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August 18, 2017

Via Hand Delivery

Meika Daus, Planner
PWC Planning Office
5 County Complex Court
Prince William, VA 22192

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PLANNING OFFICE
PRINCE WILLIAM COUNTY

Re: REZ2016-00022, Ray's Regarde
2nd Resubmission and Comment Response Letter

Dear Meika:

As a follow up to agency comments received to date and our meeting on July 13, 2016, attached please find the following revised application materials:

1. One (1) clean and one (1) blackline copy of the Proffer Statement dated August 14, 2017.
2. Three (3) copies of the VDOT comment form, dated July 11, 2016, with Applicant responses.
3. Four (4) copies of the Horner Road Roundabout Study prepared by Gorove Slade, dated July 27, 2017.
4. Four (4) copies of the updated Traffic Impact Analysis (with CDs), prepared by Gorove Slade, dated July 27, 2017.
5. Ten (10) full size copies and one (1) reduction of the Environmental Constraints Analysis, prepared by TNT Environmental, with a revision date of July 25, 2017.
6. Fifteen (15) copies of the Design Guidelines entitled "Rays Regarde," prepared by Land Design Consultants, dated July 27, 2017.
7. Fifteen (15) full size copies and one (1) reduction of the Master Zoning Plan, entitled "Ray's Regarde," revised July 27, 2017.

This Application has been revised substantially. The unit count has been reduced from 525 units to 325 units, with a proposed density of 10.04 dwelling units per acre in the designated residential land bay. In addition, the layout has been revised accordingly. In response to specific agency comments received to date, we offer the following responses:

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Case Planner Comments, July 7, 2016	
Agency Comment	Applicant's Response
<p>1. <u>Zoning and Long-Range Land Use Compatibility</u> –The property is largely zoned A-1, Agricultural, and a small portion of the site is zoned R-4, Suburban Residential, and R-16, Urban Residential. The subject site is designated primarily SRH in the Comprehensive Plan. The existing A-1 zoning does not implement the SRH designation. The Applicant proposes to rezone the property to PMR High Density Residential. The proposed PMR zoning is considered an implementation tool for the SRH long-range land use designation.</p>	<p>Acknowledged.</p>
<p>2. <u>Maximum Density</u> – The master zoning plan indicates that Land Bays A and B are planned High Density Residential (HDR), and that the maximum density in Land Bay A is 20 du/acre, and the maximum density in Land Bay B is 30 du/acre. Section 32-280.31 of the Zoning Ordinance states that the density range for HDR is 8 to 16 dwelling units per acre. The maximum density shown on the master zoning plan is inconsistent with the HDR designation. Staff requests that the plan notes be updated to show a maximum density of 16 dwelling units per acre.</p>	<p>With the revised design of the site, the MZP Land Use Plan (Land Bay Information Tab) has been revised to reflect a density of 10.04 DU/AC, which is consistent with the HDR designation.</p>
<p>3. <u>Design Guidelines Architectural Elevations, and Details</u>–Because of the coordinated nature of planned zoning districts, design guidelines are requested to better explain the proposal in regard to architecture, lighting, signage, recreational facilities, the design of landscaped open spaces and buffers, and pedestrian facilities. Samples and details, including sample architectural elevations, should be submitted.</p>	<p>Please see the Design Guidelines provided with this resubmission.</p>

<p>4. <u>Landscape Plan and Street Hierarchy</u>—The Comprehensive Plan recommends that development proposals reinforce the hierarchy of streets, through the use of trees, shrubs, ground covers, lighting, and signage that are scaled appropriately to the street's width and function. A proposed street grid has not been provided. Furthermore, a landscape plan should be provided that establishes a hierarchy of community streets through the planting of a streetscape.</p>	<p>The street hierarchy is show on Page 11 of the Design Guidelines.</p>
<p>5. <u>Open Space</u> – DES-POLICY 2 encourages site, building, and landscape designs that result in the creation of safe and accessible pedestrian circulation and community open space. The PMR standard for townhouses require a minimum of 30 percent open space. The Applicant requests a modification of this standard to eliminate an open space requirement. Staff requests that the Applicant demonstrate that a sufficient acreage of open space will be provided along with appropriate amenities for future residents. Staff notes that Land Bay D is unusable open space, since it not contiguous with the remainder of the development, and is inaccessible. Also portions of Land Bay C are unusable, because they are encumbered by wetland areas and streams. Staff suggests that the Applicant consider the use of Land Bay C as passive recreation, such as natural surface trails (outside of the RPA).</p>	<p>As shown on the revised MZP, the Applicant is providing 60% (33.2 acres) of open space, of which, 31% (17.2 acres) will be undisturbed Open Space. In addition, the Applicant has incorporated a trail into Land Bay A, as shown on Sheet 3 of the MZP and Pages 7 and 10 of the Design Guidelines.</p>
<p>6. <u>Pedestrian Circulation</u> — A comprehensive pedestrian network should be identified on the plans.</p>	<p>Pedestrian circulation is provided throughout the site and is identified on Page 7 of the Design Guidelines.</p>
<p>7. <u>Cultural Resources</u>: The Prince William County Historical Commission reviewed the application on June 14, 2016. The resolution for this meeting date is not final,</p>	<p>Acknowledged.</p>

<p>and will be made final on July 12, 2016. The draft resolution indicates that no further work is recommended.</p>	
<p>8. <u>Fire and Rescue</u>: The proposed Fire and Rescue proffers per townhouse and multifamily unit is consistent with 2014 Policy Guides for Monetary Contributions.</p>	<p>Acknowledged.</p>
<p>9. <u>Libraries</u>: The proposed proffers for Libraries per townhouse and multifamily unit is in accordance with 2014 Policy Guides for Monetary Contributions.</p>	<p>Acknowledged.</p>
<p>10. <u>Parks and Open Space</u>: The proposed parks proffers per townhouse and multifamily unit is consistent with 2014 Policy Guides for Monetary Contributions.</p>	<p>Acknowledged.</p>
<p>11. <u>Schools</u>: The proposed Schools proffers per townhouse and multifamily unit is in accordance with 2014 Policy Guides for Monetary Contributions.</p>	<p>Acknowledged.</p>
<p>12. <u>Transportation</u>:</p> <p>a. <u>2014 Policy Guides for Monetary Contributions</u> - The proposed Transportation proffers per townhouse and multifamily unit is in accordance with 2014 Policy Guides for Monetary Contributions.</p> <p>b. <u>Inadequate LOS</u> - The Applicant needs to insure that traffic mitigation measures which address inadequate LOS are provided through proffers. The Applicant has agreed to provide a roundabout at the Horner Road/Summerland Drive intersection. This is a desirable feature which should be maintained. However, the Applicant has not addressed the failing LOS at the Prince William Parkway/Summerland Drive intersection. This includes constructing Horner Road and the</p>	<p>a. Acknowledged.</p> <p>b. Comment noted. In addition to the roundabout, the Applicant has proffered dual left turn lanes from Prince William Parkway onto Summerland Drive.</p>

<p>proposed internal streets to VDOT and/or Prince William County standards and addressing the failing LOS (F) eastbound left turn movement from Prince William Parkway onto Summerland Drive which is exacerbated by traffic from the proposed development. It is recommended that the Applicant provide a second (dual) left turn lane or adequately lengthen the existing left turn lane, subject to VDOT approval, here to shorten the excessive vehicle queueing and reduce delay.</p> <p>c. <u>Noise Abatement</u> - Since the site is adjacent to both Interstate 95 (I-95) and the Prince William Parkway (Route 294) a noise impact assessment study will be required. Staff requests that this study be provided now in concert with this rezoning application in accordance with the requirements of Section 604.03 of the Prince William County Design and Construction Standards Manual (DCSM). This will allow the Applicant to address any impacts associated with the results of the study and determine the effectiveness of the proposed 6 foot berm.</p> <p>Staff notes that the application also includes a modification to the required buffer widths along I-95 from 75 feet to 50 feet in width. Staff is currently unable to support this modification in absence of additional information, such as completed noise impact assessment study, that indicates that the reduced buffer width, which essentially reduces allowable building setback, will not adversely affect future residents.</p>	<p>c. The Applicant has included a proffer to prepare a noise study prior to the first site plan approval and provide noise attenuation measures in the event units are impacted by noise greater than 65 dBA Ldn. See Proffer 33.</p> <p>The Applicant is no longer requesting a modification to the I-95 buffer.</p>
<p>13. <u>Water and Sewer</u>: The Applicant proposes the use of public water and sewer and</p>	<p>Acknowledged.</p>

<p>agrees to bear all associated costs of construction.</p>	
<p>14. <u>Proffer Analysis:</u></p> <p>a. Proffer #4: The location of the community clubhouse is not shown on the MZP and should be. There is no commitment to the minimum size of the clubhouse facility, or amenities included within it. It would be appropriate to provide an image showing the concept for the clubhouse facility.</p> <p>b. Proffer #11: It would be appropriate to indicate minimum sizes for all of the amenities listed in this proffer. Furthermore, the draft proffers anticipate providing the recreation facilities by the time a building permit is issued for 350 units. Although this does not preclude the Applicant from providing the facilities earlier, the recreation facilities should be provided earlier in the development of the property to benefit future residents, as follows:</p>	<p>a. The site has been redesigned and the number of units has been reduced to 325 units. Due to the reduction in units, it is not feasible to support a clubhouse, as originally proposed. However, the Applicant is providing a robust amenity program, which includes a mix of active and passive areas. As shown on Page 10 of the Design Guidelines, the Applicant is providing a system of parks interconnected by an ample network of sidewalks and trails, also playgrounds that are strategically located north, southeast and southwest within the development. In addition, the community features a north linear recreational area, which includes a trail, a playground, picnic tables, grills, fitness stations, a non-programmed lawn area and a pavilion for community events. Each home is in close proximity to one or more of the amenities, allowing easy access to recreational opportunities for the residents.</p> <p>b. The proffers addressing the site amenities are included in the Parks and Recreation section of the Proffer Statement. With the site redesign, many of staff's comments are no longer applicable. Please review the revised MZP, Proffer Statement, and Design Guidelines for the Applicant's</p>

