

MOTION:

January 10, 2012

SECOND:

Regular Meeting

Ord. No. 12-

**RE: REZONING #PLN2010-00457, THE OAKS III - OCCOQUAN
MAGISTERIAL DISTRICT**

ACTION:

WHEREAS, this is a request to rezone +/-3 acres from A-1, Agricultural, to O(L) Office Low-Rise to develop a 32,500-square foot office building and to construct an expanded parking area for an adjacent commercial property. Also, to rezone +/-1.23 acres from A-1, to SR-1, Semi-Rural Residential, and to designate +/-13.58 acres of A-1 property as a conservation area. The site is located on the north side of Old Bridge Rd., at the intersection of Old Bridge Rd. and Tanyard Hill Rd., is identified on County maps as GPIN 8393-32-7695, and is designated O, Office, and SRL, Suburban Residential Low, in the Comprehensive Plan; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on April 20, 2011, recommended approval, as stated in Planning Commission Res. No. 11-141; and

WHEREAS, a Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on January 10, 2012 and interested citizens were heard; and

WHEREAS, general welfare and good zoning practice are served by the approval of the application;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors does hereby approve REZ #PLN2010-00457, The Oaks III, subject to the proffers dated September 7, 2011;

BE IT FURTHER ORDAINED that the Board of County Supervisors' approval and adoption of any proffered conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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Page Two**

Votes:

Ayes:

Nays:

Absent from Vote:

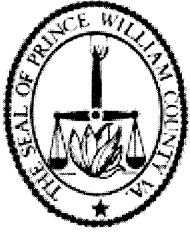
Absent from Meeting:

For Information:

Planning Director

Peter M. Dolan, Esquire
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
4310 Prince William Parkway, Suite 300
Woodbridge, VA 22192

ATTEST: _____
Clerk to the Board



COUNTY OF PRINCE WILLIAM

OFFICE OF EXECUTIVE MANAGEMENT

1 County Complex Court, Prince William, Virginia 22192-9201
(703) 792-6600 Metro 631-1703 FAX: (703) 792-7484

BOARD OF COUNTY SUPERVISORS

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Maureen S. Caddigan, Vice Chairman
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Melissa S. Peacor
County Executive

December 29, 2011

TO: Board of County Supervisors
FROM: Christopher M. Price *Chris Price*
Director of Planning
THRU: Melissa S. Peacor
County Executive
RE: REZ #PLN2010-00457, The Oaks III
Occoquan Magisterial District

I. Background is as follows:

A. Request - This is a request to rezone +/-3 acres from A-1, Agricultural, to O(L) Office Low-Rise to develop a 32,500 SF office building and to construct an expanded parking area for an adjacent commercial property. Also, to rezone +/-1.23 acres from A-1, to SR-1, Semi-Rural Residential and to designate +/-13.58 acres of A-1 property as a conservation area. The site is located on the north side of Old Bridge Rd., at the intersection of Old Bridge Rd. and Tanyard Hill Rd.

Zoning Districts & Development	Existing Area +/-	Proposed Area +/-
Office Low-Rise, O(L)	0 acres	Area A - +/-2.85 acres Area B - +/-0.15 acres
Agricultural (A-1)	17.81 acres	Area D - +/-13.58 acres
Semi-Rural (SR-1)	0 acres	Area C - +/-1.23 acres
Residential Development	0 units	1 SFD unit
Commercial / Office Development	0 SF	32,500 SF
Total	+/-17.81 acres	+/- 17.81 acres

B. Site Location - The site is located on the north side of Old Bridge Rd., at the intersection of Old Bridge Rd. and Tanyard Hill Rd. (see maps in Attachment A). The site is identified on County maps as GPIN 8393-32-7695.

C. Comprehensive Plan - The site is designated O, Office, and SRL, Suburban Residential Low, in the Comprehensive Plan.

- D. Zoning –The site is zoned A-1, Agricultural. The property is located in the Old Bridge Road Highway Corridor Overlay District (HCOB), which was established after February 20, 1996.
- E. Surrounding Land Uses - To the immediate west of the property is The Oaks and The Oaks II office buildings, located at the intersection of Old Bridge Rd. and Clipper Drive. Also to the west and north, the site is bordered or adjacent to existing Thousand Oaks townhouse residential development. Immediately to the north, the property is bordered by a 64 acre Lake Ridge Parks and Rec. owned parcel, which is designated as open space. To the east there is a mix of uses, including two single family detached dwellings and vacant land zoned for residential and commercial development. On the south side of Old Bridge Rd., the Rollingbrook townhouse residential development exists, which is zoned R-6 and planned SRH.

II. Current Situation is as follows:

- A. Planning Commission Recommendation – The Planning Commission recommends approval of Rezoning #PLN2010-00457, The Oaks III, subject to the proffers dated April 1, 2011, with the following conditions:
- The Applicant communicate and work with the Town of Occoquan.
 - Proffer specifics for the restoration of the damaged portion of the stream and stormwater outfall.
 - Clarify the timing and holder of the conservation easement referenced on the GDP as Area D.
- B. Staff Recommendation – Staff recommends approval for the following reasons:
- The site is designated O, Office, on the Long-Range Land Use Map. The proposed zoning district, O(L), Office Low-Rise, is consistent with Office designation. Also, the proposal includes a 32,500 sq. ft. office building that further implements the intent of the Comprehensive Plan designation.
 - The proposal will designate +/-13.58 acres as a conservation area. Within the conservation area, the applicant will stabilize/restore up to 400 ft. of an eroded section of the intermittent stream located on-site. In addition, the applicant will construct a stilling basin to address the uncontrolled run-off from the neighboring Oaks II property.

Staff acknowledges that all three items have been addressed by the applicant and continues to recommend approval subject to revised proffers dated September 7, 2011. See Attachment B for the staff analysis and Attachment C for the revised proffers.

- C. Board of County Supervisors Public Hearing – A public hearing before the Board of County Supervisors has been advertised for January 10, 2012.

III. Issues in order of importance are as follows:

- A. Comprehensive Plan
 - 1. Long-Range Land Use – Is the proposed use consistent with those uses intended by the O and SRL designation?
 - 2. Level of Service (LOS) – How does the proposal address the Policy Guide for Monetary Contributions in effect July 1, 2006?
- B. Community Input – Have members of the community raised any issues?
- C. Other Jurisdictional Comments – Have other jurisdictions raised any issues?
- D. Legal Uses of the Property – What uses are allowed on the property? How are legal issues resulting from Board of County Supervisors action addressed?
- E. Timing – When must the Board of County Supervisors take action on this application?

IV. Alternatives beginning with the staff recommendation are as follows:

- A. Approve REZ #PLN2010-00457, The Oaks III, subject to the proffers dated September 7, 2011, found in Attachment C.
 - 1. Comprehensive Plan Consistency Analysis:
 - a) Long-Range Land Use – The site is classified O, Office and SRL, Suburban Residential Low. The requested zoning districts, O(L), Office Low-rise, and SR-1, Semi-Rural Residential, both are intended to implement their respective land use designations. The Office designation is intended to provide for areas of low to high-rise office and the proposal includes a 32,500 sq. ft. office building and associated parking area. The proposed SR-1 zoning allows 1 unit per acre, which is consistent with the residential density range of 1-4 du/ac., as recommended in the SRL land use designation.
 - b) Level of Service (LOS) – The level of service impacts related to the request would be mitigated by the proffered monetary contributions as follows:

Water Quality	\$75 per acre	4.23 acres	\$317.25
Fire and Rescue	\$749.00 per unit \$0.61 per sq.ft. of building area	1 unit 32,500 sq.ft.	\$749.00 \$19,825.00
Libraries	\$610.00 per unit	1 unit	\$610.00
Parks and Recreation	\$3,972.00 per unit	1 unit	\$3,972.00
Schools	\$14,462.00 per unit	1 unit	\$14,462.00

Transportation	\$17,926.00 per unit	1 unit	\$17,926.00
Housing Preservation & Community Fund	\$1,000.00 per unit	1 unit	\$1,000.00
Total			\$58,861.25

2. Community Input - The application has been transmitted to adjacent property owners within 200 feet. As of the date of this report, the Planning Office has received a number of emails in opposition of the proposal. Fifteen people spoke at the Planning Commission public hearing with eight people speaking in favor of the proposal and seven people in opposition.
3. Other Jurisdictional Comments - The Town of Occoquan was sent notice of the application proposal. The Town submitted a letter of opposition citing potential negative impacts from the Oaks III development regarding increased stormwater run-off and cut-through traffic along Tanyard Hill Rd.
4. Legal Uses of the Property – Those uses allowed in the O(L) and SR-1 zoning districts would be permitted. Legal issues resulting from Board of County Supervisors action are appropriately addressed by the County Attorney’s office.
5. Timing - The Board of County Supervisors had until July 6, 2011 to fulfill the Zoning Ordinance requirement that the case receive final action within one year of receipt by the County. However, the applicant requested a deferral of the Board of County Supervisors public hearing to July 19, 2011, again to October 4, 2011, and a final deferral to January 10, 2012.

B. Deny REZ #PLN2010-00457, The Oaks III.

1. Comprehensive Plan

- a) Long-Range Land Use - If the application is denied, the land use designation of the site would remain O, Office and SRL, Suburban Residential Low, and the zoning classification would remain A-1, Agricultural.
- b) Level of Service - Denial would not have any impact on the existing level of service.

2. Community Input - Notice of the application has been transmitted to adjacent property owners within 200 feet. As of the date of this report, the Planning Office has received a number of emails in opposition of the proposal. Fifteen people spoke at the Planning Commission public hearing with eight people speaking in favor of the proposal and seven people in opposition.

3. Other Jurisdictional Comments - The Town of Occoquan was sent notice of the application proposal. The Town submitted a letter of opposition citing potential negative impacts from the Oaks III development regarding increased stormwater run-off and cut-through traffic along Tanyard Hill Rd.
4. Legal Uses of the Property – The rezoning site could be developed with uses permitted in the A-1 zoning district. Legal issues resulting from Board of County Supervisors action are appropriately addressed by the County Attorney’s office.
5. Timing - The Board of County Supervisors had until July 6, 2011 to fulfill the Zoning Ordinance requirement that the case receive final action within one year of receipt by the County. However, the applicant requested a deferral of the Board of County Supervisors public hearing to July 19, 2011, again to October 4, 2011, and a final deferral to January 10, 2012.

