

STAFFORD COUNTY, VIRGINIA
ZONING RECLASSIFICATION APPLICATION
IMPACT STATEMENT

Applicant: Brookfield Washington, LLC (the “Applicant”)

Property: Tax Map Parcels 28-92A (“Parcel A”), 28-92B (“Parcel B”), 28-92C (“Parcel C”) & 28-93 (“Parcel 93”), known as 114 Accokeek Furnace Road and 29 Accokeek Furnace Road, containing a total of 73.94 acres subject to the rezoning (the “Property”)

Owners: Clifford Phillips and Jessica Phillips (Parcel A), Granville P. Powers (Parcel B), Linda A. Griffin and James P. Griffin (Parcel C) and Dan Winslow, Mark Winslow and Wendy Winslow Sher (Parcel 93) (collectively, the “Owner”)

Project Name: “Accokeek Furnace Road Assemblage”(the “Project”)

Rezoning Request: From A-1 to R-3

Date: November 7, 2017

File No.: RC17_____

Rezoning Application Request

The Applicant hereby requests a rezoning of the following parcels from Agricultural (A-1) to Urban Residential - High Density (R-3) in accordance with the Stafford County, Virginia (the “County”) zoning ordinance, including without limitation Article III, Section 28-35, Article X, Section 28-161, et seq., and Article XII Section 28-201, et seq.:

Tax Parcels 28-92A (of record by Instrument No. 140018900), 28-92B (of record by Instrument No. 000003511), 28-92C (of record by Instrument No. 030034188), and 28-93 (of record by Instrument No. 120008669) (collectively, the “Property”), commonly known as 114 Accokeek Furnace Road and 29 Accokeek Furnace Road, consisting of approximately 73.94 acres total, and generally located near the intersection of Ramoth Church Road (628) and Accokeek Furnace Road/Kellogg Mill Road, within the Hartwood Voting and the Rockhill Magisterial District, all as more particularly described on that certain generalized development plan entitled “Accokeek Furnace Road Assemblage General Development Plan”, dated November 2, 2017, as last revised, and

prepared by Dewberry Consultants LLC, attached hereto as Exhibit A (the “GDP”), which plan is incorporated as a material part of this application by this reference.¹

Attached as Exhibit B are several illustrative renderings depicting the proposed architectural design and building material features, which only include general type, character, and quality of architectural design, details, and materials (collectively, the “Renderings”).

This application provides the following key development features:

- (1) No more than 350 single family attached townhome units;
- (2) Density of 4.7 dwelling units per acre as compared to 7 units to the acre allowed under the County’s R-3 zoning ordinance;
- (3) Open space of approximately 37 acres or 50.6% of the development, exceeding the R-3 district’s minimum requirement of 25%;
- (4) Proffered architectural and design features as generally provided on the Renderings referenced above;
- (5) Total of \$5,669,300.00 in monetary cash proffers for 350 units or \$16,198.00 per unit, all as provided more particularly in the attached proffer statement;
- (6) Project is located within Stafford County’s (the “County”) Urban Service Area, and will connect to public water and sewer; and
- (7) Project is consistent with County’s Comprehensive Plan, as described below.
- (8) Onsite amenities include a tot lot and trail have been proffered as well.

Overview

As noted above, the Property is currently zoned A-1. The Applicant proposes changing the zoning of the Property from A-1 to R-3 and to allow for 350 attached single family townhome units similar to the units located at The Courtyard at Colonial Forge. Section 28-34 of the County’s Zoning Ordinance states the following concerning the R-3 district:

“The purpose of the R-3 district is to provide areas of high-intensity residential uses designed and intended to be primarily characterized by multifamily dwellings and townhouses. Such districts are to be located at centers of urban concentrations, only where approved water and sewerage are available and where transportation systems are adequate.”

The Applicant’s proposed subdivision includes 350 lots located on approximately 73.94 acres. The GDP reflects approximately 37 acres of open space accounting for approximately 50.6% of the Property. This exceeds the 25 percent minimum required by the R-3 district. The open space

¹The GDP is a general overview of the proposed development and improvements to the Property in accordance with Article XIII, Section 28-221, et seq., of the County zoning ordinance. The Applicant reserves the right to make modifications or amendments to the GDP in order to address final site engineering, architectural, and design issues internal road placements and entry areas, RPA requirements, and to ensure compliance with applicable federal, state and county regulations, laws and ordinances. A final site plan for the Property will supersede the GDP.

will be used for stormwater management facilities, passive recreation (e.g. tot lot), and preservation of natural areas and cultural resources.

