

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, Stafford County Administration Center, Stafford, Virginia, on the 18<sup>th</sup> day of June, 2013:

<u>MEMBERS:</u>	<u>VOTE:</u>
Susan B. Stimpson, Chairman	Yes
Robert "Bob" Thomas, Jr., Vice Chairman	Yes
Jack R. Cavalier	Yes
Paul V. Milde III	No
Ty A. Schieber	Yes
Gary F. Snellings	Yes
Cord A. Sterling	Absent

On motion of Mr. Schieber, seconded by Mr. Thomas, which carried by a vote of 5 to 1, the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT, TO THE R-3, URBAN RESIDENTIAL-HIGH DENSITY ZONING DISTRICT, ON ASSESSOR'S PARCELS 20-125, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, D.R. Horton, applicant, submitted application RC1100212 requesting a reclassification from the R-1, Suburban Residential Zoning District, to the R-3, Urban Residential-High Density Zoning District, on Assessor's Tax Map Parcel 20-125, located within the Garrisonville Election District; and

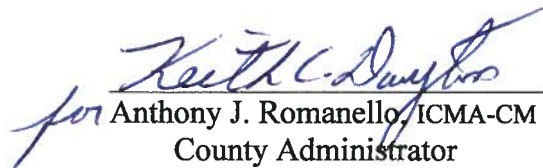
WHEREAS, the Board carefully considered the recommendation of the Planning Commission and staff, and the testimony, if any, at the public hearing; and

WHEREAS, the Board determined that the requested zoning is compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of an ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18<sup>th</sup> day of June, 2013, that the County's Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the R-1, Suburban Residential Zoning District, to the R-3, Urban Residential-High Density Zoning District, on Assessor's Tax Map Parcel 20-125, in the location identified on the Generalized Development Plan, prepared by The Engineering Groupe, Inc., revised February 14, 2013, with proffers entitled, "Proposed Proffers" (Whitson Woods), dated June 4, 2013.

A Copy, teste:

  
for Anthony J. Romanello, ICMA-CM  
County Administrator

AJR:JAH:mz

Assessor's Parcel 20-125  
Whitson Woods  
DR Horton, Inc., Applicant

June 4, 2013

### **PROPOSED PROFFERS**

DR Horton, Inc. ("the Applicant"), has applied for a rezoning of Assessor's Parcels 20-125, (the "Property") to the R-3 Zoning District and hereby proffers that the use and development of the subject property shall be in substantial conformance with the following conditions. In the event the above referenced reclassification is not approved as applied for by the Applicant, the below described proffers shall be withdrawn and are automatically null and void and of no further force and effect.

1. **Type and Density of Development** - No more than 55 single-family attached residential units shall be constructed on the Property. The maximum density, open space, and building height, shall be located and designed in substantial accord with the Generalized Development Plan (GDP), dated February 14, 2013. With the submission of a preliminary subdivision plan application, the applicant agrees to apply for a waiver to eliminate the southern entrance to the property as shown on the GDP.
2. **Access** – The Property shall be served by a maximum of two entrances on Highpointe Boulevard, as shown on the GDP, subject to VDOT approval.
3. **Off-site Improvements** - The Applicant shall make the following improvements to a portion of the sidewalk on Highpointe Boulevard and the travelways/slopes within the Liberty Place subdivision, and construction on said improvements shall commence no later than 30 days after approval of the construction plan for the Property, subject to the limitations in subparagraph D below:
  - A. **Highpointe Boulevard** – Subject to the approval of VDOT and Stafford

County, the Applicant shall spot repair the existing gap in the sidewalk on the south side of Highpointe Boulevard, provided sufficient right-of-way exists to do the repair. The area to be spot repaired is located on the south side of Highpoint Boulevard, between the street entrance of the townhouse block of 901 through 911 Highpoint Boulevard to approximately 180 feet south of Knollwood Court.

