



## PLANNING COMMISSION REGULAR MEETING

Tuesday, September 17, 2024 at 6:00 PM

### AGENDA

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6:00 PM CALL TO ORDER

CLOSED SESSION

7:00 PM REGULAR MEETING AND ESTABLISHMENT OF A QUORUM

#### ADOPTION OF MINUTES.

- [1.](#) July 16, 2024 Draft Regular Meeting Minutes
- [2.](#) August 27, 2024 Draft Work Session Minutes

#### HEARING OF PUBLIC HEARING ITEMS.

- [3.](#) **SUP 2024-01: 71 S. 5th Street.** The Owner/Applicant, Mr. Robert Samia, seeks a Special Use Permit for the reinstatement of a pre-existing use as a car dealership at 71 S. 5th Street (+/- 0.2869 acres). The Applicant is requesting permission for the use of the parcel as an auto dealership in an existing building with no physical changes, under Article 3-4.11.1 of the Zoning Ordinance, as the non-conforming use as an auto-dealership lapsed in the last few years. The property is a zoned C (Commercial) and designated Old Town Character District in Plan Warrenton 2040 (GPIN 6984-42-4640-000).
- [4.](#) **ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge** – The Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street. The proposal requests approval to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable senior housing to ages 65 and older. The application includes a Small Office/Community Center to be constructed in Phase 1 and a Multipurpose Recreational Center in Phase 2. The Applicant is requesting waivers and modifications. The Future Land Use Map designates the parcels as Medium Density Residential. The GPINS are 6984-16-5101 portion (approximately 5.22 acres of the approximately 6.31 acre parcel), 6984-16-7013, 6984-15-1823 and 6984-15-1930.

#### WORKSESSION ITEMS.

- [5.](#) Planning Commission Bylaws Update Discussion

#### COMMENTS FROM THE COMMISSION.

#### COMMENTS FROM THE STAFF.

6. Planning Commission Terms

Strong Towns Community Event

Land Use Applications

September Work Session/October Meeting

Holiday Meeting Schedule

**ADJOURN.**





## PLANNING COMMISSION REGULAR MEETING

21 Main Street

Tuesday, July 16, 2024, at 7:00 PM

### MINUTES

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#### A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON JULY 16, 2024, at 7:00 PM

##### Regular Meeting

##### PRESENT

Mr. Ryan Stewart, Chair; Mr. Terry Lasher, Vice Chair; Mr. James Lawrence; Mr. Steve Ainsworth; Ms. Denise Harris, Planning Manager; Heather Jenkins, Zoning Administrator

##### ABSENT

Ms. Darine Barbour, Secretary

The minutes laid out will be a brief recap of the agenda items. Please see recorded video for more in-depth information.

#### REGULAR MEETING - 7:00 PM

At 7:00 PM on Tuesday, July 16, 2024. The Planning Commission meeting was called to order by the Chair and a quorum was established.

#### APPROVAL OF THE MINUTES.

##### June 18, 2024, Regular Meeting Minutes

Commissioner Lawrence motioned to adopt the June 18, 2024, Planning Commission Regular Meeting Minutes.

Vice Chair Lasher seconded the motion.

Vote 4-0-1 to approve (Barbour Absent).

#### PUBLIC HEARINGS.

1. ZOTA-24-2 Zoning Ordinance Text Amendment to Remove Articles 4 and 5 to Address Changes to the Erosion and Stormwater Control Ordinance. The Town Council adopted on June 11, 2024, a new, combined Erosion and Stormwater Management Ordinance that is a separate, stand-alone document, as required by Virginia State law. As a part of the creation of the new, stand-alone Ordinance, the Zoning Ordinance must be revised to remove the out of date erosion and stormwater management regulations found in Article 4 and Article 5, as well as update several sections of the Zoning Ordinance that currently refer to Articles 4 and 5. This is a Town-initiated text amendment so as to remain in conformance with the requirements of the Code of Virginia, Section 62.1.44.15:51 Erosion and

Sediment Control Law and Section 62.1-44.15:24 Stormwater Management Act, which became effective on July 1, 2024.

Ms. Heather Jenkins, Zoning Administrator, gave an overview of the application.

Chair Stewart opened the Public Hearing at 7:01 PM. The following citizens spoke to the application:

None

Chair Stewart closed the Public Hearing at 7:01 PM.

The motion was made by Commissioner Lawrence and seconded by Vice Chair Lasher to recommend approval to the Town Council. The motion was approved 4-0-1.

**Ayes:** Mr. Ryan Stewart, Chair; Mr. Terry Lasher, Vice Chair;; Mr. James Lawrence; Mr. Steve Ainsworth

**Nays:** N/A

**Abstention:** N/A

**Absent:** Ms. Darine Barbour, Secretary

#### WORKSESSION ITEMS.

1. ZMA 2024-01 Warrenton United Methodist Church/Hero's Bridge: A Zoning Map Amendment is being proposed by Trustees of Warrenton United Methodist Church (Owners) and Hero's Bridge (Applicant) for a Residential Planned Unit Development (R-PUD) . The R-PUD is to allow for construction of 44-duplex units for age restricted affordable housing to serve veterans, walking trails, office/community center, a multi-purpose recreation center, and the existing church. The approximate 9.8640 acres is located at 341 Church Street is zoned R-10 (Residential) and RO (Residential Office). The Future Land Use Map designation is Medium Density Residential. (GPINs 6984-16-7013, 6984-15-1823, 6984-15-1930, and 6984-16-5101)

Ms. Denise Harris, Planning Manager gave an overview of the application.

Mr. John Foote, Applicant's Representative, gave a presentation.

Mr. Foote spoke to the Rowland vs. Town of Warrenton Virginia Supreme Court ruling, size of available parcel, age restriction, specific focus on target group, establish of phases, assurances of affordability.

Mr. Foote referenced a 1980s Special Use Permit for the existing church.

Mr. Foote indicated there would be a senior technology area, fitness area, and pet therapy.

Mr. Foote reviewed the staffing levels, plans for a 12 person van, resulting in an estimated 68 trips per day or the equivalent of seven single family dwellings.

Mr. Foote spoke about the proposed 19,000 square feet multipurpose recreational center.

Mr. Foote reviewed pedestrian connectivity, proffers, buffers, and provision for a fence with landscaping.

Molly Brooks, Hero's Bridge Board of Directors, spoke to the mission and creation of the non-profit.

Ms. Brooks spoke to a market study that reviewed the needs for low-income senior housing. Need 398 units to meet demand. Looked at multiple sites, including Remington, Midland, and Vint Hill.

Vice Chair Lasher restated the number 1 issue is social isolation, number 2 is housing, number 3 is transportation for seniors.

Commissioner Lawrence stated he is supportive of idea, but a lot of detail is needed and requested more information on the old SUP. He asked if there are plans to rent out office.

Mr. Foote and Ms. Brooks stated that Phase 2 office solely serves the church and Hero's Bridge. It is intended to be built to serve intergenerational design for blended environment.

Commissioner Lawrence asked if there was a plan for retail.

Mr. Foote stated no retail is planned.

Commissioner Lawrence asked for clarifications on the proposed sidewalk connections.

Mr. Foote and the Applicant's engineer Jeremy Karls explained the sidewalk connects to Sullivan Street.

Vice Chair Lasher pointed out there are no sidewalks on Sullivan behind the BP station, He asked if the Phase 2 parking lot was illustrative and is it reconfiguring or increasing number of parking for church.

Mr. Karls stated the church is overparked now and planned to be reconfigured.

Vice Chair Lasher asked the Applicant to review the list of amenities.

Mr. Foote stated there would be a wildlife habitat designation, small office community center (movie viewing, technology, arts and crafts, music, pet therapy, fitness) outside walking trails, existing flagstone garden for meditation, and fitness stations.

Commissioner Ainsworth stated he sees value and need but details need to be laid out. Look at the multi-purpose building and make sure there is no conflict with the existing SUP. He asked if the units will be leased units and the overall organizational structure.

Ms. Brooks stated the preference points are low income, socially isolated, and from five county service area seniors. Hero's Bridge would have a long term (69 years) ground lease from church. Rentals would be between Hero's Bridge and veterans with the unit structures owned by Hero's Bridge.

Chair Stewart expressed support for the concept. He questioned the parking spaces between units and church. Residents are not precluded from owning cars and pedestrian connectivity between the units and the church.

Mr. Karls reviewed the pedestrian walkway designed to accommodate emergency services between the units.

Chair Stewart asked if there will be pet waste receptacles. He stated he likes the idea of a dog park but did not see the details.

Commissioner Lawrence asked if the project would be restricted to veterans in perpetuity.

Mr. Foote stated it will be proffered.

Chair Stewart thanked applicant for the work session.

**COMMENTS FROM THE COMMISSION.**

Commissioner Ainsworth confirmed there is no Planning Commission meeting next week.

Commissioner Lawrence requested a second work session on ZMA 2024-01.

Mr. Foote stated the Applicant will accommodate Planning Commission as possible.

**COMMENTS FROM THE STAFF.**

The Town Council appointed the Zoning Ordinance Update Steering Committee. Commissioner Barbour is appointed to serve with ten others.

Two Planning Commissioners, Lasher and Barbour, will be attending with staff the annual APA-VA conference in Williamsburg next week.

No Planning Commission meeting next week.

Work session next month on a SUP application for a car dealership at 71 S Fifth Street where there was previously a non-conforming dealership.

Planning Commission Bylaws need updating to incorporate new State Code notice requirements.

Town Council updated Electronic Meeting policy per State Code.

**ADJOURN.**

Commissioner Ainsworth moved to adjourn, seconded by Vice Chair Lasher. With no further business, the Chair adjourned at 8:02 PM.

**I hereby certify that this is a true and exact record of actions taken by the Planning Commission of the Town of Warrenton on July 16, 2024.**

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Darine Barbour, Secretary  
Planning Commission

DRAFT



## PLANNING COMMISSION WORK SESSION

21 Main Street

Tuesday, August 27, 2024, at 7:00 PM

### MINUTES

Item 2.

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#### A WORK SESSION OF THE PLANNING COMMISSION OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON August 27, 2024, at 7:00 PM

##### WORK SESSION

###### PRESENT

Mr. Ryan Stewart, Chair; Mr. Terry Lasher, Vice Chair; Ms. Darine Barbour, Secretary; Mr. James Lawrence; Mr. Steve Ainsworth; Ms. Denise Harris, Planning Manager; Ms. Casey Squyres, Preservation Planner; Martin Crim, Town Attorney; Steven Friend, Director Public Utilities

###### ABSENT

N/A

The minutes laid out will be a brief recap of the agenda items. Please see recorded video for more in-depth information.

##### WORK SESSION - 7:00 PM

At 7:00 PM on Tuesday, August 27, 2024. The Planning Commission meeting was called to order by the Chair and a quorum was established.

##### WORKSESSION ITEMS.

1. **SUP 2024-01: 71 S. 5th Street.** The Owner/Applicant, Mr. Robert Samia, seeks a Special Use Permit for the reinstatement of a pre-existing use as a car dealership at 71 S. 5<sup>th</sup> Street (+/- 0.2869 acres). The Applicant is requesting permission for the reinstatement of the use of the parcel as an auto dealership in an existing building with no physical changes, under Article 3-4.11.1 of the Zoning Ordinance, as the non-conforming use as an auto-dealership lapsed in the last few years. The property is a zoned CBD (Central Business District) and designated Old Town Character District in Plan Warrenton 2040 (GPIN 6984-42-4640-000).

Ms. Squyres gave a brief overview of the application.

Commissioners Stewart and Lawrence inquired about parking.

Commissioner Ainsworth asked about the timing of the dealership becoming active.

Mr. Robert Samia, Owner/Applicant stated he needs a dealership license through Virginia Department of Motor Vehicles, and that his previous dealership had been in business for forty years.

Chair Stewart inquired about the consistency with Plan Warrenton 2040, how many vehicle trips per day, and hours of operation.

Mr. Samia responded with saying he markets the business on social media and has some walk by interest. He did not indicate answers to the specific questions.

Commissioner Lawrence asked if the Applicant will be the operator of the dealership.

Mr. Samia stated yes.

With no further questions, Chair Stewart thanked the Applicant and closed the Work Session.

2. **ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge** – The Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street. The proposal requests approval to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable senior housing to ages 65 and older. The application includes a Small Office/Community Center to be constructed in Phase 1 and a Multipurpose Recreational Center in Phase 2. The Applicant is requesting waivers and modifications. The Future Land Use Map designates the parcels as Medium Density Residential. The GPINS are 6984-16-5101 portion (approximately 5.22 acres of the approximately 6.31 acre parcel), 6984-16-7013, 6984-15-1823 and 6984-15-1930.

The Planning Commission began its second work session on the application. Ms. Denise Harris gave a brief overview of the application and previous Work Session.

Mr. John Foote, Applicant's Representative, spoke to the history of Rowland v. Town of Warrenton; meetings on water and sewer capacity; the dedicated bus service; limited parking associated with the use; the site layout; and draft submitted proffers. He also gave a brief presentation of the application.

The Planning Commission asked the Town Attorney to speak further about the Virginia Supreme Court case and its ruling on Rowland.

Mr. Crim stated that Rowland arose from the Town of Warrenton 2016 rezoning of Walker Drive. The Supreme Court outcome was that proffers may can loosen or restrict adopted zoning. A locality may accept proffers deemed beneficial to amend zoning requirements.

Chair Stewart confirmed that proffers may be amended in the future with a rezoning amendment.

Commissioner Ainsworth asked if Hero's Bridge has any affiliation with other veterans groups.

Ms. Molly Brooks stated that while Hero's Bridge has many organizations it partners with to serve veterans, it is not officially affiliated with any other group.

Commissioner Ainsworth inquired about the 1 occupant per dwelling proffer.

The Applicant indicated that proffer language would remain.

Secretary Barbour asked if Phase 2 of the proposal was dependent on raising funding and if the Applicant has anticipated the water/sewer usage of the proposed 19,000 square foot multi-use recreation center.

Mr. Foote stated they do not know the final uses for the 19,000 square feet space.

Chair Stewart asked for clarification on how the water/sewer usage is calculated.

Mr. Steven Friend, Director of Public Utilities, stated 300 gallons per day is applied to a residential use for planning purposes. The EPA designates 100 gallons per day to individual.

Commissioner Lawrence indicated he was shocked that the Applicant did not originally restrict the units to veterans when this was the basis of the application.

Mr. Foote indicated that after research into housing laws, the Applicant added the restriction to the proffers.

Mr. Crim confirmed the proffers are binding and that he needs to research further how Virginia addresses military status in conjunction with the Fair Housing Act.

Commissioner Lawrence covered the 79 year ground lease and questioned again the single occupancy proffer. He asked what happens if a veteran gets married.

Chair Stewart asked if the restriction of single occupancy applies broadly to items like childcare and overnight visitors.

Mr. Crim confirmed that means no one may spend the night as a visitor and that if a veteran gets married they must either move or rent two units.

Commissioner Lawrence asked staff if the proposal meets the Walkability Audit goals.

Ms. Harris responded that the Walkability Audit calls for sidewalks to be provided and that staff has made this comment to the Applicant during the review process.

Ms. Brooks stated they have not proposed sidewalks on Moser Street and the eastern side of Church Street due to the neighbors.

Jeremy Karls, the Applicant's engineer, indicated there is sufficient right-of-way to provide sidewalks.

Commissioner Lawrence indicated he is inclined to side with staff on sidewalks and the water/sewer calculations.

Vice Chair Lasher asked what percentage of the community is designated as a veteran.

Ms. Brooks stated the average in any community is 7-10%.

Chair Stewart pointed out that while the Applicant is claiming they need to provide less parking due to lack of car ownership, they have not proffered the bus service.

With no further questions, Chair Stewart closed the Work Session.

## **ADMINISTRATIVE ITEMS.**

### **3. Planning Commission Bylaws Update**

Ms. Harris explained the Planning Commission by-laws were last updated in 2016 and need to be reviewed for compliance with State Code. Examples of other jurisdictions were provided to the Planning Commission for their review.

The Planning Commission requested a word version of the by-laws be emailed to them in order to track changes.

There was a discussion about the timing of Planning Commission Work Session and Regular meeting. There is frustration on how the process is working and the by-laws may need to be amended to address the schedule.

### **4. Planning Commissioners' APA-VA Conference Briefing provided by Vice Chair Lasher and Secretary Barbour who attended the Williamsburg training.**

Vice Chair and Secretary Barbour stated they had a great experience at the conference. Both indicated the networking with other jurisdictions, sessions on growth/affordable housing, and learning about the issues other localities are dealing with was very beneficial. They stated they hope they may attend the conference next year as well. Vice Chair Lasher informed the Commission that Ms. Harris had won an award.



## COMMENTS FROM THE COMMISSION.

Commissioner Lawrence thanked Vice Chair Lasher and Secretary Barbour for attending the conference and congratulated Ms. Harris on her award.

Chair Stewart and Commissioner Ainsworth echoed this statement.

## COMMENTS FROM THE STAFF.

Ms. Harris informed the Planning Commission about:

- Strong Towns Community Event at the Highland Rice Theater on September 9 at 6:30PM and asked the Commission to be on the look out for email regarding a meeting that afternoon.
- Commission on Local Government Public Hearing on September 16.
- Zoning Ordinance Update Steering Committee Kick Off Meeting.
- Arcola coming in for Commission Permit/SUP for Telecommunications Tower. Ms. Harris spoke to the “shot clock” that governs these applications under the 1996 Telecommunications law and advised the Planning Commission that these applications must move through the process under shorter timeframes.
- IT needs to work with each Commissioner on a two factor authentication of their iPads.

Ms. Harris also provided the Commission an overview of various projects occurring around town that are by-right/administrative in nature.

## ADJOURN.

Commissioner Lawrence moved to adjourn, seconded by Commissioner Ainsworth. Chair Stewart, with no further business, this meeting was adjourned at 8:28 PM.

**I hereby certify that this is a true and exact record of actions taken by the Planning Commission of the Town of Warrenton on August 27, 2024.**

Darine Barbour, Secretary  
Planning Commission

DRAFT

### S.U.P. Car Dealership 71 South Fifth St

1. Parking Diagram
2. Employees parking can be any of the four spaces in front of building
3. Alternative loading and unloading. I own the lot next door and that will handle additional loading if needed without using public road.
4. I do not intend to use any additional signage.
5. I do not intend to change the lighting
6. I have 24 hour surveillance on the entire property
7. In the last 40 years I have owned the property there has until recently Always been a dealership on this location.















5<sup>th</sup> STREET ENTERPRISES, LLC.

*Robert B. Samia – Owner (Class A Contractor)*

71 South Fifth Street  
Warrenton, Virginia 20186  
Tel: 540-272-4206  
rbsamia@gmail.com

March 6, 2024

***Via Hand-Delivery***

Town of Warrenton  
Dept. of Community Development  
21 Main Street  
Warrenton, Virginia 20186  
Tel: 540-347-2405

Re: Special Use Permit (SUP) Application  
Statement of Justification  
71 South Fifth Street

Town of Warrenton:

I am filing this letter and attached exhibits in support my request for a special use permit (SUP) for an auto dealership on my property. I have owned and maintained the property located at 71 South Fifth Street (hereinafter "property") for forty (40) years. During most of that time, I have had at least one car dealership there, sometimes two. It is zoned for general commercial use and dealerships have been operating on the property prior to the Town requiring a special use permit.

Unfortunately, the last tenant on the property who operated a car dealership was forced to shut down due to the economic hardships caused by the global pandemic. As you know, the Virginia Department of Motor Vehicles (DMV) operated by appointment only and it was difficult to obtain necessary information and paperwork. I was not made aware of the fact that the tenant's status as a car dealership had expired and, as such, the two-year limit on the dealership SUP expired as well. It is for this reason that I am requesting a renewal/reissuance of a SUP for a car dealership. This request would not require any structural or exterior changes to the current condition of my property.

During the 40 years I have owned this property, I have maintained a good working relationship with all my neighbors. I have ample parking with two municipal parking lots within 300 feet of my property. I also own the adjoining property located at 81 South Fifth Street, which provides additional parking and aids with traffic flow. Moreover, I maintain a 24-hour security system to help ensure the safety of this area to the community.

Many of my current tenants have been there for as long as I have owned the property. I helped many of them out through covid as I could and provide very affordable rents. It is a place that is supportive of entrepreneurs and small businesses which, in turn, provide a solid economic base for the town as well as services to the residents.

The south side of Fifth Street has been the auto repair section of Town as long as I have lived here. It provides convenience to residents who live within the town to be able to walk to this location. It also adjoins the municipal bike trail, that I helped support. This is a property that has long provided a location for car dealerships and I am asking the Town to once again provide a SUP, as it has always done in the past.

Very truly yours,

Robert B. Samia





## TOWN OF WARRENTON

Department of Community Development

PO BOX 341  
 WARRENTON, VIRGINIA 20188  
<http://www.warrentonva.gov>  
[Permittech@warrentonva.gov](mailto:Permittech@warrentonva.gov)  
 (540) 347-2405

## Land Development Application

Type of Development [select type(s) below]

Permit # \_\_\_\_\_

Planning	Zoning		
<input type="checkbox"/> Commission Permit (\$2232)	<input type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Concept Plan Review	<input type="checkbox"/> Record / Vacate Plat
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> As-Built	<input type="checkbox"/> Easement Plat	<input type="checkbox"/> Site Development Plan
<input checked="" type="checkbox"/> Special Use Permit	<input type="checkbox"/> Bond Release/ Reduction	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Variance
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Bond Extension	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Waiver, Administrative
	<input type="checkbox"/> Boundary Adjustment	<input type="checkbox"/> Re-approval of Plat	<input type="checkbox"/> Waiver/Exception, Legislative

☐ Amendment to Existing Approved Application? If Yes, List Application \_\_\_\_\_

## Project Description

Project Name: 71 S Fifth St Dealership

Property Address (if no address, give closest cross street): 71 S Fifth St Warrenton Va 20186

Purpose of Request: To regain my use as a dealership

Zoning District: Commercial

Total Acres: .3

Acres for Proposed Use: .3 Dealership

Parcel Identification Number(s): 6984 42 4640 000

## Contact Information (Attach separate page if necessary)

## All Current Owners

Name &amp; Company: Robert Samia

Address: 4206 Mosby St The Plains Va 20198

Phone: 540-272-4206

Email: rbsamia@gmail.com

## All Current Applicants (if different then owner):

Name &amp; Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## Representative (if different then owner/applicant):

Name &amp; Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## OWNER(S) AFFIDAVIT (Original Signatures Required)

I have read this application, understand its intent and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission for Town of Warrenton officials and other authorized government agents on official business to enter the property to process this application.

## APPLICANT(S) AFFIDAVIT (Original Signatures Required)

The information provided is accurate to the best of my knowledge. I acknowledge that all tests, studies, and other requirements of the Town of Warrenton Zoning Ordinance and Subdivision Ordinance and other requirements of review/approval agencies will be carried out at my expense. I understand that the Town may deny, approve or conditionally approve that for which I am applying.

Owner's Signature & Date:  2/15/24

Applicant's Signature &amp; Date: \_\_\_\_\_

Print Owner's Name: Robert Samia

Print Applicant's Name: \_\_\_\_\_



## Issues for consideration SUP for Dealership

1. The proposed car dealership will stay within the properties current look.
2. I plan to abide by all fire codes and measures
3. The noise level will stay quiet as not to interfere with the neighbors
4. Not planning on adding any exterior lighting
5. Planning on a small sign placed in an existing frame on the wall in front of the building
6. There was a car dealership 3 years prior and had no conflict
7. No changes are planned to exterior of existing buildings or lot
8. There is no additional landscaping being considered
9. Hours of operation would be 9:00 am to 7:00 pm
10. No changes to exterior proposed
11. To provide a reasonable priced vehicle to the local public
12. The area in question has a minimal amount of daily traffic
13. The owner owns lot next store and if needed can use for loading or unloading vehicles
14. No structures needed to be converted
15. The utilities are sufficient and do not need to be modified
16. The entire lot is asphalted with no vegetation
17. The dealership will bring tax revenue
18. The dealership is not a shelter
19. No out door storage is needed
20. Out door use is for vehicles for sale and costumers
21. Well above flood plain
22. There are no non-conforming structures
23. Storage of any combustibile fuel will abide by fire codes
24. No anticipated accessories
25. Parking on the existing lot
26. Proposed operation time 9:00 am- 7:00 pm
27. Any loading or unloading will be conducted within property
28. We plan on adding security cameras on premises
29. Should not require more than 2 employees
30. There are no proposed off-site infrastructures
31. No anticipated odors
32. I have a dumpster on the adjoining lot if needed



**Evaluation Criteria; Issues for Consideration (§11-3.10.3)**

In considering a Special Use Permit application, the following factors should be considered. The applicant also shall address these factors in its **statement of justification**:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.
2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.
3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.
4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.
5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.
6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.
7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.
8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.
9. The timing and phasing of the proposed development and the duration of the proposed use.
10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.
11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.
12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety, efficient traffic movement and access in case of fire or catastrophe.
13. Whether the proposed use will facilitate orderly and safe road development and transportation.
14. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of the Town of Warrenton.
15. Whether the proposed Special Use Permit will be served adequately by essential public facilities, services and utilities.
16. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.



17. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.
18. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the Town, if applicable.
19. The location, character, and size of any outdoor storage.
20. The proposed use of open space.
21. The location of any major floodplain and steep slopes.
22. The location and use of any existing non-conforming uses and structures.
23. The location and type of any fuel and fuel storage.
24. The location and use of any anticipated accessory uses and structures.
25. The area of each proposed use.
26. The proposed days/hours of operation.
27. The location and screening of parking and loading spaces and/or areas.
28. The location and nature of any proposed security features and provisions.
29. The number of employees.
30. The location of any existing and/or proposed adequate on and off-site infrastructure.
31. Any anticipated odors which may be generated by the uses on site.
32. Refuse and service areas.

## TOWN OF WARRENTON

Department of Community Development

PO BOX 341  
WARRENTON, VIRGINIA 20188  
<http://www.warrentonva.gov>  
[LandDevelopment@warrentonva.gov](mailto:LandDevelopment@warrentonva.gov)  
(540) 347-2405

### STAFF COMMENTS

**TO:** Casey Squyres, Historic Preservation Planner  
**FROM:** Amber Heflin, CZA, Zoning Official  
**DATE:** July 17, 2024  
**SUBJECT:** Automotive Dealership, 71 S Fifth Street (6984-42-4640-000)  
SUP 2024-01  
Submission 06/14/2024; 2<sup>nd</sup> Review

The previous zoning comments provided from the first submission will remain as advisory until after the Town Council public hearing and will need to be addressed at the time of Site Development Plan.



## TOWN OF WARRENTON

Department of Public Works and Utilities

PO BOX 341  
WARRENTON, VIRGINIA 20188  
<http://www.warrentonva.gov>  
(540) 347-1101

### STAFF COMMENTS

**TO:** Amber Heflin, Zoning Official  
Heather Jenkins, Zoning Administrator

**THROUGH:** John Ward, Director of Public Works (*Initial Indicating acceptance/review - JW*)  
Steven Friend, Director of Public Utilities (*Initial Indicating acceptance/review - SF*)

**FROM:** Paul Bernard, PE, Town Engineer / Kerry Wharton, Stormwater Administrator

**DATE:** July 15, 2024

**SUBJECT:** Special Use Permit 24-1 for 71 S. Fifth Street.

---

#### **Public Works and Utilities Review- Paul Bernard, Town Engineer**

**SF – No Comments**

#### **Public Works- Paul Bernard, Town Engineer**

No additional comments.

#### **Stormwater and Erosion and Sediment Control**

No E&S or Site improvements planned for this project. No comments.



# TOWN OF WARRENTON

Department of Community Development

PO BOX 341  
WARRENTON, VIRGINIA 20188  
<http://www.warrentonva.gov>  
TELEPHONE (540) 347-1101  
FAX (540) 349-2414

Item 3.

August 8, 2024

Mr. Robert Samia  
4206 Mosby Street  
The Plains, VA 20198

**RE: Special Use Permit Application (SUP 24-1) 71 S. Fifth Street Car Dealership – Second Round Agency Comments**

Dear Mr. Samia:

The attached comments are for the second round of agency comments for the above referenced application.

REFERRAL AGENCY COMMENT SUMMARY			
Referral Agency	Date	Outstanding Issues	Attached
Planning	06/21/24	Consistency with Comprehensive Plan, Parking, Transportation	X
Zoning	07/17/24	Multiple SUP Plan and Zoning requirements, primarily Parking	X
PW/PU	07/17/24	None -No physical changes to the lot proposed	X
Emergency Service	--	None	
Town Attorney		Review with Second Submission	

General overall comment is the application will need to adhere to Zoning Ordinance requirements in regard to parking for employees, parking for client/customer vehicles, parking for loading and unloading, and parking for any vehicles that are for sale, and how many will be parked on the lot at any given time. This will also include travel-ways in and out of the lot. Although the Applicant stated no new lighting is proposed, Zoning will also need a Site Layout Plan that shows the locations of any and all proposed security lighting within the parking lot or on the building itself.

Please do not hesitate to contact me at (540) 347-1101 if you have any questions or if you would like additional information. Staff is available to meet to review the agency comments if desired.

Sincerely,

*Casey T. D. Squyres*

**Casey Squyres**

Community Development Department  
Historic Preservation Planner

CC: File



## TOWN OF WARRENTON

Department of Community Development

PO BOX 341  
WARRENTON, VIRGINIA 20188  
<http://www.warrentonva.gov>  
TELEPHONE (540) 347-1101  
FAX (540) 349-2414

### PLANNING STAFF COMMENTS

**DATE:** June 21, 2024

**SUBJECT:** Special Use Permit Application (SUP 24-1) 71 Fifth Street car dealership - 2<sup>nd</sup> Submission

---

The Applicant is requesting a Special Use Permit for a car dealership at an existing property located on South Fifth Street. The property is zoned Commercial (C) and is approximately 0.2869 acres. The Future Land Use Map designates the property in the Old Town Character District. Article 3-4.10.3 of the Town of Warrenton's Zoning Ordinance (ZO) allows for automotive sales with the approval of a Special Use Permit by Town Council.

#### General – Comment Remains

The submitted Zoning Ordinance Criteria for Evaluation and Special Use Permit Plan are lacking in specificity to enable staff to provide useful comments on a number of items. Please revise by fully addressing the requirements of Article 11 for Special Use Permit applications.

#### Plan Warrenton 2040 – Comment Remains

Plan Warrenton 2040 designates 71 Fifth Street in the Old Town Character District as Old own Mixed Use. The summary of this district states *"Warrenton will continue to promote Old Town as the signature cultural, social, and historic hub. The Town will encourage infill housing and other adaptive reuse of structures to bring more foot traffic to Old Town, but maintain the historic character and scale."*

After extensive public input and two citizen steering committees, Plan Warrenton 2040 provides specific goals for the Old Town Character District that include:

L-2: Old Town Character District – The Old Town Character District will include a mix of infill and new mixed-use development that is designed to maintain Old Town's historic character.

L-2.1: Maintain Old Town Historic Character through preservation and protection of contributing historic resources.

L-2.2: Create cultural anchors at both ends of Main Street.



L-2.3: Evaluate the feasibility of financing and constructing a structured parking garage that is designed to be compatible to the character of the Historic District and is located behind street facing buildings.

L-2.4: Evaluate the location, design and feasibility of a Pedestrian Mall.

L-2.5: Evaluate the design and feasibility of a traffic circle at the intersection of Culpeper and Shirley streets.

L-2.6: Develop revitalization strategies for Lee and Horner Streets

L-2.7: Promote the possibility of a Bed and Breakfast concept in appropriate locations.

L-2.8: Promote new development typologies and a mix of uses in Old town that includes mixed-use development, adaptive re-use of existing buildings, live-work lofts, restaurants, new infill development on vacant lots and higher density residential development that comport to and maintain the historic character of Old Town.

L-2.9: Locate an event space in the Old Town UDA that can be used to accommodate public and private events, festivals of all types appropriate and other opportunities.

L-2.10: Develop a marketing and branding strategy for Old Town that promotes business and events.

L-2.11: Develop a parking policy that maintains adequate parking supply for businesses, residents, workers, tourists and shoppers.

L-2.12: Develop a marketing and branding strategy for Old Town that promotes business and events. Develop a parking policy that maintains adequate parking supply for businesses, residents, workers, tourists and Create a streetscape plan for the Old Town Character District that promotes a consistent walking experience and maintains the historic character of Old Town. The streetscape plan should define specifications for sidewalk, crosswalks, street trees, seating, lighting, bicycle parking and locations for a pocket park, where appropriate.

L-2.13: Evaluate traffic calming measures at locations where public safety issues are evident.

L-2.14: Develop Traditional Neighborhood Design Guidelines (TND) specific for Old Town, for the design for new buildings, infill development and the adaptive reuse of existing buildings.

L-2.15: Develop a Façade Improvement Program that promotes and incentivizes the improvements of facades as well as the potential of a Business Improvement District (BID) that would finance such a program.

The Zoning Ordinance Article 11-3.10.3 states the applicant should address whether the Special Use Permit is consistent with the Comprehensive Plan. The current submittal of the application does not address how the proposal meets the policies and goals of Plan Warrenton 2040.

**Transportation – Comment Remains**

The application does not address the specific number of vehicle trips per day, anticipated deliveries, size of vehicles that will need to access the site, or how vehicles are loaded/unloaded. Staff is unable to assess the transportation impacts of the proposal without more information.

**Surrounding Land Uses – Comment Remains**

The subject parcel is adjacent to the Central Business District, Commercial, and Residential zoned parcels. The application states there shall be no additional exterior light but does not specify the current lighting. The application also states no additional landscaping is being considered. The application does not include an existing conditions plan that would enable staff to assess if the proposed use's impact on adjacent uses is mitigated.

## TOWN OF WARRENTON

Department of Community Development

PO BOX 341  
WARRENTON, VIRGINIA 20188  
<http://www.warrentonva.gov>  
[LandDevelopment@warrentonva.gov](mailto:LandDevelopment@warrentonva.gov)  
(540) 347-2405

### STAFF COMMENTS

**TO:** Casey Squyres, Historic Preservation Planner  
**FROM:** Amber Heflin, CZA, Zoning Official  
**DATE:** April 12, 2024  
**SUBJECT:** Automotive Dealership, 71 S Fifth Street (6984-42-4640-000)  
SUP 2024-01  
Submission 03/11/2024; 1<sup>st</sup> Review

#### **I. Applicant Request**

The Applicant is proposing a Special Use Permit (SUP) for a car dealership at an existing property located on South Fifth Street. The square footage of the building proposed for the use was not provided. The property was previously utilized as a legal non-conforming car dealership, but the use lapsed for two years or more per article 11-4.2.3 of the Zoning Ordinance which allows non-conforming uses in existence prior to the adoption of the Ordinance to continue provided they do not cease operation for a period exceeding two years. In order to have a new dealership on the site, the applicant was required to submit a special use permit.

#### **II. Zoning Ordinance Review**

The following analysis is based on the relevant Articles of the Zoning Ordinance.

##### **General**

Staff comment: No site layout plan was provided to allow Zoning staff to perform a complete review of the request for special use permit. This can be provided in the form of a google maps screenshot showing the area with proposed improvements/ proposed layout drawn on, a GIS aerial image, plat, etc.

*Staff will need to see a layout plan showing how many vehicles will be on the lot for sale at any given time, where customer parking will be designated, where vehicles for sale will be loaded/unloaded, where vehicles for sale will be parked, where employees will be parked, travel ways to navigate the site, etc.*

Staff comment: An access easement may be required if the adjacent lot's dumpster will be utilized instead of providing the use's own dumpster for it's trash.

##### **Article 6 – Signs**

Staff comment: A building sign is mentioned in the statement of justification, but no details were provided on the location of the sign, the façade width to determine allowable sign size, or materials proposed. All signage will be required to meet the requirements under article 6 of the Zoning Ordinance and will require separate building and sign permits.

#### Article 7 – Parking

Staff comment: Staff is unable to determine that the site can provide enough parking on the parcel itself to contain the sales vehicles to meet the Zoning Ordinance minimum requirement for auto sales:

*“Vehicular sales and/or rental: one (1) space per five hundred (500) square feet enclosed sales area. Plus two and one-half (2.5) spaces per service bay, plus one (1) space per employee, plus one (1) space per three thousand (3,000) square feet of open sales area.”*

*“Zoning Ordinance article 7-2.2- When parking and loading requirements are based on gross leasable area, such area shall include the total area for which a tenant owns or pays rents, and which is designed for the tenant's occupancy and exclusive use. Common hallways, stairwells, elevator shafts, mechanical equipment rooms, and similar non-leasable floor area shall be excluded from parking or loading tabulations.”*

Staff comment: Loading space location was not identified, as a layout plan for the site was not provided. At least one loading space must be identified and cannot block access to a public street or pedestrian walkway.

*If the property owner will be utilizing the adjacent lot for loading/unloading of vehicles, a cooperative parking agreement will be required.*

Staff comment: It appears that the statement of justification and the separate evaluation provided are contradicting when involving the loading spaces. It is unclear to staff if the loading and unloading of vehicles will be within the site or utilizing an adjacent site.

*Providing a plan for the site showing the proposed location and schedule of loading/unloading of vehicles will be helpful to staff in determining if loading/unloading requirements have been met.*

Staff comment: Employee parking was not delineated on a plan. Address where the employees for this business will park.

#### Article 9-8 – Lighting

Staff comment: Complete lighting plan was not provided with this submittal, and the applicant notes that no new lighting is proposed. Staff will need to see any proposed additional security lighting within parking lots or on the building to support the use.

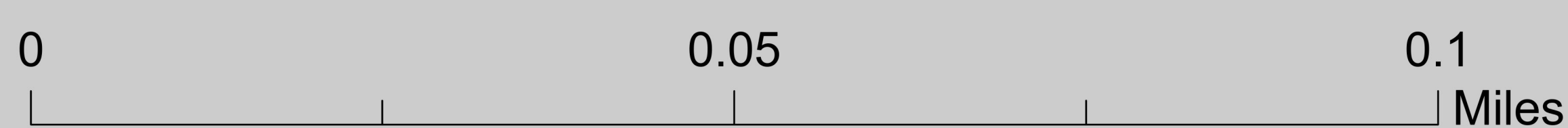
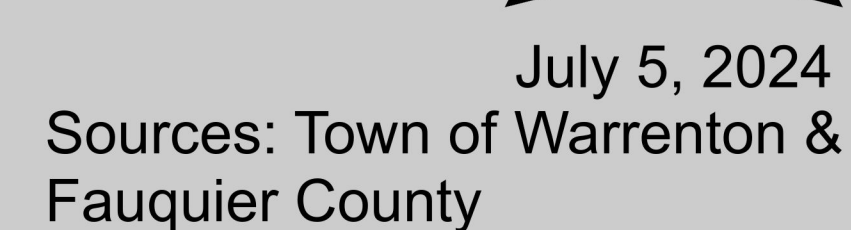
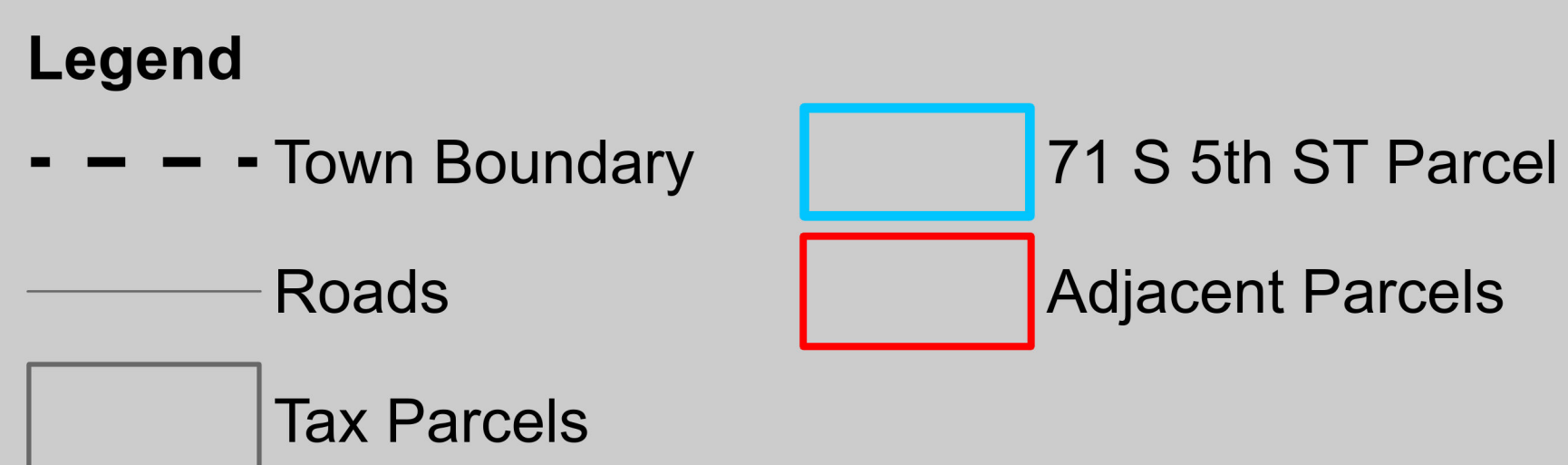
Article 9-13 – Outdoor Display

Staff comment: The applicant states that no outdoor storage is requested, but there will be outdoor display of vehicles for sale, as indicated by the statement of justification. Staff was not provided a site plan/google maps imagery showing the areas proposed for the outdoor sale of vehicles. Staff is unable to determine that the requirements of Article 9-13 relating to the storage of merchandise for sale have been met.

Article 11-3.10.3 – Evaluation Criteria; Issues for Consideration

The criteria listed under Article 11-3.10.3 are those items that the Planning Commission and Town Council should consider when reviewing a SUP application. Zoning staff defers to Planning staff on evaluation of these items.





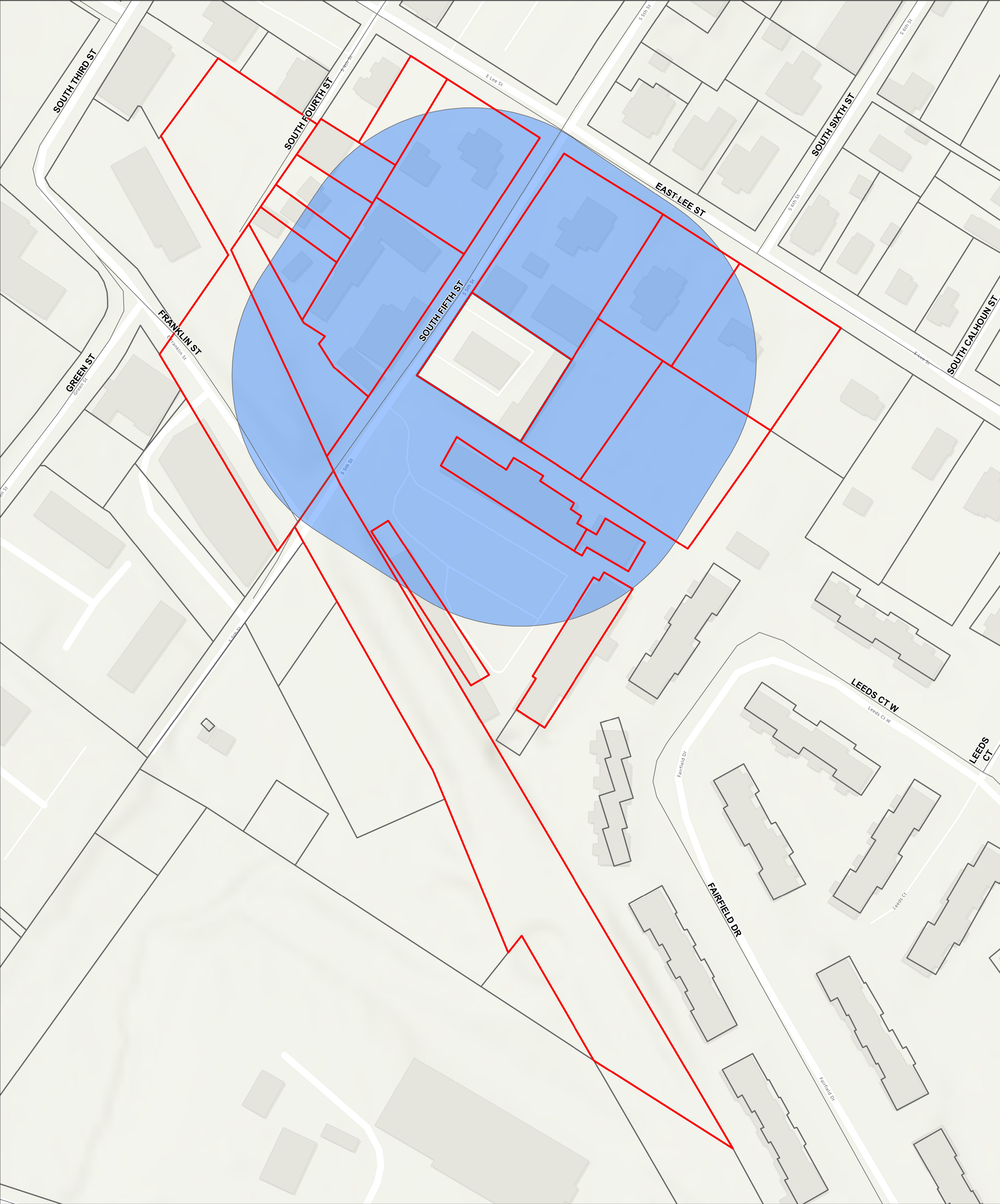




# TOWN OF WARRENTON

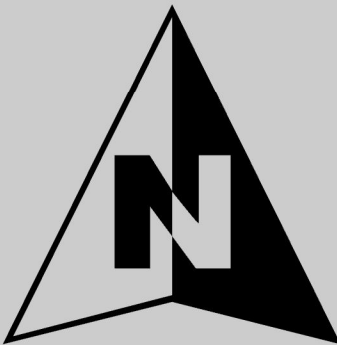
## 71 South Fifth Street

### Adjacent Parcels 200 FT

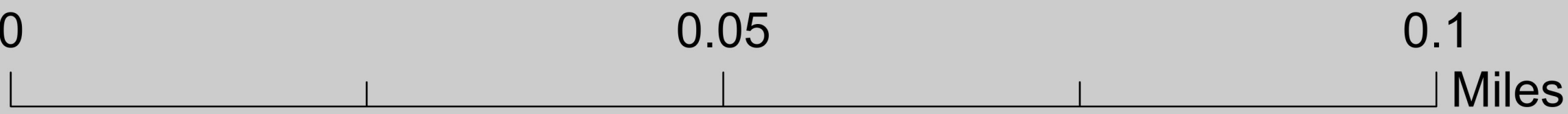


- Legend**

  - - - Town Boundary
  - Roads
  - Tax Parcels
  - 200 FT Buffer
  - 71 S 5th ST Parcel
  - Adjacent Parcels 200FT



July 5, 2024  
Sources: Town of Warrenton & Fauquier County





Date Stamp

**TOWN OF WARRENTON**

P.O. Drawer 341  
 Warrenton, VA 20188  
 (540) 347-1101 x106  
 Permittech@warrentonva.gov



**LAND USE APPLICATION:  
 AFFIDAVIT**

NO. \_\_\_\_\_

This affidavit certifies that the party listed, who is listed as the Applicant's Representative on a land use application, has been granted authorization to make an application and act on behalf of a property owner. It must be filled out completely by the property owner if another party is submitting an application(s) on the owner's behalf. This form must be notarized and must be submitted prior to issuance. Copies of affidavits are unacceptable.

I, Robert Samia am the owner of the property listed below and I certify that I have granted, Robert Samia as my duly authorized agent and give permission to make a land use application and act on my behalf for the following address:

71 South Fifth Street Warrenton Va 20186

for the land use application of Auto Dealership

Signature of Property Owner: *Robert Samia*

Date: 2/22/24

**(FOR NOTARY USE ONLY)**

State/District of Virginia City/Town/County of Warrenton

a Notary Public in and for the aforesaid hereby certify that the following person:

Robert Samia

appeared before me in the State/District and City/Town/County aforesaid and executed this affidavit on the following date (month, day, and year):

Notary Signature: *Karen Lynn Day* Registration Number: 7211881

My Commission Expires: 7/31/24







# STAFF REPORT

<b>Planning Commission Meeting Date:</b>	September 17, 2024
<b>Agenda Title:</b>	SUP 2024-01: 71 S. Fifth Street – Auto Dealership
<b>Requested Action:</b>	Hold Public Hearing
<b>Department / Agency Lead:</b>	Community Development
<b>Staff Lead:</b>	Casey Squyres, Historic Preservation Planner

## EXECUTIVE SUMMARY

The Owner/Applicant, Mr. Robert Samia, seeks a Special Use Permit for the establishment of a previous use as a car dealership at 71 S. 5th Street (+/- 0.2869 acres). The Applicant is requesting permission for the establishment of a use on the parcel as an auto dealership in an existing building with no physical changes, under Article 3-4.10.3 of the Zoning Ordinance. The auto-dealership use on the property lapsed in the last few years. The property is zoned C (Commercial District) and designated Old Town Mixed Use in Plan Warrenton 2040 (GPIN 6984-42-4640-000).

## BACKGROUND

The Applicant is requesting to establish the use of the parcel as an auto dealership. The subject property is located at 71 S. Fifth Street within the Town of Warrenton's Historic District. As the proposed use for the property is designated as Old Town Mixed Use in Plan Warrenton 2040, the use of the property as an auto dealership in an existing historic, non-contributing building is in keeping with the goals of the Old Town Character District within the Historic District. The Application presented to the Planning Commission as a Work Session on Tuesday, August 27, 2024. The Planning Commission decision deadline is December 5, 2024, unless waived by the Applicant.

## STAFF RECOMMENDATION

Hold Public Hearing.

### Service Level / Policy Impact

The proposed use is designated as the Old Town Mixed Use in the Old Town Character District in Plan Warrenton 2040 and meets several of the goals of the Comprehensive Plan.

**Legal Impact**

Conditions of Approval run with the land so as to bind future. Any party or officer identified by title shall be entitled and responsible to the adopted Conditions of Approval.

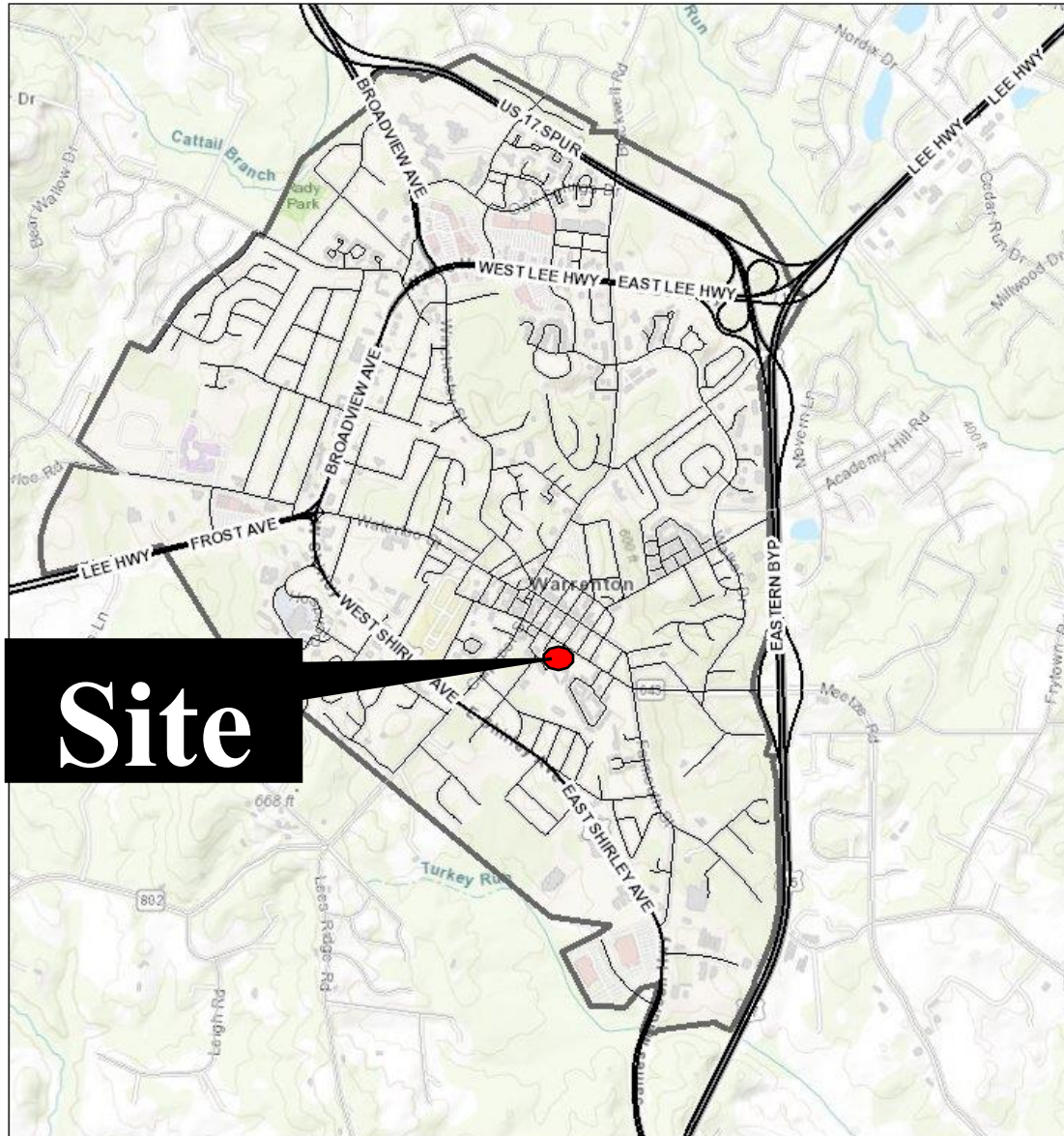
**ATTACHMENTS**

1. Attachment A – Maps, Elevations, Photos
2. Attachment B – Staff Analysis
3. Attachment C – Draft Conditions of Approval
4. Statement of Justification
5. Land Development Application
6. Land Use Application Affidavit
7. List of 32 Criteria addressed
8. Revised Plans
9. Agency Comments – Zoning
10. Agency Comments – Public Works & Utilities
11. Agency Comments - Planning

# Attachment A – Maps, Elevations, & Photos

## Vicinity Map:

Town of Warrenton, VA WebGIS

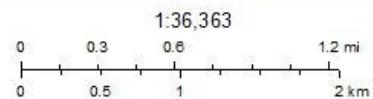


July 27, 2017

### Major Roads

- <all other values>
- COUNTY
- LOCAL

- MAJOR
- MINOR
- PRIVATE
- RAMP
- Town Limits

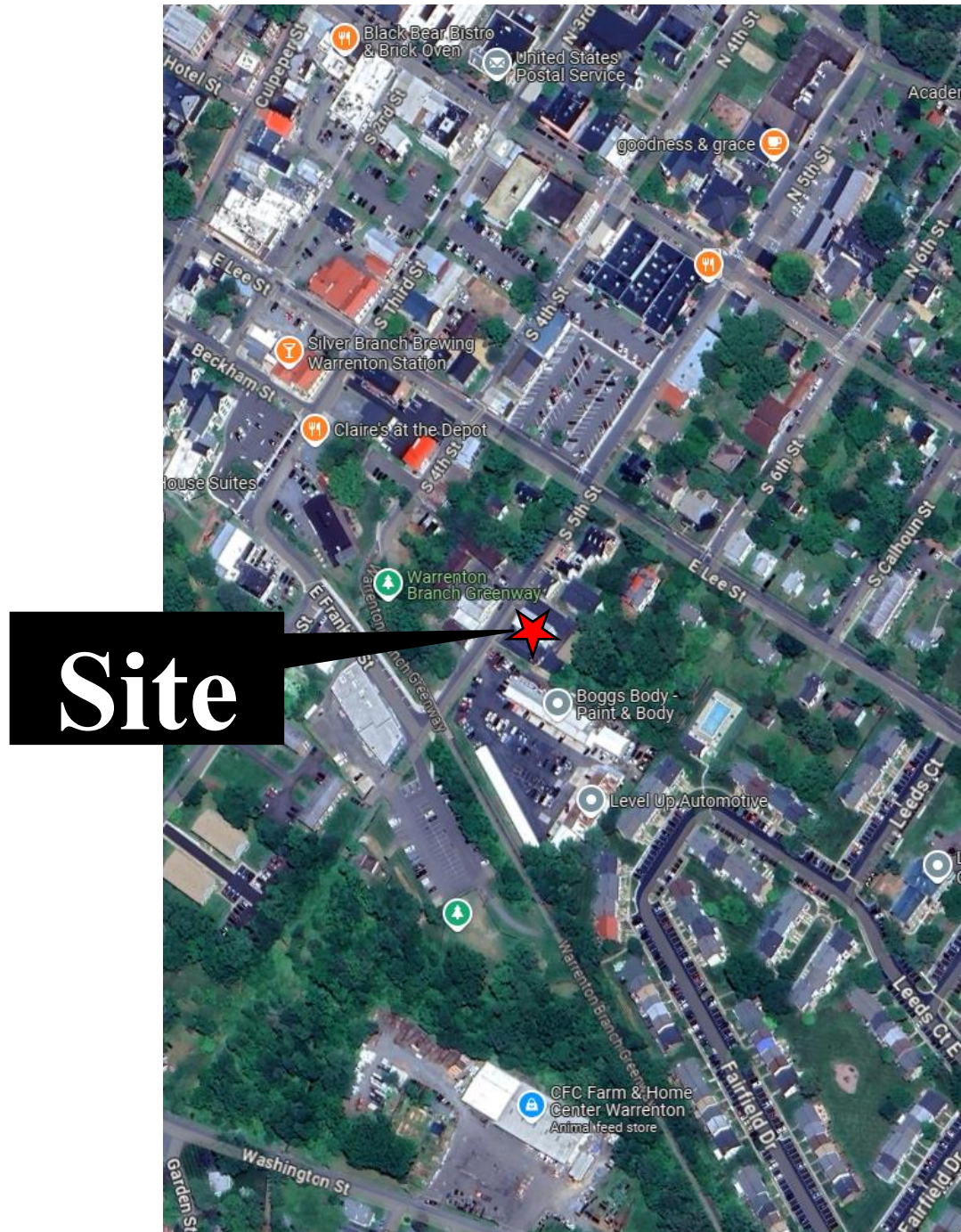


Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



# Attachment A – Maps, Elevations, & Photos

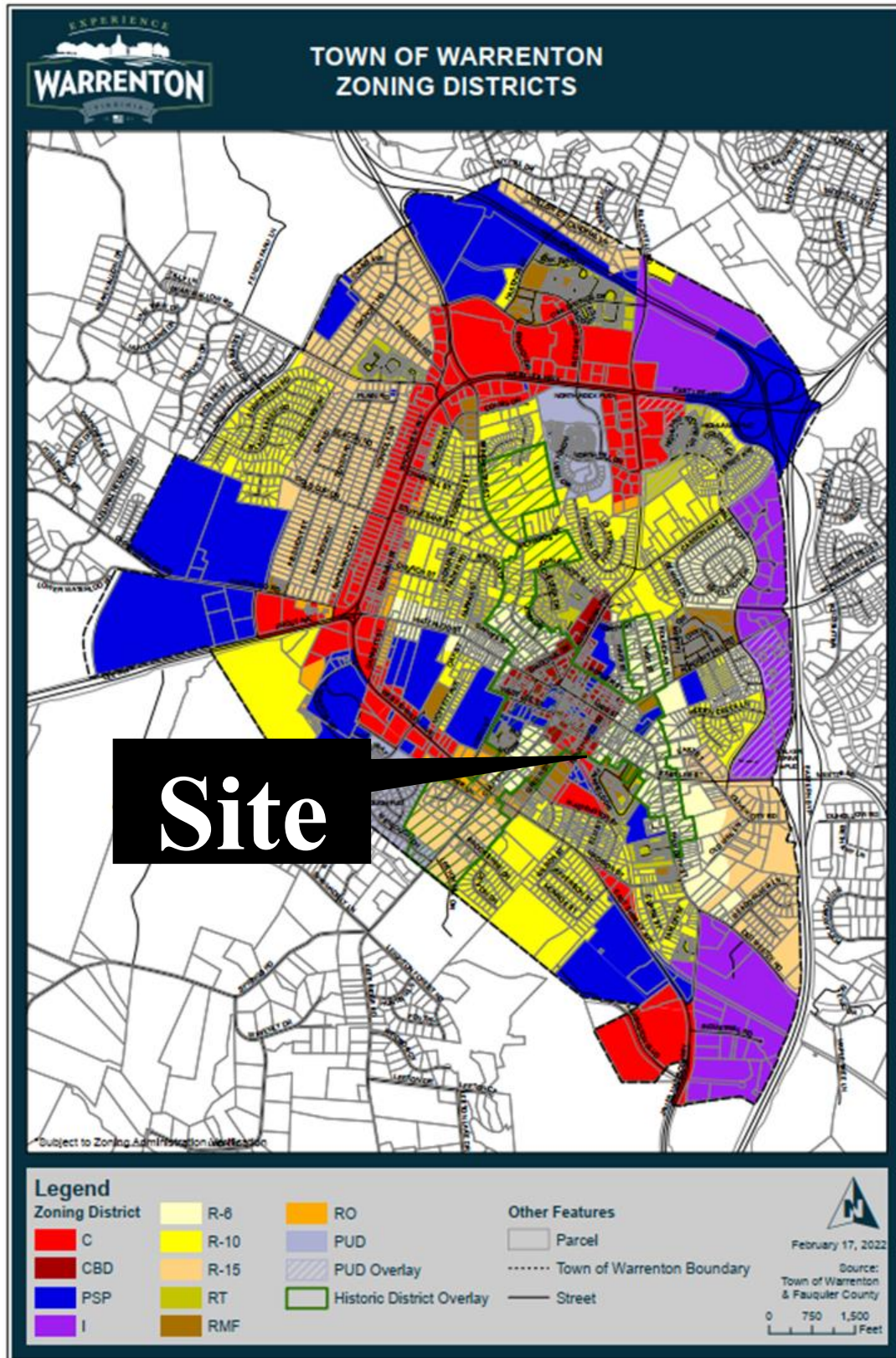
Aerial Map:





# Attachment A – Maps, Elevations, & Photos

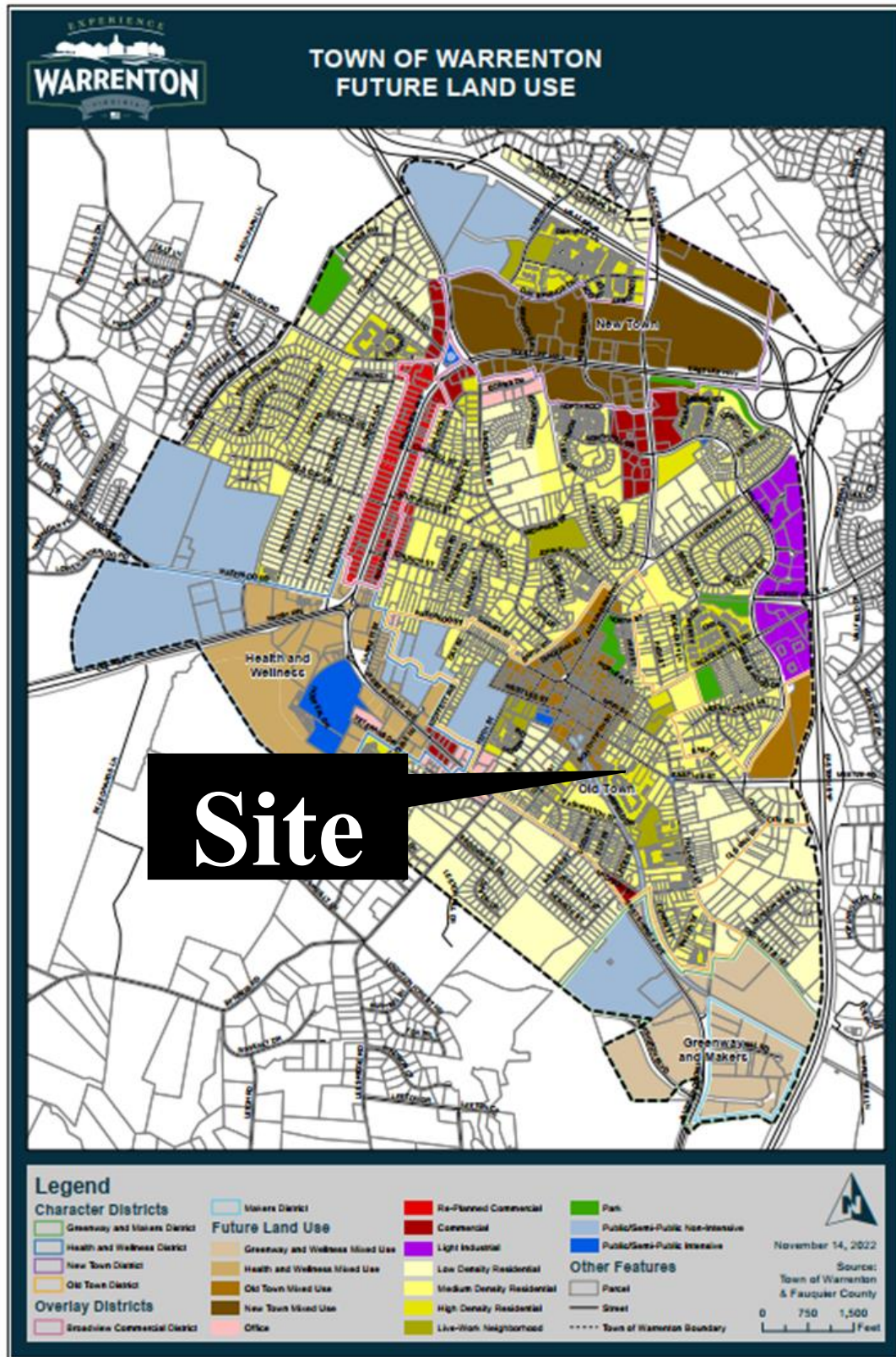
## Zoning Map:





# Attachment A – Maps, Elevations, & Photos

Future Land Use Map:

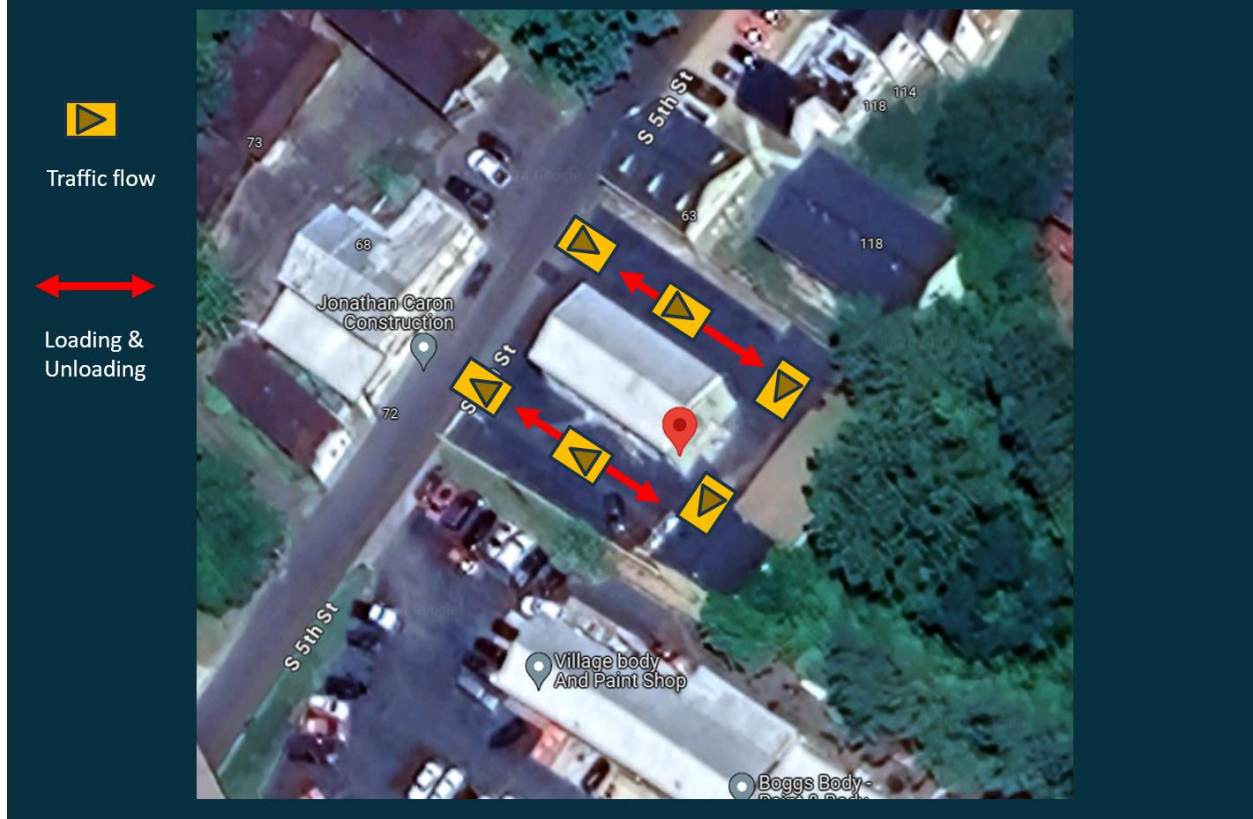






## Attachment A – Maps, Elevations, & Photos

### Existing Traffic Flow/Loading & Unloading



# Attachment A – Maps, Elevations, & Photos

Item 3.