The Property is generally located north of Kellogg Mill Road and east of Woodcutters Road. The Property is surrounded on the west, east and north by the Colonial Forge development, also zoned R-3. Also to the east is vacant land. To the south, across Accokeek Furnace Road are two single family detached homes and vacant land.

As described below, the Applicants' proposal conforms to the policies established by the County's Comprehensive Plan (the "Comp Plan"), although it is within the Central Stafford Business Planning Area as well as within the Airport Impact Zone. Adjacent properties will experience minimal impacts as the project is very similar to the development pattern within Colonial Forge which immediately abuts the Property.

Comprehensive Plan

Future Land Use Map

The Property is within the Central Stafford Business Planning Area as well as within the Airport Impact Zone.

Within the Central Stafford Business Planning Area, the Property is designated as within the Business and Industry Future Land Use Category. The Business and Industry Area within the Central Stafford Business Planning Area is recommended to serve as one of the employment centers in the County. Residential areas within the Central Stafford Business Planning Area are recommended near and south of Centreport Parkway. Primarily single-family detached residential units are recommended in those areas, along with complimentary recreation/community uses.

As a reminder, the Comp Plan is merely a guide for future land use purposes and by no means does it have the effect of state code or county ordinance. For purposes of the Project, the Applicant proposes residential uses. Please note that residential uses are allowed in the Central Stafford Business Planning Area, as this area is a targeted growth area and concentrations of residential uses are beneficial to commercial uses. In this regard and in further support of our proposal, we believe the following applies: (1) Given the Property's proximity near the Rt. 630 corridor and being adjacent to similar uses, the Property seems "out of place" within the Central Stafford Business Planning Area; (2) the Property is located approximately one and a half miles north from the Stafford Regional Airport; (3) the Property is surrounded by very similar single family attached condominium uses that include a dense residential development pattern; (4) the Property is located far away south from the Rt. 630 corridor that makes it unattractive for commercial users (in fact there are no commercial users within a mile or two of this site). Thus, we believe the proposed use is the highest and best use for the site, and consistent with the immediate development pattern in the immediate area.

Within the Airport Impact Zone, the Property is split between Planning Area Zones 2 and 3 and Airport Impact Zones H-1 (Horizontal Inside Flight Pattern) and H-3 (Horizontal Turning

Zone). Residential uses require additional review in the Airport Impact Zones. Residential uses are generally not compatible within Zone H-3; however such uses may be appropriate if it can be demonstrated that the specific project would not negatively impact airport operations or public safety (Policy 1.9). Additional review standards for residential uses within the Airport Impact Zone include: (i) proposals shall not exceed the maximum density limitations; (ii) development shall include sound insulation methods; (iii) disclosure notification shall be provided to future purchasers of residential property; and (iv) contiguous open space shall be provided with clustering of residential development areas (Policy 1.8). Within the H-1 zone, a rezoning request from A-1 that does not exceed a density increase of 50% over the current density may be considered compatible.

Also, the Applicant has proffered several airport operation mitigation measures, including certain home construction techniques and materials to reduce projected airport noise levels. The Applicant has also proffered disclosures for purposes of providing adequate prior notice to future buyers about the airport operations and distance near the site. Finally, the Property is approximately five miles from the airport, which clearly exceeds the minimum standard of 3,000 feet requested under the compatibility standards. We believe all of the aforesaid measures and other mitigation efforts will reduce the noise impacts and potential public safety hazards generated by general aviation activity at the airport.

Urban Service Area

The Comp Plan includes the Property in the Urban Service Area (“USA”). The goal under the Comp Plan is to locate 80% of future cumulative residential growth within the County’s USA. This designation attempts to funnel new development in the County to the land around I-95 and other major transportation corridors in order to take advantage of existing public utilities in the area. The Urban Service Area supports any new development which is compatible with the Property’s Future Land Use Map designation.

The Property’s location in the USA supports the project’s utilization of existing public utilities. The Applicants will extend water and sewer lines from nearby rights of way as necessary in order to serve the Property.

Transportation

The Applicant performed a transportation impact analysis, which we have enclosed with this application. The analysis was prepared by our consultant, Kittelson & Associates, Inc. and the report is titled “Traffic Impact Analysis Accokeek Furnace”, dated November 2017 (the “TIA Report”).

