

LEXINGTON PLANNING COMMISSION

March 25, 2021 - 5:00 P.M
Distance Meeting held through ZOOM
300 East Washington Street, Lexington, VA 24450

AGENDA

- 1. CALL TO ORDER**
 - A. statement of emergency and authority to proceed
- 2. APPROVAL OF THE AGENDA**
- 3. APPROVAL OF MINUTES**
 - A. Minutes from March 11, 2021*
- 4. CITIZENS’ COMMENTS ON MATTERS NOT ON THE AGENDA**
- 5. NEW BUSINESS**
 - A. ZOA 2021-02: A request to reduce the multifamily parking requirement and to allow limited encroachments into yard setbacks.
 - 1) Staff Report*
 - 2) Applicant Statement
 - 3) Public Comment
 - 4) Commission Discussion
 - B. EC COA 2021-02: An application by Joshua Sparks to replace the fuel dispensing units at the Rockbridge Farmers Co-Op at 645 Waddell Street, Tax Map 35-1-4, owned by Rockbridge Farmer Co-Op.
 - 1) Staff Report*
 - 2) Applicant Statement
 - 3) Public Comment
 - 4) Commission Discussion & Decision
- 6. OTHER BUSINESS**
- 7. CITY COUNCIL REPORT**
- 8. ADJOURN**

*indicates attachment

MINUTES

**The Lexington Planning Commission
Thursday, March 11, 2021 – 5:00 p.m.
Zoom Meeting – City Hall
300 East Washington Street**

Planning Commission:

Presiding: John Driscoll, Chair
Present: Pat Bradley, Vice-Chair
Leslie Straughan, Council Liaison
Blake Shester
Jamie Goodin
Matt Tuchler

City Staff:

Arne Glaeser, Planning Department
Bonnie Tombarge, Administrative Assistant

CALL TO ORDER

Chair Driscoll called the meeting to order at 5:00 p.m. A. Glaeser read a statement saying that due to the COVID-19 pandemic the City of Lexington is taking action to limit attendance at public meetings. The City Council has approved an emergency ordinance allowing all meetings to be held as real time electronic meetings streamed to the City's Facebook page and uploaded to Youtube the following day.

AGENDA

The agenda was approved unanimously (L. Straughan/J. Goodin).

MINUTES

Minutes from February 25, 2021 meeting were approved unanimously (B. Shester/P. Bradley)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. Annual Zoning Ordinance Amendments

- 1) Discussion of 3 proposed text amendments
 - Entry Structure – M. Tuchler moved to table the discussion to see if Mez Welch was able to attend. J. Goodin seconded and the motion passed unanimously (6/0). M. Tuchler moved to postpone this discussion to the next meeting. J. Goodin seconded and the motion passed unanimously (6/0).
 - Multi-family parking calculation – L. Straughan moved to postpone the discussion to the next meeting, March 25. M. Tuchler seconded and the motion passed unanimously (6/0).
 - Planned Unit Development – A. Glaeser pointed out that table 8.2 needs to be amended to include the four future land use designations, suburban neighborhood, traditional neighborhood, mixed use neighborhood, and

commercial center. L. Straughan asked if Opportunity Zone would stay in that section of the ordinance language and A. Glaeser said no, as it would be assumed for most properties considering a PUD. L. Straughan said City Council was against allowing PUDs in residentially zoned areas, and she wanted to have that clarity to allow PUDs in opportunity zones specifically. A. Glaeser said that requiring 50% open space in PUD designated properties might not be feasible by the developer, but there are waivers that can be given to PUD properties to allow for flexibility. These waivers are required to be noted in the master plan in the application. J. Goodin asked if parking lots were included in open space and A. Glaeser said they were not. He also pointed out that the City Council and Planning Commission would get a lot more information upfront, master plan, environmental and traffic studies, all included in the application. J. Driscoll said he wanted to be sure to get PUDs aligned with the Comprehensive Plan, and if they have their own conditions or if they are reflective of the underlying zoning. M. Tuchler asked if the PUD would match the underlying zoning, A. Glaeser said it would not as PUD is currently its own zoning designation, no longer an overlay. J. Driscoll said he was concerned that Commission would not see the application until all the negotiations had been made already. A. Glaeser said the applicant brings forth proffers, more or less, and the Commission will review and approve before it goes to Council. There is still some discussion at the state level about how much proffers can be negotiated. There was interest in changing the PUD designation to an overlay, and A. Glaeser said that as no PUD had been approved or considered under the current designation, it would be relatively simple to change the designation back to an overlay. J. Goodin and P. Bradley questioned requiring an environmental impact study and a traffic study for PUDs. A. Glaeser said these were already recommended, but the language could be changed to an as needed regulation to add some flexibility. This would be a break for the smaller parcels applying for PUD designation, as a traffic study may not always be necessary. J. Gooding and P. Bradley were in support of more flexible language than using size as the requirement. Commission asked for minor language changes, and for a draft to be brought back at the next meeting.

- 2) Public Comment – Lee Merrill, 2 S. Randolph Street, expressed his gratitude for what the Commissioners have been working on. He said he would like to see the flexibility of the PUD designation worked into the regular zoning ordinance, as this would allow greater flexibility on the smaller properties within the City. He is alarmed by the cart-blanc aspect of the PUD regulations for City Council.
- 3) Schedule for proposed additional amendments – A. Glaeser said the Commission is remaining on schedule for the future amendments, accessory dwelling units, small cell facilities, and the cottage housing code.

4) Public Comment – None

B. Institutional District Master Plan

- 1) Discussion of Institutional District – L. Straughan moved to postpone the discussion to a later date. P. Bradley seconded and the motion passed unanimously (6/0). A. Glaeser said he would put this on another meeting as there was availability.
- 2) Public Comment

OTHER BUSINESS

Woods Creek Trail extension along Ross Road – the proposal is to design an extension of the trail along Ross Road to a point where RACC and Kendall agree to place a new trail head. The bigger trail is the Brushy Blue from Brushy Hills to the Blue Ridge Trail, and large sections have been done on the trail between Buena Vista and Lexington, though there are still some gaps, such as that section along Ross Road. If there is support for this extension from the neighboring properties, the City would apply for an Alternative Transportation Program grant from VDOT to fund the extension. These grants are only available once every two years.

CITY COUNCIL REPORT

L. Straughan said Council met and had a briefing on the Spotswood Property proposal and public hearing. No action was taken and it will be taken up at the next meeting. The street renaming policy was also looked at and no action taken, though action should be taken on this at the next meeting or in April.

ADJOURN

The meeting was adjourned at 7pm with unanimous approval (P. Bradley/B. Shester).

J. Driscoll, Chair, Planning Commission

**Staff Report & Recommendation
Zoning Ordinance Amendment Application
ZOA 2021-02 – Multifamily Parking and Building Setbacks**

Project Name Zoning Ordinance amendments to reduce multifamily parking requirements & modify building setback requirements

Zoning Ord. Sections 420-12.8, 420-4.2, 420-4.3, & 420-20

Applicant Russ Orrison, agent, for Generals' Retreat Partners LC

Applicant's Request A) Reduce the parking requirement for multifamily dwellings to one parking space per multifamily dwelling unit &
B) Authorize limited encroachments into yard requirements for terraces, porches, and projecting horizontal architectural features.

*PLANNING COMMISSION RECOMMENDATION: pending
STAFF RECOMMENDATION: approval/denial*

OVERVIEW OF REQUEST

Russ Orrison, applicant, requests the Lexington Zoning Ordinance be amended to:
a) reduce the minimum parking requirement for multifamily dwellings, and
b) allow limited encroachments into the minimum yard setback requirements.

HISTORY

The Planning Commission held a duly advertised public hearing on February 25, 2021 to consider the zoning text amendments submitted by Russ Orrison. After public comment and discussion by the Planning Commission, both amendments were postponed to the March 25, 2021 Planning Commission meeting to allow staff to compile additional, requested information. Language amended in response to the Planning Commission discussion on February 25, 2021 is shown in **green** in this report.

ISSUE

The owners of the Generals' Retreat apartments plan a phased redevelopment of their property. A reduction in the parking requirement and the encroachment of canopies above entrance doors are desired. The applicant proposes additional encroachments into the yard requirements to afford greater design flexibility citywide. Staff notes any amendment to the Zoning Ordinance affects properties citywide and not just the General's Retreat property.

**Staff Report & Recommendation
Zoning Ordinance Amendment Application
ZOA 2021-02 – Multifamily Parking and Building Setbacks**

APPLICANT PROPOSED MULTIFAMILY PARKING AMENDMENT

Multifamily Parking Reduction Request

Section 420-12.8 requires 2 parking spaces for each multifamily dwelling unit or 1 per bedroom whichever is greater. The applicant requests a reduction of the minimum parking requirement for all new multifamily dwellings citywide to one parking space per multifamily dwelling unit.

