

September 10, 2019

Richard Rudnicki, AICP
Assistant Director of Planning and Zoning
Isle of Wight County
P.O. Box 80
17140 Monument Circle
Isle of Wight, VA 23397

RE: The Pitt & Lippe Rezoning
Application Reference 20059ZP

Dear Mr. Rudnicki:

The following narrative is offered in response to the County's review of the applicant's June 13, 2019 letter and support documents submitted as part of the Land Use Amendment and Rezoning Applications for the above-mentioned project. Included in this re-submittal are fifteen copies of the most recent updates of the following items and one (1) digital copy (provided on zip drive) of all the materials:

- Proffer Statement revised and dated September 5, 2019
- Exhibit A – Master Plan revised and dated September 5, 2019
- Illustrative Master Plan revised and dated September 5, 2019
- Open Space and Pedestrian Plan revised and dated September 5, 2019
- WQIA revised and dated September 10, 2019 (only changes are related to Master Plan exhibits)
- Traffic Impact Analysis revised and dated September 2019 (Appendix via electronic only)
- Neighborhood Plan Book revised and dated September 5, 2019
- Preliminary Utility Analysis and Layout revised and dated September 11, 2019
- Exhibit C – Pitt & Lippe Proposed Roadway and Intersection Improvement Plan dated September 10, 2019 (formerly Access Management Plan)
- Fiscal Impact Analysis and Methodology revised and dated August 8, 2019
- Community Impact Statement revised and dated September 10, 2019

Planning & Zoning (Amy Ring)

Comment Response Letter dated June 13, 2019

1. Item 13 – No analysis of an alternative intersection (ie, roundabout) alignment was included in the TIA for review.
 - Kimley-Horn has noted that due to intersection spacing (i.e., less than 200 feet between the Carrollton Boulevard/Smiths Neck Road intersection and the Bojangles/7-Eleven intersection), the necessary geometric footprint (i.e., 90' to 140' inscribed circle width), and anticipated operational constraints, a roundabout is not the appropriate traffic control measure at this new intersection.

- Kimley-Horn has provided a description of the proposed improvements/traffic control measures that will be implemented to mitigate the potential for queueing to impact operations at the Bojangles'/7-Eleven/Driveway 1 Connection to Pitt property intersection or the Carrollton Boulevard/Smiths Neck Road intersection.
 - A description of the proposed improvements is provided in the response to Planning and Zoning (Richard Rudnicki) Comment # 4, item 13 and the VDOT comments section.
 - Additionally, Kimley-Horn has provided operational analysis results (i.e. LOS/delay and queueing) for the new intersection and the associated traffic control measures with the revised TIA, dated September 2019.
2. Item 19 – Townhomes will be required to meet the architectural treatment standards in Section 5-5002.R.17 of the zoning ordinance.
 - Per recent communication with Planning Staff, this comment is no longer applicable.
 3. Item 23 – Please see Proffer Statement Section 1 comment below.
 - Comment acknowledged.
 4. Item 24 – Please correct average EMS rate of .15 per capita, not per household, as stated by the EMS Director.
 - Comment acknowledged. Please see Planning and Zoning response to Richard Rudnicki in #2 below.
 5. Item 25 – No comparison or analysis provided in response. No discussion included of possible alternative layout such as those suggested in Section 5.9 of the County Subdivision Ordinance. In absence of additional information, item will be noted as not consistent with the recommendations of the Comprehensive Plan.
 - The suggested alternative layout received from County staff has been incorporated into the Master Plan.
 6. Item 26 – No analysis or justification provided with response. Item will be noted as not consistent with the recommendations of the Comprehensive Plan.
 - The neighborhood recreational area, and the associated recreational amenities, are approximately 1.82 acres and appropriately sized to serve the proposed development. As per our discussion with Planning staff, this is no longer an issue or point of concern.

Proffer Statement dated June 11, 2019

1. Section I, "Development of the Property" – Because the submitted Master Plan is conceptual in nature only and meant to show the concept, character and nature of the proposed development in accordance with section 4-14004 of the Zoning Ordinance, it cannot serve as a preliminary site or subdivision plan to be reviewed for consistency with state and local regulations. The Master Plan is too general in nature and lacks the required information for adequate development plan review. Please strike items 2 and 3 from this section. A technical review for compliance with state and local regulations shall be performed at preliminary and final subdivision and site plan submittal.

