



Planning, Streets and Traffic Committee

5:00 p.m., Monday, April 26, 2021

Join via internet at:

<https://us02web.zoom.us/j/89813563483?pwd=Y0UxNkt3Q3ljM2lOWjFTTmVNY0Q2UT09>

Or call: 312-626-6799 or 929-436-2866 or 301-715-8592 or 346-248-7799 or 669-900-6833

Webinar ID: 898 1356 3483

Passcode: 079525

AGENDA

Bill No. 7899 - A Bill to establish a no parking zone on the westerly side of Evergreen Street from a point 146 feet north of Piccadilly Street to a point 204 feet north of Piccadilly Street and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

Bill No. 7898 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-4 district and an R-6 District to a C-8 district, those certain parcels of land situate at or about 280 Oakwood Road, Charleston, West Virginia.

Discussion

Auxiliary Signs

Miscellaneous

Approval of the Minutes of the March 22, 2021 meeting

*Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>

1 **Bill No. 7899**

2 Passed by Council:

3 Introduced in Council

4 **March 15, 2021**

5 Introduced by:

Referred to:

6 **Adam Knauff**

Planning, Streets and Traffic

7
8
9 **Bill No. 7899** - A Bill to establish a no parking zone on the westerly side of Evergreen
10 Street from a point 146 feet north of Piccadilly Street to a point 204 feet north of
11 Piccadilly Street and amending the Traffic Control Map and Traffic Control File,
12 established by the code of the City of Charleston, West Virginia, two thousand and
13 three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to
14 conform therewith.

15 **Be it Ordained by the Council of the City of Charleston, West Virginia:**

16 Section 1. A Bill to establish a no parking zone on the westerly side of Evergreen Street
17 from a point 146 feet north of Piccadilly Street to a point 204 feet north of Piccadilly
18 Street

19 Section 2. The Traffic Control Map and Traffic Control File, established by the code
20 of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic
21 Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are
22 amended, to conform to this Ordinance.

23 Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby
24 repealed to the extent of said inconsistency.

Call HX Report - Evergreen St - 2019 - Present

Report Time: 03/24/2021 09:03:28

Login ID:

Jurisdiction:

Incident Number:

Call Number:

Agencies: Police, Fire, EMS

From Date:

To Date:

Phone Number:

Last Name:

First Name:

Location:

Plate #:

Plate State:

Include Canceled: No

Type:

Priority:

Source:

Disposition:

Unit:

Officer:

Narrative:

Call Number	Create Date/Time	Call Type	Location
283	3/3/2021 12:17	COMPLAINT	609 EVERGREEN ST, CHARLESTON
388	2/18/2021 7:56	PARKING COMPLAINT	610 EVERGREEN ST, CHARLESTON
130	12/30/2020 12:18	TRESPASSING	610 EVERGREEN ST, CHARLESTON
413	12/17/2020 10:02	PARKING COMPLAINT	609 EVERGREEN ST, CHARLESTON
435	12/15/2020 15:57	DISTURBANCE	610 EVERGREEN ST, CHARLESTON
620	11/28/2020 21:57	PARKING COMPLAINT	609 EVERGREEN ST, CHARLESTON
614	11/8/2020 21:51	BURGLARY	609 EVERGREEN ST, CHARLESTON
7	10/16/2020 3:24	GUN SHOTS	601 EVERGREEN ST, CHARLESTON
34	7/1/2020 3:56	SUSPICIOUS ACTIVITY	601 EVERGREEN ST, CHARLESTON
225	6/14/2020 20:53	LEAVING the SCENE	601 EVERGREEN ST, CHARLESTON
681	5/24/2020 21:04	GUN SHOTS	610 EVERGREEN ST, CHARLESTON
154	4/27/2020 8:21	ANIMAL COMPLAINT	612 EVERGREEN ST, CHARLESTON
462	4/16/2020 13:03	INVESTIGATION POLICE	PICCADILLY ST & EVERGREEN ST, CHARLESTON
253	3/18/2020 1:26	SUSPICIOUS PERSON	611 EVERGREEN ST, CHARLESTON
275	3/9/2020 16:46	ANIMAL COMPLAINT	610 EVERGREEN ST, CHARLESTON
170	12/17/2019 13:41	ABDOMINAL / BACK PAIN	604 EVERGREEN ST, CHARLESTON
757	12/16/2019 21:02	911 HANG-UP / OPEN LINE	603 EVERGREEN ST, CHARLESTON
22	11/11/2019 2:23	FALLS	603 EVERGREEN ST, CHARLESTON
861	6/18/2019 21:22	MUSIC/NOISE COMPLAINT	MEDINA ST & EVERGREEN ST, CHARLESTON
224	6/16/2019 22:37	GUN SHOTS	MEDINA ST & EVERGREEN ST, CHARLESTON
422	6/14/2019 16:21	ANIMAL COMPLAINT	610 EVERGREEN ST, CHARLESTON
340	6/6/2019 17:46	ANIMAL COMPLAINT	610 EVERGREEN ST, CHARLESTON