<ul style="list-style-type: none"> o Tot lot and open space gathering area – prior to issuance of the 75th occupancy permit o Clubhouse & swimming pool – prior to issuance of the 150th occupancy permit (represents approximately 30 percent of the proposed number of units). <p>c. Staff would support the use of Land Bay C (Open Space) as passive recreation, such as natural surface trails (outside of the RPA).</p> <p>d. Will a homeowner’s association be established? The maintenance responsibility for all private streets and other community features should be set forth as the responsibility of the future on-site homeowners association in the proffer language for this application.</p>	<p>c. Comment noted. Due to the topography of the site, and other site constraints, a natural surface trail in the Open Space area suggested by Staff is not feasible as requested. However, the Applicant has designed a trail within the passive north linear park that links to sidewalks, which in turn link to off-site pedestrian facilities. Taken as a whole, the pedestrian linkages on and off site provide multiple accommodations for pedestrian activity.</p> <p>d. The proffers have been revised to include the establishment of a homeowner’s association (HOA) and identifies maintenance responsibilities for the HOA.</p>
<p>15. <u>Modifications:</u> The application does not include a conceptual layout, building location information, or general design guidelines. Without this information, and additional justification, staff is unable to confirm that the requested waivers and modification are necessary or appropriate, and is unable to support the requested modifications at this time.</p>	<p>Comment noted. Please see the Design Guidelines provided with this resubmission.</p>

<p>16. <u>Additional Plan Comments:</u></p> <p>a. <u>Application Number</u> - Please place the application number (Rezoning #REZ2016-00022) on the revised REZ plan.</p> <p>b. <u>Summerland Drive/ Horner Roundabout</u> - The proposed roundabout should be illustrated on the MZP.</p> <p>c. <u>Horner Road Assemblage Exhibit</u> - Road name labels would be useful on this exhibit for easier orientation.</p> <p>d. <u>Phasing</u> - Please provide information on project phasing, if applicable.</p>	<p>a. The application number has been added to the Master Zoning Plan.</p> <p>b. The Summerland Drive / Horner Roundabout has been added to the Master Zoning Plan. See Sheet 4 of the MZP to review the proposed off-site transportation improvements.</p> <p>c. The Horner Road Assemblage Exhibit has been superseded by Sheet 4 of the MZP, entitled "Off-Site Transportation Improvements.</p> <p>d. There is no phasing proposed for grading or installation of infrastructure, however, the construction of the units will follow market demand with specific amenities, such as the playgrounds and trails, being constructed in accordance with the triggers noted in the proffers.</p>
<p>Fire Marshal's Office, July 7, 2016</p>	
<p>1.01 The need for fire lanes will be determined at the time of site plan submission.</p>	<p>Acknowledged.</p>
<p>Land Development Case Manager, July 7, 2016</p>	
<p>1. Proffer 7 – Sidewalk/Roundabout. At the proposed roundabout at Summerland Drive/Horner Road recommend the Applicant consider placing the sidewalk 10-15 feet from the face of curb for enhanced pedestrian safety.</p>	<p>The sidewalk at the proposed roundabout will be constructed in accordance with DCSM and or VDOT standards.</p>
<p>2. Proffer 11 – Recreation Facilities. The draft proffers anticipate providing the recreation facilities by the time a building permit is issued for 350 units.</p>	<p>Proffer 11 is now Proffer 22 and it has been revised to reflect the changes provided with the revised site layout and unit count.</p>

<p>Although this does not preclude the Applicant from providing the facilities earlier, recommend the recreation facilities are provided earlier in the development of the property as follows:</p> <ol style="list-style-type: none"> a. Tot lot and open space gathering area -prior to issuance of the 75th occupancy permit b. Clubhouse & swimming pool-prior to issuance of the 150th occupancy permit (represents approximately 30 percent of the proposed number of units). <p>In addition, if the Applicant wanted to propose use of Land Bay C (Open Space) as passive recreation, such as natural surface trails (outside of the RPA), staff would support this.</p>	
<p>3. Noise Abatement. Since the site is adjacent to both Interstate 95 (I-95) and the Prince William Parkway (Route 294) recommend a noise impact study be conducted in concert with this application in accordance with the requirements of Section 604.03 of the Prince William County Design and Construction Standards Manual (DCSM). This will allow the Applicant to address any impacts associated with the results of the study and determine the effectiveness of the proposed 6 foot berm.</p>	<p>The Applicant has included a proffer to prepare a noise study prior to the first site plan approval and provide noise attenuation measures in the event units are impacted by noise greater than 65 dBA Ldn. See Proffer 33.</p>
<p>4. Modifications. Application proposes a number of modifications related to buffers (internal and external) and PMR housing types (width, height, setbacks). Recommend the Applicant prepare and submit general Design Guidelines, which include conceptual building/architectural elevations and</p>	<p>Please review the Design Guidelines provided with this submission.</p>

<p>building materials in support of the modification requests.</p> <p>In addition, although not required, recommend the Applicant address any modification(s) to the sign regulations as early in the development process as possible.</p>	
<p>PWC Transportation, June 24, 2016</p>	
<p>1.01 The Applicant needs to show the daily site traffic volumes along all access points, internal roadways, inter parcel connections, and major external roadways shown on the GDP. This includes the proposed entrance onto Horner Road.</p>	<p>Comment noted. Daily traffic volumes have been added to the major area roadways on the plan. Site trips at the internal roadways and proposed entrance onto Horner Road are also shown on Sheet 4A of the MZP.</p>
<p>1.02- The Applicant needs to insure that traffic mitigation measures which address inadequate LOS are provided through proffers. The applicant has agreed to provide a roundabout at the Horner Road/Summerland Drive intersection. This is a desirable feature which should be maintained. However, the Applicant has not addressed the failing LOS at the Prince William Parkway /Summerland Drive intersection. This includes constructing Horner Road and the proposed internal streets to VDOT and/or Prince William County standards and addressing the failing LOS (F) eastbound left turn movement from Prince William Parkway onto Summerland Drive which is exacerbated by traffic from the proposed development. It is recommended that the Applicant provide a second (dual) left turn lane or adequately lengthen the existing left turn lane, subject to VDOT approval, here to shorten the excessive vehicle queueing and reduce delay</p>	<p>Please see Sheet 4 of the revised MZP for proposed Off-Site Transportation Improvements. In addition to the Horner Road/Summerland roundabout, the Applicant is providing a second left turn lane, (creating a dual left onto Summerland), as well as extending the turn lanes on Prince William Parkway for more queuing capacity.</p>
<p>1.03 - The Applicant needs to provide all necessary right-of-way (ROW) to accommodate the proposed road improvements including the internal street</p>	<p>Comment noted. The Applicant has proffered to provide all required right-of-way in order to develop the onsite and offsite road improvements as identified in the Master</p>

<p>network and the proposed and recommended off site road and trail improvements such as the roundabout at the Horner Road/Summerland Drive intersection the second (dual) left turn lane on eastbound Prince William Parkway onto Summerland Drive and sidewalks /trails on-site and off-site.</p>	<p>Zoning Plan. In the event the Applicant is unable to secure the right of way needed for proposed road improvements, the Applicant will request the County to acquire the right of way and easements by means of its condemnation powers (see Proffer 20).</p>
<p>1.04 - The Applicant needs to provide for a pedestrian trail connection to the pedestrian crossing of the I-95 ramp west of the site. One of two options is recommended. The first is to construct a Class 1 trail along Prince William Parkway west between Summerland Drive and the existing crossing at the 1-95 on-ramp. The second option is to provide a Class 1 pedestrian trail from Horner Road west within the site down to Prince William Parkway and over to the existing crossing. In addition, the Applicant needs to provide 5-foot wide sidewalks on all proposed on-site roads, along the Horner Road site frontage and on Horner Road off-site between Forest Glen Road and Kilby Elementary School.</p>	<p>In consultation with Prince William County Transportation staff, the Applicant will provide, within existing right-of-way, a sidewalk on the north side of Prince William Parkway as generally shown on Sheet 4 of the MZP, subject to County and VDOT approval.</p>
<p>1.05 - Considering the proposed density of residential development, the Applicant needs to provide transit related improvements such as a bus shelter or bus turn bay along Horner Road in the vicinity of the site frontage to serve residents. The Applicant needs to coordinate with PRTC regarding existing and proposed routes in the vicinity which can be utilized.</p>	<p>In consultation with Prince William County Transportation staff, the Applicant has added a proffer to provide a PRTC bus shelter or provide a monetary contribution to PRTC in lieu of a bus shelter (see Proffer 17).</p>
<p>1.06 - The Applicant will need to meet the DCSM parking and travel way requirements for the site for the proposed townhouse/condominium units. More parking details and traffic circulation information needs to be provided including the provision of adequate width travelways and the location of adequate handicapped parking. The maintenance responsibility for all private</p>	<p>Please see the revised Master Zoning Plan and Design Guidelines provided with this resubmission to review parking and travel ways within the project.</p>

<p>streets needs to be set forth as the responsibility of the future on-site homeowners association in the proffer language for this application.</p>	
<p>1.07 - The Applicant will need to insure that all turn lanes meet VDOT and DCSM standards as well as traffic needs with respect to potential queuing at intersections.</p>	<p>Acknowledged. If proposed intersection spacing or turn bays do not meet the standards, exceptions or waivers will be submitted.</p>
<p>1.08 - In order to develop the site, the Applicant is showing that the western end, approximately 1,300 linear feet, of Horner Road is proposed to be abandoned. The Applicant needs to be aware that this is a public review process. As a secondary VDOT road, it will require review by Prince William County and VDOT staff, a public hearing, and ultimate approval by the Prince William County Board of Supervisors. The Applicant needs to allow several months for this process.</p>	<p>Acknowledged.</p>
<p>1.09 - The TIA should provide LOS information on the proposed internal roundabout since it will intersect with a public street. In addition, the Applicant should indicate/show the proposed roundabout at Summerland Drive/Horner Road on the Land Use Plan.</p>	<p>Please see Sheet 4 of the revised MZP, entitled "Off-Site Transportation improvements," which shows the Horner Road/ Summerland Drive roundabout.</p> <p>Analysis of the internal roundabout has been added to the TIA and indicates this location will operate efficiently, at less than 10% of its operational capacity.</p>
<p>VDOT, July 11, 2016</p>	
<p>1.00 Portion of Ex. Horner Drive noted as either abandoned or to be vacated. PW County Transportation Department is to decide if such abandonment is required. Applicant also needs to work with PW County in order to abandon existing roadway/right of way.</p>	<p>Acknowledged. The Applicant will coordinate the abandonment of "Ex Horner Drive" with both Prince William County and/or VDOT as necessary.</p>
<p>1.02 Indicate how access is provided for the property owners along existing Horner Road section which is to be</p>	<p>The realignment of Horner Road will not close access to property owners along existing Horner Road. As shown on the Off-Site</p>

