

Community & Economic Development Committee Meeting

AGENDA

June 4, 2019 - 12:45 PM

Conference Room A/B/C, Second Floor

Committee Members: Chairman Cindy Shelton, Wendy Maurer and Gary Snellings

AGENDA ITEM

1. CONSIDER CHANGING TIME LIMITS FOR PLANNING APPLICATIONS
2. RECREATIONAL FACILITIES IN THE FLOODPLAIN
3. TURN LANES FOR COMMERCIAL ENTRANCES IN THE HIGHWAY CORRIDOR (HC) ZONING DISTRICTS
4. DISCUSS ACCEPTANCE OF PROFFERED PARK LAND IN WINDING CREEK DEVELOPMENT
5. DISCUSS VATI 2020 GRANT APPLICATION PROCESS, GUIDELINES AND NEXT STEPS

Next CEDC meeting is scheduled for July 2, 2019

This agenda may be amended on the day of the meeting. Participation of all citizens is encouraged. For all individuals with special needs, please notify County Administration of any accommodations required at least 24 hours in advance of the meeting. The agenda and related materials may be found on the County's website at www.staffordcountyva.gov

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Subject:

Consider Changing Time Limits for Planning Applications

Recommended Action:

Recommend the Committee request staff to prepare ordinance amendments and send to the full Board in order to send to the Planning Commission for a review and a public hearing.

Committee/Commission Recommendation:

At the March 5, 2019 CEDC meeting staff proposed changing the time limit requirements to allow plans to expire and be administratively closed after an extended period of time (18-24 months) upon notice to the applicant. The County Code currently has several different time limit requirements for resubmission of various plan types. This process requires repeated written communication between applicants and County staff. If an applicant inadvertently fails to send an extension request to staff, their application is automatically denied. A new application would need to be filed paying new filing fees in order for the project to move forward.

The CEDC was interested in discussing this topic in more detail. Staff was asked to provide data on how many applications are pending and for how long. Attachment 1 includes a list of pending site plan and construction plan applications.

Fiscal Impact:

N/A

District:

Overview:

On October 6, 2009, the Board adopted Ordinance 009-34 which established time limits for subdivision and site plan applications. Those time limits affected when revisions to plans must be submitted to the County after the previous review of a plan was denied. This ordinance was initiated as a result of a process improvement effort that involved developers and homebuilders. The intent of the amendment was to ensure that development applications were submitted to the County in a timely manner for approval. Time limit extensions could be granted administratively if certain criteria were met.

Abandoned plans would be administratively closed out to minimize a back-log of unapproved plans.

Discussion/Analysis:

The time interval between completion of County reviews and resubmission of preliminary subdivision plans, construction plans, and site plans is regulated via Ordinance 009-34, adopted October 6, 2009. After each review completed by the County, the applicant/engineer must resubmit corrections within 120 days. If this is not possible, they may request a first extension of 60 days and then an infinite number of 30 day extensions, but these must be in writing via email or through the USPS. Only four reviews are allowed but if projects require more than 4 reviews, staff completes the review but does not approve the project until all outstanding items have been resolved, taking as much as two additional reviews not captured in the database.

Currently, there are as many as ten requests monthly seeking extensions for projects that cannot be resubmitted within the 120, 60 or 30 days from the last extension. There are 26 open construction plans and site plans which have not been approved. In addition, there are over 500 open applications in the database from 2000 that have not been approved, which includes plats, grading plans, infrastructure plans, revisions to approved plans, zoning reclassifications, and conditional use permits. These application types are not subject to the current time limit ordinance.

While it is not required, staff may remind the applicant and engineer of the impending expiration of their project. Frequently, applicants and engineers forget to request an extension which causes the application to expire due to the time limit. The applicant must resubmit the application and fees in order to continue the development. Staff will begin the process and follow the same protocol as if the project was a new submission.

In reviewing the Municode for the peer localities, staff did not find any data in which other localities require time limits for submitting plans after completion of County review. The only time limits listed include validity of approvals, administrative approvals and final approvals by the Planning Commission.

The County will not expire the application if the project is subject to other reviews or decisions, ie. BZA appeals, waivers, conditional use permits or decisions by the County that may take additional time.

Staff recommends amending the time limit ordinance to remove time limits on all applications and instead include a sunset clause for approvals or denials. The project submitted should complete all reviews and approvals or denials within 18 months or a time designated by the Board. This will help to establish a deadline for the applicant to complete their project and clear out of date applications that were subject to older regulations.

Attachments:

1. Attachment 1 - Open Site Plans and Subdivision Plans dtd 3-5-19
2. Attachment 2 - Approved Ordinance 009-34

3. Attachment 3 - PowerPoint

Summary/Conclusion:

Strategic Priorities:

Reviewed By:

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A/P #	Application Type	Project/Phase Name	Comments	Processed Date
17151759	SPMAJOR	GARRISON AT STAFFORD, THE	A Major Site Plan proposing 562,140 sq. ft. of mixed retail, office, parking garages and multi-family dwelling units (107 of 453) on assessor's Pcl 20-130, Zoned P-TND, on 23.39 Acres, located at 425 Garrisonville Rd, within the Garrisonville Election District.	4/18/17
17151970	SPMAJOR	SOUTHGATE SELF-STORAGE	A Major Site Plan for a Self Storage facility and office totaling 62,725 sq. ft. on Assessor's Pcl 45-165, Zoned B-2 with proffers, Approx. 8.1585 Acres, located at the Northwest corner of Southgate Avenue and Route 1, with in the Falmouth Election District.	8/21/17
17152081	SPMAJOR	STAFFORD HOSPITAL CTR EAST CAMPUS	Major site plan for a 1 story, 108,323 sq. ft. medical clinic, located on assessor's parcels 39R-1 thru 39R-10 and 39R-A, B, and C, zoned B-2, on 64.589 acres, located NW intersection of Hospital Center Blvd and Courthouse Rd within the Aquia Election District.	11/3/17
18152170	SPMAJOR	PARK RIDGE COMMONS (AKA 610 PARK RIDGE)	A Major Site plan to construct retail multi-tenant buildings totaling 61,260 sf on assessor's Pcls 20-20A & 20S-C2, zoned B-2, on 12.74 acres, Located on the southeast corner of Garrisonville Rd and Parkway Blvd, within the Rockhill Election District.	1/22/18
18152228	SPMAJOR	SHOPS AT ENGLAND RUN RETAIL CTR	A Major site plan to redevelop an existing 12,800 sq ft retail pad site on Rte 17, located on parcel 44-121 and 44 122. Zoned B-2 and M-1 within the Hartwood election district.	2/26/18
18152236	SPMAJOR	PATRIOTS CROSSING MULTI-TENANT BLDG	A Major site plan for a multi tenant building site with carwash at the Patriots Crossing Development, including overlot grading for entire development. Located on assessors pcl 20-12, consisting of 1.76 aces. Zoned B-2, within the Garrisonville election district.	3/5/18

18152267	SPMAJOR	MCWHIRT LOOP COMMERCIAL FIRESTONE	A Major Site Plan with a CUP13000291 to construct a 6,700 SF Firestone auto care facility on Assesor's Pcl 44-120B, Zoned B-2, on 2.842 Acres, Located on the South side of Warrenton Road, within the Hartwood Election District.	3/26/18
18152296	SPMAJOR	MAPEI CORP WAREHOUSE EXP	A Major site plan for the expansion to existing warehouse consisting of approx. 97,200 sf including pking, loading docks and swm on 11.11 acres on TM 45-15E, 15G. AND 15H, zoned M1, located at the intersection of Nelms Cir and Falls Run Dr w/in the George Washington Election District.	4/10/18
18152431	SPMAJOR	RIVERSIDE BUSINESS PK	A Major Site Plan for construction of a 75,000 sf office building and related infrastructure, on Assesor's Pcl 45-31A, Zoned M-1, on 5.32 Acres. Located on Riverside Parkway, Approx. 0.5 Miles from Intersection of Sanford Drive, within the Hartwood Election District.	7/19/18
18152452	SPMAJOR	KAZ AUTOMOTIVE	Construction of Automobile repair facility located on the North side of Garrisonville Rd between Meadow Ln and Dun Rovin Ln, located on TM 20-6, zoned B-2 on approx. 2.91 acres in the Rock Hill Election District	8/6/18
18152474	SPMAJOR	DUNKIN DONUTS AT ARBYS	A major site plan for a 1400 sq ft fast food restaurant w/drive thru facility. Located along Warrenton road between I-95 and Rt. 1, on TM 53B-1-11 and 53B-1-7, zoned B-2 on approx. 0.83 acres in the George Washington election district.	8/27/18
18152488	SPMAJOR	NORTHERN FUELING STA	A major site plan on Assessor's pcl 30-3B, zoned M1, on 37.7396 acres for a Refueling station for Stafford County Public School buses with bus parking, car parking and a small restroom building located on Coal Landing Rd near Greenridge Dr within the Aquia Election District.	9/10/18

18152494	SPMAJOR	EMBREY MILL - MARKET AT EMBREY MILL	Major site plan for the construction of 4 buildings totaling 78,671 sq. ft., zoned B2 on 29-72, 29-72B and part of 29-53B, on approx. 18.75 acres, located at the corner of Courthouse Rd and Mine Rd in the Garrisonville Election District.	10/11/18
18152520	SPMAJOR	WYCHE IND PK	A Major Site plan constructing 3,200 sq. ft. building on Assessor's pcl 38-83H, zoned B3 with M1 uses allowed, on 3.17 acres, located on South side of Hospital Blvd and North side of Venture Rd between 95 and US RT 1 within Hartwood Election District.	10/15/18
18152537	SPMAJOR	CENTREPORT STAFFORD 95 BUS CTR	A Major Site plan constructing a 486,720 sq. ft. warehouse building on Assessor's Pcl 38-14B, Zoned M-1, Located on the north side of Centreport Parkway adjacent to the airport, within the Hartwood Election District.	10/23/18
18152541	SPMAJOR	CENTREPORT STAFFORD 95 BUS CTR CIP FINISHES	A Major Site Plan constructing a 21,000 sq, ft, flex office building on Assessor's pcl 38-14J, zoned M-1, on 3.4005 acres, located on Centreport Parkway northeast of the airport within Hartwood Election District.	10/26/18
19152615	SPMAJOR	WOODLAWN SHOPPING CTR OREILLY AUTO	Major site plan for an O'Reilly Auto Parts store located Southwest of the intersection of Deacon Road and Cleremont Drive on approx. .992 acres zoned B-2 in the Falmouth election district	1/3/19
19152621	SPMAJOR	STAFFORD NURSING HOME	Major site plan constructing 35,286 sf building for Nursing Home with up to 90 units on TM 44FF-2B, approx. 7.06 acres, zoned LC located at the intersection of Berea Church Rd and Brimley Dr. in the George Washington Election District.	1/11/19

16151328	SUBCONSTR	FOREST HILL EST	A Construction Plan for 13 single family residential cluster lots on Assessor's Prcl 16-1C, zoned A-1 consisting of 43.79 acres within the Hartwood Election District.	6/13/2016
17151680	SUBCONSTR	ROGERS GLEN SUBD (AKA HULLS CHAPEL EST)	A construction plan for a 37 single family residential lots on Assessor's Pcl 37-12, 37-12A, 37-13A and 37-16, on 141.13 acres, Zoned A-1, located at 151 Hulls Chapel Rd within the Hartwood Election District.	2/17/2017
18152378	SUBCONSTR	RESERVE AT WOODSTOCK LANE	Construction Plan creating 40 cluster single family residential lots on Assessor's Pcls 21-167 and 170, zoned R-1, consisting of approx. 34.95 acres, located at the intersection of Woodstock Lane and Telegraph Road, approx. 1000 feet south east of Jefferson Davis Highway, within the Griffis-Widewater Election District.	6/18/2018
18152464	SUBCONSTR	WINDING CREEK	A construction plan for 50 residential lots zoned R1, consists of 64.59 acres, located on TM 29-4 on both sides of Winding Creek Rd, north of the intersection with Embrey Mill Rd, within the Garrisonville and Rock Hill Election Districts.	8/16/2018
18152487	SUBCONSTR	EST AT MONROE PLACE	A construction plan for 28 single family dwelling lots on well and septic on Assessor's Pcl 43-45 and 43-50, zoned A1, on 94.49 acres, within Hartwood Election district.	9/10/2018
18152521	SUBCONSTR	EMBREY MILL PH 1 SEC 7	A construction plan creating 167 lots and a tot lot on Assessor's pcl 29-53F, zoned PD2 with proffers, on 49.368 acres, located North and East of Section 6, West of Mine Road Phase 3 and South Phase 2A in the Garrisonville Election District.	10/15/2018
19152635	SUBCONSTR	QUANTICO VILLAGE	A Construction plan creating 80 townhouse lots on Assessor's Pcls 13-37, 13-42A, Zoned R-3, on 12.58 Acres. Located on the Southside of Telegraph Road, within the Widewater Election District.	1/28/2019

19152663	SUBCONSTR	ROCKY RUN VILLAGE SEC 1 & 2	A Construction Plan for 44 lots, minimum 8,000 sf lots, on Assessor's Pcls 43-71, 43-72, Zoned R-1, on 56.79 Acres, Located along Village Parkwat, 0.5 miles from the intersection of County Manor Drive and Bealton Court, within the Hartwood Election District.	2/25/2019
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009-34

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 6th day of October, 2009:

MEMBERS:

George H. Schwartz, Chairman
Harry E. Crisp II, Vice Chairman
M.S. "Joe" Brito
Mark Dudenhefer
Paul V. Milde III
Cord A. Sterling
Robert "Bob" Woodson

VOTE:

Yes
Yes
Yes
Yes
Yes
Yes
No

On motion of Mr. Milde, seconded by Mr. Sterling, which carried by a vote of 6 to 1, the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 22-60, STAFF REVIEW; SECTION 22-61, TECHNICAL REVIEW COMMITTEE; SECTION 22-77, REVIEW AND APPROVAL; SECTION 28-251, REVIEW PROCEDURE, OF THE SUBDIVISION AND ZONING ORDINANCES, REGARDING THE ESTABLISHMENT OF TIME LIMITS FOR PLANS

WHEREAS, there is currently no requirement for developers to pursue continual activity on plan applications under review; and

WHEREAS, plan applications submitted for review can remain active indefinitely if there has been no activity including the re-submission of a plan by the developer; and

WHEREAS, plan applications under review for several years require a renewal of the review process each time an ordinance is amended; and

WHEREAS, the Subdivision Ordinance currently does not regulate the time between completion of the County review and the re-submission of plans; and

WHEREAS, the Zoning Ordinance does not regulate the time between completion of the County review and the re-submission of plans; and

WHEREAS, the Board desires to set definitive requirements for the review, re-submission, denial, closing and termination of plan application; and

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WHEREAS, the Board desires to regulate the time between completion of the County review and re-submission of plans; and

WHEREAS, public necessity, convenience, general welfare and good zoning and subdivision practices require adoption of the proposed amendment;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of October, 2009 that Stafford County Code, Section 22-60, Staff review; Section 22-61, Technical review committee; Section 22-77, Review and approval; and Section 28-251, Review procedure, of the Subdivision and Zoning Ordinances, are hereby amended and re-ordained as follows, with all other portions remaining the same:

Sec. 22-60. Staff Review

- (a) The agent, or his designee, shall review the preliminary subdivision plan application for conformance with this chapter, the comprehensive plan, the zoning ordinance, and other applicable county ordinances and policies federal, state and county laws, regulations and policies and prepare a report to be presented to the technical review committee.
- (b) The applicant shall be notified of the recommendations and decision of the agent or his designee. Such notification shall be provided by any of the following means: formal letter; electronic mail; or legible markings and notes on the developer's preliminary subdivision plan showing the agent's or designee's recommendations and decision.
- (c) The applicant shall submit, within one hundred twenty (120) days of the date of the agent's, or his designee's, notice of recommendations and decision, a modified preliminary subdivision plan demonstrating compliance with all changes, corrections and modifications, which are required by the agent, or his designee, for submission of a completed preliminary subdivision plan application. The applicant's failure to satisfy this modification deadline, or any extension thereof, shall result in the termination of the application review process, and the applicant's preliminary subdivision plan application shall receive no further consideration. The applicant's failure to demonstrate, on the modified preliminary subdivision plan, compliance with all changes, corrections and modifications required by the agent, or his designee, shall result in the termination of the application review process, and the applicant's preliminary subdivision plan application shall receive no further consideration. In order to activate the review process for the project contemplated by a preliminary subdivision plan application, which has been terminated, as aforesaid, the applicant shall be required to submit a new application accompanied by the appropriate application fee.

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- (d) The applicant may obtain a first extension, for a period not exceeding sixty (60) days, of the preliminary subdivision plan modification deadline established by paragraph (c) herein, provided the applicant delivers to the agent, or his designee, a written request for such an extension prior to the expiration of the original preliminary subdivision plan modification deadline. This first extension shall be granted by the agent, or his designee, without any need on the part of the applicant to establish cause.
- (e) The applicant may seek additional extensions, for a period not exceeding thirty (30) days per extension, of the preliminary subdivision plan modification deadline established by paragraphs (c) and/or (d) herein, provided the applicant delivers to the agent, or his designee, a written request for such an extension prior to the expiration of the existing extension deadline. These additional extensions may only be granted by the agent, or his designee, upon verification that, through no fault of the applicant; the applicant's agent(s); or the applicant's independent contractor(s), the applicant is encountering or experiencing problems or difficulty:
1. vacating, abandoning or condemning one or more easement(s) and/or right(s)-of-way which is/are necessary prior to the presentation of the preliminary subdivision plan to the Planning Commission;
 2. obtaining from any federal, state or local department, agency or official one or more determination(s), ruling(s) and/or decision(s), which is/are necessary prior to the presentation of the preliminary subdivision plan to the Planning Commission;
 3. obtaining from any federal or state executive department, agency or official, one or more approval(s), which is/are necessary prior to the presentation of the preliminary subdivision plan to the Planning Commission;
 4. complying with any federal, state or local laws and/or regulations, which require one or more change(s), correction(s) or modification(s) to the preliminary subdivision plan, and which is/are necessary prior to the presentation of the preliminary subdivision plan to the Planning Commission;
 5. satisfying any change, correction or modification, which is necessary prior to the presentation of the preliminary subdivision plan to the Planning Commission.
- (f) Each of the applicant's written requests for an extension of the preliminary subdivision plan modification deadline, except for the extension authorized by paragraph (d) herein, shall state, with specificity, the basis for which each extension is being requested.
- (g) The applicant's receipt of any extension under paragraph (e) 1-5 herein, shall not excuse the applicant from full and timely compliance with the applicant's obligations under paragraphs (c) and (d) herein regarding each change, correction and/or modification not forestalled under paragraph (e) 1-5 herein.

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- (h) The applicant is entitled to no more than four (4) reviews by the agent, or his designee, and no more than four (4) reviews by each county office or department having responsibility for review of the applicant's preliminary subdivision plan. The applicant's failure to obtain a determination that the preliminary subdivision plan application is complete, as part of a fourth review by the agent, or his designee, shall result in the termination of the application review process, and the applicant's preliminary subdivision plan application shall receive no further consideration. In order to activate the review process for the project contemplated by a preliminary subdivision plan application, which has been terminated, as aforesaid, the applicant shall be required to submit a new application accompanied by the appropriate application fee.
- (i) The provisions of this section shall apply to all new preliminary subdivision plan applications; and all pending preliminary subdivision plan applications for which a notice of recommendations and decision is issued by the agent, or his designee. Pending preliminary subdivision plan applications, which have already received one or more reviews, shall be entitled to no more than four (4) additional reviews pursuant to paragraph (h) herein.

Sec. 22-61. Technical Review Committee

Prior to presenting a preliminary subdivision plan application to the planning commission for review, the technical review committee shall review the preliminary subdivision plan application for compliance with applicable federal, state and county laws, and state regulations and requirements policies. A report shall be forwarded to the commission. The comments of the technical review committee shall be made available to the planning commission for its review.

