

**STAFFORD HOSPITAL
RESIDENTIAL DEVELOPMENT
STAFFORD COUNTY, VA
VA CODE 15.2-2303.4 PROFFER ANALYSIS**

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— PUBLIC FINANCE —

STAFFORD HOSPITAL RESIDENTIAL DEVELOPMENT STAFFORD COUNTY, VA

VA CODE 15.2-2303.4 PROFFER ANALYSIS

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I. Introduction

The purpose of this document is to satisfy portions of the Virginia Code 15.2-2303.4 justification narrative requirement (as subsequently described) for the proposed Stafford Hospital Residential Development (the “Development”) and its associated residential rezoning submission. More specifically, this document addresses legislative requirements and Stafford County policy related to “proffers” (a one-time voluntary monetary commitment from a property owner related to a property that is subject to rezoning) for the Development.

LEGISLATION PERTAINING TO RESIDENTIAL PROFFERS

The amended and reenacted Section 15.2-2303.4 of the Code of Virginia (the “Residential Proffer Legislation”) effective after July 1, 2019, places certain limitations on proffers for residential rezoning cases filed after July 1, 2016. As stipulated by the Residential Proffer Legislation, a local government shall not require an unreasonable proffer.

The Residential Proffer Legislation designates four categories of public improvements and facilities, which are as follows:

- **Public school facility improvements:** construction of new primary and secondary public schools or expansion of existing primary and secondary schools, to include all buildings, structures, parking, and other costs directly related thereto;
- **Public safety facility improvements:** construction of new law enforcement, fire, emergency, medical, and rescue facilities or expansion of existing public facilities, to include all buildings, structures, parking and other costs directly related thereto;
- **Public park facility improvements:** construction of public parks or improvements and/or expansion of existing public parks, with “public parks” including playgrounds and other recreational facilities;
- **Public transportation facility improvements:** construction of new roads; improvement or expansion of existing roads and related appurtenances as required by applicable standards of the Virginia Department of Transportation, or the applicable standards of a locality; and construction, improvement, or expansion of buildings, structures, parking, and other costs directly related to transit.

According to the Residential Proffer Legislation, no public facility improvement shall include any operating expense of an existing public facility, such as ordinary maintenance or repair, or any capital improvement to an existing public facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility. In addition, all proffers will be deemed unreasonable unless the proffer addresses an impact on public facilities that is specifically attributable to the proposed residential Development and for which there will not be adequate existing capacity at the given facilities for the impacts of the proposed residential Development. The Residential Proffer Legislation

also stipulates that the new residential development or residential use must receive a direct and material benefit from a proffer made with respect to any such public facility improvements.

This document includes calculations of the projected impact of the Development on public school facilities, public safety facilities, and public park facilities. A separate traffic impact analysis has been prepared that will address impacts to public transportation facility improvements.

VIRGINIA CODE 15.2-2303.4 PROFFER ANALYSIS

In response to the Residential Proffer Legislation, Stafford County adopted policies to ensure any proffer requested or accepted meets the standards mandated by the legislation. This document focuses on the identification of potential impacts to public facilities resulting from the proposed Development. Subsequent sections provide a detailed description of the Development, its potential impacts on public facilities, the methodology employed in calculating these impacts, and a resulting proffer contribution that may be appropriate.

II. The Development

DEVELOPMENT SUMMARY

As proposed by BRG Stafford, LLC, (the “Developer” or the “Applicant”), the Development is a residential community that includes 300 apartment units on a 24.257-acre site within the Brooke Election District in Stafford County. This development will also include construction of office and retail/restaurant space, but the impacts of this commercial development will not be measured within the residential proffer.

The site currently contains one homeowner-occupied residence and vacant land. As subsequently noted, the maximum residential Development allowed “by-right” under current zoning is four single-family detached units. Accordingly, impacts herein are estimated for the projected residents that will reside in units net of the units allowed by right.

THE SITE

The Development site consists of five parcels totaling 24.257 acres. The site is generally bordered by Richmond Highway and vacant land to the west, vacant land to the south, Hospital Center Boulevard and Stafford Hospital to the north, and Old Potomac Church Road, vacant land, and residential development to the east. Additionally, there is commercial development east of Richmond Highway that directly borders this development. The property identifications for the parcels are:

39-8 39-16G 39-16F 39-16C 39-8B

The site (see Exhibit A) is contemplated as a UD-4 Mixed Use Village Center district (“UD-4”), which allows retail, office, and residential uses in a variety of building types up to four stories in height. According to the Stafford County Code of Ordinances (the “County Code”), the purpose of UD zoning is to “provide for areas of the county that are suitable for an urban approach to land-use planning and urban design that promotes the development or redevelopment of pedestrian-friendly, walkable neighborhoods with a mix of uses and housing types served by an interconnected network of streets.”

