

September 24, 2021

TO:	Planning Commission
FROM:	Scott F. Meyer, Principal Planner Planning Office
RE:	Update Memo for Planning Commission Rezoning #REZ2020-00025, Lomond Village Deferred from July 21, 2021 to Date Certain October 6, 2021 Brentsville Magisterial District
PC Meeting Date:	October 6, 2021

At the July 21, 2021 public hearing, the Planning Commission reviewed the above-referenced proposal and received public testimony. The Planning Commission closed the public hearing and deferred Rezoning #REZ2020-00025, Lomond Village, to a date certain of October 6, 2021. On September 7, 2021, the Applicant submitted an updated Proffer Statement (redline and clean versions), Master Zoning Plan, Comprehensive Landscape/Buffer Exhibit, and an email message from NOVEC as a response to comments made by the Planning Commission at the public hearing. The specific Planning Commission recommendations as noted at the July 21st public hearing are provided below, followed by a summary staff response:

> Increase the buffers and landscape depth/density to minimum DCSM standards.

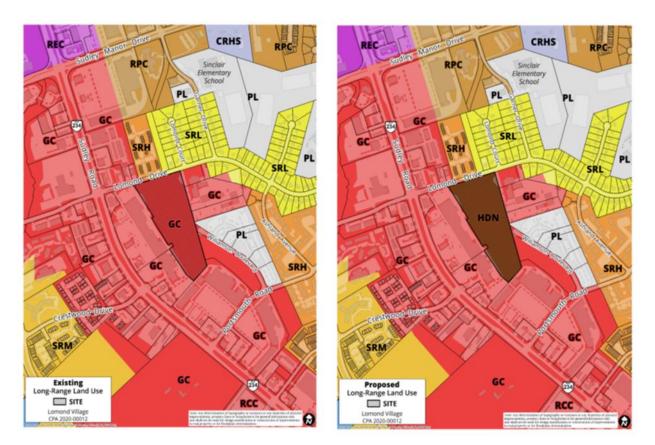
<u>Staff Response</u>: A 40-foot modified Type C Buffer with a fence, as indicated on the plan, is being proposed along the southern property boundary and along the western property boundary adjacent to the Westgate and Portsmouth shopping centers. The greatest amount of buffer landscaping is provided in the area closest to the grocery loading dock area. A variable width buffer of 30 to 75 feet is being proposed along the eastern boundary adjacent to the vacant B-1 zoned property and a portion of Williamson Boulevard extended. To accommodate this, the number of townhouses was reduced, while the number of multi-family units was increased. The overall residential unit count remains unchanged at 157.

Although the latest revisions to the perimeter buffers contribute towards the screening, it still does not meet the minimum DCSM requirements. However, it is important to note that since this project area is an infill site and with proposed redevelopment in an older/established community, alternative compliance for landscaping and buffers can be considered, as stated in Section 803.02. of the DCSM.

- Increase the design standards to Williamson Boulevard home façade sides with brick or stone, or equivalent.
 - <u>Staff Response</u>: In regard to building façade treatments for Williamson Boulevard, additional design guidelines have been incorporated into the proffers. Enhanced design requirements are now proffered for the sides of townhouses adjacent to Williamson Boulevard. As proffered, the side façades of the end unit townhomes located within 60 feet of the right-of-way for Williamson Boulevard shall include a masonry water table, windows to provide natural light, and faux shutters where a window might not be appropriate.
- > Commit to some affordable housing.
 - <u>Staff Response</u>: In addition, the latest submission has the Applicant committing to provide a minimum 10% of affordable dwelling units for the proposed residential development. As proffered, a minimum of 10% of the dwelling units approved at the time of final site plan review shall be affordable to households earning 80% of the Area Median Income (AMI), as defined by the Metropolitan Council of Governments, for a two-person household at that time. Although staff would prefer a greater affordability index, such as 60%, the Applicant has introduced an element of affordability as part of the project.
- Obtain a formal commitment from NOVEC to allow parking in the 80-foot easement, to demonstrate ability for commercial use component.
 - <u>Staff Response</u>: To address the parking concern within the NOVEC easement, an email exchange document has been provided. NOVEC is in support of allowing parking within the power line easement located on the commercial area of the proposal. A formal agreement is being prepared. In addition, NOVEC will allow landscaping within its easements and the Applicant has agreed to submit the landscaping plans, once finalized, to NOVEC for approval in accordance with NOVEC landscaping guidelines. The Applicant will assume responsibility for maintenance and replacement of any landscaping areas within the easement.
- If the Comprehensive Plan land use chapter update is not yet completed or no draft is available, then the Applicant shall work with staff to assess appropriateness of the previously submitted CPA request, and that it be heard on October 6th.
 - <u>Staff Response</u>: Since the July 21st Planning Commission meeting, staff has completed preliminary analysis of the pending land use change for this subject site, as part of the current Comprehensive Plan Update process. The preliminary analysis will be part of the community engagement process. The Comprehensive Plan Amendment (CPA) request for the subject property has not been initiated, but is now under consideration within the pending overall Comprehensive Plan Update process. Through the Land Use and Mobility chapter updates, this land use amendment request is being reviewed in

addition to the other 35 requested land use change applications. At this time, the Countywide Comprehensive Plan update has not been considered by the Planning Commission or Board of County Supervisors, and has not been adopted.

Based on the Planning Commission's request, staff conducted a preliminary analysis of the pending land use amendment for the High-Density Neighborhood (HDN) designation, which is provided below.



Analysis of Potential High-Density Neighborhood (HDN) Designation on Subject Site

Strengths:

- Proximity to Portsmouth commuter lot with pedestrian connectivity can create a multimodal opportunity.
- Provides additional residential housing options. Using the assumption of a T-4 transect in the HDN would be consistent with density associated this Long-Range Land Use classification.

• Proximity to a mix of uses that can reduce vehicle trips and provide support for commercial business along the Sudley Road Corridor.

Weaknesses:

- Changing the Long-Range Land Use classification from GC to HDN reduces commercial property available in the County and does not support Strategic Plan goal of expanding commercial tax base.
- Increasing the density of residential use creates additional LOS impacts.
- Proposed use is not consistent with the existing character of the Sudley Road commercial corridor.

The Applicant did not provide a transect for the CPA, which complicates any evaluation for consistency with the density of the transects that are associated with HDN use designation. Staff can assume that the Applicant is proposing roughly 12 du/acre, which would align with a T-4 transect that allows between 8-24 du/acre. However, this density may be too high or low if the Applicant intends to use another transect.

Timing Contingencies

The Planning Commission has until October 19, 2021, which is 90 days from the first public hearing date, to take action on the rezoning proposal. At the July 21, 2021 public hearing, the Planning Commission opened the public hearing, received community feedback, and then closed the hearing. The Planning Commission deferred the proposal to a date certain of October 6, 2021, to which the Applicant has agreed. Therefore, the Commission must take action at the October 6th meeting, unless extended by the Applicant. It is important to note that under the current procedural statutes, if the Planning Commission defers action again and the Applicant does not agree, then the Planning Commission will be deemed to have recommended approval under County Code Section 32-700.42(2) and Virginia Code Section 15.2-2285(B).

Staff Conclusions & Recommendation

In response to guidance provided at the July 21st Planning Commission public hearing, the Applicant has amended the extent of perimeter landscaping. Staff can conclude that these modifications are appropriate for an infill site in an older/established community. In addition, the Applicant has added additional architectural proffers as well as a commitment to affordable housing. Staff acknowledges these commitments and can further conclude that the "Community Design" component is now consistent, on-balance, with the Comprehensive Plan.

Notwithstanding the above, the "Land Use" and "Cultural Resources" components remain inconsistent with the adopted policies of the Comprehensive Plan. More specifically, the application is not consistent with the existing GC, General Commercial, land use designation. Based on the preliminary staff analysis that has been completed, the Planning Office believes that the proposed HDN, High-Density Neighborhood, could be an appropriate new land use designation for the project site, and the proposed use and density could be in conformance with an HDN designation.

However, the results of the analysis are not yet finalized and are still pending consultant feedback/guidance that needs further staff coordination. These recommendations will then be subject to review by both the Planning Commission and Board of County Supervisors, both of which may provide additional land use policy guidance and recommendations. Furthermore, the site is within the study area to be reviewed as part of the Sudley Road redevelopment corridor and would benefit from being evaluated as part of that process to obtain a holistic strategy for the Sudley Road corridor.

As there is no guarantee that the proposed Comprehensive Plan Amendment (CPA) will receive favorable consideration in its current form, the Planning Office recommends that the Applicant defer the application to allow the Planning Commission to complete its full evaluation of the CPA, which would allow the rezoning proposal to be evaluated concurrently with the updated Land Use component of the Comprehensive Plan.

Should the Applicant not agree to such a deferral, staff cannot support the approval of this application, as it is inconsistent with the adopted Comprehensive Plan's GC, General Commercial, designation. The Comprehensive Plan Update process will provide more opportunities for community feedback.

Attachments:

- > Applicant Response/Final Submission Package (dated September 7, 2021)
- > Planning Commission Staff Report (dated July 21, 2021)



September 7, 2021

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PLANNING OFFICE PRINCE WILLIAM COUNTY

RECEIVED

(703) 565-5134 sp@comptonduling.com

VIA HAND DELIVERY

Scott Meyer, Planner III Prince William County Planning Office Five County Complex Court Prince William, VA 22192

Re: Lomond Village – #REZ2020-00025 – Planning Commission Hearing Follow-Up **Submission Materials**

Dear Mr. Meyer,

On behalf of our client, JR Real Estate Group, enclosed please find a resubmission which addresses the Planning Commission's suggestions raised at the public hearing on July 21, 2021. The following suggestions were included in the resolution:

1. Increase the buffers and landscape depth/density to minimum DCSM standards.

The unit mix has been strategically modified to allow the buffers to increase along the property boundary. A comprehensive buffer exhibit is being provided with this submission.

- A 40 foot wide modified type C buffer is provided along the southern property • boundary and along the western boundary adjacent to Westgate Shopping Center and Portsmouth Shopping Center. A specific buffer landscaping is proposed to address the proposed modification of the overall width. The greatest amount of buffer landscaping is provided in the area closest to the grocery loading dock, and in addition, the proffered locations of the homes is 85 feet to 100 feet from the shopping center property line in this area.
- A variable width buffer ranging from 30 to 75 feet in width is provided along the eastern boundary adjacent to the vacant B-1 property and a portion of Williamson Blvd. extended. The narrowest portions of the buffer landscaping in this area are where the paving needed for parking area turn-around extend in to the buffer, rather than residential uses. The homes in this area are set back 40 to 75 feet from the undeveloped lot property line.
- 2. Increase the design standards to Williamson Boulevard home facade sides with brick or stone, or equivalent.

Additional design guidelines have been added to the proffered conditions to reinforce the concepts intended by the applicant. Additional requirements for the sides of townhomes proposed adjacent to Williamson Blvd. as suggested even though these unit area also subject to the buffer landscaping and have low visibility to Williamson Blvd.

3. Commit to some affordable housing.

The revised proffers commit to a minimum of 10 affordable dwelling units within the development. "Affordable" means they will be priced at 80% of the Average Median Income at the time.

4. Obtain a formal commitment from NOVEC to allow parking in the 80-foot easement, to demonstrate ability for commercial use component.

An e-mail from NOVEC showing their formal commitment is provided.

5. If the Comprehensive Plan land use chapter update is not yet completed or no draft is available, then the Applicant shall work with staff to assess appropriateness of the previously submitted CPA request, and that it be heard on October 6th.

The applicant has made its best efforts to address Comprehensive Plan issues with staff, but has been delayed due to *process* preferences notwithstanding a Comprehensive Plan Amendment request being submitted in accordance with the county's written policies. We will cooperate with Staff through the process of updating the Comprehensive Plan, but Staff's delayed timeline should not affect this rezoning moving forward.

The following items are included in this submission which show the changes listed above:

- 1. Revised blackline proffers dated September 3, 2021, showing changes from July 8, 2021;
- 2. Revises clean proffers dated September 3, 2021;
- 3. E-mail from Patrick A. Toulme, Vice President and Counsel for NOVEC, providing formal commitment to parking agreement, dated September 3, 2021 (15 copies);
- 4. Exhibit titled "Lomond Village Comprehensive Landscape/Buffer Exhibit" prepared by The Land Planning & Design Group, Inc. dated September 3, 2021 (15 copies);
- 5. Master Zoning Plan titled "Lomond Village" prepared by Engineering Groupe, dated September 3, 2021 including (15 copies):
 - Coversheet
 - Master Zoning Plan
 - Open Space Plan
 - Transportation and Utilities Plan
 - Transportation Details A
 - Transportation Details B
 - Pedestrian Shed Exhibit

Lomond Village – #REZ2020-00025 Planning Commission Follow-Up September 7, 2021

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Please review this package, and if you do not find everything in order, please call me immediately. Thank you for your attention to this matter.

Sincerely,

COMPTON & DULING, L. C.

Sherman Patrick, Jr.

Sherman Patrick, Jr., A.I.C.P. Director of Zoning & Entitlements

cc: JR Real Estate Group

Rezoning file:	#REZ2020-00025, Lomond Village
Applicant:	JR Real Estate Group
Record Owners:	Lincoln Investments, Inc.
Property GPIN:	7696-59-5541
Acreage:	14.3 acres
Magisterial District:	Brentsville
Current Zoning:	A-1, Agricultural
Proposed Zoning:	PMR, Planned Mixed Residential
Date:	July 8 September 3, 2021

The undersigned hereby proffers that the use and development of the subject Property shall be in substantial conformance with the following conditions. In the event the above-referenced rezoning is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void and the property shall develop in accordance with the existing B-1, General Business zoning. The headings of the proffers set forth below have been prepared for reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified herein. The terms "Applicant" and "Developer" shall include all future owners and successors in interest. The term Property shall refer to the property that is the subject of this rezoning.

For purposes of reference in this Proffer Statement, the Master Zoning Plan ("MZP") shall be the plan prepared by Engineering Groupe, entitled "Lomond Village, Planned Mixed Residential" dated June 15, 2020 revised through June 14September 3, 2021 which contains the following sheets:

Sheet 1:	Cover Sheet
Sheet 2:	Master Zoning Plan
Sheet 3:	Open Space Plan
Sheet 4:	Transportation and Utilities Plan
Sheet 5:	Transportation Details A
Sheet 6:	Transportation Details B
Sheet 7:	Pedestrian Shed Exhibit

1. USES AND DEVELOPMENT

A. <u>Residential Uses</u>. The Property shall be developed with a maximum of <u>eightysixty</u>-one single family attached (<u>81_61</u>) dwellings and a maximum <u>seventyninety</u>-six (<u>76</u><u>96</u>) multi-family dwelling units.

- B. <u>Nonresidential Use</u>. Land Bay B (approximately 1.6 acres) shall be permitted nonresidential land use within the Planned Development District pursuant to 32-280.11.1.(b)(1) and shall be used for those uses permitted by-right, as secondary uses, and as special uses in the B-1, General Business, zoning district.
- C. Site Development. Development of the Property shall be in substantial accordance with the MZP, including but not limited to the construction of the public road known as Williamson Boulevard. in the Comprehensive Plan, however, minor modifications to the road alignment, buffers, lot layout, building, utilities, amenities, parking, and similar features shall be permitted to address final engineering requirements and considerations as determined necessary and appropriate at the time of final site/subdivision plan review.
- C.D. A minimum of ten percent (10%) of the dwelling units approved at the time of final site plan review shall be affordable to households earning eighty percent (80%) of the Area Median Income, as defined by the Metropolitan Council of Governments, for a two-person household at that time.

2. COMMUNITY DESIGN

- A. Architectural Design Guidelines.
 - i. Building design shall be in substantial conformance with the architectural elevations and renderings titled "Lomond Village Planned Mixed Residential" prepared by John F. Heltzel Architects dated June 14, 2021.
 - <u>To ensure that each has a unique look and that no two units will look exactly</u> the same, prior to releasing dwelling units for sale, the Applicant shall predetermine which materials, colors, and architectural elements to be used on the fronts of the homes throughout the community, and the side facades of homes that will be visible from Williamson Blvd. The following architectural elements shall be used to provide a variety of facades: turned gables, high pitched roofs, roof overhangs, window pediments, corner trim, 6 panel exterior doors with and without window lights, bay windows, porticos over front doors, windows to provide light, shutters next to windows, and, shall include a combination of water table of brick or stone, rowlock and soldier course brick accents, where masonry is used, to vary home designs.
 - iii.In addition to proffered conditions i. and ii. above, the side facades of the end
unit townhomes located within 60 feet of the right-of-way for Williamson
Blvd shall include a masonry water table, windows to provide natural light,
and faux shutters where a window might not be appropriate
(Bathroom/showers, closets, and similar areas).

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- iv.Building Materials. Building structures shall be constructed with a
combination of materials such as brick, stucco, siding, stone, cementitious
materials and/or other equivalent materials having similar appearance to
achieve the intended design quality as determined by the Applicant in
consultation with the Planning Director during the final construction design
and based on the availability of materials.
- v. Compliance shall be demonstrated by submission of building elevations to the Planning Director for review and approval two weeks prior to issuance of the Building Permit Release letter
- B. Landscaping and Buffering.

Site landscaping and buffers (which may contain fences and utility crossings) shall be provided as substantially shown on the MZP., subject to final engineering requirements and considerations at the time of final site/subdivision plan review.

- B. Where existing vegetation is preserved within landscaped area or buffers, it shall be credited against the plant unit requirements identified in the Design and Construction Standards Manual ("DCSM") and, where the existing vegetation is sufficient, it may satisfy said requirements.
 - Specifically, the Applicant shall provide:
 - i. Site landscaping and buffers shall be provided as substantially shown on the MZP and the Lomond Village Comprehensive Landscape/Buffer Exhibit prepared by Land Planning and Design Group dated September 3, 2021. In the event of any differences between landscaping shown in the Open Space Plan (Sheet 3) of the MZP and the Comprehensive Landscape/Buffer Exhibit, the Comprehensive Landscape/Buffer shall take precedence over the Open Space Plan.
 - ii. Where existing vegetation within buffer landscaping areas is deemed sufficient and appropriate for preservation by the County Arborist during the review of the final site plan, such vegetation shall be preserved provided that it is credited against the plant unit requirements identified in the Design and Construction Standards Manual (DCSM)Screening and buffering as depicted on the MZP. The Applicant may shall preserve existing trees (excluding dead, dying or unhealthy trees) within buffer landscaping areas and shall install supplemental landscaping, as needed, to providement planting requirements approved herein. (when the existing and supplemental landscaping is considered in the aggregate), transitional landscaping and buffering consistent with the landscaping and buffering appropriate to the context of the development existing on the surrounding properties and proposed herein.

- C. <u>Signage.</u> Community sign entry features with a brick and/or stone base identifying the project shall be permitted at the community entrances located along Lomond Drive and Williamson Boulevard. The monument entry feature(s) shall be landscaped with plantings to include existing trees, understory trees, shrubs, perennials, grasses and lawn, and any lighting shall be low intensity and shall be shielded so that it does not shine upward beyond the height of the entry feature. All signs shall be monument style, a maximum of ten (10) feet in height, and subject to permits and permit review in accordance with the requirements of Zoning Ordinance Section 32-250.23.
- D. <u>Uniform Theme</u>. Themed street lighting, and lighting along the pedestrian pathways and in courtyards shall be provided. These features shall be shown on the final site/subdivision plan for the area proposed and shall be completed prior to release of the final performance bond within each section where such individual features are shown.
- E. <u>Village Green</u>. The Village Green in Land Bay A shall provide flexible open space for informal recreational activities, community events, and serve as an attractive setting for shared uses available to the residents of the Planned residential community.
- F. <u>Tot Lot.</u> A tot lot designed for children 5 to 12 years of age shall be provided in the Village Green area shown on the MZP. Said playgrounds shall be constructed to the standards provided by the Prince William County Department of Parks, Recreation and Tourism and meet the latest_ADA requirements at the time of construction, shall have resilient surfaces, and shall include at least three (3) play components. In addition, the tot lot shall include at least one park bench constructed to the standards provided by the Prince William County Department of Parks, Recreation and Tourism, and shall be landscaped.

3. ENVIRONMENTAL

- A. <u>Stormwater Management/Best Management Practices.</u> Stormwater Management and/or Best Management Practices shall be provided on-site and/or off-site, (pursuant to Section 32-250.73.1 of the Zoning Ordinance) in accordance with the DCSM, unless modified or waived during final site/subdivision plan review.
- B. The Applicant shall record the appropriate covenants and deeds and/or plats for the uses described herein.
- C. No clearing or improvements shall be made outside of the clearing and grading on the Property with the exception of: (a) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees at the Applicant's sole discretion; and (b) the installation and maintenance of water, sanitary sewer, storm sewer outfalls and other utilities.

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D. <u>Water Quality</u>. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre for water quality monitoring, drainage improvements and/or stream restoration projects. Said contribution shall be made prior to and as a condition of final site/subdivision plan approval with the amount to be based on the acreage reflected on the site/subdivision plan.

4. FIRE AND RESCUE

- A. As a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$720.00 per residential dwelling unit constructed on the Property. Said contribution shall be used for fire and rescue purposes.
- B. As a condition of occupancy permit issuance for each commercial building in the PMR, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$0.61 per square foot of building area. Said contribution shall be used for fire and rescue purposes.

5. PARKS AND RECREATION

As a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$3,725.00 per dwelling unit constructed on the Property. Said contribution shall be used for parks and recreation purposes.

6. SCHOOLS

As a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$11,685.00 per dwelling unit constructed on the Property. Said contribution shall be used for school purposes.

7. TRANSPORTATION

- A. Access to the Property shall be provided from Lomond Drive and Williamson Boulevard. as shown on the MZP, the final location and design of which shall be shown on the final site/subdivision plan.
- B. All private roads and private sidewalks constructed with the development of the Property that are the subject of this rezoning shall be maintained by the HOA.
- C. In the event the Applicant is not able to acquire off-site right-of-way or temporary or permanent easements required in order to provide required or proffered right-of-way

improvements, the Applicant shall request the County to acquire the right-of-way and/or easements by means of its condemnation powers at the Applicant's expense. The Applicant's request shall be in writing and shall comply in all respects with the County's Eminent Domain Policy. Said request shall be made to the appropriate County agency and shall be accompanied by the following:

- i. The names of the record owners, the property addresses, tax map parcel numbers and GPIN numbers for each landowner from whom such right of way and/or easements are sought.
- ii. Plats, plans and profiles showing the necessary right of way and/or easements to be acquired and showing the details of the proposed transportation improvements to be located on each such property.
- iii. Pursuant to Virginia Code § 25.1-417, a determination of the value of the Property will be based on the following:
 - 1) if the assessed value is less than \$25,000, then the value shall be determined by assessment records or other objective evidence; or
 - 2) if the assessed value is greater than \$25,000 an independent appraisal of the value of the right of way and easements to be acquired, and any and all damages to the residue of the involved property, said appraisal to be performed by an appraiser licensed in Virginia and approved by the County.
- iv. A 60-year title search of each involved property.
- v. Documentation demonstrating to the County's satisfaction Applicant's good faith, best efforts to acquire the right of way and/or easements, at a cost of at least the appraised value of the involved property interests.
- vi. A letter of credit acceptable to the County, cash or equivalent (from a financial institution acceptable to the County) in an amount equal to the appraised value of the property to be acquired, and all damages to the residue, together with an amount representing the County's estimate of its cost of condemnation proceedings, in a form permitting the County to draw upon the same as necessary to effectuate the purposes hereof.
- vii. An Agreement signed by Applicant's representative and approved by the County Attorney whereby Applicant agrees to pay all costs of the condemnation, including expert witness fees, court costs, exhibit costs, court reporter fees, attorney fees for the Office of the County Attorney, and all other costs associated with the litigation, including appeals. The Agreement shall

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specifically provide that in the event the property owner is awarded in the condemnation suit more than the appraised value estimated by Applicant's appraiser, Applicant shall pay to the County the amount of the award in excess of the amount represented by the letter of credit or cash deposit within 15 days of the award.

- D. In the event the County is not able to acquire off-site right-of-way or easements required in order to provide required or proffered right-of-way improvements within twelve months of the Applicant's request for County action to securing the needed easements and/or right-of-way, the Applicant shall not be obligated to provide said improvements. In no case will review and approval of plans or permits be withheld after an Applicant request for County action to secure required easements or right-of-way.
- E. Eight (8) bicycle parking spaces and a bike repair station shall be provided near the entrance to the multifamily units. The location to be determined at the time of final site plan review and approval.

8. WATER AND SEWER

The property shall be served by public sanitary sewer and water, and the Applicant shall be responsible for those on and off-site improvements required in order to provide such service for the demand generated by the development of the Property.

9. HOMEOWNERS ASSOCIATION

- A. The Applicant shall establish a homeowners' association for the Property ("HOA") which shall be responsible for: (a) the administration of covenants, design guidelines and the Design Review Committee ("DRC"); and (b) the maintenance of common areas and improvements including private roads, buffers, fencing, the entrance features, and the amenity area on the Property.
- B. The HOA or DRC shall oversee implementation of the covenants, conditions & restrictions ("CCR's") to be established for the community. The HOA Board of Directors or DRC, through its interpretation and approval powers, shall be responsible for ensuring high quality development by reviewing site development plans, exterior architectural elevations and façade treatments for compliance with the CCR's. The CCR's shall include provisions related to the following:
 - i. Architectural style
 - ii. Building material and colors.
 - iii. Lighting, landscaping and fencing.

iv. All other exterior architectural modifications or additions

10. ESCALATOR

In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors within 18 months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in the Proffer Statement which are paid to the Board after 18 months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid, they shall be adjusted by the percentage change in the CPI-U from that date 18 months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six percent (6%) per year, non-compoundable.