**B. Liberty Place Parking Lot** – The Applicant shall spot repair and final pave a portion of the Liberty Place parking lot, including travelways, as shown on the Whitson Woods Off-site Improvements Exhibit dated April 18, 2013. The repair of the pavement section (including gravel subbase, intermediate asphalt, and top coat) shall be no greater than 14 inches or shall match existing pavement, whichever is less. The Applicant shall also repair curbs within the travelways or parking lots of Liberty Place that are required to be disturbed during the repair, and shall restripe and number the parking spaces within the repaired area.

**C. Erosion control adjacent to the Liberty Place Subdivision roads and parking lot** – The Applicant shall:

(i) **Stabilize slope behind Illona Place** – The Applicant shall stabilize the slope behind the homes at 200 and 202 Illona Place by reducing and restabilizing the existing slope, directing water away from the slope, using any acceptable means of improvement proposed by the Applicant.

(ii) **Stabilize Slope adjacent to parking lot and Whitson Run stream channel** – The Applicant shall stabilize the slope on the western side of the Liberty Place parking lot adjacent to the Whitson Run stream channel (nearest the southern-most entrance from Highpointe) by regrading and landscaping a

maximum of 110 linear feet of slope, using any acceptable means of improvement proposed by the Applicant.

**D. Authorization by Liberty Place -** The off-site improvements contained in paragraph 3A and 3B shall be contingent on:

(i) **Written Authorization** - Written authorization from the Liberty Place HOA permitting aforesaid improvements, including a written release of liability for the Applicant and its subcontractors, future lot owners of Whitson Woods, and the Whitson Woods HOA; and

(ii) **Easements** - Approval by Liberty Place for access and any other easements needed for the design and construction of Whitson Woods.

**E. Absence of Authorization for Off-Site Repairs –** In the event that written authorization from the Liberty Place HOA is not received within 60 days of written request by the Applicant, the Applicant shall pay \$420,000 to the County at the time of the issuance of the building permit for the structure containing the 23<sup>rd</sup> dwelling unit for the property and have no further responsibility to make the off-site improvements contained in Proffer 3.

4. **Cash Proffers** –

**A. Proffered Dwelling Units:** The Applicant shall pay cash proffers in the amount of Fourteen Thousand Three Hundred Sixty Three and No Cents (\$14,363.00) per dwelling unit constructed on the Property at the time of issuance of the occupancy permit. The per unit payments shall, until paid, be subject to annual increases to be calculated on a yearly basis commencing one year after the date of rezoning. Such increases shall be calculated by use of the Marshall and Swift Building Cost Index for

each applicable year until the cash contribution is paid. The per unit contribution shall be allocated based on the following categories:

**Townhouse:**

Parks and Recreation	\$	1037.00
Schools		6463.00
Libraries		202.00
Fire and Rescue		648.00
Transportation		4486.00
General Government		<u>1527.00</u>
Total	\$	14,363.00

5. **Environmental Protections:**

A. **Erosion Control** – The Applicant shall utilize two-tiered super silt fences for erosion control during all construction or site preparation work near steep slopes or RPA.

B. **Retaining Wall Setbacks** – The Applicant shall provide a 10-foot wide setback for retaining walls located within the Property that are adjacent to the RPA.

C. **Open Space** – No disturbance shall be permitted in open space shown on the GDP, with the exception of installation of stormwater management facilities.

6. **Utilities** - All lots shall be served by public water and sewer.

7. **Lighting** – A lighting plan will be submitted as part of the preliminary plan and reviewed and approved by the Sheriff's Office to ensure lighting provides a consistent coverage of all streets, parking, and sidewalk areas.

8. **Buyer Disclosure of Surrounding Uses** - The Applicant agrees to provide written notice to all buyers of the proximity of the Quantico Marine Base as part of the HOA documents prior to sale.

