STAFFORD Virginia

15

BOARD OF SUPERVISORS

Agenda Item

Meeting Date:	March 17, 2015
Title:	Consider a Conditional Use Permit to Allow Additional Density in a Cluster Subdivision Within the R-1, Suburban Residential Zoning District, Located on Assessor's Parcels 30-78 and 30-136
Department:	Planning and Zoning
Staff Contact:	Jeffrey A. Harvey, Director
Board Committee/ Other BACC:	Planning Commission
Staff Recommendation:	Approval
Budget Impact:	N/A
Time Sensitivity:	See Background Report

ATTACHMENTS:

1.	Background Report	6.	Generalized Development Plan dtd 12/03/14
2.	Land Use Action Request	7.	Transportation Assessment for Planned NE Courthouse Bypass dtd 10/03/14
3.	Location Map	8.	PDR Ranking Criteria
4.	PC Minutes dtd 11/12/14 & 12/10/14	9.	Proposed Resolution R15-16 (Approve)
5.	Application and Related Materials	10.	Proposed Resolution R15-17 (Deny)

	Consent Agenda		**Other Business**	X	**Unfinished Business**
	Discussion		**Presentation**		**Work Session**
	New Business		**Public Hearing**		**Add-On**

REVIEW:

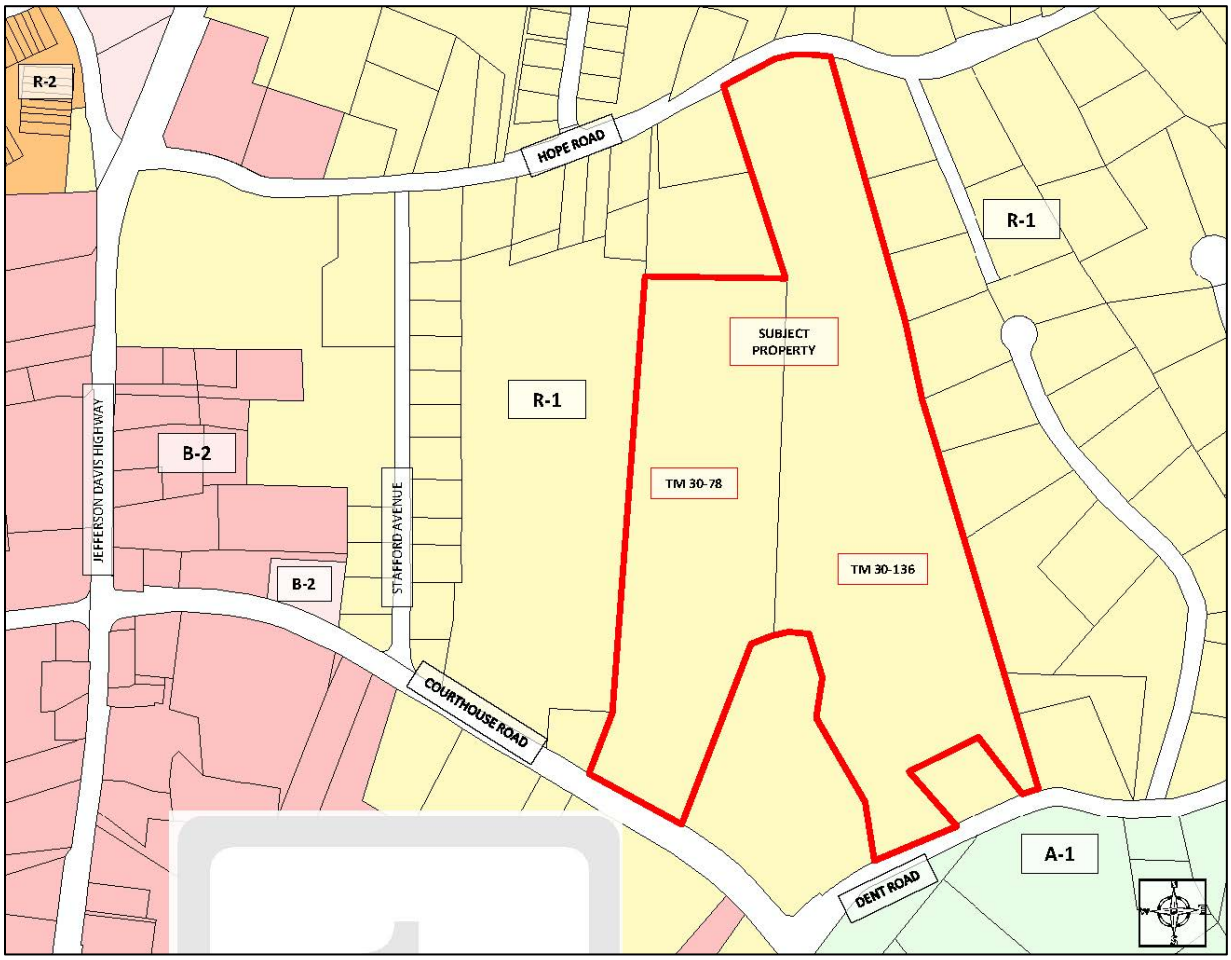
X	County Administrator	
X	County Attorney	

DISTRICT:	Aquia

Attachment 1
R15-16
R15-17

BACKGROUND REPORT

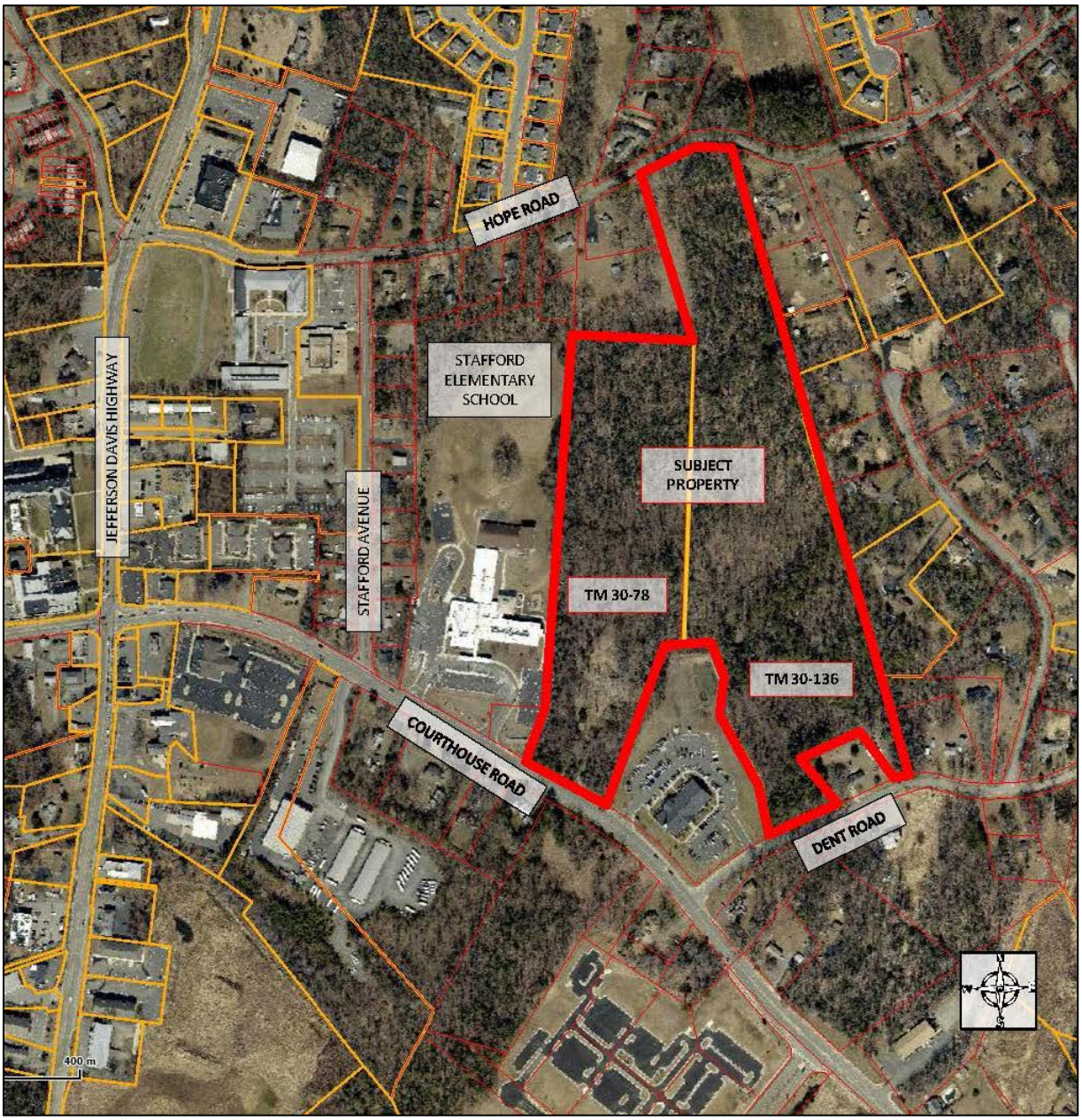
The applicant is requesting a conditional use permit (CUP14150252) (CUP) to allow additional density within a proposed cluster subdivision in the R-1, Suburban Residential Zoning District. The CUP would allow for a 75-lot residential subdivision on 33.45 acres, located on Assessor's Parcels 30-78 and 30-136. The property is surrounded by property zoned R-1, except to the southeast, which is zoned A-1, Agricultural. The current R-1 zoning classification allows for up to 1.5 dwelling units an acre (du/ac), which would yield approximately 50 single-family homes in both a conventional or by-right cluster subdivision; the CUP would allow for 25 additional units, resulting in a density of 2.24 du/ac.



Current Zoning Map

Existing Conditions

The subject property is located north of the intersection of Courthouse Road and Dent Road, and south of Hope Road. Stafford Elementary School is located on the property immediately to the west; a church is located on the parcel to the south; and a single-family residential development is located to the east and to the north.



Aerial Location (Attachment 3)

The property is currently vacant and the majority of the site is wooded. Approximately 32 acres of wooded area would be removed as a result of this proposal. A preliminary jurisdictional determination, made by the U.S. Army Corps of Engineers, concluded that there are no wetlands or streams located on the property.

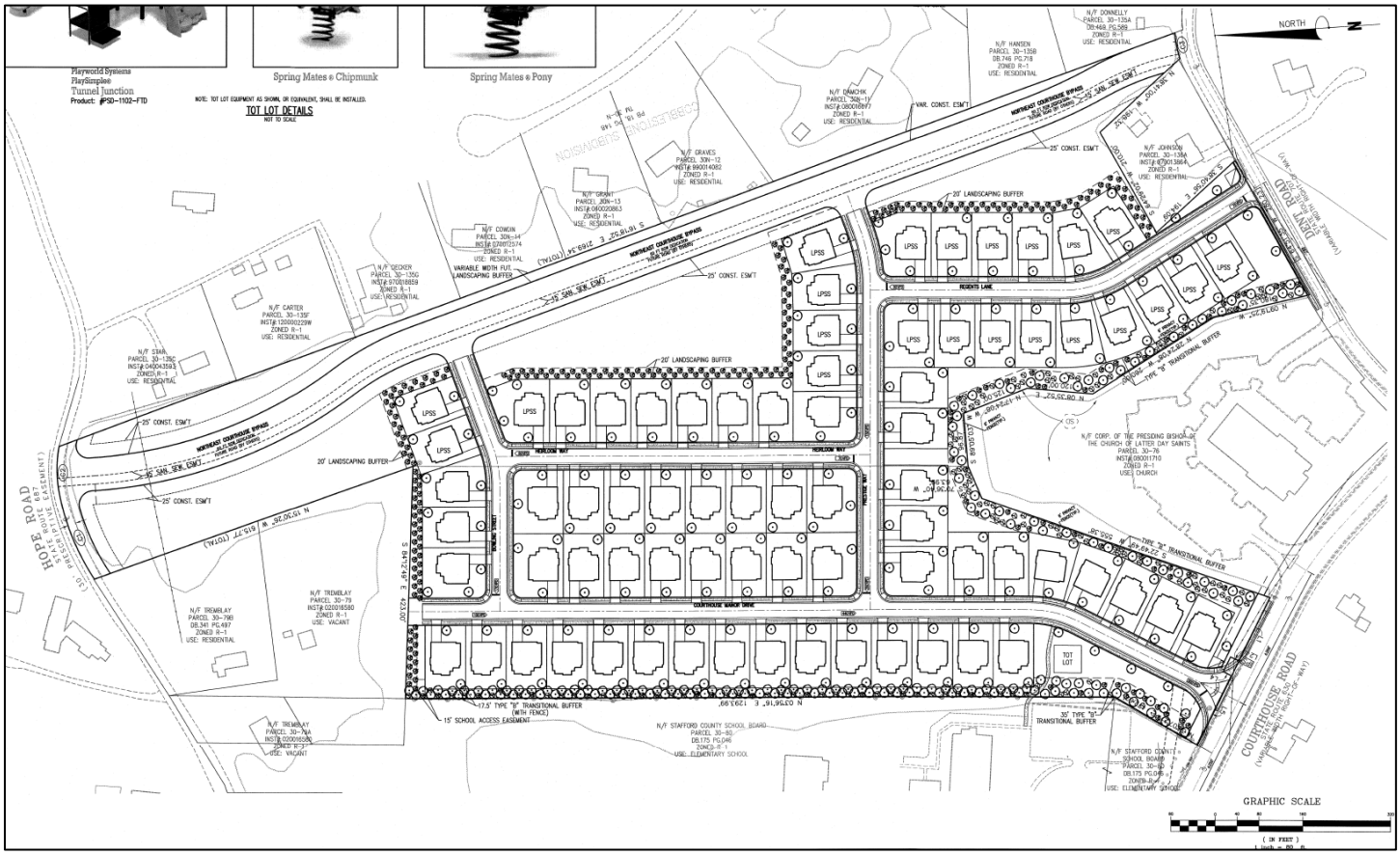
The Virginia Department of Historic Resources (DHR) identifies the northern area of the property as located within the land route taken by the Continental, French, and Crown forces during the Revolutionary War, to and from the siege of Yorktown, between August, 1781 and July, 1782. There are two archaeological site records listed with DHR. The two site records of temporary camp sites that were identified in this location are a result of the review of an itinerary of troop marches in the Rochambeau Papers, dated July, 1782. The first site is a French infantry campsite; the second is the campsite of Lauzun's Legion, both at Garrit's Tavern.

Washington – Rochambeau Route Campsites

All known campsites along the Washington-Rochambeau Route have been listed as archaeological sites as part of the survey that was completed in order to protect potentially valuable archaeological resources, although the specific locations are not always known. A condition has been added to the permit that a Phase I Cultural Resource Study has to be completed prior to the submission of the preliminary subdivision plan. Staff also recommends the posting of a narrative sign on the property line along Hope Road, in accordance with the practice of posting other historical markers throughout the County.

Generalized Development Plan (Attachment 6)

The Generalized Development Plan (GDP), dated December 3, 2014, depicts the proposed design of the site to include 75 lots at a density of 2.24 du/ac, which is under the 2.25 du/ac maximum allowed under the cluster provisions with the approval of a CUP within the R-1 zoning classification. The parcel is 33.45 acres in size. The proposed development identifies 10.05 acres, or 30.05% of the site, as common open space, meeting the 30% minimum requirement.



Generalized Development Plan

The GDP reflects a 6-foot wide sidewalk that will be constructed by the applicant to connect the development to the existing sidewalk network at Stafford Elementary School, through an open space area adjacent to Lot 1. This is consistent with Comprehensive Plan Policy 6.3.1, which states that development proposals should establish sidewalks to connect local neighborhoods with activity centers such as shopping, employment, schools, and with one another. A tot lot will also be provided in the same area (see image "A" on Page 5). The School Division requested an additional pedestrian easement at the north end of the development, at Lot 15, near the baseball field, which is also shown on the GDP (see image "B" on Page 5).

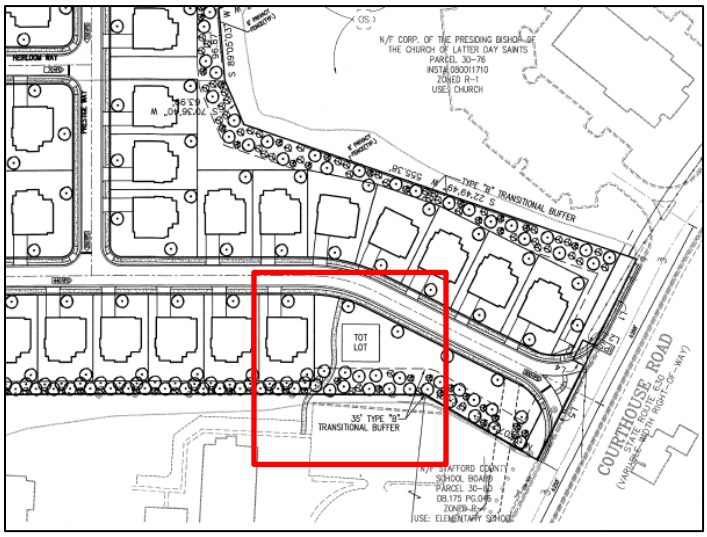


Image "A"

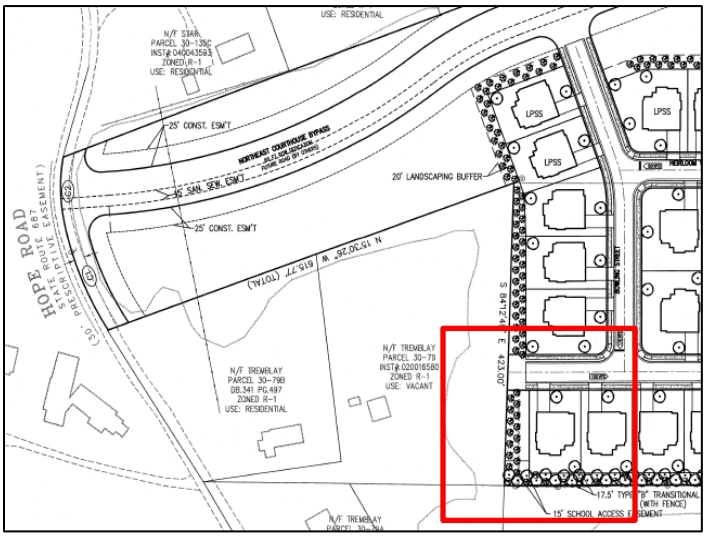
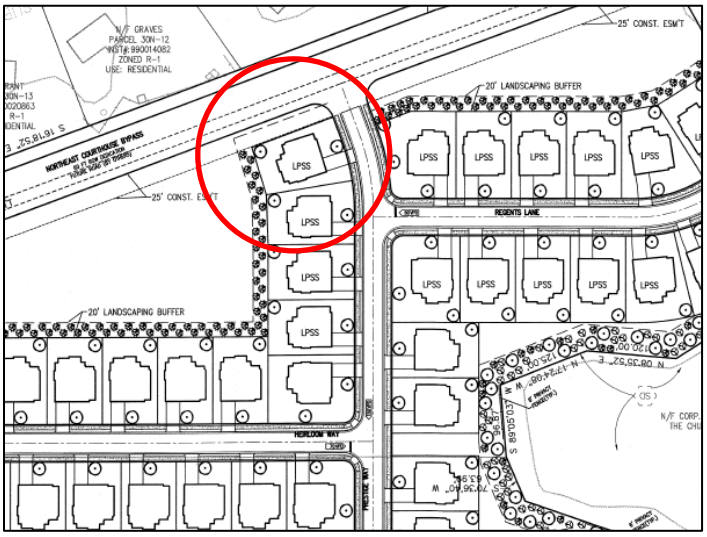


Image "B"

A 17.5-foot "modified" transitional buffer (with a fence) is shown along the western property line with Stafford Elementary School. A 35-foot transitional buffer is required between institutional uses such as schools, and single-family detached residential development. However, the County Code permits the buffer width, and the number of plant units within it, to be reduced by 50% if a 6-foot tall privacy/opaque fence is located within the buffer yard. The GDP also shows the required transitional buffer between the proposed development and the existing church property to the south. County Code requirements did not require a transitional buffer between uses at the time of development for the church.

The GDP shows a 20-foot wide buffer between the residential lot lines and the proposed northeast Courthouse Bypass Road right-of-way, consisting of a double row of evergreen trees, in accordance with the Suburban land-use description in the Comprehensive Plan, which states that buffering should be required along major arterial and collector roads to limit road noise in residential areas. Additionally, a screening-buffer, consisting of a double row of evergreens, would extend between the northern property boundary and Assessor's Parcels 30-79 and 30-79B to the north, as requested by the property owner of these parcels.

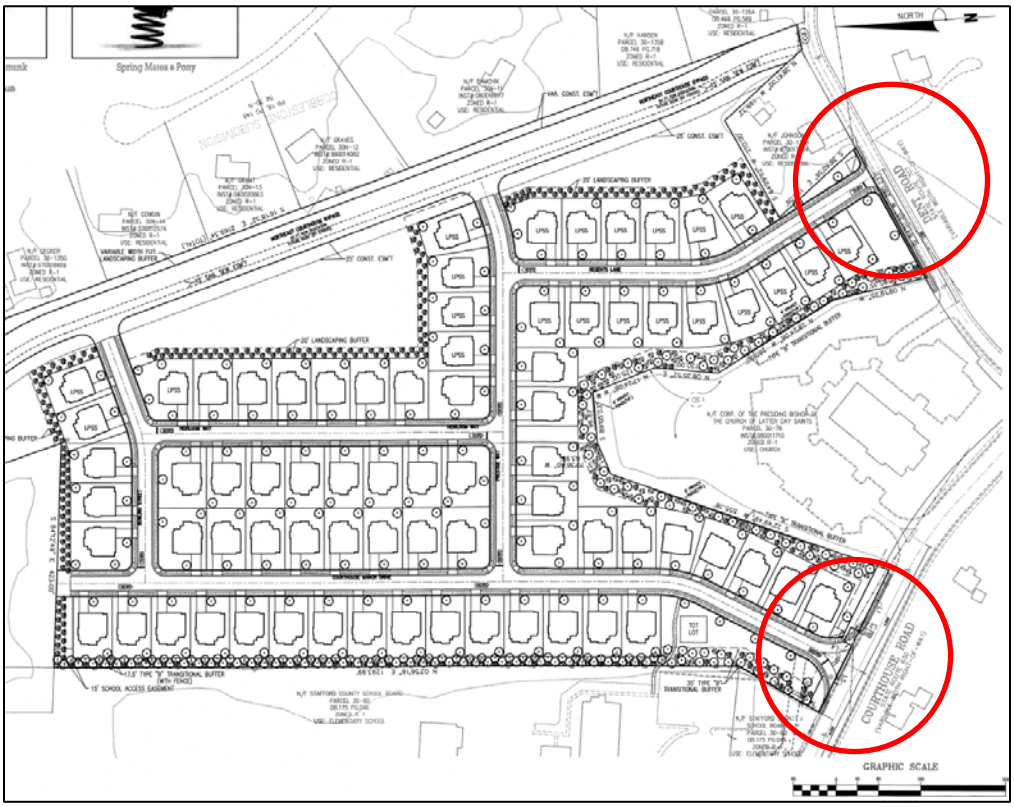
The screening between the future bypass road and Lot 43 is shown as a "future buffer" because it is shown within the construction easement for the future bypass road. Staff recommended that the buffer is shown on the GDP, and provided by the applicant at time of development. The construction timeline for the future bypass is uncertain, as it is not on a capital improvement plan for the County or the Virginia Department of Transportation (VDOT).



"Future Buffer"

Transportation

The proposed development would have two access points, one to Dent Road and the other to Courthouse Road. Per VDOT's request, the proposed right-in/right-out on Courthouse Road was designed to reduce the ability to make a left turn into the site.



Primary Entrances

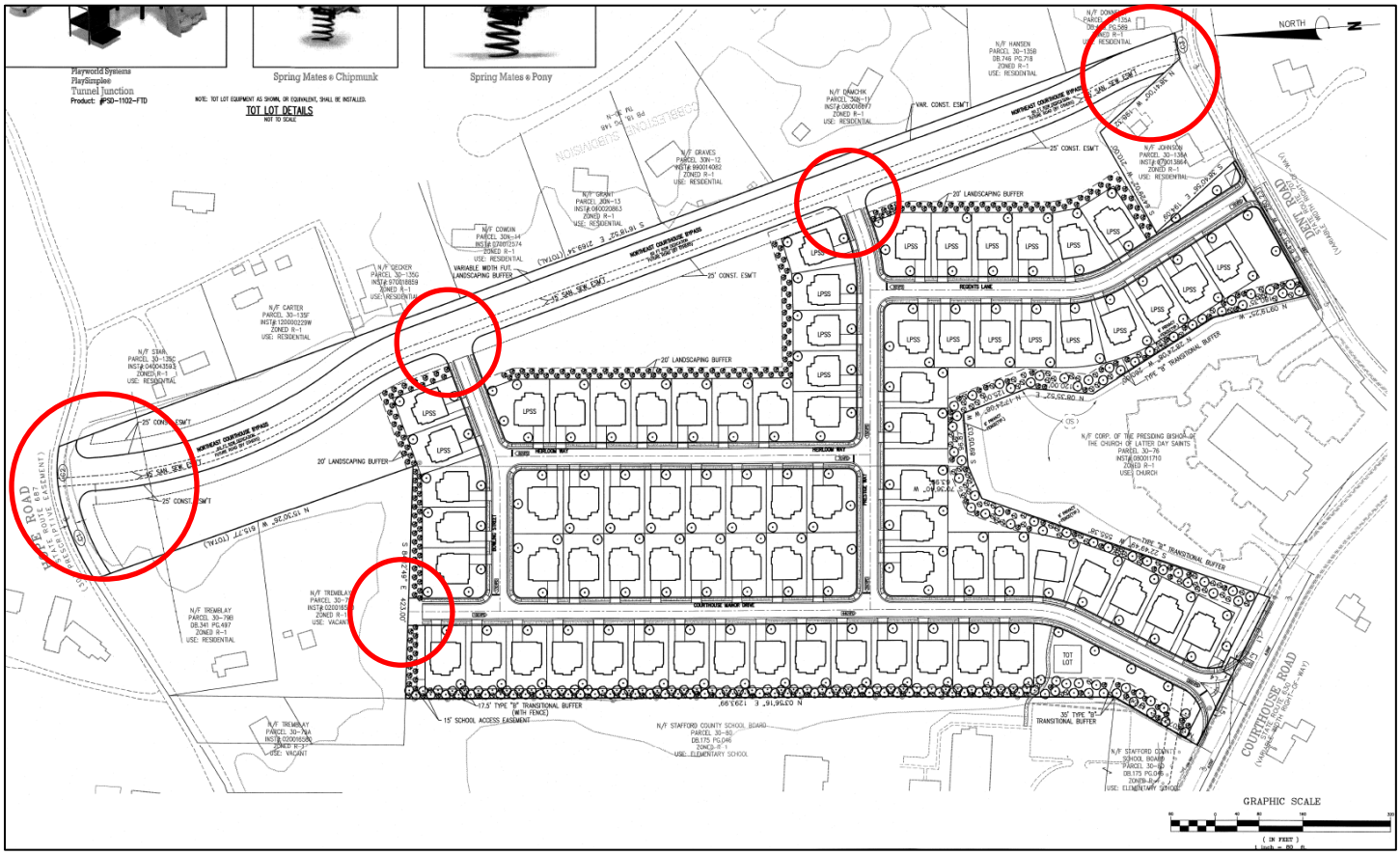
The proposal received approval for access to Dent Road, which currently has an un-posted speed limit, which in these instances a 55 mph speed limit is assumed for design purposes. The applicant conducted a Dent Road Speed Study (Study), dated June 10, 2014, which determined an appropriate speed limit of 30 mph. The Study and resulting conclusion was reviewed by VDOT. It was found that the analysis is acceptable for purposes of sight distance for a proposed street connection. Revisions reflecting additional specificity, as requested by VDOT, would be included with the submission of future development plans, such as the preliminary plan.

Staff notes that VDOT does not intend to post a speed limit sign for Dent Road in this location, and has included this fact as a negative finding. VDOT provided the following response to this concern with the posting of a speed limit sign:

> *"We had Bowman undertake their study since we do not typically post established roads for speed when they are under 400 ADT. We do not see posting as necessary for this roadway segment in particular since the speed is controlled by the curve on the north end and the intersection with Courthouse Road on the south end. The speed data demonstrates that most drivers are comfortable driving this road at approximately 30 mph. Putting up a sign will not change that comfort level.*
>
> *As for the process, VDOT is responsible for establishing speed limits and installing the signs. We will usually undertake a study at the request of a concerned citizen or the County staff/officials. As indicated for this roadway, our response would be that we would not typically post a road with less than 400 ADT. For these roads we conduct a safety review and post warning signs as necessary. Our safety review for Dent Road showed no need for warning signs."*

Additionally, the GDP shows future connections to Dent Road and Hope Road via two access points on the proposed northeast Courthouse Bypass Road. There is also an inter-parcel connection to Assessor's Parcel 30-79 identified between Lots 16 and 71 to the north.

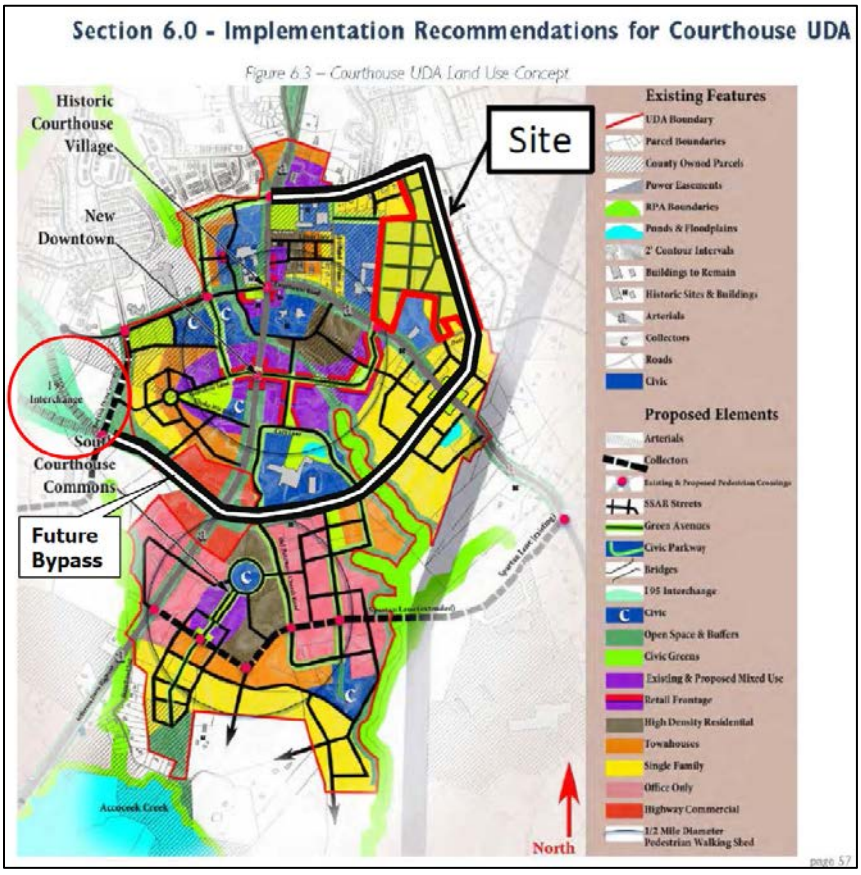
The applicant is dedicating 30 feet of right-of-way along Hope Road, and 55 feet from the centerline on Courthouse Road, both of which are required by County Code Sec. 22-167. The applicant is also dedicating 25 feet from the centerline on Dent Road.



Future Access Points

Northeast Courthouse Bypass Road

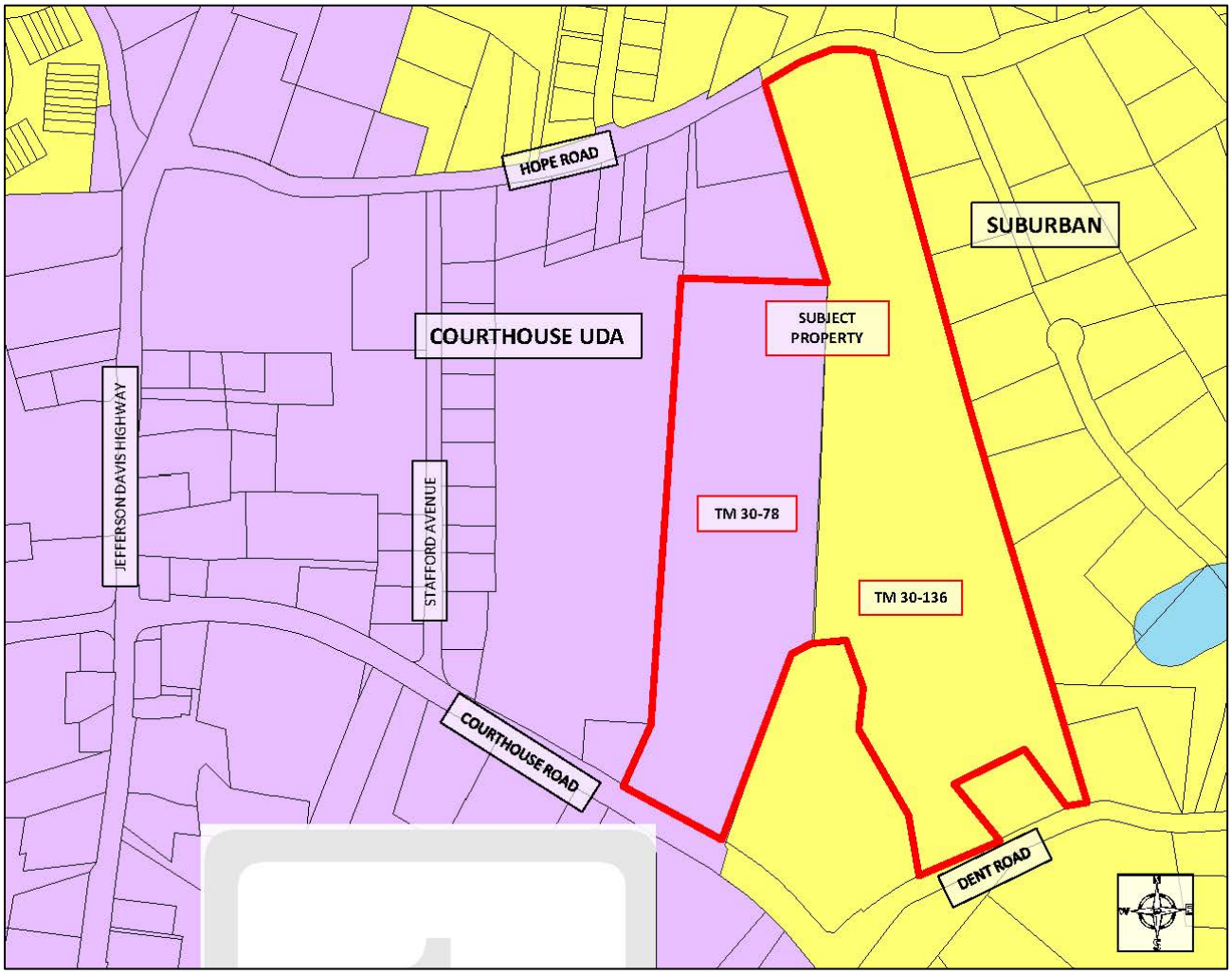
The applicant is dedicating a 60-foot right-of-way along the eastern property line, together with the necessary construction easements (25 feet on the west side of the right-of-way and 15 feet on the east side), for the proposed northeast Courthouse Bypass Road (Bypass Road), as called for in the Comprehensive Plan. The Bypass Road is referenced directly and indirectly in several elements of the Comprehensive Plan, including the Courthouse Area Redevelopment Plan, the Courthouse UDA Small Area Plan, the Transportation Plan, and the Economic Development Strategic Plan. The vision for the Courthouse Area includes mixed-use development within an established street grid to create a pedestrian friendly, multi-modal environment, fostered by an inter-connected network of parks, open space, and streetscape improvements. This would be achieved by providing a network of streets and bypass roads, including the one proposed on this site.



The plans do not clarify the recommended number of lanes for this facility. Staff recommended a four-lane facility. In response, the applicant submitted an analysis to determine the roadway classification necessary for the Bypass Road, in order to maintain the four-lane design of Route 1 (Transportation Assessment for Planned Northeast Courthouse Bypass, dated October 3, 2014, Attachment 7, Assessment). It was concluded by the Assessment that the future roadway could meet functional objectives as a two-lane divided section. However, VDOT provided comments stating that in order to function as a bypass, with a large proportion of Route 1 through-traffic utilizing the roadway, four lanes plus turn lanes would be the minimum required. A three-lane cross section could be accommodated within the proposed 60-foot right-of-way dedication, without bike lanes, if the roadway is envisioned as an overflow route rather than a bypass.

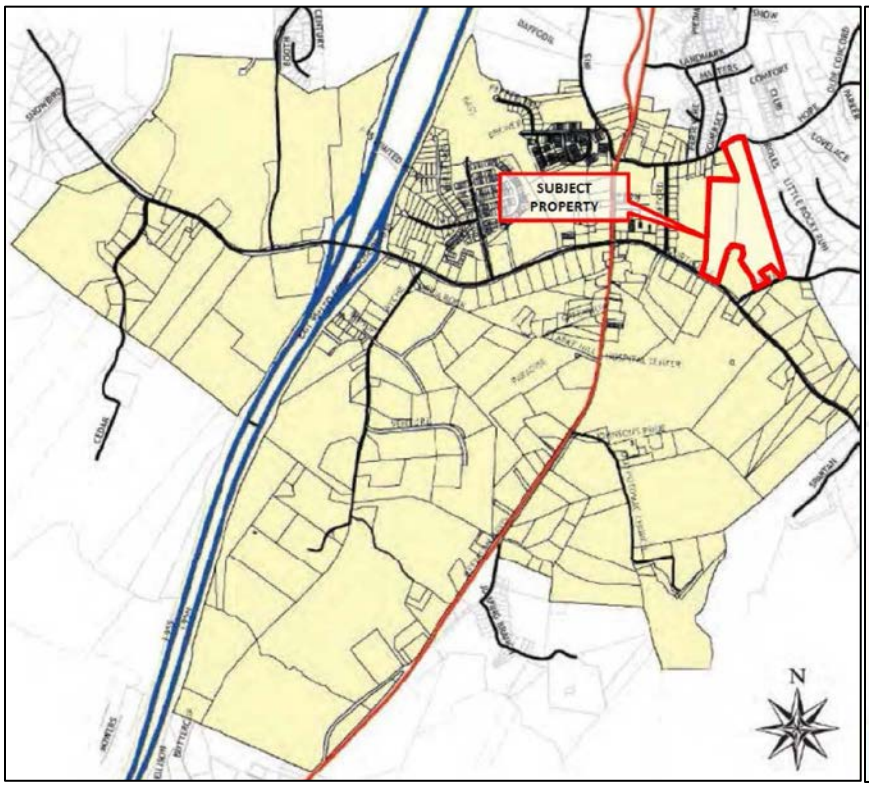
Comprehensive Plan

The Comprehensive Plan (Plan) identifies this site as being within the suburban and Courthouse Urban Development Area (UDA) future land-use designations.

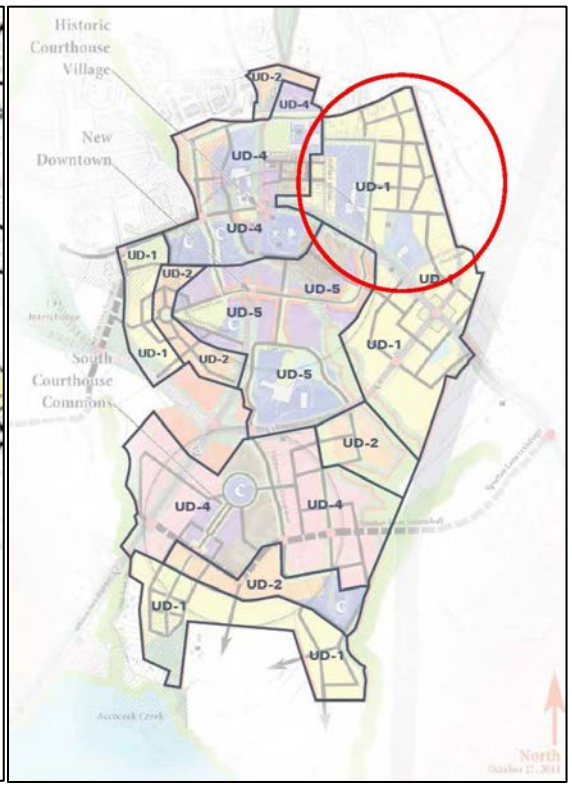


Future Land Use Map

Additionally, the property is located within the Courthouse Area Redevelopment (RDA) Plan, and the Courthouse Small Area Plan (see maps on Page 11). The proposal reflects a density that is consistent with the suburban land-use designation, and more consistent with the UDA than with the by-right development potential. The UD-1 Transect Zone is recommended in this location within the Courthouse UDA Plan (specifically for Assessor's Parcel 30-78), which is also consistent with the RDA plan. This Zoning District permits detached and attached houses at a density of at least four du/ac.



Courthouse Area Redevelopment Plan



Courthouse Small Area Plan

The proposed development is generally consistent with the recommended development standards for the suburban and Courthouse UDA future land-use designations as described in the Plan.

- The average lot size within the proposed development is 9,000 square feet, which is consistent with the suburban scale of development of single-family detached dwelling units, typically on ¼ to ½ acre lots.

- The site is surrounded by developed parcels, and is located with direct access to an existing four-lane, undivided urban collector roadway, and is consistent with infill development in the proximity of the established communities in the northern and southern areas of the County, and in close proximity to major existing or planned transportation networks.

- The proposed development reflects a density of 2.24 du/ac. It includes pedestrian connectivity to Stafford Elementary School to the west, and includes 30% open space. Development densities within the suburban future land-use designation should not exceed three du/ac for residential development; sidewalks and pedestrian trails should be located within neighborhoods and provide access between residential and non-residential uses; and developments are encouraged to preserve 25% to 50% of the site for a combination of natural and usable open space.

- The increase in density and compact form of development is consistent with the maximum four du/ac of the UDA. The Courthouse Small Area Plan, which provides more specific recommendations for the Courthouse UDA, recommends single-family detached residential units on this property.

- The Plan states that the use of innovative development techniques (clustering, zero lot lines, and planned unit developments) are encouraged to allow for development with minimal impact on sensitive natural resources (steep slopes, poor soils, floodplains, and drainage ways). There are no wetlands or streams located on the property. However, approximately 32 acres of wooded area would be removed as a result of the proposal. A tree will be provided in each rear yard, which is in addition to the minimum County Code requirements of one tree in the front yard. A reduced 17.5-foot transitional buffer will be provided along the majority of the property line with Stafford Elementary School to the west. Staff recommends a full 35-foot buffer, consistent with Policy 3.5.2. of the Comprehensive Plan, which states that the maximum amount of tree cover on developed and developing sites shall be protected or restored, and also with Section 200 of the Design and Construction Standards for Landscaping, Buffering and Screening (DCSL), which states that buffer yards are intended to "recreate or preserve native woodlands."

- The Neighborhood Development Standards (NDS) identify specific architectural guidelines for residential development. The applicant included a commitment to a general design type, as illustrated in Exhibit B of the application, which shows five different examples of single-family home design. The examples appear to be consistent with the NDS related to variations in rooflines, and the consistency of mass and scale within the development; front stoops and porches are also shown. Sidewalks within the proposed subdivision contribute to an inter-connected network of sidewalks. Staff recommended a condition that all building permits are reviewed for consistency with the NDS, which apply to all new development within the UDAs, in addition to conditions for a minimum 20-foot driveway length, and the provision of foundation landscaping in front of homes.

- Additionally, the Plan states that buffering should be required along major arterial and collector roads to limit road noise in residential areas. The proposal includes a 20-foot buffer along the proposed Bypass Road in order to reduce road noise impacts.

- The applicant dedicated 60 feet of right-of-way on the property in the location of the proposed Bypass Road as identified in the Comprehensive Plan. This is consistent with the hierarchical system of streets called for in the UDA, and the future Bypass Road described in the RDA Plan.

