

# 200 and 400 City Hall Avenue Poquoson, Virginia For Sale



**FOR ADDITIONAL INFORMATION, PLEASE CONTACT:**

**Campana Waltz Commercial Real Estate, LLC**

**Tom Waltz**

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Newport News, Virginia 23606

757.327.0333

[Tom@CampanaWaltz.com](mailto:Tom@CampanaWaltz.com)

[www.CampanaWaltz.com](http://www.CampanaWaltz.com)

*This information was obtained from sources deemed to be reliable but is not warranted.*

*This offer subject to errors and omissions, or withdrawal, without notice.*



**FOR SALE**  
**City Hall Professional Park**  
**200 & 400 City Hall Avenue**  
**Poquoson, Virginia**

**Location:** 200 and 400 City Hall Avenue (close proximity to Poquoson City Hall)

**Description:** Beautiful brick office buildings for sale as a package or can be sold separately. Ideal for investor, medical practice or owner / user.

**Land Area:** 1.06 Acres

**Square Footage:** Building 200: 7,032 square feet  
Building 400: 6,617 square feet  
Total: 13,649 square feet

**Built:** 2007

**Sales Price:** \$1,700,000.00 for both buildings  
Or  
\$895,000.00 each

**Parking:** Ample

**Zoning:** VC: Village Commercial. Multiple uses allowed by right are attached in the marketing package.

**General Information:**

- Rare opportunity to own one of the nicest office complexes in Poquoson, Virginia
- Well established area
- Surrounded by numerous retailers and solid residential neighborhoods
- Proforma NOI \$133,055.00
  - Current gross income approximately \$86,000.00

- Call agent for specific income / expense information
- Available suites work very well for a variety of professional business uses

**Also included:**

- Aerial Maps
- Site Plan
- Floor Plans
- Location Map
- 5 and 10 minute Demographics

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# City Hall Professional Park

## PROFORMA EXPENSE: Estimate

Utilities	\$3,500.00
Landscaping & mowing	\$3,600.00
Trash removal (dumpster)	\$1,200.00
Real Estate Taxes	\$16,341.00
Hazard & Other Insurance	\$6,306.00
Repairs & Supplies	\$5,000.00
Real Estate Commissions	\$5,300.00
Total Expenses	<u>\$41,247.00</u>

## NOI Calculation:

Gross Income	\$174,302.65
Expenses	<u>-\$41,247.00</u>
	<u>\$133,055.65</u>

at 8% CAP	\$1,663,195.63
at 8.5% CAP	\$1,565,360.29
at 9% CAP	\$1,478,396.11
at 9.5% CAP	\$1,400,585.79

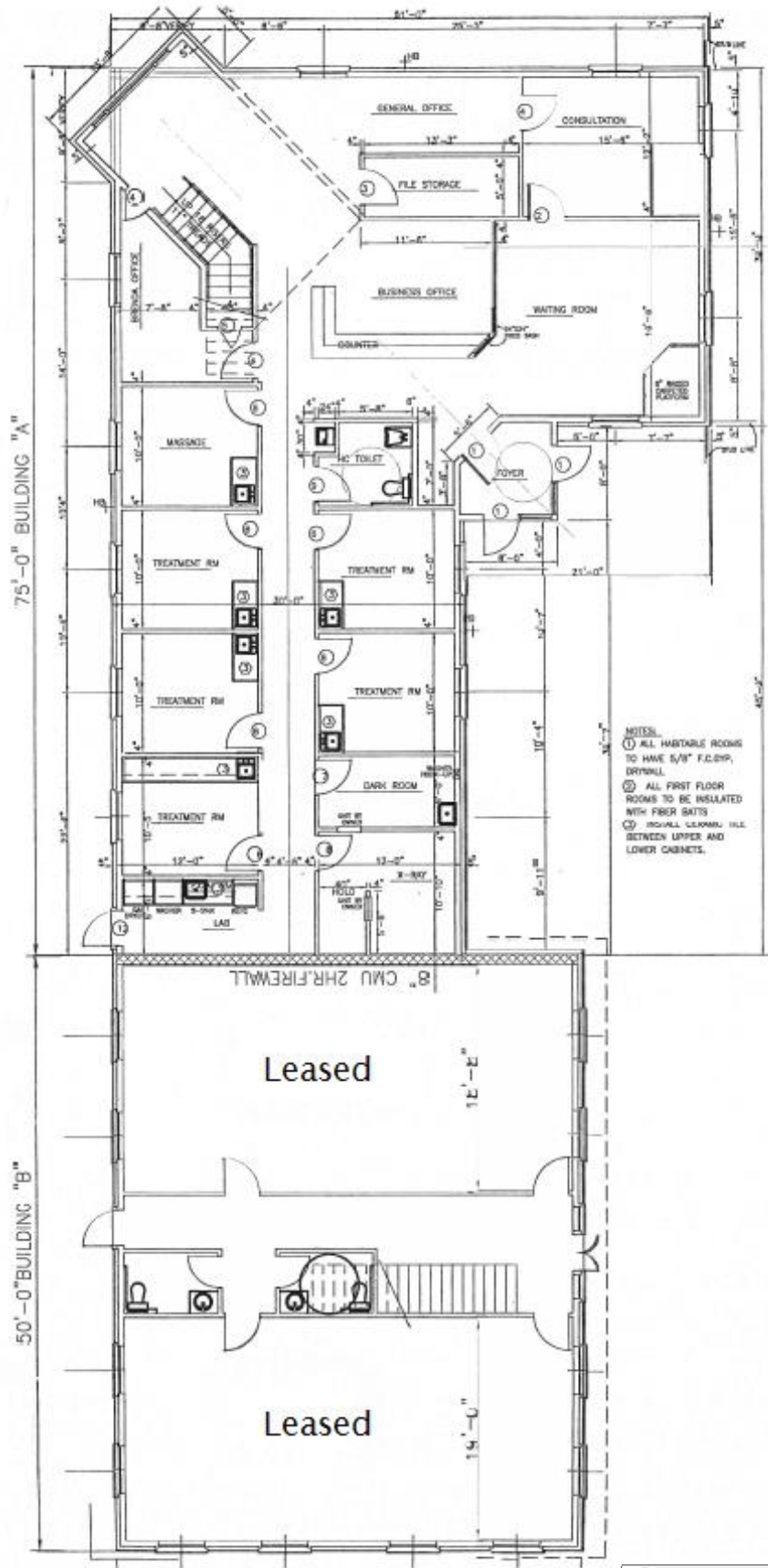
## Replacement Cost Calculation:

13,649 SF x \$140.00 / SF =	\$1,910,860.00
13,649 SF x \$125.00 / SF =	\$1,706,125.00
13,649 SF x \$115.00 / SF =	\$1,569,635.00

*This data is provided without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses the enclosed information assumes all risk for the inaccuracy thereof, as Campana Waltz expressly disclaims any liability for loss or damage arising from the use of said information by any third party.*

