

**MOTION:**

**March 16, 2021  
Regular Meeting  
Res. No. 21-**

**SECOND:**

**RE: APPROVE – MINUTES – FEBRUARY 16, 2021**

**ACTION: APPROVED**

**WHEREAS**, on February 16, 2021, at 2:00 p.m., the Prince William Board of County Supervisors convened its regular meeting in the Board’s chamber, located in the James J. McCoart Administration Building, One County Complex Court, Prince William, Virginia; and

**WHEREAS**, the Prince William Board of County Supervisors conducted business in accordance with a published agenda dated February 16, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby approves the minutes of February 16, 2021.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**ATTEST:** \_\_\_\_\_

**Clerk to the Board**

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-099**

**RE: APPROVE REQUEST TO PARTICIPATE REMOTELY THROUGH ELECTRONIC COMMUNICATION MEANS**

**ACTION: APPROVED**

**WHEREAS**, the Prince William Board of County Supervisors (Board) adopted a policy in its Rules of Procedure pursuant to Section 2.2-3708.2, VA Code Ann., to allow for remote participation by Members of the Board; and

**WHEREAS**, in accordance with the Board's policy, Supervisor Angry notified the Chair that the Member is requesting permission from the Board to electronically participate at the Board's February 16, 2021, meeting; and

**WHEREAS**, Supervisor Angry certified that he is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents his physical presence; and

**WHEREAS**, the remote location from which Supervisor Angry plans to electronically participate is his Magisterial District Office; and this remote location will not be open to the public; and

**WHEREAS**, Supervisor Angry verified that his participation in any closed session of the meeting shall remain confidential and not be disclosed to any unauthorized persons or entities; and

**WHEREAS**, pursuant to the Board's policy, a request for electronic participation from a remote location shall be approved unless participation violates the Board's policy or any provisions of the Virginia Freedom of Information Act;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby approves the request to participate in the meeting through electronic communication means in accordance with the Board's policy; a quorum of the Board was physically assembled at one primary or central location; and arrangements were made for the voice of Supervisor Angry to be heard by all persons at the primary or central meeting location.

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**Regular Meeting**  
**Res. No. 21-099**  
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**Votes:**

**Ayes:** Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** Angry

**Absent from Meeting:** Candland

**For Information:**

County Attorney

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

Clerk to the Board

**MOTION: BODDYE**

**February 16, 2021  
Regular Meeting  
Res. No. 21-100**

**SECOND: BAILEY**

**RE: APPROVE AND FIND FOR THE FEBRUARY 16, 2021 BOARD MEETING THAT DUE TO THE PUBLIC HEALTH THREAT AND THE NEED FOR PREVENTION AND CONTROL OF THE SPREAD OF COVID-19, INCLUDING THE NEED FOR MEASURES SUCH AS SOCIAL DISTANCING WHICH MAY LIMIT THE NUMBER OF INDIVIDUALS PERMITTED IN SPACES WHERE FUTURE BOARD MEETINGS MAY BE HELD, THE USUAL BOARD MEETING PROCEDURES CANNOT BE IMPLEMENTED SAFELY OR PRACTICALLY; AND (A) ALL AGENDA ITEMS ARE NECESSARY AND ESSENTIAL TO ASSURE THE CONTINUITY OF COUNTY GOVERNMENT; AND/OR (B) THE NATURE OF THE DECLARED EMERGENCY MAKES IT IMPRACTICABLE OR UNSAFE FOR THE BOARD TO ASSEMBLE IN A SINGLE LOCATION, AND THE PURPOSE OF THE MEETING IS TO DISCUSS OR TRANSACT THE BUSINESS STATUTORILY REQUIRED OR NECESSARY TO CONTINUE OPERATIONS OF THE BOARD AND THE DISCHARGE OF ITS LAWFUL PURPOSES, DUTIES, AND RESPONSIBILITIES**

**ACTION: APPROVED**

**WHEREAS**, Novel Coronavirus disease 2019 (COVID-19) is a serious public health threat, for which there is currently no proven vaccination, that is believed to be mainly spread by person to person contact; and

**WHEREAS**, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and

**WHEREAS**, in response to COVID-19, the President has declared a National Emergency, the Governor has declared a State Emergency, and the County Executive has declared a Local Emergency, which was subsequently confirmed and amended by the Board to find the effects of COVID-19 constitute a disaster by Resolution Number (Res. No.) 20-307; and

**WHEREAS**, the Center for Disease Control (CDC), the Virginia Department of Health, the Governor of Virginia, and other federal and State authorities have provided guidelines for the prevention and control of the spread of COVID-19, and have advised that to prevent and slow the spread of COVID-19 people should avoid large gatherings, should practice social distancing and implement other health and safety measures to include, but not limited to: avoiding non-essential public and private gatherings and spaces when possible; avoiding close contact with those who are sick; staying home if the person is sick or believes they are sick unless they are seeking medical treatment; avoiding frequently touched public surfaces; practicing good personal and household hygiene; and complying with the Governor's Executive Orders; wash hands frequently; wear face coverings; and

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**Res. No. 21-100**  
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**WHEREAS**, the Board's priority is protecting the health, safety, and general welfare of the public; and

**WHEREAS**, to address the health threat posed by COVID-19 the Board intends to continue to follow appropriate health guidance, which may continue to require social distancing and may limit the number of individuals permitted in spaces where future Board meetings may be held; and

**WHEREAS**, on March 31, 2020, in response to the COVID-19 emergency/disaster, the Board adopted and invoked the provisions of the Continuity of Government Ordinance, (Ord. No.) 20-10, providing for the continuity of County government, including, but not limited to, establishing public safety measure and alternative Board meeting procedures; and

**WHEREAS**, on or about April 10, 2020, the Governor proposed Amendment 28 to HB29/2018-2020 Biennium Budget Bill and Amendment 137 to HB 30/2020-2022 Biennium Budget Bill, which were adopted by the General Assembly during the 2020 Reconvened Session and subsequently approved and signed by the Governor; and

**WHEREAS**, the initial invocation of the Continuity of Government Ordinance expires on September 30, 2020; because the public health threat of COVID-19 still exists, the Board re-invoked the Continuity of Government Ordinance on September 22, 2020; and

**WHEREAS**, the recording of the meeting shall be made available on the County website in accordance with the timeframes established in Virginia Code Sections 2.2-3707 and 2.2-3707.1; and

**WHEREAS**, notice of the meeting was provided to the public using the best available method given the nature of the COVID-19 emergency, which notice was given contemporaneously with the notice provided to the Board members; and

**WHEREAS**, arrangements were made for public access to, and public comment during, the meeting through electronic means, including to the extent practicable, videoconferencing; and

**WHEREAS**, the Board has otherwise complied with Virginia Code Section 2.2-3708.2;

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**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby approves and finds for the February 16, 2021 Board meeting that due to the public health threat and the need for prevention and control of the spread of COVID-19, including the need for measures such as social distancing which may limit the number of individuals permitted in spaces where future Board meetings may be held, the usual Board meeting procedures cannot be implemented safely or practically; and (a) all agenda items are necessary and essential to assure the continuity of County government; and/or (b) the nature of the declared emergency makes it impracticable or unsafe for the Board to assemble in a single location, and the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the Board and the discharge of its lawful purposes, duties, and responsibilities;

**BE IT FURTHER RESOLVED** that the Board Clerk shall note in the meeting minutes that the meeting was held by electronic communication means and the type of electronic communications means by which the meeting was held, including for each Board member, as applicable.

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

County Attorney

ATTEST:



Clerk to the Board

**MOTION: ANGRY**

**February 16, 2021  
Regular Meeting  
Res. No. 21-101**

**SECOND: BAILEY**

**RE: APPROVE - MINUTES - JANUARY 19, 2021**

**ACTION: APPROVED**

**WHEREAS**, on January 19, 2021, at 2:00 p.m., the Prince William Board of County Supervisors convened its regular meeting in the Board's chamber, located in the James J. McCoart Administration Building, One County Complex Court, Prince William, Virginia; and

**WHEREAS**, the Prince William Board of County Supervisors conducted business in accordance with a published agenda dated January 19, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby approves the minutes of January 19, 2021.

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

Clerk to the Board

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: ANGRY**

**Regular Meeting**

**Res. No. 21-102**

**RE: AUTHORIZE CONVEYANCE OF VARIOUS EASEMENTS ACROSS PRINCE WILLIAM COUNTY PROPERTY TO THE PRINCE WILLIAM COUNTY SERVICE AUTHORITY, NORTHERN VIRGINIA ELECTRIC COOPERATIVE, WASHINGTON GAS, COMCAST, AND VERIZON, AND AUTHORIZE THE CHAIR OF THE BOARD OF COUNTY SUPERVISORS TO SIGN ALL SUBSEQUENT UTILITY EASEMENTS, AS APPROVED BY THE COUNTY ATTORNEY, FOR THE CONSTRUCTION OF THE ANIMAL SHELTER – COLES MAGISTERIAL DISTRICT**

**ACTION: APPROVED**

**WHEREAS**, the Prince William Board of County Supervisors (Board) owns the parcel of land identified on Prince William County GIS map as GPIN #7991-09-6721, 14807 Bristow Road, Manassas, Virginia, 20112; and

**WHEREAS**, the adopted Fiscal Year (FY) 2021 - 2026 Capital Improvement Program (CIP) includes the construction of the new Animal Shelter; and

**WHEREAS**, Christopher Consultants produced the attached plat (Plat), dated December 11, 2020, showing creation of storm drain easements, waterline easements, and sanitary sewer easements; and

**WHEREAS**, the Prince William County Service Authority requires dedicated easements across County-owned property at Dumfries Road to provide and maintain water lines and sanitary sewer lines to serve the construction and operation of the Animal Shelter; and

**WHEREAS**, Northern Virginia Electric Cooperative, Washington Gas, Comcast, and Verizon each require dedicated easements at the site to provide and maintain electric, gas, and communications lines to serve the construction and operation of the Animal Shelter; and

**WHEREAS**, as construction progresses, each individual utility will provide a deed and plat for County Attorney approval, signature by the Chair of the Board, and recordation; and

**WHEREAS**, a public hearing is not required for the conveyance of site development easements on County-owned property for utilities, stormwater management, and other similar conveyance consistent with the local capital improvement program;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby approves the attached Plat and authorizes the conveyances depicted therein;



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**BE IT FURTHER RESOLVED** that the Prince William Board of County Supervisors hereby authorizes the dedication and conveyance of various easements across Prince William County property to Prince William Service Authority, Northern Virginia Electric Cooperative, Washington Gas, Comcast, and Verizon, which are required during the construction of the Animal Shelter and after such construction is completed to provide service for the Animal Shelter, and are consistent with the local capital improvement program;

**BE IT FURTHER RESOLVED** that the Prince William County Board of Supervisors hereby authorizes the Chair of the Board of County Supervisors to sign all such utility easements, as approved by the County Attorney, for construction of the Animal Shelter.

ATTACHMENT: Christopher Consultants Plat for GPIN #7991-09-6721, dated December 11, 2020

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Director of Facilities and Fleet Management

ATTEST:



Clerk to the Board

### GENERAL NOTES

1. THE PROPERTY SHOWN IS IDENTIFIED ON THE PRINCE WILLIAM COUNTY, VIRGINIA GEOGRAPHIC INFORMATION SYSTEM AS A PART OF GPIN 7991-09-6721.
2. THE PROPERTY SHOWN HEREON IS CURRENTLY OWNED BY PRINCE WILLIAM COUNTY BOARD OF SUPERVISORS AND IS A PART OF THE PROPERTY ACQUIRED AT DEED BOOK 509 AT PAGE 137.
3. THE HORIZONTAL DATUM SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM, NAD 1983 AS DERIVED FROM A GPS SURVEY.
4. DURING THE PROCESS OF OUR PHYSICAL SURVEY NO INDICATIONS OF A CEMETERY WERE FOUND. NO FURTHER INSPECTION OF THESE PROPERTIES HAVE BEEN MADE FOR POSSIBLE CEMETERIES.
5. THE PROPERTY IS CURRENTLY ZONED A-1, ACCORDING TO PRINCE WILLIAM COUNTY MAPPER WEBSITE.
6. THE BOUNDARY INFORMATION SHOWN ON THIS PLAT IS BASED ON LAND RECORDS AND A LIMITED FIELD SURVEY.
7. NO TITLE REPORT WAS FURNISHED, THEREFORE ALL UNDERLYING EASEMENTS MAY NOT BE SHOWN ON THIS PLAT.
8. LAND DESIGNATED AS BUFFER AREA AND/OR STRIP SHALL BE LANDSCAPED AND MAY ONLY BE USED FOR STRUCTURES, USES, OR FACILITIES IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING ORDINANCE AND THE DCST.
9. THE OWNER OF FEE TITLE TO ANY PROPERTY ON WHICH PLANT MATERIAL HAS BEEN ESTABLISHED IN ACCORDANCE WITH AN APPROVED LANDSCAPE/PLANTING PLAN SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF THE APPROVED PLANT MATERIAL AS REQUIRED BY THE ORDINANCE.
10. NO USE SHALL BE MADE WITHIN THE SIGHT DISTANCE EASEMENT THAT WOULD AFFECT SIGHT DISTANCE FOR VEHICLES TURNING ONTO BRISTON RD.
11. THE PUBLIC ACCESS EASEMENTS SHALL BE MAINTAINED BY THE OWNER.
12. THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH EASEMENTS SHOWN ON PLAN # "SPR2019-00216503".

### OWNER'S CONSENT

THE PLATTING OF THE LAND SHOWN HEREON, AND AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER, PROPRIETORS AND TRUSTEES, IF ANY. THE UNDERSIGNED HEREBY EXPRESSLY CONSENT TO THE DEDICATION TO THE PRINCE WILLIAM COUNTY OF ANY EASEMENT INDICATED ON SUCH PLAT, AND FURTHER CONSENTS TO THE DEDICATION OF ANY EASEMENT INDICATED ON SUCH PLAT, FOR STORM DRAINAGE, OR EXPRESSLY IDENTIFIED FOR THE INSTALLATION OF SEWER, WATER, OR OTHER UTILITY LINES, OR FOR THE ACCESS THERETO, OR FOR ACCESS THERETO, OR FOR CONSTRUCTION EASEMENTS, TEMPORARY OR PERMANENT, ULTIMATELY TO OWNED OPERATED, OR MAINTAINED BY ANY PUBLIC AUTHORITY.

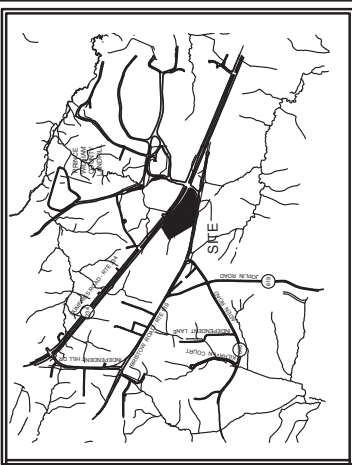
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINCE WILLIAM COUNTY BOARD OF SUPERVISORS  
 PRINCE WILLIAM COUNTY BOARD OF SUPERVISORS

### NOTARY'S CERTIFICATE

CITY/COUNTY OF \_\_\_\_\_  
 COMMONWEALTH OF VIRGINIA  
 I, THE UNDERSIGNED NOTARY PUBLIC DO HEREBY CERTIFY THAT

WHOSE NAME(S) IS SIGNED TO THE FOREGOING OWNER'S CONSENT APPEARED AND ACKNOWLEDGED THE SAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC  
 MY COMMISSION EXPIRES: \_\_\_\_\_



VICINITY MAP  
 SCALE: 1" = 2000'

### SURVEYOR'S CERTIFICATE

I, LONNY D. STURGEON, A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE PROPERTIES SHOWN HEREON ARE NOW IN THE NAME OF PRINCE WILLIAM COUNTY BOARD OF SUPERVISORS AND IS A PORTION OF THE LAND ACQUIRED IN DEED BOOK 509 AT PAGE 137 AMONG THE LAND RECORDS OF PRINCE WILLIAM COUNTY, VIRGINIA. I FURTHER CERTIFY THAT THE BOUNDARY SHOWN IS BASED UPON EXISTING LAND RECORDS AND A LIMITED FIELD SURVEY, AND IS NOT A RESULT OF A BOUNDARY SURVEY BY THIS FIRM.



ATTACHMENT  
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Rev#	DATE	REVISION
1	04/09/20	REVISED WL
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**ADJOINER INFORMATION**

GPIN 7891-75-9883  
 CLYDE & REBECCA DAVIS  
 DB 1795 PG. 1056

GPIN 787891-75-9285  
 OSCAR RILLOZ ET. AL.  
 INSTR. # 20103040018762

GRAPHIC SCALE  
 1" = 60'

60 30 0 60 120

VIRGINIA COORDINATE SYSTEM NORTH  
 NAD 83

PRINCE WILLIAM COUNTY  
 BOARD OF SUPERVISORS

A PART OF GPIN 7891-09-6721  
 #4807 BRISTOW RD.

PLAT SHOWING  
 VARIOUS EASEMENTS  
 ON A PART OF THE PROPERTY OF  
 PRINCE WILLIAM COUNTY BOARD OF SUPERVISORS  
 COLES MAGISTERIAL DISTRICT  
 PRINCE WILLIAM COUNTY, VIRGINIA

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\* EASEMENTS HEREBY GRANTED

**CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA	TANGENT	BEARING	CHORD
C1	60.68'	25.05'	23.3854°	12.70'	N6.71626°E	24.87'
C2	24.46'	36.07'	70.0409°	20.68'	N36.20249°W	53.85'
C3	24.46'	65.42'	127.71573°	59.41'	N64.45331°E	52.78'
C4	24.46'	29.36'	57.06704°	16.03'	S80.07154°E	28.16'
C5	44.10'	80.04'	103.9446°	56.44'	S80.07154°E	69.50'
C6	22.50'	15.22'	38.4614°	7.91'	N62.2405°W	14.83'
C7	22.50'	23.99'	61.0520°	13.28'	N73.9408°W	22.87'
C8	59.92'	5.50'	05.1522°	2.75'	S72.25159°W	5.50'
C9	47.50'	26.37'	31.4817°	23.92'	N78.09159°W	43.54'

**LINE TABLE**

LINE	BEARING	DISTANCE
L46	N 50°12'1" E	31.99'
L47	N 16°09'36" W	61.52'
L48	N 73°50'24" E	24.40'
L49	N 73°50'24" W	12.14'
L50	N 76°59'16" W	207.75'
L51	N 88°26'11" E	595.00'
L52	S 62°52' 52" E	20.25'
L53	S 81°51'42" E	151.77'
L54	S 43°06'28" E	11.54'
L55	N 75°48'11" E	151.02'
L56	N 38°40'18" E	30.70'
L57	N 38°40'18" W	65.85'
L58	N 43°06'28" W	21.79'
L59	N 81°51'42" W	2106.32'
L60	S 47°05'22" W	24.88'
L61	N 42°59'55" E	5.67'
L62	N 70°41'46" E	133.46'

**LINE TABLE**

LINE	BEARING	DISTANCE
L31	S 58°50'46" E	41.04'
L32	S 16°09'36" E	9.29'
L33	S 74°05'25" E	76.41'
L34	S 48°16'05" W	59.09'
L35	S 39°02'05" W	15.00'
L36	N 48°06'05" E	90.93'
L37	N 32°51' 26" E	10.98'
L38	N 32°51' 26" E	122.44'
L39	N 16°09'55" W	17.06'
L40	N 75°40'26" E	18.79'
L41	S 73°50'24" W	43.97'
L42	N 84°21'21" W	114.21'
L43	N 64°44'36" W	31.99'
L44	N 09°54'40" E	11.64'
L45	S 80°05'20" E	152.33'

**LINE TABLE**

LINE	BEARING	DISTANCE
L16	N 84°51'03" E	59.67'
L17	S 27°41'13" E	46.29'
L18	N 24°59'03" W	30.35'
L19	N 37°43'59" E	32.24'
L20	S 58°42'40" E	53.74'
L21	S 44°28'40" E	42.58'
L22	S 21°15' 41" W	52.76'
L23	S 40°51'06" E	17.78'
L24	N 10°53'22" W	12.69'
L25	N 07°08'11" E	63.04'
L26	S 08°51'24" W	11.71'
L27	N 09°46'59" E	21.75'
L28	N 64°44'36" W	6.75'
L29	N 24°21'28" W	26.12'
L30	S 32°14'29" E	120.38'

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 09°41'25" E	30.23'
L2	N 51°32'34" E	33.03'
L3	N 51°32'34" E	16.97'
L4	N 51°32'34" E	16.06'
L5	N 89°31'17" E	91.79'
L6	N 00°28'42" W	21.82'
L7	S 31°56'53" E	17.70'
L8	N 36°13'25" W	37.86'
L9	N 29°04'58" E	7.07'
L10	S 70°09'40" W	239.50'
L11	N 19°02'25" W	38.37'
L12	N 08°29'42" W	17.99'
L13	N 54°13'23" E	52.77'
L14	N 83°12'05" E	65.39'
L15	N 59°27'42" E	79.95'

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L:\P\Projects\PWC - Annual Shelter\Plats\109448 - Emt Plat.dwg, 12/17/2020 10:15:46 AM, jomydsturgeon, 1: Christopher consultants, ltd

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: ANGRY**

**Regular Meeting**

**Res. No. 21-103**

**RE: AUTHORIZE EXECUTION OF A DEED OF RESERVATION FOR A STORM WATER RESERVATION AREA FOR LOCUST SHADE PARK – POTOMAC MAGISTERIAL DISTRICT**

**ACTION: APPROVED**

**WHEREAS**, the Prince William Board of County Supervisors (Board) owns the parcel of land located at 4701 Locust Shade Drive, Triangle, Virginia, 22172, GPIN 8188-13-1748, known as Locust Shade Park; and

**WHEREAS**, in Fiscal Year (FY) 2018, by Resolution Number (Res. No.) 17-192, the Board approved the construction of Grounds Maintenance Shop at Locust Shade Park as part of the five (5)-Year Capital Improvement Program; and

**WHEREAS**, the project includes construction of a 3,000 square foot Grounds Maintenance Shop to replace the existing, aging structure, which is insufficiently sized to accommodate the expansion of the workforce; and

**WHEREAS**, the provision of adequate employee workspace is essential to the delivery of the level of service standards outlined in the Parks Chapter of the County's Comprehensive Plan; and

**WHEREAS**, a construction contract for \$944,000 was executed on December 10, 2020, and construction is slated to begin immediately; and

**WHEREAS**, the County's Design and Construction Standards Manual policy requires dedicated Storm Water Management (SWM) and Best Management Practice (BMP) infrastructure to be placed in Reservation Areas via deed, which are held and monitored by the Prince William County Department of Environmental Services; and

**WHEREAS**, the attached plat, as prepared by Rinker Design Associates, P.C., dated April 18, 2018, denotes the proposed Reservation Area; and

**WHEREAS**, the purpose of the plat and accompanying Deed of Reservation is to ensure that future development does not impinge on the components of the SWM and BMP infrastructure; and

**WHEREAS**, pursuant to Section 15.2-1800, Va. Code Ann., the Board has the authority to approve the Deed for a SWM Reservation Area within County-owned property;

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**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby authorizes the execution of a Deed of Reservation for a Storm Water Reservation Area for Locust Shade Park in accordance with the attached plat and authorizes the Department of Parks, Recreation, and Tourism Director to execute all documents necessary to effectuate the intent of such action, as reviewed and approved as to form by the County Attorney's Office.

ATTACHMENTS: Deed of Reservation  
RDA, P.C. Plat dated April 18, 2018

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

Clerk to the Board

**DEED OF RESERVATION**

**THIS DEED OF DEDICATION, EASEMENT, RESERVATION, AND**

**VACATION** made this \_\_\_\_\_ day of \_\_\_\_\_ 2021, by THE BOARD OF COUNTY SUPERVISORS OF PRINCE WILLIAM COUNTY, VIRGINIA, a body corporate and politic, as grantor and grantee (“Grantor,” “Grantee,” or “County”).

**WITNESSETH:**

**WHEREAS**, Grantor is the owner of a certain parcel of land situate in the Potomac Magisterial District of Prince William County, Virginia, commonly known as **GPIN 8188-13-1748** (“Property”), and more particularly shown on the attached plat; having acquired said Property by a Deed of Gift and Quitclaim recorded as Instrument Number 201206210058314 in the land records of Prince William County, Virginia.

**WHEREAS**, Grantor desires to grant and convey certain property to the County and to dedicate same for public street purposes, and to reserve certain areas to the County, all as more particularly described and shown on the attached plat entitled “PLAT SHOWING THE RESERVATION OF A BMP RESERVATION AREA ON THE LAND OF BOARD OF COUNTY SUPERVISORS OF PRINCE WILLIAM COUNTY, VIRGINIA POTOMAC MAGISTERIAL DISTRICT PRINCE WILLIAM COUNTY, VIRGINIA,” dated April 18, 2018, and prepared by Rinker Design Associates, P.C. (“Plat”) (SPR2018-00156S03).

**WHEREAS**, Grantor desires to reserve a certain area unto itself, all as more particularly described and shown on the attached Plat.

**NOW, THEREFORE**, in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby reserve unto itself, the best management practices area set forth and labeled “BMP

RESERVATION AREA (HEREBY RESERVED)” and as more particularly shown on the Plat.

The area shall run with the land and is for the purpose of constructing, operating, maintaining, adding to, or altering present or future storm drainage lines, or other drainage facilities, plus necessary inlet structures including other appurtenant facilities for the transmission and distribution of storm waters through, upon, and across the property of the Grantor; said property and area being more particularly bounded and described on the Plat. The area shall grant to the appropriate Prince William County authorities the right to enter upon the property which is the subject of the reservation for the purpose of inspecting, maintaining or replacing any storm water management apparatus or facility which is installed upon or beneath the land which is the subject of the area.

Said areas being SUBJECT to the following conditions:

1. All sewers, manholes and appurtenant facilities which are installed in the areas reserved to the County shall be and remain the property of the Grantor, its successors and assigns; provided, however, that at such time as County shall implement a comprehensive maintenance program, Grantor shall, without further consideration, on request of County, execute such instruments as may be required to convey such improvements to County.
2. The County and its agents shall have full and free use of the said areas for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of the areas including the right of access to and from the rights-of-way, and the right to use abutting land adjoining the areas where necessary; provided, however, that this right to use abutting land shall be exercised only during periods of actual construction or maintenance, and then only to the minimum extent necessary for such construction or maintenance, and further, this right shall not

be construed to allow the County erect any building or structure of a permanent nature on such abutting land.

3. The County and its agents shall have the right to trim, cut and remove trees, shrubbery, fences, structures or other obstructions or facilities in or near the areas being conveyed, deemed by it to interfere with the proper and efficient construction, operation and maintenance of said storm drainage facility; provided, however, that the County, at its own expense, shall restore as nearly as possible, the premises to their original condition; such restoration to include the backfilling of trenches, the replacement of fences and shrubbery, the reseeded and resodding of lawn and pasture areas, but not the replacement of structures, trees, or other obstructions.

4. The Grantor reserves the right to make any use of the areas herein granted, provided, this use does not interfere with the flows of the natural storm drainage or adversely affect other properties or interfere with the use of the storm area(s) by the County for the purposes named, or be inconsistent with any other right herein conveyed; also provided, that the Grantor, its successors and assigns, shall not erect any building, fence or other structure on the area(s) granted to the County without obtaining the prior written approval of the County.

5. The fee title owner shall be responsible for the maintenance of all drainage, storm water management, and best management practices facilities and systems in accordance with the maintenance agreement to ensure that they function properly.

Subject to other limitations, the fee title owner may landscape the area to include vegetation, signs, and fences provided that drainage and the County's or the owner's ability to access the area is not compromised and that the County is not in any way responsible for the repairs of these landscape items even if damaged by County forces.



The reservation is made with the Grantor's free consent and in accordance with its desires, and in accordance with the statutes of Virginia governing the platting of the land; the Plat having been duly approved by the proper authorities of Prince William County, Virginia, as evidenced by their endorsement thereon.

By their signatures hereto, all parties join in the execution of this Deed to acknowledge their free consent to the terms and conditions herein expressed and their acceptance to the reservations herein reserved.

(SIGNATURES ON FOLLOWING PAGES)

**WITNESS** the following signatures and seals:

RESERVED PER VIRGINIA CODE SECTION 15.2-1800  
ACCEPTED PER VIRGINIA CODE SECTION 15.2-1803

BOARD OF COUNTY SUPERVISORS OF  
PRINCE WILLIAM COUNTY

BY: \_\_\_\_\_  
SETH HENDLER-VOSS,  
Department of Parks, Recreation and Tourism Director  
Authorized by Board Res. No. \_\_\_\_\_

COMMONWEALTH OF VIRGINIA  
County of Prince William, to wit:

I, the undersigned Notary Public of and for the jurisdiction aforesaid, do hereby certify that SETH HENDLER-VOSS, Department of Parks, Recreation and Tourism Director, on behalf of the Board of County Supervisors of Prince William County, whose name is signed to the foregoing Deed dated \_\_\_\_\_, 2021, has this date appeared before me, and acknowledged the same.

Given under my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_  
Registration Number: \_\_\_\_\_

FORM APPROVED PER VIRGINIA CODE SECTION 15.2-1803

\_\_\_\_\_  
Date (Assistant) County Attorney

**OWNER'S CONSENT AND DEDICATION**

THE PLATING OR RESERVATION OF THE BMP RESERVATION AREA AS SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER(S), PROPRIETOR(S), AND TRUSTEE(S), IF ANY.

OWNER'S NAME \_\_\_\_\_ DATE \_\_\_\_\_  
 PRINT NAME \_\_\_\_\_ TITLE \_\_\_\_\_

**NOTARY CERTIFICATE**

NOTARY PUBLIC \_\_\_\_\_  
 MY COMMISSION EXPIRES \_\_\_\_\_  
 NOTARY REGISTRATION NUMBER \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

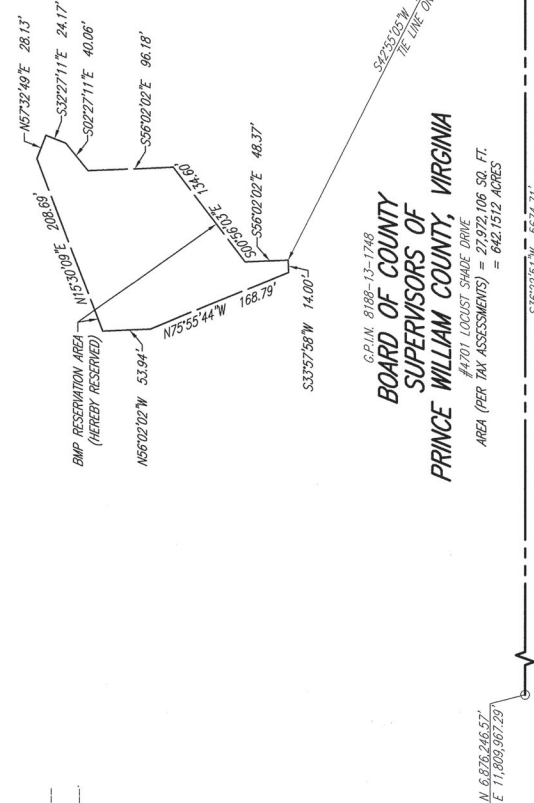
I, RYAN J. DREZIN, A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THE PROPERTIES SHOWN HEREON ARE NOW IN THE NAME OF BOARD OF COUNTY SUPERVISORS OF PRINCE WILLIAM COUNTY, VIRGINIA AS RECORDED IN INSTRUMENT #20120210028314 AMONG THE LAND RECORDS OF PRINCE WILLIAM COUNTY, VIRGINIA.  
 I FURTHER CERTIFY THAT THE BOUNDARIES OF THESE PROPERTIES ARE BASED UPON DEEDS AND PLATS OF RECORD BUT DOES NOT REPRESENT A BOUNDARY SURVEY BY THE UNDERSIGNED, CLOSES MATHEMATICALLY WITH A PRECISION RATIO GREATER THAN OR EQUAL TO 1:10,000 AND IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM OF 1983 PER A FIELD SURVEY WHICH TIES THIS BOUNDARY TO TO FMC MONUMENT NO. 03 (SECOND).  
 GIVEN UNDER MY HAND AND SEAL THIS 18TH DAY OF APRIL, 2018.



RYAN J. DREZIN  
 LAND SURVEYOR  
 9385 DISCOVERY BOULEVARD  
 SUITE 200  
 MANASSAS, VIRGINIA 20109

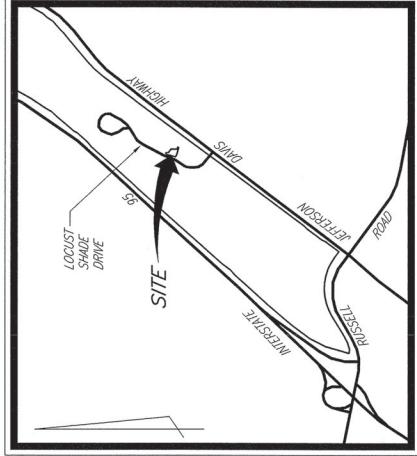
**NOTES**

1. THE GEOGRAPHIC PARCEL IDENTIFICATION NUMBER FOR THE PROPERTY SHOWN HEREON IS 8188-13-1748 AND IS ZONED A-1.
2. NO TITLE REPORT FURNISHED. THIS PLAT IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY. ALL UNDERLYING EASEMENTS MAY NOT BE INDICATED ON THIS PLAT.
3. THE PLAT OF THE PROPERTIES SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM (VCS 1983) AS COMPUTED FROM A FIELD SURVEY WHICH TIES THESE BOUNDARIES TO WHICH HAS BEEN APPLIED TO THE BOUNDARY (CLEANING FACTORY) COORDINATES IS 0.998933518. UNLESS OTHERWISE STATED, THE PLAT DISTANCES SHOWN ARE INTENDED TO BE HORIZONTAL DISTANCES MEASURED AT THE MEAN ELEVATION OF THESE PROPERTIES. THE BEARINGS SHOWN ARE REFERENCED TO THE VCS 1983 GRID NORTH. THE FOOT DETENTION USED FOR THE CONVERSION OF THE MONUMENT IS THE U.S. SURVEY FOOT OR 1' = 0.3048006096 METERS.
4. THE FEE TITLE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE AND BEST MANAGEMENT PRACTICES FACILITIES AND SYSTEMS IN ACCORDANCE WITH THE MAINTENANCE AGREEMENT TO ENSURE THAT THEY FUNCTION PROPERLY.  
 SUBJECT TO OTHER LIMITATIONS, THE FEE TITLE OWNER MAY LANDSCAPE THE EASEMENT TO INCLUDE VEGETATION, SIGNS AND FENCES, PROVIDED THAT DRAINAGE AND THE COUNTY'S OR THE OWNER'S ABILITY TO ACCESS THE EASEMENT IS NOT COMPROMISED AND THAT THE COUNTY IS NOT IN ANY WAY RESPONSIBLE FOR THE REPAIRS OF THESE LANDSCAPE ITEMS, EVEN IF DAMAGED BY COUNTY FORCES.
5. THE CONSTRUCTION OF FENCES AND OTHER PERMANENT STRUCTURES/OBSTACLES IS PROHIBITED WITHIN ANY BMP RESERVATION AREA WITHOUT SPECIFIC AUTHORIZATION FROM THE PRINCE WILLIAM COUNTY DEPARTMENT OF PUBLIC WORKS.
6. THE COUNTY IS HEREBY GRANTED THE RIGHT TO ENTER THE PROPERTY OVER ALL PAVED AREAS ON THE PROPERTY FOR THE PURPOSE OF INSPECTING, MAINTAINING OR REPLACING ANY STORM DRAINAGE LINES OR OTHER STORMWATER MANAGEMENT OR DRAINAGE FACILITIES INSTALLED ON THE PROPERTY.



