

STAFFORD COUNTY, VIRGINIA

ZONING RECLASSIFICATION AND CONDITIONAL USE PERMIT APPLICATION

IMPACT STATEMENT

Applicant: BELMONT PARK LLC (the “Applicant”)

Owner: BELMONT PARK LLC; Glen. H. Cropp; Robert Burton; Marie B. Mitchell; Gloria P. Chittum; Michael T. Payne; Frank C. Harris and Athene P. Harris, Trustees of the Frank C. Harris and Athene P. Harris Living Trust; GOLDEN INVESTMENT EMPIRE CORP.; ALPAMAYO CORPORATION; Thurman Campbell; Shirley Jeane Campbell; Kenneth G. Mills; Grace F. Mills; Mark Bredesen; Saeid Asgharina; and Sam Yazdani (collectively, the “Owner”)

Property: Twenty-eight (28) parcels, located in Stafford County, Virginia, consisting of approximately 163.2 acres are subject to this rezoning application, with a list of all applicable Stafford County Tax Map Parcels shown on attached **Exhibit A** (collectively the “Property”)

Project Name: Belmont Park (the “Project”)

Current Zoning: A-1, R-1 and M-1 (as applicable)

Rezoning Request: M-1, M-2 and B-2 (as applicable)

CUP Request: A Conditional Use Permit on thirteen (13) Stafford County Tax Map Parcels as shown on attached **Exhibit B**, consisting in the aggregate of approximately 3.1 acres (collectively the “CUP Parcels”)

Date: November , 2022

File No.: RC20153239
CUP20153240

Application Request

The Applicant hereby requests a rezoning of the Property from (as applicable) Agricultural (A-1), Suburban Residential (R-1), and Light Industrial (M-1) to Light Industrial (M-1), Urban Commercial (B-2), and Heavy Industrial (M-2), all as provided herein and in accordance with the Stafford County, Virginia (the “County”) zoning ordinance, including without limitation Article III, Section 28-35 and Article XII, Section 28-201; and further requests Conditional Use Permit (CUP) approval for the CUP Parcels to develop a fast food restaurant and/or financial institution with drive through and an automotive services and repair facility, all in accordance with the

County zoning ordinance, including without limitation Article III, Section 28-36; Article X, Section 28-161, et seq.; Article XI, Section 28-185; and Article XII Section 28-201, et seq.

Overview

The Property consists of approximately 163.2 acres in total, and is generally located along Warrenton Road stretching from Powell Lane to Sanford Drive, within the George Washington Voting District, all as more particularly described on that certain master plan prepared by the Timmons Group titled “Belmont Park,” dated October 3, 2022, attached hereto and marked as **Exhibit C** (the “Master Plan”), which is incorporated herein as a material part of this application by this reference.

Zoning:

As noted above, the Property is currently zoned A-1, R-1, and M-1 (as applicable) as shown more particularly on Sheet 3 of the MASTER PLAN. The Applicant proposes changing the zoning districts as follows:

- (1) Parcels 44-131 (portion thereof), 44-132 (portion thereof) and 44-124 (portion thereof) from R-1 to B-2 with CUP;
- (2) Parcels 44-131 (portion thereof), 44-132 (portion thereof) and 44-124 (portion thereof) from R-1 to M-1;
- (3) Parcels 44-130, 44-130A, 44-129, 44-129A, 44-125, 44-124A, and 44-123A from R-1 to B-2 with CUP;
- (4) Parcels 44-123B, 44-123D, 44-123E from M-1 to B-2 with a CUP; and
- (5) Parcels 44-91, 44-93E, 44-C-3-3, 44C-3-4, 44C-3-5, 44C-3-6, 44C-3-7, 44C-3-8, 44C-3-9 and 44-92 from A-1 to M-2; and
- (6) Parcels, 44-93A, 44-144, 44-144B, 44-144C, , from A-1 to M-1.
- (7) Parcels 44-138A, 44-132 (portion), 44-131 (portion), 44-124 (portion), from R-1 to M-1.

The B-2 zoning requests will allow for a mix of commercial uses to include without limitation (i) retail, restaurant, office, hotel, motel, commercial services, recreational uses, flex office and a car wash; and (ii) a CUP to allow for a fast food restaurant and/or financial institution with drive through and an automotive services and repair facility.

Section 28-34 of the County’s Zoning Ordinance states the following concerning the B-2 district:

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 M-1 zoning requests will allow for a mix of business and industrial uses to include without limitation indoor recreational facilities, hotel, retail, restaurant and related commercial services uses.