- Per recent communication with Planning Staff, the proffer statement has been modified for both items 2 and 3 to reflect with what we feel is acceptable language.
2. Section IV, "Water and Sewer" – Please revise the second sentence to read, "All public and water and sewer systems shall be constructed by the owners in conformance with the Pitt and Lippe Parcels Master Water and Sewer Plans." Please replace "owner" in the last sentence of the first paragraph with "owners" since this is a defined term on page 1, or define "owners" to be interchangeable with "owner" on page 1. Replace the term "owner" with "owners" in the last sentence of bullet one and strike "and be partially reimbursed via the County's pro rata share policy as others tie into the force main" from the last sentence. The applicant must first qualify for the pro rata share program per the adopted policy. Replace "owner" with "owners" in the last sentence of the second bullet.
 - Comment acknowledged and proffer statement has been modified including a change in language to "may be partially reimbursed.....based on the necessary qualifications required to meet the reimbursement criteria."

Master Plan dated June 12, 2019

1. Please include the total proposed maximum square feet of building floor area for nonresidential uses.
 - In the rezoned acreage, the clubhouse at the amenity will be the only non-residential use. The amenity has not been designed at this point in the development process. The commercial frontage on Tract 11 is not a part of this application.
2. Please include total land area, expressed in acres and a percent of the total development area, proposed to be devoted to residential and nonresidential uses by type of use, and open space.
 - Please see the updated Master Plan.
3. A minimum of forty percent (40%) of the lot, parcel, or tract of land upon which the townhouse development is located shall be maintained in common open space areas.
 - Per our follow-up discussion with staff on August 7, 2019, the PD-MX district regulations allow for open space for a mixed-use development to be proposed during development plan approval. It is also noted that the overall development is being proposed for approval under Section 4-14006(A) and allows open space to be proposed under the overall master planned development. The master plan proposal exceeds the required 40% specified as part of the townhouse development standards.
4. Please provide a narrative describing the timing and sequence of development. If the planned development is proposed for construction in phases during a period extending beyond one (1) year, a proposed development schedule shall be submitted for each phase stating the following:
 - a. The overall chronology of development to be followed from phase to phase with approximate dates for beginning and completion of each development phase.

- If successfully rezoned by the end of Q3 of 2019, construction site work is estimated to begin on Phase 1 (shown on the Master Plan) in Q2 or Q3 of 2020. Construction on the townhome units in Phase 1 is estimated to begin in Q3 or Q4 of 2020 with occupancies estimated Q1 or Q2 of 2021. Phase 2 site construction would begin in Q3 of 2020 with single family home construction starting in Q1 of 2021. At this point, the timing of development construction beyond Phases 1 & 2, would be unknown and would be dependent on market conditions and sales absorptions.
- b. The infrastructure improvements that will be completed with each phase of construction and the estimated cost of each phase.
 - At this point, it is premature to be estimating infrastructure improvements and the costs involved with each phase. Also, per our discussion with Planning Staff, providing the estimated costs of each phase at this point is not a necessary exercise.
- c. The proposed intensity of use for each type of land use to be provided or constructed during each phase and the projected market absorption for each use type.
 - The density by phase is shown on the phasing plan. It is premature to estimate market absorptions at this point in the process.
- d. The total amount of public and private open space, and recreational uses to be provided or constructed during each phase.
 - The community open space is shown by phase on the phasing plan. Besides the 1.82-acre amenity area, other recreational uses will include walking trails, benches, swing arbors, parks, etc. The open spaces shown are for the benefit of the future residents of this community.

Fiscal Impact Analysis/Community Impact Statement

1. Total project area should be changed to 118 acres to match Proffer Statement
 - Per our follow-up conversation with County staff on August 7, 2019, the FIS and CIS only pertain to the acreage being requested for land use and zoning amendment, which excludes the 3.2 remaining commercial acreage that is part of Tract 11.
2. Project timeline should be updated in FIA.
 - Comment acknowledged and changes were made.

Planning and Zoning (Richard Rudnicki)

Response Letter

1. Item 1 – What is the enforcement mechanism for the noted proffered condition? Will the Association be doing routine or random checks of homes to ensure compliance? Will there be required reporting by residents of guests under the designated age? As composed, the requirement is unenforceable.
 - Section IV of the Proffer Statement establishes that the Declaration shall be subject to the approval of the County Attorney. This approval should provide assurances that the necessary procedures will be in place to ensure compliance with 55+

community designation along with the additional provision of restricting persons under the age of 19 from residing in a residence for more than the designated period of time. The Declaration will require reasonable evidence of proof of age to be provided to the Association for any resident and the HOA will be responsible for the enforcement of the Governing Documents.