# Attachment A – Maps, Elevations, & Photos

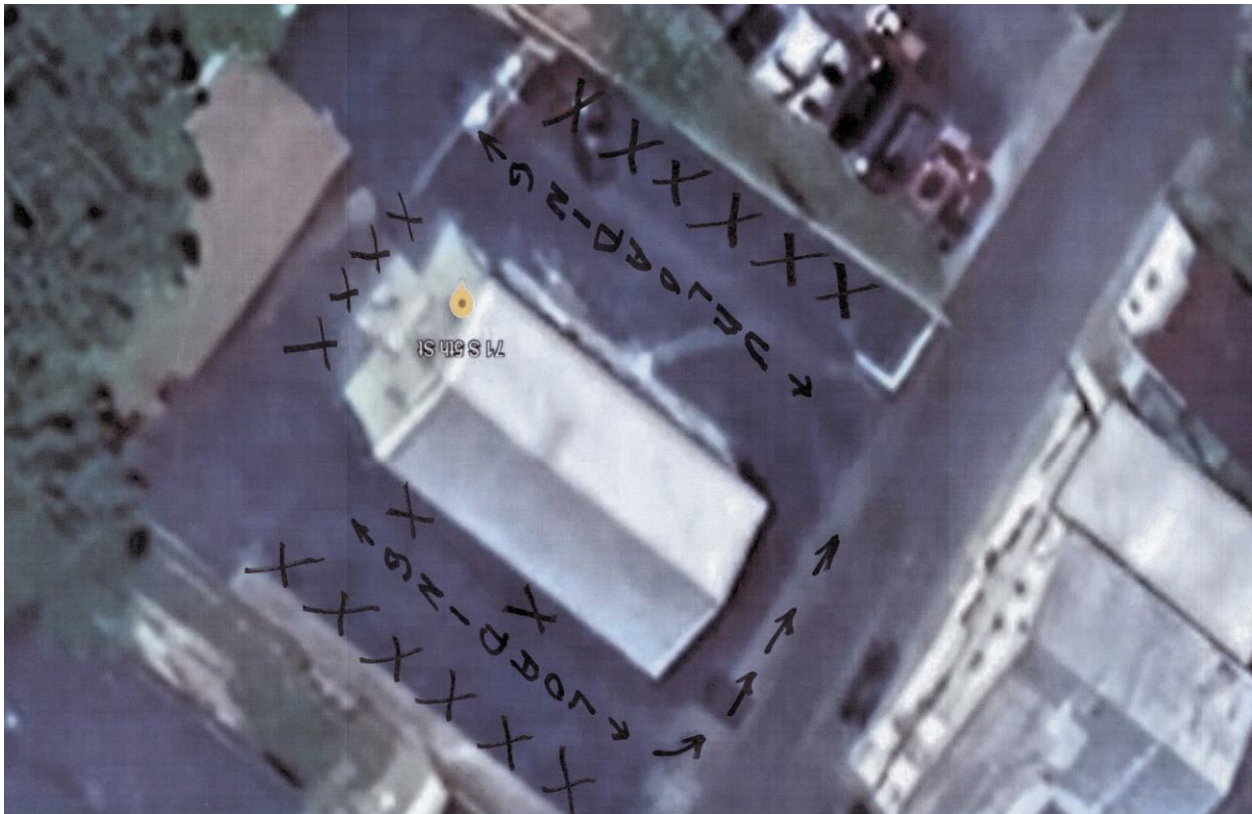
Item 3.





# Attachment A – Maps, Elevations, & Photos

Item 3.



Dated September 17, 2024

**DRAFT APPROVED CONDITIONS**

**Owner: Mr. Robert Samia**

**Applicant: Mr. Robert Samia**

**Special Use Permit: SUP #2024-01**

**Addresses: 71 S. Fifth Street**

**GPIN: 6984-42-4640-000 (the "Property")**

**Special Use Permit Area: +/- 0.2869 acres**

**Zoning: Commercial District**

**Date: September 17, 2024**

In approving a Special Use Permit, the Town Council may impose such conditions, safeguards and restrictions as may be necessary to avoid, minimize or mitigate any potentially adverse or injurious effect of such special uses upon other properties in the neighborhood, and to carry out the general purpose and intent of this Ordinance. The Council may require a guarantee or bond to ensure compliance with the imposed conditions. All required conditions shall be set out in the documentation approving the Special Use Permit.

The Applicant shall file a site plan within one (1) year of approval of this Special Use Permit by the Town Council unless waived and/or exempted under Article 10-2, and shall have up to five (5) years from the date of final site plan approval to commence the proposed use. Issuance of an occupancy permit constitutes commencement of the use.

1. This Special Use Permit is issued covering the entire Property pursuant to the provisions of §11-3.10 of the Town of Warrenton Zoning Ordinance.
2. The site is located within the Historic District and therefore is subject to the Town of Warrenton Guide to Historic Resources and any exterior changes or alterations require the submission of a Certificate of Appropriateness (COA) and review and approval by the Architectural Review Board (ARB). No structures shall be modified or constructed until a COA has been issued, per §3-5.3 of the Zoning Ordinance.
3. Use Parameters
  - a. Special Use Permit Area – The Special Use Permit shall apply to the entire +/- 0.2869 - acre property.
  - b. Use Limitations - The use shall be limited to Automobile Sales and Truck Sales.
  - c. Hours of Operation – The hours of operation associated with these uses shall be contained between the hours of 9:00 am and 7:00 pm.

Dated September 17, 2024

4. Motor Vehicle Sales

- a. Vehicles shall only be displayed in the paved parking areas labeled as “Inventory Parking” as shown on the Special Use Permit Plan dated March 11, 2024. Such areas shall not be used for the storage or display of vehicles that are not in operating or saleable condition.
- b. No vehicles shall be displayed for sale in the right-of-way.
- c. Vehicles for sale shall have all wheels in contact with a paved surface. The use of display ramps and/or stands is prohibited, and hoods shall not be raised nor flashing lights be used as an attention-attracting device.

5. Site Surface

- a. All outdoor areas used for parking, storage, loading, display and driveways shall be constructed and maintained in good repair, free of cracks or damage to the surface.

6. Traffic

- a. Loading/Unloading – All loading and unloading of vehicles shall take place on the Subject Property during regular hours of operation and outside of peak travel hours, to the greatest extent possible, in the Loading Area depicted on the Special Use Permit Plan.
- b. Obstruction of Travel Ways – No vehicles associated with the use shall obstruct the travel ways, fire lanes, adjoining road network or encroach upon landscaped areas as shown on the Special Use Permit Plan. No vehicles shall be located within site entranceways or otherwise impede ingress, egress, and internal circulation.

7. Parking

- a. The Subject Parcel shall meet all parking requirements as outlined in Article 7. Should it be desired to expand the use in any of the buildings located on the Subject Property, the new proposed use shall be required to apply for approvals that meet Zoning Ordinance and additional parking requirements.

8. Outdoor Display

- a. Outdoor display of any objects or materials including: tires, beverages, beverage machines, motor vehicle parts, etc. shall be prohibited.

9. Outdoor Speakers

- a. Outdoor speakers shall not be permitted. The volume of any indoor speakers shall not be such that the sound is disturbing to adjacent property owners.

10. Refuse Storage Area



Dated September 17, 2024

- a. Any refuse storage areas shall be screened with a solid enclosure constructed of materials that are compatible with the buildings on the property.

11. Emergency Services

- a. Nothing shall be placed or constructed on the site that would prohibit or restrict Emergency Service vehicles from mounting curbs or accessing structures. There shall be no parking of any vehicles in the travel ways.

12. Lighting

- a. All existing lighting fixtures shall be downward directed and employ cutoff light fixtures. The Applicant shall further provide that lighting shall be automatically dimmed after closing hours to diminish its effects on surrounding properties.
- b. All lighting shall meet the requirements of the Zoning Ordinance, as found in Article 9.

13. Signs

- a. Unless otherwise permitted by the Zoning Ordinance, temporary signs, banners, balloons, streamers, garrison flags, or similar attention-getting devices shall be strictly prohibited.
- b. The existing signage on the property may remain, provided the existing signage is not altered, enlarged, extended, or structurally altered in any manner.
- c. Existing signage shall count towards the maximum allowance of signage in the Zoning Ordinance. All future signage shall meet the Zoning Ordinance at time of permit.

September 17, 2024  
Planning Commission  
Regular Meeting

**DRAFT RESOLUTION TO RECOMMEND APPROVAL SPECIAL USE PERMIT 2024-01: 71 S. FIFTH STREET – AUTO DEALERSHIP, PURSUANT TO SECTION 11-3.10.3 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON (GPIN 6984-42-4640-000)**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, The Owner/Applicant, Mr. Robert Samia, seeks a Special Use Permit for the establishment of a previous use as a car dealership at 71 S. 5th Street (+/- 0.2869 acres). (GPIN 6984-42-4640-000) in the Town of Warrenton and hereinafter referred to as the "Property;" and

**WHEREAS**, the Applicant has applied for a Special Use Permit pursuant to §3-4.10.3 of the Zoning Ordinance for the establishment of a use on the parcel as an auto dealership in an existing building with no physical changes. The auto-dealership use on the property lapsed in the last few years. The property is zoned C (Commercial District) and designated Old Town Mixed Use in Plan Warrenton 2040; and

**WHEREAS**, the Planning Commission held a work session on SUP 2024-01 on August 27, 2024; and

**WHEREAS**, pursuant to §11-3 of the Zoning Ordinance, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on September 17, 2024; and

**WHEREAS**, the Planning Commission considered for approval of the Special Use Permit based on Conditions of Approval and Virginia State Code Section 15.2-2286.A.3; and

**WHEREAS**, the Planning Commission finds that the Application meets the criteria for approval found in Section 11-3.10.3 in the Town of Warrenton Zoning Ordinance; and

**WHEREAS**, the Planning Commission, in consideration of all of the foregoing, is of the opinion that the application for the Special Use Permit is to be recommended for approval to the Town Council subject to certain conditions;

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Planning Commission on this 17<sup>th</sup> day of September 2024, that SUP 2024-01 be, and is hereby, recommended for approval to Town Council, subject to the conditions as written in the Conditions of Approval.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: \_\_\_\_\_  
Darine Barbour, Planning Commission Secretary



September 17, 2024  
Planning Commission  
Regular Meeting

**RESOLUTION TO RECOMMEND DENIAL OF SPECIAL USE PERMIT 2024-01: 71 S. FIFTH STREET – AUTO DEALERSHIP, PURSUANT TO SECTION 11-3.10.3 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON (GPIN 6984-42-4640-000)**

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**WHEREAS**, the Planning Commission considered for approval of the Special Use Permit based on Conditions of Approval and Virginia State Code Section 15.2-2286.A.3; and

**WHEREAS**, the Planning Commission finds that the Application meets the criteria for approval found in Section 11-3.10.3 in the Town of Warrenton Zoning Ordinance; and

**WHEREAS**, the Planning Commission, in consideration of all of the foregoing, is of the opinion that the application for the Special Use Permit does not meet the criteria for approval found in Section 11-3.10.3 in the Town of Warrenton Zoning Ordinance and is to be recommended for denial to the Town Council based on:

1.

; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Planning Commission on this 17<sup>th</sup> day of September 2024, that SUP 2024-01 be, and is hereby, recommended for denial to Town Council.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**ATTEST:** \_\_\_\_\_  
Darine Barbour, Planning Commission Secretary

<b>Staff Analysis</b>
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This analysis is based on the Comprehensive Plan, Zoning Ordinance, and review comments by Town Departments. The standards/analysis tables in the sections below contain the criteria for Planning Commission and Town Council consideration of Special Use Permits, per Article 11-3.10.3.

This request for a Special Use Permit for the establishment of a previous use as a car dealership at 71 S. 5th Street. The Applicant is requesting permission for the establishment of a use on the parcel as an auto dealership in an existing building with no physical changes, under Article 3-4.10.3 of the Zoning Ordinance.

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

Approx. Direction	Land Use	Future Land Use Map Designation	Zoning
North	Commercial, Residential	Public/Semi Public Non Intensive; Live/Work Neighborhood	CBD/Commercial/R-15
South	Commercial, Residential, PSP	Re-Planned Commercial	PSP/R-6/Commercial
East	Commercial, Residential	High Density Residential	Commercial
West	Commercial, Residential	Medium Density Residential	Commercial

The property totals approximately +/- 0.2869 acres and is zoned Commercial and designated in the Old Town Mixed Use Character District of Plan Warrenton 2040. (GPIN 6984-42-4640-000)

### Comprehensive Plan Future Land Use

Plan Warrenton 2040 designates 71 S. Fifth Street in the Old Town Mixed Use Character District. This designation covers the historic, mixed-use downtown area and closely matches the area of the existing Central Business District's zoning district. The Old Town Character District provides policies for this area. The summary of this district calls for the following:

*"The Old Town Character District will include a mix of infill and new mixed-use development that is designed to maintain Old Town's historic character."*

Standard	Analysis
<i>Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.</i>	The proposed use is not compatible or consistent with the comprehensive plan but is designated as a non-conforming use. The Future Land Use Designation for this parcel is labeled as Old Town Mixed Use.

Standard	Analysis
<i>The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.</i>	The auto dealership at 71 S. Fifth Street is surrounded by commercial, retail, multi-family, and institutional uses. The proposed use is not compatible or consistent with the comprehensive plan but is designated as a non-conforming use.

**Staff Findings**

The Applicant is requesting to establish a previous use of the property at 71 S. Fifth Street as an auto dealership. This is considered a non-conforming use. There are no physical changes proposed to the property.

**Historic/Environmental Resources**

Plan Warrenton 2040 includes a Historic Resources chapter that envisions “*The Town and property owners will work toward a common goal of preserving the historic built environment for current and future generations, knowing their efforts will strengthen Warrenton’s neighborhoods, complement place-based economic development, encourage local economic growth, promote equity of its residents, and conserve natural resources.*”

The subject parcel is located within the Town of Warrenton’s Historic District and the circa-1950 building is considered to be a contributing resource within the Historic District. The parcel is surrounded by other historic buildings, both commercial and residential, contributing and non-contributing to the Historic District.

**Staff Findings:**

While the building on the parcel is considered to be contributing to the Historic District, there are no physical changes proposed to the building or to any hardscape/landscape features on the parcel.

**Zoning Analysis**

The legislative intent of the Commercial District is to encourage the logical and timely development of land for a range of commercial and mixed-use purposes in accordance with the objectives, policies, and proposals of the Comprehensive Plan; to prohibit any use which would create undue impacts on surrounding residential areas; and to assure suitable design to protect the residential environmental of adjacent and nearby neighborhoods. It is further declared to be the intent of the district to limit traffic congestion, overcrowding of land, noise, glare, and pollution, as to lessen the danger to public safety, and to ensure convenient and safe pedestrian access to and from commercial and mixed-use sites.



Standard	Analysis
<i>The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.</i>	The existing use is commercial. All non-residential uses in Town must meet the noise ordinance and residential must meet Town Code.
<i>The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.</i>	The Applicant has stated they will follow Article 6 of the Zoning Ordinance. The Applicant does not intend to install any new signage or lighting.
<i>The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.</i>	The Applicant has confirmed that there will be no changes to the existing building, nor any new construction.
<i>The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.</i>	The Applicant is not proposing any changes to existing landscaping.
<i>The timing and phasing of the proposed development and the duration of the proposed use.</i>	The Applicant is not proposing any development.
<i>Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.</i>	N/A
<i>Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of the Town of Warrenton.</i>	N/A
<i>The location, character, and size of any outdoor storage.</i>	N/A
<i>The location of any major floodplain and steep slopes.</i>	N/A
<i>The location and use of any existing non-conforming uses and structures.</i>	The use of the parcel as an auto-dealership is a non-conforming use.
<i>The location and type of any fuel and fuel storage.</i>	N/A
<i>The location and use of any anticipated accessory uses and structures.</i>	N/A
<i>The area of each proposed use.</i>	N/A
<i>The location and screening of parking and loading spaces and/or areas.</i>	The Applicant has shown the location for loading/un-loading within the side spaces of the parking lot on the parcel.
<i>The location and nature of any proposed security features and provisions.</i>	The Applicant has confirmed there are already security cameras in place on the parcel.

Standard	Analysis
<i>Any anticipated odors which may be generated by the uses on site.</i>	Site will comply with Zoning Ordinance.
<i>Refuse and service areas.</i>	Site will comply Zoning Ordinance.
<i>Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.</i>	The Applicant is not proposing any changes to the parcel.
<i>The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality. The location of any major floodplain and steep slopes.</i>	N/A
<i>The glare or light that may be generated by the proposed use in relation to uses in the immediate area.</i>	N/A

### **Staff Findings**

The Applicant has confirmed that there are no physical changes to the parcel, including no new development and no changes to lighting, security, or signage, and this is strictly a request to establish a previous use on the parcel as an auto dealership, which is considered a non-conforming use.

### **Conditions of Approval**

Draft Conditions of Approval (Separate Attachment) address conformance with the SUP plans, use parameters, transportation and traffic flow, parking, and loading/unloading areas, as well as lighting and signage conformance with the Zoning Ordinance.



**Planning Commission Work Session**  
**SUP 24-01: 71 S. Fifth Street**  
**Car Dealership**  
**August 27, 2024**

# Request

Item 3.

## SUP 24-01 – Work Session

- GPIN: 6984-42-4640-000
- Property Owner: Mr. Robert Samia
- Representative: Mr. Robert Samia
- Zoning: C (Commercial)
- Comprehensive Plan: Old Town Mixed Use
- Applicant is requesting permission for the reinstatement of the use of the parcel as an auto dealership in an existing building with no physical changes, under Article 3-4.11.1 of the Zoning Ordinance.

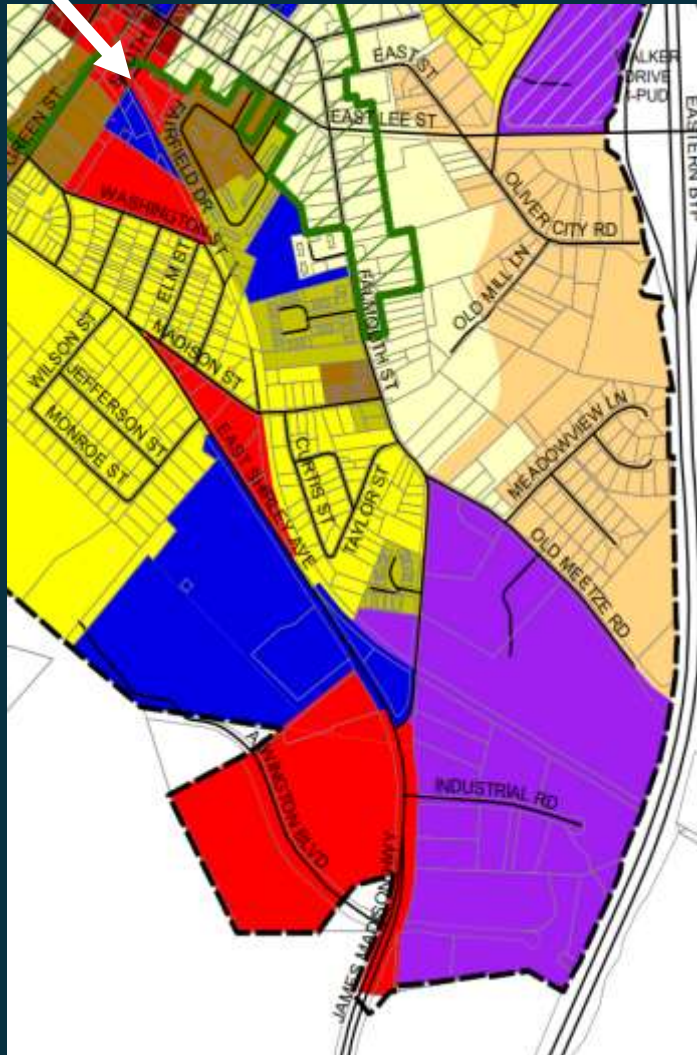




# Adjacent Uses

Item 3.

## Zoning Map



### Zoning Districts



## Future Land Use



# Staff Review

Item 3.

- Plan Warrenton 2040
  - Old Town Mixed Use
- Zoning Ordinance
  - Parking
    - Ensuring appropriate parking spaces for employees and customers and for other vehicles; and
    - Traffic flow in and out of parcel; and
    - Loading and unloading space.

# Existing Parking Spaces

Item 3.

Parking Spaces  
(Not to Scale)



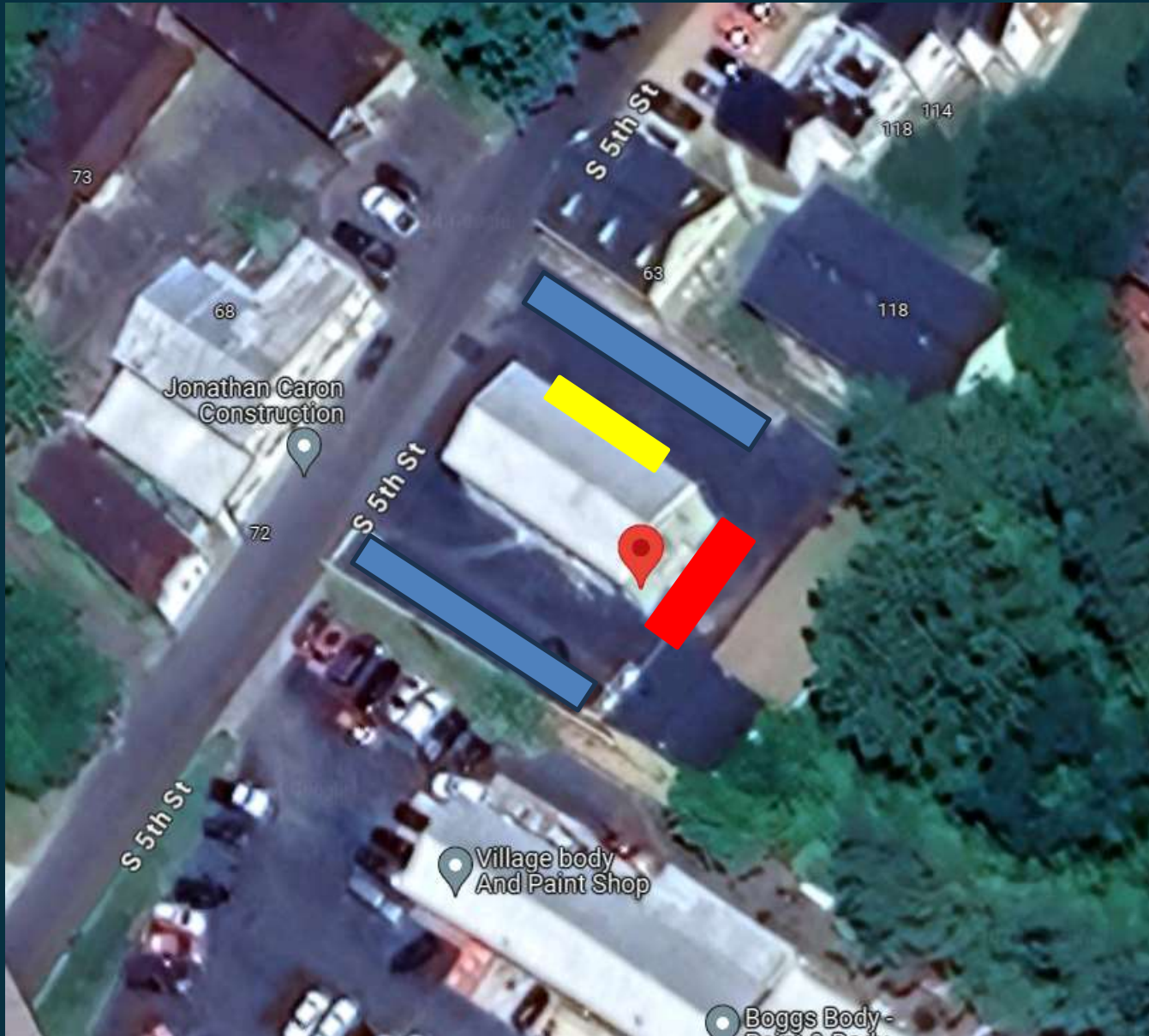
Employees  
(4 spaces)



Customers/  
Additional  
(2 spaces)



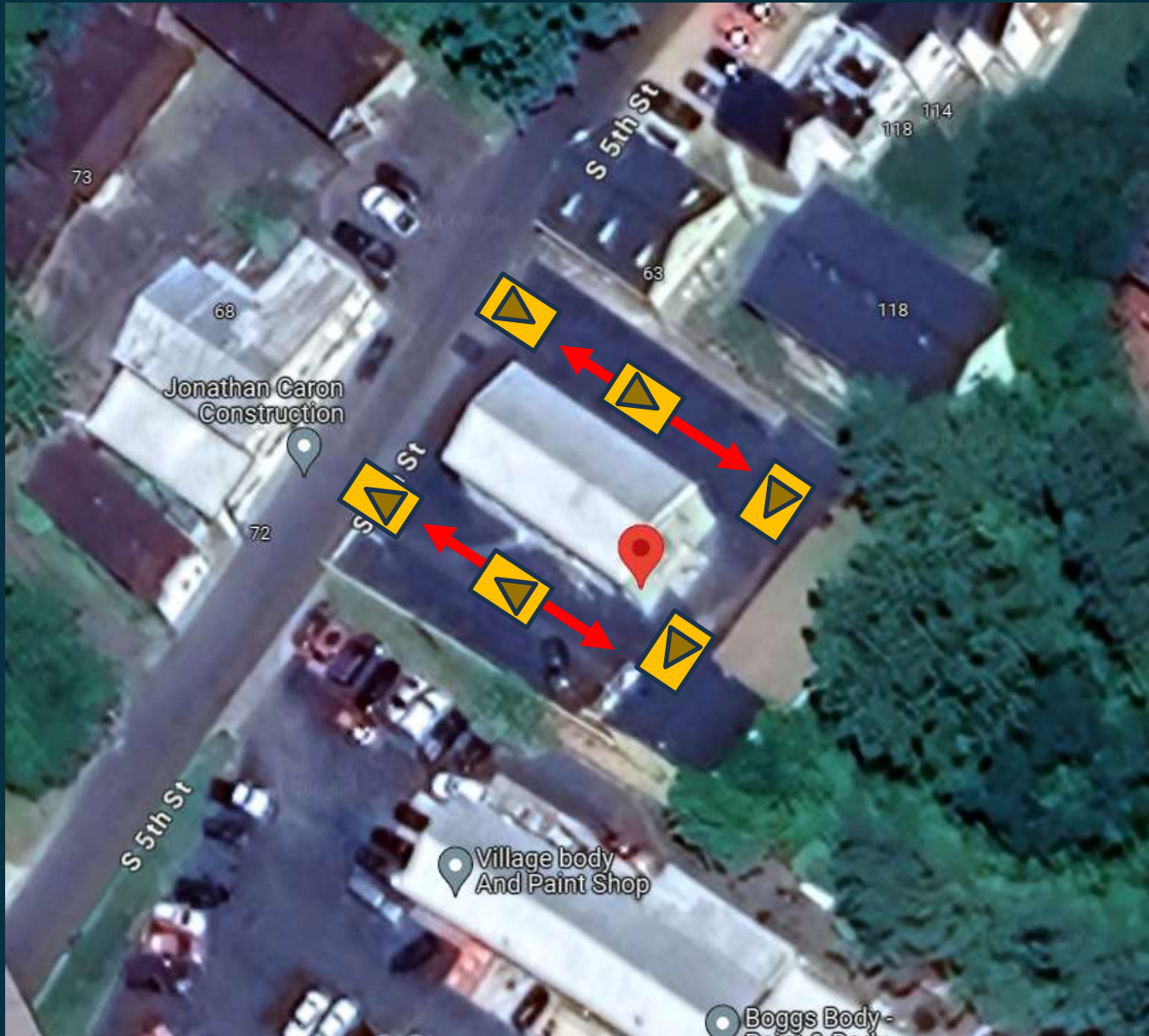
Inventory  
Parking (12  
spaces total)





# Existing Traffic Flow/Loading & Unloading

Item 3.





# Street View

Item 3.



# Street View

Item 3.





# Street View

Item 3.



# Staff Recommendation

Item 3.

- Hold Work Session
- Direct Applicant/Staff Next Steps
- 100-Day: August 27, 2024 – December 5, 2024





**Planning Commission Work Session**  
**SUP 24-01 71 S. Fifth Street**  
**Car Dealership**  
**August 27, 2024**



Community Development  
Department

## **STAFF REPORT COVER MEMO**

<b>Commission Meeting Date:</b>	September 17, 2024
<b>Agenda Title:</b>	ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge
<b>Requested Action:</b>	Hold a Public Hearing
<b>Staff Lead:</b>	Denise M. Harris, Planning Manager
<b>Decision Deadline:</b>	October 24, 2024 Unless Applicant Defers

### **EXECUTIVE SUMMARY**

The Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street. The proposal requests approval to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable senior housing to ages 65 and older. The application includes a Small Office/Community Center to be constructed in Phase 1 and a Multipurpose Recreational Center in Phase 2. The Applicant is requesting waivers and modifications. The Future Land Use Map designates the parcels as Medium Density Residential. The GPINS are 6984-16-5101 portion (approximately 5.22 acres of the approximately 6.31 acre parcel), 6984-16-7013, 6984-15-1823 and 6984-15-1930.

### **BACKGROUND**

The application for ZMA 2023-01 was accepted for processing on December 21, 2023. Agency reviews took place over two rounds of resubmissions. On July 16, 2024, the Planning Commission held Work Sessions during which the Applicant provided an overview of the proposal. The Planning Commission raised questions about Plan Warrenton 2040, water and sewer capacity, transportation, and draft proffers.

The Planning Commission held a second work session on August 27, 2024, at which the Town Attorney and Director of Public Utilities answered inquiries.

On September 3, 2024, the Applicants submitted updated executed proffers that were routed for agency reviews. The Attachment B Staff Analysis is based on these proffers and the previously submitted materials tied to the proffers, including:

- Concept Plan entitled "Warrenton United Methodist Church / Hero's Bridge Zoning Map Amendment," prepared by Rinker Design Associates, PC, dated April 26, 2024
- Elevation entitled "Warrenton UMC Proposed Housing Elevation," prepared by Design Concepts Architecture + Interiors, and dated March 16, 2023
- Elevations entitled "Warrenton UMC Multi-Purpose Building," prepared by Design Concepts Architecture + Interiors, dated November 18, 2022 and consisting of two sheets

The Applicants are proposing a type of development that may fulfill parts of the Plan Warrenton 2040 goals; however, the Zoning Ordinance has not yet been updated to match the comprehensive plan. The Applicants chose to proceed with the Application by utilizing the Virginia Supreme Court ruling under Rowland vs. the Town of Warrenton that states "Because the acceptance of proffers by a locality has the force of law, the acceptance of a proffer which alters the rezoning requirements of a particular property is the functional equivalent of an amendment to the zoning ordinance." This means the Applicant may, in essence, propose their own suggested regulations for the proposal through the proffers.

The Staff Analysis goes into detail reviewing how the proposed Concept Plan, elevations, and executed proffers either meet or seek to amend the Zoning Ordinance.

#### **STAFF RECOMMENDATION**

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Hold a Public Hearing and make a recommendation for Town Council unless Planning Commission would like to defer until its October Meeting.



# Attachment A - Map

## VICINITY MAP

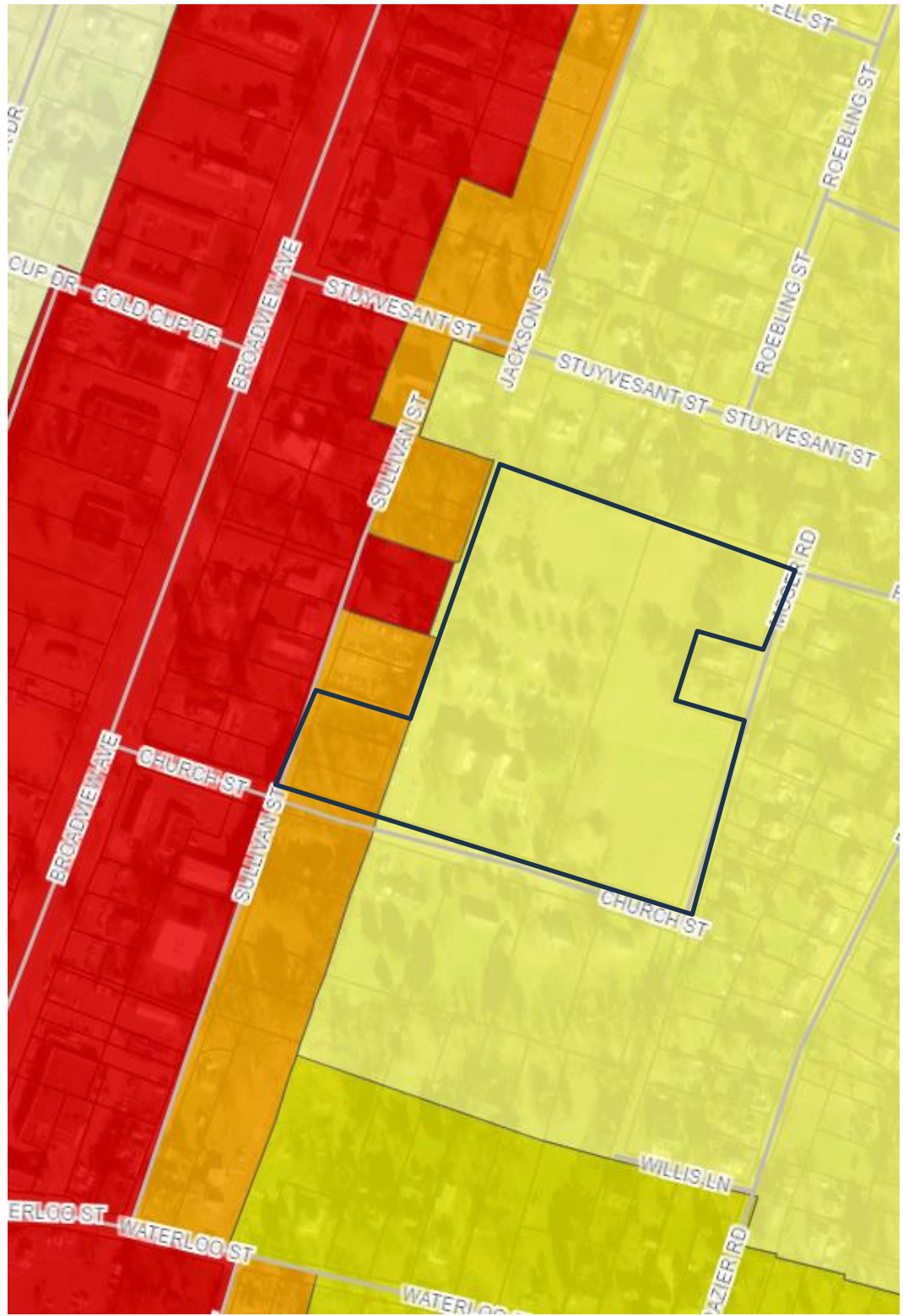




Attachment A - Map  
**AERIAL MAP**

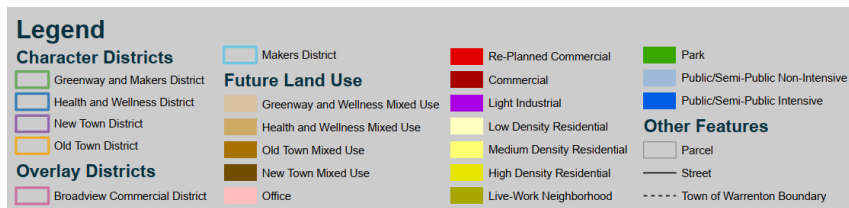
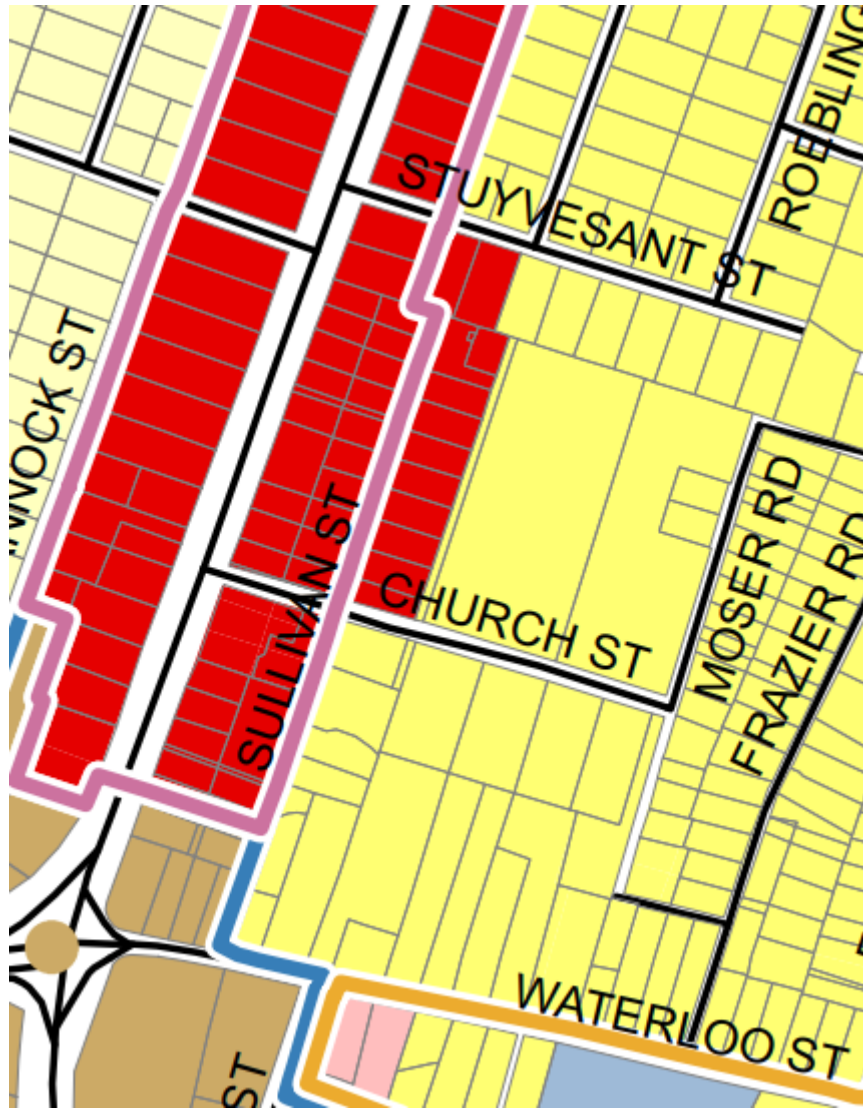


Attachment A - Map  
**EXISTING ZONING MAP**





# Attachment A - Map FUTURE LAND USE MAP



September 17, 2024  
Planning Commission  
Regular Meeting

**RESOLUTION TO RECOMMEND APPROVAL ZMA 2023-01 WARRENTON UNITED METHODIST CHURCH/HERO'S BRIDGE PURSUANT TO SECTION 11-3.9 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON (GPINS 6984-16-5101 PORTION APPROXIMATELY 5.22 ACRES OF THE APPROXIMATELY 6.31 ACRE PARCEL, 6984-16-7013, 6984-15-1823 AND 6984-15-1930)**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, the Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street in the Town of Warrenton and hereinafter referred to as the "Property"; and

**WHEREAS**, the Applicant has applied for a Zoning Map Amendment to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable veteran housing to ages 65 and older; and

**WHEREAS**, the Application includes a Small Office/Community Center to be constructed in Phase 1 and a Multipurpose Recreational Center in Phase 2; and

**WHEREAS**, The Applicant is requesting Zoning Ordinance waivers and modifications by applying the Virginia Supreme Court ruling on Rowland vs. Town of Warrenton that states "the General Assembly intended for these statutes to grant localities the authority to permit deviations from the requirements of a zoning ordinance by accepting voluntary proffers as part of a rezoning application"; and

**WHEREAS**, the Owner and Applicant have submitted executed voluntary proffers dated August 28, 2024 and a Concept Development Plan dated June 3, 2024; and

**WHEREAS**, the Planning Commission held two public work sessions on ZMA 2023-01 on July 16, 2024 and August 27, 2024; and

**WHEREAS**, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a zoning amendment, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on September 17, 2024; and

**WHEREAS**, the Planning Commission considered for approval of the zoning amendment based on voluntary proffers and Virginia State Code Section 15.2-2285; and

**WHEREAS**, the Planning Commission finds that the Application meets the criteria for approval found in Section 11-3.9.12 in the Town of Warrenton Zoning Ordinance; and



**WHEREAS**, the Planning Commission, in consideration of all of the foregoing, is of the opinion that the application for ZMA 2023-01 is to be recommended for approval to the Town Council subject to the Concept Development Plan and voluntary proffers;

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Planning Commission on this 17<sup>th</sup> day of September 2024, that ZMA 2023-01 be, and is hereby, recommended for approval to Town Council, subject to the voluntary proffers dated August 28, 2024, and Concept Development Plan dated June 3, 2024, by Rinker Design Associates (Sheets C.01-C.10).

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**ATTEST:** \_\_\_\_\_  
**Darine Barbour, Planning Commission Secretary**



September 17, 2024  
Planning Commission  
Regular Meeting

**RESOLUTION TO RECOMMEND DENIAL ZMA 2023-01 WARRENTON UNITED METHODIST CHURCH/HERO'S BRIDGE PURSUANT TO SECTION 11-3.9 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON (GPINS 6984-16-5101 PORTION APPROXIMATELY 5.22 ACRES OF THE APPROXIMATELY 6.31 ACRE PARCEL, 6984-16-7013, 6984-15-1823 AND 6984-15-1930)**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, the Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street in the Town of Warrenton and hereinafter referred to as the "Property"; and

**WHEREAS**, the Applicant has applied for a Zoning Map Amendment to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable veteran housing to ages 65 and older; and

**WHEREAS**, the Application includes a Small Office/Community Center to be constructed in Phase 1 and a Multipurpose Recreational Center in Phase 2; and

**WHEREAS**, The Applicant is requesting Zoning Ordinance waivers and modifications by applying the Virginia Supreme Court ruling on Rowland vs. Town of Warrenton that states "the General Assembly intended for these statutes to grant localities the authority to permit deviations from the requirements of a zoning ordinance by accepting voluntary proffers as part of a rezoning application"; and

**WHEREAS**, the Owner and Applicant have submitted executed voluntary proffers dated August 28, 2024 and a Concept Development Plan dated June 3, 2024; and

**WHEREAS**, the Planning Commission held two public work sessions on ZMA 2023-01 on July 16, 2024 and August 27, 2024; and

**WHEREAS**, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a zoning amendment, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on September 17, 2024; and

**WHEREAS**, the Planning Commission considered for approval of the zoning amendment based on voluntary proffers and Virginia State Code Section 15.2-2285; and



**WHEREAS**, the Planning Commission finds that the Application meets the criteria for approval found in Section 11-3.9.12 in the Town of Warrenton Zoning Ordinance; and

**WHEREAS**, the Planning Commission finds that the Application does not meet the criteria for approval found in Section 11-3.9 in the Town of Warrenton Zoning Ordinance based on

1.

; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Planning Commission on this 17<sup>th</sup> day of September 2024, that ZMA 2023-01 be, and is hereby, recommended for denial to Town Council.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**ATTEST:** \_\_\_\_\_  
Darine Barbour, Planning Commission Secretary



# **WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE ZONING MAP AMENDMENT**

## **STATEMENT OF JUSTIFICATION**

**June 12, 2024**

The Trustees of Warrenton United Methodist Church seek a zoning map amendment from R-10, Residential, and RO, Residential Office, to R-PUD, Residential Planned United Development, on PINs 6984-16-5101 (portion), 6984-16-7013, 6984-15-1823 and 6984-15-1930. The area of the zoning map amendment is approximately 9.8640 acres (hereinafter, the "Property").

This Property is currently used for the Warrenton United Methodist Church. Hero's Bridge, in partnership with the Church, proposes the construction of a 44-unit affordable, cottage-like, duplex units of approximately 1,150 square feet each to provide affordable housing to senior veterans 65 and older. Although the Church is the formal applicant, it and Hero's Bridge are referred to herein as the Applicants where appropriate.

## **REASONS FOR THE PROPOSED ZONING MAP AMENDMENT**

Hero's Bridge is a Fauquier-based nonprofit that aids principally those who served in Vietnam, Korea and World War II. Since its inception in 2016, it has assisted nearly 500 seniors in the five county Rappahannock Rapidan Health District. Hero's Bridge uses younger workers with the older clients ("Battle Buddies") using the rapidly growing Community Health Worker philosophy to address social determinants of health in these lower income, and to reach socially isolated senior veterans.<sup>1</sup> This work is important to the overall health and well-being of our local senior population. A recent market study indicated that 24% of our seniors are veterans, and nearly 13% of these live below the poverty line. Addressing isolation, nutrition, transportation, and housing needs in this vulnerable population helps relieve the burden and stress on local emergency services, publicly provided social services, and health systems. All residents are screened as other rental communities screen tenants, and Hero's Bridge does not rent to anyone convicted of a "barrier" crime, or who is listed on the sex offender registry. None of the residents can be active users of illicit drugs.

Since its inception one of the most common reasons the community refers these older veterans to Hero's Bridge is the need to assist those living in substandard or unaffordable housing. For six years, Hero's Bridge has attempted to address individual situations through its HomeFront program, which involves helping clients remain in individual houses that may be in poor condition, and where maintenance is costly. Unfortunately, some of these situations cannot be remediated and there is simply insufficient housing stock available for independent seniors. The market study

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<sup>1</sup> Social determinants of health are generally the conditions in the environments where people are born, live, learn, work, play, worship, and age, that affect a wide range of health, functioning, and quality-of-life outcomes and risks.



indicated that “[a]ll market area tax credit communities reported full occupancy with wait lists ranging from three months to over two years.” It also says that “[t]he results of the Net Demand analysis indicate demand for 398 additional senior rental units over the next three years, with no identified senior rental projects in the pipeline.” (The emphasis is ours).<sup>2</sup> All of the Hero’s Bridge homes will be rental.

It is thus critical to increase the housing stock for seniors in this community. If this is accomplished it will also provide a relief valve on other areas of the housing market by freeing up additional homes for the workforce population.

Hero’s Bridge has evaluated numerous locations for these homes. Because the County requires new development to occur within “service districts” and at Vint Hill, there were no properties available, principally because of the lack of water and sewer infrastructure. At Vint Hill, where there is such infrastructure, Hero’s Bridge proposal was rejected by the Commonwealth wished to preserve available land for its own purposes. There was also concern about the ready availability of doctors, groceries, and a pharmacy. After many months of searching, the only parcel that is feasible is that which has been made available through the grace of the Warrenton United Methodist Church.

Actual housing is only one part of the problem, however. Many have consequential health needs, and Hero’s Bridge provides permanent supportive services through its Community Health Worker model. Necessary care is accomplished through visitations by a variety of health professionals, including daily visits from social workers, assistance with veterans benefits, and a 12 seat van for transport to other care givers and for shopping. These seniors are already living in this broader community and to the extent they require services from EMS companies, this program can relieve some of that burden and it places the residence in close proximity to EMS services when essential, and close to groceries, pharmacies, and the hospital.

## **CONSISTENCY OF THIS APPLICATION WITH THE TOWN’S COMPREHENSIVE PLAN**

The Property is planned Medium Density Residential on the Town’s Future Land Use Plan Map. With an acreage of 9.8640 and 44 homes this equates to a density of 4.5 homes per net acre.<sup>3</sup> It is also the case that the R-PUD is intended to be developed at a 0.40 FAR, and this proposal is at a density of 0.14 FAR. This unique proposal is consistent with numerous goals and objectives of the Town’s Plan Warrenton 2040. In particular, Housing Recommendation H-1 is to ensure equitable, attainable housing opportunities across residents of all ages, incomes, and abilities by catering to the needs of a diverse community, including young families, professionals early in their careers, essential workforce, and those entering retirement. Recommendation H-4 is to create

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<sup>2</sup> The assisted living centers and the Puller Veterans Care Center at Vint Hill cost between \$3,000 and \$8,000 per month, but the homes at the proposed site will be significantly more affordable.



regional partnerships to address and enhance attainable housing supply.<sup>4</sup> This proposal not only provides attainable, affordable housing for senior veterans, but essential services, as well.

## **THE APPROXIMATE TIME SCHEDULE FOR THE COMPLETION OF THE DEVELOPMENT**

The 44-unit affordable duplex homes will be constructed in Phase I. The Small Office/Community Center will also be constructed with Phase I. They are both shown on General Development Plan (GDP). The Multipurpose Recreational Center (Phase II) is anticipated to be constructed after Phase I, and timing is not presently known.

## **IMPACT MITIGATION AND CONSISTENCY WITH R-PUD PLANNING CONSIDERATIONS**

1. The principal benefit to be derived from the approval of this application, of course, is the ability to fulfill a need for senior veterans in the community, in a safe environment and within the supporting arms of the Church itself.

2. With respect to the signal issues of transportation and parking, few of Hero's residents will have cars, which will result in a low traffic volume. The only other vehicles will be for deliveries, occasional visits (many, if not most, of the residents do not have family to support them), and Hero's Bridge will provide a van service for residents to transport them to shopping and services that cannot be obtained from visiting providers. For Phase I the estimated daily trip generation from that Phase is approximately 303 vehicles. A small office will generate 86 vehicles per day for a total of 389 vehicles per day.

Once Phase II, the Recreation Center, is completed, that will add only 53 more vehicle trips per day and including two small offices, total trip generation at full buildout several years hence will be 1,259 vehicles per day.<sup>5</sup>

The proposal only requires 1 parking space per home, even with the occasional outside vehicle. Because of the low traffic volume, there will be little impact on the existing roads surrounding the site. Principal access will be by Church Street and Moser Road, but Church is not a signalized intersection at Broadview and so it can be assumed that vehicles may also use Sullivan Street to access Waterloo. The total number of parking spaces provided in Phase I is 219, and in Phase II, 243.

3. The buildings in both Phases will be within the height permitted in the R-PUD. The only exception is the existing Church.

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<sup>4</sup> The Plan also references the achievement of "attainable housing for all ages, incomes, and needs." Plan, Executive Summary, p. 5.

<sup>5</sup> Both total vehicles per day, and parking spaces, include the Church.



4. The engineering of the site will, by law, be required to provide stormwater management according to regulations far stricter today than were in place when any of the existing homes in the neighborhoods surrounding, or the Church, were built. This should improve existing conditions in the area.

5. The Applicant is proposing landscaping as depicted on the GDP. The Property is otherwise currently home to the Church, and the remainder of the Property is largely cleared, graded, and maintained as a lawn. The Plans meet the 25% open space requirement.

6. There will little in the way of additional burden on community facilities or public services, because Hero's Bridge will effectively become an adjunct of those facilities by providing the services that are its core mission.

