# **ZONING RECLASSIFICATION**

# **APPLICATION**



**AUGUST 2020** 

# Stafford County Department of Planning & Zoning

1300 Courthouse Road P.O. Box 339 Stafford, VA 22555-0339

Phone:

540-658-8668

Fax:

540-658-6824

www.staffordcountyva.gov

## NOTICE

Stafford County treats all applications and applicants equally. The County does not discriminate against religion, or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the laws of the United States and the Commonwealth of Virginia, no government may discriminate against any religion or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), no government may apply its zoning or land use laws, or its policies and procedures in a manner that unjustifiably imposes a substantial burden on the religious exercise of a person, assembly, or institution.

RLUIPA also provides that no government may apply its zoning or land use laws in a manner that treats a religious assembly or institution on unequal terms with a non-religious institution or assembly.

Finally, RLUIPA provides that no government may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

Stafford County does not discriminate in its planning, permitting, utilities, and land use processes, practices, and policies. Stafford County treats all applications and applicants equally.

# **Reclassification Application Instructions**

- 1. It is recommended that a preliminary conference should be held with the staff to discuss the application before it is filed.
- 2. Resolution R16-170 is the policy for the filing of rezoning and proffer amendment applications with Stafford County and is provided in the Appendix of this application. Resolution 19-188 is the policy for processing rezoning and proffer amendment applications with Stafford County and is provided in the Appendix of this application.
- 3. The application process takes approximately 6 to 9 months from time of submittal to a final decision. The following are the steps involved in the processing of an application:
  - The application is filed. Note that the application can be filed at any time during the month.
  - The application is reviewed by staff for completeness to be deemed to be filed. The department director will provide a written notice to the applicant identifying the date the application is deemed to be filed.
  - If the application is filed by the third Friday of the month, it will be reviewed during the following month.
  - The application is scheduled for the staff Development Review Meeting on the first Wednesday
    of the following month.
  - Staff provides review comments by the end of the same month.
  - Applicant resubmits application materials in response to staff comments.
  - Staff reviews revised application materials. The length of time for review is dependent on the number of outstanding issues.
  - Once the issues are addressed, the case is scheduled for the next available Planning Commission
    public hearing. Approximately 1 month is needed to meet public notification requirements.
  - Following the Planning Commission public hearing, the Planning Commission has up to 100 days to make a decision.
  - Following the Planning Commission decision, the case is scheduled for a public hearing with the Board of Supervisors. The Chairman of the Board typically schedules the case, one month after the Planning Commission decision for required public notice.
  - Following the public hearing, the Board of Supervisors must decide to approve or deny the request no later than one year from the date the application is filed, unless extended at the Applicant's written request or consent.
- 4. Additional information regarding proffers is provided in the Appendix of this application.
- Pursuant to R19-188, any pending application exceeding 18 months from the date of filing a
  complete application shall be administratively closed unless a time extension was requested in
  writing by the applicant and granted by the Board.

# **Application Submittal Checklist**

Х	Completed "Project Information & Primary Contacts" form (Page 6)
X	Signed "Statements of Understanding" from the owner(s) and applicant (Page 7)
X	Signed and Notarized Owner's Consent Statement (if applicant/agent is not the owner)
X	Completed "General Information" sheet (Page 8)
X	Completed "Review Fee Calculation" sheet and appropriate fees payable to "County of Stafford" and "Virginia Department of Transportation" (if applicable) (Pages $9-11$ )
X	Completed "List of Adjoining Property Owners" (Pages 12 & 13)
X	Completed "Application Affidavit" (Pages 14 – 17)
X	Completed "Checklist for Generalized Development Plans" (Pages 19 & 20)
X	Completed "Transportation Impact Analysis Determination Form" (Page 21)
X	Proof that Real Estate Taxes have been paid
X	Complete Legal Description of the area to be reclassified (Acreage must match Boundary Survey Plat)
X	Completed Impact Statements (See "Checklist for Impact Statements" (Page 18)
X	Completed <b>Transportation Impact Analysis (TIA)</b> , if required (Five (5) paper copies with electronic copies or ftp site) (See " <b>VDOT Rezoning Package Checklist</b> ", Page 23)
PL	ATS AND PLANS
X	Boundary Survey Plat of area subject to rezoning (with 3 copies at $8\frac{1}{2}$ " x $11$ " size) (Acreage must match Legal Description)
X	Generalized Development Plan (12 full-size copies at 24"x 36" size)
	* See "Checklist for Generalized Development Plans" (Pages 19 & 20)
Αp	plications for reclassification to the P-TND zoning district shall also include:
	Twenty (20) copies of the Regulating Plan
	Twenty (20) copies of the Neighborhood Design Standards
PR	OFFER STATEMENT – OPTIONAL
X	<b>Proffer Statement</b> (It is preferred for the proffer statement to be properly executed upon initial submittal, or as soon thereafter as possible. Prior to advertisement of any public hearing, the latest

Proffers - Pages 24 & 25)

version of the proffer statement must be properly executed - see Notice to Applicants Regarding

If Proffer Statement is for new residential developments an properties:	nd residential components of mixed-use
☐ Completed Election of Code Provisions for Residential Pr	roffers Worksheet (Page 26)
PROFFER REASONABLENESS ANALYSIS	
☐ Proffer Reasonableness Analysis	
Note: if electing to proceed under legislation requiring an Reasonableness Analysis is required. See Table on Page 26	
j.	
RECEIVED	OFFICIALLY SUBMITTED
DATE:INITIALS	DATE:INITIALS

## Other Optional Application Materials

Although not required, the following additional materials are requested to be included with the initial application submission, if available. These items are often requested during the review process. Providing the information in advance can assist in accelerating the review:

- 1. Site Illustrations or Building Elevations
- 2. Electronic Version of generalized development plans, boundary survey, and any illustrations (a pdf on a CD, DVD, sent via email, or through ftp site is acceptable)
- 3. Additional Fiscal Impact Information for Commercial Rezonings, including:
  - a) Direct jobs expected to be created from the rezoning (years 1-5)
  - b) Estimated average wage
  - c) North American Industry Classification System (NAICS) business sector code
  - d) Projected investment in real property broken down by land and building (years 1-5)
  - e) Projected investment in machinery & tools/equipment (years 1-5)
  - f) Projected investment in business tangible personal property (years 1-5)
  - g) Other revenues projected such as Sales, Meals, Lodging Taxes (years 1-5)  $\,$

# **Project Information & Primary Contacts**

PROJECT INFORMATION  Venture Business Park  PROJECT NAME  No Address on Record  ADDRESS (IF AVAILABLE)  38-80  TAX MAP/PARCEL(S)  Near the intersections of Venture Drive and Wycholocation of Project	e Road	SECTION  31.7091  TOTAL SITE ACREAGE  B-2  ZONING DISTRICT
APPLICANT/AGENT (Provide attachm Applicant and Ag		Primary Contact Person □
Mick Wrisley	<del></del>	Matan Acquisitions II, LLC
4600 Wedgewood Blvd. Suite A	Frederick	MD 21703
4600 Wedgewood Blvd. Suite A	CITY	MD 21703 STATE ZIP
	CILI	
(310) 815-9962		mwrisley@mataninc.com
PHONE NUMBER FAX NUMBER	_	EMÁIL ADDRESS
OWNER (Provide attachments if multip	le owners)	Primary Contact Person
Ed Wilburn III		R Income Properties LLC
NAME		COMPANY
4920 Quintessence Court	Haymarket	VA 20169
X		
ADDRESS	CITY	STATE ZIP
ADDRESS	CITY	
PHONE NUMBER FAX NUMBER	CITY	STATE ZIP  wilbournconstruction@gmail.com  EMAIL ADDRESS
	CITY	wilbournconstruction@gmail.com
PHONE NUMBER FAX NUMBER		wilbournconstruction@gmail.com EMAIL ADDRESS
		wilbournconstruction@gmail.com
PHONE NUMBER FAX NUMBER  PROFESSIONAL (Engineer, Surveyor, et Ryan K. Foroughi, P.E.		wilbournconstruction@gmail.com  EMAIL ADDRESS  Primary Contact Person   Bagby, Foroughi, and Goodpasture, PLLC
PHONE NUMBER  FAX NUMBER  PROFESSIONAL (Engineer, Surveyor, et Ryan K. Foroughi, P.E.	tc.)	wilbournconstruction@gmail.com  EMAIL ADDRESS  Primary Contact Person   Bagby, Foroughi, and Goodpasture, PLLC  COMPANY
PHONE NUMBER  FAX NUMBER  PROFESSIONAL (Engineer, Surveyor, et Ryan K. Foroughi, P.E.  NAME  125 Olde Greenwhich Drive, Suite 115	tc.) Fredericksburg	wilbournconstruction@gmail.com  EMAIL ADDRESS  Primary Contact Person   Bagby, Foroughi, and Goodpasture, PLLC  COMPANY  VA 22408
PHONE NUMBER  PROFESSIONAL (Engineer, Surveyor, et Ryan K. Foroughi, P.E.  NAME  125 Olde Greenwhich Drive, Suite 115  ADDRESS	tc.)	wilbournconstruction@gmail.com  EMAIL ADDRESS  Primary Contact Person □  Bagby, Foroughi, and Goodpasture, PLLC  COMPANY  VA 22408  STATE ZIP
PHONE NUMBER  FAX NUMBER  PROFESSIONAL (Engineer, Surveyor, et Ryan K. Foroughi, P.E.  NAME  125 Olde Greenwhich Drive, Suite 115	tc.) Fredericksburg	wilbournconstruction@gmail.com  EMAIL ADDRESS  Primary Contact Person   Bagby, Foroughi, and Goodpasture, PLLC  COMPANY  VA 22408

