

Application Submittal Checklist

- Completed "Project Information & Primary Contacts" form (Page 6)
- Signed "Statements of Understanding" from the owner(s) and applicant (Page 7)
- Signed and Notarized Owner's Consent Statement (if applicant/agent is not the owner)
- Completed "General Information" sheet (Page 8)
- Completed "Review Fee Calculation" sheet and appropriate Fees payable to "County of Stafford" (Page 9)
- Completed "List of Adjoining Property Owners" (Pages 10 & 11)
- Completed "Application Affidavit" (Pages 12 - 15)
- Completed "Checklist for Generalized Development Plans" (Pages 16 & 17)
- Completed "Transportation Impact Analysis Determination Form" (Page 18)
- Proof that Real Estate Taxes have been paid
- Complete Legal Description of the area to be reclassified (Acreage must match Boundary Survey Plat)
- Completed Impact Statement
- Completed Transportation Impact Analysis (TIA), if required (Five (5) paper copies with electronic copies or ftp site)

PLATS AND PLANS

- Boundary Survey Plat of area subject to rezoning (with 3 copies at 8½" x 11" size)
- Generalized Development Plan (12 full-size copies at 24" x 36" size)

* See "Checklist for Generalized Development Plans" (Pages 16 & 17)

RECEIVED DATE _____ INITIALS _____	RECEIVED AUG 10 2016 STAFFORD COUNTY PLANNING AND ZONING	OFFICIALLY SUBMITTED DATE <u>8/22</u> INITIALS <u>[Signature]</u>
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Project Information & Primary Contacts

<u>PROJECT INFORMATION</u>		<u>PROJECT #</u> 1651405
Murphy Express		
PROJECT NAME		SECTION 1.1795
ADDRESS (IF AVAILABLE) ^{PART} 44-53, 44-53A, 44-54A, part		TOTAL SITE ACREAGE B-2
TAX MAP/PARCEL(S) South side of Warrenton Road near its intersection with Cardinal Forest Drive		ZONING DISTRICT
LOCATION OF PROJECT		

<u>APPLICANT/AGENT</u> (Provide attachment if **SEE ATTACHED Applicant and Agent differ)		Primary Contact Person <input checked="" type="checkbox"/>
H. Clark Leming, Esquire, Agent		Leming and Healy P.C.
NAME		COMPANY
233 Garrisonville Road, Suite 204	Stafford	VA 22554
ADDRESS	CITY	STATE ZIP
540-659-5155	540-659-1651	lemingandhealy1@msn.com
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS

<u>OWNER</u> (Provide attachments if multiple owners)		Primary Contact Person <input type="checkbox"/>
Patricia LeRose - Parcels 44-54A(part), 44-53A (PART)		LeRose Properties, L.L.C.
NAME		COMPANY
P.O. Box 5022	Falmouth	VA 22403
ADDRESS	CITY	STATE ZIP
** SEE ATTACHED Owner		
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS

<u>PROFESSIONAL</u> (Engineer, Surveyor, etc.)		Primary Contact Person <input type="checkbox"/>
Trae Rushing P.E.		GreenbergFarrow
NAME		COMPANY
1430 West Peachtree Street, NW, Suite 200	Atlanta	GA 30309
ADDRESS	CITY	STATE ZIP
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS

****Applicant/Contract Purchaser of Parcel 44-53, 44-53A, and 44-54A (part)**

Murphy Oil USA, Inc.
200 Peach Street
El Dorado, AR 71730

****Owner of Parcel 44-53**

Theatre Square LC
9400 Charter Crossing Drive, Suite B
Mechanicsville, VA 23116-5190

Statements of Understanding

I, as owner/co-owner of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a conditional use permit as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

F. Shaia
Signature of Owner/Co Owner

Fred T. Shaia
Printed Name Date

Signature of Owner/Co Owner

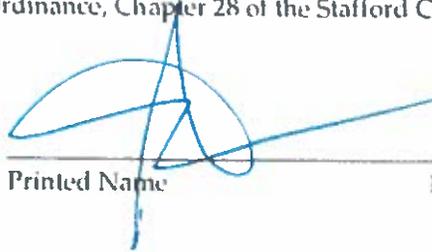
Printed Name Date

Signature of Owner/Co Owner

Printed Name Date

I, as applicant or agent for the owner(s) of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a conditional use permit as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

Aaron Grieb
Signature of Applicant/Agent


Printed Name Date

* Additional sheets may be used, if necessary.

OWNER'S CONSENT FORM

I, Fred T. Shaia, Managing Member, Theatre Square I.C., owner of Assessor's Parcel 44-53 as shown on the land records of the Commissioner of the Revenue for Stafford County, Virginia, and authorize Murphy USA and its counsel, H. Clark Leming of Leming and Healy P.C., to apply for a Conditional Use Permit for this parcel with full power and authority to do and perform all acts and make all representations necessary without any limitation whatever, to make Application for said Conditional Use Permit.

Theatre Square I.C.

By: *F. Shaia*
Name: Fred T. Shaia
Title: Managing Member
Theatre Square, I.C.

COMMONWEALTH / STATE OF Virginia
CITY / COUNTY OF Richmond, to wit:

I the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that Fred T. Shaia, whose name is signed to the foregoing document, has personally acknowledged the same before me in my aforesaid jurisdiction.

GIVEN under my hand and seal this 29th day of July, 2016.

William R. O'Connor
Notary Public

#293197

My Commission Expires: 2/29/20



OWNER'S CONSENT FORM

I, Patricia LeRose, LeRose Properties, L.L.C. owner of Assessor's Parcels 44-53A and 44-54A, part as shown on the land records of the Commissioner of the Revenue for Stafford County, Virginia, and authorize Murphy USA and its counsel, H. Clark Leming of Leming and Healy P.C., to apply for a Conditional Use Permit for these parcels with full power and authority to do and perform all acts and make all representations necessary without any limitation whatever, to make Application for said Conditional Use Permit.