Zoning Comparison

The Planning Commission requested a comparison between the proposed CUP and a potential reclassification relative to the increase in density and level of consistency with County land-use plans. Staff provided a comparison between the existing R-1 Zoning District, and the most plausible Zoning Districts of R-2, Urban Residential-Medium Density, and the UD-1, Residential Attached Zoning District, which is a sub-district of the UD, Urban Development District. The comparison is summarized in the table below:

Zoning District	Purpose	Density	Consistency
R-1, *Suburban Residential* (Current Zoning District) Conditional Use Permit - Cluster with Additional Density	Low density residential development in close proximity to utilities and existing or future development of equivalent or higher densities	2.25 du/ac = 75 units Cluster allows smaller lots, 60 feet wide to provide additional open space; the lots within the proposal are approximately 75 feet wide, but 75 units is the maximum permitted	Consistent with Suburban land use, although most of the proposed unit locations are located within the UDA and RDA (Suburban land use applies to parcel 30-136)
R-2, *Urban Residential-Medium Density* (Reclassification)	Medium intensity residential uses, primarily townhomes, duplexes and single-family homes, near centers of urban concentrations, with adequate public facilities	3.5 du/ac =117 units Standard .28 acre lots, 80 feet wide Allows for townhomes with 20-foot wide lots 117 townhome units would be able to fit at maximum density	The higher density and variety of housing types permitted is more consistent with the Courthouse UDA and the RDA Plan
UD-1, *Residential Attached* (Reclassification)	Development or redevelopment of pedestrian-friendly, walkable neighborhoods with a mix of uses and housing types served by an interconnected network of streets. located within an urban development area	Allows detached and attached houses at a density of at least 4 units per acre Minimum of 53 dwelling units on parcel 30-78, which is within the current UDA boundary; would require smaller lots to meet the minimum density Unit typology consists of single family and duplex; townhomes are not permitted	The UD-1 Transect Zone is recommended in this location within the Courthouse UDA Plan (specifically for parcel 30-78) and is consistent with the RDA plan

Impacts to Public Facilities

- Transportation: Courthouse Road is a two-lane undivided urban collector roadway with a posted speed limit of 35 mph, and an estimated traffic volume of 10,000 vehicle trips per day (VPD). Hope Road is a two-lane undivided urban collector with a posted speed limit of 35 mph, and an estimated traffic volume of 5,900 VPD. Dent Road is a two-lane undivided local road without a posted speed limit, and an estimated traffic volume of 370 VPD. The proposed development of 75 lots would generate an increase of approximately 269 VPD, generating a total of 806 VPD; by-right development would generate approximately 537 VPD.

- Utilities: The property is located within the Urban Services Area (USA), and is served by public water and sewer. There is an existing 12-inch waterline in the Courthouse Road right-of-way, as well as existing 8-inch waterlines in the Hope Road and Dent Road right-of-way. The Utilities Department requested an easement through the property to connect the two waterlines with conditions that include a 15-foot easement running the length of the proposed Bypass Road right-of-way, dedicated by the applicant. The proposed development of 75 single-family homes would create demand for 18,000 gallons per day (gpd) for water, and 22,500 gpd for sewer. This is an additional demand of 6,000 and 7,500 gpd, respectively, when compared to by-right development.

- Stormwater Management: The development of the parcel as a 75-lot residential subdivision would result in approximately 9.94 acres of impervious area; by-right development within the Zoning District would result in approximately 6.7 acres of impervious area.

- Schools: The proposed development would generate approximately 49.5 primary and secondary students utilizing the County-wide average of 0.66 students per unit, or 97.5 students utilizing the new neighborhoods generation rate of 1.3 students per unit. This is an additional 16.5 to 32.5 students, respectively, when compared to by-right development.

- Parks and Recreation: Utilizing the Parks & Recreation Level of Service of 20-acres per 1,000 residents, the proposed development will create a demand for 3.9 acres of land for parks and recreation. This is an additional demand of 1.3 acres when compared to the by-right demand of 2.6 acres. The applicant stated that the proposal provides 10.05 acres of passive recreational facilities in the form of common open space.

Proposed Conditions

Staff proposes several conditions to help offset any potential impacts, primarily related to the historical resources, buffering and future transportation improvements.

1. This CUP allows a cluster subdivision in the R-1, Suburban Residential Zoning District, which shall be limited to 75 single-family dwelling units.

2. A 20-foot street buffer shall be located between the residential lots and the right-of-way for the future Bypass Road, consisting of a double row of evergreen trees. A screening buffer consisting of a double row of evergreens shall extend between the northern property boundary and Assessor's Parcels 30-79 and 30-79B, in addition to between the proposed development and Assessor's Parcel 30-130A.

3. The applicant shall not clear Open Space Parcel "E," located between the right-of-way for the future Bypass Road and the residential lot lines to the east as depicted on the GDP, prepared by Bowman Consulting, dated December 3, 2014.

4. The applicant shall dedicate 60 feet of right-of-way for the future Bypass Road, with the recordation of the applicable subdivision plat.

5. The easement for a sewer force main from Hope Road to Dent Road, running the length of the proposed Bypass Road right-of-way, as depicted on the GDP, prepared by Bowman Consulting, dated December 3, 2014, shall be dedicated to the County with the recordation of the applicable subdivision plat.

6. Each building permit shall be reviewed for consistency with the design elevation in Exhibit B, dated June 2, 2014, with the addition that potential expanses of unadorned walls shall be divided by windows or trees.

7. Driveways shall maintain a distance of at least 20 feet from the edge of the sidewalk abutting the lot line to the garage.

8. Each lot shall contain typical foundation landscaping and at least one tree shall be provided in the rear of each yard.

9. The option of at least one access point at grade for handicap access will be available for home purchasers.

10. A Phase 1 Cultural Resource Study shall be completed prior to the submission of the preliminary plan; a Phase II Study will also be completed if warranted by the results of the Phase I Study.

11. The stormwater management pond embankment shall be designed to appropriate width and stability to support the future construction of the proposed Bypass Road.

12. The applicant shall provide construction easements for the future construction of the Bypass Road, as depicted on the GDP, prepared by Bowman Consulting, dated December 3, 2014.

13. The applicant shall dedicate right-of-way on Hope Road to equal a minimum of 30 feet from the centerline, and to accommodate the design of the Bypass Road intersection, as depicted on the GDP, prepared by Bowman Consulting, dated December 3, 2014.

14. The applicant shall dedicate right-of-way on Courthouse Road to equal 55 feet from the centerline, as depicted on the GDP, prepared by Bowman Consulting, dated December 3, 2014.

15. Residential fire sprinklers shall be provided within each residential unit, or each side-yard setback shall be ten feet.

16. The applicant shall construct a sidewalk adjacent to Lot 1, and connecting to the pedestrian network of Stafford Elementary School to the west, as shown on the GDP, prepared by Bowman Consulting, dated December 3, 2014.

17. The applicant shall dedicate a fifteen-foot access easement to accommodate a 6-foot wide pedestrian connection to Stafford Elementary School, in the vicinity of Lot 15, as shown on the GDP, prepared by Bowman Consulting, dated December 3, 2014, with the recordation of the applicable subdivision plat.

18. The applicant shall clear and partially grade the right-of-way for the Northeast Courthouse Bypass Road ("Bypass Road") to the extent reasonably possible leaving a 25' wide undisturbed area along the eastern property line as shown on the Generalized Landscape Plan ("Undisturbed Area"), except the applicant may clear portions of the Undisturbed Area to address stormwater management and storm drainage requirements for the project. For purposes of the applicant's clearing and partial grading of the Bypass Road, top soil will be removed within the Bypass Road right-of-way to assist in the future grading of the Northeast Courthouse Bypass. Also, no unsuitable soils will be placed in the Bypass Road right-of-way. Six inches of top soil will be re-spread over the Bypass Road right-of-way to promote stabilization. Stabilization shall be by seed and mulch or sod to Stafford County standards within the full right-of-way for the Bypass Road.

19. The County's Transfer of Development Rights ("TDR") program shall not be applicable to the subject properties of this conditional use permit.

20. This CUP may be revoked or conditions amended by the Board for violation of these conditions or any applicable County, state or federal code, law, ordinance, or regulation.

21. As an affirmative statement and in accordance with positive corporate goodwill as a new business in Stafford County, and this voluntary condition deriving solely from the Applicant regarding that certain conditional use permit zoning application CUP 14-150252, known as "Courthouse Manor" (collectively the "Project"), the Applicant will contribute and donate the sum of $400,000 to the County's Purchase of Development Rights program ("PDR Program") for purposes of assisting the County in preserving rural and environmentally sensitive areas within the Aquia District, which donation will assist in offsetting any impacts deriving from the additional residential density requested pursuant to CUP 14-150252. The Applicant agrees to coordinate all donation efforts described herein with applicable PDR County staff and commissions. The entire donation payment will be made no later than upon final site plan approval for the Project.

EVALUATION CRITERIA:

County Code Sec. 28-185 lists six (6) criteria to be considered at each public hearing for a CUP. A summary of each criteria are as follows:

1. The use shall not change the character and established pattern of development in the vicinity of the proposed use - *Although the proposed use is a more intense residential development than the large-lot single-family development to the east, it helps to create an area of transition between the church, school, and commercial uses to the west, and is consistent with the higher density UDA future land-use designation.*

2. The use shall be in harmony with uses permitted by-right under a zoning permit in the land-use district and shall not adversely affect the use of adjacent properties - *The proposed use is consistent with the permitted by-right uses in the R-1 Zoning District. The proposal includes adequate buffering measures and pedestrian connectivity with the elementary school.*

3. The location and height of buildings, the location, nature, and height of walls and fences, and the nature and extent of landscaping on the site, shall be such that the use will not hinder or discourage the appropriate development, and use of adjacent land and buildings, or impair the value thereof - *The proposed use will not hinder or discourage appropriate development, or impair the value of the land and buildings on adjacent properties.*

4. The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use – *The Courthouse Road access is designed in such a way as to reduce the ability to turn left into the proposed development, requiring the utilization of existing Dent Road to turn left. Staff recommends the posting of a speed limit sign on Dent Road.*

5. The use shall not be detrimental to the public welfare or injurious to property or improvements in the neighborhood - *Proposed conditions include the option of a fire sprinkler system within each unit, or a minimum 10-foot side yard setback.*

6. The use shall be in accord with the purposes and intent of this chapter and the Comprehensive Plan of the County - *The proposed uses are generally consistent with the land-use recommendations in the Comprehensive Plan, as the proposed location and the design configuration of the use are appropriate on the subject parcel with the addition of the proposed conditions.*

SUMMARY OF POSITIVE AND NEGATIVE FEATURES:

POSITIVE:

1. The proposal is consistent with the established development pattern in the vicinity.

2. The proposed uses and development pattern meet the intent of the Comprehensive Plan, including land-use, transportation, pedestrian connectivity, and open space recommendations.

3. The right-of-way dedication accommodates planned transportation improvements to the surrounding transportation network.

NEGATIVE:

1. Access to Dent Road presents a safety concern if the speed limit that is consistent with the speed study remains un-posted at that time.

RECOMMENDATION:

On December 10, 2014, the Planning Commission voted 4-3 (Mr. Apicella, Mr. Coen, and Mr. English voted No) to recommend approval of the application with the proposed conditions (Attachment 4).

The Board held a public hearing at its meeting on March 3, 2015. At the public hearing, the applicant proposed the following additional conditions, which have been added to proposed Resolution R15-16:

18. The applicant shall clear and partially grade the right-of-way for the Northeast Courthouse Bypass Road ("Bypass Road") to the extent reasonably possible leaving a 25' wide undisturbed area along the eastern property line as shown on the Generalized Landscape Plan ("Undisturbed Area"), except the applicant may clear portions of the Undisturbed Area to address stormwater management and storm drainage requirements for the project. For purposes of the applicant's clearing and partial grading of the Bypass Road, top soil will be removed within the Bypass Road right-of-way to assist in the future grading of the Northeast Courthouse Bypass. Also, no unsuitable soils will be placed in the Bypass Road right-of-way. Six inches of top soil will be re-spread over the Bypass Road right-of-way to promote stabilization. Stabilization shall be by seed and mulch or sod to Stafford County standards within the full right-of-way for the Bypass Road.

19. The County's Transfer of Development Rights ("TDR") program shall not be applicable to the subject properties of this conditional use permit.

21. As an affirmative statement and in accordance with positive corporate goodwill as a new business in Stafford County, and this voluntary condition deriving solely from the Applicant regarding that certain conditional use permit zoning application CUP 14-150252, known as "Courthouse Manor" (collectively the "Project"), the Applicant will contribute and donate the sum of $400,000 to the County's Purchase of Development Rights program ("PDR Program") for purposes of assisting the County in preserving rural and environmentally sensitive areas within the Aquia District, which donation will assist in offsetting any impacts deriving from the additional residential density requested pursuant to CUP 14-150252. The Applicant agrees to coordinate all donation efforts described herein with applicable PDR County staff and commissions. The entire donation payment will be made no later than upon final site plan approval for the Project.

The Board requested additional information regarding the County's Purchase of Development Rights (PDR) Program. In 2007, the Board established the PDR Program. The PDR Program offers landowner(s) an alternative to selling land, thereby preserving the County's open space, agricultural and forested lands, as well as natural and cultural resources. Under the PDR Program, the County would pay property owner(s) for the property owner's development rights to prevent lands from being developed. The landowner(s) retain ownership of the property and may maintain its existing uses such as agriculture or timbering activities. An agreement is required between the landowner(s) and the County, and a conservation easement would be placed on the property.

The PDR Program consists of announced application rounds based on the availability of County funds. Announcements are sent to eligible property owners in the A-1, Agricultural and A-2, Rural Residential zoning districts, announcing the application rounds. Application submittal is voluntary. Upon receipt of applications, staff reviews each for completeness, to ensure that minimum eligibility requirements are met. In order for a parcel to be eligible for the program, it must meet the following criteria:

- The property should be located outside the designated Urban Services Area; however, if property within the designated Urban Services Area meets the intent of the Program, it may be considered;
- The property must be no less than 20 acres in area, or be included in a batch in which the combined area of contiguous parcels is no less than 20 acres in area;
- The property must be wholly located within the A-1, Agricultural or A-2, Rural residential zoning districts, or any combination of such zoning districts; and
- The property must be capable of being subdivided or developed for nonagricultural uses without legislative approval.

The PDR Administrator and PDR Committee then rank the applications in accordance with the criteria established in Stafford County Code, Chapter 22A. The ranking criteria (Attachment 8) are the means by which the priority of acquisition of development rights is determined. The criteria include the following categories:

- The quality of the parcel (productivity capability);
- The likelihood of the parcel being threatened (development pressure);
- The circumstances supporting agriculture;
- The environmental and aesthetic quality; and
- The cultural resources of the property.

As described in Stafford County Code, Chapter 22A, each category has a maximum number of possible points. The points are assigned to each property based on its individual site characteristics. The PDR Committee forwards its rankings and recommendations to the Board for authorization to negotiate deeds of easements with the highest ranking property owner(s).

Two application rounds have been conducted to date, in 2009 and 2013. Nine applications were received in the latest application round. One of the properties is located within the Aquia Election District. The remaining properties are located in the George Washington and Hartwood districts.

The PDR ranking criteria (Attachment 8) is silent on the matter of specific funding allocation by district. Accordingly, should these funds be allocated to the Aquia District for PDR, they would remain available for projects that qualify in the Aquia District under the evaluation criteria.

Staff recommends approval of the CUP application pursuant to proposed Resolution R15-16, with exception of proposed Condition 21. Although the Planning Commission did not vote to approve the application with proposed Conditions 1-17 and 20, it discussed (but did not include) a proposed condition about the lack of a speed limit on Dent Road. Staff recommends that the following additional condition be considered should the Board desire to approve the application:

- The applicant shall pursue coordination with VDOT and County Staff to post a 30 mph speed limit sign on Dent Road.

Attachment 2
R15-16
R15-17

LAND USE ACTION REQUEST

BOARD OF SUPERVISORS

Date: March 17, 2015

[ ] New [ ] Revised [X] Unfinished

REQUEST: A conditional use permit (CUP) to allow additional density in a cluster subdivision within the R-1, Suburban Residential Zoning District, located on Assessor's Parcels 30-78 and 30-136.

Conforms with Comprehensive Plan? [X] Yes [ ] No [ ] N/A

CONDITIONS: See proposed Resolution R15-16

APPLICANT:

Name: Steven B. Aylor
Miller and Smith at Stafford, LLC

Address: 8401 Greensboro Drive, Suite 450
McLean, Virginia 22102

Agent: Mr. Charles W. Payne, Jr.
Hirschler Fleischer

TAX STATUS: Paid through May 31, 2015

PLANNING COMMISSION RECOMMENDATION: Approve [X] Deny [ ]

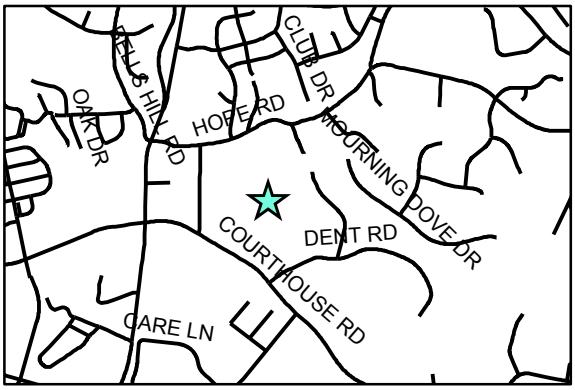
At its meeting on December 10, 2014, the Planning Commission voted 4-3 (Mr. Apicella, Mr. Coen, and Mr. English voted No) to recommend approval of this application, CUP141500252, with the conditions specified in proposed Resolution R15-16.

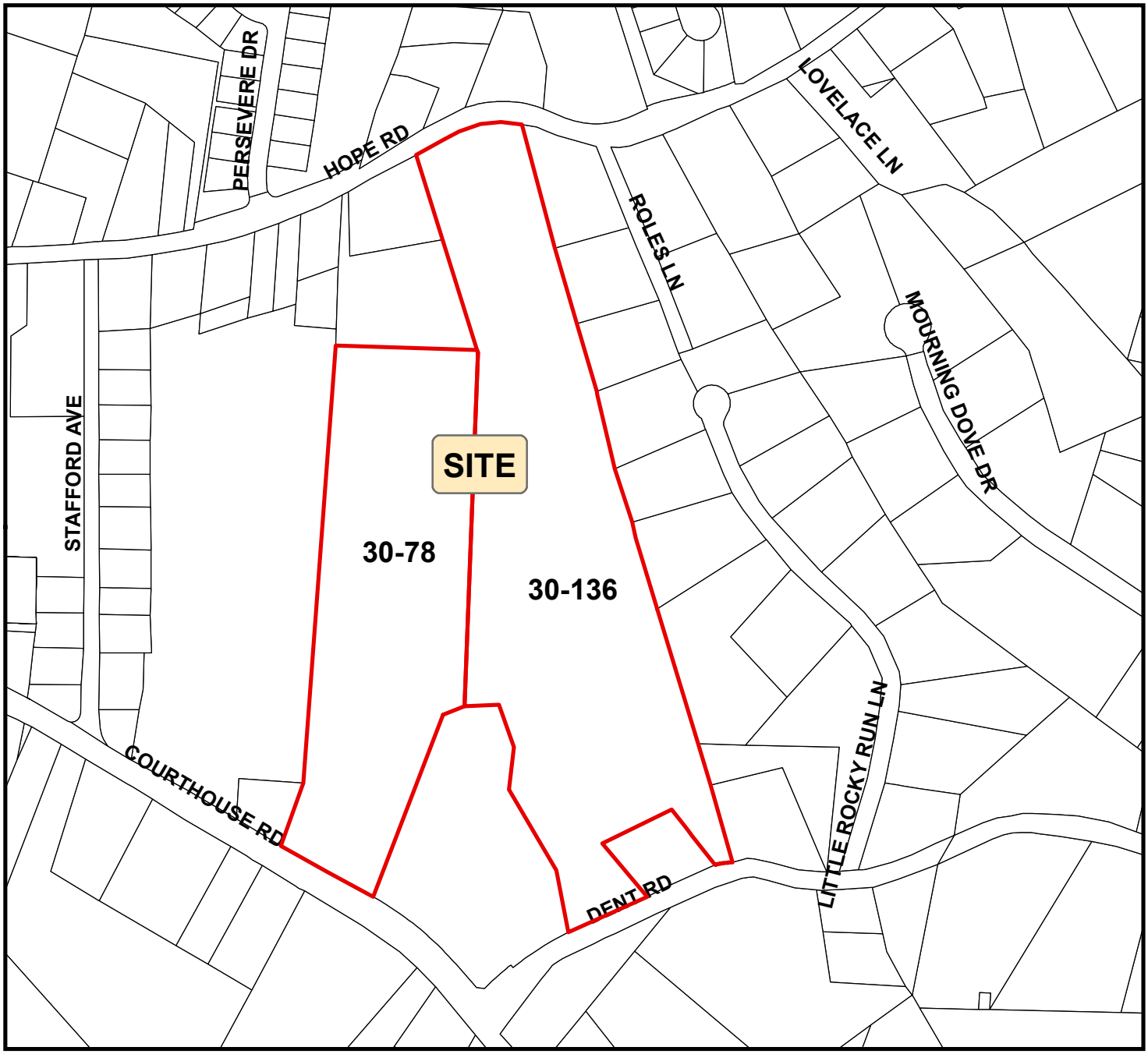
TIMING:

Application Date	October 10, 2014		
Advertisement Date/s	February 20, 2015 and February 27, 2015		
Plan. Comm. Action Date	December 10, 2014	(Required)	February 10, 2015
Proposed Board Action Date	March 17, 2015	(Required)	October 9, 2015

CUP14150252
CONDITIONAL USE PERMIT
COURTHOUSE MANOR

Property & Location





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11-12-2014

Stafford County Department of
Planning & Zoning
P.O. Box 339
Stafford, VA 22555
(540) 658-8668

Planning Commission Minutes
November 12, 2014

1. CUP14150252; Conditional Use Permit – Courthouse Manor - A request for a Conditional Use Permit (CUP) to allow a cluster subdivision of up to 2.25 dwelling units per acre within the R-1, Suburban Residential Zoning District, on Assessor's Parcels 30-136 and 30-78. The property consists of 33.43 acres, located on the north side of Courthouse Road, the west side of Dent Road, and the south side of Hope Road, approximately 1,000 feet east of Stafford Avenue, within the Aquia Election District. **(Time Limit: February 10, 2015)**

Mr. Harvey: Thank you Mr. Chairman. If you could recognize Erica Ehly for the presentation.

Mr. Rhodes: Wonderful.

Ms. Ehly: Good evening Mr. Chair and members of the Planning Commission.

Mr. Rhodes: Good evening.

Ms. Ehly: Computer please? Item number 1 is an application for a conditional use permit for a cluster subdivision with an increase in density in the R-1 zoning district. By-right development would permit 50 units and the applicant is requesting 75 units. The property consists of 2 parcels totaling 35 acres, and is located at the intersection of Courthouse Road and Dent Road in the Aquia Election District. Single-family residential unit uses surround the property on the north and the east. To the south is a place of worship and Stafford Elementary School is to the west. The Comprehensive Plan identifies this site as being within the Suburban and the Courthouse Urban Development Area future land use designations. The western parcel is located in the Courthouse UDA and the eastern parcel is located in the Suburban future land use designation. The proposal reflects a density that is consistent with the Suburban land use designation and more consistent with the UDA than the by-right development, and is generally consistent with the recommended development standards as described in the plan. Additionally, the property is located within the Courthouse Redevelopment Area. The entire property is zoned R-1, Suburban Residential, and is surrounded by R-1 zoned property on all sides, in addition to A-1 zoning to the south. The GDP depicts the proposed design of the site to include 75 lots at a density of 2.24 dwelling units an acre, which is under the 2.5 maximum permitted with the approval of a conditional use permit. The proposed development identifies 10 acres, or 30% of the site, as common open space, meeting the 30% requirement. The proposed development will have two access points, one to Dent Road and the other to Courthouse Road. The proposal received approval for access to Dent Road which currently has an unposted speed limit. In these instances, a 55 mile an hour speed limit is assumed for design purposes. The applicant conducted a speed study which determined an appropriate speed limit of 30 miles an hour which VDOT has found to be acceptable. Staff notes that it does not appear that VDOT intends to post a speed limit sign for Dent Road in this location and recommends that a sign is placed either by VDOT or the developer before access occurs. Additionally, the GDP shows future connections to Dent Road and Hope Road via two access points on the proposed Northeast Courthouse Bypass Road. There is also an inner-parcel connection to parcel 30-79 identified between lots 16 and 71 to the north. The applicant is dedicating right-of-way along Hope Road, Courthouse Road, and Dent Road. In addition, the applicant is dedicating a 60-foot right-of-way, together with the necessary construction easements, for the proposed Northeast Courthouse Bypass Road which is identified as a future improvement in the Comprehensive Plan. The dedication is shown on the GDP along the eastern property line. The applicant has submitted an analysis to determine which classification of roadway would be necessary to maintain a 4-lane design of Route 1, and it was concluded that the future roadway could meet functional objectives as a 2-lane divided section which 60-feet of right-of-way would allow. The GDP reflects the construction of a 6-foot

sidewalk connecting the development to the existing sidewalk network of Stafford Elementary School through an open space area adjacent to lot 1. The School Division has requested an additional pedestrian easement at the north end of the development at lot 15 to come out near the baseball field. The applicant has not shown that easement on the GDP, but staff supports the request made by the School Division for a pedestrian easement. There are no wetlands or streams located on the property; however, approximately 32 acres of wooded area will be removed as a result of the proposal. A 17½ modified transitional buffer with a fence is shown along the western property line with Stafford Elementary School. The full 35-foot buffer is shown at the southern end of the property. Additionally, the GDP shows a 20-foot wide buffer along the proposed Northeast Courthouse Bypass Road right-of-way of a double row of evergreen trees consistent with the suburban land use description in the Comprehensive Plan which states that buffering should be required along major arterial and collector roads to limit road noise in residential areas. A tree will also be provided in each rear yard. The GDP does not show a traditional buffer between the proposed development and the church property to the south. However, this will be required and staff recommends that it is shown on the GDP. The applicant has included examples which appear consistent with the standards identified in the Neighborhood Design Standards Plan related to variations in roof lines and consistency of mass and scale within the development. Front stoops and porches are also shown. Sidewalks within the subdivision contribute to an inner-connected network of sidewalks. Staff has recommended a condition that all building permits are reviewed for consistency with these elevations, in addition to conditions for minimum 20-foot driveway length and provision of foundation landscaping in front of homes. Staff finds the following positive aspects to the proposal: the proposal is consistent with the established development pattern in the vicinity; the proposed uses and development pattern meet the intent of the Comprehensive Plan, including land use, transportation, pedestrian connectivity, and open space recommendations; the proposal accommodates planned transportation improvements to the surrounding transportation network. Those are the positive findings. And the negative is access to Dent Road presents a safety concern if the speed limit that is consistent with the speed study remains unposted at the time of access. Staff believes on balance that the positive aspects outweigh the negative aspects, and recommends approval of the conditional use permit with the application of the proposed conditions, which include: additional buffering and landscaping; provision of a utility easement for sewer force main consistency with the Neighborhood Development Standards; Phase 1 Cultural Resource Study performed; dedication of right-of-way for Hope Road, Courthouse Road, and Northeast Bypass Road; construction dedication for pedestrian connectivity to the elementary school; and residential fire sprinklers provided within each residential unit or each side yard setback to be 10 feet. The applicant has submitted a letter requesting minor changes to the language in the conditions which the Commission has received, and staff is willing to accept these changes. I'll be happy to answer any questions.

Mr. Rhodes: Very good. Questions for staff? Mr. English?

Mr. English: Where is the historical area in that? Is there a historical area?

Ms. Ehly: Mr. Chair, Mr. English, the historical area is on this slide to the left-hand side would be the north, and it's the northern… it actually goes further down toward the cross-street and the subdivision street -- down south to the right.

Mr. English: So that's not going to affect the subdivision, that area?

Ms. Ehly: The historic area?

Mr. English: Yeah.

Ms. Ehly: It won't, except if artifacts are found they'll be required to do a Phase 1 Cultural Resource Study.

Mr. English: Has anybody done that or do you know…?

Ms. Ehly: It has not been done.

Mr. English: Well, I guess this is for the developer.

Mr. Rhodes: Other questions for staff? Mrs. Bailey.

Mrs. Bailey: Mr. Chairman, in regards to the bypass -- can you elaborate on that? I mean, what is the likelihood of the bypass going through this particular property? Can you give me more detail on that?

Mr. Harvey: Computer please.

Ms. Ehly: Mr. Chair and Mrs. Bailey, the bypass road is identified in the Comprehensive Plan. The location of the bypass is identified as a future improvement. It is not on any plan right now as far as research and design or funding. So, it's well into the future.

Mrs. Bailey: Okay. The easement that is a part of this, is that a large enough easement to, I thought I was reading in the impact information that it was only about 71% of the easement that would be required?

Ms. Ehly: Mr. Chairman, Mrs. Bailey, it's 71% of the length of the road.

Mrs. Bailey: Okay.

Mr. Harvey: Mrs. Bailey, this planned road would have essentially 3 segments. There would be a segment from Courthouse Road to Dent Road, opposite of where Hospital Center Boulevard intersects with Courthouse Road. There would also be another segment from… I'm sorry, two segments… that segment and then also this segment.

Mrs. Bailey: And then it ends there at Hope Road, correct?

Ms. Ehly: It does, yes ma'am.

Mrs. Bailey: When that bypass goes through and connects with Hope Road, are there any plans for improvement to Hope Road? Where that comes out?

Ms. Ehly: Mr. Chairman, Mrs. Bailey, I understand that there are upgrades planned for Hope Road. But I think it will remain a 2-lane design upgraded roadway.

Mr. Harvey: Yes, it's in the County's current transportation plan. It will remain as a 2-lane road. Most of the area on Hope Road's been developed out. This road segment would also be a 2-lane road connecting in, and in discussions with the engineer that was doing the layout for the subdivision, they

noted that the site distance right now where this road would intersect with Hope Road is insufficient, so there'd have to be a reconstruction in that area. As you can see from the diagram, there's a curve in the location of the road where this bypass road would intersect and that would cause a need for reconstruction in that whole area.

Mrs. Bailey: Okay. And then another question -- traffic just seems to be a big thing these days. But currently Courthouse Road, as you're exiting and headed towards Route 1, you have one right turn lane onto Route 1 and then you have the other lane that you can either go straight or left. So, I know currently with the amount of traffic that we have, Stafford Avenue gets backed up, Courthouse Road gets backed up, Route 1 gets backed up. So, are there any plans in the future for that widening of Courthouse Road and that segment? Because I know when this particular development even… whether this goes through or not or if they go with the regular by-right, there is still going to be a lot of traffic that will be coming out right there in front of the school.

Mr. Harvey: Mrs. Bailey, currently the County is working towards securing funds towards the improvement of Courthouse Road and Route 1. The project is not fully funded and has not started engineering yet, but it's in the preliminary scoping stages at this point.

Mrs. Bailey: Alright. And then maybe the one last question that I have is in regards to… could you go back and show the additional buffer that would be needed down by the courts, the pedestrian walkway, where that exactly would be?

Ms. Ehly: Mr. Chair, Mrs. Bailey, the additional request by the School Division?

Mrs. Bailey: Yes.

Ms. Ehly: That would be up to the north right where the cursor is; just an easement to allow for future pedestrian connectivity. So it's not a construction of the sidewalk like it is down to the south.

Mrs. Bailey: And I just want to make sure that with the 10 acres of passive land that they have for recreational purposes, there's nothing in the plan that currently provides any type of tot lot or recreational facility per se.

Ms. Ehly: No ma'am.

Mrs. Bailey: Okay, thank you.

Mr. Rhodes: Other questions for staff? Mr. Coen.

Mr. Coen: Yes, just 3 quick hopefully. Do I understand, because of the pork chop that is along Courthouse Road, that if unless you're going to VRE, if you're coming from Route 1 and you want to get into this subdivision, the only way to get in is to go up to Dent and in that way, correct?

Ms. Ehly: Mr. Chair, yes Mr. Coen.

Mr. Coen: Alright. And… well, it's actually going to end up being 4, sorry… and since the bypass isn't anywhere specifically outlined, all of those homes basically, unless they're coming from VRE or Brooke

Point High School or the Middle School, will have to go up that way and in through that one route, because there is no other way to get in through the bypass because the bypass doesn't exist.

Ms. Ehly: Correct.

Mr. Coen: Okay. And if memory serves me, one of the complaints by people who live along Stafford Avenue is, is that's a rather quick and easy way for people who are trying to get to VRE who live over off of Hope Road and other subdivisions that way, to get to the VRE or to go to school in the morning. So, were this bypass to be put in, it's really just going to be the same 2-lane road that Stafford Ave. is and you're just going to have the same basically; the traffic will be diverted, instead of going down Stafford Ave. they'll go up a little higher to this road to get over that way. I mean, has VDOT really given, or do we have a mindset of what the purpose of the road is? Is it a throughway that we don't want things coming in and out of to blockade it, or is it just another road that we'll end up building up on?

Ms. Ehly: Mr. Coen, I believe that the intent of the bypass is to maintain the 4-lane design of Route 1 so that it's not 6-laned in the future to handle the future trips on Route 1, or at the intersection of Courthouse Road and Route 1. But also it does contribute to the network of streets in the area.

Mr. Coen: Okay. And then, if I get it right, the parcel is 33.445 acres and we're going to wipe out 32 acres of trees but then stick one tree in every back yard.
Ms. Ehly: Yes sir.

Mr. Coen: Okay, I just wanted to make sure I got the concept.

Mr. Rhodes: Mr. Apicella?

Mr. Apicella: Mr. Chairman, respectfully, I'm not the Aquia District rep but I used to be. And I also happened to have lived on Hope Road, so I'm very familiar with the windy nature of that road and the unsafe nature of that road. So, several of my questions kind of springboard off of that, as well as some questions that were asked by Mr. Coen. My first question is, do you have a sense and did you talk with the applicant about why they were pursuing a cluster CUP rather than an R-2 rezoning?

Ms. Ehly: Mr. Chair, Mr. Apicella, we did suggest a zoning change to increase density consistent with the UDA.

Mr. Apicella: And isn't that normally the way we would proceed with the UDA, is respectfully pursuing a rezoning rather than a CUP for the most part? That was what was envisioned with the UDA concept, right?

Ms. Ehly: An increase in density in the portion of the parcel in the UDA would definitely be recommended. This is a unique case because half of it is in the Suburban future land use and half of it is in the UDA. It's kind of a middle ground.

Mr. Apicella: Okay. How far is the bypass from Stafford Avenue?

Ms. Ehly: Mr. Chair, Mr. Apicella, I don't know.

Mr. Apicella: A couple hundred feet maybe? Five hundred feet? A thousand feet?

Mr. English: Stafford Avenue, that's about a half a mile, isn't it?

Mr. Apicella: It can't be a half a mile.

Mr. English: From Stafford Avenue to…

Mr. Apicella: To where the bypass would be, to that church.

Mr. English: Oh, to the church.

Mrs. Bailey: About 2 blocks.

Mr. Apicella: About 2 blocks, right?

Mr. Rhodes: Well, I mean, just looking at the GDP, on the front page 1/8 inch equals 2,000 feet and that's probably somewhere close to ¾ of an inch, so I'd say about 1,500 feet.

Mr. Apicella: Still, I mean, in the realm of a couple of blocks sounds about right to me, having lived there and used Stafford Avenue as a cut through, rightfully or wrongfully Mr. Coen. What's the length of the bypass, from Courthouse Road to Hope Road?

Ms. Ehly: Mr. Apicella, I do not know the exact length. The applicant is here and they might be able to give you the exact length.

Mr. Apicella: Okay. The applicant has provided a summary which, the summaries they provided on these different projects that they have tonight are great, in terms of providing details, so one of the things that they provided in the summary was an indication from their perspective that the value of this bypass was somewhere around 2.4 million dollars. What's the County's perspective on the value of that bypass, as well as any improvements necessary to get that bypass… well, it says that they're going to do the right-of-way dedication, associated grading, and I presume an easement itself. Is that 2.4 million in concert with what the staff thinks its value is?

Mr. Harvey: Mr. Chairman and Mr. Apicella, we've not consulted with our engineers on that. Again, that's something to where the County's requiring it as a condition rather than a proffer.

Mr. Apicella: Understand, but I'm just curious to get a sense… I'm trying to understand again the CUP route versus the rezoning route. That's one of my vantage points by which I'm asking my questions. I'm still trying to understand, just the same line of inquiry as Mr. Coen, what the value is to the community of the bypass when Stafford Avenue is 1,500 away from Stafford Avenue. Because, at the end of the day, you're driving up or down Courthouse Road, you're still going to get onto Hope Road; either way, is it going to reduce traffic? Are people who are impacted or currently utilize Stafford Avenue going to change their behavior? Again, I'm just trying to understand what the benefit is. Irrespective of this proposal, I understand it was in the Redevelopment Plan, I'm just trying to understand where it sits right now, what the value is to the County.

Mr. Harvey: Mr. Apicella, Mr. Chairman, this in addition would be part of the Redevelopment Area Plan. It was part of the Courthouse Small Area Plan in which we worked with VDOT and their consultants to map out a way in which we could keep Route 1 to a 4-lane pedestrian scale. That included a number of road segment improvements; this was one of them. So, it would enhance the overall grid circulation pattern of traffic in the area. It certainly wouldn't take up all the traffic; some of the people that live or work in the area still will take Stafford Avenue, but it would help relieve some of the traffic you see on Stafford Avenue, and also traffic that will occur in the future as the new interchange in built and the Hospital Center Boulevard becomes more of an attraction for overall traffic flow.

Mr. Apicella: At the end of the day you still end up on Hope Road, a small, very…

Mr. Harvey: Yes, it's designed for local traffic.

Mr. Apicella: Right, so it's primarily for the people who live on Hope Road?

Mr. Harvey: That's primarily who it will serve, but people could use that again as a bypass alternative to Route 1 if necessary. They still would have to come down to the Route 1 and Hope Road intersection traffic light.

Mr. Apicella: Right, so they still have to get on Hope Road and turn left and go to… 1,500 feet further down they're still going to have to go up Hope Road to get to Route 1. That part of it doesn't change as compared to Stafford Avenue.

Mr. Rhodes: After the light.

Mr. Apicella: Right.

Mr. Rhodes: You get around the light.

Mr. Apicella: No, there's no light there.

Mr. Rhodes: You get around the light at Courthouse and Route 1.

Mr. Apicella: That's not my point. You can do the same thing with Stafford Avenue. I'm just trying to understand what the value of this bypass is in the context of Stafford Avenue which already exists. So, 1,500 feet further down… you've still got the same number of people who live on Hope Road now and into the future. I'm trying to understand how this relieves the pressure given its proximity to a road that already does the same thing.

Mr. Rhodes: I'm not trying to challenge it. I see the small driveways that are right now coming out to Stafford Avenue. You can build this to not have that design. You can have it connecting to the hospital. I can see a lot of elements that go along with it.

Mr. Apicella: But it's also going to impact the people who live along that roadway, at least on one side of that road. So, right now, the people who live along Stafford Avenue are adversely impacted by Stafford Avenue. People who live along this bypass are going to be equally adversely impacted. That's my only point. Can we pull up the layout again?

Mr. Rhodes: Computer please?

Mr. Apicella: So, we've had several cluster subdivisions come before us in the past and, myself included, but I think some of my fellow PC members said the same or raise the same concern about the separation of the open space. It looks like we're getting the same net affect here with the open spaces separated rather than being contiguous. All the houses, perhaps rightfully so, are all condensed or concentrated. Where are the kids in this development going to play?

Ms. Ehly: Mr. Chairman, Mr. Apicella, perhaps the applicant can answer that question.

Mr. Apicella: Okay. And we still don't have any positive reaction on the pedestrian easement issue thus far?

Ms. Ehly: Regarding the easement to the north with the school?

Mr. Apicella: Right.

Ms. Ehly: I have not received any.

Mr. Apicella: Okay. My last question for the moment has to do with the conditions. It may be something we want; I'd be surprised that the applicant would support it but… or I'm trying to understand what the language actually says. So, under 15 it says, residential fire sprinklers shall be provided within each residential unit or each side yard setback shall be 10 feet. What's the purpose of that condition? Either/or?

Ms. Ehly: Yes, the Fire and Rescue division, because of the increased density from cluster subdivisions and the smaller side yard setback, you are allowed to have an 8-foot side yard setback in a cluster subdivision per our code. And through their industry analysis and opinion, an 8-foot side yard setback is too close and they would like a minimum of at least 20 feet between structures for safety reasons. So, if the side yard setback isn't at least 10 feet or 20 feet between each structure, then they would like it sprinkled so a fire wouldn't spread throughout the development.

Mr. Apicella: So, bottom line, as long as they meet the minimum 10 feet requirement they wouldn't have to put sprinklers in each home.

Ms. Ehly: That's true. The code allows for 8 so that's why it's in there.

Mr. Apicella: Okay. Thank you Mr. Chairman.

Mr. Rhodes: Thank you very much. Other questions for staff? Okay, applicant please. Thank you.

Mr. Payne: Mr. Chairman, and other members of the Planning Commission and staff, my name is Charlie Payne with the law firm Hirschler Fleischer and we represent the applicant. I want to thank staff for their presentation and their diligence through this process. As always, it's a pleasure to deal with staff and they're always respectful of the applicants before them, as well as this Planning Commission. As noted, I represent the applicant who is Miller and Smith at Stafford, LLC. The representative of the applicant is

here tonight, along with the civil engineer, the consultant, Bowman Consultants, is here as well. As staff has noted, I'm going to briefly go through the application and try to cover a few key components that we interpret as key and also to answer some of the questions that were raised; obviously, always good dialogue from this respected board. Property owners are the long time Stafford County residents, Ronnie Bowling of the Bowling family, and a Presbyterian of the James Church located respectively at Tax Map 30-136 and 30-78. As you saw in the presentation, part of the property, I believe, 30-78, is within the UDA, the Courthouse UDA which is obviously encourages high density development and uses, and the remainder within the Suburban land use district but all of it encompasses the Redevelopment Area of the Courthouse. As staff has noted, it is generally located at Courthouse and Dent Road. Its surrounding uses are very similar uses so the development pattern is very similar to what we're proposing. We also are connected to the Stafford Elementary School and a church to our south. There are no wetlands on the site and this is within the Aquia District. As noted, the project is a cluster subdivision proposal. The property is already zoned R-1 and we are proposing to develop 75 single-family detached lots. The configuration of the site, Mr. Apicella, as always, asks great questions about clustering, it's always sort of his focus at times we bring these projects forward. Obviously the configuration of the site drives a big part of that, as well, you know, when we put these plans together we meet with staff, look at your Comprehensive Plan, we try to determine priorities within the County, the Redevelopment Plans, specifically the Courthouse Redevelopment Plan which was adopted by the Board of Supervisors and I believe this board as an advisory capacity to be included in the Comprehensive Plan. Part of that plan, this northeast collector road was a component to it. And it was a component to relieve traffic and to basically get traffic off of 1 and at the intersection of Route 1 and Courthouse Road as the Chairman noted. This also will play a role in the redevelopment opportunities for the County in that particular area. As noted, it's within the UDA, the Courthouse UDA, and will help facilitate development at the hospital. So, when we see a plan like that and we have a piece of property that is, as noted earlier, encompasses about 71% of that link, we plan our project accordingly, and hence the dedication and hence the structure of our project. The project is, density wise, is within the Comprehensive Plan and within the zoning district allowance. In fact, we're well under the Comprehensive Plan density allowances, below 2.25 units per acre. Home prices -- we sometimes seem to forget the importance of having folks with disposable income moving into our area. We range from 450 to 525,000 dollars. We meet the open space requirements that are required under R-1 cluster. We're within the Urban Service district so we'll connect to public water and sewer. We will have 2 access points, a right-in and right-out only on Courthouse and a main entrance at Dent Road, obviously before any of the improvements are made to the collector road. As noted, the northeast connector to this site includes about 71% of that link. There's a question about the dedications and the value. A lot of times we put those in there; sometimes folks think that the dedications are an automatic requirement. I think we sometimes forget that the applicant is paying full fair market value for those properties, for that property, so when they dedicate acres of that property, they are dedicating it at full value and consideration and obviously at no cost to the County. The dedications do include essential elements of improvements in that particular area. I heard some discussions about concerns about traffic patterns in that area. The dedication includes a 30-foot right-of-way for Hope Road. For those of you who travel on Hope Road, that will be important. A dedication of right-of-way along Dent to widen the right-of-way to 25 feet from the centerline. A dedication as we noted for 60 feet, together with constructions easements and partial grading and clearing for the northeast Courthouse bypass, which we do hope gets constructed in the near future. And dedication of right-of-way along Courthouse Road; always key to widen the right-of-way 55 feet from the centerline. Staff also noted, and hopefully for the record and hopefully for your consideration, that we did respond to the conditions that were proposed by staff and they would adopt or recommend adoption, if you will, to this well respected body, our minor adjustments and comments to those conditions. A couple of them I'd like to point out because they were

questions raised by Planning Commission members. The first one, Mr. English raised a question about cultural resources on the site. We are required to perform a cultural resources study of Phase 1. If the Phase 1 determines that you should… recommends a Phase 2 I should say, we would then move to a Phase 2 which would be a more in depth archeological analysis and/or dig, if you will, to remove… actually to identify and remove archeological artifacts if there are some there. We did ask that the words prior to submission be changed to prior to approval of the preliminary plan which we thought was a simple minor change. The next point about fire sprinklers -- you know, as noted, what the fire department is asking is not consistent with the building codes (inaudible) asking above that. We've responded that the proposed development would be consistent with the R-1 cluster setbacks. The current R-1 cluster setbacks require minimum separation of 18 feet between foundations. Based on the current Stafford County Utility requirements, development needs a minimum of 1,000 gpm on one hydrant, or 2 at 1,500 gpm to meet the fire protection standards. So we think the way that we have this planned, and certainly our construction plans will be submitted and reviewed by the fire department at that point in time. And then also, for number 17 if you will, the applicant shall dedicate access to accommodate a 6-foot wide pedestrian connection to the school at lot 15. We're providing one sidewalk area in which we are going to construct which we have discussed with the school system. But we understand this particular recommendation 17 is not being required by the School Board. So we ask that that be removed. In addition to that, my client, fair to say, is relatively new to the area although a well-respected developer and builder in Northern Virginia. In understanding that the County has priorities, certainly preservation priorities, we have as you noted from staff, not a recommendation or requirement of our project, but we have voluntarily obligated if you will ourselves in regards to this project in order to offset any potential impacts to the new… to the proposed project which will add units to… 25 extra units to the site, we have proposed that we would acquire if you will up to a certain amount of money -- this is pursuant to a letter that I submitted that I assume all of you have dated November 10th -- that we would acquire property in conjunction of working with the PDR Committee and the PDR Program to help us identify property that would be a priority for the County to preserve. So, we are not only undertaking extensive efforts to provide what I believe is a very positive project from a net revenue perspective, from a disposable income perspective, that's consistent with your Comprehensive Plan, that's consistent with the zoning district, that's obviously also providing extensive transportation improvements or transportation dedications I should say, and likewise we're looking to preserve rural areas and preservationed areas within the County. So, again, I think overall a very positive project and I'm happy to answer any questions you may have.

