



Powhatan County Board of Supervisors Agenda Item

Meeting Date: January 25, 2016

Agenda Item Title: Ordinance O-2016-01 to conditionally rezone approximately 50[±] acres of land located at intersection of Rt. 711 and Winterfield Road from Commercial (C) and Residential-Utility (R-U) and to Village Center Planned Development (VC-PD) District

Motion: In accordance with public necessity, convenience, general welfare and good zoning practice, move to approve Ordinance O-2016-01 with proffered conditions, as presented

Dates Previously Considered by Board: n/a

Summary of Item: The applicant is requesting the conditional rezoning of 50[±] acres from Commercial (C) District and Residential Utility (R-U) District to Village Center Planned Development District (VC-PD) with proffered conditions for the purpose of creating a mixed-use development consisting of a maximum of 75,000 square foot of retail/commercial/office space, 22 single-family "golf villa" units, and 200 apartment units.

The Planning Commission conducted a public hearing to consider public comment at their December 1, 2015 meeting. Several citizens spoke during the public hearing. The Planning Commission discussed the changes to the proposal with the applicant. The Commission voted 5-0 to recommend approval of the request with proffered conditions, as amended by the applicant.

A public hearing has been advertised for January 25, 2016.

Staff: Approve as amended by applicant Disapprove See Comments

Planning Commission/Board: Approve **12/1/2015 (5-0)** Disapprove See Comments

County Administrator: Approve as amended by applicant Disapprove See Comments

Comments:

Budget/Fiscal Impact: None

Attachments: Staff Report and Ordinance

Staff/Contact: March Altman, Deputy County Administrator, 804-598-5605 maltman@powhatanva.gov

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

ORDINANCE O-2016-01

An Ordinance to conditionally rezone approximately 50± acres of land at the intersection of Huguenot Trail (Rt. 711) and Winterfield Road, from Residential-Utility (R-U) and Commercial (C) to Village Center Planned Development District (VC-PD)

WHEREAS, Riverton Associates have submitted a request to the Powhatan County Board of Supervisors to rezone a 50± acre property identified as, Tax Parcels 32-44A, 32-44C, 32-45B1, 32-45B2, 32-46, 32-46A, 32-58B, 32D-1-1, 32D-1-3, 32C-2-1, 32C-2-2, 32C-2-3, 32C-2-4, 32C-2-5, 32C-2-6, and 32C-2-7, from Residential-Utility (R-U) and Commercial (c) to Village Center Planned Development District (VC-PD); and

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

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

WHEREAS, the Planning Commission advertised and held a public hearing on the proposed Rezoning, on November 4, 2015 and all of those who spoke on this topic were heard; and

WHEREAS, the Planning Commission advertised and held a second public hearing on the proposed Rezoning, on December 1, 2015 and all of those who spoke on this topic were heard; and

WHEREAS, Riverton Associates has submitted a statement of proffer in conjunction with the rezoning request; and

WHEREAS, the Planning Commission voted recommended approval of the request to rezone the subject properties with proffered conditions; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice support approval of this rezoning and proffer condition;

WHEREAS, the Powhatan County Board of Supervisors caused to be published a notice of public hearing on this matter in the Powhatan Today on January 13, 2016 and January 20, 2016; and

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

WHEREAS, on January 25, 2016, the Powhatan County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

NOW, THEREFORE, BE IT ORDAINED, that the Powhatan County Board of Supervisors hereby **approves** Ordinance O-2016-04 to rezone a 50[±] acre property identified as, Tax Parcels 32-44A, 32-44C, 32-45B1, 32-45B2, 32-46, 32-46A, 32-58B, 32D-1-1, 32D-1-3, 32C-2-1, 32C-2-2, 32C-2-3, 32C-2-4, 32C-2-5, 32C-2-6, and 32C-2-7, from Residential-Utility (R-U) and Commercial (c) to Village Center Planned Development District (VC-PD) with the following proffered conditions:

1. Textual Statement dated November 23, 2015
2. Exhibit "A" – Conceptual Master Plan prepared by RK&K dated January 15, 2016.
3. Exhibit "B" – Minimum Design Standards dated November 23, 2015
4. Exhibit "C" - Building Elevation for Single-Family Golf Villas.
5. The maximum density of commercial space in the project shall be limited to 75,000 square feet and the orientation of the commercial buildings shall generally follow the Conceptual Plan dated January 15, 2016 and submitted as part of the rezoning application. Any necessary compliance determinations with respect to the orientation of the commercial buildings shall be made by the county in its sole discretion.
6. Residential uses will include no more than 200 adult oriented premium apartment units and 22 single family detached homes. The apartments shall be constructed of materials substantially similar to those used in Winterfield Place, Phase One and the amenities provided shall include a high-quality recreation facility, clubhouse, swimming pool, outdoor recreation spaces and integrated garages. The apartment buildings shall be limited to three stories above finished grade and eave heights shall not exceed 35' above first floor elevation.
7. All commercial buildings shall be constructed in a manner that is substantially similar to the existing Winterfield Place development in terms of building size, materials, design, lighting and light fixtures, scale and walkability. Any determination as to whether a particular building complies with this proffer shall be made by the county in its sole discretion.
8. The lots developed by the extension of Founders Creek Court will be accepted into the Founders Bridge Property Owners Association. If Founders Bridge Property Owners Association is not willing to include the detached home lots on terms reasonably acceptable to the Developer, then the Developer shall create a separate Home Owner's Association for such lots on terms acceptable to the County.
9. The portion of Old Winterfield Road from Winterfield Road to the proposed cul-de-sac of lot 12 on the Conceptual Master Plan may be used as a construction entrance during the construction of the road and the 22 single-family golf villas. Once construction is complete, the remaining section of Old Winterfield Road that is not used for this development will be scarified, seeded and the unused portion of the right of way shall be vacated per VDOT

- specifications and standards.
10. Development of the homes to be constructed on Founders Court Creek property shall be in general conformance with the plan entitled "Exhibit A" Conceptual Master Plan, Powhatan, Virginia", dated January 15, 2016 (see case file), prepared by RKK, ("the Conceptual Master Plan"), or as specifically approved at the time of Plan of Development.
 11. Architectural standards and style for these new homes on Founders Creek Court opposite existing homes on Founders Creek Court (two existing lots, Lots 28 and 29, and one new lot prior to open space, Lot 1, shown on Founders Creek Court), will be constructed to the architectural standards of the existing homes on Founders Creek Court, e.g., two 8' garage doors instead of one 16' garage door, continue color palette for brick, trim, front door, garage door, and no dormers. These three lots will also be bound by the Founders Bridge Property Owners Association, the Founders Bridge Golf Villas Association and the Founder's Bridge ARC, and will go through the typical new home construction process. Architectural standards for the homes to be constructed on the 21 remaining lots after the open space are on the attached "Exhibit B" –Minimum Exterior Materials Standards." Architectural style of these 21 homes shall be generally consistent with the elevations attached as Exhibit 'C'. Any deviation from the home elevations on Exhibit 'C' or new elevations shall be approved by the Director of Planning.
 12. The two open space areas depicted on the Conceptual Plan on Founder's Creek Court shall be dedicated free and clear to the Founders Creek Property Owners Association or the Founders Bridge Golf Villas Association.
 13. Vertical construction shall not commence on the commercial units and the apartments, nor shall any land disturbance activity commence on the single family detached lots until adequate water and sewer capacity is verified by the developer and the utility service provider and approved by the county.
 14. Individual wells and/or septic systems shall not be permitted for the provision of potable water or sanitary sewer.
 15. Exterior materials for all structures shall be consistent with surrounding residential and commercial developments. Any question as to whether such exterior materials are consistent shall be made at the sole discretion of the county.
 16. There shall be no direct residential, commercial, office or retail lot access to Winterfield Road (Rt. 714) or Huguenot Trail (Rt. 711).
 17. Dedication of right of way to Powhatan County, and at no cost to Powhatan County, for the installation of a right turn lane into the project from Route 711, shall be made in conjunction with the approval and recordation of the plat for the Winterfield Place Phase II project.
 18. The developer shall maintain a 50' planted buffer between any apartment buildings and Winterfield Rd. (Rt. 714). The buffer shall be constructed as a type "B" intermittent buffer as described in the Powhatan County Zoning Ordinance.

19. The developer shall pay to Powhatan County a cash proffer for residential units in the project, as follows:

- a. The builder of single-family detached units shall pay a proffer of \$500.00 per unit for the purpose of capital investment in fire and safety equipment for Powhatan County. The proffer shall be paid at the time that Certificate of Occupancy is requested by the builder.
- b. Multi-family (apartment) units shall pay to Powhatan County a cash proffer of \$500.00 per unit for the purpose of capital investment in fire and safety equipment for Powhatan County. The proffer shall be paid upon receipt of Certificate of Occupancy for respective multi-family units or a multi-family building.

APPROVED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON JANUARY 25, 2016.

William E. Melton, Chairman
Powhatan County Board of Supervisors

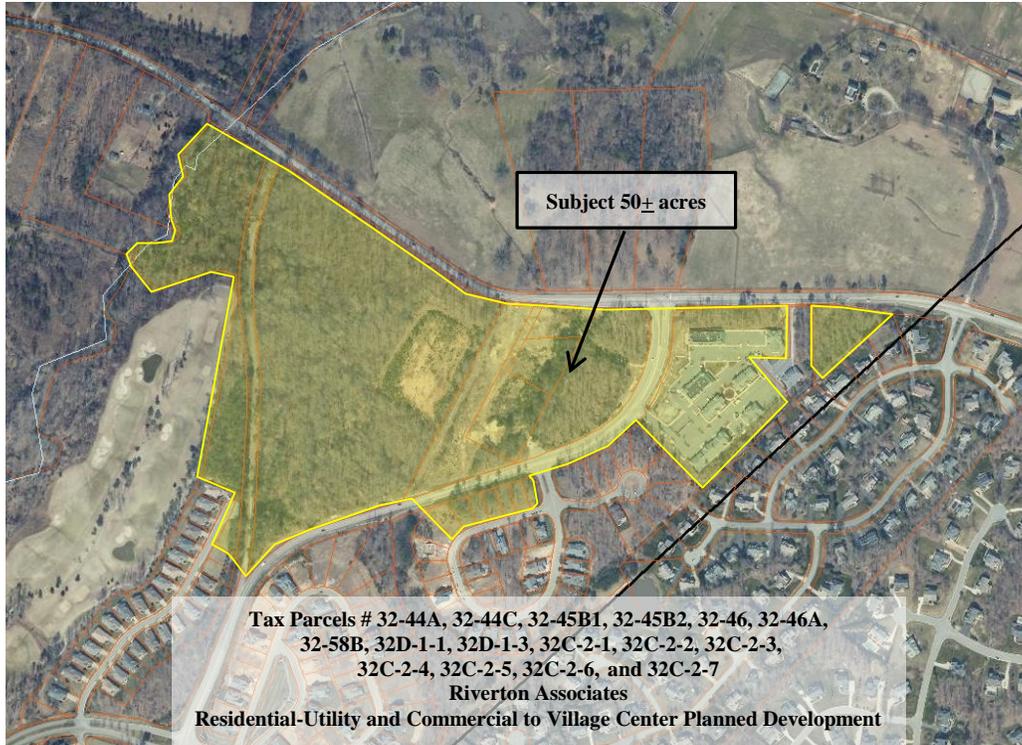
ATTEST:

Patricia A. Weiler, Clerk
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams ___
Larry J. Nordvig ___
Angela Y. Cabell ___
William E. Melton ___
Carson L. Tucker ___

O-2016-01 to conditionally rezone approximately 2.47± acres of land located at the intersection of Huguenot Trail (Rt. 711) and Winterfield Road, from Residential-Utility (R-U) and Commercial (C) to Village Center Planned Development (VC-PD) with proffered conditions





15-03-REZC – Riverton Associates Winterfield Place Phase II

Staff Report prepared for the Board of Supervisors

Amended November 5, 2015

Amended November 24, 2015

Amended December 2, 2015

Amended January 15, 2016

This report is prepared by the County of Powhatan Department of Community Development Staff to provide information to the Planning Commission and Board of Supervisors to assist in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	July 7, 2015	Deferred by Applicant
Planning Commission	August 4, 2015	Deferred by Applicant
Planning Commission	September 1, 2015	Deferred by Applicant
Planning Commission	October 6, 2015	Deferred by Applicant
Planning Commission	November 4, 2015	Public Hearing – Deferred Action
Planning Commission	December 1, 2015	Recommended Approval
Board of Supervisors	January 25, 2016	Public Hearing

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Proposed Zoning:	VC-PD, Village Center Planned Development District
Existing Zoning:	R-U, Residential Utility, and C, Commercial
Parcel Size:	50± Acres
Parcel ID#	32-44A, 32-44C, 32-45B1, 32-45B2, 32-46, 32-46A, 32-58B, 32D-1-1, 32D-1-3, 32C-2-1, 32C-2-2, 32C-2-3, 32C-2-4, 32C-2-5, 32C-2-6, and 32C-2-7.
Owner(s):	Riverton Associates and ME Founders Bridge LLC
Location of Property:	Southside of Huguenot Trail and along both sides of Winterfield Road
Electoral District:	#1 Subletts/Manakin/Flat Rock
Land Use Plan Recommendation:	Village Center & Village Residential

Zoning of Surrounding Property:	North:	R-R, Rural Residential
	South:	R-U, Residential Utility
	East:	R-U, Residential Utility
	West:	R-U, Residential Utility

III. EXECUTIVE SUMMARY:

The applicant is requesting the conditional rezoning of 50± acres from Commercial (C) District and Residential Utility (R-U) District to Village Center Planned Development District (VC-PD) with proffered conditions.

The purpose of the request is to create a mixed-use development consisting of a maximum of 75,000 square foot of retail/commercial/office space, 22 single-family “golf villa” units, and 200 apartment units. The proposed rezoning consists of the existing Winterfield Place Phase I commercial development (except the parcel owned by Mahler Holdings, LLC located at 3748 Winterfield Place), seven (7) existing lots in the Bel Bridge Subdivision, and seven (7) vacant parcels, totaling 45± acres, located to the west of Winterfield Road. The existing uses within the Winterfield Place Phase I development will remain the same. If approved the proposed rezoning would add one (1) additional lot to this development at the corner of Winterfield Road and the entrance to Phase I.

The Planning Commission conducted a public hearing to consider public comment on the proposed rezoning at the November 4, 2015 meeting. Several citizens spoke during the public hearing. The Planning Commission discussed the proposal at length with the applicant and staff. The Commission voted 5-0 to defer action on the proposal to the December 1, 2015. The Commission also instructed staff to advertise the case for another public hearing to allow the community to comment on any changes to the case made by the applicant.

In the time since the November 4, 2015 Planning Commission meeting, the applicant and Founders Bridge Property Owners Association (FBPOA) have meet on several occasions to discuss amendments to the plan to address the concerns FBPOA.

The Planning Commission conducted a second public hearing to consider public comment at their December 1, 2015 meeting. Several citizens spoke during the public hearing. The Planning Commission discussed the changes to the proposal with the application and had the applicant address some if the issues raised by citizens during the public hearing. The Commission voted 5-0 to recommend approval of the request with proffered conditions, as amended by the applicant.

IV. SUBJECT PROPERTY:

The subject property consists of 45± acres located south of Rt. 711, Huguenot Trail, and west of the County Line. The property currently has direct access off of Huguenot Trail and Winterfield Road. The proposed rezoning consists of the existing Winterfield Place Phase I commercial development (except the parcel owned by Mahler Holdings, LLC located at 3748 Winterfield Place), seven (7) existing lots in the Bel Bridge Subdivision, and seven (7) vacant parcels, totaling 45± acres, located to the west of Winterfield Road.

The existing uses within the Winterfield Place Phase I development will remain the same. If approved the proposed rezoning would add one (1) additional lot to Phase I at the corner of Winterfield Road and the entrance to Phase I. The property is currently zoned Residential-Utility (R-U) and Commercial.



Figure 1 - Subject Property

V. LAND USE ANALYSIS:

The applicant purposes to develop the subject parcel into a mixed-use development with a maximum of 222 residential units and 75,000 square feet of commercial/retail/office space, open space with trails, and detention basins. The breakdown of units are proposed as follows:

Table 1 - Proposed Development Unit Mix

Unit Type	# of Units	# of Buildings	Square Footage
Single-Family "Golf Villa"	22	22	2,500
Apartments	200	8	700-1,400+
Retail/Commercial/Office	18	8	63,000 (total)

Zoning Ordinance compliance of the proposed uses shown on the conceptual plan and listed in the textual statement:

Proposed Use	Permitted/Not Permitted
Single-Family Dwelling	Permitted by Right in VC-PD District
Multi-Family Dwelling	Permitted by Right in VC-PD District
Convenience Store	Permitted by Right in VC-PD District
Bank or financial institution	Permitted by Right in VC-PD District
Professional office	Permitted by Right in VC-PD District
Restaurant/Specialty Eating or Drinking Establishment	Permitted by Right in VC-PD District

The proposed uses will have to comply with Section 83-301, Permitted Uses, in the VC-PD District, of the Powhatan County Zoning Ordinance.

The scale and size of the proposed development is compatible with the surrounding area and consistent with the Village Center Land Use Policies.

The VC-PD district requires a minimum density of four (4) dwelling units/acre with a maximum density of eight (8) dwelling units/acre. The proposed density of Winterfield Place Phase II rezoning is 4.4 dwelling units/acre.

Staff conducted a review of the zoning ordinance provisions related to Planned Developments and has determined the following:

- §83-282, General Standards for All Planned Development Districts, outlines items that the Planned Development (PD) Plan should include. Those items are listed in the table below.

Table 2 - General Standards for All Planned Development Districts

Item	Addressed By
Statement of Planning/Marketing Objectives	Textual Statement
General Location of Development Areas; Identification of Land Use; Development Density	Conceptual Plan & Textual Statement
Acreage, Types/Mix of Land Use, # of Residential Units, # of Non-residential Units, Residential Density, Non-residential Intensity	Conceptual Plan & Textual Statement
General location, Amount, Type of Open Space	Conceptual Plan
Environmentally Sensitive Land	Conceptual Plan
On-site Transportation Circulation System	Conceptual Plan
Water and Wastewater Facilities	Textual Statement
Stormwater Management Facilities	Conceptual Plan
Other On-Site Public Facilities	n/a

Phasing Plan	n/a
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Neighborhood Meetings

- §83-123(e)(3)b of the Zoning Ordinance outlines the Planned Development procedure, which notes “Neighborhood meeting” as a step in the procedure and references §83-122(c). §83-122(c), Neighborhood meeting, of the Zoning Ordinance indicates that these meetings are a “favored practice,” stating:

“Neighborhood meetings are encouraged as opportunities for informal communication between applicants and the owners and occupants of nearby lands, and other residents who may be affected by development proposals.”

Further under item (3), Procedure, it states: “If a neighborhood meeting is held by the applicant...”

While the Zoning Ordinance does not require neighborhood meetings as a part of the process, it does encourage them. The Applicant has conducted at least four (4) neighborhood meetings with residents of Founder’s Bridge and Bel Crest/Bel Bridge subdivisions Property Owner’s Associations (POA). The most recent meeting was October 21, 2015 with representatives of the Founders Bridge and Founders Bridge Golf Villas POAs.

- §83-470(c)(1)b, of Open-space set-aside standards, requires that development in Village Center Planned Development (VC-PD) Districts shall set aside at least 15% of the area of the development site as an open space set-aside. The open space set-aside in the proposed development is approximately 20 acres, or 40%, which exceeds the required 15% minimum open space set aside.
- §83-476(d), Parking location, for multifamily and townhouse development states that “no more than 50% of the required number of off-street parking shall be surface parking located between the front of the principal building(s) and the street it faces unless the parking is screened from view from the street by other buildings or landscaping.” The proposed parking for the multifamily and condominium/townhouse units is provided by either an attached garage or parking in front of the units. The parking areas are not located between the front of the units and a street.

TRANSPORTATION –

The proposed development was part of the overall rezoning of the site in 2003 (03-11-REZC). As part of the 2003 rezoning a Traffic Impact Analysis was prepared for the initial Riverton development project, which included commercial/retail/residential development of the site. The proposed development under consideration in the 2003 case and part of a site plan submittal in 2006 would have generated traffic volumes of the same general magnitude of the current proposed mixed-use development. A TIA was not required of the development. However, an updated traffic trip generation and trip distribution study was provided.

The 2003 rezoning case included three (3) access points to Huguenot Trail (Rt. 711) and the relocation of Winterfield Road. The 2003 case contained had an additional access point (right-in/right-out only) west of the proposed entrance, but that has been eliminated as part of this request. The remaining two (2) access points along Winterfield Road were included in the 2003 rezoning and were constructed as part of the realignment of Winterfield Road. The full access point from Huguenot Trail was also part of the 2003 rezoning case.

The proposed project under consideration will provide two (2) access points along Winterfield Road and a full access point from Huguenot Trail (Rt. 711). These access points, included in the 2003 case and the 2006 site plan, were constructed as part of the Winterfield Road relocation project. The relocated Winterfield Road has been accepted by VDOT into the State Road Maintenance System. The full access point on Huguenot Trail was agreed to by the County and VDOT as part of the 2003/2006 processes, but has not been constructed.

The proposed 900± foot extension of Founders Creek Court to accommodate the 22 single-family “golf villas” does not comply with the requirements of Section 6.4-3.3 of the County’s Subdivision Ordinance, which requires “a second public road access if the cumulative total of lots served is in excess of fifty (50).” There are 29 existing lots on Founders Creek Court. Adding the proposed 22 lots brings the cumulative total of lots on Founders Creek Court to 51, which would require a second access point. The design of the extension of Founder Creek Court will require further analysis during site/construction plan review process. The applicant will either comply with the 50 lot total and reduce the proposal by a lot, or should the applicant maintain the proposed 22 lots, which creates a total of 51 lots, then the applicant will be required to seek a an exception from the subdivision ordinance provision.

There is concern regarding the timing of the Rt. 711 Widening project and the installation of the full access from Rt. 711 into the site. Currently the Rt. 711 project is scheduled to go to advertisement for construction the fall of 2016, which is a year delay due to the funding shortage.