11. WAIVERS AND MODIFICATIONS

Pursuant to Zoning Ordinance section 32-700.25, a planned development zoning district may include waivers and/or modifications to specific standards of the Subdivision Ordinance, the Zoning Ordinance, or the Design and Construction Standards Manual. The waivers and modifications are as noted in the MZP and as follows:

- A. HOUSING TYPES: In addition to the specific housing types provided in this section, the Zoning Administrator may approve dwelling types permitted for construction and shall specify the minimum performance standards consistent with section 32-280.01.3 and after comparison to the performance standards for the most comparable housing unit types provided herein. The Zoning Administrator may approve modifications in any of the minimum development standards provided in this section, other than relating to required side setbacks. No standard shall be reduced by more than 20% of the required minimum and the minimum standards for the housing unit type shall collectively be met or exceeded in the area where the modification is proposed:
 - (i) Modification to Zoning Ordinance Section 32-306.12.F(4)(b) to allow the townhouse units with garages to be setback a minimum of 18 feet from the street.
 - (ii) Modification to Zoning Ordinance Section 32-306.12.F(4)(e) to allow the townhouse units to have a minimum rear setback of 16 feet..
 - (iii) Modification to Zoning Ordinance Section 32-306.12.G(4)(a) to allow the multifamily buildings to be setback a minimum of 30 feet from the street.

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- B. TRANSPORTATION: The following modifications to the Design and Construction Standards Manual Transportation standards are proposed:
 - i. Modification of detail 650.09, MC-1 typical section for Major Collector Streets (in accordance with Transportation Details, Sheet 5 of the MZP).
 - ii. Modification of detail 650.06, TS-1, travelway standards (in accordance with Transportation Details, Sheet 5 of the MZP).
 - iii. Modification of the minimum turn lane requirements (Table 6-7) to 180 feet from the required 250 (150 foot turn lane and 100 foot taper) based on the lack of sufficient room existing between intersections.
 - iv. Modification of detail 602.18, sidewalks/shared use paths (in accordance with Transportation Details, Sheet 5 of the MZP) to allow for sidewalks on both sides of Williamson Boulevard which is consistent with existing sections of Williamson Boulevard.
- C. SCREENING AND BUFFERING: The following modifications to the Design and Construction Standards Manual requirements for screening and landscaping are proposed:
 - i. Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a <u>43</u>0-foot <u>Type C</u> buffer between proposed single family attached and multifamily residential units and existing commercial (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - ii. Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a <u>4015</u>-foot buffer between proposed single family attached residential units and existing commercial (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - iii.Modification of Section 802.10.F of the Design and Construction StandardsManual to allow a parallel easement in the 15 foot wide buffer (in accordance
with the Open Space Plan, Sheet 3 of the MZP).
 - ii.iv.Modification of Section 802.42.A.3 of the Design and ConstructionStandards Manual to allow a parallel easement in the 10 foot wide landscapestrip (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - iii.v.Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and
Construction Standards Manual to allow a variable width Type B buffer as
represented on the MZP. At no point shall the buffer be less than 3015 feet

#REZ2020-00025, Lomond Village Applicant: JR Real Estate Group Date: July 8 September 3, 2021

between the proposed single family attached residential units and existing B-1, General Business zoned property (in accordance with the Open Space Plan, Sheet 3 of the MZP).

iv.<u>vi.</u> Modification of Section 802.42.3 of the Design and Construction Standards Manual to allow landscaping within the existing utility easement (in accordance with the Open Space Plan, Sheet 3 of the MZP).

v. Modification of Section 802.48 of the Design and Construction Standards Manual to continue streetscape trees along Williamson Boulevard. consistent with the remainder of the development, and with additional supplemental plantings in the open space between the single family attached units and Williamson Boulevard (in accordance with the Open Space Plan, Sheet 3 of the MZP), in place of the 30-foot buffer requirement between the side yard of one single family attached unit and Williamson Boulevard (a major collector).

[Signature to follow on next page]

#REZ2020-00025, Lomond Village Applicant: JR Real Estate Group Date: July 8 September 3, 2021

I

SIGNATURE PAGE

JR Real Estate Group, LLC

Rezoning file:	#REZ2020-00025, Lomond Village
Applicant:	JR Real Estate Group
Record Owners:	Lincoln Investments, Inc.
Property GPIN:	7696-59-5541
Acreage:	14.3 acres
Magisterial District:	Brentsville
Current Zoning:	A-1, Agricultural
Proposed Zoning:	PMR, Planned Mixed Residential
Date:	September 3, 2021

The undersigned hereby proffers that the use and development of the subject Property shall be in substantial conformance with the following conditions. In the event the above-referenced rezoning is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void and the property shall develop in accordance with the existing B-1, General Business zoning. The headings of the proffers set forth below have been prepared for reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified herein. The terms "Applicant" and "Developer" shall include all future owners and successors in interest. The term Property shall refer to the property that is the subject of this rezoning.

For purposes of reference in this Proffer Statement, the Master Zoning Plan ("MZP") shall be the plan prepared by Engineering Groupe, entitled "Lomond Village, Planned Mixed Residential" dated June 15, 2020 revised through September 3, 2021 which contains the following sheets:

Sheet 1:	Cover Sheet
Sheet 2:	Master Zoning Plan
Sheet 3:	Open Space Plan
Sheet 4:	Transportation and Utilities Plan
Sheet 5:	Transportation Details A
Sheet 6:	Transportation Details B
Sheet 7:	Pedestrian Shed Exhibit

1. USES AND DEVELOPMENT

A. <u>Residential Uses</u>. The Property shall be developed with a maximum of sixty-one single family attached (61) dwellings and a maximum ninety-six (96) multi-family dwelling units.

- B. <u>Nonresidential Use</u>. Land Bay B (approximately 1.6 acres) shall be permitted nonresidential land use within the Planned Development District pursuant to 32-280.11.1.(b)(1) and shall be used for those uses permitted by-right, as secondary uses, and as special uses in the B-1, General Business, zoning district.
- C. <u>Site Development</u>. Development of the Property shall be in substantial accordance with the MZP, including but not limited to the construction of the public road known as Williamson Boulevard. in the Comprehensive Plan, however, minor modifications to the road alignment, buffers, lot layout, building, utilities, amenities, parking, and similar features shall be permitted to address final engineering requirements and considerations as determined necessary and appropriate at the time of final site/subdivision plan review.
- D. A minimum of ten percent (10%) of the dwelling units approved at the time of final site plan review shall be affordable to households earning eighty percent (80%) of the Area_Median Income, as defined by the Metropolitan Council of Governments, for a two-person household at that time.

2. COMMUNITY DESIGN

- A. <u>Architectural Design Guidelines</u>.
 - i. Building design shall be in substantial conformance with the architectural elevations and renderings titled "Lomond Village Planned Mixed Residential" prepared by John F. Heltzel Architects dated June 14, 2021.
 - ii. To ensure that each has a unique look and that no two units will look exactly the same, prior to releasing dwelling units for sale, the Applicant shall predetermine which materials, colors, and architectural elements to be used on the fronts of the homes throughout the community, and the side facades of homes that will be visible from Williamson Blvd. The following architectural elements shall be used to provide a variety of facades: turned gables, high pitched roofs, roof overhangs, window pediments, corner trim, 6 panel exterior doors with and without window lights, bay windows, porticos over front doors, windows to provide light, shutters next to windows, and, shall include a combination of water table of brick or stone, rowlock and soldier course brick accents, where masonry is used, to vary home designs.
 - iii. In addition to proffered conditions i. and ii. above, the side facades of the end unit townhomes located within 60 feet of the right-of-way for Williamson Blvd shall include a masonry water table, windows to provide natural light, and faux shutters where a window might not be appropriate (Bathroom/showers, closets, and similar areas).

- iv. <u>Building Materials</u>. Building structures shall be constructed with a combination of materials such as brick, stucco, siding, stone, cementitious materials and/or other equivalent materials having similar appearance to achieve the intended design quality as determined by the Applicant in consultation with the Planning Director during the final construction design and based on the availability of materials.
- v. Compliance shall be demonstrated by submission of building elevations to the Planning Director for review and approval two weeks prior to issuance of the Building Permit Release letter.
- B. Landscaping and Buffering.
 - i. Site landscaping and buffers shall be provided as substantially shown on the MZP and the Lomond Village Comprehensive Landscape/Buffer Exhibit prepared by Land Planning and Design Group dated September 3, 2021. In the event of any differences between landscaping shown in the Open Space Plan (Sheet 3) of the MZP and the Comprehensive Landscape/Buffer Exhibit, the Comprehensive Landscape/Buffer shall take precedence over the Open Space Plan.
 - ii. Where existing vegetation within buffer landscaping areas is deemed sufficient and appropriate for preservation by the County Arborist during the review of the final site plan, such vegetation shall be preserved provided that it is credited against the plant unit requirements identified in the Design and Construction Standards Manual (DCSM)The Applicant shall preserve existing trees (excluding dead, dying or unhealthy trees) within buffer landscaping areas and shall install supplemental landscaping, as needed to meet planting requirements approved herein.
- C. <u>Signage.</u> Community sign entry features with a brick and/or stone base identifying the project shall be permitted at the community entrances located along Lomond Drive and Williamson Boulevard. The monument entry feature(s) shall be landscaped with plantings to include existing trees, understory trees, shrubs, perennials, grasses and lawn, and any lighting shall be low intensity and shall be shielded so that it does not shine upward beyond the height of the entry feature. All signs shall be monument style, a maximum of ten (10) feet in height, and subject to permits and permit review in accordance with the requirements of Zoning Ordinance Section 32-250.23.
- D. <u>Uniform Theme</u>. Themed street lighting, and lighting along the pedestrian pathways and in courtyards shall be provided. These features shall be shown on the final site/subdivision plan for the area proposed and shall be completed prior to release of the final performance bond within each section where such individual features are shown.

- E. <u>Village Green</u>. The Village Green in Land Bay A shall provide flexible open space for informal recreational activities, community events, and serve as an attractive setting for shared uses available to the residents of the Planned residential community.
- F. <u>Tot Lot.</u> A tot lot designed for children 5 to 12 years of age shall be provided in the Village Green area shown on the MZP. Said playgrounds shall be constructed to the standards provided by the Prince William County Department of Parks, Recreation and Tourism and meet the latest ADA requirements at the time of construction, shall have resilient surfaces, and shall include at least three (3) play components. In addition, the tot lot shall include at least one park bench constructed to the standards provided by the Prince William County Department of Parks, Recreation and Tourism, and shall be landscaped.

3. ENVIRONMENTAL

- A. <u>Stormwater Management/Best Management Practices.</u> Stormwater Management and/or Best Management Practices shall be provided on-site and/or off-site, (pursuant to Section 32-250.73.1 of the Zoning Ordinance) in accordance with the DCSM, unless modified or waived during final site/subdivision plan review.
- B. The Applicant shall record the appropriate covenants and deeds and/or plats for the uses described herein.
- C. No clearing or improvements shall be made outside of the clearing and grading on the Property with the exception of: (a) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees at the Applicant's sole discretion; and (b) the installation and maintenance of water, sanitary sewer, storm sewer outfalls and other utilities.
- D. <u>Water Quality</u>. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre for water quality monitoring, drainage improvements and/or stream restoration projects. Said contribution shall be made prior to and as a condition of final site/subdivision plan approval with the amount to be based on the acreage reflected on the site/subdivision plan.

4. FIRE AND RESCUE

A. As a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$720.00 per residential dwelling unit constructed on the Property. Said contribution shall be used for fire and rescue purposes.

B. As a condition of occupancy permit issuance for each commercial building in the PMR, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$0.61 per square foot of building area. Said contribution shall be used for fire and rescue purposes.

5. PARKS AND RECREATION

As a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$3,725.00 per dwelling unit constructed on the Property. Said contribution shall be used for parks and recreation purposes.

6. SCHOOLS

As a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$11,685.00 per dwelling unit constructed on the Property. Said contribution shall be used for school purposes.

7. TRANSPORTATION

- A. Access to the Property shall be provided from Lomond Drive and Williamson Boulevard. as shown on the MZP, the final location and design of which shall be shown on the final site/subdivision plan.
- B. All private roads and private sidewalks constructed with the development of the Property that are the subject of this rezoning shall be maintained by the HOA.
- C. In the event the Applicant is not able to acquire off-site right-of-way or temporary or permanent easements required in order to provide required or proffered right-of-way improvements, the Applicant shall request the County to acquire the right-of-way and/or easements by means of its condemnation powers at the Applicant's expense. The Applicant's request shall be in writing and shall comply in all respects with the County's Eminent Domain Policy. Said request shall be made to the appropriate County agency and shall be accompanied by the following:
 - i. The names of the record owners, the property addresses, tax map parcel numbers and GPIN numbers for each landowner from whom such right of way and/or easements are sought.
 - ii. Plats, plans and profiles showing the necessary right of way and/or easements to be acquired and showing the details of the proposed transportation improvements to be located on each such property.

- iii. Pursuant to Virginia Code § 25.1-417, a determination of the value of the Property will be based on the following:
 - 1) if the assessed value is less than \$25,000, then the value shall be determined by assessment records or other objective evidence; or
 - 2) if the assessed value is greater than \$25,000 an independent appraisal of the value of the right of way and easements to be acquired, and any and all damages to the residue of the involved property, said appraisal to be performed by an appraiser licensed in Virginia and approved by the County.
- iv. A 60-year title search of each involved property.
- v. Documentation demonstrating to the County's satisfaction Applicant's good faith, best efforts to acquire the right of way and/or easements, at a cost of at least the appraised value of the involved property interests.
- vi. A letter of credit acceptable to the County, cash or equivalent (from a financial institution acceptable to the County) in an amount equal to the appraised value of the property to be acquired, and all damages to the residue, together with an amount representing the County's estimate of its cost of condemnation proceedings, in a form permitting the County to draw upon the same as necessary to effectuate the purposes hereof.
- vii. An Agreement signed by Applicant's representative and approved by the County Attorney whereby Applicant agrees to pay all costs of the condemnation, including expert witness fees, court costs, exhibit costs, court reporter fees, attorney fees for the Office of the County Attorney, and all other costs associated with the litigation, including appeals. The Agreement shall specifically provide that in the event the property owner is awarded in the condemnation suit more than the appraised value estimated by Applicant's appraiser, Applicant shall pay to the County the amount of the award in excess of the amount represented by the letter of credit or cash deposit within 15 days of the award.
- D. In the event the County is not able to acquire off-site right-of-way or easements required in order to provide required or proffered right-of-way improvements within twelve months of the Applicant's request for County action to securing the needed easements and/or right-of-way, the Applicant shall not be obligated to provide said improvements. In no case will review and approval of plans or permits be withheld after an Applicant request for County action to secure required easements or right-of-way.

E. Eight (8) bicycle parking spaces and a bike repair station shall be provided near the entrance to the multifamily units. The location to be determined at the time of final site plan review and approval.

8. WATER AND SEWER

The property shall be served by public sanitary sewer and water, and the Applicant shall be responsible for those on and off-site improvements required in order to provide such service for the demand generated by the development of the Property.

9. HOMEOWNERS ASSOCIATION

- A. The Applicant shall establish a homeowners' association for the Property ("HOA") which shall be responsible for: (a) the administration of covenants, design guidelines and the Design Review Committee ("DRC"); and (b) the maintenance of common areas and improvements including private roads, buffers, fencing, the entrance features, and the amenity area on the Property.
- B. The HOA or DRC shall oversee implementation of the covenants, conditions & restrictions ("CCR's") to be established for the community. The HOA Board of Directors or DRC, through its interpretation and approval powers, shall be responsible for ensuring high quality development by reviewing site development plans, exterior architectural elevations and façade treatments for compliance with the CCR's. The CCR's shall include provisions related to the following:
 - i. Architectural style
 - ii. Building material and colors.
 - iii. Lighting, landscaping and fencing.
 - iv. All other exterior architectural modifications or additions

10. ESCALATOR

In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors within 18 months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in the Proffer Statement which are paid to the Board after 18 months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid, they shall be adjusted by the percentage change in the CPI-U from that date 18 months after the approval of this rezoning to the most

recently available CPI-U to the date the contributions are paid, subject to a cap of six percent (6%) per year, non-compoundable.

11. WAIVERS AND MODIFICATIONS

Pursuant to Zoning Ordinance section 32-700.25, a planned development zoning district may include waivers and/or modifications to specific standards of the Subdivision Ordinance, the Zoning Ordinance, or the Design and Construction Standards Manual. The waivers and modifications are as noted in the MZP and as follows:

- A. HOUSING TYPES: In addition to the specific housing types provided in this section, the Zoning Administrator may approve dwelling types permitted for construction and shall specify the minimum performance standards consistent with section 32-280.01.3 and after comparison to the performance standards for the most comparable housing unit types provided herein. The Zoning Administrator may approve modifications in any of the minimum development standards provided in this section, other than relating to required side setbacks. No standard shall be reduced by more than 20% of the required minimum and the minimum standards for the housing unit type shall collectively be met or exceeded in the area where the modification is proposed:
 - Modification to Zoning Ordinance Section 32-306.12.F(4)(b) to allow the townhouse units with garages to be setback a minimum of 18 feet from the street.
 - (ii) Modification to Zoning Ordinance Section 32-306.12.F(4)(e) to allow the townhouse units to have a minimum rear setback of 16 feet..
 - (iii) Modification to Zoning Ordinance Section 32-306.12.G(4)(a) to allow the multifamily buildings to be setback a minimum of 30 feet from the street.
- B. TRANSPORTATION: The following modifications to the Design and Construction Standards Manual Transportation standards are proposed:
 - i. Modification of detail 650.09, MC-1 typical section for Major Collector Streets (in accordance with Transportation Details, Sheet 5 of the MZP).
 - ii. Modification of detail 650.06, TS-1, travelway standards (in accordance with Transportation Details, Sheet 5 of the MZP).
 - iii. Modification of the minimum turn lane requirements (Table 6-7) to 180 feet from the required 250 (150 foot turn lane and 100 foot taper) based on the lack of sufficient room existing between intersections.

- iv. Modification of detail 602.18, sidewalks/shared use paths (in accordance with Transportation Details, Sheet 5 of the MZP) to allow for sidewalks on both sides of Williamson Boulevard which is consistent with existing sections of Williamson Boulevard.
- C. SCREENING AND BUFFERING: The following modifications to the Design and Construction Standards Manual requirements for screening and landscaping are proposed:
 - i. Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a 40-foot Type C buffer between proposed single family attached and multifamily residential units and existing commercial (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - ii. Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a 40-foot buffer between proposed single family attached residential units and existing commercial (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - iii. Modification of Section 802.10.F of the Design and Construction Standards Manual to allow a parallel easement in the 15 foot wide buffer (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - iv. Modification of Section 802.42.A.3 of the Design and Construction Standards Manual to allow a parallel easement in the 10 foot wide landscape strip (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a variable width Type B buffer as represented on the MZP. At no point shall the buffer be less than 30 feet between the proposed single family attached residential units and existing B-1, General Business zoned property (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - vi. Modification of Section 802.42.3 of the Design and Construction Standards Manual to allow landscaping within the existing utility easement (in accordance with the Open Space Plan, Sheet 3 of the MZP).

[Signature to follow on next page]

SIGNATURE PAGE

JR Real Estate Group, LLC

Name	
Title:	
Date:	

From:	Lexi Jewell
То:	Lexi Jewell
Subject:	FW: NOVEC"s Support of the Lomond Drive Development
Date:	Tuesday, September 7, 2021 11:40:36 AM
Attachments:	image002.png
	image003.png
	image004.png
	image005.png
	image006.png
	image007.png

From: Patrick Toulme ptoulme@novec.com>
Sent: Friday, September 3, 2021 1:22:55 PM
To: Sherman Patrick, Jr. <sp@comptonduling.com>
Cc: Bisson, Robert <<u>RBisson@NOVEC.com</u>>
Subject: NOVEC's Support of the Lomond Drive Development

Sherman, thank you for meeting with us regarding your client's proposed development of the Lomond Drive property adjacent to NOVEC. I am now confident that we will reach formal agreement regarding the issues between us and look forward to your successful outcome with the Planning Commission. With that said, you have our permission to provide this email, and our detailed statement of support below, to the Planning Commission and its staff.

The applicant for the Lomond Village rezoning request has brought to NOVEC's attention the Planning Commission's request for verification of NOVEC's position on several items relating to the proposal. The purpose of this email is to confirm that the applicant and NOVEC are finalizing agreements regarding their proposed development and we wish to express our support for the proposal. We believe that the completion of this portion of Williamson Blvd, and the proposed infill of residential and commercial use, will benefit the surrounding community along with eliminating a vacant lot that is not only unsightly but that has been the source of problems for NOVEC in the past. We are in support of the following specific provisions of the proposal that were discussed at the Planning Commission hearing:

- 1. A reduced screening buffer along the common property line with the NOVEC Headquarters. NOVEC would like an attractively landscaped area along the common property line, but we do not think that the proposed uses are "incompatible" and require a landscaped buffer to screen or block the sight lines between the two properties.
- 2. Landscaping meeting NOVEC guidelines within power line easements. NOVEC will allow landscaping within its easements and the applicant has agreed to submit the landscaping plans, once finalized, to NOVEC for approval in accordance with NOVEC landscaping guidelines and provided the applicant and its successors assume responsibility for maintenance and replacement if NOVEC required maintenance and/or repairs impacts any landscaping areas within the easement.
- **3.** Parking in the power line easement adjacent to the NOVEC Headquarters. NOVEC is in support of allowing parking within the power line easement located on the commercial area of the proposal. A formal agreement is being prepared.

Sherman, I trust this will serve to clarify the matter with the Planning Commission. Should you need anything more, please let me know.

Pat

Patrick A. Toulme

Vice President & Counsel



Office Phone: 703.392.1557

Northern Virginia Electric Cooperative

P.O. Box 2710 | Manassas, VA 20108

www.NOVEC.com



TREE SAVE AREA INVENTORY

NO TREE SAVE EXISTS ON THIS PROPERTY.

10 YEAR TREE CANOPY CALCULATIONS:

• TOTAL SITE PROJECT AREA: 14.3 AC.

- RESIDENTIAL TREE CANOPY REQUIRED: 12.1 AC. x 15% = 1.8 AC.
- (BASED ON A DENSITY GREATER THAN 10 DU/AC AND LESS THAN 20 DU/AC)
 COMMERCIAL TREE CANOPY REQUIRED: 2.2 AC. x 10% = .22 AC.
- 10 YEAR TREE CANOPY PROVIDED:
- RESIDENTIAL LOT REQUIREMENT LANDSCAPING:*
 96 MULTIFAMILY UNITS REQUIRING 1(LD/1600 SQ.FT. OF OPEN SPACE AREA) AND 1(AT PER 1600 SQ.FT. OF OPEN SPACE AREA)
 191664 SQ.FT. / 1600 SQ.FT. = 120 x 2 = 120 (LD) & 120 (AT) TREE CANOPY CREDIT WITHIN PROPOSED BUFFERS

61 TOWNHOUSE LOTS REQUIRING 1 (LD) PER END UNIT AND 1(CD) PER UNIT (26) END UNITS X 1 (LD) = 26 (LD) (61) UNITS X 1 (SD) = 61 (CD)

(26) LARGE DECIDUOUS TREES x 250 SF CREDIT = 0.15 AC (61) SMALL DECIDUOUS TREES x 125 SF CREDIT = 0.18 AC

• REQUIRED STREETSCAPING (WILLIAMSON BLVD): 1 TREE REQUIRED FOR EVERY 30 LINEAR FEET OF STREET 1500'/30 = 50 TREES REQUIRED 50 LARGE DECIDUOUS TREES X 250 SF CREDIT = 0.28 AC.