§420-12.8. *Schedule of required spaces.*

Off-street parking shall be provided according to the following schedule. Where application of the schedule creates a fractional number of spaces, the parking spaces required shall be construed to be the next highest whole number.

Use	Parking Spaces Required
Multi-family dwelling, large capacity dwelling, and group home	2 for each dwelling unit or 1 per bedroom, whichever is greater <u>1 for each dwelling unit</u>
<u>large capacity dwelling, and group home</u>	<u>2 for each dwelling unit or 1 per bedroom, whichever is greater</u>

The Planning Commission also requested a parking survey of existing multifamily dwellings and survey information is provided in the second table below.

Additional Information for Multifamily Parking Amendment Request

Sample Multifamily minimum parking requirements	
Roanoke	1 space per unit
Staunton	2 spaces per unit
Rockbridge	1.5 spaces per unit & 1 space per efficiency unit
Buena Vista	1.5 spaces per unit & 1 space per efficiency unit
Lynchburg	1 space per unit with a reduction considered for proximity to a bus stop
Charlottesville	1 space per efficiency, 1 bedroom, & 2 bedroom units; 2 spaces per 3 and 4 bedroom units; 1 additional space per bedroom for each 10 units with more than 4 bedrooms
Culpepper	1 space per efficiency/studio 1.25 spaces per one bedroom 1.5 spaces per two bedroom 2 spaces per three or more bedrooms
Fairfax	1.6 spaces per unit
Williamsburg	1.25 spaces for efficiency & one bedroom 1.5 spaces for two or more bedrooms, plus 0.25 for each dwelling unit for visitor parking

Staff Report & Recommendation
Zoning Ordinance Amendment Application
ZOA 2021-02 – Multifamily Parking and Building Setbacks

Multifamily parking survey 2021

name/street address	1 Bdm.	2 bdm.	3 bdm.	4 bdm.+	# of units	# of vacant units	# of off-street parking spaces	ratio of spaces to units	spaces occupied 3/16/2021 10:00 PM
Anuheia Ltd. (203 Myers St.)	1	4			5	1	7	1.4	2
Borden Commons* (550 Borden Rd.)					38		52	1.37	32
Borden Road Apts* (510-516 Borden Rd.)	4	4			8	0	16	2	2**
Canterbury Apts (306 McLaughlin St.)		8			8		16	2.00	9
General's Retreat (205 E. Nelson St.)		42		2	44		57	1.30	30
Holly Park Ln. Apts* (35-55 Holly Park Ln.)		18			18		64	3.56	26
Lexington Ave. Apts/Condos (3-31 Lex Ave.)					11		26	2.36	10
Lexington House (130 Houston St.)	78				78		63	0.81	37
Mountainview Terrace (1 Thompson Ct.)	4	18	18		40	2	51	1.28	35
Park View Apartments (303 White St.)		2	1	6	9		22	2.44	12
Sarah's Run Apts (718-728 Plunkett)		12			12		24	2.00	17
Windemere (125 Wallace St.)	38				38		55	1.45	16
name? (907 Providence Place)					8		8	1.00	8

**not located in Lexington, **could not see into garages*

**Staff Report & Recommendation
Zoning Ordinance Amendment Application
ZOA 2021-02 – Multifamily Parking and Building Setbacks**

Parking survey - Additional Comments from Apartment Managers/Owners:

Ryan Braman for Anuhea Ltd. at 203 Myers Street – I'd say the number of parking spaces is just right. There's always at least one space open, so I don't think it's over-utilized. All of my units have individual tenants though...that is, there aren't any married/families there right now as they all work at W&L and like having that second bedroom as an office/guest room. If I had more than one married couple with two cars, it probably wouldn't be enough if I had to rely only on the parking lot.

Marilyn Alexander for Mountainview Terrace at 1 Thompson Court - If a property is not subsidized but market or tax credit, then you need to plan for more than one space per unit for 2-3 bedrooms because their household income is definitely higher, therefore more likely to have more than one vehicle in more of those larger units. In a perfect world, more handicapped spaces would be required/needed to meet requirements anyway. Our land is terraced so a handicapped person would need to be able to access the buildings even if they do get out of a car. But we have one hcp parking space for one ramp to access 2 ramped units plus the ramped office. Also, I would want more visitor parking and more office/staff parking. It's probably Christmas and Thanksgiving that more spaces are needed but that is so temporary and the visitor spaces help at those times. We have seen some parking along the yellow lines but one here and there is not terribly detrimental. The pick-up drop-off space was made available at the 4 one-bedroom unit building because more of our elderly tenants tend to live there. They use RATS, Rx deliveries, etc. so it helps to have that space for those services.

Planning Commission Recommendation

pending

Staff Recommendation Multifamily Parking Amendment Request

Consider a reduction to the multifamily parking requirement between 1 parking space per dwelling unit and 2 parking spaces per dwelling unit.

Suggested Motions

The public necessity, convenience, general welfare, or good zoning practice warrant the consideration of the following Zoning Ordinance amendment and I move to recommend approval of ZOA 2021-02 to reduce the minimum parking requirement for multifamily dwellings to _____.

I move to recommend denial of ZOA 2021-02 to reduce the minimum parking requirement for multifamily dwellings.

APPLICANT PROPOSED LIMITED YARD ENCROACHMENTS AMENDMENT

Yard Encroachments Request

The applicant requests certain limited encroachments be allowed to the minimum yard requirements as follows:

Authorized Encroachments. The following structures may encroach upon minimum setback areas/yards as provided herein:

1. Terraces. A paved terrace shall not be subject to minimum setback or maximum lot coverage requirements; provided that such terrace is without roof, awnings, screens, walls, parapets, or other forms of enclosure and is not more than three feet above grade. Such terrace, however, may have a guard railing, wall or fence not over four feet high with less than 50 percent opacity, and shall not be closer than five feet from any lot line.
2. Porches. Unenclosed porches or decks may project not more than five feet beyond the front, exterior-side and rear walls of a building into the minimum front, exterior side or rear setback for the district. Any two story or enclosed porch, or one having a roof, shall be considered a part of the building in the determination of the required setback and amount of building coverage.
3. Projecting Horizontal Architectural Features. Architectural features, such as windowsills, belt courses, chimneys, cornices, eaves, canopies, porticos, or bay windows, may project not more than three feet into any required setback, but no closer than five feet to any lot line. The sum of any bay or bow window projections on any wall shall not exceed one-fourth of the length of said wall and the sum of any canopies or porticos on any wall shall not exceed one-fourth of the length of said wall.
4. Fire Escapes. Open fire escapes may extend into any required setback not more than five feet; provided, however, that such fire escapes shall not be closer than five feet at any point to any lot line. (note: the applicant agreed to remove the Fire Escape encroachment request on 2/19/2021 because open fire escapes are no longer allowed in the fire and building codes).

Existing Zoning Ordinance Language for Yard Requirements

§420-4.2. *Areas and yards.*

- A. *No building or structure shall be erected, nor shall any existing building or structure be altered, enlarged or rebuilt, nor shall any open space surrounding any building or structure be encroached upon or reduced in any manner, except in conformity with the yard, lot, area and building location regulations hereinafter designated for the district in which such building, structure or open space is located.*

- B. *No yard or other open space provided about any building for the purpose of complying with the provisions of this chapter which is considered as a yard or open space on one lot shall be considered as a yard or open space for a building on any other lot.*
- C. *All yards and courts required by this chapter shall be open and unobstructed to the sky.*

§420-4.3. Fences, walls, hedges, and ramps.

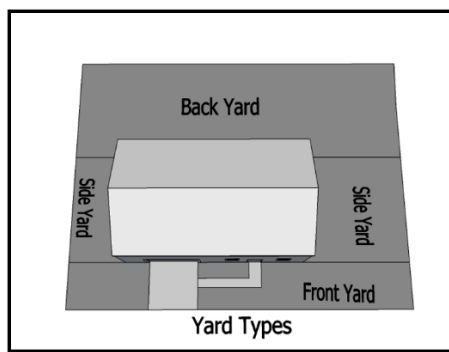
Except as otherwise provided, fences, walls, hedges and handicapped accessible ramps may be permitted in any required yard, provided that no fence, wall or hedge along any yard shall be over seven feet in height and provided that handicapped accessible ramps are not covered and are not within five (5) feet of any property line. The aforesaid provision notwithstanding, no fence, hedge, wall or barricade of any kind shall be constructed on or between abutting properties in commercial districts, both of which are utilized for off-street customer parking and/or traffic flow, unless it is determined by the Zoning Administrator that such fence, hedge, wall or barricade will promote the general welfare of the public and decrease traffic hazards in the general vicinity.

§420-20.1. Definitions.

YARD

An open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter.