At the November 4, 2015 meeting, citizens expressed concern regarding the speed of traffic and the number of accidents on Winterfield Road. At the request of the applicant, Staff had requested that VDOT conduct a speed study along the Winterfield Road corridor to evaluate the reduction in the speed limit on the Powhatan portion of the road where the speed limit increases from 35 mph to 45 mph. The study results did not warrant the reduction of the speed limit from 45 mph to 35 mph (see attached). After the November 4th meeting, Staff contact VDOT to see if a study could be conducted again. VDOT indicated that another speed study could be conducted with the change in use property along the corridor.

- **VDOT** – Brian Lokker, VDOT Richmond District

The traffic generated with the current proposed parcel development (RK&K Traffic Trip Generation and Trip Distribution study dated July 2015) is anticipated to be less than that assumed with site development in 2005 (DRW Consultants Study dated June 2005). As such the submittal of a formal Chapter

527 Rezoning Traffic Impact Analysis in accordance with 24VAC30-155 for Department review is not required.

The locations of all proposed access points are subject to compliance with Access Management Regulations (24VAC30-73) spacing standards from existing intersections/access points. As shown on the concept plan dated July 15, 2015, the location of the proposed Huguenot Trail access (approximately 750' west of Winterfield Rd.) meets current standards. Right and left turn lanes are to be provided at that access point as warranted per Department standards. VDOT can evaluate warrants during site plan review. *Provided on October 14, 2015 from Planning was a revised concept, PDF Layout Plan dated 10/14/2015. As shown on that plan the Winterfield Rd. connection was removed from that shown on the July concept. The new subdivision will be accessed through extended Founders Creek Ct. The Department has no objection to that proposal.*

Note that improvements proposed with the Huguenot Trail widening (VDOT project 711-072-564) include the provision for a median crossover and left-turn lane serving the site. However, should the site access be constructed prior to those improvements, as noted above, required will be the construction of warranted turn lane(s).

Proposed is utilization of two previously constructed Winterfield Rd. access points to serve the site. The available storage of the northbound left turn lanes are to be verified. VDOT can evaluate during site plan review.

Department acceptance of the subdivision roadways for maintenance is contingent on meeting the provisions of the Subdivision Street Acceptance Requirements – SSAR's (24VAC30-92). Included in those provisions are meeting connectivity (two external connections to a publically maintained street or one connection and the provision for a stub out to an adjacent developable parcel) and pedestrian accommodations (street ADT dependent). As shown the proposed residential development road network adjacent to Founders Creek Court does not comply with connectivity thereby requiring Department evaluation of an exception to connectivity requirement of the Regulations. Alterations of the design may be needed to provide the second connection.

WATER AND WASTEWATER –

The project will be served by the Founders Bridge Utility Company. All improvements will be approved by and constructed in accordance with Chesterfield County standards, and the Founders Bridge Utility Company's design requirements.

In 2004, Gray Land and Development Company, LLC and Founders Bridge Utility Company, Inc. (the "Utility") applied to the Virginia State Corporation Commission for a certificate of public convenience and necessity. The certificate transferred assets from Gray Land to the Founders Bridge Utility Company pursuant to a lease agreement. The application stated the certificate as to "provide water and sewer service within the Powhatan County portion of the Founders Bridge subdivision and a limited area adjoining the Subdivision." The "limited area adjoining the Subdivision" is Winterfield

Place Phase I & II, and Bel Bridge and Bel Crest subdivisions. The application further states that:

“Approximately 200 residential customers, a recreation facility consisting of a pool and clubhouse, and one golf course clubhouse will be served by the Founders Bridge water and sewer systems when the Subdivision is fully built. Additionally, under the agreement with Chesterfield County (see paragraph 7), 50,000 gallons of capacity will be supplied to the Adjacent Property.”

The “adjacent property” is the properties mentioned above as the “limited area adjoining the Subdivision.”

Pursuant to a water and wastewater contract dated September 7, 2000, the Chesterfield County PSA agreed to reserve 180,000 gallons per day (gpd) of potable water capacity for Founder’s Bridge use. Of that 180,000 gpd, 50,000 gallons were reserved for the applicant’s property. The applicant ultimately purchased a total of 65,000 gpd of potable water capacity from the Founders Bridge Utility Company.

Table 3 - Water Usage of Existing & Proposed Development

Development Phase/Section	Water Usage (gpd)
Purchased from Founders Bridge Utility	65,000
Winterfield Phase I - Existing	4,993
Bel Crest/Bel Bridge - Existing	14,850
Winterfield II Commercial	6,571
Phase II Residential	24,300
Total Usage (Existing & Proposed)	50,714
Capacity (+/-)	14,286

According to the water usage projections provided by the applicant above, the proposed and existing development will not exceed the 65,000 gpd water capacity purchased by the applicant from the Founders Bridge Utility Company.

GrayCo/Founders Bridge Utility Company has hired Bowman Engineering to prepare a preliminary engineering report related to using a well to augment the potable water supply provided by Chesterfield County. The report will be submitted to Chesterfield County for review and approval and then submitted to the Virginia Department of Health (VDH). Approval by VDH is anticipated in the spring of 2016.

GrayCo/Founders Bridge Utility Company also hired Sydnor Hydro, which has drilled the well at the golf course. According to Sydnor the well is providing 55,000-60,000 gallons per day. A seven (7) foot tall 1,000 or 2,000 gallon water storage tank will be constructed at the Independence Golf Course Maintenance Building to support the

system. The water supply system is anticipated to be online and operational late summer/early fall 2016.

Questions were raised of members of the Planning Commission during the November 4th meeting regarding the proposed well system. Staff contacted Founders Bridge Utility to get a copy of the Preliminary Engineering Report. Staff was informed that the report was not completed, but that once it was completed both Powhatan and Chesterfield Counties would receive a copy for review and comment.

At address the concerns of the residents of Founders Bridge related to the issues of adequate water supply, the applicant has proffered, that “vertical construction shall not commence on the commercial units or apartments, nor any land disturbance activity commence on the single-family detached lots until adequate water and sewer capacity can be demonstrated by the developer and the utility service provider.”

- **Public Works** – Johnny Melis, Utilities Manager
All parcels are located outside of the Water and Wastewater Service District. The Department has no further review comments.
- **Health Department** – Richard Michniak, Environmental Health Supervisor
The Virginia Department of Health has no adverse comments.

ENVIRONMENTAL –

The property is located within the James River/Tuckahoe Creek/Norwood Creek Watershed, and drains directly into Bernard’s Creek which drains into the James River. There are two (2) areas of wetlands located on the property as shown on the National Wetlands Inventory – one located around Bernard’s Creek and the second around Robert’s Branch which connects into Bernard’s Creek. These areas are reflected on the conceptual plan and are preserved within the Open Space/Natural Area. The development will provide a walking trail through the designated open space/natural area connecting the two sides of the development.

County Staff and the Department of Environmental Quality (DEQ) reviewed the Stormwater Management/Irrigation Basins Grading Plan and determined that there would be some direct and indirect impacts to surface waters, including streams and wetlands. The impacts require a Virginia Water Protection Permit from DEQ. Staff, representatives from DEQ and the developer met on-site to discuss the mitigation of those impacts. It was determined that additional stream/wetland buffers would be required around the stormwater/irrigation pond to minimize stormwater impact resulting from the proximity and elevation of the pond to the Roberts Branch creek and the wetlands. The developer was to submit a revised plan to DEQ for review.

In addition to the provided open space discussed above, the project also provides several buffers. a 50’ wide planted buffer will be along the northern side of Winterfield Road, a 25’ buffer between Winterfield Road and Bel Bridge.

Area of Buffer	Buffer Width
Between Multi-family and Winterfield Road	50'
Western Property Line Adjacent to Golf Course	25'
Between Bel Bridge and Winterfield Road	25'

▪ **Environmental** – Shaun Reynolds

Project should incorporate low impact design strategies to help reduce stormwater runoff and improve stormwater quality.

Section 83-471, Environmental protection, of the Zoning Ordinance requires a 100 foot riparian buffer abutting a perennial stream. Section 83-471 states the following related to riparian buffer width:

“(3) Riparian buffer width.

- a. Required riparian buffer width.
 1. The width of a riparian buffer abutting a perennial stream shall be at least 100 feet.
 2. The width of a riparian buffer abutting an intermittent stream or wetlands shall be at least 50 feet.
- b. Reduction of riparian buffer width. The director may allow development to reduce the minimum riparian buffer width required by subsection a. above by up to 50 percent in the village growth area districts on determining that the development incorporates stormwater best management practices that will manage stormwater runoff to eliminate or reduce pollution of the stream or wetlands to a degree exceeding that provided by a forested buffer meeting the full minimum width standard.
- c. Measurement of riparian buffer width. The width of the buffer shall be measured perpendicular from the bank of a stream or the upland boundary of wetlands. (See figure 83-471(a)(2), Required riparian buffer along a perennial stream.)”

EDUCATION –

County staff reviewed the potential impact of the proposed development on the County’s School System. The average family size in Powhatan, per the 2010 Census, is 3.02. According to the 2010 Census, 67% of households in Powhatan are 2 parent households, so Staff assumed that all of the households would be 2-parent households for the purpose of this calculation.

<u>Total # Housing Units</u>	<u>Avg. Household Size</u>	<u>Projected # of Students</u>
222	3.02	226

Staff estimates that the proposed project could generate the following number of students:

Grade Level	Enrollment 2013	% of Enrollment	Estimated # of Students
K-4th	1,479	35	79
5th-6th	657	16	36
7th-8th	690	16	36
9th-12th	1,399	33	75
Total	4225		226*

* - Powhatan County Public Schools Reviewed and Verified the Estimates

The Powhatan County Public Schools (PCPS) Facilities Plan indicates that the Schools have the following available student capacities division wide:

Grade Level	2013			2016 (Projected)		
	Enrollment	Capacity	Available Space	Enrollment	Capacity	Available Space
K-4 th	1,479	2,185	706	1,394	2,185	791
5 th -6 th	657	830	173	644	830	186
7 th -8 th	690	785	95	655	785	130
9 th -12 th	1,399	1,500	101	1,395	1,500	105
Total	4,225	5,300	1,075	4,088	5,300	1,212

The proposed project will be served by Flat Rock Elementary School located at 2210 Batterson Road. Enrollment at Flat Rock Elementary School during the 2014-2015 school year was 591 students, which is 78% of its total capacity of 760 students.

Grade Level	2014				Projected Impact	
	Enrollment	Capacity	% of Capacity	Available Capacity	# of New Students	% of Capacity
Flat Rock ES	591	760	78	169	79	88
Pocahontas MS	651	830	78	179	36	83
Powhatan Jr. HS	688	785	88	97	36	92

Powhatan HS	1,400	1,500	93	100	75	98
Total	4,199	5,300	79	4,088	226	83

Source: Virginia Department of Education, 2014-15 Enrollment Data

Based on the “Total Program Capacity” of the Powhatan Public Schools developed as part of the Schools Facilities Master Plan, the School System has the capacity to absorb the students potentially generated by the proposed development at all grade levels.

Staff requested enrollment data from the PCPS regarding the area east of Rt. 288. During the 2014-15 school year there were a total of nine (9) students from that area enrolled in Powhatan County Public Schools. The breakdown of the enrollment is below:

Table 4 - Student Enrollment in Area of Development – 2014-15

Area	# of Students
Founder’s Bridge	1
Winterfield Road	5
Michael’s Ridge	2
Huguenot Trail – Rt. 711 (East of Rt. 288)	1
Total	9

According to the Virginia Department of Education, total enrollment of the PCPS during the 2014-05 school year was 4,217 students. There are approximately 274 homes in the area east of Rt. 288. These homes account for only nine (9), or 0.002 percent, of the students enrolled in the PCPS during the 2014-15 school year. Applying that percentage to the projected number of residents in the area would result in 7.45, or 8, students generated by the proposed development. Powhatan Public Schools estimates 20 students would be generated by the proposed development.

The residential component of the proposed project will be marketed as an “aged-targeted” development, similar to the Founder’s Bridge development, which accounts for one (1) student in the PCPS system. The project does not include a “tot-lot,” any playground equipment or amenities that would be consistent with a development that targets families with children.

Additionally, given the proximity of the proposed development to Bettie Weaver Elementary School and James River High School in Chesterfield County (located approximately 1.5 miles to the east) it seems that families looking to locate in this general area are more likely to choose a home in Chesterfield given the location of the schools in relationship to the location of the schools in Powhatan County.

After review of this request, based on current school assignments, future enrollment projections and the potential student enrollment in the proposed rezoning case, staff has determined that the proposed development will not have a significant impact on the school system. It is possible that over time, this case combined with other tentative residential developments and other zoning cases in the area will continue to push the schools to their capacity and therefore impact the capacity of facilities division-wide.

FIRE & EMS SERVICE –

Type of Call for Service	Number of Calls	
Fire	21 (4 of calls required Mutual Aid)	
EMS	96	
	Powhatan - 27	Chesterfield - 69
	BLS - 26	ALS - 43
Law Enforcement (Sheriff)	121	

The area is part of a mutual aid agreement between Chesterfield and Powhatan Counties signed in 2013. Given the “age targeted” market for the residential development the increase in the number of calls for services would be limited.

Fire and Rescue Staff are projecting a potential increase in the number of calls per year from 9 to 16 related to the proposed project.

The majority of the law enforcement calls were related to traffic issues.

- **Public Safety** – Steve Singer, Chief, Fire and Rescue

The area is served by Fine Creek Volunteer Fire Department and Powhatan Volunteer Rescue Squad substation at Fine Creek approximately 6.4 miles from the project location, which generates a best case response time of 8 minutes. The area is additionally served via a mutual aid agreement Chesterfield County. Concern with number of responses from out of county resources may strain current agreement.

Concern expressed with height of proposed buildings – 35 feet. Fire and Rescue Department has a ladder with a maximum height of 35 feet, which renders a working height of 28 feet dependent on topography.

Other issues – proper fire detection and suppression systems within the buildings, proper placement of water mains and fire hydrants, fire flow volume/pressure may not be present within the current water supply infrastructure.

The applicant is proposing a cash proffer of \$500/housing unit for use by the Powhatan County Fire and Rescue Department to offset the impact of the project on the provision of public safety. This would represent a total cash proffer of \$113,500.

At the November 16, 2015 Board of Supervisors meeting, the Board approved the purchase of a ladder truck, which will provide the Powhatan Fire and Rescue Department with the apparatus needed to address issue that could arise from an incident involving buildings constructed at the proposed height of 35 feet. The apparatus will be delivered to the County in spring of 2016 and it is anticipated to be in service by summer 2016.

ARCHITECTURAL DESIGN STANDARDS –

Sections 83-476 and 83-477 of the Zoning Ordinance address the design standards for multifamily and townhouse development and institutional, commercial and mixed-use development in the village growth area districts, respectively. These sections of the ordinance along with Section 83-475, Architectural design standards for businesses, will dictate how the commercial/office/retail, mixed-use, and multi-family components of this project will be designed.

The zoning ordinance does not have design standards for residential development, such as the 22 single-family “golf villa” lots proposed in the conceptual plan. The applicant has proffered that “[a]rchitectural standards for the home to be constructed on Founders Creek Court are attached and incorporated into this Statement of Proffers as on the attached “Exhibit ‘B’ – Minimum Exterior Materials Standards” and “Exhibit ‘C’ - Building Elevation for Single-Family Golf Villas.”

The applicant also proffered that “the lots developed by the extension of Founders Creek Court will be accepted into the Founder Bridge Property Owners Association.”

The Founders Bridge Property Owners Association (FBPOA) expressed concern that the proposed single-family units did not comply with the architectural guidelines established by the FBPOA. The FBPOA would like the guidelines to be the same or an open space separation between the end of Founders Creek Court and the new construction. It is the understanding of Staff that the FBPOA has met several times with the Markel/Eagle and are developing a Memorandum of Agreement between the parties that will regulate the design, materials and other issues related to the 22 units that will be constructed on the extension of Founders Creek Court.

VI. COMPREHENSIVE PLAN ANALYSIS:

The subject properties are part of the 711 Village Special Area Plan included the 2010 Long –Range Comprehensive Plan, which designates the subject properties as Village Center and Village Residential on the Countywide Land Use Plan Map.

The request is consistent with the Vision of the 2010 Long-Range Comprehensive Plan, which states in part:

“The dominant rural character will be supplemented by mixed residential and business uses situated as defined locations primarily along the Route 60 Corridor and along Route 711 east of the Route 288 interchange.”

This request is generally consistent with the Goals of the 2010 Long–Range Comprehensive Plan:

- Land Use: High-quality and economically productive mixed-use development at clearly defined locations served or planned to be served by utilities adjacent to transportation facilities.
 - Housing: Powhatan will have a diverse range of housing that provides living opportunities for Powhatan County residents at all stages of their life.
-

The comprehensive plan indicates the following regarding the Village Centers, in general:

- Primary focus should be a mixture of retail, office, services, and civic uses;
- Designed to be pedestrian-friendly with connections to surrounding village residential neighborhoods.
- Individual buildings with maximum footprint of 15,000 square feet;
- Total concentration of commercial buildings should range between 10,000 and 75,000 square feet total, with balance of village center form filled out with residential development.

The comprehensive plan specifically indicates the following regarding the 711 Village:

- “is recommended for village centers, which could include business and residential use of a scale appropriate to the rural village character.”
- “Commercial buildings should have residential scale and not exceed two stories; the area should be arranged to have a small town or village character with landscaping and architectural compatible with the semi-rural and historic character of the Huguenot Trail corridor.”

The proposed planned development is also generally consistent with the Village Center Land Use Policies and the list of Appropriate Land Uses in a Village Center found in the 2010 Comprehensive Land Use Plan, which include:

- Attached townhouse residential;
- Medium scale multi-family residential in neighborhood pattern;
- Small- to medium-scale commercial, retail;
- Office;
- Services including restaurants; and
- Vertically mixed-use buildings;
- Plazas, squares, open space.

VII. PROFFERED CONDITIONS:

The applicant has submitted the attached proffer statement, which includes the textual statement and conceptual plan.

VIII. STAFF RECOMMENDATION:

The request is consistent with the recommendation of the 2010 Comprehensive Land Use Plan, and therefore staff recommends **approval** of the request submitted by Riverton Associates to conditionally rezone the subject properties from R-U and C to VC-PD with proffered conditions, and amend the County’s Zoning District Map. The deferral will provide additional time to develop solutions for the outstanding issues identified above.

IX. PLANNING COMMISSION RECOMMENDATION:

In accordance with Article 37, of the Powhatan Zoning Ordinance, and in accordance with public necessity, convenience, general welfare and good zoning practice, the Planning Commission unanimously recommends *approval* of the request submitted by Riverton Associates to conditionally rezone Tax Parcels 32-44A, 32-44C, 32-45B1, 32-45B2, 32-46, 32-46A, 32-58B, 32D-1-1, 32D-1-3, 32C-2-1, 32C-2-2, 32C-2-3, 32C-2-4, 32C-2-5, 32C-2-6, and 32C-2-7 from R-U and C to VC-PD with proffered conditions, and amend the County’s Zoning District Map.

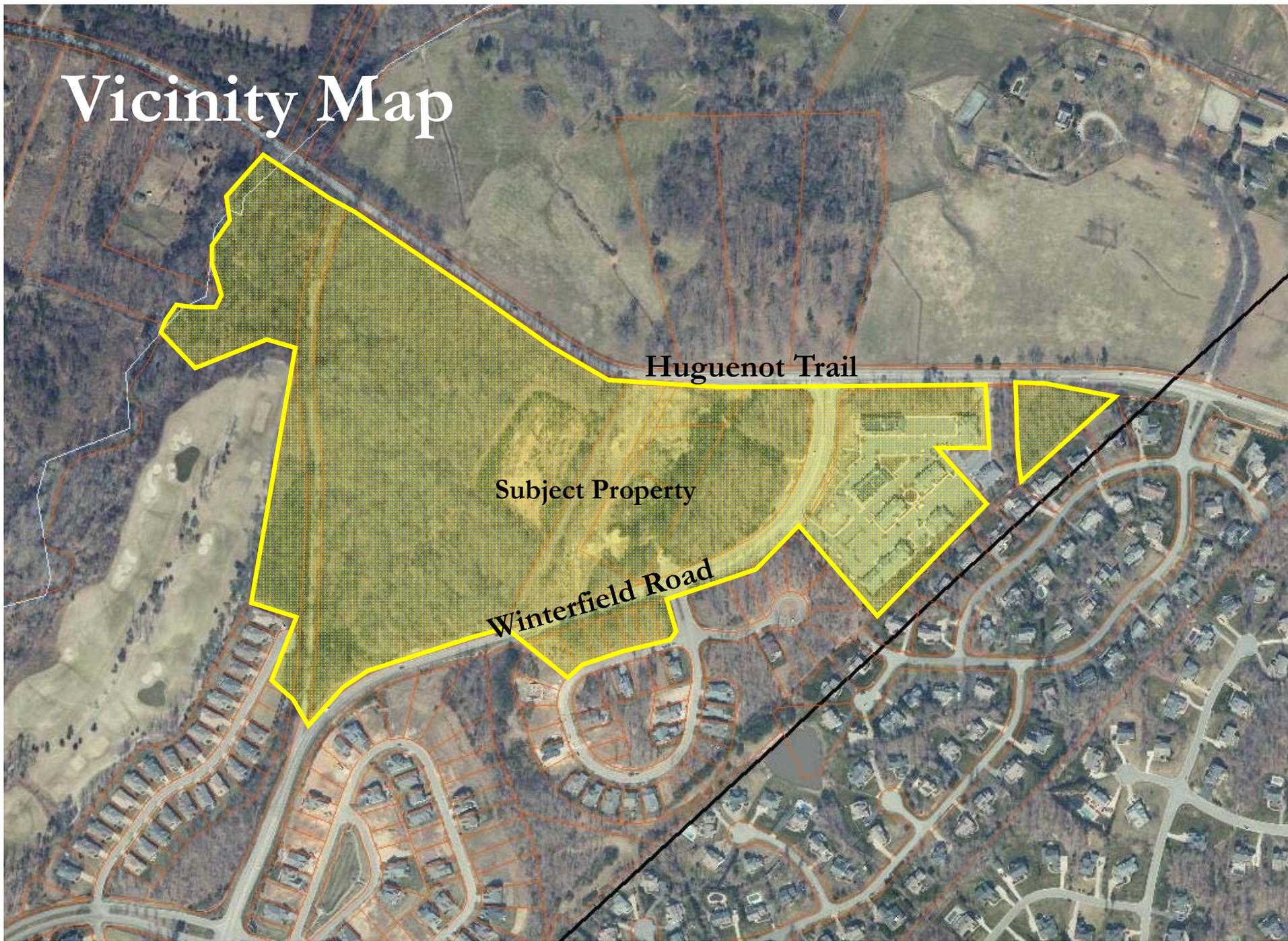
X. PROPOSED RESOLUTION:

In accordance with Article 37, of the Powhatan Zoning Ordinance, and in accordance with public necessity, convenience, general welfare and good zoning practice, the Board of Supervisors (*approves / denies / defers*) of the request submitted by Riverton Associates to conditionally rezone Tax Parcels 32-44A, 32-44C, 32-45B1, 32-45B2, 32-46, 32-46A, 32-58B, 32D-1-1, 32D-1-3, 32C-2-1, 32C-2-2, 32C-2-3, 32C-2-4, 32C-2-5, 32C-2-6, and 32C-2-7 from R-U and C to VC-PD with proffered conditions, and amend the County’s Zoning District Map.