TOTAL STREETSCAPE LANDSCAPING= 0.28 AC

BUFFER LANDSCAPING:

(<u>1</u>)- <u>15'</u> <u>TYPE "A" BUFFER 328' (110 PU/100' = 3.28 X 110 PU = 361 PU REQUIRED - REDUCED BY 30% = 253 PU)</u> - UTILIZING SECTION 802.12 - D (30% PLANT UNIT REDUCTION WITH A 6' OPAQUE FENCE)

16 (COMPACT EVER) @5 PU = 180 PU 16 (COMPACT EVER) @ 75 SF/TREE = .03 AC TREE CANOPY

18 (COMPACT DECID) @5 PU = 90 PU

18 (COMPACT DECID) @ 75 SF/TREE = .03 AC TREE CANOPY

45 (SHRUBS) @2 PU = 90 PU

(2)- 30' TYPE "B" BUFFER 427' (180 PU/100' = 4.27 X 180 PU = 769 PU REQUIRED - REDUCED BY 30% = 538 PU)
 UTILIZING SECTION 802.11 - C (BUFFER WIDTH MAY VARY BY 20%, PROVIDE THE REQUIRED BUFFER AREA)

- UTILIZING SECTION 802.12 - D (30% PLANT UNIT REDUCTION WITH A 6' OPAQUE FENCE)

BUFFER AREA REQUIRED 12,825 SF

BUFFER AREA PROVIDED 13,122 SF 21 (LD & LE) @10 PU = 210 PU

21 (LD & LE) a 250 SF/TREE = .12 AC TREE CANOPY

33 (MED DECID) @5 PU = 165 PU

33 (MED DECID) @ 175 SF/TREE = $\underline{.13}$ AC TREE CANOPY

33 (MED EVER) @5 PU = 165 PU

33 (MED EVER) @ 175 SF/TREE = $\underline{.13}$ AC TREE CANOPY

(3)- 50' TYPE "C" BUFFER REDUCED TO 40' WIDTH @ 209' (320 PU/100' = 2.09 X 320 PU = 669 PU REQUIRED) - UTILIZING SECTION 801.03 - C, 2 & 3 (ALTERNATIVE COMPLIANCE FOR INFILL SITE CONSTRAINTS

 AND CHANGE OF USE INCREASED BUFFER AREA)
 PROVIDE A 6' OPAQUE FENCE ALONG PROPERTY LINE WITH NO PLANT UNIT REDUCTION FROM 50' BUFFER REQUIREMENT)

26 (LD & LE) @10 PU = 260 PU

26 (LD & LE) @ 250 SF/TREE = $\underline{.15}$ AC TREE CANOPY

41 (SMALL DECID) @5 PU = 205 PU 41 (SMALL DECID) @ 125 SF/TREE = <u>.12</u> AC TREE CANOPY

41 (SMALL EVER) @5 PU = 205 PU

41 (SMALL EVER) 0 125 SF/TREE = <u>.12</u> AC TREE CANOPY

(4)- 50' TYPE "C" BUFFER REDUCED TO 40' WIDTH @ 1459' (320 PU/100' = 14.59 X 320 PU = 4669 PU REQUIRED) - UTILIZING SECTION 801.03 - C, 2 & 3 (ALTERNATIVE COMPLIANCE FOR INFILL SITE CONSTRAINTS

AND CHANGE OF USE INCREASED BUFFER AREA)
PROVIDE A 6' OPAQUE FENCE ALONG PROPERTY LINE WITH NO PLANT UNIT REDUCTION FROM 50' BUFFER REQUIREMENT)

153 (LD & LE) @10 PU = 1530 PU 153 (LD & LE) @ 250 SF/TREE = .88 AC TREE CANOPY

168 (SMALL DECID) @5 PU = 840 PU

168 (SMALL DECID) @ 125 SF/TREE = .48 AC TREE CANOPY

280 (SMALL EVER) @5 PU = 1400 PU 280 (SMALL EVER) @ 125 SF/TREE = <u>.80</u> AC TREE CANOPY

450 (SHRUBS) @2 PU = 900 PU

(5)- 10' LANDSCAPE STRIP ALONG ROW @ 102' (80 PU/100' = 1.02 X 80 PU = 82 PU REQUIRED)

2 (COMPACT EVER) @5 PU = 10 PU

2 (COMPACT EVER) @ 75 SF/TREE = .003 AC TREE CANOPY

9 (COMPACT DECID) @5 PU = 45 PU 9 (COMPACT DECID) @ 75 SF/TREE = <u>.015</u> AC TREE CANOPY

15 (SHRUBS) @2 PU = 30 PU

(6)- 30' MINOR ARTERIAL / RESIDENTIAL BUFFER @ 91' (180 PU/100' = .91 X 180 PU = 164 PU REQUIRED)

6 (LD & LE) @10 PU = 60 PU

6 (LD & LE) @ 250 SF/TREE = .03 AC TREE CANOPY

7 (SMALL DECID) @5 PU = 35 PU 7 (SMALL DECID) @ 125 SF/TREE = <u>.02</u> AC TREE CANOPY

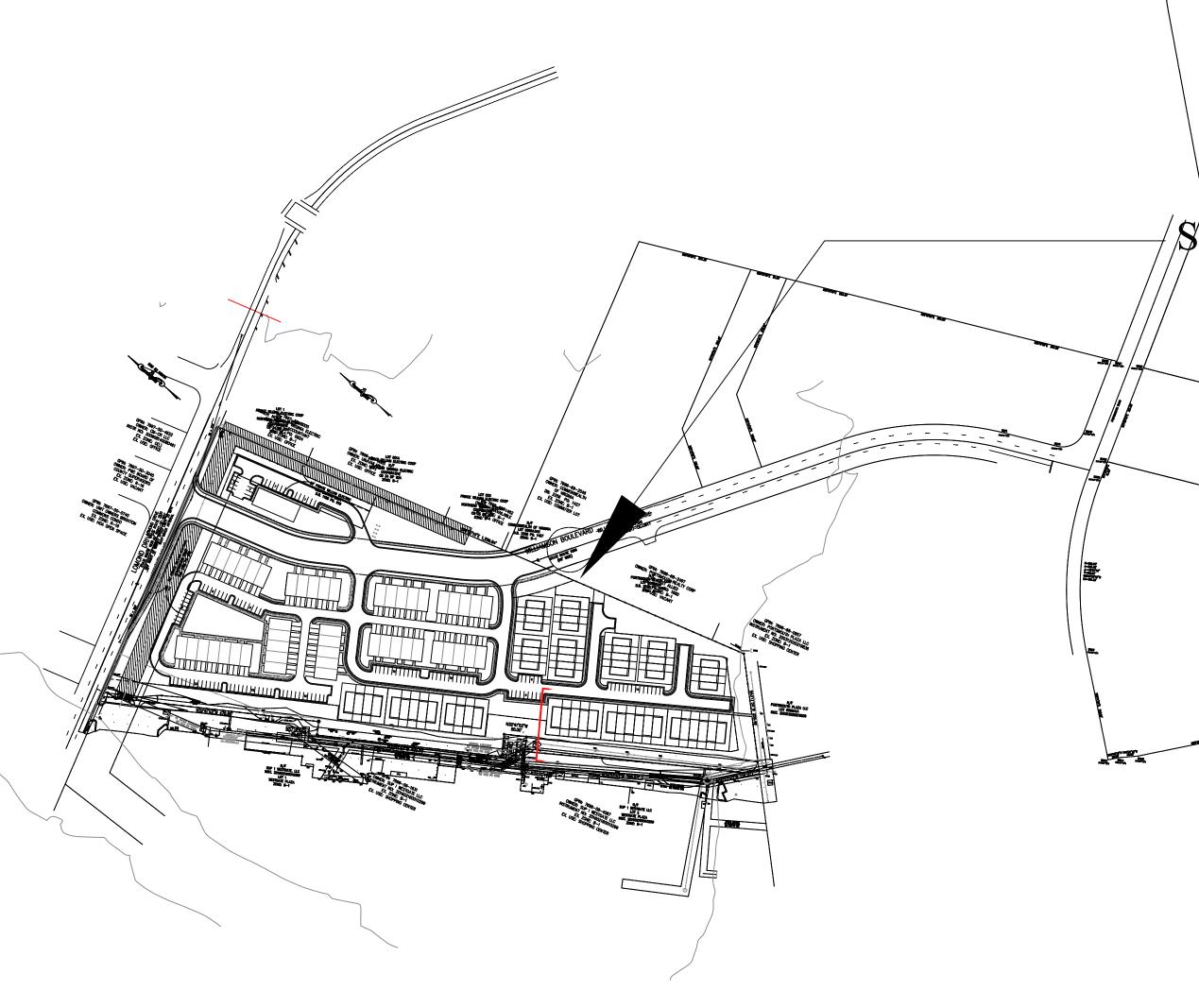
 $(\text{SWITEE DECID}) \oplus 123 \text{ SITTICE} \quad \underline{.02} \text{ The TREE entropy}$

9 (SMALL EVER) @5 PU = 45 PU 9 (SMALL EVER) @ 125 SF/TREE = <u>.025</u> AC TREE CANOPY

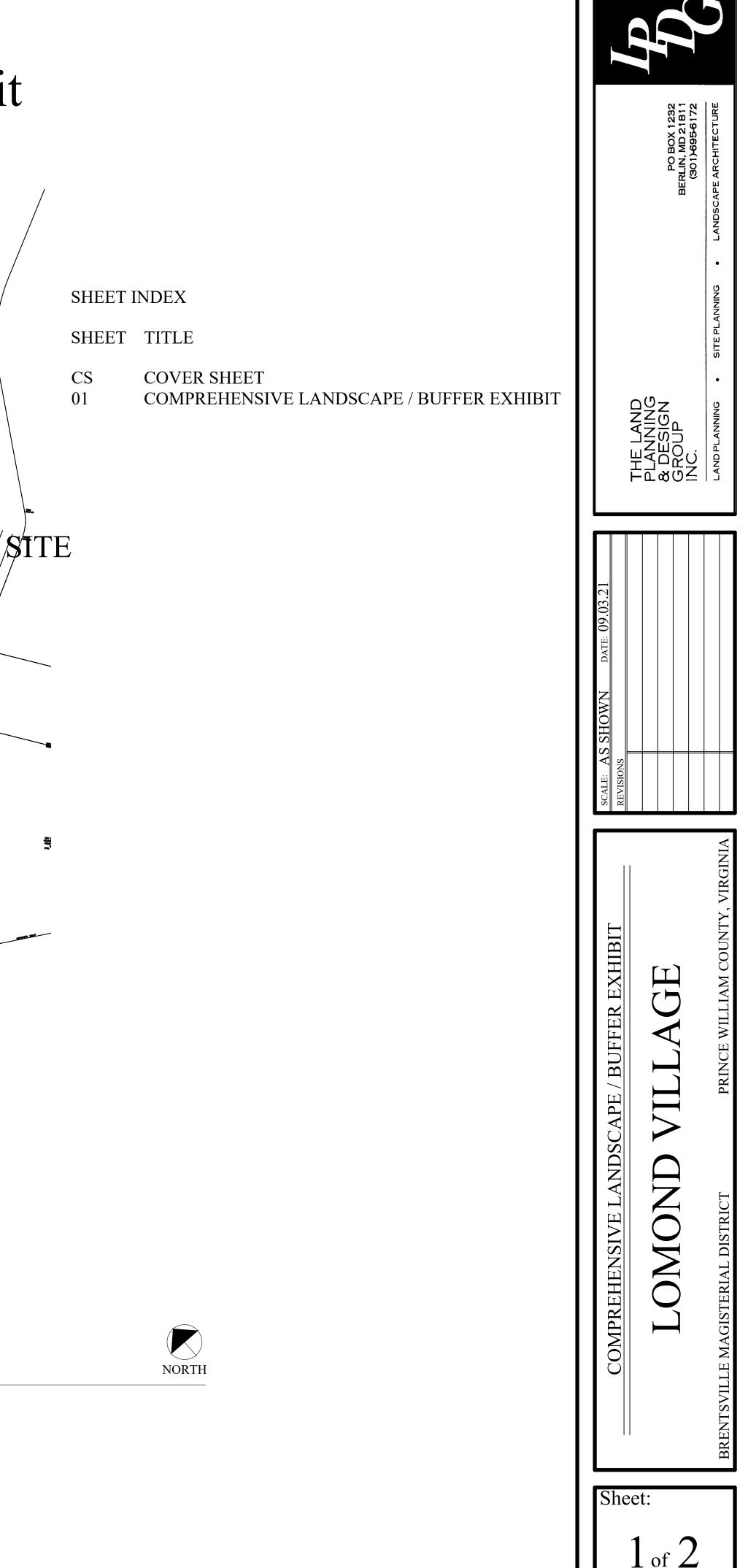
20 (SHRUBS) @2 PU = 40 PU

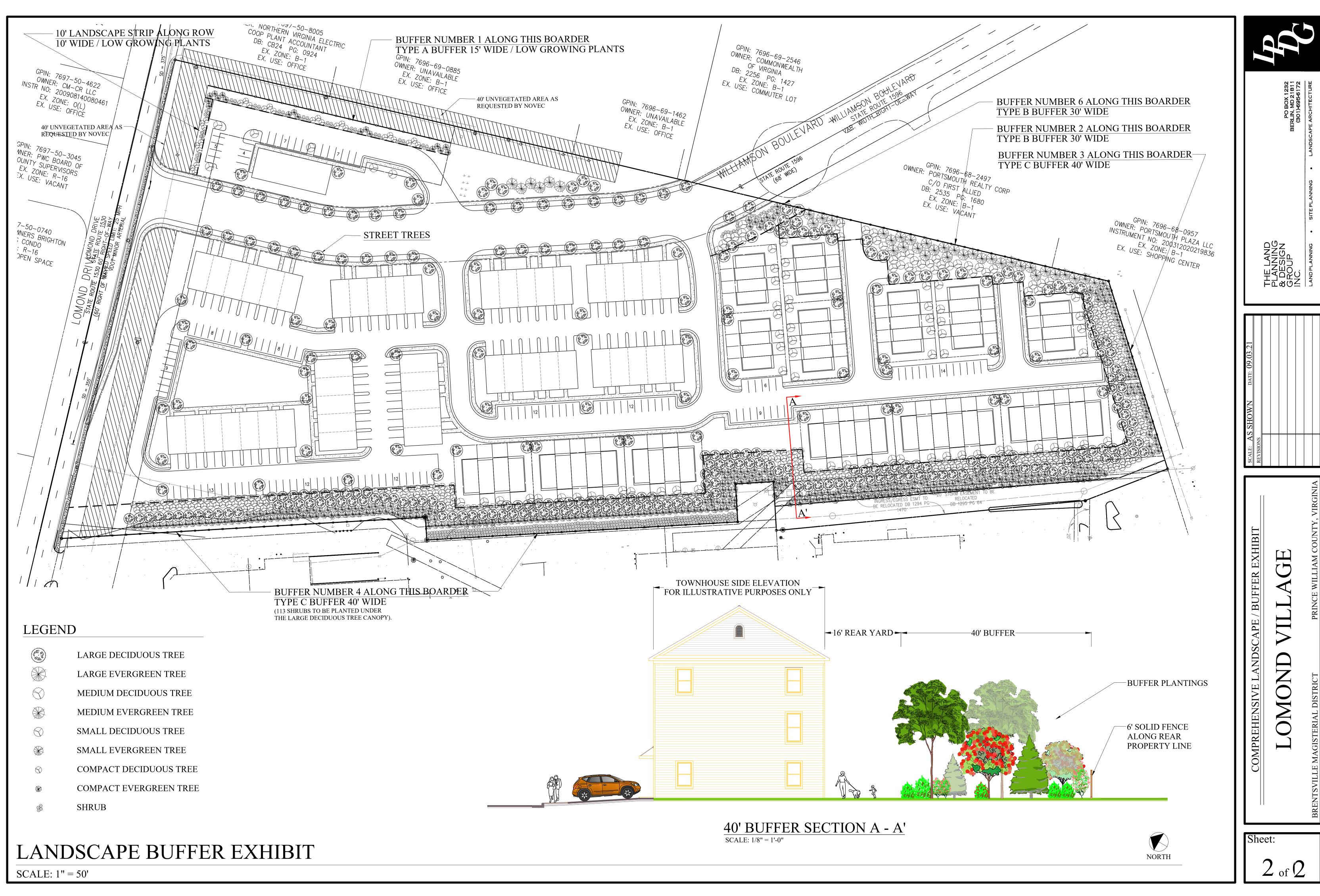


LOMOND VILLAGE Comprehensive Landscape / Buffer Exhibit



OVERALL SITE SCALE: 1" = 200'





A CAR	LARGE DECIDUOUS TREE
	LARGE EVERGREEN TREE
\bigotimes	MEDIUM DECIDUOUS TREE
	MEDIUM EVERGREEN TREE
\bigotimes	SMALL DECIDUOUS TREE
	SMALL EVERGREEN TREE
\bigotimes	COMPACT DECIDUOUS TREE
	COMPACT EVERGREEN TREE
88	SHRUB

NOTES

1) THE SUBJECT PROPERTY IS DESIGNATED GPIN 7696-59-5541, CURRENTLY ZONED B-1.

2) OWNER/APPLICANT: LINCOLN INVESTMENTS INC 13720 FARMER ROAD MIAMI, FL 33158

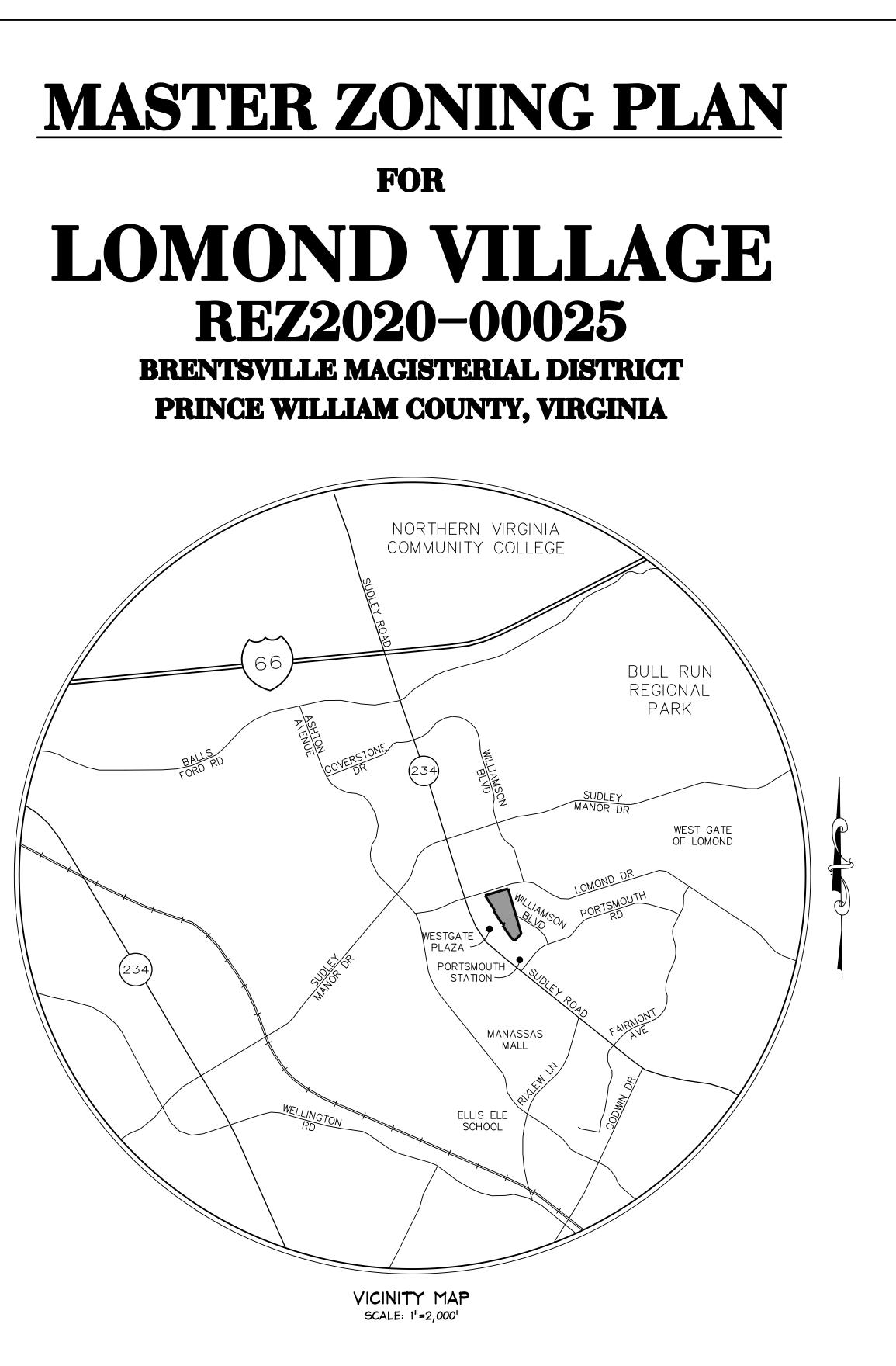
3) THE EXISTING PROPERTY INFORMATION, AS SHOWN HEREIN, IS TAKEN FROM THE ALTA/NSPS LAND TITLE SURVEY PREPARED FOR WESTGATE PLAZA BY TARGET SURVEYS INC., DATED MARCH 6, 2017.

4) EXISTING TOPOGRAPHY IS SHOWN HEREIN IN ACCORDANCE WITH PRINCE WILLIAM COUNTY GIS DATA.

5) NO RESOURCE PROTECTION AREAS ARE SHOWN ON THE SUBJECT PROPERTY, IN ACCORDANCE WITH PRINCE WILLIAM COUNTY GIS DATA.

6) THE SUBJECT PROPERTY IS WITHIN FLOOD ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN IN ACCORDANCE WITH FEMA FIRM MAPS 51153C0092D AND 51153C0094D, DATED JANUARY 5, 1995.

7) EXISTING UTILITIES AND THEIR ASSOCIATED EASEMENTS MAY BE RELOCATED WITH THE FINAL SITE PLAN.



OWNER:

LINCOLN INESTMENTS INC C/O G ESCAGEDO JR 13720 FARMER ROAD MIAMI, FL 33158

CIVIL ENGINEER:

THE ENGINEERING GROUPE, INC. 13580 GROUPE DRIVE, SUITE 200 WOODBRIDGE, VA 22192

LAND USE ATTORNEY:

COMPTON & DULING 12701 MARBLESTONE DRIVE, SUITE 350 PRINCE WILLIAM, VA 22192

TRAFFIC ENGINEER:

GOROVE SLADE 15125 WASHINGTON STREET, SUITE 212 HAYMARKET, VA 20169

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HEET 1 OF 7

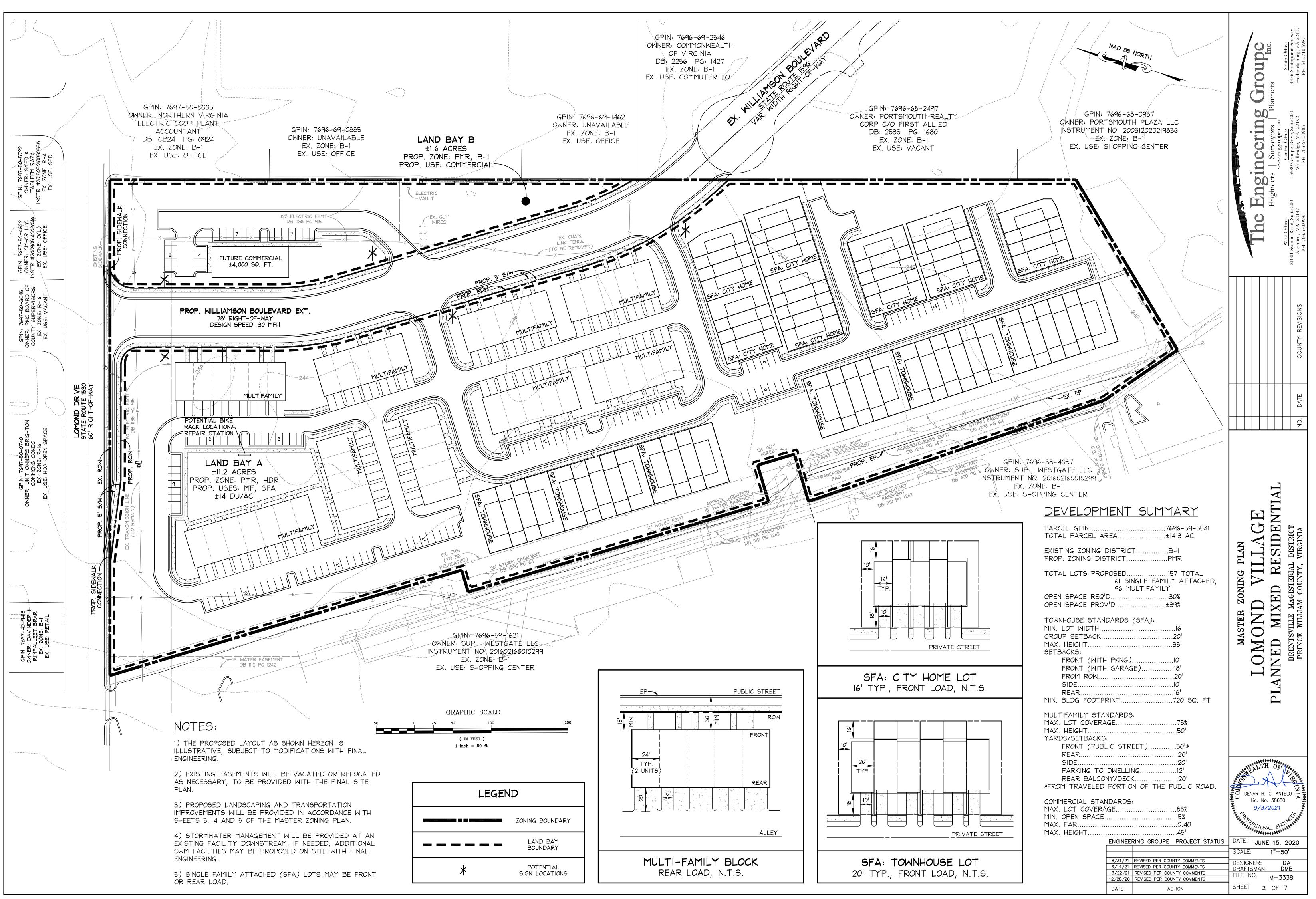
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MASTER ZONING PLAN
OPEN SPACE PLAN
TRANSPORTATION AND UTILITIES PLAN 4
TRANSPORTATION DETAILS A
TRANSPORTATION DETAILS B 6
PEDESTRIAN SHED EXHIBIT