# **Project Information & Primary Contacts**

PROJECT INFORMATION  Venture Business Park  PROJECT NAME  No Address on Record  ADDRESS (IF AVAILABLE)  38-80  TAX MAP/PARCEL(S)  Near the intersections of Venture D  LOCATION OF PROJECT			SECTION  31.7091  TOTAL SITE ACREAGE  B-2  ZONING DISTRICT
APPLICANT/AGENT (Pro Appl	ovide attachment if licant and Agent differ)	Primary Contac	ct Person 🗵
Charles W. Payne, Jr.	<del></del>	Hirschler	
NAME	5	COMPANY	
725 Jackson Street, Suite 200	Fredericksburg	VA	22401
ADDRESS 540, 604, 2100	CITY	STATE cnavne@birecble	ZIP
540-604-2100 PHONE NUMBER	FAX NUM BER	cpayne@hirschle	Паw.com
FITONE NOMBER	TRANSPIBLIC		
<u>OWNER</u> (Provide attachme	ents if multiple owners)	Primary Contac	ct Person 🗆
OWNER (Provide attachme	ents if multiple owners)	Primary Contac	ct Person 🗆
	ents if multiple owners)		zip
NAME		COMPÁNY	
NAME ADDRESS	CITY FAX NUMBER	COMPANY	ZIP
NAME ADDRESS PHONE NUMBER	CITY FAX NUMBER	COMPANY  STATE  EMAIL ADDRESS	ZIP
NAME ADDRESS PHONE NUMBER  PROFESSIONAL (Engineer	CITY FAX NUMBER	COMPANY  STATE  EMAIL ADDRESS  Primary Contact  COMPANY	ZIP

## Statements of Understanding

I, as owner/co-owner of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a reclassification as outlined in this application and as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements of this application and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

Ed Willown II	Ed Wilburn III, R Income Properties	SLLC
Signature of Owner/Co Owner	Printed Name	Date
Signature of Owner/Co Owner	Printed Name	Date
Signature of Owner/Co Owner	Printed Name	Date
read and understand the requirement as provided under the Stafford Co	ts for the submission of a reclassificat unty Code, and further, that this	plication, do hereby certify that I have tion as outlined in this application and submittal is in compliance with the d County Zoning Ordinance, Chapter
Signature of Applicant/Agent	, <u>Matan Ac</u> Printed Name	equisitions II, LLC Date

<sup>\*</sup> Additional sheets may be used, if necessary.

# Statements of Understanding

I, as owner/co-owner of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a reclassification as outlined in this application and as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements of this application and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

	Ed Wilburn III, R Income Properties	LLC
Signature of Owner/Co Owner	Printed Name	Date
Signature of Owner/Co Owner	Printed Name	Date Date
Signature of Owner/Co Owner	Printed Name	 Date
I, as applicant or agent for the owner(s) of		
read and understand the requirements for as provided under the Stafford County		
requirements of this application and app		
28 of the Stafford County Code.		country Dorming Granteness, Granteness
Signature of Applicant/Agent	Mark Cmaken , Matan Ace Printed Name	quisitions II, LLC 12/21/1021 Date

<sup>\*</sup> Additional sheets may be used, if necessary.

#### OWNER'S NOTARIZED CONSENT

I, the undersigned, do hereby authorize the applicant, Matan Acquisitions II, LLC, a Maryland limited liability company, or its successors and assigns (collectively "Applicant"), to file on my behalf all rezoning or other land use or permitting applications necessary to amend proffers, and develop Stafford County Tax Map Number 38-80, as Applicant may reasonably determine for purposes of M-1 uses, and further authorize Applicant, at its sole cost and expense, to procure, file and provide all necessary studies, application content regarding said property, any proffer statements, plans and other application materials, and to undertake all other actions necessary to obtain approval for all of the same.

#### OWNER ACKNOWLEDGMENT & CONSENT

R Income Properties LLC a Virginia limited liability company

By: Ed Wilbown III Manager [SEAL]

COMMONWEALTH OF VIRGINIA, CITY/COUNTY OF FLOUNCES bure, to wit:

The foregoing instrument was acknowledged before me this 31st day of January 2022, by Ed Wilbourn III, as Manager of R Income Properties LLC, a Virginia limited liability company, has personally acknowledged the same before me in my aforesaid jurisdiction, on behalf of said company.

Notary Public

My Commission expires: 09/31/2029

Notary Registration number:

14406157.1 045964.00001



# **General Information**

Clearly indicate all information that applies to this project:

DETAILED DESCRIPTION OF PROJECT
A 250,000 sq. ft. storage warehouse with accessory uses such as offices and an assembly center.
INFORMATION FOR FEE CALCULATIONS
31.7091 # of Acres
Type of Rezoning:
☑ Standard Rezoning
□ Planned Development
□ Proffer Amendment (Previous Ordinance # Date of Ordinance)
☐ Minor Proffer Amendment
☐ Minor Proffer Amendment (when submitted simultaneously with Minor Conditional Use Permit Application)
INFORMATIONAL
Previous Ordinance # 010-26 and 008-01
Previous Resolution # R07-479, R07-423, R07-423(R), R21-06, and R021-12
# of Lots (if rezoning to residential)
Original Zoning B-2
Proposed Zoning M-1
Proposed Use(s) Warehouse, storage, office and
assembly center

# **Review Fee Calculations**

## STAFFORD COUNTY FEES:

The County review fee calculations are divided into four sections. Each section is based on a different type of reclassification. Determine the application fee by filling out the one section that applies.

Section I. Standard Rezoning:	
A. Base Fee: (Required - Enter the dollar amount that applies)  If less than 5.0 acres\$4,375.00  If 5.0 acres or greater\$12,500.00	\$ 12,500.00
B. General Fee: (If greater than 5 acres)	
( <u>31.7091</u> Acres – 5) X \$125	\$ 3,338.64
C. Fire & Rescue Review Fee (required)	\$ 125.00
D. Utilities Department Review Fee (required)	\$ 215.00
E. Public Works Review Fee (required)	\$ 200.00
F. Traffic Impact Analysis Review Fee: (If TIA required)  Volume <1,000 VPD\$200.00  Volume >1,000 VPD\$400.00	\$ 400.00
G. Adjacent Property Notification (required):	
( <u>14</u> Adjacent properties) X \$6.48	\$ 90.72
Sub-total (Add appropriate amounts from lines A thru G above)	\$ 16,869.36
H. Technology Fee (sub-total x 2.75% or 0.0275)	\$ 463.91
TOTAL (Sub-total + H. Technology Fee)	\$ 17,333.27

## Section II. Planned Development: (For requests to the PD-1, PD-2, or P-TND zoning districts)

A. Base Fee	\$15,000.00
B. General Fee:	
(Acres – 75) X \$25	\$
C. Fire & Rescue Review Fee (required)	\$ 125.00
D. Utilities Department Review Fee (required)	\$215.00
E. Public Works Review Fee (required)	\$200.00
F. Traffic Impact Analysis Review Fee: (If TIA required)  Volume <1,000 VPD\$200.00  Volume >1,000 VPD\$400.00	\$
G. Adjacent Property Notification (required):	
(Adjacent properties) X \$6.48	\$
Sub-total (Add lines A through G)	\$
H. Technology Fee (sub-total x 2.75% or 0.0275)	\$
TOTAL (Sub-total + H. Technology Fee)	\$
Section III. Proffer Amendment:	
A. General Fee: \$10,000 + If Acres>5 ((Acres – 5) X \$25)	\$
B. If Planned Development: \$10,000 + (( Acres - 75) X \$25)	. \$
C. Adjacent Property Notification (required):	
(Adjacent properties) X \$6.48	\$
Sub-total (Add lines A and C) or (Add lines B and C)	\$
D. Technology Fee (sub-total x 2.75% or 0.0275)	\$
TOTAL (Sub-total + D. Technology Fee)	<b>\$</b>