Attachment(s):

1. Vicinity Map
 2. Zoning Map
 3. Future Land Use Map
 4. Comprehensive Plan – 711 Village Area Map
 5. Application for Rezoning
 6. Plat of Property
 7. Proffer Statement dated January 11, 2016
 8. Conceptual Neighborhood Plan – January 13, 2016 (Revised)
 9. Exhibit ‘B’ – Minimum Exterior Design Standards
 10. Exhibit ‘C’ – Golf Villa Elevations dated January 12, 2016
 11. Textual Statement – Revised November 2015
 12. Winterfield Road Buffering/Screening Elevation
 13. Winterfield Place Phase II – Trip Generation & Distribution Study – August 2015
 14. VDOT Comment Letter – Brian Lokker dated October 23, 2015
 15. VDOT Speed Study – Route 714, Winterfield Road – August 2015
 16. Adjacent Property Owners
 17. Communication from Citizens
-

Vicinity Map

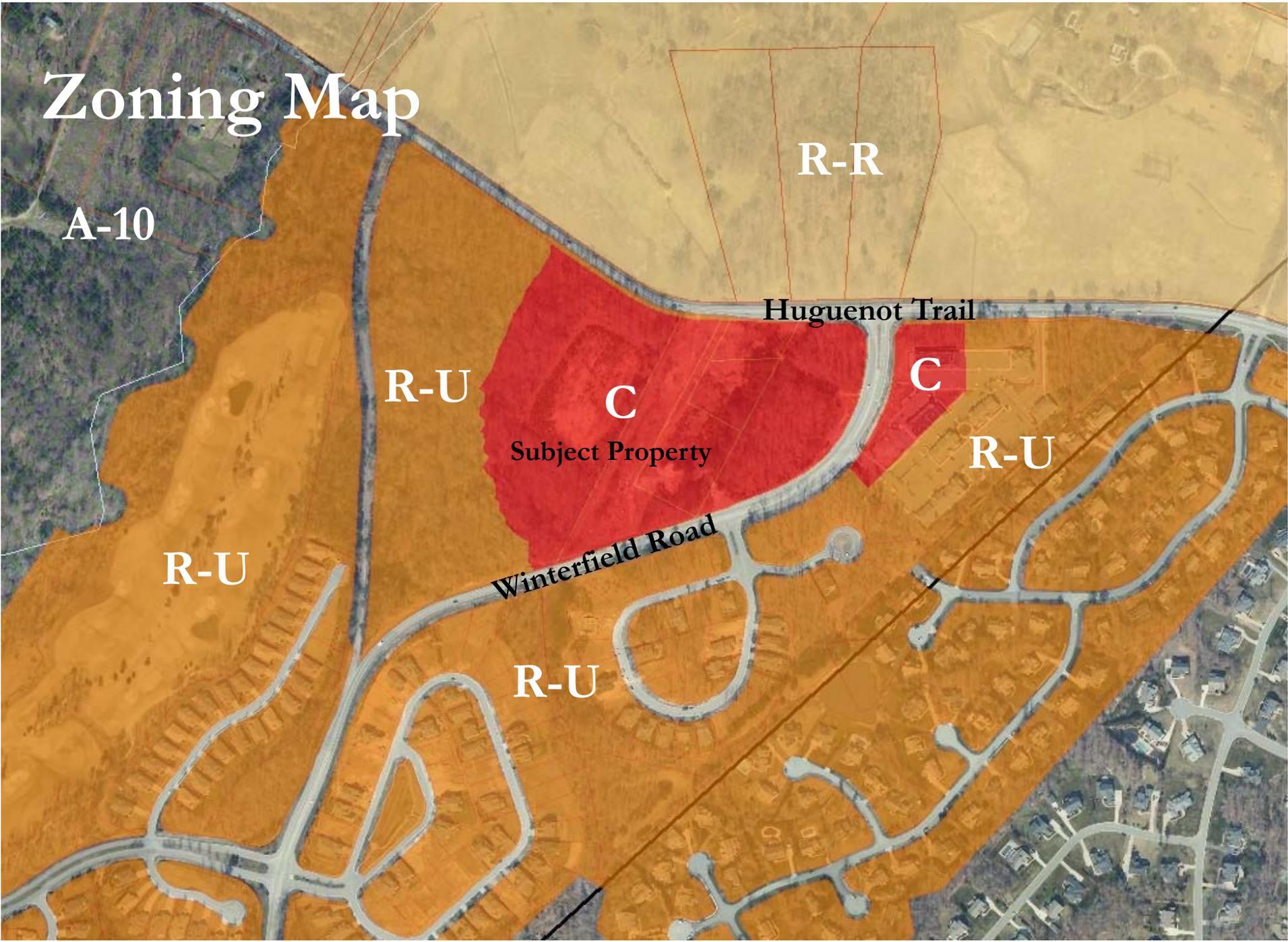


Huguenot Trail

Subject Property

Winterfield Road

Zoning Map



A-10

R-R

R-U

C

Subject Property

Huguenot Trail

C

R-U

R-U

Winterfield Road

R-U

Future Land Use Map

Rural Preservation

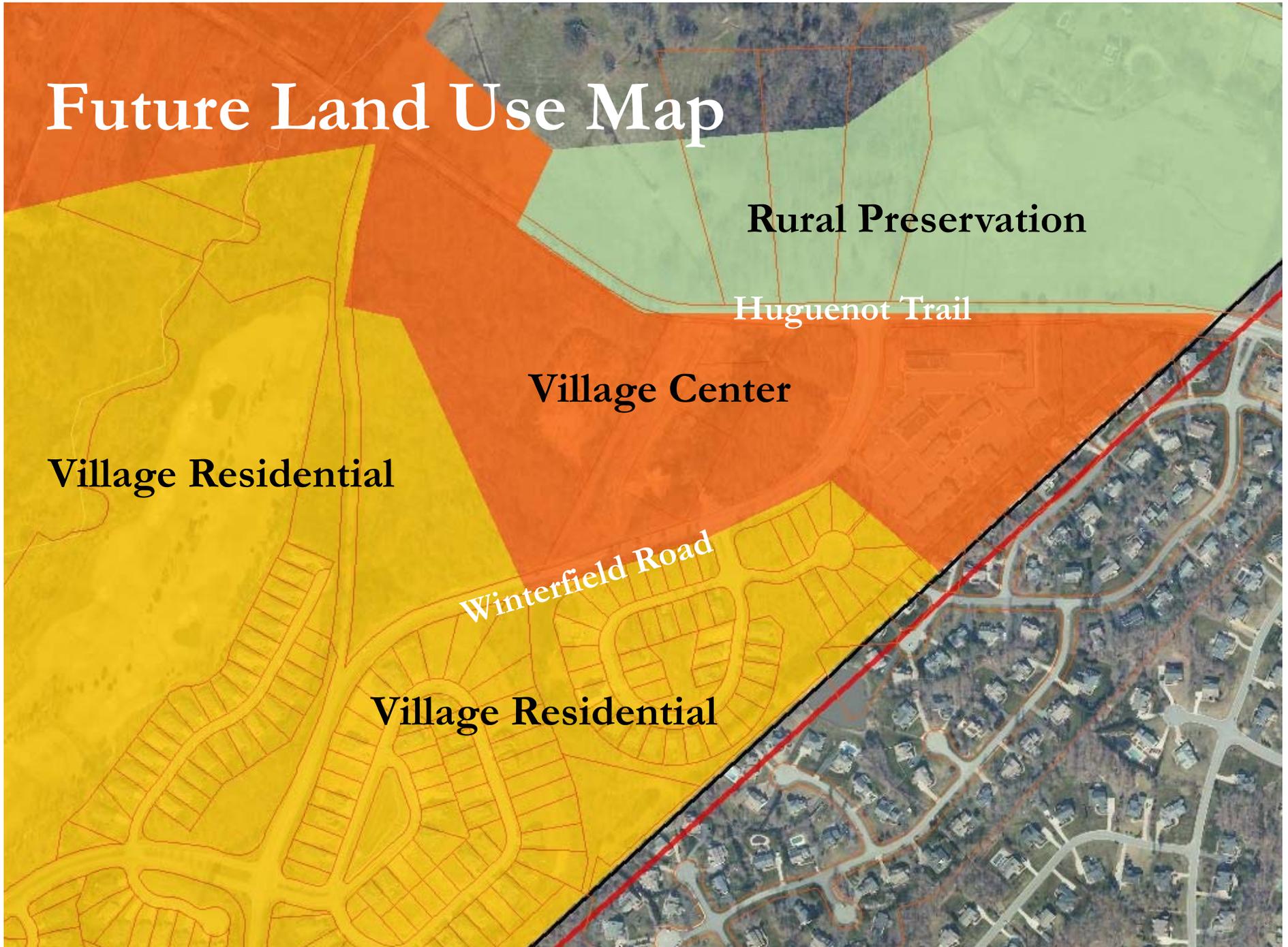
Huguenot Trail

Village Center

Village Residential

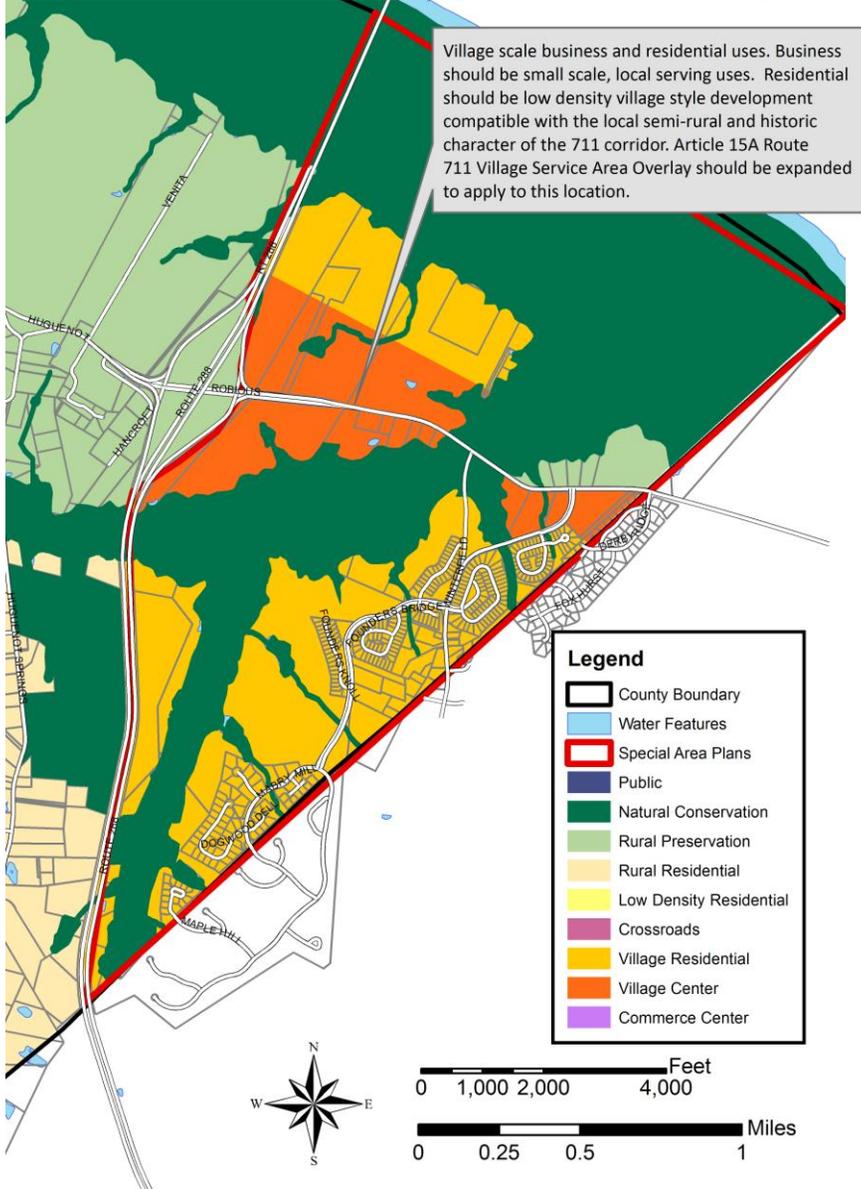
Winterfield Road

Village Residential



711 Village

Map 10: 711 Village (Special Area Plan)



The Route 711 Village is located east of the Route 288 and 711 interchange. This location is recommended for low intensity local serving commercial and residential development.

Land adjacent to Route 711 is recommended for village centers, which could include businesses and residential use of a scale appropriate to the rural village character. Commercial buildings should have a residential scale and not exceed two stories; the area should be arranged to have a small town or village character with landscaping and architecture compatible with the semi-rural and historic character of the Huguenot Trail corridor.

Core areas of the village centers could support office, general commercial, and some townhouses up to two units per acre. Surrounding these areas village residential is recommended to accommodate single-family detached residential at densities up to one unit per acre. A traditional neighborhood design is recommended for both the village center and the village residential locations. The Article 15A-Route 711 Village Service Area Overlay District would apply to this special area.

REZONING APPLICATION

Please Type or Print

For office use only Case # 15-03-REZC Date of Pre-application meeting THURS. 3/26/2015 Date Filed 4/2/2015

APPLICANT INFORMATION

Owner/Applicant REVERTON ASSOCIATES, LLC Telephone 804-794-0681 Address 3736 WINTERFIELD RD MEDLOTHIAN VA 23113 Contract Purchaser Telephone Address

Who Should Correspondence or Questions regarding this Application be directed to: Name CASEY SOWERS Telephone 804 614 8619 Address SAME

PARCEL INFORMATION AND REQUEST

PLEASE SEE ATTACHED

Tax Map Section # Magisterial District Location Area (acres/sq. ft.) in Property Area (acres/sq. ft.) In Rezoning Are there any Deed Restrictions? Yes No (If yes, attach copy of restrictions) Current Zoning Requested Zoning

Describe in Detail the Proposed Use of Property:

COMPREHENSIVE PLAN + IMPACT

PLEASE SEE ATTACHED DESCRIPTION

Property is in Which Area of Policy Map _____ Rezoning in Conformance?

Property is in Which Area of Land Use Plan Map _____ Rezoning in Conformance?

Impacts on Surrounding Uses/Public Facilities to be addressed through Proffers:

Need for Dedication of Right-of-Way according to Thoroughfare Plan _____

Need for Buffer Areas along Property Lines _____ # ft. width _____

Need for Tree Retention in Buffers (> 4" Diameter) _____ Need for Inter-parcel Access _____

Need for Conservation Easement (Residential) _____ Need for Inter-parcel Access _____

Need to Assist County with Cost of Providing Public Facilities _____

Need for a Fire Protection Plan to be prepared and approved by Fire Department _____

Need for Architectural Design Standards to Assure Compatibility of Structures _____

Minimum House Sizes to Assure Compatibility with Surrounding Subdivisions _____ Sq. Ft.

Limitations on Uses Which May Impact Adjacent Properties _____

Limitations on Access to Existing Roads to protect their Traffic Carrying Capacity: _____

Turn lane, taper _____, Internal Subd. Rd. (Reverse frontage lots) _____, Shoulders/Ditches

2nd entrance/exit _____, Paired Driveways

CONCEPTUAL DEVELOPMENT PLAN

A conceptual development is required for all rezoning applications by Section 25.12 of the Zoning Ordinance and shall at a minimum include:

1. Drawn to an appropriate scale, a plot plan or survey plat showing the dimensions of the property.
2. For the rezoning tract, drawn to an appropriate scale, show the location and dimensions of existing structures, right-of-ways, easements, boundaries, water courses, lakes, cemeteries, historic sites, major electrical and natural gas transmission lines.
3. The location and dimensions of proposed buffer areas, right-of-way dedications, internal roads, access to existing roads, and lot arrangement.
4. In the case of residential development, state the proposed number of dwelling units and average acreage per dwelling.
5. For the rezoning tract, show existing uses adjacent to the property to be zoned.

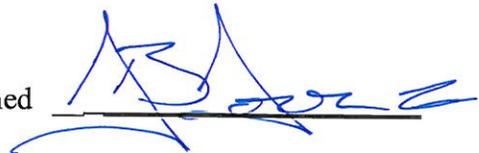
STATEMENT FOR VALIDITY OF INFORMATION

Every applicant shall sign the following document to substantiate the validity of submitted information.

State of Virginia
County of Powhatan to wit

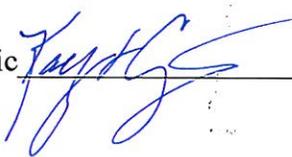
I, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or I will present written certification contract to purchase the property or I will present written certification from the owner granting me the right to submit this application.

I, declare that I have familiarized myself with the rules and regulation pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signed 

Print Name G.B. SOWERS III

Subscribed and sworn to before me this 11 day of MARCH, 2015.

Notary Public 

My Commission Expires 01/31/2019



*****PROFFERS MUST BE SUBMITTED TWO WEEKS PRIOR TO PLANNING***
COMMISSION AND BOARD OF SUPERVISORS MEETINGS.**

STATEMENT OF PROFFER

CASE # _____

Pursuant to Section 15.2-2296 of the Code of Virginia and Article 24 of the Powhatan County Zoning Ordinance. I do hereby voluntarily proffer, as the owner of record of the property which is the subject of this rezoning request, the following conditions:

I hereby acknowledge that the Rezoning of the Subject Property gives rise to the need for these conditions.

Owner of Record - Signature

Date

Type or print name _____

COMMONWEALTH OF VIRGINIA,
COUNTY OF _____, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by _____, whose name is signed to the above, on this ___ day of ___ 20__.

Notary Public _____

My Commission expires: _____

OWNERSHIP DISCLOSURE

Both the Code of Virginia and the County Zoning Ordinance allow the County to request full disclosure of ownership in properties subject to this request. To assist us in obtaining this information, please complete this form in full.

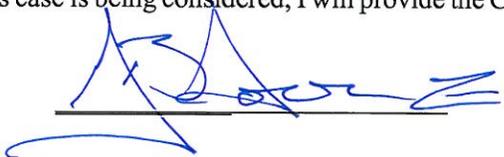
Please list below the names and addresses of all owners or parties in interest of the land subject to this request:

NOTE: 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.

<u>NAME</u>	<u>ADDRESS (Include Zip Code)</u>
GEORGE B. SOWERS, III	3736 WINTERFIELD RD. MIDLO VA 23113
JACQUELINE R. SOWERS	
RICHARD C. SOWERS	

I, G.B. SOWERS, III, do hereby swear and affirm that to the best of my knowledge and belief, the above information is true and that I am the applicant for this request for parcel number(s) _____ of tax map number(s) _____ requesting **Rezoning, Conditional Use Permit, and Variance/Appeal.** (Please circle one)

If the above information changes at any time while this case is being considered, I will provide the County with an updated list.

 Signature

STATE OF VIRGINIA
COUNTY OF POWHATAN, to wit:

This day MARCH 11, 2015 personally appeared before me, GEORGE D. SOWERS, III, a Notary Public in and for the County and State aforesaid, and swore or affirmed that the matters stated in the foregoing Ownership Disclosure Affidavit are true to the best of his/her knowledge and belief.

Given under my hand this 11 day of MARCH, 2015.

Notary Public 

My commission expires: 01/31/2019



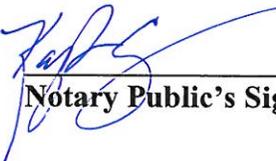
APPLICANT'S PERMISSION FOR INSPECTION OF PROPERTY

I, G. B. Sowers, III, hereby grant access to the Planning Director, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application for REZONING (Specify type of request – rezoning, conditional use permit, private road, variance, etc.).

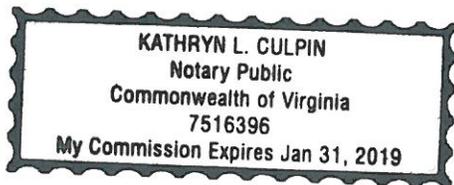

Applicant's Signature

Date 3/11/15

Subscribed and sworn to before me this 11 day of MARCH, 20 15


Notary Public's Signature

01/31/2019
Commission Expiration Date



LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

1. That I/We

Name ME Founders Bridge, LLC Telephone (804) 741-4663

Address 2250 Old Brick Road, Suite 200, Glen Allen, VA 23060

Name _____ Telephone _____

Address _____

Name _____ Telephone _____

Address _____

Name _____ Telephone _____

Address _____

being all of the owner(s) of the property described as County tax map numbers:

032-58B

and authorized to take such action, do hereby make, constitute and appoint:

2. Name George B. Sowers, III Telephone (804) 614-8619

Address 3736 Winterfield Road, Suite 200, Midlothian, VA 23113

to act as my/our true and lawful attorney-in-fact for and in my/own name, place and stead with full power and authority I/we would have if acting personally to seek rezoning, conditional use, variance, appeal or any other zoning matter, and to set forth and offer such legally acceptable voluntarily proffered conditions (including any additions, amendments, modifications or deletions thereto), or any other agreements or representations that in his discretion are deemed reasonable, appropriate and necessary except as follows:

3. This Limited Power of Attorney may be revoked at any time upon written notice to George B. Sowers, III.

4. In witness whereof, I/we have hereto set my/our hand and seal

this 1st day of December, 20 15

SEE ATTACHED SIGNATURE PAGE

Signature(s)

Signature(s)

Signature(s)

Signature(s)

Witnessed
by: _____

Witnessed
by: _____

NOTE: This document, with original signatures, shall be filed with the application and become a permanent part thereof.

