

STAFFORD COUNTY, VIRGINIA
ZONING RECLASSIFICATION APPLICATION

IMPACT STATEMENT

Applicant: S.L. Nusbaum Realty Co. (the “Applicant”)

Property: Tax Map Parcels 45-67, 45-67A, 45-69, 45-94, 45-95, 45-96, containing a total of 45 acres subject to this rezoning request (the “Property”)

Owners: Carl J. Debernard, Jacquelyn E. Debernard; Fleda E. Lewis, Trustee of English Family Trust; and Roger Cramer Embrey (collectively the “Owner”)

Project Name: “Renaissance at Falmouth” (the “Project”)

Rezoning Request: From R-1 to UD-3

Date: May 26, 2020

File No.: RC _____

Rezoning Application Request

The Applicant hereby requests a rezoning of the following parcels from Residential (R-1) to Urban Development Residential Mixed Use (UD-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 Map Parcels 45-67, 45-67A, 45-69, 45-94, 45-95, and 45-96 (the “Property”), consisting of approximately 45 acres, and generally located on the northern side of Warrenton Road (Route 17) at the intersection with Glenalice Lane, within the George Washington Voting and the Falmouth-Hartwood Magisterial Districts, all as more particularly described on that certain master plan prepared by Bowman Consulting, titled “Renaissance at Falmouth,” dated December 2019, as revised May 26, 2020, attached hereto as **Exhibit A** (the “Master Plan”), which plan is incorporated as a material part of this application by this reference.

Applicant is also submitting illustrative renderings depicting the proposed architectural design and building material features for the MF Units, which include only general type, character, and quality of architectural design, details, and materials, which are attached as **Exhibit B** (collectively, the “Renderings”).

Overview

As noted, the Property is currently zoned R-1. The Applicant proposes changing the zoning of the Property from R-1 to UD-3 to allow for 264 multifamily units and 114 townhouses. Section 28-34 of the County's Zoning Ordinance states the following concerning the UD district:

The purpose of the UD district 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 UD district shall only be applied to property located within an urban development area designated on the future land use map in the comprehensive plan.

More specifically, the Residential Mixed Use (UD-3) subdistrict allows multifamily uses at a density of least 12 units per acre and allows townhouses at a density of at least 6 units per acre.

The proposed Project includes a total of 378 units located on approximately 45 acres. The Project will include approximately 11.29 acres of open space, accounting for approximately 25.10% of the Property which aligns with the 25% minimum open space required for UD-3 districts. The open space will be used for stormwater management facilities, passive and active recreation, as described in more detail in the Comprehensive Plan analysis below, and preservation of natural areas, to the extent practical.

The Property is generally located north of Warrenton Road and east of Interstate 95. The Property is bordered on the south by Warrenton Road, retail, restaurant, residential, and vacant residential property. The Property is bordered on the west by vacant commercial property, a warehouse, and an auto sales business. To the east is office, mini-storage, and vacant commercial property. To the north, on the far side of Falls Run, are single-family detached homes.

As described below, the Applicant's proposal conforms to the policies established by the County's Comprehensive Plan (the "Comp Plan"). Further, the proposal will contribute a mix of new rooftops in the immediate area, which should facilitate greater growth of economic development opportunities along this corridor.

Comprehensive Plan

1. Future Land Use Map

The Project satisfies the County's future land use goals by (1) its location within the County's Targeted Growth Area ("TGA"), (2) its location within the County's Urban Service Area ("USA"), and (3) conforming to the County's transportation objectives.

1.1 The Project satisfies the County's TGA goals.

The Project's location within the TGA, conformance to the target densities for TGAs, provision of recreational amenities, conformance to building height restrictions, and creation of affordable housing, all satisfy the County's goals for TGAs and warrant support of the Project.

First, the Property is within the Targeted Growth Area of the Warrenton Road Planning Area. Within the Warrenton Road Planning Area, the Property has been designated as within the Residential Future Land Use Category. The County has designated TGAs as locations appropriate to accommodate higher density development, in proximity to adequate transportation facilities, and within the USA. The purpose of TGAs is to highlight the locations where a significant amount of both commercial and residential development is expected to occur, and where much of the County's infrastructure and public facility planning should be focused. The Comp Plan recommends that approximately 50% of the County's residential growth should occur within TGAs. Thus, TGAs are areas of the County where a concentrated urban or higher density suburban development patterns is most appropriate.