Sec. 22-77. Review and Approval

- (a) All construction plans, including profiles and specifications, shall be distributed to the appropriate county office, department and/or state agency for review, comment and recommendation. All such comments and recommendations shall be coordinated at the meeting of the technical review committee.
- (b) The applicant shall be notified of the recommendations and decision of the agent or his designee. Such notification shall be provided by any of the following means: formal letter; electronic mail; or legible markings and notes on the developer's construction plan showing the agent's, or designee's, recommendations and decision.
- (c) The applicant shall submit, within one hundred twenty (120) days of the date of the agent's, or his designee's, notice of coordinated comments and recommendations, a modified construction plan demonstrating compliance with all changes, corrections and modifications, which are required by the agent, or his designee, as conditions for approval of the construction plan. The applicant's failure to

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satisfy this modification deadline, or any extension thereof, shall result in the denial and closing of the applicant's construction plan application. The applicant's failure to demonstrate, on the modified construction plan, compliance with all changes, corrections and modifications required by the agent, or his designee, shall result in the denial and closing of the applicant's construction plan application. In order to activate the review process for the project contemplated by a construction plan application, which has been denied and closed, as aforesaid, the applicant shall be required to submit a new application accompanied by the appropriate application fee.

- (d) The applicant may obtain a first extension, for a period not exceeding sixty (60) days, of the construction plan modification deadline established by paragraph (c) herein, provided the applicant delivers to the agent, or his designee, a written request for such an extension prior to the expiration of the original construction plan modification deadline. This first extension shall be granted by the agent, or his designee, without any need on the part of the applicant to establish cause.
- (e) The applicant may seek additional extensions, for a period not exceeding thirty (30) days per extension, of the construction plan modification deadline established by paragraphs (c) and/or (d) herein, provided the applicant delivers to the agent, or his designee, a written request for such an extension prior to the expiration of the existing extension deadline. These additional extensions may only be granted by the agent, or his designee, upon verification that, through no fault of the applicant; the applicant's agent(s); or the applicant's independent contractor(s), the applicant is encountering or experiencing problems or difficulty:

 - 1. acquiring one or more off-site easement(s) or off-site right(s) of way, which is/are necessary for agent or designee approval of the construction plan;
 - 2. vacating, abandoning or condemning one or more easement(s) and/or right(s) of way, which is/are necessary for agent or designee approval of the construction plan;
 - 3. obtaining from any federal, state or local department, agency or official one or more determination(s), ruling(s) and/or decision(s), which is/are necessary for agent or designee approval of the construction plan;
 - 4. obtaining from any federal or state executive department, agency or official, one or more approval(s), which is/are necessary for agent or designee approval of the construction plan and required prior to such agent or designee approval;
 - 5. complying with any federal, state or local laws and/or regulations, which require one or more change(s), correction(s) or modification(s) to the construction plan, and which is/are necessary for agent or designee approval of the construction plan;
 - 6. satisfying any change, correction or modification, which is necessary for agent or designee approval of the construction plan.

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- (f) Each of the applicant's written requests for an extension, of the construction plan modification deadline, except for the extension authorized by paragraph (d) herein, shall state, with specificity, the basis for which each extension is being requested.
- (g) The applicant's receipt of any extension under paragraph (e) 1-6 herein, shall not excuse the applicant from full and timely compliance with the applicant's obligations under paragraphs (c) and (d) herein regarding each change, correction and/or modification not forestalled under paragraph (e) 1-6 herein.
- (h) The applicant is entitled to no more than four (4) reviews by the agent, or his designee, and no more than four (4) reviews by each county office or department having responsibility for review of the applicant's construction plan. The applicant's failure to obtain approval of the construction plan, as part of a fourth review by the agent, or his designee, shall result in the denial and closing of the construction plan application. In order to activate the review process for the project contemplated by a construction plan application, which has been denied and closed, as aforesaid, the applicant shall be required to submit a new application accompanied by the appropriate application fee.
- (i) The provisions of this section shall apply to all new construction plan applications; and all pending construction plan applications for which a notice of recommendations and decision is issued by the agent, or his designee. Pending construction plan applications, which have already received one or more reviews, shall be entitled to no more than four (4) additional reviews pursuant to paragraph (h) herein.
- (j) ~~(b)~~ If the construction plan application is approved, one copy of the plan bearing certification of such approval shall be returned to the subdivider. If the construction plan is disapproved, all papers, with the exception of one copy the original construction plan application and one copy of the latest plan revision, which shall be retained for county records, shall be returned to the subdivider applicant with a written reason explanation for the disapproval.
- (k) ~~(e)~~ The approval of a construction plan's approval expires in one year 365 days from the date of said approval unless a final subdivision plat is recorded, or unless work has actually begun on a permit has been issued for construction at the site and construction has commenced. The recordation of a final subdivision plat for a section of a subdivision, (or initiation of construction in a section) of the subdivision, does not vest constitute approval of the construction plans for the remainder of the subdivision. If construction plans expire, the subdivider shall file application with the agent for the reapproval of the construction plans. In order to activate the review process for the project contemplated by an approved construction plan, which has expired as aforesaid, the applicant shall be required to submit a new application accompanied by the appropriate application fee.

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Sec. 28-251. Review procedure.

(a) The agent, or his designee, is responsible for ~~the review, the requesting, reviewing and processing and the requesting of~~ additional agency and consultant reports relative to a site development plan which has been submitted pursuant to this article. Developers are required to discuss the proposals contained in the site development plan, as submitted, with the staff officials of the county prior to submitting an official request for approval of that plan.

(b) In the performance of his duties with respect to site development plans, the agent, or his designee, may request opinions and/or decisions, either verbal or written, from other departments, divisions, agencies or authorities of the county government, from officials, departments or agencies of the Commonwealth and from other qualified persons as may, from time to time, be retained.

(c) The agent, or his designee, shall submit site development plans to the Virginia Department of Health ~~department~~ for its review and recommendation relative to proposed septic systems and water supply systems, including grading and drainage considerations related to ~~the these~~ systems. No final site development plan shall be approved, where individual water supply and/or septic tank systems are proposed, until written approval has been secured from the ~~health~~ Director of the Virginia Department of Health. The ~~health~~ said director, or his agent, shall determine the suitability of the soil and topography for septic tank systems with subsurface disposal and shall not approve such site development plan, when satisfactory service is not reasonably anticipated.

(d) The review of a site development plan shall ensure that adequate erosion and sedimentation control measures, as required and approved under the provisions of the county soil erosion and sedimentation control ordinance, are provided.

(e) A site development plan shall be reviewed for general conformance with the recommended site plan preparation procedures and open space requirements serving the general area of the site development plan.

(f) The ~~developer~~ applicant shall be notified of ~~advised as to~~ the recommendations and decision of the agent or his designee. Such notification shall be provided by any of the following means: formal letter; electronic mail; and/or legible markings and notes in red on the developer's site development plan showing the agent's or designee's recommendations and decision.

(g) The applicant shall submit, within one hundred twenty (120) days of the date of the agent's, or his designee's, notice of recommendations and decision, a modified site development plan demonstrating compliance with all changes, corrections and modifications, which are required by the agent, or his designee, as conditions for approval of the site development plan. The applicant's failure to satisfy this modification deadline, or any

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extension thereof, shall result in the denial and closing of the applicant's site development plan application. The applicant's failure to demonstrate, on the modified site development plan, compliance with all changes, corrections and modifications required by the agent, or his designee, shall result in the denial and closing of the applicant's site development plan application. In order to activate the review process for the project contemplated by a site development plan application, which has been denied and closed, as aforesaid, the applicant shall be required to submit a new application accompanied by the appropriate application fee.

(h) The applicant may obtain a first extension, for a period not exceeding sixty (60) days, of the site development plan modification deadline established by paragraph (g) herein, provided the applicant delivers to the agent, or his designee, a written request for such an extension prior to the expiration of the original site development plan modification deadline. This first extension shall be granted by the agent, or his designee, without any need on the part of the applicant to establish cause.

(i) The applicant may seek additional extensions, for a period not exceeding thirty (30) days per extension, of the site development plan modification deadline established by paragraphs (g) and/or (h) herein, provided the applicant delivers to the agent, or his designee, a written request for such an extension prior to the expiration of the existing extension deadline. These additional extensions may only be granted by the agent, or his designee, upon verification that, through no fault of the applicant; the applicant's agent(s); or the applicant's independent contractor(s), the applicant is encountering or experiencing problems or difficulty:

1. acquiring one or more off-site easement(s) or off-site right(s) of way, which is/are necessary for agent or designee approval of the site development plan;
2. vacating, abandoning or condemning one or more easement(s) and/or right(s) of way, which is/are necessary for agent or designee approval of the site development plan;
3. obtaining from any federal, state or local department, agency or official one or more determination(s), ruling(s) and/or decision(s), which is/are necessary for agent or designee approval of the site development plan;
4. obtaining from any federal or state executive department, agency or official, one or more approval(s), which is/are necessary for agent or designee approval of the site development plan and required prior to such agent or designee approval;
5. complying with any federal, state or local laws and/or regulations, which require one or more change(s), correction(s) or modification(s) to the site development plan, and which is/are necessary for agent or designee approval of the site development plan.
6. satisfying any change, correction or modification, which is necessary for agent or designee approval of the site development plan.

O09-34
Page 9

(j) Each of the applicant's written requests for an extension of the site development plan modification deadline, except for the extension authorized by paragraph (h) herein, shall state, with specificity, the basis for which each extension is being requested.

(k) The applicant's receipt of any extension under paragraph (i) 1-6 herein, shall not excuse the applicant from full and timely compliance with the applicant's obligations under paragraphs (g) and (h) herein regarding each change, correction and/or modification not forestalled under paragraph (i) 1-6 herein.

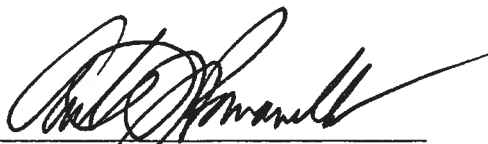
(l) The applicant is entitled to no more than four (4) reviews by the agent, or his designee, and no more than four (4) reviews by each county office or department having responsibility for review of the applicant's site development plan. The applicant's failure to obtain approval of the site development plan, as part of a fourth review by the agent, or his designee, shall result in the denial and closing of the site development plan application. In order to activate the review process for the project contemplated by a site development plan application, which has been denied and closed, as aforesaid, the applicant shall be required to submit a new application accompanied by the appropriate application fee.

(m) The provisions of this section shall apply to all new site development plan applications; and all pending site development plan applications for which a notice of recommendations and decision is issued by the agent, or his designee. Pending site development plan applications, which have already received one or more reviews, shall be entitled to no more than four (4) additional reviews pursuant to paragraph (l) herein.

BE IT FURTHER ORDAINED that this ordinance shall become effective on January 1, 2010 for all applications for subdivisions or site plans filed after December 31, 2009; and

BE IT STILL FURTHER ORDAINED that this ordinance shall become effective on January 1, 2011 for all applications for subdivisions or site plans filed before January 1, 2010.

A Copy, teste:



Anthony J. Romanello, ICMA-CM
County Administrator

AJR:JAH:bjs

Project Name: Time Limit for Development Plans

Date Presented to the CEDC: March 5, 2019

Current Situation

- The time interval between completion of County reviews and resubmission of development plans is regulated via Ordinance O09-34, adopted October 6, 2009.
- Developers are required to address comments from reviews of preliminary subdivision, construction, and site plans within 120 days after completion of county reviews.
- If not able to resubmit after 120 days, the applicant, engineer, or owner shall submit a request in writing for an extension of 60 days without any reason.
- After the 60-day extension, all subsequent requests shall be 30 day extensions and shall provide a valid reason as cited in the ordinance.
- Multiple 30 day extensions can be requested indefinitely.
- Only four (4) reviews are permitted prior to final County approval.
- If the development plans exceed four (4) reviews without approval or miss requesting extensions, the plans shall be administratively closed.
- Once closed, the applicant, owner, or engineer must submit a new application with current fees in order to obtain approval by following the ordinance as cited above.

Proposed End State

- Develop an ordinance that would repeal Ordinance O09-34 by removing time limits and maximum number of reviews for development applications.
- Plans will not be administratively closed due to the failure of the engineer of applicant to request a time extension or exceeding more than 4 reviews due to design changes for a project.
- Require development plans to be approved within a designated timeline from the date of submission, ie. 12-18 months will reduce required steps for staff verifying time limits and preparing reminder messages and response letters to developers. It will also eliminate a back-log of unapproved plans.
- A similar process should be considered for zoning reclassifications and conditional use permit applications.
- If a time extension is warranted, it could be negotiated and agreed upon with the County Administrator or his agent.

Request for the CEDC Committee/Board of Supervisors

- Direct staff to develop an ordinance to repeal Ordinance O09-34 and require all development plans to be approved within a designated time period from the date of submission in order to clear out stale inactive plans.
- Allowing more than 12 months or more for plans to be approved will assist applicants, owners or engineers to comply with state and federal regulations that may require additional time/seasonal requirements to maximize compliance.

Benefits to the County

- An ordinance that allows development applications to follow the ordinances without inadvertent expiration benefits development applicants.
- Eliminating maximum 4 reviews can give developers more flexibility to change plans to meet desired needs and outcomes.
- Establishing a deadline should motivate developers to complete the plan approval process.
- Provides for administrative efficiencies.
- Clearing out abandoned applications will minimize arguments over vested rights and code provision application.

Community & Economic Development Committee Meeting

AGENDA

June 4, 2019 - 12:45 PM

Conference Room A/B/C, Second Floor

Committee Members: Chairman Cindy Shelton, Wendy Maurer and Gary Snellings

AGENDA ITEM

Subject:	
Recreational Facilities in the Floodplain	
Recommended Action:	
Refer proposed ordinance 019-38 to the Board for referral to the Planning Commission for their review and recommendations.	
Committee/Commission Recommendation:	
Fiscal Impact:	District:
N/A	
Overview:	
<p>The zoning ordinance allows for the placement of parks and playgrounds to be located in the floodplain. Often components of these facilities are included as amenities in the residential subdivisions such as basketball/tennis courts and tot lots. These recreational areas are being damaged by the flood waters and debris left by the floods. Board Members and Planning Commissioners have received complaints describing the high maintenance costs and of use of these facilities. Staff has been asked to draft language to require the same development standards be used for all facilities located in the floodplain, whether it be a tennis court or a structure.</p>	
Discussion/Analysis:	
<p>Components of parks and playgrounds, such as basketball/tennis courts and tot lots are often included in subdivision developments as amenities. Once the developer has constructed them, the maintenance of these amenities are the responsibility of the Home Owners Association. Often the costs – repairing surfaces and removing debris – are very high and put a strain on their budgets which are supported by the annual homeowners association dues.</p>	

To prevent the frequency of this type of damage, Staff has drafted an ordinance that requires these amenities in the subdivisions meet the same elevation requirements as residential construction. Currently that requirement is three (3) feet above the base flood elevation. This will provide a buffer to help prevent damage to the amenity. In addition, these amenities will be required to submit a special exception application to the Chesapeake Bay Board for review and approval if the location of the amenities is within a resource protection area.

Attachments:

1. Attachment 1 - Proposed Resolution R19-174
2. Attachment 2 - Proposed Ordinance O19-38
3. Attachment 3 - Examples of Amenities Located in Floodplain

Summary/Conclusion:

Staff feels that elevating these recreational facilities would help to protect them from flooding while still utilizing land that otherwise would not be suitable for development. Staff recommends this item be forwarded to the Planning Commission for their review and recommendations.

Strategic Priorities:

Reviewed By:

This agenda may be amended on the day of the meeting. Participation of all citizens is encouraged. For all individuals with special needs, please notify County Administration of any accommodations required at least 24 hours in advance of the meeting. The agenda and related materials may be found on the County's website at www.staffordcountyva.gov

R19-174

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on this the day of, 2019:

MEMBERS:

Gary F. Snellings, Chairman
L. Mark Dudenhefer, Vice Chairman
Meg Bohmke,
Jack R. Cavalier
Thomas C. Coen
Wendy E. Maurer
Cindy C. Shelton

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-57,"FLOOD HAZARD OVERLAY DISTRICT (FH)," TO REQUIRE AMENTIES PROVIDED IN RESIDNETIAL DEVELOPMENTS TO MEET THE SAME ELEVATION REQUIREMENT AS RESIDENTIAL CONSTRUCTION,

WHEREAS, amenities such as basketball courts, tennis court and tot lots are often required in a residential subdivision, and

WHEREAS, these amenities are often constructed by the developer and located within the flood plain in the development, and

WHEREAS, these amenities are often damaged due to repeated flooding and require frequent repairs resulting in high maintenance costs for the Home Owner Association, and

WHEREAS, a request has been made to require that any amenities provided in a residential subdivision be constructed at the same elevation as any residential construction so to minimize the chance of flooding, and

R19-174

WHEREAS, Board finds the proposed amendment is consistent with good planning practices; and

WHEREAS, the Board desires to forward this proposed text amendment to the Planning Commission for its consideration and recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the day of , 2019, that the proposed amendment to Sec. 28-57, "Flood Hazard Overlay District (FH)" is referred to the Planning Commission for its review, to hold a public hearing, and provide its recommendations to the Board.

TCF:JAH:sb

O19-38

PROPOSED

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, George L. Gordon, Jr., Government Center, Stafford, Virginia, on this the day of , 2019:

MEMBERS:

Gary F. Snellings, Chairman
L. Mark Dudenhefer, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Thomas C. Coen
Wendy E. Maurer
Cindy C. Shelton

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-57,"FLOOD HAZARD OVERLAY DISTRICT (FH)," TO REQUIRE AMENTIES PROVIDED IN RESIDNETIAL DEVELOPMENTS TO MEET THE SAME ELEVATION REQUIREMENT AS RESIDENTIAL CONSTRUCTION, AND

WHEREAS, amenities such as basketball courts, tennis court and tot lots are often required in a residential subdivision, and

WHEREAS, these amenities are often constructed by the developer and located within the flood plain in the development, and

WHEREAS, these amenities are often damaged due to repeated flooding and require frequent repairs resulting in high maintenance costs for the Home Owner Associate, and

WHEREAS, a request has been made to require that any amenities provided in a residential subdivision be constructed at the same elevation as any residential construction so to minimize the chance of flooding, and

O19-38

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

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the day of , 2019, that Stafford County Code Sec. 28-25, "Definitions of specific terms," and Sec. 28-35, Table 3.1 "District Uses and Standards" be and they are amended and reordained as follows, all other portions remaining unchanged

Sec. 28-57

(u) *Elevation and construction standards* [44 C.F.R. § 60.3].

- (1) In all identified flood hazard areas where base flood elevations have been provided in the FIS or generated by a certified professional in accordance with county Code subsection 28-57(q)(3), the following provisions shall apply:
 - a. *Residential construction.* New construction or substantial improvement of any residential structure (including manufactured homes) in Zones A1-30, AE (except Coastal A Zones), AH, and A with detailed base flood elevations shall have the lowest floor, including basement, elevated to or above the base flood level plus three (3) feet. See county Code subsections 28-57(q)(4), (5) and (6) for the requirements in the Coastal A, VE and AO Zones. Amenities provided in residential developments such as tennis/basketball courts, and tot lots shall meet the same elevation requirement as residential construction.