Mr. Rhodes: Mr. Payne, just because it's been raised a couple times, I'm just curious -- what is the difficulty or objection on the easement for a future potential sidewalk and connectivity to the school property?

Mr. Payne: I think one of the issues is they haven't asked for it necessarily. So we would… I don't think we personally have an issue with it. I think the question becomes if they haven't asked for it, why are we providing it at this time. Is that fair to say?

Mr. Rhodes: It's been a dead property and it's a future planning flexibility because who knows what happens on different sites.

Mr. Payne: If the school system, and this is certainly something staff can follow back up, if the school system wants it, we'll provide it. But our understanding is they're not asking for it.

Mr. Rhodes: And the other reference to PDR and resourcing, just to confirm that's not really something that would be a CUP item, correct Mr. Harvey? The last reference of Mr. Payne's on resources provided for PDR…

Mr. Harvey: Mr. Chairman, Mr. Payne in his letter expressed a desire to include something to that effect in the conditions and staff did not include that in our report.

Mr. Rhodes: Right, okay. That's what I understood; I just wanted to make sure (inaudible). Alright, questions for the applicant?

Mrs. Bailey: Well, I do have a question in regards to the bypass. And forgive me, but one of the conditions that was mentioned was number 11 -- the applicant shall clear grade and sod the area within the full right-of-way of the Northeast Courthouse Bypass Road. You mentioned partial clearing and grading. So, is that different than what the recommendation was?

Mr. Payne: Yes.

Mrs. Bailey: And how so?

Mr. Payne: You want to address that question?

(Inaudible from the audience).

Mr. Rhodes: If this is the answer, we need to do it at the microphone. Or if you're going to relay it, Mr. Payne, that would be fine.

Mr. Payne: Mark King from Bowman Consulting is going to provide the answer.

Mr. Rhodes: Thank you, thank you very much.

Mr. King: Sorry about that. We're not trying to put this road on grade. We're grading the site to balance the site and, as a part of that, areas within this proposed dedication will be disturbed. We're going to seed it, mulch it… you know, that's what we're trying to say with the partial grading. It's not trying to set the road grades, but just trying to balance the site.

Mrs. Bailey: Okay, and then another question that I'm just going to go ahead and throw it out there. Because the bypass easement is out there and we are discussing it, I'm just curious because there is going to be a little bit greater impact if we go to the cluster. By more houses being there, why wouldn't you just go ahead and build the road?

Mr. Payne: It's not economically feasible (inaudible). That's about as honest as you're ever going to get. You know, Mrs. Bailey, I know you've got a lot of background in real estate in Stafford County and values of real estate and cost of real estate and cost of development and the feasibility of development and the cost of that, and the projects have a reality to them. That's just the way it is. And the reality is, is we can't afford to construct that road. And that road will be utilized obviously from other citizens and the public and other businesses from off our site will benefit from it, so I think what we're dedicating… and

the impact of that dedication on the project itself… I mean, the clustering in many ways is derived from the impact of dedicating that right-of-way.

Mrs. Bailey: And what would the impact be to the developer if you just stayed with the current zoning that's there, by-right, R-1?

Mr. Payne: We wouldn't provide the bypass. It wouldn't work. We'd use all the area.

Mrs. Bailey: Alright. I did have a phone call from Mr. Tremblay who is one of the adjacent property owners up on the north end. And he has a big concern in regards to the amount of foot traffic that might be caused because we only have… there's no buffer in between his property and -- if you want to look at the map --

Mr. Rhodes: Computer please.

Mrs. Bailey: He's down on the bottom left, those 3 parcels right there Mr. Tremblay owns. So he's very concerned that there will be a lot of foot traffic going across his property to try to get over to Courthouse Road and that there's not an adequate buffer there for that. And of course the concern with the pedestrian walkway from, what is that, lot 15 or lot 17 over to the school, might help alleviate some of that.

Mr. Payne: Like we said, we'll provide it if the school system wants it. We can put it in the condition. I don't think we have a problem with that. If the school system wants it, we'll provide them the easement.

Mrs. Bailey: So as far as the balance of the lots…

Mr. Payne: And the reasons why they may or may not want it we're not privy to. I don't know if it's too much traffic they're concerned about coming to the school site; I don't know. But if they want it, we'll be more than happy to give it to them.

Mrs. Bailey: And then looking at that same area, why does the buffer stop? Why is there a break in the buffer?

Mr. Pyle: Bill Pyle with Bowman Consulting. The 20-foot double row of evergreens is a street buffer which is designed on the… as it follows the bypass, is designed to separate the houses from the road. The individual lots owned by Mr. Tremblay and the lots here are both R-1 zoned and residential and the Zoning Ordinance does not require a buffer between like uses.

Mrs. Bailey: That's all that I have for now.

Mr. Rhodes: Okay, very good.

Mr. Payne: Mrs. Bailey, if I can real quick, we're happy to put a similar buffer along his side if that's feasible.

Mrs. Bailey: Okay.

Mr. Payne: If that's acceptable to you, we're happy to do that.

Mr. Rhodes: Mr. Apicella.

Mr. Apicella: Mr. Chairman, Mr. Payne, again I'm trying to understand from a Planning Commissioner's perspective why you all chose the CUP cluster route versus an R-2 rezoning?

Mr. Payne: My engineering consulting group can back me, I'm not going to pretend to be an engineer and I didn't stay at a Holiday Inn last night, but my bet is the collector road is driving the development plan.

Mr. Apicella: Could that not have been proffered though as part of the R-2 rezoning?

Mr. Payne: I don't think it would have worked from a density perspective.

Mr. King: If we looked at doing it, I mean, you'd be looking at a higher density. You'd have to be looking at townhouses. And it was something the developer did not want to do. They felt it was more valuable to be single-family homes instead of, you know, 130 townhouses which I know in a lot of cases the Planning Commission board members are not always fond of townhomes. And it does allow the developer to dedicate this. And you're right; if we rezoned it, it would be proffered. In this case, it's a condition that we're going to dedicate these right-of-ways. So, you're getting it either way. It's not like this goes away, the decision was made not to do the higher density because it was more townhouses to make the higher density.

Mr. Apicella: So, is the… and maybe this is a lesson learned… is the reason why higher density single-family detached homes won't work is because you get the setback relief under the cluster? I'm trying to understand why you can't get that density you're looking for under an R-2.

Mr. King: I mean, you could; R-2 is 3 units per acre. We're at 2.24. I mean, it's close to an R-2 density without going to a townhome and it just seemed like… you know, a more sensible way to go was just to do a cluster concept and get a CUP for it.

Mr. Payne: It's less units.

Mr. King: Yeah, it's going to be less units. It'd probably be a hundred or more.

Mr. Apicella: While you're still standing there, a question I asked earlier of staff so I'll ask the same question of you. And I've asked this on other projects as well (inaudible) townhome projects. I'm trying to understand, you've got a lot of kids who are going to be in this subdivision. Where are they going to play?

Mr. King: Part of it being adjacent to the school site with the playing fields and all, that's really I guess the thought process.

Mr. Apicella: So, there's no onsite play area.

Mr. King: No there's not.

Mr. Apicella: No amenities for the subdivision, just a kind of a hope and desire that they're going to play at the school.

Mr. Rhodes: Computer please.

Mr. King: I would say if there's an opportunity it would be down in this area where we could put, you know, a tot lot or some type of playground. But it'd be close to a future road and, you know, having the kids or anybody down there. The other thing… consideration that doesn't show up in here, in this area here we are planning a stormwater management facility as well that's going to control the runoff from the site. So, there's not a lot of opportunity. I mean, you've got this area as well that goes uphill from here. This could be an area as well but, again, it's close to the road. The road really has been a driving force of how this subdivision laid out.

Mr. Apicella: Okay. My last question -- and I'm sorry to ask it but I feel like I have to -- if somehow this PDR proposal becomes difficult to achieve, have you thought about any alternatives?

Mr. Payne: I'm sorry, any alternatives to… our desire to acquire property for purposes of County priority preservation? No, we have not thought about an alternative, because this is not a condition. This is something that we're volunteering to do from outside that process. It's not a staff condition.

Mr. Apicella: So, the letter that we received is essentially a commitment letter?

Mr. Payne: Yes.

Mr. Rhodes: But it's not part of the CUP.

Mr. Apicella: Okay. But, with respect, I mean, it's signed by you so it's not necessarily the applicant who's signing. I'm just trying to understand the legality of…

Mr. Payne: I represent the applicant obviously as their agent as you probably well know in the application package which is very clear. But what we're proposing, and certainly you have counsel here who can advise you on the legalities of it, but what we're proposing is on the record via my letter obligating ourselves, before we build the 51st lot, to have acquired up to a certain value as outlined in the letter, the equivalent of that value of properties that the County prioritizes for preservation, whether that's through the PDR Program or other programs. And that's something that we will commence evaluating as we move forward with building the project. We're limiting, we're intentionally limiting… I'm sorry Mr. Chairman, I didn't mean to cut you off… we're intentionally limiting our development plan until we offset that process.

Mr. Rhodes: But that is not part of the CUP application.

Mr. Apicella: I understand. I guess I would…

Mr. Rhodes: That's a separate independent proposal that's being presented to the County, and not really an element of our CUP consideration.

Mr. Apicella: Okay.

Mr. Rhodes: Yes please, Mr. Coen.

Mr. Coen: Just one real quick question. In reading the material, I thought that lot 15 being dedicated for a cut-through to the school was sort of discussed with the school system. But since it wasn't, well, not as of this point…

Mr. Payne: Mr. Coen, I didn't talk to them but I understand we did, one of our representatives… Mr. King spoke to them and Mr. Horan… is that who you spoke to?... stated that it was not being requested by the school.

Mr. Coen: Okay. But you have subsequently indicated that if it were… indicated by the School Board that they would like a cut-through, you would facilitate the desires of the school system.

Mr. Payne: It's not our position to tell the school system what it should and should not have, so if they want it, it's open. And if they want to provide…

Mr. Coen: And if I can finish. So, say they decided that they thought the cut-through should be in lot 8 or 9 or 10, would that even be something conceivable? Because if you're living in lots 36 through 47, that's a long hike to get to what would be the only play areas, if that's your mindset, let alone to walk to school. I mean, it almost would be more useful to get a bus then have your kids walk all the way down that way to get to the bottom parcel heading towards that area. So, if it is deemed by the School Board that they would like to have this cut-through and they indicated therewith, you're open to other parcels or is it lot 15 or walk around?

Mr. Pyle: I believe the intent was to have it beside lot 15 and not on lot 15, but I don't see any reason why, if the School Board desires it to be between lots 7 and 8, that we could not shift the lots over and accommodate that.
Mr. Coen: Thank you sir.

Mr. Rhodes: Anyone else for the applicant?

Mr. Payne: (Inaudible) trying to find a reference to where you're talking about; I don't think that's going to be a problem.

Mr. Apicella: Mr. Chairman, I don't have a question for the applicant, but before we go to public hearing, we do have staff from the school system here. I would think we can kind of put this issue to bed one way or another.

Mr. Gibbons: I have a technical question?

Mr. Rhodes: Please Mr. Gibbons.

Mr. Gibbons: Under the current zoning, how many units does he have?

Mr. Rhodes: By-right is 50.

Mr. Gibbons: Fifty, right?

Mr. Rhodes: Yes sir.

Mr. Gibbons: Okay, so if he goes to what Steven's saying, through an R-2, what does he get?

Mr. Rhodes: Mr. Harvey, staff?

Mr. Harvey: Mr. Chairman, it would depend on how many total units they're looking at because the R-2 zone allows for up to 3½ units an acre. So it would probably be, I'd have to do the math, over a hundred.

Mr. Gibbons: I can't hear.

Mr. Rhodes: He said probably over a hundred but he'd have to do the math.

Mr. Gibbons: And what he's asking for tonight is…?

Mr. Rhodes: Seventy-five.

Mr. Gibbons: Seventy-five.

Mr. Rhodes: Yes sir.

Mr. Payne: With the collector road.

Mr. Gibbons: I have the same concern that Steven has.

Mr. Rhodes: Mr. Harvey, do we know if there was a specific query of school staff on the easement, on the back half there? I know there was some future planning consideration for potential just like we ran into at Liberty Knolls; if we had had that easement we could make it a couple different subdivisions, but we don't now.

Mr. Harvey: Mr. Chairman, Ms. Ehly can address your questions.

Mr. Rhodes: Thank you very much.

Ms. Ehly: Mr. Chair, that easement was requested by Mr. Horan of the school division and that's the reason why staff included it.

Mr. Rhodes: Very good. Thank you very much. Other questions for the applicant before we go to public comment? Yes, please Mr. Apicella.

Mr. Apicella: Again, before we go to public comment, if we could just ask the school staff while they're here what their thoughts are about this cut-through, because the staff report indicates that they thought that the school system wanted the cut-through.

Mr. Rhodes: No, that's what staff was just saying. I know you were reading the paper but, that's what staff was just saying, that they actually got it from the School Board… the school staff that they do want that easement.
Mr. Apicella: Okay, gotcha.

Mr. Rhodes: Thank you.

Mr. Gibbons: That came from staff, not from the School Board.

Mr. Rhodes: Correct, from staff.

Mr. Gibbons: And we've been asking 2 or 3 times now that the board deal with the board so the School Board comes back and says what it is rather than staff.

Mr. Rhodes: Roger. Okay, I will now open this to public comment. If there's any member of the public that would like to speak on item number 1, the Conditional Use Permit for Courthouse Manor, you may come forward and do so at this time. When you do, again, you will be addressing the board as a whole. I would ask that you state your name and your address, and then a green light will come on indicating 3 minutes. And then when the yellow light comes on, it indicates 1 minute left. And then a red light, we would just ask that you begin to wrap up your comments if you could at that point in time. Thank you sir; please.

Mr. Grant: Good evening, my name is Mike Grant. I live just off the cul-de-sac that's on the drawing on the computer screen here, and just above what's being referred to as the Northeast Bypass. So my concern is not so much the density; y'all will make a good decision on that and the applicant will be happy in terms of the money they're able to make. My concern is I'll be in with this Northeast Access Road. It's a concept on a map (inaudible) development in the County, but it abuts the property where I reside, a number of people reside along Little Rocky Run Lane. So if in acting in good faith the applicant uses what parts of the parcels that they can and they concede something for further development a la the access road, I'm not sure how the interests along Little Rocky Run Lane are being looked at in terms of buffering, noise abatement, or anything else. And I understand it's really beyond this applicant's concern, but I'm hopeful it's a concern of the panel that's sitting in front of me. Because right now it would look like the access road would go up pretty close to the property line where I live and my neighbors live, and right now we back to mature trees and everything else. So I'm hopeful a buffer zone, fringe area, or something could be considered as part of this approach that y'all are taking as the Planning Commission and the applicant could still do what they're trying to do in terms of building out in an undeveloped parcel right now. So I don't think they're (inaudible) interest but I'm not sure that those of us living along Little Rocky Run right now are being considered as part of this. And that's all I have. Thank you.

Mr. Rhodes: Thank you sir; appreciate it. Anyone else who would like to speak? Seeing no one else coming forward, I'll close the public comment portion of the public hearing and bring this back in to the Planning Commission for discussion. Just one quick question Mr. Harvey; just to confirm, on the bypass road there's not been any engineering or any other efforts on that, it's just the concept on the map right now, correct?

Mr. Harvey: That is correct.

Mr. Rhodes: So, based on our past experience, even if we started in earnest to begin some of the preliminary engineering on it, 7, 8 years away?

Mr. Harvey: Likely that long or longer. Right now it's not on the CIP or CIP for financial planning purposes. We look at a 10 year horizon and right now it's not on (inaudible).
Mr. Rhodes: Not on that one either, okay.

Mr. Harvey: It could come on if the priorities change, but as you are kind of alluding to, there's a number of years of work that goes into design of the roadway, ultimate right-of-way acquisition, and construction.

Mr. Rhodes: I just wanted to give context to that thought there. I think that probably if it became a priority to start working on now, we're probably looking 7 years. Okay, just for context. But not to diminish any of the comment on that, I just wanted to get that construct out there. Okay. Other thoughts? Certainly if there's anything particular you wanted to rebut on that, you have the option. I don't know that there really is.

Mr. Payne: There's nothing to rebut. I thought the citizen's comments were fair. I just… it does reiterate this concept of the collector road and either its importance to the impact of our project and I think what's kind of being lost a little bit here is the importance it is to the future redevelopment of the Courthouse area. I know that we can't see it today, but there… you know, various times when it is very difficult to redevelop an area which, by the way, the Courthouse area has many challenges -- it has 140, 150 different properties that potentially could be redeveloped for its overall future concept -- there are so many times that you don't have right-of-way that you lose that opportunity. So we're providing a key link to that opportunity. And it is impacting our project. So we don't want to be punished by and, at the same time, I think it's important to understand that it's in your plan for a reason. It's in your plan to provide this Courthouse area an opportunity to redevelop. So I don't want us to lose that vision as we proceed forward. That's all I've got.

Mr. Rhodes: Thank you.

Mr. English: Mr. Payne, is it possible that you all can reach out to the (inaudible) Little Rocky Run Lane and see what their concerns are? That you could just reach out to them?

Mr. Payne: We can certainly talk to them. And we don't… you know, we own only obviously up to the area of the property line and then obviously the right-of-way dedication as required…

Mr. English: (Inaudible - microphone not on).

Mr. Payne: Oh sure, yeah, if the gentleman is still here we'll get his contact information and we'll reach out to him. I mean, you know, it's us and what the County is looking to do, etcetera, so we'll make sure we jointly work with them.

Mr. Apicella: Mr. Chairman, I would just ask as they're pondering potential options here, if they would consider any adjustments that again might provide more contiguous open space and/or a play area for the kids because, you know, I realize that they're trying to maximize they're…

Mr. Gibbons: (Inaudible - microphone not on).

Mr. Apicella: It's not a motion; I'm asking them if they will consider it if we decide not to take action on it today -- how about that?

Mr. Rhodes: So, I did here… I do, just looking back at my notes, the one thing that seems to be a little bit of an open item just that I caught was a little bit of changing on some language concerning what the Fire and Rescue folks had asked about. And so a different approach to it that was presented by the applicant that would probably merit some consideration or further feedback from…

Mr. Gibbons: You know Mr. Chairman, they keep bringing up about the suppression units in home, yet the Board did not make that a priority this year for the legislative. So, I mean, it comes up at every zoning and if their heart is in it, then they've got to convince the Board to take it forward to Richmond.

Mr. Rhodes: Agree with you. I don't disagree. The applicant did come with a counter-proposal… a creative one. I don't know what the hell… excuse me, I don't know what it means, but it was a creative approach to it. But it would be interesting to get the feedback to know what that means. Because if that is indeed a good way to address that, that might be a consideration before.

Mr. Gibbons: (Inaudible - microphone not on).

Mr. Payne: Mr. Chairman, I'm sorry, may I address Mr. Apicella's request regarding the play area?

Mr. Rhodes: Certainly.

Mr. Payne: Charlie Payne, representing the applicant. We will go back to the drawing board, if you will, and see if we can find some open space area for a play area. Thank you.

Mrs. Bailey: Thank you.

Mr. Rhodes: I did hear that as one that might be worth some feedback on and certainly this… I don't know what other thoughts folks have and certainly it's in the…

Mrs. Bailey: Mr. Chairman.

Mr. Rhodes: Please.

Mrs. Bailey: I'd like to make a motion that we defer CUP14150252 and I believe some of the items that we're looking at would be the issue regarding the tot lot, the buffer for the Tremblays, finding out more information about the 15-foot walkway and the school's position on that, and items in regards to speaking with the residents on Little Rocky Run Road.

Mr. Rhodes: So, a motion to defer to our next session. Is there a second?

Mr. Apicella: Second.

Mr. Rhodes: Second by Mr. Apicella. Further comment Mrs. Bailey?

Mrs. Bailey: No further comment.

Mr. Rhodes: Further comment Mr. Apicella? Any other member? Please Mr. Gibbons.

Mr. Gibbons: I would like to have the concern about the difference between the CUP and the zoning request laid out.

Mr. Rhodes: So, further clarity from staff's perspective, the differences, density and otherwise, between the CUP application versus if it was done as a rezoning. Okay we can ask staff to do that for next time. And again, just to restate on the items that Mrs. Bailey mentioned is getting the feedback on the minor modifications of wording, staff was generally comfortable with but confirming it, especially Fire and Rescue's perspective on the CUPs; further consideration of different approaches towards a tot lot or a play area; confirming on the GDP the buffering for the Tremblays property; and I'm missing one here… oh, reaching out to the Rocky Run -- I think we already have is the CUP, the easement for next to lot 15 so that kind of addresses that; and then getting the understanding from staff, CUP versus rezoning differences just so we understand what the implications of those are. Please.

Mr. Coen: And if I may, I mean I raised the tree issue that got cut down like most of the other trees will be so I'm going to go on the premise that they're going to go… they're just going to clear the 32 trees and put on in the yard. But one of my questions continues to be the purpose of the road. And I'm not sure whether we need that from staff, Transportation Commission, VDOT, but in looking at and listening to it, if for 7, 8 years now there will be enough ways for people to get into the subdivision off of Dent Road, then why the bump-out to a bypass? And if the purpose of the bypass is to ease traffic off of Route 1 and have people basically zip over to go over to VRE or the schools, why have cut-throughs of homes going that way? And, again, and it's not necessarily, as I said this may be something we get from staff or VDOT, but if this is going to be envisioned as a major way for people to get into this development, then they would have to make a wide enough road for a turn lane. Or else if it's a 2-lane road, you'll have people who are trying to turn into the subdivision blocking everybody else from coming that way. And so all of that, to me, needs to be sort of thought out before we do that if Dent Road is good enough for 7 or 8 years, in theory then it would be good enough for eternity, you could get rid of those cut-throughs and those roads, make the connection for the open space all the way straight through and that would solve Mr. Apicella's question, it would solve other people's questions. And so that concept needs to be to me an idea of planning.

Mr. Rhodes: So, Mr. Harvey, if staff could bring back from the past plans where we have this laid in, just a summary of what the construct was there and concept and benefits.

Mr. Harvey: Yes, Mr. Chairman, we'll provide the Commission with a diagram from the plans that shows the road network and where this was a piece of that road network and provide some more narrative about (inaudible).

Mr. Rhodes: Great, just for context, thank you. Very good. Okay, all those in favor of the motion to defer this to the next session signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? Very good. Item number 1 done.

4. CUP14150252; Conditional Use Permit – Courthouse Manor - A request for a Conditional Use Permit (CUP) to allow a cluster subdivision of up to 2.25 dwelling units per acre within the R-1, Suburban Residential Zoning District, on Assessor's Parcels 30-136 and 30-78. The property consists of 33.43 acres, located on the north side of Courthouse Road, the west side of Dent Road, and the south side of Hope Road, approximately 1,000 feet east of Stafford Avenue, within the Aquia Election District. **(Time Limit: February 10, 2015) (History: Deferred on November 12, 2014 to December 10, 2014)**

Mr. Harvey: Thank you Mr. Chairman. And please recognize Ms. Ehly for the update.

Mr. Rhodes: I thought this was the Mike show? Okay. We like this better; it's okay. Computer please?

Mr. Harvey: Mr. Chairman, we're not quite ready yet.

Mr. Rhodes: Oh, I'm sorry.

Ms. Ehly: Mr. Chair, I can go ahead and start while we're setting up the…

Mr. Rhodes: Thank you very much.

Ms. Ehly: I'll try and be brief. I just would like to give a brief overview. This is regarding an application for a Conditional Use Permit for additional density in a cluster subdivision. If I can have the computer please? To allow a proposed 75 lot residential subdivision on Assessor's Parcels 30-136 and 30-78 totaling just over 33 acres. The current R-1 zoning classification allows for up to 1.5 dwelling units an acre, which would yield approximately 50 single-family homes. In both a by-right conventional or a by-right cluster subdivision, the conditional use permit will allow for 25 additional units resulting in a density of 2.24 dwelling units an acre. A public hearing on the application was conducted on November 12, 2014, and deferred to this meeting. The staff report addressed requests made by the Planning Commission at the last meeting. The staff report provided a summary of the purpose of the bypass road. The primary purpose is to maintain the 4-lane design of Route 1 in the area for consistency with the long range vision of the County Courthouse Area Redevelopment Plan and Small Area Plan. The staff report goes on to say that the transportation assessment which was submitted by the applicant concluded that a 60-foot right-of-way dedication will allow the planned northeast Courthouse bypass road both a capacity and a flexibility to support the stated transportation objectives of the County's Comprehensive Plan. Staff has received comments from VDOT regarding the assessment. These comments stated that the width of the right-of-way dedication really comes down to a decision between a 3-lane or a 4-lane with median roadway, and whether bike lanes are desired. So, VDOT goes on to say that to function as a bypass, as a true bypass, with a large proportion of Route 1 through traffic utilizing the roadway, 4 lanes plus turn lanes would be a minimum requirement. However, they go on to say that there does not appear to be a scenario where Route 1 traffic would actually be diverted around the Courthouse Area on this new roadway. If envisioned as an overflow route, which is more realistic, as opposed to a major bypass, then 3 lanes would probably work; 1 thru-lane in each direction plus left turn lanes at cross streets with medians where there are no turn lanes. The bottom line is that the 3-lane cross section could be designed within 60 feet of right-of-way without bike lanes. If bike lanes were desired, then the right-of-way would have to be up to 70 feet of dedication. This slide I just took from the staff report just to show the existing and proposed links of the future bypass road including the link to be located on the subject property. And Figure 6.3 illustrates the Courthouse UDA Land Use concept and shows the future bypass road pretty

clearly, highlighted in black and white. So I can talk more about that if you'd like. There was a lot of information in the staff report; that's just the summary. So, the staff report also includes a comparison between the R-1 conditional use for a cluster and a reclassification to R-2 and reclassification to UD-1 to include the intent of the zoning district, the applicable density, and consistency related to the proposal. And I can talk about that in more detail if you'd like, as well. So, more importantly probably is the proposed conditions, the language in the proposed conditions. The Commission requested at the last meeting a review of the modified language in the proposed conditions. And that language has been modified since the language that was in the staff report and the Commission has received a hard copy of the most current revised conditions. Staff and the applicant have reached a general agreement regarding the proposed conditions except for number 16 which is the one that refers to fire sprinklers, the option of either providing fire sprinklers or a 10-foot side yard setback. And just briefly, regarding condition number 16, the staff report provided a justification statement from Fire and Rescue regarding this condition which was provided by the County Fire Protection Engineer, or Fire and Rescue Engineer. It states that the international building code has long required sprinklers in most residential structures and in the past few years has expanded that requirement to all new residential structures. The Virginia building code removed this requirement. The County code provides for a minimum of 18 feet between structures in an R-1 cluster subdivision. Fire and Rescue is asking for a 20-foot minimum. Staff is supporting this request as it is not unheard of in many jurisdictions for fire safety to have a 20-foot minimum space between structures. Resolution R14-282, with changes shown in the strike-through/underline format, was attached to the staff report and this evening the Commission received the most recent versions. I can go into detail… we can go over each condition if you'd like, but you do have it there. And just briefly I'll summarize some of the changes in the revised GDP which you did receive a hard copy of.

Mr. Rhodes: If I could just ask one question on that. So, typically Fire and Rescue makes a regular comment about sprinklers. I mean, that has been pretty consistent. And it's not been something we've pushed on a lot of the more significantly spaced single-family homes. But could you further explain the heightened code restriction… heightened code standard that supports the provision in this case because of the closer distance of the homes in there? Could you restate that or clarify that a little bit? I think this is a little different circumstance than the general one we tend to run into with the Fire and Rescue folks.

Ms. Ehly: Mr. Chair, well, the reason for the request here is the reduced setback because of the clustering design, which our county code allows for that reduced setback of 9 feet. With regard… I think Fire and Rescue has asked for it with every cluster. And I can say in my experience, the 20-foot minimum distance between structures has been standard, in my experience. So, I can speak to that but as far as…

Mr. Rhodes: But is there something in the code that supports a heightened standard when they are narrower like that?

Ms. Ehly: In the county code there is not.

Mr. Rhodes: Okay.

Ms. Ehly: No, this… staff is supporting the request from Fire and Rescue based upon staff's experience and the justification from Fire and Rescue. And it has to do with the smaller spaces between structures and the evidence that shows that when you have one house fire, you're probably looking at 3 houses on fire and then it goes from there. And there's evidence out there to support that. And there's a reason why

the international building code requires the 20-foot distance, which a lot of jurisdictions in the United States do use.

Mr. Rhodes: Alright, thank you.

Ms. Ehly: So, the GDP was revised to show a tot lot which the Commission requested recreational amenities and spaces for children to play to be shown on the GDP and it's shown right where the red circle is. It's near the pedestrian access to the elementary school to the west. The additional buffering is shown in red which addresses the concerns expressed by Mr. Tremblay through Commissioner Bailey at the last meeting, in addition to the code requirements for a transitional buffer between the proposed development and the church to the south, and shows additional buffering between the subject property and parcel 30-138 which is south of lot 37 to the north. Also, staff would like to note that the staff report reflected the misunderstanding that the request for additional buffering on the part of Mr. Tremblay was related to a concern with the bypass road; however, it was related to concern of residential development to the south. And the GDP is accurate in that. And then just one note that the screening between the future bypass road and lot 43 is shown as a future buffer, and it's not determined as to who would provide that buffer. Staff understands the logic of that; however, recommends that the buffer shown on the GDP and is provided by the applicant at time of development. The construction timeline for the future bypass is uncertain and it is not on a Capital Improvement Plan for the County or for VDOT. Also, just another side note, the GDP does show the 15-foot easement which was requested by the school division. Even though we did talk about that at the last meeting, at the end with the vote there was a request just to clarify that so that's clarified and reflected on the GDP. Staff does recommend approval of the application. The negative finding does remain. We did receive a response from VDOT regarding the concern with the posting of the speed limit sign. Basically, the response expresses that VDOT does not see posting as necessary for this roadway segment in particular since the speed is controlled by the curve on the north end and the intersection with Courthouse Road on the south end. The speed data demonstrates that most drivers are comfortable driving this road at approximately 30 miles per hour; putting up a sign will not change that comfort level. The reason that the negative finding remains is because the standard remains that the speed limit is deemed to be 55 miles an hour on roads without the posted speed limit. And the deadline for Commission action is February 10th, and I will be happy to answer questions.

Mr. Rhodes: Great. Questions for staff? Woohoo! Okay. Applicant please. Oh, I'm so sorry.

Mr. Apicella: I thought you were going to ask a question about the abutting property owners and the bypass.

Mr. Rhodes: Okay, Mrs. Bailey.

Mrs. Bailey: Was there a change in regards to… well, first of all, when we met last, I believe there were some adjacent property owners that abutted to the easement, back up to the easement, and that the applicant was going to be meeting with the property owners. And, so what was the result of that? Did the applicant meet with the property owners and was that discussed?

Ms. Ehly: Mr. Chair, Mrs. Bailey, I believe that they have met with or discussed the buffering with those property owners. However, the only evidence I have of that is the GDP does reflect… if we could have the computer please… a landscape being stripped just to the east of the right-of-way for the future bypass road. That… there is a condition in response to showing that on the GDP that the existing vegetation

shall remain there and not be cleared as part of the partial grading of the right-of-way dedication, but we do not know how those residents feel about that. So perhaps the applicant can give us more information. But when we saw it, there was not a lot of detail in the resubmittal from the applicant and so we did put that into the condition that at least the existing vegetation would not be cleared.

Mr. Rhodes: Mr. Apicella.

Mr. Apicella: So, as a follow-on, the 8, 9, 10 lots that would abut this bypass, none of those folks raised concern or asked for buffering between themselves and the proposed bypass?

Ms. Ehly: Mr. Chair and Mr. Apicella, I did not receive any information to that effect.

Mr. Apicella: Okay. You had raised at least a clarification if not a request regarding the grading of the bypass. So, are you okay with the partial grading versus the rough and/or final grading? Or would you still prefer for it to go to the latter?

Ms. Ehly: Well, staff is amiable to the proposal of partial grading of the easement.

Mr. Apicella: Okay.

Mr. Rhodes: Yes please.

Mr. Gibbons: We need a motion to continue after 10.

Mr. Rhodes: I'm waiting for the clock to click. We've got like 10 seconds or so. But, in advance of the time turning to 10 o'clock, I would entertain a motion to continue beyond 10 o'clock.

Mr. Gibbons: So moved.

Mr. Coen: Second.

Mr. Rhodes: Motion by Mr. Gibbons, second by Mr. Coen. Any further comment Mr. Gibbons? Mr. Coen? Any other member? All those in favor signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Okay, we will continue; perfect, 10 o'clock. Yes ma'am.

Mr. Coen: Real quickly, I'm looking at the new material on page 2, number 3, it says the developer shall not clear open space Parcel E located between the right-of-way of the future bypass road and the residential lots. Can you just circle that on the map for us please?

Mr. Rhodes: Computer please. It's the top strip.

Ms. Ehly: Yeah, it's like this little strip right here which…

Mr. Coen: Thank you.

Mr. Rhodes: Any further questions of staff?

Mr. Gibbons: What's the deadline?

Ms. Ehly: February 10th. Sorry, Mr. Chair.

Mr. Rhodes: No, that's fine. Okay, applicant please.

Mr. Payne: Mr. Chairman, other members of the Planning Commission, my name is Charlie Payne with the law firm Hirschler Fleischer and I represent the applicant. It's good to see you again tonight. I think you have a copy of my letter to Erica dated November 24, 2014, where we address the issues that were raised by the Planning Commission. I think we addressed every one of them. We met with Mr. Tremblay… well, I spoke with Mr. Tremblay, I didn't meet with him… several times actually. But we didn't meet with any of the adjoining property owners on the east side. Is it on the east side? What we heard from them and I think what we heard from staff was the need for a buffer between what is going to be the County's collector road, not ours, and their project. I mean, I'm sorry, their homes. So that's what we provided. In regards to the question pertaining to the fire sprinkler, we're not in agreement. It is inconsistent with the County's ordinance, it's inconsistent with the state code; we're talking 2 feet, right? It's a 9-foot setback on each side between the homes; that's 18 feet total versus 20. So we're not talking these homes being on top of each other and we've seen no evidence by anybody that within 18 feet these homes could catch on fire collectively. So, I'm not sure where that came from. But we're not in agreement, again, for the reason that I just stated. I can't imagine that there would be a requirement that we do something inconsistent with the County code and state code. So, we would ask, respectfully, that that be amended as presented under condition number 16. Did I miss any? I think I got them all. The only two differences that we had… only actually one difference that we had was condition 16. But again, we did quickly address the issues that were raised and I think we did so pursuant to your direction.

Mr. Rhodes: Mr. Harvey, so by being under 10 feet it's 10 feet per side?

Mr. Payne: Correct.

Mr. Harvey: Correct, yes sir.

Mr. Rhodes: Okay, got it. And then, Ms. McClendon, is this… do we have a basis for making this requirement? Is there something inconsistent with the state code?

Ms. McClendon: Mr. Chairman, I see no legal concern with this requirement as it stands.

Mr. Rhodes: Okay, so we have… we *can* make this requirement.

Ms. McClendon: That's correct.

Mr. Rhodes: Okay. I just wanted to make sure it wasn't distinct per preclusion. Okay, questions for the applicant?

Mr. English: Why wouldn't… I mean, if it's the 2 feet, is it going to mess you up that much?

Mr. Payne: It has an impact on the development.

Mr. English: How much of an impact? I would think you'd want a safety for the safety reasons of it.

Mr. Payne: Well, wait a minute. I understand that; don't suggest that we don't… we're not…

Mr. English: I didn't say that.

Mr. Payne: You're not suggesting we're not following safety rules here. I mean, we're following the code, we're following the ordinance. The ordinance says 9-foot setback, I mean, in cluster subdivisions. Shelton Knolls was approved that way. If there's been some evidence in the County where that setback has led to multiple fires when one house catches on fire, we'd love to look at it.

Mr. English: I have seen that personally in Hampton Oaks. One house catches on fire and there was two on both sides catch fire and they were that close together. So I personally have seen it so I know it can happen.

Mr. Payne: I don't know. What was the distance? What was the setback?

Mr. English: Two feet probably (inaudible).

Mr. Boswell: That's what I'm saying; I don't think it's going to make that much difference though. I mean, we're talking two feet. I think if it's going to catch 2 or 3, 2 foot's not going to stop it.

Mr. Rhodes: So we have really just one item here.

Mr. Gibbons: (Inaudible - microphone not on).

Mr. Rhodes: I'm there!

Mrs. Bailey: I guess I'm not really clear on the impact of that or whether or not there is an impact and would have to defer to Mr. Harvey and give me a little bit further explanation.

Mr. Rhodes: I think, just for content, we haven't required this any other instance, is that correct? I'm not (inaudible) on the staff recommendations.

Mr. Harvey: Mr. Chairman, it's been requested in most cases we've seen prior to this as they have been focused on a rezoning accompanying a development proposal. In that case, the rezoning is a little different where the applicant has to voluntarily offer the…

Mr. Rhodes: And this is our opportunity to require.

Mr. Harvey: And in this case as a conditional use permit, the County is imposing it as a condition.

Mr. Rhodes: We've never gotten one to offer.

Mr. Harvey: In the past, the other applicants have not committed to this. They've committed to making fire sprinklers an option rather than a requirement.

Mrs. Bailey: Okay. Well, in consideration of that, I mean, I'd like to give the applicant the opportunity to make that consideration. This, to me, is an issue that affects the fire and safety. And if the County feels that strongly about it then I would agree with them. So I don't know if the applicant would…

Mr. Rhodes: Are you asking the applicant to agree to make it available as an option for purchase?

Mr. Payne: We're open to make it as a (inaudible) option.

Mr. Rhodes: Or continuing it as a…

Mr. Payne: Have sprinklers in the house as an option.

Mrs. Bailey: Continuing as a condition, yeah.

Mr. Rhodes: Just a condition for all of them, okay.

Mr. Payne: I'm sorry, as a continuing condition for all of the units for sprinklers being offered as an option?

Mrs. Bailey: Right.

Mr. Payne: Yeah, we can do that… as an option.

Mrs. Bailey: Oh, no, no, no… as a requirement.

Mr. Payne: Now you're asking for sprinklers in each one of the homes as a requirement? That's different than the condition. The condition said setback; it's a setback question.

Mrs. Bailey: Right.

Mr. Payne: Now we're asking for sprinklers in all the homes?

Mrs. Bailey: No, we're talking about the setbacks.

Mr. Payne: Okay, okay. I just wanted to make sure…

Mrs. Bailey: Not the sprinklers in each home.

Mr. Payne: Do you want to explain the rationale behind the concern?

Mr. Aylor: I'm Steve Aylor, I'm with Miller and Smith. I mean, the reason everybody asks for this to be an option is because the fire sprinklers really comes down to a cost issue. And homeowners… it costs $6,000 a house approximately and homebuyers, they don't really care to have it. They won't pay for it. And if somebody is interested in paying for it, then we offer it as an option. But the mass majority of homeowners don't want to pay for a fire sprinkler system; they don't care about having one. So, it's something that a builder can't get paid for. Like any other option, it just is an additional cost that's not able to be recouped in your build costs. So that's just the reality of it. And I guess, you know, our feeling is that 2 additional feet between houses isn't going to make any difference in fire safety. So, that's just really the situation.

Mr. Rhodes: And what's the impact on the development of 2 feet further setback?

Mr. Gibbons: (Inaudible - microphone not on).

Mr. Aylor: No, it just reduces the width of the home. So you just have 2 feet… the houses will be 2 feet narrower in this case. So, the option would be to build the houses 2 feet narrower which is not appealable to buyers, it's a negative to buyers for these houses compared to adding $6,000 cost to the house. So, I mean, that's just the reality, that's the situation.

Mr. Apicella: What's the size of these homes? Or the footprint?

Mr. Aylor: Um, they're 52 feet wide… 54 feet wide and I think the footprint is approximately 50 feet deep. But that includes options for bump-outs and all that. The width is… you know, that's what gives the streetscape and the mass feel of the house from the street. So the more narrow house doesn't have the same curb appeal.

Mr. Boswell: I really don't think that a fully involved house fire that 2 feet's going to help. I really don't see it.

Mr. English: There's a reason there for it.

Mr. Harvey: Mr. Chairman, may I read just for clarification what the current draft condition says?

Mr. Rhodes: It says either put sprinklers or make them 10 feet on each, right?

Mr. Harvey: It says that sprinklers shall be provided or each side yard shall be 10 feet.

Mr. Rhodes: Ten feet, yep.

Mr. Payne: Mr. Chairman, just consulting with my client, we're agreeable to the 10-foot setback…

Mr. Rhodes: Okay.

Mrs. Bailey: Okay.

Mr. Payne: … in lieu of the sprinklers.

Mr. Rhodes: So, with the condition being in there you can just choose the 10-foot setback and it can go. Okay. So, we don't have an issue on the condition.

Mrs. Bailey: Okay, great!

Mr. Gibbons: I think it's amazing that you can drive up a street and tell the difference of 2 feet width of a house.

Mr. Rhodes: Okay, so with that…

Mr. Gibbons: I'll second the young lady's motion.

Mr. Rhodes: Mrs. Bailey?

Mrs. Bailey: So, we'll need to make the changes accordingly?

Mr. Rhodes: Actually, I think all the conditions are set as agreed to?

Mr. Harvey: Mr. Chairman, we would recommend the Commission consider the conditions as were distributed tonight.