1. *Front yard - An open space on the same lot as a building between the front line of the building (excluding steps) and the front lot or street line, and extending across the full width of the lot.*
2. *Rear yard - An open, unoccupied space on the same lot as a building between the rear line of the building (excluding steps) and the rear line of the lot and extending the full width of the lot.*
3. *Side yard - An open, unoccupied space on the same lot as a building between the side line of the building (excluding steps) and the side line of the lot, and extending from the front yard line to the rear yard line.*



Staff Recommendation if the Additional Yard Encroachments are Desired

§420-4.2. Areas and yards.

- A. *No building or structure shall be erected, nor shall any existing building or structure be altered, enlarged or rebuilt, nor shall any open space surrounding any building or structure be encroached upon or reduced in any manner, except in conformity with the yard, lot, area and building location regulations hereinafter designated for the district in which such building, structure or open space is located.*
- B. *No yard or other open space provided about any building for the purpose of complying with the provisions of this chapter which is considered as a yard or open space on one lot shall be considered as a yard or open space for a building on any other lot.*
- C. *All yards and courts required by this chapter shall be open and unobstructed to the sky with the following authorized encroachments:*
 1. *~~Except as otherwise provided, Fences, Walls, Hedges:~~ Fences, walls, hedges may be permitted in any required yard, provided that no fence, wall or hedge along any yard shall be over seven feet in height. The aforesaid provision notwithstanding, no fence, hedge, wall or barricade of any kind shall be constructed on or between abutting properties in commercial districts, both of which are utilized for off-street customer parking and/or traffic flow, unless it is determined by the Zoning Administrator that such fence, hedge, wall or barricade will promote the general welfare of the public and decrease traffic hazards in the general vicinity. (note: moved from §420-4.3. Fences, walls, hedges, and ramps.)*
 2. *Handicapped accessible ramps. ~~H~~andicapped accessible ramps provided that handicapped accessible ramps are not covered and are not within five (5) feet of any property line. (note: moved from §420-4.3. Fences, walls, hedges, and ramps.)*
 3. *Paved Terraces. A paved terrace shall not be subject to minimum setback or maximum lot coverage requirements; provided that such terrace is without roof, awnings, screens, walls, parapets, or other forms of enclosure and is not more than three feet 30 inches above grade. Such paved terrace, however, may have a guard railing, wall or fence not over four feet high with less than 50 percent opacity, and such guard railing, wall or fence not over four feet high shall not be closer than five feet from any lot line.*

Staff Report & Recommendation
Zoning Ordinance Amendment Application
ZOA 2021-02 – Multifamily Parking and Building Setbacks

4. Porches. Unenclosed porches or decks may project not more than five feet beyond the front, exterior side and rear walls of a building into the minimum front, exterior side or rear yard setback for the district and shall not be closer than five feet from any lot line. Any two story or enclosed porch, or one having a roof, shall be considered a part of the building in the determination of the required setback and amount of building coverage.
5. Projecting Horizontal Architectural Features. Architectural features, such as windowsills, belt courses, chimneys, cornices, eaves, overhangs, canopies, porticos, or bay windows, may project not more than three feet into any required setback, but no closer than five feet to any lot line. The sum of any bay or bow window projections on any wall shall not exceed one-fourth of the length of said wall and the sum of any canopies or porticos on any wall shall not exceed one-fourth of the length of said wall.
6. Steps. Steps may encroach into any yard and landings for steps may project not more than three feet into any required setback, but no closer than five feet to any lot line. Landings for steps shall not exceed one-fourth of the length of said wall.

~~§420-4.3. Fences, walls, hedges, and ramps.~~

~~Except as otherwise provided, fences, walls, hedges and handicapped accessible ramps may be permitted in any required yard, provided that no fence, wall or hedge along any yard shall be over seven feet in height and provided that handicapped accessible ramps are not covered and are not within five (5) feet of any property line. The aforesaid provision notwithstanding, no fence, hedge, wall or barricade of any kind shall be constructed on or between abutting properties in commercial districts, both of which are utilized for off-street customer parking and/or traffic flow, unless it is determined by the Zoning Administrator that such fence, hedge, wall or barricade will promote the general welfare of the public and decrease traffic hazards in the general vicinity.~~

§420-20.1. Definitions.

CANOPY

An overhead roof able to provide shade or shelter from weather conditions that can be supported by stanchions or supported by the building.

PORCH

An area elevated above grade that adjoins an entry to a building that may be covered or open.

PORTICO

A roof structure over a walkway supported by columns or supported by the building.

BELT COURSE (definition needed)
CORNICE (definition needed)
EAVE (definition needed)
OVERHANG (definition needed)
BAY WINDOW (definition needed)
BOW WINDOW (definition needed)
LANDING (definition needed)
ENCLOSED (definition needed)

Planning Commission Recommendation

pending

Alternate Staff Recommendation for Yard Encroachments Amendment Request

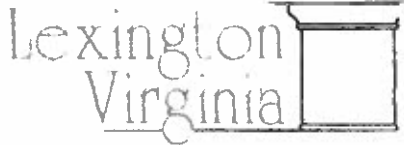
Deny the additional yard encroachment requests and alternately authorize staff to initiate a zoning ordinance amendment to decrease yard setback requirements for all zoning districts as appropriate.

The current Zoning Ordinance requires yards to be clear from ground to sky with the existing exceptions for fences, walls, hedges, handicapped accessible ramps, and steps. This information is easy to convey to the public over the phone and in person. The applicant's proposed list of additional setback encroachments complicate yard requirements as exemplified by the lengthy Planning Commission discussion and request for clarification. The additional encroachments will be difficult to communicate to the public easily and clearly and most inquiries regarding minimum yard setback requirements are received from property owners, and not from design professionals. Staff recommends keeping the yards clear from ground to sky (with the existing exemptions for fences, walls, hedges, handicapped accessible ramps, and steps) and reducing yard requirements for each zoning district by three to five feet. The reduction in yard setback requirements provides a greater buildable area which is the desired outcome of the applicant's request to allow additional encroachments into the minimum yard requirements.

Suggested Motions

The public necessity, convenience, general welfare, or good zoning practice warrant the consideration of the following Zoning Ordinance amendment and I move to recommend approval of ZOA 2021-02 to authorize limited encroachments into yard requirements for terraces, porches, and projecting horizontal architectural features as presented by the applicant and modified by staff.

I move to recommend denial of ZOA 2021-02 to authorize limited encroachments into yard requirements for terraces, porches, and projecting horizontal architectural features and direct staff to initiate a zoning ordinance amendment to decrease yard setback requirements for all zoning districts as appropriate.



www.lexingtonva.gov

Planning & Development Department

P.O. Box 922

300 East Washington Street

Lexington, Virginia 24450

Phone: (540) 462-3704 Fax: (540) 463-5310

APPLICATION FOR ZONING ORDINANCE/COMP PLAN AMENDMENT

Applicant¹

Name: Russell H. Orrison Phone: 540-464-9001

Company: Perkins And Orrison Fax: _____

Address: 17 W. Nelson St Lexington Email: RORRISON@PERKINS-ORRISON.COM

Applicant's Signature: [Signature] Date: 2/1/21

Proposal Information²

Code/Plan Section(s) to be Amended³: 420-12.8, 420-20

Proposed Text/Amendment (attach additional sheets if necessary): _____

- 1. Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.
- 2. Any application deemed incomplete by staff will not be accepted.
- 3. If the amendment proposes to replace existing text, please provide a full copy of the existing text for the affected section.

THIS SECTION TO BE COMPLETED BY STAFF ONLY

Application Fee: \$350 Amount Paid: \$350 Case Number: ZTA/~~EPA~~- 2021 - 01

Date Received: 2/3/2021 Received By: [Signature]

Public Hearings

Planning Commission

City Council

Legal Ad Dates: 2/10 + 2/17/2021

Legal Ad Dates: _____

Public Hearing Date: 2/25/2021

Public Hearing Date: _____

Action: _____

Action: _____

Lexington

Russ Orrison, PE, LS
Pierson Hotchkiss, LS
Gavin Worley, PE



Lynchburg

Norm Walton, PE
Aaron Dooley, LS

February 3, 2021

Text Amendment Narrative

Multifamily parking

It is generally acknowledged that many parking requirements found in the ordinances of local jurisdictions are arbitrary, and that they skew toward being too conservative. While a review of all of Lexington's parking requirements may be a worthwhile exercise in light of current trends regarding the discouragement of automobile use in areas where homes and jobs and shopping are within easy walking distance, this proposed text amendment is for multifamily housing only. Much of our work is in the City of Lynchburg, and there, multifamily development in the downtown area has no parking requirement whatsoever, as they are discouraging the use of land for parking. In the areas of the City with a suburban character, the parking requirement for multifamily housing is one space per unit. Very simple to understand and apply and appropriate as a minimum (if we even think that a minimum need to be forced upon developers). It is worth noting that developers in Lynchburg do not simply provide the minimum amount of parking required; they provide the amount of parking that they deem appropriate for the market for which they are building. There is nothing scientific about one space per unit, and we are not wedded to it (and for our most immediate project and if left to our own devices, we would be proposing approximately one-and-a-half spaces per unit, 50% greater than what would be the minimum required).