<p>abandoned/realigned. Road Network comprising of private streets should be shown.</p>	<p>Transportation Improvements Plan (Sheet 4 of the MZP), the Applicant will reconstruct four private driveways as a result of the proposed Horner Road improvements.</p> <p>The road network is shown on the MZP.</p>
<p>1.03 Proposed round about at the intersection of Horner Road and Summerland drive needs to be shown on the GDP. All new development access will need to meet the access management standards, regulations and design standards for minor arterials, collectors, and local streets. The design standards govern the design of intersections, turn lanes, roundabouts and entrances as well as providing spacing standards for entrances, intersections, crossovers, and traffic signals on minor arterials, collectors, and local streets. The GDP should show the access management standards and should include a figure detailing the distances between the driveways as well as existing and proposed intersections.</p>	<p>Comment noted. Please see Sheet 4 of the revised MZP, entitled "Off-Site Transportation improvements," which shows the Horner Road/ Summerland Drive roundabout. As requested by staff, access management standards have been added.</p>
<p>1.04 It appears from the traffic analysis, that significant transportation improvements will be required for PW Parkway at its intersection with Summerland Drive. Such improvements should be recommended in the TIA, shown on the GDP and made be part of the proffers for the rezoning.</p>	<p>Comment noted. Improvements on Prince William Parkway are shown on Sheet 4 of the revised MZP, entitled "Off-Site Transportation Improvements". As noted above, the Applicant is providing a second left turn lane, (creating a dual left onto Summerland), as well as extending the turn lanes on Prince William Parkway for more queuing capacity. These improvements are shown in the TIA as recommended mitigation measures.</p>
<p>1.05 Project clearing and grading of the development should be completely clear of limited access right of way for I-95 and PW Parkway. Clearly show the limited access boundaries on the GDP.</p>	<p>The limited access right of way is clearly identified on Sheet 4 of the MZP.</p>

<p>1.06 Proposed mitigation measure for changing signal timings at Horner Road and Botts Avenue is not acceptable. Retiming of individual signals can have a system wide impact on the network. Therefore, such measures are unacceptable unless the impact of such an action is analyzed for entire corridor or network and included with the study. The signal timing changes study needs to be approved by VDOT signal timing group. It is preferred to study and prepare recommendations on other physical mitigation measures in lieu of signal timing changes. Additionally, other mitigation measures would be needed in the event signal timing changes cannot be implemented.</p>	<p>The signal timing adjustments are recommended to decrease the queue spillback to the roundabout if the signal is retained (Option A). The removal of the signal (Option B) is the recommended alternative and is supported by Prince William County Transportation staff and Public Schools staff. Elimination of this signal with the roundabout construction would significantly improve traffic flow through the corridor.</p>
<p>1.07 Table 1, verify and correct the turn lane pockets as most turn lanes at the Prince William Parkway and Summerland Drive are stretched than actual.</p>	<p>The turn bay lengths cited in the tables have been updated to reflect the correct distances. The Synchro analysis utilized the correct values in both the previous and current versions.</p>
<p>1.08 All new development access will need to meet the access management standards, regulations and design standards for minor arterials, collectors, and local streets. The design standards govern the design of intersections, turn lanes, and entrances as well as providing spacing standards for entrances, intersections, crossovers, and traffic signals on minor arterials, collectors, and local streets. The study should discuss the access management standards and should include a figure detailing the distances between the driveways as well as existing and proposed intersections.</p>	<p>Acknowledged. If proposed intersection spacing or turn bays do not meet the standards, exceptions or waivers will be submitted.</p>

Watershed Management Branch – July 6, 2016 (revised)	
Agency Comment	Applicant's Response
1.1 The Applicant is proposing to consolidate a large portion of the required open space at the northern end of the site, incorporating the RPA, two intermittent tributaries, and adjacent forested steep slopes some of which are over highly erodible soils. This is in keeping with the following Policies: DES-12.1, 12.2, 12.3; EN-5.1 and EN-10.	Acknowledged.
1.2 Please commit to providing a Tree Preservation Plan to ensure that trees designated for preservation will survive construction and will provide the buffering benefit as intended. EN 10.2	The Applicant has significantly redesigned the site and is “saving” the vast majority of the specimen trees in the redesigned open space. Approximately three specimen trees are now impacted by the development. A preservation plan is not planned.
1.3 Please note that the site is located in a critical watershed, so SWM facilities will need to be designed to regulate for the 25-year storm event in addition to the standard storms. DCSM 721.07E	Acknowledged.
1.4 Regarding the required buffers along I-95, please provide the minimum 75-foot buffer width. <u>DCSM 802.48, Table 8-7</u>	The minimum 75 foot buffer is provided per staff's request. Please see the revised Open Space & Buffer Plan provided with this submission
1.5 Currently all buffers shown within the developed portion of the site are proposed to be cleared. Staff recommends that in areas with existing trees the buffer be left undisturbed (DCSM 802.10.B). For areas without existing trees, please provide an illustrative landscape plan. Preservation and planting within the buffers needs to be addressed in the proffers. DCSM 802.48	The existing topography necessitates grading in buffer areas. Proffers 5, 6 and 10 address planting within buffers. Sheets 3 and 3A of the MZP address landscaping in the buffer areas with details on Sheet 3A. The graded and landscaped buffers will shield adjoining properties from any adverse consequences of development and separate and partially obstruct the views of the abutting land uses.

<p>1.6 What is the reason for the proposed modified buffer along a portion of the boundary with PW Service Authority? The minimum 50-foot buffer should be provided. DCSM 802.11, Table 8-1.</p>	<p>As shown on the revised MZP, the Applicant is providing the full 50' buffer against the PWSA property.</p>
<p>1.7 The Applicant is proposing modifications to the internal use buffers without providing a layout or demonstrating why such modifications are necessary or warranted. Please provide a layout or additional justification for these proposed modifications. Staff recommends that without justification the Applicant provide the minimum required buffering. DCSM 802.11, Table 8-1</p>	<p>The site layout is now provided on the revised MZP and in the Design Guidelines. The Applicant is requesting a modification to the buffer between the single family attached units and the multi-family units. This is being requested to allow flexibility in design and to provide a cohesive streetscape throughout the development.</p>
<p>1.8 The Applicant is proposing a modification to the buffer and landscaping requirements associated with the proposed recreation facility without providing a layout or demonstrating why such modification is necessary or warranted. Please provide a layout or additional justification for this proposed modification. ZO 32-250.31.6</p>	<p>This modification is no longer requested. The clubhouse has been removed from the plan for reasons noted above.</p>
<p>1.9 For the portion of the abandoned Horner Road that will fall within the required buffers, staff requests that the Applicant commit to providing soil remediation/amendments to ensure adequate soil conditions for buffer plantings. Staff has standard proffer language that can be provided to the Applicant for this proffer. DCSM 804.03.C</p>	<p>Comment noted, the Applicant has added the recommended soil remediation language to the proffers (see Proffer 10).</p>
<p>1.10 On the ECA please provide the following: a. Show an accurate existing tree line throughout the subject parcels. b. Clarify the location of the insert on Sheet1 of 2. It appears that the area shown lies</p>	<p>a. The tree lines and existing canopy cover were revised per additional field investigations. b. The insert on Sheet 1 has been revised to clarify what it is on the sheet and its location</p>

<p>overtop of existing lots.</p> <p>c. Please correct the errors in forest cover types. e.g., chestnut oak is not a bottomland forest type.</p>	<p>from the overall site.</p> <p>c. The delineation of forest stands has been re-evaluated and revised where appropriate.</p>
<p>1.11 Please show all existing utilities and existing easements on the MZP. ZO Article VII. Demonstrate that the buffers proposed will be provided outside of all proposed and existing utilities, allowing for perpendicular crossings. This also needs to be addressed in the proffers</p>	<p>Existing utilities have been added to the "Utility Plan," per staff's request.</p>
<p>1.12 The Applicant reports providing 20 acres of open space (36% of the total site area). Please clarify on the MZP how much of this is undisturbed, active recreation, buffers, and/or buildings within the active recreational area.</p>	<p>Per staff's request, please see the "Open Space Tabulation" chart on Sheet 3 of the MZP for a breakdown of the open space areas.</p>
<p>Zoning Administrator, July 5, 2016</p>	
<p>1. Landscaped buffer is required between townhouse and multi-family dwelling housing types in accordance with the standards in the DCSM.</p>	<p>Acknowledged. Landscape buffers will be provided as shown on the Master Zoning Plan and Design Guidelines.</p>
<p>2. The density range in the areas of high density residential (HDR) is eight (8) to sixteen (16) dwellings per acre. Land Bay A and B are designated as HDR, but the proposed minimum density is 13 dwellings per acre which is not consistent with the allowed density range. The proposed density shall be within the allowed density range. Furthermore, the area allocated for townhouses and multi-family dwelling units in Land Bay A should be identified, including the proposed number of units for each housing type.</p>	<p>The land bay information shown on Sheet 2 of the Master Zoning Plan identifies unit types and numbers. The density range noted is consistent with HDR.</p>

