

STAFFORD COUNTY, VIRGINIA

ZONING RECLASSIFICATION AND CONDITIONAL USE PERMIT APPLICATION

IMPACT STATEMENT

Applicant/Owner: NAOMI ROAD, LLC (the “Applicant”)

Property: Tax Map Parcels 54-79, 54-79A, 54-80, 54-80A and 54-81, known as 203 Cobb Street and 201 Hopkins Road, containing a total of 7.118 acres subject to this rezoning (collectively the “Property”)

Project Name: “The Vistas at Ferry Farm” (the “Project”)

Rezoning Request: From A-1 to B-3 (1.076 acres, “Parcel 1”); and From A-1 to R-5 (6.042 acres, “Parcel 2”)

CUP Request: To develop a multifamily apartment community, with a density of 22.5 units per acre

Date: July 16, 2018

File No.: RC18 _____
CUP18 _____

Application Request

The Applicant hereby collectively requests a rezoning and condition use permit of the following parcels from Agricultural (A-1) to B-3 Office and Age-Restricted Housing (R-5) in accordance with the Stafford County, Virginia (the “County”) zoning ordinance, including without limitation Article III, Section 28-35, Article X, Section 28-161, et seq., and Article XII Section 28-201, et seq.:

Tax Parcels 54-79, 54-79A, 54-80, 54-80A and 54-81 (of record by Instrument No. 160016576) (collectively, the “Property”), commonly known as 203 Cobb Street and 201 Hopkins Road, consisting of approximately 7.118 acres total, and generally located near the intersection of Naomi Road and Kings Highway (Route 3), within the George Washington Voting and Magisterial Districts, all as more particularly described on that certain generalized development plan entitled “The Vistas at Ferry Farm Stafford County, Virginia”, dated June 21, 2018, and prepared by Fairbanks & Franklin, attached hereto as Exhibit A (the “GDP”), which plan is incorporated as a material part of this application by this reference.

For purposes of the Conditional Use Permit (“CUP”) portion of this application, the R-5 zoning district permits multifamily dwellings by-right, except for densities greater than 15 dwelling

units per acre, which then requires a CUP. Concurrently with the proposed rezoning, the Applicant requests a CUP to develop the Property for an age restricted multifamily apartment community, with a density of 22.5 units per acre, all as shown on the GDP.

Also attached and marked collectively as Exhibit B are several illustrative renderings depicting the proposed architectural design and building material features for the project, which include general type, character, and quality of architectural design, details, and materials (collectively, the “Renderings”).

This application provides the following key development features:

- (1) No more than 136 age restricted residential apartment units (the “Units”) to be located only on Parcel 2, as generally shown on the GDP (the “Residential Project”);
- (2) Approximately 11,000 square feet of commercial office space to be located only on Parcel 1, as generally shown on the GDP (the “Commercial Project”);
- (3) Density of 22.5 dwelling units per acre as compared to 15.0 to 24.0 units to the acre allowed with a CUP under the County’s R-5 zoning ordinance;
- (4) The FAR for Parcel 1 is 0.23 as compared to the maximum floor area ration of 0.65 under the B-3 district;
- (5) Open space includes approximately 0.65 acres or 60.53% on Parcel 1, exceeding the B-3 district’s minimum requirement of 30%;
- (6) Open space of approximately 3.03 acres or 50.14% on Parcel 2, exceeding the R-5 district’s minimum requirement of 25%;
- (7) Proffered architectural and design features as generally provided on the Renderings referenced above;
- (8) Total of \$67,551.00 in monetary cash proffers for 136 units or \$497.00 per unit, all as provided more particularly in the attached proffer analysis and statement;
- (9) Project is located within Stafford County’s (the “County”) Urban Service Area, which encourages greater density, and will include a connection to public water and sewer facilities;
- (10) Project is consistent with County’s Comprehensive Plan, as described in more detail below; and
- (11) Onsite amenities include a clubhouse, swimming pool and trail, which have been proffered as well.