Setbacks

Our current ordinance requires that no portion of a building extend into a required yard. This is succinct and clear and therefore has merit, but it is quickly rendered complicated in the real world. Most any building of interest has architectural features that extend from its face – almost necessarily roof overhang with soffit or rake, windowsills, chimneys, etc. In addition, the roofing material itself extends off the edge of the roof often with a drip edge, and these vary with the installer. Similarly, gutter systems of various design and era have differing depths. In order to simplify these vagaries, and in order to allow architectural interest without sacrificing buildable area, many (perhaps most) jurisdictions include exceptions to their setbacks for certain architectural items. Similarly, small covers over exterior doorways offer architectural interest and significant user convenience, while not significantly impacting the space from building to property line. Again, using the City of Lynchburg ordinance as a guide, and slightly modifying it based on a conversation with Arne, we propose that our ordinance be amended to include the attached setback exceptions. There is no particular reason that we have excluded items found on such lists in some ordinances, nor included some not found in other ordinances; rather, the chosen model ordinance simply seems reasonable and complete.

We appreciate the considerable help of staff, and the consideration of the Commission.

\\ns2\Smp1 Documents\2021\19300 text amendment narrative.doc

17 W. Nelson Street
Lexington, Virginia 24450

540-464-9001 Fax: 540-464-5009

317 Brook Park Place
Forest, Virginia 24551

434-525-5985 Fax: 434-525-5986

Email: pno@perkins-orrison.com

Commercial indoor amusement	1 space for each 3 persons based on maximum occupancy
Commercial indoor entertainment	1 space for each 4 seats or similar accommodations, plus 1 space per 2 employees on largest shift
Commercial outdoor entertainment	1 space for each 3 persons based on maximum occupancy load, plus 1 space per employee on largest shift
Commercial outdoor sports & recreation	1 space for each 3 persons based on maximum occupancy load, plus 1 space per employee on largest shift
Clinic	1 for each 200 square feet
Cultural services	1 for each 500 square feet
Day care center	1 for each 250 square feet
Educational facility	1 for each employee on largest shift, plus 1 per 20 students
Family home day care	1 plus residential requirement
	1 for each 250 square feet
Fraternity or sorority	1 space for each bed provided in the house's designed capacity or 15 spaces, whichever is greater
Funeral homes and mortuaries	1 for each 100 square feet of floor space of assembly rooms used for service
Garden center	1 for each 300 square feet
Halfway house	1 for each two residents
Hospitals, general acute care	2 for each bed
Home for adults	1 for every 2 occupants
Home occupation, class A	2 plus residential requirement
Home occupation, class B	4 plus residential requirement
Hotels	1 for each guest room or resident unit, plus required parking for any restaurant or assembly space
Kennel	1 for each 400 square feet
Light industrial, custom manufacturing	1 for each 2 employees, based on estimated maximum daily or maximum 8-hour shift requirements in a 24-hour period
Laboratory; Research and development	1 for each 800 square feet
Laundry	1 for each 2 washing machines
Libraries	1 for each 500 square feet of floor space
Mini-warehouse	3 plus 1 per 100 units
Multi-family dwelling, large capacity dwelling, and group home	2 for each dwelling unit or 1 per bedroom, whichever is greater 1 for each dwelling unit
Nursing homes and homes for adults	1 for every 2 beds
Offices, general	1 for each 250 square feet
Offices, medical	1 for each 200 square feet
Outdoor sales, display, or service area	1 for each 2,000 square feet
Personal services; personal improvement services	1 for each 500 square feet
Restaurants	1 for each 150 square feet of floor space

Lexington

Russ Orrison, PE, LS
Pierson Hotchkiss, LS
Gavin Worley, PE



¹⁷
Lynchburg

Norm Walton, PE
Aaron Dooley, LS

Authorized Encroachments. The following structures may encroach upon minimum setback areas/yards as provided herein:

1. *Terraces.* A paved terrace shall not be subject to minimum setback or maximum lot coverage requirements; provided that such terrace is without roof, awnings, screens, walls, parapets, or other forms of enclosure and is not more than three feet above grade. Such terrace, however, may have a guard railing, wall, or fence not over four feet high with less than 50 percent opacity, and shall not be closer than five feet from any lot line.

2. *Porches.* Unenclosed porches or decks may project not more than five feet beyond the front, exterior side and rear walls of a building into the minimum front, exterior side or rear setback for the district. Any two story or enclosed porch, or one having a roof, shall be considered a part of the building in the determination of the required setback and amount of building coverage.

3. *Projecting Horizontal Architectural Features.* Architectural features, such as windowsills, belt courses, chimneys, cornices, eaves, or bay windows, may project not more than three feet into any required setback, but not closer than five feet to any lot line. The sum of any bay or bow window projections on any wall shall not exceed one-fourth of the length of said wall.

4. *Fire Escapes.* Open fire escapes may extend into any required setback not more than five feet; provided, however, that such fire escapes shall not be closer than five feet at any point to any lot line.

\\ns2\Smp1 Documents\2021\19300 amendment doc

17 W. Nelson Street
Lexington, Virginia 24450

540-464-9001 Fax: 540-464-5009

317 Brook Park Place
Forest, Virginia 24551

434-525-5985 Fax: 434-525-5986

Email: pno@perkins-orrison.com

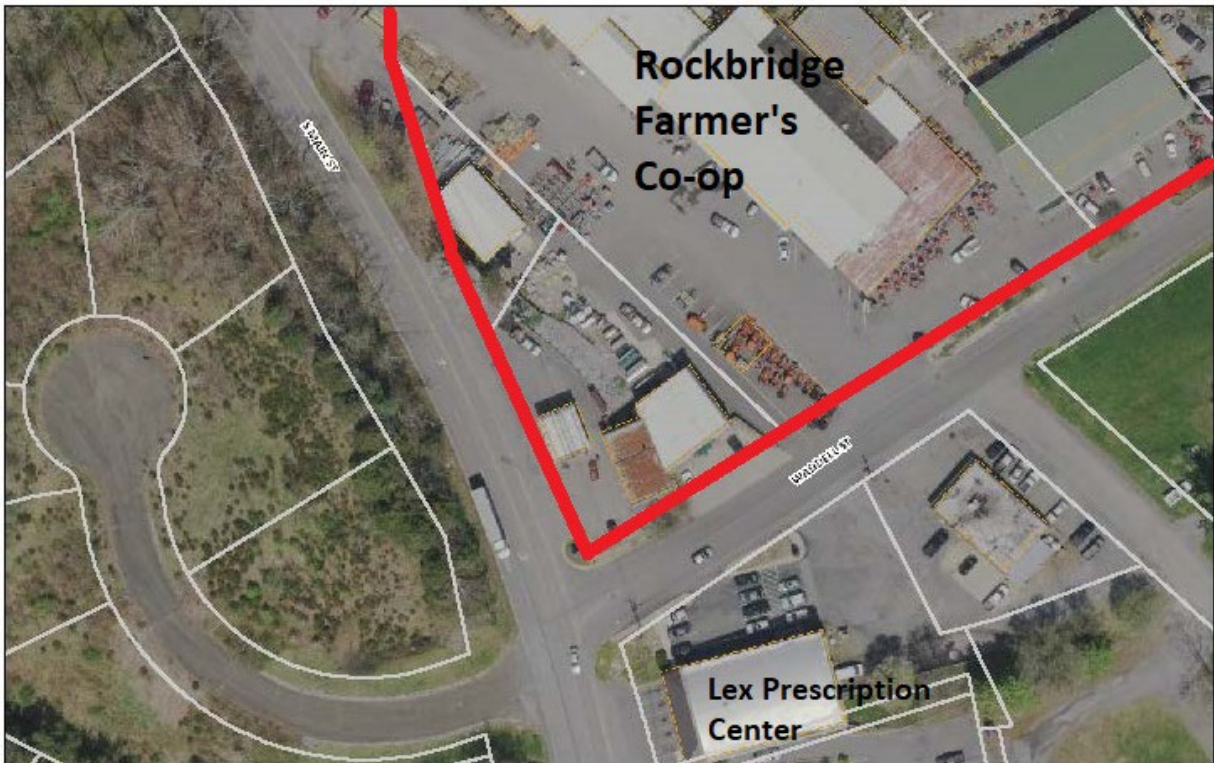
Staff Report & Recommendation
Entrance Corridor Certificate of Appropriateness
EC COA 2021-02 – Rockbridge Farmer’s Co-Op fuel dispensers

Project Name	replacement fuel dispensing units for Rockbridge Farmer’s Co-Op
Property Location	645 Waddell Street
Zoning	Entrance Corridor Overlay District (EC), Commercial Shopping Centers (C-2) zoning district
Owner/Applicant	Rockbridge Farmer’s Co-Op / Joshua Sparks

OVERVIEW OF REQUEST

This request is to remove the five existing fuel dispensing units at the Rockbridge Farmer’s Co-Op and replace them with new fuel dispensers. Two of the dispensers will be the Wayne Ovation dispenser shown on page 5 of the attached application with the top and bottom parts of the dispenser in the Wayne Blue B012 color that is shown on page 6 of the application. The other three dispensers will be Wayne Select dispensers shown on page 7 of the application. One of the three dispensers will be Option A (Single Dial 1 Product ID) while the other two will be Option C (Dual Dial 2 Product ID). On all three of the Wayne Select dispensers, the lower doors will be the Wayne Generic blue (B12) and a color sample can be found on the Generic Door Color option on the lower left portion of page 7. There will be no other advertising panels and no other stickers with the exception of what is required per Virginia Weights and Measures code.

location map



**Staff Report & Recommendation
Entrance Corridor Certificate of Appropriateness
EC COA 2021-02 – Rockbridge Farmer’s Co-Op fuel dispensers**

APPLICABLE ZONING DISTRICT SECTIONS

Section 420-3 of the zoning ordinance lists gasoline station as a permitted use by-right in the C-2 zoning district.