<p>3. Land Bay D designated as open space is within the boundaries of the proposed development of contiguous acres (refer to the definition of open space in Part I 00 and Sec.32-306.01.1 of the Zoning Ordinance) and can't be used to meet the minimum open space requirements for the development comprising Land Bay A, B, and C . Therefore, the parcel designated as Land Bay D should not be included in this rezoning application.</p>	<p>Land Bay D, now identified as Land Bay C on the revised MZP, is not included in the open space calculation, but it is a part of GPIN 8392-26-6542 and it will remain in the rezoning application.</p>
<p>4. The proposed modification of townhouse and multi-family housing unit type performance standards do not meet the provisions set forth in Sec.32-306.12.3 of the Zoning Ordinance. Specifically, the 30% minimum open space requirement for townhouse housing type, and waving the maximum lot coverage requirement of 0.75, rear yard of 25 feet, and side yard of 20 feet; reduction of the front yard from 35 feet to 20 feet, parking lot to dwelling from 12 feet to 5 feet, and rear yard setback for balconies and decks from 20 feet to 10 feet.</p>	<p>The Applicant is requesting all modifications pursuant to Section 700.25 of the Zoning Ordinance.</p>
<p>5. The applicant has not provided written justification for the proposed waivers and modifications from the housing unit type development standards in accordance with the provisions set forth in Sec .32-700.25 of the Zoning Ordinance.</p>	<p>The Applicant is requesting modifications from the housing unit type development standards in order to provide variety and flexibility in design, and promote compact, pedestrian-oriented development patterns, cohesive streetscaping throughout the development all of which will give a unique "signature" appeal for the residents of the community.</p>

Meika Daus
August 18, 2017
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We trust the enclosed application materials address Staff's comments. We respectfully request that this case be scheduled for the next available Planning Commission and Board public hearing. Please do not hesitate to contact me at 703.680.4664 if you have any questions.

Very truly yours,

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

A handwritten signature in cursive script, appearing to read "Marian B. Harders".

Marian B. Harders, AICP, LEED AP

MBH

Enclosures: As stated.

cc: Gary Garczynski (via email)
Joe Francone (via email)
Matt Marshall (via email)

PROFFER STATEMENT

RE: REZ 2016-00022, Ray's Regarde

Record Owner: 2012 Horner Road, LLC, 2016 Horner Road, LLC, et al.

Property: GPINs 8392-26-6542, 8392-25-8262, 8392-35-3308, 8392-34-5485, 8392-25-1506, 8392-24-3763, 8392-34-2251, 8392-34-3983, 8392-34-6888, 8392-24-2177, 8392-24-2850, 8392-24-6238, 8392-24-9273, 8392-34-1576, 8392-34-3376, 8392-24-8457 and 8392-25-2321
Woodbridge Magisterial District

55.5862 Total Acres	Planned Mixed Residential (PMR)
50.22912 Acres	Agricultural (A-1) to Planned Mixed Residential District (PMR)
1.76355 Acres	Suburban Residential (R-4) to Planned Mixed Residential District (PMR)
2.00429 Acres	Urban Residential (R-16) to Planned Mixed Residential District (PMR)
1.58924 Acres	Horner Road Right-of Way (to be abandoned) (PMR)

Date: August 14, 2017

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions and shall supersede all other proffers made prior hereto, including proffers associated with #PLN2014-00099. In the event the referenced rezoning is not granted as applied for by the Applicant, the below-described proffers shall be withdrawn and shall become null and void and proffers associated with #PLN2014-00099 shall remain in full force and effect on the applicable portion of the Property.

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.

"Final Rezoning", as the term is used herein, 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.

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References in this Proffer Statement to plans and exhibits shall include the following:

- A. Master Zoning Plan – Ray's Regarde prepared by Land Design and dated April 22, 2016, revised July 27, 2017 consisting of the following sheets ("MZP"):
 - Sheet 2 - Land Use Plan
 - Sheet 3 - Open Space, & Buffer Plan
 - Sheet 3.A – Buffer and Streetscape Details
 - Sheet 4 – Offsite Transportation Plan
 - Sheet 4.A – Onsite Transportation Plan
 - Sheet 5 – Utility Plan

- B. Ray's Regarde Design Guidelines, prepared by Land Design Consultants and dated July 27, 2017 ("Design Guidelines").

USES AND SITE DEVELOPMENT

- 1. Development of the Property will be in substantial conformance with the MZP. The exact boundaries and acreage of the Land Bays may be increased or decreased at the time of site plan/subdivision, not to exceed ten percent (10%) of the gross area of the larger Land Bay impacted by each such change.

- 2. The maximum number of residential units constructed on the Property shall not exceed 325 units.

- 3. Handicapped parking spaces shall be provided in connection with development of the Property in accordance with the Prince William County Design and Construction Standards Manual.

COMMUNITY DESIGN

- 4. An entry feature with signage identifying the project and secondary signs shall be permitted at the entrance to the Property and elsewhere on the Property as generally shown in the Design Guidelines. The entry feature and secondary signs shall be landscaped and any lighting shall be low intensity and shall be shielded so that it is directed upon the entry feature. Signage shall require sign permit approval.

- 5. The site landscaping shall be provided in substantial conformance as shown on the MZP, using drought tolerant, indigenous species. Compliance shall be demonstrated on final subdivision plan. Where existing vegetation is undisturbed within said landscaping and landscape buffers, said existing vegetation shall be credited against the plant unit

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- requirements identified in the Design and Construction Standards Manual and where existing vegetation is sufficient, may satisfy said requirements.
6. A fifty foot (50') wide buffer shall be provided along the northern boundary of the Property where development is proposed adjacent to the Marumsco Village community. Said buffer shall be planted in accordance with the Type C planting standard and existing vegetation may be used to meet the planting standard.
 7. Street trees shall be planted in substantial conformance with the Open Space and Buffer Plan, the Buffer and Streetscape Details, and the Design Guidelines. Trees shall be provided at a rate of one tree per forty linear feet (40') of frontage on designated streets and, if located on individual lots, shall be counted toward the lot landscaping requirements set forth in the DCSM. The types and species of trees shall be determined during final subdivision plan review.
 8. A Homeowners Association(s) shall be established for the development to own, operate and maintain open space, common areas, roads, trails and sidewalks, signage and recreational facilities within the community.
 9. Development on the Property shall be in general conformance with the design concepts and details set forth in the Design Guidelines. The Applicant may make minor modifications to the Design Guidelines. More substantial modifications to the Design Guidelines are permitted provided the overall concept and intent of the Design Guidelines is met and subject to approval of the Planning Office as follows: Each such modification to the Design Guidelines shall be forwarded to the Prince William County Planning Director, or his/her designee, who shall have twenty (20) business days from receipt of such modification to notify the Applicant in writing that he/she has determined said modification to be substantially consistent or inconsistent with the Design Guidelines. The Planning Director's written determination shall include specific references to those portions of the Design Guidelines or conditions of the zoning which are the basis for such determination. Failure of the Planning Director to provide such written notice shall automatically mean that he has determined such amendment to be substantially consistent with the Design Guidelines and the conditions of the zoning and the amendment shall be approved. In the event there is a conflict between the proffered conditions and the Design Guidelines, the proffers shall control.
 10. Within the portion of the abandoned Horner Road that will fall within buffer areas shown on the Open Space and Buffer Plan, which have been subject to compaction by existing buildings, paved/gravel parking lots and/or travelways, the Applicant shall have the soil loosened as needed up to a maximum of 3 feet prior to planting and a top dressing of a minimum of 4" to 6" of clean topsoil shall be provided. This topsoil shall be a loam, sandy loam, clay loam, silt loam, sand clay loam, or loamy sand. The topsoil shall not be

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a mixture of or contain contrasting textured subsoils. The topsoil shall contain less than 5% by volume of cinders, stones, slag, coarse fragments, sticks, roots, trash, or other materials larger than 1 1/2" in diameter and shall not contain gravel. The topsoil shall contain a minimum of 5% natural fine organic matter, such as leaf mold, peat moss, etc. Said requirements shall be evidenced with a note on the site plan.

TRANSPORTATION

11. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$15,425.00 per single family attached residential unit and \$11,371.00 per multi-family unit constructed on the Property to be used for transportation purposes. Said contribution shall be paid prior to and as a condition of the occupancy permit issuance for each said unit constructed on the Property. The proffered monetary contributions shall be applied to capital projects in the area of the subject rezoning that are identified in the Capital Improvement Program, 6-year road plan or other capital improvements projects adopted by the Board. The Board may also budget and appropriate these contributions or portion thereof to other specific capital projects. The Applicant shall receive a credit against said transportation level of service contribution for all costs, including present value of funds expended, incurred in connection with the provision of the improvements set forth in Proffers #12, 13, 14, 15, 16, 17, 18 and 19 below, once the amount is verified by the Department of Transportation. All right of way and easement acquisition costs, whether purchase or condemnation costs, shall be credited against the transportation level of service identified above.
12. Horner Road
 - a. The Applicant shall dedicate right of way, at no cost to the County or Virginia Department of Transportation ("VDOT"), to a maximum of seventy-seven feet (77') plus additional right of way to accommodate turn lane improvements and the roundabout at the western terminus for the realignment of Horner Road through the Property, as generally shown on the Onsite Transportation Plans. Said dedication shall be made prior to or in conjunction with the first final site/subdivision plan for residential development on the Property.
 - b. Within the right of way to be dedicated pursuant to proffer #12.a above and subject to County and VDOT approval, the Applicant shall construct realigned Horner Road as a two lane road, in accordance with a UAS-1 Avenue, road standard set forth in the Prince William County Design and Construction Standards Manual (DCSM), through the Property terminating in a roundabout, as generally shown on the Onsite Transportation Plan. Said improvements shall include two lanes of pavement, curb, gutter and sidewalk on both sides of the road with a transition to the east to the roundabout at Horner Road and Summerland

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Drive. The realigned Horner Road improvements referenced herein shall be provided as part of the first phase of the development and shall be constructed and open for use prior to the first occupancy permit for any residential unit on the Property.