03/26/2021 13:07

OBJECTS IN MIRROR ARE CLOSER
THAN THEY APPEAR



03/26/2021 13:08



03/26/2021 13:08

Municipal Planning Commission

Checklist for Application for Rezoning

MPC Hearing Date: 4-7-21

Bill #: 7898

Applicant Information	Property Information
Name: <u>PKPJ Land Development, LLC</u>	Address: <u>280 Oakwood Road, Charleston, WV 25314</u>
Address: <u>1000 Grand Central Mall, Vienna, WV 26105</u>	Tax Map and Parcel: <u>9-10-60; 9-10-62; 9-20-1</u>
Phone: <u>304-494-6966</u>	Zoning District: <u>Partially R-4; Partially R-6</u>
Agents Name, Address, Phone (If other than Applicant): <u>Jared Decker</u> <u>1000 Grand Central Mall</u> <u>Vienna, WV 26105</u>	Property Owner and Mailing Address: (if other than applicant) <u>The Estate of George Davis and Mary</u> <u>Lee H. Davis Family Trust</u> <u>Attn: Christopher J. Winton, Executor and Trustee</u> <u>109 Capitol St., Suite 700</u> <u>Charleston, WV 25301</u>

IMPORTANT: This application must be typed or legibly printed and filed by the filing deadline with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a petition to rezone using the format in the sample provided; 2) a Bill sponsored by a member of Charleston City Council using the format of the sample provided; 3) a map of the area proposed for rezoning, drawn to scale; 4) a list of the owners, with their mailing addresses, of the properties within a 250 foot radius of the property for which the rezoning is being sought; 5) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. In addition, you or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

PETITION

The following items shall be included in the petition which shall be filed in the format of the attached sample:

Section I

1. Statement of petitioner's identity as contract purchaser, agent or owner.
2. Property Address including Kanawha County Tax map and Parcel No.

Section II

1. Description of the use for which a rezoning is being requested and specific district being requested.

Section III

1. Applicable Sections of the Zoning Ordinance.
2. Statement of compliance with the City of Charleston Comprehensive and Neighborhood Plans.
3. If applicable, justification for a variance from the City of Charleston Comprehensive Plan and Neighborhood Plans.

Section IV

1. Statement of sponsorship of the Bill to Rezone by a member of City Council.
2. Statement of inclusion of a list of all property owners within 250 of the subject property.
3. Statement that the subject property is shown on a map of the subject property that is attached.
4. \$125.00 filing fee.

BILL

The following items shall be included in the Bill submitted along with the above petition:

1. Name of sponsoring member of City Council
2. Bill filed electronically with the Planning Department in the exact format shown on the attached sample Bill.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Signature *J. Decker*

Date 3/5/21

Bill No. 7898

Introduced in Council

Passed by Council

April 5, 2021

Introduced by

Referred to

Courtney Persinger

**Municipal Planning Commission
Planning, Streets, and Traffic
Committee**

1 **Bill No. 7898** amending the Zoning Ordinance of the City of Charleston, West
2 Virginia, enacted the 1st day of January 2006, as amended, and the map made a
3 part thereof, by rezoning from an R-4 district and an R-6 District to a C-8 district,
4 those certain parcels of land situate at or about 280 Oakwood Road, Charleston,
5 West Virginia.