The TIA Report includes the following analysis: (1) 2017 existing land use and transportation system conditions; (2) forecast of a.m./p.m. peak hour background traffic for year 2022 without the development of the proposed project; (3) trip generation and distribution estimates for the proposed project; (4) forecast for year 2022 total traffic conditions based on full build-out of the project; (5) design year 2028 total traffic conditions based on full buildout; and (6) conclusions and recommendations.

The TIA Report concludes and recommends certain mitigation measures at the intersection of Kellogg Mill Road/Ramoth Church for purposes of addressing direct impacts deriving from the proposed project to include one of the following five (5) options:

- Option 1 – Additional Turn Lanes: This option would add turn lanes at this intersection. Ultimately, it was determined that even with separate left-turn lanes on all approaches, the County’s LOS standard (LOS C) would not be achievable. Widening both Kellogg Mill Road and Ramoth Church Road would also have right-of-way impacts to all four quadrants of the intersection. This option is not considered a feasible solution.
- Option 2 – Single-Lane Roundabout: This option would construct a single-lane roundabout (Inscribed Circle Diameter of 150 feet) designed to accommodate a WB-62 or WB-67 design vehicle. While this option would satisfy the County’s LOS standard, the resultant “footprint” of the roundabout would likely have right-of-way impacts to all four quadrants of the intersection.
- Option 3 – Realignment of Eastern Portion of Kellogg Mill Road: This option contemplates the realignment of a portion of Kellogg Mill Road on the east side of Ramoth Church Road, creating a separate new “T” intersection to the north. The new intersection would be constructed as a roundabout, and designed to incorporate a future fourth leg (Kellogg Mill Road west of Ramoth Church Road) to the west. This option would effectively implement one half of the County Transportation Plan to realign Kellogg Mill Road from its current location to the north. The existing eastern portion of Kellogg Mill Road would be retained to provide local access via Ramoth Church Road, but would be terminated via a cul de sac at the eastern end. Roundabout control at the new intersection would operate acceptably, but demand for east-west travel on Kellogg Mill Road would still produce heavy turning movement volumes at the existing Ramoth Church Road/Kellogg Mill Road intersection.
- Option 4 – Complete Realignment of Kellogg Mill Road: This option would fully implement the County Comprehensive Plan realignment of Kellogg Mill Road (from 0.15 miles west of Ramoth Church Road to 0.35 miles east) and creation of a new intersection north of the existing Ramoth Church Road/Kellogg Mill Road intersection. Roundabout control at the new intersection would operate acceptably, and it is assumed that the exiting Kellogg Mill Road would be retained to provide local access to the church, local residences, and cemetery in the southwest quadrant of the intersection.
- Option 5 – Disconnect Kellogg Mill Road Between Ramoth Church Road and Woodcutters Road: This option would sever Kellogg Mill Road at a point just west of Woodcutters Road. Regional through traffic that today uses Woodcutters Road and Kellogg Mill Road to connect between Courthouse Road and Mountain View Road would be diverted to use Ramoth Church Road. This concept eliminate all non-local traffic on the segment of Kellogg Mill Road to the east of Ramoth Church Road (serving only the church and local residences in the area), but would still require improvements to the Kellogg Mill Road/Ramoth Church Road intersection to address existing operational deficiencies. This option is considered less desirable in that it is inconsistent with the County’s transportation plan and could have other unintended consequences/impacts at other intersections beyond the scope of this study.

Please review the enclosed TIA Report for further information and analysis.

Proffer Analysis

Pursuant to state code Section 15.2-2303.4 and for purposes of this application, proffers may be offered by the Applicant for residential rezoning projects if such proffers are not unreasonable and are specifically attributable to the proposed use. In this regard, the Applicant retained S. Patz and Associates, Inc. to prepare a proffer analysis for the proposed project, a copy of which is attached hereto and entitled "Proffer Analysis Accokeek Furnace Townhomes Stafford County Virginia", dated October, 2017 ("Proffer Analysis"). The Proffer Analysis is incorporated into this Application as a material part of this Application by this reference.

In summary, the Proffer Analysis provides that the proposed project will generate a need for certain cash proffers. In this regard, the Applicant is proposing reasonable cash proffers in the amount of \$16,198.00 per unit to address impacts to schools, public safety and parks and recreation. For purposes of transportation proffers, the TIA Report addresses impacts to the immediate County transportation network, including proposed mitigation measures for the same.

We do believe the proposed cash proffers are reasonable and specifically attributable to anticipated impacts of the project on County schools, public safety facilities and public roads. The proffers will also materially and directly benefit the proposed project.