Section 28-34 of the County's Zoning Ordinance states the following concerning the M-1 district:

The purpose of the M-1 district is to establish areas of the county to provide for certain types of business and industrial uses characterized by light manufacturing, fabricating, warehousing and wholesale distribution, which are relatively free from offensive activities and which, with proper performance standards, will not detract from residential or commercial desirability of adjacent properties. It is intended that the M-1 district encourage the development of parks for the location of these uses. These districts should be located only where all necessary public utilities are available and where transportation systems are adequate.

The M-2 zoning requests will allow for a mix of industrial type uses including but not limited to warehouse storage and distribution facilities, truck/freight terminal, office, and related uses.

Section 28-34 of the County's Zoning Ordinance states the following concerning the M-2 district:

The purpose of the M-2 district is to provide areas within the county suitable for a variety of industrial type uses which may not be compatible with residential uses due to some potential nuisance or hazard. The development of "industrial parks" in the M-2 district is encouraged. Conditional use permits are required for certain uses within the M-2 district to assure protection of the general public and surrounding properties. These districts should only be located where all necessary public utilities are available and where transportation systems are adequate.

Proposed Uses. All as provided in more detail on Sheet 4 of the MASTER PLAN, the Applicant intends to develop indoor recreational facilities and related uses on the portion of the Property with additional compatible commercial components to include hotel, retail, restaurant and related commercial services uses. To the further south of the development, the Applicant intends to develop industrial uses, including warehouse storage and distribution facilities, trucking/freight terminal, office, and related uses. The Applicant intends to develop a fast food restaurant and/or financial institution with drive through and an automotive services and repair facility on the CUP Parcels.

Location:

The Property adjoins Warrenton Road (U.S. Route 17), between Warrenton Road and Celebrate Virginia Parkway and west of the intersection of Sanford Drive and Warrenton Road, stretching

between Powell Lane and Sanford Drive. The Property is bordered on the north by industrial, commercial, and retail development, including a trucking company, fleet management service, automobile repair service, and numerous other commercial and retail businesses; on the west by industrial development and vacant property zoned for recreational business and heavy industrial uses; on the east by hotels, a gas station, a restaurant, and I-95; and on the south by condominiums and vacant commercial property zoned for agricultural and light industrial uses. Across Warrenton Road are retail and commercial businesses. The main access to and from the site will be via a full service signal intersection through the Virginia of Department of Transportation (VDOT) commuter lot at the intersection of Warrenton Road and McLane Drive. There is also additional, limited access along Warrenton Road, Sanford Drive, and Powell Lane, all as more particularly shown on Sheet 2 of the MASTER PLAN.

Comprehensive Plan:

As described in more detail below and for future land use purposes, the Applicant's proposal conforms with the policies established by the County's Comprehensive Plan adopted November 16, 2021 (the "Comp Plan"), and is designated within the Berea Targeted Development Area ("Berea TDA") and also within the County's Urban Services Areas ("USA"). In addition, the Project will have minimal impacts on County services, including no impact on schools and parks, and will generate positive net tax revenues at full build-out, all as further detailed below pursuant to the economic impact analysis of this narrative.

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* – This application includes a large assemblage of parcels (28 in total) and covers approximately 163 acres of land. Most of the nearby parcels are developed for similar uses, including industrial and commercial. Thus, the Applicant's proposal will not change the character and established pattern of development in the area, and will in fact enhance the commercial and industrial uses in this area. Nearby uses include Central Freight Lines, Inc., Tobacco Hut Vape Village, A&J Automotive, Jiffy Lube, and ASAP Auto Glass. The Property is also located within the County's HCOD and the Project's architectural features and materials will generally enhance the aesthetics of surrounding buildings.
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 CUP uses are a fast food restaurant and/or financial institution with drive through and an automotive services and repair facility. The CUP Parcels will be accessed by a main entrance on Route 17 and a secondary access points along Powell Lane and Warrenton Road, all as generally shown on the MASTER PLAN. Most surrounding properties are also zoned B-2, which means the proposal will not adversely affect the use of adjacent properties.

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. The Applicant will provide appropriate buffering, screening, and open space around the Property’s perimeter to ensure impacts on adjacent properties are minimized. All architectural features for improvements within the CUP Parcels will be in accordance with the County’s neighborhood design standards.
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 surrounding development as described above, 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 Project 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 Comp Plan as noted herein.

Comprehensive Plan Analysis

According to the Comp Plan, the main thrust of economic development is to attract new businesses and industries to the area, diversify the economic base, and promote job creation for County residents while supporting the retention and growth of existing businesses and industries. One of the Comp Plan’s economic development goals is to support the County’s economic vitality through land use policies which are consistent with attracting employment options for County residents and encouraging the development of accessible, convenient commercial locations. The Project satisfies all of the aforesaid conditions.