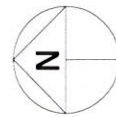
6
7 **Be it Ordained by the City Council of the City of Charleston, West Virginia:**

8
9 1. The Zoning Ordinance of the City of Charleston, West Virginia,
10 enacted the 1st day of January 2006, as amended, is hereby amended by rezoning
11 from an R-4 district and an R-6 District to a C-8 district, those certain parcels of land
12 situate at or about 280 Oakwood Road, Charleston, West Virginia the whole of the
13 following described parcels of land:

14
15 Parcel Nos. 60 and 62 as shown on Charleston South Annex (District
16 9) Tax Map No. 10, and Parcel No. 1 as shown on Charleston South
17 Annex (District 9) Tax Map No. 20. Subject parcels commonly known
18 as 280 Oakwood Road, Charleston, West Virginia. Said tax maps are
19 of record in the Planning Office.

20
21 2. The Zoning Map, attached to and made a part of said Zoning
22 Ordinance, is hereby amended in accordance with Article 27 of this ordinance.

23
24 3. All prior ordinances, or parts of ordinances, inconsistent with this
25 ordinance are hereby repealed to the extent of such inconsistency.



REZONING FROM R-4 & R-6 TO C-8

**PETITION TO REZONE FROM R-4 AND R-6 TO C-8
THE LAND AT 280 OAKWOOD ROAD,
CHARLESTON, WEST VIRGINIA**

TO THE MAYOR AND COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA:

I

PKPJ Land Development, LLC, an Ohio limited liability company ("Petitioner"), presently holds a binding purchase option for the property situate at or about 280 Oakwood Road, Charleston, Kanawha County, West Virginia, which property is more specifically described as follows: All of Parcel Nos. 60 and 62 as shown on Charleston So. Annex (District 9) Tax Map No. 10, and all of Parcel No. 1 as shown on Charleston So. Annex (District 9) Tax Map No. 20 (collectively, the "Property"). The above-mentioned tax maps are of record in the office the Charleston Planning Department.

II

Presently, the Property is zoned R-4 (Single Family Residential), in part, and R-6 (Medium Density Residential), in part, and Petitioner hereby requests that the zoning designation of the entire Property be changed to C-8 (Village Commercial).

III

Petitioner proposes to redevelop the approximately six (6) acre Property presently owned by The Estate of George Davis and Mary Lee H. Davis Family Trust into a commercial mixed-use development containing (i) up to fifteen thousand (15,000) square feet of in-line retail and professional space, (ii) one (1) quick-service-restaurant with a drive-through containing approximately two thousand four hundred (2,400) square feet of leasable space, and (iii) up to twenty (20) apartment/condominium units above said in-line retail and professional space. Seventy-eight (78) on-site parking spaces are allocated to the in-line retail and professional space (5.2 spaces per 1,000 SF), twenty-four (24) on-site parking spaces are allocated to the quick-service-restaurant (10 spaces per 1,000 SF), and forty (40) on-site parking spaces are allocated to the residential units located above the in-line space (2 spaces per unit).

Although the Property is presently zoned R-4 (Single Family Residential) in part, and R-6 (Medium Density Residential) in part, the continued development and evolution of US 119 ("Corridor G") over the past few decades has likewise created the need for the evolution of the zoning and land use regulations applicable to the Property. Corridor G's increased connectivity to secondary arteries and population centers over the years, coupled with the significant commercial development activity at Southridge Center, Dudley Farms, and Trace Fork in the early to mid-2000s, has resulted in a dramatic increase in vehicular traffic on Corridor G, and Oakwood Road, over the last few decades. By way of example, the

West Virginia Department of Highways counted approximately twenty-one thousand (21,000) vehicles per day near the intersection of Corridor G and Oakwood Road in 2007, and this number rose to roughly forty-four thousand (44,000) in 2013.