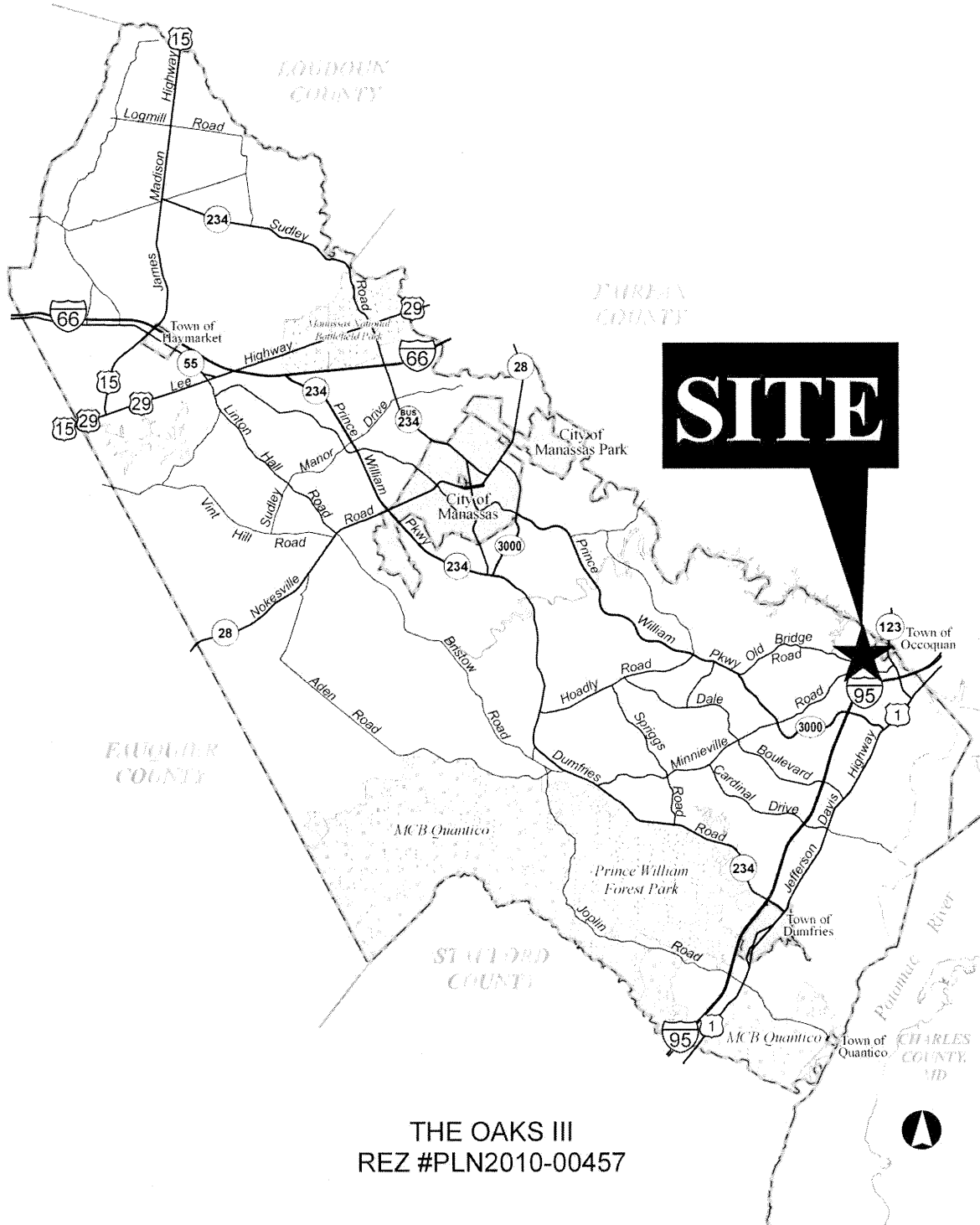
V. **Recommendation** is that the Board of County Supervisors accept Alternative A and approve the attached Ordinance.

Staff: Stephen L. Donohoe, X5282

Attachments

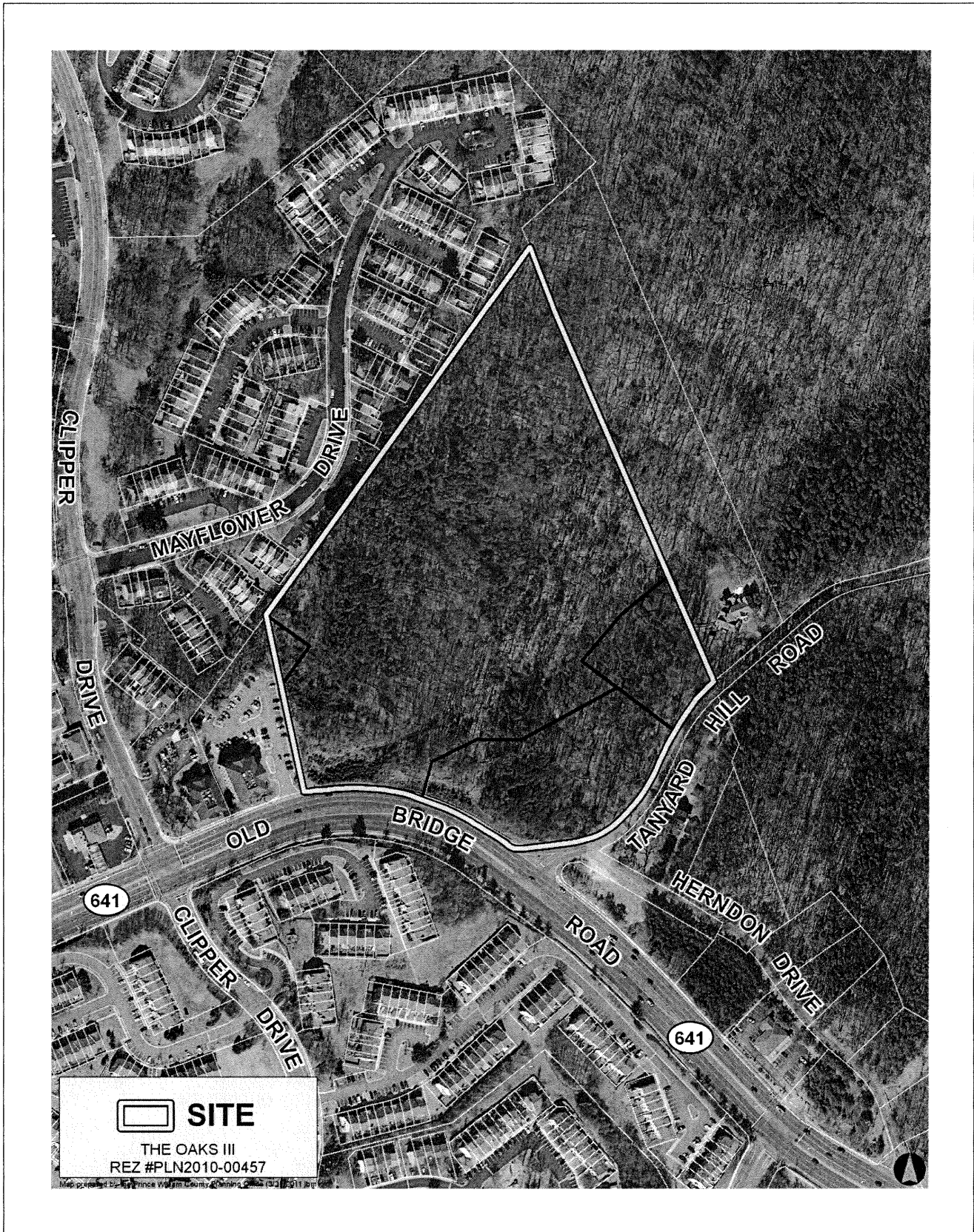
- A. Area Maps
- B. Staff Analysis
- C. Proffer Statement, GDP, Building, Sign Illustrative Exhibits, & Town of Occoquan – Community Gateway Feature
- D. Planning Commission Resolution