13. Horner Road/Summerland Drive Roundabout

- a. The Applicant shall provide off-site improvements at the intersection of Horner Road and Summerland Drive as shown on the Offsite Transportation Plan, to enhance the road network in the area, said improvements to include the construction of a single-lane roundabout and other improvements consisting of the following:
- (i) A circulatory roadway of at least sixteen feet (16') in width and of approximately 105 to 150 in diameter;
 - (ii) Full-strength, mountable truck apron of at least five feet (5') in width surrounding the central island;
 - (iii) Splitter islands with raised curbing on each roadway approach;
 - (iv) Pedestrian crosswalks on each roadway approach to the roundabout;
 - (v) Sidewalks along both sides of Summerland Drive and Horner Road within the limits of the reconstruction area;
 - (vi) Reconstruction of private driveways as shown on the Off-Site Improvement Plan (Sheet 4 of the MZP);
 - (vii) Subject to Prince William County Schools ("PWC Schools"), VDOT and/or County approval, removal of the existing traffic signal at the Horner Road/Botts Avenue intersection and construction of the second entrance to Kilby Elementary School ("Kilby"), as identified on the Off-Site Improvement Plan (Sheet 4 of the MZP). The second entrance to Kilby shall be in place and open to traffic before removal of the traffic signal. Final design and location of the second entrance shall be determined at final site plan or separate Public Improvement Plan, subject to PWC Schools, VDOT and/or County approval.

All of said roundabout improvements referenced herein above shall be provided as part of the first phase of the development and shall be constructed and open for use prior to the issuance of the first occupancy permit for any residential unit on the Property.

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14. Summerland Road/ Prince William Parkway

- a. Subject to County and/or VDOT approval, the Applicant shall provide off-site improvements at the intersection of Summerland Drive and Prince William Parkway as generally shown on the Offsite Transportation Plan, to enhance the road network in the area, Said improvements to include the construction of an additional turn lane from eastbound Prince William Parkway onto Summerland Drive.

The Summerland Road/Prince William Parkway improvements referenced herein above shall be constructed and open for use prior to the issuance of the 100th occupancy permit on the Property.

15. Within existing right of way or right of way to be provided by others, the Applicant shall construct a five foot (5') wide sidewalk along the north side of Horner Road between Forest Glen Road and Kilby Elementary School (the "Offsite Sidewalk"). Said improvement shall be provided by the time the Horner Road improvements referenced in Proffer #13 are constructed. Said sidewalk shall be provided as part of the first phase of the development and shall be constructed and open for use prior to the issuance of the first occupancy permit for any residential unit on the Property.
16. Subject to County and VDOT approval, the Applicant shall construct within existing right-of-way, a sidewalk on the north side of Prince William Parkway along the Property frontage (the "Prince William Parkway Sidewalk"). Said sidewalk shall constructed and open for use prior to the issuance of the 100th occupancy permit on the Property.
17. Bus Shelter. If not provided before the last final site plan submitted for the Property, as a condition of final site plan approval for the Property the Applicant shall construct an onsite bus shelter on the realigned portion of Horner Road, if requested. In the event, a bus shelter is not requested or desired at this location by Potomac and Rappahannock Transportation Commission (PRTC) or its equivalent, the Applicant shall make a monetary contribution in the amount not to exceed \$30,000.00. In the event the Applicant makes the monetary contribution to PRTC, this proffer shall be deemed satisfied.
18. In the event the citizens on Forest Glen Road submit a petition to the Board of County Supervisors requesting that traffic calming on Forest Glen Road be studied, in accordance with County and/or VDOT standards, the Applicant shall fund said study in an amount not to exceed \$5,000.00 Said study shall be provided to the Prince William County Department of Transportation and shall be prepared during the construction phase of the project or no later than six months from the approval of the last final site plan for the Property.

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19. In the event traffic calming measures are identified in the study and are approved to be installed or implemented, the Applicant shall fund the cost of providing such traffic calming measures in an amount not to exceed \$5,000.00.

20. Eminent Domain
 - a. In the event the Applicant is not able to acquire off-site right of way required in order to provide the improvements identified in the above proffers, including any easements required for utilities, utility relocation and stormwater management for the road improvements, the Applicant shall request the County to acquire the right of way and easements by means of its condemnation powers at Applicant's expense. If the County does not act to condemn, the Applicant shall not be responsible for the off-site improvements set forth herein. The Applicant's request shall be in writing and shall comply in all respects with the County's Eminent Domain Policy. Said request shall be made to the appropriate County agency and shall be accompanied by the following:
 - (1) The names of the record owners, the property addresses, tax map parcel numbers and GPIN numbers for each landowner from whom such right of way and/or easements are sought.
 - (2) Plats, plans and profiles showing the necessary right of way and/or easements to be acquired and showing the details of the proposed transportation improvements to be located on each such property.
 - (3) Pursuant to Virginia Code § 25.1-417, a determination of the value of the Property will be based on the following:
 - (i) If the assessed value is less than \$25,000, then the value shall be determined by assessment records or other objective evidence; or
 - (ii) If the assessed value is greater than \$25,000 an independent appraisal of the value of the right of way and easements to be acquired, and any and all damages to the residue of the involved property, said appraisal to be performed by an appraiser licensed in Virginia and approved by the County.
 - (4) A 60 year title search of each involved property.
 - (5) Documentation demonstrating to the County's satisfaction Applicant's good faith, best efforts to acquire the right of way and/or easements, at a cost of at least the appraised value of the involved property interests.

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- (6) A letter of credit acceptable to the County, cash or equivalent (from a financial institution acceptable to the County) in an amount equal to the appraised value of the property to be acquired, and all damages to the residue, together with an amount representing the County's estimate of its cost of condemnation proceedings, in a form permitting the County to draw upon the same as necessary to effectuate the purposes hereof.
 - (7) An Agreement signed by Applicant's representative and approved by the County Attorney whereby Applicant agrees to pay all costs of the condemnation, including expert witness fees, court costs, exhibit costs, court reporter fees, attorney fees for the Office of the County Attorney, and all other costs associated with the litigation, including appeals. The Agreement shall specifically provide that in the event the property owner is awarded in the condemnation suit more than the appraised value estimated by Applicant's appraiser, Applicant shall pay to the County the amount of the award in excess of the amount represented by the letter of credit or cash deposit within 15 days of the award.
21. The Applicant's obligation to construct in substantial conformance with the Onsite Transportation Plan or Offsite Transportation Plan, and other obligations contained in these proffers shall be contingent upon the Board taking whatever action may be necessary by it to finalize abandonment of a portion of Route 632 (Horner Road) as said road currently exists through the Property as well as the Board exercising its condemnation power, if necessary, to acquire the right-of-way needed to construct the offsite road improvements. The obligations contained in these proffers shall also be contingent upon VDOT taking whatever action may be necessary by it to authorize the conveyance by deed to the Applicant, at no cost to Applicant, the right of way so abandoned.

PARKS AND RECREATION

22. The Applicant shall provide an amenity package for the residents, which shall include, a community pavilion, four (4) park areas, playgrounds, trail(s), and exercise stations all as generally depicted in the Design Guidelines. The final location, configuration and design of the park areas will be determined at the time a final subdivision plan is submitted for the portion of the Property on which each such park is located.
23. A network of pedestrian facilities shall be provided throughout the Property as generally shown in the Design Guidelines.

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24. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$5,144.00 per single family attached residential unit and \$3,792.00 per multi-family unit constructed on the Property to be used for parks and recreation purposes. Said contribution shall be paid prior to and as a condition of the occupancy permit issuance for each said unit constructed on the Property.

SCHOOLS

25. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$17,489.00 per single family attached residential unit and \$10,300 per multi-family unit constructed on the Property. Said contribution shall be paid prior to and as a condition of the occupancy permit issuance for each said unit constructed on the Property.

ENVIRONMENTAL

26. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre to conduct water quality monitoring, stream restoration projects and/or drainage improvements. Said contribution shall be paid as a condition of the approval of first final site/subdivision plan and shall be based on the gross acreage of the whole Property and additional contributions will not be required with subsequent site plan submissions.
27. The Applicant shall limit clearing and grading on the Property to those areas depicted on the Open Space Plan, 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 clearing and grading on the Property with the exception of: (a) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees at the Applicant's sole discretion; (b) the installation and maintenance of water, sanitary sewer, other utilities and CATV, storm sewer outfalls; (c) the installation and maintenance of natural surface pedestrian trails; and (d) the installation of supplemental plantings as approved by the County.

LIBRARIES

28. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$805.00 per single family attached residential unit and \$597.00 per multi-family residential unit constructed on the Property to be used for library purposes. Said contribution shall be paid prior to and as a condition of occupancy permit issuance for each said unit constructed on the Property.

FIRE & RESCUE

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29. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$974.00 per single family attached residential unit and \$718.00 per multi-family residential unit constructed on the Property to be used for fire and rescue purposes. Said contribution shall be paid prior to and as a condition of occupancy permit issuance for each said residential unit constructed on the Property.

AFFORDABLE HOUSING

30. 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 to be used for the Housing Preservation and Development Fund. Said contribution shall be paid prior to and as a condition of occupancy permit issuance for each residential unit constructed on the Property.

WATER AND SEWER

31. The Property shall be served by public sanitary sewer and water and the Applicant shall be responsible for the costs and 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.
32. The Applicant shall provide vehicular access to the Service Authority parcel identified with Prince William County GPIN 8392-24-8245 from an internal road/travelway within the Property at a point along the common property boundary, said location to be determined at the time of final site plan.

MISCELLANEOUS

33. Noise Study Prior to first site plan approval, the Applicant shall prepare a noise study to determine what, if any, noise attenuation measures may be needed for dwelling units impacted by noise associated with I-95 or Prince William Parkway. Such study shall be submitted as part of the first final site plan. Based on the findings of that report, the Applicant shall identify units on the site plan that are identified in the noise study to be impacted by noise greater than 65 dBA Ldn (the "Impacted Units"). The Applicant shall provide noise attenuation measures designed to reduce interior noise within those Impacted Units to a level of approximately 45 dBA Ldn
34. In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors ("Board") within eighteen (18) months of the first site plan approval for the Property, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions

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set forth in this Proffer Statement which are paid to the Board after eighteen (18) months following the approval of the first site plan approved for the Property 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 the approval of the first site plan approval for the Property to the most recently available CPI-U to the date the contributions are paid, subject to a cap of 6 percent (6%) per year, noncompounded.