In addition to the changing landscape around the Property, the existing condition of the Property itself also suggests that it should be developed into a primarily commercial use rather than a primarily residential use. First, the existing structures on the Property, including the large, dilapidated home, three outbuildings, and in-ground pool, will necessitate a relatively significant amount of demolition work (and associated cost) to clear the Property. Next, the topography of the Property is such that it will require significant earth work to ready the Property for the development of multiple single family residential, or medium density residential, units. Said differently, with the costs of residential construction at an all-time high, and with the margins on these projects at an all-time low, it is difficult to imagine a scenario where the Property is redeveloped into a residential community (or a single residence) because the costs of the site work alone would render the project financially impractical. Putting costs aside, it is also difficult to imagine someone spending the time and money to overcome the topographic challenges of the Property in order to build their dream home adjacent to a signalized intersection which sees in excess of forty thousand (40,000) vehicles per day.

Upon speaking with the immediate neighbors of the Property, the only recurring concern brought to Petitioner's attention related to the traffic congestion at the intersection of Corridor G and Oakwood Road. In particular, Petitioner was made aware of severe congestion during the mid to late-afternoon hours when the schools of the South Hills dismiss their students at the end of each weekday. Fortunately, the West Virginia Department of Highways has been aware of this issue for years, and a plan has been created, and implemented, to address said congestion. In short, an "R-Cut" traffic control mechanism is currently being installed at the subject intersection, and this new-to-West Virginia traffic control mechanism will dramatically reduce, or eliminate, the stacking of cars and related congestion at this intersection during peak hours. For more information on this new traffic control mechanism, please see:

1. The West Virginia Department of Highways' videos and corresponding explanations of this traffic control mechanism at <https://transportation.wv.gov/highways/engineering/comment/closed/Oakwood-Road-Intersection-Improvements/Pages/default.aspx>; and
2. That certain Traffic Impact Study prepared for Petitioner by Timothy Kirk, PE, of A. Morton Thomas and Associates, Inc., dated February 9, 2021, and titled "Oakwood Retail Development Traffic Impact Study Charleston, Kanawha County, WV", a copy of which is included with this Petition, and additional copies of which may be obtained from Petitioner upon request.

In sum, Petitioner's Traffic Impact Study concludes that, in light of the West Virginia Department of Highways' installation of the R-Cut, the intersection of Corridor G and Oakwood Road will not be negatively impacted by Petitioner's proposed development, provided that Petitioner constructs and installs three (3) lanes at the ingress/egress point of

the Property, one of which will be dedicated to ingress, one of which will be dedicated to left-turn-only egress, and the last of which will be dedicated to right-turn-only egress.

Lastly, Petitioner would strongly encourage the City Council, the Mayor's office, and the Municipal Planning Commission to vote in support of the requested rezone because of the immediate, positive impact Petitioner's proposed development will have on the South Hills community and its passersby. Upon entering the Property today, a visitor would immediately take note of the trash and debris, including used hypodermic needles and prophylactics, scattered around the Property as a result of the unlawful occupants of the Property who take up residence there from dusk until dawn each night. It is safe to say that the existing conditions on the Property have deteriorated past the point of being a nuisance to the surrounding community; the existing conditions at the Property now represent a real health and safety hazard to the surrounding community.

While the cleanup and rejuvenation of the Property alone will go a long way towards eliminating the above-mentioned hazards from the Property, it is the redevelopment of the Property into a community-centric mercantile and residential destination which is the true justification for Petitioner's requested rezone. Petitioner envisions a thoughtfully designed and attractively constructed mixed-use retail and residential development intended to help serve the basic needs and wants of the South Hills community. Although Petitioner does not yet have any tenants secured for the Property, Petitioner intends to seek tenancy from businesses which would, presumably, be welcomed by the residents of the South Hills, such as, by way of example, cafes, small eateries, a wine shop, a gift shop, boutiques, professional services (i.e., legal, medical, accounting, etc.), salons, and other essential goods and services that every community benefits from having easy access to.