Attachment A – Maps
VICINITY MAP

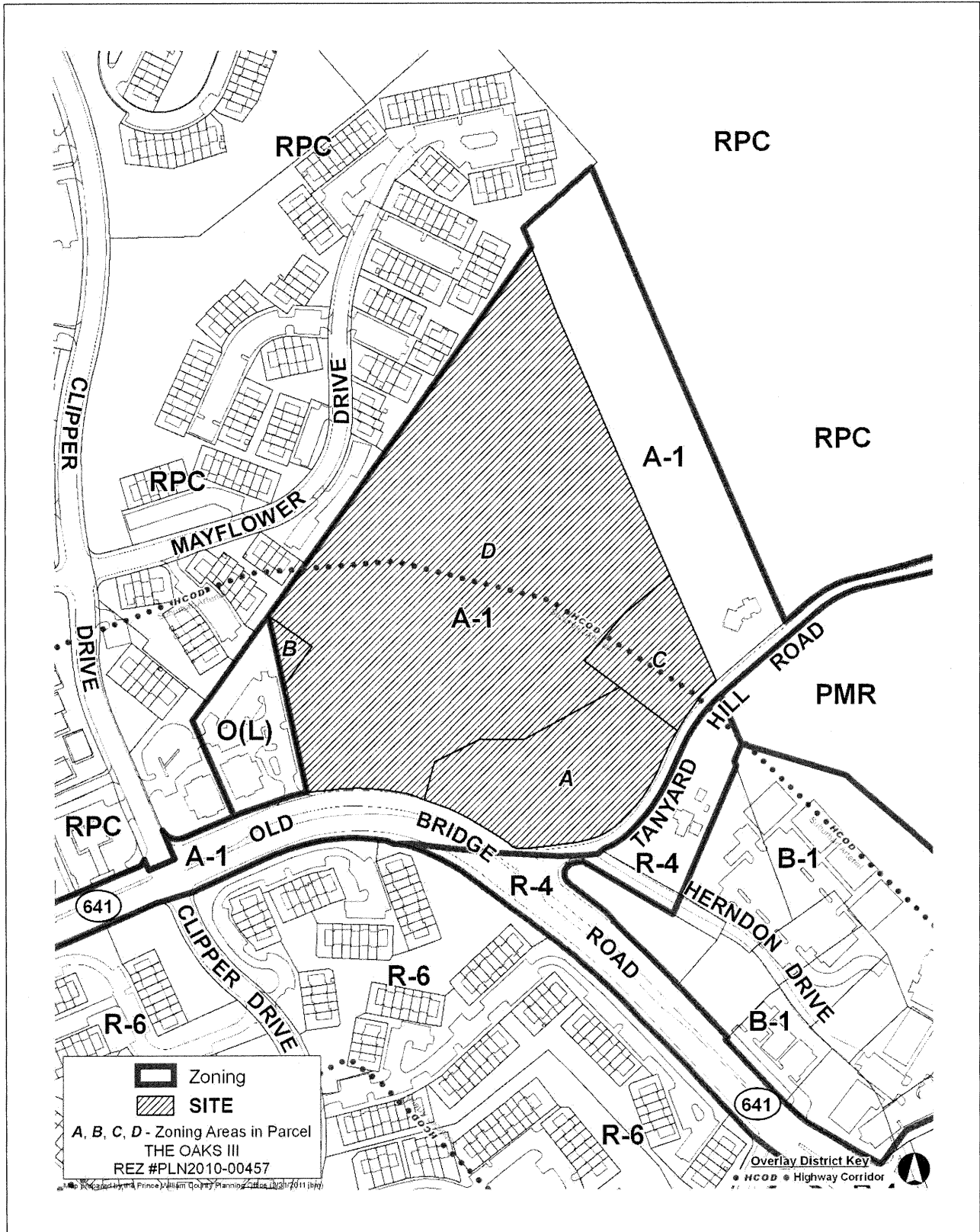


THE OAKS III
REZ #PLN2010-00457

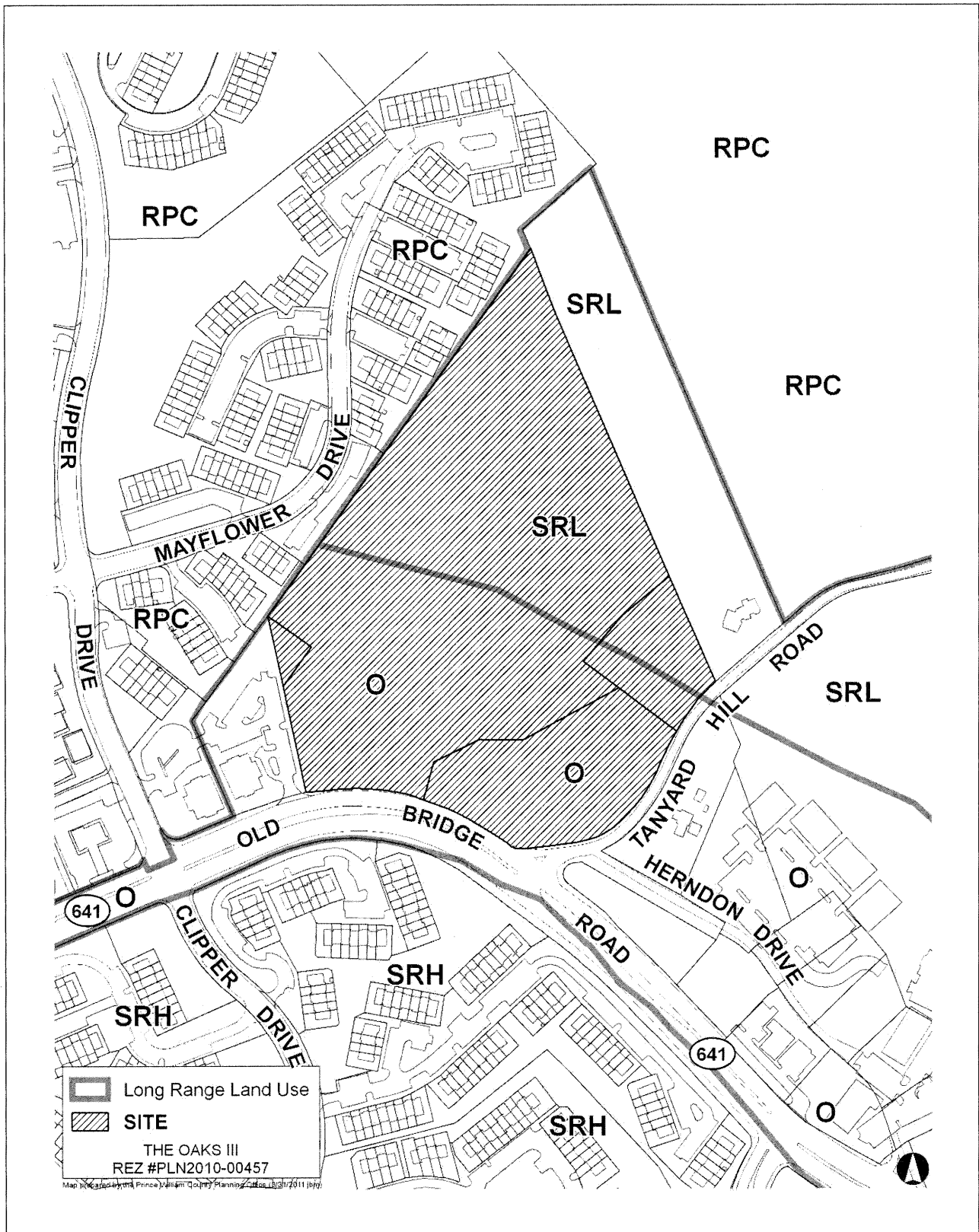
Attachment A – Maps
AERIAL MAP



Attachment A – Maps
EXISTING ZONING MAP



Attachment A – Maps
LONG-RANGE LAND USE MAP



Part I. Summary of Comprehensive Plan Consistency

Staff Recommendation: Approval

The following is a summary of staff’s analysis of this request to rezone +/-3 acres from A-1, Agricultural, to O(L) Office Low-Rise to develop a 32,500 SF office building and to construct an expanded parking area for an adjacent commercial property. Also, the proposal includes a request to rezone +/-1.23 acres from A-1, to SR-1, Semi-Rural Residential and to designate +/-13.58 acres as a conservation area. This analysis is based on the relevant Comprehensive Plan action strategies, goals, and policies. A complete analysis is provided in Part II of this report.

<u>Plan</u>	<u>Consistency</u>	<u>Reasons</u>
Long-Range Land Use	Yes	The site is classified O, Office and SRL, Suburban Residential Low. The requested zoning districts, O(L), Office Low-rise, and SR-1, Semi-Rural Residential, both are intended to implement their respective land use designations. The Office designation is intended to provide for areas of low to high-rise office and the proposal includes a 32,500 sq. ft. office building and associated parking area. The proposed SR-1 zoning allows 1 unit per acre, which is consistent with the residential density range of 1-4 du/ac., as recommended in the SRL land use designation.
Community Design	Yes	The applicant has proffered to develop the site in substantial conformance with the GDP. The layout includes a 32,500 sq. ft. office building, a residential lot, parking area, and a large conservation area. Buffers have been provided and will be planted in accordance with DCSM standards. Building and sign elevations have been provided, showing building materials, colors, and design features.
Cultural Resources	Yes	A reconnaissance pedestrian survey has been completed for this site. That study recommended no further archaeological work.
Environment	Yes	The 17.8 acre parcel is proposed to be divided into 4 separate areas. The largest is Area D, or the area to be designated as a conservation area which consists of 13.58 acres. The site does not have any areas mapped RPA but does contain a significant intermittent stream (per PFD#10-00144) located in the conservation area and is buffered from development. Within the conservation area, the applicant will stabilize/restore up to 400 ft. of an eroded section of the intermittent stream. The GDP proposes approximately 8.5% impervious surface added to the site. A water quality

Attachment B - Staff Analysis

		contribution, additional erosion and sediment controls and a stilling basin located near the outfall of the neighboring Oaks II property have been proffered.
Fire and Rescue	Yes	The applicant has proffered a monetary contribution to mitigate LOS impacts on Fire and Rescue according to the policy guidelines for the proposed office development and residential unit. The site is within the recommended response times; however, the responding station is operating beyond capacity.
Housing	Yes	The applicant has proffered a monetary contribution to the Housing Preservation and Development Fund according to the Department of Housing and Community Development guidelines.
Libraries	Yes	The applicant has proffered LOS mitigation for impacts on library services according to the policy guidelines.
Parks, Open Space and Trails	Yes	The applicant has proffered a monetary contribution to mitigate LOS impacts on Parks, Open Space and Trails according to the policy guidelines.
Police	Yes	No significant impact to police services is anticipated.
Potable Water	Yes	As proffered, the applicant shall design and construct all on-site and off-site public water facilities.
Sanitary Sewer	Yes	As proffered, the applicant shall design and construct all on-site and off-site public sewer facilities.
Schools	Yes	The applicant has proffered to make a monetary contribution according to the policy guidelines.
Transportation	Yes	The proffers include improvements to the intersection of Tanyard Hill Rd. and Old Bridge Rd. Generally, the improvements to the intersection will result in straightening of the curve in Tanyard Hill Rd. at the intersection and improving site distance.

Part II. Comprehensive Plan Consistency Analysis

The following table summarizes the area characteristics (see maps in Attachment A):

Direction	Land Use	Long Range Future Land Use Map Designation	Zoning
North	Thousand Oaks Townhouse development & vacant land	SRL & RPC	A-1 & RPC
South	Rolling Brook Townhouse development, Single family detached dwelling & vacant land	SRH & O	B-1, R-4 & R-6
East	Single family detached dwelling, vacant land & Lake Ridge Parks & Rec. owned open space	SRL & RPC	PMR, A-1 & RPC
West	The Oaks I & II Office development & Thousand Oaks townhouse development	RPC & O	RPC & O(L)

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 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.

Attachment B - Staff Analysis

This site is located within the development area of the County and is classified O, Office and SRL, Suburban Residential Low. The following table summarizes the uses and densities intended within the O & SRL designations:

Long-Range Land Use Plan Classification	Land Uses Intended
Office (O)	The purpose of this classification is to provide for areas of low-to high-rise, offices or research and development activities. Projects developed in this classification shall be for office use, with retail and retail service uses discouraged. Any retail and/or retail service uses shall be contained within the office or research and development building whose tenants and employees those retail/retail service uses would serve. Less intense O uses such as neighborhood-scale offices shall be located at the periphery of the O project, to act as a transition between the O project and adjacent residential areas. Office development in O areas is encouraged to be in accordance with the <i>Illustrative Guidelines for Office Development</i> , provided as a supplement to the Community Design Plan chapter of the Comprehensive Plan and available from the Planning Office. A minimum office building height of 3-5 stories is preferred.
Suburban Residential Low (SRL)	The purpose of the Suburban Residential Low classification is to provide for housing opportunities at a low suburban density. The housing type in this classification is single-family detached, but up to 25 percent of the total land area may be single-family attached. The density range in SRL projects is 1-4 units per gross acre, less the ER-, Environmental Resource-designated portion of a property. Cluster housing and the use of the planned unit development concept may occur, provided that such clustering and planned district development furthers valuable environmental objectives as stated in EN-Policy 1 and EN-Policy 4 of the Environment Plan, the intent stated in the Cultural Resources Plan and preserves valuable cultural resources throughout the county.

The site is located on the north side of Old Bridge Rd., at the intersection of Old Bridge Rd. and Tanyard Hill Rd. The subject parcel consists of a total of approximately 17.8 acres and is divided into Areas A, B, C & D on the GDP. This property is zoned A-1, Agricultural, in its entirety. The subject site is in the Old Bridge Road Highway Corridor Overlay District approved after February 20, 1996. As such, the proposal is subject to the applicable requirements.

Attachment B - Staff Analysis

This is a request to rezone +/-3 acres from A-1, Agricultural, to O(L) Office Low-Rise to develop a 32,500 SF office building and to construct an expanded parking area for an adjacent commercial property. Also, to rezone +/-1.23 acres from A-1, to SR-1, Semi-Rural Residential and to designate +/-13.58 acres of A-1 land as a conservation area. The site is located on the north side of Old Bridge Rd., at the intersection of Old Bridge Rd. and Tanyard Hill Rd.

Proposal's Strengths

- Long-Range Land Use Plan - The requested zoning district, O(L), Office Low-rise, is intended to implement the O, Office designation of the Comprehensive Plan. The Office designation is intended to provide for areas of low to high-rise office or research and development areas. The illustrative exhibits and GDP show a 3-story office building and the GDP shows a maximum build out of up to 32,500 sq. ft. The development proposal implements the intent of the Office land use designation. The proposed SR-1 zoning for the residential lot allows the density envisioned in the SRL land use designation.

Proposal's Weaknesses

- None identified.

On balance, this application is found to be consistent with the relevant components of the Long-Range Land Use Plan.

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.

The subject site is in the Old Bridge Road Highway Corridor Overlay District approved after February 20, 1996. As such, the proposal is subject to the applicable requirements.

The applicant has proffered to develop the site in substantial conformance with the GDP. The layout includes a 32,500 sq. ft. office building, a +/-1.23 acre residential lot, a +/-0.15 acre parking area, and a +/-13.58 acre conservation area. Buffers have been provided and will be planted in accordance with DCSM standards. Building and sign elevations have been provided, showing building materials, colors, and design features.

Proposal's Strengths

- Architecture - The proposal includes illustrative building architectural examples for the +/- 32,500 sq. ft. office building. The proposed building exhibits the intent of the applicant to construct an office building that will be similar in design to the existing The Oaks I & II buildings. As shown in the illustrative example, brick will be the primary material on the building façade.
- Limits of Clearing and Grading – Limits of clearing and grading are shown on the plan. A large portion of the property will remain undisturbed and wooded including a +/-250 ft. stretch along the frontage of Old Bridge Rd.
- Landscaping - The GDP shows a 20 ft. HCOD buffer and 10 ft. landscape strip along Old Bridge Rd.
- Signage – The proposal includes an illustrative sign example. The sign is made of brick and has landscaping at the base.

Proposal's Weaknesses

- Site layout – The Oaks III is proposed to be similar in building design and materials to the adjacent Oaks I & II properties; however, a consistent design is not proposed with this layout with the building located in the rear of the rezoning area and parking along Old Bridge Rd.

On balance, this application is found to be consistent 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.

Phase I archaeological studies are generally required at submission of rezoning and special use permit applications where significant prehistoric or historic sites and cemeteries are known or suspected. Phase II evaluations and treatment plans studies may also be required. Records research is required of all applicants for rezoning, special use permit, comprehensive plan amendment, and public facility review applications.