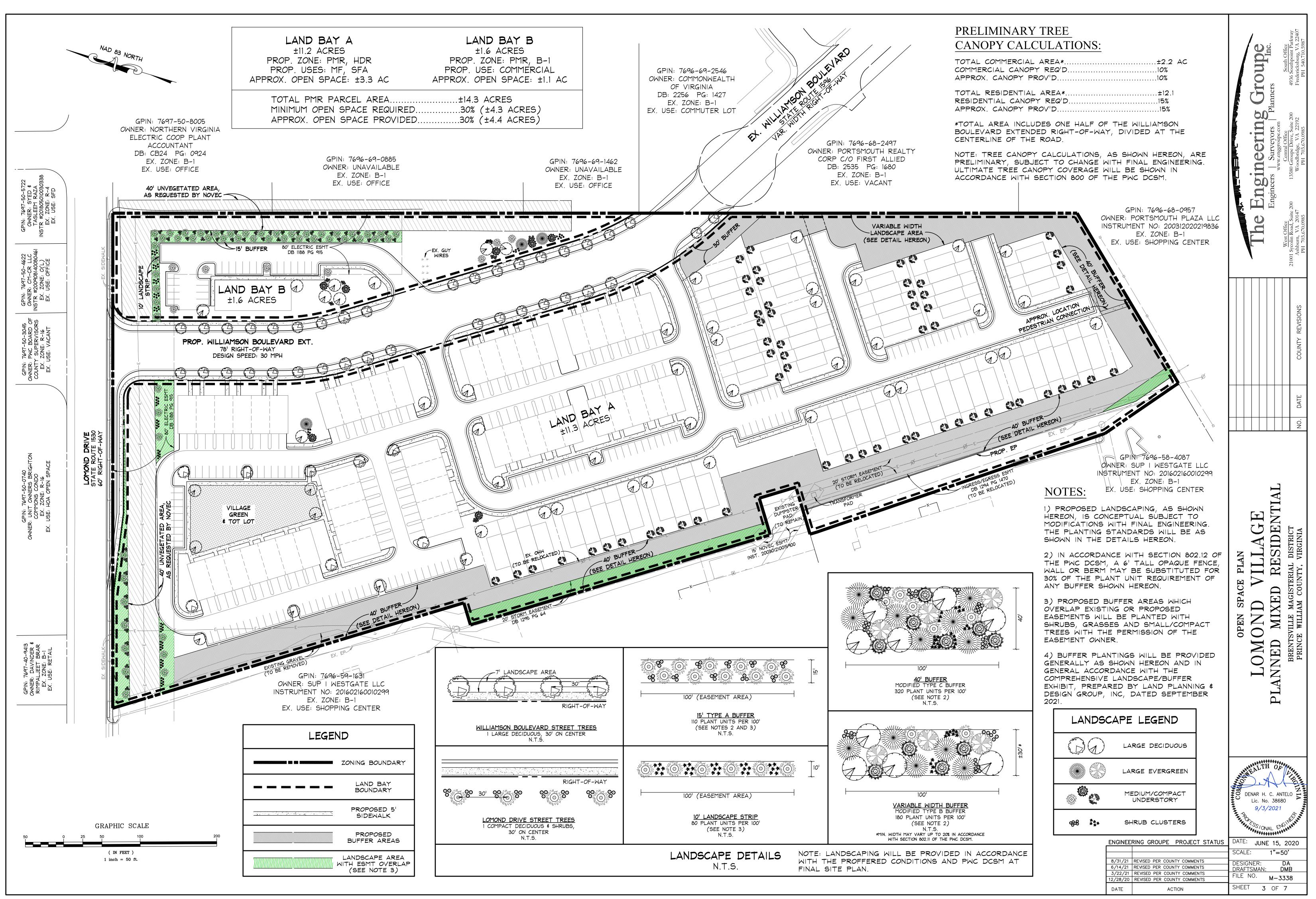
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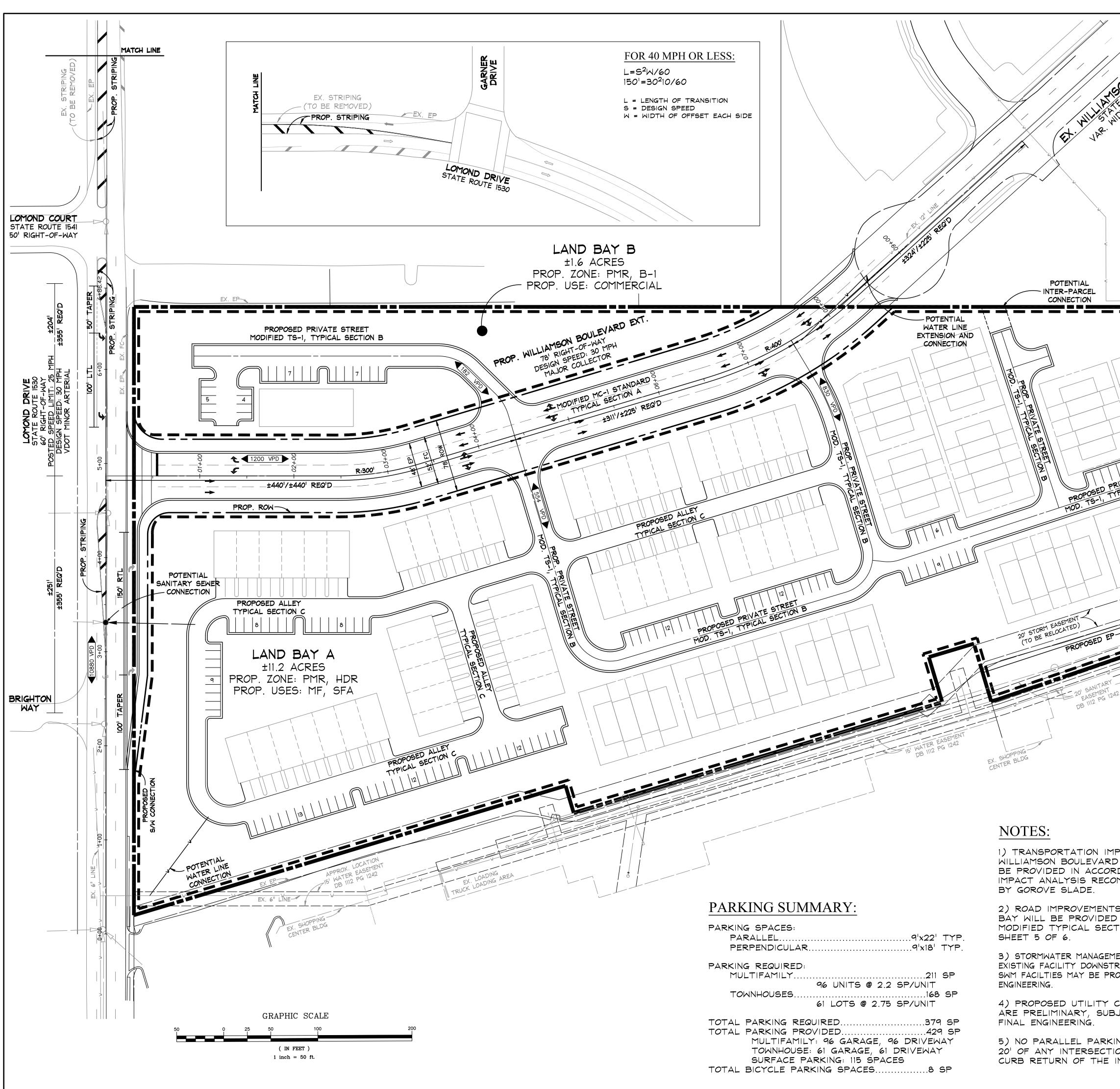
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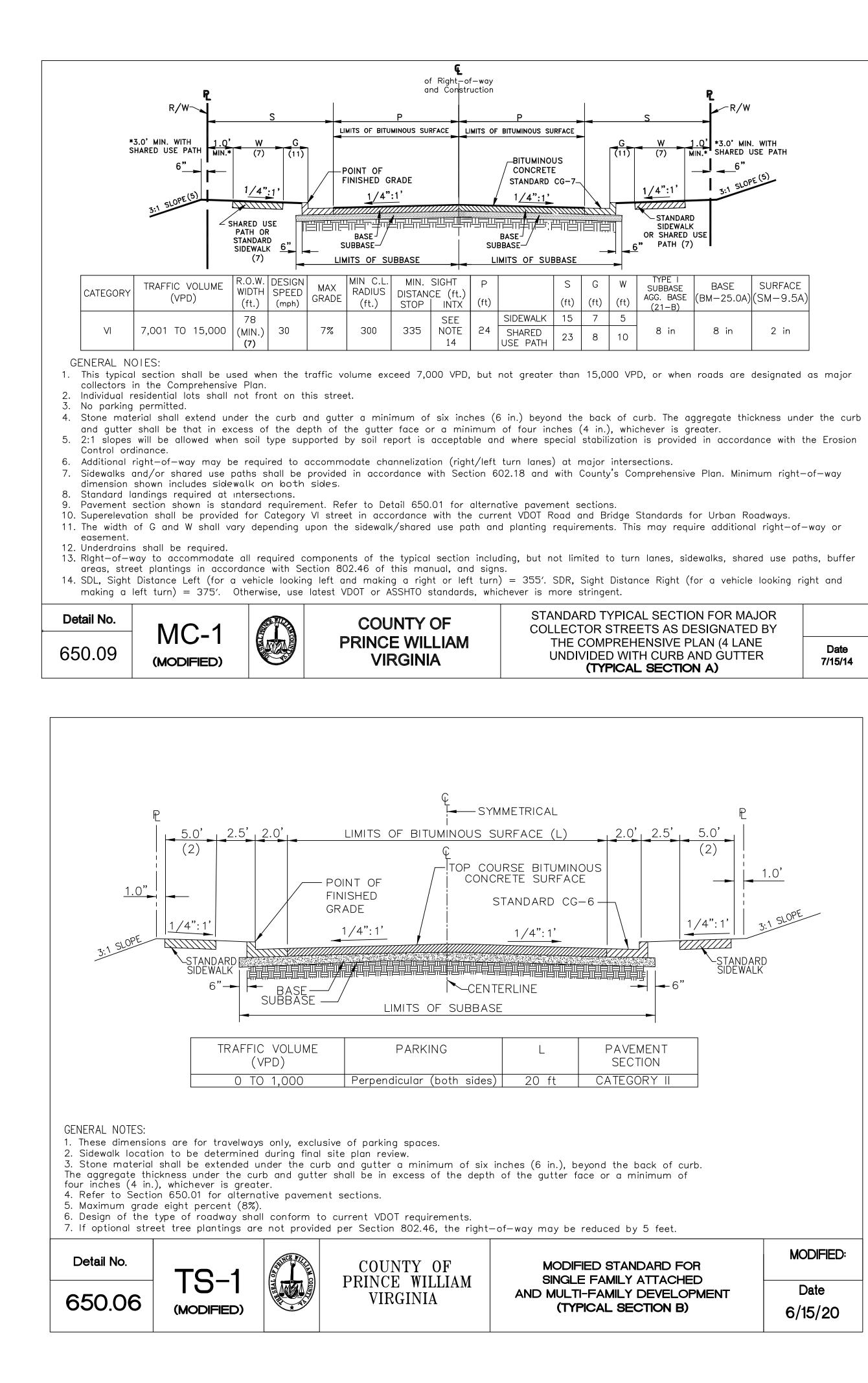
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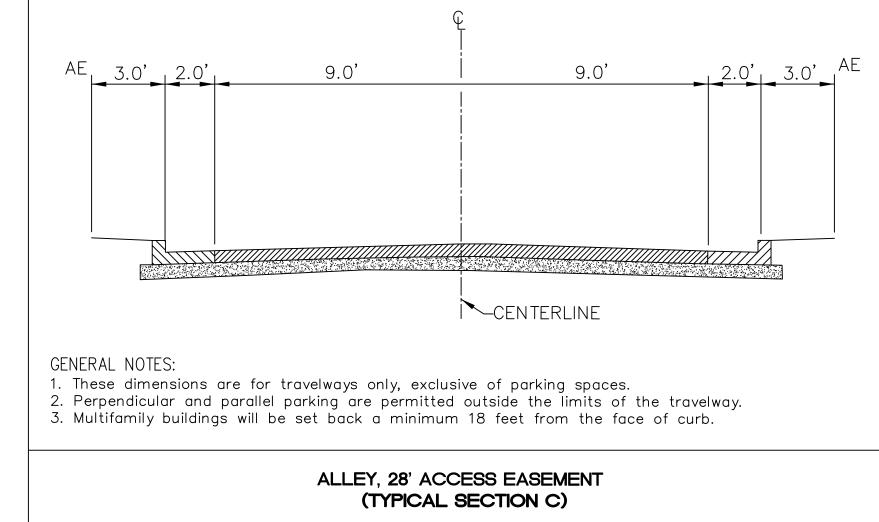


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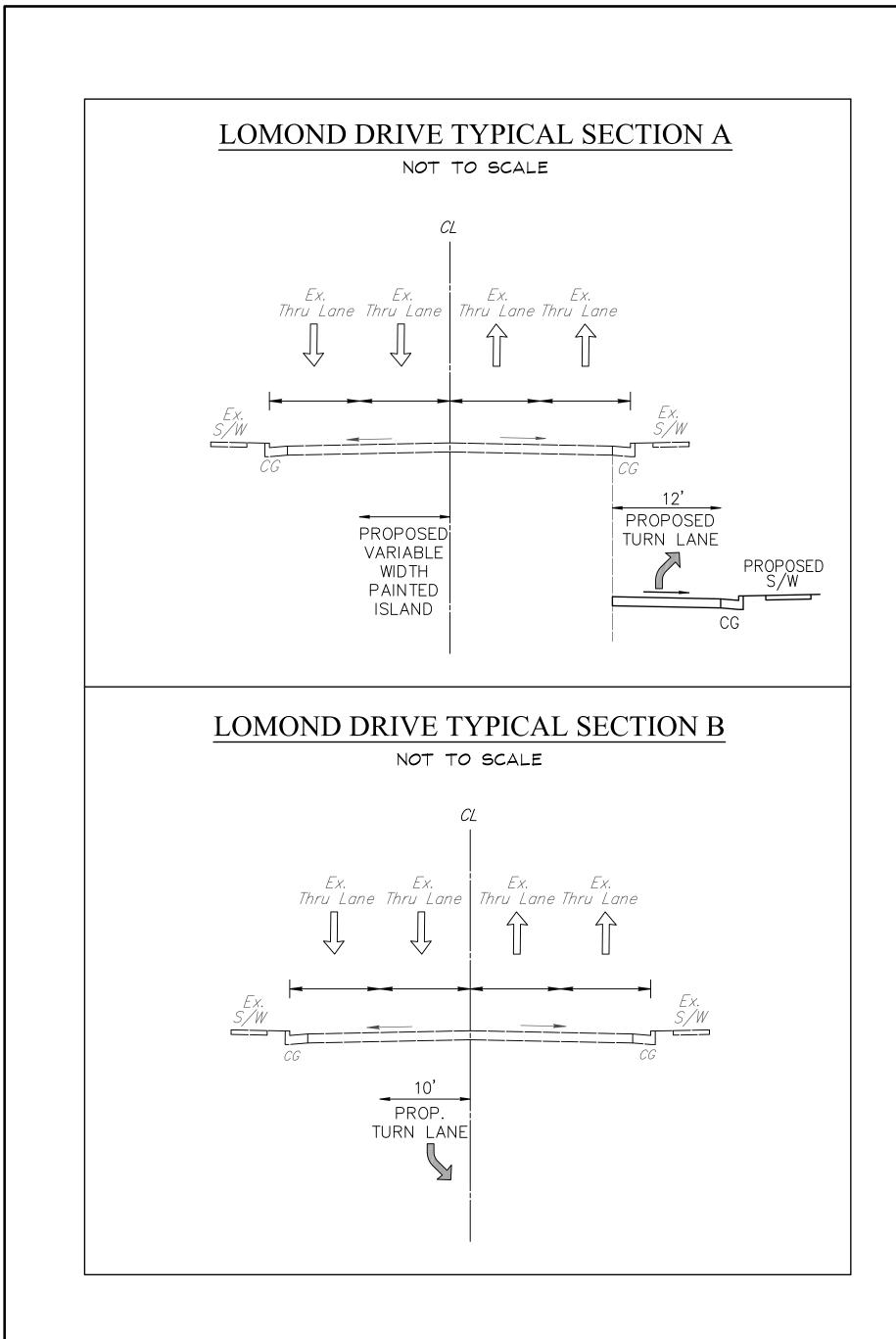
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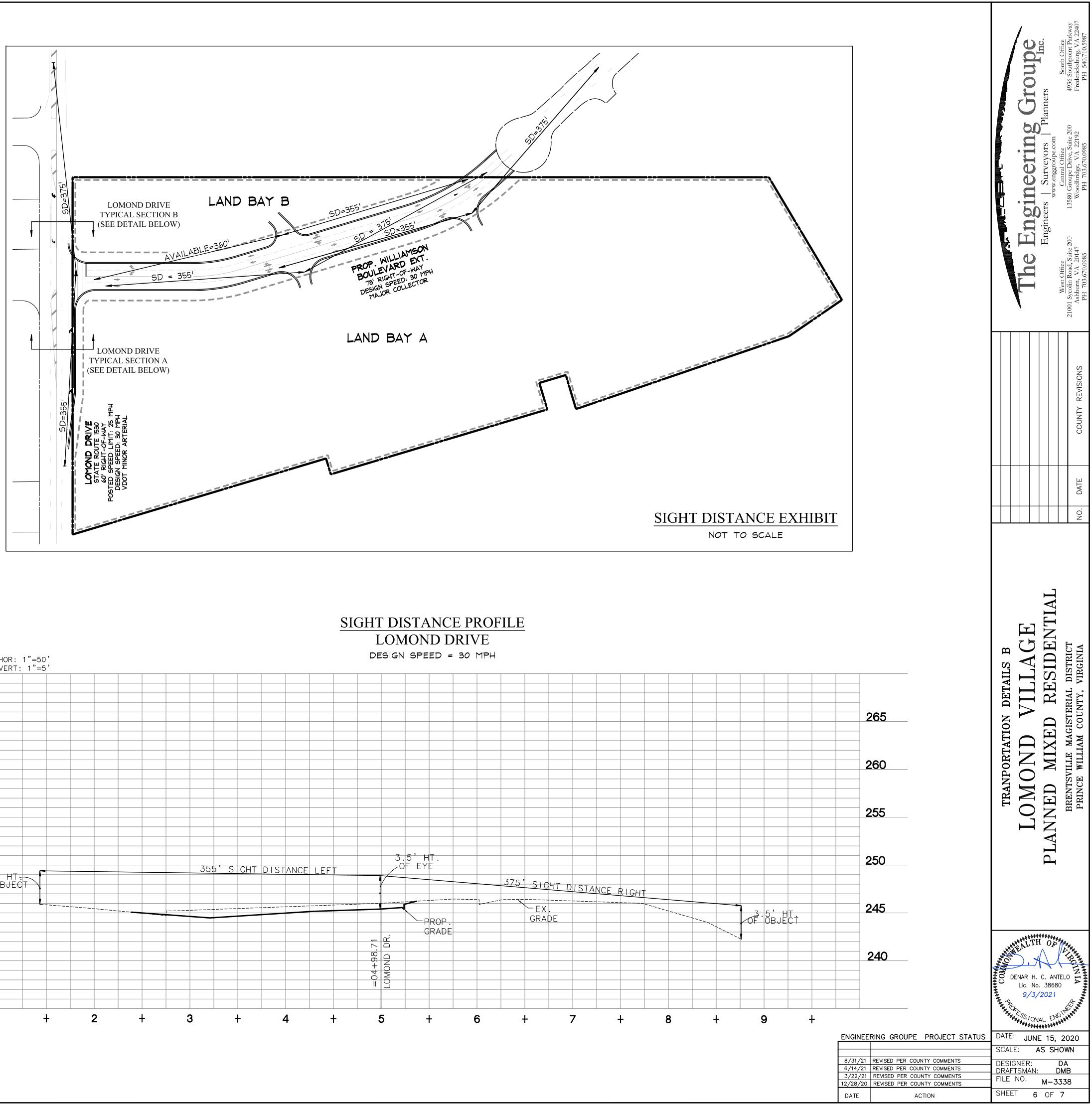
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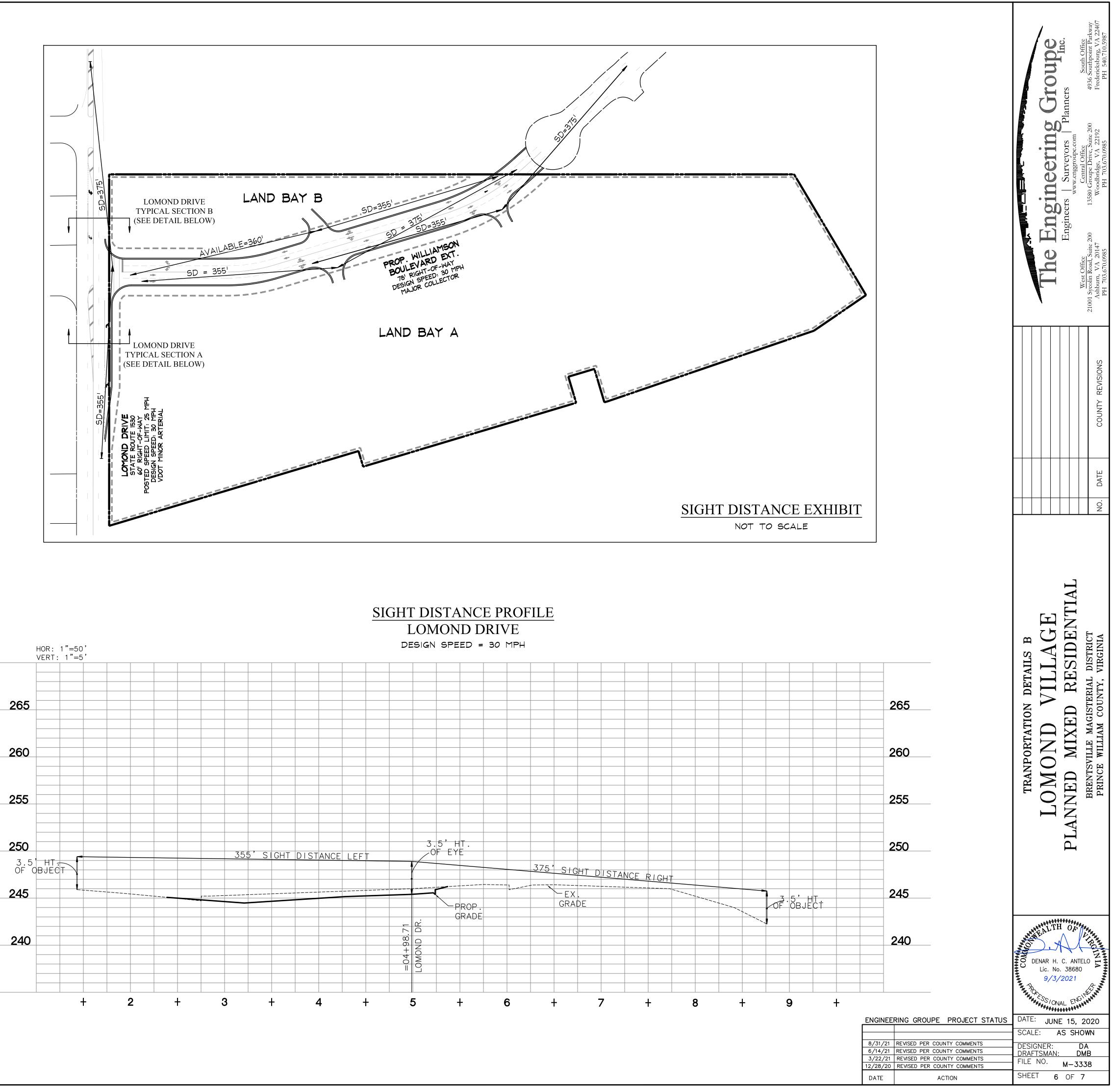
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STAFF REPORT

PC Meeting Date:	July 21, 2021
Agenda Title:	Rezoning #REZ2020-00025, Lomond Village
District Impact:	Brentsville Magisterial District
Requested Action:	Deferral of Rezoning #REZ2020-00025, Lomond Village, to allow the rezoning to be evaluated concurrently with the updated Land Use component of the Comprehensive Plan
Department:	Planning Office
Case Planner:	Scott F. Meyer

EXECUTIVE SUMMARY

This is a request to rezone ±14.3 acres from B-1, General Business, to PMR, Planned Mixed Residential, with associated development waivers and modifications, for a planned residential community, to include up to 157 residential units (townhouse and multi-family) and up to 4,000 square feet of commercial uses. The subject property is located ±430 feet east of the intersection of Lomond Drive and Sudley Road (Route 234 Business) and northwest of the terminus of Williamson Boulevard.

It is the recommendation of staff that the Planning Commission defer action on Rezoning #REZ2020-00025, Lomond Village, to allow the rezoning to be evaluated concurrently with the updated Land Use component of the Comprehensive Plan. The pending land use change for this subject site should be reviewed as part of the other thirty-five (35) requested land use change applications through the current Comprehensive Plan Update process.

The proposal for residential uses does not implement the current GC, General Commercial, land use designation, and is not supported by staff without amendment to the Comprehensive Plan. While the pending proposal could reasonably implement a new mixed residential designation, staff recommends that rezoning the subject site to allow residential uses be contingent on the Board of County Supervisors' adoption of a new land use designation on the subject site. While staff believes that a mix of uses in this area, including residential uses, may be an appropriate alternative infill type of land use in this location, staff recommends that Board adoption of land use changes should proceed any specific zoning changes.

At this time, the update to the Land Use component of the Comprehensive Plan is pending, and completion is anticipated by the end of this year.

BACKGROUND

A. <u>Request</u>: To rezone ±14.3 acres from B-1, General Business, to PMR, Planned Mixed Residential, with associated development waivers and modifications, for a planned residential community, to include up to 157 residential units (townhouse and multifamily) and up to 4,000 square feet of commercial uses.

