connection is identified as a short-term priority, recommending that construction occur within the next ten years.⁸ Its completion will help create an interconnected road network with the Route 60 Corridor East Special Area Plan, aligning with Strategy TR.2.c of the 2019 Long-Range Comprehensive Plan.⁹

Proposed Improvements: The applicant is proposing construction of a two-lane collector road through the development, a portion of which will be divided by a median.

The applicant has proffered to construct a new driveway connecting the proposed collector road to Tax Map Parcel #42-73A (Proffered Condition #4: CC).

The applicant has proffered to dedicate right-of-way connecting the proposed collector road to Tax Map Parcel #42-74 (Proffered Condition #4: CC).

Pedestrian Mobility

In accordance with the master plan, the pedestrian network will consist of on- and off-road accommodations:

- Sidewalks will be provided on both sides of streets within *The Village District*. Within *The Parke District*, sidewalks will be located on one side of every street (Master Plan: p. 18, 24, and p. 27).
- Sidewalks will line both sides of the entrance road from State Route 675 (Page Road) to U.S. Route 60 (Anderson Highway), providing connections to adjacent residential neighborhoods and commercial uses.¹⁰
- A network of pedestrian pathways and trails will be provided throughout preserved open space.

Pathways and sidewalks create an interconnected pedestrian network within the development. This infrastructure will help provide safe and comfortable accommodations for those walking to destinations within the development, aligning with recommendations

⁸ See Table 13: Major Thoroughfare Plan Project List (bottom of p. 137).

⁹ Strategy TR.3.a recommends that Powhatan County “promote connectivity of secondary roadways as shown on the Major Thoroughfare Plan to reduce the traffic load on major arterials throughout the county” (p. 131).

¹⁰ No sidewalks are proposed along State Route 675 (Page Road) or U.S. Route 60 (Anderson Highway).

made in the 2019 Long-Range Comprehensive Plan. Strategy TR.5.a states that Powhatan County should “encourage pedestrian and bicycle improvements, especially in new developments, to enhance walkability and provide valuable recreation and health benefits” (p. 132). These improvements also seem to align with requirements set forth in Sec. 68-175(g) (Pedestrian Access and Circulation).

Utilities and Public Infrastructure

Agency Comments: Department of Public Works (Powhatan County)

The subject properties [Tax Map Parcels #42-55A, 43-55B, 42-57G, 42-72, and 42-55 (Part)] are located within the Water and Wastewater Service District. By ordinance, new development will be required to connect to public utilities. The applicant has proposed connecting to public water and sewer, which will require the extension and dedication of the utilities (including the construction of a public pump station, built to DPW’s specifications, and the dedication of the associated easements and land for the public utilities by the developer). The 79 residential units would be assessed water and sewer connection fees in the amount of \$963,800 using Powhatan County’s current fee schedule.

Agency Comments: Virginia Department of Health

No objections to this request.

Water Capacity

- Per an agreement with Chesterfield County, Powhatan County may purchase up to 572,000 gallons of water per day to serve its customers.
- As of May 2019, there are 105 accounts purchasing public water. Five (5) of those accounts are residential customers, with the remaining being schools, commercial and irrigation accounts.
- Combined, those 105 accounts use an average of 30,000 gallons per day, with Powhatan County Public Schools using an average of 7,000 gallons per day.
- Powhatan County currently purchases 203,000 gallons per day, flushing approximately 165,000 gallons per day to maintain water quality.
- Existing residential customers use an average of 158 gallons per day. If the proposed dwellings use the same amount, the residential portion of the project (79 residential units) will use an estimated 12,482 gallons per day.

Sewer Capacity

- The eastern portion of Powhatan County’s Water and Sewer Service Area is served by the Dutoy Waste Water Treatment Plant, which is owned and operated by Powhatan County.
- Dutoy Creek’s WWTP currently operating with an average flow of 0.039-0.043 MGD and has a maximum design flow of 0.125 MGD.
- Dutoy Creek’s DEQ Permit will require additional testing requirements when the average design flow exceeds 0.050 MGD.

- The Department of Public Works will require that any proposed pump station be sized/designed to local specifications, so that it can adequately serve not only the proposed development, but the entire sewer service drainage basin within the existing Water and Wastewater Service District (as existing grades dictate). The pump station (and the site of the pump station) must be dedicated to Powhatan County by the developer.

Public Safety

Agency Comments: Sheriff's Office (Powhatan County)

No comments at this time.

Agency Comments: Fire Department (Powhatan County)

Reviewed and there are no concerns with this proposal.

Fire/Rescue

The nearest fire station/rescue squad is Huguenot Volunteer Fire Department, which is located approximately 1.6 miles away. Currently, that facility has one career employee, who is supplemented by volunteers. In ideal conditions, response time would be approximately eight (8) minutes.

Based on an average of 0.28 calls per dwelling per year, it is estimated that this development will generate 23 calls for Fire/EMS services annually:

- Approximately 80% of calls are for EMS services, with Powhatan County recouping most of these costs from insurance providers.
- Due to the time and resources necessary to adequately respond, structure fires are generally more costly to respond to than other types of emergencies. Each year, 10 to 20 structure fires occur countywide (0.001 per dwelling). Based on the anticipated number of dwellings, it is estimated that Powhatan County will respond to one structure fire every 10 years within the development.

If this request is approved, the Fire Marshal will review the subdivision plat to ensure that the final design includes an appropriate number of hydrants and is designed to provide adequate emergency access to structures.

Public Schools

The applicant has proffered that any dwellings within the proposed development will “be restricted to ‘housing for older persons’ and shall comply with the Virginia Fair Housing Act (Virginia Code 39-96.7, as amended)” (Proffered Condition #8: VR-PD). With that restriction, the proposed development will have minimal impacts on Powhatan County Public Schools, as most dwellings will be required to have at least one resident fifty-five years of age or older.

The enrollment and capacity for each school in Powhatan County (as of June 1, 2019) is as follows:

School	Current Enrollment	Total Capacity	% of Capacity	No. of Students Below Capacity
Powhatan Elementary	484	575	84	91
Pocahontas Elementary	723	850	85	127
Flat Rock Elementary	612	760	81	148
Powhatan Middle	1,027	1,200	86	173
Powhatan High	1,385	1,500	92	115

The proposed development is located within attendance zones for Flat Rock Elementary School, Powhatan Middle School, or Powhatan High School.

Development Requirements and Standards

Agency Comments: Building Inspections Department (Powhatan County)

1. All construction will need to meet current USBC code requirements at the time of application.
2. This area is in a moderate shrink/swell area per the Powhatan County GIS system. All new homes within this area will need a soil analysis with an engineered footing design.
3. Road signs will need to be in place prior to any inspection being requested.
4. Other requirements will be established once building plans are submitted to the county.

The Building Department has no comment that would affect this rezoning case. All comments made are towards the application process for the proposed new construction.

Development Review: Next Steps

If this rezoning request is approved, the development will be required to undergo additional administrative review:

- *Preliminary Plat*

A preliminary plat must be submitted to Powhatan County for review for any subdivision involving greater than 50 lots [Sec. 68-110(a)]. Preliminary plat approval authorizes the subdivider to submit an application for construction plans and final plat approval [Sec. 68-109].

Preliminary plats are reviewed by the Department of Community Development to ensure compliance with provisions set forth in the zoning and subdivision ordinances.

- *Final Plat*

A final subdivision plat must be submitted to Powhatan County for review and approval prior to recordation at the Office of the Clerk of the Circuit Court [Sec. 68-110(c)].

Final plats are reviewed by the Department of Community Development to ensure compliance with provisions set forth in the zoning and subdivision ordinances.

- *Site Plan Approval*

Prior to issuance of a building permit for commercial development (within the portion of the property proposed to be zoned CC), the applicant will be required to submit a site plan(s) for review and approval [Sec. 83-123(g)].

All site plans are evaluated to ensure that proposed development adheres to standards set forth in Article VIII (Development Standards) of the zoning ordinance. These standards address several components of the development, including:

- Vehicular Access and Circulation [Sec. 68-175(e)];
- Off-Street Parking and Loading [Sec. 83-455];
- Landscaping and Buffers [Sec. 83-461];
- Exterior Lighting [Sec. 83-469];
- Open Space [Sec. 83-470];
- Institutional, Commercial, and Mixed-Use Development Standards [Sec. 83-477] and
- Signage [Sec. 83-488].

Site plan applications are reviewed by the Department of Community Development. A *Development Design Pattern Book* will need to be approved by the Planning Commission prior to site plan approval for any commercial buildings [Sec. 83-477(f)(2)].

Fiscal Impacts

The applicant submitted a fiscal impact analysis, which studies per capita expenditures (based upon the FY 2020 budget) and estimates local tax revenues (personal property tax and real estate tax) per household. This analysis estimates that each age-restricted unit within the development will require \$3,302 in public services annually, but generate \$3,685 in local revenue annually (positive fiscal impact of \$383 annually per age-restricted unit). Estimated fiscal impacts for the commercial component of the project were not analyzed (Attachment #13).

VI. COMPREHENSIVE PLAN ANALYSIS

Countywide Future Land Use Plan

The 2019 Long-Range Comprehensive Plan designates the subject properties as *Village Residential* and *Commerce Center*. The subject properties are within the Route 60 Corridor East Special Area Plan (p. 119) (Attachment #10).

Land Use: Village Residential

Tax Map Parcels #42-55, 42-55A, 42-55B, and 42-57G are designated *Village Residential* in the 2019 Long-Range Comprehensive Plan. This land use designation is described as follows (p. 84):

Village Residential generally applies to large areas of land that could be developed under a unified planned development. Village Residential recommends thoughtful design to provide a variety of housing options in a layout that respects the low-intensity, single-family character of adjacent rural areas, while providing slightly more intense development. The gross density in these areas may vary within each growth area (special area plan) between one-half and four units per acre and could include single-family detached, single-family attached, and three- to four-unit multi-family buildings. The average lot size would range between one-fourth acre and two acres.

The primary location for Village Residential is near the courthouse in the Courthouse Village, Route 711 Village, and along eastern portions of the Route 60 Corridor. Village Residential represents the residential-only neighborhood component of a complete village and is often developed near a Village Center.

The following uses are recommended within areas designated *Village Residential* (p. 84):

- Single-Family Detached Residential with Accessory Residential Structures
- Two- to Four-Family Residential Structures
(Examples: Apartments, Condominiums, Townhouses)
- Bed and Breakfasts
- Public and Institutional Uses
(Examples: Schools, Churches, and Community Centers)
- Parks and Recreation
- Village Center uses may be appropriate as part of a master plan.

Within areas designated *Village Residential*, the applicant is proposing detached single-family dwellings. This generally aligns with specific recommendations for areas designated *Village Residential* within the Route 60 Corridor East Special Area Plan. Within that growth area, projects designated *Village Residential* “should include detached single-family dwellings and two- to four-family residential structures (apartments, condominiums, townhouses, etc.) within developments designed as traditional neighborhoods” (p. 118).

VR-PD is as an appropriate zoning district within areas designated *Village Residential*.

Below is an analysis of how the conceptual master plan and development standards relate to recommended design elements for areas designated *Village Residential*:

Design Element	Adherence to Design Recommendations (Yes/No)	Analysis
Min. Project Size	Yes	The comprehensive plan recommends that projects within areas designated <i>Village Residential</i> be at least 20 acres in area. The residential portion of the proposed project is 38.09 acres.
Residential Densities	Yes	Recommended residential density for projects within areas designated <i>Village Residential</i> is 0.5 units/acre to 4 units/acre. This development will have 2.07 units/acre.
Mix of Uses	Yes	The portion of the project designated <i>Village Residential</i> will be used only for residential purposes, as recommended within the comprehensive plan. All of the homes will be detached single-family dwellings.
Minimum Open Space	Yes	Per the application, at least 25% of the site will be dedicated to open space.
Open Space Features	Yes	<p>Two separate parks are proposed:</p> <ul style="list-style-type: none"> • The <i>Village Green</i> (approximately 0.75 acres) will serve as a central gathering space with sidewalks, benches, and landscaping. • <i>Donnelly Park and Preserve</i> (approximately 7 acres) will include pedestrian trails, a stormwater management pond with a fountain, and conservation areas (including wetlands and an intermittent stream). <p>Additional open space will be preserved within perimeter buffers.</p> <p>A network of sidewalks and pedestrian trails connect these parks to residential areas.</p>

Design Element	Adherence to Design Recommendations (Yes/No)	Analysis
Landscaping and Buffers	Yes	<p>A buffer at least 125 feet in width will be provided adjacent to State Route 675 (Page Road), buffering residences from an adjacent major thoroughfare and providing a transition between the proposed development and larger lots in adjacent subdivisions located to the north (VR-PD: Proffered Condition #7).</p> <p>VR-PD: Proffered Condition #3 requires that a Type A buffer be planted and maintained on lots that are directly adjacent to parcels that are outside of the development.</p>
Environmental Design	Some Recommendations (Not All)	<p>The master plan shows the general location of stormwater management facilities.</p> <p>There is no indication that exceptional environmentally-friendly features will be incorporated into the development.</p>
Transportation Network	Yes	<p>There is generally an interconnected street network, where topography allows. Generally due to the presence of streams, two permanent cul-de-sacs are planned.</p> <p>Stub roads are provided to accommodate future connections to surrounding development.</p> <p>Traffic calming measures (such as the landscaped median) are planned to slow vehicular traffic and create a pedestrian-friendly environment.</p> <p>Sidewalks will be provided on both sides of streets within <i>The Village District</i>. Within <i>The Parke District</i>, sidewalks will be located on one side of every street.</p> <p>A network of trails will be located within dedicated open space, improving pedestrian connectivity.</p>
Utilities and Infrastructure	Yes	<p>The project will be served by public water and sewer.</p> <p>VR-PD: Proffered Condition #5 offers cash contributions to offset potential impacts on public roads, public safety facilities, and parks.</p>

Design Element	Adherence to Design Recommendations (Yes/No)	Analysis
Community Character	Yes	<p>Some dwellings will have rear-loading garages accessible from an alley, creating a pedestrian-friendly streetscape. Front-facing garages are required to be set back from the primary façade of the home (or a porch).</p> <p>While there are no proffered conditions related to building facades and materials, page 15 of the <i>Master Plan and Design Guide (Home Inspiration and Vision)</i> shows traditional-style single-family dwellings with front porches and stoops.</p>
Other Components	Yes	<p>The site will be developed in accordance with a master plan.</p> <p>Residential units will be in close proximity to planned parks/open space and commercial areas.</p>

Land Use: Commerce Center

Tax Map Parcel #42-72 is designated *Commerce Center* in the *2019 Long-Range Comprehensive Plan*. This land use designation is described as follows (p. 96):

Commerce Centers should be established at targeted locations along the Route 60 Corridor to accommodate business and industrial development in a location conducive to both the local and regional markets. Commerce Centers should be well designed to accommodate these uses in a manner that has limited impact on the surrounding development, including but not limited to sustainable stormwater management practices, local roads, and open spaces.

The following uses are recommended within areas designated *Commerce Center* (p. 96):

- Offices
- Large-Scale Commercial/Retail
- Services
- Clean Manufacturing
- Distribution
- Warehousing
- Institutional Uses
- Parks, Open Space, Recreation

Within areas designated *Commerce Center*, the applicant is proposing that a variety of commercial uses be permitted.

CC is listed as an appropriate zoning district within areas designated *Commerce Center*.

Below is an analysis of how the conceptual master plan and development standards relate to recommended design elements for areas designated *Commerce Center*:

Design Element	Adherence to Design Recommendations (Yes/No)	Analysis
Min. Project Size	No	<p>The comprehensive plan recommends that projects within areas designated <i>Commerce Center</i> be at least 30 acres in area. The commercial portion of the proposed project is 5.06 acres.</p> <p>The portion of the proposed project requesting rezoning to CC is adjacent to another property zoned CC (Tax Map Parcel #42-73A: 2.75 acres) that is developed with commercial uses and is under common ownership.</p>
Residential Densities	Yes	No residential units are proposed in areas designated <i>Commerce Center</i> , in accordance with recommendations made in the 2019 Long-Range Comprehensive Plan.
Mix of Uses	Yes	If this request is approved, only commercial uses would be permitted in areas designated <i>Commerce Center</i> .
Minimum Open Space	Yes (Ordinance Requirement)	<p>Any site plan submitted would have to adhere to requirements for open space set forth in Sec. 83-470 of the zoning ordinance.</p> <p>No details are provided regarding the specific location of the planned open space within the portion of the project that would be rezoned to CC.</p>
Open Space Features	Uncertain	<p>No details are provided regarding the specific features of the planned open space within the portion of the project that would be rezoned to CC.</p> <p>Any site plan submitted would have to adhere to requirements for open space set forth in Sec. 83-470 of the zoning ordinance.</p>
Landscaping and Buffers	Yes (Ordinance Requirement)	Any site plan submitted would have to adhere to the buffering requirements (perimeter buffers and corridor buffers) set forth in Sec. 83-461 of the zoning ordinance.
Environmental Design	Uncertain	There is no information regarding any environmentally-friendly features that may be incorporated into the development.

Design Element	Adherence to Design Recommendations (Yes/No)	Analysis
Transportation Network	Yes	Based on access management requirements, areas designated Commerce Center will be served by an internal street network (no direct access to existing major thoroughfares).
Utilities and Infrastructure	Yes	The proposed project will be served by public water and sewer.
Community Character	Uncertain (Future Review Required per Ordinance)	Few details are provided regarding the design of proposed commercial buildings, parking areas, or landscaped areas. Proffered Condition #1 (CC) limits exterior materials to brick, stone, and/or similar materials, while Proffered Condition #2 (CC) requires that parking areas be constructed with a hard-surfaced material. Prior to site plan approval, a Development Design Pattern Book would have to be approved by the Planning Commission [Sec. 83-477(f)(2)].

VII. PROFFERED CONDITIONS

For the portion of the project that may be rezoned to VR-PD, the applicant has voluntarily proffered the following seven conditions (latest version dated October 23, 2019) (Attachment #3):

- *Proffered Condition #1 (VR-PD)*

PD Plan. *Development of the Property shall be in general conformance with the Donnelly Creek VR-PD Plan, entitled “Donnelly Creek - Powhatan, Virginia, Master Plan and Design Guide” and dated October 23, 2019.*

Analysis: This language is generally acceptable. The PD plan referenced includes components required per Sec. 83-282(a).

Sec. 83-123(e)(7) of the Powhatan County Zoning Ordinance specifies what types of minor deviations from the PD plan may be approved by the Planning Director during the review of subsequent plans (such as preliminary plats and site plans).

- *Proffered Condition #2 (VR-PD)*

Density. *No more than seventy-nine (79) new single-family detached dwellings shall be constructed on the Property.*

Analysis: This language is generally acceptable and aligns with language throughout the *Master Plan and Design Guide*. With 79 detached single-family dwellings, the portion of the project zoned VR-PD will have an overall density of 2.07 units/acre.

- *Proffered Condition #3 (VR-PD)*

Buffers. Any newly created Parke or Village residential lot directly adjacent to a neighboring parcel not situated within the Donnelly Creek PD shall be planted with a Type A – Basic Buffer along said property line. Aforementioned buffer shall be not less than 8’ in width, shall be planted with 2 canopy trees per 100 linear feet, 4 understory trees per 100 linear feet, and 10 shrubs per 100 linear feet, and shall be placed within a landscape easement on the lot. The buffer plantings shall be installed or bonded prior to the issuance of the Certificate of Occupancy for the lot on which they are required.

Analysis: This language is generally acceptable. The planting schedule listed within this proffered condition aligns with requirements for a Type A – Basic Buffer in the Powhatan County Zoning Ordinance [Table 83-461(e)(3)]. There is clear language regarding the timing of installation of the proposed buffer.

- *Proffered Condition #4 (VR-PD)*

Stormwater Management Pond. The stormwater management pond located in the southeastern portion of the site shall be constructed with a fountain feature.

Analysis: This language is generally acceptable. Installing a fountain may improve the appearance of the stormwater management pond, helping make that feature an amenity for the community.

- *Proffered Condition #5 (VR-PD)*

Cash Proffer. The Applicant or its assignees shall pay \$2,753 per newly created residential lot to Powhatan County for public facility improvements (\$869 for public schools or public transportation facilities, \$1,317 for public safety facilities, and \$567 for park facilities). Such payment shall be made prior to the time of the issuance of any Certificate of Occupancy for each dwelling built on each of the lots.

Analysis: This language is generally acceptable. Language regarding the timing of payment aligns with requires set forth in §15.2-2303.1:1 of the Code of Virginia.

- *Proffered Condition #6 (VR-PD)*

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

Analysis: This language is generally acceptable.

- *Proffered Condition #7 (VR-PD)*

Page Road Buffer. No newly created Parke or Village lot shall be located within one-hundred twenty-five feet (125’) of Page Road.

Analysis: This language is generally acceptable and aligns with what is described within the *Master Plan and Design Guide*. This buffer would help screen residences from an adjacent major thoroughfare and provide a transition between the proposed development and larger lots in adjacent subdivisions located to the north.

- *Proffered Condition #8 (VR-PD)*

Age Restriction. *Except as otherwise prohibited by the Virginia Fair Housing Law, Federal Fair Housing Law, and such other applicable Federal, State, or Local legal requirements, dwellings constructed on the Property shall be restricted to “housing for older persons” and shall comply with the Virginia Fair Housing Act (Virginia Code 39-96.7, as amended).*

Analysis: This language is generally acceptable.

- *Proffered Condition #9 (VR-PD)*

Improvements to Route 60. *The following improvements to the intersection of Route 60 and the primary entrance to the Property shall be constructed prior to the issuance of the first Certificate of Occupancy for any new dwelling on the Property:*

- Extend the existing eastbound left turn lane from its existing 100’ storage length to a 325’ storage length, or as otherwise approved by the Virginia Department of Transportation.*
- Extend the existing westbound right turn lane from its existing 175’ storage length to a 450’ storage length, or as otherwise approved by the Virginia Department of Transportation.*

Analysis: Improving/extending existing turn lanes aligns with recommendations made in the submitted traffic analysis. The timing of construction of these improvements is clear.

- *Proffered Condition #10 (VR-PD)*

Construction Traffic. *The primary construction entrance to the Property shall be from Route 60.*

Analysis: This language is generally acceptable.

For the portion of the project that may be rezoned to CC, the applicant has voluntarily proffered the following four conditions:

- *Proffered Condition #1 (CC)*

Exterior Materials. *At least seventy (70) percent of building facades visible from existing or planned roadways shall be constructed of brick, stone, or other masonry material with a similar appearance, durability, and quality.*

Analysis: This language is generally acceptable. It is more stringent than requirements set forth in Sec. 83-477(h)(1) of the Powhatan County Zoning ordinance, which specifies materials that may be used on the facades of institutional, commercial, and mixed-use buildings.

- *Proffered Condition #2 (CC)*

Parking Lot Surfacing. *All parking areas shall be finished with a hard-surface material, and shall be maintained in a smooth, well-graded, clean, orderly, and dust-free condition.*

Analysis: This language is generally acceptable. It is more stringent than requirements set forth in Sec. 83-455(c)(2)(a) of the Powhatan County Zoning Ordinance, which specifies what materials may be used to surface parking areas.

- *Proffered Condition #3 (CC)*

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

Analysis: This language is generally acceptable.

- *Proffered Condition #4 (CC)*

Ingress/Egress to adjacent parcel. *Upon construction of the new public roadway connecting Route 60 to Page Road, an ingress/egress driveway connection shall be provided to the adjacent Parcel 042-73A. Right-of-way will be dedicated from aforementioned roadway to the adjacent parcel 042-74 to allow for future connectivity.*

Analysis: This language is generally acceptable. Tax Map Parcel #42-73A is zoned CC and includes an existing shopping center. Tax Map Parcel #42-74 is a large undeveloped parcel zoned A-10 (designed *Commerce Center* in the *2019 Long-Range Comprehensive Plan*). Providing cross-access with adjacent parcels aligns with recommendations made in the *2019 Long-Range Comprehensive Plan* and helps relieve pressure on U.S. Route 60 (Anderson Highway).