7. The development would be served by public water and sewer and understand that both are available.

## **COMMUNITY OUTREACH**

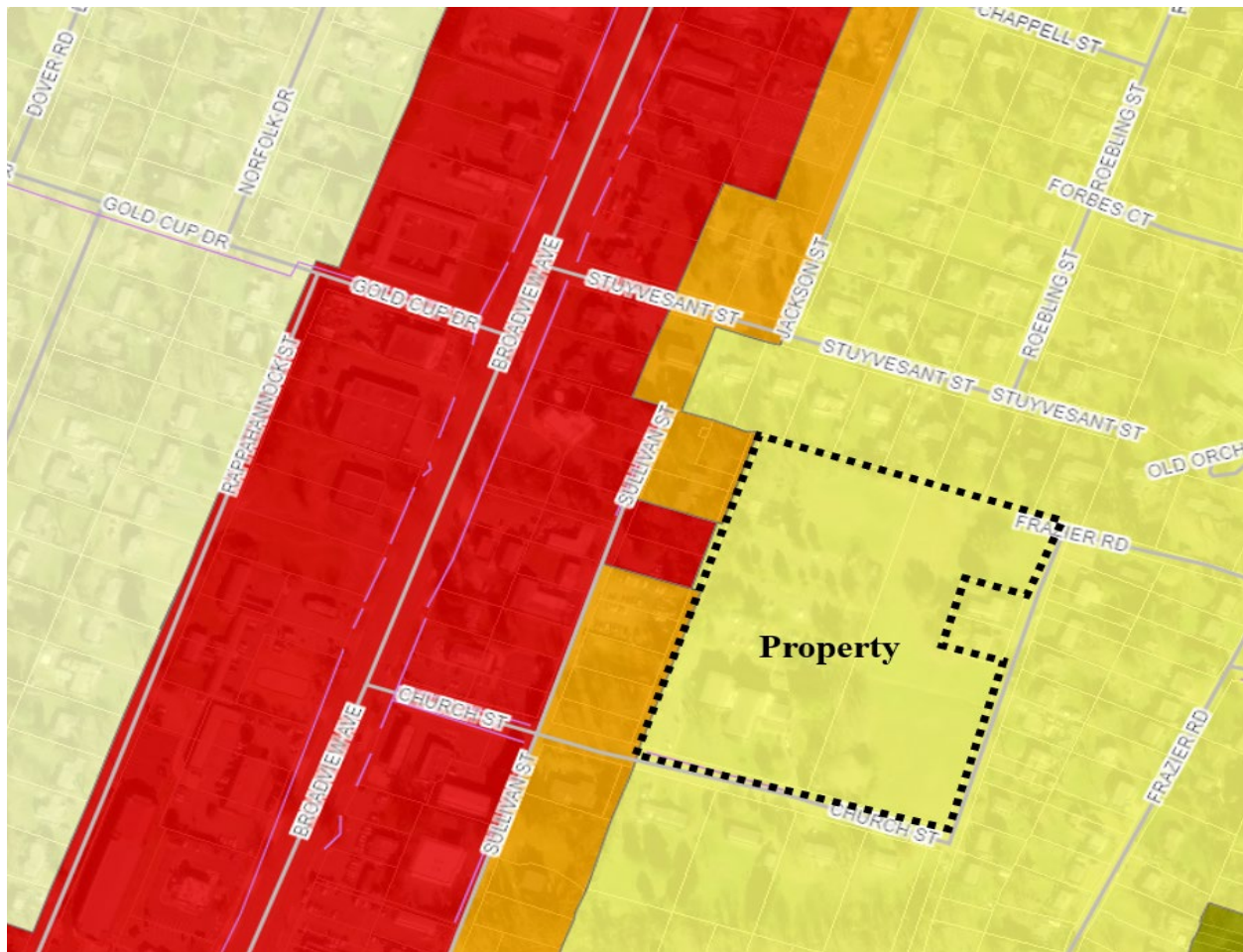
Even before submitting an application for this Rezoning, the Church and Hero's Bridge actively engaged with adjacent property owners and the neighborhood for about a year. The goal was to understand anticipated impacts and to address them at the outset of the application. To that end, the Hero's Bridge website reflects the substance of those discussions and has both updates and a FAQ page that can be readily accessed by interested persons. This Application seeks to accommodate the major issues that the community has brought to the Applicants' attention.

## **THE CHARACTER OF THE SURROUNDING AREA**

The surrounding area is zoned residential and is so developed. The Property is near the Broadview Avenue Corridor, which is commercial. Below is a zoning map that shows the surrounding residential and nearby commercial. The proposal corresponds with the Town's Future Land Use Plan Map.

Zoning Map:





## MODIFICATIONS TO THE R-PUD REQUIRED

The Applicants have evaluated the Town's different zoning classifications in detail to determine which might be suitable for this proposal. None of the existing districts are a perfect match for this use, even though it would advance a Comprehensive Plan goal and would offer a needed service to a worthy community. No residential district permits development as proposed. The C (Commercial) District has a Mixed-Use Option by Special Use Permit, but there is no secondary use proposed that would satisfy the requirements of that Option, and the Applicants are concerned that it would propose a commercially zoned property in the midst of these otherwise residential neighborhoods, and could require consideration of a Comprehensive Plan amendment. The use that is offered here is residential and not commercial.

Ultimately, and after discussions with Staff, the Applicants determined that they should apply for a proffered R-PUD. At present, however, the Zoning Ordinance requires a minimum lot of 25 acres for such a rezoning. This site is just over 9 acres in size. Staff has suggested that there are two options to pursue, either a zoning text amendment to alter the minimum lot size generally or tailored to specific conditions, or employment of the Council's power to use proffers to amend the Zoning Ordinance in a given case, as the Supreme Court has decided is lawful and proper with



Council concurrence in Rowland v. Town Council of Warrenton, 298 Va. 703 (2020). The staff has not expressed to the Applicants a preference either way, believing that to be a question for the Council.

The Applicants suggest that Rowland means what it says, that the conditional zoning system is intended to address each property according to its needs and that, as the Court wrote, “we conclude that the General Assembly intended for these statutes to grant localities the authority to permit deviations from the requirements of a zoning ordinance by accepting voluntary proffers as part of a rezoning application. . . . [W]e are of opinion . . . the zoning applicant may make, or the locality may suggest, any proffer which can be viewed as beneficial to the community, even if that proffer creates a condition ‘not generally applicable to land similarly zoned.’” Id. at 717-18, and the emphasis is in the original.

Therefore, the Applicants propose that the Council consider, and if it is disposed to grant the rezoning applied for, approve a proffer statement that alters the minimum required acreage for an R-PUD and those requirements that would otherwise preclude this proposal, leaving it subject to all other applicable provisions of the Town’s Ordinances.



**PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE**

**Rezoning:** ZMA 2023-01 Warrenton United Methodist Church / Hero's Bridge

**Record Owner:** Trustees of the Warrenton United Methodist Church

**Property:** PINs 6984-16-5101 (portion), 6984-16-7013, 6984-15-1823 and 6984-15-1930, approximately 9.8640 acres (hereinafter the "Property")

**Zoning:** R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development)

**Project Name:** Warrenton United Methodist Church / Hero's Bridge

**Date:** August 28, 2024

---

**Preliminary Matters:**

Pursuant to Va. Code Ann. §§ 15.2-2296, 15.2-2297, 15.2-2298, 15.2-2303 or 15.2-2303.1, and § 11.3.9.17 of the Town of Warrenton Zoning Ordinance, the undersigned hereby voluntarily proffers that the development and use of the Property shall be in substantial conformance with the following conditions unless an amendment thereto is approved by the Town Council, upon proper application. In the event this rezoning is granted as applied for by the Applicant, then these Proffers shall supersede and replace in their entirety all other Proffers made prior hereto with respect to the Property. In the event this rezoning is not granted as applied for by the Applicant, then these Proffers shall be deemed withdrawn and shall be null and void, and any existing Proffers will remain in full force and effect.

The headings of the Proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the Proffers. Any improvements proffered herein below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest. These Proffers shall apply to the entirety of the Property and the development referenced in these Proffers is the "Project."



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

For purposes of this Proffer Statement, the "General Development Plan" or "GDP" shall be sheets 3,4, 5 and 6 of the plan entitled "Warrenton United Methodist Church / Hero's Bridge Zoning Map Amendment," prepared by Rinker Design Associates, PC, dated April 26, 2024.

**DEVELOPMENT AND USE**

1. Development: The Property, comprised of approximately 9.8640 acres, shall be developed as a Residential Planned Unit Development (R-PUD), notwithstanding any requirement for a larger parcel size for rezoning to that zoning, in substantial conformance with the GDP and these proffers. Upon submission of final site development plans, minor changes and adjustments may be made to the road and street alignments, entrances, parking, dimensions and location of SWM/BMP facilities, the exact configuration and location of building footprints, and other similar features as shown on the GDP, provided they meet the intent of these Proffers and are approved by the Director of Community Development.
2. Land Use Mix: Notwithstanding the provisions of §§ 3-5.2.4.1 and 3-5.4.2.2 of the Zoning Ordinance, the land use mix on the Property shall consist of the following, as depicted on the GDP:
  - a. Residential:
    - i. The maximum number of duplex units shall be forty-four (44), which shall be in twenty-two (22) two-family residential dwelling units (forty-four (44) dwelling units total) and available for rent only. The Applicant shall not be required to subdivide these duplex units and said duplex units will be provided as depicted on the GDP. For the purposes of these proffers each building shall contain two dwelling units and not more than one (1) person may occupy each dwelling unit.
    - ii. Each individual residential unit shall have one bedroom and all units shall be ADA accessible.
    - iii. The Property may be developed with one unit type.
    - iv. The Applicant shall, pursuant to the provisions of the federal Housing for Older Persons Act, 42 U.S.C. § 3601, et seq., and the Virginia Fair Housing Law, Va. Code Ann. § 36-96.1 et seq., rent homes on the Property only to veterans 65 years of age and



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

older, in accordance with its mission as set out in the Statement of Justification submitted with this rezoning.

- v. All prospective tenants shall be screened for any record of having convicted of a "barrier crime" as defined in Va. Code Ann. §19.2-392.02. No person who has been convicted of such a crime shall be accepted as a tenant.
- b. Small Office / Community Center: A Small Office / Community Center will be constructed during Phase I of the project in the location shown on the GDP. The Small Office / Community Center shall include, but shall not be limited to, a movie viewing area, a senior technology library, an arts and crafts area, a music area, an area for pet therapy for residents, and a fitness room. The Small Office / Community Center shall be shown on the Site Development Plan for the twenty-two (22) two-family residential dwelling units.
  - c. Multipurpose Recreational Center: A Multipurpose Recreational Center may be constructed during Phase II of the project in the location shown on the GDP. The Multipurpose Recreational Center shall not exceed nineteen thousand (19,000) square feet and may include, but shall not be limited to, multi-purpose gym/event space, meeting areas, a kitchen, educational space, an indoor walking track, and multi-purpose office space.
  - d. Existing Uses and Structures: The existing uses and structures (including, but not limited to, the church and associated houses) on the Property may remain.
- 3. Height: No new structure on the Property shall exceed 35 feet in height.
  - 4. Phasing: Development of the Property may be phased as generally depicted on the GDP. The Applicant may construct Phase I initially and thereafter construct Phase II improvements at any time, provided that parking, landscaping and stormwater management improvements are provided at the time each phase is constructed.
  - 5. Affordable Dwelling Units:
    - a. The homes constructed on the Property shall be deemed Affordable Dwelling Units pursuant to the provisions of § 9-3 of the Zoning



PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres

Ordinance for the period of time set forth in that Section. The Applicant shall record a restrictive covenant or other form of legal and binding agreement approved by the Town Attorney and Town Council to ensure that the homes are so maintained, under approved terms and conditions.

- b. Because of the nature and purpose of the Applicant's housing program, it shall not be required to make the homes available first to persons residing or working in the Town of Warrenton or Fauquier County but shall be permitted to rent to persons qualifying under its rules and regulations developed for that purpose.

### COMMUNITY DESIGN

6. Architecture:

- a. Housing Units: The level of quality of the housing units shall be in general conformance with the elevation entitled "Warrenton UMC Proposed Housing Elevation," prepared by Design Concepts Architecture + Interiors, and dated March 16, 2023 (hereinafter, the "Housing Elevations"), provided that minor modifications may be made in connection with final design.
  - b. Small Office / Community Center: The level of quality of the Small Office / Community Center shall be compatible with the Housing Elevations.
  - c. Multipurpose Recreational Center: The level of quality of the Multipurpose Recreational Center shall be in general conformance with the elevations entitled "Warrenton UMC Multi-Purpose Building," prepared by Design Concepts Architecture + Interiors, dated November 18, 2022 and consisting of two sheets, provided that minor modifications may be made in connection with final design.
7. Landscaping: Landscaping of the Property shall be provided in general conformance with the GDP. All new landscaping/plantings shall be non-invasive, indigenous species, native to Virginia. All landscaping shall be maintained by the Owner/Applicant.
8. Outdoor Amenities: Outdoor amenities constructed with Phase I, shall include, but shall not be limited to walking trails, senior appropriate fitness trail signage, a gazebo, and an existing flagstone garden.



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

9. Lighting: All outdoor lighting shall be designed as to avoid light spillover onto adjacent properties.

**TRANSPORTATION**

10. Phase I Pedestrian Improvements: In connection with Phase I the Applicant shall install all the internal pedestrian improvements that are depicted on the GDP.
11. Phase II Pedestrian Improvements: In Phase II the Applicant shall construct pedestrian improvements within existing right-of-way along Church Street from the western most access along Church Street to Sullivan Street, as generally depicted on the GDP. The final design and location of the sidewalk and road improvements shall be determined in connection with site plan review for Phase II.
12. Bike Rack: The Applicant shall provide a bike rack in connection with Phase I.
13. Shuttle Bus Service: The Applicant shall provide shuttle bus or similar service on-site, with dedicated on-site parking, to provide resident transportation for off-premises purposes such as shopping, appointments, and other similar activities. The Applicant may coordinate with Virginia Regional Transit or similar agency to utilize the Circuit Rider or similar service near the Property to satisfy this proffer.

**[Signatures on following pages]**

**Signature Page**



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

**Signature Page**

Marcia L. Payne  
Marcia Payne as Trustee of Warrenton United  
Methodist Church

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 30 day of August, 2024, in my  
county and state aforesaid, by the aforementioned principal.

S. E. Lee  
NOTARY PUBLIC

My Commission Expires: 03/31/2028



**Signature Page**



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres



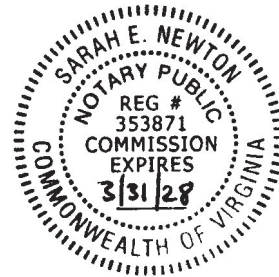
Kayla Leggett as Trustee of Warrenton United Methodist Church

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 3 day of September, 2024, in my county and state aforesaid, by the aforementioned principal.

  
NOTARY PUBLIC

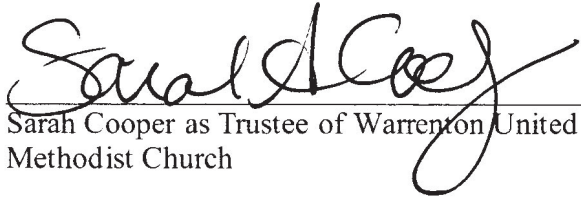
My Commission Expires: 03/31/28



Signature Page



PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres

  
 Sarah Cooper as Trustee of Warrenton United  
 Methodist Church

COMMONWEALTH OF VIRGINIA  
 COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 2 day of September, 2024, in my  
 county and state aforesaid, by the aforementioned principal.

  
 NOTARY PUBLIC

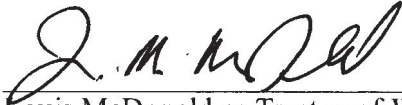
My Commission Expires: 03/31/2028



Signature Page



PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres



Louis McDonald as Trustee of Warrenton United  
 Methodist Church

COMMONWEALTH OF VIRGINIA  
 COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 30 day of August, 2024, in my  
 county and state aforesaid, by the aforementioned principal.

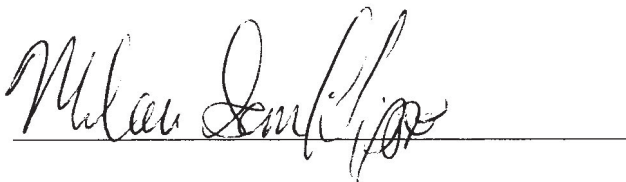


NOTARY PUBLIC

My Commission Expires: 03/31/2028



Signature Page





PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

Melanie Sanfilippo as Trustee of Warrenton United  
Methodist Church

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:


Subscribed and sworn to before me this 1 day of September, 2024, in my  
county and state aforesaid, by the aforementioned principal.

  
NOTARY PUBLIC

My Commission Expires: 03/31/2028



**Signature Page**

  
Edward Pratt as Trustee of Warrenton United  
Methodist Church



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:

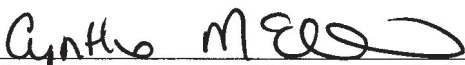
Subscribed and sworn to before me this 1 day of September, 2024, in my county and state aforesaid, by the aforementioned principal.

  
NOTARY PUBLIC

My Commission Expires: 03/31/2028



**Signature Page**

  
Cynthia Ellis as Trustee of Warrenton United Methodist Church



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

COMMONWEALTH OF VIRGINIA

COUNTY OF Fauquier, to wit:

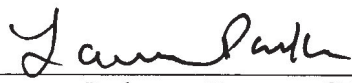
Subscribed and sworn to before me this 30 day of August, 2024, in my county and state aforesaid, by the aforementioned principal.

  
NOTARY PUBLIC

My Commission Expires: 03/31/2028



Signature Page

  
Lauren Parker as Trustee of Warrenton United Methodist Church



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:


Subscribed and sworn to before me this 30 day of August, 2024, in my  
county and state aforesaid, by the aforementioned principal.

  
NOTARY PUBLIC

My Commission Expires: 03/31/2028



Signature Page

  
Beth Miller Howser as Trustee of Warrenton United  
Methodist Church



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 30 day of August, 2024, in my  
county and state aforesaid, by the aforementioned principal.

  
NOTARY PUBLIC

My Commission Expires: 03/31/2028





**NOTES:**

1. THE PARCEL IDENTIFICATION NUMBERS FOR THE PROPERTY SHOWN HEREON ARE 6984-16-5101 AND 6984-16-5102. THE PROPERTIES SHOWN HEREON ARE CURRENTLY ZONED R-10 AND ARE RECORDED IN IN THE FAUQUER COUNTY DEED BOOK 189 PG 311, AND BOOK 716 PG 1919, RESPECTIVELY. THE PROPERTIES SHOWN HEREON ARE NOW IN THE NAME OF WARRENTON UNITED METHODIST CHURCH TRUSTS AND WARRENTON UNITED METHODIST CHURCH, RESPECTIVELY, AS RECORDED AMONG THE LAND RECORDS OF FAUQUER COUNTY, VIRGINIA.
2. BOUNDARY BASED ON A FIELD RUN SURVEY BY RDA, DATED JUNE 8, 2023.
3. THIS PLAN IS SUBJECT TO ANY DEEDS AND RESTRICTIONS OF RECORD.
4. CONTOUR INTERVAL 2 FEET, TAKEN FROM SURVEY BY RDA, DATED JUNE 8, 2023 AND IS BASED ON HAND ZONING TIER DATUM (NAVIGAR TIER DATUM).
5. ACCORDING TO THE DEEDS OF RECORD FOR THIS PROPERTY, THE TOWN'S PUBLISHED ZONING AND TOPOGRAPHY MAPS, AND FROM AN ON-SITE VISIT, NO DELINEATION OF ANY DRAIN, DITCH, OR STRUCTURE MARKING A PLACE OF BURIAL WAS INDICATED ON-SITE.
6. NO METEOROLOGICAL, RPA, OR 100 YEAR FLOODPLAINS EXIST ON SITE.

**ADJACENT OWNER INFORMATION**

SYMBOL	P.L.D.	OWNER	D.B./PG.	AREA (AC.)	EX. ZONE	EX. CLASS	HISTORIC BUILDING OR STRUCTURE
1	6984-15-1823	WARRENTON UNITED METHODIST CHURCH	732/1688	0.1855	RD	RELIGIOUS	NO
2	6984-15-1930	WARRENTON UNITED METHODIST CHURCH	732/1688	0.2623	RD	RELIGIOUS	NO
3	6984-15-1967	WARRENTON UNITED METHODIST CHURCH	732/1688	0.2623	RD	RELIGIOUS	NO
4	6984-16-1084	HELEN J. GRIMSLY, TRUSTEE & JOSEPH G. GRIMSLY, TRUSTEE	1435/1454	0.2623	RD	SINGLE FAMILY-URBAN	NO
5	6984-16-2102	HELEN J. GRIMSLY, TRUSTEE & JOSEPH G. GRIMSLY, TRUSTEE	1435/1454	0.2623	RD	SINGLE FAMILY-URBAN	NO
6	6984-16-2149	KENNETH W. DOWSON	953/1189	0.2627	C	COMMERCIAL & INDUSTRIAL	NO
7	6984-16-2267	KENNETH W. DOWSON	953/1189	0.2627	C	COMMERCIAL & INDUSTRIAL	NO
8	6984-16-3313	RELYANCE PROPERTIES, LLC.	1601/1481	0.2627	RD	COMMERCIAL & INDUSTRIAL	NO
9	6984-16-2462	RELYANCE PROPERTIES, LLC.	1601/1481	0.2908	RD	SINGLE FAMILY-URBAN	NO
10	6984-16-3427	COLUMBIA GAS OF VIRGINIA, INC.	204/526	0.0052	RD	INTERSTATE PIPELINE TRANS. CO.	NO
11	6984-16-3465	TOWN OF WARRENTON	105/333	0.2660	RD	TOWN OF WARRENTON	NO
12	6984-16-3113	MALCOLM W. ALLS & PROSCILLA G. HOTTE	1307/1492	0.4113	R-10	SINGLE FAMILY-URBAN	NO
13	6984-16-3568	WOODWARD ESTATE, LLC.	1332/2407	0.4588	R-10	SINGLE FAMILY-URBAN	NO
14	6984-16-4564	MELANIE J. REIL	755/982	0.4542	R-10	SINGLE FAMILY-URBAN	NO
15	6984-16-5551	JOLIE J. SMITH	1718/1717	0.4542	R-10	SINGLE FAMILY-URBAN	NO
16	6984-16-6468	STUYVESANT LLC.	1194/1626	0.4542	R-10	SINGLE FAMILY-URBAN	NO
17	6984-16-7459	MELISSA A. HUNT	1660/1651	0.4542	R-10	SINGLE FAMILY-URBAN	NO
18	6984-16-9433	GEORGE W. SOUTHWARD	241/199 & 169/1894	0.4500	R-10	SINGLE FAMILY-URBAN	NO
19	6984-16-9430	PATRICIA S. FRANCESCA & PAUL FRANCESCA JR.	1459/193	0.4521	R-10	SINGLE FAMILY-URBAN	NO
20	6984-26-0337	MICHAEL & TERRY CHURCH	1440/248	0.4600	R-10	SINGLE FAMILY-URBAN	NO
21	6984-26-1376	WILLIAM W. SANDERS, III	656/1505	0.7078	R-10	SINGLE FAMILY-URBAN	NO
22	6984-16-8079	JANET L. THOMPSON	1428/1757	0.2295	R-10	SINGLE FAMILY-URBAN	NO
23	6984-16-8042	JAMES & KATHLEEN CALDWELL	1569/311	0.2295	R-10	SINGLE FAMILY-URBAN	NO
24	6984-26-1109	MARGARET A. HODGE	1467/2163	0.2420	R-10	SINGLE FAMILY-URBAN	NO
25	6984-26-0174	GREGORY ALAN GEORGE	1488/550	0.2515	R-10	SINGLE FAMILY-URBAN	NO
26	6984-26-0141	GREGORY ALAN GEORGE	1488/550	0.1255	R-10	SINGLE FAMILY-URBAN	NO
27	6984-26-0047	OWEN V. CUMMINGS & MARY M. NEWMAN	1568/821	0.1300	R-10	SINGLE FAMILY-URBAN	NO
28	6984-26-0032	OWEN V. CUMMINGS & MARY M. NEWMAN	1568/821	0.2460	R-10	SINGLE FAMILY-URBAN	NO
29	6984-25-0916	HANADA BERNADETTE HAMMACK TRUSTEE & STEPHEN LEE HAMMACK TRUSTEE	1742/887	0.2352	R-10	SINGLE FAMILY-URBAN	NO
30	6984-25-0900	CARRIE J. BARKS & PHILLIP BARKS	1423/1479	0.2126	R-10	SINGLE FAMILY-URBAN	NO
31	6984-15-3864	MATTHEW D. BERLEIN	1694/1102	0.2150	R-10	SINGLE FAMILY-URBAN	NO
32	6984-15-3769	MARCA P. SOUTHERN & MICHAEL L. SOUTHERN	1683/2354	0.1941	R-10	SINGLE FAMILY-URBAN	NO
33	6984-15-3734	MARCA P. SOUTHERN & MICHAEL L. SOUTHERN	1683/2354	0.0980	R-10	SINGLE FAMILY-URBAN	NO
34	6984-15-3712	STEPHEN T. SHIPPE & THOMAS M. SHIPPE	282/2220	0.1002	R-10	SINGLE FAMILY-URBAN	NO
35	6984-15-3616	STEPHEN T. SHIPPE & THOMAS M. SHIPPE	282/2220	0.2549	R-10	SINGLE FAMILY-URBAN	NO
36	6984-15-3670	ROBERTO CASTANEDA & MARLYN ALBA SANCOS	1657/1669	0.1876	R-10	SINGLE FAMILY-URBAN	NO
37	6984-15-3552	DAVID W. HARRIS & PEGGY SUE HARRIS	1347/60	0.2539	R-10	SINGLE FAMILY-URBAN	NO
38	6984-15-3256	WILLIAM EDGAR SUDDUTH JR. REVD. LVC. TRUST	253/1250	0.7400	R-10	SINGLE FAMILY-URBAN	NO
39	6984-15-3437	WILLIAM EDGAR SUDDUTH JR. REVD. LVC. TRUST	253/1250	0.7800	R-10	SINGLE FAMILY-URBAN	NO
40	6984-15-3531	CHRISTOPHER KENNETH GATTI & NANCY HAYNES GATTI	81/42	0.8081	R-10	SINGLE FAMILY-URBAN	NO
41	6984-15-3575	DONALD BROMLEY & MARY SUZIE MALONEY	1735/1555	1.0000	R-10	SINGLE FAMILY-URBAN	NO
42	6984-15-0772	360 CHURCH STREET LLC.	1301/2414	0.3900	RD	SINGLE FAMILY-URBAN	NO

**Sanitary As-built**

From	To	Pipe Information
B	A	289.6' - 8" PVC @ 2.22%
C	B	208.0' - 8" PVC @ 5.38%
E	D	402.6' - 8" DIP @ 0.47%
F	E	248.5' - 8" DIP @ 3.55%

**Storm As-built**

From	To	Pipe Information
2	1	74.4' - 15" RCP @ 5.99%
3	2	153.2' - 15" RCP @ 6.17%
4	3	63.0' - 15" RCP @ 0.78%
5	6	31.1' - 30" RCP @ 5.37%
7	6	179.5' - 42" RCP @ 1.12%
8	7	24.7' - 24" RCP @ 0.85%
10	9	104.9' - 36" RCP @ 2.07%
11	10	141.5' - 36" RCP @ 2.97%
12	11	154.8' - 36" RCP @ 4.88%
14	13	30.3' - 15" CMP @ 1.85%
15	16	29.1' - 30" RCP @ 0.79%

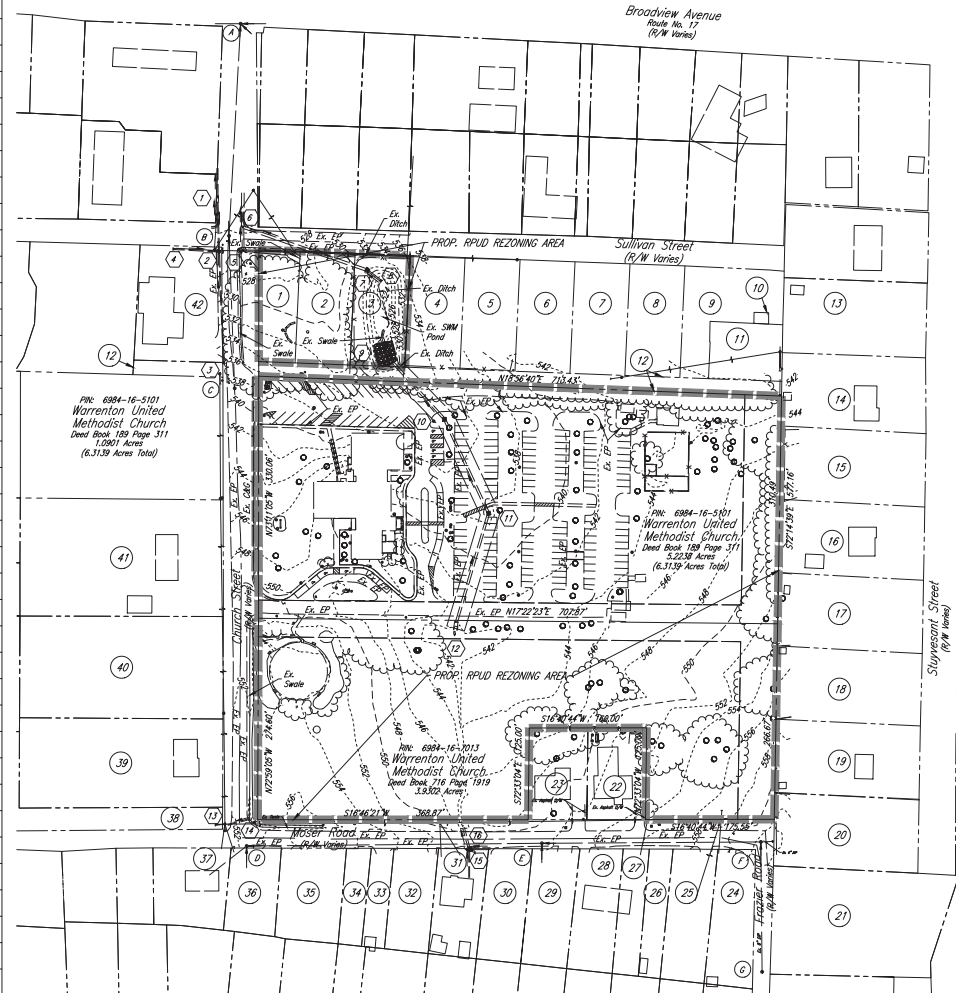
VCS NORTH 1983

GRAPHIC SCALE

(in feet)

1 inch = 80 ft.

- DENOTES RPUD REZONING AREA (0.8640 ACRES).

**Rinker Design Associates**
 11100 Endeavor Court, Suite 200, Manassas, VA 20109  
 Telephone: (703) 368-7373 www.rdcivil.com  
 Engineering • Surveying • Transportation • Environmental Services

**EXISTING CONDITIONS PLAT**  
 WARRENTON UNITED METHODIST  
 CHURCH / HERO'S BRIDGE  
 ZONING MAP AMENDMENT  
 CENTER DISTRICT  
 TOWN OF WARRENTON

REVISIONS:

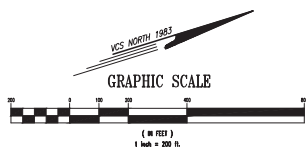
 PLAN DATE: JUNE 3, 2024  
 DESIGN BY: AS  
 CHECKED BY: JLB  
 ARCHITECT: N/A  
 JURISDICTIONAL PLAN NO.  
 RDA PLAN #: 21171-002  
 SHEET NUMBER: C.01





SCALE: 1"=2,000'

- DENOTES ROAD CENTERLINES
- DENOTES ZONING BOUNDARIES
- DENOTES RPUD REZONING AREA (9.8640 ACRES)



**Rinker Design Associates**

11100 Endeavor Court, Suite 200, Manassas, VA 20109  
Telephone: (703) 368-7373 www.rdaenv.com  
Engineering • Surveying • Transportation • Environmental Services



ZONING PLAT

WARRENTON UNITED METHODIST  
CHURCH / HERO'S BRIDGE  
ZONING MAP AMENDMENT  
CENTER DISTRICT  
TOWN OF WARRENTON

REVISIONS:

PLAN DATE:	JUNE 3, 2024
DESIGN BY:	AS
CHECKED BY:	JUL
ARCHITECT:	N/A
JURISDICTIONAL PLAN NO.	
RDA PLAN #:	21171-002
SHEET NUMBER:	C-02



## SITE TABULATIONS

STREET ADDRESS 341 CHURCH STREET  
 P.L.D. 6884-16-5101, 6884-16-7013  
 PROP. ZONE R-PUD  
 TOTAL R-PUD AREA 9,864.0 ACRES  
 OR 429,675 SF

PROPOSED USE: MULTIFAMILY WITH ADU  
 LOT SIZE MINIMUM 10,000 SF  
 LOT WIDTH MINIMUM 80'

BUILDING SETBACKS  
 FRONT 30'  
 SIDE 15'  
 REAR 35'

F.A.R. ALLOWABLE (PER ZONING) 0.40 (0.40x429,675 SF=171,870 SF)  
 PROPOSED 0.13 (0.13x429,675 SF)

BUILDING HEIGHT MAXIMUM ALLOWED 35'

CHURCH (EXISTING)  
 BUILDING HEIGHT 47'  
 GROSS FLOOR AREA (GFA) 24,368 SF

DUPLEX:  
 BUILDING HEIGHT <35'  
 BEDROOMS 1 PER UNIT  
 GFA (UNIT) 600 SF (APPROX.)  
 TOTAL BEDROOMS 144 UNITS=44 BEDROOMS  
 TOTAL GFA 600 SFx44 UNITS=26,400 SF (APPROX.)

OFFICE BUILDING:  
 BUILDING HEIGHT <35'  
 GFA 6,000 SF (APPROX.)

## PARKING REQUIRED:

CHURCH (EXISTING): PER ZONING ORDINANCE ARTICLE 7-4  
 1 PER 5 SEATS DESIGN CAPACITY  
 REQUIRED (375 SEATS) 75 SPACES

DUPLEX: PER ZONING ORDINANCE ARTICLE 7-3  
 0.5 PER DWELLING UNIT  
 REQUIRED (44 UNITS) 22 SPACES

OFFICE: PER ZONING ORDINANCE ARTICLE 7-6  
 1 PER 500 SF OF GROSS FLOOR AREA (GFA)  
 REQUIRED (6,000 SF GFA) 12 SPACES

REGULAR PARKING REQUIRED 109 SPACES  
 HANDICAP SPACES REQUIRED 5 SPACES  
 REGULAR PARKING PROVIDED 208 SPACES  
 HANDICAP SPACES PROVIDED 11 SPACES  
 TOTAL PARKING PROVIDED 219 SPACES

EXISTING TRAFFIC VOLUME  
 TYPE: CHURCH  
 (ITE 11TH EDITION, LAND USE CODE 560)  
 TOTAL GFA 24,368 SF = 182 VPD (WEEKDAY), 767 (SUNDAY)

ESTIMATED TRAFFIC VOLUME PER THIS APPLICATION  
 TYPE: AFFORDABLE HOUSING (SENIOR)  
 (ITE 11TH EDITION, LAND USE CODE 223)  
 TOTAL DWELLING UNITS 44 = 470/11 = 37 VPD (WEEKDAY AND SUNDAY)

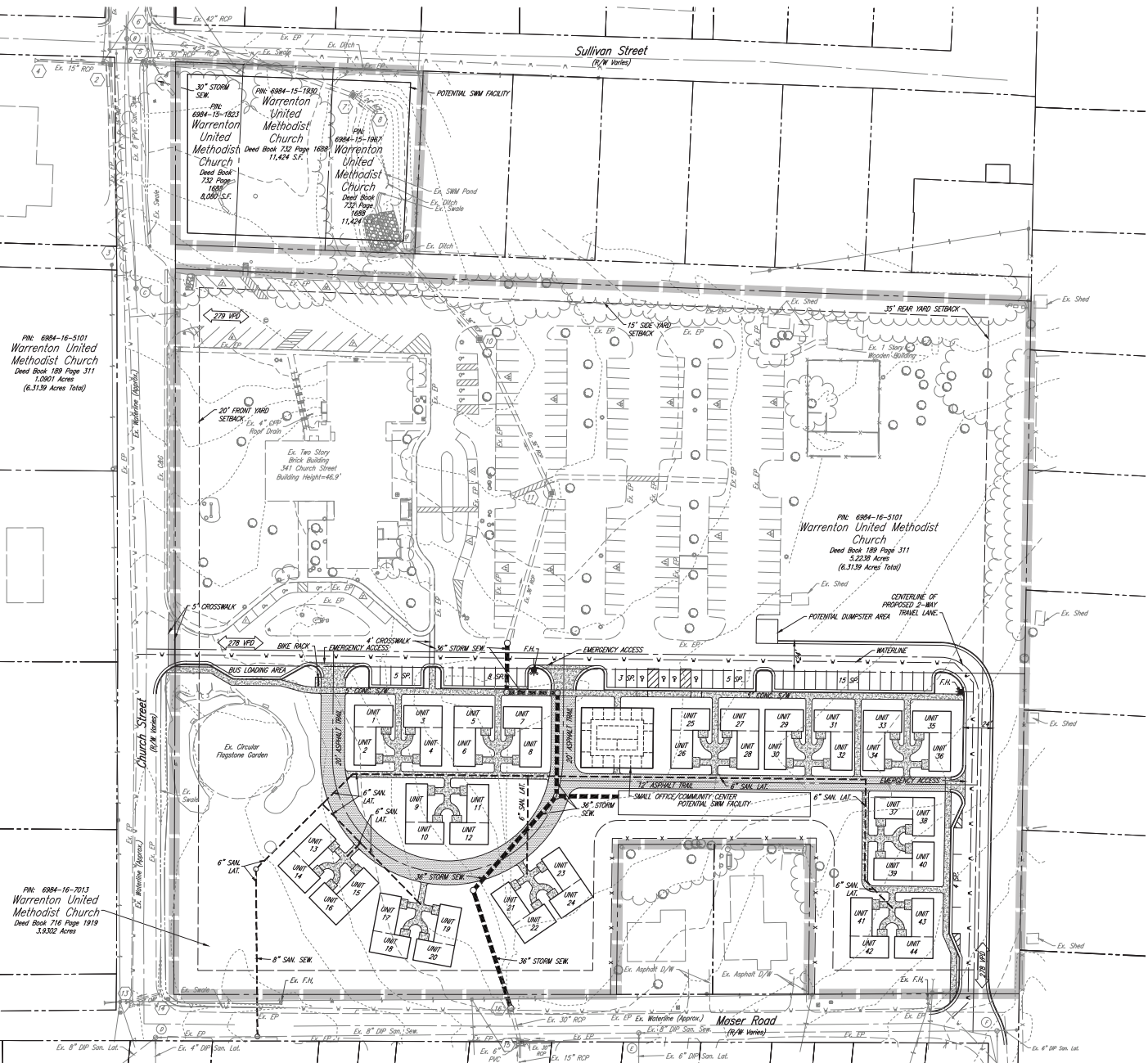
TYPE: SMALL OFFICE/COMMUNITY CENTER  
 (ITE 11TH EDITION, LAND USE CODE 712)  
 TOTAL EMPLOYEES 4 = 31 VPD (WEEKDAY AND SUNDAY)  
 TOTAL ADDITIONAL VPD PER THIS APPLICATION: 68 (WEEKDAY AND SUNDAY)  
 TOTAL SITE VPD: 250 (WEEKDAY), 835 (SUNDAY)

- DENOTES PROPOSED R-PUD AREA

GRAPHIC SCALE

(IN FEET)

1 inch = 40 ft.



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CONCEPT PLAN - PHASE I

WARRENTON UNITED METHODIST  
 CHURCH / HERO'S BRIDGE  
 ZONING MAP AMENDMENT  
 CENTER DISTRICT  
 TOWN OF WARRENTON

REVISIONS:

PLAN DATE: JUNE 3, 2024  
 DESIGN BY: AS  
 CHECKED BY: JLM  
 ARCHITECT: N/A  
 JURISDICTIONAL PLAN NO.  
 RDA PLAN #: 21171-002  
 SHEET NUMBER: C.03



21171-002

## SITE TABULATIONS

STREET ADDRESS 341 CHURCH STREET  
 P.L.D. 6884-16-5101, 6884-16-7013  
 PROP. ZONE R-PUD  
 TOTAL R-PUD AREA 9.864 ACRES  
 OR 429,680 SF

PROPOSED USE: MULTIFAMILY WITH ADU  
 LOT SIZE MINIMUM 10,000 SF  
 LOT WIDTH MINIMUM 80'

BUILDING SETBACKS  
 FRONT 30'  
 SIDE 15'  
 REAR 35'

F.A.R. ALLOWABLE (PER ZONING) 0.40 (0.40x429,680 SF=171,872 SF)  
 PROPOSED 0.18 (0.18x429,680 SF=77,342 SF)

BUILDING HEIGHT MAXIMUM ALLOWED 35'

CHURCH (EXISTING)  
 BUILDING HEIGHT 47'  
 GROSS FLOOR AREA (GFA) 24,368 SF

DUPLEX:  
 BUILDING HEIGHT <35'  
 BEDROOMS 1 PER UNIT  
 GFA (UNIT) 600 SF (APPROX.)  
 TOTAL BEDROOMS 144 UNITS=44 BEDROOMS  
 TOTAL GFA 600 SFx44 UNITS=26,400 SF (APPROX.)

OFFICE BUILDING:  
 BUILDING HEIGHT <35'  
 GFA 6,000 SF (APPROX.)

RECREATIONAL CENTER:  
 BUILDING HEIGHT <35'  
 GFA 1,000 SF (APPROX.)

FITNESS CLUB 8,500 SF (APPROX.)  
 OFFICE SPACE 10,500 SF (APPROX.)  
 TOTAL 19,000 SF (APPROX.)

## PARKING REQUIRED

CHURCH (EXISTING): PER ZONING ORDINANCE ARTICLE 7-4  
 1 PER 5 SEATS (DESIGN CAPACITY REQUIRED (375 SEATS)) 75 SPACES

DUPLEX: PER ZONING ORDINANCE ARTICLE 7-3  
 0.5 PER DWELLING UNIT REQUIRED (44 UNITS) 22 SPACES

OFFICE: PER ZONING ORDINANCE ARTICLE 7-6  
 1 PER 500 SF OF GROSS FLOOR AREA (GFA) REQUIRED (6,000 SF GFA) 12 SPACES

RECREATIONAL CENTER: PER ZONING ORDINANCE ARTICLE 7-5, 7-6  
 1 PER 200 SF OF GFA (FITNESS CLUB) REQUIRED (8,500 SF GFA) 43 SPACES  
 1 PER 500 SF OF GFA (OFFICE) REQUIRED (10,500 SF GFA) 21 SPACES

REGULAR PARKING REQUIRED 173 SPACES  
 HANDICAP SPACES REQUIRED 6 SPACES  
 REGULAR PARKING PROVIDED 232 SPACES  
 HANDICAP SPACES PROVIDED 11 SPACES  
 TOTAL PARKING PROVIDED 243 SPACES

## EXISTING TRAFFIC VOLUME

TYPE: CHURCH  
 (ITE 11TH EDITION, LAND USE CODE 560)  
 TOTAL GFA: 24,368 SF = 182 VPD (WEEKDAY), 767 (SUNDAY)

## ESTIMATED TRAFFIC VOLUME PER THIS APPLICATION

TYPE: AFFORDABLE HOUSING (SUNDAY)  
 (ITE 11TH EDITION, LAND USE CODE 223)  
 TOTAL DWELLING UNITS: 44 = 4/0.11 = 37 VPD (WEEKDAY AND SUNDAY)

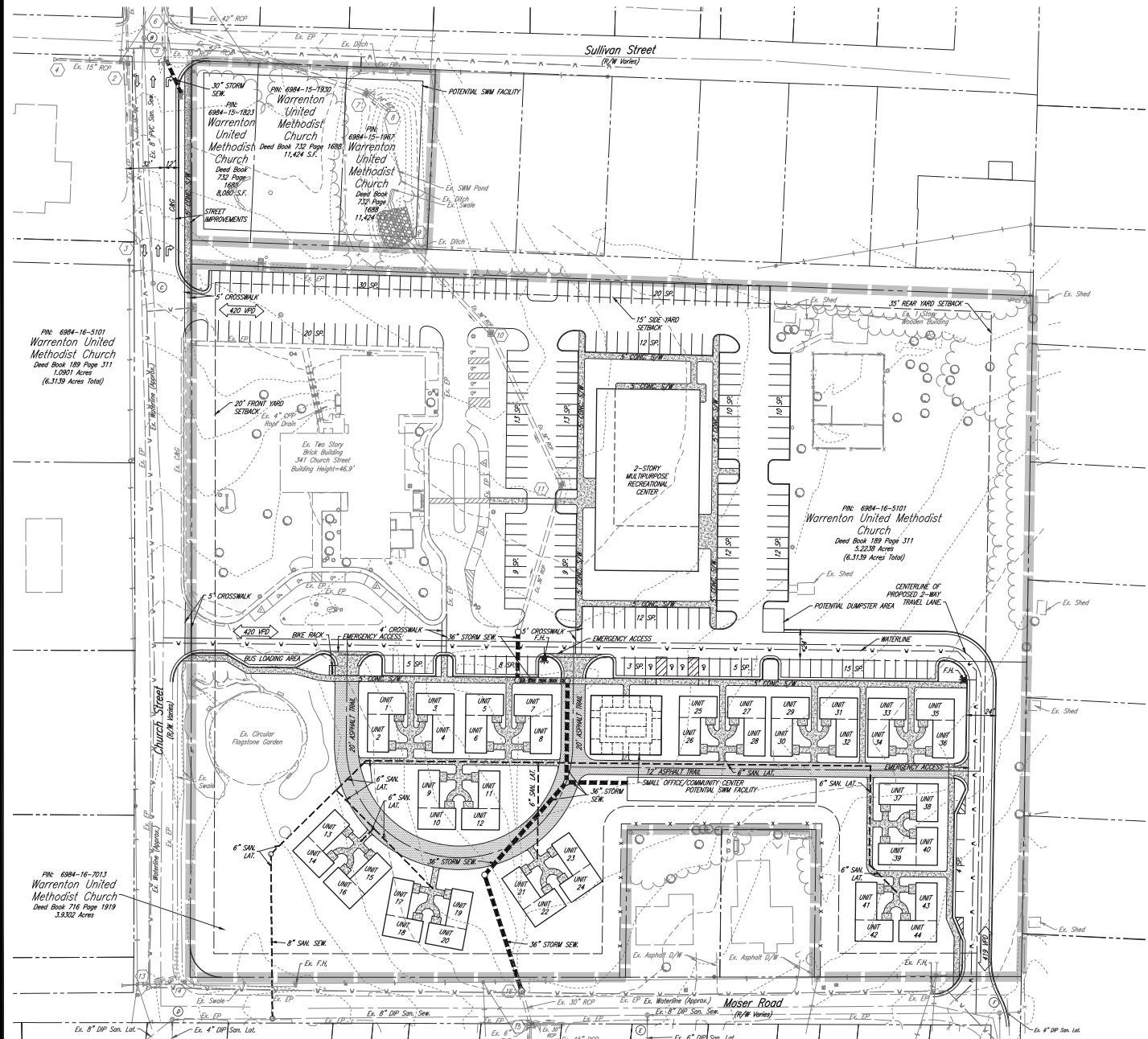
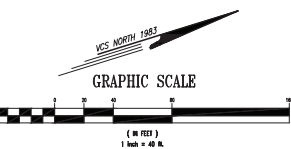
TYPE: SMALL OFFICE/COMMUNITY CENTER  
 (ITE 11TH EDITION, LAND USE CODE 712)  
 TOTAL EMPLOYEES: 4 = 31 VPD (WEEKDAY AND SUNDAY)

TYPE: SMALL OFFICE  
 (ITE 11TH EDITION, LAND USE CODE 712)  
 TOTAL GFA: 10,500 SF = 151 VPD (WEEKDAY AND SUNDAY)

TYPE: MULTIPURPOSE RECREATIONAL FACILITY  
 (ITE 11TH EDITION, LAND USE CODE 435)  
 TOTAL GFA: 8,500 SF = 273 VPD (WEEKDAY AND SUNDAY)

TOTAL ADDITIONAL VPD PER THIS APPLICATION: 492 (WEEKDAY AND SUNDAY)  
 TOTAL SITE VPD: 674 (WEEKDAY), 1,259 (SUNDAY)

— DENOTES PROPOSED R-PUD AREA



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CONCEPT PLAN - PHASE II

WARRENTON UNITED METHODIST  
 CHURCH / HERO'S BRIDGE  
 ZONING MAP AMENDMENT  
 CENTER DISTRICT  
 TOWN OF WARRENTON

## REVISIONS:

PLAN DATE: JUNE 3, 2024  
 DESIGN BY: AS  
 CHECKED BY: JLM  
 ARCHITECT: N/A  
 JURISDICTIONAL PLAN NO.  
 RDA PLAN #: 21171-002  
 SHEET NUMBER: C-04



21171-002

### LANDSCAPING TABULATIONS

**INTERIOR PARKING LOT LANDSCAPING (MINIMUM REQUIREMENTS)**  
 REQUIRED (PLANTING) 1 TREE AND 3 SHRUBS FOR EVERY 8 SP.  
 40 SP./8=5 TREES, 40 SP./3=15 SHRUBS  
 PROVIDED 6 TREES, 15 SHRUBS

**BUFFER PAID LANDSCAPING (MINIMUM REQUIREMENTS)**  
 FROM SINGLE FAMILY DETACHED DWELLINGS:  
 REQUIRED A FENCE WITH MIN. 6' HEIGHT, WITH EVERGREEN TREES INTERSPERSED EVERY 25' ALONG THE SIDE OF THE WALL FACING THE RESIDENTIAL USE.  
 677'25"=28 TREES  
 PROVIDED 28 TREES

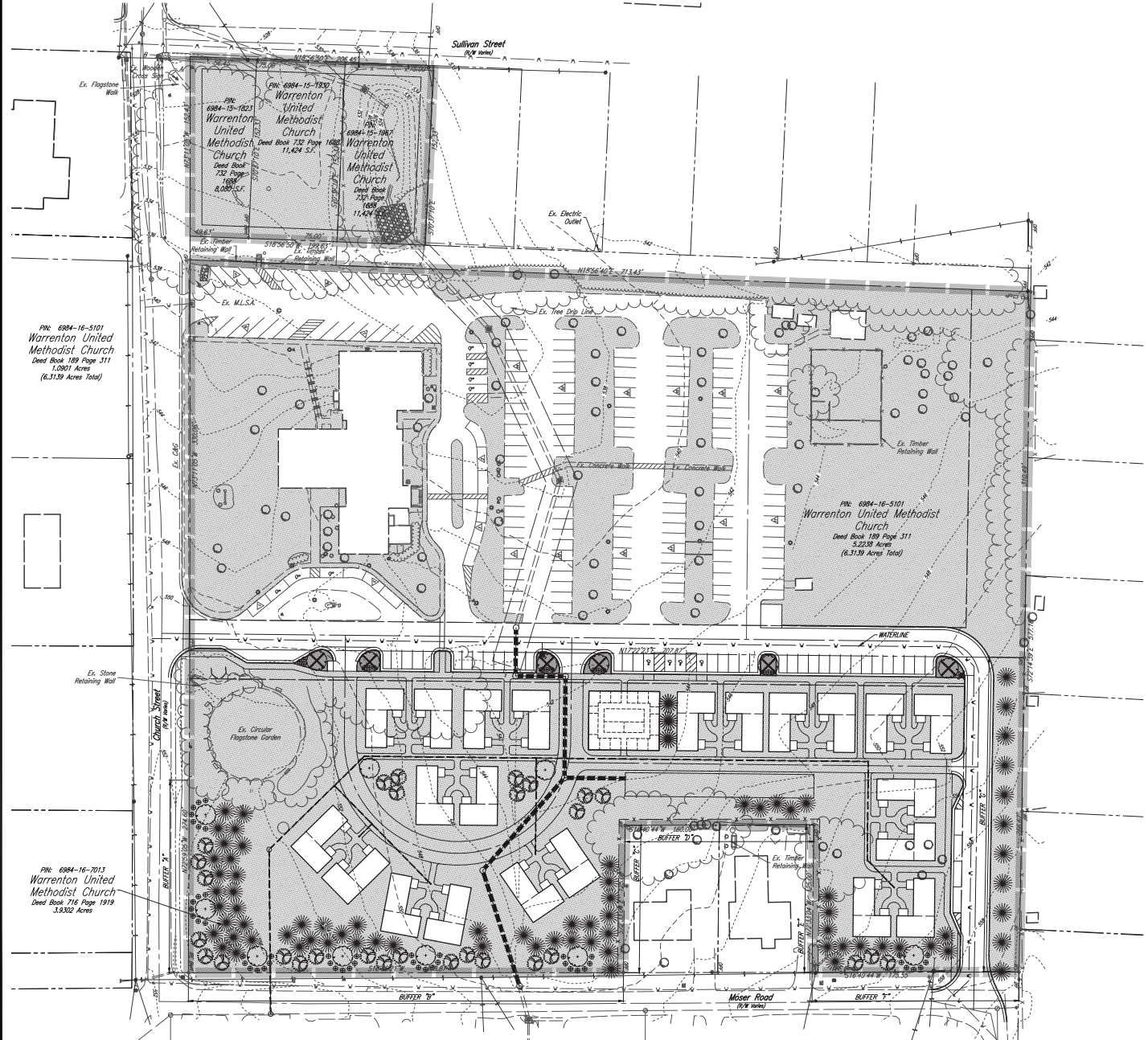
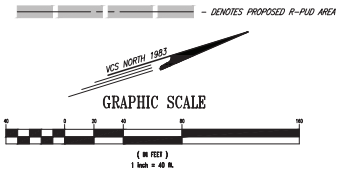
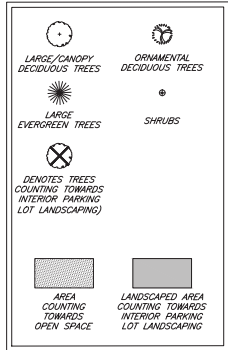
FROM ADJACENT MAJOR COLLECTOR OR ARTERIAL STREETS:  
 REQUIRED (PLANTING) 1 LARGE EVERGREEN TREE FOR EVERY 15'.  
 709'15"=48 TREES  
 PROVIDED 48 TREES

**OPEN SPACE (MINIMUM REQUIREMENTS)**  
 REQUIRED 25% (0.25% 9,8640 AC=2,4660 AC OR 107,420 SF)  
 PROVIDED 65% (6,4295 AC/9,8640 AC)

\*NO PUBLIC STREET IS BEING PROPOSED AND THE EXISTING PUBLIC STREETS ARE NOT BEING EXTENDED OR WIDENED WITH THIS PROJECT. THEREFORE, NO STREET TREES ARE REQUIRED PER TOWN OF WARRENTON ZONING ORDINANCE ARTICLE 8.5.1 BUT ARE STILL BEING PROPOSED TO ENHANCE SITE LANDSCAPING.

### BUFFER AREA LEGEND

LABEL	TYPE	LENGTH	WIDTH
BUFFER "A"	FROM ADJACENT MAJOR COLLECTOR OR ARTERIAL STREET	164'	25' MIN.
BUFFER "B"	FROM ADJACENT MAJOR COLLECTOR OR ARTERIAL STREET	369'	25' MIN.
BUFFER "C"	FROM SINGLE-FAMILY DETACHED DWELLINGS	125'	15' MIN.
BUFFER "D"	FROM SINGLE-FAMILY DETACHED DWELLINGS	160'	15' MIN.
BUFFER "E"	FROM SINGLE-FAMILY DETACHED DWELLINGS	125'	15' MIN.
BUFFER "F"	FROM ADJACENT MAJOR COLLECTOR OR ARTERIAL STREET	176'	25' MIN.
BUFFER "G"	FROM SINGLE-FAMILY DETACHED DWELLINGS	267'	15' MIN.



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**LANDSCAPE PLAN - PHASE I**  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 ZONING MAP AMENDMENT  
 TOWN OF WARRENTON

REVISIONS:

PLAN DATE: JUNE 3, 2024  
 DESIGN BY: AS  
 CHECKED BY: JUL  
 ARCHITECT: N/A  
 JURISDICTIONAL PLAN NO.  
 RDA PLAN #: 21171-002  
 SHEET NUMBER: C.05



## LANDSCAPING TABULATIONS

## INTERIOR PARKING LOT LANDSCAPING (MINIMUM REQUIREMENTS)

REQUIRED (PLANTING) 1 TREE AND 3 SHRUBS FOR EVERY 8 SF.  
214 SF/8-29 TREES, 214 SF/13/8-84 SHRUBS  
PROVIDED 28 TREES, 84 SHRUBS

## BUFFER PAID LANDSCAPING (MINIMUM REQUIREMENTS)

FROM SINGLE FAMILY DETACHED DWELLINGS:  
REQUIRED A FENCE WITH MIN. 6' HEIGHT, WITH EVERGREEN TREES INTERSPERSED EVERY 25' ALONG THE SIDE OF THE WALL FACING THE RESIDENTIAL USE.  
410'/25'-17 TREES  
PROVIDED 17 TREES

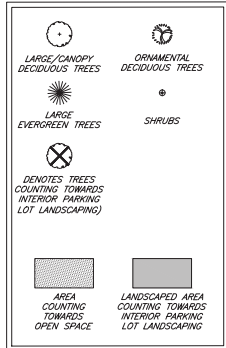
FROM ADJACENT MAJOR COLLECTOR OR ARTERIAL STREETS:  
REQUIRED 1 LARGE EVERGREEN TREE FOR EVERY 15'.  
710'/15'-48 TREES  
PROVIDED 48 TREES

STREET TREE PLANTING (MINIMUM REQUIREMENTS)  
REQUIRED 1 CANOPY TREE FOR EVERY 50' OF STREET FRONTAGE OR 2 ORNAMENTAL TREES FOR EACH CANOPY TREE REQUIRED.  
300' FRONTAGE/20-4 CANOPY TREES  
7 CANOPY TREES, 20 ORNAMENTAL TREES  
PROVIDED

OPEN SPACE (MINIMUM REQUIREMENTS)  
REQUIRED 25% (0.25% 8640 AC=2.4660 AC OR 107,420 SF)  
PROVIDED 43% (0.207% AC/8,640 AC)

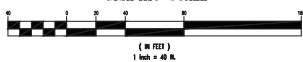
## BUFFER AREA LEGEND

LABEL	TYPE	LENGTH	WIDTH
BUFFER "A"	FROM ADJACENT MAJOR COLLECTOR OR ARTERIAL STREET	164'	25' MIN.
BUFFER "B"	FROM ADJACENT MAJOR COLLECTOR OR ARTERIAL STREET	369'	25' MIN.
BUFFER "C"	FROM SINGLE-FAMILY DETACHED DWELLINGS	125'	15' MIN.
BUFFER "D"	FROM SINGLE-FAMILY DETACHED DWELLINGS	160'	15' MIN.
BUFFER "E"	FROM SINGLE-FAMILY DETACHED DWELLINGS	125'	15' MIN.
BUFFER "F"	FROM ADJACENT MAJOR COLLECTOR OR ARTERIAL STREET	176'	25' MIN.
BUFFER "G"	FROM SINGLE-FAMILY DETACHED DWELLINGS	267'	15' MIN.