Uses/Features	Evicting	Dranacad
Uses/realures	Existing	Proposed (with Rezoning)
		(with Rezoning)
Zoning	B-1, General Business	PMR, Planned Mixed Residential
Land Bay Uses	Vacant/Undeveloped	Land Bay A = PMR (HDR);
		81 single-family attached
		(townhomes);
		66 multi-family (two-over-twos)
		Land Bay B = PMR (B-1);
		±4,000 SF commercial building
		area
Uses/Features	Required in PMR	Proposed with Development in
	zoning district	PMR
		(as proffered)
REZ area	Minimum 10 acres for	Total Project Area =
	PMR	±14.3 acres
		Land Bay A= 11.3 acres
		Land Bay 2 = 1.6 acres
		(1.4 acres = Williamson Boulevard
		extended, right-of-way)
Use Type / Unit	2 unit types/styles	2 unit types/styles
Style		(Townhomes and Two-Over-Twos)
Density	PMR zoning (High Density	157 units; 11.3 acres (Land Bay A)
	Residential, HDR) =	13.9 d.u./acre
	8 – 16 d.u./acre	
Open Space	30% (3.87 acres);	34.1% (4.40 acres);
	based on 12.9 acres	based on 12.9 acres
Vehicle Parking	390 spaces	425 spaces

 B. <u>Site Location</u>: The subject property is located ±430 feet east of the intersection of Lomond Drive and Sudley Road (Route 234 Business), and northwest of the terminus of Williamson Boulevard. The site is currently addressed as 10365 Lomond Drive and is identified on County maps as GPIN 7696-59-5541.

- C. <u>Comprehensive Plan</u>: The site is currently designated GC, General Commercial, in the Comprehensive Plan.
- D. <u>Zoning</u>: The site is currently zoned B-1, General Business, without proffers.
- E. <u>Surrounding Land Uses</u>: The surrounding community consists of existing commercial, retail service, residential, utility, transit commuter, and civic/institutional uses. Surrounding uses in the vicinity include the following: Westgate Shopping Center; Portsmouth Station shopping center; Festival at Manassas shopping center; Portsmouth Road commuter lot and transit station; Westgate and Sinclair Elementary Schools; Stonewall Middle School; Irongate Community; Westgate Apartments; and Fairmont Community.
- F. <u>Background & Context</u>: The current land use designation of GC, General Commercial, is inconsistent with and does not support residential development, which is the primary use being proposed with this application. As such, the land use designation should be amended to allow the rezoning request to implement the Comprehensive Plan. Staff's support of the rezoning proposal is contingent on the Board's adoption of a new land use designation.

The Applicant previously submitted a Comprehensive Plan Amendment (CPA) request (#CPA2020-00012, Lomond Village) through the County's annual review process of amendments to the Comprehensive Plan text and/or the Long-Range Land Use Plan designation for a given property. This CPA request is to change the land use designation for approximately 14.3 acres from GC, General Commercial, to HDN, High Density Neighborhood.

This CPA request is now under consideration within the pending overall Comprehensive Plan Update process. Through the land use and mobility chapter update, this land use amendment request will be reviewed and analyzed in a more holistic comprehensive manner. At this time, the Countywide Comprehensive Plan update has not been considered by the Planning Commission or Board of County Supervisors, and has not been adopted. The pending land use change for this subject site should be reviewed as part of the other thirty-five (35) requested land use change applications through the current Comprehensive Plan Update process.

Staff is recommending that the Planning Commission defer action on this request to allow the rezoning to be evaluated concurrently with the updated Land Use component of the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission defer Rezoning #REZ2020-00025, Lomond Village, to allow the rezoning to be evaluated concurrently with the updated Land Use component of the Comprehensive Plan, for the following reasons:

- The current GC land use designation does not support residential development as a primary use.
- At this time, the Countywide Comprehensive Plan update process is ongoing. As such, the updated Land Use component has not been considered by the Planning Commission or Board of County Supervisors, and has not been adopted.
- By allowing for the appropriate land use designation for the site to be adopted, the proposed rezoning will be able to directly implement the new planned land use with fully aligned land use policy and zoning.
- Expanded options for commercial uses should be detailed for a true mixed-use project.

Comprehensive Plan Consistency Analysis

<u>Long-Range Land Use</u>: The site is currently designated GC, General Commercial. The rezoning of the property to PMR, Planned Mixed Residential, as proffered, is inconsistent with GC. The current B-1 zoning district implements GC land uses.

<u>Level of Service (LOS)</u>: This rezoning proposal is subject to the proffer legislation, Virginia State Code Section 15.2-2303.4. The Applicant has elected to proceed under proffer law in effect at the time the application was submitted, which was after July 1, 2019. Pursuant to Virginia State Code Section 15.2-2303.4.(D)(1), the Applicant has provided signed proffers with the application submission package, which indicates that the Applicant deems the proffers to be reasonable and appropriate.

The LOS impacts related to this subject rezoning request would be mitigated by the monetary proffers provided by the Applicant, as follows:

TOTAL LOS \$ CONTRIBUTION			\$2,535,922.50
Schools	\$11,685.00 per residential dwelling unit (single-family attached and multi-family)	\$11,685.00 x 157 units = \$1,834,545.00	\$1,834,545.00
Parks & Recreation	\$3,725 per residential dwelling unit (single-family attached and multi-family)	\$3,725.00 x 157 units = \$584,825.00	\$584,825.00
	multi-family) \$0.61 per square foot (SF) of commercial area	\$0.61 x 4,000 SF = \$2,440.00	
Fire & Rescue	\$720.00 per residential dwelling unit (single-family attached and	\$720.00 x 157 units = \$113,040.00	\$115,480.00
	quality monitoring, drainage improvements and/or stream restoration projects	\$1,072.50	\$1,072.50
Water Quality	\$75.00 per acre, for water	\$75.00 x 14.3 acres =	\$1,072.50

Additional Improvements Offered by Applicant (In-Kind):

• Williamson Boulevard, extended and with improvements, to a modified MC-1 standard. The associated DCSM design waivers for this have been approved.

Community Input

Notice of the rezoning application has been transmitted by the Planning Office to property owners within 500 feet of the site. According to the Applicant's representative, a separate letter describing the proposal was sent to 101 owners of properties located within 500 feet of the property, which included a rendering of the landscaping plan. At this point, no follow-up responses were received. In addition, the Applicant's representative stated that he had discussions with three (3) adjacent property owners, which include the owner of the abutting shopping center, NOVEC, and the owner of an undeveloped commercial property that abuts the property.

As of the date of this staff report, the Planning Office has not received any verbal or written comments on this proposal and is not aware of any community opposition.

It is also important to note that while the subject site is located within the Brentsville Magisterial District, the boundary of the Gainesville Magisterial District is to the north of Lomond Drive, which fronts the site and adjacent residential properties. Over the review, both offices have been sent courtesy copies of the submission.

Other Jurisdiction Comments

The subject site is located outside of the required notification area for adjacent jurisdictions.

Legal Issues

At this time, staff is recommending that the Planning Commission defer action to allow the rezoning to be evaluated concurrently with the updated Land Use component of the Comprehensive Plan.

However, if the rezoning is approved, the ±14.3-acre project site could be developed as a planned residential community, as proffered, through the PMR zoning district. Staff's ability to support the subject rezoning proposal is contingent on the Board of County Supervisors' adoption of a new land use designation. The current land use designation should be amended in order for the rezoning request to be consistent with the Comprehensive Plan.

Legal issues resulting from the Planning Commission's action are appropriately addressed by the County Attorney's Office.

<u>Timing</u>

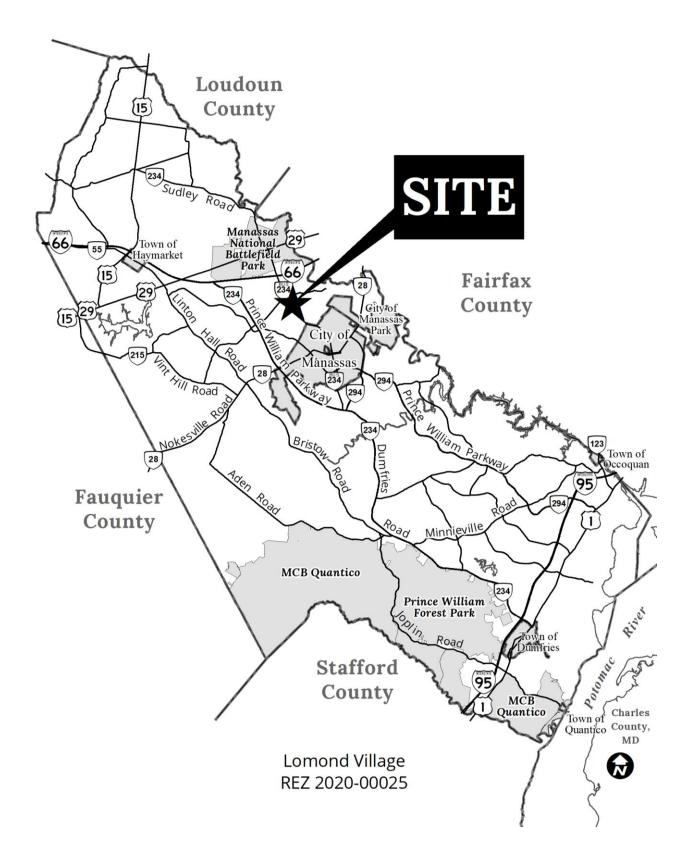
The Planning Commission has until October 19, 2021, which is 90 days from the first public hearing date, to take action on the rezoning proposal. Deferral of the rezoning request would meet the 90-day requirement.

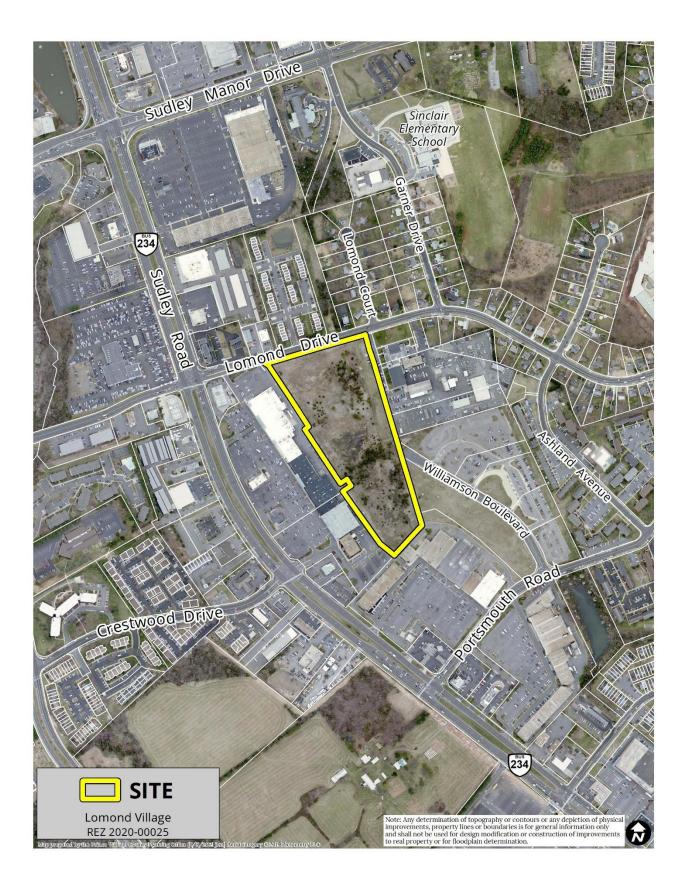
STAFF CONTACT INFORMATION

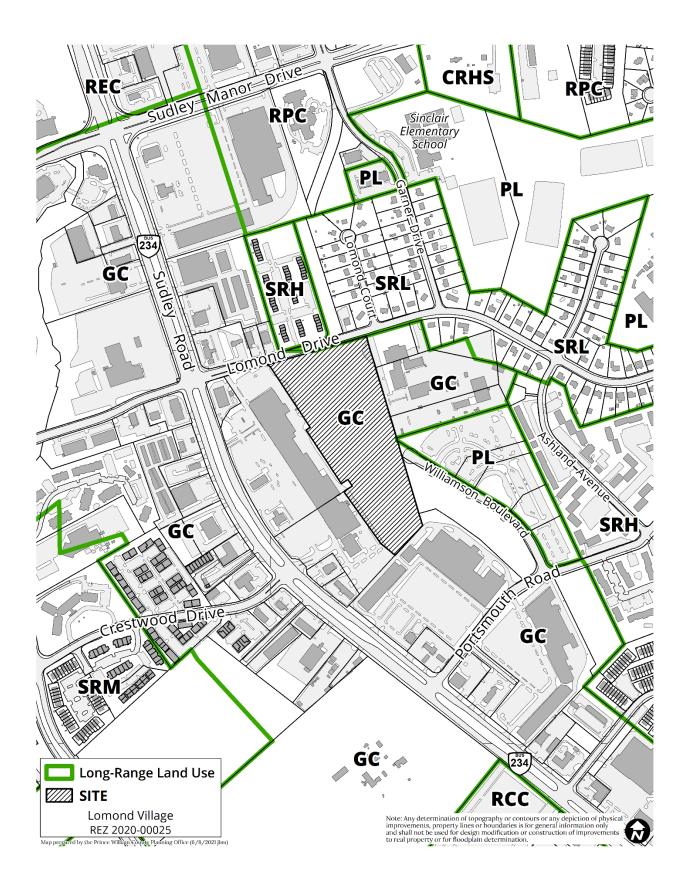
Scott F. Meyer | (703) 792-6876 smeyer@pwcgov.org

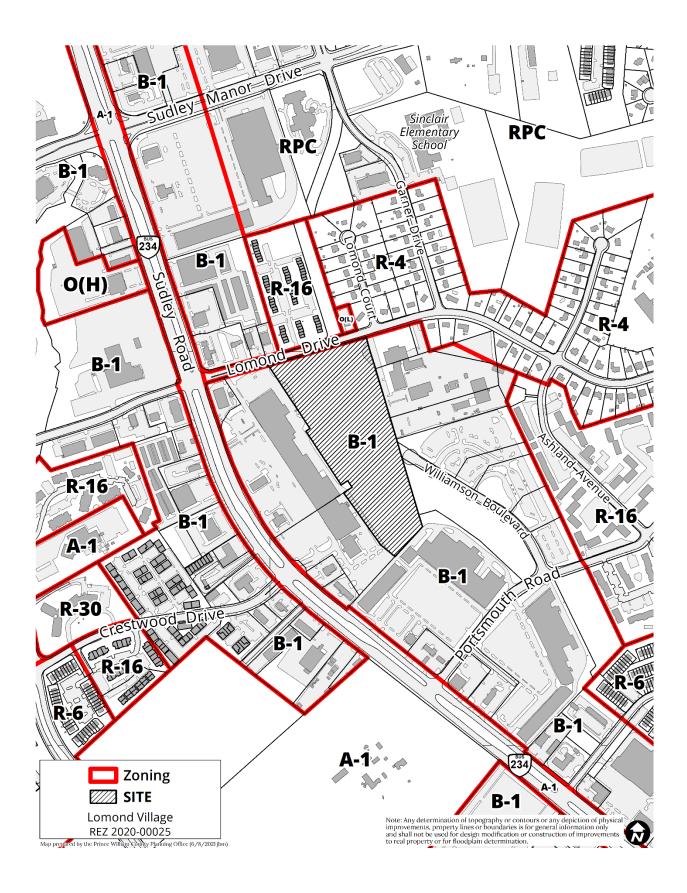
ATTACHMENTS

Area Maps Staff Analysis Proffer Statement Master Zoning Plan Open Space Plan Transportation & Utilities Plan Transportation Details Exhibit Pedestrian Shed/Area Exhibit Building Elevations Existing Land Use Designation Exhibit (from Applicant) Proposed Land Use Designation Exhibit (from Applicant) Schools Impact Memo Historical Commission Resolution









Part I. Summary of Comprehensive Plan Consistency

<u>Staff Recommendation</u>: DEFERRAL, to allow the rezoning to be evaluated concurrently with updated Land Use component of Comprehensive Plan

This summary analysis is based on the relevant Comprehensive Plan action strategies, goals, and policies. A complete analysis is provided in Part II of this report.

Comprehensive Plan Sections	Plan Consistency
Long-Range Land Use	No
Community Design	No
Cultural Resources	No
Environment	Yes
Fire and Rescue	Yes
Housing	Yes
Parks, Open Space and Trails	Yes
Police	Yes
Potable Water	Yes
Sanitary Sewer	Yes
Schools	Yes
Transportation	Yes

Part II. Comprehensive Plan Consistency Analysis

The following table summarizes the area characteristics:

Direction	Land Use	Long-Range Future Land Use Map Designation	Zoning
North	Unit Owners of Brighton Commons Condo; residential units	SRL; SRH	R-4; R-16
South	Portsmouth Plaza Shopping Center	GC	B-1
East	Prince William Electric Cooperative / NOVEC	GC; PL	R-16
West	Westgate Shopping Center	GC	B-1; R-16; R-4

Long-Range Land Use Plan Analysis

Through wise land use planning, the County ensures that landowners are provided a reasonable use of their land while the County is able to judiciously use its resources to provide the services for residents and employers' needs. The Long-Range Land Use Plan sets out policies and action strategies that further the County's goal of concentrating on population, jobs, and infrastructure within vibrant, walkable, mixed-use centers serviced by transit. In addition to delineating land uses on the Long Range Land Use Map, the Plan includes smart growth principles that promote a countywide pattern of land use that encourages fiscally sound development and achieves a high-quality living environment; promotes distinct centers of commerce and centers of community; complements and respects our cultural and natural resources, and preserves historic landscapes and site-specific cultural resources; provides adequate recreational, park, open space and trail amenities that contribute to a high quality of life for county residents; and revitalizes, protects, and preserves existing neighborhoods.

The Applicant is requesting to rezone the subject property from B-1, General; Business, to PMR, Planned Mixed Residential, to develop a planned mixed residential community. The project will have two (2) land bays, with the following unit type area, density, and density as listed below:

- > Land Bay A; 157 units in 11.3 acres = 13.9 units/acre
- > Land Bay B; 4,000 SF commercial uses in 1.6 acres

This site is located within the Development Area of the County, and is currently designated as GC, General Commercial. The following table summarizes the uses and densities intended within the GC designation as it relates to this project:

Long-Range Land Use Map Designation	Intended Uses and Densities
General Commercial (GC)	The purpose of the General Commercial classification is to recognize areas of existing commercial activity along major County roadways that serve a local market rather than a regional market. Access to GC uses shall be limited to abutting arterial or collector roadways, rather than from lesser abutting roadways, except where interparcel connections are provided between abutting GC sites. Pedestrian access to adjacent and nearby residential areas where appropriate shall be encouraged. Primary uses in the GC are retail, retail service, and lodging uses. Office use shall be considered a secondary use and shall represent no greater than 25 percent of the total GC gross floor area of the project. Infill and redevelopment of areas identified as GC are encouraged, particularly with new or relocated commercial uses that are of a scale similar to surrounding uses. Designation of new GC areas is discouraged. Office development in GC areas is encouraged to be in accordance with the <i>Illustrative Guidelines for Office</i>

The Applicant initially submitted a separate out-of-turn Comprehensive Plan Amendment (CPA) to change the long-range land use designation for approximately 14.3 acres from GC, General Commercial, to HDN, High Density Neighborhood, a newer long-range use designation of the Comprehensive Plan. However, this request is now being looked at as part of the Countywide Comprehensive Plan Update. Through the land use and mobility chapter update, an opportunity will exist to review and analyze this request for an infill project in a more holistic comprehensive manner. The request to reduce the planned commercial area and provide for increased residential capacity in this area will be viewed in the greater context of the community and its current needs.

Proposal's Strengths

- <u>Proffered Master Zoning Plan (MZP) & Uses</u>: As proffered, development of the property shall be in substantial accordance with the MZP, with two (2) land bays and a specific layout. A variety of single-family attached and multi-family options are being proposed, along with a commercial use area.
- <u>Proximity to Transit Hub</u>: An existing VDOT park-and-ride commuter parking lot located to the southeast, and accessed by Williamson Boulevard. As proposed with this rezoning, additional housing options will be located adjacent to the commuter lot. This will also provide a planned residential use options, and with convenient pedestrian access to transit options.
- <u>Transitional & Infill Use for Surrounding Area</u>: The subject property is surrounded by a mixture of commercial and retail service uses, suburban residential, a commuter parking lot, public utility uses, and other institutional/civic uses. This proposed project could help enable a vacant property to be developed with infill and neighborhood-oriented communities with interconnected streets with short blocks and reduced setbacks.
- <u>Application of SMART Growth Principles</u>: The proposal implements and addresses, to varying extents, several key principles in the Land Use chapter of the Comprehensive Plan, such as the following:
 - Mix land uses in the Development Area.
 - Create a range of housing opportunities and choices.
 - Create walkable neighborhoods.
 - Foster distinctive, attractive communities with a strong sense of place.
 - Strengthen and direct development towards existing communities and infrastructure.
 - Provide a variety of transportation choices.

Proposal's Weaknesses

- <u>Land Use & Zoning Incompatibility</u>: The proposed rezoning of the subject property from B-1, General Business, to PMR, Planned Mixed Residential, as proffered, is not compatible with the current GC, General Commercial, land use designation within the Comprehensive Plan. The existing, planned land use does not support residential development as a primary use. This is main reason for staff's recommendation for the Planning Commission to defer the subject rezoning request – to allow the necessary time for the land use designation to be amended.
- <u>Limited Commercial</u>: The GC use designation recommends primary uses as retail, retail service, and lodging uses. Rather, this rezoning proposes a mostly residential development. Expanded options for commercial uses should be detailed for a true mixed-use project.

On balance, this application is found to be inconsistent with the relevant components of the Long-Range Land Use Plan, based on the current land use designation.

Community Design Plan Analysis

An attractive, well-designed County will attract quality development, instill civic pride, improve the visual character of the community, and create a strong, positive image of Prince William County. The Community Design Plan sets out policies and action strategies that further the County's goals of providing quality development and a quality living environment for residents, businesses, and visitors, and creating livable and attractive communities. The Plan includes recommendations relating to building design, site layout, circulation, signage, access to transit, landscaping and streetscaping, community open spaces, natural and cultural amenities, stormwater management, and the preservation of environmental features.

Major overhead electric utility lines are located on Lomond Drive and a portion of the eastern property line. A strip shopping center (constructed in the 1960s/1970s) adjacent to the western property does not have setbacks from the common property line, and in one area encroaches onto the subject site. Additional utilities impact the property as well. Another significant impact is the planned location/extension of Williamson Boulevard, which bifurcates the property.

A variable width landscape area is proposed along the western property boundary where the proposed residential abuts the existing Westgate Plaza shopping center, and along a portion of the eastern property boundary where the proposed residential abuts existing nonresidential uses. The western property line is encumbered by various easements, as shown on Sheet 3 of the MZP. As such, the landscape area is smaller in those areas to accompany the existing easements. Enhanced street tree plantings and a 10-foot landscape area are proposed along the Lomond Drive frontage. There will be both passive and active recreation spaces. A Village Green is proposed in the middle of the site along with a tot lot for the residents, as shown on Sheet 3 of the MZP.

Conflicts with Minimum Development Standards

It is important to note that every landscape buffer being proposed onsite is substandard. The 50foot buffer required between the proposed residential uses and the shopping center to the west and south is not provided. Instead, a 30-foot-wide buffer is proposed over existing utility easements. This does not meet minimum standards and is a poor design, thus compromising the integrity and longevity of the buffer. No buffer exists on the existing shopping center. Therefore, it is imperative that the full 50-foot be provided along this property line that abuts the rears of all the commercial buildings, and as required outside of all existing and proposed utility easements. With the latest submission, a portion of the proposed 30-foot buffer is occupied by an existing storm easement, as the easement continues to the north and overlays a portion of the proposed buffer.

An 80-foot wide NOVEC electric easement runs along Lomond Drive. The Applicant is currently proposing landscaping that does not meet DCSM 802.42 minimum requirement of 80pu/100lf. Also, the proposed landscaping does not provide the 10-foot landscape strip along the entire frontage. Since NOVEC is not likely to allow the small trees shown in the easement, the Applicant will need to provide some assurance that NOVEC will accept their design.

Overall given the clearing of the entire site, interior landscaping needs to be much more extensive to compensate for loss of tree cover. It is unclear if this proposal will meet tree cover requirements. Although the Applicant indicates the 10% tree cover for the commercial portion of the site will be met. However, their calculation appears to include trees planted in a utility easement, which are not acceptable since they may be removed by the easement holder at any time. In addition, although the Applicant claims that 15% tree cover is met for the residential townhome section, it appears inaccurate, as trees in utility easement area are credited, which is not allowed. Trees credited toward the requirement are to provide permanent tree cover.

Proposal's Strengths

- <u>Residential Architectural Design</u>: As proffered, building design shall be in substantial conformance with the architectural elevations and renderings titled "Lomond Village Planned Mixed Residential" prepared by John F. Heltzel Architects, dated June 14, 2021.
- <u>Building Materials</u>: As proffered, building structures shall be constructed with a combination of materials such as brick, stucco, siding, stone, cementitious materials and/or other equivalent materials having similar appearance to achieve the intended design quality as determined by the Applicant during the final construction design and based on the availability of materials. Compliance shall be demonstrated by submission of building elevations to the Planning Director or designee for review and approval two weeks prior to issuance of the Building Permit Release letter.
- <u>Housing Product Orientation / Loading</u>: For greater product mixture and to help promote/achieve walkability, the Applicant is offering a rear-loaded multi-family (two-over-two) with frontages oriented towards open space/green areas, road frontages, and similar amenities, to maximize pedestrian-orientation and quality streetscape for the community.

In addition, there are several types of single-family attached townhome models being offered, with and front- and rear-loading options, as well as variety of design styles.

