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**AGENDA**  
**CLOSED SESSION AND REGULAR MEETING**  
**FREDERICK COUNTY BOARD OF SUPERVISORS**  
**WEDNESDAY, APRIL 27, 2016**  
**6:00 P.M., 7:00 P.M.**  
**BOARD ROOM, COUNTY ADMINISTRATION BUILDING**  
**107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

**6:00 P.M. – Closed Session:**

Closed Session Pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as Amended, for Discussion or Consideration of the Acquisition of Real Property for a Public Purpose, and of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Board.

Closed Session Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended, for Consultation with Legal Counsel and Briefing by Staff Members Pertaining to Probable Litigation, Where Such Consultation or Briefing in an Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body, and for Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel.

**7:00 P.M. – Regular Meeting - Call To Order**

**Invocation**

**Pledge of Allegiance**

**Adoption of Agenda:**

Pursuant to established procedures, the Board should adopt the Agenda for the meeting.

**Consent Agenda:**

(Tentative Agenda Items for Consent are Tabs: A, D and K)

**Citizen Comments (Agenda Items Only, That Are Not Subject to Public Hearing.)**

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**Board of Supervisors Comments**

**Minutes: (See Attached)----- A**

1. Budget Work Session of April 5, 2016.
2. Regular Meeting of April 13, 2016.

**County Officials:**

1. Committee Appointments. **(See Attached)----- B**
2. Request from Commissioner of the Revenue for Refund. **(See Attached) -- C**

**Committee Reports:**

1. Parks and Recreation Commission. **(See Attached)----- D**
2. Finance Committee. **(See Attached)----- E**

**Public Hearing:**

1. Outdoor Festival Permit Request of Charles Harbaugh IV/Cedar Creek Battlefield Foundation – Battle of Meadow Mills. Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee; for an Outdoor Festival Permit. Festival to be Held on Saturday, June 4, 2016, from 10:00 A.M. – 6:00 P.M., and Sunday, June 5, 2016, from 10:00 A.M. - 3:00 P.M., to be Held on the Grounds of Cedar Creek Battlefield, 8437 Valley Pike, Middletown, Virginia, 22645, Property Owned by Cedar Creek Battlefield Foundation. **(See Attached)----- F**
2. Outdoor Festival Permit Request of Michael S. Collins – Renegade Dance and Arts Campout. Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee; for an Outdoor Festival Permit. Festival to be Held on Friday, June 3, 2016, from 4:00 P.M. thru 12:00 Noon, Sunday, June 5, 2016; on the Grounds of the Cove Campground, 980 Cove Road, Gore, Virginia. Property Owned by Alexander W. K. McDowell and McDowell Family, LLC. **(See Attached)----- G**

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**Planning Commission Business:**

**Public Hearing:**

1. Rezoning #02-16 for I-81 West Business Park Submitted by GreyWolfe, Inc., to Rezone 36.676 Acres from the RA (Rural Areas) District to the B-2 (Business General) District, 45.453 Acres from the RA (Rural Areas) District to the B-3 (Industrial Transition) District and 73.360 Acres from the RA (Rural Areas) District to the M-1 (Light Industrial) District, with Proffers. The Properties are Located on the West Side of Interstate 81 Between Cedar Hill Road (Rt. 671) and Hopewell Road (Rt. 672), and are Identified by Property Identification Numbers 33-A-113, 33-A-124, and 33-A-114B in the Stonewall Magisterial District. **(See Attached)** ----- H

**Other Planning Items:**

1. Discussion – Ordinance Amendment - Flea Markets as Conditional Use in B2/B3 Districts. **(See Attached)** ----- I
2. Discussion – Ordinance Amendment - Dedication of Public Utilities on Rural Preservation Lots. **(See Attached)** ----- J
3. Road Resolution – Twin Lakes Overlook, Phase 9. **(See Attached)** ----- K

**Board Liaison Reports (If Any)**

**Citizen Comments**

**Board of Supervisors Comments**

**Adjourn**

# CONSENT AGENDA

A



**FREDERICK COUNTY BOARD OF  
SUPERVISORS' MINUTES**

**BUDGET WORK SESSION**

**APRIL 5, 2016**

A Budget Work Session of the Frederick County Board of Supervisors and Finance Committee was held on Tuesday, April 5, 2016 at 6:00 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

**PRESENT**

Chairman Charles S. DeHaven, Jr.; Vice-Chairman Gene E. Fisher; Blaine P. Dunn; Robert A. Hess; Gary A. Lofton; Judith McCann-Slaughter; and Robert W. Wells

**OTHERS PRESENT**

Finance Committee member Bill M. Ewing; County Administrator Brenda G. Garton, Assistant County Administrator Kris C. Tierney, Deputy County Administrator Jay E. Tibbs, Commissioner of the Revenue Ellen Murphy, Treasurer C. William Orndoff, Jr., Finance Director Cheryl B. Shiffler, Assistant Finance Director Sharon Kibler, Budget Analyst Jennifer Place, County Attorney Rod Williams, HR Director Becky Merriner, Superintendent of Schools Dr. David Sovine, School Board Members Dr. John Lamanna, Mike Lake, and Frank Wright, Assistant Superintendent for Instruction Jim Angelo, and Executive Director of Finance for Frederick County Public Schools Lisa Frye.

**CALL TO ORDER**

Chairman DeHaven called the work session to order.

Administrator Garton stated the purpose of the work session was to try to “zero in” on a tax rate and a fund balance amount, if any. She went on to say this would enable the budget to be adopted at the Board’s April 13, 2016 meeting.

Supervisor Wells stated he had no problem with the budget expenditures as presented and the proposed \$0.08 tax rate.

Supervisor Hess echoed Supervisor Wells' thoughts. He went on to say the discussions have not centered on the expenditure side, but rather the revenues.

In response to some questions raised at the last work session, Supervisor Fisher provided an update on the landfill and the proposed tipping fee increase. He also provided an overview of the landfill's \$33 million cash reserve.

Treasurer Orndoff asked to see a copy of the numbers and stated that he would like to move this discussion to a Finance Committee meeting.

Chairman DeHaven stated that could be accommodated.

Supervisor Dunn stated he could not support the \$0.08 increase, but he wanted to support enough of an increase to enable the School Board to get the funds from the State. He went on to say that he was looking at a lower tax rate increase, possibly a \$0.03 to \$0.035 range. He stated that he would like to have discussions next year on the 57%-43% historic split between the schools and the county.

Supervisor Lofton stated he did not like taking money out of fund balance; however, Social Security recipients have not seen an increase and a number of residents have not seen their investments grow; therefore, he was not comfortable going cold turkey this year. He supported using a small amount of fund balance this year. He noted he was in the \$0.04-\$0.05 maximum for a tax increase with approximately \$1-\$2 million in fund balance.

Supervisor Slaughter expressed her appreciation for staff's work to reduce the budget requests. She noted this budget focused on public safety and Frederick County Public Schools with the addition of firefighters, deputies, and increased funding for schools. She suggested a reduction in the proposed amount for the contingency fund and not fund it with a tax increase. She went on to say that she could not support the proposed \$0.08 tax increase. She suggested a

\$0.04 tax increase using \$2 million from fund balance. She noted this would provide more money to Frederick County Public Schools. She stated it appeared sales tax revenues were trending favorably.

Supervisor Ewing stated a proposed \$0.08 tax increase for raises was not good practice. He agreed with the \$0.04 tax rate with \$2 million from fund balance proposal outlined by Supervisor Slaughter.

Supervisor Fisher stated he liked that proposal as well.

Supervisor Dunn stated he was uncomfortable with a \$0.04 or 7% tax increase and he would have a hard time approving it.

The majority consensus was to move forward with a \$0.04 tax increase with \$2 million from fund balance.

Supervisor Slaughter stated the Board had made strides this year to break away from the use of fund balance, but some amount of fund balance needed to be used in order to bridge the gap.

Supervisor Hess stated that all of the board members shared the same goals and recognized the proposed expenditures were needed. He stated there were differences in how to fund the budget.

Supervisor Wells stated that he thought the Board got to a point where they needed to be.

Chairman DeHaven stated he was pleased with the budget process and with how everyone has worked and the Board ended up in a responsible place.

**UPON A MOTION BY VICE-CHAIRMAN FISHER, SECONDED BY SUPERVISOR LOFTON, THERE BEING NO FURTHER BUSINESS TO COME**

**BEFORE THIS BOARD, THIS WORK SESSION IS HEREBY ADJOURNED. (6:48  
P.M.)**

**FREDERICK COUNTY BOARD OF  
SUPERVISORS' MINUTES**

**REGULAR MEETING**

**APRIL 13, 2016**

A regular meeting of the Frederick County Board of Supervisors was held on Wednesday, April 13, 2016 at 7:00 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

**PRESENT**

Chairman Charles S. DeHaven, Jr.; Gene E. Fisher; Blaine P. Dunn; Robert A. Hess; Gary A. Lofton; Judith McCann-Slaughter; and Robert W. Wells.

**CALL TO ORDER**

Chairman DeHaven called the meeting to order.

**INVOCATION**

Vice-Chairman Fisher delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Vice-Chairman Fisher led the Pledge of Allegiance.

**ADOPTION OF AGENDA- APPROVED**

County Administrator Brenda Garton suggested removing Tab E from the consent agenda because some board members wish to discuss that item.

Upon a motion by Supervisor Hess, seconded by Supervisor Slaughter, the Board approved the agenda by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**CONSENT AGENDA - APPROVED**

Upon a motion by Supervisor Hess, seconded by Supervisor Slaughter, the Board

approved the following items under the consent agenda:

- Minutes – Closed Session and Regular Meeting of March 23, 2016 and Budget Work Session of March 31, 2016 – **Tab A**; and
- Transportation Committee Report – **Tab F**.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

### **CITIZEN COMMENTS**

**Dr. David Sovine**, Superintendent of Frederick County Public Schools, expressed his appreciation and the School Board's appreciation for the work on the budget and the allocation of \$4.3 million in additional money. He noted that even with the additional funding the school board would still have to cut needed staffing and equipment in order to accept the state's money to enable a 2% salary increase. He went on to say the needs would not go away because they were not funded. He stated that next year the schools would be facing an increase in the Virginia Retirement System and increased debt service associated with the replacement Frederick County Middle School. These two items total approximately \$4 million. He hoped the Board of Supervisors and School Board could engage in a dialogue to discuss the school's needs. He concluded by thanking the Board for their support of the school system.

**Jay L. Marts**, Gainesboro District, read the following statement:

*"I ask you to vote **NO** on this tax increase and government expansion.*

*The budget increases over 5%, property taxes increase over 7%, occupancy tax goes up and the government employees receive a pay raise. This salary increase will put over \$1500 into the pockets of the average public servant and your will also cover the approximate 7% increase in*



*their health insurance.*

*There is an appropriate time to give incentives to government employees, such as when the economy is strong and the private sector is thriving. This is not the case today.*

*This is a clear case of wealth re-distribution, some might say **THEFT**.*

*I previously reviewed the fifty-eight (58) County Department budget code line items & discovered that you were only able to find savings in one. A whopping **\$1400** in litter control. So out of **2,850** government employees, this doesn't even cover the increased funding for one of them. **NOT ONE**.*

*I do not feel there was a serious effort to find any offsets in the budget to pay for these government pay raises. Your only solution is to **RAISE TAXES**.*

*Today is Thomas Jefferson's birthday and I would remind you that "Back in the Day"... Our founders instituted this government to secure **our rights**. Property high among them. Additionally an important principle was that the **power of the government** must be derived from the **consent** of the people.*

***We (the people) must consent!!!** I do not believe you have our **consent** for the tax increase & government expansion. Here are **100+** registered voters and taxpayers from the Gainesboro District who say **NO** to this tax increase.*

*Thank you for allowing me to address the Board."*

#### **BOARD OF SUPERVISORS COMMENTS**

There were no Board of Supervisors' comments.

#### **MINUTES – APPROVED UNDER CONSENT AGENDA**

The minutes from the March 23, 2016 closed session and regular meeting and the March 31, 2016 budget work session were approved under the consent agenda.

#### **COUNTY OFFICIALS**

#### **COMMITTEE APPOINTMENTS**

#### **APPOINTMENT OF LINDA GIBSON AS FREDERICK COUNTY REPRESENTATIVE TO PEOPLE, INC. - APPROVED**

Upon a motion by Supervisor Lofton, seconded by Supervisor Hess, the Board appointed Linda Gibson as Frederick County's representative to People, Inc. by the following recorded

vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**ADOPTION OF FISCAL YEAR 2016-2017 BUDGET, FISCAL YEAR 2016-17  
APPROPRIATIONS AND SETTING OF 2016 TAX RATES - APPROVED**

Upon a motion by Supervisor Slaughter, seconded by Supervisor Lofton, the Board adopted the Fiscal Year 2016-2017 Budget, Fiscal Year 2016-2017 Appropriations, and set the 2016 tax rates.

**WHEREAS** a notice of public hearing and budget synopsis has been published and a public hearing held on March 23, 2016, in accordance with Title 15.2, Chapter 25, Section 15.2-2506, of the Code of Virginia, 1950 as amended.

**THEREFORE BE IT RESOLVED** by the Board of Supervisors of the County of Frederick, Virginia, that the budget for the 2016-2017 Fiscal Year as advertised in The Winchester Star on March 14, 2016, be hereby approved in the amount of \$389,179,525.

**BE IT FURTHER RESOLVED** that the County of Frederick budget for the 2016-2017 fiscal year be adopted and the funds appropriated as follows:

General Operating Fund	\$163,306,583
Regional Jail Fund	21,161,388
Landfill Fund	7,035,435
Division of Court Services Fund	704,994
Shawneeland Sanitary District Fund	942,848
Airport Operating Fund	1,802,568
Lake Holiday Sanitary District Fund	779,998
EMS Revenue Recovery Fund	1,802,974
Economic Development Authority Fund	577,495
School Operating Fund	153,211,000
School Debt Service Fund	16,446,289
School Capital Projects Fund	3,000,000
School Nutrition Services Fund	6,669,757
School Textbook Fund	2,666,452
NREP Operating Fund	5,346,744
NREP Textbook Fund	50,000

Consolidated Services/Maintenance Fund	3,600,000
School Private Purpose Funds	75,000

**BE IT FURTHER RESOLVED** that the Board of Supervisors of the County of Frederick, Virginia, does herein adopt the tax rates for the 2016 assessment year as follows:

Property Taxes – Rates per \$100 of assessed value

\$0.60	Applied to real estate, including mobile homes
\$4.86	Applied to personal property including business equipment
\$2.25	Applied to personal property on one vehicle to volunteer firefighters that are approved and registered with the Frederick County Fire and Rescue Department
\$0.01	Applied to airplanes
Zero tax	Applied to antique vehicles and mopeds
\$2.00	On declining values to be applied to machinery and tools. The declining values are 60% for year one, 50% for year two, 40% for year three, and 30% for year four and all subsequent years.
\$2.00	On apportioned percentage of book values to be applied to Contract Classified Vehicles and equipment

Business and Professional Occupational License Rates

Contractors	\$0.16 per \$100 of gross receipts
Retail	\$0.20 per \$100 of gross receipts
Financial, Real Estate, and Professional Services	\$0.58 per \$100 of gross receipts

Repair, personal and business services and all other businesses and occupations not specifically listed or exempted in the County Code \$0.36 per \$100 of gross receipts

Wholesale \$0.05 per \$100 of purchases  
The tax rates for other businesses and occupations specifically listed in the County Code are also unchanged.

Other General Taxes

Meals tax	4% of gross receipts
Transient Occupancy tax	2.5% of gross receipts

Vehicle License Taxes

\$25 per vehicle and \$10 per motorcycle

Sanitary Landfill Fees

\$47	Per ton for commercial/industrial
\$42	Per ton for construction demolition debris
\$18	Per ton for municipal waste
\$36	Per ton for municipal sludge
\$12	Per ton for Miscellaneous Rubble Debris

Shawneeland Sanitary District Taxes

\$190	Unimproved Lots
\$560	Improved Lots

Lake Holiday Sanitary District Taxes

\$678	Buildable Lots
\$264	Unbuildable Lots
Lots owned by Lake Holiday Country Club, Inc.	
\$0	Buildable Lots and Unbuildable Lots

Star Fort Subdivision Taxes/Fees

\$60 Per Lot

Street Light Fees

Oakdale Crossing and Fredericktowne \$60 annually

Green Acres \$25 annually

**BE IT FURTHER RESOLVED** that appropriations are hereby authorized for the central stores fund, special welfare fund, comprehensive services fund, county health insurance fund, school health insurance fund, length of service fund, special grant awards fund, employee benefits fund, maintenance insurance fund, development project fund, sales tax fund, commonwealth sales tax fund, unemployment compensation fund, Forfeited Assets Program, and Four-For-Life and Fire Programs equal to the total cash balance on hand at July 1, 2016, plus the total amount of receipts for the fiscal year 2016-2017. The Fire Company Capital appropriation will include the current year appropriation plus any unused funds at the end of the fiscal year 2016.

**BE IT FURTHER RESOLVED** that funding for all outstanding encumbrances at June 30, 2016, are re-appropriated to the 2016-2017 fiscal year to the same department and account for which they are encumbered in the 2015-2016 fiscal year.

**BE IT FURTHER RESOLVED** that the construction fund projects are appropriated as a carryforward in the amount that equals the approved original project cost, less expenditures and encumbrances through June 30, 2016.

Supervisor Dunn acknowledged the hard work on the proposed budget; however, the proposal does not address debt. He stated he would like to see a five year budget . He noted the

debt issue was a deterrent to him.

Supervisor Slaughter moved to amend her motion and set aside \$1 million from the contingency fund to be used to pay off existing debt or reduce future borrowing.

The motion was seconded by Vice-Chairman Fisher

Supervisor Dunn moved to amend the motion to decrease the current tax rate from \$0.60 to \$0.585.

The motion died for lack of a second.

Supervisor Hess stated that he believed the current expenses should be met out of current revenues. He went on to say steps should be taken to increase fund balance in order to decrease the need to borrow.

Supervisor Slaughter's motion to amend was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Nay

The amended motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Nay
Gene E. Fisher	Aye
Robert A. Hess	Nay
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Nay

**RESOLUTION OF THE BOARD OF SUPERVISORS OF FREDERICK  
COUNTY, VIRGINIA CONSENTING TO THE ISSUANCE OF REVENUE  
OBLIGATIONS BY THE NORTHWESTERN REGIONAL JAIL AUTHORITY  
PURSUANT TO THE SECOND AMENDED AND RESTATED REGIONAL JAIL  
AGREEMENT AND OTHER MATTERS IN CONNECTION THEREWITH -  
APPROVED**

Upon a motion by Supervisor Hess, seconded by Supervisor Wells, the Board approved the Resolution of the Board of Supervisors of Frederick County, Virginia Consenting to the Issuance of Revenue Obligations by the Northwestern Regional Jail Authority Pursuant to the Second Amended and Restated Regional Jail Agreement and Other Matters in Connection Therewith.

**WHEREAS**, the Counties of Clarke, Fauquier and Frederick, Virginia, and the City of Winchester, Virginia (collectively, the "Participating Jurisdictions"), have created the Northwestern Regional Jail Authority (the "Authority") pursuant to Chapter 3, Article 3.1 of Title 53.1 (the "Act") of the Code of Virginia, 1950, as amended (the "Code"), for purposes of owning and operating the Northwestern Regional Adult Detention Center (the "Regional Jail");

**WHEREAS**, the Participating Jurisdictions and the Authority have entered into a Second Amended and Restated Regional Jail Agreement dated as of June 1, 2005 (the "Jail Agreement"), providing for the ownership, operation and financing of the Regional Jail;

**WHEREAS**, the Authority proposes to undertake certain capital improvements to the security system at the Regional Jail (the "Project");

**WHEREAS**, to finance the Project, the Authority proposes to issue an additional series of Obligations (as defined in the Jail Agreement) (the "2016 Obligations") payable from and secured by amounts derived from the below-described Participating Jurisdiction Obligations in accordance with the terms of the Act and the Jail Agreement;

**WHEREAS**, pursuant to Sections 4 and 6.F. of the Jail Agreement, the Participating Jurisdictions have each agreed to pay to the Authority amounts sufficient to pay when due its respective share of the principal of and interest on the Obligations, including the 2016 Obligations, based upon the "Allocation Formula" set forth in Section 4.A. of the Jail Agreement as such Allocation Formula may be adjusted pursuant to Section 6.F. in the event the Authority lacks sufficient funds to pay scheduled debt service on the Obligations or certain other costs (the "Participating Jurisdiction Obligations");

**WHEREAS**, the Authority has determined it is in the best interest of the Authority to sell the 2016 Obligations to the Virginia Resources Authority ("VRA"); and

**WHEREAS**, the Authority has requested the consent of the Participating Jurisdictions to the issuance of the 2016 Obligations as provided in Section 3 of the Jail Agreement and VRA has required the Participating Jurisdictions to enter into certain agreements and to acknowledge certain matters as conditions to VRA's purchase of the 2016 Obligations;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS (THE "BOARD") OF FREDERICK COUNTY, VIRGINIA (THE "COUNTY"):**

1. The Board approves and consents to the undertaking of the Project, the issuance of the 2016 Obligations by the Authority in a principal amount not to exceed \$2,795,000 in accordance with Section 3 of the Jail Agreement, the use of the proceeds of the 2016 Obligations to finance the Project and the costs of issuance related to the 2016 Obligations and the sale of the 2016 Obligations to VRA.

2. The Board (i) acknowledges that the 2016 Obligations will be payable from and secured by amounts derived pursuant to the Participating Jurisdiction Obligations, (ii) acknowledges that VRA would not purchase the 2016 Obligations without the security and credit enhancement provided by the Participating Jurisdiction Obligations, (iii) acknowledges that both the 2016 Obligations and the Participating Jurisdiction Obligations are "local obligations" within the meaning of Section 62.1-199 of the Code, (iv) agrees that VRA is a third party beneficiary of the Jail Agreement, and (v) agrees that the Jail Agreement may not be modified or amended without VRA's prior written consent.

3. For purposes of Section 265(b)(3)(C)(iii) of the Internal Revenue Code of 1986, as amended, the County irrevocably agrees that the amount of the 2016 Obligations shall be allocated to each Participating Jurisdiction in the same proportion that each Participating Jurisdiction has been allocated payment responsibilities under the "Allocation Formula," determined for Fiscal year ending June 30, 2016, under the Jail Agreement with respect to the 2016 Obligations.

4. The County Administrator is hereby authorized and directed to execute and deliver such other documents as are necessary to enable the Authority to finance the costs of the Project, including, but not limited to, any agreements or certificates requested by VRA. Any other County official so designated by the County Administrator is hereby similarly authorized and directed to execute and deliver such other documents.

5. All other acts of the officers of the County, heretofore or hereafter taken, that are in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the 2016 Obligations by the Authority and the undertaking of the Project, are hereby approved, ratified and confirmed.

6. Nothing in this Resolution or in the Jail Agreement is or shall be deemed to be a lending of the credit of the County or other Participating Jurisdictions to the Authority or to any holder of any of the 2016 Obligations or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County or the other Participating Jurisdictions within the meaning of the Constitution of Virginia.

7. This Resolution shall take effect immediately.

Adopted: April 13, 2016

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Nay

Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**MEMORANDUM RE: REQUEST TO SET SCHEDULE FOR BOARD MEETINGS DURING SUMMER MONTHS AND FOR NOVEMBER AND DECEMBER 2016. - APPROVED**

Upon a motion by Supervisor Hess, seconded by Supervisor Dunn, the Board canceled the June 8, 2016, July 13, 2016, August 24, 2016, November 23, 2016, and December 28, 2016 meetings.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**COMMITTEE REPORTS**

**TRANSPORTATION COMMITTEE – APPROVED UNDER CONSENT AGENDA**

The Transportation Committee met on April 4, 2016 at 8:30 a.m.

**Members Present**

Gary Lofton (voting)  
Barry Schnoor (voting)  
Judith McCann-Slaughter (voting)  
Gene Fisher (voting)  
James Racey (voting)  
Lewis Boyer (liaison Stephens City)

**Members Absent**

Mark Davis (liaison Middletown)  
Gary Oates (liaison PC)

\*Kevin Kenney attended in place of Gary Oates for Planning Commission

\*Captain John Heflin attended on behalf of the Frederick County Sheriff's office (non-voting)

**\*\*\*Items Requiring Action\*\*\***

**None**



**\*\*\*Items Not Requiring Action\*\*\***

**1. Comprehensive Plan Transportation Section Update**

Tabled until next meeting.

**2. House Bill 2 Application Process**

Staff noted that they have conducted a number of meetings with VDOT and others as they work to prepare for the fall HB2 application cycle. What follows is a preliminary list of potential applications for the committee's consideration. Projects are not listed in priority order.

1. Route 37 from Exit 310 to Route 522
  - a. Smaller version of this application that looks at Route 37 from Exit 310 to future Warrior Drive and Warrior Drive from that location to its existing terminus is being discussed as well.
2. Route 277 from Exit 307 to Double Church Road with realignment of Aylor Road.
  - a. Staff is also looking into a smaller version of this project that looks at Exit 307 to Stickley Drive and also includes the realignment of Aylor Road.
3. Route 11 South improvements in the vicinity of Shawnee Drive and Opequon Church Lane.
4. Realignment of Redbud Road to Snowden Bridge Blvd and concurrent realignment of the I-81 NB Ramp to the current location of Redbud Road.
5. Exit 313 improvements.

In addition, staff noted that since the time of the agenda going out that they had their first safety meeting with the Sheriff's office and VDOT. This is a new and ongoing exercise that staff has worked to put together in order to bring more safety related projects for consideration from those that most directly deal with those issues. Many items came out of that meeting, but specific to developing a HB2 application list the intersections of Warrior Drive at Route 277, Clydesdale at Route 522, and Papermill at Route 522 were discussed. Staff is expecting to potentially hear about more as the Sheriff and his offices hear of them from the Deputies. The committee was supportive of the list as presented; however, concern was noted regarding what form an application for exit 313 improvements would take and noted that it should include County needs on the east side of the interchange.

**3. MPO Work Program**

Staff provided the draft MPO work program to the Committee for review and comment. The document is currently out for public comment.

**4. Federal FAST Act**

Staff provided a brief overview of the Federal Fixing America's Surface Transportation (FAST) Act. It was noted that many of the new initiatives would have to filter down through VDOT but

the key items were a renewed and increased focus on freight movement and an attempt to start streamlining the environmental review and permitting process.

## **5. Other**

Mr. Racey noted that the new left turn signals are mostly working well however, there needs to be some pause between when a vehicle arrives and the lights cycle to allow for the fact that certain movement clear on their own.

### **PLANNING COMMISSION BUSINESS**

#### **PUBLIC HEARING**

**CONDITIONAL USE PERMIT #02-16 FOR MARTHA SPARKMAN, SUBMITTED FOR A COTTAGE OCCUPATION/MASSAGE THERAPY. THE PROPERTY IS LOCATED AT 1045 VALLEY MILL ROAD, WINCHESTER, VIRGINIA AND IS IDENTIFIED WITH PROPERTY IDENTIFICATION NUMBER 55-A-176A IN THE REDBUD MAGISTERIAL DISTRICT. - APPROVED**

Zoning Administrator Mark Cheran appeared before the Board regarding this item. He advised this was an application for a cottage occupation for a massage therapy use. The property is located at 1045 Valley Mill Road in the Redbud Magisterial District. The property is zoned RP (Residential Performance) District; however, it is not part of any subdivision. The Planning Commission recommended approval of this application with the following conditions:

1. All review agency comments shall be complied with at all times.
2. No more than one (1) customer at any given time.
3. No employees allowed with this use.
4. One business sign shall be allowed and shall conform to the Cottage Occupation sign requirements and shall not exceed four (4) square feet in size and five (5) feet in height.
5. Any expansion or modification of this use will require the approval of a new Conditional Use Permit.

Chairman DeHaven convened the public hearing.

There were no public comments.

Chairman DeHaven closed the public hearing.

Upon a motion by Supervisor Dunn, seconded by Supervisor Slaughter, the Board approved conditional use permit #02-16.

**WHEREAS, Conditional Use Permit #02-16 Of Martha Sparkman**, submitted by Martha Sparkman for a Cottage Occupation – Massage Therapy was considered. The Property is located at 1045 Valley Mill Road and is further identified with Property Identification Number 55-A-176A in the Red Bud Magisterial District; and

**WHEREAS**, the Frederick County Planning Commission held a public hearing on the Conditional Use Permit on March 16, 2016, and recommended approval of the Conditional Use Permit with conditions: and,

**WHEREAS**, the Frederick County Board of Supervisors held a public hearing on this Conditional Use Permit during their regular meeting on April 13, 2016; and,

**WHEREAS**, the Frederick County Board of Supervisors finds the approval of this Conditional Use Permit to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Policy Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the zoning map to reflect that Conditional Use Permit Application #02-16 for a Cottage Occupation – Massage Therapy on the parcel identified by Property Identification Number (PIN) 55-A-176A with the following conditions:

1. All review agency comments shall be complied with at all times.
2. No more than one (1) customer at any given time.
3. No employees allowed with this use.
4. One business sign shall be allowed and shall conform to the Cottage Occupation sign requirements and shall not exceed four (4) square feet in size and five (5) feet in height.
5. Any expansion or modification of this use will require the approval of a new Conditional Use Permit.

Passed this 13th day of April, 2016 by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye

Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**REZONING #01-16 FOR 84 LUMBER SUBMITTED BY PIERCE HARDY LIMITED PARTNERSHIP, TO REZONE 10.0 ACRES FROM B-3 (INDUSTRIAL TRANSITION) DISTRICT WITH PROFFERS TO THE M-1 (LIGHT INDUSTRIAL) DISTRICT WITH PROFFERS. THE PROPERTY IS LOCATED AT 240 YARDMASTER COURT, OFF OF MARTINSBURG PIKE (ROUTE 11 NORTH) AND IS IDENTIFIED BY PROPERTY IDENTIFICATION NUMBER 44-A-75B IN THE STONEWALL MAGISTERIAL DISTRICT. - APPROVED**

Senior Planner Candice Perkins appeared before the Board regarding this item. She advised this was a request to rezone 10.0 acres from B-3 (Industrial Transition) District with proffers to the M-1 (Light Industrial) District with proffers. The rezoning would allow for a truss manufacturing plant. The property is located in the Stonewall Magisterial District. She noted the proposed use would not exceed the vehicle trips per day that were previously approved. She went on to say the proposed use was generally consistent with the Comprehensive Plan. The Planning Commission recommended approval of this rezoning application.

**Debbie Schwab**, real estate counsel for 84 Lumber, stated 84 Lumber was excited to be able to come back to this market and they would be bringing full-time benefitted jobs.

Chairman DeHaven convened the public hearing.

There were no public comments.

Chairman DeHaven closed the public hearing.

Upon a motion by Supervisor Slaughter, seconded by Supervisor Dunn, the Board approved Rezoning #01-16.

**WHEREAS, Rezoning #01-16 of 84 Lumber**, submitted by Pierce Hardy Limited Partnership, to rezone 10 acres from the B3 (Industrial Transition) District with Proffers to the M1 (Light Industrial) District with Proffers, final revision date of January 18, 2016 was considered. The property is located at 240 Yardmaster Court, at the end of the unsignalized intersection of

Yardmaster Court and Martinsburg Pike (Route 11 North). The property is further identified with PIN 44-A-75B in the Stonewall Magisterial District; and

**WHEREAS**, the Planning Commission held a public hearing on this rezoning on March 2, 2016 and recommended approval; and

**WHEREAS**, the Board of Supervisors held a public hearing on this rezoning on April 13, 2016; and

**WHEREAS**, the Frederick County Board of Supervisors finds the approval of this rezoning to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Policy Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors, that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the Zoning District Map to rezone 10 acres from the B3 (Industrial Transition) District to the M1 (Light Industrial) District with proffers, final revision date January 18, 2016. The conditions voluntarily proffered in writing by the Applicant and the Property Owner is attached.

This ordinance shall be in effect on the date of adoption.

Passed this 13th day of April, 2016 by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

#### **OTHER PLANNING ITEMS**

#### **MASTER DEVELOPMENT PLAN #01-16 OF OAKDALE, III, RAVEN POINTE, RAVEN OAKS AND RAVEN WING. (REVISION). – INFORMATION ONLY**

Senior Planner Candice Perkins appeared before the Board regarding this item. She advised this was a revised master development plan for the Oakdale III, Raven Pointe, Raven Oaks, and Raven Wing developments. The proposed revision would change the unit types in phases 7 and 8. She noted there were no proffers associated with this property because of its historical RP (Residential Performance) District zoning. The revised master plan would

accommodate 50 single family detached units and 147 townhouse units on 42 acres. She went on to say the proposed revision was consistent with the approved unit maximums and was consistent with the zoning ordinance. She concluded by saying this plan was before the Board for information only.

### **BOARD LIAISON REPORTS**

Supervisor Lofton reported on the Extension Leadership Council activities. He advised the Board regarding a number of programs that include a new grazing program that might improve livestock profitability, strength training classes being offered in three locations, and the homeschool master gardener program, which provides food to C-CAP.

### **CITIZEN COMMENTS**

**Ed Trexler**, Shawnee District, spoke concerning the modifications to master development plan #01-16. He stated he was a 15 year resident of Oakdale Crossing II and he has seen his community turn into a by-pass due to a growing traffic problem in the area. He asked the Board to delay implementation of the master development plan until vital traffic studies could be completed. He noted that in 2014 there were 2,900 vehicle trips per day along Crestleigh Drive. He stated that he had been a victim of a traffic accident just two blocks from his home, while trying to turn in to his neighborhood. He felt the completion of Inverlee Way would help address some of these traffic problems. He concluded by urging the Board to work with the property owner to solve this problem.

**Matt Holben**, Shawnee District and a resident of Oakdale Crossing, expressed concern about the increased traffic within the development. He stated the proposed new development would add an additional 2,000 trips per day. He noted a number of vehicles were using the streets as a pass through, which was making the neighborhood unsafe. He presented the Board

with a petition signed by 80% of the residents of the development asking that VDOT and the County undertake a traffic analysis. He asked the Board to consider the repercussions of this proposed development.

**George Hughes**, Gainesboro District, stated Frederick County was getting unreasonably expensive. He noted the cost per resident of the budget that was just approved was approximately \$2,200 per person. He stated he was concerned about where future money would come from.

**Wendy Johnson**, Shawnee District and a resident of Oakdale Crossing, cited the number of vehicle trips per day for Costello Drive, Airport Road, and Jubal Early Drive. She stated the number of vehicle trips within Oakdale Crossing exceeded both Costello Drive and Airport Road. She encouraged the Board to build Inverlee Way.

**Patrick Finn**, Shawnee District and resident of Crestleigh Drive, addressed the Board regarding the need to construct Inverlee Way.

**Russell Waters**, Shawnee District and resident of Dewberry Drive, hoped the Board heard what was being said. He stated traffic was a huge concern, especially the speed of the vehicles. He urged the Board to wait to build the new part of the development.

**Carolyn Holben**, Shawnee District, advised that she and her family had moved into the neighborhood in July. She stated her kids could not play in their front yard and she had to drive her daughter to the bus stop. She went on to say they could not walk to the bus stop out of fear of being hit by a car. She concluded by saying Inverlee Way is needed.

**Terrence Tierney**, Shawnee District, expressed his concern with the amount of traffic in the development.

#### **BOARD OF SUPERVISORS COMMENTS**

Supervisor Hess reported that he attended the Widget Cup held on Saturday at Millbrook High School. He was impressed with the focus and initiative of the four teams.

Supervisor Dunn stated he appreciated the comments tonight and the comments were received. He went on to say the residents' concerns were valid.

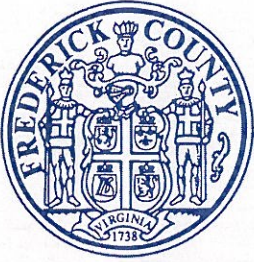
Supervisor Fisher stated he appreciated the comments as well. He advised that he had spoken with the owner of the adjacent farm regarding Inverlee Way. He stated the owner was not interested in selling his property. Supervisor Fisher went on to say he did not believe in violating private property rights. He concluded by saying everyone needs to be cognizant of other development that could come along with the completion of Inverlee Way.

**ADJOURN**

**UPON A MOTION BY VICE-CHAIRMAN FISHER, SECONDED BY SUPERVISOR SLAUGHTER, THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS BOARD, THIS MEETING IS HEREBY ADJOURNED. (8:24 P.M.)**



B



## COUNTY of FREDERICK

**Brenda G. Garton**  
County Administrator

540/665-6382

Fax 540/667-0370

E-mail: bgarton@fcva.us

### MEMORANDUM

**TO:** Board of Supervisors  
**FROM:** Brenda G. Garton, County Administrator  
**DATE:** April 22, 2016  
**RE:** Committee Appointments

Listed below are the vacancies/appointments due through June, 2016. As a reminder, in order for everyone to have ample time to review applications, and so they can be included in the agenda, please remember to submit applications prior to Friday agenda preparation. Your assistance is greatly appreciated.

#### **VACANCIES/OTHER**

##### Sanitation Authority

Robert P. Mowery  
1160 Salem Church Road  
Stephens City, VA 22655  
Home: (540)869-5752  
Term: 04/15/18  
Four year term

**(See Attached Application of Christopher Collins.)** *(Staff has been advised that Mr. Mowery has resigned effective immediately.)*

#### **APRIL 2016**

##### Historic Resources Advisory Board

Lauren Krempa Murphy – Member-At-Large  
106 Dollie Mae Lane  
Stephens City, VA 22655  
Phone: (540)338-2304  
Term Expires: 04/09/16  
Four year term

*(The Historic Resources Advisory Board is comprised of nine members, one member from each magisterial district and three members at large.)*

**MAY 2016**

Parks and Recreation Commission

Kevin L. Anderson – Member-At-Large  
180 Thurston Court  
Clearbrook, VA 22624  
Home: (540)665-1212  
Term Expires: 05/09/16  
Four year term

**JUNE 2016**

Lord Fairfax Community College Board

Tara L. Woolever - County Representative  
118 Plankwood Court  
Stephens City, VA 22655  
Home: (540)869-7418  
Term Expires: 06/30/16  
Four year term

**(See Attached Correspondence from College President Cheryl Thompson-Stacy)** *(Ms. Woolever was appointed January 14, 2015 to fill a vacated seat and is eligible to serve a full four year term if it is the Board's desire.)*

Social Services Board

Joanne Leonardis – Red Bud District Representative  
117 Sesar Court  
Winchester, VA 22602  
Home: (540)665-3110  
Term Expires: 06/30/16  
Four year term

*(Members may only serve two terms. Ms. Leonardis is not eligible for reappointment.)*

Winchester Regional Airport Authority

Paul G. Anderson, Jr. – Frederick County Representative  
1009 Germany Road  
Stephens City, VA 22655  
Home: (540)869-2182

**Memorandum – Board of Supervisors**  
**April 22, 2016**  
**Page 3**

Term Expires: 06/30/16  
Four year term

BGG/tjp

#### Attachments

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**INFORMATIONAL DATA SHEET  
FOR  
FREDERICK COUNTY BOARD OF SUPERVISORS  
COMMITTEE APPOINTMENTS**

Charles S. DeHaven Jr., Chairman District Supervisor, would like to  
nominate you to serve on the Frederick County Sanitation Authority.  
As a brief personal introduction to the other Board members, please fill out the information requested below for  
their review prior to filling the appointment. **(Please Print Clearly. Thank You.)**

Name: Christopher Collins Home Phone: 540 722. 4115  
Address: 105 Whistler Ct Office Phone: 540. 722. 2300  
Winchester VA 22602 Cell/Mobile: 540. 664. 1443  
Fax: 540. 722-3174  
Employer: Buchanan & McGuire Email: cecollinslaw@gmail.com  
Occupation: Lawyer  
Civic/Community Activities: House of Delegates

Will You Be Able To Attend This Committee's Regularly Scheduled Meeting On:  
Yes: ☒ No: ☐

Do You Foresee Any Possible Conflicts Of Interest Which Might Arise By Your Serving On  
This Committee? Yes: ☒ No: ☐ Explain:  
Member House of Delegates

Additional Information Or Comments You Would Like To Provide (If you need more space, please  
use the reverse side or include additional sheets):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant's Signature:  Date: 4.22.16

Nominating Supervisor's Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please submit form to:  
Frederick County Administrator's Office  
107 North Kent Street  
Winchester, VA 22601  
or email to: [tprice@fcva.us](mailto:tprice@fcva.us) or [jtibbs@fcva.us](mailto:jtibbs@fcva.us)



March 30, 2016

Brenda G. Garton  
County Administrator  
107 North Kent Street  
Winchester, VA 22601

Dear Ms. Garton:

Ms. Tara L. Woolever, representing Frederick County on the Lord Fairfax Community College Board, will complete her one-year unexpired term on June 30, 2016. Ms. Woolever is eligible for reappointment to her first four-year term to run from July 1, 2016 through June 30, 2020.

Ms. Woolever has been an active and supportive member of our board and we would be pleased to have her reappointed.

Thank you for your consideration.

Sincerely,

Cheryl Thompson-Stacy  
President

cc: Tara L. Woolever

**Middletown Campus**  
173 Skirmisher Lane  
Middletown, VA 22645-1745  
540-868-7000  
540-868-7100 Fax

**Fauquier Campus**  
6480 College Street  
Warrenton, VA 20187-8820  
540-351-1505  
540-351-1540 Fax

**Luray-Page County Center**  
334 North Hawksbill Street  
Luray, VA 22835-1130  
540-843-0722  
540-843-0322 Fax

C



COUNTY OF FREDERICK

**Roderick B. Williams**  
County Attorney

540/722-8383  
Fax 540/667-0370  
E-mail [rwillia@fcva.us](mailto:rwillia@fcva.us)

**MEMORANDUM**

TO: Ellen E. Murphy, Commissioner of the Revenue  
Frederick County Board of Supervisors

CC: Brenda G. Garton, County Administrator

FROM: Roderick B. Williams, County Attorney

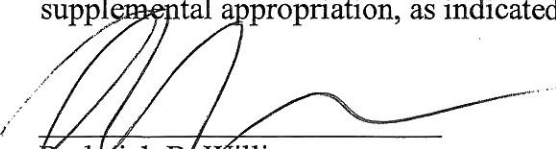
DATE: April 20, 2016

RE: Refund – Unimin Corporation



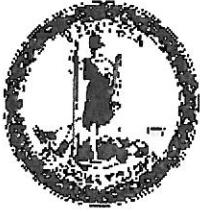
I am in receipt of the Commissioner's request, dated April 18, 2016, to authorize the Treasurer to refund Unimin Corporation the amount of \$11,662.34, for personal property taxes in 2015. This refund is a result of land purchased in 2014 that was inadvertently added to the company's rendition for assets on their machinery and tools filing for 2015.