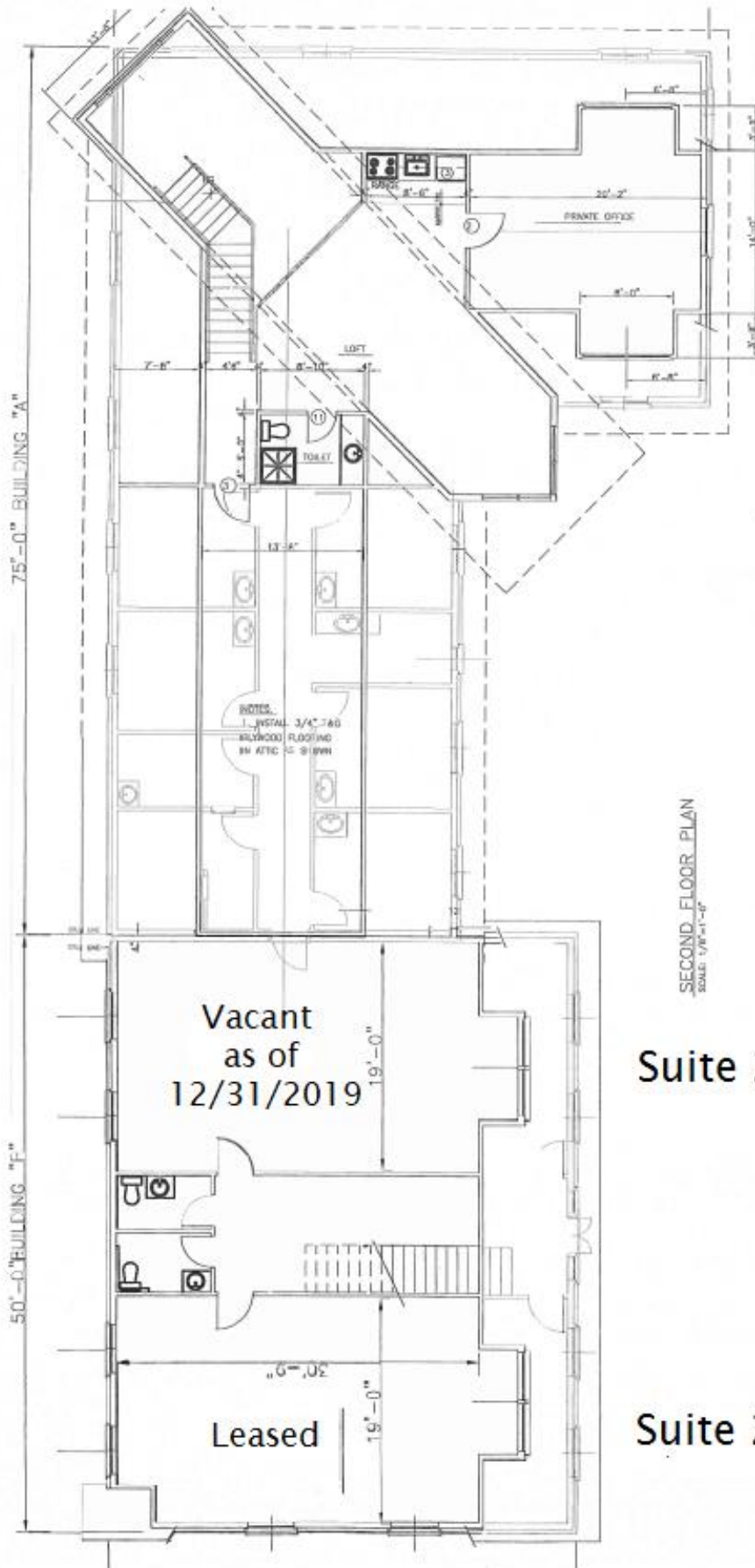
200 City Hall Avenue

1st Floor  
of  
Suite 200 A  
Available



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**Campana  
Waltz**  
Commercial Real Estate, LLC



200 City Hall Avenue

2nd Floor

2nd Floor of Suite 200 A

Available

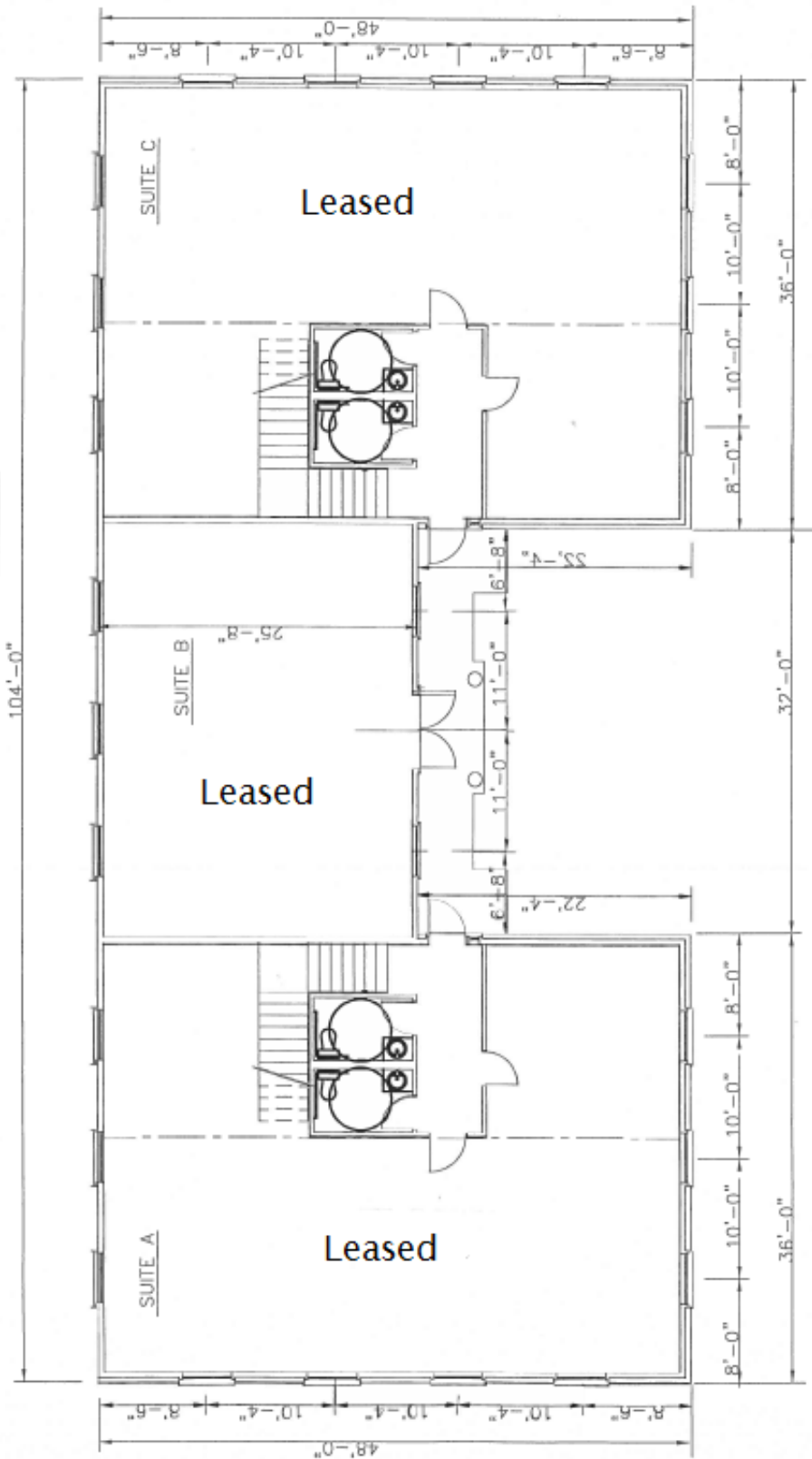
Suite 200 D

Suite 200 E

SECOND FLOOR PLAN  
SCALE: 1/8"=1'-0"