- <u>Uniform Theme</u>: As proffered, themed street lighting, and lighting along the pedestrian pathways and in courtyards shall be provided. These features shall be shown on the final site/subdivision plan for the area proposed and shall be completed prior to release of the final performance bond within each section where such individual features are shown.
- <u>Signage</u>: As proffered, community sign entry features with a brick and/or stone base identifying the project shall be permitted at the community entrances located along Lomond Drive and Williamson Boulevard. The monument entry feature(s) shall be landscaped with plantings to include existing trees, understory trees, shrubs, perennials, grasses and lawn, and any lighting shall be low intensity and shall be shielded so that it does not shine upward beyond the height of the entry feature. All signs shall be monument style, a maximum of ten (10) feet in height, and subject to permits and permit review in accordance with the requirements of Zoning Ordinance.
- <u>Homeowners Association</u>: As proffered, the Applicant shall establish a homeowners' association for the Property (HOA) which shall be responsible for: (a) the administration of covenants, design guidelines and the Design Review Committee ("DRC"); and (b) the maintenance of common areas and improvements including private roads, buffers, fencing, the entrance features, and the amenity area on the Property. The HOA or DRC shall oversee implementation of the covenants, conditions & restrictions ("CCR's") to be established for the community. The HOA or DRC, through its interpretation and approval powers, shall be responsible for ensuring high quality development by reviewing site development plans, exterior architectural elevations, and façade treatments for compliance with the CCR's. The CCR's shall include provisions related to the following:
 - i. Architectural style
 - ii. Building material and colors.
 - iii. Lighting, landscaping and fencing.
 - iv. All other exterior architectural modifications or additions

Proposal's Weaknesses

- <u>Reduced Buffering / Landscape Areas</u>: As proposed, all perimeter landscaping is being is being reduced and modified. Although Planning staff acknowledges that some of these modifications are justifiable, more justification is needed as to why some are being modified, as proposed. In summary, here are the buffer modifications that staff cannot support:
 - At the southeastern portion of the site, adjacent to the Portsmouth Realty property, staff requests increased landscaping and buffer width. As proposed, a 15-foot buffer (as modified) is still insufficient. Staff requested that this buffer be increased 20 to 25 feet, in variable width buffering. Despite that variable width buffering is still being provided, the overall width should be increased. Staff still views this as a weakness and has not been fully addressed.

- Staff has requested an intact, consistent 50-foot buffer be established along the western perimeter of the site, abutting the shopping center. No buffer exists on the existing shopping center, as it is substandard. As proposed, there is variability with different widths of the buffer being provided. Although staff understands the constraints along the western side, staff has maintained its preference for a more substantial landscape buffer – especially along an existing shopping center and with a new planned, mixed residential development being proposed.
- <u>Commercial Land Bay Constraints</u>: The Applicant is proposing a 1.6-acre land bay for commercial uses, which is located at the northeastern corner of the development. Currently, this an 80-foot NOVEC overhead powerline easement that runs through the majority of the land bay. This easement will limit the overall use options for this portion of the project. Staff has ongoing concerns about what exactly can be developed, given the overhead powerlines and easement restrictions. In addition, due to the orientation of this land bay in the overall layout context, there are limited development options and concerns with its effectiveness in bringing nonresidential uses to the property.
- Lack of Formal Commitment for Side Elevation Façade Treatment: Although the Applicant
 has proffered building elevations with façade styles for the proposed housing units, it is
 unclear to what extent such design elements will pertain to the residential buildings. In
 addition to the front and rear, staff has concerns about the side views/elevations especially
 with the orientation of the housing units along Williamson Boulevard. Staff would have
 preferred if there was a proffer to enhance the building sides, and requiring a certain
 amount of brick/stone on such sides that may be more visible.

On balance, this application is inconsistent with the relevant components of the Community Design Plan.

Cultural Resources Plan Analysis

Prince William County promotes the identification, evaluation, and protection of cultural resource sites throughout the County, as well as the tourism opportunities these sites present. The Cultural Resources Plan recommends identifying, preserving, and protecting Prince William County's significant historical, archaeological, architectural, and other cultural resources – including those significant to the County's minority communities – for the benefit of all of the County's citizens and visitors. To facilitate the identification and protection of known significant properties that have cultural resource values worthy of preservation, the land use classification County Registered Historic Site (CRHS) is used in the Comprehensive Plan. The Plan includes areas of potentially significant known but ill-defined or suspected pre-historic sites, Civil War sites, historic viewsheds, landscapes or areas of potential impact to important historic sites, and encourages the identification, preservation, protection, and maintenance of all cemeteries and/or gravesites located within the County.

This project area is in the First Battle of Manassas Study Area as defined by the American Battlefield Protection Program. The Historical Commission during the regularly scheduled meeting on October 13, 2020, recommended a Phase I cultural resource study and any artifacts found during that study be curated with and donated to the County. The County Archaeologist concurs. The resolution from this meeting is attached at the end of this report.

Proposal's Strengths

• None identified.

Proposal's Weaknesses

• <u>No Commitment to Donation & Curation</u>: Although staff has requested that the Applicant provide a proffer to provide a Phase I cultural resource study and make a formal commitment to curate and donate any artifacts found during that study to the County, such proffer has not been provided. Although the site has been previously disturbed, there is a low potential that resources will be found. Regardless, staff would prefer such proffer be provided, as is standard in other similar such rezoning applications.

On balance, this application is found to be inconsistent with the relevant components of the Cultural Resources Plan.

Environment Plan Analysis

Prince William County has a diverse natural environment, extending from sea level to mountain crest. Sound environmental protection strategies will allow the natural environment to co-exist with a vibrant, growing economy. The Environment Plan sets out policies and action strategies that further the County's goal of preserving, protecting, and enhancing significant environmental resources and features. The Plan includes recommendations relating to the incorporation of environmentally sensitive development techniques, improvement of air quality, identification of problematic soil issues, preservation of native vegetation, enhancement of surface and groundwater quality, limitations on impervious surfaces, and the protection of significant viewsheds.

The subject site is mixed successional field vegetation with no significant environmental features. With this infill type pf development, the Applicant is proposing a planned mixed-use community, to include up to 157 residential units (townhouse and multi-family) and commercial uses. The pending development is intended to implement the concurrently requested HDN, High Density Neighborhood, land use designation, which is a type of mixed/compact form land use that is outlined in the Dale City Small Area Plan. Such land use analysis and evaluation are occurring through the ongoing Comprehensive Plan Update.

Numerous waivers and modifications are being requested, in particular to the landscaping and buffers. Stormwater Management and/or Best Management Practices will be provided onsite and/or offsite, in accordance with the DCSM, unless modified or waived during final site/subdivision plan review.

Water Quality

As per standard practice, a \$75 per acre (±8.55 acres) monetary contribution to the Board of County Supervisors for water quality monitoring, stream restoration, and/or drainage improvements has been proffered. Such contribution shall be made prior to and as a condition of final site/subdivision plan approval with the amount to be based on the acreage reflected on the site/subdivision plan.

Proposal's Strengths

• <u>Limits of Clearing and Grading</u>: The Applicant proposes to limit clearing and grading on the Property to those areas depicted on the MZP. As proffered, no clearing or improvements shall be made outside of the clearing and grading on the Property with the exception of the following: (a) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees at the Applicant's sole discretion; and (b) the installation and maintenance of water, sanitary sewer, storm sewer outfalls and other utilities.

Proposal's Weaknesses

• None identified.

On balance, this application is found to be consistent with the relevant components of the Environment Plan.

Fire and Rescue Plan Analysis

Quality fire and rescue services provide a measure of security and safety that both residents and businesses have come to expect from the County. The Fire and Rescue Plan sets out policies and action strategies that further the County's goal of protecting lives, property, and the environment through timely, professional, humanitarian services essential to the health, safety, and well-being of the community. The Plan includes recommendations relating to siting criteria, appropriate levels of service, and land use compatibility for fire and rescue facilities. The Plan also includes recommendations to supplement response time and reduce risk of injury or death to County residents, establishment of educational programs, such as cardio-pulmonary resuscitation (CPR) training, automatic external defibrillators (AED), and encourage installation of additional fire protection systems – such as sprinklers, smoke detectors, and other architectural modifications.

Fire/Rescue Station #11 (Stonewall Jackson) is the first due fire/rescue resource for the project site. The site is within the required 4.0-minute travel time for Basic Life Support and Fire Suppression, and is within the required 8.0-minute travel time for Advanced Life Support. In FY 2019, Station 11 responded to 5,460 incidents, with a workload station capacity of 2,000 incidents per year. The FY 2021-2026 Capital Improvement Program (CIP) includes Station #22 (Groveton). The proposed location of Station 22 will affect the total response for Station 11, but the full effect has yet to be determined. Station #22 opened in January 2021 and is now operational. Systemwide response times are expected to improve and ease the burden on existing nearby stations.

Proposal's Strengths

- <u>Monetary Contribution</u>: As proffered, prior to and as a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Board of County Supervisors in the amount of \$720 per residential dwelling unit constructed on the Property. As a condition of occupancy permit issuance for each commercial building, the Applicant shall make a monetary contribution to the Board of County Supervisors in the amount of \$0.61 per square foot of building area. Said contributions shall be used for fire and rescue purposes.
- <u>Inside of 4.0-Minute Travel Time</u>: The site is located within the 4.0-minute travel time for basic life support and fire suppression.
- <u>Inside of 8.0-Minute Travel Time</u>: The site is located within the 8.0-minute travel time for advanced life support services.
- <u>Expected Response Time Improvements</u>: With the new Station #22, the station's first due area (#11) will experience response time improvements. Systemwide response time improvements are also projected to improve, which will help ease emergency response call volume on existing stations.

Proposal's Weaknesses

• <u>Station Workload</u>: Fiscal Year 2019 figures indicate that Fire and Rescue Station #11 responded to 5,460 incidents, while the workload capacity for Station 11 is 2,000 incidents per year. As such, it is operating overcapacity.

<u>On balance</u>, this application is found to be consistent with the relevant components of the Fire and Rescue Plan.

Housing Plan Analysis

Prince William County is committed to clean, safe, and attractive neighborhoods for all its residents, and the elimination of neighborhood blight and substandard housing. The Housing Plan sets out policies and action strategies that further the County's goal of identifying locations and criteria for the provision of diverse housing opportunities for all segments of our population and to promote economic development. The Plan includes recommendations relating to neighborhood preservation and improvement, affordable housing, special needs housing, and public/private partnerships to address housing needs.

The Housing Plan encourages provision of affordable housing units or the support of the housing trust fund by rezoning applicants. As proposed, the Applicant is proposing single-family attached (townhouse) and multi-family (two-over-two style) residential units, with various styles and modified design features. The Housing chapter of the Comprehensive Plan encourages the provision of affordable housing for all segments of the County's population, and encourages developers to

contribute to the Housing Preservation and Development Fund during the rezoning process for any residential project. As proposed, the Applicant has not proffered to provide a monetary contribution for the Housing Preservation and Development Fund.

Proposal's Strengths

• <u>Variety of Housing Products Offered</u>: As proposed, the Applicant is proposing a mixture single-family attached (townhouse) and multi-family (two-over-two style) residential units, with differing styles and modified design features. Overall, the County is currently in need of additional housing infrastructure, and this project will help contribute to the inventory.

Proposal's Weaknesses

• None identified.

On balance, this application is found to be consistent with the relevant components of the Housing Plan.

Parks, Open Space and Trails Plan Analysis

The quality of life for residents of Prince William County is linked closely to the development and management of a well-maintained system of parks, trails, and open space. Prince William County contains a diversity of park, open space, and trail resources. These parklands, open spaces, and recreational facilities play a key role in shaping both the landscape and the quality of life of Prince William County residents through the conservation of natural and cultural resources, protection of environmental quality, and provision of recreational facilities. The Parks, Open Space and Trails Plan sets out policies and action strategies that further the County's goal of providing park lands and recreational facilities of a quantity, variety, and quality appropriate to meet the needs of the current and future residents of Prince William County. The Plan includes recommendations to preserve existing protected open space, maintain high quality open space, expand the amount of protected open space within the County, and to plan and implement a comprehensive countywide network of trails.

PARKS AND RECREATION FACILITIES NEAR THE PROJECT AREA

Per the Parks, Recreation & Tourism Chapter of the County's Comprehensive Plan, the subject property is located within Park Planning District 5. Parks within the service area of this development include the following:

Park Type	Park Name
Neighborhood	None
Community	Fairmont Park
	Mayhew Sports Complex
	Pat White Center at Ben Lomond
Regional	Ben Lomond Regional Park/Splashdown Waterpark
Linear/Greenway	None
Cultural/Natural Res.	Ben Lomond Historic Site
School/Community Use	Brandon Way Fields (behind Sinclair ES)
Trails	Trails within Ben Lomond Regional Park and Mayhew
	Sports Complex

Department of Parks, Recreation and Tourism (DPRT) staff acknowledges that an unprogrammed "village green" area is still beneficial for the community and offers no objections to it, as identified on the MZP. DPRT previously requested that the applicant include a proffer for the tot lot that was referenced in the application, so that DPRT could ensure that this amenity is part of the proffered (and constructed) amenities, and that it is built to DPRT standards at the site plan stage of development. DPRT does not have any concerns with the village green area or proffered monetary contribution.

The Applicant has adequately addressed previous comments/concerns regarding the tot lot and associated design details. DPRT offers no objections to approval of this application.

Proposal Strengths

- <u>Monetary Contribution</u>: As proffered, as a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Board of County Supervisors in the amount of \$3,725.00 per dwelling unit constructed on the Property. Said contribution shall be used for parks and recreation purposes.
- <u>Village Green</u>: As proffered, the Village Green in Land Bay A shall provide flexible open space for informal recreational activities, community events, and serve as an attractive setting for shared uses available to the residents of the Planned residential community.
- <u>Tot Lot</u>: As proffered, a tot lot designed for children 5 to 12 years of age shall be provided in the Village Green area shown on the MZP. Said playgrounds shall be constructed to the standards provided by the Prince William County Department of Parks, Recreation and Tourism and meet current ADA requirements, shall have resilient surfaces, and shall include at least three (3) play components. In addition, the tot lot shall include at least one park bench constructed to the standards provided by DPRT, and it shall be landscaped.

Proposal Weaknesses

• None identified.

<u>On balance</u>, this application is found to be consistent with the relevant components of the Parks, Recreation, and Tourism component of the Comprehensive Plan.

Police Plan Analysis

Residents and businesses expect a high level of police service for their community. This service increases the sense of safety and protects community investments. The Police Plan is designed to promote Prince William County's public safety strategic goal to continue to be a safe community, reduce criminal activity, and prevent personal injury and loss of life and property, as well as to ensure effective and timely responses throughout the County. This Plan encourages funding and locating future police facilities to maximize public accessibility and police visibility as well as to permit effective, timely response to citizen needs and concerns. The Plan recommends educational initiatives, such as Neighborhood and Business Watch, and Crime Prevention through Environmental Design (CPTED), which encourages new development to be designed in a way that enhances crime prevention. The Plan also encourages effective and reliable public safety communications linking emergency responders in the field with the Public Safety Communications Center.

At this time, the Police Department does not believe this application will create significant impact on calls for service. During site plan review, the Applicant should focus on the following key areas for the development: onsite parking management; lighting in community areas; community/area surveillance; landscape maintenance, and pedestrian safety/connectivity.

The Applicant should coordinate with the Police Department as the site develops, and apply the various Crime Prevention Through Environmental Design (CPTED) principles, which can be found at the following: <u>https://www.pwcva.gov/assets/documents/police/002035.pdf</u>

Proposal's Strengths

• <u>Minimal Impacts to Levels of Service</u>: The Police Department does not believe this application will create significant impact on calls for service.

Proposal's Weaknesses

• None identified.

On balance, this application is found to be consistent with the relevant components of the Police Plan.

Potable Water Plan Analysis

A safe, dependable drinking water source is a reasonable expectation of County residents and businesses. The Potable Water Plan sets out policies and action strategies that further the County's goal of providing an economically and environmentally sound drinking water system. The Plan includes recommendations relating to system expansion, required connections to public water in the development area, and the use of private wells or public water in the Rural Area.

The subject property is within the Development Area of the County and is thereby required to utilize public water to develop. Public water is available from an existing 12-inch water main on Williamson Boulevard, an existing 10-inch water main on Lomond Drive, and an existing 12-inch stub-out along the eastern property boundary. The developer will be required to provide onsite looping and connect to multiple supply sources for increased redundancy and water quality.

Depending on the final configuration of any proposed onsite water mains, additional water main extensions may be required by the Service Authority to provide adequate fire protection or satisfy water quality requirements. The Applicant shall plan, design, and construct all onsite and offsite water utility improvements necessary to develop the subject property and the above-listed requirements in accordance with all applicable Service Authority, and County and State requirements, standards, and regulations.

Proposal's Strengths

• <u>Water Connection & Service</u>: As proffered, the Applicant shall plan, design, and construct all onsite and offsite water utility improvements necessary to develop the subject property.

Proposal's Weaknesses

• None identified.

<u>**On balance**</u>, this application is found to be consistent with the relevant components of the Potable Water Plan.

Sanitary Sewer Plan Analysis

Appropriate wastewater and sanitary facilities provide needed public health and environmental protections. The Sanitary Sewer Plan sets out policies and action strategies that further the County's goal of providing an economically and environmentally sound sanitary and stormwater sewer system. The Plan includes recommendations relating to system expansion, required connections to public sewer in the development area, and the use of either private or public sewer systems in locations classified as Semi-Rural Residential (SRR), as well as the Rural Area.

The subject property is within the Development Area of the County and is thereby required to utilize public sewer to develop. Public sewer is available from an existing 8-inch gravity sewer main located on Lomond Drive. The developer may be required to provide a sewer study to determine if there is

adequate capacity in the existing collection system to accommodate the projected peak flows of the proposed development.

Grinder pumps in the sanitary sewer system may be required. The Applicant shall plan, design, and construct all on-site and off-site sanitary sewer utility improvements necessary to develop the property and satisfy all requirements in accordance with all applicable Service Authority, County, and State requirements, standards, and regulations.

Proposal's Strengths

• <u>Sewer Connection & Service</u>: As proffered, the Applicant shall be responsible for all onsite and offsite improvements required to provide the sewer service demand generated by the development.

Proposal's Weaknesses

• None identified.

On balance, this application is found to be consistent with the relevant components of the Sanitary Sewer Plan.

Schools Plan Analysis

A high-quality education system serves not only the students and their families, but the entire community by attracting employers who value educational opportunities for their employees. The Schools Plan sets out policies and action strategies that further the County's goal of providing quality public education to our school-aged population. The Plan includes recommendations relating to facility size and location, sitting criteria, compatible uses, and community use of school facilities.

Based on the most recent submission, the Schools Division provided a School Board Impact Statement, dated May 7, 2021. This entire document is attached at the end of this report. Staff has extracted and provided key summary parts from the latest Development Impact Statement, as it relates to schools in the same attendance area as this proposed rezoning. For reference purposes, such student generation, enrollment, capacity, Capital Improvements Program (CIP) projects information is provided below.

roposed Residential Rezoning (number of units)		Student Generation for Rezoning	
Housing Units Pro	posed	Students Generate	d
Single-Family	0	Elementary	35
Townhouse	81	Middle	18
Multi-family	76	High	22
	157	Total	75

Countywide Current and Projected Student Enrollment & Capacity Utilization

	Available Space		2020-21			2025-26			2030-31		
School Level	Canaaitu	Portable	Students	Space Available	11+:1 (0/)	Students	Space Available (+/-)	11+:1 (0/)	Students	Space Available	11:1 (0/)
School Level	Capacity	Classrooms	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)
Elementary School	43,053	66	38,390	4,663	89.2%	40,118	2,935	93.2%	41,740	-1,313	96.9%
Middle School	20,949 ¹ 22,264 ²	58	20,978	-29	100.1%	21,805	459	97.9%	21,832	432	98.1%
High School	$26,197^{3}$ 28,754 ⁴	67	28,343	-2,146	108.2%	30,136	-1,382	104.8%	31,609	-2,855	109.9%

¹ (MS) Planning Capacity is used for the 2020-21 school year.

² (MS) Program Capacity will be replacing Planning Capacity in the 2021-22 school year. The numbers in the table reflect the change starting in 2021-22.

³ (HS) Capacity on which available space is calculated for the 2020–21 school year.

⁴ (HS) Capacity on which available space is calculated for the 2021–22 through 2030–31 school years.

Current and Projected Student Enrollment & Capacity Utilization - Schools in same attendance area as Proposed Rezoning

Under the School Division's 2020-21 school attendance area assignments, students generated from the Proposed Rezoning will attend the following schools:

	Available Space			2020-21			2025-26			2030-31		
	Planning	Program	Portable		Space Available			Space Available			Space Available	
School Level	Capacity	Capacity	Classrooms	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)
West Gate ES	497		4	545	-48	109.7%	638	-141	128.4%	660	-163	132.8%
Unity Braxton MS	1,360 ¹	1,307 ²	0	1,128	232	82.9%	1,292	15	98.9%	1,359	-52	104.0%
Unity Reed HS	2,409		7	2,662	-253	110.5%	2,143	266	89.0%	2,504	-95	103.9%

¹ Planning Capacity is used for the 2020-21 school year.

² Program Capacity will be replacing Planning Capacity in the 2021-22 school year. The numbers in the table reflect the change starting in 2021-22.

Current and Projected Student Enrollment

- Schools in same attendance area as Proposed Rezoning, including the effect of students generated from proposed rezoning

	Available Space			2020-21			2025-26			2030-31		
	Planning	Program	Portable		Space Available			Space Available			Space Available	
School Level	Capacity	Capacity	Classrooms	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)
West Gate ES	497		4	545	-48	109.7%	673	-176	135.4%	695	-198	139.8%
Unity Braxton MS	1,360 1	1,307 ²	0	1,128	232	82.9%	1,310	-3	100.2%	1,377	-70	105.3%
Unity Reed HS	2,409		7	2,662	-253	110.5%	2,165	244	89.9%	2,526	- 117	104.8%

¹ Planning Capacity is used for the 2020-21 school year.

² Program Capacity will be replacing Planning Capacity in the 2021-22 school year. The numbers in the table reflect the change starting in 2021-22.

Schools Capital Improvements Program (CIP) Projectsthat may impact schools in attendance areas of the Proposed Rezoning (with year anticipated)Elementary SchoolRosemount Lewis ES (2022)

Middle School

High School Gainesville High School (2021)

Note: The capacity utilization of an individual school due to the impact of future Schools CIP projects will vary based upon the attendance area modifications approved by the School Board.

Developer Proposed Mitigation

• The developer's Proffer Statement indicates a Level of Service (LOS) monetary contribution of \$11,685 per residential unit. Monetary proffers will generate approximately \$1,834,545.

School Board Comments and Concerns

- The School Board is opposed to any rezoning application that causes student enrollment either Division-wide, by school level, or by student enrollment at any assigned school, to exceed 100 percent of capacity.
- Current Division-wide enrollment at the high school level in the aggregate exceeds capacity.
- Current enrollment exceeds capacity at the assigned elementary school (West Gate) and assigned high school (Unity Reed). Projections for the assigned high school has capacity with the opening of Gainesville High School.
- As indicated above, the assigned elementary school is expected to exceed capacity within five years by approximately 35.4 percent with the additional students under this application. The anticipated additional students will further strain the operational and capital resources of the assigned schools and add to the School Division's need to create new space for students.

- Transferring or reassigning students to other PWCS schools to relieve the additional
 overcapacity created by this application is not a solution acceptable to the School Board, nor
 likely to be well received by the school community. While the School Board must adjust
 school boundaries upon the opening of new schools or additions to existing schools, and
 does so only with community input and recommendations, it is opposed to boundary
 changes precipitated by the approval of individual residential developments.
- For these above-mentioned reasons, the School Board is opposed to the subject application.

Proposal's Strengths

• <u>Mitigation of Impacts</u>: The Community Education Chapter of the Comprehensive Plan recommends the mitigation of the impact of proposed new residential development on the level of service (LOS) standards of current school enrollment for which a rezoning is requested, when appropriate and allowed by applicable law. As proffered, the Applicant will make a monetary contribution to the Board of County Supervisors in the amount of \$11,685 per unit to be used for school sites/facilities to meet future projected needs. Current proffer law allows the Applicant to proffer contributions that the Applicant deems reasonable and appropriate, as conclusively evidenced by the submitted proffers.

Proposal's Weaknesses

- <u>Current & Projected Elementary School Enrollment</u>: According the space available and projected student enrollment, current enrollment exceeds capacity at the assigned elementary school (West Gate). The assigned elementary school is expected to exceed capacity within five years by approximately 35.4 percent with the additional students under this application. Despite the new elementary school (Rosemount Lewis) opening in 2022, the anticipated additional students will further strain the operational and capital resources of the assigned schools and add to the School Division's overall need to create new space for students.
- <u>School Board Recommendation</u>: In the latest memo, dated May 7, 2021, the School Board is opposed to the application, and raises concerns with transferring/reassigning students to other PWCS schools to relieve the additional overcapacity and Divisionwide school capacity.

On balance, this application is found to be consistent with the relevant components of the Schools Plan. However, should the School Board or School's staff provide data that the proposed mitigation is insufficient to address the project-specific impacts, then the Planning staff analysis within this section could change.

Transportation Plan Analysis

Prince William County promotes the safe and efficient movement of goods and people throughout the County and surrounding jurisdictions by providing a multi-modal approach to traffic circulation. The Transportation Plan establishes policies and action strategies that further the County's goal of creating and sustaining an environmentally friendly, multi-modal transportation system that meets the demands for intra- and inter-county trips, is integrated with existing and planned development, and provides a network of safe, efficient, and accessible modes of travel. The Plan includes recommendations addressing safety, minimizing conflicts with environmental and cultural resources, maximizing cost effectiveness, increasing accessibility of all travel modes, minimizing projected trip demand, and providing sufficient network capacity. Projects should include strategies that result in a level of service (LOS) of "D" or better on all roadway corridors and intersections, reduce traffic demand through transportation demand management strategies, dedicate planned rights-of-way, provide and/or fund transit infrastructure, pedestrian and bicycle pathways, and improved and coordinated access to transit facilities.