The Commissioner verified that the proper real estate records are on file and that documentation and details for this refund meet all requirements. Pursuant to the provisions of Section 58.1-3981(A) of the Code of Virginia (1950, as amended), I hereby note my consent to the proposed action. The Board of Supervisors will also need to act on the request for approval of a supplemental appropriation, as indicated in the Commissioner's memorandum.

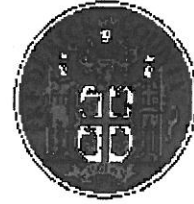
  
\_\_\_\_\_  
Roderick B. Williams  
County Attorney

Attachment





*Frederick County, Virginia*  
**Ellen E. Murphy**  
**Commissioner of the Revenue**  
107 North Kent Street  
Winchester, VA 22601  
Phone 540-665-5681 Fax 540-667-6487  
email: [emurphy@co.frederick.va.us](mailto:emurphy@co.frederick.va.us)



April 18, 2016

TO: Rod Williams, County Attorney  
Cheryl Shiffler, Finance Director  
Frederick County Board of Supervisors  
Jay Tibbs, Secretary to the Board  
Brenda Garton, County Administrator

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Exoneration Unimin Corporation

A handwritten signature in cursive script, reading "E. Murphy".

Please approve a refund of \$11,662.34 to Unimin Corporation for Machinery & Tools Tax that was improperly reported by the company. Our new auditor found that land purchased in 2014 was inadvertently added to the company's rendition for assets on their machinery and tools filing for 2015.

The proper real estate records are on file.

The Commissioner and staff have verified all required data and the paperwork is in the care of the Commissioner of the Revenue.

Please also approve a supplemental appropriation for the Finance Director on this request.

Exoneration totals \$11,662.34.

4/12/2016

Abatement Register  
COUNTY OF FREDERICK

-UPDATE-

\*\*TX306ABP\*\*

Page 1

BE-564

FOR DATE - 4/12/2016

ACCOUNTING PERIOD - 2016/04

Type	Dept	Ticket#	Date	Amt. Charged	Customer	Tran#
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ABA	PP2015	00574670001	4/12/2016	\$5,831.17-	UNIMIN CORPORATION	
ABA	PP2015	00574670002	4/12/2016	\$5,831.17-	UNIMIN CORPORATION	97642
						97643
			Total for Dept.	\$11,662.34-		
			Total for Tran Type	\$11,662.34-		
Abatement count =	2		Total for Company	\$11,662.34-		

JS  
83

# CONSENT AGENDA

D



## COUNTY of FREDERICK

Parks and Recreation Department

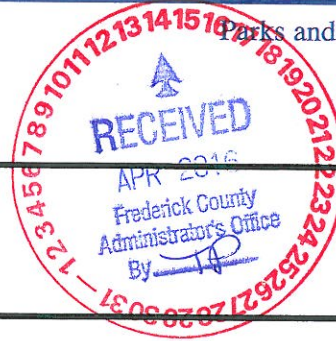
540/665-5678

Fax: 540/665-9687

E-mail: [fcprd@fcva.us](mailto:fcprd@fcva.us)

[www.fcprd.net](http://www.fcprd.net)

# MEMO



**To:** Brenda G. Garton, County Administrator  
**From:** Jason L. Robertson, Director, Parks & Recreation Dept.  
**Subject:** Parks and Recreation Commission Action  
**Date:** April 13, 2016

The Parks and Recreation Commission met on April 12, 2016. Members present were: Randy Carter, Blaine Dunn, Christopher Fordney, Natalie Gerometta, Ronald Madagan, and Charles Sandy, Jr. Members absent were: Kevin Anderson, Patrick Anderson and Gary Longerbeam

### Items Requiring Board of Supervisors Action:

None

### Submitted for Board Information Only:

1. 2035 Comprehensive Plan Update – Mr. Sandy moved the Parks and Recreation Commission endorse the proposed Parks and Recreation component section of the 2035 Comprehensive Plan as submitted, second by Mr. Madagan, motion carried unanimously (5-0). Please find attached copy of the proposed Parks and Recreation component section of the 2035 Comprehensive Plan. The update will be forwarded to the Planning Commission and Board of Supervisor's for their review.
2. Sherando Park North Master Plan - Mr. Madagan moved to accept the Sherando Park Master Plan concept maps for public input with the amended changes to move the Bike Pump Track to the northwest section in lieu of the open field, and move the Adult Fitness Course from area 1 to the playground area, second by Mr. Sandy, motion carried unanimously (5-0).

### Attachments (1)

cc: Gary Longerbeam, Chairman  
Blaine Dunn, Board of Supervisor Liaison

## **FREDERICK COUNTY PARKS AND RECREATION**

"The Frederick County Parks and Recreation Department strives to enhance the quality of life through recreational opportunities and programs, parks, and facilities for the community and to protect resources for future generations." (Frederick County Parks and Recreation Department Mission Statement). Parks and other public places can provide focal points for walkable, mixed-use neighborhoods that are vibrant and community centered. Focusing development around walkable centers allows people to work, go to school, live, shop, and play in locations that are near each other.

As discussed in the Introduction to the Public Facilities section of the Comprehensive Policy Plan, through use of the principles of Neighborhood Design, provisions for new community facilities including parks, greenways, and other recreational facilities, can create opportunities to improve the quality of the community.

The location of public facilities and infrastructure and well planned provisions for public spaces, recreational areas, and open spaces are essential. Parks should be carefully planned to respect and take advantage of natural and historic resources as well as to enhance the natural, scenic, and cultural value of the Urban Areas of the County.

It is also important to promote the importance of small playgrounds and open spaces being near every dwelling. Accordingly, parks and recreation facilities are a critical component of developed residential communities.

### **CURRENT CONDITIONS**

#### **Facilities**

There are five classifications of parks including Mini, Neighborhood, Community, District Parks and Greenways. The classification depends on the size, service area, purpose, character, and location. The County currently owns and operates two district and two neighborhood parks. Additionally, two community parks are planned for the near future; one being created through a partnership with the Museum of the Shenandoah Valley at the historic Rose Hill location (opening 2016), and the other adjacent to the Snowden Bridge development where the County has taken possession of 25 acres of land for a future community park.

The two district parks currently serve the County's population with active and passive recreational programs and facilities. Clearbrook Park, located five miles north of Winchester on Route 11, consisting of approximately 55 acres (44 which are owned by the County) and Sherando Park, located two miles east of Stephens City on Route 277, consisting of approximately 334 acres. Two neighborhood parks include space at the Reynolds Store Fire Company, and the Frederick Heights subdivision near Senseny Road. These neighborhood parks consist primarily of playground equipment for young children.

Master development plans were adopted for both Clearbrook and Sherando Parks which establish development goals for each park, identify unmet recreational needs, provide unified facility plans, and propose a development program for each park. The Master Plans for these parks reflect the

thousands of acres of publically accessible land is provided by Federal, State, school system and non-profit entities within the borders of Frederick County, and adjoining jurisdictions allow the use of their facilities for Frederick County residents. In combination these publically accessible lands provide an outline of current conditions from which remaining needs are determined.

The Frederick County Parks and Recreation Community Survey provides insight into the park needs as determined by Frederick County residents. Survey results show Small Parks, Natural Areas, and Large Parks identified in the top 5 of desired facilities indicating a need for adding these facilities. Meeting the park land need will likely continue to be accomplished through the efforts of multiple private and government entities. Recognizing the capabilities and limits of potential partners will allow Frederick County to focus its efforts on ensuring citizen needs are met.

A map illustrating current parks, publically accessible land and potential park locations is included within Appendix II of this Plan.

#### **PARTNERSHIPS:**

Frederick County Parks and Recreation has a long history of utilizing partnerships to provide recreation and leisure activities. The Rose Hill Park project is one example of a partnership serving to address parkland needs. Another is the cooperative use agreement between Parks and Recreation and the Frederick County Public School system. Recognizing the wide variety of publically accessible land provides a comprehensive portrayal of partners addressing publically accessible recreation land. Growing existing or creating new partnerships to increase access for Frederick County residents will serve to advance the mission of the Parks and Recreation Department.

#### **COMMUNITY BENEFITS**

The Frederick County Parks and Recreation Department is building a sense of community through people, parks, and recreational opportunities benefitting all residents. Parks and recreation activities stimulate economic activity and property values are increased by proximity to parks and through the added quality of life and sense of community. Families and organizations alike look to Frederick County Parks and Recreation to meet their leisure needs. Approximately 1.5 million recreational contact hours for youth, senior, and family programs are provided through programs offered by or facilitated through Frederick County Parks and Recreation with nearly two-thirds of Frederick County households reporting they use Parks and Recreation services and facilities in the past year. Nearly ½ million visits are counted at the two District Parks on an annual basis.




#### **POLICIES /IMPLEMENTATION**

**POLICY: CONTRIBUTE TO THE PHYSICAL, MENTAL, AND CULTURAL NEEDS OF THE COMMUNITY; ITS ECONOMIC AND SOCIAL WELL-BEING, AND ITS SENSE OF CIVIC PRIDE AND SOCIAL RESPONSIBILITY THROUGH THE IMPLEMENTATION OF AN INTEGRATED PLAN FOR RECREATION PROGRAMS AND PARK FACILITIES.**










#### **IMPLEMENTATION**



## Existing County Parks

-  District Park
-  Community Park
-  Neighborhood Park

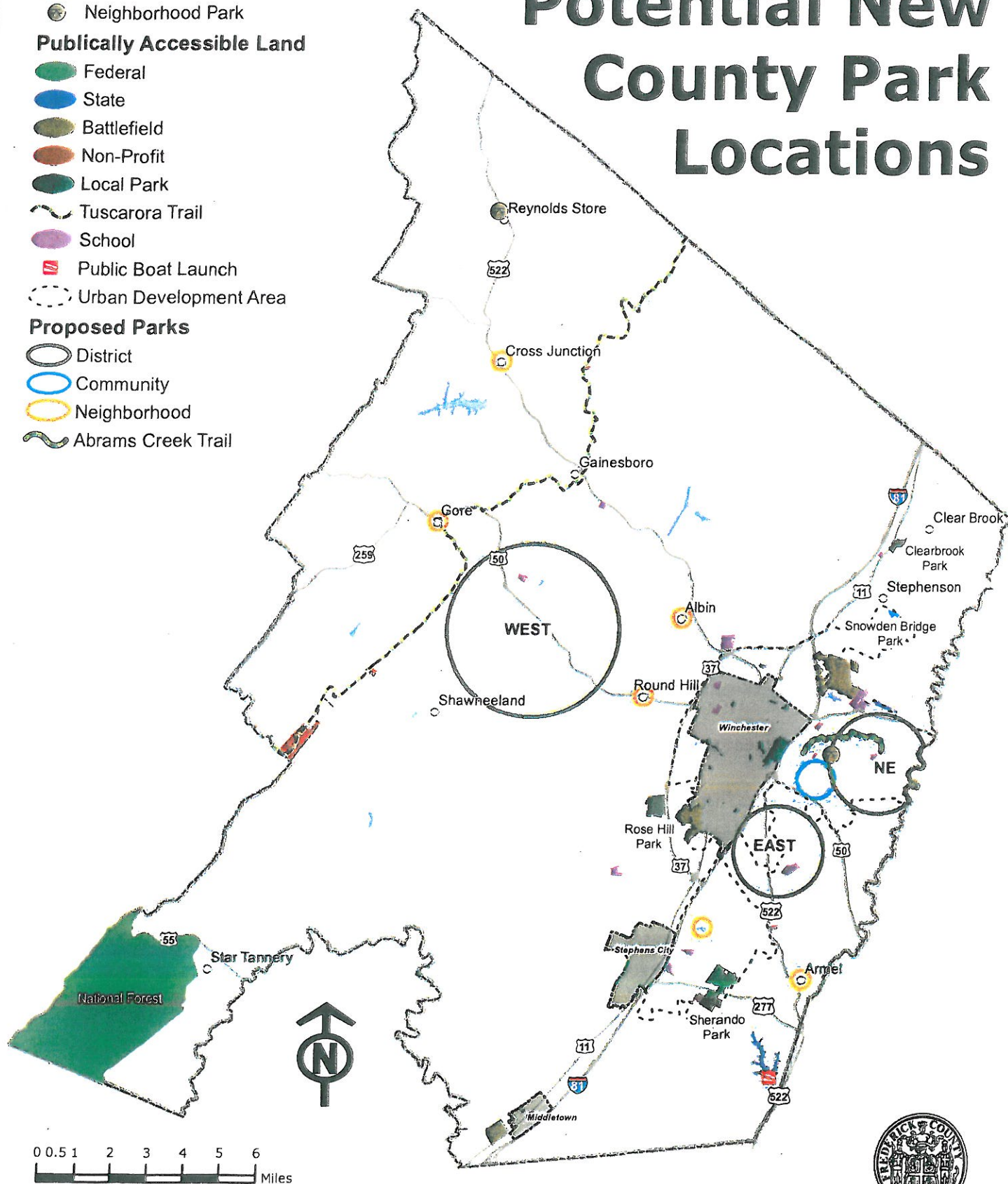
## Publically Accessible Land

-  Federal
-  State
-  Battlefield
-  Non-Profit
-  Local Park
-  Tuscarora Trail
-  School
-  Public Boat Launch
-  Urban Development Area

## Proposed Parks

-  District
-  Community
-  Neighborhood
-  Abrams Creek Trail

# Potential New County Park Locations



E





## COUNTY of FREDERICK

Finance Department  
**Cheryl B. Shiffler**  
Director

540/665-5610  
Fax: 540/667-0370  
E-mail: [cshiffle@fcva.us](mailto:cshiffle@fcva.us)

**TO:** Board of Supervisors  
**FROM:** Finance Committee  
**DATE:** April 20, 2016  
**SUBJECT:** Finance Committee Report and Recommendations

---

A Finance Committee meeting was held in the First Floor Conference Room at 107 North Kent Street on Wednesday, April 20, 2016 at 8:00 a.m. Non-voting liaison C. William Orndoff was absent. All other members were present.

1. The Winchester Regional Airport Director requests an Airport Operating Fund supplemental appropriation in the amount of \$100,000 and a General Fund supplemental appropriation (local funds), or a General Fund operational contingency transfer, in the amount of \$75,100 in order to cover the anticipated deficit through FY 2016. See attached information, p. 3 – 8. The committee recommends an Airport fund supplemental appropriation in the amount of \$100,000 and a General Fund operational contingency transfer in the amount of \$75,100.
2. The Deputy Public Works Director requests a Landfill Fund supplemental appropriation in the amount of \$2,125,770. This amount represents fund required for the partial capping/closure of area 1, phase 1 of the CDD landfill – DEQ permit 591. No local funds required. See attached memo, p. 9 – 10. The committee recommends approval.

**INFORMATION ONLY**

1. The Finance Director provides a Fund 10 Transfer Report for March 2016. See attached, p. 11.
2. The Finance Director provides an FY 2016 Fund Balance Report ending April 14, 2016. See attached, p. 12.
3. The Finance Director provides financial statements for the month ending March 31, 2016. See attached, p. 13 – 23.

Respectfully submitted,

FINANCE COMMITTEE

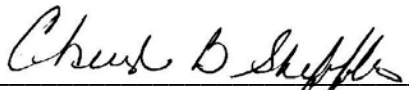
Judith McCann-Slaughter, Chairman

Charles DeHaven

Gary Lofton

Bill Ewing

Angela Rudolph

By   
Cheryl B. Shiffler, Finance Director

# Memo

**To:** Cheryl Shiffler, Finance Director, Frederick County  
**CC:** Brenda G. Garton, Administrator, Frederick County  
Gene Fisher, Frederick County Board of Supervisors  
Mary Blowe, Finance Director, City of Winchester  
Eden Freeman, City Manager, City of Winchester  
**From:** Renny Manuel, Director, Winchester Regional Airport (RM)  
**Date:** April 11, 2016  
**Re:** Supplemental Revenue Request – Operating Fund Contribution

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On behalf of the Winchester Regional Airport Authority I respectfully request a revenue supplemental appropriation from the County of Frederick and the City of Winchester for the Airport Operating Fund for a total of \$100,000 to cover anticipated cash deficit through current year ending June 30, 2016.

I have reviewed financial reports and calculated anticipated expenses and revenues through year end. We have worked diligently reducing expenses and increasing revenues and have been successful reducing the gap as the numbers show on the attached two-year income comparison report. However our cash in the bank currently has a cash deficit that exceeds last year's deficit when a supplemental was requested.

Purchase and sale of fuel is based on purchasing one additional load of Jet-A fuel of approximately 8,000 gallons before year end and no additional AVGAS fuel loads utilizing current inventory on hand without risking running out of fuel in an effort to reduce impact to cash flows. We have dropped the minimum levels of fuel inventory to maintain on hand in an effort to reduce costs. I have included a chart showing the history of fuel gallons sold over the past several years updated through the end of March.

The airport generates a higher profit margin on Jet-A fuel than AVGAS and with the loss of based turbine aircraft from this and prior years and a continued decline in corporate and business owned aircraft, we are selling less fuel than what was projected when the FY 2016 budget was submitted in December of 2014.

We have attempted to hold down operating costs and with minimum required maintenance for operating the facility including postponing hiring a replacement for an employee that left in January 2016.

While the estimate additional revenue needed from the County and City to carry us through the fiscal year is somewhat cloudy and hard to predict with the airport relying on corporate business traffic so heavily during these economic times, I would rather overestimate a shortfall that come in at the end of the year asking for additional money. It is the WRAA's desire to continue exploring ways to generate additional revenues on a daily basis while staying within the limits of the federal and state regulations and grant assurances.

The continued support and financial assistance provided by the County of Frederick and the City of Winchester is critical and invaluable in helping to maintain and operate the Winchester Regional Airport.

Thank you for your continued support and assistance. If you require additional information or have any questions, please do not hesitate to contact me.

Run: 4/11/2016  
4:30PM

**Winchester Regional Airport Authority**  
**General Ledger Balance Sheet Report**  
As Of: 3/31/2016  
All Departments Consolidated

Page: 1

**Assets**

10001011 Undeposited Receipts	87.00
10171010 Operating Cash In Bank	(121,924.94)
10171011 Petty Cash	500.00
10171080 Inventory - Fuel	65,029.61
10171082 Inventory - Merchandise	779.15
10171083 Inventory - Oil	477.06
10171084 Inventory - Automobile Gas/Airport Use	376.06
10171085 Inventory - Diesel Airport Use	360.11
10171090 Pre-Paid Insurance	6,134.91
10171094 Prepaid Postage	393.66
10171153 Accounts Receivable	28,324.16
10172002 VRS - Deferred Outflow	48,139.00
10851010 Capital Cash In Bank	6,726.82
10851100 Construction In Progress	3,314,274.17
10851153 Capital Accounts Receivable	6,009.36
10851200 Net Fixed Assets	21,278,718.14
<b>Total Assets:</b>	<b>24,634,404.27</b>

**Liabilities**

20172020 Accounts Payable - Operating Fund	24,841.33
20172021 Long-Term Notes	408,463.57
20172094 Accrued Leave & Fringes	83,995.73
20172201 VRS - Deferred Inflow	64,014.00
20172202 VRS - Pension Liability	161,047.00
20852020 Accounts Payable - Capital Fund	12,806.33
20852090 Retainage Payable	160,125.56
30000000 Current Earnings	(72,821.88)
30000001 Retained Earnings	23,791,932.63
<b>Total Liabilities And Equity:</b>	<b>24,634,404.27</b>

Notes:  
All Departments Consolidated.

Run: 4/11/2016  
4:30PM

**Winchester Regional Airport Authority**  
**General Ledger Balance Sheet Report**  
As Of: 3/31/2015  
All Departments Consolidated

Page: 1

**Assets**

10171010 Operating Cash In Bank	(28,380.13)
10171011 Petty Cash	500.00
10171080 Inventory - Fuel	84,760.68
10171082 Inventory - Merchandise	962.37
10171083 Inventory - Oil	505.79
10171084 Inventory - Automobile Gas/Airport Use	1,644.97
10171085 Inventory - Diesel Airport Use	1,863.33
10171090 Pre-Paid Insurance	6,200.43
10171094 Prepaid Postage	260.38
10171153 Accounts Receivable	21,020.10
10851010 Capital Cash In Bank	(73,864.86)
10851100 Construction In Progress	1,117,953.49
10851153 Capital Accounts Receivable	55.38
10851200 Net Fixed Assets	21,983,781.93
<b>Total Assets:</b>	<b>23,117,263.86</b>

**Liabilities**

20172020 Accounts Payable - Operating Fund	43,475.89
20172021 Long-Term Notes	512,010.58
20172094 Accrued Leave & Fringes	84,562.07
20172900 Deferred Revenue	14,000.00
20852020 Accounts Payable - Capital Fund	648.00
30000000 Current Earnings	(190,403.39)
30000001 Retained Earnings	22,652,970.71
<b>Total Liabilities And Equity:</b>	<b>23,117,263.86</b>

**Notes:**

All Departments Consolidated.



**Winchester Regional Airport Authority**  
**General Ledger Two-Year Income Report**  
For the Current-Year Period: 7/01/2015 Through: 3/31/2016  
Selected Departments Consolidated

	Current Month Totals		Gain (Loss)		Year-To-Date Totals		Gain (Loss)	
	Last Year	This Year	vs Last Year		Last Year	This Year	vs Last Year	
<b>Income</b>								
40172404 State Operating Reimbursen	310.50	0.00	(310.50)	-100.0%	1,966.50	0.00	(1,966.50)	-100.0%
40174500 Sale - Fuel	34,771.05	45,512.18	10,741.13	30.9%	629,389.60	576,609.13	(52,780.47)	-8.4%
40174502 Sale - Merchandise	19.05	16.99	(2.06)	-10.8%	436.93	136.02	(300.91)	-68.9%
40174503 Sale - Oil	0.00	103.68	103.68	--,-%	380.34	611.08	230.74	60.7%
40174600 Rental Income	35,186.00	35,881.00	695.00	2.0%	319,314.00	323,018.00	3,704.00	1.2%
40174601 Income - Land Leases	1,603.00	1,668.00	65.00	4.1%	31,544.00	32,771.00	1,227.00	3.9%
40174617 Special & Misc Fees	1,650.03	1,037.54	(612.49)	-37.1%	12,324.69	8,332.73	(3,991.96)	-32.4%
40174618 Facility & Service Fees	2,410.00	2,060.00	(350.00)	-14.5%	14,265.00	18,820.00	4,555.00	31.9%
40174899 Miscellaneous Revenue	1,142.63	694.15	(448.48)	-39.2%	8,743.81	5,168.29	(3,575.52)	-40.9%
40174900 Operating Appropriations	5,900.75	6,990.58	1,089.83	18.5%	53,107.75	62,910.24	9,802.49	18.5%
<b>Total Income:</b>	<b>82,993.01</b>	<b>93,964.12</b>	<b>10,971.11</b>	<b>13.2%</b>	<b>1,071,472.62</b>	<b>1,028,376.49</b>	<b>(43,096.13)</b>	<b>-4.0%</b>
<b>Expense</b>								
54140000 Cost - Fuel	21,079.86	19,815.20	(1,264.66)	-6.0%	424,867.45	298,104.80	(126,762.65)	-29.8%
54140002 Cost - Merchandise	17.00	14.28	(2.72)	-16.0%	167.77	109.58	(58.19)	-34.7%
54140003 Cost - Oil	0.00	76.73	76.73	--,-%	280.82	458.16	177.34	63.2%
54140004 Cost - Catering	135.32	0.00	(135.32)	-100.0%	505.00	0.00	(505.00)	-100.0%
61000000 Accrued Salaries	(2,091.88)	(423.35)	1,668.53	--,-%	7,567.27	(3,002.51)	(10,569.78)	--,-%
61001000 Salaries	40,244.66	38,107.45	(2,137.21)	-5.3%	333,073.78	349,252.76	16,178.98	4.9%
61005001 Overtime Pay	1,928.78	2,127.36	198.58	10.3%	10,098.43	12,311.89	2,213.46	21.9%
61005002 Holiday Worked Pay	683.60	471.68	(211.92)	-31.0%	5,454.58	5,280.73	(173.85)	-3.2%
62000000 Accrued Leave - Fringe Ben	(160.03)	(32.39)	127.64	--,-%	578.91	(229.69)	(808.60)	--,-%
62001000 FICA	3,128.44	3,019.21	(109.23)	-3.5%	25,417.90	27,050.21	1,632.31	6.4%
62002000 VSRS	4,269.94	3,766.84	(503.10)	-11.8%	35,329.62	36,337.28	1,007.66	2.9%
62005000 Hospital/Medical Plans	7,522.78	6,021.84	(1,500.94)	-20.0%	63,720.52	58,489.88	(5,230.64)	-8.2%
62006000 Group Life Insurance	478.92	422.50	(56.42)	-11.8%	3,962.38	4,109.75	147.37	3.7%
62011000 Worker's Compensation	1,590.62	1,350.01	(240.61)	-15.1%	13,011.38	12,233.56	(777.82)	-6.0%
63002000 Professional Svcs - Other	10,950.00	11,958.00	1,008.00	9.2%	20,998.00	27,210.00	6,212.00	29.6%
63004001 Outside Repairs & Maint Ver	600.00	0.00	(600.00)	-100.0%	2,693.61	3,316.79	623.18	23.1%
63004003 Repair - Blgs & Grounds Out	0.00	687.30	687.30	--,-%	10,795.15	875.80	(9,919.35)	-91.9%
63005000 Maintenance Contracts	0.00	567.00	567.00	--,-%	5,660.75	6,739.00	1,078.25	19.0%
63005001 State Funded Maintenance C	0.00	1,000.00	1,000.00	--,-%	2,070.00	3,007.60	937.60	45.3%
63010000 Contractual Services	2,523.82	2,613.74	89.92	3.6%	20,908.22	27,087.31	6,179.09	29.6%
65101000 Electrical Services	6,160.35	5,151.40	(1,008.95)	-16.4%	52,800.30	48,609.87	(4,190.43)	-7.9%

**Winchester Regional Airport Authority**  
**General Ledger Two-Year Income Report**  
For the Current-Year Period: 7/01/2015 Through: 3/31/2016  
Selected Departments Consolidated

	Current Month Totals		Gain (Loss)		Year-To-Date Totals		Gain (Loss)	
	Last Year	This Year	vs Last Year		Last Year	This Year	vs Last Year	
65102000 Heating Service	1,655.40	774.33	(881.07)	-53.2%	8,150.79	4,104.96	(4,045.83)	-49.6%
65103000 Water & Sewer Services	275.67	231.82	(43.85)	-15.9%	2,310.30	1,998.68	(311.62)	-13.5%
65204001 Postage Meter Expense	10.60	12.16	1.56	14.7%	289.61	158.50	(131.11)	-45.3%
65204002 Telephones/Internet/TV Cabl	607.09	612.29	5.20	0.9%	5,425.87	5,481.21	55.34	1.0%
65302000 Fire/Property Insurance	1,002.92	981.08	(21.84)	-2.2%	9,026.24	8,829.76	(196.48)	-2.2%
65305000 Motor Vehicle Insurance	507.00	507.00	0.00	0.0%	4,563.00	4,563.00	0.00	0.0%
65307000 Public Officials Liability Ins	43.00	43.00	0.00	0.0%	387.00	387.00	0.00	0.0%
65308000 General Liability Insurance	1,541.67	1,541.67	0.00	0.0%	13,916.66	13,875.00	(41.66)	-0.3%
65401000 Office Supplies & Computers	58.65	143.87	85.22	145.3%	1,891.69	6,699.55	4,807.86	254.2%
65405000 Janitorial Supplies	190.92	116.23	(74.69)	-39.1%	946.26	864.19	(82.07)	-8.7%
65407000 Repair/Maint Parts & Supplie	274.33	15.81	(258.52)	-94.2%	5,825.46	5,043.65	(781.81)	-13.4%
65408000 Vehicle/Equip - Parts/Supplie	662.29	322.50	(339.79)	-51.3%	3,906.85	6,482.92	2,576.07	65.9%
65408001 Airport Vehicle Fuel	907.48	433.33	(474.15)	-52.2%	10,968.28	7,685.16	(3,283.12)	-29.9%
65410000 Employee Uniforms	0.00	228.40	228.40	---%	0.00	228.40	228.40	---%
65413000 Operational Expense	0.00	47.97	47.97	---%	1,005.20	1,049.93	44.73	4.4%
65413001 Line Service Equipment	0.00	0.00	0.00	---%	314.60	1,021.76	707.16	224.8%
65413002 Security Materials & Supplies	0.00	30.00	30.00	---%	37.00	852.86	815.86	2205.0%
65506000 Travel Expenses	80.00	128.00	48.00	60.0%	1,801.72	1,623.64	(178.08)	-9.9%
65715000 Promotional Fund Expenses	0.00	0.00	0.00	---%	25.00	6,409.05	6,384.05	####.##%
65801000 Dues & Membership	0.00	118.00	118.00	---%	924.00	1,379.00	455.00	49.2%
65804000 Va Sales Tax Paid	11.38	8.29	(3.09)	-27.2%	42.25	34.56	(7.69)	-18.2%
65806000 Snow Removal Contingency	0.00	0.00	0.00	---%	6,861.93	5,400.38	(1,461.55)	-21.3%
69001000 Lease/Rent Of Equipment	468.63	2,454.63	1,986.00	423.8%	17,986.12	23,234.67	5,248.55	29.2%
69101000 Loan - VRA Bond	2,117.50	1,721.29	(396.21)	-18.7%	20,206.30	16,694.74	(3,511.56)	-17.4%
<b>Total Expense:</b>	<b>109,476.71</b>	<b>107,186.47</b>	<b>(2,290.24)</b>	<b>-2.1%</b>	<b>1,156,773.97</b>	<b>1,041,455.34</b>	<b>(115,318.63)</b>	<b>-10.0%</b>
<b>Net Income:</b>	<b>(26,483.70)</b>	<b>(13,222.35)</b>	<b>13,261.35</b>	<b>---%</b>	<b>(85,301.35)</b>	<b>(13,078.85)</b>	<b>72,222.50</b>	<b>---%</b>

Notes: Report Period: 7/01/2015 - 3/31/2016  
Selected Departments Consolidated:  
Operational Fund



**Winchester Regional  
Airport  
Fuel Gallons Sold**

TOTAL GALLONS OF FUEL PRODUCTS SOLD																Increase/ (Decrease) Over Prior Year	
Fiscal Year	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Over/ (Short)
July	23,509	28,082	29,087	29,004	32,148	39,991	44,406	52,458	42,724	29,277	31,814	36,654	18,673	19,778	15,431	17,079	1,648
August	26,762	27,600	31,600	30,703	32,205	49,471	44,298	53,349	36,611	26,159	24,324	34,261	19,755	17,900	15,552	18,267	2,716
September	26,767	27,763	31,584	31,070	32,730	47,833	40,415	41,111	36,983	29,081	27,575	6,733	19,177	20,136	20,680	15,485	(5,196)
October	34,004	35,891	35,137	44,219	42,898	49,156	48,472	54,712	40,344	36,999	32,623	5,658	17,645	20,085	21,535	19,072	(2,463)
November	21,332	36,267	28,229	36,589	32,256	37,899	40,906	44,937	28,282	26,294	26,193	4,599	25,527	13,361	12,474	12,393	(81)
December	11,139	21,518	22,104	25,514	34,088	32,217	34,816	30,299	24,216	23,396	19,468	9,701	17,367	11,706	9,372	14,146	4,774
January	18,199	24,778	19,881	26,933	34,354	33,370	36,369	25,001	20,456	21,370	23,108	16,610	21,208	10,443	7,351	7,376	25
February	17,036	29,183	16,372	36,979	39,873	41,432	30,564	28,430	18,250	15,900	23,091	19,477	11,316	8,987	7,587	7,877	289
March	25,421	25,862	24,803	52,501	48,839	55,044	30,069	25,002	28,433	23,362	29,594	17,122	13,238	12,287	6,922	9,384	2,461
April	23,431	24,297	30,834	46,511	56,674	53,708	32,760	34,396	29,187	31,277	23,299	16,214	14,214	13,910	13,692		
May	27,861	31,703	26,609	40,725	43,364	51,963	45,042	39,383	26,908	31,700	29,507	28,509	21,282	13,669	13,077		
June	27,196	31,353	25,836	47,148	53,309	50,846	40,219	38,584	35,972	34,248	30,783	21,605	19,214	18,127	11,742		
Total	282,557	344,297	####	447,894	482,738	542,931	468,336	467,661	368,366	329,063	321,378	217,142	218,618	180,388	155,414	121,077	4,174

BREAKDOWN BY FUEL TYPE - GALLONS ONLY																			
Fiscal Year	FY 2008		FY 2009		FY 2010		FY 2011		FY 2012		FY 2013		FY 2014		FY 2015		FY 2016		Increase/(Decrease)
	Jet-A	Avgas	Jet-A	Avgas	Jet-A	Avgas	Jet-A	Avgas	Jet-A	Avgas	Jet-A	Avgas	Jet-A	Avgas	Jet-A	Avgas	Jet-A	Avgas	
July	40,729	11,729	33,940	8,784	20,896	8,381	23,974	7,840	29,620	7,034	13,227	5,446	14,211	5,567	10,055	5,376	11,415	5,664	1,360 288
August	42,553	10,796	28,650	7,961	17,810	8,349	15,974	8,350	28,547	5,714	13,919	5,836	13,172	4,728	9,788	5,784	11,580	6,687	1,812 904
September	27,033	14,078	29,983	7,000	23,054	6,027	20,674	6,901	5,013	1,720	13,529	5,648	12,525	7,611	14,310	6,370	8,504	6,981	(5,806) 610
October	43,307	11,405	30,879	9,465	29,528	7,471	23,795	8,828	3,162	2,496	11,602	6,043	13,605	6,480	16,647	4,888	13,265	5,807	(3,382) 919
November	37,402	7,535	23,637	4,645	20,924	5,370	18,459	7,734	2,374	2,225	18,795	6,732	9,002	4,359	8,970	3,504	8,532	3,861	(438) 358
December	26,948	3,351	20,456	3,760	19,562	3,834	14,455	5,013	7,605	2,096	14,273	3,094	8,751	2,955	6,174	3,198	10,515	3,831	4,341 433
January	19,851	5,150	16,692	3,764	17,365	4,005	19,156	3,952	13,661	2,949	17,876	3,332	8,348	2,095	5,436	1,915	5,191	2,185	(245) 270
February	24,057	4,373	14,205	4,045	13,397	2,503	18,794	4,297	16,482	2,995	9,341	1,975	6,063	2,924	5,543	2,044	5,604	2,273	61 228
March	18,723	6,279	21,670	6,763	17,077	6,285	22,797	6,797	13,285	3,837	9,293	3,945	9,523	2,764	4,555	2,367	6,604	2,780	2,049 412
April	27,810	6,586	23,724	5,463	24,612	6,665	18,591	4,708	12,039	4,175	9,821	4,393	8,757	5,153	8,498	5,194			
May	31,346	8,037	20,548	6,362	24,932	6,768	24,154	5,353	22,495	6,014	16,227	5,055	8,749	4,920	6,813	6,264			
June	31,002	7,582	28,144	7,828	26,398	7,850	23,656	7,127	15,558	6,047	13,245	5,969	11,976	6,151	7,088	4,654			
Total	370,761	96,900	292,526	75,840	255,555	73,507	244,479	76,899	169,841	47,301	161,148	57,470	124,682	55,706	103,857	51,557	81,210	39,867	(248) 4,422





MEMORANDUM

**TO:** Frederick County Finance Committee

**FROM:** Joe C. Wilder, Deputy Director of Public Works *JCW*

**SUBJECT:** Proposed Budget Amendment Request  
Frederick County Landfill Budget

**DATE:** April 11, 2016

---

Currently, the Landfill needs to perform a Partial Capping/Closure of Area 1, Phase 1 of the Construction/Demolition Debris (CDD) Landfill – DEQ Permit 591. The project involves capping an approximately 10 acre area. The capping project involves placing 30 inches of soil, 40 mil thick geosynthetic liner, geonet drainage liner, gas collection and venting system, stormwater collection system and other necessary work to comply with DEQ requirements. Originally, this project was scheduled to be performed in the 2013/2014 fiscal year. However, due to some necessitated modifications, we had to request a permit amendment from Virginia DEQ. The amendment process has taken two (2) years. Since our original permit was obtained in 1996, we were required to update and change several items in our permit to comply with the latest DEQ amendments.

We have finally completed the amendment process and anticipate receiving final DEQ approval in the next couple of weeks. Due to the anticipated approval, we have moved forward with bidding and completing this project in calendar year 2016. The bid documents require the contractor to complete the work in 180 days. Due to the nature of constructing a complex liner cap system, the need for summer weather is vital to construction since project scope involves placing soil layers, complex synthetic liners and drainage systems as well as the need to get a good stand of vegetation on the side slopes of the landfill mass before the winter months.

## Proposed Budget Amendment Request

Page 2

April 11, 2016

The bids were received on April 7, 2016 and the results are as follows: (see attached bid results)

C. William Hetzer, Inc.	\$2,125,770.00
Sargent Corporation	\$2,228,810.00
Perry Engineering Company, Inc.	\$2,376,690.00

It should be noted that in our 5 – 10 year project list for the landfill, we estimated that the cost of this capping/closure was going to be \$2,000,000.00. We anticipate the slightly higher cost related to our budget estimate is due to more stringent landfill requirements in Virginia. This trend is being experienced around the country related to solid waste requirements and costs related to landfill construction.

Therefore, it is our intention to award the project to the lowest qualified bidder, C. William Hetzer, Inc. in the amount of \$2,125,770.00. Currently, there is not enough funding in the current budget to cover these costs. Therefore, we are requesting a budget amendment for the fiscal year 2016. Funding is available from the landfill reserve fund, 12-240-2530 Unreserved Retained Earnings. We request that \$2,125,770.00 from this line item be placed into the Landfill Budget line item 12-4204-8900-000. We currently have some funding in this line item but this is for another smaller project and that funding could be used as a contingency if needed as well.

If this request is approved by this committee and the Board of Supervisors, we anticipate awarding the project to C. William Hetzer, Inc. on May 1, 2016. The work would begin immediately and will be completed in the late Fall of this year.

I will be in attendance at the Finance Committee meeting being held on April 20, 2016 and can answer any questions you may have. Thank you for your attention to this request.