Section IV. Minor Proffer Amendment:		
A. General Fee:	. \$	6,190.00
B. Adjacent Property Notification (required):		
(Adjacent properties) X \$6.48	\$	
Sub-total (Add lines A and B)	. \$	
C. Technology Fee (sub-total x 2.75% or 0.0275)	\$	===
TOTAL (Sub-total + C. Technology Fee)	\$	
Section V. Minor Proffer Amendment (when submitted simultaneous with minor Conditional Use Permit Application):	ly	
A. General Fee:	. \$	3,095.00
B. Adjacent Property Notification (required):		
(Adjacent properties) X \$6.48	\$	
Sub-total (Add lines A and B)	. \$	
C. Technology Fee (sub-total x 2.75% or 0.0275)	\$	
TOTAL (Sub-total + C. Technology Fee)	\$	<del></del>
Sections I, II, III, IV and V: MAKE CHECK PAYABLE TO "STAFFORD COU	NTY".	
<ul> <li>If an application is withdrawn prior to the first public hearing application fee may be refunded to the applicant.</li> <li>If an application is withdrawn after the first public hearing, the second secon</li></ul>		
VIRGINIA DEPARTMENT OF TRANSPORTATION FEES:		
Transportation Impact Analysis Fee:  (For applications that meet VDOT Traffic Impact Analysis thresh	olds)	
A. Subject to low volume road criteria (see 24 VAC 30-155-40 A 3)	\$	250.00
B. All other submissions	\$	1000.00

## MAKE CHECK PAYABLE TO "VIRGINIA DEPARTMENT OF TRANSPORTATION"

For a third or subsequent submission of a rezoning proposal that is requested by VDOT on the basis of the failure of the applicant to address deficiencies previously identified by VDOT, the fee is equal to the initial fee paid. (per  $24 \, \text{VAC}$  30-155, \$15.2-2222.1 of the Code of Virginia)

## **List of Adjoining Property Owners**

The applicant is required to provide a list of the owners as shown on the current real estate tax assessment books of all abutting properties and properties immediately across the street or road from the property to be rezoned or issued a Conditional Use Permit. If the application requests a rezoning of only a portion of the parcel or a Conditional Use Permit on only a portion of the parcel, the entire parcel must be the basis for the below listing.

Provide additional pages if needed.

38-77	Accakeek Partnership		
TAX MAP/PARCEL	NAME		
14319 Dumfries Road MAILING ADDRESS			
Independent Hill		VA STATE	<b>20112</b> ZIP

38-76A & 38-76E TAX MAP/PARCEL	R Income Properties LLC		13
4920 Quintessence Co	ourt		
Haymarket		VA STATE	<b>20169</b> ZIP

38-76	Sun Land LLC		
TAX MAP/PARCEL	NAME		
56 Canterbury Drive			
MAILING ADDRESS		<u>'</u>	
		VA	22554
Stafford			ZIP

Orange Enterprises LL	.C	
NAME		
Drive		
		23111
1		

38-84A	Commonwealth of VA Dept. of	of Hwys	
AX MAP/PARCEL	NAME		
111 E Broad Street,	2nd Floor		
AAILING ADDRESS	2114 [ 1001		
Richmond		VA	23219
KILLIIIIIIII		STATE	ZIP

38-82 TAX MAP/PARCEL	Palm of Deborah Minis	etries	V
676 Hope Road MAILING ADDRESS			
Stafford		VA	22554

38-84	JMT Properties LLC		
TAX MAP/PARCEL	NAME		
1808 Yates Ford Roa	nd		
1AILING ADDRESS			
Fairfax Station		VA	22039
CITY		STATE	ZIP

38-83B	Black Branch Terminals	s LLC	
TAX MAP/PARCEL	NAME		
PO Box 25612 MAILING ADDRESS			
Richmond		VA	23260
CITY		STATE	ZIP

38-83D	Sykes LLC		<u> </u>
TAX MAP/PARCEL	NAME		
131 Wyche Rd MAILING ADDRESS		T T	
Stafford		VA	22554
CITY		STATE	ZIP

38-81A	Donald P. Wesolows	ski	1.
TAX MAP/PARCEL	NAME		
7 Harry Ct.			
MAILING ADDRESS			
Stafford		VA	22554
CITY	***	STATE	ZIP

38-80A TAX MAP/PARCEL	Gary N. Smith Trustee		
95 Hope Springs Ln		×	
Stafford		VA	22554
CITY		STATE	ZIP

38-80D	Michael W. Scott Trustee		
TAX MAP/PARCEL	NAME		
4.420 Powerly Dd. Sto	240		
1420 Beverly Rd, Ste :	240	-1/-	
McLean		VA	22101
CITY		STATE	ZIP
29A-1-10A	Burns Family LTD Partnership		
TAX MAP/PARCEL	NAME		
1050 0 111 - 15- 16- 16- 16- 16- 16- 16- 16- 16- 16- 16			
1250 S Washington S	t, Unit 821	- i	
		VA	22314
CITY		STATE	ZIP
1			
38-83K	Stafford Development Group		
38-83K TAX MAP/PARCEL	Stafford Development Group		
TAX MAP/PARCEL	NAME		
TAX MAP/PARCEL	NAME		
	NAME		
TAX MAP/PARCEL	NAME		
TAX MAP/PARCEL	NAME	STATE	ZIP
TAX MAP/PARCEL  *No mailing informati MAILING ADDRESS	NAME		ZIP
TAX MAP/PARCEL  *No mailing informati MAILING ADDRESS	NAME		ZIP
TAX MAP/PARCEL  *No mailing informati MAILING ADDRESS	NAME		ZIP
TAX MAP/PARCEL  *No mailing informati MAILING ADDRESS	NAME		ZIP
*No mailing informati MAILING ADDRESS  CITY	NAME  on available*		ZIP
TAX MAP/PARCEL  *No mailing informati MAILING ADDRESS	NAME		ZIP
*No mailing informati MAILING ADDRESS  CITY  TAX MAP/PARCEL	NAME  on available*		ZIP
*No mailing informati MAILING ADDRESS  CITY	NAME  on available*		ZIP
*No mailing informati MAILING ADDRESS  CITY  TAX MAP/PARCEL	NAME  on available*		ZIP
*No mailing informati MAILING ADDRESS  CITY  TAX MAP/PARCEL	NAME  on available*		ZIP

## **Application Affidavit**

This form to be filed with:

STAFFORD COUNTY BOARD OF SUPERVISORS

1300 COURTHOUSE ROAD STAFFORD, VIRGINIA 22555

See Section 15.2-2289 for State Enabling Authority

	Internal Use Only	
Project Name: _ A/P #: Date:		

All applicants for a special exception, a special use permit, conditional use permit, amendment to the zoning ordinance or variance shall make complete disclosure of the equitable ownership of the real estate involved in the application, including in the case of corporate ownership, limited liability company ownership or similar business ownership, the name of stockholders, officers, managing partners, general partners, owners and members, and in any case the names and addresses of all of the real parties in interest. The requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the event the ownership of the involved real estate changes in any respect during the time the application is pending, the applicant shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein. If the applicant is a contract purchaser, the ownership information required herein shall be provided for the contract purchaser in addition to the owner of the real estate involved in the application. This section applies to applications before the board of supervisors, planning commission and board of zoning appeals.

500 500H0H 10.2 2207 101 51	ate Enabling Fractionity	
1. Applicant information		
Name of Applicant	mark c matan	
Name of Company	Matan Acquisitions II, LLC	
- · · · · · · · · · · · · · · · · · · ·		
Applicant Address	4600 Wedgewood Blvd, Suite A	
11ppizeux 11uuress	Frederick, MD 21703	
Applicant's Signature	10	
rippireum s signature		<del></del>
Name of Agent	Charles W. Payne, Jr.	
Address of Agent	_725 Jackson Street, Suit	e 400, Fredericksburg, VA 22401
2. Type of Application		
☐ Conditional	Use Permit	Variance
x Rezoning		Special Exception
	Page 1	4

# STAFFORD COUNTY Department of Planning and Zoning

Application Affidavit Page 2 Applicant: Matan Acquisitions II, LLC		Project Name: A/P #: Date:	
3. Property Information	ı		
Assessor's Parcel(s)	38-80		
Address	None on record		
4. Unless the equitable ownership, list all equi		rporation, limited liability company or similar bus property.	iness
Name of owners	Address		
business ownership, lis	st all officers, manag on shall not apply	rty is a corporation, limited liability company or sing partners, general partners, share holders, owner if the corporation is listed on a national or local ders.	s and
Name of Members	Address		
		naser and is a corporation, limited liability compar luals involved with the purchase of the property.	ny or
	47 T		

individuals listed in this section.