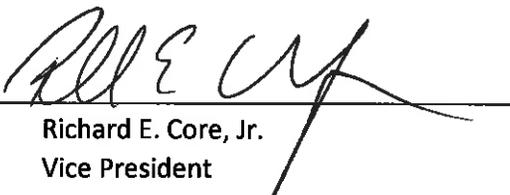
**THE COUNTY OF POWHATAN, VIRGINIA
LIMITED POWER OF ATTORNEY for County Tax Map Number: 032-58B
DATED December 1, 2015**

OWNER OF PROPERTY:

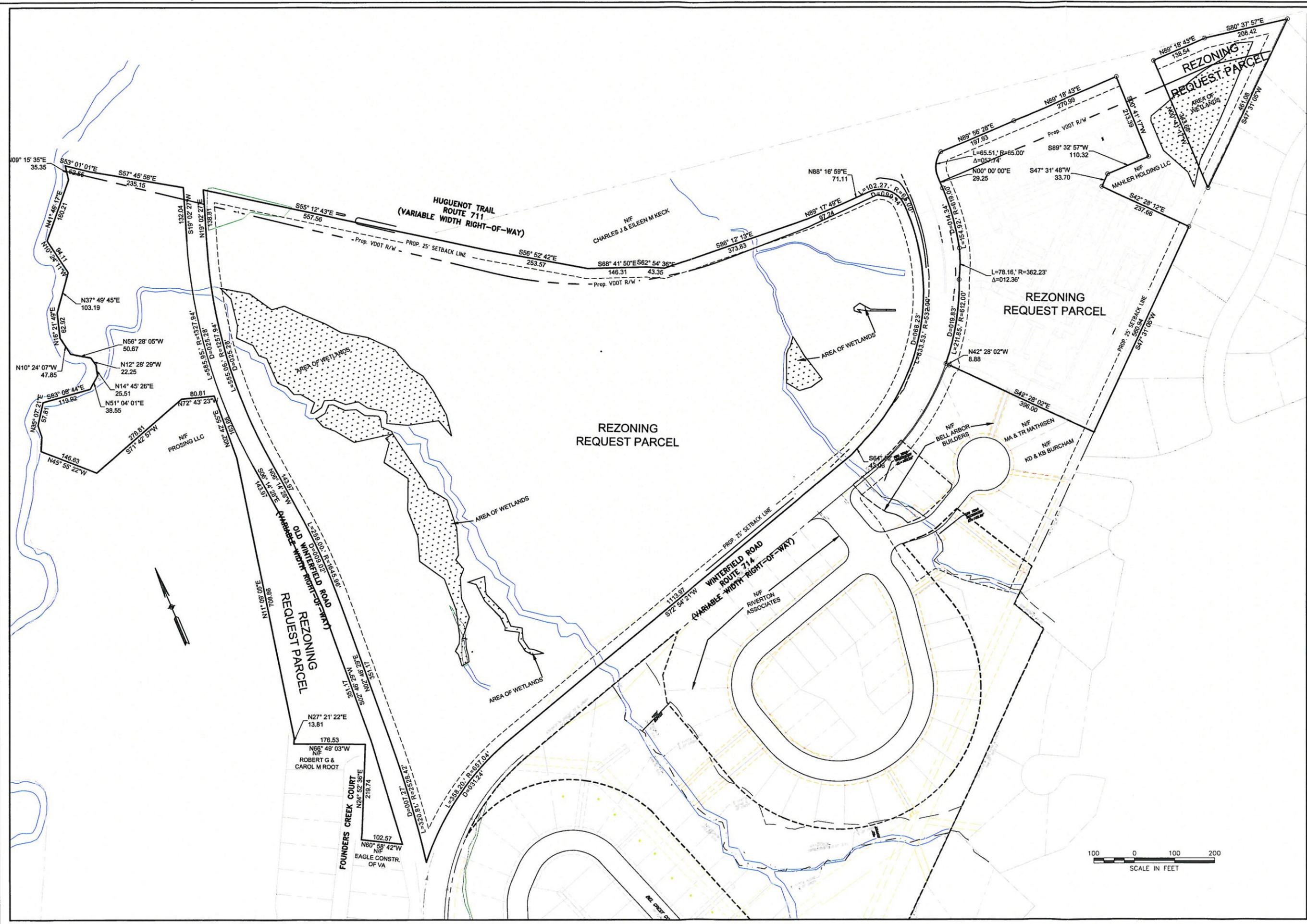
ME Founders Bridge, LLC
a Virginia limited liability company

By: Markel | Eagle Partners Fund II, LLC
a Delaware limited liability company
its Manager

By: Markel | Eagle Partners, LLC
a Virginia limited liability company
its Manager

By: 
Richard E. Core, Jr.
Vice President

Witnessed by: 



PLAN REVISIONS -	
SHEET	1 OF 1
SCALE 1"=100'	
WINTERFIELD PLACE	
HUGUENOT DISTRICT, POWHATAN COUNTY	
REZONING PLAN	
DATE: 04/02/15	ENGINEER: WAJ
CHECKED: WAJ	CAD: JOB#:
2100 EAST CARY STREET, SUITE 309 RICHMOND, VIRGINIA 23223 (P) 804 782-1903 (F) 804 782-2142	
 RUMMEL, KLEPPER & KAHL, LLP <small>Engineers Construction Managers Planners Scientists</small>	

CONCEPTUAL MASTER PLAN

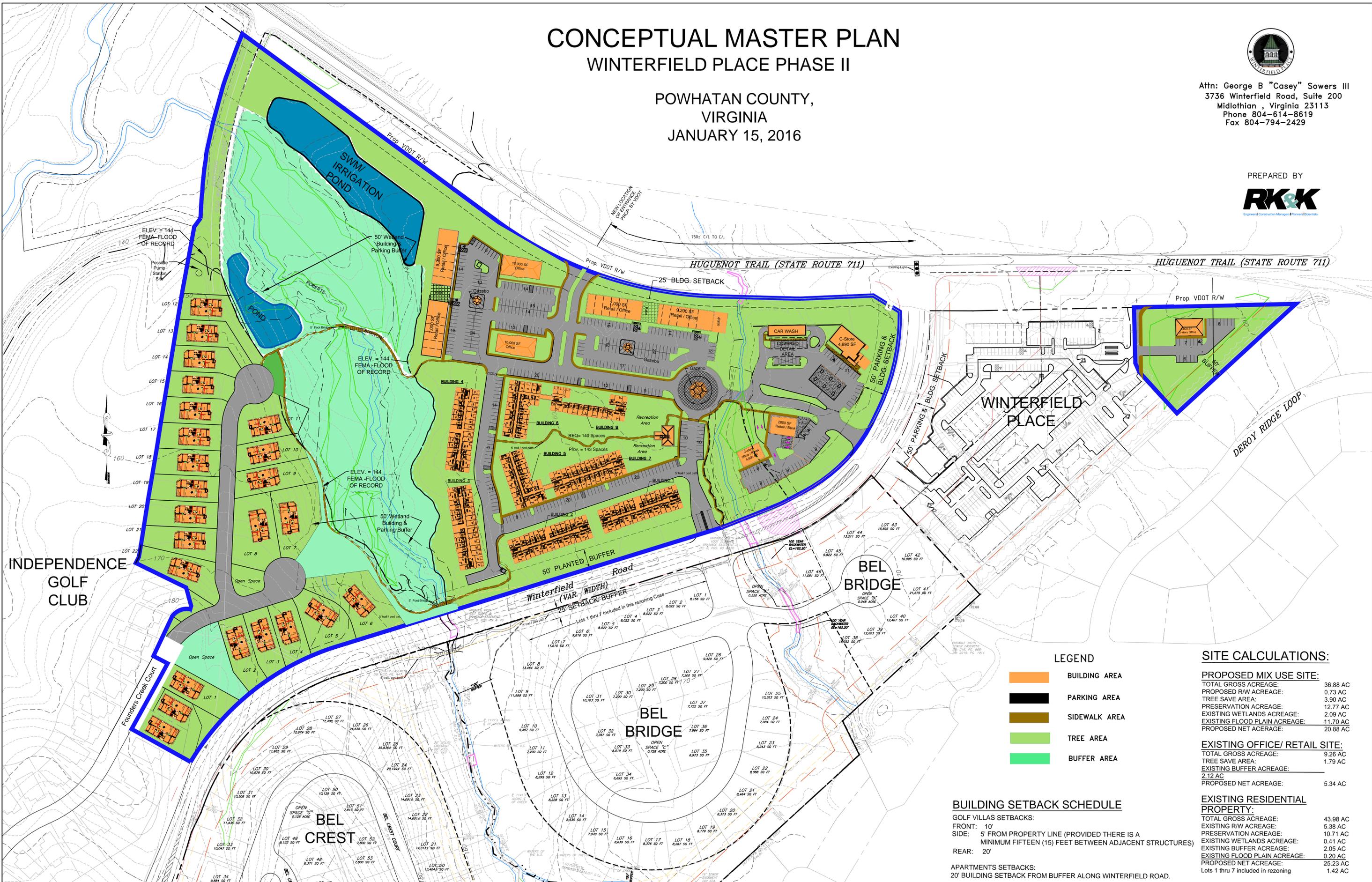
WINTERFIELD PLACE PHASE II

POWHATAN COUNTY,
VIRGINIA
JANUARY 15, 2016



Attn: George B "Casey" Sowers III
3736 Winterfield Road, Suite 200
Midlothian, Virginia 23113
Phone 804-614-8619
Fax 804-794-2429

PREPARED BY



LEGEND

- BUILDING AREA
- PARKING AREA
- SIDEWALK AREA
- TREE AREA
- BUFFER AREA

SITE CALCULATIONS:

PROPOSED MIX USE SITE:	
TOTAL GROSS ACREAGE:	36.88 AC
PROPOSED R/W ACREAGE:	0.73 AC
TREE SAVE AREA:	3.90 AC
PRESERVATION ACREAGE:	12.77 AC
EXISTING WETLANDS ACREAGE:	2.09 AC
EXISTING FLOOD PLAIN ACREAGE:	11.70 AC
PROPOSED NET ACREAGE:	20.88 AC

EXISTING OFFICE/RETAIL SITE:	
TOTAL GROSS ACREAGE:	9.26 AC
TREE SAVE AREA:	1.79 AC
EXISTING BUFFER ACREAGE:	2.12 AC
PROPOSED NET ACREAGE:	5.34 AC

EXISTING RESIDENTIAL PROPERTY:	
TOTAL GROSS ACREAGE:	43.98 AC
EXISTING R/W ACREAGE:	5.38 AC
PRESERVATION ACREAGE:	10.71 AC
EXISTING WETLANDS ACREAGE:	0.41 AC
EXISTING BUFFER ACREAGE:	2.05 AC
EXISTING FLOOD PLAIN ACREAGE:	0.20 AC
PROPOSED NET ACREAGE:	25.23 AC
Lots 1 thru 7 included in rezoning	1.42 AC

BUILDING SETBACK SCHEDULE

GOLF VILLAS SETBACKS:
FRONT: 10'
SIDE: 5' FROM PROPERTY LINE (PROVIDED THERE IS A MINIMUM FIFTEEN (15) FEET BETWEEN ADJACENT STRUCTURES)
REAR: 20'

APARTMENTS SETBACKS:
20' BUILDING SETBACK FROM BUFFER ALONG WINTERFIELD ROAD.

January 11, 2016

Proffered Conditions

Powhatan County Zoning Case # 1503RECZ

Pursuant to Section 15.2-2296 et seq. of the Code of Virginia and Section 83-123 of the Powhatan County Zoning Ordinance, I do hereby voluntarily proffer, as the owner of record of the property which is the subject of this rezoning request, the following conditions:

1. Textual Statement dated November 23, 2015
2. Exhibit "A" – Conceptual Master Plan prepared by RK&K dated **January 15, 2016**.
3. Exhibit "B" – Minimum Design Standards dated November 23, 2015
4. Exhibit "C" - Building Elevation for Single-Family Golf Villas.
5. The maximum density of commercial space in the project shall be limited to 75,000 square feet and the orientation of the commercial buildings shall generally follow the Conceptual Plan dated **January 15, 2016** and submitted as part of the rezoning application. Any necessary compliance determinations with respect to the orientation of the commercial buildings shall be made by the county in its sole discretion.
6. Residential uses will include no more than 200 adult oriented premium apartment units and 22 single family detached homes. The apartments shall be constructed of materials substantially similar to those used in Winterfield Place, Phase One and the amenities provided shall include a high-quality recreation facility, clubhouse, swimming pool, outdoor recreation spaces and integrated garages. The apartment buildings shall be limited to three stories above finished grade and eave heights shall not exceed 35' above first floor elevation.
7. All commercial buildings shall be constructed in a manner that is substantially similar to the existing Winterfield Place development in terms of building size, materials, design, lighting and light fixtures, scale and walkability. Any determination as to whether a particular building complies with this proffer shall be made by the county in its sole discretion.
8. The lots developed by the extension of Founders Creek Court will be accepted into the Founders Bridge Property Owners Association. If Founders Bridge Property Owners Association is not willing to include the detached home lots on terms reasonably acceptable to the Developer, then the Developer shall create a separate Home Owner's Association for such lots on terms acceptable to the County.
9. The portion of Old Winterfield Road from Winterfield Road to the proposed cul-de-sac of lot 12 on the Conceptual Master Plan may be used as a construction entrance during the construction of the road and the 22 single-family golf villas. Once construction is complete, the remaining section of Old Winterfield Road that is not used for this

development will be scarified, seeded and the unused portion of the right of way shall be vacated per VDOT specifications and standards.

10. Development of the homes to be constructed on Founders Court Creek property shall be in general conformance with the plan entitled "Exhibit A" Conceptual Master Plan, Powhatan, Virginia", dated **January 15, 2016** (see case file), prepared by RKK, ("the Conceptual Master Plan"), or as specifically approved at the time of Plan of Development.
11. Architectural standards and style for the these new homes on Founders Creek Court opposite existing homes on Founders Creek Court (two existing lots, Lots 28 and 29, and one new lot prior to open space, Lot 1, shown on Founders Creek Court), will be constructed to the architectural standards of the existing homes on Founders Creek Court, e.g., two 8' garage doors instead of one 16' garage door, continue color palette for brick, trim, front door, garage door, and no dormers. These three lots will also be bound by the Founders Bridge Property Owners Association, the Founders Bridge Golf Villas Association and the Founder's Bridge ARC, and will go through the typical new home construction process. Architectural standards for the homes to be constructed on the 21 remaining lots after the open space are on the attached "Exhibit "B" – Minimum Exterior Materials Standards." Architectural style of these 21 homes shall be generally consistent with the elevations attached as Exhibit "C". Any deviation from the home elevations on Exhibit "C" or new elevations shall be approved by the Director of Planning.
12. The two open space areas depicted on the Conceptual Plan on Founder's Creek Court shall be dedicated free and clear to the Founders Creek Property Owners Association or the Founders Bridge Golf Villas Association.
13. Vertical construction shall not commence on the commercial units and the apartments, nor shall any land disturbance activity commence on the single family detached lots until adequate water and sewer capacity is verified by the developer and the utility service provider and approved by the county.
14. Individual wells and / or septic systems shall not be permitted for the provision of potable water or sanitary sewer.
15. Exterior materials for all structures shall be consistent with surrounding residential and commercial developments. Any question as to whether such exterior materials are consistent shall be made at the sole discretion of the county.
16. There shall be no direct residential, commercial, office or retail lot access to Winterfield Road (Rt. 714) or Huguenot Trail (Rt. 711).
17. Dedication of right of way to Powhatan County, and at no cost to Powhatan County, for the installation of a right turn lane into the project from Route 711, shall be made in conjunction with the approval and recordation of the plat for the Winterfield Place Phase II project.

18. The developer shall maintain a 50' planted buffer between any apartment buildings and Winterfield Rd. (Rt. 714). The buffer shall be constructed as a type "B" intermittent buffer as described in the Powhatan County Zoning Ordinance.
19. The developer shall pay to Powhatan County a cash proffer for residential units in the project, as follows:
 - a. The builder of single-family detached units shall pay a proffer of \$500.00 per unit for the purpose of capital investment in fire and safety equipment for Powhatan County. The proffer shall be paid at the time that Certificate of Occupancy is requested by the builder.
 - b. Multi-family (apartment) units shall pay to Powhatan County a cash proffer of \$500.00 per unit for the purpose of capital investment in fire and safety equipment for Powhatan County. The proffer shall be paid upon receipt of Certificate of Occupancy for respective multi-family units or a multi-family building.

I hereby acknowledge that the rezoning of the subject property gives rise to the need for these conditions.

[Signature]
 Owner of Record – Signature

01/14/14
 Date

G. B. SOWERS, III, MGR.
 Type or Print Name

COMMONWEALTH OF VIRGINIA
 COUNTY OF POWHATAN, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by George B. Sowers, III whose name is signed to the above, on this 11th day of January, 2015. 2014

Notary Public: *Kelly Anne McGuire*

My Commission Expires: 6-30-2019

Stamp:



EXHIBIT "B"
Minimum Exterior Design Standards

1. Minimum roof pitch on main house and garage of all houses to be 8/12. All other roof pitches may be less, but in no event less than 3/12.
2. 25 – year (or greater) dimensional roof shingles.
3. All detached dwellings shall have a minimum of 2,500 square feet of finished floor area.
4. Exterior materials for front, sides and rear of a home shall be brick or stone only except certain gable areas or areas that cannot support brick or stone.
5. Exterior trim to be wood, Hardiplank, or synthetic materials (e.g., Miratec, Fypon, Solid PVC).
6. Exterior front steps to be brick or stone, with appropriate matching stoop or porch materials of either brick, stone, or exposed aggregate.
7. All front walks, and driveways to be exposed aggregate concrete, and slate. Stamped concrete permitted in rear of house.
8. All front and side yards to be sodded. Rear yards to be sodded on corner Lots. On all other Lots, rear yards disturbed by construction to be either fine graded and seeded, or sodded.
9. All required sodded areas to have automatic irrigation system. Sodded rear yards on interior lots may be irrigated at Buyer's option.
10. Lamppost on photocell to be placed in front of each house and shall match other front exterior light fixtures.
11. If visible from any street, exterior utility services (i.e., air conditioning equipment, gas meters, trash and recycling containers, and the like) to be screened from view with appropriate landscaping materials, lattice frame or other fencing material compatible with the architecture of the house.
12. All detached homes shall have a two-car garage.
13. All foundations to be brick or stone compatible with the siding material.

14. No skylights shall be permitted except on attached sunrooms on the rear of the house, or as approved by the the ARC.
15. All houses to have landscaping approved by the ARC's landscape architect consultant, which may include Buyer's standard planting schemes. At a minimum, each house to have foundation plantings on the front elevation, plus the side which faces the street for houses on corner Lots. ARC approval required for any garden structure or fencing.
16. Windows may be wood, vinyl or vinyl clad and shall contain grilles between the glass mullions with a profile at least 5/8" wide.