For purposes of the foregoing, the Applicant retained Municap to perform a fiscal impact analysis. The fiscal impact analysis, titled “Belmont Park Stafford County, VA” dated November 3, 2022, and prepared by Municap (“FIA”), is attached and incorporated as a material part of this application by this reference, as **Exhibit D**. The FIA concludes that the Project will further the County’s economic development objectives by creating approximately 1,346 direct and 289 indirect construction jobs, generating \$90,317,823.00 in total wage incomes during construction. For purposes of permanent jobs after final construction, the Project will generate 1,306 direct and 358 indirect permanent jobs generating \$74,378,376.00 in total wage incomes after full build-out. For purposes of tax revenues generated: (i) the Project is anticipated to generate gross annual tax revenues of \$6,104,172.00 dollars and \$247,448,137.00 over a thirty (30) year period;

and net annually at full build-out a positive \$5,768,838.00 and \$233,968,537.00 over a thirty (30) year period.

In addition to the significant job creation and positive tax revenues generated by the Project, its location in proximity of major road arteries, including I-95 interchange and Warrenton Road will be readily accessible and convenient, thereby further supporting future County's economic opportunities in this area.

Future Land Use Map

The Comp Plan's Future Land Use Map classifies the Property as part of the Berea TDA and an Economic Development Priority Area – Redevelopment Area ("PFA"), and again within the Urban Services Area ("USA").

The Comp Plan designates the USA as the area within the County whereby new development is encouraged in order to reduce growth pressure in the County's rural areas. The USA is characterized by the presence of and access to public facilities, utilities, and government services.

The County's Comp Plan encourages a significant amount of new commercial and residential growth within the subject said planning area. In this regard, TDAs emphasize areas within the County are where approximately 50% of the County's future residential growth is intended and a mix of commercial land uses are supported. The Project will certainly encourage new business growth in this area, including new commercial retail and restaurants, lodging, and office, all of which again is encouraged by the County's Comp Plan.

Further, because the Property is located within the Urban Services Area, Berea TDA and will use public water and sewer, and thus conforms to the County's intent for new development.

The proposed Project satisfies the County's requisite design criteria for commercial development in TDA's as follows:

1. *Use of buffering, screening, and extensive building setbacks should be limited except when bordering the edge of a TGA.*
2. *Buildings should not exceed six stories in height.*
3. *Streets and buildings should be designed to encourage physical and visual interaction at the street level.*
4. *Street lighting and sidewalks are essential elements to ensure vibrant communities.*

Transportation

The Comp Plan requires that new development address the impact that land use changes may have on transportation networks. Projects creating negative impacts should fully mitigate those adverse impacts. In this regard, the Applicant submitted a revised transportation impact statement prepared by Timmons Group, dated October 2022, and titled "Belmont Park Traffic Impact Analysis," incorporated by this reference as a material part of this application and attached as **Exhibit E**.

The Project will include the following proposed improvements and access points:

- a) Reconfiguration of the VDOT Park and Ride Lot access road and provide a roundabout (or other traffic control as approved by VDOT) at the main intersection internal to the lot. It is noted the reconfiguration of the park and ride lot will not reduce the number of parking spaces available.
- b) Construct right turn lanes at the site entrances on US Route 17 and Sanford Drive if warranted and approved by VDOT.
- c) Retime the traffic signal operations along US Route 17 if approved by VDOT.

Impact Analysis

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

- A. **Roads.** Based on the results presented in the TIA the proposed Project would generate 1,237 new trips in during the morning peak hour, 1,401 new trips during the afternoon peak hour, and approximately 17,528 new weekday daily trips.

The main access to and from the site will be via a full service signal intersection through the Virginia of Department of Transportation (VDOT) commuter lot at the intersection of Warrenton Road and McLane Drive.

There is also additional, limited access along Warrenton Road, Sanford Drive, and Powell Lane, all as more particularly shown on Sheet 2 of the MASTER PLAN.

By Right Impacts: As to A-1, M-1 and R-1, the current by-right trip generations are as follows:

- (i) A-1 (Campground/RV Park – LUC 821) would potentially generate 1,170 vehicles per day with 57 trips in the AM peak hour and 117 trips in the PM peak Hour.
- (ii) R-1 (Single Family Detached – LUC 210) has the potential to produce sixty three dwelling units by right and generating 660 vehicles per day with 49 trips in the AM peak hour and 64 in the PM peak hour.
- (iii) M-1 (Convenience Store/Gas Station – LUC 945) would potentially create 7,004 vehicles per day with 565 trips in the AM peak hour and 545 trips in the PM peak hour.

Please note that the highest use allowable under the existing zoning category was used and then applied the FAR or DU per acre as applicable. Taking the above into account, the total by right impact of the existing zoning is 8,834 vehicles per day.