Mr. Rhodes: Right. So, we have to vote to accept those if it's not a public hearing?

Ms. McClendon: No, Mr. Chairman, these are conditions imposed.

Mr. Rhodes: Because these are conditions and these are ours, right. Got it, okay. Very good. So we can entertain a motion on any direction you'd like to go on to this Mrs. Bailey.

Mrs. Bailey: Alrighty, I'd like to…

Mr. Rhodes: Using the conditions that were distributed tonight.

Mrs. Bailey: I'd like to make a motion using the provisions that were given tonight to approve CUP14150252.

Mr. Rhodes: So, a motion to recommend approval using the conditions as distributed tonight. Seconded by Mr. Gibbons. Any further Mrs. Bailey?

Mrs. Bailey: No further comment.

Mr. Rhodes: Further comment Mr. Gibbons?

Mr. Gibbons: No sir.

Mr. Rhodes: Any other member? All those… yes please.

Mr. Apicella: Mr. Chairman, I appreciate all the changes that the applicant made. I think there's some good in this project. Nonetheless, we have a cluster ordinance in place that's supposed to promote open space and, in particular in my view, contiguous open space. We did not achieve that here. We have 3 or 4 separate pockets of open space. There's a trade-off and that's why we provide a bonus density. I don't think that's been achieved here. And I've said this before on other projects and I'm going to keep being consistent. When we don't get contiguous open space, I'm not going to support these kind of proposals. So, there you go.

Mr. Rhodes: Any further comment? Mr. Coen.

Mr. Coen: Yes, I too, like Mr. Apicella, have a concern about the cluster aspect. It sort of defeats the whole purpose of the ordinance to sit there and have piecemeal it and add it together. I also have a concern with the concept of a cluster development where we're knocking down 32 acres of trees; it's sort of counter-intuitive. I also have a problem and I raised all these last week, but they weren't worthy of being addressed. I have a concern about the bypass and staff did a phenomenal job with the material they provided us and, I said this with the other big project, if there's going to be a bypass the idea is that people will traverse smoothly. And if I heard you correctly, the recommendation is for if it's not going to be a 4-lane road, then we'll have a 3-lane road with turn lanes. And this is a 2-lane road with the openings. And I offered last time the suggestion that you don't have the cut-out to the bypass which would allow you to have contiguous open space which would meet Mr. Apicella's concern. I raised the issue that this isn't on the Comp Plan, it's not on the plans for a decade or so, so people are going to go in and out of Dent Road for a decade or more, I don't really understand why we need to have the bump-outs onto the bypass. And so I, like Mr. Apicella, I went into this reading this, seeing wow, it's going to feed into schools that are under capacity, unlike the one we had. It's going to feed… it's already on a major road which is excellent. And I really went into this thinking that there was a lot to go here and then as the presentation went last month, it just… there were more issues that were raised that just make me shift to say that I have to vote against it.

Mr. Rhodes: Okay, any other comments? All those in favor of the motion to recommend approval of CUP14150252, the Conditional Use Permit for Courthouse Manor, utilizing the conditions as were distributed tonight signify by saying aye.

Mrs. Bailey: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed?

Mr. Apicella: Nay.

Mr. Coen: Nay.

Mr. English: Nay.

Mr. Rhodes: Okay, so I think 1, 2, 3 nays, correct? Okay, 1, 2, 3, 4 ayes. Good; 4 to 3, passes 4 to 3. It'll go forward to the Board. Thank you all very much; appreciate your efforts to address the discussion and have the dialogue with us.

STAFFORD COUNTY
Department of Planning and Zoning

Project Information & Primary Contacts

PROJECT INFORMATION

PROJECT # 14150252

Courthouse Manor
PROJECT NAME

SECTION

ADDRESS (IF AVAILABLE)

33.445
TOTAL SITE ACREAGE

30-136 & 30-78
TAX MAP /PARCEL(S)

R-1
ZONING DISTRICT

North of the Courthouse Road and Dent Road intersection and south of Hope Road
LOCATION OF PROJECT

APPLICANT/AGENT (Provide attachment if Applicant and Agent differ)

Primary Contact Person ☒

Charles W. Payne, Jr.		Hirschler Fleischer	
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PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS	

OWNER (Provide attachments if multiple owners)

CLARENCE A. BOWLING (30-136)

Primary Contact Person ☑

BOWLING FAMILY LLC

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PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS	

PROFESSIONAL (Engineer, Surveyor, etc.)

Primary Contact Person ☐

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PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS	

STAFFORD COUNTY
Department of Planning and Zoning

Project Information & Primary Contacts

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Courthouse Manor
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PHONE NUMBER

FAX NUMBER

EMAIL ADDRESS

STAFFORD COUNTY
Department of Planning and Zoning

Project Information & Primary Contacts

PROJECT INFORMATION

PROJECT # _____

Courthouse Manor
PROJECT NAME

SECTION
33.445

ADDRESS (IF AVAILABLE)

TOTAL SITE ACREAGE
R-1

30-136 & 30-78
TAX MAP /PARCEL(S)

ZONING DISTRICT

North of the Courthouse Road and Dent Road intersection and south of Hope Road
LOCATION OF PROJECT

APPLICANT/AGENT (Provide attachment if Applicant and Agent differ)

Primary Contact Person ☒

Charles W. Payne, Jr.
NAME

Hirschler Fleischer
COMPANY

725 Jackson Street, Suite 200 | Fredericksburg | VA | 22401
ADDRESS | CITY | STATE | ZIP

540-604-2100
PHONE NUMBER

FAX NUMBER

cpayne@hf-law.com
EMAIL ADDRESS

OWNER (Provide attachments if multiple owners)

Primary Contact Person ☐

Ronnie Bowling (30-136)
NAME

COMPANY

1972 COURTHOUSE ROAD | Stafford | VA | 22554
ADDRESS | CITY | STATE | ZIP

PHONE NUMBER

FAX NUMBER

EMAIL ADDRESS

PROFESSIONAL (Engineer, Surveyor, etc.)

Primary Contact Person ☐

Bowman Consulting
NAME

COMPANY

650-A Nelms Circle | Fredericksburg | VA | 22406
ADDRESS | CITY | STATE | ZIP

540- 371-0268
PHONE NUMBER

FAX NUMBER

EMAIL ADDRESS

STAFFORD COUNTY
Department of Planning and Zoning

Project Information & Primary Contacts

PROJECT INFORMATION

PROJECT # _____

Courthouse Manor
PROJECT NAME

SECTION

ADDRESS (IF AVAILABLE)

33.445
TOTAL SITE ACREAGE

30-136 & 30-78
TAX MAP /PARCEL(S)

R-1
ZONING DISTRICT

North of the Courthouse Road and Dent Road intersection and south of Hope Road
LOCATION OF PROJECT

APPLICANT/AGENT (Provide attachment if Applicant and Agent differ)

Primary Contact Person ☐

Miller and Smith at Stafford, LLC c/o Steve Aylor
NAME

Miller and Smith at Stafford, LLC
COMPANY

8401 Greensboro Drive Suite 450 | McLean | VA | 22102
ADDRESS | CITY | STATE | ZIP

703-821-5000
PHONE NUMBER

FAX NUMBER

saylor@millerandsmith.com
EMAIL ADDRESS

OWNER (Provide attachments if multiple owners)

Primary Contact Person ☐

The Presbytery of the James, Inc. (30-38)
NAME

COMPANY

3218 Chamberlayne Avenue | Richmond | VA | 23227
ADDRESS | CITY | STATE | ZIP

PHONE NUMBER

FAX NUMBER

EMAIL ADDRESS

PROFESSIONAL (Engineer, Surveyor, etc.)

Primary Contact Person ☐

NAME

OMPANY

ADDRESS

CITY

STATE

ZIP

PHONE NUMBER

FAX NUMBER

EMAIL ADDRESS

STAFFORD COUNTY
Department of Planning and Zoning

Statements of Understanding

I, as owner/co-owner of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a conditional use permit as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

Clarence A. Bowling
Signature of Owner/Co Owner

BOWLING FAMILY, LLC
BY:
CLARENCE A. BOWLING
Printed Name Date

Ronnie I. Bowling
Signature of Owner/Co Owner

RONNIE I. BOWLING
Printed Name Date

Karen B Barth
Signature of Owner/Co Owner

KAREN B. BARTH
Printed Name Date

I, as applicant or agent for the owner(s) of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a conditional use permit as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

Signature of Applicant/Agent

Steven B. Aylor 6/25/14
Printed Name Date

* Additional sheets may be used, if necessary.

STAFFORD COUNTY
Department of Planning and Zoning

Statements of Understanding

I, as owner/co-owner of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a conditional use permit as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

H Carson Rhyne Secretary — Signature of Owner/Co Owner
H Carson Rhyne, Jr. — Printed Name
6-24-14 — Date

_____ — Signature of Owner/Co Owner
_____ — Printed Name
_____ — Date

_____ — Signature of Owner/Co Owner
_____ — Printed Name
_____ — Date

I, as applicant or agent for the owner(s) of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a conditional use permit as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

_____ — Signature of Applicant/Agent
Steven B. Aylor — Printed Name
6/25/14 — Date

* Additional sheets may be used, if necessary.

STAFFORD COUNTY
Department of Planning and Zoning

General Information

Clearly indicate all information that applies to this project:

DETAILED DESCRIPTION OF PROJECT

Conditional Use Permit to develop a cluster subdivision on the property presently zoned Suburban Residential R-1.

INFORMATION FOR FEE CALCULATIONS

33.445 # of Acres

Type of Conditional Use Permit:

☒ Standard Conditional Use Permit (including amendments)

☐ Minor Conditional Use Permit Amendment

* See Background Information on page 3 to determine if the request qualifies as a minor amendment.

INFORMATIONAL

Previous Resolution # _____

Zoning District Aquia

Proposed Use(s) _____
Cluster subdivision

STAFFORD COUNTY
Department of Planning and Zoning

List of Adjoining Property Owners

The applicant is required to provide a list of the owners as shown on the current real estate tax assessment books of all abutting properties and properties immediately across the street or road from the property to be rezoned or issued a Conditional Use Permit. If the application requests a rezoning of only a portion of the parcel or a Conditional Use Permit on only a portion of the parcel, the entire parcel must be the basis for the below listing.

Provide additional pages if needed.

30-135C	David and Jennifer Star		
TAX MAP / PARCEL	NAME		
106 Hope Road			
MAILING ADDRESS			
Stafford	VA	22554	
CITY	STATE	ZIP	

30-135F	Lloyd Carter		
TAX MAP / PARCEL	NAME		
8 Roles Lane			
MAILING ADDRESS			
Stafford	VA	22554	
CITY	STATE	ZIP	

30-135G	Kevin Decker		
TAX MAP / PARCEL	NAME		
14 Roles Lane			
MAILING ADDRESS			
Stafford	VA	22554	
CITY	STATE	ZIP	

STAFFORD COUNTY
Department of Planning and Zoning

30N-14	John Mark Cowdin	
TAX MAP / PARCEL	NAME	
19 Little Rocky Run Lane		
MAILING ADDRESS		
Stafford	VA	22554
CITY	STATE	ZIP

30N-13	Michael and Sung Grant	
TAX MAP / PARCEL	NAME	
17 Little Rocky Run Lane		
MAILING ADDRESS		
Stafford	VA	22554
CITY	STATE	ZIP

30N-12	Kevin and Beverley Graves	
TAX MAP / PARCEL	NAME	
15 Little Rocky Run Lane		
MAILING ADDRESS		
Stafford	VA	22554
CITY	STATE	ZIP

30N-11	Paul and Kelly Damchik	
TAX MAP / PARCEL	NAME	
13 Little Rocky Run Lane		
MAILING ADDRESS		
Stafford	VA	22554
CITY	STATE	ZIP

STAFFORD COUNTY
Department of Planning and Zoning

TAX MAP / PARCEL	NAME
MAILING ADDRESS	
CITY	STATE ZIP

30-135B	Charles Hansen
TAX MAP / PARCEL	NAME
45 Dent Road	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

30-135A	John Thomas and Myrna Donnelly
TAX MAP / PARCEL	NAME
43 Dent Road	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

30-136A	Alan Johnson Jr.
TAX MAP / PARCEL	NAME
29 Dent Road	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

STAFFORD COUNTY
Department of Planning and Zoning

30-76	Corporation of the Presiding Bishop of the Church of Latter Day S
TAX MAP / PARCEL	NAME
50 East North Temple Floor 22	
MAILING ADDRESS	
Salt Lake City	UT 84150
CITY	STATE ZIP

30-80	Stafford County School Board
TAX MAP / PARCEL	NAME
31 Stafford Avenue	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

30-79A	Gifford Wayne and Lind Tremblay
TAX MAP / PARCEL	NAME
76 Hope Road	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

30-79	Gifford Wayne and Lind Tremblay
TAX MAP / PARCEL	NAME
76 Hope Road	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

STAFFORD COUNTY
Department of Planning and Zoning

30-79B	Gifford Wayne and Lind Tremblay
TAX MAP / PARCEL	NAME
76 Hope Road	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

30-72	Peter and Elizabeth Nowak
TAX MAP / PARCEL	NAME
1372 Courthouse Road	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

30-73	Melody Buckley and Bonnie Hunter
TAX MAP / PARCEL	NAME
8889 McNair Drive	
MAILING ADDRESS	
Alexandria	VA 22309
CITY	STATE ZIP

30-75	Robert and Kimberly Roles
TAX MAP / PARCEL	NAME
1441 Courthouse Road	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

STAFFORD COUNTY
Department of Planning and Zoning

30-137B	Kenneth Szymanski
TAX MAP / PARCEL	NAME
3 Artillery Drive	
MAILING ADDRESS	
Fredericksburg	VA 22406
CITY	STATE ZIP

30-119B	Keith and Joyce Atkins trustees of Leland & Joyce Atkins Trust
TAX MAP / PARCEL	NAME
14 Somerset Lane	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

30-119E	Mark Anthony and Karen McRae
TAX MAP / PARCEL	NAME
20 Somerset Lane	
MAILING ADDRESS	
Stafford	VA 22554
CITY	STATE ZIP

30JJ-1A-E	Somerset Landing HOA
TAX MAP / PARCEL	NAME
PO Box 523	
MAILING ADDRESS	
Garrisonville	VA 22463
CITY	STATE ZIP

STAFFORD COUNTY
Department of Planning and Zoning

Application Affidavit

This form to be filed with:

STAFFORD COUNTY
BOARD OF SUPERVISORS

1300 COURTHOUSE ROAD
STAFFORD, VIRGINIA 22555

Internal Use Only
Project Name: _____
A/P #: _____
Date: _____

All applicants for a special exception, a special use permit, conditional use permit, amendment to the zoning ordinance or variance shall make complete disclosure of the equitable ownership of the real estate involved in the application, including in the case of corporate ownership, limited liability company ownership or similar business ownership, the name of stockholders, officers, managing partners, general partners, owners and members, and in any case the names and addresses of all of the real parties in interest. The requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the event the ownership of the involved real estate changes in any respect during the time the application is pending, the applicant shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein. If the applicant is a contract purchaser, the ownership information required herein shall be provided for the contract purchaser in addition to the owner of the real estate involved in the application. This section applies to applications before the board of supervisors, planning commission and board of zoning appeals.

See Section 15.2-2289 for State Enabling Authority

1. Applicant information

Name of Applicant Miller and Smith at Stafford, LLC c/o Steve Aylor
Name of Company Miller and Smith at Stafford, LLC

Applicant Address 8401 Greensboro Drive Suite 450
McLean, VA 22102

Applicant's Signature _____

Name of Agent Charles W. Payne, Jr.

Address of Agent 725 Jackson Street, Suite 200, Fredericksburg, VA 22401

2. Type of Application

☒ **Conditional Use Permit** ☐ **Variance**

☐ **Rezoning** ☐ **Special Exception**

STAFFORD COUNTY
Department of Planning and Zoning

Project Name: _____
A/P #: _____
Date: _____

Application Affidavit
Page 2
Applicant: Miller and Smith at Stafford, LLC

3. Property Information

Assessors Parcel(s) 30-136 & 30-78

Address None;
1369 Courthouse Road

4. Unless the equitable ownership is a corporation, limited liability company or similar business ownership, list all equitable owners of the property.

Name of owners	Address

5. If the equitable ownership of the property is a corporation, limited liability company or similar business ownership, list all officers, managing partners, general partners, share holders, owners and members. This provision shall not apply if the corporation is listed on a national or local stock exchange and has more than 500 share holders.

Name of Members	Address
The Presbytery of the James, Inc. (30-78)	3218 Chamberlayne Ave, Richmond VA 23227
RONNIE I. BOWLING	1972 COURTHOUSE RD., STAFFORD, VA. 22554 (30-136)
Bowling Family L.L.C. (30-136)	1950 Courthouse Road, Stafford 22554
KAREN B. BARTH	59 BETTS RD., STAFFORD, VA. 22554 (30-136)

6. Unless the applicant is a contract purchaser and is a corporation, limited liability company or similar business ownership, list all individuals involved with the purchase of the property.

Name of Members	Address

STAFFORD COUNTY
Department of Planning and Zoning

Application Affidavit
Page 3
Applicant: Miller and Smith at Stafford, LLC

Project Name: _____
A/P #: _____
Date: _____

7. If the applicant is a contract purchaser and is a corporation, limited liability company or similar business ownership, list all officers, managing partners, general partners, share holders, owners and members. This provision shall not apply if the corporation is listed on a national or local stock exchange and has more than 500 share holders

Name of Members	
Gordon V. Smith	8401 Greensboro Drive Suite 450
Douglas V. Smith	same
T. Dale Hall	same
Alvin D. Hall	same
Spencer R. Stouffer	same (see attached for additional members)

8. Have all individuals listed on this affidavit been notified of the purpose of the application?

☒ Yes ☐ No

9. If #8 is No, list all individuals who have not been notified about this application plus submit the cost required for the Department of Planning and Zoning or Code Administration to send certified letters notifying those listed below of this application prior to the public hearing.

Name	Address, including zip code, no P.O. Box please

Number of owners to be notified: 0 X
Cost for certified letters $ 0 (cost as of the day of submittal)
Total due: $0 (Make checks payable to County of Stafford)

Please submit a check in the amount due with this application to cover the cost of serving the individuals listed in this section.

Miller and Smith at Stafford, LLC Additional Members:
Richard J. North
Bruce G. Smith
Cynthia J. Skarbek
Steven B. Aylor
James C. Oates

Bowling Family, LLC Members:
Clarence A. Bowling (Managing Member)
Charles A. Bowling
Scott D. Bowling
Dallas C. Bowling
Joseph B. Estes

The Presbytery of the James, Inc. Trustees:
Linda Hague Poates
John D. Storey
Allen H. Fisher, Jr.
Wilfred Brownfield
David Ross
Ronald K. Bullis
Elizabeth McGuire
Steven Hicks
Jack Corley

STAFFORD COUNTY
Department of Planning and Zoning

Project Name: _____
A/P #: _____
Date: _____

Application Affidavit
Page 4
Applicant: Miller and Smith at Stafford, LLC

10. Affirmation & Witness

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief. In the event the ownership of the involved real estate changes during the time the application is pending, I shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein.

Printed name of Signer Steven B. Aylor

Corporate Office of Signer Member

Signature _____

Date 6/25/14

COMMONWEALTH OF VIRGINIA
COUNTY OF STAFFORD, to wit:

The forgoing affidavit was acknowledged before me this 25th day of June, 2014 by Steven B. Aylor owner/applicant.

My commission expires: December 31, 2014

_____
Notary Public

ADIA L. LIPSCOMB
Notary Public - Reg. # 7362663
Commonwealth of Virginia
My Commission Expires Dec. 31, 2014

4883-02-001
Bowling Property
(Stafford Co.)

STAFFORD COUNTY
Department of Planning and Zoning

CONDITIONAL USE PERMIT
TRANSPORTATION IMPACT
ANALYSIS DETERMINATION

RECEIVED BUT NOT OFFICIALLY SUBMITTED
DATE:_____ INITIALS____

OFFICIALLY SUBMITTED

DATE:_____ INITIALS_____

Name of development _____
Type of development_____
Parcel #_____ Calcs by: JDR 5/29/14

Traffic Volume Calculations

Based on 75 dwelling units = max. allowable

This site generates:

81 VPH (insert the highest VPH)
806 VPD on state controlled highways (insert highest volume). 2 combined to Courthouse Rd + Dent Rd.
62 Peak AM (VPH)
81 Peak PM (VPH)
76 Peak Saturday (VPH)
806 VPD highest intensity* (weekday)

Attach a page showing the calculations and the ITE trip generation codes to this form.

Minimum Thresholds to submit a TIA

Any proposal that generates 150 or more vehicle trips per day above the existing use, and the site meets the VDOT requirements for TIAs under 24 VAC 30-155 or Stafford County Rezoning TIA requirements. See "VDOT Traffic Impact Analysis Requirements" table on next page.

Trip Generation Calculation Guidelines

- Traffic volumes shall be based on the rates or equations published in the latest edition of the Institute of Transportation Engineers Trip Generation.
- If a site has multiple entrances to highways, volumes on all entrances shall be combined for the purposes of this determination.
- If the site does not have direct access to a state maintained road, the site's connection is where the site connects to the state highway system.
- Traffic volumes shall NOT be reduced through internal capture rates, pass by rates, or any other reduction methods.
- For redevelopment sites only: when the existing use is to be developed at a higher intensity, trips currently generated by the existing development that will be removed may be deducted from the total trips that will be generated by the proposed land use.
- When rezoning, use the highest possible traffic generating use unless development is limited by proffer to less than the possible highest traffic generation.

For development proposals that generate 1000 or more vehicle trips per peak hour the applicant shall request a scope of work meeting with VDOT and Stafford County Office of Transportation to discuss the required elements of a traffic impact analysis.

*The highest intensity use is the highest possible use allowable under the zoning requirements for the entire property should it be developed to its fullest extent possible under the current building guidelines. The only exception is if proffers limit the area and type of uses.

Table 1 - ITE Site Trip Generation Analysis[1]

Land Use	Size	Units	Land Use Code	Weekday AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily Trips	Saturday Peak Hour In	Saturday Peak Hour Out	Saturday Peak Hour Total	Daily Trips
Proposed Bowling Property Development														
Residential														
Single-Family Detached	75	D.U.	210	16	46	62	51	30	81	806	41	35	76	777

Notes: (1) Based on the Institute of Transportation Engineers Trip Generation, 9th Edition.

STAFFORD COUNTY, VIRGINIA

CONDITIONAL USE PERMIT APPLICATION
IMPACT STATEMENT

Applicant:	Miller and Smith at Stafford, LLC
Property Owners:	TM 30-136: Ronnie Bowling and Bowling Family, LLC TM 30-78: The Presbytery of the James, Inc.
Property:	Tax Parcels 30-136 and 30-78
Project Name:	Courthouse Manor
CUP Request:	Cluster subdivision in the R-1 District
Date:	October 10, 2014
File No.	CUP 14150252

I. APPLICATION

The property owners, as provided above (collectively the "Owners"), through the contract purchaser, Miller and Smith at Stafford, LLC, or its assigns or successors (the "Applicant"), hereby request a conditional use permit ("CUP") to develop the following property for a cluster subdivision in the Suburban Residential (R-1) land use district in accordance with the Stafford County Zoning Ordinance (the "Zoning Ordinance"), including without limitation Article III, Section 28-35 and Article XI Section 28-185:

> Tax Parcels 30-136 (of record in Instrument No. LR000003123) and 30-78 (of record in Instrument No. LR980001376) (collectively, the "Property"), consisting of approximately 33.445 acres total, and generally located north of the Courthouse Road and Dent Road intersection and south of Hope Road, within the Aquia Magisterial District, all as more particularly described on the attached "Courthouse Manor Generalized Development Plan", dated October 10, 2014, prepared by Bowman Consulting, which plan is attached hereto as Exhibit A and is incorporated as a material part of this application by this reference (the "GDP")[1].

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

The R-1 district permits cluster subdivisions by right, except for densities greater than 1.5 dwelling units per acre, which then require a conditional use permit ("CUP"). As depicted on the GDP, the Applicant's proposed density for the Property is 2.24 dwelling units per acre.

We have included with this application illustrative elevations and renderings depicting the proposed architectural design and building material features, which only include general type, character, and quality of architectural design, details, and materials, all as generally shown on Exhibit B attached hereto and made a part hereof by this reference (the "Renderings").

This application provides the following key development features:

(1) No more than 75 single-family detached units
(2) Average lot size of 0.2047 acres
(3) Density of 2.24 dwelling units per acre
(4) Open space of 10.05 acres, or 30.05% of the Property; without the Northeast Courthouse Bypass right of way dedication the open space would be 37.55% of the Property
(5) Clustering of lots to promote appropriately dense development
(6) Proffered architectural and design features as generally provided on the Renderings
(7) Dedication of a thirty foot (30') wide right of way for Hope Road
(8) Dedication of right of way along Dent Road to widen the right of way to twenty five feet (25') from the centerline
(9) Dedication of a sixty foot (60') wide right of way, together with necessary construction easements, across the Property for the future Northeast Courthouse Bypass along with partial grading and clearing of the said dedicated area
(10) Dedication of right of way along Courthouse Road to widen the right of way to fifty five feet (55') from the centerline
(11) Total right of way dedications and associated grading and roadway improvements valued at $2,389,467
(12) Construction of a pedestrian pathway or sidewalk from the site to the adjoining elementary school
(13) Project is located within Stafford County's (the "County") Urban Service Area, and will connect to public water and sewer
(14) Project is consistent with the County's Comprehensive Plan (the "Comp Plan"), as described below.

II. OVERVIEW

As noted above, the Property is zoned R-1. Section 28-34 of the County's Zoning Ordinance states the following concerning the R-1 district:

> The purpose of the R-1 district is to provide areas which are in close proximity to existing or future development of equivalent or higher densities, and which are

> intended for low density residential development where public water and sewerage facilities are available. Development in the R-1 district is intended to be characterized by single-family dwellings.

Pursuant to Article III, Section 28-35 of the Zoning Ordinance, a CUP is required in order to develop a cluster subdivision in the R-1 district if the applicant requests a density of dwelling units greater than 1.5 per acre. The Zoning Ordinance defines "cluster" as "[a] subdivision development design technique that concentrates detached single-family dwellings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features and rural character . . ."

Cluster subdivisions in the R-1 district permit an average density of up to 2.25 dwelling units per acre, while conventional subdivisions permit an average density of up to 1.5 dwelling units per acre. The proposed development includes 2.24 dwelling units per acre, which requires a conditional use permit.

The Applicant's proposed cluster subdivision includes 75 lots located on approximately 33.445 acres. The GDP reflects 10.05 acres of open space accounting for approximately 30.05% of the Property. Please note that without the Northeast Courthouse Bypass right of way dedication, the open space percentage would be 37.55%. This exceeds the 30 percent minimum required by the R-1 district for cluster subdivisions. The open space will be used for stormwater management facilities, and recreational and natural areas.

The Property is located north of the Courthouse Road and Dent Road intersection and south of Hope Road. Adjacent and nearby properties are generally developed as similar cluster subdivisions, while some nearby properties are wooded or developed as low density residential lots. Stafford Elementary School is located immediately west of the Property, and a church is located immediately south. Existing and planned residential subdivisions in the area include Moncure Estates, Somerset Landing, and Seasons Landing. The Applicant's proposal will be compatible with existing and planned uses in the area. Additionally, the Applicant's proposal will further enhance the local housing stock while maintaining the rural character of the area through inclusion of appropriate buffering and open space.

As described below, the Applicant's proposal conforms to the policies established by the Comp Plan. Adjacent properties will experience minimal impacts as this is a similar and compatible proposes use. Furthermore, the proposal will result in minimal impacts on public facilities and services, and will result in a net economic benefit for the County.

III. COMPREHENSIVE PLAN

Future Land Use Map

The Comp Plan's Future Land Use Map classifies Parcel 30-78 as part of the Courthouse Urban Development Area (the "CUDA"), while Parcel 30-136 is designated Suburban Residential. The Property in its entirety is also part of the Courthouse Redevelopment Area (the "CRA").

In general, the Urban Development Areas (the "UDAs") are intended to encourage mixed use development, TND concepts, a compact built environment, and public amenities including open space and pedestrian facilities. For residential development, the recommended minimum densities for single family subdivisions, townhouse developments, and multifamily developments are 4, 6, and 12 dwelling units per acre, respectively. These figures also serve as density maximums.

The CUDA calls for approximately 1,386 dwelling units and 2,727,310 square feet of retail and office space for the entire CUDA. The CRA calls for 1,446 dwelling units and 1,327,310 square feet of commercial development for the entire CRA. The overall density of the CRA is planned for 0.76 dwelling units per acre, while the planned density for the CUDA is the same as provided above for other UDAs. Both the CUDA and the CRA encourage developments to include recreational facilities and dedicated open space.

The Suburban Residential designation encourages low density residential development, as well as limited commercial development. Development is expected to occur on quarter to half acre lots, with densities of up to three dwelling units per acre. Townhouses and multifamily development are generally discouraged. Additionally, the Suburban Residential designation promotes preservation of sensitive environmental features and open space through use of innovative development techniques such as clustering and planned unit developments. The Plan encourages preservation of 25 to 50 percent of land for a combination of natural and usable open space.

Given the Property's location in multiple Future Land Use designations, the Comp Plan's policies should be blended when interpreting whether the Comp Plan supports the Applicant's proposal. The CUDA and the CRA call for moderately dense residential development, while the Suburban Residential calls for lower density residential development. If the policies of the CUDA and Suburban Residential designation are blended, and if the CRA's density policies are considered, the Client's proposed density of 2.24 dwelling units per acre is supported by the Comp Plan when all of the applicable density policies are taken as a whole. Furthermore, the Applicant's proposal meets the Comp Plan's open space policies. The Applicant's proposed density also provides for the maximum number of lots possible without exceeding the R-1 district's maximum density for cluster subdivisions of 2.25, which provides further reason for applying a lower density than provided in the CUDA. When the Comp Plan's policies are interpreted as a whole, the Comp Plan supports the Applicant's proposed development.

Urban Service Area

The Comp Plan includes the Property in the "Urban Service Area". This designation attempts to funnel new development in the County to the land around I-95 and other major transportation corridors in order to take advantage of existing public utilities in the area. The Urban Service Area supports any new development which is compatible with the Property's Future Land Use Map designation.

The Property's location in the Urban Service Area supports the project's utilization of existing public utilities. Based on nearby development patterns, water and sewer lines appear to be

located adjacent to the Property in the Courthouse Road, Dent Road, and Hope Road rights of way.

Transportation

The Property is located north of the Courthouse Road and Dent Road intersection and south of Hope Road. Courthouse Road and Hope Road are urban collector roads, while Dent Road is a local road. The Comp Plan's Anticipated Transportation Needs Map designates this segment of Hope Road for future two lane upgrades and this segment of Courthouse Road for future four lane upgrades, but does not specify the type of upgrades. As depicted on the GDP, the Applicant will dedicate right of way for Hope Road, Courthouse Road, and Dent Road to accommodate future road improvements.

In addition, the Comp Plan's Proposed Transportation Improvements Map calls for construction of a "Northeast Courthouse Bypass", which extends through Parcel 30-136. The Applicant's planned transportation improvements and dedications will advance the Comp Plan's policies, as discussed below in Section V. This dedication will provide 71.5% of the necessary right of way length for the Northeast Courthouse Bypass, as depicted on the Transportations Improvements Map, and the Applicant will further clear and partially grade said dedicated area. Top soil will be removed within the dedicated area to assist in the future final grading of the Northeast Courthouse Bypass, and no unsuitable soils will be placed in the dedicated area. This is a positive opportunity for the County to ensure future and improved mobility in the Courthouse area.

IV. CONDITIONAL USE PERMIT STANDARDS

Section 28-185(d) of the County's Zoning Ordinance requires conditional use permit applications to meet the following standards:

1. *The use shall not tend to change the character and established pattern of development in the vicinity of the proposed use* – The Property is mostly wooded. Properties in the area are either wooded or developed for single family dwellings in subdivisions of varying densities. Other nearby uses include Stafford Elementary School, a church, and commercial uses along Courthouse Road. Several cluster subdivisions are located nearby. Since most nearby properties are developed for single family subdivisions, the Client's proposal will not change the character and established pattern of development in the area and will provide adequate buffering to neighboring properties, as shown on the GDP.

2. *The use shall be in harmony with the uses permitted by right under a zoning permit in the land use district and shall not adversely affect the use of adjacent properties* – The permitted uses in the R-1 district generally relate to relatively low density residential development. A cluster subdivision is in harmony with by-right uses in the R-1 district because it is simply a denser version of permitted development. Surrounding developments consist of comparable density, and most surrounding property is also zoned R-1, which means the proposal will not adversely affect the use of adjacent properties.

3. *The location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof* – The Applicant's proposal will not hinder or discourage the appropriate development of adjacent land. As depicted on the GDP, the Applicant will provide appropriate buffering, screening, and open space around the Property's perimeter to ensure impacts on adjacent properties are minimized. Additionally, the proposed cluster subdivision will not detrimentally impact property values, and may result in an increase in nearby residential property values if the sale of new residences in the development results in favorable comparable sales.

4. *The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use* – Since the proposed development is compatible with surrounding development as described above, the proposed cluster subdivision will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use.

5. *The use shall not be detrimental to the public welfare or injurious to property or improvements in the neighborhood* – Since the proposed development is compatible with surrounding development as described above, the proposed cluster subdivision will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

6. *The use shall be in accord with the purposes and intent of this chapter and the comprehensive plan of the county* – See Comprehensive Plan analysis in Section III above.

V. TRAFFIC AND TRANSPORTATION IMPACTS

The Property is located north of the Courthouse Road and Dent Road intersection and south of Hope Road. Internal subdivision roads constructed by the Applicant will have curb cuts on Courthouse Road and Dent Road, while the future Northeast Courthouse Bypass will have curb cuts on Dent Road and Hope Road. The internal subdivision road accessing Courthouse Road will have a right in, right out curb cut, and the internal subdivision road accessing Dent Road will have a full access curb cut.

As shown on the GDP, the Applicant will dedicate a thirty foot (30') wide right of way along Hope Road. Additionally, the Applicant will dedicate right of way to widen the Dent Road and Courthouse Road rights of way to twenty five feet (25') and fifty five feet (55'), respectively, from the applicable centerlines, which will provide the necessary right of way for planned future road improvements adjacent to the Property. Further, the Applicant will dedicate a sixty foot (60') wide right of way, together with necessary construction easements, for the proposed Northeast Courthouse Bypass in the location called for in the Comp Plan, and the Applicant will further clear and partially grade said dedicated area. Top soil will be removed within the dedicated area to assist in the future final grading of the Northeast Courthouse Bypass, and no unsuitable soils will be placed in the dedicated area. Additionally, a Northeast Courthouse Bypass disclosure will be included in the homeowners association documents.

The Applicant will dedicate a total of 3.17 acres of external right of way at a value of $397,612. The Applicant will also clear the Northeast Courthouse Bypass right of way area at a cost of approximately $19,500.00 and partially grade for the same at a cost of approximately $120,100.

In addition, there will be approximately 4.87 acres of internal roads at a total value of $610,843. Additionally, the Applicant will construct internal subdivision roads and sidewalks, to be maintained by VDOT, at a total value of $1,241,412.

Projected traffic generated by the proposed development does not trigger the requirement for a traffic impact analysis. Potential traffic impacts will be mitigated through the dedications and improvements described above.

VI. PUBLIC UTILITIES, FACILTIIES AND SERVICES

As noted above, the Property is located within the County's Urban Service Area and has access to public water and sewer. The proposed project will have minimal impact on utility demands. Existing water and sewer lines are located in adjacent right of ways. These utility lines and applicable water and sewer treatment facilities appear to have available capacity, or the reasonable ability to be upgraded to provide adequate capacity.

The Property is located in the Aquia and Central water pressure zones. There is an existing 12" water line in the Courthouse Road right of way, as well as existing 8" water lines in both the Hope Road and Dent Road rights of way. Onsite water lines will generally be constructed along the proposed roads within the development creating loops and networks throughout the Property. The anticipated daily demand for water is as follows: 75 lots x 240 gpd/lot = 18,000 gpd

The Property is located in the Austin Run sewer service area. There is an existing 8" sewer line in the Courthouse Road right of way and on the adjacent school property. An agreement has been reached between the Applicant and the school board for an easement to connect to the sewer line located on the school property. Onsite sewer lines will generally be constructed along the proposed roads within the development creating loops and networks throughout the Property. The anticipated daily demand for sewer is as follows: 75 lots x 300 gpd/lot = 22,500 gpd

The Applicant's proposed use will have minimal impacts on schools, recreational facilities, police and emergency services, or other public services and facilities. By-right, the Applicant could develop fifty (50) single family detached units. With the cluster, the Applicant is gaining twenty-five (25) additional units, but is also providing 30.05% of the entire Property as open space, and dedicating necessary right of way (plus clearing and partial grading), at a cost to the Applicant of approximately $537,212 excluding internal roads, and a total cost of $2,389,467 including dedication and construction of internal roads. The twenty-five (25) additional units will produce anywhere from 16.5 (using county wide average of 0.66 pupils per unit for SFD) to 32.5 (using most recent county new development average of 1.3 pupils per unit) total pupils. We understand that there is adequate school facility capacity for this increase in the applicable attendance zone (Brook Point High School, Stafford Elementary and Middle Schools) of the Property.

County policies call for 20 acres of recreational facilities per 1,000 residents. Based on this policy, if each of the project's 75 homes are occupied by an average of four people, the project will generate demand for six acres of recreational facilities. Since the Applicant could develop 50 homes by-right under the current zoning, four of the recommended six acres for recreational facilities can be attributed to by-right dwelling units (which would not be required to provide associated recreational facilities under a by-right development), and two of the recommended six acres for recreational facilities can be attributed to additional density permitted by this application. As depicted on the GDP, the project will provide 10.05 acres of passive recreational facilities, which more than satisfies the County's recreational facilities policies.

Further, the average home price within this project is estimated at $450,000 to $525,000. We believe these homes will generate positive tax revenues similar to previously approved Shelton Woods and Shelton Knolls as the housing product, market and features are substantially similar.

VII. ENVIRONMENTAL IMPACTS, NOISE, DUST, AND SMOKE

No sensitive environmental features are located on the Property. Most of the Property is currently wooded. Approximately 32 acres of wooded area will be impacted by the proposed development, including impacts from development of roads and residential lots. Existing trees and vegetation will be preserved in open space as reasonably practical and buffer areas will be provided all as depicted on the GDP. Additionally, the proposed use will not generate noise, dust, or smoke. Some noise and dust may be generated during construction, but all construction activity will conform with applicable County requirements.

The proposed development will incorporate low impact development techniques as well as conventional stormwater management techniques in order to reduce the post-developed runoff from the Property to pre-developed levels in accordance with County and State requirements. As a result, the proposed development will have minimal impacts downstream of the Property. The GDP indicates that approximately 29.71% of the Property will consist of impervious surface, which is an appropriate percentage for a subdivision of this size.

EXHIBIT A

See attached "Courthouse Manor Generalized Development Plan", prepared by Bowman Consulting, dated October 10, 2014.

EXHIBIT B

See attached "Courthouse Manor Architectural Elevation Illustrative" prepared by Bowman Consulting, dated June 2, 2014.

5802624-8 039880.00001

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
87 Deacon Road
Fredericksburg, Virginia 22405

Charles A. Kilpatrick, P.E.
COMMISSIONER

June 10, 2014

Bowman Consulting Group, Ltd.
3951 Westerre Parkway, Suite 150
Richmond, VA 23233

Re: Dent Road Speed Study
Rte 707, Stafford County

Dear Mr. Riley:

As requested, the Virginia Department of Transportation reviewed a speed study for Rte 707 (Dent Road) with an unposted speed limit and found the analysis is acceptable for purposes of sight distance for a proposed street connection, a 30 mph design speed is acceptable.

The preliminary sketch prepared illustrating the actual sight distance will need to be revised when submitted with any future submittals such as the preliminary plan and the detailed construction plan. The revision will need to include the appropriate location for the eye (not left of centerline), edge of pavement and right-of-way will need to be dimensioned. A copy of the cover letter and the approval must be included with the above referenced plan reviews.

You may contact Margaret Niemann at (540) 899-4106 if additional assistance is required.

Sincerely,

David L. Beale, P.E.
Area Land Use Engineer
Fredericksburg District

Cc: Stafford County, Amy Taylor

Stafford County
Revenue Collection System

Real Estate Inquiry

Map Number: 30 78
PAGINDCBKLOT S
PIN: 19333
District: AQ

Property Description
NR C H 13.33 AC

1369 COURTHOUSE RD

Responsible Name and Addresses
THE PRESBYTERY OF THE JAMES INC
3218 CHAMBERLAYNE AVE
RICHMOND VA 23227-4807

Real Estate Descriptions and Values

Land Value	$691,500.00
Building Value	$0.00
Land Use Value	$611,900.00

Outstanding Balance Information

Total Due:	$0.00
Levy:	$0.00
Penalty:	$0.00
Interest:	$0.00
P&I Calculated as of:	1/22/2015

Bill Year	Bill Number	Installment Number	Cat	Bill Amount Due	Total Paid	Last Payment Date	Levy Due	Penalty Due	Interest Due	Total Due
2014	19073	2	2	$405.56	$405.56	12/02/2014	$0.00	$0.00	$0.00	$0.00
2014	19073	1	1	$405.56	$405.56	05/20/2014	$0.00	$0.00	$0.00	$0.00
2013	19084	2	2	$372.36	$372.36	11/19/2013	$0.00	$0.00	$0.00	$0.00
2013	19084	1	1	$372.36	$372.36	05/21/2013	$0.00	$0.00	$0.00	$0.00
2012	19100	2	2	$362.73	$362.73	11/09/2012	$0.00	$0.00	$0.00	$0.00
2012	19100	1	1	$362.73	$362.73	05/24/2012	$0.00	$0.00	$0.00	$0.00
2011	19120	2	2	$393.12	$393.12	11/08/2011	$0.00	$0.00	$0.00	$0.00
2011	19120	1	1	$393.12	$393.12	05/17/2011	$0.00	$0.00	$0.00	$0.00
2010	19132	2	2	$400.40	$400.40	11/15/2010	$0.00	$0.00	$0.00	$0.00
2010	19132	1	1	$400.40	$400.40	05/14/2010	$0.00	$0.00	$0.00	$0.00
2009	19140	2	2	$430.50	$430.50	11/16/2009	$0.00	$0.00	$0.00	$0.00
2009	19140	1	1	$430.50	$430.50	06/01/2009	$0.00	$0.00	$0.00	$0.00

1/22/2015 10:56:54AM

Stafford County
Revenue Collection System

Real Estate Inquiry

Map Number: 30 136
PAGINDCBKLOT S
PIN: 19453
District: AQ

Property Description
PARCEL 30-136 20.087 AC
REVISED

No Situs Address

Responsible Name and Addresses
BOWLING RONNIE & BOWLING FAMILY LLC & KAREN ANN BOWLING
1950 COURTHOUSE RD
STAFFORD VA 22554-5415

Real Estate Descriptions and Values

Land Value	$1,004,400.00
Building Value	$0.00
Land Use Value	$995,300.00

Outstanding Balance Information

Total Due:	$0.00
Levy:	$0.00
Penalty:	$0.00
Interest:	$0.00
P&I Calculated as of:	1/22/2015

Bill Year	Bill Number	Installment Number	Cat	Bill Amount Due	Total Paid	Last Payment Date	Levy Due	Penalty Due	Interest Due	Total Due
2014	19174	2	2	$46.36	$46.36	11/12/2014	$0.00	$0.00	$0.00	$0.00
2014	19174	1	1	$46.36	$46.36	05/22/2014	$0.00	$0.00	$0.00	$0.00
2013	19185	2	2	$48.69	$48.69	11/19/2013	$0.00	$0.00	$0.00	$0.00
2013	19185	1	1	$48.69	$48.69	05/21/2013	$0.00	$0.00	$0.00	$0.00
2012	19203	2	2	$33.71	$33.71	11/26/2012	$0.00	$0.00	$0.00	$0.00
2012	19203	1	1	$33.71	$33.71	06/06/2012	$0.00	$0.00	$0.00	$0.00
2011	19223	2	2	$34.02	$34.02	11/22/2011	$0.00	$0.00	$0.00	$0.00
2011	19223	1	1	$34.02	$34.02	06/03/2011	$0.00	$0.00	$0.00	$0.00
2010	19235	2	2	$34.65	$34.65	11/30/2010	$0.00	$0.00	$0.00	$0.00
2010	19235	1	1	$34.65	$34.65	05/27/2010	$0.00	$0.00	$0.00	$0.00
2009	19244	2	2	$18.90	$18.90	11/30/2009	$0.00	$0.00	$0.00	$0.00
2009	19244	1	1	$18.90	$18.90	06/04/2009	$0.00	$0.00	$0.00	$0.00

1/22/2015 10:57:23AM

STAFFORD COUNTY CONDITIONAL USE PERMIT APPLICATION
OWNER'S NOTARIZED CONSENT

We, the undersigned, do hereby authorize the applicant, Miller and Smith at Stafford, LLC or its successors and assigns (collectively "Applicant"), to file on my behalf all rezoning, conditional use permit or other land use or permitting applications necessary to develop Tax Map Parcel 30-78 presently zoned R-1 with a cluster or other zoning designation as the Applicant may reasonably determine, and further authorize the Applicant, at is sole cost and expense, to procure, file and provide all necessary studies, application content regarding said property, any proffer statements, plans and other application materials, and to undertake all other actions necessary to obtain approval for all of the same.