Exhibit C

Corvallis and Fulton Proposed Home Design

1-12-16



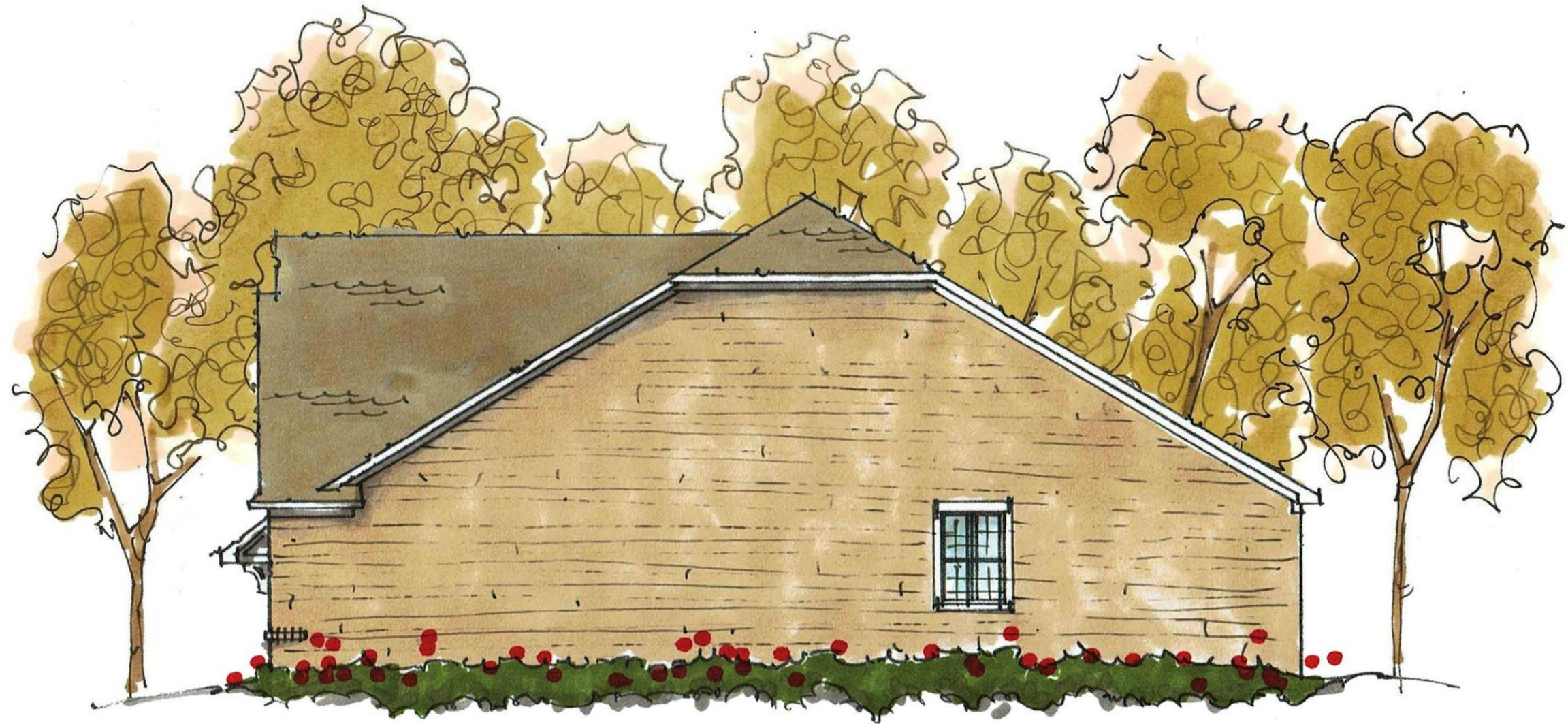
T K D E S I G N

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A S S O C I A T E S



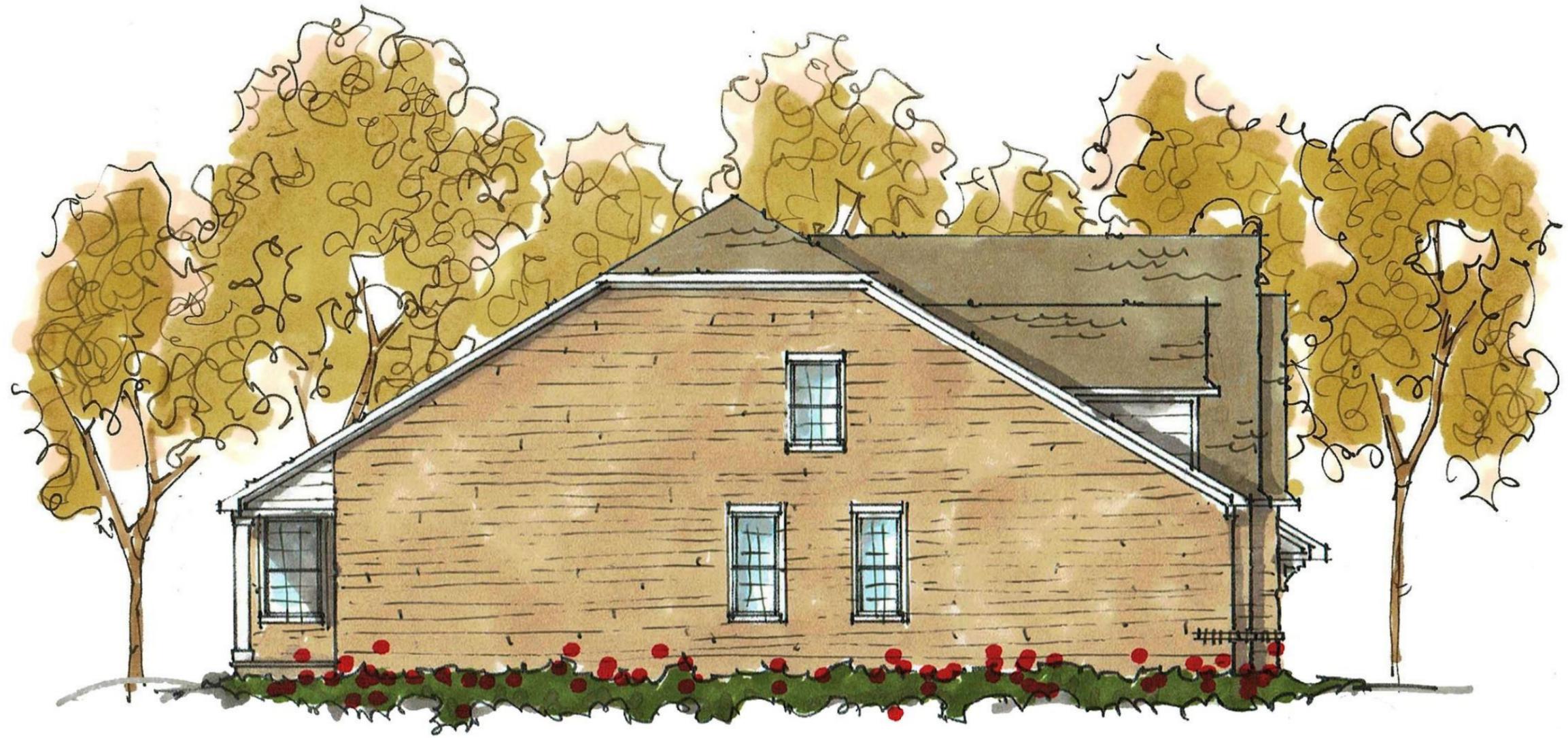
Corvallis Brick Front Elevation



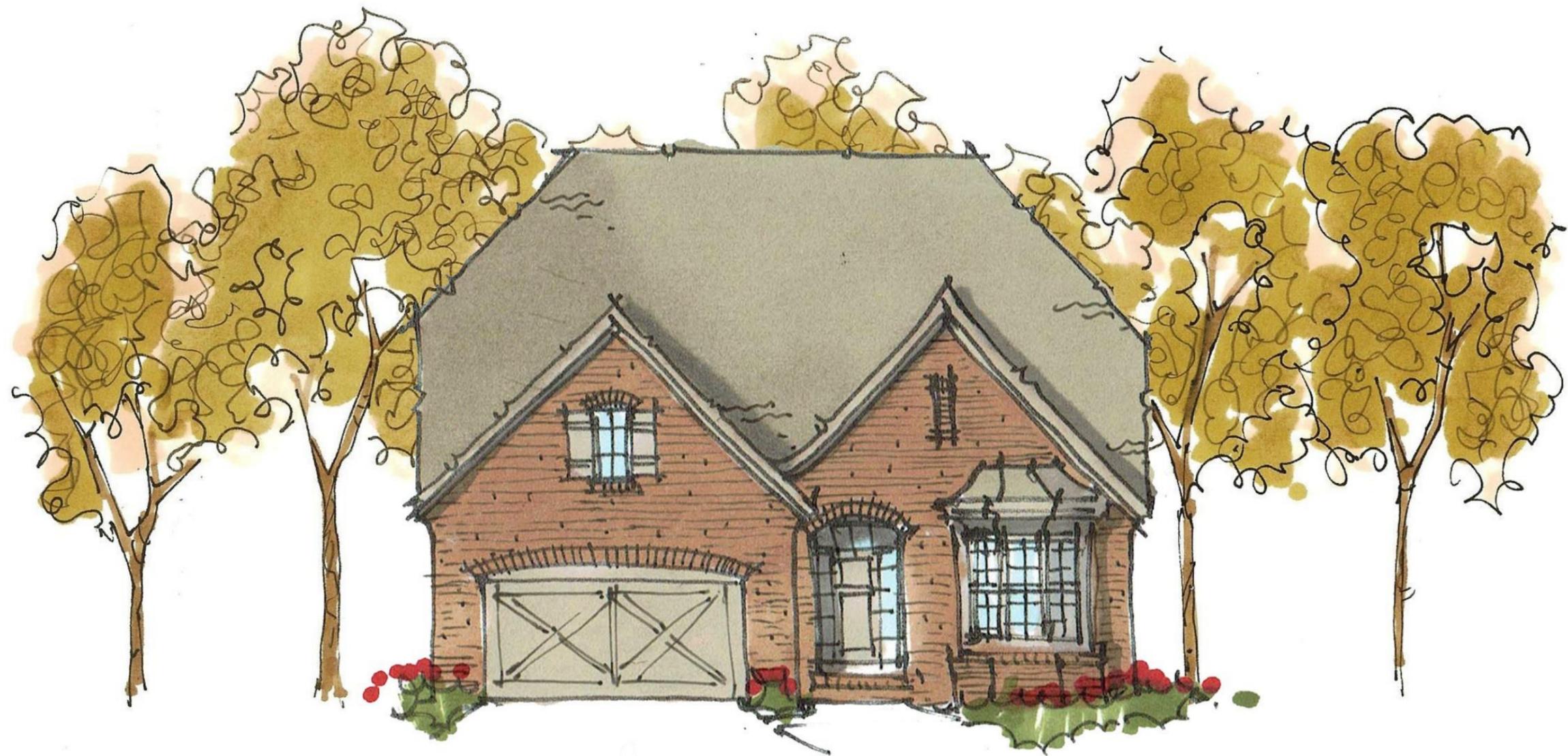
Corvallis Brick Right Elevation



Corvallis Brick Rear Elevation



Corvallis Brick Left Elevation



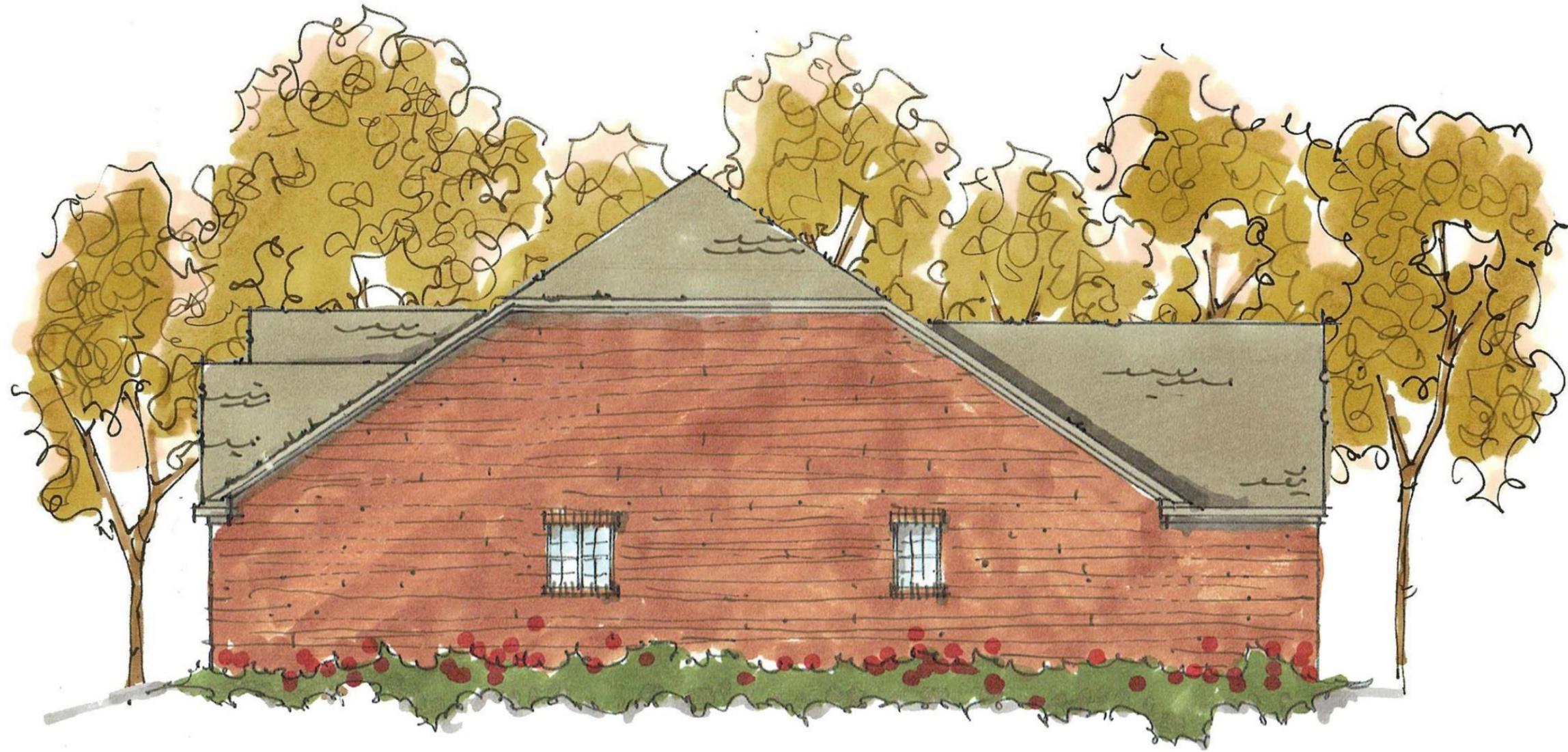
Fulton Brick Front Elevation



Fulton Brick Right Elevation



Fulton Brick Rear Elevation



Fulton Brick Left Elevation

**Winterfield Phase II
Coordination of Powhatan County Comprehensive Plan
November, 2015**

Current Zoning -	RU & C	
Proposed Zoning –	Village Center Planned development (VCPD)	
Project Description – Acreage:	Parcel #1 (Riverton)	35.2 +/- ac.
	Parcel #2 (Winterfield Place)	6.0 +/- ac.
	Parcel #3 (Riverton lots)	1.4 +/- ac.
	<u>Parcel #2 (M/E Founder’s Bridge)</u>	<u>7.4 +/- ac.</u>
	Total: 50.0 +/- ac.	
Open Space, buffers, undeveloped acreage (approx):	20.0 +/- ac. (40%)	
Proposed MF Units for Rent:	200	
Proposed SFD Units for Sale:	<u>22</u>	
Total Residential Units:	222	
Residential Density:	4.44 units / acre (at 50.0 ac)	

Notes –

Comp plan calls for residential densities of 4 - 8 residential units per acre in VCPD district
 Buildings shall be limited to 15,000 s.f. footprints, three stories in height
 Project should encourage walkability and include open and green spaces throughout the area
 Public infrastructure including roads, water and sewer should be readily available
 Project should have coordinated storm water management plan and minimum 20% open space
 Village center should have coordinated architectural form
 Maximum commercial density is typically 75,000 s.f.

Appropriate land uses and design goals in Village Center district:

Attached townhouse residential	Medium scale multi-family residential in
Vertically mixed-use buildings	neighborhood pattern
Small to medium-sized commercial	Retail / Office
Services including restaurants	Public / institutional uses
Plazas, squares, open space	Walkability

Winterfield Place Phase II Project Description / Textual Statement

The rezoning from the current zoning categories of R-U (*Residential – Utility*) and C (*Commercial*) to the new Village Center Planned Development (VCPD) category allows for the development of a high quality mixed-use project consisting of a variety of commercial, residential and recreational uses. Commercial development will include the expansion of existing retail and office uses at the intersection of Route 711 and Winterfield Road. Residential uses will include approximately 200 adult oriented premium rental units as well as approximately 22 single family detached lots which will be a continuation of the “golf villas” along Founder’s Creek Court in the Founder’s Bridge development. The project will include walking trails and pedestrian connectivity within the development and accessible to adjacent developments, and will utilize and feature approximately 20 acres of buffers, open and green spaces.

The commercial buildings will follow the precedent of the existing Winterfield Place development in terms of building size, materials, design, scale and walkability. Current tenants in Winterfield include the following: Mediterraneo Restaurant, Wild Ginger Restaurant, Essex Bank, West Gynecology and Med Spa, Family Practice Specialists of Richmond, Winterfield Veterinary Hospital, Vino Market, Bellgrade Cleaners, Allure Nail Spa, Bella Arte Gallery, Poole and Poole Architecture, Roseland Custom Homes, Riverton Associates and the Pinnacle Group

The approximately 200 for-rent residential units will be developed as a high-end adult oriented project consisting of 1 and 2 bedroom units. These units will be marketed at the highest end of the market, and will include features such as high ceilings, walk-in closets, high-end finishes, integrated garage units, outdoor porches, patios and energy efficient construction. The development will feature adult-oriented recreational facilities including a swimming pool and clubhouse, fitness center, walking and jogging trails, an outdoor kitchen and fireplaces and an entertainment schedule designed for active adult tenants. The facility and residential units will be pet friendly, including a pet park.

The planned single family detached units will have vehicular access provided by the extension of Founders Creek Court along Old Winterfield Road. These units will be designed as “empty nester” type dwellings with proffered architectural guidelines that guarantee continuity with the existing Founders Bridge golf villas. Upon development these homes will be annexed into the Founder’s Bridge Homeowners Association.

The project will be pedestrian friendly, with walking paths and trails connecting the various uses. Current commercial amenities include restaurants, banking, medical, veterinary and retail vendors. Pedestrian access facilities will also be integrated into the existing Bel Crest

Winterfield Place Phase II
Project Description
Page 2

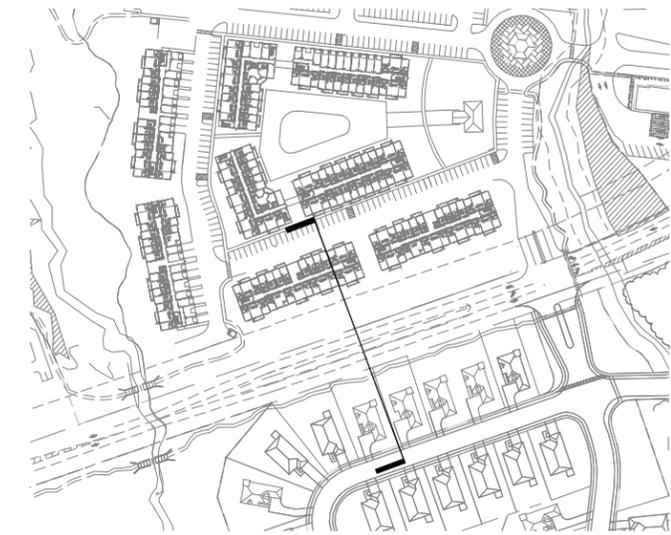
neighborhood to ultimately provide pedestrian access from Founders Bridge to the existing and new commercial tenants.

The property is designated as a Village Center in the 2010 Powhatan Comprehensive Plan, calling for moderate to high intensity residential, commercial, office and institutional uses. The project will be serviced by existing public water and sewer facilities and will feature a coordinated stormwater management plan. Open and green spaces make up nearly half of the entire development.

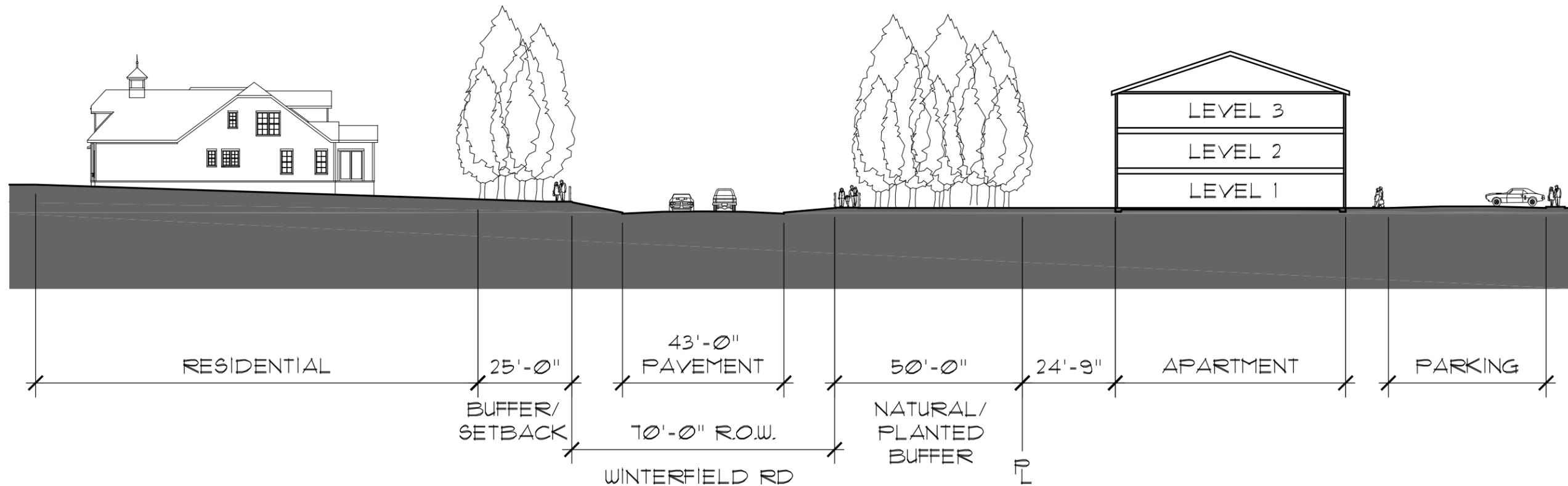
Architectural styles and building materials will be consistent with the design of the surrounding neighborhoods and commercial development, including Bel Crest and Winterfield Place. The developer will proffer that similar design and exterior materials will be used on all new structures in the project. Buildings will be smaller in scale, with footprints generally not to exceed 15,000 s.f. and typical building heights not to exceed three stories.

Access to the development will be provided by existing access points currently built along Winterfield Road, as well as an existing access point on Route 711 and a future full access point on Route 711, to be built in conjunction with the anticipated VDOT widening of Route 711 scheduled for construction in 2016. There shall be no direct residential lot access to Winterfield Road or Route 711.

It is anticipated that construction will begin on all phases of the new development in 2016.



2 Key Plan
Scale: 1" = 300'-0"
Plan



1 Site Section
Scale: 1" = 30'-0"
Section

Site Section



West Winterfield Proposed Development

Traffic Trip Generation and Trip Distribution

RK&K Project No. 14081-03



July 2015

Prepared by:



Prepared for:



West Winterfield Proposed Development, Powhatan County, VA

Trip Generation

Description	ITE Code	Quantity	Unit	Weekday Daily Trips			AM Peak Hour Trips			PM Peak Hour Trips		
				Rate	Enter	Exit	Rate	Enter	Exit	Rate	Enter	Exit
Apartment	220	200	Dwelling Units	$T=6.06(X1)+123.56$	668	668	$T=0.54(X1)+2.45$	32	78	$T=0.60(X1)+14.91$	82	53
Residential Condo/Townhouse	230	80	Dwelling Units	$\ln(T)=0.87$ $\ln(X2)+2.46$	265	265	$\ln(T)=0.82$ $\ln(X2)+0.15$	8	34	$T=0.34(X2)+35.87$	40	23
Shopping Center	820	65,000	Gross S.F.	$\ln(T)=0.65$ $\ln(X3)+5.83$	2566	2566	$\ln(T)=0.61$ $\ln(X3)+2.24$	74	46	$\ln(T)=0.67$ $\ln(X3)+3.31$	216	233
TOTAL	n/a	n/a	n/a	n/a	3499	3499	n/a	114	158	n/a	338	309

Note: Trip rates based on ITE Trip Generation Manual 9th Edition

T = Trip Ends

X1 = Apartment Dwelling Units; X2 = Condo Dwelling Units; X3 = Gross Square Footage of Commercial Space / 1,000

X3 commercial uses include retail/office space, a restaurant, a convenience store, a car wash, and a bank. This calculation assumes a blended use as a shopping center, and uses are not calculated individually.

