

**IMPACT STATEMENT  
BURNS CORNER  
RC19152897 & CUP19152896 & CUP20\_\_\_\_\_**

**INTRODUCTION**

The owner and applicant, Burns Limited Family Partnership (the "Applicant") is the owner of the properties identified as Tax Map Numbers 29 92B, 29 93A, 29 93C, 29 93D, 29 93E and 29 93F (collectively the "Property"). The Property is comprised of approximately ± 25.8 acres and is located at intersections of Wyche Road and Hospital Center Boulevard (Courthouse Road realigned) and Courthouse Road and Hospital Center Boulevard. The Property is currently zoned B-3, Office, and located within the Courthouse Planning Area in the Comprehensive Plan. The Property is designated as HC, Highway Commercial on the Courthouse Planning Area map.

The Applicant is seeking to rezone the Property from B-3, Office to B-2, Urban Commercial, which is consistent with the HC designation. In addition, the Applicant is seeking two separate conditional use permits. The first conditional use permit is to allow for five (5) drive-through restaurant uses. The second conditional use permit is to allow for a convenience store with motor vehicle fuel sales and a drive-through. The conditional use permit would apply to parcels 29-92B, 29-93E, 29-93F, and portions of parcels 29-93A, 29-93C and 29-93D.

The proposed rezoning to B-2, Urban Commercial allows for a maximum floor area ratio of .7 which equates to approximately ± 786,700 sq. ft. The Applicant is proposing a maximum of 220,000 sq. ft., which is approximately .20 of the permitted density. In addition, as part of the rezoning application, the Applicant has proffered Design Guidelines that will be adhered to throughout the development of the Property.

**CAPACITY**

**Highways.** The Property and its unique 4 separate land bays is created by the new I-95 Exit 140 interchange that has recently completed construction in Stafford County. A traffic impact analysis has been submitted with this application. The traffic impact analysis concluded that the proposed access locations as shown on the GDP will not negatively impact the levels of service on the adjoining road ways.

As suggested by the traffic impact analysis prepared by VETTRA Company the Applicant is proposing to provide transportation improvements in phases (Phase I and Full Build-out improvements). Below are the proposed transportation improvements.

Phase I Transportation Improvements: The Applicant shall make the following transportation improvements as part of Phase I of the development on the Property:

a. Courthouse Road

- i. The Applicant shall construct a sidewalk along the Land Bay 1 frontage in the area generally shown on the GDP. Said sidewalk shall be constructed prior to the issuance of the first occupancy permit on Land Bay 1.
- ii. Construct a 120 ft. right turn taper into Land Bay 2. Said construction shall be completed prior to 2,461 VPD on Land Bay 2.

b. Hospital Center Boulevard

- i. Construct a continuous, dedicated westbound right turn lane at the Wyche Road/Courthouse Road intersection extending back to the Land Bay 2 entrance. Said construction shall be completed prior to the issuance of an occupancy permit for a combined total of 10,287 VPD on Land Bay2, Land Bay 3 and Land Bay 4.
- ii. Construct a 125 ft. westbound right turn taper into Land Bay 2. Said construction shall be completed prior to the issuance of an occupancy permit for 2,461 VPD on Land Bay2.
- iii. Construct a dedicated 125 ft. eastbound left turn lane into Land Bay 2. Said construction shall be completed prior to the issuance of an occupancy permit for 2,461 VPD on Land Bay 2.
- iv. Construct a dedicated 175 ft. eastbound right turn lane with a 100 ft. taper into Land Bay 3. Said construction shall be completed prior to 5,707 VPD on Land Bay 3.
- v. Construct a dedicated 250 ft. left turn lane into Land Bay 3. Said construction shall be completed prior to 5,707 VPD on Land Bay 3.
- vi. The Applicant shall construct a sidewalk along the Land Bay 2 frontage in the area generally shown on the GDP. Said sidewalk shall be constructed prior to the issuance of the first occupancy permit on Land Bay 2.
- vii. The Applicant shall construct a sidewalk along the Land Bay 3 frontage in the area generally shown on the GDP. Said sidewalk shall be constructed prior to the issuance of the first occupancy permit on Land Bay 3.

c. Wyche Road

- i. Construct a 100 ft. southbound right turn taper into Land Bay 4 prior to the issuance of an occupancy permit for 2,119 VPD on Land Bay 4.

- ii. Reserve dedication of right-of-way to provide for a 100 ft. dedicated right turn lane with a 100 ft. taper along Land Bay 4. Said dedication shall occur at the time of final subdivision.
- iii. The Applicant shall construct a sidewalk along the Land Bay 3 frontage in the area generally shown on the GDP. Said sidewalk shall be constructed prior to the issuance of the first occupancy permit on Land Bay 3.