35. Acceptance and approval of this rezoning application by the Board of County Supervisors authorizes the location and provision of those public uses and facilities referenced on the Master Zoning Plan and/or in this Proffer Statement, the extension and construction of water and sewer lines, any phone, electric, cable and gas facilities and facilities, trails and roads necessary to serve this Property pursuant to the Virginia Code §15.2-2232 and the Prince William County Code §32-201.11 as being in substantial accord with Prince William County's adopted Comprehensive Plan. The general area and location for these uses and facilities are as shown on the Master Zoning Plan and referenced in the proffers with the exact locations to be determined based on final engineering and as approved by Prince William County. Acceptance of this proffer constitutes approval of the public uses and facilities and their general locations and thereby excepts said uses and facilities from further Comprehensive Plan conformity review.

WAIVERS/MODIFICATIONS

36. Waivers and modifications – pursuant to Section 32.700.25 of the Zoning Ordinance approval of the subject rezoning shall constitute a waiver/modification of the following:
- a. Waiver of Section 306.21 of the Zoning Ordinance to allow the elimination of the nonresidential secondary use requirement within the PMR District.
 - b. Modification of Sections 250.30, 250.31 and 250.32 of the Zoning Ordinance and Sections 802.10, 802.11, 802.12 and 802.48 of the Prince William County Design and Construction Standards Manual (DCSM) to waive internal buffers between uses on the Property.
 - c. Modification of Section 306.12 of the Zoning Ordinance to allow modified development standards for PMR housing types F, Townhouse and G, Multifamily, as set forth on Attachment A attached hereto.
 - d. Modification of the required minimum planting width (DCSM Section 804.05). The applicant proposes a minimum planting width of 6' for all proposed street

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trees, and shall provide, at a minimum, the soil volume for a large street tree.

- e. Modification of DCSM Section 602.07.C to allow reduced tangent lengths to accommodate the realignment of Horner Road to fit the existing roads and right-of-way.

(Signatures on following pages)

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Signature page

GPINs

8392-26-6542

8392-25-8262

8392-35-3308

2012 HORNER ROAD, LLC

By: _____

Name: _____

Title: _____

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GPINs

8392-34-5485
8392-25-1506
8392-24-3763
8392-34-2251
8392-34-3983
8392-34-6888
8392-24-2177
8392-24-2850
8392-24-6238
8392-24-9273
8392-34-1576
8392-26-6542

2016 HORNER ROAD, LLC

By: _____
Name: _____
Title: _____

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GPIN
8392-34-3376

ESTATE OF FRANK M. WILBORN

Margaret P. Wilborn

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GPIN
8392-24-8457

Gwendolyn Madyun by Joseph E. Francone her Attorney-In-Fact

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GPINs
8392-25-2321
8392-26-6542

Mamie (Ola) Smith by Joseph E. Francone her Attorney-In-Fact

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GPINs

8392-35-3308

8392-25-8262

8392-26-6542

Lancewell V. Ray by Joseph E. Francone his Attorney-In-Fact

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GPINs

8392-35-3308

8392-25-8262

8392-26-6542

Paul E. Ray by Joseph E. Francone his Attorney-In-Fact

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GPINs

8392-35-3308

8392-25-8262

8392-26-6542

Natalia F. Ray by Joseph E. Francone her Attorney-In-Fact

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GPIN
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Deborah J. Ray by Joseph E. Francone her Attorney-In-Fact

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Robin R. Clarke by Joseph E. Francone his/her Attorney-In-Fact

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Marquita Ray by Joseph E. Francone her Attorney-In-Fact

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Karleen Ray by Joseph E. Francone her Attorney-In-Fact

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Franchester A. Ray by Joseph E. Francone his/her Attorney-In-Fact

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James E. Primas Jr. by Joseph E. Francone his Attorney-In-Fact

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Deitra Primas Johnson by Joseph E. Francone her Attorney-In-Fact

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John S. Thomas, III by Joseph E. Francone his Attorney-In-Fact

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James I. Thomas by Joseph E. Francone his Attorney-In-Fact

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Ellis D. Thomas by Joseph E. Francone his Attorney-In-Fact

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Ivan Austin by Joseph E. Francone his Attorney-In-Fact

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Iris Austin by Joseph E. Francone her Attorney-In-Fact

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Jean M. Cleckley by Joseph E. Francone his/her Attorney-In-Fact

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Geraldine M.B. Mekonnen by Joseph E. Francone her Attorney-In-Fact

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Ralph W. Watts by Joseph E. Francone his Attorney-In-Fact

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Joseph M. Ray by Joseph E. Francone his Attorney-In-Fact

ATTACHMENT A

HOUSING TYPES PERFORMANCE STANDARDS:
(Sec. 32-306.12)

F. Townhouse, back-to-back townhouse, live/work unit. This dwelling type consists of a single-family attached unit, with individual outside access. Rows of townhouses shall contain no more than six EIGHT* dwelling units in a group, except as may be allowed in town centers. Back-to-back townhouses shall contain no more than 12 dwelling units in a group. Live/work units may be either townhouse or back-to-back townhouse developments, subject to residential and non-residential parking requirements in the Design and Construction Standards Manual. Residential uses shall not be located on the first story of live/work units. The following table specifies the minimum standards:

- | | |
|----------------------------------------------------------------------------------|---------|
| (1) Minimum lot width | 16 ft. |
| (2) Group setback | 10 ft. |
| (3) Maximum building height | 35 ft. |
| (4) Minimum setbacks: | |
| (a) Front (with off-street parking) | 10 ft. |
| (b) Front (with garage) | 20 ft. |
| (c) Setback from any public right-of-way | 20 ft. |
| (d) Side (end unit) | 5 ft. |
| (e) Rear (shall not apply to back-to-back townhouses) | 20 ft. |
| (5) Minimum setbacks for unroofed decks, stoops, landings, and similar features: | |
| (a) Front (with off-street parking) | 5 ft. |
| (b) Front (with garage) | 15 ft. |
| (c) Side (end unit) | 5 ft. |
| (d) Rear | 5 ft. |
| (6) Minimum building footprint | 650 sf. |
| (7) Open space for development using townhouse housing type | 30% |

NOTE:

1. 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.
2. 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.
3. The rear yard setback for townhouses constructed under the standards in effect prior to April 21, 1998, is ten feet. An unroofed deck in the rear yard of a townhouse constructed prior to

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that date, and with an actual rear yard of ten feet, may encroach up to six feet into the required setback.

4. For an individual section or phase of a multiphase project, one-half of the required open space, or 15 percent, shall be provided within that phase or section. The remaining 15 percent may be provided on a project-wide basis.

G. Multifamily buildings. Multifamily buildings are buildings comprising multiple dwelling units. The minimum lot area required shall be the sum of the areas required for each unit within the structure. Multifamily buildings shall contain three or more units in a single structure. The following table specifies the minimum standards for multifamily buildings in the PMR.

(1) Minimum lot area in sq. ft.(per dwelling unit)	2,000 (1 story)
	1,725 (2 story)
	1,450 (3 story)
	1,450 (4 story)
(2) Maximum lot coverage	0.75
(3) Maximum building height	50 ft.
(4) Minimum yards and setbacks:	
(a) Front yard (from streets or traveled portion of access easement)	20 ft.
(b) Rear	20 ft
(c) Side	20 ft
(d) Structured parking to dwelling	20 ft.
(e) Parking lot to dwelling	10 ft.
(5) Minimum rear setback for balconies and decks	10 ft.

PROFFER STATEMENT

RE: REZ #~~PLN2016-00~~ 2016-00022, Ray's Regarde
Record Owner: 2012 Horner Road, LLC, 2016 Horner Road, LLC, et al.
Property: GPINs 8392-26-6542, 8392-25-8262, 8392-35-3308, 8392-34-5485, 8392-25-1506, 8392-24-3763, 8392-34-2251, 8392-34-3983, 8392-34-6888, 8392-24-2177, 8392-24-2850, 8392-24-6238, 8392-24-9273, 8392-34-1576, 8392-34-3376, 8392-24-8457 and 8392-25-2321
Woodbridge Magisterial District

55.5862 Total Acres	Planned Mixed Residential (PMR)
50.22912 Acres	Agricultural (A-1) to Planned Mixed Residential District (PMR)
1.76355 Acres	Suburban Residential (R-4) to Planned Mixed Residential District (PMR)
2.00429 Acres	Urban Residential (R-16) to Planned Mixed Residential District (PMR)
1.58924 Acres	Horner Road Right-of Way (to be abandoned) <u>(PMR)</u>

Date: ~~May 4 August 14, 2016~~ 2017

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions and shall supersede all other proffers made prior hereto, including proffers associated with #PLN2014-00099. In the event the referenced rezoning is not granted as applied for by the Applicant, the below-described proffers shall be withdrawn and shall become null and void and proffers associated with #PLN2014-00099 shall remain in full force and effect on the applicable portion of the Property.

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.

"Final Rezoning", as the term is used herein, 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.

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References in this Proffer Statement to plans and exhibits shall include the following:

- A. Master Zoning Plan – Ray's Regarde prepared by Land Design and dated April 22, 2016, revised July 27, 2017 consisting of the following sheets ("MZP"):
- Sheet 2 - Land Use Plan ("Land Use Plan")
 - Sheet 3 - Open Space, ~~Buffer & Pedestrian Circulation Plan ("Open Space Plan")~~ Buffer Plan
 - Sheet 3.A – Buffer and Streetscape Details
 - ~~Transportation/Utilities Plan ("Transportation Plan")~~
- ~~B. Horner Road Assemblage Horner Rd. at Summerland Dr. Roundabout Design Alternative, prepared by Gorove/Slade and dated April 25, 2016 ("Roundabout Exhibit")~~
- Sheet 4 – Offsite Transportation Plan
 - Sheet 4.A – Onsite Transportation Plan
 - Sheet 5 – Utility Plan
- B. Ray's Regarde Design Guidelines, prepared by Land Design Consultants and dated July 27, 2017 ("Design Guidelines").