Attachments: enclosed

CC: Steve Frye, Landfill Manager  
File

## FY2016 MARCH BUDGET TRANSFERS

DATE	DEPARTMENT/GENERAL FUND	REASON FOR TRANSFER	FROM	TO	ACCT	CODE	AMOUNT
3/3/2016	SHERIFF	TRANSFER OT COST SHERIFF	3102	1005	000	000	165,000.00
	TRANSFERS/CONTINGENCY		9301	5890	000	000	(165,000.00)
3/9/2016	SHERIFF	TASERS/POLICE SUPPLIES	3102	5409	000	000	166,954.32
	TRANSFERS/CONTINGENCY		9301	5899	000	000	(166,954.32)
3/10/2016	REFUSE COLLECTION	GRAVEL FOR UNPAVED AREAS/CONVENIENCE SITE	4203	5407	000	000	(1,200.00)
	REFUSE COLLECTION		4203	3004	000	003	1,200.00
3/10/2016	SHERIFF	REIMBURSE FOR OVERTIME-ABBOTT GRANT	3102	5413	000	012	(8,565.18)
	SHERIFF		3102	1005	000	000	8,565.18
3/15/2016	AGRICULTURE	POSTAGE AND PHONE EXPENSES	8301	5506	000	000	(742.83)
	AGRICULTURE		8301	5204	000	000	742.83
3/16/2016	FINANCE	COPY CHARGES/CENTRAL STORES	1214	5506	000	000	(1,200.00)
	FINANCE		1214	4003	000	001	1,200.00
3/16/2016	PUBLIC SAFETY COMMUNICATIONS	RADIO SERVICE CONTRACT	3506	5204	000	000	(25,000.00)
	PUBLIC SAFETY COMMUNICATIONS		3506	3005	000	000	25,000.00
3/16/2016	REFUSE COLLECTION	REPAIRS TO 2006 GMC	4203	5407	000	000	(1,500.00)
	REFUSE COLLECTION		4203	3004	000	002	1,500.00
3/16/2016	SHERIFF	TO COVER EXPENDITURES	3102	5506	000	000	(4,200.00)
	SHERIFF		3102	5801	000	000	4,200.00
3/21/2016	SHERIFF	COVER EXPENDITURES	3102	5408	000	002	(15,000.00)
	SHERIFF		3102	5409	000	000	15,000.00
3/21/2016	GENERAL DISTRICT COURT	PURCHASE EQUIPMENT	2102	5506	000	000	(200.00)
	GENERAL DISTRICT COURT		2102	5401	000	000	200.00
	GENERAL DISTRICT COURT		2102	5411	000	000	(112.00)
	GENERAL DISTRICT COURT		2102	5401	000	000	112.00
	GENERAL DISTRICT COURT		2102	3004	000	001	(400.00)
	GENERAL DISTRICT COURT		2102	5401	000	000	400.00
	GENERAL DISTRICT COURT		2102	3005	000	000	(100.00)
	GENERAL DISTRICT COURT		2102	5401	000	000	100.00
	GENERAL DISTRICT COURT		2102	5801	000	000	(240.00)
	GENERAL DISTRICT COURT		2102	5401	000	000	240.00
3/21/2016	COMMISSIONER OF THE REVENUE	TRAINING-STAFF	1209	3010	000	000	(3,000.00)
	COMMISSIONER OF THE REVENUE		1209	5506	000	000	3,000.00
3/23/2016	COUNTY OFFICE BUILDINGS/COURTHOUSE	SNOW REMOVAL AT COUNTY ADMINISTRATION BUILDING	4304	3004	000	003	(3,300.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	3010	000	000	3,300.00
3/23/2016	COUNTY OFFICE BUILDINGS/COURTHOUSE	BUILDING REPAIRS AT MILLWOOD FIRE COMPANY	4304	5408	000	005	(2,500.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	3004	000	021	2,500.00
3/23/2016	SHERIFF	GUN LOCKS	3102	5409	000	000	21,065.00
	TRANSFERS/CONTINGENCY		9301	5899	000	000	(21,065.00)
3/23/2016	ELECTORAL BOARD AND OFFICIALS	COVER EXPENDITURES	1301	5204	000	000	(2,000.00)
	REGISTRAR		1302	5204	000	000	2,000.00
3/29/2016	INSPECTIONS	OFICE SUPPLIES AND TONERS	3401	4003	000	002	(2,000.00)
	INSPECTIONS		3401	5401	000	000	2,000.00
3/29/2016	SOCIAL SERVICES ADMINISTRATION	PURCHASE VEHICLE	5316	8005	000	000	28,000.00
	SOCIAL SERVICES ADMINISTRATION		5316	9002	000	000	(28,000.00)
3/30/2016	SHERIFF	PURCHASE TWO VANS	3102	5408	000	002	(5,856.02)
	SHERIFF		3102	8005	000	000	5,856.02
3/31/2016	COMMONWEALTH'S ATTORNEY	NEW POSITION 6/16	2201	1001	000	052	2,917.00
	COMMONWEALTH'S ATTORNEY	SALARY INCREASE 4/1/16	2201	1001	000	013	9,985.00
	COMMONWEALTH'S ATTORNEY	NEW POSITION 6/16 & SALARY INCREASE 4/1/16	2201	1003	000	002	(12,902.00)
4/4/2016	MAINTENANCE ADMINISTRATION	SNOW REMOVAL WINTER STORM	4301	5204	000	000	(876.00)
	MAINTENANCE ADMINISTRATION		4301	1005	000	000	876.00
4/4/2016	FIRE AND RESCUE	SOAP DISPENSING SYSTEM FOR PPE WASHERS	3505	8009	000	000	(1,624.00)
	FIRE AND RESCUE		3505	5413	000	000	1,624.00
4/6/2016	CLEARBROOK PARK	COVER COST OF RENTAL EQUIPMENT	7109	3004	000	003	(401.20)
	CLEARBROOK PARK		7109	9001	000	000	401.20
	SHERANDO PARK		7110	3004	000	003	(950.32)
	SHERANDO PARK		7110	9001	000	000	950.32

**County of Frederick, VA**  
**Report on Unreserved Fund Balance**  
**April 14, 2016**

<b>Unreserved Fund Balance, Beginning of Year, July 1, 2015</b>	<b>42,344,282</b>
<b>Prior Year Funding &amp; Carryforward Amounts</b>	
C/F Rose Hill Park	(168,000)
C/F Sherando Park master plan	(22,780)
C/F DARE	(400)
C/F Abbott Grant	(33,854)
C/F Fire Company Capital	(274,086)
Reserve E-summons funds	(38,816)
C/F Fire Program funds	(29,521)
Reserve P&R Play Fund funds	(6,932)
School encumbrances	(581,267)
C/F Forefeited assets	(58,035)
C/F School Capital to School Operating	(314,747)
C/F School Operating	(123,737)
C/F F&R vehicle equipment	(40,000)
C/F F&R uniforms	(64,000)
	<hr/> (1,756,175)
<b>Other Funding / Adjustments</b>	
Parks returned unused proffer	(710)
COR refund - Brookfield Stephenson Village	(20,539)
COR refund - Ally Financial	(5,405)
COR refund - Ford Motor Credit	(2,930)
COR refund - Opal Oil	(4,070)
Treasurer drive through repair	(30,000)
Circuit Clerk - deputy clerk position	(10,913)
Airport capital	(63,818)
Gainesboro site retainage	5,960
COR refund - disabled veteran	(3,689)
COR refund - Greenway Engineering	(12,753)
COR refund - Navitus Engineering	(42,560)
COR refund - Citizens Asset Finance	(5,736)
COR refund - Carrier Enterprises	(144,392)
Armel Elementary renovation design	(200,000)
NSVRC contribution	(1,216)
PPEA refund - administration building	(47,897)
COR refund - Daimler Trust	(8,679)
COR refund - Aqua Lake Holiday Utilities	(2,759)
COR refund - Probuild CO LLC	(13,282)
COR refund - Lawrence Fabrications	(6,533)
COR refund - Washington Gas	(89,697)
COR refund - Carrier Enterprises	(106,516)
COR refund - Britt Louis Nemeth	(3,019)
COR refund - Admiral Security Services	(2,815)
COR refund - Shenandoah Gas	(17,706)
COR refund - Glass America	(2,834)
COR refund - Crown Cork & Seal	(352,334)
3/2016 Presidential Primary Election	(38,614)
FY15 VJCCA refund	(1,142)
COR refund - disabled veteran	(7,065)
FY16 School & County capital	(7,000,000)
COR refund - Atlantic Construction	(13,574)
Security Drive	(4,390)
	<hr/> (8,261,628)
<b>Fund Balance, April 14, 2016</b>	<b><u><u>32,326,479</u></u></b>

County of Frederick  
General Fund  
March 31, 2016

ASSETS	FY16 <u>3/31/16</u>	FY15 <u>3/31/15</u>	Increase (Decrease)
Cash and Cash Equivalents	45,804,104.51	47,829,763.46	(2,025,658.95) *A
Petty Cash	1,555.00	1,555.00	0.00
Receivables:			
Taxes, Commonwealth, Reimb. P/P	2,804,377.26	2,724,690.61	79,686.65
Streetlights	1,063.86	1,044.50	19.36
Miscellaneous Charges	26,068.54	17,063.69	9,004.85
Due from Fred. Co. San. Auth.	734,939.23	734,939.23	0.00
Prepaid Postage	2,698.81	3,061.78	(362.97)
GL controls (est.rev / est. exp)	<u>(20,232,132.18)</u>	<u>(8,719,798.46)</u>	<u>(11,512,333.72)</u> (1) Attached
<b>TOTAL ASSETS</b>	<b><u>29,142,675.03</u></b>	<b><u>42,592,319.81</u></b>	<b><u>(13,449,644.78)</u></b>
<b>LIABILITIES</b>			
Performance Bonds Payable	2,743,663.37	491,136.32	2,252,527.05
Taxes Collected in Advance	201,141.07	181,507.28	19,633.79
Deferred Revenue	<u>2,831,808.66</u>	<u>2,743,112.80</u>	<u>88,695.86</u> *B
<b>TOTAL LIABILITIES</b>	<b>5,776,613.10</b>	<b>3,415,756.40</b>	<b>2,360,856.70</b>
<b>EQUITY</b>			
Fund Balance			
Reserved:			
Encumbrance General Fund	1,055,134.45	590,254.35	464,880.10 (2) Attached
Conservation Easement	4,779.85	4,779.85	0.00
Peg Grant	137,071.75	66,131.05	70,940.70 *C
Prepaid Items	949.63	949.63	0.00
Advances	734,939.23	734,939.23	0.00
Employee Benefits	93,120.82	93,120.82	0.00
Courthouse Fees	269,039.57	222,145.76	46,893.81 *D
Historical Markers	17,339.18	17,303.89	35.29
Animal Shelter	335,530.02	335,530.02	0.00
Proffers	1,850,419.80	4,023,780.67	(2,173,360.87) (3) Attached
Economic Development Incentive	0.00	550,000.00	(550,000.00)
Parks Reserve	6,932.25	0.00	6,932.25
E-Summons Funds	38,816.25	0.00	38,816.25
VDOT Revenue Sharing	436,270.00	436,270.00	0.00
Undesignated Adjusted Fund Balance	<u>18,385,719.13</u>	<u>32,101,358.14</u>	<u>(13,715,639.01)</u> (4) Attached
<b>TOTAL EQUITY</b>	<b><u>23,366,061.93</u></b>	<b><u>39,176,563.41</u></b>	<b><u>(15,810,501.48)</u></b>
<b>TOTAL LIAB. &amp; EQUITY</b>	<b><u>29,142,675.03</u></b>	<b><u>42,592,319.81</u></b>	<b><u>(13,449,644.78)</u></b>

**NOTES:**

\*A Cash decrease includes an increase in revenues, expenditures and transfers, and a decrease in fund balance(refer to the comparative statement of revenues, expenditures, transfers and change in fund balance.

\*B Deferred revenue includes taxes receivable,street lights,misc.charges,dog tags, and motor vehicle registration fees.

\*C Upgrade board room audio visual and broadcasting equipment in the previous year \$178,122 from Comcast provided  
**PEG funds.**

\*D Previously ADA Fees.

**BALANCE SHEET**

(1) GL Controls	FY16	FY15	Inc/(Decrease)
Est.Revenue	147,695,246	138,499,390	9,195,856
Appropriations	(75,521,302)	(61,032,458)	(14,488,844)
Est.Tr.to Other fds	(93,461,211)	(86,776,985)	(6,684,226)
Encumbrances	1,055,134	590,254	464,880
	(20,232,132)	(8,719,799)	(11,512,333)

**(2) General Fund Purchase Orders @3/31/16**

DEPARTMENT	Amount
Finance	296.00 Envelopes
Fire & Rescue	266.61 Uniforms
	108.00 Rescue Technology
	8,770.00 Vehicle Tools & Equip.(Includes Light Bars, Custom Cabinets, etc.)
	6,642.27 Radio
	2,615.00 Instructor & Student Manuals
	4,800.00 Workforce Management System Renewal
	119,370.63 Gas Meters w/Accessories
	32,150.00 Scott SCBS System Equipment
	6,349.32 Uniforms
	17,226.10 Respirator Testing system
	28,008.00 (3) Washer/Extractors
Parks	143.90 Rose Hill Park Engineering Service
	7,735.10 Special Events T-Shirts
	49,792.00 Sierra Restroom Building Rose Hill Park
	23,967.00 Resurface Clearbrook Pool
	159,475.00 Rose Hill Park Rec&Access Trails Construction
	4,595.00 Fusion Soccer Goal
	17,177.45 Grass Seed and Fertilizer
	4,000.00 Bike Path Asphalt Repair
Public Safety	10,273.08 Repair & Maintenance of Radio Equipment
Refuse	6,280.00 (100) Rain Barrels and (25) Compost Bins
Sheriff	30,095.52 (12) Tactical Vests & (24) Hard Armor Plates
	260,260.00 (10) 2016 Police Interceptors
	5,461.00 (15) Body Armour
	29,999.40 Communication System (10) Radios w/Accessories
	25,455.90 Ammunition
	168,343.17 Tasers & Accessories
	21,065.00 Weapon Racks
Treasurer	4,414.00 Envelopes
<b>Total</b>	<b>1,055,134.45</b>

(3)Proffer Information	SCHOOLS	PARKS	FIRE & RESCUE	Designated Other Projects	TOTAL
<a href="#">Balance @3/31/16</a>	54,706.90	343,280.16	391,139.40	1,061,293.34	<b>1,850,419.80</b>

**Designated Other Projects Detail**

Administration	218,936.34
Bridges	1,000.00
Historic Preservation	108,000.00 12/11/14 Board Action designated \$50,000 for final debt payment
Library	101,206.00 on the Huntsberry property.
Rt.50 Trans.Imp.	10,000.00
Rt. 50 Rezoning	25,000.00
Rt. 656 & 657 Imp.	25,000.00
RT.277	162,375.00
Sheriff	41,776.00
Solid Waste	12,000.00
Stop Lights	26,000.00
BPG Properties/Rt.11 Corridor	330,000.00
<b>Total</b>	<b>1,061,293.34</b>

**Other Proffers @3/31/16**

(4) Fund Balance Adjusted	FY2016	FY2015	Variance
Ending 3/31	32,326,478.83	36,065,267.35	(3,738,788.52)
Revenue 3/31	86,693,302.06	82,968,623.80	3,724,678.26
Expenditures 3/31	(46,965,316.17)	(44,055,825.95)	(2,909,490.22)
Transfers 3/31	(53,668,745.59)	(42,876,707.06)	(10,792,038.53)
<b>Adjusted Fund Balance 3/31</b>	<b>18,385,719.13</b>	<b>32,101,358.14</b>	<b>(13,715,639.01)</b>

County of Frederick  
Comparative Statement of Revenues, Expenditures  
and Changes in Fund Balance  
March 31, 2016

<b>REVENUES:</b>	<u>Appropriated</u>	<u>FY16 3/31/15 Actual</u>	<u>FY15 3/31/15 Actual</u>	<u>YTD Actual Variance</u>	
General Property Taxes	100,608,073.00	45,370,989.66	43,630,663.77	1,740,325.89	(1)
Other local taxes	31,899,849.00	21,212,765.71	20,325,406.25	887,359.46	(2)
Permits & Privilege fees	1,663,682.00	1,742,460.56	1,243,549.75	498,910.81	(3)
Revenue from use of money and property	160,420.13	177,317.32	171,997.49	5,319.83	(4)
Charges for Services	2,478,226.00	1,904,594.16	1,692,580.89	212,013.27	
Miscellaneous	596,090.35	269,486.67	440,582.31	(171,095.64)	
Recovered Costs	1,319,897.49	1,366,787.61	1,348,516.89	18,270.72	(5)
Proffers		1,377,380.29	866,283.41	511,096.88	(5)
Intergovernmental:					
Commonwealth	8,900,008.00	13,195,569.63	13,222,304.44	(26,734.81)	(6)
Federal	69,000.00	75,950.45	26,738.60	49,211.85	(7)
<b>TOTAL REVENUES</b>	<b>147,695,245.97</b>	<b>86,693,302.06</b>	<b>82,968,623.80</b>	<b>3,724,678.26</b>	
<b>EXPENDITURES:</b>					
General Administration	10,977,297.56	8,179,687.40	6,986,110.27	1,193,577.13	
Judicial Administration	2,434,843.52	1,667,415.54	1,572,869.02	94,546.52	
Public Safety	33,379,378.04	22,646,158.97	21,859,505.15	786,653.82	
Public Works	4,957,907.86	3,086,936.16	2,670,467.76	416,468.40	
Health and Welfare	8,177,956.00	5,525,129.63	5,075,449.75	449,679.88	
Education	56,000.00	42,000.00	42,000.00	0.00	
Parks, Recreation, Culture	6,432,979.24	4,293,382.17	3,865,945.33	427,436.84	
Community Development	1,997,260.95	1,524,606.30	1,983,478.67	(458,872.37)	
<b>TOTAL EXPENDITURES</b>	<b>68,413,623.17</b>	<b>46,965,316.17</b>	<b>44,055,825.95</b>	<b>2,909,490.22</b>	<b>(8)</b>
<b>OTHER FINANCING SOURCES ( USES):</b>					
Operating transfers from / to	100,568,889.43	53,668,745.59	42,876,707.06	10,792,038.53	(9)
<b>Excess (deficiency)of revenues &amp; other sources over expenditures &amp; other uses</b>	<b>(21,287,266.63)</b>	<b>(13,940,759.70)</b>	<b>(3,963,909.21)</b>	<b>9,976,850.49</b>	
<b>Fund Balance per General Ledger</b>		<b>32,326,478.83</b>	<b>36,065,267.35</b>	<b>(3,738,788.52)</b>	
<b>Fund Balance Adjusted to reflect Income Statement 3/31/16</b>		<b>18,385,719.13</b>	<b>32,101,358.14</b>	<b>(13,715,639.01)</b>	

<b>(1)General Property Taxes</b>	<b>FY16</b>	<b>FY15</b>	<b>Increase/Decrease</b>
Real Estate Taxes	23,686,258	23,107,306	578,952
Public Services Current Taxes	1,347,709	1,158,065	189,644
Personal Property	19,395,977	18,312,977	1,083,000
Penalties and Interest	756,894	817,904	(61,010)
Credit Card Chgs./Delinq.Advertising	(31,128)	(25,304)	(5,824)
Adm.Fees For Liens&Distress	215,280	259,716	(44,436)
	45,370,990	43,630,664	1,740,326

**(2) Other Local Taxes**

Local Sales and Use Tax	7,520,556.50	7,177,687.38	342,869.12
Communications Sales Tax	763,381.01	785,647.57	(22,266.56)
Utility Taxes	2,087,928.67	2,034,666.78	53,261.89
Business Licenses	5,894,129.73	5,686,238.26	207,891.47
Auto Rental Tax	81,552.79	70,490.60	11,062.19
Motor Vehicle Licenses Fees	524,326.05	514,589.52	9,736.53
Recordation Taxes	1,052,372.54	899,743.62	152,628.92
Meals Tax	2,955,182.80	2,858,651.94	96,530.86
Lodging Tax	313,492.11	276,878.36	36,613.75
Street Lights	15,672.70	16,612.32	(939.62)
Star Fort Fees	4,170.81	4,199.90	(29.09)
<b>Total</b>	<b>21,212,765.71</b>	<b>20,325,406.25</b>	<b>887,359.46</b>

**(3)Permits&Privileges**

Dog Licenses	26,097.00	32,217.00	(6,120.00)
Land Use Application Fees	9,600.00	7,400.00	2,200.00
Transfer Fees	2,294.10	1,991.47	302.63
Development Review Fees	430,913.89	309,353.92	121,559.97
Building Permits	934,679.57	679,707.80	254,971.77
2% State Fees	9,858.46	11,387.06	(1,528.60)
Electrical Permits	82,963.00	56,435.00	26,528.00
Plumbing Permits	18,564.80	10,111.00	8,453.80
Mechanical Permits	103,656.00	47,118.50	56,537.50
Sign Permits	3,576.72	1,920.00	1,656.72
Permits for Commercial Burning	100.00	500.00	(400.00)
Explosive Storage Permits	1,100.00	700.00	400.00
Blasting Permits	375.00	210.00	165.00
Land Disturbance Permits	116,632.02	83,098.00	33,534.02
Septic Haulers Permit	300.00	200.00	100.00
Sewage Installation License	1,750.00	600.00	1,150.00
Transfer Development Rights	-	600.00	(600.00)
<b>Total</b>	<b>1,742,460.56</b>	<b>1,243,549.75</b>	<b>498,910.81</b>

**(4) Revenue from use of**

Money	144,303.41	113,018.53	31,284.88
Property	33,013.91	58,978.96	(25,965.05)
<b>Total</b>	<b>177,317.32</b>	<b>171,997.49</b>	<b>5,319.83</b>



(5) Recovered Costs	FY16	FY15	Increase/Decrease
	3/31/16	3/31/15	
Recovered Costs Treas.Office	44,626.00	44,626.00	-
Worker's Comp	950.00	950.00	-
Purchasing Card Rebate	124,206.59	98,068.29	26,138.30
Recovered Costs-IT/GIS	20,313.98	20,000.00	313.98
Recovered Costs F&R Fee Recovery	547,402.07	216,783.54	330,618.53
Recovered Cost Fire Companies	38,672.90	16,758.26	21,914.64
Reimbursement Circuit Court	9,741.94	9,397.87	344.07
Reimb.Public Works/Planning Clean Up	2,846.25	723.75	2,122.50
Clarke County Container Fees	42,236.25	34,793.35	7,442.90
City of Winchester Container Fees	36,605.41	28,576.87	8,028.54
Refuse Disposal Fees	57,990.66	44,521.21	13,469.45
Recycling Revenue	46,763.94	46,547.16	216.78
Fire & Rescue Merchandise(Resale)	1,050.00	-	1,050.00
Container Fees Bowman Library	1,021.16	1,159.66	(138.50)
Litter-Thon/Keep VA Beautiful Grant	500.00	-	500.00
Restitution Victim Witness	6,162.05	8,028.53	(1,866.48)
Reimb.of Expenses Gen.District Court	19,191.21	21,885.12	(2,693.91)
Reimb.Task Force	51,245.26	49,344.52	1,900.74
Sign Deposits Planning	50.00	(50.00)	100.00
Reimbursement-Construction Projects	-	385,799.69	(385,799.69) *1
Reimbursement Elections	-	4,402.01	(4,402.01)
Westminster Canterbury Lieu of Tax	12,456.00	24,450.10	(11,994.10)
Grounds Maint.Frederick Co. Schools	225,070.61	197,106.43	27,964.18
Comcast PEG Grant	53,839.80	53,095.50	744.30
Fire School Programs	14,714.25	12,825.00	1,889.25
Clerks Reimbursement to County	8,119.70	7,618.29	501.41
Sheriff Reimbursement	1,011.58	21,105.74	(20,094.16)
Subtotal Recovered Costs	1,366,787.61	1,348,516.89	18,270.72
Proffer-Other	483,090.46	449.50	482,640.96 *2
Lynnhaven	23,648.17	-	23,648.17
Proffer Sovereign Village	-	14,634.92	(14,634.92)
Proffer Redbud Run	64,540.00	32,270.00	32,270.00
Proffer Canter Estates	69,495.49	8,175.94	61,319.55
Proffer Village at Harvest Ridge	12,312.00	7,695.00	4,617.00
Proffer Southern Hills	24,550.00	-	24,550.00
Proffer Snowden Bridge	418,588.17	440,776.05	(22,187.88)
Proffer Meadows Edge Racey Tract	221,584.00	352,520.00	(130,936.00)
Cedar Meadows	58,572.00	9,762.00	48,810.00
Proffer Westbury Commons	1,000.00	-	1,000.00
Subtotal Proffers	1,377,380.29	866,283.41	511,096.88
Grand Total	2,744,167.90	2,214,800.30	529,367.60

\*1 Reimbursement for the Round Hill Fire and Rescue Station and Event Center design.

\*2 Blackburn commerce Center Rezoning/Transportation Improvement \$452,745.46

(6) Commonwealth Revenue	FY16	FY15	
	3/31/16	3/31/15	Increase/Decrease
Motor Vehicle Carriers Tax	37,721.45	36,948.73	772.72
Mobile Home Titling Tax	98,521.12	89,406.17	9,114.95
Recordation Taxes	284,889.59	254,075.53	30,814.06
P/P State Reimbursement	6,526,528.26	6,526,528.18	0.08
Shared Expenses Comm.Atty.	342,057.47	294,803.58	47,253.89
Shared Expenses Sheriff	1,642,631.91	1,604,477.75	38,154.16
Shared Expenses Comm.of Rev.	144,771.49	142,102.73	2,668.76
Shared Expenses Treasurer	109,928.39	108,079.53	1,848.86
Shared Expenses Clerk	289,058.67	266,964.42	22,094.25
Public Assistance Grants	3,073,566.58	2,785,583.64	287,982.94
Litter Control Grants	15,687.00	15,515.00	172.00
Other Revenue from the Commonwealth	-	189,785.00	(189,785.00)
Emergency Services Fire Program	214,535.00	239,007.00	(24,472.00)
DMV Grant Funding	19,107.39	29,032.16	(9,924.77)
State Grant Emergency Services	30,754.29	62,786.60	(32,032.31)
DCJS & Sheriff (State Grants)	20,000.00	134,181.10	(114,181.10)
JJC Grant Juvenile Justice	96,269.00	96,269.00	-
Rent/Lease Payments	142,067.83	221,776.83	(79,709.00)
Spay/Neuter Assistance -State	2,318.10	2,232.14	85.96
Wireless 911 Grant	45,599.36	48,029.34	(2,429.98)
State Forfeited Asset Funds	31,607.23	18,227.63	13,379.60
Victim Witness	25,807.50	51,610.00	(25,802.50)
F/R OEMS Reimb.	2,142.00	4,882.38	(2,740.38)
Total	13,195,569.63	13,222,304.44	(26,734.81)

\*1

\*2

\*3

\*1 Increase for special needs

\*2 DEQ Stormwater revenue FY15

\*3 Abbott Grant \$99,064.88 FY15

**County of Frederick****General Fund****March 31, 2016**

<b>(7) Federal Revenue</b>	FY16	FY15	Increase/Decrease
	3/31/16	3/31/15	
Federal Forfeited Assets	11,538.45	-	11,538.45
Housing Illegal Aliens-Federal	12,581.00	12,449.00	132.00
Federal Funds-Sheriff	38,983.00	10,191.60	28,791.40
Emergency Services Grant	12,848.00	4,098.00	8,750.00
Total	75,950.45	26,738.60	49,211.85

**(8) Expenditures**

Expenditures increased \$2,909,490.22. **General Administration** increased \$1,193,577.13 and reflects a \$661,874.16 increase of Commissioner of the Revenue tax refunds year to date. Additionally, the CSA Fund transfer increased \$286,980. **Public Safety** increased \$786,653.82 and reflects an increase of \$162,538.40 for the contribution for the local share for the Jail through the third quarter. Also, Inspections purchased two 2016 Chevrolet Colorado trucks for a total of \$52,779 and Fire and Rescue a 2016 Ford F250 truck (\$29,943) and a 2016 Ford Police utility vehicle (\$27,066). **Public Works** increased \$416,468.40 and includes the County share of the Courthouse Complex maintenance increase of \$222,458.46. Additionally, Engineering purchased a 2015 Chevrolet Colorado truck (\$26,632), Refuse a 30 yard recycling can and compactor (\$17,475) and Maintenance Administration a 2015 Ford F150 truck (\$27,963). **Parks, Recreation, and Culture** increased \$427,436.84 and includes vehicle purchases of (2) 2015 Chevrolet Silverado trucks (\$24,375 each) and (2) 2015 Toro Z-turn riding mowers (\$13,057 each). Also, the acquisition of property at 692 Old Charles Town Road (\$92,561.80). The decrease in **Community Development** reflects the \$452,141.35 FY2016 decrease for the transfer to the Economic Development Authority. The Transfers increased \$10,792,038.53. See chart below:

<b>(9) Transfers Increased \$10,792,038.53</b>	FY16	FY15	Increase/Decrease
	3/31/16	3/31/2015	
Transfer to School Operating	36,743,038.31	32,892,257.05	3,850,781.26
Transfer to Debt Service Schools	7,313,075.50	7,313,075.50	-
Transfer to School Construction	3,200,000.00	-	3,200,000.00
Transfer to Debt Service County	1,961,127.11	954,525.82	1,006,601.29
Transfer to School Operating Capital	4,314,746.72	542,593.92	3,772,152.80
Transfer to Capital Projects Fund	0.00	1,000,000.00	(1,000,000.00)
Transfer to Development Project Fund	4,390.00	-	4,390.00
Operational Transfers	132,367.95	174,254.77	(41,886.82)
Total	53,668,745.59	42,876,707.06	10,792,038.53

\*1 Increase in FY15 School Operating Transfer.

\*2 FY16 payments include the Bowman Library, Roundhill, Millwood Station, Public Safety Building, and the Animal Shelter.

\*3 FY16 transfer of \$4 million to the School to address critical capital needs.

\*4 Proffer for Round Hill Fire and Rescue Event Center Site Plan Development.

\*5 Timing of insurance charge outs.

County of Frederick  
FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER  
March 31, 2016

ASSETS	FY2016 <u>3/31/16</u>	FY2015 <u>3/31/15</u>	Increase (Decrease)
Cash	6,937,386.65	5,481,337.50	1,456,049.15 *1
GL controls(est.rev/est.exp)	<u>(762,978.28)</u>	<u>(907,271.63)</u>	<u>144,293.35</u>
<b>TOTAL ASSETS</b>	<b><u>6,174,408.37</u></b>	<b><u>4,574,065.87</u></b>	<b><u>1,600,342.50</u></b>
 LIABILITIES			
Accrued Operating Reserve Costs	<u>2,258,904.00</u>	<u>2,115,099.00</u>	<u>143,805.00</u>
<b>TOTAL LIABILITIES</b>	<b><u>2,258,904.00</u></b>	<b><u>2,115,099.00</u></b>	<b><u>143,805.00</u></b>
 EQUITY			
Fund Balance			
Reserved			
Encumbrances	15,174.06	31,557.24	(16,383.18)
Undesignated			
Fund Balance	<u>3,900,330.31</u>	<u>2,427,409.63</u>	<u>1,472,920.68</u> *2
<b>TOTAL EQUITY</b>	<b><u>3,915,504.37</u></b>	<b><u>2,458,966.87</u></b>	<b><u>1,456,537.50</u></b>
<b>TOTAL LIABILITY &amp; EQUITY</b>	<b><u>6,174,408.37</u></b>	<b><u>4,574,065.87</u></b>	<b><u>1,600,342.50</u></b>

**NOTES:**

\*1 Cash increased \$1,456,049.15. Refer to the following page for comparative statement of revenues, expenditures and changes in fund balance.

\*2 Fund balance increased \$1,472,920.68. The beginning balance for FY16 was \$3,209,470.54 and includes adjusting entries, budget controls FY16(\$725,046.00), and the year to date revenue less expenditures of \$1,415,905.77.

<b>Current Unrecorded Accounts Receivable-</b>	<u><b>FY2016</b></u>
Prisoner Billing:	31,515.93
Compensation Board Reimbursement 3/16	<u>467,723.58</u>
<b>Total</b>	<b>499,239.51</b>

County of Frederick  
Comparative Statement of Revenues, Expenditures  
and Changes in Fund Balance  
3/31/2016

**FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER**

<b>REVENUES:</b>		<b>FY2016 3/31/16</b>	<b>FY2015 3/31/15</b>	<b>YTD Actual Variance</b>
	<u>Appropriated</u>	<u>Actual</u>	<u>Actual</u>	
Credit Card Probation	-	131.71	110.51	21.20
Interest		5,938.38	6,433.35	(494.97)
Supervision Fees	41,696.00	28,663.00	29,398.00	(735.00)
Drug Testing Fees	5,000.00	-	565.00	(565.00)
Work Release Fees	355,828.00	243,879.51	219,728.49	24,151.02
Federal Bureau Of Prisons	0.00	1,147.52	3,510.28	(2,362.76)
Local Contributions	6,495,106.00	6,495,106.00	5,602,369.54	892,736.46
Miscellaneous	15,000.00	5,768.86	5,043.90	724.96
Phone Commissions	345,000.00	259,286.46	199,725.54	59,560.92
Food & Staff Reimbursement	130,000.00	41,398.71	80,416.17	(39,017.46)
Elec.Monitoring Part.Fees	90,000.00	74,765.86	58,278.34	16,487.52
Share of Jail Cost Commonwealth	1,097,197.00	747,470.60	608,468.11	139,002.49
Medical & Health Reimb.	68,000.00	56,420.13	48,236.06	8,184.07
Shared Expenses CFW Jail	5,090,140.00	3,603,379.13	3,554,044.76	49,334.37
State Grants	250,263.00	144,570.00	88,116.00	56,454.00
Local Offender Probation	252,286.00	138,164.00	67,190.00	70,974.00
DOC Contract Beds	0.00	0.00	1,751.18	(1,751.18)
Bond Proceeds	0.00	77,024.08	0.00	77,024.08
Transfer From General Fund	5,103,298.00	3,827,473.50	3,664,935.10	162,538.40
<b>TOTAL REVENUES</b>	<b>19,338,814.00</b>	<b>15,750,587.45</b>	<b>14,238,320.33</b>	<b>1,512,267.12</b>
<b>EXPENDITURES:</b>	<b>20,116,966.34</b>	<b>14,334,681.68</b>	<b>13,624,928.61</b>	<b>709,753.07</b>
<b>Excess(Deficiency)of revenues over expenditures</b>		<b>1,415,905.77</b>	<b>613,391.72</b>	<b>802,514.05</b>
<b>FUND BALANCE PER GENERAL LEDGER</b>		<b><u>2,484,424.54</u></b>	<b><u>1,814,017.91</u></b>	<b><u>670,406.63</u></b>
<b>Fund Balance Adjusted To Reflect Income Statement @ 3/31/16</b>		<b>3,900,330.31</b>	<b>2,427,409.63</b>	<b>1,472,920.68</b>

County of Frederick  
Fund 12 Landfill  
March 31, 2016

ASSETS	FY2016 <u>3/31/16</u>	FY2015 <u>3/31/15</u>	Increase <u>(Decrease)</u>
Cash	33,724,689.38	31,794,506.73	1,930,182.65
Receivables:			
Fees	621,044.26	525,785.83	95,258.43 *1
Allow.Uncollectible Fees	(84,000.00)	(84,000.00)	0.00
Misc. Charges	1,522.18	0.00	1,522.18
Fixed Assets	44,899,611.07	43,682,208.64	1,217,402.43
Accumulated Depreciation	(26,818,616.30)	(25,115,864.21)	(1,702,752.09)
GL controls(est.rev/est.exp)	<u>(731,470.00)</u>	<u>(4,334,719.22)</u>	<u>3,603,249.22</u>
 TOTAL ASSETS	 <u>51,612,780.59</u>	 <u>46,467,917.77</u>	 <u>5,144,862.82</u>
 LIABILITIES			
Accounts Payable	-	-	
Accrued VAC.Pay and Comp TimePay	191,362.47	178,911.24	12,451.23
Accrued Remediation Costs	12,485,783.93	11,938,535.78	547,248.15 *2
Retainage Payable	0.00	9,244.62	(9,244.62)
Misc. Charges	1,522.18	0.00	1,522.18
TOTAL LIABILITIES	<u>12,678,668.58</u>	<u>12,126,691.64</u>	<u>551,976.94</u>
 EQUITY			
Fund Balance			
Reserved:			
Encumbrances	0.00	720,670.00	(720,670.00) *3
Land Acquisition	1,048,000.00	1,048,000.00	0.00
New Development Costs	3,812,000.00	3,812,000.00	0.00
Environmental Project Costs	1,948,442.00	1,948,442.00	0.00
Equipment	3,050,000.00	3,050,000.00	0.00
Undesignated			
Fund Balance	<u>29,075,670.01</u>	<u>23,762,114.13</u>	<u>5,313,555.88</u> *4
 TOTAL EQUITY	 <u>38,934,112.01</u>	 <u>34,341,226.13</u>	 <u>4,592,885.88</u>
 TOTAL LIABILITY AND EQUITY	 <u>51,612,780.59</u>	 <u>46,467,917.77</u>	 <u>5,144,862.82</u>

**NOTES:**

\*1 Landfill fees increased \$95,258.43 and is due to an increase in tipping fee rates. Landfill fees at 3/16 were \$532,525.05 compared to \$424,301.42 at 3/15 for an increase of \$108,223.63. Delinquent fees at 3/16 were \$84,207.23 compared to \$98,246.49 at 3/15 for a decrease of \$14,039.26.

\*2 Remediation increase \$547,248.15 and includes \$517,368.00 for post closure and \$29,880.15 interest.

\*3 There is no encumbrance balance at 3/31/16.

\*4 Fund balance increased \$5,313,555.88. The beginning balance was \$27,730,771.72 and includes adjusting entries budget controls for FY16(\$75,138) and year to date revenue less expenditures of \$1,420,036.29.

County of Frederick  
Comparative Statement of Revenue,Expenditures  
and Changes in Fund Balance  
March 31, 2016

<b>FUND 12 LANDFILL REVENUES</b>		FY16 3/31/16 <u>Actual</u>	FY15 3/31/15 <u>Actual</u>	YTD Actual <u>Variance</u>
	<u>Appropriated</u>			
Interest Charge	0.00	3,031.41	2,665.57	365.84
Interest on Bank Deposits	60,000.00	40,313.78	42,858.08	(2,544.30)
Salvage and Surplus	0.00	51,520.60	88,001.55	(36,480.95)
Sanitary Landfill Fees	5,080,500.00	3,916,329.80	3,295,002.96	621,326.84
Charges to County	0.00	288,740.04	234,116.10	54,623.94
Charges to Winchester	0.00	82,069.30	65,960.12	16,109.18
Tire Recycling	120,000.00	65,888.24	129,726.05	(63,837.81)
Reg.Recycling Electronics	60,000.00	34,710.00	28,588.01	6,121.99
Greenhouse Gas Credit Sales		22,508.06	3,668.28	18,839.78
Miscellaneous	60,000.00	4,734.00	4,843.00	(109.00)
Wheel Recycling	120,000.00	0.00	10,491.47	(10,491.47)
Renewable Energy Credits	116,262.00	101,256.30	105,313.32	(4,057.02)
Landfill Gas To Electricity	394,620.00	271,996.01	381,147.32	(109,151.31)
Waste Oil Recycling		1,920.53	7,506.19	(5,585.66)
State Reimbursement Tire Operation	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	6,011,382.00	4,885,018.07	4,399,888.02	485,130.05
Operating Expenditures	5,391,520.00	2,687,435.80	2,248,994.11	438,441.69
Capital Expenditures	1,351,332.00	777,545.98	1,393,954.92	(616,408.94)
<b>TOTAL Expenditures</b>	6,742,852.00	3,464,981.78	3,642,949.03	(177,967.25)
<b>Excess(deficiency)of revenue over expenditures</b>		1,420,036.29	756,938.99	663,097.30
<b>Fund Balance Per General Ledger</b>		<u>27,655,633.72</u>	<u>23,005,175.14</u>	4,650,458.58
<b>FUND BALANCE ADJUSTED</b>		29,075,670.01	23,762,114.13	5,313,555.88

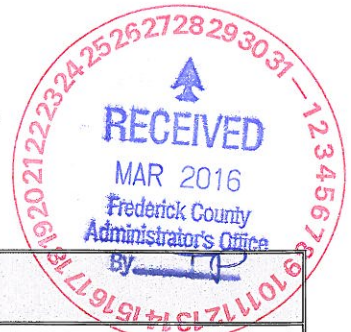
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APPLICATION FOR OUTDOOR FESTIVAL PERMIT  
COUNTY OF FREDERICK, VIRGINIA

(Please Print Clearly)



APPLICANT INFORMATION

Name of Applicant: Charles Harbaugh ID / Cedar Creek Battlefield Foundation  
Telephone Number(s): 540-877-4594 ☐ home ☐ office ☒ cell 540-869-2064 ☐ home ☒ office ☐ cell  
Address: 8437 Valley Pike Middletown VA 22645  
Contact Email: charbaug@su.edu

FESTIVAL EVENT ORGANIZATIONAL INFORMATION

Festival Event

Name of Festival: Battle of Meadow Mills

Cost of Admission to Festival: \$5-10

Business License Obtained: ☒ Yes ☐ No

Date(s)	Start Time	End Time	Maximum No. of Tickets Offered For Sale Per Day	Estimated No. of Attendees Per Day
June 4th	10:00 am	6:00 pm	Variable	500 plus
June 5th	10:00 am	3:00 pm	variable	500 plus

Location

Address: 8437 Valley Pike Middletown VA

Owner of Property

Name(s): CCBF

Address: 8437 Valley Pike Middletown VA

(\*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)

Promoter

Name(s): CCBF / Charles Harbaugh ID

Address: \_\_\_\_\_

(\*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)

Financial Backer

Name(s): CCBF

Address: \_\_\_\_\_

Performer

Name of Person(s) or Group(s): Reenactors

Flyer Attached

(\*NOTE: Applicant may need to update information as performers are booked for festival event.)

## FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

1. Attach a copy of the printed ticket or badge of admission to the festival, containing the date(s) and time(s) of such festival (may be marked as "sample"). ☐ copy attached OR ☒ copy to be provided as soon as available
2. Provide a plan for adequate sanitation facilities as well as garbage, trash, and sewage disposal for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).  
Porta Johns, dumpsters etc. Water Buffalo
3. Provide a plan for providing food, water, and lodging for the persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).  
Water Buffalo, possible food vendors, one to three
4. Provide a plan for adequate medical facilities for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.  
Middletown Fire and Rescue
5. Provide a plan for adequate fire protection. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.  
Middletown Fire and Rescue
6. Provide a plan for adequate parking facilities and traffic control in and around the festival area. (A diagram may be submitted.)  
CCBF Parkings behind headquarters and in adjacent fields
7. State whether any outdoor lights or lighting will be utilized: ☒ YES ☐ NO  
If yes, provide a plan or submit a diagram showing the location of such lights and the proximity relative to the property boundaries and neighboring properties. In addition, show the location of shielding devices or other equipment to be used to prevent unreasonable glow beyond the property on which the festival is located.  
Fires, lighting by Valley Pike etc
8. State whether alcoholic beverages will be served: ☐ YES ☒ NO  
If yes, provide details on how it will be controlled.

(NOTE: Evidence of any applicable VA ABC permit must also be provided and posted at the festival as required. Applicant may need to confirm with the VA ABC that a license is not required from that agency in order for festival attendees to bring their own alcoholic beverages to any event that is open to the general public upon payment of the applicable admission fee.)

### **FESTIVAL PROVISIONS**

Applicant makes the following statements:

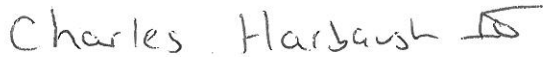
- A. Music shall not be rendered nor entertainment provided for more than eight (8) hours in any twenty-four (24) hour period, such twenty-four (24) hour period to be measured from the beginning of the first performance at the festival.
- B. Music shall not be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom exceeds 73 decibels at the property on which the festival is located.
- C. No person under the age of eighteen (18) years of age shall be admitted to any festival unless accompanied by a parent or guardian, the parent or guardian to remain with such person at all times. (NOTE: It may be necessary to post signs to this effect.)
- D. The Board, its lawful agents, and/or duly constituted law enforcement officers shall have permission to go upon the property where the festival is being held at any time for the purpose of determining compliance with the provisions of the County ordinance.

### **CERTIFICATION**

I, the undersigned Applicant, hereby certify that all information, statements, and documents provided in connection with this Application are true and correct to the best of my knowledge. In addition, Applicant agrees that the festival event and its attendees shall comply with the provisions of the Frederick County ordinance pertaining to festivals as well as the festival provisions contained herein.



Signature of Applicant



Printed Name of Applicant

Date: 3-27-16

**THE BOARD SHALL HAVE THE RIGHT TO REVOKE ANY PERMIT ISSUED UNDER THIS ORDINANCE  
UPON NON-COMPLIANCE WITH ANY OF ITS PROVISIONS AND CONDITIONS.**





***TAKE NOTICE! All brave men and women willing to defend Liberty and Independence under General Washington! COME ONE & ALL!***

Muster with *The Continental Line* and *The British Brigade* at **Cedar Creek Battlefield**, Middletown, Virginia, on **June 4<sup>th</sup> and 5<sup>th</sup>, 10am-5pm. Rain or shine.**

See and hear **ENGAGEMENTS** of live reenactors featuring **INFANTRY, ARTILLERY, and CAVALRY! MEET** the men and women who served on both sides of the American Revolution. **LEARN** about life in camp and on campaign.