VIII. PUBLIC COMMENTS

Comments provided at the neighborhood meeting (July 1, 2019) are included as Attachment #11. In general, attendees commented on potential transportation-related impacts to surrounding roadways. Attendees also commented on potential impacts to other public services and proposed densities.

Comments submitted to the Department of Community Development are included as Attachment #12. These comments address proposed pedestrian infrastructure.

On November 6, 2019, the Planning Commission held a public hearing regarding this request. Eight (8) members of the public spoke during the public hearing. Speakers expressed concerns regarding the following issues:

- Potential impacts the proposed development may have on public services (emergency services, public water/sewer, etc.).
- Potential impacts the proposed development may have on the local transportation network.
- Potential impacts the proposed development may have on the area's character (including proposed residential densities and its compatibility with surrounding development).

The public hearing was continued to the Planning Commission meeting on March 3, 2020. At that meeting, six members of the public provided additional comments, expressing concerns regarding the following issues:

- Potential impacts the proposed development may have on the local transportation network.
- Potential impacts the proposed development may have on the area's character.

IX. PLANNING COMMISSION REVIEW

On November 6, 2019, the Planning Commission held a public hearing regarding this request. Eight (8) members of the public spoke during the public hearing (see Section VIII: Public Comments).

After brief discussion, the Planning Commission voted to **defer** this request for sixty (60) days (until January 7, 2020), with the public hearing left open and continued.

At the request of the applicant, this request was **deferred** for sixty (60) days (until March 3, 2020).

The public hearing was continued to the Planning Commission meeting on March 3, 2020. After closing the public hearing, the Planning Commission discussed the following issues:

- Projected sales prices of proposed single-family homes;
- Proposed transportation-related improvements and potential impacts on local roadways;
- Size of the proposed commercial portion of the development (requested rezoning to CC); and
- Potential impacts on public services (including fiscal impacts).

After discussion, the Planning Commission **recommended denial (5 – 0)** of this request.

X. STAFF RECOMMENDATION

Rezoning Request

Favorable Attributes of Request

- The proposed project addresses several recommendations made in the 2019 Long-Range Comprehensive Plan: Countywide Land Use Plan (Map 6: p. 59). Areas designated *Village Residential* in that document would generally be rezoned to Village Residential Planned Development (VR-PD), while areas designated *Commerce Center* would generally be rezoned to Commerce Center (CC).
- The proposed project is located within a designated growth area (Route 60 Corridor East Special Area Plan).
- Proffered conditions address potential impacts the project may have on public schools, roadways, parks, and public safety.
- The proposed project includes construction of a connector road between State Route 675 (Page Road) and U.S. Route 60 (Anderson Highway) recommended in the 2019 Long-Range Comprehensive Plan: Major Thoroughfare Plan (Map 10: p. 135).
- A portion of the project would be rezoned from a *Transition Base District* [General Commercial (C)] to a *Village Growth Area District* [Commerce Center (CC)], better

reflecting recommendations made in the *2019 Long-Range Comprehensive Plan* and the zoning ordinance.¹¹

- The project involves the consolidation of multiple parcels to create a cohesive master plan, with stub roads and right-of-way dedications accommodating future connections to adjacent parcels.

Unfavorable Attributes of Request

- While the applicant is proposing some improvements to U.S. Route 60 (Anderson Highway) and cash contributions that can be used to improve the local roadway network, the project will negatively impact the level of service of adjacent roadways.

Since the project aligns with many of the recommendations set forth in the 2019 Long-Range Comprehensive Plan, the Department of Community Development recommends **approval** of this rezoning request.

Waiver Request (Intersection Spacing Standards)

If the rezoning request is recommended for approval, the Department of Community Development recommends **approval** of the requested waiver to intersection spacing standards, as the proposed entrance from U.S. Route 60 (Anderson Highway) will be located at a logical and appropriate location to provide reasonable access to the subject properties.¹² It will also accommodate construction of a collector road recommended in the 2019 Long-Range Comprehensive Plan: Major Thoroughfare Plan (Map 10: p. 135). As described in the applicant's request letter, it is recommended that the existing entrance to Tax Map Parcel #42-73A be converted to a right-in only (as the applicant has proffered to provide an additional access point to that property from the proposed north/south collector road).

XI. PROPOSED RESOLUTION

Rezoning Request

In accordance with Article II of the Powhatan County Zoning Ordinance and public necessity, convenience, general welfare, and good zoning practice, the Powhatan County Board of Supervisors (*approves / denies / defers*) the request submitted by Markel Eagle Partners, LLC to rezone approximately 43.15 acres of land from Agricultural-10 (A-10) and General Commercial (C) to Village Residential Planned Development (VR-PD) and Commerce Center (CC) with proffered conditions.

Waiver Request (Intersection Spacing Standards)

In accordance with Sec. 68-175(e)(5)(d) of the Powhatan County Subdivision Ordinance, the Powhatan County Board of Supervisors (*approves / denies / defers*) the request submitted by Markel Eagle Partners, LLC for a waiver from local intersection spacing requirements set forth in Table 68-175(e)(5)d, allowing a new entrance to be constructed

¹¹ Sec. 83-340 states that "it is intended and expected that lands within these *Transition Base Districts* gradually will be rezoned to one of the other base or planned development districts established in this chapter [zoning ordinance] that better reflect the comprehensive plan's land use classifications and objectives."

¹² The conceptual plan proffered in connection with Case #06-14-REZC (Proffered Condition #1) shows an entrance road from U.S. Route 60 (Anderson Highway) aligning with State Route 1101 (Holly Hills Road).

along U.S. Route 60 (Anderson Highway) that aligns with State Route 1101 (Holly Hills Road), with the following condition:

1. The existing entrance to Tax Map Parcel #42-73A (1660/1664 Anderson Highway) shall be reconfigured to be a right-in only access point. Egress shall be provided via a new connection to the proposed collector road within the Donnelly Creek subdivision.

Attachment(s)

1. Application
2. Donnelly Creek Master Plan and Design Guide (Last Revised October 23, 2019)
3. Proffer Statement (Dated October 23, 2019)
4. Revised Traffic Assessment: Donnelly Creek Development (Dated October 9, 2019)
5. Trip Generation Comparison (Conventional Single-Family Dwellings vs. Age-Restricted Housing)
6. VDOT Comments (Donnelly Creek Development: Traffic Assessment Report Comments – Dated October 22, 2019)
7. Access Management Waiver Request (Dated October 11, 2019)
8. Vicinity Map
9. Zoning Map
10. Countywide Future Land Use Map
11. Neighborhood Meeting Comments
12. Public Comments Received via Email or Hand Delivered
13. Donnelly Creek Fiscal Impact Analysis

Attachment #1
Application



**County of Powhatan,
Virginia
Rezoning Application**

For Office Use Only

Case Number

Powhatan County, Virginia
Department of Community Development
3834 Old Buckingham Road: Suite F
Powhatan, VA 23139

Applicant Information	
Name of Applicant	Markel Eagle Partners, LLC
Mailing Address	2250 Old Brick Rd. Suite 200 Glen Allen, Va 23060
Phone Number	804-741-4663
Email Address	rcore@markel-eagle.com

Owner Information (Complete this section if the applicant is not the current property owner)	
Name of Owner	See attached owner information sheet
Mailing Address	
Phone Number	
Email Address	

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the application (see form entitled *Consent of Owner(s) to Request Rezoning*).

If there are multiple owners, all owners must sign the application or provide other documentation consenting to the application (see form entitled *Ownership Disclosure*).

Applicant Representative (Complete this section if correspondence should be directed to someone other than the applicant)	
Name of Representative	Ricky Core / Nathalie Croft
Mailing Address	2250 Old Brick Rd. Suite 200 Glen Allen, VA 23060
Phone Number	804-741-4663
Email Address	rcore@markel-eagle.com / ncroft@eagleofva.com

Revised 10/11/19 MM

Parcel Information	
Tax Map Number	See attached parcel information sheets
Physical Address	
General Description of Property Location	
Election District	
Total Acreage	
Current Zoning	
Requested Zoning	
Acreage to Be Rezoned	
Countywide Future Land Use: Land Use Designation	↓

Proposed Use	
Describe Proposed Use	VR-PD and CC
Amount of Dedicated Open Space (Acreage + % of Site)	Minimum of 20% of VR-PD or equals a minimum of 7.62 AC
If this request is approved, will new lots be created?	YES
If this request is approved, will new structures be constructed?	YES
Are there existing structures on the subject property?	YES
Will the proposed use connect to public water and/or sewer?	YES

A conceptual plan that shows the general configuration of the proposed development, including land uses, general building types, density/intensity, resource protection areas, pedestrian and vehicular circulation, open space, public facilities, and phasing, should be submitted with the application.

Revised 10/11/19 MM

Planned Development Districts: Proposed Standards (Complete this section only if requesting rezoning to one of the Village Growth Area: Planned Development Districts, which include VR-PD, VC-PD, and CC-PD. All of this information should also be included within the PD master plan and/or textual statement.)	
Proposed Density	Maximum of 2.07 units/AC
Amount of Dedicated Open Space (Acreage + % of Site)	Minimum of 20% of VR-PD or equals a minimum of 1.62 AC
Dimensional Standards	
Floor Area Ratio (FAR): Max.	See attached Donnelly Creek plan book for the following information
Lot Area: Min. (Sq. Ft.)	
Lot Width: Min. (Ft.)	
Impervious Surfaces: Max. (% of District Area)	
Individual Building Size: Max. (Sq. Ft.)	
Building Height: Max. (Ft.)	
Yard Depths or Setbacks: Min. (Ft.)	Front
	Side
	Rear
Setback from Abutting Single-Family Residential Uses: Min. (Ft.)	↓
Permitted Uses	Provide a list of all permitted uses with the PD District.
Master Plan	A master plan that shows the general configuration of the proposed development, including land uses, general building types, density/intensity, resource protection areas, pedestrian and vehicular circulation, open space, public facilities, and phasing, should be submitted with the application.

Proffer Statement

In accordance with § 15.2-2303 and Article II of the Powhatan County Zoning Ordinance, I do hereby voluntarily proffer, as the owner of record of the property or the applicant of this rezoning request, the conditions listed below. I hereby acknowledge that the rezoning of the subject property gives rise to the need for these conditions.

(Note: If text for all proffered conditions does not fit on this page, additional proffered conditions may be attached to the application as separate pages.) *See attached proffers dated ~~7/25/19~~*

Proffer #1		<i>Revised 10/04/19 MM</i>
Proffer #2		
Proffer #3		
Proffer #4		
Signature of Applicant		
Name of Applicant (Printed)	John S. Revercomb	

Commonwealth of Virginia
County of Henrico to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by John S. Revercomb whose name is signed to the above, on this 1st day of July 20 19.

Notary Public		
Commission Expires	<u>2/28/2023</u>	
Notary Number	<u>148498</u>	

Ownership Disclosure

List below the names and addresses of all owners or parties in interest of the land subject to this request.

If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

Name	Address
Dorothy M. Brown	1647 PAGE ROAD POWHATAN, VA 23139
Sprouses Corner, LLC c/o Alan Anderson	1664 ANDERSON HWY, SUITE F POWHATAN, VA 23135
New Ventures Real Estate LLC	1664 ANDERSON HWY, SUITE F POWHATAN, VA 23135

I, Richard E. Core, Jr., do hereby swear and affirm to the best of my knowledge and belief, the above information is true and that I am the applicant requesting rezoning for Tax Map 042-55A; 042-55B; 042-579; 042-72; 042-55. If the information listed above changes at any time while this request is being considered, I will provide Powhatan County with an updated list of owners.

Signature of Applicant	
Name of Applicant (Printed)	<u>Richard E. Core, Jr.</u>

Commonwealth of Virginia
County of Henrico, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Richard E. Core, Jr., whose name is signed to the above, on this 24th day of July 2019.

Notary Public		
Commission Expires	<u>2/28/2023</u>	
Notary Number	<u>148498</u>	

Revised 9/11/19 mm

Owner Information	
Name of Owner	Sprouses Corner LLC
Mailing Address	1644 ANDERSON HWY POWHATAN, VA 23139
Phone Number	804-839-7201
Email Address	sprousescorner@gmail.com

Parcel Information	
Tax Map Number	042-72
Physical Address	1680 ANDERSON HWY
General Description of Property Location	Approximately 0.75 miles east of the intersection of Anderson Highway and Stavemill Rd.
Election District	1
Total Acreage	5.06
Current Zoning	General Commercial w/ proffered conditions (06-14-REZC)
Requested Zoning	Commerce Center
Acreage to Be Rezoned	5.06
Countywide Future Land Use: Land Use Designation	Commerce Center

Consent of Owner(s) to Rezoning Request

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the rezoning application and that the applicant may submit proffered conditions on the property owner's

R. Alan Anderson

I, _____, am the owner of the property subject to this rezoning request and consent to the request submitted by Market/Eagle Partners LLC (Applicant) to rezone Tax Map 042-72 from General Commercial (Current Zoning District) to Commerce Center (Requested Zoning District) w/ proffered conditions.

Signature of Owner

R. Alan Anderson

Name of Owner (Printed)

R. Alan Anderson

Commonwealth of Virginia

County of Powhatan, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by R. Alan Anderson whose name is signed to the above, on this 2nd day of July 2019.

Notary Public

Wendy G Stinnett

Seal

Commission Expires

7-31-22

Notary Number

7597828

WENDY G STINNETT
Notary Public
Commonwealth of Virginia
Registration No. 7597828
My Commission Expires Jul 31, 2022

Owner Information	
Name of Owner	New Ventures Real Estate LLC
Mailing Address	1664 ANDERSON HWY STE B POWHATAN VA 23139
Phone Number	804-839-7201
Email Address	sprousescorner@gmail.com

Parcel Information	
Tax Map Number	042-57G
Physical Address	O Page Rd
General Description of Property Location	Approximately 0.75 miles east of the intersection of Anderson Hwy and Stavemill Rd.
Election District	1
Total Acreage	11.25
Current Zoning	A-10
Requested Zoning	VR-PD
Acreage to Be Rezoned	11.25
Countywide Future Land Use: Land Use Designation	VR

Consent of Owner(s) to Rezoning Request		
<p>If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the rezoning application and that the applicant may submit proffered conditions on the property owner's</p>		
<p>I, <u>R. Alan Anderson</u> am the owner of the property subject to this rezoning request and consent to the request submitted by <u>Market Eagle Partners LLC</u> (Applicant) to rezone Tax Map <u>042-57G</u> from <u>A-10</u> (Current Zoning District) to <u>VR-P1</u> (Requested Zoning District).</p>		
Signature of Owner	<u>R. Alan Anderson</u>	
Name of Owner (Printed)	<u>R. Alan Anderson</u>	
<p>Commonwealth of Virginia County of <u>Powhatan</u>, to wit: Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by <u>R. Alan Anderson</u> whose name is signed to the above, on this <u>2nd</u> day of <u>July</u> 20<u>19</u></p>		
Notary Public	<u>Wendy Stinnett</u>	Seal
Commission Expires	<u>7-31-22</u>	
Notary Number	<u>7597828</u>	

WENDY G STINNETT
Notary Public
Commonwealth of Virginia
Registration No. 7597828
My Commission Expires Jul 31, 2022

Owner Information	
Name of Owner	New Ventures Real Estate LLC
Mailing Address	1664 ANDERSON HWY STE B POWHATAN VA 23139
Phone Number	804-839-7201
Email Address	sprousescorner@gmail.com

Parcel Information	
Tax Map Number	042-55B
Physical Address	O Page Rd
General Description of Property Location	Approximately 0.75 miles east of the intersection of Anderson Hwy and Stavemill Rd.
Election District	1
Total Acreage	6.35
Current Zoning	A-10
Requested Zoning	VR-PD
Acreage to Be Rezoned	6.35
Countywide Future Land Use: Land Use Designation	VR

Consent of Owner(s) to Rezoning Request

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the rezoning application and that the applicant may submit proffered conditions on the property owner's

I, Alan Anderson, am the owner of the property subject to this rezoning request and consent to the request submitted by NARKEE EAGLE PARTNERS LLC (Applicant) to rezone Tax Map 042-55B from A-10 (Current Zoning District) to VK-PD (Requested Zoning District).

Signature of Owner

R. Alan Anderson

Name of Owner (Printed)

R. Alan Anderson

Commonwealth of Virginia

County of Powhatan to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by R. Alan Anderson whose name is signed to the above, on this 2nd day of July 2019.

Notary Public

Wendy Stinnett

Seal

Commission Expires

7-31-22

Notary Number

7597828

WENDY G STINNETT
Notary Public
Commonwealth of Virginia
Registration No. 7597828
My Commission Expires Jul 31, 2022

Owner Information	
Name of Owner	New Ventures Real Estate LLC
Mailing Address	1664 ANDERSON HWY STE B POWHATAN VA 23139
Phone Number	804-839-7201
Email Address	sprouescorner@gmail.com

Parcel Information	
Tax Map Number	042-55A
Physical Address	0 Page Rd
General Description of Property Location	Approximately 0.75 miles east of the intersection of Anderson Hwy and Stavemill Rd.
Election District	1
Total Acreage	6.36
Current Zoning	A-10
Requested Zoning	VR-PD
Acreage to Be Rezoned	6.36
Countywide Future Land Use: Land Use Designation	VR

Consent of Owner(s) to Rezoning Request

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the rezoning application and that the applicant may submit proffered conditions on the property owner's

I, R. Alan Anderson am the owner of the property subject to this rezoning request and consent to the request submitted by Market Eagle Partners LLC (Applicant) to rezone Tax Map 042-55A from A 10 (Current Zoning District) to VR-PD (Requested Zoning District).

Signature of Owner	<u>R. Alan Anderson</u>
Name of Owner (Printed)	<u>R. Alan Anderson</u>

Commonwealth of Virginia
County of Powhatan to wit:
Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by R. Alan Anderson, whose name is signed to the above, on this 2nd day of July 20 19.

Notary Public	<u>Wendy G Stinnett</u>	Seal
Commission Expires	<u>7-31-22</u>	
Notary Number	<u>7597828</u>	

WENDY G STINNETT
Notary Public
Commonwealth of Virginia
Registration No. 7597828
My Commission Expires Jul 31, 2022

Revised 10/11/19

Owner Information	
Name of Owner	Dorothy M. Brown
Mailing Address	1647 PAGE ROAD POWHATAN, VA 23139
Phone Number	
Email Address	

Parcel Information	
Tax Map Number	042-55
Physical Address	1647 PAGE ROAD
General Description of Property Location	Approximately 0.75 miles east of the intersection of Anderson Highway and Stavemill Rd.
Election District	1
Total Acreage	24.03
Current Zoning	A-10
Requested Zoning	VR-PD
Acreage to Be Rezoned	13.86
Countywide Future Land Use: Land Use Designation	VR

Consent of Owner(s) to Rezoning Request

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the rezoning application and that the applicant may submit proffered conditions on the property owner's

I, Dorothy Brown, am the owner of the property subject to this rezoning request and consent to the request submitted by Markel | Eagle Partners, LLC (Applicant) to rezone Tax Map 042-55 from A-10 (Current Zoning District) to VR-PD (Part) (Requested Zoning District).

Signature of Owner

Dorothy M. Brown

Name of Owner (Printed)

Dorothy M. Brown

Commonwealth of Virginia

County of Powhatan to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Dorothy M. Brown, whose name is signed to the above, on this 24th day of July 2019.

Notary Public

Wendy G Stinnett

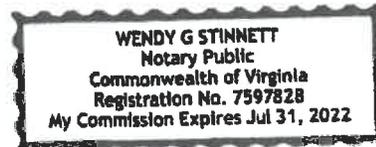
Seal

Commission Expires

7-31-22

Notary Number

7597828



Revised 10/11/19

Parcel Tax Map Number	Parcel Owner	Acreage	Current Zoning	Requested Zoning
042-72	Sprouses Corner LLC	5.06 AC	General Commercial w/ proffered conditions (06-14-REZC)	Commerce Center w/ proffered conditions
042-57G	New Ventures Real Estate LLC	11.25 AC	A-10	VR-PD
042-55B	New Ventures Real Estate LLC	6.35 AC	A-10	VR-PD
042-55A	New Ventures Real Estate LLC	6.36 AC	A-10	VR-PD
042-55	Dorothy M. Brown	13.84 AC of a 24.03 AC parcel	A-10	VR-PD

Attachment #2
Donnelly Creek Master Plan and Design Guide
(Last Revised October 23, 2019)



Donnelly Creek

Powhatan County, Virginia

Master Plan & Design Guide

July 5, 2019
Revised October 23, 2019

Landscape Architects:



Civil Engineers:



Home Builder:



Land Developer:



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Eagle Construction

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Founded in 1984 by Bryan Kornblau as a private homebuilder, Eagle Construction has built over 7,000 homes within 135 communities across Virginia. The company is currently building in 19 communities with 100 +/- homes under construction at any time.

In 2013, Eagle Construction was acquired by Markel Ventures. Markel Ventures' permanent investment in Eagle provides stability and job security to our team as well as to our stakeholders. As a source of permanent capital, Markel Ventures has enabled Eagle to no longer rely on bank loans for the funding of new projects, consequently reducing risk.

Since our formation in 1984 as a private homebuilder through today as a partner with Markel Ventures, Eagle has never had an annual operating loss.

At Eagle, we don't just build homes,
we build communities that celebrate life's moments.



Open-flow Floor Plans

First Floor Master Suites

One-level Living

What is an Eagle Moment?

Eagle Moment (*n.*)

A wink in time we inspire that captures the magic of everyday life.

- **Is a simple, wonderful human thing** - one filled with energy and emotion, and one felt deep inside by all those experience it
- **Is one lived to its fullest** - inspired by every choice made, action taken and promise fulfilled that enabled the moment to happen.
- **Can be inspired by anyone** - and are most powerful when created together.
- **Is about everything we do for our customers** and everything that happens before and after they get the keys.



Introduction

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Introduction

Context

Donnelly Creek is a +/- 38 acre assemblage located in eastern Powhatan County between Anderson Highway and Page Road within the County's Route 60 Corridor East Special Area.