Overview

As noted above, the Property is currently zoned A-1. The Applicant proposes changing the zoning district of Parcel 2 from A-1 to R-5 to allow for 136 age-restricted apartment units. Section 28-35 of the County’s Zoning Ordinance states the following concerning the R-5 district:

“The purpose of the R-5 district is to provide areas of high-intensity residential uses designed and intended to be multifamily dwellings for persons fifty-five (55) years in age or older, in accordance with all federal and state laws and regulations.”

Pursuant to Article III, Section 28-35 of the Zoning Ordinance, a CUP is required in the R-5 district if the applicant requests a density of dwelling units greater than 15.0 per acre and less than or equal to 24.0 per acre. Residential development in the R-5 district permits a density of up to 15.0 dwelling units per acre. The proposed development includes 22.5 dwelling units per acre, which requires a CUP.

The Applicant also proposes changing the zoning district of Parcel 1 from A-1 to B-3 to allow for approximately 11,000 square feet of commercial office space. Section 28-35 of the County's Zoning Ordinance states the following concerning the B-3 district:

“The purpose of the B-3 district is to provide areas of the county for the location of professional offices and office parks. Such areas should be located as transitional areas between commercial and residential uses.”

The Applicant's proposed development includes the Residential Project of 136 units located in two three-story buildings on approximately 6.042 acres, as well the Commercial Project of approximately 11,000 square feet of commercial office space on 1.076 acres. The GDP reflects approximately: 0.65 acres of open space on Parcel 1 accounting for approximately 60.53% of Parcel 1; and 3.03 acres of open space on Parcel 2 accounting for approximately 50.14% of Parcel 2. This exceeds the 30 percent minimum required by the B-3 district and the 25 percent minimum required by the R-5 district. The open space will be used for active recreation (e.g. trail), landscaped buffers and preservation of natural areas.

The Property is generally located south of Kings Highway (Route 3), east of the intersection of Kings Highway and Chatham Heights Road. The Property is bordered on the north by Kings Highway, on the west and south by Naomi Road and on the east by the CSX railroad tracks. Across Naomi Road are single family detached homes and vacant land.

As described in more detail below, the Applicants' proposal conforms to the policies established by the County's Comprehensive Plan (the "Comp Plan"), and is designated as "Suburban" for future land use. In addition, the project will have minimal impacts on County services, and generate net positive tax revenues at full build-out as further detailed under the impact analysis of this narrative.

Comprehensive Plan Analysis

(1) Property Overview and Surrounding Area:

As noted above, the Property is commonly known as 203 Cobb Street and 201 Hopkins Road and is located near the intersection of Naomi Road and Kings Highway (Route 3). The Property lies south of Route 3, east of the intersection of Kings Highway and Chatham Heights Road. The Property is bordered on the north by Kings Highway, on the west and south by Naomi Road and on the east by the CSX railroad tracks.

The land surrounding the Property comprises a mix of uses: To the northwest are single-family suburban homes. To the north are office parks, condominiums, general commercial property, and single-family suburban homes. The land to the east, beyond the railroad tracks, consists of government property, single-family homes, and vacant land, zoned both for light industrial uses and single-family homes. To the south, across Naomi Road, are single-family detached homes, vacant land, and a nursing home. To the southeast are warehouses and mini storage units. A sewage treatment plant also lies to the southeast. The property to the west is zoned for single family residential uses, although much of it is vacant. The properties to the north are zoned R-1 and B-2. The property to the east is zoned R-1 and M-1. The properties to the south are zoned R-1 and B-2.

(2) County's Overarching Development Goals

The County has articulated its overarching goals for future development and land use in its Comp Plan, which serves as a general guide for future development of the County over the next 20 years. The Comp Plan provides goals, objectives, and policies for sustainability, fiscal responsibility, the environment, housing, transportation, economic development, and education.

According to the Comp Plan, future development proposals should further the Comp Plan's vision of the future, including addressing diverse growth in the County. In order to further that vision, proposals should consider at least some of the following factors: transportation needs, aesthetic values, a pleasing community character, land use conflicts, and economic development.