The parcels comprising the Development site are currently zoned as A-1 Agricultural. According to the County Code, the purpose of A-1 zoning is “to reserve areas for traditional agricultural activities and to provide for their continuation as well as preservation of areas of rural character.” The Applicant seeks approval for the appropriate rezoning to facilitate the contemplated Development. As noted above, the development site is 24.257 acres and is currently zoned to permit one dwelling unit per six acres. Therefore, four dwelling units are allowed by-right.

According to the County Comprehensive Plan (the “Comprehensive Plan”), the site lies within an Urban Services Area (“USA”) that is further designated as a Targeted Growth Area (“TGA”). USAs are areas designated within the County where more compact development patterns are recommended, while TSAs support a mix of residential growth and commercial land uses.

EXHIBIT A: DEVELOPMENT SITE PLAN



III. Public Facility Impacts

OVERVIEW

As mentioned, this document includes a calculation of public facility impacts, which are detailed in the subsequent subsections. Included in each subsection is a discussion of the methodology employed in estimating impacts. The included subsections are as follows:

- **Public school facilities** – In keeping with Stafford County practices, impacts are calculated collectively for elementary, middle, and high schools, and are based on projected incremental additional students that will result from the Development.
- **Public safety facilities** – Also in keeping with County practices, impacts are calculated for Sheriff's Department and Fire and Rescue services and are based on projected incremental additional residents that will result from the Development.
- **Public park facilities** – Impacts are based on projected incremental additional residents that will result from the Development.

A separate traffic impact analysis has been prepared that addresses impacts to public transportation facility improvements.

III-A. Public School Facilities Impacts

METHODOLOGY

To project impacts to public school facilities, MuniCap first researched the student generation factors used by Stafford County Public Schools. These factors are calculated separately by school type (elementary, middle, and high school) and by unit type (single-family detached, single-family attached, and multifamily). The student generation factors are shown in Table III-A.1. The generation factor for multifamily is used for the units in this Development.

TABLE III-A.1
Current Student Generation Factors^(a)

<i>Unit Type</i>	<i>Elementary School</i>	<i>Middle School</i>	<i>High School</i>	<i>Total</i>
Single-family detached	0.431	0.235	0.281	0.947
Single-family attached	0.265	0.126	0.153	0.544
Multi-family	0.113	0.040	0.074	0.227

(a) Source: Stafford County Comprehensive Plan 2016-2036 5-Year Update. Factors are for new developments.

MuniCap then applied these student generation factors to the proposed units within the Development that exceed development allowed under the current zoning designation. For purposes of this analysis, it is assumed that all the projected students are new to Stafford County rather than relocated from elsewhere within the Stafford County Public Schools system.

MuniCap then identified the schools that would be impacted by the Development based on school boundaries, researched the current capacity at each applicable school, and determined whether the projected net student impacts represent a burden beyond current school capacity.

PROJECTED NET STUDENT IMPACTS

The Development includes 300 apartment units. Based on the projected Development, the units allowed by-right, and the student generation factors identified in Table III-A.1, the proposed Development will generate an estimated 67 total students above by-right, as shown in Table III-A.2 on the following page.

TABLE III-A.2
Projected Student Generation Above By-Right

<i>School Type</i>	<i>Units^{(a)(b)}</i>	<i>Unit Type</i>	<i>Generation Factor^(c)</i>	<i>Total Projected Students^(d)</i>
Elementary	300	Multi-family	0.113	33.90
Middle	300	Multi-family	0.040	12.00
High	300	Multi-family	0.074	22.20
Total multi-family			0.227	68.10
Elementary	4	Single-family detached	0.431	(1.72)
Middle	4	Single-family detached	0.235	(0.94)
High	4	Single-family detached	0.281	(1.12)
Less: Total-by-right			0.947	(3.79)
Elementary	300			33
Middle	300			12
High	300			22
Total				67
(a) Total units source: BRG Stafford, LLC.				
(b) By-right units calculated by multiplying the one dwelling unit per six acres permitted under A-1 zoning by the 24.257 total acres of the development site and rounding down.				
(c) See Table III-A.1.				
(d) The number of students for each school is rounded up to the nearest whole number.				

CURRENT CAPACITY OF PUBLIC SCHOOL FACILITIES

According to County attendance zone maps, the potentially impacted County school facilities are Stafford Elementary School, Stafford Middle School, and Brooke Point High School. The County Comprehensive Plan stipulates that student enrollment should not exceed ninety percent of the design capacity of the applicable schools. Table III-A.3 on the following page shows the design capacity, the ninety percent threshold of design capacity, and current enrollment at each of these schools.