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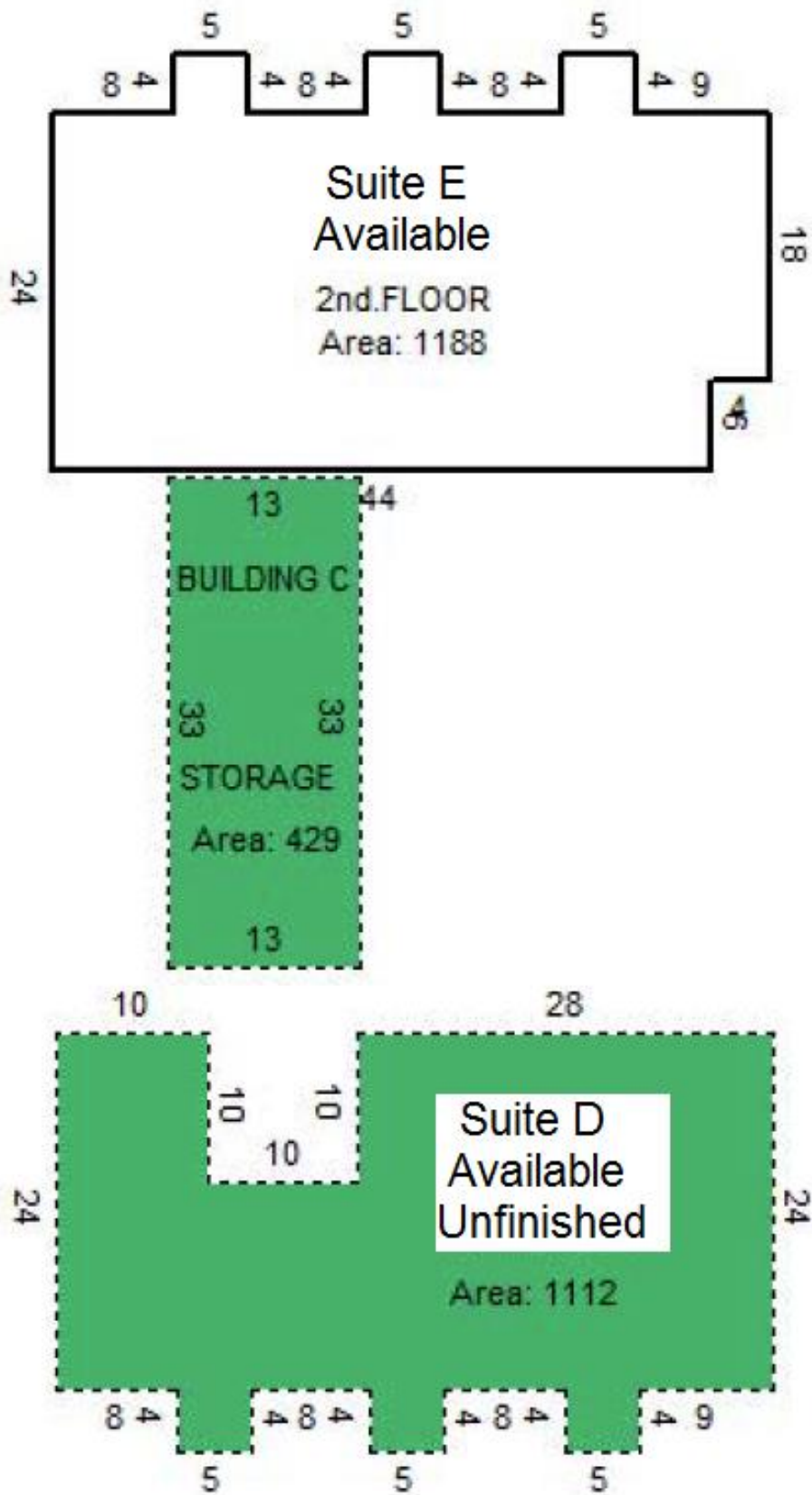
400 City Hall Avenue  
1st Floor

FLOOR PLAN BLDG.C

SCALE: 1/8"=1'-0"

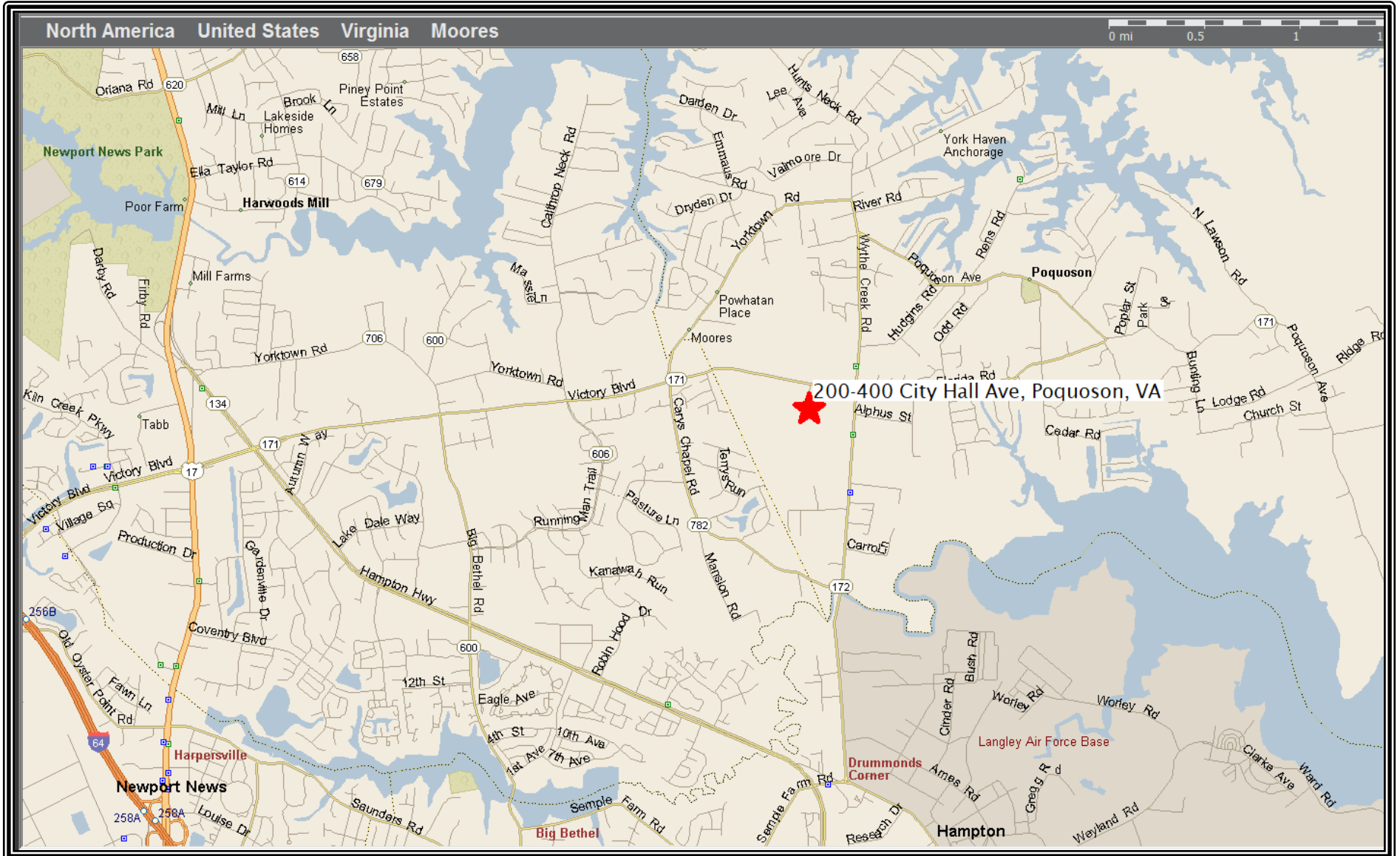
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# 200 and 400 City Hall Avenue Poquoson, Virginia



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# Demographic and Income Profile

200 City Hall Ave, Poquoson, Virginia, 23662 3  
 200 City Hall Ave, Poquoson, Virginia, 23662  
 Drive Time: 5 minute radius

Prepared by Janice Lewis, CCIM  
 Latitude: 37.12398  
 Longitude: -76.39645

Summary	Census 2010	2018	2023
Population	10,493	10,749	10,925
Households	3,813	3,912	3,971
Families	3,036	3,097	3,139
Average Household Size	2.74	2.73	2.74
Owner Occupied Housing Units	3,074	3,068	3,141
Renter Occupied Housing Units	739	844	830
Median Age	43.4	45.9	46.9
Trends: 2018 - 2023 Annual Rate	Area	State	National
Population	0.33%	0.83%	0.83%
Households	0.30%	0.78%	0.79%
Families	0.27%	0.70%	0.71%
Owner HHs	0.47%	1.08%	1.16%
Median Household Income	1.35%	2.81%	2.50%

Households by Income	2018		2023	
	Number	Percent	Number	Percent
<\$15,000	146	3.7%	123	3.1%
\$15,000 - \$24,999	203	5.2%	171	4.3%
\$25,000 - \$34,999	180	4.6%	154	3.9%
\$35,000 - \$49,999	344	8.8%	303	7.6%
\$50,000 - \$74,999	581	14.9%	537	13.5%
\$75,000 - \$99,999	483	12.3%	476	12.0%
\$100,000 - \$149,999	899	23.0%	972	24.5%
\$150,000 - \$199,999	541	13.8%	576	14.5%
\$200,000+	536	13.7%	659	16.6%
Median Household Income	\$100,665		\$107,666	
Average Household Income	\$120,417		\$137,412	
Per Capita Income	\$44,782		\$51,044	