As stated in the City of Charleston's Comprehensive Plan for the South Hills and Corridor G communities, the City of Charleston's goals in these two districts are to "retain strong neighborhood character," "focus on older sections that need to be redeveloped to attract quality retailers," and "design standards to create a village-like setting." After a thorough review of this petition and Petitioner's redevelopment plans, it is clear that Petitioner's goals at the Property closely align with those of the City of Charleston and its residents. As such, Petitioner hereby requests, respectfully, that its application for the rezone of the Property be granted.

IV

Prior to submitting this Petition, Petitioner spoke with, and obtained the support of this Petition from, City Councilperson Courtney Persinger, Ward 14.

Although the Municipal Planning Commission's Checklist for Application for Rezoning still mentions the need for Petitioner to provide a list of all property owners within two hundred fifty (250) feet of the subject Property, I understand from Dan Vriendt, Director of the Municipal Planning Commission, that this is no longer a requirement, as the Municipal Planning Commission now handles this part of the notice process. Accordingly, Petitioner did not append any such list to this Petition.

Lastly, please find attached hereto and enclosed herewith (i) a Bill to accomplish the requested rezoning of the Property, (ii) a map, and a site plan, of the subject Property, (iii) a copy of Petitioner's Traffic Impact Study for the Property, and (iv) a check in the amount of One Hundred Twenty-Five and 00/100 Dollars (\$125.00) to serve as Petitioner's filing fee.

