

**THE ARBORS AT STAFFORD
RESIDENTIAL DEVELOPMENT
STAFFORD COUNTY, VA**

VA CODE 15.2-2303.4 PROFFER ANALYSIS

MARCH 7, 2023

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— PUBLIC FINANCE —

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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 Arbors at Stafford 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 Maryln Development Corporation, (the “Developer” or the “Applicant”), the Development is a residential community that includes a total of 170 age restricted multi-family units on an 8.4950-acre site within the Falmouth District in Stafford County.

The site currently consists of vacant land. As subsequently noted, there are no residential units allowed “by-right” under current zoning. Accordingly, impacts herein are estimated for the projected residents that will reside in the proposed units.

THE SITE

The Development site consists of one parcel totaling 8.4950 acres. The site is generally bordered by multi-family apartments and commercial uses to the south, vacant and commercial uses to the north, and vacant land to the east and west. The property identification for the parcel is 39-16.

The parcels comprising the Development site are currently zoned as:

B-3 (Office) - According to the County Code, the purpose of A-1 is to “provide areas of the county for the location of professional offices and office parks. Such areas should be located as transitional areas between commercial and residential uses.” Current zoning does not allow residential uses.

The site (see Exhibit A) is contemplated as the following zoning uses:

R-5 (Age Restricted Housing) - According to the Stafford County Code of Ordinances, (the “County Code”) the purpose of R-5 is “is to provide areas of high- intensity residential uses designed and intended to be multifamily dwellings for persons fifty-five (55) years in age or older, in accordance with all federal and state laws and regulations. Such districts are to be located within the designated urban services area and outside of the military impact areas in the comprehensive plan, where public water and sewer are available and transportation systems are adequate.” The Applicant is requesting a conditional use permit for increased density.

EXHIBIT A: DEVELOPMENT SITE PLAN



III. Public Facility Impacts

OVERVIEW

This report 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** – Impacts are not anticipated as the Development is an age restricted community.
- **Public safety facilities** – 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 not anticipated as the Development is not located within a Stafford County priority area.
- **Public transportation facilities** – A separate transportation impact analysis is being prepared to address public transportation 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.

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 Department of Planning and Zoning. Factors are for new developments.

PROJECTED NET STUDENT IMPACTS

As previously described, the Development consists of 170 age restricted multi-family units. No additional students are anticipated to be generated as a result of the development.

MITIGATION STRATEGIES

The Residential Proffer Legislation stipulates that proffers can only provide for needs exceeding existing capacity. Since the Development is not expected to create an additional service demand for elementary, middle, and high school facilities, any proffer related to such school facilities would be inappropriate under the Residential Proffer Legislation. Accordingly, no proffer has been calculated for public school facility costs.

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 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 includes 170 age restricted multi-family units. As noted above, there are no single-family detached units allowed by-right. The Development is anticipated to generate 284 new residents.

TABLE III-B.1
Projected Residents – Development

<i>Unit Type^(a)</i>	<i>Units^(a)</i>	<i>Residents per Unit^(b,c)</i>	<i>Total Projected Residents^(d)</i>
a) Age restricted multi-family units	170	1.67	284
b) Less: single-family detached units allowed by-right	0	3.13	0
Total: Above by-right (a - b)	170	1.67	284
^(a) Source: the Developer. ^(b) Assumes 1.67 persons per age restricted household based on a previously accepted analysis in Stafford County. ^(c) Stafford County Virginia Comprehensive Plan 2016-2036. ^(d) Projected residents are rounded to the next whole number.			

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 79,162 service calls in Fiscal Year 2021, 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 153,392; therefore, the projected 284 residents above by-right generated by the Development represent an increase of 0.19% to the current resident population (calculated as 284 new residents ÷ 153,392 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 County Sheriff Department facility services in the County exceeds the capacity of current facilities, as noted above. As a result, a proffer would be appropriate if there were anticipated capital projects that would increase public safety capacity. The 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 2021 was 23,311, 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 Volunteer), located approximately 1.5 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 Fire and Rescue 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)