		Project Name:
Application Affidavit		A/P#:
Page 3		Date:
Applicant: Matan Acquisitions	II, LLC	
business ownership, list a	ll officers, managing partners shall not apply if the corpo	oration, limited liability company or similar , general partners, share holders, owners and oration is listed on a national or local stock
Name of Members  Matan Companies, LLLP	44600 Wedgewood Boulevard, Suite A	A, Frederick, Maryland 21703
8. Have all individuals lis	sted on this affidavit been not	ified of the purpose of the application?
100		
cost required for the Depa		tified about this application plus submit the ng or Code Administration to send certified prior to the public hearing.
<u>Name</u>	Address, including zip code,	no P.O. Box please
Number of owners to be a Cost for certified letters Total due:	\$ (cost as	of the day of submittal) ecks payable to County of Stafford)
Please submit a check in	the amount due with this a	application to cover the cost of serving the

STAFFORD COUNTY
Department of Planning and Zoning

My Commission Expires

July 09, 2024

RB

Project Name: \_\_\_\_\_ A/P#: **Application Affidavit** Date: Page 4 Applicant: Matan Acquisitions II, LLC 10. Affirmation & Witness I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief. In the event the ownership of the involved real estate changes during the time the application is pending, I shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein. Printed name of Signer mark c matan Corporate Office of Signer Matan Hyursitions 11, LLC Signature \_ Date State of Maryland COUNTY OF STAFFORD, to wit: 123 Frederick 2021 by Mark C. Matan owner/applicant. My commission expires: July 9, 2024 RENEE BUGBEE Notary Public-Maryland Washington County

Notary Public

## **Checklist for Impact Statements**

Impact statements are required for rezoning requests which meet at least one of the following criteria:

- a. would allow for a use(s) that could generate more than 500 average daily vehicle trips;
- b. would have a gross density of more than seven (7) dwelling units per acre;
- c. would have more than fifty (50) dwelling units;
- d. would be greater than fifty (50) acres in size;
- e. propose a commercial rezoning adjacent to residentially zoned property.

Impact Statements must address the following:

- a. current capacity of and anticipated demands on highways, utilities, storm drainage, schools and recreational facilities;
- b. fiscal impact: potential tax revenues and anticipated cost to County services;
- c. environmental impact;
- d. impact on adjacent property;
- e. location and proximity to designated and identified historic sites.
- \*\* These studies shall describe the differences which would result from maximum, ultimate development of the land under the proposed zoning classification as compared to maximum development under the existing zoning classification.

Transportation Impact Analysis

A Transportation Impact Analysis Determination Form (provided on page 18) must be submitted to determine if a Transportation Impact Analysis is required. A Transportation Impact Analysis (TIA) may be required by the County or VDOT depending on the amount of traffic generated by the proposed development. The thresholds are provided on the determination form.

# **Checklist for Generalized Development Plans (GDP)**

In accordance with Section 28-224 of the Stafford County Code, when a GDP involves engineering, architecture, urban land use planning or design, landscape architecture, or surveying, such work shall be performed by persons qualified and authorized to perform such professional work, in accordance with applicable provisions of the Code of Virginia.

The following items must be shown on a GDP:

N/A	COMPLETE	Sec 28-225(1)
	口内内内内内内内	Date of drawing, true north arrow,
		scale, RYAN K. FOROUGHI
		legend for all symbols used,  name of the applicant,  Lic. No. 041245
	A.	name of the owner,
		name of the development,
		person preparing the drawing, match lines if applicable;
<b>y</b>	_	Sec 28-225(2)
	Z	Boundaries of the area covered by the application,
Ш	***	vicinity map showing the general location of the proposed development, major roads and existing subdivisions at a scale of one inch equals two
		thousand (2,000) feet;
-	× 1	Sec 28-225(3)
		Approximate locations and identification of any easements and rights-of- way on or abutting the site;
		Sec 28-225(4)
	Ø	Approximate location of each existing and proposed structure on the site
	2	the number of stories, height,
		roof line,
		gross floor areas and
		location of building entrances and exits; Sec 28-225(5)
		Identification and location of uses and structures on all abutting
		properties;
П	Ø	Sec 28-225(6)  Approximate location of all existing and proposed parking and loading
/ <del></del>		areas,
	P	outdoor trash storage,
		lighting facilities, and pedestrian walkways;
_	7	peaconium wantways,

#### Checklist for Generalized Development Plans (continued)

N/A	COMPLETE	
		Sec 28-225(7) Approximate location, height and type of each existing and proposed wall, fence, and other types of screening; Sec 28-225(8)
	P	Approximate location and description of all proposed landscaping;  Sec 28-225(9)
	Ø	Approximate location, height and dimensions of all proposed signage on site;
	ø	Sec 28-225(10)  Approximate location of all existing drainage ways, floodplains and wetlands on site;
	Ø	Sec 28-225(11)  Approximate location of all common open space, recreational areas and bufferyards;
Ø		Sec 28-225(12)  Where the site abuts any tidal water body or impoundments, the approximate high water line, low water line, top of bank and toe of slope;  Sec 28-225(13)
Ø		Approximate location and identification of all significant natural or noteworthy features including, but not limited to, historic and archeological sites, cemeteries, existing trees with a trunk diameter greater than six (6) inches DBH.

#### **Waiver of GDP Requirements**

In accordance with Section 28-223 of the Stafford County Code, the Director of Planning and Zoning may waive the requirement for the submission of a GDP or one of the above required components if the application meets one of the following standards:

- (1) There will be less than two thousand five hundred (2,500) square feet of total land disturbance on lots or parcels of less than ten thousand (10,000) square feet.
- (2) For single-family dwellings intended for the occupancy of the applicant and where there will be less than five thousand (5,000) square feet of land disturbance.
- (3) For specific items of information when, in the opinion of the director of planning, their application to the subject property does not serve the purpose and intent of this article.

A request for a waiver shall be made in writing to the Director of Planning and Zoning identifying the sections in which you are requesting a waiver and the reason for the request.

# RECLASSIFICATION TRANSPORTATION IMPACT

TRANSPORTATION IMPACT ANALYSIS DETERMINATION	RECEIVED BUT NOT OFFICIALLY SUBMITTED:	
Name of development Venture Business Park	DATE: INITIALS	
Type of development General Industrial	OFFICIALLY SUBMITTED:	
Parcel #_38-30	DATE: INITIALS	

#### **Traffic Volume Calculations**

This site generates:

yes

228 \_VPH (highest VPH)

1,800 VPD on state controlled highways (highest)

185 VPH Peak AM

200 VPH Peak PM

28 \_VPH Peak Saturday

1,218 \_VPD highest intensity\*

#### Minimum Thresholds to submit a TIA

County: Any proposals generating 1,000 or more VPD.

VDOT: See "VDOT Traffic Impact Analysis Requirements" table on next page.

yes, separate scope form in TIA

#### **Trip Generation Calculation Guidelines**

- Traffic volumes shall be based on the rates or equations published in the latest edition of the Institute of yes Transportation Engineers Trip Generation.
- If a site has multiple entrances to highways, volumes on all entrances shall be combined for the yes purposes of this determination.
  - If the site does not have direct access to a state maintained road, the site's connection is where the site connects to the state highway system.
- Traffic volumes shall NOT be reduced through internal capture rates, pass by rates, or any other OK reduction methods.
- For redevelopment sites only: when the existing use is to be redeveloped as a higher intensity use, trips N/A currently generated by the existing development that will be removed may be deducted from the total trips that will be generated by the proposed land use.
- When rezoning, use the highest possible traffic generating use unless development is limited by proffer yes to less than the possible highest traffic generation.

For development proposals that generate 1,000 or more vehicle trips per peak hour the applicant shall request a scope of work meeting with VDOT and Stafford County Office of Transportation to discuss the required elements of a traffic impact analysis. conf call 1/6/22

<sup>\*\*\*</sup>Attach a page showing the calculations and the ITE trip generation codes to this form.\*\*\*

Venture Business Park Rev 1/21/22 rev 31 acres at 0.30 FAR =414,500 sf

Proposed Use with rezoning = General Industrial Uses at up to 250,000 gsf

Highest trip shown as ITE Use Code Land Use Code (LUC) 110 vs Warehouse (LUC 150), High-Cube Transload Warehouse (LUC 154), High-Cube Fulfillment Center (LUC 155), High Cube Parcel Warehouse (LUC 156), and Data Center (LUC 160)

Trip Generation summary with Land Use Code

TABLE 2: PROPOSED VENTURE BUSINESS PARK COMPARISON WITH COMP. PLAN USES

<b>Land Use Density</b>	Trip Variable (ITE LUC Code)	AM Peak Hour Traffic	PM Peak Hour Traffic	Daily
Comp. Plan Uses @ 0.30 FAR 414,500 gsf Office	Per ksf (LUC 710) e	501/68 <u><b>569</b></u>	92/448 <u><b>540</b></u>	<u>3,658</u>
Proposed Rezoning 250,000 gsf Gen. Ind.	Per ksf (LUC 110) ave	163/22 <u><b>185</b></u>	26/174 <b><u>200</u></b>	<u>1,218</u>
Difference Rezoning to Comp Plan		-338/-46 <u><b>-384</b></u>	-66/-274 <u><b>-340</b></u>	<u>-2,780</u>
% Change		<u>-67%</u>	<u>-63%</u>	<u>-70%</u>

Source: Institute of Transportation Engineers (ITE) <u>Trip Generation</u> (Manual, 11<sup>th</sup> Edition) (Sept 2021). Calculations by Pennoni. See Tables 3, 4, 5 for average rates, % splits, trip ranges, heavy vehicle volumes and alternative variables.

Density based on 31.7153 acres. See Table 6 for by-right office calculations.