Summary:

Total Weekday Daily Trips: 6,998 trip ends per day

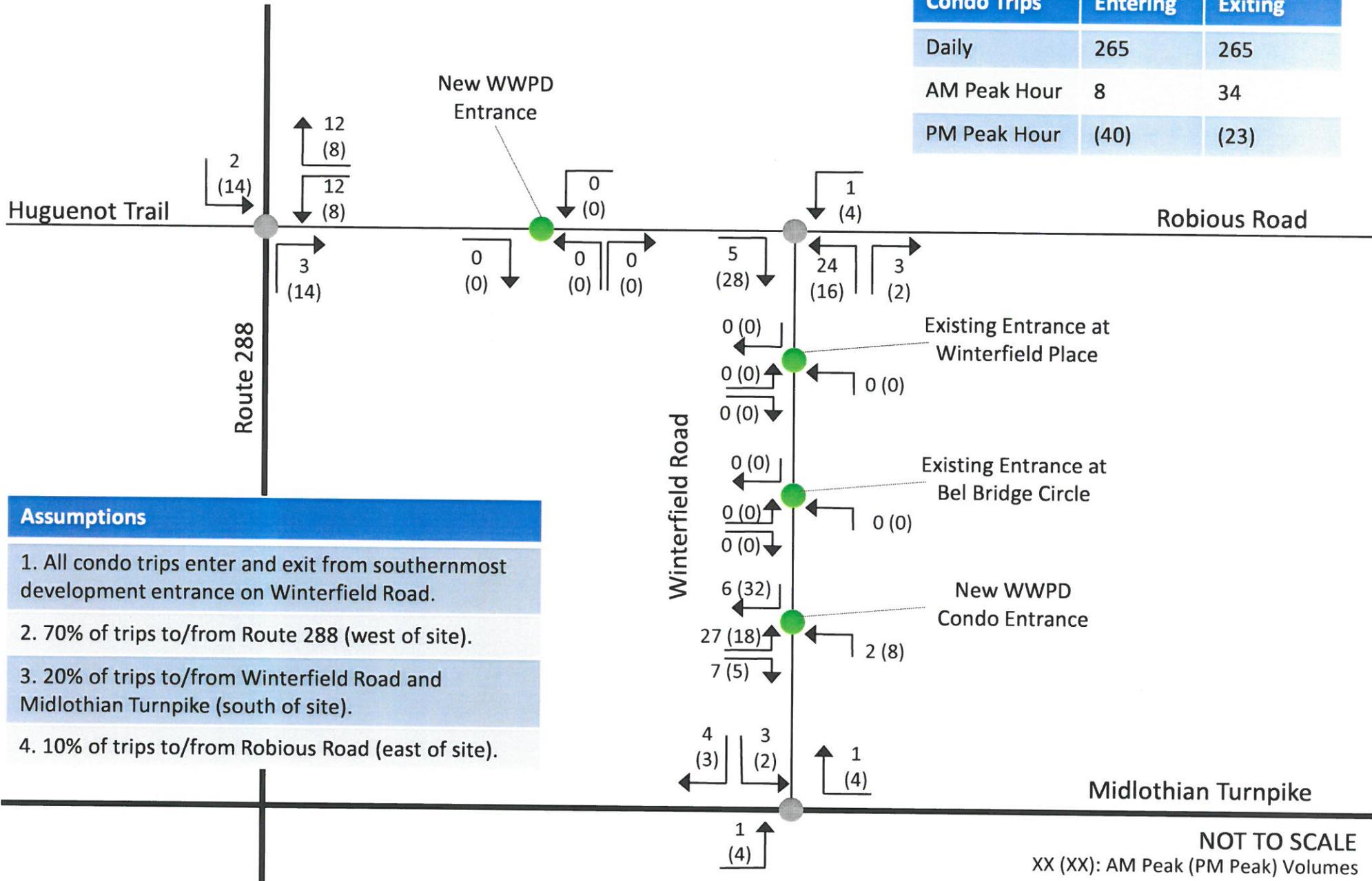
Total Weekday AM Peak Hour Trips: 272 trip ends per hour

Total Weekday PM Peak Hour Trips: 647 trip ends per hour

West Winterfield Proposed Development, Powhatan County, VA

Trip Distribution: *Condos Only*

Condo Trips	Entering	Exiting
Daily	265	265
AM Peak Hour	8	34
PM Peak Hour	(40)	(23)



Assumptions

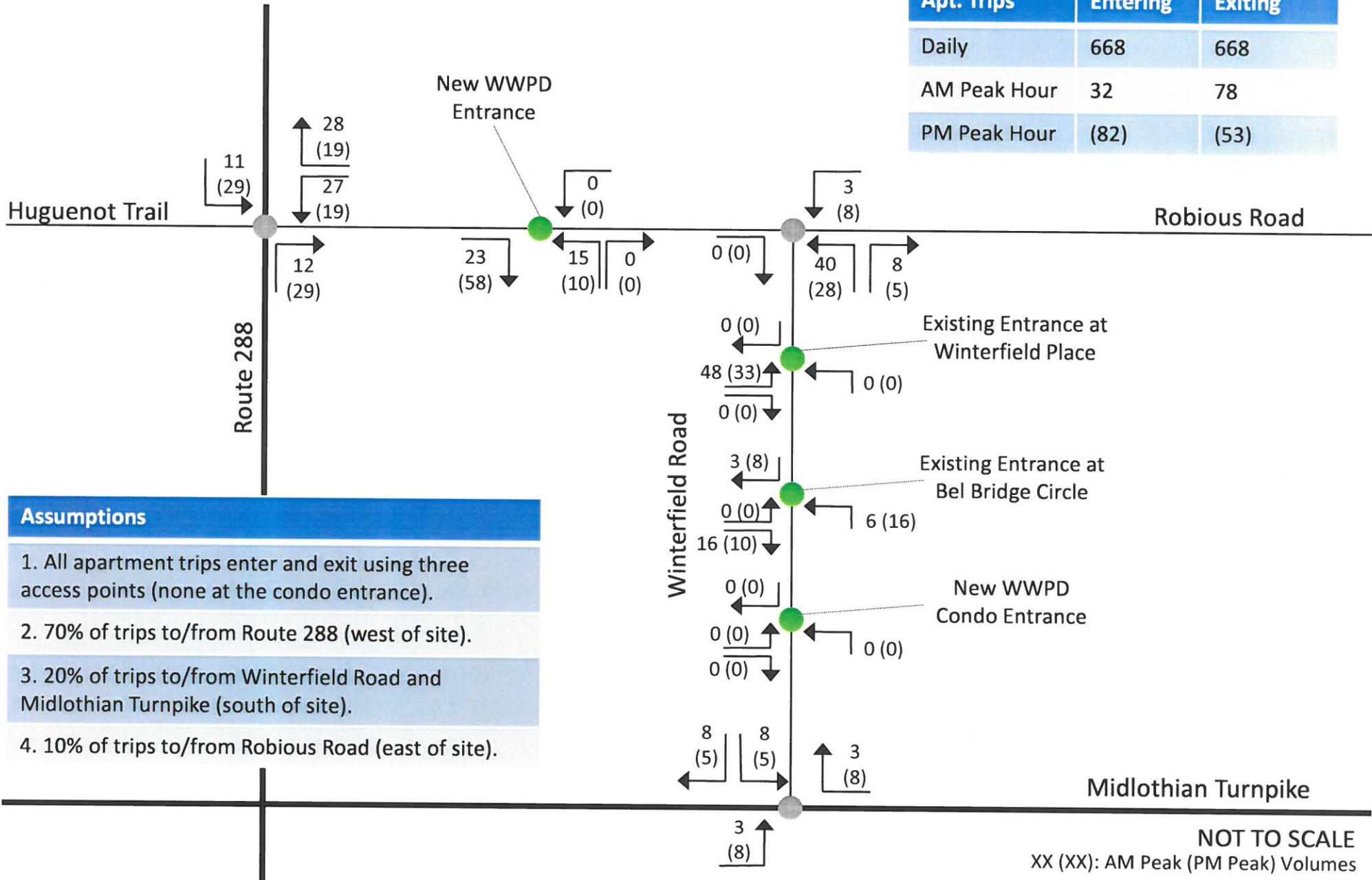
1. All condo trips enter and exit from southernmost development entrance on Winterfield Road.
2. 70% of trips to/from Route 288 (west of site).
3. 20% of trips to/from Winterfield Road and Midlothian Turnpike (south of site).
4. 10% of trips to/from Robious Road (east of site).

NOT TO SCALE
XX (XX): AM Peak (PM Peak) Volumes

West Winterfield Proposed Development, Powhatan County, VA

Trip Distribution: *Apartments Only*

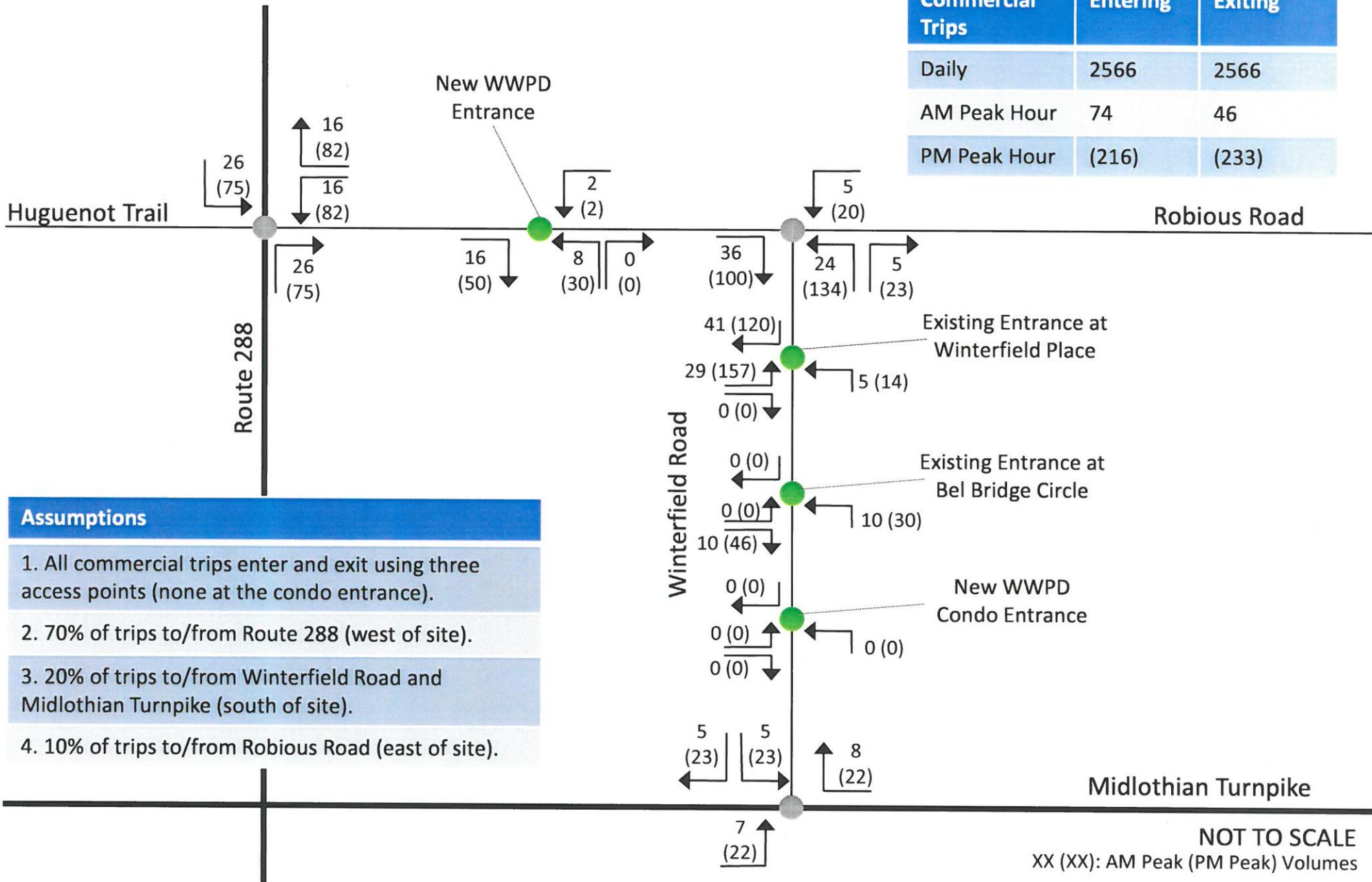
Apt. Trips	Entering	Exiting
Daily	668	668
AM Peak Hour	32	78
PM Peak Hour	(82)	(53)



West Winterfield Proposed Development, Powhatan County, VA

Trip Distribution: *Commercial Only*

Commercial Trips	Entering	Exiting
Daily	2566	2566
AM Peak Hour	74	46
PM Peak Hour	(216)	(233)



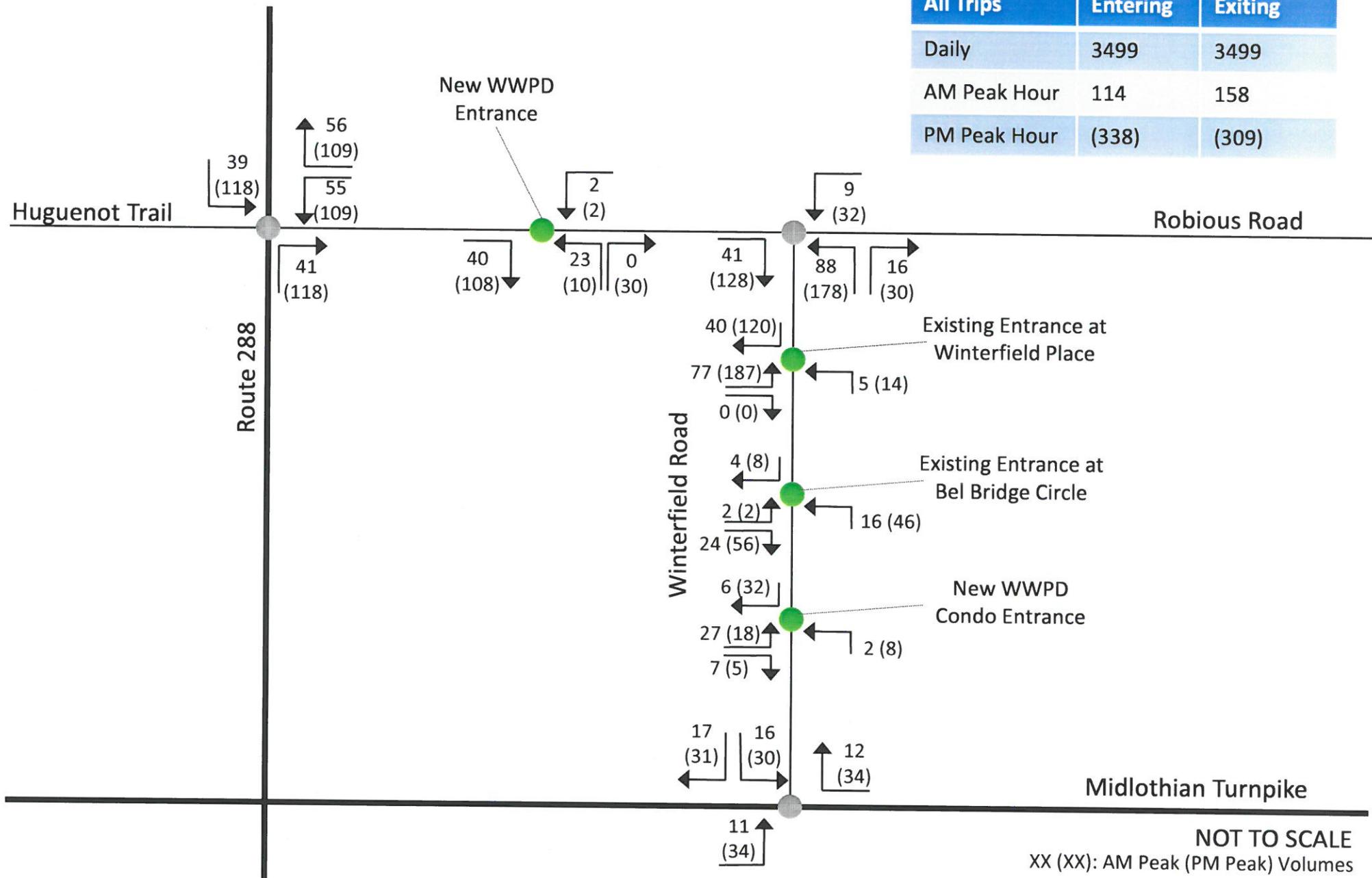
- Assumptions**
1. All commercial trips enter and exit using three access points (none at the condo entrance).
 2. 70% of trips to/from Route 288 (west of site).
 3. 20% of trips to/from Winterfield Road and Midlothian Turnpike (south of site).
 4. 10% of trips to/from Robious Road (east of site).

NOT TO SCALE
XX (XX): AM Peak (PM Peak) Volumes

West Winterfield Proposed Development, Powhatan County, VA

Trip Distribution: *All Uses (Apartments, Condos, Commercial)*

All Trips	Entering	Exiting
Daily	3499	3499
AM Peak Hour	114	158
PM Peak Hour	(338)	(309)



NOT TO SCALE
XX (XX): AM Peak (PM Peak) Volumes



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

RICHMOND DISTRICT
2430 Pine Forest Drive
COLONIAL HEIGHTS, VA 23834
www.VDOT.Virginia.gov

Charles A. Kilpatrick, P.E.
COMMISSIONER

July 28, 2015

REVISED October 23, 2015

Mr. March Altman
Deputy County Administrator – Community Development
Powhatan County Planning Department
3834 Old Buckingham Road, Suite E.
Powhatan, Virginia 23139

REFERENCE: **Revised Comments**
 15-03-REZC. Riverton Associates, LLC
 (District 1, Powhatan Courthouse Electoral District)

Dear Mr. Altman,

This letter supersedes those comments on the subject case addressed to you dated July 28, 2015.

This request is for rezoning of approximately 50+/- acres of land from R-U, Residential Utility and C, Commercial, VC-PD, Village Center Planned Development. The 2010 Long-Range Comprehensive Plan designates the subject property as Village Center and Natural Conservation on the Route 711 Village Special Area Plan Map. The subject properties are located on the south line of Huguenot Trail and on the east and west line of Winterfield Road. Reference to Tax Map Parcels 32-58B, 32-44C, 32-45B1, 32-45B2, 32-46, 32-46A, 32-44A, 32D-1-1, 32D-1-3. Below are the Departments comments on the proposal.

The traffic generated with the current proposed parcel development (RK&K Traffic Trip Generation and Trip Distribution study dated July 2015) is anticipated to be less than that assumed with site development in 2005 (DRW Consultants Study dated June 2005). As such the submittal of a formal Ch 527 rezoning Traffic Impact Analysis in accordance with 24VAC30-155 for Department review is not required.

The locations of all proposed access points are subject to compliance with Access Management Regulations (24VAC30-73) spacing standards from existing intersections/access points. As shown on the concept plan dated July 15, 2015, the location of the proposed Huguenot Trail access (approximately 750' west of Winterfield Rd.) meets current standards. Right and left turn lanes are to be provided at that access

WE KEEP VIRGINIA MOVING

point as warranted per Department standards. VDOT can evaluate warrants during site plan review. *Provided on October 14, 2015 from Planning was a revised concept, PDF Layout Plan dated 10/14/2015. As shown on that plan the Winterfield Rd. connection was removed from that shown on the July concept. The new subdivision will be accessed through extended Founders Creek Ct. The Department has no objection to that proposal.* Note that improvements proposed with the Huguenot Trail widening (VDOT project 711-072-564) include the provision for a median crossover and left-turn lane serving the site. However, should the site access be constructed prior to those improvements, as noted above, required will be the construction of warranted turn lane(s).

Proposed is utilization of two previously constructed Winterfield Rd. access points to serve the site. The available storage of the northbound left turn lanes are to be verified. VDOT can evaluate during site plan review.

Department acceptance of the subdivision roadways for maintenance is contingent on meeting the provisions of the Subdivision Street Acceptance Requirements – SSAR’s (24VAC30-92). Included in those provisions are meeting connectivity (two external connections to a publically maintained street or one connection and the provision for a stub out to an adjacent developable parcel) and pedestrian accommodations (street ADT dependent). As shown the proposed residential development road network adjacent to Founders Creek Ct. does not comply with connectivity thereby requiring Department evaluation of an exception to connectivity requirement of the Regulations. Alterations of the design may be needed to provide the second connection.

I can be reached at (804) 674-2384, if you have any questions or concerns regarding this project.

Sincerely,



Brian Lokker, PE
Central Area Land Use Engineer

Speed Limit Study

Central Region Traffic Engineering

17 August 2015

Study area:

Route # 714
Street name: Winterfield Road

Jurisdiction: Chesterfield County
From: 0.20 miles north Route 902 (MP 1.61)
To: Powhatan County line (MP 3.41)
Length: 1.80 miles

Jurisdiction: Powhatan County
From: Chesterfield County line (MP 0.00)
To: Route 711 (MP 0.69)
Length: 0.69 miles

Functional Class:

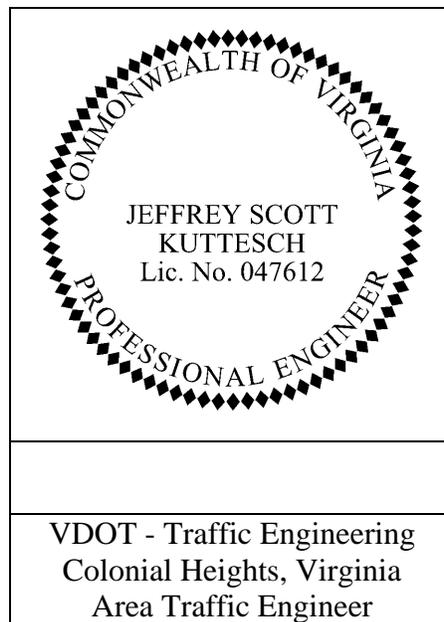
According to the Roadway Inventory Management System, this route is classified a Rural Major Collector.