TABLE III-A.3
County School Facilities – Current Capacity and Enrollment

<i>School</i>	<i>Capacity^(a)</i>	<i>90% Threshold Of Capacity</i>	<i>Enrollment^(a)</i>	<i>Excess Capacity</i>	<i>Projected Students</i>	<i>Proffer Consideration</i>
Stafford Elementary School	794	714	741	(27)	33	Exceeds Capacity
Stafford Middle School	1,100	990	907	83	12	Meets Capacity
Brooke Point High School	2,125	1,912	2,158	(246)	22	Exceeds Capacity
Total	4,019	3,616	3,806	(190)		

(a) Source: Virginia Department of Education School Quality Profiles for school year 2022-2023.

Elementary School Facilities

The Development site is located within the Stafford Elementary School boundaries (see Exhibit C). The school has a threshold capacity of 714 students and a current enrollment of 741 students, meaning that the school exceeds the current threshold capacity by 27 students (714 - 741). Therefore, the thirty-three net projected high school students that will be located at the Development exceed existing capacity and represent an additional need for Stafford County Public Schools facilities.

Middle School Facilities

The Development site is located within the Stafford Middle School boundaries (see Exhibit D). The school has a threshold capacity of 990 students and a current enrollment of 907 students, meaning that there is excess capacity for eighty-three students (990 - 907). Therefore, the twelve net projected middle school students that will be located at the Development do not exceed existing capacity and do not represent an additional need for Stafford County Public Schools facilities.

High School Facilities

The Development site is located within the Brooke Point High School boundaries (see Exhibit E). The school has a threshold capacity of 1,912 students and a current enrollment of 2,158 students, meaning that the school exceeds the current threshold capacity by 246 students (1,912 - 2,158). Therefore, the twenty-two net projected high school students that will be located at the Development exceed existing capacity and represent an additional need for Stafford County Public Schools facilities.

EXHIBIT B: AREA MAP (DEVELOPMENT SITE & SCHOOL FACILITIES)