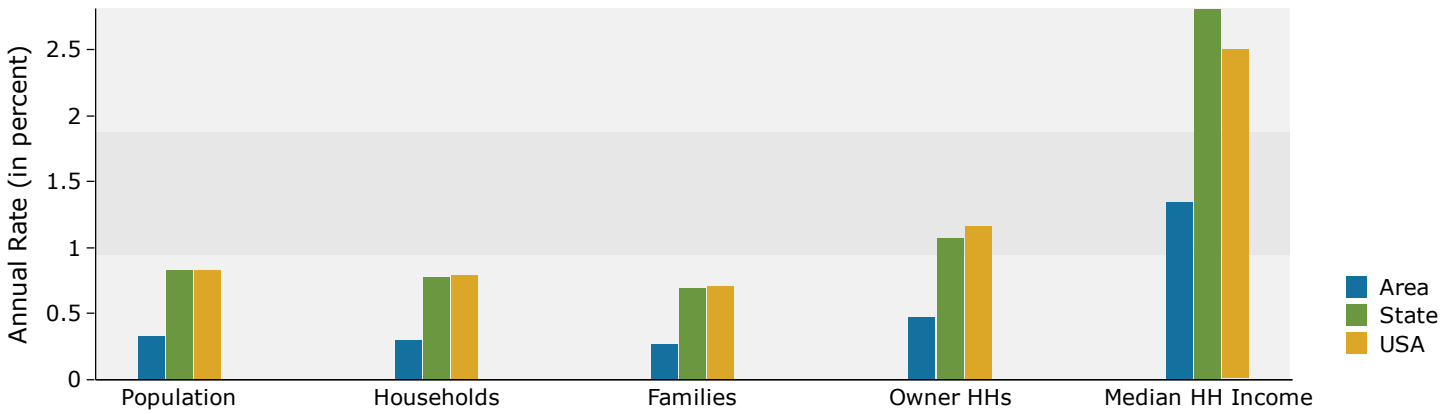
Population by Age	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	443	4.2%	419	3.9%	430	3.9%
5 - 9	654	6.2%	521	4.8%	500	4.6%
10 - 14	870	8.3%	704	6.5%	617	5.6%
15 - 19	935	8.9%	764	7.1%	661	6.1%
20 - 24	486	4.6%	618	5.7%	533	4.9%
25 - 34	791	7.5%	1,093	10.2%	1,225	11.2%
35 - 44	1,317	12.6%	1,118	10.4%	1,251	11.5%
45 - 54	2,134	20.3%	1,683	15.7%	1,423	13.0%
55 - 64	1,447	13.8%	1,836	17.1%	1,828	16.7%
65 - 74	856	8.2%	1,231	11.5%	1,452	13.3%
75 - 84	406	3.9%	571	5.3%	772	7.1%
85+	153	1.5%	191	1.8%	231	2.1%

Race and Ethnicity	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
White Alone	9,200	87.7%	9,163	85.2%	9,211	84.3%
Black Alone	569	5.4%	639	5.9%	657	6.0%
American Indian Alone	33	0.3%	39	0.4%	40	0.4%
Asian Alone	366	3.5%	430	4.0%	476	4.4%
Pacific Islander Alone	6	0.1%	10	0.1%	12	0.1%
Some Other Race Alone	61	0.6%	90	0.8%	105	1.0%
Two or More Races	258	2.5%	380	3.5%	424	3.9%
Hispanic Origin (Any Race)	257	2.4%	406	3.8%	499	4.6%

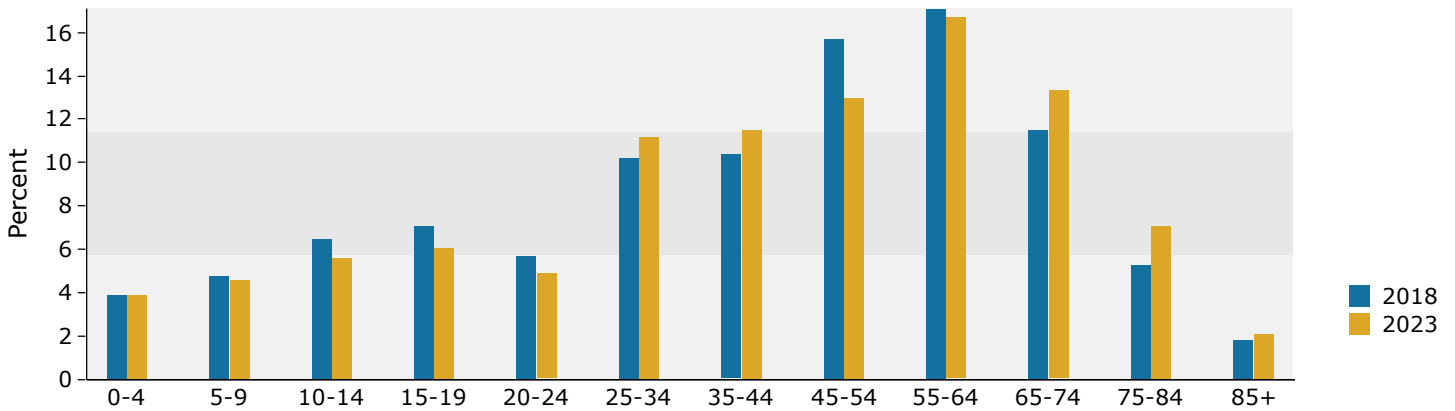
**Data Note:** Income is expressed in current dollars.

**Source:** U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023.

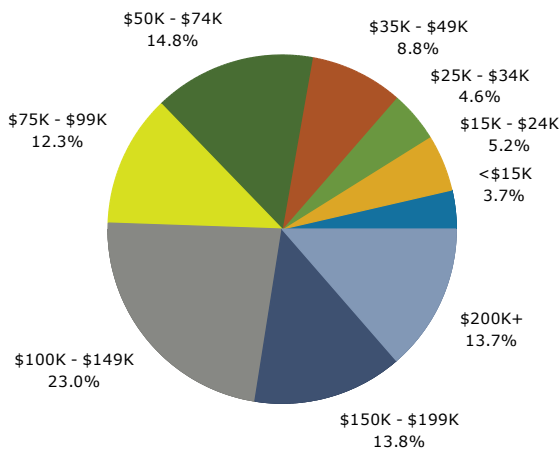
## Trends 2018-2023



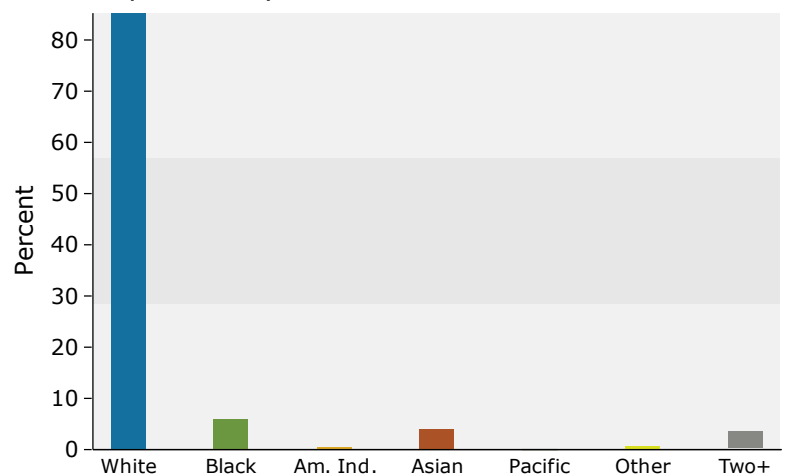
## Population by Age



## 2018 Household Income



## 2018 Population by Race



2018 Percent Hispanic Origin: 3.8%



# Demographic and Income Profile

200 City Hall Ave, Poquoson, Virginia, 23662 3  
 200 City Hall Ave, Poquoson, Virginia, 23662  
 Drive Time: 10 minute radius