Examples of Amenities located in Floodplain







Community & Economic Development Committee Meeting

AGENDA

June 4, 2019 - 12:45 PM

Conference Room A/B/C, Second Floor

Committee Members: Chairman Cindy Shelton, Wendy Maurer and Gary Snellings

AGENDA ITEM

Subject:	
Turn Lanes for Commercial Entrances in the Highway Corridor (HC) Zoning Districts	
Recommended Action:	
Consider directing staff to prepare ordinance amendments which add the requirement for turn lanes for new development within the HCOD.	
Committee/Commission Recommendation:	
Fiscal Impact:	District:
N/A	
Overview:	
<p>The purpose of the HCOD is to protect the health, safety and general welfare of the public by the prevention or reduction of traffic congestion, and distracting visual clutter which may result in danger on the public and private streets. A limitation is placed on certain automobile-oriented, fast service, quick turnover uses and related signage, which generate traffic in such amount and in such manner as to present the possibility of increased danger to the motoring public and other impediments to safe travel. This district was created in recognition of the need to provide suitable and sufficient road systems in the county and the need to protect existing and future highways from unsafe use.</p> <p>The HCOD was first adopted in 1995 and has been amended to include additional property and amend uses and development standards. Portions of Garrisonville Road, Jefferson Davis Highway, Warrenton Road, and Kings Highway, in its entirety, are designated as a HCOD.</p>	
Discussion/Analysis:	
The County Code requires conformance with development standards for all nonresidential uses in the	

HCOD. A primary feature of the Code requires that access and internal circulation shall be designed so as not to impede traffic on a public street. This may include the provision of shared entrances, interparcel connection and travelways, or on-site service drives connecting adjacent properties; access from a secondary public street as opposed to the corridor highway; or access to internal streets of a commercial, office, or industrial complex.

Corridor highways are generally high-capacity roads, with various high intensity uses permitted, based on the zoning category. Concerns have been raised that new site development in the HCOD is not always required to provide turn lanes into a site. Virginia Department of Transportation (VDOT) determines whether the warrants for turn lanes are met, based upon factors such as road widths, speed limits (or design speed) and traffic volumes. There are circumstances where a turn lane may be needed even if the warrants are not met; for example, intersections and entrances with poor visibility and/or a bad accident record may require the traffic engineer to use engineering judgment when volume conditions alone do not warrant a storage lane.

The addition of the requirements for turn lanes for new development within the HCOD would ensure an additional safety feature along these high-capacity roads.

Attachments:
1. Attachment 1 – County Code Sec. 28-59
Summary/Conclusion:
Staff requests guidance for development of amendments to the HCOD regarding turn lanes.
Strategic Priorities:
Responsive Transportation System
Reviewed By:

This agenda may be amended on the day of the meeting. Participation of all citizens is encouraged. For all individuals with special needs, please notify County Administration of any accommodations required at least 24 hours in advance of the meeting. The agenda and related materials may be found on the County's website at www.staffordcountyva.gov

Sec. 28-59. - Highway Corridor Overlay District (HC).

- (a) *Purpose of the HC.* In furtherance of the purposes set forth in Code of Virginia, §§ 15.2-2280, 15.2-2283, 15.2-2284 and 15.2-2285, and in general to protect the health, safety and general welfare of the public by the prevention or reduction of traffic congestion, and distracting visual clutter which may result in danger on the public and private streets, a limitation is hereby placed on certain automobile-oriented, fast service, quick turnover uses and related signage, which generate traffic in such amount and in such manner as to present the possibility of increased danger to the motoring public and other impediments to safe travel. This district is created in recognition of the need to provide suitable and sufficient road systems in the county and the need to protect existing and future highways from unsafe use.
- (b) *Establishment of districts.* The Highway Corridor Overlay District (HC) shall be designated by the board of supervisors by separate ordinance and will overlay all other zoning districts where it is applied so that any parcel of land lying in a HC shall also lie within one or more other land use districts provided for by this chapter. The regulations and requirements of both the underlying district(s) and the HC shall apply; provided, however, that when the regulations applicable to the HC conflict with the regulations of the underlying district, the more restrictive regulations shall apply.
- (c) *District boundaries.*
 - (1) HC boundaries shall be designated on the official zoning map as ordained by Ordinances O95-57, O96-23 and amended by O98-27, O96-24, O98-30, O01-29, and O01-37 establishing the boundaries of the overlay district, pursuant to article XII, Amendments to Zoning Maps.
 - (2) The district boundaries will be described as follows:
 - a. Length of the district shall be established by fixing points of beginning and end in the centerline of a street.
 - b. Width will be established by designation of the distance on one or both sides from the centerline to which the overlay district shall extend; or, by a description of coterminous property boundaries of lots along such street, or highway; or, by using visible geographic features.

The HC zoning district shall be established and overlay all other zoning districts, except HI districts, on all parcels of land within the below described area:

Beginning at a point at the centerline of Cambridge Street, extending five hundred (500) feet east from the centerline of Cambridge Street at the intersection with the centerline of Truslow Road; thence continuing in a northerly direction parallel to the centerline of Cambridge Street to a point where Cambridge Street becomes Jefferson Davis Highway; thence along Jefferson Davis Highway continuing in a northerly direction parallel to the centerline of Jefferson Davis Highway to a point at the centerline of Courthouse Road; thence continuing in a westerly direction along the centerline of Courthouse Road to five hundred (500) feet west of the centerline of Jefferson Davis Highway; thence continuing in a southerly direction from the centerline of Courthouse Road, parallel to the centerline of Jefferson Davis Highway to a point where Jefferson Davis Highway becomes Cambridge Street; thence continuing in a southerly direction along Cambridge Street to the centerline of Truslow Road; thence, extending along the centerline of Truslow Road to the point of beginning; encompassing all or part of the parcels listed on Attachment A, attached hereto, as shown on the map entitled "Proposed Route 1 Highway Corridor Overlay District" dated December, 2001, made by the Stafford County Department of Planning and Community Development, a copy of which shall be added to and become part of the Official Zoning Map of Stafford County.

- (d) *Uses permitted by right.* All uses permitted by right in the underlying land use district(s), shall be permitted by right in the HC unless otherwise specifically made a conditional use by this section.
- (e) *Conditional uses.* In addition to the listed uses requiring a conditional use permit (as listed in Table 3.1) in the underlying district, the following uses shall require a conditional use permit when proposed to be established in a HC:

- (1) Car washes, self-service and automated.
 - (2) Funeral chapel, funeral home, or mortuary.
 - (3) Convenience stores.
 - (4) Theaters, arenas, or auditoriums.
 - (5) Recreational enterprise.
 - (6) Hotels or motels.
 - (7) Hospitals.
 - (8) Motor vehicle fuel sales.
 - (9) Automobile repair.
 - (10) Any uses which include drive-through facilities.
- (f) *Development standards.* All nonresidential uses shall be subject to the use limitations and development standards set forth in the underlying land use district(s) and, in addition, shall be subject to the following HC limitations:
- (1) Access and internal circulation shall be designed so as not to impede traffic on a public street. To such end, access via the following means will be approved:
 - a. By provisions of shared entrances, interparcel connection and travelways, or on-site service drives connecting adjacent properties.
 - b. By access from a secondary public street as opposed to the corridor highway.
 - c. By the internal streets of a commercial, office, or industrial complex.

Developers of all parcels or lots within the HC shall submit an access and internal circulation plan to the county for approval which addresses access for the project and the surrounding area.

The access plan shall demonstrate the ability to provide adequate access to surrounding properties via cross-easement agreement(s), shared entrances, interparcel connections and travelways, on-site service drives connecting adjacent properties, and/or access by secondary public streets.
 - (2) Pedestrian circulation shall be provided for and coordinated with that generated from or using adjacent properties.
 - a. The requirement for the provision of pedestrian circulation for the development of any parcels abutted on both sides along its road frontage to undeveloped parcels may, at the option of the county administrator, be satisfied by the execution and recordation of a sidewalk security agreement between the owner of the property and the county administrator to be prepared by the director of planning. The agreement shall provide for payment of one hundred twenty-five (125) percent of the amount of an engineer's certified cost estimate of the construction of the required sidewalk(s) at the time of permits or by monthly installments during a term not to exceed thirty-six (36) months and shall contain appropriate provisions for acceleration upon the sale or transfer of the property or upon a breach of the terms of the agreement. Payments made pursuant to this section shall also include an administrative fee of one hundred dollars (\$100.00) which shall be payable at the time of the execution of the sidewalk security agreement.
 - b. The requirement for the provision of pedestrian circulation for the development of any parcels abutted on both sides along its road frontage to undeveloped parcels may, at the option of the planning director (agent) or his designee, be satisfied by a payment in lieu of constructing the required pedestrian circulation. The payment shall be in the amount of an engineer's certified cost estimate of the construction of the required sidewalk(s) that is

deemed to be acceptable by the agent. Such payment shall be made at the time of permits. The payment shall be deposited in an account designated for pedestrian circulation improvements along the corridor highway that serves the property.

- (3) Outdoor storage of goods shall be completely screened from view of the corridor highway. Outdoor storage shall include the parking of company owned and operated vehicles, with the exception of passenger vehicles. Outdoor display areas shall not encroach into any required front yard, with the exception that outdoor display areas may extend fifteen (15) feet from the building front; however, in no case shall outdoor display areas be permitted less than fifteen (15) feet from the street right-of-way.
- (4) Parking areas and driveways shall be paved with concrete, bituminous concrete, or other similar material except for low-impact development sites in accordance with the provisions of chapter 21.5 of this Code where pervious paving blocks and other similar materials may be allowed as approved by the agent. Surface treated parking areas and drives shall be prohibited. Concrete curb and gutter shall be installed around the perimeter of all driveways and parking areas, except that concrete curb without a gutter may be permitted where drainage is designed to flow away from the curb, and asphalt curb may be permitted where the property adjacent to a travel lane is undeveloped. Drainage shall be designed so as to not interfere with pedestrian traffic.
- (5) Where parking is designed to be located in the front yard setback of the corridor highway, a berm shall be utilized within a designated street buffer. Where no berm is proposed within a designated street buffer, whenever possible, parking areas shall be located to the rear or side of the structure(s) or building(s) they are intended to serve.
- (6) Utility lines such as electric, telephone, cable television, or similar lines shall be installed underground. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within the project. All junction and access boxes shall be screened. All utility pad fixtures and meters shall be shown on the site plan. The necessity for utility connections, meter boxes, etc., should be recognized and integrated with the architectural elements of the site plan.
- (7) Loading areas, service entrances, and service bays shall be oriented and/or screened so as to not be visible from the corridor highway.
- (8) Dumpster and other waste disposal or storage areas shall be completely screened from the public view by means of a board-on-board fence and/or landscaping, or similar opaque material approved by the zoning administrator.
- (9) Architectural treatment shall be designed so that all building facades of the same building (whether front, side or rear) will consist of similar architectural treatment in terms of materials, quality, appearance, and detail pursuant to the neighborhood design standards plan element of the comprehensive plan. No facade portion of a building constructed of unadorned cinderblock, corrugated metal or sheet metal shall be visible from the corridor highway. Mechanical equipment shall be shielded and screened from public view and designed to be perceived as an integral part of the building.
- (10) Area and bulk regulations in the HC shall be the same as for the underlying land use district(s), except that: The height of buildings or structures within seventy-five (75) feet of the corridor highway shall not exceed two (2) stories or thirty (30) feet, whichever is less; and where parking areas are provided in a manner such that the structure or building is located between the parking area and the corridor highway, the applicable setback requirement may, at the option of the applicant, be reduced to fifty (50) percent of that otherwise required for the underlying district.
- (11) A landscaping and planting plan shall be submitted in conjunction with site plan submittal. Such landscaping and planting plan shall be drawn to scale, including dimensions and distances, and clearly delineate all existing and proposed parking spaces or other vehicle areas, access aisles, driveways, and the location, size, and description of all landscaping materials

and areas. Landscaping and planting plans shall be prepared by persons practicing in their area of competence.

All plant materials shall be living and in a healthy condition. Plant materials used in conformance with the provisions of these specifications shall conform to the standards of the most recent edition of the "American Standard for Nursery Stock," published by the American Association of Nurserymen.

Preservation of existing trees is encouraged to provide continuity, improved buffering ability; pleasing scale and image along the corridor. Any healthy, existing tree on-site may be included for credit towards the requirements of this section.

The owner, or his designee, shall be responsible for the maintenance, repair, and replacement of all landscaping materials as may be required or approved within the scope of these provisions.

- (12) Redevelopment or expansion of structures or uses that were in existence prior to the adoption of the HC district and where the square footage of any addition to a structure shall not be more than the square footage of the primary structure shall be exempt from the provisions of subsections 28-59(f)(5), (6) and (9); provided that such redevelopment shall not result in an increase of outside storage area or display on the undeveloped site.

(g) *Reserved.*

Community & Economic Development Committee Meeting

AGENDA

June 4, 2019 - 12:45 PM

Conference Room A/B/C, Second Floor

Committee Members: Chairman Cindy Shelton, Wendy Maurer and Gary Snellings

AGENDA ITEM

Subject:	
Discuss Acceptance of Proffered Park Land in Winding Creek Development	
Recommended Action:	
Send a recommendation to the Board for consideration of acceptance of park land.	
Committee/Commission Recommendation:	
Fiscal Impact:	District:
N/A	
Overview:	
<p>Staff received a letter dated May 15, 2019 (Attachment 1) from Kevin J. O'Shea, managing member of Winding Creek Owner LLC, requesting the Board consider acceptance of the dedication of the open space within the Winding Creek subdivision. The property was rezoned to R-1, Suburban Residential, with proffers, in 2017. The Applicant proffered that Parcel E, consisting of 10.326 acres on the west side of Winding Creek Road, would be preserved as open space and not developed or disturbed, except potentially for County park purposes. The proffers further state that Parcel E may be dedicated to the County upon approval of the final subdivision plan for the first section of the neighborhood, unless the County does not desire to accept Parcel E. In that case, Parcel E would be placed in a conservation easement or conveyed as preserved open space to the Homeowner's Association. The applicant has submitted a final subdivision plat for the property.</p> <p>The proffers and Generalized Development Plan are included in Attachments 2 and 3.</p>	
Discussion/Analysis:	
<p>Parks and Recreation Department staff indicated that the proposed Winding Creek development would create an increase in demand in Parks and Recreation needs. The Parcel E proffer and County Dedication would create additional demand on the County to maintain approximately 10.326 acres of</p>	

land. Parcel E is wooded, so the County would become responsible for tree maintenance and any impact the trees may have on neighboring properties. The land dedication proposed would not offset any current need of the County that staff is aware of at this time. The proffer guidelines recommend \$6,303 per single-family dwelling unit, \$611,391 for this proposal, which would be more effective in addressing the needs of the community. In addition, Parcel E has a utility easement that would restrict the use and park improvements. Therefore, Parcel E would not meet the community's needs as outlined in the County's Parks Utilization Study.

The size, shape, topography and site conditions of this parcel are not conducive to development of recreational amenities. The Parks and Recreation Department recommends the land be placed in a private conversation easement or dedicated open space under the Homeowner's Association.

Attachments:

1. Attachment 1 - Letter from Winding Creek Owner LLC dtd 5-15-19
2. Attachment 2 - Proffer Statement
3. Attachment 3 - Winding Creek GDP

Summary/Conclusion:

The CEDC and Board should consider whether or not the County should accept the dedication of land, pursuant to the proffers associated with the development.

Strategic Priorities:

Reviewed By:

This agenda may be amended on the day of the meeting. Participation of all citizens is encouraged. For all individuals with special needs, please notify County Administration of any accommodations required at least 24 hours in advance of the meeting. The agenda and related materials may be found on the County's website at www.staffordcountyva.gov

WINDING CREEK OWNER LLC
125 Sunset Avenue
Ridgewood, NJ 07450

May 15, 2019

Gary Snellings, Chairman
Department of Planning & Zoning
Stafford County
1300 Courthouse Road
PO Box 339
Stafford, VA 22555-0339

Project Name: Winding Creek
County File No: RC 16151330
CUP 16151334
Property: Tax Parcels 29-4 and 29-5

Dear Mr. Snellings:

This letter shall serve as the request of Winding Creek Owner LLC ("Applicant") to place on the Board of Supervisor's agenda for consideration at its next meeting under "new business", or such other category as the Board determines, Applicant's request for acceptance by the Board of the dedication of the open space at the Property upon the final subdivision plan approval, as contemplated in Section 5 of the Proffer Statement attached to the Board's Ordinance for the Property issued on June 20, 2017. Applicant understands that this matter does not require a public hearing.

Very truly yours,

WINDING CREEK OWNER LLC

By: 

Name: Kevin J. O'Shea
Title: Managing Member

Cc: Jeff Harvey, Stafford
County Dept. of Planning & Zoning

STAFFORD COUNTY, VIRGINIA

PROFFER STATEMENT

Applicant: Winding Creek Owner LLC (the “Applicant”)

Property Owner: John J Musselman, Trustee of the Earl F. Musselman Trust (the “Owner”)

Property: Tax Parcel 29-4 (the “Property”)

Rezoning Request: From A-1 to R-1

Project Name: Winding Creek (the “Project”)

Date: June 16, 2017

County File No. RC 16151330
CUP 16151334

1. General Requirements.

(a) The following proffers are being made pursuant to Sections 15.2-2298 and 15.2-2303, et al. of the Code of Virginia (1950), as amended, and Section 28-161, et seq. of the Stafford County Zoning Ordinance. The proffers provided herein are the only proffered conditions offered in this rezoning application, and any prior proffers to which the Property (as generally defined above and shown on the GDP) may be subject to or previously offered with the Applicant’s application or otherwise previously proffered are hereby superseded by these proffers, and further said prior proffers are hereby void and of no further force and effect. In addition and notwithstanding the foregoing, the proffers provided hereunder are conditioned upon and become effective only in the event the Applicant’s rezoning application No. RC 16151330 and associated conditional use permit application 16151334 are approved (including through applicable appeal periods) by the Stafford County Board of Supervisors (the “County”).

(b) Subject to the terms hereunder, the Property will be developed in accordance with that certain generalized development plan entitled “Winding Creek Generalized Development Plan” dated May 2014, as last revised August 29, 2016, with addition of revised sheet 11 dated June 16, 2017, prepared by Bowman Consulting, attached hereto as Exhibit A (the “GDP”), which plan includes a clustered development with a maximum of ninety-seven (97) single family detached units (“Units” or Unit”). The aforesaid number of units are subject to the approval of the Applicant’s companion conditional use permit application #16151334.

(c) For purposes of the final site plan, which will supersede the GDP, proposed parcel lines, parcel sizes, building envelopes and footprints, access points, building sizes, building locations, public road locations, private driveway, road and travel way locations, interparcel

connectors, RPAs and wetland areas, utility locations, storm water management facilities, and dimensions of undeveloped areas shown on the GDP may be relocated and/or amended from time-to-time by the Applicant to address final development, engineering, and design requirements and/or compliance with federal or state agency regulations including, but not limited to, VDOT, DEQ, Army Corps of Engineers, etc., and compliance with the requirements of the County's applicable development regulations and design standards manual.

2. Architecture & Materials. For purposes of the proposed development, the architectural design of the Units shall be in general accordance with the renderings attached hereto as Exhibit B (the "Renderings"). The Renderings are illustrative only and do not depict the final elevations for this Project. In this regard, the Renderings depict (i) a commitment to a general type, character, and quality of architectural design, details and materials; and (ii) the general types of architectural and decorative elements and features. In addition, the Units will specifically include the following:

(a) The front elevation of 75% of the Units will consist of a minimum of 60% brick, natural stone, or cultured stone (excluding doors, windows and garages). All homes will include beaded vinyl and Applicant will offer fiber cement siding as an option to buyers.

(b) The side elevation facing the street of a Unit on a corner lot will have at least two operable windows.

(c) All Units will have brick or stone to grade on any side facing a street (including corner lots).

(d) All Units will include pitched roofs symmetrically sloped no less than 5:12, except that porches and attached sheds may be no less than 2:12 and all Units will avoid continuous roof planes on the front side of dwellings by incorporating gables as depicted on the Renderings.

3. Entrance Features. The Applicant agrees to construct an entrance monument out of brick or stone utilized in the development. The client has attached a rendering which reflects the general architectural features and materials of the entrance sign.

