

**Re: Pitt-Lippe****Richard Rudnicki**

Fri 10/4/2019 3:58 PM

To: 'Branch Lawson' &lt;blawson@eastwestr.com&gt;; aaronm@eastwestr.com &lt;aaronm@eastwestr.com&gt;

Cc: Amy Ring &lt;aring@isleofwightus.net&gt;; Edward (Ted) Miller (ted.miller@kimley-horn.com) &lt;ted.miller@kimley-horn.com&gt;; Bobby Jones &lt;bjones@isleofwightus.net&gt;

 1 attachments (160 KB)

VDOT Comments.pdf;

Branch and Aaron,

Just received VDOT's comments which are attached for your reference. After reviewing I believe items 2 and 3 should be incorporated as noted by VDOT, item 4 echos a concern from my earlier comments.

Item 2 - The intersection needs to be restricted when constructed not tied to an unknown project.

Item 3 - The intersection needs to reflect what was in the study and modeled.

These changes should be reflected in the proffer statement and the transportation improvements exhibit.

Richard Rudnicki, AICP

Assistant Director of Planning &amp; Zoning - Isle of Wight County

757-365-6276

rrudnicki@iwus.net



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**From:** Richard Rudnicki**Sent:** Friday, October 4, 2019 11:44 AM**To:** 'Branch Lawson' <blawson@eastwestr.com>; aaronm@eastwestr.com <aaronm@eastwestr.com>**Cc:** Amy Ring <aring@isleofwightus.net>; Edward (Ted) Miller (ted.miller@kimley-horn.com) <ted.miller@kimley-horn.com>; Bobby Jones <bjones@isleofwightus.net>**Subject:** Pitt-Lippe

Branch and Aaron,

First just wanted to let you know that we will be advertising the Pitt Lippe Rezoning for the October 22nd PC meeting. Your notice signs are available for pickup in Central Permitting, they will need to be posted by Friday October 11th.

Second I have a few comments pertaining to the Proffer Statement language, hoping you will be in agreement and can make the changes and provide to me by Friday October 11th in order to meet the ZO requirements. If not we will have to note these as items of concern in the staff report.

1. Under "Development of the Property" item 2, our ordinances require the road be built to VDOT standards, that would include the bridge whether public or private. The last sentence seems to be

- trying to circumvent that in some way. Better phrasing would be "If the proposed bridge is to be built as a private structure, it shall be built in accordance with all applicable County ordinances."
2. Under "Development of the Property" item 5, I know we have gone back and forth on this one a bit. We think the language you had in the previous version better provides the restrictions needed. We have concerns that it is to open and if the state code were to change it would also change. The restrictions on school aged children should be in the proffer statement if they aren't going to be accounted for in all the other studies.
  3. Under "Land Use" item 1 can you please add "as conditioned herein." to the end of the sentence. This will reflect that the zoning isn't straight PD-MX its Conditional PD-MX.
  4. Under "Transportation" can you please note which phase of development each transportation improvement will be constructed with. We want to try and avoid a situation like at Benn's Grant where you had to provide a TIA addendum and outline when improvements were required. If you tie them to phases now that won't be an issue.
  5. Under "Transportation" item 2, the proffer as written is extremely limiting to the County and doesn't even apply to the entire area impacted by the development.
    - a. First it specifies the grant would be administered by VDOT, however the County generally administers projects under \$5M so as written it eliminates a large variety of projects.
    - b. Second because it specifies between Eagle Harbor Parkway and Nike Park Road Ext. we couldn't use it to make an improvement at Bartlett or Channel Way even though that area is directly impacted by the development.
    - c. Third since this is within the proffer statement the funds would have to be spent within the normal proffer time frame, getting a project into the LRTP in order to apply for grants and then actually receiving one could easily take longer than that.
    - d. Lastly you haven't identified when, or through what mechanisms this funding would be contributed, is it a flat fee up front, a flat fee at a certain number of units, a flat fee at the end, X dollars per unit through the entire process, etc?
    - e. This could be better written so that it says X amount will be contributed to the County, at a specific time or in a specific way, to be used as matching funds by the county for any improvements on the Rt. 17 corridor, the use of this contribution shall not be tied to standard proffer requirements due to the complexities of the transportation funding process. If you want to specify an area it should extend at least to Channel Way.
  6. Under "Transportation" item 3, there is no timeline for when the bridge permitting needs to occur, as written it could be dragged out until completion of the development at which point the County would have no permitting to withhold. It seems appropriate to tie it to phase 3, example language would be, "If the necessary permits to construct the vehicular bridge are not obtained by the developer by final plat approval of phase 3 of the development, the developer..."
  7. Under "Property Owners' Association and Restrictive Covenants" item 1 should note the enforcement of age restriction in the list of association responsibility. Example language would be "The Declaration shall provide for the conveyance of all of the common areas, open spaces, green areas, recreation areas and facilities, ~~and~~ the stormwater management system, and enforcement responsibility of the age restriction provisions of the subject property to the Association"

Let me know if you have any questions and if you believe these changes are reasonable and can be completed by the 11th.

Thank you,

Richard Rudnicki, AICP  
 Assistant Director of Planning & Zoning - Isle of Wight County  
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## *COMMONWEALTH of VIRGINIA*

### DEPARTMENT OF TRANSPORTATION

23116 Meherin Road  
COURTLAND, VIRGINIA 23837

October 4, 2019

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

**RE: ZA-02-19 East West Partners, Pitt & Lippe Tract Conditional Rezoning  
Carrollton Boulevard (Rte. 17)  
Isle of Wight County**

The Residency has completed its review of the submitted Conditional Rezoning application dated September 4, 2019 and received by the VDOT Land Development Office on September 19, 2019 for the Pitt & Lippe Tracts off of Route 17. We have the following comments:

- 1) The signal timings used in the study do not represent the current timings in the field. Appendix G, which utilizes the existing 200 second cycle length, is shown for comparison.
- 2) The proposed Westbound Northgate drive access shown on the Pitt & Lippe Proposed Roadway and Intersection Improvement Plan, dated 9/10/19, indicates a full access entrance. The traffic study restricted it to right & lefts in, right-out only. The proposed Westbound Northgate Drive proffer then states the egress will be restriped as a right out only when Transportation proffer Item 2 is being constructed. We recommend that the egress be restricted to right out only at construction, in accordance with the traffic study, which will render the proffer unnecessary.
- 3) On Pages 45 and 46 of the TIA, it is stated that Eastbound Northgate Drive will have the shared left/through lane removed and an exclusive right-turn lane. This is the scenario the traffic analysis is run with. However, the study recommendations make no mention of this change, instead indicating no changes to the intersection. The Pitt & Lippe Proposed Roadway and Intersection Improvement Plan, dated 9/10/19, also shows full access.
- 4) Transportation proffer #3 requires a new traffic study if the vehicle bridge is not constructed, but does not provide a firm timeframe or set development milestone at which time the bridge should be permitted or the "No-Build Scenario" TIA should be submitted.

If you have any questions, please contact me at (757) 346-3084 or [Jason.Fowler@vdot.virginia.gov](mailto:Jason.Fowler@vdot.virginia.gov).

Sincerely,

Jason Fowler, P.E.  
Area Land Use Engineer  
Virginia Department of Transportation  
Franklin Residency