BOARD OF COUNTY SUPERVISORS OF PRINCE WILLIAM COUNTY, VIRGINIA  
 AREA (PER TAX ASSESSMENTS) = 27,972.106 SQ. FT.  
 = 642.1512 ACRES

JEFFERSON DAVIS HIGHWAY  
 U.S. ROUTE NO. 1  
 (80' WIDE)



VICINITY MAP  
 SCALE: 1"=2,000'

ATTACHMENT  
 February 16, 2021  
 S. No. 21-103  
 Page 6 of 6



PLAT SHOWING  
 THE RESERVATION OF A  
 BMP RESERVATION AREA  
 ON THE LAND OF  
 BOARD OF COUNTY SUPERVISORS OF  
 PRINCE WILLIAM COUNTY, VIRGINIA  
 POTOMAC INDUSTRIAL DISTRICT  
 PRINCE WILLIAM COUNTY, VIRGINIA  
 SCALE: 1"=100' APRIL 18, 2018  
 COUNTY TRACKING NO. SPR2018-00156303  
 SHEET 1 OF 1

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: ANGRY**

**Regular Meeting**

**Res. No. 21-104**

**RE: APPROVE AMENDMENT NO. 2 TO THE FISCAL YEAR 2019 AND FISCAL YEAR 2020 COMMUNITY SERVICES PERFORMANCE CONTRACT WITH THE VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES**

**ACTION: APPROVED**

**WHEREAS**, the Performance Contract is the primary accountability tool utilized by the Virginia Department of Behavioral Health and Developmental Services (DBHDS) for the \$10,300,000 in state funding and \$2,000,000 in federal funding provided by DBHDS to support Prince William Community Services Board (CSB) operations; and

**WHEREAS**, the Prince William County CSB must have an approved State Performance Contract with DBHDS to continue receiving state and Federal funding; and

**WHEREAS**, the Prince William County CSB extended the Fiscal Year (FY) 2019 and Fiscal Year (FY) 2020 Performance Contract for the period July 1, 2020, through December 30, 2020, at its June 18, 2020, meeting as requested by DBHDS; and

**WHEREAS**, DBHDS requested that CSBs extend the FY 2019 and FY 2020 Performance Contract until June 30, 2021, and the Prince William County CSB approved the second extension at its meeting on January 21, 2021; and

**WHEREAS**, a fully executed Performance Contract requires approval by the CSB and associated localities;

**WHEREAS**, the County Attorney found the Amendment No. 2 to the Performance Contract to comply with Virginia Code Section 37.2-508;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby approves the Amendment No. 2 to the Fiscal Year 2019 and Fiscal Year 2020 Community Services Performance Contract.

**ATTACHMENT:** Amendment No. 2 to the Fiscal Year 2019 and Fiscal Year 2020 Community Services Performance Contract

**February 16, 2021**  
**Regular Meeting**  
**Res. No. 21-104**  
**Page Two**

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

ATTEST:           Andrea P. Madden            
Clerk to the Board

**TO:** CSB Executive Directors

**FROM:** Chaye Neal-Jones, Office of Management Services (OMS)

**RE:** Amendment No. 2 - CSB FY19-20 Performance Contract Extension Agreement

**DATE:** January 5, 2021

Dear CSB Executive Directors:

The public health emergency presented by the COVID-19 virus warranted the need for flexibility with CSB requirements as provided in the individual performance contracts. These flexibilities were relevant to the delivery of services related to COVID-19 detection and treatment, as well as maximizing access to care and minimizing viral spread through community contact. The Department and the CSBs reached an agreement to extend the current FY19-20 CSB performance contract from June 30, 2020 through December 31, 2021 to allow time to work through this public health emergency and assess next steps for operating through this pandemic.

After further discussions and review of this public health emergency, the Department and the CSBs have reached an agreement to further extend the CSB FY 19-20 performance contract from **December 31, 2020 through June 30, 2021.**

Attached you will find Amendment No. 2 CSB FY19-20 performance contract extension agreement for your review and signature. This extension agreement must be signed and emailed back the [performancecontractsupport@dbhds.virginia.gov](mailto:performancecontractsupport@dbhds.virginia.gov) email box. **Please do not mail any signed documents to Central Office.**

Please have the signed extension agreement returned by **January 26, 2021.** We understand there are some CSBs such as Policy-advisory and Administrative Policy CSBs that have local government processes and procedures they must follow. We ask these CSBs to provide the extension agreement back to us as soon as they possibly can or contact OMS directly to address their specific needs.

Attached below you will find the following document(s) that need to be reviewed and executed:

1. **Amendment No. 2 FY19-20 Community Services Performance Contract:** The FY2019 and FY2020 performance contract term will be extended effective December 31, 2020 through June 30, 2021.
  - a) The CSBs should complete the areas marked in red and obtain the necessary signatures. Electronic signatures are acceptable.
  - b) The CSBs **must** sign, scan and email the two pages of the agreement back to the Department through the [performancecontractsupport@dbhds.virginia.gov](mailto:performancecontractsupport@dbhds.virginia.gov) email box. **Please do not mail any signed documents to Central Office.**
  - c) OMS will obtain the Commissioner's signature and send a fully executed copy back to the CSBs.
  - d) OMS will have the Commissioner to sign and email a fully executed copy back to the CSBs.

All other terms and conditions of the FY 19-20 performance contract, Administrative Requirements, Partnership Agreement, and other applicable documents not amended through this Agreement remain in full force and effect.

Any questions from the CSBs regarding these documents **must** be submitted directly to the [performancecontractsupport@dbhds.virginia.gov](mailto:performancecontractsupport@dbhds.virginia.gov) email box for response. OMS will provide a response within 3 business days.

The Department would like to thank you all for your service to the community and partnering with us as we work through this crisis together.

This Agreement amends the FY2019 and FY2020 Community Services Performance Contract (the “Contract”) bearing the effective date of July 1, 2019 between the Department of Behavioral Health and Developmental Services (the “Department” or “Agency”) and the **Prince William County Community Services Board** (the “CSB”), (referred to collectively as the “Parties”).

## RECITALS

**WHEREAS**, the public health emergency presented by the COVID-19 virus has warranted the need for flexibility with CSB requirements; and

**WHEREAS**, these flexibilities are relevant to the delivery of services related to COVID-19 detection and treatment, as well as maximizing access to care and minimizing viral spread through community contact; and

**WHEREAS**, the Parties agreed to extend the term of the FY2019 and FY2020 Community Services Performance Contract from June 30, 2020 through December 31, 2020 to allow time to work through this public health emergency and assess operations; and

**WHEREAS**, the public health emergency presented by the COVID-19 continues to warrant further flexibility with CSB requirements;

**WHEREAS**, as the Parties agree to further extend the term of the FY2019 and FY2020 Community Services Performance Contract; and

As provided for under the terms of this Agreement, the Department and the CSB agree to amend the following provisions:

1. **Section 3: Contract Term** shall be amended to extend the term effective December 31, 2020 through on June 30, 2021 (the “Amendment Term”) and shall be binding upon any funds advanced by the Department since the Amendment Term as provided in this Agreement.

All other terms and conditions that are not hereby amended shall remain in full force and effect.

**Counterparts and Electronic Signatures:** Except as may be prohibited by applicable law or regulation, this Agreement and any amendment may be signed in counterparts, by facsimile, PDF, or other electronic means, each of which will be deemed an original and all of which when taken together will constitute one agreement. Facsimile and electronic signatures will be binding for all purposes.

**Signatures:** In witness thereof, the Department and the CSB have caused this Agreement to be executed by the following duly authorized Parties.

**Virginia Department of Behavioral  
Health and Developmental Services**

By: \_\_\_\_\_

Name: Alison G. Land, FACHE



Title: Commissioner

Date: \_\_\_\_\_

By: \_\_\_\_\_

Name: Patrick Sowers

Title: Chairperson

Date: \_\_\_\_\_

By: \_\_\_\_\_

Name: Lisa C. Madron, LCSW, CTS

Title: Executive Director

Date: \_\_\_\_\_

**Prince William County Community  
Services Board**

**MOTION: BAILEY**

**February 16, 2021  
Regular Meeting  
Res. No. 21-105**

**SECOND: ANGRY**

**RE: AUTHORIZE EXECUTION OF AN AGREEMENT FOR LOCAL ADMINISTRATION OF THE OLD BRIDGE ROAD (OAKWOOD DRIVE TO FOREST HILL ROAD) SIDEWALK IMPROVEMENT PROJECT; AND BUDGET AND APPROPRIATE \$1,269,500 IN FEDERAL FUNDS – OCCOQUAN MAGISTERIAL DISTRICT**

**ACTION: APPROVED**

**WHEREAS**, the Old Bridge Road Sidewalk Improvements Project (Oakwood Drive – Forest Hill Road) (Project) involves the design and construction of approximately 700 feet of sidewalk along the north side of the Old Bridge Road (State Route 641) from Oakwood Drive (State Route 2150) to Forest Hill Road (State Route 2183). The purpose of the Project is to improve pedestrian safety and connect three neighboring schools, a townhome community, a future park, a pool area, and the administrative office of a local Homeowner’s Association; and

**WHEREAS**, a County-State agreement was received by the Virginia Department of Transportation (VDOT) which grants local administration over the Project. The agreement includes an Appendix A that provides the County with \$1,269,500 in federal Transportation Alternatives 80% funding and requires a 20% local match; and

**WHEREAS**, the Prince William Board of County Supervisors (Board) must authorize the execution of the agreement in order to budget and appropriate the federal funds; and

**WHEREAS**, the \$1,360,000 in federal Transportation Alternatives 80% funding allocated under the agreement. VDOT will retain \$90,500 of the federal Transportation 80% funding to cover expenses on their end associated with the Project. \$1,269,500 must be budgeted and appropriated for it to be used for the Project; and

**WHEREAS**, in December 2019, \$352,400 was approved to be allocated to the Project through the Transportation Roadway Improvement Program for the Project’s required local match, which satisfies the local match requirement;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby budgets and appropriates \$1,269,500 to the Old Bridge Road (Oakwood Drive to Forest Hill Road) Sidewalk Improvement Project in the Occoquan Magisterial District;

**BE IT FURTHER RESOLVED** that the Prince William Board of County Supervisors hereby authorizes the Transportation Director, or his designee, to execute the County-State agreement for the local administration over the Old Bridge Road (Oakwood Drive to Forest Hill Road); Sidewalk Improvement Project.

**February 16, 2021**  
**Regular Meeting**  
**Res. No. 21-105**  
**Page Two**

ATTACHMENT: Virginia Department of Transportation UPC 118495 Appendix A

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Director of Transportation

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

Clerk to the Board

**STANDARD PROJECT ADMINISTRATION AGREEMENT**  
**Federal-aid Projects**

Project Number	UPC	Local Government
EN20-076-308 Old Bridge Rd Sidewalk – Oakwood to Forest Hills	118495	Prince William County

THIS AGREEMENT, is hereby made and executed the date of the last signature set forth below, by and between the COUNTY OF PRINCE WILLIAM, VIRGINIA, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT. The DEPARTMENT and the COUNTY are collectively referred to as the “Parties”.

WHEREAS, the LOCALITY has expressed its desire to administer the work described in Appendix A, and such work for each improvement shown is hereinafter referred to as the Project; and

WHEREAS, the funds shown in Appendix A have been allocated to finance each Project; and

WHEREAS, the LOCALITY is committed to the development and delivery of each Project described in Appendix A in an expeditious manner; and;

WHEREAS, both parties have concurred in the LOCALITY's administration of the phase(s) of work for the respective Project(s) listed in Appendix A in accordance with applicable federal, state, and local law and regulations.

NOW THEREFORE, in consideration of the mutual premises contained herein, the parties hereto agree as follows:

1. The LOCALITY shall:
  - a. Be responsible for all activities necessary to complete the noted phase(s) of each Project shown in Appendix A, except for activities, decisions, and approvals which are the responsibility of the DEPARTMENT, as required by federal or state laws and regulations or as otherwise agreed to, in writing, between the parties. Each Project will be designed and constructed to meet or exceed current American Association of State Highway and Transportation Officials standards or supplementary standards approved by the DEPARTMENT
  - b. Meet all funding obligation and expenditure timeline requirements in accordance with all applicable federal and state laws and regulations, and Commonwealth Transportation Board and DEPARTMENT policies and as identified in Appendix A to this Agreement. Noncompliance with this requirement can result in deallocation of the funding, rescinding of state funding match, termination of this Agreement, or DEPARTMENT denial of future requests to administer projects by the LOCALITY.

- c. Receive prior written authorization from the DEPARTMENT to proceed with preliminary engineering, right-of-way acquisition and utility relocation, and construction phases of each Project.
- d. Administer the project(s) in accordance with guidelines applicable to Locally Administered Projects as published by the DEPARTMENT.
- e. Maintain accurate and complete records of each Project's development and documentation of all expenditures and make such information available for inspection or auditing by the DEPARTMENT. Records and documentation for items for which reimbursement will be requested shall be maintained for no less than three (3) years following acceptance of the final voucher on each Project.
- f. No more frequently than monthly, submit invoices with supporting documentation to the DEPARTMENT in the form prescribed by the DEPARTMENT. The supporting documentation shall include copies of related vendor invoices paid by the LOCALITY and an up-to-date project summary and schedule tracking payment requests and adjustments. A request for reimbursement shall be made within 90 days after any eligible project expenses are incurred by the LOCALITY. For federally funded projects and pursuant to 2 CFR 200.338, Remedies for Noncompliance, violations of the provision may result in the imposition of sanctions including but not limited to possible denial or delay of payment of all or a part of the costs associated with the activity or action not in compliance.
- g. Reimburse the DEPARTMENT all Project expenses incurred by the DEPARTMENT if, due to action or inaction solely by the LOCALITY, federally funded Project expenditures incurred are not reimbursed by the Federal Highway Administration (FHWA), or reimbursements are required to be returned to the FHWA, or in the event the reimbursement provisions of Section 33.2-214 or Section 33.2-331 of the Code of Virginia, 1950, as amended, or other applicable provisions of federal, state, or local law or regulations require such reimbursement.
- h. On Projects that the LOCALITY is providing the required match to state or federal funds, pay the DEPARTMENT the LOCALITY's match for eligible Project expenses incurred by the DEPARTMENT in the performance of activities set forth in paragraph 2.a.
- i. Administer the Project in accordance with all applicable federal, state, or local laws and regulations. Failure to fulfill legal obligations associated with the project may result in forfeiture of federal or state-aid reimbursements
- j. Provide certification by a LOCALITY official that all LOCALITY administered Project activities have been performed in accordance with all federal, state, and local laws and regulations. If the LOCALITY expends over

\$750,000 annually in federal funding, such certification shall include a copy of the LOCALITY's single program audit in accordance with 2 CFR 200.501, Audit Requirements.

- k. If legal services other than that provided by staff counsel are required in connection with condemnation proceedings associated with the acquisition of Right-of-Way, the LOCALITY will consult the DEPARTMENT to obtain an attorney from the list of outside counsel approved by the Office of the Attorney General. Costs associated with outside counsel services shall be reimbursable expenses of the project.
  - l. For Projects on facilities not maintained by the DEPARTMENT, provide, or have others provide, maintenance of the Project upon completion, unless otherwise agreed to by the DEPARTMENT.
  - m. Ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964, regulations of the United States Department of Transportation (USDOT), Presidential Executive Orders and the Code of Virginia relative to nondiscrimination; and as a sub-recipient of federal funds, adopt and operate under the DEPARTMENT's FHWA-approved Disadvantaged Business Enterprise (DBE) Program Plan in accordance with 49 CFR Part 26.
2. The DEPARTMENT shall:
- a. Perform any actions and provide any decisions and approvals which are the responsibility of the DEPARTMENT, as required by federal and state laws and regulations or as otherwise agreed to, in writing, between the parties and provide necessary coordination with the FHWA as determined to be necessary by the DEPARTMENT.
  - b. Upon receipt of the LOCALITY's invoices pursuant to paragraph 1.f., reimburse the LOCALITY the cost of eligible Project expenses, as described in Appendix A. Such reimbursements shall be payable by the DEPARTMENT within 30 days of an acceptable submission by the LOCALITY.
  - c. If appropriate, submit invoices to the LOCALITY for the LOCALITY's share of eligible project expenses incurred by the DEPARTMENT in the performance of activities pursuant to paragraph 2.a.
  - d. Audit the LOCALITY's Project records and documentation as may be required to verify LOCALITY compliance with federal and state laws and regulations.
  - e. Make available to the LOCALITY guidelines to assist the parties in carrying out responsibilities under this Agreement.

3. Appendix A identifies the funding sources for the project, phases of work to be administered by the LOCALITY, and additional project-specific requirements agreed to by the parties. There may be additional elements that, once identified, shall be addressed by the parties hereto in writing, which may require an amendment to this Agreement.
4. If designated by the DEPARTMENT, the LOCALITY is authorized to act as the DEPARTMENT's agent for the purpose of conducting survey work pursuant to Section 33.2-1011 of the Code of Virginia, 1950, as amended.
5. Nothing in this Agreement shall obligate the parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement or as shall have been included in an annual or other lawful appropriation. In the event the cost of a Project is anticipated to exceed the allocation shown for such respective Project on Appendix A, both parties agree to cooperate in providing additional funding for the Project or to terminate the Project before its costs exceed the allocated amount, however the DEPARTMENT and the LOCALITY shall not be obligated to provide additional funds beyond those appropriated pursuant to an annual or other lawful appropriation.
6. Nothing in this Agreement shall be construed as a waiver of the LOCALITY's or the Commonwealth of Virginia's sovereign immunity.
7. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either party, in their individual or personal capacity for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement. The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.
8. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than the Parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the LOCALITY or the DEPARTMENT shall not be bound by any agreements between either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the LOCALITY or the DEPARTMENT has, in writing, received a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.

9. This Agreement may be terminated by either party upon 30 days advance written notice. Eligible Project expenses incurred through the date of termination shall be reimbursed in accordance with paragraphs 1.f, 1.g., and 2.b, subject to the limitations established in this Agreement and Appendix A. Upon termination, the DEPARTMENT shall retain ownership of plans, specifications, and right of way, unless all state and federal funds provided for the Project have been reimbursed to the DEPARTMENT by the LOCALITY, in which case the LOCALITY will have ownership of the plans, specifications, and right of way, unless otherwise mutually agreed upon in writing.
10. Prior to any action pursuant to paragraphs 1.b or 1.g of this Agreement, the DEPARTMENT shall provide notice to the LOCALITY with a specific description of the breach of agreement provisions. Upon receipt of a notice of breach, the LOCALITY will be provided the opportunity to cure such breach or to provide a plan to cure to the satisfaction to the DEPARTMENT. If, within sixty (60) days after receipt of the written notice of breach, the LOCALITY has neither cured the breach, nor is diligently pursuing a cure of the breach to the satisfaction of the DEPARTMENT, then upon receipt by the LOCALITY of a written notice from the DEPARTMENT stating that the breach has neither been cured, nor is the LOCALITY diligently pursuing a cure, the DEPARTMENT may exercise any remedies it may have under this Agreement.

THE LOCALITY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any party.

THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors, and assigns.

THIS AGREEMENT may be modified in writing by mutual agreement of both parties.



IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed by their duly authorized signatures below, acknowledging and agreeing that any digital signature affixed hereto shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature.

**COUNTY OF PRINCE WILLIAM, VIRGINIA:**

\_\_\_\_\_

\_\_\_\_\_  
Typed or printed name of signatory

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this Agreement.

**COMMONWEALTH OF VIRGINIA, DEPARTMENT OF  
TRANSPORTATION:**

\_\_\_\_\_  
Chief of Policy

\_\_\_\_\_  
Date

Commonwealth of Virginia  
Department of Transportation

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

**Attachments**

Appendix A – UPC 118495

**Appendix A**

Project Number: EN20-076-308  
Old Bridge Rd SW - Oakwood to Forest Hills  
UPC: 118495 CFDA # 20.205 Locality: Prince William County

Project Location ZIP+4: 22192-5308	Locality DUNS # 3096740	Locality Address (incl ZIP+4): 5 County Complex Court, Suite 290 Prince William, VA 22192-9201
------------------------------------	-------------------------	--

Project Narrative	
Work Description:	Design and construction of a sidewalk along the north side of Old Bridge Road (Route 641) from Oakwood Drive (Route 2150) to Forest Hill Road (Route 2183).
From:	Oakwood Drive
To:	Forest Hills Road
Locality Project Manager Contact info:	Khattab Shammout 703-792-6826 <a href="mailto:Kshammout@pwcgov.org">Kshammout@pwcgov.org</a>
Department Project Coordinator Contact Info:	Saif Qargha 703-259-3223 <a href="mailto:Saif.Qargha@vdot.virginia.gov">Saif.Qargha@vdot.virginia.gov</a>

Project Estimates				
	Preliminary Engineering	Right of Way and Utilities	Construction	Total Estimated Cost
Estimated Locality Project Expenses	\$450,000	\$166,500	\$993,000	\$1,609,500
Estimated VDOT Project Expenses	\$80,000	\$3,500	\$7,000	\$90,500
Estimated Total Project Costs	\$530,000	\$170,000	\$1,000,000	\$1,700,000

Project Cost and Reimbursement						
Phase	Estimated Project Costs	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	\$530,000	Transportation Alternatives	20%	\$106,000	\$424,000	
<b>Total PE</b>	\$530,000			\$106,000	\$424,000	\$344,000
Right of Way & Utilities	\$170,000	Transportation Alternatives	20%	\$34,000	\$136,000	
<b>Total RW</b>	\$170,000			\$34,000	\$136,000	\$132,500
Construction	\$1,000,000	Transportation Alternatives	20%	\$200,000	\$800,000	
<b>Total CN</b>	\$1,000,000			\$200,000	\$800,000	\$793,000
<b>Total Estimated Cost</b>	\$1,700,000			\$340,000	\$1,360,000	\$1,269,500

<b>Total Maximum Reimbursement by VDOT to Locality (Less Local Share)</b>	\$1,360,000
<b>Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)</b>	\$1,269,500

Project Financing						
Transportation Alternatives - 80% Federal	Transportation Alternatives 20% Local Match					Aggregate Allocations
\$1,360,000	\$340,000					\$1,700,000

Program and Project Specific Funding Requirements
<ul style="list-style-type: none"> <li>This Project shall be administered in accordance with VDOT's Locally Administered Projects Manual and Transportation Alternatives Program Guide.</li> <li>In accordance with Chapter 12.1.3 (Scoping Process Requirements) of the LAP Manual, the locality shall complete project scoping on or before 5/4/2022.</li> <li>This is a limited funds project. The LOCALITY shall be responsible for any additional funding in excess of \$1,360,000</li> <li>Reimbursement for eligible expenditures shall not exceed funds allocated each year by the Commonwealth Transportation Board in the Six Year Improvement Program.</li> <li>Eligible VDOT Project expenses will be recovered as follows: 80% will be deducted from the federal allocation and 20% will be deducted from reimbursement requests.</li> <li>Any ineligible items identified throughout Project development will not be reimbursable.</li> <li>The DEPARTMENT will conduct all environmental studies necessary to complete an environmental document in compliance with the National Environmental Policy Act including, but not limited to, basic coordination for cultural resources, basic clearances for threatened and endangered species, and any necessary certifications, recertifications, and/or reevaluations. The LOCALITY is responsible for tracking, implementing, and completing all environmental commitments associated with the project. In addition, the LOCALITY is responsible for obtaining any water quality permits, submitting a signed EQ-555 for natural resources due diligence, conducting any required hazardous materials efforts, and submitting a signed EQ-121 for hazardous materials due diligence (all submittals are to be in accordance with the LAP Manual). VDOT's estimated cost for preparing the environmental document and necessary supporting studies, including certifications, recertifications and/or reevaluations, will be provided to the LOCALITY and deducted from the Project funds.</li> <li>For Transportation Alternatives (TA) Projects, the LOCALITY shall maintain the Project or have it maintained in a manner satisfactory to the DEPARTMENT for its useful life and make ample provisions each year for such maintenance unless otherwise agreed to by the DEPARTMENT. Failure to do so, or the sale of a TA funded improvement prior to the expectations as identified in the TA Guide, may require repayment of federal funds.</li> <li>In accordance with CTB policy, the Project must be under construction by 11/01/2024 or the federal Transportation Alternatives (TA) funding may be subject to de-allocation.</li> <li>All local funds included on this appendix have been formally committed by the local government's board or council resolution subject to appropriation.</li> </ul>

This attachment is certified and made an official attachment to this document by the parties to this agreement.

Authorized Locality Official \_\_\_\_\_ Date \_\_\_\_\_

**Ricardo Canizales**

Typed or printed name of person signing

Authorized VDOT Official \_\_\_\_\_ Date \_\_\_\_\_

**Ray Burkhardt**

Typed or printed name of person signing

**MOTION: BAILEY**

**February 16, 2021  
Regular Meeting  
Res. No. 21-106**

**SECOND: ANGRY**

**RE: REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INSTALL  
"ADDITIONAL \$200 FINES FOR SPEEDING" SIGNS ON INGRAM DRIVE (STATE  
ROUTE 686) - GAINESVILLE MAGISTERIAL DISTRICT**

**ACTION: APPROVED**

**WHEREAS**, Ingram Drive meets the Virginia Department of Transportation's (VDOT) criteria of being a local residential street and has a posted speed limit of twenty-five (25) miles per hour; and

**WHEREAS**, based on numerous requests for enforcement and a speed study conducted by the Prince William County Department of Transportation (PWC DOT), Ingram Drive has a documented speeding problem; and

**WHEREAS**, on November 13, 2020, PWC DOT received a petition with 53% of the residents on Ingram Drive supporting the increased fines for speeding; and

**WHEREAS**, notice signs soliciting public comments were posted on Ingram Drive, from December 9, 2020, to January 6, 2021; and

**WHEREAS**, three (3) residents called the PWC DOT office to comment; two were in support, one was opposed;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby requests that the Virginia Department of Transportation to install "Additional \$200 Fine for Speeding" on Ingram Drive (State Route 686) in the Gainesville Magisterial District.

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Police Chief

Director of Transportation

Richard Burke, Virginia Department of Transportation (VDOT)

VDOT District Traffic Engineer, VDOT Northern Virginia (NOVA) District Office

**ATTEST:**



**Clerk to the Board**

**MOTION: BAILEY**

**February 16, 2021  
Regular Meeting  
Res. No. 21-107**

**SECOND: ANGRY**

**RE: RECOGNIZE "THE SETTLEMENT" – A HISTORIC AFRICAN AMERICAN COMMUNITY  
IN WESTERN PRINCE WILLIAM COUNTY**

**ACTION: APPROVED**

**WHEREAS**, February is celebrated as Black History Month in Prince William County;  
and

**WHEREAS**, following the Emancipation Act and the end of the Civil War, freed  
slaves sought to build communities in Prince William County; and

**WHEREAS**, "The Settlement," located within the triangle of Old Carolina, Carver  
Road and Lee Highway in Gainesville, the home to descendants of former slaves; and

**WHEREAS**, "The Settlement" is anchored by the Mount Pleasant Baptist Church,  
founded in 1877, which has been the center of community life for over a century, hosting  
religious services, community events and Homecoming, an event historically held in August  
that reconnects friends and family; and

**WHEREAS**, Mount Pleasant Baptist Church has been recorded as a Virginia  
Historical Landmark and nominated for listing on the National Register for Historic Places; and

**WHEREAS**, the structures and stories that surround "The Settlement" provide  
an integral place in Virginia and Prince William County;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County  
Supervisors hereby recognizes "The Settlement" and its descendants as they work with the County  
in preserving the legacy of this historically significant community.

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**ATTEST:**



**Clerk to the Board**

**MOTION:      LAWSON**

**February 16, 2021  
Regular Meeting  
Res. No. 21-108**

**SECOND:      BODDYE**

**RE:            AUTHORIZE THE EXECUTION OF THE FIRST AMENDMENT TO THE AMENDED AGREEMENT OF SALE WITH INNOVATION DEVELOPMENT, LLC FOR THE SALE OF COUNTY-OWNED PROPERTY AT INNOVATION PARK, LOCATED AT 11100 UNIVERSITY BOULEVARD, MANASSAS, VIRGINIA, 20109, AND CONSISTING OF APPROXIMATELY 23.7 ACRES – BRENTSVILLE MAGISTERIAL DISTRICT**

**ACTION:      APPROVED**

**WHEREAS**, the Prince William Board of County Supervisors (Board) approved Resolution Number (Res. No.) 20-505 on July 14, 2020, authorizing the sale of this property to Innovation Development, LLC; and

**WHEREAS**, the Amended Agreement of Sale was fully executed with an effective date of August 4, 2020; and

**WHEREAS**, Innovation Development, LLC, intends to develop a mixed-use project in substantial conformance to the integrated mixture of uses planned for this property in the Innovation Small Area Plan and any other applicable County policies; and

**WHEREAS**, the Amended Agreement of Sale, approved on July 14, 2020, included a schedule for Innovation Development, LLC to meet; and

**WHEREAS**, Innovation Development, LLC was unable to make their first resubmission of the rezoning as County staff identified the curved road connecting Prince William County Parkway to George Mason University Science and Technology Campus as an issue that should be addressed before resubmission; and

**WHEREAS**, Innovation Development, LLC does not own or control the land required to show a straight road in the resubmission; and

**WHEREAS**, the Inter Parcel Land Transfer Agreement between the County, Innovation Development, LLC, MJV (adjacent property owner), and Stanley Martin Companies (contract purchaser of adjacent property) will resolve that issue and allow Innovation Development, LLC to resubmit the rezoning showing a straight road as requested by County staff; and

**WHEREAS**, County staff expects to bring the Inter Parcel Land Transfer Agreement to the Board in early March or April 2021; and

**WHEREAS**, the County and Innovation Development, LLC desire to amend the Agreement in certain respects, to provide Innovation Development, LLC with additional time to finalize the Inter Parcel Land Transfer Agreement and for the Board to consider approval of the same before Innovation Development, LLC's first resubmission of the rezoning application; and

**February 16, 2021**  
**Regular Meeting**  
**Res. No. 21-108**  
**Page Two**

**WHEREAS**, the First Amendment to the Amended Agreement of Sale extends the schedule by ninety (90) days and moves the Termination Date from April 30, 2021, to July 29, 2021, if the Board has not approved the rezoning; and

**WHEREAS**, the Board has set a public hearing for the Prince William Board of County Supervisors meeting on February 16, 2021, and the advertising of public notice for this sale will be on February 3 and February 10, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby authorizes the execution of the First Amendment to the Amended Agreement of Sale with Innovation Development, LLC for the sale of County-owned property at Innovation Park, located at 11100 University Boulevard, Manassas, Virginia, 20109, and consisting of approximately 23.7 acres, in a form approved by the County Attorney's Office.

ATTACHMENT: First Amendment to the Amended Agreement of Sale

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None


**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Department of Economic Development

ATTEST: \_\_\_\_\_



Clerk to the Board

## **FIRST AMENDMENT TO AMENDED AGREEMENT OF SALE**

This First Amendment to Amended Agreement of Sale ("First Amendment") is executed effective as of the \_\_ day of February 2021 (the "Effective Date") by and between the **BOARD OF SUPERVISORS OF PRINCE WILLIAM COUNTY, VIRGINIA**, the governing body of a political subdivision of the Commonwealth of Virginia (hereinafter referred to as "Seller" or "County" or "Board"), and **INNOVATION DEVELOPMENT LLC**, a Virginia limited liability company, or permitted assigns ("Purchaser" or "Innovation").

### **WITNESSETH:**

**WHEREAS**, Seller and Purchaser are parties to that certain Amended Agreement of Sale, dated August 4, 2020, for the sale and purchase of certain real property situated in Prince William County, Virginia (the "Agreement").

**WHEREAS**, Paragraph H.2 requires Purchaser to file a first resubmission of the rezoning application within 45 days of receiving staff comments.

**WHEREAS**, Paragraph H.3 requires Purchaser to collaborate with Seller, George Mason University, and adjacent property owners to create a seamless environment between George Mason University, adjacent properties, and the Project to achieve the goals of the Innovation Small Plan Area for this area of Innovation Park.

**WHEREAS**, in satisfaction of the terms of Paragraph H.3, Purchaser is actively collaborating with Seller, George Mason University and adjacent property owners regarding a roadway alignment agreement for the roadways in Innovation Park; however, the roadway alignment agreement has not yet been finalized or agreed upon by and between the parties.

**WHEREAS**, until such time as the roadway alignment agreement is agreed upon by and between all the parties and approved by the Board, Seller and Purchaser acknowledge and agree that the first resubmission of the rezoning application will be incomplete.

**WHEREAS**, Seller and Purchaser desire to amend the Agreement in certain respects, as more particularly set forth herein, specifically to provide Purchaser with additional time to finalize the roadway alignment agreement and for the Board to consider approval of the same prior to Purchaser's first resubmission of the rezoning application.

**NOW, THEREFORE**, for and in consideration of the premises stated and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. The foregoing Recitals are adopted herein and made a part of this First Amendment as though fully restated herein. Capitalized terms not otherwise defined herein are used as defined in the Agreement.

2. All deadlines set forth in the Agreement, except Section 6 "Deposit", Section 7-M "County's Right to Repurchase" and Section 11 "Settlement", are extended by 90 additional days.
3. The parties may agree to further extend the deadlines in the Agreement if Purchaser requires additional time to affect the terms of the Agreement and this First Amendment., provided any further extension of the deadlines must be approved by the Board.
4. Except as amended hereby, the Agreement remains in full force and effect as though fully restated herein.
5. To facilitate execution, this First Amendment may be executed in as many counterparts as may be required, and it shall not be necessary that the signature of, or on behalf of, each party, or that the signatures of the persons required to bind any party, appear on more than one counterpart. All counterparts shall collectively constitute a single agreement. Digital signatures, such as DocuSign or PDF, shall be acceptable.