Further, the target density for development within a TGA is 12 dwelling units per acre for condominiums or apartments. The Comp Plan suggests that to provide flexibility and allow for variations in individual projects, a range of 11 to 14 dwelling units per acre is appropriate for condominiums or apartments. The Project's proposed density of 13.92 apartment dwelling units per acre complies with this target density.

Additionally, the target density for townhouses is between 5 and 8 dwelling units per acre; thus, the Project's proposed 7.73 townhouses per acre, conforms to the TGA's target density for development.

The County anticipates that development of the residential areas within the Warrenton Road Planning Area includes a total of 1,500 multi-family, 800 townhouse and 1,000 single-family units. The Project's location within these central growth areas, as well as its contribution of 378 new housing units to the County's housing stock, support the County's development goals.

Second, the Comp Plan suggests that TGAs should include recreational amenities, open common areas, or public spaces for residents. The Project also includes a clubhouse, fitness center, swimming pool, two grilling and dining areas, a fire pit area, tot lot, multipurpose game area, a dog park, and bicycle racks throughout the development, all to be located on the Property as shown on the Master Plan, thereby meeting the Comp Plan's recommendation for TGAs.

Third, the Comp Plan further suggests that buildings should not exceed six (6) stories in height. The Project complies with this suggestion, as the proposed buildings do not exceed three (3) stories.

Finally, the Comp Plan recommends that development in TGAs should accommodate the need for affordable housing. Objective 5.3 of the Comp Plan seeks to promote housing opportunities for all income ranges and ages. Policy 5.3.1 is to include a mix of housing types with access to infrastructure. The Project promotes the Comp Plan's housing goals as it proposes a mix of 1, 2 and 3-bedroom apartments, as well as townhouses, to accommodate a range of housing needs in

close proximity to infrastructure, in accordance with the Comp Plan. Additionally, in order to further promote affordable housing, Applicant will provide a 5% discount on rent to County government employees and provide \$100,000 for a Hometown Heroes fund, as described in the Voluntary Proffer Statement filed with this Application.

1.2 The Project's location in the Urban Service Area supports proposed use.

Not only is the Property situated in the County's TGA, but it is also located within the USA. The County's goal, as stated in 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 USA supports any new development which is compatible with the Property's Future Land Use Map designation. Because the Property is located within the USA, close to I-95, and directly off of Warrenton Road—one of the major transportation corridors in the County—the Project helps achieve the County's goal of locating the majority of new residential growth within the USA.

Further, the Property's location in the USA supports the Project's use of existing public utilities. The Applicant will extend water and sewer lines from nearby rights-of-way as necessary in order to serve the Property.

1.3 The Project conforms to the County's transportation goals.

Finally, the Project conforms to the County's transportation goals, as set forth in the Comp Plan. The Comp Plan notes that new growth in the County has contributed to roadway congestion and has resulted in the need for transportation solutions that will meet current and future demand for better, safe, and less congested roads. To that end, the Comp Plan includes a policy that future development should provide necessary transportation improvements in a timely manner.

Both the Applicant's assessment of the transportation impacts of the Project, as well as the transportation improvements already planned for the area surrounding the Project, demonstrate that the Project will have minimal impact on the existing transportation system. Further, the impacts that do result will be offset by transportation improvements, as detailed below.

As stated above, the Property is located within a TGA and in close proximity to primary road networks and transportation hubs. Planned transportation improvements relevant to the Project include the widening of I-95 from 6 to 8 general purpose lanes. In addition, it is anticipated that the Project will minimally impact traffic on Warrenton Road and the nearby roads.

The Applicant's conclusion that the Project will minimally impact traffic is based on the traffic impact analysis performed for the Project, attached as **Exhibit C**. The analysis, titled "Traffic Impact Analysis, The Renaissance at Falmouth," and dated February 25, 2020, was prepared by Bowman Consulting ("TIA").

The TIA evaluated the following intersections:

1. Warrenton Road (Route 17) and Old Forge Drive/RV Parkway (Unsignalized Intersection; signal has been approved and is included in analysis);
2. Warrenton Road (Route 17) and Glenalice Lane (Unsignalized Intersection); and
3. Warrenton Road (Route 17) and Solomon Drive/Lendall Lane (Signalized Intersection).