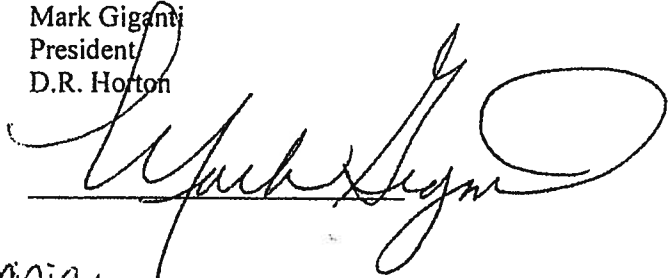
9. **Tot Lot** - The Applicant shall construct a tot lot on the Property.

10. Architectural Design –

A. **Color and Materials** – The Applicant shall construct all dwellings on the Property with any combination of color and materials as shown on the D.R. Horton Color Schemes – Traditional Series Exhibit dated March 12, 2013.

B. **Architectural Feature** – The Applicant shall construct all dwellings on the Property with features similar to the building and roof lines illustrated on Option 1 and/or Option 2 of the Norfolk Sussex Townhouse rendering dated March 12, 2013.

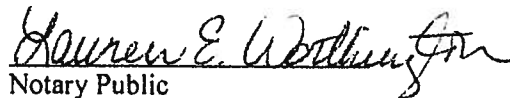
Mark Giganti  
President  
D.R. Horton



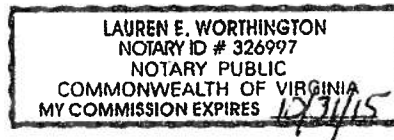
COMMONWEALTH/STATE OF Virginia  
CITY/COUNTY OF Fairfax, to-wit:

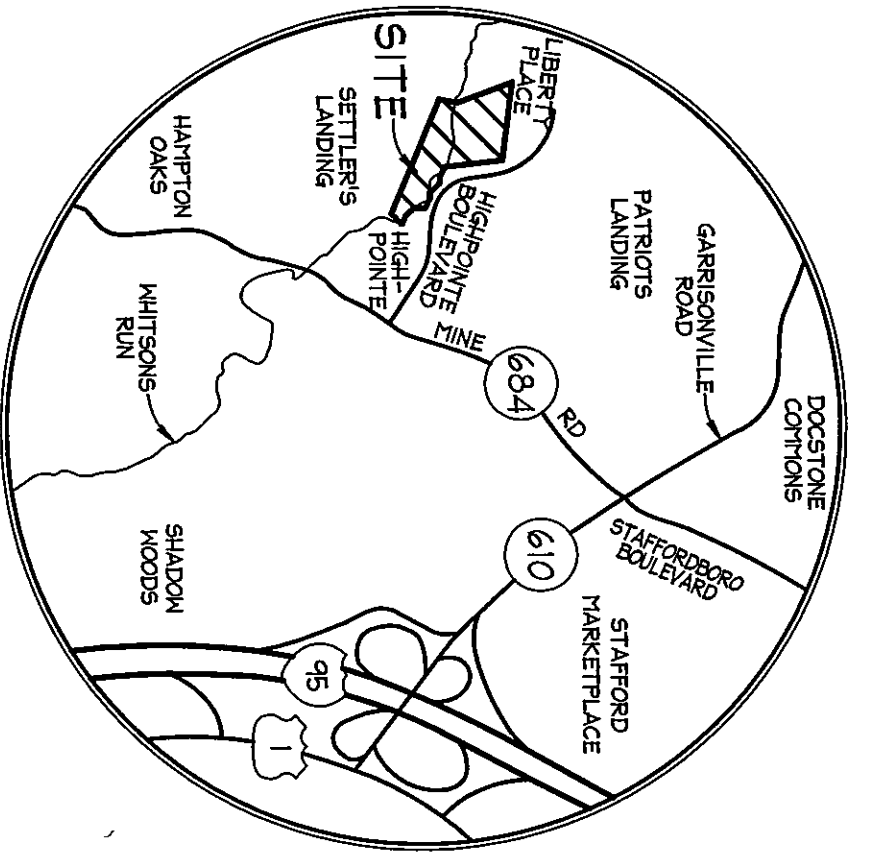
I, the undersigned, a Notary Public in and for the State and City/County aforesaid, do hereby certify that Mark Giganti, whose name is signed to the foregoing document, has personally acknowledged the same before me in my aforesaid jurisdiction.