[SIGNATURE PAGE FOLLOWS]



**WITNESS** the following signatures and seals:

**BOARD OF SUPERVISORS OF  
PRINCE WILLIAM COUNTY, VIRGINIA**

By: \_\_\_\_\_  
Ann B. Wheeler, Chair, pursuant to Resolution No. 21-

**INNOVATION DEVELOPMENT LLC**  
**By: CASTLEROCK INNOVATION LLC**  
**Its: Manager**

By: \_\_\_\_\_  
Timothy L. Kissler  
Its: Manager

Approved as to form:

\_\_\_\_\_  
County Attorney's Office  
Printed Name:  
Date: \_\_\_\_\_

**FIRST AMENDMENT TO AMENDED AGREEMENT OF SALE**

This First Amendment to Amended Agreement of Sale ("First Amendment") is executed effective as of the \_\_ day of February 2021 (the "Effective Date") by and between the **BOARD OF SUPERVISORS OF PRINCE WILLIAM COUNTY, VIRGINIA**, the governing body of a political subdivision of the Commonwealth of Virginia (hereinafter referred to as "Seller" or "County" or "Board"), and **INNOVATION DEVELOPMENT LLC**, a Virginia limited liability company, or permitted assigns ("Purchaser" or "Innovation").

**WITNESSETH:**

**WHEREAS**, Seller and Purchaser are parties to that certain Amended Agreement of Sale, dated August 4, 2020, for the sale and purchase of certain real property situated in Prince William County, Virginia (the "Agreement").

**WHEREAS**, Paragraph H.2 requires Purchaser to file a first resubmission of the rezoning application within 45 days of receiving staff comments.

**WHEREAS**, Paragraph H.3 requires Purchaser to collaborate with Seller, George Mason University, and adjacent property owners to create a seamless environment between George Mason University, adjacent properties, and the Project to achieve the goals of the Innovation Small Plan Area for this area of Innovation Park.

**WHEREAS**, in satisfaction of the terms of Paragraph H.3, Purchaser is actively collaborating with Seller, George Mason University and adjacent property owners regarding a roadway alignment agreement for the roadways in Innovation Park; however, the roadway alignment agreement has not yet been finalized or agreed upon by and between the parties.

**WHEREAS**, until such time as the roadway alignment agreement is agreed upon by and between all the parties and approved by the Board, Seller and Purchaser acknowledge and agree that the first resubmission of the rezoning application will be incomplete.

**WHEREAS**, Seller and Purchaser desire to amend the Agreement in certain respects, as more particularly set forth herein, specifically to provide Purchaser with additional time to finalize the roadway alignment agreement and for the Board to consider approval of the same prior to Purchaser's first resubmission of the rezoning application.

**NOW, THEREFORE**, for and in consideration of the premises stated and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. The foregoing Recitals are adopted herein and made a part of this First Amendment as though fully restated herein. Capitalized terms not otherwise defined herein are used as defined in the Agreement.

2. All deadlines set forth in the Agreement, except Section 6 "Deposit", Section 7-M "County's Right to Repurchase" and Section 11 "Settlement", are extended by 90 additional days.
3. The parties may agree to further extend the deadlines in the Agreement if Purchaser requires additional time to affect the terms of the Agreement and this First Amendment., provided any further extension of the deadlines must be approved by the Board.
4. Except as amended hereby, the Agreement remains in full force and effect as though fully restated herein.
5. To facilitate execution, this First Amendment may be executed in as many counterparts as may be required, and it shall not be necessary that the signature of, or on behalf of, each party, or that the signatures of the persons required to bind any party, appear on more than one counterpart. All counterparts shall collectively constitute a single agreement. Digital signatures, such as DocuSign or PDF, shall be acceptable.

[SIGNATURE PAGE FOLLOWS]

**WITNESS** the following signatures and seals:

**BOARD OF SUPERVISORS OF  
PRINCE WILLIAM COUNTY, VIRGINIA**

By: \_\_\_\_\_  
Ann B. Wheeler, Chair, pursuant to Resolution No. 21-

**INNOVATION DEVELOPMENT LLC**  
**By: CASTLEROCK INNOVATION LLC**  
**Its: Manager**

By: \_\_\_\_\_  
Timothy L. Kissler  
Its: Manager

Approved as to form:

\_\_\_\_\_  
County Attorney's Office  
Printed Name:  
Date: \_\_\_\_\_

**MOTION: BODDYE**

**February 16, 2021**

**SECOND: BAILEY**

**Regular Meeting**

**Res. No. 21-109**

**RE: CONSIDER ABANDONMENT OF 0.06 MILES OF OLD DAVIS FORD ROAD (STATE ROUTE 663) – OCCOQUAN MAGISTERIAL DISTRICT**

**ACTION: APPROVED**

**WHEREAS**, the Virginia Department of Transportation (VDOT) has requested that the Prince William Board of County Supervisors (Board) abandon 0.06 miles of Old Davis Ford Road (State Route 663), located in the Occoquan Magisterial District; and

**WHEREAS**, this section of Old Davis Ford Road (State Route 663), is not part of the primary or secondary state highway system, and was discontinued by Board resolution on July 1, 1975, via Resolution Number (Res. No.) 75-42-27; and

**WHEREAS**, due consideration has been given to the historic value, if any, of such road; and

**WHEREAS**, public notices of the Board's intent to abandon this road segment were posted and published as prescribed by the terms of Section 33.2-916 of the Code of Virginia, 1950 as amended, and in accordance with Res. No. 20-788 authorized by the Board on December 1, 2020; and

**WHEREAS**, a public hearing was duly advertised for this purpose by publishing notice of its intention in two (2) issues of a newspaper having general circulation in the County and was conducted February 16, 2021, and all interested parties were heard; and

**WHEREAS**, the public notice was posted at the front door of the courthouse; and

**WHEREAS**, the public notice was posted on three places along and visible from Davis Ford Road; and

**WHEREAS**, the County Department of Transportation has provided the Board with a sketch dated January 19, 2021, depicting the changes in the Secondary System of State Highways entitled Old Davis Ford Road Abandonment, which is incorporated herein by reference; and

**WHEREAS**, the old road identified to be abandoned no longer serves a public necessity; and

**WHEREAS**, two (2) petitions have been filed with the Board in reference to the aforesaid abandonment;

**February 16, 2021**  
**Regular Meeting**  
**Res. No. 21-109**  
**Page Two**

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby abandons 0.06 miles of Old Davis Ford Road (State Route 663), being a portion of Virginia Department of Transportation Road Project 0663-076-156, C501 from approximate Station 119 + 75 to approximate Station 123 + 00, as shown on the attached project plan sheet located in the Occoquan Magisterial District;

**BE IT FURTHER RESOLVED** that the Prince William Board of County Supervisors hereby requests a certified copy of this resolution be forwarded to the Virginia Department of Transportation Manassas Residency Office for any additional action the Virginia Department of Transportation may deem necessary to effect such abandonment.

ATTACHMENTS: Project Plan Sheet 0663-076-156, C-501  
Sketch for the Old Davis Ford Road Abandonment

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland


**For Information:**

Director of Transportation

Richard Burke, Virginia Department of Transportation

Virginia Department of Transportation, Manassas Residency Office

ATTEST: \_\_\_\_\_



**Clerk to the Board**



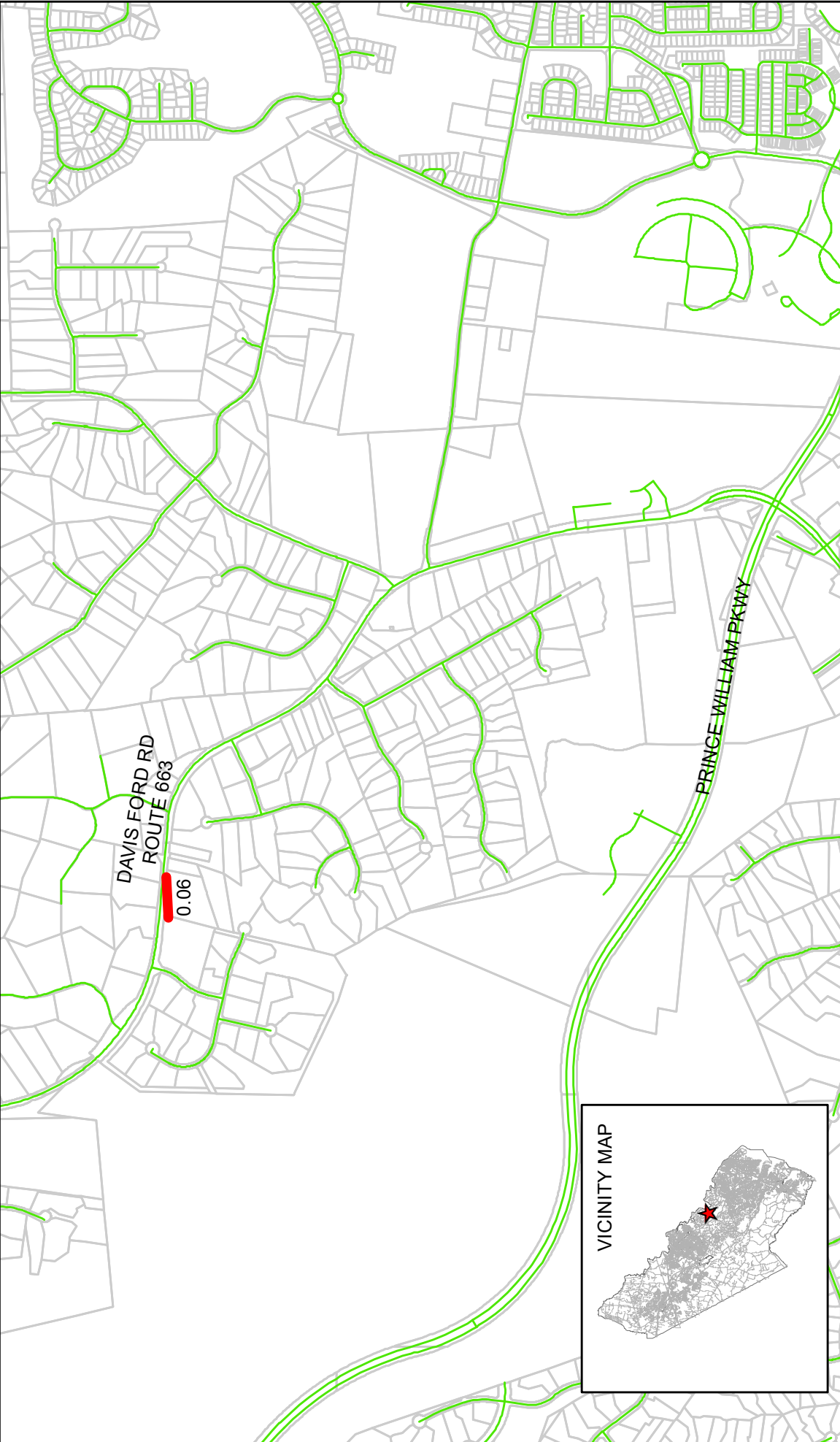


NORTH

OLD DAVIS FORD ROAD  
STREET ABANDONMENT IN MILES



FEBRUARY 16, 2021





**MOTION:      LAWSON**

**February 16, 2021**

**SECOND:      BAILEY**

**Regular Meeting**

**Res. No. 21-110**

**RE:            AUTHORIZE THE COUNTY EXECUTIVE AND/OR CHIEF FINANCIAL OFFICER TO AMEND ALL MEMORANDUMS OF UNDERSTANDING, CERTIFICATIONS AND OTHER AGREEMENTS WITH COUNTY CORONAVIRUS RELIEF FUND SUB-RECIPIENTS TO EXTEND THE END DATE AND ANY OTHER RELATED PROVISIONS FOR EXPENDITURE OF SUCH FUNDS TO DECEMBER 31, 2021, AND RATIFY STATED DOCUMENTS**

**ACTION:      APPROVED**

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam declared a state of emergency in the Commonwealth of Virginia due to Novel Coronavirus (COVID-19), a communicable disease of public health threat; and

**WHEREAS**, the threat to the public health and safety of the residents of Prince William County from exposure to the Novel Coronavirus (COVID-19) constitutes an emergency, crisis and disaster of such sufficient severity and magnitude to warrant a coordinated response by various County departments, agencies and voluntary organizations; and

**WHEREAS**, on March 31, 2020, the Board of County Supervisors (Board) ratified and confirmed the actions taken by the County Executive, acting in his capacity as Director of Emergency Management, to declare a local emergency for Prince William County, to perform all those acts set forth in Section 44-146.21(C) VA Code Ann.; and

**WHEREAS**, Congress passed, and the President signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, which provides funding for several different programs to address and respond to the COVID-19 pandemic, including assistance to state and local governments; and

**WHEREAS**, the CARES Act created the Coronavirus Relief Fund (CRF) to provide funding to State and local governments to be used only:

- for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020 (the enactment date of the CARES Act) for the State or government; and
- to cover costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

**WHEREAS**, allocations were sent to states based on population and the Commonwealth of Virginia received \$3.1 billion as its share of the Coronavirus Relief Fund payment; and

**February 16, 2021**  
**Regular Meeting**  
**Res. No. 21-110**  
**Page Two**

**WHEREAS**, the state allocated \$41,034,915 (1<sup>st</sup> allocation) to Prince William County, including the Towns of Dumfries, Haymarket, Occoquan, and Quantico in May 2020, and the state allocated another \$41,034,915 (2<sup>nd</sup> allocation) to Prince William County, including the towns, in July 2020; and

**WHEREAS**, CRF funding was allocated by the Board to support several initiatives, namely: COVID-19 testing; vaccination support; small business micro-grants and economic recovery; community feeding; homeless services; distant learning (School Division support); mortgage/rental/utility assistance; support for community organizations; childcare initiatives; elections; town allocations and Emergency Operations Center response and County telework efforts; and

**WHEREAS**, between June 2020 and December 2020, the Board authorized numerous Memorandums of Understanding, Certifications and Other Agreements with third-parties (Sub-recipients) to provide CARES Act Coronavirus Relief Funds for the purpose of responding to the COVID-19 pandemic, as follows: Prince William County School Division, Prince William County Service Authority, Town of Dumfries, Town of Haymarket, Town of Occoquan, Town of Quantico, Industrial Development Authority, Human Services Alliance of Greater Prince William, ACTS, Capital Area Food Bank, Alphabest Education, Inc., and Boys & Girls Club of Greater Washington; and

**WHEREAS**, the aforesaid numerous Memorandums of Understanding, Certifications and Other Agreements with third-parties (Sub-recipients), included the December 30, 2020, CARES Act federal spending deadline; and

**WHEREAS**, Congress passed, and on December 27, 2020, the President signed the Consolidated Appropriations Act, extended the date for expenditure of CARES Acts funds to December 30, 2021; and

**WHEREAS**, the County Executive has executed necessary documents to amend the County's agreement with Alphabest Education, Inc., consistent with the extended date for expenditure of CARES Acts funds and further seeks to execute the necessary documents and amendments to amend the Memorandums of Understanding, Certifications and Other Agreements with third-parties consistent with the extended date for expenditure of CARES Acts fund;

**February 16, 2021**  
**Regular Meeting**  
**Res. No. 21-110**  
**Page Three**

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby authorizes the County Executive and/or the Chief Financial Officer to amend all Memorandums of Understanding, Certifications, and other Agreements with County Coronavirus Relief Fund Sub-Recipients, as approved by the County Attorney's Office, to extend the end date and any other related provisions for expenditure of such funds to December 31, 2021; and further that the Board ratifies the amendment to the County's Agreement with Alphabest Education, Inc.

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

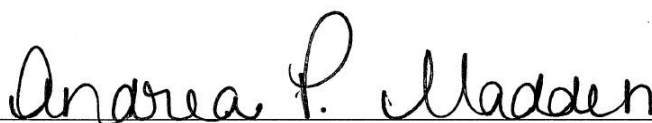
**For Information:**

County Executive

Chief Financial and Business Operations Officer

County Attorney

ATTEST: \_\_\_\_\_



Clerk to the Board

**MOTION: ANGRY**

**February 16, 2021**

**SECOND: BAILEY**

**Regular Meeting**

**Res. No. 21-111**

**RE: AUTHORIZE CLOSED MEETING**

**ACTION: APPROVED**

**WHEREAS**, the Board of County Supervisors desires to consult with legal counsel and staff and discuss in Closed Meeting the following matters:

- Consultation with legal counsel and briefings by staff members pertaining to discussions concerning two economic development items regarding expansion of two prospective businesses or industries where no previous announcement has been made of the businesses' or industries' interest in expanding their facilities in the County, along with the related discussion or consideration of the investment of public funds for two economic development matters where competition or bargaining is involved, where, if made public initially, the financial interest of the County would be adversely affected, and where discussion in an open meeting would adversely affect the litigating posture, bargaining position, or negotiating strategy of the public body, (Section 2.2-3711(A) (5) and (6)); and
- Consultation with legal counsel and briefings by staff members pertaining to legal advice regarding inverse condemnation and actual litigation in the matter of Rader v. Prince William County, Prince William County Circuit Court Case Number CL21-307, requiring the provision of legal advice, where such consultation, discussion or briefing in open meeting would adversely affect the bargaining position, negotiating strategy or litigating posture of the public body, (Section 2.2-3711(A) (7) and (Section 2.2-3711(A) (8)); and
- Personnel discussion relating to the performance of the members of the Board of County Supervisors, (Section 2.2-3711(A) (1)); and
- Consultation with legal counsel and briefings by staff members pertaining to legal advice regarding inverse condemnation and actual litigation in the matter of Stockton, et al. v. Prince William Board of County Supervisors, et al., Prince William County Circuit Court Case Number CL19-557, requiring the provision of legal advice, where such consultation, discussion or briefing in open meeting would adversely affect the bargaining position, negotiating strategy or litigating posture of the public body, (Section 2.2-3711(A) (7) and (Section 2.2-3711(A) (8)); and

**WHEREAS**, pursuant to Section 2.2-3711(A) (1), (5), (6), (7) and (8), VA Code Ann., such discussions may occur in Closed Meeting;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby authorizes discussion of the aforestated matters in Closed Meeting.

**February 16, 2021**  
**Regular Meeting**  
**Res. No. 21-111**  
**Page Two**

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

County Attorney

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

Clerk to the Board

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-112**

**RE: APPOINT – EVELYN I. BRUMAR – HUMAN RIGHTS COMMISSION**

**ACTION: APPROVED**

**WHEREAS**, the term of Evelyn I. BruMar as the Regular Occoquan Magisterial District Representative to the Human Rights Commission expired December 31, 2020; and

**WHEREAS**, Supervisor Boddye desires to appoint Evelyn I. BruMar as the Regular Occoquan Magisterial District Representative to the Human Rights Commission; and

**WHEREAS**, a Notice of Intent to Appoint Evelyn I. BruMar as the Regular Occoquan Magisterial District Representative to the Human Rights Commission was offered at the meeting of the Prince William Board of County Supervisors on February 2, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints Evelyn I. BruMar as the Regular Occoquan Magisterial District Representative to the Human Rights Commission;

**BE IT FURTHER RESOLVED** that the term of office for this appointment is three years from the appointment date.

<u>NAME</u>	<u>TYPE</u>	<u>REP</u>	<u>TERM</u>
Evelyn I. BruMar	REG	OC	2/16/2023

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Appointee

Board of Equalization Liaison

BCC Manual

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

**Clerk to the Board**

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-113**

**RE: APPOINT – CHERYL J. KENNY – INDUSTRIAL DEVELOPMENT AUTHORITY**

**ACTION: APPROVED**

**WHEREAS**, due to the resignation of Laurie C. Wieder, a vacancy exists for a Regular Coles Magisterial District Representative to the Industrial Development Authority; and

**WHEREAS**, Supervisor Vega desires to appoint Cheryl J. Kenny as the Regular Coles Magisterial District Representative to the Industrial Development Authority; and

**WHEREAS**, a Notice of Intent to Appoint Cheryl J. Kenny as the Regular Coles Magisterial District Representative to the Industrial Development Authority was offered at the meeting of the Prince William Board of County Supervisors on February 2, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints Cheryl J. Kenny as the Regular Coles Magisterial District Representative to the Industrial Development Authority.

<u>NAME</u>	<u>TYPE</u>	<u>REP</u>	<u>TERM</u>
Cheryl J. Kenny	REG	CO	2/16/2025

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Appointee

Industrial Development Authority Liaison

BCC Manual

ATTEST:



Clerk to the Board

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-114**

**RE: APPOINT – SAMUEL D. SNOW – BOARD OF EQUALIZATION**

**ACTION: APPROVED**

**WHEREAS**, the term of Samuel D. Snow as the Regular Brentsville Representative to the Board of Equalization has expired; and

**WHEREAS**, Supervisor Lawson desires to appoint Samuel D. Snow as the Regular Brentsville Representative to the Board of Equalization; and

**WHEREAS**, a Notice of Intent to Appoint Samuel D. Snow as the Regular Brentsville Representative to the Board of Equalization was offered at the meeting of the Prince William Board of County Supervisors on February 2, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints Samuel D. Snow as the Regular Brentsville Representative to the Equalization Board;

**BE IT FURTHER RESOLVED** that the term of office for this appointment is one year and the appointee shall serve at the pleasure of the Board.

<u>NAME</u>	<u>TYPE</u>	<u>REP</u>	<u>TERM</u>
Samuel D. Snow	REG	BR	12/31/2021

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

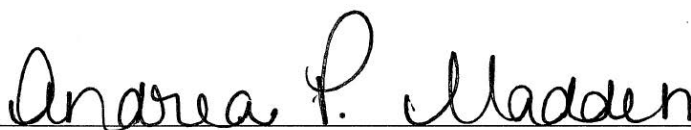
**For Information:**

Appointee

Equalization Board Liaison

BCC Manual

**ATTEST:**



**Clerk to the Board**



**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-115**

**RE: APPOINT – RACHEL SHEPHERD – ANIMAL ADVISORY COMMITTEE**

**ACTION: APPROVED**

**WHEREAS**, the term of Rachel Shepherd as the Regular Brentsville Magisterial District Pet Owner Representative to the Animal Advisory Committee has expired; and

**WHEREAS**, Supervisor Lawson desires to appoint Rachel Shepherd as the Regular Brentsville Magisterial District Pet Owner Representative to the Animal Advisory Committee; and

**WHEREAS**, a Notice of Intent to Appoint Rachel Shepherd as the Regular Brentsville Magisterial District Pet Owner Representative to the Animal Advisory Committee was offered at the meeting of the Prince William Board of County Supervisors on February 2, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints Rachel Shepherd as the Regular Brentsville Magisterial District Pet Owner Representative to the Animal Advisory Committee;

**BE IT FURTHER RESOLVED** that the term of office for this appointment is one year and the appointee shall serve at the pleasure of the Board.

<u>NAME</u>	<u>TYPE</u>	<u>REP</u>	<u>MEMBERSHIP</u>	<u>TERM</u>
Rachel Shepherd	REG	BR	Pet Owner	12/31/2021

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Appointee

Animal Advisory Committee Liaison

BCC Manual

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

**Clerk to the Board**

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-116**

**RE: APPOINT - JIM ALMOND - PRINCE WILLIAM COUNTY SERVICE AUTHORITY**

**ACTION: APPROVED**

**WHEREAS**, due to the resignation of Paul E. Ruecker, a vacancy exists for the Regular Potomac Magisterial District Representative to the Prince William County Service Authority;

**WHEREAS**, Supervisor Bailey desires to appoint Jim Almond as the Regular Potomac Magisterial District Representative to the Prince William County Service Authority, to complete the unexpired term of Paul E. Ruecker; and

**WHEREAS**, a Notice of Intent to Appoint Jim Almond as the Regular Potomac Magisterial District Representative to the Prince William County Service Authority was offered at the meeting of the Prince William Board of County Supervisors on February 2, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints Jim Almond as the Regular Potomac Magisterial District Representative to the Prince William County Service Authority, to complete the unexpired term of Paul E. Ruecker.

<u>NAME</u>	<u>TYPE</u>	<u>REP</u>	<u>TERM</u>
Jim Almond	REG	PO	02/01/2023

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Appointee

Prince William County Service Authority Liaison

BCC Manual

**ATTEST:**



**Clerk to the Board**

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-117**

**RE: APPOINT – J. MICHAEL HILL – BOARD OF EQUALIZATION**

**ACTION: APPROVED**

**WHEREAS**, the term of J. Michael Hill as the Regular Woodbridge Representative to the Board of Equalization has expired; and

**WHEREAS**, Supervisor Franklin desires to appoint J. Michael Hill as the Regular Woodbridge Representative to the Board of Equalization; and

**WHEREAS**, a Notice of Intent to Appoint J. Michael Hill as a Regular At-Large Representative to the Board of Equalization was offered at the meeting of the Prince William Board of County Supervisors on February 2, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints J. Michael Hill as the Regular Woodbridge Representative to the Board of Equalization;

**BE IT FURTHER RESOLVED** that the term of office for this appointment is one year and the appointee shall serve at the pleasure of the Board.

<u>NAME</u>	<u>TYPE</u>	<u>REP</u>	<u>TERM</u>
J. Michael Hill	REG	WO	12/31/2021

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Appointee

Board of Equalization Liaison

BCC Manual

**ATTEST:** \_\_\_\_\_

*Andrea P. Madden*

**Clerk to the Board**

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-118**

**RE: APPOINT – ROBERT GERL – ANIMAL ADVISORY COMMITTEE**

**ACTION: APPROVED**

**WHEREAS**, the term of Jade Nguyen as the Regular Gainesville Magisterial District Pet Owner Representative to the Animal Advisory Committee has expired; and

**WHEREAS**, Supervisor Candland desires to appoint Robert Gerl as the Regular Gainesville Magisterial District Pet Owner Representative to the Animal Advisory Committee; and

**WHEREAS**, a Notice of Intent to Appoint Robert Gerl as the Regular Gainesville Magisterial District Pet Owner Representative to the Animal Advisory Committee was offered at the meeting of the Prince William Board of County Supervisors on February 9, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints Robert Gerl as the Regular Gainesville Magisterial District Pet Owner Representative to the Animal Advisory Committee;

**BE IT FURTHER RESOLVED** that the term of office for this appointment is one year and the appointee shall serve at the pleasure of the Board.

<u>NAME</u>	<u>TYPE</u>	<u>REP</u>	<u>MEMBERSHIP</u>	<u>TERM</u>
Robert Gerl	REG	GA	Pet Owner	12/31/2021

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Appointee

Animal Advisory Committee Liaison

BCC Manual

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

**Clerk to the Board**

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-119**

**RE: APPOINT - LAURA HAUFLE - ANIMAL ADVISORY COMMITTEE**

**ACTION: APPROVED**

**WHEREAS**, the term of Laura Haufler as the Pet Retail, Boarding, or Grooming Representative to the Animal Advisory Committee has expired; and

**WHEREAS**, Supervisor Angry desires to appoint Laura Haufler as the Pet Retail, Boarding, or Grooming Representative to the Animal Advisory Committee; and

**WHEREAS**, a Notice of Intent to Appoint Laura Haufler as the Pet Retail, Boarding, or Grooming Representative to the Animal Advisory Committee was offered at the meeting of the Prince William Board of County Supervisors on February 9, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints Laura Haufler as the Pet Retail, Boarding, or Grooming Representative to the Animal Advisory Committee;

**BE IT FURTHER RESOLVED** that the term of office for this appointment is one year and the appointee shall serve at the pleasure of the Board.

<b><u>NAME</u></b>	<b><u>TYPE</u></b>	<b><u>MEMBERSHIP</u></b>	<b><u>TERM</u></b>
Laura Haufler	REG	Pet Retail, Boarding, or Grooming	12/31/2021

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Appointee

Animal Advisory Committee Liaison

BCC Manual

**ATTEST:** \_\_\_\_\_

*Andrea P. Madden*

**Clerk to the Board**

**MOTION: BAILEY**

**February 16, 2021**

**SECOND: BODDYE**

**Regular Meeting**

**Res. No. 21-120**

**RE: APPOINT - NANCY VEHR'S - UPPER OCCOQUAN SERVICE AUTHORITY**

**ACTION: APPROVED**

**WHEREAS**, the term of Nancy Vehrs as a Regular At-Large Prince William County Representative to the Upper Occoquan Service Authority has expired; and

**WHEREAS**, Chair Wheeler desires to appoint Nancy Vehrs as a Regular At-Large Prince William County Representative to the Upper Occoquan Service Authority; and

**WHEREAS**, a Notice of Intent to Appoint Nancy Vehrs as a Regular At-Large Prince William County Representative to the Upper Occoquan Service Authority was offered at the meeting of the Prince William Board of County Supervisors on February 9, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints Nancy Vehrs as a Regular At-Large Prince William County Representative to the Upper Occoquan Service Authority.

<u>NAME</u>	<u>TYPE</u>	<u>REP</u>	<u>MEMBERSHIP</u>	<u>TERM</u>
Nancy Vehrs	REG	ATL	PWC	03/01/2025

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Appointee

Upper Occoquan Service Authority Liaison

BCC Manual

**ATTEST:**



**Clerk to the Board**

**MOTION: BAILEY**

**February 16, 2021  
Regular Meeting  
Res. No. 21-121**

**SECOND: BODDYE**

**RE: APPOINT – TIM PARRISH- VETERANS COMMISSION**

**ACTION: APPROVED**

**WHEREAS**, on January 12, 2021, via Resolution Number 21-027, the Prince William Board of County Supervisors created a Veterans Commission; and

**WHEREAS**, the membership of the Veterans Commission includes representation from each magisterial district and one at-large appointment; and

**WHEREAS**, Supervisor Vega desires to appoint Tim Parrish as the Coles Magisterial District Representative to the Veterans Commission; and

**WHEREAS**, a Notice of Intent to Appoint Tim Parrish as the Coles Magisterial District Representative to the Veterans Commission was offered at the meeting of the Board on February 9, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby appoints Tim Parrish as the Coles Magisterial District Representative to the Veterans Commission;

**BE IT FURTHER RESOLVED** that the term of office for this appointment is coterminous with the Board of County Supervisors making the appointment and the appointee shall serve at the pleasure of the Board during that term.

<u>NAME</u>	<u>TYPE</u>	<u>REP</u>	<u>TERM</u>
Tim Parrish	REG	CO	12/31/2023

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

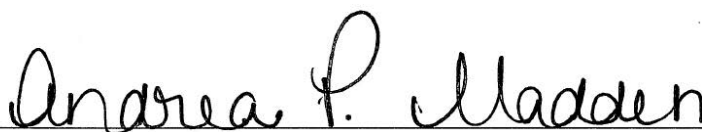
**For Information:**

Appointee

Veterans Commission Liaison

BCC Manual

**ATTEST:**



**Clerk to the Board**





**MOTION:      LAWSON**

**February 16, 2021  
Regular Meeting  
Res. No.21-123**

**SECOND:      BAILEY**

**RE:            AUTHORIZATION TO FILE THIRD-PARTY COMPLAINT IN *RADER V. PRINCE WILLIAM COUNTY, CL21-307* – BRENTSVILLE MAGISTERIAL DISTRICT**

**ACTION:      APPROVED**

**WHEREAS**, on January 11, 2021, a lawsuit was filed in the style of *Rader v. Prince William County, CL21-307*, in the Circuit Court of Prince William County, Virginia (the lawsuit); and

**WHEREAS**, the lawsuit named Prince William County as the sole defendant, and seeks monetary damages allegedly resulting from the construction, operation and maintenance of stormwater management facilities located within the subdivision approved and recorded under the name Sunshine Vista and now known as Parx Estates; and

**WHEREAS**, Fitzwater House, LLC, as developer of the Sunshine Vista/Parx Estates subdivision, entered into an Agreement by which it agreed to indemnify and hold harmless the County from any suits, claims, liability or demands in connection with the physical improvements and facilities however caused, arising directly or indirectly from construction, failure to maintain or use of such improvements prior to final acceptance by the County; and

**WHEREAS**, the stormwater management facilities at issue in the lawsuit were constructed and have been maintained and operated by Fitzwater House, LLC, and/or other entities associated with the Development of Sunshine Vista/Parx Estates, and have not yet been accepted by the County; and

**WHEREAS**, therefore, to the extent the County faces any liability in the lawsuit, Fitzwater House, LLC, has agreed to indemnify and hold harmless the County;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William County Board of Supervisors hereby authorizes the County Attorney to file a third-party complaint against Fitzwater House, LLC, as part of its defense against the lawsuit, and to take whatever other, further legal actions are available to protect the interests of the County.

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** Franklin

**Absent from Meeting:** Candland

**For Information:**

County Attorney

Director of Public Works

**ATTEST:** \_\_\_\_\_

*Andrea P. Madden*

**Clerk to the Board**

**MOTION:      LAWSON**

**February 16, 2021  
Regular Meeting  
Ord. No. 21-12**

**SECOND:      BODDYE**

**RE:            SPECIAL USE PERMIT #SUP2021-00005, BRISTOW CENTER RESTAURANT  
(FORMERLY BRISTOW CENTER COFFEE SHOP WITH DRIVE-THROUGH) –  
BRENTSVILLE MAGISTERIAL DISTRICT**

**ACTION:      APPROVED**

**WHEREAS**, this is a request to allow for a special use permit for a restaurant with drive-through facility and associated signage modifications; and

**WHEREAS**, the subject ±0.84-acre property is located at 10501 Bristow Center Drive, which is located in the Bristow Center Shopping Center, immediately northwest of the intersection of Route 28 and Fitzgerald Way and ±400 feet southwest of the intersection of Route 28 and Linton Hall Road intersection. The site is identified on County maps as GPIN 7595-40-4899(pt.); and

**WHEREAS**, the site is zoned B-1, General Business, with proffers; and

**WHEREAS**, the site is designated GC, General Commercial, in the Comprehensive Plan and is located in Nokesville Road (State Route 28) Highway Corridor Overlay District and the Airport Safety Overlay District; and

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

**WHEREAS**, the Planning Commission, at its public hearing on January 13, 2021, recommended approval, as stated in Resolution Number (Res. No.) 21-002, on the Expedited Agenda; and

**WHEREAS**, a Prince William Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on February 9, 2021, and interested citizens were heard; and

**WHEREAS**, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

**NOW, THEREFORE, BE IT ORDAINED** that the Prince William Board of County Supervisors hereby approves Special Use Permit #SUP2021-00005, Bristow Center Restaurant (formerly Bristow Center Coffee Shop), subject to the conditions dated December 22, 2020;

**February 16, 2021**  
**Regular Meeting**  
**Ord. No. 21-12**  
**Page Two**

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

ATTACHMENT: Conditions, dated December 22, 2020

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Planning Director

Jonelle M. Cameron  
Walsh, Colucci, Lubeley & Walsh P.C.  
4310 Prince William Parkway Suite 300  
Woodbridge, Virginia 22192

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

Clerk to the Board

**Conditions**

**Special Use Permit: #SUP2021-00005, Bristow Center Restaurant**

**Prince William County GPIN: 7595-40-4899 (the "Property")**

**Owner/Applicant: Bristow Pads A-1C LLC**

**Special Use Permit Area: ±0.84 acres**

**Zoning: B-1, General Business**

**Magisterial District: Brentsville**

**Date: December 22, 2020**

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this Special Use Permit or the Special Use Permit Plan (the "Plan") are in conflict with the Zoning Ordinance, and/or the Design and Construction Standards Manual (DCSM), the more restrictive standards shall apply, except as specifically allowed by this special use permit.