4. Transportation. The Applicant, subject to necessary County and VDOT approvals for the development of the Project, agrees to provide the following in-kind transportation proffers, all as generally shown and noted on the GDP:

(a) The Applicant agrees to dedicate 0.84 acres of right of way along Winding Creek Road to widen the right of way to a width of sixty feet (60'), all in the areas generally shown and noted on the GDP.

(b) The Applicant agrees to dedicate 0.78 acres of right of way for the relocation of Embrey Mill Road, all in the areas generally shown and noted on the GDP.

(c) Subject to the terms and conditions provided herein, the Applicant agrees to provide the following in kind offsite transportation proffers:

(1) the construction of right turn tapers and acceleration lanes off of Winding Creek Road into the southernmost entrance of the Project, all as depicted on the GDP; and

(2) the construction of certain road improvements along Winding Creek Road extending from the end of the northernmost entrance of the Project to the intersection of Winding Creek Road and Flatford and Walpole Streets (approximately 1250 feet), all as generally shown and noted on the GDP (collectively the "Winding Creek Road Improvements"). All Winding Creek Road Improvements shall be designed and constructed in general accordance with the attached GDP and will follow the Virginia Department of Transportation ("VDOT") RRR guidelines (with waivers potentially required for shoulder widths and pavement radii), and further subject to final County and VDOT review and approval of the construction plans and completed under VDOT permit. With the exception of any temporary construction, private or public storm water easements or other similar easements, the Winding Creek Improvements will be constructed and located within dedicated right of way area, including without limitation any improvements that include retaining walls. The Winding Creek Road Improvements are estimated as approximately One Million Dollars (\$1,000,000) in total costs.

In the event the Applicant is unable to obtain easement approvals and/or right of way area(s) dedication from any third party property owner that are necessary for the construction of the Winding Creek Road Improvements, the Applicant shall petition the County to utilize its condemnation authority to obtain necessary public easements and/or right of way areas to construct said improvements. In this event, the Applicant shall provide the following:

- Written request to the County to utilize its condemnation authority to obtain the subject easements and right of way areas;
- The names of the record owners, the property addresses, tax map parcel numbers for each landowner from whom such right-of-way and/or easements are sought.
- Plats, plans and profiles showing the necessary right-of-way and/or easements to be acquired and showing the details of the proposed transportation improvements to be located on each such property.
- An independent appraisal of the value of the right-of-way and easements to be acquired, and any and all damages to the residue of the involved property, said appraisal to be performed by an appraiser licensed in Virginia and approved by the County.

- A 60-year title search of each involved property.
- Documentation demonstrating to the County's satisfaction Applicant's good faith, best efforts to acquire the right-of-way and/or easements, at a cost of at least the appraised value of the involved property interests.
- A letter of credit acceptable to the County, cash or equivalent (from a financial institution acceptable to the County) in an amount equal to the appraised value of the property to be acquired, and all damages to the residue, together with an amount representing the County's estimate of its cost of condemnation proceedings, in a form permitting the County to draw upon the same as necessary to effectuate the purposes hereof.
- An Agreement signed by Applicant's representative and approved by the County Attorney whereby Applicant agrees to pay all costs of the condemnation, including expert witness fees, court costs, exhibit costs, court reporter fees, attorneys' fees for the Office of the County Attorney or attorney retained by the County, and all other costs associated with the litigation, including appeals. The Agreement shall specifically provide that in the event the property owner is awarded in the condemnation suit more than the appraised value estimated by Applicant's appraiser, Applicant shall pay to the County the amount of the award in excess of the amount represented by the letter of credit or cash deposit within fifteen (15) days of the award.

In the event that the County does not secure access to the public easements or right-of-way areas necessary for the Winding Creek Road Improvements within six (6) months of the Applicant providing all of the preceding information, the Applicant shall be relieved from having to construct the Winding Creek Road Improvements, and thereafter agrees to pay One Million Dollars (\$1,000,000) in total transportation cash proffers, which One Million Dollars (\$1,000,000) shall be payable per residential unit of \$10,309.27 prior to the issuance of a certificate of occupancy for each unit.

In the event the Applicant is able to obtain easements and/or right of way areas necessary to complete the Winding Creek Road Improvements, whether by third party agreements or County condemnation, the Applicant agrees to complete the Winding Creek Road Improvements prior to the County's issuance of the 21st certificate of occupancy permit for the Project.

(d) The Applicant agrees to construct a sidewalk to Winding Creek Road and a painted crosswalk connecting the east and west sides of Winding Creek Road, all in the areas generally shown and noted on the GDP.

(e) The transportation improvements (not otherwise required for the development) and/or dedications of right of way, as provided above under this Section 4, are an in kind transportation proffers for purposes of this rezoning. The dedications described under Sections 4 (a) and (b) shall be provided as part of the first (final & approved) subdivision plan for the Property.

5. **Preservation of Open Space.** The 10.326 acres of land shown and labeled as “Open Space Parcel E” on the GDP shall be preserved as open space and not developed or disturbed, except for park purposes in the event the County accepts the dedication of said parcel. In this regard, Open Space Parcel E will be dedicated to the County upon the approval of the first section of the final subdivision plan of the Property. In the event the County does not desire to accept the dedication, Open Space Parcel E will be placed in a conservation easement. Notwithstanding the foregoing, in the event the Applicant is unable to obtain the acceptance of a third party holder for the conservation easement, then Open Space Parcel E will be conveyed to the Project’s Homeowners’s association (as described below under Section 7) and encumbered by restrictive covenants that will prohibit the development of said parcel. The fair market value of the dedication and preservation of open space is approximately \$913,875.27.

6. **Cash Contributions.** For purposes of this rezoning and in addition to other proffers described hereunder, the Applicant agrees to pay \$1,939,557.00 or \$19,995.43 per unit in aggregate cash proffers, all as described in more detail below. These cash proffers are also subject to annual increases to be calculated on a yearly basis commencing two (2) years after the date of final County approval of this proffer statement. Such increases shall be calculated by multiplication of the Marshall-Swift Index and not the Consumer Price Index of the Department of Labor Statistics for the current year by the original per unit cash proffer amount. All cash proffers shall be paid by the Applicant upon the issuance of a final certificate of occupancy by the County for each Unit (e.g. 97 single family detached units).

These voluntary cash proffers, paid by the Applicant to the County, shall be allocated based on the following:

- (a) **Schools:** \$1,766,923.00 (\$18,215.70 per Unit). *
- (b) **Parks & Recreation:** \$0.00
- (c) **Transportation:**\$0.00
- (d) **Libraries:** \$57,519.00 (\$593.00 per Unit)
- (e) **Fire & Rescue:** \$74,151.00 (\$764.44 per Unit)
- (f) **General Government:** \$40,964.00 (\$422.30 per Unit)

* Notwithstanding anything to the contrary under this proffer statement, \$650,000.00 of the total of the abovementioned “Schools” proffer shall be set-aside for North Stafford High School

capital facility improvements so long as such improvements are approved and funded within seven (7) years of the approval of this proffer statement. If the aforesaid does not occur, these funds may be utilized for general Schools capital facility purposes.

7. **Covenants.** The Applicant, prior to developing the Property, shall encumber the Property with a declaration of conditions, covenants, restrictions, and easements for the purpose of (a) protecting the value and desirability of the property; (b) facilitating the planning and development of the project in a unified and consistent manner; (c) preserving the Open Space Parcel E; and (d) providing for the installation, maintenance, and repair for all landscaping, on-site amenities, open space, other common areas and applicable offsite improvements described above under Section 4 (c). The Applicant will also create a property or homeowner's association as a non-stock corporation under the laws of Virginia (the "HOA") that will provide and ensure oversight and structure for services provided, quality standards, intercampus relationships, and common area maintenance.

In addition, for all future property owners abutting the VEPCO easement shown on the GDP, the Applicant will provide each buyer a disclosure notice identifying the fact that overhead power lines may be constructed within the VEPCO easement in the future.

8. **Fire Sprinklers in Residential Units.** The Applicant agrees to offer as an option to purchasers of any of the Units, but not as a requirement, fire sprinkler systems within said Units. In no event shall these fire sprinkler systems be a requirement for purposes of construction and/or permitting, but rather only an option payable by purchasers of the Units.

9. **Environmental Impact Mitigation.** The Applicant proffers the following for any lot depicted on the GDP as being located within a Critical Resource Protection Area ("CRPA"):

- (a) Subsequent to the issuance of a building permit and prior to the issuance of an occupancy permit for the construction of a single-family dwelling on any residential lot or parcel with lot lines within the CRPA, a sign shall be installed by the developer identifying the landward limits of the CRPA and notification will be provided to the County Zoning Administrator after completion. Such signs shall conform to the Critical Resource Protection Area Signage Policy and shall be installed at the expense of the developer in accordance with the Critical Resource Protection Area Signage Policy.
- (b) No certificate of occupancy shall be issued for a single-family dwelling on any residential lot or parcel with lot lines within the CRPA until the installation of any required plant materials is completed and documentation of such is submitted to the County Zoning Administrator.
- (c) The deeds for such lots shall include deed restrictions providing the following:
 - i. The property owner shall be responsible for the maintenance and replacement of all vegetation as may be required by the provisions of the County's Chesapeake Bay Preservation Area Overlay District.

- ii. Plant material within the CRPA shall be tended and maintained in healthy growing condition and free from refuse and debris at all times.
- iii. Diseased plant materials shall be replaced during the next planting season, as may be required by the provisions of the County's Chesapeake Bay Preservation Area Overlay District.
- iv. No certificate of occupancy shall be issued until the installation of any plant materials required by the County's Chesapeake Bay Preservation Area Overlay District is completed and documentation of such is submitted to the County Zoning Administrator.

10. Historic Preservation. The Applicant agrees to perform a Phase 1 Archeology Study on the Property if historical artifacts are discovered during development of the Property, and to perform a Phase 2 Archeology Study on the Property if required by the said Phase 1 Archeology Study.

11. Miscellaneous. The Applicant agrees to provide the following proffers:

- (a) Proposed development shall be limited to 97 single-family detached dwelling units.
- (b) Open Space Parcels "A" (outside the VEPCO easement) and "D" shall include a 20-foot street buffer, consisting of a double row of evergreen trees, between residential lots and along the Winding Creek Road right-of-way, as shown on the GDP.
- (c) Open Space Parcel "C" shall include a variable width street buffer, consisting of a double row of evergreen trees, between residential lots and along the Winding Creek Road right-of-way, to the maximum extent allowed by the lot configuration generally as shown on the GDP.
- (d) Each lot shall contain foundation landscaping and at least one (1) tree shall be provided in the rear yard, with a 1" caliper or 6-8' tall at planting.
- (e) The Applicant will install and construct a tot lot in the general location as shown on the GDP and a picnic/pavilion area, the availability and location of said picnic/pavilion area to be determined at time of final engineering.
- (f) The Applicant agrees to provide a landscape buffer, consisting of a double row of evergreen trees, between Lot 43 and 44 and the adjacent property owner, as shown on sheet 9 of the GDP.

[AUTHORIZED SIGNATURES TO FOLLOW]

APPLICANT ACKNOWLEDGMENT & CONSENT

Winding Creek Owner LLC,
a Virginia limited liability company

By: [Signature]
Name: Kevin J. O'Shea
Title: Managing Member

STATE/Commonwealth of NEW YORK,
CITY/COUNTY OF NEW YORK, to wit:

The foregoing instrument was acknowledged before me this 16th day of June, 2017, by
Kevin J. O'Shea, Managing Member of Winding Creek Owner LLC, on behalf of said
company.

[Signature]
Notary Public

My Commission expires: 05.28.2021
Notary Registration number: 071KAG28624

JONATHAN M. KARL
Notary Public, State of New York
No. 02KA6282624
Qualified in New York County
Commission Expires May 28, 2017
21

OWNERS ACKNOWLEDGMENT & CONSENT

The Earl F. Musselman Trust created November 28, 2001

BY:

John J. Musselman, Trustee

COMMONWEALTH OF VIRGINIA,
CITY OF FREDERICKSBURG, to wit:

The foregoing instrument was acknowledged before me this 19th day of June, 2017, by
John J. Musselman, Trustee for The Earl F. Musselman Trust created November 28, 2001.

Betty J. Miller
Notary Public

My Commission expires: 8/31/2018

Notary Registration number: 4060695



EXHIBIT A

Generalized Development Plan

See attached “Winding Creek Generalized Development Plan” dated May 2014, as last revised August 29, 2016, with addition of revised sheet 11 dated June 16, 2017, and prepared by Bowman Consulting.

GENERALIZED DEVELOPMENT PLAN
WINDING CREEK
GARRISONVILLE/ROCKHILL MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA



VICINITY MAP
1" = 2000'



VICINITY SKETCH MAP
1" = 1000'

OWNER

JOHN J. MUSSELMAN, TRUSTEE
327 WINING CREEK ROAD
STANTON, VA 22554

APPLICANT

WINNING CREEK OWNER, LLC
C/O FRANK LACHMAN
15254 MELTON COURT
CENTREVILLE, VA 20120
PHONE (703) 463-1808

PLANNING COMMISSION APPROVAL

CHAIRMAN _____ DATE _____
STAFFORD COUNTY PLANNING COMMISSION

SHEET INDEX

1. COVER SHEET
2. LEGEND, ABBREVIATIONS, NOTES AND DETAILS
3. EXISTING CONDITIONS / SOILS MAP
4. ENVIRONMENTAL INVENTORY PLAN
5. OVERALL KEY PLAN
- 6-8. GENERALIZED DEVELOPMENT PLAN
9. SIGNI DISTANCE PROFILES
10. GENERALIZED LANDSCAPE PLAN
11. OFFSITE IMPROVEMENTS

APPENDIX

- ARCHITECTURAL RENDERINGS (SHEET 1 OF 2)
- ARCHITECTURAL RENDERINGS (SHEET 2 OF 2)

VICINTY SKETCH MAP LEGEND



SUBMISSION KEY

- | | |
|-----------------|------------------|
| 7. BEACH DRIVE | 4. COLOMBA FORDS |
| 2. EMMETT HILL | 5. LIBERTY HILLS |
| 3. JACKSON HILL | 6. JUSTIN PLACE |

MOSES

- 1 SUBDIVISIONS ARE EXISTING BY SHADING ON THE VICINITY SECTION MAP THIS SHEET
- 2 SUBDIVISION LIST OBTAINED FROM STAFFORD COUNTY ROAD MAP WITH ACTIVE SUBDIVISIONS DATED MAY 3, 2011. SUBDIVISIONS MAY OR MAY NOT BE RECORDED. ADDITIONAL INFORMATION FROM AOC MAP

SYMBOLS LEGEND

-  MAGNETIC STRIPE
 SOURCE LOCATED WITHIN ONE MILE OF THE SITE
 MAGNETIC STRIPE

加口既。

3. NO LIBRARIES ARE LOCATED WITHIN ONE MILE OF THE SITE.
2. NO PARKS ARE LOCATED WITHIN ONE MILE OF THE SITE.
1. NO FIRE OR RESCUE STATIONS ARE LOCATED WITHIN ONE MILE OF THE SITE.
4. TWO POLITICAL BOUNDARIES LIE WITHIN ONE MILE OF THE SITE AS SHOWN.

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Seismic Consulting Group, Ltd.
8888 Hines Court
Pittsborough, Virginia 22405

Phone (800) 371-6266
Fax (800) 371-3679
www.seismicconsulting.com

COVER SHEET

WINDING CREEK

GENERALIZED DEVELOPMENT PLAN

GARRISONVILLE/ROCKHILL MAGISTERIAL DISTRICTS STAFFORD COUNTY, VIRGINIA

AC 103410
COUNTY PROJECT NUMBER



PLAN STATUS	
01/01/01	NEW OR SUBMITTER
02/01/01	NEW SUBMITTER
03/01/01	NEW OR SUBMITTER
04/01/01	NEW OR SUBMITTER
05/01/01	NEW OR SUBMITTER

DATA	(8 VOLTAGE INCH)
------	------------------

WSP DESIGN	CVE DRAWN	WSP CHECKED
SCALE	1" = 10'	

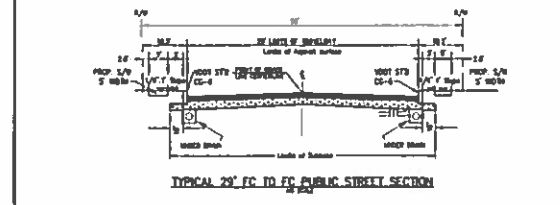
JS 44 9376-03-001

DATE: MAY 2014

J.E. No. 9370-D ZP-001

1 11

EXISTING	DESCRIPTION	PROPOSED
	INDEX CONTOUR	
	INTERMEDIATE CONTOUR	
	EDGE OF PAVEMENT	
	CLUB AND CENTER	
	TRANSITION FROM CO-4 TO CO-40	
	PROPOSED HEADER CLUB	
	PROPERTY LINE	
	DEPARTING PROPERTY LINE	
	RIGHT-OF-WAY	
	CENTERLINE	
	FLOOD PLAIN	
	CLEARING AND GRADING	
	TREE LINE	
	FLOW LINE OF SHALE	
	STREAM	
	OVERLAND RELIEF PATHWAY	
	FENCE LINE	
	EASEMENT	
	WATER LINE	
	WATER VALVE	
	REDUCER	
	SANITARY SEWER	
	STORM SEWER	
	CABLE TV	
	ELECTRIC SERVICE	
	TELEPHONE SERVICE	
	GAS LINE	
	SPOT ELEVATION	
	UTILITY POLE	
	SIGN	
	SANITARY SEWER MANHOLE	
	STORM DRAIN MANHOLE	
	EASEMENT MANHOLE	
	WATER METER	
	FIRE HYDRANT	
	PARKING INDICATOR	
	STREET LIGHT	
	VEHICLES PER DAY (TRAFFIC COUNT)	
	TEST PIT LOCATION (ACCOMPANIED BY NOTES)	
	CRITICAL SLOPE	
	SLOPES TO BE SHADDED (INDICATED BY NOTES)	
	MANHOLE PUMP (CO-12)	
	MANHOLE PUMP (CO-12) (DETAILED LOCATION IN SITE MAP)	
	DENOTES CLEAR SIGHT TRIANGLE	
	BENCHMARK	
	ASPHALT ROAD	
	CONCRETE ROADWAY	
	END WALLS	
	END SECTIONS	
	STOP SIGN	

[illegible]

STREET CLASSIFICATION CHART									
STREET NAME	CLASSIFICATION	DESIGN SPEED (MPH)	POSTED SPEED (MPH)	ROW WIDTH (FT)	MIN. ROW (IN)	MIN. ROW (IN)	MIN. ROW (IN)	MIN. ROW (IN)	PAVEMENT SECTION
ALL INTERSECTION	PUBLIC ROAD	25	25	25	10	10	10	10	10

PROPERTY INFORMATION

1. PROPOSED ZONING BY CLUSTER, AREA = 84.227 AC. (GROSS)
2. PROPOSED # OF UNITS = 81
3. PROPOSED DENSITY = 1.36 UNITS/AC.
4. ALLOWABLE DENSITY (B-1 CLUSTER) = 2.25 UNITS/AC.
5. ALLOWABLE # OF UNITS = 177 UNITS

ZONING REQUIREMENTS - RESIDENTIAL R-1 CLUSTER

- [illegible]

SITE SPECIFIC NOTES

- 1 THE PERMITTEE HEREIN IS LOCATED AT SAN JOSE #7-4
2 1000 N. 1ST ST
3 1. ESTABLISHING JUNE 1-1-61
4 2. ESTABLISHING JUNE 1-1-61
5 3. LAND USE, PUBLIC AREA, 97 LOTS FEMALE FARM HOUSES
6 4. AND RESIDENTS, PROPERTY MAY BE SUBJECT TO EASEMENTS AND
7 5. RIGHTS OF EGRESS
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92 6. THE PERMITTEE HEREIN IS LOCATED AT SAN JOSE #7-4
93 1000 N. 1ST ST
94 1. ESTABLISHING JUNE 1-1-61
95 2. ESTABLISHING JUNE 1-1-61
96 3. LAND USE, PUBLIC AREA, 97 LOTS FEMALE FARM HOUSES
97 4. AND RESIDENTS, PROPERTY MAY BE SUBJECT TO EASEMENTS AND
98 5. RIGHTS OF EGRESS
99 6. THE PERMITTEE HEREIN IS LOCATED AT SAN JOSE #7-4
100 1000 N. 1ST ST

CHESAPEAKE BAY NOTE

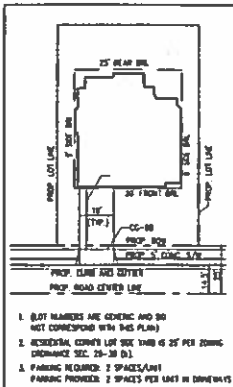
ALL REQUIREMENTS OF THE CHESAPEAKE BAY PRESERVATION ACT SHALL BE SHOWN ON THE CONSTRUCTION PLANS WHERE APPLICABLE. A CHESAPEAKE BAY PRESERVATION ACT OVERLAY PLAN SHALL BE SHOWN ON THE CONSTRUCTION PLANS AS THEY ARE DEVELOPED AND SUBMITTED FOR APPROVAL. SAID OVERLAY PLAN SHALL SHOW LIMITS OF CHESAPEAKE BAY AREAS. ALL AREAS DETERMINED TO BE HIGH CRITICAL RESOURCE PROTECTION AREAS AS SETFORTH BY CHAPTER 20 OF THE STAFFORD COUNTY CODE SHALL REMAIN UNDEVELOPED.