APPLICABLE ENTRANCE CORRIDOR REGULATIONS

Section 420-6.6.A requires a Certificate of Appropriateness be approved by the Planning Commission prior to 1) building permit issuance for exterior building modifications, 2) site plan approval, and 3) exterior color changes to a building or to a sign.

Section 420-6.7.B allows the Planning Commission to consider any architectural feature which influences appearance, such as, but not limited to, motif and style, color, texture and materials, configuration, orientation, mass, shape, height and location of buildings, location and configuration of parking areas, landscaping and buffering.

Section 420-6.8 states all applications for certificates of appropriateness must satisfy the following design standards for landscaping, signage, architecture, site planning, and lighting.

C. Architecture.

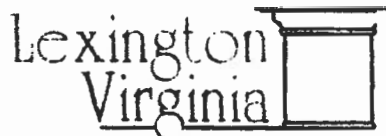
- (1) Materials, colors and general style of buildings within a development should be coordinated.
- (2) Heating and air-conditioning units, ventilation units, and mechanical equipment shall be screened from view from public streets.
- (3) Loading docks, trash containers and mechanical equipment shall be screened from view from public streets.
- (4) The effective visual mass of large buildings should be reduced by variations in roofline, building angles, dimensional relief, color, architectural detailing and landscaping.
- (5) Architectural styles, building and roofing materials, and colors shall be reflective of the traditional architecture of Lexington. This may be accomplished through building scale, materials and forms, all of which may be embodied in architecture which is contemporary as well as traditional.
- (6) Trademark buildings and related features shall be modified to meet these design standards.

STAFF RECOMMENDATION

Staff recommends approval of the proposed fuel dispensing units.

SUGGESTED MOTION

I move to approve/deny the Entrance Corridor Certificate of Appropriateness application EC COA 2021-02 for the replacement of five fuel dispensing units for the Rockbridge Farmer’s Co-Op at 645 Waddell Street as proposed by the applicant.



www.lexingtonva.gov

Planning & Development Department
 P.O. Box 922
 300 East Washington Street
 Lexington, Virginia 24450
 Phone: (540) 462-3704 Fax: (540) 463-5310

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS – ENTRANCE CORRIDOR OVERLAY DISTRICT

Applicant¹

Name: Joshua Sparks Phone: 540-777-9111

Company: C-First, Inc. Fax: 540-777-9112

Address: 1119 Beaumont Rd., Roanoke, VA 24019 Email: office@c-firstinc.com

Applicant's Signature:  Date: 2/26/21

Property Owner

Name: Rockbridge Farm Co-Op Phone: _____

Address: 645 Waddell St., Lexington, VA 24450 Email: _____

Owner's Signature: _____ Date: _____

Architect/Designer

Name: _____ Phone: _____

Company: _____ Fax: _____

Address: _____ Email: _____

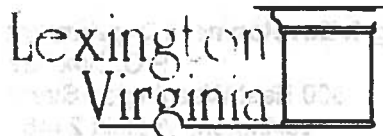
Administration

Application is hereby made to the Lexington Planning Commission for a Certificate of Appropriateness (COA) to make repairs, alterations, or improvements in the Entrance Corridor in accordance with Chapter 28, Article XV of the Lexington City Code.

This document shall constitute a valid COA upon its completion and execution by the Chairperson or Acting Chairperson of the Planning Commission. The recipient of a COA is responsible for obtaining any and all other certificates and permits required by the Code of the City of Lexington through the Office of the Planning and Development Administrator.

1. *Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.*

*Fees Non Refundable



www.lexingtonva.gov

Planning & Development Department
 P.O. Box 922
 300 East Washington Street
 Lexington, Virginia 24450
 Phone: (540) 462-3704 Fax: (540) 463-5310

Proposal Information² (attach list of properties if request includes multiple properties)

Address (or location description): 645 Waddell St., Lexington, VA 24450

Tax Map: 35 1 4 Deed Book and Page #: _____

Acreage: 2.23 Zoning (attach any existing conditions or proffers): _____

Property Doing Business As: Rockbridge Farms Co-Op

2. Any application deemed incomplete by staff will not be accepted.

Alteration Description (complete a City Sign Permit Application for sign alterations)

I. Please check action(s) for which this COA is requested:

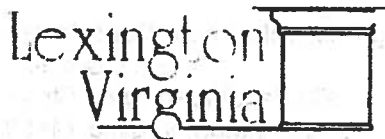
- Remodeling or renovation of the exterior of a building
- Total restoration of the exterior of a building
- Removal of any architectural element
- Painting of any building exterior
- Cleaning of wall surfaces or architectural elements
- Repair of all surfaces or architectural elements
- Any removal, alternation, repair, or construction of amenities such as fences or walls
- Demolition of part or all of an existing building
- Moving a building (complete Part III)
- Construction of a new building (complete Part III)
- Construction of any addition to an existing building (complete Part III)

II. For ALL projects, please attach the following:

- Photographs or drawings from the site showing adjoining structures, streets, and sidewalks
- Scale drawings of the improvements
- Detailed drawings of significant decorative or architectural elements
- Indication of exterior lighting adequate to determine its character and impact on the public and adjoining properties
- Samples of exterior materials and paint colors to be used
- Any other documentation or visual aid necessary to determine compliance with § 420-141 of the Lexington City Code

III. For NEW CONSTRUCTION, please provide the above attachments in addition to the following:

- Dimensions, orientation, and acreage of each lot or plot to be built upon
- Layout of the project and its relation to surrounding structures
- Location of points of entry and exit for motor vehicles and internal vehicular circulation pattern and parking facilities
- The size, shape, and location of existing and proposed construction on the parcel
- Location of walls, fences, and railings, and the indication of their height and the materials of their construction



www.lexingtonva.gov

Planning & Development Department

P.O. Box 922

300 East Washington Street

Lexington, Virginia 24450

Phone: (540) 462-3704 Fax: (540) 463-5310

THIS SECTION TO BE COMPLETED BY STAFF ONLY

Application Fee: \$100 – Sign Permit Application Fee: \$50 Amount Paid: _____

Case Number: EC-COA-_____ - _____

Date Received: _____ Received By: _____

Staff Review

- Applicant's project would meet all district requirements.
- Applicant fails to meet the district requirements.

