



POWHATAN COUNTY PLANNING COMMISSION

Agenda: Regular Meeting and Workshop

Tuesday, January 7, 2020

7:00 PM

Powhatan Village Building Auditorium
3910 Old Buckingham Road

1. Call to Order

Karin Carmack (Chair)

2. Invocation

David Van Gelder (Vice Chair)

3. Administrative Items

- a. Request to Postpone Action/Amend the Agenda
- b. Approval of Minutes: December 3, 2019 (Regular Meeting) ([p. 3](#))
- c. Approval of Minutes: December 3, 2019 (Workshop) ([p. 5](#))

4. Public Comment Period

At this time, the Planning Commission will hear citizen comments on unscheduled matters involving the services, policies, and affairs of Powhatan County government related to planning or land use issues.

5. Old Business

None

6. Public Hearings

- a. **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 (**Continued from November 6, 2019**) ([p. 7](#))

- b. **Case #20-01-AZ:** The **County of Powhatan** requests the amendment and reenactment of provisions set forth in Chapter 83 (Zoning Ordinance), Article XI (Definitions) by adding definitions for the terms *attached*, *comprehensive plan*, *contractor's storage yard*, *detached*, *independent cooking facility*, *residential kitchen*, *corner lot line*, *pet*, *right-of-way*, *outdoor shed sales*, and *corner yard*; adding language to clarify differences between *duplex dwelling*, *three- or four-family dwelling*, and *townhouse dwelling*; modifying the definition for the term *private kennel*, clarifying that permitted fowl includes chickens and ducks; modifying the definition for the term *livestock*, clarifying that goats, bison, ponies, alpacas, and llamas are all considered livestock; modifying the definition for the term *flag lot* to align with the definition for that term in the subdivision ordinance; modifying the definition of *medical and dental lab* to better reflect activities associated with that use; removing the term *large lot development*; correcting grammatical errors; removing incorrect references to other portions of the zoning ordinance; and adding references to certain definitions that identify related terms. ([p. 121](#))

7. New Business

None

8. Workshop

- a. Discussion: Amendments to Planned Development Zoning Districts ([p. 134](#))
- b. Discussion: Revisions to the Sign Ordinance (Sec. 83-488) ([p. 141](#))

9. Adjourn

Next Meeting: Tuesday, February 4, 2020

December 3, 2019

VIRGINIA: AT A REGULAR MEETING OF THE PLANNING COMMISSION HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, DECEMBER 3, 2019 AT 7:00 PM

Planning Commissioners Present	Karin Carmack, District 1, Chairman David Van Gelder, District 5, Vice-Chairman Amy Kingery, District 2 Donna Moore, District 3 Bill Cox, District 4
Planning Commissioners Absent	None
Staff Members Present	Andrew Pompei, Planning Director Kelley Kemp, Assistant County Attorney Bret Schardein, Assistant County Administrator Ed Howland, Principal Planner Alyson Oliver, Planner II

1. Call to Order

Ms. Carmack called the meeting to order at 7:00 PM.

2. Invocation

Mr. Van Gelder gave the invocation.

3. Administrative Items

a. Request to Postpone Action/Amend the Agenda

None

b. Approval of Minutes

Mr. Cox requested to amend the minutes to reflect the date to which Case #19-06-REZC was deferred.

Ms. Carmack motioned to approve the minutes, as amended, from the regular meeting on November 6, 2019.

Ms. Carmack, Mr. Van Gelder, Ms. Kingery, Ms. Moore, and Mr. Cox voted AYE.

**VOTE 5-0
MOTION Passed**

4. Public Comment Period

Ms. Carmack opened the public comment period.

Seeing as there were no speakers, the public comment period was closed by Ms. Carmack.

December 3, 2019

5. Old Business

None

6. Public Hearings

- a. **Case #19-09-REZC: Richard Lee Bucher (District #4: Powhatan Courthouse/Mt. Zion)** requests the rezoning of Tax Map Parcel #39-4A from Agricultural-10 (A-10) to Village Residential (VR) with proffered conditions and amendment of the zoning district map of approximately 5.66 acres of land with frontage along the north side of State Route 13 (Old Buckingham Road) approximately 0.25 miles west of State Route 620 (Mill Quarter Road) (3780 Old Buckingham Road). Proffered conditions address maximum residential densities (up to 3 single-family dwelling units), minimum lot area (1.5 acres), building design, access, and right-of-way dedication. The 2019 Long-Range Comprehensive Plan designates the subject property as Village Residential (Courthouse Village Special Area Plan), which recommends maximum residential densities of four units per acre.

Mr. Pompei provided an overview of this request.

The applicant provided additional information regarding this request, including property information (including its development history) and the proposed lot layout.

Ms. Carmack opened the public hearing.

Seeing as there were no speakers, the public comment period was closed by Ms. Carmack.

Members of the Planning Commission asked staff to explain their rationale for recommending denial of the application. Mr. Pompei explained that while the proposed zoning district, density, and uses reflect recommendations in the 2019 Long-Range Comprehensive Plan for areas designated *Village Residential*, the overall project does not align with the intent of this land use designation, which recommends “walkable neighborhoods with diverse housing options and integrated parks and public uses.”

Mr. Cox made a motion to **recommend denial** of this request.

Ms. Carmack, Mr. Van Gelder, Ms. Kingery, Ms. Moore, and Mr. Cox voted AYE.

**VOTE 5-0
MOTION Passed**

7. New Business

None

8. Adjourn

There being no further business, Ms. Carmack adjourned the meeting at 7:18 PM.

Karin Carmack
Chairman

Andrew Pompei
Planning Director

December 3, 2019

VIRGINIA: AT A WORKSHOP OF THE PLANNING COMMISSION HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, DECEMBER 3, 2019 AT 7:22 PM

Planning Commissioners Present	Karin Carmack, District 1, Chairman David Van Gelder, District 5, Vice-Chairman Amy Kingery, District 2 Donna Moore, District 3 Bill Cox, District 4
Planning Commissioners Absent	None
Staff Members Present	Andrew Pompei, Planning Director Kelley Kemp, Assistant County Attorney Bret Schardein, Assistant County Administrator Ed Howland, Principal Planner Alyson Oliver, Planner II

1. Call to Order

Ms. Carmack called the meeting to order at 7:22 PM, following adjournment of the regular Planning Commission meeting held on December 3, 2019.

2. Initial Presentation: Case #19-08-REZC (Lipscomb Real Estate Holdings, LLC)

Representatives for the applicant provided an overview of the requested rezoning (Case #19-08-REZC). Members of the Planning Commission discussed the following issues:

- Access to the proposed project site and turn lane requirements;
- General details regarding the proposed use; and
- Possible proffered conditions, including possible conditions regarding signage.

3. Discussion: Recommended Densities (2019 Long-Range Comprehensive Plan)

Mr. Pompei provided an overview of the results of his research regarding recommended residential densities, as requested by the Planning Commission at the previous meeting. Members of the Planning Commission discussed the following issues:

- History of recommended residential densities outlined in local comprehensive plans since the late 1990s;
- Effects of regulating minimum lot size rather than maximum densities;
- Relationship between recommended residential densities and SmartScale funding eligibility;
- Potential of creating an overlay district in the Courthouse Village area to regulate recommended residential densities.

4. Discussion: Amendments to Planned Development Zoning Districts

Mr. Pompei provided an overview of the results of his research regarding planned development zoning districts, as requested by the Planning Commission at the previous meeting. Members of the Planning Commission briefly discussed possible amendments to the zoning ordinance that could better encourage higher-quality development within planned development zoning districts.

December 3, 2019

6. Discussion: Revisions to the Sign Ordinance

Mr. Pompei and Ms. Oliver provided a brief overview of possible changes to local standards regarding signage. Members of the Planning Commission briefly discussed the proposed ordinance amendment, recommending changes to address concerns regarding size of signs in residential areas and sign-related issues that are unique to rural areas.

7. Discussion: Revisions to Article XI (Definitions) of the Zoning Ordinance

Mr. Pompei provided an overview of proposed ordinance amendments that revise definitions listed in the zoning ordinance. Members of the Planning Commission briefly discussed the proposed amendments and asked clarifying questions regarding the proposed changes.

8. Adjourn

Ms. Carmack adjourned the workshop at approximately 9:00 PM.

Karin Carmack
Chairman

Andrew Pompei
Planning Director



Powhatan County Planning Commission Agenda Item

Meeting Date: January 7, 2020

Agenda Item Title: **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: *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 Planning Commission recommends (*approval / denial / deferral*) of 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 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 (1650/1664 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.

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

Dates Previously Considered by PC: Workshop: August 6, 2019
 Workshop: September 3, 2019
 Public Hearing: November 6, 2019 (Deferred for 60 Days: 4 – 0)

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.

A neighborhood meeting regarding this request was held on July 1, 2019.
 This request was discussed at workshops on August 6, 2019 and September 3, 2019.
 The applicant requested deferral of Case #19-06-REZC until November 6, 2019.
 A public hearing was held on November 6, 2019. This request was deferred for 60 days, with the public hearing continued to January 7, 2020.

Staff Recommendation: The Department of Community Development recommends **approval** of the rezoning request and the waiver request (intersection spacing standards).

Attachments: Staff Report
 Application

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

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



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 Planning Commission
January 7, 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)

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).
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).

Proposed Project

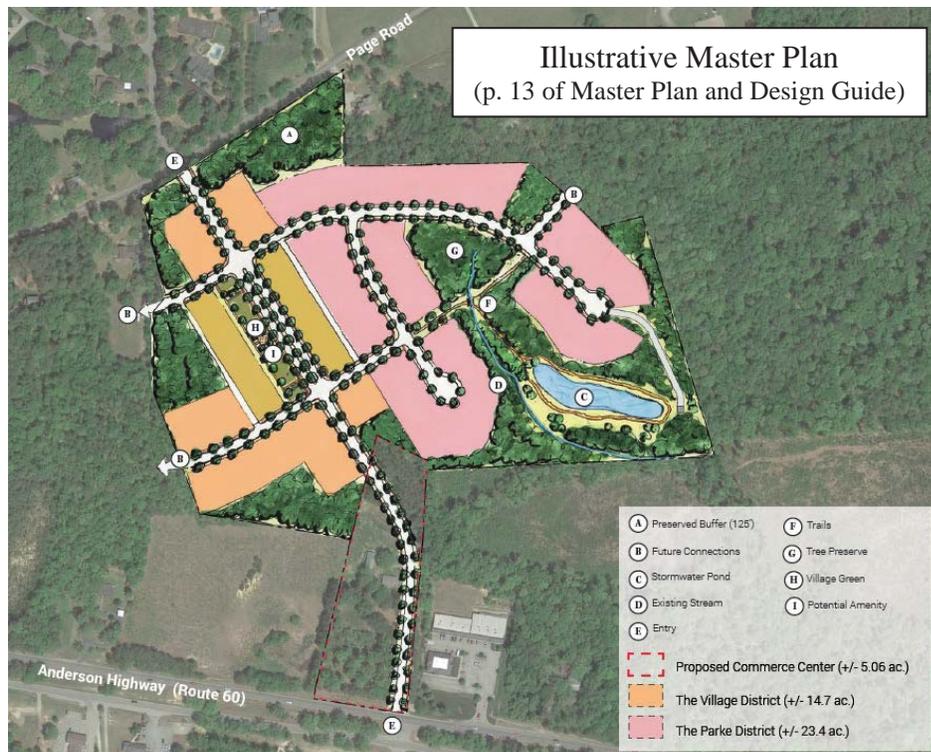
The applicant is proposing to rezone the properties to VR-PD with proffered conditions and CC with proffered conditions to accommodate residential and commercial development:

- 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.

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.¹ 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.² 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.

¹ 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.

² 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 ³
Functional Classification: Powhatan Co. Major Thoroughfare Plan	Rural Collector (Existing)	Major Arterial (Existing)
Traffic Volume Estimates (VDOT: 2017)	720 ⁴	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 the 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,

³ 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.

⁴ 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).⁵

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).⁶ 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

⁵ 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).

⁶ 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 #6.

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) 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.⁷ 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.⁸

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.⁹
- 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

⁷ See Table 13: Major Thoroughfare Plan Project List (bottom of p. 137).

⁸ 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).

⁹ 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 #8).

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 #10. 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 #11. 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).

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 VII: 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.

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.¹⁰
- 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.

¹⁰ 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.”

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.¹¹ 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 Planning Commission recommends (*approval / denial / deferral*) of 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 Planning Commission recommends (*approval / denial / deferral*) of 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 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 (1650/1664 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

¹¹ 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).

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	<i>[Handwritten Signature]</i>	
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	<i>[Handwritten Signature]</i>	
Commission Expires	<i>2/28/2023</i>	
Notary Number	<i>148498</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
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)	Richard E Core Jr

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	2/28/2023	
Notary Number	148498	

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 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	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	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

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 042-57G 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 2019

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

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	042-55B
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 MARKED EAGLE PARTNERS LLC (Applicant) to rezone Tax Map 042-55B from A-10 (Current Zoning District) to VR-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

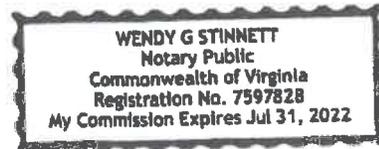
Seal

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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Table of Contents

Eagle Construction	4	District Guidelines	17	Infrastructure	25
Overview	5	The Village District	18	Transportation	26
Home Highlights	6	The Parke District	19	Thoroughfare Standards	27
Eagle Moment	7	Additional Information	20	Public Utilities	29
		Conversion Schedule	20	Stormwater	29
Introduction	8	Permitted Uses	20	Appendix	30
Context	9	Acreages & Densities	20	Proffers	31
Powhatan County	10	Open Space & Design	21	Cash Proffer Methodology	31
Comprehensive Plan	10	Overview	22	Development Phasing	31
Powhatan County's Vision	11	The Village Green	22	Unified Control	31
Master Plan	12	Donnelly Park & Preserve	23	Proffer Details	32
Illustrative Master Plan	13	Page Road Buffer	23		
Inspiration & Vision	14	Environmental Stewardship	24		
Illustrative Section Elevations	16				



Eagle Construction

Overview	5
Home Highlights	6
Eagle Moment	7

Eagle Construction Interview



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

Context	9
Powhatan County Comprehensive Plan	10
Powhatan County's Vision	11

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)

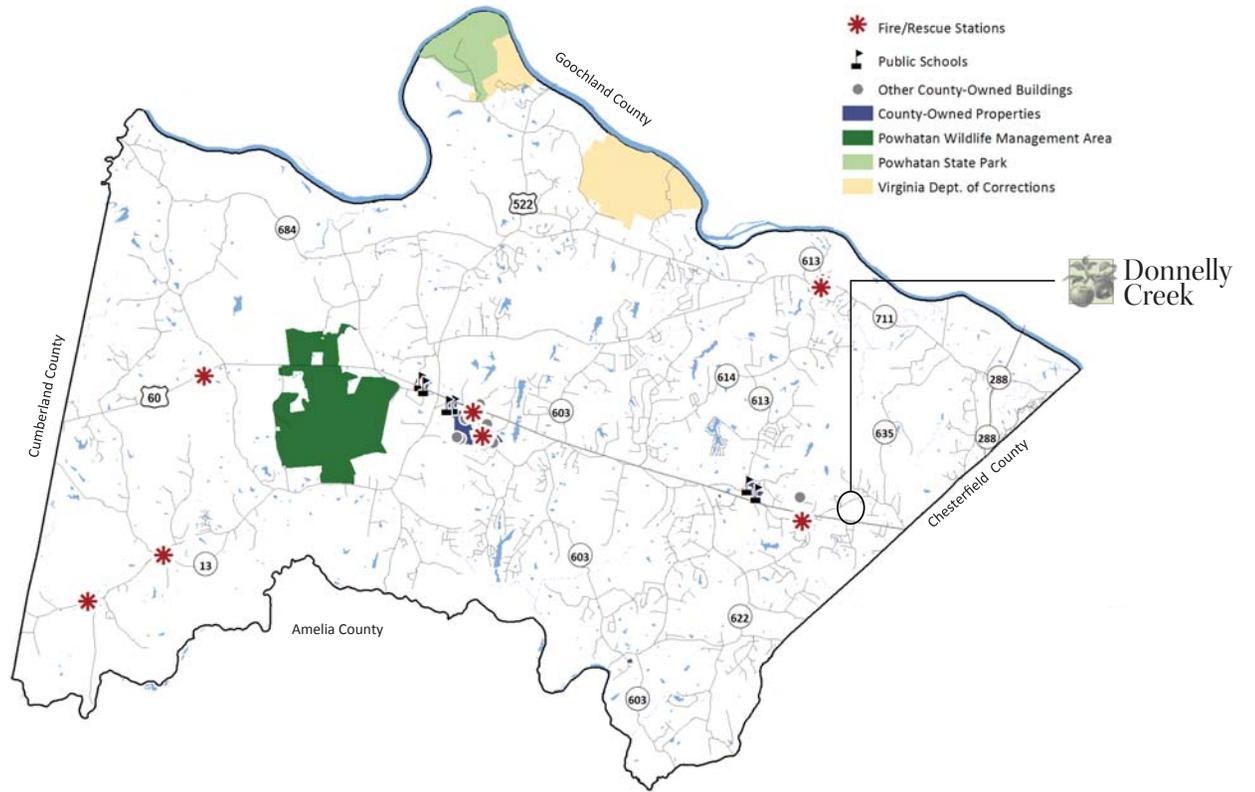
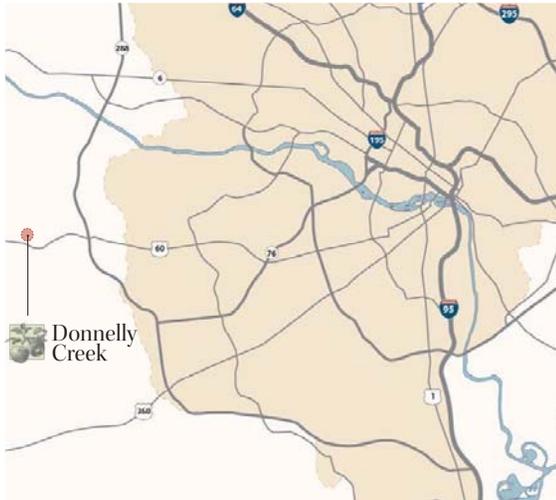