B. Utilities. As noted above, the proposed rezoning is located within the County's Urban Service Area and has access to public water and sewer. The expected routing and total flows for the Project are described in the "Belmont Park Utility Map," prepared by the Timmons Group and dated February 6, 2020, incorporated by this reference as a material part of this application and attached as **Exhibit F**.

C. Schools. The proposed rezoning will have a no impact on schools therefore no proffer contribution for public school facilities is being made.

By-Right Impact: A by-right development would result in approximately 132 dwelling units or approximately 125 school-age students without the benefit of any proffers for school improvements.

D. Recreational Facilities. The Project contains approximately 350,000 sq. ft. dedicated to indoor recreation uses.

By-Right Impact: A by-right development would generate approximately 132 dwelling units. The by-right development would require 8.16 acres of parks.

2. **Fire & Rescue**. It is anticipated that the proposed project will be served by Station 12, Berea, which is located approximately 1.7 miles north of the project.
3. **Fiscal Impact**: The Applicant retained Municap to perform the FIA. As noted above, the FIA concludes that the Project will further the County's economic development objectives by creating approximately 1,346 direct and 289 indirect construction jobs, generating \$90,317,823.00 in total wage incomes during construction. For purposes of permanent jobs after final construction, the Project will generate 1,306 direct and 358 indirect permanent jobs generating \$74,378,376.00 in total wage incomes after full build-out. For purposes of tax revenues generated: (i) the Project in anticipated to generate gross annual tax revenues of \$6,104,172.00 dollars and \$247,448,137.00 over a thirty (30) year period; and net annually at full build-out a positive \$5,768,838.00 and \$233,968,537.00 over a thirty (30) year period.
4. **Environmental Impact**. Approximately 3.53 acres of wetlands have been identified on the Property.

The proposed development has been designed to avoid disturbance to the RPA. None of the development will be located in the RPA.

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

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

Exhibit A: Property List;

Exhibit B: CUP Parcels list;

Exhibit C: Master Plan, titled “Belmont Park,” dated October 3, 2022, prepared by Timmons Group;

Exhibit D: Fiscal Impact Analysis, titled “Belmont Park Stafford County, VA,” dated November 3, 2022, prepared by MuniCap, Inc.;

Exhibit E: Traffic Impact Analysis, titled “Belmont Park Traffic Impact Analysis, Stafford County, Virginia,” prepared by the Timmons Group, dated October 2022;

Exhibit F: Utility Map, titled “Belmont Park Utility Map,” prepared by the Timmons Group, dated February 6, 2020.

EXHIBIT A

Tax Map	Owner
44-91	Belmont Park LLC
44-93E	Belmont Park LLC
44-93A	Glenn H. Cropp
44-144	Robert Burton & Marie B. Mitchell
44-144B	Gloria P. Chittum
44-144C	Michael T. Payne
44-138A	Frank C. Harris & Athlene P. Harris Living Trust
44-132	Golden Investment Empire Corp.
44-130	Alpamayo Corporation
44-13A	Alpamayo Corporation
44-129	Alpamayo Corporation
44-129A	Alpamayo Corporation
44-131	Alpamayo Corporation
44-124	Alpamayo Corporation
44-125	Alpamayo Corporation
44-124A	Alpamayo Corporation
44C-3-3	Thurman Campbell & Shirley Jeane Campbell
44C-3-4	Thurman Campbell & Shirley Jeane Campbell
44C-3-5	Thurman Campbell & Shirley Jeane Campbell
44C-3-6	Thurman Campbell & Shirley Jeane Campbell
44C-3-7	Thurman Campbell & Shirley Jeane Campbell
44C-3-8	Thurman Campbell & Shirley Jeane Campbell
44C-3-9	Thurman Campbell & Shirley Jeane Campbell
44-92	Kenneith H.G. Mills & Grace F. Mills
44-123A	Mark Bredesen & Saeid Asgharinia
44-123B	Sam Yadzani
44-123D	Sam Yadzani
44-123E	Mark Bredesen & Saeid Asgharinia

Exhibit B

“CUP Parcels”

Tax Map	Owner
44-132 (portion)	Golden Investment Empire Corp
44-130	Alpamayo Corporation
44-130A	Alpamayo Corporation
44-129	Alpamayo Corporation
44-129A	Alpamayo Corporation
44-131 (portion)	Alpamayo Corporation
44-124 (portion)	Alpamayo Corporation
44-125	Alpamayo Corporation
44-124A	Alpamayo Corporation
44-123A	Mark Bredesen & Saeid Asgharina
44-123B	Sam Yadzani
44-123D	Sam Yadzani
44-123E	Mark Bredesen & Saeid Asgharina

EXHIBIT C
“MASTER PLAN”

EXHIBIT D

“Fiscal Impact Analysis”

EXHIBIT E

“Traffic Impact Analysis”

EXHIBIT F
“Utilities Analysis”

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