Comments: _____

Planning and Development Director

Date

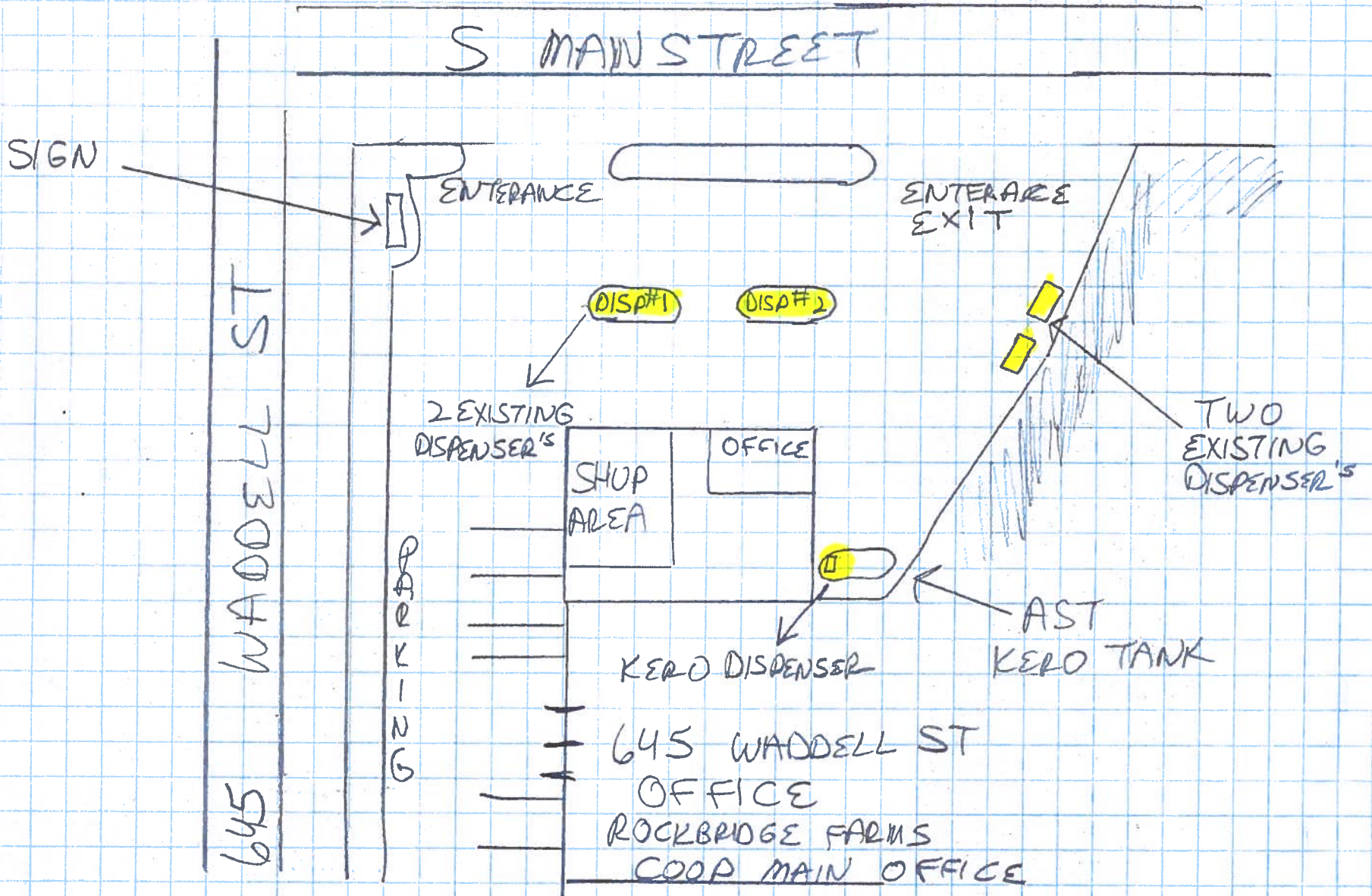
Action by Planning Commission

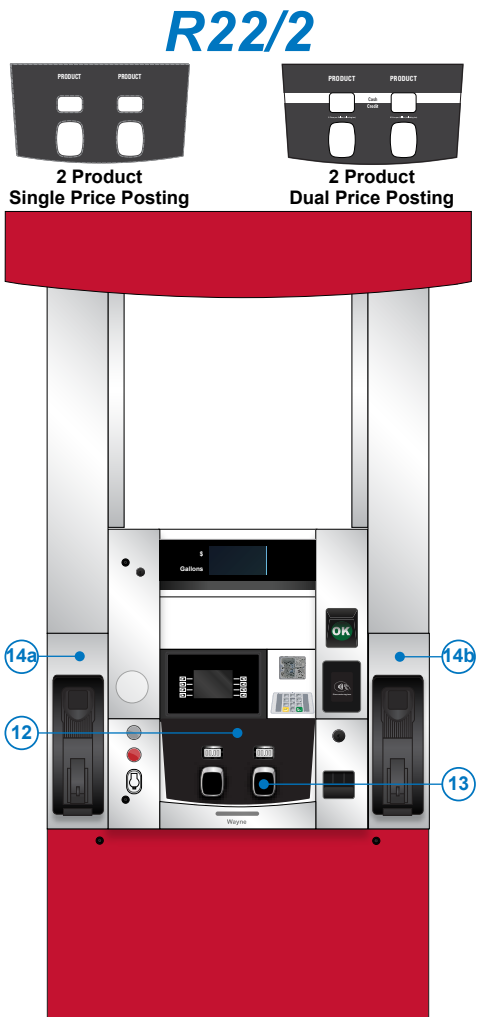
- Approved
- Denied

Comments: _____

Chairperson, Planning Commission


Date



1	2	3	4	5	6	7	8	
DESCRIPTION OF CHANGE								24
BRAND Wayne Generic		PRODUCT NAME	12 PTS DECAL SINGLE PRICE POSTING DUAL PRICE POSTING	13 ACTUATOR DECAL(S)	14 NOZZLE BOOT DECAL(S)	MISCELLANEOUS DECAL(S)		
SUB-BRAND 		DI#1 / RE	Unreleased	Unreleased	888460-001-032 Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#1 / REUN	Unreleased	Unreleased	888460-001-032 Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#1 / PL	Unreleased	Unreleased	888460-001-032 Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#1 / UNPL	Unreleased	Unreleased	888460-001-032 Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#1 / PR	Unreleased	Unreleased	888460-001-032 Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#1 / PRUN	Unreleased	Unreleased	888460-001-032 Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#1 / SU	Unreleased	Unreleased	888460-001-032 Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#1 / SUUN	Unreleased	Unreleased	888460-001-032 Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#1 / DI#2	WU010211-0049	Unreleased	888460-001-032 888460-001-012	Not Used	Not Used	
		DI#2 / RE	WU010211-0372	Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#2 / REUN	WU010211-0071	Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#2 / PL	Unreleased	Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#2 / UNPL	Unreleased	Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#2 / PR	Unreleased	Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#2 / PRUN	Unreleased	Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#2 / SU	Unreleased	Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI#2 / SUUN	Unreleased	Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	
		DI / OFR	WU010211-0046	Unreleased	888460-001-011 888460-001-113	Not Used	Not Used	
		DI / ONR	WU010211-0094	Unreleased	888460-001-011 888460-001-114	Not Used	Not Used	
		OFR / RE	WU010211-0112	Unreleased	888460-001-113 Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)	

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APPROVED BY	Rev. 50	2021-03-01	
DRAWN BY	REV	DATE	ECN NO.
JESSICA AUSTIN			5

NOTES:
1. When all products are blank, no PTS decals are required and standard octane/actuator kit 888717-001 (1 per side) is included.

DEBURR AND BREAK SHARP EDGES	SCALE 1:1	DO NOT SCALE DRAWING	
TITLE			
GRAPHICS SPECIFICATION			
OVATION 2, WAYNE GENERIC, USA			

Wayne FUELING SYSTEMS	Related Drawing
DRAWING NO.	WU010233-0002
SHEET 7	A4

1	2	3	4	5	6	7	8	
DESCRIPTION OF CHANGE								
25								
BRAND Wayne Generic		PRODUCT NAME	12 PTS DECAL SINGLE PRICE POSTING DUAL PRICE POSTING	13 ACTUATOR DECAL(S)	14 NOZZLE BOOT DECAL(S)	MISCELLANEOUS DECAL(S)		
SUB-BRAND		RE / PL / PR	WU010212-0014 WU010218-0025	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)		
		RE / PL / SU	WU010212-0015 WU010218-0002	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)		
		RE / PR / SU	WU010212-0005 Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)		
		REUN / UNPL / PRUN	WU010212-0008 WU010218-0028	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)		
		REUN / UNPL / SUUN	WU010212-0009 Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)		
		REUN / PRUN / SUUN	WU010212-0010 Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)		
		UN / MD / PRUN	WU010212-0146 WU010218-0083	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)		
		PR / PL / RE	WU010212-0406 Unreleased	Kit: 888717-001	Not Used	888892-001-029 (CA, NV, OR only)		

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APPROVED BY	Rev. 50	2021-03-01	
DRAWN BY	REV	DATE	ECN NO.
JESSICA AUSTIN			

NOTES:
 1. When all products are blank, no PTS decals are required and standard octane/actuator kit 888717-001 (1 per side) is included.