**Facebook:** "Battle Meadow Mills" (profile) and "Battle of Meadow Mills" (event).

**Contact:** BattleofMeadowMills@gmail.com or 540-869-2064

***Attention! All Intrepid HEROES who are willing to serve His Majesty King George the Third in Defense of their Country, Laws and Constitution!***

*God Save the King!*

<http://www.ccbf.us/>







# JOIN, or DIE.

## June 4<sup>th</sup> and 5<sup>th</sup>

### Cedar Creek Battlefield – Middletown, Virginia

*Where will you be when the Battle of Meadow Mills begins?*



Info: "Battle Meadow Mills" (Facebook), 540-869-2064, [BattleOfMeadowMills@gmail.com](mailto:BattleOfMeadowMills@gmail.com)

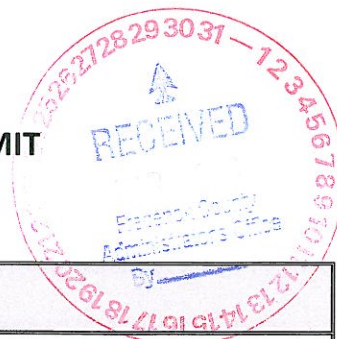
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**APPLICATION FOR OUTDOOR FESTIVAL PERMIT  
COUNTY OF FREDERICK, VIRGINIA**

*(Please Print Clearly)*



APPLICANT INFORMATION				
Name of Applicant: <u>Michael S. Collins</u>				
Telephone Number(s): <u>(202) 702 - 3910</u> <input type="checkbox"/> home <input type="checkbox"/> office <input checked="" type="checkbox"/> cell _____ <input type="checkbox"/> home <input type="checkbox"/> office <input type="checkbox"/> cell				
Address: <u>5764 Steven's Forest Rd. Columbie, Apt. 310, MD 21045</u>				
Contact Email: <u>undeadpromos@gmail.com</u>				
FESTIVAL EVENT ORGANIZATIONAL INFORMATION				
<b>Festival Event</b>	Name of Festival: <u>Renegade Dance and Arts Campout</u>			
Cost of Admission to Festival: <u>\$19.99</u>		Business License Obtained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Date(s)	Start Time	End Time	Maximum No. of Tickets Offered For Sale Per Day	Estimated No. of Attendees Per Day
June 3 - 5, 2016	4pm	12pm	600	350
<b>Location</b>	Address: <u>980 Cove Rd, Gore, VA 22637</u>			
<b>Owner of Property</b>	Name(s): <u>Willis</u> Address: <u>980 Cove Rd, Gore, VA 22637</u> <small>(*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)</small>			
<b>Promoter</b>	Name(s): <u>Michael S. Collins</u> Address: <u>5764 Steven's Forest Rd. Apt. 310, Columbie, MD 21045</u> <small>(*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)</small>			
<b>Financial Backer</b>	Name(s): <u>Michael S. Collins</u> Address: <u>5764 Steven's Forest Rd. Apt. 310, Columbie, MD 21045</u>			
<b>Performer</b>	Name of Person(s) or Group(s): <u>Tribe Visual Arts &amp; Decorations, Keith Mackenzie, BSnF Intellegent Lighting, local artists and musicians.</u> <small>(*NOTE: Applicant may need to update information as performers are booked for festival event.)</small>			

## FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

1. Attach a copy of the printed ticket or badge of admission to the festival, containing the date(s) and time(s) of such festival (may be marked as "sample").   ☐ copy attached   OR   ☒ copy to be provided as soon as available
  
2. Provide a plan for adequate sanitation facilities as well as garbage, trash, and sewage disposal for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).  
8 Portajohns with hand washing stations will be rented and dropped off friday at the event. In Addition, Hand-washing stations will be rented. Dumpsters will be made available and dozens of heavy duty trash cans will be distributed throughout the event.
  
3. Provide a plan for providing food, water, and lodging for the persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).  
Pottable water will be made available through water bottles, faucets, and water fountains..  
Guests will be allowed to camp in the campground if they would like to spend the night.  
If additional measures are needed to provide food I can finance it.
  
4. Provide a plan for adequate medical facilities for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.  
I will have several E.M.T.'s and Medical Staff on duty all day and night throughout the weekend
  
5. Provide a plan for adequate fire protection. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.  
Water buckets will be filled and placed next to fire rings and fire areas.
  
6. Provide a plan for adequate parking facilities and traffic control in and around the festival area. (A diagram may be submitted.)  
Giant parking lot next to the camping area. We will have volunteer's parking people after they pay admission.
  
7. State whether any outdoor lights or lighting will be utilized:   ☒ YES   ☐ NO  
If yes, provide a plan or submit a diagram showing the location of such lights and the proximity relative to the property boundaries and neighboring properties. In addition, show the location of shielding devices or other equipment to be used to prevent unreasonable glow beyond the property on which the festival is located.  
Diagram can be provided but most lighting will not be visible from outside of the property and set at a low wattage.
  
8. State whether alcoholic beverages will be served:   ☐ YES   ☒ NO  
If yes, provide details on how it will be controlled.

(NOTE: Evidence of any applicable VA ABC permit must also be provided and posted at the festival as required. Applicant may need to confirm with the VA ABC that a license is not required from that agency in order for festival attendees to bring their own alcoholic beverages to any event that is open to the general public upon payment of the applicable admission fee.)



### **FESTIVAL PROVISIONS**

Applicant makes the following statements:

- A. Music shall not be rendered nor entertainment provided for more than eight (8) hours in any twenty-four (24) hour period, such twenty-four (24) hour period to be measured from the beginning of the first performance at the festival.
- B. Music shall not be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom exceeds 73 decibels at the property on which the festival is located.
- C. No person under the age of eighteen (18) years of age shall be admitted to any festival unless accompanied by a parent or guardian, the parent or guardian to remain with such person at all times. (NOTE: It may be necessary to post signs to this effect.)
- D. The Board, its lawful agents, and/or duly constituted law enforcement officers shall have permission to go upon the property where the festival is being held at any time for the purpose of determining compliance with the provisions of the County ordinance.

### **CERTIFICATION**

I, the undersigned Applicant, hereby certify that all information, statements, and documents provided in connection with this Application are true and correct to the best of my knowledge. In addition, Applicant agrees that the festival event and its attendees shall comply with the provisions of the Frederick County ordinance pertaining to festivals as well as the festival provisions contained herein.



\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Michael S. Collins

\_\_\_\_\_  
Printed Name of Applicant

Date: 3/29/2016

**THE BOARD SHALL HAVE THE RIGHT TO REVOKE ANY PERMIT ISSUED UNDER THIS ORDINANCE  
UPON NON-COMPLIANCE WITH ANY OF ITS PROVISIONS AND CONDITIONS.**

## Teresa Price

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**From:** Jay Tibbs  
**Sent:** Tuesday, April 05, 2016 8:34 AM  
**To:** Teresa Price  
**Subject:** FW: Renegade Dance and Arts Campout - June 3-5, 2016

FYI -

Jay E. Tibbs  
Deputy County Administrator  
County of Frederick, Virginia  
107 N. Kent Street  
Winchester, VA 22601  
Phone: 540-665-6382  
Fax: 540-667-0370  
E-mail: [jtibbs@fcva.us](mailto:jtibbs@fcva.us)

**From:** Rod Williams  
**Sent:** Tuesday, April 05, 2016 8:22 AM  
**To:** 'Undead Promos'  
**Cc:** Jay Tibbs  
**Subject:** RE: Renegade Dance and Arts Campout - June 3-5, 2016

Mr. Collins:

Your e-mail suffices as a format for a response. I will forward it on to the Board Deputy Clerk, Mr. Jay Tibbs. The hearing will be scheduled, likely either for April 27 or May 11. Mr. Tibbs will be able to give you the exact date. It will be up to the Board, of course, to decide if the arrangements set forth in the application and as supplemented by the e-mail are acceptable.

Sincerely yours,  
Roderick B. Williams  
County Attorney  
County of Frederick, Virginia  
107 North Kent Street, 3rd Floor  
Winchester, Virginia 22601  
Telephone: (540) 722-8383  
Facsimile: (540) 667-0370  
E-mail: [rwillia@fcva.us](mailto:rwillia@fcva.us)

**From:** Undead Promos [<mailto:undeadpromos@gmail.com>]  
**Sent:** Monday, April 04, 2016 7:16 PM  
**To:** Rod Williams  
**Subject:** Re: Renegade Dance and Arts Campout - June 3-5, 2016

Hey, not sure what format you would like my response in... I would like to hire my own EMT's if possible. Within our group we have several liscenced EMT's and Paramedics are willing to come out for a little cheaper and I have experience running operations with these guys . I intend on being in contact with the medical and fire department. I'm not a stranger to getting festival/specia event permits. I have been organizing events for over 5 years and it is truely a passion of mine (I develop software as a profession). I'd like to get this hearing set up

ASAP!

Thanks Rob!  
Michael S. Collins  
Event Organizer  
[undeadpromos@gmail.com](mailto:undeadpromos@gmail.com)  
(202) 702 - 3910

On Mon, Apr 4, 2016 at 10:31 AM, Rod Williams <[rwillia@fcva.us](mailto:rwillia@fcva.us)> wrote:

Dear Mr. Michael Collins – Please see the attached letter. Thank you.

Sincerely yours,

Roderick B. Williams

County Attorney

County of Frederick, Virginia

107 North Kent Street, 3rd Floor

Winchester, Virginia 22601

Telephone: [\(540\) 722-8383](tel:(540)722-8383)

Facsimile: [\(540\) 667-0370](tel:(540)667-0370)

E-mail: [rwillia@fcva.us](mailto:rwillia@fcva.us)

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**REZONING APPLICATION #02-16  
I-81 WEST BUSINESS PARK  
Staff Report for the Board of Supervisors  
Prepared: April 8, 2016**

Staff Contact: Candice E. Perkins, AICP, CZA, Assistant Director  
John Bishop, AICP, Assistant Director – Transportation

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	<u><b>Reviewed</b></u>	<u><b>Action</b></u>
<b>Planning Commission:</b>	03/16/16	Public Hearing Held; Tabled 30 Days
<b>Planning Commission:</b>	04/06/16	Recommended Approval
<b>Board of Supervisors:</b>	04/27/16	Pending

**PROPOSAL:** Rezoning #02-16 for I-81 WEST BUSINESS PARK submitted by GreyWolfe, Inc., to rezone 36.676 acres from the RA (Rural Areas) District to the B2 (General Business) District, 45.453 acres from the RA (Rural Areas) District to the B3 (Industrial Transition) District and 73.360 acres from the RA (Rural Areas) District to the M1(Light Industrial) District, with proffers.

**LOCATION:** The properties are located on the west side of Interstate 81 between Cedar Hill Road (Route 671) and Hopewell Road (Route 672).

**EXECUTIVE SUMMARY & STAFF CONCLUSIONS FOR 04/27/16 BOARD OF SUPERVISORS MEETING:**

This is an application to rezone a total of 155.489 acres of land from the RA (Rural Areas) District to the B2, B3 and M1 Districts with proffers, to accommodate commercial and industrial uses. The property is located within the Sewer and Water Service Area (SWSA).

With this rezoning, the Applicant has proffered that this project will contribute to transportation improvements in the vicinity of the property. Per previous comments, the Applicant has proffered right-of-way sufficient for a major collector roadway, access roads to the existing and proposed future I-81 ramps, and has allowed for the signalization proffers to be used as cash toward transportation improvements if the need arises.

Following a public hearing at their March 16, 2016 meeting, the Planning Commission tabled the application for up to 30 days to allow for revised proffers to be submitted and reviewed that addressed some of the transportation concerns identified by staff. At the Planning Commission's April 6, 2016 meeting the Commission voted unanimously to recommend approval of the I-81 West Business Park Rezoning request.

The I-81 West Business Park rezoning application is generally consistent with future land use designations of the 2030 Comprehensive Plan and the Northeast Land Use Plan which provide guidance on the future development of the property. A few transportation issues have been identified in the staff report that should be carefully evaluated to ensure that they fully address the impacts associated with this rezoning request.

**Following the required public hearing, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.**

*This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter. Unresolved issues concerning this application are noted by staff where relevant throughout this staff report.*

	<u><b>Reviewed</b></u>	<u><b>Action</b></u>
<b>Planning Commission:</b>	03/16/16	Public Hearing Held; Tabled 30 Days
<b>Planning Commission:</b>	04/06/16	Recommended Approval
<b>Board of Supervisors:</b>	04/27/16	Pending

**PROPOSAL:** Rezoning #02-16 for I-81 West Business Park submitted by GreyWolfe, Inc., to rezone 36.676 acres from the RA (Rural Areas) District to the B2 (General Business) District, 45.453 acres from the RA (Rural Areas) District to the B3 (Industrial Transition) District and 73.360 acres from the RA (Rural Areas) District to M1(Light Industrial) District, with proffers.

**LOCATION:** The properties are located on the west side of Interstate 81 between Cedar Hill Road (Route 671) and Hopewell Road (Route 672).

**MAGISTERIAL DISTRICT:** Stonewall

**PROPERTY ID NUMBERS:** 33-A-113, 33-A-124, and 33-A-114B

**PROPERTY ZONING:** RA (Rural Areas) District

**PRESENT USE:** Agricultural

**ADJOINING PROPERTY ZONING & PRESENT USE:**

North:	RA (Rural Areas) District	Use:	Residential and Agricultural
South:	RA (Rural Areas) District	Use:	Residential and Agricultural
East:	RA (Rural Areas) District	Use:	Residential and Agricultural
West:	RA (Rural Areas) District	Use:	Residential, Church, I-81

## **REVIEW EVALUATIONS:**

**Virginia Dept. of Transportation:** *Please see the attached VDOT comment letter dated March 29, 2016.*

**Fire Marshal:** Plans Approved.

**Public Works Department:** Recommend approval.

**Frederick County Sanitation Authority:** *Please see attached letter from Eric R. Lawrence, Executive Director dated January 19, 2016.*

**Frederick County Attorney:** *Please see attached letter from Roderick B. Williams, County Attorney, dated December 18, 2015.*

**Frederick County Planning Department:** *See attached comments from Michael T. Ruddy, Deputy Director dated January 19, 2016.*

**Frederick County Transportation Comments:** *Comments incorporated into general Planning Department Comments above.*

## **Planning & Zoning:**

### 1) **Site History**

The original Frederick County Zoning Map (U.S.G.S. Stephenson Quadrangle) depicts the zoning for the subject parcel as A-2 (Agricultural General) District. The County's agricultural zoning districts were combined to form the RA (Rural Areas) District upon adoption of an amendment to the Frederick County Zoning Ordinance on May 10, 1989. The corresponding revision of the zoning map resulted in the re-mapping of the subject property and all other A-1 and A-2 zoned land to the RA District.

### 2) **Comprehensive Policy Plan**

**The 2030 Comprehensive Plan is the guide for the future growth of Frederick County.**

#### **Land Use.**

The 2030 Comprehensive Plan and the Northeast Frederick Land Use Plan provide guidance on the future development of the property. The property is located within the Sewer and Water Service Area (SWSA). The 2030 Comprehensive Plan identifies this property with a combination of commercial and industrial land use designations. In general, the proposed industrial and commercial zoning is consistent with the current land use supported by the Comprehensive Plan.

This rezoning is based on an amendment to the 2030 Comprehensive Plan, Appendix I - Area Plans, The Northeast Frederick Land Use Plan. CPPA #01-14, Blain Properties Sewer and Water Service Area (SWSA) Inclusion; Parcels 33-A-113 and 33-A-124.

Language included in the update:

*The area of land use northwest of Exit 321, Interstate 81, Hopewell Road, and south of Cedar Hill Road is commercial and industrial in character. In general, the north-south major collector road that has been identified and is necessary to support this area of land use serves as a boundary between the commercial and industrial land uses. Flexibility should be offered in the final balance and location of land uses. Future applications for rezoning in this area shall adequately address any potential impacts to public facilities, in particular transportation, and shall implement any necessary transportation improvements.*

*Transportation in the area would be a big consideration in future land use decisions.*

Site Access and Transportation.

The Eastern Road Plan and the Northeast Frederick Land Use Plan call for a new north-south major collector roadway (UD4) that runs from Hopewell Road to Cedar Hill Road; this proposed roadway runs through the limits of this project. The Comprehensive Plan also calls for improvements at Exit 321 on Interstate 81 such as the Hopewell-Brucetown Road realignment and the relocation of the northern Interstate 81 ramps from Hopewell Road to Cedar Hill Road. Finally, the Eastern Road Plan calls for interchange improvements that impact this property due to the need for frontage roads.

History.

The Rural Landmarks Survey Report for Frederick County, Virginia, identifies one potentially significant historic structure located within the vicinity of the proposed rezoning (Robinson-Cline House (#34-1056)). The HRAB discussed this rezoning application at their meeting on October 20, 2015; the HRAB had no comments for the application.

3) **Site Suitability/Environment**

The site is not located within a 100 year floodplain. However, this area is known for karst topography and special attention should be paid during development for potential sinkholes and related impacts. The majority of the stormwater runoff drains to the east towards Interstate 81. The Applicant will be required to implement BMP's and other devices to meet the Commonwealth of Virginia's requirements as required by DEQ.

Soils.

The soils types determined from the USDA's "Soils Survey of Frederick County, VA" shows Frederick-Poplimento loams (14B & 14C), Frederick-Poplimento outcrop complex (17C), and Oaklet silt loams (32B & 32C). These soils have medium erodibility and runoff. These soil types are clay with an abundance of limestone rock.



Water/Sewer.

There is a pump station designed on the Open Door Baptist Church site which will receive sewage via an existing 50' sewer easement. This enters a force that reaches the VDOT rest area, then Redbud Pump Station, and eventually flows into the Opequon Treatment Plant. There is an existing 12" waterline stubbed onto the Open Door Baptist Church that is available.

**4) Potential Impacts**

Transportation.

With this rezoning application, the Applicant has proffered to construct a collector road between Hopewell Road and Cedar Hill Road. It should be noted that this new major collector roadway is shown in the Eastern Road Plan as an urban four lane divided highway, which would have an ultimate right-of-way width of 80'. The Applicant has proffered a two lane roadway with an 80' right-of way, constructed with shoulders.

The Applicant has also proffered to enter into signalization agreements at the new roadway (Alfalfa Lane) and Hopewell Road and the new roadway and both interchange ramps. Traffic generation has also been limited to 6,330 average daily trips based upon the ITE Trip Generation Manual.

The Applicant has not addressed the need for frontage roads as shown in the Eastern Road Plan, however the Applicant has proposed providing right-of-way for access roads to I-81 and the proposed I-81 ramps.

VDOT's review of the Applicant's TIA resulted in significant comment which is included in your package. The Applicant has revised the TIA and issued a response but an updated VDOT comment has not been received.

The TIA does indicate that the expected trip distribution places the majority of trips I-81 (80%) so the heaviest traffic impact projected is at the intersections with the interchange ramps. With just 6% allocated to Route 11 this does result in a relatively small additional impact on the intersection of Hopewell and Brucetown Roads with Route 11. However, it must be noted that the Hopewell and Brucetown Road intersections, while operating better from a safety perspective since VDOT's signalization of them, continue to deal with capacity issues. According to the TIA the operations at the site entrance and the I-81 ramps remain acceptable with the exception of the I-81 NB exit ramp which has a level of service D in the 2025 build out year.

**5) Proffer Statement**

1. Transportation - Vehicle Trips per Day to be determined at Site Plan submission utilizing the current ITE Trip Generation Manual. The owners hereby proffer that the Average Daily Trips shall not exceed 6,330.

- a. The owners hereby proffer to construct a road to connect Cedar Hill Road (Route 671) to Hopewell Road (Route 672) as shown on the GDP within a 80' right-of-way. This road and any turn lanes required for the road connections will be built to VDOT standards and dedicated to the County of Frederick. The road shall be two lanes with shoulders and a 10' paved trail. This will be completed prior to the issuance of any occupancy permits.

**Staff Note: The Eastern Road Plan calls for this roadway to be a new major collector road, constructed as an urban four-lane divided highway.**

- b. The owners hereby proffer to dedicate an additional 5' strip of land to the County of Frederick along Cedar Hill Road (Route 671) west of Alfalfa Lane and 35' east of Alfalfa Lane for the future widening as shown on the GDP. This dedication will be prior to the issuance of any occupancy permits.
- c. The owners hereby proffer three signalization agreements with VDOT at the intersections of Alfalfa Lane, the northbound ramps, and the southbound ramps of Interstate 81 with Hopewell Road (Route 672). These agreements shall be for a pro rata share of only the signal lights, when warranted by VDOT; and not for ramps, roads, or other improvements unless proffered herein. The monetary value of this proffer may be delivered in cash instead, to the County of Frederick, for road improvements in the area when signals are warranted.
- d. The owners hereby proffers no commercial entrances shall be built onto Cedar Hill Road (Route 671).
- e. The owners hereby proffers to dedicate 1.21 acres as shown on the GDP to the County of Frederick. Said dedication will be within 90 days of written request from the County of Frederick or at any time by the owners during development.
- f. The owners hereby proffer a 60' right-of-way to the County of Frederick for limited access road connections aligned with interstate ramps to Alfalfa Lane as shown on the GDP. The final alignments to be determined by others. All road construction by others. The right-of-way shall be dedicated within 60 days when requested by the County of Frederick. This proffer shall be deemed extinguished if a modification of the Frederik County Comprehensive Plan removes these connections.

**Staff Note: The Applicant has not addressed right-of-way needs for the future ramp configuration and frontage roads as shown in the Eastern Road Plan but has proposed this as an alternative.**

## 2. Fire & Rescue – Monetary Contributions:

- a. The owners hereby proffer a cash contribution to Frederick County for Fire and Rescue purposes, of \$0.05 per building square foot to be disbursed to the Frederick County Fire and Rescue Department, to be paid prior to the issuance of occupancy permits. The term "building square foot" shall be the combined floor area for each story.

3) Frederick County Sanitation Authority:

- a. The owners hereby proffer to grant a temporary easement to the Frederick County Sanitation Authority, as shown on sheet 2 of the GDP, on tax parcel 33-A-39 for a ground level water tank. The easement shall begin upon approval of the rezoning and extinguished on December 31, 2021. If the Frederick County Sanitation Authority has started construction during that time, then the 1.33 acre of land within the easement shall be dedicated to the Frederick County Sanitation Authority in fee simple on December 31, 2021.

**PLANNING COMMISSION SUMMARY AND ACTION FROM THE 03/16/16 MEETING:**

Staff reported this application is to rezone a total of 155.489 acres of land from the RA (Rural Areas) District to the B2, B3, and M1 Districts with proffers, to accommodate commercial and industrial uses. Staff continued the property is located within the Sewer and Water Service Area (SWSA) and in general, the proposed industrial and commercial zoning is consistent with the current land use supported by the Comprehensive Plan. Staff noted with this rezoning application the Applicant is requesting an allowance for commercial and industrial uses. Staff continued within the proffer statement there is a condition that limits the daily trips to 6,330 per day. The Applicant has also proffered a monetary contribution to Fire and Rescue of \$0.05 per building square foot and have proffered to Frederick County Sanitation Authority to construct a ground level water tank on the property.

Staff presented mapping of the site with the Eastern Road Plan overlay. Staff explained the Applicant has proffered a two-lane road on a 60' right-of-way; however within the Comprehensive Plan there is a major collector road which would require an 80' right-of-way. Staff continued the Applicant has proffered to enter into signalization agreements; the TIA (Traffic Impact Analysis) has not quite triggered the need for signals at this time, however it is close enough to be of a concern to VDOT and Staff. Staff has requested flexibility to this proffer; specifically should something else develop at the intersection of Hopewell Road, Brucetown Road, and Martinsburg Pike. Staff reported the Eastern Road Plan does include potential plans for a split interchange that was done when the Route 11 study was completed and it was modeled using MPO resources, basically the point was the lack of area on Route 11 North for a major interchange however, the Land Use Plan calls for significant additional development. Staff continued this was proposed as a way to help spread out the demand on that interchange; it takes the ramps on the north side of Hopewell Road and brings them to the north side of Cedar Hill Road and connects via frontage roads along I-81. Staff noted the Applicant does not control all of that property. Staff requested the Applicant to look at the situation and give consideration on how they may be able to handle that as it is unaddressed in the proffers. Staff noted this is something continuously being studied through the MPO and is being called the 317 Area Study.

Mr. Tim Stowe representing the Applicant came forward and presented a brief overview of this project. He reported the project has been scaled back in order to manage the traffic and the concerns. Mr. Stowe continued the proffer that addresses the traffic was developed in consideration of the interchange at I-81 as well as the intersection of Hopewell Road, Martinsburg Pike, and Brucetown Road. Mr. Stowe explained on Friday March 11, 2016 the Applicant received comments from VDOT that deal primarily

with the proffers; they have communicated with Staff since that time and have updated the proffers. In summary Mr. Stowe noted the adjustments made by the Applicant; the north south road (Alfalfa Lane) will include a multi-use trail; right-of-way increased to 80'; adding additional right-of-way on Cedar Hill Road to widen to 80'; reconfigured ramps and proffered an alignment and right-of-way; adjusted the signal proffer. Mr. Stowe concluded the water tank proffer has a time limit and the Frederick County Sanitation Authority is completing a study on this.

A Commission Member asked does VDOT seem satisfied with the proffer adjustments. Mr. Stowe responded the adjustments were sent to them today.

A Commission Member inquired what is the level of service in the TIA at the intersection. Mr. Stowe explained it was looked at two ways and the Applicant proposed an all way stop which put the level at a C and VDOT was satisfied with that.

A Commission Member asked to what extent Staff has reviewed the updated information. Staff reported the information has been addressed with the exception of a VDOT request for greater analysis of the interchange.

A Commission Member asked legal counsel for the County are the members within purview to reference the revised proffers that have not been seen by the Planning Commission. The County's legal counsel responded it is the Planning Commission's discretion on how to proceed. He noted he has briefly reviewed the updates.

The Public Hearing was opened to citizen comments. A citizen came forward and expressed her concern with the traffic this project will generate in the area. There were no additional comments and the Public Hearing was closed.

A Commission Member commented he is comfortable with this rezoning. He is concerned with moving forward without having seen the updated materials and he would prefer to table this rezoning.

A motion was made, seconded, and passed unanimously to recommend this rezoning be tabled for 30 days.

Abstain: Oates

Absent: Crockett

#### **PLANNING COMMISSION SUMMARY AND ACTION FROM THE 04/06/16 MEETING:**

Staff reported this application is to rezone a total of 155.489 acres from the RA (Rural Areas) District to the B2 (General Business), B3 (Industrial Transition), and M1 (Light Industrial) Districts with proffers.

Staff reviewed the GDP which was provided with the original application and noted the transportation concerns discussed at the March 16th meeting: more flexibility with regard to the signalization proffers to allow for potential conversions to cash should a likely and worthy project arise and the flexibility be needed; proffered 60 foot right-of-way for potential major collector road; Eastern Road Plan shows frontage roads through the property to a future split interchange that was not addressed. Staff reported the Applicant has since provided updated proffers. Staff explained the GDP looks relatively similar

with the exception of additional ramp lines through the two land bays that are closest to the interstate; they are meant to address the split interchange. Staff noted a property that is in the middle (Open Door Church) which has a large cross structure along I-81 and a cemetery that is being developed. Staff reported this new configuration has not yet been approved by VDOT; and noted the past configuration was not taken through a full federal highway approval process.

Staff continued the Applicant has increased the right-of-way for their main central roadway (Alfalfa Lane) to allow for a major collector road; the Applicant will be constructing two lanes at this time; however the right-of-way provided will allow the future four lane roadway. Staff reiterated the Applicant has allowed for the conversion to a cash proffer for the signals should they be needed.

Staff reported a number of transportation concerns are still present with this application and the application is partially consistent with the Comprehensive Plan. Staff noted VDOT has requested a signal warrant analysis be included in the proffer as well as requested turn lane improvements associated with the new road construction and a clarification to the proffer that Alfalfa Lane would be constructed prior to a CO (Certificate of Occupancy) of any of the properties.

A Commission Member inquired how much more of a process is it to get a signal warrant analysis to determine whether the 6,330 trips per day have been met. Staff explained it is not 6,330 trips that initializes the signal; the signal warrant analysis looks at specific factors and if VDOT runs one it costs approximately \$3,000 and they prefer the Applicant absorb this cost.

Mr. Tim Stowe representing the Applicant came forward and addressed the previous question regarding a signal analysis. He elaborated the signal warrant analysis is a separate process from a TIA (Traffic Impact Analysis); the signal warrant analysis is based on detailed traffic counts that are collected hourly over a 12-16 hour period of time. A Commission Member commented it appears VDOT is on board with this revised proposal.

A Commission Member commented he is in favor of this application as presented this time and it appears the Applicant has adequately addressed the transportation concerns to minimize the transportation impacts.

Abstain: Oates

Absent: Marston, Dunlap

#### **EXECUTIVE SUMMARY & STAFF CONCLUSION FOR THE 04/27/16 BOARD OF SUPERVISORS MEETING:**

This is an application to rezone a total of 155.489 acres of land from the RA (Rural Areas) District to the B2, B3 and M1 Districts with proffers, to accommodate commercial and industrial uses. The property is located within the Sewer and Water Service Area (SWSA).

With this rezoning, the Applicant has proffered that this project will contribute to transportation improvements in the vicinity of the property. Per previous comments, the Applicant has proffered right-of-way sufficient for a major collector roadway, access roads to the existing and proposed future I-81

ramps, and has allowed for the signalization proffers to be used as cash toward transportation improvements if the need arises.

Following a public hearing at their March 16, 2016 meeting, the Planning Commission tabled the application for up to 30 days to allow for revised proffers to be submitted and reviewed that addressed some of the transportation concerns identified by staff. At the Planning Commission's April 6, 2016 meeting the Commission voted unanimously to recommend approval of the I-81 West Business Park Rezoning request.

The I-81 West Business Park rezoning application is generally consistent with future land use designations of the 2030 Comprehensive Plan and the Northeast Land Use Plan which provide guidance on the future development of the property. A few transportation issues have been identified in the staff report that should be carefully evaluated to ensure that they fully address the impacts associated with this rezoning request.

**Following the required public hearing, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.**

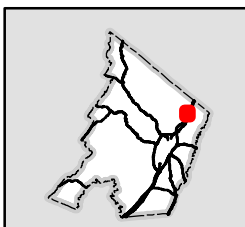
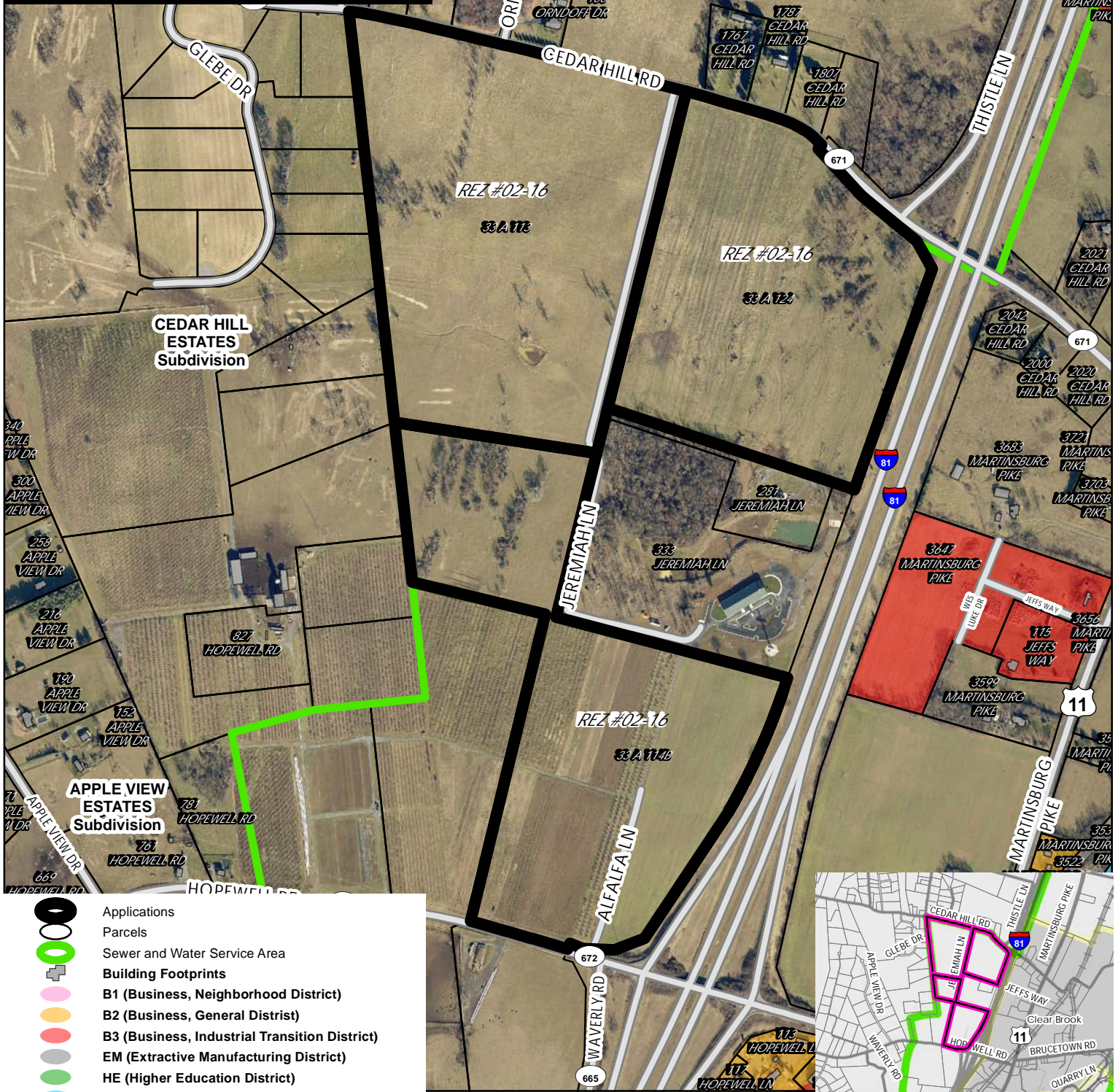


# REZ # 02 - 16

## 81 West Business Park

PINs:

33 - A - 113, 33 - A - 114B, 33 - A - 124  
Rezoning from RA to B2, B3, and M1



## REZ # 02 - 16 81 West Business Park

PINs:  
33 - A - 113, 33 - A - 114B, 33 - A - 124  
Rezoning from RA to B2, B3, and M1

Note:  
Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651  
Map Created: February 25, 2016  
Staff: mruddy



0 435 870 1,740 Feet

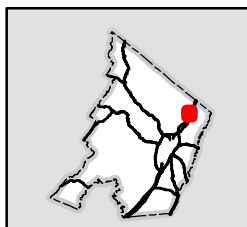
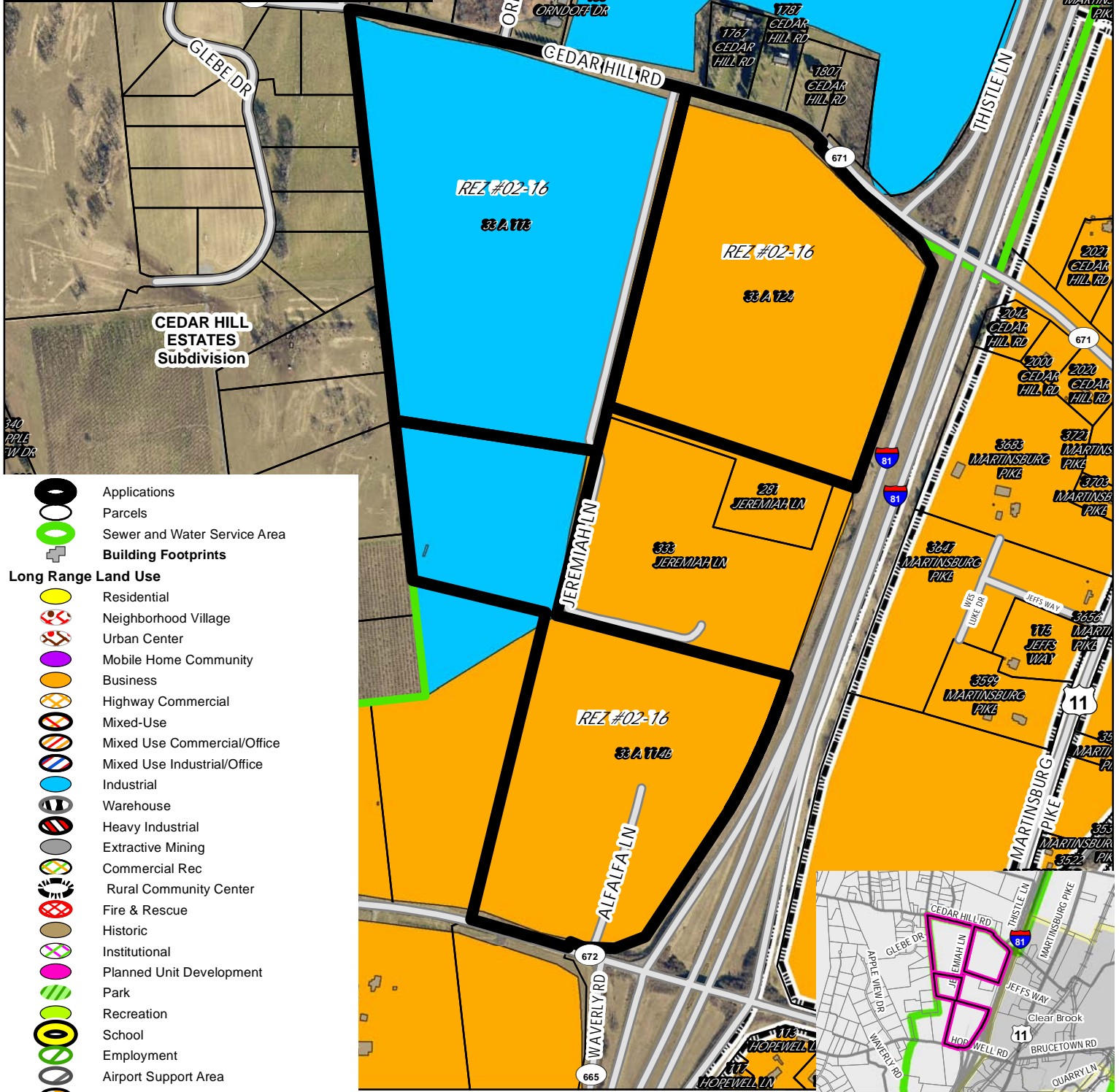


# REZ # 02 - 16

## 81 West Business Park

PINs:

33 - A - 113, 33 - A - 114B, 33 - A - 124  
Rezoning from RA to B2, B3, and M1



### REZ # 02 - 16

#### 81 West Business Park

PINs:

33 - A - 113, 33 - A - 114B, 33 - A - 124  
Rezoning from RA to B2, B3, and M1

Note:

Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651

Map Created: February 25, 2016  
Staff: mruddy



0 435 870 1,740 Feet



**Rezoning:** **RZ # 02-16**

**Property:** **Area: 155.488 acres**  
**Tax Parcels 33-(A)-113, 33-(A)-124, 33-(A)-114B**

**Record Owners:** **Blain Properties of Virginia, LLC**  
**HMC, LP, LLP**

**Project Name:** **81-West Business Park**

**Original Date of Proffers:** **October 1, 2015**

**Revisions:** **February 17, 2016**  
**March 14, 2016**  
**April 7, 2016**

**Magisterial District:** **Stonewall**

Pursuant to Section 15.2-2296 Et. Seq. of the Code of Virginia, 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to conditional zoning, the undersigned owners hereby offer the following proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #02-16 for rezoning of 154.424-acres from the RA District to Business (B-2) (36.676 acres), to Industrial Transition (B-3) (45.453 acres) and Light Industrial (M-1) (73.360 acres), development of the subject properties shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the owners and such are approved by the Board of Supervisors in accordance with the said Code and Zoning Ordinance. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. These proffers shall be binding upon the owners and their legal successors, heirs, or assigns.

The "Properties" are more particularly described as the lands conveyed to Blain Properties of Virginia, LLC, (an entity registered in New York) from Bradley K. Blain by Deed per instrument #120009054 dated August 22, 2012, and to HMC, LP, LLP, by Deed from Cline's Egg Farm LP, LLP, per instrument 010010026 dated July 12, 2001, as recorded in the Frederick County Circuit Court Clerk's Office. See also plats of record at instrument 150005321 for Tax Parcels 33-(A)-113 and 33-(A)-124.

A Generalized Development Plan (GDP) dated March 15, 2016, by GreyWolfe, Inc., is attached to and made part of this proffer document.

**Proffers:**

1. Transportation – Vehicle Trips per Day to be determined at Site Plan submission utilizing the current ITE Trip Generation Manual. The owners hereby proffer that the Average Daily Trips shall not exceed 6,330.
  - a. The owners hereby proffer to construct a road to connect Cedar Hill Road (Route 671) to Hopewell Road (Route 672) as shown on the GDP within an 80' right of way. This road and any turn lanes required for the road connections will be built to VDOT standards and dedicated to the County of Frederick. The road shall be two lanes with shoulders and a 10' paved trail. This will be completed prior to the issuance of any occupancy permits.
  - b. The owners hereby proffer to dedicate an additional 5' strip of land to the County of Frederick along Cedar Hill Road (Route 671) west of Alfalfa Lane and 35' east of Alfalfa Lane for future widening as shown on the GDP. This dedication will occur prior to the issuance of any occupancy permits
  - c. The owners hereby proffer three signalization agreements with VDOT at the intersections of Alfalfa Lane, the northbound ramps, and the southbound ramps of Interstate 81 with Hopewell Road (Route 672). These agreements shall be for a pro rata share of only the signal lights, when warranted by VDOT; and not for ramps, roads, or other improvements unless proffered herein. The monetary value of this proffer may be delivered in cash instead, to the County of Frederick, for road improvements in the area when signals are warranted.
  - d. The owners hereby proffer that no commercial entrances shall be built onto Cedar Hill Road (Route 671) or Hopewell Road (Route 672).
  - e. The owners hereby proffer to dedicate 1.21 acres as shown on the GDP to the County of Frederick. Said dedication will be within 90 days of written request from the County of Frederick or at any time by the owners during development.
  - f. The owners hereby proffer a 60' right of way to the County of Frederick for limited access road connections aligned with interstate ramps to Alfalfa Lane as shown on the GDP. The final alignments to be determined by others. All road construction by others. The right of way shall be dedicated within 60 days when requested by the County of Frederick. This proffer shall be deemed extinguished if a modification to the Frederick County Comprehensive Plan removes these connections.

2. Fire & Rescue – Monetary Contributions

- a. The owners hereby proffer a cash contribution to Frederick County for Fire and Rescue purposes, of \$0.05 per building square foot to be disbursed to the Frederick County Fire and Rescue Department, to be paid prior to occupancy permit. The term “building square foot” shall be the combined floor area for each story.