Impact Analysis

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

A. Roads.

Based on the analysis results presented in the TIA Report, it is proposed that the site will account for approximately 45 percent of the total volume at the Ramoth Church Road/Kellogg Mill Road intersection, which has been shown to be deficient under existing traffic conditions. Several possible mitigation strategies at this intersection were explored and are described herein and in the TIA Report.

Access to the project will be from Accokeek Furnace Road for the southern portion and from Woodcutters Road for the northern portion of the project.

By Right Impacts: The subject parcels are currently zoned A-1, which in relevant part permits three (3) residential units to the acre or a yield of twenty-four (24) lots. Thus, the by-right use would generate 240 daily trips.

B. Utilities. As noted above, the proposed rezoning is located within the County's Urban Service Area and has access to public water and sewer..

Existing 12" water and 15" sewer mains are available along Woodcutters Road and Accokeek Creek and appear to have available capacity, or the reasonable ability to be upgraded by the developer to provide adequate capacity. The Applicant will extend utility lines to serve the development.

Public Water: This project is located in the Garrisonville Pressure Zone. There is an existing 12" water line along Woodcutters Road. Onsite water lines will generally be constructed along the proposed roads within the development creating loops and networks throughout the Property. The anticipated daily demand for water is as follows: 350 lots x 240 gpd/lot = 84,000 gpd.

Sewer: This project is located in the Accokeek Sewer Shed sewer service area. An existing 15" sewer line is located along Accokeek Creek. Onsite sewer lines will generally be constructed along the proposed roads within the development creating loops and networks throughout the Property. The anticipated daily demand for sewer is as follows: 350 lots x 300 gpd/lot = 105,000 gpd.

By-Right Impact: If developed by right, the applicant would likely have to connect to public water and sewer (water connection is 800 feet away and sewer connection is on-site).

- C. Storm Drainage. The proposed development will incorporate low impact development techniques as well as conventional stormwater management techniques in order to reduce the post-developed runoff from the site to pre-developed levels in accordance with County and State requirements. Upon build-out, approximately 30% of the total Property will consist of impervious surface. As shown on the GDP, two stormwater management facilities are planned for the development. The proposed development will have minimal impacts downstream of the proposed site.

By Right Impact: Both the by-right and proposed developments would result in the same post-developed flow requirements and would have minimal impacts downstream.

- D. Schools. The proposed rezoning will have a modest impact on schools as the project with 350 attached single family townhome units is estimated to generate anywhere from 214-221 school aged children at full build-out, as discussed in the FIA and Proffer Analysis. This range is based on the County School system's estimate of 0.63 students generated from single-family attached units. As stated herein, the project's economic benefits will result in a positive net annual fiscal impact; meaning the project will pay for itself from a County operating services cost perspective. The project will be in the attendance areas of Winding Creek Elementary School, Rodney Thompson Middle School, and Colonial Forge High

School. The proposed development will only cause Winding Creek Elementary School and Colonial Forge High School to exceed maximum capacity, all as described in the attached Proffer Analysis. Since the project does exceed the capacity numbers for these schools, the Applicant, in accordance with applicable state code requirements, is proposing to proffer \$15,161.00 per unit to offset necessary school capital facility impacts in the relevant school zone area of the development. We have also enclosed a draft proffer statement for your review.

By Right Impact: A by-right development would result in approximately 24 dwelling units or approximately 16 school aged students without the benefit of any proffers for school improvements.

- E. Recreational Facilities. It is reasonably anticipated that the proposed rezoning will have minimal impact on park and recreational facilities. Per the Comp Plan's recommendation of 20 acres per 1,000 residents, the proposed development would require roughly twenty acres of parks. In addition, the project will provide certain on-site passive and active recreational areas within the development, including a tot lot and trail, all as shown on the GDP. The Applicant's Proffer Analysis concludes that the project will have minimal impact to current County capacity levels for parks and recreation facilities, and thus the Applicant is proposing to proffer \$65.00 per unit to offset direct parks and recreation impacts in the relevant area of the development. Please also review additional details provided in the attached proffer statement.

By-Right Impact: A by-right development would generate approximately 24 dwelling units. The by-right development would require approximately 1.5 acres of parks.