2. Item 2 and 24 – The County experiences 0.15 calls per person not per household as noted by County Emergency Services Staff, please revise accordingly.
 - Planning and Zoning #2. The methodology for calculating the level of service demand generated by the older population residing at the Pitt and Lippe Parcel development is presented on page A-24 of the Fiscal Impact Analysis Appendix. Calculations based upon data provided by County’s Emergency Services Department determined that the proposed development would generate EMS calls 2.09 times the Countywide average. Emergency Services data has indicated that the County experiences 0.15 calls per capita, which includes fire calls. From the data provided by Emergency Services in their comment #4 below, EMS calls make up 87.84% of all calls. Adjusting for this, it is expected that the average number of EMS calls would be 0.1318 per resident. Applying the 2.09 differential factor, the number of EMS calls expected to be generated from the proposed age-restricted development would be 0.2754 calls per resident. With the proposed development’s average household size estimated to be 1.72 persons per household and 340 units, the estimated population of the Pitt and Lippe development is 585 persons. Thus, 161 EMS calls would be generated annually. Fire calls are not expected to be affected by age and, therefore, it can be assumed that the number of fire calls generated by the proposed development will average 0.0182 per resident or 11 annually for the entire proposed development. The combination of fire and EMS calls expected to be generated by the proposed development will, therefore, be 172, which is within the 225-275 call remaining capacity of the Carrollton Fire Station. This estimate can be considered to be conservative as Chief Terwilliger stated in his comments that this community would generate 90-100 incidents annually. He further stated that with current EMS resources (which we assume to be personnel related), they “can handle approximately 225-275 additional calls within the district before experiencing impacts on service reliability.” Therefore, we believe there is no current capacity issue.
 - # 24. As stated by the County’s Emergency Services Division, below, the average number of calls per capita in the County is 0.15. A 340-unit non-age-restricted development, assuming an average household size of 2.57 persons per household, would therefore generate 131 fire and EMS calls annually. As explained above in #2, age would only be a factor in EMS generated demand. As calculated above in #2, 172 fire and EMS calls can be expected to be generated by the Pitt and Lippe Parcels development, with 161 of these being EMS calls.
3. Item 11-12 – The provided attachment identifies multiple locations where the development directly results in a significant increase in the delay of movements between the no-build and build scenarios. Including several locations where the LOS is worsened. These are impacts directly attributable to the development and should be addressed.

- In the instances noted, nearly all “increases” in delay were minor and did not increase LOS when compared to the equivalent year No Build scenario.
 - We do not agree with the suggestion to specifically address/mitigate each select movement where only minor increases in delay are anticipated and the additional delay does not result in a change in LOS (i.e., LOS E remains an E, or LOS F remains an F)
 - As noted in the study, to achieve acceptable LOS for Carrollton Boulevard, cycle lengths (i.e., ranging from 180 seconds during the AM period peak to 200 seconds during the PM peak period) were implemented to provide as much green time for Carrollton Boulevard through traffic as possible in an effort to maintain/maximize traffic progression along the corridor. We have confirmed with VDOT that these were the cycle lengths in place at the inception of the study.
4. Item 13 – There are examples of roundabouts of comparable scale which accommodate large vehicles/trucks throughout the region, such as in City Center at Oyster Point in Newport News and Mercury Plaza in Hampton. Additionally, if queues are expected to impact a possible roundabout they would also impact a standard intersection, making that a reason to eliminate the alternative option arbitrary. Please provide analysis which demonstrates the stop-controlled intersection is a better solution than a roundabout.
- The issue on scale does not pertain to vehicle type, but to the physical size (i.e. footprint of a roundabout) and the resulting impacts to the adjacent property owners.
 - Additionally, Kimley-Horn has noted that due to intersection spacing (i.e., less than 200 feet between the Carrollton Boulevard/Smiths Neck Road intersection and the Bojangles/7-Eleven intersection), the necessary geometric footprint (i.e., 90’ to 140’ inscribed circle width), and anticipated operational constraints, a roundabout is not the appropriate traffic control measure at this new intersection.
 - Proffer Statement Exhibit C, as prepared by Kimley-Horn and dated September 2019, reflects the conceptual layout of the proposed improvements and the associated traffic control measures for this intersection.
 - Below is a description of the proposed improvements/traffic control measures that will be implemented to mitigate the potential for queueing to impact operations at the Bojangles’/7-Eleven/Driveway 1 Connection to Pitt property intersection or the Carrollton Boulevard/Smiths Neck Road intersection.
 - The intersection will be three-way STOP controlled:
 - The Bojangles’, 7-Eleven, and the westbound Driveway 1/Connection from the Pitt property being STOP controlled
 - The eastbound Driveway 1/Connection to the Pitt property and thus the east bound left-turn movement to the 7-Eleven entrance driveway will be free-flow operations.

- Additionally, to mitigate the queuing that could impede intersection operations consist of the following:
 - “DO NOT BLOCK INTERSECTION” signage will be posted on each of side street approaches that will be STOP controlled.
 - This will be supplemented with intersection pavement markings delineating the area not to block, along with a potential fine for those observed/caught impeding intersection operations.
 - Additionally, due to the geometric configuration of a roundabout, it is unlikely such proactive, definitive, and enforceable measures could be implemented and effective. It is anticipated that any significant queuing that could impact the function of a roundabout at this location, would result in significant operational constraints for the intersection.