GIVEN under my hand and seal this 12th day of June, 2013.

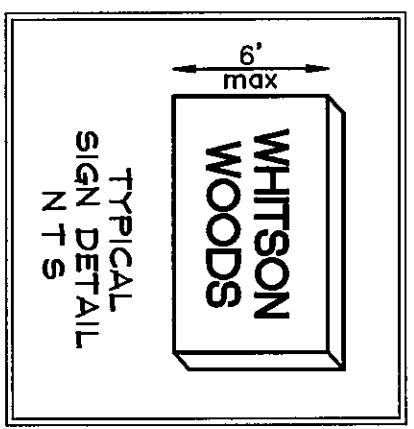
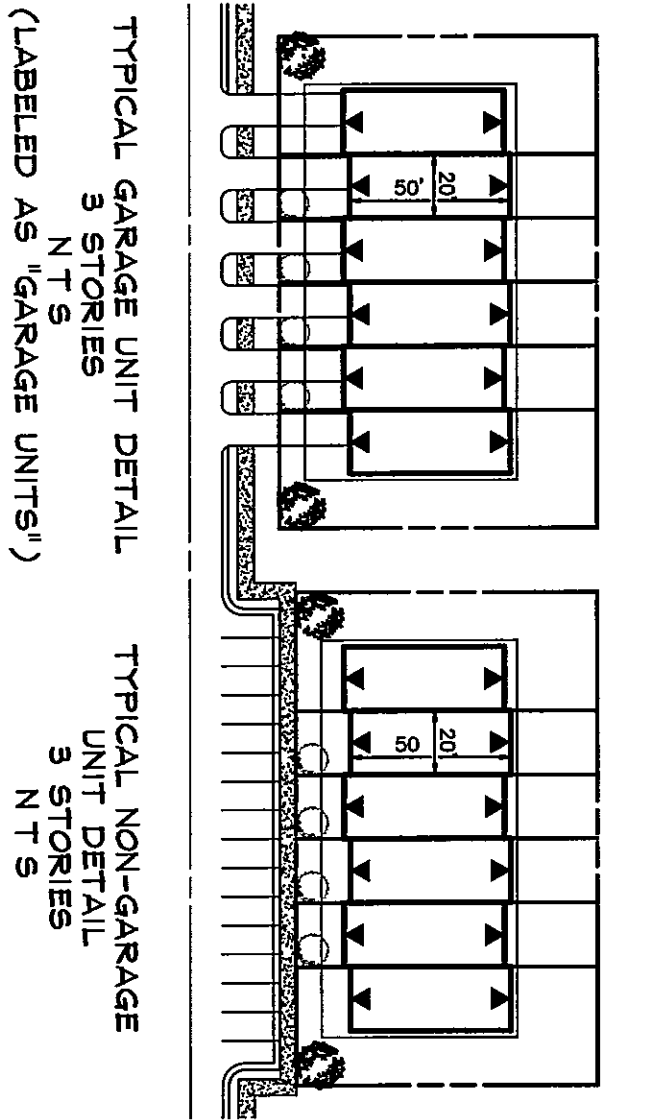
  