Full Buildout Transportation Improvements: The Applicant shall make the following transportation improvements as part of the final phase of development of the Property.

- a. Courthouse Road at Austin Ridge Drive – Construct a third westbound thru lane approach tapering back to the existing two lanes west of the intersection. Said construction shall be completed prior to 23,915 VPD on the Property.
- b. Courthouse Road (Old Route 630) – Restripe the eastbound approach to provide a left/through lane and a right/through lane. Said construction shall be completed prior to 23,915 VPD on the Property.
- c. Hospital Center Boulevard
  - i. Re-stripe the westbound approach to the Wyche Road/Courthouse Road intersection to provide a fourth (4<sup>th</sup>) westbound through lane that will be shared with the westbound right movement to Courthouse Road across the Courthouse Road frontage of Land Bay 1 and continue the westbound through lane across the frontage of Land Bay 1 to the northbound I-95 interchange on-ramp. Said construction shall be completed prior to 23,915 VPD on the Property.
  - ii. Construct a free flow eastbound right turn lane approaching Jefferson Davis Highway (Route 1). Said construction shall be completed prior to the 23,915 VPD on the Property.
- d. Jefferson Davis Highway (Route 1)
  - i. Construct a 400 ft. southbound acceptance lane with a 250 ft. taper for the free flow eastbound right turn lane on Hospital Center Boulevard Said construction shall be completed prior to 23,915 VPD on the Property.
- e. Wyche Road – Construct a 100 ft. dedicated right turn lane with a 100 ft. taper along Land Bay 4. Said construction shall occur prior to 23,915 VPD on the Property.

**Utilities.** The Property will be served by public water and sewer.

- a. Water – The Property is located within the Central pressure zone. Public water for the Property will be provided by connecting to a twelve inch (12") water main that is currently being constructed in Wyche Road and realigned Courthouse Road in connection with the VDOT I-95/Route 630 Interchange Relocation Improvement project. In addition, water main stub outs are being provided to the Property as part of this project. At the time of final site engineering, a water line network will be developed for each of the land bays to provide domestic and fire service to the proposed buildings. Below is the projected impacts

Land Bay 1: 2,000 GPD/acre x 5.6 acres = 11,200 GPD

Land Bay 2: 2,000 GPD/acres x 3.1 acres = 6,200 GPD

Land Bay 3: 2,000 GPD/acre x 12.5 acres = 25,000 GPD

Land Bay 4: 2,000 GPD/acre x 4.6 acre = 9,200 GPD

- b. Sewer – The Property is located within the Accookeek Creek sewershed. Public sewer for the Property is proposed to be provided by constructing an eight inch (8") sewer outfall line along Hospital Center Boulevard towards the east. This sewer outfall will connect to a sanitary sewer line that crosses Hospital Center Boulevard and is being constructed in connection with the VDOT I-95/Route 630 Interchange Relocation Improvement project. Construction of this sewer line will allow gravity sewer to the four separate land bays created by Courthouse Road, Wyche Road and Hospital Center Boulevard. Extending sewer to these four land bays will require crossing Hospital Center Boulevard, Wyche Road and Courthouse Road. These crossings are being coordinated with the VDOT contractor to provide carrier pipe for the eventual extension of sanitary sewer to the four land bays.

**AVERAGE DAILY FLOW (ACCOOKEEK CREEK SEWER SHED):**

Land Bay 1: 2,000 GPD/acre x 5.6 acres = 11,200 GPD

Land Bay 2: 2,000 GPD/acres x 3.1 acres = 6,200 GPD

Land Bay 3: 2,000 GPD/acre x 12.5 acres = 25,000 GPD

Land Bay 4: 2,000 GPD/acre x 4.6 acre = 9,200 GPD

**Storm Drainage.** The proposed development of the Property will be installed and constructed in accordance with local, State and Federal regulations. For BMP purposes this development will be designed as new development and will use the current version of the Virginia Runoff Reduction Method new development compliance spreadsheet. It is anticipated that underground storage chambers will be used to help maximize the development potential of the site. The underground storage chambers will be used to provide treatment for the required BMP measures. In addition, the underground chambers will provide storage to regulate the release of the required storm events to meet SWM and adequacy of outfall measures. The underground system alone may not be

enough to meet BMP requirements. Additional BMP measures may include proprietary and non-pro-proprietary measures as approved by the Virginia Department of Environmental Quality and/or the purchase of off-site nutrient credits. The proposed development will have minimal impacts.