OWNERS ACKNOWLEDGMENT & CONSENT

PRESBYTERY OF THE JAMES, INC., a Virginia Corporation

BY: H Carson Rhyne
H. CARSON RHYNE, JR.
TITLE: SECRETARY

STATE/COMMONWEALTH OF Virginia,
~~CITY~~/COUNTY OF Hanover, to wit:

The foregoing instrument was acknowledged before me this 24th day of June, 2014, by H. Carson Rhyne, Jr., secretary of Presbytery of the James, Inc., on behalf of the corporation.

Elizabeth B Howell
Notary Public

My Commission expires: Feb. 28, 2015
Notary Registration number: 7500667

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ELIZABETH B. HOWELL NOTARY PUBLIC MY COMMISSION NUMBER 7500667 COMMONWEALTH OF VIRGINIA

STAFFORD COUNTY CONDITIONAL USE PERMIT APPLICATION
OWNER'S NOTARIZED CONSENT

We, the undersigned, do hereby authorize the applicant, Miller and Smith at Stafford, LLC or its successors and assigns (collectively "Applicant"), to file on my behalf all rezoning, conditional use permit or other land use or permitting applications necessary to develop Tax Map Parcel 30-136 presently zoned R-1 with a cluster or other zoning designation as the Applicant may reasonably determine, and further authorize the Applicant, at is sole cost and expense, to procure, file and provide all necessary studies, application content regarding said property, any proffer statements, plans and other application materials, and to undertake all other actions necessary to obtain approval for all of the same.

OWNERS ACKNOWLEDGMENT & CONSENT

BOWLING FAMILY, L.L.C., a Virginia limited liability company, OWNER

BY: Clarence A. Bowling
CLARENCE A. BOWLING
TITLE: MANAGING MEMBER

~~BY:~~ Ronnie I. Bowling
RONNIE I. BOWLING, OWNER

~~BY:~~ Karen B Barth
KAREN B. BARTH, OWNER

~~STATE~~/COMMONWEALTH OF Virginia,
~~CITY~~/COUNTY OF Stafford, to wit:

The foregoing instrument was acknowledged before me this 12th day of June, 2014, by Clarence A. Bowling, as Managing Member of the Bowling Family L.L.C., ~~on behalf of the company~~, Ronnie I. Bowling and Karen B. Barth

Mary S Wasenko
Notary Public

My Commission expires: 10-31-17
Notary Registration number: 7546817

MARY S. WASENKO
Notary Public
Commonwealth of Virginia
Reg. #7546817
My Commission Exps. Oct. 31, 2017

The proposed development will incorporate low impact development techniques as well as conventional stormwater management techniques in order to reduce the post-developed runoff from the Property to pre-developed levels in accordance with County and State requirements. The GDP depicts an onsite stormwater management facility, and projects that approximately 31.78% of the Property will consist of impervious surface, which is an appropriate percentage for a subdivision of this size. The proposed development will have minimal impacts downstream of the Property.

EXHIBIT A

See attached "Courthouse Manor Generalized Development Plan", prepared by Bowman Consulting, dated June 2, 2014.

EXHIBIT B

See attached "Courthouse Manor Architectural Elevation Illustrative" prepared by Bowman Consulting, dated June 2, 2014.

CARRIAGE DOOR DETAIL

Courthouse Manor

ARCHITECTURAL ELEVATION ILLUSTRATIVE

Bowman CONSULTING

Stafford County, Virginia
June 2, 2014

EXHIBIT C

NORTHEAST COURTHOUSE BYPASS

5802624-3 039880.00001

TITLE COMMITMENT SCHEDULE B ~ SECTION II REVIEW TAX MAP 30-136

THE TITLE DOCUMENTS FOR THE SURVEYED PROPERTY HEREIN DESCRIBED PROVIDED BY CHICAGO TITLE INSURANCE COMPANY FOR TITLE INSURANCE COMMITMENT NUMBER 13-829F, AND (I) WITH RESPECT TO THE ITEMS IDENTIFIED AS EXCEPTIONS ON SCHEDULE B - SECTION II OF THE TITLE INSURANCE COMMITMENT WITH RESPECT TO THE SURVEYED PROPERTY.

(a) THE FOLLOWING ITEMS OF SCHEDULE B - SECTION II PERTAIN TO THE PROPERTY BUT ARE EITHER STANDARD TITLE EXCEPTIONS OR ARE NOT SURVEY RELATED MATTERS:

1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.
2. RIGHTS OR CLAIMS OF PARTIES OTHER THAN THE INSURED IN ACTUAL POSSESSION OF ANY OR ALL OF THE PROPERTY.
3. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.
4. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. THE TERM "ENCROACHMENT" INCLUDES ENCROACHMENTS OF EXISTING IMPROVEMENTS LOCATED ON THE LAND ONTO ADJOINING LAND, AND ENCROACHMENTS ONTO THE LAND OF EXISTING IMPROVEMENTS LOCATED ON ADJOINING LAND.
5. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR AFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
6. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.
7. REAL ESTATE TAXES, OTHER PUBLIC CHARGES (INCLUDING, BUT NOT LIMITED TO, ASSESSMENTS BY ANY COUNTY, MUNICIPALITY, METROPOLITAN DISTRICT OR COMMISSION) AND THE BALANCE OF ANY SUCH CHARGES PAYABLE ON AN ANNUAL BASIS WHICH ARE NOT YET DUE AND PAYABLE.
8. THIS COMMITMENT FOR TITLE INSURANCE DOES NOT CONSTITUTE A REPORT OF TITLE AND IS NOT TO BE RELIED UPON BY THE INSURED(S) OR ANY OTHER PARTY AS A TITLE REPORT OR REPRESENTATION OF THE STATUS OF TITLE. ANY TITLE SEARCH AND EXAMINATION CONDUCTED BY OR FOR THE COMPANY IN CONNECTION WITH THE ISSUANCE OF A TITLE INSURANCE POLICY, IF ANY, IS SOLELY FOR THE BENEFIT OF THE COMPANY. THE SOLE LIABILITY OF THE COMPANY AND/OR ITS ISSUING AGENT HEREUNDER SHALL BE AS SET FORTH IN THE CONDITIONS AND STIPULATIONS OF THE FINAL TITLE INSURANCE POLICY JACKET. NEITHER THE COMPANY NOR ITS ISSUING AGENT SHALL BE LIABLE TO THE PROPOSED INSURED(S) OR ANY OTHER PARTY FOR ANY CLAIM OF ALLEGED NEGLIGENCE, NEGLIGENT MISREPRESENTATION, OR ANY OTHER CAUSE OF ACTION IN TORT IN CONNECTION WITH THIS TITLE INSURANCE POLICY.

NOTE: ANY REFERENCE HEREIN MADE AS TO RESTRICTIONS AND/OR RESTRICTIVE COVENANTS IS INTENDED TO INCLUDE, AS IF SAID LANGUAGE WAS SET FORTH AFTER EACH EXCEPTION "OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN", UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT: (A) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE, OR (B) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS.

9. TAXES HAVE BEEN PAID THROUGH THE FIRST HALF 2013. TAXES FOR THE SECOND HALF 2013 AND ANY/ALL SUPPLEMENTAL TAXES POSTED SUBSEQUENT TO THE EFFECTIVE DATE HEREOF ARE A LIEN, NOT YET DUE AND PAYABLE.
10. ANY ADDITIONAL TAXES FOR ANY PAST, PRESENT OR FUTURE TAX YEAR WHICH MAY BECOME DUE UNDER THE LAND USE ORDINANCE OF STAFFORD COUNTY, BUT WHICH ARE NOT PRESENTLY PAYABLE BECAUSE OF THE EXISTING CLASSIFICATION AND USE OF THE LAND.
16. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, OR OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE LAND.

(b) THE FOLLOWING ITEMS OF SCHEDULE B - SECTION II ARE SURVEY RELATED MATTERS THAT PERTAIN TO THE PROPERTY AND ARE SHOWN ON THE SURVEY:

11. DEED OF BOUNDARY LINE ADJUSTMENT AND CONSOLIDATION GRANT AND RESERVATION OF UTILITY EASEMENT AND RESERVATION OF AUTHORITY TO DEDICATE TO PUBLIC USE DATED JULY 22, 2003 AND RECORDED IN INSTRUMENT NUMBER 030038773.
14. EASEMENT GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY RECORDED IN DEED BOOK 375 AT PAGE 713.
15. PLAT RECORDED IN PLAT BOOK 41 AT PAGE 199: OVERHEAD WIRES, CONCRETE MONUMENTS, LIES WITHIN BEDS OF ROAD.

(c) THE FOLLOWING ITEMS OF SCHEDULE B - SECTION II ARE SURVEY RELATED MATTERS BUT ARE NON-PLOTTABLE BECAUSE OF AMBIGUITIES IN THE RECORDED DOCUMENT.

12. EASEMENT GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY RECORDED IN DEED BOOK 186 AT PAGE 423.
13. EASEMENT GRANTED TO CONTEL RECORDED IN DEED BOOK 543 AT PAGE 728.

CURRENT LEGAL DESCRIPTION
FROM TITLE COMMITMENT NO. 13-829F, TAX MAP 30-136

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE, LYING AND BEING IN AQUIA MAGISTERIAL DISTRICT, STAFFORD COUNTY, VIRGINIA, CONTAINING 20.087 ACRES AS SET FORTH IN DEED OF BOUNDARY LINE ADJUSTMENT AND CONSOLIDATION AND RESERVATION OF AUTHORITY TO DEDICATE TO PUBLIC USE DATED JULY 22, 2003 AND RECORDED AS INSTRUMENT NUMBER 030038773 AND AS SHOWN ON ATTACHED PLAT ENTITLED "PLAT BOUNDARY LINE ADJUSTMENT & CONSOLIDATION OF LANDS OF RONNIE, CLARENCE & KAREN ANN BOWLING" BY EDSON L. SULLIVAN, L.S. DATED JANUARY 31, 2003 AND RECORDED IN PLAT BOOK 41 AT PAGE 199.

AS SURVEYED METES AND BOUNDS DESCRIPTION
TAX MAP 30-136

BEGINNING AT AN IRON PIPE SET (IPS), SAID IPS BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF DENT ROAD, ROUTE 707, VARIABLE WIDTH RIGHT-OF-WAY, AND THE SOUTHEAST CORNER OF THE LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AS RECORDED IN INSTRUMENT NUMBER 080011716 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA; THENCE DEPARTING SAID DENT ROAD AND CONTINUING WITH SAID LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS THE FOLLOWING (5) COURSES:

N 06°16'25" W, 180.35 FEET TO AN IRON ROD FOUND; THENCE
N 28°24'08" W, 280.00 FEET TO AN IRON PIPE SET; THENCE
N 06°38'32" E, 126.00 FEET TO AN IRON ROD FOUND; THENCE
N 17°24'08" W, 123.00 FEET TO AN IRON ROD FOUND; THENCE
S 89°05'03" W, 96.87 FEET TO AN IRON PIPE SET; SAID PIPE BEING ON THE EASTERLY LINE OF THE LANDS OF THE PRESBYTERY OF THE JAMES, INC. AS RECORDED IN INSTRUMENT NUMBER 980001376 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA; THENCE DEPARTING SAID LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AND CONTINUING WITH SAID LANDS OF THE PRESBYTERY OF THE JAMES, INC. THE FOLLOWING COURSE:
N 04°07'08" E, 1012.20 FEET TO AN IRON PIPE FOUND;
SAID PIPE BEING THE SOUTHEAST CORNER OF THE LANDS OF TREMBLAY AS RECORDED IN INSTRUMENT NUMBER 020016080; THENCE DEPARTING SAID LANDS OF THE PRESBYTERY OF THE JAMES, INC. AND CONTINUING WITH SAID LANDS OF TREMBLAY THE FOLLOWING COURSE:
N 15°30'20" W, 615.77 FEET TO A POINT; SAID POINT BEING AT OR NEAR THE CENTERLINE OF HOPE ROAD, ROUTE 667, 30' PRESCRIPTIVE EASEMENT; THENCE DEPARTING SAID LANDS OF TREMBLAY AND CONTINUING WITH SAID HOPE ROAD THE FOLLOWING (2) COURSES:
183.50 FEET ALONG AN ARC OF A CURVE DEFLECTING TO THE RIGHT HAVING A RADIUS OF 443.81 FEET WITH A CENTRAL ANGLE OF 21°07'11", WITH A CHORD BEARING AND DISTANCE OF N 71°14'10" E 182.67 FEET TO A POINT; THENCE
91.72 FEET ALONG AN ARC OF A CURVE DEFLECTING TO THE RIGHT HAVING A RADIUS OF 238.34 FEET WITH A CENTRAL ANGLE OF 22°02'54", WITH A CHORD BEARING AND DISTANCE OF S 87°10'47" E 91.15 FEET TO A POINT; SAID POINT BEING THE NORTHWEST CORNER OF THE SUBDIVISION OF ROLES ACRES AS RECORDED IN PLAT BOOK 13 AT PAGE 294; THENCE DEPARTING SAID HOPE ROAD AND CONTINUING WITH SAID ROLES ACRES, IN PART, SUBDIVISION OF COBBLESTONE AS RECORDED IN PLAT BOOK 18 AT PAGE 148 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA, IN PART, THE LANDS OF HANSEN AS RECORDED IN DEED BOOK 748 AT PAGE 718, IN PART, AND THE LANDS OF DONNELLY, JR. AS RECORDED IN DEED BOOK 489 AT PAGE 588, ALL IN PART, THE FOLLOWING COURSE:
S 16°18'52" E, 2160.34 FEET TO AN POINT; SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY OF AFORESAID DENT ROAD; THENCE DEPARTING SAID LANDS OF DONNELLY, JR. AND CONTINUING WITH SAID DENT ROAD THE FOLLOWING COURSE:
47.86 FEET ALONG AN ARC OF A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS OF 170.00 FEET WITH A CENTRAL ANGLE OF 16°08'47", WITH A CHORD BEARING AND DISTANCE OF S 83°14'08" W 47.80 FEET TO A POINT; SAID POINT BEING THE SOUTHEAST CORNER OF THE LANDS OF JOHNSON, JR. AS RECORDED IN INSTRUMENT NUMBER 070013864; THENCE DEPARTING SAID DENT ROAD AND CONTINUING WITH THE LANDS OF JOHNSON, JR. THE FOLLOWING (3) COURSES:
N 38°41'00" W, 198.32 FEET TO AN IRON PIPE FOUND; THENCE
S 64°29'02" W, 216.00 FEET TO AN IRON PIPE FOUND; THENCE
S 38°40'58" E, 194.09 FEET TO A POINT; SAID POINT BEING IN THE NORTHERLY RIGHT-OF-WAY OF AFOREMENTIONED DENT ROAD; THENCE DEPARTING SAID LANDS OF JOHNSON, JR. AND CONTINUING WITH SAID DENT ROAD THE FOLLOWING COURSE:
S 64°31'35" W, 280.13 FEET TO THE POINT OF BEGINNING, CONTAINING 20.05722 ACRES OF LAND, MORE OR LESS.

TITLE COMMITMENT SCHEDULE B ~ SECTION II REVIEW TAX MAP 30-78

THE TITLE DOCUMENTS FOR THE SURVEYED PROPERTY HEREIN DESCRIBED PROVIDED BY CHICAGO TITLE INSURANCE COMPANY FOR TITLE INSURANCE COMMITMENT NUMBER 13-829F, AND (I) WITH RESPECT TO THE ITEMS IDENTIFIED AS EXCEPTIONS ON SCHEDULE B - SECTION II OF THE TITLE INSURANCE COMMITMENT WITH RESPECT TO THE SURVEYED PROPERTY.

(a) THE FOLLOWING ITEMS OF SCHEDULE B - SECTION II PERTAIN TO THE PROPERTY BUT ARE EITHER STANDARD TITLE EXCEPTIONS OR ARE NOT SURVEY RELATED MATTERS:

1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.
2. RIGHTS OR CLAIMS OF PARTIES OTHER THAN THE INSURED IN ACTUAL POSSESSION OF ANY OR ALL OF THE PROPERTY.
3. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.
4. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. THE TERM "ENCROACHMENT" INCLUDES ENCROACHMENTS OF EXISTING IMPROVEMENTS LOCATED ON THE LAND ONTO ADJOINING LAND, AND ENCROACHMENTS ONTO THE LAND OF EXISTING IMPROVEMENTS LOCATED ON ADJOINING LAND.
5. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR AFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
6. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.
7. REAL ESTATE TAXES, OTHER PUBLIC CHARGES (INCLUDING, BUT NOT LIMITED TO, ASSESSMENTS BY ANY COUNTY, MUNICIPALITY, METROPOLITAN DISTRICT OR COMMISSION) AND THE BALANCE OF ANY SUCH CHARGES PAYABLE ON AN ANNUAL BASIS WHICH ARE NOT YET DUE AND PAYABLE.
8. THIS COMMITMENT FOR TITLE INSURANCE DOES NOT CONSTITUTE A REPORT OF TITLE AND IS NOT TO BE RELIED UPON BY THE INSURED(S) OR ANY OTHER PARTY AS A TITLE REPORT OR REPRESENTATION OF THE STATUS OF TITLE. ANY TITLE SEARCH AND EXAMINATION CONDUCTED BY OR FOR THE COMPANY IN CONNECTION WITH THE ISSUANCE OF A TITLE INSURANCE POLICY, IF ANY, IS SOLELY FOR THE BENEFIT OF THE COMPANY. THE SOLE LIABILITY OF THE COMPANY AND/OR ITS ISSUING AGENT HEREUNDER SHALL BE AS SET FORTH IN THE CONDITIONS AND STIPULATIONS OF THE FINAL TITLE INSURANCE POLICY JACKET. NEITHER THE COMPANY NOR ITS ISSUING AGENT SHALL BE LIABLE TO THE PROPOSED INSURED(S) OR ANY OTHER PARTY FOR ANY CLAIM OF ALLEGED NEGLIGENCE, NEGLIGENT MISREPRESENTATION, OR ANY OTHER CAUSE OF ACTION IN TORT IN CONNECTION WITH THIS TITLE INSURANCE POLICY.

NOTE: ANY REFERENCE HEREIN MADE AS TO RESTRICTIONS AND/OR RESTRICTIVE COVENANTS IS INTENDED TO INCLUDE, AS IF SAID LANGUAGE WAS SET FORTH AFTER EACH EXCEPTION "OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN", UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT: (A) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE, OR (B) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS.

9. TAXES HAVE BEEN PAID THROUGH THE FIRST HALF 2013. TAXES FOR THE SECOND HALF 2013 AND ANY/ALL SUPPLEMENTAL TAXES POSTED SUBSEQUENT TO THE EFFECTIVE DATE HEREOF ARE A LIEN, NOT YET DUE AND PAYABLE.
10. ANY ADDITIONAL TAXES FOR ANY PAST, PRESENT OR FUTURE TAX YEAR WHICH MAY BECOME DUE UNDER THE LAND USE ORDINANCE OF STAFFORD COUNTY, BUT WHICH ARE NOT PRESENTLY PAYABLE BECAUSE OF THE EXISTING CLASSIFICATION AND USE OF THE LAND.
16. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, OR OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEYOR INSPECTION OF THE LAND.

(b) THE FOLLOWING ITEMS OF SCHEDULE B - SECTION II ARE SURVEY RELATED MATTERS THAT PERTAIN TO THE PROPERTY AND ARE SHOWN ON THE SURVEY:

11. EASEMENT GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY RECORDED IN DEED BOOK 380 AT PAGE 104. (APPROXIMATE LOCATION SHOWN)
13. EASEMENT GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY RECORDED IN INSTRUMENT NUMBER 990019626.

(c) THE FOLLOWING ITEMS OF SCHEDULE B - SECTION II ARE SURVEY RELATED MATTERS BUT ARE NON-PLOTTABLE BECAUSE OF AMBIGUITIES IN THE RECORDED DOCUMENT.

12. EASEMENT GRANTED TO CONTINENTAL TELEPHONE COMPANY RECORDED IN DEED BOOK 381 AT PAGE 219.
14. EASEMENT GRANTED TO THE COMMONWEALTH OF VIRGINIA RECORDED IN INSTRUMENT NUMBER 990017632.

CURRENT LEGAL DESCRIPTION
FROM TITLE COMMITMENT NO. 13-829F, TAX MAP 30-78

ALL THAT CERTAIN LOT OR PARCEL OF LAND WITH ALL RIGHTS THEREUNTO APPURTENANT, AND IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN AQUIA DISTRICT, STAFFORD COUNTY, VIRGINIA, ON THE NORTH SIDE OF AND ADJACENT TO THE COURT-BROOKE ROAD, STATE HIGHWAY 212, ABOUT ONE-FOURTH MILE EAST OF STAFFORD COURTHOUSE, CONTAINING FOURTEEN (14) ACRES, MORE OR LESS.

LESS AND EXCEPT ALL THAT CERTAIN PIECE AND PARCEL OF LAND CONVEYED IN DEED BOOK 179 AT PAGE 188 AND IN DEED BOOK 377 AT PAGE 386, AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA.

AS SURVEYED METES AND BOUNDS DESCRIPTION
TAX MAP 30-78

BEGINNING AT A POINT, SAID POINT BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF COURTHOUSE ROAD, ROUTE 630, VARIABLE WIDTH RIGHT-OF-WAY, AND THE SOUTHWEST CORNER OF THE LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AS RECORDED IN INSTRUMENT NUMBER 080011716 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA; THENCE DEPARTING SAID LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AND CONTINUING WITH SAID COURTHOUSE ROAD THE FOLLOWING FIVE (5) COURSES:

N 59°34'34" W, 128.54 FEET TO AN IRON PIPE SET; THENCE
N 30°25'26" E, 16.40 FEET TO AN IRON PIPE SET; THENCE
N 59°34'34" W, 30.00 FEET TO AN IRON PIPE SET; THENCE
S 30°25'26" W, 16.40 FEET TO AN IRON PIPE SET; THENCE
N 59°34'34" W, 140.68 FEET TO AN IRON PIPE SET; SAID PIPE BEING THE SOUTHEAST CORNER OF THE LANDS OF THE COUNTY SCHOOL BOARD OF STAFFORD COUNTY, VIRGINIA (DB 175, PG 46); THENCE DEPARTING AFORESAID COURTHOUSE ROAD AND CONTINUING WITH SAID LANDS OF THE COUNTY SCHOOL BOARD OF STAFFORD COUNTY, VIRGINIA THE FOLLOWING TWO (2) COURSES:
N 34°07'21" E, 172.62 FEET TO A CONCRETE MONUMENT WITH A NAIL FOUND; THENCE
N 03°56'16" E, 1283.86 FEET TO AN IRON PIPE SET; SAID PIPE BEING THE SOUTHWEST CORNER OF THE LANDS OF TREMBLAY AS RECORDED IN INSTRUMENT NUMBER 020016080; THENCE DEPARTING SAID LANDS OF THE COUNTY SCHOOL BOARD OF STAFFORD COUNTY, VIRGINIA AND CONTINUING WITH SAID LANDS OF TREMBLAY THE FOLLOWING COURSE:
S 84°12'46" E, 423.00 FEET TO AN IRON PIPE FOUND; SAID PIPE BEING ON THE WESTERLY LINE OF THE LANDS OF BOWLING FAMILY, LLC AS RECORDED IN INSTRUMENT NUMBER 000003123; THENCE DEPARTING SAID LANDS OF TREMBLAY AND CONTINUING WITH SAID LANDS OF BOWLING FAMILY, INC. THE FOLLOWING COURSE:
S 04°07'08" W, 1012.20 FEET TO AND IRON PIPE SET; SAID PIPE BEING ON THE NORTHERLY LINE OF THE AFORESAID LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; THENCE DEPARTING SAID LANDS OF BOWLING FAMILY, INC. AND CONTINUING WITH SAID LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS THE FOLLOWING (2) COURSES:
S 70°36'40" W, 63.89 FEET TO AND IRON PIPE SET:
S 22°46'46" W, 555.38 FEET THE POINT OF BEGINNING, CONTAINING OR 13.34123 ACRES OF LAND, MORE OR LESS.

NOTES

1. THE SURVEYED PROPERTIES DELINEATED HEREON ARE LOCATED ON STAFFORD COUNTY TAX ASSESSMENT MAP AS LISTED BELOW.

   TAX MAP 30-78 ZONED: R1 (SUBURBAN RESIDENTIAL)
   TAX MAP 30-136 ZONED: R1 (SUBURBAN RESIDENTIAL)

2. THE SURVEYED PROPERTIES CURRENTLY STAND IN THE NAMES OF THE FOLLOWING AS RECORDED AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA.

   AS TO TAX MAP 30-78 - THE PRESBYTERY OF THE JAMES, INC. AS RECORDED IN INSTRUMENT NUMBER 980001376

   AS TO TAX MAP 30-136 - RONNIE BOWLING, BOWLING FAMILY, LLC & KAREN BOWLING AS RECORDED IN INSTRUMENT NUMBER 030038773.

3. BOUNDARY INFORMATION AS SHOWN HEREON IS COMPILED FROM EXISTING LAND RECORDS OF STAFFORD COUNTY AND A FIELD SURVEY PERFORMED BY BOWMAN CONSULTING GROUP, LTD. ON SEPTEMBER 17, 2013.
4. THE SURVEYED PROPERTIES AS SHOWN HEREON ARE SUBJECT TO ALL COVENANTS AND RESTRICTIONS OF RECORD AND THOSE RECORDED HEREWITH. BOWMAN CONSULTING GROUP, LTD. WAS PROVIDED COMMITMENTS FOR TITLE INSURANCE FROM CHICAGO TITLE INSURANCE COMPANY, AND SCHEDULE B - SECTION II IS ADDRESSED IN THE TITLE COMMITMENT REVIEW.
5. THE PROPERTIES SHOWN HEREON ARE NOT LOCATED IN A 100 YEAR FLOODPLAIN. THEY LIE IN ZONE "X" "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR STAFFORD COUNTY, VIRGINIA COMMUNITY-PANEL NUMBER 51015340142 E DATED FEBRUARY 4, 2005.
6. SOURCE OF MERIDIAN: VIRGINIA COORDINATE SYSTEM NAD83, NORTH ZONE.
7. UPDATED METES AND BOUNDS DESCRIPTIONS HAVE BEEN PROVIDED TO DESCRIBE THE SURVEYED PROPERTIES IN THEIR CURRENT CONFIGURATION WITHOUT THE LESS AND EXCEPT PORTION FROM THE RECORD DESCRIPTION.

AS SURVEYED PERIMETER METES AND BOUNDS DESCRIPTION
TAX MAP 30-136 AND TAX MAP 30-78

BEGINNING AT AN IRON PIPE SET (IPS), SAID IPS BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF DENT ROAD, ROUTE 707, VARIABLE WIDTH RIGHT-OF-WAY, AND THE SOUTHEAST CORNER OF THE LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AS RECORDED IN INSTRUMENT NUMBER 080011716 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA; THENCE DEPARTING SAID DENT ROAD AND CONTINUING WITH SAID LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS THE FOLLOWING (7) COURSES:

N 06°16'25" W, 180.35 FEET TO AN IRON ROD FOUND; THENCE
N 28°24'08" W, 280.00 FEET TO AN IRON PIPE SET; THENCE
N 06°38'32" E, 126.00 FEET TO AN IRON ROD FOUND; THENCE
N 17°24'08" W, 123.00 FEET TO AN IRON ROD FOUND; THENCE
S 89°05'03" W, 96.87 FEET TO AN IRON PIPE SET; THENCE
S 70°36'40" W, 63.89 FEET TO AND IRON PIPE SET; THENCE
S 22°46'46" W, 555.38 FEET TO A POINT, SAID POINT BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF COURTHOUSE ROAD, ROUTE 630, VARIABLE WIDTH RIGHT-OF-WAY, AND THE SOUTHWEST CORNER OF THE LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AS RECORDED IN INSTRUMENT NUMBER 080011716 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA; THENCE DEPARTING SAID LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AND CONTINUING WITH SAID COURTHOUSE ROAD THE FOLLOWING FIVE (5) COURSES:
N 59°34'34" W, 128.54 FEET TO AN IRON PIPE SET; THENCE
N 30°25'26" E, 16.40 FEET TO AN IRON PIPE SET; THENCE
N 59°34'34" W, 30.00 FEET TO AN IRON PIPE SET; THENCE
S 30°25'26" W, 16.40 FEET TO AN IRON PIPE SET; THENCE
N 59°34'34" W, 140.68 FEET TO AN IRON PIPE SET; SAID PIPE BEING THE SOUTHEAST CORNER OF THE LANDS OF THE COUNTY SCHOOL BOARD OF STAFFORD COUNTY, VIRGINIA (DB 175, PG 46); THENCE DEPARTING AFORESAID COURTHOUSE ROAD AND CONTINUING WITH SAID LANDS OF THE COUNTY SCHOOL BOARD OF STAFFORD COUNTY, VIRGINIA THE FOLLOWING TWO (2) COURSES:
N 34°07'21" E, 172.62 FEET TO A CONCRETE MONUMENT WITH A NAIL FOUND; THENCE
N 03°56'16" E, 1283.86 FEET TO AN IRON PIPE SET; SAID PIPE BEING THE SOUTHWEST CORNER OF THE LANDS OF TREMBLAY AS RECORDED IN INSTRUMENT NUMBER 020016080; THENCE DEPARTING SAID LANDS OF THE COUNTY SCHOOL BOARD OF STAFFORD COUNTY, VIRGINIA AND CONTINUING WITH SAID LANDS OF TREMBLAY THE FOLLOWING (2) COURSES:
S 84°12'46" E, 423.00 FEET TO AN IRON PIPE FOUND; THENCE
N 15°30'20" W, 615.77 FEET TO A POINT; SAID POINT BEING AT OR NEAR THE CENTERLINE OF HOPE ROAD, ROUTE 667, 30' PRESCRIPTIVE EASEMENT; THENCE DEPARTING SAID LANDS OF TREMBLAY AND CONTINUING WITH SAID HOPE ROAD THE FOLLOWING (2) COURSES:
183.50 FEET ALONG AN ARC OF A CURVE DEFLECTING TO THE RIGHT HAVING A RADIUS OF 443.81 FEET WITH A CENTRAL ANGLE OF 21°07'11", WITH A CHORD BEARING AND DISTANCE OF N 71°14'10" E 182.67 FEET TO A POINT; THENCE
91.72 FEET ALONG AN ARC OF A CURVE DEFLECTING TO THE RIGHT HAVING A RADIUS OF 238.34 FEET WITH A CENTRAL ANGLE OF 22°02'54", WITH A CHORD BEARING AND DISTANCE OF S 87°10'47" E 91.15 FEET TO A POINT; SAID POINT BEING THE NORTHWEST CORNER OF THE SUBDIVISION OF ROLES ACRES AS RECORDED IN PLAT BOOK 13 AT PAGE 294; THENCE DEPARTING SAID HOPE ROAD AND CONTINUING WITH SAID ROLES ACRES, IN PART, SUBDIVISION OF COBBLESTONE AS RECORDED IN PLAT BOOK 18 AT PAGE 148 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA, IN PART, THE LANDS OF HANSEN AS RECORDED IN DEED BOOK 748 AT PAGE 718, IN PART, AND THE LANDS OF DONNELLY, JR. AS RECORDED IN DEED BOOK 489 AT PAGE 588, ALL IN PART, THE FOLLOWING COURSE:
S 16°18'52" E, 2160.34 FEET TO A POINT; SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY OF AFOREMENTIONED DENT ROAD; THENCE DEPARTING SAID LANDS OF DONNELLY, JR. AND CONTINUING WITH SAID DENT ROAD THE FOLLOWING COURSE:
47.86 FEET ALONG AN ARC OF A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS OF 170.00 FEET WITH A CENTRAL ANGLE OF 16°08'47", WITH A CHORD BEARING AND DISTANCE OF S 83°14'08" W 47.80 FEET TO A POINT; SAID POINT BEING THE SOUTHEAST CORNER OF THE LANDS OF JOHNSON, JR. AS RECORDED IN INSTRUMENT NUMBER 070013864; THENCE DEPARTING SAID DENT ROAD AND CONTINUING WITH THE LANDS OF JOHNSON, JR. THE FOLLOWING (3) COURSES:
N 38°41'00" W, 198.32 FEET TO AN IRON PIPE FOUND; THENCE
S 64°29'02" W, 216.00 FEET TO AN IRON PIPE FOUND; THENCE
S 38°40'58" E, 194.09 FEET TO A POINT; SAID POINT BEING IN THE NORTHERLY RIGHT-OF-WAY OF AFOREMENTIONED DENT ROAD; THENCE DEPARTING SAID LANDS OF JOHNSON, JR. AND CONTINUING WITH SAID DENT ROAD THE FOLLOWING COURSE:
S 64°31'35" W, 280.13 FEET TO THE POINT OF BEGINNING, CONTAINING A TOTAL AREA OF 33.42846 ACRES OF LAND, MORE OR LESS.

VICINITY MAP
SCALE: 1"=2000'

SURVEYOR'S CERTIFICATE

CHICAGO TITLE INSURANCE COMPANY, "LENDER", RICHMOND AMERICAN HOMES OF VIRGINIA, INC. RONNIE BOWLING, BOWLING FAMILY, LLC & KAREN BOWLING AND THE PRESBYTERY OF THE JAMES, INC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2011, INCLUDES ITEMS 1, 2, 3, 4, 6(a), 7(a), 8, 9, 11(a), 13, 14, 16, 18 AND 19 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR LICENSED IN THE COMMONWEALTH OF VIRGINIA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

I FURTHER CERTIFY THAT: (1) I HAVE EXAMINED TITLE DOCUMENTS FOR THE PROPERTIES HEREIN DESCRIBED PROVIDED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBERS 13-829F & 13-829F.

DANIEL L. DORTON II, L.S. DATE: 10/30/13
VIRGINIA LIC. NO. 2908 DATE REVISED: 04/01/14

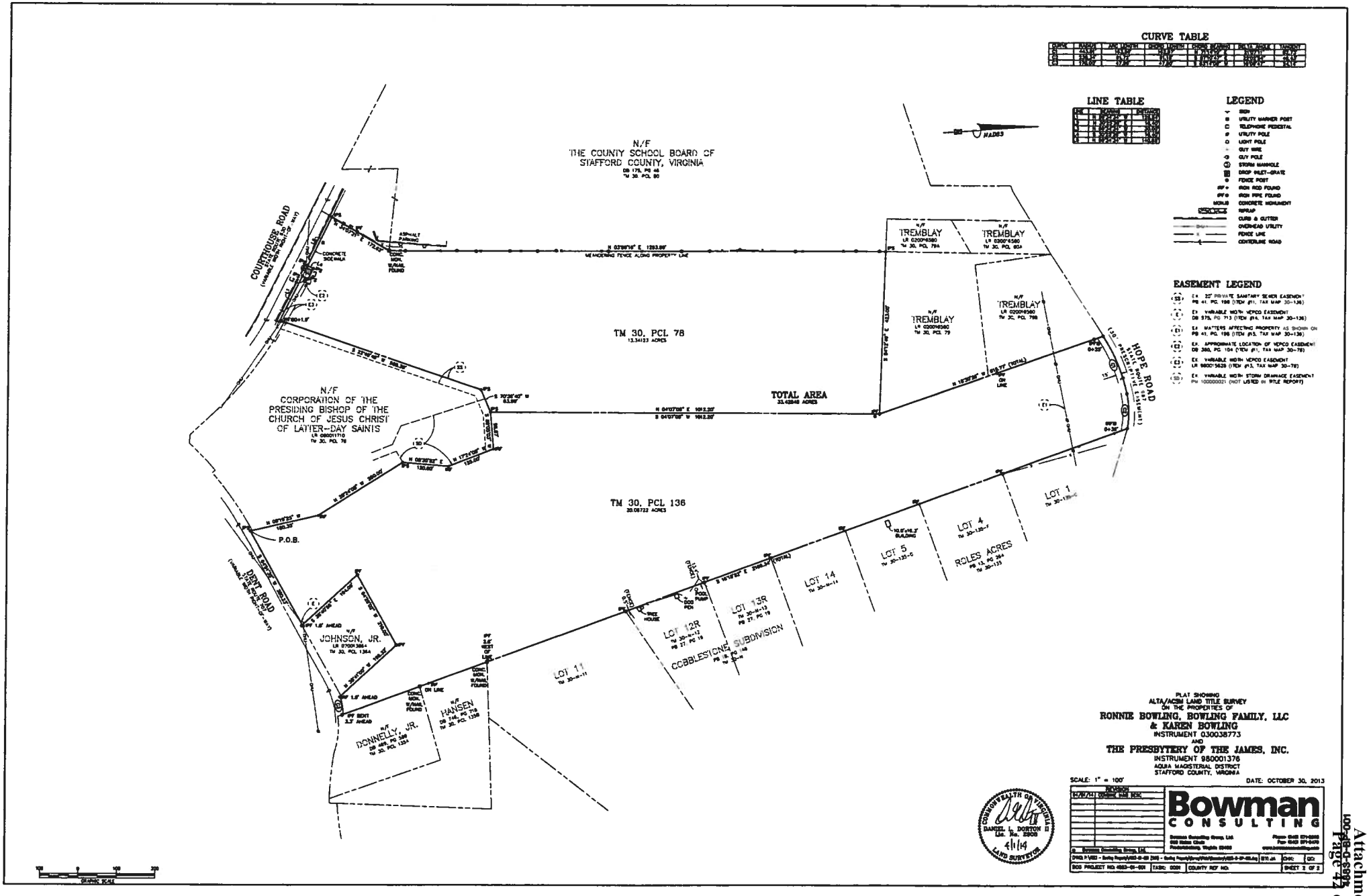
COMMONWEALTH OF VIRGINIA
DANIEL L. DORTON II
Lic. No. 2908
4/1/14
LAND SURVEYOR

PLAT SHOWING
ALTA/ACSM LAND TITLE SURVEY
ON THE PROPERTIES OF
RONNIE BOWLING, BOWLING FAMILY, LLC
& KAREN BOWLING
INSTRUMENT 030038773
AND
THE PRESBYTERY OF THE JAMES, INC.
INSTRUMENT 980001376
AQUIA MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

SCALE: NONE DATE: OCTOBER 30, 2013

Bowman
CONSULTING

SHEET 1 OF 2


CURVE TABLE
LINE TABLE
LEGEND
EASEMENT LEGEND
N/F
THE COUNTY SCHOOL BOARD OF
STAFFORD COUNTY, VIRGINIA
TM 30, PCL 78
TM 30, PCL 136
TOTAL AREA
N/F
CORPORATION OF THE
PRESIDING BISHOP OF THE
CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS
COURTHOUSE ROAD
HOPE ROAD
DENT ROAD
P.O.B.
TREMBLAY
JOHNSON, JR.
DONNELLY, JR.
HANSEN
LOT 1
LOT 4
ROLES ACRES
LOT 5
LOT 14
LOT 13R
LOT 12R
COBBLESTONE SUBDIVISION
LOT 11
PLAT SHOWING
ALTA/ACSM LAND TITLE SURVEY
ON THE PROPERTIES OF
RONNIE BOWLING, BOWLING FAMILY, LLC
& KAREN BOWLING
INSTRUMENT 030038773
AND
THE PRESBYTERY OF THE JAMES, INC.
INSTRUMENT 980001376
AQUIA MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA
SCALE: 1" = 100'
DATE: OCTOBER 30, 2013
Bowman
CONSULTING
DANIEL L. DORTON II
Lic. No. 2908
4/1/14
LAND SURVEYOR
SHEET 2 OF 2

Bowman
CONSULTING

TAX MAP 30-136 AND TAX MAP 30-78

BEGINNING AT AN IRON PIPE SET (IPS), SAID IPS BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF DENT ROAD, ROUTE 707, VARIABLE WIDTH RIGHT-OF-WAY, AND THE SOUTHEAST CORNER OF THE LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AS RECORDED IN INSTRUMENT NUMBER 080011710 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA; THENCE DEPARTING SAID DENT ROAD AND CONTINUING WITH SAID LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS THE FOLLOWING (7) COURSES:

N 09°19'25" W, 180.35 FEET TO AN IRON ROD FOUND; THENCE
N 28°24'08" W, 260.00 FEET TO AN IRON PIPE SET; THENCE
N 08°35'52" E, 120.00 FEET TO AN IRON ROD FOUND; THENCE
N 17°24'08" W, 125.00 FEET TO AN IRON ROD FOUND; THENCE
S 89°05'03" W, 96.87 FEET TO AN IRON PIPE SET; THENCE
S 70°36'40" W, 63.99 FEET TO AND IRON PIPE SET; THENCE
S 22°49'49" W, 555.38 FEET TO A POINT, SAID POINT BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF COURTHOUSE ROAD, ROUTE 630, VARIABLE WIDTH RIGHT-OF-WAY, AND THE SOUTHWEST CORNER OF THE LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AS RECORDED IN INSTRUMENT NUMBER 080011710 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA; THENCE DEPARTING SAID LANDS OF CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AND CONTINUING WITH SAID COURTHOUSE ROAD THE FOLLOWING FIVE (5) COURSES:

N 59°34'34" W, 128.54 FEET TO AN IRON PIPE SET; THENCE
N 30°25'26" E, 16.40 FEET TO AN IRON PIPE SET; THENCE
N 59°34'34" W, 30.00 FEET TO AN IRON PIPE SET; THENCE
S 30°25'26" W, 16.40 FEET TO AN IRON PIPE SET; THENCE
N 59°34'34" W, 140.65 FEET TO AN IRON PIPE SET; SAID PIPE BEING THE SOUTHEAST CORNER OF THE LANDS OF THE COUNTY SCHOOL BOARD OF STAFFORD COUNTY, VIRGINIA (DB 175, PG 46); THENCE DEPARTING AFORESAID COURTHOUSE ROAD AND CONTINUING WITH SAID LANDS OF THE COUNTY SCHOOL BOARD OF STAFFORD COUNTY, VIRGINIA THE FOLLOWING TWO (2) COURSES:

N 34°07'21" E, 172.62 FEET TO A CONCRETE MONUMENT WITH A NAIL FOUND; THENCE
N 03°56'16" E, 1293.99 FEET TO AN IRON PIPE SET; SAID PIPE BEING THE SOUTHWEST CORNER OF THE LANDS OF TREMBLAY AS RECORDED IN INSTRUMENT NUMBER 020016580; THENCE DEPARTING SAID LANDS OF THE COUNTY SCHOOL BOARD OF STAFFORD COUNTY, VIRGINIA AND CONTINUING WITH SAID LANDS OF TREMBLAY THE FOLLOWING (2) COURSES:

S 84°12'49" E, 423.00 FEET TO AN IRON PIPE FOUND; THENCE
N 15°30'26" W, 615.77 FEET TO A POINT; SAID POINT BEING AT OR NEAR THE CENTERLINE OF HOPE ROAD, ROUTE 687, 30' PRESCRIPTIVE EASEMENT; THENCE DEPARTING SAID LANDS OF TREMBLAY AND CONTINUING WITH SAID HOPE ROAD THE FOLLOWING (2) COURSES:

163.59 FEET ALONG AN ARC OF A CURVE DEFLECTING TO THE RIGHT HAVING A RADIUS OF 443.81 FEET WITH A CENTRAL ANGLE OF 21°07'11", WITH A CHORD BEARING AND DISTANCE OF N 71°14'10" E 162.67 FEET TO A POINT; THENCE

91.72 FEET ALONG AN ARC OF A CURVE DEFLECTING TO THE RIGHT HAVING A RADIUS OF 238.34 FEET WITH A CENTRAL ANGLE OF 22°02'54", WITH A CHORD BEARING AND DISTANCE OF S 87°10'47" E 91.15 FEET TO A POINT;

Bowman
CONSULTING

SAID POINT BEING THE NORTHWEST CORNER OF THE SUBDIVISION OF ROLES ACRES AS RECORDED IN PLAT BOOK 13 AT PAGE 264; THENCE DEPARTING SAID HOPE ROAD AND CONTINUING WITH SAID ROLES ACRES, IN PART, SUBDIVISION OF COBBLESTONE AS RECORDED IN PLAT BOOK 18 AT PAGE 148 AMONG THE LAND RECORDS OF STAFFORD COUNTY, VIRGINIA, IN PART, THE LANDS OF HANSEN AS RECORDED IN DEED BOOK 746 AT PAGE 718, IN PART, AND THE LANDS OF DONNELLY, JR. AS RECORDED IN DEED BOOK 459 AT PAGE 589, ALL IN PART, THE FOLLOWING COURSE:

S 16°18'52" E, 2169.34 FEET TO A POINT; SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY OF AFOREMENTIONED DENT ROAD; THENCE DEPARTING SAID LANDS OF DONNELLY, JR. AND CONTINUING WITH SAID DENT ROAD THE FOLLOWING COURSE:

47.96 FEET ALONG AN ARC OF A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS OF 170.00 FEET WITH A CENTRAL ANGLE OF 16°09'47", WITH A CHORD BEARING AND DISTANCE OF S 83°14'09" W 47.80 FEET TO A POINT

SAID POINT BEING THE SOUTHEAST CORNER OF THE LANDS OF JOHNSON, JR. AS RECORDED IN INSTRUMENT NUMBER 070013864; THENCE DEPARTING SAID DENT ROAD AND CONTINUING WITH THE LANDS OF JOHNSON, JR. THE FOLLOWING (3) COURSES:

N 38°41'00" W, 198.32 FEET TO AN IRON PIPE FOUND; THENCE

S 64°29'02" W, 210.00 FEET TO AN IRON PIPE FOUND; THENCE

S 38°40'56" E, 194.09 FEET TO A POINT; SAID POINT BEING IN THE NORTHERLY RIGHT-OF-WAY OF AFOREMENTIONED DENT ROAD; THENCE DEPARTING SAID LANDS OF JOHNSON, JR. AND CONTINUING WITH SAID DENT ROAD THE FOLLOWING COURSE:

S 64°51'35" W, 280.23 FEET TO THE POINT OF BEGINNING, CONTAINING A TOTAL AREA OF 33.42845 ACRES OF LAND, MORE OR LESS.