NUMERICAL CALCULATION

CREDIT IMPROVEMENT AREA CALCULATIONS			
REPAIRS	=	\$42500.00	÷ 1.567834 ACRES
PAYMENT	=	\$23007.50	÷ 1.630026 ACRES
CONTRACTOR	=	\$7034.50	÷ 1.327777 ACRES
SEWERAGE	=	\$4000.00	÷ 1.256182 ACRES
TOTAL	=	\$73542.00	÷ 1.760979 ACRES
SITE AREA	=	26500.00	÷ 62.82084 ACRES
PERCENT IMPROVEMENT AREA	=		19.27%

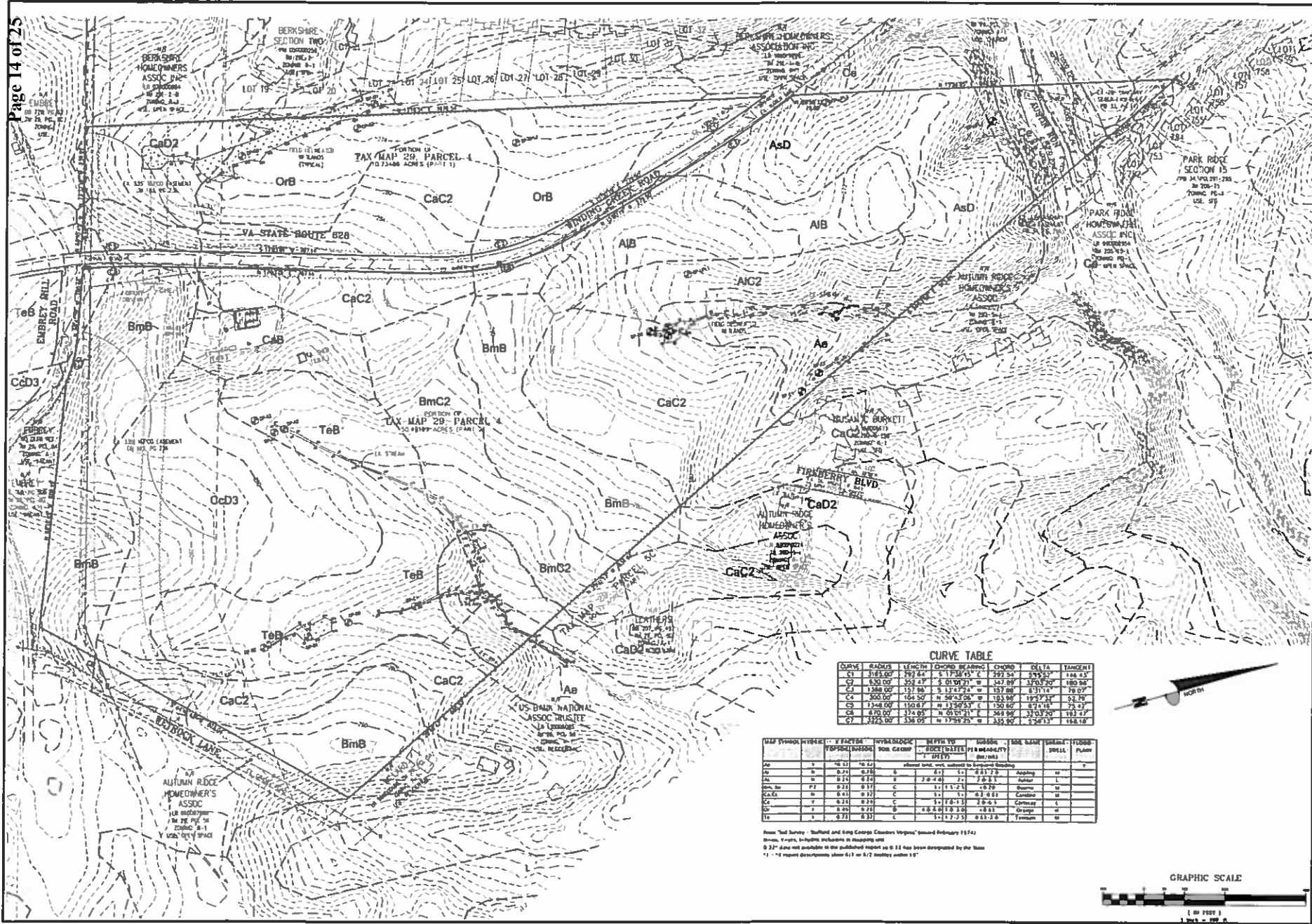
ENGINEER'S ESTIMATE -

WATER/SEWER FEES
ESTIMATED WATER FEES FOR 67 SINGLE FAMILY
RESIDENTIAL LOTS @ 240 GPD/Lot = 22,000 GPD
ESTIMATED SEWER FEES FOR 67 SINGLE FAMILY
RESIDENTIAL LOTS @ 300 GPD/Lot = 20,000 GPD



1. LOT NUMBERS ARE GENERIC AND DO NOT CORRESPOND WITH THIS PLAN.
2. RESIDENTIAL COUNTRY LOT SIZE SHALL BE 25 PER ZONING ORDINANCE SEC. 20-30 (b).
3. PARKING REQUIRED: 2 SPACES/UNIT
PARKING PROVIDED: 2 SPACES PER UNIT IN DRIVEWAY

TYPICAL BRN DETAIL

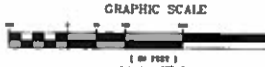


CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	1183.00'	292.84'	S 17° 36' 15" E	292.34'	8° 58' 30"	148.43'
C2	530.00'	358.43'	S 50° 00' 00" W	347.89'	170° 37' 00"	180.88'
C3	1368.00'	173.98'	S 13° 12' 30" E	167.89'	8° 11' 00"	98.00'
C4	800.00'	164.50'	N 38° 03' 00" W	103.88'	19° 57' 30"	52.79'
C5	1348.00'	150.67'	N 13° 54' 30" E	130.62'	8° 11' 00"	73.47'
C6	630.00'	174.67'	N 68° 03' 00" E	164.88'	21° 57' 30"	93.12'
C7	2292.00'	338.09'	N 7° 52' 30" E	335.00'	8° 58' 30"	158.18'

MAP SYMBOL	HYDRO	TYPE	1" = 84.75'	HYDROLOGIC	NON GROUP	DEPTH	VEGETATION	SOILS	BASE	BASE	BASE	1:1000
Ae	1	1	1	1	1	1	1	1	1	1	1	1
BmB	1	1	1	1	1	1	1	1	1	1	1	1
CaC2	1	1	1	1	1	1	1	1	1	1	1	1
OrB	1	1	1	1	1	1	1	1	1	1	1	1
TeB	1	1	1	1	1	1	1	1	1	1	1	1
OcD3	1	1	1	1	1	1	1	1	1	1	1	1
AsD	1	1	1	1	1	1	1	1	1	1	1	1

Notes: "Red Survey" - Bedford and Long Center, Loudoun County, Virginia (around February 1974)
 Brown, Yellow, and Green inclusions in mapping are:
 0.37" does not include in the published report as 0.11 has been designated by the town
 * - 1/4" square descriptions show 4.11" or 5.77" (double) unless 1.1"



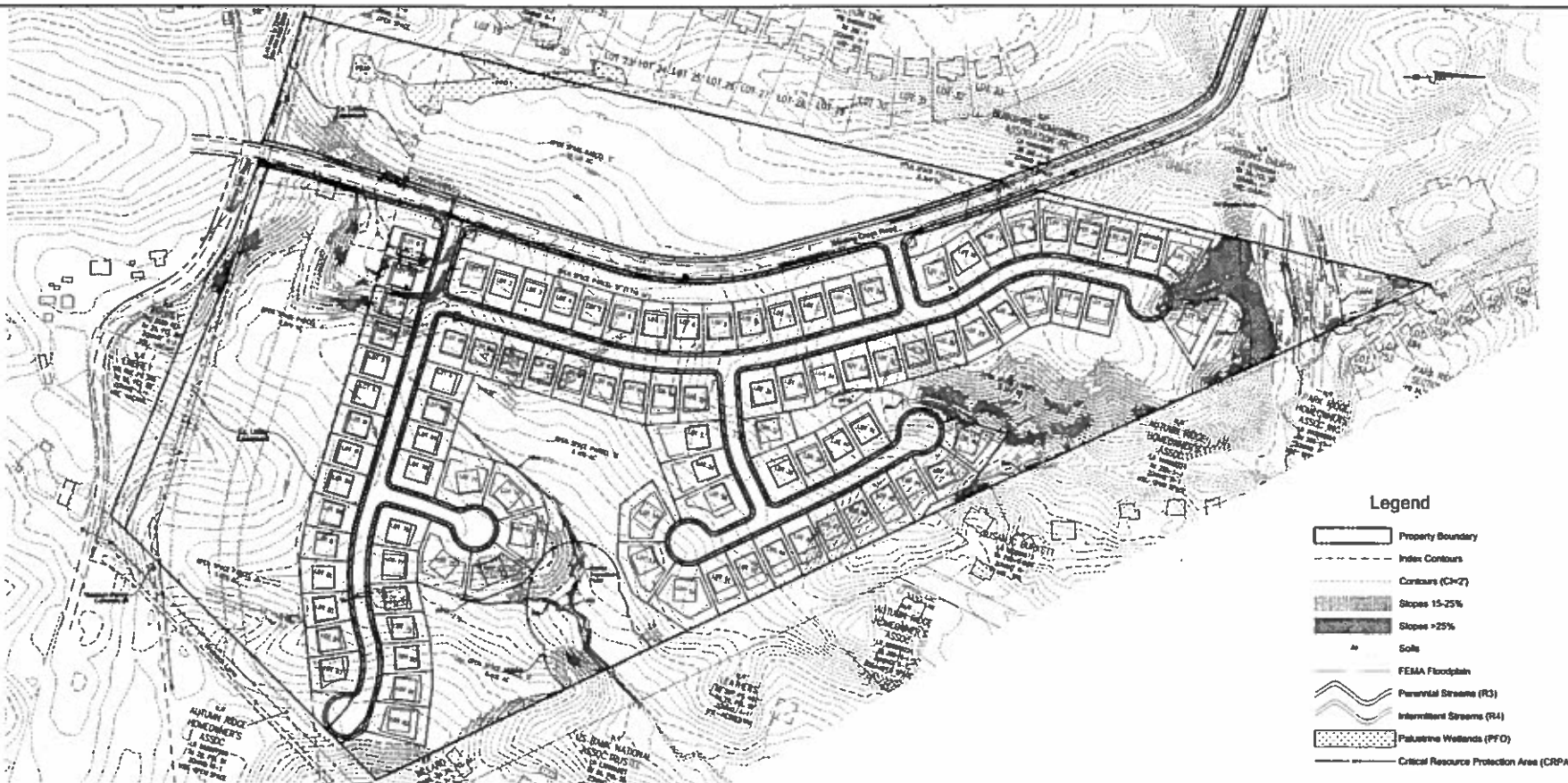
Bowman
CONSULTING

Bowman Consulting Group, LLC
 8000 Iron Horse Drive
 Springfield, Virginia 22154
 Phone: 540.371.4300
 Fax: 540.371.3479
 www.bowmanconsulting.com

EXISTING CONDITIONS/SOILS MAP
WINDING CREEK
 GENERALIZED DEVELOPMENT PLAN
 GARRISONVILLE/ROCKHILL MAGISTERS DISTRICTS STAFFORD COUNTY, VIRGINIA



DATE: 03/20/2014
 DRAWN: [Name]
 CHECKED: [Name]
 DESIGNED: [Name]
 SCALE: 1" = 100'
 JOB No.: 0079-00-001
 DATE: 04/17/2014
 FILE No.: 0376-D-2P-001



¹ The approximately 5.3 acre Windy Creek Project is identified as Tax Map 26, Parcels 4 and 5C, and is located at 327 Windy Creek Road, approximately 1.5 mile north of its intersection with Courthouse Road, in Stafford County, Virginia. The Project is generally located at 36°27'N latitude and -77°28'W longitude on the Stafford, Virginia USGS Quadrangle map.

2. Property boundaries, zoning conditions, covenants, and general development plan legend provided by Southern Consulting Group, Ltd. (2010). Geographic Information obtained from the Bedford County GIS.

[illegible]

⁴ Data from information was obtained from the AIDS Statist and Mega-Source Census Data Survey (AIDS) National Reporting Collaboration Report, with last entry 33, <http://www.aidsinfo.nih.gov> data entry for Study Area Data Version 12, Chapter 15, 1994, and is incorporated in the Data Summary Table included in the Plan.

6. An analysis of topographic mapping obtained from the Bluff County GIS indicates that there are slopes of 15 to 25 percent, and slopes greater than 25 percent, located within the Project, as shown on the Plan.

8. According to FEMA Flood Insurance Rate Map No. 57074-0122E (Effective Date February 4, 2010), a Zone AE (Special) is mapped along Route 666 within the northern portion of the Project, as summarized and shown on the Plan.

7 The explore of the U.S. and selected international datasets are first done and within the Project limits are then distributed by SOG based on the requirements of the Corps of Engineers Wetlands Delineation Manual (1987) and the Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Eastern Watersheds and Piedmont (Version 2.0, 2012) (Phelan and May dated April 25, 2014). The Regional Watersheds were conducted by the U.S. Army Corps of Engineers (USACE) Project for WAO-2014-00005, dated September 12, 2014, and led-invested by SOG using conventional survey methods.

[illegible]

⁶ The site-specific Critical Habitat Protection Area (CHPA) boundary depicted on the Map is based on the results of the wetland delineation (Shapert and Allen dated April 25, 2014) and potential free-oxygen and CHPA determination (Shapert and Allen dated April 25, 2014) studies conducted by SGC for the Project. The results of the Potential Free Oxygen and

CPA's Determination study were approved by St. Paul County on July 22, 2014 (SPC 9-14-00000). The bag approved CPA structures are indicated on the map. In accordance with Section 30-020(1) of the County's Chascombe Bay Preservation Area (CPA) Policy and the Virginia

Department of Conservation and Recreation's Fisheries Protection Area. Several streams, including the Fox, Choptank Bay, Preservation Area, Dogpound, and Management Regulations, the CCRPA boundary located on the Fox is marked 100-foot wide of the shore of the surveyed portion of the boundary (Stream A as to the CCRPA boundary part, located approximately 30 feet downstream of Point A30-A3), and Stream F (Point R40). The specific CCRPA encompasses approximately 2.6 acres of the Fox.

16 An examination of the Ballroom of Federal and State Court (hereinafter and collectively referred to as the "Ballroom") in the vicinity of the Project was completed by SCJ based on information obtained from the U.S. Fish and Wildlife Service (FWS), the Virginia Department of Game and Inland Fisheries (VDGIF), and the Virginia Department of Transportation (VDOT).

Consistent with the Agency's policy, the Virginia Department of State Police (VSP) Project dated April 26, 2014. Additionally, a formal memorandum and brief survey by the State-based investigator and Federal-based investigator could identify additional possible opportunities for cooperation at the Project on June 26, 2014 by the Federal Agent of ICE, who is on the Virginia State Office's list of qualified investigators for the purpose of interviews in relation to the Project.

of the most serious pages were marked when the Project was done. The first survey (Project ended July 21, 2012) focused on finding human remains, and the volunteers in 2003 marked 7 caves and three small openings and the results of the first checked pages survey that summer. For more information on the project, see the link: www.projectcave.org. Thank you.

Based on a review of the Marine Department of Marine Resources (DPR) Marine Culture

Results on 4 female and 4 male subjects (24 years old) were compared. The results showed that the female group had a significantly higher level of self-esteem than the male group. The results also showed that the female group had a significantly higher level of self-esteem than the male group. The results also showed that the female group had a significantly higher level of self-esteem than the male group.

12. Minor requests to environmentally sensitive features (vegetation and stream) are proposed with the Project, however, these requests will be within the boundaries of the Village Water Protection Study General Permit 1994 and the State Program General Permit (13-0001-07). If a permit is required under 303 water body of stream channel within 1/4 mile of wetlands, an approved riparianity mitigation will be provided through the purchase of certified stream stream credits from LRIAC and DEC-approved mitigation banks, or an alternative approved by the LRIAC and DEC permits. No requests are proposed by the South CDP, nor are they

_____ **John Williams, Esq.**

[illegible]

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

Legend

-
- Property Boundary
 Index Contours
 Contours (C=2)
 Slopes 15-25%
 Slopes >25%
 Soils
 FEMA Floodplain
 Perennial Streams (R3)
 Intermittent Streams (R4)
 Palustrine Wetlands (PFO)
 Critical Resource Protection Area (CRPA)

GRAPHIC SCALE



ENVIRONMENTAL INVENTORY PLAN

WINDING CREEK

Tax Map 29, Parcels 4 and 5C
Stafford County, Virginia

Prepared for Winding Creek Owners, Inc.