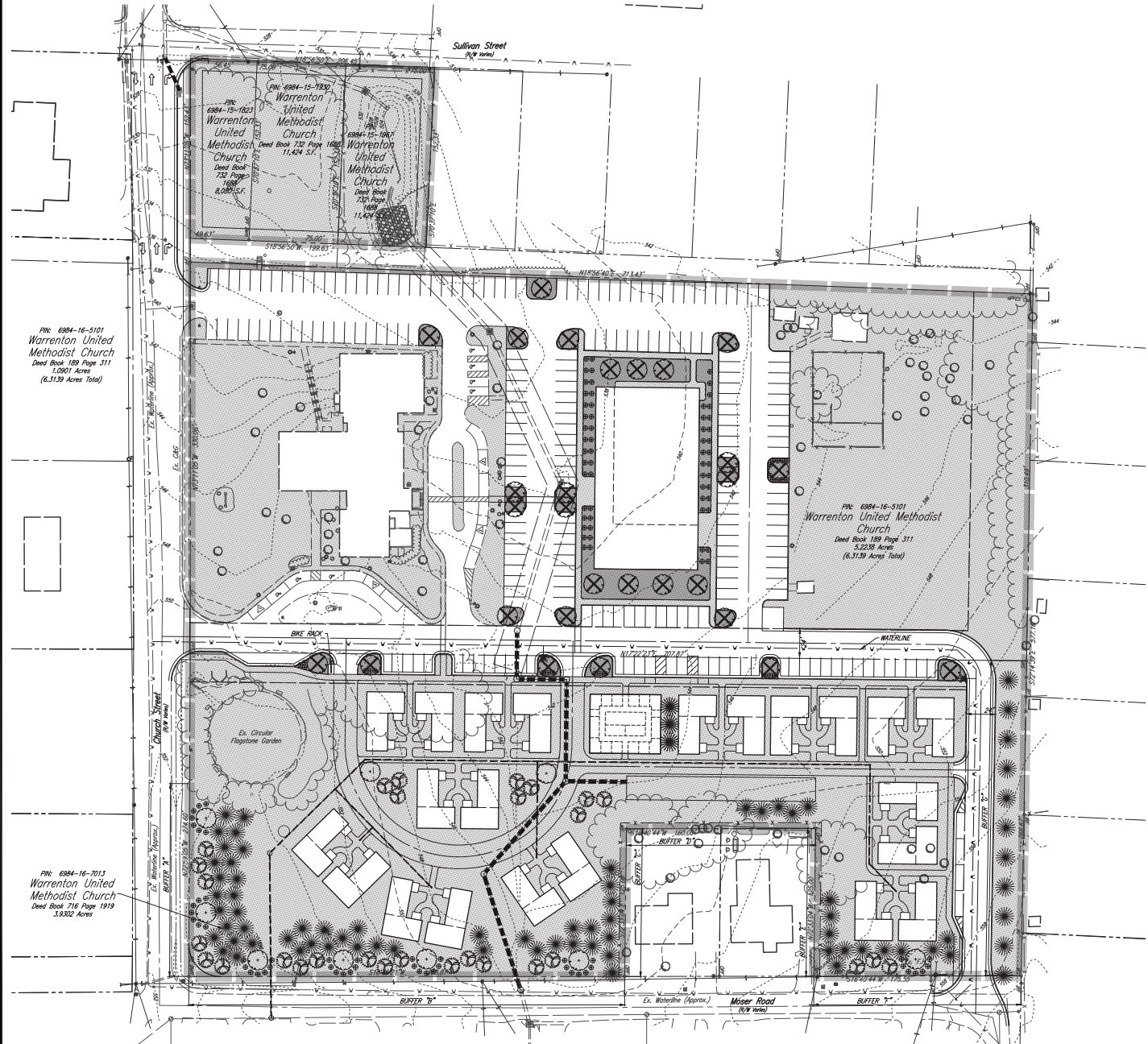
- DENOTES PROPOSED R-PUD AREA

GRAPHIC SCALE



PNC 6984-16-5101  
 Warrenton United Methodist Church  
 Deed Book 189 Page 311  
 1.2801 Acres  
 (6.3139 Acres Total)

PNC 6984-16-7013  
 Warrenton United Methodist Church  
 Deed Book 716 Page 1919  
 3.9302 Acres



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LANDSCAPE PLAN - PHASE II

WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE ZONING MAP AMENDMENT  
CENTER DISTRICT  
TOWN OF WARRENTON

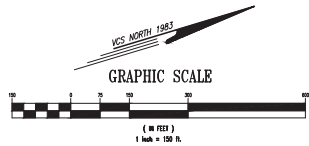
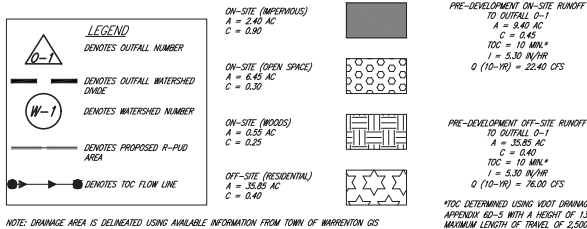
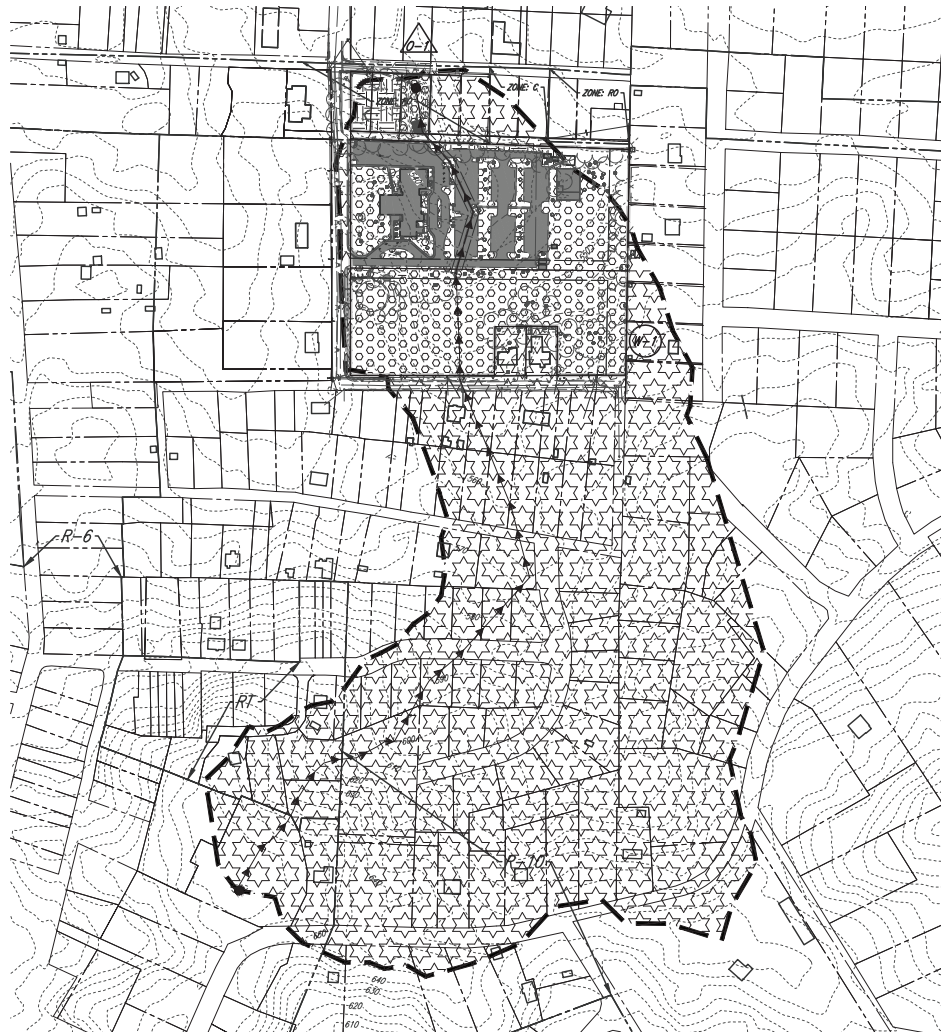
REVISIONS:

PLAN DATE: JUNE 3, 2024  
 DESIGN BY: AS  
 CHECKED BY: JLM  
 ARCHITECT: N/A  
 JURISDICTIONAL PLAN NO.  
 RDA PLAN #: 21171-002  
 SHEET NUMBER: C.06



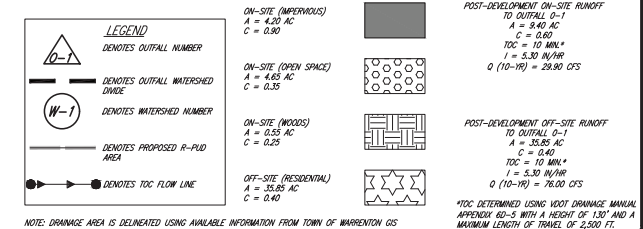
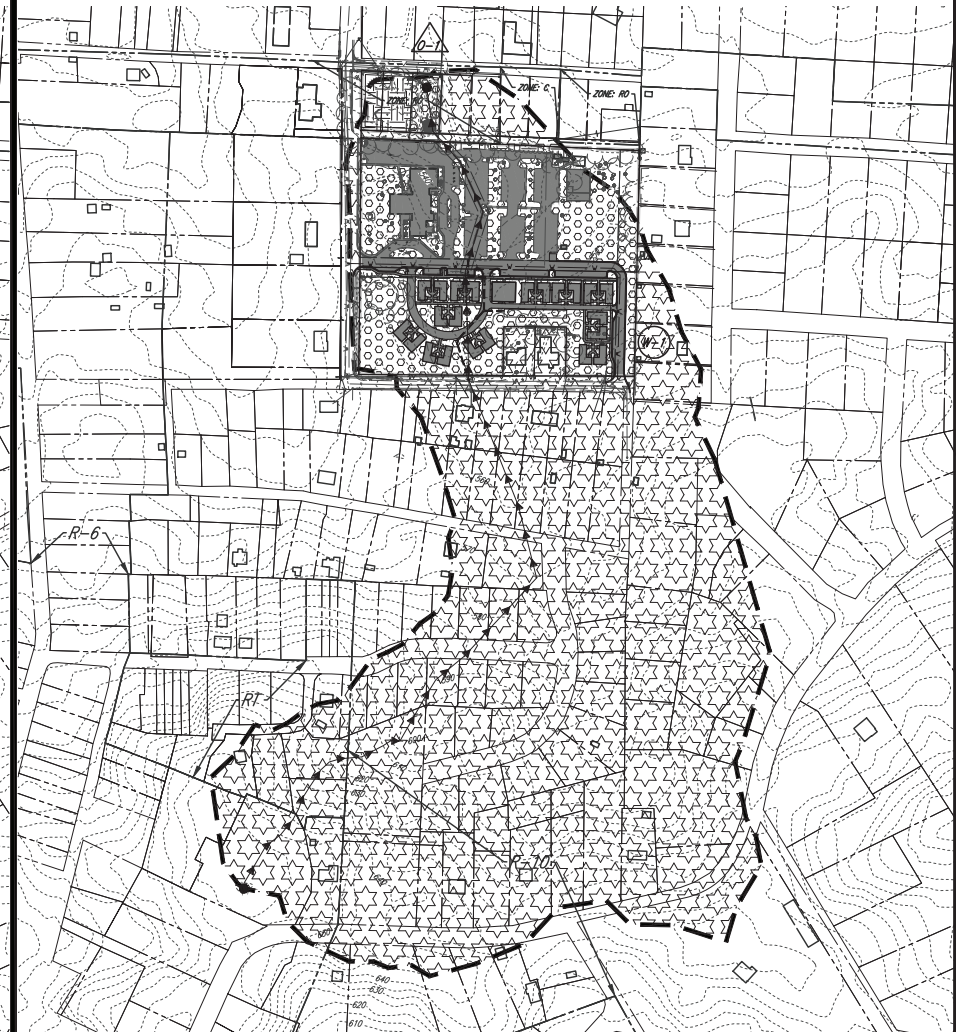
21171-002

PRE-DEVELOPMENT DRAINAGE MAP



NOTE: DRAINAGE AREA IS DELINEATED USING AVAILABLE INFORMATION FROM TOWN OF WARRENTON GIS

POST-DEVELOPMENT DRAINAGE MAP



NOTE: DRAINAGE AREA IS DELINEATED USING AVAILABLE INFORMATION FROM TOWN OF WARRENTON GIS

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PRE & POST DEVELOPMENT  
DRAINAGE MAP - PHASE I  
WARRENTON UNITED METHODIST  
CHURCH / HERO'S BRIDGE  
ZONING MAP AMENDMENT  
CENTER DISTRICT  
TOWN OF WARRENTON

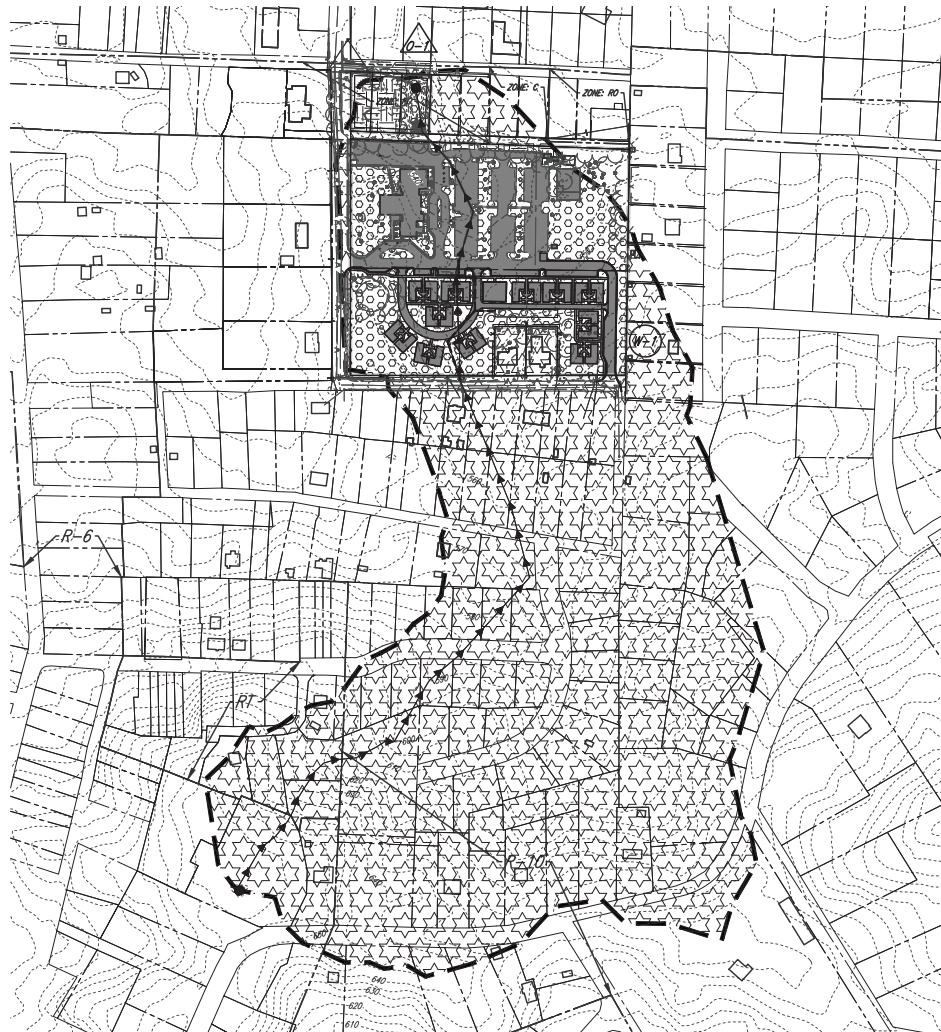
REVISIONS:

PLAN DATE: JUNE 3, 2024  
DESIGN BY: AS  
CHECKED BY: JLN  
ARCHITECT: N/A  
JURISDICTIONAL PLAN NO.  
RDA PLAN #: 21171-002  
SHEET NUMBER: C.07

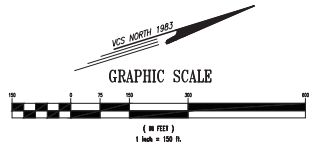
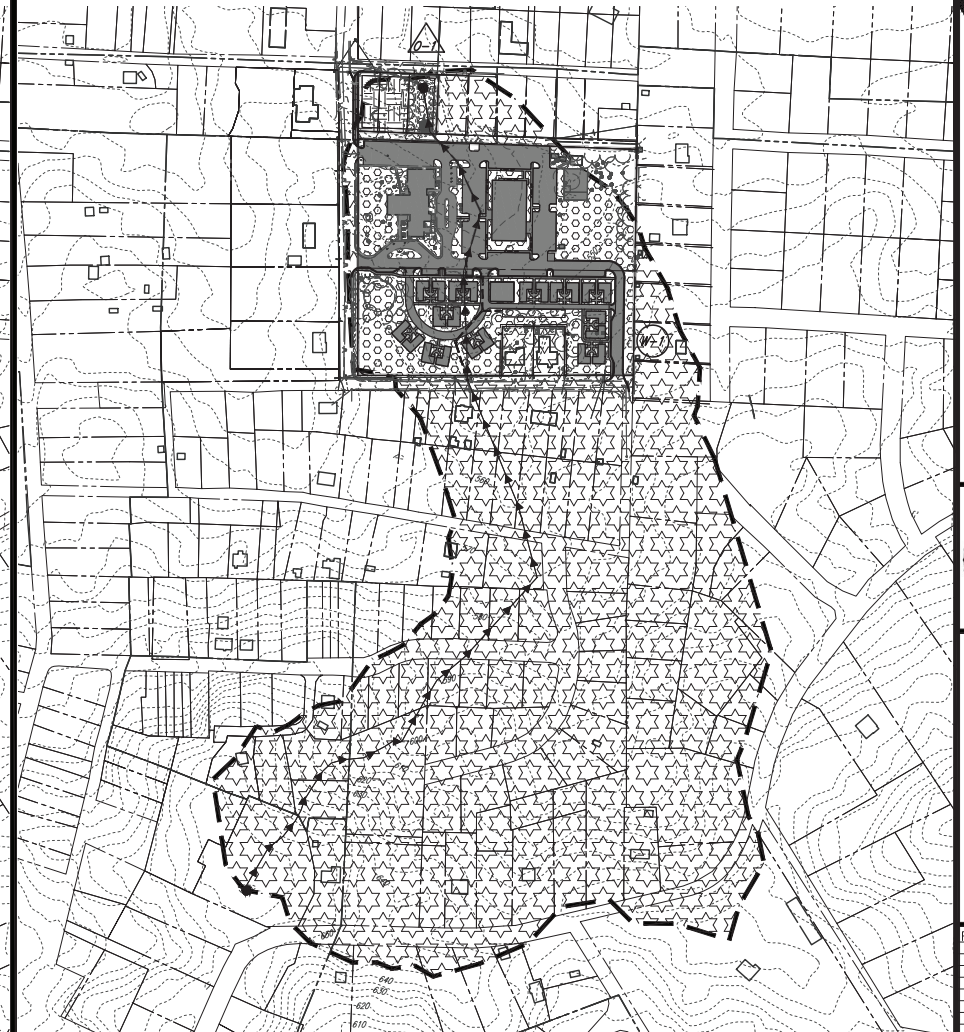


21171-002

PRE-DEVELOPMENT DRAINAGE MAP



POST-DEVELOPMENT DRAINAGE MAP



NOTE: DRAINAGE AREA IS DELINEATED USING AVAILABLE INFORMATION FROM TOWN OF WARRENTON GIS

NOTE: DRAINAGE AREA IS DELINEATED USING AVAILABLE INFORMATION FROM TOWN OF WARRENTON GIS

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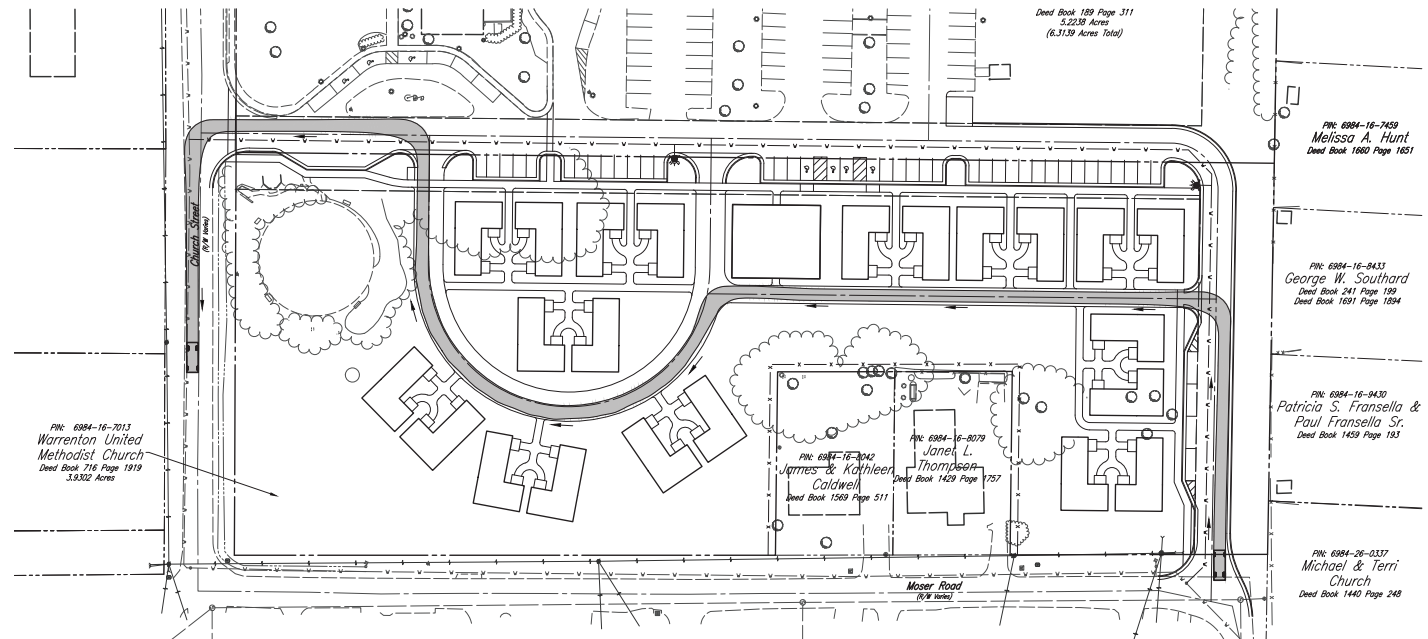
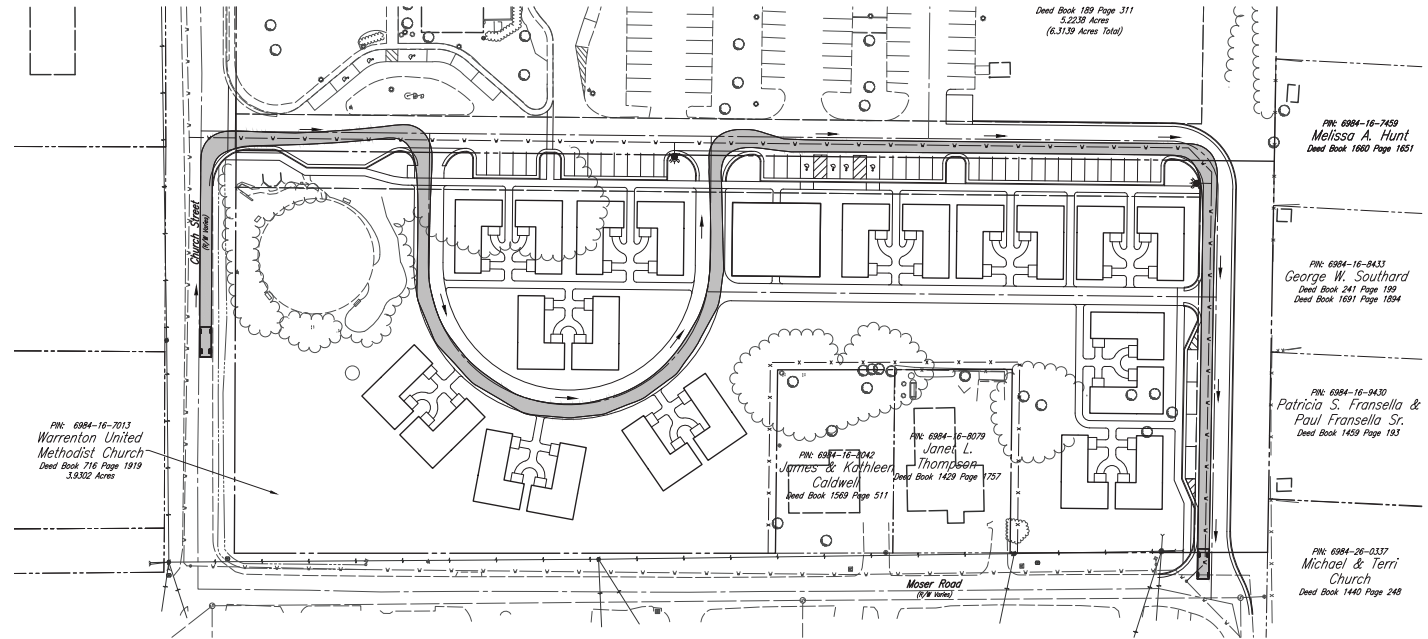
**PRE & POST DEVELOPMENT  
DRAINAGE MAP - PHASE II**  
**WARRENTON UNITED METHODIST  
CHURCH / HERO'S BRIDGE  
ZONING MAP AMENDMENT**  
CENTER DISTRICT  
TOWN OF WARRENTON

REVISIONS:

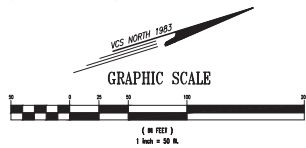
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DESIGN BY: AS  
CHECKED BY: JLB  
ARCHITECT: N/A  
JURISDICTIONAL PLAN NO.  
RDA PLAN #: 21171-002  
SHEET NUMBER: C.08



21171-002



NOTE: AMBULANCE VEHICLE TRACKING PATH CREATED USING  
A HORTON 453 TYPE III FORD E-SERIES AMBULANCE VEHICLE  
(DIMENSIONS=20.4'x7.8')



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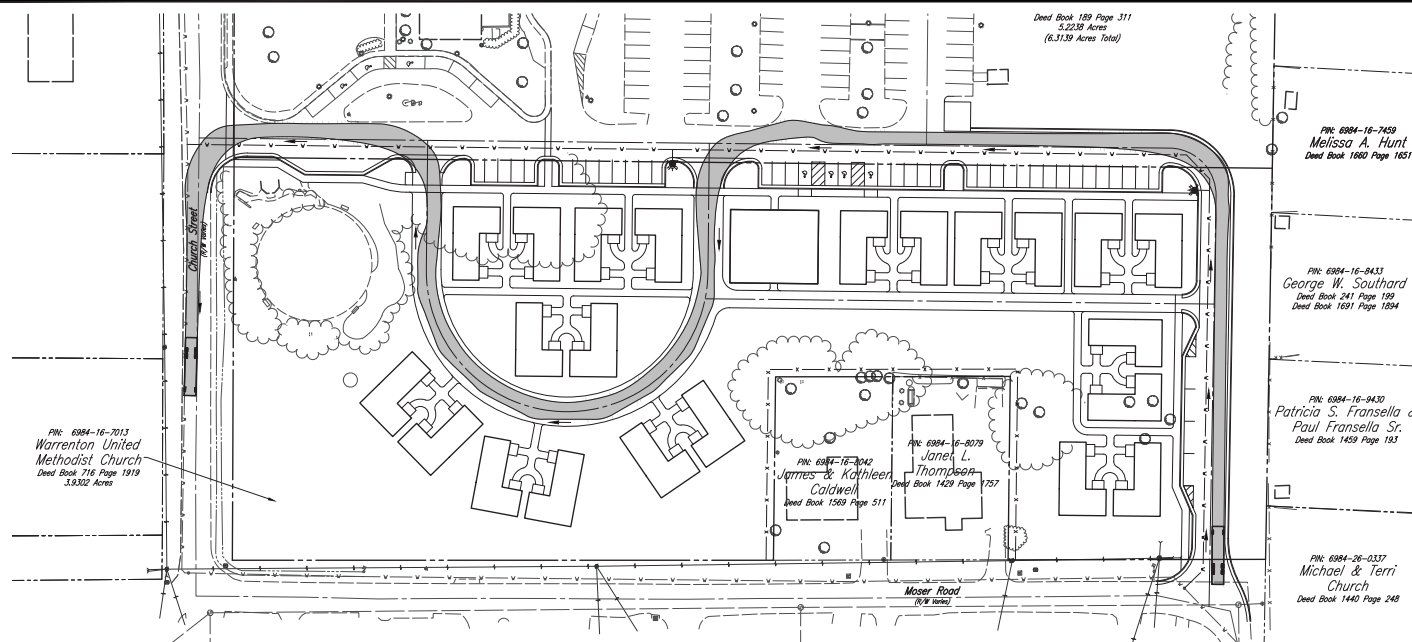
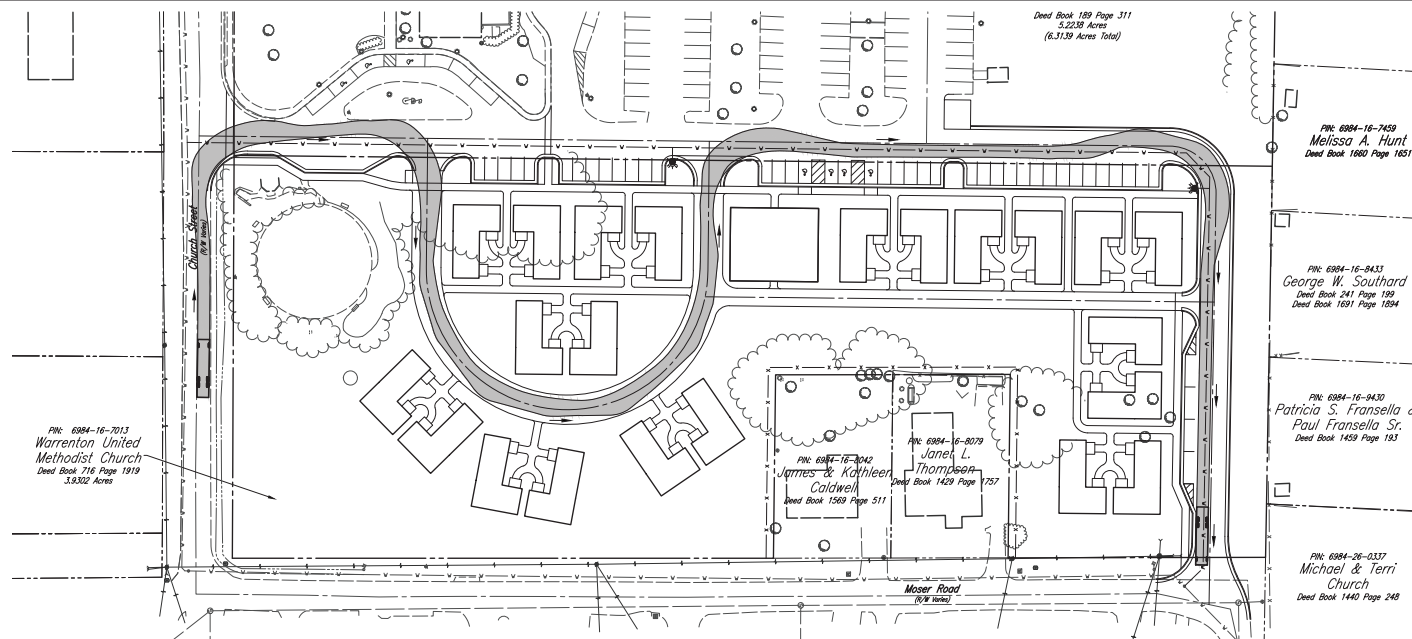


VEHICLE TURNING ANALYSIS -  
AMBULANCE - PHASE I  
WARRENTON UNITED METHODIST  
CHURCH / HERO'S BRIDGE  
ZONING MAP AMENDMENT  
TOWN OF WARRENTON

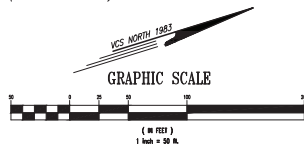
REVISIONS:

PLAN DATE: JUNE 3, 2024  
DESIGN BY: AS  
CHECKED BY: JUL  
ARCHITECT: N/A  
JURISDICTIONAL PLAN NO.  
RDA PLAN #: 21171-002  
SHEET NUMBER: C.09





NOTE: FIRE TRUCK VEHICLE TRACKING PATH CREATED USING AASHTO 2011 (US CUSTOMARY), SU-40 VEHICLE (DIMENSIONS=39.5'x8').



## Rinker Design Associates

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Telephone: (703) 368-7373 [www.rdacivil.com](http://www.rdacivil.com)  
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VEHICLE TURNING ANALYSIS -  
FIRE TRUCK - PHASE I

REVISIONS:

PLAN DATE:	JUNE 3, 2022
DESIGN BY:	A
CHECKED BY:	JL
ARCHITECT:	N/A
JURISDICTIONAL PLAN NO.	
RDA PLAN #:	21171-00
SHEET NUMBER:	C.1



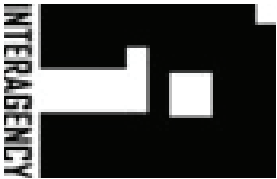
WARRENTON UNITED METHODIST CHURCH

WATERS OF THE U.S. (WOTUS) AND WETLAND DELINEATION REPORT

APRIL 29, 2024



PREPARED BY:



INTERAGENCY, INC.  
80 M ST., SE, SUITE 100  
WASHINGTON, DC 20003





**WARRENTON UMC**  
**PROPOSED HOUSING ELEVATION**  
MARCH 16, 2023



131 South Loudoun Street Winchester, VA 22601  
Phone: (540) 722-7247; Fax: (540) 722-7248  
architect@1designconcepts.com





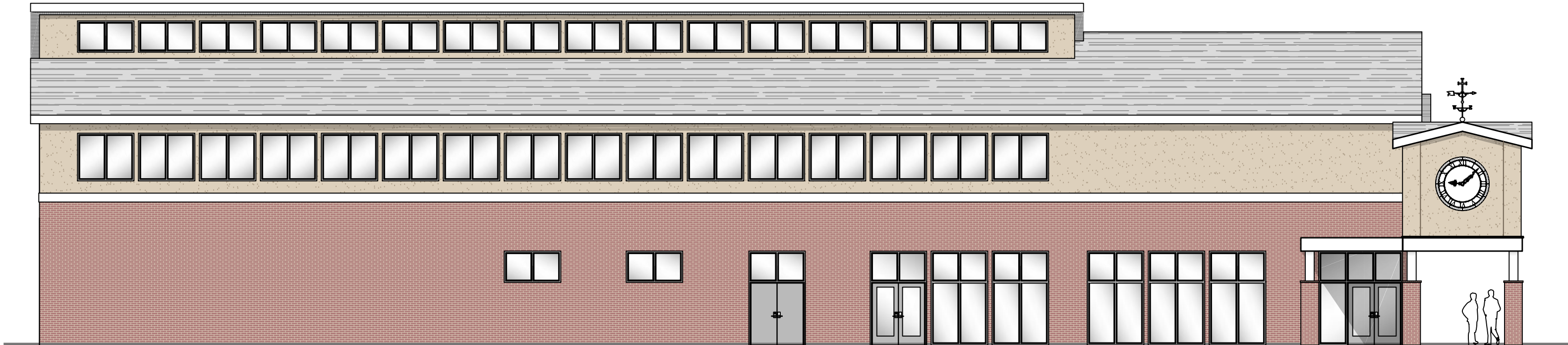
**WARRENTON UMC**  
**MULTI-PURPOSE BUILDING**  
**PROPOSED FRONT ELEVATION**

SCALE:  $\frac{3}{32}$ " = 1'-0"  
 NOVEMBER 18, 2022



131 South Loudoun Street Winchester, VA 22601  
 Phone: (540) 722-7247; Fax: (540) 722-7248  
 architect@1designconcepts.com





WARRENTON UMC  
MULTI-PURPOSE BUILDING  
PROPOSED SIDE ELEVATION

SCALE:  $\frac{3}{32}$ " = 1'-0"  
NOVEMBER 18, 2022



architecture + interiors  
131 South Loudoun Street Winchester, VA 22601  
Phone: (540) 722-7247; Fax: (540) 722-7248  
architect@1designconcepts.com



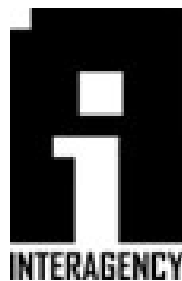
## WARRENTON UNITED METHODIST CHURCH

### WATERS OF THE U.S. (WOTUS) AND WETLAND DELINEATION REPORT

APRIL 29, 2024



PREPARED BY:



INTERAGENCY, INC.  
80 M ST., SE, SUITE 100  
WASHINGTON, DC 20003



## TABLE OF CONTENTS

### CONTENTS

<b>1.0 INTRODUCTION .....</b>	<b>4</b>
<b>2.0 METHODOLOGY .....</b>	<b>4</b>
<b>2.1 Database Review .....</b>	<b>4</b>
<b>2.2 Field Methods .....</b>	<b>5</b>
<b>3.0 RESULTS .....</b>	<b>7</b>
<b>4.0 CONCLUSION .....</b>	<b>8</b>
<b>5.0 REFERENCES .....</b>	<b>10</b>

## INDEX OF EXHIBITS

1. Vicinity Map
2. USGS Topographic Quadrangle Map
3. NAIP Aerial Imagery
4. NWI Map
5. NRCS Custom Soil Resource Report
6. FEMA FIRMette Map
7. DEQ WetCAT Report
8. Antecedent Precipitation Tool Report
9. Study Area Photographs
10. Wetland Determination Data Forms
11. Stream Assessment Forms
  - a. Virginia DEQ Stream Identification Form
  - b. Fairfax County DPWES Methodology
  - c. North Carolina NCDWQ Methodology
12. Wetlands and Waters of the U.S. (WOTUS) Delineation Map



## LIST OF ACRONYMS

17B	Middleburg Loam
AOI	Area of Interest
APT	Antecedent Precipitation Tool
CWA	Clean Water Act
DEQ	Department of Environmental Quality
DPWES	Department of Public Works and Environmental Services
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FGDC	Federal Geographic Data Committee
GPS	Global Positioning System
IA	InterAgency, Inc.
NAIP	National Agriculture Imagery Program
NCDWQ	North Carolina Division of Water Quality
NRCS	National Resources Conservation Service
NWI	National Wetland Inventory
NWS	National Weather Service
OHWM	Ordinary High-Water Mark
PWD	Professional Wetland Delineator
PWS	Professional Wetland Scientist
R4	Intermittent Stream Channel
SSWD	State Surface Water Determination
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USDA	U.S. Department of Agriculture
USGS	U.S. Geological Survey
VSWD	Virginia State Waters Delineator
WetCAT	Wetland Condition Assessment Tool
WOTUS	Waters of the U.S.



## 1.0 INTRODUCTION

InterAgency, Inc. (IA) performed a wetland and waters of the U.S. (WOTUS) delineation within the Warrenton United Methodist Church (WUMC) study area to document current site conditions. As noted below, an unnamed intermittent tributary conveying stormwater within a manmade stormwater swale was documented within the study area.

The approximately 11-acre study area is located within the Town of Warrenton, Virginia and can be accessed from Church Street along the southern boundary. A vicinity map is included as [Exhibit 1](#). The centroid of the study area is located at approximately 38.7201 N, -77.8038 W and is included within the Warrenton, Virginia U.S. Geological Survey (USGS) Quadrangle Map ([Exhibit 2](#)).

The study area comprises the WUMC church and parking lot surrounded by a maintained lawn and forested cover. The natural slight topography has been altered by development activities in the past. A summer natural color image from the National Agriculture Imagery Program (NAIP) is included within [Exhibit 3](#).

## 2.0 METHODOLOGY

The wetland delineation field work was conducted by Lauren Conner, PWS, PWD, VSWD<sup>1</sup>. Methodology and data review notes are outlined below in support of this study.

### 2.1 DATABASE REVIEW

Prior to conducting field work, IA conducted database reviews to determine the existing documented resources within the study area. The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) database ([Exhibit 4](#)) was reviewed to determine if any wetland or stream features have been documented within the study area. As noted in this exhibit, no wetland or stream features have been documented on or within 100-feet of the study area.

U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) ([Exhibit 5](#)) data was reviewed to determine the soil characteristics within the study area. The central portion of the Area of Interest (AOI) developed on the NRCS database is mapped as Middleburg loam (17B), a mapped hydric soil. The remaining soils mapped within the NRCS AOI are mapped as nonhydric.

The study area is located within the Great Run - Rappahannock River watershed. The Federal Emergency Management Association (FEMA) National Flood Hazard Layer FIRMette panel 51061C0306C (Effective 2/6/2008) ([Exhibit 6](#)) documents that the majority of the study area is located within Zone X: Area of Minimal Flood Hazard.

<sup>1</sup> Certified Professional Wetland Scientist (PWS #2766) through the Society of Wetland Scientists, licensed Professional Wetland Delineator (PWD #3402-000155) through the Virginia Department of Professional and Occupational Regulation and Virginia State Waters Delineator (VSWD #0045), Virginia Department of Environmental Quality (DEQ).



However, one swale within the central portion of the study area is documented as an area of 0.2% Annual Chance of Flood.

In preparation for field work, the Virginia Department of Environmental Quality (DEQ) Wetland Condition Assessment Tool (WetCAT) database ([Exhibit 7](#)) was reviewed for documented features and watershed data surrounding the study area. No stream or wetland features have been mapped within the study area by DEQ.

## 2.2 FIELD METHODS

This delineation was performed in accordance with the U.S. Army Corps of Engineers (USACE) 1987 Corps of Engineers Wetlands Delineation Manual – Technical Report 87-1 (USACE, 1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0) (USACE, 2012). In addition, this wetland delineation was performed in compliance with the Federal Geographic Data Committee (FGDC) Wetlands Classification Standard (FGDC, 2013) and the Virginia DEQ State Surface Waters Determination (SSWD) guidance. Wetlands are classified as features that meet the wetland hydrology, hydrophytic vegetation, and hydric soil parameters outlined by the USACE and DEQ in the above-mentioned guidance.

Field work was performed on April 20, 2024 to document current site conditions. As the study area is approximately eleven acres, transects were developed to verify that the site was thoroughly searched for wetlands and other WOTUS. Jurisdictional features were flagged with vinyl pink-glo flagging and were subsequently located via Global Positioning System (GPS) methods in the field on April 20, 2024.

IA reviewed observed weather data from the National Weather Service (NWS) prior to field work to review current hydrologic conditions. Precipitation and temperature data were reviewed for two weeks prior to field work, as noted in [Table 1](#) below.



**Table 1. National Weather Service Observed Weather Data**

Month	Day	Temperature (°F)			Precipitation (Inches)
		Maximum	Minimum	Average	
4	6	57	38	47.5	0.00
	7	65	34	49.5	0.00
	8	75	35	55.0	0.00
	9	80	49	64.5	0.00
	10	80	61	70.5	Trace
	11	71	64	67.5	0.05
	12	67	57	62.0	0.10
	13	67	46	56.5	Trace
	14	84	42	63.0	0.00
	15	85	25	71.5	Trace
	16	78	48	63.0	0.00
	17	74	59	66.5	Trace
	18	79	53	66.0	Trace
	19	57	53	55.0	0.01

Source: National Weather Service (<https://www.weather.gov/wrh/Climate?wfo=lmx>)

IA reviewed the Antecedent Precipitation Tool (APT) developed by the U.S. Environmental Protection Agency (EPA) and the USACE was utilized to determine whether field data was collected during normal climatic conditions (Exhibit 8). This tool calculates precipitation normalcy data and documents patterns from a 30-year record. The observed conditions and analysis of precipitation data documents that the delineation field work was conducted under a mild drought.

Study area photographs are included within Exhibit 9. Wetland delineation data points (Exhibit 10) were conducted utilizing the USACE Eastern Mountains and Piedmont Region Automated Wetland Determination Data Sheet (version 2.0) and reference the current 2020 National Wetland Plant List, version 3.5, to document the indicator status of individual plant species. In accordance with the USACE guidance, the vegetative sampling plot consists of a 30' radius for the tree and woody vine strata, a 15' radius for the sapling/shrub stratum and a 5' radius for the herbaceous stratum. Primary and secondary wetland hydrology indicators were accessed at the data point location. A soil profile was classified to a depth of 18" denoting the soil matrix and presence or absence of redoximorphic features.

Assessments of the delineated stream channel and swales were conducted in the field to determine the flow regime within each reach. Methodologies utilized for these assessments were the DEQ Stream Identification Field Data Form (Exhibit 11A), the Fairfax County Department of Public Works and Environmental Services (DPWES) Perennial Stream Field Identification Protocol (Exhibit 11B), and the North Carolina Division of Water Quality (NCDWQ) Methodology for Identification of Intermittent and



Perennial Streams and Their Origins (Exhibit 11C), Version 4.11, effective September 1, 2010.

These assessments are based on hydrological, physical and biological characteristics within a stream channel. The Fairfax County DPWES protocol is utilized to determine if a stream channel is perennial or intermittent based on the overall score along with supporting information. Per this protocol, a perennial stream channel is defined as a 'body of water flowing in a natural or man-made channel year-round, except during periods of drought.' In addition, an intermittent stream channel is defined as a 'body of water flowing in a natural or man-made channel that contains water for only part of the year.' Based on the Fairfax County DPWES protocol, a stream channel is perennial if the overall score is greater than or equal to 25 points (FC DPWES, 2003).

The NCDWQ methodology was developed to identify ephemeral, intermittent and perennial stream channel using geomorphic, hydrologic and biological characteristics. Based on this methodology, an ephemeral stream channel is 'a feature that carries only stormwater in direct response to precipitation with water flowing only during and shortly after large precipitation events.' This stream classification 'lacks the biological, hydrological, and physical characteristics commonly associated with the continuous or intermittent conveyance of water' (NCDWQ, 2010). Based on the NCDWQ methodology, a stream channel is at least intermittent if the overall score is greater than or equal to 19 points and perennial if the score is over 30 points.

### 3.0 RESULTS

One intermittent stream channel located within a manmade stormwater swale and retention feature was located within the study area. This feature, as well as study area photographs and data point locations, is depicted within the Wetlands and WOTUS Delineation Map (Exhibit 12). Feature-specific descriptions are included in Table 2 and in the narrative below.

**Table 2. Summary of Wetlands and WOTUS Within Study Area**

WARRENTON UMC							
SUMMARY OF WETLANDS AND WOTUS WITHIN STUDY AREA							
Water ID	Latitude	Longitude	Cowardin Class	Stream (Linear Feet)	Area (Square Feet)	Area (Acres)	Class of Aquatic Resource (Tidal/Non-tidal, Section 10/404, etc.
S-1	38.71970	-77.80290	R4	272	973	0.02	Non-tidal, Section 401
S-2	38.71990	-77.80530	R4	120	202	<0.01	Non-tidal, Section 401
<b>TOTAL</b>				392	1,175	0.03	

- Feature S-1: This feature is located in the eastern portion of the study area and is located within a manmade stormwater swale constructed during the development of the property (Exhibit #9, Photos 5-8). This feature exhibits a discontinuous ordinary



high-water mark (OHWM) and was identified as a stream channel utilizing the DEQ Stream Identification Field Data Form. An assessment utilizing the Fairfax County DPWES and NCDWQ protocols identified the stream as intermittent, with scores of 9 and 16.5, respectively.

A wetland delineation data point (Exhibit #10, Data Point #1) was conducted to document the conditions at the downslope end of this feature where an OHWM is absent. As noted within this data point, hydric soil and wetland hydrology parameters were satisfied at this location. However, the feature lacks hydrophytic vegetation. Therefore, this feature was classified as an intermittent (R4) stream channel.

- Feature S-2: This feature, located within a stormwater retention basin, was determined to be an R4 stream channel. Due to obstruction by a security fence, the approximate limit of the stream channel within the retention basin is depicted on the Wetland and WOTUS Delineation Map (Exhibit #12).

Several upland swales are located within and immediately adjacent to the study area. These topographic features lack hydric soils and a continuous OHWM. These features are noted on the Wetland and WOTUS Delineation Map and shown in the Study Area Photographs (Exhibit 9).

As previously noted, these stormwater conveyance and retention features were constructed at the time of site development. The intermittent stream channel developed within these manmade features.

#### 4.0 CONCLUSION

IA conducted a wetland delineation within the WUMC study area in the Town of Warrenton Virginia. Upon completion of the field work, an unnamed R4 stream channel located within manmade stormwater features was delineated within the study area. Offsite stormwater pipes and collected surface runoff provides the hydrologic input for this R4 stream channel. As described in detail above, a total of 392 linear feet (LF), 1,175 square feet (SF) and 0.03 acre (AC) of R4 stream channel is located within the study area.

This wetland delineation was completed pursuant to guidance issued by the USACE, FGDC, and DEQ. Per the United States Supreme Court *Sackett v. Environmental Protection Agency* (*Sackett*) decision in May 2023, the definition of WOTUS has been revised. The Supreme Court determined that federal jurisdiction of features under the Clean Water Act (CWA) “extends only to those wetlands with a continuous surface connection to bodies that are waters of the United States in their own right, such that they are indistinguishable from those waters.”

Based on IA’s best professional judgement and the guidance noted above, it is anticipated that the R4 stream channel within the WUMC study area is jurisdictional to DEQ only as it lacks a continuous surface connection to bodies of water that can be classified as WOTUS under the *Sackett* Decision. Coordination with the USACE and DEQ to confirm each agency’s determination on the jurisdiction of these features is strongly advised.



This study documents current field conditions as of April 2024 and available agency database information at the time of the study. Such information and field conditions may be subject to change in the future. Pursuant to DEQ guidance, this study has been conducted by a certified PWD and VSWD.

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Professional Name: Lauren Conner

Certification No.: VSWD No. 0045

Signature:

Lauren L. Conner

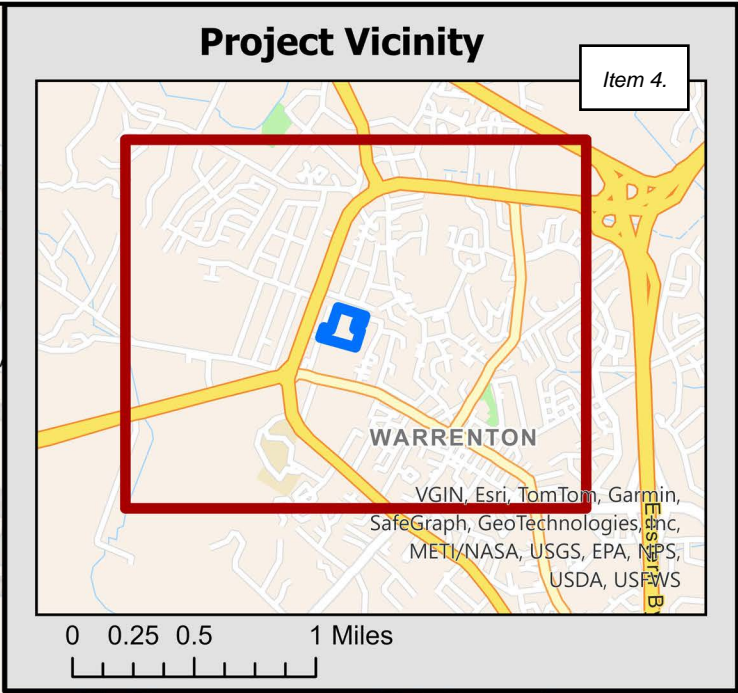
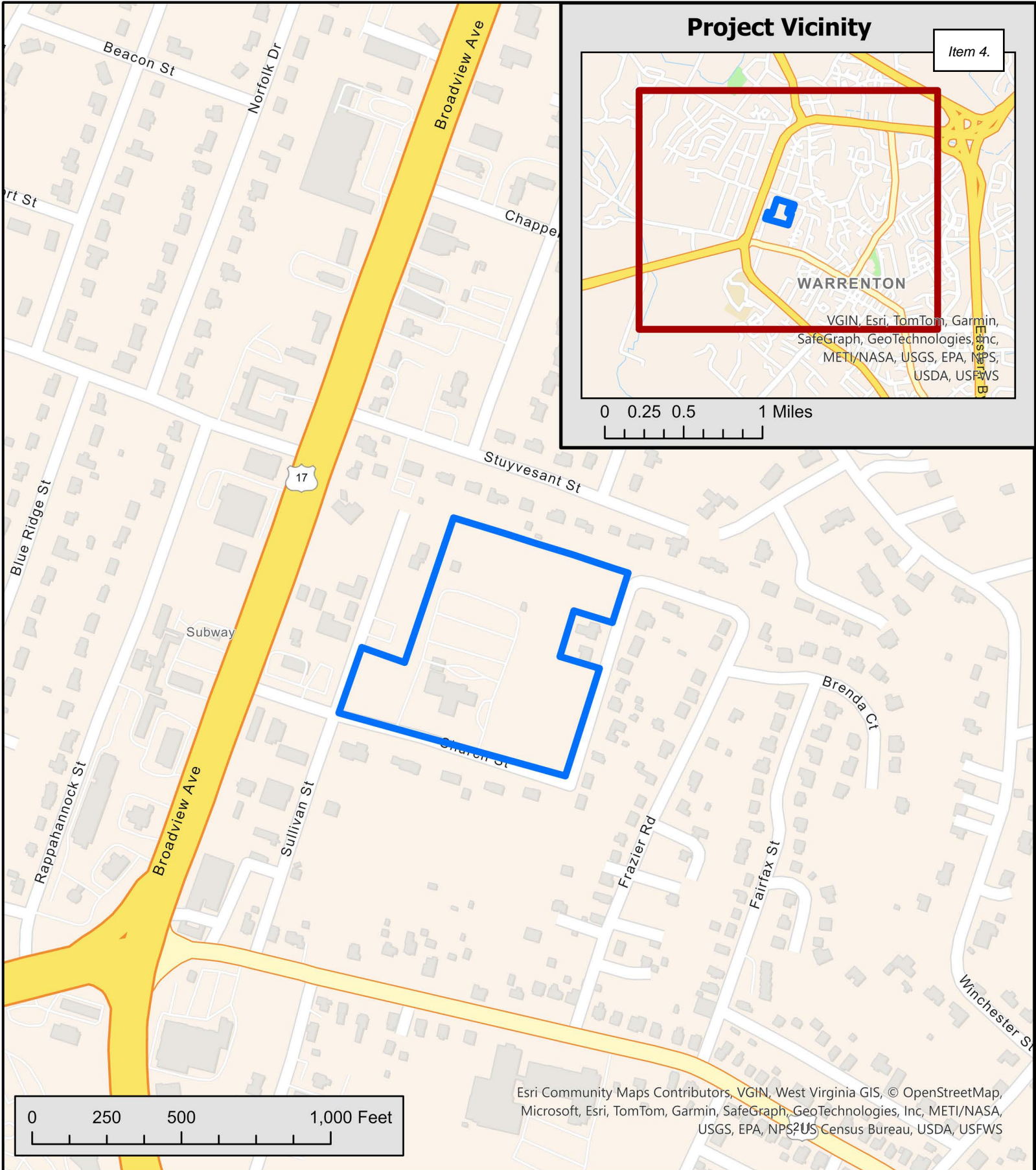
Date: April 29, 2024



## 5.0 REFERENCES

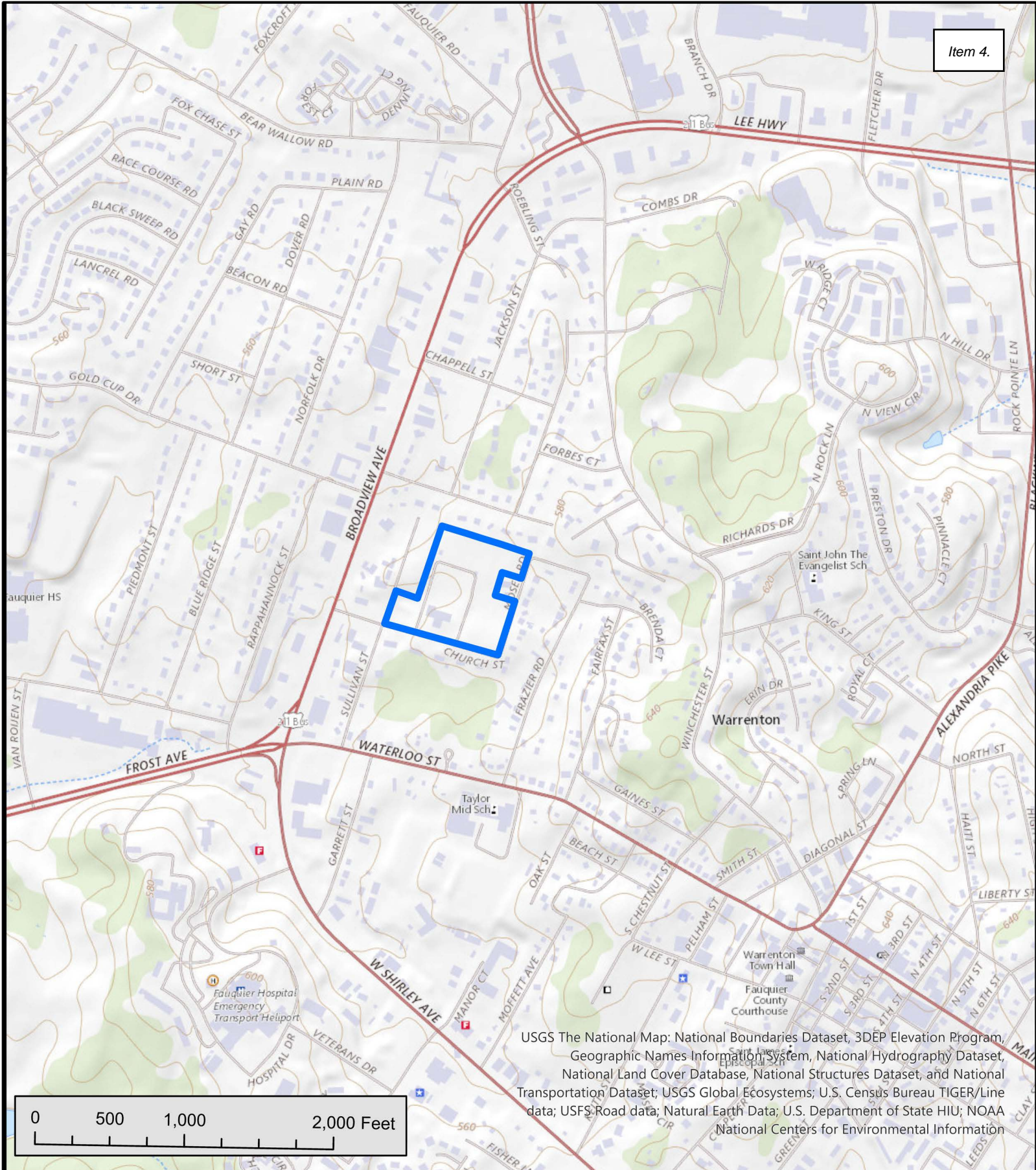
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		<div><h1>Warrenton UMC</h1><h2>Exhibit #1: Vicinity Map</h2><p>Latitude: 38.7201 Longitude: -77.8038 LRR P; MLRA 138</p></div>	<div><h3>Legend</h3><ul style="list-style-type: none"><li><span style="color: red;">—</span> Vicinity</li><li><span style="color: blue;">—</span> Study Area</li></ul><div>122</div></div>
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USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road data; Natural Earth Data; U.S. Department of State HIU; NOAA National Centers for Environmental Information

N

**Warrenton UMC**  
Exhibit #2:  
USGS Topographic Map  
Warrenton, Virginia

**Legend**

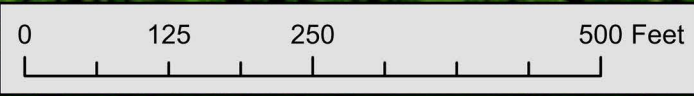
Study Area


123





Source: Esri, USDA FSA, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Esri Community Maps Contributors, VGIN, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



		<p><b>Warrenton UMC</b></p> <p>Exhibit #3: NAIP Aerial Imagery Map</p>	<p><b>Legend</b></p> <p> Study Area</p> <div data-bbox="1477 1963 1559 2026">124</div>
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U.S. Fish and Wildlife Service

# National Wetlands Inventory


Warrenton UMC

Item 4.



April 20, 2024

## Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.





United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for **Fauquier County, Virginia**

## Study Area

Item 4.





# Preface

---

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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# Contents

---

**Preface**..... 2

**How Soil Surveys Are Made**.....5

**Soil Map**..... 8

    Soil Map.....9

    Legend.....10

    Map Unit Legend..... 11

    Map Unit Descriptions.....11

        Fauquier County, Virginia..... 13

            17B—Middleburg loam, 2 to 7 percent slopes, frequently flooded..... 13

            45B—Fauquier silt loam, 2 to 7 percent slopes..... 14

**References**..... 16



# How Soil Surveys Are Made

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Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil



scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and



identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.



## Soil Map

---


The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.


Custom Soil Resource Report  
Soil Map


Item 4.