GENERALIZED DEVELOPMENT PLAN
COURTHOUSE MANOR
TM 30-78 & 30-136
AQUIA MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

VICINITY MAP
1" = 2000'

VICINITY SKETCH MAP
1" = 1000'

OWNER
THE PRESBYTERY OF THE JAMES, INC.
3218 CHAMBERLAYNE AVENUE
RICHMOND, VIRGINIA 23227

RONNIE BOWLING & BOWLING FAMILY LLC
1950 COURTHOUSE ROAD
STAFFORD, VIRGINIA 22554

CONTRACT PURCHASER/APPLICANT
MILLER & SMITH, INC.
8401 GREENSBORO DRIVE,
SUITE 450
MCLEAN, VIRGINIA 22102
703-821-2500
CONTACT: STEVE AYLOR

PLANNING COMMISSION APPROVAL

CHAIRMAN
STAFFORD COUNTY PLANNING COMMISSION

DATE

SHEET INDEX
1. COVER SHEET
2. LEGEND, ABBREVIATIONS, NOTES AND DETAILS
3. EXISTING CONDITIONS / SOILS MAP
4. ENVIRONMENTAL INVENTORY PLAN
5. OVERALL KEY PLAN
6-7. GENERALIZED DEVELOPMENT PLAN
8. GENERALIZED LANDSCAPE PLAN

VICINTY SKETCH MAP LEGEND

SUBDIVISION KEY

- 8 BELANDRES
- 60 MONCURE ESTATES
- 66 OLDE CONCORD WOODS
- 89 SEASONS LANDING
- 96 SOMERSET LANDING
- 110 SUMMIT RIDGE

NOTES:

1. SUBDIVISIONS ARE IDENTIFIED BY SHADING ON THE VICINITY SKETCH MAP THIS SHEET.
2. SUBDIVISION LIST OBTAINED FROM STAFFORD COUNTY ROAD MAP WITH ACTIVE SUBDIVISIONS DATED MAY 1, 2011. SUBDIVISIONS MAY OR MAY NOT BE RECORDED. ADDITIONAL INFORMATION FROM ADC MAP.

SYMBOLS LEGEND

- PR PRIVATE STREET
- SCHOOL LOCATED WITHIN ONE MILE OF THE SITE
- MAGISTERIAL DISTRICT LINE

NOTES:

1. NO LIBRARIES ARE LOCATED WITHIN ONE MILE OF THE SITE.
2. NO PARKS ARE LOCATED WITHIN ONE MILE OF THE SITE.
3. A FIRE/RESCUE STATION IS LOCATED WITHIN ONE MILE OF THE SITE.
4. TWO POLITICAL BOUNDARIES LIE WITHIN ONE MILE OF THE SITE AS SHOWN.

Bowman CONSULTING

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COVER SHEET
COURTHOUSE MANOR
GENERALIZED DEVELOPMENT PLAN
AQUIA MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

COUNTY PROJECT NUMBER

COMMONWEALTH OF VIRGINIA
JUSTIN R. TROIDL
Lic. No.040214
12/3/14
PROFESSIONAL ENGINEER

PLAN STATUS	
06/02/14	GDP SUBMISSION
10/10/14	ADDRESS COMMENTS
11/18/14	ADDRESS PUBLIC HEARING COMMENTS
12/03/14	ADDRESS STAFF COMMENTS

DATE	DESCRIPTION	
CVF DESIGN	DJA DRAWN	CVF CHKD
SCALE	H: N/A V: N/A	
JOB No. 4883-01-001		
DATE : JUNE 2014		
FILE No. 4883-D-ZP-001		
SHEET 1 OF 8		

Cad file name : P:\4883 - Bowling Property\4883-02-001 (ENG) - Cluster-Preliminary-Construction Plans\Engineering\Engineering Plans\4883-D-ZP-001\01-4883-D-ZP-001-CVR.dwg

LEGEND

EXISTING	DESCRIPTION	PROPOSED
40	INDEX CONTOUR	40
38	INTERMEDIATE CONTOUR	38
EX. E/P	EDGE OF PAVEMENT	PROP. E/P
EX. C & G	CURB AND GUTTER	CG-6
-	TRANSITION FROM CG-6 TO CG-6R	CG-6R
-	PROPOSED HEADER CURB	
-	PROPERTY LINE	
-	DEPARTING PROPERTY LINE	
	LOT LINE	
	RIGHT-OF-WAY	
	CENTERLINE	
	FLOOD PLAIN	
-	CLEARING AND GRADING	
	TREE LINE	
-	FLOW LINE OF SWALE	
-	STREAM	
-	OVERLAND RELIEF PATHWAY	
X	FENCE LINE	X
	EASEMENT	
EX 8" W/L	WATER LINE	8" DIP W/L
EX. W/V	WATER VALVE	PROP. W/V
EX. R.	REDUCER	PROP. R.
EX 8" SAN	SANITARY SEWER	8" PVC SAN
EX 18"	STORM SEWER	18" RCP
-	CABLE TV	CATV
E	ELECTRIC SERVICE	E
T	TELEPHONE SERVICE	T
G	GAS LINE	G
+ 25.32	SPOT ELEVATION	25.32
	UTILITY POLE	
	SIGN	
EX A	SANITARY SEWER IDENTIFIER	A
EX 2	STORM DRAIN IDENTIFIER	2
W	EASEMENT IDENTIFIER	W
	WATER METER	
	FIRE HYDRANT	
-	PARKING INDICATOR INDICATES THE NUMBER OF TYPICAL PARKING SPACES	25
	STREET LIGHT	
-	VEHICLES PER DAY (TRAFFIC COUNT)	255 VPD
-	TEST PIT LOCATION RECOMMENDED/REQUIRED	
-	CRITICAL SLOPE SLOPES TO BE STABILIZED PURSUANT TO VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK	★
	HANDICAP RAMP (CG-12) DENOTES LOCATION OF STD VDOT CG-12 AND/OR JURISDICTIONAL STANDARD RAMP CONSTRUCTION	
-	DENOTES CLEAR SIGHT TRIANGLE	
15" OAK	TREE	
-	BENCHMARK	BM #1 TBV #1 ELEV=101.82
	ASPHALT TRAIL	
	CONCRETE SIDEWALK	
	END WALLS	
	END SECTIONS	
	STOP SIGN	
	STREET SIGN	
OHE	OVERHEAD ELECTRIC	OHE
OHT	OVERHEAD TELEPHONE	OHT
VAN	HANDICAP PARKING SPACE (VAN)	VAN
	RIP RAP	
	CROSSWALK	

ABBREVIATIONS

A
- A — AREA OF ARC
- AD — ALGEBRAIC DIFFERENCE
- AASHTO — AMERICAN ASSOCIATION OF STATE HWY. & TRANSP. OFFICIALS
- ASTM — AMERICAN SOCIETY FOR TESTING AND MATERIALS
- AC. — ACRE
- AGGR. — AGGREGATE
- ANSI — AMERICAN NATIONAL STANDARDS INSTITUTE
- ASPH — ASPHALT
- AWWA — AMERICAN WATER WORKS ASSOCIATION

B
- B — BREADTH
- BC — BOTTOM OF CURB
- BF — BASEMENT FLOOR
- BLDG — BUILDING
- BM — BENCHMARK
- BMP — BEST MANAGEMENT PRACTICES (WATER QUALITY)
- BOV — BLOW OFF VALVE
- BRL — BUILDING RESTRICTION LINE
- BVCS — BEGINNING VERTICAL CURVE STATION
- BVCE — BEGINNING VERTICAL CURVE ELEVATION
- BW — BOTTOM OF WALL

C
- c,e — CENTER CORRECTION ON VERTICAL CURVE
- C — COEFFICIENT OF RUNOFF
- CATV — CABLE TELEVISION
- CB — CATCH BASIN OR CHORD BEARING
- CC — CENTER TO CENTER
- CFS (Q) — CUBIC FEET PER SECOND
- CH — CHORD
- CG — CURB AND GUTTER
- CIP — CAST IRON PIPE
- C — CENTERLINE
- CL — CLASS
- CMP — CORRUGATED METAL PIPE
- CONC. — CONCRETE
- CO — CLEAN OUT
- CONT. — CONTINUATION
- CS — CURB STOP
- CT — COURT
- C/L — CENTERLINE

D
- D,d — DEPTH
- DA — DRAINAGE AREA
- DB — DEED BOOK
- DEQ — VA. DEPARTMENT OF ENVIRONMENTAL QUALITY
- DET. — DETAIL
- DI — DROP INLET
- DIA. — DIAMETER
- DIP — DUCTILE IRON PIPE
- DM — DROP MANHOLE
- DR. — DRIVE
- DRNG — DRAINAGE
- DRWG. — DRAWING
- D/W — DRIVE WAY
- Δ — DELTA
- DU — DWELLING UNITS
- DOM — DOMESTIC

E
- e — RATE OF SUPER ELEVATION IN FEET PER FOOT
- EC — EROSION CONTROL
- EGL — ENERGY GRADIENT LINE
- EQC — ENVIRONMENTAL QUALITY CORRIDOR
- ESM'T — EASEMENT
- EG — EDGE OF GUTTER
- ELEV. — ELEVATION
- ENT. — ENTRANCE
- EP — EDGE OF PAVEMENT
- ES — END SECTION
- EVCS — ENDING VERTICAL CURVE STATION
- EVCE — ENDING VERTICAL CURVE ELEVATION
- EW — END WALL
- EX. — EXISTING
- ELEC. — ELECTRICAL
- EBL — EAST BOUND LANE

F
- F — FIRE LINE
- FAR — FLOOR AREA RATIO
- FC — FACE OF CURB
- FF — FIRST FLOOR
- FG — FINISHED GRADE
- FH — FIRE HYDRANT
- FL — FLOW LINE
- FP — FLOOD PLAIN
- FS — FACTOR OF SAFETY
- FT. — FOOT
- FOY. — FOYER
- FPS — FEET PER SECOND

G
- g — GRAVITY
- G — GAS
- GFA — GROSS FLOOR AREA
- Gr. — GRADE
- GR — GUARD RAIL
- GAR — GARAGE

H
- H,h — HEIGHT
- H — HEAD
- HC — HANDICAPPED PARKING SPACE
- HGL — HYDRAULIC GRADIENT LINE
- HP — HIGH POINT
- HR — HAND RAIL
- HT. — HEIGHT
- HW — HEADWATER

I
- I — RAINFALL INTENSITY
- ID — INSIDE DIAMETER
- IN — INCH
- INV. — INVERT
- IP — IRON PIPE
- IPF — IRON PIPE FOUND
- IPS — IRON PIPE SET

J
- JB — JUNCTION BOX

K
- K — SIGHT DISTANCE COEFFICIENT
- Ke — CULVERT ENTRANCE LOSS COEFFICIENT

L
- L — LENGTH
- LAT. — LATERAL
- LF — LINEAR FOOT
- LL — LOWER LEVEL
- LOS — LINE OF SIGHT
- LP — LOW POINT
- LS — LOADING SPACE
- LCG — LIMITS OF CLEARING & GRADING
- LT — LEFT

M
- M — MONUMENT FOUND
- MECH. — MECHANICAL
- MH — MANHOLE
- MI. — MILE
- MPH — MILES PER HOUR
- MS — MEDIAN STRIP
- MSL — MEAN SEA LEVEL
- MIN — MINIMUM
- MAX — MAXIMUM

N
- N/F — NOW OR FORMERLY
- NFA — NET FLOOR AREA
- NO.,# — NUMBER
- NBL — NORTH BOUND LANE
- N/A — NOT APPLICABLE

O
- OC — ON CENTER
- OD — OUTSIDE DIAMETER
- OH — OVERHANG
- O/H — OVERHEAD

P
- P — PERIMETER
- PC — POINT OF CURVATURE
- PCC — POINT OF COMPOUND CURVE
- PCEP — POINT OF CURVE EDGE OF PAVEMENT
- PCTC — POINT OF CURVATURE TOP OF CURB
- PFM — PUBLIC FACILITIES MANUAL
- PG. — PAGE
- PGL — POINT OF GRADE LINE
- PI — POINT OF INTERSECTION
- PL — PROPERTY LINE
- PRC — POINT OF REVERSE CURVES
- PRELIM. — PRELIMINARY
- PROP. — PROPOSED
- PT — POINT OF TANGENCY
- PVC — POINT OF VERTICAL CURVATURE
- PVC — POLY VINYL CHLORIDE
- PVI — POINT OF VERTICAL INTERSECTION
- PVM'T — PAVEMENT
- PVRC — POINT OF VERTICAL REVERSE CURVE
- PVT — POINT OF VERTICAL TANGENT
- P&P — PLAN AND PROFILE

Q
- Q(C.F.S.) — AMOUNT OF RUNOFF

R
- R,r — RADIUS
- REQD — REQUIRED
- RCP — REINFORCED CONCRETE PIPE
- RD. — ROAD
- RET. — RETAINING
- REV. — REVISION
- RR — RAILROAD
- RTE. — ROUTE
- R/W — RIGHT OF WAY
- RGP — ROUGH GRADING PLAN
- ROM — REMOTE OUTSIDE MONITOR
- RMA — RESOURCE MANAGEMENT AREA
- RPA — RESOURCE PROTECTION AREA
- RT — RIGHT

S
- S — SPEED OR SLOPE
- SAN. — SANITARY
- SBL — SOUTH BOUND LANE
- SD — SIGHT DISTANCE
- SECT. — SECTION
- SEW. — SEWER
- SH. — SHOULDER
- SF — SQUARE FEET
- SP. — SPACE
- SP — SITE PLAN
- SPEC. — SPECIFICATION
- STA. — STATION
- STD. — STANDARD
- STK. — STACK
- STM. — STORM
- SVC. — SERVICE
- SWM — STORM WATER MANAGEMENT
- S/W — SIDE WALK
- Sx — CROSS SLOPE

T
- T — TANGENT
- TB — TEST BORE
- TC — TOP OF CURB
- Tc — TIME OF CONCENTRATION
- TEL — TELEPHONE
- TP — TEST PIT
- TP — TREE PROTECTION
- TB — TOP OF BANK
- TW — TOP OF WALL
- TW — TAILWATER

U
- UD — UNDERDRAIN
- UG — UNDERGROUND
- UL — UPPER LEVEL
- UP — UTILITY POLE
- VAN — HANDICAPPED VAN PARKING SPACE

V
- V — VELOCITY
- V — VOLUME
- VA — VIRGINIA
- VC — VERTICAL CURVE
- VDOT — VA. DEPT. OF TRANSPORTATION
- VF — VERTICAL FOOT

W
- W — WEIGHT OR WIDTH
- W/M — WATER MAIN
- WBL — WEST BOUND LANE
- WQIA — WATER QUALITY IMPACT ASSESSMENT

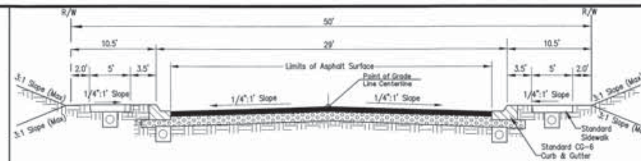
X
- XF — TRANSFORMER

Y
- YI — YARD INLET
- YR — YEAR

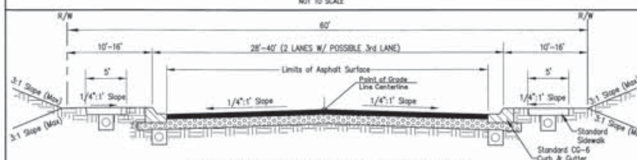
Z
- Z — SIDE SLOPES

PROPERTY INFORMATION / ZONING REQUIREMENTS RESIDENTIAL R-1 CLUSTER

1. CURRENT ZONING: R-1 (AREA = 33.445 AC GROSS)
2. PROPOSED USE: SINGLE FAMILY DETACHED
3. ALLOCATED DENSITY:
   BY-RIGHT: 1.5 DU/AC
   33.45 AC x 1.5 DU/AC = 50.17 UNITS
   CLUSTER WITH SUP: 2.25 DU/AC
   33.45 AC x 2.25 DU/AC = 75.26 UNITS
4. PROPOSED DENSITY:
   33.45 AC / 75 UNITS = 2.24 DU/AC
5. TOTAL AREA IN LOTS = 668,734.7443 S.F. or 15.35 AC
6. TOTAL AREA IN R.O.W. = 350,310.6241 S.F. or 8.04 AC
   FUTURE COURTHOUSE BYPASS R.O.W. = 137,958.1127 S.F. or 3.17 AC
7. TOTAL AREA IN DEDICATED OPEN SPACE = 437,821.4541 S.F. or 10.05 AC
8. OPEN SPACE FOR CLUSTER SUBDIVISION:
   REQUIRED = 33.45 AC. x 30.0% = 10.03 AC
   PROPOSED = 10.05 AC / 33.45 AC = 30.04%
9. MINIMUM LOT AREA: REQUIRED = N/A
   PROPOSED = N/A
10. O.S.R. REQUIRED (PER SEC. 28-25 "DEFINITIONS") = 0.50
    O.S.R. PROPOSED = N/A
11. MINIMUM YARD REQUIREMENTS: (R-1 CLUSTER)
    FRONT 30'
    SIDE 8' MINIMUM, 18' TOTAL
    REAR 25'
12. MINIMUM LOT WIDTH REQUIRED (CLUSTER): 60'
    MINIMUM LOT WIDTH PROPOSED: 60'
13. MAXIMUM BLDG HEIGHT = 35'
14. NO LOTS SERVED BY PIPE STEMS.
15. ALL SPECIFIC LOT AND DESIGN INFORMATION IS SUBJECT TO FINAL ENGINEERING.



INTERNAL PUBLIC STREETS
TYPICAL 29' FC TO FC PUBLIC STREET SECTION
NOT TO SCALE



FUTURE NORTHEAST COURTHOUSE BYPASS ROAD
TYPICAL 40' FC TO FC PUBLIC STREET SECTION
(TO BE CONSTRUCTED BY OTHERS)
NOT TO SCALE

STREET CLASSIFICATION CHART

STREET NAME	CLASSIFICATION	ADT (VPD)	DESIGN ADT (VPD)	DESIGN SPEED (MPH)	POSTED SPEED (MPH)	ROW WIDTH	MIN CL RADIUS (FT)	MIN SIGHT DISTANCE (FT) STOPPING	MIN SIGHT DISTANCE (FT) INTERSECTIONS	PAVEMENT SECTION (FC TO FC)
COURTHOUSE MANOR DRIVE	PUBLIC (C&G) (PARKING ON BOTH SIDES)	800	UP TO 2000	25	25	50'	200'	155'	280'	29'
PRESTIGE WAY	PUBLIC (C&G) (PARKING ON BOTH SIDES)	250	UP TO 2000	25	25	50'	200'	155'	280'	29'
BOWLING STREET	PUBLIC (C&G) (PARKING ON BOTH SIDES)	170	UP TO 2000	25	25	50'	200'	155'	280'	29'
HEIRLOOM WAY	PUBLIC (C&G) (PARKING ON BOTH SIDES)	80	UP TO 2000	25	25	50'	200'	155'	280'	29'
REGENTS LANE	PUBLIC (C&G) (PARKING ON BOTH SIDES)	80	UP TO 2000	25	25	50'	200'	155'	280'	29'
FUTURE NORTHEAST COURTHOUSE BYPASS (CONSTRUCTED BY OTHERS)	PUBLIC (C&G) (NO PARKING) (NEIGHBORHOOD STREET) (URBAN COLLECTOR GS-7)	-	10300	35	35	60'	408'	250'	390'	40'

SITE SPECIFIC NOTES:

1. THE PROPERTY HEREON IS LOCATED ON TAX MAP 30-136 & 30-78.
2. SITE AREA: 1,456,866.8225 S.F./ 33.445 AC.
3. EXISTING ZONING: R-1
   PROPOSED ZONING: R-1 (CLUSTER)
4. LAND USE: PUBLIC R/W
   75 LOTS (SINGLE FAMILY DETACHED)
5. NO TITLE REPORT FURNISHED. PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
6. BOUNDARY SURVEY BY BOWMAN CONSULTING GROUP, LTD., DATED 10-30-13. TOPOGRAPHY FROM STAFFORD COUNTY GIS CONTOUR INTERVAL 2'.
7. THE PROPERTY SHOWN HEREON LIES WITHIN ZONE 'X', AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 51015401421E DATED 2-04-05. THE 100-YR FLOODPLAIN DOES NOT ENCROACH ON THIS PROPERTY, AND THE SITE IS IN NOT IN THE FLOOD ZONE.
8. THERE ARE NO KNOWN HISTORIC STRUCTURES LOCATED ON THIS SITE.
9. THE CRITICAL RESOURCE PROTECTION AREA (CRPA) DOES NOT ENCROACH ONTO THIS SITE.
10. SITE WILL BE SERVED BY PUBLIC WATER AND SEWER. PORTIONS TO BE SERVED BY A LOW PRESSURE SEWER SYSTEM.
11. ALL NECESSARY ENVIRONMENTAL PERMITS WILL BE SUBMITTED TO THE PLANNING DEPARTMENT PRIOR TO APPROVAL OF CONSTRUCTION PLANS AND/OR GRADING PLANS.
12. EROSION AND SEDIMENT CONTROL WILL BE PROVIDED WITH THE FINAL CONSTRUCTION PLANS.
13. EXISTING PARCEL LINES WILL BE VACATED UPON RECORDATION OF THE FINAL PLATS
14. LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE DESIGN AND CONSTRUCTION STANDARDS FOR LANDSCAPING, BUFFERING, AND SCREENING OF STAFFORD COUNTY. ADDITIONAL TREES WILL BE PROVIDED TO MEET THE STAFFORD COUNTY REQUIREMENT OF SEC. 100.
15. EXISTING UTILITES TO BE RELOCATED, REPLACED, OR ABANDONED AS REQUIRED.
16. NO WETLANDS ARE LOCATED ON THIS SITE PER USACE DETERMINATION.

CHESAPEAKE BAY NOTE:
ALL THE REQUIREMENTS OF THE CHESAPEAKE BAY PRESERVATION ACT SHALL BE SHOWN ON THE CONSTRUCTION PLANS WHERE APPLICABLE. A CHESAPEAKE BAY PRESERVATION ACT OVERLAY PLAN SHALL BE SHOWN ON THE CONSTRUCTION PLANS AS THEY ARE DEVELOPED AND SUBMITTED FOR APPROVAL. SAID OVERLAY PLAN TO SHOW LIMITS OF CHESAPEAKE BAY AREAS.
ALL AREAS DETERMINED TO BE WITHIN THE CRITICAL RESOURCE PROTECTION AREAS AS DEFINED BY CHAPTER 28 OF THE STAFFORD COUNTY CODE SHALL REMAIN UNDISTURBED.

IMPERVIOUS CALCULATION

PROPOSED CLUSTER DEVELOPMENT W/ SUP

ONSITE IMPERVIOUS AREA CALCULATIONS		
BUILDINGS =	211050 SF =	4.8450 ACRES
PAVEMENT =	135904 SF =	3.1199 ACRES
SIDEWALK =	44098 SF =	1.0124 ACRES
DRIVEWAYS =	41850 SF =	0.9607 ACRES
TOTAL =	432902 SF =	9.9380 ACRES

SITE AREA = 1456866.82 SF = 33.445 ACRES
PERCENT IMPERVIOUS AREA = 29.71%

PROPOSED BY-RIGHT CLUSTER DEVELOPMENT

ONSITE IMPERVIOUS AREA CALCULATIONS		
BUILDINGS =	140700 SF =	3.2300 ACRES
PAVEMENT =	94770 SF =	2.1756 ACRES
SIDEWALK =	30375 SF =	0.6973 ACRES
DRIVEWAYS =	27900 SF =	0.6405 ACRES
TOTAL =	293745 SF =	6.7434 ACRES

SITE AREA = 1456866.82 SF = 33.445 ACRES
PERCENT IMPERVIOUS AREA = 20.16%

INCREASE IN IMPERVIOUS AREA FROM BY-RIGHT TO SUP CLUSTER:
SUP CLUSTER IMPERVIOUS AREA = 9.938 AC
BY RIGHT CLUSTER IMPERVIOUS AREA = 6.7434 AC
DIFFERENCE = 9.938 AC - 6.7434 AC = 3.1946 AC

PERCENT IMPERVIOUS AREA:
SUP CLUSTER IMPERVIOUS PERCENT = 29.71%
BY RIGHT CLUSTER IMPERVIOUS PERCENT = 20.16%
DIFFERENCE = 29.71% - 20.16% = 9.55%

TREE COVER CALCULATIONS

THERE IS APPROXIMATELY 33 ACRES OF EXISTING TREE COVER. THE TREE LINE SHOWN ON THIS PLAN IS APPROXIMATE AND GENERALLY SHOWS THE AREA OF TREES WITH A 6" DBH.

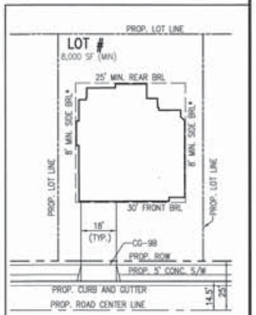
APPROXIMATE CLEARING LIMITS WITH A BY-RIGHT CLUSTER DEVELOPMENT IS 29 ACRES.

APPROXIMATE CLEARING LIMITS FOR A CLUSTER (SUP) DEVELOPMENT IS 32 ACRES.

ENGINEER'S ESTIMATE – WATER/SEWER NEEDS

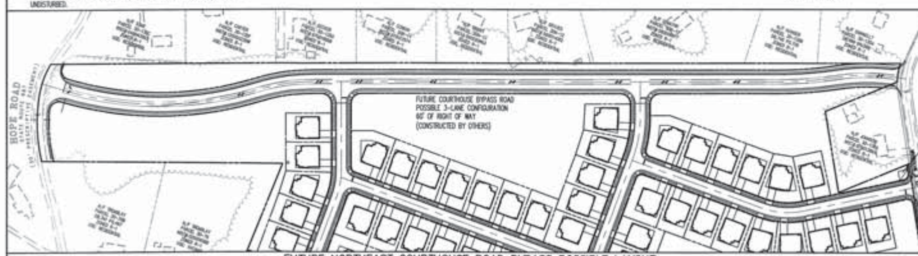
ESTIMATED WATER NEEDS FOR 75 SINGLE FAMILY RESIDENTIAL LOTS @ 240 GPD/LOT = 18,000 GPD

ESTIMATED SEWER NEEDS FOR 75 SINGLE FAMILY RESIDENTIAL LOTS @ 300 GPD/LOT = 22,500 GPD



1. * MINIMUM TOTAL SIDE YARD IS 18'. (LOT NUMBERS ARE GENERIC AND DO NOT CORRESPOND WITH THIS PLAN)
2. RESIDENTIAL CORNER LOT SIDE YARD IS 25' PER ZONING ORDINANCE SEC. 28-38 (b).
3. PARKING REQUIRED: 2 SPACES/UNIT
   PARKING PROVIDED: 2 SPACES PER UNIT IN DRIVEWAYS

TYPICAL BRL DETAIL
SCALE: 1"=30'



FUTURE NORTHEAST COURTHOUSE ROAD BYPASS POSSIBLE LAYOUT
SCALE: 1"=150'

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LEGEND, ABBREVIATIONS, NOTES AND DETAILS
COURTHOUSE MANOR
GENERALIZED DEVELOPMENT PLAN
AQUIA MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

COUNTY PROJECT NUMBER

COMMONWEALTH OF VIRGINIA
JUSTIN R. TROIDL
Lic. No.040214
12/3/14
PROFESSIONAL ENGINEER

PLAN STATUS

DATE	DESCRIPTION
06/02/14	GDP SUBMISSION
10/10/14	ADDRESS COMMENTS
11/18/14	ADDRESS PUBLIC HEARING COMMENTS
12/03/14	ADDRESS STAFF COMMENTS

CVF DESIGN	DJA DRAWN	CVF CHKD
SCALE	H: N/A V: N/A	
JOB No. 4883-01-001		
DATE: JUNE 2014		
FILE No. 4883-D-ZP-001		

SHEET 2 OF 8

Cad file name : P:\4883 - Bowling Property\4883-02-001 (ENG) - Cluster-Preliminary-Construction Plans\Engineering\Engineering Plans\4883-D-ZP-001\02-4883-D-ZP-001-LGD.dwg

MAP SYMBOL	HYDRIC	K FACTOR		HYDROLOGIC SOIL GROUP	DEPTH TO		SUBSOIL PERMEABILITY (IN/HR)	SOIL NAME	SHRINK-SWELL	FLOOD-PLAIN
		TOPSOIL	SUBSOIL		ROCK (FEET)	WATER (FEET)				
Cw		*0.32	cut and fill land							
Iu	P2	0.17	0.28	C	5+	2.5-3.5	0.63-2.0	Iuka	L	Y
Sf	N	0.28	0.43	B	5+	5+	0.63-2.0	Sassafras	L	
					at 3+ ft.		2.0-6.3			

NOTES:
EX. TREE LINE GENERALLY DEPICTS THE LOCATION OF TREES WITH A TRUNK DIAMETER OF 6 INCHES DBH.

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft.

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EXISTING CONDITIONS & SOILS MAP
COURTHOUSE MANOR
GENERALIZED DEVELOPMENT PLAN
AQUIA MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

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JOB No. 4883-01-001
DATE : JUNE 2014
FILE No. 4883-D-ZP-001
SHEET 3 OF 8

Cad file name : P:\4883 - Bowling Property\4883-02-001 (ENG) - Cluster-Preliminary-Construction Plans\Engineering\Engineering Plans\4883-D-ZP-001\03-4883-D-ZP-001-XFT.dwg

Legend

- Property Boundary
- Index Contours
- Contours (CI=2')
- Slopes 15-25%
- Slopes >25%
- Soils (*Iu*)

NOTES:

1. The approximately 33.4-acre Courthouse Manor Project is identified as Tax Map 30, Parcels 78 and 136, and is located at 1369 Courthouse Road in Stafford County, Virginia. The Project is generally located at 38°25'23"N Latitude and -77°24'05"W Longitude on the Stafford, Virginia USGS Quadrangle Map.
2. Project boundaries, existing conditions mapping, and general development plan layout provided by Bowman Consulting Group, Ltd. (BCG). Topographic information obtained from the Stafford County GIS.
3. The Project area is generally comprised of medium-aged mixed-hardwood forest dominated by tulip poplar (*Liriodendron tulipifera*), sweetgum (*Liquidambar styraciflua*), and white oak (*Quercus alba*) in the overstory, with an understory dominated by American holly (*Ilex opaca*) and ironwood (*Carpinus caroliniana*).
4. Soils GIS information was obtained from the USDA Stafford and Kings George Counties Soils Survey (USDA Natural Resources Conservation Service, Web Soil Survey 2.1, *http://websoilsurvey.nrcs.usda.gov*; Survey Area Data: Version 11, January 11, 2010), and is summarized in the Soils Summary Table included on the Plan.
5. An analysis of topographic mapping obtained from the Stafford County GIS indicates that there are slopes of 15 to 25 percent, and slopes greater than 25 percent, located within the Project area, as shaded on this Plan.
6. According to FEMA Flood Insurance Rate Map No. 5101540142E (Effective Date February 4, 2005), the Project is mapped as Zone X, therefore, there are no floodplains present within the Project area.
7. Based on the *Corps of Engineers Wetlands Delineation Manual* (1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region* (Version 2.0, November 2010), and the field investigation conducted by BCG (Report and Map dated September 9, 2013), there are no waters of the U.S. or wetlands located within the Project limits. The absence of waters of the U.S. and wetlands within the Project limits was approved by the USACE during a Jurisdictional Determination dated March 12, 2014 (USACE Project No. NAO-2014-180).
8. An evaluation of the likelihood of Federal and State-listed threatened and endangered species occurring on, or in the vicinity of, the Project was conducted by BCG based on information obtained from the U.S. Fish and Wildlife Service (FBWS), the Virginia Department of Conservation and Recreation (DCR), and the Virginia Department of Game and Inland Fishers (DGIF) (Report dated May 14, 2014). Based on existing habitat conditions, and the evaluations for those identified Federal and State-listed, the potential for occurrences of or potential impacts to listed species is considered low, and no Federal or State-listed threatened or endangered species are anticipated to be adversely affected by the development of the Project.
9. Based on a review of the Virginia Department of Historic Resources (DHR) Virginia Cultural Resource Information System (V-CRIS) (*https://vcris.dhr.virginia.gov/vcris/*), Resource 44ST1051-0001 (French Infantry campsite No. 12 at Garrit's Tavern in July 1782) and Resource 44ST1051-0002 (Campsite No. 5 of Lauzun's Legion at Garrit's Tavern in July 1782) were identified as being generally located along Hope Road and overlapping into the northern portion of the Project. Resources 44ST1051-0001 and 44ST1051-0002 were not evaluated for listing on the National Register of Historic Places (NRHP). Additionally, Resource 089-0163 (House, Route 630) was identified within the southwestern portion of the Project. Resource 089-0163 has been demolished, and is no longer located within the Project. Due to the disturbed nature of the majority of Resources 44ST1051-0001 and 44ST1051-0002, and the demolished nature of Resource 089-0163, no adverse impacts to historic resources are anticipated to result from the development of the Project.
10. Based on the above evaluations, no adverse impacts to threatened and endangered species, critical habitat, or historic resources are anticipated to result from the development of the Project.

Soils Summary Table

Map Unit	Map Unit Name	Drainage Class	National Hydric Soils List[2]	Hydric Component
Iu	Iuka fine sandy loam, local alluvium, 0 to 4 percent slopes	MWD	Yes	Alluvial land, wet (5%) Bibb (3%)
MdB	Mair very fine sandy loam, 2 to 6 percent slopes	WD	No	N/A
SfB	Sassafrass fine sandy loam, 2 to 6 percent slopes	WD	No	N/A
SfC2	Sassafrass fine sandy loam, 6 to 10 percent slopes, eroded	WD	No	N/A
SfD2	Sassafrass fine sandy loam, 10 to 15 percent slopes, eroded	WD	No	N/A
SfE2	Sassafrass fine sandy loam, 15 to 35 percent slopes, eroded	WD	No	N/A

MWD – Moderately Well Drained; WD – Well Drained; N/A – Not Applicable
[2] Per National Hydric Soils List for Stafford and King George Counties, Virginia published by USDA NRCS

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

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ENVIRONMENTAL INVENTORY PLAN
COURTHOUSE MANOR
GENERALIZED DEVELOPMENT PLAN
STAFFORD COUNTY, VIRGINIA
AQUIA MAGISTERIAL DISTRICT

COUNTY PROJECT NUMBER

COMMONWEALTH OF VIRGINIA
JUSTIN R. TROIDL
Lic. No. 040214
PROFESSIONAL ENGINEER

PLAN STATUS	
06/02/14	GDP SUBMISSION
10/10/14	ADDRESS COMMENTS
11/18/14	ADDRESS PUBLIC HEARING COMMENTS
12/03/14	ADDRESS STAFF COMMENTS

DATE	DESCRIPTION

CVF	DJA	CVF
DESIGN	DRAWN	CHKD

SCALE H: 1" = 100'
V: N/A

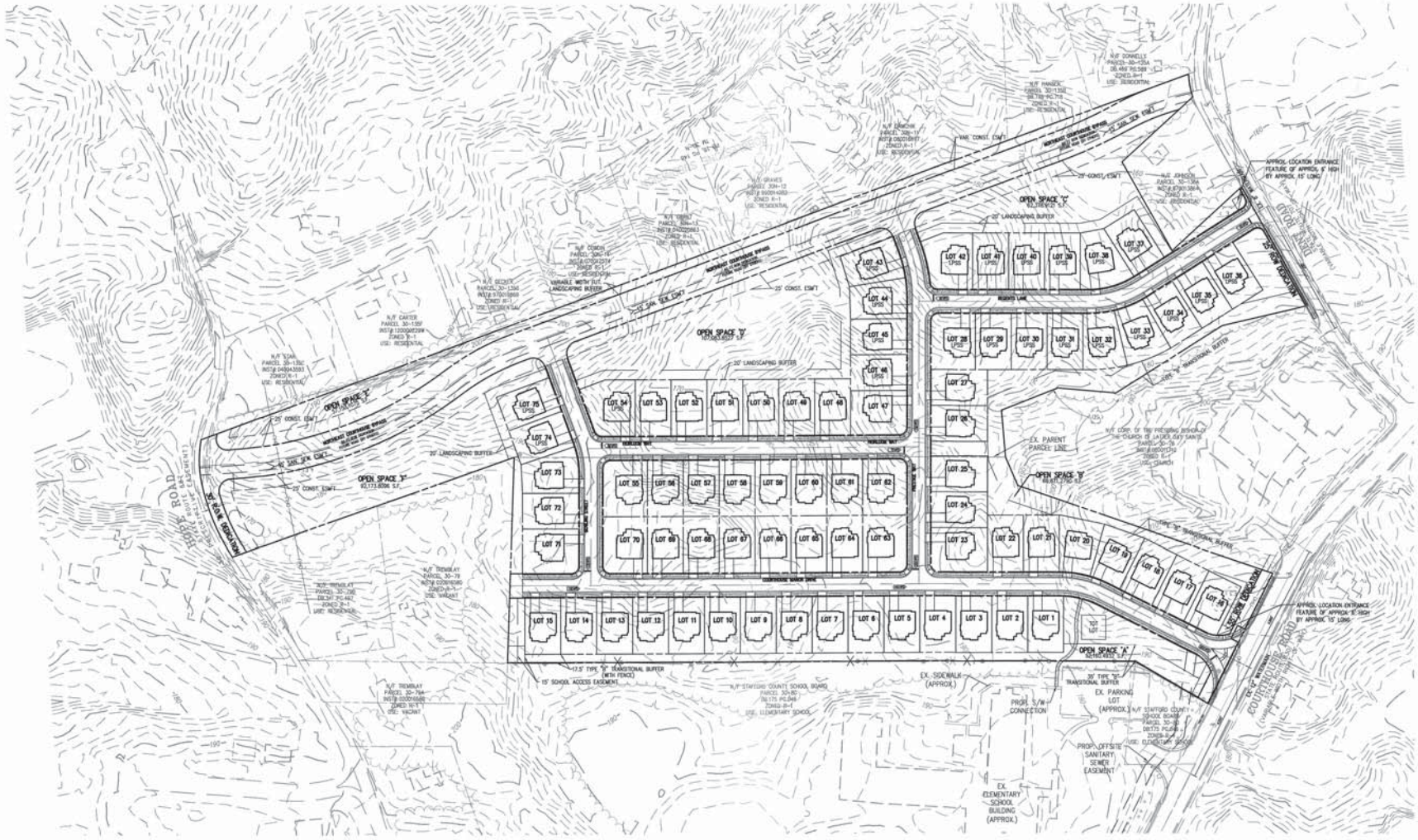
JOB No. 4883-01-001

DATE : JUNE 2014

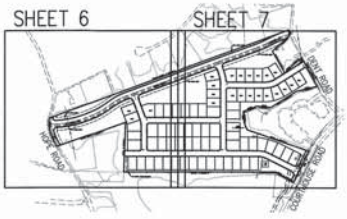
FILE No. 4883-D-ZP-001

SHEET 4 OF 8

Cad file name : P:\4883 - Bowling Property\4883-02-001 (ENG) - Cluster-Preliminary-Construction Plans\Engineering\Engineering Plans\4883-D-ZP-001\04-4833-D-ZP-001-ENV.dwg



SHEET 6 SHEET 7



NORTH

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

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OVERALL KEY PLAN
COURTHOUSE MANOR
GENERALIZED DEVELOPMENT PLAN
AQUIA MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

COUNTY PROJECT NUMBER

COMMONWEALTH OF VIRGINIA
JUSTIN R. TROXEL
Lic. No.040214
PROFESSIONAL ENGINEER

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12/03/14	ADDRESS STAFF COMMENTS
DATE	DESCRIPTION