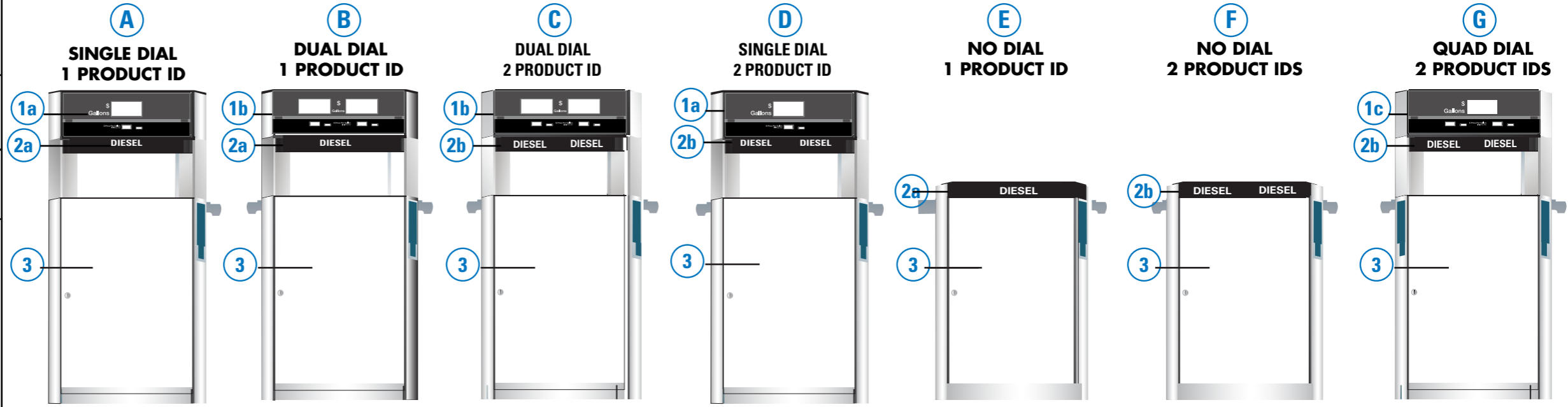
DEBURR AND BREAK SHARP EDGES	SCALE 1:1	DO NOT SCALE DRAWING		Related Drawing
TITLE				
GRAPHICS SPECIFICATION				
OVATION 2, WAYNE GENERIC, USA				
DRAWING NO.				
WU010233-0002				
SHEET 10				

Select Gen 2 Spec

BRAND
Wayne Generic

BRAND CODE: **WG** COUNTRY/REGION: **US**

- MODELS AVAILABLE
- A SINGLE DIAL, 1 PRODUCT ID**
7201, 7207, 7208, 7221, 7227, 7228, 7231, 7237, 7238, 7247
 - B DUAL DIAL, 1 PRODUCT ID**
7202, 7232, 7242, 7236
 - C DUAL DIAL, 2 PRODUCT IDS**
7203, 7223, 7233
 - D SINGLE DIAL, 2 PRODUCT IDS**
7234
 - E NO DIAL, 1 PRODUCT ID**
7007, 7008, 7037, 7038
 - F NO DIAL, 2 PRODUCT IDS**
7039
 - G QUAD DIAL, 2 PRODUCT IDS**
7209, 7239



1a DIAL FACE DECALS SINGLE DIAL					
	Volume Only, 1 display W2894320-001	Price/Volume, 1 display W2894322-001	Price/Volume, 1 display w/Preset W2894324-001	Totalizer/Volume Only, 1 display W2894326-001	
	1b DIAL FACE DECALS DUAL DIAL				
		Volume Only, 2 display W2894321-001	Price/Volume, 2 display W2894323-001	Price/Volume, 2 display w/Preset W2894325-001	Totalizer/Volume Only, 2display W2894327-001
1c DIAL FACE DECALS QUAD DIAL					
	Volume Only, Quad display W2894313-001	Price/Volume, Quad display W2894314-001	Price/Volume, Quad display w/Preset W2894315-001	Totalizer/Volume Only, Quad display W2894316-001	

- PAINTED PARTS**
- SILVER COLUMNS:**
Top Cover
Dial Face Panel
Vapor Barrier
Upper/Mid Columns
Lower Columns
Base Half
- CHOOSE:**
SILVER A017
BLACK J021
SILVER A017
SILVER A017
SILVER A017
SILVER A017
- GREY COLUMNS:**
Top Cover
Dial Face Panel
Vapor Barrier
Upper/Mid Columns
Lower Columns
Base Half
- GREY F081
BLACK J021
BLACK J021
GREY F081
GREY F081
GREY F081
- WHITE COLUMNS:**
Top Cover
Dial Face Panel
Vapor Barrier
Upper/Mid Columns
Lower Columns
Base Half
- WHITE W007
WHITE W007
WHITE W007
WHITE W007
WHITE W007
WHITE W007
GRAY F003
- BLACK COLUMNS:**
Top Cover
Dial Face Panel
Vapor Barrier
Upper/Mid Columns
Lower Columns
Base Half
- BLACK J021
BLACK J021
BLACK J021
BLACK J021
BLACK J021
BLACK J021
- ** STAINLESS STEEL UPGRADES AVAILABLE
see W2894317-001 FOR OPTIONS

2a AD PANEL DECALS **1 PRODUCT ID**

2b AD PANEL DECALS **2 PRODUCT IDS**

SEE SHEET 2

3 DOORS WP001339-0001-XXXX PAINTED DOOR
WP001339-0002 STAINLESS STEEL DOOR

GENERIC DOOR COLOR OPTIONS

Wayne Color	Pantone Match
W7	J21
A17	R98
G67	B12
Y86	SS

W007 Process White
J021 Process Black
A017 Pantone 877C
R098 Pantone 187C
G067 Pantone 348C
B012 Pantone 287C
Y086 Pantone 116C

PAYMENT OPTIONS

REFERENCE KEYPAD SPECIFICATION:
WU008582-0001

iX Fleet: Available
T7: Available

(IDT with iX Fleet)

(IDT with T7 Pay)

MISC DECALS - SHIP LOOSE

GASOLINE
888892-001-029
(Required with gasoline fuels in the states of CA, NV, and OR)

NON-ETHANOL GASOLINE
888892-001-422
(One label per non-ethanol fuel product. Customers can apply this label near each non-ethanol product name.)

E85 Decals
(only used with E85 product)

891301-004

WU009879-0038

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APPROVED BY	02	2021-01-12	GR09962		TITLE GRAPHICS SPECIFICATION SELECT GEN2, WAYNE GENERIC, US	DRAWING NO. W2894318-001 SHEET 1 OF 2
DRAWN BY Jessica Austin	REV	DATE	ECO NO.			



P.O. Box 19157
 Roanoke, VA 24019
 Tel: 540-777-9111
 Fax: 540-777-9112

Agreement # FF-21-110

February 5, 2021

Rockbridge Farms Coop
 C/O Mr. Jason Black
 645 Waddell Street
 Lexington, Virginia 24450

Site Address:
 Rockbridge Farms Coop
 645 Waddell Street
 Lexington, Virginia 24450

Dear Mr. Jason Black,

Thank you for allowing First Four Petroleum Group, LLC the opportunity to present you with our agreement to provide and install 5 (five) Wayne Fueling dispensers at Rockbridge Farmers Coop located at 645 Waddell Street in Lexington, Virginia 24450.

List of Equipment:

QTY	PART#	DESCRIPTION	EACH	EXTEND
		DISPENSING EQUIPMENT		
2	R22/222OC	WAYNE OVATION 2 PRODUCT, NON-BLENDER DISPENSER, TWO HOSE PER SIDE, EMV HYBRID CARD READER, EMT PER PRODUCT IOTV PACKAGE, JUNCTION BOX, UNBRANDED EQUIPMENT	\$15,509.28	\$31,018.56
2	3/G7209D	WAYNE SELECT FLEET DISPENSER TWO PRODUCTS, ONE SIDE ONLY, TWO HOSE, PRICE DISPLAY, EMV READY CARD READER UNBRANDED EQUIPMENT	\$9,774.46	\$19,548.92
1	3/G720P/12	WAYNE SELECT FLEET DISPENSER, SUCTION PUMP, ONE HOSE, ONE SIDE ONLY PRICE DISPLAY NO CARD READER OPTION	\$4,646.74	\$4,646.74
4	WU019855-001	WAYNE WIRELESS CONNECT DISPENSER MODULE	\$700.00	\$2,800.00
1	WU019854-001	WAYNE WIRELESS IN-STORE SITE MODULE	\$935.29	\$935.29

Initial JOB VB.

HOSE HARDWARE:			
13	FLHFR 100120	5/8" X 12' HARDWALL HOSE	\$55.76 \$724.88
13	FLHFR 10009	5/8" X 9" HARDWALL WHIP HOSE	\$18.65 \$242.45
13	11BP-0400	5/8" UNLEADED NOZZLE	\$69.22 \$899.86
13	CTM75	3/4" CATLOW CAM TWIST MAGNETIC BREAKAWAY	\$72.26 \$939.38
13	241TPS-0241	3/4" OPW SWIVEL	\$29.01 \$377.13
TOTAL EQUIPMENT COST (WITHOUT SALES TAX)			\$62,133.21
VIRGINIA STATE SALES TAX 5.3%			\$3,293.06
5	FREIGHT	DISPENSER FREIGHT	\$225.00 \$1,125.00
TOTAL COST FOR EQUIPMENT INSTALLATION			\$8,222.47
TOTAL COST OF AGREEMENT			\$74,773.74

OWNER PROVIDED SERVICES, MATERIALS AND NOTIFICATIONS:

The owner is to provide an adequate electrical service for the new equipment.