8/24/94 ☒ Super 100
8/28/94 ☐ Super 100

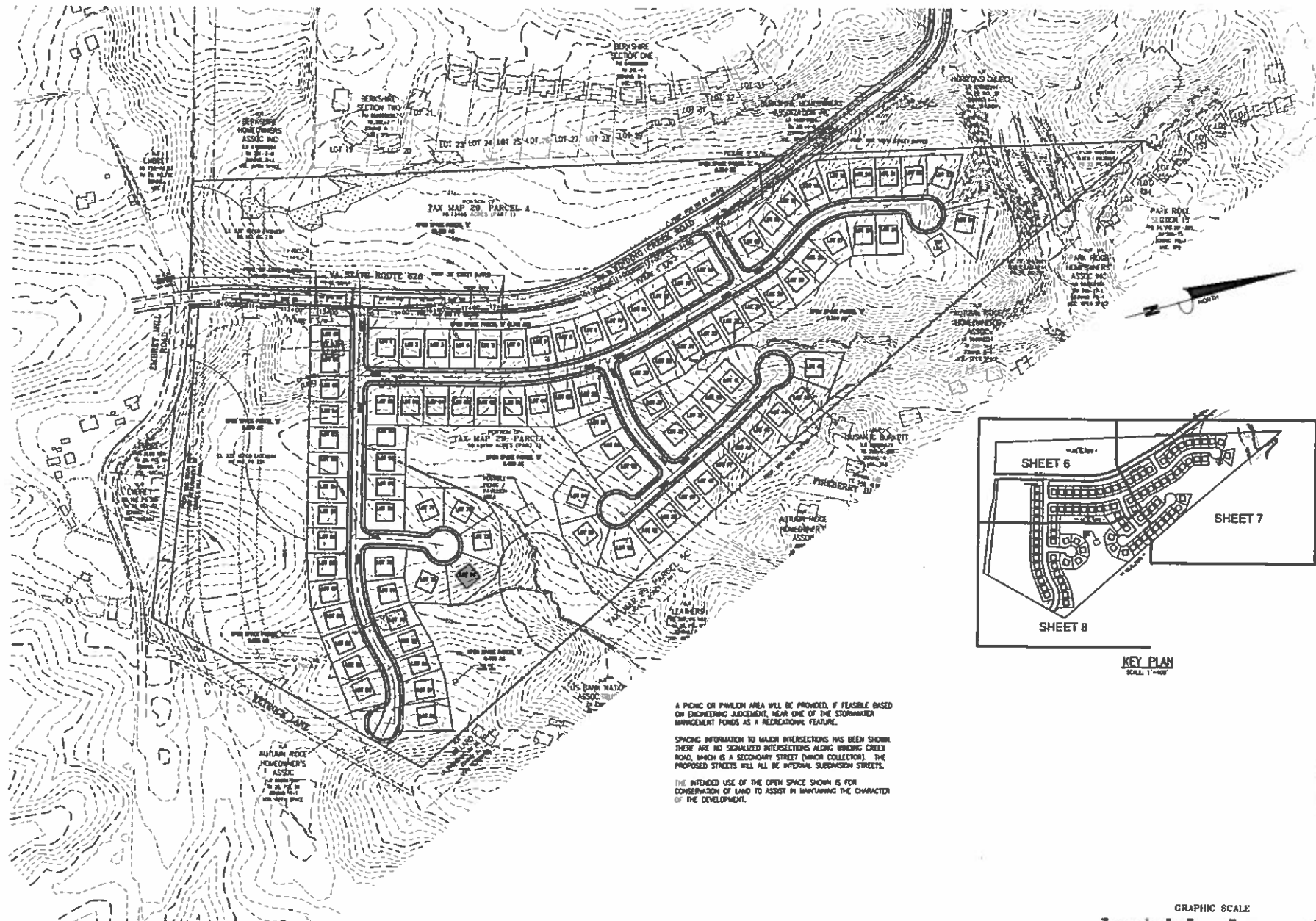
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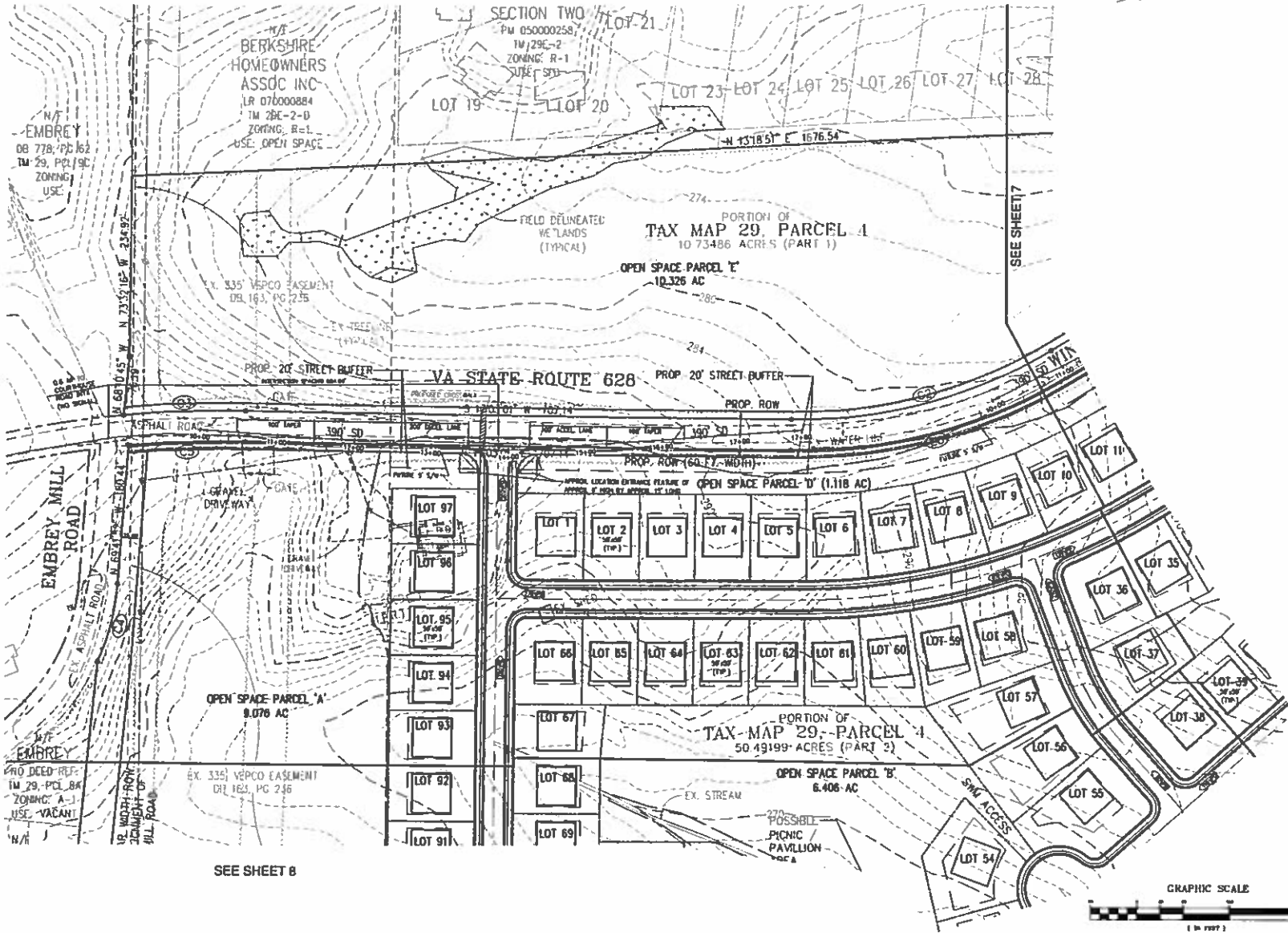
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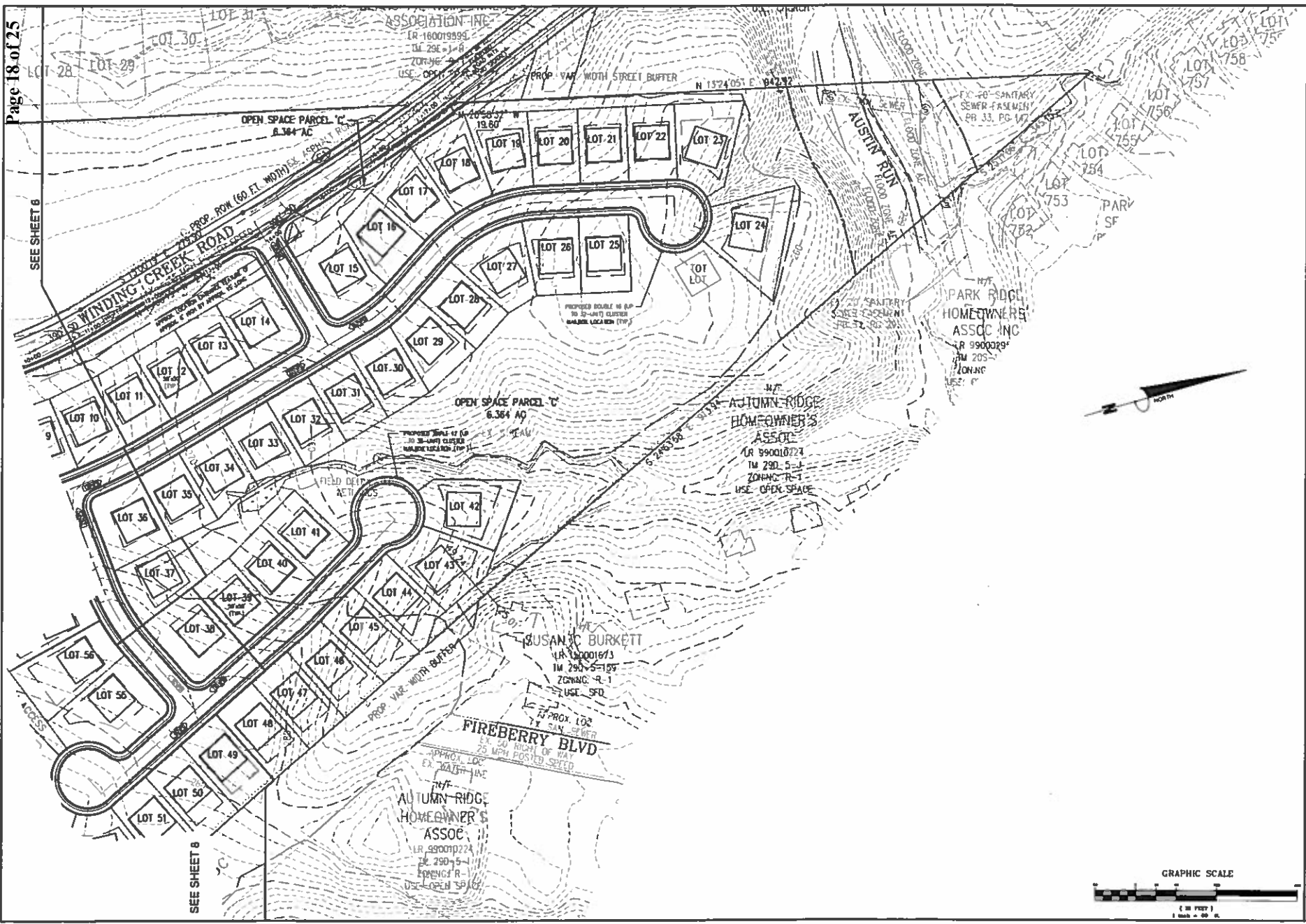
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FILE NO.

SHEET 4 of 11







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1000 West 10th Street
Lawrenceville, Georgia 30046
Phone: 404.271.0200
Fax: 404.271.1470
www.bowmanconsulting.com

GENERALIZED DEVELOPMENT PLAN
WINDING CREEK
GENERALIZED DEVELOPMENT PLAN
GARRISONVILLE/ROCKHILL MAGISTERIAL DISTRICTS STAFFORD COUNTY, VIRGINIA

NO. 000000
COUNTY PROJECT NUMBER

WILLIAM S. PYLE
44667
MECHANICAL ENGINEERING
STATE OF VIRGINIA

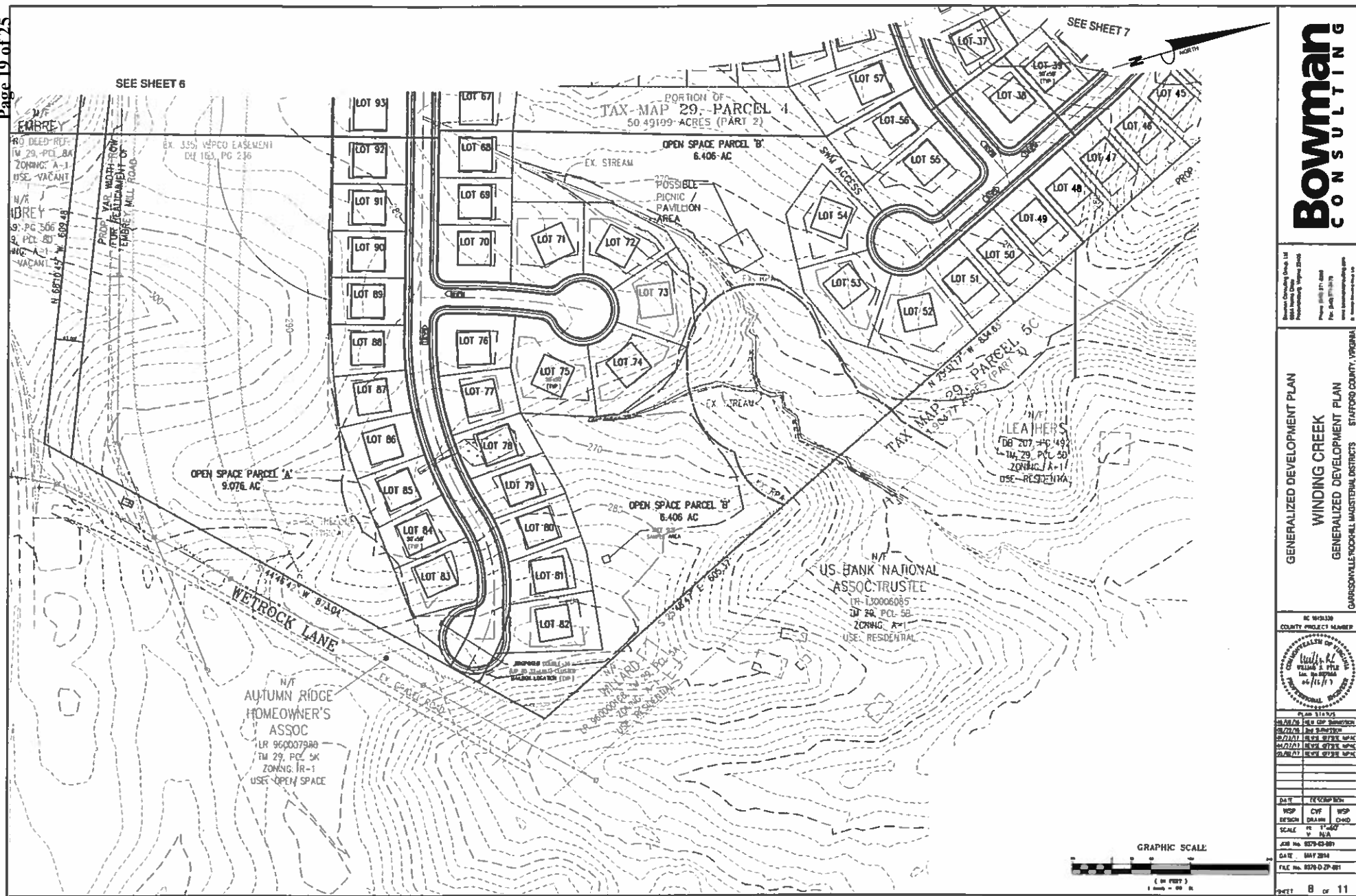
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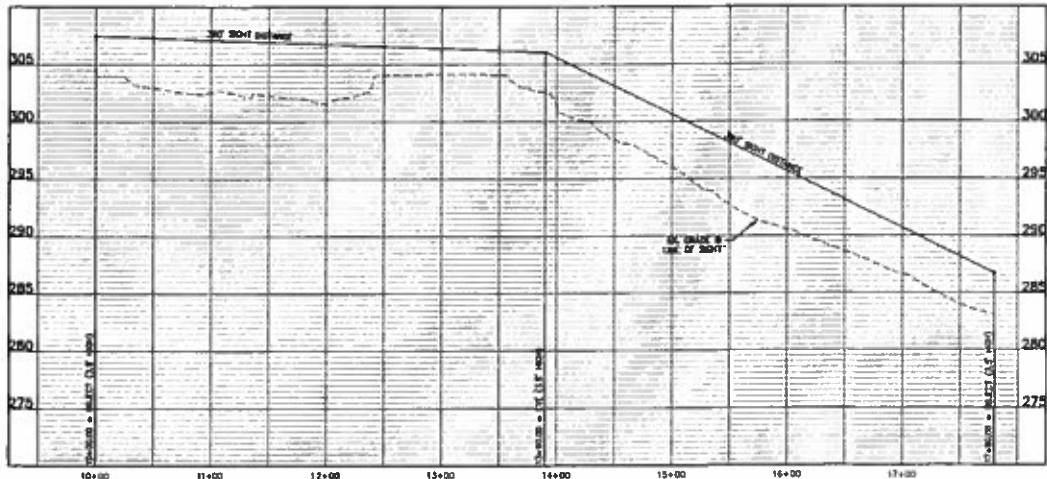
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DATE	DESCRIPTION
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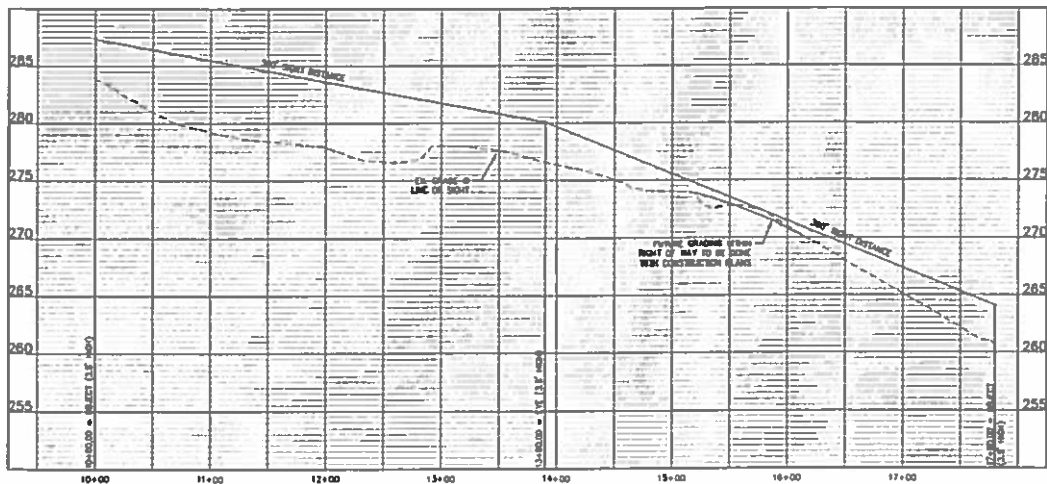
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FILE No. 0276-02-001
DATE: MAY 2014
SHEET 7 of 11