The Applicant shall file a site plan within two (2) years of approval of this special use permit by the Board of County Supervisors and shall have up to four (4) years from the date of the final site plan or building plan approval to complete all conditioned requirements and site plan improvements.

1. Site Development: The Property shall be developed in substantial conformance with the plan entitled "Special Use Permit for Bristow Pads A-1C LLC," prepared by Bohler Engineering, dated July 22, 2020, last revised December 22, 2020, sheet 3 of 4 (hereinafter, the "SUP Plan"), subject to minor modifications associated with final engineering.
2. Use Parameters
  - a. Use Limitations: The use approved with this special use permit area shall be limited to a restaurant, drive-through. The use approved with this special use permit does not limit or restrict the by-right uses otherwise allowed on the Property.
  - b. Hours of Operation: The hours of operation may be 24 hours a day, seven days per week.
  - c. Outdoor Speaker System: The system to be used for ordering shall not be audible outside of the limits of the SUP Plan.
3. Community Design
  - a. Architecture: The design of the building shall be in substantial conformance with the exhibit entitled "Bristow Center Restaurant Illustrative Architecture Exhibit," dated December 22, 2020, hereinafter, the ("Building Elevations"). The Building Elevations may be subject to minor modifications approved by the County in connection with site plan review. Additional changes to the design and materials may be made provided that any such changes are approved by the Planning Office prior to the issuance of a building permit release letter. Such approval shall be based on a determination that the changes result in a building that is of equal or better quality than that shown on the Elevations. At least two weeks prior to requesting a building

permit release letter from Development Services, the Applicant shall submit building elevations so that it may ensure compatibility of the building with the Building Elevations.

- b. Landscaping: All landscaping shall be provided in substantial conformance with the landscape plan entitled "Special Use Permit for Bristow Pads A-1C LLC," prepared by Bohler Engineering, dated July 22, 2020, last revised December 22, 2020, sheet C-4. All new plantings shall be drought-resistant and indigenous or other special approved with the final site plan.
    - i. At the time of final site plan review the plan shall be submitted to the County Arborist for review of landscaping.
  - c. Signage: In accordance with Section 32-250.23 of the Zoning Ordinance, all signage shall be in substantial conformance with the sign elevations entitled "Bristow Center Restaurant Illustrative Sign Elevations;" dated December 22, 2020, and SUP2017-00023, Bristow Center Signage, as may be amended. In addition, the following shall apply to signage and advertisement on site:
    - i. Minor Signage may be provided as needed.
    - ii. Unless not required by the Zoning Ordinance, sign permits are required for all signs. Color scaled renderings of all signage shall be submitted as part of the sign permit approval process.
    - iii. The Zoning Administrator or its designee may approve any change to the overall sign design including, illumination type and style provided that the total sign area and the number of signs does not exceed the conditions of this SUP.
  - d. Refuse Screening: Trash and recycling containers shall be fully screened from public view, except on designated trash pickup dates. Storage of all trash shall be limited to the area designated on the SUP Plan and shall be screened with similar materials and colors consistent with the primary building.
4. Environment
- a. Water Quality: The Applicant shall contribute \$75 per acre at the time of final site plan review for the County to conduct water quality monitoring, stream restoration and/or drainage improvements.
5. Fire and Rescue Monetary Contribution: The applicant shall make a \$0.61 per square foot of building area subject to this special use permit ( $\pm$  2,500-4,500 sq. ft.) monetary contribution for fire and rescue services to the Prince William County Board of County Supervisors prior to, and as a condition of issuance of the final site plan approval.
6. Maintenance of Property

- a. Site Maintenance: The Owner/Applicant shall maintain the site and shall pick up trash, litter, and debris daily or more frequently as needed.
  - b. Graffiti Removal: The Applicant agrees to remove any graffiti from the Property. Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Section 32- 250.21 et. seq. of the Zoning Ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal. The applicant shall prevent scaling of walls by keeping dumpsters away from walls, and covering or enclosing drainpipes, amongst other measures.
7. Transportation: Access shall be provided by the existing access point to the Property.
8. Water & Sewer Connection: The Property shall be connected to public water and sewer with the Applicant bearing all costs associated with providing all on and off-site facilities improvements necessary to develop the Property.
9. Monetary Escalator: In the event the monetary contributions set forth in the development conditions are paid to the Prince William County Board of County Supervisors within eighteen (18) months of the approval of this special use permit, as applied for by the Applicant, said contributions shall be in the amounts stated herein. Any monetary contributions set forth in the development conditions which are paid after eighteen (18) months following the approval of this special use permit shall be adjusted in accordance with the Urban Consumer Price Index (CPI-U) published by the United States Department of Labor, such that at the time the contributions are paid they shall be adjusted by the percentage change in the CPI-U from the date eighteen (18) months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six (6%) percent per year, non-compounded.

**MOTION:       LAWSON**

**February 16, 2021  
Regular Meeting  
Ord. No. 21-13**

**SECOND:       BODDYE**

**RE:            REZONING #REZ2020-00019, QTS – PROJECT HERO EXPANSION –  
BRENTSTVILLE MAGISTERIAL DISTRICT**

**ACTION:       APPROVED**

**WHEREAS**, this is a request to rezone ±13.37 acres to M-2, Light Industrial, to develop flex industrial and data center uses; and

**WHEREAS**, the subject site is located northwest of the intersection of University Blvd. and Godwin Drive. The site is identified on County maps as GPINs 7695-47-4075 and portions of 7695-48-5745, 7695-38-5047, and 7695-58-1389; and

**WHEREAS**, the site is zoned A-1, Agricultural, PBD, Planned Business District, and M-2 Light Industrial; and

**WHEREAS**, the subject site is currently designated TF, Technology/Flex, in the Comprehensive Plan; and is located within the Innovation Park Small Area Plan; and

**WHEREAS**, the subject site is also located within the Technology Overlay District (TeOD), Data Center Opportunity Overlay District, and Airport Safety Overlay District; and

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

**WHEREAS**, the Planning Commission, at its public hearing on January 13, 2021, recommended approval, as stated in Resolution Number (Res. No.) 21-002, on the Regular Agenda; and

**WHEREAS**, a Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on February 16, 2021, and interested citizens were heard; and

**WHEREAS**, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

**NOW, THEREFORE, BE IT ORDAINED** that the Prince William Board of County Supervisors hereby approves Rezoning #REZ2020-00019, QTS – Project Hero Expansion, subject to the proffers dated February 8, 2021;

**February 16, 2021**  
**Regular Meeting**  
**Ord. No. 21-13**  
**Page Two**

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

ATTACHMENT: Proffers, dated February 8, 2021

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

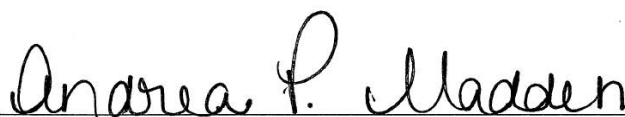
**Absent from Meeting:** Candland

**For Information:**

Planning Director

Mr. Kevin MacWhorter  
DLA Piper LLP  
One Fountain Square  
11911 Freedom Drive, Suite 300  
Reston, Virginia, 20190

ATTEST:



Clerk to the Board



## PROFFER STATEMENT

RE: Rezoning #: REZ2020-00019, Project Hero Expansion  
Owners: QTS Investment Properties Manassas II, LLC  
Ashburn Acquisition Co., LLC (a.k.a. QTS Shellhorn, LLC)  
Applicant: QTS Investment Properties Manassas II LLC (the “Applicant”)  
The Property: GPIN Nos. 7695-47-4075; portions of 7695-48-5745, -5047, -1389  
(together, the “Property”)  
±13.37 acres, Brentsville Magisterial District  
Prince William County, Virginia  
A-1 & PBP to M-2  
Date: April 15, 2020  
Revised July 10, 2020  
Revised September 10, 2020  
Revised October 29, 2020  
Revised December 1, 2020  
Revised December 16, 2020  
Revised February 8, 2021

The undersigned hereby proffers that the use and development of the Property shall be in strict accordance with the following conditions (the “Proffers”), which shall supersede all other proffers made prior hereto. In the event the application is not granted as applied for by the Applicant, these Proffers shall be withdrawn and are null and void.

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 shall be provided at the time of development of that portion of the Property located adjacent to the improvement, unless otherwise specified. The term “Applicant” as referenced herein shall include all future owners and successors-in-interest.

For purposes of these Proffers, the General Development Plan (“GDP”) shall be the plan prepared by christopher consultants entitled “Master Zoning Plan, QTS Project Hero Expansion,” bearing a seal date of December 1, 2020.

## DEVELOPMENT & USES

1. Substantial Conformance. Development of the Property shall be in substantial conformance with the GDP, provided, however, the Applicant may make minor modifications due to final engineering and final site plan review considerations at the time of final site plan submission, or as approved by the Planning Director. In the event the Applicant is required to provide updated wetlands/resource protection studies and said studies allow or require a change in the limits of clearing and grading shown on the GDP, the Applicant shall be permitted to make such changes as may be necessary during final site plan approval.

2. Lot Coverage. New development on the Property shall not exceed seventy (70) percent lot coverage as defined by the Prince William County Zoning Ordinance (the “Zoning Ordinance”).
3. Building Height. Maximum allowed building height for any new uses constructed on the Property shall not exceed sixty feet (60’) as defined by the Zoning Ordinance.
4. Minimum FAR. Development on the Property shall be a minimum of 0.30 Floor Area Ratio (“FAR”) at full build-out. The Applicant may phase development such that interim phases are less than the required 0.30 FAR. Accordingly, future site plans and administrative applications may show development of less than 0.30 FAR on the Property, so long as ultimate build-out meets or exceeds 0.30 FAR.
5. Demolition. All existing structures located on the Property that are demolished in connection with development of the Property shall be disposed of properly in accordance with applicable County, state and federal laws, ordinances and regulations.
6. Abandoned Uses. Any use that ceases operation on the Property for a continuous period of two (2) years shall be removed in accordance with Proffer 5. The Planning Director may extend or waive the two-year period for good cause demonstrated by the Applicant without the need for a Proffer Amendment.
7. Prohibited Uses. The following uses shall be prohibited on the Property:
  - a. Contractor or tradesman’s shop
  - b. Greenhouse, nursery (wholesale)
  - c. Gunsmith shop
  - d. Recycling collection points
  - e. Flea market
  - f. Marina
  - g. Recycling materials separation facility

### **COMMUNITY DESIGN**

8. Design Guidelines. New uses developed on the Property shall meet the following design guidelines:
  - a. Any façade visible from any major or minor arterial or interstate shall include the following design elements:
    - i. change in building height;
    - ii. building step-backs or recesses;
    - iii. fenestration; and
    - iv. the use of accent materials and/or a change in building material, pattern, texture or color.

- b. Any façade visible from any major or minor arterial or interstate shall avoid the use of undifferentiated surfaces, and shall be composed predominantly of three (3) or more of the following materials:
    - i. Glass;
    - ii. Pre-cast concrete;
    - iii. Colored metal panels;
    - iv. Tile masonry;
    - v. Stucco/EIFS;
    - vi. Brick; or
    - vii. Concrete tilt-wall.
  - c. Prior to issuance of a building permit release letter from Development Services, the Applicant shall submit building elevations to the Planning Director to ensure compliance with this Proffer 8. Deviations from this Proffer 8 may be approved by the Planning Director or his/her designee.
9. Screening of Mechanical Equipment. In order to minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment for any new use developed on the Property shall be screened from University Boulevard and Godwin Drive. This screening may be provided by a principal building or existing vegetation that will remain on the Property. Mechanical equipment not screened by a principal building or existing vegetation shall be screened by a visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building. In the event the Applicant uses existing vegetation to screen mechanical equipment, and to the extent that said vegetation dies or is otherwise removed, the Applicant shall ensure continued screening of mechanical equipment by either replacing the vegetation or implementing an alternate method of screening that comports with this Proffer. Mechanical equipment not visible from University Boulevard or Godwin Drive, as determined by the Planning Director or his/her designee, shall not be required to be screened.
10. Signage.
- a. The Applicant may install signage along the Property's University Boulevard and Godwin Drive frontage, subject to the following:
    - i. All freestanding signs shall be monument style and shall not exceed six feet (6') in height.
    - ii. Construction materials for said signs shall be compatible with those of the buildings constructed on the Property. The base shall be composed of stone or brick-like material with low-growth landscaping.
    - iii. All signs shall be externally lit.

iv. Compliance with and modifications to this Proffer 10(a) shall be determined and approved by the Planning Director or his/her designee in coordination with the Brentsville District Supervisor.

b. Other signage may be installed on the Property as permitted by the Zoning Ordinance.

11. On-site Lighting.

a. All freestanding street lights shall have a maximum height of thirty feet (30') and shall have fixtures that direct light downward and inward.

b. All freestanding lighting for open, off-street parking areas shall have a maximum height of twenty-four feet (24') and shall be shielded and directed downward.

c. All building-mounted lighting, if any, shall be directed or shielded in such a manner to prevent glare from projecting onto adjacent properties or public rights-of-way.

d. All on-site lighting shall be energy-saving, smart lights or incorporate automatic shut-off to preserve energy.

12. Graffiti. Graffiti shall be removed from structures by the Applicant and/or business owners/operators. Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Sec. 32-250.21 et seq. of the Zoning Ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal.

## LANDSCAPING

13. Landscaping and Buffers. All landscaping and buffers shall be provided in accordance with the Zoning Ordinance and the Design and Construction Standards Manual ("DCSM"), except as modified by Proffers 14 and 29.

14. University Boulevard Landscaping. Landscaping shall be provided on the Property's frontage with University Boulevard in substantial conformance with the University Boulevard Typical Section shown on Sheet 1 of the GDP. All tree planting within the University Boulevard buffer shall be a minimum of six feet (6') from any hard surface such as curbing or sidewalks. Said landscaping shall be shown with the final site plan for the first building, or portion thereof, on the Property and shall be implemented as a part of said plan. The Applicant shall be required to maintain and, if removed by others, replant landscaping located within utility easements.

15. Foundation Plantings. The elevations of all buildings adjacent to public roadways shall incorporate foundation plantings consisting of a mix of at least fifty percent (50%) evergreen shrubs, deciduous shrubs with minimum heights of 12" to 30", grasses, perennials and/or groundcovers for a minimum of fifty percent (50%) of the length of the

façade, excluding any entrance walks and doorways, generally arranged in a minimum of two rows deep along the façade, in either formal geometric, irregular, or naturalistic arrangements to be determined at the time of final site plan. These foundation plantings shall be in addition to landscaping required by Proffer 13.

16. Native Species. Landscaping provided on the Property shall include only native species appropriate to the location and climate of the area, and landscaping shall be drought resistant.

## ENVIRONMENT

17. Limits of Disturbance. The Applicant shall limit construction to within those areas depicted on the GDP as “Limits of Disturbance”, subject to minor revisions in accordance with final engineering considerations at the time of site plan review and approval. No clearing or improvements shall be made outside of the Limits of Disturbance, with the exception of: (a) the installation of a trail by others within a trail easement in the Resource Protection Area along Godwin Drive as discussed in Proffer 19.b; (b) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees; (c) utility connections; and (d) the maintenance or demolition of the existing radio antenna shown on the GDP. Compliance shall be demonstrated on final site plan.

18. Cannon Branch Trail.

- a. Trail Easement. Prior to final bond release for any new uses constructed on the Property, the Applicant shall convey, at no cost, a minimum ten foot (10’) wide permanent trail easement to the Prince William Board of County Supervisors (the “Board”) for pedestrian and bicycle access. Said permanent public access easement shall include up to four (4) points of interest of varying width sufficient to accommodate one recreation facility each (such as a park bench or fitness trail exercise station, examples of which are depicted on Sheet 2 of Exhibit A). The permanent trail easement and points of interest shall be in the locations defined in Proffer 18(b)(i).
- b. Required Tenant Security. Data center operators require enhanced security and setbacks around data center buildings. Therefore, the trail easement described in this Proffer shall be subject to the following:
  - i. Location. The final locations of the trail and points of interest shall be determined by the Applicant prior to final bond release for the Property. The location of the trail easement shall be substantially as shown on Sheet 1 of Exhibit A and labeled “Proposed Linear Open Space & Connection to Trail Network”, and the locations of the points of interest shall be substantially as shown on Sheet 2 of Exhibit A and labeled “Trail Points of Interest”; provided, however, that the Applicant may adjust (in its own discretion) the locations of the trail easement and points of interest to accommodate tenant setback requirements without the need for a Proffer Amendment, so long as

the trail easement is of substantially similar length and connectivity to the Cannon Branch as shown on Exhibit A, as confirmed by the Planning Director or her/his designee. If required, the Applicant shall coordinate with adjacent landowners to provide any necessary off-site trail easement.

- ii. Width. The final width of the trail easement shall be determined by the Applicant prior to final bond release for the Property. To avoid conflicts with any tenant setbacks, the trail easement may be a minimum of ten feet (10'); provided, however, that the County may request in writing, and the Applicant shall convey within six months of receipt of said request, temporary construction easements up to five feet (5') along either side of the ten foot (10') trail easement. Along the Cannon Branch, the trail easement shall be twenty feet (20'). The final widths of the trail easement shall be confirmed by the Planning Director or her/his designee.
  - iii. Control. If any portion of the trail easement falls within a required tenant setback, as determined by the Applicant and confirmed by the Planning Director or her/his designee, then the Applicant may retain the right to prevent loitering on that portion of the trail easement.
- c. Trail Facilities Payment. Prior to final bond release for the Property, the Applicant shall make a one-time payment of Ten Thousand Dollars (\$10,000) to Prince William County to fund the construction by others of natural trail and recreation facilities within said trail easement.

#### 19. Resource Protection Area

- a. Maintenance. Maintenance of the existing vegetation within the Resource Protection Areas ("RPAs") shall allow for the removal of dead or dying trees in accordance with accepted horticultural practices and the recommendations of the Applicant's and the County's arborist, nurseryman and/or environmental consultant. Encroachments into said areas shall be subject to DCSM and Chesapeake Bay regulations.
- b. Godwin Trail Easement. At the time of final site plan approval for the Property, the Applicant shall grant, at no cost to the County, a twenty foot (20') wide permanent trail easement to the Board for pedestrian and bicycle access. Said permanent easement shall be located within the RPA on the eastern portion of the Property, shall parallel the Godwin Drive (Rte. 661) frontage of the Property, and shall align with the existing trail easement to the north of the Property with the exact location of said permanent easement to be determined at the time of final site plan review and approval.
- c. Reforestation. The Applicant shall restore those portions of the eastern and western RPAs as depicted on the GDP through reforestation with native trees in accordance with DCSM 802.21.E, except that the Applicant shall use container seedlings. In

areas to be reforested that are paved or otherwise disturbed (with the exception of the existing radio antennae and appurtenances), the Applicant shall remove foreign material and provide remediated soils suitable for planting.

- d. Existing Radio Antennae. At the time the Property is redeveloped, one existing radio antenna shall be permitted to remain within the western RPA, as shown on the GDP. The owner of the Property, its successors and assigns, may remove dead or dying trees to access and maintain the radio antenna. Maintenance of and access to the radio antennae shall be subject to DCSM and Chesapeake Bay regulations.
20. Pollutants. In no event will fuels, oils, solvents or other pollutants or flammable substances be discharged into the public sewer.
21. Hazardous Substances. In the event the uses on the Property involve the handling of petroleum products, chemical waste or other hazardous substances, the owner/operator/tenant of any such business on the Property shall prepare an emergency spill notification contingency plan and shall have the same approved by the Fire Marshal and posted on the premises before issuance of any occupancy permits. Said owner/operator shall be responsible for notifying the Fire Marshal's office immediately in the event of a spill of any petroleum or chemical waste on the Property. Said owner/operator shall assume full responsibility for the costs incurred in the clean-up of such spill.

#### **FIRE AND RESCUE**

22. Fire & Rescue Contribution. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$0.61 per square foot of building area constructed on the Property. Said contribution shall be used for fire and rescue purposes and shall be paid prior to and as a condition of issuance of a building permit release letter for each building constructed on the Property.

#### **TRANSPORTATION**

23. Site Access.
- a. Main Entry. Primary access to the Property may be provided from Godwin Drive via the internal private road network of the adjacent parcels to the north. The final location and design of the entrance from the adjacent parcels shall be shown on the final site plan.
  - b. University Boulevard Emergency Access. Access to the Property may be provided from University Boulevard, substantially as shown on the GDP. So long as the University Boulevard entrance remains gated and used for emergency purposes only, the Applicant shall not be required to provide turn lanes into the Property on University Boulevard. In the event the Applicant converts the emergency access to a full access entrance, the Applicant shall comply with all DCSM requirements,

including providing turn lanes into the Property if applicable. The final location and design of the entrance, if implemented, shall be shown on the final site plan.

24. Removal of Existing Godwin Drive Access. At the time of development of the Property, the Applicant shall remove the existing entrance to the Property along Godwin Drive.

### **WATER AND SANITARY SEWER**

25. Public Water and Sewer. All development on the Property shall be connected to public water and sewer service and the Applicant shall be responsible for the costs of construction of those on and off-site improvements required in order to provide such service for the demand generated by the development on the Property as determined in consultation with the Prince William County Service Authority.
26. Authorization. Acceptance and approval of this rezoning application by the Board authorizes extension and construction of water and sewer lines and facilities necessary to serve the Property pursuant to Virginia Code Section 15.2-2232(D) and Prince William County Code Section 32-201.12(a)(2).

### **MISCELLANEOUS**

27. For purposes of these Proffers, “final rezoning” shall be defined as that zoning that is in effect on the day following the last day upon which the Board decision granting the rezoning may be contested in the appropriate court or, if contested, the day following entry of a final court order affirming the decision of the Board of Supervisors that has not been appealed, or if appealed, the day following the decision affirming the Board’s decision granting the rezoning.
28. In the event the monetary contributions set forth in these Proffers are paid to the Board within eighteen (18) months of final rezoning, as applied for by the Applicant, said contributions shall be in the amounts stated herein. Any monetary contributions set forth in these Proffers that are paid to the Board after eighteen (18) months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index (“CPI-U”) published by the United States Department of Labor, such that at the time contributions are paid they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after final rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six percent (6%) per year, non-compounded.

### **WAIVERS/MODIFICATIONS**

29. In accordance with Sec. 32-506.09 of the Prince William County Zoning Ordinance, Sec. 32-506.06(1)(b) shall be modified to require a setback of a minimum forty feet (40’) along the Property’s University Boulevard frontage, as depicted on the GDP. Plantings consistent



with a Type C Buffer, as defined in the DCSM, shall be provided within the 40' setback as shown on the landscaping typical depicted on Sheet 1 of the GDP. In addition, the existing twenty foot (20') Common Shared Easement (CSE) shall be permitted within the setback.

**[SIGNATURES ON FOLLOWING PAGE]**

**[THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]**

**Applicant**

**Owner of GPINs 7695-47-4075, 7695-58-1389 &  
7695-48-5745**

**Part Owner of GPIN 7695-38-5047**

**QTS Investment Properties Manassas II LLC**

a Delaware limited liability company

**By:** QualityTech, LP  
a Delaware limited partnership

**Its:** Sole Member

**By:** QTS Realty Trust, Inc.  
a Maryland corporation

**Its:** General Partner

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Its:** \_\_\_\_\_

**Part Owner of GPIN 7695-38-5047**  
**Ashburn Acquisition Co., LLC, a.k.a. QTS**  
**Shellhorn, LLC**  
a Delaware limited liability company

**By:** QualityTech, LP  
a Delaware limited partnership  
**Its:** Sole Member

**By:** QTS Realty Trust, Inc.  
a Maryland corporation  
**Its:** General Partner

**By:** \_\_\_\_\_  
**Name:** \_\_\_\_\_  
**Its:** \_\_\_\_\_

**MOTION: VEGA**

**February 16, 2021  
Regular Meeting  
Ord. No. 21-14**

**SECOND: BODDYE**

**RE: PROFFER AMENDMENT AND REZONING #REZ2020-00002, GRANT AVENUE – 2<sup>ND</sup> ADDITION – COLES MAGISTERIAL DISTRICT**

**ACTION: APPROVED**

**WHEREAS**, this is a request to amend the proffers associated with Rezoning #REZ2016-00003, for the expansion of the Bradley Square residential development, and to rezone ±2.24 acres from A-1, Agricultural, to PMR, Planned Mixed Residential, for the development of up to 14 additional single-family detached dwellings, with associated waivers and modifications; and

**WHEREAS**, the ±3.14-acre subject site is located on the east side of Grant Avenue, at its intersection with Old Dominion Drive, and southeast of Bennett Elementary School; and

**WHEREAS**, the property is identified on County maps as the following GPINs: 7794-99-2432; 7794-99-2949; 7794-99-3139; 7794-99-3250 (portion); 7794-99-3360; 7794-99-3667; and 7894-09-0867 (portion); and

**WHEREAS**, the site is currently zoned PMR, Planned Mixed Residential, and A-1, Agricultural; and

**WHEREAS**, the site is designated SRL, Suburban Residential Low, in the Comprehensive Plan; and

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

**WHEREAS**, the Planning Commission, at its public hearing on November 18, 2020, recommended approval, as stated in Resolution Number (Res. No.) 20-085, on the Regular Agenda; and

**WHEREAS**, a Prince William Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on February 16, 2021, and interested citizens were heard; and

**WHEREAS**, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

**NOW, THEREFORE, BE IT ORDAINED** that the Prince William Board of County Supervisors hereby approves Proffer Amendment and Rezoning #REZ2020-00002, Grant Avenue – 2<sup>nd</sup> Addition, subject to the proffers dated January 6, 2021.

**February 16, 2021**  
**Regular Meeting**  
**Ord. No. 21-14**  
**Page Two**

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

ATTACHMENT: Proffer Statement, dated January 6, 2021

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Planning Director

Sherman Patrick, Jr.  
Compton & Duling, LC  
12701 Marblestone Drive #350  
Prince William, VA 22192

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

Clerk to the Board

## **PROFFER STATEMENT**

2nd Addition to Grant Avenue Assemblage #REZ2020-00002

Record Owners: Bradley Square Neighborhoods, LLC and Preston A. Washington, Jr. & Glenda J. Washington

Property: G.P.I.Ns.: 7794-99-3360, 7794-99-3250, 7794-99-2949, 7794-99-3139, 7794-99-2432, 7894-09-0867, 7894-99-3667 (the "Property")

Acreage: ±43.14 acres, Coles Magisterial District

Current Zoning: PMR, Planned Mixed Residential (±0.90 acres) and A-1, Agricultural (±2.24 acres)

Proposed Zoning and Proffer Amendment: PMR, Planned Mixed Residential (±3.14 acres)

Date: January 6, 2021

The undersigned hereby proffers that the use and development of the subject Property shall be in substantial conformance with the following conditions and shall supersede proffered conditions in #REZ2016-00003 within the limits of the proffered condition amendment proposed herein. In the event the above-referenced rezoning is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void and the portion of the property rezoned in #REZ2016-00003 shall be developed in accordance with the proffers approved in #REZ2016-00003. 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 adjacent to the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest.

For purposes of reference in this Proffer Statement, the Master Zoning Plan (the "MZP") shall be the plan prepared by Land Design Consultants, Inc., entitled "Master Zoning Plan, Grant Avenue Assemblage" dated July 2019, as revised through October 7, 2020 and contains the following sheets:

- Sheet 1 Cover Sheet
- Sheet 2 Master Zoning Plan, Lot Layout Plan
- Sheet 3 Master Zoning Plan, Open Space/Buffer/Landscape Plan
- Sheet 3A Recreational Open Space and Circulation Plan
- Sheet 4 Master Zoning Plan, Transportation and Utilities Plan

### **USES AND DEVELOPMENT**

1. PMR Zoning District: Approximately 3.14 acres of land, as identified on Sheet 2 of the MZP, shall be developed with no more than 14 single family detached homes.

2. Development of the Property shall be in substantial conformance with Sheets 2, 3, & 4 of the MZP, however, the internal road alignment, building, and parking layout may undergo alterations in accordance with final engineering considerations at the time of subdivision plan review.

## **COMMUNITY DESIGN**

3. The Applicant shall provide a street layout substantially similar to the layout shown on Sheet 4 of the MZP, provided that internal road alignment and parking may undergo revisions in accordance with final engineering considerations at the time of subdivision plan review. The street design shall include sidewalks as indicated in the Standard Typical Section for Residential Streets shown in the Transportation and Utilities Plan.
4. The site landscaping areas shall be provided substantially as shown on the MZP and in accordance with the Zoning Ordinance and Design and Construction Standards Manual (“DCSM”). Landscaping shall include drought tolerant, indigenous species where supplemental planting area is required. Where existing vegetation is undisturbed within said landscaping areas said existing vegetation shall be credited against the plant unit requirements identified in the DCSM.
5. The exterior of the proposed homes shall include architectural detailing and materials including vinyl siding, wood, brick, masonry or cultured stone and similar materials commonly used in residential construction. Overall, 70% of the dwelling units shall have a front façade that is made up of a mix of at least two of the following materials: vinyl siding, wood, brick, masonry or cultured stone. In addition, garage doors will match the trim and the front door of the respective dwelling unit.
  - A. Compliance with the overall architectural appearance described herein shall be evidenced with the submission of illustrative drawings or photographs of the building elevations to the Director of the Department of Development Services for review and approval at least two weeks prior to a request for issuance of the building permit for the dwelling proposed. The review of the exterior building designs may be requested and approved for an individual dwelling, a group of dwellings, or all of the dwelling types and designs proposed. Once a particular building elevation is approved, the applicant shall indicate the name or designation of the approved design and the approval date of the building elevation in each new dwelling building permit requested.
  - B. Each application for a building permit for the construction of a new home shall be accompanied by a certification by the home builder acknowledging the obligation to comply with proffered condition 5, and that the requirement has been, or will be met prior to completion of development

6. Two tot lots designed for children 5 to 12 years of age shown on the MZP shall be available to the lots proposed herein.

## **ENVIRONMENTAL**

7. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre for water quality monitoring, drainage improvements and/or stream restoration projects. Said contribution shall be made prior to and as a condition of subdivision plan approval with the amount to be based on the total site area proposed to be rezoned from A-1 to PMR (4.742.24 acres).
8. Stormwater Management and/or Best Management Practices shall be maintained on-site and/or off-site, (pursuant to Section 32-250.73.1 of the Zoning Ordinance), and in accordance with the DCSM in the location(s) shown on Sheet 2 of the MZP.
9. The Applicant shall limit clearing and grading to the overall area zoned as the Grant Avenue Assemblage to those areas depicted on Sheets 2 and 3 of the MZP, subject to minor revisions in accordance with final engineering considerations and subject to county review and approval. The following exceptions to the limits of clearing and grading shall be allowed:
  - A. The installation of plant materials, if needed for revegetation or to supplement existing vegetation;
  - B. The removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees;
  - C. The installation and maintenance of any required or existing utilities, but within the Resource Protection Area, only sanitary sewer and storm sewer system outfalls and associated features of the storm water management design shall be permitted. The location of utilities shall be subject to county review and approval;
  - D. Installation and maintenance of trails located within or connecting to the passive open space;
  - E. Removal of debris, trash, asphalt, and restoration of any areas where landfilling occurred within the Resource Protection areas.
10. Restoration. The following shall be noted on the subdivision plan and shall be a condition of the bond release:



- A. Debris Removal. The Applicant shall remove and dispose of the debris, trash and asphalt (collectively “the debris”) located within the subject area. Disposal of the debris removed from the property shall be in accordance with applicable County, State and Federal regulations.

## **FIRE & RESCUE**

11. In accordance with the State Code, as a condition of occupancy permit issuance for each new home within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$1,053.00 per single family dwelling constructed on the Property to be used for fire and rescue purposes.

## **CULTURAL RESOURCES**

12. The Applicant shall retain a qualified professional to conduct a Phase I Archaeological survey of the project area, including metal detecting and a military sites survey. Three (3) copies of the draft report documenting the results and recommendations of the Phase I survey shall be submitted to the Planning Office for review, comment, and approval with the first submission of the site plan for this project. A Phase II Archeological study, if warranted, shall be conducted prior to submittal of the final site/subdivision plan. A curation fee identical to the fee charged by Virginia Department of Historic Resources (VDHR) shall be paid by the Applicant prior to final site plan approval for the first section of development of the property. Ownership of all records submitted to the County for curation shall be transferred to the County with a letter of gift. Private individuals shall be allowed access to donated materials upon reasonable notice to the appropriate authority within the county and such access may be accompanied by a county staff member.

## **AFFORDABLE HOUSING**

13. In accordance with the State Code, as a condition of occupancy permit issuance for each new home, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$250.00 per dwelling unit constructed on the Property to be utilized by the County’s Housing Preservation and Development Fund.

## **HOMEOWNERS ASSOCIATION**

14. The Applicant shall combine the subject property with the adjacent property developed as Bradley Square and New Dominion Square to create a single homeowners’ association (“HOA”), which shall be responsible for the maintenance of private roads, sidewalks within common areas, common open space, buffers, entrance feature signs, gazebo,

interpretive signage, playground amenity and other common area amenities, and to enforce architectural design requirements included in the covenants.

15. The Applicant shall incorporate into the HOA documents a provision which shall require plowing of snow on all private streets and alleys, as identified on the MZP.
16. The Applicant shall incorporate into the HOA documents and budget, reserve funding budget items supported by a reserve study for the long term viability of all HOA maintained infrastructure. The HOA documents and budget shall be provided to each purchaser in the project.

## **LIBRARIES**

17. In accordance with the State Code, as a condition of occupancy permit issuance for each new home within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$812.00 per single family dwelling constructed on the Property to be used for library purposes.