Notary Public

My Commission Expires: 10/31/15



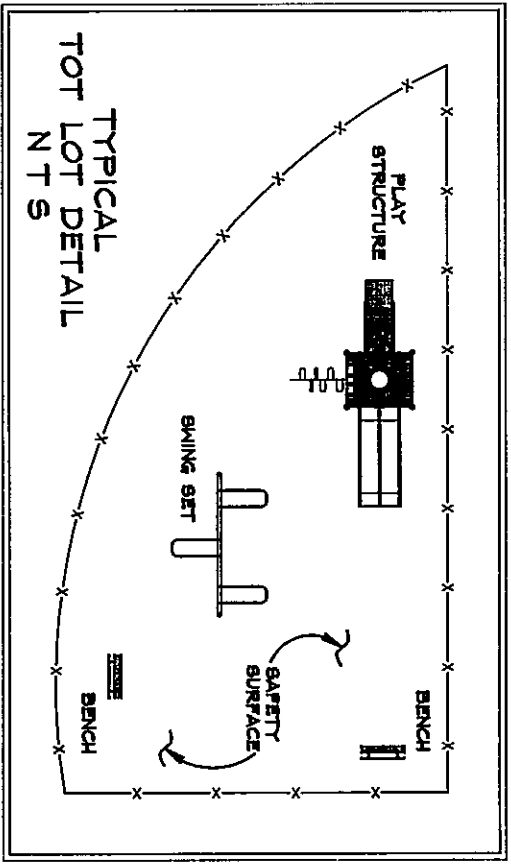


SYMBOL	BOTANICAL NAME/ COMMON NAME	10-YEAR SPECIES	QUANTITY	TOTAL PROVIDED (PLANT UNITS)
	ACER RUBRUM/ (CAMPEL)		20	200 P.U.
	ACER PLATANUS (JAPANESE MAPLE (UNDERSTORY))		35	245 P.U.
	TOTALS		55	445 TOTAL (317 REQUIRED)



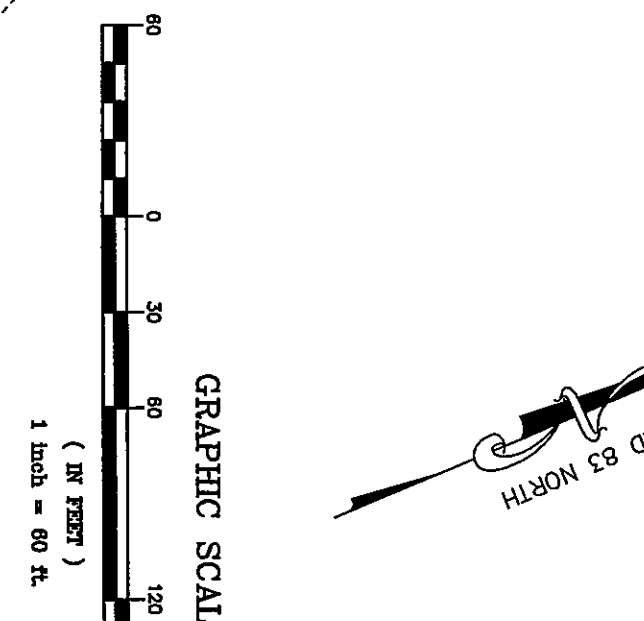
**DEVELOPMENT SUMMARY**

PARCEL ID: 20-125  
 GROSS SITE AREA: 17.6 AC  
 EX ZONING DISTRICT: R-1  
 PROP ZONING DISTRICT: R-3  
 ALLOCATED DENSITY: 7 DU/AC  
 DENSITY SHOWN: 3.1 DU/AC (55 UNITS)  
 SETBACKS:  
 FRONT: 15'  
 SIDE: 25'  
 BACK: 40'  
 MINIMUM HEIGHT: 20'  
 MAXIMUM HEIGHT: 44 AC (25%)  
 OPEN SPACE REQ'D: 12.0 AC (68%)  
 OPEN SPACE SHOWN: 12.0 AC (68%)  
 PARKING REQUIRED: 121 SP (2.2 SP/UNIT)  
 PARKING SHOWN: 155 SP (2.7 DENSITY)  
 SPACE PER GARAGE UNIT: 1.5