A reconnaissance pedestrian survey that was conducted by the County Archaeologist on August 19, 2010 observed that the project area consisted of a mixed hardwood forest interspersed with pine trees. The undergrowth consisted of holly, greenbrier, and poison ivy and oak. The topography was dissected steep slopes, except for the land along the western property line which was a wide flat ridge. No archaeological or architectural studies are recommended.

Proposal's Strengths

- Archaeological Study - A reconnaissance pedestrian survey has been completed for this site. The County concurs with the reports recommendation's of no further archaeology work.

Proposal's Weaknesses

- None identified.

On balance, this application is found to be consistent 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 17.8 acre parcel is proposed to be divided into four separate areas. The largest is Area D, the area to be designated as a conservation area which consists of 13.58 acres. The applicant submitted an environmental constraints analysis. The site does not have any areas mapped RPA but does contain an intermittent stream (per PFD#10-00144) that is considered a significant stream located in the conservation area and is buffered from development. The intermittent stream buffer has an average width of 80 ft. through the length of the property and varies from 50 ft. to 100 ft. Within the conservation area, the applicant will stabilize/restore up to 400 ft. of an eroded section of the intermittent stream located on-site. The GDP shows approximately 8.5% impervious surface added to the site. Roughly 38% (1.2 acres) of Areas A, B & C meet the definition of Environmental Resource for having slopes and soil limitations. 26% (0.87 ac.) of Areas A, B, & C contain areas

of 15% to 25% slopes, and 12% (0.38) of the site has slopes greater than 25%. A water quality contribution, additional erosion and sediment controls and a stilling basin located near the outfall of the neighboring Oaks II property have been proffered.

This site is located in Subwatershed #448, which flows into the Occoquan River watershed. A stormwater management/BMP facility is proposed in the eastern central portion of the site.

Proposal's Strengths

- **Conservation Area** – The GDP and proffers propose to designate +/-13.58 acres of the +/-17.8 acre property as a permanent conservation area. The proposal includes approximately 8.5% of impervious surface to be added to the property and an intermittent stream buffer that exceeds the minimum width. The conservation area will be subject to a conservation easement conveyed to the Northern Virginia Conservation Trust or similar conservation group.
- **SWM & Low Impact Design** – The applicant has proffered to utilize LID techniques in addition to the stormwater management facility proposed to manage stormwater runoff on-site. Additionally, to improve the existing condition of the intermittent stream, the applicant will install a stilling basin as the outfall of the runoff from the adjacent Oaks II property located upstream.
- **Stream Restoration** – The applicant has proffered to restore up to 400 feet of eroded stream channel located within Area D, as shown on the GDP.
- **Erosion and Sediment Control** - The applicant has proffered to provide additional supplemental erosion prevention measures. Super silt fencing or equivalent shall be installed along the boundary of the proposed Conservation Area.
- **Water Quality** – The applicant has proffered to make a monetary contribution in the sum of \$75.00 per acre to the Board of County Supervisors for the purpose of monitoring water quality, stream restoration projects, and/or drainage improvements.
- **Building Materials and Energy Efficiency** – As proffered, the applicant shall utilize green building practices and employ the use of energy efficient HVAC equipment and building appliances.

Proposal's Weaknesses

- **Soils** – Soil type 44E, Occoquan sandy loam, is found on the site, partially located within Area A, proposed for development. Soil 44E is generally considered poorly suited for development due to the depth of bedrock, seepage and slope.

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.

The site is closest to the OWL-Botts Fire and Rescue Station #2. It is estimated that there are approximately 6,312 incidents per tactical unit at this station, which is outside the recommended standard of 2,000 incidents per unit. It is estimated that the response time for the site would be within the recommended 4.0-minute response time for fire suppression and basic life support. It is also estimated that the response time for this site is within the recommended 8.0-minute response time for advanced life support.

Proposal's Strengths

- Level of Service - The applicant has proffered to provide monetary contributions for the residential unit and for office development in accordance with the policy guidelines.
- 4.0 Minute Response Time – The site is within the recommended 4.0-minute response time for fire suppression and basic life support.
- 8.0 Minute Response Time – The site is within the recommended 8.0-minute response time for advanced life support.

Proposal's Weaknesses

- Station Workload – The closest fire and rescue station, OWL-Botts, is currently operating outside the recommended standard of incidents per tactical units.

On balance, 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.

To assist in the need for affordable housing in Prince William County, the applicant has proffered a monetary contribution of \$1,000.00 per residential unit to the Housing Preservation and Development Fund.

Proposal’s Strengths

- Monetary Contribution - The applicant has proffered to provide a monetary contribution to the Housing Preservation and Development Fund.

Proposal’s Weaknesses

- None identified.

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

Library Plan Analysis

Access to a variety of information is a valuable service provided by the County. The Library Plan sets out policies and action strategies that further the County’s goal of providing adequate library facilities and information resources to our residents. The Plan includes recommendations relating to siting criteria, appropriate levels of service, and land use compatibility.

The library nearest the proposed project is the Lake Ridge Neighborhood Library. It is estimated that, countywide, six new libraries will be needed by the year 2020 to provide public library facilities for current and anticipated future populations. Development as proposed will generate a need for capital expenditures of \$610 (\$610 per dwelling). The applicant has proffered this amount.

Proposal’s Strengths

- Level of Service - The applicant has proffered to provide monetary contributions for the residential units in accordance with the policy guidelines.

Proposal's Weaknesses

- None identified.

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

Parks and Open Space 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.

The proposed residential development is near the following area parks and trails:

Type	Name
Neighborhood	None
Community	Lake Ridge Marina and Golf Course
Regional	PWC Stadium Complex Chinn Aquatics and Fitness Center Veterans Memorial Park
Linear and Resource-Based	None
Trails	East End Trail – McCoart to Occoquan (planned)

Development of the site as proposed will generate a need for only 0.22-acre of parkland accessible to the general public (70 acres/1,000 population), including 0.05-acre of county parkland (15 acres/1,000 population), and capital cost expenditures of approximately \$3,972.

Proposal's Strengths

- Level of Service - The applicant has proffered to provide monetary contributions for the residential units in accordance with the policy guidelines.

Proposal's Weaknesses

- Level of Service - The applicant has proffered to provide an open space area that is greater than what is suggested by the County's level of service standards for park acres that are accessible to the general public; however, the proffers do not indicate the property's public accessibility.

On balance, this application is found to be consistent with the relevant components of the Parks, Open Space and Trails 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.

Proposal's Strengths

- Safety and Security Measures - The Police Department has recommended the safety and security measures that should be incorporated into the design of the site. No significant impact to police services is anticipated.
- Graffiti - The applicant has proffered to notify the Police Department if their property is marked with graffiti and remove it promptly thereafter.

Proposal's Weaknesses

- None identified.

Attachment B - Staff Analysis

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 property is within the Prince William County Service Authority service area. Public water is available to the property.

Proposal's Strengths

- **Water Connection** - The applicant is required to comply with Zoning Ordinance Section 32-250.74, which mandates connection of the site to public water service. The proffers require the applicant to design and construct all on-site and off-site water utility improvements necessary to develop the subject use.

Proposal's Weaknesses

- None identified.

On balance, 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 property is within the Prince William County Service Authority area. Public sewer is available from Old Bridge Road.

Proposal's Strengths

Attachment B - Staff Analysis

- Sewer Connection - The applicant is required to comply with Zoning Ordinance Section 32-250.75, which mandates connection of the site to public sewer service. The proffers require the applicant to design and construct all on-site and off-site sewer utility improvements necessary to develop the subject use.

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, siting criteria, compatible uses, and community use of school facilities.

The Schools Plan establishes level of service (LOS) standards for schools Countywide, based on available or project program capabilities. The Schools Plan recommends that proposed developments offset impacts on County schools by providing land for future schools and/or monetary contributions for construction of schools. The applicant has proffered to provide monetary contributions for the single residential unit in accordance with the policy guidelines.

Proposal's Strengths

- Level of Service - The applicant has proffered to provide monetary contributions for the residential unit in accordance with the policy guidelines.

Proposal's Weaknesses

- None identified.

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

Transportation Plan Analysis

By providing a multi-modal approach to traffic circulation Prince William County promotes the safe and efficient movement of goods and people throughout the County and surrounding jurisdictions. The Transportation Plan sets out 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.

This site proposes to have a right-in access from Old Bridge Road and a full access from Tanyard Hill Rd. The SR-1 zoned lot will also have access from Tanyard Hill Rd. Area B, will be consolidated into the adjacent Oaks II property and is accessed through the existing access to the Oaks II property. The applicant has also proposed off-site transportation improvements consisting of a Town of Occoquan gateway feature that includes a median, town sign, and landscaping. A traffic impact analysis (TIA) was required for this application. The following table provides information concerning the daily volumes and levels of services of roadways important to this development:

Roadway Name	Number of Lanes	Current VDOT Count	Existing Daily LOS
Old Bridge Road	6	48,000 vpd	C
Tanyard Hill Road	2	4,500 vpd	C

Proposal’s Strengths

- Transportation Improvements – The proffers include improvements to the intersection of Tanyard Hill Rd. and Old Bridge Rd. Generally, the improvement to the intersection will result in straightening of the curve in Tanyard Hill Rd. at the intersection and improving site distance.
- Level of Service - The applicant has proffered to provide monetary contributions for the single residential unit in accordance with the policy guidelines.

Proposal’s Weaknesses

- None identified.

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 issues in this case are as follows:

- None identified.

Minimum Design Criteria

Staff and other agencies that have reviewed the proposal noted the following minimum design criteria. The development proposal will be reviewed for compliance with all minimum standards at the time that the applicant submits detailed site development information prior to the issuance of construction permits. The listing of these issues is provided to ensure that these concerns are a part of the development record. Such issues are more appropriately addressed during the site plan review.

- Landscaping - Landscaping/buffering/screening/tree canopy coverage shall meet minimum requirements of the DCSM as well as the proposed GDP and proffers. Landscaping along the frontage of Area A is labeled as Area of Vacation, that is dependent on the intersection improvements for substantial conformance.

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 Office of Planning:

County Archaeologist
DPW- Environmental Services
Fire and Rescue
Library
Parks Authority
Planning Office, Case Manager and Zoning Administration
Police Department
PWC Historical Commission
PWC Service Authority
PWC Transportation
Schools
VDOT

PROFFER STATEMENT

REZONING: Prince William County REZ #PLN2010-00457, The Oaks III

ZONING: O(L) and SR-1

PROPERTY: Portions of GPIN 8393-32-7695, totaling approximately 4.232 acres as identified on the GDP (the "Property")

RECORD OWNER The NRA Foundation Inc.

APPLICANT/CONTRACT PURCHASER: Clipper II Associates, L.P. (Kenneth Thompson)

DISTRICT: Occoquan Magisterial District

DATE: September 7, 2011

The undersigned hereby proffers that the use and development of the subject Property, as described above, shall be in strict conformance with the following conditions. In the event the above referenced rezoning is not granted as applied for by the applicant ("Applicant"), these proffers shall be deemed withdrawn and shall be null and void. The headings of the proffers set forth below have been prepared for convenience and reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. When used in these proffers, the "General Development Plan" and "GDP" shall refer to the plan entitled "General Development Plan – The Oaks III" prepared by BC Consultants, dated June, 2010, last revised March 25, 2011.