3. Frederick County Sanitation Authority

- a. The owners hereby proffer to grant a temporary easement to the Frederick County Sanitation Authority, as shown on sheet 2 of the attached GDP, on tax parcel 33-(A)-39 for a ground level water tank. The easement shall begin upon approval of the rezoning and extinguished on December 31, 2021. If the Frederick County Sanitation Authority has started construction during that time, then the 1.33 acre of land within the easement shall be dedicated to the Frederick County Sanitation Authority in fee simple on December 31, 2021.

The conditions proffered above shall be binding upon heirs, executors, administrators, assigns, and successors in the interest of the owners and owners. In the event the Frederick County Board of Supervisors grants this rezoning and accepts the conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code and Ordinance.

Respectfully Submitted:

By: Bradley K Blain  
Blain Properties of Virginia, LLC  
Bradley K. Blain, manager

4-8-16  
Date

State of New York,

City/County of Monroe To Wit:

The foregoing instrument was acknowledged before me this 8th day of April, 2016

Owner

Alison Teddi Blain  
Notary Public

Registration Number

My Commission Expires 11/30/17

Alison Teddi Blain  
Notary Public State of New York  
Qualified in Monroe County  
Commission Expires November 30, 2017

By: John D. Clime  
HMC, LP, LLP

4-14-16  
Date



Commonwealth of Virginia,

City/County of Frederick To Wit:

The foregoing instrument was acknowledged before me this 14th day of April, 2016

By John D. Clime

Terria A. Cleveland  
Notary Public

7119694  
Registration Number

My Commission Expires 6-30-19



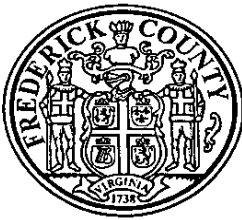


**GreyWolfe, Inc.**  
Land Surveying and Consulting  
1073 Redbud Road  
Winchester, VA 22603  
GreyWolfeInc@aol.com (540) 667-2001 OFC  
(540) 545-4001 FAX



**GENERALIZED DEVELOPMENT PLAN  
BLAIN PROPERTIES OF VIRGINIA, LLC  
AND HMC LP, LLP**

DATE:	2-17-2016
SCALE:	1"=800'
DRAWN BY:	GRO
SHEET 2 OF 2	



## AMENDMENT

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**Action:**

PLANNING COMMISSION:    March 16, 2016    -    Public Hearing Held; Tabled 30 Days  
   April 6, 2016                -    Recommended Approval

BOARD OF SUPERVISORS:   April 27, 2016    -    ☐ APPROVED        ☐ DENIED

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### AN ORDINANCE AMENDING

### THE ZONING DISTRICT MAP

### REZONING #02-16 I-81 WEST BUSINESS PARK

**WHEREAS, Rezoning #02-16, of I-81 West Business Park** submitted by GreyWolfe, Inc., to rezone 36.676 acres from RA (Rural Areas) District to the B2 (General Business) District, 45.453 acres from the RA (Rural Areas) District to the B3 (Industrial Transition) District and 73.360 acres from the RA (Rural Areas) District to the M1 (Light Industrial) District with proffers to accommodate commercial and industrial uses, final revision dated April 7, 2016 was considered. The properties are located on the west side of Interstate 81 between Cedar Hill Road (Rt. 671) and Hopewell Road (Rt. 672). The properties are further identified with PIN(s) 33-A-113, 33-A-124 and 33-A-114B in the Stonewall Magisterial District; and

**WHEREAS,** the Planning Commission held a public hearing on this rezoning on March 16, 2016 and tabled the application for up to 30 days to allow for revised proffers to be submitted; and

**WHEREAS,** the Planning Commission held a public meeting on this rezoning on April 6, 2016 and recommended approval; and

**WHEREAS,** the Board of Supervisors held a public hearing on this rezoning on April 27, 2016; and

**WHEREAS,** the Frederick County Board of Supervisors finds the approval of this rezoning to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Policy Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors, that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the Zoning District Map to rezone 36.676 acres from RA (Rural Areas) District to the B2 (General Business) District, 45.453 acres from the RA (Rural Areas) District to the B3 (Industrial Transition) District and 73.360 acres from the

RA (Rural Areas) District to the M1 (Light Industrial) District with proffers to accommodate commercial and industrial uses, final revision dated April 7, 2016. The conditions voluntarily proffered in writing by the Applicant and the Property owner is attached.

This ordinance shall be in effect on the date of adoption.

Passed this 27th day of April, 2016 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
Robert A. Hess	_____	Robert W. Wells	_____
Gene E. Fisher	_____	Judith McCann-Slaughter	_____
Blaine P. Dunn	_____		

**A COPY ATTEST**

---

Brenda G. Garton  
Frederick County Administrator



## **Blain & Cline Rezoning TIA, Frederick County, VA**

### ***Summary of VDOT Review Comments***

***March 29, 2016***

1. Since the applicant has agreed to proffer a pro rata share of the cost for the installation of future traffic signals at the Hopewell Road / I-81 ramps and Hopewell Road / site entrance, with flexibility of said cost being able to aid in the implementation of alternative transportation improvements in the vicinity of the I-81, Exit 321 interchange, VDOT Staunton District Planning finds the current TIA to be acceptable in meeting the intent of Chapter 527 TIA requirements. Please note that with future TIA submissions, all transportation improvements recommended in a report will be based on modeling and analysis results of said improvement.
2. VDOT recommends that Proffer 1.d be updated to state that a signal warrant analysis that assumes full build out of the site (6,330 ADT as proffered) will be conducted for the three intersections (Hopewell Road and the site entrance and I-81 ramps) and submitted with the initial site plan on the property to determine the owner's pro rata share of the signal installation. The monetary value of the pro rata share will be placed in escrow with Frederick County as a condition of site plan approval to be utilized in the installation of the three traffic signals (when warranted) or an alternative transportation improvement along Hopewell Road / I-81, Exit 321 interchange. At the County's request, VDOT can provide review assistance on the signal warrant analysis at time of site plan review to ensure the correct pro rata share by the owner / developer.
3. VDOT recommends that Proffer 1.a be updated to specify that the owner / developer will be responsible for all necessary turn lane improvements along Hopewell Road and Cedar Hill Road with the connections to the proposed Alfalfa Lane. Additionally, we recommend that this proffer state that the internal road improvement and required turn lanes along Hopewell Road and Cedar Hill Road will be completed prior to the issuance of the first occupancy permit on the site (this trigger was included in the previous versions of this proffer).
4. Although Proffer 1.g and the GDP currently only provide for right-of-way dedication for future modifications to the I-81, Exit 321 interchange, it is VDOT's opinion that the future ramp alignments based on the right-of-way dedication neither meets the intent of the Frederick County Comprehensive Plan or would be acceptable by the Federal Highway Administration. The Frederick County Comprehensive Plan identifies the planned interchange improvements at Exit 321 being connected by collector distributor lanes. The current right-of-way dedication as shown on the GDP illustrates future interstate ramp modifications connecting directly to the development's internal roadway (Alfalfa Lane).



# FREDERICK COUNTY SANITATION AUTHORITY

PG 0244

Post Office Box 1877  
Winchester Virginia 22604-8377

PH (540) 868-1061  
Fax (540) 868-1429  
[www.fcsa-water.com](http://www.fcsa-water.com)

Eric R. Lawrence  
Executive Director

January 19, 2016

Gary R. Oates, L.S.-B., PE  
GreyWolfe, Inc. VIRGINIA: FREDERICK COUNTY, SCT.  
1071 Redbud Road  
Winchester, Virginia 22601-2015 at 1:06 P.M.  
This instrument of writing was produced to me on  
and with certificate acknowledgement thereto annexed  
was admitted to record. Tax imposed by Sec. 58.1-802 of

RE: ~~Rezoning Application~~ **Comment**  
**81- West Business Park**  
**Tax Map Numbers: 33-A-113, 33-A-124, 33-A-114B**  
**155.488 acres**  
*Rebecca P. Pagan, Clerk*

Dear Mr. Oates:

Thank you for the opportunity to offer review comments on the 81-West Business Park rezoning application package, dated October 1, 2015. The Frederick County Sanitation Authority (FCSA) offers comments limited to the anticipated impact/effect upon the Authority's public water and sanitary sewer system and the demands thereon.

The project parcels are in the sewer and water service area (SWSA) and are served by FCSA. Based on the project's location both water and sanitary sewer services are available within a reasonable distance from the site. Sanitary sewer treatment capacity at the wastewater treatment plant is also presently available.

Sanitary sewer conveyance capacity and layout will be contingent on the applicant performing a technical analysis of the existing sanitary sewer system within the area to be served and the ability of the existing conveyance system to accept additional load. Please keep in mind that this area would require numerous sanitary pump station reviews and will be affected by various projects already contemplated within this area. The sanitary sewer flows from the project would contribute to an existing sewer force main that is heavily utilized, and is due for a study of alternatives for conveyance. Accordingly, improvements to the force main and its alternatives may be necessary.

Page 2  
RE: 81-West Business Park  
Mr. Gary R. Oates, LS-B, PE  
January 19, 2016

Likewise, water distribution capacity will require the applicant to perform a technical analysis of the existing system within the area to be served to determine available capacity of both the potable water system and the ability to provide fire protection.

It is reasonable to expect that production well sites, and water storage facilities with an overflow elevation of about 780' above mean sea level be pursued to support water storage, capacities, and pressures. Attached is a map that depicts potential well sites on the properties within the 81-West Business Park rezoning application. The two well sites are identified as 1-16 and 1-17 on the FCSA's 2000 Comprehensive Hydrogeologic and Well Siting Study. The wells scored a 17 of 24 points, not high scores but still are potential production well opportunities that FCSA would welcome the opportunity to pursue. We would encourage your rezoning application to include provisions for well exploration in the vicinity of these two well sites, as well as a desirable water storage tank location.

Water and sanitary sewers are to be constructed in accordance with the FCSA standards specifications. Dedicated easements may be required and based on the layout vehicular access will need to be incorporated into the final design.

Please be aware that the FCSA is offering these review comments without benefit of knowledge of the use of the site. We would welcome an opportunity to review any proffers which may serve to mitigate any water and sewer deficiencies in the as presented rezoning proposal.

Thank you for the opportunity to offer review comments.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Eric'.

Eric R. Lawrence, AICP  
Executive Director

Cc: Michael T. Ruddy, AICP, County Planning Department





## COUNTY of FREDERICK

Roderick B. Williams  
County Attorney

540/722-8383

Fax 540/667-0370

E-mail:  
rwillia@co.frederick.va.us

December 18, 2015

**VIA E-MAIL AND REGULAR MAIL**

Mr. Gary Oates  
GreyWolfe, Inc.  
1073 Redbud Road  
Winchester, VA 22603

Re: Rezoning Application – 81-West Business Park Rezoning  
Proffer Statement dated October 1, 2015

Dear Gary:

You have submitted to Frederick County for review the above-referenced proffer statement (the "Proffer Statement") for the proposed rezoning of Tax Parcel Numbers 33-A-113, 33-A-114B, and 33-A-124 (the "Property"), 155.488± acres in the Stonewall Magisterial District, from the RA (Rural Areas) District to the B2 (General Business), B3 (Industrial Transition), and M1 (Light Industrial) Districts, with proffers. I have now reviewed the Proffer Statement and it is my opinion that the Proffer Statement would be in a form to meet the requirements of the Frederick County Zoning Ordinance and the Code of Virginia, and would be legally sufficient as a proffer statement, subject to the following comments:

- Parcels – The parcels and the acreages that you have indicated for the rezoning do not correspond with existing GIS or deed records.
  - The Generalized Development Plan (GDP) shows a parcel of 15.495 acres, owned by HMC L.P., L.L.C. (HMC), to be zoned M1. This appears to be part of Tax Parcel Number 33-A-114C, which is not identified on the Proffer Statement as part of the rezoning. The parcel is listed as 20.13 acres on GIS, but measures as approximately 43 acres on GIS, and is what appears to be part of Parcel B on the plat with the deeds recorded in Deed Book 577, at Page 224 and in Deed Book 577, at Page 463, the deeds referenced in Instrument Number 010010026, which is in turn referenced in the Proffer Statement (the deeds show a total acreage at the time of 36.401 acres) (copies enclosed). Further clarification appears to be necessary. Also, as the parcel would apparently be split zoned, the application materials would need to show metes and bounds for the zoning line.



- Likewise, the GDP shows a parcel of 36.676 acres, owned by HMC, to be zoned B2. This appears to be Tax Parcel Number 33-A-114B. The parcel is listed as 52.17 acres on GIS, but measures as approximately 29 acres on GIS, and is what appears to be Parcel A on the plat with the deeds recorded in Deed Book 577, at Page 224 and in Deed Book 577, at Page 463, the deeds referenced in Instrument Number 010010026, which is in turn referenced in the Proffer Statement (the deeds show a total acreage at the time of 29.631 acres). Further clarification appears to be necessary.
- Corporate status – With respect to applicant Blain Properties of Virginia, LLC (Blain), while the acquisition deed for its two parcels, recorded as Instrument Number 120009054, identifies Blain as a Virginia limited liability company, I have been unable to locate an entity registration for Blain with the State Corporation Commission. In fact, New York corporate records identify the entity as a New York limited liability company. While a Virginia entity registration is not required for mere property ownership, this issue should be clarified before the rezoning matter proceeds.
- Proffers 1a (dedication and construction of north-south road) and 1b (dedication of additional 5' right-of-way along Cedar Hill Road) – These proffers do not indicate a triggering event for their performance. Also, it appears that Proffer 1a should indicate the north-south road as what is identified as Alfalfa Lane on the GDP.
- Proffer 1e – The proffer would read more clearly were it to state that the owners proffer to construct one and no more than one “right-in only” entrance and no other entrances between the indicated points.
- Proffer 2 – The Impact Statement accompanying the Proffer Statement indicates that the cash proffer would be \$0.10 per square foot, yet the Proffer Statement indicates \$0.05 per square foot.

I have not reviewed the substance of the proffers as to whether the proffers are suitable and appropriate for this specific development, as my understanding is that review will be done by staff and the Planning Commission.

Sincerely,



Roderick B. Williams  
County Attorney

Enclosures (via e-mail only)

cc: Michael T. Ruddy, Deputy Director of Planning & Development, Frederick County (via e-mail)



## COUNTY of FREDERICK


Department of Planning and Development

540/665-5651

FAX: 540/665-6395

# MEMORANDUM

**TO:** Gary Oates  
GreyWolfe, Inc.

**FROM:** Michael T. Ruddy, AICP  
Deputy Director 

**RE:** Rezoning Comments: I-81 West Rezoning.  
Cedar Hill Road and Hopewell Road PIN's 44-A-25B and 44-A-40

**DATE:** January 19, 2016

The following comments are offered regarding the I-81 West Rezoning Application. This is a request to rezone 155.48 acres from RA (Rural Areas) to a combination of B2 (General Business) 36.67 acres, B3 (Industrial Transition) 45.45 acres, and M1 (Light Industrial) 73.36 acres with Proffers. The review is generally based upon the proffer statement dated October 1, 2015, and the Impact Analysis Statement dated October 1, 2015.

Prior to formal submission to the County, please ensure that these comments and all review agency comments are adequately addressed. At a minimum, a letter describing how each of the agencies and their comments have been addressed and should be included as part of the submission.

### General

- 1) The submission fee for this application would total \$25,274.00, based upon acreage of 155.48 acres.

### Land Use

- 1) The 2030 Comprehensive Plan and the Northeast Frederick Land Use Plan provide guidance on the future development of the property. The property is located within the SWSA. The 2030 Comprehensive Plan identifies this property with a combination of commercial and industrial land use designations.

In general, the proposed industrial and commercial zoning is consistent with the current land use supported by the Comprehensive Plan. In addition, the items that are described in the amendment to the Northeast Land Use Plan, Blain Properties Amendment (CPPA #01-14) in support of the land use designations appear to be appropriately addressed, subject to the following comments.

Impact Analysis and Proffer Statements.

Please address the following items from the Impact Analysis and Proffer Statements prepared for this application.

- 1) The application's impact analysis should include more detail with regards to the suitability of the site. It is customary to prepare exhibits that show the location of the various site constraints or features such as the floodplains and wetlands, if any exist. This information is important to the Planning Commission and Board of Supervisors review of the application.
- 2) As noted during the Comprehensive Plan revision, transportation in the area would be a big consideration in future land use decisions. The discussion of the transportation approach and the potential impacts should be clearer in the impact analysis by bridging the gap between the TIA and impact analysis, especially how this project may impact the interstate interchange and adjacent intersections.
- 3) The application has addressed the potential impacts of this rezoning request by linking improvements to the vehicle trip count (6,330 ADT), therefore, the majority of the impacts addressed deal with transportation. In the Impact Analysis, please describe how this relates to the potential physical development of the site. It should be noted that, beyond the above described trip cap, this application provides no limitation on the potential industrial and commercial land uses that may be developed on the site.
- 4) The Impact Analysis should include more detail regarding the proposed approach to the transportation and access component of the request and should describe how the TIA relates to the Proffer Statement. At this time there is no description as to how the Impact Analysis is and where you could describe those components of the Proffer Statement that you have proffered to address the potential transportation impacts.
- 5) Coordination of any comments from Mr. Bishop, County Transportation Planner, and VDOT will be important to ensure the transportation impacts and solutions are adequately addressed. Staff may also provide additional comments related to the proposed changes if warranted subject to adjustments requested by VDOT.
- 6) Please refer to the GDP by date in the proffer statement.
- 7) The GDP may be used to a greater extent to link the road development to the site development.
- 8) The locations of the intersections of the proposed road, Alfalfa Lane, to the existing roads should be located to meet spacing standards with existing roads and current and future interstate interchange ramp improvements.



- 9) The proposed road is identified as a future major collector. Therefore the right-of-way should meet minimum expectations for such a road. In addition, partial construction of the appropriate section should be addressed. Two lanes, at this time, may be sufficient but the application should evaluate and address this item.
- 10) Consideration should be given to the alignment of a future southern extension of the proposed road south of Hopewell Road.
- 11) Consideration should be given to additional right-of-way needs adjacent to Interstate 81 to accommodate future anticipated improvements to the Interstate.
- 12) Please provide a separate plat showing the meets and bounds of the rezoning.
- 13) Consider corridor appearance improvements, such as a split rail fence or landscaping adjacent to the existing and proposed roads. Special attention should be paid to enhanced buffering and spacing adjacent to existing residential land uses.
- 14) The value of the Fire and Rescue Proffer should be evaluated to make sure it is sufficient. Coordination with the local fire and rescue company would be desirable.

#### Background.

This rezoning is based on an amendment to the 2030 Comprehensive Plan, Appendix I - Area Plans, The Northeast Frederick Land Use Plan. CPPA #01-14, Blain Properties Sewer and Water Service Area (SWSA) Inclusion; Parcels 33-A-113 and 33-A-124.

A change to the SWSA boundary to include approximately **140 additional acres** in the vicinity of the Blain properties to the SWSA. The additional properties include parcels; 33-A-78A, 33-A-114B, 33-A-114C, 33-A-77B, 33-A-123A, and 33-A-123B.

#### Language included in the update:

*The area of land use northwest of Exit 321, Interstate 81, Hopewell Road, and south of Cedar Hill Road is commercial and industrial in character. In general, the north-south major collector road that has been identified and is necessary to support this area of land use serves as a boundary between the commercial and industrial land uses. Flexibility should be offered in the final balance and location of land uses. Future applications for rezoning in this area shall adequately address any potential impacts to public facilities, in particular transportation, and shall implement any necessary transportation improvements.*

*Transportation in the area would be a big consideration in future land use decisions.*

## **Impact Statement**

For consideration of Rezoning the lands for

### **81-West Business Park**

Stonewall Magisterial District  
Frederick County, Virginia

October 1, 2015

Revised February 4, 2016

Tax Map Numbers

33-(A)-113, 33-(A)-124, & 33-(A)-114B

Total Area: 155.488 acres

Owners of Record:

Blain Properties of Virginia, LLC

35 Flatt Road

Rochester, New York, 14623

and

HMC, LP, LLP.

920 Hopewell Road

Clear Brook, VA 22624

Contact:

Gary R. Oates, LS-B, PE

GreyWolfe, Inc.

1073 Redbud Road

Winchester, VA 22603

(540) 667-2001 ofc

(540) 545-4001 fax

## **81-West Business Park Rezoning**

### Introduction

The site is located on the western side of Interstate 81 between Cedar Hill Road (Route 671) to the north and Hopewell Road (Route 672) to the south. The applicants own the adjoining lands to the west. The parcels are currently zoned RA and are used for agriculture. The proposal for the site is to rezone 36.676 acres to B-2, 45.453 acres to B-3, and 73.360 acres to M-1. The applicant is seeking this change in zoning to create viable industrial & commercial parcels consistent with the Frederick County Comprehensive Plan.

### Existing Conditions

The property is used for agriculture. The stormwater drains generally to the east under existing culverts under Interstate 81. There are no known environmental impacts such as floodplains, steep slopes, wetlands, or woodlands. The limestone/clay ground has been cleared and used for pasture for generations. The land lends itself quite well to commercial and industrial development.

### Comprehensive Planning

The 2030 Comprehensive Plan contains an amendment adopted by the Board of Supervisors for this area. The key point spelled out in the amendment are the construction of a north-south collector road (Proffered as Alfalfa Lane). Transportation is the greatest concern for the impacts of any rezoning in this area and the owners have proffered to not exceed 6,330 Average Daily Trips from the development.

### Proposed Development

The site will be graded, landscaped, and the roads installed will meet current County and VDOT specifications.

### Physical Impacts

The site is not located within any 100 year flood plains per FEMA Flood Maps.

### Surrounding Properties

The site is bounded by Routes 671 and 672 to the north and south; Interstate 81, a parsonage, and Open Door Baptist Church to the east, and the applicant's lands to the west.

### Traffic Impact and Analysis

The 2014 amendment to the 2030 Comprehensive Plan calls for a north-south collector road from Cedar Hill Road to Hopewell Road. This road known as "Alfalfa Lane" has been proffered. The entire development shall not exceed 6,330 average daily trips by proffer. This is done so that Exit 321 would not fail. Also by tying limited development to the trips, it allows all potential uses within the zoning category to be explored provided their cumulative traffic does not exceed the proffered amount.

Also, the Northeast Land Use Plan proposes improvements at Exit 321 on Interstate 81 such as the Hopewell-Brucetown Road Re-alignment, the possibility of north-south collector roads that tie into the exit ramps, and the possible relocation of the northern ramps from Hopewell Road to Cedar Hill Road. Due to a lack of funding, the limited number of parcels that could pay for such improvements, the lack of interest from VDOT to come up with a traffic solution, and the high cost to actually accomplish these improvements, this application proffers to limit traffic from the development to a point that works with the existing conditions. Improvements reflected in the Comprehensive Plan will require Federal and State Involvement

This application also implements, through proffers, the recommendations of the Traffic Impact Analysis and comments from VDOT. As mentioned, a "trip cap" and the construction of Alfalfa Lane are proffered. Also a signalization agreement for potential stoplights on Hopewell Road at the intersection of Alfalfa Lane, the southbound ramps, and the northbound ramps of Interstate 81 are also proposed; as well as additional right of way along Cedar Hill Road and Interstate 81. Finally a proffer to restrict any entrances onto Cedar Hill Road.

### Sewer Conveyance and Treatment

An approved design for a pump station on the Open Door Baptist Church site will receive sewage via an existing 50' sewer easement. This enters a forcemain that reaches the VDOT rest area, then Redbud Pump Station, and eventually flows into the Opequon Treatment Plant. The commercial development is expected to generate 5,000 gpd and industrial portion will generate 15,000 gpd; however, the approved pump station design allows for over 180,000 gpd.

### Water Supply

There is an existing 12" waterline stubbed onto the Open Door Baptist Church that is available. The water demands for an industrial general run 15%-20% higher than sewer demands for wash down, irrigation, etc. It is expected that water usage at final buildout will approach 25,000 gpd. The owners have offered proffers to the Frederick County Sanitation Authority in recognition of the communities water needs. The first is permission to explore two potential well sites determined by the FCSA as possible production wells, the other easement is a tank site for system pressure on a parcel owned by the applicants of sufficient elevation that was determined by the FCSA.

### Drainage

The majority of the stormwater runoff drains to the east towards Interstate 81. The applicant will be required to implement BMP's and other devices to meet the Commonwealth of Virginia's requirements as required by DEQ.

### Solid Waste Disposal

The Civil Engineering Reference Manual, 4<sup>th</sup> edition, uses a rate of 5.4 cubic yards per 1,000 square feet of floor area. A 450,000 sf development will yield 2430 cubic yards per year. The solid waste will be transferred to the Frederick County Landfill Facility by private licensed commercial carriers.

### Historical Impact

There is a house, owned and occupied by the applicants, known as the Robinson-Cline House (VDH 34-1056). The house lies 570' south, across Hopewell Road, and will be physically impacted by the development.

### Educational Impact

This development will not create additional students for the schools.

### Police, Fire, and Rescue Impact

The development will increase the burden on fire and rescue. The applicant is offering a proffer of \$0.05 per constructed building square foot to the County for fire and rescue services.

### Parks & Recreation Impact

This development is not expected to increase population; therefore, no measurable impacts are predicted.

### Soils

The soils types determined from the USDA's "Soils Survey of Frederick County, VA" shows Frederick-Poplimento loams (14B & 14C), Frederick-Poplimento outcrop complex (17C), and Oaklet silt loams (32B & 32C). These soils have medium erodibility and runoff. These soil types are clay with an abundance of limestone rock. The characteristics of this soil are manageable for development following the Virginia Erosion and Sediment Control practices.

### Geology

This area is also known for karst topography. Care should be taken to explore for sinkholes and caverns prior to any excavation or development.



**REZONING APPLICATION FORM  
FREDERICK COUNTY, VIRGINIA**

FEB 17 2016

*To be completed by Planning Staff:*

Zoning Amendment Number <u>22-16</u>	Fee Amount Paid \$ <u>25,274.45</u>
PC Hearing Date <u>3/16/16</u>	Date Received <u>2/22/16</u>
	BOS Hearing Date <u>4/13/16</u>

*The following information shall be provided by the applicant:*

All parcel identification numbers, deed book and page numbers may be obtained from the **Office of the Commissioner of Revenue, Real Estate Division, 107 North Kent Street, Winchester.**

**1. Applicant:**

Name: GreyWolfe, Inc. - Gary R. Oates, LS-B, PE Telephone: 540-667-2001

Address: 1073 Redbud Road  
Winchester, Virginia 22603

**2. Property Owner (if different than above)**

Name: HMC,LP,LLP, & Blain Properties of VA, LLC Telephone: (540) 667-2001

Address: 1073 Redbud Road  
Winchester, VA 22603

**3. Contact person if other than above**

Name: Gary R. Oates Telephone: 667-2001

**4. Checklist:** Check the following items that have been included with this application.

Location map _____	Agency Comments _____
Plat _____	Fees _____
Deed to property _____	Impact Analysis Statement _____
Verification of taxes paid _____	Proffer Statement _____

**5. The Code of Virginia allows us to request full disclosure of ownership in relation to rezoning applications.**

Please list below all owners or parties in interest of the land to be rezoned:

HMC, LP, LLP - John D. Cilne, William H. Cline, Geraldine F. Cline, and Rebecca C. Price

Blain Properties of Virginia, LLC - Bradley K. Blain

**6. A) Current Use of the Property:** Agricultural - Land Use

**B) Proposed Use of the Property:** Commercial and Industrial

**7. Adjoining Property:**

<u>PARCEL ID NUMBER</u>	<u>USE</u>	<u>ZONING</u>
<u>33-((1))- (1)-3,4,5,6,7</u>	<u>Vacant</u>	<u>RA</u>
<u>33-((1))- (3)-32,43,44</u>	<u>Vacant</u>	<u>RA</u>
<u>33-(A)-77A,77B,78,78A,164A</u>	<u>Agr-Residential</u>	<u>RA</u>
<u>33-(A)-112,112(A-F)</u>	<u>Residential</u>	<u>RA</u>
<u>33-(A)-114A,123A,123B,125,125E</u>	<u>Residential</u>	<u>RA</u>
<u>33-(A)-123, 164G</u>	<u>Vacant</u>	<u>B-3</u>
<u>33-((11))- (2)-1,6,16,17</u>	<u>Residential</u>	<u>RA</u>

**8. Location:** The property is located at (give exact location based on nearest road and distance from nearest intersection, using road names and route numbers):

West side of Interstate 81 between Cedar Hill Road (Rt 671) & Hopewell Road (Rt 672)

**9. The following information should be provided according to the type of rezoning proposed:**

Number of Units Proposed

Single Family homes: 0      Townhome: 0      Multi-Family: 0  
Non-Residential Lots: 0      Mobile Home: 0      Hotel Rooms: 0

Square Footage of Proposed Uses

Office: \_\_\_\_\_ Service Station: \_\_\_\_\_  
Retail: \_\_\_\_\_ Manufacturing: \_\_\_\_\_  
Restaurant: \_\_\_\_\_ Warehouse: \_\_\_\_\_  
Other: \_\_\_\_\_

**10. Signature:**

I (we), the undersigned, do hereby respectfully make application and petition the Frederick County Board of Supervisors to amend the zoning ordinance and to change the zoning map of Frederick County, Virginia. I (we) authorize Frederick County officials to enter the property for site inspection purposes.

I (we) understand that the sign issued when this application is submitted must be placed at the front property line at least seven days prior to the Planning Commission public hearing and the Board of Supervisors public hearing and maintained so as to be visible from the road right-of-way until the hearing.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Applicant(s): Ray K. [Signature]      Date: 2-17-16

Date: \_\_\_\_\_

Owner(s): John D. [Signature]      Date: 2-17-16

Date: \_\_\_\_\_

## ADJOINING PROPERTY OWNERS

Owners of property adjoining the land will be notified of the Planning Commission and the Board of Supervisors meetings. For the purpose of this application, **adjoining property is any property abutting the requested property on the side or rear or any property directly across a public right-of-way, a private right-of-way, or a watercourse from the requested property.** The applicant is required to obtain the following information on each adjoining property including the parcel identification number which may be obtained from the office of the Commissioner of Revenue. *The Commissioner of the Revenue is located on the 2nd floor of the Frederick County Administrative Building, 107 North Kent Street.*

Name and Property Identification Number	Address
Name HMC, LP, LLP	920 Hopewell Road
Property # 33-(A)-164A,77A,77B,78,78A	Clear Brook, VA 22624
Name HMC, LP, LLP	920 Hopewell Road
Property # 33-((1))-(1)-3,4,5,6,7	Clear Brook, VA 22624
Name HMC, LP, LLP	920 Hopewell Road
Property # 33-((1))-(3)-32,43,44	Clear Brook, VA 22624
Name Fairfield Farms of Fred. Co., LLC	1827 Cedar Hill Road
Property # 43-(A)-112	Clear Brook, VA 22624
Name Dennis Godlove	1639 Cedar Hill Road
Property # 33-(A)-112A	Clear Brook, VA 22624
Name Rickie Williams	1663 Cedar Hill Road
Property # 33-(A)-112B	Clear Brook, VA 22624
Name C. William Orndoff, Jr	1767 Cedar Hill Road
Property # 33-(A)-112C	Clear Brook, VA 22624
Name Christopher Maher	1787 Cedar Hill Road
Property # 33-(A)-112D	Clear Brook, VA 22624
Name Dennis Bagnell	1807 Cedar Hill Road
Property # 33-(A)-112E	Clear Brook, VA 22624

Name and Property Identification Number		Address
Name	Charles William Orndoff	2897 Martinsburg Pike Stephenson, VA 22656
Property #	33-(A)-112F	
Name	MSD Investments, LLC	151 Harvest Ridge Drive Winchester, VA 22601
Property #	33-(A)-114A	
Name	R&J Land Investments, LLC	1631 Redbud Road Winchester, VA 22603
Property #	33-(A)-123	
Name	Kenneth Smith	281 Jeremiah Lane Clear Brook, VA 22624
Property #	33-(A)-123A	
Name	Open Door Baptist Church	281 Jeremiah Lane Clear Brook, VA 22624
Property #	33-(A)-123B	
Name	Mohebatullah Vahidi	794 Center Street Herndon, VA 20170
Property #	33-(A)-125	
Name	Daniel T. Schall	2042 Cedar Hill Road Clear Brook, VA 22624
Property #	33-(A)-125E	
Name	Manjoh Raj Singh	2221 Naamans Road Wilmington, DE 19810
Property #	33-(A)-164G	
Name	Deborah Godlove	1639 Cedar Hill Road Clear Brook, VA 22624
Property #	33-((11))-(1)-1	
Name	Donna O. Williams	1663 Cedar Hill Road Clear Brook, VA 22624
Property #	33-((11))-(2)-6	
Name	Stephen W. Rhinehardt	100 Orndoff Drive Clear Brook, VA 22624
Property #	33-((11))-(2)-16	
Name	Denise O. Bagnell	1807 Cedar Hill Road Clear Brook, VA 22624
Property #	33-((11))-(2)-17	
Name		
Property #		
Name		
Property #		



**Special Limited Power of Attorney  
County of Frederick, Virginia  
Frederick Planning Website: [www.co.frederick.va.us](http://www.co.frederick.va.us)**

**Department of Planning & Development, County of Frederick, Virginia  
107 North Kent Street, Winchester, Virginia 22601  
Phone (540) 665-5651 Facsimile (540) 665-6395**

Know All Men By These Presents: That I (We)

(Name) Blain Properties of Virginia, LLC - Bradley K. Blain (Phone) (585) 746-8402

(Address) 35 Flatt Road, Rochester, New York, 14623

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. 120009054 on Page \_\_\_\_\_, and is described as

Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Section: \_\_\_\_\_ Subdivision: 33-(A)-113 and 33-(A)-124  
do hereby make, constitute and appoint:

(Name) GreyWolfe, Inc. - Gary R. Oates, LS-B, PE, Tim Stowe, PE (Phone) 540-667-2001

(Address) 1073 Redbud Road, Winchester, Virginia, 22603

To act as my true and lawful attorney-in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- ☒ **Rezoning (including proffers)**
- \_\_\_\_\_ **Conditional Use Permit**
- \_\_\_\_\_ **Master Development Plan (Preliminary and Final)**
- \_\_\_\_\_ **Subdivision**
- \_\_\_\_\_ **Site Plan**
- \_\_\_\_\_ **Variance or Appeal**

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

N/A

This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified.  
In witness thereof, I (we) have hereto set my (our) hand and seal this 6th day of Oct, 2015.

Signature(s) Bradley K. Blain

State of New York, City/County of Monroe, To-wit:

I, Alison Teddi Blain, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 6th day of Oct, 2015.

Alison Teddi Blain  
Notary Public

My Commission Expires: \_\_\_\_\_  
Alison Teddi Blain  
Notary Public State of New York  
Qualified in Monroe County  
Commission Expires November 30, 2017



**Special Limited Power of Attorney**  
**County of Frederick, Virginia**  
**Frederick Planning Website: [www.co.frederick.va.us](http://www.co.frederick.va.us)**

**Department of Planning & Development, County of Frederick, Virginia**  
**107 North Kent Street, Winchester, Virginia 22601**  
**Phone (540) 665-5651 Facsimile (540) 665-6395**

Know All Men By These Presents: That I (We)

(Name) HMC, LP, LLP - John D. Cline (Phone) (540) 974-0200

(Address) 920 Hopewell Road, Clear Brook, VA 22624

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. 010010026 on Page \_\_\_\_\_, and is described as

Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Section: \_\_\_\_\_ Subdivision: 33-(A)-114B  
do hereby make, constitute and appoint:

(Name) GreyWolfe, Inc. - Gary R. Oates, LS-B, PE, Tim Stowe, PE (Phone) 540-667-2001

(Address) 1073 Redbud Road, Winchester, Virginia, 22603

To act as my true and lawful attorney-in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- ☒ **Rezoning (including proffers)**
- ☐ **Conditional Use Permit**
- ☐ **Master Development Plan (Preliminary and Final)**
- ☒ **Subdivision**
- ☐ **Site Plan**
- ☐ **Variance or Appeal**

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified.

In witness thereof, I (we) have hereto set my (our) hand and seal this 14th day of October

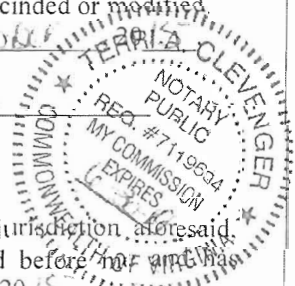
Signature(s) *John D. Cline*

State of Virginia, City/County of Frederick, To-wit:

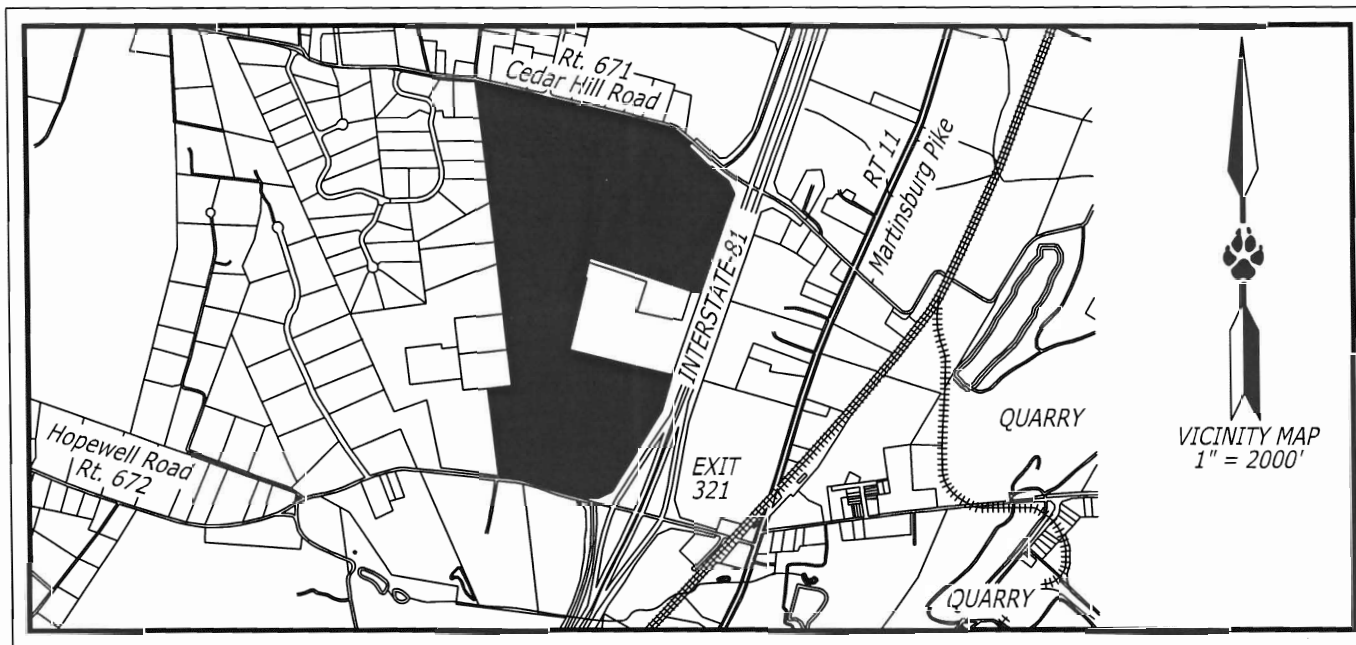
I, *Terrisa Clevenger*, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and acknowledged the same before me in the jurisdiction aforesaid this 14th day of October, 2015.

*Terrisa Clevenger*  
Notary Public

My Commission Expires: June 30, 2019



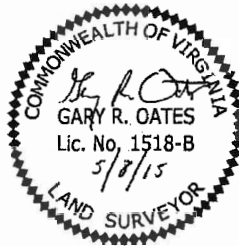




150005321

0120

I, Gary R. Oates, on this the 8<sup>th</sup> day of May, 2015, do hereby certify that the plat entitled "Final Plat of a Boundary Survey of Tax Parcels 33-(A)-113 & 124" and description attached hereto is a true copy of a survey made by me on April 27, 2015, of 57.865 acres of land for tax parcel 33-(A)-113 and 45.453 acres of land for tax parcel 33-(A)-124 being all of the lands conveyed to Blain Properties of Virginia, LLC., from Bradley K. Blain on August 22, 2012, as instrument 120009054. The said land lies in Stonewall Magisterial District, Frederick County, Virginia.



*Gary R. Oates*

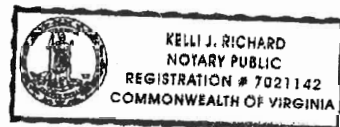
STATE OF VIRGINIA  
COUNTY OF FREDERICK, TO WIT:

I, Kelli Richard, a Notary Public in and for the State of Virginia and County of Frederick, do hereby certify that this day personally appeared before me Gary R. Oates, whose name is signed to the forgoing instrument.

Given under my hand this 12<sup>th</sup> day of June, 2015.

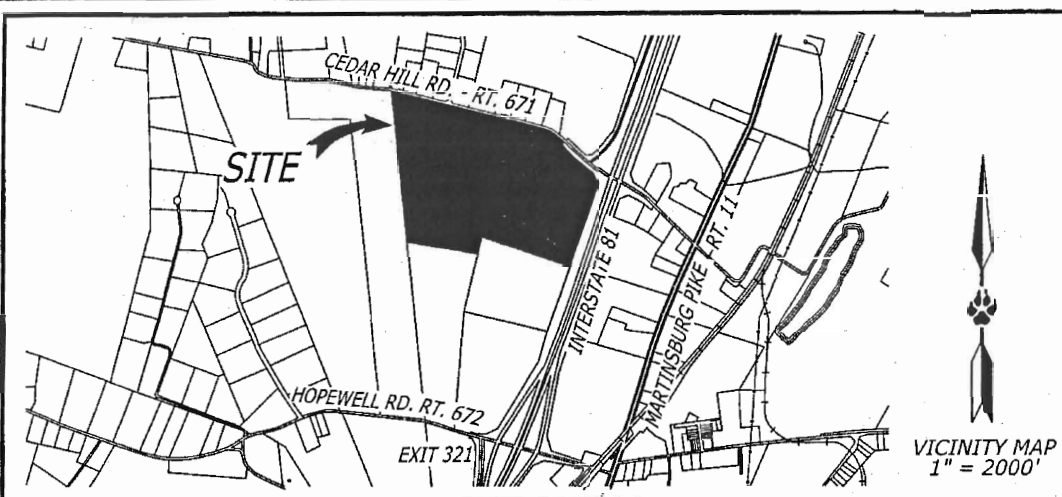
My commission expires 1-31-19.