For LUC 110, peak hour of generator shown on Table 3 for off-peak times. AM Generator at 228 VPH, PM generator at 200 VPH (two-way) not occurring during roadway peak.

For LUC 110, Peak hour of Generator Saturday trips at 28 VPH. Daily trip rate not shown above for LUC 110 at 173 VPD from 1 study. Saturday peak hour trips calculated as weekday PM/Daily ratio (16.4%) and applied to ITE Saturday average (173 sat. daily trips \*.164 = **28 VPH)** 

Legend: "e" trip rate equations; "ave" average LUC = Land Use Code Inbound/Outbound <u>Total (2-way) Trips.</u>

\*The highest intensity use is the highest possible use allowable under the zoning requirements for the entire property should it be developed to its fullest extent possible under the current building guidelines. The trip generation for the highest intensity use shall be analyzed in the study. The only exception is if proffers limit the area and type of uses.

# **VDOT Traffic Impact Analysis Requirements**

Process		Threshold	Review Process*	Fee**
Comprehensive Plan and Plan Amendments (including small area plans)		5,000 VPD on state- controlled highways, or Major change to infrastructure / transportation facilities	Application submitted to VDOT for review and comment VDOT may request a meeting with the locality within 30 days Review to be completed in 90 days or later if mutually agreed	\$1000 covers first and second review.  No fee if initiated by locality or public agency.  No fee for citizens' organization or neighborhood association proposing plan amendments.
Rezoning	Residential Low Volume Road Submission All Other Land Uses including residential	400 VPD AND exceeds the current traffic volume on a state controlled highway  5,000 VPD on state controlled highways, or  5,000 VPD on locality maintained streets AND within 3000 feet of a state controlled highway	VDOT or local TIA (certified by VDOT) and Application submitted to VDOT for review and comment VDOT may request a meeting with the locality & applicant within 45 days Review to be completed in 120 days if VDOT requests a meeting Otherwise review to be completed in 45 days  NOTE: When a related comprehensive plan revision and rezoning proposal are being considered concurrently for the same geographical area, then only a rezoning TIA package is required.	For first and second review: \$250 - Low Volume Rd \$1000 - All other submissions  No fee if initiated by locality or public agency  No fee if using a VDOT TIA prepared for a small area plan

<sup>\*</sup> For proposals generating less than 1000VPH the locality and/or applicant may request a Scope of Work Meeting with VDOT. For proposals generating 1000 VPH or more the locality and/or applicant shall hold a Scope of Work Meeting with VDOT.

<sup>&</sup>quot; Third or subsequent submissions require additional fee as though they were an initial submission.

## VDOT Rezoning Package Checklist\*

Traffic Impact Analysis Regulations: 24VAC30-155-40.B

Х	Α	COV	ER	SHEET	containing
---	---	-----	----	-------	------------

**▼** Contact Information for the

☑ Locality,

Stafford County Office of Transportation P.O. Box 339 Stafford, VA 22555-0339 540-658-4900

☑ Developer (or owner), if applicable;

- ⊠ Site Information
  - ☑ Rezoning location,
  - ☐ Highways adjacent to the site,
  - ☑ Parcel number or numbers:
- Proposal Summary with the
  - ☑ Development's name,
  - ☑ Size (acreage),
  - ☑ Proposed zoning;
  - ☑ Proposed types of land uses, including maximum number of lots or maximum business square feet, and
- 🖒 A Statement regarding the proposal's compliance with the comprehensive plan.
- ☑ A LOCAL TRAFFIC IMPACT ANALYSIS OR, IF LOCAL REQUIREMENTS FOR TRAFFIC STUDIES HAVE NOT BEEN CERTIFIED BY VDOT, A VDOT TRAFFIC IMPACT STATEMENT.
- ☑ A CONCEPT PLAN of the proposed development.
- ☑ ANY PROFFERED CONDITIONS submitted by the applicant.
- **I** FEES -
  - ☐ For a locality or other public agency initiated proposal No fee charged.
  - ☑ For the initial or second review of a rezoning proposal, a single fee for both reviews will be determined by the number of vehicle trips generated per peak hour, as follows:
    - ☐ Low Volume Road (24VAC30-155-40 A 1 c). \$250
    - ☑ All other submissions \$1,000
  - ☐ For a third or subsequent submission of a rezoning proposal that is requested by VDOT on the basis of the failure of the applicant to address deficiencies previously identified by VDOT, the fee is equal to the initial fee paid.

This checklist is available on the VDOT Traffic Impact Analysis Regulations website in a MS Word editable format.

<sup>\*</sup> One paper copy and one electronic copy to be submitted.

#### NOTICE TO APPLICANTS REGARDING PROFFERS

#### Background

Proffers may be provided by an applicant in order to offset the impacts of development. They are voluntary conditions that run with the zoning of the property. Proffers may restrict the use of the property, accommodate specified public improvements, or provide monetary contributions to offset impacts of the proposed development. Proffers must be signed by the applicant, notarized, and submitted to the County in final form before the Board of Supervisors' public hearing on the zoning reclassification application. You are not required to submit proffers as part of your zoning reclassification application.

#### Staff Review

Proffers (if submitted) will be reviewed and approved to form by the County Attorney and the Zoning Administrator. Additionally, all affected County Departments shall comment on the purposed proffer prior to the publication of any staff report. Planning staff will be responsible for coordinating review comments and scheduling public hearing dates. The timeline for public hearings included in the application is for informational purposes only. Staff will recommend that the Board of Supervisors reject any final proffers that have not been approved to form.

## Notice to Applicants Regarding Residential Proffer Submissions

The General Assembly passed a law, effective July 1, 2016, which applies to proffers relating to new residential developments and residential components of mixed-use properties. Such law was amended again in 2019, effective July 1, 2019. The law, Virginia Code § 15.2-2303.4 as currently stated (the "Statute"), makes it unlawful for a locality to require an "unreasonable proffer." In order to ensure compliance with the Statute, unless proffers are deemed reasonable by the applicant and owner as described below, certain applications must include an analysis showing how each proffer made complies with the Statute's requirements. Refer to the Election of Proffer Legislation for Residential Development Worksheet on page 28 to determine if a Proffer Reasonableness Analysis is required with your application. Guidance for preparing a Proffer Reasonableness Analysis is provided below.

#### Proffer Reasonableness Analysis

A Proffer Reasonableness Analysis must include individual analysis for each proffer (on-site and off-site, as those terms are defined in the Statute) showing how it addresses an impact which is specifically attributable to the proposed new residential development or use. You must include an additional individual analysis for each off-site proffer showing:

1) The proffer addresses an impact to at least one offsite public facility.

- 2) That the proffer addresses a need, or an identifiable portion of a need, for a listed public facility or facilities, in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment.
- 3) That the new residential development or use will receive a direct and material benefit from the proffer, with respect to any stated public facility improvement(s).

Your analysis for each proffer should clearly and separately address each of the above requirements.

#### Unreasonable Proffers

If you ever believe that a County official has required that you make an unreasonable proffer, as that term is defined in the Statute, you shall immediately notify the County's Director of Planning and Zoning and in any event, at least prior to when such application is considered and/or decided by the Board. In the event such a requirement is made, the County will not consider the unreasonable proffer when processing the zoning reclassification application.

Applicants should be aware that any and all project impacts can serve as a basis for denial, even though not all impacts can be mitigated by proffers under the Statute. Applicants must rely on the thoroughness of their written analysis to show how any proffers being made mitigate impacts, and to what extent. Some proffers may be deemed unreasonable and therefore unlawful because they overstate an impact, or understate available capacity at a public facility. The County may reject a proffer for being unreasonable, but it will not suggest or request that a substitute proffer be made, even if there is a substitute proffer which may be permissible under the Statute. This is due to the possibility that an unreasonable proffer could be accidentally suggested, requested, or accepted in violation of the law. It is incumbent on applicants to put forth the best possible application throughout the process.

Notwithstanding the above, the applicant or owner may, at the time of filing an application or during the development review process, submit any onsite or offsite proffer that the owner and applicant deem reasonable and appropriate, as conclusively evidenced by the signed proffers.

## **Election of Code Provisions for Residential Proffers Worksheet**

The Code of Virginia establishes standards that localities must follow when considering conditional rezoning proffers. The legislation and accompanying standards have changed over the past several years. What standards apply is dependent on when an application is submitted. In addition, in certain instances, an applicant can elect to choose which standards to apply.

If you are submitting a proffer statement for residential developments or residential components of mixed-use properties, please complete the following form to determine which Virginia Code legislation you are electing to have applied to your project. This form also will determine if a Proffer Reasonableness Analysis is required or optional.