- 5. Item 17 – Staff would again recommend that no lots include RPA. If the developer believes there would be issues with siting homes they should reduce the setbacks they intend to establish in the neighborhood plan book, or provide for a reduction on lots adjacent to the RPA in the neighborhood plan book. Since the plan book is establishing the setbacks it can address possible issues rather than creating lots with RPA which has potential code enforcement issues and impacts to future residents.
 - Comment acknowledged. As previously pointed out by staff, lot lines are allowed in the RPA. In effort to address staff concerns in regard to RPA encroachments, lot lines will not extend into RPA areas. Due to building setback and maximum lot coverage concerns associated with lot lines being outside of RPA buffers, the Neighborhood Plan Book has been modified to limit how close a building may be located to an RPA line. Where a lot is impacted by an RPA, the minimum setback is set at 5’ with an average 10’ setback for lots affected. This should allow for construction activity to be conducted around a building without encroachment into an RPA. However, we would reassert our point that including RPA within lots is not disallowed by the County ordinances.
 - Also, please note that maximum lot coverage was modified to reflect a smaller lot configuration due to lot lines not extending into the RPA.

- 6. Item 25 – The provided attachment demonstrates how a grid pattern is possible in at least 1 townhome/flex area and also reduces the length of a questionable cul de sac. Please consider this alternative design option to better comply with the Comprehensive Plan, Route 17 Plan, and Subdivision Ordinance.
 - The Master Plan has been updated with the suggested design option. This will create better neighborhood connectivity and better comply with the Comprehensive Plan.

Master Plan and Pedestrian Plan

1. For the purpose of clarity, please show the pedestrian connection (multi-use path) across the frontage of the commercial parcels consistent with the County Bike and Pedestrian Master Plan and required through the Zoning Ordinance and Bike and Pedestrian Facilities Policy.

- The multi-use path has been shown on the Master Plan as well as the Open Space and Pedestrian Plan. Please note that the multi-use path on Route 17 would be required on the Tract 11 frontage. The portion of Tract 11 fronting Route 17 is not a part of this application.

Neighborhood Plan Book

1. Page 3 Bullet 4 needs to add the word “be” after “will” in the first sentence.
 - The addition has been made.

Proffer Statement

1. Transportation Section, Carrollton Boulevard (US Route 17) at Northgate Drive, Bullet 3 – Please remove everything after the second sentence. The traffic study notes this improvement needs to occur and is not conditional on the completion of other projects and studies.
 - The proffer language has been updated/changed so that this improvement is not a condition of the Nike Park Road Extension project.
2. Transportation Section – As currently drafted there are no reviews or requirements should the bridge fail to be approved and constructed. A proffer outlining this condition should be included. The following is an example of acceptable language for this condition: “If the necessary permits to construct the vehicular bridge are not obtained by the developer, the developer shall, at their sole expense, provide an updated TIA for the “no bridge” condition, for review and approval by the County and VDOT. The County shall withhold any additional plan approvals, zoning permits, Certificates of Occupancy (CO’s), or other approvals, until such time as the updated TIA is approved and agreement between the County and the Developer for the construction of any new roadway improvements identified in said updated TIA is in place.”
 - We have included proffer language to address the “no bridge” scenario.

Virginia Department of Transportation (Joshua R. Norris)

Residency

1. The study indicates significant degradation of the transportation network along the Route 17 corridor, with minimal recommendations of upgrades to mitigate impacts. Improvement recommendations should be consistent with the Brewer’s Neck Corridor Study and should mitigate blockage and queuing as shown in the submitted Synchro analysis.
 - Per the meeting held with VDOT on August 19, 2019, this comment is withdrawn.
2. Clarify how Driveway 1 and the shopping center/7-Eleven intersection is to function. There are concerns over adequate sight distance at this intersection. There is also a significant queue (> 300 ft.) which can potentially block left turns into 7-11 and result in queuing into Route 17. Excessive queues will also make it difficult to exit Bojangles during that time.