Prepared by Janice Lewis, CCIM  
 Latitude: 37.12398  
 Longitude: -76.39645

Summary	Census 2010	2018	2023
Population	43,821	45,622	46,596
Households	16,159	16,892	17,251
Families	12,320	12,789	13,034
Average Household Size	2.69	2.67	2.68
Owner Occupied Housing Units	10,323	10,135	10,468
Renter Occupied Housing Units	5,836	6,757	6,784
Median Age	34.8	36.0	37.1
Trends: 2018 - 2023 Annual Rate	Area	State	National
Population	0.42%	0.83%	0.83%
Households	0.42%	0.78%	0.79%
Families	0.38%	0.70%	0.71%
Owner HHs	0.65%	1.08%	1.16%
Median Household Income	2.40%	2.81%	2.50%

Households by Income	2018		2023	
	Number	Percent	Number	Percent
<\$15,000	728	4.3%	605	3.5%
\$15,000 - \$24,999	847	5.0%	712	4.1%
\$25,000 - \$34,999	1,197	7.1%	1,033	6.0%
\$35,000 - \$49,999	1,897	11.2%	1,701	9.9%
\$50,000 - \$74,999	3,096	18.3%	2,940	17.0%
\$75,000 - \$99,999	2,244	13.3%	2,292	13.3%
\$100,000 - \$149,999	3,415	20.2%	3,849	22.3%
\$150,000 - \$199,999	1,925	11.4%	2,128	12.3%
\$200,000+	1,544	9.1%	1,992	11.5%
Median Household Income	\$81,175		\$91,379	
Average Household Income	\$102,593		\$118,121	
Per Capita Income	\$38,009		\$43,718	

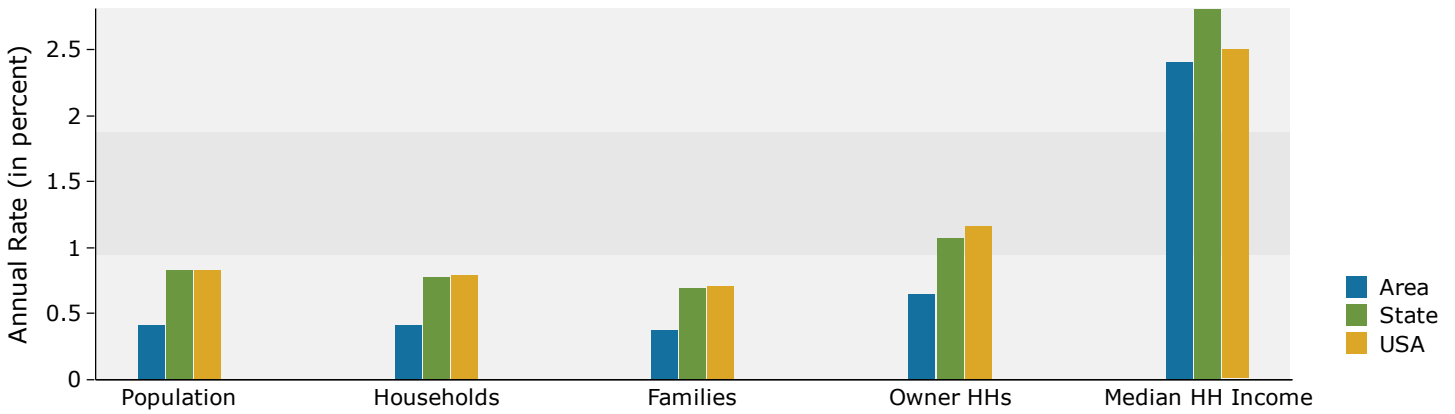
Population by Age	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	2,987	6.8%	2,875	6.3%	2,961	6.4%
5 - 9	3,243	7.4%	3,031	6.6%	2,974	6.4%
10 - 14	3,479	7.9%	3,203	7.0%	3,022	6.5%
15 - 19	3,516	8.0%	3,020	6.6%	2,860	6.1%
20 - 24	3,303	7.5%	3,227	7.1%	2,987	6.4%
25 - 34	5,457	12.5%	6,918	15.2%	7,064	15.2%
35 - 44	5,743	13.1%	5,410	11.9%	6,298	13.5%
45 - 54	7,331	16.7%	6,058	13.3%	5,266	11.3%
55 - 64	4,727	10.8%	5,959	13.1%	5,851	12.6%
65 - 74	2,508	5.7%	3,801	8.3%	4,500	9.7%
75 - 84	1,158	2.6%	1,620	3.6%	2,199	4.7%
85+	367	0.8%	499	1.1%	612	1.3%

Race and Ethnicity	Census 2010		2018		2023	
	Number	Percent	Number	Percent	Number	Percent
White Alone	31,537	72.0%	31,556	69.2%	31,491	67.6%
Black Alone	7,581	17.3%	8,030	17.6%	8,136	17.5%
American Indian Alone	171	0.4%	196	0.4%	205	0.4%
Asian Alone	2,231	5.1%	2,695	5.9%	3,058	6.6%
Pacific Islander Alone	57	0.1%	101	0.2%	125	0.3%
Some Other Race Alone	590	1.3%	835	1.8%	1,028	2.2%
Two or More Races	1,653	3.8%	2,209	4.8%	2,552	5.5%
Hispanic Origin (Any Race)	1,997	4.6%	3,050	6.7%	3,863	8.3%

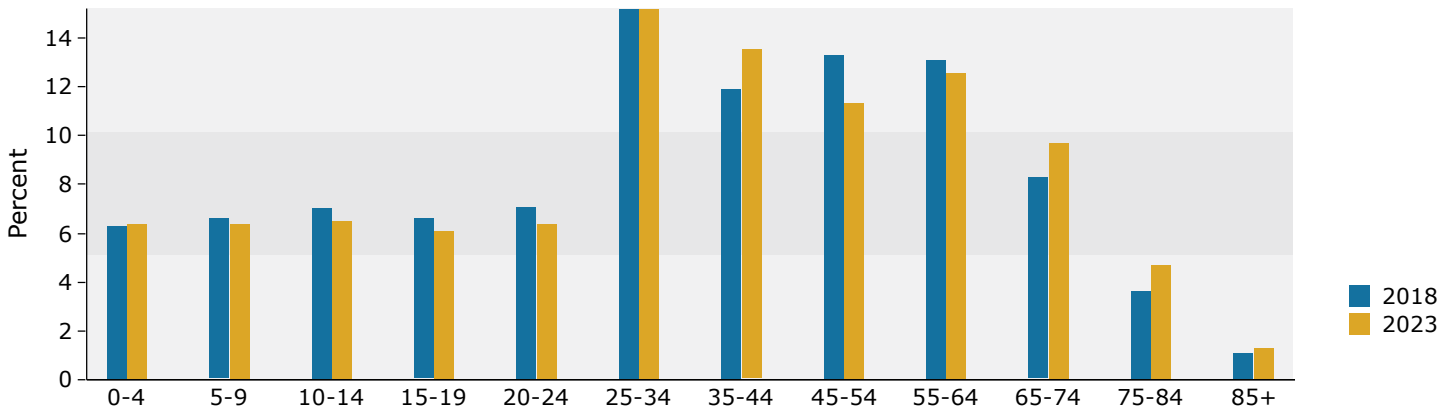
**Data Note:** Income is expressed in current dollars.