 From Donnelly Creek to:

- Downtown Richmond - 23.9 miles (31 minutes)*
- Richmond International Airport - 33.9 miles (37 minutes)*
- Huguenot Volunteer Fire Station - 1.3 miles (3 minutes)*
- Flat Rock Elementary School - 2.6 miles (6 minutes)*
- Powhatan Middle School - 10.5 miles (15 minutes)*
- Powhatan High School - 3.1 miles (5 minutes)*
- Powhatan County Public Library - 10 miles (14 minutes)*
- Powhatan County Administration Building - 9.6 miles (14 minutes)*

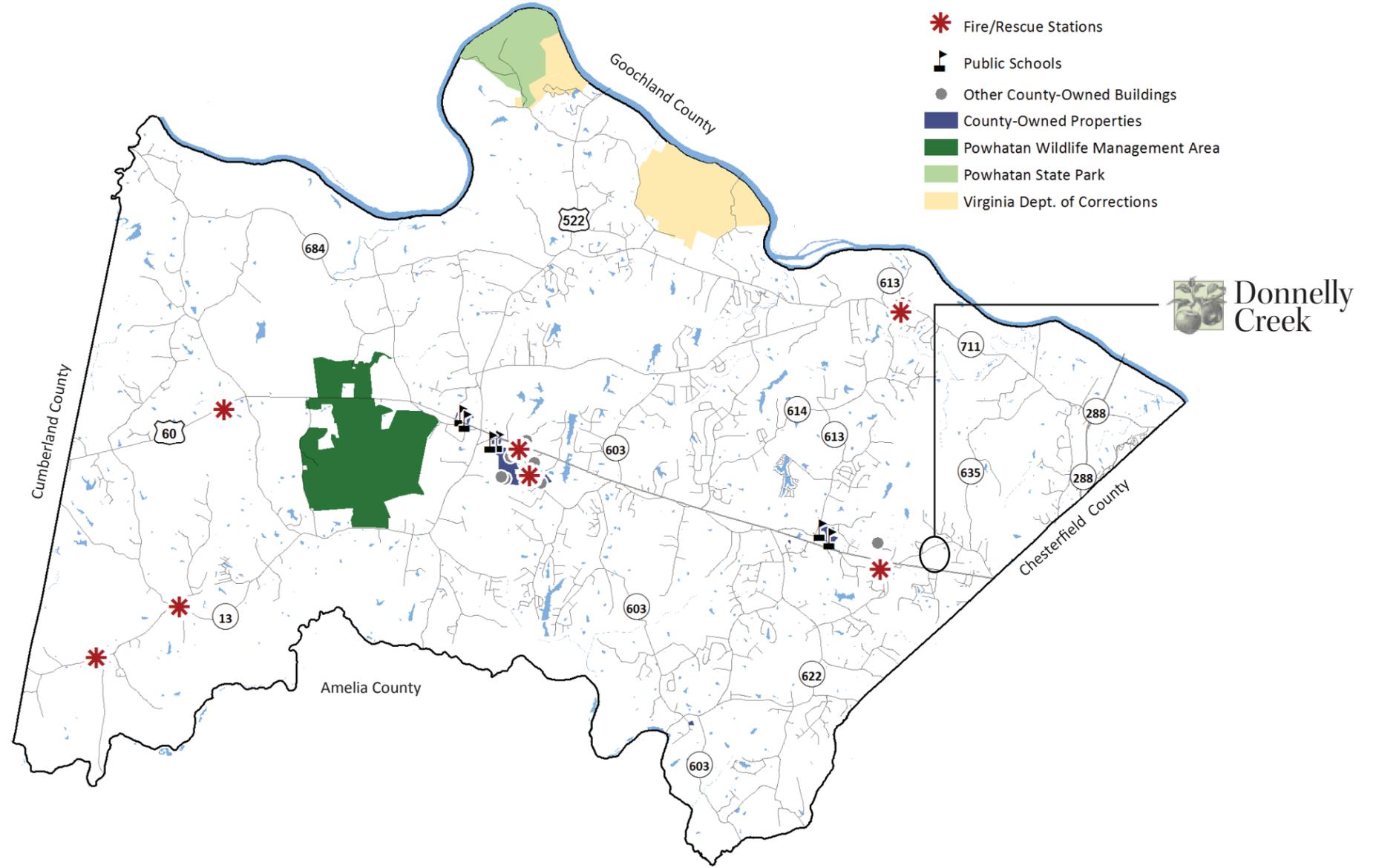
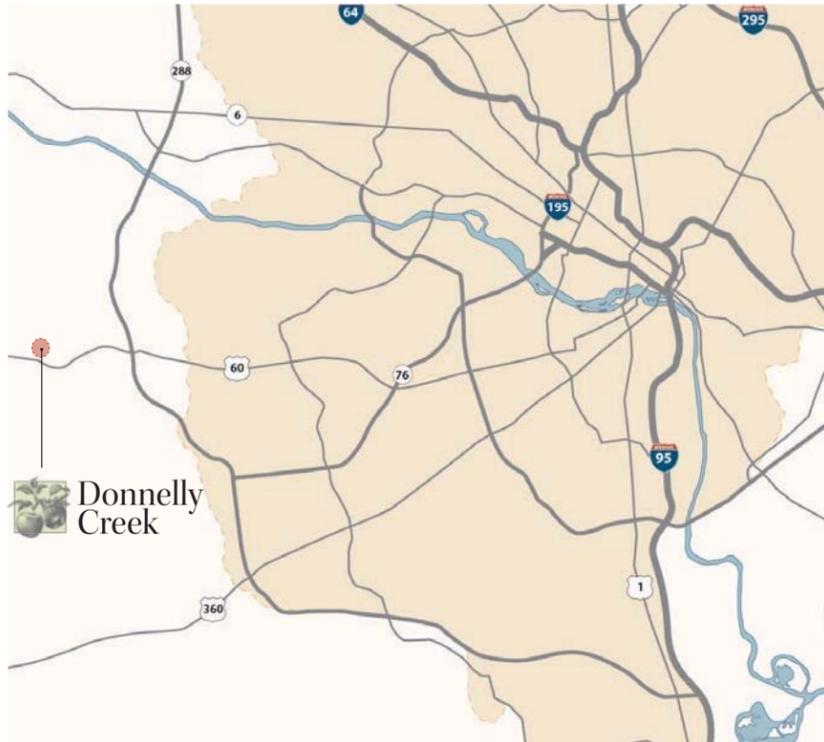


Image courtesy of 2019 Powhatan County Long Range Comprehensive Plan



Introduction

Powhatan County Long Range Comprehensive Plan

The Comprehensive Plan establishes a vision of what Powhatan County should look like in 20 to 30 years. It identifies objectives and strategies that can be implemented to realize that vision and addresses a variety of topics including land uses, housing, economic development, and natural resources. Elected and appointed officials of the county use the adopted plan as a guide for land use and public investment decisions.

In the Fall of 2016, the County began a three-year planning and review process to update the 2010 Long Range Plan which included:

- 6 public open houses hosted by the County to solicit citizen feedback on the draft plan
- Numerous workshops and public hearings on the draft plan held by the Planning Commission & Board of Supervisors to review the draft document
- A Comprehensive Plan Workgroup appointed by the Board of Supervisors to review the draft document

Board of Supervisors voted to approve the 2019 Powhatan County Long-Range Comprehensive Plan on June 24, 2019.

A link to the adopted Plan may be found online:
<http://www.powhatanva.gov/268/Community-Development>

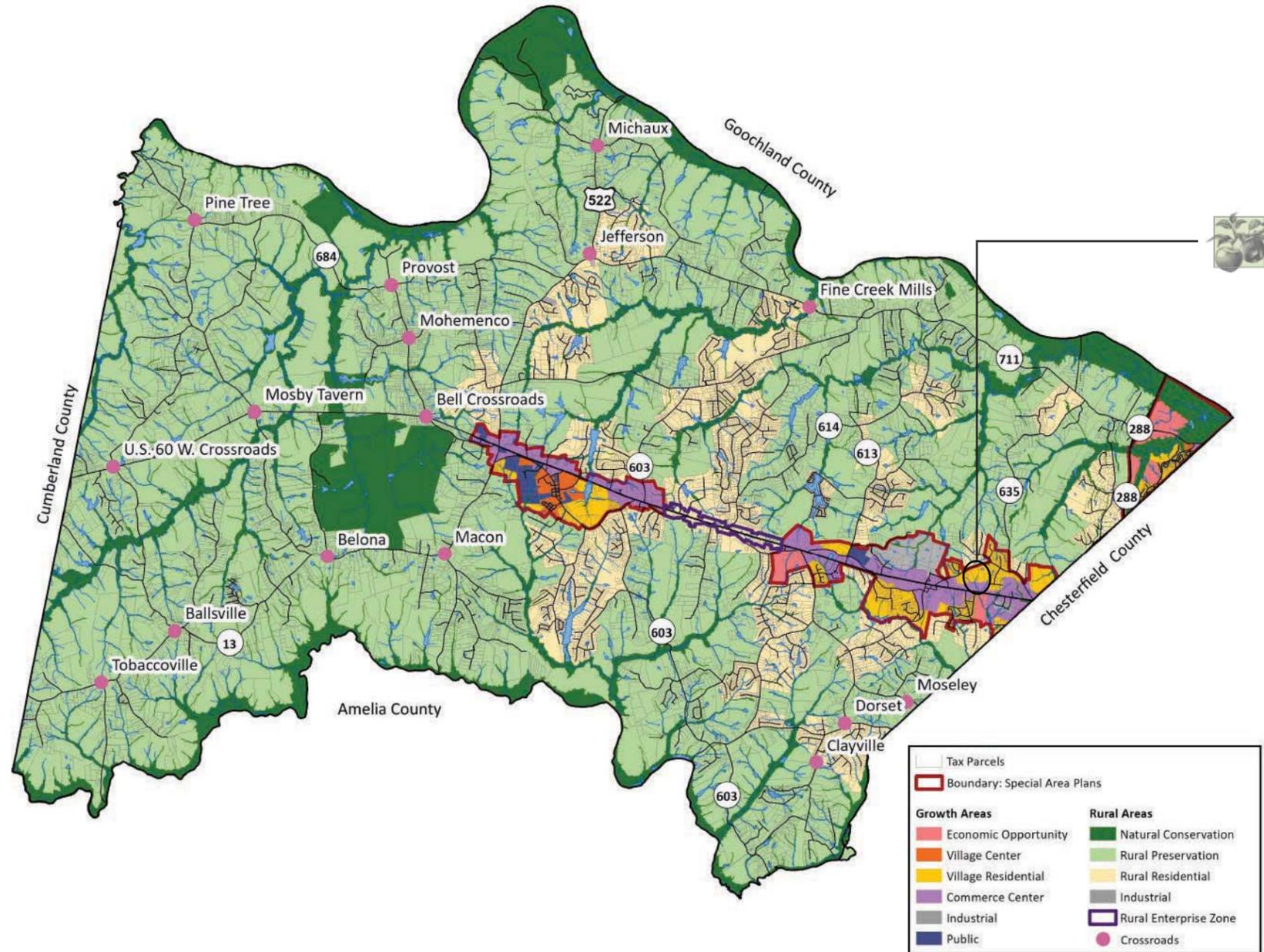


Image courtesy of 2019 Powhatan County Long Range Comprehensive Plan



Introduction

Powhatan County's Vision

"Powhatan County will be a place where people can see the stars at night, be in touch with the land, and yet be able to work, live, play, shop, and learn without leaving the County... The dominant rural character will be supplemented by mixed residential and business uses situated at defined locations primarily along the Route 60 Corridor and along Route 711 east of the Route 288 interchange... [These mixed-use clusters will also provide diverse housing options to complement the single-family uses that will continue to be prevalent in rural areas.]"

Land Use: Village Residential

Description

"Village Residential recommends thoughtful design to provide a variety of housing options in a layout that respects the low-intensity single-family character or adjacent rural areas, while providing slightly more intense development."

Intent

"Areas designated Village Residential should include walkable neighborhoods with diverse housing options and integrated parks and public uses, which are compatible with the residential qualities of the neighborhoods."

- Text courtesy of 2019 Powhatan County Long Range Comprehensive Plan

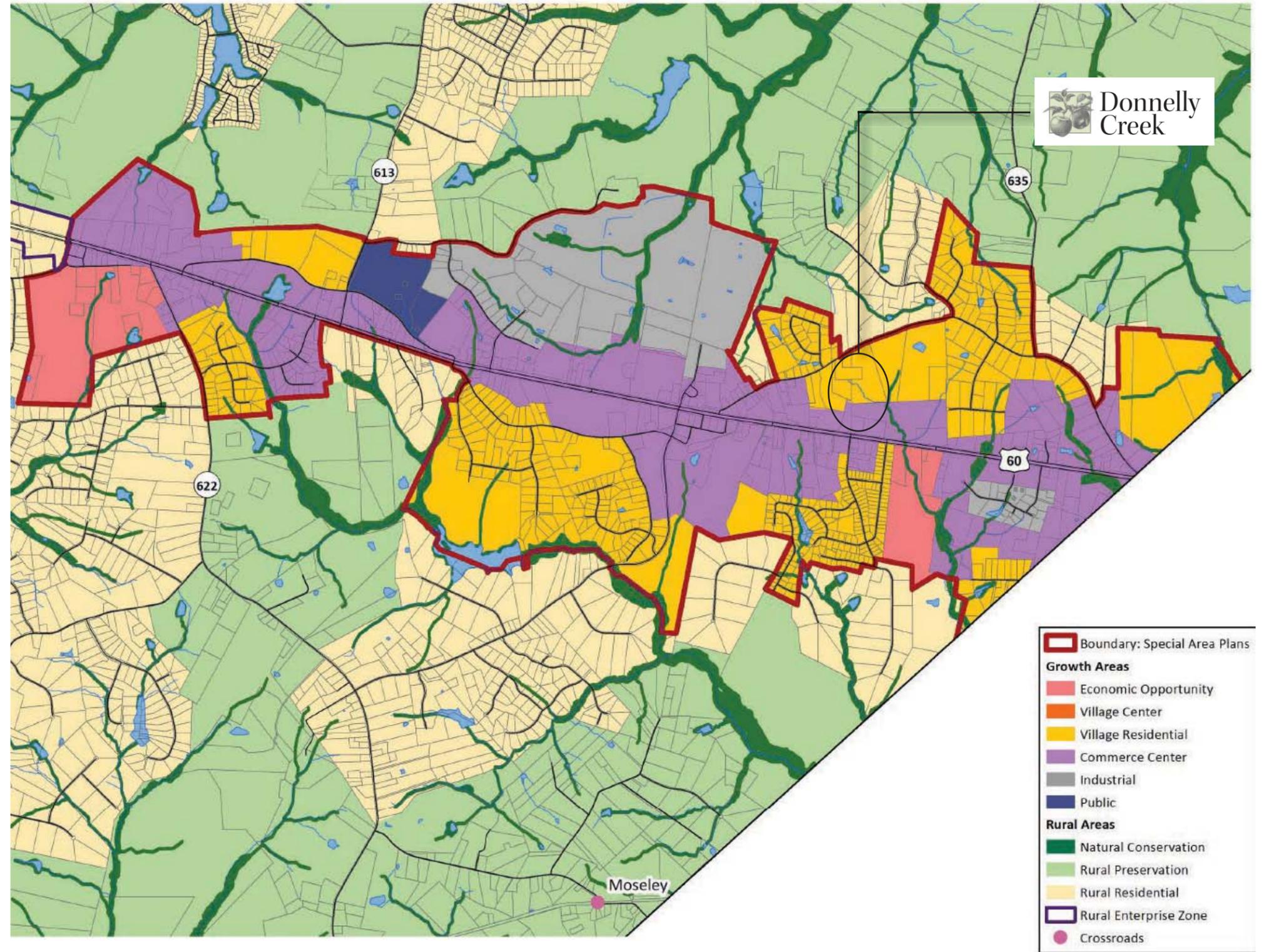


Image courtesy of 2019 Powhatan County Long Range Comprehensive Plan



Master Plan

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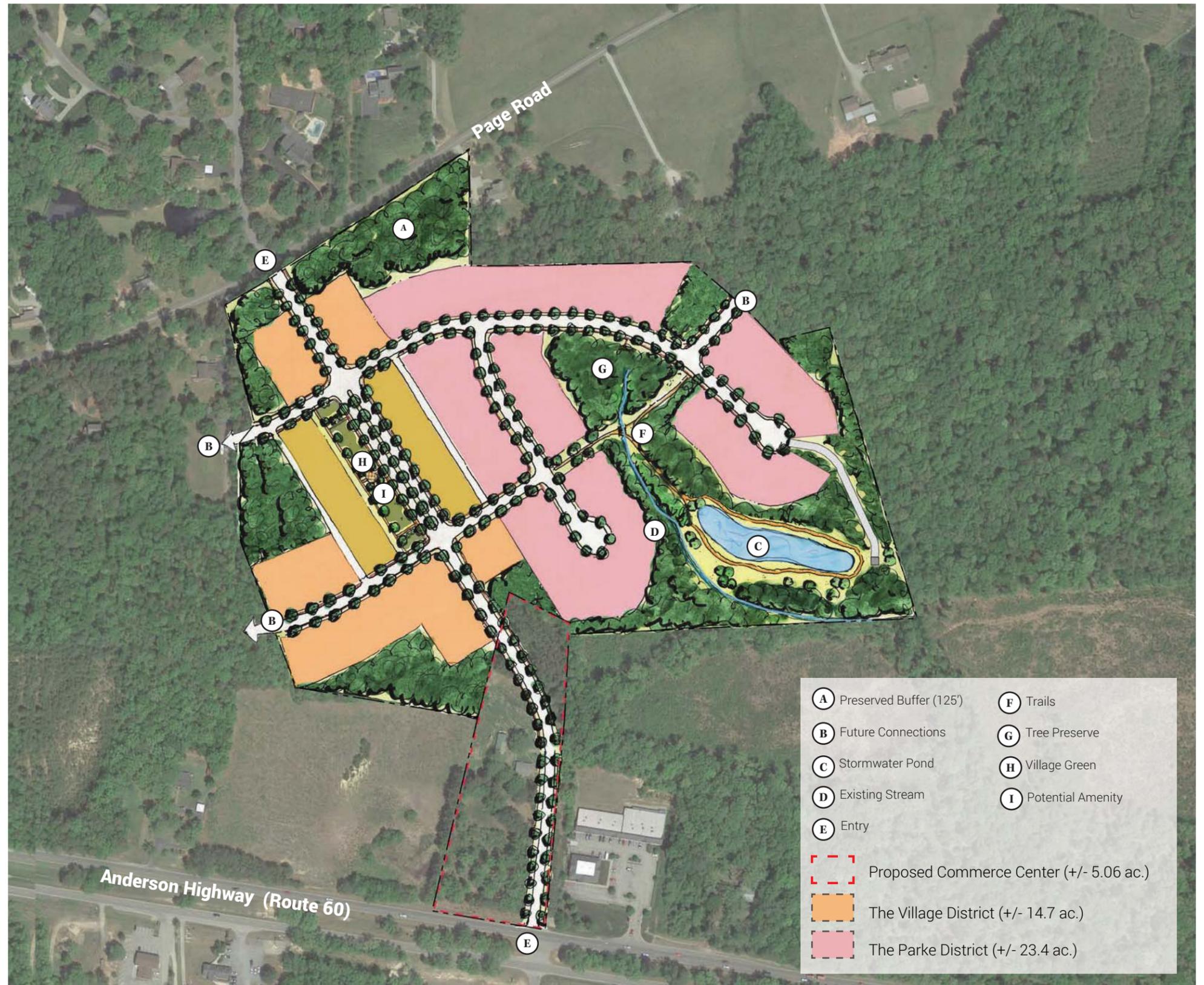
Master Plan

Illustrative Master Plan

Donnelly Creek is envisioned as a distinct, vibrant community, evoking a traditional neighborhood aesthetic with a variety of home and lot sizes. The name of the community pays tribute to the original property owner and the existing creek flowing across the property, which is preserved and emphasized in the natural open space within the community. Inside the neighborhood, homes relate to the street with gracious facades and varied setbacks to enliven the streetscape. The interconnected streets create a pattern of blocks through The Village and transform into a more curvilinear design, meandering through the Parke district. Open space design is key to the heart of the neighborhood, with each home in close proximity to a park, whether it be the formal Village Green or the Donnelly Park and Preserve. Jogging trails through Donnelly Park connect to sidewalks throughout the neighborhood, creating an active, walkable community. A 125'+ natural buffer along Page Road respects the lower intensity development to the north and creates a seamless transition from Donnelly Creek to those larger-lot neighborhoods, while still providing a connection to the commercial establishments along Route 60.

Donnelly Creek is comprised of two distinct residential districts: The Village and The Parke Lots. The community features two separate parks: The Village Green and Donnelly Park and Preserve. The community is proposed with an overall maximum density of +/-2.07 single-family residential dwellings per acre (no more than 79 homes).

This Master Plan book frequently references the 2019 Powhatan County Long Range Comprehensive Plan. County Strategies and Goals are highlighted not simply to show how the proposal conforms, but because we believe wholeheartedly in the vision it sets forth.



Master Plan

Site Inspiration & Vision



Master Plan

Home Inspiration & Vision



Master Plan

Illustrative Section Elevations





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District Guidelines

Powhatan County's Goal: Housing

Powhatan County will have a diverse range of housing that provides living opportunities for residents at all stages of their life.

Strategies

- Encourage developers to incorporate Universal Design principles into new construction, creating housing that allows older residents to age in place.
- Services, including sewer and water, should be made available for residential development (for a fee) in the focused growth areas indicated in the special area plans, to allow for higher density of residential development.

"There are limited options available for low-maintenance housing on smaller lots. Lack of housing choice may make it difficult for existing residents to find suitable housing as their circumstances change, or for new home buyers to secure housing that meets their needs. Providing a diverse stock of housing, consisting of styles, sizes, prices and locations, will allow the county to meet the needs and preferences of its residents, and to be more resilient to changes in the housing market."

- Text courtesy of 2019 Powhatan County Long Range Comprehensive Plan

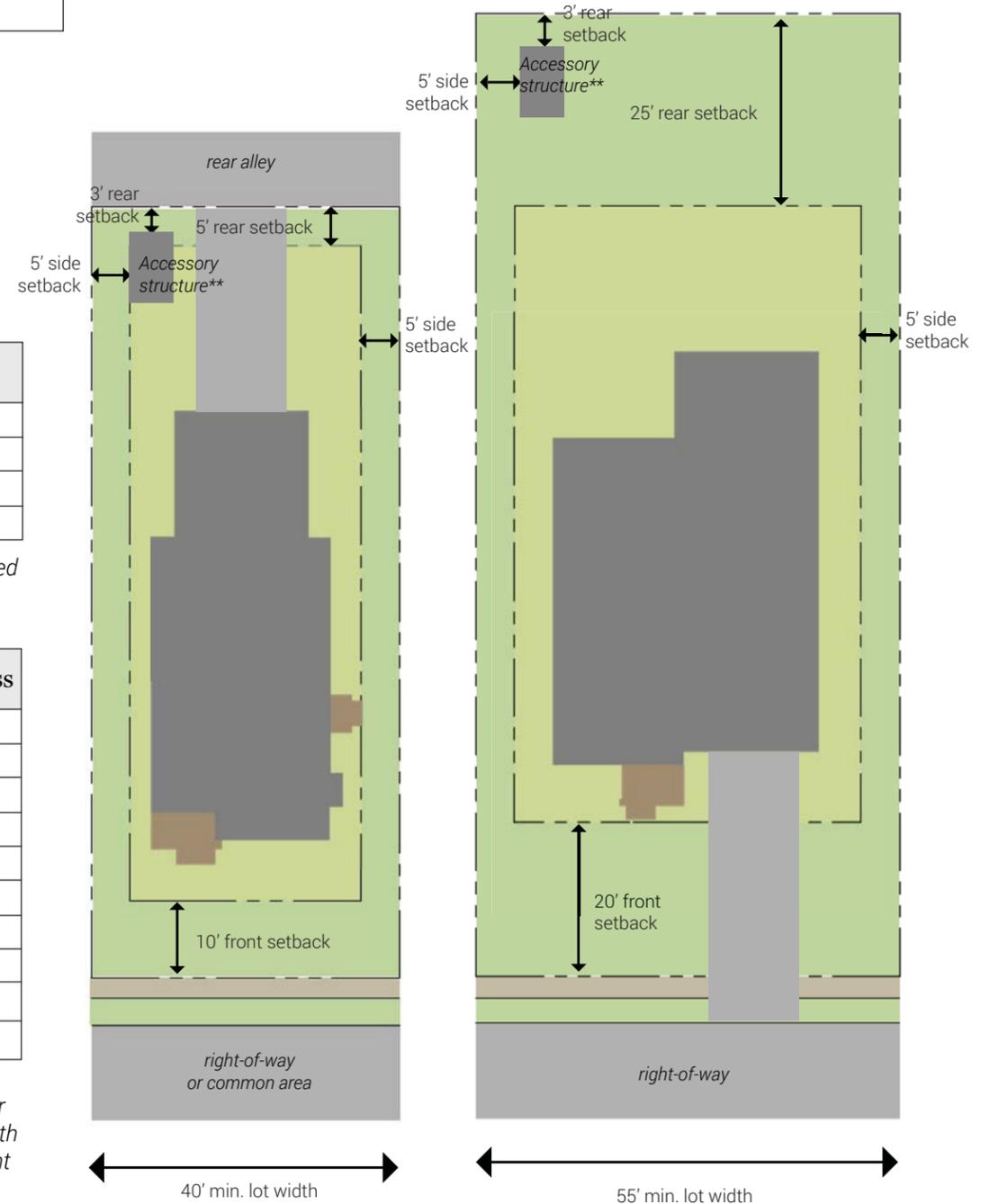
The Village District

The heart of the community is The Village District, centered around a new connector road proposed in the County's Major Thoroughfare Plan, and enlivened by The Village Green to host block parties, pick-up soccer games, and impromptu afternoon picnics. Most of the homes in The Village will have rear-loaded garages through private alleys. While the gridded street layout enhances the traditional neighborhood design, the main roadway is designed with a landscaped median and sidewalks along both sides to encourage both pedestrian activity and slower vehicular speeds. The Village roadway network provides two stubs to the parcel east in order to allow for a cohesively planned community as set forth in the County's Comprehensive Plan, should that parcel be developed in the future.