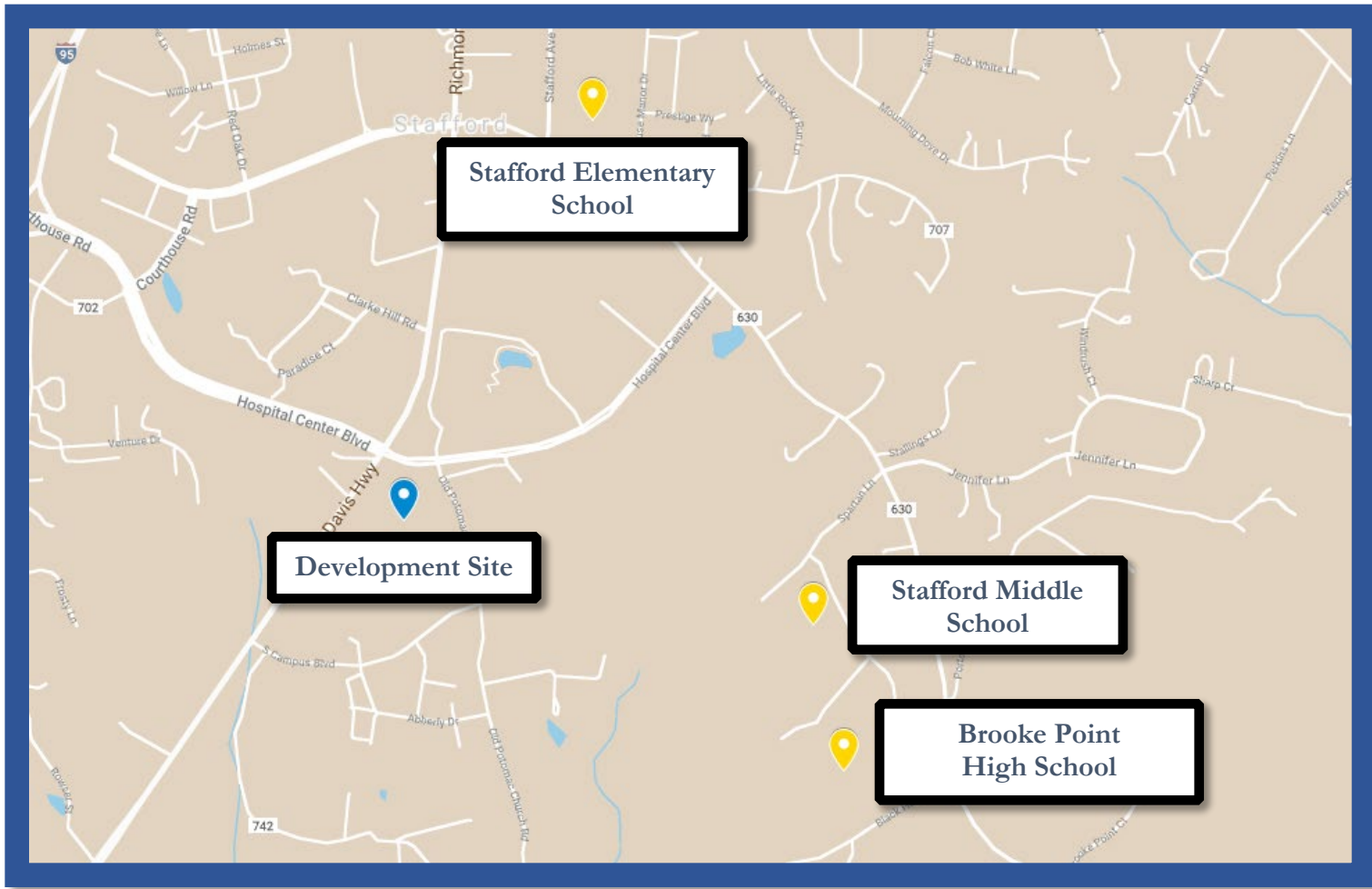


EXHIBIT C: AREA MAP (DEVELOPMENT SITE, STAFFORD ELEMENTARY SCHOOL)



EXHIBIT D: AREA MAP (DEVELOPMENT SITE, STAFFORD MIDDLE SCHOOL)



EXHIBIT E: AREA MAP (DEVELOPMENT SITE, BROOKE POINT HIGH SCHOOL)



DEBT SERVICE CREDIT

MuniCap calculated a credit to school proffers for the portion of real property taxes that are used to repay debt incurred to fund public schools. The methodology includes evaluating the average assessed value for multi-family units as provided by the Stafford County Assessor’s office. The average assessed value is then applied to the current year tax rate to determine the average tax bill. To determine the total credit percentage, MuniCap identified the current county real property tax revenue and the amount of school debt service in the county budget as a percentage of real property tax revenue. This percentage is then applied to the average tax bill to determine the annual credit amount and further calculated to project the net present value over a ten-year duration, as shown below in Table III-A.4. The credit is then calculated based on the anticipated contribution on a per unit basis as shown in Table III-A.5 on the following page.

Table III-A.4
School Debt Service Credit Per Unit

<i>Apartments</i>	
a) Average assessed Value ^(a)	\$166,748
b) Real estate tax rate ^(b)	\$0.85
c) Average tax bill ($a \div 100 \times b$)	\$1,417
d) Total real estate revenue (FY'23) ^(b)	\$188,236,204
e) Schools debt service (FY'23) ^(b)	\$30,197,271
f) Percent to credit ($e \div d$)	16.04%
g) Annual debt service credit per unit ($c \times f$)	\$227
h) Total credit FY23 to FY32 ($g \times 10$ years)	\$2,270
i) Discount rate ^(c)	4%
j) Credit - net present value ^(d)	\$1,841
<p>(a) Source: Average assessed value provided by BRG Stafford, LLC.</p> <p>(b) Source: Stafford County Adopted Budget Fiscal Year 2023.</p> <p>(c) Original Stafford County methodology suggests discount rate of 3%. Discount rate of 4% is proposed to account for current economic conditions.</p> <p>(d) \$1,841 is derived from calculating the net present value of the annual debt service credit per unit of \$227 for 10 years.</p>	

MITIGATION STRATEGIES

The Residential Proffer Legislation stipulates that proffers can only provide for needs exceeding existing capacity. The Residential Proffer Legislation also stipulates that the new residential Development or residential use must receive a direct and material benefit from a proffer made with respect to relevant public facilities. As previously mentioned, the projected elementary and high school students resulting from the Development exceed existing capacity for the relevant elementary and high school facilities. Accordingly, the estimated cost of public school facilities resulting from these students is shown in Table III-A.5 on the following page.