**MAP LEGEND****Area of Interest (AOI)**
 Area of Interest (AOI)
**Soils**
 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points
**Special Point Features**
 Blowout

 Borrow Pit


 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop


 Saline Spot

 Sandy Spot

 Severely Eroded Spot


 Sinkhole


 Slide or Slip

 Sodic Spot



 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot



 Other

 Special Line Features
**Water Features**
 Streams and Canals
**Transportation**
 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads
**Background**
 Aerial Photography
**MAP INFORMATION**

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Fauquier County, Virginia  
Survey Area Data: Version 19, Aug 25, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 13, 2022—Oct 6, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
17B	Middleburg loam, 2 to 7 percent slopes, frequently flooded	4.3	40.6%
45B	Fauquier silt loam, 2 to 7 percent slopes	6.3	59.4%
<b>Totals for Area of Interest</b>		<b>10.7</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,



onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Fauquier County, Virginia

### 17B—Middleburg loam, 2 to 7 percent slopes, frequently flooded

#### Map Unit Setting

*National map unit symbol:* 21m5c

*Elevation:* 160 to 1,510 feet

*Mean annual precipitation:* 34 to 46 inches

*Mean annual air temperature:* 43 to 66 degrees F

*Frost-free period:* 174 to 211 days

*Farmland classification:* Prime farmland if protected from flooding or not frequently flooded during the growing season

#### Map Unit Composition

*Middleburg and similar soils:* 85 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Middleburg

##### Setting

*Landform:* Drainageways

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Linear

*Across-slope shape:* Convex

*Parent material:* Alluvium derived from igneous and metamorphic rock and/or colluvium derived from igneous and metamorphic rock

##### Typical profile

*H1 - 0 to 9 inches:* loam

*H2 - 9 to 48 inches:* silty clay loam

*H3 - 48 to 61 inches:* silt loam

##### Properties and qualities

*Slope:* 2 to 7 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Runoff class:* Low

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.57 to 5.95 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* Frequent

*Frequency of ponding:* None

*Available water supply, 0 to 60 inches:* High (about 10.0 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 2w

*Hydrologic Soil Group:* A

*Ecological site:* F148XY027PA - Moist, Piedmont - felsic, Riparian Zone, Ecotonal Meadow-Shrub-Forest

*Hydric soil rating:* No



**45B—Fauquier silt loam, 2 to 7 percent slopes****Map Unit Setting***National map unit symbol:* 21m76*Elevation:* 310 to 1,200 feet*Mean annual precipitation:* 34 to 46 inches*Mean annual air temperature:* 43 to 66 degrees F*Frost-free period:* 174 to 211 days*Farmland classification:* All areas are prime farmland**Map Unit Composition***Fauquier and similar soils:* 85 percent*Estimates are based on observations, descriptions, and transects of the mapunit.***Description of Fauquier****Setting***Landform:* Interfluves*Landform position (two-dimensional):* Summit, shoulder*Landform position (three-dimensional):* Interfluve*Down-slope shape:* Linear*Across-slope shape:* Convex*Parent material:* Residuum weathered from greenstone**Typical profile***H1 - 0 to 6 inches:* silt loam*H2 - 6 to 36 inches:* clay*H3 - 36 to 60 inches:* silt loam**Properties and qualities***Slope:* 2 to 7 percent*Depth to restrictive feature:* More than 80 inches*Drainage class:* Well drained*Runoff class:* Low*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.57 to 1.98 in/hr)*Depth to water table:* More than 80 inches*Frequency of flooding:* None*Frequency of ponding:* None*Available water supply, 0 to 60 inches:* High (about 9.2 inches)**Interpretive groups***Land capability classification (irrigated):* None specified*Land capability classification (nonirrigated):* 2e*Hydrologic Soil Group:* B*Ecological site:* F148XY026PA - Moist, High Base-Saturation, Upland, Mixed Oak  
- Hickory - Conifer Forest*Hydric soil rating:* No





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- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2\\_054242](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242)

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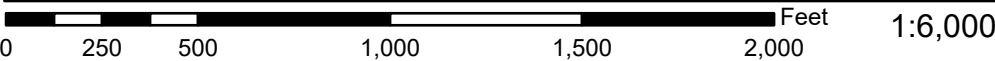
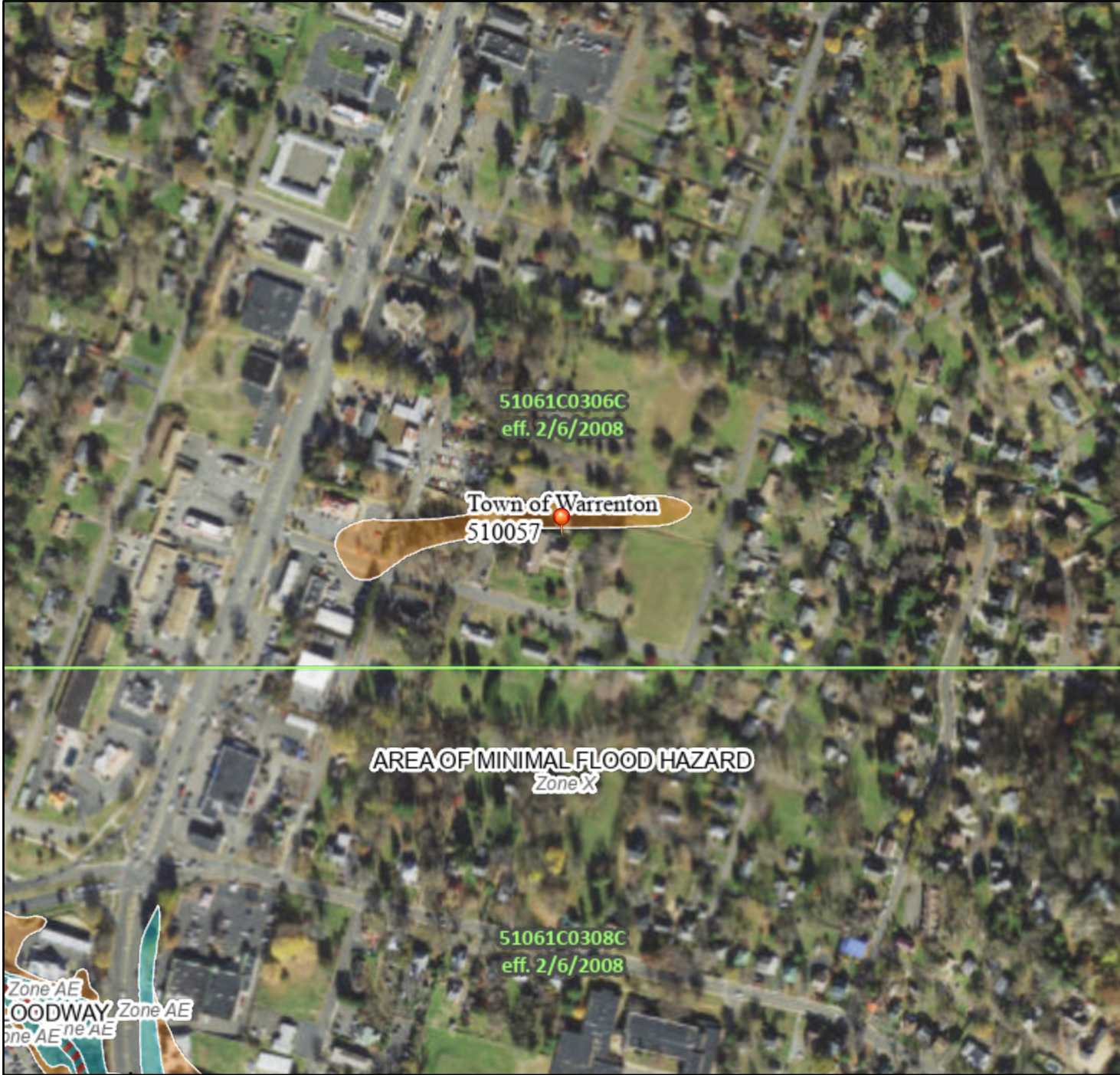
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# National Flood Hazard Layer FIRMette



77°48'33"W 38°43'25"N



Basemap Imagery Source: USGS National Map 2023

## Legend

Item 4.

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM UT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/23/2024 at 12:22 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

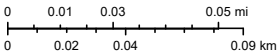
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community id, FIRM panel number, and FIRM effective date. Map is unmapped and unmodernized areas cannot be used for regulatory purposes.





April 19, 2024 - Created from the Wetland Condition Assessment Tool Viewer (WetCAT)

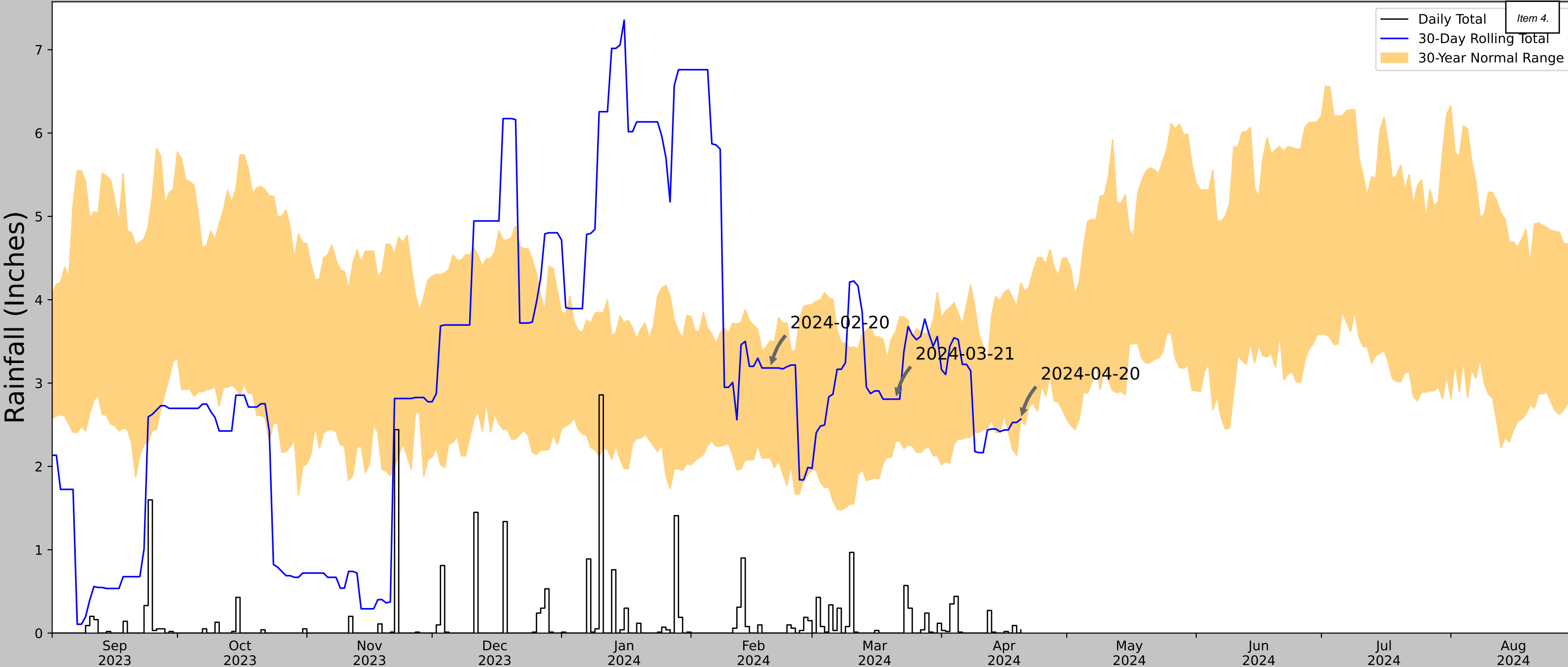
- Study Area
- Virginia-APNEP Boundary Combined
- Hydrologic Units (12-digit)



Maxar, Microsoft  
Esri Community Maps  
Contributors, VGIN, West Virginia  
GIS, © OpenStreetMap, Microsoft,  
Esri, TomTom, Garmin, SafeGraph,  
GeoTechnologies, Inc, METI/  
NASA, USGS, EPA, NPS, US  
Census Bureau, USDA, USFWS




Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	38.721, -77.8038
Observation Date	2024-04-20
Elevation (ft)	546.853
Drought Index (PDSI)	Mild drought (2024-03)
WebWIMP H <sub>2</sub> O Balance	Wet Season


30 Days Ending	30 <sup>th</sup> %ile (in)	70 <sup>th</sup> %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2024-04-20	2.56811	4.200394	2.566929	Dry	1	3	3
2024-03-21	2.301181	3.611811	2.807087	Normal	2	2	4
2024-02-20	2.101181	3.509055	3.181102	Normal	2	1	2
Result							Drier than Normal - 9



**US Army Corps  
of Engineers®**

Figures and tables made by the  
Antecedent Precipitation Tool  
Version 2.0

Developed by:  
U.S. Army Corps of Engineers and  
U.S. Army Engineer Research and  
Development Center



**ERDC**  
ENGINEER RESEARCH & DEVELOPMENT CENTER

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
RIXEYVILLE 2.5 N	38.6169, -77.9696	492.126	11.478	54.727	5.793	6145	88
RIXEYVILLE 6.1 N	38.6639, -77.9756	532.152	3.263	40.026	1.599	270	0
RIXEYVILLE 6.3 NNE	38.6696, -77.9467	481.955	3.845	10.171	1.769	65	0
CULPEPER 2.6 NW	38.5015, -78.0302	518.045	8.619	25.919	4.102	2	2
WARRENTON 6.1 S	38.628, -77.808	445.866	8.757	46.26	4.346	89	0
BOSTON 4 SE	38.5458, -78.0981	589.895	8.503	97.769	4.658	2547	0
WARRENTON 3 SE	38.6811, -77.7678	500.0	11.758	7.874	5.384	2205	145
SPERRYVILLE	38.6553, -78.2272	750.0	14.154	257.874	10.019	27	
THE PLAINS 2 NNE	38.8947, -77.7547	529.856	22.416	37.73	10.933	2	0

Warrenton United Methodist Church

Exhibit #9

Study Area Photographs

Item 4.



1. Looking southeast at the upland swale located in the northwestern corner of the study area. No state waters or Waters of the U.S. (WOTUS) are located in this portion of the study area.



2. Looking south at the maintained lawn located in the northern portion of the study area. No state waters or WOTUS are located in this portion of the study area.





3. Looking south at the swale located in the northeastern corner of the study area. No state waters or WOTUS are located in this portion of the study area.

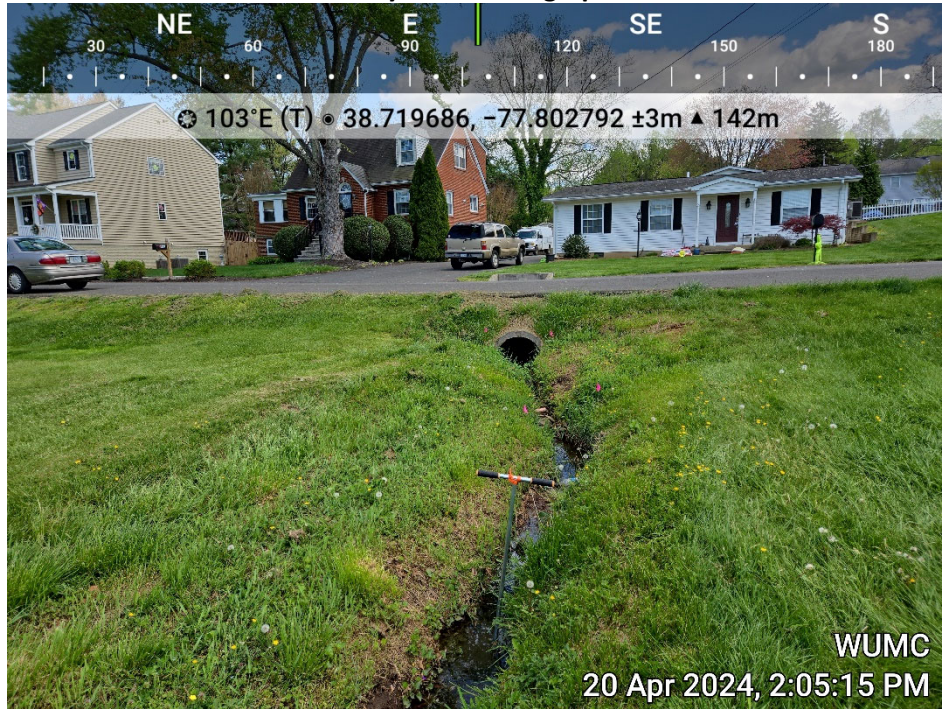


4. Looking at the yard inlet located to the east, upslope, of the stormwater swale located in the eastern portion of the study area. This inlet conveys stormwater flow along Moser Road and connected to underground stormwater pipes and outfalls west of Moser Road.



## Exhibit #9

## Study Area Photographs



5. Looking east (upslope) at the stormwater swale (Feature S-1) located along the eastern portion of the study area. Flow observed within this feature is conveyed under Moser Road onto the study area. This portion of the stormwater swale contains a contiguous ordinary high water mark (OHWM) and has been classified as an intermittent stream channel.



6. Looking west (downslope) at the stormwater swale (Feature S-1) located along the eastern portion of the study area. This portion of the stormwater swale exhibits a discontinuous OHWM; however, it has been classified as an intermittent stream channel.



## Exhibit #9

## Study Area Photographs



7. Looking west (downslope) at Data Point #1 located within the stormwater swale (Feature S-1) located in the eastern portion of the study area. Wetland hydrology and hydric soil indicators are satisfied; however, hydrophytic vegetation is not present within this swale. A continuous OHWM is lacking in this portion of this feature. However, this feature has been classified as an intermittent stream channel due to the upslope characteristics.



8. Looking east (upslope) at Data Point #2 located adjacent to the stormwater swale located in the eastern portion of the study area. The hydric soil indicator is satisfied at this location; however, wetland hydrology and hydrophytic vegetation is not present within this swale.



Warrenton United Methodist Church

Exhibit #9

Study Area Photographs

Item 4.



9. Looking north at the upland swale located in the central portion of the study area. Hydric soils and an ordinary high water mark (OHWM) are absent. No state waters or other WOTUS are located in this portion of the study area.



10. Looking at a yard inlet located within the parking lot in the central portion of the study area.





11. Looking southwest at the swale located in the southwestern portion of the study area. No state waters or WOTUS are located in this portion of the study area.



12. Looking east at the stormwater swale (Feature S-2) located within a constructed stormwater retention feature located at the western portion of the study area. A continuous ordinary high water mark and hydrophytic vegetation are not present within this feature. No wetlands or WOTUS are located within this portion of the study area.



Warrenton United Methodist Church

Exhibit #9

Study Area Photographs

Item 4.



13. Looking south at the upland swale located along Sullivan Street. No OHWM or wetland indicators are present within this swale. No state waters or other WOTUS are located in this portion of the study area.



14. Looking northeast at the Church located within the southern portion of the study area. No state waters or other WOTUS are located in this portion of the study area.



<div>U.S. Army Corps of Engineers</div> <div>WETLAND DETERMINATION DATA SHEET – Eastern Mountains and Piedmont Region</div> <div>See ERDC/EL TR-12-9; the proponent agency is CECW-CO-R</div>	<div>Item 4.</div> <div>OMB Control #: 0710-0024, Exp:11/30/2019</div> <div>Requirement Control Symbol EXEMPT:</div> <div>(Authority: AR 335-15, paragraph 5-2a)</div>
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Project/Site:	Warrenton UMC	City/County:	Town of Warrenton	Sampling Date:	4/20/24
Applicant/Owner:	RDA Civil	State:	VA	Sampling Point:	1
Investigator(s):	LLC	Section, Township, Range:			
Landform (hillside, terrace, etc.):	Swale	Local relief (concave, convex, none):	Concave	Slope (%):	2-7
Subregion (LRR or MLRA):	LRR S, MLRA 148	Lat:	38.7198	Long:	-77.8034
		Datum:	NAD83		
Soil Map Unit Name:	17B - Middleburg Loam	NWI classification:	None		
Are climatic / hydrologic conditions on the site typical for this time of year? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> (If no, explain in Remarks.)					
Are Vegetation <input type="checkbox"/> , Soil <input type="checkbox"/> , or Hydrology <input type="checkbox"/> significantly disturbed? Are "Normal Circumstances" present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
Are Vegetation <input type="checkbox"/> , Soil <input type="checkbox"/> , or Hydrology <input type="checkbox"/> naturally problematic? (If needed, explain any answers in Remarks.)					

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Remarks: Two of the three wetland parameters (i.e., hydric soil and wetland hydrology) are satisfied at this data point, which characterizes the stormwater swale located in the esatern portion of the study area.			

HYDROLOGY

<b>Wetland Hydrology Indicators:</b>		<b>Secondary Indicators (minimum of two required)</b>	
Primary Indicators (minimum of one is required; check all that apply)			
<input checked="" type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> True Aquatic Plants (B14)	<input type="checkbox"/> Surface Soil Cracks (B6)	
<input checked="" type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	
<input checked="" type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input checked="" type="checkbox"/> Drainage Patterns (B10)	
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Moss Trim Lines (B16)	
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Dry-Season Water Table (C2)	
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> Crayfish Burrows (C8)	
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)	
<input type="checkbox"/> Iron Deposits (B5)		<input type="checkbox"/> Stunted or Stressed Plants (D1)	
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		<input type="checkbox"/> Geomorphic Position (D2)	
<input type="checkbox"/> Water-Stained Leaves (B9)		<input type="checkbox"/> Shallow Aquitard (D3)	
<input type="checkbox"/> Aquatic Fauna (B13)		<input type="checkbox"/> Microtopographic Relief (D4)	
		<input type="checkbox"/> FAC-Neutral Test (D5)	
<b>Field Observations:</b>		Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Surface Water Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): 2			
Water Table Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): 0			
Saturation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): 0			
(includes capillary fringe)			
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: Date of latest rainfall: 4/19/24 0.01".			
Remarks:			

## VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: 1

Tree Stratum (Plot size: <u>30</u> )	Absolute % Cover	Dominant Species?	Indicator Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
=Total Cover			
50% of total cover: _____ 20% of total cover: _____			

Sapling/Shrub Stratum (Plot size: <u>15</u> )	Absolute % Cover	Dominant Species?	Indicator Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
=Total Cover			
50% of total cover: _____ 20% of total cover: _____			

Herb Stratum (Plot size: <u>5</u> )	Absolute % Cover	Dominant Species?	Indicator Status
1. <i>Eleocharis obtusa</i>	20	Yes	OBL
2. <i>Ludwigia alternifolia</i>	5	No	FACW
3. <i>Poa pratensis</i>	45	Yes	FACU
4. <i>Glechoma hederacea</i>	15	No	FACU
5. <i>Taraxacum officinale</i>	10	No	FACU
6. <i>Lamium purpureum</i>	15	No	UPL
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____
11. _____	_____	_____	_____
110 =Total Cover			
50% of total cover: <u>55</u> 20% of total cover: <u>22</u>			

Woody Vine Stratum (Plot size: <u>30</u> )	Absolute % Cover	Dominant Species?	Indicator Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
=Total Cover			
50% of total cover: _____ 20% of total cover: _____			

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)

**Prevalence Index worksheet:**

Total % Cover of:	Multiply by:
OBL species <u>20</u>	x 1 = <u>20</u>
FACW species <u>5</u>	x 2 = <u>10</u>
FAC species <u>0</u>	x 3 = <u>0</u>
FACU species <u>70</u>	x 4 = <u>280</u>
UPL species <u>15</u>	x 5 = <u>75</u>
Column Totals: <u>110</u> (A)	<u>385</u> (B)
Prevalence Index = B/A = <u>3.50</u>	

**Hydrophytic Vegetation Indicators:**

- 1 - Rapid Test for Hydrophytic Vegetation
  - 2 - Dominance Test is >50%
  - 3 - Prevalence Index is  $\leq 3.0^1$
  - 4 - Morphological Adaptations<sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
- Problematic Hydrophytic Vegetation<sup>1</sup> (Explain)

<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Definitions of Four Vegetation Strata:**

**Tree** – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

**Sapling/Shrub** – Woody plants, excluding vines, less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

**Herb** – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

**Woody Vine** – All woody vines greater than 3.28 ft in height.

**Hydrophytic Vegetation Present?**Yes        No X

Remarks: (Include photo numbers here or on a separate sheet.)  
No tree, sapling/shrub or woody vine strata present.



## SOIL

Sampling Point: \_\_\_\_\_

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-4	10YR 3/2	90	5YR 5/8	10	C	M	Loamy/Clayey	Prominent redox concentrations
								Many small rocks
4-18	5Y 4/2	95	10YR 4/3	5	C	M	Loamy/Clayey	Distinct redox concentrations
								Gravel present

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.<sup>2</sup>Location: PL=Pore Lining, M=Matrix.**Hydric Soil Indicators:**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Polyvalue Below Surface (S8) ( <b>MLRA 147, 148</b> )
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Thin Dark Surface (S9) ( <b>MLRA 147, 148</b> )
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) ( <b>MLRA 136</b> )
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input type="checkbox"/> Stratified Layers (A5)	<input checked="" type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> 2 cm Muck (A10) ( <b>LRR N</b> )	<input checked="" type="checkbox"/> Redox Dark Surface (F6)
<input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Dark Surface (F7)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Depressions (F8)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Iron-Manganese Masses (F12) ( <b>LRR N, MLRA 136</b> )
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Umbric Surface (F13) ( <b>MLRA 122, 136</b> )
<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Piedmont Floodplain Soils (F19) ( <b>MLRA 148</b> )
<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (F21) ( <b>MLRA 127, 147, 148</b> )
<input type="checkbox"/> Dark Surface (S7)	

**Indicators for Problematic Hydric Soils<sup>3</sup>:**

<input type="checkbox"/> 2 cm Muck (A10) ( <b>MLRA 147</b> )
<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> ( <b>MLRA 147, 148</b> )
<input type="checkbox"/> Piedmont Floodplain Soils (F19)
<input type="checkbox"/> ( <b>MLRA 136, 147</b> )
<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> ( <b>outside MLRA 127, 147, 148</b> )
<input type="checkbox"/> Very Shallow Dark Surface (F22)
<input type="checkbox"/> Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.**Restrictive Layer (if observed):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes ☒ No ☐

Remarks:

<b>U.S. Army Corps of Engineers</b> <b>WETLAND DETERMINATION DATA SHEET – Eastern Mountains and Piedmont Region</b> See ERDC/EL TR-12-9; the proponent agency is CECW-CO-R	<div style="border:1px solid black; padding:2px; display:inline-block;">Item 4.</div> OMB Control #: 0710-0024, Exp:11/30 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
--	--

Project/Site: Warrenton UMC City/County: Town of Warrenton Sampling Date: 4/20/24  
Applicant/Owner: RDA Civil State: VA Sampling Point: 2  
Investigator(s): LLC Section, Township, Range: \_\_\_\_\_  
Landform (hillside, terrace, etc.): Swale Local relief (concave, convex, none): Concave Slope (%): 2-7  
Subregion (LRR or MLRA): LRR S, MLRA 148 Lat: 38.719826 Long: -77.803393 Datum: NAD83  
Soil Map Unit Name: 17B - Middleburg Loam NWI classification: None  
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No \_\_\_\_\_ (If no, explain in Remarks.)  
Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ significantly disturbed? Are "Normal Circumstances" present? Yes X No \_\_\_\_\_  
Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes _____ No <u>X</u> Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes _____ No <u>X</u>	<b>Is the Sampled Area within a Wetland?</b> Yes _____ No <u>X</u>
---	--

Remarks:  
Only one of the three wetland parameters (i.e., hydric soil) is satisfied at this location, which documents the constructed stormwater swale located in the eastern portion of the study area.

**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b> <u>Primary Indicators (minimum of one is required; check all that apply)</u> ____ Surface Water (A1)      ____ True Aquatic Plants (B14) ____ High Water Table (A2)      ____ Hydrogen Sulfide Odor (C1) ____ Saturation (A3)      ____ Oxidized Rhizospheres on Living Roots (C3) ____ Water Marks (B1)      ____ Presence of Reduced Iron (C4) ____ Sediment Deposits (B2)      ____ Recent Iron Reduction in Tilled Soils (C6) ____ Drift Deposits (B3)      ____ Thin Muck Surface (C7) ____ Algal Mat or Crust (B4)      ____ Other (Explain in Remarks) ____ Iron Deposits (B5) ____ Inundation Visible on Aerial Imagery (B7) ____ Water-Stained Leaves (B9) ____ Aquatic Fauna (B13)	<u>Secondary Indicators (minimum of two required)</u> ____ Surface Soil Cracks (B6) ____ Sparsely Vegetated Concave Surface (B8) ____ Drainage Patterns (B10) ____ Moss Trim Lines (B16) ____ Dry-Season Water Table (C2) ____ Crayfish Burrows (C8) ____ Saturation Visible on Aerial Imagery (C9) ____ Stunted or Stressed Plants (D1) ____ Geomorphic Position (D2) ____ Shallow Aquitard (D3) ____ Microtopographic Relief (D4) ____ FAC-Neutral Test (D5)
---	--

<b>Field Observations:</b> Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	<b>Wetland Hydrology Present?</b> Yes _____ No <u>X</u>
--	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:  
Date of latest rainfall: 4/19/24 0.01".

Remarks:



## VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: 2

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
_____ = Total Cover			
50% of total cover: _____	20% of total cover: _____		

Sapling/Shrub Stratum (Plot size: 15)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
_____ = Total Cover			
50% of total cover: _____	20% of total cover: _____		

Herb Stratum (Plot size: 5)	Absolute % Cover	Dominant Species?	Indicator Status
1. <i>Oxalis sp.</i>	15	No	
2. <i>Rumex crispus</i>	5	No	FAC
3. <i>Poa pratensis</i>	95	Yes	FACU
4. <i>Glechoma hederacea</i>	10	No	FACU
5. <i>Taraxacum officinale</i>	10	No	FACU
6. <i>Lamium purpureum</i>	15	No	UPL
7. <i>Anthoxanthum odoratum</i>	10	No	FACU
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____
11. _____	_____	_____	_____
160 = Total Cover			
50% of total cover: 80	20% of total cover: 32		

Woody Vine Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
_____ = Total Cover			
50% of total cover: _____	20% of total cover: _____		

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

**Prevalence Index worksheet:**

Total % Cover of:	Multiply by:
OBL species 0	x 1 = 0
FACW species 0	x 2 = 0
FAC species 5	x 3 = 15
FACU species 125	x 4 = 500
UPL species 15	x 5 = 75
Column Totals: 145 (A)	590 (B)
Prevalence Index = B/A = 4.07	

**Hydrophytic Vegetation Indicators:**

1 - Rapid Test for Hydrophytic Vegetation

2 - Dominance Test is >50%

3 - Prevalence Index is  $\leq 3.0^1$

4 - Morphological Adaptations<sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)

Problematic Hydrophytic Vegetation<sup>1</sup> (Explain)

<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Definitions of Four Vegetation Strata:**

**Tree** – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

**Sapling/Shrub** – Woody plants, excluding vines, less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

**Herb** – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

**Woody Vine** – All woody vines greater than 3.28 ft in height.

**Hydrophytic Vegetation**

Present? Yes \_\_\_\_\_ No X

Remarks: (Include photo numbers here or on a separate sheet.)  
No tree, sapling/shrub or woody vine strata present.

## SOIL

Sampling Point: \_\_\_\_\_

Item 4.

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-2	10YR 2/2	100					Loamy/Clayey	Many fine roots
2-8	10YR 4/2	75	7.5YR 4/4	15	C	PL/M	Loamy/Clayey	
			10YR 4/1	10	D	M		
8-18	10YR 4/4	85	5YR 4/6	5	C	M	Loamy/Clayey	
			10YR 4/1	10	D	M		

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.<sup>2</sup>Location: PL=Pore Lining, M=Matrix.**Hydric Soil Indicators:**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Polyvalue Below Surface (S8) ( <b>MLRA 147, 148</b> )
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Thin Dark Surface (S9) ( <b>MLRA 147, 148</b> )
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) ( <b>MLRA 136</b> )
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input type="checkbox"/> Stratified Layers (A5)	<input checked="" type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> 2 cm Muck (A10) ( <b>LRR N</b> )	<input type="checkbox"/> Redox Dark Surface (F6)
<input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Dark Surface (F7)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Depressions (F8)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Iron-Manganese Masses (F12) ( <b>LRR N, MLRA 136</b> )
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Umbric Surface (F13) ( <b>MLRA 122, 136</b> )
<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Piedmont Floodplain Soils (F19) ( <b>MLRA 148</b> )
<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (F21) ( <b>MLRA 127, 147, 148</b> )
<input type="checkbox"/> Dark Surface (S7)	

**Indicators for Problematic Hydric Soils<sup>3</sup>:**

<input type="checkbox"/> 2 cm Muck (A10) ( <b>MLRA 147</b> )
<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> ( <b>MLRA 147, 148</b> )
<input type="checkbox"/> Piedmont Floodplain Soils (F19)
<input type="checkbox"/> ( <b>MLRA 136, 147</b> )
<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> ( <b>outside MLRA 127, 147, 148</b> )
<input type="checkbox"/> Very Shallow Dark Surface (F22)
<input type="checkbox"/> Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.**Restrictive Layer (if observed):**Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_Hydric Soil Present? Yes ☒ No ☐

Remarks:



# DEQ Stream Identification Field Data Form

Project/Site: WUMC City/County: Town of Warrenton Date: 4/20/2024 Applicant/Owner:  
RDA Civil Investigator(s): Lauren Conner Landform (hillslope, terrace, etc.): Stream  
Valley/Terrace Local relief (concave, convex, none): Concave Slope (%): 0-3  
 Lat: 38.7197 Long: -77.8028 Datum: NAD 83

<p><b>SUMMARY OF FINDINGS – Attach site map showing sampling point locations within and upstream of the head of the stream.</b></p> <p>Stream bed present: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Stream bank present: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OHWM present: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Stream Identified: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Stream Reach 1-A (A/B Flagging Series in eastern portion of study area).</p>
---	---

<p>Site overview from remote and online resources.</p> <p><b>Check boxes for online resources used to evaluate site:</b></p> <p><input type="checkbox"/> Gage data <input checked="" type="checkbox"/> LIDAR</p> <p><input type="checkbox"/> Regional Curve Data <input checked="" type="checkbox"/> Soil Survey</p> <p><input type="checkbox"/> Climatic data <input checked="" type="checkbox"/> Topographic Maps</p> <p><input checked="" type="checkbox"/> Aerial photos <input checked="" type="checkbox"/> Other</p>	<p>Describe land use and flow regime conditions from online resources.</p> <p><b>Were there any recent extreme events (flooding or drought)?</b></p> <p>Per the National Weather Service, the last rainfall event was 0.01" on 4/19/2024.</p>
--	---

<p><b>Check the boxes next to the field indicators used in stream determination:</b></p> <p><u>Geomorphic Indicators:</u></p> <p><input checked="" type="checkbox"/> <b>Channel Bank Features</b></p> <p><input type="checkbox"/> Natural line impressed on bank (above or below bankfull)</p> <p><input type="checkbox"/> Undercut bank</p> <p><input type="checkbox"/> Break in slope (on bank or at valley bottom)</p> <p><input type="checkbox"/> Continuous bed and bank</p> <p><input checked="" type="checkbox"/> Shelving (Top of bank, natural levee, or other)</p> <p><input type="checkbox"/> Clear bankfull storm event indicators present</p> <p><input type="checkbox"/> <b>Channel Bars</b></p> <p><input type="checkbox"/> Shelving (on bar)</p> <p><input type="checkbox"/> Unvegetated (on bar)</p> <p><input type="checkbox"/> Vegetation transition (on bar)</p> <p><input type="checkbox"/> Sediment transition or sorting (on bar)</p> <p><input type="checkbox"/> Upper limit of deposition (on bar)</p>
---

**☐ Channel Bed / Bedload Transport Evidence**

- ☒ Depositional (deposited sediment, lateral bars, mid channel bars, etc.)
- ☐ Bedform features (riffle, pool, steps, etc.)
- ☒ Erosional (scour, smoothing, etc.)
- ☐ Secondary channel (lateral or parallel along the same valley or floodplain)
- ☒ Evidence of thalweg
- ☐ Headcuts (with other evidence)
- ☐ Hydric soil development (changes in the character of soil)
- ☐ Mudcracks (found within an unvegetated flow path/channel)
- ☐ Changes in particle-size distribution (sediment sorting)

**Vegetation Indicators:****☐ Change in Vegetation Type / Density**

- ☐ Vegetation absent (channel bed)
- ☒ Vegetation matted down or bent (channel bed or bars)
- ☐ Exposed roots below intact soil layer (channel banks)
- ☐ Destruction of terrestrial vegetation (channel banks, top of bank, etc.)
- ☐ Change in plant community (transition from channel bed to floodplain)

**Ancillary Indicators:**

- ☐ Wracking/presence of organic litter (along channel banks or floodplain)
- ☐ Presence of obstacle marks (i.e. erosion/sedimentation around large obstacles in flow path)
- ☒ Leaf litter disturbed or absent
- ☐ Water staining
- ☐ Weathered clast or bedrock
- ☐ Deposited sediment within leaf pack (floodplain)

**Other observed Indicators and/or additional observations?**

Stormwater swale connecting a yard inlet across Moser Road and an inlet at the parking lot in the central portion of the study area. This stormwater feature is located within a manmade swale at this location. Feature lacks a continuous ordinary high water mark (OHWM). A data point conducted within this feature documents the presence of hydric soils and hydrology due to surface water after recent precipitation event.

**Describe rationale for location of stream and provide supporting evidence for stream identification:****Chesapeake Bay Preservation Act Flow Regime Determination (if applicable): Site within CBPA locality? ☐ Yes ☒ No****If Yes, which flow regime determination was used:**

☐ NC DWQ ☒ Fairfax ☐ James City County

**Flow Regime Determination Results:** ☐ Ephemeral ☒ Intermittent ☐ Perennial

*Note: Please refer to the “USACE 2022 National OHWM Field Delineation Manual for Rivers and Streams: Interim Version” at <http://dx.doi.org/10.21079/11681/46102> for detail on terminology.*



# Fairfax County DPWES Perennial Stream Field Identification Protocol

Site ID:	1-A	Flags:	A-1 to A-12
Date:	4/20/2024	Recorder:	LLC
Time:	14:00	Evaluators:	LLC

## Field Indicators:

I.) Streamflow and Hydrology	Absent	Weak	Moderate	Strong	Parameter Score:
1.) Presence or absence of flowing water and >48 hrs since last rainfall	0	1	2	3	1
2.) Presence of high groundwater table or seeps and springs	0	1	2	3	1
3.) Leaf litter in streambed	1.5	1	0.5	0	1
4.) Drift Lines	0	0.5	1	1.5	0.5
5.) Sediment on debris or plants	0	0.5	1	1.5	0
Total Streamflow and Hydrology Points:					3.5

II.) Geomorphology	Absent	Weak	Moderate	Strong	
1.) Riffle-pool sequence	0	1	2	3	0
2.) Sequence Sorting (USDA texture)	0	1	2	3	1
3.) Natural Levees	0	1	2	3	0
4.) Sinuosity	0	1	2	3	0
5.) Active or Relic Floodplain	0	1	2	3	1
6.) Braided Channel	0	1	2	3	0
7.) Recent Alluvial Deposits	0	1	2	3	1
8.) Bankfull Bench present	0	1	2	3	0
9.) Continuous Bed and Bank	0	1	2	3	1
10.) 2nd order or greater channel present	Yes = 3		No = 0		0
Total Geomorphology Points:					4

## III.) Streambed Soils

1.) Redoximorphic features present in sides of channel or head cut.	Present = 0		Absent = 1.5		0
2.) Chroma	Gleyed = 3	1 = 2	2 = 1	>2 = 0	2
Total Streambed Soils Points:					2

IV.) Vegetation	Absent	Weak	Moderate	Strong	
1.) Rooted Aquatic Plants in Streambed	0	1	2	3	0
2.) Presence of Periphyton/green algae	0	1	2	3	0
3.) Iron Oxidizing Bacteria/Fungus	0	0.5	1	1.5	0.5
4.) Wetland Plants in Streambed (Skip if no plants present in streambed)					
	Mostly SAV = 3	Mostly OBL = 2	FACW = 1	Mostly FAC = 0.5	Mostly FACU, UPL, or None = 0
Total Vegetation Points:					1.5

## Comments:

Blunt spike rush (*Eleocharis obtusa* ; OBL) and marsh seedbox (*Ludwigia alternifolia* ; FACW) observed in channel. Note that most of the plants observed within the channel were FACW.

Front Page Total 9 Points

### Fairfax County DPWES Perennial Stream Field Identification Protocol

Site ID: 1-A

Flags: A-1 to A-12

Parameter  
Score:

**V.) Benthic Macroinvertebrates**

	Absent	Weak	Moderate	Strong	
1.) Benthic Macroinvertebrates	0	0.5	1	1.5	0
2.) Bivalves	0	1	2	3	0
3.) EPT Taxa	Present = 3		Absent = 0		0

**Total Benthic Macroinvertebrate Points:** 0

**VI.) Vertebrates**

	Absent	Weak	Moderate	Strong	
1.) Fish	0	0.5	1	1.5	0
2.) Amphibians	0	0.5	1	1.5	0

**Total Vertebrate Points:** 0

**Benthics/Amphibians Found:**

Comments:

No fish, amphibians or other animals found.

**Total Points:** 9

**Weather Observations**Date of Last Rainfall: 4/19/2024Rainfall Amount: 0.01"Weather Data Source: National Weather Service



**NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams  
and Their Origins v. 4.11**

**NC DWQ Stream Identification Form Version 4.11**

<b>Date:</b> 4/20/2024	<b>Project/Site:</b> Warrenton UMC <b>Stream Reach 1-A</b>	<b>Latitude:</b> 38.7196
<b>Evaluator:</b> Lauren Conner	<b>County:</b> Town of Warrenton	<b>Longitude:</b> -77.8027
<b>Total Points:</b> <i>Stream is at least intermittent if <math>\geq 19</math> or perennial if <math>\geq 30</math>*</i> <b>16.5</b>	<b>Stream Determination (circle one)</b> Ephemeral <b>Intermittent</b> Perennial	<b>Other</b> <i>e.g. Quad Name:</i> Warrenton, Virginia

A. Geomorphology (Subtotal = <u>4.5</u> )	Absent	Weak	Moderate	Strong	Parameter Score:
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	2	3	1
2. Sinuosity of channel along thalweg	0	1	2	3	0
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3	0
4. Particle size of stream substrate	0	1	2	3	1
5. Active/relict floodplain	0	1	2	3	1
6. Depositional bars or benches	0	1	2	3	0
7. Recent alluvial deposits	0	1	2	3	1
8. Headcuts	0	1	2	3	0
9. Grade control	0	0.5	1	1.5	0
10. Natural valley	0	0.5	1	1.5	0.5
11. Second or greater order channel	No = 0		Yes = 3		0

<sup>a</sup> artificial ditches are not rated; see discussions in manual

**B. Hydrology (Subtotal = 6.5)**

12. Presence of Baseflow	0	1	2	3	1
13. Iron oxidizing bacteria	0	1	2	3	1
14. Leaf litter	1.5	1	0.5	0	1
15. Sediment on plants or debris	0	0.5	1	1.5	0
16. Organic debris lines or piles	0	0.5	1	1.5	0.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3		3

**C. Biology (Subtotal = 5.5)**

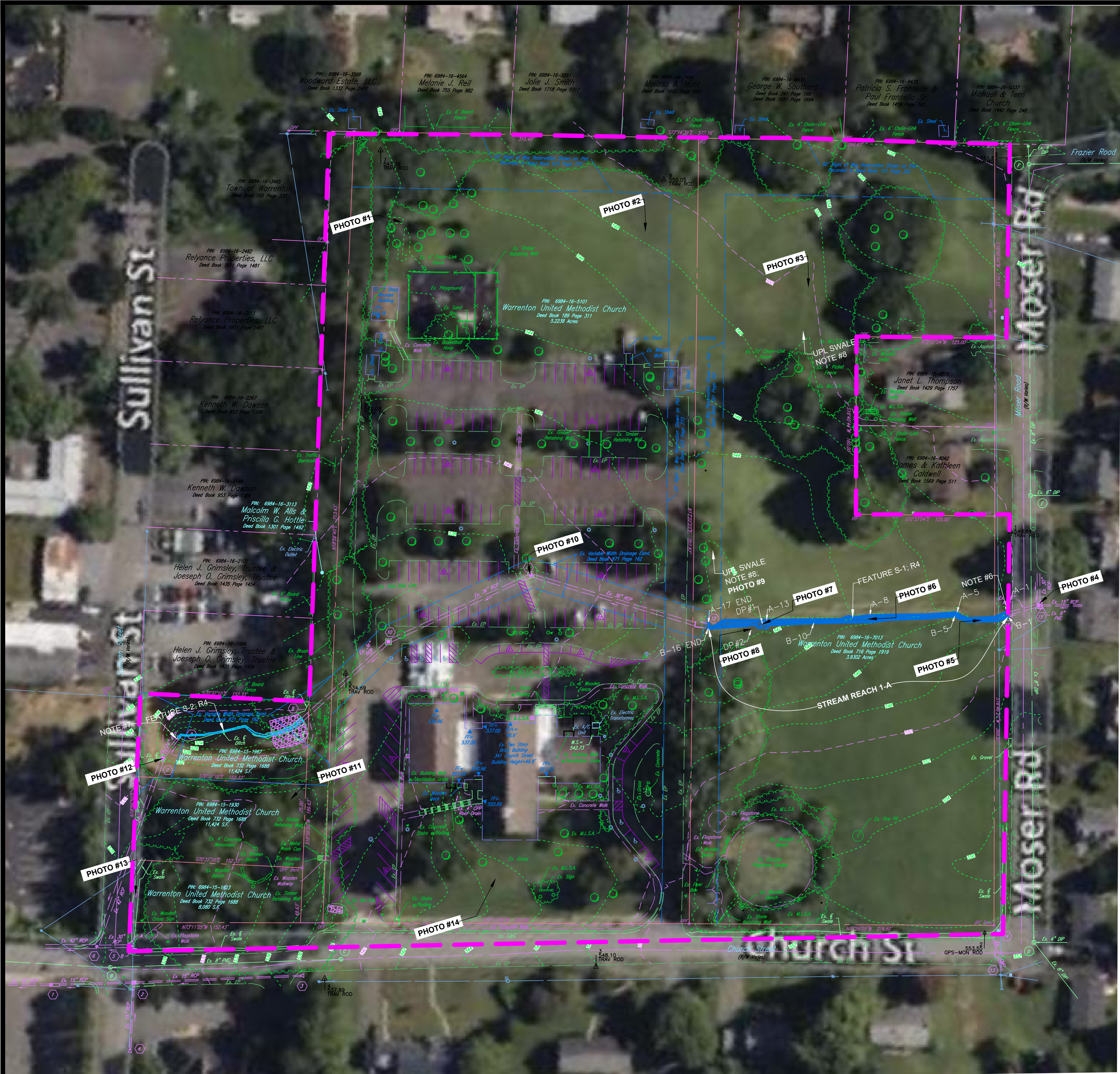
18. Fibrous roots in streambed	3	2	1	0	2
19. Rooted upland plants in streambed	3	2	1	0	2
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3	0
21. Aquatic Mollusks	0	1	2	3	0
22. Fish	0	0.5	1	1.5	0
23. Crayfish	0	0.5	1	1.5	0
24. Amphibians	0	0.5	1	1.5	0
25. Algae	0	0.5	1	1.5	0
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other				1.5

\*perennial streams may also be identified using other methods. See p. 35 of manual.

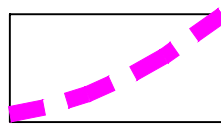
**Total Reach Score:** 16.5

Notes: Blunt spike rush (*Eleocharis obtusa*; OBL), marsh seedbox (*Ludwigia alternifolia*; FACW), Kentucky bluegrass (*Poa pratensis*; FACU), ground ivy (*Glechoma hederacea*; FACU), dandelion (*Taraxacum officinale*; FACU) and purple dead nettle (*Lamium purpureum*; UPL) observed in stream channel. No macroinvertebrates, fish or amphibians observed within the channel.

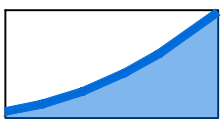




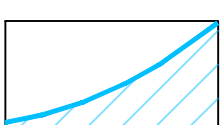
LEGEND



STUDY AREA



INTERMITTENT STREAM CHANNEL (R4)



APPROXIMATE INTERMITTENT STREAM CHANNEL (R4)



DATA POINT

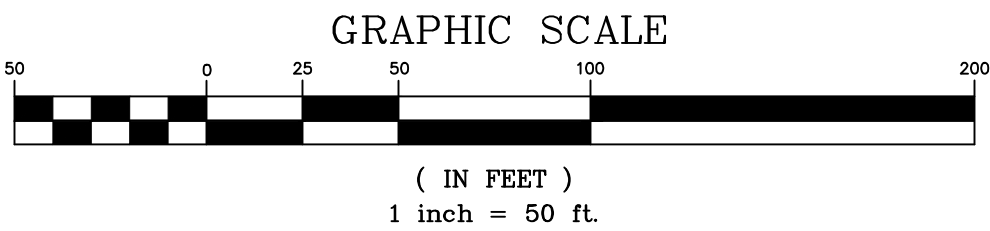
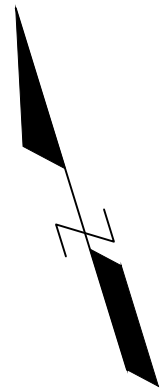
WARRENTON UMC							
SUMMARY OF WETLANDS AND WOTUS WITHIN STUDY AREA							
Water ID	Latitude	Longitude	Cowardin Class	Stream (Linear Feet)	Area (Square Feet)	Area (Acres)	Class of Aquatic Resource (Tidal/Non-tidal, Section 10/404, etc.)
S-1	38.71970	-77.80290	R4	272	973	0.02	Non-tidal, Section 401
S-2	38.71990	-77.80530	R4	120	202	<0.01	Non-tidal, Section 401
TOTAL				392	1,175	0.03	

Cowardin Classification  
R4 = Intermittent Stream Channel

- Notes:
1. Wetland and waters of the U.S. (WOTUS) delineation field work was completed on April 20, 2024 by Lauren Conner, PWS, PWD, VSWD. Wetland and stream delineation flagging was located by InterAgency, Inc. (IA) via GPS (with submeter accuracy) on April 20, 2024.
  2. The horizontal datum is based on the Virginia South State Plane Coordinate System, North American Datum, 1983. The vertical datum was established using GPS methods and is based on the National Geodetic Vertical Datum NAVD 1988. Topographic and base information provided to InterAgency, Inc. by RDA Civil on March 19, 2024. Natural color aerial imagery from Microsoft Bing (copyright 2023) was utilized as a base for this exhibit.
  3. The wetland delineation has been completed pursuant to Virginia Department of Environmental Quality (DEQ) and the U.S. Army Corps of Engineers (USACE) 1987 wetland delineation manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0), dated November 2010.
  4. As the study area is ±11 acres, transects were established and the study area was systematically searched for wetlands and other WOTUS.
  5. Jurisdictional features within the study area were flagged with pink-glo vinyl flagging. The data point location was denoted using pink-glo and orange-glo vinyl flagging.
  6. This jurisdictional feature originates upslope, outside of the study area.
  7. This jurisdictional feature continues downslope, outside of the study area.
  8. Upland swale feature lacks hydric soil and a contiguous ordinary high water mark (OHWM); therefore, this is not a jurisdictional feature to DEQ or the USACE.

Exhibit #12: Wetlands and Waters of the U.S. (WOTUS) Delineation Map  
Warrenton United Methodist Church (WUMC)

Prepared By: InterAgency, Inc. Prepared For: RDA Civil Date: April 2024 Scale: 1" = 50' Draft: LLC







WALSH COLUCCI  
LUBELEY & WALSH PC

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Fax: (703) 680-2161

August 23, 2024

Via Hand Delivery

Denise M. Harris  
Town of Warrenton  
P.O. Box 341  
Warrenton, VA 20188

RECEIVED  
TOWN OF WARRENTON

AUG 23 2024

Community Development

Re: ZMA 2023-01, Warrenton United Methodist Church/Hero's Bridge  
Resubmission and Comment Response Letter

Dear Denise:

As a response to the agency comments received to date, and in preparation for the Planning Commission hearing on September 17, 2024, please find the following resubmission materials compiled into ten (10) individual packages.

1. Copy of the draft Proffer Statement, dated August 13, 2024, with copies of the executed signed pages. Please note that the top Proffer Statement is an original and fully executed document;
2. Copy of the redlined proffers reflecting revisions from the version dated June 12, 2024;
3. Copy of the Order of Confirmation of Current Church Trustees and Authorization of Trustees to Sign Land Use Application Affidavit; and
4. Copy of the approval documentation associated with the special use permit for Warrenton United Methodist Church to operate a pre-school program.

Please note that only weaknesses/items to be addressed are listed below.

ATTORNEYS AT LAW

703 680 4664 • WWW.THELANDLAWYERS.COM  
4310 PRINCE WILLIAM PARKWAY • SUITE 300 • WOODBRIDGE, VA 22192-5199

ARLINGTON 703 528 4700 • LOUDOUN 703 737 3633

Planning Staff, dated July 15, 2024	
Agency Comment	Applicant's Response
<p><b><u>General</u></b></p> <p>Va. Code section 57-8 et seq. pertains to any encumbrance or conveyance of a church property requires the execution of a deed by all trustees appointed by the Circuit Court at the request of church authorities. The submission includes the signed affidavits from two trustees; however, a copy of the latest appointment order is needed to ensure the rezoning application is authorized. Please provide.</p>	<p>A copy of the Order of Confirmation of Current Church Trustees and Authorization of Trustees to Sign Land Use Application Affidavit is included with this resubmission. The executed proffers are signed by all trustees. Trustee Harry Zullo is deceased and Trustee John Urego has resigned.</p>
<p><b><u>General</u></b></p> <p>The Statement of Justification states that residents are screened for barrier crimes, sex offenses, and active drug use (page 4 of 6, #7), however those restrictions are not enforceable unless proffered.</p>	<p>The proffers have been amended to accommodate this comment. Please see Proffer #2.a.v.</p>
<p><b><u>General</u></b></p> <p>The Applicant clarified the unit type in Proffer 2.a.i and the cover letter at page 4, stating that the units are duplexes, however R-PUD doesn't allow duplexes. The Council can craft a waiver for this provision, but it adds to the impression that this proposal is contrary to the Comprehensive Plan. This impression is increased by the failure to include any residential uses permitted in the underlying base zoning district and by the failure to provide more than one dwelling type.</p>	<p>Please see the revised proffers. The residential unit has been further clarified. Proffer #2.a. now says "twenty-two (22) two-family residential dwelling units (forty-four (44) dwelling units total)."</p>
<p><b><u>General</u></b></p> <p>As worded, Proffers 2.b. and 2.c. make no commitments, merely referencing what the small office/community center and the multipurpose recreational center "may include."</p>	<p>This language was used to allow for flexibility for Warrenton United Methodist Church and Hero's Bridge. The Applicant has changed "may" to "shall" for the Small Office / Community Center, but still requires flexibility for the Multipurpose</p>



	Recreational Center. The Center may not be built for years yet to come, and is dependent upon the financial ability of the parties to construct it.
<p><b><u>General</u></b></p> <p>In the cover letter, at pages 5-6, the Applicant disclaims any ability under applicable law to limit residency to veterans. Despite this, the Application contains many references to services to veterans – even though the Applicant admits that it has no ability to limit its services to that population. The Applicant has offered no age-restricted covenant to be recorded as a property restriction. Virginia Code § 36-96.7 (A) provides for three different ways to lawfully limit housing for older persons, and the Applicant has not indicated which it seeks to use. There is reference to age 65, but § 36-96.7 does not offer that as an option. One provision of Section 36-96.7, namely (A)(iii), merely requires one person 55 or older to occupy a unit, and the other occupants can be of any age.</p>	<p>Additional research into the Housing for Older Persons Act suggests that it is possible to limit the class of tenants to veterans, so long as there is no discrimination on any statutorily or constitutionally prohibited basis.</p> <p>This firm has extensive experience with age restricted housing in Virginia. Virginia Code § 36-96.7 is modeled directly on federal law. Without these statutes, age discrimination would be illegal under both federal and state law.</p> <p>Under both, there are two principal classifications for housing that may be lawfully restricted to older persons. The first is a restriction of at least 80% of the occupied units such that they are occupied by “at least” one person 55 years of age or older per unit, and the second is housing intended for and solely occupied by persons 62 years of age or older.</p> <p>A revised proffer has been drafted to reflect the Applicant’s commitment to the latter of these provisions, and a commitment that all such units will be so restricted. Please see Proffer #2.a.iv.</p>
<p><b><u>General</u></b></p> <p>Please call out the bicycle rack identified in the proffers in the plans. Or revise proffer 14 to remove the reference to the plans.</p>	<p>Proffer #14 has been revised. The location of the bike rack will be shown with future revisions to the plans.</p>
<p><b><u>General</u></b></p> <p>There is no commitment to build Phase II in the proffers. In the cover letter on page 3, Hero’s</p>	<p>This language was used to allow for flexibility for Warrenton United Methodist Church and Hero’s Bridge. The Applicant</p>

Bridge proposes but does not commit to any staffing levels, rendering any discussion about services irrelevant to consideration of the rezoning.	has changed may to shall for the Small Office / Community Center, but still requires flexibility for the Multipurpose Recreational Center. That Center may not be built for years yet to come, and is dependent upon the financial ability of the parties to construct it.
<p><b><u>General</u></b></p> <p>The Statement of Justification at page 3 says that “few of Hero’s residents will have cars,” but offers no support for such a statement. Other such observations could be made, such as the limited amenities, the failure to proffer against spill over lighting, and the lack of a commitment to screening for illegal drug use, and all these observations lead to one key question. The Application speaks to the mission of the applicants; however, please keep in mind this is a land use entitlement requires that runs with the land. If approved, what would happen to the residential units should the church or non-profit cease to be involved in the land?</p>	<p>In Hero Bridge’s extensive experience, it has observed that few of its clients have cars. As its engineer has reported, there is no ITE classification for this use so he has employed the closest equivalents possible to estimate trip generation.</p> <p>With respect to what might happen to this property should Hero’s Bridge or the Church cease to own and operate the homes that are proposed in this rezoning, the answer is that another user would be at liberty to acquire the site — in the recognition that it could not be used for any other purpose than that which is proffered in this application, and that the land would have to be used consistently with those proffers or that a proffer amendment would be required.</p>
<p><b><u>General</u></b></p> <p>Please clarify the “portion of GPIN 6984-16-5101 being proposed to be rezoned.” Will this create a split zone parcel or is the Applicant proposing a different solution. Staff recommends the entirety of a parcel be contained in a rezoning request.</p>	<p>We do not have the ability to include all of GPIN 6984-16-5101 in the rezoning. This has not been amended.</p>
<p><b><u>General</u></b></p> <p>The Applicant should carefully review the Zoning Ordinance to ensure all waivers and modifications requests are captured.</p>	<p>Please see the earlier comments with respect to the effect of the Rowland opinion, which holds that accepted proffers are not waivers or modifications of a zoning ordinance, but become</p>



	<p>provisions of the zoning ordinance applicable to a given parcel.</p> <p>It should be noted that all proffers must, of course, be approved by the Town Council. The same would be the case with respect to those matters that the Town considers waivers and modifications, but waivers and modifications are not part of the zoning ordinance. A proffer is a part of the zoning ordinance, once accepted by the Town Council.</p>
<p><b><u>General</u></b></p> <p>Please provide information regarding the existing Special Use Permit for the Planning Commission and how it relates to the current proposal.</p>	<p>Approval documentation for the existing special use permit for Warrenton United Methodist Church to operate a pre-school program dated August 1, 1989, is included with this resubmission. There are no restrictions on the use. Following this rezoning the Church and pre-school program will be permitted by-right.</p>
<p><b><u>Plan Warrenton 2040</u></b></p> <p>Staff Comment: Please update the Statement of Justification to address these components of the comprehensive plan and address how the Concept Development Plan and elevations meet the comprehensive plan goals. Of particular concern is the varying descriptions of the rezoning proposal makes it is impossible at this time to determine if the application is in conformance with the Future Land Use Map Medium Density designation that states up to 5 dwelling units per acre. Please advise as a Comprehensive Plan Amendment may be required with the rezoning application.</p> <p>Update: The resubmission states the Application meets the medium density identified in the Comprehensive Plan. There are no elevations included in the Concept Development Plan resubmission to assess if the proposal meets</p>	<p>The proposal allows for a transitional area between the existing Church and residential homes. The proposal is context sensitive and respects the existing character of the area. The Comprehensive Plan states that “the Town supports infill development that contributes to the Town’s small town feeling where neighbors know their neighbors.” The Church is partnering with Hero’s Bridge to provide a needed service with the community, and the Applicant has met with the neighbors to discuss the proposal. Hero’s Bridge wants to become part of the community the way the Church and residents nearby have done.</p>

attractive infill development that protects the existing character of the neighborhood.	
<p><b><u>Transportation and Circulation Goals</u></b></p> <p>Staff Comment: The Applicant should review these goals and address them in the resubmission. In addition, the Applicant should further explain the provided bus/van service, how it will be utilized, and if infrastructure (shelters, etc.) will be provided for it. Likewise, the Statement of Justification indicates “daily visits from social workers, assistance with veterans’ benefits, visitors. The Applicant states there will be a total of 947 vehicle trips per day, an increase from the estimated current volume of 182 trips per day generated by the church. This is a substantial increase on neighborhood streets with no proposed improvements.</p> <p>Update: The Town has a goal of walkability. While the resubmission addresses sidewalks to the west of the property, it does not include sidewalks around the entire proposed R-PUD. There remain concerns about the amount of new traffic this site may generate. Although the Applicant states few residents will drive, there is nothing to substantiate this statement leaving staff to use the ITE Trip Generate manual to determine potential outcomes. Assuming the Applicant will guarantee in some fashion the age restriction, the following is an example from the 9<sup>th</sup> Edition of the ITE Trip Generation Manual (there are newer editions of the ITE Manual that should be utilized):</p> <ul style="list-style-type: none"> <li>• Senior Adult Housing – Attached Average Rate 3.44 per Dwelling Unit</li> <li>• Church 1000 square feet Average Rate 9.11</li> <li>• Private School (K-8) for the SUP Approved Private Pre-School Needs to be Calculated on number of students and employees</li> </ul>	<p>The ITE numbers that are referenced in this comment do not apply to the use proposed. Thus, for example, the senior adult housing trip generation assumes, at the very least, a husband and wife in independent living. That is not what is proposed here, and that trip generation estimate has no application. Single resident units, and few vehicles owned, will not generate the vehicle trips referenced in the comment.</p> <p>The Applicant’s engineer has already engaged in the exercise of calculating estimated traffic generation from each of the other buildings in determining the trip generation from the site.</p>