## **PARKS AND RECREATION**

18. In accordance with the State Code, as a condition of occupancy permit issuance for each new home within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$5,591.00 per single family dwelling constructed on the Property to be used for parks and recreation purposes.

## **SCHOOLS**

19. In accordance with the State Code, as a condition of occupancy permit issuance for each new home within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$20,694.00 per single family dwelling constructed on the Property to be used for school purposes.

## **TRANSPORTATION**

20. In accordance with the State Code, as a condition of occupancy permit issuance for each new home within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$16,780.00 per single family dwelling constructed on the Property to be used for road improvement purposes.

21. All private roads and sidewalks constructed with the development of the property that is the subject of this rezoning shall be maintained by the combined HOA of the properties developed pursuant to this rezoning, and the properties rezoned as Bradley Square and New Dominion Square as described and proffered herein.
22. The transportation level of service contribution(s) shall be for design, right-of-way and easement acquisition and transportation improvements to Grant Avenue south of Old Dominion Drive to improve the existing Grant Avenue to the Design and Construction Standards Manual design standard of RM-2, Category IV which includes sidewalk, curb and gutter and any necessary associated improvements to the Grant Avenue intersections with Old Dominion Drive and Sheridan Lane. In lieu of monetary contributions, the Applicant shall design and construct improvements to Grant Avenue as depicted in the MZP. The cost of completion of the road improvements, right-of-way, and easements shall be determined during Public Improvement Plan or Subdivision Plan review. The off-site road improvements proffered herein are subject to the provision of a credit for the cost of the design and permitting, acquisition of right-of-way, easements, and construction of said improvement as described herein. The total permitted transportation credit shall not exceed the total transportation LOS monetary contribution outlined in Proffer #21. Level of service contributions in excess of the cost of the improvements to Grant Avenue described herein shall be submitted to the County in accordance with this condition.
23. The Applicant reserves the right to utilize the existing access on Grant Avenue during construction of the site, subject to County and VDOT approval.
24. The Grant Avenue improvements shall include sidewalk, curb and gutter as shown on the MZP and shall be included on the first site/subdivision plan filed for the development of the Property or in a public improvements plan submitted concurrently with the first subdivision plan.
25. In the event the Applicant is not able to acquire the right-of-way, easement(s), or other property interest (herein "property interest") required in order to provide the improvements identified hereinabove, the Applicant shall request the County to acquire the necessary property interests by exercise of its condemnation powers, at Applicant's expense. Applicant's request shall be in writing and shall comply in all respects with the County's Eminent Domain Policy in place at the time of the request. The request shall be made to the appropriate County agency and shall be accompanied by the following:
  - A. The names of the record owners, the property addresses, tax map parcel numbers and GPIN numbers for each landowner from whom such property interests are sought.

- B. Plats, plans and profiles showing the necessary property interest to be acquired and showing the details of the proposed transportation improvements to be located on each property.
- C. An independent appraisal of the value of the property interests to be acquired, and any and all damages to the residue of the involved property, performed by an appraiser licensed in Virginia and approved by the County.
- D. A 60 year title search of each involved property.
- E. Documentation demonstrating to the County's reasonable satisfaction Applicant's good faith, best efforts to acquire the property interests, at a cost not less than their appraised value.
- F. A letter of credit acceptable to the County, cash or equivalent (from a financial institution acceptable to the County) in an amount equal to the appraised value of the property interests to be acquired, and all damages to the residue, together with an amount representing the County's estimate of its cost of condemnation proceedings, in a form permitting the County to draw upon the same as necessary to effectuate the purposes hereof.
- G. An Agreement signed by the Applicant's representative and approved by the County Attorney whereby the Applicant agrees to pay all costs of the condemnation, including expert witness fees, court costs, exhibit costs, court reporter fees, reasonable attorney fees for the Office of the County Attorney, and all other costs associated with the litigation, including appeals. The Agreement shall specifically provide that in the event the property owner is awarded at trial more than the appraised value estimate by the Applicant's appraiser, or that the County elects to settle with the condemnee without trial for a greater sum, Applicant shall pay to the County the amount of the award in excess of the amount represented by the letter of credit or cash deposit within 15 days of the award.
- H. In the event that Prince William County and/or the Commonwealth of Virginia do not secure access to the right-of-way necessary for the proffered road improvements within eighteen (18) months of the Applicant providing the preceding information, said improvements shall not be required. During the period while any such condemnation is being pursued, the County shall not withhold permits, approvals and/or bonds requested by or required of the Applicant.

## **WATER AND SEWER**

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

## **MISCELLANEOUS**

27. Escalator: In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors within 18 months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in the Proffer Statement which are paid to the Board after 18 months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index (“CPI-U”) published by the United States Department of Labor, such that at the time contributions are paid, they shall be adjusted by the percentage change in the CPI-U from that date 18 months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six percent (6%) per year, non-compoundable.
28. For purposes of this Proffer Statement, “final rezoning” shall be defined as that zoning which is in effect on the day following the last day upon which the Prince William Board of County Supervisors’ decision granting the rezoning may be contested in the appropriate court or, if contested, the day following entry of a final court order affirming the decision of the Board of Supervisors which has not been appealed, or if appealed, the day following which the decision has been affirmed on appeal.
29. In the event that approval of the requested rezoning creates any areas that cannot conform with the applicable zoning standards for lot area, frontage or set back, the Applicant shall consolidate such lots into abutting property or otherwise resolve the nonconformance with minimum zoning standard.
30. Proffer compliance shall be demonstrated at the time on final subdivision plat approval.

## **PMR MODIFICATION**

31. Pursuant to 32-700.25, modifications are identified and requested pursuant to the “PMR Modifications” as shown on the attached.

## **PMR MODIFICATIONS PURSUANT TO 32-700.25 OF THE ZONING ORDINANCE**

### **SECTION OF DESIGN AND CONSTRUCTION STANDARDS MANUAL REQUESTED TO BE MODIFIED OR WAIVED:**

Section: 601.04.C

REQUIREMENT(S): Lots 85-88 unless otherwise specified in the Zoning Ordinance, shall have frontage on and access to existing state-maintained public streets or streets approved and bonded to be constructed to a standard acceptable for addition to the State Street System. The amount of frontage shall be established in accordance with the regulations for the zoning district, as provisioned in the Zoning Ordinance.

### **APPLICANT'S JUSTIFICATION FOR WAIVER:**

*The zoning ordinance does not require public street frontage in the PMR zoning district. The subject proposal is to allow the single-family detached dwelling units proposed with this rezoning to access off of private streets in accordance with the Modified TS-1 typical section. This development will access through the Bradley Square Development (aka New Dominion Square) which consists of private streets. Grant Avenue Assemblage will ultimately become part of the Bradley Square community and we are proposing to extend the private street system established with Bradley Square. The street will be HOA maintained.*

### **SECTION OF DESIGN AND CONSTRUCTION STANDARDS MANUAL REQUESTED TO BE MODIFIED OR WAIVED:**

SECTION: 650.06

REQUIREMENT(S): TS-1 Typical Section (Lots 89-95)

### **APPLICANT'S JUSTIFICATION FOR WAIVER:**

*A modification is requested to the typical section to allow for 1 foot gutter pans. A waiver will facilitate an urban design for the development with a more narrow street section, having a 24 foot width of pavement with parking on one side which improves and encourage "walkability" and reduces the future cost to the HOA of maintaining the infrastructure and is consistent with the design previously established with the adjoining Bradley Square Development (New Dominion Square REZ#PLN2011-00268).*

[Signatures to follow on next page(s)]

SIGNATURE PAGE

Bradley Square Neighborhoods, LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

SIGNATURE PAGE

Preston A. Washington, Jr. & Glenda J. Washington

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



**MOTION: VEGA**

**February 16, 2021  
Regular Meeting  
Ord. No. 21-15**

**SECOND: BAILEY**

**RE: PROFFER AMENDMENT AND REZONING #REZ2020-00001, NEW DOMINION SQUARE - 3<sup>RD</sup> ADDITION - COLES MAGISTERIAL DISTRICT**

**ACTION: APPROVED**

**WHEREAS**, this is a request to amend the proffers associated with Rezoning #REZ2016-00002, for the expansion of the Bradley Square residential development, and to rezone ±4.53 acres from A-1, Agricultural, to PMR, Planned Mixed Residential, for the development of up to forty three (43) single-family attached (townhouse) dwellings, with associated waivers and modifications; and

**WHEREAS**, the ±6.48-acre subject site is located on the south side of Old Dominion Drive, ±600 feet east of the intersection of Old Dominion Drive and Dumfries Road, ±380 feet west of the intersection of Old Dominion Drive and Grant Avenue, north of Sheridan Lane, and south of Bennett Elementary School; and

**WHEREAS**, the property is identified on County maps as the following GPINs: 7794-78-6411 (portion); 7794-79-3701; 7794-79-4604; 7794-79-5206; 7794-79-5808; 7794-88-7044 (portion); 7794-89-0307 (portion); 7794-89-3130; 7794-89-3524; 7794-89-4530; 7794-89-5015; 7794-89-5933; 7794-89-6318; 7794-89-7038; and 7794-89-7619; and

**WHEREAS**, the site is currently zoned PMR, Planned Mixed Residential, and A-1, Agricultural, and is located within the Airport Safety Overlay District; and

**WHEREAS**, the site is designated SRM, Suburban Residential Medium, in the Comprehensive Plan; and

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

**WHEREAS**, the Planning Commission, at its public hearing on November 18, 2020, recommended approval, as stated in Resolution Number (Res. No.) 20-086, on the Regular Agenda; and

**WHEREAS**, a Prince William Board of County Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on February 16, 2021, and interested citizens were heard; and

**WHEREAS**, the Prince William Board of County Supervisors finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

**February 16, 2021**  
**Regular Meeting**  
**Ord. No. 21-15**  
**Page Two**

**NOW, THEREFORE, BE IT ORDAINED** that the Prince William Board of County Supervisors hereby approves Proffer Amendment and Rezoning #REZ2020-00001, New Dominion Square – 3<sup>rd</sup> Addition, subject to the proffers dated January 6, 2021;

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

ATTACHMENT: Proffer Statement, dated January 6, 2021

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

**For Information:**

Planning Director

Sherman Patrick, Jr.  
Compton & Duling, LC  
12701 Marblestone Drive #350  
Prince William, VA 22192

ATTEST: \_\_\_\_\_



Clerk to the Board

## **PROFFER STATEMENT**

Re: #REZ2020-00001 New Dominion Square Amendment  
Record Owner: Bradley Square Neighborhoods, LLC  
Applicant: Bradley Square Neighborhoods, LLC  
Property: GPIN 7794-89-3130, 7794-89-3524, 7794-89-5933, 7794-89-6318, 7794-89-7038, 7794-89-7619, 7794-88-7044 (pt.), 7794-89-4530, 7794-89-5015, 7794-79-3701, 7794-79-4604, 7794-79-5206, and 7794-79-5808, 7794-78-6411 (pt.), 7794-89-0307 (pt.) (the "Property")  
Acreage: ±6.47 acres, Coles Magisterial District  
Current Zoning: PMR, Planned Mixed Residential (±1.94 acres) and A-1, Agricultural (±4.53 acres)  
Proposed Zoning and Proffer Amendment: PMR, Planned Mixed Residential (±6.47 acres)  
Date: January 6, 2021

The undersigned hereby proffers that the use and development of the Property shall be in strict conformance with the following conditions and shall supersede all conditions proffered in rezoning case #REZ2016-00002 within the limits of the proffered condition amendment proposed herein. In the event the above-referenced rezoning is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void and the portion of the property rezoned in #REZ2016-00002 shall be developed in accordance with the proffers approved in #REZ2016-00002. 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.

Except as specifically provided herein, for purposes of reference in this Proffer Statement, the Master Zoning Plan shall be the plan set prepared by Land Design Consultants (LDC), entitled "Addition to New Dominion Square, Rezoning and Proffer Revision Amendment", dated July 2019 as revised through January 6, 2021, and sheets prepared by Tri-Tek Engineering, entitled "Master Zoning Plan, New Dominion Square" dated January 20, 2011, revised October 9, 2012 including the following sheets:

Sheet 1	Cover Sheet
Sheet 2	Land Use Plan (including additions and amendments)
Sheet 3	Master Zoning Plan, Open Space /Buffer Plan (including additions and amendments)
Sheet 3A	Recreational Open Space and Circulation Plan

Sheet 4	Transportation and Utilities Plan (including additions and amendments)
Sheet 5	Hardscape Feature (Approved 11/20/12)
Sheet 6	Sections and Elevations Typical Streetscapes (Approved 11/20/12)

All sheets included in the plan set are hereinafter referred to as the “MZP”.

### **USES AND DEVELOPMENT**

1. PMR Zoning District: Approximately 6.47 acres of land, identified on Sheet 2 of the MZP, shall be developed with no more than forty-three (43) townhouse units.
2. Development of the Property shall be in substantial conformance with Sheets 2, 3, 3A, 4, 5 & 6 of the MZP. The internal road alignment, building, parking and off-site or on-site stormwater management improvements and off-site road improvements may undergo alterations in accordance with final engineering considerations at the time of site/subdivision plan review. All administrative interpretations, modifications and waivers approved during the review of the final site/subdivision plans in the sections of New Dominion Square submitted prior to the approval of the proffer amendments proposed herein shall be applied throughout the Property.

### **COMMUNITY DESIGN**

3. The site landscaping and landscape buffers shall be provided substantially as shown on the MZP and planted in accordance with the Zoning Ordinance and Design and Construction Standards Manual (“DCSM”). Landscaping shall include drought tolerant, indigenous species where supplemental planting area is required. Where existing vegetation is undisturbed within said landscaping areas, said existing vegetation shall be credited against the plant unit requirements identified in the DCSM and where the existing vegetation is sufficient may satisfy said requirements.
4. The existing buffer landscaping between Old Dominion Drive and Sheridan Lane shall be supplemented with eight (8) arborvitae trees to enhance the screening between the existing homes and the new homes. The trees may be planted in the buffer or the open space areas adjacent to the buffer, the location to be determined with the final landscaping plan.

5. In the event adjacent properties are rezoned or developed for compatible uses, the landscape buffers as shown on Sheet 3 of the MZP may be reduced in accordance with the DCSM.
6. The exterior of the townhouse units shall be designed as follows:
  - A. In aggregate, the total number of building fronts contained within the development shall contain a minimum of 30% brick, masonry or cultured stone (excluding doors, windows and garage doors). This means that some units may have 100% brick/stone on the building front (excluding doors, windows and garage doors) and other units may utilize an alternate material.
  - B. Exterior detailing and colors shall be of an earth tone palate. Garage doors will match trim or the respective unit front door.
  - C. Roof dormers shall be provided on the front of at least 25% of the units/lots.
  - D. Those units on the perimeter of the central green shall be oriented so that the architectural front of the units face the central green.

Compliance with this proffer shall be evidenced with the submission of illustrative drawings or photographs of the building elevations to the Director of the Department of Development Services for review and approval at least two weeks prior to a request for issuance of the building permit for the dwelling proposed. The review of the exterior building designs may be requested and approved for an individual dwelling, a group of dwellings, or all of the dwelling types and designs proposed. Any substantive changes to the design and/or percentage of materials shall be submitted to the Planning Director for review and all final determinations regarding consistency with this proffer shall be made by the Planning Director. Such approval shall be based on a determination that the changes result in a building of similar or greater quality.

7. The Applicant shall provide a grid style street layout substantially similar to Sheet 4 of the plans prepared by LDC entitled "Addition to New Dominion Square Rezoning and Proffer Amendment", recognizing that internal road alignment and parking may undergo revisions in accordance with final engineering considerations at the time of site/subdivision plan review.

## **CULTURAL RESOURCES**

8. As a condition to building permit issuance for the gazebo, to be located in the community green, the Applicant shall provide appropriate interpretive signage to be displayed/located in the community green and/or gazebo. Said interpretive signage shall memorialize the site as the former location of Old Dominion Speedway. Language for said signage shall be finalized in consultation with the Planning Director or his/her designee and may require sign permit approval.
9. The Applicant shall retain a qualified professional to conduct a Phase I Archaeological survey of the project area, including metal detecting and a military sites survey. Three (3) copies of the draft report documenting the results and recommendations of the Phase I survey shall be submitted to the Planning Office for review, comment, and approval with the first submission of the site plan for this project. A Phase II Archeological study, if warranted, shall be conducted prior to submittal of the final site/subdivision plan. A curation fee identical to the curation fee required by Virginia Department of Historic Resources (VDHR) shall be paid by the Applicant prior to final site plan approval for the first section of development of the property. Ownership of all records submitted to the County for curation shall be transferred to the County with a letter of gift. Private individuals shall be allowed access to donated materials upon reasonable notice to the appropriate authority within the county and such access may be accompanied by a county staff member.

## **ENVIRONMENTAL**

10. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre for water quality monitoring, drainage improvements and/or stream restoration projects. Said contribution shall be made prior to and as a condition of site/subdivision plan approval with the amount to be based on the total site area proposed to be rezoned from A-1 to PMR (4.53 acres).
11. Stormwater Management and/or Best Management Practices shall be provided and maintained on-site and/or off-site, (pursuant to Section 32-250.73.1 of the Zoning Ordinance), and in accordance with the DCSM in the location(s) shown on Sheet 4 of the MZP.

12. The Applicant shall limit clearing and grading to within those areas depicted on Sheet 3 of the MZP, subject to minor revisions in accordance with final engineering considerations at the time of plan review and approval. No clearing or improvements shall be made outside of the limits of clearing and grading without approval, with the exception of: (a) the installation of plant materials, if needed for revegetation or to supplement existing vegetation, within buffer areas shown on Sheet 3 of the MZP; (b) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees; (c) the installation and maintenance of any existing or required utilities, and (d) installation, restoration or maintenance of stormwater management facilities/drainage improvements, which are required for and support the off-site facility.
13. Restoration. The following shall be noted on the subdivision plan and shall be a condition of the bond release:
  - A. Debris Removal. The Applicant shall remove and dispose of the debris, trash and asphalt (collectively “the debris”) located within the subject area. Disposal of the debris removed from the property shall be in accordance with applicable County, State and Federal regulations.

#### **FIRE & RESCUE**

14. In accordance with the State Code, as a condition of occupancy permit issuance for each new home within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$974.00 per townhouse for each townhouse constructed on the Property to be used for fire and rescue purposes.

#### **HOUSING**

15. In accordance with the State Code, as a condition of occupancy permit issuance for each residential unit, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$250.00 per residential unit constructed on the Property. Said contribution is to be utilized by the County’s Housing Preservation and Development Fund.

### **HOMEOWNERS ASSOCIATION**

16. The Applicant shall combine the subject property with the adjacent property developed as Bradley Square and Grant Avenue Assemblage to create a single homeowners' association ("HOA"), which shall be responsible for the maintenance of any common open space, buffers, entrance feature signs, gazebo, interpretive signage, playground amenities and other common area amenities. The HOA shall also be responsible for the maintenance of the private streets, parking areas, and sidewalks within the community.
17. The Applicant shall incorporate into the HOA documents a provision which shall require plowing of snow on emergency vehicle access area, in addition to all private streets and alleys, as identified on Sheet 4 of the MZP.
18. The Applicant shall incorporate into the HOA documents and budget, reserve funding budget items supported by a reserve study for the long term viability of all HOA maintained infrastructure. The HOA documents and budget shall be provided to each purchaser in the project.

### **LIBRARIES**

19. In accordance with the State Code, as a condition of occupancy permit issuance for each new home within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$805.00 for each townhouse constructed on the Property to be used for library purposes.

### **PARKS AND RECREATION**

20. In accordance with the State Code, as a condition of occupancy permit issuance for each new home within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$5,144.00 for each townhouse constructed on the Property to be used for parks and recreation purposes.
21. In accordance with Sheet 3A of the MZP, approximately 2.81 acres of recreational amenities shall be provided, including but not limited to recreational lawns, tetherball, picnic, and trail rest area(s).



22. Additional dwelling units proposed herein shall have full access to the recreational amenities in accordance with the approved final site plans for the Bradley Square townhome community.

### **SCHOOLS**

23. In accordance with the State Code, as a condition of occupancy permit issuance for each new home within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$17,489.00 for each townhouse constructed on the Property to be used for school purposes.

### **TRANSPORTATION**

24. Monetary Contribution.
- A. As a condition of occupancy permit approval for each new townhouse unit within the PMR zoning district proposed herein, the Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$15,425.00 for each townhouse constructed on the Property to be used for transportation purposes.
- B. The transportation level of service contribution(s) shall be for design, right-of-way and easement acquisition and transportation improvements to Old Dominion Drive. In lieu of monetary contributions, the Applicant shall design and construct improvements to Old Dominion Drive. The cost of completion of the road improvements, right-of-way, and easements shall be determined during final site/subdivision plan review. The off-site road improvements proffered herein are subject to the provision of a credit for the cost of the design and permitting, acquisition of right-of-way, easements, and construction of said improvement as described herein. The applicant shall submit cost estimates to the Prince William County Department of Transportation for review and approval. The level of service contribution shall be applied towards the transportation improvement costs as described above. Level of service contributions in excess of the cost of the improvements to Old Dominion Drive described herein shall be submitted to the County in accordance with this condition.

25. Access to the Property shall be provided as shown on Sheet 4 of the MZP. The final location and design of the access shall be as approved in final site/subdivision plans, subject to County and Virginia Department of Transportation (“VDOT”) approval.
26. Traffic flow through the community shall not prohibit “through trips” and once the internal street grid is completed, traffic circulation shall be maintained consistent with the Transportation and Utilities (Sheet 4 of the MZP) approved herein.
27. The costs associated with all off-site road improvements, turn lanes and any associated right-of-way or easements described herein shall be credited against the transportation level of service contribution identified in Proffer #21, provided that all permitted transportation credits shall not exceed the total transportation LOS monetary contribution outlined in Proffer #21.
28. The Applicant shall reserve and dedicate, at no cost to Prince William County or VDOT, either upon the demand of Prince William County or at first final site/subdivision plan approval for the Property, that additional right-of-way required up to a maximum of thirty-three feet (33’) from the existing centerline of Old Dominion Drive along the frontage of the Property.
29. In the event the Applicant is not able to acquire the right-of-way, easement(s), or other property interest (herein “property interest”) required in order to provide the improvements identified hereinabove, the Applicant shall request the County to acquire the necessary property interests by exercise of its condemnation powers, at Applicant’s expense. Applicant’s request shall be in writing and shall comply in all respects with the County’s Eminent Domain Policy in place at the time of the request. The request shall be made to the appropriate County agency and shall be accompanied by the following:
  - A. The names of the record owners, the property addresses, tax map parcel numbers and GPIN numbers for each landowner from whom such property interests are sought.
  - B. Plats, plans and profiles showing the necessary property interest to be acquired and showing the details of the proposed transportation improvements to be located on each property.

- C. An independent appraisal of the value of the property interests to be acquired, and any and all damages to the residue of the involved property, performed by an appraiser licensed in Virginia and approved by the County.
- D. A 60 year title search of each involved property.
- E. Documentation demonstrating to the County's reasonable satisfaction Applicant's good faith, best efforts to acquire the property interests, at a cost not less than their appraised value.
- F. A letter of credit acceptable to the County, cash or equivalent (from a financial institution acceptable to the County) in an amount equal to the appraised value of the property interests to be acquired, and all damages to the residue, together with an amount representing the County's estimate of its cost of condemnation proceedings, in a form permitting the County to draw upon the same as necessary to effectuate the purposes hereof.
- G. An Agreement signed by the Applicant's representative and approved by the County Attorney whereby the Applicant agrees to pay all costs of the condemnation, including expert witness fees, court costs, exhibit costs, court reporter fees, reasonable attorney fees for the Office of the County Attorney, and all other costs associated with the litigation, including appeals. The Agreement shall specifically provide that in the event the property owner is awarded at trial more than the appraised value estimate by the Applicant's appraiser, or that the County elects to settle with the condemnee without trial for a greater sum, Applicant shall pay to the County the amount of the award in excess of the amount represented by the letter of credit or cash deposit within 15 days of the award.

#### **WATER AND SEWER**

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

## MISCELLANEOUS

31. Escalator. In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors within 18 months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in the Proffer Statement which are paid to the Board after 18 months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index (“CPI-U”) published by the United States Department of Labor, such that at the time contributions are paid, they shall be adjusted by the percentage change in the CPI-U from that date 18 months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of 6% per year, non-compoundable.
32. For purposes of this Proffer Statement, “final rezoning” shall be defined as that zoning which is in effect on the day following the last day upon which the Prince William Board of County Supervisors’ decision granting the rezoning may be contested in the appropriate court or, if contested, the day following entry of a final court order affirming the decision of the Board of Supervisors which has not been appealed, or if appealed, the day following which the decision has been affirmed on appeal.
33. In the event that approval of the requested rezoning creates any areas that cannot conform with the applicable zoning standards for lot area, frontage or set back, the Applicant shall consolidate such lots into abutting property or otherwise resolve the nonconformance with minimum zoning standard.
34. Unless otherwise noted, compliance with proffered conditions stated herein shall be demonstrated at the time of final site/subdivision plan approval on a section by section basis.

## PMR MODIFICATION

35. Modifications are identified and requested pursuant to the “PMR Modification Booklet, New Dominion Rezoning,” prepared by Tri-Tek Engineering, revised October 9, 2012, attached hereto and incorporated herein as Exhibit A, the plan titled “Old Dominion Dr. Road Improvements” prepared by LDC, dated October 2014, attached hereto and incorporated herein as Exhibit B, and Exhibit C including modifications administratively

approved, all of which shall be deemed a part of these proffers once accepted by the Board as provided by Section 32-700.25 of the Zoning Ordinance.

[SIGNATURE(S) ON FOLLOWING PAGE]

Bradley Square Neighborhoods, LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## **APPROVED PMR MODIFICATIONS**

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**New Dominion Square**

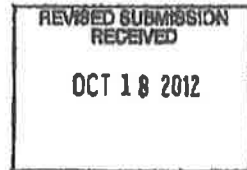
**PMR Modification Booklet**

GPINs 7794-78-7434 (Portion), 7794-98-1625, 7794-88-7936, 7794-79-8410,  
7794-79-9814, 7794-89-0718, 7794-89-2123 and 7794-89-3125

**Project Number: REZ#PLN2011-00268**

Prince William County, Virginia  
Coles District

Revised  
October 9, 2012



**APPROVED**  
PROFFER/DEVELOPMENT PLAN  
*Francis Burnagyn*  
Signed  
11/20/2012  
Date  
OFFICE OF PLANNING

Prepared By:



Tri-Tek Engineering, Inc.  
690 Center Street, Suite 300  
Hemdon, VA 20170  
Phone: 703.481.5900  
Fax: 703.481.5901

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. J...*

Planning Office



**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

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**Zoning Ordinance Modification Requests**

1. Zoning Ordinance Section 32-306.10.1 (Minimum mix of housing type)
2. Zoning Ordinance Section 32-306.12.6.F (Unit standards)

**DCSM Waiver/Modification Requests**

- DCSM Section 601.01C ( Interparcel Connection) (Approved WAI2013-0029)
- DCSM Section 601.04E ( Typical Section revision) (Approved WAI2013-00009)
- DCSM Section 601.09A (Street Lights own & maintained by power company vs. HOA for street lights needed for the townhomes)? Street Lights for public roads will be operated & maintained by the County. (Approved WAI2013-00008)
- DCSM Section 602.07G (Turn Lanes & Tapers Standards) (Approved WAI2013-00007)
- DCSM Section 602.07N (Parking Space setback) (Approved WAI2013-00006)
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- DCSM Section 602.14B (No Direct Parking) (Approved WAI2013-00010)
- DCSM Section 802.11A (Buffer width requirements)

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. Jui*

Planning Office

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**

*Travis Burney*  
Signed

*11/20/2012*

Date  
OFFICE OF PLANNING

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**ZONING ORDINANCE**

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
*Francis Burney*  
11/20/2012  
Date  
**OFFICE OF PLANNING**

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. J...*  
Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**REQUEST FOR MODIFICATION OR WAIVER OF STANDARDS**

Whenever any standard imposed by any provision of the Zoning Ordinance or other County ordinance may be waived or modified by special use permit conditions approved by the Board of County Supervisors, this form must accompany an application for special use permit for such waiver or modification, and may constitute the whole of or a part of such application.

Applicant: New Dominion Holdings, LLC

Case Name: REZ #PLN2011-00268, New Dominion Square

Please indicate the requested modification(s) or waiver(s) below. Attach a written statement describing the requested modification or waiver, referencing the citation, and providing justification for the request.

- Waiver of specific requirements of the Subdivision Ordinance, Zoning Ordinance, or DCSM as it relates to a town center special use permit application. See Section 32-280.34 of the Zoning Ordinance.

Modification of development standards:

Pursuant to Section 32-700.25 of the Zoning Ordinance.  
Please see attached justification.

- Section 32-306.10.1 (Minimum mix of unit types)
- Section 32-306.12.6.F (Unit standards)

See Sections 32-300.05, 32-303.15, 32-400.03, 32-400.04 or 32-250.23 and 32-250.24 of the Zoning Ordinance

Modification of waiver of large, freestanding retail use (big box) standards:

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

- Architectural Design, Landscaping, Lighting, Operations, Parking or Pedestrian Access

See Section 32-400.15 of the Zoning Ordinance.



Planning Office

**Note:** Plans containing waivers or modifications involving engineering for street standards or stormwater management facilities must be filed, including filing fee, with the Development Services Division of the Planning Office and approved concurrent with the submission of a special use permit application.

**APPROVED**

PROFFER/DEVELOPMENT PLAN

*Francis Burroughs*  
Signed

11/20/2012

Signed

Date

OFFICE OF PLANNING

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
 Applicant: Bradley Square Neighborhoods, LLC  
 Date: March 17, 2016

**Request for Modification or Waiver of Standards**

**REZ # #PLN2011-00268, New Dominion Square**

**Justification Statement**

**Section 32-306.10.1 (Maximum mix of unit types)**

The Applicant is requesting to waive the minimum number of unit types from two unit types to one unit type. The Applicant's proposed layout features a highly organized and defined townhouse community, which is aligned in a semi-grid street pattern and comports with integrated living and walkability. The proposed project is built around a central green/gazebo area and demonstrates an efficient use of land, which is demonstrated by the placement of buildings, within the notably oddly configured property boundary. The Applicant is sensitive to the existing environmental areas and is restricting development to that portion of the site that is currently dominated by the active race track. In those areas that display environmental potential, the Applicant has not only curbed development but, is implementing a re-vegetation program with the intention of restoring environmental integrity to those specified areas.

The use of a single unit type allows the Applicant to create an intimate community that embodies an urban feel. The use of a single unit type provides a quality and character that uniquely portrays the Applicant's intimate lifestyle design and plan for the site. At the same time, the Applicant is providing a range of unit sizes and widths to appeal to a broad market segment.

**Section 32-306.12.6.F (Unit standards)**

The Applicant is requesting a modest modification to the unit development standards. Specifically, the Applicant is requesting the following modifications, which are illustrated on Exhibit A:

	<u>Requested</u>	<u>Required</u>
Minimum lot width	16 ft.	20 ft.
Minimum setback (rear)	15 ft.	20 ft.
Minimum setback for Unroofed decks, stoops, landings and similar features:		
Front w/garage	5 ft.	15 ft.
Minimum building Footprint	600 sq. ft.	720 sq. ft.

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
*Francis Burney*  
 Signed  
 11/20/2012  
 Date  
**OFFICE OF PLANNING**

The Applicant is proposing to provide diversity of unit sizes within the community by creating an urban townhouse complex that offers various unit sizes that appeals to a broad customer base. In recent years there has been an increased demand for smaller units and the proposed development scheme is designed to meet current market trends.

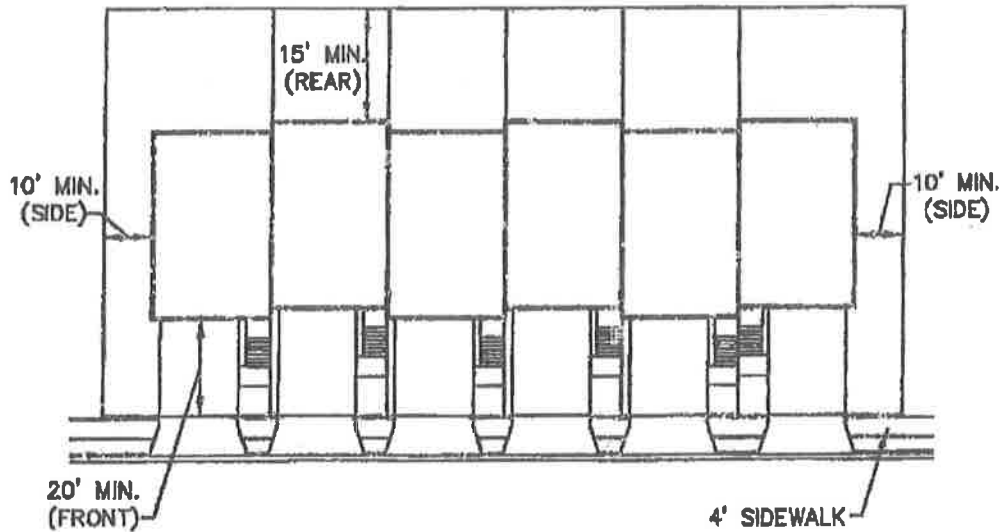
CASE: #REZ2016-00002,  
 New Dominion Square - 2<sup>nd</sup> Addition  
 Approved by BOCS: April 5, 2016

*Mark R. J...*

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
 Applicant: Bradley Square Neighborhoods, LLC  
 Date: March 17, 2016

**MODIFIED UNIT TYPE  
URBAN TOWNHOUSE – UNIT TYPICAL  
 (N.T.S.)**



**URBAN TOWNHOUSE – UNIT TYPICAL**

THIS DWELLING TYPE CONSISTS OF A SINGLE-FAMILY ATTACHED UNIT, WITH INDIVIDUAL OUTSIDE ACCESS. ROWS OF TOWNHOUSES SHALL CONTAIN NO MORE THAN SIX (6) DWELLINGS IN A GROUP. THE FOLLOWING TABLE SPECIFIES THE MINIMUM STANDARDS:

1.	MINIMUM LOT WIDTH	16 FT.
2.	GROUP SETBACK	20 FT.
3.	MAXIMUM BUILDING HEIGHT	35 FT.
4.	MINIMUM SETBACKS:	
	(a) FRONT	20 FT.
	(b) SIDE (END UNIT)	10 FT.
	(c) REAR	15 FT.
5.	MINIMUM SETBACK FOR UNROOFED DECKS, STOOPS, LANDINGS, AND SIMILAR FEATURES:	
	(a) FRONT WITH GARAGE	5 FT.
	(b) SIDE (END UNIT)	10 FT.
	(c) REAR	8 FT.
6.	MINIMUM BUILDING FOOTPRINT	600 SQ. FT.
7.	OPEN SPACE FOR DEVELOPMENT USING TOWNHOME HOUSING TYPE	30%

**APPROVED**  
 PROFFER/DEVELOPMENT PLAN  
*James Burroughs*  
 Signed  
 11/20/2012  
 Date  
 OFFICE OF PLANNING

**NOTES:**

- A. SETBACKS SHALL BE VARIED AT LEAST TWO FEET FOR ALL TOWNHOUSE UNITS WITHIN A GROUP, EXCEPT THAT TWO ABUTTING UNITS MAY HAVE THE SAME SETBACK, PROVIDED NO MORE THAN FOUR UNITS IN THE GROUP HAVE THE SAME SETBACK.
- B. ARCHITECTURAL TREATMENT SHALL VARY SO THAT NO MORE THAN TWO ABUTTING UNITS ARE SUBSTANTIALLY THE SAME, AND SO THAT NO MORE THAN FOUR UNITS IN ANY GROUP ARE SUBSTANTIALLY THE SAME.