The Village district contains the smallest of the home and lot sizes. Homes will be situated close to one another and will typically range in size from 1,400 - 2,000 square feet.

Accessory Structures**	
Minimum Yards	
Side Yard	5'
Rear Yard	3'
Corner Yard	10'

** Accessory structures shall only be permitted behind the principal structure



Village Lots with Rear Alley Access	
Minimum Lot Width	40'
Minimum Lot Area	4,000 SF
Minimum Yards	
Front Yard	10'
Side Yard	5'
Rear Yard	5'
Corner Lot Yard	10'
Maximum Building Height	35'
Maximum Front Yard	20'
Maximum Lot Coverage	65%

Village Lots Without Rear Alley Access	
Minimum Lot Width	55'
Minimum Lot Area	7,000 SF
Minimum Yards	
Front Yard	20' *
Side Yard	5'
Rear Yard	25'
Corner Lot Yard	10'
Maximum Building Height	35'
Maximum Front Yard	30'
Maximum Lot Coverage	60%

* Front facing attached garages shall be permitted only if they are setback at least four (4) feet from the front façade of the house, with façade being identified as the edge of the front porch or stoop closest to the road, and if no front porch or stoop, the front of the footings of the residence.

District Guidelines

The Parke District

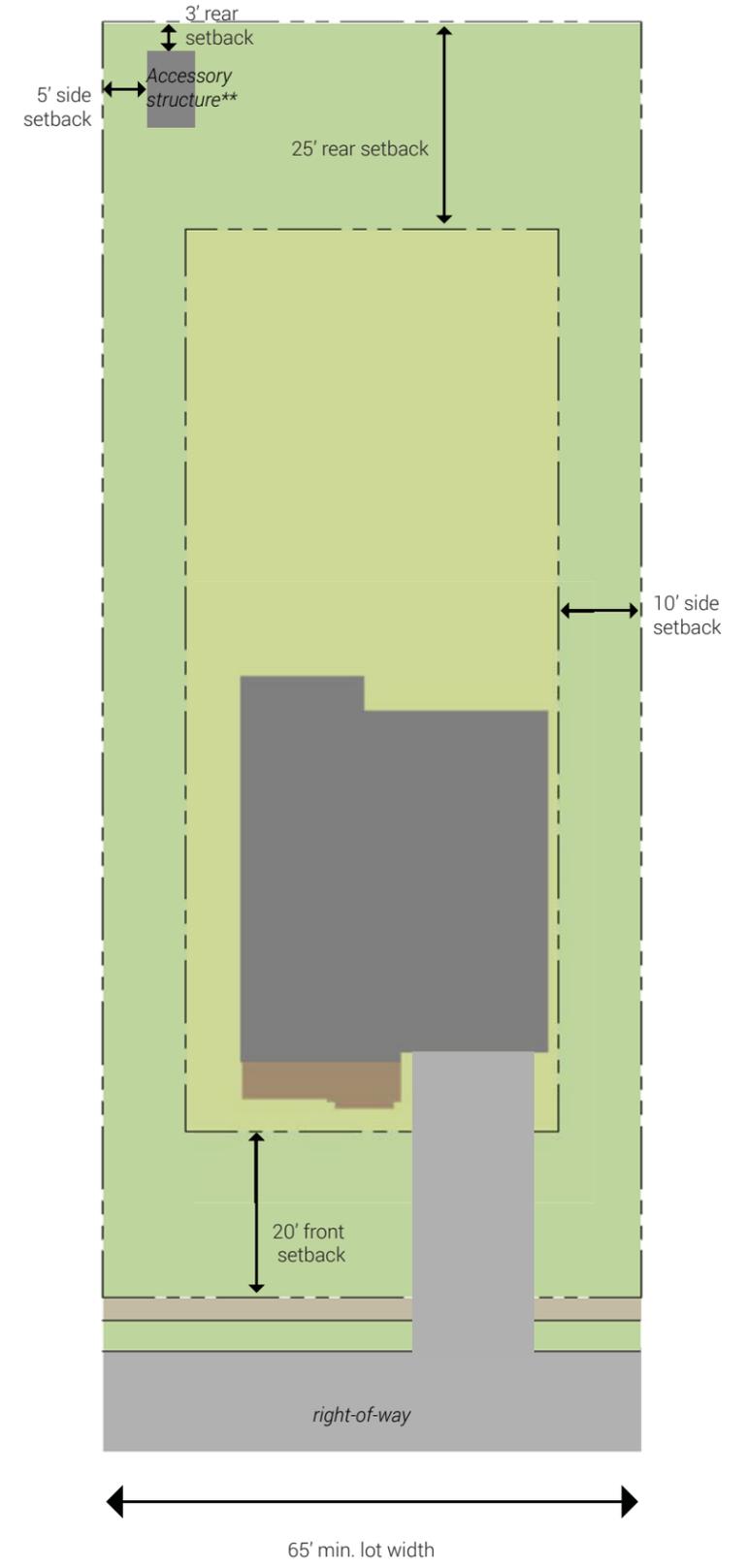
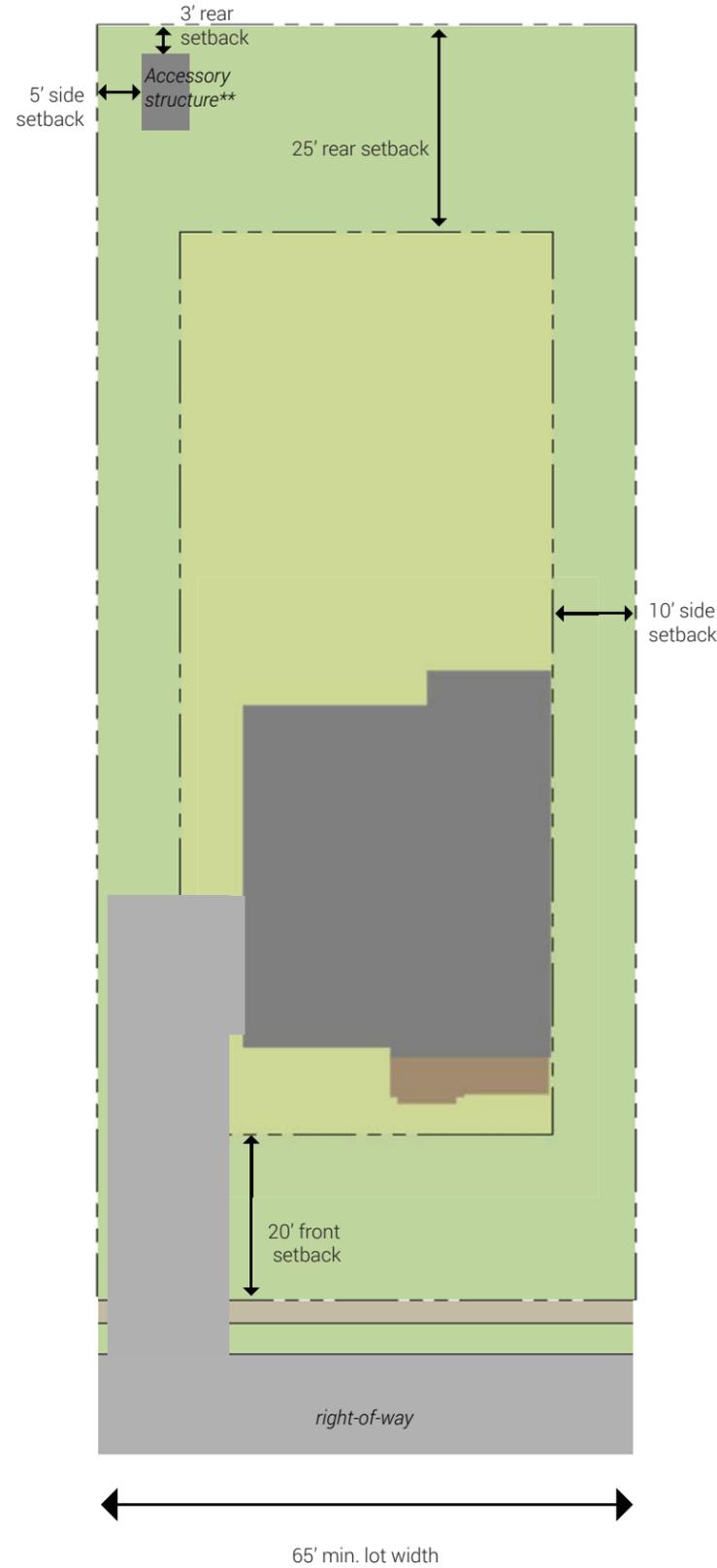
The Parke District is designed with the +/- 7-acre Donnelly Park and Preserve at its core. The streets begin to take on a more curvilinear design, meandering through the property's natural topography and environmentally sensitive lands. The homesites in The Parke are wider to allow for a more varied streetscape and are built to address the sloping topography as it falls toward the pond. Homes in The Parke will generally range in size from 1,800 - 2,500 square feet.

Parke Lots	
Minimum Lot Width	65'
Minimum Lot Area	8,000 SF
Minimum Yards	
Front Yard	20' *
Side Yard	10'
Rear Yard	25'
Corner Lot Yard	20'
Maximum Building Height	35'
Maximum Front Yard	40'
Maximum Lot Coverage	60%

Accessory Structures**	
Minimum Yards	
Side Yard	5'
Rear Yard	3'
Corner Yard	10'

** Accessory structures shall only be permitted behind the principal structure

* Front facing attached garages shall be permitted only if they are setback at least four (4) feet from the front façade of the house, with façade being identified as the edge of the front porch or stoop closest to the road, and if no front porch or stoop, the front of the footings of the residence.



District Guidelines

Additional Information

Conversion Schedule

The row of alley-accessed lots located within The Parke is designated as a “conversion” area. Its location, coupled with the alley access, affords this block the unique opportunity to be developed to either Parke standards or Village standards without impacting the character of the overall neighborhood. The ultimate development of this block to either Parke or Village standards shall be at the discretion of the Developer.



Permitted Uses

Permitted Principal Uses

The following uses are allowable as principal uses in the Donnelly Creek VR-PD District:

1. Dwelling, single-family detached;
2. Park or greenway; and,
3. Utility uses, minor.

Permitted Accessory Uses

The following uses are allowable as accessory uses that are incidental and customarily subordinate to principal uses in the Donnelly Creek VR-PD District:

1. Home garden;
2. Home occupation;
3. Open space, park, playground, or recreational facility; and,
4. Swimming pool, spa, or hot tub.

Permitted Temporary Uses

The following uses are allowable as temporary uses of limited duration, in the Donnelly Creek VR-PD District:

1. Garage or yard sale;
2. Model sales home/unit;
3. Post-disaster temporary dwelling; and,
4. Temporary construction-related structure or facility.

The following use is allowable as a temporary use of limited duration in the Donnelly Creek VR-PD District, only on approval of a temporary business permit:

1. Estate sale/auction.

District Acreages & Densities

VR-PD Village District*:	+/- 14.67 acres	+/- 32 - 40 dwellings	+/- 2.2 - 2.7 du/ac.
VR-PD Parke District*:	+/- 23.42 acres	+/- 39 - 47 dwellings	+/- 1.7 - 2.0 du/ac.
Total VR-PD:	38.09 acres	Max. of 79 dwellings	2.07 du/ac.
Total CC:	5.06 acres		

* District acreages and densities are approximate and are based on a conceptual layout. The actual acreages and densities may vary slightly based on the final layout of the Property.



Open Space & Design

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Open Space & Design

Overview

A minimum of twenty percent of the site shall be set aside as open space, with at least 40% of the open space dedicated to active recreational areas. Two separate parks are proposed within Donnelly Creek, one formal green and one active park, connected with a network of walking/ jogging trails and sidewalks.

Open Space Calculations		
	Open Space Recommended	Open Space Provided
Percentage (Total)	20%	25%
Acreage (Total)	7.62 acres	9.52 acres

The open space calculations above include only the acreages of the parks and the Page Road buffer, and do not take into account the additional pockets of open space throughout the neighborhood.

The Village Green (+/- 0.75 acres)

The Village Green will be located within the heart of the Village District on Donnelly Parkway and will be a gathering space for neighborhood parties, casual afternoon picnics, or pick-up soccer games. The Village Green will be lined with shade trees, planted with various flowering shrubs and native grasses, and landscaped with sidewalks and benches.



Open Space & Design

Donnelly Park & Preserve (+/- 7 acres)

Donnelly Park & Preserve is centrally located in The Parke District. This neighborhood amenity features a combination of active and passive recreation as well as areas designated for environmental conservation. The community's stormwater management pond is integrated into the Park, and will be transformed with a fountain and a perimeter walking/jogging trail. An additional landscaped greenway with walking trails and a pedestrian bridge will separate these active amenities from the Preserve.



Page Road Buffer (+/- 1.8 acres)

The transition from Donnelly Creek to the adjacent lower-density residential development across Page Road will be accomplished through the retention of a natural 125' buffer along Page Road. This buffer comprises approximately 1.8 acres of open space.



Powhatan County's Goal: Natural Resources

Powhatan County will preserve and protect natural resources and open spaces, including rivers, streams, creeks, forests, wildlife habitats, wetlands, floodplains, soil resources, and dark night skies.

Strategies

- Promote a village concept for new development in areas where sewer and water are available or will be available in the future
- Continue to require a minimum non-disturbance buffers from edge of all wetlands and streams
- Provide cluster development options for landowners and developers, allowing homes to be clustered together on smaller lots, leaving a percentage of the remaining land available for open space or other appropriate uses
- Encourage the construction of pedestrian and/or bicycle facilities whenever new thoroughfare roads are built or when existing thoroughfares are widened, in accordance with a master plan.
- Increase usage of energy conservation measures and green building techniques by encouraging participation from builders in green certification programs.

"Most new residential development in suburban and rural areas should be clustered for maximum open space preservation and natural resource protection. The county's efforts will preserve valued wetland areas and broad forested buffers, which filter runoff and enhance biodiversity."

- Text courtesy of 2019 Powhatan County Long Range Comprehensive Plan

Environmental Features

Within the heart of the Parke District in Donnelly Creek lie wetlands and an intermittent stream, which are respected and celebrated through the creation of Donnelly Park & Preserve. The Preserve is a pristine, undisturbed area, while Donnelly Park incorporates the stream and its wide buffers into the open space design. Homes in the Parke District will overlook, but not intrude upon, the stream and its buffer, and a pedestrian greenway and trail network will run alongside the creek before encircling the pond created onsite. As required in the Powhatan County Zoning Ordinance, riparian buffers of at least 100' abutting a perennial stream and 50' abutting an intermittent stream shall be provided.

Environmentally-Friendly Building Practices

As a homebuilder, Eagle Construction knows the importance of energy-efficient and green building, and partners with a national firm known as Pearl Certification that provides third-party certification of high-performing homes: homes with "performance assets" that make them healthy, safe, comfortable, energy- and water-efficient. Pearl's certification system is based on building science and was developed in consultation with national experts on energy efficiency and home performance, and with technical assistance from the National Renewable Energy Laboratory (NREL). Pearl's certification system takes into account how well an asset like insulation or a cooling system was installed, and also accounts for tools that allow a homeowner to view, understand and improve their home's performance.





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Powhatan County's Goal: Transportation

Powhatan County will have a transportation system that is coordinated with land use patterns and community character, with an acceptable level-of-service that supports economic development and maintains a high-quality of life.

Strategies

- Implement the County's Major Thoroughfare Plan according to the recommended project prioritization, as funds are available.
- Encourage pedestrian and bicycle improvements, especially in new developments, to enhance walkability and provide valuable recreation and health benefits.

"The Countywide Future Land Use Plan envisions how land will be developed over the next twenty to thirty years, while the Major Thoroughfare Plan identifies roadway improvements that area needed to support projected growth. The Major Thoroughfare Plan and recommended transportation strategies are consistent with the updated land use plan and other policies identified in the comprehensive plan."

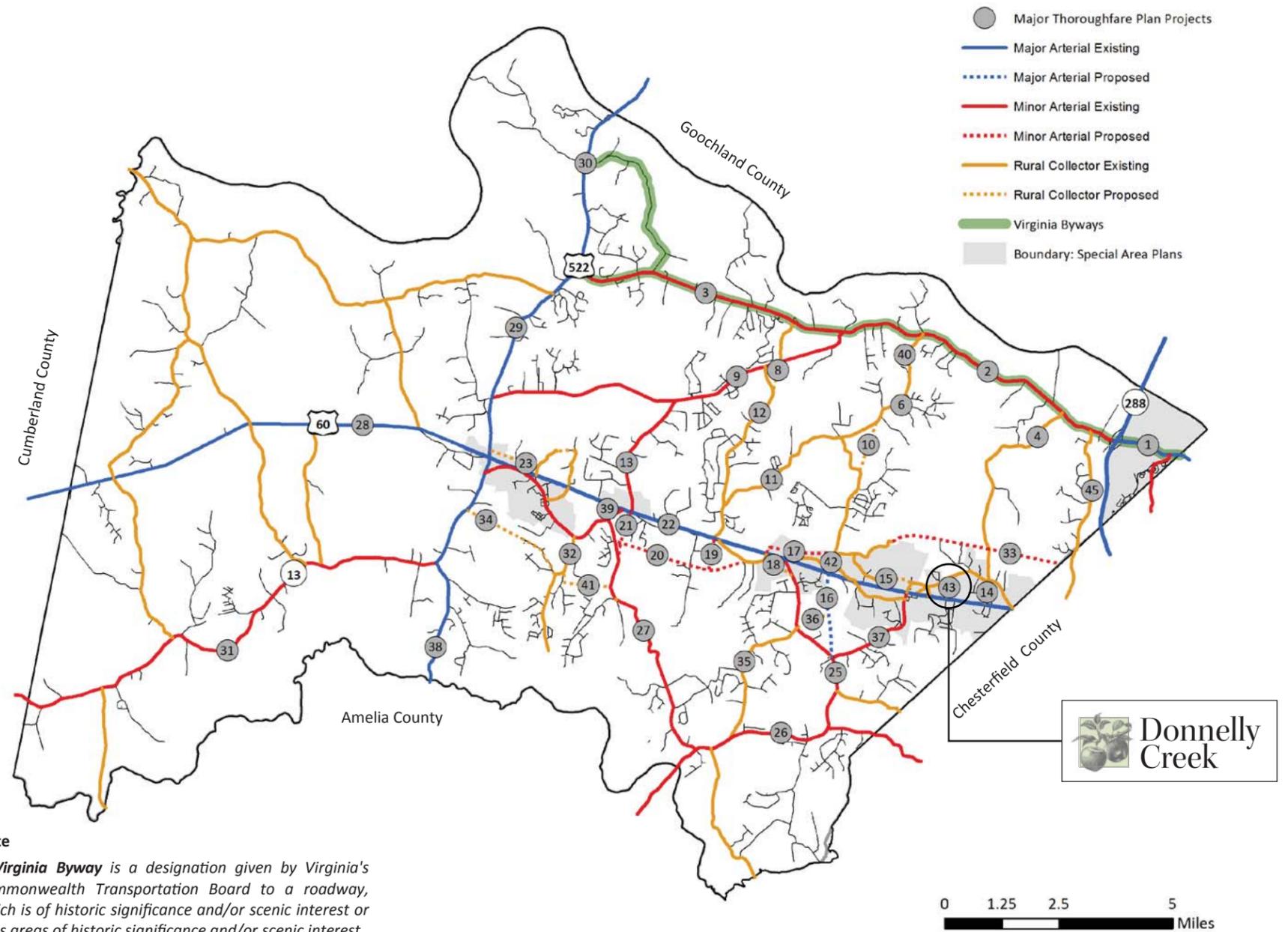
- Text courtesy of 2019 Powhatan County Long Range Comprehensive Plan

Page Rd/ Rt. 60 MTP Connector Road

The County's Major Thoroughfare Plan (MTP) identifies a new two-lane road through Donnelly Creek connecting Page Road to Anderson Highway (Rt. 60) as a short term priority for the County. The Plan estimates the cost to construct this new roadway to be nearly \$3.5 million. Not only is this proposed roadway incorporated into the Donnelly Creek neighborhood, it has been designed as a focal element with a landscaped median, an adjacent park, and sidewalks and parking along the roadway.

Commitment to Construct & Dedicate

The Developer shall construct all public roadways to VDOT standards and shall dedicate these roadways as public right-of-ways.



Note

A **Virginia Byway** is a designation given by Virginia's Commonwealth Transportation Board to a roadway, which is of historic significance and/or scenic interest or links areas of historic significance and/or scenic interest.

Image courtesy of 2019 Powhatan County Long Range Comprehensive Plan

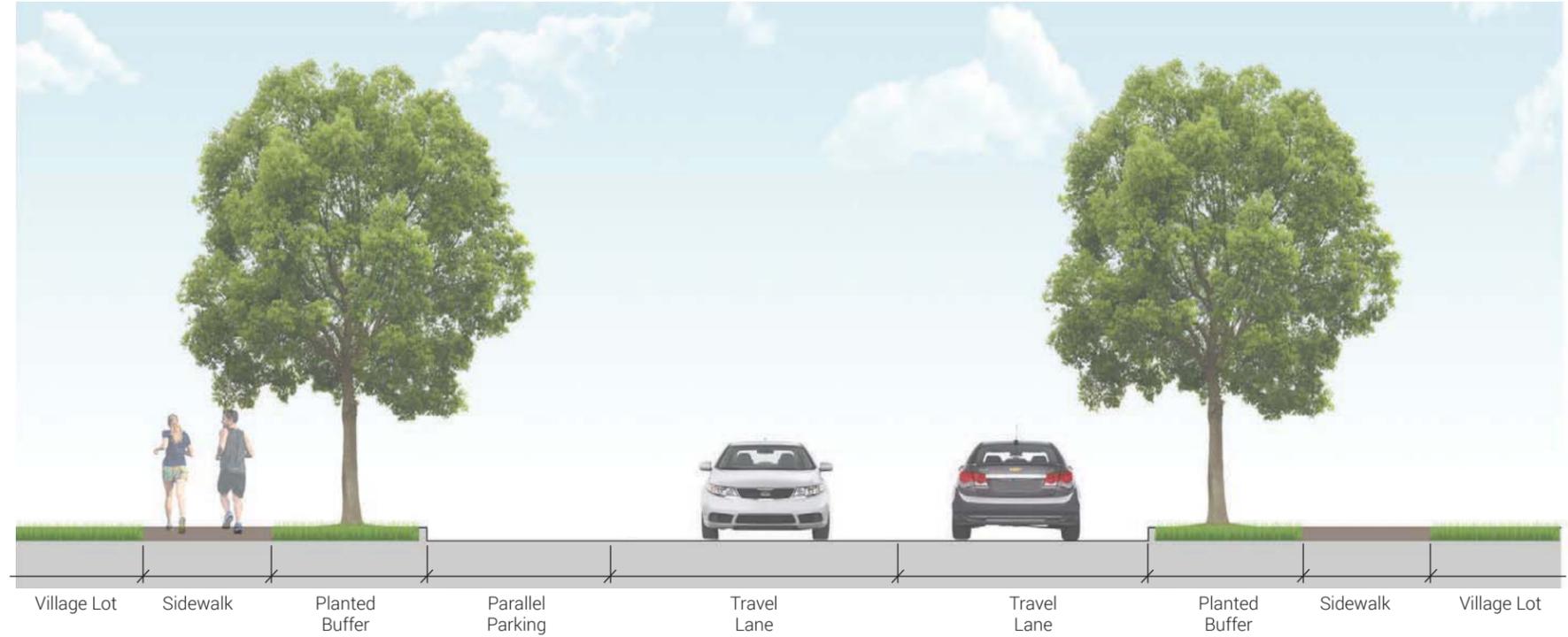
Infrastructure

Thoroughfare Standards

The efficient layout of Donnelly Creek enables a smaller network of public streets, while incorporating private alleys to enhance the neighborhood's village character. Three street stubs will be provided to adjacent parcels also recommended for Village Residential development to allow for cohesive, planned growth in the future.