<ul style="list-style-type: none"> <li>• Office General/Medical/Community Center needs to be developed on number of employees and square footage</li> <li>• Recreational Community Center please determine appropriate category and trip generations for proposed use</li> </ul> <p>Please reference how the vehicle trips were developed and the break down of proposed uses with peak hours in more specificity to be reviewed.</p>	
<p><b><u>Community Facilities Goals</u></b></p> <p>Update: The Applicant widened the trail to 20' to accommodate emergency services. The water and sewer capacity remains a key issue that needs to be addressed at this time. Public Utilities needs an assessment of the impacts this proposal may have above the by-right capacity.</p>	<p>The Applicant is working with Public Utilities to develop a comparison of the existing / contemplated versus proposed water and sewer capacity. As proposed, these units are most like senior homes, which use only 100 GPD. Further analysis will be provided.</p>
<p><b><u>Housing Goals</u></b></p> <p>Staff Comment: As stated above, bungalow courts, and defined in the Housing Chapter, are recommended as a potentially appropriate land use in R-10. However, the Zoning Ordinance has not yet been updated to incorporate this. The Applicant is proposing a form of goal H-4; however, it is unclear who will maintain control of the property the residential units will be built upon. Likewise, it is unclear who is responsible for the building and maintaining of the community building or where the proposed senior services will be provided on site (e.g., the offices, the community building, the church, etc.). Finally, the Applicant should take into account the existing character of the neighborhood and consider if the proposed elevations are in keeping with the scale, character, and heritage.</p> <p>Update: As mentioned above, comment remains. Concerns about the land use entitlement,</p>	<p>As the Applicant has previously stated, the land will continue to be owned by the Warrenton United Methodist Church, and it will enter into a 79-year ground lease with Hero's Bridge. The housing units that are proposed are intended to be one-bedroom units in what are essentially duplex arrangements (twenty-two (22) two-family residential dwelling units (forty-four (44) dwelling units total). They will be under the operation, maintenance, and control of Hero's Bridge, which will fund their construction. The Church will maintain that portion of the property that it retains for its own use.</p> <p>With respect to the long-term use of the property, as noted above its use as proposed will be governed by the approved proffers, any other zoning ordinance provisions not altered or added to thereby, and there is no evident reason why the long-term use of the property would not be</p>

elevations, and long-term use need to be further detailed.	as proposed, unless the Town Council simply prefers not to have the use in this location.
<b>Zoning Comments, dated July 2, 2024</b>	
Agency Comment	Applicant's Response
<p><b><u>General – Staff Comment:</u></b></p> <p><b>Advisory Comment remains:</b> Aerial imagery and topography show a significant drainage feature running across the width of the 3.9-acre portion of the property; Soil Survey maps show that soil type 17B, described as having potential hydric inclusions and an elevated ground water table, are located in a broad swath following the general location of this drainage feature.</p> <p>a. Staff notes that should any hydric soils be found, that a Jurisdictional Determination by the USACE will be required as a part of any future Site Development Plan application, to include required permits for wetland/stream channel disturbance from the USACE and DEQ.</p> <p><b>Clarification:</b> A Jurisdictional Determination will be required at the time of Site Development Plan. This comment remains advisory.</p>	<p>If required, a Jurisdictional Determination will be provided at the time of Site Development Plan. The Applicant's engineer is well aware of this feature.</p>
<p>General – Staff Comment:</p> <p>Advisory Comment remains: The application does not provide sufficient information to show that adequate stormwater management can be provided for the property.</p> <p>a. Staff notes that the existing outfall on PIN 6984-15-1967 is known to have issues with adequate conveyance of storm flows; the proposed development will add a significant amount of new</p>	<p>The Applicant's civil engineer will contact staff directly regarding this.</p>



<p>impervious area leading to an increase in runoff volume that could negatively impact neighboring properties and existing drainage facilities. Ensuring the adequacy of the off-site receiving facilities and structures must be considered.</p> <p>Clarification: Staff acknowledges the drainage plan provided by the engineer shows no increase in post-development flows. However, the submitted materials do not appear to show adequacy of the existing downstream drainage facilities.</p>	
<p><b><u>General – Staff Comment:</u></b></p> <p><b>Advisory Comment remains:</b> The plan does not address the current conditions of Church Street, Moser Road, or the intersection of Church Street with Sullivan Street/Broadview Ave.; address. The existing edge of pavement, pavement markings, signage, curb/gutter and sidewalk, existing drainage features, etc. should be shown so that the proposed impacts to area roadways can be evaluated.</p> <p><b>Clarification:</b> Staff notes that the proposal does not provide continuing sidewalk and curb and gutter along the Moser Road and Church Street Road frontages. (10-6.10 ZO)</p>	<p>The Applicant has provided sidewalk in the locations that will provide the most connectivity. The connection from the westernmost access to the Church along Church Street to Sullivan Street will bridge an existing gap in pedestrian connectivity.</p>
<p><b><u>General – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The property currently exists as two separate parcels, however the statement of justification speaks to cross-use of facilities and services; either show the separating parcel line as “To be Vacated” or revise the plan and application materials to show that the residential/office component are stand-alone facilities that are completely sperate from the church and recreational facility.</p>	<p>Tabulations can be provided in connection with Site Development Plans for Phase I and II. It is physically impossible to provide all amenities and open space on each individual lot and to develop the property as proposed. It must also be kept in mind that all of the land that will be subjected to the proffers will be subject to a 79 year ground lease, effectively eliminating any risk of sale such as the comment references for the next century.</p>

<p><b>Clarification:</b> The uses must operate independently of one another if the parcels cannot be consolidated. All amenities and open space must be provided on each individual lot. If the church lot were to sell in the future, the residential component risks losing access to all amenities provided on the adjacent parcel.</p>	
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The proffer statement provided for review includes multiple statements that repeat minimum zoning ordinance requirements that must be addressed by all development projects and are not proffers as such.</p> <p><b>Clarification:</b> The revised proffer statement continues to state that the project will provide items as required by the Zoning Ordinance. Revise.</p>	<p>The Applicant has revised Proffer #9 regarding lighting accordingly. The Applicant did not revise Proffer #5.a. regarding affordable dwelling units because this is an important commitment.</p>
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The elevation drawings that were submitted as a part of the application materials are not addressed as a part of the proffer statement, in terms of proffered materials, color palette, architectural treatments, or style. Either remove the elevations from the application as extraneous or include the elevations as a part of the plan set and address the elevations as a part of the proffer statement in defined, enforceable terms.</p> <p><b>Clarification:</b> The “Architecture” proffer (6) states that the quality of the proposed duplex units shall be in general conformance with the elevations prepared by Design Concepts, but the elevations were not provided for review. Define “Quality” as used in the proffers and statement of justification.</p>	<p>The elevations were not provided with the resubmission dated June 14, 2024 because there were no revisions made to the elevations after the initial submission. The elevations are those entitled “Warrenton UMC Proposed Housing Elevation” prepared by Design Concepts architecture + interiors, dated March 16, 2023 and those entitled “Warrenton UMC Multi-Purpose Building” prepared by Design Concepts architecture + interiors, dated November 18, 2022 and consisting of two sheets.</p>



<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Staff notes that the statement of justification speaks to the intent to serve older and/or disabled veterans, however nothing in the proffer statement speaks to this intent, nor to how the church use is an integral part of the services to be provided to the residents.</p> <p><b>Clarification:</b> Partially addressed via proffer 2.a.iv. The church appears to no longer be utilized as an integral part of the project; However, the land area of the church is used to provide justification for the proposed density and a future phase II multipurpose recreational center. The multipurpose recreational center appears to be an expansion of the existing church use; justify. An expansion of the church use in the R-10 Zoning District requires the approval of a Special Use Permit.</p>	<p>The proffers have been revised to make provide greater specificity as to what these housing units are designed for. The Church is an active participant in this project both as an advocate for its approval, and as its landlord. It is leasing all of the area necessary for the conduct of the Hero’s Bridge mission. Consequently, the property may be used as justification for the proposed density and for a future Phase II.</p> <p>The Multipurpose Recreational Center would be a shared use between Hero’s Bridge and the Church. If the entire property is rezoned to R-PUD as the Staff has suggested, the Church will no longer require a Special Use Permit and will become a lawful use under that zoning since churches are a permitted use in R-PUD.</p>
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The statement of justification includes the provision of bus service, and nursing, physical and mental health services, however the proffer statement does not include any of these services. Either amend the statement of justification to remove these items or revise the proffer statement to include these services as integral to the intent and function of the project.</p> <p><b>Clarification:</b> Not addressed.</p>	<p>These items were included in the Statement of Justification as part of the description of Hero’s Bridge. It is what Hero’s Bridge does, and it was appropriate to include that information. How it provides its services may change over time, and it would be imprudent to freeze those services by proffer, and thereby require a proffer condition amendment should those changes occur.</p>
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Should the project be intended to serve the elderly, disabled persons, veterans, or other groups with identifiable needs, then the proffers and plan drawing should include facilities that cater to the needs of persons that meet those demographic</p>	<p>The elevations were not provided with the resubmission dated June 14, 2024 because there were no revisions made to the elevations after the initial submission. The elevations are those entitled “Warrenton UMC Proposed Housing Elevation” prepared by Design Concepts architecture +</p>

<p>characteristics such as accessible/universal design features for both outdoor facilities and interior building design.</p> <p><b>Clarification:</b> Not addressed. No elevations have been provided to show the interior/exterior building design or accessibility features.</p>	<p>interiors, dated March 16, 2023 and those entitled “Warrenton UMC Multi-Purpose Building” prepared by Design Concepts architecture + interiors, dated November 18, 2022 and consisting of two sheets.</p>
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Section 1, proffer 1.6 does not provide a defined trigger for when the office or recreation center will be constructed in relation to construction of the residential units; either address by including a defined, enforceable trigger, or remove the office and recreation center from the application materials altogether.</p> <p><b>Clarification:</b> Not addressed. The enforceable trigger for the construction of the recreation center is not defined. (How many duplexes will be built prior to the recreation center?). In addition, the square footage of the facility is broadly defined. Provide separate square footage for the portion of the building used for each use (office and recreation center).</p>	<p>The maximum square footage for the Multipurpose Recreational Center is 19,000 square feet. Please see Proffer #2.c.</p>
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Section 2, proffers 2.1 and 2.2 are unclear, lacking detail or an explanation of intent; address.</p> <p><b>Clarification:</b> Proffers have been revised to be “5a and 5b”. The proposed proffers are unclear in their intent, and do not appear to be proffers but rather, a waiver request of the requirements of the referenced articles of the Zoning Ordinance. Revise.</p>	<p>Please see other responses to these comments with respect to whether proffers constitute waivers or modification requests. The Applicant request further clarification from the Staff as to what lack of clarity is perceived in these proffers since they seem clear enough to it.</p>
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Section 4, proffer 4.1 does not address any buffering or screening beyond the minimum requirements of the zoning</p>	<p>Landscaping tabulations were included on the plan that was part of the resubmission from June 14, 2024.</p>



<p>ordinance that must be met by all projects, and the landscaping shown on the plan does not meet minimum ordinance requirements; address.</p> <p><b>Clarification:</b> Proffer has now been revised to be number “7”, but the original comment remains. The landscaping shown within the proposed buffer areas (C, D, E, G) do not meet minimum Zoning Ordinance requirements. Staff is unable to determine that minimum Zoning Ordinance requirements have been met. Revise. (8-8.5 ZO)</p>	
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Section 4, proffer 4.2 does not specify a minimum number of type of amenities to be provided, nor are any such shown on the plan drawing; revise.</p> <p><b>Clarification:</b> Proffer has now been revised to be number “8”, but the original comment remains. Outdoor amenities are not defined, and are not shown/labeled on the plan. Revise. In addition, “senior appropriate fitness trail signage” is not an amenity. Revise.</p>	<p>Proffer #2.b. has been revised to change “may” to “shall.”</p>
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Section 5, proffer 5.1 is a minimum zoning ordinance requirement and not a proffer.</p> <p><b>Clarification:</b> Proffer has now been revised to be number “9”, but the original comment remains. The “proffer” is stating minimum Zoning Ordinance requirements, and as such, is not a proffer.</p>	<p>This is now Proffer #9 and the reference to the Zoning Ordinance has been removed.</p>
<p><b><u>Proffer – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Section 6, proffers 6/1 and 6/2 are minimum requirements that all developments must provide, and not a proffer.</p> <p><b>Clarification:</b> Not addressed.</p>	<p>These have been removed.</p>

<p><b><u>Article 3-5.2.3.1 – General Planning Considerations (R-PUD) – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The plan does not clearly illustrate the use of open space required, but the statement of justification does not address the use of open space by the residents.</p> <p><b>Clarification:</b> An open space calculation has been provided on the plan, but labels are not indicated showing the open space areas and the amenities within these areas for use by the residents. Revise.</p>	<p>The Applicant has shown what is known at this time. Additional details will be provided in connection with Site Development Plan for each phase.</p>
<p><b><u>Article 3-5.2.3.1 – General Planning Considerations (R-PUD) – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The application does not address pedestrian connectivity; resolve.</p> <ul style="list-style-type: none"> <li>a. Provide crosswalk connections from the residential area to the church and recreational center across the internal accessway. <ul style="list-style-type: none"> <li>i. <b>Clarification:</b> One crosswalk does not appear sufficient.</li> </ul> </li> <li>b. Provide sidewalk connections from the proposed development areas to the outer perimeter of the site. <ul style="list-style-type: none"> <li>i. <b>Clarification:</b> Curb cuts and crosswalks are not provided at the sidewalk connections for Church Street and Moser Road. Revise.</li> </ul> </li> <li>c. Provide sidewalk along all street frontages. <ul style="list-style-type: none"> <li>i. <b>Clarification:</b> Not addressed.</li> </ul> </li> <li>d. Address how residents will access the larger pedestrian network outside of the project boundaries. <ul style="list-style-type: none"> <li>i. <b>Clarification:</b> Not addressed.</li> </ul> </li> </ul>	<p>The Applicant has provided sidewalk in the locations that will provide the most connectivity. The connection from the westernmost access to the Church along Church Street to Sullivan Street will bridge an existing gap in pedestrian connectivity</p>



<p><b><u>Article 3-5.2.4.1 – Standards and Criteria for Planned Unit Developments – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Staff is unable to determine that open space requirements are met at this time. The 25% minimum required open space is not delineated on the plan nor is the use of the open space for amenities for the residents.</p> <p><b>Clarification:</b> Unaddressed.</p>	<p>An open space calculation was provided on the plan. Additional details including open space tabulations will be provided in connection with Site Development Plan for each phase.</p>
<p><b><u>Article 3-5.2.4.2 – Other Criteria for Residential Planned Unit Developments – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The proposal exceeds the maximum allowable 50% multi-family units.</p> <p><b>Clarification:</b> A detailed list of all requested waivers of Zoning Ordinance standards is required.</p>	<p>As discussed, these units are twenty-two (22) two-family residential dwelling units (forty-four (44) dwelling units total). This has been revised in the proffers.</p>
<p><b><u>Article 3-5.2.4.2 – Other Criteria for Residential Planned Unit Developments – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The required open space is not delineated on the plan.</p> <p><b>Clarification:</b> Unaddressed.</p>	<p>An open space calculation was provided on the plan. Additional details including open space tabulations will be provided in connection with Site Development Plan for each phase.</p>
<p><b><u>Article 3-5.2.4.2 – Other Criteria for Residential Planned Unit Developments – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The applicants have indicated that the proposed recreational facility may or may not be constructed in Phase II dependent on funding; However, applicable recreational facilities must be constructed prior to construction of the next phase.</p> <p><b>Clarification:</b> Proffer #4, phasing, does not tie construction of the recreational facilities to a</p>	<p>Proffer #2.b. has been revised to clarify that the Small Office / Community Center must be shown on the Site Development Plan for the twenty-two two-family residential dwelling units. The proffers are specifically written so that there is no commitment to construct the Phase II Facilities as a trigger to any specific number of dwelling units, since the purpose that Hero's Bridge serves would be largely defeated by requiring it to build, for example, one half of the units, and then being required to raise funds for</p>

specific number of dwelling units or another enforceable trigger.	recreational facilities as a precondition to building the second half. It is imperative that if this project is approved it construct all of its units in one phase.
<p><b><u>Article 3-5.2.5 – Use Regulations-Residential Planned Unit Developments (R-PUD) – Staff Comment:</u></b></p> <p><b>Advisory Comment remains:</b> The Zoning Ordinance does not specifically allow the proposed use. The applicant is requesting consideration from the Town Council to allow the use within the R-PUD district. Similar by-right uses are an apartment building, Senior/disability housing, and two, three, and four-family dwelling units. In comparison, a similar use that would require approval of a special use permit is affordable dwelling units (ADU) within areas designated for multifamily development.</p>	Pursuant to the Rowland decision proffers become a part of the zoning ordinance applicable to a given parcel.
<p><b><u>Article 3-5.2.7 – Density/Intensity and Area Regulations – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Interior side yard setback adjacent to the church is not provided. This must be a minimum of 15’ unless a waiver of setback is requested from the Town Council.</p> <p><b>Clarification:</b> Add setback line labels throughout the plan to aid review.</p>	The property that will be subjected to the proffers will be subject to a 79-year ground lease, effectively eliminating any risk of sale such as the comment references for the next century. The parcels are both owned by the church.
<p><b><u>Article 6 – Signs – Staff Comment:</u></b></p> <p><b>Advisory comment remains:</b> No signs included as part of the application. Any proposed signs will need to meet the regulations noted under Article 6 of the Zoning Ordinance.</p>	Acknowledged.
<p><b><u>Article 7 – Parking – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Staff is unable to verify that parking requirements are met with this submission. The plan mentions a parking</p>	Further information regarding parking can be provided in connection with Site Development Plan.



<p>demand study, but staff did not receive a copy of this. Parking requirements must be met at the time of site development plan.</p> <p><b>Clarification:</b> The parking calculations depicted on sheet C.05 of the plan do not show the minimum required parking for one-bedroom units let alone the parking needed for the office use. If a waiver of parking requirements is desired, the request must be made to the Town Council.</p>	<p>Pursuant to the Rowland decision proffers become a part of the Zoning Ordinance applicable to a given parcel.</p>
<p><b><u>Article 7 – Parking – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The parking calculations provided as based on the unprovided parking demand study; Staff is unable to verify.</p> <p><b>Clarification:</b> Unaddressed.</p>	<p>Further information regarding parking can be provided in connection with Site Development Plan.</p> <p>Pursuant to the Rowland decision proffers become a part of the Zoning Ordinance applicable to a given parcel.</p>
<p><b><u>Article 7 – Parking – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The application documents include a description of a bus service; however, the plan sheets do not indicate how this will be accommodated on site with adequate loading spaces and facilities.</p> <p><b>Clarification:</b> Only one loading area is designated on site. Staff suggests adding at least one additional area on site. Staff is unable to determine that the size of the loading area will meet minimum requirements per article 7-18 of the Zoning Ordinance.</p>	<p>According to the Applicant’s engineer, there is no loading requirement for residential. The closest loading requirement is that for the Multipurpose Recreational Center, which could require 1 loading space. The size of that loading space would need to be 300 total square feet. We are proposing a loading space that is 12’ by 40’ or 480 square feet. We will add this to the plan with our next set of plan revisions.</p>
<p><b><u>Article 8 – Landscaping – Staff Comment:</u></b></p> <p><b>Advisory comment remains:</b> Staff is unable to verify landscaping requirements are met and the statement of justification does not adequately address this requirement. No landscaping details have been provided at this time. Conformance with Landscaping requirements will be required as part of the site development plan.</p>	<p>More details can be provided in connection with Site Development Plan review.</p>

<p><b><u>Article 8 – Landscaping – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Landscaping for parking area calculations is not provided but will be required at time of SDP submission.</p> <p><b>Clarification:</b> Landscaping calculations are provided but are incorrect based on the number of required parking spaces. A minimum of one space per one-bedroom unit must be provided, equivalent to 44 spaces for this development.</p>	<p>More details can be provided in connection with Site Development Plan review.</p>
<p><b><u>Article 8 – Landscaping – Staff Comment:</u></b></p> <p><b>Advisory comment remains:</b> This project area abuts two existing single-family homes off of Moser Road, PIN 6984-16-8079 (Thompson) and PIN 6984-16-8042 (McLaughlin), but does not address how any impacts to these two property owners will be addressed. As a recommendation, the applicant should consider enhanced screening and buffering between the two uses.</p>	<p>The Applicant is providing a fence, landscaping, and retaining existing vegetation where feasible.</p>
<p><b><u>Article 8 – Landscaping – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The project area abuts four single family homes to the north, PIN 6984-16-7459 (Hunt), PIN 6984-16-8433 (Southard), PIN 6984-16-9430 (Fransella), and PIN 6984-26-0337 (Church), but does not address how any impacts to these property owners will be addressed. As a recommendation, the applicant should consider enhanced screening and buffering between the access road and the property boundary.</p> <p><b>Clarification:</b> A stronger buffer in this area is advisable, such as a double-staggered row of evergreen trees to provide adequate screening.</p>	<p>The Applicant is providing a fence, landscaping, and retaining existing vegetation where feasible.</p>
<p><b><u>Article 8 – Landscaping – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The application does not clearly describe how refuse will be addressed on</p>	<p>If required, this will be addressed in connection with Site Development Plan review.</p>



<p>site for all uses. Refuse facilities but must be screened from view of adjacent properties, the public right-of-way, and from within the lot per Article 8-8.2. See Public Utilities Public Works for when refuse pick-up is provided by the Town.</p> <ul style="list-style-type: none"> <li>a. Provide adequate dumpster areas that are convenient to the differing uses.</li> <li>b. Address refuse area screening via landscaping, solid walls or fencing, and gates. <ul style="list-style-type: none"> <li>i. <b>Clarification:</b> The potential dumpster area labeled on sheet C.03 does now show a parking area/loading zone for a trash service. Provide dimensions and turn radius for a trash truck to service the dumpster.</li> </ul> </li> </ul>	
<p><b><u>Article 9-8 – Lighting– Staff Comment:</u></b></p> <p><b>Advisory comment remains:</b> The Statement of Justification acknowledges all lighting must meet requirements of Article 9 of the Zoning Ordinance, but overall does not address site lighting. All fixtures on site will require conformance to current lighting standards. Staff suggests that the applicant should consider how sidewalk/trail lighting and parking area lighting will be provided, the general type and height of outdoor lighting fixtures, and the potential for glare, light trespass, and light pollution affecting surrounding properties.</p>	<p>If required, this will be addressed in connection with Site Development Plan review.</p>
<p><b><u>Article 9-3 – Affordable Dwelling Unit Provisions – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The proposal does not meet the eligibility requirements as stated under Article 9-3.1 of the Zoning Ordinance. The applicant has suggested a “proffer” for offering these ADU to qualifying individuals based on</p>	<p>This reflects a misunderstanding of the holding of the Rowland decision. It is not a waiver. Please see above.</p>

<p>Hero's Bridge rules and regulations. This may be considered as a waiver, but not a proffer.</p> <p><b>Clarification:</b> Not addressed. Revise proffer statement and include waiver request for consideration by the Planning Commission and Town Council.</p>	
<p><b><u>Article 9-3 – Affordable Dwelling Unit Provisions – Staff Comment:</u></b></p> <p><b>Comment remains:</b> The plans do not indicate how many bedrooms the units are intended to have, and staff is not able to determine the parking reduction allowance as provide for in Article 9-3.6.</p> <p><b>Clarification:</b> The proposed parking on site does not meet the minimum required for 44 one-bedroom units. Advise if a waiver of parking requirements is requested form the Town Council.</p>	<p>For reasons that have been previously stated, the Applicant does not believe that the parking for the project will remotely approach the Town's estimates as to the required parking. As noted elsewhere, this is not a waiver when using proffers.</p>
<p><b><u>Article 9-12 – Open Space – Staff Comment:</u></b></p> <p><b>Comment remains:</b> Open space must be used for the benefit of the residents. The plan does not indicate what recreational facilities will be used within the open space for the enjoyment of the residents. The applicant should ensure that adequate facilities will be provided to support intended outdoor recreation uses.</p> <p><b>Clarification:</b> The open space calculation has been provided, but the areas have not been labeled on the plan. Revise.</p>	<p>Further details can be provided in connection with Site Development Plan review.</p>
<p><b>Public Works and Utilities, dated July 11, 2024</b></p>	
<p>Agency Comment</p>	<p>Applicant's response</p>
<p><b><u>Grading, E&amp;S and Stormwater Management – Kerry Wharton, Stormwater Administrator</u></b></p> <p>SW1. Conformance with erosion and stormwater requirements is required at the time of SDP</p>	<p>This is correct and acknowledged. This will all be provided at the time of site development plan.</p>



<p>submission. No calculations were provided with the concept plan. They will need to meet the requirements of the Erosion and Stormwater Management Ordinance, 9VAC25-875-210, and the Virginia Erosion Stormwater Management Regulation for erosion control and new development. This will be critical to ensure the size and area of the two SWM locations will be adequate to meet the regulations for both quantity and quality of surface water runoff.</p>	
<p><b><u>Grading, E&amp;S and Stormwater Management – Kerry Wharton, Stormwater Administrator</u></b></p> <p>SW2. The existing Stormwater Management Facility located on PIN#6984-15-1967-000 will need to be upgraded to meet the stormwater requirements for quality and quantity. A new Stormwater Management Agreement will be required.</p>	<p>If required, this will be addressed in connection with Site Development Plan.</p>
<p><b><u>Grading, E&amp;S and Stormwater Management – Kerry Wharton, Stormwater Administrator</u></b></p> <p>SW3. There are existing flooding and drainage concerns at the intersection of Sullivan and Church Street that could be exacerbated. Hydrology and hydraulics grade line calculations will need to be provided to ensure adequacy and prevent further flooding and drainage issues.</p>	<p>If required, this will be addressed in connection with Site Development Plan.</p>
<p><b><u>Grading, E&amp;S and Stormwater Management – Kerry Wharton, Stormwater Administrator</u></b></p> <p>SW4. The project is being shown to be built over an existing channel. How will water conveyance be addressed with this project since it is taking flow from the neighborhood? The existing channel will need to be evaluated to determine if any additional federal or state permitting is required.</p>	<p>If required, this will be addressed in connection with Site Development Plan.</p>
<p><b><u>Public Utilities – Paul Bernard, Town Engineer</u></b></p>	<p>The Applicant is discussing this with Public Facilities and will have more</p>

<p>PU1. The site proposes 44 Senior Living rental units, a recreational building, and the existing church remaining in place. At this time, the existing church uses about 29,000 gallons a month which equates to approximately 960 gallons a day. The application indicated the total site land area is 9.14 acres and is zoned R-10. Based on this, the by-right water and wastewater use for up to 39 residential units would be around 11,700 gallons per day. Under the proposed use, maintaining the existing church, 44 elderly/age restricted apartment units, and a 2-story 19,000 square foot Recreational Center with a non-defined water demand, is estimated to require a water demand between 10,000 and 13,000 gallons per day.</p>	<p>information to share regarding the existing and planned capacities versus the proposed capacity. The proposed use is not the same as a single-family dwelling (300 GPD), but more in line with a senior home (100 GPD).</p>
<p><b><u>Public Utilities – Steven Friend, Director of Public Utilities</u></b></p> <p>1. It is my recommendation that council take careful consideration in approving any increase to density that results in the increase of water demand that is above what the current by-right amount is. See above comment PU1 for reference to overage of existing by-right amount, which is an approximation using the industries 300 gallons per day per home for an amount of 1,300 gallons per day, or an extra 4.3-5 homes.</p>	<p>The Applicant is discussing this with Public Facilities and will have more information to share regarding the existing and planned capacities versus the proposed capacity. The proposed use is not the same as a single-family dwelling (300 GPD), but more in line with a senior home (100 GPD).</p>
<p><b><u>Public Utilities – Paul Bernard, Town Engineer</u></b></p> <p>PW1. Parking for units 13 through 24 and 37 through 44 is questionable as currently shown. Based on this layout, it would appear there would be strong motivation for routine parking along Moser Road, which the current street design would not support.</p>	<p>For reasons that have been previously stated, the Applicant does not believe that the parking for the project will remotely approach the Town's estimates as to the required parking. Consequently, it does not have reason to believe that there will be routine parking along Moser Road.</p>
<p><b><u>Public Utilities – Paul Bernard, Town Engineer</u></b></p>	<p>This is acknowledged and will be addressed in connection with Site Development Plan.</p>



PW2. Storm drainage will be a major concern during design development.	
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Please do not hesitate to contact me if you have any questions or need additional information. Thank you for your assistance in connection with this application.

Very truly yours,

WALSH, COLUCCI,  
LUBELEY & WALSH, P.C.



John H. Foote

JLP/mac

cc: Pastor Davies  
Sarah Newton  
Molly Brooks  
Rob Seidel  
Jeremy Karls

**PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE**

**Rezoning:** ZMA 2023-01 Warrenton United Methodist Church / Hero's Bridge

**Record Owner:** Trustees of the Warrenton United Methodist Church

**Property:** PINs 6984-16-5101 (portion), 6984-16-7013, 6984-15-1823 and 6984-15-1930, approximately 9.8640 acres (hereinafter the "Property")

**Zoning:** R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development)

**Project Name:** Warrenton United Methodist Church / Hero's Bridge

**Date:** August 16, 2024

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**Preliminary Matters:**

Pursuant to Va. Code Ann. §§ 15.2-2296, 15.2-2297, 15.2-2298, 15.2-2303 or 15.2-2303.1, and § 11.3.9.17 of the Town of Warrenton Zoning Ordinance, the undersigned hereby voluntarily proffers that the development and use of the Property shall be in substantial conformance with the following conditions unless an amendment thereto is approved by the Town Council, upon proper application. In the event this rezoning is granted as applied for by the Applicant, then these Proffers shall supersede and replace in their entirety all other Proffers made prior hereto with respect to the Property. In the event this rezoning is not granted as applied for by the Applicant, then these Proffers shall be deemed withdrawn and shall be null and void, and any existing Proffers will remain in full force and effect.

The headings of the Proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the Proffers. Any improvements proffered herein below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest. These Proffers shall apply to the entirety of the Property and the development referenced in these Proffers is the "Project."



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

Item 4.

For purposes of this Proffer Statement, the "General Development Plan" or "GDP" shall be sheets 3,4, 5 and 6 of the plan entitled "Warrenton United Methodist Church / Hero's Bridge Zoning Map Amendment," prepared by Rinker Design Associates, PC, dated April 26, 2024.

**DEVELOPMENT AND USE**

1. Development: The Property, comprised of approximately 9.8640 acres, shall be developed as a Residential Planned Unit Development (R-PUD), notwithstanding any requirement for a larger parcel size for rezoning to that zoning, in substantial conformance with the GDP and these proffers. Upon submission of final site development plans, minor changes and adjustments may be made to the road and street alignments, entrances, parking, dimensions and location of SWM/BMP facilities, the exact configuration and location of building footprints, and other similar features as shown on the CDP, provided they meet the intent of these Proffers and are approved by the Director of Community Development.
2. Land Use Mix: Notwithstanding the provisions of §§ 3-5.2.4.1 and 3-5.4.2.2 of the Zoning Ordinance, the land use mix on the Property shall consist of the following, as depicted on the GDP:
  - a. Residential:
    - i. The maximum number of duplex units shall be forty-four (44), which shall be in twenty-two (22) two-family residential dwelling units (forty-four (44) dwelling units total) and available for rent only. The Applicant shall not be required to subdivide these duplex units and said duplex units will be provided as depicted on the GDP. For the purposes of these proffers a "duplex" shall mean a building containing two dwelling units with not more than one person occupying each dwelling unit.
    - ii. Each individual residential unit shall have one bedroom and all units shall be ADA accessible.
    - iii. The Property may be developed with one unit type.

PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres

- iv. The Applicant shall, pursuant to the provisions of the federal Housing for Older Persons Act, 42 U.S.C. § 3601, et seq., and the Virginia Fair Housing Law, Va. Code Ann. § 36-96.1 et seq., rent homes on the Property only to veterans 65 years of age and older, in accordance with its mission as set out in the Statement of Justification submitted with this rezoning.
  - v. All prospective tenants shall be screened for any record of having convicted of a "barrier crime" as defined in Va. Code Ann. §19.2-392.02. No person who has been convicted of such a crime shall be accepted as a tenant.
- b. Small Office / Community Center: A Small Office / Community Center will be constructed during Phase I of the project in the location shown on the GDP. The Small Office / Community Center shall include, but shall not be limited to, a movie viewing area, a senior technology library, an arts and crafts area, a music area, an area for pet therapy for residents, and a fitness room. The Small Office / Community Center shall be shown on the Site Development Plan for the twenty-two (22) two-family residential dwelling units.
  - c. Multipurpose Recreational Center: A Multipurpose Recreational Center may be constructed during Phase II of the project in the location shown on the GDP. The Multipurpose Recreational Center shall not exceed 19,000 square feet and may include, but shall not be limited to, multi-purpose gym/event space, meeting areas, a kitchen, educational space, an indoor walking track, and multi-purpose office space.
  - d. Existing Uses and Structures: The existing uses and structures (including, but not limited to, the church and associated houses) on the Property may remain.
- 3. Height: No new structure on the Property shall exceed 35 feet in height.
  - 4. Phasing: Development of the Property may be phased as generally depicted on the GDP. The Applicant may construct Phase I initially and thereafter construct Phase II improvements at any time, provided that parking, landscaping and stormwater management improvements are provided at the time each phase is constructed.



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

Item 4.

5. Affordable Dwelling Units:

- a. The homes constructed on the Property shall be deemed Affordable Dwelling Units pursuant to the provisions of § 9-3 of the Zoning Ordinance for the period of time set forth in that Section. The Applicant shall record a restrictive covenant or other form of legal and binding agreement approved by the Town Attorney and Town Council to ensure that the homes are so maintained, under approved terms and conditions.
- b. Because of the nature and purpose of the Applicant's housing program, it shall not be required to make the homes available first to persons residing or working in the Town of Warrenton or Fauquier County but shall be permitted to rent to persons qualifying under its rules and regulations developed for that purpose.

**COMMUNITY DESIGN**

6. Architecture:

- a. Duplex Units: The level of quality of the duplex units shall be in general conformance with the elevation entitled "Warrenton UMC Proposed Housing Elevation," prepared by Design Concepts Architecture + Interiors, and dated March 16, 2023 (hereinafter, the "Housing Elevations"), provided that minor modifications may be made in connection with final design.
  - b. Small Office / Community Center: The level of quality of the Small Office / Community Center shall be compatible with the Housing Elevations.
  - c. Multipurpose Recreational Center: The level of quality of the Multipurpose Recreational Center shall be in general conformance with the elevations entitled "Warrenton UMC Multi-Purpose Building," prepared by Design Concepts Architecture + Interiors, dated November 18, 2022 and consisting of two sheets, provided that minor modifications may be made in connection with final design.
7. Landscaping: Landscaping of the Property shall be provided in general conformance with the GDP. All new landscaping/plantings shall be non-invasive, indigenous species, native to Virginia. All landscaping shall be maintained by the Owner/Applicant.

PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

Item 4.

8. Outdoor Amenities: Outdoor amenities constructed with Phase I, shall include, but shall not be limited to walking trails, senior appropriate fitness trail signage, a gazebo, and an existing flagstone garden.
9. Lighting: All outdoor lighting shall be designed as to avoid light spillover onto adjacent properties.

**TRANSPORTATION**

10. Phase I Pedestrian Improvements: In connection with Phase I the Applicant shall install all the internal pedestrian improvements that are depicted on the GDP.
11. Phase II Pedestrian Improvements: In Phase II the Applicant shall construct pedestrian improvements within existing right-of-way along Church Street from the western most access along Church Street to Sullivan Street, as generally depicted on the GDP. The final design and location of the sidewalk and road improvements shall be determined in connection with site plan review for Phase II.
12. Bike Rack: The Applicant shall provide a bike rack in connection with Phase I.

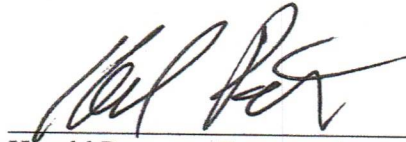
**[Signatures on following pages]**

**Signature Page**



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

Signature Page



Harold Peters as Trustee of Warrenton United  
Methodist Church

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 15 day of August, 2024, in my  
county and state aforesaid, by the aforementioned principal.

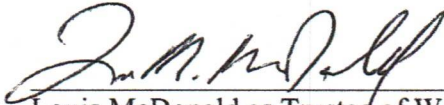
  
NOTARY PUBLIC

My Commission Expires: 03/31/28



PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres  
 #

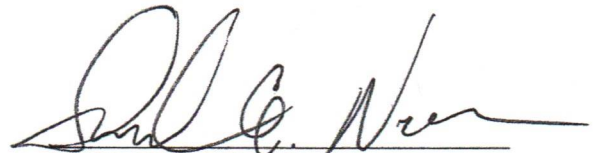
Signature Page



Louis McDonald as Trustee of Warrenton United  
 Methodist Church

COMMONWEALTH OF VIRGINIA  
 COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 13 day of August, 2024, in my  
 county and state aforesaid, by the aforementioned principal.

  
 NOTARY PUBLIC

My Commission Expires: 03/31/28





PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

Signature Page

*Melanie Sanfilippo*

Melanie Sanfilippo as Trustee of Warrenton United  
Methodist Church

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 13 day of August, 2024, in my  
county and state aforesaid, by the aforementioned principal.

*Sarah E. Newton*  
NOTARY PUBLIC

My Commission Expires: 03/31/28



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

Signature Page

Gail Lane  
Gail Lane as Trustee of Warrenton United  
Methodist Church

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 12 day of August, 2024, in my  
county and state aforesaid, by the aforementioned principal.

Sarah E. Newton  
NOTARY PUBLIC

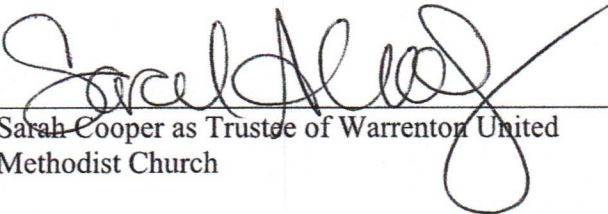
My Commission Expires: 03/31/28





PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres

Signature Page

  
 Sarah Cooper as Trustee of Warrenton United  
 Methodist Church

COMMONWEALTH OF VIRGINIA  
 COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 13 day of August, 2024, in my  
 county and state aforesaid, by the aforementioned principal.

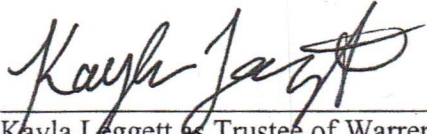
  
 NOTARY PUBLIC

My Commission Expires: 03/31/28



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

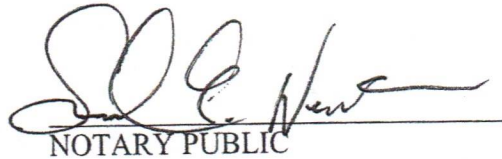
Signature Page



Kayla Leggett as Trustee of Warrenton United  
Methodist Church

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 13 day of August, 2024, in my  
county and state aforesaid, by the aforementioned principal.

  
NOTARY PUBLIC

My Commission Expires: 03/31/28





PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

Signature Page

Marcia L. Payne  
Marcia Payne as Trustee of Warrenton United  
Methodist Church

COMMONWEALTH OF VIRGINIA  
COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 13 day of August, 2024, in my  
county and state aforesaid, by the aforementioned principal.

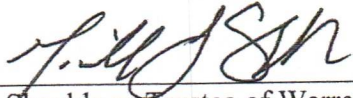
Sarah E. Newton  
NOTARY PUBLIC

My Commission Expires: 03/31/28



PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres

Signature Page



Michael Shankle as Trustee of Warrenton United  
 Methodist Church

COMMONWEALTH OF VIRGINIA  
 COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 13 day of August, 2024, in my  
 county and state aforesaid, by the aforementioned principal.

  
 NOTARY PUBLIC

My Commission Expires: 03/31/28





PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres

Signature Page

Cynthia J. Myhre  
 Cynthia Myhre as Trustee of Warrenton United  
 Methodist Church

COMMONWEALTH OF VIRGINIA  
 COUNTY OF Fauquier, to wit:

Subscribed and sworn to before me this 12 day of August, 2024, in my  
 county and state aforesaid, by the aforementioned principal.

[Signature]  
 NOTARY PUBLIC

My Commission Expires: 03/31/28



**DRAFT**

**PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE**

**9.154 ACRES**

**Rezoning:** ZMA 2023-01 Warrenton United Methodist Church / Hero's Bridge

**Record Owner:** Trustees of the Warrenton United Methodist Church

**Property:** PINs 6984-16-5101 (portion), 6984-16-7013, 6984-15-1823 and ~~6984-15-1930~~, 6984-15-1930, approximately 9.8640 acres (hereinafter the "Property")

**Zoning:** R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development)

**Project Name:** Warrenton United Methodist Church / Hero's Bridge

**Date:** ~~June 12~~ August 16, 2024

---

**Preliminary Matters:**

Pursuant to Va. Code Ann. §§ 15.2-2296, 15.2-2297, 15.2-2298, 15.2-2303 or 15.2-2303.1, and § 11.3.9.17 of the Town of Warrenton Zoning Ordinance, the undersigned hereby voluntarily proffers that the development and use of the Property shall be in substantial conformance with the following conditions unless an amendment thereto is approved by the Town Council, upon proper application. In the event this rezoning is granted as applied for by the Applicant, then these Proffers shall supersede and replace in their entirety all other Proffers made prior hereto with respect to the Property. In the event this rezoning is not granted as applied for by the Applicant, then these Proffers shall be deemed withdrawn and shall be null and void, and any existing Proffers will remain in full force and effect.

The headings of the Proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the Proffers. Any improvements proffered herein below shall be provided at the time of development of the



PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres  
 #

portion of the site served by the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest. These Proffers shall apply to the entirety of the Property and the development referenced in these Proffers is the "Project."

For purposes of this Proffer Statement, the "General Development Plan" or "GDP" shall be sheets 3,4, 5 and 6 of the plan entitled "Warrenton United Methodist Church / Hero's Bridge Zoning Map Amendment," prepared by Rinker Design Associates, PC, dated April 26, 2024.

### DEVELOPMENT AND USE

1. Development: The Property, comprised of approximately 9.8640 acres, shall be developed as a Residential Planned Unit Development (R-PUD), notwithstanding any requirement for a larger parcel size for rezoning to that zoning, in substantial conformance with the GDP and these proffers. Upon submission of final site development plans, minor changes and adjustments may be made to the road and street alignments, entrances, parking, dimensions and location of SWM/BMP facilities, the exact configuration and location of building footprints, and other similar features as shown on the CDP, provided they meet the intent of these Proffers and are approved by the Director of Community Development.
2. Land Use Mix: Notwithstanding the provisions of §§ 3-5.2.4.1 and 3-5.4.2.2 of the Zoning Ordinance, the land use mix on the Property shall consist of the following, as depicted on the GDP:
  - a. Residential:
    - i. The maximum number of duplex units shall be forty-four (44), which shall be in ~~22 one-story homes~~ twenty-two (22) two-family residential dwelling units (forty-four (44) dwelling units total) and available for rent only. The Applicant shall not be required to subdivide these duplex units and said duplex units will be provided as depicted on the GDP. For the purposes of these proffers a "duplex" shall mean a building containing two dwelling units with not more than one person occupying each dwelling unit.
    - ii. Each individual residential unit shall have one bedroom and all units shall be ADA accessible.

PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres  
 #

- iii. The Property may be developed with one unit type.
  - iv. The Applicant shall, ~~to the extent permitted by federal and state law~~ pursuant to the provisions of the federal Housing for Older Persons Act, 42 U.S.C. § 3601, et seq., and the Virginia Fair Housing Law, Va. Code Ann. § 36-96.1 et seq., rent homes on the Property only to veterans 65 years of age and older ~~who served in Vietnam, Korea, and World War II~~, in accordance with its mission as set out in the Statement of Justification submitted with this rezoning.
  - v. All prospective tenants shall be screened for any record of having convicted of a "barrier crime" as defined in Va. Code Ann. §19.2-392.02. No person who has been convicted of such a crime shall be accepted as a tenant.
  - b. Small Office / Community Center: A Small Office / Community Center will be constructed during Phase I of the project in the location shown on the GDP. The Small Office / Community Center ~~may~~ shall include, but shall not be limited to, a movie viewing area, a senior technology library, an arts and crafts area, a music area, an area for pet therapy for residents, and a fitness room. The Small Office / Community Center shall be shown on the Site Development Plan for the twenty-two (22) two-family residential dwelling units.
  - c. Multipurpose Recreational Center: A Multipurpose Recreational Center may be constructed ~~on the Property and shall not exceed 19,000 square feet~~ during Phase II of the project in the location shown on the GDP. The Multipurpose Recreational Center ~~shall not exceed 19,000 square feet~~ and may include, but shall not be limited to, multi-purpose gym/event space, meeting areas, a kitchen, educational space, an indoor walking track, and multi-purpose office space.
  - d. Existing Uses and Structures: The existing uses and structures (including, but not limited to, the church and associated houses) on the Property may remain.
3. Height: No new structure on the Property shall exceed 35 feet in height.



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
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#

4. Phasing: Development of the Property may be phased as generally depicted on the GDP. The Applicant may construct Phase I initially and thereafter construct Phase II improvements at any time, provided that parking, landscaping and stormwater management improvements are provided at the time each phase is constructed.
5. Affordable Dwelling Units:
  - a. The homes constructed on the Property shall be deemed Affordable Dwelling Units pursuant to the provisions of § 9-3 of the Zoning Ordinance for the period of time set forth in that Section. The Applicant shall record a restrictive covenant or other form of legal and binding agreement approved by the Town Attorney and Town Council to ensure that the homes are so maintained, under approved terms and conditions.
  - b. Because of the nature and purpose of the Applicant's housing program, it shall not be required to make the homes available first to persons residing or working in the Town of Warrenton or Fauquier County but shall be permitted to rent to persons qualifying under its rules and regulations developed for that purpose.

### COMMUNITY DESIGN

6. Architecture:
  - a. Duplex Units: The level of quality of the duplex units shall be in general conformance with the elevation entitled "Warrenton UMC Proposed Housing Elevation," prepared by Design Concepts Architecture + Interiors, and dated March 16, 2023 (hereinafter, the "Housing Elevations"), provided that minor modifications may be made in connection with final design.
  - b. Small Office / Community Center: The level of quality of the Small Office / Community Center shall be compatible with the Housing Elevations.
  - c. Multipurpose Recreational Center: The level of quality of the Multipurpose Recreational Center shall be in general conformance with the elevations entitled "Warrenton UMC Multi-Purpose Building," prepared by Design Concepts Architecture + Interiors,

PROFFER STATEMENT  
 WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
 +/- 9.864 Acres  
 #

dated November 18, 2022 and consisting of two sheets, provided that  
 minor modifications may be made in connection with final design.

7. Landscaping: Landscaping of the Property shall be provided in general conformance with the GDP. All new landscaping/plantings shall be non-invasive, indigenous species, native to Virginia. All landscaping shall be maintained by the Owner/Applicant.
8. Outdoor Amenities: Outdoor amenities constructed with Phase I, shall include, but shall not be limited to walking trails, senior appropriate fitness trail signage, a gazebo, and an existing flagstone garden.
9. Lighting: All outdoor lighting ~~shall conform to the requirements of Article 9 of the Warrenton Zoning Ordinance and~~ shall be designed as to avoid light spillover onto adjacent properties.

#### ~~WATER AND SEWER AND STORMWATER MANAGEMENT~~

- ~~10. Public Water and Sewer: The Property shall be served by public water and sewer. The Applicant shall design and construct all on-site and off-site improvements necessary to provide such service for the demand generated by development on the Property in accordance with applicable laws, ordinances, and regulations, and at its expense.~~
- ~~11. Stormwater Management: Stormwater management for Phases I and II shall be provided as generally shown on the GDP and s required by applicable laws, ordinances, and regulations.~~

#### TRANSPORTATION

- 10.12. Phase I Pedestrian Improvements: In connection with Phase I the Applicant shall install all the internal pedestrian improvements that are depicted on the GDP.
- 11.13. Phase II Pedestrian Improvements: In Phase II the Applicant shall construct pedestrian improvements within existing right-of-way along Church Street from the western most access along Church Street to Sullivan Street, as generally depicted on the GDP. The final design and location of the sidewalk and road improvements shall be determined in connection with site plan review for Phase II.



PROFFER STATEMENT  
WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE  
+/- 9.864 Acres

#

12.14. ~~Bike Rack:~~ The Applicant shall provide a bike rack in ~~the location~~  
~~generally depicted on the GDP in~~ connection with Phase I.

           [Signatures on following pages]

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAUQUIER COUNTY**

**IN RE:       WARRENTON UNITED       )**  
**METHODIST CHURCH       )**       CL 23-532  
**WARRENTON, VIRGINIA    )**

**ORDER OF CONFIRMATION OF CURRENT CHURCH TRUSTEES AND  
AUTHORIZATION OF TRUSTEES TO SIGN LAND USE APPLICATION AFFIDAVIT**

THIS CAUSE came this day by Petition of the Trustees of the Warrenton United Methodist Church (the "Church"), by counsel, who petitioned this Court pursuant to Virginia Code §§'s 57-8 and 57-15, requesting that this Court confirm the current slate of Trustees of the Church and further confirm and/or authorize those Trustees to endorse on behalf of the Church a Land Use Application Affidavit and such further documents as may be necessary to pursue the rezoning of certain Church property; and

IT APPEARING that the Church is a church as defined by the Code of Virginia; and

IT FURTHER APPEARING that the Trustees of the Church hold and are responsible for overseeing the Church Property for the benefit of the Church and its Congregation; and

IT FURTHER APPEARING that the last order confirming Church Trustees was entered by this Court on December 7, 2021; and

IT FURTHER APPEARING that at a duly called Charge Conference of the Church the following were confirmed or re-confirmed to serve as Church Trustees: Louis McDonald, Melanie Sanfilippo, Gail Lane, John Urego, Sarah Cooper, Harry Zullo, Kayla Leggett, Marcia Payne, Harold Peters, Michael Shankle and Cynthia Myhre; and



IT FURTHER APPEARING that by vote of the Church Trustees as authorized by the Church Conference that the Trustees desire to pursue a rezoning of Church Property at 341 Church Street, Warrenton (Map Numbers 6984-16-5101 and 6984-16-7013); and

IT FURTHER APPEARING that there appears good cause for this Order to enter; it is therefore

ADJUDGED, ORDERED and DECREED that Louis McDonald, Melanie Sanfilippo, Gail Lane, John Urego, Sarah Cooper, Harry Zullo, Kayla Leggett, Marcia Payne, Harold Peters, Michael Shankle and Cynthia Myhre are hereby confirmed as Trustees of the Warrenton United Methodist Church of Warrenton, Virginia; and it is further

ADJUDGED, ORDERED and DECREED that the Trustees, or any number of them that may be required, may enter a Land Use Application Affidavit or any such further documents, agreements, applications, or other forms that may be necessary to pursue the rezoning of the Church's Property held in their Trust.

Entered this 9<sup>th</sup> day of Nov., 2023



Fauquier Circuit Court Judge

**James P. Fisher, Judge**

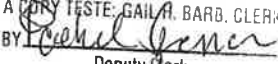
WE ASK FOR THIS:

WALSH, COLUCCI, LUBLEY,  
& WALSH, P.C.



Michael Kalish, VSB #73090  
4310 Prince William Parkway, Suite, 300  
Woodbridge, VA 22192  
Tel. 703-680-4664  
Fax 703-680-2161  
Counsel for Petitioners

cc: KALISH  
11-13-23  
RF

A COPY TESTED: GAIL H. BARB. CLERK  
BY:   
Deputy Clerk  
FAUQUIER COUNTY CIRCUIT COURT, VA

8/1/1989

Next on the agenda was the Public Hearing on the request of Mr. and Mrs. George Godfrey for a Special Use Permit to operate a home professional office (CPA) at their residence at 341 Chappell Street.

Mr. George Godfrey stated his wife wanted to operate a CPA business from the home. He stated there would be no employees, no signs, and no mailing correspondence to that address. He stated there would be adequate off-street parking. He stated all neighbors had been notified prior to the Planning Commission hearing and no one had an objection.

The Mayor called for others to speak for the request. There being none, he called for those to speak against. There were none so the Mayor declared the Public Hearing closed at 7:23 p.m.

On a motion by Miss Carter, seconded by Mr. Mann, the request of Mr. and Mrs. George Godfrey for a Special Use Permit to operate a home professional office (CPA) at their residence at 341 Chappell Street was unanimously approved.

Next item on the agenda was the Public Hearing on the request of Warrenton United Methodist Church for a Special Use Permit to operate a pre-school program.

The Mayor declared the Public Hearing open at 7:24 p.m. Mr. Herbert Brynildsen, Director of Christian Education at the Warrenton Methodist Church, requested permission to operate a pre-school at the church. He stated a fence would be installed around the outside play area. He stated the program would eventually be five days a week and they hoped to open in September.

The Mayor called for those to speak for the request. There were none, so he called for those opposed. There were none. The Mayor declared the Public Hearing closed at 7:25 p.m.

On a motion by Mr. Austin, seconded by Miss Carter, the request of Warrenton United Methodist Church for a Special Use Permit to operate a pre-school program was unanimously approved.

Next was the Public Hearing on the request of Mr. Frank Culley to subdivide what is currently 2 lots of record containing 5 dwelling units into 5 lots of record. Dwelling units are located at 97, 101, 105, 107 and 109 Fisher Lane.

The Planning Director stated that Mr. Culley had been approached by someone who wanted to purchase the property to build offices. Mr. Culley felt it more appropriate that it remain residential. The Planning Director stated that houses could not be sold unless each house was on its own lot and this is what Mr. Culley was proposing to do.

The Planning Director stated all lots are standard with the exception of lot 2. She further stated that Mr. Culley has agreed to restrict the use to residential and three of the existing tenants wish to purchase their houses.

Mr. Finn inquired what the zoning would change to. The Planning Director stated it would be residential restricted. The Town Attorney explained that it was residential restricted and when the zoning was next changed the zoning would be recognized as residential at that time.

The Planning Director stated Mr. Samuel Jordan was in attendance on behalf of Mr. Culley if there were questions.

Mr. Lewis stated that the 20 foot access was acceptable until it reached lots 4 and 5 and then there was only a 10 foot entrance into each lot. The Town Attorney stated that it should be extended 10 additional feet on lots 4 and 5.

Mr. Jordan stated that Mr. Culley was willing to accept a restriction for residential use in perpetuity and he was attempting to provide affordable housing.

Mr. Finn inquired if they would be owner-occupied. Mr. Jordan stated this was planned.

The Mayor called for anyone to speak for. There were none, so he called for those opposed. There were none and the Public Hearing was closed at 7:35 p.m.

Mr. Finn made a motion that the request of Mr. Frank Culley to subdivide 2 lots into 5 be approved. Mr. Mann seconded the motion.

Mr. Lewis requested amending the motion that the right of way going through lot 1 be extended ten feet into lots 4 and 5.

The Town Attorney stated the right of way should be extended to the level of the front of the houses.

Mr. Finn restated his motion. Mr. Finn moved that the Council approve the request of Mr. Culley to subdivide the lots based on the provisions that the residential office cluster be approved and the property be restricted to residential use and the easements to the driveways be extended to 20 feet--an additional ten feet into lots 4 and 5. Mr. Mann seconded the motion. The motion passed unanimously.





WALSH COLUCCI  
LUBELEY & WALSH PC

Jessica L. Pfeiffer  
(703) 680-4664 Ext. 5119  
jpfeiffer@thelandlawyers.com  
Fax: (703) 680-6067

June 14, 2024

**Via Hand Delivery and E-mail (dharris@warrentonva.gov)**

Denise M. Harris  
Planning Manager  
21 Main Street  
Warrenton, VA 20186

Re: ZMA 2023-01 Zoning Map Amendment, Warrenton United Methodist  
Church/Hero's Bridge  
Resubmission and Comment Response Letter

Dear Mrs. Harris:

In response to the comments received to date and our meeting with you, please find the following resubmission materials compiled into twelve (12) individual packages.

1. Revised, executed Land Development Application. Please note one package includes the original and the rest are copies;
  2. Revised, executed Land Use Application Affidavits. Please note one package includes the original and the rest are copies;
  3. Copy of the Warrenton United Methodist Church / Hero's Bridge – Statement of Justification, dated November 30, 2023, revised June 12, 2024;
  4. Full size copy and reduction of the general development plan entitled "Warrenton United Methodist Church / Hero's Bridge Zoning Map Amendment," prepared by Rinker Design Associates, P.C., dated June 3, 2024 and consisting of the following sheets (hereinafter, the "GDP"):
- Existing Conditions Plat
  - Zoning Plat
  - Concept Plan – Phase I
  - Concept Plan – Phase II

ATTORNEYS AT LAW

703 680 4664 ■ WWW.THELANDLAWYERS.COM  
4310 PRINCE WILLIAM PARKWAY ■ SUITE 300 ■ WOODBRIDGE, VA 22192-5199

ARLINGTON 703 528 4700 ■ LOUDOUN 703 737 3633

- Landscape Plan – Phase I
  - Landscape Plan – Phase II
  - Pre & Post Development Drainage Map – Phase I
  - Pre & Post Development Drainage Map – Phase II
  - Vehicle Turning Analysis – Ambulance – Phase I
  - Vehicle Turning Analysis – Fire Truck – Phase I;
5. Copy of the preliminary environmental analysis entitled “Warrenton United Methodist Church – Waters of the U.S. (WOTUS) and Wetland Delineation Report,” prepared by InterAgency, Inc., dated April 29, 2024 (hereinafter, the “Preliminary Environmental Analysis”);
  6. Copy of the draft Proffer Statement, dated June 12, 2024;
  7. Copy of the redlined proffers reflecting revisions from the version dated November 30, 2023.

The following are the Applicant's responses to the comments that they received. Please note that only weaknesses/items to be addressed are listed below.

As an initial statement with respect to these responses, the Applicant observes, as the Staff is aware, that there is no existing zoning classification in the Town that fits the use proposed in this application entirely. Because it does not seem prudent or advisable to create a new zoning classification that can be applied in other locations, the Applicant has chosen to employ the flexibility provided to all applicants under the Virginia conditional zoning statutes and Supreme Court decisions to use proffers to create an enforceable framework for this unique and valuable use. It has been with this in mind, and the sound comments received, that these responses have been prepared.

<b>Planning Staff, dated January 19, 2024</b>	
Agency Comment	Applicant's Response
Please update the Statement of Justification to address these components of the comprehensive plan and address how the Concept Development Plan and elevations meet the comprehensive plan goals. Of particular concern is the varying descriptions of the rezoning proposal makes it is impossible at this time to determine if the application is in conformance with the Future Land Use Map Medium Density designation that	Please see the revised Statement of Justification included with this resubmission. As discussed at the meeting on March 7, 2024, the density is within that of the Medium Density designation. The approximate density is 4.5 dwelling units per acre.