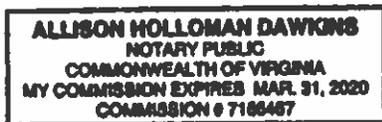
LeRose Properties, L.L.C.

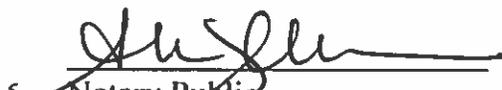
By: 
Name: Patricia LeRose
Title: Owner

COMMONWEALTH / STATE OF VIRGINIA
CITY / COUNTY OF STAFFORD to wit:

I the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that Patricia LeRose, whose name is signed to the foregoing document, has personally acknowledged the same before me in my aforesaid jurisdiction.

GIVEN under my hand and seal this 6th day of July, 2016.




Notary Public

My Commission Expires: 03/31/2020

OWNER'S CONSENT FORM

I, Aaron Grieb on behalf of Murphy Oil USA, Inc., authorize H. Clark Leming of Leming and Healy P.C., to apply for a Conditional Use Permit of Assessor's Parcels 44-53, 44-53A and 44-54A, part as shown on the records of the Commissioner of the Revenue for Stafford, Virginia.

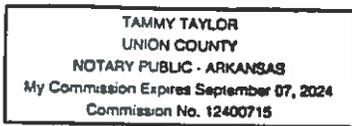
MURPHY OIL USA, INC.

By: [Signature]
Name: Aaron Grieb
Title: Owner VP, Asset Development

~~COMMONWEALTH~~ / STATE OF Arkansas
~~CITY~~ / COUNTY OF Union, to wit:

I the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that Aaron Grieb, whose name is signed to the foregoing document, has personally acknowledged the same before me in my aforesaid jurisdiction.

GIVEN under my hand and seal this 25th day of July, 2016.



[Signature]
Notary Public

My Commission Expires: 09/07/2024

General Information

Clearly indicate all information that applies to this project:

DETAILED DESCRIPTION OF PROJECT

Application for proposed vehicle fuel sales and convenience store.

INFORMATION FOR FEE CALCULATIONS

1.1795 # of Acres

Type of Conditional Use Permit:

- Standard Conditional Use Permit (including amendments)
- Minor Conditional Use Permit Amendment
- Minor Conditional Use Permit Amendment (when submitted simultaneously with a Minor Proffer Amendment Application)

* See Background Information on page 3 to determine if the request qualifies as a minor amendment.

INFORMATIONAL

Previous Resolution # _____

Zoning District B-2

Proposed Use(s) Vehicle fuel sales and
convenience store.

Review Fee Calculations

The County review fee calculations are divided into two sections. Each section is based on a different type of application. Determine the application fee by filling out the one section that applies.

Section I. Standard Conditional Use Permit:

A. Base Fee: (Required)	\$	<u>9,750.00</u> ✓
B. General Fee: (If greater than 5 acres)		
(____ Acres - 5) X \$125	\$	_____
C. Fire & Rescue Review Fee (required).....	\$	<u>95.00</u> ✓
D. Utilities Department Review Fee (required).....	\$	<u>95.00</u> ✓
E. Public Works Review Fee (required).....	\$	<u>120.00</u> ✓
F. Traffic Impact Analysis Review Fee: (If TIA required)		
Volume <1,000 VPD\$200.00		
Volume >1,000 VPD\$400.00.....	\$	<u>400.00</u> ✓
G. Adjacent Property Notification (required):		
(<u>9</u> Adjacent properties) X \$6.48	\$	<u>58.32</u> ✓
Sub-total (Add appropriate amounts from lines A thru G above).....	\$	<u>10,518.32</u>
H. Technology Fee (sub-total x 2.75% or 0.0275).....	\$	<u>289.25</u>
TOTAL (Sub-total + H. Technology Fee).....	\$	<u>10,807.57</u>

Section II. Minor Conditional Use Permit Amendment:

A. General Fee:	\$	<u>6,190.00</u>
B. Adjacent Property Notification (required):		
(____ Adjacent properties) X \$6.48	\$	_____
Sub-total (Add lines A and B)	\$	_____
C. Technology Fee (sub-total x 2.75% or 0.0275).....	\$	_____
TOTAL (Sub-total + C. Technology Fee).....	\$	_____

List of Adjoining Property Owners

The applicant is required to provide a list of the owners as shown on the current real estate tax assessment books of all abutting properties and properties immediately across the street or road from the property to be rezoned or issued a Conditional Use Permit. If the application requests a rezoning of only a portion of the parcel or a Conditional Use Permit on only a portion of the parcel, the entire parcel must be the basis for the below listing.

Provide additional pages if needed.

<u>SEE ATTACHED</u>		
_____	_____	_____
TAX MAP / PARCEL	NAME	
MAILING ADDRESS _____		
CITY _____	STATE _____	ZIP _____

_____	_____	_____
TAX MAP / PARCEL	NAME	
MAILING ADDRESS _____		
CITY _____	STATE _____	ZIP _____

_____	_____	_____
TAX MAP / PARCEL	NAME	
MAILING ADDRESS _____		
CITY _____	STATE _____	ZIP _____

Abutting Property Owners
Tax Map Parcel 44-53, 44-53A & 44-54A
Applicant – Murphy Oil USA, Inc.