My registration number is 7021142



*Kelli J. Richard*  
Notary Public

0121



**FINAL PLAT OF A BOUNDARY SURVEY  
OF TAX PARCELS**  
**33-(A)-113 & 124**  
STONEWALL MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA  
MAY 8, 2015

TAX PARCELS	OWNER	REFERENCE	AREA	ZONED	USE
33-(A)-113	BLAIN PROPERTIES OF VIRGINIA, LLC.	#120009054	57.865 ACRES	RA	AGRICULTURAL
33-(A)-124	BLAIN PROPERTIES OF VIRGINIA, LLC.	#120009054	45.453 ACRES	RA	AGRICULTURAL

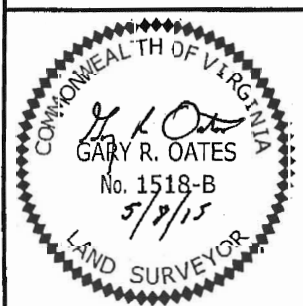
**NOTES**

1. A FIELD SURVEY WAS PERFORMED BY GREYWOLFE, INC. IN APRIL, 2015.
2. BASIS OF MERIDIAN IS GRID NORTH OF VIRGINIA STATE PLANE COORDINATE SYSTEM (1983).
3. A TITLE REPORT HAS NOT BEEN FURNISHED; THEREFORE, OTHER EASEMENTS OR ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
4. THIS PARCEL IS LOCATED ON FLOOD INSURANCE RATE MAP No. 51069C0150D AND MAP No. 51069C0209D IN FLOOD ZONE 'X', AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, DATED SEPTEMBER 2, 2009.
5. THERE WAS NO READILY APPARENT EVIDENCE OF A CEMETERY WITHIN CLOSE PROXIMITY TO THE BOUNDARY LINES.

ABBREVIATIONS	LEGEND
AGR. = AGRICULTURE	⊙ = PROPERTY CORNER FOUND
DB = DEED BOOK	⊗ = PROPERTY CORNER SET
EX. = EXISTING	5/8" REBAR WITH CAP
PG = PAGE	—E— = OVERHEAD UTILITY LINES
RES. = RESIDENTIAL	
R.O.W. = RIGHT OF WAY	
IRF = IRON ROD FOUND	
CONC. MON. = CONCRETE MONUMENT FOUND	

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THE PARCELS 33-(A)-113 AND 33-(A)-124 CONTAINED IN THIS FINAL PLAT FOR BOUNDARY IS THE LAND CONVEYED TO BLAIN PROPERTIES OF VIRGINIA, LLC. BY DEED DATED AUGUST 22, 2012, OF RECORD IN THE FREDERICK COUNTY CIRCUIT COURT CLERK'S OFFICE AS INSTRUMENT #120009054.



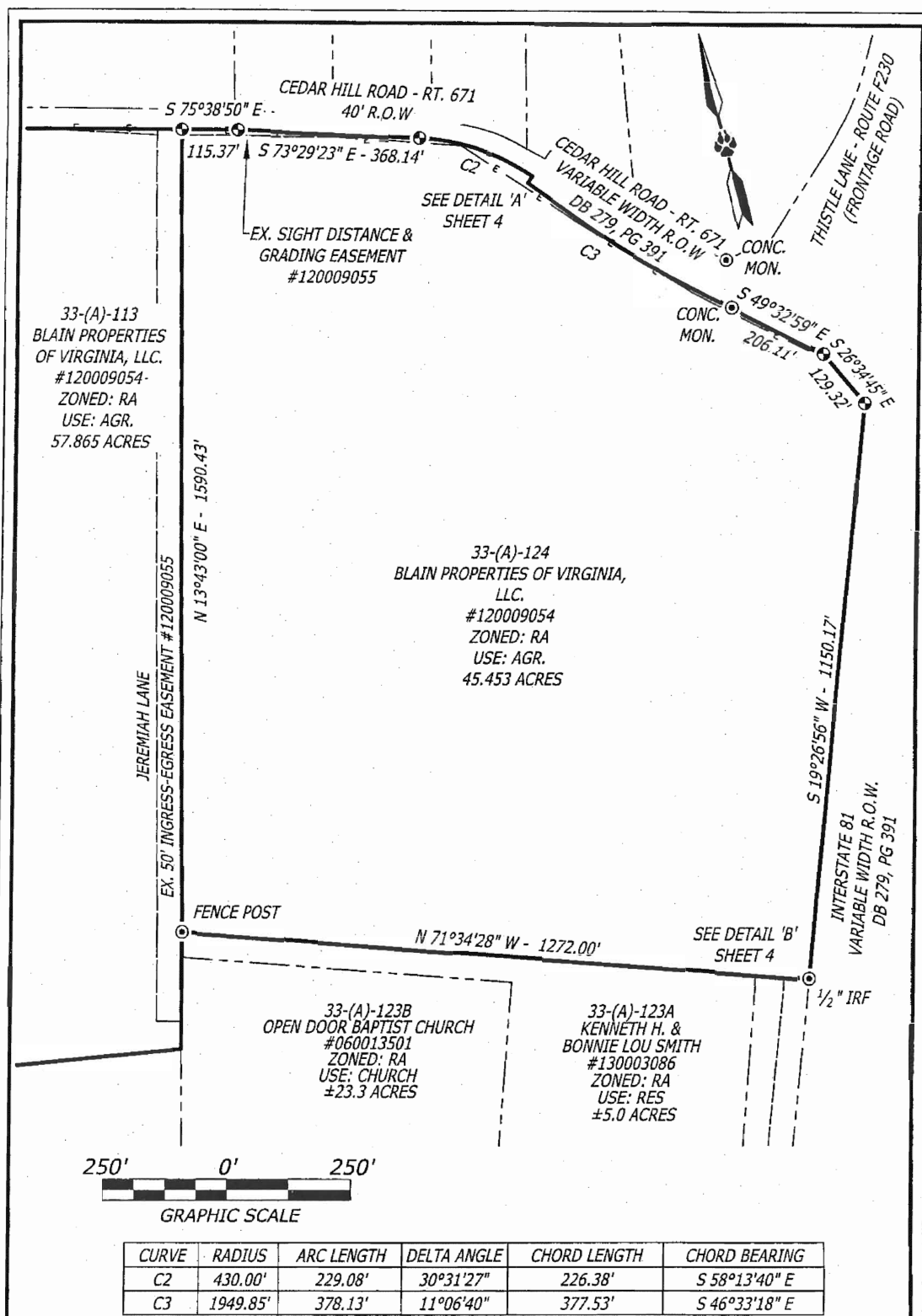
*Gary R. Oates*  
GARY R. OATES, LAND SURVEYOR



**GreyWolfe, Inc.**  
Land Surveying and Consulting

1073 Redbud Road  
Winchester, VA 22603  
GreyWolfeInc@aol.com  
540-667-2001 OFC  
540-545-4001 FAX





FINAL PLAT OF A BOUNDARY SURVEY  
OF TAX PARCELS

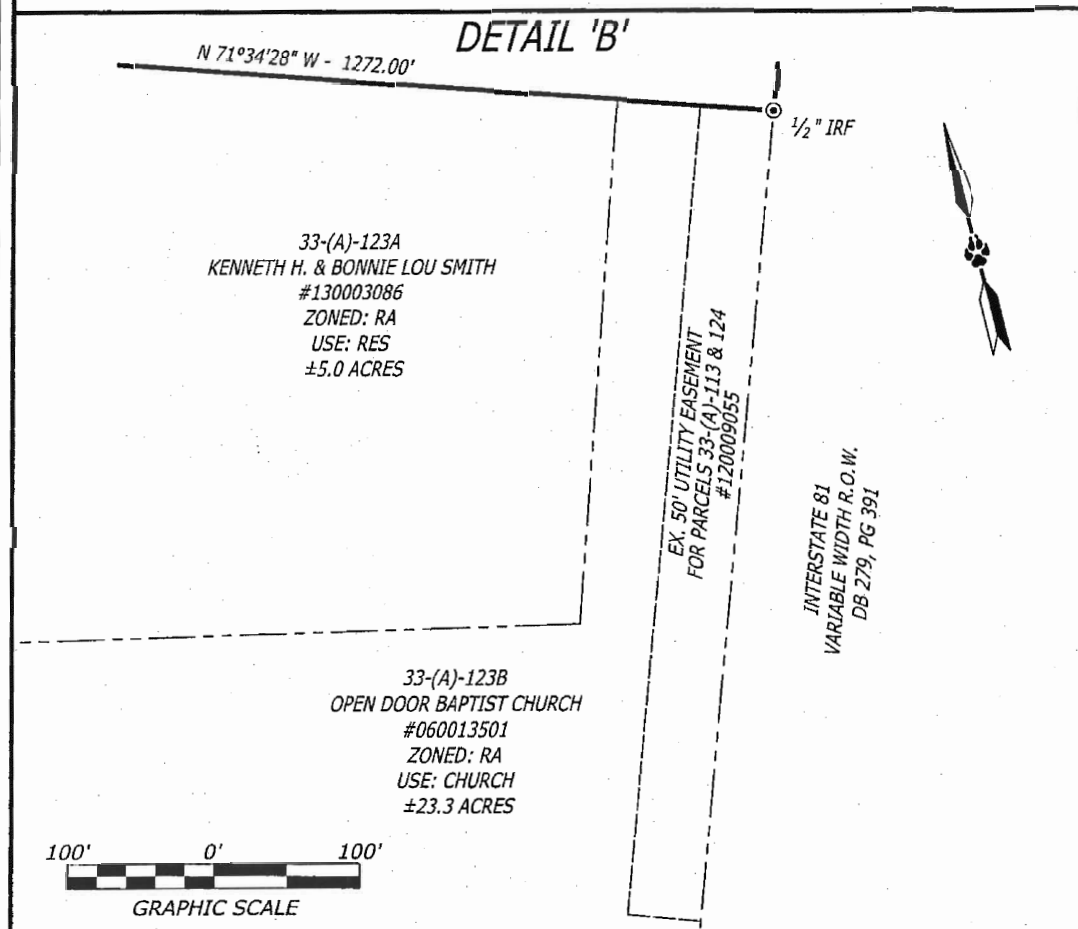
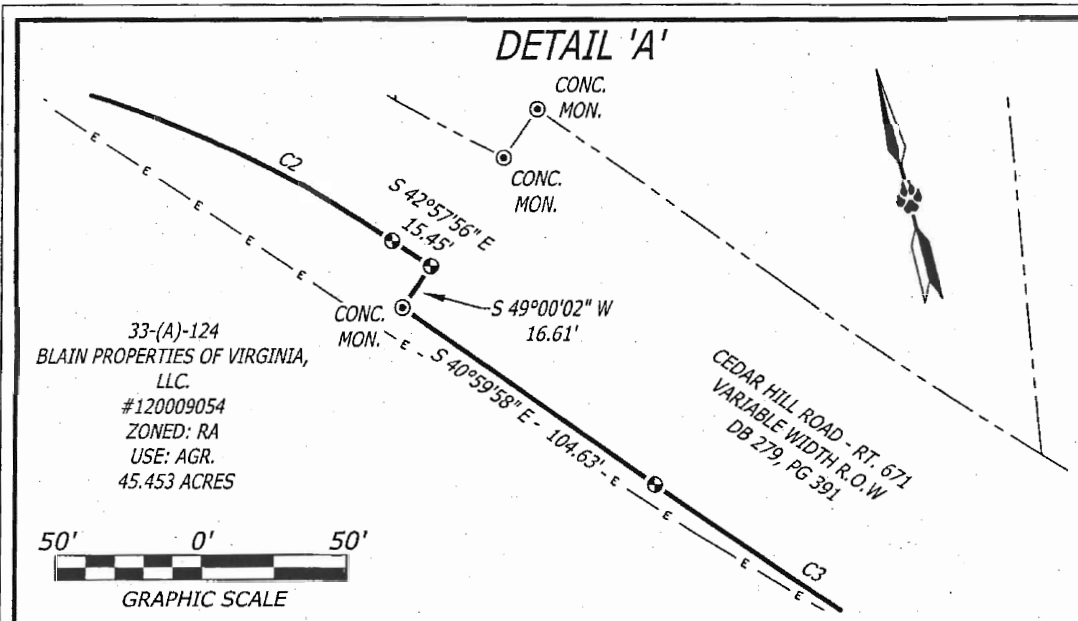
**33-(A)-113 & 124**

STONEWALL MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA

**GreyWolfe, Inc.**  
Land Surveying and Consulting

1073 Redbud Road  
Winchester, VA 22603  
GreyWolfeInc@aol.com  
540-667-2001 OFC  
540-545-4001 FAX

FILE NO: 0405      DATE: MAY 8, 2015      SCALE: 1" = 250'      SHEET 3 OF 4



FINAL PLAT OF A BOUNDARY SURVEY  
OF TAX PARCELS

## 33-(A)-113 & 124

STONEWALL MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA



**GreyWolfe, Inc.**  
Land Surveying and Consulting

1073 Redbud Road  
Winchester, VA 22603  
GreyWolfeInc@aol.com  
540-667-2001 OFC  
540-545-4001 FAX

VIRGINIA: FREDERICK COUNTY, SCT.

This instrument of writing was produced to me on

6-12-15 at 2:37 PM

and with certificate acknowledgement thereto annexed  
was admitted to record. Tax imposed by Sec. 58.1-802 of

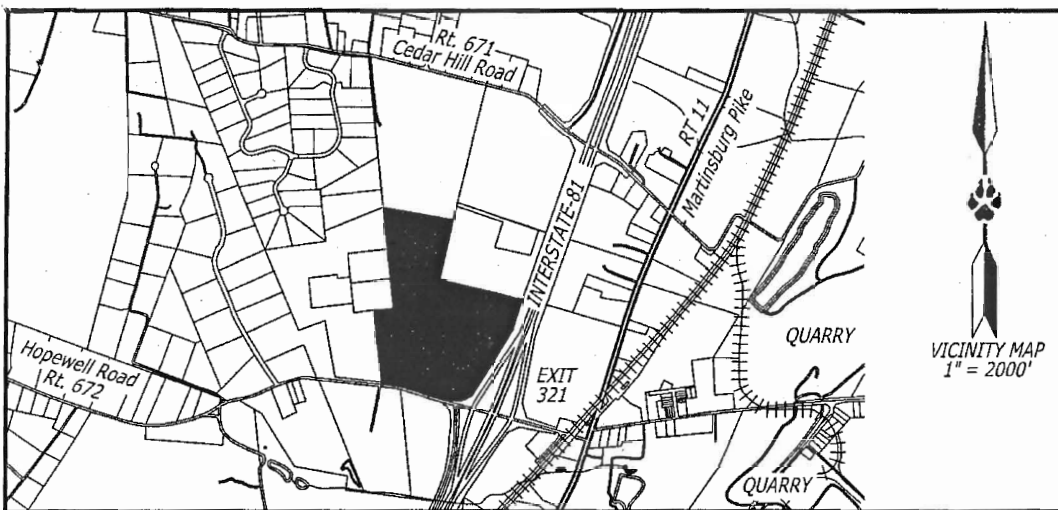
\$ N/A, and 58.1-801 have been paid, if assessable.

*Rebecca P. Hogan*, Clerk



150010838

PG0241



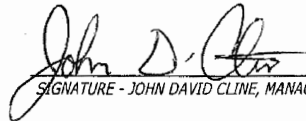
FINAL PLAT OF A BOUNDARY LINE ADJUSTMENT  
ON THE LANDS OF

**HMC, LP, LLP**

STONEWALL MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA  
OCTOBER 5, 2015

OWNER'S CERTIFICATE

THIS BOUNDARY LINE ADJUSTMENT SURVEY ON THE LANDS OF HMC, LP, LLP, AS APPEARS ON THE ACCOMPANYING PLAT IS WITH THE CONSENT OF AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.


  
SIGNATURE - JOHN DAVID CLINE, MANAGER

**COMMONWEALTH OF VIRGINIA**

CITY/COUNTY OF Frederick, TO WIT: THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS 14 DAY OF October, 2015, BY:

JOHN D. CLINE  
PRINTED MANAGER

TERRI A CLEVINGER  
PRINTED NOTARY PUBLIC


  
SIGNATURE NOTARY PUBLIC  
MY COMMISSION EXPIRES June 30, 2019



SEAL

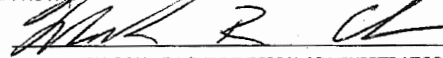
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PARCELS CONTAINED IN THIS BOUNDARY LINE ADJUSTMENT SURVEY ARE THE LANDS CONVEYED TO HMC, LP, LLP BY DEED FROM CLINE'S FARM LP, LLP, OF RECORD IN THE FREDERICK COUNTY CIRCUIT COURT CLERK'S OFFICE AT INSTRUMENT 010010026 DATED JULY 12, 2001.

  
GARY R. OATES, LAND SURVEYOR



APPROVAL

  
FREDERICK COUNTY SUBDIVISION ADMINISTRATOR

28 OCT 15  
DATE




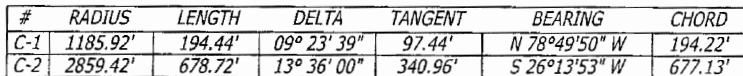
**GreyWolfe, Inc.**  
Land Surveying and Consulting

1073 Redbud Road  
Winchester, VA 22603  
GreyWolfeInc@aol.com  
540-545-7823 OFC  
540-545-4001 FAX

DRAWN BY: GRO FILE NO: 0154 SHEET 1 OF 3

PG0242

- 400' 0' 400'
- 
- GRAPHIC SCALE



1073 Redbud Road  
Winchester, VA 22603  
GreyWolfeInc@aol.com  
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## AREA TABULATIONS

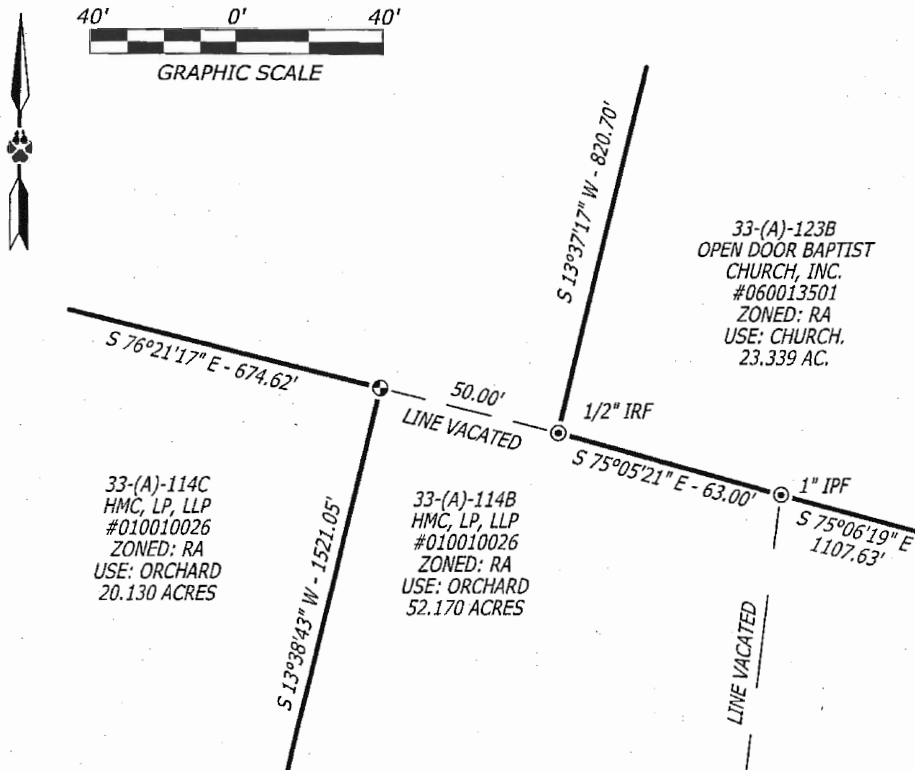
PARCEL TAX NUMBERS	ORIGINAL AREA	ADJUSTED AREA
33-(A)-114B	29.649 ACRES	52.170 ACRES
33-(A)-114C	42.651 ACRES	20.130 ACRES
	72.300 ACRES	72.300 ACRES

## ABBREVIATIONS

AGR	=	AGRICULTURE
BRL	=	BUILDING RESTRICTION LINE
DB	=	DEED BOOK
EX.	=	EXISTING
INST	=	INSTRUMENT
IRF	=	IRON ROD FOUND
PG	=	PAGE
P.L.	=	PROPERTY LINE
RES.	=	RESIDENTIAL
R.O.W.	=	RIGHT OF WAY

## LEGEND

⊙	=	PROPERTY CORNER FOUND
⊗	=	PROPERTY CORNER SET 5/8" X 24" REBAR WITH YELLOW PLASTIC CAP



FINAL PLAT OF  
A MINOR RURAL SUBDIVISION FOR  
ON THE LANDS OF  
**HMC, LP, LLP**  
STONEWALL MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA



**GreyWolfe, Inc.**  
Land Surveying and Consulting

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PC0244

VIRGINIA: FRÉDERICK COUNTY.SCI.

This instrument of writing was produced to me on

11-02-2015 at 1:06 P.M.

and with certificate acknowledgement thereto annexed  
was admitted to record. Tax imposed by Sec. 58.1-802 of

§ NA, and 58.1-801 have been paid, if assessable.

*Rebecca P. Hogan*, Clerk

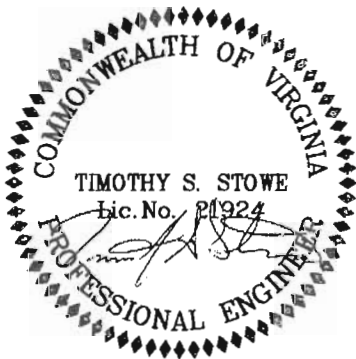
# Traffic Impact Study Blain & Cline Rezoning

February 12, 2016

Prepared for

**GreyWolfe, Inc.**

1073 Red Bud Road  
Winchester, VA 22603



Prepared by

**Stowe Engineering, PLC**

220 Serviceberry Court  
Stephens City, VA 22655

## Executive Summary

This Traffic Impact Study has been prepared to support a rezoning request for the Blain and Cline properties located west of Clear Brook in Frederick County, VA. The generalized proposed uses for the property are:

Blain – Industrial Park (ITE land use 130) which will include a mix of manufacturing, service, and warehouse facilities with a diversified mix of small and large facilities.

Cline - Industrial Park (ITE land use 130) which will include a mix of manufacturing, service, and warehouse facilities with a diversified mix of small and large facilities.

- Gas/Service Station with Convenience Market (ITE land use 945) which will include up to 20 fueling positions.

Both properties are currently used for agricultural purposes.

Access to the properties will be through commercial entrances connecting to the developer- proposed north-south roadway named Alfalfa Lane. Alfalfa Lane will run from Hopewell Road to Cedar Hill Road. For the purposes of this study, it has been assumed that all new traffic will enter and exit the site from Hopewell Road. Interstate 81 exit 321 is approximately 870 ft. from where Alfalfa Lane will connect to Hopewell Road therefore, 80% of the new traffic associated with this site is forecasted to be coming from or going to I-81.

A minimal amount of new traffic will pass through the intersection of Route 11 with Hopewell and Brucetown Roads. The left turn movements from Hopewell and Brucetown Roads have a level of service of E and F respectively in the PM peak hour under existing conditions. Traffic volumes in these intersections will increase by 32 trips in the PM peak hour at full build- out of this project, raising the total trips in these intersections from 1014 to 1046. Fredrick County has prioritized a project to realign this intersection to improve traffic flow. It has been assumed that the projects proposed by the County for this intersection and Route 11 will be in place by the design year 2031.

Some minimal degradation in the level of service at the I-81 ramps was recognized in the traffic modeling for the full build-out and design years of the project. Interim measures are proposed to mitigate this impact by installing all-way stop controls when warranted at the following intersections:

- Hopewell Road and Alfalfa Lane
- Hopewell Road and I-81 SB ramps
- Hopewell Road and I-81 NB ramps

Longer term improvements include signalization of the ramp termini intersections when warranted.

At the intersection of Alfalfa Lane and Hopewell Road a WB left turn lane and a EB right turn lane are proposed to provide safe and efficient traffic operations. A SB left turn lane is also proposed.

With the improvements proffered by this developer and the improvements planned by Frederick County for Route 11 and the Route 11/Hopewell Road/Brucetown Road intersection, it is the opinion of this engineer that the transportation impacts of this rezoning and its resulting development are both manageable and acceptable for this project setting.



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## **Introduction**

### **Purpose**

This Traffic Impact Study has been prepared to support a rezoning request for the lands owned by the Blain and Cline families located in Clear Brook, Frederick County, VA. The rezoning, if approved, will lead to development that will create 50,000 GSF of industrial development and a gas market with 20 fueling positions on the Cline property, and 400,000 GSF of industrial development on the Blain property. The total area of the proposed project area is 149.9 acres.

### **Study Objectives**

The objectives of this study are to identify:

1. Impacts on traffic operations that may result from the project.
2. Future connectivity to pedestrian and bicycle facilities.

## **Background Information**

### **Transportation Improvements Assumed to be in Place**

For the purposes of this study there are no transportation infrastructure improvements assumed to be in place prior to the completion of this development in 2025.

### **Transportation Improvements Planned**

A review of the VDOT Six Year Improvement Plan shows that VDOT has no planned construction projects in the vicinity of this proposed rezoning.

According to the Frederick County 2015/16-2020/21 Secondary Road Improvement Plan and the 2015/16-2020/21 Primary Road Improvement Plan, two planned roadway improvement projects are near the Blain and Cline properties. These are:

- Widening Martinsburg Pike to a six-lane divided highway from the NCL of Winchester to Cedar Hill Road (Primary Road priority 3B). It is assumed that this improvement will not be in place before the build-out year of 2025.
- Realignment of Brucetown Road at its intersection with Route 11 (Secondary Road priority 3). It is assumed that this improvement will not be in place before the build-out year of 2025.

## **Development Description**

### **Site Location**

The subject property is located west of the unincorporated area of Clear Brook in Frederick County, VA. More specifically the site is west of I-81, south of Cedar Hill Road, and north of Hopewell Road. Figure 1 shows the location of the property. Access to the site will occur via a developer-proposed new north-south road that will connect Cedar Hill Road and Hopewell Road. This north-south roadway will connect to Hopewell Road 870 feet west of the I-81 southbound ramps and 658 feet from the end of the limited access line.

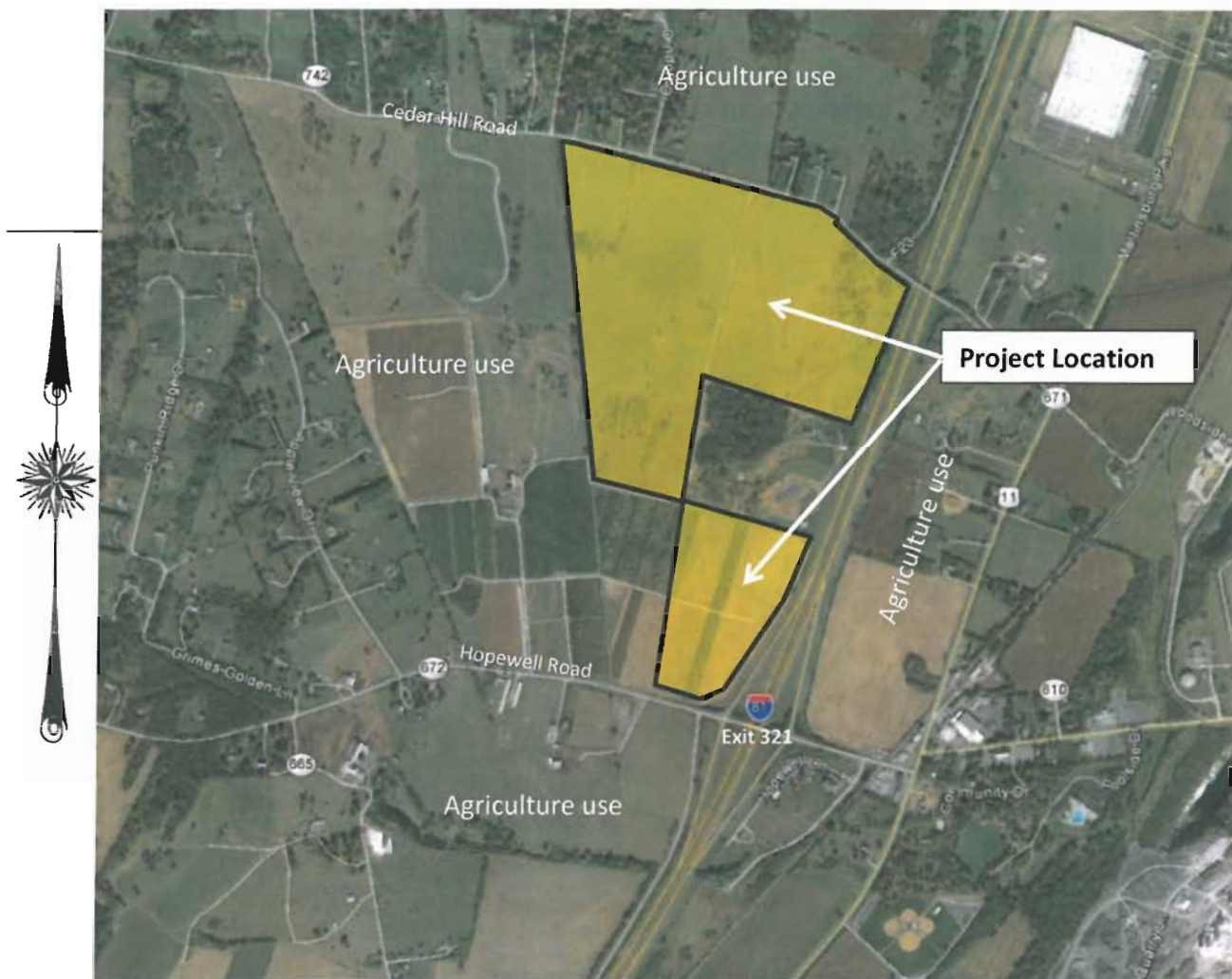


Figure 1 Project Location Map (n.t.s.)

### **Description of the Parcel**

The Blain and Cline properties for which this rezoning is requested encompass 149.9 acres with frontage along Hopewell Road and Cedar Hill Road. The land also adjoins the I-81 right-of-way. The terrain is gently rolling and the land is currently farmed. The properties lie within the Frederick County Sewer and Water Service Area.

### **General Terrain Features**

The site and surrounding areas are gently rolling with slopes that drain to the east. Interstate 81 runs north-south on the east side of the property, Cedar Hill Road runs east-west along the northern side, and Hopewell Road east-west along the south side.

### **Location within Jurisdiction and Region**

The subject property is located in the Stonewall Magisterial District, Frederick County, VA.

## Comprehensive Plan Recommendations

The 2030 Frederick County Comprehensive Plan identifies the future land use on the site to be a mixture of business and industrial. Surrounding properties are designated as industrial to the north, business to the east and south, and rural/agricultural to the west. Figure 2 shows the Northeast Frederick County Land Use Plan in the vicinity of the rezoning area.

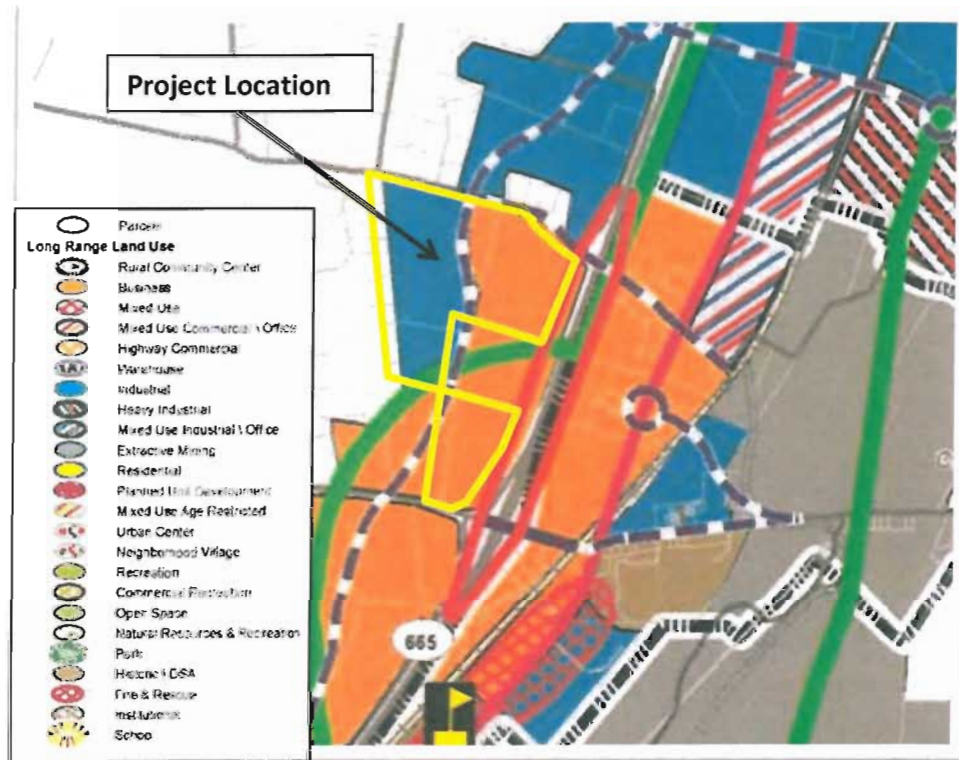


Figure 2 Future Land Use map (n.t.s.)

## Current Zoning

The current zoning on the property is RA (Rural Agriculture) and the property is being used for agricultural purposes. The current land uses and zoning for the surrounding properties to the north, south and west is Rural/Agricultural. To the east is I-81 with multiple businesses beyond I-81. The existing zoning is shown on the map in figure 3.





Figure 3 Existing Zoning Map (n.t.s.)

## Study Area Description

### Study Area

For the purposes of this Traffic Impact Study, the study extends from Cedar Hill road on the north to Hopewell Road on the south, and from Martinsburg Pike on the east to Welltown Pike on the west. There are no additional major intersections within 2000 feet of the site. Figure 4 shows the locations of the intersections being studied and the existing roadways near the site.

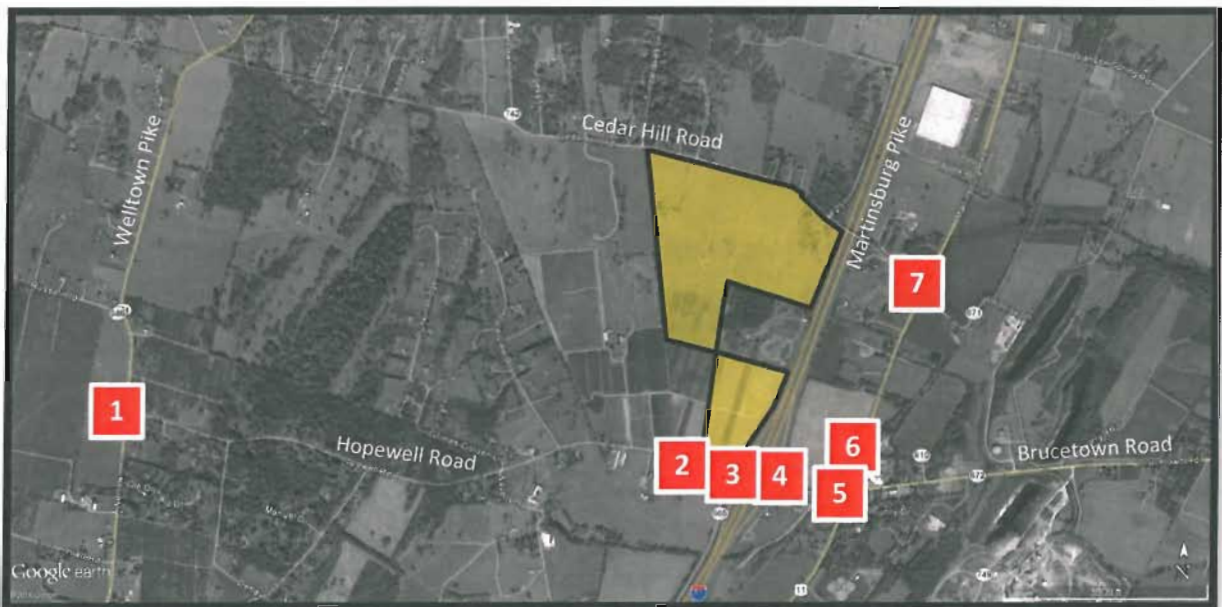


Figure 4 Location of Study Intersections

## Proposed and Existing Uses

### Existing Use

The property is currently used for agricultural purposes.

### Proposed Uses & Access

The generalized proposed uses for the property are:

Blain – Industrial Park (ITE land use 130) which will include a mix of manufacturing, service, and warehouse facilities with a diversified mix of small and large facilities.

Cline - Industrial Park (ITE land use 130) which will include a mix of manufacturing, service, and warehouse facilities with a diversified mix of small and large facilities.

Gas/Service Station with Convenience Market (ITE land use 945) which will include up to 20 fueling positions.

A plan of the proposed development at an engineering scale is included in Appendix F of this report.

Access to the properties will be through commercial entrances connecting to the developer-proposed north-south roadway. This north-south roadway will connect to Hopewell Road and Cedar Hill Road. Since I-81 exit 321 is a short distance from where the north-south roadway will connect to Hopewell Road, it has been assumed that all traffic will access the site from Hopewell Road.

### Nearby Uses

The existing land uses near the proposed site are:

- North – agricultural land that is zoned Rural/Agricultural.
- West – agricultural land that is zoned Rural/Agricultural.
- South – agricultural land that is zoned Rural/Agricultural.
- East - I-81 and commercial entities beyond I-81.

### Existing Roadways

Figures 1 and 4 show the locations of the existing roadways near the subject property. The typical sections for these roadways are as follows:

**Table 1 Existing Roadway Attributes**

Road Name	Number of Travel Lanes	Lane Width (ft.)	Shoulders	Functional Classification
Welltown Pike	2	12	Gravel, variable width	Minor Collector
Hopewell Road	2	12 in interchange area; 11 elsewhere	Gravel, variable width	Minor Collector
Route 11 Martinsburg Pike	2 thru lanes w/ left turn lanes at Hopewell & Brucetown	12	Gravel, variable width	Major Collector
Brucetown Road	2	11	Gravel, variable width	Minor Collector
Cedar Hill Road	2	11	Gravel, variable width	Minor Collector



### **Future Transportation Improvements**

The subject property is located in the Virginia Department of Transportation's Staunton District, and Edinburg Residency area of responsibility. A review of the VDOT Six-Year Improvement Plan showed there are no roadway improvement projects planned in the vicinity of this rezoning.

According to the Frederick County's 2015/16-2020/21 Secondary Road Improvement Plan and the 2015/16-2020/21 Primary Road Improvement Plan, two planned roadway improvement projects are near the Blain + Cline properties. These are:

- Widening Martinsburg Pike to a six-lane divided highway from the NCL of Winchester to Cedar Hill Road (Primary Road priority 3B). It is assumed that this improvement will not be in place before the build-out year of 2025.
- Realignment of Brucetown Road at its intersection with Route 11 (Secondary Road priority 3). It is assumed that this improvement will not be in place before the build-out year of 2025.

### **2015 Existing Traffic Conditions**

#### **Data Collection**

To analyze the existing traffic conditions, peak hour turning movement counts were performed in April and May, 2015 at the following intersections:

- I-81 SB ramps and Hopewell Road
- I-81 NB ramps and Hopewell Road
- Martinsburg Pike and Hopewell Road
- Martinsburg Pike and Brucetown Road
- Martinsburg Pike and Cedar Hill Road.

Stonewall Elementary School is just over 1 mile from the access to the proposed development. Care was taken to collect traffic data while school was in session to achieve an accurate representation of traffic operations.

A count at the intersection of Welltown Pike and Hopewell Road was requested by VDOT during the project scoping meeting. This count data was collected in July, 2015. Since this intersection 2.6 miles from the Stonewall Elementary School and the impact of school traffic at this intersection is not anticipated, it was agreed that the count could proceed without school in session.

During subsequent observations of traffic operations, the percentage of trucks in the traffic flow was recognized as being high in some intersection movements. To quantify this condition, classified peak hour traffic counts were collected at the following intersections where large volumes of trucks were observed:

- I-81 SB ramps and Hopewell Road
- I-81 NB ramps and Hopewell Road
- Martinsburg Pike and Hopewell Road
- Martinsburg Pike and Brucetown Road

The resulting truck percentages are presented in table 2. Count data are included in Appendix A of this report.

Table 2 Truck Percentages from Count Data													
Intersection		AM Peak Hour											
		SB Left	SB Thru	SB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	EB Left	EB Thru	EB Right
Rte 11/Hopewell Rd	%T		3	8				11	9		13		5
Rte 11/Brucetown Rd	%T		3		11				9	20			
81 NB ramps/Hopewell Rd	%T					10	22	22	33	13	8	7	
81 SB ramps/Hopewell Rd	%T	13		5	13							1	8
Intersection		PM Peak Hour											
		SB Left	SB Thru	SB Right	WB Left	WB Thru	WB Right	NB Left	NB Thru	NB Right	EB Left	EB Thru	EB Right
Rte 11/Hopewell Rd	%T		5	5				11	2		7		2
Rte 11/Brucetown Rd	%T	4	5		8		6		2	7			
81 NB ramps/Hopewell Rd	%T					4	12	13	10	8	3	2	
81 SB ramps/Hopewell Rd	%T	2		3	9	1						4	

A 24-hour count was conducted at the intersection of Hopewell Road and the I-81 NB ramps. This data is also included in Appendix A.

A 'k' factor was applied to the PM peak hour volumes to obtain the average annual daily traffic (AADT). The following 'k' factors were obtained from the VDOT Daily Traffic Volume Estimates for 2014.

Table 3 'k' Factors	
Roadway	'k' Factor
Martinsburg Pike	0.090
Welltown Pike	0.156
Hopewell Road (Welltown Pike to I-81)	0.126
Hopewell Road (I-81 to Route 11)	0.099
Brucetown Road	0.089
I-81 N	0.103
I-81 S	0.093

A 'k' factor was not reported for Cedar Hill Road in the VDOT Daily Traffic Volume Estimates for 2014.