For purposes of the analysis, the TIA anticipates that the Project will be constructed and fully operational by 2025, and examines the following scenarios:

- Existing conditions (2020);
- Future conditions (2025) without the proposed development (No-Build); and
- Future conditions (2025) with the proposed development (Build).

Based on the above scenarios, the TIA concludes the following:

- The proposed development will only cause minor increases of delay during the 2025 build out conditions for all three intersections evaluated, and a degradation in Levels of Service (“LOS”) only for the southbound approach of the Route 17 and Glenalice Lane. However, the Route 17/Glenalice Lane intersection is anticipated to only serve the proposed development, thereby limiting the impact of the degraded LOS.
- The projected degradation of LOS for the Route 17/Glenalice intersection can be mitigated by using the traffic signal timings at Route 17/Old Forge Drive and Route 17/Solomon Drive/Lendall Lane intersections as a metering system to improve LOS by creating gaps along the mainline traffic.
- Alternatively, a two-stage left turn could be constructed at Route 17/Glenalice to improve queuing at the southbound approach of the intersection, as further described in the TIA.
- In coordination with VDOT, planned improvements at the I-95 and Warrenton Road interchange will require retiming of several traffic signals along the Route 17 corridor, including the intersections evaluated in the TIA. The timing changes should help the traffic operations at these intersections.
- Despite the addition of the site traffic associated with the proposed development, it is not expected to adversely impact the existing roadway network.

Please review the enclosed TIA for further information and analysis.

UD District Planning Principles

Per the County’s Zoning Ordinance section 28-39(u)(6)a.4, the Applicant must provide a written narrative, with any supporting illustrations to identify and demonstrate how the request conforms to the principles of new urbanism and traditional neighborhood design, including the following:

- i. Each neighborhood is defined by an easy walking distance from edge to center of approximately one-fourth mile.

Applicant Response: The proposed development includes 264 multifamily units consisting of eleven 3-story buildings and 114 single-family attached units, all interconnected via sidewalks, pathways, and travel aisles. The

development will be easily walkable from edge to center, as shown on the Master Plan.

- ii. The road network is well-connected, including connection of new local streets with existing local streets.

Applicant Response: The road network is easily accessible by all users within the development from Glenalice Lane, and by private roads and interparcel connections within the development, as shown on the Master Plan.

- iii. There are options for future transit.

Applicant Response: Four FRED stops (#449, 450, #451, and #452) are located on Route 17, all within 0.5 to 1.5 miles of the site. Applicant is willing to install an additional FRED stop, as depicted on the Master Plan in order to provide additional options for public transit.

- iv. Neighborhoods are mixed use, including variety of housing stock that serves a range of incomes and age groups.

Applicant Response: As noted above, the Project includes 264 multifamily units and 114 single-family attached multifamily units. Adjacent to the Project is a mix of commercial uses and single-family detached homes, as well as vacant residential and commercial properties. The Project proposes a mix of 1, 2, and 3-bedroom apartments and townhouses to accommodate a range of housing needs in close proximity to infrastructure.

- v. Uses are well-integrated, rather than widely separated and buffered.

Applicant Response: All units and proposed amenities serving the Project are integrated and interconnected, all as shown on the Master Plan. In order to promote a pedestrian-friendly community, the proposed Project has been designed with buildings fronting close to streets in a grid pattern. Buffers, as required by the DCSL and UDO, and sidewalks for connectivity, are both provided. Applicant will also install sidewalks to enhance the pedestrian way network and provide pedestrian access from the development to Route 17.

- vi. Special sites, such as those at a terminated vista, are reserved for civic buildings and spaces that serve as symbols of the community, enhancing community identity.

Applicant Response: The Project includes a large, resort feel club house, a fitness center, pool, two grilling and dining areas, and ample open spaces, all as shown on the Master Plan. There are no noted vistas (and none are specifically required). A potential sign may be erected to identify the development, as shown on the Master Plan.

vii. Historic structures are preserved and protected.

Applicant Response: There are no known cemeteries, historical sites, or existing structures on the Property. Please see paragraph 6 of the Impact Analysis below for more details.

viii. Formal and informal active and passive open spaces are a key component. A system of open spaces is connected by pedestrian and bicycle networks.