(3) Overview of Future Land Use

According to the Comp Plan's future land use designation, the Property has been designated as a Suburban Area within the County's urban services area ("USA") (Comp Plan § 3.6 & Fig. 3.6). Suburban Areas are typically characterized by detached, single-family homes, buffered from commercial developments. Suburban Areas are intended to serve as infill development for the established northern and southern areas of the County and are in close proximity to major planned or existing transportation networks. The form of, and relationships with, existing communities are key components of Suburban Areas.

Although primarily residential in nature, Suburban Areas are complemented by neighborhood and community activity centers, places of worship, and parks and playgrounds, as well as retail and business activities. Suburban Areas are intended to foster opportunities for residents to live, work, and play within the same development, which in turn will reduce sprawl and the impact on regional highways.

Despite the Comp Plan's preference for single-family homes within Suburban Area, certain multi-family dwellings are excepted from this rule, in light of the Comp Plan's residential growth goals. For example, the Comp Plan provides an exception for multi-family dwellings used as infill developments for land that has not previously been rezoned or developed, when the following conditions are met:

- (a) The multi-family dwellings are located on land where 60% or more of the linear footage of the property perimeter physically abuts property that has been or is currently approved for the same type of dwelling unit or a higher density dwelling unit;
- (b) The density and design of the units would be compatible with the current pattern of development of adjacent parcels; and
- (c) The infill development appropriately mitigates visual impacts from existing or planned lower density dwelling unit types or other incompatible uses through buffering or site design.

For purpose of this project, it is important to note that the land bordering the Property to the north, west, and south consists largely of single-family homes zoned R-1 or R-2, although some multi-family units do exist to the north. And certain parcels to the south and east are zoned for commercial and light industrial uses, including a nursing home to the south. Both of these uses are higher density than the proposed development.

(4) Proposed development contributes to growth in Urban Service Area

The Applicant's proposed use of the Property for an age-restricted apartment community and commercial development contributes to the County's goal of locating at least 80% of future residential growth within USAs. According to the Plan, USAs are "areas designated within the County where more compact development patterns are recommended." Government and community services will be located in these areas, including public sewer and water utilities, schools, other public and community buildings, and transit services (Comp Plan § 3.6). Inside USAs, projected growth of residential units is 16,372 over the next 20 years, with the aim of locating 6,552 of those units in Suburban Areas. Because the Property lies within the USA, its proposed development of 136 age-restricted apartments contributes to the County's goal of locating at least 80% of residential growth within the USA. In addition, the definition of R-5 zoning district supports the notion of such uses within the urban service area, including that "such uses are to be located within the designated urban services area and outside of the military impact areas in the comprehensive plan, where public water and sewer are available and transportation systems are adequate" (§ 28-33).

(5) Commercial Uses within Suburban Land Use Area

The proposed commercial development portion of this Project conforms to the Comp Plan. The Comp Plan encourages these type of developments be conducted in such a manner as to minimize noise, social, transportation, and visual impacts on established residential neighborhood (Comp Plan at 3-86). Second, commercial activities should be located where adequate transportation facilities exist and should incorporate limited points of road access to reduce potential vehicle conflicts. Third, commercial uses adjacent to residential uses should be developed as low-to-medium intensity, and designed such that the commercial use is integrated into and accessible to the community. For example, the development should consist of low-rise buildings and provide sidewalks along all street fronts. The lighting should be installed facing away from the abutting properties. Inter-parcel access should be provided and the development should be located in such a way as to maximize pedestrian accessibility (Comp Plan at 3-87 to -

88). The commercial development design should be unobtrusive and compatible with the surrounding community (Comp Plan at 3-87). Fourth, these commercial developments should also mitigate potential environmental impacts through preservation of natural vegetation, and the site design and layout should incorporate open spaces and green areas (Comp Plan at 3-87).

(6) Proposed development meets County's affordable housing goals

The proposed development helps achieve the County's future housing goals. In 2008, Stafford County, long aware of the limiting effect of high housing costs on opportunities for affordable home ownership, embarked on a concentrated endeavor to find affordable housing solutions (Comp Plan at 2-24). As part of this ongoing effort, the County encourages future development and partnerships between private and public sectors that will increase the stock of affordable housing for a mix of income and age ranges, thereby allowing sustainable home ownership, while alleviating any burden on the County. The County has specifically identified housing for the elderly as a type of development that meets the County's objectives for affordable housing (Comp Plan at 2-25). Thus, the Applicant's proposed development of age-restricted apartments will aid the County in achieving its goal of increasing the stock of affordable housing available for a mix of incomes and ages, specifically, the elderly.