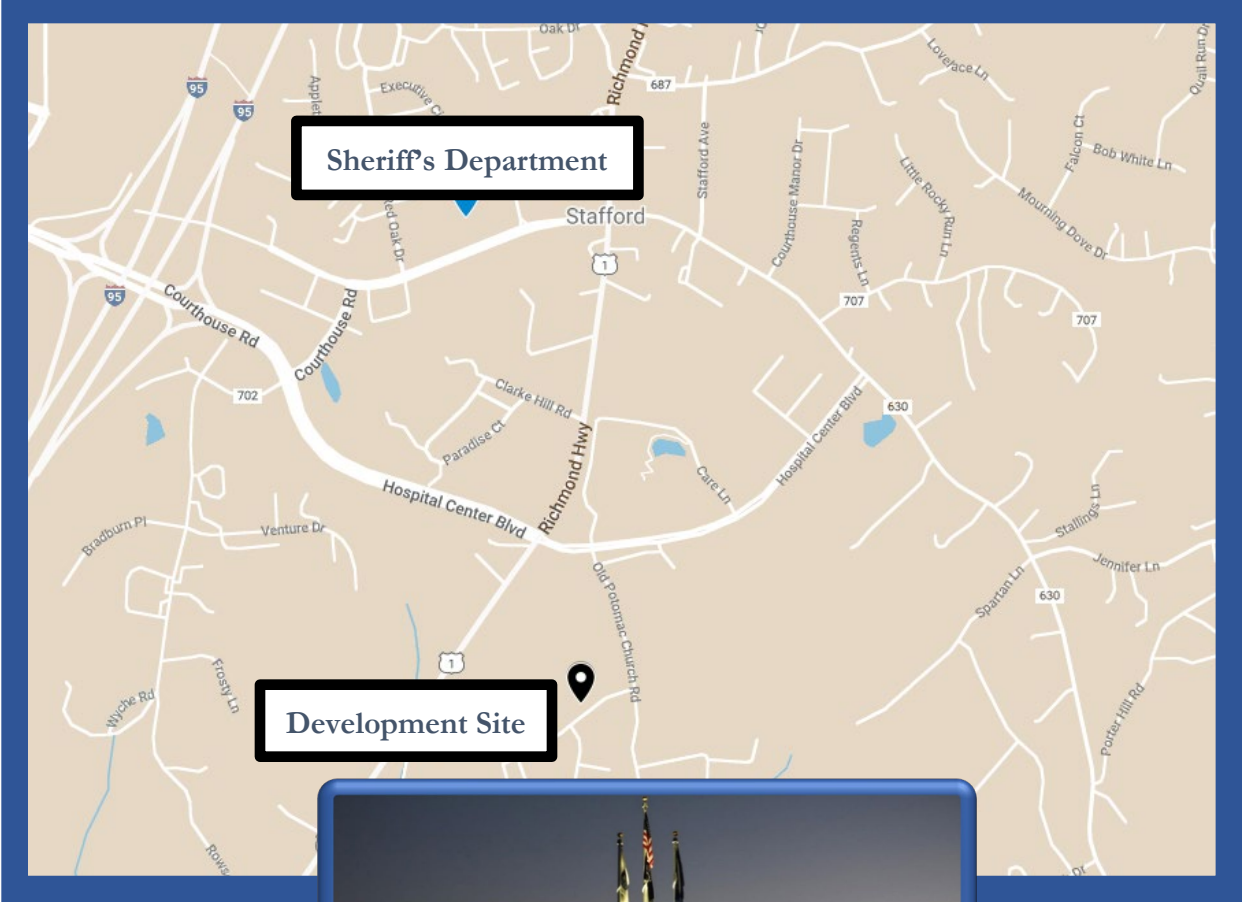


EXHIBIT G: AREA MAP (DEVELOPMENT SITE & FIRE STATION #2)



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

<i>Public Safety Impact for the Proposed Zoning Reclassification</i>	
<u>Public Safety Joint Training Facility</u>	
a) Current population of Stafford County ^(a)	153,392
b) Projected residents above by-right. ^(b)	284
c) Total cost of Public Safety Building ^(c)	\$11,897,846
d) Project cost per capita (c ÷ a)	\$77.56
e) Training Proffer required for Residential Development (b × d)	\$22,027
Proffer contribution: age restricted multi-family units (e ÷ 170)	\$129.57
^(a) Source: Stafford County FY 2021 Comprehensive Annual Financial Report.	
^(b) See Table III-B.1.	
^(c) Source: Stafford County FY 2023 Adopted Budget - Capital Improvement Plan.	

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 includes 170 age restricted multi-family units which are projected to generate an estimated 284 total projected residents.

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 most recent Parks Utilization Plan, dated January 2017, 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.

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 applicable law, including, but not limited to, the Residential Proffer Legislation.

III-D. Public Transportation Facilities Impacts

METHODOLOGY

A separate traffic analysis is being prepared to address impacts to public transportation facility improvements.

IV. Conclusions

SUMMARY OF ANALYSIS

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.

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

TABLE IV-A
Summary of Analysis

<i>Public Facilities</i>	<i>Estimated Proffer per Dwelling Unit</i>
a) Public school facilities cost per unit ^(a)	\$0
b) Public safety facilities cost per unit ^(a)	\$129.57
c) Public parks facilities cost per unit ^(c)	\$0
d) Public transportation facilities cost per unit ^(d)	\$0
e) Total estimated proffer per unit	\$129.57
f) Proposed age restricted multi-family units ^(e)	170
Total Development Proffer Contribution (e × f)	\$22,027
^(a) See Section III-A. ^(b) See Table III-B.2. ^(c) See Section III-C. ^(d) See Section III-D. ^(e) See Table III-B.1.	

ASSUMPTIONS AND LIMITATIONS

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.