TABLE III-A.5
Projected School District Impact

<i>School Impact for Proposed Zoning Reclassification</i>	
<u>Elementary School</u>	
(a) Total student capacity at new school ^(a)	964
(b) Approximate construction cost (per school) ^(a)	\$47,800,000
(c) Facility cost per capita (b ÷ a)	\$49,585
(d) Projected students at Development after by-right allocation ^(b)	33
(e) Elementary school excess capacity ^(c)	(40)
(f) Projected students above school capacity (d)	33
(g) Elementary school proffer contribution for Development (c × f)	\$1,636,307
<u>High School</u>	
(h) Total student capacity at new school ^(a)	2,150
(i) Approximate construction cost (per school) ^(a)	\$159,640,000
(j) Facility cost per capita (i ÷ h)	\$74,251
(k) Projected students at Development after by-right allocation ^(b)	22
(l) High school excess capacity ^(c)	(267)
(m) Projected students above school capacity (k)	22
(n) Sub-total: high school proffer contribution for Development (j × m)	\$1,633,526
(o) Total Development Proffer Contribution: Public School Facilities (g + n)	\$3,269,833
(p) Less: Total debt service credit^(d)	(\$552,300)
(q) Net proffer contribution (o - p)	\$2,717,533
(r) Proffer contribution: Per apartment unit (o ÷ 300)	\$9,058
(a) Source: Stafford County Public Schools FY 2024 Adopted Capital Improvement Program. Based on values for Elementary School #18 and High School #6.	
(b) See Table III-A.2.	
(c) See Table III-A.3.	
(d) Total debt service credit is calculated by multiplying the net present value of annual debt service credit per unit by 300 units. See table III-A.4	

The Applicant will coordinate with appropriate Stafford County staff after they have had the opportunity to review this document and provide comments. The Applicant will undertake efforts necessary to ensure that the proposed mitigation strategy is consistent with all applicable law, including, but not limited to, the Residential Proffer Legislation.

III-B. Public Safety Facilities Impacts

METHODOLOGY

To project impacts to public safety facilities, MuniCap first estimated the total population that will reside within the proposed Development based on County data. MuniCap then applied the level of service (“LOS”) standards for various public safety services as identified in the Stafford County Comprehensive Plan to calculate the impact of the Development on public safety services. MuniCap then compared the existing capacity at the relevant public safety facilities to the forecasted increase in required services resulting from the proposed Development and determined whether the projected demand exceeded current capacity.

PROJECTED NET RESIDENT IMPACTS

As shown in Table III-B.1, the Development contains 300 new apartment units, which are projected to generate an estimated 771 total projected residents. As noted above, four dwelling units (assumed to be four single-family detached units) are allowed by-right. The four single-family detached units allowed by-right would generate an estimated thirteen residents, leading to an estimate of 758 new residents at the Development net of those allowed by-right (771 total new residents – 13 by-right residents).

TABLE III-B.1
Projected Residents – Development

<i>Unit Type</i>	<i>Units^(a)</i>	<i>Residents Per Unit^(b)</i>	<i>Total Projected Residents</i>
(a) Apartment units	300	2.57	771
(b) Units allowed by-right	4	3.13	(13)
Total: Above by-right (a + b)			758
(a) Source: BRG Stafford, LLC.			
(b) Source: Stafford County, Virginia Comprehensive Plan 2016-2036 5-Year Update.			

CURRENT CAPACITY OF PUBLIC SAFETY FACILITIES

Sheriff's Department Facilities

According to the County's Comprehensive Annual Financial Report ("CAFR"), the Sheriff's Department received 130,205 service calls in Fiscal Year 2022, although the percentage of these calls allocated to residential properties relative to other properties is not known at the time of this writing. Also according to the CAFR, the current County population is 160,337; therefore the projected 758 residents above by-right generated by the Development represent an increase of 0.47% to the current resident population (calculated as $758 \text{ new residents} \div 160,337 \text{ current residents}$).

According to the County's Comprehensive Plan, the LOS standards for the Sheriff's Office include the following:

- Respond to 100% of emergency calls for service within 5 minutes or less, on average, of being dispatched; and
- Respond to 100% of all non-emergency calls for service within 10 minutes or less, on average, of being dispatched.

The Comprehensive Plan also notes that over a period of study, the response time for emergency calls averaged more than seven minutes and the response time for non-emergency calls averaged over twelve minutes. Therefore, the County is currently not meeting its LOS standards in this area. As a result, the additional residents at the Development represent impacts on County facilities beyond current capacity.

The demand for public safety services in the County exceeds the capacity of current facilities, as noted above. As a result, a proffer will be appropriate if there are anticipated capital projects that increase public safety capacity. The County Capital Improvement Program ("CIP") contemplates the creation of a Public Safety Joint Training Center. This facility includes a forensic bay for use by the Sheriff's Office. However, the precise amount of space for this bay is not determined. The project itself is categorized within the CIP under Fire and Rescue. Therefore, the proffer amount related to the Training Center will be calculated in the subsequent section relating to Fire and Rescue.

Fire and Rescue Facilities

As stated in the CAFR, the County's call volume for fire and EMS services during Fiscal Year 2022 was 26,921, although the percentage of these calls allocated to residential properties relative to other properties is not known at the time of this writing.