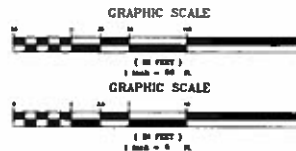


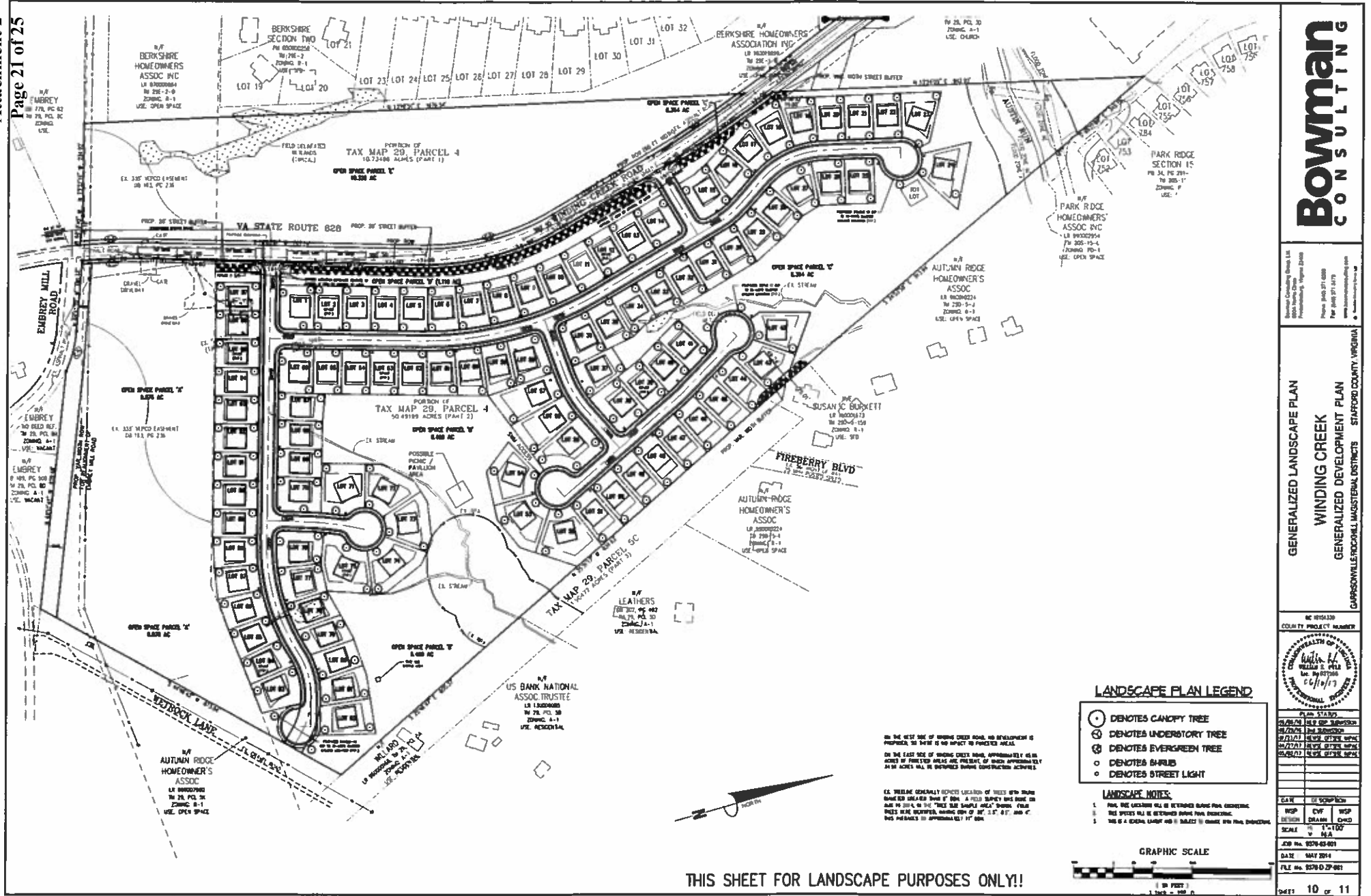


SIGHT DISTANCE - SOUTH ENTRANCE ROAD PROFILE VIEW
HORIZONTAL SCALE: 1"=50'
VERTICAL SCALE: 1"=5'



SIGHT DISTANCE - NORTH ENTRANCE ROAD PROFILE VIEW
HORIZONTAL SCALE: 1"=50'
VERTICAL SCALE: 1"=5'





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10000 Westpark Drive, Suite 200
Falls Church, Virginia 22040
Phone: (703) 271-0000
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GENERALIZED LANDSCAPE PLAN
WINDING CREEK
GENERALIZED DEVELOPMENT PLAN
CAPRONVILLE/ROCKHILL MAGISTERIAL DISTRICTS STAFFORD COUNTY, VIRGINIA

NO. 00000000
COUNTRY PROJECT NUMBER

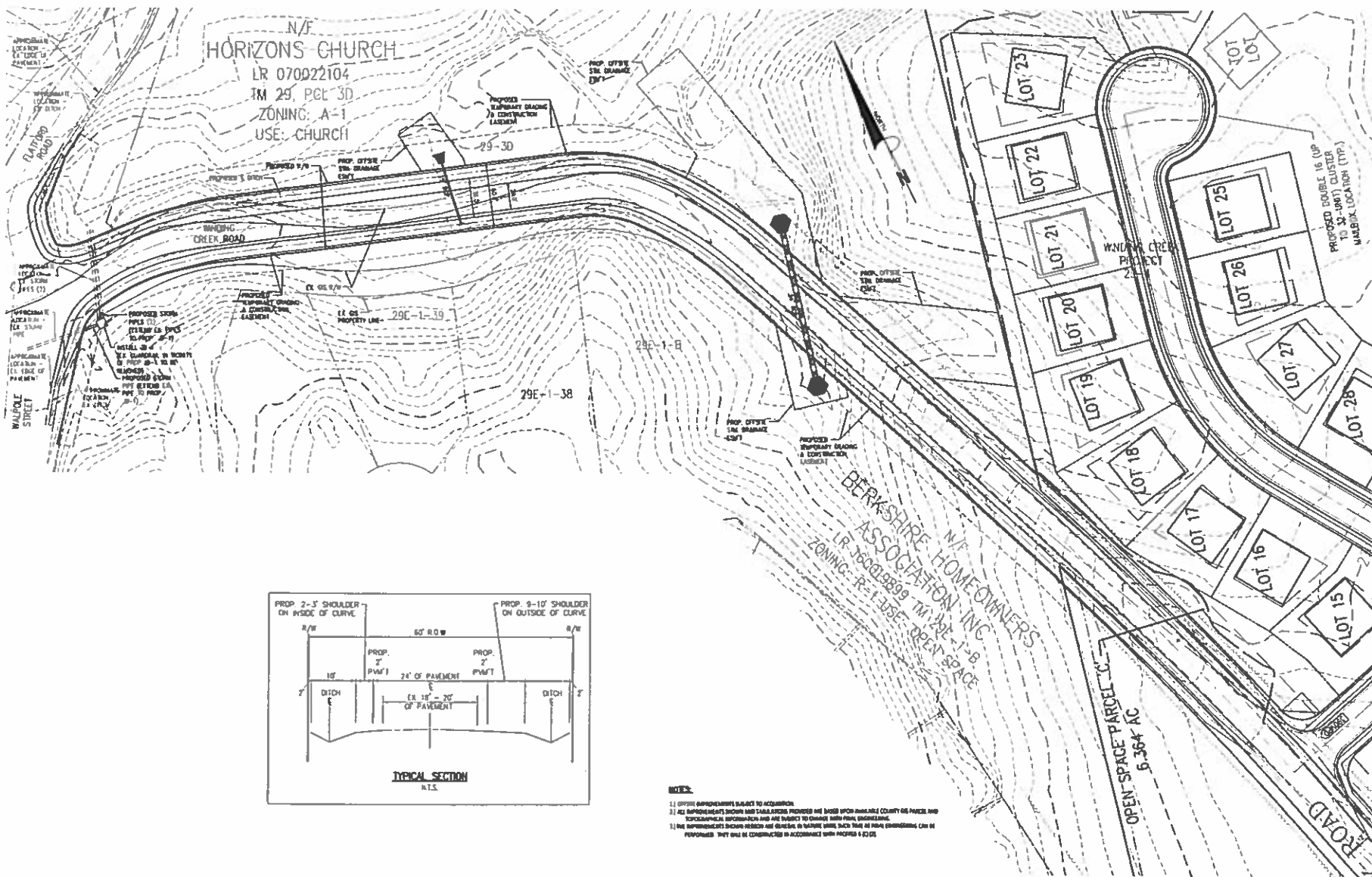
HEALTH OF THE
WILLIAM S. PELL
JUL 10/17

Plan: 000000
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JOB No. 0000-0000
DATE: 00/00/00
FILE No. 0000-0000

DATE: 00/00/00
BY: 000000
CHECKED: 000000
SCALE: 1" = 100'
JOB No. 0000-0000
DATE: 00/00/00
FILE No. 0000-0000

Sheet 10 of 11



1) THE INFORMATION IS SUBJECT TO ACCURACY

2) THE INFORMATION IS NOT TO BE RELEASED OR DISCLOSED TO ANY OTHER PARTY OR ENTITY WITHOUT THE WRITTEN CONSENT OF THE COUNTY OF PALMER AND THE COUNTY OF PALMER IS NOT TO BE RELEASED OR DISCLOSED TO ANY OTHER PARTY OR ENTITY WITHOUT THE WRITTEN CONSENT OF THE COUNTY OF PALMER

3) THE INFORMATION IS NOT TO BE RELEASED OR DISCLOSED TO ANY OTHER PARTY OR ENTITY WITHOUT THE WRITTEN CONSENT OF THE COUNTY OF PALMER



(IN FEET)

Shuman Consulting Group, Ltd.
2000A North Gate
Trenton, NJ 08611
Phone (609) 371-4000
Fax (609) 371-3470
www.shumanconsulting.com

DC 1629130
CITY PROJECT NAME



DATE	DESCRIPTION	
WSP	CYF	NS
DESIGN	DRAWING	CHECK
SCALE	H 1"=30'	
	V N/A	
JOB No. 9378-83-801		
DATE MAY 28-14		
FILE No. 9378-DZP-801		

EXHIBIT B

Renderings

8871170-2 039798.00001



Winding Creek

ARCHITECTURAL ELEVATION ILLUSTRATIVE

Bowman
CONSULTING

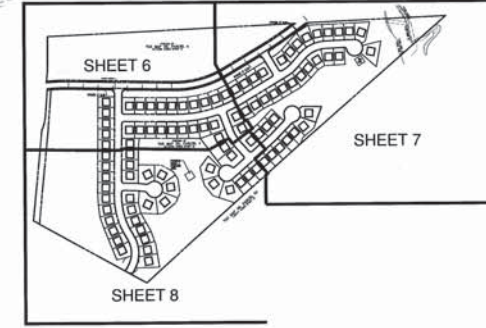
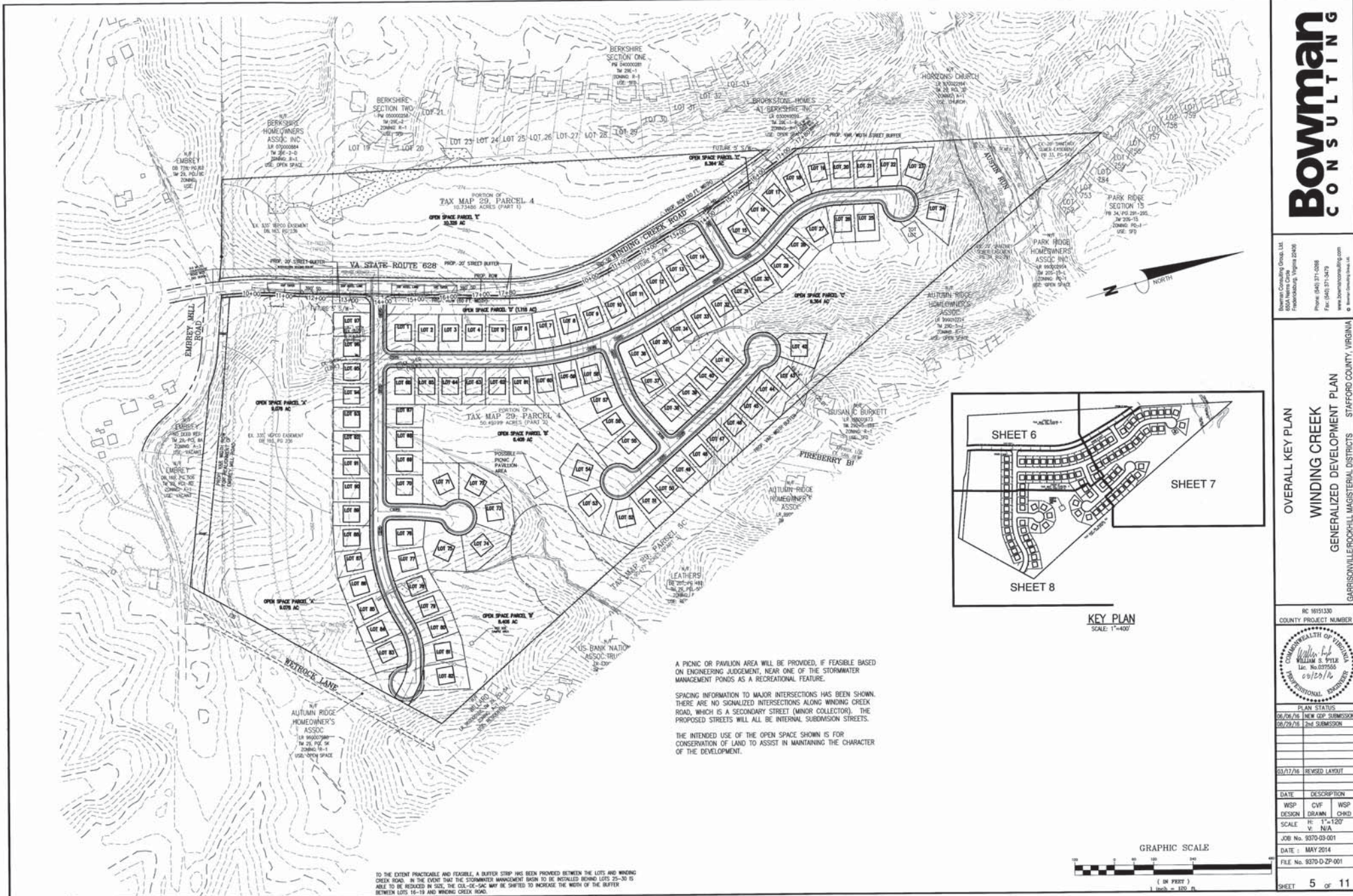
Stafford County, Virginia
May 12, 2014



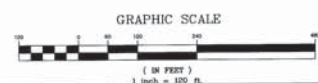
Winding Creek

ARCHITECTURAL ELEVATION ILLUSTRATIVE

Bowman
CONSULTING
Stafford County, Virginia
May 12, 2014



KEY PLAN
SCALE: 1"=400'



TO THE EXTENT PRACTICABLE AND FEASIBLE, A BUFFER STRIP HAS BEEN PROVIDED BETWEEN THE LOTS AND WINDING CREEK ROAD. IN THE EVENT THAT THE STORMWATER MANAGEMENT BASIN TO BE INSTALLED BEHIND LOTS 25-30 IS ABLE TO BE REDUCED IN SIZE, THE COL-USE-LOC MAY BE SHIFTED TO INCREASE THE WIDTH OF THE BUFFER BETWEEN LOTS 16-19 AND WINDING CREEK ROAD.

A PICNIC OR PAULON AREA WILL BE PROVIDED, IF FEASIBLE BASED ON ENGINEERING JUDGEMENT, NEAR ONE OF THE STORMWATER MANAGEMENT PONDS AS A RECREATIONAL FEATURE.

SPACING INFORMATION TO MAJOR INTERSECTIONS HAS BEEN SHOWN. THERE ARE NO SIGNALIZED INTERSECTIONS ALONG WINDING CREEK ROAD, WHICH IS A SECONDARY STREET (MINOR COLLECTOR). THE PROPOSED STREETS WILL ALL BE INTERNAL SUBDIVISION STREETS.

THE INTENDED USE OF THE OPEN SPACE SHOWN IS FOR CONSERVATION OF LAND TO ASSIST IN MAINTAINING THE CHARACTER OF THE DEVELOPMENT.

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
800A Newer Circle
Framingham, Virginia 22008
Phone: (540) 371-0288
Fax: (540) 371-3479
www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.

OVERALL KEY PLAN
WINDING CREEK
GENERALIZED DEVELOPMENT PLAN
GARRISONVILLE/HILL MAGISTERIAL DISTRICTS STAFFORD COUNTY, VIRGINIA

RC 10191330
COUNTY PROJECT NUMBER

COMMONWEALTH OF VIRGINIA
WILLIAM S. BYRLE
Lic. No. 0337565
06/20/16
PROFESSIONAL ENGINEER

PLAN STATUS
06/26/16 NEW CDP SUBMISSION
08/29/16 2nd SUBMISSION

03/17/16 REVISED LAYOUT

DATE	DESCRIPTION
WSP DESIGN	CVF DRAWING CHED
SCALE	H: 1"=120'
	V: N/A
JOB No.	9370-03-001
DATE	MAY 2014
FILE No.	9370-DP-001

SHEET 5 OF 11

Community & Economic Development Committee Meeting

AGENDA

June 4, 2019 - 12:45 PM

Conference Room A/B/C, Second Floor

Committee Members: Chairman Cindy Shelton, Wendy Maurer and Gary Snellings

AGENDA ITEM

Subject:

Discuss VATI 2020 Grant Application Process, Guidelines and Next Steps

Recommended Action:

Staff recommends issuance of an RFI to identify a broadband provider to partner with to apply for a 2020 VATI grant. If successful, the County would co-apply for the grant by the September 3, 2019 application submission deadline.

Committee/Commission Recommendation:

With the time sensitivity of the 2020 VATI grant process, there has not been time to discuss this with TCC. Staff plans on discussing this with the TCC at their June 13th meeting.

Fiscal Impact:

N/A

District:

Overview:

Background

In December 2018 the County applied for the first time for a Virginia Telecommunications Initiative (VATI) grant through the Virginia Department of Housing and Community Development (DHCD) for the purpose of providing broadband service in unserved parts of the County. The grant application process began with the County issuing an RFI in the Fall 2018 to identify a broadband service provider to partner with for the grant application. The County selected KGI and KGI proposed a service area that included most of Marlborough Point and the Widewater area. The project was composed of two phases, the first of which specified that KGI attach their fixed wireless equipment on a tower on the Northern border of King George County and beam the signal to parts of Marlborough point where line of sight could be established. The second phase included erecting a 100' tower on private property located on Brook Road to extend the fixed wireless service to additional areas in Marlborough Point and the Widewater area. KGI also offered to provide free service to Widewater State Park. The total cost of the project was \$300,000 and required a match of 20%. KGI committed to the 20% match and the total requested in the grant application totaled \$240,000. Unfortunately, in March 2019 the

County was informed that it was not awarded a VATI grant. There were nearly \$11 million in grant requests and only \$4 million available. In subsequent discussions with the administrator of the VATI grants for DHCD informed County staff that the County's grant request was one of the best not awarded. Metrics such as the cost of providing service/resident played a factor. The average was apparently in the \$300 - \$400 range and the County's application was closer to \$1,000 per resident. Additionally, most of the grant recipients were also in much more rural areas in the Commonwealth.

Since that time, GIS and IT staff worked with the TCC to develop a crowd-sourced online broadband survey where respondents could self-identify their location and quality and type of Internet service. The survey commenced in January 2019 and over 1,000 individuals have responded to the survey to date. The attached maps provide two different perspectives on where service is needed.

Additionally, discussions have been held with County staff, Paul Anderson from Widewater State Park, Delegate Thomas, the TCC and staff from Economic Development to explore possible ways to extend service to the areas proposed in the VATI grant request. John Holden also briefed the Economic Development Authority and plans to discuss it again with them on June 7th. The State Park has been investigating ways to obtain service from KGI as well and since there is no VITA state contract for KGI the Park does not have a reasonable way of procuring Internet service.

Discussion/Analysis:

On May 17th County staff attended a VATI 2020 Input Session hosted by DHCD and the proposed schedule and proposed grant guidelines were presented. DHCD accelerated the grant submission deadline and now the 2020 grant applications will be due September 3, 2019. The total funds available for VATI grants was increased to \$19 million. While the County did not receive a VATI grant in 2019, staff recommends beginning an RFI process to identify at least one broadband provider to partner with, and if successful, apply for a 2020 VATI grant.

Attachments:

1. 2020 Virginia Telecommunications Initiative Program Guidelines and Crite.._
2. BB-DOWNLOADS-cable-fiber respondents
3. BroadbandWebMap-AVG-SLOW Speeds Reported

Summary/Conclusion:

Staff recommends that the County issue an RFI to identify interested qualified broadband providers to partner with to co-apply for a VATI 2020 grants. If partners are identified, the County would co-apply for a 2020 VATI grant by the September 3, 2019 deadline.