CVF	DJA	CVF
DESIGN	DRAWN	CHKD

SCALE H: 1" = 100'
V: N/A

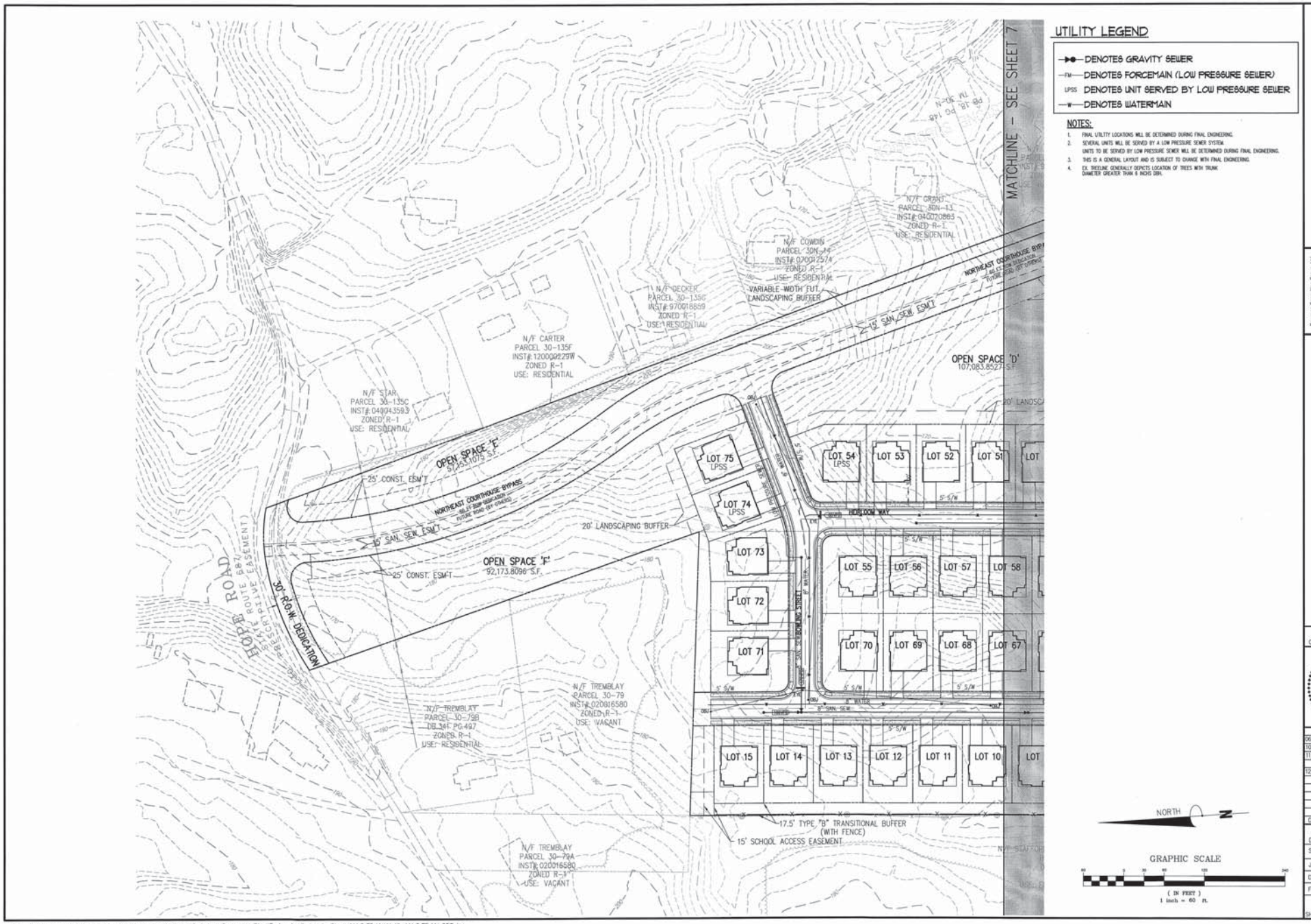
JOB No. 4883-01-001

DATE : JUNE 2014

FILE No. 4883-D-ZP-001

SHEET 5 OF 8

Cad file name : P:\4883 - Bowling Property\4883-02-001 (ENG) - Cluster-Preliminary-Construction Plans\Engineering\Engineering Plans\4883-D-ZP-001\05-4883-D-ZP-001-OVR.dwg



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GENERALIZED DEVELOPMENT PLAN
COURTHOUSE MANOR
GENERALIZED DEVELOPMENT PLAN
AQUIA MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

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12/03/14	ADDRESS STAFF COMMENTS

DATE	DESCRIPTION
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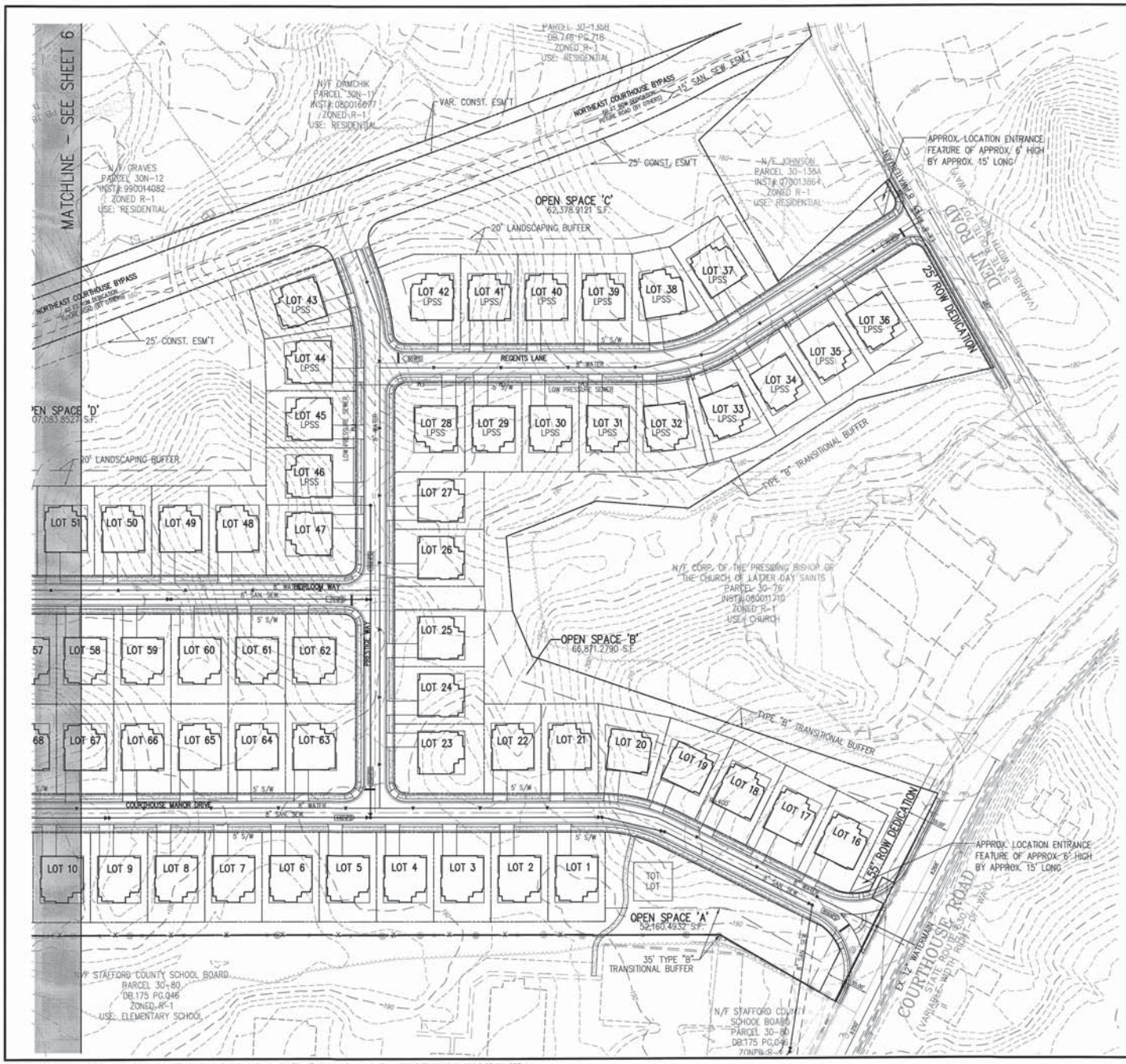
SCALE	H: 1" = 60' V: N/A
JOB No.	4883-01-001
DATE :	JUNE 2014
FILE No.	4883-D-ZP-001
SHEET	6 OF 8

Cad file name : P:\4883 - Bowling Property\4883-02-001 (ENG) - Cluster-Preliminary-Construction Plans\Engineering\Engineering Plans\4883-D-ZP-001\06-07-4883-D-ZP-001-GDP.dwg



UTILITY LEGEND

- DENOTES GRAVITY SEWER
- FM — DENOTES FORCEMAIN (LOW PRESSURE SEWER)
- LPSS DENOTES UNIT SERVED BY LOW PRESSURE SEWER
- W — DENOTES WATERMAIN

NOTES:

1. FINAL UTILITY LOCATIONS WILL BE DETERMINED DURING FINAL ENGINEERING.
2. SEVERAL UNITS WILL BE SERVED BY A LOW PRESSURE SEWER SYSTEM. UNITS TO BE SERVED BY LOW PRESSURE SEWER WILL BE DETERMINED DURING FINAL ENGINEERING.
3. THIS IS A GENERAL LAYOUT AND IS SUBJECT TO CHANGE WITH FINAL ENGINEERING.
4. EX. TREELINE GENERALLY DEPICTS LOCATION OF TREES WITH TRUNK DIAMETER GREATER THAN 6 INCHES DBH.

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GENERALIZED DEVELOPMENT PLAN
COURTHOUSE MANOR
GENERALIZED DEVELOPMENT PLAN
AQUIA MAGISTERIAL DISTRICT — STAFFORD COUNTY, VIRGINIA

COUNTY PROJECT NUMBER

COMMONWEALTH OF VIRGINIA — JUSTIN R. TROIDL — Lic. No. 040214 — PROFESSIONAL ENGINEER

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CVF	DJA	CVF
DESIGN	DRAWN	CHKD

SCALE H: 1" = 60' V: N/A
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SHEET 7 OF 8

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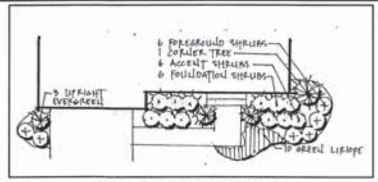
Playworld Systems
PlaySimplee
Tunnel Junction
Product: #PSD-1102-FTD

Spring Mates ® Chipmunk

Spring Mates ® Pony

NOTE: TOT LOT EQUIPMENT AS SHOWN, OR EQUIVALENT, SHALL BE INSTALLED.

TOT LOT DETAILS
NOT TO SCALE



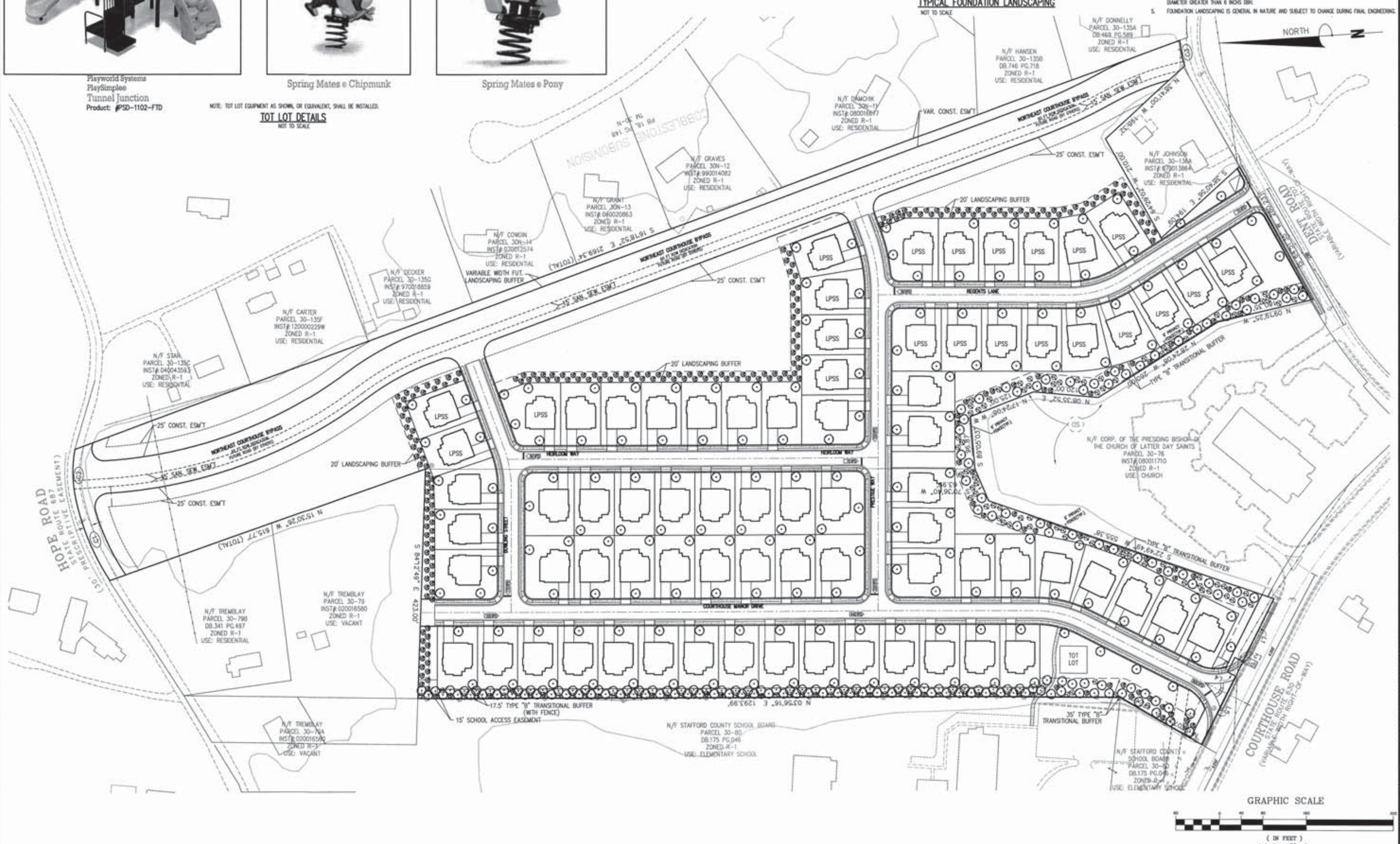
TYPICAL FOUNDATION LANDSCAPING
NOT TO SCALE

LANDSCAPE PLAN LEGEND

- DENOTES CANOPY TREE
- DENOTES UNDERSTORY TREE
- DENOTES EVERGREEN TREE
- DENOTES SHRUB

LANDSCAPE NOTES:

1. FINAL TREE LOCATIONS WILL BE DETERMINED DURING FINAL ENGINEERING.
2. TREE SPECIES WILL BE DETERMINED DURING FINAL ENGINEERING.
3. THIS IS A GENERAL LAYOUT AND IS SUBJECT TO CHANGE WITH FINAL ENGINEERING.
4. EX. TREELINE GENERALLY DEPICTS LOCATION OF TREES WITH TRUNK DIAMETER GREATER THAN 6 INCHS DBH.
5. FOUNDATION LANDSCAPING IS GENERAL IN NATURE AND SUBJECT TO CHANGE DURING FINAL ENGINEERING.



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GENERALIZED LANDSCAPE PLAN
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AQUIA MAGISTERIAL DISTRICT — STAFFORD COUNTY, VIRGINIA

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SCALE	H: 1" = 80' V: N/A	
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DATE : JUNE 2014		
FILE No. 4883-D-ZP-001		
SHEET 8 OF 8		

October 3, 2014

Mr. Jeff Harvey
1300 Courthouse Road
P.O. Box 339
Stafford, VA 22555-0339

Re: CUP14150252, Conditional Use Permit – Courthouse Manor (the "Project")
Transportation Assessment for Planned NE Courthouse Bypass
Aquia Magisterial District – Stafford County, VA
BCG #4883-01-001

Dear Mr. Harvey:

Bowman Consulting Group (BCG) has prepared this transportation assessment for Miller & Smith, Inc. (the Applicant) in response to General Comment 3(c) in the County's 9/8/14 comment letter for the referenced Project. The Applicant is seeking a Conditional Use Permit (CUP) to allow the Project to be developed under R-1 Cluster zoning with 75 single-family residential units on approx. 33.5 acres. The current zoning of the site is R-1. The County's comment refers to the right-of-way dedication width for the northern segment of the planned "Northeast Courthouse Bypass" as depicted on the Project's Generalized Development Plan (GDP) dated 6/2/14 by BCG (see **Attachment A**, which shows the Overall Key Plan from the GDP). General Comment 3(c) states:

> "*The site design shows two access points onto the bypass road, this will require a four-lane design in this area and consequently 110 feet of ROW dedication; alternatively, the applicant may consider a two-lane undivided road without access with 60 feet of right-of-way dedication; or the applicant may submit a study to identify the roadway classification needed to provide the adequate mitigation of impacts to the intersection of Route 1 and Courthouse Road in order to maintain Route 1 as a four-lane road though the Courthouse area*."

This memorandum demonstrates that the "Northeast Courthouse Bypass" can function acceptably as a two-lane undivided roadway with level of service (LOS) C under projected 2035 conditions and provide two (2) points of access to the Project. The background, methodology, results and conclusions for this transportation assessment are offered below.

Background

BCG and the Applicant understand that the County's comment is made in the context of significant planning efforts and studies (by the County) in recent years to prepare the Stafford County Courthouse Area Master Redevelopment Plan (Courthouse Plan). The Courthouse Plan is part of the Stafford County Master Redevelopment Plan, which was adopted as part of the County Comprehensive Plan in 2011. The Courthouse Plan was designed to further the following transportation objectives of the County's Comprehensive Plan:

- Maintain a safe road system
- Provide & maintain a multi-modal public transit system
- Create a system of sidewalks, bike paths, and trails to provide non-motorized transportation alternatives
- Create better patterns of traffic flow and circulation

Attachment B includes the following illustrations and exhibits from the County's Courthouse Plan, with the Project location shown for reference:

- Figure 6.3 – Courthouse UDA Land Use Concepts
- Figure 6.5 – Courthouse UDA Street Types

In **Attachment B**, Figure 6.3 identifies the Northeast Courthouse Bypass as a Collector Road, and Figure 6.5 identifies it as a Neighborhood Street. Both figures illustrate a conceptual grid network of streets which traverse the Applicant's property and connect at four (4) different locations to the planned Northeast Courthouse Bypass. These figures also illustrate the overall role that the Northeast Courthouse Bypass will play in providing street connectivity and circulation in the Courthouse Plan, as discussed in further detail below.

Northeast Courthouse Bypass

As illustrated on the graphics in **Attachment B**, the Applicant's project includes land which can provide right-of-way to complete the northern segment of the Northeast Courthouse Bypass. This segment is approximately 2,100' in length and would extend from Hope Road south to Dent Road. To complete the Northeast Courthouse Bypass, an additional 900' would need to be constructed (by others) from Dent Road to the intersection of Courthouse Road and Hospital Center Boulevard. When completed, the Northeast Courthouse Bypass will allow for a continuous ±1.6 mile route around the east side of Stafford's Historical Courthouse Village with connections to Route 1 at both ends. This route will begin at the Route 1/Bells Hill Road/Hope Road intersection and proceed east on Hope Road before turning south on the Northeast Courthouse Bypass and then connecting to Hospital Center Boulevard at Courthouse Road. Hospital Center Boulevard then curves back to the west before tying back into Route 1. The Route 1/Hospital Center Boulevard intersection is currently a 3-leg "T" intersection, but it is

expected to have a western leg added to create a direct connection to the proposed relocation of the I-95/Route 630 interchange. Completion of the interchange project and connection to Route 1/Hospital Center Boulevard is expected between 2018 and 2020.

Planned Roadways in the Courthouse Plan

One of the key tenets of the Courthouse Plan is to create a grid network of streets in the Courthouse Area that will allow for safe and efficient mobility for all roadway users (car, pedestrian, bicycle and transit). Conceptual layouts of these roadways are provided in the Courthouse Plan figures included in **Attachment B**. In addition, the Courthouse Plan firmly states that "a four-lane [Route 1] is the critical infrastructure item for the Courthouse Area." Although the County's Courthouse Plan was specific about the required cross-section for Route 1, there was no analysis conducted to determine the anticipated cross-sections of most of the roadways in the Courthouse Area – including the Northeast Courthouse Bypass – which are to comprise the desired grid network. Instead, the Courthouse Plan provided the functional recommendations shown in **Attachment B** and recommended that updated analyses be conducted as future development occurs to "correlate capacity of the available street network with land use." This assessment is intended to serve that purpose, and a summary of the analysis methodology and results is provided in the sections below.

Existing Conditions

The key characteristics of the roadways in the vicinity of the Project are provided below for reference:

- Route 1 – 4-lane undivided
  - north of Hope Road (Rte. 687)
    - 4-lane divided
    - Functional Class = Urban (Other) Principal Arterial
    - Posted Speed limit = 35 mph
    - Avg. Annual Daily Traffic (AADT, 2013) = 16,000 VPD
  - south of Hope Road (Rte. 687)
    - 4-lane undivided
    - Functional Class = Rural Minor Arterial
    - Posted Speed limit = 35 mph
    - AADT (2013) = 15,000 VPD

- Route 630 – east of Route 1
  - 4-lane undivided
  - Functional Class = Urban Collector
  - Posted Speed limit = 35 mph
  - AADT (2013) = 10,000 VPD

- Hope Road (Rte. 687) – east of Route 1
  - 2-lane undivided
  - Functional Class = Urban Collector
  - Posted Speed limit = 35 mph
  - AADT (2013) = 5,900 VPD

- Dent Road (Rte. 707) – north of Route 630
  - 2-lane undivided
  - Functional Class = Local
  - Posted Speed limit = not posted
  - AADT (2013) = 370 VPD

Currently, in the portion of the Courthouse Area northeast of the Route 1/Route 630 intersection, there is only one street connection to bypass the intersection. That connection is provided by Hope Road (proceeding east from its signal at Route 1) to Stafford Avenue, which proceeds south from its unsignalized intersection with Hope Road to an unsignalized intersection with Route 630 approximately 850' east of the Route 1/Route 630 intersection. This connection is currently being used by some vehicles to avoid traveling through the Route 1/Route 630 intersection. Numerous past traffic studies (including the recent US Route 1 Corridor Study) have documented that the Route 1/Route 630 intersection operates at overall LOS F (with delays between 2-3 minutes) during the existing weekday AM and PM peak hour. This intersection is believed to be the highest-delay intersection in the entire County.

Future Conditions

The traffic volume projections used for this assessment were derived from the following studies commissioned previously by VDOT and the County:

- VDOT I-95/Route 630 Interchange Modification Report (2011)
- Stafford Courthouse Urban Development Area (UDA) Traffic Impact Analysis (2012)
- Stafford County US Route 1 Corridor Study (*Draft*, Sep. 2014)

For the purposes of this assessment, a horizon year of 2035 was chosen for analysis on the planned Northeast Courthouse Bypass because that horizon year coincides with the draft US Route 1 Corridor Study, which is the most recently completed study of those listed above. The projected volumes on the Northeast Courthouse Bypass were estimated based on engineering judgment applied to an evaluation of the following factors [associated contribution of estimated daily traffic noted in brackets]:

- Anticipated diversions from Route 1 (north) to Route 630 (east) and vice versa – [approx. 3,700 VPD]
- Anticipated diversions from Hope Road traffic originating from residential uses to the east of its future intersection with the Northeast Courthouse Bypass roadway – [approx. 4,400 VPD]
- Potential Route 1 through traffic which might divert to the east to avoid the Route 1/Route 630 intersection – [approx. 1,700 VPD]
- Projected Courthouse Manor site trips – [approx. 500 VPD, which represents 65% of the site trips]
- Assumed 100% build-out of the Stafford Urban Development Area (UDA) – [traffic contribution is part of the diversions listed above]

By summing the volumes noted above, projected 2035 daily traffic along the Northeast Courthouse Bypass is anticipated to be approximately 10,300 VPD. This estimate is presumed to be conservative (high) for year 2035 given that the Courthouse UDA may take significantly longer than 20 years to build out fully. Courthouse UDA trips are estimated to comprise approximately 40% of the projected 10,300 VPD on the Northeast Courthouse Bypass.

Courthouse Manor Site Traffic

Anticipated site trips for the Courthouse Manor project were determined by utilizing the ITE *Trip Generation* (9th Edition) for the weekday AM and PM peaks as well as for daily (weekday) conditions. Pass-by and internal capture trip adjustments were assumed to be zero. **Table 1** in **Attachment C** contains a summary of the site trip generation.

Distribution percentages for site trips were based on percentages from recent approved traffic studies in the area and reflect the commuter-oriented nature of the peak hour trips for the Project. Refer to **Figure 1** in **Attachment C** for the trip distribution percentages.

Total future 2035 weekday AM/PM peak hour trips along the Northeast Courthouse Bypass and at its intersections with the two (2) Project entrances were derived by applying a K-factor of 0.10 to the daily traffic volumes estimated along the Northeast Courthouse Bypass and a directional split of 70/30 northbound/southbound in the AM peak hour and 30/70 northbound/southbound in the PM peak hour. Project site trips were assigned to the two (2) Project entrances on the Northeast Courthouse Bypass based on the trip distribution percentages, the layout of lots within the Project, and engineering judgment. Refer to **Figure 2** in **Attachment C** for the projected total future (2035) peak hour traffic conditions along the Northeast Courthouse Bypass.

Turn Lane Warrant Analysis

BCG prepared turn lane warrant analyses for left-turn and right-turn movements from the proposed Northeast Courthouse Bypass to the Project's North and South Entrances. Based on the projected Total Future weekday AM and PM peak hour traffic volumes in 2035, no turn lane warrants are met for either right-turn or left-turns at either entrance.

Refer to **Attachment D** for copies of the turn lane warrant worksheets.

Roadway Link Capacity Analysis

The roadway link analysis contained herein is based on Highway Capacity Manual methodology for long-range planning, which is applicable to this assessment. A series of LOS tables using this methodology was published by the Systems Planning Office of the Florida Department of Transportation (FDOT). The long-range link LOS for the proposed Northeast Courthouse Bypass was evaluated against Stafford County's LOS standards and transportation impact policies set forth in the 2010 Stafford County Comprehensive Plan. The transportation element of the County's Comprehensive Plan calls for LOS C or better on public roadways, but recognizes that in certain instances LOS C may not be achievable. In such instances, the County sets forth policies of Non-Degradation and Offsetting Impacts to ensure that that the transportation system affected by proposed changes in land use performs no worse after the project is developed than it would otherwise. It is noted that the Virginia Department of Transportation (VDOT) generally deems LOS D (or better) to be acceptable.

For the purposes of the roadway link LOS analysis, the Northeast Courthouse Bypass is assumed to be posted for a speed limit of 35 mph (or less), and its connection to the Route 630/Hospital Center Boulevard intersection is assumed to be signalized. The analysis thus utilized the State Signalized Arterial Class II criteria (see **Attachment E**) for 2-lane undivided roadways. The unfactored range of AADT volumes that function at LOS C is 7,300 – 14,799 vehicles/day (VPD). However, adjustments to this range are required to be applied as follows:

- -20% for 2-lane undivided with no left-turn or right-turn lanes

With the adjustment applied, the LOS C range is reduced to 5,840 – 11,480 VPD. Based on the projected AADT of 10,300 VPD, the Northeast Courthouse Bypass roadway link is anticipated to operate at a daily LOS C under projected 2035 conditions. Refer to **Attachment E** for the roadway LOS worksheet.

Results

Based on the analyses contained herein, the Northeast Courthouse Bypass can function acceptably as a two-lane undivided roadway with LOS C under projected 2035 conditions under an estimated daily traffic loading of 10,300 VPD. This LOS result is based on traffic projections which include the Project's site trips, estimated trip diversions to the Northeast Courthouse Bypass, and full build-out of the Courthouse Urban Development Area per the County's Courthouse Redevelopment Plan. It is specifically noted that full build-out of the Courthouse UDA by year 2035 is a conservative assumption, as it may likely take significantly (potentially *decades*) longer. As a two-lane undivided roadway, the Northeast Courthouse Bypass can accommodate two (2) full-movement entrance connections for the Project. Turn lane warrant analyses under projected 2035 conditions indicate that right-turn and left-turn lanes will not be required along the Northeast Courthouse Bypass to serve these entrances.

In addition to the results above, it is noted that the Project proposes two (2) fewer roadway connections to the Northeast Courthouse Bypass, which is a 50% reduction from the four (4) roadway connections shown in the County's Courthouse Redevelopment Plan.

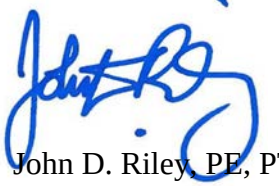
Conclusions

Based on the results above, the Northeast Courthouse Bypass can be planned for as a 2-lane roadway without turn lanes. This facility can be accommodated easily within a 60' right-of-way as a two-lane facility with 12' lanes, curb/gutter, utility/buffer strips, and 5' wide sidewalks on both sides. Stafford County's code includes a typical section for a 2-lane roadway that illustrates how these design elements may be accommodated within a similar right-of-way width (see **Attachment F**). If necessary, an additional lane may be constructed within the 60' right-of-way should future traffic studies identify the need for additional through capacity in either the northbound or southbound direction or should VDOT or the County desire to have an auxiliary lane for turning movements or incident management. A sample typical section for the Northeast Courthouse Bypass which includes a 3-lane cross-section is provided for reference in **Attachment G**. Alternatively, additional space within the 60' right-of-way may be utilized for transit stops, bicycle lanes, expansion of sidewalks to wider shared-use paths, wider utility/landscaping strips, or on-street parking.

In conclusion, the 60' right-of-way dedication will allow the planned Northeast Courthouse Connector both the capacity and flexibility to support the stated transportation objectives of the County's Comprehensive Plan, which include maintaining a safe road system, providing & maintaining a multi-modal public transit system, creating a system of sidewalks (and other facilities) to provide non-motorized transportation alternatives, and creating better patterns of traffic flow and circulation.

BCG appreciates the opportunity to prepare this assessment for use by the County in evaluating the Applicant's Project and CUP application. Should the County have any questions concerning the methodologies, results, or conclusions of this assessment, please do not hesitate to contact me at (804) 616-3240 or jriley@bowmancg.com.

Sincerely,
BOWMAN CONSULTING GROUP, LTD.

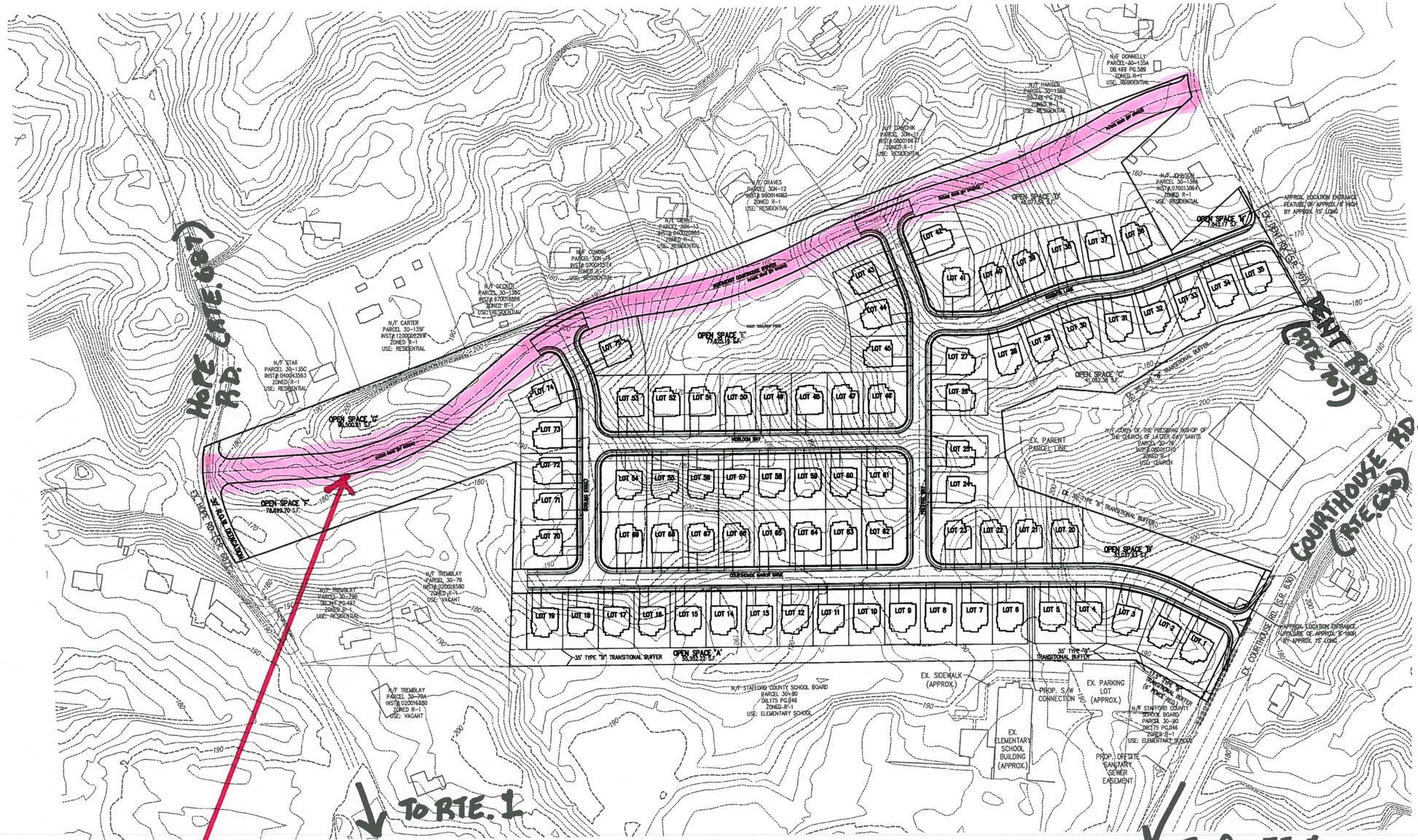


John D. Riley, PE, PTOE
Sr. Project Manager

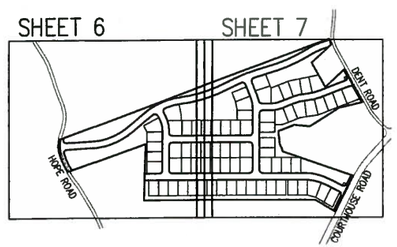
ATTACHMENT A

COURTHOUSE MANOR GDP

OVERALL KEY PLAN



SHEET 6 SHEET 7



NORTH

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

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OVERALL KEY PLAN

COURTHOUSE MANOR

GENERALIZED DEVELOPMENT PLAN

AQUIA MAGISTERIAL DISTRICT

STAFFORD COUNTY, VIRGINIA

COUNTY PROJECT NUMBER

COMMONWEALTH OF VIRGINIA
WILLIAM S. PYLE
Lic. No. 037555
06/02/14
PROFESSIONAL ENGINEER

PLAN STATUS	
06/02/14	GDP SUBMISSION

DATE	DESCRIPTION

CVF DESIGN	DJA DRAWN	CVF CHKD
SCALE	H: 1" = 80' V: N/A	
JOB No. 4883-01-001		
DATE : JUNE 2014		
FILE No. 4883-D-ZP-001		

SHEET 5 OF 8

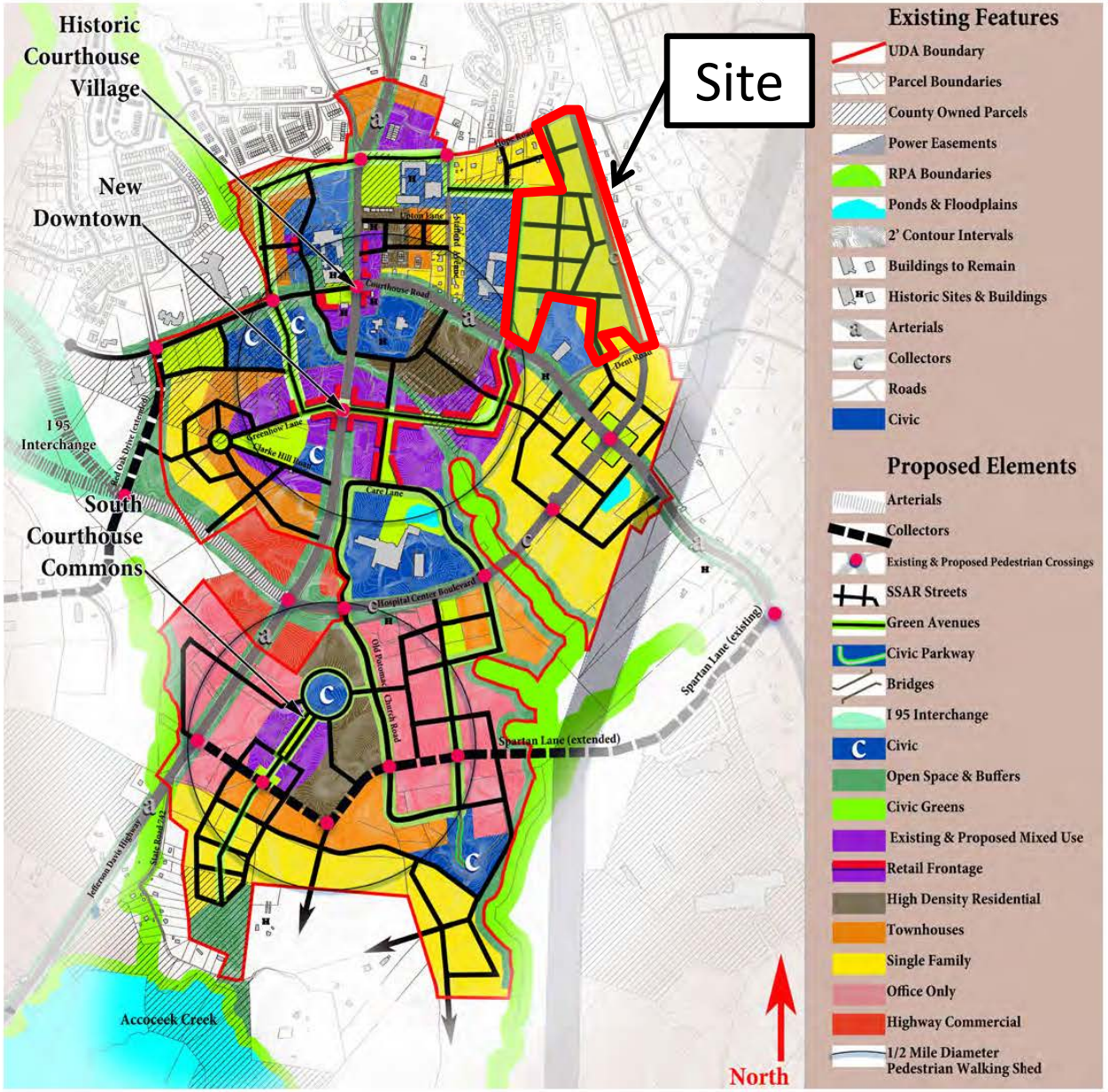
Cad file name : P:\4883 - Bowling Property\4883-02-p01 (ENG) - Cluster-Preliminary-Construction Plans\Engineering\Engineering Plans\4883-D-ZP-001\05-4883-D-ZP-001-OVR.dwg

ATTACHMENT B

EXHIBITS FROM
STAFFORD COUNTY COURTHOUSE AREA
REDEVELOPMENT MASTER PLAN

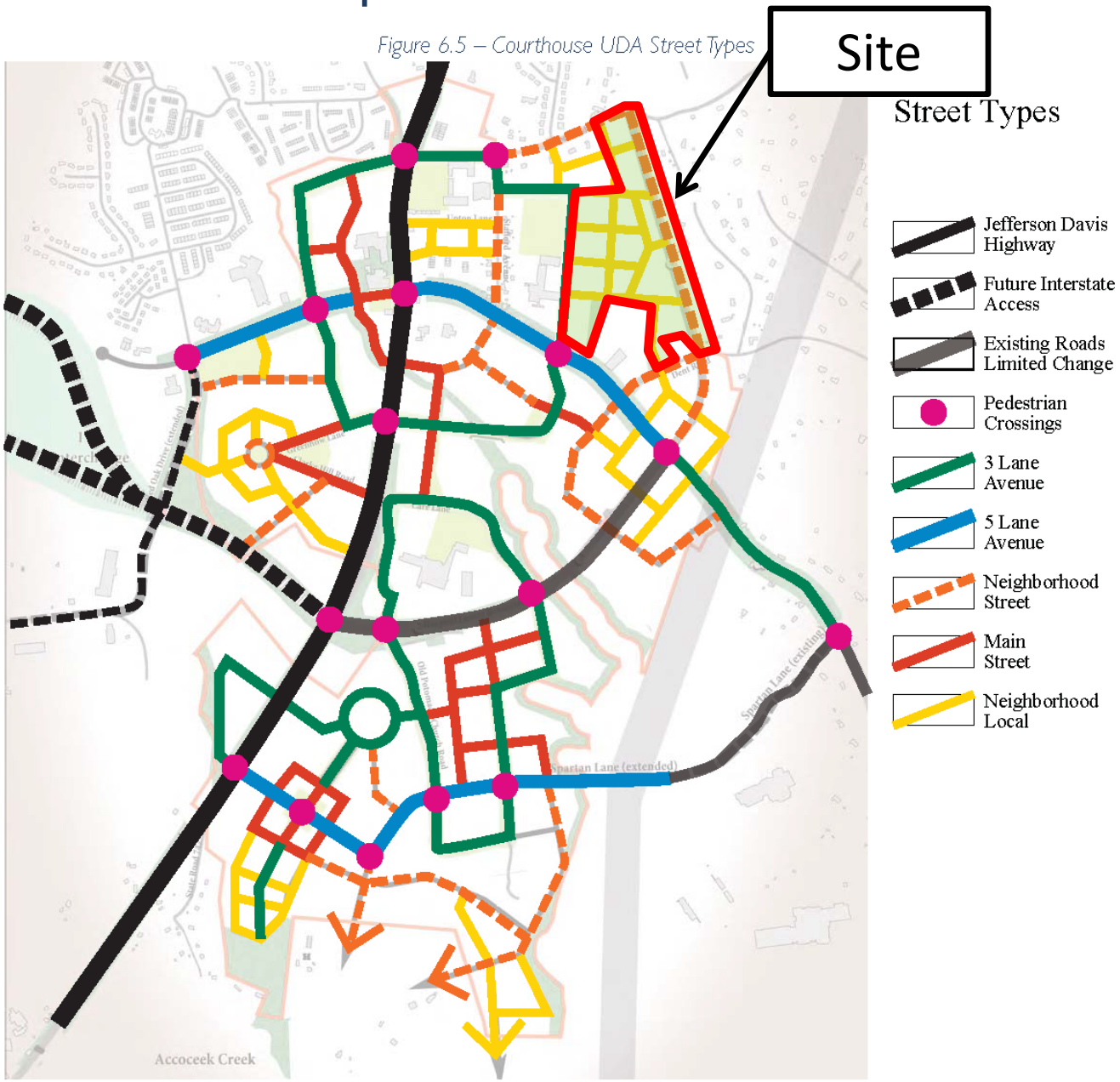
Section 6.0 - Implementation Recommendations for Courthouse UDA

Figure 6.3 – Courthouse UDA Land Use Concept



Section 6.0 - Implementation Recommendations for Courthouse UDA

Figure 6.5 – Courthouse UDA Street Types



ATTACHMENT C

SITE TRIP GENERATION

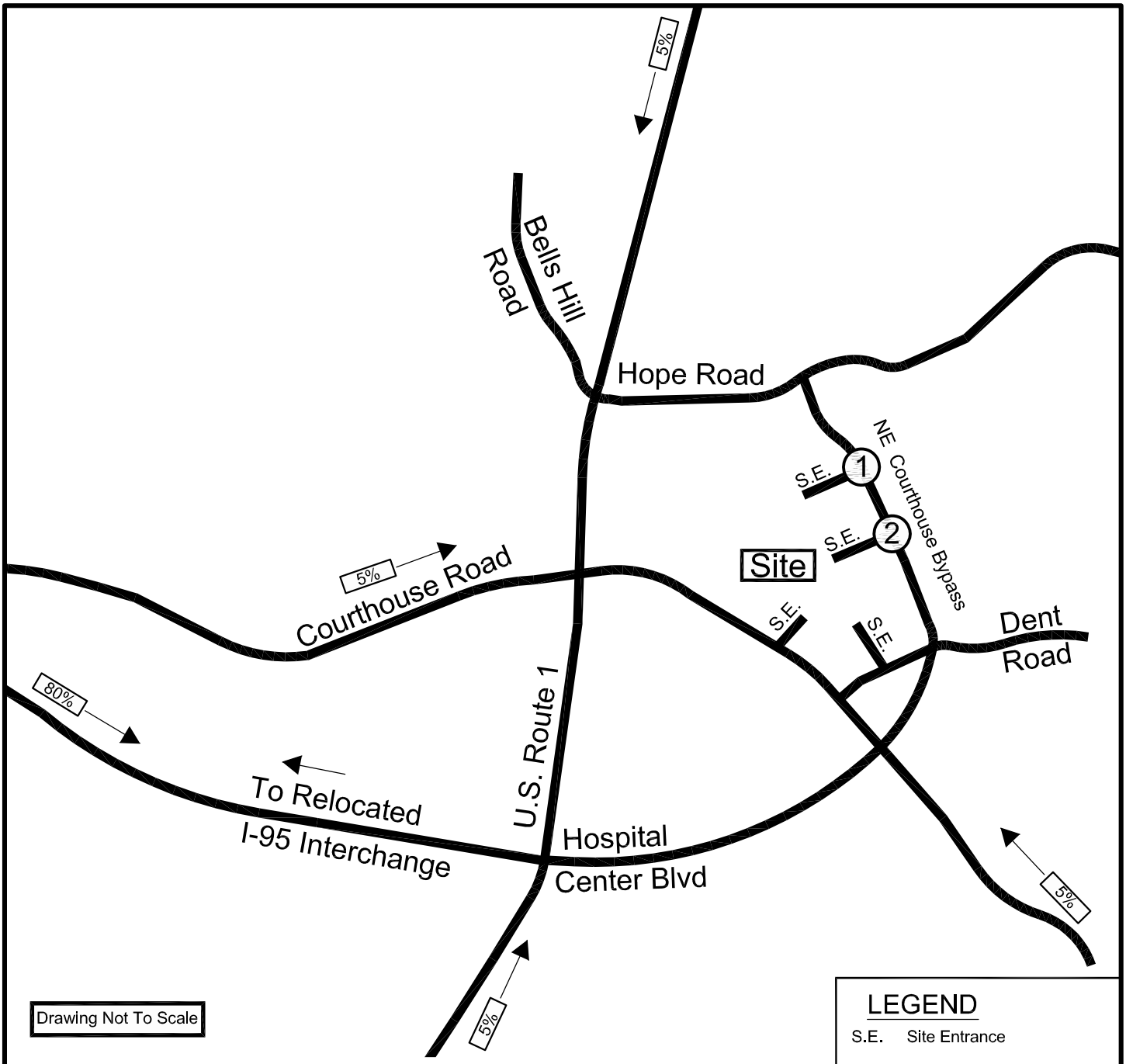
SITE TRIP DISTRIBUTION

PROJECTED 2035 TRAFFIC VOLUMES

Table 1 - ITE Site Trip Generation Analysis[1]

Land Use	Size	Units	Land Use Code	Weekday AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	Weekday PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily Trips
Proposed Bowling Property Development										
Residential										
Single-Family Detached	75	D.U.	210	16	46	62	51	30	81	806

Notes: (1) Based on the Institute of Transportation Engineers Trip Generation, 9th Edition.