Based on location, the Development will be served by Fire Station #2 (Stafford), located approximately 1.2 miles from the Development site. The FY 2023 Adopted Budget's Capital Improvement Program does not include any plans to improve or expand the current facility.

According to the County's Comprehensive Plan, the LOS standards for fire and rescue include the following:

- Respond to 90% of all fire and emergency medical service calls within 8 minutes or less after being dispatched to incidents within the County.

The Stafford County FY 2023 Adopted Budget notes that Stafford County Fire & Rescue responded to 48% of Priority 1 Emergencies in eight minutes or less in FY 2021, the most recent year for which data is available. Therefore, the County is currently not meeting its LOS standards in this area. As a result, the additional residents at the Development represent impacts on County facilities beyond current capacity. Because of this, and because the County is planning the construction of a Public Safety Joint Training Center that will expand Fire and Rescue capacity, this study includes a proffer contribution related to the cost of this facility in accordance with County policy.

EXHIBIT F: AREA MAP (DEVELOPMENT SITE & SHERIFF'S DEPARTMENT FACILITY)

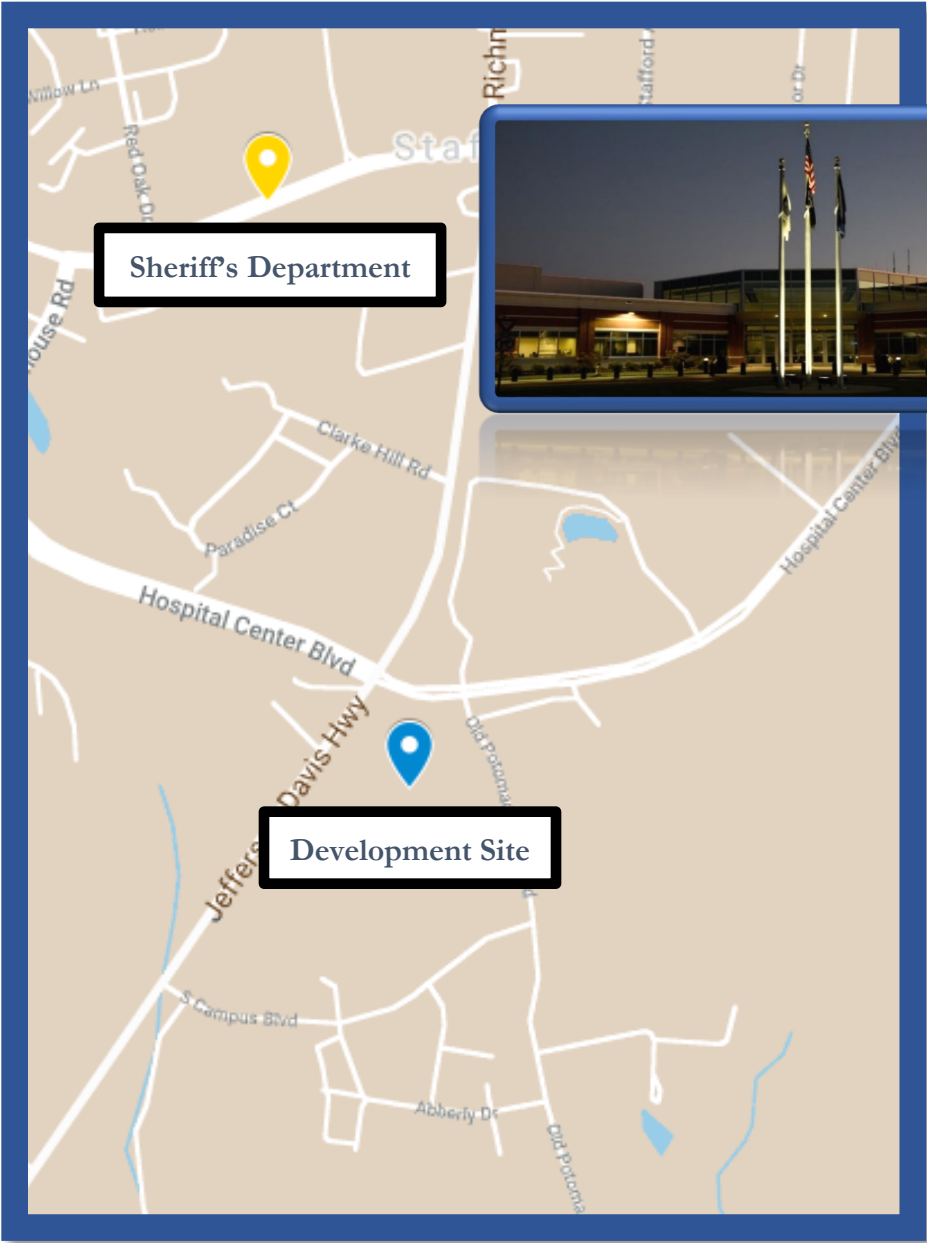
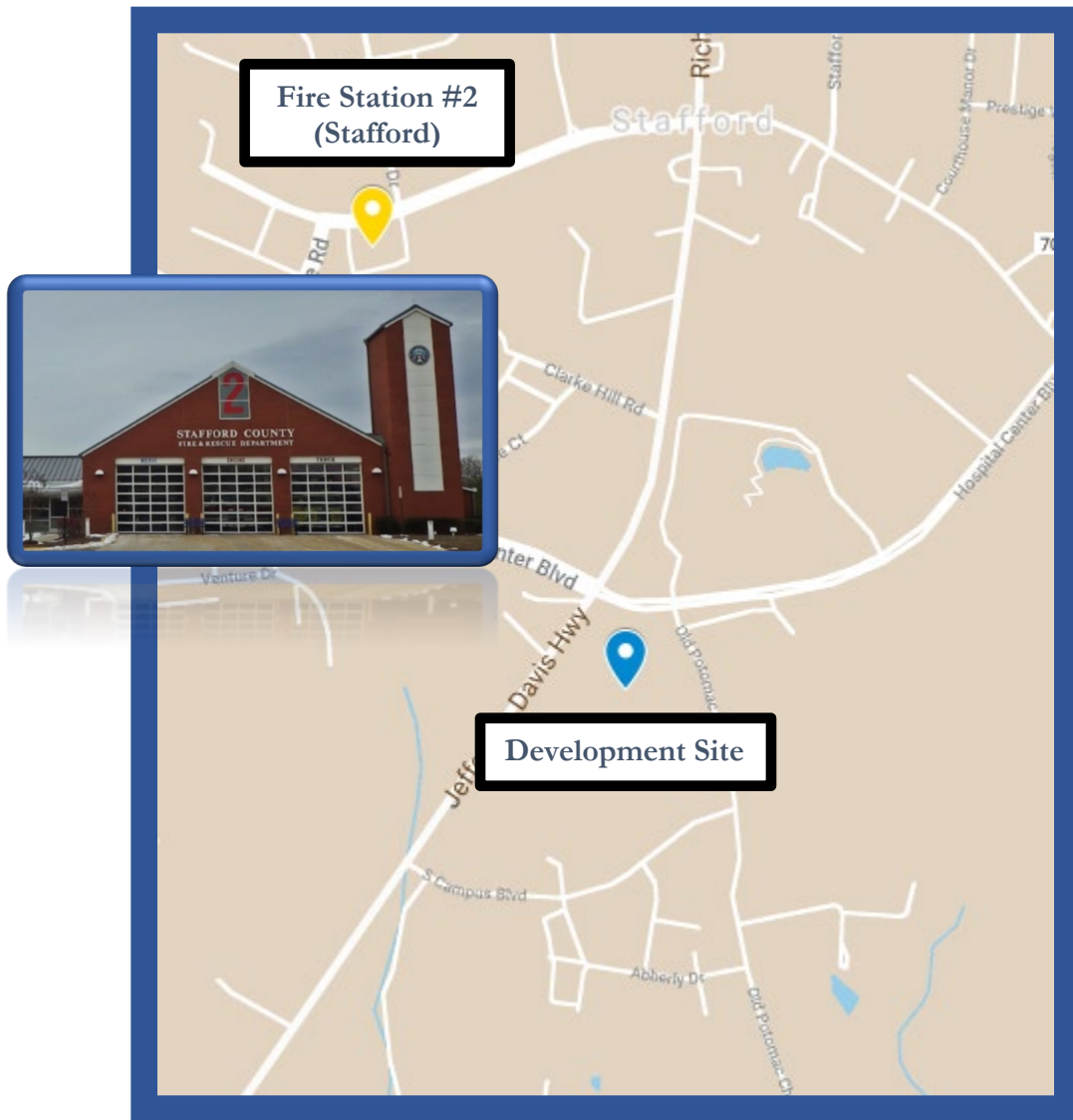


EXHIBIT G: AREA MAP (DEVELOPMENT SITE & FIRE STATION #2 STAFFORD FACILITY)



MITIGATION STRATEGIES

The only capital improvement in the current CIP that may increase capacity of Sheriff or Fire and Rescue facilities in the Development service area is the planned Public Safety Joint Training Center. The CIP classifies this as a Fire and Rescue facility. Therefore, the proffer contribution for Fire and Rescue facilities is calculated as shown in Table III-B.2.