<u>Tax Map Number</u>	<u>Property Owner</u>
44-54	Holly Haven Swim Club Inc. P.O. Box 261 Hartwood, VA 22471-0261
44-55	Lerose Properties P.O. Box 5022 Falmouth, VA 22403-5022
44-64, 44-65	Patricia Ann, Lisa D. & Todd Lerose 95 Lerose Drive Fredericksburg, VA 22406-6218
44L-1-E, 44L-1-F	Cardinal Forest Homeowners Assoc. P.O. Box 7268 Fredericksburg, VA 22404-7268
44L-1-A	Warrenton Road Investments LLC 10151 Southpoint Pkwy. Fredericksburg, VA 22407-2701
44R-5D	Theatre Square LC 9400 Charter Crossing Dr., STE B Mechanicsville, VA 23116-5190
44-63	Country Time Development LP 9600 Terri Drive La Plata, MD 20646-4518

Application Affidavit

This form to be filed with:

STAFFORD COUNTY
BOARD OF SUPERVISORS

1300 COURTHOUSE ROAD
STAFFORD, VIRGINIA 22555

Internal Use Only
Project Name: _____
A/P #: _____
Date: _____

All applicants for a special exception, a special use permit, conditional use permit, amendment to the zoning ordinance or variance shall make complete disclosure of the equitable ownership of the real estate involved in the application, including in the case of corporate ownership, limited liability company ownership or similar business ownership, the name of stockholders, officers, managing partners, general partners, owners and members, and in any case the names and addresses of all of the real parties in interest. The requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the event the ownership of the involved real estate changes in any respect during the time the application is pending, the applicant shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein. If the applicant is a contract purchaser, the ownership information required herein shall be provided for the contract purchaser in addition to the owner of the real estate involved in the application. This section applies to applications before the board of supervisors, planning commission and board of zoning appeals.

See Section 15.2-2289 for State Enabling Authority

1. Applicant information

Name of Applicant Aurca Grieb
Name of Company Murphy Oil USA, Inc.

Applicant Address 200 Peach Street
El Dorado, AR 71730

Applicant's Signature 

Name of Agent H. Clark Leming, Agent

Address of Agent 233 Garrisonville Rd. Suite 204, Stafford, VA 22554

2. Type of Application

- | | |
|--|--|
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Special Exception |

**Application Affidavit
Page 2**

Applicant: Murphy Oil USA, Inc.

Project Name:	_____
A/P #:	_____
Date:	_____

3. Property Information

Assessors Parcel(s) 44-53, 44-53A, 44-54A, part ^(part)

Address

4. Unless the equitable ownership is a corporation, limited liability company or similar business ownership, list all equitable owners of the property.

<u>Name of owners</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

5. If the equitable ownership of the property is a corporation, limited liability company or similar business ownership, list all officers, managing partners, general partners, share holders, owners and members. This provision shall not apply if the corporation is listed on a national or local stock exchange and has more than 500 share holders.

<u>Name of Members</u>	<u>Address</u>
<u>Fred T. Shaia</u>	<u>403 East Grace Street, Richmond, VA 23219</u>
<u>Patricia LeRose</u>	<u>50 LeRose Drive, Fredericksburg, VA 22405</u>
<u>Toney LeRose</u>	<u>P.O. Box 37 Port Harbor, NC 27964</u>
<u>Susan LeRose</u>	<u>114 Fleet Road, Fredericksburg, VA 22406</u>
<u>Marcie LeRose</u>	<u>P.O. Box 5022, Falmouth, VA 22403</u>

6. Unless the applicant is a contract purchaser and is a corporation, limited liability company or similar business ownership, list all individuals involved with the purchase of the property.

<u>Name of Members</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Application Affidavit

Page 3

Applicant: Murphy Oil USA, Inc.

Project Name:	_____
A/P #:	_____
Date:	_____

7. If the applicant is a contract purchaser and is a corporation, limited liability company or similar business ownership, list all officers, managing partners, general partners, share holders, owners and members. This provision shall not apply if the corporation is listed on a national or local stock exchange and has more than 500 share holders

Name of Members

<u>Murphy USA, Inc.</u>	<u>200 Peach Street, El Dorado, AR 71730</u>
<u>R. Andrew Clyde</u>	<u>President & Chief Executive Officer</u>
<u>Mindy K. West</u>	<u>Executive Vice President & Chief Financial Officer</u>
<u>John A. Moore</u>	<u>Senior Vice President, General Counsel & Secretary</u>
<u>Marn K. Cheng</u>	<u>Senior Vice President, Retail Operations</u>

**SEE ATTACHED

8. Have all individuals listed on this affidavit been notified of the purpose of the application?

Yes No

9. If #8 is No, list all individuals who have not been notified about this application plus submit the cost required for the Department of Planning and Zoning or Code Administration to send certified letters notifying those listed below of this application prior to the public hearing.

<u>Name</u>	<u>Address, including zip code, no P.O. Box please</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Number of owners to be notified: _____ X
 Cost for certified letters \$ _____ (cost as of the day of submittal)
 Total due: \$ _____ (Make checks payable to County of Stafford)

Please submit a check in the amount due with this application to cover the cost of serving the individuals listed in this section.

****No. 7 – Additional - Officers, managing partners, general partners, share holders, owners and members:**

Donald R. Smith, Jr.	Vice President & Corporate Controller
W. Aaron Grieb	Vice President, Asset Development
Joseph Henderson, III	Vice President, Fuels
Charles E. Jarrett	Vice President, Technology Services & Chief Information Officer
Kim M. Seymour	Vice President, Accounting and Management Reporting
Kyle T. Williams	Vice President, Merchandising
Stacy A. Young	Vice President, Human Resources
Kristin L. Clay	Treasurer
Gregory L. Smith	Assistant Secretary
Magen R. Olive	Assistant Secretary

Application Affidavit

Page 4

Applicant: Murphy Oil USA, Inc.

Project Name:	_____
A/P #:	_____
Date:	_____

10. Affirmation & Witness

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief. In the event the ownership of the involved real estate changes during the time the application is pending, I shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein.

Printed name of Signer Aaron Grieb Murphy Oil USA, Inc.