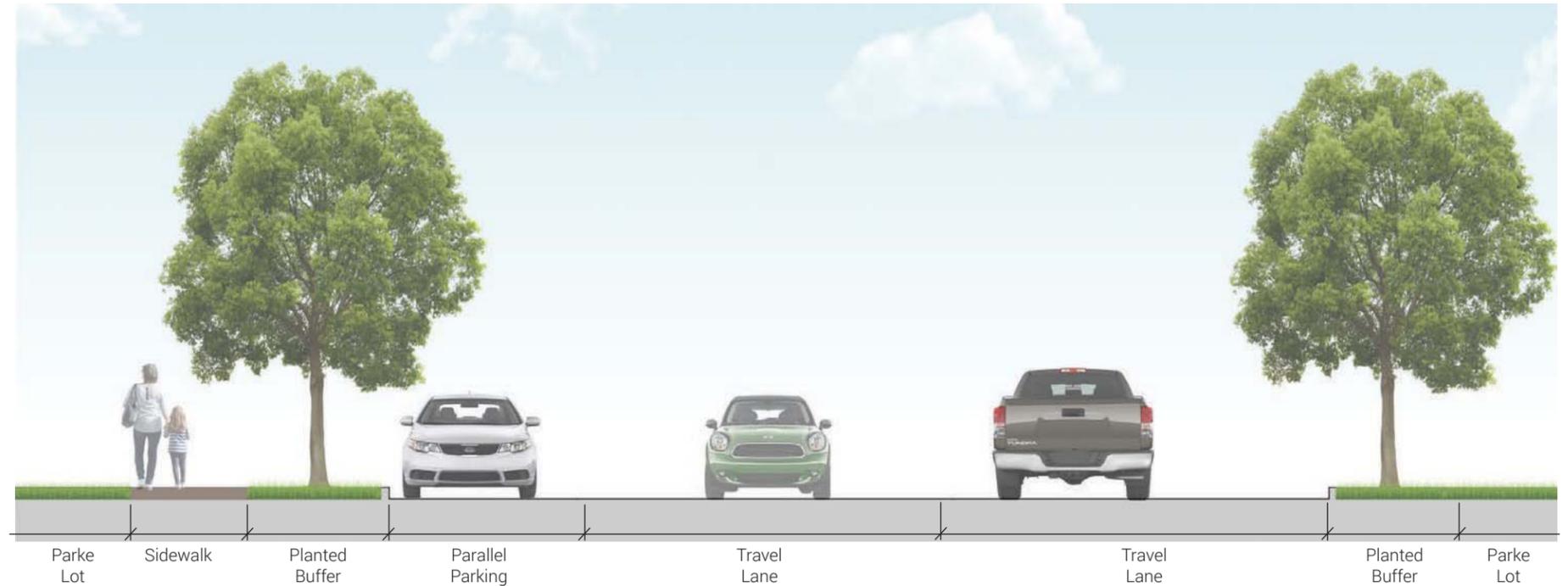
To create a traditional "village" character, the street system within Donnelly Creek is laid out in semi-regular blocks with a grid-like pattern, private alleys and narrow pavement width. On-street parking and sidewalks will be provided throughout the neighborhood. The street network in Donnelly Creek will also provide the two-lane connection from Page Road to Route 60 proposed in the County's Major Thoroughfare Plan. In order to ensure the lower speeds recommended in the Plan, median islands will be incorporated into the design. These islands will also enable additional landscaping in the public realm, while lowering speeds to allow for the safer integration of vehicular and pedestrian traffic.

The street stubs and walking/ jogging trail will be provided to adjacent parcels also designated Village Residential to allow to cohesive, planned growth in the future.



Village District ROW

Neighborhood Street (Public): Neighborhood streets will typically be designed with two travel lanes and on-street parking on one side of the street. In the heart of the Village, streets will be constructed with sidewalks on both sides, while the Village District's periphery and the Parke District will have sidewalks on one side of the street.



Parke District ROW

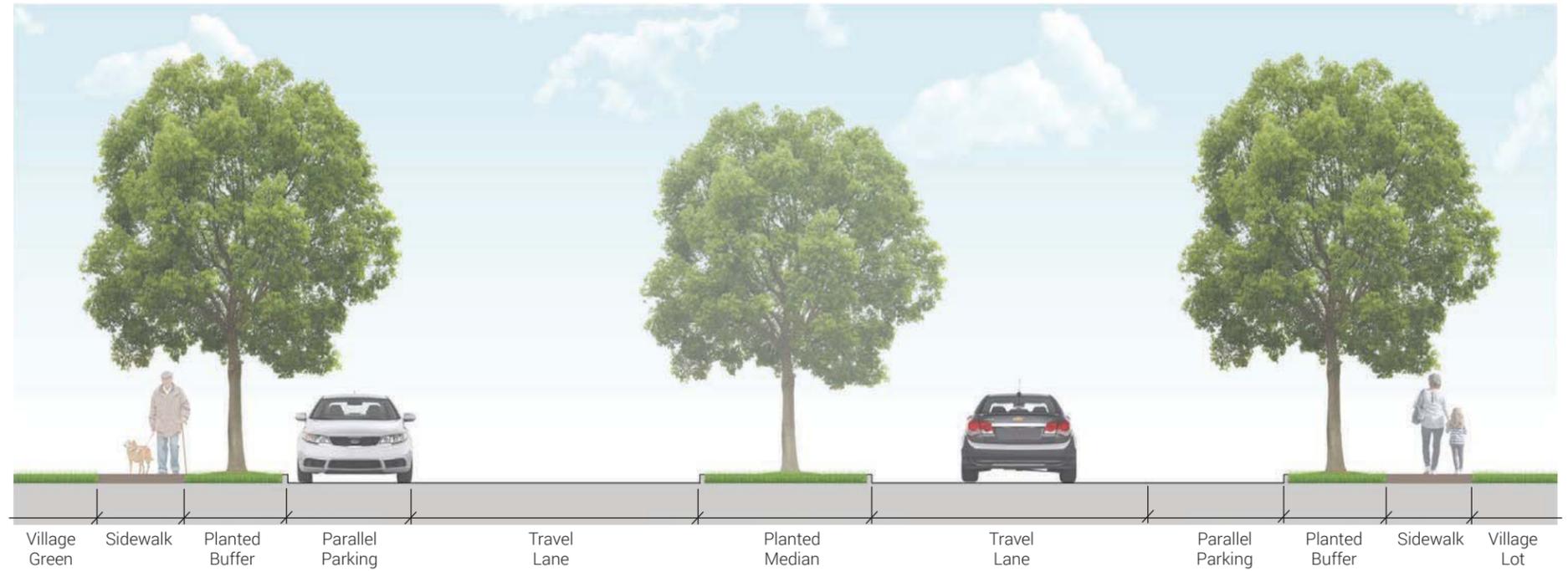
Infrastructure

Thoroughfare Standards

Central Village Boulevard (Public): In the heart of The Village, adjoining the Village Green, the right-of-way expands to accommodate a landscaped median, on-street parking in both directions and sidewalks on both sides of the street.

Alleys (Private): Alleys located in the Village District will be a maximum of 20' wide and will be privately maintained by the Homeowner's Association.

Stub Roads: Donnelly Creek is designed with three stub roads connecting to adjacent parcels also recommended for Village Residential development. The opportunity to link to the neighboring properties will allow for a more cohesive, well-designed overall community at such time as those properties are developed, as recommended in the County's Comprehensive Plan.



Village District Boulevard



Private Alley

Infrastructure

Public Utilities

Powhatan County's Goal: Infrastructure and Community Facilities

Powhatan County will provide infrastructure and community facilities in a fiscally-responsible manner with adequate levels-of-service, consistent with the proposed future land use plan.

Objectives

- Plan for compatible higher-density mixes of uses in areas where infrastructure is planned.
- Locate new infrastructure and community facilities to promote compact development in focused location within the Route 60 Corridor East, Route 711 and Courthouse Village areas.

"The intent is to direct growth to locations where the county has planned for utility services. Utility services are needed to support more intense development within the service area, aligning with recommendations made in the comprehensive plan... There is considerable interest in promoting a mix of residential and business use along Route 60. There are currently limited residential customers, as previously policy has been to reserve capacity for business uses. This policy will change as Powhatan County promotes housing opportunities along the corridor in the updated County-wide Land Use Plan."

- Text courtesy of 2019 Powhatan County Long Range Comprehensive Plan

Water and Wastewater Facilities & Infrastructure

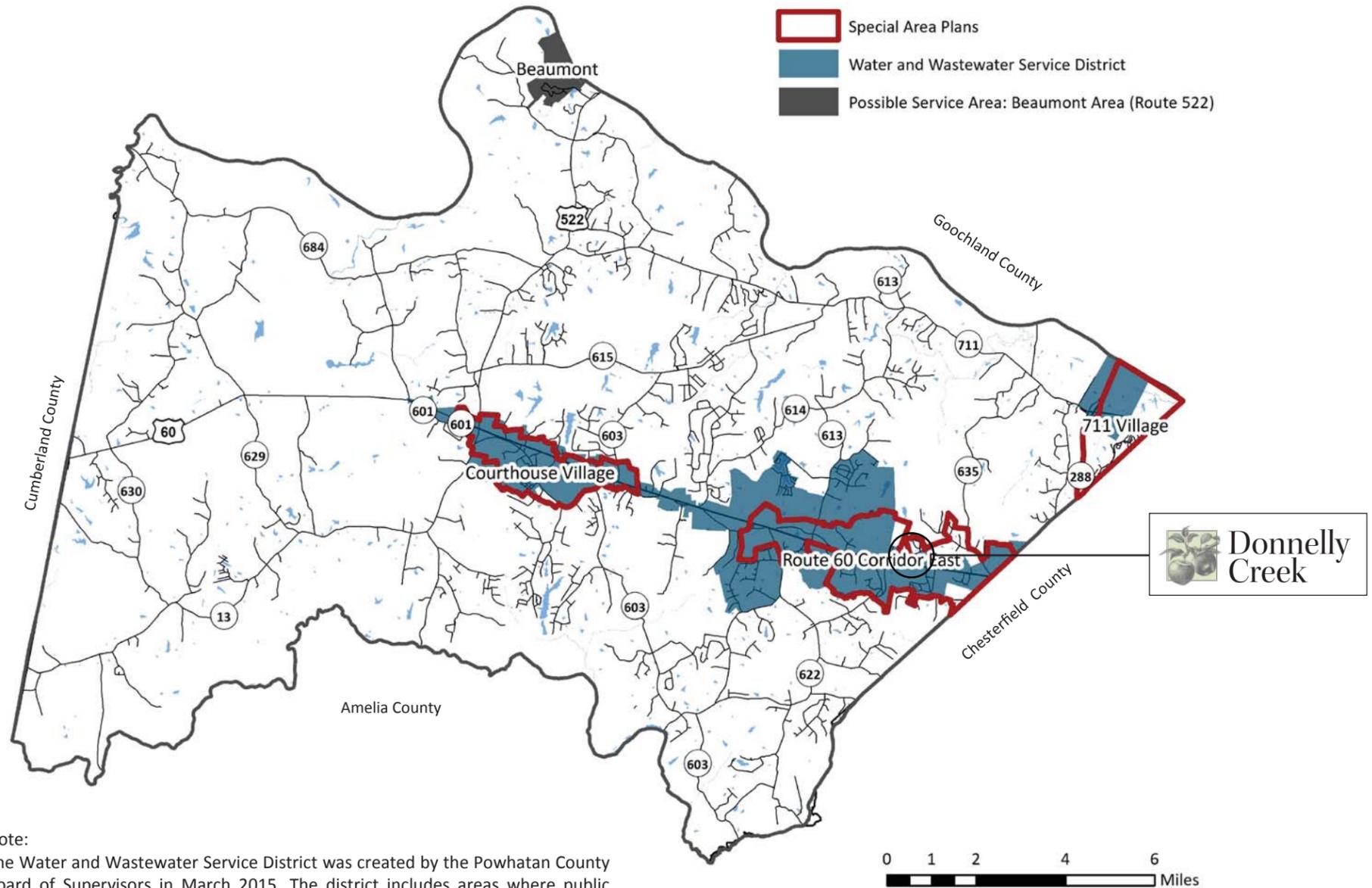
As outlined in the 2015 Water and Wastewater Master Plan and shown on the Water and Sewer Service Areas Map, Donnelly Creek is located within the Water and Wastewater Service District. Based on the 2015 Plan, the county currently has capacity to serve Donnelly Creek as proposed.

Commitment to Construct & Dedicate

In order to provide the residents of Donnelly Creek with public water and sewer services, the Developer will construct the necessary infrastructure to connect to the existing services located along Route 60 in accordance with County standards, and will dedicate the infrastructure to Powhatan County.

Stormwater Management Facilities

Donnelly Creek will have a coordinated stormwater management plan that meets all applicable governmental regulations. The neighborhood's stormwater management pond will be located in the southeastern corner of the site where the topography is naturally suited for this use. The pond, with a fountain feature, will serve as the centerpiece of the neighborhood's Donnelly Park.



Note:
The Water and Wastewater Service District was created by the Powhatan County Board of Supervisors in March 2015. The district includes areas where public utilities exist or are planned.

See page 31 for more information on locations where development may be served by public utilities.

Image courtesy of 2019 Powhatan County Long Range Comprehensive Plan





Appendix

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Proffers

The following proffers shall apply to property zoned VR-PD Village Residential Planned Development:

1. PD Plan

Development of the Property shall be in general conformance with the Donnelly Creek VR-PD Plan, entitled “Donnelly Creek - Powhatan, Virginia, Master Plan and Design Guide” and dated October 23, 2019.

2. Density

No more than seventy-nine (79) new single-family detached dwellings shall be constructed on the Property.

3. Buffers

Any newly created Parke or Village residential lot directly adjacent to a neighboring parcel not situated within the Donnelly Creek PD shall be planted with a Type A – Basic Buffer along said property line. Aforementioned buffer shall be not less than 8’ in width, shall be planted with 2 canopy trees per 100 linear feet, 4 understory trees per 100 linear feet, and 10 shrubs per 100 linear feet, and shall be placed within a landscape easement on the lot. The buffer plantings shall be installed or bonded prior to the issuance of the Certificate of Occupancy for the lot on which they are required.

4. Stormwater Management Pond

The stormwater management pond located in the southeastern portion of the site shall be constructed with a fountain feature.

5. Cash Proffer

The Applicant or its assignees shall pay \$2,753 per newly created residential lot to Powhatan County for public facility improvements (\$869 for public schools or public transportation facilities, \$1,317 for public safety facilities, and \$567 for park facilities). Such payment shall be made prior to the time of the issuance of any Certificate of Occupancy for each dwelling built on each of the lots.

6. Severance

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

7. Page Road Buffer

No newly created Parke or Village lot shall be located within one-hundred twenty-five feet (125’) of Page Road.

8. Age Restriction

Except as otherwise prohibited by the Virginia Fair Housing Law, Federal Fair Housing Law, and such other applicable Federal, State, or Local legal requirements, dwellings constructed on the Property shall be restricted to “housing for older persons” and shall comply with the Virginia Fair Housing Act (Virginia Code 39-96.7, as amended).

9. Improvements to Route 60

The following improvements to the intersection of Route 60 and the primary entrance to the Property shall be constructed prior to the issuance of the first Certificate of Occupancy for any new dwelling on the Property:

- a. Extend the existing eastbound left turn lane from its existing 100’ storage length to a 325’ storage length, or as otherwise approved by the Virginia Department of Transportation.
- b. Extend the existing westbound right turn lane from its existing 175’ storage length to a 450’ storage length, or as otherwise approved by the Virginia Department of Transportation.

10. Construction Traffic

The primary construction entrance to the Property shall be from Route 60.

The following proffers shall apply to property zoned CC Commerce Center:

1. Exterior Materials

At least seventy (70) percent of building facades visible from existing or planned roadways shall be constructed of brick, stone, or other masonry material with a similar appearance, durability, and quality.

2. Parking Lot Surfacing

All parking areas shall be finished with a hard-surface material, and shall be maintained in a smooth, well-graded, clean, orderly, and dust-free condition.

3. Severance

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

4. Ingress/Egress to adjacent parcels

Upon construction of the new public roadway connecting Route 60 to Page Road, an ingress/egress driveway connection shall be provided to the adjacent Parcel 042-73A. Right-of-way will be dedicated from aforementioned roadway to the adjacent parcel 042-74 to allow for future connectivity.

Cash Proffer Methodology

The County’s 2019 Capital Improvement Program was evaluated with regard to projects in Transportation, Public Safety, Schools, and Parks that generated an increase in capacity and were directly impacted by the proposed development. Donnelly Creek’s pro-rated share of these costs was determined by calculating the percentage of Powhatan County’s population generated by the Donnelly Creek neighborhood, and have been proffered as a cash contribution per home.

Category	2015	2019
	Proffer Policy	CIP
School*	1,379.00	869.00
Public Safety	201.00	1,317.00
Library	-	-
Parks & Recreation	184.00	567.00
Public Works	83.00	-
General Government	33.00	-
Total Capital Impact	1,880.00	2,753.00
Total	\$159,800.00	\$217,495.00

** Because this proposal now includes an age-restriction, the proffered amount for public school facility improvements may instead be used to fund transportation improvements related to the ongoing Route 60 Corridor Study, at the sole discretion of Powhatan County.*

Development Phasing

Development in the Donnelly Creek PD will occur in a single phase and will not be controlled by a Development Phasing Plan.

Unified Control

The entirety of the Donnelly Creek PD property will be controlled by the Donnelly Creek PD Plan. Markel Eagle Partners, LLC is under to contract to purchase the properties, contingent upon the rezoning. The properties will be developed per the PD plan book and, after build-out, will be controlled by a Homeowners’ Association.

Appendix
Proffer Details

Project Name	Capacity Increase ?	Direct Impact ?	5 Year CIP Total	Additional	TOTAL	Donnelly Creek's share
Public Safety						
Public Safety Radio System	N	N	\$1,009,000		\$1,009,000	
Courthouse Expansion	Y	Y				
Public Safety Building	Y	Y		\$11,400,000 **	\$11,400,000	\$81,522
Fire/EMS Station #1 Addition	Y	Y	\$2,900,000		\$2,900,000	\$20,738
Fire Station #6 Location	N	N	\$250,000		\$250,000	
Replacement of SC Breathing Apparatus	N	N				
Computer-Aided Dispatch Software/Hardware	N	N				
Fire Station #5 Driveway Improvements	N	N	\$70,000		\$70,000	
Fire Station #4 Driveway Improvements	N	N	\$140,000		\$140,000	
Fire Rescue Boat	Y	Y	\$71,000		\$71,000	\$508
Animal Control Cages	N	N				
Fire Rescue Training Center (Regional)	Y	Y	\$180,000		\$180,000	\$1,287
MDC Replacements	N	N	\$45,000		\$45,000	
Total Public Safety			\$4,665,000	\$11,400,000 **	\$16,065,000	\$104,055
Public Safety (Per Home)						\$1,317
Parks and Recreation						
Fighting Creek Park Expansion Phase #3	Y	Y	\$5,000,000		\$5,000,000	\$35,755
Fighting Creek Park Land Expansion	Y	Y	\$500,000		\$500,000	\$3,576
Softball Complex Concession Facility	Y	Y	\$260,000		\$260,000	\$1,859
Multipurpose Field	N	N				
Additional Practice Field	Y	Y				
Field Improvements - Jr High	Y	Y				
FCP Blue Field Expansion	Y	Y				
Field Improvements - Elementary Schools	Y	Y				
Skate Park and Parking Expansion	Y	Y				
Fighting Creek Park-Lighting Upgrade	N	N				
Athletic Field Improvements - Lighting	N	N	\$758,000		\$758,000	
Development of Recreational Plan	N	N	\$35,000		\$35,000	
Village Building Sports Field	Y	Y	\$500,000		\$500,000	\$3,600
Total Parks and Recreation			\$7,053,000		\$7,053,000	\$44,790
Parks and Recreation (Per Home)						\$567
Schools						
Powhatan Junior HS Replacement Renovation	Y	Y				
Joint Vehicle Maintenance Facility	N	N				
School Bus Fleet	N	N	\$5,355,000		\$5,355,000	
School Division Support Vehicle Fleet	N	N	\$635,000		\$635,000	
School Board Office Replacement/Renovation	N	N	\$99,000		\$99,000	
Pocahontas Elementary School Maintenance	N	N	\$2,611,000		\$2,611,000	
Powhatan Elementary School Maintenance	N	N	\$4,225,000		\$4,225,000	
Powhatan High School Maintenance	N	N	\$368,000		\$368,000	
Asphalt Maintenance	N	N	\$35,000		\$35,000	
New Elementary School	Y	Y	\$2,500,000		\$2,500,000	\$17,878
PHS Classroom Additions	Y	Y	\$7,100,000		\$7,100,000	\$50,772
New Wing for Middle School	N	N				
Pocahontas Middle School Repurpose	N	N				
Total School			\$16,938,000		\$16,938,000	\$68,650
School (Per Home)						\$869
Grand Total						
Total Cost			\$28,656,000	\$11,400,000 **	\$40,056,000	\$217,495
Per Home						\$2,753

**Because the addition of 79 age-restricted homes has the potential to accelerate this project's timeframe, the deferred cost of the Public Safety Building has been included in the proffer analysis.

Public Transportation Proffer

As part of the Donnelly Creek proposal, a new collector road would be constructed from Page Road to Route 60, as recommended in the County's Major Thoroughfare Plan (MTP). The MTP estimates the construction of this roadway to cost approximately \$3,400,000. The applicant is proposing to fund and construct the entire roadway as an "in-kind" proffer contribution.

Proffer Calculation Methodology

28,601 Current Population (US Census)
2.6 Persons per Household (PPH) (US Census)

79 Donnelly Creek Proposed Homes
206 Donnelly Creek Proposed Residents (79 homes x 2.6 pph)

28,807 Proposed County Population (Existing plus Donnelly Creek)
(28,601 + 206)

0.72% Donnelly Creek population as % of County population
(DC Proposed Population ÷ Total Proposed County Population)
(206 / 28807)

Category	2015	2019
	Proffer Policy	CIP
Schools*	\$1,379	\$869
Public Safety	\$201	\$1,317
Library	-	-
Parks & Recreation	\$184	\$567
Public Works	\$83	-
General Government	\$33	-
Total Capital Impact	\$1,880	\$2,753
Total	\$159,800	\$217,495

* Because this proposal now includes an age-restriction, the proffered amount for public school facility improvements may instead be used to fund transportation improvements related to the ongoing Route 60 Corridor Study, at the sole discretion of Powhatan County.