A Traffic Impact Study (TIS) was provided by Gorove/Slade Associates. The TIS provides the analysis results for the proposed development, which consists of up to 157 total residential units (81 townhome units and 76 multi-family stacked condominium townhome units), and approximately 4,000 square feet of retail use. In the TIS scoping document, the development was assumed to consist of 160 residential units and 5,000 square feet of retail use. The Applicant proposes to extend existing Williamson Boulevard to Lomond Drive to facilitate connectivity to the site. This project is anticipated to be complete in 2023.

The development will generate approximately 79 net new trips during the AM peak hour, 106 net new trips during the PM peak hour, and 1,538 net new daily trips during a typical weekday. With the proposed development, all study intersections operate at acceptable levels of service, or at similar levels of service to future conditions without development. Based on the capacity and queuing analysis results, the proposed development will not have a substantial impact on the surrounding transportation and roadway network.

Because the intersection of Lomond Drive and the Williamson Boulevard Extension is not anticipated to meet minimum intersection spacing requirements, an Access Management Exception (AME) will likely be required to be submitted to the Virginia Department of Transportation (VDOT). The Applicant proposes to construct an eastbound right-turn bay and taper and restripe the westbound approach of the intersection. This will provide a westbound left-turn bay and westbound through-lane as the roadway transitions from two lanes to four lanes.

Access to the site will be provided via two (2) full-movement access points along the Williamson Boulevard extension. The Comprehensive Plan designates Williamson Boulevard as a 4-lane Major Collector. A MC-1 standard requires 104 feet of right-of-way (ROW) to accommodate a 4-lane divided roadway with 16-foot wide median, 5-foot-wide sidewalk, or 10-foot shared use path. However, due to the location and alignment of the offsite sections of existing ROW, modifications are necessary. A design waiver was approved by the County to include a 4-lane undivided roadway with sidewalks on both sides. The right-turn bay on Lomond Drive has been modified to have 150 feet of storage with 100 feet of taper. A waiver for the left-turn bay on Lomond Drive was approved, as there is not sufficient room between exiting intersections and the Comprehensive Plan location of Williamson Boulevard (180 feet of storage without taper) to accommodate a 150-foot bay with 100-foot taper.

A design waiver along Williamson Boulevard was approved to provide sidewalks along both sides of the road. This is consistent with the existing sections of Williamson Boulevard both north and south of the proposed development.

The following summary table provides the latest Virginia Department of Transportation (VDOT) traffic counts and Prince William County Travel Demand model levels of service (LOS) information in the vicinity of the site for Lomond Drive, Williamson Boulevard, and Sudley Road.

Roadway Name	Number of Lanes	2019 VDOT Annual Average Daily Traffic Count	Travel Demand Model 2015 Daily LOS		
Lomond Drive	4	16,000	В		
Williamson Boulevard	4	1,100	В		
Sudley Road (Route 234 Business)	6	38,000	В		

Proposal's Strengths

- <u>Site Access</u>: Access to the Property will be provided from Lomond Drive and Williamson Boulevard. As shown on the MZP, the final location and design of which shall be shown on the final site/subdivision plan.
- <u>Private Road Maintenance</u>: All private roads and private sidewalks constructed within the development of the property that are the subject of this rezoning will be maintained by the HOA.
- <u>Williamson Boulevard Extension</u>: The Applicant proposes to extend Williamson Boulevard northbound to Lomond Drive. This improvement would facilitate better connectivity to the site and the surrounding road network.
- <u>Onsite Bicycle Parking</u>: The Applicant will provide eight (8) bike parking facilities onsite in the locations shown on the MZP, or other locations as approved at time of final site/subdivision plan review. The bike parking will conform to the Association of Pedestrian and Bicycle Professional (APBP) standards on the final approved site/subdivision plan.

- <u>Provision for Future Interparcel Connection</u>: As shown on the plan, a potential interparcel connection is provided at the southwestern portion of the property to be reserved and permitted if and when the adjacent property, which is currently owned by Portsmouth Realty and zoned B-1, is rezoned/developed to a compatible use.
- <u>Adequate Onsite Parking</u>: The development proposal meets and exceeds the required County parking standards. In total, 390 spaces are required, while 425 spaces are being provided. This includes additional on-street surface parking spaces. As such, through a combination of options, there is sufficient parking to serve the development, based on current County requirements.
- <u>Sidewalk Improvements</u>: A network of connected sidewalks is proposed within the development, which will facilitate pedestrian connectivity and safety.
- <u>Anticipated Trip Reduction with Potential Residential Development</u>: Through the pending replanning and rezoning of the subject property from commercial to mixed/higher density residential, the overall anticipated traffic generation could be reduced by approximately 50 percent.

Proposal's Weaknesses

- <u>Lack of Longer-Term Obligation for Road Easement Acquisition</u>: In the event the County is not able to acquire off-site right-of-way or easements required in order to provide required or proffered right-of-way improvements within twelve (12) months of the Applicant's request for County action to securing the needed easements and/or right-of-way, the Applicant will not be obligated to provide said improvements. In no case will review and approval of plans or permits be withheld after an Applicant request for County action to secure required easements or right-of-way.
 - This proffer provides an opt-out for the Applicant's obligation to implement such improvements, and staff requests that this caveat be removed from the proffer, along with the proffer interpretative guidance.
 - As proposed, 12 months is not sufficient time for the Board of County Supervisors to approve eminent domain and for the process to proceed. The site/subdivision plan cannot go forward unless the right-of-way has been purchased because the plan has to include these improvements. If this proffer is retained, the time limit should be two (2) years.

On balance, this application is found to be consistent with the relevant components of the Transportation Plan.

Materially Relevant Issues

This section of the report is intended to identify issues raised during the review of the proposal, which are not directly related to the policies, goals, or action strategies of the Comprehensive Plan, but which are materially relevant to the County's responsibilities in considering land use issues. The materially relevant issue in this case are as follows:

- <u>Current Land Use Incompatibility</u>: As previously discussed, the current land use designation of GC, General Commercial, does not support planned, mixed residential development. Staff has continued to evaluate the rezoning proposal, based on its merits, and how it will bring new infill, planned mixed residential development into the area. However, the Planning Office is recommending that the Planning Commission defer Rezoning #REZ2020-00025, Lomond Village, to allow the rezoning to be evaluated concurrently with the updated Land Use component of the Comprehensive Plan.
- <u>Open Space Tabulation on Plan</u>: On Sheet 3 of 7 of the Master Zoning Plan, the open space calculations are not fully correct in the summary table, as shown. Although the total area of the subject property is 14.3 acres, the right-of-way associated with Williamson Boulevard is 1.4 acres. This portion is being removed from the site area when factoring the amount of open space. As such, the open space is based on the net 12.9 acres. Therefore, the required amount of open space is 3.87 acres, and 4.40 acres is being provided. The Applicant needs to clarify this detail and amend the Plan accordingly.

Proffer Issues/Deficiencies & Unresolved Matters

- <u>Proffer #7.D.</u> As proffered, in the event the County is not able to acquire off-site right-of-way or easements required in order to provide required or proffered right-of-way improvements within twelve months of the Applicant's request for County action to securing the needed easements and/or right-of-way, the Applicant shall not be obligated to provide said improvements. In no case will review and approval of plans or permits be withheld after an Applicant request for County action to secure required easements or right-of-way. As written, this proffer provides an opt-out for the Applicant's obligation to implement such improvements, and staff request that this caveat be removed from the proffer, along with the proffer interpretative guidance. As proposed, 12 months is not sufficient time for the Board of County Supervisors to approve eminent domain and for the process to proceed. The site/subdivision plan cannot go forward unless the right-of-way has been purchased because the plan has to include these improvements. If this proffer is retained, the time limit should be two (2) years.
- <u>Proffer #11.C.ii</u> appears to apply to the short segment abutting the Portsmouth Plaza site at the far southeastern corner of the subject site. This request is unjustified, and the 15-foot buffer proposed does not meet the intent of the 50-foot buffer required.
- <u>Proffer #11.C.iii</u> is a request to modify the buffer adjacent to the undeveloped, commercially zoned property at the southeasterly end of the site from the required 50-foot buffer to a 15-

foot buffer. Given that the site is vacant, staff can support a modification to a 30-foot-wide buffer, but not a 15-foot buffer.

- <u>Proffer #11.C.iv</u> is to allow the 10-foot landscape strip to contain parallel utility easements, the owners of which could remove the landscaping at any time. The DCSM already contains three (3) options for providing the 10-foot landscape strip over or near utilities. The Applicant should provide a design that meets the DCSM minimum standards.
- Staff recommends the Applicant proffer that no existing or proposed utilities or the associated easement will be located within the buffer and a minimum 5-foot access area will be provided between the rear of the townhome property lines and minimum required buffer.
- Along the southwestern end of the site, the proposed residential development abuts vacant land zoned B-1. A 50-foot buffer is required. No buffer exists on the undeveloped abutting parcel. However, the Applicant is only proposing a 15-foot buffer. Given that the site is not developed and a buffer on the commercially zoned parcel may be required to provide a buffer at the time of development, staff is agreeable to a reduction from a 50-foot buffer to a 30-foot buffer.

Modifications / Waivers

The following waivers and/or modifications to the requirements of the Zoning Ordinance and the DCSM are being requested and are incorporated into the proffers for this rezoning request. The waivers and modifications are as noted in the MZP and as follows:

- A. HOUSING TYPES: In addition to the specific housing types provided in this section, the Zoning Administrator may approve dwelling types permitted for construction and shall specify the minimum performance standards consistent with section 32-280.01.3 and after comparison to the performance standards for the most comparable housing unit types provided herein. The Zoning Administrator may approve modifications in any of the minimum development standards provided in this section, other than relating to required side setbacks. No standard shall be reduced by more than 20% of the required minimum and the minimum standards for the housing unit type shall collectively be met or exceeded in the area where the modification is proposed:
 - (i) Modification to Zoning Ordinance Section 32-306.12.F(4)(b) to allow the townhouse units with garages to be setback a minimum of 18 feet from the street.
 - (ii) Modification to Zoning Ordinance Section 32-306.12.F(4)(e) to allow the townhouse units to have a minimum rear setback of 16 feet.

- (iii) Modification to Zoning Ordinance Section 32-306.12.G(4)(a) to allow the multifamily buildings to be setback a minimum of 30 feet.
- Staff supports, as submitted. To allow greater variety of housing types and encourage a more compact, cohesive, and walkable community with a sense of identity, modified design for the townhouse and multi-family units is being proposed.
- B. TRANSPORTATION: The following modifications to the Design and Construction Standards Manual Transportation standards are proposed:
 - i. Modification of detail 650.09, MC-1 typical section for Major Collector Streets (in accordance with Transportation Details, Sheet 5 of the MZP).
 - ii. Modification of detail 650.06, TS-1, travelway standards (in accordance with Transportation Details, Sheet 5 of the MZP).
 - iii. Modification of the minimum turn lane requirements (Table 6-7) to 180 feet from the required 250 (150-foot turn lane and 100-foot taper) based on the lack of sufficient room existing between intersections.
 - iv. Modification of detail 602.18, sidewalks/shared use paths (in accordance with Transportation Details, Sheet 5 of the MZP) to allow for sidewalks on both sides of Williamson Boulevard. which is consistent with existing sections of Williamson Boulevard.
 - The Planning Office supports the intent of these modifications, as submitted. These waivers have been approved by the Department of Transportation. To encourage a more compact, cohesive, and walkable community with a sense of identity, and given the site constraints, a modified design for the main access road is being proposed.
- C. SCREENING AND BUFFERING: The following modifications to the Design and Construction Standards Manual requirements for screening and landscaping are proposed:
 - i. Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a 30-foot buffer between proposed single family attached and multifamily residential units and existing commercial (in accordance with the Open Space Plan, Sheet 3 of the MZP).

- ii. Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a 15-foot buffer between proposed single family attached residential units and existing commercial (in accordance with the Open Space Plan, Sheet 3 of the MZP).
- iii. Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a variable width buffer as represented on the MZP. At no point will the buffer be less than 15 feet between the proposed single family attached residential units and existing B-1, General Business zoned property (in accordance with the Open Space Plan, Sheet 3 of the MZP).
- iv. Modification of Section 802.42.3 of the Design and Construction Standards Manual to allow landscaping within the existing utility easement (in accordance with the Open Space Plan, Sheet 3 of the MZP).
- V. Modification of Section 802.48 of the Design and Construction Standards Manual to continue streetscape trees along Williamson Boulevard, consistent with the remainder of the development, and with additional supplemental plantings in the open space between the single family attached units and Williamson Boulevard (in accordance with the Open Space Plan, Sheet 3 of the MZP), in place of the 30-foot buffer requirement between the side yard of one single family attached unit and Williamson Boulevard (a major collector).
- Staff does not support these waivers, as submitted. Specifically, waiver item C.iii. (above), and staff requests that the buffer be no less than 20 to 25 feet. For item C.i., staff has requested that the Applicant provide increased buffering, between the residential and commercial uses. It is important to establish appropriate buffer screening between residential and commercial uses. As previously stated, every perimeter buffer is being waived/modified.

Agency Comments

The following agencies have reviewed the proposal and their comments have been summarized in relevant comprehensive plan chapters of this report. Individual comments are in the case file in the Planning Office:

- PWC Archaeologist
- PWC Building Official
- PWC Fire Marshal Office
- PWC Historical Commission
- PWC Libraries
- PWC Planning Office Case Manager / Long-Range Planning / Proffer Administration
- PWC Police / Crime Prevention
- PWC Public Works Environmental Services / Watershed Management
- PWC Schools
- PWC Service Authority
- PWC Transportation
- Virginia Department of Transportation (VDOT)

Rezoning file: Applicant: Record Owners: Property GPIN: Acreage: Magisterial District: Current Zoning: Proposed Zoning:	 #REZ2020-00025, Lomond Village JR Real Estate Group Lincoln Investments, Inc. 7696-59-5541 14.3 acres Brentsville A-1, Agricultural PMR Planned Mixed Residential
Proposed Zoning: Date:	PMR, Planned Mixed Residential July 8, 2021

The undersigned hereby proffers that the use and development of the subject Property shall be in substantial conformance with the following conditions. In the event the above-referenced rezoning is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void and the property shall develop in accordance with the existing B-1, General Business zoning. The headings of the proffers set forth below have been prepared for reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified herein. The terms "Applicant" and "Developer" shall include all future owners and successors in interest. The term Property shall refer to the property that is the subject of this rezoning.

For purposes of reference in this Proffer Statement, the Master Zoning Plan ("MZP") shall be the plan prepared by Engineering Groupe, entitled "Lomond Village, Planned Mixed Residential" dated June 15, 2020 revised through June 14, 2021 which contains the following sheets:

Sheet 1:	Cover Sheet
Sheet 2:	Master Zoning Plan
Sheet 3:	Open Space Plan
Sheet 4:	Transportation and Utilities Plan
Sheet 5:	Transportation Details A
Sheet 6:	Transportation Details B
Sheet 7:	Pedestrian Shed Exhibit

1. USES AND DEVELOPMENT

A. <u>Residential Uses</u>. The Property shall be developed with a maximum of eighty-one single family attached (81) dwellings and a maximum seventy-six (76) multi-family dwelling units.

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- B. <u>Nonresidential Use</u>. Land Bay B (approximately 1.6 acres) shall be permitted nonresidential land use within the Planned Development District pursuant to 32-280.11.1.(b)(1) and shall be used for those uses permitted by-right, as secondary uses, and as special uses in the B-1, General Business, zoning district.
- C. <u>Site Development</u>. Development of the Property shall be in substantial accordance with the MZP, including but not limited to the construction of the public road known as Williamson Boulevard. in the Comprehensive Plan, however, minor modifications to the road alignment, buffers, lot layout, building, utilities, amenities, parking, and similar features shall be permitted to address final engineering requirements and considerations as determined necessary and appropriate at the time of final site/subdivision plan review.

2. COMMUNITY DESIGN

- A. <u>Architectural Design</u>. Building design shall be in substantial conformance with the architectural elevations and renderings titled "Lomond Village Planned Mixed Residential" prepared by John F. Heltzel Architects dated June 14, 2021.
- B. <u>Building Materials</u>. Building structures shall be constructed with a combination of materials such as brick, stucco, siding, stone, cementitious materials and/or other equivalent materials having similar appearance to achieve the intended design quality as determined by the Applicant during the final construction design and based on the availability of materials. Compliance shall be demonstrated by submission of building elevation to the Planning Director for review and approval two weeks prior to issuance of the Building Permit Release letter. Landscaping. Site landscaping and buffers (which may contain fences and utility crossings) shall be provided as substantially shown on the MZP, subject to final engineering requirements and considerations at the time of final site/subdivision plan review. Where existing vegetation is preserved within landscaped area or buffers, it shall be credited against the plant unit requirements identified in the Design and Construction Standards Manual ("DCSM") and, where the existing vegetation is sufficient, it may satisfy said requirements.

Specifically, the Applicant shall provide:

i. Screening and buffering as depicted on the MZP. The Applicant may preserve existing trees (excluding dead, dying or unhealthy trees) and shall install supplemental landscaping, as needed, to provide (when the existing and supplemental landscaping is considered in the aggregate), transitional landscaping and buffering consistent with the landscaping and buffering appropriate to the context of the development existing on the surrounding properties and proposed herein.

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- C. <u>Signage.</u> Community sign entry features with a brick and/or stone base identifying the project shall be permitted at the community entrances located along Lomond Drive and Williamson Boulevard. The monument entry feature(s) shall be landscaped with plantings to include existing trees, understory trees, shrubs, perennials, grasses and lawn, and any lighting shall be low intensity and shall be shielded so that it does not shine upward beyond the height of the entry feature. All signs shall be monument style, a maximum of ten (10) feet in height, and subject to permits and permit review in accordance with the requirements of Zoning Ordinance Section 32-250.23.
- D. <u>Uniform Theme</u>. Themed street lighting, and lighting along the pedestrian pathways and in courtyards shall be provided. These features shall be shown on the final site/subdivision plan for the area proposed and shall be completed prior to release of the final performance bond within each section where such individual features are shown.
- E. <u>Village Green</u>. The Village Green in Land Bay A shall provide flexible open space for informal recreational activities, community events, and serve as an attractive setting for shared uses available to the residents of the Planned residential community.
- F. <u>Tot Lot.</u> A tot lot designed for children 5 to 12 years of age shall be provided in the Village Green area shown on the MZP. Said playgrounds shall be constructed to the standards provided by the Prince William County Department of Parks, Recreation and Tourism and meet the latestADA requirements at the time of construction, shall have resilient surfaces, and shall include at least three (3) play components. In addition, the tot lot shall include at least one park bench constructed to the standards provided by the Prince William County Department of Parks, Recreation and Tourism, and shall be landscaped.

3. ENVIRONMENTAL

- A. <u>Stormwater Management/Best Management Practices.</u> Stormwater Management and/or Best Management Practices shall be provided on-site and/or off-site, (pursuant to Section 32-250.73.1 of the Zoning Ordinance) in accordance with the DCSM, unless modified or waived during final site/subdivision plan review.
- B. The Applicant shall record the appropriate covenants and deeds and/or plats for the uses described herein.
- C. No clearing or improvements shall be made outside of the clearing and grading on the Property with the exception of: (a) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees at the Applicant's sole discretion; and (b) the installation and maintenance of water, sanitary sewer, storm sewer outfalls and other utilities.

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D. <u>Water Quality</u>. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre for water quality monitoring, drainage improvements and/or stream restoration projects. Said contribution shall be made prior to and as a condition of final site/subdivision plan approval with the amount to be based on the acreage reflected on the site/subdivision plan.

4. FIRE AND RESCUE

- A. As a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$720.00 per residential dwelling unit constructed on the Property. Said contribution shall be used for fire and rescue purposes.
- B. As a condition of occupancy permit issuance for each commercial building in the PMR, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$0.61 per square foot of building area. Said contribution shall be used for fire and rescue purposes.

5. PARKS AND RECREATION

As a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$3,725.00 per dwelling unit constructed on the Property. Said contribution shall be used for parks and recreation purposes.

6. SCHOOLS

As a condition of occupancy permit issuance for each dwelling unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$11,685.00 per dwelling unit constructed on the Property. Said contribution shall be used for school purposes.

7. TRANSPORTATION

- A. Access to the Property shall be provided from Lomond Drive and Williamson Boulevard. as shown on the MZP, the final location and design of which shall be shown on the final site/subdivision plan.
- B. All private roads and private sidewalks constructed with the development of the Property that are the subject of this rezoning shall be maintained by the HOA.
- C. In the event the Applicant is not able to acquire off-site right-of-way or temporary or permanent easements required in order to provide required or proffered right-of-way

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improvements, the Applicant shall request the County to acquire the right-of-way and/or easements by means of its condemnation powers at the Applicant's expense. The Applicant's request shall be in writing and shall comply in all respects with the County's Eminent Domain Policy. Said request shall be made to the appropriate County agency and shall be accompanied by the following:

- i. The names of the record owners, the property addresses, tax map parcel numbers and GPIN numbers for each landowner from whom such right of way and/or easements are sought.
- ii. Plats, plans and profiles showing the necessary right of way and/or easements to be acquired and showing the details of the proposed transportation improvements to be located on each such property.
- iii. Pursuant to Virginia Code § 25.1-417, a determination of the value of the Property will be based on the following:
 - 1) if the assessed value is less than \$25,000, then the value shall be determined by assessment records or other objective evidence; or
 - 2) if the assessed value is greater than \$25,000 an independent appraisal of the value of the right of way and easements to be acquired, and any and all damages to the residue of the involved property, said appraisal to be performed by an appraiser licensed in Virginia and approved by the County.
- iv. A 60-year title search of each involved property.
- v. Documentation demonstrating to the County's satisfaction Applicant's good faith, best efforts to acquire the right of way and/or easements, at a cost of at least the appraised value of the involved property interests.
- vi. A letter of credit acceptable to the County, cash or equivalent (from a financial institution acceptable to the County) in an amount equal to the appraised value of the property to be acquired, and all damages to the residue, together with an amount representing the County's estimate of its cost of condemnation proceedings, in a form permitting the County to draw upon the same as necessary to effectuate the purposes hereof.
- vii. An Agreement signed by Applicant's representative and approved by the County Attorney whereby Applicant agrees to pay all costs of the condemnation, including expert witness fees, court costs, exhibit costs, court reporter fees, attorney fees for the Office of the County Attorney, and all other costs associated with the litigation, including appeals. The Agreement shall

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specifically provide that in the event the property owner is awarded in the condemnation suit more than the appraised value estimated by Applicant's appraiser, Applicant shall pay to the County the amount of the award in excess of the amount represented by the letter of credit or cash deposit within 15 days of the award.

- D. In the event the County is not able to acquire off-site right-of-way or easements required in order to provide required or proffered right-of-way improvements within twelve months of the Applicant's request for County action to securing the needed easements and/or right-of-way, the Applicant shall not be obligated to provide said improvements. In no case will review and approval of plans or permits be withheld after an Applicant request for County action to secure required easements or right-ofway.
- E. Eight (8) bicycle parking spaces and a bike repair station shall be provided near the entrance to the multifamily units. The location to be determined at the time of final site plan review and approval.

8. WATER AND SEWER

The property shall be served by public sanitary sewer and water, and the Applicant shall be responsible for those on and off-site improvements required in order to provide such service for the demand generated by the development of the Property.

9. HOMEOWNERS ASSOCIATION

- A. The Applicant shall establish a homeowners' association for the Property ("HOA") which shall be responsible for: (a) the administration of covenants, design guidelines and the Design Review Committee ("DRC"); and (b) the maintenance of common areas and improvements including private roads, buffers, fencing, the entrance features, and the amenity area on the Property.
- B. The HOA or DRC shall oversee implementation of the covenants, conditions & restrictions ("CCR's") to be established for the community. The HOA Board of Directors or DRC, through its interpretation and approval powers, shall be responsible for ensuring high quality development by reviewing site development plans, exterior architectural elevations and façade treatments for compliance with the CCR's. The CCR's shall include provisions related to the following:
 - i. Architectural style
 - ii. Building material and colors.
 - iii. Lighting, landscaping and fencing.

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iv. All other exterior architectural modifications or additions

10. ESCALATOR

In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors within 18 months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in the Proffer Statement which are paid to the Board after 18 months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid, they shall be adjusted by the percentage change in the CPI-U from that date 18 months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six percent (6%) per year, non-compoundable.

11. WAIVERS AND MODIFICATIONS

Pursuant to Zoning Ordinance section 32-700.25, a planned development zoning district may include waivers and/or modifications to specific standards of the Subdivision Ordinance, the Zoning Ordinance, or the Design and Construction Standards Manual. The waivers and modifications are as noted in the MZP and as follows:

- A. HOUSING TYPES: In addition to the specific housing types provided in this section, the Zoning Administrator may approve dwelling types permitted for construction and shall specify the minimum performance standards consistent with section 32-280.01.3 and after comparison to the performance standards for the most comparable housing unit types provided herein. The Zoning Administrator may approve modifications in any of the minimum development standards provided in this section, other than relating to required side setbacks. No standard shall be reduced by more than 20% of the required minimum and the minimum standards for the housing unit type shall collectively be met or exceeded in the area where the modification is proposed:
 - (i) Modification to Zoning Ordinance Section 32-306.12.F(4)(b) to allow the townhouse units with garages to be setback a minimum of 18 feet from the street.
 - (ii) Modification to Zoning Ordinance Section 32-306.12.F(4)(e) to allow the townhouse units to have a minimum rear setback of 16 feet..
 - (iii) Modification to Zoning Ordinance Section 32-306.12.G(4)(a) to allow the multifamily buildings to be setback a minimum of 30 feet from the street.