(7) Proposed development promotes County's economic goals

The Comp Plan supports development that promotes economic growth (Comp Plan at 2-30). In order to promote economic growth, the County seeks to attract new business and industries to the area, diversify its economic base, and promote job creation (Comp Plan at 2-30). The Comp Plan encourages development of "accessible, convenient and attractive commercial and industrial locations" within the USAs. The Comp Plan anticipates that retail and other commercial nodes in mixed use areas and office and industrial parks will serve local residential communities and be accessible to transportation (Comp Plan at 2-30). The proposed development provides a mix of commercial and residential uses in close proximity to land that will be developed for suburban purposes in the future. In this way, it achieves the Comp Plan's goals of creating inter-connected neighborhoods that allow residents to live, work, and play in the same area.

Proffer Analysis

Pursuant to state code Section 15.2-2303.4 and for purposes of this application, proffers may be offered by the Applicant for residential rezoning projects if such proffers are not unreasonable and are specifically attributable to the proposed use. In this regard, the Applicant retained MuniCap, Inc. to prepare a proffer analysis for the proposed project, a copy of which is attached hereto, marked as Exhibit C and entitled "Vistas at Ferry Farm Stafford, VA SB 549 Proffer Analysis", dated June 28, 2018 ("Proffer Analysis"). The Proffer Analysis is incorporated into this Application as a material part of this Application by this reference.

In summary, the Proffer Analysis provides that the proposed project will generate a need for certain cash proffers. In this regard, the Applicant is proposing reasonable cash proffers in the amount of \$515.66 per unit for 131 units, which are net the by-right units (\$497.00 per unit when spread out across all 136 units) to address impacts to public safety.

We do believe the proposed cash proffers are reasonable and specifically attributable to anticipated impacts of the project on County public safety facilities. The proffers will also materially and directly benefit the proposed project.

Impact Analysis

1. Current capacity of and anticipated demands on highways, utilities, storm drainage, schools and recreational facilities.

- A. Roads. Based on the results presented in the Trip Generation Memo, the proposed development would generate 57 new trips in during the morning peak hour, 45 new trips during the afternoon peak hour, 30 new trips during the Saturday midday peak hour, approximately 592 new weekday daily trips, and approximately 439 new Saturday daily trips. The daily trip generation of the proposed development is less than the 1,000 daily trips, and therefore, a traffic study would not be required per county guidelines.

Access to the project will be from two entrances along Naomi Road.

By Right Impacts: The subject parcels are currently zoned A-1, which in relevant part permits one (1) residential units per 1.5 acres or a yield of five (5) lots (since the Property is currently five separate parcels). Thus, the by-right use would generate 78 daily trips.

- B. Utilities. As noted above, the proposed rezoning is located within the County's Urban Service Area and has access to public water and sewer. Existing 10" water and 10" sewer mains are available along Naomi Road. Additionally, an existing 10" sewer main crosses the site between Route 3 and Naomi Road. The Applicant will extend utility lines to serve the development.

Public Water: This project is located in the Falmouth Pressure Zone. There is an existing 10" water line along Naomi Road. The anticipated daily demand for water is as follows: 136 dwelling units x 250 gpd/du= 3,250 gpd; 11,000 sf office x 200 gpd/1,000 sf=2,200 gpd; Total daily demand = 5,450 gpd.

Sewer: This project is located in the Claiborne Run Sewer Shed sewer service area. An existing 10" sewer line is located along Naomi Road and a 10" sewer line crosses the site between Route 3 and Naomi Road. The anticipated daily demand for sewer is as follows: 136 dwelling units x 250 gpd/du= 3,250 gpd; 11,000 sf office x 200 gpd/1,000 sf=2,200 gpd; Total daily demand = 5,450 gpd

By-Right Impact: If developed by right, the applicant would likely have to connect to the existing public water and sewer lines along Naomi Road.