Image courtesy of 2019 Powhatan County Long Range Comprehensive Plan



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>

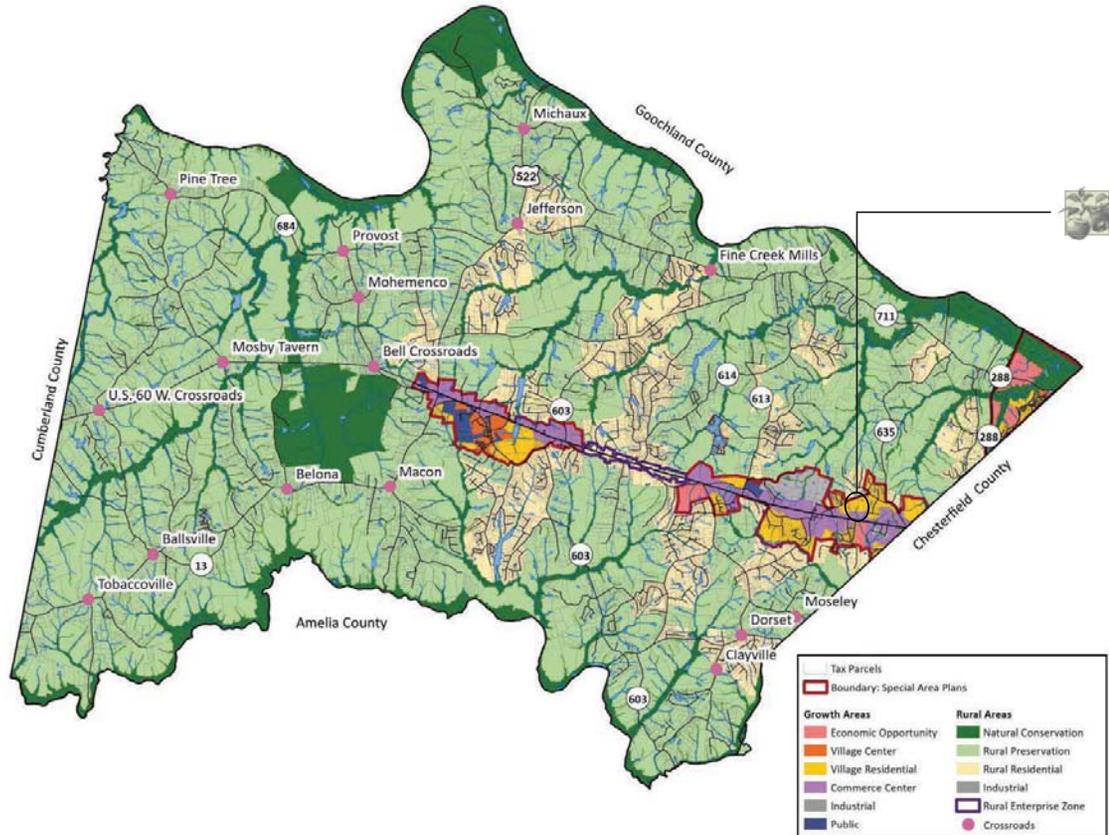


Image courtesy of 2019 Powhatan County Long Range Comprehensive Plan



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

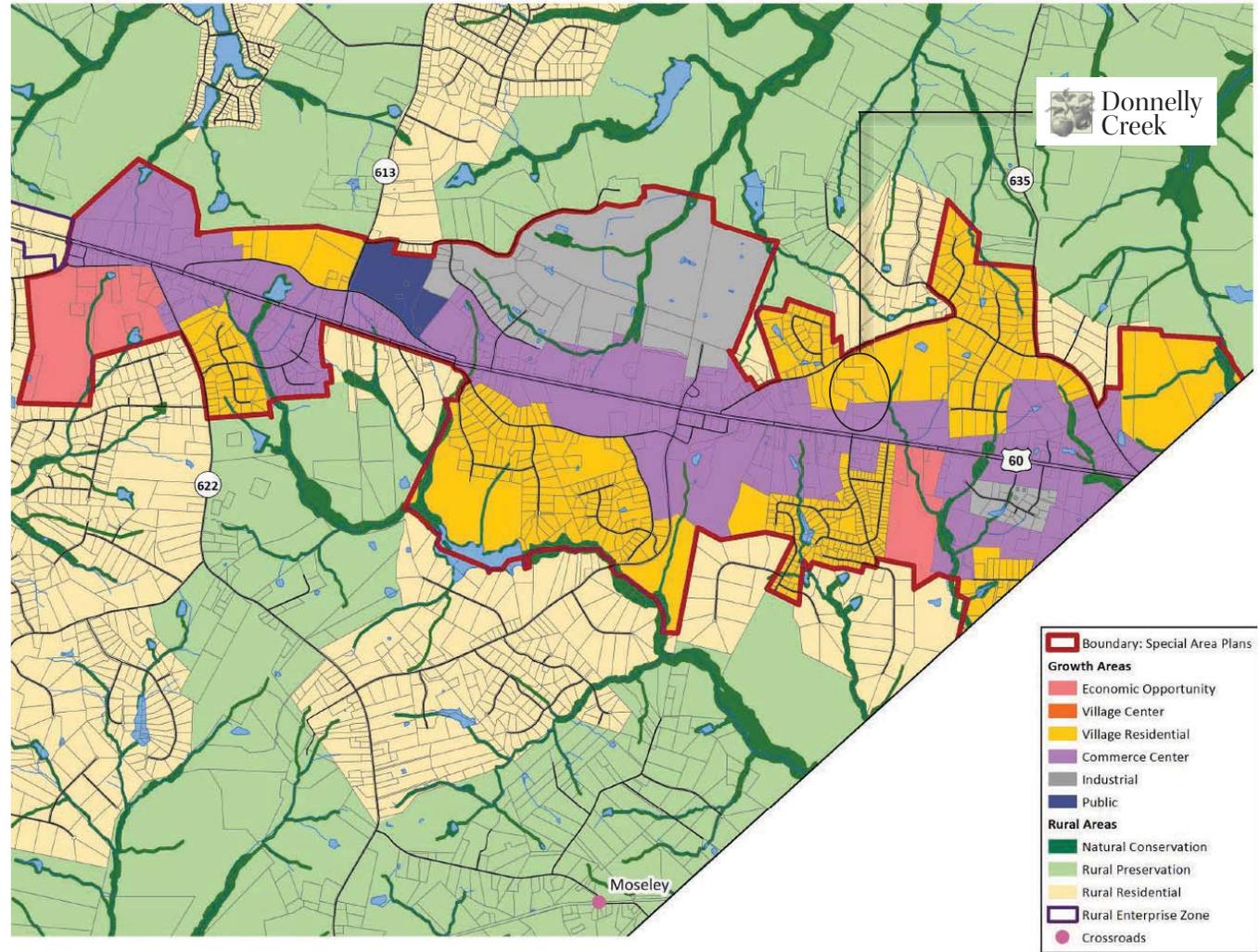


Image courtesy of 2019 Powhatan County Long Range Comprehensive Plan



Master Plan

Illustrative Master Plan	13
Inspiration & Vision	14
Illustrative Section Elevations	16

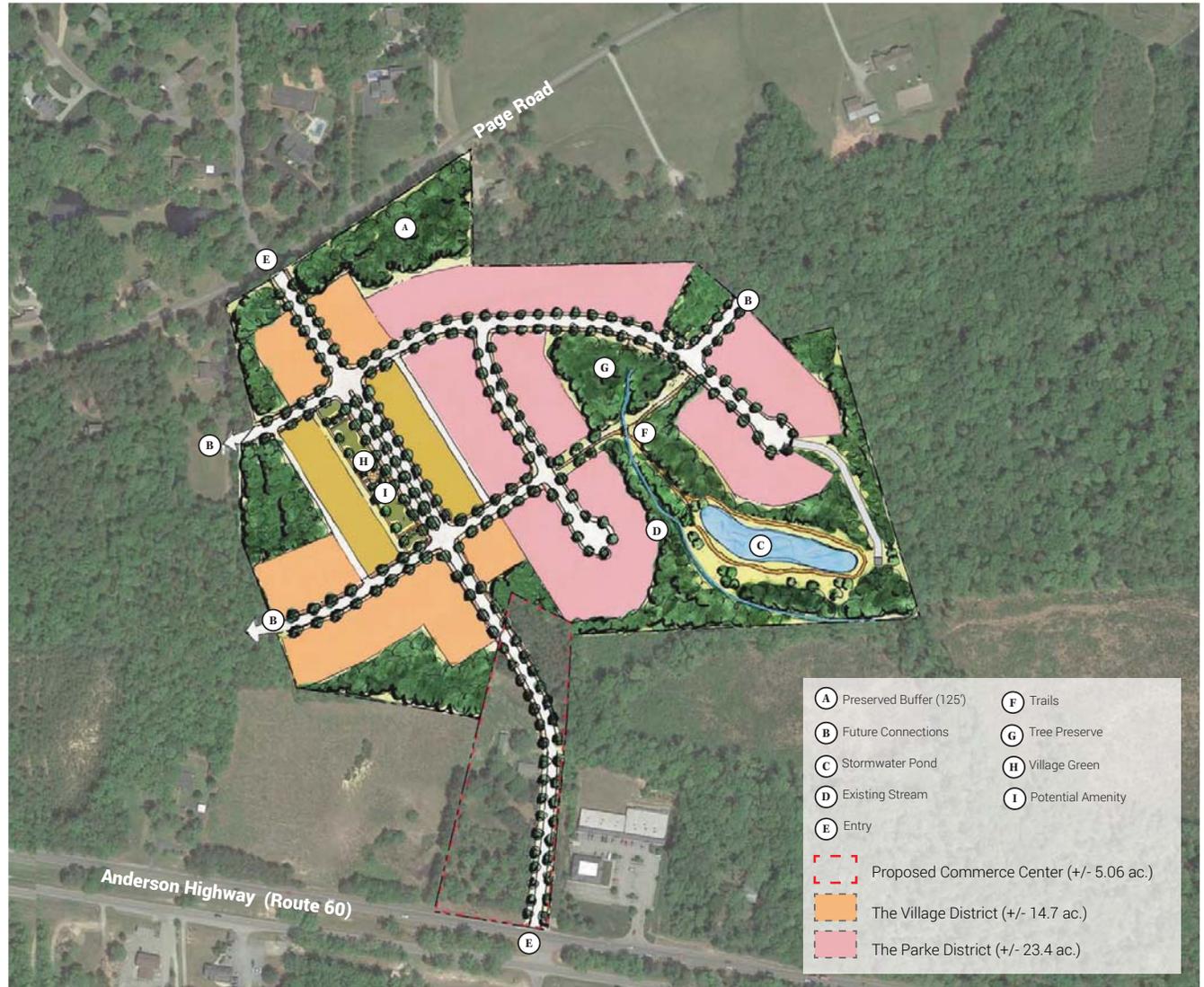
Master Plan

Administrative 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





District Guidelines

The Village District	18
The Parke District	19
Additional Information	20
Conversion Schedule	20
Permitted Uses	20
Acreages & Densities	20

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.



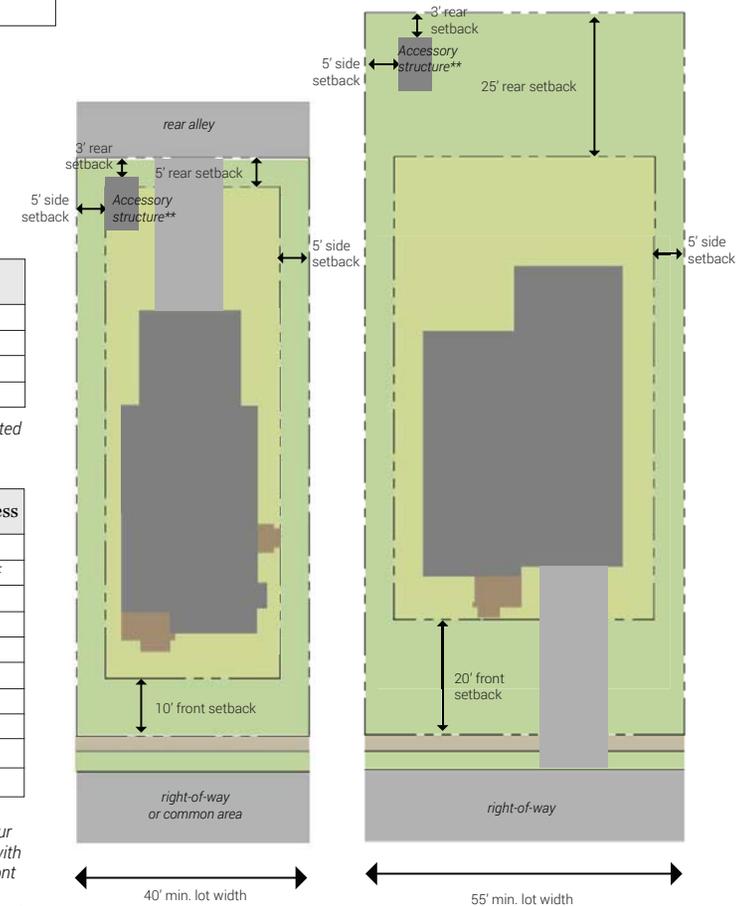
Village Lots with Rear Alley Access	
Minimum Lot Width	40'
Minimum Lot Area	4,000 SF
Minimum Yards	
Front Yard	10'
Side Yard	5'
Rear Yard	5'
Corner Lot Yard	10'
Maximum Building Height	35'
Maximum Front Yard	20'
Maximum Lot Coverage	65%

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.

