

**STAFFORD COUNTY, VIRGINIA**  
**CONDITIONAL USE PERMIT APPLICATION**  
**IMPACT STATEMENT**

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Applicant: Dunham Development, LLC, a Ohio limited liability company

Property Owner: Kathy Sun

Property: Tax Map Parcel(s) 44-141 (591 Warrenton Road) and 44-142C (15 Iras Lane), and consisting collectively of approximately 1.11 acres

Project Name: “Black Rifle Coffee Company”

CUP Request: Drive-through use, pursuant to Sections 28-35 and 28-185 of Stafford County Zoning Ordinance

Date: February 11, 2022

File No. CUP \_\_\_\_\_

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**I. APPLICATION**

The Applicant hereby requests a conditional use permit (“CUP”) to develop a Black Rifle Coffee restaurant/café with a drive through on the Property as permitted under the Urban Commercial (B-2) land use district with a CUP, all in accordance with the Stafford County Zoning Ordinance (the “Zoning Ordinance”), including without limitation Article III, Section 28-35, and Article XI Section 28-185, et seq. The proposed use will also be developed in accordance with the enclosed general development plan dated January 7, 2022, prepared by Kimley Horn, titled “Black Rifle Coffee Stafford County, Virginia, General Development Plan Parcels 44 141 & 44 142 C”, attached hereto and marked as **Exhibit A** (the “GDP”).

**II. OVERVIEW**

The Black Rifle Coffee Company (“BRCC”) was founded in 2014 and is a veteran owned franchised company. There are over 2,100 BRCC dealers nationwide in all 50 states and 14 countries, along with 10 existing brick and mortar store locations. The company has experienced 99.7% growth from 2019-2020, and 2020 gross revenues exceeded \$164 million. BRCC has an ultimate goal of hiring 10,000 veterans and first responders in communities across America. BRCC desires to establish a new coffee restaurant/cafe along Warrenton Road with a drive through which requires a CUP, all as generally shown on the GDP and described herein.

As noted above, the Property is zoned B-2. Section 28-34 of the County’s Zoning Ordinance defines the B-2 zoning district as follows:

“The purpose of the B-2 district is to designate appropriate areas for high-intensity commercial uses intended to serve retail sales and service, business and professional service needs at a regional or countywide scale. These areas should be located at strategic nodes along arterial and major collector roads where there are adequate utilities and facilities to serve intense development.”

The Property (total of two parcels) consists of approximately 1.11 acres and is located along the south side of Warrenton Road, west of the I-95 interchange and near the intersection of Warrenton Road and McLane Drive. The proposed development is projected to include approximately 2,671 gross square feet of commercial restaurant space.

We have also included with this application illustrative renderings depicting the general architectural design and building material features. The renderings were prepared by Kardent Design dated January 14, 2022, and are attached hereto marked as **Exhibit B** (collectively the “Renderings”). The Renderings only include general type, character, and quality of architectural design, details, and materials, and do not include final architectural designs and features.

As described below in more detail, the Applicant’s proposal conforms to the policies established by the County’s Comprehensive Plan, as amended October 19, 2021 (the “Comp Plan”). In this regard, the Property is located within the Berea Targeted Development Area (“TDA3”), which encourages the applicant’s proposed use. In addition, the proposal will result in minimal impacts on public facilities and services, generate positive new commercial tax revenues, introduce a new and growing restaurant franchise, and creation of new jobs along this economic and business corridor.

Further, adjacent properties will experience minimal impacts as the proposed use is similar and compatible with other surrounding and nearby uses, which include hospitality, commercial and retail uses. Thus, we believe the proposal will not be detrimental to the character and development of adjacent properties, and will be in harmony with the purpose and intent of the County’s zoning ordinance, all as described in more detail below.

### **III. COMPREHENSIVE PLAN**

#### *Future Land Use Map, TDA 3*

As noted above, the Comp Plan’s Future Land Use Map classifies the Property as being within the TDA 3 land use district and the County’s Urban Services Area (“USA”). The TDA 3 land use district is one of the County’s targeted development areas (“TDAs”). TDAs are locations within the County where a significant amount of development and redevelopment is to occur as this is typically where infrastructure and other public facilities are located that can support such new development. It is anticipated that at least 50% of the County’s residential and commercial growth should occur within TDAs.

TDA-3 includes roughly 1,647 acres. It is anticipated that 3,750,000 square feet of commercial space will developed within the TDA-3. Although the Applicant’s proposed use represents a

small fraction of this total, it will contribute towards the fiscal balancing goals of commercial to residential uses promoted under the Comp Plan, and introduces a new and fast growing restaurant franchise to the Warrenton Road corridor. This project will also serve the growing employment center area within TDA-3, including large organizations such as GEICO and University of Mary Washington.

#### Urban Service Area

The Comp Plan includes the Property in the “Urban Services Area”. This designation attempts to funnel new development in the County to the land around I-95 and other major transportation corridors like Warrenton Road in order to take advantage of existing public utilities in the area. The Urban Services Area supports any new development which is compatible with the Property’s Future Land Use Map designation.