<p>states up to 5 dwelling units per acre. Please advise as a Comprehensive Plan Amendment may be required with the rezoning application.</p>	
<p>The Applicant should review these goals and address them in the resubmission. In addition, the Applicant should further explain the provided bus/van service, how it will be utilized, and if infrastructure (shelters, etc) will be provided for it. Likewise, the Statement of Justification indicates “daily visits from social workers, assistance with veterans’ benefits, visitors. The Applicant states there will be a total of 947 vehicle trips per day, an increase from the estimated current volume of 182 trips per day generated by the Church. This is a substantial increase on neighborhood streets with no proposed improvements.</p>	<p>According to the project engineer, the proposed Phase I vehicles per day are estimated to be an additional 68 trips for both weekday and weekend (Sunday) scenarios. The proposed additional trips added are the equivalent of 7 single-family homes, which is equal to the by right number of homes that could be constructed in the same development area without a rezoning.</p> <p>The proposed Phase II vehicle trips are an additional 492 trips for both weekday and weekend (Sunday) scenarios. These trips are higher than anticipated because the project engineer had to use , the most similar options in the ITE Manual.</p> <p>As discussed at our meeting with the Staff on March 7, 2024, Hero’s Bridge plans to use a 12-person van for the residents. The van would be run approximately two times a week to take residents to shop for groceries, medicine, etc. A dedicated parking spot for this van is depicted on the revised GDP.</p> <p>There may be four staff for Hero’s Bridge, which will include one full time community health care worker, one property manager, and two volunteers. There will likely be visits from doctors and other health care providers about once a month.</p>
<p>The Applicant seeks to locate a residential development near community facilities. Specific to the site, the Applicant needs to assess how emergency service vehicles will access the units, the existing infrastructure and water pressure requirements for fire suppression, and the, as proposed, off-site stormwater facility. The Applicant should consider bringing all</p>	<p>Please see the revised GDP, which includes two sheets that show how fire trucks and ambulance can maneuver the property and access the proposed units.</p> <p>This has been done. Further water analysis and SWM engineering calculations will be included in connection with site plan review.</p>

associated parcels into the proposal for a proper PUD. Please address.	
<p>As stated above, bungalow courts, as defined in the Housing Chapter, are recommended as a potentially appropriate land use in R-10. However, the Zoning Ordinance has not yet been updated to incorporate this. The Applicant is proposing a form of goal H-4; however, it is unclear who will maintain control of the property the residential units will be built upon. Likewise, it is unclear who is responsible for the building and maintaining of the community building or where the proposed senior services will be provided on site (e.g. the offices, the community building, the church, etc). Finally, the Applicant should take into account the existing character of the neighborhood and consider if the proposed elevations are in keeping with the scale, character, and heritage.</p>	<p>The units in connection with Phase I will be maintained by Hero's Bridge under a written agreement with the Church. The Multipurpose Recreational Center proposed with Phase II would be maintained by both the Church and Hero's Bridge.</p> <p>The property will continue to be owned by the Church, and the Church will continue as a fully functioning Methodist Church.</p> <p>The Applicant maintains that the design of the facilities is consistent with the community, but in order to accommodate the purpose of the proposal they cannot be designed as individual single-family residences that are identical to those already existing in the community. These homes will not adversely affect the surrounding area.</p>
<p>Proffer 1.2 contains the unclear phrase "22 duplex residential homes in quadplexes." Note that the PUD zoning district provides at 3-5.2.4.1, "Uses within the R-PUD shall emphasize residential uses permitted in the underlying base zoning district." However, section 3-5.2.5.1 (9) does allow Two-, Three-, and Four- Family dwelling units in an R-PUD. The phrase "22 duplex residential homes in a quadplexes" is unclear, then, for the following reasons:</p> <ul style="list-style-type: none"> <li>• Its inconsistent with itself: duplexes are not quadplexes.</li> <li>• The phrase "a quadplexes" is ungrammatical.</li> <li>• R-PUD doesn't allow duplexes or quadplexes – did the Applicant mean two- and four- family dwelling units?</li> <li>• Because the proposed development isn't divided into lots, the proposed dwelling units do not meet the definition of "two-</li> </ul>	<p>Please see the revised proffers where this has been clarified. The GDP references these units as duplexes.</p>



<p>family dwelling” or “four-family dwelling” in the Zoning ordinance.</p> <p>By failing to “emphasize residential uses permitted in the underlying base zoning district,” the proposed rezoning is arguably inconsistent with the purposes of R-PUD.</p>	
<p>Proffer 1.2 fails to provide a bedroom count or other basis for determining density. The Town should therefore require additional information to determine if the proposed development is consistent with the PUD density standard set out in Zoning Ordinance 3-5.2.3.1 (1).</p> <p>Because there is only one dwelling type, the proposed development also is inconsistent with 3-5.2.4.2 (3).</p>	<p>Please see the revised proffers where this has been clarified. Each of the units will have one bedroom.</p> <p>Please see the proffers where this is addressed in Proffer #2.</p>
<p>Proffer 1.4 purports to make the existing Church a permitted use, as opposed to a nonconforming use, after the rezoning. Is this due to a desire to be able to expand the Church in the future without complying with the rules governing expansion of a non-conforming use?</p>	<p>Please see the proffers where this is addressed in Proffer #2. The Church has no expansion plans, except to the extent that it will wish to participate in the Multipurpose Recreational Center when it is constructed with Phase II. Counsel for the Applicant has recommended in circumstances that are similar to this that an ongoing use become a proffered permitted use in order to avoid any possible issues that may arise in the event of a catastrophic loss and attendant limitations on reconstruction.</p>
<p>Proffer 2.2 does <i>not</i> limit residency to veterans, the elderly, or any group of people. It references the Applicant’s housing program but does not incorporate it by reference.</p>	<p>It is legally permissible to limit housing to older persons under the federal Housing for Older Persons Act, an element of the Fair Housing Act, at both state and federal levels. It is not, however, lawful to proffer to restrict housing to any other group because that would constitute a discriminatory housing practice.</p> <p>It is permissible for an organization like Hero’s Bridge to develop and implement a program that focuses on a group of needful persons. As a matter of policy, it serves veterans 65 years of age and</p>

	older and the proffers have been revised accordingly.
Proffer 3.1 would allow Phase II's recreation center to occupy much of the area now provided for parking. Please provide an analysis of the parking needs that would justify this.	Please see the revised GDP which includes a parking analysis under the site tabulations.
Proffer 4.1 does not require maintenance of landscaping. It should identify the party responsible for maintenance, the standard for maintenance, and the inspection schedule.	Hero's Bridge and the Church will both be responsible for the maintenance of the Property, including its landscaping, based on their private agreement. There will be a 49-year long term ground lease with two 10-year renewal periods, effectively a 69-year ground lease. Hero's Bridge will own all of the structures and will be responsible for the upkeep of the structures and the landscaping/maintenance of Phase I. The church will continue to be responsible for all of the upkeep and maintenance of the other parcels. Hero's Bridge and the Church will share maintenance of common areas which would mainly be the shared drive that enters the community. All of these upkeep and maintenance plans are in the legally binding lease.
Proffer 4.2 does not include any enforceable criteria for amenities. It references "walking trails, recreation areas, and other active recreation facilities as depicted on the CDP," but the CDP does not show any such facilities unless you count the Phase II recreational center. Nor does proffer 4.2 provide any timelines or specifications for creating any such facilities.	<p>Please see the revised GDP. A Small Office/Community Center will be constructed with Phase I. This will be for the residents and contain amenities. This Small Office/Community Center is intended to have a movie viewing area, a senior technology library, an arts and crafts area, a music area, an area for pet therapy for residents, and a fitness room.</p> <p>The outdoor amenities with Phase I will include walking trails with senior appropriate fitness trail signage, a wildlife sanctuary, gazebos, and an existing flagstone garden for meditation purposes.</p> <p>In addition to the amenities in Phase I, a separate Multipurpose Recreational Center is proposed to be constructed in Phase II. The Multipurpose</p>



	Recreational Center will potentially include multi-purpose gym/event space, meeting areas, a kitchen, educational space, an indoor walking track, and multi-purpose office space.
Proffer 5.1 requires that outdoor lighting be “so designed as to avoid light spillover,” but doesn’t require it to be built to match the design. Cf. proffer 6.1 (“design and construct”).	The proposed lighting will be limited to parking and travelways, as required. The buildings will likely have security lighting, and the trail may have ground mounted lighting. A detailed lighting plan/design will be provided in connection with site plan review. It will all be so designed as to avoid any light spillover.
<b>Police Department, dated February 7, 2024</b>	
Agency Comment	Applicant’s Response
As a note to the below security related recommendations. Many of these recommendations are currently being built into Hero’s Bridge’s owner’s specifications that will go to all potential design/building contractors. More details can be provided in connection with site plan review.	
<u>Traffic:</u> <ul style="list-style-type: none"> <li>• There would be a minor effect to vehicular traffic during construction.</li> <li>• Once construction is complete, the entrances on Moser Rd. and Church St. will direct traffic into and out of the complex.</li> <li>• As designed, the exit from the facility onto Frazier Rd. will alleviate traffic backup for persons exiting onto Broadview Ave. by providing an alternate exit route.</li> <li>• Should the parking lot not be sufficient for residents and Church goers, overflow parking will be on Church St. and Moser Rd, which present a safety issue. There is space near the playground where additional parking could be accommodated.</li> </ul>	<p>Acknowledged.</p> <p>Acknowledged.</p> <p>Acknowledged.</p> <p>Please see the revised GDP, which includes a parking analysis under the site tabulations. There is no intention to use on-street parking. The traffic generation and parking requirements likely overestimate the number of vehicles per day and parking required based on the nature of the use.</p>

<p><u>Pedestrian:</u></p> <ul style="list-style-type: none"> <li>• Pedestrian safety will not be affected by this construction.</li> <li>• A sidewalk is recommended around the facility on Church St. and Moser Rd.</li> </ul>	<p>Acknowledged.</p> <p>Please see the revised GDP, where pedestrian connectivity is shown.</p>
<p><u>Lighting:</u></p> <p>A detailed lighting plan has not been submitted at this time.</p> <ul style="list-style-type: none"> <li>• CPTED best practices show lighting should be LED or OLED with a correlated color temperature of between 2700 and 3000 Kelvin.</li> <li>• After installation a night-time lighting study should be done to check illumination, uniformity, and brightness and to ensure the lights are properly shielded so glare doesn't affect traffic or existing properties on Moser Rd. and Church St.</li> <li>• Lighting should be of an unbreakable material and be tamperproof to prevent vandalism and pockets of shadows.</li> <li>• There will be multiple pathways throughout this facility; lighting at night is a safety concern and should be a priority. Residents may have a significant distance to walk from the parking lot to their unit.</li> </ul>	<p>The proposed lighting will be limited to parking and travelways, as required. The buildings will likely have security lighting and the trail may have ground mounted lighting. A detailed lighting plan/design will be provided in connection with site plan review and not only will there be no light spillover, but the Police Department comments will be taken into consideration during the site development plan process.</p>
<p><u>Landscaping:</u></p> <ul style="list-style-type: none"> <li>• The construction will result in new landscaping being installed.</li> <li>• Tree type and placement should be planned so the canopy doesn't interfere with the lights in the parking lot or along pathways as they grow.</li> </ul>	<p>Please see the revised GDP where landscaping is depicted. The Applicant will provide more landscaping detail in connection with site plan review.</p>



<ul style="list-style-type: none"> <li>• Tree type and shrubbery should not prevent line of sight access to the property or provide concealment.</li> <li>• Tree placement should be considered so as not to allow access onto the roofs.</li> </ul>	
<p>CPTED best practices for schools include considerations for both interior and exterior construction. This special use permit does not include interior plans. I have included some recommendations for school safety considerations:</p> <ul style="list-style-type: none"> <li>• Fewer entrances. Once school is in session, only the main front entrance can be opened from the outside. All visitors must use the front entrance.</li> <li>• Provide a separate, controlled entrance for staff.</li> <li>• Can the school office staff clearly see the entrance area and can they observe approaching visitors before they reach the entrance?</li> <li>• Main entrance should be secured with a man trap.</li> <li>• Do office staff have the ability to physically deny entry to visitors by remotely locking/unlocking the man trap?</li> <li>• Do staff members have immediate lockdown capability in classrooms and other locations?</li> <li>• Clearly establish and define school property lines.</li> <li>• Enclose the campus; this is more a measure to keep outsiders out than insiders in. Besides defining property boundaries, a robust fence forces a perpetrator to consciously trespass, rather than allowing casual entry.</li> <li>• Ensure that classrooms and administrative areas can be closed off and</li> </ul>	<p>This is not a school, and while these comments are appreciated, they do not appear applicable to this application.</p>

<p>locked from the gym and other facilities that might be used after hours.</p> <ul style="list-style-type: none"> <li>• Restrict external access to parking areas. Have clearly defined areas for staff and visitor parking. Staff parking can be secured by controlled entrances.</li> <li>• Prohibit through-traffic on campus.</li> <li>• Minimize secluded hiding spaces for unauthorized persons.</li> <li>• Avoid blocking lines of sight with landscaping.</li> <li>• Provide clear signage and posted rules as to who is allowed to use parking facilities and when they are allowed to do so.</li> </ul>	
<b>Zoning, dated January 12, 2024</b>	
Agency Comment	Applicant's Response
<b>General</b>	
<p>The plan does not address the current conditions of Church Street, Moser Road, or the intersection of Church Street with Sullivan Street/Broadview Ave.; address. The existing edge of pavement, pavement markings, signage, curb/gutter and sidewalk, existing drainage features, etc. should be shown so that the proposed impacts to area roadways can be evaluated.</p>	<p>Please see the revised GDP (Sheets C.03 and C.04) where these items are now shown, as requested.</p>
<p>Aerial imagery and topography show a significant drainage feature running across the width of the 3.9-acre portion of the property; Soil Survey maps show that soil type 17B, described as having potential hydric inclusions and an elevated ground water table, are located in a broad swath following the general location of this drainage feature.</p> <p>a. Provide a site-specific evaluation of the property to include the location of any wetlands and/or stream channels, evaluation data points, the survey-</p>	<p>Please see the Preliminary Environmental Analysis that is provided with this resubmission.</p>



<p>accurate location of wetlands and stream channel banks, along with a determination of the type of water flow (ephemeral, intermittent, perennial).</p> <p>b. Staff notes that should any hydric soils be found, that a Jurisdictional Determination by the USACE will be required as a part of any future Site Development Plan application, to include required permits for wetland/stream channel disturbance from the USACE and DEQ.</p>	
<p>Property records show the presence of a waterline easement in the north-eastern property corner, near Unit 44; show the easement and any existing waterline. Revise the plan as necessary to address the utility.</p>	<p>The project engineer has confirmed that we do not possess any records that show that easement, but if it does exist, there is no waterline associated with _____. The easement would be vacated if necessary.</p>
<p>The application does not address adequate water and sewer service.</p> <p>a. Show existing water lines, and approximate locations of all proposed connections and new lines, to include fire hydrants and adequate fire service lines.</p> <p>b. Show existing sewer lines and manholes, as well as approximate locations of all proposed new lines.</p>	<p>Please see the revised GDP (Sheets C.03 and C.04) where the approximate locations of the existing and proposed waterlines, proposed hydrants, and existing and proposed sanitary sewers have been added. The locations of the proposed fire service lines and sanitary building connections will be provided in connection with site plan review once the architectural layout of the proposed buildings has been determined.</p> <p>The Applicant has no reason to believe there is insufficient sewer and water service available for the project.</p>
<p>The application does not provide sufficient information to show that adequate stormwater management can be provided for the property.</p> <p>a. Provide a preliminary/conceptual SWM plan, to include major drainage sheds.</p> <p>b. Label existing drainage facilities with type, size, and invert information.</p> <p>c. Staff notes that the existing outfall on PIN 6984-15-1967 is known to have</p>	<p>Storm sewer labels and a Storm As-Built table have been added to the GDP for clarification. Pre- and post-development drainage maps for the Phase I and Phase II designs have also been added to the GDP (Sheets. C.07 and C.08). The SWM design depicted is preliminary, and a more detailed SWM design will be included with the site development plan.</p>

issues with adequate conveyance of storm flows; the proposed development will add a significant amount of new impervious area leading to an increase in runoff volume that could negatively impact neighboring properties and existing drainage facilities. Ensuring the adequacy of the off-site receiving facilities and structures must be considered.	
The application does not address how mail service and package deliveries will be accommodated; address.	This has not been determined at this time; however, the Applicant anticipates that mail will be received in the Small Office/Community Center. Hero's Bridge will work with the appropriate Town Staff in the USPS in connection with site plan and building permit review.
The property currently exists as two separate parcels, however the statement of justification speaks to cross-use of facilities and services; either show the separating parcel line as "To be Vacated" or revise the plan and application materials to show that the residential/office component are stand-alone facilities that are completely separate from the Church and recreational facility.	The Applicant cannot consolidate the parcels because of United Methodist Church restrictions.
<b>Proffer Statement</b>	
The proffer statement provided for review includes multiple statements that repeat minimum zoning ordinance requirements that must be addressed by all development projects and are not proffers as such.	Please see the revised proffers where this has been clarified and such duplicative requirements removed.
The elevation drawings that were submitted as a part of the application materials are not addressed as part of the proffer statement, in terms of proffered materials, color palette, architectural treatments, or style. Either remove the elevations from the application as extraneous	Please see the revised proffers where the elevation drawings have been added.



or include the elevations as a part of the plan set and address the elevations as a part of the proffer statement in defined, enforceable terms.	
The proffer statement does not provide details as to the homes, such as number of bedrooms, number of levels, square footage, ADA accessibility, etc.; address.	The proffers and GDP provide the level of detail that is known at this point. The homes will be one bedroom, one level and ADA accessible and/or aging in place friendly.
Staff notes that the statement of justification speaks to the intent to serve older and/or disable veterans, however nothing in the proffer statement speaks to this intent, nor to how the Church use is an integral part of the services to be provided to the residents.	Please see the revised Statement of Justification where this has been added.
The statement of justification includes the provision of bus service, and nursing, physical and mental health services, however the proffer statement does not include any of these services. Either amend the statement of justification to remove these items or revise the proffer statement to include these services as integral to the intent and function of the project.	The Applicant did not remove this from the Statement of Justification because it is an important aspect of the use; however, we did provide additional information regarding parking, trip generation and uses to address this comment.
Should the project be intended to serve the elderly, disabled persons, veterans, or other groups with identifiable needs, then the proffers and plan drawing should include facilities that cater to the needs of persons that meet these demographic characteristics such as accessible/universal design features for both outdoor facilities and interior building design.	Please see the proffers and GDP where the information that is known is included. The Small Office/Community Center and Multipurpose Recreational Center will be ADA compliant.
Section 1, proffer 1.2 states that there are 2 single family dwellings that are part of this application, however these dwellings are not indicated in the plan set; address.	Please see the revised proffers where this has been addressed. These 2 homes are not part of the application.
Section 1, proffer 1.4 is unclear in intent, as the Church structure and use is part of the overall	Please see the revised proffers where the height has been clarified as 35 feet.

rezoning application per the statement of justification. Additionally, the height limitation is a standard found in the zoning ordinance and not a proffer.	
Section 1, proffer 1.5 states that "... shall ensure separation between those homes as depicted on the CDP", however staff does not understand the intent of this statement; resolve.	Please see the revised proffers where this has been removed.
Section 1, proffer 1.6 does not provide a defined trigger for when the office or recreation center will be constructed in relation to construction of the residential units; either address by including a defined, enforceable trigger, or remove the office and recreation center from the application materials altogether.	A Small Office/Community Center will be constructed in connection with the units in Phase I. The Multipurpose Recreational Center in Phase II does not have a defined trigger, at this time, quite simply because the Applicant and Hero's Bridge cannot predict when the funds will be available to proceed with Phase II. Please see the revised proffers where more information on timing has been added.
Section 2, proffers 2.1 and 2.2 are unclear, lacking detail or an explanation of intent; address.	Please see the revised proffers where these have been clarified.
Section 3, proffer 3.1 is unclear in intent, as the plan drawing does not provide sufficient detail to ensure that all zoning ordinance requirements are met for on-site parking and loading. The proffer should either be deleted so as to not seem to be allowing the developer to meet a standard that may be less than the minimum requirements of the ordinance, or revised so as to actually proffer some site improvements that is more than the absolute ordinance minimum.	Please see the revised proffers where this proffer has been removed.
Section 4, proffer 4.1 does not address any buffering or screening beyond the minimum requirements of the zoning ordinance that must be met by all projects, and the landscaping shown on the plan does not meet minimum ordinance requirements; address.	Please see the revised GDP where buffering and screening have been revised/clarified.



<p>Section 4, 4.2 does not specify a minimum number or type of amenities to be provided, nor are any such shown on the plan drawing; revise.</p>	<p>Please see the revised GDP. A Small Office/Community Center and amenities will be constructed with the Phase I. This Small Office/Community Center is intended to have a movie viewing area, a senior technology library, an arts and crafts area, a music area, an area for pet therapy for residents, and a fitness room.</p> <p>The outdoor amenities will include walking trails with senior appropriate fitness trail signage, a wildlife sanctuary, gazebos, and an existing flagstone garden for meditation purposes.</p> <p>In addition to the amenities in Phase I, a separate Multipurpose Recreational Center is proposed to be constructed in Phase II. The Multipurpose Recreational Center will potentially include multi-purpose gym/event space, meeting areas, a kitchen, educational space, an indoor walking track, and multi-purpose office space.</p>
<p>Section 5, proffer 5.1 is a minimum zoning ordinance requirement and not a proffer.</p>	<p>Please see the revised proffers where this proffer has been clarified.</p>
<p>Section 6, proffers 6.1 and 6.2 are minimum requirements that all developments must provide, and not a proffer.</p>	<p>Please see the revised proffers where these proffers have been clarified.</p>

<b>Article 3-5.2.3.1 – General Planning Considerations (R-PUD)</b>	
The plan does not clearly illustrate the use of open space required, but the statement of justification does not address the use of open space by the residents.	Please see the revised GDP where the use of open space is further detailed.
<p>The application does not address pedestrian connectivity; resolve.</p> <ol style="list-style-type: none"> <li>Provide crosswalk connections from the residential area to the Church and recreational center across the internal accessway.</li> <li>Provide sidewalk connections from the proposed development areas to the outer perimeter of the site.</li> <li>Provide sidewalk along all street frontages.</li> <li>Address how residents will access the larger pedestrian network outside of the project boundaries.</li> <li>Provide a bike rack or other facilities to address multi-modal transportation.</li> </ol>	Please see the revised GDP (Sheets C.03 and C.04) which includes cross walk connection, additional sidewalks and a bike rack has been added. Upon consideration of the provision of pedestrian walkability, it would appear most prudent to provide a sidewalk connection along Church Street, to connect to the existing sidewalk from the intersection of Church Street and Sullivan Street to Broadview Avenue. Discussions with members of the surrounding community have indicated a general unwillingness to see sidewalk installed elsewhere on Moser or Sullivan itself.
<p>The internal accessways are narrow and appear to have tight turn radii; adequate access by EMS vehicles must be provided to all areas within the project.</p> <ol style="list-style-type: none"> <li>Provide a turn radius/travel path diagram to show that large EMS vehicles can maneuver throughout the site.</li> <li>The existing public roadways appear to be narrow; show that EMS vehicles can access the site from Church Street and Moser Road, to include the Church St./Moser Rd. intersection and the Moser Rd./Frazier Rd. intersection.</li> </ol>	Please see the revised GDP (Sheets C.09 and C.10), which includes a sheet depicting vehicle turning analyses for EMS vehicles.
As a recommendation, the applicant should indicate how fire suppression/protection will be addressed, such as building construction	The Applicant will address this in connection with site plan review.



methods, sprinklering of residential/office/recreational structures, fire hydrants, fire lanes and accessways, etc.	
<b>Article 3-5.2.4.1 – Standards and Criteria for Planned Unit Developments</b>	
The proposal appears to meet the minimum 50% residential use required for an R-PUD.	Acknowledged.
Staff is unable to determine that open space requirements are met at this time. The 25% minimum required open space is not delineated on the plan nor is the use of the open space for amenities for the residents.	Please see the revised GDP (Sheets C.05 and C.06) where the open space delineation has been added.
<b>Article 3-5.2.4.2 – Other Criteria for Residential Planned Unit Developments</b>	
The proposal does not meet the minimum required 25 acres; however, the applicant has requested a waiver of this requirement from the Town Council.	Acknowledged.
The proposal does not meet the requirement for two housing types. The applicant has requested a waiver of this requirement from the Town Council.	Acknowledged.
The proposal exceeds the maximum allowable 50% multi-family units.	Acknowledged.
The required open space is not delineated on the plan.	Please see the revised GDP (Sheets C.05 and C.06) where the open space delineation has been added.
The applicants have indicated that the proposed recreational facility may or may not be constructed in phase II dependent on funding; however, applicable recreational facilities must be constructed prior to construction of the next phase.	Please see the revised proffers, which includes more information regarding phasing.

<b>Article 3-5.2.5 – Use Regulations – Residential Planned Unit Developments (R-PUD)</b>	
The zoning ordinance does not specifically allow the proposed use. The applicant is requesting consideration from the Town Council to allow the use within the R-PUD district. Similar by-right uses are an apartment building, Senior/disability housing, and two, three, and four-family dwelling units. In comparison, a similar use that would require approval of a special use permit is affordable dwelling units (ADU) within areas designated for multifamily development.	This is a use that can be allowed by means of a proffer. See the comment at the beginning of this letter.
<b>Article 3-5.2.5.7 – Density/Intensity and Area Regulations</b>	
The Comprehensive Plan identifies the property as medium density residential. This designation encourages higher density areas near major thoroughfares and commercial areas. The medium density areas are intended to permit densities up to five dwelling units per acre; The applicant has requested approximately 4.8 dwelling units per acre.	The proposal is within the density range in the Comprehensive Plan.
The proposed floor area ratio (FAR) is far less than the maximum allowable FAR within the Zoning Ordinance.	With Phase II, the proposed FAR is 0.18.
Ingress/egress easements will be required to utilize the emergency access areas shown on adjacent property belonging to the Church.	Ingress and egress easements will be included in connection with site plan and plat review and approval.
Interior side yard setback adjacent to the Church is not provided. This must be a minimum of 15' unless a waiver of setback is requested from the Town Council.	Please see the revised GDP where the side yard setback has been added. The project's civil engineer has confirmed that the Church building does not lie within the setback and therefore a waiver will not be required.



<b>Article 6 – Signs</b>	
No signs included as part of the application. Any proposed signs will need to meet the regulations noted under Article 6 of the Zoning Ordinance.	Acknowledged.
<b>Article 7 – Parking</b>	
Staff is unable to verify that parking requirements are met with this submission. The plan mentions a parking demand study, but staff did not receive a copy of this. Parking requirements must be met at the time of site development plan.	Please see the revised GDP (Sheets C.03 and C.04) where more information on parking is shown. These sheets show the required parking for each proposed use per the Zoning Ordinance. The total parking proposed exceeds the minimum required amount per the Zoning Ordinance.
On sheet 2, revise the VPD calculation to address the following: <ul style="list-style-type: none"> <li>a. The VPD calculations for the Church use appear to not be based off of the peak generator, which is typically Sunday; address.</li> <li>b. Provide all calculations used to determine the traffic volume, such as AM/PM Peak, Peak Day, Peak Hour, and other information as necessary for justification.</li> <li>c. Show VPD trips at each entrance, exiting the property.</li> </ul>	Please see the revised GDP (Sheets C.03 and C.04) where VPD calculations have been revised to reflect weekday and Sunday trips. The VPD have been included at each site entrance.
The parking calculations provided as based on the unprovided parking demand study; Staff is unable to verify.	Please see the revised GDP (Sheets C.03 and C.04) where more information on parking is shown. These sheets show the required parking for each proposed use per the Zoning Ordinance. The total parking proposed exceeds the minimum required amount per the Zoning Ordinance.
The applications documents include a description of a bus service; however, the plan sheets do not indicate how this will be accommodated on site with adequate loading spaces and facilities.	Please see the revised GDP (Sheets C.03 and C.04) where a van loading area has been added for clarification.  There is no public bus service planned at this time. Hero's Bridge currently uses a 12-seat passenger

	van and a smaller transport van to serve veterans. Hero's Bridge plans to continue to use both of these vehicles to support weekly trips to the store, pharmacies, doctor's offices etc.
<b>Article 8 – Landscaping</b>	
Staff is unable to verify landscaping requirements are met and the statement of justification does not adequately address this requirement. No landscaping details have been provided at this time. Conformance with Landscaping requirements will be required as part of the site development plan.	Please see the revised GDP (Sheets C.05 and C.06) where sheets have been added to show this information. Further details will be provided in connection with site plan review.
Landscaping for parking area calculations is not provided, but will be required at time of SDP submission.	Please see the revised GDP (Sheets C.05 and C.06) where sheets have been added to show this information. Further details will be provided in connection with site plan review.
The project area abuts two existing single-family homes off of Moser Road, PIN 6984-16-8079 (Thompson) and PIN 6984-16-8042 (McLaughlin), but does not address how any impacts to these two property owners will be addressed. As a recommendation, the applicant should consider enhanced screening and buffering between the two uses.	Please see the revised GDP (Sheets C.05 and C.06) where a fence and buffer has been added to screen these homes from the project area. These homes will be adjacent to the residential portion of the proposal.
The project area abuts four single family homes to the north, PIN 6984-16-7459 (Hunt), PIN 6984-16-8433 (Southard), PIN 6984-16-9430 (Fransella), and PIN 6984-26-0337 (Church), but does not address how any impacts to these property owners will be addressed. As a recommendation, the applicant should consider enhanced screening and buffering between the access road and the property boundary.	Please see the revised GDP (Sheets C.05 and C.06) where a buffer per the Zoning Ordinance has been added.
The application does not clearly describe how refuse will be addressed on site for all uses. Refuse facilities but must be screened from view	Please see the revised GDP (Sheets C.03 and C.04) where a proposed dumpster area has been added. A trash removal service will be contracted



<p>of adjacent properties, the public right-of-way, and from within the lot per Article 8-8.2. See Public Utilities Public Works for when refuse pick-up is provided by the Town.</p> <ul style="list-style-type: none"> <li>a. Provide adequate dumpster areas that are convenient to the differing uses.</li> <li>b. Address refuse area screening via landscaping, solid walls or fencing, and gates.</li> </ul>	<p>for the homes/uses with the expense being incurred by the owner/Applicant.</p>
<b>Article 9-8 – Lighting</b>	
<p>The Statement of Justification acknowledges all lighting must meet requirements of Article 9 of the Zoning Ordinance, but overall does not address site lighting. All fixtures on site will require conformance to current lighting standards. Staff suggests that the applicant should consider how sidewalk/trail lighting and parking area lighting will be provided, the general type and height of outdoor lighting fixtures, and the potential for glare, light trespass, and light pollution affecting surrounding properties.</p>	<p>The proposed pole lighting will be limited to parking and travelways, as required. The buildings will likely have security light. There may be ground mounted lighting on the trails, if required. Further details will be provided in connection with site plan review.</p>
<b>Article 9-3 – Affordable Dwelling Unit Provisions</b>	
<p>The proposal does not meet the eligibility requirements as stated under Article 9-3.1 of the Zoning Ordinance. The applicant has suggested a “proffer” for offering these ADU to qualifying individuals based on Hero’s Bridge rules and regulations. This may be considered as a waiver, but not a proffer.</p>	<p>Acknowledged. This has been done.</p>
<p>The plans do not indicate how many bedrooms the units are intended to have, and staff is not able to determine the parking reduction allowance as provided for in Article 9-3.6.</p>	<p>The homes will be one bedroom, and this is reflected in the proffers. Please see the revised GDP (Sheets C.03 and C.04) where parking information has been provided.</p>

<b>Article 9-12 – Open Space</b>	
Open space must be used for the benefit of the residents. The plan does not indicate what recreational facilities will be used within the open space for the enjoyment of the residents. The applicant should ensure that adequate facilities will be provided to support intended outdoor recreation uses.	Please see the revised GDP (Sheets C.03 and C.04) and above where open space and amenities have been addressed.
Provide additional detail on the small circular areas that are shown along the 12' asphalt trail; what purpose do these objects serve?	Please see the revised GDP where these have been removed.
<b>Article 11-3.10.3</b>	
The criteria listed under Article 11-3.10.3 are those items that the Planning Commission and Town Council should consider when reviewing a SUP application. Zoning staff defers to Planning staff in the compliance assessment of these criteria.	Acknowledged.
<b>Public Works and Utilities, dated January 22, 2024</b>	
Agency comment	Applicant's Response
<b>Article 4 – Site Conservation Manual (SCM)</b>	
Conformance with erosion and sediment control (ESC) requirements is required at the time of SDP submission. The concept plan does not appear to show ESC measures and/or calculations. They will need to meet the requirements of the Site Conservation Manual Article 4, 9VAC25-840, Virginia and Erosion and Sediment Control Law, and State Regulations.	Acknowledged. These items, if required, will be provided in connection with site plan review.



<b>Article 5 – Stormwater Management (SWM)</b>	
Conformance with stormwater requirements is required at the time of SDP submission. No calculations were provided with the concept plan. They will need to meet the requirements of the Stormwater Management Ordinance Article 5, 9VAC25-870, and the Virginia Stormwater Management Regulation for new development. This will be critical to ensure the size and area of the two SWM locations will be adequate to meet the regulations for both quantity and quality of surface water runoff.	Please see the revised GDP (Sheets C.07 and C.08) depicting this information. A more detailed SWM design and adequate outfall analysis will be provided in connection with site plan review.
The existing Stormwater Management Facility located on PIN#6984-15-1967-000 will need to be upgraded to meet the stormwater requirements for quality and quantity. A new Stormwater Management Agreement will be required.	A more detailed SWM analysis and design will be provided in connection with site plan review. The existing Stormwater Management Facility located on PIN 6984-15-1967 will be upgraded, if necessary or required.
There are existing flooding and drainage concerns at the intersection of Sullivan and Church Street that could be exacerbated. Hydrology and hydraulics grade line calculations will need to be provided to ensure adequacy and prevent further flooding and drainage issues.	Per the project engineer, all development will be designed to current standards ensuring that further drainage issues do not occur.
The project is being shown to be built over an existing channel. How will water conveyance be addressed with this project since it is taking flow from the neighborhood? The existing channel will need to be evaluated to determine if any additional federal or state permitting is required.	Please see the revised GDP (Sheets C.03 and C.04) where a preliminary storm sewer alignment has been added.
A portion of this project is shown to be in the 500-year floodplain. While this does not inhibit the potential for developing and making improvements to the property, it created the need for special considerations in the design of any building foundations under the ground surface	A preliminary environmental analysis has been provided with this resubmission.

and the infrastructure to convey drainage through and off the site.	
<b>Water and Sanitary Sewer</b>	
The site proposes 44 Senior Living rental units, a recreational building, and the existing Church remaining in place. AtR-10. this, the existing Church uses about 29,000 gallons a month which equates to approximately 960 gallons a day. The application indicates the total site land area is 9.14 acres and is zoned R-10. Based on this, the by-right water and wastewater use for up to 39 residential units would be around 11,700 gallons per day. Under the proposed use, maintaining the existing Church, 44 elderly/age restricted apartment units, and a 2-story 19,000 square foot Recreational Center with a non-defined water demand, is estimated to require a water demand between 10,000 and 13,000 gallons per day.	Acknowledged. Further water demand information can be provided in connection with site plan review.
The proposed plan would be reviewed in more detail when final plans are submitted should this permit be approved.	Acknowledged.
<b>Public Works</b>	
Parking for units 13 through 24 and 37 through 44 is questionable as currently shown. Based on this layout, it would appear there would be strong motivation for routine parking along Moser Road, which the current street design would not support.	Please see the revised GDP (Sheets C.03 and C.04) where more information on parking is shown. These sheets show the required parking for each proposed use per the Zoning Ordinance. The total parking proposed exceeds the minimum required amount per the Zoning Ordinance.
Storm drainage will be a major concern during design development.	Please see the revised GDP (Sheets C.03 and C.04) where a preliminary storm sewer alignment has been added.



Fire Company, dated January 18, 2024	
Consider wider walkways that will support fire apparatus. We need a width of at least 20' to ensure we can operate an apparatus in the back parts of the development.	Please see the revised GDP (Sheets C.03 and C.04) where the asphalt trail has been widened to 20 feet.
Consider additional fire hydrants to ensure ease of active fire operations.	Please see the revised GDP (Sheets C.03 and C.04) where additional fire hydrants have been added.
Consider requiring residential sprinklers due to the closeness of the occupancies.	If required, sprinklers will be required in connection with site plan and/or building permit review.
Will this space be rentals/transient living or special use?	The homes will be rented.

We trust these responses address your comments. Please do not hesitate to contact me if you have any questions or need additional information. Thank you for your assistance in connection with this application.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



Jessica L. Pfeiffer

JLP/mac

cc: Carl Chapman  
Molly Brooks  
Rob Seidel  
Chip Carson  
Jeremy Karls  
John Foote

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## TOWN OF WARRENTON

Department of Community Development

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TELEPHONE (540) 347-1101  
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July 19, 2024

John Foote/Jessica Pfeiffer  
Walsh, Colucci, Lubeley & Walsh  
4310 Prince William Parkway, Suite 300  
Prince William, VA 22192

Re: ZMA 2023-01 Zoning Map Amendment Application for R-PUD - Warrenton United Methodist Church/Hero's Bridge - Second Round Agency Comments

Dear Mr. Foote/Ms. Pfeiffer:

The attached comments are for the above referenced application that was officially accepted as of this date, December 21, 2023.

REFERRAL AGENCY COMMENT SUMMARY			
Referral Agency	Date	Outstanding Issues	Attached
Planning	7/19/24	Multiple; incorporates Town Attorney	X
Zoning	07/2/24	Multiple	X
PW/PU	7//24	Offsite stormwater facility; hydrology and flooding; existing water/sewer lines; parking; water and sewer capacity	X

General overall comment is the zoning request is a land use decision and, if approved, an entitlement to the property that runs with the land. The application should distinguish between the mission of the property owner and applicant vs the property entitlement in case there is a different property owner in the future.

Please do not hesitate to contact me at (540) 347-1101 X313 if you have any questions. Staff is available for post comment review meeting, if desired.

Respectfully,

Denise M. Harris, AICP  
Planning Manager







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### PLANNING STAFF COMMENTS

**DATE:** July 15, 2024

**SUBJECT:** ZMA 2023-01 Zoning Map Amendment Application for R-PUD - Warrenton United Methodist Church/Hero's Bridge – Second Submission Agency Comments

#### General

Va. Code section 57-8 et seq. pertains to any encumbrance or conveyance of a church property requires the execution of a deed by all trustees appointed by the Circuit Court at the request of church authorities. The submission includes the signed affidavit's from two trustees; however, the a copy of the latest appointment order is needed to ensure the rezoning application is authorized. Please provide.

The Statement of Justification states that residents are screened for barrier crimes, sex offenses, and active drug use (page 4 of 6, #7), however those restrictions are not enforceable unless proffered.

The Applicant clarified the unit type in Proffer 2.a.i and the cover letter at page 4, stating that the units are duplexes, however R-PUD doesn't allow duplexes. The Council can craft a waiver for this provision, but it adds to the impression that this proposal is contrary to the Comprehensive Plan. This impression is increased by the failure to include any residential uses permitted in the underlying base zoning district and by the failure to provide more than one dwelling type.

As worded, Proffers 2.b. and 2.c. make no commitments, merely referencing what the small office/community center and the multipurpose recreational center "may include."

In the cover letter, at pages 5-6, the Applicant disclaims any ability under applicable law to limit residency to veterans. Despite this, the Application contains many references to services to veterans – even though the Applicant admits that it has no ability to limit its services to that population. The Applicant has offered no age-restricted covenant to be recorded as a property restriction. Virginia Code § 36-96.7 (A) provides for three different ways to lawfully limit housing for older persons, and the Applicant has not indicated which it seeks to use. There is a reference to age 65, but § 36-96.7 does not offer that as an option. One provision of Section 36-96.7, namely (A) (iii), merely requires one person 55 or older to occupy a unit, and the other occupants can be of any age.



Please call out the bicycle rack identified in the proffers in the plans. Or revise proffer 14 to remove the reference to the plans.

There is no commitment to build Phase II in the proffers. In the cover letter on page 3, Hero's Bridge proposes but does not commit to any staffing levels, rendering any discussion about services irrelevant to consideration of the rezoning.

The Statement of Justification at page 3 says that "few of Hero's residents will have cars," but offers no support for such a statement. Other such observations could be made, such as the limited amenities, the failure to proffer against spillover lighting, and the lack of a commitment to screening for illegal drug use, and all these observations lead to one key question. The Application speaks to the mission of the applicants; however, please keep in mind this is a land use entitlement request that runs with the land. If approved, what would happen to the residential units should the church or non-profit cease to be involved in the land?

Please clarify the "portion" of GPIN 6984-16-5101 being proposed to be rezoned. Will this create a split zone parcel or is the Applicant proposing a different solution. Staff recommends the entirety of a parcel be contained in a rezoning request.

The Applicant should carefully review the Zoning Ordinance to ensure all waivers and modifications requests are captured.

Please provide information regarding the existing Special Use Permit for the Planning Commission and how it relates to the current proposal.

#### **Plan Warrenton 2040**

The subject parcel is located outside of the Character Districts and is designated as Medium Density Residential on the Future Land Use Map. Below are excerpts from the comprehensive plan that relate to this designation.

*"This designation includes single family detached residential dwellings at densities up to five dwellings per net acre, contingent upon pedestrian and vehicular access, compatibility with surrounding properties and mitigation of potential impacts."*

*"The designation of medium density residential is also applied to established residential neighborhoods which should be conserved and/or expanded in a manner similar to, and compatible with, the existing surroundings. Many neighborhoods in these areas have older homes and are characterized by mature vegetation and social interaction between neighbors. Medium density areas are intended to permit densities of up to five dwelling units per net acre, and new lots within established subdivisions should contain an area that approximates the size and configuration of existing lots in the neighborhood. The higher densities should be considered as more appropriate near major thoroughfares and commercial areas. Recreational facilities and other neighborhood amenities should be provided in developments when densities exceed three units per net acre."*

*"New subdivisions and lots within this designation should complement and enhance the area in which it occurs. Residential infill areas should be compatible in density, lot size, and placement of structures on the lots with existing neighboring structures and lots. The exterior elevations of the structures should complement and respect the surrounding neighborhood's existing design and architectural elements."*

*“Retaining the high quality of established neighborhoods is a continual challenge. Since the low density and the medium density areas are a desirable place to live, they are becoming attractive for infill development. The medium density residential areas are located so as to protect the character of existing neighborhoods and to provide quiet residential area attractive for single family housing. Where site characteristics permit and where negative impact to adjacent properties is minimal, non-residential, home occupations and businesses may be permitted as provided for in the Zoning Ordinance. Mature vegetation should be retained.”*

*“In order to support the goals and objectives of medium density residential areas, the Plan seeks to preserve the integrity of existing residential neighborhoods; limit and discourage incompatible uses into established residential neighborhoods; and maintain and improve neighborhood qualities by eliminating substandard housing and improving its physical features that include streets, sidewalks, street lights, and other public improvements.”*

For existing zoning districts, the comprehensive plan states for R-10 zoning *“Single-family, detached homes and limited groups are allowed. Limited service uses are allowed with a special use permit. This zone allows for smaller lot sizes and setbacks than R-15.”* It goes on to recommend *“Bungalow Court to be allowed by-right and ADUs by special permit.”*

Bungalow Court is defined in the Housing Section under goal H-1.1 as *“a series of small, detached structures providing multiple units arranged to define a shared court that is typically perpendicular to the street. The shared court takes the place of a private rear yard and is an important community-enhancing element.”*

#### **Staff Comment:**

Please update the Statement of Justification to address these components of the comprehensive plan and address how the Concept Development Plan and elevations meet the comprehensive plan goals. Of particular concern is the varying descriptions of the rezoning proposal makes it is impossible at this time to determine if the application is in conformance with the Future Land Use Map Medium Density designation that states up to 5 dwelling units per acre. Please advise as a Comprehensive Plan Amendment may be required with the rezoning application.

Update: The resubmission states the Application meets the medium density identified in the Comprehensive Plan. There are no elevations included in the Concept Development Plan resubmission to assess if the proposal meets attractive infill development that protects the existing character if the neighborhood.

#### **Transportation and Circulation Goals**

Sullivan and Church Street are designated as Neighborhood Streets in the Warrenton Street Typology. Desired multi-modal improvements of the Complete Street in Plan Warrenton 2040. Include sidewalks as the highest priority element with street trees, slow design speeds, bicycle facilities, and traffic calming.

#### **Transportation goals include:**

T-1: Improve multi-modal capacity and safety that encourages trips by walking, bicycling, and transit.

T-2 Enhance the Traveling Experience by Creating Great Streets.



T-3 Promote livability in the Town by creating great places for residents and visitors to feel welcome and safe.

T-4 Provide an Equitable and Connected Multi-Modal Network.

Moser Road to Frazier Road is listed as a priority project segment requiring improvement with "Significant Benefit."

*Staff Comment:*

The Applicant should review these goals and address them in the resubmission. In addition, the Applicant should further explain the provided bus/van service, how it will be utilized, and if infrastructure (shelters, etc) will be provided for it. Likewise, the Statement of Justification indicates "daily visits from social workers, assistance with veterans' benefits, visitors. The Applicant states there will be a total of 947 vehicle trips per day, an increase from the estimated current volume of 182 trips per day generated by the church. This is a substantial increase on neighborhood streets with no proposed improvements.

Update: The Town has a goal of walkability. While the resubmission addresses sidewalks to the west of the property, it does not include sidewalks around the entire proposed R-PUD. There remains concerns about the amount of new traffic this site may generate. Although the Applicant states few residents will drive, there is nothing to substantiate this statement leaving staff to use the ITE Trip Generation manual to determine potential outcomes. Assuming the Applicant will guarantee in some fashion the age restriction, the following is an example from the 9<sup>th</sup> Edition of the ITE Trip Generation Manual (there are newer editions of the ITE Manual that should be utilized):

- Senior Adult Housing – Attached Average Rate 3.44 Per Dwelling Unit
- Church 1000 square feet Average Rate 9.11
- Private School (K-8) for the SUP Approved Private Pre-School Needs to be Calculated on number of students and employees.
- Office General/Medical/Community Center needs to be developed on number of employees and square footage.
- Recreational Community Center please determine appropriate category and trip generations for proposed use.

Please reference how the vehicle trips were developed and the break down of proposed uses with peak hours in more specificity to be reviewed.

#### Community Facilities Goals

The Community Facilities chapter of the comprehensive plan speaks to both public and private investments to ensure a high quality of life.

CF-1: Serve as the central, inviting public service center for Town and County residents with a proportionate share of community services provided by other governments, including a fair and reasonable balance in funding sources for community facilities.

CF-2: Public safety services and policies are viewed as amongst the best in similar Virginia towns for the responsiveness, community trust, and effectiveness.

CF-3: Green infrastructure and sustainability are incorporated into community facilities to promote energy efficiency and environmental protections.

CF-4: Ensure healthy, safe, adequate water and wastewater services.

*Staff Comment:*

The Applicant seeks to locate a residential development near community facilities. Specific to the site, the Applicant needs to assess how emergency service vehicles will access the units, the existing infrastructure and water pressure requirements for fire suppression, and the, as proposed, off-site stormwater facility. The Applicant should consider bringing all associated parcels into the proposal for a proper PUD. Please address.

Update: The Applicant widened the trail to 20' to accommodate emergency services. The water and sewer capacity remains a key issue that needs to be addressed at this time. Public Utilities needs an assessment of the impacts this proposal may have above the by-right capacity.

Housing Goals

The Housing Chapter's vision states *"In 2040, Warrenton will have inclusive and attainable housing for all ages, incomes, and needs that is compatible with existing Town character to create walkable communities with shared open space and a sense of place."*

*Existing housing stock is improved and maintained to preserve established residential neighborhoods, while expanding housing options in Character Districts to ensure that the Town supports infill development that contributes to the Town's small town feeling where neighbors know their neighbors."*

The Housing Chapter goals state:

H-1.1: Encourage development of the "Missing Middle" housing types beyond traditional single family homes, townhouses, and apartments by updating the Zoning Ordinance to create a beneficial mix.

H-2: Character Districts will accommodate a balance of available housing typologies that are compatible to existing neighborhoods in scale, character, and transition.

H-3: Preserve existing neighborhoods and promote infill that supports the character and heritage of Warrenton.

H-3: Preserve existing neighborhoods and promote infill that supports the character and heritage of Warrenton.



H-4: Create regional partnerships to address and enhance attainable housing supply.

*Staff Comment:*

As stated above, bungalow courts, as defined in the Housing Chapter, are recommended as a potentially appropriate land use in R-10. However, the Zoning Ordinance has not yet been updated to incorporate this. The Applicant is proposing a form of goal H-4; however, it is unclear who will maintain control of the property the residential units will be built upon. Likewise, it is unclear who is responsible for the building and maintaining of the community building or where the proposed senior services will be provided on site (e.g. the offices, the community building, the church, etc). Finally, the Applicant should take into account the existing character of the neighborhood and consider if the proposed elevations are in keeping with the scale, character, and heritage.

Update: As mentioned above, comment remains. Concerns about the land use entitlement, elevations, and long term use need to be further detailed.



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### STAFF COMMENTS

**TO:** Denise Harris, AICP, Planning Manager  
**FROM:** Heather Jenkins, PLA, CZA, Zoning Administrator  
**DATE:** July 2, 2024  
**SUBJECT:** Warrenton United Methodist Church/ Hero's Bridge (6984-16-7013-000, 6984-16-5101-000)  
ZMA 2023-1  
Submission 6/20/2024; 2<sup>nd</sup> Review

#### I. Zoning Ordinance Review

The application contains a Land Development Application, Statement of Justification, Zoning Map Amendment checklist, proffer statement, and a rezoning plan. The following analysis is based on the relevant Articles of the Zoning Ordinance/Town Code.

#### In General

Staff comment: **Advisory Comment remains:** Aerial imagery and topography show a significant drainage feature running across the width of the 3.9-acre portion of the property; Soil Survey maps show that soil type 17B, described as having potential hydric inclusions and an elevated ground water table, are located in a broad swath following the general location of this drainage feature.

- a. Staff notes that should any hydric soils be found, that a Jurisdictional Determination by the USACE will be required as a part of any future Site Development Plan application, to include required permits for wetland/stream channel disturbance from the USACE and DEQ.

**Clarification:** A Jurisdictional Determination will be required at the time of Site Development Plan. This comment remains advisory.

Staff comment: **Advisory Comment remains:** The application does not provide sufficient information to show that adequate stormwater management can be provided for the property.

- c. Staff notes that the existing outfall on PIN 6984-15-1967 is known to have issues with adequate conveyance of storm flows; the proposed development will add a significant amount of new impervious area leading to an increase in runoff volume that could negatively impact neighboring properties and existing drainage facilities. Ensuring the



adequacy of the off-site receiving facilities and structures must be considered.

**Clarification:** Staff acknowledges the drainage plan provided by the engineer shows no increase in post-development flows. However, the submitted materials do not appear to show adequacy of the existing downstream drainage facilities.

Staff comment:

**Advisory Comment remains:** The plan does not address the current conditions of Church Street, Moser Road, or the intersection of Church Street with Sullivan Street/Broadview Ave.; address. The existing edge of pavement, pavement markings, signage, curb/gutter and sidewalk, existing drainage features, etc. should be shown so that the proposed impacts to area roadways can be evaluated.

**Clarification:** Staff notes that the proposal does not provide continuing sidewalk and curb and gutter along the Moser Road and Church Street road frontages. (10-6.10 ZO)

Staff comment:

**Advisory comment remains:** The application does not address how mail service and package deliveries will be accommodated; address.

**Clarification:** The applicant has acknowledged staff's concern, and this issue will be addressed at the time of site plan. This comment remains advisory.

Staff comment:

**Comment remains:** The property currently exists as two separate parcels, however the statement of justification speaks to cross-use of facilities and services; either show the separating parcel line as "To be Vacated" or revise the plan and application materials to show that the residential/office component are stand-alone facilities that are completely separate from the church and recreational facility.

**Clarification:** The uses must operate independently of one another if the parcels cannot be consolidated. All amenities and open space must be provided on each individual lot. If the church lot were to sell in the future, the residential component risks losing access to all amenities provided on the adjacent parcel.

#### Proffer Statement

Staff comment:

**Comment remains:** The proffer statement provided for review includes multiple statements that repeat minimum zoning ordinance requirements that must be addressed by all development projects and are not proffers as such.

**Clarification:** The revised proffer statement continues to state that the project will provide items as required by the Zoning Ordinance. Revise.

Staff comment:

**Comment remains:** The elevation drawings that were submitted as a part of the application materials are not addressed as a part of the proffer statement, in terms of proffered materials, color palette, architectural

treatments, or style. Either remove the elevations from the application as extraneous or include the elevations as a part of the plan set and address the elevations as a part of the proffer statement in defined, enforceable terms.

**Clarification:** The "Architecture" proffer (#6) states that the quality of the proposed duplex units shall be in general conformance with the elevations prepared by Design Concepts, but the elevations were not provided for review. Define "Quality" as used in the proffers and statement of justification.

**Staff comment:** **Comment remains:** Staff notes that the statement of justification speaks to the intent to serve older and/or disabled veterans, however nothing in the proffer statement speaks to this intent, nor to how the church use is an integral part of the services to be provided to the residents.

**Clarification:** Partially addressed via proffer 2.a.iv. The church appears to no longer be utilized as an integral part of the project; However, the land area of the church is used to provide justification for the proposed density and a future phase II multipurpose recreational center. The multipurpose recreational center appears to be an expansion of the existing church use; justify. An expansion of the church use in the R-10 Zoning District requires the approval of a Special Use Permit.

**Staff comment:** **Comment remains:** The statement of justification includes the provision of bus service, and nursing, physical and mental health services, however the proffer statement does not include any of these services. Either amend the statement of justification to remove these items or revise the proffer statement to include these services as integral to the intent and function of the project.

**Clarification:** Not addressed.

**Staff comment:** **Comment remains:** Should the project be intended to serve the elderly, disabled persons, veterans, or other groups with identifiable needs, then the proffers and plan drawing should include facilities that cater to the needs of persons that meet these demographic characteristics such as accessible/universal design features for both outdoor facilities and interior building design.

**Clarification:** Not addressed. No elevations have been provided to show the interior/exterior building design or accessibility features.

**Staff comment:** **Comment remains:** Section 1, proffer 1.6 does not provide a defined trigger for when the office or recreation center will be constructed in relation to construction of the residential units; either address by including a defined, enforceable trigger, or remove the office and recreation center from the application materials altogether.

**Clarification:** Not addressed. The enforceable trigger for the construction of the recreation center is not defined. (How many duplexes will be built



prior to the recreation center?) In addition, the square footage of the facility is broadly defined. Provide separate square footage for the portion of the building used for each use (office and recreation center).

Staff comment: **Comment remains:** Section 2, proffers 2.1 and 2.2 are unclear, lacking detail or an explanation of intent; address.

**Clarification:** Proffers have been revised to be "5a and 5b". The proposed proffers are unclear in their intent, and do not appear to be proffers but rather, a waiver request of the requirements of the referenced articles of the Zoning Ordinance. Revise.

Staff comment: **Comment remains:** Section 4, proffer 4.1 does not address any buffering or screening beyond the minimum requirements of the zoning ordinance that must be met by all projects, and the landscaping shown on the plan does not meet minimum ordinance requirements; address.

**Clarification:** Proffer has now been revised to be number "7", but the original comment remains. The landscaping shown within the proposed buffer areas (C, D,E,G) do not meet minimum Zoning Ordinance requirements. Staff is unable to determine that minimum Zoning Ordinance requirements have been met. Revise. (8-8.5 ZO)

Staff comment: **Comment remains:** Section 4, proffer 4.2 does not specify a minimum number or type of amenities to be provided, nor are any such shown on the plan drawing; revise.

**Clarification:** Proffer has now been revised to be number "8", but the original comment remains. Outdoor amenities are not defined, and are not shown/labeled on the plan. Revise. In addition, "senior appropriate fitness trail signage" is not an amenity. Revise.

Staff comment: **Comment remains:** Section 5, proffer 5.1 is a minimum zoning ordinance requirement and not a proffer.

**Clarification:** Proffer has now been revised to be number "9", but the original comment remains. The "proffer" is stating minimum Zoning Ordinance requirements, and as such, is not a proffer.

Staff comment: **Comment remains:** Section 6, proffers 6.1 and 6.2 are minimum requirements that all developments must provide, and not a proffer.

**Clarification:** Not addressed.

Article 3-5.2.3.1 – General Planning Considerations (R-PUD)

Staff comment: **Comment remains:** The plan does not clearly illustrate the use of open space required, but the statement of justification does not address the use of open space by the residents.

**Clarification:** An open space calculation has been provided on the plan, but labels are not indicated showing the open space areas and the amenities within these areas for use by the residents. Revise.

Staff comment: **Comment remains:** The application does not address pedestrian connectivity; resolve.

- a. Provide crosswalk connections from the residential area to the church and recreational center across the internal accessway.
  - a. **Clarification:** One crosswalk does not appear sufficient.
- b. Provide sidewalk connections from the proposed development areas to the outer perimeter of the site.
  - a. **Clarification:** Curb cuts and crosswalks are not provided at the sidewalk connections for Church Street and Moser Road. Revise.
- c. Provide sidewalk along all street frontages.
  - a. **Clarification:** Not addressed.
- d. Address how residents will access the larger pedestrian network outside of the project boundaries.
  - a. **Clarification:** Not addressed.

Article 3-5.2.4.1 – Standards and Criteria for Planned Unit Developments

Staff comment: **Comment remains:** Staff is unable to determine that open space requirements are met at this time. The 25% minimum required open space is not delineated on the plan nor is the use of the open space for amenities for the residents.

**Clarification:** Unaddressed.

Article 3-5.2.4.2 – Other Criteria for Residential Planned Unit Developments

Staff comment: **Comment remains:** The proposal exceeds the maximum allowable 50% multi-family units.

**Clarification:** A detailed list of all requested waivers of Zoning Ordinance standards is required.

Staff comment: **Comment remains:** The required open space is not delineated on the plan.

**Clarification:** Unaddressed.

Staff comment: **Comment remains:** The applicants have indicated that the proposed recreational facility may or may not be constructed in phase II dependent



on funding; However, applicable recreational facilities must be constructed prior to construction of the next phase.

**Clarification:** Proffer #4, phasing, does not tie construction of the recreational facilities to a specific number of dwelling units or other enforceable trigger.

Article 3-5.2.5 – Use Regulations- Residential Planned Unit Developments (R-PUD)

Staff comment: **Advisory Comment remains:** The Zoning Ordinance does not specifically allow the proposed use. The applicant is requesting consideration from the Town Council to allow the use within the R-PUD district. Similar by-right uses are an apartment building, Senior/disability housing, and two, three, and four-family dwelling units. In comparison, a similar use that would require approval of a special use permit is affordable dwelling units (ADU) within areas designated for multifamily development.

Article 3-5.2.7 – Density/Intensity and Area Regulations

Staff comment: **Advisory comment remains:** Ingress/egress easements will be required to utilize the emergency access areas shown on adjacent property belonging to the church.

**Clarification:** Applicant has acknowledged this requirement and will address at the time of Site Development Plan.

Staff comment: **Comment remains:** Interior side yard setback adjacent to the church is not provided. This must be a minimum of 15' unless a waiver of setback is requested from the Town Council.

**Clarification:** Add setback line labels throughout the plan to aid review.

Article 6 – Signs

Staff comment: **Advisory comment remains:** No signs included as part of the application. Any proposed signs will need to meet the regulations noted under Article 6 of the Zoning Ordinance.

Article 7 – Parking

Staff comment: **Comment remains:** Staff is unable to verify that parking requirements are met with this submission. The plan mentions a parking demand study, but staff did not receive a copy of this. Parking requirements must be met at the time of site development plan.

**Clarification:** The parking calculations depicted on sheet C.05 of the plan do not show the minimum required parking for one-bedroom units let alone the parking needed for the office use. If a waiver of parking requirements is desired, the request must be made to the Town Council.

Staff comment: **Comment remains:** The parking calculations provided as based on the unprovided parking demand study; Staff is unable to verify.

**Clarification:** Unaddressed.

Staff comment: **Comment remains:** The application documents include a description of a bus service; however, the plan sheets do not indicate how this will be accommodated on site with adequate loading spaces and facilities.

**Clarification:** Only one loading area is designated on site. Staff suggests adding at least one additional area on site. Staff is also unable to determine that the size of the loading area will meet minimum requirements per article 7-18 of the Zoning Ordinance.

#### Article 8 – Landscaping

Staff comment: **Advisory comment remains:** Staff is unable to verify landscaping requirements are met and the statement of justification does not adequately address this requirement. No landscaping details have been provided at this time. Conformance with Landscaping requirements will be required as part of the site development plan.

Staff comment: **Comment remains:** Landscaping for parking area calculations is not provided but will be required at time of SDP submission.

**Clarification:** Landscaping calculations are provided but are incorrect based on the number of required parking spaces. A minimum of one space per one-bedroom unit must be provided, equivalent to 44 spaces for this development.

Staff comment: **Advisory Comment remains:** The project area abuts two existing single-family homes off of Moser Road, PIN 6984-16-8079 (Thompson) and PIN 6984-16-8042 (McLaughlin), but does not address how any impacts to these two property owners will be addressed. As a recommendation, the applicant should consider enhanced screening and buffering between the two uses.

Staff comment: **Comment remains:** The project area abuts four single family homes to the north, PIN 6984-16-7459 (Hunt), PIN 6984-16-8433 (Southard), PIN 6984-16-9430 (Fransella), and PIN 6984-26-0337 (Church), but does not address how any impacts to these property owners will be addressed. As a recommendation, the applicant should consider enhanced screening and buffering between the access road and the property boundary.

**Clarification:** A stronger buffer in this area is advisable, such as a double-staggered row of evergreen trees to provide adequate screening.

Staff comment: **Comment remains:** The application does not clearly describe how refuse will be addressed on site for all uses. Refuse facilities but must be screened from view of adjacent properties, the public right-of-way, and from within the lot per Article 8-8.2. See Public Utilities Public Works for when refuse pick-up is provided by the Town.

- a. Provide adequate dumpster areas that are convenient to the differing uses.



- b. Address refuse area screening via landscaping, solid walls or fencing, and gates.
  - a. **Clarification:** The potential dumpster area labeled on sheet C.03 does not show a parking area/loading zone for a trash service. Provide dimensions and turn radius for a trash truck to service the dumpster.

#### Article 9-8 – Lighting

Staff comment: **Advisory comment remains:** The Statement of Justification acknowledges all lighting must meet requirements of Article 9 of the Zoning Ordinance, but overall does not address site lighting. All fixtures on site will require conformance to current lighting standards. Staff suggests that the applicant should consider how sidewalk/trail lighting and parking area lighting will be provided, the general type and height of outdoor lighting fixtures, and the potential for glare, light trespass, and light pollution affecting surrounding properties.

#### Article 9-3 – Affordable Dwelling Unit Provisions

Staff comment: **Comment remains:** The proposal does not meet the eligibility requirements as stated under Article 9-3.1 of the Zoning Ordinance. The applicant has suggested a "proffer" for offering these ADU to qualifying individuals based on Hero's Bridge rules and regulations. This may be considered as a waiver, but not a proffer.

**Clarification:** Not addressed. Revise proffer statement and include waiver request for consideration by the Planning Commission and Town Council.

Staff comment: **Comment remains:** The plans do not indicate how many bedrooms the units are intended to have, and staff is not able to determine the parking reduction allowance as provided for in Article 9-3.6.

**Clarification:** The proposed parking on site does not meet the minimum required for 44 one-bedroom units. Advise if a waiver of parking requirements is requested from the Town Council.

#### Article 9-12 – Open Space

Staff comment: **Comment remains:** Open space must be used for the benefit of the residents. The plan does not indicate what recreational facilities will be used within the open space for the enjoyment of the residents. The applicant should ensure that adequate facilities will be provided to support intended outdoor recreation uses.

**Clarification:** The open space calculation has been provided, but the areas have not been labeled on the plan. Revise.