The owner is aware the existing conduits extending from the building to the dispensers at the edge of the parking lot must be used for the installation of new shielded cable. A change order will be required if excavation is required to install new conduits.

The owner is to provide all necessary inside POS equipment required for proper operation and communication to the new Wayne fueling equipment. The equipment must be on site and programmed for operation before First Four Petroleum arrives to perform the scope of work.

The owner is aware the EMV will not be activated. Activation will require a scheduled return trip once the network is operational and will be performed on a time and material basis at then current service rates.

First Four Petroleum Group, LLC will obtain permits if needed, and invoice the cost of the permits and the labor to procure them to the owner (labor cost of \$50.00 per hour and mileage at \$0.65 per mile).

Any changes in the scope of work will result in an adjustment in the price shown.

This project is proposed to be performed in 1 (one) mobilization. If delays (or additional mobilization expenses) are caused by others, each additional mobilization will cost the owner \$500.00 (five hundred dollars).

Initial AD1 VJK

Scope of Work:

- Remove the existing 2 (two) Wayne Ovation dispensers at the fueling and leave them on site for the owner's disposition (**Note: \$150.00 (one hundred fifty dollars) disposal fee per dispenser if removal is requested**).
- Remove the existing 2 (two) Tokheim dispensers at the end of the parking lot and leave them on site for the owner's disposition (**Note: \$150.00 (one hundred fifty dollars) disposal fee per dispenser if removal is requested**).
- Remove the existing 1 (one) Tokheim Kerosene suction pump from the skid tank and leave them on site for the owner's disposition (**Note: \$150.00 (one hundred fifty dollars) disposal fee per dispenser if removal is requested**).
- Install 2 (two) new 2 (two) product Wayne Ovation dispensers on the fueling island and connect the product piping using the existing shear valves.
- Install 2 (two) new 2 (two) product Wayne Fleet dispensers at the end of the parking lot and connect the product piping using the existing shear valves.
- Install 1 (one) new single product Wayne Fleet Kerosene suction pump on the skid tank and connect to product piping.
- Install shielded cable approximately 80' (eighty feet) from the building to the 2 (two) Wayne Fleet dispensers at the end of the parking lot using the existing conduits. Wiring is to be used for Card network communication of the new dispensers.
- Install 1 (one) Wayne connect store server on the wall where the existing dispenser wiring interconnect boxes are located.
- Install 1 (one) Wayne connect module inside each of the 2 (two) dispensers and secure for operation.
- Install new hanging hose hardware and nozzles as quoted on the new Wayne fueling equipment.
- Wire and connect all of the First Four Petroleum Group, LLC installed equipment.
- Interface the dispensers to the owner provided POS equipment.

Initial JPS / VJK.

- Purge and calibrate the installed dispensers per Virginia Weights and Measures. We will prepare the "Placed in Service" report.
- Bring the 5 (five) new Wayne dispensers on line with the existing POS System.
- Test all of the First Four Petroleum Group, LLC installed equipment for proper operation.
- Dispose of debris from the job site (trash, equipment containers, pallets, etc.).

WARRANTY DISCLAIMER AND LIMITATION OF LIABILITY: FIRST FOUR PETROLEUM GROUP, LLC MAKES NO WARRANTIES OF ANY KIND WITH RESPECT TO ANY EQUIPMENT FURNISHED HEREUNDER. ANY WARRANTIES ARE THOSE OF THE MANUFACTURER ONLY. FIRST FOUR PETROLEUM GROUP, LLC SPECIFICALLY DISCLAIMS THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. UNDER NO CIRCUMSTANCES SHALL FIRST FOUR PETROLEUM GROUP, LLC BE LIABLE TO YOU FOR ANY INCIDENTAL, CONSEQUENTIAL, SPECIAL OR PUNITIVE DAMAGES OF ANY KIND TO INCLUDE, BUT NOT LIMITED TO, LOSS OF PROFIT, LOSS OF BUSINESS, LOSS OF PRODUCT, OR ANY OTHER DAMAGES.

INSTALLATION WARRANTY: FIRST FOUR PETROLEUM GROUP, LLC WILL WARRANT OUR INSTALLATION WORK AGAINST DEFECTS IN WORKMANSHIP FOR A PERIOD OF 1 (ONE) YEAR FROM THE DATE OF COMPLETION. IN THE EVENT OF A DEFECT IN WORKMANSHIP, YOU MUST NOTIFY FIRST FOUR PETROLEUM GROUP, LLC IN WRITING WITHIN THE WARRANTY PERIOD. FIRST FOUR PETROLEUM GROUP, LLC'S SOLE OBLIGATION SHALL BE TO REPAIR THE PARTICULAR DEFECT. FIRST FOUR PETROLEUM GROUP, LLC SHALL NOT BE LIABLE TO YOU FOR ANY INCIDENTAL, CONSEQUENTIAL, SPECIAL OR PUNITIVE DAMAGES OF ANY KIND TO INCLUDE, BUT NOT LIMITED TO, LOSS OF PROFIT, LOSS OF BUSINESS, LOSS OF PRODUCT OR ANY OTHER DAMAGES.

Indemnification: You shall indemnify, defend, and hold harmless First Four Petroleum Group, LLC from and against any and all claims, demands, damages, losses, and costs of any kind or nature, including attorney's fees, as a result of your use of the equipment installed hereunder, except as may be caused by the negligence of First Four Petroleum Group, LLC.

Initial JFB/ YDR.

Payments Terms: An equipment deposit of \$33,275.63 (thirty-three thousand two hundred seventy-five dollars and sixty-three cents) will be required before the equipment will be ordered. The equipment balance of \$33,275.64 (thirty-three thousand two hundred seventy-five dollars and sixty-four cents) is due when the equipment arrives at the First Four Petroleum Group, LLC warehouse in net 10 (ten) days from the date on the invoice. The installation balance of \$8,222.47 (eight thousand two hundred twenty-two dollars and forty-seven cents) will be invoiced upon completion of the project and will be due in net 10 (ten) days from the date of the invoice.

If any payments are not made when due, the owner will pay interest at the rate of 2% (two percent) per month, plus all costs of collection, including any attorney's fees incurred by First Four Petroleum Group, LLC.

No federal or state documents will be released until all payments have been made in full.

Any lawsuits arising hereunder shall be brought only in the Circuit Court of the City of Roanoke, Virginia, the General District Court of the City of Roanoke, Virginia or in the United States District Court of the Western District of Virginia, Roanoke Division. The parties' consent to the jurisdiction of such courts and waive all objections to venue in such courts. The laws of the Commonwealth of Virginia shall govern this agreement.

Your signature certifies your acceptance of our agreement, including our terms and conditions for payment.

This agreement is good for 30 (thirty) days from the agreement date and must be signed by a representative of First Four Petroleum Group, LLC in order to constitute a binding contract.

Initial AD / VJn.

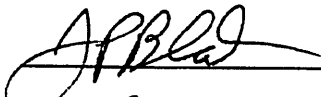
If our agreement is acceptable to you, please initial each page, sign below and forward to us at your earliest convenience. We will sign and return a copy for your records. Again, we thank you for this opportunity and look forward to working with you on this project.

ACCEPTANCE: I am authorized to and do hereby accept this agreement on behalf of purchaser.

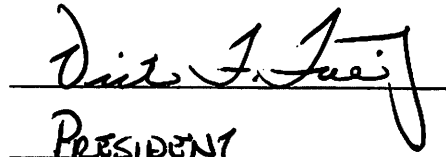
ACCEPTANCE:
First Four Petroleum Group, LLC

Agreement # FF-21-110

Signature



Title Controller



PRESIDENT

Date 2-24-21

2/25/2021

Phone # 540-463-7381

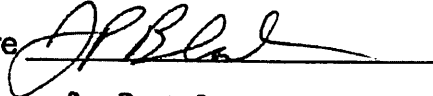
(540) 777-9111

Fax # 540-460-1843

(540) 777-9112

Option to Remove and Discard 5 (five) Dispensers:

Remove and discard 5 (five) dispensers for \$750.00 (seven hundred fifty dollars).

Signature 

Date 2-24-21

Please contact me if there are questions or concerns on the above agreement.

Thank you,

Cecil Morgan
(540) 691-5847

From: [Joshua Sparks](#)
To: [Arne Glaeser](#)
Cc: [Cecil Morgan](#)
Subject: FW: Rock ridge Farmers Coop
Date: Wednesday, March 10, 2021 9:38:24 AM

Good morning Arne,

Here are pictures of the Rockbridge Farmers Coop. This is the site that I sent the planning and building permit applications in for yesterday. My salesman took pictures of it today so I wanted to make sure you got them.

Joshua

From: Cecil Morgan <cmorgan@1st-four.com>
Sent: Wednesday, March 10, 2021 9:36 AM
To: Joshua Sparks <jsparks@1st-four.com>
Subject: Rock ridge Farmers Coop













Sent from my iPhone