CASE: #REZ2016-00002,  
 New Dominion Square - 2<sup>nd</sup> Addition  
 Approved by BOCS: April 5, 2016

EXHIBIT A

*Mark R. J...*

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

DCSM

**APPROVED**  
PROFFER/DEVELOPMENT PLAN  
*Francis Bussey*  
Signed  
11/20/2012  
Date  
OFFICE OF PLANNING


CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. J...*

Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

	<b>PRINCE WILLIAM COUNTY DEPARTMENT OF TRANSPORTATION DCSM WAIVER</b>
	5 County Complex Court, Ste. 290, Woodbridge, Virginia 22192-5308 (703)792-6825 Metro 631-1703, Ext. 6825 Fax (703) 792-7159

**SECTION I - GENERAL INFORMATION**

<b>APPLICANT</b> <u>Ted Britt</u>	<b>DATE</b> <u>September 25, 2012</u>
<b>ADDRESS</b> <u>Tri-Tek Engineering</u> <u>690 Center Street, Suite 300</u> <u>HERNDON, VA 20170</u>	<b>WAIVER NUMBER</b> <u>WAI2013-00029</u>
<b>PROJECT NAME:</b> <u>New Dominion Square PMR Master Zoning Plan</u>	<b>SITE/SUBDIVISION PLAN NUMBER</b> <u>REZ2011-00268</u>

**APPROVED**  
*Francis Burroughs*  
 Signed 11/20/2012

**SECTION II - SPECIFICS OF WAIVER REQUEST**

Date \_\_\_\_\_  
OFFICE OF PLANNING

**SECTION OF DESIGN AND CONSTRUCTION STANDARDS MANUAL REQUESTED TO BE WAIVED:** SECTION 601.01C

**REQUIREMENT(S):** The arrangement of major streets in a development shall provide for their proper continuation with developed adjoining properties, and for their proper extension into undeveloped adjoining properties. The proper interparcel connecting arrangement shall be accomplished by the use of stub street and temporary cul-de-sac, etc., which is intended to provide and maintain access for basic public services, to allow movement of vehicular, bicycle and pedestrian traffic, and to provide a corridor for public utilities. If a waiver is requested, it is the developer's responsibility to provide a detailed narrative why an interparcel connection between developments could not be achieved or provided or why such connection would not be beneficial to the County as required by this section.

**APPLICANT'S JUSTIFICATION FOR WAIVER:** The modification is requested in order to eliminate the interparcel connection between the proposed townhoms and Sheridan Lane, which is a private street, 40 foot in width, improved with a single lane gravel access. Six (6) lots are currently served by Sheridan Lane, which are approximately 25,000Sq. Ft. in size and are zoned A-1. Sheridan Lane intersects with Grant Avenue, a public street, just to the east. Access to the lots that would be served by the interparcel connection already exists from two (2) public streets and a private street (i.e. extension of South Grant Ave., Old Dominion Drive as well as Sheridan Lane): Therefore, the connection is not necessary nor would it be advantageous for the traffic form New Dominion Square to access this private lane. Utilities exist, or for those that do not, future extensions will be planned as required by the applicable provider upon development of New Dominion Square.

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition

Approved by BOCS: April 5, 2016

*Mark R. J...*

Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**SECTION III - RECOMMENDATION OF TRANSPORTATION**

**RECOMMENDATION:**       **APPROVAL**       **DENIAL**

**PLAN REVIEWER** Zhenyang Li      **TRANSPORTATION PLANNING MANAGER** Ricardo Canizales

**REASON(S) FOR APPROVAL/DENIAL:** It's reasonable to separate this townhome community from existing single family homes on Sheridan Lane, since they both have acceptable access to the public streets. The waiver is acceptable with condition that adequate ingress/egress easement shall be provided for the turnaround or loop on Sheridan Lane.

**SECTION IV - ADDITIONAL COMMENTS**

||  
||  
||  
||

**SIGNATURE** Thomas Blaser      **DATE** 9/25/12  
*Thomas Blaser, Director of Transportation*

cc: Development Services

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
Francis Burroughs  
Signed  
11/20/2012  
Date  
**OFFICE OF PLANNING**


CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

Mark R. J...  
Planning Office



**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

	<b>PRINCE WILLIAM COUNTY DEPARTMENT OF TRANSPORTATION DCSM WAIVER</b>
	5 County Complex Court, Ste. 290, Woodbridge, Virginia 22192-5308 (703)792-6825 Metro 631-1703, Ext. 6825 Fax (703) 792-7159

**SECTION I - GENERAL INFORMATION**

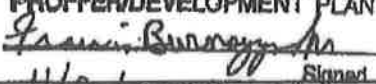
<i>APPLICANT</i> <u>TED BRITT</u>	<i>DATE</i> <u>August 21, 2012</u>
<i>ADDRESS</i> <u>Tri-Tek Engineering</u> <u>690 Center Street, Suite 300</u> <u>HERNDON, VA 20170</u>	<i>WAIVER NUMBER</i> <u>WAI2013-00009</u>
<i>PROJECT NAME:</i> <u>New Dominion Square PMR Master Zoning Plan</u>	<i>SITE/SUBDIVISION PLAN NUMBER</i> <u>REZ#PLN2013-00268</u>

**SECTION II - SPECIFICS OF WAIVER REQUEST**

**SECTION OF DESIGN AND CONSTRUCTION STANDARDS MANUAL REQUESTED TO BE WAIVED:** 601.04E

**REQUIREMENT(S):** Single-family attached, multi-family, mobile home, commercial and industrial developments shall have access to a state maintained street. This access may be via private streets or travelways provided they meet the appropriate design standards in accordance with Details 650.06, 650.07 and 650.08 of the manual. An association must be established for the ownership and perpetual maintenance of private streets in a development. Private streets serving residential development shall not carry in excess of one-thousand (1,000) vehicles per day (vpd).

**APPLICANT'S JUSTIFICATION FOR WAIVER:** This modification is requested in order to facilitate an Urban Design for the New Dominion Square development. The private street connections from the single-family attached residences to the state maintained streets are designed to provide low-speed neighborhood access with short block connections in a safe manner. Site access will be to Old Dominion Drive (State Route 720) and from a proposed public street with a roundabout to Dumfries Road (Route 234). Typical section modifications have been made and fulfill the intent of providing public safety and traffic movements without congestion. Private streets will be designed in accordance with Detail 650.06, as modified in Exhibit A. Further, attached are exhibits which depict street tree plantings along the typical section.

**APPROVED**  
 PROFFER/DEVELOPMENT PLAN  
  
 Signed  
11/20/2010

Date CASE: #REZ2016-00002,  
OFFICE OF PLANNING  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016



**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**SECTION III - RECOMMENDATION OF TRANSPORTATION**

**RECOMMENDATION:**       **APPROVAL**       **DENIAL**

**PLAN REVIEWER** Zhenyang Li      **TRANSPORTATION PLANNING MANAGER** Ricardo Canizales

**REASON(S) FOR APPROVAL/DENIAL:** The modified TS-1 typical section is generally acceptable. However, the sidewalk shall be minimum 5 feet wide and the width of the travelway for TS-1 category III shall be minimum 24 feet.

**SECTION IV - ADDITIONAL COMMENTS**

[Empty box for additional comments]

**SIGNATURE** Thomas Blaser      **DATE** 8/21/12  
*Thomas Blaser, Director of Transportation*

cc: Development Services

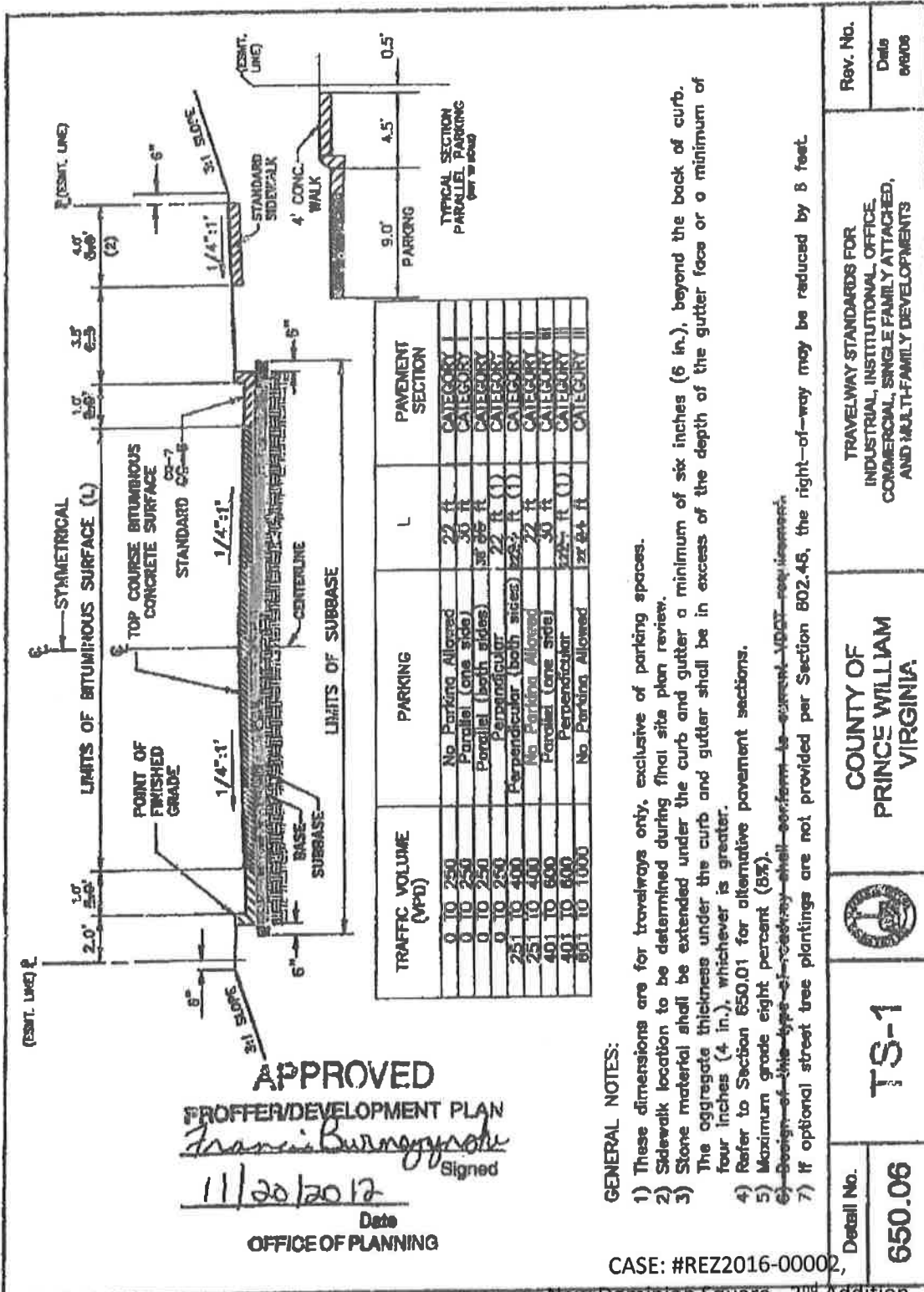
**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
Francis Bunnegård      Signed  
11/20/2012      Date  
**OFFICE OF PLANNING**

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

Mark R. Junt  
Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016



**APPROVED**  
PROFFER/DEVELOPMENT PLAN  
*Francis Burningham*  
Signed  
11/20/2012  
Date  
OFFICE OF PLANNING

**GENERAL NOTES:**

- 1) These dimensions are for travelways only, exclusive of parking spaces.
- 2) Sidewalk location to be determined during final site plan review.
- 3) Stone material shall be extended under the curb and gutter a minimum of six inches (6 in.), beyond the back of curb. The aggregate thickness under the curb and gutter shall be in excess of the depth of the gutter face or a minimum of four inches (4 in.), whichever is greater.
- 4) Refer to Section 650.01 for alternative pavement sections.
- 5) Maximum grade eight percent (8%).
- 6) ~~Design of this type of roadway shall conform to current VDOT requirements.~~
- 7) If optional street tree plantings are not provided per Section 802.4.6, the right-of-way may be reduced by 8 feet.

CASE: #REZ2016-00002,

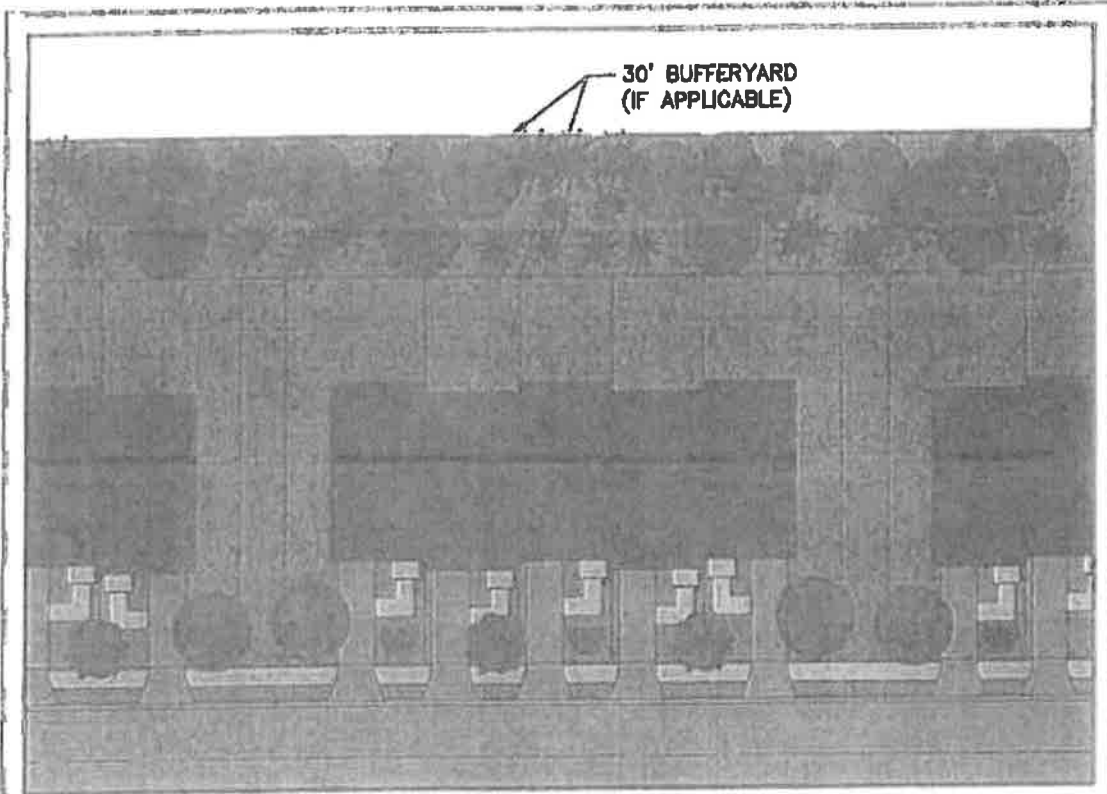
Detail No. <b>650.06</b>		COUNTY OF PRINCE WILLIAM VIRGINIA	TRAVELWAY STANDARDS FOR INDUSTRIAL, INSTITUTIONAL, OFFICE, COMMERCIAL, SINGLE FAMILY ATTACHED, AND MULTI-FAMILY DEVELOPMENTS	Rev. No. Date 06/06
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Exhibit A New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. J...*

**PROFFER STATEMENT**





#REZ2016-00002, New Dominion Square Amendment  
 Applicant: Bradley Square Neighborhoods, LLC  
 Date: March 17, 2016



**1-CAR GARAGE TOWNHOME DETAIL**

SCALE: 1"=30'

**LANDSCAPING LEGEND**

- 
**LARGE DECIDUOUS (2"-3" CAL.)**  
 RED OAK, PIN OAK, RED MAPLE,  
 LITTLE LEAF LINDEN, JAPANESE CRABAPPLE
- 
**SMALL DECIDUOUS (2"-3" CAL.)**  
 DOGWOOD, JAPANESE MAPLE, AMERICAN HORNBEEAN  
 REDBUD, SARGENT CHERRY, SAUCER MAGNOLIA
- 
**LARGE/MEDIUM EVERGREEN (6'-8')**  
 SOUTHERN MAGNOLIA, SCOTCH PINE, LOBLOLLY PINE  
 LEYLAND CYPRESS, AMERICAN HOLLY, JAPANESE  
 CRYTOMERIA, EASTERN RED CEDAR
- 
**SHRUBS (18"-24" HT.)**  
 FOSTERS HOLLY, JAPANESE HOLLY, AZALEA  
 CHERRY LAUREL, RHODODENDRON  
 KOREAN SPICE VIBURNUM

NOTE: THE LANDSCAPE MATERIALS REFERENCED ABOVE ARE REPRESENTATIVE OF THE TYPES TO BE INSTALLED. WE RESERVE THE RIGHT WITH APPROVAL OF URBAN FORESTRY TO SUBSTITUTE MATERIALS UPON PREPARATION OF THE FINAL SITE PLAN AND INSTALLATION IN THE FIELD. FURTHER, STAIR AND STOOP LOCATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE SUBJECT TO CHANGE UPON FINAL DESIGN.

**APPROVED**  
 PROFFER DEVELOPMENT PLAN  
*Bradley Square Neighborhoods*  
 11/20/2016  
 Signed  
 Details  
 OFFICE OF PLANNING

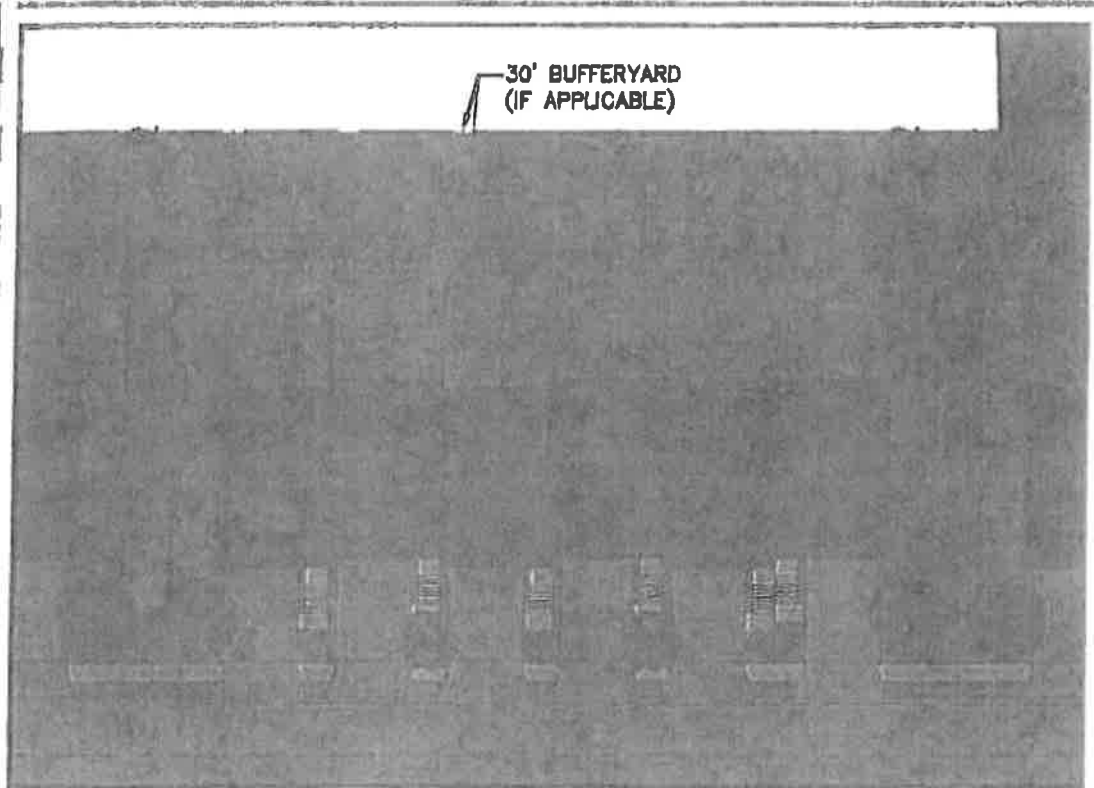
CASE: #REZ2016-00002,

New Dominion Square - 2<sup>nd</sup> Addition  
 Approved by BOCS: April 5, 2016

*Mark R. Smith*

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016







30' BUFFERYARD  
(IF APPLICABLE)

**2-CAR GARAGE TOWNHOME DETAIL**

SCALE: 1"=30'

**LANDSCAPING LEGEND**

-  **LARGE DECIDUOUS (2"-3" CAL.)**  
RED OAK, PIN OAK, RED MAPLE,  
LITTLE LEAF LINDEN, JAPANESE CRABAPPLE
-  **SMALL DECIDUOUS (2"-3" CAL.)**  
DOGWOOD, JAPANESE MAPLE, AMERICAN HORNBEAN  
REDBUD, SARGENT CHERRY, SAUCER MAGNOLIA
-  **LARGE/MEDIUM EVERGREEN (6'-8')**  
SOUTHERN MAGNOLIA, SCOTCH PINE, LOBLOLLY PINE  
LEYLAND CYPRESS, AMERICAN HOLLY, JAPANESE  
CRYPTOMERIA, EASTERN RED CEDAR
-  **SHRUBS (18"-24" HT.)**  
FOSTERS HOLLY, JAPANESE HOLLY, AZALEA  
CHERRY LAUREL, RHODODENDRON  
KOREAN SPICE VIBURNUM

NOTE: THE LANDSCAPE MATERIALS REFERENCED ABOVE ARE REPRESENTATIVE OF THE TYPES TO BE INSTALLED. WE RESERVE THE RIGHT WITH APPROVAL OF URBAN FORESTRY TO SUBSTITUTE MATERIALS UPON PREPARATION OF THE FINAL SITE PLAN AND INSTALLATION IN THE FIELD. FURTHER, STAIR AND STOOP LOCATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE SUBJECT TO CHANGE UPON FINAL DESIGN.

**APPROVED**  
PROFFER/DEVELOPMENT PLAN  
*Frederick S. Burroughs*  
11/20/2012  
Date  
OFFICE OF PLANNING


CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. Jantz*

Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

	<b>PRINCE WILLIAM COUNTY DEPARTMENT OF TRANSPORTATION DCSM WAIVER</b>
	5 County Complex Court, Sta. 290, Woodbridge, Virginia 22192-5308 (703)792-6825 Metro 631-1703, Ext. 6825 Fax (703) 792-7159

**SECTION I - GENERAL INFORMATION**

<i>APPLICANT</i> <u>TED BRITT</u>	<i>DATE</i> <u>August 21, 2012</u>
<i>ADDRESS</i> <u>Tri-Tek Engineering</u> <u>690 Center Street, Suite 300</u> <u>HERNDON, VA 20170</u>	<i>WAIVER NUMBER</i> <u>WA12013-00008</u>
<i>SITE/SUBDIVISION PLAN NUMBER</i> <u>REZ#PLN2011-00268</u>	
<i>PROJECT NAME:</i> <u>New Dominion Square PMR Master Zoning Plan</u>	

**SECTION II - SPECIFICS OF WAIVER REQUEST**

**SECTION OF DESIGN AND CONSTRUCTION STANDARDS MANUAL REQUESTED TO BE WAIVED:** 601.09A

**REQUIREMENT(S):** All roadway luminaries shall be installed, owned and maintained by the supplying utility company, upon arrival of the County.

**APPLICANT'S JUSTIFICATION FOR WAIVER:** This modification is required in order to provide a greater selection of design types and increase the overall attractiveness of the community. All roadway luminaries for the privately maintained travelways shall be owned and maintained by the HOA. The attached street light details are to be used for the site luminaries or an approved equal light type.

**APPROVED**  
PROFFER/DEVELOPMENT PLAN  
*Francis Burzynski*  
Signed  
11/20/2012  
Date  
OFFICE OF PLANNING

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. J...*  
Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**SECTION III - RECOMMENDATION OF TRANSPORTATION**

**RECOMMENDATION:**       **APPROVAL**       **DENIAL**

**PLAN REVIEWER** Zhenyang Li      **TRANSPORTATION PLANNING MANAGER** Ricardo Canizales

**REASON(S) FOR APPROVAL/DENIAL:** This waiver is only applied to the private streets within this site. The waiver for the street lights is acceptable with conditions below.

**SECTION IV - ADDITIONAL COMMENTS**

The section stated in the Waiver "601.09A - All roadway luminaires shall be installed, owned, and maintained by the supplying utility company, upon approval of the County" pertains to luminaires installed along public/state maintained roadways. The applicant has stated that the community will be private; therefore this standard would not apply.

Since this development will be privately maintained the developer and or the HOA may choose the fixture of their choice. However, to meet the current County lighting standards the wattage of the fixture which they have chosen will need to be increased from 50 watts to 100 watts. The chosen fixtures shall also have full-cut off optics with a type III lighting distribution.

Please note that due to the fact that the chosen fixture is not a standard offered by the servicing power companies, if the roads in this community are ever put up to be incorporated into the state maintenance system then the developer or HOA would have to incur the cost of changing over the fixtures to a standard type luminaire offered by the servicing power company.

**SIGNATURE** Thomas Blaser      **DATE** 3/21/12  
*Thomas Blaser, Director of Transportation*

cc: Development Services

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
Francis Burnagynsky  
Signed  
11/20/2012  
Date  
**OFFICE OF PLANNING**

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

Mark R. J...  
Planning Office



**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

	<p>Maximum weight - 50 lbs Maximum effective projected area - 1.72 sq. ft.</p>	<p>Utility Washington Postifite® Series Luminaire Full Cutoff</p>										
<p>ORDERING INFORMATION:</p>	<table border="1"> <tr> <td data-bbox="316 1018 479 1081"> <p>WFC WFC 050HP</p> </td> <td data-bbox="495 1018 641 1081"> <p>12</p> </td> <td data-bbox="657 1018 852 1081"> <p>B</p> </td> <td data-bbox="868 1018 1047 1081"> <p>CS</p> </td> <td data-bbox="1063 1018 1193 1081"> <p>B</p> </td> </tr> <tr> <td data-bbox="316 1092 479 1554"> <p><b>BALLAST TYPE (MODUL BASE)</b> 062HP = 60W HPB 070HP = 70W HPB 080HP = 80W HPB 180HP = 180W HPB 180HP = 180W 80V HPB 170MH = 170W MH* 170FM = 170W FMH</p> <p><b>BALLAST TYPE (MEDIUM BASE)</b> 800HP = 80W HPB 700HP = 70W HPB 100HP = 100W HPB 180HP = 180W 80V HPB 700MH = 70W MH (NOT AVAIL. W/ 480V) 160MH = 160W MH (NOT AVAIL. W/ 480V) 180MH = 180W MH (NOT AVAIL. W/ 480V) 170MH = 170W MH*</p> <p><b>(COMPACT FLUORESCENT)**</b> 40CF = 40W COMPACT FLUORESCENT 67CF = 67W COMPACT FLUORESCENT 70CF = 70W COMPACT FLUORESCENT</p> <p>* NOT AVAILABLE FOR SHIPMENT IN US AFTER 12/31/08 DUE TO 68A 3007 LEGISLATION. ** 120-277 VOLT ONLY, NOT AVAILABLE WITH OPTION NSMA LABEL.</p> </td> <td data-bbox="495 1092 641 1554"> <p><b>VOLTAGE</b> 12 = 120 VOLT 20 = 208 VOLT 24 = 240 VOLT 27 = 277 VOLT 34 = 347 VOLT (C.U.L.) 48 = 480 VOLT MT = MULTITAP (120, 208, 240, 277 VOLT)</p> </td> <td data-bbox="657 1092 852 1554"> <p><b>COLOR</b> A = AS SPECIFIED B = BLACK D = DARK GREEN RAL5005 E = BROWN GREEN RAL5008 F = DARK GREEN RAL5009 H = DARK GREEN RAL5012 N = GREEN W = WHITE Z = BRONZE</p> </td> <td data-bbox="868 1092 1047 1554"> <p><b>OPTICS</b> CS = ASYMMETRIC FULL CUTOFF, FLAT GLASS CM = SYMMETRIC FULL CUTOFF, FLAT GLASS</p> </td> <td data-bbox="1063 1092 1193 1554"> <p><b>FINIAL (FACTORY INSTALLED)</b> B = BALL S = SPICE</p> </td> </tr> </table>	<p>WFC WFC 050HP</p>	<p>12</p>	<p>B</p>	<p>CS</p>	<p>B</p>	<p><b>BALLAST TYPE (MODUL BASE)</b> 062HP = 60W HPB 070HP = 70W HPB 080HP = 80W HPB 180HP = 180W HPB 180HP = 180W 80V HPB 170MH = 170W MH* 170FM = 170W FMH</p> <p><b>BALLAST TYPE (MEDIUM BASE)</b> 800HP = 80W HPB 700HP = 70W HPB 100HP = 100W HPB 180HP = 180W 80V HPB 700MH = 70W MH (NOT AVAIL. W/ 480V) 160MH = 160W MH (NOT AVAIL. W/ 480V) 180MH = 180W MH (NOT AVAIL. W/ 480V) 170MH = 170W MH*</p> <p><b>(COMPACT FLUORESCENT)**</b> 40CF = 40W COMPACT FLUORESCENT 67CF = 67W COMPACT FLUORESCENT 70CF = 70W COMPACT FLUORESCENT</p> <p>* NOT AVAILABLE FOR SHIPMENT IN US AFTER 12/31/08 DUE TO 68A 3007 LEGISLATION. ** 120-277 VOLT ONLY, NOT AVAILABLE WITH OPTION NSMA LABEL.</p>	<p><b>VOLTAGE</b> 12 = 120 VOLT 20 = 208 VOLT 24 = 240 VOLT 27 = 277 VOLT 34 = 347 VOLT (C.U.L.) 48 = 480 VOLT MT = MULTITAP (120, 208, 240, 277 VOLT)</p>	<p><b>COLOR</b> A = AS SPECIFIED B = BLACK D = DARK GREEN RAL5005 E = BROWN GREEN RAL5008 F = DARK GREEN RAL5009 H = DARK GREEN RAL5012 N = GREEN W = WHITE Z = BRONZE</p>	<p><b>OPTICS</b> CS = ASYMMETRIC FULL CUTOFF, FLAT GLASS CM = SYMMETRIC FULL CUTOFF, FLAT GLASS</p>	<p><b>FINIAL (FACTORY INSTALLED)</b> B = BALL S = SPICE</p>	<p>DECORATIVE OUTDOOR</p>
<p>WFC WFC 050HP</p>	<p>12</p>	<p>B</p>	<p>CS</p>	<p>B</p>								
<p><b>BALLAST TYPE (MODUL BASE)</b> 062HP = 60W HPB 070HP = 70W HPB 080HP = 80W HPB 180HP = 180W HPB 180HP = 180W 80V HPB 170MH = 170W MH* 170FM = 170W FMH</p> <p><b>BALLAST TYPE (MEDIUM BASE)</b> 800HP = 80W HPB 700HP = 70W HPB 100HP = 100W HPB 180HP = 180W 80V HPB 700MH = 70W MH (NOT AVAIL. W/ 480V) 160MH = 160W MH (NOT AVAIL. W/ 480V) 180MH = 180W MH (NOT AVAIL. W/ 480V) 170MH = 170W MH*</p> <p><b>(COMPACT FLUORESCENT)**</b> 40CF = 40W COMPACT FLUORESCENT 67CF = 67W COMPACT FLUORESCENT 70CF = 70W COMPACT FLUORESCENT</p> <p>* NOT AVAILABLE FOR SHIPMENT IN US AFTER 12/31/08 DUE TO 68A 3007 LEGISLATION. ** 120-277 VOLT ONLY, NOT AVAILABLE WITH OPTION NSMA LABEL.</p>	<p><b>VOLTAGE</b> 12 = 120 VOLT 20 = 208 VOLT 24 = 240 VOLT 27 = 277 VOLT 34 = 347 VOLT (C.U.L.) 48 = 480 VOLT MT = MULTITAP (120, 208, 240, 277 VOLT)</p>	<p><b>COLOR</b> A = AS SPECIFIED B = BLACK D = DARK GREEN RAL5005 E = BROWN GREEN RAL5008 F = DARK GREEN RAL5009 H = DARK GREEN RAL5012 N = GREEN W = WHITE Z = BRONZE</p>	<p><b>OPTICS</b> CS = ASYMMETRIC FULL CUTOFF, FLAT GLASS CM = SYMMETRIC FULL CUTOFF, FLAT GLASS</p>	<p><b>FINIAL (FACTORY INSTALLED)</b> B = BALL S = SPICE</p>								
<p><b>OPTIONS</b> H = NEMA TWISTLOCK PHOTOCONTROL RECEPTACLE ONLY L1H = 1.5 FEET OF PREWIRED LEADS L6 = 6 FEET OF PREWIRED LEADS L10 = 10 FEET OF PREWIRED LEADS L30 = 30 FEET OF PREWIRED LEADS L20 = 20 FEET OF PREWIRED LEADS L30 = 30 FEET OF PREWIRED LEADS L60 = 60 FEET OF PREWIRED LEADS NE = NEMA LABEL P = PROTECTED STARTER FOR HPB UNITS ONLY (NOT AVAILABLE W/ VOLTAGE CODES 06 OR 40) R27 = DTL TWISTLOCK PHOTOCONTROL 120-277 VOLT (MUST BE USED WITH OPTION 'H') P80 = DTL TWISTLOCK PHOTOCONTROL 180 VOLT (MUST BE USED WITH OPTION 'H') P60 = SHORTING CAP (MUST BE USED WITH OPTION 'H')</p>	<p><b>ACCESSORIES</b> LAMP = 80W APPROPRIATE LAMP AS LINE ITEM. SEE LAMP SHEET R2-S = PLUG-IN REPLACEMENT STARTER FOR HPB UNITS R2-P = PLUG-IN REPLACEMENT PROTECTED STARTER FOR HPB UNITS R2-7 = PLUG-IN REPLACEMENT STARTER FOR 7010H00MH UNITS R2-8P/PLUG-IN = PLUG-IN REPLACEMENT STARTER FOR 170FM UNITS</p>	<p>APPROVED PROFFER/DEVELOPMENT PLAN <i>Francis Burnham</i> <i>1/10/2012</i> Date OFFICE OF PLANNING</p> <p>THIS DOCUMENT IS THE PROPERTY OF THE OFFICE OF PLANNING AND SHOULD NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. PERMISSION IS GRANTED TO MAKE COPIES OF THIS DOCUMENT FOR PERSONAL USE ONLY. ALL OTHER RIGHTS ARE RESERVED. © 2012 OFFICE OF PLANNING.</p> <p>ORDER #: TYPE: DRAWN: ACH DATE: 12/14/09 DWG #: LUM_WFC</p>										
<p>CASE: #REZ2016-00002, New Dominion Square - 2<sup>nd</sup> Addition Approved by BOCS: April 5, 2016</p>			<p>1 of 2</p>									


35  
*Mark R. J...*  
Planning Office





**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

	<b>PRINCE WILLIAM COUNTY DEPARTMENT OF TRANSPORTATION DCSM WAIVER</b>
	5 County Complex Court, Ste. 290, Woodbridge, Virginia 22192-5308 (703)792-6825 Metro 631-1703, Ext. 6825 Fax (703) 792-7159

**SECTION I - GENERAL INFORMATION**


<b>APPLICANT</b> <u>TED BRITT</u>	<b>DATE</b> <u>August 21, 2012</u>
<b>ADDRESS</b> <u>Tri-Tek Engineering</u> <u>690 Center Street, Suite 300</u> <u>HERNDON, VA 20170</u>	<b>WAIVER NUMBER</b> <u>WAI2013-00007</u>  <b>SITE/SUBDIVISION PLAN NUMBER</b> <u>REZ#PLN2011-00268</u>
<b>PROJECT NAME:</b> <u>New Dominion Square PMR Master Zoning Plan</u>	

**SECTION II - SPECIFICS OF WAIVER REQUEST**

**SECTION OF DESIGN AND CONSTRUCTION STANDARDS MANUAL REQUESTED TO BE WAIVED:** 602.07G

**REQUIREMENT(S):** All required standard deceleration or turn lanes and tapers shall be designed in accordance with VDOT and AASHTO standards (See Table 6-7).