Per Section 15.2-2303.4 of the Code of Virginia, cash proffers may only be offered and accepted for public facility improvements, and only if the proffer addresses a need or a portion thereof, and if the new residential use receives a direct and material benefit from the proffer.

The Code defines public facility improvements as specifically relating to:

Public Transportation Facility Improvements

Construction of new roads, improvement or expansion of existing roads, and construction, improvement, or expansion of buildings, structures, parking, and other facilities directly related to transit.

Public Safety Facility Improvements

Construction of new law-enforcement, fire, emergency medical, and rescue facilities, or expansion of existing public safety facilities

Public School Facility Improvements

Construction of new primary and secondary public schools or expansion of existing primary and secondary public schools

Public Parks

Construction of expansion of playgrounds and other recreational facilities

The Code **excludes** operating expenses and ordinary maintenance or repair, as well as any capital improvements to an existing public facility, such as a renovation or technology upgrade, that do not expand the capacity of such facility.

In order to determine the cash proffer offered, the County's FY2019 5-Year Capital Improvement Program was analyzed to determine which improvements increased the capacities of their respective public facilities, and the proffer methodology described above was used to determine the amount attributable to the Donnelly Creek neighborhood.

Attachment #3
Proffer Statement
(Dated October 23, 2019)

Donnelly Creek

Proffer Statement

October 23, 2019

The following proffers shall apply to property zoned VR-PD Village Residential Planned Development:

1. **PD Plan.** Development of the Property shall be in general conformance with the Donnelly Creek VR-PD Plan, entitled “Donnelly Creek - Powhatan, Virginia, Master Plan and Design Guide” and dated October 23, 2019.
2. **Density.** No more than seventy-nine (79) new single-family detached dwellings shall be constructed on the Property.
3. **Buffers.** Any newly created Parke or Village residential lot directly adjacent to a neighboring parcel not situated within the Donnelly Creek PD shall be planted with a Type A – Basic Buffer along said property line. Aforementioned buffer shall be not less than 8’ in width, shall be planted with 2 canopy trees per 100 linear feet, 4 understory trees per 100 linear feet, and 10 shrubs per 100 linear feet, and shall be placed within a landscape easement on the lot. The buffer plantings shall be installed or bonded prior to the issuance of the Certificate of Occupancy for the lot on which they are required.
4. **Stormwater Management Pond.** The stormwater management pond located in the southeastern portion of the site shall be constructed with a fountain feature.
5. **Cash Proffer.** The Applicant or its assignees shall pay \$2,753 per newly created residential lot to Powhatan County for public facility improvements (\$869 for public schools or public transportation facilities, \$1,317 for public safety facilities, and \$567 for park facilities). Such payment shall be made prior to the time of the issuance of any Certificate of Occupancy for each dwelling built on each of the lots.
6. **Severance.** The unenforceability, elimination, revision, or amendment of any proffer set forth herein, in part or in whole, shall not affect the validity or enforceability of the other proffers or the unaffected part of such proffer.
7. **Page Road Buffer.** No newly created Parke or Village lot shall be located within one-hundred twenty-five feet (125’) of Page Road.
8. **Age Restriction.** Except as otherwise prohibited by the Virginia Fair Housing Law, Federal Fair Housing Law, and such other applicable Federal, State, or Local legal requirements, dwellings constructed on the Property shall be restricted to “housing for

older persons" and shall comply with the Virginia Fair Housing Act (Virginia Code 39-96.7, as amended).

9. **Improvements to Route 60.** The following improvements to the intersection of Route 60 and the primary entrance to the Property shall be constructed prior to the issuance of the first Certificate of Occupancy for any new dwelling on the Property:
 - a. Extend the existing eastbound left turn lane from its existing 100' storage length to a 325' storage length, or as otherwise approved by the Virginia Department of Transportation.
 - b. Extend the existing westbound right turn lane from its existing 175' storage length to a 450' storage length, or as otherwise approved by the Virginia Department of Transportation.

10. **Construction Traffic.** The primary construction entrance to the Property shall be from Route 60.

Signature  Date 10/29/19

Donnelly Creek

Proffer Statement
October 23, 2019

The following proffers shall apply to property zoned CC Commerce Center:

1. **Exterior Materials.** At least seventy (70) percent of building facades visible from existing or planned roadways shall be constructed of brick, stone, or other masonry material with a similar appearance, durability, and quality.
2. **Parking Lot Surfacing.** All parking areas shall be finished with a hard-surface material, and shall be maintained in a smooth, well-graded, clean, orderly, and dust-free condition.
3. **Severance.** The unenforceability, elimination, revision, or amendment of any proffer set forth herein, in part or in whole, shall not affect the validity or enforceability of the other proffers or the unaffected part of such proffer.
4. **Ingress/Egress to adjacent parcels.** Upon construction of the new public roadway connecting Route 60 to Page Road, an ingress/egress driveway connection shall be provided to the adjacent Parcel 042-73A. Right-of-way will be dedicated from aforementioned roadway to the adjacent parcel 042-74 to allow for future connectivity.

Signature  Date 10/29/19

Attachment #4
Revised Traffic Assessment:
Donnelly Creek Development
(Dated October 9, 2019)



October 9, 2019

Mr. Andrew Pompei, AICP, CZA
Powhatan County
Planning Director
3834 Old Buckingham Road
Suite F
Powhatan, Virginia 23139

Re: Revised Traffic Assessment – Donnelly Creek Development
Powhatan County, Virginia

Mr. Pompei,

This revised traffic assessment is in regards to the proposed Donnelly Creek Development to be located in Powhatan County, Virginia. As part of the current development plan, it is proposed that a residential use development is to be constructed north of the US 60 (Anderson Highway) and south of Page Road in proximity to the existing US 60 and Holly Hills Road intersection.

As requested by County staff, a traffic impact analysis has been conducted to assess proposed site access impacts expected as a result of site development. Discussions with both VDOT and County staff has been conducted to develop a scope of services for this traffic assessment. Review of the original traffic assessment (dated 7/5/19) has been conducted by the Virginia Department of Transportation (VDOT) and comments (dated 9/6/19) have been provided for inclusion in this revised traffic assessment. Refer to Appendix A for the formal response to comments letter prepared as part of the study revision.

Executive Summary

As proposed, the plan of development looks to construct a residential use development. However, due to the location of adjoining undeveloped property, the addition of potential commercial uses have been included as part of this development plan since access to each property (Donnelly Creek / commercial property) will share in the proposed plan of access at the buildout of Donnelly Creek. The proposed plan of access will provide two points of full movement site access on both US 60 at the existing intersection of US 60 and Holly Hills Road and Page Road at the existing intersection of Page Road and Old Powhatan Estates. Buildout of the proposed site is to include 83 single family residential units; 10,000sf of office land uses; 15,000sf of retail land uses. Refer to Appendix C for the proposed site conceptual site plan.

Analysis of existing peak hour traffic conditions indicates that the northbound left-right movement at the intersection of US 60 and Holly Hill Road is operating at unacceptable levels of service. Analysis indicates that all proposed site access movements are expected to work at acceptable levels of service except for the southbound left-through movement at the intersection of US 60 and Holly Hills Road / Site Drive #1.

Analysis of buildout peak hour traffic conditions (background, approved development, and site volumes) indicates that all study area traffic movements are expected to operate at acceptable levels of service except for the southbound and northbound side street movements at the intersection of US 60 and Holly Hills Road / Site Drive #1. Due to significant peak hour through volumes on US 60, side street movements do not have sufficient gaps in traffic flow to provide for acceptable operations.

Additional analysis of buildout traffic conditions has been provided for the revised traffic assessment such that the proposed Ellis Farm project has been added to buildout peak hour traffic conditions. Analysis of buildout plus pending Ellis Farm site traffic indicates that no significant impacts are expected within the study area for this project. The addition of Ellis Farm site traffic indicates that the study intersections are primarily governed by the prevailing flow of existing and projected background peak hour traffic conditions.

Based on site impacts, it is recommended to provide the following improvements as part of the Donnelly Creek buildout:

- Extend the existing eastbound left turn lane from its existing 100 foot (ft) storage length to a 325ft storage length
- Extend the existing westbound right turn lane from its existing 175ft storage length to a 450ft storage length.

As part of the right turn lane improvement is recommended to restrict existing right turn egress movements at the Powhatan Professional Center and provide internal access to Powhatan Professional Center such that all egress movements from the existing commercial site can utilize the proposed plan of access for Donnelly Creek. All buildout analyses assume a 'worst' case traffic condition that assumes the Powhatan Professional Center egress movements will be provided for at Site Drive #1. Based on turn lane warrant thresholds, turn lanes are not warranted at the intersection of Page Road and Old Powhatan Estates / Site Drive #2.

Existing/Background Traffic Conditions

In order to evaluate site impacts data was collected at all existing study area intersections for the AM (7am to 9am), and PM (4pm to 6pm) peak hours of a typical weekday. Data was obtained by conducting turning movement counts at the existing study area intersections in 15-minute intervals including heavy vehicle counts. Counts have been further analyzed to determine peak hour data for further analysis. Refer to Appendix B for all raw data sets. Refer to Figure 1 in Appendix C for the existing (2019) peak hour traffic conditions.

As determined from data collection efforts, U-turns do occur on US 60 within the study area for this project. Field observations indicate U-turn maneuvers occur on both the east and westbound left turn movements at the intersection of US 60 and Holly Hill Road (eastbound left turn movement: 1vph AM / 7vph PM; westbound left turn movement: 1vph AM / 13vph PM). All U-turn maneuvers have been included in the overall left turn movements detailed in the capacity analysis.

Existing (2019) peak hour traffic conditions have been adjusted to reflect a 2% annual growth rate to determine background (2025) peak hour traffic conditions. Refer to Figure 2 in the Appendix C for the background (2025) peak hour traffic conditions.

Approved Developments

As part of the background analysis for this study all approved developments are to be included as part of the comparative analysis. For this study two approved developments have been included as part of the analysis. Stoneridge Commercial Development is to be developed to the north of US 60 on Luck Stone Road and is expected to include 52,700sf of retail; 6,511sf fast food restaurant; 3,000sf convenience mart; 3,465sf bank. Peak hour site trips for this site was determined as part of a TIA Report submitted by Bowman Consulting dated 9/11/18 and can be found in Appendix D.

Classic Granite is a planned commercial development to be constructed in three phases. It is located on the southwest quadrant of the US 60 and Page Road/County Line Road intersection. The site is approved to develop Phase 1 of the development plan and is expected to include 72,211sf of manufacturing uses; 10,438sf of office uses; 7,881sf of retail uses. Peak hour site trips were developed as part of a TIA Report submitted by Green Light Solutions dated 8/30/18 and can be found in Appendix D.

Refer to Figure 3 for approved peak hour site trips in Appendix C. Background plus approved development peak hour traffic conditions have been determined by combining approved peak hour site trips (Figure 3) and background (2025) peak hour traffic conditions (Figure 2). Refer to Figure 4 in Appendix C for background plus approved (2025) peak hour traffic conditions.

Buildout Traffic Conditions

Buildout site development traffic conditions were determined by analyzing site trip generation numbers for land uses and densities (83 single family residential units; 10,000sf Office; 15,000sf Retail) utilizing the ITE Trip Generation Manual, 10th Edition. Refer to Table 1 for the trip generation results.

**TABLE 1
Buildout Site Trip Generation Results**

Land Use	Density	ITE Code	AM Peak Hour (vph)		PM Peak Hour (vph)		Daily (vpd) Total
			Enter	Exit	Enter	Exit	
Single Family	83 units	210	16	48	54	31	876
Office	10,000sf	710	31	5	2	11	114
Retail	15,000sf	820	99	61	64	69	1,654
Total Buildout Site Trips			146	114	120	111	2,644
Internal Site Trips (10% residential)			7	7	8	8	176
Pass-By Site Trips (34% retail)			26	26	21	21	532
Primary Site Trips			113	81	91	82	1,936

Total buildout site trips have been adjusted to reflect internal, pass-by and primary peak hour site trips. Internal site trips have been determined assuming a 10% capture rate for residential uses. Pass-by site trips have been determined based on a 34% pass-by rate determined from ITE data sets for the 820 (34%) land use. Refer to Figure 5 in the Appendix C for the primary site distribution percentages and Figure 7 for the primary hour site trip assignments. Refer to Figure

6 in the Appendix C for the pass-by distribution percentages and Figure 8 for the pass-by peak hour site trip assignments.

Buildout traffic conditions were determined by combining background plus approved (2025) peak hour traffic conditions (Figure 4) with site traffic conditions determined in Figures 7 and 8. Refer to Figure 9 in Appendix C for the buildout (2025) peak hour traffic conditions.

Pending Development

One pending development (currently being considered by Powhatan County for zoning approval) has been included as part of the study analysis. The proposed Ellis Farm project is proposed to include 249 single family residential units; 80,000sf of assisted living space; 15,000sf of office land uses; 10,000sf of retail land uses. Peak hour site trips were developed as part of a TIA Report submitted by Green Light Solutions dated 6/6/19 and can be found in Appendix D. Pending peak hour site trips have been added to buildout (2025) peak hour traffic conditions (Figure 9). Refer to Figure 10 for buildout plus pending (2025) peak hour traffic conditions.

Traffic Analysis

Existing traffic control and lane geometries have been obtained and utilized for all analysis scenarios for each off-site study intersection. Proposed site drive improvements have been utilized for Site Drive #1. Based on discussions with VDOT and County staff, there are no future roadway improvements expected during the study period for this report.

Analysis has been conducted using Synchro macro-scopic modeling for each traffic scenario. All analysis measures (delay, queues, volume-to-capacity) have been determined utilizing the Synchro modeling exclusively. Existing peak hour factors and heavy vehicle percentages have been utilized for the existing conditions analysis. Peak hour factors have been adjusted to utilize a 0.92 on all existing peak hours below 0.92, and heavy vehicle percentages have been adjusted to reflect a 2% rate on all existing percentages less than 2% for all future traffic analysis scenarios.

Existing (2019) Traffic Analysis

Existing (2019) peak hour traffic conditions detailed in Figure 1 have been analyzed to determine a base line for determining site traffic impacts. Refer to Table 2 for the existing (2019) peak hour analysis results. Refer to Appendix E for the computer printouts of the existing analysis.

TABLE 2
Analysis Summary
Existing (2019) Peak Hour Traffic Conditions

	Intersection	Control	Lane Group	Available Storage ¹	AM Peak Hour			PM Peak Hour		
					Lane LOS	Lane Delay (sec/veh)	Lane Queue (ft) ²	Lane LOS	Lane Delay (sec/veh)	Lane Queue (ft) ²
1.	US 60 (E/W) and Holly Hills Road (N/S)	Stop	NBLR WBL	- 100	F C	704.4 23.9	\$ 52	F B	369.1 11.4	\$ 71
2.	Page Road (E/W) and Old Powhatan Estates (N/S)	Stop	EBL SBLR	- -	A A	7.4 8.9	0 28	A A	7.3 8.6	6 27

NOTES

- (1) – Indicates continuous lane.
- (2) Queues are maximum queue observed as reported by SimTraffic.
- (3) \$ Indicates Delay/Queue incalculable.

Analysis indicates minor street left movements on US 60 are not operating at acceptable levels. This is typical of unsignalized side street movements along heavily traveled corridors such as US 60. Traffic signal improvements are not expected to be warranted at the intersection of US 60 and Holly Hills Road.

Analysis of study area intersections indicates that the following intersection movements are not operating at acceptable levels of service under existing (2019) peak hour traffic conditions:

US 60 and Holly Hills Road

- Northbound left-right turn movement

Analysis of study area intersections indicates that all existing storage bay capacities are maintaining traffic queues generated during the peak hours of the day.

Field observations during data collection efforts affirm failing traffic conditions; however, analytical delay measures are not consistent with field observations. Field observations indicate that delays are not as significant as those calculated by the traffic model. This is typical of the traffic modeling when volume to capacity ratios exceed 1.0.

When such conditions exist, driver behavior becomes more aggressive in order to maneuver vehicles into position. This is further evidences that US 60 side street delays are at unacceptable levels.

Background Plus Approved (2025) Traffic Analysis

Background Plus Approved (2025) peak hour traffic conditions detailed in Figure 4 have been analyzed as part of a comparative analysis to assess site traffic impacts. Refer to Table 3 for the background plus approved (2025) peak hour analysis results. Refer to Appendix F for the computer printouts of the background plus approved analysis.

TABLE 3
Analysis Summary
Background Plus Approved (2025) Peak Hour Traffic Conditions

	Intersection	Control	Lane Group	Available Storage ¹	AM Peak Hour			PM Peak Hour		
					Lane LOS	Lane Delay (sec/veh)	Lane Queue (ft) ²	Lane LOS	Lane Delay (sec/veh)	Lane Queue (ft) ²
1.	US 60 (E/W) and Holly Hills Road (N/S)	Stop	NBLR WBL	- 100	F D	1746.0 30.7	\$ 80	F B	958.3 13.2	\$ 100
2.	Page Road (E/W) and Old Powhatan Estates (N/S)	Stop	EBL SBLR	- -	A A	7.4 8.9	0 30	A A	7.3 8.6	5 27

NOTES

- (1) – Indicates continuous lane.
- (2) Queues are maximum queue observed as reported by SimTraffic.
- (3) \$ Indicates Delay/Queue incalculable.

Analysis indicates minor street left movements on US 60 are not expected to operate at acceptable levels. Further deterioration beyond that determined under existing conditions is expected on all US 60 side street movements. Traffic signal improvements are not expected to be warranted at the intersection of US 60 and Holly Hills Road under background plus approved traffic conditions.

Analysis of study area intersections indicates that the following intersection movements are not expected to operate at acceptable levels of service under background plus approved (2025) peak hour traffic conditions (*italics denotes problem traffic movements determined in prior analysis*):

US 60 and Holly Hills Road

- *Northbound left-right turn movement*

Analysis of study area intersections indicates that all existing storage bay capacities are maintaining traffic queues generated during the peak hours of the day.

Buildout (2025) Traffic Analysis

Buildout (2025) peak hour traffic conditions detailed in Figure 9 have been analyzed as part of a comparative analysis to assess site traffic impacts. Refer to Table 5 for the buildout (2025) peak hour analysis results. Refer to Appendix G for the computer printouts of the buildout (2025) peak hour traffic conditions.

**TABLE 5
 Analysis Summary
 Buildout (2025) Peak Hour Traffic Conditions**

Intersection	Control	Lane Group	Available Storage ¹	AM Peak Hour			PM Peak Hour			
				Lane LOS	Lane Delay (sec/veh)	Lane Queue (ft) ²	Lane LOS	Lane Delay (sec/veh)	Lane Queue (ft) ²	
1. US 60 (E/W) and Holly Hills Road (N/S)	Stop	NBLR	-	F	5303.2	\$	F	2683.8	\$	
		EBL	325	B	10.7	62	D	34.9	304	
		WBL	100	D	30.1	83	B	13.2	113	
	Stop	SBLT	-	F	3226.0	\$	F	37759.0	\$	
		SBR	250	B	12.5	0	E	39.7	39	
2. Page Road (E/W) and Old Powhatan Estates (N/S)	Stop	NBLTR	-	A	8.9	30	A	8.8	29	
		EBL	-	A	7.4	0	A	7.3	6	
		WBL	-	A	7.3	2	A	7.3	5	
		SBLTR	-	A	9.1	30	A	8.6	27	

NOTES

- (1) – Indicates continuous lane.
- (2) Queues are maximum queue observed as reported by SimTraffic.
- (3) \$ Indicates Delay/Queue incalculable.

Analysis indicates that both north and southbound left through movements at the intersection of US 60 and Holly Hills Road / Site Drive #1 are expected to operate at over capacity conditions. Each maneuver is expected to utilize a two stage maneuver to cross US 60 and each has an alternative route that can be utilized for routing purposes. A traffic signal is not expected to be warranted based on buildout traffic conditions.

Analysis of study area intersections indicates that the following intersection movements are not expected to operate at acceptable levels of service under buildout (2025) peak hour traffic conditions (italics denotes problem traffic movements determined in prior analysis):

US 60 and Holly Hills Road

- *Northbound left-through-right turn movement*
- Southbound left-through movement
- Southbound right turn movement

Analysis of study area intersections indicates that the following intersection movements are not expected to operate within available turn lane storage capacity under buildout (2025) peak hour traffic conditions (italics denotes problem traffic movements determined in prior analysis):

US 60 and Holly Hills Road

- Westbound left turn movement

Buildout plus Pending (2025) Traffic Analysis

Buildout plus pending (2025) peak hour traffic conditions detailed in Figure 10 have been analyzed as part of a comparative analysis to assess site traffic impacts. Refer to Table 6 for the buildout plus pending (2025) peak hour analysis results. Refer to Appendix H for the computer printouts of the buildout plus pending (2025) peak hour traffic conditions.

TABLE 5
Analysis Summary
Buildout plus Pending (2025) Peak Hour Traffic Conditions

	Intersection	Control	Lane Group	Available Storage ¹	AM Peak Hour			PM Peak Hour		
					Lane LOS	Lane Delay (sec/veh)	Lane Queue (ft) ²	Lane LOS	Lane Delay (sec/veh)	Lane Queue (ft) ²
1.	US 60 (E/W) and Holly Hills Road (N/S)	Stop	NBLR	-	F	5303.2	\$	F	3450.9	\$
			EBL	325	B	10.9	54	E	36.2	324
			WBL	100	D	31.0	98	B	13.5	109
		Stop	SBLT	-	F	3555.8	\$	F	37759.0	\$
			SBR	250	B	12.7	2	E	41.0	29
2.	Page Road (E/W) and Old Powhatan Estates (N/S)	Stop	NBLTR	-	A	9.0	30	A	8.9	31
			EBL	-	A	7.4	0	A	7.3	0
			WBL	-	A	7.3	1	A	7.3	3
			SBLTR	-	A	9.2	28	A	8.7	27

NOTES

- (1) – Indicates continuous lane.
- (2) Queues are maximum queue observed as reported by SimTraffic.
- (3) \$ Indicates Delay/Queue incalculable.

Analysis indicates that the addition of Ellis Farm site traffic is expected to have a marginal impact to the study area. The primary impact of the pending development traffic is expected to occur on the eastbound left turn movement during the PM peak hour. Delays are expected to increase to LOS E and queues are anticipated to exceed proposed storage bay lengths.

Analysis of study area intersections indicates that the following intersection movements are not expected to operate at acceptable levels of service under buildout plus pending (2025) peak hour traffic conditions (*italics denotes problem traffic movements determined in prior analysis*):

US 60 and Holly Hills Road

- *Northbound left-through-right turn movement*
- Eastbound left movement
- *Southbound left-through movement*
- *Southbound right turn movement*

Analysis of study area intersections indicates that the following intersection movements are not expected to operate within available turn lane storage capacity under buildout plus pending (2025) peak hour traffic conditions (*italics denotes problem traffic movements determined in prior analysis*):

US 60 and Holly Hills Road

- *Westbound left turn movement*

Conclusions

Traffic impacts expected as a result of the proposed site are to be fully mitigated for all proposed traffic movements except for the southbound left-through and right turn movements at the intersection of US 60 and Holly Hill Road / Site Drive #1. Due to heavy peak hour volumes on US 60 the southbound left-through movement is expected to operate at over capacity levels under buildout peak hour conditions.

Due to side street volumes that do not meet warrants for installation of a traffic signal, mitigation of over-capacity conditions will depend on the ability of side street traffic to reroute to better operating facilities on US 60. Southbound movements rerouting are expected to occur via Site Drive #2 on Page Road which will provide indirect access to the existing signalized operation at US 60 and Stavemill Road.