STEP 1: Identify what type of application is being submitted (check box that applies)		<b>STEP 2:</b> From the corresponding row selected in STEP 1, select the version of the state code from which you elect to have the proffers associated with this application evaluated.			
		Pre – July 1, 2016 Law	July 1, 2016 to July 1, 2019 Law	Post July 1, 2019 Law § 15.2- 2303.4 <u>Part C</u>	Post July 1, 2019 Law § 15.2- 2303.4 <u>Part D</u>
☐ Pending Rezoning o Amendment applica submitted prior to J 2016	ntions				
□ Pending Rezoning of Amendment application 2016 and July 1, 2010 □ New Proffer Amendapplication amending Rezoning which was between July 1, 2010 July 1, 2019	ations July 1, 19 Iment ng a s filed				
□ New Rezoning appli submitted after July □ New Proffer Amend applications submit July 1, 2019 amendi Rezoning which was after July 1, 2019	/ 1, 2019 Iment ted after ing a				
STEP 3: Corresponding Requirements based or			Proffer Reasonableness Analysis (PRA)	PRA REQUIRED	PRA OPTIONAL

# **APPENDIX**

Policy for filing Zoning Reclassification and Proffer Condition Amendment Applications (Resolution R16-170)

Policy for processing Zoning Reclassification and Proffer Condition Amendment Applications (Resolution R19-188)

## 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 the 7<sup>th</sup> day of June, 2016:

VOTE:
Yes
Absent

On motion of Mrs. Maurer, seconded by Ms. Sellers, which carried by a vote of 6 to 0, the following was adopted:

A RESOLUTION ESTABLISHING WHEN APPLICATIONS FOR ZONING RECLASSIFICATIONS (REZONINGS) AND PROFFER CONDITION AMENDMENTS (PROFFER AMENDMENTS) HAVE BEEN FILED WITH THE COUNTY

WHEREAS, Stafford County Code Sec. 28-203 stipulates the submission requirements for rezoning and proffer amendment applications; and

WHEREAS, Stafford County Code Sec. 28-203 requires the submittal of applicable impact analysis, although such analysis is not required when an application is submitted; and

WHEREAS, although the Department of Planning and Zoning (Department) has an administrative process in place, the County does not currently have a written policy stating when a rezoning or proffer amendment application is considered filed; and

WHEREAS, the Board desires to confirm the process already followed by the Department and adopt this policy as to when a rezoning or proffer amendment application is considered filed with the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of June, 2016, that it be and hereby does establish the following policy for filing of rezoning and proffer amendment applications with Stafford County:

#### STAFFORD COUNTY BOARD OF SUPERVISORS

# POLICY FOR FILING ZONING RECLASSIFICATION (REZONING) AND PROFFER CONDITION AMENDMENT (PROFFER AMENDMENT) APPLICATIONS

A rezoning and proffer amendment application shall be <u>filed</u> with Stafford County when the following criteria are met:

- 1. Completed applications, to include all applicable checklists, on forms supplied by the Department of Planning and Zoning (Department), have been submitted to the Department.
- 2. All applicable application review fees have been processed and paid in full.
- 3. All required information pursuant to Stafford County Code Sec. 28-203, including applicable impact statements, has been provided.
- 4. All applicable supplementary forms have been provided.
- 5. Pursuant to Stafford County Code Sec. 28-203, verification that real estate taxes are paid in full is required. If real estate taxes are no longer considered paid in full or become delinquent, the application shall become incomplete and not considered filed until such time as all real estate taxes due are paid in full.

A Copy, teste:

Anthony Romanello, ICMA-CM

County Administrator

AJR:JAH:dfk

## 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 the 2<sup>nd</sup> day of July, 2019:

MEMBERS:	VOTE:
Gary F. Snellings, Chairman	Yes
L. Mark Dudenhefer, Vice Chairman	Yes
Meg Bohmke	Yes
Jack R. Cavalier	Yes
Thomas C. Coen	Absent
Wendy E. Maurer	Yes
Cindy C. Shelton	Yes
•	

On motion of Mrs. Maurer, seconded by Ms. Bohmke, which carried by a vote of 6 to 0, the following was adopted:

A RESOLUTION ESTABLISHING A POLICY FOR THE PROCESSING ZONING RECLASSIFICATION (REZONING) AND PROFFER CONDITION AMENDMENT (PROFFER AMENDMENT) APPLICATIONS THAT HAVE BEEN FILED WITH STAFFORD COUNTY

WHEREAS, Stafford County Code Sec. 28-303 stipulates the submission requirements for rezoning and proffer amendment applications; and

WHEREAS, Resolution R16-170 established a policy for filing rezoning and proffer amendment applications with Stafford County; and

WHEREAS, the Board desires to adopt this Resolution to establish a policy regarding the processing of rezoning or proffer condition amendment applications, in addition to all the other administrative processes and procedures in place by the Department of Planning and Zoning;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2<sup>nd</sup> day of July, 2019, that it be and hereby does establish the following policy for processing rezoning and proffer condition amendment applications by Stafford County, Virginia:

#### STAFFORD COUNTY BOARD OF SUPERVISORS

# POLICY FOR PROCESSING ZONING RECLASSIFICATION (REZONING) AND PROFFER CONDITION AMENDMENT (PROFFER AMENDMENT) APPLICATIONS

A rezoning and/or proffer amendment application submitted through the Stafford County Department of Planning and Zoning shall be processed as follows:

- 1. When applicable, an applicant must select on the application form which provision(s) of the Code of Virginia will be applied to the processing of the application.
- 2. If applying for a proffer amendment, the applicant shall identify in the application form the date and ordinance number of the rezoning giving rise to the amendment.
- 3. Staff shall acknowledge the Code provision(s) selected by the applicant in staff's reports to the Board and Planning Commission.
- 4. Upon an application being considered "filed," as prescribed in Resolution R16-170, staff shall forward the application to all applicable county and state departments and agencies for review and comment.
- 5. If a proffer statement is proposed by an applicant, it must first be submitted in writing and executed preferably with the application or as soon as possible thereafter.
- 6. Prior to the advertisement of any public hearing on the application before the Planning Commission, the applicant shall provide a newly executed proffer statement if any proffer has been changed since its first submission.
- 7. Prior to the advertisement of any public hearing on the application before the Board, the applicant shall provide a newly executed proffer statement if any proffer has been changed since the application and proffer statement was considered by the Planning Commission.
- 8. It shall be the responsibility of the applicant to pay for any costs to re-advertise a public hearing necessitated by any substantial change to an application, including failing to provide timely executed proffer statements.
- 9. Consideration of any pending application exceeding one-year from the date of being "filed," may only be extended by written request of the applicant subject to approval by the Board or Planning Commission.

10. Any pending application exceeding 18 months from the date of being "filed," shall administratively be closed by staff. The applicant may request a time extension in writing prior to the 18-month deadline, which request must contain a definite time for moving forward with or withdrawing the application. Such extension request may only be granted by the Board.

A Copy, teste:

Thomas C. Foley
County Administrator

TCF:JAH:

## **Stafford County Real Estate Tax Search/Payment**

Owner

Name / Mailing Address: R INCOME PROPERTIES LLC 4920 QUINTESSENCE CT HAYMARKET VA 20169-2577 **Property Description** 

Map #: Alt. ID/PIN:

Legal:

23922

\*No Situs Address\*

**Current Assessment** 

Land Value: Improvment Value: Total Taxable Value: \$649,100 \$0 \$649,100

View Real Estate Details

**Invoice History** 

Total Due:

\$0.00 Total Tax Paid:

\$161,369.66

38-80

Total Penalty/Int Paid:

\$8,554.60

Total Fees Paid:

\$0.00

00

 . b b-4-	Data Lavari	Due Benelly Due	Total
	Total Other Assessments:		