Applicant Response: The Project includes numerous interconnected active and passive open spaces connected by both pedestrian and bicycle networks. All open spaces are accessible via the internal sidewalk network. The open spaces include a clubhouse, fitness center, swimming pool, two grilling and dining areas, a fire pit area, tot lot, multipurpose game area, a dog park, and bicycle racks.

ix. Residential densities per gross acre of developable land (excluding open space) demonstrate at least eleven (11) multifamily units per acre.

Applicant Response: The residential density of the Project is 13.99 multifamily units per acre and 7.66 townhouse units per acre, exceeding the minimums of 11–14 and 5–8 units per acre, respectively.

Proffer Analysis

Pursuant to Virginia 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 MuniCap, Inc. to prepare a proffer analysis for the proposed project, a copy of which is attached as **Exhibit D**, titled “Warrenton Road Residential Development, Stafford, VA, SB 549 Proffer Analysis,” and dated May 7, 2020 (“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 \$3,364.61 per multifamily unit for the 264 multifamily units and \$7,247.94 per townhouse unit for the 114 townhouse units, to address impacts to schools and public safety, all as provided more particularly in the enclosed Voluntary Proffer sStatement. For purposes of transportation proffers, the TIA addresses impacts to the immediate County transportation network, including any necessary mitigation measures for the same.

We believe the proposed cash proffers are reasonable and specifically attributable to anticipated impacts of the project on County schools and fire and rescue. 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, it is anticipated that the site will generate approximately 2,258 trips per day, with 143 trips during the morning peak hour and 178 trips during the evening peak hour. The minor increases of delay and/or changes in Levels of Service from the Project can be mitigated by adjusting or optimizing the traffic signal timings, and potentially constructing a two-stage left turn at the Route 17-Glenalice intersection, as described in the TIA.

Access to the project will be provided via the existing intersection of Route 17 and Glenalice Lane.

By Right Impacts: The subject parcels are currently zoned R-1, which in relevant part permits 1.5 residential units to the acre or a yield of 67 lots. Thus, the by-right use would generate 670 daily trips for single-family detached lots.

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. An existing 12" water main runs along Route 17 at the south of the Project and an existing 8" sewer main runs along Falls Run at the north of the Project. The water and sewer mains 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 from nearby rights-of-way as necessary in order to serve the development.

Public Water: This Project is located in the Falmouth/342 Pressure Zone. There is an existing 12" water line along Route 17. 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: $378 \text{ units} \times 200 \text{ gpd/lot} = 75,600 \text{ gpd}$.

Sewer: This Project is located in the Falls Run sewer service area. An existing 8" sewer line is located along Falls Run at the north end of the Property. 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: $378 \text{ units} \times 250 \text{ gpd/lot} = 94,500 \text{ gpd}$.

By-Right Impact: If developed by right, the Applicant would likely have to connect to public water and sewer.

- 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 34.9% of the total Property will consist of impervious surface. As shown on the Master Plan, one stormwater management facility is 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 after stormwater management practices are in place, and would have minimal impacts downstream.

- D. Schools. As noted in the Proffer Analysis, the proposed rezoning will have an impact on schools. Using the County School system's estimate of 0.227 students generated from multifamily units, the 264 multifamily units are expected to yield 60 students, and 62 students are expected to be generated from the 114 townhouses, using the County's estimate of 0.544 students per townhouse. Based on these estimates, the Project is expected to generate a net student impact of 59 total school aged children at full build-out. As discussed further below, in paragraph 3, 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 Falmouth Elementary School, Drew Middle School, and Stafford High School. The proposed development will cause the middle and high schools to exceed maximum capacity, all as described in the attached Proffer Analysis. According to the County's most recent Capital Improvement Plan, there are no near-term plans for improvements at these schools. Since the project exceeds the capacity numbers for these schools, the Applicant, in accordance with applicable State Code requirements, is proposing to proffer \$2,802 per multifamily unit and \$6,608 per townhouse for the 311 units above by-right to offset necessary school capital facility impacts in the relevant school zone area of the development. We have also enclosed a draft Voluntary Proffer Statement for your review.