## TOWN OF WARRENTON

Department of Public Works and Utilities

PO BOX 341  
WARRENTON, VIRGINIA 20188  
<http://www.warrentonva.gov>  
(540) 347-1101

### STAFF COMMENTS

**TO:** Denise Harris, Planning Manager

**THROUGH:** John Ward, Director of Public Works *JW 7-15-24*  
Steven Friend, Director of Public Utilities (SF)

**FROM:** Paul Bernard, PE, Town Engineer  
Kerry Wharton, Stormwater Administrator

**DATE:** July 11, 2024

**SUBJECT:** ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge – 2<sup>nd</sup> Submission

#### Grading, E&S and Stormwater Management- Kerry Wharton, Stormwater Administrator

- SW1. Conformance with erosion and stormwater requirements is required at the time of SDP submission. No calculations were provided with the concept plan. They will need to meet the requirements of the Erosion and Stormwater Management Ordinance, 9VAC25-875-210, and the Virginia Erosion and Stormwater Management Regulation for erosion control and new development. This will be critical to ensure the size and area of the two SWM locations will be adequate to meet the regulations for both quantity and quality of surface water runoff.
- SW2. The existing Stormwater Management Facility located on PIN#:6984-15-1967-000 will need to be upgraded to meet the stormwater requirements for quality and quantity. A new Stormwater Management Agreement will be required.
- SW3. There are existing flooding and drainage concerns at the intersection of Sullivan and Church Street that could be exacerbated. Hydrology and hydraulics grade line calculations will need to be provided to ensure adequacy and prevent further flooding and drainage issues.
- SW4. The project is being shown to be built over an existing channel. How will water conveyance be addressed with this project since it is taking flow from the neighborhood? The existing channel will need to be evaluated to determine if any additional federal or state permitting is required.
- SW5. A portion of this project is shown to be in the 500year floodplain. While this does not inhibit the potential for developing and making improvements to the property, it creates the need for special considerations in the design of any building foundations under the ground surface and the infrastructure to convey drainage through and off the site.



**Public Utilities - Paul Bernard, Town Engineer**

- PU1. The site proposes 44 Senior Living rental units, a recreational building, and the existing church remaining in place. At this time, the existing church uses about 29,000 gallons a month which equates to approximately 960 gallons a day. The application indicates the total site land area is 9.14 acres and is zoned R-10. Based on this, the by-right water and wastewater use for up to 39 residential units would be around 11,700 gallons per day. Under the proposed use, maintaining the existing church, 44 elderly/age restricted apartment units, and a 2-story 19,000 square foot Recreational Center with a non-defined water demand, is estimated to require a water demand between 10,000 and 13,000 gallons per day.
- PU2. The proposed plan would be reviewed in more detail when final plans are submitted should this permit be approved.

**Public Utilities – Steven Friend, Director of Public Utilities**

1. It is my recommendation that council take careful consideration in approving any increase to density that results in the increase of water demand that is above what the current by-right amount is. See above comment PU1 for reference to overage of existing by-right amount, which is an approximation using the industries 300 gallons per day per home for an amount of 1,300 gallons per day, or an extra 4.3 -5 homes.

**Public Works- Paul Bernard, Town Engineer**

- PW1. Parking for units 13 through 24 and 37 through 44 is questionable as currently shown. Based on this layout, it would appear there would be strong motivation for routine parking along Moser Road, which the current street design would not support.
- PW2. Storm drainage will be a major concern during design development.

# ZMA 2023-01, WARRENTON UNITED METHODIST CHURCH / HERO'S BRIDGE







## PROPERTY LOCATION



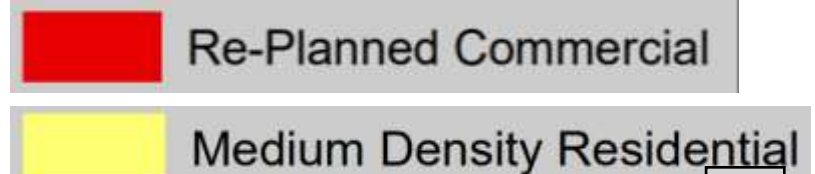
# ZONING & FUTURE LANE USE

3

## ZONING RO and R-10



## Future Land Use Re-Planned Commercial and Medium Density Residential





Item 4.

AERIAL





## PHASE I ILLUSTRATIVE PLAN





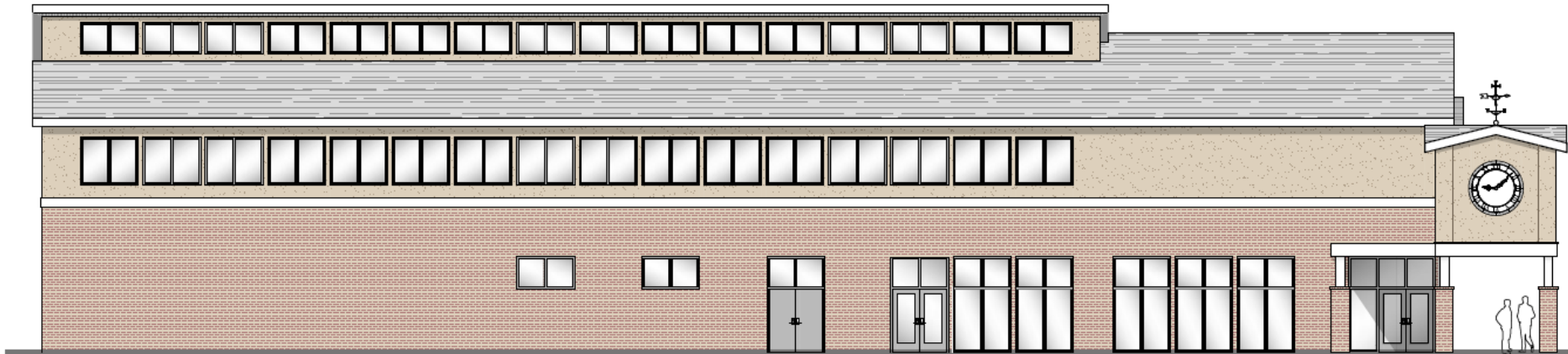
**WARRENTON UMC**  
**PROPOSED HOUSING ELEVATION**  
MARCH 16, 2023



**architecture + interiors**  
131 South Loudoun Street Winchester, VA 22601  
Phone: (540) 722-7247; Fax: (540) 722-7248  
architect@1designconcepts.com

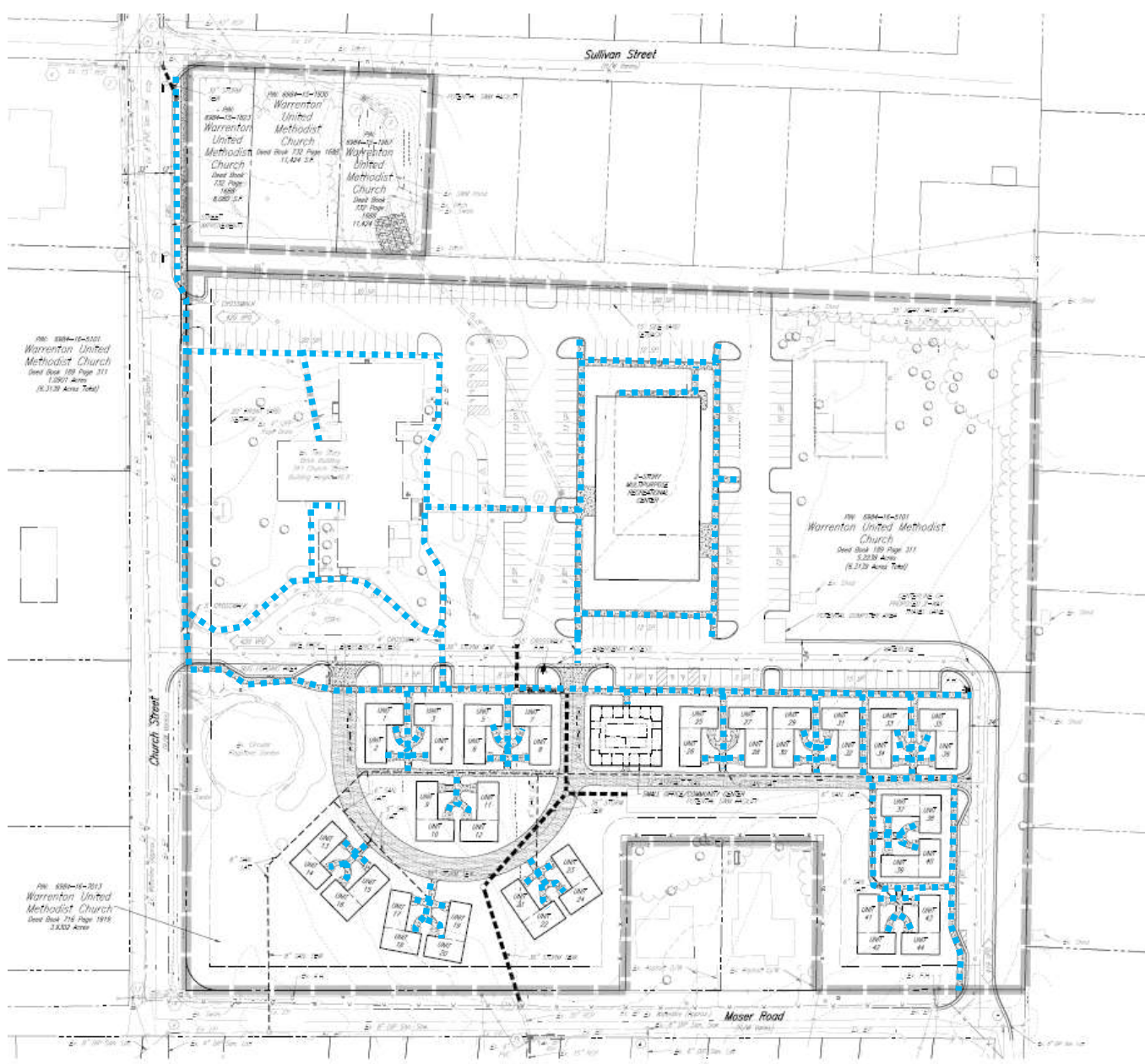


## PHASE II ILLUSTRATIVE PLAN

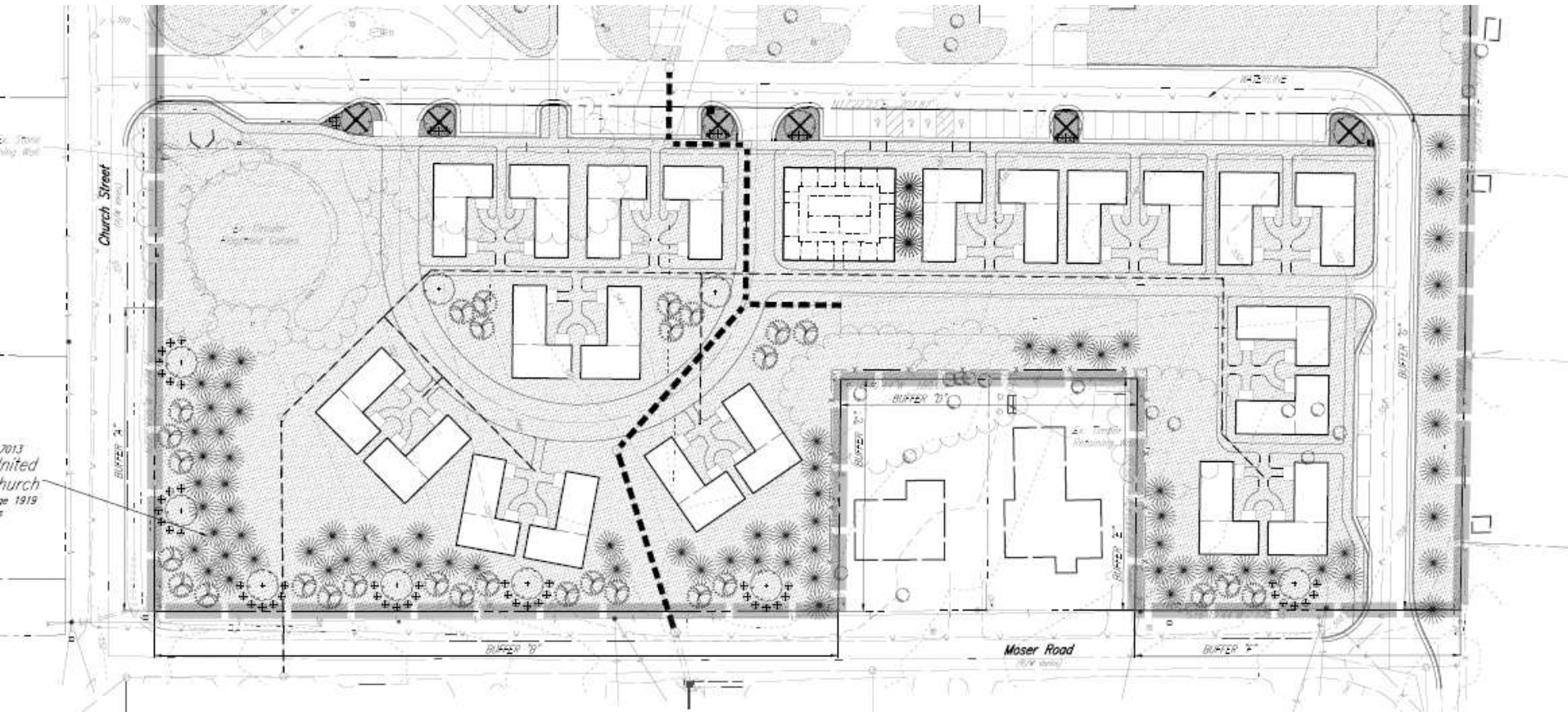
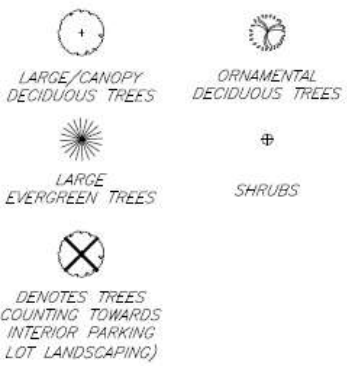


# MULTI PURPOSE RECREATIONAL CENTER





# PEDESTRIAN CONNECTIVITY



## PHASE I LANDSCAPE PLAN





## ILLUSTRATIVE PLAN



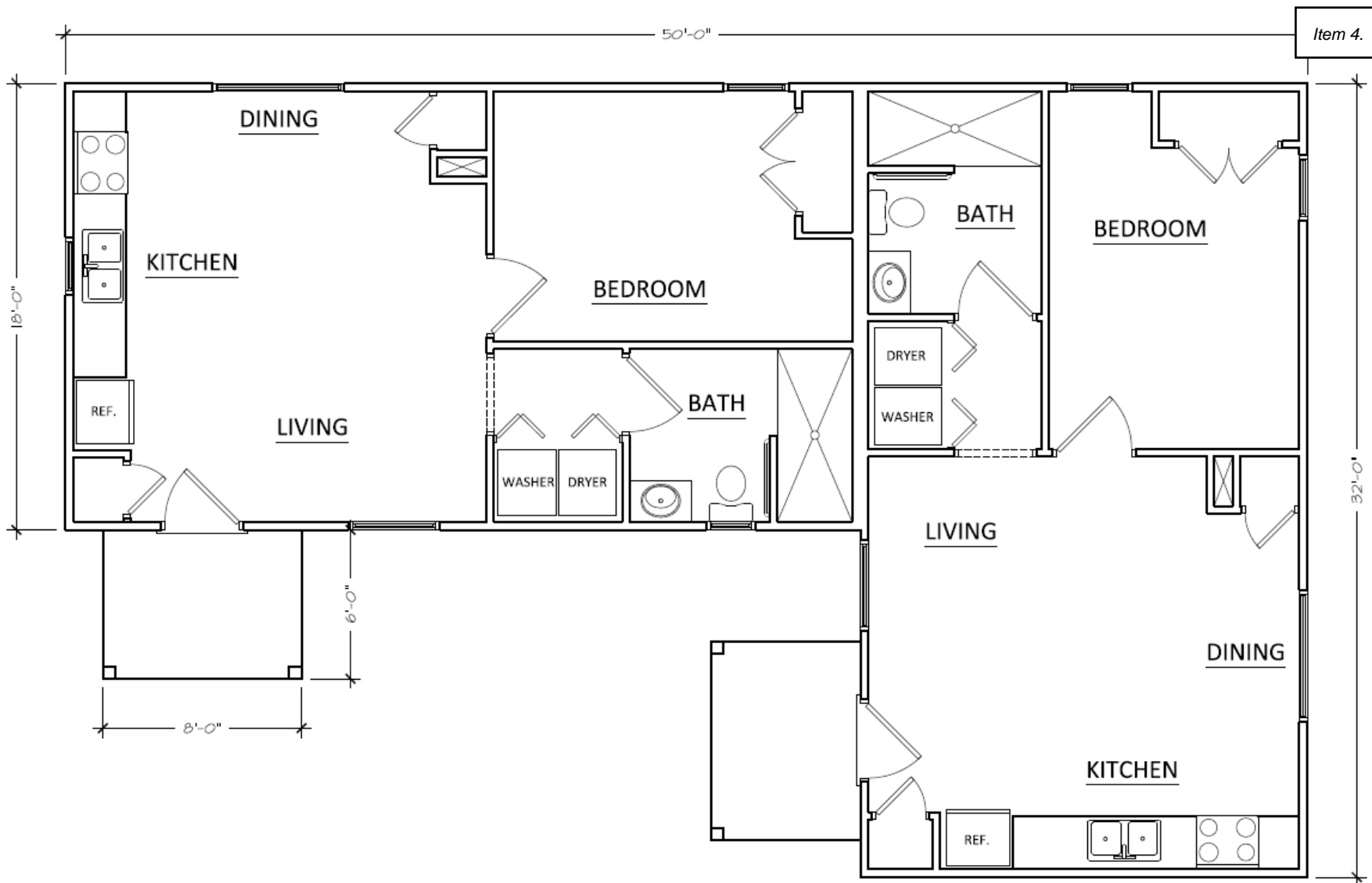
- Proffer #2.a.i. – clarification on the unit
  - 22 two-family residential dwelling units (44 dwelling units total)
- Proffer #2.a.v. – barrier crime screen as defined by Virginia State Code, as requested
- Proffer #2.b. – Small Office / Community Center
  - Amenities “shall” include instead of “may”
  - Timing tied to Site Development Plan for units
- Proffers #9, previously 10 and previous #11 – removed as requested in comments

THANK YOU



**Table 5.1: Residential Water Demands per Unit**

Residential		Water Demand per Unit (GPD)
Single-Family (units)		300
Multifamily (units)		300
Apartment (units)		300
Townhouse (units)		300
Senior Home (units)		100
Hotel (rooms)		100



## Warrenton United Methodist Church / Hero's Bridge Zoning Map Amendment

## 11-3.9.12 Criteria for Conservation of Zoning Map Amendments

<p>1. Whether the rezoning request, if granted would further the public interest, and whether it conforms with the goals, objectives and policies of the Comprehensive Plan.</p>	<p>Additional information is included in the Statement of Justification for the Zoning Map Amendment. Hero's Bridge is a Fauquier based non-profit that is dedicated to serving elderly veterans. It furthers the public interest by providing elderly veterans with the housing and services that they need.</p> <p>As the Town is aware, a Comprehensive Plan is more than a land use map. This is especially true of Plan Warrenton 2040. In particular, the Comprehensive Plan's Housing Recommendations are relevant to this application since a key aspiration is a focus on diverse housing types. Recommendation H-1 is to ensure equitable, attainable housing opportunities across residents of all ages, incomes, and abilities by catering to the needs of a diverse community, including young families, professionals early in their careers, essential workforce, and those entering retirement. Recommendation H-4 is to create regional partnerships to address and enhance attainable housing supply. Among the housing recommendations is a Missing Middle Option for a side-by-side duplex, and a fourplex, which are not dissimilar from what is proposed. We also note that policy and strategy CF-3.4 looks to reduce building footprints, and while it emphasizes multistory configuration, the proposal in this instance would use smaller structures to house people in comfortable circumstances and efficiently use land.</p> <p>This area of Town is identified as Medium Density Residential, and the Applicant believes that the proposed density is consistent with this designation. Because the Comprehensive Plan says it is the intention to preserve the character and to enhance existing communities, it is to do so at the same time</p>
--	--



	<p>permitting changes to occur there, in an effort to ensure that the use of these areas is economically feasible. These will be single-family dwellings. To the extent that any higher densities are anticipated, the Plan says that they should be located near major commercial areas, and this location is but yards away from Broadview. It does not appear to be located in any specific Character District.</p>
<p>2. Whether the rezoning is consistent with the town's Future Land Use Plan, as identified in the Comprehensive Plan, and established character of the area and land use patterns.</p>	<p>Please see above.</p> <p>As noted, the Property is planned Medium Density Residential on the Town's Future Land Use Plan Map. The Property is surrounded by residential properties. The Property is adjacent to an established church and is located on land owned by that church.</p> <p>The homes that are proposed are not identical to those presently existing in the older communities surrounding the project. It should be evident upon reflection that this is essential in order for the Applicant to fulfill its mission. If it were possible for its client base to live in traditional single-family dwellings, then there would be no need for a diverse housing type to accommodate them. As is written in the Statement of Justification, it is the very lack of otherwise acceptable, safe, and healthy housing alternatives that gives rise to the need for this type of dwelling.</p>
<p>3. Whether the rezoning is justified by changed or changing conditions.</p>	<p>There is an imminent need for housing especially housing for elderly veterans. There is also an imminent need for services for these veterans. As stated on the Hero's Bridge website "[prior] military service, especially in combat, has shown to greatly affect the aging process." Because of the need for such housing, and because of the increase in the aging veteran population and the fact that America seems to be making more veterans, it</p>

	is a classic case of changing conditions. Housing of this type simply doesn't exist, though the need does.
4. Whether the rezoning, if granted, would create and isolated district unrelated to adjacent districts.	The surrounding area is zoned and developed as residential. The Property is near the Broadview Avenue Corridor, which is intensely commercial. The proposed R-PUD zoning would be a different residential zoning, but it would still be residential, and could accommodate the proposal. This is indeed a district unlike any other district nearby. But as discussed in the Statement of Justification, the Town's Zoning Ordinance does not accommodate the very kinds of alternative housing that Hero's Bridge seeks or that this need requires. Because it is the Applicant's view that the Town of Warrenton is the kind of community that would not only accommodate, but would welcome, a project such as this it hopes that the Council will see fit to make such adjustments as are necessary to effect that accommodation.
5. Whether utility, sewer and water, transportation, school, recreation, stormwater management and other facilities exist or can be provided to serve the uses that would be permitted on the property is it were rezoned.	The Applicant's Zoning Map Amendment submission addresses utility, sewer and water, transportation and stormwater management needs and plans.  There will be no impact on schools.
6. Whether the rezoning will be compatible with properties and uses in the vicinity and how have an adverse impact on these properties or their values.	The Rezoning would be consistent with the services already provided by the church and the housing will be compatible with the surrounding, residential community.
7. Whether there are adequate sites available elsewhere in the Town for the proposed use, or uses, in districts where such uses are already allows.	This is a unique but necessary use that belongs in a residential area, and it is extraordinarily beneficial that it is adjacent to an existing church. As stated in detail in the Statement of Justification, Hero's Bridge evaluated many other suggested locations

	before partnering with the Warrenton United Methodist Church at this location. Not only are there no other suitable sites in the Town, there are none in Fauquier County. The search was extensive, exhaustive, and in the end productive.
8. Whether the impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning provides sufficient measures to mitigate such impacts.	The number of elderly, veteran residents that will have a car and/or continue to drive their car, will be minimal. Please see the plans submitted with this Zoning Map Amendment where pedestrian connectivity on-site is depicted. The impact is quite low, and will not constitute an intolerable burden on the existing streets in the community.
9. Whether a reasonable and viable economic use of the subject property exists under the current zoning.	<p>The Property is owned by a church who evaluated different options for this land prior to proceeding with Hero's Bridge.</p> <p>Under the existing zoning, larger single-family homes could be constructed on the property. These single-family homes would likely have significantly greater negative impacts than the Hero's Bridge development, including but not limited to, schools, transportation, traffic, utilities, etc.</p>
10. Whether the effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality is compatible with the Town's Comprehensive Plan.	Please see the plans submitted with the Zoning Map Amendment. There are minimal impacts of this nature.
11. Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.	This does not apply as the Property is owned and taxed as a church today. This is also not a commercial use. The veterans' services may provide some employment opportunities, but the Applicant cannot say that they will be extensive. What the Applicant can say, is that it will meet — in part — a need otherwise unmet.



	<p>That said, Hero's Bridge has gone from no employees to now employing nine local individuals. It has established a national Battle Buddy Call Center, and now serves aging veterans across America. With growing investment from the Commonwealth of Virginia and potential collaborations with the Department of Veterans Affairs, there is great potential for this to be a thriving employer and contributor to the Town. It is important to note that these services will continue to operate from the Hero's Bridge Alexandria Pike office, not at the proposed housing site, in order to keep impact to the neighborhood minimal.</p>
<p>12. Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes, including housing and business, as determined by population and economic studies</p>	<p>This rezoning provides housing and services to members of the community that cannot find these services anywhere else locally. The land would not be used to meet other future requirements of the community for other purposes.</p>
<p>13. The effects of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of the Town</p>	<p>Hero's Bridge plans to give local veterans preference points on admission. They currently define "local" as the five counties in the Rappahannock Rapidan Health District; i.e., Fauquier, Rappahannock, Culpeper, Madison and Orange.</p> <p>This rezoning is intended to provide moderate housing for a specific segment of the population that not only requires what it will provide, but that is a segment of the population that has served its country in a manner that not every American can claim to have done, and for which every American owes a debt of gratitude.</p>
<p>14. The effect of the rezoning on natural, scenic, archeologic or historic features of significant importance.</p>	<p>This criterion is not applicable.</p>

## Staff Analysis

**PURPOSE:** The purpose of the staff analysis is a consolidation of the review of commenting agencies based on adopted policies and regulations. It is not a recommendation as that is the role of the decision makers. The staff analysis exists to highlight how an application's proposed governing documents might be implemented.

## BACKGROUND

Applicant/Owner: Trustees of Warrenton United Methodist Church/ Hero's Bridge

Representative: Walsh, Colucci, Lubeley & Walsh, PC

Request: The Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street. The proposal requests approval to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable senior housing to ages 65 and older. The application includes a Small Office/Community Center to be constructed in Phase 1 and a Multipurpose Recreational Center in Phase 2. The Applicant is requesting waivers and modifications. The Future Land Use Map designates the parcels as Medium Density Residential.

Site Location: The Application is for four parcels bounded by Sullivan Street to the west, residential to the north, Moser Drive to the east, and Church Street to the south. One parcel (GPIN 6984-16-5101) contains the church parsonage across Church Street, which is not subject to the rezoning proposal. The four parcels that are part of the application (6984-16-5101 portion (approximately 5.22 acres of the approximately 6.31 acre parcel), 6984-16-7013, 6984-15-1823 and 6984-15-1930) contain the existing church, stormwater facilities, parking lot, and undeveloped land.

Comprehensive Plan: All parcels are designated Medium Density Residential in the Future Land Use Map, which includes "single family detached residential dwellings at densities up to five dwellings per net acre, contingent upon pedestrian and vehicular access, compatibility with surrounding properties and mitigation of potential impacts..." (Plan Warrenton 2040; Page 72). The properties are located outside of a designated Character District.

Zoning: R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development)

Surrounding Land Uses:

The following table summarizes the area characteristics:

Direction	Land Use	Future Land Use Map Designation	Zoning
North	Single Family Residential	Medium Density Residential	R-10 Residential
South	Single Family Residential	Medium Density Residential	R-10 Residential

Direction	Land Use	Future Land Use Map Designation	Zoning
East	Single Family Residential	Medium Density Residential	R-10 Residential
West	Former Mo's/Commercial	Re-Planned Commercial	Commercial

### Comprehensive Plan Future Land Use Analysis

Plan Warrenton 2040 labels these parcels in the Future Land Use Map as Medium Density Residential which includes single family detached residential dwellings at a designation of up to five dwellings per net acre, contingent upon pedestrian and vehicle access compatibility with surrounding properties and mitigation of potential impacts.

The plan states “much like the designated low density residential areas, the medium density areas are made up largely of established single family neighborhoods. The neighborhoods are located in many areas of the Town and have access to all Town services.

Medium density areas are composed of high concentrations of residential uses. The areas that border the Central Business District (CBD) have been developed over the years along the vehicular entryways to the CBD. Many have now been incorporated into the policies of the Old Town Character District. It is the intent to protect and enhance these areas, while at the same time permitting changes to occur in an effort to ensure that the use of these areas is economically feasible. Since the areas adjacent to the CBD consist of predominantly single family houses, that character must be protected. Approving nonresidential uses should be done in a very limited fashion and in a manner that maintains the essential character of the residential areas. Small scale, non-residential uses like home occupations and offices may be appropriate in some of these areas.

The designation of medium density residential is also applied to established residential neighborhoods which should be conserved and/or expanded in a manner similar to, and compatible with, the existing surroundings. Many neighborhoods in these areas have older homes and are characterized by mature vegetation and social interaction between neighbors. Medium density areas are intended to permit densities of up to five dwelling units per net acre, and new lots within established subdivisions should contain an area that approximates the size and configuration of existing lots in the neighborhood. The higher densities should be considered as more appropriate near major thoroughfares and commercial areas. Recreational facilities and other neighborhood amenities should be provided in developments when densities exceed three units per net acre.

New subdivisions and lots within this designation should complement and enhance the area in which it occurs. Residential infill areas should be compatible in density, lot size, and placement of structures on the lots with existing neighboring structures and lots. The exterior elevations of the structures should complement and respect the surrounding neighborhood's existing design and architectural elements.

Retaining the high quality of established neighborhoods is a continual challenge. Since the low density and the medium density areas are a desirable place to live, they are becoming attractive for infill development. The medium density residential areas are located so as to protect the character of existing neighborhoods and to provide quiet residential areas attractive for single family housing. Where site characteristics permit, and where



*negative impact to adjacent properties is minimal, non-residential, home occupations and businesses may be permitted as provided for in the Zoning Ordinance. Mature vegetation should be retained.*

*In order to support the goals and objectives of medium density residential areas, the Plan seeks to preserve the integrity of existing residential neighborhoods. In order to do so, the plan limits and discourages incompatible uses in established residential neighborhoods, maintaining and improving neighborhood qualities by eliminating substandard housing and improving its physical features such as, streets, sidewalks, street lights, and other public improvements.”*

The Housing Chapter sets a vision that states “In 2040, Warrenton will have inclusive and attainable housing for all ages, incomes, and needs that is compatible with existing Town character to create walkable communities with shared open space and a sense of place. Existing housing stock is improved and maintained to preserve established residential neighborhoods, while expanding housing options in Character Districts to ensure that the Town supports infill development that contributes to the Town’s small town feeling where neighbors know their neighbors. Key aspirations related to this vision:

- Allow for housing types that cater to the needs of a diverse community: include young families, professionals early in their careers, essential workforce (e.g. teachers and police officers), and those entering retirement.
- Design new housing developments as walkable interconnected communities with shared open spaces, creating a sense of place.
- Promote Character Districts as the place to accommodate a range of housing typologies. Place an emphasis on physical form of the housing (e.g. number of stories, building profile, and appropriate transitions to adjoining neighborhoods), while protecting the character of existing residential neighborhoods.”

Standard	Analysis
Criteria for Consideration of Zoning Map Amendments (Zoning Ordinance)	
<i>Whether the rezoning request, if granted, would further the public interest, and whether it conforms with the goals, objectives, and policies of the Comprehensive Plan.</i>	The Application’s Statement of Justification states the proposal furthers the public interest by providing elderly veterans with affordable housing and services. Plan Warrenton 2040 Housing recommendations includes goals for a diverse housing type and attainable housing.
<i>Whether the rezoning is consistent with the town's Future Land Use Plan, as identified in the Comprehensive Plan, and established character of the area and land use patterns.</i>	The Future Land Use Map designates this area as Medium Density Residential that calls for single family residential up to 5 dwelling units per acre and is located outside of a designated Character District.
<i>Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes, including housing and business, as determined by population and economic studies.</i>	The Statement of Justification states the Application addresses the need for affordable housing and meets an “imminent” need for services for veterans. The proposed Multi-Recreational Facility in Phase 2 for the church is not guaranteed as it will depend on fundraising efforts in an undetermined timeframe.
<i>The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of the Town.</i>	The Statement of Justification and proffers include a provision for the residential units to be affordable housing pursuant to Article 9-3 of the Zoning Ordinance.

Standard	Analysis
<b>Criteria for Consideration of Zoning Map Amendments (Zoning Ordinance)</b>	
<i>The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.</i>	The Applicant states the uses are consistent with the services already provided by the church. The adjacent neighborhood is majority single family residential units. The proposed 22 two-family units to accommodate 44 veterans would be single story with a proffer that no structures will exceed 35.'

### Staff Findings

Plan Warrenton 2040 encourages both the preservation of existing, established neighborhoods and the development of 'missing middle' housing options. This proposal meets many of the housing goals like H-1 that states "Ensure equitable, attainable housing opportunities across residents of all ages, incomes, and abilities by catering to the needs of a diverse community, including young families, professionals early in their careers, essential workforce, and those entering retirement." H-3 further states "Preserve existing neighborhoods and promote infill that supports the character and heritage of Warrenton." and H-4 states "Create regional partnerships to address and enhance attainable housing supply." The proposal is within the Medium Density Residential Future Land Use Map when calculating the full 9.8 acres included in the R-PUD rezoning.

The Applicant is proffering to provide the affordable housing only to veterans age 65 and older that will be screened for any record of being convicted for a "barrier crime" as defined by the Code of Virginia. The Applicant is proposing two phases. The first phase will include the construction of 22 two family (aka duplex) one story, one-bedroom units to accommodate 44 veterans. The proffers state a small office/community center, bike racks, outdoor amenities, and internal pedestrian improvements will be made in Phase 1. Phase 2 would include a 19,000 square foot multi-purpose recreation facility on the existing church parcel.

The Applicant has proffered that all residential units on the property shall be affordable dwelling units pursuant to Article 9-3 of the Zoning Ordinance; except the provision 9-3.5 which calls for units to be made available to Town of Warrenton and Fauquier County residents first due to the nature of the proposal to serve age restricted veterans.

The Applicant provided proffered a Concept Development Plan and elevations. The proffers state no structure shall exceed 35.'

### Zoning Analysis

The legislative intent of the Planned Unit Development District (PUD) is, "to encourage innovations in residential and nonresidential development so that the growing demands of Warrenton may be met by greater variety in type, design and layout of buildings and housing types and to achieve the purposes set out in Section 15.2-2283 of the Code of Virginia, the Town's Comprehensive Plan, and the following specific purposes of..." the Residential PUD.

Section 3-5.2.1.1 of the Zoning Ordinance states for R-PUDs:

1. Providing increased flexibility in the laws governing the development of those areas in Warrenton which are now substantially open land and encouraging such development in

directions that will recognize both the changes in design and technology in the building industry and the new demands in the housing market;

2. Ensuring that the uniform regulations appropriate to previously developed residential neighborhoods do not operate to discourage efficient and imaginative development of said substantially open areas consistent with the reasonable enjoyment of neighboring properties;
3. Encouraging the more efficient allocation and maintenance by private initiative of Common Open Space ancillary to new residential areas;
4. Encouraging the more efficient use of those public facilities required in connection with new residential development;
5. Encouraging the creation of human-scaled development with pedestrian-friendly streets, in a traditional neighborhood pattern;
6. Encouraging compatible infill development; and
7. Encouraging the development of affordable housing for local residents

Standard	Analysis
<b>Criteria for Consideration of Zoning Map Amendments (Zoning Ordinance)</b>	
<i>Whether the rezoning is justified by changed or changing conditions.</i>	Applicant states the proposal addresses a housing need for veterans after unsuccessfully securing land in the Vint Hill area of the County.
<i>Whether the rezoning, if granted, would create an isolated district unrelated to adjacent districts.</i>	The property is proposed to be rezoned R-PUD which would be an isolated district.
<i>Whether the rezoning will be compatible with properties and uses in the vicinity and not have an adverse impact on these properties or their values.</i>	The proposal is surrounded by single family residents on three sides. Proposed residential to be co-located with an existing church that has a Special Use Permit to run a pre-school, the proposed attached two unit housing would be one bedroom and one story.
<i>Whether there are adequate sites available elsewhere in the Town for the proposed use, or uses, in districts where such uses are already allowed.</i>	Warrenton United Methodist Church is working with the non-profit Hero's Bridge to offer a 79 year ground lease to build the proposed land use. While there may be other properties in Town where this use is viable, it is unclear if the non-profit entity could make the model work from a fiscal standpoint. The Applicant states the adjacency to an existing church is "extraordinarily beneficial."

### Staff Findings

Staff has raised concerns about reviewing landscaping, setbacks, open space, lighting, phasing, parking, refuse, and affordable dwelling unit provisions, The Applicant's response is one of two fold: either the item shall be addressed at time of Site Development Plan, which is allowed, or the very action of approving the rezoning, with proffers, results in zoning unique to the site, per the Virginia Supreme Court ruling on Rowland vs. Town of Warrenton.



To better understand this, the Town's adopted Zoning Ordinance requires a minimum of 25 acres for a Planned Unit Development with associated setback, landscaping, parking, and other requirements. However, the Virginia Supreme Court stated in *Rowland vs. the Town of Warrenton* that "Because the acceptance of proffers by a locality has the force of law, the acceptance of a proffer which alters the rezoning requirements of a particular property is the functional equivalent of an amendment to the zoning ordinance." This means the Applicant may, in essence, propose their own amended regulations for the proposal through the proffers.

Therefore, the decision makers need to carefully consider if the proposal is beneficial to the community and if the proffer's suggested amendments to the Zoning Ordinance meet the fairly debatable standard in relation to the public health, safety, morals, or general welfare.

Careful review of the details normally covered in the Zoning Ordinance need to be reviewed against the proffered Concept Plan. Highlighted items include:

- Landscaping/Buffers (e.g. does not meet the minimum Zoning Ordinance requirements against the residentially zoned properties with a lack of 25' buffer and double staggered row of evergreen trees)
- Existing Roads (Moser and Church streets are substandard)
- Parking (does not meet the minimum parking requirements for proposed residential uses)
- Open Space (majority of open space is provided on a separate parcel and cannot provide it on the parcel with the proposed residential)
- Phasing (the Applicant is proposing two phases with no guarantees the second phase will be built; the second phase is on a separate parcel from the residential units and when the proffered pedestrian improvements and 19,000 square foot multi-purpose building would occur)
- Standard required PUD acreage (a PUD is normally a minimum of 25 acres)

Staff raised multiple concerns, in part, because if this proposal is approved and submitted for Site Development Plan, the Applicant will need to meet the Zoning Ordinance requirements not addressed as part of the proffered rezoning, including bonding and permitting.

#### Transportation and Circulation Analysis

Plan Warrenton 2040, with the incorporated Walkability Audits and Complete Streets Report, identifies the existing streets of Church, Sullivan, and Moser as neighborhood streets on the Transportation Map. The transportation goals and strategies lay out a vision for linkages and connectivity that reduces dependence on the car for local trips, addresses accessibility gaps and barriers currently limiting mobility, and promoting a network for a pleasurable travel experience for all modes.

Standard	Analysis
<b>Criteria for Consideration of Zoning Map Amendments (Zoning Ordinance)</b>	
<i>Whether the impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning provides sufficient measures to mitigate such impacts.</i>	The Applicant believes the transportation impact of the proposal will be low due to the limited number of elderly that own or drive a car. The Applicant is proposing a sidewalk connection from the church to Sullivan Street but not on any other frontages.
<i>Whether the proposed use will facilitate orderly and safe road development and transportation.</i>	Church Street and Moser Road are substandard neighborhood streets with no curb and gutter. A sidewalk exists only along the frontage of the existing church.

### Staff Findings

The Applicant states “With respect to the signal issues of transportation and parking, few of Hero’s residents will have cars, which will result in a low traffic volume. The only other vehicles will be for deliveries, occasional visits (many, if not most, of the residents do not have family to support them), and Hero’s Bridge will provide a van service for residents to transport them to shopping and services that cannot be obtained from visiting providers. The Church has a present volume of 182 trips per day. For Phase I the estimated daily trip generation is approximately 73 vehicles. A small office will generate 86 vehicles per day. This means that there will be an estimated 159 additional trips per day from the project and together with the Church a total of 341 vehicles per day.<sup>6</sup>

Once Phase II, the Recreation Center, is completed, that will add only 53 more vehicle trips per day and including two small offices, total trip generation at full buildout several years hence will be an additional 583 trips per day and a total for both Phases of 947 vehicles per day including the Church.

The proposal only requires 1 parking space per home, even with the occasional outside vehicle. Because of the low traffic volume, there will be little impact on the existing roads surrounding the site. Principal access will be by Church Street and Moser Road, but Church is not a signalized intersection at Broadview and so it can be assumed that vehicles may also use Sullivan Street to access Waterloo. The total number of parking spaces provided in Phase I is 219, and in Phase II, 243. “

Staff has questioned the Applicant’s submission on trip generation, provided parking, and lack of street frontage improvements. The proposal appears to argue it will function like an assisted living facility with residents having limited use and/or ability to drive cars. Yet, the design of the site indicates these residents will be “independent” in that no on-site dining is provided. The Applicant states they will provide a shuttle service and may coordinate with the existing Circuit Rider service. There is a designated bus stop on the Concept Plan. The proffers do not indicate how often this service will be provided to residents. Public Works is concerned there will be a strong motivation to park along Moser Road, which the current street design does not support. The Applicant is proposing 0.5 parking spaces per unit for 22 spaces total. There is a provision in the Zoning Ordinance under Article 9-3.6 that allows for a reduction in parking considerations for Affordable Dwelling Units that states:

- Single Room Occupancies – 1.0 parking spaces per unit
- Studio/Efficiency – 1.25 parking spaces per unit
- One Bedroom – 1.5 parking spaces per unit

- One Bedroom and Den – 2.0 parking spaces per unit

Likewise, the Applicant has not proffered the uses of the Phase 2 Recreation Center on the Concept Plan. It is not possible for staff to fully evaluate the potential trip generations.

While the Applicant is proffering internal pedestrian improvement during Phase 1, the Applicant is not providing any sidewalks or curb and gutter along Church Street and Moser Road. Staff has indicated that the Town's goals and policies state these shall be provided with development; however, the Applicant indicated through their conversations with the neighborhood, it was not desired by existing residents and have chosen to exclude it from the proffered Concept Plan.

The Applicant proffered to extend the existing sidewalk in front of the church to Sullivan Street during Phase 2 of the development, however, the Applicant also has indicated there is no guarantee of Phase 2 without fundraising. Thus, there is no timeframe for this improvement or trigger in the proffers.

Finally, staff analyzed the proposed internal road connection to Moser Road where it meets with Frazier. Ideally, the connection would improve this substandard road intersection to ensure adjacent property owners are not impacted. This is not provided as part of this rezoning request.

### Community Facilities and Services Analysis

Public community facilities in the Town are provided by the Town, Fauquier County, and other public groups for the benefit of all residents. The availability and quality of these facilities, that include, schools, libraries, hospitals, parks, police and fire and rescue services, are evaluated when people are considering moving into the Town or nearby area. The provision of these facilities adds to the desirability of living in the Town. The Comprehensive Plan's primary community facilities and services goals for the Town of Warrenton are:

- *Foster high-quality, equitable, and accessible community facilities that meet the Town's service requirements and support a high quality of life for the community.*
- *Make responsible and strategic community facility investments that support the Town's vision for a live/work community, sustaining its fiscal well-being and economic resiliency.*
- *Promote sustainability in all Town-owned facilities.*
- *Reinforce the role of County community facilities into the Town fabric.*
- *Promote livability through properly located Town services, schools, libraries, courts, and County administrative functions.*
- *Support the connection of residential dwellings to public water and sewer.*
- *Provide a high quality of life to capture economic benefits through diverse businesses, employers, and residences.*

Public services are essential to the community structure and quality of life, as well as to long-term economic vitality. They support existing and planned developments and contribute to the health, safety, education and general welfare of Warrenton residents.



Standard	Analysis
<b>Criteria for Consideration of Zoning Map Amendments (Zoning Ordinance)</b>	
<i>Whether utility, sewer and water, transportation, school, recreation, stormwater management and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.</i>	The existing church uses about 29,000 gallons a month which equates to approximately 960 gallons a day. According to Public Utilities the by-right water and wastewater use for up to 39 residential units would be around 11,700 gallons per day.

### Staff Findings

#### *Water and Sewer:*

Under the proposed use, maintaining the existing church, 44 elderly/age restricted apartment units, and a 2-story 19,000 square foot Recreational Center with a non-defined water demand, is estimated to require a water demand between 10,000 and 13,000 gallons per day. The Applicant provided proffers restricting the residential units to one bedroom with no more than one person occupying the unit. The Small Office/Community Center in Phase 1 might include, but is not limited to, per the proffers, a movie viewing area, senior technology library, arts and crafts area, music area, pet therapy, and a fitness room. The Multipurpose Recreational Center in Phase 2 may include, but is not limited to, per the proffers, gym/event space, meeting areas, kitchen, educational space, indoor walking track, and multi-purpose office space. Public Utilities has indicated that it would be open to discuss if the proposal could potentially operate within the allocated by-right water and sewer use; however, the non-defined uses make this a challenge for staff. According to the USGS, the average American uses 82 gallons per day (2015), which potentially helps offset the estimated use for the site to approximately 3,600 gpd for the residents.

#### *Emergency Services/Building Official:*

The proposal works to provide 360 degree access to the proposed residential units by providing a 20' trail around units 1-23 for emergency service access. However, the Building Official has requested the proposed 12' asphalt trail adjacent to units 26-38 also be upgraded to accommodate a similar 20' trail for emergency services.

#### *Schools:*

The Applicant is proffering the residents will be age restricted to age 65 and above. There will be no impact on the school system.

#### *Stormwater Management:*

The existing Stormwater Management Facility located on PIN#:6984-15-1967-000 will need to be upgraded to meet the stormwater requirements for quality and quantity. A new Stormwater Management Agreement will be required.

There are existing flooding and drainage concerns at the intersection of Sullivan and Church Street that could be exacerbated. Hydrology and hydraulics grade line calculations will need to be provided to ensure adequacy and prevent further flooding and drainage issues.

The project is being shown to be built over an existing channel between the neighborhood on Moser Road and existing church parcel. Staff has raised questions regarding how will water conveyance be addressed with this project since it is taking flow from the neighborhood? The existing channel will need to be evaluated to determine if any additional Federal or state permitting is required.

Storm drainage will be a major concern during design development. A portion of this project is shown to be in the 500 year floodplain. While this does not inhibit the potential for developing and making improvements to the property, it creates the need for special considerations in the design of any building foundations under the ground surface and the infrastructure to convey drainage through and off the site.

If approved, conformance with erosion and sediment control (ESC) requirements is required at the time of Site Development Plan submission. The Concept Plan does not appear to show Erosion and Sediment Control measures and/or calculations. They will need to meet the requirements of the Site Conservation Manual Article 4, 9VAC25-840, Virginia and Erosion and Sediment Control Law, and State Regulations.

If approved, conformance with stormwater requirements is required at the time of Site Development Plan submission. No calculations were provided with the Concept Plan. The Applicant will need to meet the requirements of the Stormwater Management Ordinance Article 5, 9VAC25-870, and the Virginia Stormwater Management Regulation for new development. This will be critical to ensure the size and area of the two SWM locations will be adequate to meet the regulations for both quantity and quality of surface water runoff.

As was discussed above in the Zoning Section, many items may be dealt with at time of Site Development Plan if the entitlement is granted. Staff raises these concerns during legislative applications as a means to avoid potential “fatal flaws” that may arise in the future. By the Applicant choosing not to explore solutions until later in the process, they may find cost prohibitive engineering. That said, applicants may choose not to expel the required financial resources required to answer all outstanding issues until an entitlement is approved. Please note, Virginia is a “Build versus Bond” State which means the Applicant may choose to build before any performance guarantees for items like stormwater. The Applicant could obtain a Land Disturbance Permit while only providing the E&S bond, and then build the units. Only at time of Occupancy Permit are the remaining bonds required to be issued.

### Economic Resources Analysis

The Town of Warrenton seeks to strengthen its economic base through business development and tourism promotion. The goals of the Economic Resources section of the Comprehensive Plan are to:

- *Create a robust strategy for housing and employment, become more proactive in business retention and recruitment, and locate major employers within the Town’s Character Districts.*
- *Promote the Town as an integral part of the regional economy that is manageable, maintains a small-town character, and reduces the percentage of Town residents out commuting for work.*
- *Promote the Town’s Character Districts as the focal point for revitalization to allow for mixed-use and multi-family development at an appropriate scale compatible with the Town’s character and existing neighborhoods. Transform aging commercial corridors to vibrant mixed-use neighborhoods.*

Standard	Analysis
<b>Criteria for Consideration of Zoning Map Amendments (Zoning Ordinance)</b>	
<i>Whether a reasonable and viable economic use of the subject property exists under the current zoning;</i>	The parcels are currently zoned RO (Residential Office) and R-10 (Residential) both of which are economically viable.
<i>Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base;</i>	The Comprehensive Plan does not envision employment or economic development activities in residential areas located outside of Character Districts. The RO zoned parcels of the land currently serve the existing church's stormwater management needs.

### Staff Findings

The Applicants of this proposal, a church and a non-profit organization, seek to serve a housing need for low-income veterans over the age of 65. The Applicant states that Hero's Bridge has expanded to nine employees and foresees potential growth. However, the organization points out that the non-profit will continue to operate from its offices located off Alexandria Pike and not at this proposed site.

### Proffers for ZMA

The Applicant has submitted a Proffer Statement for the R-PUD rezoning request that states the property will be developed in substantial conformance with the Concept Plan and proffers. Staff's concerns with the proffers and Concept Plan, in addition to the above analysis, is ultimately this is a land use entitlement without a clear delineation of responsibilities. Specifically, the proffers fail to address how the property will be managed and maintained as it ages and who is accountable for the long-term success of the project. While the Applicants' mission is commendable, staff has encouraged the separation of the of the goals of the church and non-profit from the land use decision for entitlement purposes because rezoning entitlements run with the land, not the Applicant. This is done with every legislative application to ensure if the Applicant ceases to operate or if the property is sold, the entitlement is passed on in a manner that ensures the success of the development and future residents quality of life in the long term. Normally in the case of residential development, there is a private property owner, Homeowners Association, or condos. In this case, the Applicant is not proposing any of the above. Long term management, maintenance, insurance, and length of rentals is not guaranteed and would have to be enforced by the Town if it were ever to become an issue. Best case scenario, the Applicant church and non-profit would exist in perpetuity and remain solvent. Unlike Special Use Permits that allow the Town Council to place Conditions of Approval, rezoning decisions are based on the Concept Plan and proffers provided by the Applicant.

More specifically, proffers need to be aligned with the Concept Plan. The sheets referenced in the proffers must match the sheets in the Concept Plan or it may result in an enforcement issue. There is continued concern regarding whether Title VII has an express exception for veteran preferences. Regardless, the proffers do not include any mechanism for the Town to know how many veterans would be living in the units at any point over time. The proffers do include a screening for "barrier crimes" but do not include sex offenses or active use of illicit drugs as referenced in the Statement of Justification.

Overall, the proffers will prove difficult to enforce due to lack of specificity and triggers. The proffer statement does not address open space requirements and needs to be addressed in some fashion. There is



no trigger for Phase 2. The requirements for curb and gutter and sidewalks along frontage are silent. Requirements of the Zoning Ordinance, like lighting, are not a proffer and should be removed or enhanced. Active recreation requirements are not specified and words like “level of quality” for the architectural elevations is too generic to enforce. Landscaping as shown on the Concept Plan does not meet the Zoning Ordinance requirements.

## TOWN OF WARRENTON, VIRGINIA

### PLANNING COMMISSION

#### BY-LAWS

PREAMBLE- These By-laws set forth the rules for the transactions of business by the Planning Commission of the Town of Warrenton which operates under the authority of the laws of Virginia and the ordinances of the Town of Warrenton.

#### ARTICLE 1 – OBJECTIVES

- 1-1 Per §15.2-2210 of the Code of Virginia, every locality shall by resolution or ordinance create a local planning commission in order to promote the orderly development of the locality and its environs. In accomplishing the objectives of § [15.2-2200](#) the local planning commissions shall serve primarily in an advisory capacity to the governing bodies.
- 1-2 The Planning Commission, as established by the Town Council, has adopted the subsequent Articles in order to facilitate its powers and duties under Title 15.2, Chapter 22, 2, Code of Virginia.
- 1-3 The official title of this Commission shall be the Town of Warrenton Planning Commission.

#### ARTICLE 2 – MEMBERS

- 2-1 The Warrenton Planning Commission shall consist of not less than five nor more than fifteen members, appointed by the Town Council all of whom shall be residents of the locality, qualified by knowledge and experience to make decisions on questions of community growth and development; provided, that at least one-half of the members so appointed shall be owners of real property. Advisory non-voting members shall include one member of Town Council.
- 2-2 The members shall be appointed for terms of four years. Any vacancy in membership shall be filled by appointment by the Town Council and will fulfill the unexpired term of the member being replaced. Any member missing three consecutive meetings or four meetings within a twelve month period may be removed from office by the Town Council and may be replaced after proper advertising. Members may be removed for malfeasance in office.
- 2-3 The Planning Commission shall inform the Town Council when a member's term is expiring to allow time for the Town Council to advertise a new Planning Commission term

appointment. Seated Planning Commission members may choose to reapply for a new term but reappointment is not assumed without Town Council action.

- 2-4 The Commission members are strongly encouraged to attend training sessions sponsored by the State of Virginia or other planning agencies, in order to more effectively carry out their responsibilities to meet the objectives of the Planning Commission.

### ARTICLE 3 – OFFICERS

- 3-1 The Commission shall appoint a Secretary who need not be a member of the Commission.  
3-2 Nomination of officers shall be made from the floor of the regular meeting held at the first meeting of the calendar year.

3-2-1 Each candidate for office shall be nominated by and seconded by one member of the Commission.

3-3-2 A candidate for an office of the Commission receiving a majority vote of the members shall be declared elected and shall take office immediately upon the conclusion of the regular meeting and serve for one year or until his successor shall take office.

### ARTICLE 4 – DUTIES OF OFFICERS

- 4-1 The Chairman shall:

4-1-1 Preside at all meetings and call the meetings to order at the appointed time;

4-1-2 Announce the business in its proper order;

4-1-3 Preserve order and decorum;

4-1-4 State and put all questions properly brought before the Commission;

4-1-5 Rule on all procedural questions. Such rulings may be reversed by a majority vote of the members present.

4-1-6 Be informed immediately of any official communication and report the same at the next regular meeting;

4-1-7 Affix his/her signature to all correspondence issued by the commission and all official minutes; and

4-1-8 Appoint committees as necessary.



- 4-2 The Vice Chairman shall assume the duty of the Chairman in the Chairman's absence or in the Chairman's inability to act.
- 4-3 The Secretary or the Secretary's appointee shall:
  - 4-3-1 Keep a written record of all business transacted by the Commission;
  - 4-3-2 Notify all members of all meetings;
  - 4-3-3 Keep a file of all official records and reports of the Commission;
  - 4-3-4 Certify all records and reports of the Commission;
  - 4-3-5 Attend to correspondence of the Commission;
  - 4-3-6 Serve notice of all hearings and public hearings;
  - 4-3-7 Keep a set of minutes of all meetings which shall become a public record; and
  - 4-3-8 Prepare and be responsible for publishing of advertisements relating to public hearings.
  - 4-3-9 Ensure all meeting packet materials are submitted to Planning Commission members one week prior to a meeting.
  - 4-3-10 Submit minutes of Planning Commission meetings to the Town Council.

## ARTICLE 5 – DUTIES OF THE PLANNING COMMISSION

To effectuate this chapter, the local planning commission shall:

- 5-1. Exercise general supervision of, and make regulations for, the administration of its affairs;
- 5-2. Prescribe rules pertaining to its investigations and hearings;
- 5-3. Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the governing body;
- 5-4. Keep a complete record of its proceedings; and be responsible for the custody and preservation of its papers and documents;

- 5-5. Make recommendations and an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction;
- 5-6. Prepare, publish and distribute reports, ordinances and other material relating to its activities;
- 5-7. Prepare and submit an annual budget in the manner prescribed by the governing body of the county or municipality; and
- 5-8. If deemed advisable, establish an advisory committee or committees.

## ARTICLE 6 – MEETINGS

- 6-1 When applications or other Commission business are pending, regular meetings of the Commission shall be held the third Tuesday of each month. Work sessions will be held the fourth Tuesday of each month. As a general practice, regular meetings and work sessions shall not be held on the same night unless approved by the Chair of the Planning Commission prior to public notice requirements.
- 6-2 When a meeting falls on a legal holiday, the meeting shall be held on the following Tuesday unless otherwise designated by the Chairman or by a vote of the Commission.
- 6-3 When no application or other business is pending, no meeting will be held. The Commission shall meet at least once a year.
- 6-4 The meetings shall begin at 7:00 p.m.
- 6-5 A regular meeting may be adjourned if all business cannot be addressed on the meeting date set. The meeting may be reconvened at a later date, as set at the meeting, or properly advertised.
- 6-6 Special meetings of the commission may be called by the Chairman or by two members upon written request to the Secretary. The Secretary shall mail to all members, at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice.
- 6-7 A member, other than the Chairman, may introduce a motion. Any member of the Commission may second a motion. Motions shall be restated by the Chairman before a vote is taken. The names of persons making and seconding motions shall be recorded.

- 6-8 Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order, revised.
- 6-9 A quorum of the Commission shall consist of majority of the members, and no action of the Commission is valid unless authorized by a majority vote of those present and voting.

#### ARTICLE 7 – ORDER OF BUSINESS REGULAR MEETING

- 7-1 The order of business for a regular meeting shall be:
- A. Call to order by the Chairman and determination of a quorum;
  - B. Adoption of minutes;
  - C. Hearing of public hearing items;
  - D. New Business;
  - E. Worksession items (if approved by the Chair of the Planning Commission);
  - F. Comments from the Commission;
  - G. Comments from the Staff;
  - H. Adjournment.

#### ARTICLE 8 – PROCEDURES FOR HEARING ITEMS

- 8-1 The order for the public hearing shall be:
- 8-2 A staff presentation on each item prior to the applicant's comments.
- 8-3 The applicant or his representative should appear at the public hearing and shall be afforded the privilege of making a statement.
- 8-4 All interested parties desiring to be heard shall have an opportunity to speak at the public hearing.
- 8-5 The applicant or his representative may have the opportunity for rebuttal and answer further questions by the Planning Commission.
- 8-6 The Chairman shall then close the public hearing and the Planning Commission shall deliberate on the application and make its recommendation to the Town Council. Only input from the staff shall be permitted at this time, however, the Commission may ask specific questions of the applicant or his representative.
- 8-7 The Chairman may impose time limits for presentations by the applicant and other persons wishing to speak at the public hearing. All information relating to a public hearing must be submitted to staff at least eighteen calendar days prior to the public hearing. Any new information submitted after that time will not be considered by the Planning Commission until the next scheduled Regular Public Hearing Meeting, unless waived by the Planning



Commission Chair.

## ARTICLE 9 – ORDER OF BUSINESS FOR WORK SESSIONS

9-1 The order of business for work sessions shall be:

- A. Call to order by the Chairman
- B. Work Session Items
- C. Administrative Items
- D. Comments from Commission
- E. Comments from Staff
- F. Adjournment

## ARTICLE 10 – AMENDMENTS

These by-laws may be amended by a majority vote of the entire membership of the Commission at a regularly scheduled meeting, provided notice of intent to amend these by-laws has been given at a prior regularly scheduled meeting by at least two members.

ADOPTED: December 17, 1996  
Revised December 16, 1997  
Revised December 20, 2013  
Revised September 20, 2016



Community Development  
Department

## **STAFF REPORT**

<b>Meeting Date:</b>	August 27, 2024
<b>Agenda Title:</b>	Update Planning Commission Bylaws
<b>Requested Action:</b>	Hold a Work Session
<b>Staff Lead:</b>	Denise Harris, Planning Manager

### **EXECUTIVE SUMMARY**

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The last update of the Planning Commission Bylaws occurred in 2016. With changes to the Code of Virginia, it is important that the bylaws are reviewed periodically for compliance.

### **BACKGROUND**

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The Planning Commission Bylaws, sometimes also referred to as Rules of Procedures, cover the Planning Commission membership and terms, the election of officers, duties and responsibilities, how meetings are run and business if conducted, and basic procedures. The purpose of the bylaws is to govern the transaction of business and prescribe the rules pertaining to the work of the Commission. As an appointed body of the Warrenton Town Council, the Planning Commission is also subject to policies and procedures as adopted by the governing body.

### **STAFF RECOMMENDATION**

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Hold a work session and provide direction to staff.