2. Fire & Rescue. It is anticipated that the proposed project will be served by North Stafford Fire and Rescue Station 14, which is located 5 miles north of the project. The Applicant's Proffer Analysis shows that the project will have minimal impact to current County capacity levels for fire and rescue, and thus proffers \$972.00 per unit in cash proffers to address this direct impact. Please also see the attached proffer statement provided with this Application.
3. Fiscal Impact. The FIA concludes that at full build-out the project will generate gross county tax revenues of approximately \$2,094,500 annually (including on and off site impacts), and will result in an annual net fiscal benefit to the County of \$280,900. Additionally and at build-out, off-site expenditures by residents of the Property will generate approximately 555 offsite jobs in the County. Essentially, the project will pay for itself from an annual operating perspective and partially subsidize current per capita County tax revenue losses. The FIA's assumptions are based on several factors, including the County's current tax rate, budget and CPI projections, County estimates for the costs for public services,

market conditions, and County demographics, all as more particularly described in the FIA.

4. **Environmental Impact.** A wetland delineation was conducted on the Property by Allison Austin, M.S., PWD., PWS of Virginia Waters and Wetlands (Report and Map dated October 27, 2017), and approval by the U.S. Army Corps of Engineers under Jurisdictional Determination is pending. Approximately 5,663.50 linear feet of stream channel and 1.349 acre of wetlands were identified on the Property.

A Perennial Flow Evaluation and Critical Resource Protection Area Determination study was concurrently completed by Allison Austin, M.S., PWD., PWS of Virginia Waters and Wetlands for the Property, and will be submitted under separate cover to the County for review and approval. Based on the results of the study two streams were determined to be perennial with associated CRPA boundaries.

In accordance with the County's CRPA Policy and Virginia Department of Conservation and Recreation's Resource Protection Areas: Nontidal Wetlands Guidance, the site-specific CRPA boundary is mapped on two streams on the property. The RPA encompasses approximately 12.248 acres of the Property.

The proposed development has been designed to avoid disturbance to the RPA and the majority of the wetlands and streams on the Property, with only minor impacts to environmentally sensitive features (wetlands and streams) proposed, and those impacts being within the thresholds of the Virginia Water Protection (VWP) General Permit WP4 and the State Program General Permit (12-SPGP-01). None of the subdivision lots will be located in the RPA.

A threatened and endangered species evaluation is in process as conducted by Allison Austin, M.S., PWD., PWS of Virginia Waters and Wetlands. Information is pending from the U.S. Fish and Wildlife Service, the Virginia Department of Conservation and Recreation, and the Virginia Department of Game and Inland Fisheries for the Property.

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

5. **Impact on Adjacent Properties.** Generally, nearby properties are either vacant land or developed for residential uses similar to Applicant's proposal, including Colonial Forge. There are two single family detached homes across Accokeek Furnace Road from the project. The proposed development is compatible with and similar to development on surrounding properties, and we do not believe there will be any adverse impacts to surrounding properties.

6. **Historical Sites.** We generally believe the proposed project will have no adverse impact to known historic resources. The Applicant retain Dovetail Cultural Resources to analyze and study certain subject areas of the Property. In this regard, Phase 1A and 1B cultural resources studies were performed (collectively marked as Exhibit D and enclosed herewith). We have attached copies of each report. The conclusion from the reports is that only one particular site, designated as 44ST1221, may be potentially eligible for listing in the NRHP under Criterion D.

7. **Exhibits:** The following exhibits are enclosed herewith and are a material part of this application:
 - (a): Generalized Development Plan entitled “Accokeek Furnace Road Assemblage General Development Plan”, dated November 3, 2017, as last revised, and prepared by Dewberry Consultants LLC.

 - (b) Renderings

 - (c) Transportation impact analysis prepared by Kittelson & Associates, Inc., entitled “Traffic Impact Analysis Accokeek Furnace”, dated November 2017

 - (d) Phase 1A and 1B Archaeological Investigation of Parcels 28-92 A, 28-92 B, 28-92 C and 28-93, prepared by Dovetail Cultural Resources dated June 2017 and November 2017 respectively (“Phase 1A & 1B Reports”).

EXHIBIT A

Generalized Development Plan

Generalized Development Plan entitled “Accokeek Furnace Road Assemblage General Development Plan”, dated November 2, 2017, as last revised, and prepared by Dewberry Consultants LLC.

EXHIBIT B

Renderings

EXHIBIT C

Transportation impact analysis prepared by Kittelson & Associates, Inc., entitled "Traffic Impact Analysis Accokeek Furnace", dated November 2017

EXHIBIT D

Phase 1A & 1B Reports

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