2021         23430 Estate         Real Estate         12/6/2021         0.970         \$3,148.14         \$0.00         \$0.00         \$3,148.14         \$1/29/2021           2021         23430         Real Estate         6/7/2021         0.970         \$3,148.14         \$0.00         \$0.00         \$3,148.14         6/7/2021           2020         23438         Real Estate         12/7/2020         0.970         \$3,148.14         \$314.81         \$57.72         \$0.00         \$3,520.67         2/25/2021           2020         23438         Real Estate         6/5/2020         0.970         \$3,148.14         \$314.81         \$115.43         \$0.00         \$3,578.38         10/5/2020           2019         23454         Real Estate         6/5/2019         1.010         \$4,911.63         \$491.16         \$450.23         \$0.00         \$5,853.02         10/5/2020           2018         23481         Real Estate         6/5/2019         1.010         \$4,911.63         \$491.16         \$720.37         \$0.00         \$6,123.16         10/5/2020           2018         23481         Real Estate         12/6/2018         0.990         \$4,814.37         \$481.44         \$970.90         \$0.00         \$5,384.07         8/9/2018           <	Year	Bill #	Туре	<b>Due Date</b>	Rate	<b>Levy Due</b>	<b>Penalty Due</b>	Interest Due	<b>Total Due</b>	<b>Total Paid</b>	Date Paid
Estate	2021	23430		12/6/2021	0.970	\$3,148.14	\$0.00	\$0.00	\$0.00	\$3,148.14	11/29/2021
Estate  2020 23438 Real	2021	23430		6/7/2021	0.970	\$3,148.14	\$0.00	\$0.00	\$0.00	\$3,148.14	6/7/2021
Estate	2020	23438		12/7/2020	0.970	\$3,148.14	\$314.81	\$57.72	\$0.00	\$3,520.67	2/25/2021
Estate	2020	23438		6/5/2020	0.970	\$3,148.14	\$314.81	\$115.43	\$0.00	\$3,578.38	10/5/2020
Estate  2018 23481 Real Estate  2019 23508 Real Estate  2017 23508 Real Estate  2018 23481 Real Estate  2019 23508 Real Estate  2010 23508 Real Estate  2010 23508 Real Estate  2011 23508 Real Estate  2012 23508 Real Estate  2013 23508 Real Estate  2014 23508 Real Estate  2015 23548 Real Estate  2016 23530 Real Estate  2017 23508 Real Estate  2018 23548 Real Estate  2019 23548 Real Estate  2019 23548 Real Estate  2019 23548 Real Estate  2019 23548 Real Estate  2010 23558 Real Estate  2011 23568 Real Estate  2012 23568 Real Estate  2013 23568 Real Estate  2014 23568 Real Estate  2015 23568 Real Estate  2016 23568 Real Estate  2017 23568 Real Estate  2018 23568 Real Estate  2019 23568 Real Estate  2019 23568 Real Estate  2010 23568 Real Estate  2011 23568 Real Estate  2012 23568 Real Estate  2013 23580 Real Estate  2014 23568 Real Estate  2015 23580 Real Estate  2016 23598 Real 12/5/2013 1.070 \$5,203.41 \$0.00 \$0.00 \$0.00 \$5,203.41 \$2/9/2014 \$2.000 \$0.00 \$5,203.41 \$2/9/2014 \$2.000 \$0.00 \$5,203.41 \$2/9/2014 \$2.000 \$0.00 \$5,203.41 \$2/9/2014 \$2.000 \$0.00 \$5,203.41 \$2/9/2014 \$2.000 \$0.00 \$5,203.41 \$2/9/2014 \$2.000 \$0.00 \$5,203.41 \$2/9/2014 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.00 \$5,203.41 \$2/9/2013 \$2.000 \$0.000 \$5,203.41 \$2/9/2013 \$2.000 \$0.000 \$5,203.41 \$2/9/2013 \$2.000 \$0.000 \$5,203.41 \$2/9/2013 \$2.000 \$0.000 \$5,203.41 \$2/9/2013 \$2.0000 \$0.000 \$	2019	23454		12/5/2019	1.010	\$4,911.63	\$491.16	\$450.23	\$0.00	\$5,853.02	10/5/2020
Estate  2018 23481 Real Estate  2017 23508 Real Estate  2017 23508 Real Color	2019	23454		6/5/2019	1.010	\$4,911.63	\$491.16	\$720.37	\$0.00	\$6,123.16	10/5/2020
Estate  2017 23508 Real	2018	23481		12/6/2018	0.990	\$4,814.37	\$481.44	\$970.90	\$0.00	\$6,266.71	10/5/2020
Estate  2017 23508 Real Estate  2018 23530 Real Estate  2019 23530 Real Estate  2019 23530 Real Estate  2010 23530 Real Estate  2010 23530 Real Estate  2010 23530 Real Estate  2011 27/2015 1.019 \$4,955.40 \$0.00 \$0.00 \$0.00 \$4,814.37 \$1/10/2016  2011 23548 Real Estate  2012 23548 Real Estate  2013 23548 Real Estate  2014 23568 Real Estate  2015 23568 Real Estate  2016 23580 Real Estate  2017 23580 Real Estate  2018 23580 Real Estate  2019 23580 Real Estate  2019 23580 Real Estate  2010 23580 Real Estate  2011 23580 Real Estate  2012 23598 Real 12/5/2013 1.070 \$5,203.41 \$0.00 \$0.00 \$0.00 \$5,203.41 \$5/29/2013  2012 23598 Real 12/5/2012 1.070 \$5,203.41 \$0.00 \$0.00 \$0.00 \$5,723.75 12/28/2012	2018	23481		6/5/2018	0.990	\$4,814.37	\$481.44	\$88.26	\$0.00	\$5,384.07	8/9/2018
Estate  2016 23530 Real Estate  2017/2015 1.019 \$4,814.37 \$481.44 \$88.26 \$0.00 \$5,384.07 9/9/2016  2015 23548 Real 12/7/2015 1.019 \$4,955.40 \$0.00 \$0.00 \$0.00 \$4,955.40 12/9/2015  2015 23548 Real 6/5/2015 1.019 \$4,955.40 \$0.00 \$0.00 \$0.00 \$4,955.40 12/9/2015  2014 23568 Real 12/5/2014 1.019 \$4,955.40 \$0.00 \$0.00 \$0.00 \$4,955.40 6/3/2015  2014 23568 Real 12/5/2014 1.019 \$4,955.40 \$0.00 \$0.00 \$0.00 \$4,955.40 12/9/2014  2014 23568 Real 6/5/2014 1.019 \$4,955.40 \$495.54 \$24.78 \$0.00 \$5,475.72 12/9/2014  2013 23580 Real 12/5/2013 1.070 \$5,203.41 \$0.00 \$0.00 \$0.00 \$5,203.41 12/5/2013  2013 23580 Real Estate  2014 23580 Real Estate  2015 23548 Real 12/5/2013 1.070 \$5,203.41 \$0.00 \$0.00 \$0.00 \$5,203.41 12/5/2013	2017	23508		12/5/2017	0.990	\$4,814.37	\$481.44	\$353.05	\$0.00	\$5,648.86	8/9/2018
Estate   12/7/2015   1.019   \$4,955.40   \$0.00   \$0.00   \$0.00   \$4,955.40   12/9/2015   23548   Real   Estate	2017	23508		6/5/2017	0.990	\$4,814.37	\$0.00	\$0.00	\$0.00	\$4,814.37	6/6/2017
Estate  2015 23548 Real Estate  2015 23548 Real Estate  2015 23548 Real Estate  2016 23548 Real Estate  2017 23548 Real Estate  2018 23548 Real Estate  2019 523548 Real Estate  2010 23568 Real Estate  2010 25668 Real Estate  2010 25668 Real Estat	2016	23530		12/5/2016	0.990	\$4,814.37	\$0.00	\$0.00	\$0.00	\$4,814.37	11/10/2016
Estate  2015 23548 Real	2016	23530		6/6/2016	0.990	\$4,814.37	\$481.44	\$88.26	\$0.00	\$5,384.07	9/9/2016
Estate  2014 23568 Real	2015	23548		12/7/2015	1.019	\$4,955.40	\$0.00	\$0.00	\$0.00	\$4,955.40	12/9/2015
Estate  2014 23568 Real	2015	23548		6/5/2015	1.019	\$4,955.40	\$0.00	\$0.00	\$0.00	\$4,955.40	6/3/2015
Estate  2013 23580 Real 12/5/2013 1.070 \$5,203.41 \$0.00 \$0.00 \$0.00 \$5,203.41 12/5/2013  2013 23580 Real 6/5/2013 1.070 \$5,203.41 \$0.00 \$0.00 \$0.00 \$5,203.41 5/29/2013  2012 23598 Real 12/5/2012 1.070 \$5,203.41 \$520.34 \$0.00 \$0.00 \$5,723.75 12/28/2012	2014	23568		12/5/2014	1.019	\$4,955.40	\$0.00	\$0.00	\$0.00	\$4,955.40	12/9/2014
Estate  2013 23580 Real 6/5/2013 1.070 \$5,203.41 \$0.00 \$0.00 \$0.00 \$5,203.41 5/29/2013  2012 23598 Real 12/5/2012 1.070 \$5,203.41 \$520.34 \$0.00 \$0.00 \$5,723.75 12/28/2012	2014	23568		6/5/2014	1.019	\$4,955.40	\$495.54	\$24.78	\$0.00	\$5,475.72	12/9/2014
Estate  2012 23598 Real 12/5/2012 1.070 \$5,203.41 \$520.34 \$0.00 \$0.00 \$5,723.75 12/28/2012	2013	23580		12/5/2013	1.070	\$5,203.41	\$0.00	\$0.00	\$0.00	\$5,203.41	12/5/2013
	2013	23580		6/5/2013	1.070	\$5,203.41	\$0.00	\$0.00	\$0.00	\$5,203.41	5/29/2013
	2012	23598		12/5/2012	1.070	\$5,203.41	\$520.34	\$0.00	\$0.00	\$5,723.75	12/28/2012