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

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



District Guidelines

The Parke District

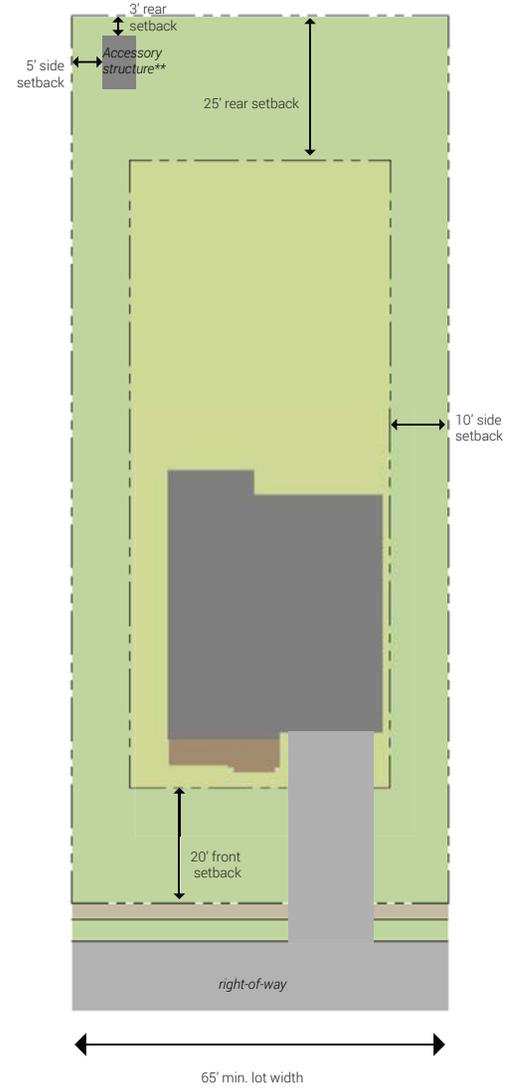
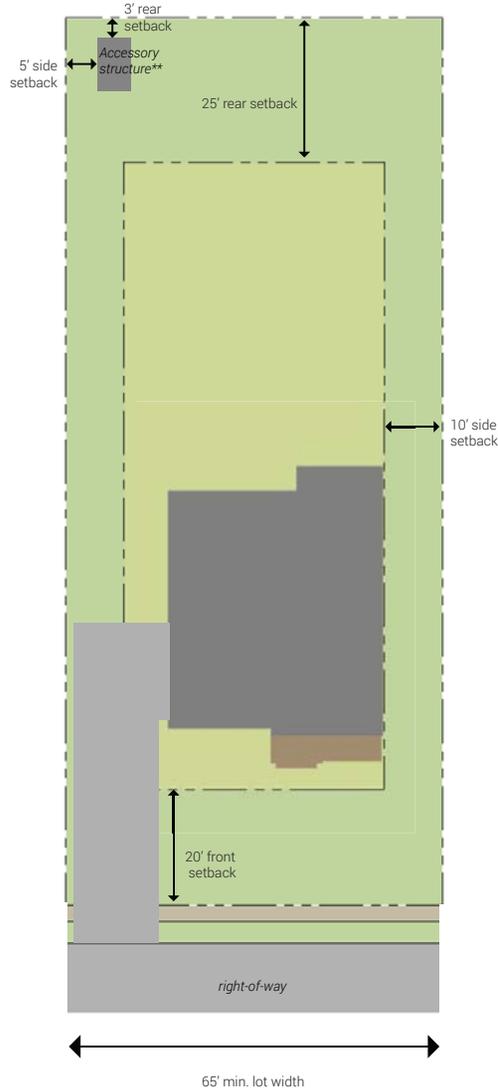
The Parke District is designed with the +/- 7-acre Donnelly Park and Preserve at its core. The streets begin to take on a more curvilinear design, meandering through the property's natural topography and environmentally sensitive lands. The homesites in The Parke are wider to allow for a more varied 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

Overview	22
The Village Green	22
Donnelly Park & Preserve	23
Page Road Buffer	23
Environmental Stewardship	24

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 hardscaped 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.



Open Space & Design

Environmental Stewardship

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 attic 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.





Infrastructure

Transportation	26
Thoroughfare Standards	27
Public Utilities	29
Stormwater	29

Infrastructure

Transportation

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."

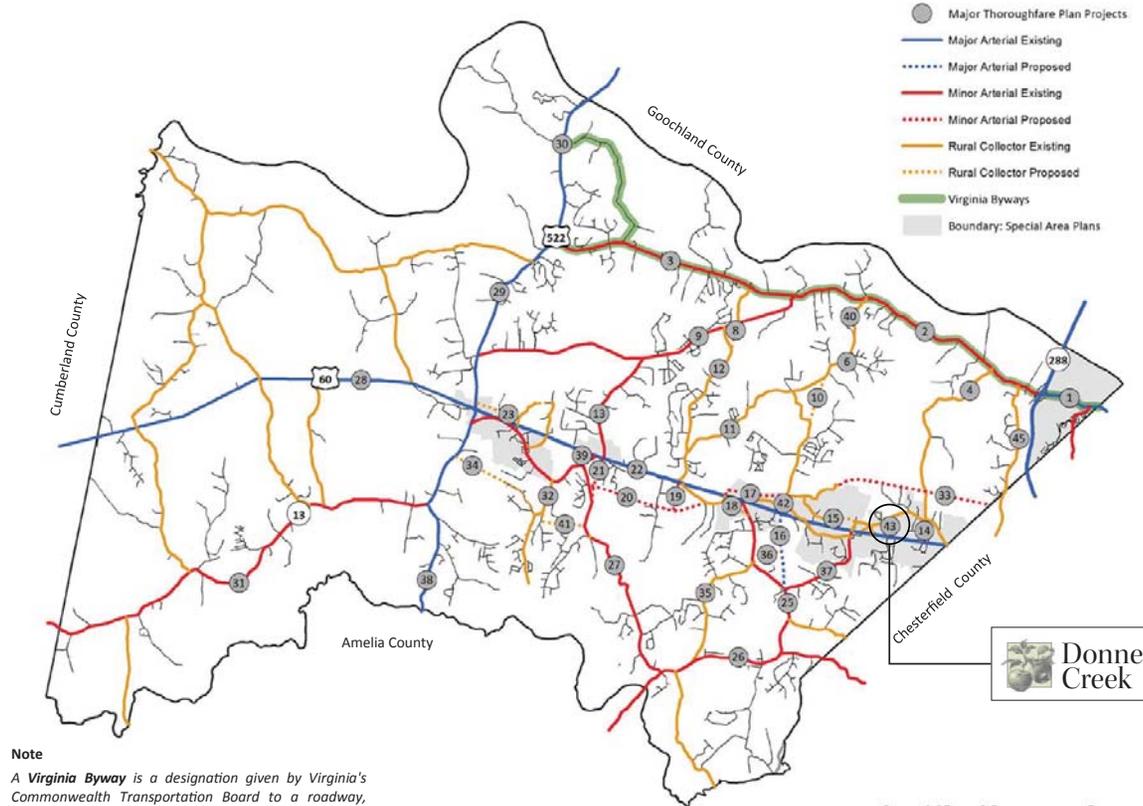
- Text courtesy of 2019 Powhatan County Long Range Comprehensive Plan

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

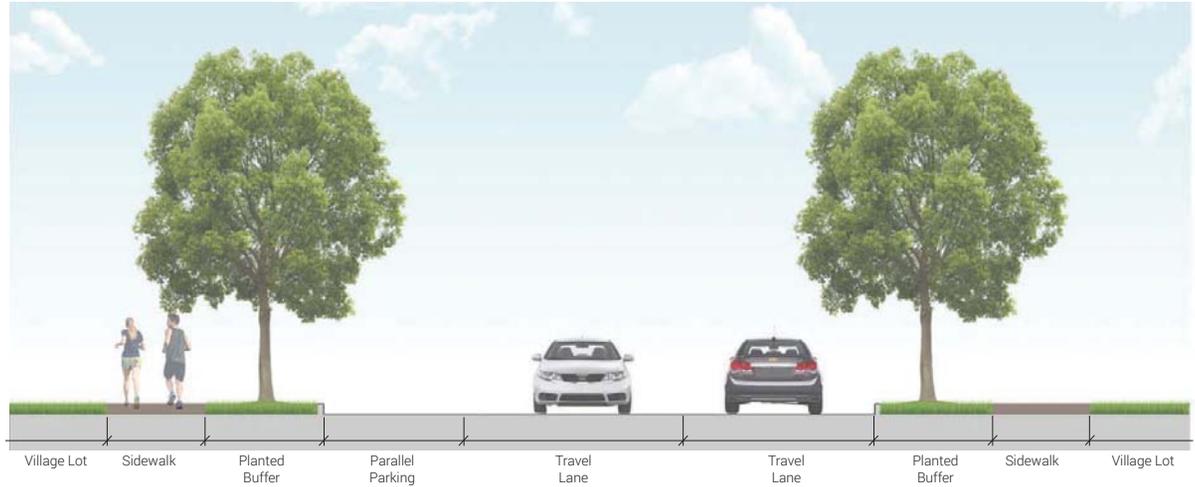
Thoroughfare Standards

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.

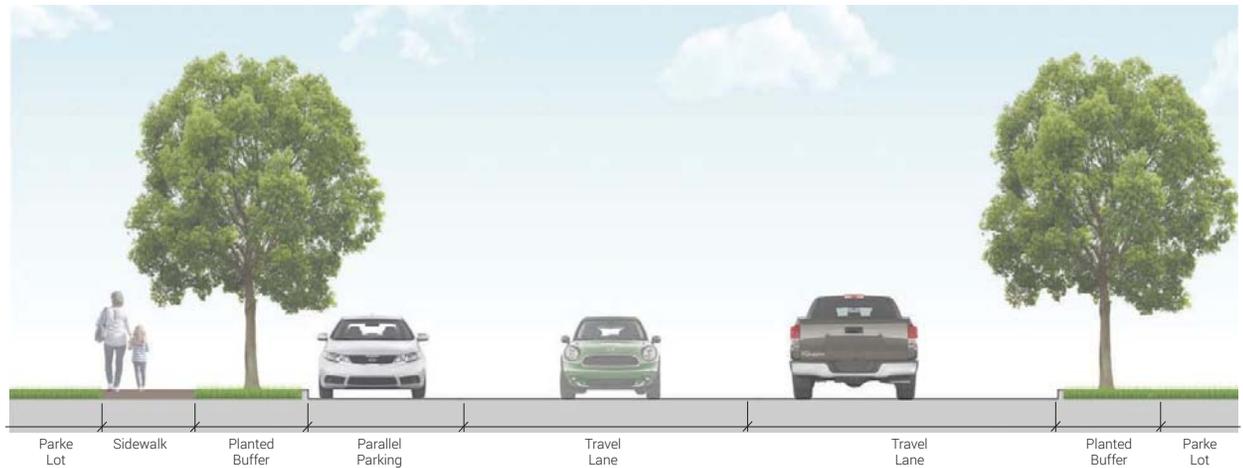
To create a traditional "village" character, the street system within Donnelly Creek is laid out in semi-regular blocks with a grid-like pattern, private alleys and narrow pavement width. On-street parking and sidewalks will be provided throughout the neighborhood. The street network in Donnelly Creek 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.

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.



Village District ROW



Parke District ROW

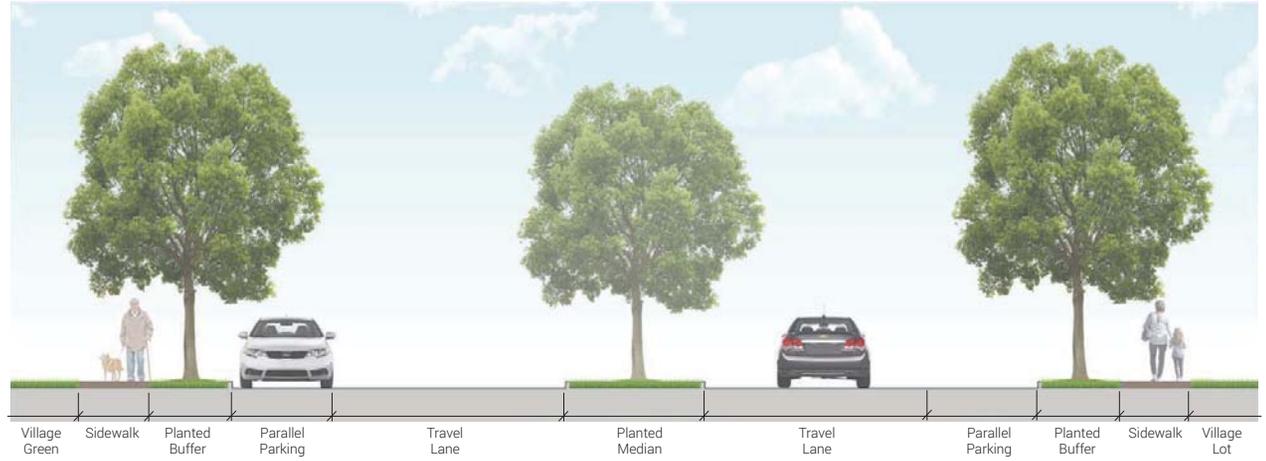
Infrastructure

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

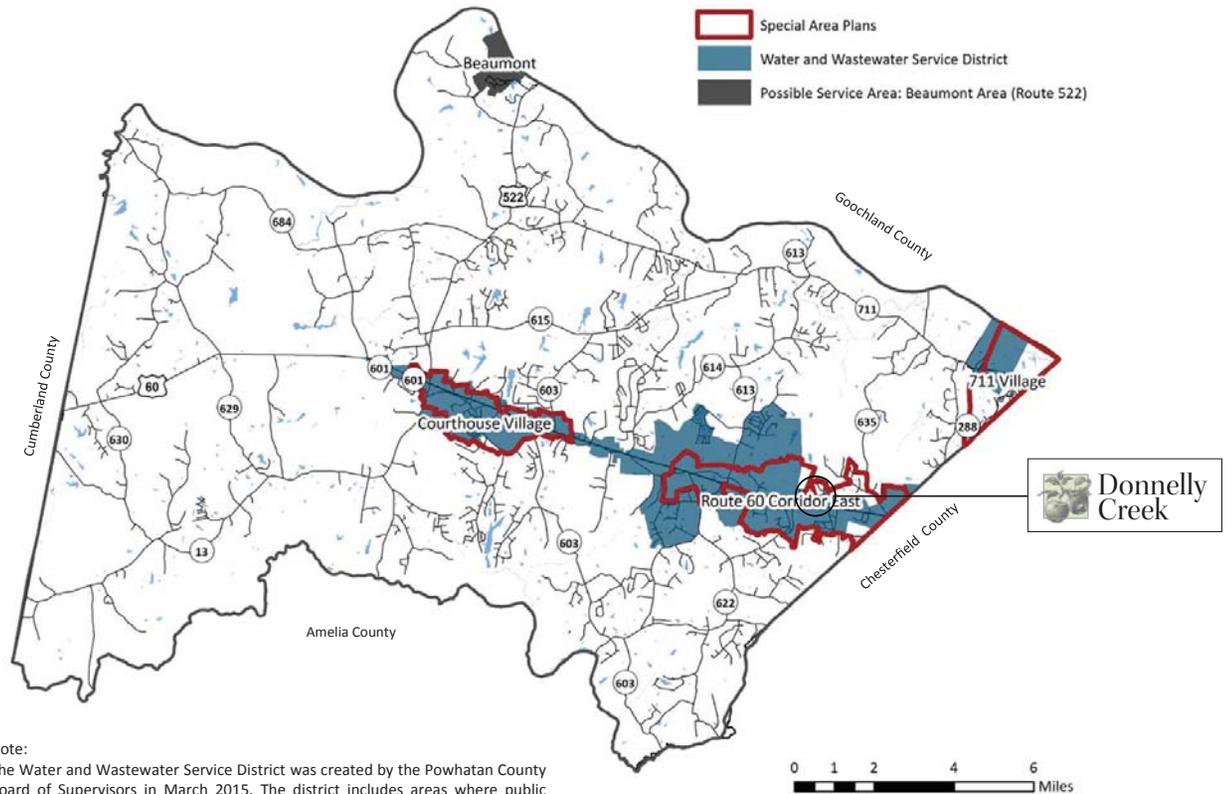
Powhatan County will provide infrastructure and community facilities in a fiscally-responsible manner with adequate levels-of-service, consistent with the proposed future land use plan.

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



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

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.





Appendix

Proffers	31
Cash Proffer Methodology	31
Development Phasing	31
Unified Control	31
Proffer Details	32

Appendix Proffers

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.

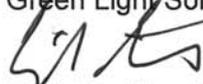
Northbound left turn traffic movements on Holly Hills Road at the US 60 intersection also have an alternative route to the unsignalized intersection of US 60 and Dogwood Road or rerouting to a northbound right turn lane in order to conduct a U-turn maneuver at the existing median crossing located at 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

Donnelly Creek – Traffic Assessment Report

October 22, 2019

Page 2 of 3

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

Page 106 | January 7, 2020 | Planning Commission

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.