Corporate Office of Signer VP, Asset Development

Signature _____

Date 7-25-16

~~State~~ Arkansas
~~COMMONWEALTH OF VIRGINIA~~
~~COUNTY OF STAFFORD~~, to wit:
Union

The forgoing affidavit was acknowledged before me this 25th day of July, 2016 by Aaron Grieb owner/applicant.

My commission expires: 09/07/2024

Tammy Taylor
Notary Public

TAMMY TAYLOR UNION COUNTY NOTARY PUBLIC - ARKANSAS My Commission Expires September 07, 2024 Commission No. 12400715

**CONDITIONAL USE PERMIT
TRANSPORTATION IMPACT
ANALYSIS DETERMINATION**

Name of development Murphy Oil
Type of development Gas Station with Convenience Market
Parcel # 44 53, 44 53A, 44 54A

RECEIVED BUT NOT OFFICIALLY SUBMITTED DATE: _____ INITIALS _____
OFFICIALLY SUBMITTED DATE: _____ INITIALS _____

Traffic Volume Calculations

This site generates:

- 118 VPH (insert the highest VPH)
- 2,604 VPD on state controlled highways (insert highest volume).
- 163 Peak AM (VPH)
- 216 Peak PM (VPH)
- 303 Peak Saturday (VPH)
- 2604 VPD highest intensity*

*** Attach a page showing the calculations and the ITE trip generation codes to this form.***

Minimum Thresholds to submit a TIA

Any proposal that generates 150 or more vehicle trips per day above the existing use, and the site meets the VDOT requirements for TIAs under 24 VAC 30-155 or Stafford County Rezoning TIA requirements. See "VDOT Traffic Impact Analysis Requirements" table on next page.

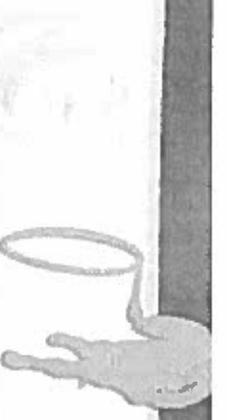
Trip Generation Calculation Guidelines

- Traffic volumes shall be based on the rates or equations published in the latest edition of the Institute of Transportation Engineers Trip Generation.
- If a site has multiple entrances to highways, volumes on all entrances shall be combined for the purposes of this determination.
- If the site does not have direct access to a state maintained road, the site's connection is where the site connects to the state highway system.
- Traffic volumes shall NOT be reduced through internal capture rates, pass by rates, or any other reduction methods.
- For redevelopment sites only: when the existing use is to be developed at a higher intensity, trips currently generated by the existing development that will be removed may be deducted from the total trips that will be generated by the proposed land use.
- When rezoning, use the highest possible traffic generating use unless development is limited by proffer to less than the possible highest traffic generation.

For development proposals that generate 1000 or more vehicle trips per peak hour the applicant shall request a scope of work meeting with VDOT and Stafford County Office of Transportation to discuss the required elements of a traffic impact analysis.

*The highest intensity use is the highest possible use allowable under the zoning requirements for the entire property should it be developed to its fullest extent possible under the current building guidelines. The only exception is if proffers limit the area and type of uses.

my STAFFORD Virginia



George
Washington's
Boyhood
Home

myStafford [Payments Home](#) > [Account Search](#) > [Account Details](#)

Stafford County Real Estate Tax Search/Payment

Owner
Name / Mailing Address:
LEROSE PROPERTIES
PO BOX 5022 FREDERICKSBURG VA
22403-0622

Property Description
Map #:
Alt. ID/PIN:
Legal:
44-53A
25744
1161 WARRENTON RD

Current Assessment
Land Value: \$167,100
Improvement Value: \$42,600
Total Taxable Value: \$209,700

[View Real Estate Details](#)

- Pay Total Due Today: 50.00
- Pay Total For Year: 51,038.02
- Pay Another Amount: \$ 0.00

[Next](#)

Invoice History

Bill Type **Year Paid**

Filter by Year Paid to get tax payments for a particular year

[Clear Filter](#)

[Print Version](#)

[Filter Results](#)

Change Penalty/Interest Calculation Date

Total Due: \$6,098.44 Total Tax Paid: \$26,544.79
Total Penalty/Int Paid: \$2,472.81
Total Fees Paid: 50.00

(Recent Payment Amount) 55,060.42

myStafford Payments Home > Account Search > Account Details

Stafford County Real Estate Tax Search/Payment

Owner
Name / Mailing Address:
LEROSE PROPERTIES
PO BOX 5022 FREDERICKSBURG VA
22403-0622

Property Description
Map #: 44-54A
Alt. ID/PIN: 25746
Legal: 1171 WARRENTON RD

Current Assessment
Land Value: \$623,800
Improvement Value: \$10,000
Total Taxable Value: \$633,800

[New Real Estate Details](#)

- Pay Total Due Today: \$0.00
- Pay Total For Year: \$3,136.33
- Pay Another Amount: \$ 0.00

[Next](#)

Invoice History

Filter by Year Paid to get tax payments for a particular year

Bill Type

- ALL - ▾

Year Paid

- ALL - ▾

[Clear Filter](#)

[Print Version](#)

[Filter Results](#)

 [Change Penalty/Interest Calculation Date](#)

Total Due: \$22,867.27

Total Tax Paid: \$71,537.86

Total Penalty/Int Paid: \$7,261.37

(Recent Payment Amounts) \$19,730.94

Stafford County Real Estate Tax Search/Payment

Owner
 Name / Mailing Address:
 THEATRE SQUARE LC C/O LARRY
 SHAIA
 9400 CHARTER CROSSING DR STE B
 MECHANICSVILLE VA 23116-5190

Property Description
 Map #: 44-53
 Alt. ID/PIN: 25743
 Legal: *No Situs Address*

Current Assessment
 Land Value: \$361,100
 Improvement Value: \$0
 Total Taxable Value: \$361,100
[View Real Estate Details](#)