- Per the meeting with VDOT held on August 19, 2019 we have included the operational analysis of the subject intersection in the updated TIA. Additionally, we have provided a description of the proposed improvements/traffic control measures that will be implemented to mitigate the potential for queueing to impact operations at this intersection or the Carrollton Boulevard/Smiths Neck Road intersection.
 - The intersection will be three-way STOP controlled:
 - The Bojangles', 7-Eleven, and the westbound Driveway 1/Connection from the Pitt property being STOP controlled
 - The eastbound Driveway 1/Connection to the Pitt property and thus the east bound left-turn movement to the 7-Eleven entrance driveway will be free-flow operations.
 - Additional measures to mitigate queueing that could impede intersection operations include the following:
 - "DO NOT BLOCK INTERSECTION" signage will be posted on each of side street approaches that will be STOP controlled.
 - This will be supplemented with intersection pavement markings delineating the area not to block, along with a potential fine for those observed/caught impeding intersection operations.
3. Clarify how westbound queues can approach 1,000 ft. at the Smith's Neck/Carrollton Blvd intersection in the no-build scenarios.
 - Under the No-Build lane configuration the right-turn movement (i.e. the heaviest movement for this approach) and through movement share a lane so the right-turn movement is trapped in that lane.
 - The addition of the exclusive right-turn lane with the Build scenario gives the right-turn movement an opportunity to find gaps in approaching northbound traffic as well as provides the opportunity to introduce an overlap phase while the southbound and northbound movements run concurrently and thus reducing the queue for the approach.
 4. Channell Way realignment and Whippingham Parkway realignment will need to meet VDOT Road Design standards during the design phase.
 - Comment acknowledged. This will be addressed in the construction plan design phase.
 5. Internal roads intended for VDOT acceptance into the Secondary System must meet SSAR design guidelines. The minimum centerline radius is 200'.
 - Comment acknowledged. This will be addressed in the construction plan design phase.
 6. The developer maintains that building a private bridge that is not to be accepted by VDOT for maintenance remains an option. Any state-maintained roads that cross a private bridge must have adequate turnarounds at their termination prior to the bridge, and state maintenance funds cannot be used for maintenance and repair of the private bridge.
 - Comment acknowledged.

- Per the meeting with VDOT August 19, 2019 this comment will be addressed outside of the TIA review process. There will be follow up meeting with the VDOT Structure and Bridge group to discuss in more detail the design and specifications required by the Department for this structure to possibly become eligible for maintenance as a part of the VDOT secondary system.
- 7. The study is based upon the assumption that the Nike Park extension is completed. Since this project is currently in the design phase, significant variations from the study can be expected should the Nike Park extension not be constructed.
 - Per the meeting held with VDOT on August 19, 2019 this comment is withdrawn.
- 8. According to the Open Space and Pedestrian Plan, it appears sidewalks are tying into the multi-use trail along Route 17. Clarify if pedestrian facilities (ramps, pedestrian signals, crosswalks, refuge areas, etc.) need to be provided at the intersection of Carrollton Blvd. and Smith's Neck Road. If so, these improvements should be included in the proffers and traffic study.
 - No pedestrian facilities (ramps, pedestrian signals, crosswalks, refuge areas, etc.) need to be provided at the intersection of Carrollton Blvd. and Smiths Neck Road.
 - We are not proposing the introduction of any pedestrian movements or accommodations that would encourage pedestrians to cross Carrollton Boulevard at this intersection or have the potential to further impede operations along the corridor.
- 9. The traffic study states that the signals along Route 17 are not a coordinated system and require optimization. Signal operations confirms that the Route 17 corridor is a coordinated system that has been optimized. Operations is willing to schedule a field visit with Kimley-Horn representatives to discuss their recommendations on better optimization. Based on the optimization discussed in the study, Smith's Neck and Carrollton Blvd. currently has a 200 second cycle length. Increasing this cycle time further as proposed in the study will increase blockages, spillback into the through lanes, and add significant delays to all side streets.
 - It is our understanding the 200 second cycle length was implemented in response to significant congestion/traffic progression issues along Carrollton Boulevard. We agree that the cycle length should not be modified.
 - Kimley-Horn did not intend to suggest that the cycle lengths be increased above the 200 second cycle lengths initially provided by VDOT. The 200 second cycle lengths were used in the operational analysis for consistency with what had recently been implemented to facilitate progression along the corridor. A field visit by Kimley-Horn is not necessary.
- 10. The study projects significant queues on Northbound 17 in the PM peak, projecting queues to extend from the 17/258 intersection through the Channell Way/Deep Bottom Drive intersection.
 - Comment acknowledged. This is a result of current traffic conditions. VDOT is designing a second left turn lane at Bartlett which will further alleviate these concerns.