USES & SITE DEVELOPMENT

1. Areas A and B, as depicted on the GDP (collectively, the "O(L) Property"), consisting of approximately 3.002 acres, shall be developed in accordance with the O(L) Zoning District and in substantial conformance with the GDP, subject to minor changes approved by Prince William County (the "County") and/or any changes as may be necessary to accommodate transportation improvements described herein, including proffers 9 and 15 below.
2. Area C, as depicted on the GDP (the "SR-1 Property"), consisting of approximately 1.23 acres, shall be developed in accordance with the SR-1 Zoning District and in substantial conformance with the GDP, subject to minor changes approved by the County.
3. Area B, as depicted on the GDP, shall be consolidated with the Oaks II property, identified with GPIN 8393-32-2274 within 90 days of the approval of the first subdivision plan.
4. Area D, as generally depicted on the GDP, shall be preserved as a conservation area in accordance with Proffer 21 below.

COMMUNITY DESIGN

5. **Architecture:** The building to be constructed within Area A, as depicted on the GDP, shall be similar in style and materials to the exhibits entitled "Illustrative Building Architecture Exhibit," consisting of two sheets, and dated June 25, 2010. Minor modifications shall be permitted to the features such as, but not limited to, the number, location and dimensions of windows, doors and other architectural features and details provided the overall design concept is maintained. Additional changes to the architecture and/or materials may be approved by the Planning Director. Compliance with this proffer shall be evidenced with the submission to the Planning Office of building elevations no later than at least two weeks prior to the issuance of the building permit release letter by the Planning Office.
6. **Monument Signage:** Monument signage may be permitted within Area A in accordance with the Zoning Ordinance, the design of which shall be similar in style, materials, and landscaping to the signs shown on the exhibits entitled "Illustrative Sign Example," consisting of two sheets, and dated June 25, 2010.
7. **Lighting:** The height and design of parking lot light poles and fixtures in the O(L) Property shall be consistent and compatible with the adjacent the Oaks I and II developments (GPINs 8393-32-0871 and 8393-32-2274).

TRANSPORTATION

8. **Access:** Access to Area A shall be provided from Old Bridge Road via a right-in entrance and from Tanyard Hill Road via a full access entrance, both as shown on the GDP or as may be otherwise approved by the County Department of Transportation and/or the Virginia Department of Transportation ("VDOT").
9. **Reciprocal Access** - If at any time in the future Area C is rezoned for a commercial use, the Applicant shall, upon the request of Prince William County, grant an easement for an interparcel connection from Area A to Area C in a location to be determined by the Applicant.
10. **Handicapped Parking:** Within Area A, parking and signage for handicapped customers shall be provided in accordance with the DCSM and other current standards.
11. **Tanyard Hill Road Right-of-Way Dedication:** The Applicant shall reserve and dedicate, at no cost to Prince William County or VDOT, right of way along Tanyard Hill Road up to the width as generally shown on the GDP. Said dedication shall be made at the time of and in connection with the final site plan for Area A.
12. **Tanyard Hill Road Sidewalk.** The Applicant shall construct sidewalk on the west side of Tanyard Hill Road from its intersection with Old Bridge Road to the proposed entrance to Area A from Tanyard Hill Road. The sidewalk shall be shown on the site plan for Area A and shall be constructed concurrently with the Tanyard Hill Road /Old Bridge Road intersection improvements.
13. **Old Bridge Road Dedication:** The Applicant shall reserve and dedicate, at no cost to Prince William County or VDOT, the right-of-way along Old Bridge Road to the width as

Proposed Proffers dated September 7, 2011

generally shown on the GDP. Said dedication shall be made at the time of and in connection with the final site plan for Area A.

14. Monetary Contribution: The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$17,926.00 for the single family detached unit constructed on the SR-1 Property to be used for transportation improvements. Said contribution shall be paid prior to and as a condition of the issuance of the building permit release letter for the single family detached unit on the SR-1 Property. The Applicant shall receive a credit against this transportation Level of Service contribution for the value of the Tanyard/Old Bridge Intersection Improvements (described below) and any payments the Applicant may make in accordance with Proffer 15 below. The Applicant shall provide evidence of these amounts to the County's Department of Transportation.
15. Town of Occoquan Community Gateway Feature – Subject to obtaining all necessary approvals including, as applicable, approvals from VDOT, the County Department of Transportation, and the Town of Occoquan, the Applicant shall make the improvements depicted on the exhibit entitled "Town of Occoquan – Community Gateway Feature," prepared by BC Consultants and dated June, 2011 (the "Community Gateway Feature Exhibit"). Said improvements shall be shown on a plan in connection with the site plan review and shall be constructed concurrently with site development for Area A. The improvements shall be made in a location determined by the Applicant subject to VDOT and County Transportation approval. If requested by the Town of Occoquan, the Applicant shall construct a sign in the general location depicted on the Community Gateway Feature Exhibit and landscape surrounding the sign within the median. The design of said sign and landscaping shall be determined in connection with a courtesy review meeting with the Town of Occoquan. In the event the County, VDOT, and/or the Town of Occoquan do not approve the Community Gateway Feature and associated sign and landscaping, the Applicant shall have no further obligations with reference to said Community Gateway Feature.
16. Tanyard Road and Old Bridge Road Intersection Improvements: Subject to Prince William County Department of Transportation and VDOT approval, the Applicant shall provide the transportation improvements to the intersection of Tanyard Hill and Old Bridge Road as follows:
 - a. Within existing right of way and right of way to be acquired/dedicated pursuant to proffer 14.b. below, the Applicant shall make those improvements to the Tanyard Hill/Old Bridge Road intersection as generally shown on the GDP; such improvements shall be made in accordance with DCSM standards, or as may be modified and approved by the County and/or VDOT (collectively, the "Tanyard/Old Bridge Intersection Improvements").
 - b. In order to construct the Tanyard/Old Bridge Intersection Improvements, off-site right of way must be acquired from property east of this intersection (described with County G.P.I.N. # 8393-42-1432). The Applicant's obligation to construct the Tanyard/Old Bridge Intersection Improvements requiring off-site right-of-way is subject to the availability of this off-site right-of-way necessary for such improvements. The Applicant shall make a good faith effort (including a bona fide offer for the fair market value for the necessary property, as determined by an

Proposed Proffers dated September 7, 2011

appraiser licensed in Virginia) to acquire at Applicant's expense or to cause to be donated all necessary right-of-way, including temporary and/or permanent construction easements, grading and drainage easements, utility easements, and other easements necessary to effectuate such construction. In the event Applicant is unable to purchase or obtain from the owner the right-of-way necessary to construct the Tanyard/Old Bridge Intersection Improvements, the Applicant shall notify the County, whereupon the County shall acquire the right-of-way and easements by means of its condemnation powers at the Applicant's expense. The Applicant's notice 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 name of the record owner, the property address and GPIN number for the landowner from whom such right-of-way and/or easements are sought.
 - ii. Plats 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 such property.
 - iii. An independent appraisal of the value of the right-of-way and easements to be acquired, and all damages to the residue of the involved property, if any; said appraisal to be performed by an appraiser licensed in Virginia and approved by the County.
 - iv. A 60 year title search of the involved property.
 - v. Documentation demonstrating, to the County's satisfaction, the Applicant's good faith 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 the Applicant and approved by the County Attorney whereby the Applicant agrees to pay all costs of the condemnation, including expert witness fees, court costs, exhibit costs, court reporter fees, attorneys' fees for the Office of 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 the Applicant's appraiser, the 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 30 days of the award.
- c. The Applicant shall include with the final site plan for Area A the plans and profiles for the Tanyard/Old Bridge Intersection Improvements. Subject to County and VDOT approval, the Applicant shall thereafter construct these improvements and

Proposed Proffers dated September 7, 2011

replace, as necessary, existing sidewalk and handicap ramps concurrently with the site development for Area A.

WATER AND SEWER

17. Public Water and Sewer: The Property shall be developed with public water and sewer, with all on-site and off-site improvements necessary to meet the demand generated by the development on the Property to be provided at the Applicant's expense.

ENVIRONMENT

18. Proposed SWM/BMP: Stormwater Management and/or Best Management Practices shall be provided on-site and/or off-site, in accordance with the DCSM. Stormwater outfall from Area A shall incorporate energy dissipation controls, the design and specifications of which shall be addressed in connection with site plan review for Area A.
19. Existing Oaks II SWM Upgrades: The Applicant shall install a new stilling basin within Area D where the existing Oaks II outfall is located. The specifications and design of the stilling basin shall be determined by the Department of Watershed Management in consultation with the Applicant's civil engineer
20. Intermittent Stream Restoration: The Applicant shall stabilize/restore the eroded area not to exceed 400 linear feet northeast of the existing Oaks II outfall area. The exact location shall be determined by the Department of Watershed Management in consultation with the Applicant's civil engineer. The specifications and design of this restoration shall be addressed in connection with site plan review for Area A.
21. Conservation Area: The area depicted as "Conservation Area" on the GDP shall be preserved in its natural state as a Conservation Area (as defined in the Prince William County Zoning Ordinance) subject only to the removal of noxious vegetation such as poison ivy and/or dead, dying or hazardous trees and as needed in accordance with Proffers 19 and 20 above. The final location of the Conservation Area, to include Area D, approximately 13.58 acres, shall include the area outside of the limits of clearing as shown on the GDP (pursuant to Proffer 23) and shall be shown on the final site plan for Area A. Area D shall be subject to a recorded permanent conservation easement conveyed to the Northern Virginia Conservation Trust or similar qualified conservation group, which shall be recorded prior to final site plan approval for Area A.
22. Green Building Practices: The Applicant shall utilize green building practices for the building in Area A, which may include, but shall not be limited to:
 - a. Use of products with recycled content, materials like SAT ceiling tiles, gypsum board and carpets;
 - b. Improvement of the energy efficiency of the building by increasing insulation to R-19 for exterior walls and R-30 for the roof;
 - c. Use of high efficiency HVAC equipment and Energy Star rated refrigerators;

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- d. Use of energy efficient lighting, including occupancy sensors for tenant spaces, bathrooms, storage and mechanical rooms; and
- e. Improvement of indoor air quality with use of low off gassing and VOC content paints and adhesives.

The specific practices shall be determined at the time of architectural plan review in consultation with the Building Development Division.

- 23. Limits of Clearing and Grading: The Applicant shall limit clearing and grading to within those areas depicted on the GDP, subject to minor revisions in accordance with final engineering considerations at the time of plan review and approval. No clearing or improvements shall be made outside of the limits of clearing and grading, without County approval, with the exception of: (a) the installation of plant materials, if needed to supplement existing vegetation, within buffer areas shown on the GDP; and (b) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees.
- 24. Low Impact Development (LID): The Applicant shall utilize, to the extent feasible due to existing soil types on the Property, low impact development ("LID") techniques in addition to the proposed Conservation Area, and in combination with traditional stormwater management techniques to manage the stormwater runoff from Area A. LID techniques may include, but shall not be limited to, on-site infiltration, bio-retention facilities, grass swales or trenches, and rain water cisterns, with controlled outfall via French drains or similar measures. The locations and specific techniques to be utilized shall be determined at the time of site plan review for Area A, in consultation with the Department of Public Works, Environmental Services Division.
- 25. Super Silt Fencing: Prior to any land disturbing activities on Areas A, B, and C, the Applicant shall provide super silt fencing or its equivalent in such areas along the common boundary of the proposed Conservation Area to be created in accordance with Proffer 21 above.
- 26. Monetary Contribution: The Applicant shall contribute to the Board of County Supervisors the sum of \$75.00 per acre to be rezoned (approximately 4.229 acres) for the County to conduct water quality monitoring, stream restoration projects, and/or drainage improvements. Said contribution shall be paid prior to and as a condition of the approval of the first site plan for the Property.

SCHOOLS

- 27. Monetary Contribution: The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$14,462.00 for the single family detached unit constructed on the SR-1 Property to be used for school purposes, said contribution shall be paid prior to and as a condition of the issuance of the building permit release letter for the single family detached unit on the SR-1 Property.