Invoice History

Total Due: \$1,787.45 Total Tax Paid: \$29,559.49
 Total Penalty/Int Paid: \$47.11
 Total Fees Paid: \$0.00
 Total Other Assessments: \$1,133.17

Year	Bill #	Type	Due Date	Rate	Levy Due	Penalty Due	Interest Due	Total Due	Total Paid	Date Paid
2016	25238	Real Estate	12/5/2016	0.990	\$1,787.45	\$0.00	\$0.00	\$1,787.45	\$0.00	
2016	25238	Warrenton Road	12/5/2016	0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
2016	25238	Real Estate	6/6/2016	0.990	\$1,787.45	\$0.00	\$0.00	\$1,787.45	\$0.00	5/31/2016
2016	25238	Warrenton Road	6/6/2016	0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	5/31/2016
2015	25259	Real Estate	12/7/2015	1.019	\$1,226.37	\$0.00	\$0.00	\$1,226.37	\$0.00	12/3/2015
2015	25259	Warrenton Road	12/7/2015	0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	12/3/2015
2015	25259	Real Estate	6/5/2015	1.019	\$1,226.37	\$0.00	\$0.00	\$1,226.37	\$0.00	6/8/2015
2015	25259	Warrenton	6/5/2015	0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	6/8/2015

LEGAL DESCRIPTION FOR MURPHY EXPRESS CONDITIONAL USE PERMIT(CUP):

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. ROUTE 17, ALSO KNOWN AS WARRENTON ROAD, SAID POINT BEING ON THE NORTHERLY SIDE OF AN EXISTING FORTY FOOT WIDE ACCESS EASEMENT, THENCE LEAVING SAID RIGHT OF WAY SOUTH 67 DEGREES 33 MINUTES 47 SECONDS WEST 182.27 FEET TO A POINT; THENCE NORTH 48 DEGREES 13 MINUTES 59 SECONDS WEST 249.25 FEET TO A POINT; THENCE NORTH 35 DEGREES 36 MINUTES 42 SECONDS EAST 168.50' TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. ROUTE 17; THENCE ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 11 DEGREES 00 MINUTES 11 SECONDS A RADIUS OF 1807.86 FEET AN ARC LENGTH OF 347.18 FEET A CHORD LENGTH OF 346.65 FEET AND A CHORD BEARING OF SOUTH 47 DEGREES 40 MINUTES 02 SECONDS EAST TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 1.1795 ACRES.

BOUNDARY SURVEY FOR MURPHY EXPRESS CONDITIONAL USE PERMIT (CUP) AREA HARTWOOD MAGISTRIAL DISTRICT - STAFFORD COUNTY, VIRGINIA



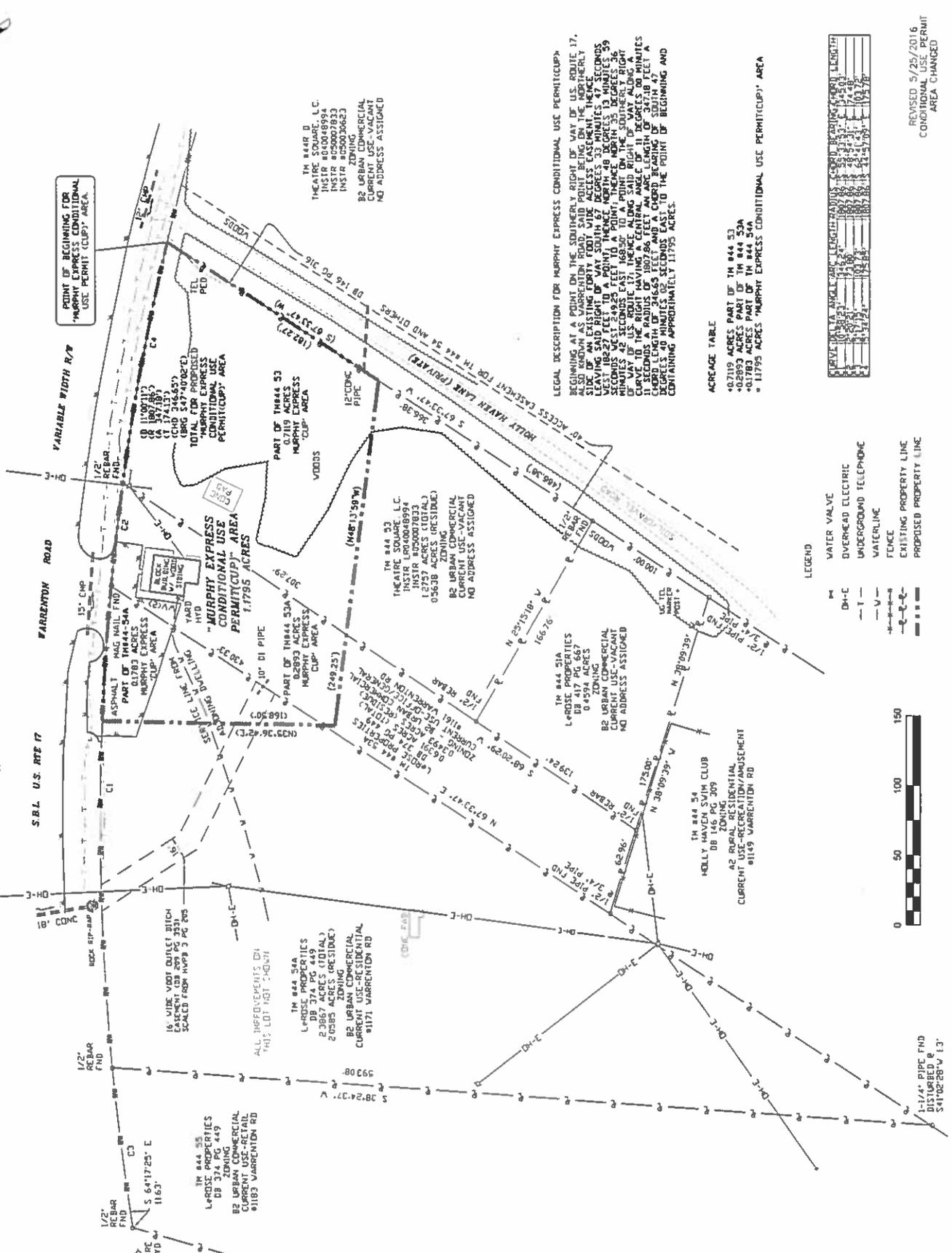
DRAWING NO. 2015-749
 DRAWING NO. 2015-749-3.1
 DATE 2/11/2016
 SCALE 1" = 50'