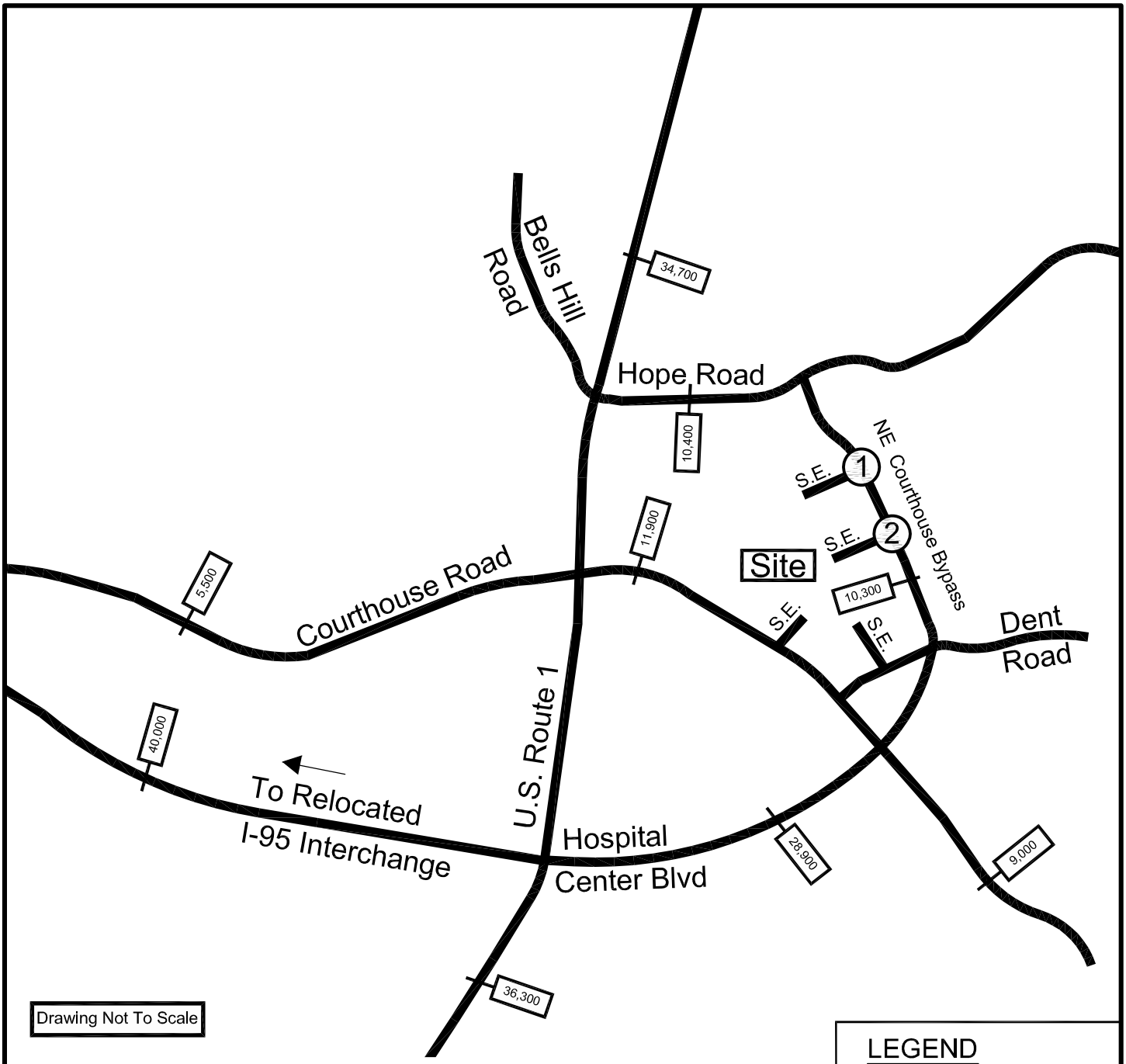
Bowman CONSULTING

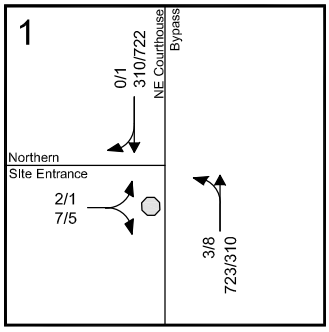
Site Generated Trip Distributions

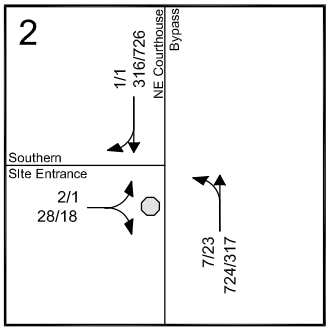
Courthouse Manor
Stafford County, Virginia

Figure 1

Job # 4883-01-001







Note: Site entrances on Dent Road and Courthouse Road are shown for reference but are not included in this analysis.

LEGEND

S.E. Site Entrance

Stop Sign

Represents One Travel Lane

xx/yy: AM/PM Peak Hour Traffic

XX,XXX Average Daily Traffic

Bowman CONSULTING

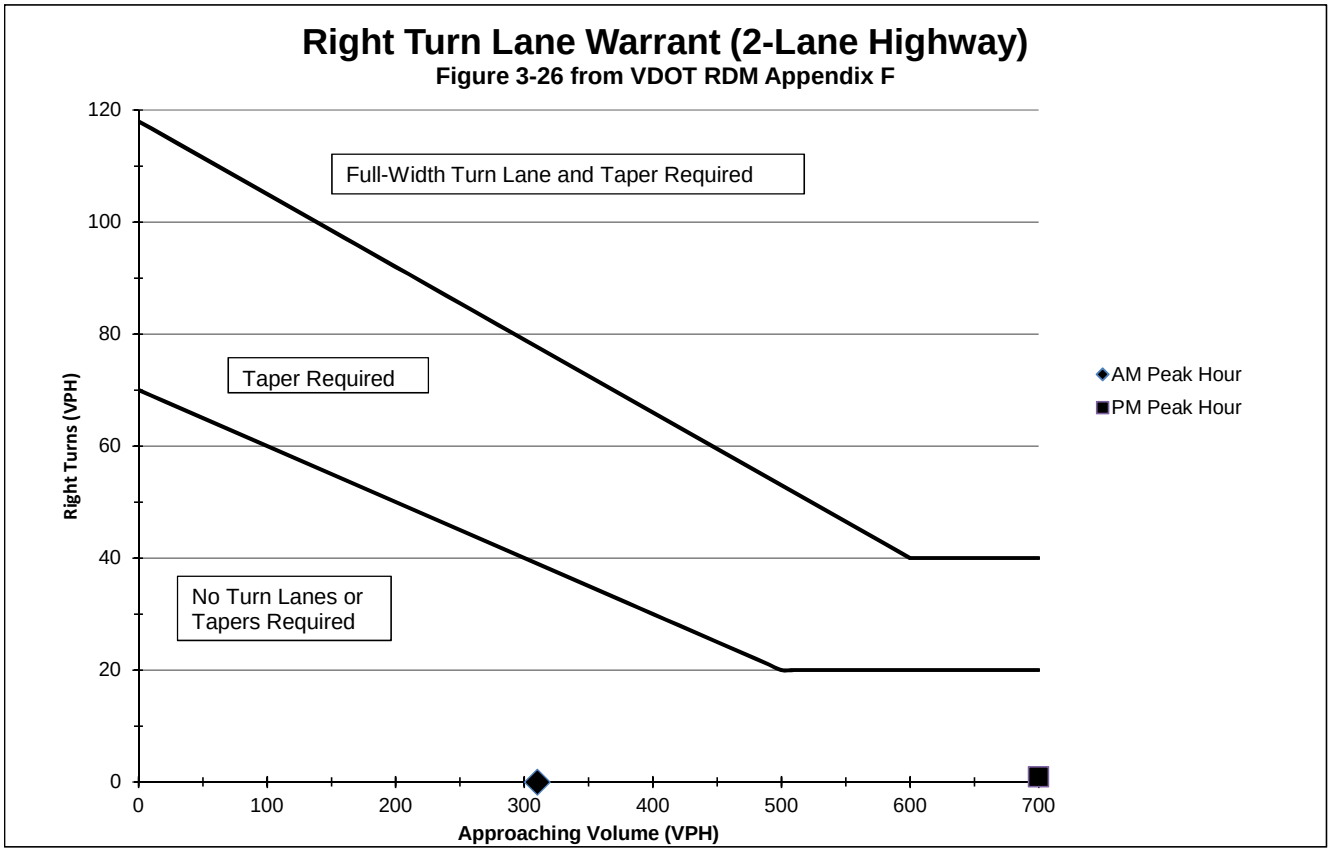
Total Future Traffic Forecasts (2035)
Courthouse Manor
Stafford County, Virginia

Figure 2

Job # 4883-01-001

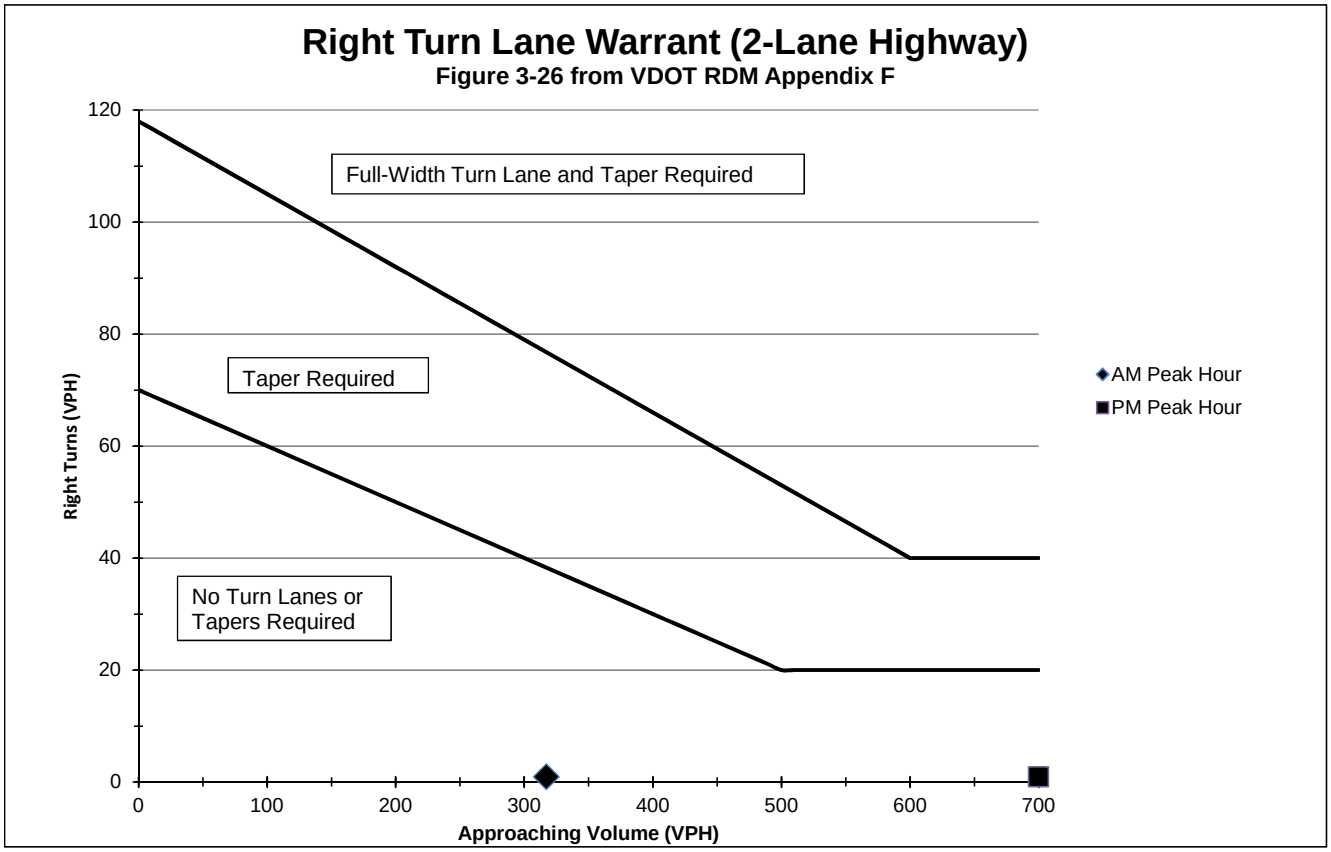
ATTACHMENT D

TURN LANE WARRANT ANALYSIS WORKSHEETS



Intersection: NE Courthouse Bypass/Northern Site Entrance (Study Intersection #1)
Approach: Southbound Right
Scenario: Total Future 2035
Speed Limit: 35 mph

	AM Peak Hour	PM Peak Hour
Approaching Volume	310	723
Right Turns	0	1
Right Turn Adjustment:	No	No
Adjusted Right Turns:	N/A	N/A



Intersection: NE Courthouse Bypass/Southern Site Entrance (Study Intersection #2)
Approach: Southbound Right
Scenario: Total Future 2035
Speed Limit: 35 mph

	AM Peak Hour	PM Peak Hour
Approaching Volume	317	727
Right Turns	1	1
Right Turn Adjustment:	No	No
Adjusted Right Turns:	N/A	N/A

WARRANT FOR LEFT-TURN STORAGE LANES ON TWO-LANE HIGHWAYS

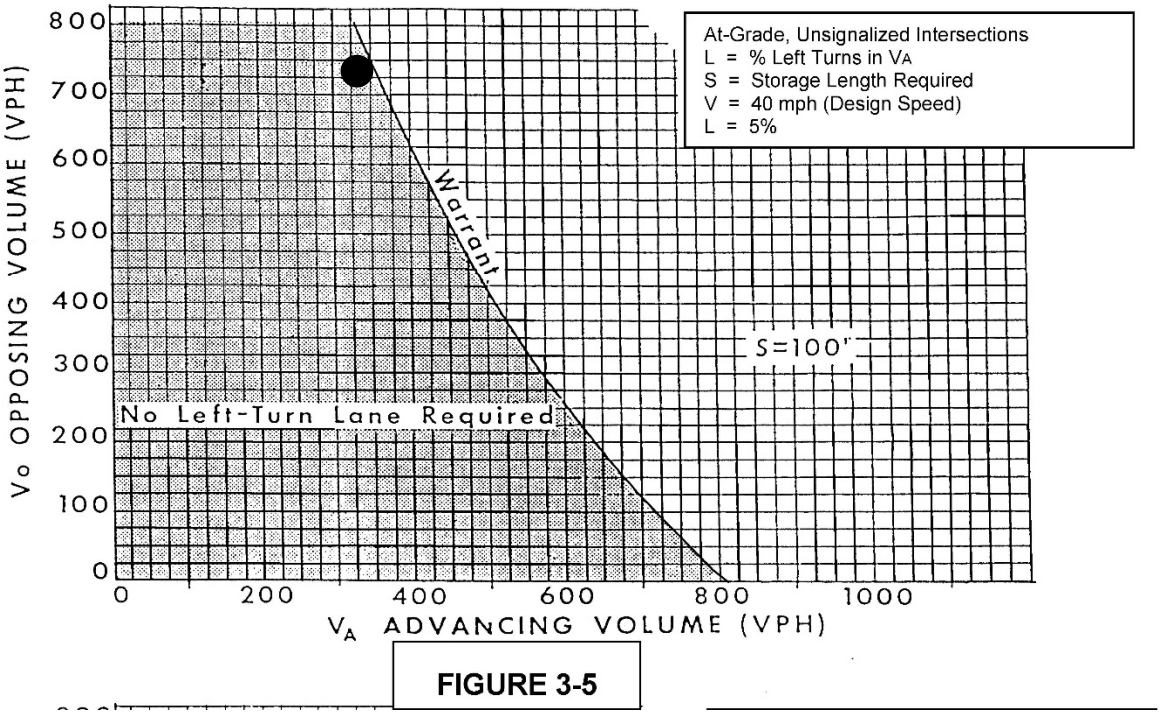


FIGURE 3-5

Intersection: NE Courthouse Bypass/Southern Site Entrance (Study Intersection #2)
Approach: Northbound Left
Scenario: Total Future 2035

	AM Peak Hour	PM Peak Hour
VO, Opposing Volume	317	727
VA, Advancing Volume	731	340
VL, Left Turning Volume	7	23
Percent Left Turns	1.0%	6.8%
Symbol	N/A*	●

* Percentage of left turns is significantly less than minimum chart threshold. Synchro analysis of intersection shows northbound delay of 0.2 seconds/veh with a 95th percentile queue of 0 feet.

WARRANT FOR LEFT-TURN STORAGE LANES ON TWO-LANE HIGHWAYS

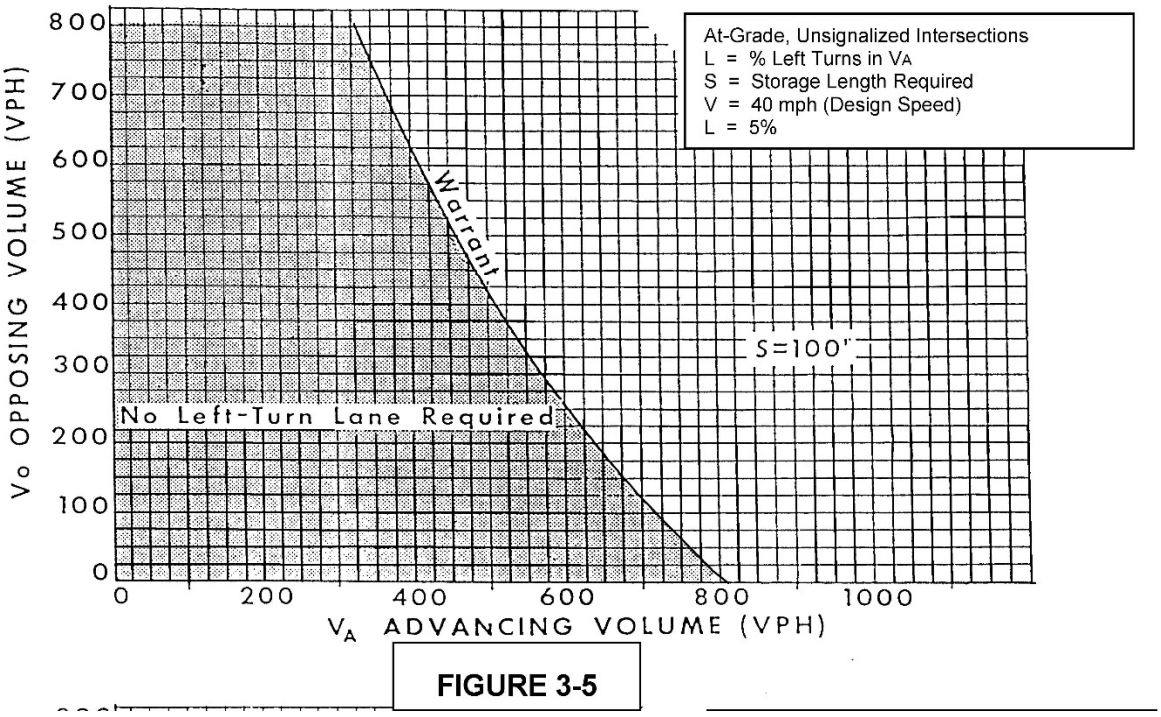


FIGURE 3-5

Intersection: NE Courthouse Bypass/Northern Site Entrance (Study Intersection #1)
Approach: Northbound Left
Scenario: Total Future 2035

	AM Peak Hour	PM Peak Hour
VO, Opposing Volume	311	723
VA, Advancing Volume	726	318
VL, Left Turning Volume	3	8
Percent Left Turns	0.4%	2.5%
Symbol	N/A*	N/A*

* Percentage of left turns is significantly less than minimum chart threshold. Synchro analysis of intersection shows northbound delay of 0.1 seconds/veh with a 95th percentile queue of 0 feet in the AM peak hour and delay of 0.4 seconds/veh and a 95th percentile queue of 1 foot in the PM peak hour.

ATTACHMENT E

HCM ROADWAY LINK LOS WORKSHEET

TABLE 1

Generalized **Annual Average Daily** Volumes for Florida's **Urbanized Areas**

12/18/12

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Class I (40 mph or higher posted speed limit)

Lanes	Median	B	C	D	E
2	Undivided	*	16,800	17,700	**
4	Divided	*	37,900	39,800	**
6	Divided	*	58,400	59,900	**
8	Divided	*	78,800	80,100	**

Class II (35 mph or slower posted speed limit)

Lanes	Median	B	C	D	E
2	Undivided	*	7,300	14,800	15,600
4	Divided	*	14,500	32,400	33,800
6	Divided	*	23,300	50,000	50,900
8	Divided	*	32,000	67,300	68,100

Non-State Signalized Roadway Adjustments
(Alter corresponding state volumes by the indicated percent.)
Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
2	Divided	Yes	No	+5%
2	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
–	–	–	Yes	+ 5%

One-Way Facility Adjustment
Multiply the corresponding two-directional volumes in this table by 0.6

BICYCLE MODE[2]

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	2,900	7,600	19,700
50-84%	2,100	6,700	19,700	>19,700
85-100%	9,300	19,700	>19,700	**

PEDESTRIAN MODE[2]

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	*	*	2,800	9,500
50-84%	*	1,600	8,700	15,800
85-100%	3,800	10,700	17,400	>19,700

BUS MODE (Scheduled Fixed Route)[3]

(Buses in peak hour in peak direction)

Sidewalk Coverage	B	C	D	E
0-84%	> 5	≥ 4	≥ 3	≥ 2
85-100%	> 4	≥ 3	≥ 2	≥ 1

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Core Urbanized

Lanes	B	C	D	E
4	47,400	64,000	77,900	84,600
6	69,900	95,200	116,600	130,600
8	92,500	126,400	154,300	176,600
10	115,100	159,700	194,500	222,700
12	162,400	216,700	256,600	268,900

Urbanized

Lanes	B	C	D	E
4	45,800	61,500	74,400	79,900
6	68,100	93,000	111,800	123,300
8	91,500	123,500	148,700	166,800
10	114,800	156,000	187,100	210,300

Freeway Adjustments

Auxiliary Lanes Present in Both Directions	Ramp Metering
+ 20,000	+ 5%

UNINTERRUPTED FLOW HIGHWAYS

Lanes	Median	B	C	D	E
2	Undivided	8,600	17,000	24,200	33,300
4	Divided	36,700	51,800	65,600	72,600
6	Divided	55,000	77,700	98,300	108,800

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
2	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

[1]Values shown are presented as two-way annual average daily volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.

[2] Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.

[3] Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.

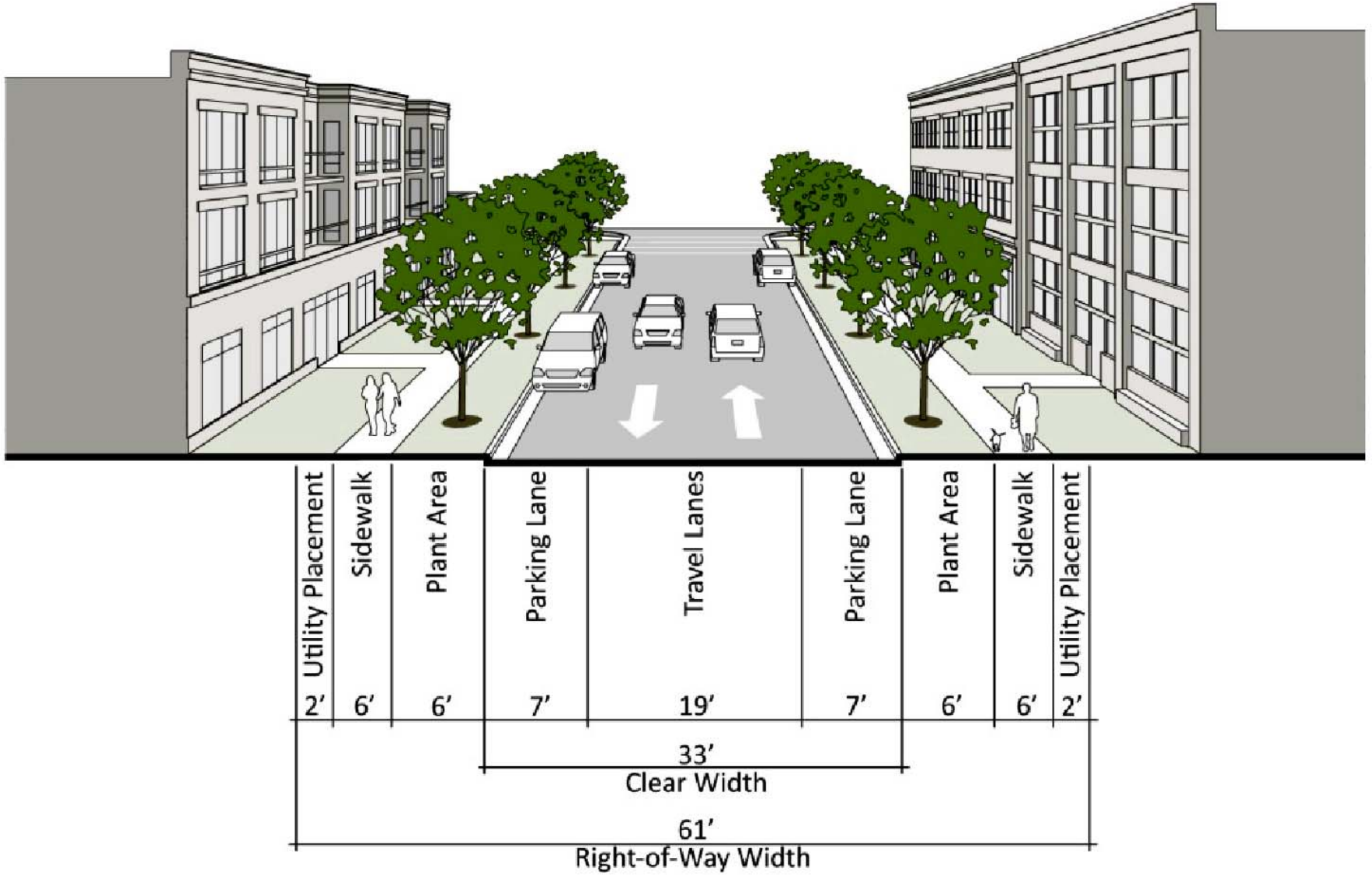
* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

Source:
Florida Department of Transportation
Systems Planning Office
www.dot.state.fl.us/planning/systems/sm/los/default.shtm

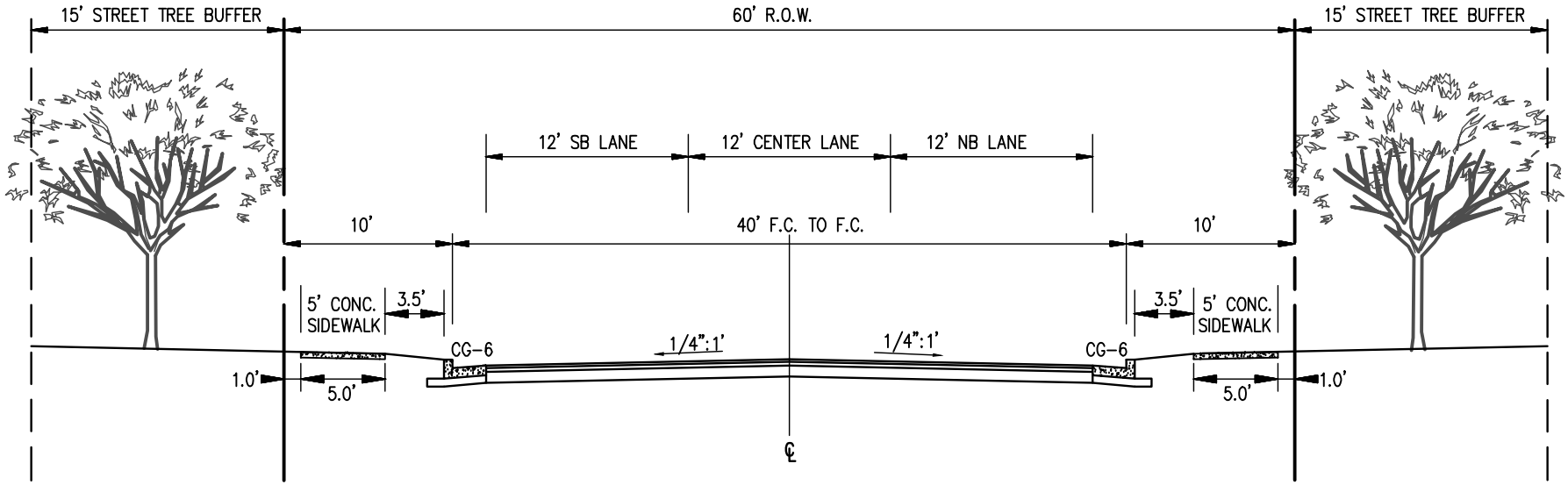
ATTACHMENT F

STAFFORD COUNTY TYPICAL SECTION FOR 2-LANE URBAN ROADWAY


Utility Placement
2'
Sidewalk
6'
Plant Area
6'
Parking Lane
7'
Travel Lanes
19'
Parking Lane
7'
Plant Area
6'
Sidewalk
6'
Utility Placement
2'
33'
Clear Width
61'
Right-of-Way Width

ATTACHMENT G

NORTHEAST COURTHOUSE BYPASS ROAD
3-LANE URBAN ROADWAY TYPICAL SECTION
(NEIGHBORHOOD STREET)



COURTHOUSE BYPASS ROAD
NEIGHBORHOOD STREET

CODE OF THE COUNTY
Chapter 22A - PURCHASE OF DEVELOPMENT RIGHTS PROGRAM
RANKING CRITERIA

PDR RANKING CRITERIA POINT SYSTEM—SECTION A	Possible Points	Total Points
(A) Quality of the parcel (productivity capability) (90 Maximum Points)		
(1)Size of property •100 acres or more—10 •90 to 99.99 acres—9 •80 to 89.99 acres—8 •70 to 79.99 acres—7 •60 to 69.99 acres—6 •50 to 59.99 acres—5 •40 to 49.99 acres—4 •30 to 39.99 acres—3 •20 to 29.99 acres—2	10	
(2) Soils—Percentage Identified as Prime Farmland or Farmland of Statewide Importance? •80% or more—20 •60 to 79%—16 •40 to 59%—12 •20 to 39%—6 •Less than 20%—0	20	
(3) Parcel contains active farm land *(Active farm land: Cropland or pastureland that has been harvested or grazed during the proceeding year or in 3 of the previous 5 years)* •2 points per 10 acres or fraction thereof with a maximum of 20 total points	20	
(4) Parcel contains active timber land *(Active timber land: timber land that has an executed forestry commitment or an approved professional forest plan)* •2 points per 10 acres or fraction thereof with a maximum of 20 total points	20	
(5) Soil and Water Quality Conservation Assessment (Maximum of 20 points) •Owner has implemented a plan through Tri-County/City Soil and WaterConservation District, NRCS or other applicable agency—20 •Owner has filed a plan through Tri-County/City Soil and Water Conservation District, NRCS or other applicable agency—10 •No plan developed—0	20	

SUBTOTAL POINTS—SECTION A	90	

PDR RANKING CRITERIA POINT SYSTEM—SECTION B	Possible Points	Total Points
(B) Likelihood of parcel being threatened (development pressure) (90 maximum Points)		
(1) Urgency of circumstances favoring conversions •Parcel subject to potential forced sale—30 •Parcel subject to estate settlement sale—24 •Parcel has approved preliminary subdivision plan—18 •Parcel owner is older than average of the Stafford County farmers according to the most recent Ag Census—12	30	
(2) Acreage suitability for residential conversion—Percentage of well or moderately well-drained soils on the parcel •80% or more—30 •60 to 79%—24 •40 to 59%—18 •20 to 39%—9 •Less than 20%—0	30	
(3) Fund Leveraging—Additional development rights received through funding sources provided by the applicant or through a donation (maximum of 10 points): •5 points for each ten (10) percent of the total purchase price of the easement for which those funds can be applied •2 points for each additional number of development rights to be donated	10	
(4) Amount of public road contiguous to parcel •1,000 linear feet or more—10 •600 to 999 feet—8 •300 to 599 feet—7 •100 to 299 feet—4 •Less than 100 feet—0	10	
(5) Landowners have agreed to any of the following restrictions (maximum of 10 points): •Timber buffers along streams—10 •No new dwellings may be located on the property—6 •Parcel shall not further be divided—3	10	
SUBTOTAL POINTS—SECTION B	90	

CODE OF THE COUNTY
Chapter 22A - PURCHASE OF DEVELOPMENT RIGHTS PROGRAM
RANKING CRITERIA

PDR RANKING CRITERIA POINT SYSTEM—SECTION C	Possible Points	Total Points
(C) Circumstances supporting agriculture (40 Maximum Points)		
(1) Number of nonfarm rural residences within one-half mile of the property boundary •0 to 7 dwelling units—13 •8 to 12 dwelling units—9 •13 to 18 dwelling units—6 •19 to 24 dwelling units—3 •More than 25 units—0	13	
(2) Proximity of parcel to other properties with PDR or other perpetual easements •Contiguous—10 •Within ¼ mile—8 •Within ½ mile—6 •Within 1 mile—4 •Greater than 1 mile—0	10	
(3) Proximity to another existing farm of 20 acres or greater •Contiguous—12 •Within 1 mile—9 •Within 2 miles—6 •Within 3 miles—3 •Greater than 3 miles—0	12	
(4) Batch application with contiguous parcels •Contiguous—5 •Not contiguous—0	5	
SUBTOTAL POINTS - SECTION C	40	

CODE OF THE COUNTY
Chapter 22A - PURCHASE OF DEVELOPMENT RIGHTS PROGRAM
RANKING CRITERIA

PDR RANKING CRITERIA POINT SYSTEM—SECTION D	Possible Points	Total Points
(D) Environmental and aesthetic quality (30 Maximum Points)		
(1) Virginia Division of Conservation and Recreation Ranking (as identified in the Ecological Cores portion of the Virginia Conservation Land Needs Assessment model and scored as a weighted average) •C-1 Outstanding Conservation Significance—10 •C-2 Very High Conservation Significance—8 •C-3 High Conservation Significance—6 •C-4 Moderate Conservation Significance—4 •C-5 General Conservation Significance—2	10	
(2) Percentage of parcel in forest •80% or more—6 •50 to 79%—4 •20 to 49%—2 •Less than 20%—0	6	
(3) Proximity to areas identified as having high environmental value, such as state or federal parks, wetlands, designated wildlife refuge, or threatened or endangered species habitat •Contains or is contiguous—8 •Within ½ mile—6 •Within 1 mile—4 •Within 1½ miles—2 •Greater than 1½ miles—0	8	
(4) Proximity of parcel to perennial stream or waterway •Parcel either includes or is adjacent to perennial waterway with an intact buffer or compliant with the Chesapeake Bay Code—4 •Other perennial waterways—2 •All other—0	4	
(5) Contiguous to a wildlife corridor as identified in either the VCLNA model or in the Stafford County Comprehensive Plan—2	2	
SUBTOTAL POINTS—SECTION D	30	

CODE OF THE COUNTY
Chapter 22A - PURCHASE OF DEVELOPMENT RIGHTS PROGRAM
RANKING CRITERIA

PDR RANKING CRITERIA POINT SYSTEM—SECTION E	Possible Points	Total Points
Cultural resources (20 maximum Points)		
(1) Proximity to historic or cultural features •Property is located on or adjacent to feature designated or deemed eligible for listing on National or State historic registers, or within Stafford County Historic District—15 •Property is associated with or adjacent to property associated with an important historic place, event, person or activity (listed in Stafford County database, or through documentation presented to the county)—10 •Property is within or adjacent to an established or familiar visual feature that is part of an historic landscape (as confirmed by county)—5	15	
(2) Property is designated as or associated with a Century Farm—5	5	
SUBTOTAL POINTS—SECTION E	20	
TOTAL POINTS	270	

R15-16

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 17th day of March, 2015:

MEMBERS: VOTE:
Gary F. Snellings, Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Paul V. Milde, III
Cord A. Sterling
Robert "Bob" Thomas, Jr.

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP141500252 TO ALLOW A CLUSTER SUBDIVISION WITH A MAXIMUM DENSITY OF 2.25 DWELLING UNITS/ACRE IN THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT, ON ASSESSOR'S PARCELS 30-136 AND 30-78, WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, Miller and Smith at Stafford, LLC, applicant, submitted application CUP141500252 requesting a conditional use permit (CUP), to allow a cluster subdivision with a maximum density of 2.25 dwelling units/acre in the R-1, Suburban Residential Zoning District, on Assessor's Parcels 30-136 and 30-78, located within the Aquia Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code, Sec. 28-35, which permits this use in the R-1 Zoning District, after a CUP is approved by the Board; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a CUP; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require approval of this CUP request;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of March, 2015, that a conditional use permit (CUP) request, pursuant to application CUP141500252, be and it hereby is approved with the following conditions:

1. This CUP is to allow for a cluster subdivision in the R-1, Suburban Residential Zoning District, which shall be limited to 75 single-family dwelling units.

2. A 20-foot street buffer, consisting of a double row of evergreen trees, shall be located between the residential lots and the right-of-way for the future Northeast Courthouse Bypass Road (Bypass Road). A screening buffer consisting of a double row of evergreens shall extend between the northern property boundary and Assessor's Parcels 30-79 and 30-79B, in addition to between the proposed development and Assessor's Parcel 30-130A.

3. The applicant shall not clear Open Space Parcel "E," located between the right-of-way for the future Bypass Road and the residential lot lines to the east, as depicted on the GDP.

4. The applicant shall dedicate 60 feet of right-of-way for the future Bypass Road with the recordation of the applicable subdivision plat.

5. The easement for a sewer force main from Hope Road to Dent Road, running the length of the proposed Bypass Road right-of-way, as depicted on the GDP, shall be dedicated to the County with the recordation of the applicable subdivision plat.

6. Each building permit shall be reviewed for consistency with the design elevation in Exhibit B, dated June 2, 2014, with the addition that potential expanses of unadorned walls shall be divided by windows or trees.

7. Driveways shall maintain a distance of at least 20 feet from the edge of the sidewalk abutting the lot line to the garage.

8. Each lot shall contain typical foundation landscaping and at least one tree shall be provided in the rear yard.

9. The option of at least one access point at grade for handicap access will be available for home purchasers.

10. A Phase 1 Cultural Resource Study shall be completed prior to the approval of the preliminary plan, and a Phase II Study would also be completed if warranted by the results of the Phase I Study.

11. The stormwater management pond embankment shall be designed to appropriate width and stability to support the future construction of the Bypass Road.

12. The applicant shall provide construction easements for the future construction of the proposed Bypass Road, as depicted on the GDP.

13. The applicant shall dedicate right-of-way on Hope Road to equal a minimum of 30 feet from the centerline, and to accommodate the design of the future Bypass Road intersection, as depicted on the GDP.

14. The applicant shall dedicate right-of-way on Courthouse Road to equal 55 feet from the centerline, as depicted on the GDP.

15. Residential fire sprinklers shall be provided within each residential unit, or each side-yard setback shall be ten feet.

16. The applicant shall construct a sidewalk adjacent to Lot 1, connecting to the pedestrian network of Stafford Elementary School to the west, as shown on the GDP.

17. The applicant shall dedicate a 15-foot access easement to accommodate a 6-foot wide pedestrian connection to Stafford Elementary School, in the vicinity of Lot 15 as shown on the GDP.

18. The applicant shall clear and partially grade the right-of-way for the Northeast Courthouse Bypass Road ("Bypass Road") to the extent reasonably possible leaving a 25-foot wide undisturbed area along the eastern property line as shown on the Generalized Landscape Plan ("Undisturbed Area"), except the applicant may clear portions of the Undisturbed Area to address stormwater management and storm drainage requirements for the project. For purposes of the applicant's clearing and partial grading of the Bypass Road, top soil will be removed within the Bypass Road right-of-way to assist in the future grading of the Northeast Courthouse Bypass. Also, no unsuitable soils will be placed in the Bypass Road right-of-way. Six inches of top soil will be re-spread over the Bypass Road right-of-way to promote stabilization. Stabilization shall be by seed and mulch or sod to Stafford County standards within the full right-of-way for the Bypass Road.

19. The County's Transfer of Development Rights ("TDR") program shall not be applicable to the subject parcels of this CUP.

20. This CUP may be revoked or conditions amended by the Board for violation of these conditions or any applicable County, state or federal code, law, ordinance, or regulation.

21. As an affirmative statement and in accordance with positive corporate goodwill as a new business in Stafford County, and this voluntary condition deriving solely from the Applicant regarding that certain conditional use permit zoning application CUP 14-150252, known as "Courthouse Manor" (collectively the "Project"), the Applicant will contribute and donate the sum of $400,000 to the County's Purchase of Development Rights program ("PDR Program") for purposes of assisting the County in preserving rural and environmentally sensitive areas within the Aquia District, which donation will assist in offsetting any impacts deriving from the additional residential density requested pursuant to CUP 14-150252. The Applicant agrees to coordinate all donation efforts described herein with applicable PDR County staff and commissions. The entire donation payment will be made no later than upon final site plan approval for the Project.

AJR:JAH:ehe

R15-17

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 17th day of March, 2015:

MEMBERS: VOTE:
Gary F. Snellings, Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Paul V. Milde, III
Cord A. Sterling
Robert "Bob" Thomas, Jr.

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION TO DENY A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP141500252 TO ALLOW A CLUSTER SUBDIVISION WITH A MAXIMUM DENSITY OF 2.25 DWELLING UNITS/ACRE IN THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT, ON ASSESSOR'S PARCELS 30-136 AND 30-78, WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, Miller and Smith at Stafford, LLC, applicant, submitted application CUP141500252 requesting a conditional use permit (CUP) to allow a cluster subdivision with a maximum density of 2.25 dwelling units/acre in a R-1, Suburban Residential Zoning District, on Assessor's Parcels 30-136 and 30-78, located within the Aquia Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code Sec. 28-35, which permits this use in the R-1, Suburban Residential Zoning District, after a CUP is approved by the Board; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board has considered the criteria in Stafford County Code Sec. 28-185 and finds that this request does not meet the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of March, 2015, that a conditional use permit pursuant to application CUP141500252 be and it hereby is denied.

AJR:JAH:ehe