## Analysis

The existing AM and PM peak hour intersection turning movements were analyzed using the Synchro 9.1 traffic modeling software. The locations of the study intersections are shown in figure 4, the existing AM and PM peak hour traffic volumes are shown in figure 5, the existing lane geometry and levels of service are shown in figure 6, and the modeling results (levels of service and delays) are shown in tabular form in Tables 4 through 10.

Due to the configuration of the traffic signal at Route 11/Hopewell Road/Brucetown Road and the limitations of the Synchro model software, the HCS 2000 signalized routine was used to evaluate this intersection.

The left turn movements from Hopewell Road and Brucetown Road operate at a level of service E and F respectively in the PM peak hour. This is due to the intersection being offset with no turn lanes and the signalization operating in a split phase, thereby increasing the delays and resulting in the poor levels of service. Intersection improvements at this intersection are planned by Frederick County as mentioned in the Future Transportation Improvements section of this report.

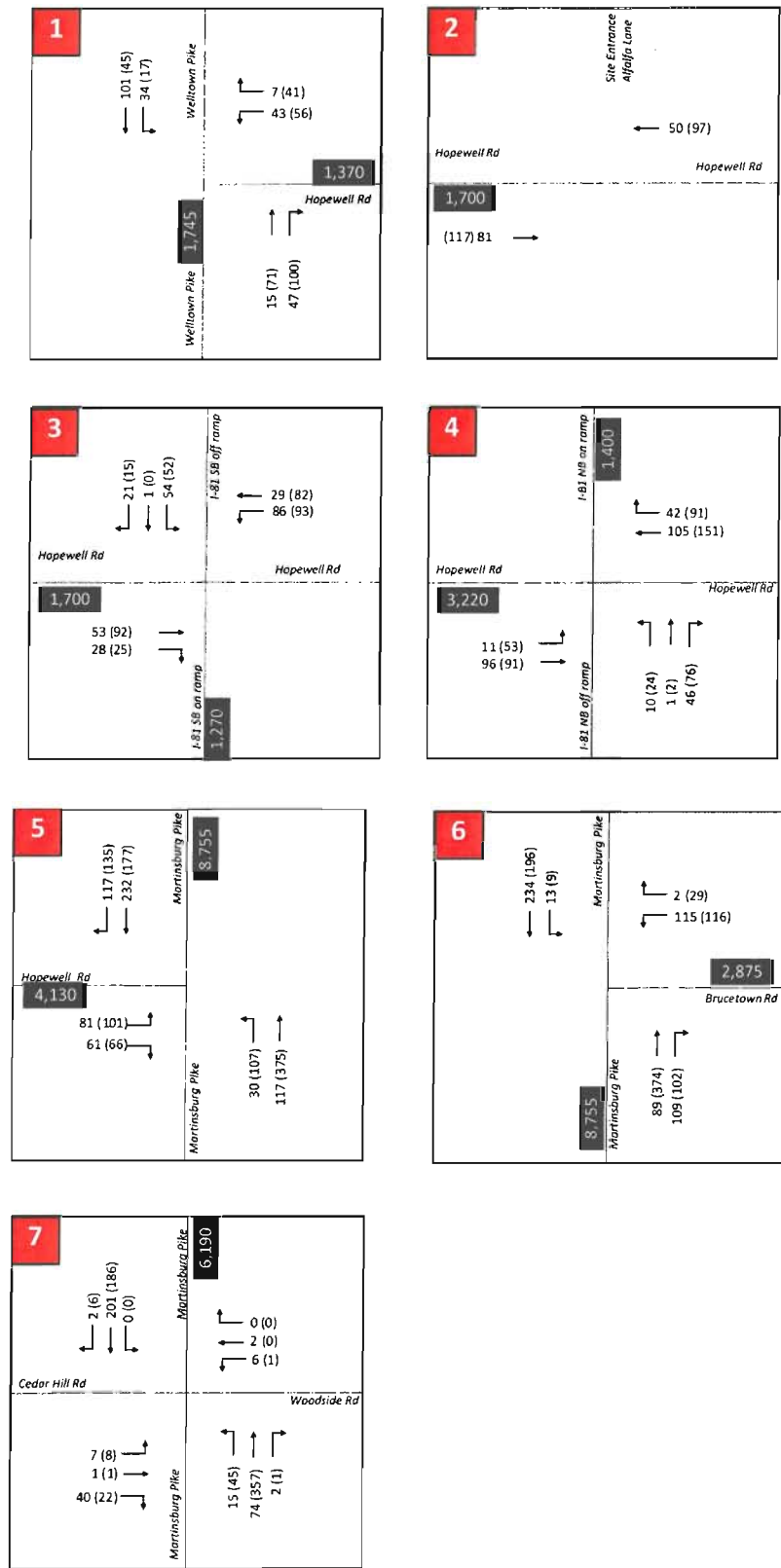


Figure 5 2015 Existing Year Peak Hour Volumes

AM Peak Hour (PM Peak Hour)

ADT

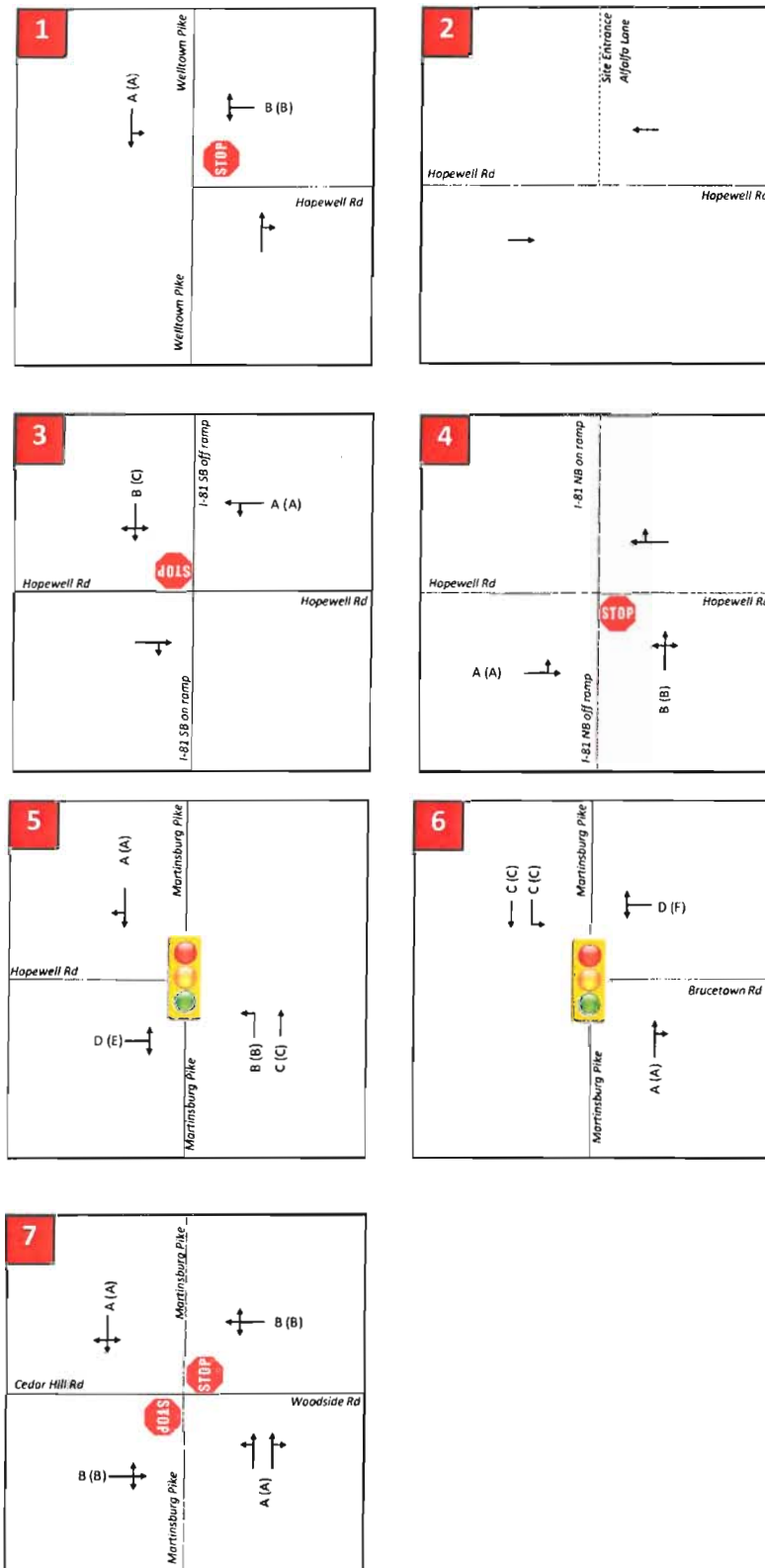


Figure 6 2015 Existing Year Level of Service and Lane Configuration

AM Peak Hour (PM Peak Hour)

**Table 4 Level of Service and Delays – Welltown Pike and Hopewell Road**

1. Welltown Pike and Hopewell Road													
Scenario	Overall LOS	Level of Service per Movement by Approach (delay in sec/veh)											
		Eastbound			Westbound			Northbound			Southbound		
		LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
AM Peak Hour													
2015 Existing					B (10.7)						A (2.3)		
					B (10.7)						A (2.3)		
2025 Background (no build)					B (10.3)						A (2.1)		
					B (10.3)						A (2.0)		
2025 Build out					B (10.7)						A (2.3)		
					B (10.7)						A (2.3)		
2025 Build out w/ IMPROVEMENTS					B (10.7)						A (2.3)		
					B (10.7)						A (2.3)		
2031 Design Year					B (10.9)						A (2.3)		
					B (10.9)						A (2.3)		
PM Peak Hour													
2015 Existing					B (10.5)						A (2.5)		
					B (10.5)						A (2.5)		
2025 Background (no build)					B (10.4)						A (2.2)		
					B (10.4)						A (2.2)		
2025 Build out					B (11.2)						A (2.5)		
					B (11.2)						A (2.5)		
2025 Build out w/ IMPROVEMENTS					B (11.2)						A (2.5)		
					B (11.2)						A (2.5)		
2031 Design Year					B (11.4)						A (2.5)		
					B (11.3)						A (2.5)		

**Table 5 Level of Service and Delays – Alfalfa Drive and Hopewell Road**

2. Alfalfa Lane and Hopewell Road													
Scenario	Overall LOS	Level of Service per Movement by Approach (delay in sec/veh)											
		Eastbound			Westbound			Northbound			Southbound		
		LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
AM Peak Hour													
2015 Existing													
2025 Background (no build)													
2025 Build out		A (8.7)									B (10.3)		A (8.6)
2025 Build out w/ IMPROVEMENTS	D (10.5)	A (3.2)									A (9.9)		
		A (9.3)	A (9.1)			A (8.1)	B (11.5)				B (10.6)		A (8.4)
		A (9.1)				B (11.5)					A (9.9)		
2031 Design Year	B (10.5)	A (9.3)	A (9.1)			A (8.2)	B (11.5)				B (10.6)		A (8.4)
		A (9.2)				B (11.5)					A (9.7)		
PM Peak Hour													
2015 Existing													
2025 Background (no build)													
2025 Build out		A (7.8)									C (18.1)		A (8.8)
		A (1.6)									C (16.8)		
2025 Build out w/ IMPROVEMENTS	C (19.2)	B (10.4)	B (11.5)			A (9.8)	B (11.6)				D (28.6)		A (8.4)
		B (11.3)				B (11.3)					D (25.6)		
2031 Design Year	C (15.5)	B (10.4)	B (11.6)			A (10.1)	B (11.6)				D (29.3)		A (8.5)
		B (11.5)				B (11.3)					D (26.4)		

**Table 6 Level of Service and Delays – I-81 SB Lanes and Hopewell Road**

3. I-81 SB ramps and Hopewell Road													
Scenario	Overall LOS	Level of Service per Movement by Approach (delay in sec/veh)											
		Eastbound			Westbound			Northbound			Southbound		
		LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
AM Peak Hour													
2015 Existing					A (6.2)						B (11.5)		
					A (6.2)						B (11.5)		
2025 Background (no build)					A (5.1)						B (11.6)		
					A (5.1)						B (11.6)		
2025 Build out					A (2.2)						B (14.3)		
					A (2.2)						B (14.3)		
2025 Build out w/ IMPROVEMENTS	B (10.5)		A (9.4)		B (11.9)						B (10.2)		
			A (9.4)		B (11.9)						B (10.2)		
2031 Design Year	B (11.0)		A (9.5)		B (12.2)						B (10.5)		
			A (9.5)		B (12.2)						B (10.5)		
PM Peak Hour													
2015 Existing					A (6.1)						B (14.7)		
					A (6.0)						B (14.7)		
2025 Background (no build)					A (4.5)						C (15.8)		
					A (4.5)						C (15.8)		
2025 Build out					A (8.3)						C (23.3)		
					A (8.3)						C (23.3)		
2025 Build out w/ IMPROVEMENTS	B (13.8)		C (15.8)		B (11.9)						B (10.3)		
			C (15.8)		B (11.9)						B (10.3)		
2031 Design Year	B (14.3)		C (16.6)		B (12.3)						B (10.5)		
			C (16.6)		B (12.3)						B (10.5)		

**Table 7 Level of Service and Delays – I-81 NB Lanes and Hopewell Road**

4. I-81 NB ramps and Hopewell Road													
Scenario	Overall LOS	Level of Service per Movement by Approach (delay in sec/veh)											
		Eastbound			Westbound			Northbound			Southbound		
		LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
AM Peak Hour													
2015 Existing		A (1.3)						B (10.2)					
2025 Background (no build)		A (1.3)						A (9.9)					
								C (15.5)					
2025 Build out		A (2.7)						C (15.5)					
2025 Build out w/ IMPROVEMENTS	A (10.0)	A (9.7)				A (10.0) (9.5)		B (10.6)					
		A (9.7)				A (9.5)							
2031 Design Year	B (10.1)	A (9.8)				A (9.7)		B (10.7)					
		A (9.8)				A (9.7)		B (10.7)					
PM Peak Hour													
2015 Existing		A (1.9)						B (11.1)					
2025 Background (no build)		A (3.3)						B (11.3)					
		A (3.3)						D (27.9)					
2025 Build out		A (6.1)						D (27.9)					
2025 Build out w/ IMPROVEMENTS	B (12.2)	B (13.6)				B (11.3)		B (11.1)					
		B (13.6)				B (11.3)		B (11.0)					
2031 Design Year	B (12.7)	B (14.2)				B (11.8)		B (11.3)					
		B (14.2)				B (11.8)		B (11.3)					



**Table 8 Level of Service and Delays – Route 11 and Hopewell Road**

5. Route 11 and Hopewell Road													
Scenario	Overall LOS	Level of Service per Movement by Approach (delay in sec/veh)											
		Eastbound			Westbound			Northbound			Southbound		
		LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
AM Peak Hour													
2015 Existing	B (15.6)	B (16.6)						B (15.1)	C (23.6)			A (13)	
2025 Background (no build)	B (15.2)	D (50.1)						B (12.8)	C (27.6)			A (9.3)	
		D (48.1)						C (22.7)				A (9.3)	
2025 Build out	B (17.5)	D (52.5)						B (12.4)	C (24)			A (3)	
2025 Build out w/ IMPROVEMENTS	B (17.3)	D (52.5)						B (12.4)	C (22.9)			A (9.3)	
		D (52.5)						C (22.9)				A (9.3)	
2031 Design Year *	B (13.6)	D (37.1)	C (28.9)	C (26.5)	D (48.5)	C (27.1)	C (25.3)	B (11.4)	B (10.5)	B (10.7)	D (46.1)	A (6.2)	A (6.2)
		C (29.3)				D (37.8)		E (10.8)				A (3)	
PM Peak Hour													
2015 Existing	D (40.9)	E (71.1)						B (16.5)	C (29)			A (2)	
2025 Background (no build)	C (29.3)	E (60)						B (15.7)	C (29.4)			A (3)	
		F (60.0)						C (16.3)				A (9.3)	
2025 Build out	C (33.3)	E (62.2)						B (16.4)	C (30.8)			A (3)	
2025 Build out w/ IMPROVEMENTS	C (33.3)	E (62.2)						C (27.5)				A (9.3)	
		E (62.2)						C (27.5)				A (9.3)	
2031 Design Year *	C (25.3)	C (26.5)	C (21.5)	C (26.8)	E (55.3)	C (29.6)	C (27.1)	C (26.3)	C (21.6)	B (15.2)	D (45)	C (26.5)	C (23.2)
		C (22.8)				C (37.2)		C (27.6)				C (26.3)	

\* Design Yr results are based on the ultimate design improvements as planned by Frederick County

**Table 9 Level of Service and Delays –Route 11 and Brucetown Road**

6. Route 11 and Brucetown Road													
Scenario	Overall LOS	Level of Service per Movement, by Approach (delay in sec/veh)											
		Eastbound			Westbound			Northbound			Southbound		
		LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	PT
AM Peak Hour													
2015 Existing	C (21.2)				D (48.7)			A (3)			C (21)	C (19)	
					D (40.0)			A (0.3)			C (28.3)		
2025 Background (no build)	C (22.5)				D (46.8)			A (2)			C (20.6)	C (20.1)	
					D (46.8)			A (0.2)			C (29.7)		
2025 Build out	C (22.5)				D (48.4)			A (2)			C (21.3)	C (20.8)	
					D (48.4)			A (0.2)			C (30.4)		
2025 Build out w/ IMPROVEMENTS	C (23.5)				D (48.4)			A (2)			C (21.3)	C (20.8)	
					D (28.4)			A (0.2)			C (30.4)		
2031 Design Year *													
PM Peak Hour													
2015 Existing	D (37.5)				F (122.8)			A (1)			C (26)	C (24.4)	
					F (122.8)			A (0.2)			C (33.8)		
2025 Background (no build)	C (23.6)				F (81.4)			A (4)			C (28.5)	D (37.2)	
					F (81.4)			A (0.4)			D (36.2)		
2025 Build out	C (23.5)				E (79.5)			A (4)			C (29.7)	D (39.2)	
					E (79.5)			A (0.4)			D (38.8)		
2025 Build out w/ IMPROVEMENTS	C (23.5)				E (79.5)			A (4)			C (29.7)	D (39.2)	
					E (79.5)			A (0.4)			D (38.8)		
2031 Design Year *													

\* see table 8 for ultimate design results

**Table 10 Level of Service and Delays –Route 11 and Cedar Hill Road/Woodside Road**

7. Route 11 and Cedar Hill Road/Woodside Road												
Scenario	Overall LOS	Level of Service per Movement by Approach (delay in sec/veh)										
		Eastbound			Westbound			Northbound			Southbound	
		LT	TH	RT	LT	TH	PT	LT	TH	RT	LT	TH
AM Peak Hour												
2015 Existing		B (10.8)			B (12.6)			A (2.9)				
		B (10.8)			B (12.6)			A (1.7)				
2025 Background (no build)		B (10.7)			B (12.4)			A (1.9)			A (7.4)	
		B (10.7)			B (12.4)			A (1.1)			A (7.4)	
2025 Build out		B (10.9)			B (11.8)			A (2.3)			A (1.2)	
		B (10.9)			B (11.8)			A (1.3)			A (1.2)	
2025 Build out w/ IMPROVEMENTS		B (10.9)			B (11.8)			A (2.3)			A (1.1)	
		B (10.9)			B (11.8)			A (1.3)			A (1.1)	
2031 Design Year *												
PM Peak Hour												
2015 Existing		B (10.7)			B (13.2)			A (2.2)				
		B (10.7)			B (13.2)			A (2.2)				
2025 Background (no build)		B (11.1)			B (12.5)			A (1.9)			A (1.3)	
		B (11.1)			B (12.5)			A (1.0)			A (0.3)	
2025 Build out		B (11.1)			B (12.6)			A (1.9)			A (1.3)	
		B (11.1)			B (12.6)			A (1.9)			A (0.1)	
2025 Build out w/ IMPROVEMENTS		B (11.1)			B (12.6)			A (1.9)			A (1.3)	
		B (11.1)			B (12.6)			A (1.9)			A (0.3)	
2031 Design Year *												

\* Due to the number of through lanes on Route 11, Synchro cannot evaluate the design yr conditions.

## **2025 Background (No-Build) Traffic Conditions**

Background traffic conditions are those that are expected to occur without the proposed rezoning. These traffic conditions were established by increasing the existing 2015 traffic volume by 1.0% per year to the build-out year of 2025. The growth factor of 1.0% was determined by VDOT Staunton District Planning staff and is based on the historical and anticipated growth in traffic volumes in the project area.

The 2025 Background AM and PM peak hour intersection turning movements were analyzed using the Synchro 9.1 traffic modeling software. The AM and PM peak hour traffic volumes are shown in Figure 7 and the lane geometry and level of service are shown in Figure 8. The modeling results (levels of service and delay) are tabulated in Tables 4 through 10.

## **Analysis**

As in the existing year analysis, the left turn movements from Hopewell Road and Brucetown Road operate at a level of service E and F respectively in the PM peak hour. This is due to the intersection being offset with no turn lanes and the signalization operating in a split phase, thereby increasing the delays and resulting in the poor levels of service. Intersection improvements at this location are planned by Frederick County as mentioned in the Future Transportation Improvements section of this report.

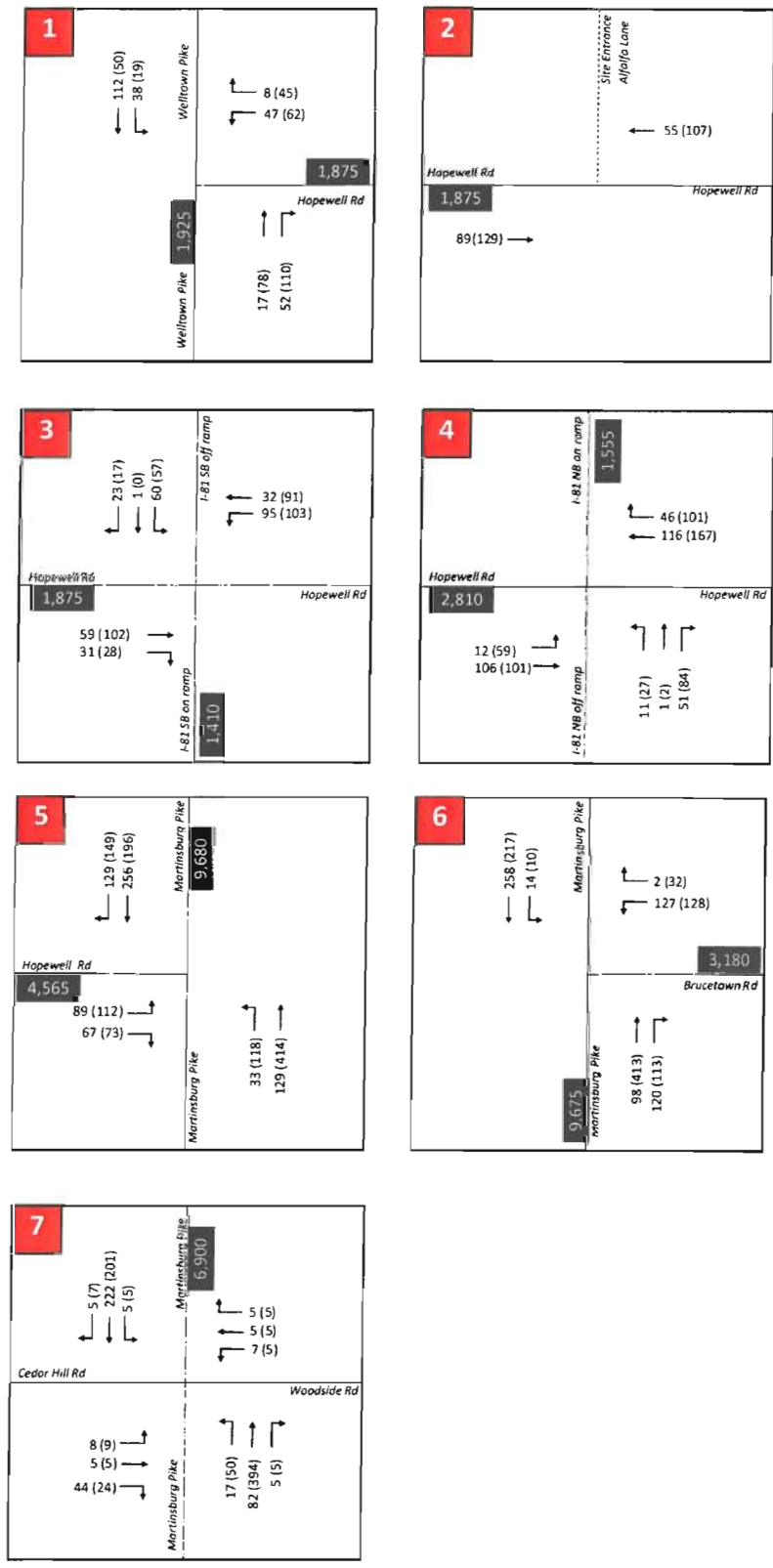


Figure 7 2025 Background Year Peak Hour Traffic Volumes

AM Peak Hour (PM Peak Hour)

ADT

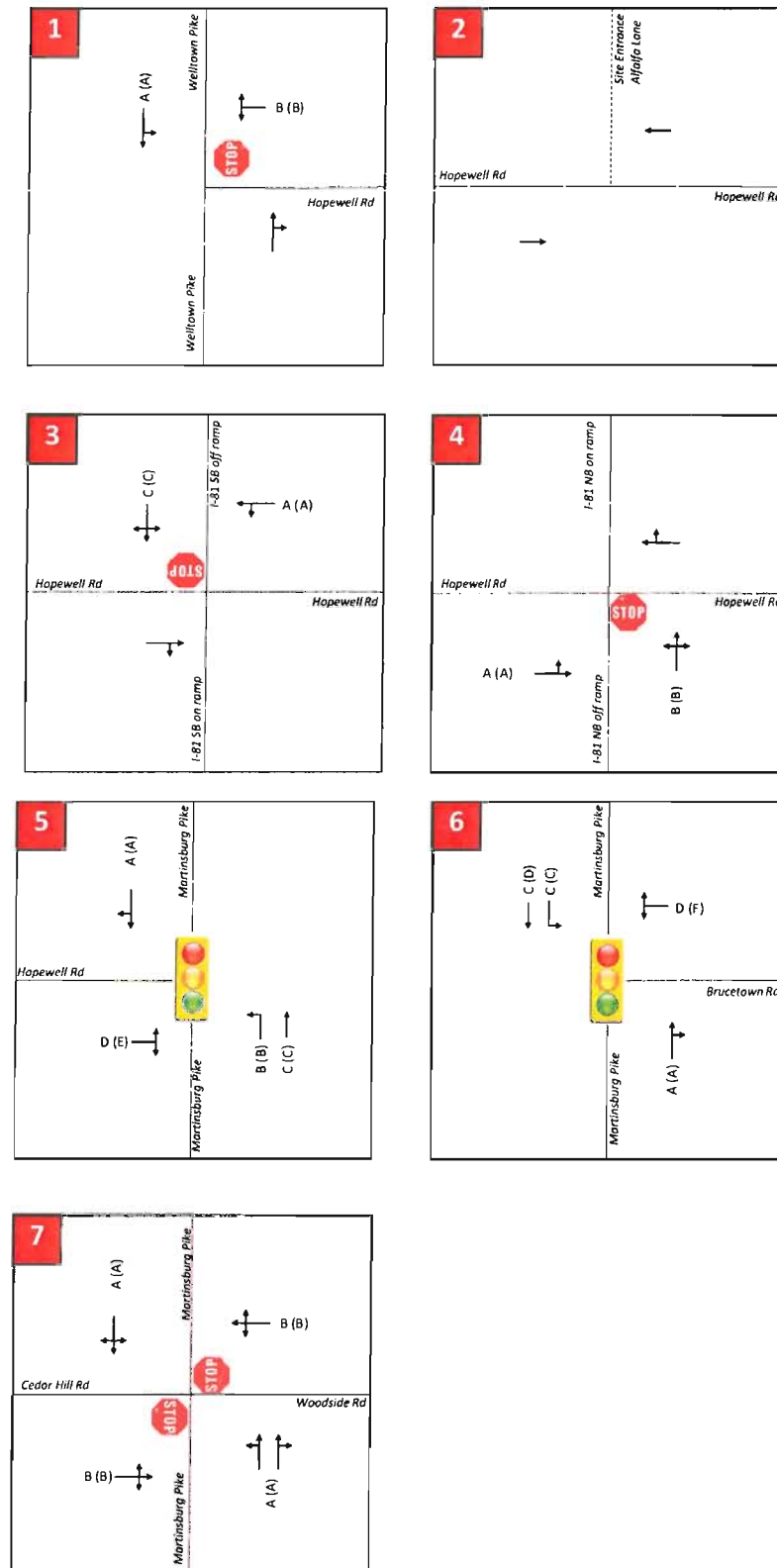


Figure 8 2025 Background Year Level of Service and Lane Configuration

AM Peak Hour (PM Peak Hour)

## **Trip Generation & Distribution**

### **Trip Generation**

Trip generation for the project uses was developed using Trip Gen 2014 software based on the 9<sup>th</sup> edition of the ITE Trip Generation Manual. The peak traffic volumes on the adjacent streets for the AM and PM periods were used for forecasting the new traffic. Land uses and trips generated are summarized in the table on the following page. Eight percent of the new traffic associated with the Industrial Park land use is assumed to be trucks based on the ITE Trip Generation Handbook data.

Pass-by trip reductions account for site trips drawn from the existing traffic stream on an adjacent street, recognizing that trips drawn to the site would otherwise already be on the adjacent street regardless of the development's existence. Pass-by trip reduction allows a percentage reduction in the trips associated with retail uses. Pass-by rates were obtained from the ITE Trip Generation Manual in accordance with the VDOT Administrative Guidelines for Traffic Impact Analysis Regulations, Nov. 2014.

The trips generated and the pass-by trip reduction computations are shown in the Trip Generation report on the following page.

### **Trip Distribution**

Trips generated by the development were assigned to the roadway network based on proximity to logical transportation corridors, access to I-81, and commuter patterns. The proximity of I-81 to the site's southern connection to Hopewell Road, and the understanding that a majority of new trips will be associated with I-81, lead to the assignment of all trips to the Hopewell Road access point.

The trip distribution percentages are shown in figure 9 and the assignment of the new AM and PM peak hour and pass-by trips are shown in figures 10 and 11.

## Trip Generation Summary

Alternative: Blain + Cline Combined Rezoning

Phase:

Open Date: 8/23/2015

Project: Blain + Cline Rezoning

Analysis Date: 8/23/2015

ITE	Land Use	Weekday Average Daily Trips				Weekday AM Peak Hour of Adjacent Street Traffic				Weekday PM Peak Hour of Adjacent Street Traffic			
		*	Enter	Exit	Total	*	Enter	Exit	Total	*	Enter	Exit	Total
130	Blain Industrial land 400 Gross Floor Area 1000 SF		1366	1366	2732		231	51	282		72	270	342
130	Cline Industrial lands 50 Gross Floor Area 1000 SF		171	171	342		45	10	55		14	55	69
945	Cline Gas Market land 20 Vehicle Fueling Positions		1628	1628	3256		102	101	203		135	135	270
	Unadjusted Volume		3165	3165	6330		378	162	540		221	460	681
	Internal Capture Trips		0	0	0		0	0	0		0	0	0
	Pass-By Trips		0	0	0		63	63	126		76	76	152
	Volume Added to Adjacent Streets		3165	3165	6330		315	99	414		145	384	529

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

\* - Custom rate used for selected time period.





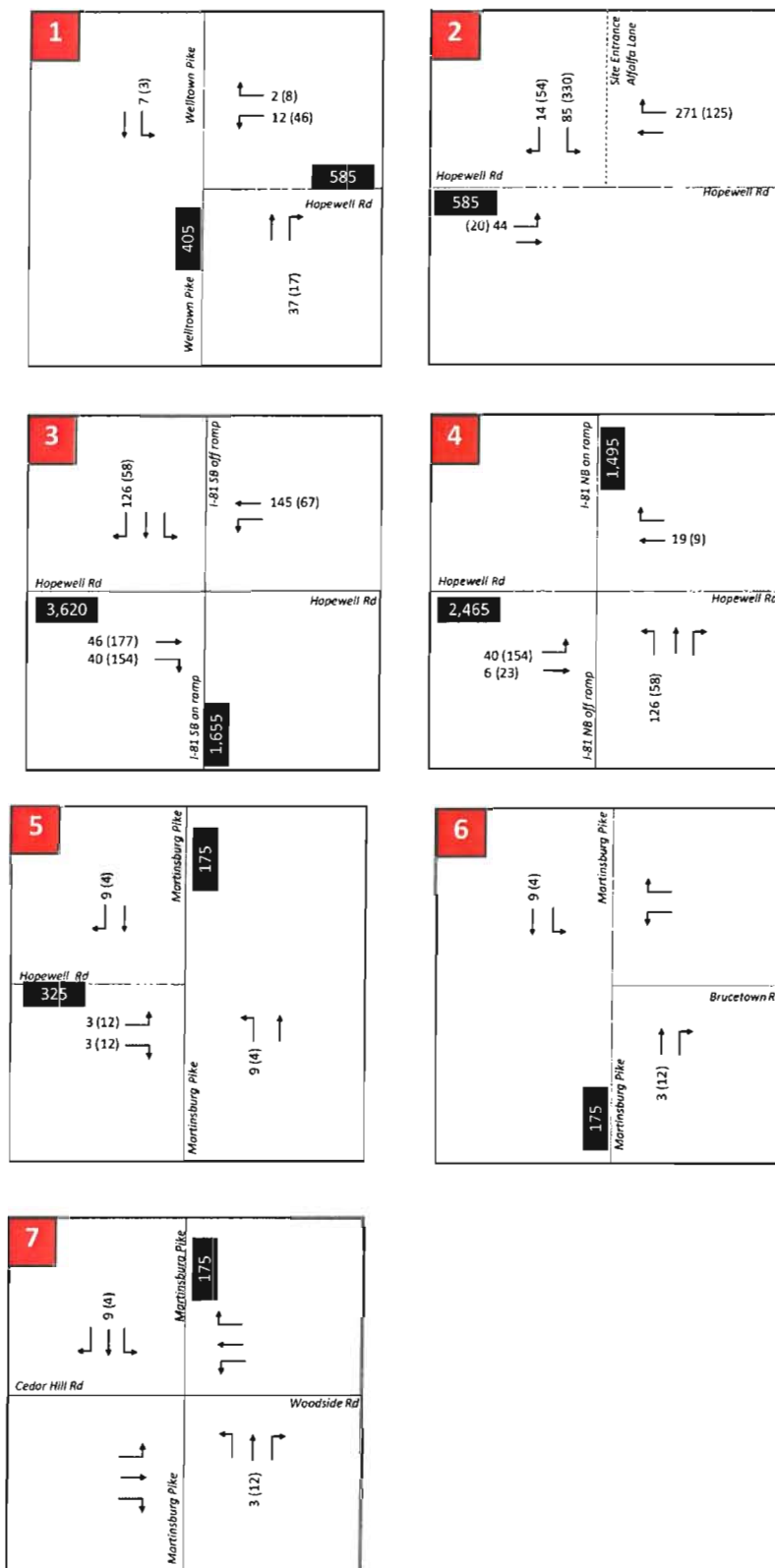


Figure 10 New Trip Assignment

AM Peak Hour (PM Peak Hour)

ADT

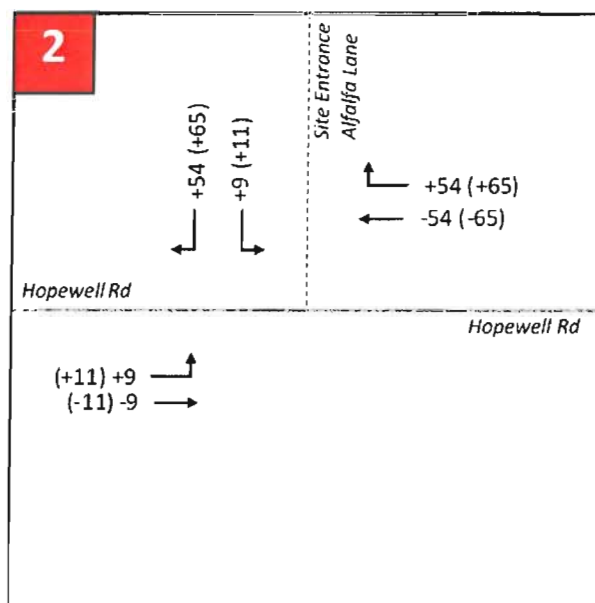


Figure 11 Bypass Trips

AM Peak Hour (PM Peak Hour)

ADT

## 2025 Build-out Conditions

The 2025 build-out conditions combine the background traffic for the year 2025, and the new traffic that is forecasted to result from the development of this property. This is commonly referred to as the “Build Condition” which is forecasted to occur in the year 2025.

## Analysis

The 2025 Build Condition AM and PM peak hour turning movements were analyzed using the Synchro 9.1 traffic modeling software. The AM and PM peak hour traffic volumes are shown in Figure 12, and the lane geometry and level of service are shown in Figure 13. The modeling results (levels of service and delay) are tabulated in Tables 4 through 10.

As with the no-build/background year analysis, the left turn movements from Hopewell Road and Brucetown Road continue to operate at a failing level of service in the PM peak hour. This is due to the intersection being offset with no turn lanes and the signalization operating in a split phase thereby increasing the delays and resulting in the poor levels of service. Intersection improvements at this location are planned by Frederick County as mentioned in the Future Transportation Improvements section of this report. The impact from the new traffic generated by the proposed development has a negligible effect on the left turn delay from Hopewell Road to Route 11 NB, which remains at a LOS of F. The impact from the new traffic generated by the proposed development increases the left turn delay by about 20 seconds for the Brucetown Road left turns onto Route 11 SB, which remains at a LOS of F.