3831 OLD FOREST ROAD - SUITE 6
 LYNCHBURG, VA 24501
 WWW.PIEDMONTSURVEYORS.COM
 SHEET 1 OF 1

VIRGINIA STATE PLANE
 COORDINATE NORTH (VPC)
 NAD83 (2011) (EPSG: 2210)

THIS DRAWING IS BASED ON AN ACTUAL FIELD SURVEY AND IS INTENDED ONLY FOR SHOWING EXISTING BOUNDARY INFORMATION AND PROPOSED BOUNDARY INFORMATION REGARDING A CONDITIONAL USE PERMIT APPLICATION. THIS DRAWING WAS COMPLETED AT THE REQUEST OF GREENBERG FARROW (ATLANTA, GEORGIA). UNDERGROUND UTILITIES SHOWN BASED ON VISIBLE EVIDENCE. THIS SURVEY DOES NOT GUARANTEE THAT UTILITIES SHOWN ARE EXACT AND/OR THAT ALL EXISTING UTILITIES ARE ACCOUNTED FOR. METES & BOUNDS IN PARENTHESES ARE FOR THE "MURPHY EXPRESS CONDITIONAL USE PERMIT (CUP) AREA. ZONING, CURRENT USE, AND ADDRESS SHOWN TAKEN FROM STAFFORD COUNTY ON-LINE GIS.

FLOOD NOTE:
 THE SUBJECT PROPERTY SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE "X" (INDICATED AS FOUND ON MAP BY FEDERAL EMERGENCY MANAGEMENT AGENCY PANEL 8501540BET, AND DATED REVISED FEBRUARY 11, 2015). THE SUBJECT PROPERTY IS LOCATED WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN. IT IS RECOMMENDED THAT THE 1% ANNUAL CHANCE FLOODPLAIN BE DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN.



LEGAL DESCRIPTION FOR MURPHY EXPRESS CONDITIONAL USE PERMIT(CUP) BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. ROUTE 17, ALSO KNOWN AS VARRINGTON ROAD, SAID POINT BEING ON THE NORTHERLY CORNER OF THE INTERSECTION OF SAID VARRINGTON ROAD AND SAID U.S. ROUTE 17, LEAVING SAID POINT TO BE BOUND BY THE FOLLOWING COURSE: 1. 47.50 FEET TO A POINT, THENCE NORTH 12 DEGREES 53 MINUTES 41.72 SECONDS WEST 182.27 FEET TO A POINT, THENCE NORTH 48 DEGREES 13 MINUTES 59 SECONDS WEST 24.95 FEET TO A POINT, THENCE NORTH 35 DEGREES 36 SECONDS WEST 17.74 FEET TO A POINT, THENCE ALONG SAID RIGHT OF WAY OF U.S. ROUTE 17, THENCE ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 11 DEGREES 00 MINUTES 11.11 SECONDS, A RADIUS OF 100.00 FEET, TO A POINT, THENCE ALONG SAID RIGHT OF WAY OF U.S. ROUTE 17, THENCE ALONG SAID RIGHT OF WAY ALONG A CHORD HAVING A LENGTH OF 24.66 FEET AND A CHORD BEARING OF SOUTH 47 DEGREES 40 MINUTES 02 SECONDS EAST TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 11795 ACRES.

ACREAGE TABLE

42719 ACRES PART OF TM 844 53	11795 ACRES PART OF TM 844 53A
401783 ACRES PART OF TM 844 53A	11795 ACRES "MURPHY EXPRESS CONDITIONAL USE PERMIT(CUP) AREA"

BEARING	ANGLE	LENGTH	PERCENTAGE	LENGTH
S 64°17'25" E	116.37	116.37	100.00	116.37
S 64°17'25" E	116.37	116.37	100.00	116.37
S 64°17'25" E	116.37	116.37	100.00	116.37
S 64°17'25" E	116.37	116.37	100.00	116.37
S 64°17'25" E	116.37	116.37	100.00	116.37
S 64°17'25" E	116.37	116.37	100.00	116.37
S 64°17'25" E	116.37	116.37	100.00	116.37
S 64°17'25" E	116.37	116.37	100.00	116.37
S 64°17'25" E	116.37	116.37	100.00	116.37
S 64°17'25" E	116.37	116.37	100.00	116.37

- LEGEND
- W WATER VALVE
 - OH-C OVERHEAD ELECTRIC
 - T- UNDERGROUND TELEPHONE
 - V- WATERLINE
 - FENCE
 - E-E- EXISTING PROPERTY LINE
 - PROPOSED PROPERTY LINE



REVISED 5/05/2016
 CONDITIONAL USE PERMIT
 AREA CHANGED

Impact Statement
Murphy Express
Proffer Amendment (Tax Map Parcels 44-51A, 44-53, 44-53A, part and 44-54A, part)
Conditional Use Permit (Tax Map Parcels 44-53, 44-53A, part and 44-54A, part)
August 9, 2016

This is an application for a Proffer Amendment for four (4) undeveloped parcels that are zoned B-2, as well as an application for a conditional use permit for a Murphy Express fuel sales use with a convenience store on three (3) of the four (4) parcels.