- C. Storm Drainage. Upon build-out, approximately 48% of the total Property will consist of impervious surface. Runoff from the project will be collected in a storm sewer system and conveyed to Claiborne Run. Stormwater management will comply with County and State requirements.

By Right Impact: Both the by-right and proposed developments would result in the same post-developed flow requirements and would have minimal impacts downstream.

- D. Schools. The proposed rezoning will not impact schools.

By Right Impact: A by-right development would result in approximately 5 dwelling units or approximately 5 school aged students.

- E. Recreational Facilities. It is reasonably anticipated that the proposed rezoning will have minimal impact on park and recreational facilities. Per the Comp Plan's recommendation of 20 acres per 1,000 residents, the proposed development would require roughly 4.38 acres of parks. In addition, the project will provide certain on-site passive and active recreational areas within the development, including a clubhouse, swimming pool and trail, all as shown on the GDP. The Applicant's Proffer Analysis shows that the project will have no impact to current County capacity levels for parks and recreation facilities, and thus there are no per unit proffers.

By-Right Impact: A by-right development would generate approximately 5 dwelling units. The by-right development would require less than one acre of parks.

2. **Fire & Rescue.** It is anticipated that the proposed project will be served by Station 1 Falmouth, which is located approximately 1.3 miles north of the project. The Applicant's Proffer Analysis shows that the project will have minimal impact to current County capacity levels for fire and rescue, and thus proffers \$515.66 per unit for the 131 units above by-right in cash proffers to address this direct impact. Please also see the attached proffer statement provided with this Application.
3. **Fiscal Impact.** The Applicant retained MuniCap, Inc. to prepare a fiscal impact analysis for the proposed project, a copy of which is attached hereto, marked as Exhibit D and entitled "Vistas at Ferry Farm Stafford County, VA", dated July 9, 2018 ("FIA"). The FIA concludes that at full build-out the Project will generate gross county tax revenues of approximately \$295,903.00 annually (including on and off site impacts), and will result in an annual net fiscal benefit to the County

of \$228,606.00. Essentially, the Project will more than pay for itself from an annual operating perspective and partially subsidize current per capita County tax revenue losses. The FIA's assumptions are based on several factors, including the County's current tax rate, budget and CIP projections, County estimates for the costs for public services, market conditions, and County demographics, all as more particularly described in the FIA.

4. **Environmental Impact.** A wetland delineation was conducted on the Property by TNT Environmental. Approximately 0.15 acres of wetlands were identified on the Property.

The proposed development has been designed to avoid disturbance to the RPA. A permit will be obtained to disturb the wetlands on the west side of the site at the toe of the Route 3 fill slope. The small wetland on the east side of the site will not be disturbed. None of the development will be located in the RPA.

By-Right Impact: Any development utilizing the same developable area will have the same impacts to environmentally sensitive features.

5. **Impact on Adjacent Properties.** Generally, nearby properties are either vacant land or developed for residential uses. There are single family detached homes and vacant land across Naomi Road from the project. The proposed development is compatible with and a good transition between development on surrounding properties, and we do not believe there will be any adverse impacts to surrounding properties.
6. **Historical Sites.** According to the Virginia Department of Historic Resources, no known archaeological sites or architectural resources are located on the Property. No cemeteries are located on the Property. Accordingly, no adverse impacts to historic resources are anticipated from the development of the Property.
7. **Exhibits:** The following exhibits are enclosed herewith and are a material part of this application:

(a) Generalized Development Plan entitled "The Vistas at Ferry Farm Stafford County, Virginia", dated June 21, 2018, and prepared by Fairbanks & Franklin;

(b) Renderings entitled "Ferry Farm Vistas", dated June 5, 2018, and prepared by BOB Architecture;

(c) Proffer Analysis, prepared by MuniCap, Inc., dated June 28, 2018; and

(d) Fiscal Impact Analysis, prepared by MuniCap, Inc., dated July 9, 2018.

EXHIBIT A

Generalized Development Plan

EXHIBIT B

Renderings

EXHIBIT C

Proffer Analysis

EXHIBIT D

Fiscal Impact Analysis

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