Respectfully submitted this 5th day of March, 2021

By:  _____

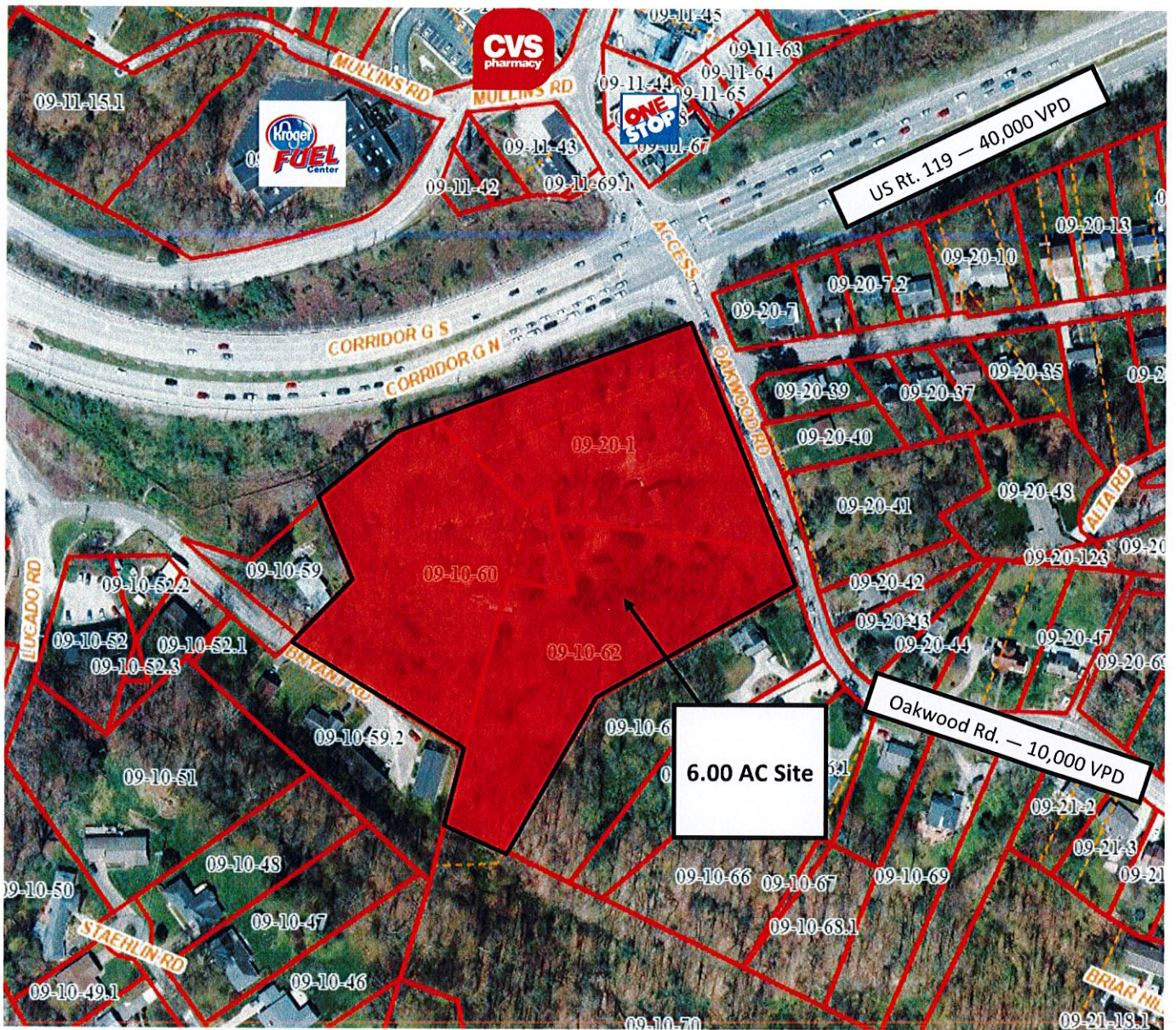
Name: Jared Decker

Title: Real Estate Director

Address: 1000 Grand Central Mall, Vienna, WV 26105

Tel: (304) 494-6966

Email: jared@thepmcompany.com



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EXECUTIVE SUMMARY

This report summarizes existing and future traffic analyses conducted in support of the proposed Oakwood Retail Development. The proposed retail development is planned to be located east of US 119 (Corridor G) and south of Oakwood Road (CR 214/2) in Charleston, Kanawha County. The proposed site plan includes 40 apartment dwelling units, one (1) retail shopping center comprising 15,000 square feet of total floor space and one (1) coffee shop with drive-thru comprising 2,176 square feet of total floor space. The retail development is expected to be completed by 2022.

The proposed development is anticipated to be served by one site driveway intersecting with Oakwood Road. Site Driveway #1 is proposed to be located approximately 230 feet east of US 119 approaching Oakwood Road from the south and operate as a full movement approach with two-way stop-control (TWSC).

Traffic analysis will consider future conditions at the anticipated build-out year of 2022. This report summarizes the analyses of 2021 Existing conditions, 2022 No-Build conditions (without the proposed development in place), and 2022 Build conditions (with the entire proposed development in place) during the weekday AM and PM peak hours. The annual growth rate of 1.41% was obtained from a recent traffic study completed for the US 119 Corridor.

AMT (A. Morton Thomas and Associates, Inc.) was retained to determine the projected traffic impacts of the proposed development in accordance with the guidelines set forth by the WVDOH (Division of Highways) in Traffic Engineering Directive (TED) 106-2. The intent of the study is to fully examine the impacts of the traffic generated by the development on the existing transportation system and identify potential mitigation measures. This report presents trip generation, trip distribution, intersection capacity analysis, queuing analysis, auxiliary lane analysis, and recommendations for transportation improvements necessary to meet anticipated traffic demands.

Based upon a review of the site plan and adjacent transportation network, the following two (2) existing and two (2) proposed intersections are included within the scope of the Traffic Impact Study (TIS) for the proposed Oakwood retail development:

- | | |
|--|--|
| 1) US 119 with Oakwood Road (CR 214/2) | <i>(Signalized Plus type intersection)</i> |
| 2) US 119 with Hickory Road/US 119 NB U-Turn | <i>(TWSC Plus type intersection)</i> |
| 3) US 119 with US 119 SB U-Turn | <i>(Proposed Signalized RCUT intersection)</i> |
| 4) Oakwood Road with Site Driveway #1 | <i>(Proposed TWSC "T" type intersection)</i> |

Traffic Volume

Peak hour turning movement counts were collected for the US 119 Corridor Traffic Study on Thursday January 28, 2016 between the hours of 7-10 AM and 2-6 PM. The growth rate of 1.41% utilized within this study was applied to the 2016 traffic counts to develop 2021 existing traffic volumes.