The proposed proffer amendment amends proffers approved on January 4, 2005 (Ordinance 05-08) which imposed architectural and transportation proffers on Tax Map Parcel 44-53. The proposed proffer amendment also amends proffers approved on May 19, 1998 (Ordinance 098-34) on Tax Map Parcels 44-51A, 44-53A, and 54A which excluded convenience stores, vehicle fuel sales (gas stations), and fast food restaurants as uses. The current proffer amendment consolidates and amends the proffers approved in Ordinance 05-08 and Ordinance 098-34 for Tax Map Parcels 44-51A, 44-53, 44-53A, and 44-54A. The proposed proffers allow convenience stores, vehicle fuel sales, and fast food restaurants as by-right uses and include transportation and architectural proffers that are applicable to these parcels.

The proposed GDP being submitted for the proffer amendment shows a Murphy Express vehicle fuel sales use with 16 fueling positions and a 1,200 square foot convenience store. The GDP also shows a second commercial building to be built as a later phase. The future use is not known, but for transportation analysis it is assumed to be a 3,300 square foot fast food restaurant with a drive through. No conditional use permit application is being submitted for this second use at this time. The traffic study submitted as a part of the proffer amendment (discussed more fully below) calculates all traffic resulting from all uses on the site. The concurrently filed application for a Conditional Use Permit applies only to the fuel sales use with a convenience store.

The Property is located on the southern side of Warrenton Road, near its intersection with Cardinal Forest Drive. Commercial development is consistent with the Comprehensive Plan's Suburban designation of this Property.

1. Capacity Impact

A.) Highway - The Property has two entrances on Warrenton Road: a full entrance that will serve as the fourth leg of the Warrenton Road/Cardinal Forest intersection, shared by Murphy Express and the proposed by-right grocery on the adjoining parcel to the west, and a right-in/right-out entrance identified as the Holly Haven Road Extension. In addition, the Applicant has designed inter-parcel connections to adjacent parcels. Warrenton Road is a four lane east-west undivided highway. The latest (2014) VDOT posted daily traffic volume is 39,000 ADT.

A traffic study prepared by Kimley Horn dated March 30, 2016, and revised May 10, 2016, has evaluated the impact of the traffic generated by the Murphy Express fuel sales use (with a convenience store) and the second commercial use, and has determined that there is little impact on the two Warrenton Road intersections from the convenience store traffic. The

study finds that the fuel sales use (with a convenience store with gas pumps) generates 163 AM peak hour trips, 263 PM peak hour trips, and 316 SAT peak hour trips, but that the LOS of the intersection will remain at or above LOS C for all movements with optimization of the signal timing. Assuming a 3,300 square foot fast food restaurant is constructed with a drive through, additional traffic will be generated in the amount of 150 AM peak hour trips, 108 PM peak hour trips, and 195 SAT peak hour trips. When the fast food restaurant is constructed, the northbound left-turn lane on Warrenton Road will need additional storage length, and should be extended to have a maximum extended storage length of 460 feet in order to accommodate anticipated additional queuing in the midday Saturday peak hour. Development of less intensive uses may justify construction of an extended storage length of less than 460 feet. The Applicant has proffered to construct these improvements.

In the event that the applications are denied, commercial development will still be permitted on the Property. The amount of traffic may vary slightly depending on the ultimate user.

B.) Utility Impact - This project shall be served by public water and sewer along Warrenton Road. The Property is within the Urban Services Area. There is sufficient pressure and capacity to serve the proposed project. Fire protection will also be provided for the project along with the domestic water demand.

Water: The anticipated water demand for the Property is as follows:

Commercial: $2.47 \text{ acres} \times 2,000 \text{ gpd/ac.} = 4,940 \text{ gpd}$

The anticipated water demand would not change if the conditional use permit is not approved.

Sewer: This project is located in the Rocky Pen Run Sewer Shed. The treatment facility serving this area has adequate capacity for this project. The anticipated sewage demands for the project are as follows:

$2.47 \text{ acres commercial} \times 2,000 \text{ gpd/ac.} = 4,940 \text{ gpd}$

The anticipated sewer demand would not change if the conditional use permit is not approved.

C.) Schools/Recreational Facilities –

Proposed: Commercial development of this Property would not generate demand for schools or recreational services.

Current: Commercial development of this Property would not generate demand for schools or recreational services.

D.) Storm Drainage – The Property will utilize BMPs.

2. Comprehensive Plan and Zoning Ordinance Consistency

A. Comprehensive Plan: The Property is designated Suburban in the Comprehensive Plan.

B. Zoning Ordinance: The Property is currently zoned B-2. The Property is within the Highway Corridor Overlay District (HCOD).

C. HCOD Access and Internal Circulation Plan: The access and internal circulation plan will be submitted at site plan, based on the final location of buildings on site. There are inter-parcel connections proffered and shown on the GDP.

3. Environmental Impacts – None identified.

4. Historic Resources, Cemeteries, and Endangered Species - None identified.

5. Fiscal Impacts - Continuing Annual Revenues

Development of the 2.47-acre parcel with a vehicle fueling station, convenience store, and fast food restaurant would yield the following continuing annual revenues in the form of real property, business property, meals, and sales tax based on an appraised value of \$2,225,000 per acre.

$$\begin{array}{rcl} \text{Real Estate Tax} & \frac{\$2,225,000 \times \$0.99 \times 2.47 \text{ acres}}{\$100.00} & = \$54,407.90 \end{array}$$

Business Property – In addition, the following business property tax will be generated:

$$\frac{4,500 \text{ sq. ft.} \times \$25 \text{ sq. ft.} \times \$5.49 \times 40\%}{\$100.00} = \$2,470.50$$

Total: \$56,878.40

If the conditional use permit is not approved, other commercial development may be developed on this Property. Valuation would not likely change.