Proposed Proffers dated September 7, 2011

LIBRARIES

28. Monetary Contribution: The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$610.00 for the single family detached unit constructed on the SR-1 Property to be used for library purposes, said contribution shall be paid prior to and as a condition of the issuance of the building permit release letter for the single family detached unit on the SR-1 Property.

PARKS AND RECREATION

29. Monetary Contribution: The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$3,972.00 for the single family detached unit constructed on the SR-1 Property to be used for parks and recreation purposes, said contribution shall be paid prior to and as a condition of the issuance of the building permit release letter for the single family detached unit on the SR-1 Property.

FIRE AND RESCUE

30. Residential Monetary Contribution: The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$749.00 for the single family detached unit constructed on the SR-1 Property to be used for fire and rescue purposes, said contribution shall be paid prior to and as a condition of the issuance of the building permit release letter for the single family detached unit on the SR-1 Property.
31. Nonresidential Monetary Contribution: The Applicant shall make a monetary contribution of \$0.61 per square foot of building area in Area A (+/-32,500 square feet) for fire and rescue services to the Board of County Supervisors prior to, and as a condition of issuance of an occupancy permit for the building on Area A.

HOUSING

32. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$1,000.00 to be utilized by the County's Housing Trust Fund. Said contribution shall be paid prior to and as a condition of the issuance of the building permit release letter for the single family detached unit on the SR-1 Property.

MISCELLANEOUS

33. In connection with final site plan review for Area A, the Applicant shall notify LOCCA/PELT, the Occoquan District Land Use Committee, and the Town of Occoquan in writing and make itself or a representative available to have a joint meeting with said groups. Said meeting shall be for courtesy review purposes and copies of the correspondence offering to meet and/or agendas shall be provided to the County prior to final site plan approval for Area A to evidence compliance with this condition.

Attachment C
Proposed Proffers dated September 7, 2011

34. The Applicant shall remove any graffiti from the building on Area A. Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Section 32-250.20 et. seq. of the Zoning Ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal.

35. In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors ("Board") within eighteen (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 this Proffer Statement which are paid to the Board after eighteen (18) months following final, non-appealable 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 to the most recently available CPI-U to the date the contributions are paid, subject to a cap of 6 percent (6%) per year, noncompounded.

[SIGNATURE PAGE TO FOLLOW]

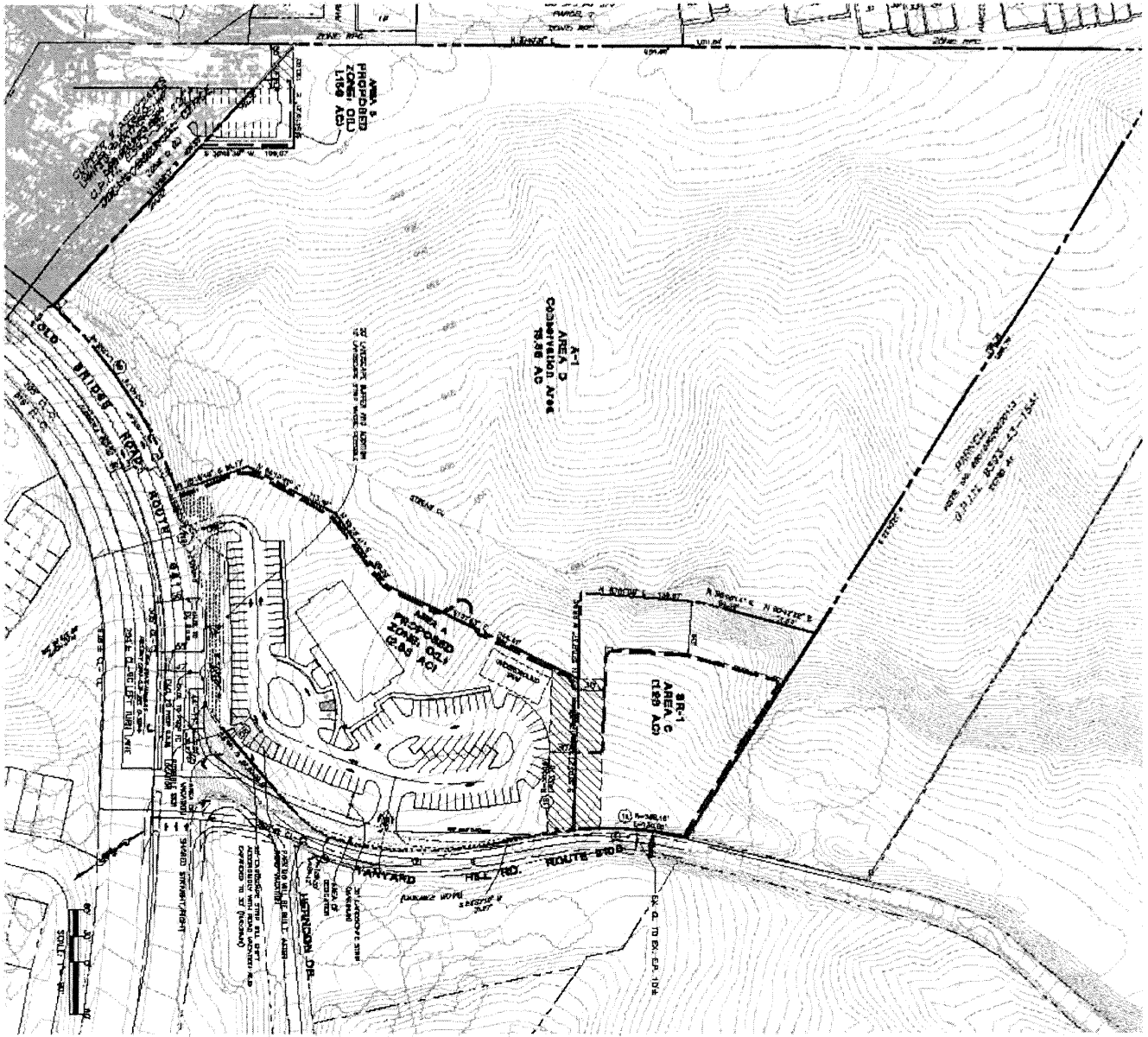
Attachment C
Proposed Proffers dated September 7, 2011

SIGNATURE PAGE

THE NRA FOUNDATION, INC., a District
of Columbia corporation

By: _____
Name: _____
Title: _____

**Attachment C – Generalized Development Plan
dated June 2010, revised March 25, 2011**



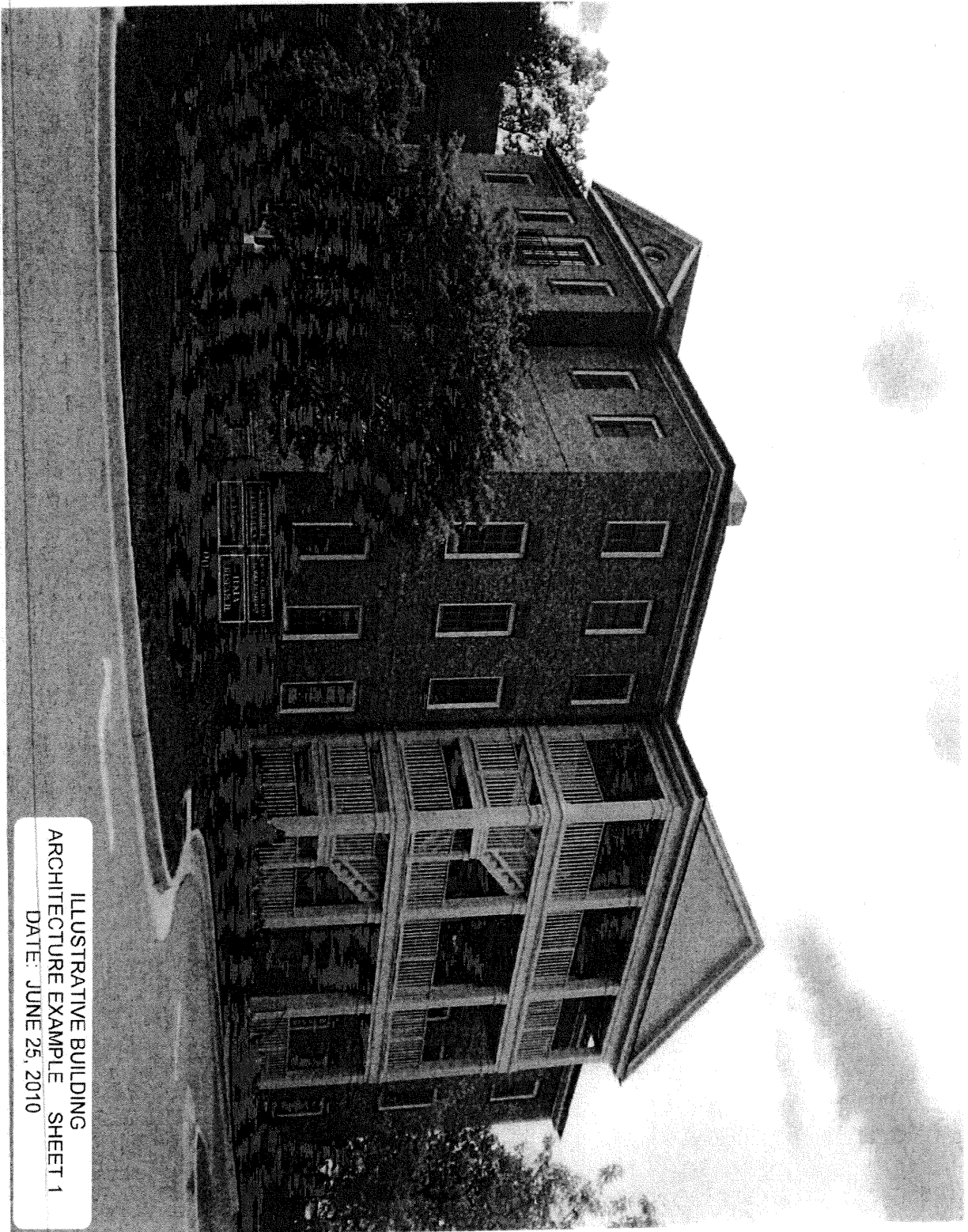
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DESIGNED BY/DATE	REVISED 1-21-2011
DRAWN BY/DATE	REVISED 03-25-2011
CHECKED BY/DATE	
APPROVED BY/DATE	
DATE	
SHEET 1 OF 1	
COL. BY/PROJECT/NO.	
DATE/SCALE/STATUS	
PROJECT/NO.	
DATE/NO.	