11. Channell Way is projected to have delays approaching 5 minutes during the PM peak. This would seem to be an excessive delay.
- We believe that actual delay is closer to 3 minutes. Regardless, we acknowledge there is the potential for excessive delay if drivers chose not to select other available routes. As noted in the TIA, due to the expectation of traffic being unable to complete their turning movement (i.e., left-turn) from the minor street approaches, it is expected that vehicles will reroute to The Crossings development connection between Channell Way and Carrollton Boulevard.
 - The proffered fourth leg of the Bartlett intersection serving The Crossings development is expected to serve as the primary alternative means for drivers to avoid excessive delay at this intersection.
 - Overall, the 2026 and 2032 Build conditions show that the addition of the site traffic to this intersection generally has minimal impact on the intersection operations during the AM and PM peak hours compared to the corresponding No Build conditions.
12. An Arterial Management Plan is under development for this arterial highway. Recommend that improvements align with Plan recommendations.
- Per the meeting held with VDOT on August 19, 2019 this comment is withdrawn.
13. The proffered right turn lane on Northbound Carrollton Blvd. at Northgate is already approximately 280' (140' storage, 140' taper) in total length proffered to be 350' (250' storage, 150' taper) in total length. Recommend that storage and taper lengths be determined by turn lane warrants, with a minimum of 200' of storage and 200' taper.
- Comment noted.
 - The owner will improve/extend the existing exclusive northbound Carrollton Boulevard right-turn lane to consist of 200 feet of storage and a 200-foot taper.
 - Final design and construction of this improvement shall be coordinated directly with VDOT.
14. The proffered conditions necessary to warrant modifying the Northgate Drive intersection to restricted lefts off Route 17 and right turns only onto Route 17 are cumbersome and tie needed improvements unnecessarily to other County projects. Recommend that the improvements be installed with no restriction based on other projects as part of the proposed development.
- Comment acknowledged.
 - TIA recommendations and proffer language will be modified to describe how the proposed improvement(s) at the Carrollton Boulevard/Northgate Drive intersection will be implemented.

15. The proffered left turn lane extension at Channell Way is within the construction limits of the VDOT 17/258 intersection project, UPC 109481. Care should be taken to ensure that the design and installation of the proffered improvements do not impact the budget or schedule of the project. Recommend modifying proffer language to indicate that the proffered improvements are to be installed after VDOT project completion.
- **Comment acknowledged. This will be addressed in the construction plan design phase.**
16. The proffered Westbound Channell Way improvements appear to impact the Crossings development Channell Way entrance, as shown in their Backbone Infrastructure Plan. The Crossings development is also installing utilities within this vicinity that may be impacted. Additionally, it is unclear that sufficient right of way exists for the improvements without needing additional right of way dedication from land that is not currently under this developer's control.
- **Comment acknowledged. This will be addressed in the construction plan design phase.**
17. While it is understood that the conceptual plans submitted are not for construction, the following comments have been provided as a result of preliminary review of the conceptual plans:
- a. Construction site plans need to be submitted and should include along with any other necessary information, the following: intersection geometrics, lane configurations, corner radii, intersection site distances, right of way, etc.
- **Comment acknowledged. This will be addressed in the construction plan design phase.**
- b. AutoTurn analyses of study intersections need to be submitted to this office for review. The AutoTurn analysis will need to include a design vehicle of the largest type to be utilized for this site. This will ensure vehicle clearance as well as curb/median clearances are met. This can be included in the roadway design plans. Please ensure they are on a separate sheet for review so that any vehicle lines and wheel paths are clearly shown.
- **Comment acknowledged. This will be addressed in the construction plan design phase.**
- c. Design standards for entrances, sight distances, and intersections must be evaluated for compliance in accordance with Appendix F of the VDOT Road Design Manual.
- **Comment acknowledged. This will be addressed in the construction plan design phase.**
- d. VDOT will have final approval of all signal timings, signal design and construction, and all equipment used for signal modifications. Intersection modifications and traffic signal design and phasing plans will need to be submitted for review and meet or exceed Eastern Region Operations standards and specifications. All design and construction costs will be the sole responsibility of the developer. A final traffic signal inspection will be completed by Department personnel. All punch list items resulting from this

inspection will need to be corrected and re-inspected before the Department will assume responsibility of the traffic signal.

- Comment acknowledged. This will be addressed in the construction plan design phase.

Traffic Engineering

18. The traffic analysis and field observations continue to indicate significant queueing during AM and PM peak periods on Carrollton Blvd. at Smiths Neck Rd. with no mitigating improvements being offered. Recommend 300' of storage length with a 200' taper northbound on Carrollton Blvd. for northbound turn lanes, and 400' of storage length with 100' of taper southbound on Carrollton Blvd. for southbound left turns.

- The owner will improve/extend the existing exclusive northbound Carrollton Boulevard left-turn lane to consist of 400 feet of storage and a 100-foot taper.
 - The final design and construction of this improvement shall be coordinated directly with VDOT.
- The owner will improve/extend the existing exclusive southbound Carrollton Boulevard left-turn lane to consist of 400 feet of storage and a 100-foot taper.
 - The final design and construction of this improvement shall be coordinated directly with VDOT.