USES AND SITE DEVELOPMENT

1. Development of the Property will be in substantial conformance with the MZP. The exact boundaries and acreage of the Land Bays may be increased or decreased at the time of site plan/subdivision, not to exceed ten percent (10%) of the gross area of the larger Land Bay impacted by each such change.
2. The maximum number of residential units constructed on the Property shall not exceed ~~525~~ 325 units.
3. Handicapped parking spaces shall be provided in connection with development of the Property in accordance with the Prince William County Design and Construction Standards Manual.

COMMUNITY DESIGN

- ~~4.A community clubhouse/homeowner association facility shall be provided in the general location identified as "community clubhouse/amenity area" on the Open Space Plan. Primary building materials shall include, but shall not be limited to, brick, stone, siding, wood and/or glass. The foregoing shall not preclude use of other materials for fascia,~~

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~~trim and other secondary building elements. Compliance shall be demonstrated by submission of building elevations for review no later than two weeks prior to the issuance of the building permit release letter.~~

4. An entry feature with signage identifying the project and secondary signs shall be permitted at the entrance to the Property and elsewhere on the Property as generally shown in the Design Guidelines. The entry feature and secondary signs shall be landscaped and any lighting shall be low intensity and shall be shielded so that it is directed upon the entry feature. Signage shall require sign permit approval.

5. The site landscaping shall be provided in substantial conformance as shown on the MZP, using drought tolerant, indigenous species. Compliance shall be demonstrated on final subdivision plan. Where existing vegetation is undisturbed within said landscaping and landscape buffers, said existing vegetation shall be credited against the plant unit requirements identified in the Design and Construction Standards Manual and where existing vegetation is sufficient, may satisfy said requirements.

6. ~~5.~~ A fifty foot (50') wide buffer shall be provided along the northern boundary of the Property where development is proposed adjacent to the Marumsco Village community. Said buffer shall be planted in accordance with the Type C planting standard and existing vegetation may be used to meet the planting standard.

7. Street trees shall be planted in substantial conformance with the Open Space and Buffer Plan, the Buffer and Streetscape Details, and the Design Guidelines. Trees shall be provided at a rate of one tree per forty linear feet (40') of frontage on designated streets and, if located on individual lots, shall be counted toward the lot landscaping requirements set forth in the DCSM. The types and species of trees shall be determined during final subdivision plan review.

8. A Homeowners Association(s) shall be established for the development to own, operate and maintain open space, common areas, roads, trails and sidewalks, signage and recreational facilities within the community.

9. Development on the Property shall be in general conformance with the design concepts and details set forth in the Design Guidelines. The Applicant may make minor modifications to the Design Guidelines. More substantial modifications to the Design Guidelines are permitted provided the overall concept and intent of the Design Guidelines is met and subject to approval of the Planning Office as follows: Each such modification to the Design Guidelines shall be forwarded to the Prince William County Planning Director, or his/her designee, who shall have twenty (20) business days from receipt of such modification to notify the Applicant in writing that he/she has determined said modification to be substantially consistent or inconsistent with the Design

Guidelines. The Planning Director's written determination shall include specific references to those portions of the Design Guidelines or conditions of the zoning which are the basis for such determination. Failure of the Planning Director to provide such written notice shall automatically mean that he has determined such amendment to be substantially consistent with the Design Guidelines and the conditions of the zoning and the amendment shall be approved. In the event there is a conflict between the proffered conditions and the Design Guidelines, the proffers shall control.

10. Within the portion of the abandoned Horner Road that will fall within buffer areas shown on the Open Space and Buffer Plan, which have been subject to compaction by existing buildings, paved/gravel parking lots and/or travelways, the Applicant shall have the soil loosened as needed up to a maximum of 3 feet prior to planting and a top dressing of a minimum of 4" to 6" of clean topsoil shall be provided. This topsoil shall be a loam, sandy loam, clay loam, silt loam, sand clay loam, or loamy sand. The topsoil shall not be a mixture of or contain contrasting textured subsoils. The topsoil shall contain less than 5% by volume of cinders, stones, slag, coarse fragments, sticks, roots, trash, or other materials larger than 1 1/2" in diameter and shall not contain gravel. The topsoil shall contain a minimum of 5% natural fine organic matter, such as leaf mold, peat moss, etc. Said requirements shall be evidenced with a note on the site plan.

TRANSPORTATION

11. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$15,425.00 per single family attached residential unit and \$11,371.00 per multi-family unit constructed on the Property to be used for transportation purposes. Said contribution shall be paid prior to and as a condition of the occupancy permit issuance for each said unit constructed on the Property. The proffered monetary contributions shall be applied to capital projects in the area of the subject rezoning that are identified in the Capital Improvement Program, 6-year road plan or other capital improvements projects adopted by the Board. The Board may also budget and appropriate these contributions or portion thereof to other specific capital projects. The Applicant shall receive a credit against said transportation level of service contribution for all costs, including present value of funds expended, incurred in connection with the provision of the improvements set forth in Proffers #12, 13, 14, 15, 16, 17, 18 and 19 below, once the amount is verified by the Department of Transportation. All right of way and easement acquisition costs, whether purchase or condemnation costs, shall be credited against the transportation level of service identified above.

12. 6.Horner Road

- a. The Applicant shall dedicate right of way, at no cost to the County or Virginia Department of Transportation ("VDOT"), ~~right of way up~~ to a maximum of

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seventy-seven feet (77') plus additional right of way to accommodate turn lane improvements and the roundabout at the western terminus for the realignment of Horner Road through the Property, as generally shown on the Onsite Transportation PlanPlans. Said dedication shall be made prior to or in conjunction with the first final site/subdivision plan for residential development on the Property.

- b. Within the right of way to be dedicated pursuant to proffer ~~#7.a-12.a~~ above and subject to County and VDOT approval, the Applicant shall construct realigned Horner Road as a two lane road, in accordance with a ~~UB-1, Category VIUAS-1 Avenue~~, road standard set forth in the Prince William County Design and Construction Standards Manual (DCSM), through the Property terminating in a roundabout, as generally shown on the Onsite Transportation Plan. Said improvements shall include two lanes of pavement, curb, gutter and sidewalk on both sides of the road with a transition to the east to the roundabout at Horner Road and Summerland Drive. The realigned Horner Road improvements referenced herein shall be provided as part of the first phase of the development and shall be constructed and open for use prior to the first occupancy permit for any residential unit on the Property.

13. ~~7.~~ Horner Road/Summerland Drive Roundabout

- a. The Applicant shall provide off-site improvements at the intersection of Horner Road and Summerland Drive as shown on the Offsite Transportation Plan, to enhance the road network in the area, said improvements to include the construction of a single-lane roundabout ~~as generally shown on the Roundabout Exhibit and~~ and other improvements consisting of the following:
- (i) A circulatory roadway of at least sixteen feet (16') in width and of approximately ~~130-105~~ to 150 in diameter;
 - (ii) Full-strength, mountable truck apron of at least five feet (5') in width surrounding the central island;
 - (iii) Splitter islands with raised curbing on each roadway approach;
 - (iv) Pedestrian crosswalks on each roadway approach to the roundabout;
 - (v) Sidewalks along both sides of Summerland Drive and Horner Road within the limits of the reconstruction area;
 - (vi) Reconstruction of private driveways as shown on the Off-Site Improvement Plan (Sheet 4 of the MZP);

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(vii) Subject to Prince William County Schools (“PWC Schools”), VDOT and/or County approval, removal of the existing traffic signal at the Horner Road/Botts Avenue intersection and construction of the second entrance to Kilby Elementary School (“Kilby”), as identified on the Off-Site Improvement Plan (Sheet 4 of the MZP). The second entrance to Kilby shall be in place and open to traffic before removal of the traffic signal. Final design and location of the second entrance shall be determined at final site plan or separate Public Improvement Plan, subject to PWC Schools, VDOT and/or County approval.

All of said roundabout improvements referenced herein above shall be provided as part of the first phase of the development and shall be constructed and open for use prior to the issuance of the first occupancy permit for any residential unit on the Property.

14. Summerland Road/ Prince William Parkway

a. Subject to County and/or VDOT approval, the Applicant shall provide off-site improvements at the intersection of Summerland Drive and Prince William Parkway as generally shown on the Offsite Transportation Plan, to enhance the road network in the area. Said improvements to include the construction of an additional turn lane from eastbound Prince William Parkway onto Summerland Drive.

The Summerland Road/Prince William Parkway improvements referenced herein above shall be constructed and open for use prior to the issuance of the 100th occupancy permit on the Property.

15. ~~8.~~ Within existing right of way or right of way to be provided by others, the Applicant shall construct a five foot (5') wide sidewalk along the north side of Horner Road between Forest Glen Road and Kilby Elementary School (the “Offsite Sidewalk”). Said improvement shall be provided by the time the Horner Road improvements referenced in Proffer #~~7~~-13 are constructed. Said sidewalk shall be provided as part of the first phase of the development and shall be constructed and open for use prior to the issuance of the first occupancy permit for any residential unit on the Property.

16. Subject to County and VDOT approval, the Applicant shall construct within existing right-of-way, a sidewalk on the north side of Prince William Parkway along the Property frontage (the “Prince William Parkway Sidewalk”). Said sidewalk shall constructed and open for use prior to the issuance of the 100th occupancy permit on the Property.

17. Bus Shelter. If not provided before the last final site plan submitted for the Property, as a condition of final site plan approval for the Property the Applicant shall construct an

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onsite bus shelter on the realigned portion of Horner Road, if requested. In the event, a bus shelter is not requested or desired at this location by Potomac and Rappahannock Transportation Commission (PRTC) or its equivalent, the Applicant shall make a monetary contribution in the amount not to exceed \$30,000.00. In the event the Applicant makes the monetary contribution to PRTC, this proffer shall be deemed satisfied.