By Right Impact: A by-right development would result in approximately 67 dwelling units or approximately 63 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 (1,010 estimated persons) would require roughly 20.2 acres in parkland. The Applicant's Proffer Analysis concludes that since the Project is not within a priority area (per the County's Park Utilization Plan), there are adequate park service levels at this time and no proffers are needed. In addition, the Project will provide certain onsite passive and active recreational areas within the development, including a clubhouse, fitness center, swimming pool, two grilling and dining areas, a fire pit area, tot lot, multipurpose game area, a dog park, and bicycle racks throughout the development, all as shown on the Master Plan. Please also review additional details provided in the attached proffer statement.

By-Right Impact: A by-right development would generate approximately 67 dwelling units. The by-right development would require approximately 4.2 acres of parkland.

2. **Fire & Rescue.** The proposed Project is within the Fire and Rescue Station #1 (Falmouth) service area and it is anticipated that it will be served by Station #1. The Applicant's Proffer Analysis shows that these facilities lack sufficient capacity and therefore, the Applicant is proposing a proffer of \$626.82 per multifamily unit and \$713.28 per townhouse for the 311 units above by-right. Please also see the attached proffer statement provided with this Application.
3. **Fiscal Impact.** The Fiscal Impact Analysis ("FIA"), prepared by MuniCap, Inc, titled "Warrenton Road – Stafford County, Virginia," and dated April 28, 2020, and attached as **Exhibit E**, concludes that at full build-out the project will generate annual gross county tax revenues of approximately \$1,306,587, and will result in an annual net fiscal benefit to the County of \$88,619. Essentially, the Project will more than 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.** Based on a due diligence review of the USGS Quadrangle Map, County GIS, and National Wetlands Inventory mapping information, the Property contains wetlands, streams, and Critical Resource Protection Areas ("CRPA"), as shown on sheet 4 of the Master Plan.

Preliminary wetland and stream boundaries are based on a site visit conducted by Bowman Consulting on January 6 and January 10, 2020, and represent those areas that may be considered jurisdictional wetlands and other waters of the U.S. by the U.S. Army Corps of Engineers based on the requirements of the Corps of Engineers Wetlands Delineation Manual (1987) and the Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Atlantic and Gulf Coastal

Plain (Version 2.0, November 2010). A formal wetland delineation and survey and USACE Jurisdictional Determination, should be conducted concurrent with the construction plan drawings to determine the final approved limits of jurisdictional areas within the Project.

Preliminary stream classifications (perennial vs. non-perennial, or intermittent) indicated on the Master Plan are based on a field assessment by Bowman conducted on January 6 and January 10, 2020, using the North Carolina Division of Water Quality Identification Methods for the Origins of Intermittent and Perennial Streams (Version 4.11, September 2010), as approved for use by Stafford County. Based on the results of the perennial flow evaluation, Falls Run should be considered perennial, all other stream channels located within the Project should be considered non-perennial or intermittent.

The site-specific CRPA boundaries depicted on the Master Plan are based on the results of the wetland delineation and perennial flow evaluation and CRPA determination studies conducted by Bowman Consulting. The results of the Perennial Flow Evaluation and CRPA Determination study (Report and Map dated January 24, 2020) should be considered preliminary until approved by Stafford County. In accordance with section 28-62(b)(1) of the County's Chesapeake Bay Preservation Area (CBPA) Policy and the Virginia Department of Conservation and Recreation's Resource Protection Areas: Nontidal Wetlands, Guidance on the Chesapeake Bay Preservation Area Designation and Management Regulations, the preliminary CRPA boundaries depicted on the Master Plan are mapped 100-feet upslope or landward of the preliminary perennial stream boundary (Falls Run). The site-specific preliminary CRPA encompasses approximately 3.69 acres within the Project

Impacts to environmentally sensitive features (streams and wetlands) are proposed with the development of the Project; however, these impacts will be within the thresholds of the Virginia Water Protection (VWP) General Permit WP4 and the State Program General Permit (17-SPGP-01) and mitigation will be required. No adverse impacts to threatened and endangered species, critical habitat, or historic resources are anticipated to result from the development of the Project.