19. The traffic analysis continues to indicate LOS F for the intersection of Carrollton Blvd. and Northgate Ln. The analysis proposes an "R-Cut" design for this intersection, to improve the LOS under future conditions. Traffic Engineering agrees with the proposed "R-Cut" design; however, in order to accommodate the west to north movement from Northgate Lane, improvements will be required to the taper and storage lengths of the left turn lanes at the median break where Nike Park Rd. extended is expected to connect. Provide a minimum 200' taper and 200' storage length to the northbound and southbound left turn lanes at this median break.

- Per the meeting held with VDOT on August 19, 2019 this comment is withdrawn.

Isle of Wight Transportation (Jamie Oliver – Transportation Manager)

Response Letter

1. Pg 2 #4, bullet 3 – I do not see where this has been incorporated into the proffers as noted.
 - a. This also relates to Pg 12 #8 regarding updates of the signal warrant analysis. I would suggest that the proffers could include language that a TIA technical update be required at Build Out and Build Out +3. The TIA update would include the Northgate signal warrant analysis and a corridor signal timing optimization analysis. Response: It is our understanding that VDOT is opposed to a signal at this location negating the need for updates to the signal warrant analysis.

- b. I also don't see anything in the Proffer statement which would relate to the signal at Northgate being void after 3 years, as mentioned on Pg 12 #8.

Response: Based on changes related to the updated TIA and proposed improvements, this comment is no longer applicable.

2. Pg 11, #4 – I share the concern regarding the bridge. The concern is 2-fold. 1st – whether it will be built, and whether it will be built to public standards.

- a. The bridge needs to be included in the proffers specifically, one way or another. It's too large of a portion of transportation infrastructure to be left without direct consideration. Response: The bridge is entirely dependent on permits and approvals. Including the construction of the bridge in the proffers isn't reasonable.

- i. If the developer does not want to commit to the bridge construction in the proffer statement, then the NO BUILD scenario should be submitted for review before approval of the rezoning. Response: The developer, at this time, is committed to building a bridge as a part of this project. Per the meeting with VDOT on August 19, 2019, this comment will be addressed outside of the TIA review process. There will be follow up meetings with the VDOT Structure and Bridge group to discuss in more detail the design and specifications required by the Department for this structure to possibly become eligible for maintenance as a part of the DOT secondary system.

- ii. If the bridge is included in the TIA as a definitive part of the transportation network, there should be a timeline in the proffers when the construction permits will be filed and if they are not approved, then a timeframe that the NO BUILD scenario has to be submitted. I would suggest that the timeline should be connected to building permits. IE: Bridge permits are obtained by 50% build out, or construction stops until the NO BUILD scenarios are reviewed and approved. Response: The timelines for approvals and permitting are beyond our control. Additionally, please see response to Proffer Statement comment 2. Transportation Section, under Planning and Zoning (Richard Rudnicki).

- iii. I don't believe the idea of "private vehicular bridge" maintained by the HOA should be considered a feasible solution.

- a. The average HOA struggles to maintain a stormwater pond. Some homeowner groups can't even keep their roads graded or plowed on a regular basis. I don't believe it's reasonable to put the maintenance of major, multi-million-dollar infrastructure at a critical network point on a private HOA. Response: Private communities bear the burden for these types of maintenance costs/responsibilities all the time. This is not an unusual circumstance and when financially established/structured appropriately, it can be a financially sustainable situation.
- b. It is also a logistical nightmare from a maintenance perspective. How will it be plowed in the winter? VDOT plows to the headwalls on either side and leaves it piled

up until the HOA hires someone to plow the middle?
Will there be maintenance turnarounds at either end
for road paving operations and school buses?

Response: This is an age-restricted community. Based on the limitations imposed by this designation (as noted in the proffers) there will be no children residing in the community under the age of 19 other than for a short visit. Therefore, it is unlikely that school buses will use this roadway or connection as part of its bus route. Standard maintenance turnarounds are proposed in the vicinity of each approach to this bridge. Also, historically neither the County nor VDOT routinely plow snow from secondary streets. Plowing the streets and this bridge is a cost that, out of necessity, is borne by the HOA.