**Schools.** The existing B-3 zoning and the proposed rezoning and conditional use permits will have no impact on the school facilities in Stafford County.

**Recreational Facilities.** The exiting B-3 zoning and the proposed rezoning and conditional use permits will have no impacts on the recreational facilities in Stafford County.

### ENVIRONMENTAL IMPACT

Approximately  $\pm$  0.14 acres (6,200-square feet) of palustrine forested wetlands (“PFO”) are proposed to be permanently impacted. These unavoidable impacts to jurisdictional waters are necessary in order to accomplish project goals. The impacts will result from the construction of a parking lot and retail structures along Florida Rock Drive. It should be noted that wetland impacts occurring from the VDOT road project will leave this remaining 0.14 acre PFO hydrologically isolated and would not likely contribute any significant ecological value to the environment in its proposed condition. VDOT is impacting both the upper and lower portions of this wetland as part of their roadway project. The grading and road installations may also impact existing hydrology in the area and may therefore indirectly impact this existing wetland area. As such, the proposed PFO impact is not expected to drastically alter the local ecology.

There are no practicable onsite alternatives to the proposed project. In order for the project purpose to be practicably achieved, the PFO wetland will need to be permanently impacted for the construction of retail and office buildings and associated parking. The current road relocation is planned to be elevated approximately eight (8') to fourteen feet (14'). As a result, significant fill and tree clearing to raise the site to the highway level is required. The objective of the project is to provide services for travelers from Interstate 95 and business development opportunities for the local community, as part of Stafford County’s growth goals. The subject property and adjacent northwest parcel are currently undeveloped, providing the only route through the immediate area that would allow for the realignment of Courthouse Road without impacting currently developed residential/commercial parcels in the area. Furthermore, the VDOT transportation project occurring prior to this project will permanently impact an intermittent stream and wetlands located in the drainage area of the onsite PFO wetland leaving the feature hydrologically isolated; limiting the ecological benefit provided by this feature following completion of the VDOT project. VDOT has also been permitted to impact both the upper and lower portions of this existing PFO wetland, further compromising the post-construction integrity of this wetland area.

A Joint Permit Application was submitted to the Virginia Department of Environmental Quality ("DEQ") and the United States Army Corps of Engineers ("USACE") for review and approval. In addition, the Stafford County Wetlands Board reviewed the wetlands permit and in October 12, 2018, determined that *"no local Wetlands Board permit will be required because no tidal wetlands or streams occur on the project site."* On November 20, 2018, the Applicant received approval from DEQ and USACE.

### **FISCAL IMPACT**

The proposed development will have a positive fiscal impact on Stafford County. First, there will be a positive tax impact to Stafford County. The County will generate real estate tax from the proposed development which include not only the land but multiple buildings. The Economic Impact Analysis estimates that at full buildout the developments real estate tax revenue will be approximately \$484,320 per year. In addition, the proposal includes restaurants, a convenience store with motor vehicle fuel sales and the potential for a hotel on site. Additional meal, lodging and gas taxes will benefit the County. The Economic Impact Analysis estimates an estimated tax revenue in 5 years after full buildout to be approximately \$1,480,747 and the 30 year cumulative tax revenues to the County to be approximately \$54,643,315.

The proposed development will also create several jobs which will vary in educational and vocational expertise. The range of jobs that will be created from this proposal will be positive and allow for Stafford County residents of different backgrounds to be employed by this proposal. The Economic Impact estimates approximately 702 permanent jobs will be created at full buildout.

For more information, a full Economic Impact Analysis has been submitted with this application.

### **HISTORIC SITES**

There are no historical sites located on the Property. Therefore, the proposed development will have no impacts on historically significant sites.

### **IMPACT ON ADJACENT PROPERTY**

The proposed development will have minimal impact on the adjacent properties. The Property is surrounded by B-3 zoned properties with industrial uses to the south and north and B-3 and R-1 properties to the west. Appropriate buffers, per Stafford County code, will be provided between the adjacent properties. As previously mentioned, the Property and its unique 4 separate land bays is created by the new I-95 Exit 140 interchange that is currently under construction in Stafford County. The proposed use is consistent with the HC, Highway Commercial designation on the Courthouse Planning map and will be an asset to the surrounding area.

## **NOISE, DUST & SMOKE EMISSIONS**

The proposed rezoning and conditional use permits are not anticipated to create additional noise, dust and smoke emissions. Any noise emissions shall comply with the applicable provisions of Chapter 16 of the Stafford County Code of Ordinances. Similarly, any dust and smoke emissions shall comply with the applicable State and Federal standards in final buildout, and to the Virginia Erosion and Sediment Control Handbook ("VESCH") during construction.