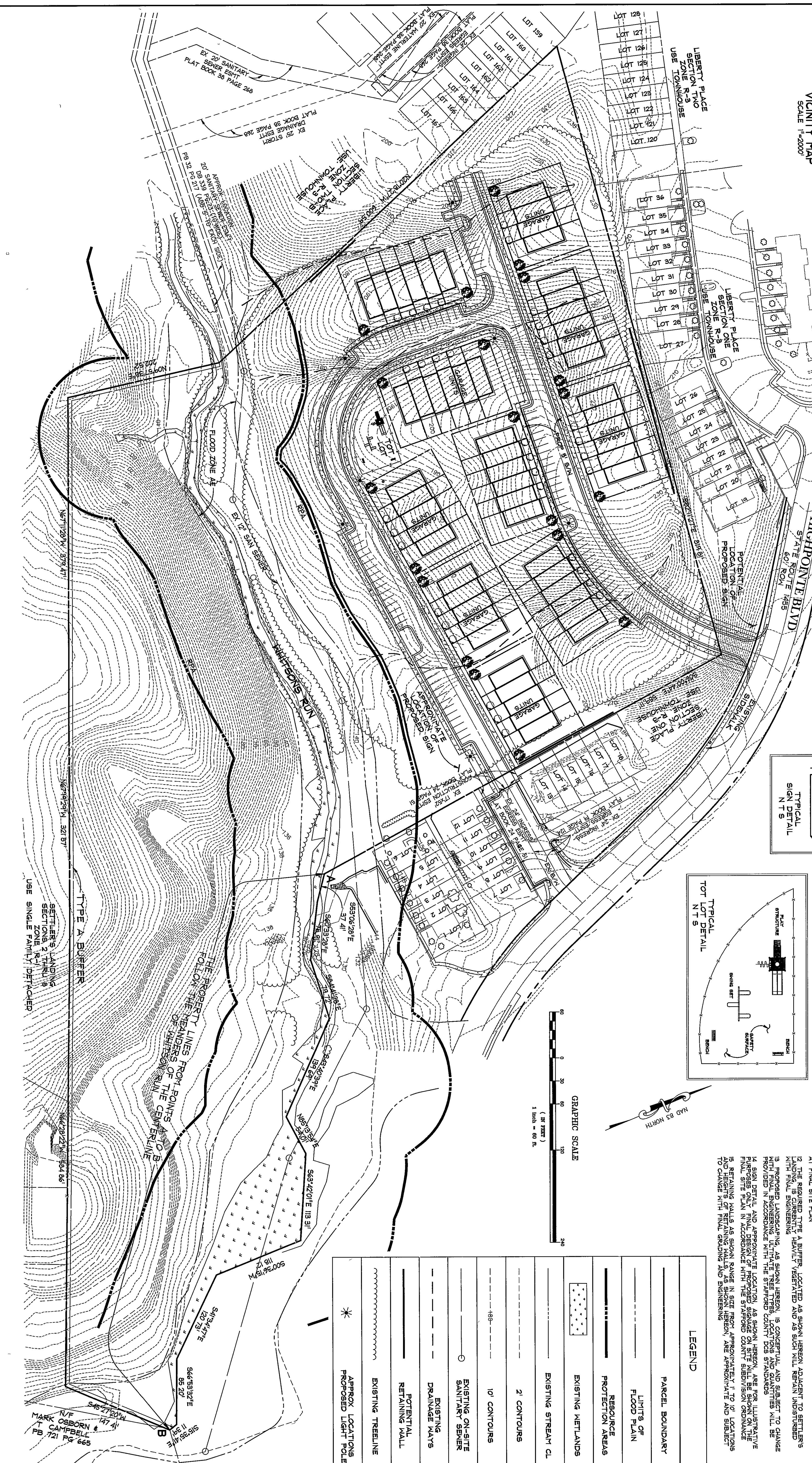


**GENERAL NOTES:**

- OWNER/APPLICANT: D.R. HORTON, INC. ROAD, SUITE 105, IRVING, VA 22080
- THIS PLAN WAS PREPARED BY THE ENGINEER OF A TITLE REPORT AND THEREFORE DOES NOT REPRESENT ANY OPINION OF THE ENGINEER AS TO THE ACCURACY OF THE PROPERTY RECORDS OR THE PROPERTY.
- THE PROPERTY DEPARTMENT HEREON CONSISTS OF ONE PARCEL OF LAND LOCATED ON STAFFORD COUNTY TAX MAP 20 PARCEL 125.
- EXISTING BOUNDARY INFORMATION AS SHOWN HEREON IS COMPILED FROM A BOUNDARY SURVEY PREPARED BY THE ENGINEERING GROUP IN MARCH OF 2011.
- EXISTING TOPOGRAPHIC INFORMATION AS SHOWN HEREON WAS OBTAINED FROM AN AERIAL SURVEY AND IS DERIVED AT 2' AND 10' CONTOUR INTERVALS.
- THE EXISTING STREAM, WETLANDS AND PEA ARE SHOWN HEREON AS PROVIDED BY HUNTLEY, NICE & ASSOCIATES, LTD.
- A PORTION OF THE SUBJECT PROPERTY IN THE VICINITY OF WHITSON'S RUN IS LOCATED WITHIN THE FLOOD ZONE AS SPECIAL FLOOD HAZARD AREAS SUBJECT TO FLOODING BY STAFFORD COUNTY PANEL 5014035E, DATED FEBRUARY 4, 2005.
- IN ACCORDANCE WITH A LETTER PREPARED BY THUNDERBOLT ARCHITECTURAL ASSOCIATES, INC. DATED JANUARY 23, 2004, THERE ARE NO KNOWN CENTRIERS ON THE SITE.