TABLE III-B.2
Projected Fire and Rescue Facility Impacts

Public Safety Joint Training Center	
a) Total cost of Public Safety Joint Training Center ^(a)	\$11,897,846
Estimated cost per resident	
b) Current County residents ^(b)	160,337
c) Total projected resident increase at Development ^(c)	771
d) Total projected residents at Development above by-right ^(c)	758
e) Total projected County population (b + c)	161,108
f) Total projected County population above by-right (b + d)	161,095
g) Estimated cost per resident (a ÷ e)	\$73.85
Costs attributable to by-right units	
h) By-right residents at the Development ^(c)	(13)
i) Costs attributable to by-right units (g × h)	(\$924.60)
Estimated proffer cost related to apartment units	
j) Estimated residents - apartment units ^(c)	771
k) Estimated proffer cost related to apartment units (g × j)	\$56,938.35
l) Total estimated Development proffer cost (i + k)	\$56,013.75
m) Proffer contribution: Per apartment unit (l ÷ 300)	\$186.71
^(a) Source: Stafford County FY 2023 Adopted Budget - Capital Improvement Program. ^(b) Source: Stafford County FY 2022 Comprehensive Annual Financial Report. ^(c) See Table III-B.1.	

The applicant will undertake efforts necessary to ensure that the proposed mitigation strategy is consistent with all applicable law, including, but not limited to, the Residential Proffer Legislation.

III-C. Public Parks Facilities Impacts

METHODOLOGY

As with public safety facilities impacts, to project impacts on public park facilities, MuniCap first estimated the total population that will reside within the proposed Development. MuniCap then evaluated the LOS standards for public parks as identified in the Stafford County Comprehensive Plan and the park priority areas within the County's Parks Utilization Plan to determine an appropriate proffer contribution.

PROJECTED NET RESIDENT IMPACTS

As shown in Table III-B.1, the Development contains 300 new apartment units, which are projected to generate an estimated 771 total projected residents and 758 residents above by-right.

CURRENT LOS STANDARDS PUBLIC PARKS FACILITIES

The County LOS standards for public parks and recreation as outlined in the Comprehensive Plan include the following:

- Twelve acres of developed parkland for each 1,000 County residents.

The 2017 Parks Utilization Plan identifies the geographic areas where park facilities are lacking and assigns priority areas where parks should be located. According to the Parks Utilization Plan, the Development site is not within a priority area. Therefore, this analysis assumes that the Development area currently has adequate park service levels and does not include a calculation of proffers for park facility improvements.

MITIGATION STRATEGIES

As stated, this analysis assumes that the Development area has adequate park service levels based on the Parks Utilization Plan. As such, no proffers related to such facilities are included herein.

After appropriate Stafford County staff has had the opportunity to review this document and provide comments, the Applicant will coordinate with the County to confirm the appropriate proffer amount necessary to mitigate the additional prorated costs of eligible public parks facility improvements. The Applicant will undertake efforts necessary to ensure that the proposed mitigation strategy is consistent with all applicable law, including but not limited to the Residential Proffer Legislation.

III-D. Public Transportation Facilities Impacts

METHODOLOGY

A separate traffic impact analysis has been prepared that addresses impacts to public transportation facility improvements.

IV. Conclusions

SUMMARY OF ANALYSIS

Based on MuniCap's analysis, the estimated cash proffer that may be collected from the Development is as shown in Table IV-A.

Summary of Analysis

<i>Public Facilities</i>	<i>Estimated Proffer Contribution</i>
a) Public school facilities cost per unit ^(a)	\$9,058
b) Public safety facilities cost per unit ^(b)	\$187
c) Public parks facilities cost per unit	N.A.
d) Public transportation facilities cost per unit	N.A.
e) Total estimated proffer contribution per unit	\$9,245
f) Total Development proffer contribution (e × 300)	\$2,773,546
(a) See Table III-A.5.	
(b) See Table III-B.2.	

ASSUMPTIONS AND LIMITATIONS

The preceding narrative provides projections of impacts to public facilities in accordance with the Residential Proffer Legislation. This narrative is being submitted for review and comment by the appropriate Stafford County staff. Upon receipt of such review and commentary, the Applicant will augment this submission with specific mitigation strategies as appropriate.

This narrative does not contemplate public transportation facilities impacts, which will be addressed in a separate traffic impact analysis.

In preparation of this narrative, MuniCap relied on multiple sources for the information presented and used herein. While these sources are believed to be reliable, MuniCap has not undertaken any efforts to independently verify the veracity of any such information.

While the methodology employed and the content provided herein are believed to be consistent with applicable law, including the Residential Proffer Legislation, none of the statements in this document should be construed as legal advice.