**APPLICANT'S JUSTIFICATION FOR WAIVER:** This modification is required: (A) In order to eliminate the left turn lane taper for the proposed public road at its intersection to Dumfries Road (Route 234). The width of the proposed section provides room for a dedicated left and right lane outbound. (B) Access to the proposed public road from Dumfries Road is proposed as depicted by the attached detail. The turn lane and taper lengths are proposed to be in conformance with VDOT and AASHTO Requirements. This property does not have any site frontage on Dumfries Road and therefore proposed improvements to meet VDOT Standards are such that the improvements can be improved as developments improve their frontage along Dumfries Road.

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
  
 Signed  
11/20/2012  
 Date

OFFICE OF PLANNING CASE: #REZ2016-00002,  
 New Dominion Square - 2<sup>nd</sup> Addition  
 Approved by BOCS: April 5, 2016

  
 Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**SECTION III - RECOMMENDATION OF TRANSPORTATION**

<b>RECOMMENDATION:</b>	<input checked="" type="checkbox"/> <b>APPROVAL</b>	<input type="checkbox"/> <b>DENIAL</b>
<b>PLAN REVIEWER</b> <i>Zhenyang Li</i>	<b>TRANSPORTATION PLANNING MANAGER</b> <i>Ricardo Canizales</i>	
<b>REASON(S) FOR APPROVAL/DENIAL:</b> The modifications of the turn lanes along the proposed public street are acceptable. However, the modifications of the turn lanes along Dumfries Road shall meet the minimum lengths based on the approved TIA. The detail design will be reviewed in final site plan. VDOT approval is required.		

**SECTION IV - ADDITIONAL COMMENTS**

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<b>SIGNATURE</b> <i>Thomas Blaser</i> <i>Thomas Blaser, Director of Transportation</i>	<b>DATE</b> <i>8/21/12</i>
---	----------------------------

cc: Development Services

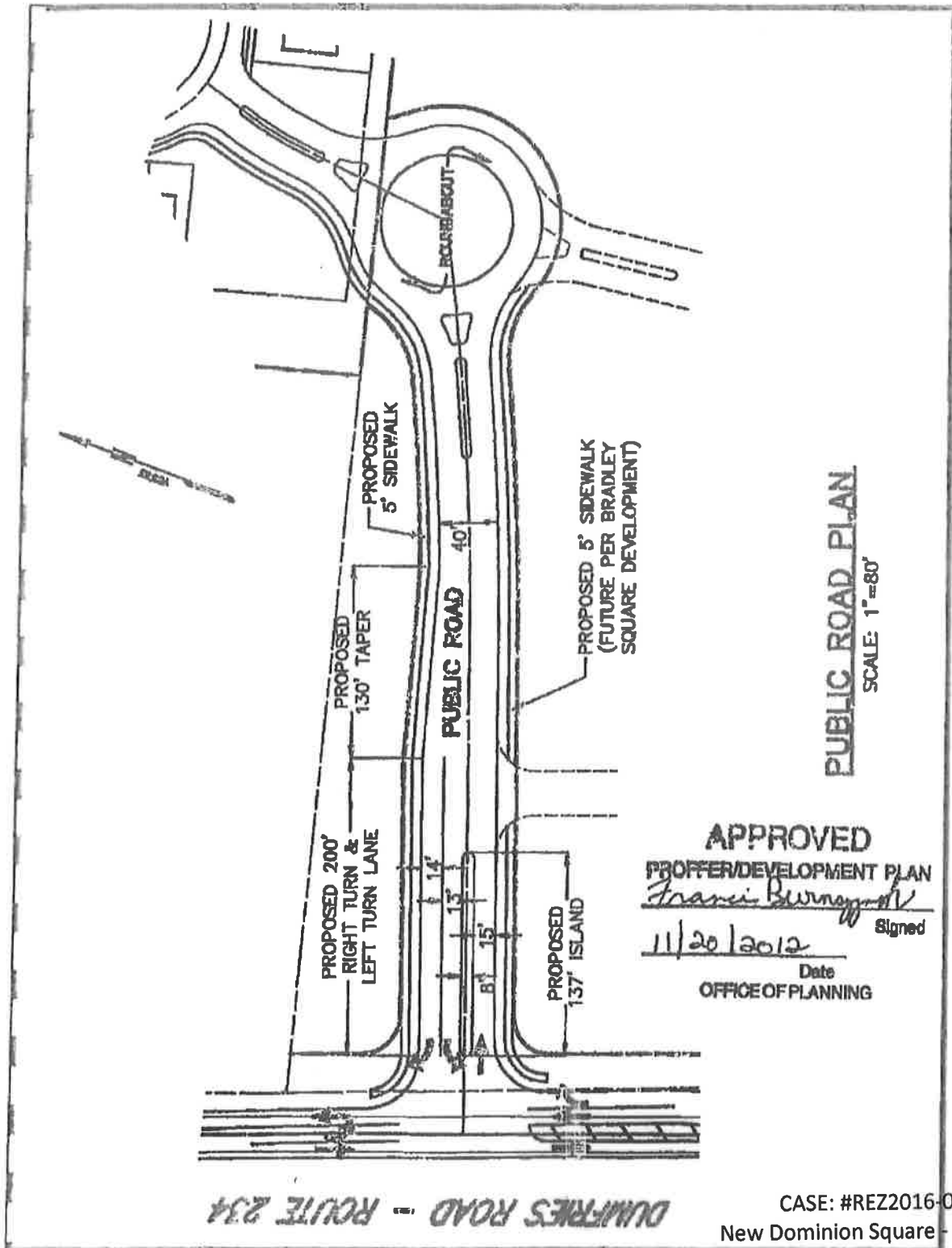
**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
*Francis Burney*  
Signed  
*11/20/2012*  
Date  
**OFFICE OF PLANNING**

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. J...*  
Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016




CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. J...*

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

	<b>PRINCE WILLIAM COUNTY DEPARTMENT OF TRANSPORTATION DCSM WAIVER</b>
	5 County Complex Court, Ste. 290, Woodbridge, Virginia 22192-5308 (703)792-6825 Metro 631-1703, Ext. 6825 Fax (703) 792-7159

**SECTION I - GENERAL INFORMATION**

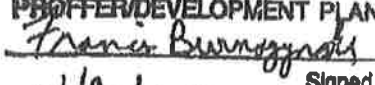
<b>APPLICANT</b> <u>TED BRITT</u>	<b>DATE</b> <u>August 21, 2012</u>
<b>ADDRESS</b> <u>Tri-Tek Engineering</u> <u>690 Center Street, Suite 300</u> <u>HERNDON, VA 20170</u>	<b>WAIVER NUMBER</b> <u>WA12013-00006</u>  <b>SITE/SUBDIVISION PLAN NUMBER</b> <u>REZ#PLN2011-00268</u>
<b>PROJECT NAME:</b> <u>New Dominion Square FMR Master Zoning Plan</u>	

**SECTION II - SPECIFICS OF WAIVER REQUEST**

**SECTION OF DESIGN AND CONSTRUCTION STANDARDS MANUAL REQUESTED TO BE WAIVED:** 602.07N

**REQUIREMENT(S):** All parking spaces on single-family attached, multi-family, commercial, institutional and industrial developments should be designed such that their locations shall not obstruct the line of sight as graphically shown on Detail 650.29.

**APPLICANT'S JUSTIFICATION FOR WAIVER:** This modification is required in order to facilitate an Urban Design Community. The streets within the community will be Privately Maintained Travelways that provide low-speed neighborhood access with short block connections in a safe manner, including head-in parking spaces and parallel parking spaces that are located near the intersection of the privately maintained travelways, therefore the sight distance requirements are requested to be waived as modified in Exhibit B.

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
  
 Signed  
11/20/2012  
 Date  
**OFFICE OF PLANNING**

CASE: #REZ2016-00002,

New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016



**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**SECTION III - RECOMMENDATION OF TRANSPORTATION**

<b>RECOMMENDATION:</b>	<input checked="" type="checkbox"/> <b>APPROVAL</b>	<input type="checkbox"/> <b>DENIAL</b>
<b>PLAN REVIEWER</b> <i>Zhenyang Li</i>	<b>TRANSPORTATION PLANNING MANAGER</b> <i>Ricardo Canizales</i>	
<b>REASON(S) FOR APPROVAL/DENIAL:</b> The modifications of CSL-1 DCSM 650.14 on Exhibit B are generally acceptable. However, sight distances shall be met at the required locations. The speed limit and the set back of the driver may be reduced for private streets.		

**SECTION IV - ADDITIONAL COMMENTS**

----------------------

<b>SIGNATURE</b> <i>Thomas Blaser</i>	<b>DATE</b> <i>8/21/12</i>
<i>Thomas Blaser, Director of Transportation</i>	

cc: Development Services

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
*Francis Burns*  
*11/20/2012*  
**OFFICE OF PLANNING**


CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. Furr*  
Planning Office



**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

	<b>PRINCE WILLIAM COUNTY DEPARTMENT OF TRANSPORTATION DCSM WAIVER</b>
	5 County Complex Court, Ste. 290, Woodbridge, Virginia 22192-5308 (703)792-6825 Metro 631-1703, Ext. 6825 Fax (703) 792-7159

**SECTION I - GENERAL INFORMATION**

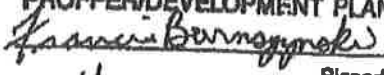
<i>APPLICANT</i> <u>TED BRITT</u>	<i>DATE</i> <u>August 21, 2012</u>
<i>ADDRESS</i> <u>Tri-Tek Engineering</u> <u>690 Center Street, Suite 300</u> <u>HERNDON, VA 20170</u>	<i>WAIVER NUMBER</i> <u>WAI2013-00011</u>  <i>SITE/SUBDIVISION PLAN NUMBER</i> <u>RHZ#PIN2011-00268</u>
<i>PROJECT NAME:</i> <u>New Dominion Square PMR Master Zoning Plan</u>	

**SECTION II - SPECIFICS OF WAIVER REQUEST**

**SECTION OF DESIGN AND CONSTRUCTION STANDARDS MANUAL REQUESTED TO BE WAIVED:** 602.13A

**REQUIREMENT(S):** Utility easements shall be provided on the utility plats along the frontage of all lots in a residential development. The developer will be responsible for granting utility easements and ensuring that all bonded roadway luminaries are installed.

**APPLICANT'S JUSTIFICATION FOR WAIVER:** This modification is requested in order to facilitate an Urban Design with street trees on the front of the lots. The developer will provide a utility easement across the rear of the lots or in the common areas between the lots and provide separate utility easements for the roadway luminaries as needed on the front of the lots.

**APPROVED**  
PROFFER/DEVELOPMENT PLAN  
  
Signed  
11/20/2012  
Date  
OFFICE OF PLANNING

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

  
Planning Office



**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**SECTION III - RECOMMENDATION OF TRANSPORTATION**

<b>RECOMMENDATION:</b>	<input checked="" type="checkbox"/> <b>APPROVAL</b>	<input type="checkbox"/> <b>DENIAL</b>
<b>PLAN REVIEWER</b> <i>Zhenyang Li</i>	<b>TRANSPORTATION PLANNING MANAGER</b> <i>Ricardo Canizales</i>	
<b>REASON(S) FOR APPROVAL/DENIAL:</b> The justification for the location of the utility easement is reasonable.		

**SECTION IV - ADDITIONAL COMMENTS**

----------------------

<b>SIGNATURE</b> <i>Thomas Elaser</i>	<b>DATE</b> <i>3/21/16</i>
<i>Thomas Elaser, Director of Transportation</i>	

cc: Development Services

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
*Francis Burningham*  
Signed  
*11/20/2012*  
Date  
**OFFICE OF PLANNING**

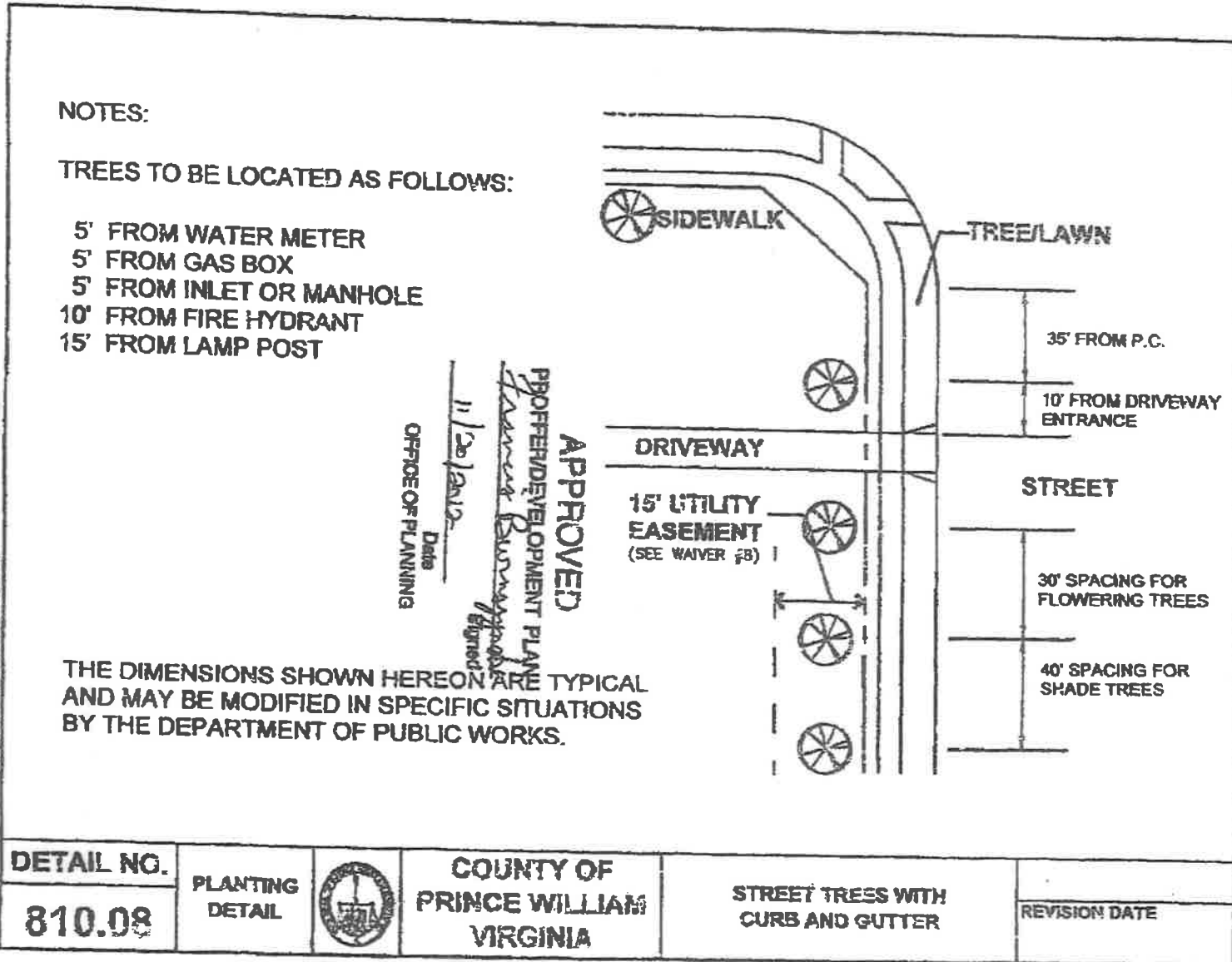
CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. Juty*

Planning Office

**PROFFER STATEMENT**


#REZ2016-00002, New Dominion Square Amendment  
 Applicant: Bradley Square Neighborhoods, LLC  
 Date: March 17, 2016



CASE: #REZ2016-00002,  
 New Dominion Square - 2<sup>nd</sup> Addition  
 Approved by BOCS: April 5, 2016  
 45  
*Mark R. Davis*  
 Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016



**PRINCE WILLIAM COUNTY  
DEPARTMENT OF TRANSPORTATION  
DCSM WAIVER**

5 County Complex Court, Ste. 290, Woodbridge, Virginia 22192-5308  
(703)792-6825 Metro 631-1703, Ext. 6825 Fax (703) 792-7159

**SECTION I - GENERAL INFORMATION**

**APPLICANT** TED BRITT **DATE** August 21, 2012

**ADDRESS** Tri-Tek Engineering **WAIVER NUMBER** WAI2013-00010  
690 Center Street, Suite 300  
HERNDON, VA 20170 **SITE/SUBDIVISION PLAN NUMBER** REZ#PLN2011-00268

**PROJECT NAME:** New Dominion Square PMR Master Zoning Plan

**SECTION II - SPECIFICS OF WAIVER REQUEST**

**SECTION OF DESIGN AND CONSTRUCTION STANDARDS MANUAL REQUESTED TO BE WAIVED:** 602.14B

**REQUIREMENT(S):** Main travelways carrying in excess of six hundred (600) vehicles per day (vpd) shall not have direct access from parking spaces, except travelways serving parking bays in office, commercial and industrial development, and unless otherwise permitted by the Director of Transportation.

**APPLICANT'S JUSTIFICATION FOR WAIVER:** This modification is requested in order to facilitate an Urban Design for the New Dominion Square development. The private street connections from the single-family attached residences to the state maintained streets are designed to provide low-speed neighborhood access with short block connections in a safe manner. Typical section modifications have been made and fulfill the intent of providing public safety and traffic movements without congestion. Private streets will be designed in accordance with Detail 650.06, as modified in Exhibit A, therefore the direct access for the head-in parking spaces and the parallel parking spaces will be provided in a safe manner. (See attached Parking Layout Detail)

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
*Francis Burney*  
 Signed  
11/20/2012  
 Date

**OFFICE OF PLANNING** CASE: #REZ2016-00002,  
 New Dominion Square - 2<sup>nd</sup> Addition  
 Approved by BOCS: April 5, 2016

*Mark R. J...*  
 Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**SECTION III - RECOMMENDATION OF TRANSPORTATION**

RECOMMENDATION:     APPROVAL     DENIAL

PLAN REVIEWER Zhenyang Li    TRANSPORTATION PLANNING MANAGER Ricardo Canizales

REASON(S) FOR APPROVAL/DENIAL: It's generally acceptable to allow parking on TS-1 category III streets within this private community. However, the width of travelway for TS-1 category III shall be minimum 24 feet. The final locations of the street parking will be reviewed in final site plan.

**SECTION IV - ADDITIONAL COMMENTS**

[Empty box for additional comments]

SIGNATURE Thomas Blaser    DATE 8/21/12  
Thomas Blaser, Director of Transportation

cc: Development Services

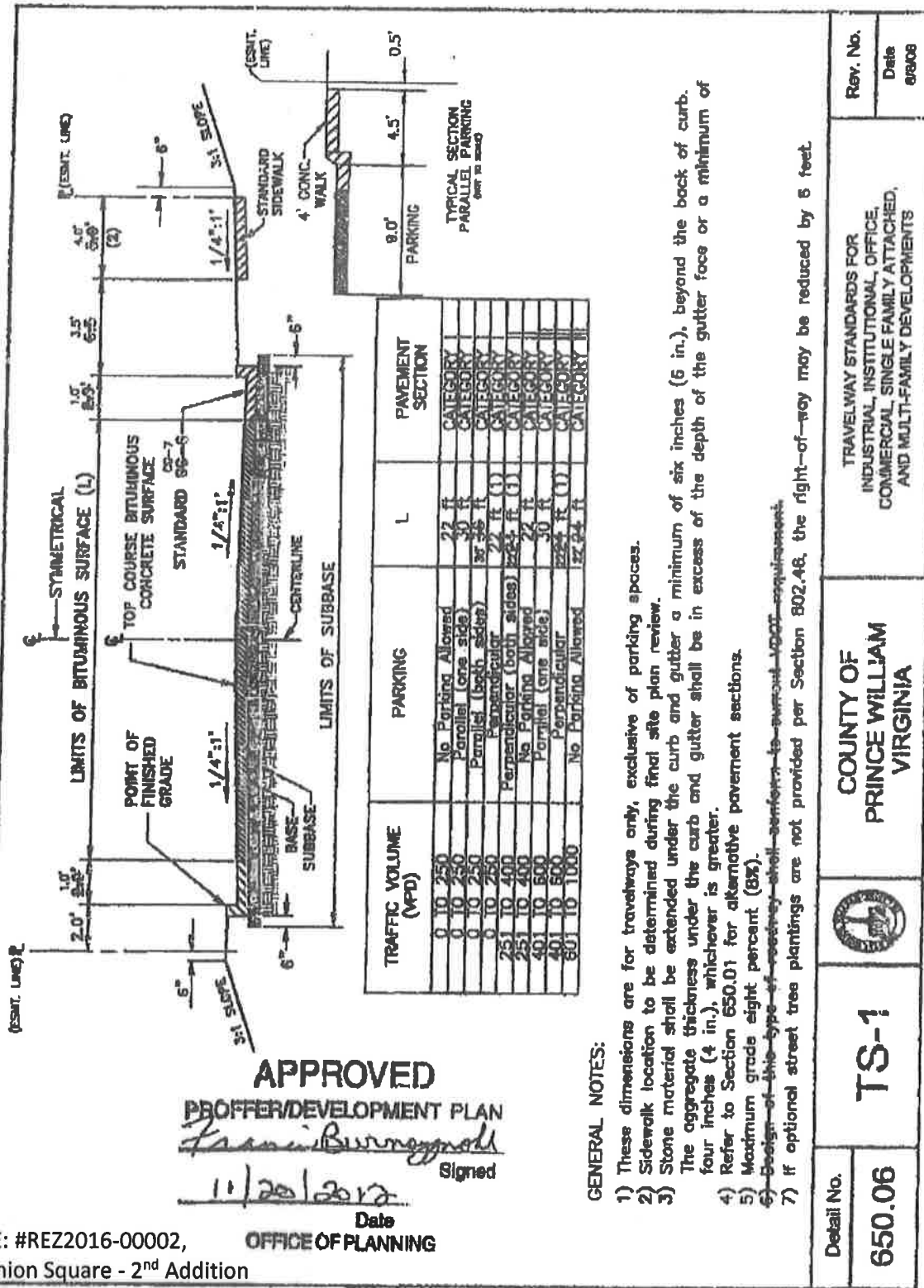
**APPROVED**  
PROFFER/DEVELOPMENT PLAN  
Francis Burroughs  
Signed  
11/20/2012  
Date  
**OFFICE OF PLANNING**

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

Mark R. Juty  
Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
 Applicant: Bradley Square Neighborhoods, LLC  
 Date: March 17, 2016



**APPROVED**  
 PROFFER/DEVELOPMENT PLAN  
*Francis Burney*  
 Signed  
 11/20/2012  
 Date

CASE: #REZ2016-00002, OFFICE OF PLANNING  
 New Dominion Square - 2<sup>nd</sup> Addition  
 Approved by BOCS: April 5, 2016

Exhibit A

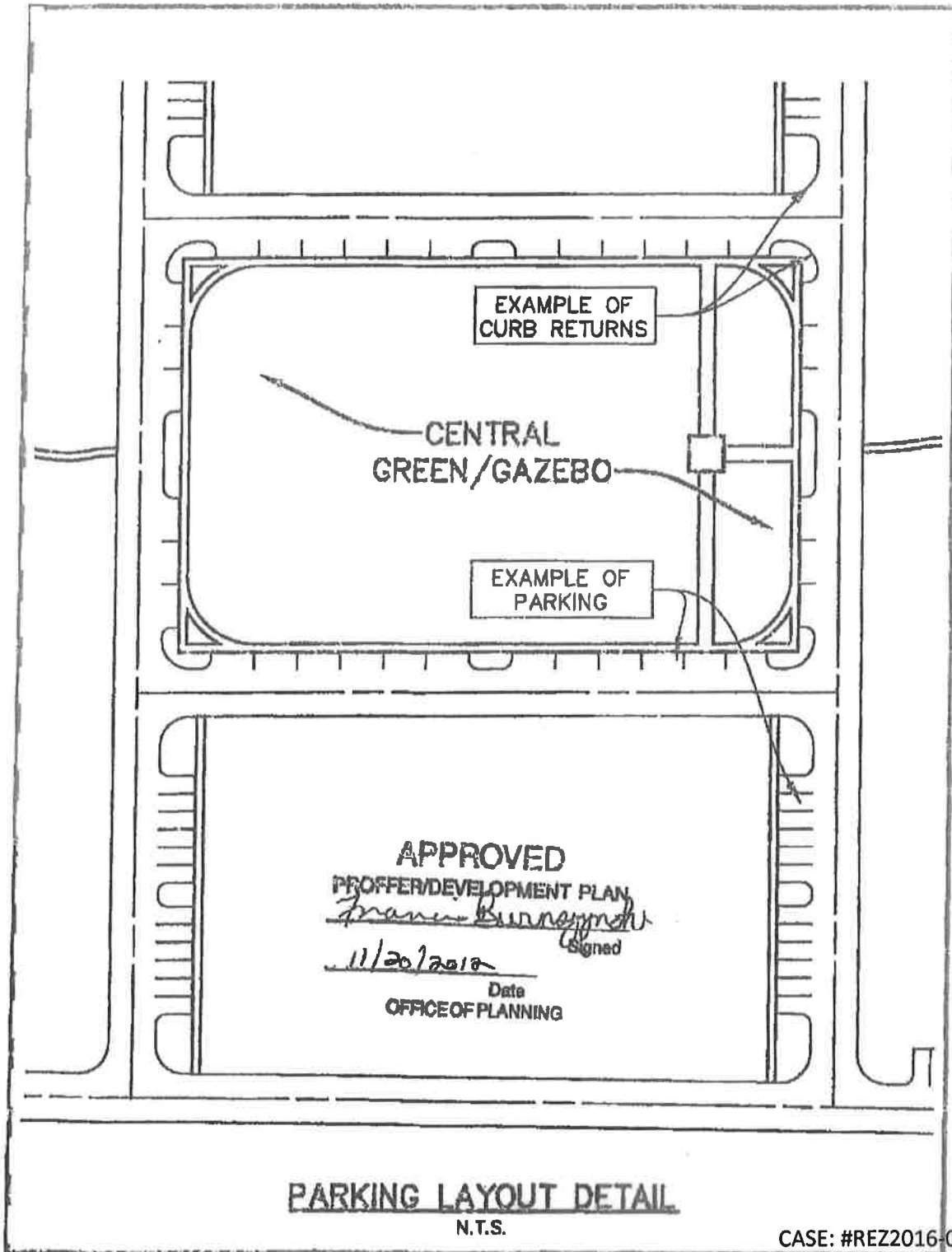
*Mark R. J...*

Planning Office

Detail No. <b>650.06</b>		COUNTY OF PRINCE WILLIAM VIRGINIA	TRAVELWAY STANDARDS FOR INDUSTRIAL, INSTITUTIONAL, OFFICE, COMMERCIAL, SINGLE FAMILY ATTACHED, AND MULTI-FAMILY DEVELOPMENTS	Rev. No.
				Date 09/08

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016



**PARKING LAYOUT DETAIL**

N.T.S.

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. J...*

Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016



**PRINCE WILLIAM COUNTY**  
**Department of Development Services – Land Development Division**  
**DCSM WAIVER – NON-TECHNICAL**

Waiver #: 8

This form is for requesting waivers of the non-technical and administrative requirements of the Design and Construction Standards Manual (DCSM). These requests are submitted to and considered by the Land Development Division.

**I. General Information**

Applicant: Ted Britt Date: May 18, 2012

Address: Tri-Tek Engineering, 690 Center Street, Suite 300, Herndon, VA 20170

Project Name: New Dominion Square PMR Master Zoning Plan Plan #: REZ#PLN2011-00268

Site Location: GPINs 7794-88-7938, 7794-79-8410, 7794-79-8814, 7794-88-1625, 7794-89-0718, 7794-89-2123, 7794-89-3125 and portion of 7794-78-7434

**II. Specifics of Waiver Request**

Section of DCSM to be waived: Section 802.11A

Requirement(s): The buffer area requirements are based on the compatibility between the proposed use and that of the adjoining property. Table 8-1 identifies the minimum buffer area required to be provided by a developing property, based on the compatibility of the proposed use with the existing use of the adjoining property. Table 8-2 Buffer Area width and Plant Requirements.

Justification for waiver: This modification request is for the buffer area requirement to be reduced to 15' along the common property line of the applicant's property and the property to the south The Bradley Square Neighborhoods, LLC Property (GPIN 7794-88-3202), which is also being rezoned to a single family attached development.

**APPROVED**

**PROFFER/DEVELOPMENT PLAN**

*Francis B. ...*  
Signed

11/20/2012  
Date

**OFFICE OF PLANNING**

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. ...*

Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**III. Development Services Action**

Recommendation:  Approval  Denial  
Case Planner: \_\_\_\_\_ Branch Chief: \_\_\_\_\_

Reason(s) for approval/denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IV. Additional Comments or Conditions**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**V. Waiver Request Approval or Denial**

Development Services Action:  Approval of Waiver  
 Denial of Waiver

Signature: David F. Cowan Date: 12/18/12  
*Land Development Division Chief or Designee*

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

Mark R. Juv

**APPROVED**  
**PROFFER/DEVELOPMENT PLAN**  
Francis Burroughs  
Signed  
11/20/2012  
Date  
**OFFICE OF PLANNING**



**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

**PROFFER STATEMENT**

REZ #PLN2011-00268, New Dominion Square  
Record Owners: New Dominion Holdings, LLC and 8815 Old Dominion, LLC  
Date: November 19, 2012

**Exhibit B**

Proposed Old Dominion Drive Improvement Plan(s)

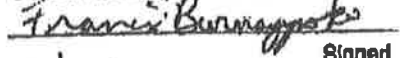
CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016



Planning Office

**APPROVED**

PROFFER/DEVELOPMENT PLAN



Signed

11/20/2012

Date

OFFICE OF PLANNING



**ADMINISTRATIVELY APPROVED  
PMR MODIFICATION**

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016



**COUNTY OF PRINCE WILLIAM**  
5 County Complex Court, Prince William, Virginia 22192-9201  
(703) 792-7615 Metro 631-1703, Ext. 7615 FAX (703) 792-4758  
internet www.pwccgov.org

PLANNING  
OFFICE

Christopher M. Price, AICP  
Director of Planning

June 18, 2015

Shearn Patrick, Jr., AICP  
Compton & Duling, LC  
12701 Marblostone Dr., Suite 350  
Prince William, VA 22192

RE: New Dominion Square, REZ. #PI N2015-00057; Request for Minor Modification;  
Case #ZNR2015-20061

Dear Mr. Patrick,

This is in response to your April 6, 2015 letter requesting approval of modifications to the PMR (Planned Mixed Residential) minimum development standards for New Dominion Square. New Dominion Square was originally approved by the Board of County Supervisors on November 20, 2012 (Rezoning #PI N2011-00268), for single family attached (townhome) units. Attached to the proffers is a PMR Modification Booklet that allows for the reduction of the minimum number of required unit types from two to one and for the reduction of the minimum lot width, rear yard setback, front yard setback for unroofed stoops and landings, and building footprint.

You are requesting a design modification to allow cantilevered overhangs or roof features over the front doors, projecting three feet from the front wall, resulting in a front setback of 17 feet, or a modification of 15 percent from the required 20 foot setback. Sec. 32-306.12.5 of the Zoning Ordinance provides that "the Zoning Administrator may approve modifications in any of the minimum development standards provided in this section, other than relating to required side setbacks. No standard shall be reduced by more than twenty (20) percent of the required minimum and the minimum standards for the housing unit type shall be met or exceeded in the area where the modification is proposed."

You state that the three foot extension of each proposed overhang is intended to cover only the door stoop. At an average width of 4 feet, each overhang would encompass 12 square feet. The Urban Townhouse units (which is the only housing type included in Rezoning #PI N2015-0057 as approved by the Board of County Supervisors) are 16 feet in width and designed such that abutting units are varied by at least two feet. Since the minimum setback for the front wall of a townhouse group will be 20 feet, each alternate front wall in the group will have a setback of at least 22 feet. Each unit with a 22 foot front wall setback would, assuming a four foot wide roof feature, have an unobstructed (i.e., no overhang) front wall width of 12 feet, or 24 square feet of front yard setback in excess of the minimum required. Consequently, the conditions of Sec. 32-306.12.5 would be met, as the minimum setback standards for this housing type would be

CASE: #REZ2016-00002,

New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

An Equal Opportunity Employer

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016

New Dominion Square Modification  
ZNR2015-20061  
June 18, 2015

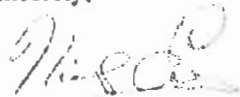
Page 2

exceeded in the area where the modification is proposed. Therefore the modification as requested is approved. To reiterate, we have no record of the Urban Townhouse unit being approved for New Dominion Square. If you have documentation that states otherwise, please submit it to the Current Planning section of the Planning Office.