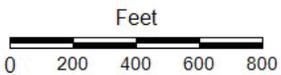
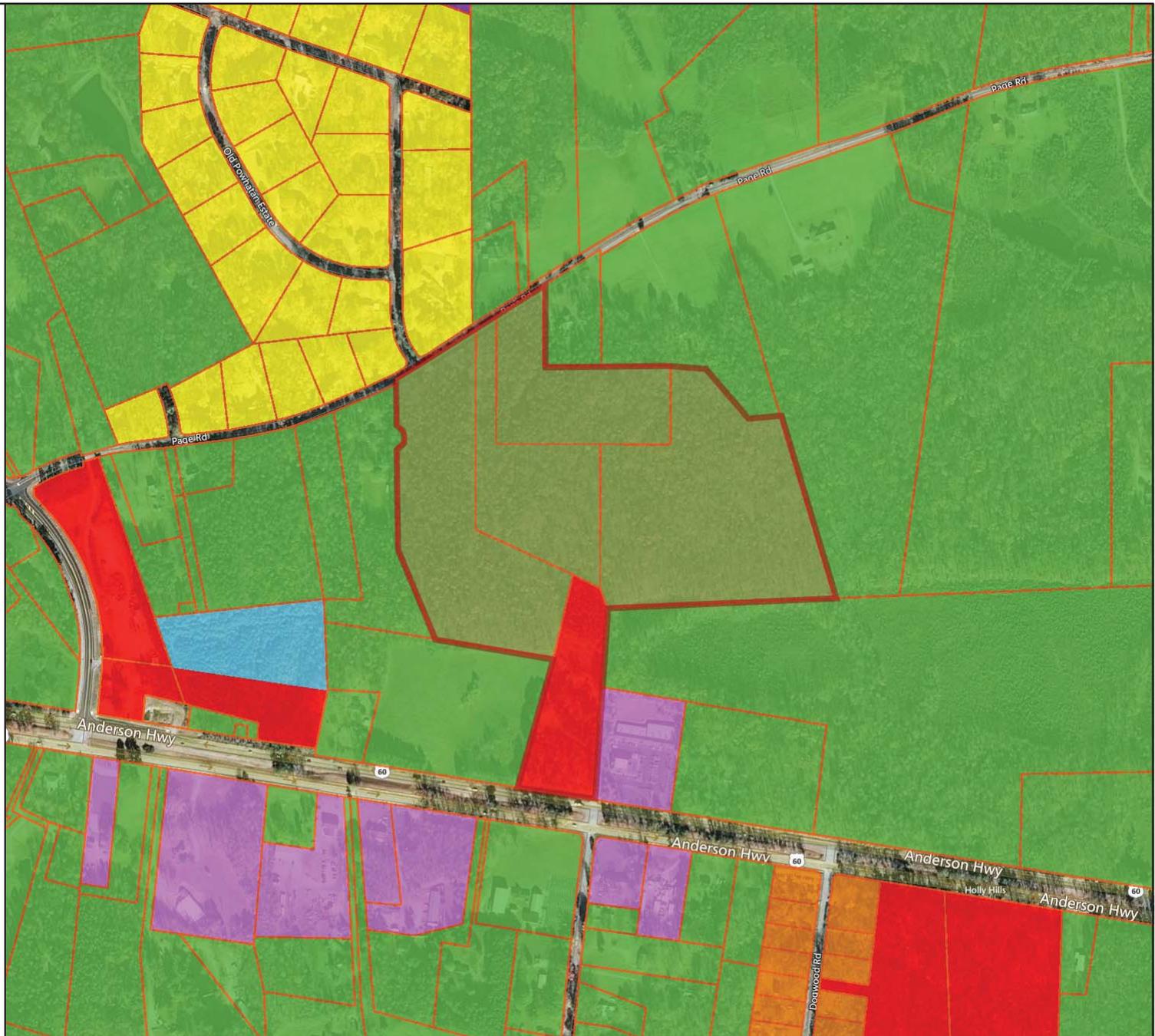
Feet



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



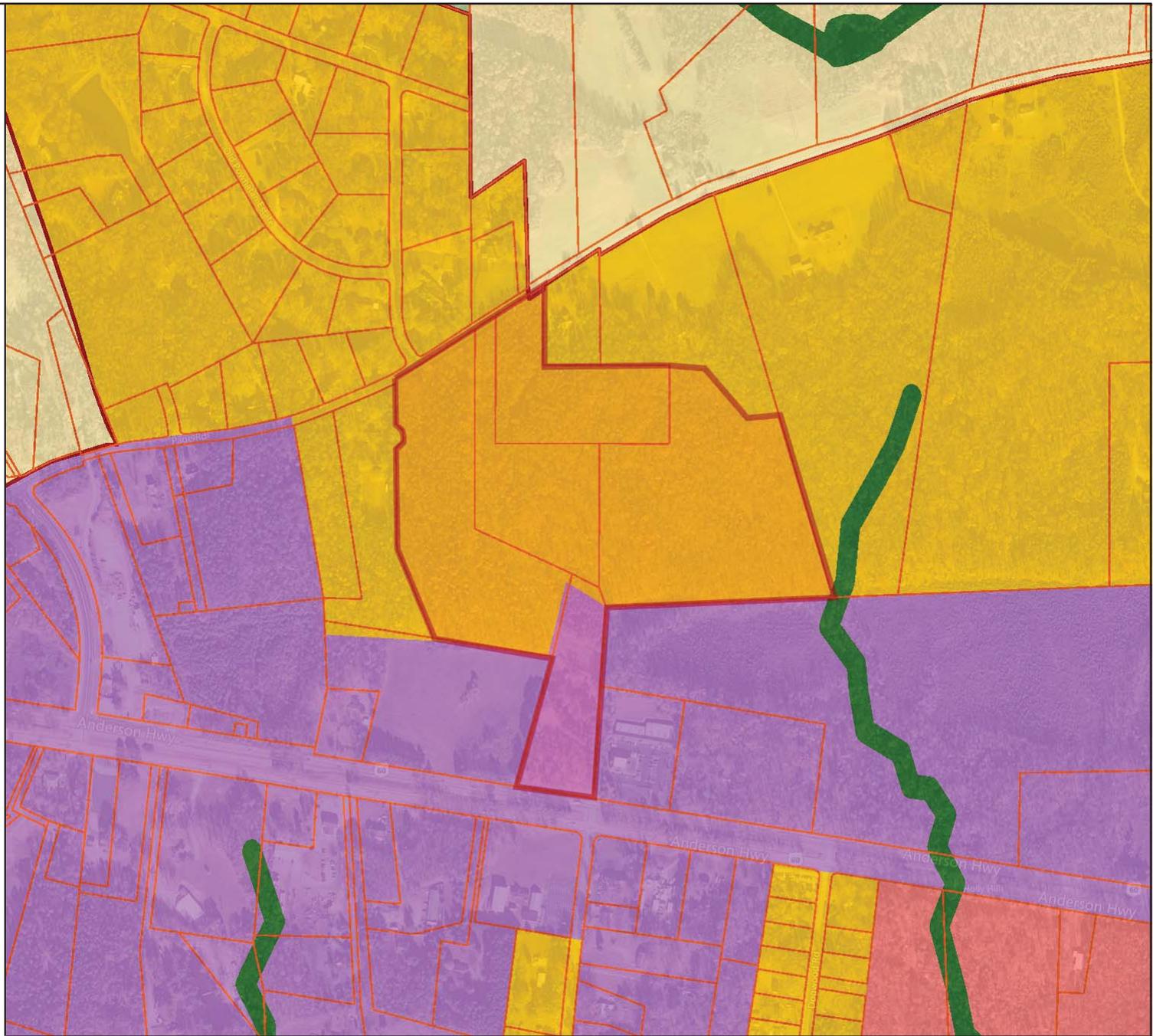
Case #19-06-REZC: Zoning Map

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

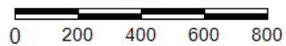
-  County Boundary
-  Parcels
-  Crossroads
-  Growth Area Boundaries
-  Rural Enterprise Zone Boundary
-  Future Land Use
-  Public Lands
-  Natural Conservation
-  Rural Preservation
-  Rural Residential
-  Low Density Residential
-  Village Residential
-  Village Center
-  Commerce Center
-  Economic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

Feet



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.

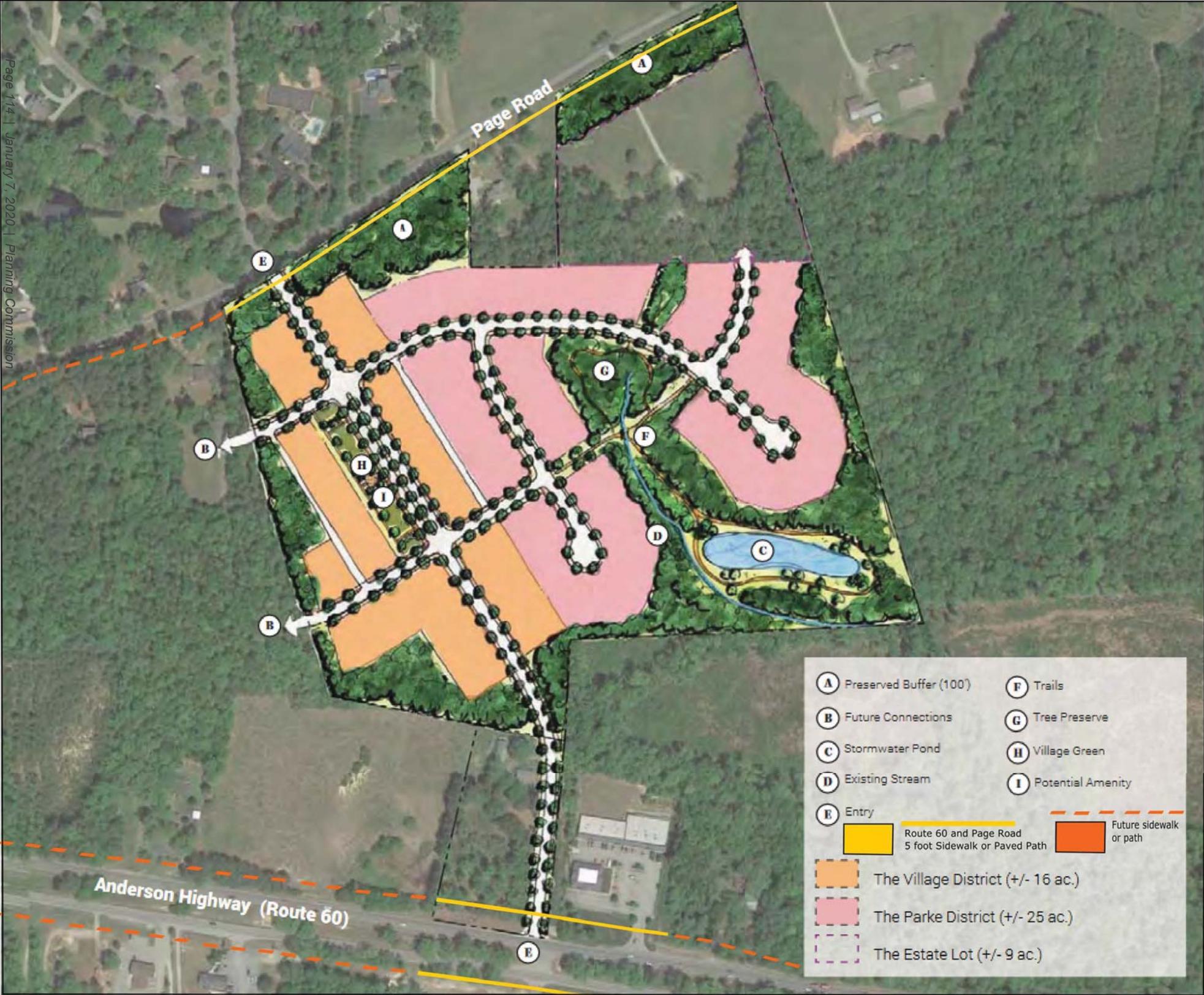
I have two final drawings of the proposal of why they should add sidewalks or a 5 foot wide paved pedestrian bike path to Page Road and Route 60.

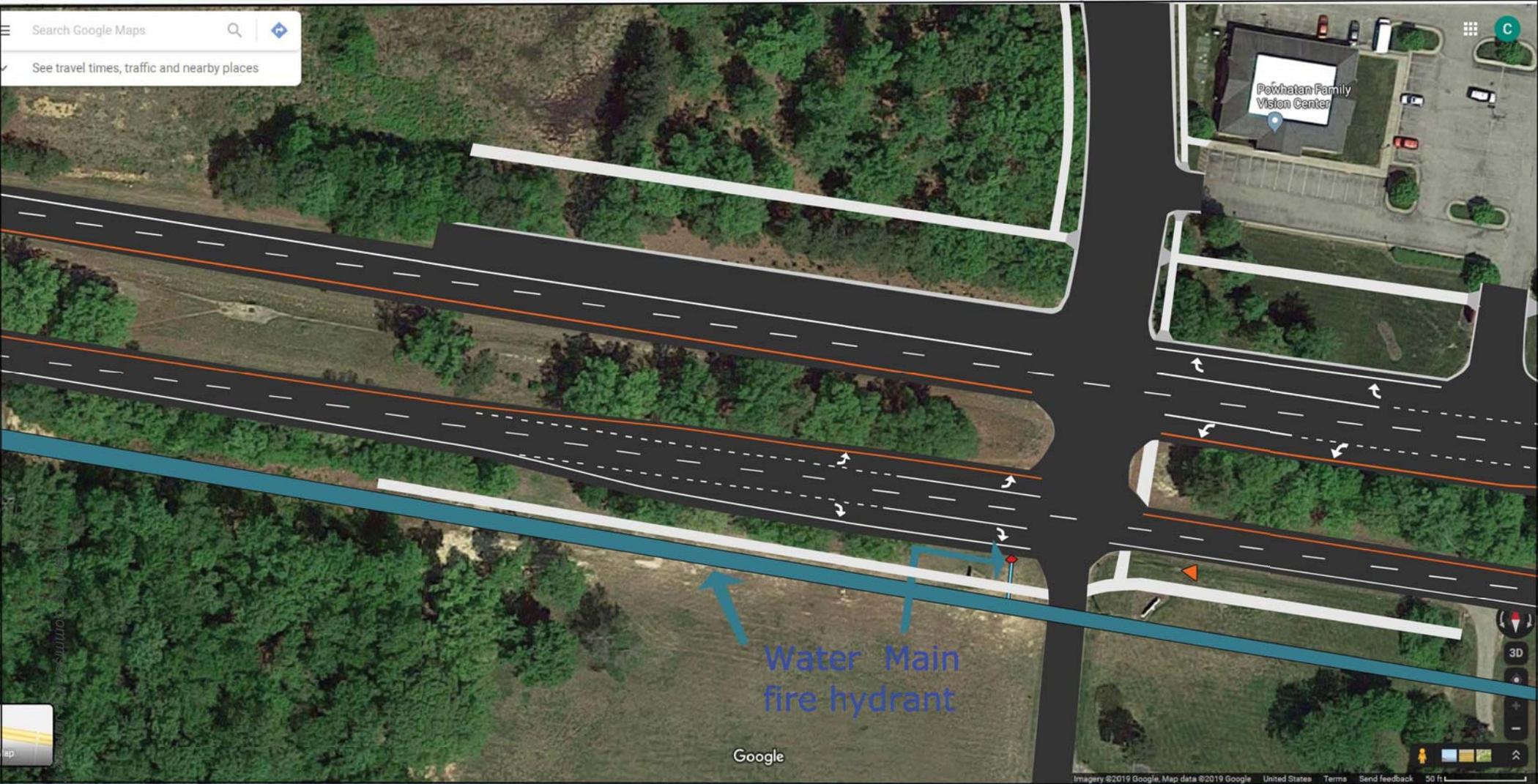
And a right turn lane on Route 60 for the 1950's Holly Hills Subdivision

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.





Search Google Maps



See travel times, traffic and nearby places

Powhatan Family Vision Center

Water Main
fire hydrant

Google

Imagery ©2019 Google, Map data ©2019 Google, United States, Terms, Send feedback, 50 ft

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 life 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

ay Auto...
January

Page Road with two 12 foot wide Travel Lanes and two 6 foot paved shoulders



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



Powhatan County Planning Commission Agenda Item

Meeting Date: January 7, 2020

Agenda Item Title: **Case #20-01-AZ:** The **County of Powhatan** requests the amendment and reenactment of provisions set forth in Chapter 83 (Zoning Ordinance), Article XI (Definitions) by adding definitions for the terms *attached, comprehensive plan, contractor's storage yard, detached, independent cooking facility, residential kitchen, corner lot line, pet, right-of-way, outdoor shed sales, and corner yard*; adding language to clarify differences between *duplex dwelling, three- or four-family dwelling, and townhouse dwelling*; modifying the definition for the term *private kennel*, clarifying that permitted fowl includes chickens and ducks; modifying the definition for the term *livestock*, clarifying that goats, bison, ponies, alpacas, and llamas are all considered livestock; modifying the definition for the term *flag lot* to align with the definition for that term in the subdivision ordinance; modifying the definition of *medical and dental lab* to better reflect activities associated with that use; removing the term *large lot development*; correcting grammatical errors; removing incorrect references to other portions of the zoning ordinance; and adding references to certain definitions that identify related terms.

Motion: In accordance with public necessity, convenience, general welfare, and good planning practices, the Planning Commission recommends (*approval / denial / deferral*) of the request submitted by the County of Powhatan to amend Article XI: Definitions to add, remove, and modify definitions for certain terms.

Dates Previously Considered by PC: Initial Review (Workshop): December 3, 2019

Summary of Item: The Department of Community Development continues to review development-related ordinances to identify potential revisions that could be made to provide clarification for members of the public and the Zoning Administrator ("clean-up" amendments). Several possible revisions have been prepared to provide clarification regarding standards set forth in Article XI: Definitions (Zoning Ordinance).

Staff: Approve Disapprove See Comments

Attachments: Staff Report
Draft Ordinance

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

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



20-01-AZ

County of Powhatan

Amend the Powhatan County Zoning Ordinance
[Article XI: Definitions] to Add, Remove, and Modify Definitions
for Certain Terms

Staff Report Prepared for the Planning Commission
January 7, 2020

I. PUBLIC MEETINGS

Planning Commission	December 3, 2019	Workshop (Discussion)
	January 7, 2020	Public Hearing

II. SUMMARY OF AMENDMENT

The Department of Community Development continues to review development-related ordinances to identify potential revisions that could be made to provide clarification for members of the public and the Zoning Administrator (“clean-up” amendments). Several possible revisions have been prepared to provide clarification regarding standards set forth in Article XI: Definitions (Zoning Ordinance).