An evaluation of the likelihood of Federal and State-listed threatened and endangered species occurring on, or in the vicinity of the Project was conducted by BCG based on information obtained from the U.S. Fish and Wildlife Service ("F&WS"), Virginia Department of Conservation and Recreation ("DCR"), and Virginia Department of Game and Inland Fisheries ("DGIF"). According to DCR's Project Review dated December 26, 2019, the Project will not impact any documented State-listed plants or insects, nor are there State Natural Area Preserves under DCR's jurisdiction in the Project vicinity. DCR identified the Rappahannock River Chatham Bridge - Falls Run - Hazel Run - Claiborne Run - Little Falls Stream Conservation Unit ("SCU") along the northern Project

boundary. This SCU has been given a high biodiversity significance ranking by DCR due to the number of native/non-native, pollution tolerant/intolerant and rare, threatened, or endangered fish and macroinvertebrate species present. Additionally, DCR identified the potential for green floater (*Lasmigona subviridis*, ST) within the SCU. Based on a review of DGIF Virginia Fish and Wildlife Information Service, the Rappahannock River approximately 1.6 miles downstream from the Project is designated as Threatened and Endangered Waters for dwarf wedgemussel (*Alasmidonta heterodon*, FE/SE), Atlantic sturgeon (*Acipenser oxyrinchus*, FE/SE), and green floater. According to the Official Species List obtained from the F&WS's Information Planning and Conservation System, the Project has the potential to support populations of northern long-eared bat (*Myotis septentrionalis*, FT), harperella (*Ptilimnium nodosum*, FE/SE), yellow lance (*Elliptio lanceolate*, FT) and small whorled pogonia (*Isotria medeoloides*, FTSE) should suitable habitat be present. Portions of the Project consist of relatively mature mixed-hardwood forest with a relatively open understory, which may be considered potential suitable habitat for small whorled pogonia. A detailed habitat assessment and field survey for small whorled pogonia will be conducted for this species in summer 2020. Based on instream conditions and habitat requirements, no potential suitable habitat for yellow lance or harperella is located onsite, and no impacts are proposed to Falls Run. The Project will rely upon the findings of the January 5, 2016, Programmatic Biological Opinion for Final 4(d) Rule on the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions to fulfill the Project-specific Section 7 responsibilities. Based on current site conditions, the potential for occurrences of or potential impacts to listed species is considered low, and no Federal or State-listed threatened or endangered species are anticipated to be adversely affected by the proposed development activities at the Project, pending completion of a habitat assessment and negative field survey for small whorled pogonia.

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 composed of a mix of residential and commercial properties, as well as vacant residential and commercial land. Given the mixed uses surrounding the Property, the proposed development is compatible with and similar to nearby development, and we do not believe there will be any adverse impacts to surrounding properties.
6. **Historical Sites.** Based on a review of the Virginia Department of Historic Resources' ("DHR") Virginia Cultural Resource Information System, one Architectural Resource (DHR ID 0885180) overlaps onto the southern portion of the Project. This Resource (Chancellorsville Battlefield) has been recommended as eligible for listing on the National Register of Historic Places ("NRHP") by DHR. Given current site conditions and adjacent development, the Project is not anticipated to adversely affect this district. The adjacent structures along Warrenton Road to the west of the Project have all been recommended by DHR as

not eligible for listing on the NRHP. During the Section 404/401 permitting process, the USACE will complete Section 106 coordination with DHR to confirm that the proposed Project will not adversely affect historic resources.

7. **Exhibits:** The following exhibits are enclosed herewith and are a material part of this application:

(A) Master Plan titled “Renaissance at Falmouth,” dated December 2019, as last revised May 26, 2020, and prepared by Bowman Consulting

(B) Renderings

(C) Traffic Impact Analysis prepared by Bowman Consulting, titled “Traffic Impact Analysis, The Renaissance at Falmouth,” dated February 25, 2020, and prepared by Bowman Consulting (“TIA”)

(D) Proffer Analysis prepared by MuniCap, Inc., titled Warrenton Road Residential Development, Stafford, VA, SB 549 Proffer Analysis,” and dated May 7, 2020

(E) Fiscal Impact Analysis prepared by MuniCap, Inc, titled “Warrenton Road – Stafford County, Virginia,” and dated April 28, 2020 (“FIA”)

EXHIBIT A

Master Plan

EXHIBIT B

Renderings

EXHIBIT C

Traffic Impact Analysis

EXHIBIT D

Proffer Analysis

EXHIBIT E

Fiscal Impact Analysis