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- B. TRANSPORTATION: The following modifications to the Design and Construction Standards Manual Transportation standards are proposed:
 - Modification of detail 650.09, MC-1 typical section for Major Collector Streets (in accordance with Transportation Details, Sheet 5 of the MZP).
 - Modification of detail 650.06, TS-1, travelway standards (in accordance with Transportation Details, Sheet 5 of the MZP).
 - iii. Modification of the minimum turn lane requirements (Table 6-7) to 180 feet from the required 250 (150 foot turn lane and 100 foot taper) based on the lack of sufficient room existing between intersections.
 - iv. Modification of detail 602.18, sidewalks/shared use paths (in accordance with Transportation Details, Sheet 5 of the MZP) to allow for sidewalks on both sides of Williamson Boulevard which is consistent with existing sections of Williamson Boulevard.
- C. SCREENING AND BUFFERING: The following modifications to the Design and Construction Standards Manual requirements for screening and landscaping are proposed:
 - i. Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a 30-foot buffer between proposed single family attached and multifamily residential units and existing commercial (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a 15-foot buffer between proposed single family attached residential units and existing commercial (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - iii. Modification of Section 802.11.A, Table 8-1 and Table 8-2 of the Design and Construction Standards Manual to allow a variable width buffer as represented on the MZP. At no point shall the buffer be less than 15 feet between the proposed single family attached residential units and existing B-1, General Business zoned property (in accordance with the Open Space Plan, Sheet 3 of the MZP).
 - iv. Modification of Section 802.42.3 of the Design and Construction Standards Manual to allow landscaping within the existing utility easement (in accordance with the Open Space Plan, Sheet 3 of the MZP).

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v. Modification of Section 802.48 of the Design and Construction Standards Manual to continue streetscape trees along Williamson Boulevard. consistent with the remainder of the development, and with additional supplemental plantings in the open space between the single family attached units and Williamson Boulevard (in accordance with the Open Space Plan, Sheet 3 of the MZP), in place of the 30-foot buffer requirement between the side yard of one single family attached unit and Williamson Boulevard (a major collector).

[Signature to follow on next page]

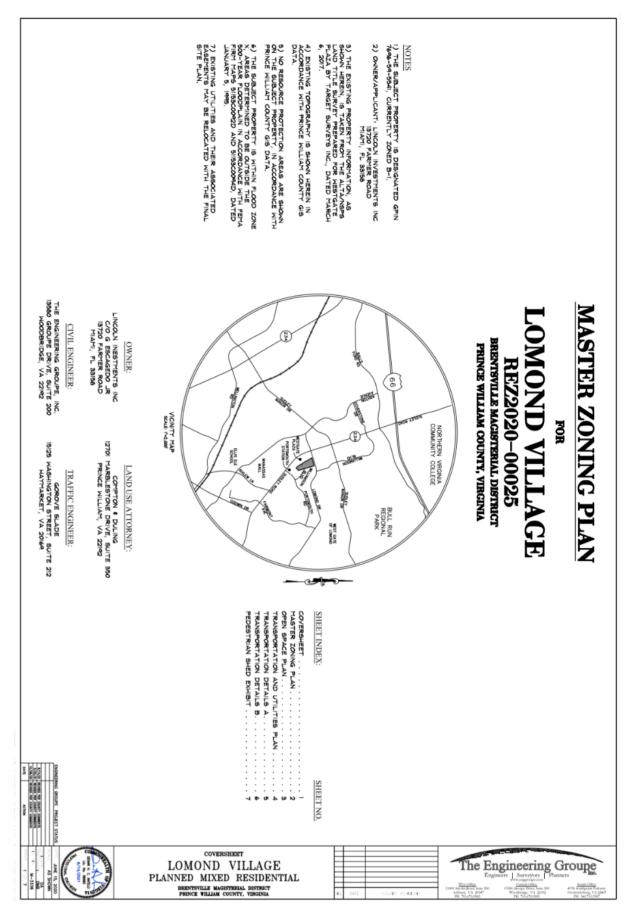
#REZ2020-00025, Lomond Village Applicant: JR Real Estate Group Date: July 8, 2021

SIGNATURE PAGE

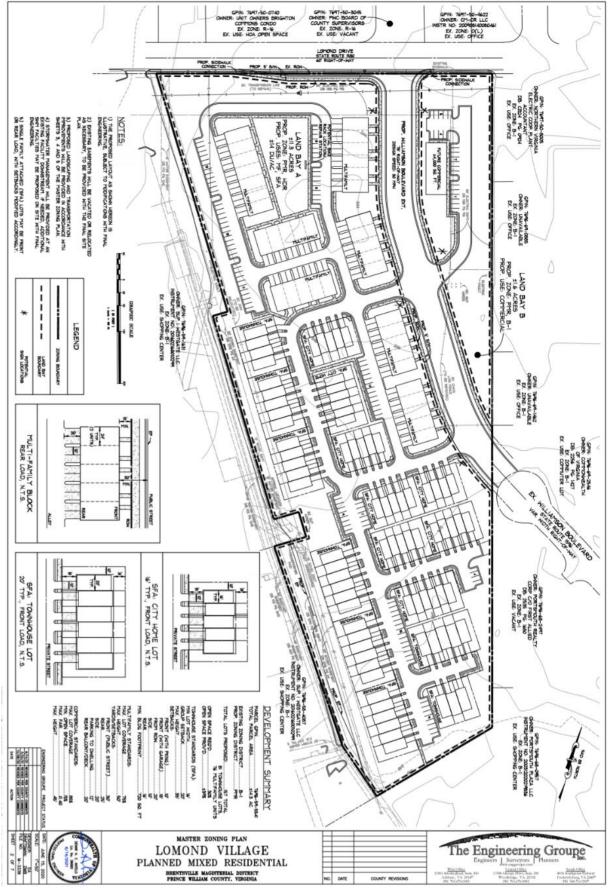
JR Real Estate Group, LLC

Name

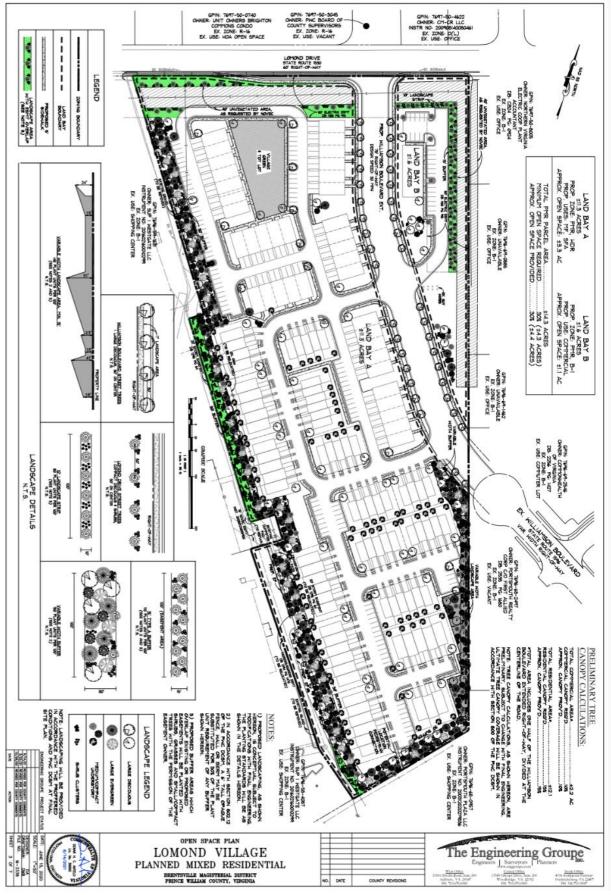
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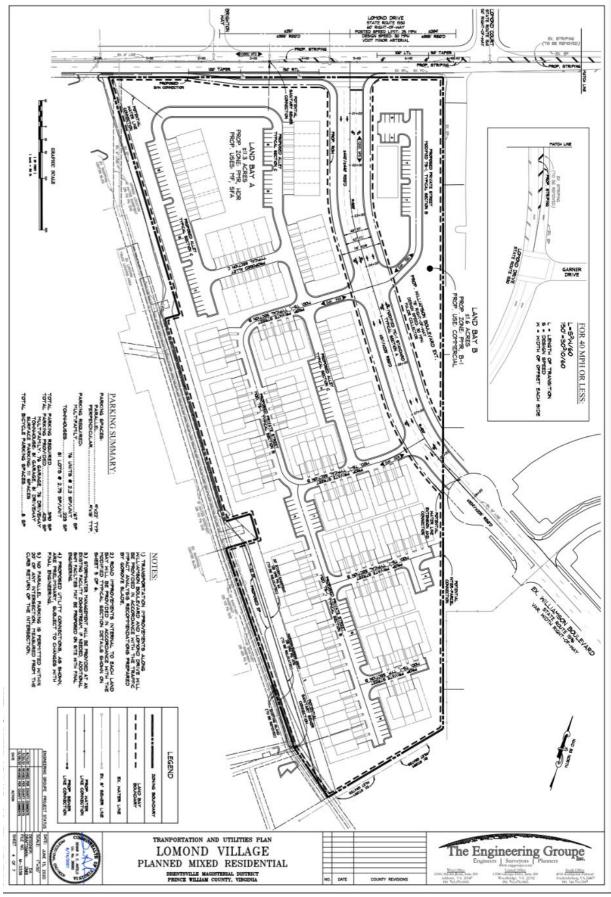
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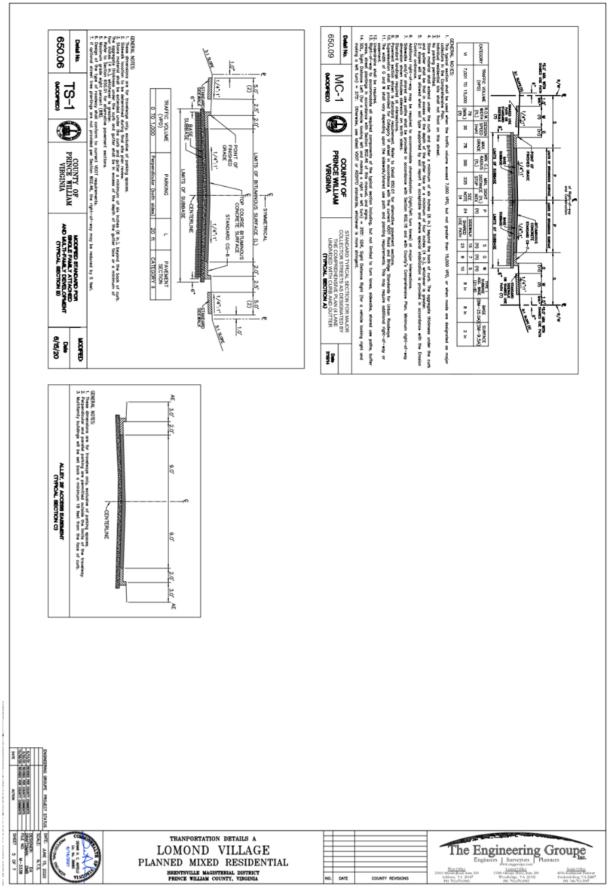
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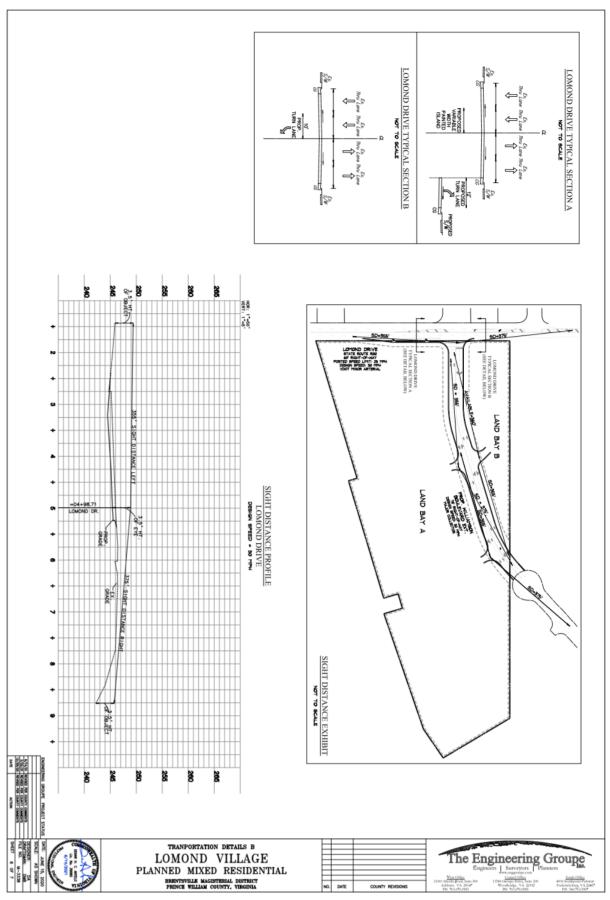


#REZ2020-00025 | Page 50



#REZ2020-00025 | Page 51











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NAME AND TO BE ADDRESS OF THE ADDRESS AND A DE BRANK ARE DOMINATED ADDRESS ADDRE	BRENTSVILLE MAGISTERIAL DISTRICT PRINCE WILLIAM COUNTY, VIRGINIA $ w = \cdot \phi $	LOMOND VILLAGE - PLAN	
	TYPICAL FRONT ELEVATION OF TOWNHOUSE LOT IN REAL ESTATE GROUP OG(14202)	LOMOND VILLAGE - PLANNED MIXED RESIDENTIAL	



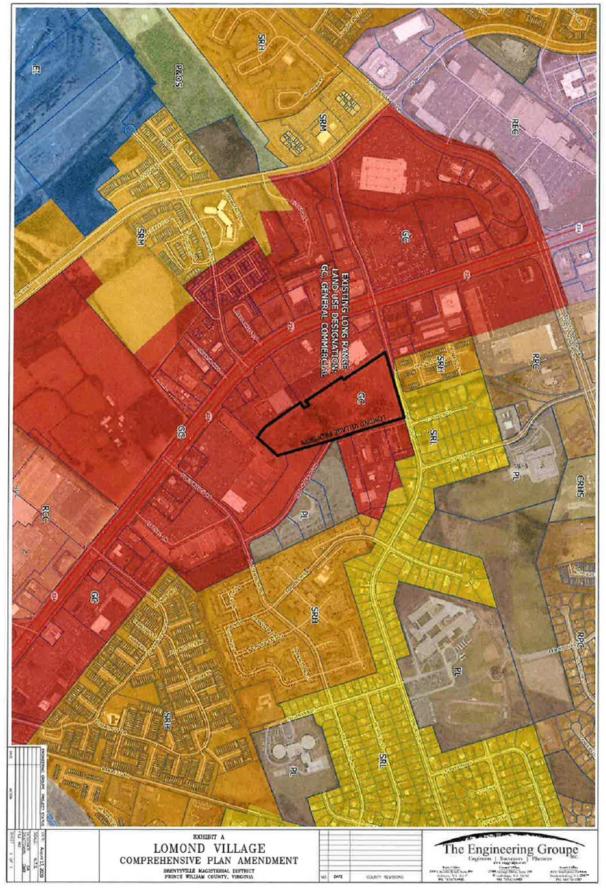


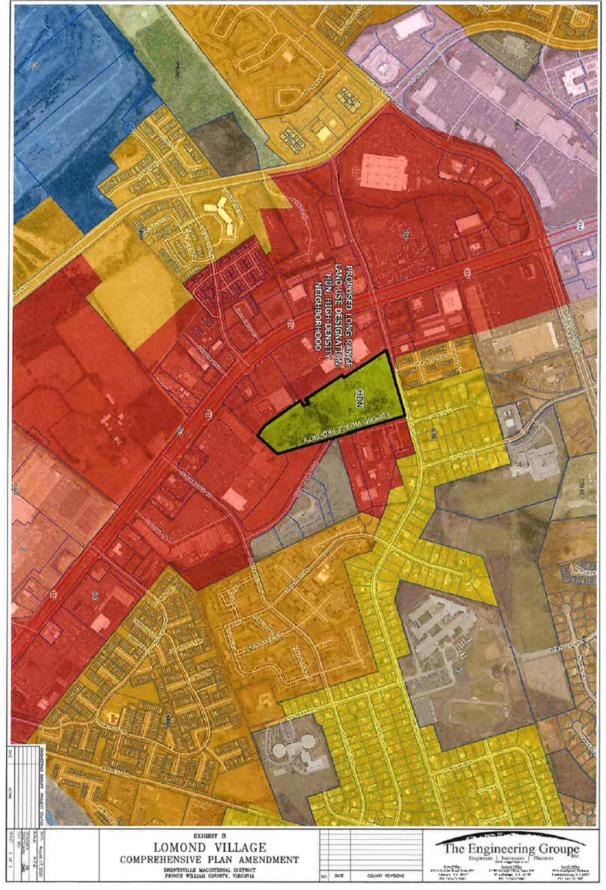
WWW.HELTZELAIA.COM PHONE 703-330-6170 FAX 703-361-8671 5 John F. Heltzel AIA ARCHITECTS BRENTSVILLE MAGISTERIAL DISTRICT | PRINCE WILLIAM COUNTY, VIRGINIA TYPICAL FRONT ELEVATION OF MULTIFAMILY BLOCK JR REAL ESTATE GROUP 06/14/2021



Building Elevations

#REZ2020-00025 | Page 58







Prince William County School Board – Impact Statement

Date:	May 7, 2021					
Case Number:	REZ2020-00025					
Case Name:	LOMOND VILLAGE	(3 rd Submission)				
Magisterial District:	Brentsville					
Description:	Rezone 14.28 acres from B-1, General Business, to PMR, Planned Mixed					
	Residential at the intersection of Lomond Drive and Sudley Road					
Proffer Evaluation Category:	Pre-2016	2016-2019	✓ Post-2019			
Caregory.						

Proposed Residential Rezoning (number of units)		eration for Pro Rezoning	oposed
Housing Units ProposedSingle-Family0Townhouse81Multi-family76Total157	Elen M	ents Generated nentary 35 iddle 18 High 22 Fotal 75	
Developer Proposed Mitigation	1		
Monetary proffers are consistent with Monetary Policy Guide (for cases prior to July 1, 2016)?	Yes	No	✓N/A
School site, if offered, addresses a need identified in the School Division's CIP?	Yes	No	✓ N/A
The location and size of the school site, if offered, is acceptable to the School Division?	Yes	✓ N/A	
For cases July 1, 2016 to present			
The student generation methodology in the developer's impact analysis is acceptable?	Yes	No*	✓ N/A
*If No, what is the correct student	Elementary School		Total
generation? Difference due to	Middle School		Students
rounding.	High School		
Monetary proffers, if offered, are based on adopted CIP projects, in terms of cost and in the geographic area of the rezoning, in the developer impact statement?	Yes	No	✓N/A

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Prince William County School Board Page 2

Developer Proposed Mitigation

- The developer reduced the townhouse units from 82 to 81 units and increased the number of • multi-family units from 74 to 76 units, for a total of 157 residential units. The student generation is reduced from 78 students to 75 students due to change in residential mix.
- The developer's Proffer Statement dated April 2, 2020, indicates a monetary contribution of \$11,685 per • residential unit for school purposes, generating \$1,834,545.

Countywide Current and Projected Student Enrollment & Capacity Utilization

	Availab	le Space		2020-21			2025-26			2030-31		
	a i	Portable	Gi 1 i	Space Available		G. 1 .	Space Available	TT:1 (0/)	6 . 1 . (Space Available	TT:1 (0/)	
School Level	Capacity	Classrooms	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)	
Elementary School	43,053	66	38,390	4,663	89.2%	40,118	2,935	93.2%	41,740	-1,313	96.9%	
Middle School	20,949 ¹	58	20,978	-29	100.1%	21.805	459	97.9%	21.832	432	98.1%	
	22,264 ²		20,010			11,000			,			
High School	26,197 ³	67	20 242	2.146	108.2%	20.126	1 2 9 2	104 99/	31.609	2.055	109.9%	
Fligh School	28,754 4	07	28,343	-2,146	108.2%	30,136	-1,382	104.8%	51,009	-2,855	109.9%	

¹ (MS) Planning Capacity is used for the 2020-21 school year.

² (MS) Program Capacity will be replacing Planning Capacity in the 2021-22 school year. The numbers in the table reflect the change starting in 2021-22. ³ (HS) Capacity on which available space is calculated for the 2020-21 school year.

⁴ (HS) Capacity on which available space is calculated for the 2021-22 through 2030-31 school years.

Current and Projected Student Enrollment & Capacity Utilization - Schools in same attendance area as Proposed Rezoning

Under the School Division's 2020-21 school attendance area assignments, students generated from the Proposed Rezoning will attend the following schools:

	Av	ailable Sp	ace		2020-21			2025-26			2030-31	
	Planning	Program	Portable		Space Available			Space Available			Space Available	
School Level	Capacity	Capacity	Classrooms	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)	Students	(+/-)	Util. (%)
West Gate ES	497		4	545	-48	109.7%	638	-141	128.4%	660	-163	132.8%
Unity Braxton MS	1,360 ¹	1,307 2	0	1,128	232	82.9%	1,292	15	98.9%	1,359	-52	104.0%
Unity Reed HS	2,409		7	2,662	-253	110.5%	2,143	266	89.0%	2,504	-95	103.9%

¹ Planning Capacity is used for the 2020-21 school year.

² Program Capacity will be replacing Planning Capacity in the 2021-22 school year. The numbers in the table reflect the change starting in 2021-22.

Prince William County School Board

Page 3 Current and Projected Student Enrollment – Schools in same attendance area as Proposed Rezoning, including the effect of students generated from proposed rezoning												
	Av	ailable Sp	ace		2020-21			2025-26			2030-31	
School Level	Planning Capacity	Program Capacity	Portable Classrooms	Students	Space Available (+/-)	Util. (%)	Students	Space Available (+/-)	Util. (%)	Students	Space Available (+/-)	Util. (%)
West Gate ES	497	Capacity 	4	545	-48	109.7%	673	-176	135.4%	695	-198	139.8%
Unity Braxton MS	1,360 ¹	1,307 ²	0	1,128	232	82.9%	1,310	-3	100.2%	1,377	-70	105.3%
Unity Reed HS	2,409		7	2,662	-253	110.5%	2,165	244	89.9%	2,526	-117	104.8%

² Program Capacity will be replacing Planning Capacity in the 2021-22 school year. The numbers in the table reflect the change starting in 2021-22.

Schools Capital Improvements Program (CIP) Projects that may impact schools in attendance areas of the Proposed Rezoning (with

that may impact schools in attendance areas of the Proposed Rezoning (with year anticipated) Elementary School Rosemount Lewis ES (2022)

Middle School

High School Gainesville High School (2021)

Note: The capacity utilization of an individual school due to the impact of future Schools CIP projects will vary based upon the attendance area modifications approved by the School Board.

School Board Comments and Concerns

- The School Board is opposed to any rezoning application that causes student enrollment either Division-wide, by school level, or by student enrollment at any assigned school, to exceed 100 percent of capacity.
- Current Division-wide enrollment at the high school level in the aggregate exceed capacity.
- Current enrollment exceeds capacity at the assigned elementary school (West Gate) and assigned high school (Unity Reed). Projections for the assigned high school has capacity with the opening of Gainesville High School.
- As indicated above, the assigned elementary school is expected to exceed capacity within five years by
 approximately 35.4 percent with the additional students under this application. The anticipated additional
 students will further strain the operational and capital resources of the assigned schools and add to the
 School Division's need to create new space for students.
- Transferring or reassigning students to other PWCS schools to relieve the additional overcapacity created by this application is not a solution acceptable to the School Board, nor likely to be well received by the school community. While the School Board must adjust school boundaries upon the opening of new schools or additions to existing schools, and does so only with community input and recommendations, it is opposed to boundary changes precipitated by the approval of individual residential developments.
- For these reasons, the School Board is opposed to the subject application.

HISTORICAL COMMISSION RESOLUTION

MOTION: JOHNSON

SECOND: BURGESS

RE: LAND DEVELOPMENT RECOMMENDATIONS

ACTION: APPROVED

WHEREAS, the Prince William County Historical Commission seeks to identify, preserve and protect historic sites and structures in Prince William County; and

WHEREAS, the Prince William County Historical Commission's review of pending land development applications assists in determining the necessity for cultural resource surveys and other research and evaluations; and

WHEREAS, the Prince William County Historical Commission believes that the identification, preservation and protection of historic sites and structures throughout Prince William County is well served by this action;

NOW, THEREFORE, BE IT RESOLVED, that the Prince William County Historical Commission does hereby recommend to the Prince William County Planning Commission the action(s) noted for the following properties:

Case Number	Name	<u>Recommendation</u>
REZ2021-00003	John Marshall Commons Tech Park	Table
REZ2020-00025	Lomond Village	Phase I study. Artifacts to be donated to and curated with the County.
REZ2021-00004	Congressional Storage	No Further Work
SUP2021-00007	Congressional Storage	No Further Work
SUP2020-00030	Parkway Church	No Further Work
REZ2016-00028	Utterback Rezoning	Table

October 13, 2020 Regular Meeting Res. No. 20-037 October 13, 2020 Regular Meeting Res. No. 20-037 Page 2

Case Number	Name	<u>Recommendation</u>
CPA2020-00011	Hunter Property	Phase II evaluation and Phase II data recovery study. Artifacts to be donated to and curated with the County. Cemetery delineation.
CPA2021-00001	Route 28 Widening	Military Site Survey. Phase I study and, if warranted, Phase II evaluation and Phase III data recovery study. Artifacts to be donated to and curated with the County. Interpretation of the area's history.

Votes: Ayes: by acclamation Nays: None Absent from Vote: None Absent from Meeting: Carter, Davis, Duley, Pearsall, Reddick, Spinks MOTION CARRIED

ATTEST: Antoniette Bur

Secretary to the Commission