III. ADDITIONAL INFORMATION

The proposed amendment involves the following changes to Article XI: Definitions (Zoning Ordinance):

- Adding a definition for the term *attached*, clarifying when two or more structures are considered attached.
- Adding a definition for the term *comprehensive plan*.
- Adding a definition for the term *contractor’s storage yard*.
- Adding a definition for the term *detached*.
- Adding language to clarify differences between *dwelling, duplex; dwelling, three- or four-family; and dwelling, townhouse*.
- Modifying the definition for the term *kennel, private*, clarifying that permitted fowl includes chickens and ducks.
- Adding definitions for the terms *independent cooking facility* and *kitchen, residential*, clarifying what elements/equipment a kitchen consists of.
- Removing the term *large lot development*, as that terminology is no longer included within the subdivision ordinance.
- Modifying the definition for the term *livestock*, clarifying that goats, bison, ponies, alpacas, and llamas are all considered livestock.
- Adding a definition for the term *lot line, corner*.

- Modifying the definition for the term *lot, flag* to align with the definition for that term in the subdivision ordinance.
- Modifying the definition of *medical and dental lab* to better reflect activities associated with that type of business.
- Adding a definition for the term *pet*, which is a term referenced in other definitions.
- Adding a definition for the term *right-of-way*, aligning with a similar definition in the subdivision ordinance.
- Adding a definition for the term *shed sales, outdoor*.
- Adding a definition for the term *yard, corner*.
- Correcting grammatical errors and removing incorrect references to other portions of the zoning ordinance.
- Adding references to certain definitions to identify related terms.

IV. STAFF RECOMMENDATION

The Department of Community Development **recommends approval** of the proposed amendment, since it provides greater clarity regarding provisions set forth in Article XI: Definitions and improves consistency between different parts of the County Code.

V. PLANNING COMMISSION RESOLUTION

In accordance with public necessity, convenience, general welfare, and good planning practices, the Planning Commission recommends (*approval / denial / deferral*) of the request submitted by the County of Powhatan to amend Article XI: Definitions to add, remove, and modify definitions for certain terms.

Attachments

1. Proposed Amendment to Powhatan County Zoning Ordinance (Case #20-01-AZ)

Draft “Clean-Up” Amendments to Article XI: Definitions (Case #20-01-AZ)
(Planning Commission: January 7, 2020)

Draft “Clean-Up” Amendments to Article XI: Definitions
Planning Commission (Public Hearing): January 7, 2020

ORDINANCE O-2020-___

AN ORDINANCE AMENDING THE POWHATAN COUNTY CODE OF ORDINANCES TO AMEND THE PROVISIONS OF CHAPTER 83 (ZONING ORDINANCE), ARTICLE XI (DEFINITIONS) TO ADD, REMOVE, AND MODIFY DEFINITIONS FOR CERTAIN TERMS.

WHEREAS, Sections 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, Sections 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, this amendment of the Powhatan County Zoning Ordinance is required to serve the public necessity, convenience, general welfare, and good zoning practice pursuant to Section 15.2-2286(A)(7) of the Code of Virginia, as amended; and

WHEREAS, the proper advertisement and public hearing was conducted as required by law; and

WHEREAS, the full text of this amendment was available for public inspection in the Department of Community Development, Powhatan County Administration Building, 3834 Old Buckingham Road, Powhatan, Virginia 23139.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF POWHATAN that Article XI (Definitions) of the Zoning Ordinance of the County of Powhatan is amended and reenacted as follows:

CODE OF THE COUNTY OF POWHATAN, VIRGINIA
CHAPTER 83. ZONING ORDINANCE

...

ARTICLE XI. – DEFINITIONS

...

Sec. 83-521. - Definitions.

Abandonment, for the purposes of Article X, abandonment shall mean the stopping or halting of use or occupancy of a nonconformity for a period of two years or more.

...

Assisted living facility means a public or private congregate residential facility that provides personal and health care services, 24-hour supervision, and assistance (scheduled and unscheduled) for the maintenance or care of four or more adults who are aged, infirm or disabled and who are cared for in a primarily residential setting. Included in this definition are any two or more places, establishments or institutions owned or operated by a single entity and providing maintenance or care to a combined total of four or more aged, infirm or disabled adults.

Draft “Clean-Up” Amendments to Article XI: Definitions (Case #20-01-AZ)
(Planning Commission: January 7, 2020)

Maintenance or care means the protection, general supervision and oversight of the physical and mental well-being of an aged, infirm or disabled individual.

The following are not deemed assisted living facilities:

- (1) A facility or portion of a facility licensed by the state board of health or the department of behavioral health and developmental services, but including any portion of such facility not so licensed;
- (2) The home or residence of an individual who cares for or maintains only persons related to him by blood or marriage;
- (3) A facility or portion of a facility serving infirm or disabled persons between the ages of 18 and 21, or 22 if enrolled in an educational program for the handicapped pursuant to Code of Virginia § 22.1-214, when such facility is licensed by the department as a children’s residential facility under Code of Virginia § 63.2-1700 et seq., but including any portion of the facility not so licensed;
- (4) Any housing project for persons 62 years of age or older or the disabled that provides no more than basic coordination of care services and is funded by the U.S. Department of Housing and Urban Development, by the U.S. Department of Agriculture, or by the Virginia Housing Development Authority; and
- (5) A residential facility for eight or fewer individuals who are treated as a single-family in accordance with Code of Virginia § 15.2-2291.

Attached means, when used in reference to two or more structures, having one or more common walls or being joined by a covered porch or passageway. Two structures may also be considered attached if separated by less than three (3) feet.

...

Change of use means the change in the use of a structure or land. Change of use shall include a change from one use type to another use type in the use tables in Article VII.

Check cashing establishment means any person or establishment engaged in the business of cashing checks, drafts, or money orders for compensation, and registered with the state corporation commission pursuant to Code of Virginia § 6.1-433.

Child day care center means an establishment providing a child day program offered to (i) two or more children under the age of 13 in a facility that is not the residence of the provider or of any of the children in care or (ii) six or more children at any location. (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)

Civic center means ~~a civic center is~~ a facility designed to accommodate 500 or more persons and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with accessory functions including temporary outdoor displays, and food and beverage preparation and service for on-premise consumption. Similar structures with a capacity of less than 500 people constitute conference centers or training centers. (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)

...

Commented [AP1]: This is intended to provide clarity as to what *attached* means. If an accessory building is considered attached to the main structure, it would have to adhere to the setbacks for principal structures.

Commented [AP2]: This is intended to ensure that there is adequate space for circulation and access between two separate structures.

Commented [AP3]: There is no use table in Article VII.

Conditional use permit. See Article II: Administration.

Comprehensive plan shall mean the long-range comprehensive plan of Powhatan County, Virginia, including those maps, plats, charts, and descriptive matter that have been formally adopted by the Board of Supervisors, pursuant to the provisions of the Code of Virginia.

Commented [AP4]: The comprehensive plan is referenced in the zoning ordinance, but it is not defined. *Comprehensive plan* is defined in the subdivision ordinance (but this definition seems more complete/comprehensive).

Condominium means a multiple-unit residential or nonresidential development where individual units are owned individually, but all other elements of the development are owned jointly by unit owners.

Conference or training center means a facility designed to accommodate fewer than 500 persons and used for conferences, seminars, product displays, recreation activities, and entertainment functions, along with accessory functions including temporary outdoor displays, and food and beverage preparation and service for on-premise consumption. Similar facilities located in a rural setting constitute rural event venues (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)

Commented [AP5]: Ordinance #O-2019-20 (Adopted April 24, 2019) created and defined a new use called *rural event venue*.

...
Contractor's offices means a building or portion of a building used by a building, heating, plumbing, electrical, or other development contractor both as an office and for the storage of a limited quantity of materials, supplies, and equipment inside the building. If outdoor storage of materials, supplies, or equipment is associated with the office, the use is considered a contractor's storage yard.

Contractor's storage yard means an outdoor storage area operated by, or on behalf of, a contractor for the storage of construction equipment, vehicles, or other materials commonly used in the individual contractor's type of business and/or the storage of scrap materials used for the repair and maintenance of contractor's own equipment.

Commented [AP6]: *Contractor's storage yard* is referenced in the definition of *contractor's office*, but it is not defined or listed elsewhere in the zoning ordinance. This definition is similar to one adopted by Fluvanna County.

...
Density means the ratio of the total number of residential dwelling units on a lot to total lot area (or in the case of mixed-use development, to lot area allocated to residential use).

Detached means a building that does not have a wall in common or in contact with another building and is separated from other structures by at least three (3) feet.

Developer means any person, including a governmental agency, undertaking development.

Development means the initiation or change of any use and any man-made change to improved or unimproved real estate. "Development" shall include, but not be limited to, the following:

- (1) Change in the type of use of a building, structure, or land;
- (2) Disturbance of land through the removal of trees or ground cover;
- (3) Division of land into two or more parcels;
- (4) Dredging, filling, and grading;
- (5) Construction or enlargement of a building or other structures;

Draft “Clean-Up” Amendments to Article XI: Definitions (Case #20-01-AZ)

(Planning Commission: January 7, 2020)

- (6) Material increase in the intensity of use of land, such as an increase in the number of businesses, offices, manufacturing establishments, or dwelling units located in a building or structure or on the land;
- (7) Demolition of a structure;
- (8) Commencement or expansion of agricultural, horticultural, or forestry activities on a parcel of land;
- (9) Commencement or expansion of resource extraction activities such as mining, excavation, or drilling operations;
- (10) Deposition of refuse or solid or liquid waste on a parcel of land;
- (11) Storage of equipment or materials;
- (12) Alteration, either physically or chemically, of the shore, bank, or channel of any stream, lake, or other body of water or alteration of any wetland; and
- (13) Any land disturbing activity that adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

Director means the Powhatan County, Virginia Director of Community Development. See Article II: Administration.

...

Dwelling unit means one or more rooms connected together and constituting a single housekeeping unit, with independent cooking and sleeping facilities, designed or used for occupancy by a single family, and separate from any other dwelling units or rooms in the same building.

Dwelling, duplex means a residential building containing two dwelling units. Such units may be part of a single structure, or may be attached by one or more common walls. Unlike *dwelling, townhouse*, each dwelling unit is located on the same parcel and are not located on individual lots (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)

...

Dwelling, single-family detached means a detached residential building other than a manufactured home containing a single dwelling unit. (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)

Dwelling, three- or four-family means a residential building containing three or four individual dwelling units. The units may be located side by side in a horizontal configuration and/or stacked one above the other in a vertical configuration, sharing common vertical walls and/or horizontal floors/ceilings. A three-family dwelling may be referred to as a triplex, and a four-family dwelling as a quadplex. Unlike *dwelling, townhouse*, each dwelling unit is located on the same parcel and not located on individual lots (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)

Commented [AP7]: As the zoning ordinance is currently written, it seems that *duplex* is intended to refer to a two-family dwelling under single ownership. For example, in the R-U district, a footnote states that the minimum lot size for a duplex is 3 acres (where public utilities are not available).

Draft “Clean-Up” Amendments to Article XI: Definitions (Case #20-01-AZ)
(Planning Commission: January 7, 2020)

Dwelling, townhouse means a residential building containing ~~three~~-two or more dwelling units, each with its own outside entrance and individual lot, and that are joined together by a common or party wall that is without openings for human passage.

Commented [AP8]: There is not a definition that addresses two-unit structures where each unit is on an individual lot. Throughout the ordinance, *duplex* seems to refer to a two-unit structure where units are not located on individual lots.

...

Fabrication. See *Manufacturing, assembly, or fabrication, light.*

Facade means the front of a building, including the entire building wall, fascia, windows, doors, and canopy.

Fairground means an area of land use including, but not limited to: agricultural--related office buildings, animal shows and judging, carnivals, circuses, community meeting or recreational buildings and uses, concerts, food booths and stands, games, rides, rodeos, sales and auctions, storage, theaters. Amphitheaters, arenas, stadiums, auditoriums, amusement parks or stages may be an accessory use to a fairground. Fairgrounds do not include racetracks or motorsports parks.

...

Hotel or motel means a hotel or motel is a building or a group of buildings in which one or more sleeping accommodation units are offered to the public and intended primarily for use by transient persons or tourists for overnight or short-term lodging basis. Such uses may include kitchenettes, microwaves, and refrigerators for each guest unit. This use type does not include bed and breakfast inns. Hotels and motels are considered synonymous uses. (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)

Independent cooking facility. See *kitchen, residential.*

...

Kennel, commercial means a facility (other than an animal confinement facility or animal production use) which charges to or collects from animal owners a fee for overnight maintenance, care or boarding of animals, where five or more dogs, cats, fowl, or other ~~domestic animals or~~ pets over the age of six months are kept. (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)

Commented [AP9]: This is intended to provide clarification that *commercial kennels* do not include facilities where livestock are kept.

Kennel, private means a building and/or premises where five or more dogs, cats, fowl (including domestic chickens and ducks), or other ~~domestic animals or~~ pets over the age of six months are kept, boarded, maintained, or cared for overnight, for private, noncommercial purposes such as for show, hunting, farming, or as household pets. (See accessory/use-specific standards, Division 2: Standards for Accessory Uses and Structures, of Article VII: Use Standards.)

Commented [AP10]: This is intended to provide clarification that *private kennels* do not include facilities where livestock are kept, and that chickens and ducks (in this context) are considered fowl.

Kitchen, residential means any single room within a dwelling unit that contains a cooking oven (other than a microwave oven) or gas or electric burners for cooking food, and two or more of the following items:

1. A microwave oven;
2. An electrical supply of more than 110 volts;
3. A sink with a drain one inch in diameter or larger;

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(Planning Commission: January 7, 2020)

- ~~1-4.~~ A garbage disposal;
- ~~2-5.~~ A dishwasher; and/or
- ~~3-6.~~ A refrigerator or freezer.

...

Landowner means any owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns, and agent or personal representative of the owner.

~~*Large lot development.* See Powhatan County Code, chapter 68 (Subdivisions).~~

Large retail sales establishment means a large retail sales establishment is any retail sales establishment constituting a single business engaged in retail sales activities and located in a stand-alone single tenant building with a gross floor area of 60,000 square feet or more.

Law enforcement facility means protection centers operated by a governmental agency, including administrative offices, storage of equipment, temporary detention facilities, and the open or enclosed parking of patrol vehicles. Correctional facilities are not a law enforcement facility and are a separate use type.

Lawn care, pool, or pest control service means an establishment primarily engaged in providing lawn care services (e.g., mowing, aeration, seeding, fertilizer, landscaping), swimming pool services (e.g., cleaning, draining, equipment repair), or pest control services (e.g., inspection, extermination).

Limited commercial landscaping contractor. See *Home-based landscaping business*.

Liquor store means an establishment licensed by the state exclusively for the retail sale of liquor or spirits in sealed containers for consumption off the premises where sold.

Live entertainment means and shall include, but not be limited to, musical performances, public speaking, or comedy.

~~*Livestock* means animals normally kept for use on a farm or raised for sale or profit, including but not limited to pigs, sheep, goats, cattle, bison (American buffalo), chickens, and horses, ponies, alpacas, and llamas.~~

...

~~*Lot line, corner* means, on a corner lot, the longer of the two lot lines abutting a public street right-of-way or private road easement.~~

Lot line, front means a lot line (other than a corner lot line) separating the lot from an abutting public street right-of-way or private road easement. Where the boundaries of a lot extend into an abutting public street right-of-way or private road easement, the front lot line shall be the outside edge of the right-of-way or easement.

Lot line, rear means a lot line not abutting a street and connecting the lot's side lot lines—or a side lot line and a front lot line, for corner lots—along the edge of the lot opposite its front lot line.

Lot line, side means a lot line not abutting a street and connecting the lot's front and rear lot lines.

Commented [AP11]: This is intended to provide clarity regarding what *independent cooking facilities* are (which will help determine whether a living area is an independent dwelling unit).

Commented [AP12]: *Large lot development* is no longer part of the subdivision ordinance.

Commented [AP13]: This is intended to provide further clarification as to what types of animals are considered livestock.

Draft “Clean-Up” Amendments to Article XI: Definitions (Case #20-01-AZ)
(Planning Commission: January 7, 2020)

Lot of record means a lot which is part of a subdivision, a plat of which has been recorded in the office of the clerk of circuit court, or a lot described by metes and bounds, the description of which has been so recorded.