- THERE ARE NO KNOWN HISTORIC SITES ON THE SUBJECT PROPERTY AT THIS TIME.
- THE APPROXIMATE LOCATION OF TREES ON THE SUBJECT PROPERTY THAT ARE 6 INCHES OR GREATER IN DIAMETER AT BREAST HEIGHT (DBH) IS REPRESENTED BY THE TREE LINE AS SHOWN ON THE PLAN.
- LOCATIONS OF LIGHTING FACILITIES AND PROPOSED OFF-SITE SIDEWALK AREAS AS SHOWN HEREON ARE APPROXIMATE FINAL LOCATIONS AND DESIGN WILL BE DETERMINED BY THE FINAL ENGINEERING.
- THE NEW CONCRETE DRIVEWAY, VESTIBULE AND 60' SIDEWALK WILL REMAIN UNDISTURBED WITH FINAL ENGINEERING.
- PROPOSED LANDSCAPING AS SHOWN HEREON IS CONCEPTUAL AND SUBJECT TO CHANGE WITH FINAL ENGINEERING. ULTIMATE TREE TYPES, LOCATIONS AND QUANTITIES WILL BE PROVIDED IN ACCORDANCE WITH THE STAFFORD COUNTY DES STANDARDS.
- A SIGN DETAIL AND APPROXIMATE LOCATION AS SHOWN HEREON ARE FOR ILLUSTRATIVE PURPOSES ONLY. THE FINAL SIGN DETAIL AND LOCATION WILL BE PROVIDED BY THE FINAL ENGINEERING AND SHALL BE IN ACCORDANCE WITH THE STAFFORD COUNTY SUBDIVISION ORDINANCE.
- EXISTING WALLS AS SHOWN WERE IN SIZE FROM APPROXIMATELY 1' TO 10' LOCATIONS AND HEIGHTS OF REMAINING WALLS AS SHOWN HEREON ARE APPROXIMATE AND SUBJECT TO CHANGE WITH FINAL GRADING AND ENGINEERING.