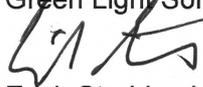
Northbound left turn traffic movements on Holly Hills Road at the US 60 intersection also have an alternative route to the unsignalized intersection of US 60 and Dogwood Road or rerouting to a northbound right turn lane in order to conduct a U-turn maneuver at the existing median crossing located at Dogwood Road. Where neither of these maneuvers are ideal, the long term solution for this type of side street operation along US 60 is the continued effort to provide parallel facilities along US 60 that will provide routes for side street traffic to gain access to up and down stream signalized operation on US 60.

Analysis of Page Road and Old Powhatan Estates / Side Drive #2 indicates that acceptable operations are expected under buildout peak hour traffic conditions. Analysis of turn lane warrants indicates that turn lanes are not warranted at buildout of the site.

Additional analysis of study area intersections that include traffic generated by the Ellis Farm project indicates that Ellis Farm traffic impacts are expected to produce marginal impacts to intersection levels of service. The most significant impact is expected on the eastbound left turn movement at the intersection of US 60 and Holly Hills Road / Site Drive #1. All improvements recommended as part of the Donnelly Creek Development are based on buildout traffic conditions that do not include the Ellis Farm project.

If you need any additional information or have any questions regarding this submittal, please feel free to call or email.

Sincerely,
Green Light Solutions, Inc.



Erich Strohhacker, PE
President

Attachment #5
Trip Generation Comparison
(Conventional Single-Family Dwellings vs. Age-Restricted Housing)

**TABLE 1
Buildout Site Trip Generation Results (TIA Report)**

Land Use	Density	ITE Code	AM Peak Hour (vph)		PM Peak Hour (vph)		Daily (vpd)
			Enter	Exit	Enter	Exit	Total
Single Family	83 units	210	16	48	54	31	876
Office	10,000sf	710	31	5	2	11	114
Retail	15,000sf	820	99	61	64	69	1,654
Total Buildout Site Trips			146	114	120	111	2,644
Internal Site Trips (10% residential)			7	7	8	8	176
Pass-By Site Trips (34% retail)			26	26	21	21	532
Primary Site Trips			113	81	91	82	1,936

**TABLE 2
Buildout Site Trip Generation Results (Age Restricted Housing)**

Land Use	Density	ITE Code	AM Peak Hour (vph)		PM Peak Hour (vph)		Daily (vpd)
			Enter	Exit	Enter	Exit	Total
Elderly Housing	83 units	251	12	24	25	16	478
Office	10,000sf	710	31	5	2	11	114
Retail	15,000sf	820	99	61	64	69	1,654
Total Buildout Site Trips			142	90	91	96	2,246
Internal Site Trips (10% residential)			3	3	5	5	96
Pass-By Site Trips (34% retail)			27	27	22	22	546
Primary Site Trips			112	60	64	69	1,604

Attachment #6

VDOT Comments

(Donnelly Creek Development: Traffic Assessment Report Comments –
Dated October 22, 2019)



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

RICHMOND DISTRICT
2430 Pine Forest Drive
COLONIAL HEIGHTS, VA 23834
www.VDOT.Virginia.gov

Stephen C. Brich, P.E.
COMMISSIONER

October 22, 2019

Andrew Pompei
Planning Director
Powhatan County
3834 Old Buckingham Road
Powhatan, Virginia 23139

(Sent via E-mail)

Subject: Donnelly Creek Development
Traffic Assessment Report Comments

Dear Mr. Pompei:

The Virginia Department of Transportation (Department) has reviewed the resubmitted traffic study, dated October 9, 2019 for the proposed Donnelly Creek site along the north side of Anderson Highway (US 60), adjacent to the Powhatan Professional Center, and across from the intersection of Holly Hills Road (Route 1101), and the responses to the original review comments. Based on the comment responses, the Department finds that the revised report conforms to the requirements of a traffic impact analysis in regard to the accuracy of the methodologies, assumptions, and conclusions presented in the analysis.

The analysis was required by Powhatan County as part of the rezoning case for the Donnelly Creek development to define the impacts of site traffic on the surrounding road network. Summarized below are the key findings and recommendations included in the study:

Proposed Development

The applicant is proposing to construct a mixed-use development to include the following uses:

- 83 single family residential units
- 10,000 s.f. of office space
- 15,000 s.f. of retail space

The development is expected to be completely built-out in the year 2025, with no proposed phasing plan for the site. The anticipated trip generated for the proposed development is as follows (does not include deduction for internal capture and pass-by trips):

- AM Peak Traffic – 260 total trips
- PM Peak Traffic – 231 total trips
- Average Daily Traffic – 2,644 vehicles trips per day

Recommended Roadway Improvements

The proposed site will construct a new road between Anderson Highway and Page Road, intersecting each road at the following locations:

- Existing Anderson Highway intersection with Holly Hills Road (Route 1101)
- Existing Page Road intersection with Old Powhatan Estates (Route 1110)

Both existing intersections are three-legged intersections that will be converted to four-legged intersections with the construction of this new site access road. Along US 60, the applicant is proposing the following turn lane enhancements at the intersection to mitigate site traffic:

- Extend the existing eastbound left turn lane storage from 100 feet to 325 feet.
- Extend the existing westbound right turn lane storage from 175 feet to 450 feet.

Turn lane warrants were analyzed for both right and left turn lanes on Page Road at the intersection with Old Powhatan Estates and the proposed site access road. The report demonstrates that the projected site traffic in the build out year of 2025 does not meet either the Department or Powhatan County turn lane warrants at this intersection. As a result of the turn lane warrant analysis, no turn lanes are proposed at this intersection.

Conclusion and Recommendations

The traffic assessment report analysis of the proposed site traffic in the build out year (2025) demonstrated acceptable levels of service (LOS) at the intersection of Anderson Highway with the proposed site access road at the intersection with Holly Hills Road for all movements, except the following:

- Eastbound US 60 Left Turn to the Proposed Site Access Road
 - PM Peak Hour LOS E
- Southbound Proposed Site Access Road Through-Left Combined Movement
 - AM and PM Peak Hour LOS F
- Southbound Proposed Site Access Road Right Turn to WB US 60
 - AM and PM Peak Hour LOS F
- Northbound Holly Hills Road Through-Left-Right Combined Movement
 - AM and PM Peak Hour LOS F

Donnelly Creek – Traffic Assessment Report

October 22, 2019

Page 3 of 3

The proposed turn lane enhancements on US 60 will mitigate the proposed site traffic impact on the build out year traffic. The projected LOS F for the Holly Hills Road and the Proposed Site Access Road are typical of unsignalized street connections to high volume four-lane divided highways, such as US 60.

If you have any questions or require any additional information, I can be reached at 804-674-2384.

Sincerely,



Adam Wilkerson, PE

Area Land Use Engineer, Central

CC (Via E-mail):

K. Bates (VDOT – Chesterfield Residency)
R. Vilak (VDOT – Richmond District)
D. Dreis (VDOT – Richmond District)
E. Strohacker (Green Light Solutions)

Attachment #7
Access Management Waiver Request
(Dated October 11, 2019)



October 11, 2019

Mr. Andrew Pompei, Planning Director
Powhatan County
3834 Old Buckingham Road
Suite F
Powhatan, VA 23139

Re: Waiver to Local Entrance Standards for
Donnelly Creek rezoning (Case #19-06-REZC)

Dear Mr. Pompei,

I am writing to request a waiver to the Powhatan County local entrance standards in regards to our Donnelly Creek rezoning application (Case #19-06-REZC). The proposed collector road connecting Page Road to Route 60 at the existing median crossover at Holly Hills Road (as shown on the County's Major Thoroughfare Plan) does not meet the spacing standards from the existing ingress/egress to parcel 042-73A, as set forth in Table 68-175(e)(5)d of the County's Subdivision Ordinance. Per the Table, entrances from roads classified as Major Arterials (Speed Limit greater than 45 mph) must be spaced at least 625 feet apart. The existing right-in/right-out access to the Powhatan Professional Center is located approximately 245 feet east of the existing median crossover.

The County's Major Thoroughfare Plan recommends that the new collector road be located at the existing median crossover, as proposed in the rezoning request, in order to provide full turning movements and coordinated access. Further, the Traffic Impact Analysis (TIA) prepared in conjunction with the rezoning application studied this intersection and the proximity of these two access points on Route 60. As part of the westbound right turn lane improvement, the TIA recommends that existing right turn egress movements at the Powhatan Professional Center be restricted, and all egress movements from the existing commercial site would utilize the proposed collector road to access Route 60 at the full median crossover. Adhering to this recommendation, should this rezoning request be approved, the existing right-in/right-out access on Parcel 042-73A would be converted to a right-in only at the time full access to Route 60 is achieved via construction of the new collector road.

Should you have any questions or comments, I can be reached at (804) 741-4663 x260 or via email at ncroft@eagleofva.com.

Many thanks,

Nathalie Croft, Director of Land Planning
Eagle Construction of Va., LLC

CC: Erich Strohhacker, Green Light Solutions

Powhatan County, Virginia

Legend

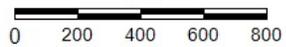
-  County Boundary
-  Parcels



Case #19-06-REZC: Vicinity Map

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Powhatan County is not responsible for its accuracy or how current it may be.

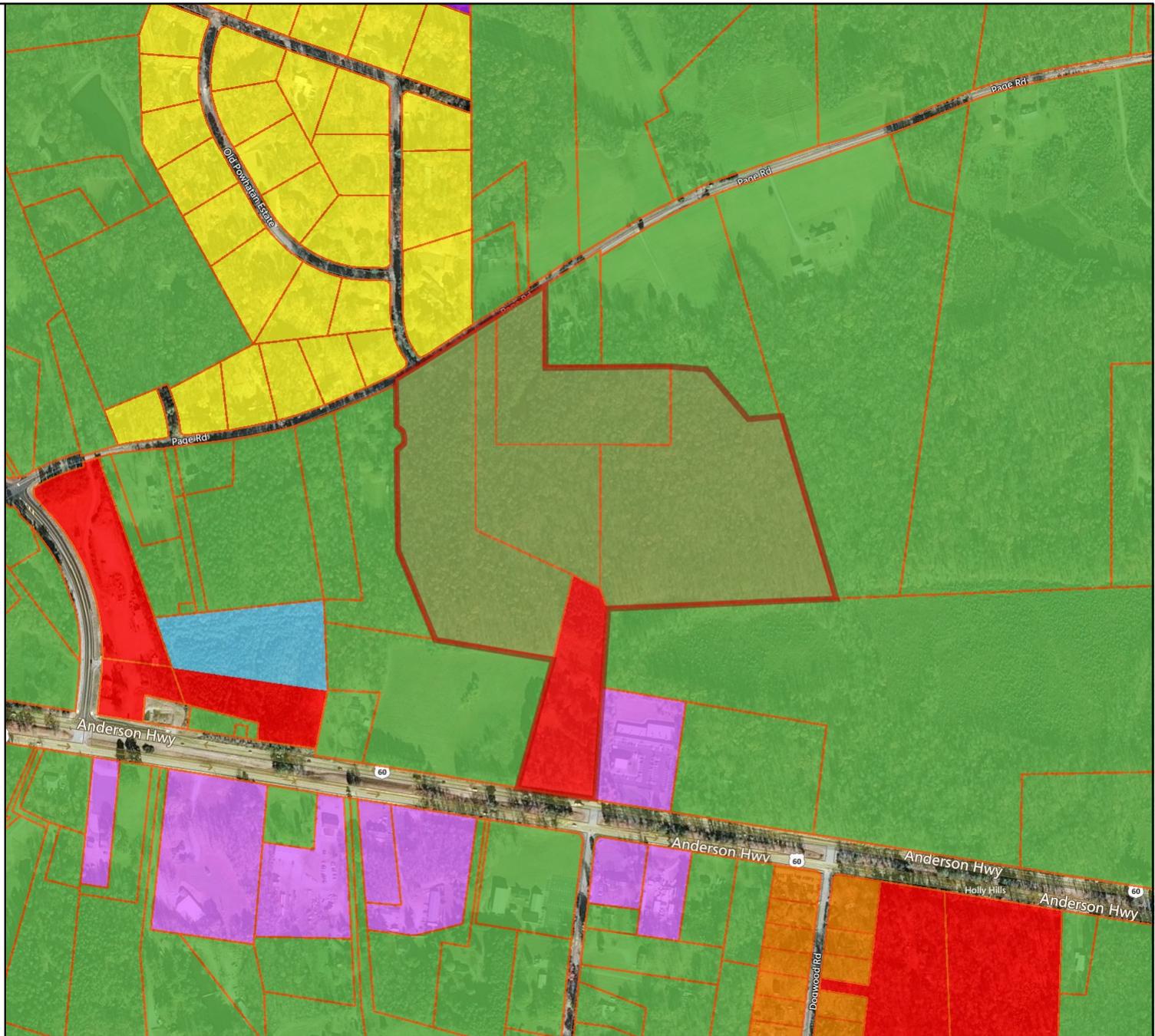
Feet



Powhatan County, Virginia

Legend

-  County Boundary
-  Parcels
- Zoning**
-  Agriculture A-10
-  Agricultural/Animal Confinement
-  Commerce Center Planned Development
-  Commerce Center
-  Commercial
-  Courthouse Square Center
-  Industrial - 1
-  Industrial - 2
-  Mining
-  Office
-  Residential - 2
-  Rural Residential 5
-  Residential Commercial
-  Residential Utility
-  Rural Residential
-  Village Center Planned Development
-  Village Center



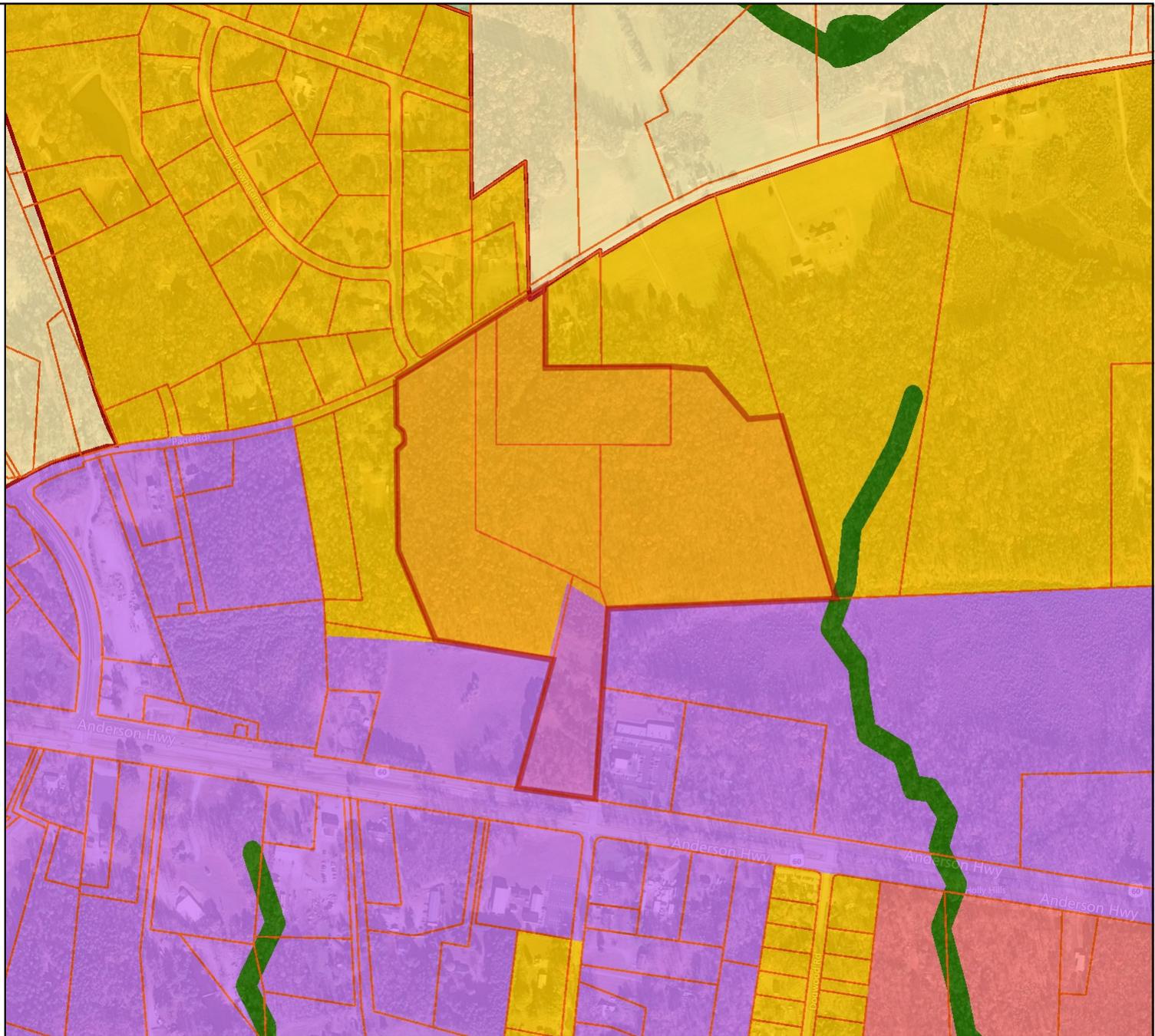
Case #19-06-REZC: Zoning Map

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Powhatan County is not responsible for its accuracy or how current it may be.

Powhatan County, Virginia

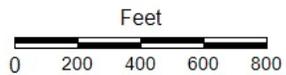
Legend

-  County Boundary
-  Parcels
-  Crossroads
-  Growth Area Boundaries
-  Rural Enterprise Zone Boundary
- Future Land Use**
-  Public Lands
-  Natural Conservation
-  Rural Preservation
-  Rural Residential
-  Low Density Residential
-  Village Residential
-  Village Center
-  Commerce Center
-  Economic Opportunity
-  Industrial



Case #19-06-REZC: Countywide Future Land Use Plan

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Powhatan County is not responsible for its accuracy or how current it may be.



Attachment #11
Neighborhood Meeting Comments



**Donnelly Creek Community Meeting Minutes
Powhatan County Public Library
July 1, 2019 6:30-8:00 pm**

Meeting Attendees:

Eagle – Nathalie Croft, Will Kennedy, Megan Moran
Engineer – Brian Mitchell/ Townes Site Engineering
Traffic Engineer – Erich Strohhacker/ Green Light Solutions

Presentation:

The Director of Planning for Eagle Construction, Nathalie Croft, began the presentation by introducing the Eagle team and the Planning Director for Powhatan County, Andrew Pompei, who was in attendance.

The presentation included the following items:

- A brief explanation of how the zoning ordinance and the comprehensive plan act as the two main tools used to regulate and guide growth and development in the County;
- An explanation of the proposed rezoning request of the subject properties from A-10 Agriculture and GC General Commercial to VR-PD Village Residential Planned Development and CC Commerce Center;
- A description of the Comprehensive Plan’s vision and intent for areas designated for Village Residential Growth; and,
- The proposed layout of the property, lot types/sizes, home types/sizes, roadway location and design, utilities, amenity features, and proffers.
 - Maximum density of 1.85 homes/acre
 - At least 20% open space
 - Two park areas
 - 100 foot natural buffer along Page Road
 - Construction/dedication of MTP new two-lane collector road from Rt. 60 to Page Road
 - \$2,720 cash proffer per home

The majority of concerns were related to traffic/roadways.

- Increased vehicular traffic on Page Road, and the ability of Page Road to handle increased traffic.
- Increased vehicular traffic on Route 60, and the ability of Route 60 to handle increased

traffic.

- Potential impacts to the safety of the overall roadway network in the area.
- How/if the proposed internal roadways would connect to adjacent parcels.

Traffic engineer, Erich Strohhacker, then spoke about the traffic study and answered questions community members had about increased vehicular trips and traffic concerns. It was noted that the traffic study will be made available as part of the Rezoning application.

Other questions and concerns that were raised include:

- home size and density: some residents felt that the proposed density of 1.82 homes/acre was too high, while one comment from an attendee noted that the proposal falls in the lower range of the Comprehensive Plan's recommended density;
- ability or inability of school capacity to accommodate new students from Donnelly Creek;
- ability or inability for the proposed development to be served by the County's existing water/sewer infrastructure and capacity;
- fiscal impacts to the County; and,
- cumulative impacts from Donnelly Creek and another proposed rezoning further east on Page Road.

Twenty-three residents signed in on the meeting's attendance log; however, it is estimated that approximately 35 people were in attendance.

Attachment #12

Public Comments Received via Email or Hand Delivered

Andrew Pompei, CZA, AICP

From: Carl Schwendeman <schwendemaca@vcu.edu>
Sent: Tuesday, August 06, 2019 2:41 PM
To: Andrew Pompei, CZA, AICP
Subject: The final drawing of the sidewalk plan and right turn lane for Route 60 at Holly Hills
Attachments: Donnelly Creek updated sidewalk plan for Page Road and Route 60.png; Holly Hills Right Turnlane and sidewalks.png

[External Email]

Good day my name is Carl Schwendeman.

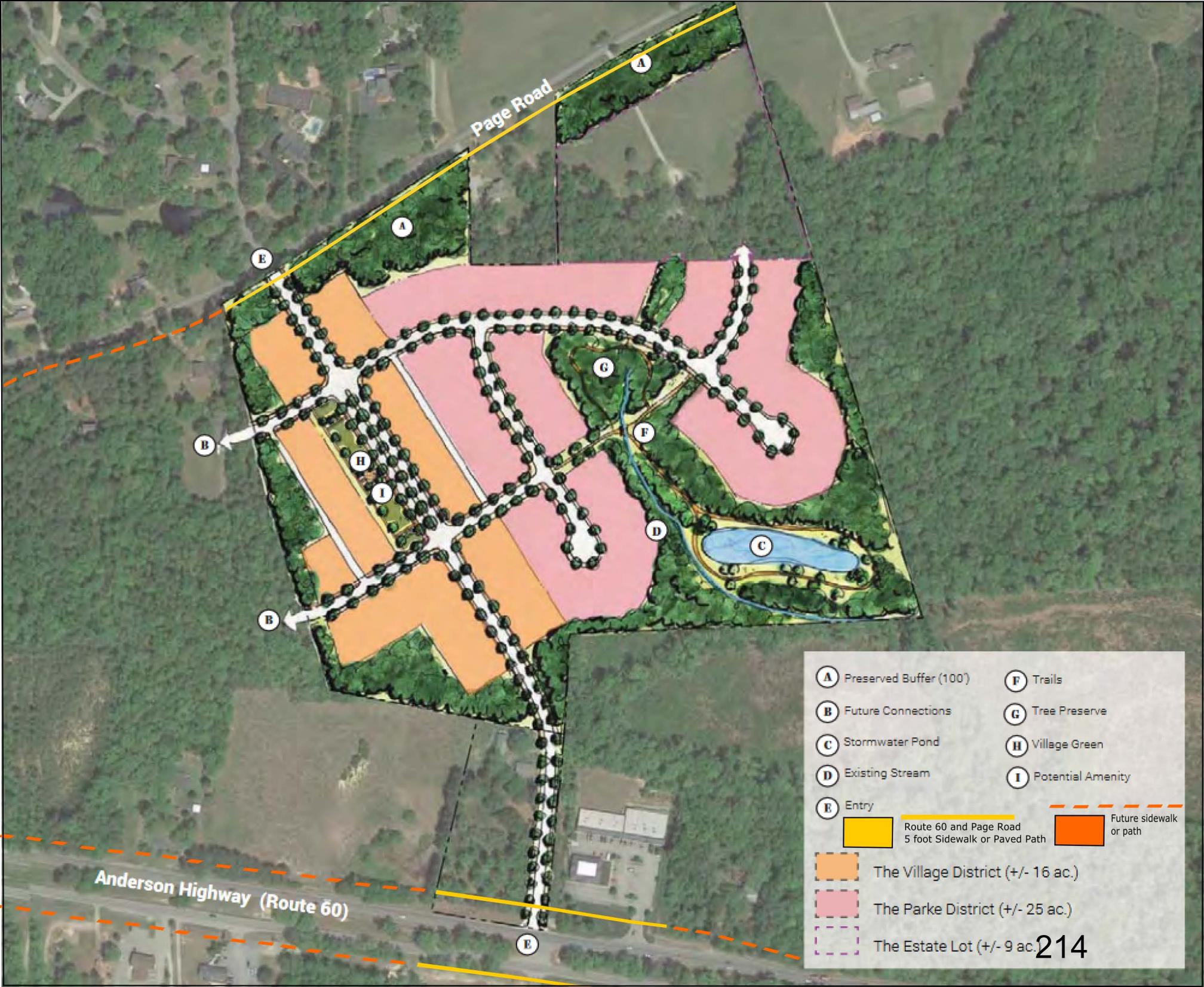
I have two final drawings of the proposal of why they should add sidewalks or a 5 foot wide paved pedestrian bike path to Page Road and Route 60.