Year	Bill #	Туре	Due Date	Rate	Levy Due	Penalty Due	Interest Due	Total Due	Total Paid	Date Paid
2012	23598	Real Estate	6/19/2012	1.070	\$5,203.41	\$520.34	\$286.19	\$0.00	\$6,009.94	12/28/2012
2011	23618	Real Estate	12/5/2011	1.080	\$3,195.72	\$0.00	\$0.00	\$0.00	\$3,195.72	12/5/2011
2011	23618	Real Estate	6/6/2011	1.080	\$3,195.72	\$0.00	\$0.00	\$0.00	\$3,195.72	6/6/2011
2010	23634	Real Estate	12/6/2010	1.100	\$3,254.90	\$0.00	\$0.00	\$0.00	\$3,254.90	12/6/2010
2010	23634	Real Estate	6/7/2010	1.100	\$3,254.90	\$325.49	\$0.00	\$0.00	\$3,580.39	6/14/2010
2009	23644	Real Estate	12/7/2009	0.840	\$2,485.56	\$0.00	\$0.00	\$0.00	\$2,485.56	12/4/2009
2009	23644	Real Estate	6/5/2009	0.840	\$2,485.56	\$0.00	\$0.00	\$0.00	\$2,485.56	6/2/2009
2008	23666	Real Estate	12/5/2008	0.840	\$2,485.56	\$0.00	\$0.00	\$0.00	\$2,485.56	12/1/2008
2008	23666	Real Estate	6/5/2008	0.840	\$2,485.56	\$0.00	\$0.00	\$0.00	\$2,485.56	6/2/2008
2007	23693	Real Estate	12/5/2007	0.700	\$3,092.25	\$0.00	\$0.00	\$0.00	\$3,092.25	12/3/2007
2007	23693	Real Estate	6/5/2007	0.700	\$3,092.25	\$0.00	\$0.00	\$0.00	\$3,092.25	5/14/2007
2006	32232	Real Estate	12/5/2006	0.630	\$2,783.02	\$0.00	\$0.00	\$0.00	\$2,783.02	12/13/2006
2006	32232	Real Estate	6/5/2006	0.630	\$2,783.02	\$0.00	\$0.00	\$0.00	\$2,783.02	6/13/2006
2005	31229	Regular RE	12/5/2005	0.000	\$4,003.67	\$0.00	\$0.00	\$0.00	\$4,003.67	12/9/2005
2005	31229	Regular RE	6/5/2005	0.000	\$4,003.67	\$0.00	\$0.00	\$0.00	\$4,003.67	5/27/2005
2004	30108	Regular RE	12/5/2004	0.000	\$4,003.67	\$0.00	\$0.00	\$0.00	\$4,003.67	12/15/2004
2004	30108	Regular RE	6/5/2004	0.000	\$4,003.67	\$0.00	\$0.00	\$0.00	\$4,003.67	6/24/2004
2003	770	Regular RE	12/5/2003	0.000	\$4,705.92	\$0.00	\$0.00	\$0.00	\$4,705.92	11/20/2003
2003	770	Regular RE	6/5/2003	0.000	\$4,705.92	\$0.00	\$0.00	\$0.00	\$4,705.92	6/9/2003
2002	756	Regular RE	12/5/2002	0.000	\$4,705.92	\$0.00	\$0.00	\$0.00	\$4,705.92	12/12/2002
2002	756	Regular RE	6/5/2002	0.000	\$4,705.92	\$0.00	\$0.00	\$0.00	\$4,705.92	6/18/2002

Go Back

Print



# Bagby, Foroughi, and Goodpasture, PLLC

125 Olde Greenwich Drive, Suite 115 Fredericksburg, Virginia 22408 (540) 373-5178 (540) 373-6281 fax www.bfgeng.com

Michael M. Bagby, P.E. Mark D. Goodpasture, L.S. Angela N. Foroughi, P.E. Ryan K. Foroughi, P.E.

#### METES AND BOUNDS DESCRIPTION

#### STAFFORD COUNTY PARCEL 38-80

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF ROUTE 702, WYCHE ROAD AND THE SOUTHEASTERLY CORNER OF STAFFORD TAX PARCEL 38-82; THENCE RUNNING WITH SAID WESTERLY RIGHT-OF-WAY LINE S03°26'40"W, 145.20' TO A POINT OF CURVATURE DEFLECTING TO THE RIGHT HAVING A DELTA ANGLE OF 14°27'08", A RADIUS OF 868.08', A TANGENT OF 110.07' AND A LENGTH OF 218.96'; THENCE CONTINUING S17°53'48"W, 152.51'; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY OF WYCHE ROAD AND RUNNING WITH TAX MAP 38-84A N48°09'27"W, 179.03' TO A POINT IN A CREEK, THENCE CONTINUING AND RUNNING WITH THE MEANDERS OF SAID CREEK \$56°07'54"W. 8.82'; THENCE S78°48'30"W, 20.01'; THENCE S83°51'11"W, 9.84'; THENCE S52°19'29"W, 14.55'; THENCE N84°37'57"W, 32.19'; THENCE N54°29'19"W, 17.72'; THENCE S78°42'46"E, 9.57'; THENCE S64°42'24"W, 10.31'; THENCE S66°51'27"W, 7.37'; THENCE S16°28'23"W, 22.85'; THENCE S39°08'26"W, 8.97'; THENCE S85°42'44"W, 10.98'; THENCE S69°44'19"W, 21.73'; THENCE S60°28'37"W 21.73'; THENCE N72°30'47"W, 6.98'; THENCE N80°35'17"W, 9.51'; THENCE N61°10'14"W, 18.03'; THENCE S64°26'33"W, 5.79'; THENCE S20°57'03"W, 6.03'; THENCE \$52°33'51"W, 7.72'; \$82°29'44"W, 11.22'; THENCE N75°52'14"W, 14.85'; THENCE \$63°36'52"W, 17.19'; THENCE S39°39'49"W, 9.34'; THENCE S40°40'04"W, 27.79'; THENCE S63°35'50"W, 10.91'; THENCE \$75°51'12"W, 25.25'; THENCE N83°06'04"W, 12.90'; THENCE N25°50'19"W, 16.55'; THENCE N64°31'04"W, 4.46'; THENCE S54°25'16"W, 24.05'; THENCE S80°08'33"W, 23.80'; THENCE S03°06'44"W, 14.25'; THENCE S21°55'59"W, 28.56'; THENCE S10°01'16"E, 12.57'; THENCE S57°37'27"E, 3.59'; THENCE N80°38'22"E, 8.99'; THENCE S71°27'21"E, 5.89'; THENCE S11°59'16"W, 5.89'; THENCE S51°09'13"W, 8.96'; THENCE S89°27'32"W, 19.25'; THENCE S36°27'14"W, 4.51'; THENCE S14°18'33"E, 23.57'; THENCE S22°47'08"W, 19.90'; THENCE S07°50'36"E, 17.64'; THENCE S52°03'46"W, 21.01'; THENCE S74°06'17"W, 16.26'; THENCE S26°54'37"W, 13.09'; THENCE \$32°53'14"E, 34.13'; THENCE \$06°24'06"E, 12.74'; THENCE \$44°26'31"E, 17.69'; THENCE \$74°39'33"E, 9.60'; THENCE \$29°09'52"W, 34.37'; THENCE \$35°35'07"W, 28.52'; THENCE \$18°06'56"W, 11.30'; THENCE \$51°57'39"W, 10.65'; THENCE \$13°18'46"W, 20.35'; THENCE \$35°23'01"W, 10.87'; THENCE \$69°39'52"W, 38.17'; THENCE \$44°09'23"W, 6.80'; THENCE S39°28'19"E 18.93'; THENCE S23°04'37"E, 8.95'; THENCE LEAVING THE MEANDERS OF THE CREEK AND CONTINUING S52°41'50"E, 678.83"; THENCE LEAVING TAX MAP 38-84A AND RUNNING WITH THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY OF WYCHE ROAD S07°45'32"W, 14.33'; THENCE S09°07'06"W, 25.16'; THENCE LEAVING WYCHE ROAD AND RUNNING WITH TAX MAP 38-76E S86°04'46"W, 134.92', THENCE N52°12'14"W, 826.59'; THENCE N51°34'11"W, 500.25'; THENCE N51°50'59"W, 168.97' TO A POINT ON CURVE OF THE EASTERLY RIGHT-OF-WAY OF NORTHBOUND INTERSTATE 95; SAID CURVE DEFFLECTING TO THE RIGHT HAVING A DELTA ANGLE OF 0°05'45", A RADIUS OF 11,309.16, A TANGENT OF 9.45' AND A LENGTH OF 18.90'; THENCE CONTINUING N30°39'09"E, 255.18'; THENCE N13°54'48"E, 202.96'; THENCE LEAVING INTERSTATE 95 AND RUNNING WITH TAX MAP 29A-1-10A N57°01'56"E, 1271.53' TO A POINT ON THE NORTHWESTERLY CORNER OF TAX MAP 38-80D; THENCE RUNNING WITH SAID T.M. 38-80D AND 38-80A S02°56'43"W, 207.83' TO A POINT ON THE NORTHWESTERLY CORNER OF T.M.38-81A; THENCE S02°51'24"W, 309.50'; THENCE S85°15'14"E, 147.43'; THENCE N63°11'38"E, 28.63'; THENCE LEAVING TAX MAP 38-81A AND RUNNING WITH TAX MAP 38-82 S03°26'26"E, 217.86'; THENCE S84°11'26"E, 123.25' TO THE POINT OF BEGINNING AND CONTAINING 31.7153 ACRES OF LAND.

Civil Engineering Land Planning Wastewater Treatment Water Supply Land Surveying