**Source:** U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023.

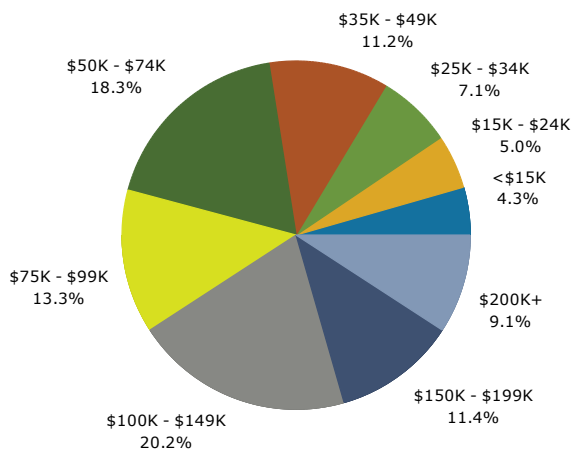
## Trends 2018-2023



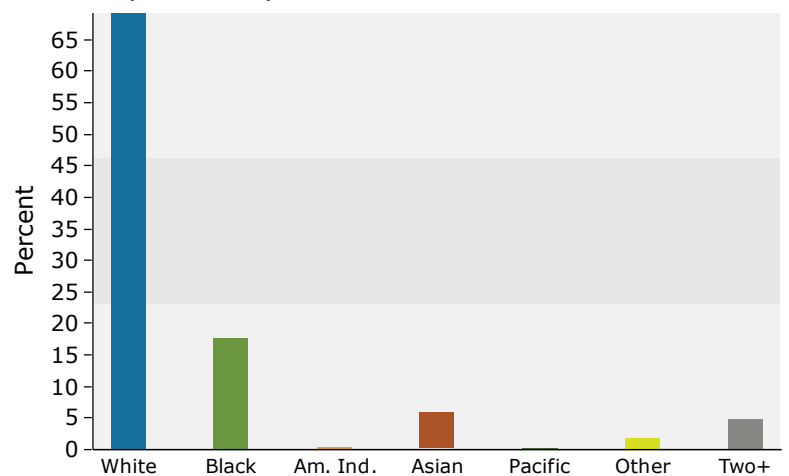
## Population by Age



## 2018 Household Income



## 2018 Population by Race



2018 Percent Hispanic Origin: 6.7%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2018 and 2023.

ARTICLE XI. - VILLAGE COMMERCIAL DISTRICT<sup>[6]</sup>

## Section 11-1. - Purpose and intent of the district.

This district is intended to encourage the establishment of a village center by permitting a variety of commercial, office and residential uses in order to create a center of business and economic activity consistent with the locational advantage and prominence inherent in the Big Woods. Furthermore it is the intent of this article to:

- (1) Encourage commercial and office uses that do not attract large volumes of traffic and continuous customer turnover.
- (2) Limit and discourage development of strip-type, highway-oriented commercial uses that create traffic hazards and congestion because they require numerous individual curb cuts and generate higher traffic volumes.
- (3) Minimize the visual and functional conflicts between residential and nonresidential uses within and abutting the district.
- (4) Encourage consolidation of curb cuts, driveways and parking areas for vehicular access and promote more efficient and economical parking facilities.
- (5) Promote development that minimizes land disturbance and incorporates compact efficient design.
  - (6) Create a pedestrian-friendly environment through the incorporation of sidewalks, bikeways, street-trees, and street furniture.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011; Ord. No. 1517, § 1, 2-9-2015)

## Section 11-2. - Permitted uses.

Permitted uses in the village commercial district shall be limited to the following:

- (1) *Professional offices.* Offices for lawyers, engineers, architects, accountants, doctors, dentists, chiropractors, government and other similar professional businesses.
- (2) *Retail specialty shops.* Sale of gifts, antiques, flowers and plants, books, jewelry, pharmaceuticals, housewares, hardware, wearing apparel, tobacco and related supplies, or craft shops making articles exclusively for sale for retail on the premises. Retail sale and repair of jewelry, clocks, optical goods, cameras and their accessories.
- (3) *Eateries.* Restaurants without drive-through facilities, bakeries, confectioneries, coffee houses, cafes, bars and delis.
- (4) *Personal service shops.* Barbershops and/or hairdresser, shoe repair, tailor and similar services.
  - (5) *Studios.* Studios for dance, music photography and/or art, including exercise facilities that do not require court areas for sports activities.
- (6) *Financial institutions.*
  - (7) *Theaters.* Theaters for the performing arts, and movie theaters with no more than 200 seats.
  - (8) *Community recreational facilities.*
  - (9) *Residential within a mixed use structure.* Dwellings above the ground floor, secondary to primary commercial and office uses. Residential uses shall be limited to no more than one floor above the ground floor.
- (10) *Residential separate from commercial, office and/or mixed use structures.* Single family dwellings, two-family dwellings, townhouse dwellings and multi-family dwellings are permitted separate from commercial, office

and/or mixed use structures provided they do not exceed one-half (50 percent) of the entire square footage of a development.

- a. When a separation of uses is proposed in accordance with section 11-2(10), the developer must construct all required infrastructure, to include ingress/egress, stormwater features and all necessary utilities, prior to the issuance of any certificate of occupancy for buildings on the site.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1103, § 1(11-2), 4-9-2001; Ord. No. 1405, § 1, 10-11-2011; Ord. No. 1517, § 1, 2-9-2015)

#### Section 11-3. - Conditional uses.

1. The city council may approve a use as a conditional use upon consideration of but not limited to the following standards and criteria:
  - a. All traffic impacts shall be mitigated at the expense of the developer as deemed necessary by the city manager or his/her designee.
  - b. The proposed use will not conflict in architectural scale or style to existing development in the district.
    - c. Minimal visual and functional conflict will be created between the proposed use and nearby uses.
  - d. Anticipated noise and congestion created by the use will be comparable to the levels created by other permitted uses in this district.
2. The following uses shall be permitted upon the approval of a conditional use permit issued by city council:
  - a. Residential within a mixed use structure. Dwellings above the second floor and subsequent floors as a primary use, provided that the ground floor consists of permitted commercial and/or office uses.
  - b. Residential separate from commercial, office and/or mixed use structures. Single family dwellings, two-family dwellings, townhouse dwellings and multi-family dwellings are permitted separate from commercial, office and/or mixed use structures provided they do not exceed two-thirds of the entire square footage of a development.
    - i. When a separation of uses is proposed in accordance with section 11-3.2b, the developer must construct all required infrastructure, to include ingress/egress, stormwater features and all necessary utilities, prior to the issuance of any certificate of occupancy for buildings on the site.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011; Ord. No. 1517, § 1, 2-9-2015)

#### Section 11-4. - Prohibited uses.

In support of the general intent of this article, the following uses are prohibited:

- (1) Outdoor places of amusement, such as but not limited to arcades and miniature golf.
- (2) Automobile or other vehicle sales, service and/or repair agencies.
- (3) Gasoline service/filling stations.
- (4) Car washes.
- (5) Building supplies and bulk storage.
- (6) Rental storage facilities (mini-warehouse).
- (7) Uses requiring outdoor sales and storage areas, except garden shops/nursery stock, when placed to the rear or side of buildings.

(8) Palmists, tattoo parlors, massage parlors, adult bookstores and other adult entertainment businesses.

(9) Uses of similar nature to the uses listed in subsections (1) through (8) above.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1103, § 2(11-4), 4-9-2001; Ord. No. 1405, § 1, 10-11-2011; Ord. No. 1517, § 1, 2-9-2015)

#### Section 11-5. - Lot dimensional standards.

The following standards shall govern all uses, subdivision and land development within the village commercial district:

(1) No minimum lot size.

(2) No minimum lot width.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011; Ord. No. 1517, § 1, 2-9-2015)

#### Sec. 11-5.1. - Setbacks requirements for standalone residential uses.

(a) *Front.* Single family dwellings, two-family dwellings and townhouse dwellings in this district shall be located from any street or right-of-way in accordance with the following provisions:

(1) Buildings with a front loading garage or front located driveway shall maintain a 20-foot distance from any street or right-of-way.

(2) Buildings with no front garage, no front driveway or those with a rear loading garage shall maintain a ten-foot distance from any street or right-of-way.

(b) *Side.* The end units of each entire townhome building structure shall have a minimum setback of ten feet or more, and the total width of such two side setbacks shall be 20 feet or more. Single family and two-family dwellings shall maintain a side yard of ten feet.

(1) Buildings with a side loading garage or side located driveway shall maintain a 20-foot distance from any street or right-of-way and the total width of such two side setbacks shall be 40 feet or more.

(c) *Rear.* Buildings shall maintain a rear yard in accordance with the following provisions:

(1) Buildings with no garage, no driveway or those with a front loading garage or driveway shall maintain a rear yard of ten feet when adjacent to the village commercial district. Buildings adjacent to any other district within the city shall maintain a rear yard of 20 feet.

(2) Buildings with rear loading garage or rear located driveway shall maintain a rear yard of 20 feet.

(d) *Green area.* Front and rear yard areas, opposite of building's driveway or garage, shall consist of green and/or landscaped area and be perpetually maintained as such.

(e) *Multifamily dwellings.* Multifamily dwellings that cannot be otherwise categorized as townhomes or two-family dwellings shall be subject to the setback requirements established elsewhere in this article.