And a right turn lane on Route 60 for the 1950's Holly Hills Subdivision

These are the two official drawings I would like to give to the Developer and that you can add to the county record for the planning sheet for Donnelly Creek.

The augment I would like to make to the developer is that the Donnelly Creek project sits between several very large empty lots of land that are two to three times it's size.

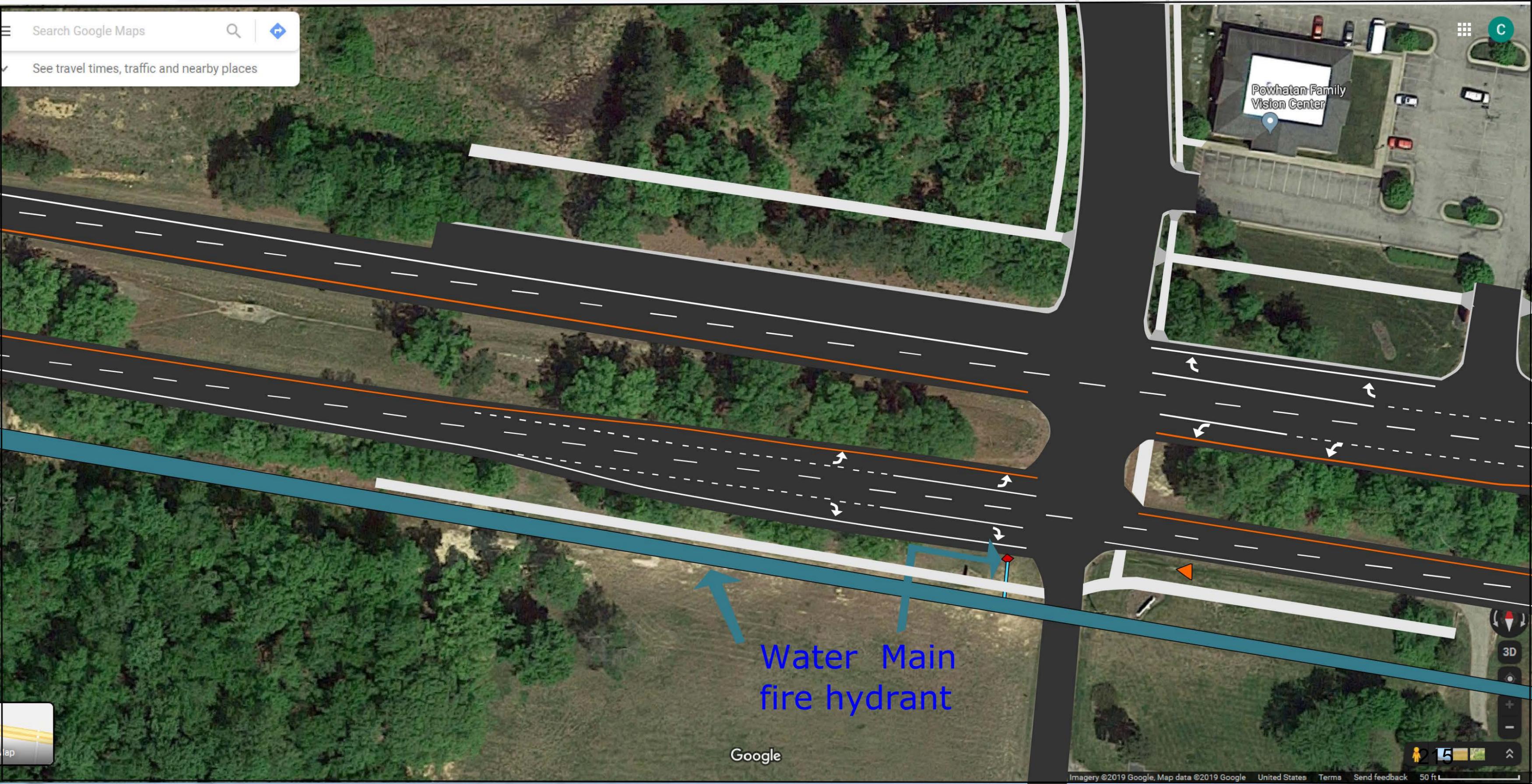
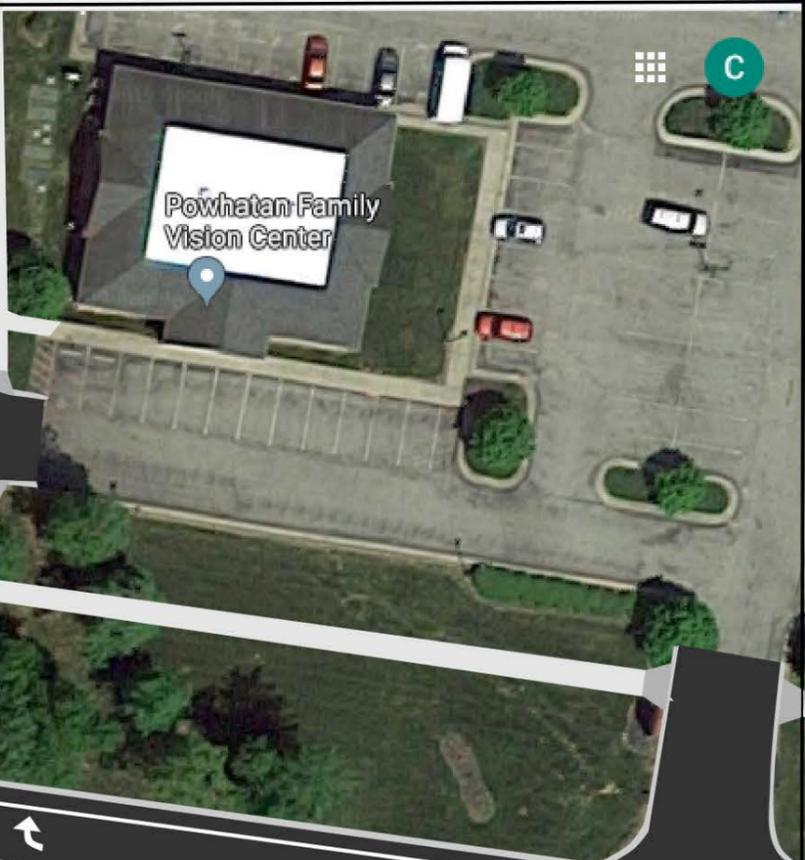
If they establish sidewalks now the other builders will extend them over time and this will avoid Powhatan County and Vdot to have to spend millions of dollars 20 to 40 years down the road to add sidewalks later on when Route 60 is fully built out.



Page Road

Anderson Highway (Route 60)

- (A)** Preserved Buffer (100')
 - (B)** Future Connections
 - (C)** Stormwater Pond
 - (D)** Existing Stream
 - (E)** Entry
 - (F)** Trails
 - (G)** Tree Preserve
 - (H)** Village Green
 - (I)** Potential Amenity
- Route 60 and Page Road
 5 foot Sidewalk or Paved Path
 Future sidewalk or path
- The Village District (+/- 16 ac.)
 - The Parke District (+/- 25 ac.)
 - The Estate Lot (+/- 9 ac.)



Water Main
fire hydrant

Andrew Pompei, CZA, AICP

From: Carl Schwendeman <schwendemaca@vcu.edu>
Sent: Sunday, October 27, 2019 8:22 PM
To: Andrew Pompei, CZA, AICP
Subject: The new mystery development near the courthouse
Attachments: Page Road needs some love.png; Page Road at 1338 Adress with wide lanes.png; Page Road as it is.png; Page Road reconstruction.png; The R Turn.png; US Route at Page Road as it is.png

Good day my name is Carl Schwendeman

I saw a zoning case sign for a community meeting while driving down Old Buckingham Road that was in a large empty farm field?

The new mystery development sign is near a farm field near the Powhatan Courthouse?

What type of building project could it be could it be a gas station or a new home subdivision or a restaurant?

I also have a drawing of Page Road showing what it would look like if it was widened from 16 feet wide to 36 feet wide with 6 foot wide paved shoulders and 12 foot wide travel lanes and a 5 foot sidewalk.

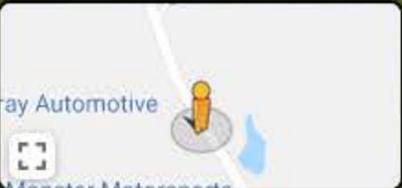
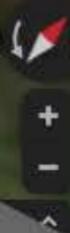
Could the county add these drawings to their public comments about both projects.

I plan to ask the Ellis Farm project if they could widen sections of Page Road from their project to the intersection of Manakintown Ferry Road by having their contractors that will build wide streets in their subdivisions to give Page Road the same treatment as the streets in their project.

For the Donnelly Creek project plan to ask them if they could use their road builders who are going to build streets in the project to upgrade Page Road on a 2,500 foot section of Page Road from the opening of their feeder road to Page Road's intersection with Carter Gallier Boulevard.

Thank you Carl Schwendeman

1338 Page Rd
Midlothian, Virginia
Google
Street View - May 2009



Page Road with two 12 foot wide Travel Lanes and two 6 foot paved shoulders

1338 Page Rd
Midlothian, Virginia
Google
Street View - May 2009

ray Automotive

Attachment #13
Donnelly Creek Fiscal Impact Analysis
(Prepared by Applicant)

Donnelly Creek Fiscal Impact Analysis

This Fiscal Impact Analysis utilizes census data and the County's FY 2020 Operating Budget to calculate Donnelly Creek's fiscal impact to the County as proposed. It is projected that the recurring taxes (personal and real estate) will create an annual fiscal positive of \$366 per household, which equals a positive annual impact of just under \$29,000 for the entirety of Donnelly Creek.

US Census Data for Powhatan County

Total Population	28,601 people
People Per Household (pph)	2.6 pph

Total County Expenditures	
<i>Powhatan County FY 2020 Operating Budget p. 51</i>	
Administration	\$3,858,158
Judicial Administration	\$1,099,721
Public Safety	\$8,841,532
Public Works	\$2,484,354
Health and Welfare	\$4,555,502
Parks, Recreation, and Cultural	\$692,607
Community Development	\$2,424,989
Utilities	\$1,223,061
Schools	\$49,619,718
Schools Debt Service	\$6,625,136
County Debt Service	\$3,086,635
Utilities Debt Service	\$1,444,651
Total	\$85,956,064
Per Capita Expenditure	\$3,005 per person
<i>(\$85,956,064/28,601 population)</i>	
Per Household Expenditure	\$7,813 per household
<i>(\$3,005 x 2.6 pph)</i>	
Total without Schools	\$36,336,346
Per Capita Expenditure	\$1,270 per person
<i>(\$36,336,346/28,601 population)</i>	
Per Household Expenditure	\$3,302 per household
<i>(\$1,270 x 2.6 pph)</i>	

TOTAL COUNTY EXPENDITURES (WITHOUT SCHOOLS) PER HOUSEHOLD
\$3,302 per household

Total Tax Revenue per Household	
Personal Property Tax	\$720
<i>(assumes \$20,000 total value)</i>	
Real Estate Tax	\$2,948
<i>(assumes average assessed value of \$335,000)</i>	
Total Tax Revenue Per Household	\$3,668

TOTAL TAX REVENUE GENERATED PER HOUSEHOLD
\$3,668 per household

Total Revenue - Total Expenditures = Net Fiscal Impact
\$3,668 - \$3,302 = \$366 per household

\$366 x 79 homes = \$28,914 annual recurring revenue

ORDINANCE #O-2020-04

AN ORDINANCE TO CONDITIONALLY REZONE APPROXIMATELY 43.15 ACRES OF LAND, BEING TAX MAP PARCELS #42-55A, 42-55B, 42-57G, 42-72, AND A PORTION OF TAX MAP PARCEL #42-55 OWNED BY SPROUSES CORNER LLC, NEW VENTURES REAL ESTATE LLC, AND DOROTHY M. BROWN, FROM AGRICULTURAL-10 (A-10) AND GENERAL COMMERCIAL (C) WITH PROFFERED CONDITIONS (CASE #06-14-REZC) TO COMMERCE CENTER (CC) WITH PROFFERED CONDITIONS AND VILLAGE RESIDENTIAL PLANNED DEVELOPMENT (VR-PD) WITH PROFFERED CONDITIONS.

WHEREAS, the applicant, Markel Eagle Partners, LLC, submitted a request (Case #19-06-REZC) to the Powhatan County Board of Supervisors to rezone approximately 43.15 acres of land, being Tax Map Parcels #42-55A, 42-55B, 42-57G, 42-72, and a portion of Tax Map Parcel #42-55 owned by multiple owners (Sprouses Corner LLC; New Ventures Real Estate LLC; and Dorothy M. Brown) from Agricultural-10 (A-10) and General Commercial (C) with proffered conditions (Case #06-14-REZC) to Commerce Center (CC) with proffered conditions (5.06 acres) and Village Residential Planned Development (VR-PD) with proffered conditions (38.09 acres);

WHEREAS, §15.2-1427 and §15.2-1433 of the *Code of Virginia*, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

WHEREAS, §15.2-2280, §15.2-2285 and §15.2-2286 of the *Code of Virginia*, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

WHEREAS, the Planning Commission advertised and held a public hearing on the proposed rezoning on November 6, 2019 and March 3, 2020, and all of those who spoke on this topic were heard; and

WHEREAS, the Planning Commission voted to recommend denial of this request at its meeting on March 3, 2020; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice support approval of this rezoning; and

WHEREAS, the Powhatan County Board of Supervisors caused to be published a notice of public hearing on this matter in *Powhatan Today* on August 12, 2020 and August 19, 2020; and

WHEREAS, the full text of this request was available for public inspection in the Powhatan County Administrator's Office, County Administration Building, 3834 Old Buckingham Road, Powhatan, Virginia 23139; and

WHEREAS, on August 24, 2020, the Powhatan County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

NOW, THEREFORE, BE IT ORDAINED, that the Powhatan County Board of Supervisors hereby approves Ordinance O-2020-04 to conditionally rezone approximately 43.15 acres of land, being Tax Map Parcels #42-55A, 42-55B, 42-57G, 42-72, and a portion of Tax Map Parcel #42-55 owned by multiple owners (Sprouses Corner LLC; New Ventures Real Estate LLC; and Dorothy

M. Brown), from Agricultural-10 (A-10) and General Commercial (C) with proffered conditions (Case #06-14-REZC) to Commerce Center (CC) (5.06 acres) and Village Residential Planned Development (VR-PD) with the following proffered conditions (signed and dated October 23, 2019):

Proffered Condition #1 (VR-PD)

PD Plan. Development of the Property shall be in general conformance with the Donnelly Creek VR-PD Plan, entitled “Donnelly Creek - Powhatan, Virginia, Master Plan and Design Guide” and dated October 23, 2019.

Proffered Condition #2 (VR-PD)

Density. No more than seventy-nine (79) new single-family detached dwellings shall be constructed on the Property.

Proffered Condition #3 (VR-PD)

Buffers. Any newly created Parke or Village residential lot directly adjacent to a neighboring parcel not situated within the Donnelly Creek PD shall be planted with a Type A – Basic Buffer along said property line. Aforementioned buffer shall be not less than 8’ in width, shall be planted with 2 canopy trees per 100 linear feet, 4 understory trees per 100 linear feet, and 10 shrubs per 100 linear feet, and shall be placed within a landscape easement on the lot. The buffer plantings shall be installed or bonded prior to the issuance of the Certificate of Occupancy for the lot on which they are required.

Proffered Condition #4 (VR-PD)

Stormwater Management Pond. The stormwater management pond located in the southeastern portion of the site shall be constructed with a fountain feature.

Proffered Condition #5 (VR-PD)

Cash Proffer. The Applicant or its assignees shall pay \$2,753 per newly created residential lot to Powhatan County for public facility improvements (\$869 for public schools or public transportation facilities, \$1,317 for public safety facilities, and \$567 for park facilities). Such payment shall be made prior to the time of the issuance of any Certificate of Occupancy for each dwelling built on each of the lots.

Proffered Condition #6 (VR-PD)

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

Proffered Condition #7 (VR-PD)

Page Road Buffer. No newly created Parke or Village lot shall be located within one-hundred twenty-five feet (125’) of Page Road.

Proffered Condition #8 (VR-PD)

Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, Federal Fair Housing Law, and such other applicable Federal, State, or Local legal requirements, dwellings constructed on the Property shall be restricted to “housing for older persons” and shall comply with the Virginia Fair Housing Act (Virginia Code 39-96.7, as amended).

Proffered Condition #9 (VR-PD)

Improvements to Route 60. The following improvements to the intersection of Route 60 and the primary entrance to the Property shall be constructed prior to the issuance of the first Certificate of Occupancy for any new dwelling on the Property:

- Extend the existing eastbound left turn lane from its existing 100’ storage length to a 325’ storage length, or as otherwise approved by the Virginia Department of Transportation.
- Extend the existing westbound right turn lane from its existing 175’ storage length to a 450’ storage length, or as otherwise approved by the Virginia Department of Transportation.

Proffered Condition #10 (VR-PD)

Construction Traffic. The primary construction entrance to the Property shall be from Route 60.

Proffered Condition #1 (CC)

Exterior Materials. At least seventy (70) percent of building facades visible from existing or planned roadways shall be constructed of brick, stone, or other masonry material with a similar appearance, durability, and quality.

Proffered Condition #2 (CC)

Parking Lot Surfacing. All parking areas shall be finished with a hard-surface material, and shall be maintained in a smooth, well-graded, clean, orderly, and dust-free condition.

Proffered Condition #3 (CC)

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

Proffered Condition #4 (CC)

Ingress/Egress to adjacent parcel. Upon construction of the new public roadway connecting Route 60 to Page Road, an ingress/egress driveway connection shall be provided to the adjacent Parcel 042-73A. Right-of-way will be dedicated from aforementioned roadway to the adjacent parcel 042-74 to allow for future connectivity.

BE IT FURTHER ORDAINED, that the Powhatan County Board of Supervisors grants a modification to the local intersection spacing requirements set forth in Table 68-175(e)(5)d of the Powhatan County Subdivision Ordinance, allowing a new entrance to be constructed along U.S. Route 60 (Anderson Highway) at the location requested in the letter dated October 11, 2019 as follows:

- Construct a new entrance from U.S. Route 60 (Anderson Highway) that aligns with an existing median crossover and State Route 1101 (Holly Hills Road), approximately 245 feet west of an existing commercial entrance accessing Tax Map Parcel #42-73A (1660/1664 Anderson Highway); and
- Reconfigure the existing commercial entrance accessing Tax Map Parcel #42-73A (1660/1664 Anderson Highway) to be a right-in only access point. Egress shall be provided to Tax Map Parcel #42-73A via a new connection to the proposed collector road within the Donnelly Creek

subdivision.

**APPROVED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON
AUGUST 24, 2020.**

**David T. Williams, Chairman
Powhatan County Board of Supervisors**

ATTEST:

**Ned Smither, Clerk
Powhatan County Board of Supervisors**

Recorded Vote:

<i>David T. Williams</i>	
<i>Larry J. Nordvig</i>	
<i>Michael W. Byerly</i>	
<i>Bill L. Cox</i>	
<i>Karin M. Carmack</i>	



Powhatan County Board of Supervisors Agenda Item

Meeting Date: August 24, 2020

Agenda Item Title: Resolution R-2020-48 Amending the Fiscal Year 2021 Powhatan County Operating Budget by Budgeting and Appropriating \$2,587,023 in the Second Half of the Coronavirus, Aid, Relief, and Economic Security (CARES) Act of 2020 in the Grants Funds and \$233,081.66 in Cares Act Funds for Schools

Motion: Move to approve Resolution R-2020-48 as presented

Dates Previously
Considered by Board: N/A

Summary of Item: The resolution budgets and appropriates \$2,587,023 in the second half of the Cares Act funding to help in the additional costs of COVID-19. This revenue will be used specifically for the COVID-19 related expenditures. The funds will need to be spent by December 30, 2020 and any remaining will be returned. The Schools also received \$233,081.66 in Cares Act funding to be used for equipment, supplies and staff training for COVID. These funds will be spent by September 30, 2020. The resolution was published in the Powhatan Today on August 12, 2020. This resolution budgets and appropriates these funds.

Staff: Approve Disapprove See Comments

Commission/Board: Approve Disapprove See Comments

County Administrator: Approve Disapprove See Comments

Comments: None

Budget/Fiscal Impact: Budget and Appropriate \$2,820,104.66

Attachments: Resolution

Staff/Contact: Charla W. Schubert, Director of Finance, 804-598-5780, cschubert@powhatanva.gov

RESOLUTION
AMENDING THE FISCAL YEAR 2021 POWHATAN COUNTY OPERATING BUDGET
BY BUDGETING AND APPROPRIATING \$2,587,023 FOR THE SECOND HALF OF
THE CORONAVIRUS, AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT OF
2020 IN THE GRANTS FUND AND \$233,081.66 IN THE SCHOOL FUND

WHEREAS, on May 14, 2020 and June 29, 2020, the Powhatan County Board of Supervisors adopted Resolution R-2020-29 and R-2020-38, respectively, which adopted the Fiscal Year 2021 Powhatan Operating Budget in the amount of \$112,844,944; and

WHEREAS, the Code of Virginia Section [15.2-2507](#) states that any locality may amend its budget and must first hold a public hearing which is advertised once in the newspaper if any such amendment exceeds one percent of the total expenditures of the currently adopted budget; and

WHEREAS, the amendment of the budget in this resolution in the amount of \$2,820,104.66 (2.499%) does exceed one percent of the adopted budget and a synopsis was published in the Powhatan Today on August 12, 2020 and;

NOW, THEREFORE, BE IT RESOLVED that the FY 2021 Powhatan County Operating Budget is hereby amended and the funds appropriated as shown:

GRANTS FUND

REVENUES

Cares Act Funding	3-116-033010-0006	\$	2,587,023.00
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EXPENDITURES

Cares Act Funding	4-116-012200-0001	\$	2,587,023.00
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SCHOOL FUND

REVENUES

Cares Act Funding	3-205-033010-0006	\$	233,081.66
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EXPENDITURES

Cares Act Funding	4-205-061000-0010	\$	233,081.66
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ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON AUGUST 24, 2020.

ATTEST:

David T. Williams, Chairman
Powhatan County Board of Supervisors

Ned Smithers, Clerk
Powhatan County Board of Supervisors

Recorded Vote:	
<i>David T. Williams</i>	
<i>Larry J. Nordvig</i>	
<i>Michael W. Byerly</i>	
<i>Bill L. Cox</i>	
<i>Karin M. Carmack</i>	