6. Adjacent Properties - This project is on the south side of Warrenton Road. Adjacent parcels on either side of the front of the Property are zoned B-2. The parcels on the other side of Warrenton Road are zoned B-2 and A-1. The Holly Haven swim club is located to the rear of the Property and is zoned A-2.

7. Noise, Dust and Smoke Impacts – This project will not provide any adverse impacts to users or adjacent property owners from noise, dust, and smoke.

8. Architectural Design – Proffers commit to architectural design standards. Renderings of the proposed canopy and signage designs of the fuel station, and the architectural design of the convenience store, are attached to the GDP.

**CONDITIONAL USE PERMIT
TRANSPORTATION IMPACT
ANALYSIS DETERMINATION**

Name of development Murphy Oil
Type of development Gas Station with Convenience Market
Parcel # 44 53, 44 53A, 44 54A

RECEIVED BUT NOT OFFICIALLY SUBMITTED DATE: _____ INITIALS _____
OFFICIALLY SUBMITTED DATE: _____ INITIALS _____

Traffic Volume Calculations

This site generates:

- 118 VPH (insert the highest VPH)
- 2,604 VPD on state controlled highways (insert highest volume).
- 163 Peak AM (VPH)
- 216 Peak PM (VPH)
- 303 Peak Saturday (VPH)
- 2604 VPD highest intensity*

*** Attach a page showing the calculations and the ITE trip generation codes to this form.***

Minimum Thresholds to submit a TIA

Any proposal that generates 150 or more vehicle trips per day above the existing use, and the site meets the VDOT requirements for TIAs under 24 VAC 30-155 or Stafford County Rezoning TIA requirements. See "VDOT Traffic Impact Analysis Requirements" table on next page.

Trip Generation Calculation Guidelines

- Traffic volumes shall be based on the rates or equations published in the latest edition of the Institute of Transportation Engineers Trip Generation.
- If a site has multiple entrances to highways, volumes on all entrances shall be combined for the purposes of this determination.
- If the site does not have direct access to a state maintained road, the site's connection is where the site connects to the state highway system.
- Traffic volumes shall NOT be reduced through internal capture rates, pass by rates, or any other reduction methods.
- For redevelopment sites only: when the existing use is to be developed at a higher intensity, trips currently generated by the existing development that will be removed may be deducted from the total trips that will be generated by the proposed land use.
- When rezoning, use the highest possible traffic generating use unless development is limited by proffer to less than the possible highest traffic generation.

For development proposals that generate 1000 or more vehicle trips per peak hour the applicant shall request a scope of work meeting with VDOT and Stafford County Office of Transportation to discuss the required elements of a traffic impact analysis.

*The highest intensity use is the highest possible use allowable under the zoning requirements for the entire property should it be developed to its fullest extent possible under the current building guidelines. The only exception is if proffers limit the area and type of uses.

Table 1: Proposed Site Trip Generation: Murphy Express – Warrenton Road										
Land Use	AM			PM			SAT			Daily
	In	Out	Total	In	Out	Total	In	Out	Total	Total
16 Fueling Position Gasoline Station with Convenience Market – LU Code 945 ¹	82	81	163	108	108	216	152	151	303	2,604
Internal Capture (5%)	-4	-4	-8	-5	-6	-11	-8	-7	-15	
Subtotal	78	77	155	103	102	205	144	144	288	
Pass-By Trips (AM – 62%, PM – 56%, SAT – 59%)	-48	-48	-96	-58	-57	-115	-85	-85	-170	
Total Gasoline Station with Convenience Market Site Generated Primary Trips	30	29	59	45	45	90	59	59	118	
3,300 SF Fast-Food Restaurant with Drive-Through – LU Code 934 ³	76	74	150	56	52	108	99	96	195	1,637
Internal Capture (5%)	-4	-4	-8	-3	-2	-5	-5	-5	-10	
Subtotal	72	70	142	53	50	103	94	91	185	
Pass-By Trips (AM – 49%, PM – 50%, SAT – 49%)	-35	-35	-70	-26	-26	-52	-45	-46	-91	
Total Fast-Food Restaurant with Drive-Through Site Generated Primary Trips	37	35	72	27	24	51	49	45	94	
Total Site Generated Trips before Pass-by Adjustment	150	147	297	156	152	308	238	235	473	
Total Site Generated Primary Trips	67	64	131	72	69	141	108	104	212	4,241

Application	Existing Zoning	Permitted Use	Area	FAR ¹	GSF
CUP - Gas Station with Convenience Market	B-2 Commercial Business	Medium Intensity Commercial Retail	1.4	0.22	13416
Reclassification - Gas Station with Convenience Market and Fast Food Restaurant	B-2 Commercial Business	Medium Intensity Commercial Retail	2.73	0.22	26162

¹ Assume maximum retail FAR with surface parking is 0.22.

Table 2: VPD Highest Intensity (CUP)										
Land Use	AM			PM			SAT			Daily
	In	Out	Total	In	Out	Total	In	Out	Total	Total
13,416 SF Shopping Center – LU Code 820	8	5	13	75	81	156	123	114	237	1840
Pass-By Trips (PM – 34%, SAT – 34%)				-26	-28	-53	-64	-39	-103	
Total Retail Site Generated Primary Trips	8	5	13	49	53	103	59	75	134	1840

Table 3: VPD Highest Intensity (Rezoning)										
Land Use	AM			PM			SAT			Daily
	In	Out	Total	In	Out	Total	In	Out	Total	Total
26,162 SF Shopping Center – LU Code 820	16	9	25	117	127	244	190	176	366	2841
Pass-By Trips (PM – 34%, SAT – 34%)				-40	-43	-83	-64	-60	-124	
Total Retail Site Generated Primary Trips	16	9	25	77	84	161	126	116	242	2841