Lot width means the horizontal distance along a line delineating the minimum front yard depth applicable to a lot, between its intersections with the lot's side lot lines. For lots with more than one front yard, lot width applies along the front yard that has the shorter street frontage and for residential lots, fronts the street with the lower traffic volume capacity.

Lot, corner means a lot other than a through lot that abuts two or more streets at their intersection.

Lot, flag means a lot consisting of a narrow "flagpole" strip extending from an abutting street to a much wider "flag" section lying immediately behind an abutting lot or lots, or a lot not abutting a street, where the access to the lot is by a narrow "flagpole" private access easement. Flag lots shall not be permitted except for family divisions and lots along a cul-de-sac's circular turnaround.

Commented [AP14]: This addition is intended to ensure that this definition aligns with a similar definition in the subdivision ordinance.

Lot, interior means a lot abutting only one street.

Lot, through means a lot abutting two parallel or nearly parallel streets.

...

Major thoroughfare plan means a plan identifying roadway improvements needed to support projected growth and assigning priorities for roadway construction, which is incorporated into the County of Powhatan 2010 Long Range Comprehensive Plan long-range comprehensive plan of Powhatan County, Virginia, as amended.

...

Manufacturing, assembly, or fabrication, light means an establishment primarily engaged in manufacturing uses that involve the mechanical transformation of predominantly previously prepared materials into new products, including assembly of component parts and the creation of products for sale to the wholesale or retail markets or directly to consumers. Such uses are wholly confined within an enclosed building, do not include processing of hazardous gases and chemicals, and do not emit noxious noise, smoke, vapors, fumes, dust, glare, odor, or vibration. This use type does not include other manufacturing uses specifically listed in the standards for specific principal uses (Article VII: Use Standards) tables. Examples include, but are not limited to: computer design and development; apparel production; sign making; assembly of pre-fabricated parts; manufacture of electric, electronic, or optical instruments or devices; manufacture and assembly of artificial limbs, dentures, hearing aids, and surgical instruments; manufacture, processing, and packing of cosmetics; and manufacturing of components, jewelry, clothing, trimming decorations, and any similar item. (See principal/use-specific standards, Division 1: Standards for Specific Principal Uses and Structures, of Article VII: Use Standards.)

Commented [AP15]: These uses would be addressed as part of proposed changes to *medical or dental lab*.

...

Medical or dental clinic means a small-scale facility where patients are admitted for examination and treatment by one or more physicians, dentists, or other health practitioners on a short-term basis. The use includes the offices of physicians, dentists, chiropractors, optometrists, podiatrists, audiologists, speech pathologists, physical therapists, acupuncturists, psychologists,

Draft “Clean-Up” Amendments to Article XI: Definitions (Case #20-01-AZ)
(Planning Commission: January 7, 2020)

and other health practitioners. It also includes facilities providing short-term outpatient care and treatment (which may or may not be overnight), such as urgent care centers, kidney dialysis centers, ambulatory surgical clinics, outpatient pain therapy clinics, biofeedback centers, sleep disorder clinics, family planning clinics, community health clinics, and health maintenance organization (HMO) medical clinics. Such facilities that provide overnight care and treatment may include sleeping rooms for care workers and members of patients' families. This use does not include hospitals (which are much larger in scale) or blood/tissue collection centers, drug or alcohol treatment facilities, or massage clinics (which provide specialized medical services).

Medical or dental lab means facilities and offices ~~for performing diagnostic or therapeutic medical procedures of a non-surgical nature~~ devoted to bacteriological, biological, x-ray, pathological, and similar analytical or diagnostic services to medical doctors or dentists, including incidental pharmaceuticals and the production, fitting, and/or sale of optical, dental, or prosthetic appliances.

Commented [AP16]: The existing definition of *medical or dental lab* does not seem to reflect activities conducted by existing medical labs. The proposed definition is similar to what has been adopted by Albemarle County.

Medical treatment facility means facilities and offices for providing inpatient and overnight treatment, care, and support targeted to chronically ill patients or involving minor surgical procedures. This use involves more intensive and longer duration treatment and care than medical clinics and less intensive treatment and care than hospitals. Examples include urgent care centers and outpatient surgery centers.

...

Pet means animals that have been bred or raised to live in the habitation of humans in a residential setting, and are dependent upon the same for food and shelter, including but not limited to the following: dogs; cats; rabbits; hedgehogs; chinchillas; hermit crabs; hamsters; gerbils; guinea pigs; mice; rats; turtles; fish; domestic chickens, ducks, and geese; birds such as canaries, parakeets, doves, and parrots; worm/ant farms; chameleons and similar lizards; and spiders and snakes not venomous to humans.

Commented [AP17]: This definition is intended to clarify what a *pet* is. This definition is similar to what has been adopted by Fairfax County.

...

Right-of-way means a dedication of land to be used generally for streets, alleys, or other public uses wherein the owner gives up all his rights to the property as long as it is being used for the dedicated purpose. Also, a land measurement term meaning the distance between lot property lines which generally contain not only the street pavement but also the sidewalks, grass area, and utilities.

Commented [AP18]: The term *right-of-way* is commonly used, but it is not defined in the zoning ordinance. The proposed text matches what is currently in the subdivision ordinance.

...

Shallow flooding area means a special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Shed sales, outdoor means the retail sale and display of prefabricated sheds, carports, gazebos, and similar small-scale structures in an outdoor area as a principal use.

Commented [AP19]: As part of Ordinance #O-2019-05 (January 28, 2019), *shed sales, outdoor* has been listed as a permitted use in certain zoning districts, and use standards have been adopted for that specific use. However, the use has not been defined.

Shelter for victims of domestic abuse means a facility with support and supervisory personnel that provides temporary living accommodations for abused persons.

Draft “Clean-Up” Amendments to Article XI: Definitions (Case #20-01-AZ)
(Planning Commission: January 7, 2020)

...

Yard means an area within a lot that lies between a principal structure on the lot and the nearest lot line. Yards are further classified as front yards, side yards, and rear yards.

Yard sale. See *Garage or yard sale.*

Yard, corner means the yard on a corner lot that is located between the principal structure on a lot and the lot’s longest frontage along a public street right-of-way or private road easement (corner lot line), extending the full length of that frontage.

Yard, front means the yard (other than a corner yard) between a principal structure on a lot and the lot’s frontage along a public street or private road easement (front lot line), extending the full width of the lot.

Yard, rear means the yard between a principal building on a lot and the rear lot line, extending the full width of the lot.

Yard, required means the area within a lot extending inward from the front, side, or rear lot line for the minimum front, side, or rear yard depth applicable in the zoning district in which the lot is located, and that is required to remain unoccupied and unobstructed from the ground upward except as may be otherwise specifically provided in this chapter.

Yard, side means the yard between a principal building on a lot and the nearest side lot line, extending between the lot’s front yard and rear yards (or for through lots, between the lot’s opposite front yards).

Zoning district means an area delineated on the official zoning district map within which a prescribed set of development standards are applied to various types of development. (See Article I, General Provisions.)

Zoning district map, official means the official zoning district map upon which the boundaries of various zoning districts are drawn and which is an integral part of this chapter.

Zoning district, base means a zoning district within which a single set of use, intensity, dimensional, and development standards are applied.

Zoning district, overlay means a zoning district superimposed over one or more underlying base zoning districts that imposes standards and requirements in addition to those required by the underlying base zoning district.

(Ord. No. O-2013-06, 9-16-13; Ord. No. O-2013-09, 2-3-14; Ord. No. O-2014-03, 2-18-14; Ord. No. O-2014-11, 6-2-14; Ord. No. O-2014-26, 10-6-14; Ord. No. O-2018-24, 9-24-18; Ord. No. O-2019-12, 2-25-19)

In all other respects said Zoning Ordinance of the County of Powhatan shall remain unchanged and be in full force and effect.

This amendment shall take effect immediately upon passage.

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON
JANUARY 27, 2020.**

Draft “Clean-Up” Amendments to Article XI: Definitions (Case #20-01-AZ)
(Planning Commission: January 7, 2020)

_____, **Chairman**
Powhatan County Board of Supervisors

ATTEST:

Theodore L. Voorhees, Clerk
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Larry J. Nordvig _____
Michael Byerly _____
William Cox _____
Karin Carmack _____



Powhatan County Planning Commission Agenda Item

Meeting Date: January 7, 2020

Agenda Item Title: Discussion: Amendments to Planned Development Zoning Districts

Action Requested: Discussion Only

Dates Previously Considered by PC: At its meeting on November 6, 2019, the Planning Commission requested that possible amendments to language/requirements related to *Village Growth Area Planned Development (PD) Districts* be prepared.

There was additional discussion regarding this issue at the workshop on December 3, 2019.

Summary of Item: The Planning Commission does not feel that previously-proposed planned developments have provided exceptional design features and/or public benefits (considering the degree of design flexibility requested by applicants).

Sec. 83-280 does not provide clear guidance as to when a *Village Growth Area Planned Development (PD) District* is appropriate versus application of a *Village Growth Area Base District*.

A possible ordinance amendments has been prepared that could help address the aforementioned concerns.

Attachments: Memo
Possible Ordinance Amendment

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

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

Board of Supervisors
Angela Y. Cabell, Chairman
William E. Melton, Vice Chairman
Laurence J. Nordvig
Carson L. Tucker
David T. Williams



Planning Director
Andrew J. Pompei, CZA, AICP

The County Of
Powhatan

TO: Planning Commission
FROM: Andrew Pompei (Planning Director)
DATE: December 20, 2019
SUBJECT: Amendments to Language Regarding Planned Development Zoning Districts

Problem

The Planning Commission does not feel that previously-proposed planned developments have provided exceptional design features and/or public benefits (considering the degree of design flexibility requested by applicants).

Sec. 83-280 does not provide clear guidance as to when a *Village Growth Area Planned Development (PD) District* is appropriate versus application of a *Village Growth Area Base District*.

Possible Solutions

Based upon discussion at the Planning Commission workshop on December 3, 2019, possible amendments to Sec. 83-280 and Sec. 83-282 have been prepared (attached):

- Proposed revisions to Sec. 83-280 explain how the *Village Growth Area Planned Development (PD) Districts* are intended to promote high-quality design and innovative planning.
- A new subsection has been added to Sec. 83-282 that identifies what types of projects are an appropriate application of the PD districts. Several design elements are listed, which are based upon recommendations made in the 2019 Long-Range Comprehensive Plan and described within the intent of the individual PD districts. Each PD plan must include language identifying which of the design elements will be incorporated into the proposed PD district.

Next Steps

- The Planning Commission is scheduled to discuss possible amendments at its workshop on January 7, 2020.
- If the Planning Commission would like to move forward with these amendments, a public hearing can be scheduled for February 4, 2020.

Draft Amendments to Sec. 83-280/83-282

(Planning Commission Workshop: January 7, 2020)

DIVISION 2. - VILLAGE GROWTH AREA PLANNED DEVELOPMENT DISTRICTS

Sec. 83-280. - General purpose.

A planned development is a development that is planned and developed under unified control in accordance with more flexible standards and procedures that are conducive to creating more mixed-use, pedestrian-oriented, and otherwise higher-quality development than could be achieved through base zoning district regulations. The purpose of this division is to provide a uniform means for amending the official zoning district map to establish any of the three planned development (PD) zoning districts allowed by this chapter: the VR-PD village residential planned development; the VC-PD village center planned development; and the CC-PD commerce center planned development.

The village growth area planned development (PD) districts are established and intended to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other county goals and objectives by:

- (1) Allowing greater design flexibility than permitted through application of the village growth area base districts.
- (2) Accommodating a well-integrated mix of residential and/or nonresidential land uses within the same development, including (for residential projects) a mix of housing types, lot sizes, and densities.
- (3) Promoting quality design and environmentally-sensitive development that aligns with recommendations made in the long-range comprehensive plan, reflects the character of the surrounding area, and takes advantage of a site's natural and manmade features, such as mature trees, wetlands, surface waters, floodplains, and historic features.
- ~~(1) Reducing or diminishing the inflexibility or uniform design that sometimes results from strict application of zoning and development standards designed primarily for individual lots;~~
- ~~(2) Allowing greater freedom in selecting the means of providing access, open space, and design amenities;~~
- ~~(3) Allowing greater freedom in providing a well integrated mix of residential and nonresidential land uses in the same development, including a mix of housing types, lot sizes, and densities;~~
- ~~(4) Providing for efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and~~
- ~~(5) Promoting quality design and environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site's natural and man-made features, such as trees, wetlands, surface waters, floodplains, and historic features.~~

Commented [AP1]: Revised language explains how the Village Growth Area Planned Development (PD) Districts are intended to promote high-quality design and innovative planning.

(Ord. No. O-2013-06, 9-16-13)

Sec. 83-281. - Classification of planned development zoning districts.

Land shall be classified into a planned development zoning district only in accordance with the procedures and requirements set forth in Article II (Administration) and this chapter.

(Ord. No. O-2013-06, 9-16-13)

Sec. 83-282. - General standards for all planned development districts.

(a) Project eligibility. Development within the PD district should incorporate innovative, high-quality design concepts that provide significant public benefits. Exemplary projects appropriate within a PD district include those that incorporate at least two (2) of the following:

- (1) Context-sensitive infill development or redevelopment: Enable pedestrian-oriented infill development or redevelopment designed to reflect the scale and architecture of surrounding development.
- (2) Historic rehabilitation and reuse: Include the rehabilitation and reuse of historic buildings (constructed prior to 1940).
- (3) Exceptional pedestrian and bicycle infrastructure: Provide pedestrian and/or bicycle infrastructure (sidewalks, shared-use paths, etc.) that exceeds minimum development standards and/or facilitates implementation of a regional trail network.
- (4) Exceptional streetscape improvements: Create an attractive streetscape along adjacent major thoroughfares and other roadways by providing decorative street lighting, decorative benches (street furniture), and/or enhanced landscaping that exceeds minimum development standards; limiting freestanding signage to monument signs with a brick or stone base; and/or limiting the size, color, and lighting of all commercial signage.
- (5) Exceptional corridor buffers: Provide buffers at least 75 feet in width along adjacent major thoroughfares, which are maintained in their natural state (if wooded) and/or planted at a rate that exceeds minimum development standards.
- (6) Exceptional open space protection: Protect an exceptional amount of open space (30 percent or more of the site) or preserve a unique natural feature or habitat.
- (7) High-quality architecture and site design: Incorporate high-quality architecture, building materials, and site design to create an attractive pedestrian-friendly streetscape, with buildings that relate to the street and are scaled to maintain a “small town feel” (guaranteed with proffered conditions).
- (8) Workforce housing: Integrate workforce housing (as defined by local policy) with market-rate units, with at least ten percent of the total number of residential units classified as workforce housing.
- (4) Mix of housing options: Provide diverse housing options (or single-family dwellings on lots of varying sizes), with no single housing type exceeding 80 percent of the total number of residential units.

The PD plan shall identify which of the aforementioned elements are reflected within the design of projects within the PD district, with related terms and conditions within the PD plan assuring that the elements identified will be implemented.

(b) PD plan. The PD plan shall:

- (1) Include a statement of planning and marketing objectives for the district;
- (2) Identify the general location of individual development areas, identified by land use(s) and/or development density or intensity;

Commented [AP2]: For development within the *Commerce Center* and *Village Center* land use designations, the 2019 Long-Range Comprehensive Plan recommends that projects “have a coordinated architectural form and spatial feel, which should relate to surrounding developments” (p. 93, p. 98).

Commented [AP3]: Relates to Strategy CR.1.a in the 2019 Long-Range Comprehensive Plan: “Encourage property owners to preserve historic structures and landscapes” (p. 50).

Commented [AP4]: Relates to Strategy TR.5.a in the 2019 Long-Range Comprehensive Plan: “Encourage pedestrian and bicycle improvements, especially in new developments, to enhance walkability . . .” (p. 132).

Commented [AP5]: The 2019 Long-Range Comprehensive Plan recommends that wooded or landscaped buffers be provided between major thoroughfares and new development within the *Village Residential* and *Commerce Center* land use designations (p. 85, p. 97). Sec. 83-461(f) requires corridor buffers in certain zoning districts that are 30’ wide.

Commented [AP6]: This language is similar to that used in the intent of the VC-PD zoning district in the zoning ordinance [Sec. 83-300(A)].

Commented [AP7]: The 2019 Long-Range Comprehensive Plan recommends that affordable and workforce housing provided within the *Village Residential* and *Village Center* land use designations be blended with other units of varying styles, sizes, and prices throughout a given development, with affordable units indistinguishable on the exterior from other units (p. 87, 93).

Commented [AP8]: Relates to Strategy HS.2.b of the 2019 Long-Range Comprehensive Plan: “As part of major rezoning requests, encourage developers to provide a mixture of housing types. Work with developers to ensure different housing types are visually compatible with one another” (p. 25). This language also aligns with the intent of the VR-PD zoning district [Sec. 83-290(A)].