	PARCEL BOUNDARY
	LIMITS OF FLOOD PLAIN
	RESOURCE PROTECTION AREAS
	EXISTING WETLANDS
	EXISTING STREAM CL
	2' CONTOURS
	10' CONTOURS
	EXISTING ON-SITE SANITARY SEWER
	EXISTING DRAINAGEWAYS
	POTENTIAL RETAINING WALL
	EXISTING TREELINE
	APPROX LOCATIONS PROPOSED LIGHT POLE



GENERALIZED DEVELOPMENT PLAN  
**WHITSON WOODS**

WHITSON MAGISTERIAL DISTRICT  
STAFFORD COUNTY, VIRGINIA

DATE: MAY 31, 2011  
 SCALE: 1"=60'  
 DESIGNER: DA  
 DRAFTER: M-2174

**The Engineering Groupe Inc.**  
 Engineers | Surveyors | Planners

Central Office: 13580 Groupe Drive, Suite 200, Woodbridge, VA 22192, PH 703 670 0985, FX 703 670 7769

South Office: 4800 Southpoint Parkway, Fredericksburg, VA 22407, PH 540 710 5987, FX 540 710 5988

NO	DATE	COUNTY REVISIONS
	02/14/13	ADDRESS COUNTY COMMENTS
	02/10/12	ADDRESS COUNTY COMMENTS

COMMISSIONER OF PLANNING AND ZONING  
 STAFFORD COUNTY, VIRGINIA  
 2-13-13  
 DEAN H. ANDERSON  
 LC NO. 38880



Norfolk Sussex Townhouse Rendering March 12, 2013  
Two Options

Option I  
(With Gable Feature or other  
varied Architectural Detailing)

Option II  
(Without Gable Feature)



Note: Rendering does not serve as a limitation on color or materials of the dwellings.

**D. R. Horton, Inc Color Schemes - Traditional Series**

Manufacturer	Product	Area	Color Scheme 1	Color Scheme 2	Color Scheme 3	Color Scheme 4	Color Scheme 5	Color Scheme 6
Norandex	Vinyl Siding	Base Siding	Dune	Tan	Almond	Sandstone	Sierra	Champagne
Norandex	Vinyl Siding	Accent Siding*	Ivy	Russet	Tumbleweed	Ivy	Steel Blue	Cobblestone
Mastic	Vinyl Siding	Vert. Siding*	Scottish Thistle	Pebblestone Clay	Wicker	Scottish Thistle	Everest	Wicker
Norandex PVC W/C Coil	Coil Stock	Trim	Champagne	Sandstone	Sierra	Sierra	Champagne	Sierra
Mid America	Prefinished Vinyl	Shutters	Musket Brown	Black	Tuxedo Grey	Musket Brown	Bordeaux	Midnight Green
Mid America Color Match	Paint	Door	Musket Brown	Black	Tuxedo Grey	Musket Brown	Bordeaux	Midnight Green
General Shale	Brick	Brick - over sized	Monticello	Sierra Regent	Raleigh Court	Williamsburg	Sierra Regent	Midnight Green
Environmental Stoneworks	Pre-manufactured stone	**Stone**	Aspen	Dakota	Champagne	Aspen	Champagne	Raleigh Court
PlyGem	Pre-manufactured stone	**Stone**	Chardonay	Rockaway	Autumn	Chardonay	Autumn	Dakota
Norandex 2-1/4" J Channel	Vinyl Siding	Window Trim**	Russet	Tumbleweed	Russet	Russet	Champagne	Rockaway
KO	Asphalt Shingles	Roof	Black	Black	Black	Black	Black	Russet
								Black

**NOTES:**

\* 2-1/4" wide J Channel is used only on the fronts of houses that do not show shutters

\*\* There is no accent siding color change on full brick front homes.

Builder reserves the right to substitute manufactures at any time.