The Zoning Ordinance provides that determinations by the Zoning Administrator may be appealed to the Board of Zoning Appeals. Appeals must be filed within thirty (30) days of the date of this letter. The Board of Zoning Appeals will schedule and advertise a public hearing to consider an appeal within ninety (90) days of the filing. Appeal application forms are available in the Planning Office and the filing fee is \$600.49. The determination contained within this letter shall be final if an appeal is not filed within thirty (30) days.

Should you have any questions, please feel free to contact this office.

Sincerely,



Nick Evers  
Zoning Administrator

CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016



Planning Office

**PROFFER STATEMENT**

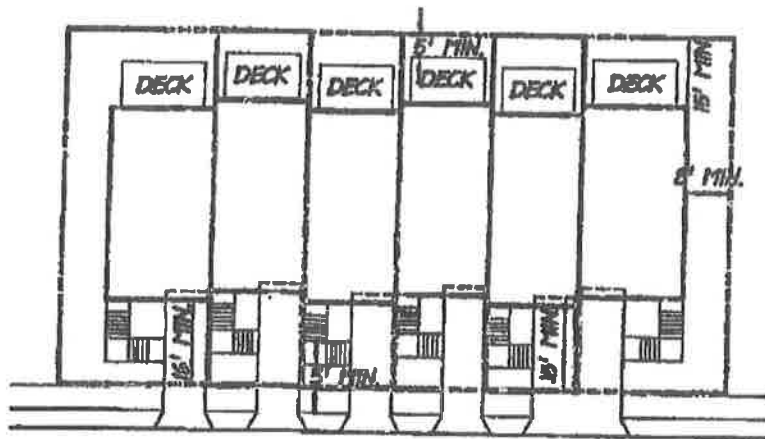
#REZ2016-00002, New Dominion Square Amendment  
 Applicant: Bradley Square Neighborhoods, LLC  
 Date: March 17, 2016

**Exhibit D**

**APPROVED**  
 PROFFER/DEVELOPMENT PLAN  
*[Signature]*  
 Signed

5/6/14 Date  
 OFFICE OF PLANNING

MODIFIED UNIT TYPE  
CITY HOME 'A' - UNIT TYPICAL



CITY HOME - UNIT TYPICAL

THIS DWELLING TYPE CONSISTS OF A SINGLE-FAMILY ATTACHED UNIT, WITH INDIVIDUAL OUTSIDE ACCESS. ROWS OF TOWNHOUSES SHALL CONTAIN NO MORE THAN EIGHT (8) DWELLINGS IN A GROUP. THE FOLLOWING TABLE SPECIFIES THE MINIMUM STANDARDS:

1. MINIMUM LOT WIDTH	20 FT.
2. GROUP SETBACK	15 FT.
3. MAXIMUM BUILDING HEIGHT	35 FT.
4. MINIMUM SETBACKS:	
(a) FRONT (WITH GARAGE)	15 FT. (SEE NOTE)
(b) SIDE (END UNIT)	0 FT.
(c) REAR	15 FT.
5. MINIMUM SETBACK FOR UNROOFED DECKS, STOOPS LANDINGS, AND SIMILAR FEATURES:	
(a) FRONT WITH GARAGE	5 FT.
(b) SIDE (END UNIT)	10 FT.
(c) REAR	5 FT.
6. MINIMUM SETBACK FOR COVERED STOOPS	14 FT.
7. MINIMUM BUILDING FOOTPRINT	720 SQ. FT.
8. OPEN SPACE	30%

NOTE: GARAGES SHALL BE SETBACK A MINIMUM OF 10' FROM THE PROPERTY LINE TO PROVIDE A PARKING SPACE EXCLUSIVE OF THE GARAGE.

EXHIBIT A CASE: #REZ2016-00002, January 14, 2014

New Dominion Square - 2<sup>nd</sup> Addition  
 Approved by BOCS: April 5, 2016

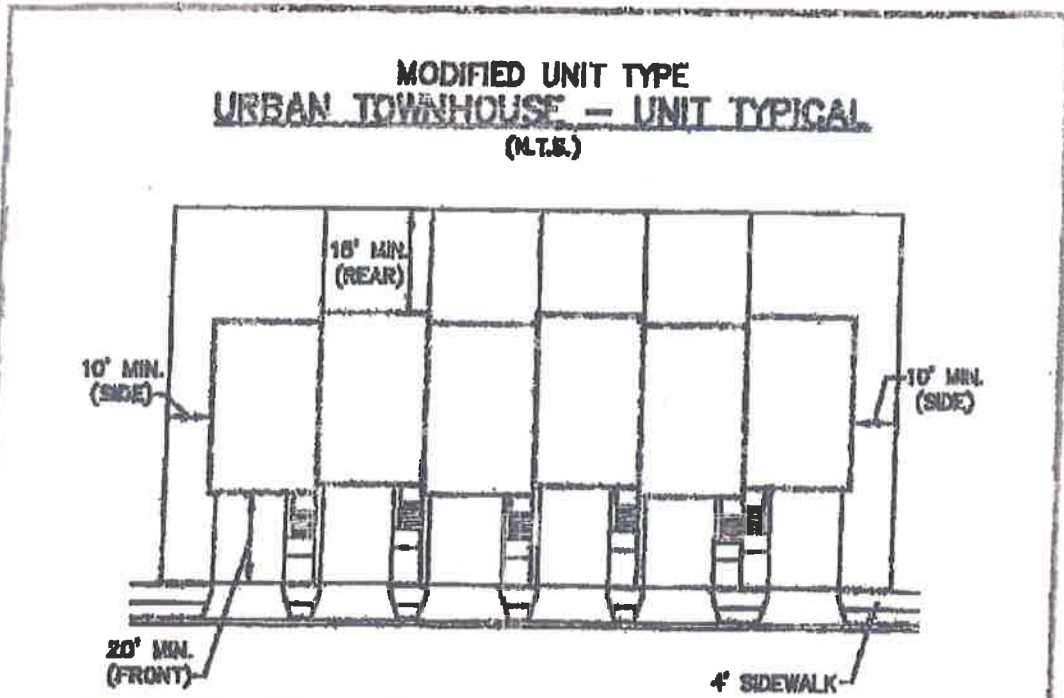
57  
*Mark R. J...*

Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
 Applicant: Bradley Square Neighborhoods, LLC  
 Date: March 17, 2016

**Exhibit B**



**URBAN TOWNHOUSE - UNIT TYPICAL**

THIS DWELLING TYPE CONSISTS OF A SINGLE-FAMILY ATTACHED UNIT, WITH INDIVIDUAL OUTSIDE ACCESS. SIDES OF TOWNHOUSES SHALL CONTAIN NO MORE THAN SIX (6) DWELLINGS IN A GROUP. THE FOLLOWING TABLE SPECIFIES THE MINIMUM STANDARDS:

1.	MINIMUM LOT WIDTH	18 FT.
2.	GROUP SETBACK	20 FT.
3.	MINIMUM BUILDING HEIGHT	30 FT.
4.	MINIMUM SETBACKS:	
	(a) FRONT	20 FT.
	(b) SIDE (END UNIT)	10 FT.
	(c) REAR	15 FT.*
5.	MINIMUM SETBACK FOR UNROOFED DECKS, STAIRS, LANDINGS, AND SIMILAR FEATURES:	
	(a) FRONT WITH GARAGE	8 FT.*
	(b) SIDE (END UNIT)	10 FT.
	(c) REAR	8 FT.
6.	MINIMUM BUILDING FOOTPRINT	600 SQ. FT.
7.	OPEN SPACE FOR DEVELOPMENT USING TOWNHOUSE HOUSING TYPE	5%

**NOTES:**

- A. SETBACKS SHALL BE VARIED AT LEAST TWO FEET FOR ALL TOWNHOUSE UNITS WITHIN A GROUP, EXCEPT THAT TWO ADJUTING UNITS MAY HAVE THE SAME SETBACK, PROVIDED NO MORE THAN FOUR UNITS IN THE GROUP HAVE THE SAME SETBACK.
- B. ARCHITECTURAL TREATMENT SHALL VARY SO THAT NO MORE THAN TWO ADJUTING UNITS ARE SUBSTANTIALLY THE SAME, AND SO THAT NO MORE THAN FOUR UNITS IN ANY GROUP ARE SUBSTANTIALLY THE SAME.

\*Approved deviation from the PMR unit development standards

**APPROVED**  
 OFFICE OF PLANNING  
 Date: 11/20/2016  
 Planner: [Signature]  
 Supervisor: [Signature]

**EXHIBIT A**

CASE: #REZ2016-00002,

New Dominion Square - 2<sup>nd</sup> Addition

Approved by BOCS: April 5, 2016

[Signature]



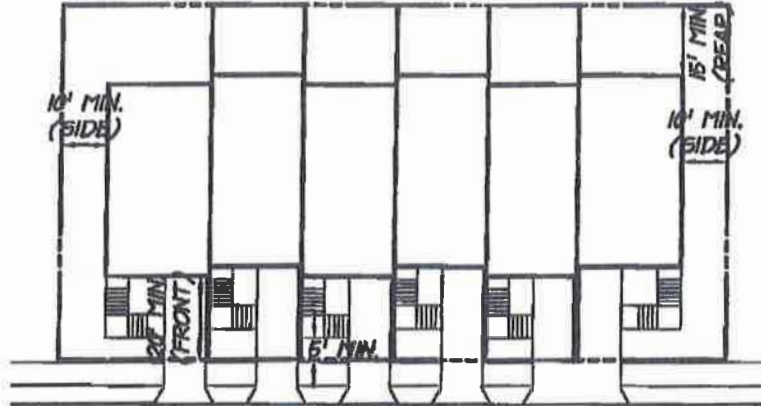
**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
 Applicant: Bradley Square Neighborhoods, LLC  
 Date: March 17, 2016

**Exhibit C**

MODIFIED UNIT TYPE

**URBAN TOWNHOUSE - UNIT TYPICAL**  
 (N.T.S.)



**URBAN TOWNHOUSE - UNIT TYPICAL**

THIS DWELLING TYPE CONSISTS OF A SINGLE-FAMILY ATTACHED UNIT, WITH INDIVIDUAL OUTSIDE ACCESS. ROWS OF TOWNHOUSES SHALL CONTAIN NO MORE THAN SIX (6) DWELLINGS IN A GROUP. THE FOLLOWING TABLE SPECIFIES THE MINIMUM STANDARDS:

1. MINIMUM LOT WIDTH	16 FT. *
2. GROUP SETBACK	20 FT.
3. MAXIMUM BUILDING HEIGHT	35 FT.
4. MINIMUM SETBACKS:	
(a) FRONT	20 FT. (SEE NOTE)
(b) SIDE (END UNIT)	10 FT.
(c) REAR	15 FT. *
5. MINIMUM SETBACK FOR UNROOFED DECKS, STOOPS LANDINGS, AND SIMILAR FEATURES:	
(a) FRONT WITH GARAGE	5 FT. *
(b) SIDE (END UNIT)	10 FT.
(c) REAR	0 FT.
6. MINIMUM SETBACK FOR COVERED PORTION OF STOOPS	17 FT.
7. MINIMUM BUILDING FOOTPRINT	600 SQ. FT.
8. OPEN SPACE	30%

**NOTES:**

- A. SETBACKS SHALL BE VARIED AT LEAST TWO FEET FOR ALL TOWNHOUSE UNITS WITHIN A GROUP, EXCEPT THAT TWO ABUTTING UNITS MAY HAVE THE SAME SETBACK, PROVIDED NO MORE THAN FOUR UNITS IN THE GROUP HAVE THE SAME SETBACK.
- B. ARCHITECTURAL TREATMENT SHALL VARY SO THAT NO MORE THAN TWO ABUTTING UNITS ARE SUBSTANTIALLY THE SAME, AND SO THAT NO MORE THAN FOUR UNITS IN ANY GROUP ARE SUBSTANTIALLY THE SAME.

\* MODIFICATION APPROVED PER REZONING #PLN2015-00057

CASE: #REZ2016-00002,

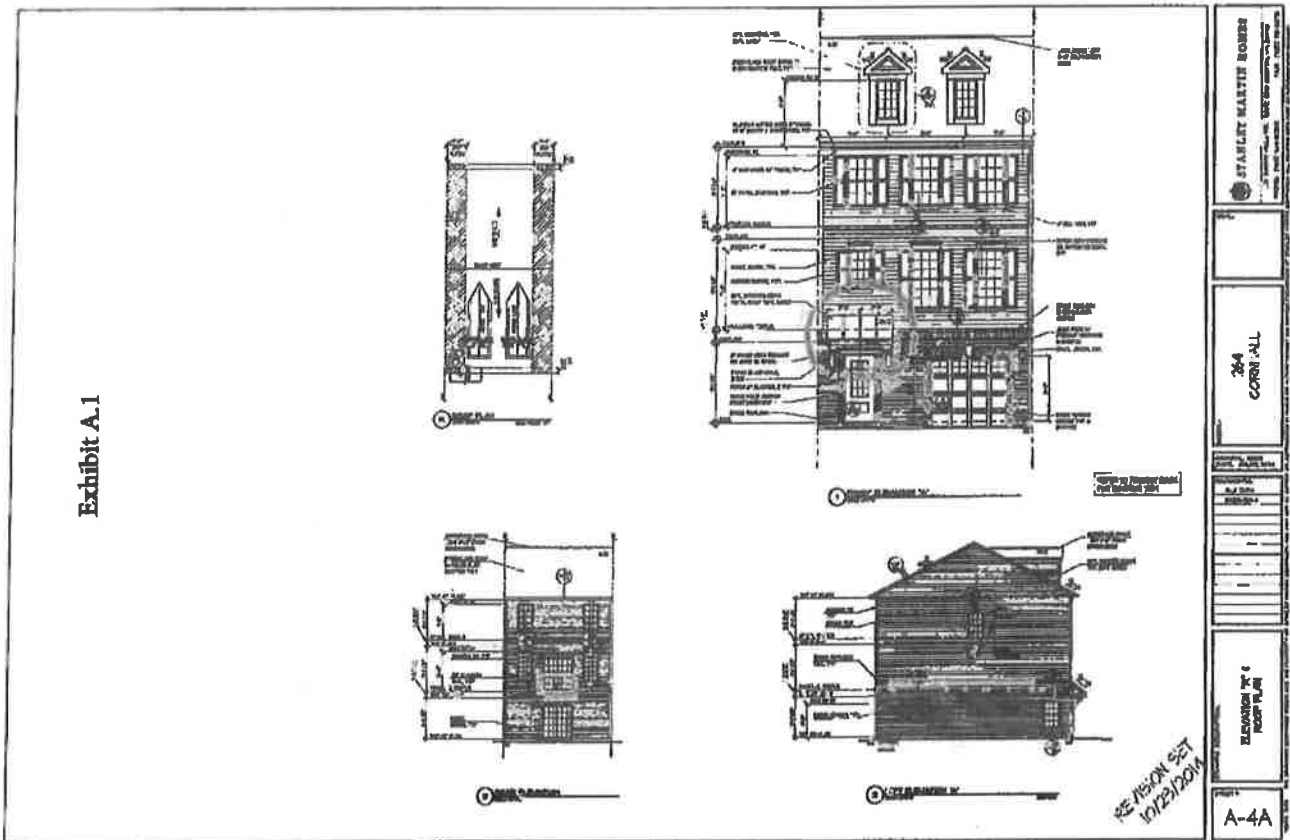
New Dominion Square - 2<sup>nd</sup> Addition  
 Approved by BOCS: April 5, 2016

*Mark R. J...*



**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016



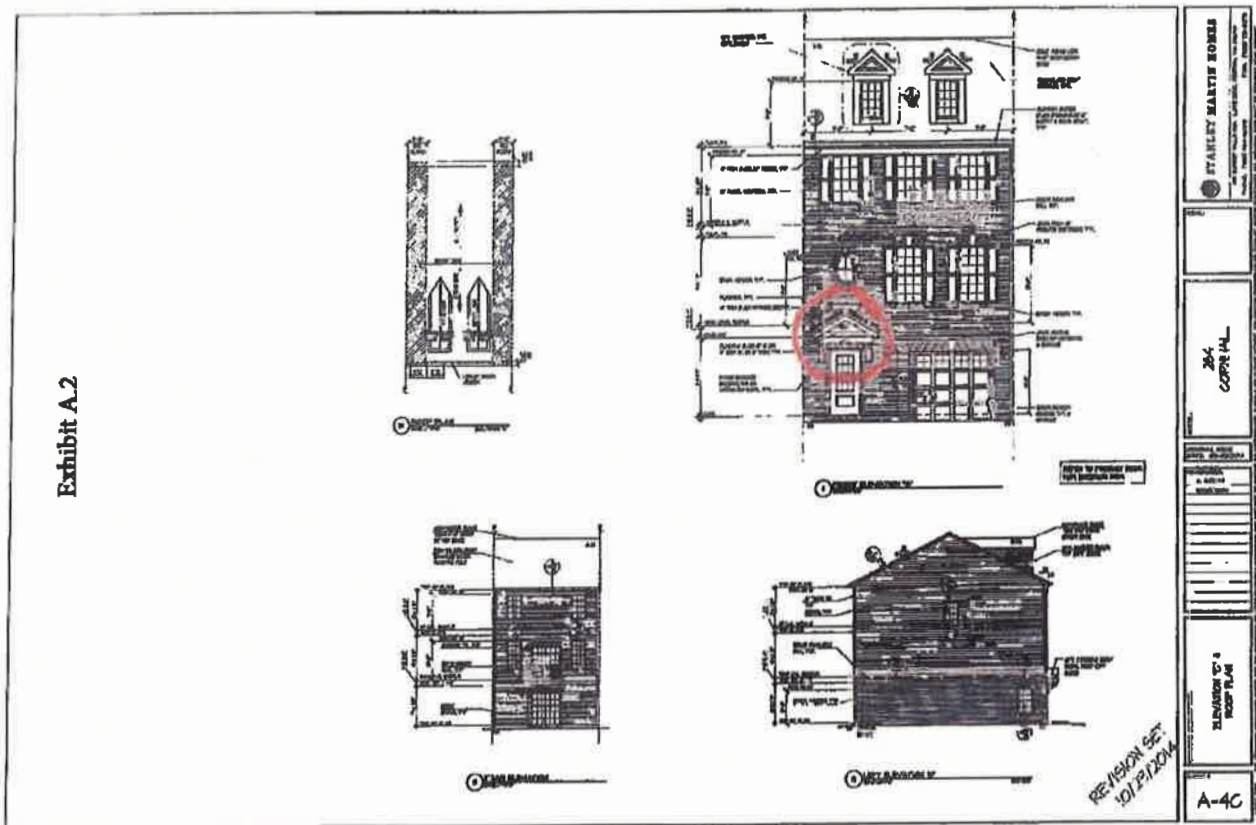
CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. J...*

Planning Office

**PROFFER STATEMENT**

#REZ2016-00002, New Dominion Square Amendment  
Applicant: Bradley Square Neighborhoods, LLC  
Date: March 17, 2016



CASE: #REZ2016-00002,  
New Dominion Square - 2<sup>nd</sup> Addition  
Approved by BOCS: April 5, 2016

*Mark R. Fair*

Planning Office

**MOTION: FRANKLIN**

**February 16, 2021  
Regular Meeting  
Ord. No. 21-16**

**SECOND: LAWSON**

**RE: ZONING TEXT AMENDMENT #DPA2016-00007, AGRITOURISM AND ARTS  
OVERLAY DISTRICT – COUNTYWIDE**

**ACTION: APPROVED**

**WHEREAS**, on May 20, 2014, the Prince William Board of County Supervisors (Board) in Resolution Number (Res. No.) 14-353 initiated an amendment to the Zoning Ordinance to address the requirements of 494 of the 2014 Acts of Assembly; and

**WHEREAS**, the proposed Zoning Text Amendment creates a new overlay district, Agritourism and Arts Overlay District; and

**WHEREAS**, the Agritourism and Arts Overlay District includes A-1, Agricultural, lots in the rural area greater than 2 acres and A-1 lots in the development area greater than 20 acres; and

**WHEREAS**, the Agritourism and Arts Overlay District provides more flexibility in by-right uses, provides reasonable standards to protect the health, safety, and general welfare of the public, and promotes agritourism and stimulating the local economy. It allows for agritourism and arts uses to occur in a more flexible policy environment through the overlay district.; and

**WHEREAS**, on June 24, July 30, and September 24, 2019, the Planning Office held public meetings to discuss the Agritourism and Arts Overlay District as well as other recommendations from the Rural Area Study; and

**WHEREAS**, on July 15, 2020, the Planning Commission held a work session for the Agritourism and Arts Overlay District at which the zoning text amendment was available for review and input; and

**WHEREAS**, on December 15, 2020, the Board re-authorized the initiation of #DPA2016-00007, Agritourism and Arts Overlay District; and

**WHEREAS**, the Prince William County Planning Commission held a public hearing on the Zoning Text Amendment on January 13, 2021, recommending approval as stated in Res. No. 21-004; and

**WHEREAS**, the Board duly ordered, advertised, and held a public hearing on February 16, 2021, at which time the merits of the above-referenced zoning text amendment were considered; and

**February 16, 2021**  
**Regular Meeting**  
**Ord. No. 21-16**  
**Page Two**

**WHEREAS**, the Board has considered, and taken into account, the economic impact of the ordinance on agricultural operations and the agricultural nature of the activities addressed by the ordinance; and

**WHEREAS**, amending the Zoning Ordinance for the above-referenced issue is required by public necessity, convenience, general welfare, and good zoning practice, and is consistent with Section 15.2-2283 of the Code of Virginia, Ann;

**NOW, THEREFORE, BE IT ORDAINED** that the Prince William Board of County Supervisors hereby adopts Zoning Text Amendment #DPA2016-00007, Agritourism and Arts Overlay District.

ATTACHMENT: Text Amendment

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

Clerk to the Board

## Prince William County Agritourism and Arts Overlay District

### ARTICLE V. – OVERLAY DISTRICTS

#### PART 510. - AGRITOURISM AND ARTS OVERLAY DISTRICT

##### Sec. 32-510.01. - Purpose and intent.

The purpose of the Agritourism And Arts Overlay District (AAOD) is to facilitate investment involving improvements to land and structures within the AAOD while encouraging agricultural and small business, artistic (including music and performing arts) uses. The AAOD overlay properties are already zoned A-1, Agricultural. The objective is to offer more flexibility in small business uses allowed and the development standards related to those uses in the AAOD as incentives for investment in agritourism and arts-related businesses. An intended result of the AAOD is to help establish an area with agritourism and art-related businesses integrated together in a manner that maintains the rural character of the Rural Area. The AAOD uses an innovative approach allowing artists and owners and operators of support businesses to occupy joint living and commercial space within the same structure that would otherwise not be allowed.

##### Sec. 32-510.02. - General requirements for Agritourism and Arts Uses.

The following requirements shall apply to agritourism and arts-related uses in the AAOD.

1. The AAOD applies only to A-1, Agricultural, zoned properties containing minimum lot area of two acres in the Rural Area, as well as, A-1 zoned properties of a minimum of 20 acres in the Development Area, as shown on the agritourism and arts overlay district map and on the official zoning map.
2. Hours of operation shall be limited to 7:00 a.m. - 10:00 p.m. daily, except as allowed through a temporary activity permit, subject to the restrictions set forth in Part 210, Temporary Uses. Special event venues hours of operation shall be limited to 7:00 a.m. - 11:00 p.m. on Fridays, Saturdays, and federal holidays.
3. Adequate parking (grass, gravel, impervious surface, or paved) for all employees and customers shall be provided on-site.
4. Outdoor amplified music shall be limited to 65 decibels. Decibels shall be measured at the property boundary of the sound source.
5. If provided, lighting shall be in accordance with County Code Sec. 32-250.202, with the following exceptions:
  - (a) Freestanding lighting shall be limited to 16 feet in height.
  - (b) Lighting outside of the hours of operation shall only be the minimum necessary for safety or security purposes. All other lighting outside of the hours of operations shall be prohibited.

## Prince William County Agritourism and Arts Overlay District

6. The following limitations apply to signage:
  - (a) One sign, no more than 32 square feet, and no more than six feet in height or one façade sign, no more than 20 square feet, mounted on the front face of a building or placed within a front window, per site is permitted.
  - (b) Signage shall have no internal illumination.
7. Agritourism and arts uses shall have frontage on a public street. An applicant may apply for a special use permit for an agritourism and/or arts-related use with frontage on a private street, subject to Board of County Supervisors approval.
8. Unless specifically stated otherwise in this part, any general zoning requirements, including in the A-1, shall apply in the AAOD.

### **Sec. 32-510.03. - General requirements for agritourism uses.**

1. The following requirements shall apply to agritourism uses in the AAOD. Agritourism uses shall be accessory to a bona fide agricultural use and may include the following:
  - (a) Retail area for sale of agritourism-related products;
  - (b) Area for instructional teaching which is related to the agricultural use on-site;
  - (c) Outdoor display of goods for sale during the hours of operation of the agritourism use;
  - (d) Allow sales of goods (not produced on-site when goods produced on site are also sold) related to agriculture; and
  - (e) Special event venue, provided the performance standards in Section 32-510.03.3(a) are met.
2. Agricultural and agritourism uses within the AAOD may utilize sea containers for storage provided they meet the following performance standards:
  - (a) Are screened, per Design and Construction Standards Manual (DCSM) section 802.49, from adjacent properties and right-of-way.
  - (b) Provide a minimum of 75-foot setback from any lot line.
  - (c) Sea containers shall not be stacked vertically.
3. Agritourism uses shall meet the following performance standards:
  - (a) Special event venue accessory to a bona fide agricultural use shall be subject to the above regulations and those provided below:
    - i. A Special event venue is permitted on a property with a minimum of 20 acres. A Special event venue is permitted on a property with a minimum of 10 acres, subject to the restrictions set forth in Part 210, Temporary Uses.
    - ii. No more than 150 guests are permitted on-site at any one time, unless a temporary activity permit is obtained subject to the restrictions set forth in Part 210, Temporary Uses.

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- (b) An applicant may apply for a special use permit for an agritourism use(s) in the AAOD that is unable to meet these performance standards, subject to approval by the Board of County Supervisors.

4. Accessory activities.

An agritourism activity may include one or more of the following accessory uses.

- a) Value-added agricultural products or activities, including, but not limited to educational tours or processing facilities.
- b) Bakeries selling on premise baked goods.
- c) Playgrounds or equipment, such as slides, swings, climbing and bouncing apparatus (not including motorized vehicles or rides).
- d) Petting farms, animal display, and horse and domestic equine rides.
- e) Wagon, sleigh, and hayrides.
- f) Nature trails.
- g) Open air or covered picnic area with restrooms.
- h) Educational classes, lectures, and seminars.
- i) Historical agricultural exhibits.
- j) Kitchen facilities, for processing/cooking items for sale.
- k) Retail sale of agricultural products and agricultural-related products.
- l) Retail sale of non-agricultural-related products such as antiques or crafts, where sales of the non-agricultural-related products do not exceed 25 percent of gross sales of the agritourism activity.
- m) Farm stay (overnight stay at farm for rural living experience).
- n) Arts-related uses identified in Section 32-510.04.3. (Subject to - General requirements for arts related uses stated in Sec. 32-510.04.)

**Sec. 32-510.04. - General requirements for arts-related uses.**

The following requirements shall apply to arts-related uses in the AAOD.

1. The arts-related use shall be accessory to the residential use and may include the following:
  - (a) Retail area for sale of artwork created on-site;
  - (b) Area for instructional teaching;
  - (c) Outdoor display of goods for sale during the hours of operation of the arts-related use;
  - (d) Employees who work in the art-related business.
  - (e) Lighting shall be shielded and downward facing. Any ground lighting shall be limited to walkways and will be the minimum light necessary for safety; and

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- (f) Allow limited sales of retail goods (not created on-site) related to the artistic use on the property.
2. All arts-related uses shall have a principal residential use.
3. The following limited list of nonresidential arts-related live/work uses are permitted within the AAOD:
  - (a) Art studio (including music and performing arts).
  - (b) Art gallery.
  - (c) Art classes.
  - (d) Culinary classes.
  - (e) Photographic studio.
  - (f) In-home catering, including an area of not more than 500 square feet to serve food.
  - (g) Tea and coffee room (outdoor seating allowed).
  - (h) Writing studio, including an area to sell books and serve coffee, food, or similar.
  - (i) Picture framing studio.
  - (j) Pottery/ceramics studio.
  - (k) Jewelry-making/assembling studio.
  - (l) Seamstress/tailor/sewing/quilting studio.
  - (m) Barber/beauty salon.
  - (n) Flower shop.
  - (o) Antique store.
  - (p) Bakery and Bakery Café (outdoor seating allowed).
  - (q) Ice cream parlor where some of the products are made on-site (outdoor seating allowed).
4. At least one person who is employed by an arts-related activity on the property shall be a resident of that property.
5. In buildings with both a residential and nonresidential component, no more than 50 percent of the total floor area shall be designated or used for nonresidential purposes. Shared residential and nonresidential spaces shall be considered residential. If nonresidential use is operated from one or multiple accessory buildings, the aggregate gross floor area of all accessory buildings shall not exceed 50 percent of the gross floor area of the principal residential building. Accessory buildings shall otherwise comply with the underlying zoning regulations.
6. The residential component shall contain sleeping space, cooking facilities, and complete sanitary facilities.
7. Arts-related uses shall meet the following performance standards:



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- (a) No more than 20 guests are permitted on-site at any one time, unless a temporary activity permit is obtained subject to the restrictions set forth in Part 210, Temporary Uses.
- (b) Are screened, per Design and Construction Standards Manual (DCSM) section 802.49, from adjacent properties and right-of-way.
- (c) Provide a minimum 50-foot setback from any lot line.
- (d) Arts-related uses that cannot meet these performance standards may apply for a special use permit subject to approval by the Board of County Supervisors.

### Sec. 32-510.05. - Approval criteria.

All new development and additions, expansions, or modifications of existing structures within the AAOD shall meet the following criteria:

1. Landowners desiring to improve their property have the option to proceed using the underlying A-1 zoning district regulations and/or requirements of the AAOD.
2. The placement or erection of outdoor sculpture and murals within the AAOD which is intended to be viewed from a public right-of-way or other public property shall not be subject to setback standards of the A-1 zoning district and shall not require permit approval; provided, that:
  - (a) The art is not for sale as the product of an art studio within the AAOD; and
  - (b) The placement does not impede the flow of pedestrian, bicycle, or vehicular traffic, and does not block traffic visibility at intersections, alleys, or driveway entrances.
  - (c) Outdoor sculpture and murals shall be limited to one per frontage of property with a maximum height of 10 feet, and overall cubic footage of 320 feet.
3. Agritourism and arts-related live/work uses in an existing or new structure shall obtain zoning approval. Zoning approval shall require a site plan. Any addition, expansion, remodeling, parking, and similar changes to any agritourism or arts-related use in the AAOD requires zoning approval prior to issuance of any other County permits. A live/work use or other nonresidential use proposed within a new structure shall be approved as part of a residential lot grading plan review. In addition to a site layout, floor plans shall also be provided that show the residential and nonresidential areas within the structure.

## ARTICLE I. - TERMS DEFINED

### PART 100. - DEFINITIONS

*Agricultural products* shall mean any livestock, aquaculture, poultry, horticultural, floricultural, viticulture, silvicultural, or other farm crops.

*Agricultural-related products* shall mean items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and

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beverages, jams, honey, gift items, food stuffs, clothing, and other items promoting the farm and agriculture in Virginia, and value-added agricultural products and production on-site.

*Agriculturally related uses* shall mean those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, barn dances, sleigh/hay rides, and educational events, such as farming and food preserving classes. This is not an exhaustive list of possible uses.

*Agricultural tourism* shall mean the practice of visiting an agritourism, horticultural, or agricultural activity, including, but not limited to, a farm, orchard, winery, greenhouse, or a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as an owner, contractor or employee of the activity.

*Agritourism activity* shall mean any agricultural activity that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, breweries, distilleries, ranching, historical, cultural, harvest-your-own activities, natural activities and attractions, or other purposes of agricultural tourism, whether or not the agritourism participant paid to participate in the activity.

*Agritourism participant* shall mean any person, other than an agritourism professional, who engages in an agritourism activity.

*Agritourism professional* shall mean any person who is engaged in the business of providing one or more agritourism activities, whether or not for compensation.

*Aquaculture* shall mean land or activities devoted to the hatching, raising, harvesting and breeding of fish, shellfish, and aquatic plants for sale.

*Farm or ranch* shall mean one or more areas of land used for the production, cultivation, growing, harvesting, or processing of agricultural products.

*Farm stay* shall mean visiting a farm at least overnight as a paying guest, providing some experience of rural life.

*Non-agriculturally related products* shall mean those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.

*Non-agriculturally related uses* shall mean activities that are part of an agritourism operation's total offerings but not tied to farming or the farm's buildings, equipment, fields, etc. Such non-agriculturally related uses include amusement rides and concerts and may be subject to obtaining a temporary activity permit.

*Seasonal* shall mean a recurrent period characterized by certain occurrences, festivities, or crops; harvest, when crops are ready; not all year round.

*Special event venue* shall mean an indoor or outdoor venue at an agricultural operation as defined in Virginia Code § 3.2-300 located within the Agritourism and Art Overlay District; where people gather for an event including, but not limited to, business meetings and conferences, banquets, dinners, weddings, receptions, music, art, or other entertainment, recreational, educational, and cultural activities. Such event may be for personal or business purposes, regardless of whether the people attending the event paid to participate in it. Such venue may include an on-site commercial kitchen(s) or provide for catered meals.

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*Value-added agricultural product* shall mean the enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher value. The enhancement or improvement includes, but is not limited to, marketing, agricultural processing, transforming, packaging, educational presentation, activities, and tours.

**MOTION: BAILEY**  
**SECOND: BODDYE**  
**RE: ADJOURN MEETING**  
**ACTION: APPROVED**

**February 16, 2021**  
**Regular Meeting**  
**Res. No. 21-124**

**WHEREAS**, the Prince William Board of County Supervisors has completed all items on the agenda for February 16, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby adjourns the meeting of February 16, 2021 at 10:47 P.M.

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** Candland

ATTEST: \_\_\_\_\_

*Andrea P. Madden*

Clerk to the Board