- (3) Identify for the entire PD district and each development area the acreage, types and mix of land uses, number of residential units (by ~~use-dwelling type and number of bedrooms~~), nonresidential floor area (by use type), residential density, and nonresidential intensity;
- (4) Identify the general location, amount, and type (whether designated for active or passive recreation) of open space;
- (5) Identify the location of environmentally--sensitive lands, wildlife habitat, and waterway corridors;
- (6) Identify the on-site transportation circulation system, including the general location of all public streets and private roads, existing or projected transit corridors, and pedestrian and bicycle pathways, and how they will connect with existing and planned county and state systems;
- (7) Identify the general location of on-site potable water and wastewater facilities, and how they will connect to county systems;
- (8) Identify the general location of on-site stormwater management facilities, and how they will connect to county systems;
- (9) Identify the general location of all other on-site public facilities serving the development, including but not limited to parks, schools, and facilities for fire protection, police protection, EMS, stormwater management, and solid waste management; ~~and~~

Commented [AP9]: Residential development (particularly single-family detached units and townhouses) is generally measured in the number of units, not the number of bedrooms.

~~(10)~~ Include a development phasing plan in accordance with section 83-282(~~de~~), development phasing plan if phasing of PD development is proposed; ~~and-~~

~~(40)(11)~~ Identify which elements listed in section 83-282(a), project eligibility will be reflected within the design of projects within the PD district.

- (c) *Consistency with county plans.* The PD Zoning District designation, the PD plan, and the PD terms and conditions shall be consistent with the comprehensive plan and any functional plans and small area plans adopted by the county.
- (d) *Compatibility with surrounding areas.* Development along the perimeter of a PD district shall be compatible with adjacent existing or proposed development. Where there are issues of compatibility, the PD plan shall provide for transition areas at the edges of the PD district that provide for appropriate buffering and/or ensure a complementary character of uses. Determination of complementary character shall be based on densities/intensities, lot size and dimensions, building height, building mass and scale, hours of operation, exterior lighting, and siting of service areas.
- (e) *Development phasing plan.* If development in the PD district is proposed to be phased, the PD plan shall include a development phasing plan that identifies the general sequence or phases in which the district is proposed to be developed, including how residential and nonresidential development will be timed, how infrastructure (public and private) and open space will be provided and timed, and how development will be coordinated with the county's capital improvements program.
- (f) *Conversion schedule.* The PD plan may include a conversion schedule that identifies the extent to which one type of residential use may be converted to another type of residential use and one type of nonresidential use may be converted to another type of nonresidential use. Such conversions may occur within development areas and between development areas as long as they occur within the same development phase, as identified by the approved development phasing plan, and are consistent with established extents of conversion set down in the conversion schedule.
- (g) *On-site public facilities.*

- (1) Design and construction. The PD plan shall establish the responsibility of the developer/landowner to design and construct or install required and proposed on-site public facilities in compliance with applicable county, state, and federal regulations.
 - (2) Dedication. The PD plan shall establish the responsibility of the developer/landowner to dedicate to the public the rights-of-way and easements necessary for the construction or installation of required and proposed on-site public facilities in compliance with applicable county, state, and federal regulations.
 - (3) Modifications to street standards. In approving a PD plan, the board of supervisors may approve modifications or reductions of private road design standards—including those for right-of-way widths, pavement widths, required materials, and turning radii—on finding that:
 - a. The PD plan provides for separation of vehicular, pedestrian, and bicycle traffic;
 - b. Access for emergency service vehicles is not substantially impaired;
 - c. Adequate off-street parking is provided for the uses proposed; and
 - d. Adequate space for public utilities is provided within the street right-of-way.
- (h) *PD terms and conditions.* The PD terms and conditions shall include, but not be limited to:
- (1) Conditions related to approval of the application for the PD Zoning District classification;
 - (2) The PD plan, including any density/intensity standards, dimensional standards, and development standards established in the PD plan;
 - (3) Conditions related to the approval of the PD plan, including any conditions related to the form and design of development shown in the PD plan;
 - (4) Provisions addressing how transportation, potable water, wastewater, stormwater management, and other public facilities will be provided to accommodate the proposed development;
 - (5) Provisions related to environmental protection and monitoring; and
 - (6) Any other provisions the board of supervisors determines are relevant and necessary to the development of the PD in accordance with applicable standards and requirements of this chapter.
- (i) *Uses.* The principal, accessory, and temporary uses allowed in each type of PD district are identified in the use tables in Article VII: Use Standards. Allowed principal uses in a particular PD district shall be established in the PD plan, subject to conversion in accordance with a schedule incorporated in the PD plan in accordance with section 83-282(e)(f): Conversion schedule. Allowed uses shall be consistent with the comprehensive plan and the purpose of the particular type of PD district, and subject to applicable use-specific standards in Article VII: Use Standards, and any additional limitations or requirements set forth in this division for the particular type of PD district.
- (j) *Densities/intensities.* The densities for residential development and the intensities for nonresidential development applicable in each development area of a PD district shall be as established in the PD plan, and shall be consistent with the comprehensive plan, other adopted special area and county plans, and the purpose of the particular type of PD district.
- (k) *Dimensional standards.* The dimensional standards applicable in each development area of a PD district shall be as established in the PD plan, and shall be consistent with the purpose of the particular type of PD District. The PD plan shall include at least the following types of dimensional standards:
- (1) Maximum dwelling units per acre and/or maximum floor area ratio;

- (2) Minimum lot area;
 - (3) Minimum lot width;
 - (4) Maximum impervious surface area;
 - (5) Maximum building height;
 - (6) Maximum individual building size;
 - (7) Minimum and maximum yard depths or setbacks; and
 - (8) Minimum buffers and/or setbacks from adjoining residential development or residential zoning districts, from adjacent farm operations, and from environmental features such as watercourses and wetlands.
- (1) *Development standards.* All development in a PD district shall comply with the development standards of Article VIII: Development Standards, and Powhatan County Code chapter 68 (Subdivisions), or any modifications of those standards established in the PD plan as consistent with the comprehensive plan and other adopted county plans, the objective of the particular type of development standard, the purpose of the particular PD district, and any additional limitations or requirements set forth in this division for the particular type of PD district.

(Ord. No. O-2013-06, 9-16-13)



Powhatan County Planning Commission Agenda Item

Meeting Date: January 7, 2020

Agenda Item Title: Discussion: Revisions to the Sign Ordinance (Sec. 83-488)

Action Requested: The Department of Community Development requests feedback and direction regarding possible revisions to the sign ordinance (Sec. 83-488) (see attachment).

Dates Previously Considered by PC: May 7, 2019

June 4, 2019

December 3, 2019

Summary of Item: Based on discussion at previous workshops, the Department of Community Development has drafted possible amendments to standards regarding the placement and design of temporary and permanent signage (Sec. 83-488).

The goal of this ordinance rewrite is to:

- Revise standards to align with guidance provided by the U.S. Supreme Court in *Reed v. Town of Gilbert* (2015) regarding the regulation of sign content;
- Refine design requirements (area, height, illumination, etc.) to better reflect recommendations set forth in the 2010 Long-Range Comprehensive Plan; and
- Revise and simplify language to provide greater clarity regarding certain requirements and practices.

Attachments: DRAFT: Sign Ordinance Rewrite

Staff/Contact: Andrew Pompei: Planning Director
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If Planning Commission members have questions, please call the staff / contact prior to the meeting.

DRAFT: Sign Ordinance Rewrite
(Redlined to Show Changes since December 2019 Planning Commission Meeting)
Presented to Planning Commission: January 7, 2020

Exemptions

The following signs may be erected, altered, or maintained without obtaining a sign permit, provided that such signs comply with all applicable standards of this section:

1. *Signage erected by governmental entity or required by regulation.* Signs erected and maintained pursuant to and in discharge of any federal, state, or county governmental function, or as may be required by law, ordinance, or governmental regulation, including official traffic signs and signals, warning devices and other similar signs, and street signs and addresses required to be posted pursuant to the terms of Code of the County of Powhatan.
2. *Signage erected by a public utility.* Signs erected and maintained a public utility and required by law.
3. *Traffic control and safety-related signs.* Traffic control and safety-related signs within parking areas and/or along vehicle access driveways or aisles, when not exceeding three (3) square feet in area and three feet (3') in height, provided that such signs are not illuminated. A permit shall be secured for any such signs that are illuminated. Such signs shall be exempt from minimum setback requirements.
4. *Grave stones and memorials within a cemetery.* Grave stones, memorial tablets, or similar monuments located within a cemetery;
5. *Small-scale permanent signage on parcels occupied by single-family dwellings, duplexes, and townhouses.* For each single-family detached dwelling, duplexes, and townhouse, one (1) permanent non-illuminated wall sign not exceeding one (1) square foot in area and one (1) permanent non-illuminated freestanding sign not exceeding one (1) square foot in area and four (4) feet in height. Such signage shall count towards the maximum cumulative sign area for permanent signs permitted in Sec. _____.
6. *Small-scale permanent signage on parcels occupied by multi-family dwellings.* For each building containing multi-family dwellings, one (1) permanent non-illuminated wall sign not exceeding four (4) square feet in area and one (1) permanent non-illuminated freestanding sign not exceeding four (4) square feet in area and four (4) feet in height shall be permitted. Such signage shall count towards the maximum cumulative sign area for permanent signs permitted in Sec. _____.
7. *Small-scale, non-illuminated temporary signs on lots used for residential purposes.* Up to a cumulative total of sixteen (16) square feet in area of signage on property used for residential purposes within any zoning district, provided that such signs are non-illuminated and each sign is not displayed for more than sixty (60) days at a time. Such signage shall count towards the maximum cumulative sign area for temporary signs permitted in Sec. _____.
8. *Cornerstones.* Cornerstones or plaques, when incorporated within or affixed to façade materials of a building and not exceeding six (6) square feet in area.
9. *Noncommercial flags.* Flags up to sixty (60) square feet in area and limited to two (2) per parcel whether on a freestanding flagpole or a pole or staff mounted on a building. The height of flagpoles shall not exceed the maximum building height specified for the zoning district in which located. Flags shall be mounted such that the lowest point of the flag at rest is above the finished grade directly beneath it and below the roofline of the building to which it is mounted. The flag's horizontal projection from the pole shall not impede vehicular travel.
10. *Signage on active development sites.* Non-illuminated signs on property for which building permits or land development approvals are active, not exceeding thirty-two (32) square feet in area and six (6) feet in height and limited to one sign per street frontage. No such signs shall be permitted unless a building permit has been issued or unless a site plan, preliminary plat, or final plat for the proposed development has been submitted to Powhatan County for official review. Such signs shall be removed at the completion of

construction. Such signage shall count towards the maximum cumulative sign area for temporary signs permitted in Sec. _____.

11. *Signs on properties for sale, lease, or rent.* Non-illuminated signs on property for sale, lease, or rent, not exceeding six (6) square feet in area and four (4) feet in height within agricultural and residential districts (as defined in this section) and thirty-two (32) square feet and six (6) feet height in commercial, industrial, and mixed-use districts (as defined in this section), and limited to one sign for each street frontage. Such signage shall count towards the maximum cumulative sign area for temporary signs permitted in Sec. _____.
12. *Window signs.* Signs displayed in the windows of establishments permitted in commercial, industrial, and mixed-use districts (as defined in this section), provided, however, that if such signs occupy more than ten percent (10%) of the total area of the window in which they are displayed, the area in excess of the 10% limit shall count towards the maximum signage allowance for the subject property/building.
13. ~~Signs on recreational facilities~~ *Illegible signs.* Signs ~~located on property occupied by public or private recreational uses and which are~~ that are not legible from adjacent public streets or adjacent properties.
14. *Historical markers.* Historical markers erected by duly constituted and authorized public authorities or nonprofit organizations.
15. A-frame signs. A-frame signs that are located within ten feet of a principal structure.

Prohibited Sign Types: General Prohibitions

1. Any sign attached to trees, bushes, shrubberies, or other plants or vegetation.
2. Any sign located within the public rights-of-way, except those posted by or on behalf of a governmental body.
3. Any sign simulating, or which is likely to be confused with, a traffic control sign, any other sign displayed by a public authority, or the lights or markings on an emergency vehicle.
4. Any unauthorized sign located at the intersection of any streets in such a manner as to create a traffic hazard by obstructing vision between heights of two-and-one-half (2.5) and eight (8) feet.
5. Any sign obstructing safety equipment, openings required for proper light and ventilation, or openings used as a means of ingress or egress for public safety purposes.
6. Any sign displayed on a stationary vehicle or trailer that is used for the purpose of a mobile or portable sign, including the parking of a vehicle for a period of more than 24 hours in such a manner that it is within 100 feet of and plainly visible from the public right-of-way and not parked within a designated parking space.
7. Any building-mounted sign that faces the side lot of an adjoining residential property.

Prohibited Sign Types: Based on Construction

1. Any sign with parts that rotate or move, or appear to rotate or move, either by movement of the atmosphere or by mechanical, electrical, or other means, including but not limited to: flags (other than those listed in Sec. _____), adversails, feathers, pennants, posters, propellers, discs, ribbons, balloons, streamers, and spinners.
2. Any sign displaying flashing, scrolling, or intermittent lights or lights of changing degrees of intensity.
3. Searchlights.
4. Any sign consisting primarily of exposed illuminated tubing or strings of lights, except in windows or when used for temporary decorations not to exceed 90 days in any calendar year.
5. Any sign that emits sound or smoke, flame, scent, mist, aerosol, liquid, or gas.
6. Inflatable signs, devices, and balloons.
7. Any wall sign projecting above the roofline.
8. Awning signs.

Permanent Signage Permitted by Zoning District

The following tables indicate the area, height, location, and type of illumination of permanent signs permitted within each of the zoning districts prescribed by this chapter. All such signs shall be in accordance with the general provisions established in _____.

Table 83-488 : Permanent Signage in Agricultural Districts				
Agricultural-20 (A-20), Agricultural-10 (A-10), Agricultural/Animal Confinement (A-C)				
Land Use	Freestanding Signs		Building-Mounted Signs	
Residential	Number of Signs Permitted	1 per dwelling unit	Maximum Cumulative Sign Area (per façade)	3 square feet
	Maximum Sign Area (per sign)	64 square feet		
	Maximum Sign Height	65 feet		
	Setback	5 feet from property line	Illumination	External
	Illumination	External		
	Electronic Message Center (EMC)	Prohibited		
Entrance to a Residential Subdivision	Number of Signs Permitted	1 per entrance	Prohibited	
	Maximum Sign Area (per sign)	36 square feet		
	Maximum Sign Height	6 feet		
	Setback	15 feet from property line		
	Illumination	External		
	Electronic Message Center (EMC)	Prohibited		
Non-Residential	Number of Signs Permitted	1 per street frontage	Maximum Cumulative Sign Area (per façade)	12 square feet
	Maximum Sign Area (per sign)	16 square feet ¹		
	Maximum Sign Height	8 feet		
	Setback	5 feet from property line	Illumination	External
	Illumination	External		
	Electronic Message Center (EMC)	Prohibited		

¹The maximum sign area for an individual sign may increase to 24 square feet, if the sign is designed as a monument sign with a base of brick or stone that complements the appearance of the main building.

Table 83-488 _____ : Permanent Signage in Residential Districts				
Rural Residential (RR), Rural Residential-5 (RR-5), Single-Family Residential-2 (R-2), Village Residential (VR), Village Residential Planned Development (VR-PD), Residential Utility (R-U)				
Land Use	Freestanding Signs		Building-Mounted Signs	
Residential	Number of Signs Permitted	1 per dwelling unit	Maximum Cumulative Sign Area (per façade)	3 square feet
	Maximum Sign Area (per sign)	64 square feet		
	Maximum Sign Height	65 feet		
	Setback	5 feet from property line	Illumination	Prohibited
	Illumination	Prohibited		
	Electronic Message Center (EMC)	Prohibited		
Entrance to a Residential Subdivision	Number of Signs Permitted	2 per entrance	Prohibited	
	Maximum Sign Area (per sign)	36 square feet		
	Maximum Sign Height	6 feet		
	Setback	15 feet from property line		
	Illumination	External		
	Electronic Message Center (EMC)	Prohibited		
Non-Residential	Number of Signs Permitted	1 per street frontage	Maximum Cumulative Sign Area (per façade)	12 square feet
	Maximum Sign Area (per sign)	16 square feet ¹		
	Maximum Sign Height	8 feet		
	Setback	10 feet from property line (including public right-of-way)	Illumination	External
	Illumination	External		
	Electronic Message Center (EMC)	Prohibited		

¹The maximum sign area for an individual sign may increase to 24 square feet, if the sign is designed as a monument sign with a base of brick or stone that complements the appearance of the main building.