GENERAL DEVELOPMENT PLAN
 REZ#PLN2010-00457
THE OAKS III
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 PDZDZ WZLZDZ DZDZDZ, DZDZDZ



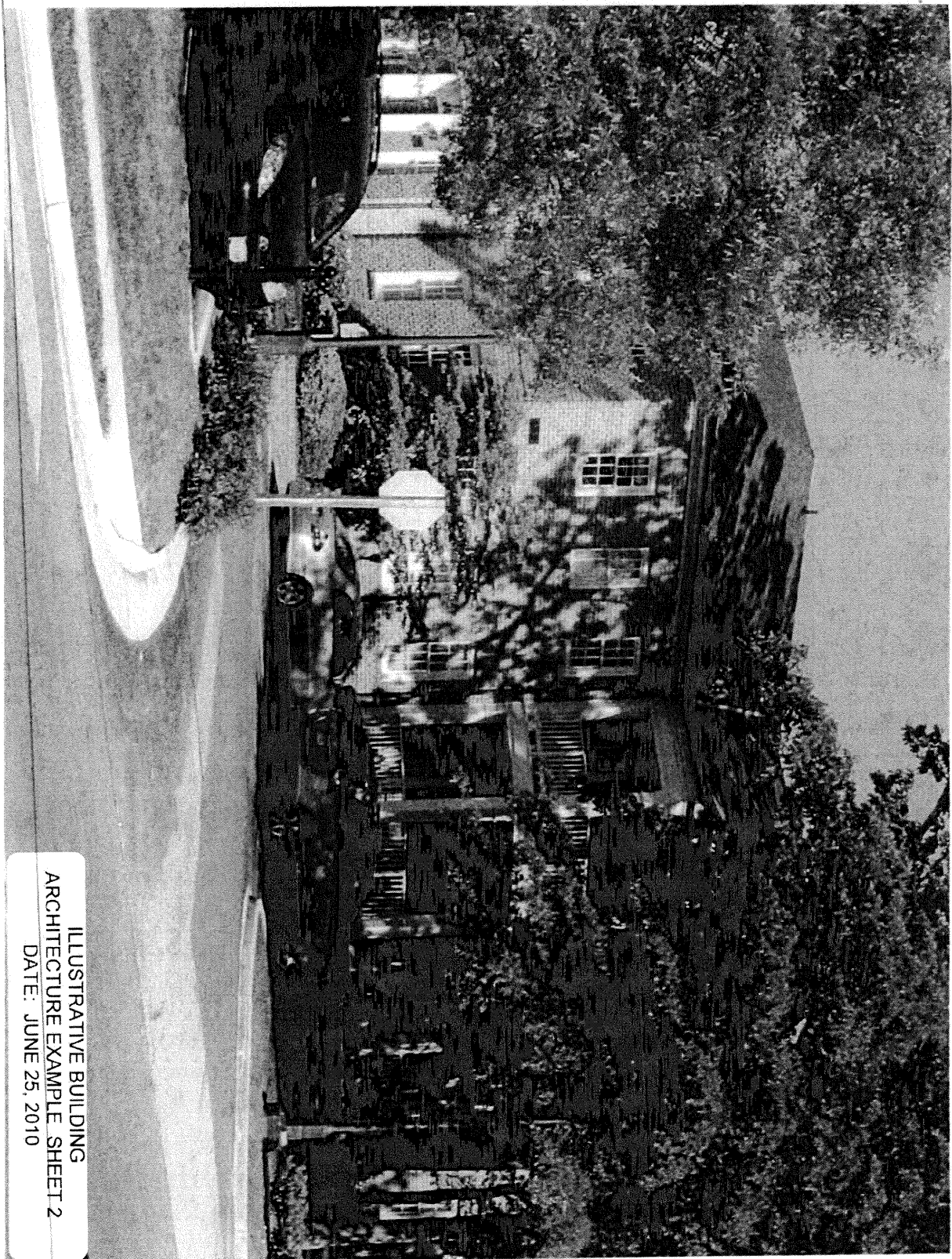
BC Consultants
Planners • Engineers • Surveyors • Landscapers
 12200 Fair Lakes Circle, Suite 100, Fairfax, VA
 (703)449-6100 (703)446-8118 (Fax)
 www.bccon.com

Attachment C – Illustrative Building Architecture Exhibit
dated June 25, 2010



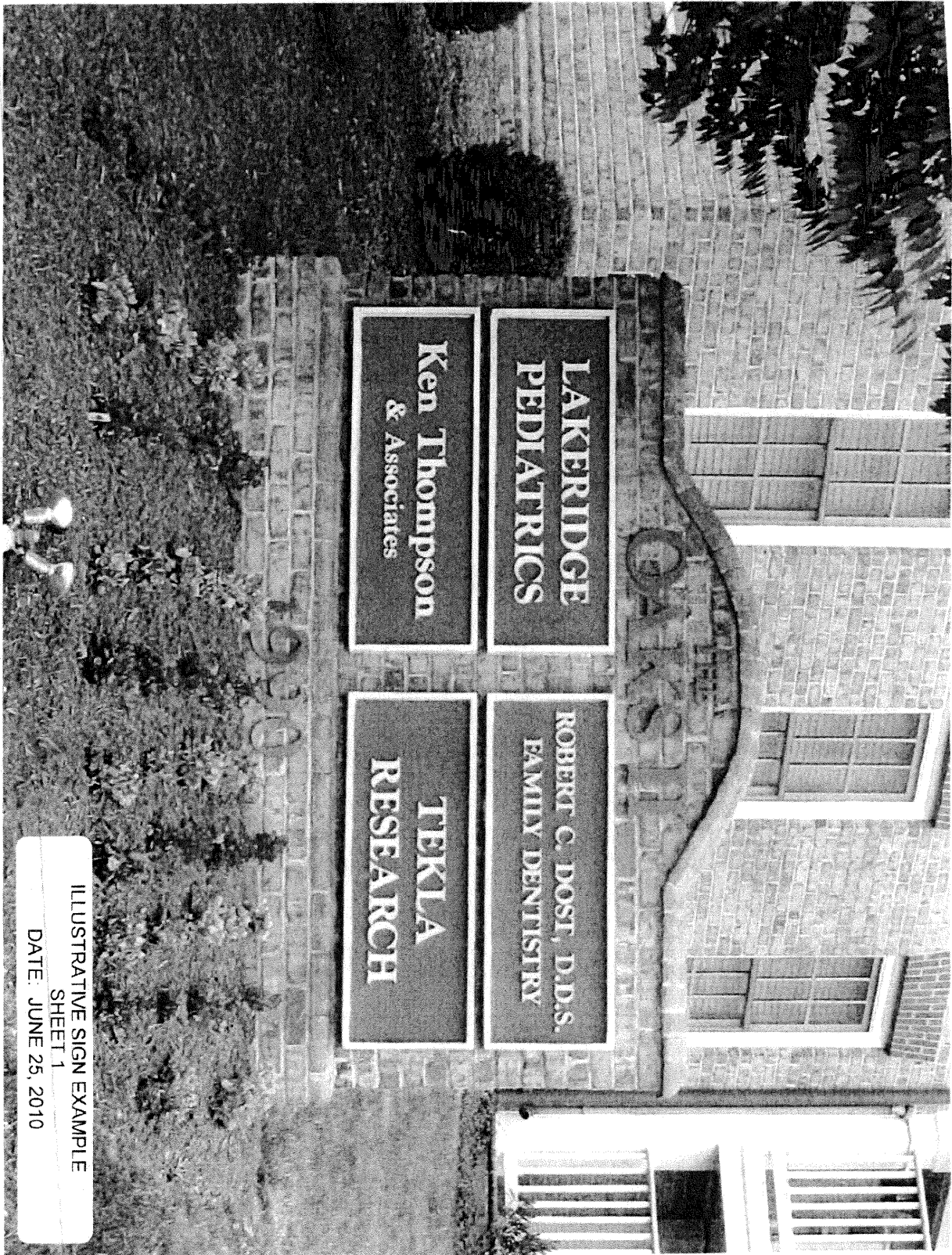
ILLUSTRATIVE BUILDING
ARCHITECTURE EXAMPLE SHEET 1
DATE: JUNE 25, 2010

Attachment C – Illustrative Building Architecture Exhibit
dated June 25, 2010



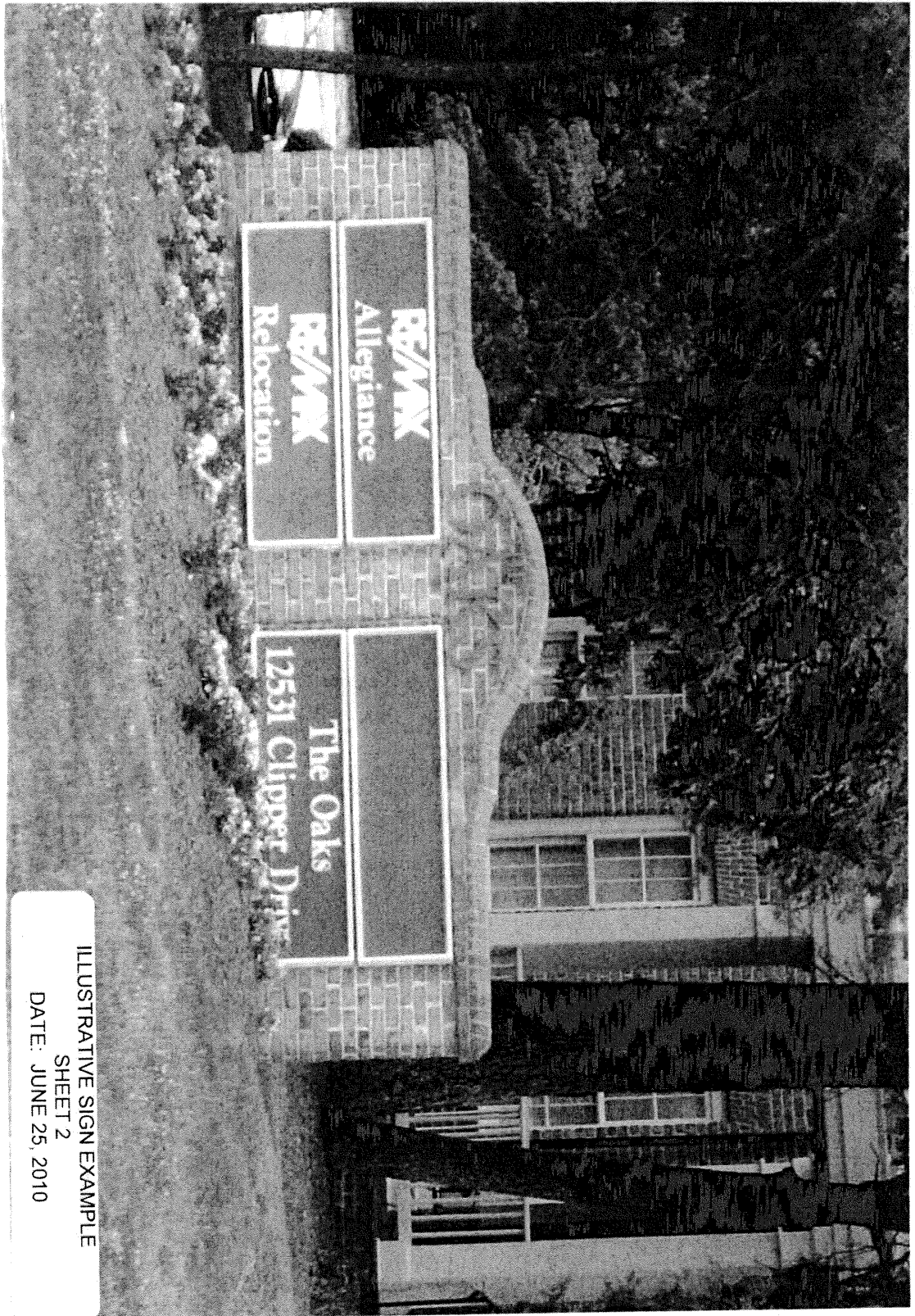
ILLUSTRATIVE BUILDING
ARCHITECTURE EXAMPLE SHEET 2
DATE: JUNE 25, 2010

Attachment C – Illustrative Sign Exhibit
dated June 25, 2010



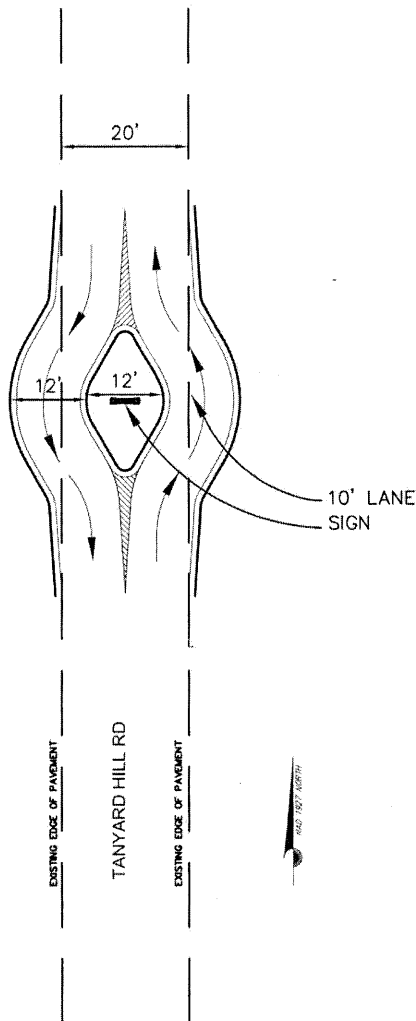
ILLUSTRATIVE SIGN EXAMPLE
SHEET 1
DATE: JUNE 25, 2010