(Ord. No. 1517, § 1, 2-9-2015)

#### Section 11-6. - Front yards.

(a) For uses that have direct access from Victory Boulevard such uses shall be set back 75 feet from Victory Boulevard in order to protect the entrance corridor characteristics of the roadway; and to encourage the orientation of such uses toward interior collector roadways. A green area buffer as provided in section 11-1.4(a)(3) must be provided.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 989, § 1, 2-9-1998; Ord. No. 1405, § 1, 10-11-2011; Ord. No. 1468, § 1, 7-8-2013; Ord. No. 1517, § 1, 2-9-2015)

#### Section 11-7. - Side yards and buffer zones.

- (a) Each side yard shall be a minimum of ten feet unless zero lot line development or attached development is used in conformance with the provisions of this article.
- (b) Side yards containing an access driveway shall be a minimum of 30 feet in width and shall contain the following features listed in order, extending from the buildings to the property line:
  - (1) A three-foot planting strip.
  - (2) A three-foot sidewalk.
  - (3) A minimum driveway width of 20 feet.
  - (4) A minimum planting strip four feet wide along the property line.
- (c) When an access driveway is shared by two or more lots, the lots do not need a 30-foot side yard; instead the following standards shall apply:
  - (1) The driveway may be located along or straddling the common boundary of the lots.
    - (2) The driveway shall be a minimum width of 18 feet and shall have a minimum three-foot sidewalk and minimum three-foot planting strip along both sides.
  - (3) When a shared driveway is used, access easements and maintenance agreements shall be provided.
    - (d) A minimum 25-foot buffer area maintained in its natural state must be provided along the right-of-way of Victory Boulevard. If the buffer area includes less than one tree measuring four inches in diameter at breast height per ten feet of linear buffer area, additional mature trees measuring at least six feet tall at the time of planting must be planted by the developer to ensure that there is at least one mature tree per ten linear feet of buffer area.
- (1) Upon the presence of certain environmental features, including, but not limited to, the Chesapeake Bay Resource Protection Area and/or non-tidal wetlands, the city council may, upon the holding of a public hearing before both the city council and the planning commission, consider a reduction of any or all of the above required setbacks on a case by case basis.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011; Ord. No. 1490, § 1, 6-23-2014; Ord. No. 1517, § 1, 2-9-2015)

#### Section 11-8. - Rear yards.

- (a) Each rear yard shall be a minimum of 15 feet.
  - (b) For lots adjoining a residential district a 30-foot landscaped buffer yard shall be established. Any such buffer zone required shall be of such width and length as may be necessary to adequately screen the property involved and be planted with suitable shrubbery, evergreens or trees.
    - (1) All material used for the buffer shall meet the following criteria:
      - a. All evergreen vegetation to be installed shall not be less than five feet in height at the time of planting and shall be of such species that expected height at maturity shall not be less than 15 feet.
      - b. All deciduous materials to be installed shall not be less than eight feet in height and two inches in caliper.
      - c. All plant material which dies shall be replaced by the applicant at his cost.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011; Ord. No. 1517, § 1, 2-9-2015)

#### Section 11-9. - Emergency access and maintenance easement.

For all buildings constructed at or less than ten feet from the property line, a ten-foot emergency access and maintenance easement shall be provided.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011)

Section 11-10. - Zero-lot line development.

In order to promote design efficiency and flexibility, development may be permitted to abut property lines in compliance with the following:

- (1) A building may be located along one, two or three abutting lot lines, may share a party wall with one or two buildings, or it may be an independent, detached structure along one, two or three abutting lot lines.
- (2) For an independent, detached structure, the wall or walls along the property line or lines shall not contain windows, doors, vents or any similar breaks in the wall; and it shall be constructed in a manner which will allow future construction on the abutting lot or lots to share the wall as a party wall.
- (3) For an independent, detached structure to be permitted to be built along a property line, the property owners of both lots shall be required to enter into binding legal arrangements as follows:
  - a. An easement to permit maintenance of the wall from the abutting lot.
  - b. An agreement permitting construction of a future building attached to that wall.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011)

Section 11-11. - Accessory use setback.

No accessory use shall be permitted within the front or side yards except for patio or sidewalk dining areas. The setback for accessory uses from the rear property line shall be five feet.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011)

Section 11-12. - Maximum building height.

No building shall exceed 3½ stories or 40 feet in height.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011)

Section 11-13. - Thoroughfare requirements.

- (a) Roadway access points shall be from collector or subcollector functionally classified thoroughfares wherever possible.
  - (b) For uses that have direct access from Victory Boulevard such uses shall be set back 75 feet from Victory Boulevard in order to protect the entrance corridor characteristics of the roadway; and to encourage the orientation of such uses toward interior collector roadways. A green area buffer as provided for in [section 11.1-4\(a\)\(3\)](#) must be provided. Such access points must also be constructed according to City of Poquoson's commercial street standards and must provide curb and gutter the length of the roadway.
- (c) All access points along Victory Boulevard shall be designed and constructed as a public right-of-way and must be situated to provide access to adjacent properties.
- (d) Access points shall be designed to minimize traffic hazard and congestion.
  - (e) The design for internal circulation shall be appropriately related to access points and location of traffic generators and shall provide for safe and efficient movement of vehicles and pedestrians with special attention to the reduction of crossing conflicts, limiting numbers of access points and improvement of visibility.
- (f) The landowner will be responsible for the cost of constructing all sidewalk, bikeway, street-tree, and street furniture improvements along their property lines needed to serve their development as identified in the City of Poquoson

## Village Commercial Street Development Standards.

- (g) A traffic impact study shall be prepared, when deemed necessary by the director of planning, for those commercial developments in this district which generate, or would be expected to generate, 75 or more additional trips to and from the site during the peak hour of operation based on the application of the Institute of Transportation Engineers (ITE) traffic generation rates contained in the latest edition of its book entitled, "Trip Generation." The application trip generation rate shall be determined by the planning director. A properly certified professional engineer, licensed by the Commonwealth of Virginia, shall prepare the traffic impact study, and the cost and expense of preparing such a study shall be the sole responsibility of the landowner.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 989, § 2, 2-9-1998; Ord. No. 1405, § 1, 10-11-2011)

## Section 11-14. - Parking regulations.

- (a) *Parking setback.* Parking spaces, areas and driveways serving the spaces shall be set back a minimum of five feet from rear and side property lines unless common parking is shared with one or more abutting lots, in which case parking may abut or cross the property lines shared by the common users. The following must be provided for shared parking:
- (1) Access easements and maintenance agreements or other suitable legal mechanisms shall be provided and be acceptable to the City of Poquoson.
  - (2) Liability safeguards for all property owners and lessees served by the common parking area shall also be provided and be acceptable to the city.
- (b) *Parking and vehicular design standards.*
- (1) All parking spaces shall be set back a minimum of five feet from all buildings.
    - (2) All required parking shall be paved in accordance with the City of Poquoson site plan ordinance.
  - (3) No parking is allowed in the front yard area.
    - (4) Parking will only be allowed in the side yard if the physical character of the property, including dimensions or topography, or by other extraordinary situation or condition of such property, precludes the parking area from being located in the rear yard.
- (c) *Parking capacity regulations.*
- (1) *Minimum number of spaces.* The minimum number of off-street parking spaces required shall be determined by application of the standards outlined below. In no case shall less than three off-street parking spaces be provided for each individual nonresidential use. The number of uses in a building shall equal the number of leasable units in the building, including unoccupied units. Parking must be provided for each use in mixed-use development. Minimum parking shall be:
    - a. For a residential dwelling: Two spaces per dwelling unit.
    - b. For personal service shops: Three spaces per person performing a personal service (barber, tailor, etc.), plus one space per two employees not performing a personal service.
    - c. For a patient-oriented office: Five spaces per patient-oriented professional (doctor, dentist, etc.), plus one space per two employees for all other employees.
    - d. For retail shops, studios, repair shops and other offices: One space per 200 square feet of floor space devoted to active nonresidential uses. Inactive use areas, such as storage space or non-used basement areas, need not be included.
  - (2) *Parking held in reserve.* If the number of spaces required by section 11-14(c)(1) above is substantially larger than the number anticipated by the applicant, the reserve parking concept may be utilized to avoid unnecessary

paving, in accordance with the following criteria:

- a. The total number of spaces which must be paved initially may be reduced by up to 50 percent by the city council, upon recommendation by the planning commission.
  - b. Suitable area must be available and reserved for construction of the balance of the total number of spaces otherwise required by section 11-14(c)(1). In addition, a re-evaluation of parking capacity shall be required upon a change in status (use, building addition, ownership or number of employees). Following re-evaluation, the city council may require installation of additional parking spaces, upon recommendation of the planning commission.
  - c. To qualify for use of the reserve parking concept, the applicant shall provide evidence supporting reduced parking needs to the planning commission for its review and recommendation.
- (d) Loading and unloading areas shall be provided which do not conflict with pedestrian or vehicular movement.
- (e) Adequate lighting shall be provided if the uses which are served by the parking lot will be in operation at night. The lighting in parking lots shall be directed so as not to produce objectionable glare on adjacent properties or streets, and no lighting fixture shall exceed a height of 30 feet.
- (f) All other parking lot criteria not specifically outlined in section 11-14 above shall be governed by the regulations in the City of Poquoson site plan ordinance.