Speed limit for study roadway:

The current speed limit is 45 MPH established by resolution 808327 dated October 1990. To the south, a 35 MPH speed limit is in effect from the 45 MPH zone to the intersection of Route 60.

Request:

This study was initiated by VDOT AMSO request #2517350 from Ms. Sharon Anderson. Ms. Anderson is an area resident in the Chesterfield County section and complained the 45 MPH limit made it unsafe for children on the school bus and when residents retrieved mail. Although the request pertained to the Chesterfield section, since only 0.69 miles of Route 714 remained, the study was extended to include the full length of the 45 MPH zone to the intersection of Route 711 in Powhatan County.



Study Results and Recommendation:

The results of the study provide no engineering basis to reduce the current speed limit. Operating speeds were within reasonable compliance to the 45 MPH speed limit, with an average of two samples showing 47 MPH 85th percentile speeds. This speed indicates motorists' response to favorable roadway geometry, good riding surface, relatively low levels of roadside development and nominal roadside friction. There is no roadside parking and no pedestrian activity noted. Overall, injury and fatal crash rates are considerably lower on Route 714 than the average rates for secondary roads in the Richmond District.

Study Details:

A. Speed Data

Location and date of speed samples						
Station	Location	Direction	85 th tile MPH	Mean MPH	Pace MPH	Sample size
1	1.53 M.N. of Route 902	NB	48.00	43.00	40.00 – 49.00	3,087
	Chesterfield MP 2.94	SB	49.00	45.00	41.00 – 50.00	3,018
2	0.29 M.S .of Route 711	NB	46.00	38.00	38.00 – 47.00	2,368
	Powhatan MP 0.40	SB	46.00	30.00	39.00 – 48.00	1,929
Average			47.25	39.00	39.5 – 48.50	5,201

B. Road characteristics:

Physical Roadway:

This is a two-lane undivided roadway with twenty-two to twenty-four feet of travelway and two to six foot wide gravel and grass shoulders. Short sections of curb and gutter are also present. A 0.10 mile section in the Powhatan County portion is divided with a concrete median approaching the Route 711 intersection. At this point, the pavement widens to include two approach and two departure lanes. Pavement surface is plant mix and deemed in good condition with a smooth and regular driving surface.

Horizontal alignment contains gentle curves and vertical alignment is gently rolling to nearly flat. Stopping sight distance is adequate throughout the section, and intersection sight distance is available at all public intersections. Roadside objects in the clear zone include driveway culverts and mailboxes.

There are right turn lanes at the Chesterfield County intersections of Mortemer Road, Helmsley Road, Kenmont Drive, and Leafield Drive. There are left and right turn lanes at the intersection of Founders Bridge Boulevard in Powhatan County.

Published (2014) traffic volume is 3,100 in Chesterfield County and 5,800 vehicles per day in Powhatan County. Traffic volume collected in conjunction with the speed samples show 6,100 vehicles per day in Chesterfield and 4,300 vehicles per day in Powhatan County.

Traffic Control Devices:

Regulatory traffic control devices include the 45 MPH speed limit signs, "Keep Right" (R4-7) signs and a "Through Trucks Restricted" (VR-13) sign. An outdated "Reduced Speed Ahead" (R2-5a) is mounted in advance of the 35 MPH zone. The profile of the southbound 35 MPH sign is generally used only on expressways. The intersection of Route 711 is controlled by a traffic signal. There is a non-conforming message sign likely installed by a subdivision homeowners association that advises that the speed limit is enforced. Warning signs include: (2) "Curve" (W1-1) signs, (2) yellow text "School Bus Stop Ahead" (S3-1) and (2) "Intersection" (W2-1) warning signs. Pavement markings consist of white edge line and yellow centerline markings which legally restrict passing throughout the section with the exception of a 1,300 foot-long mile section to the south of Mortemer Road. Other markings are lane control arrows and Stop bars at the signal.

A 45 MPH speed limit sign is required southbound at the intersection of Route 711. The second of two "Right Lane Must Turn Right" (R3-7) signs travelling southbound in the Powhatan section should be removed. This sign is not appropriate for this application.

C. Roadside development and environment:

This route serves as a collector between Route 60 to the south and Route 711 to the north and as access to several subdivision roads. Roadside character is largely residential; however Route 714 is not a residential road as defined in the [Code of Virginia](#). The percentage of development is defined as the amount of roadway frontage occupied by buildings located within 300 feet of the travelway. Direct roadside development is slightly higher in the southbound side, with 1,400 feet of frontage occupied, to produce a level of development of less than 15%.

There are fourteen public intersections, two commercial entrances and thirty-eight residential driveways to produce an average connection density of twenty-two per mile. The level of roadside development and average connection density is deemed to result in a low to moderate level of roadside friction, the potential for interference to the through traffic from vehicles entering and exiting from the side-streets and driveways.

D. Parking practices and pedestrian activity:

The business and all residences are equipped with parking lots and residential driveways, so there is no on-street parking.

Pedestrian and cycling activity is possible, but the extent is unknown. There is no sidewalk and no known pedestrian attractants or generators within a reasonable walking distance to one another. No defined pedestrian pathways were observed along the road shoulder to indicate prolonged pedestrian usage. Mailboxes are located on both sides of Route 714, so crossing to retrieve mail is not necessary. A gravel pedestrian facility is present in the Powhatan County section, but it is located well outside rights of way, behind fence and barrier.

E. Reported crash experience for the current three-year period:

Crash records obtained through the Roadway Network System are for the three-year period from 1 May 2012 to 30 April 2015. Only crashes involving an injury or fatality or property damage exceeding \$1,500 are reportable and available through the Department of Motor Vehicles (DMV).

According to our records for this roadway section

The total number of reported crashes is:	10
And, the total number of reported injuries is:	10
And, the total number of reported fatalities is:	0

The crash rate for this roadway section is:	71	per 100 million VMT.
The injury rate for this roadway section is:	71	per 100 million VMT.
The fatality rate for this roadway section is:	0	per 100 million VMT.

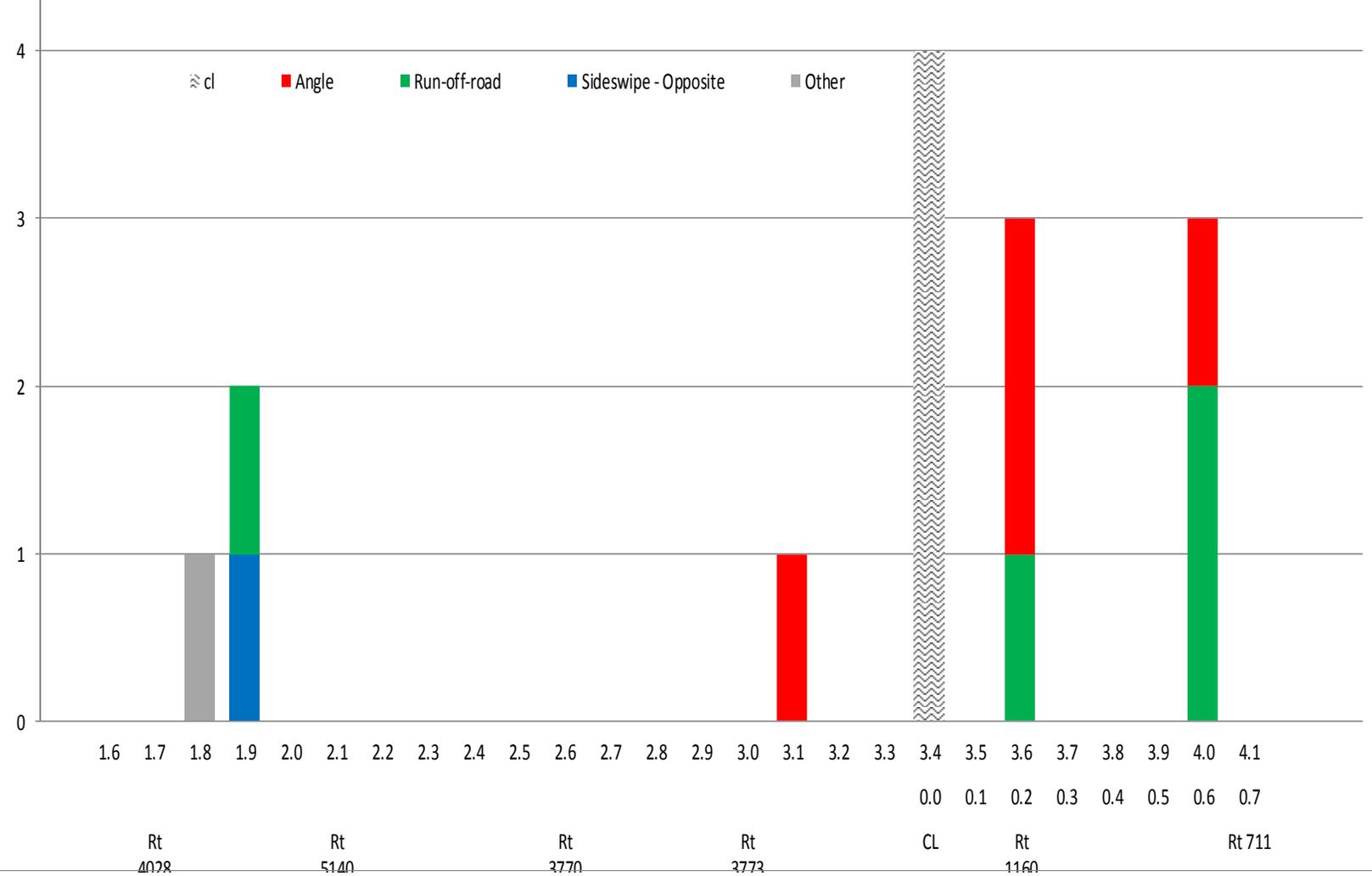
For secondary highways in the Richmond District:

The district average crash rate is:	238	per 100 million VMT.
The district average injury rate is:	118	per 100 million VMT.
The district average fatality rate is:	2.33	per 100 million VMT.

The overall, injury and fatal crash rates are lower on this section of Route 714 than on the average secondary road in the Richmond District.

Crashes are plotted by type and by milepoint on the attached graph. As can be seen, there are two points which have three crashes apiece. Two angle collisions and a run-off-road crash occurred at or near the intersection of Route 1160 (Founders Bridge Blvd). One angle collision and two run-off-road crashes took place near the entrance to the shopping center.

20 & 72, Route 711 05-01-2012 - 04-30-2015





COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
Fax: 804-698-4019 - TDD (804) 698-4021
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4020
1-800-592-5482

August 1, 2014

George B Sowers III
3736 Winterfield Rd Ste 200
Midlothian, VA 23113

RE: Coverage under the 2014 VPDES Construction General Permit (VAR10)
General Permit No. VAR100651
Winterfield Road
Private - Mixed-Use: Commercial and Residential

Dear Permittee:

DEQ has reviewed your Registration Statement received on June 2, 2014 and determined that the proposed land-disturbing activity is covered under the General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10). The effective date of your coverage under this general permit is the date of this letter.

A copy of the general permit can be obtained from DEQ's webpage at the following location:
<http://www.deq.virginia.gov/Portals/0/DEQ/Water/Publications/CGP2014.pdf>.

The general permit contains the applicable Stormwater Pollution Prevention Plan (SWPPP) requirements and other conditions of coverage. Please print the general permit and read it carefully as you will be responsible for compliance with all permit conditions.

The general permit requires that you update your SWPPP to incorporate the changes that the Department made for this permit reissuance. Please update the SWPPP as soon as possible but no later than sixty (60) days from the date of this letter.

DEQ staff has determined that the proposed land-disturbing activity will discharge to a surface water identified as impaired or for which a TMDL wasteload allocation has been established and approved prior to the term of the general permit for (i) sediment or a sediment-related parameter or (ii) nutrients. Therefore, the following general permit (Part I.B.4) and SWPPP requirements (Part II.A.5) must be implemented for the land-disturbing activity:

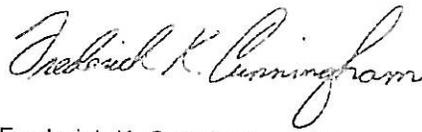
- Permanent or temporary soil stabilization shall be applied to denuded areas within seven (7) days after final grade is reached on any portion of the site;
- Nutrients (e.g., fertilizers) shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events;
- Inspections shall be conducted at a frequency of (i) at least once every four (4) business days or (ii) at least once every (5) business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted on the next business day; and
- Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls.

Page 2 of 2
General Permit No. VAR100651
Winterfield Road

The general permit will expire on June 30, 2019. The conditions of the general permit require that you submit a new registration statement at least 90 days prior to that date if you wish to continue coverage under the general permit, unless permission for a later date has been granted by the Board. Permission cannot be granted to submit the registration statement after the expiration date of the general permit.

If you have any questions about this permit, please contact the DEQ Office of Stormwater Management at ConstructionGP@deq.virginia.gov.

Sincerely,

A handwritten signature in cursive script that reads "Frederick K. Cunningham".

Frederick K. Cunningham, Director
Office of Water Permits



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

Fax: 804-698-4019 - TDD (804) 698-4021

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4020
1-800-592-5482

6/13/2014

George B Sowers III
3736 Winterfield Road Suite 200
Midlothian, VA 23113

RE: Construction General Permit Coverage #VAR10E330, Northwest Winterfield Road Parcel III - Commercial/Residential - Midlothian

Dear GB Sowers:

DEQ has received your registration statement for the proposed land-disturbing project under the General Permit for Discharges of Stormwater from Construction Activities (VAR10). The project's date of coverage is either the date of this letter or fifteen business days after the postmark date of the project's complete registration packet submittal to DEQ.

By submission of the registration statement, you acknowledge that the proposed project is eligible for coverage under the General Permit and you have agreed to the conditions in the General Permit including any applicable conditions regarding Total Maximum Daily Loads and impaired waters. Please be aware that §62.1-44.15:35 of the Code of Virginia and the General Permit contain additional requirements if nonpoint nutrient offsets are chosen to meet the post-development nonpoint nutrient runoff compliance requirements. Section §62.1-44.15:35 I requires that the permit issuing authority require that nonpoint nutrient offsets or other off-site options achieve the necessary nutrient reductions **PRIOR TO THE COMMENCEMENT OF THE PERMITTEE'S LAND DISTURBING ACTIVITY.**

A copy of the General Permit is available on the DEQ web page at <http://www.deq.virginia.gov/Portals/0/DEQ/Water/Publications/CGPvar10.pdf>. Print the VAR10 permit and read it carefully as you are responsible for meeting all the permit conditions. The General Permit will expire on June 30, 2014.

Your project specific permit registration number is **VAR10E330**. A copy of this permit coverage letter, registration statement, copy of the VAR10 permit, and the project's Stormwater Pollution Prevention Plan (SWPPP) must be at the construction site from the date of commencement of the construction activity to final stabilization. In addition, DEQ staff conduct periodic site inspections for compliance with the permit.

Additional information is available on the DEQ webpage at: <http://www.deq.virginia.gov/programs/water/stormwatermanagement/vsmppermits/constructiongeneralpermit.aspx>. For questions, contact the Permit Processor at (804) 698-4039.

Sincerely,

Frederick K. Cunningham, Director
Office of Water Permits

Memo

To: Deputy County Administrator
March Altman

From: Steven A. Singer, Fire Chief 

Date: July 15, 2015

Re: Winterfield Phase II

While not opposed to the proposed Winterfield Phase II project, it does raise some concerns for the Fire and Rescue Department.

The additional population density from the project will provide the first area of the county with a density greater than 500 people/Sq. mile. This density and projected increased call volume would accelerate the need for a public safety facility closer to the project location. This may include staffing needs for both a fire and EMS unit within the facility, dependent upon a reliable volunteer staffing availability.

This area is currently served by the Fine Creek Volunteer Fire Department and Fine Creek substation of the Powhatan Volunteer Rescue Squad. Both facilities are approximately 6.4 miles from the project location which generates a best case response time of 8 minutes for Fire and EMS services.

To assist in reducing this time Powhatan County has an automatic aid agreement with the County of Chesterfield to provide additional first response services to this area. An increase in the number of responses from out of county resources may well put the current agreement under strain.

There is also a concern with the height of the buildings within the project. Currently the longest ladder carried by the Fire and Rescue Department is 35 feet. This renders a working height of approximately 28 feet depending on the landscaping/grade slope around the occupancy.

This equipment deficiency could cause an increased life safety hazard for occupants of the upper level housing units and limit access to the roof area of the occupancy if needed. This will accelerate the need for the purchase of an aerial device by the Powhatan County.

Currently the closest available aerial device is approximately 9 miles away at the Chesterfield County Buford Fire Station.

Other life safety concerns include proper fire detection and suppression systems within the buildings to meet or exceed code requirements. Proper fire suppression sprinkler systems will help reduce the amount of fire damage and increase life safety within the occupancy. The full impact and code requirements of these systems will not be realized until more formal drawings of the occupancy are presented.

The need for proper water main placement and fire hydrant location will also have to be reviewed once more formal site plans are presented. The increased water demand (fire flow volume/pressure) may not be present within the current water supply infrastructure.

These are the chief concerns the Fire and Rescue Department would need to confront as the project moves forward.

Please let me know if you have any further questions.

ACREE STEPHEN G SR & SANDRA W
3648 DERBY RIDGE LOOP
MIDLOTHIAN, VA 23113

ADAMS DANIEL ANDREW & LEIGH ROSE
3624 DERBY RIDGE LOOP
MIDLOTHIAN, VA 23113

ADAMS MICHAEL CARTER & KAY F
530 HUGUENOT TRAIL
MIDLOTHIAN, VA 23113

ARNOLD PHILIP M & LUCINDA A TRS
2403 FOUNDERS CREEK CT
MIDLOTHIAN, VA 23113

BEL ARBOR BUILDERS INC
9842 LORI RD STE 201
CHESTERFIELD, VA 23832

BURCHAM KEVIN D & KIMBERLEY B
2426 BEL BRIDGE CT
MIDLOTHIAN, VA 23113

BURNS PAUL D & SUSAN C
2382 BEL CREST CIRCLE
MIDLOTHIAN, VA 23113

COLBERG HEATHER L
2388 BEL CREST CIR
MIDLOTHIAN, VA 23113

COX PATRICIA H
721 OAK STREET
#6
BLACKSTONE VA 23824-2613

EAGLE CONSTRUCTION OF VA LLC
2250 OLD BRICK RD STE 220
GLEN ALLEN, VA 23060

FARR GARY M ET AL
C/O RONALD G FARR - ADMIN
3253 JUDES FERRY RD
POWHATAN, VA 23139

FIDEN JAMES P & MARISHA A
537 HUGUENOT TRAIL
MIDLOTHIAN, VA 23113

FOUNDERS BRIDGE PROPERTY OWNERS
ASSOCIATION INC
601 FOUNDERS BRIDGE BLVD
MIDLOTHIAN, VA 23113

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3630 DERBY RIDGE LOOP
MIDLOTHIAN, VA 23113

KECK CHARLES J & EILEEN M
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MIDLOTHIAN, VA 23113

LAWVER CHARLES W & PATRICIA M
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MIDLOTHIAN, VA 23113

LITTAUER ANDREW D & VICTORIA L
3618 DERBY RIDGE LOOP
MIDLOTHIAN, VA 23113

MAHLER HOLDINGS LLC
2401 HARTLEPOOL DRIVE
MIDLOTHIAN, VA 23113

MATHISEN MICHAEL A & TERESA R
2428 BEL BRIDGE CT
MIDLOTHIAN, VA 23113

MONKS JAMES W JR & KAREN DELOYE
3500 DERBY RIDGE WAY
MIDLOTHIAN, VA 23113

OWEN JOHN R & JENNIFER D TRS
3612 DERBY RIDGE LOOP
MIDLOTHIAN, VA 23113

PHILLIPS EDWARD H FAMILY LIMITED
PARTNERSHIP
570 HUGUENOT TRAIL
MIDLOTHIAN, VA 23113

PROSINC LLC
600 FOUNDERS BRIDGE BLVD
MIDLOTHIAN VA 23113-6357

RIVERTON ASSOCIATES
3736 WINTERFIELD RD STE 200
MIDLOTHIAN, VA 23113

RIVERTON ASSOCIATES & GEORGE B
SOWERS JR & ASSOCIATES INC
3736 WINTERFIELD RD STE 200
MIDLOTHIAN, VA 23113

RIVERTON ASSOCIATES & GEORGE B
SOWERS JR & ASSOCIATES INC
3736 WINTERFIELD RD STE 200
MIDLOTHIAN, VA 23113

ROOT ROBERT G & CAROL M
2407 FOUNDERS CREEK CT
MIDLOTHIAN, VA 23113

ROSELAND CUSTOM HOMES LLC
3736 WINTERFIELD RD STE 200
MIDLOTHIAN, VA 23113

RUSSELL JOHN B JR & KAREN L
3861 REEDS LANDING CIRCLE
MIDLOTHIAN, VA 23113

SERRAO JAMES F & CHERYL J
2384 BEL CREST CIR
MIDLOTHIAN, VA 23113

THOMAS DEAN G & CORA GAIL
5800 HUFFS FERRY RD N
LOUDON, TN 37774

VADELLA ANTHONY J & SALLY J
12613 CHESDIN LANDING DR
CHESTERFIELD, VA 23838

WELLS WILLIAM BRADFORD & SHARON A
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MIDLOTHIAN, VA 23113

WILLS JAMES E JR & JEAN C TRS
2399 FOUNDERS CREEK CT
MIDLOTHIAN, VA 23113

KNICK VAN BUREN II & MARY P
3600 DERBY RIDGE LOOP
MIDLOTHIAN, VA 23113

JAMES J.L. STEGMAIER
PO BOX 40
CHESTERFIELD , VA 23832-0040

BROOKSTONE HOA
PO BOX 933
MIDLOTHIAN VA 23113

RIVER DOWNS/LENOX FOREST HOA
3524 KINGS FARM DR
MIDLOTHIAN VA 23113

STONE HARBOR HOA
3600 STONE HARBOR DR
MIDLOTHIAN VA

STELLAR COMMUNITY MANAGEMENT, LLC
ATTENTION: TRACEY TALBERT
5374 TWIN HICKORY ROAD
GLEN ALLEN VA 23059

FOUNDER'S BRIDGE GOLD VILLA
ATTENTION: GABE CROUCH, COMMUNITY MANGER
3901 WESTERRE PARKWAY
SUITE 100
RICHMOND VA 23233

ASSOCIA COMMUNITY GROUP
3901 WESTERRE PARKWAY
SUITE 100
RICHMOND VA 23233

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Bruce Blackwell
State Certified Home Inspector
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LEGALS

Legal Notices

TRUSTEE SALES

NOTICE OF SUBSTITUTE TRUSTEE SALE 3421 Lake Randolph Circle, Powhatan, VA 23139

By virtue of the power and authority contained in a Deed of Trust dated December 15, 2004, and recorded in Deed Book 630, Page 1296 in the Clerk's Office for the Circuit Court for Powhatan, VA, securing a loan which was originally \$215,000.00. The appointed SUBSTITUTE TRUSTEE, Commonwealth Trustees, LLC will offer for sale at public auction at the front steps of the Circuit Court, located at 3880 Old Buckingham Road, Powhatan, Virginia 23139 on:

February 2, 2016 at 1:30 PM

improved real property, with an abbreviated legal description of All that certain tract, piece or parcel of land lying and being in Spencer District, Powhatan County, Virginia, designated as Lot 15 of Lake Randolph Estates-Section 8 on plat of survey by Woodrow K. Cofer, Inc., C.L.S. dated November 20, 2003, recorded April 20, 2004, in the Circuit Court, Clerk's Office, Powhatan County, Virginia, in Plat Cabinet G., Slide 69, reference to which is hereby made for a more particular description, and as more fully described in the aforesaid Deed of Trust.