Table 83-488 _____: Permanent Signage in Commercial Districts
 Commerce Center (CC), General Commercial (C), Office (O)

Land Use	Freestanding Signs		Building-Mounted Signs	
Any Use	Number of Signs Permitted	1 per street frontage ¹⁻²	Maximum Cumulative Sign Area (per façade)	25 square feet + ½ square foot per 1 foot of façade length, with a maximum of 200 square feet on a single façade ^{6,7-8}
	Maximum Sign Area	36 square feet ^{2, 3-4}	Illumination	External Internal Halo Illumination
	Maximum Sign Height	10 feet ⁵⁻⁴		
	Setback	10 feet from public right-of-way ⁶ 5 feet from other property lines		
	Illumination	External Halo Illumination		
	Electronic Message Center (EMC)	Up to 1 per parcel with street frontage on U.S. Route 60		

¹ One additional freestanding sign may be permitted, if the parcel has 400 feet or more of road frontage. Each sign located along the same street frontage must be spaced at least 400 feet apart.

² ~~Signs that are not clearly legible from adjacent roadways shall not count towards the maximum number of permitted signs or the maximum sign area.~~

³ The maximum sign area for an individual sign may increase to 48 square feet, if the sign is designed as a monument sign with a base of brick or stone that complements the appearance of the main building.

⁴ If the sign is a unified development sign, as described in Sec. _____, the maximum sign area may increase to 72 square feet.

⁵ If the sign is a unified development sign, as described in Sec. _____, the maximum sign height may be increased to 12 feet.

⁶ The minimum setback may be reduced to five feet, if the sign is designed as a monument sign with a base of brick, stone, or a similar material that complements the appearance of the main building.

⁷ The maximum cumulative sign area per façade may increase by 20 percent, if the sign is externally illuminated or features halo illumination.

⁸ For multi-tenant buildings, the maximum cumulative sign area on a single façade may be modified to allow 40 square feet per individual unit with a separate publicly-accessible entrance on that façade.

Table 83-488 _____: Permanent Signage in Industrial Districts
 Light Industrial (I-1), Heavy Industrial (I-2), Mining and Mineral Extraction (M)

Land Use	Freestanding Signs		Building-Mounted Signs	
	Any Use	Number of Signs Permitted	1 per street frontage	Maximum Cumulative Sign Area (per façade)
Maximum Sign Area		24 square feet ^{1, 2}	Illumination	External Internal Halo Illumination
Maximum Sign Height		10 feet ³		
Setback		10 feet from public right-of-way ⁴ 5 feet from other property lines		
Illumination		External Halo Illumination		
Electronic Message Center (EMC)		Up to 1 per parcel with street frontage on U.S. Route 60		

¹ The maximum sign area for an individual sign may increase to 36 square feet, if the sign is designed as a monument sign with a base of brick or stone that complements the appearance of the main building.

² If the sign is a unified development sign, as described in Sec. _____, the maximum sign area may increase to 72 square feet.

³ If the sign is a unified development sign, as described in Sec. _____, the maximum sign height may be increased to 12 feet.

⁴ The minimum setback may be reduced to five feet, if the sign is designed as a monument sign with a base of brick, stone, or a similar material that complements the appearance of the main building.

⁵ The maximum cumulative sign area per façade may increase by 20 percent, if the sign is externally illuminated or features halo illumination.

⁶ For multi-tenant buildings, the maximum cumulative sign area on a single façade may be modified to allow 40 square feet per individual unit with a separate publicly-accessible entrance on that façade.

Table 83-488 _____: Permanent Signage in Mixed Use Districts
 Crossroads (CR), Village Center (VC), Village Center Planned Development (VC-PD), Courthouse Square Center (CHSC)

Land Use	Freestanding Signs		Building-Mounted Signs	
Residential	Number of Signs Permitted	1 per dwelling unit	Maximum Cumulative Sign Area (per façade)	3 square feet
	Maximum Sign Area (per sign)	6 square feet		
	Maximum Sign Height	6 feet	Illumination	Prohibited
	Setback	3 feet from property line		
	Illumination	Prohibited		
	Electronic Message Center (EMC)	Prohibited		
Non-Residential	Number of Signs Permitted	1 per street frontage ^{1,2}	Maximum Cumulative Sign Area (per façade)	25 square feet + ½ square foot per 1 foot of façade length, with a maximum of 200 square feet on a single façade ^{6,5}
	Maximum Sign Area (per sign)	24 square feet ^{2, 3, 4}	Illumination	External
	Maximum Sign Height	8 feet ^{5,4}		
	Setback	3 feet from property line		
	Illumination	External		
	Electronic Message Center (EMC)	Prohibited		

¹ One additional freestanding sign may be permitted, if the parcel has 400 feet or more of road frontage. Each sign must be spaced at least 400 feet apart.

² ~~Gas station signs and outdoor drive through message boards, as described in Sec. _____, shall not count towards the maximum number of permitted signs or the maximum sign area, provided that they are not clearly legible from adjacent roadways.~~

^{3,2} The maximum sign area for an individual sign may increase to 36 square feet, if the sign is designed as a monument sign with a base of brick or stone that complements the appearance of the main building.

^{4,3} If the sign is a unified development sign, as described in Sec. _____, the maximum sign area may increase to 72 square feet.

^{5,4} If the sign is a unified development sign, as described in Sec. _____, the maximum sign height may be increased to 12 feet.

^{6,5} The maximum cumulative sign area per façade may increase by 20 percent, if the sign is externally illuminated.

Additional Design Standards for Permanent Signage

Monument signs. Monument signs shall be permitted as follows:

1. Monument signs shall have a base (support structure) of brick, stone, or another masonry material that is the same as at least one of the materials as the principal building on the property.
2. The height of the base shall be no more than 50 percent of the total height of the monument sign.

Changeable copy sign. Changeable copy signs shall be permitted as follows:

1. Changeable copy signs shall adhere to the standards for a monument sign.
2. Up to 50 percent of the allowed sign area of a monument sign may be occupied by a changeable copy sign.

Electronic message centers. Electronic message centers (EMCs) shall be permitted as follows:

1. EMCs shall adhere to the standards for a monument sign.
2. Up to 50% of the allowed sign area of a monument sign may be occupied by an EMC.
3. Lighting from the EMC shall not exceed 0.3 foot candles as measured from the sign's face. The EMC shall have automatic dimmer software or solar sensors to control brightness. The intensity of the light source shall not produce glare. Documentation shall be provided from the sign manufacturer which verifies compliance with auto dimming and brightness requirements.
4. The transition duration between messages shall not exceed one (1) second, and the message hold time shall be a minimum of ten (10) seconds.

Outdoor drive-through message boards. Outdoor drive-through message boards, which is signage associated with and oriented towards drive aisles that accommodate drive-through service, shall be permitted as follows:

1. Up to one menu board up to 24 square feet in area per drive-through lane.
2. Up to one pre-order board up to 12 square feet in area per drive-through lane.
3. The rear of the pre-order and menu boards shall be painted to match the color of the primary building.

Signs within a multi-tenant development.

Unified development sign. Unified development signs are permitted at the entrance of a multi-tenant development as follows:

1. The unified development sign shall include the name of the development.
2. The number of signage spaces available on the unified development sign shall not exceed the maximum number of tenants in the development. The letter style and graphic display of all individual tenant signs on the unified development sign shall be similar.
3. Lots within the multi-tenant development shall be permitted one additional monument sign, up to 18 square feet in area, with an overall height of 6 feet.

Directional signage within a multi-tenant development. Directional signage within a multi-tenant development is permitted as follows:

1. Such signage shall include a directional arrow and either the tenant name or logo.
2. Signage shall not exceed 4 square feet in area and 5 feet in height.
3. Signage shall be placed at internal intersections within the multi-tenant development and at shared entrances serving two or more tenants. Signage shall not be permitted at any other internal locations or external entrances to the multi-tenant development.

Bracket Signs. Bracket signs are permitted as part of a multi-tenant development as follows:

1. The sign shall be located beneath a canopy over a pedestrian walkway.
2. There shall be a minimum clearance of 8 feet between the ground and the bottom of the sign.
3. The sign shall not exceed 4 square feet in area.
4. The sign shall be oriented perpendicular to the building façade.

Projecting signs. Projecting signs shall be permitted as follows:

1. No structural element of a projecting sign shall be located less than eight (8) feet above finished grade.
2. Projecting signs shall not be higher than the wall from which the sign projects, if attached to a single-story building. If attached to a multi-story building, projecting signs shall not be higher than the bottom of any second-story window.
3. Projecting signs shall not extend more than four (4) feet from the face of a supporting building, and shall be no closer than two (2) feet to a curb line.
4. Projecting signs shall not be illuminated.

Commented [A01]: Content starting from "Projecting signs" standards to "Definitions" is new since the December Planning Commission meeting.

Canopy signs. Canopy signs shall be permitted as follows:

1. Signage displayed on or attached to a canopy, including stripes and logos, shall not cover more than ten (10) percent of the area of any one canopy side.

Roof signs. Roof signs shall be permitted as follows:

1. Roof signs shall be permitted only on buildings with pitched or mansard roofs where the placement of windows, doors, and other architectural features on the building severely limits the placement of other types of building-mounted signs, as determined by the director.
2. Roof signs shall be placed at a plane parallel to the building wall and the structural support of the roof sign shall be screened from view.
3. Roof signs shall only be placed atop those areas within the boundaries of the tenant space.
4. Roof signs shall not extend above the height of the roof ridgetop.
5. An individual roof sign shall not exceed 50 square feet in area.

Temporary Signage Permitted by Zoning District

The following tables indicate the area, height, location, and type of illumination of temporary signs permitted within each of the zoning districts prescribed by this chapter. All such signs shall be in accordance with the general provisions established in _____.

Table 83-488 : Temporary Signage in All Zoning Districts		
Land Use	Standards for Temporary Signage	
Residential	Number of Signs Permitted	1 per street frontage
	Maximum Cumulative Sign Area	16 square feet
	Maximum Sign Height	5 feet
	Setback	5 feet from property lines
	Maximum Total Duration	Up to 60 days per calendar year
	Illumination Permitted	None
Non-Residential	Number of Signs Permitted	2 per street frontage
	Maximum Cumulative Sign Area	32 square feet
	Maximum Sign Height	6 feet
	Setback	5 feet from property lines
	Maximum Total Duration	Up to 60 days per calendar year
	Illumination Permitted	None

Additional Design Standards for Temporary Signage

A-frame signs. A-frame signs shall adhere to the following standards:

1. A-frame signs may be located on a public sidewalk, provided that at least 48 inches of unobstructed pedestrian space is maintained.
2. A-frame signs may not be located in any grass or landscape strip located between a sidewalk and a public street.
3. A-frame signs shall only be displayed when the establishment is open for business.

Yard signs. Yard signs shall adhere to the following standards:

1. The maximum sign area for a yard sign shall be four square feet.

Sign Measurement

Computation of Sign Area. The area of a sign shall be calculated as follows:

1. *Building-mounted signs.*
 - a. The area of a wall sign made up of individually mounted letters or logos shall be calculated by measuring the sum of the area within a series of rectangles that encompass each individual letter or logo.
 - b. The sign area for other wall signs and projecting signs (not including signs comprised of individually mounted letter or logos) shall be calculated by measuring the area within a rectangle that encompasses the limits of all letters, logos, advertising surfaces, background, framing, ornamentation, or sign can.
 - c. The maximum permitted area of a wall sign shall be calculated based on the length of each building façade, excluding any canopy.
2. *Freestanding signs.* The area of a freestanding sign shall be calculated by means of the smallest square, circle, rectangle, or triangle that will encompass the limits of the writing, emblem, color, or other display, but not including any supporting framework, decorative wall, or fence clearly incidental to the sign display itself.
3. *Temporary signs.* The area of a temporary sign shall be calculated by measuring the area within a rectangle that encompasses the limits of the entire sign.
4. *Determination of sign faces to be calculated towards total area.*
 - a. For a sign consisting of two (2) sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and are part of the same sign structure, the sign area shall be calculated by the measurement of one of the two (2) sign faces.
 - b. For a sign consisting of two or more sides where the interior angle of any of the sides exceeds sixty degrees, the third and each succeeding sign face shall be counted when calculating sign area.

Computation of Sign Height. The height of a sign shall be calculated as follows:

1. *Freestanding signs:* The height of a freestanding sign shall be measured from the street grade or the normal finished grade of the site, whichever allows for the greater height, to the top of the highest attached component of the sign or structure.

DRAFT: Definitions Related to Signs

Presented to the Planning Commission: November 6, 2019

Flag means any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device. Such signs are distinguishable by virtue of the shorter dimension of the flag being the side attached to the pole/staff.

Pennants means multiple pieces of cloth, plastic, or flexible material, generally triangular or rectangular in shape, and which are strung together in a series on lines which are hung from poles, between buildings, or in other arrangements for the purpose of decoration or attracting attention.

Illumination, external means illumination by floodlights, spotlights, or other external sources which are focused directly on the face of a sign.

Illumination, internal means illumination by a light source which is concealed or contained within the sign itself and which shines through a translucent surface, except as defined under *electronic message center*.

Illumination, halo means illumination by a light source originating from behind the sign that shines around an opaque surface, creating a halo effect around the sign face.

Sign means any written copy, display, illustration, insignia, or illumination used to communicate a message or idea which is displayed or placed in view of a public right-of-way or adjoining property.

Sign, a-frame means a type of temporary sign consisting of two display faces mounted to supports that are connected at the top and separated at the base, forming an "A" shape not more than four (4) feet in height. An a-frame sign is also known as a *sidewalk sign* or a *sandwich board sign*.

Sign, awning means a sign that is mounted, painted, or otherwise applied on or attached to an awning or other fabric, plastic, or structural protective cover over a door, entrance, or window of a building. A canopy is not an awning.

Sign, banner means a type of temporary sign made of cloth, plastic, or other flexible material that is generally rectangular in shape and which is suspended for display from temporary poles.

Sign, building-mounted means a sign that is mounted, painted, or otherwise applied on or attached to a building, including but not limited to: roof signs, projecting signs, and wall signs.

Sign, bracket means a small, pedestrian-oriented sign that is hung beneath a canopy.

Sign, canopy means a sign that is mounted, painted, or otherwise applied on or attached to a freestanding canopy or structural protective cover over an outdoor service or pedestrian area. An awning is not a canopy.

Sign, changeable copy means a sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature.

Sign, directional means any sign on a parcel that directs the movement or placement of pedestrian or vehicular traffic with or without reference to, or inclusion of, the name of a product sold or service performed on the lot or in a building, structure, or business enterprise occupying the same parcel.

Electronic message center (EMC) means a type of changeable copy sign with a fixed or changing display composed of a series of lights that may be changed through electronic means.

Sign face means the area or display surface used for the message.

Sign, feather means a type of temporary sign made of cloth, plastic, or other flexible material attached to a pole or staff that is inserted into the ground or supported by means of an individual stand. Such signs are distinguishable by virtue of the longer dimension of the banner being the side attached to the pole/staff.

Sign, flashing means a sign which contains intermittent or sequential flashing light used primarily to attract attention. Such motion does not refer to transition methods or duration of changing copy used with an electronic message center.

Sign, freestanding means any sign that is attached to, erected on, or supported by a permanent structure (such as a pole, mast, frame, or other structure) that is not attached to a building.

Sign, monument is a type of freestanding sign where the entire width of the base of the sign structure is on the ground, and where the width of the top of the sign structure is no more than 120 percent and no less than 80 percent of the width of the base.

Sign, permanent means a sign located on a parcel fabricated from metal, rigid plastic, stone, brick, wood, or other durable materials, or having been painted directly on such materials, typically anchored in the ground or affixed to a building, and whose presence on the site is not limited in duration.

Sign, projecting means a two-sided building mounted sign that is mounted perpendicularly to a vertical building wall, and that project more than 12 inches from the wall.

Sign, roof means a [building-mounted](#) sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

Sign, temporary means a sign that is not permanently affixed to the ground or other structure, that is designed or constructed in such a manner that it can be moved or relocated without any structural or support changes. These signs are typically made of light materials with limited durability, such as lightweight fabric, cardboard, plywood, and/or paper.

Sign, unified development means a freestanding sign used to identify multiple business uses within a shopping center, office park, or industrial park.

Sign, wall means a building-mounted sign permanently attached to, painted on, inscribed upon, or deriving its major support from a wall, and which projects less than 12 inches from the wall. If a wall sign projects more than 12 inches from the wall, it is classified as a projecting sign.

Sign, wayfinding means a sign authorized by a governmental body for placement in the public right-of-way that is designed to orient and navigate the general public from place to place.

Sign, window means a sign which is applied or attached to either the interior or exterior of a window and intended to be viewed from outside the building or structure.

Sign, yard means a type of temporary sign less than four (4) square feet in area that is portable and constructed of paper, vinyl, plastic, wood, metal, or other comparable material, and designed or intended to be displayed for a limited period of time on a parcel.

Works of art means a sculpture, painting, graphic, or other type of art that does not advertise or promote a particular business, service, or product and is intended for the enjoyment of the general public.