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*The County Of*  
***Powhatan***

**TO:** Ted Voorhees, County Administrator  
**FROM:** Andrew Pompei, Interim Planning Director  
**DATE:** April 9, 2018  
**SUBJECT:** Review of Transportation-Related Infrastructure for CVS  
(Case #17-01-SPA)

Below is additional information regarding the review of the site plan for CVS (Case #17-01-SPA: 2511 Anderson Highway) and how that project accesses the local transportation network:

- **Site Plan Submittal**

In January 2017, a site plan was submitted for a *drugstore or pharmacy with drive-through service* (CVS Pharmacy) and its associated internal road network.<sup>1</sup>

- **Access Prior to Redevelopment**

Several commercial buildings were located on the site where CVS has been built. These buildings were demolished to accommodate the CVS, the internal road network, and other uses.

Prior to the construction of CVS and the associated internal road network, there were five (5) entrances onto U.S. Route 60. There was a paved shoulder adjacent to some of the entrances, but there was no dedicated turn lane. There were three (3) access points from Dorset Road (Figure 1). These access points lacked stop signs, stop bars, and other traffic control markings. Some entrances were close to the U.S. Route 60/Dorset Road intersection, with the westernmost entrance along U.S. Route 60 approximately 65 feet east of Dorset Road.

- **Access After Redevelopment**

CVS and adjacent sites are now accessed by an internal road network. There are now only two access points from U.S. Route 60 (compared to five access points previously), and both are accessed by turn lanes. Turning movements are limited at both access points; the westernmost entrance is right-in only, while vehicles exiting the site from the easternmost entrance can only turn right. From Dorset Road, there is one full-access entrance (compared to three access points previously). There are no turn lanes at that entrance, but there are tapers.

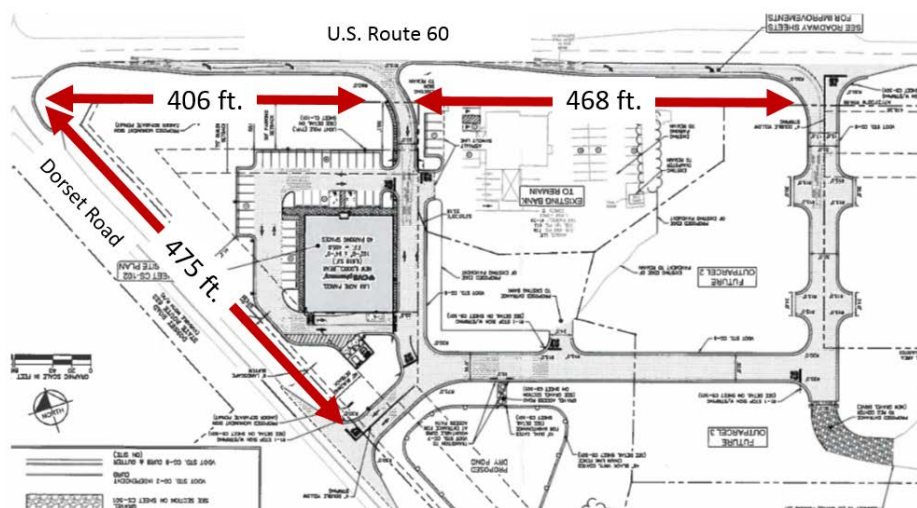
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<sup>1</sup>Since the site plan for CVS Pharmacy was approved, a site plan has been submitted for a *restaurant with drive-through service* (McDonald's) for a property east of the existing New Horizon Bank, which will be accessed from the internal road network. That site plan is still under review (Case #18-02-SPA: 2485 Anderson Highway).

Figure 1: Access Points Prior to Redevelopment



Figure 2: Access Points After Redevelopment (Entrance Spacing)



- **Access Standards (Spacing)**

U.S Route 60 is classified as an *Other Principal Arterial* by VDOT and as a *Major Arterial* by Powhatan County. VDOT requires entrance spacing of at least 495 feet along the roadway.<sup>2</sup> Powhatan County has more stringent standards, requiring a minimum spacing of 625 feet between entrances.<sup>3</sup> VDOT approved an exception to the spacing requirements, provided certain conditions were met. The westernmost entrance (in front of CVS) is required to be right-in only, and a concrete island had to be installed at the easternmost entrance to prevent left turns leaving the site. With the approved exception from VDOT, the westernmost entrance is 406 feet from Dorset Road. The two site entrances are 468 feet apart (Figure 2).

Dorset Road is classified as a *Major Collector* by VDOT, but is designated a *Minor Arterial* in Powhatan County's Major Thoroughfare Plan. Sec. 68-175(E)(3) states that roads should be classified

<sup>2</sup>Virginia Department of Transportation: Road Design Manual (Appendix F: P. F-26). The minimum spacing for partial-access entrances along Principal Arterials with speed limits above 50 miles per hour is 495 feet.