(Ord. No. 1405, § 1, 10-11-2011)

Section 11-15. - Landscaping.

- (a) All areas of a lot not covered by building and/or impervious paving materials shall be maintained as landscaped areas, containing the trees, shrubs, and ground cover materials, which may include lawn areas. At least 20 percent of the lot must be landscaped. Up to 50 percent of the required landscaped area may include undisturbed nontidal wetland areas.
- (b) All other landscaping criteria not specifically outlined in section 11-15(a) above shall be governed by the regulations in the City of Poquoson site plan ordinance.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011)

Section 11-16. - Development review process for the village commercial district.

1. *Pre-development conference.* Prior to the submittal of any development application for property within the district, the developer and/or property owner shall meet with and submit conceptual plans and elevation drawings to the city's development plan review committee (DPRC). The DPRC will review the plans and drawings and provide potential developers with comments and guidance on the city's application and permit processes. Additionally, the DPRC will outline the city's development review and permit acquisition timelines to avoid unnecessary delays in the development application process.
2. *Development proposals requiring public hearing.* In addition to completing the process outlined above, developments requiring a public hearing shall submit an architectural review board (ARB) application with any application requiring a public hearing. This will enable all applications to be heard before their respective boards simultaneously. A representative from the ARB will be in attendance at the DPRC meeting described above to offer guidance to developers and address potential concerns the ARB may have. Necessary approval before all boards (city council, planning commission, ARB, wetlands board, board of zoning appeals etc.) is required before any proposal is allowed to proceed in the development review process.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011)

**Editor's note**— Ord. No. 1405, § 1, adopted October 11, 2011, changed § 11-16 from development review committee to

development review process for the village commercial district.

Section 11-17. - Utilities.

- (a) All new development and conversions shall be served by public sewer and water facilities.
  - (b) All new development and conversions shall provide stormwater management facilities effective at controlling stormwater quantity and quality in accordance with City of Poquoson Master Drainage Plan, Big Woods Drainage Study, and the Chesapeake Bay Preservation Ordinance. The shared use of stormwater management facilities will be encouraged.
  - (c) All utility lines shall be placed underground.
- (Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011)

Section 11-18. - Drainage course requirements.

Where any stream, lake or other surface drainage course is located within the village commercial district and such drainage is, in the opinion of the city manager, part of a public drainage serving other lands beyond the proposed development, provisions shall be made for adequate easements of not less than 15 feet along each side of a stream bank or drainage course or along the shoreline of any lake for the purpose of maintenance and protection of the stream or shoreline for drainage purposes, and recreational and transportation purposes.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011)

Section 11-19. - Sign requirements.

- (a) Freestanding monument signs shall not be allowed in this district.
- (b) A development may have one of the following signs:
  - (1) One wall sign, provided that the sign is not larger than one square foot for each linear foot of the building's face.
  - (2) One projection sign, provided that the sign is not larger than ten square feet.
  - (3) One window sign consisting of individual letters or symbols, occupying no more than 20 percent of the window area.
- (c) *Rear entrances.* When a business has a rear entrance from an adjacent parking lot, one additional wall, projection or window sign shall be allowed at the rear entrance provided that it meets the same criteria identified in section 11-19(b).
- (d) *Menu boards.* Portable signs displaying menu items for a restaurant on the premises shall be permitted if the following conditions are met:
  - (1) Number of signs permitted—One sign for the main entrance to the restaurant, but where a restaurant has a rear entrance from an adjacent parking lot, one additional menu board may be placed at the rear entrance.
  - (2) Maximum sign area—Four square feet.
  - (3) Maximum height—Four feet.
  - (4) Maximum distance of menu board from restaurant or outdoor dining area—Four feet.
  - (5) Illumination—Prohibited.
- (e) *Sign illumination.* All signs shall be externally illuminated.
- (f) Special provisions for projecting signs.
  - (1) Signs projecting over a city right-of-way shall be permitted only if

the following conditions are met:

- a. Bottom of sign shall be at least eight feet above ground level.
  - b. Edge of sign shall be at least three feet from curb line or edge of pavement.
  - c. Liability insurance policy shall be maintained in accordance with section 11-19(g).
- (g) Liability insurance required. No permitted sign located on or projecting over a city right-of-way shall be erected unless an insurance policy shall have been filed for public liability satisfactory to the city attorney. In addition such policy:
- (1) Shall be issued by an insurance company authorized to do business in the State of Virginia and acceptable to the city manager. The policy shall name the city as a coinsured and shall require 30 days' written notice to the city before modification or cancellation.
  - (2) Shall protect and save the city harmless from any and all claims or demands for damages by reason of any negligence of the sign hanger, contractor, property owner or occupants, or their respective agents; or by reason of defects in the construction, or damages resulting from the collapse, failure or combustion of the sign or parts thereof.
  - (3) Shall be maintained so long as the sign in question remains erected.
- (h) All other sign criteria not specifically outlined in section 11-19 above shall be governed by the regulations in the City of Poquoson sign ordinance.

(Ord. No. 927, § 2, 9-25-1995; Ord. No. 1405, § 1, 10-11-2011)

## AGENCY DISCLOSURE

In a real estate transaction, when the Agent represents the:

Seller/Landlord:

then an Agent under a listing agreement with a seller acts as the agent for the seller. The listing company and all of its broker/agents, and the selling company and all of its agents as subagents of the seller, would owe their fiduciary duties to the seller. The broker and broker's agents may still provide buyer/tenants, as customers, with information about properties and available financing, may show them properties, and may assist them in preparing an offer to purchase, option or lease a particular property.

Buyer/Tenant:

then an Agent under a contract with a buyer acts as the agent for that buyer only, as a "Buyer/Broker/Agent," and the Agent is not the seller's agent, even if the Purchase Contract provides that the Seller or the Listing Broker will pay the Agent for the services rendered to the buyer/tenant. An Agent acting as the buyer's/tenant's agent must disclaim sub agency if offered and must disclose the Buyer/Tenant Broker/Agent relationship when dealing with the seller's/landlord's Agent or the Seller/Landlord. The Buyer/Tenant Broker/Agent owes its fiduciary duties to the buyer/tenant.

Buyer and Seller (Acting as a Dual Agent):

then an Agent, either acting directly or through one or more of the brokerage firm's other Agents, may be the Agent of both the buyer and the seller, but only if the scope of the agency is limited by a written agreement and only with the express knowledge and written consent of both the buyer and the seller. An Agent representing both the buyer and the seller must disclose all information regarding the agency relationship, including the limitation on the Agent's ability to represent either party fully and exclusively. The Agent must not disclose to either party, without the prior consent of the party adversely affected by the disclosure, any information obtained within the confidentiality and trust of the fiduciary relationship. As an example, the Agent must not tell the buyer that the seller will accept a price lower than the listing price, nor tell the seller that the buyer will pay a price offered, without the prior consent of the party adversely affected by the disclosure.

Campana Waltz Commercial Real Estate, LLC is the \_\_\_\_\_ Listing Broker, \_\_\_\_\_ Buyer Broker, \_\_\_\_\_ Dual Agent for the property submitted in this information package.

Acknowledged by:

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Campana Waltz Commercial Real Estate, LLC