Strategic Priorities:

Reviewed By:

This agenda may be amended on the day of the meeting. Participation of all citizens is encouraged. For all individuals with special needs, please notify County Administration of any accommodations required at least 24 hours in advance of the meeting. The agenda and related materials may be found on the County's website at www.staffordcountyva.gov

2020 Virginia Telecommunication Initiative Program Guidelines and Criteria



Erik C. Johnston

Director

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Associate Director of Policy and Strategic Development

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Program Guidelines

Background

The issue of rural telecommunications is not only one of technology; it is essential infrastructure for modern community and economic development. Many rural communities in Virginia evolved around industry sectors that have dramatically declined—rail, textile, manufacturing, resource extraction to name a few. Broadband availability promotes sustainability and competitive advantages of communities by providing access to health care, particularly through the introduction of telemedicine, improving the local workforce, providing increased educational opportunities through distance learning, and encouraging an entrepreneurial economy where new and existing home-based and small businesses are able to compete globally.

Rural communities increasingly struggle to retain existing businesses due to slow, sporadic, or limited broadband services. Since the vast majority of businesses rely on the internet to perform business functions such as online banking, e-commerce transactions (i.e. sales and on-line payment processing), market development (i.e. on-line ads, websites, bulk-email, etc.), customer service through on-line chat or emails and internal/external communication, broadband connectivity is vital to the performance of microenterprise, small, and large businesses. Broadband has gone from being a luxury to a necessity for full participation in the twenty-first century economy.

Questions regarding Competitive Grant proposal development or about the application guidelines should be directed to:

Tamarah Holmes, Ph.D., Associate Director

Tamarah.holmes@dhcd.virginia.gov

(804) 371-7056

Tammy L. Breski, Telecommunications and Broadband Specialist

tammy.breski@dhcd.virginia.gov

(804) 371-7064

The main VATI email

vati@dhcd.virginia.gov

Please refer questions regarding your application submittal through CAMS to Tammy L. Breski.

Program Description

The Virginia Department of Housing and Community Development (DHCD) will implement the Virginia Telecommunications Initiative (VATI). The goal of VATI is to enhance sustainability and competitive advantages of communities throughout the Commonwealth by preparing those communities to build, utilize, and capitalize on telecommunications infrastructure. Consistent with the enabling legislation, DHCD will award the \$19 million FY 2020 appropriation to eligible applicants to provide last-mile services to unserved areas of the State. DHCD reserves the flexibility to award any amount to eligible grantees, depending entirely on the quality and quantity of applications received.

The primary objective of VATI is to provide financial assistance to supplement construction costs by private sector broadband service providers, in partnership with local units of government to extend service to areas that presently are unserved by any broadband provider.

Freedom of Information Act (FOIA)

Effective July 1, 2019, “information related to a grant application, or accompanying a grant application, submitted to the Department of Housing and Community Development that would (i) reveal (a) trade secrets, (b) financial information of a grant applicant that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, or (c) research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant. “

In order to receive this FOIA protection, the applicant must request and follow DHCD’s written FOIA policy.

Eligible Applicant

Applications must be submitted by a unit of government (Towns, Cities, Counties, Economic Development Authorities/Industrial Development Authorities, Broadband/Wireless Authorities, Planning District Commissions, School Districts, etc.) with a private sector provider(s) as a co-applicant. Eligible projects will be owned and operated by the private sector co-applicant.

Program Requirements

- A. Unserved Areas
- B. Multiple Applications
- C. Project Financing
- D. Internet Speeds
- E. Existing Funding
- F. Public Comment Period
- G. Challenge Process
- H. Project Implementation Deadline
- I. Suitable Organizational and Management Capabilities

Projects Must Only Address Unserved Areas

DHCD will award funding to applicants to provide last-mile services, including middle-mile networks, equipment, or other investments required to deliver last-mile service to unserved areas of the State. Unserved serviceable units are defined as having broadband speeds of 10 Mbps download and 1 Mbps upload or less. In addition, a proposed project area is considered eligible if 10% or less of serviceable units have access to service with no additional special construction costs from any provider as of the date of the application for the proposed project areas.

Applicants are discouraged from overbuilding existing service areas in the proposed project area as this will lower the applicants' evaluation score.

Multiple Applications

An applicant must submit one application per service provider. This does not limit a service provider from submitting an application with more than one unit of local government. This also does not limit units of local governments from submitting applications with multiple service providers, or from including project areas that cross jurisdictional boundaries.

An applicant may designate separate Service Areas through a single application where:

- The applicant proposes to serve project area(s) that may or may not share contiguous boundary.
- The co-applicant (service provider) is the same for all the service area(s)
- The applicant can propose the use of different technology solutions in the single application
- If designating more than one service area in a single application, each service area must be clearly delineated and the required data and budget information must be provided.

Project Financing

Governor Northam has set a goal of providing financial assistance (gap financing) to supplement construction costs by private sector broadband service providers to extend service to areas that presently are unserved by any broadband provider. Consistent with that goal, applicants are encouraged to provide a co-investment. DHCD funding shall not exceed eighty-percent (80%) of the total project cost.

Internet Speed

VATI is designed to ensure that unserved areas of the Commonwealth have access to broadband speeds of at least 25 Mbps download and 3 Mbps upload. Projects proposing higher speeds in the most cost efficient manner will receive funding priority. In each case, the co-applicant will be required to demonstrate how their proposed technology solution will deliver the promised speeds in the proposed area once operational and how capacity will be aggregated in the network design.

Public Comment

All applicants are required to have solicited public comment for a fifteen (15) day period before submitting applications to DHCD. If an application is received that has not undergone a fifteen (15) day public comment period, it will not be considered for review. **Advertisement seeking Public Comment must be made in a non-legal, locally-circulated newspaper with the largest general circulation, as well as posted on the locality website and in public buildings.** The notices must provide the address, phone number, TDD, and times for submitting comments and grievances to the applicant locality. All comments must be provided to DHCD with the application.

Challenge Process

DHCD will post electronic copies of all submitted applications to the agency website after the deadline for application submissions has passed and before project approval. Any private sector service provider wishing to request that DHCD deem a proposed project area as ineligible for VATI must submit a challenge with the information required in this section no later than 5:00 p.m. on October 9, 2019. DHCD will have 30 business days to validate a challenge.

Applicants will be notified if their proposed project area is being challenged. Applicants will have 15 business days from notification of a challenge to provide any additional information to DHCD. Providers choosing to challenge a submitted application must provide a signed and notarized Affidavit including the following:

1. Submit their current FCC Form 477 or equivalent

2. The incumbent provider is required to provide minimum/max speeds provided by their company in the proposed project area.
3. Number of serviceable units that they provide the speed within peak interval.
4. Provide street level data of actual customers receiving service within the proposed project area. Provide the speeds those customers are able to receive. Proposed or planned service to the VATI project area will not demonstrate service for the purpose of a challenge to a proposed project unless State or Federal funds have been committed. Must provide proof of funding commitment.
5. The Department must receive all of the information referenced above or the challenge will be deemed invalid. The Department shall evaluate challenges that submit all of the information referenced above and determine if the challenger demonstrated that more than 10% of serviceable units in a proposed project area serviceable at speeds above 10/1 Mbps as of the date of the application. Multiple providers may challenge a proposed project and challenges will be aggregated by the Department to determine percentage of serviceable units served by current providers in a proposed project area.
6. Challenges can be made to portions of the proposed project areas without invalidating the entire project.

The Department shall notify the applicant and challenger in writing if a challenge is deemed valid or invalid. All applications will remain in consideration until the received challenge evaluation has been completed.

3rd party verified speed tests of challenged project areas are required for the technologies that can have variable speeds.

Implementation Deadline

In accordance with the goals of VATI, the applicants must demonstrate that their projects will be completed within twelve months after contract execution with DHCD, and must detail major benchmarks and timing of anticipated achievement of each benchmark.

Applicants Must Demonstrate Organizational and Management Capabilities

To participate in VATI, applicant and co-applicant must demonstrate suitable organizational and management capabilities. To determine whether applicants meet this criterion, applicants and private sector partner(s), must submit the following documents and/or attest to each of the following:

1. Documentation that proposed project area is unserved based on VATI criteria;
2. Private Service Provider must provide proof that they have filed an FCC Form 477 for two years prior to submission of application. If provider has not been required to submit an FCC Form 477 in previous years, equivalent data must be provided.

3. Projects must be fully-financed, through a combination of the total requested VATI funds, committed funds from the Applicant or Co-Applicant, and in-kind resources;
4. Co-applicants must document current assets, (i.e. total amount of available cash and equivalents, callable capital, in an amount no less than the proposed committed funding, or a commitment letter for financing) in the amount of match funds committed for the project at the time of application;
5. Applicants must be in good standing in performance of any and all existing Commonwealth of Virginia contracts, and compliance with all federal, state, and local laws.

Proposal Due Date

Proposals are to be submitted on September 3, 2019 by **11:59 p.m.** Please note that DHCD offices close at 5:00 p.m. Staff will not be available to provide CAMS technical assistance after 5:00 p.m.

Proposal Evaluation Criteria

- **Demonstrate Need** — Unserved areas are defined as having broadband speeds 10 Mbps download and 1 Mbps upload or less.
 - Applicant must include the number of proposed serviceable units passed that are unserved at the time of application including residential, business and community anchors
 - Take Rate, Adoption and Affordability- Demonstrate commitment to ensuring customers take the service through best practices in broadband adoption plan and commitment to plan implementation and reporting if awarded.
 - Meeting VATI Implementation Speeds—Project must meet minimum implementation speed 25Mbps/3 Mbps and will receive additional points for higher speeds.
- **Project Readiness** — The applicant and co-applicant must demonstrate readiness and capacity to successfully implement the VATI grant.
 - Leverage must be supportable and consistent with program guidelines. Local government co-applicants should demonstrate assistance to project that will lower overall cost and further assist in the timely completion of construction, including assistance with permits, rights of way, easements and other issues that may hinder or delay timely construction and increase cost.
- **Budget and Cost-Appropriateness** — Proposed construction costs must supportable and consistent with program guidelines.
- **Commonwealth Priorities** - Additional points will be awarded to proposed projects that reflect Commonwealth priorities; these include regional/statewide significance, economic impact, and if the project fits into a larger broadband plan.

Definitions

Anchor Institutions – Enterprises (i.e hospitals, libraries, etc.) that are rooted in their local communities by mission, invested capital, or relationships to customers, employees or vendors.

Business – An organization or entity that provides goods or services in order to generate profit.

Digital Subscriber Line (DSL) – A technology for bringing high-bandwidth information to homes and small businesses over ordinary copper telephone lines

Eligible Project Costs – Expenses eligible for reimbursement under the VATI grant

Fiber-to-the-Home (FTTH) – A network that delivers internet service over optical fiber directly to an end-user home, business, or other Unit

Fixed Wireless – Wireless devices or systems that are situated in fixed locations

Hybrid Fiber Coaxial (HFC) – A broadband network combining optical fiber and coaxial cable

Last-Mile – Components of a network that provide broadband service to end-user premises or devices through an intermediate point of aggregation (e.g., remote terminal, fiber node, wireless tower, or other equivalent access point)

Middle Mile – Network components that provide broadband service from one or more centralized facilities (e.g., the central office, the cable head-end, the wireless switching station, or other equivalent centralized facilities) to an Internet point of presence

Peak Interval- Weekdays from 7:00 pm – 11:00 pm local time.

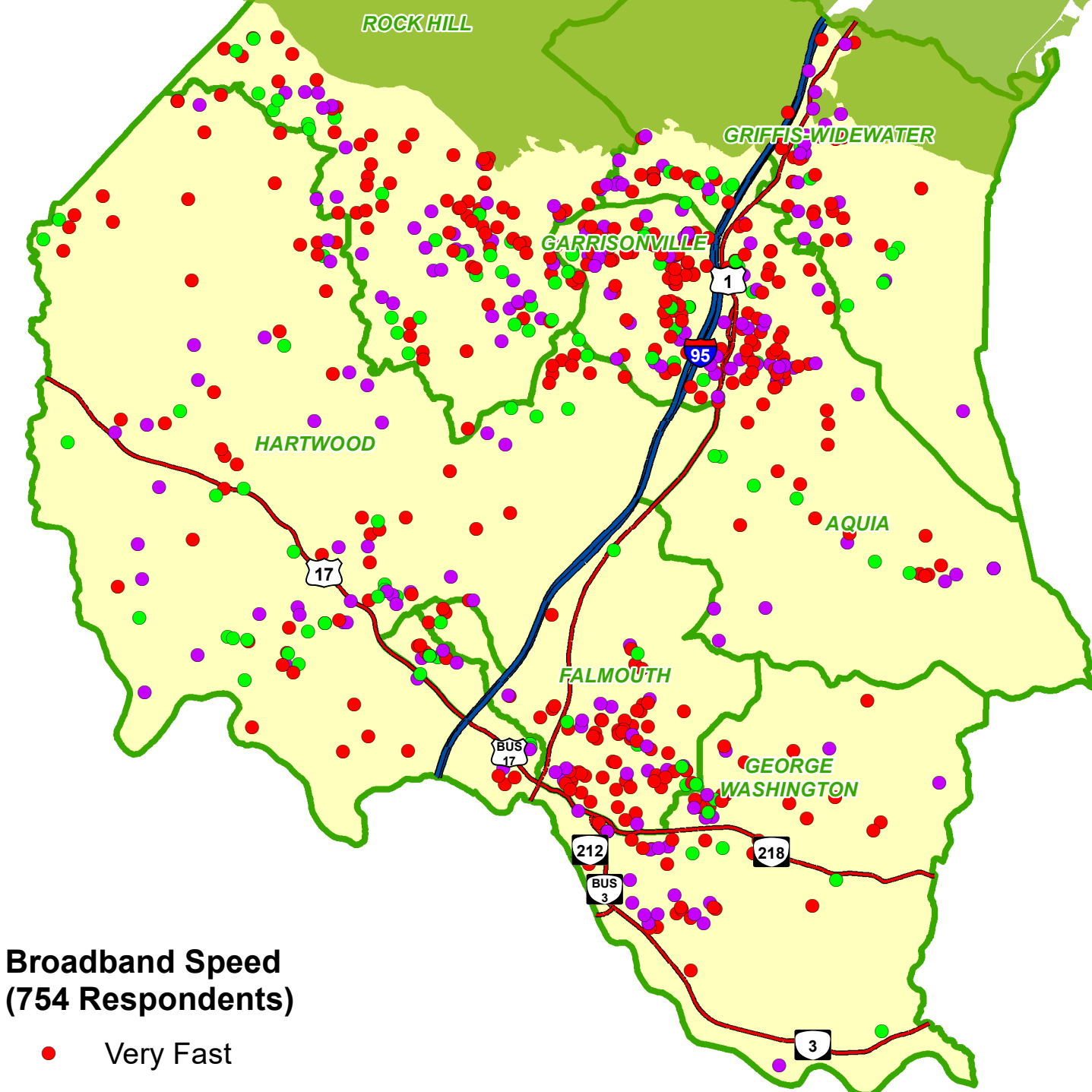
Served - Properties that currently have access to internet speeds from a wireline or wireless facilities-based provider at higher than 10/1 Mbps

Service Area – Refers to the geographic territory in which an applicant has proposed to provide service

Serviceable Units – Properties that are eligible for broadband service without additional special construction costs from the property owner/subscriber

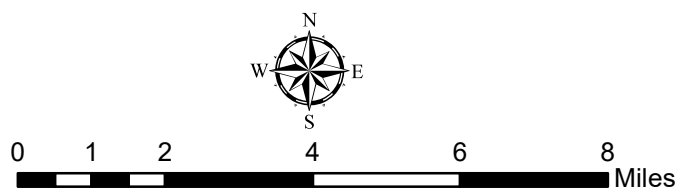
Unserved – Properties that currently have access to internet speeds at 10/1 Mbps or less.

Stafford County Broadband Survey (Jan 2019 - Present)



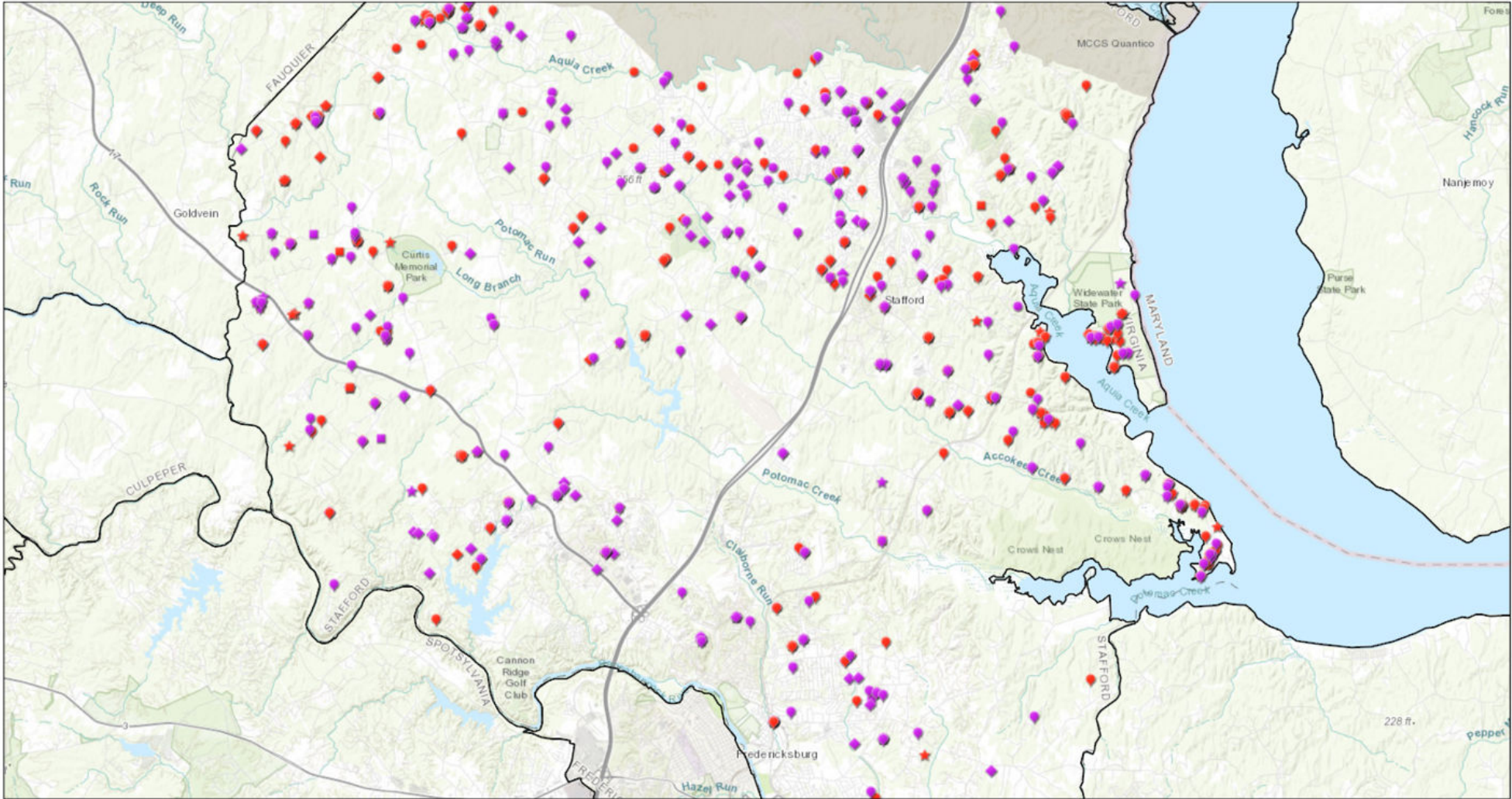
Broadband Speed (754 Respondents)

- Very Fast
- Fast
- Average
- Marine Corps Base Quantico



Broadband Web Map: Average-Slow

265 out of 1049 Respondents



April 26, 2019

1:144,448

Average Speed
(3 - 10 mbps)

Cellular

Cable/Fiber

Wireless (Fixed)

DSL

Satellite

Slow Speed
(< 3 mbps)