<sup>3</sup>Table 68-175(E)(5)(d)(ii)

in accordance with VDOT's Functional Classification system when determining access management requirements. Since VDOT classifies the road as a *Major Collector* and the posted speed limit is 55 miles per hour (45 miles per hour for trucks), the agency would require that a full-access entrance on Dorset Road be at least 445 feet from U.S. Route 60, while Powhatan County requires a full-access entrance on Dorset Road to be at least 625 feet from U.S. Route 60.<sup>4</sup> The full-access entrance on Dorset Road is approximately 475 feet from U.S. Route 60.

The county's Subdivision Ordinance allows the Director of Community Development to reduce the required spacing under certain conditions.<sup>5</sup>

- **Access Standards (Turn Lanes)**

Sec. 68-175(E)(5)(c) establishes local standards for turn lanes (auxiliary lane warrants).

Powhatan County requires turn lanes at all access connections from *Other Principal Arterials*, which includes U.S. Route 60. Right-turn lanes were constructed at both entrances to the internal road network, and there is a left-turn lane from westbound U.S. Route 60 into the easternmost entrance.

Along *Major Collectors*, a turn lane warrant analysis is conducted to determine whether turn lanes are needed. The developer submitted a traffic analysis to VDOT (dated November 11, 2016), which included a turn lane warrant analysis and crash analysis. This analysis is based upon traffic generation by CVS and other possible uses on the property (fast-food restaurant, specialty retail, automobile parts sales, bank, and fitness center). The study looked at all entrances from U.S. Route 60 and Dorset Road. At the entrance onto Dorset Road, the analysis estimates that there will be:

- 12 – 14 left turns from Dorset Road into the development at AM and PM peak hour; and
- 14 – 20 right turns from Dorset Road into the development at AM and PM peak hour.

Based on current traffic volumes and traffic projections, the analysis submitted indicates that turn lanes along Dorset Road are not warranted.<sup>6</sup>

- **Off-Site Improvements**

There is no express or implied authority in the enabling legislation allowing a locality to require off-site road improvements as a condition of subdivision plat or site plan approval.

In *Potomac Green Associates Partnership v. City Council of City of Alexandria*, the City of Alexandria required (as a condition of site plan approval) that the applicant construct two additional lanes on a roadway adjacent to the applicant's property. The district court concluded that there "is no express authorization for a developer of land to make off-site improvements at his expense to the surrounding highways."<sup>7</sup>

CVS and surrounding commercial development are permitted by-right with the current zoning [General Commercial (C) and Residential – Commercial (R-C)], and there are no proffered conditions associated with the site. Based on this, Powhatan County could not require the developer of CVS to make improvements to the intersection of U.S. Route 60 and Dorset Road.

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<sup>4</sup>Per Table 68-175(E)(5)(d)(ii), intersection spacing for arterials and collectors is 440 feet if the speed limit is 45 miles per hour or less and 625 feet if the speed limit is greater than 45 miles per hour. Dorset Road has a posted speed limit of 55 miles per hour, with a restriction of 45 miles per hour for trucks.

<sup>5</sup>Sec. 68-175(E)(5)(d)(ii)(c)

<sup>6</sup>Virginia Department of Transportation: Road Design Manual (Appendix F) and Sec. 68-175(E)(5)(c)

<sup>7</sup>Albemarle County Land Use Law Handbook (p. 25-6 and 25-7)

**Timeline: Submittal and Review of Case #17-02-SPA**

<b>Date</b>	<b>Action</b>
January 5, 2017	Site plan submitted for a <i>drugstore or pharmacy with drive-through service</i> (CVS Pharmacy) and the related internal street network (Case #17-01-SPA).
January 9, 2017	VDOT received the site plan for review.
January 12, 2017	VDOT granted an exception (with conditions) from its access management (spacing) standards along U.S. Route 60.
February 3, 2017	VDOT provided comments on the site plan. VDOT requested that dimensions for turn lanes from U.S. Route 60 be revised and that documentation be provided regarding usage of the westbound left-turn lane at Batterson Road.
April 10, 2017	VDOT received a revised site plan (Revision #1).
April 26, 2017	VDOT provided comments on the revised site plans.
May 22, 2017	VDOT received a revised site plan (Revision #2).
June 2, 2017	VDOT conditionally approved the revised site plan.
June 6, 2017	A site plan to construct a CVS Pharmacy was approved.

**Timeline: Related Projects and Actions**

<b>Date</b>	<b>Action</b>
January 25, 2018	Site plan submitted for McDonald's, which is accessed from the internal road network (Case #18-02-SPA). This site plan is still under review.