The Property’s location in the Urban Services Area supports the project’s utilization of existing public utilities. Based on nearby development patterns, water and sewer lines appear to be located adjacent to the Property in the Warrenton Road (U.S. 17) right of way.

#### Transportation

The Property is located on the south side of Warrenton Road, just west of the I-95 interchange, across from McLane Drive. Warrenton Road is a Corridor of Statewide Significance (CoSS). It is anticipated that Warrenton Road will eventually be expanded to eight lanes in this area. The project does not generate enough traffic to trigger a County transportation impact analysis. In this regard and pursuant to VDOT’s 10<sup>th</sup> Edition, ITE Manual, it is projected that the project will generate 1,396 vehicles per day (24 hours), including 225 during AM peak hours and 102 during PM peak hours.

#### **IV. CONDITIONAL USE PERMIT STANDARDS**

Section 28-185(d) of the County’s Zoning Ordinance requires conditional use permit applications to meet the following standards:

1. *The use shall not tend to change the character and established pattern of development in the vicinity of the proposed use* – Since most nearby properties are developed or planned to be developed for B-2 or uses and there are similar commercial uses nearby, the Applicant’s proposal will not change the character and established pattern of development in the area. Nearby uses include hotels, convenience center, fast food restaurants and other similar commercial uses. The Applicant has also included Renderings with this application that demonstrate an aesthetically attractive and architecturally modern building that will enhance the Warrenton Road commercial corridor in the subject area.
2. *The use shall be in harmony with the uses permitted by right under a zoning permit in the land use district and shall not adversely affect the use of adjacent properties* – The permitted uses in the B-2 district generally relate to relatively high density commercial development. The proposed use as a 2,671 square foot restaurant/café with a drive

through option. The hours of operation are from 5 a.m. until 9 p.m. Monday through Sunday.

The Highway Corridor Overlay District (HCO) was created for the prevention or reduction of traffic congestion, and distracting visual clutter which may result in danger on public and private streets. There is one existing entrance off of Warrenton Road shared with the Sleeping Inn Hotel with two additional inlets to facilitate the internal circulation of the drive through option. The proposed access and circulation is designed so as not to impede traffic on Warrenton Road, or any other public street. Additionally, there is a proposed fifteen foot (15') landscape buffer between the northern-most part of the Property and Warrenton Road). The proposed development will incorporate conventional stormwater management techniques in the southern end of the Property in order to reduce the post-developed runoff from the Property to pre-developed levels in accordance with County and State requirements.

3. *The location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof* – The Applicant’s proposal will not hinder or discourage the appropriate development of adjacent land. As depicted on the GDP, the Applicant will provide appropriate buffering, screening, and open space around the Property’s perimeter to ensure impacts on adjacent properties are minimized. The buffers include a proposed fifteen foot (15') landscape buffer between the northern-most part of the Property and Route 17 (Warrenton Road).
4. *The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use* – Since the proposed development is compatible with and will enhance surrounding development as described herein, the proposed project will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use.
5. *The use shall not be detrimental to the public welfare or injurious to property or improvements in the neighborhood* – Since the proposed development is compatible with surrounding development as described above, the proposed project will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
6. *The use shall be in accord with the purposes and intent of this chapter and the comprehensive plan of the county.* The project is consistent with the County’s applicable zoning ordinances and comprehensive plan as noted above.

## **V. TRAFFIC AND TRANSPORTATION IMPACTS**

The Property is located on the south side of Warrenton Road, just west of the I-95 interchange, across from McLane Drive.

Based on 10<sup>th</sup> Edition of the Institute of Traffic Engineers (“ITE”), this project will generate 1,396 new trips in a 24 hour period. Of these trips, 225 new trips will occur during the AM peak hour and 102 new trips will occur during the PM peak hour. These traffic volumes do not exceed traffic thresholds outlined in §15.2-2222.1 of the Code of Virginia and the Virginia Traffic Impact Analysis Regulations (24 VAC 30-155), which are commonly referred to as “Chapter 527” requirements.

## **VI. PUBLIC UTILITIES, FACILITIES AND SERVICES**

As noted above, the Property is located within the County’s Urban Services Area and has access to public water and sewer. The approximately 3,000 square foot proposed project will have minimal impact on utility demands. Existing water and sewer lines are located in adjacent right of ways. These utility lines and applicable water and sewer treatment facilities appear to have available capacity, or the reasonable ability to be upgraded, to provide adequate capacity.

The Property will be served by Station 12 Berea Fire and Rescue Station, which is located just 1.1 miles West of the Property.

The Applicant’s proposed use will have no impacts on schools and recreational facilities, and minimal impacts on police and emergency services, or other public services and facilities.

## **VII. ENVIRONMENTAL IMPACTS, NOISE, DUST, AND SMOKE**

No sensitive environmental features are located on the Property. The Property is currently cleared and is a former Ponderosa restaurant. Additionally, the proposed use will not generate noise, dust, or smoke.

The proposed development will incorporate low impact development techniques as well as conventional stormwater management techniques in order to reduce the post-developed runoff from the Property to pre-developed levels in accordance with County and State requirements. As a result, the proposed development will have minimal impacts downstream of the Property.

**EXHIBIT A**

Generalized Development Plan

**EXHIBIT B**

**“Renderings”**

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