The proposed development is expected to be complete by 2022. The 2022 No-Build traffic volumes include the existing 2021 traffic volumes and the anticipated annual traffic growth prior to 2022. The growth rate of 1.41% was applied to the existing peak hour traffic counts in order develop 2022 No-Build conditions without the site development in place.



The 2022 Build Conditions include the existing 2021 traffic volume, the anticipated annual traffic growth prior to 2022, and the traffic generated by the proposed Oakwood development. Site generated traffic was distributed into the transportation network based upon existing traffic patterns and anticipated origin and destination of the pass-by and new site trips.

Site Trip Generation and Distribution

The proposed Oakwood retail development includes 40 apartment dwelling units, one (1) retail shopping center comprising 15,000 square feet of total floor space, and one (1) coffee shop with drive-thru comprising 2,176 square feet of total floor space. Trip generation "Peak Hour of Generator" rates from ITE Trip Generation Manual, 10th Edition, were utilized for Multifamily Housing Mid-Rise (LUC 221), Retail Shopping Center (LUC 820), and Coffee Shop with Drive-Thru (LUC 937). Trip generation analysis indicates that a total of 820 new daily trips will be generated including 97 new AM peak hour trips and 75 new PM peak hour trips. In addition, 70 pass-by trips will be induced during the AM peak hour and 40 pass-by trips will be induced during the PM peak hour.

The AM and PM peak hour site generated trips and pass-by trips to/from the proposed site were distributed based upon interpolation from current traffic patterns with all trips entering the development via Oakwood Road. Distribution of the new external and pass-by trips are as follows:

New External Trips:

- 35% to/from the south on US 119
- 45% to/from the north on US 119
- 15% to/from the east on Oakwood Road
- 5% to/from the west on Oakwood Road

Pass-By Trips:

- 40% from south on US 119
- 60% from north on US 119

2021 Existing Conditions Analysis

The results of the 2021 existing conditions capacity analyses indicate that three traffic movements currently operate worse than LOS D, which is considered the minimum tolerable level.

Traffic movements that currently operate worse than LOS D are as follows:

- *Oakwood Road Westbound shared left/thru lane to US 119 LOS E during AM and PM peak hours*
- *US 119 Northbound left-turn movement to Oakwood Road LOS E during PM peak hour*
- *US 119 Southbound left-turn movement to Oakwood Road LOS E during AM and PM peak hours*

2022 No-Build Conditions Analysis

The proposed development is expected to be complete by 2022. The 2022 No-Build traffic volumes include the existing 2021 traffic volumes and the anticipated annual traffic growth prior to 2022.

Improvements included in the 2022 No-Build Conditions include the construction of an R-CUT (Restricted Crossing U-Turn Intersection) at the intersection of US 119 with Oakwood Road. This improvement includes altering multiple intersections within the study area and installing two new signalized intersections. This improvement was included within this scenario based on guidance from the WVDOH.

The results of the 2022 No-Build Conditions capacity analyses indicate that no traffic movements are anticipated to operate worse than LOS D with improvements in place.

2022 Build Conditions Analysis

The 2022 Build Conditions include the existing 2021 traffic volume, the anticipated annual traffic growth prior to 2022, and the traffic generated by completion of the Oakwood retail development.

The results of the 2022 Build Conditions capacity analyses indicate that no traffic movements are anticipated to operate worse than LOS D following full build with improvements in place.

Conclusions/Recommendations

Based on the findings of this study, the following infrastructure improvements are recommended to accommodate the Oakwood retail development and maintain acceptable operation of the existing transportation network in 2022:

Oakwood Road with Site Driveway #1

- Construct Site Driveway #1 as a full movement approach intersecting with Oakwood Road approximately 230 feet east of US 119. The site driveway is recommended to include one ingress and two egress lanes to provide separate left and right turn lanes exiting the development. Site Driveway #1 will operate under stop-control while Oakwood Road operates as free-flow.