- c. Who will do the regular structural inspections? Who will repair or replace it when it starts failing (Like Orbit, Stalling Creek, Longview)? The HOA? It will not be eligible for maintenance, state of good repair, or critical infrastructure funds because it's private. Response: Comment noted. If a private bridge is built, the HOA will handle this as it does for other facilities within the community that will be resident owned. This will be done through reserve and replacement studies and regular inspections by qualified, licensed engineers. Appropriate reserves would be provided for in the normal course of business HOA's operations.
- d. The bridge should be built to public standards and accepted into the public system like the rest of the road, or it should not be built. The idea of the only actual thru-road in the development being private for 200' in the middle is....poorly considered. Response for c and d: There have been discussions with VDOT officials where it was openly stated that they did not wish to have this bridge in their system and that if we built it according to approved VDOT plans, they still may not accept the bridge. If, unfortunately, we are unable to come to terms with VDOT as to a bridge design and structure, we will go the private bridge route. There are several exceptionally qualified contractors with experience in the construction of bridges. Our intent is to become well-versed with the construction and maintenance requirements of such private bridge structures as well as how we should establish the necessary financial reserves for the repair and eventual replacement of the bridge and/or other community-owned facilities. Reaching the conclusion that a privately owned and maintained bridge is the most

realistic solution has not been a decision we have taken lightly. We are opposed to the suggestion that our research and direction is "poorly considered." We object to that wording and suggest that most people would agree with the private bridge scenario as a practicable option should the VDOT alternative be unworkable or unfeasible. As noted previously, private communities shoulder the burden of such maintenance costs/responsibilities all the time.

3. Pg 11, #7, Channel Way realignment is included on the Access Management Plan, but not addressed in TIA, the Community Impact Statement, or the proffers.
 - Comment acknowledged. The plan for this realignment will be a part of the construction plan design and not a part of the TIA.
4. Pg 18, #6&7, There is no reference to the County's Bike and Ped plan anywhere in the project documents. The Open Space and Pedestrian Plan does not acknowledge the Route 17 multi-use path.
 - The multi-use path on Route 17 would be required on the Tract 11 frontage. The portion of Tract 11 fronting Route 17 is not a part of this application.
5. Regarding the Proffer on Northgate Drive (Proffers pg 3), I'm fine with #1 if the construction is actually completed prior to construction on Nike Park Extended or within 18 months from the completion of Nike Park Extended. I don't think we want working on Route 17 at the same time, immediately adjacent to our construction. Even if they get it installed in the 2-3 years before we start, it will overlap with Bartlett construction and the corridor will be a mess. I would suggest that #2 be removed. It has no completion date or projected adoption date. If anything, the Corridor Plan would remove the median break in total, not leave it open as it is. Unless they'd like to run their numbers again with the median completely closed, they should just stick with installing what they've identified.
 - During our August 19, 2019 meeting, VDOT reacted positively to our proposed approach. We will address the mechanism for this implementation in the proffers.

Isle of Wight Public Utilities (Philip T. Jones)

Sewer Comment

1. The proposed submersible public Pump Station proposed to connect to the proposed Crossings force main does not meet the intent of the current Crossings proffers and approved by the Board of Supervisors. Those proffers require a regional Pump Station be constructed to serve the Lippe Tract. A cooperative agreement with the Crossings developer to adjust the location and/or design of the regional station or the provision of sewer to serve Lippe lots that fall outside of the approved regional Pump Station area will be required. Utility Division staff will be available to facilitate coordination between the Developers if desired.
 - Based on our meeting on July 23, 2019 with County Staff (Administrator, Attorney, Planning and Utilities) and the developer and engineer for the Crossings, this item

will be resolved by the County and Crossings developer through proffer amendment which will be advanced through the Planning Commission and Board of Supervisors in their meetings. Our project will continue to move forward based on the decisions made at this meeting.

County Environmental (Kim Hummel – Environmental Planner)

1. As Environmental Planner, I still have concerns that the Resource Protection Area (RPA) still is not receiving adequate protection from encroachments created by this major development proposal. Although the applicants have offered to place the RPA buffer area into conservation easements – with accommodations for necessary encroachments for connecting pathways and stormwater discharges – the applicants also have indicated they need to include some lot lines in RPA areas to provide adequate building footprints for homes. This implies that lots will need to be adjusted to accommodate the buildings rather than the buildings being designed to fit the lots. The local Chesapeake Bay Preservation Area Ordinance (CBPAO) is clear that the RPA buffer must be respected and that encroachments are only allowed in limited circumstances. In the event of encroachment into the buffer by a building, the only resolution under existing ordinance is through a major exception process. An exception should not be necessary for any new lot designed under the restrictions of the CBPAO. The restrictions are there, and the design phase for the lots need to take those limitations into account on the front end rather than creating undersized lots that must be adjusted on the back end to accommodate the new building footprint.
 - Comment acknowledged. Please see Planning and Zoning (Richard Rudnicki) response #5.

Emergency Services (Jeffrey T. Terwilliger – Department of Emergency Services)

1. After review, it appears that the applicant has calculated projected Fire-EMS call impact incorrectly using households instead of per person.
 - Comment acknowledged and these changes have been made in the TIA and CIS documents.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Aaron Millikin', with a stylized flourish at the end.

Aaron Millikin
Sr. VP, East West Partners