Attachment C – Illustrative Sign Exhibit
dated June 25, 2010



ILLUSTRATIVE SIGN EXAMPLE
SHEET 2
DATE: JUNE 25, 2010

TOWN OF OCCOQUAN
COMMUNITY GATEWAY FEATURE



THE OAKS III

PRINCE WILLIAM COUNTY, VA

BC CONSULTANTS

SCALE: 1"=10'
JUNE, 2011

Attachment D – Planning Commission Resolutions

PLANNING COMMISSION RESOLUTION

MOTION: HENDLEY April 20, 2011
SECOND: FRY Regular Meeting
Res. No. 11-140
RE: REZONING #PLN2010-00457, THE OAKS III,
OCCOQUAN MAGISTERIAL DISTRICT
ACTION: DEFER TO DATE UNCERTAIN
MOTION FAILED TO CARRY

WHEREAS, this is a request to rezone +/-3 acres from A-1, Agricultural, to Office Low-Rise to develop a 32,500 SF office building and to construct an expanded parking area for an adjacent commercial property, and to rezone +/-1.23 acres from A-1, to SR-1, Semi-Rural Residential and to designate +/-13.58 acres as a conservation area; and

WHEREAS, the site is located on the north side of Old Bridge Rd., at the intersection of Old Bridge Rd. and Tanyard Hill Rd.; and

WHEREAS, the site is identified as GPIN 8393-32-7695, is zoned A-1, and is designated Office and Suburban Residential Low in the Comprehensive Plan; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on April 20, 2011, at which time public testimony was received and the merits of the above-referenced rezoning were considered; and

WHEREAS, during the public hearing additional issues were identified which needed to be addressed;

NOW, THEREFORE, BE IT RESOLVED, that the Prince William County Planning Commission does hereby defer Rezoning #PLN2010-00457, The Oaks, III to date uncertain.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Prince William County Planning Commission does hereby request the following items be addressed before coming back before the Commission:

- Communicate with the Town of Occoquan
- Fix outfalls and restore stream
- Provide a concrete proposal on the conservation easement and easement holder.

Votes:

Ayes: Fry, Hendley, Hosen

Nays: Bryant, Burgess, Holley

Absent from Vote: None

Absent from Meeting: Friedman, Gonzales

MOTION FAILED TO CARRY

CERTIFIED COPY


Clerk to the Commission

Attachment D – Planning Commission Resolutions

PLANNING COMMISSION RESOLUTION

MOTION: HENDLEY

**April 20, 2011
Regular Meeting
Res. No. 11-141**

SECOND: HOLLEY

**RE: REZONING #PLN2010-00457, THE OAKS III,
OCCOQUAN MAGISTERIAL DISTRICT**

**ACTION: SUBSTITUTE MOTION
RECOMMEND APPROVAL
MOTION CARRIED**

WHEREAS, this is a request to rezone +/-3 acres from A-1, Agricultural, to Office Low-Rise to develop a 32,500 SF office building and to construct an expanded parking area for an adjacent commercial property, and to rezone +/-1.23 acres from A-1, to SR-1, Semi-Rural Residential and to designate +/-13.58 acres as a conservation area; and

WHEREAS, the site is located on the north side of Old Bridge Rd., at the intersection of Old Bridge Rd. and Tanyard Hill Rd.; and

WHEREAS, the site is identified as GPIN 8393-32-7695, is zoned A-1, and is designated Office and Suburban Residential Low in the Comprehensive Plan; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on April 20, 2011, at which time public testimony was received and the merits of the above-referenced rezoning were considered; and

NOW, THEREFORE, BE IT RESOLVED, that the Prince William County Planning Commission does hereby recommend approval for Rezoning #PLN2010-00457, The Oaks, III, with proffers dated April 1, 2011.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Prince William County Planning Commission does hereby request the following items be resolved before going before the Board of County Supervisors.

- Communicate with the Town of Occoquan.
- Clarify specific proposal to fix outfall and restore damaged portion of the stream.
- Provide a concrete proposal on the conservation easement and easement holder.

Votes:

Ayes: Bryant, Burgess, Fry, Hendley, Holley

Nays: Hosen

Absent from Vote: None

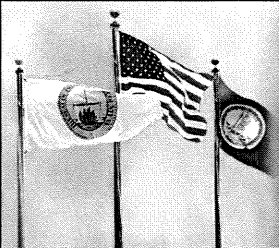
Absent from Meeting: Friedman, Gonzales

MOTION CARRIED


CERTIFIED COPY

M. Christine Thompson

Clerk to the Commission



Prince William County Government
Board of County Supervisors

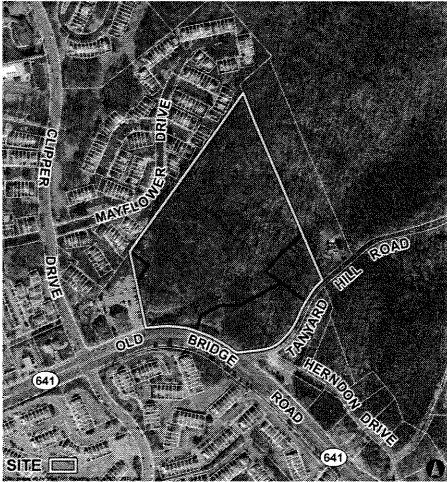


REZ #PLN2010-00457, The Oaks III
Occoquan Magisterial District

*Stephen Donohoe – Planner
Planning Office*

REZ #PLN2010-00457
The Oaks III

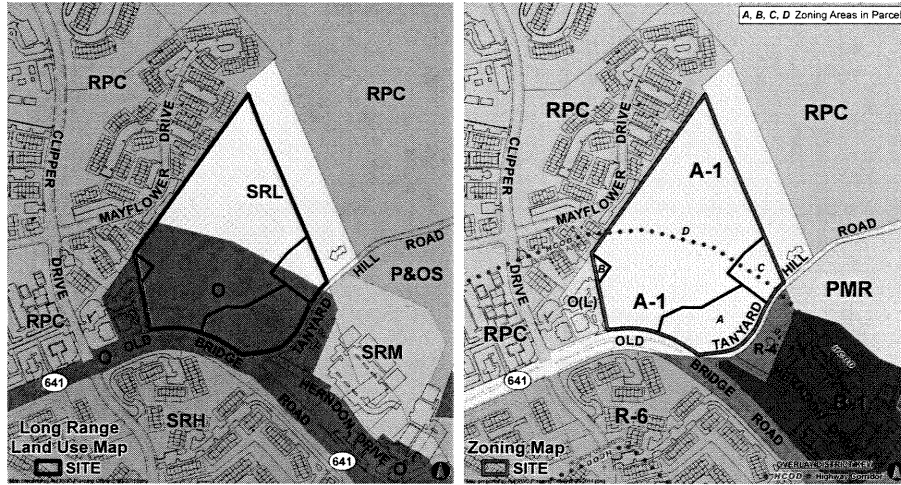
- **Proposal** – To rezone +/-3 acres from A-1, Agricultural, to O(L), Office Low-Rise
- To rezone +/-1.23 acres from A-1 to SR-1
- To designate +/-13.58 acres of A-1 as a conservation area
- **Location** – on the north side of Old Bridge Road, at the intersection with Tanyard Hill Rd.



January 10, 2012 Occoquan Magisterial District 21

REZ #PLN2010-00457

The Oaks III



January 10, 2012

Occoquan Magisterial District

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REZ #PLN2010-00457

The Oaks III

Zoning Districts & Development	Existing Area +/-	Proposed Area +/-
Office Low-Rise, O(L)	0 acres	Area A - +/-2.85 acres Area B - +/-0.15 acres
Agricultural (A-1)	17.81 acres	Area D - +/-13.58 acres
Semi-Rural (SR-1)	0 acres	Area C - +/-1.23 acres
Residential Development	0 units	1 SFD unit
Commercial / Office Development	0 SF	32,500 SF
Total	+/-17.81 acres	+/- 17.81 acres

January 10, 2012

Occoquan Magisterial District

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REZ #PLN2010-00457
The Oaks III

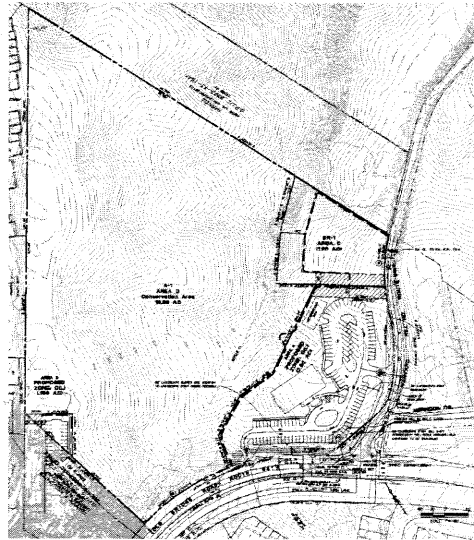


January 10, 2012

Occoquan Magisterial District

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REZ #PLN2010-00457
The Oaks III



January 10, 2012

Occoquan Magisterial District

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REZ #PLN2010-00457

The Oaks III



January 10, 2012

Occoquan Magisterial District

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REZ #PLN2010-00457

The Oaks III

STRENGTHS

- **Long-Range Land Use**
 - ◆ Development of the site shall be in substantial conformance with the Generalized Development Plan
 - ◆ Proposed office development implements the (O) Office Land Use designation
- **Community Design**
 - ◆ Building & signage exhibits using quality materials are proffered
- **Environment**
 - ◆ Conservation Area of +/-13.5 acres of site
 - ◆ Applicant shall provide stream restoration and stabilization to restore eroded section of intermittent stream
 - ◆ Stormwater management is provided for the proposed office development and a stilling basin constructed at the outfall of The Oaks II.

January 10, 2012

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STRENGTHS – Cont.

■ **Transportation**

- ◆ Tanyard Hill Rd. & Old Bridge Rd. intersection improvements
- ◆ Tanyard Hill Rd. sidewalk – along frontage of site
- ◆ ROW dedication
- ◆ Town of Occoquan Gateway feature

WEAKNESSES

■ **Community Design**

- ◆ Inconsistent street design – building location and orientation

■ **Environment**

- ◆ Area A – Development is proposed in areas where questionable soils are located

■ **Fire & Rescue**

- ◆ The responding Fire and Rescue station is currently operating over capacity

■ **RECOMMENDATION**

- ◆ Planning Commission recommends approval with the following conditions:
 - The Applicant communicate and work with the Town of Occoquan.
 - Proffer specifics for the restoration of the damaged portion of the stream and stormwater outfall.
 - Clarify the timing and holder of the conservation easement referenced on the GDP as Area D.
- ◆ Staff recommends approval, subject to revised proffers dated September 7, 2011