TERMS OF SALE: The property will be sold "AS IS," WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND AND SUBJECT TO conditions, restrictions, reservations, easements, rights of way, and all other matters of record taking priority over the Deed of Trust to be announced at the time of sale. A deposit of \$20,000.00, or 10% of the sale price, whichever is lower, in cash or cashier's check payable to the SUBSTITUTE TRUSTEE will be required at the time of sale. The balance of the purchase price, with interest at the rate contained in the Deed of Trust Note from the date of sale to the date said funds are received in the office of the SUBSTITUTE TRUSTEE, will be due within fifteen (15) days of sale. In the event of default by the successful bidder, the entire deposit shall be forfeited and applied to the costs and expenses of sale and Substitute Trustee's fee. All other public charges or assessments, including water/sewer charges, whether incurred prior to or after the sale, and all other costs incident to settlement to be paid by the purchaser. In the event taxes, any other public charges have been advanced, a credit will be due to the seller, to be adjusted from the date of sale at the time of settlement. Purchaser agrees to pay the seller's attorneys at settlement, a fee of \$445.00 for review of the settlement documents.

Additional terms will be announced at the time of sale and the successful bidder will be required to execute and deliver to the Substitute Trustees a memorandum or contract of the sale at the conclusion of bidding.

FOR INFORMATION CONTACT:
Rosenberg & Associates, LLC
(Attorney for the Secured Party)
7910 Woodmont Avenue, Suite 750
Bethesda, Maryland 20814
301-907-8000
www.rosenberg-assoc.com

NOTICE OF SUBSTITUTE TRUSTEE SALE 2700 Daphne Lane, Powhatan, VA 23139

By virtue of the power and authority contained in a Deed of Trust dated May 29, 2008, and recorded in Deed Book 749, Page 001 in the Clerk's Office for the Circuit Court for Powhatan, VA, securing a loan which was originally \$267,500.00. The appointed SUBSTITUTE TRUSTEE, Commonwealth Trustees, LLC will offer for sale at public auction at the front steps of the Circuit Court, located at 3880 Old Buckingham Road, Powhatan, Virginia 23139 on:

February 2, 2016 at 1:30 PM

improved real property, with an abbreviated legal description of ALL that certain parcel of land lying and being in Huguenot District, Powhatan County, Virginia, containing 10.40 acres, shown and designated as "Parcel G" on plat of survey by Foster & Miller, Certified Surveyors, dated February 2, 1970, a copy of which is recorded in the Clerk's Office of the Circuit Court of Powhatan County, Virginia, in Deed Book 93, page 518, and in accordance with said plat being more particularly described as follows. COMMENCING at the point of the Northern and Western lines of the Northern terminus of a fifty foot road called Daphne Lane as shown on the aforesaid plat, said point being marked thereon "A", thence from said point of commencement proceeding with the said western line of said Daphne Lane South 33 degrees 58' 30" West 300 feet, thence leaving said Western line of said Daphne Lane and proceed North 56 degrees 01' 30" West 252.07, thence North 25 degrees 27' 40" East 39 68 feet, thence South 86 degrees 17' 30" East 77 61 feet, thence North 3 degrees 57' 00" East 786 54 feet, thence South 86 degrees 17' 30" East 555 55 feet, thence South 4 degrees 02' 20" West 483 30 feet, thence South 73 degrees 32' 45" East 39 80 feet, thence South 23 degrees 00' 21" West 338 72 feet, thence North 56 degrees 01' 30" West 238 92 feet to the point of commencement, and as more fully described in the aforesaid Deed of Trust.

TERMS OF SALE: The property will be sold "AS IS," WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND AND SUBJECT TO conditions, restrictions, reservations, easements, rights of way, and all other matters of record taking priority over the Deed of Trust to be announced at the time of sale. A deposit of \$20,000.00, or 10% of the sale price, whichever is lower, in cash or cashier's check payable to the SUBSTITUTE TRUSTEE will be required at the time of sale. The balance of the purchase price, with interest at the rate contained in the Deed of Trust Note from the date of sale to the date said funds are received in the office of the SUBSTITUTE TRUSTEE, will be due within fifteen (15) days of sale. In the event of default by the successful bidder, the entire deposit shall be forfeited and applied to the costs and expenses of sale and Substitute Trustee's fee. All other public charges or assessments, including water/sewer charges, whether incurred prior to or after the sale, and all other costs incident to settlement to be paid by the purchaser. In the event taxes, any other public charges have been advanced, a credit will be due to the seller, to be adjusted from the date of sale at the time of settlement. Purchaser agrees to pay the seller's attorneys at settlement, a fee of \$445.00 for review of the settlement documents.

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FOR INFORMATION CONTACT:
Rosenberg & Associates, LLC
(Attorney for the Secured Party)
7910 Woodmont Avenue, Suite 750
Bethesda, Maryland 20814
301-907-8000
www.rosenberg-assoc.com

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NOTICE OF PUBLIC HEARINGS POWHATAN COUNTY BOARD OF SUPERVISORS

Pursuant to Sections 15.2-1427 and 15.2-2204 of the Code of Virginia, notice is hereby given that the Powhatan County Board of Supervisors will conduct public hearings on **Monday, January 25 at 7:00 p.m.** in the Village Building Auditorium located at 3910 Old Buckingham Road, Powhatan, VA, 23139. The purpose of the public hearings is to receive public comment on the following proposed ordinances:

- **Ordinance O-2015-01** (15-03-REZC) Riverton Associates (Subletts/Manakin/Flat Rock Electoral District) request the rezoning from Residential-Utility (R-U) and Commercial (C) to Village Center Planned Development (VC-PD) and amendment of the zoning district map of approximately 50+ acres of land fronting 584 feet on the south side of Huguenot Trail and on the along Winterfield Road. Density and use will be controlled by zoning conditions or ordinance standards. The 2010 Long-Range Comprehensive Plan designates the subject properties as Village Center, Village Residential and Natural Conservation on the Route 711 Village Special Area Plan Map. Reference to Tax Map Parcels 32-44A, 32-44C, 32-45B1, 32-45B2, 32-46, 32-46A, 32-58B, 32D-1-1, 32D-1-3, 32C-2-1, 32C-2-2, 32C-2-3, 32C-2-4, 32C-2-5, 32C-2-6, and 32C-2-7.
- **Ordinance O-2016-02** (15-11-CUP) Blanton and Debora Gordon (SmithsCrossroads/ Pineville/Tobaccoville Electoral District) request a conditional use permit (CUP) to operate a country inn on two adjoining parcels in the A-10, Agricultural District per §83.162(49) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject properties as Rural Residential on the Countywide Land Use Plan Map. One property is located at 1660 Ballsville Road and is approximately 2.65 acres in size and the second property is approximately 43.8 acres in size and has not been assigned an address. Reference Tax Map Parcels #35-17B & #35-17.
- **Ordinance O-2016-03** (15-12-CUP) Richard W. Dressler (Powhatan Station/ Graceland Electoral District) requests a conditional use permit (CUP) to operate a commercial landscaping operation in the A-10, Agricultural District per §83-162(50) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Residential on the Countywide Land Use Plan Map. The property is approximately 33.05 acres in size and is located east of Dorset Road (Rt. 622) north of its intersection with Stavemill Road (Rt. 634). Reference Tax Map Parcel #53-78.
- **Ordinance O-2016-04** (15-15-REZC) Academy Park II, LLC (Bethesda / Lees Landing Electoral District) request the rezoning from Residential-Commercial (R-C) to Village Center (VC) and amendment of the zoning district map of approximately 2.47+ acres of land fronting 511 feet on the north side of Anderson Highway (U.S. Route 60). Density and use will be controlled by zoning conditions or ordinance standards. The 2010 Long-Range Comprehensive Plan designates the subject properties as Village Center on the Courthouse Village Special Area Plan Map. Reference to Tax Map Parcels 39C-2-2 and 39C-2-3.
- **Ordinance O-2016-05** (15-10-CUP) Virginia Solar LLC (Powhatan Courthouse/Mt. Zion Electoral District) requests a conditional use permit (CUP) to operate a solar energy farm in the A-10, Agricultural District per §83-162(26) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Residential on the Countywide Land Use Plan Map. The subject property is 350 acres of the 898.4 acre parcel and is located west of Old Buckingham Road (Rt. 13) south of its intersection with Old Plantation Road (Rt. 644). The lot at 4325 Old Buckingham Road is also a part of the CUP, is 3.6 acres, and will serve as the access point for the use. Reference to Tax Map Parcels #38-28 and # 38-3-1.
- **Ordinance O-2016-06** Ordinance amending and re-enacting Article II, Fire Prevention Code, of the Code of the County of Powhatan related to the appointment of a local Fire Marshall and delineation of the Fire Marshall's responsibilities, and modifications to the Virginia Statewide Fire Prevention Code requirement enforced in Powhatan County.

A copy of the proposed ordinances may be reviewed at the Powhatan County Administrator's Office located at 3834 Old Buckingham Road, Suite A, Powhatan, Virginia, during normal business hours. All interested persons are invited to attend and participate in the public hearings. Persons requiring special assistance to attend and participate in the hearings should contact the Powhatan County Administrator's Office at (804) 598-5612 at least three days prior to the meeting.



POWHATAN'S PAPER OF RECORD

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NOTICE OF PUBLIC HEARINGS

POWHATAN COUNTY BOARD OF SUPERVISORS

Pursuant to Sections 15.2-1427 and 15.2-2204 of the Code of Virginia, notice is hereby given that the Powhatan County Board of Supervisors will conduct public hearings on **Monday, January, 25 at 7:00 p.m.** in the Village Building Auditorium located at 3910 Old Buckingham Road, Powhatan, VA, 23139. The purpose of the public hearings is to receive public comment on the following proposed ordinances:

- **Ordinance O-2015-01** (15-03-REZC) Riverton Associates (Subletts/Manakin/Flat Rock Electoral District) request the rezoning from Residential-Utility (R-U) and Commercial (C) to Village Center Planned Development (VCPD) and amendment of the zoning district map of approximately 50+ acres of land fronting 584 feet on the south side of Huguenot Trail and on the along Winterfield Road. Density and use will be controlled by zoning conditions or ordinance standards. The 2010 Long-Range Comprehensive Plan designates the subject properties as Village Center, Village Residential and Natural Conservation on the Route 711 Village Special Area Plan Map. Reference to Tax Map Parcels 32-44A, 32-44C, 32-45B1, 32-45B2, 32-46, 32-46A, 32-58B, 32D-1-1, 32D-1-3, 32C-2-1, 32C-2-2, 32C-2-3, 32C-2-4, 32C-2-5, 32C-2-6, and 32C-2-7.
- **Ordinance O-2016-02** (15-11-CUP) Blanton and Debora Gordon (Smiths-Crossroads/Pineville/Tobaccoville Electoral District) request a conditional use permit (CUP) to operate a country inn on two adjoining parcels in the A-10, Agricultural District per §83.162(49) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject properties as Rural Preservation on the Countywide Land Use Plan Map. One property is located at 1660 Ballsville Road and is approximately 2.65 acres in size and the second property is approximately 43.8 acres in size and has not been assigned an address. Reference Tax Map Parcels #35-17B & #35-17.
- **Ordinance O-2016-03** (15-12-CUP) Richard W. Dressler (Powhatan Station/Graceland Electoral District) requests a conditional use permit (CUP) to operate a commercial landscaping operation in the A-10, Agricultural District per §83-162(50) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Residential on the Countywide Land Use Plan Map. The property is approximately 33.05 acres in size and is located east of Dorset Road (Rt. 622) north of its intersection with Stavemill Road (Rt. 634). Reference Tax Map Parcel #53-78.
- **Ordinance O-2016-04** (15-15-REZC) Academy Park II, LLC (Bethesda / Lees Landing Electoral District) request the rezoning from Residential-Commercial (R-C) to Village Center (VC) and amendment of the zoning district map of approximately 2.47+ acres of land fronting 511 feet on the north side of Anderson Highway (U.S. Route 60). Density and use will be controlled by zoning conditions or ordinance standards. The 2010 Long-Range Comprehensive Plan designates the subject properties as Village Center on the Courthouse Village Special Area Plan Map. Reference to Tax Map Parcels 39C-2-2 and 39C-2-3.
- **Ordinance O-2016-05** (15-10-CUP) Virginia Solar LLC (Powhatan Courthouse/Mt. Zion Electoral District) requests a conditional use permit (CUP) to operate a solar energy farm in the A-10, Agricultural District per §83-162(26) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Residential on the Countywide Land Use Plan Map. The subject property is 350 acres of the 898.4 acre parcel and is located west of Old Buckingham Road (Rt. 13) south of its intersection with Old Plantation Road (Rt. 644). The lot at 4325 Old Buckingham Road is also a part of the CUP, is 3.6 acres, and will serve as the access point for the use. Reference to Tax Map Parcels #38-28 and # 38-3-1.
- **Ordinance O-2016-06** Ordinance amending and re-enacting Article II, Fire Prevention Code, of the Code of the County of Powhatan related to the appointment of a local Fire Marshall and delineation of the Fire Marshall's responsibilities, and modifications to the Virginia Statewide Fire Prevention Code requirement enforced in Powhatan County.

A copy of the proposed ordinances may be reviewed at the Powhatan County Administrator's Office located at 3834 Old Buckingham Road, Suite A, Powhatan, Virginia, during normal business hours. All interested persons are invited to attend and participate in the public hearings. Persons requiring special assistance to attend and participate in the hearings should contact the Powhatan County Administrator's Office at (804) 598-5612 at least three days prior to the meeting.

Legal Notices

PROPOSALS, BIDS, RFP

2001 GMC Sierra, 4wd, Ext cab, vinyl int., cruise, 131K miles, tow package, 4.8L V8. Sealed bids must be submitted/post marked by 4:30 pm 2/5/16 to Monacan SWCD, 3064 River Rd West, PO Box 66 Goochland, VA 23063. Min bid of \$4,500. For info call 804-556-4936. Monacan SWCD reserves the right to accept or reject any bid. Payment is due within 30 days & prior to transfer of ownership.

ADVERTISE

Call 598-4305 to find out about upcoming opportunities to advertise with your community newspaper in print and online!



NOTICE OF RFP

The County of Powhatan Virginia is seeking proposals from qualified applicants for Public Safety Staffing Services. To view the RFP packet and get more information please visit our Bid and Procurement Opportunities page on our website at www.powhatanva.gov. Responses are due no later than 2:00 pm February 12th 2016, to the Powhatan County Department of Finance located at 3834 Old Buckingham Rd, Suite B Powhatan VA, 23139. If you need additional information please contact the Department of Finance office at 804-598-5610.

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Central Boiler E-Classic **OUTDOOR WOOD FURNACE.** Limited time big savings offer. Instant rebate up to \$1500. Call today! Ellis Contracting 804-366-9536

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Miller's Exterior Works All types of repair jobs, or new jobs! Decks, soffit & fascia work, sheds, wood wrapping siding, siding repairs, replacing entry doors & wrap them, & all your handyman jobs. Call Marlin Miller 804-512-3131

Merchandise

MISCELLANEOUS FOR SALE

Mattress Truck Load Sale - Twin \$89; Full \$99; Queen \$129; King \$189. Delivery/Lay -A-Way. Call 804-218-0680.

Recruitment

ADMIN. & OFFICE WORK

Cumberland Area - Part-time ADMINISTRATIVE ASSISTANT needed. Duties include (but not limited to): answering phone, filing, data entry, and cleaning the office. Approximately 5 hours a day/4 days a week Monday through Thursday. Email resumes to: asallumber@verizon.net

GENERAL

Awesome House Cleaners needed (no experience necessary): Hours 8:00-4:00ish, M-F (no evening or weekends). Caring, passionate & committed individual's who take pride in their work. A team player is a must! Valid driver's license required. Salary \$10 to \$11/hr. (except during training) +paid time off + holidays and other benefits. We do background checks and drug testing. Located in Powhatan, SET Cleaning services www.setcleaning.com or 598-3210 for application.

Electrical Automation Technician Come work for a growing process automation company as an Automation Technician. No experience necessary & travel required with all expenses paid. Full Benefits Package. Send resume to: ethautoinc@comcast.net

FABRICATOR/WELDER - Brookfield M&W is currently seeking an experienced Fabricator/Welder. Please apply @ 9135 Barricade Ln, Mechanicsville. Salary is negotiable depending on experience. Call (804) 746-0488.

HEALTHCARE

PSYCHOSOCIAL REHABILITATION COUNSELOR wanted for a clubhouse model day support program for SMI adults. FT w/ benefits, QMHP-A required. Visit www.gpcsb.org for application, job description & salary. Open until filled. EOE.

TRANSPORTATION

DRIVERS - Part-time. Goochland Powhatan Community Services is seeking drivers to transport individuals to and from facilities in Goochland and Powhatan Counties. Qualified applicants must be 25 yrs. or older. Must be able to work w/people, and work morning hours and late afternoon hours. A valid VA Driver's License w/ a good driving record, pre-employment drug screening, and criminal background check required. \$10.14/hour. Call 804-556-5400 or visit www.gpcsb.org/Job-Opportunities for job description and application. Open until filled. EOE.

GENERAL

10 positions - Temporary/Seasonal work planting, cultivating, and harvesting nursery stock, field grown trees, shrubs and ornamental plants, from 2/15/2016 to 12/15/2016 at Watkins Nurseries, Inc., Amelia Courthouse & Powhatan, VA. Three months of previous verifiable experience required in the job described. Saturday work required. Must be able to lift/carry 60 lbs. Employer-paid post-hire drug testing is required after a worker has an accident at work. \$10.72/hr or current applicable AEW. Raise/bonus at employer discretion. Workers are guaranteed ¾ of work hours of total period. Work tools, supplies, equipment supplied by employer without charge to worker. Housing with kitchen facilities provided at no cost to only those workers who are not reasonably able to return same day to their place of residence at time of recruitment. Transportation and subsistence expenses to work site will be paid to nonresident workers not later than upon completion of 50% of the job contract. Interviews required. Apply for this job at nearest State Workforce Agency in state in which this ad appears, or Virginia Employment Commission, 221 Sunchase Blvd., Farmville, VA 23901. Provide copy of this ad. VA Job Order #706812.

Residential for Rent

Apartment Referral Services Policy

Apartment referral service companies sell lists of available apartments for rent in your area. Please read contracts thoroughly to ensure that you understand and agree to all the terms and the cancellation policy of the contract.

HOUSES UNFURNISHED

3 Bedroom, 1 Bath \$850. per month + deposit. No Pets. Call 804-314-5191

3-bedroom, 1-bath house with detached garage. Newly renovated & new heating & air system, new floor coverings, new paint. Very Clean. No pets. No smoking. \$1,000/month + \$1,000 security deposit. Call 757-876-5295

HOUSES UNFURNISHED

FOR RENT

3465 A Goodwyn Road Powhatan, VA 23139
2 bedrooms, 1.5 baths, Duplex \$895/month

2518 Georges Road Powhatan, VA 23139
2 bedrooms/1 bath \$750/month

5832 Trenholm Woods Drive Powhatan, VA 23139
3 bedrooms, 2 baths, attached garage \$1,495/month

1508 Cartersville Road Goochland County, VA 23063
4 bedrooms, 2.5 baths \$1,495/month

377 Clayville Road Powhatan, VA 23139
3 bedrooms, 3 baths, full basement \$1,395/month

3148 Kemp Trail Powhatan, VA 23139
1 bedroom, 1 bath \$695/month

2228 Lakeview Drive Powhatan, VA 23139
2 bedrooms, 1 bath \$995/month

35 Boone Trail Cartersville, VA 23027
2 bedrooms, 1 bath \$800/month

4748 Bell Road Powhatan, VA 23139
3 bedrooms, 2 baths \$895/month

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