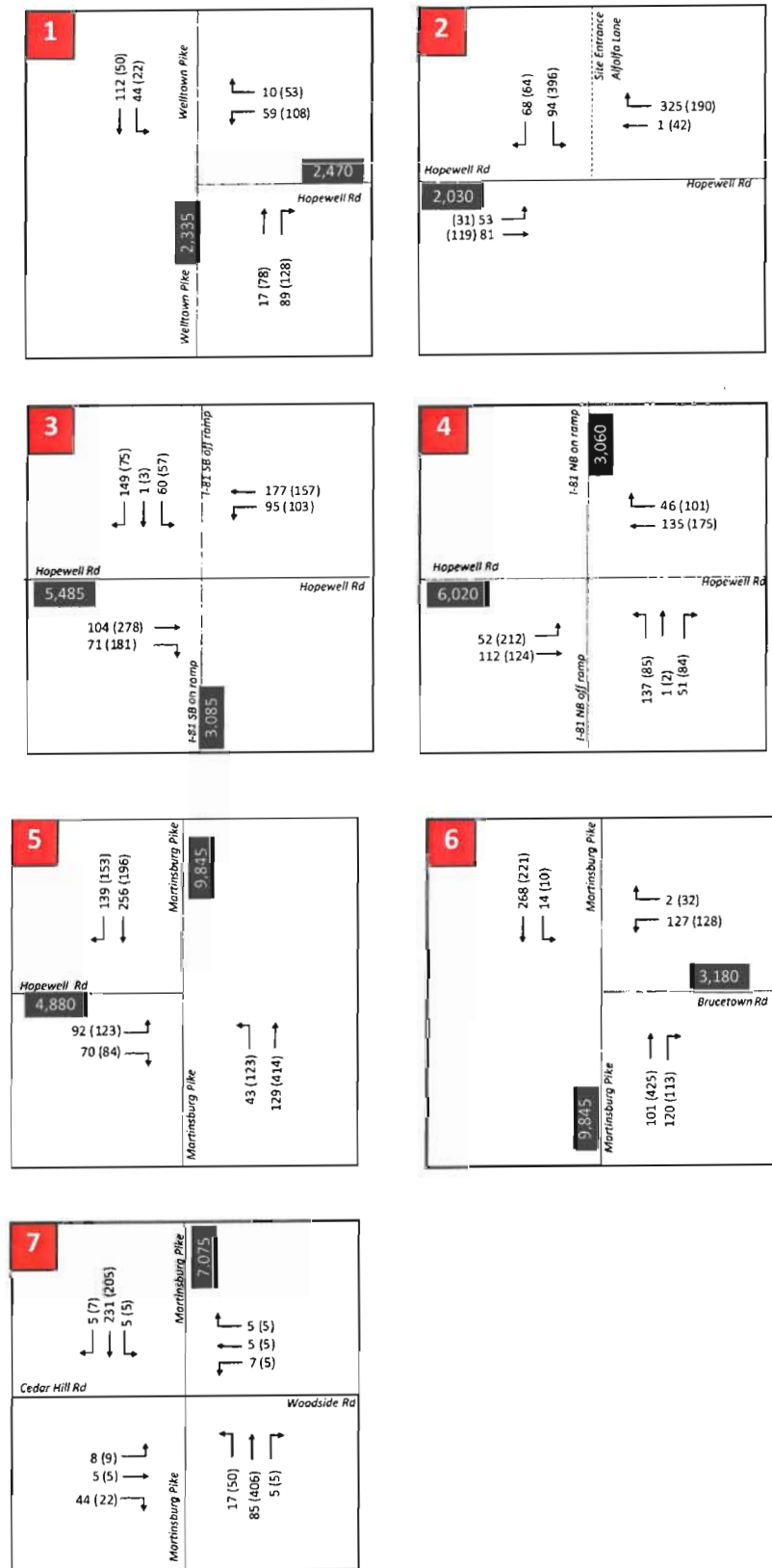


Figure 12 2025 Build out Peak Hour Traffic Volumes

AM Peak Hour (PM Peak Hour)

ADT

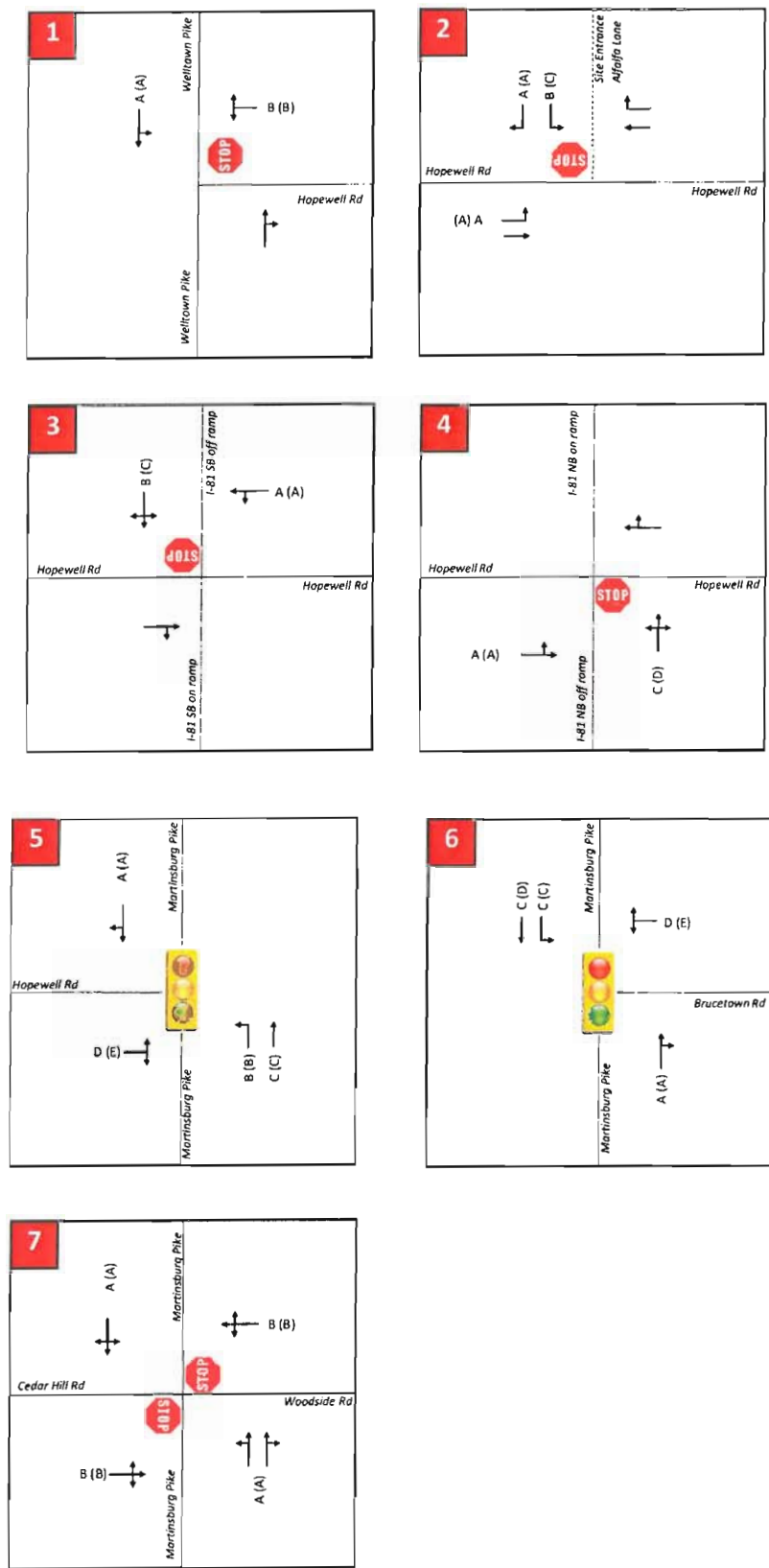


Figure 13 2025 Build Out Lane Configurations and Level of Service

AM Peak Hour (PM Peak Hour)

## Recommended Roadway Improvements

Due to the relatively light traffic volumes on Hopewell Road, the impacts resulting from new traffic this project generates can be mitigated efficiently and effectively. Special attention has been given to the delay and queue on the I-81 ramps at Hopewell Road to see that traffic continues to operate safely and efficiently in these locations. To mitigate impacts, traffic signals were initially considered at the I-81 ramp intersections. However, the signal warrant analysis revealed that none of the warrants were met for the NB ramps, which is where the highest traffic volume is. Therefore, alternatives to traffic signals were introduced for consideration. A 3-way stop control was found to provide efficient traffic operations with a high level of service at the intersection of Hopewell Road and the I-81 ramps, as well as at the intersection of Alfalfa Lane and Hopewell Road. Even though the all-way stop controls provide a high level of service and do not generate a lengthy queue on the I-81 ramps, they should be considered a temporary measure and should not be installed until warranted. The Manual for Uniform Traffic Control Devices, criteria for multi-way stop signs, should be consulted to determine when the signs are warranted.

At the intersection of Route 11/Hopewell Road/Brucetown Road and on Route 11 improvements are being planned by Frederick County. No additional improvements are being proposed with this project. It is recommended that participation in the County's intersection improvement project be considered by Blain and Cline.

At the intersection of Alfalfa Lane and Hopewell Road a WB left turn lane and a EB right turn lane are proposed to provide safe and efficient traffic operations. A SB left turn lane is also proposed.

The lengths of proposed turn lanes are shown in Table 11.

With the improvements being proffered by this developer, and the improvements planned by the County, it is the opinion of this engineer that the transportation impacts of this rezoning and its resulting development are both manageable and acceptable for this project setting.

The levels of service resulting with these improvements in place are shown in figure 14.

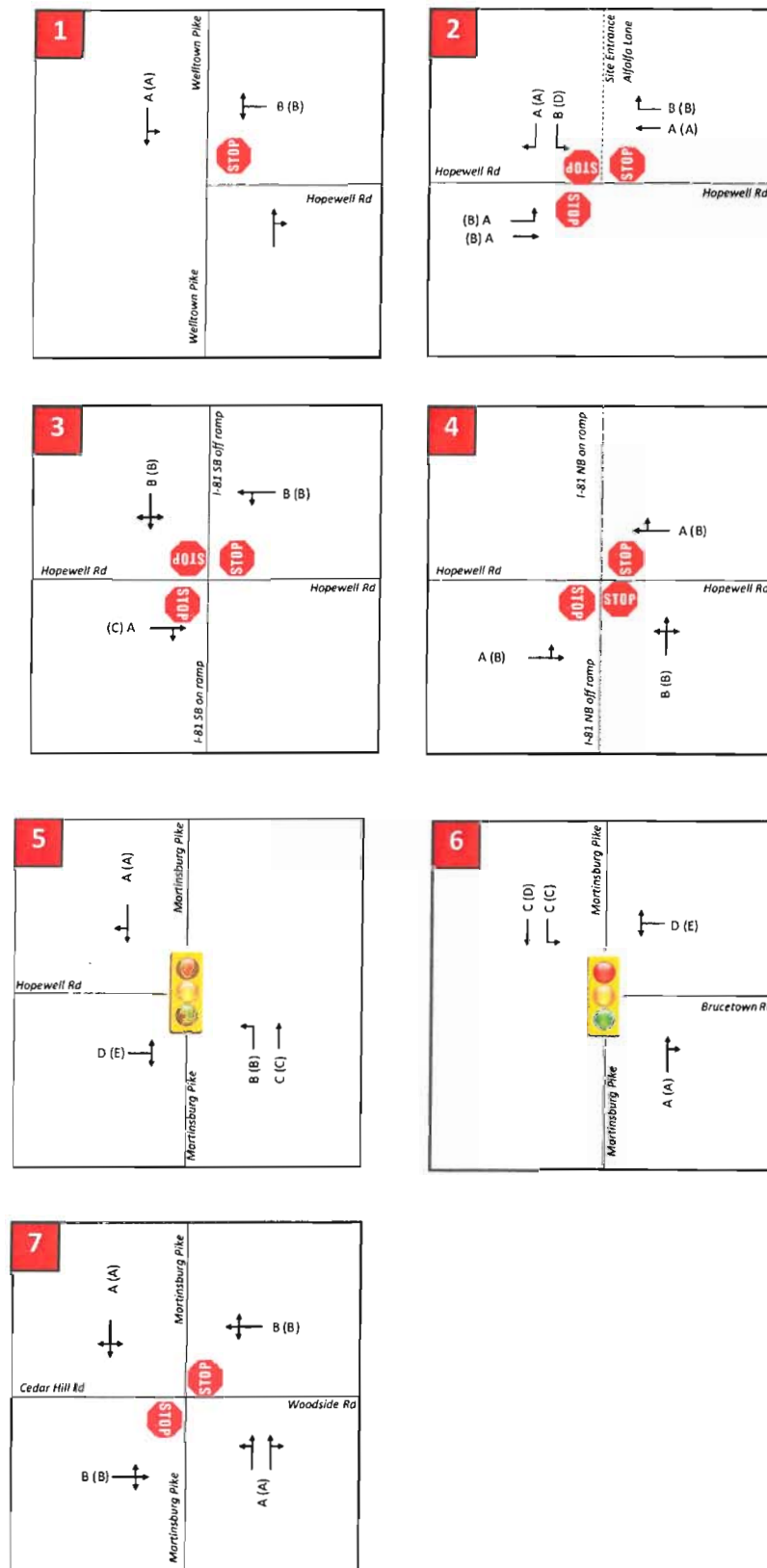


Figure 14 LOS and Lane Configuration with Improvements proffered by Blain and Cline

AM Peak Hour (PM Peak Hour)



## Design Year (2031)

The design year for the project is six years beyond the Build Conditions of the project, which in this case is the year 2031. It is assumed that the improvements documented in Frederick County's 2015/16-2020/21 Secondary Road Improvement Plan and the 2015/16-2020/21 Primary Road Improvement Plan listed earlier in this report, will be in place by the design year. These improvements include widening Route 11 to 3-lanes in each direction, and realignment of Brucetown Road to Hopewell Road with the necessary turn lanes.

## Analysis

The 2031 Design Year AM and PM peak hour intersection turning movements were analyzed using the Synchro 9.1 traffic modeling software. AM and PM peak hour traffic volumes are shown in Figure 15, and the lane geometry and level of service are shown in Figure 16. The modeling results (levels of service and delay) are tabulated in Tables 4 through 10.

For the purposes of this study and to present a worst case scenario per VDOT, protected phase left turn lanes are shown for all approaches at the intersection of Martinsburg Pike and Hopewell/Brucetown Road. At the time the engineering design of the improvements is undertaken, the designer should reevaluate the turning movements to see if protected left turn lanes are needed for all approaches.

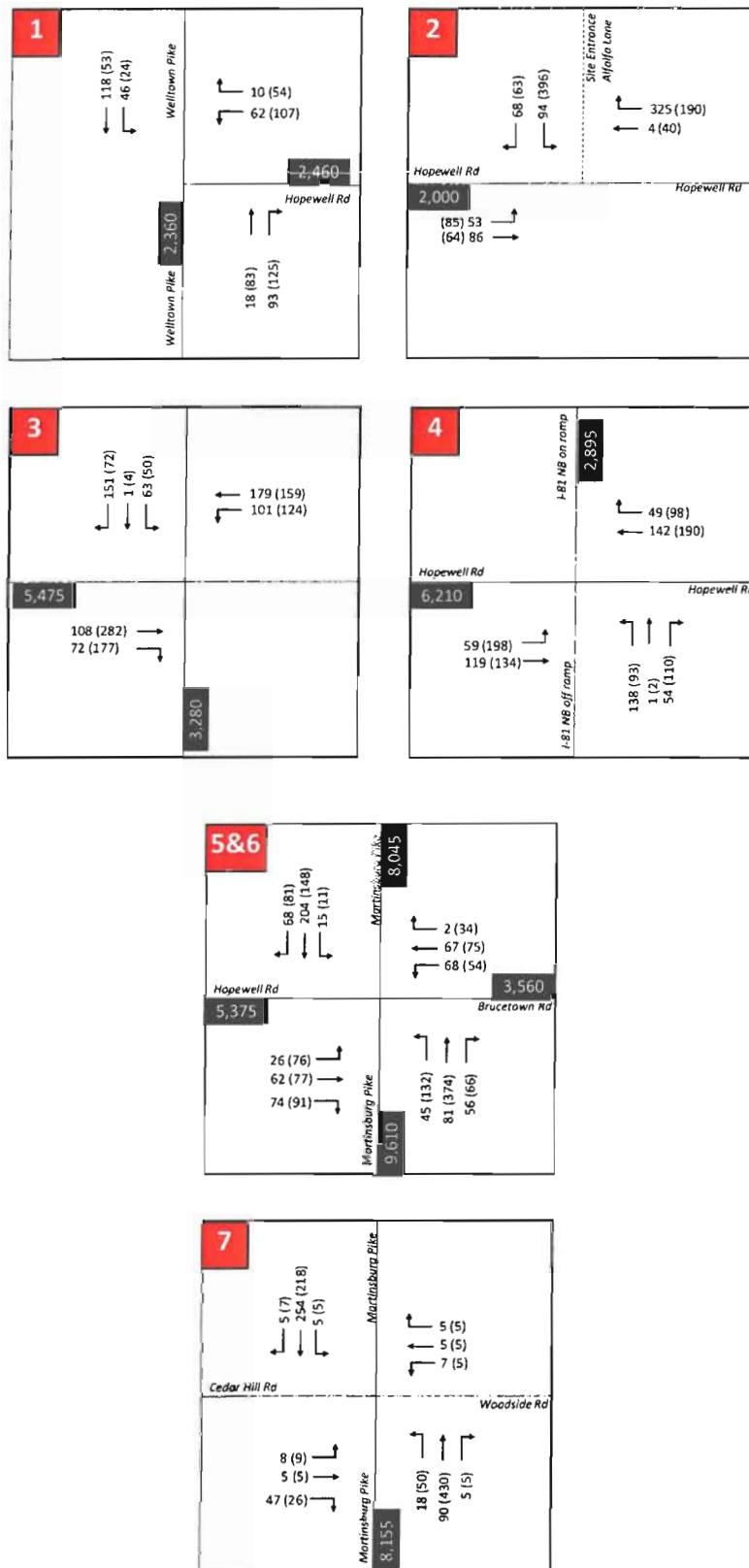


Figure 15 Design Year 2031 Peak Hour Traffic Volumes

AM Peak Hour (PM Peak Hour)

ADT

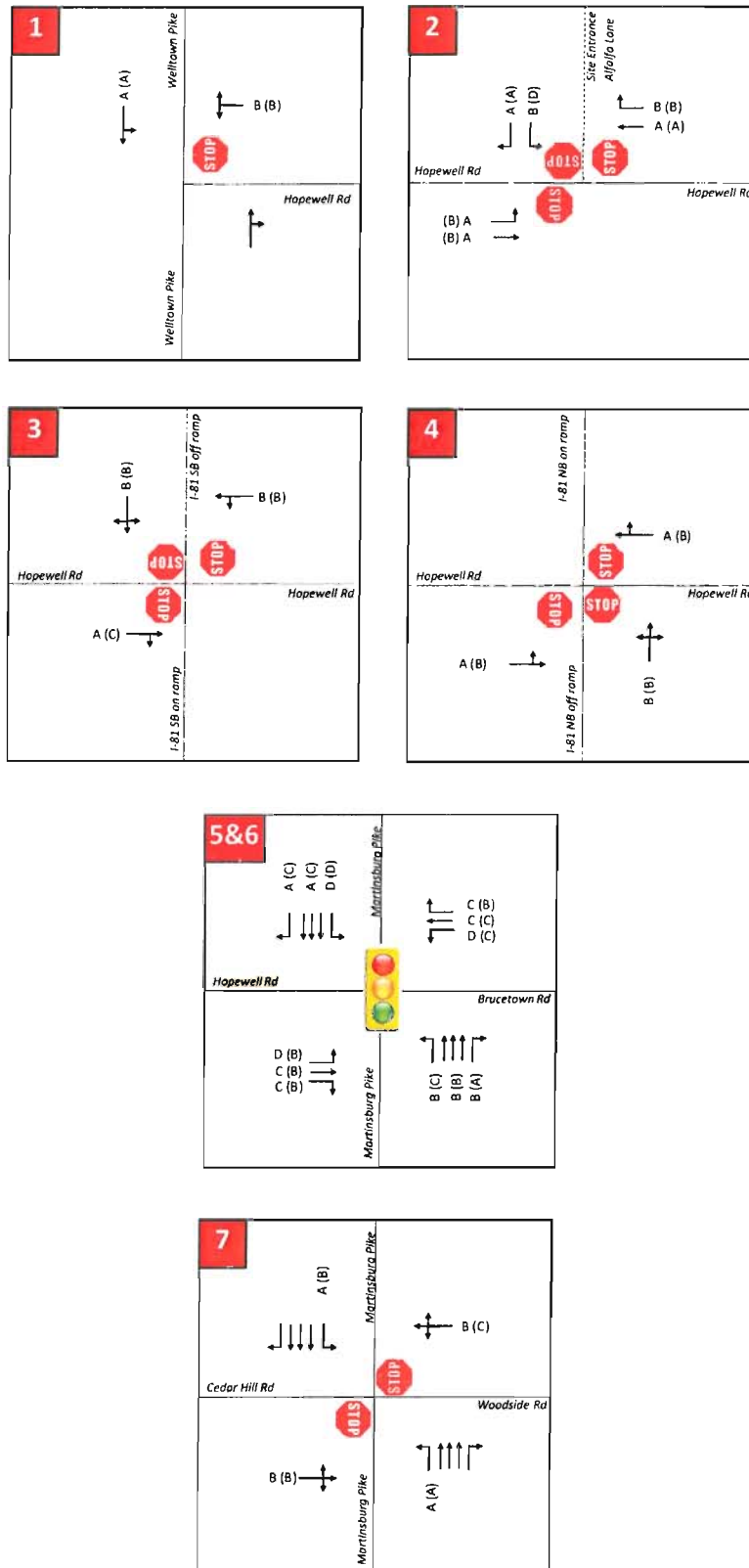


Figure 16 Design Year 2031 Level of Service and Lane Configuration

AM Peak Hour (PM Peak Hour)

## Queue Analysis

At a signalized intersection a queue forms while vehicles wait to advance. An analysis was performed to evaluate the back of the queue for the 95<sup>th</sup> percentile of the queue. The 95<sup>th</sup> percentile maximum queue is the maximum back of queue with 95<sup>th</sup> percentile traffic volumes when traffic does not move for two signal cycles. The queues associated with the 95<sup>th</sup> percentile maximum queue are shown in Table 11.

As traffic volumes increase over time, the queue associated with left turning movements will increase as will the queue associated with the thru- movement that opposes the left turn movement. This is reflected in the Design Year analysis.

**Table 11 95th Percentile Queues**

1. Welltown Pike and Hopewell Road									
Movement	Storage Length Available or Proposed (ft)	95th Percentile Queue Length (ft)							
		Existing Conditions (2015)		No Build (2025)		Build w/ Improvements (2025)		Design Year (2031)	
		AM	PM	AM	PM	AM	PM	AM	PM
WB LT RT	taper	10	(14)	7	(13)	9	(25)	10	(25)
NB RT TH		0	()						
SB LT TH		3	(1)	2	(1)	3	(1)	3	(2)
2. Alfalfa Lane and Hopewell Road									
EB LT	200					8	(5)	8	(5)
EB TH						13	(25)	13	(28)
WB RT	250					65	(38)	65	(40)
WB TH						0	(8)	0	(8)
SB LT	300					18	(188)	18	(190)
SB RT						10	(8)	10	(8)
3. I-81 SB Lanes and Hopewell Road									
EB RT TH	RT taper	0	()	0	()	25	(123)	28	(133)
WB LT TH		6	(6)	6	(7)	55	(53)	58	(58)
SB LT TH RT	RT taper	18	(16)	13	(19)	35	(23)	38	(25)
4. I-81 NB Lanes and Hopewell Road									
EB LT TH		1	(4)	1	(4)	25	(78)	35	(85)
WB RT TH	RT taper	0	()	0	()	28	(53)	28	(58)
NB LT TH RT	RT taper	8	(15)	7	(16)	33	(33)	30	(35)
5. Route 11 and Hopewell Road									
EB LT RT	100	149	(187)	181	(203)	195	(224)		
NB LT		27	(77)	31	(97)	38	(101)		
NB TH		114	(344)	126	(485)	126	(494)		
SB RT TH		0	()	0	()	0	()		
5&6 Route 11 and Hopewell/Brucetown Rd Ultimate Design									
EB LT	250/200							32	(76)
EB TH								56	(62)
EB RT	250							0	()
WB LT	250							65	(64)
WB TH								61	(80)
WB RT	250							0	()
NB LT	250							43	(120)
NB TH								21	(336)
NB RT	250							0	()
SB LT	250							23	(22)
SB TH								30	(132)
SB RT	250							0	()
6. Route 11 and Brucetown Road									
WB RT LT	100	141	(142)	156	(236)	156	(231)		
NB TH RT		1	()	3	(39)	0	(46)		
SB LT		14	(11)	17	(15)	17	(15)		
SB TH		222	(184)	247	(222)	258	(226)		
7. Route 11 and Cedar Hill Road/Woodside Road									
INB LT TH		1	(4)	3	(3)	1	(3)	*	*
NB RT TH		0	()	0	()	0	()	*	*
SB LT TH RT		0	()	0	()	0	()	*	*
EB LT TH RT		8	(6)	8	(5)	8	(5)	*	*
WB LT TH RT		3	(1)	3	(3)	3	(3)	*	*

\* Due to the number of lanes on Route 11 Synchro cannot evaluate the design year conditions.  
200 ft LT and RT lanes have been modeled on NB and SB Route 11

Note: AWSC queue is based on 25' vehicle and gap spacing.

## **Pedestrian and Bicycle Traffic**

To identify any previously planned pedestrian and/or bicycle facilities in the project area, the Northeast Frederick Land Use Plan was reviewed. The plan does not show any planned pedestrian or bicycle facilities near the project area. However, the developer is proposing to construct a 10' multi-use trail parallel to the new north-south connector road. All trails will be planned to accommodate future extensions beyond the boundaries of the development.

## **Conclusions and Recommendations**

This Traffic Impact Study has been prepared to support a rezoning request for the Blain and Cline properties located west of Clear Brook in Frederick County, VA. The generalized proposed uses for the property are:

- Blain – Industrial Park (ITE land use 130) which will include a mix of manufacturing, service, and warehouse facilities with a diversified mix of small and large facilities.
- Cline - Industrial Park (ITE land use 130) which will include a mix of manufacturing, service, and warehouse facilities with a diversified mix of small and large facilities.
- Gas/Service Station with Convenience Market (ITE land use 945) which will include up to 20 fueling positions.

Both properties are currently used for agricultural purposes.

Access to the properties will be through commercial entrances connecting to the developer-proposed north-south roadway named Alfalfa Lane. Alfalfa Lane will run from Hopewell Road to Cedar Hill Road. For the purposes of this study, it has been assumed that all new traffic will enter and exit the site from Hopewell Road. Interstate-81 exit 321 is approximately 870 ft. from where Alfalfa Lane will connect to Hopewell Road. Therefore, 80% of the new traffic associated with this site is assumed to be coming from or going to I-81.

A minimal amount of new traffic will pass through the intersection of Route 11 with Hopewell and Brucetown Roads. The left turn movements from Hopewell and Brucetown Roads have a level of service of E and F respectively in the PM peak hour under existing conditions. Traffic volumes in these intersections will increase by 32 trips in the PM peak hour at full build-out of this project, raising the total trips in these intersections from 1014 to 1046. Frederick County has prioritized a project to realign this intersection to improve traffic flow. It has been assumed that the projects proposed by the County for this intersection and Route 11 will be in place by the design year 2031.

Some minimal degradation in the level of service at the I-81 ramps was recognized in the traffic modeling for the full build-out and design years of the project. Interim measures are proposed to mitigate this impact by installing all-way stop controls when warranted at the following intersections:

- Hopewell Road and Alfalfa Lane
- Hopewell Road and I-81 SB ramps
- Hopewell Road and I-81 NB ramps

Longer term improvements include signalization of the ramp termini intersections when warranted.

At the intersection of Alfalfa Lane and Hopewell Road a WB left turn lane and a EB right turn lane are proposed to provide safe and efficient traffic operations. A SB left turn lane is also proposed.

With the improvements proffered by this developer and the improvements planned by Frederick County for Route 11 and the Route 11/Hopewell Road/Brucetown Road intersection, it is the opinion of this engineer that the transportation impacts of this rezoning and its resulting development are both manageable and acceptable for this project setting.


I





## MEMORANDUM

**TO:** Frederick County Board of Supervisors

**FROM:** Candice E. Perkins, AICP, CZA, Assistant Director 

**SUBJECT:** Ordinance Amendment – Flea Markets as a Conditional Use in the B2/B3 Districts

**DATE:** April 14, 2016

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Staff has been requested to draft an amendment to the Zoning Ordinance to address the allowance of outdoor flea markets. Currently, flea markets operated outdoors are permitted as a conditional use in the RA (Rural Areas) District through a Conditional Use Permit (added in 2010). Flea markets operated indoors is a permitted use in the B2 District. The request is to allow flea markets, operated outdoors, as a conditional use in the B2 (Business General) and B3 (Industrial Transition) Zoning Districts. The approved supplementary use regulations that were adopted in 2010 with the RA (Rural Areas) flea market amendment have been modified to correspond to this requested addition.

### DRRC and Planning Commission Discussions:

The Development Review and Regulations Committee (DRRC) discussed this amendment at their February 2016 meeting. The Committee expressed concern as to how this use would fit in with existing B2/B3 uses. They discussed the reduced standards proposed with this use – such as gravel parking and driving areas that were introduced with the RA amendment. The DRRC also expressed concern about impacting other commercial users that would be adjacent to a requested flea market.

The Committee stated that since this is already permitted through a conditional use permit in the RA District, there isn't a need to provide an allowance in the commercial districts. The Committee stated that they could be supportive of introducing indoor flea markets as a permitted use in the B3 district, since this is already permitted in the B2. However they felt that if you introduce the outdoor element, you would be taking a piece of property that could be so much more and allowing something that could go in the RA District.

Ultimately, due to the amount of available RA land where this use could go, the Committee didn't see the need to amend the ordinance to include outdoor flea markets in the B2/B3 Districts and recommended against approving this request.

The Planning Commission discussed this item at their meeting on April 6, 2016. Staff provided an overview of the discussions from the DRRC meeting and stated that the DRRC did not support this

request. The Planning Commission unanimously supported the discussions at the DRRC meeting and felt that this is a use the County does not need or want in the commercial areas. A Commission member stated that they could support this use if it was solely operated indoors. Ultimately, the Planning Commission recommended that the Board of Supervisors deny this requested ordinance amendment.

**Conclusions:**

The attached document shows the existing ordinance with the proposed changes (with bold italic for text added and strikethrough for deletions). This item is presented for discussion. **Staff is seeking direction from the Board of Supervisors on this Zoning Ordinance text amendment;** attached is a resolution directing the item to public hearing should the Board of Supervisors deem it appropriate.

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**Attachments:** 1. Revised ordinance with additions shown in bold underlined italics and deletions in strikethrough.  
2. Resolution

CEP/pd

Original language

**Draft revisions**

**ARTICLE VI  
BUSINESS AND INDUSTRIAL ZONING DISTRICTS**

**Part 603 – B2 General Business District**

**§ 165-603.03 Conditional Uses.**

Uses permitted with a conditional use permit shall be as follows:

**Flea Markets, Operated Outdoors.**

\*(Indoor flea markets is a permitted use in the B2 District).

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**Part 604 – B3 Industrial Transition District**

**§ 165-604.03. Conditional Uses.**

Uses permitted with a conditional use permit shall be as follows:

**Flea Markets, Operated Indoors or Outdoors.**

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Article II

**SUPPLEMENTARY USE REGULATIONS, PARKING, BUFFERS, AND REGULATIONS FOR SPECIFIC USES**

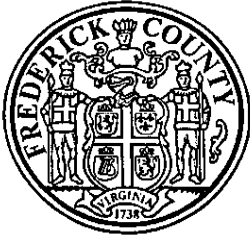
**Part 204 – Additional Regulations for Specific Uses**

**§ 165-204.25. Flea Markets.**

Flea Markets where allowed **through a Conditional Use Permit** ~~in the RA (Rural Areas) Zoning District~~ shall meet the following requirements:

1. Property size shall be a minimum of six (6) acres not to exceed fifteen (15) acres.
2. **In the RA (Rural Areas) District, the site must have direct frontage and access to a collector or arterial roadway. In the B2 (General Business) and B3 (Industrial Transition) Districts, the site at a minimum must have direct frontage and access to local road dedicated to VDOT.** All entrances shall conform to VDOT standards.
3. Flea markets may be located indoor or outdoor.
4. Flea markets shall only be permitted to operate Friday-Sunday and on holidays.
5. Required onsite parking shall be one (1) space per 400 square feet of enclosed floor area and one (1) space per 3,000 square feet of outdoor display area.

6. All parking spaces and travel aisles shall be graveled. The Board of Supervisors may require through the Conditional Use Permit process that all travel aisles and/or parking spaces be paved with a minimum double prime and seal or alternative dust free surface.
7. All items displayed for sale shall be located within designated vendor spaces.
8. ***In the RA (Rural Areas) District,*** A Category B Zoning District Buffer shall be required along any adjacent parcel six acres in size or less that is used for residential purposes. A Category B Zoning District Buffer shall also be required along any adjacent property where a dwelling is located 50 feet or less from the proposed flea market property.
9. When adjacent to property primarily used for purposes other than residential, fencing (wire type – non opaque) shall be provided along the property line.
10. A site plan in accordance with the requirements of Article VIII shall be submitted to and approved by Frederick County ***and all applicable agencies.*** The site plan shall delineate all vendor spaces and parking spaces.



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**Action:**

BOARD OF SUPERVISORS: April 27, 2016   ☐ APPROVED   ☐ DENIED

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**RESOLUTION**

**DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING  
REGARDING CHAPTER 165, ZONING**

**ARTICLE VI – BUSINESS AND INDUSTRIAL ZONING DISTRICTS**

**PART 603 – B2 GENERAL BUSINESS DISTRICT**

**§165-603.03 CONDITIONAL USES**

**PART 604 – B3 INDUSTRIAL TRANSITION DISTRICT**

**§165-604.03 CONDITIONAL USES**

**ARTICLE II – SUPPLEMENTARY USE REGULATIONS, PARKING,  
BUFFERS, AND REGULATIONS FOR SPECIFIC USES**

**PART 204 – ADDITIONAL REGULATIONS FOR SPECIFIC USES**

**§165-204.25 FLEA MARKETS**

**WHEREAS**, an ordinance to amend Chapter 165, Zoning to allow flea markets operated outdoors, as a conditional use in the B2 (General Business) and B3 (Industrial Transition) Zoning Districts was considered along with supplemental use regulations pertaining to the use; and

**WHEREAS**, The Development Review and Regulations Committee (DRRC) reviewed the changes at their February 25, 2016, the Committee did not see the need to amend the ordinance to include outdoor flea markets in the B2/B3 Districts and recommended against approving this request and sent the proposed amendment forward for review by the Planning Commission and Board of Supervisors; and

**WHEREAS**, the Planning Commission discussed the changes at their regularly scheduled meeting on April 6, 2016 and supported the discussions from the DRRC meeting and felt that this is a use the County does not need or want in the commercial

areas. The Planning Commission recommended that the Board of Supervisors deny this requested ordinance amendment; and

**WHEREAS**, the Board of Supervisors discussed the changes at their regularly scheduled meeting on April 27, 2016; and

**WHEREAS**, the Frederick County Board of Supervisors finds that in the public necessity, convenience, general welfare, and good zoning practice, directs the Frederick County Planning Commission hold a public hearing regarding an amendment to Chapter 165 ; and

**NOW, THEREFORE, BE IT REQUESTED** by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to allow flea markets operated outdoors, as a conditional use in the B2 (General Business) and B3 (Industrial Transition) Zoning Districts along with supplemental use regulations pertaining to the use.

Passed this 27th day of April, 2016 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
Robert A. Hess	_____	Judith McCann-Slaughter	_____
Gene E. Fisher	_____	Blaine P. Dunn	_____
Robert W. Wells	_____		

**A COPY ATTEST**

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Brenda G. Garton  
Frederick County Administrator

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## MEMORANDUM

**TO:** Frederick County Board of Supervisors

**FROM:** Candice E. Perkins, AICP, CZA, Assistant Director *CEP*

**SUBJECT:** Ordinance Amendment – Dedication of Public Utilities on Rural Preservation Lots

**DATE:** April 14, 2016

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Staff has received a request to revise the Zoning Ordinance to provide for an allowance to permit divisions from rural preservation lots for public road dedications or utility dedications. Currently the Zoning Ordinance prohibits all future divisions from rural preservation tracts.

Staff has prepared a minor revision to provide an allowance for the boundaries of rural preservation lots to be modified, provided that the future division (subdivision) would only be allowed for the expansion of an existing VDOT owned road or for a public utility dedication.

The DRRC discussed this amendment at their February 2016 meeting. The DRRC agreed with the proposed changes, with minor revisions, and the item was forwarded to the Planning Commission for discussion. The Planning Commission discussed this item on April 6, 2016. A Commission Member inquired why we would eliminate new roads from consideration. Staff explained that they didn't want to create a way to circumvent the ordinance and provide an allowance for lots that previously did not have access to dedicate a roadway through an existing rural preservation lot. Staff stated that the ordinance was crafted to limit the allowance for utilities and existing state roads to ensure the protection of the platted rural preservation lot. Ultimately, the Planning Commission agreed with the changes and sent the item forward for review by the Board of Supervisors.

The attached document shows the existing ordinance with the proposed changes supported by the DRRC (with bold italic for text added). This item is presented for discussion. **Staff is seeking direction from the Board of Supervisors on this Zoning Ordinance text amendment;** attached is a resolution directing the item to public hearing should the Board of Supervisors deem it appropriate.

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**Attachments:** 1. Revised ordinance with additions shown in bold underlined italics.  
2. Resolution

CEP/pd

Original language

**Draft revisions**

## Chapter 165 – Zoning

### ARTICLE IV AGRICULTURAL AND RESIDENTIAL DISTRICTS

#### Part 401 – RA Rural Areas District

##### § 165-401.06 Permitted lot sizes.

#### C. Rural preservation lots.

- (1) Within the RA Rural Areas District, lots as small as two acres shall be permitted on tracts over 20 acres in size, subject to the following:
  - (a) Sixty percent or more of the parent tract shall remain intact as a contiguous parcel (Rural Preservation Tract).
  - (b) This acreage must be designated prior to the division of the fourth lot.
  - (c) No future division of this designated Rural Preservation Tract shall be permitted, **other than for the expansion of existing VDOT road right-of-ways or public utility dedications,** unless all the following are met:
    - i. The division results in an overall acreage increase to the Rural Preservation Tract; and
    - ii. Acreage added to the preservation tract may come from areas internal or external to the rural preservation subdivision; and
    - iii. Acreage from the preservation tract may not be adjusted into parcels outside of the rural preservation subdivision; and
    - iv. The Rural Preservation Tract continues to meet all requirements of Chapter 165 and 144.



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**Action:**

BOARD OF SUPERVISORS: April 27, 2016   ☐ APPROVED   ☐ DENIED

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**RESOLUTION**

**DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING  
REGARDING CHAPTER 165, ZONING**

**ARTICLE IV – AGRICULTURAL AND RESIDENTIAL DISTRICTS  
PART 401 – RA RURAL AREAS DISTRICT  
§165-401.06 PERMITTED LOT SIZES**

**WHEREAS**, an ordinance to amend Chapter 165, Zoning to allow dedications for Public Utilities and existing road right-of-ways on Rural Preservation Lots in the RA (Rural Areas) District was considered; and

**WHEREAS**, The Development Review and Regulations Committee (DRRC) reviewed the changes at their February 26, 2016 meeting and had minor revisions and sent the proposed amendment forward for review by the Planning Commission and Board of Supervisors; and

**WHEREAS**, the Planning Commission discussed the changes at their regularly scheduled meeting on April 6, 2016 and agreed with the amendment; and

**WHEREAS**, the Board of Supervisors discussed the changes at their regularly scheduled meeting on April 27, 2016; and

**WHEREAS**, the Frederick County Board of Supervisors finds that in the public necessity, convenience, general welfare, and good zoning practice, directs the Frederick County Planning Commission hold a public hearing regarding an amendment to Chapter 165 ; and

**NOW, THEREFORE, BE IT REQUESTED** by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to allow dedications for Public Utilities and existing road right-of-ways on rural Preservation Lots in the RA (Rural Areas) District.

Passed this 27th day of April, 2016 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
Robert A. Hess	_____	Judith McCann-Slaughter	_____
Gene E. Fisher	_____	Blaine P. Dunn	_____
Robert W. Wells	_____		

**A COPY ATTEST**

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Brenda G. Garton  
Frederick County Administrator

# CONSENT AGENDA

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## *Memorandum*

To: Frederick County Board of Supervisors

From: Mark R. Cheran, Zoning and Subdivision Administrator

Date: April 18, 2016

RE: Twin Lakes Overlook – Phase 9

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The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Norfolk Court, State Route Number 1605	0.07 miles
Canyon Road, State Route Number 1407	0.07 miles
Aulee Court, State Route Number 1604	0.10 miles
Thompson Court, State Route Number 1602	0.12 miles
Pangborne Court, State Route Number 1606	0.12 miles
Canyon Road, State Route Number 1407	0.04 miles
Heath Court, State Route Number 1603	0.07 miles
Canyon Road, State Route Number 1407	0.18 miles
Canyon Road, State Route Number 1407	0.02 miles
Canyon Road, State Route Number 1407	0.07 miles
Canyon Road, State Route Number 1407	0.06 miles
Canyon Road, State Route Number 1407	0.06 miles
Heath Court, State Route Number 1603	0.11 miles
Canyon Road, State Route Number 1407	0.06 miles

Staff is available to answer any questions.

MRC/dlw



**RESOLUTION  
BY THE  
FREDERICK COUNTY BOARD OF  
SUPERVISORS**

The Board of Supervisors of Frederick County, in regular meeting on the 27th day of April, 2016, adopted the following:

**WHEREAS**, the streets described on the attached Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Frederick County; and

**WHEREAS**, the Resident Engineer of the Virginia Department of Transportation has advised this Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

**WHEREAS**, the County and the Virginia Department of Transportation have entered into an agreement on June 9, 1993, for comprehensive stormwater detention which applies to this request for addition; and

**NOW, THEREFORE, BE IT RESOLVED**, this Board requests the Virginia Department of Transportation to add the streets described in the attached Form AM-4.3 to the secondary system of state highways, pursuant to 33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

**BE IT FURTHER RESOLVED**, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
Robert A. Hess	_____	Robert W. Wells	_____
Blaine P. Dunn	_____	Gene E. Fisher	_____
Judith McCann-Slaughter	_____		

**A COPY ATTEST**

\_\_\_\_\_  
Brenda G. Garton  
Frederick County Administrator

In the County of Frederick

By resolution of the governing body adopted April 27, 2016

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee

Signed (County Official): \_\_\_\_\_

**Report of Changes in the Secondary System of State Highways**

**Project/Subdivision Twin Lakes Overlook, Phase 9**

**Type Change to the Secondary System of State Highways:**

**Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: New subdivision street

Pursuant to Code of Virginia Statute: §33.2-705

**Street Name and/or Route Number**

◆ **Norfolk Court, State Route Number 1605**

Old Route Number: 0

- From: Route 1407, Canyon Road

To: 0.07 mile northeast of Route 1407, Canyon Road, a distance of: 0.07 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 40

**Street Name and/or Route Number**

◆ **Canyon Road, State Route Number 1407**

Old Route Number: 0

- From: Route 1603, Heath Court

To: Route 1604, Aulee Court, a distance of: 0.07 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 50

**Street Name and/or Route Number**

◆ **Aulee Court, State Route Number 1604**

Old Route Number: 0

- From: Route 1407, Canyon Road

To: 0.10 mile east of Route 1407, Canyon Road, a distance of: 0.10 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 40



**Street Name and/or Route Number**

◆ **Thompson Court, State Route Number 1602**

Old Route Number: 0

- From: Route 1407, Canyon Road

To: 0.12 mile east of Route 1407, Canyon Road, a distance of: 0.12 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 40

**Street Name and/or Route Number**

◆ **Pangborne Court, State Route Number 1606**

Old Route Number: 0

- From: Route 1407, Canyon Road

To: 0.12 mile south of Route 1407, Canyon Road, a distance of: 0.12 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 40

**Street Name and/or Route Number**

◆ **Canyon Road, State Route Number 1407**

Old Route Number: 0

- From: Route 1605, Norfolk Court

To: 0.07 mile north of Route 1412, Whipp Drive, a distance of: 0.04 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 50

**Street Name and/or Route Number**

◆ **Heath Court, State Route Number 1603**

Old Route Number: 0

- From: Route 1407, Canyon Road

To: 0.07 mile north of Route 1407, Canyon Road, a distance of: 0.07 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 40

**Street Name and/or Route Number**

◆ **Canyon Road, State Route Number 1407**

Old Route Number: 0

- From: Route 1604, Aulee Court

To: Route 1605, Norfolk Court, a distance of: 0.18 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 50

**Street Name and/or Route Number**

◆ **Canyon Road, State Route Number 1407**

Old Route Number: 0

- From: 0.20 mile east of Route 1560, Rossman Blvd.

To: 0.22 mile east of Route 1560, Rossman Blvd., a distance of: 0.02 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 50

**Street Name and/or Route Number**

◆ **Canyon Road, State Route Number 1407**

Old Route Number: 0

- From: Morning Glory Drive (private)

To: Route 1602, Thompson Court, a distance of: 0.07 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 50

**Street Name and/or Route Number**

◆ **Canyon Road, State Route Number 1407**

Old Route Number: 0

- From: Route 1602, Thompson Court

To: Bentpath Court (private), a distance of: 0.06 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 50

**Street Name and/or Route Number**

◆ **Canyon Road, State Route Number 1407**

Old Route Number: 0

- From: Bentpath Court (private)

To: Route 1606, Pangborne Court, a distance of: 0.06 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 50

**Street Name and/or Route Number**

◆ **Heath Court, State Route Number 1603**

Old Route Number: 0

- From: Route 1407, Canyon Road

To: 0.11 mile south of Route 1407, Canyon Road, a distance of: 0.11 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 40

**Street Name and/or Route Number**

◆ **Canyon Road, State Route Number 1407**

Old Route Number: 0

- From: Route 1606, Pangborne Court

To: Route 1603, Heath Court, a distance of: 0.06 miles.

Recordation Reference: Instr. #050022857 Pg 0393

Right of Way width (feet) = 50