18. In the event the citizens on Forest Glen Road submit a petition to the Board of County Supervisors requesting that traffic calming on Forest Glen Road be studied, in accordance with County and/or VDOT standards, the Applicant shall fund said study in an amount not to exceed \$5,000.00. Said study shall be provided to the Prince William County Department of Transportation and shall be prepared during the construction phase of the project or no later than six months from the approval of the last final site plan for the Property.

19. In the event traffic calming measures are identified in the study and are approved to be installed or implemented, the Applicant shall fund the cost of providing such traffic calming measures in an amount not to exceed \$5,000.00.

~~9. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$15,425.00 per single family attached residential unit and \$11,371.00 per multi-family unit constructed on the Property to be used for transportation purposes. Said contribution shall be paid prior to and as a condition of the occupancy permit issuance for each said unit constructed on the Property. The proffered monetary contributions shall be applied to capital projects in the area of the subject rezoning that are identified in the Capital Improvement Program, 6-year road plan or other capital improvements projects adopted by the Board. The Board may also budget and appropriate these contributions or portion thereof to other specific capital projects. The Applicant shall receive a credit against said transportation level of service contribution for all costs, including present value of funds expended, incurred in connection with the provision of the improvements set forth in Proffers #8 and #9 above, once the amount is verified by the Department of Transportation. All right of way and easement acquisition costs shall be credited against the transportation level of service identified above.~~

20. 10. Eminent Domain

a. In the event the Applicant is not able to acquire off-site right of way required in order to provide the improvements identified in the above proffers, including any easements required for utilities, utility relocation and stormwater management for the road improvements, the Applicant shall request the County to acquire the right of way and easements by means of its condemnation powers at Applicant's expense. If the County does not act to condemn, the Applicant shall not be responsible for the off-site improvements set forth herein. The Applicant's request shall be in writing and shall comply in all respects with the County's

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Eminent Domain Policy. Said request shall be made to the appropriate County agency and shall be accompanied by the following:

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

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

21. The Applicant's obligation to construct in substantial conformance with the Onsite Transportation Plan or Offsite Transportation Plan, and other obligations contained in these proffers shall be contingent upon the Board taking whatever action may be necessary by it to finalize abandonment of a portion of Route 632 (Horner Road) as said road currently exists through the Property as well as the Board exercising its condemnation power, if necessary, to acquire the right-of-way needed to construct the offsite road improvements. The obligations contained in these proffers shall also be contingent upon VDOT taking whatever action may be necessary by it to authorize the conveyance by deed to the Applicant, at no cost to Applicant, the right of way so abandoned.

PARKS AND RECREATION

22. ~~11.~~ The Applicant shall provide an amenity package for the residents, which shall include, at a minimum, a clubhouse, swimming pool, tot lot and an open space gathering area containing a minimum of 30,000 square feet. The Applicant shall file a site plan for the clubhouse and related facilities at the time a building permit is issued for the 200th residential unit on the Property and shall complete construction of the clubhouse and related facilities by the time a building permit is issued for the 350th residential unit on the Property. a community pavilion, four (4) park areas, playgrounds, trail(s), and exercise stations all as generally depicted in the Design Guidelines. The final location, configuration and design of the park areas will be determined at the time a final subdivision plan is submitted for the portion of the Property on which each such park is located.
23. A network of pedestrian facilities shall be provided throughout the Property as generally shown in the Design Guidelines.
24. ~~12.~~ The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$5,144.00 per single family attached residential unit and \$3,792.00 per multi-family unit constructed on the Property to be used for parks and recreation purposes. Said contribution shall be paid prior to and as a condition of the occupancy permit issuance for each said unit constructed on the Property.

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SCHOOLS

25. ~~13.~~ The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$17,489.00 per single family attached residential unit and \$10,300 per multi-family unit constructed on the Property. Said contribution shall be paid prior to and as a condition of the occupancy permit issuance for each said unit constructed on the Property.

ENVIRONMENTAL

26. ~~14.~~ The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre to conduct water quality monitoring, stream restoration projects and/or drainage improvements. Said contribution shall be paid ~~prior to and~~ as a condition of the approval of ~~the final site plan.~~ first final site/subdivision plan and shall be based on the gross acreage of the whole Property and additional contributions will not be required with subsequent site plan submissions.

27. The Applicant shall limit clearing and grading on the Property to those areas depicted on the Open Space Plan, 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 clearing and grading on the Property with the exception of: (a) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees at the Applicant's sole discretion; (b) the installation and maintenance of water, sanitary sewer, other utilities and CATV, storm sewer outfalls; (c) the installation and maintenance of natural surface pedestrian trails; and (d) the installation of supplemental plantings as approved by the County.

- ~~15. — Land Bays C and D shall remain as undisturbed natural open space.~~

LIBRARIES

28. ~~16.~~ The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$805.00 per single family attached residential unit and \$597.00 per multi-family residential unit constructed on the Property to be used for library purposes. Said contribution shall be paid prior to and as a condition of occupancy permit issuance for each said unit constructed on the Property.

FIRE & RESCUE

29. ~~17.~~ The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$974.00 per single family attached residential unit and \$718.00 per multi-family residential unit constructed on the Property to be used for

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fire and rescue purposes. Said contribution shall be paid prior to and as a condition of occupancy permit issuance for each said residential unit constructed on the Property.

AFFORDABLE HOUSING

30. ~~18.~~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 to be used for the Housing Preservation and Development Fund. Said contribution shall be paid prior to and as a condition of occupancy permit issuance for each residential unit constructed on the Property.

WATER AND SEWER

31. ~~19.~~The Property shall be served by public sanitary sewer and water and the Applicant shall be responsible for the costs and 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.
32. ~~20.~~The Applicant shall provide vehicular access to the Service Authority parcel identified with Prince William County GPIN 8392-24-8245 from an internal road/travelway within the Property at a point along the common property boundary, said location to be determined at the time of final site plan.

MISCELLANEOUS

33. Noise Study Prior to first site plan approval, the Applicant shall prepare a noise study to determine what, if any, noise attenuation measures may be needed for dwelling units impacted by noise associated with I-95 or Prince William Parkway. Such study shall be submitted as part of the first final site plan. Based on the findings of that report, the Applicant shall identify units on the site plan that are identified in the noise study to be impacted by noise greater than 65 dBA Ldn (the "Impacted Units"). The Applicant shall provide noise attenuation measures designed to reduce interior noise within those Impacted Units to a level of approximately 45 dBA Ldn
34. ~~21.~~In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors ("Board") within eighteen (18) months of the first site plan approval for the Property~~approval of this rezoning~~, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in this Proffer Statement which are paid to the Board after eighteen (18) months following the approval of the first site plan approved for the Property~~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

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time contributions are paid they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after ~~the first site plan approval for the Property~~~~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 percent (6%) per year, noncompounded.

35. Acceptance and approval of this rezoning application by the Board of County Supervisors authorizes the location and provision of those public uses and facilities referenced on the Master Zoning Plan and/or in this Proffer Statement, the extension and construction of water and sewer lines, any phone, electric, cable and gas facilities and facilities, trails and roads necessary to serve this Property pursuant to the Virginia Code §15.2-2232 and the Prince William County Code §32-201.11 as being in substantial accord with Prince William County's adopted Comprehensive Plan. The general area and location for these uses and facilities are as shown on the Master Zoning Plan and referenced in the proffers with the exact locations to be determined based on final engineering and as approved by Prince William County. Acceptance of this proffer constitutes approval of the public uses and facilities and their general locations and thereby excepts said uses and facilities from further Comprehensive Plan conformity review.

WAIVERS/MODIFICATIONS

36. ~~22.~~ Waivers and modifications – pursuant to Section 32.700.25 of the Zoning Ordinance approval of the subject rezoning shall constitute a waiver/modification of the following:
- a. Waiver of Section 306.21 of the Zoning Ordinance to allow the elimination of the nonresidential secondary use requirement within the PMR District.
 - b. ~~a~~ Modification of Sections 250.30, 250.31 and 250.32 of the Zoning Ordinance and Sections 802.10, 802.11, 802.12 and 802.48 of the Prince William County Design and Construction Standards Manual (DCSM) to waive internal buffers between uses on the Property.
 - b. ~~Modification of Section 802.11 of the DCSM to reduce the buffer width along the eastern boundary between the Property and the abutting Service Authority property identified with Prince William County GPIN 8392-24-8457 from fifty feet (50') to thirty feet (30'), as generally shown on the Open Space Plan.~~
 - e. ~~Modification of Section 802.48 of the DCSM to allow a reduction of the seventy-five foot (75') buffer along the I-95 frontage of the Property to a minimum of fifty feet (50') while providing an overall buffer area equivalent to the 75' requirement along this frontage.~~
 - d. ~~Waiver of Section 32-250.31.6 of the Zoning Ordinance and Section 802.47 of the DCSM to modify the buffer and landscaping requirements around the recreation~~

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facility.

- e. ~~Waiver of Section 306.21 of the Zoning Ordinance to allow the elimination of the nonresidential secondary use requirement within the PMR District.~~
- c. ~~f.~~ Modification of Section 306.12 of the Zoning Ordinance to allow modifications to the modified development standards for PMR housing types F, Townhouse and G, Multifamily, as set forth on the Land Use Plan Attachment A attached hereto.
- d. Modification of the required minimum planting width (DCSM Section 804.05). The applicant proposes a minimum planting width of 6' for all proposed street trees, and shall provide, at a minimum, the soil volume for a large street tree.

{P0639256.DOC / 1 PROFFERS.001-008763-000002}
5/4/16

- e. Modification of DCSM Section 602.07.C to allow reduced tangent lengths to accommodate the realignment of Horner Road to fit the existing roads and right-of-way.

(Signatures on following pages)

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GPINs

8392-26-6542

8392-25-8262

8392-35-3308

2012 HORNER ROAD, LLC

By: _____

Name: _____

Title: _____

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8392-34-5485
8392-25-1506
8392-24-3763
8392-34-2251
8392-34-3983
8392-34-6888
8392-24-2177
8392-24-2850
8392-24-6238
8392-24-9273
8392-34-1576
8392-26-6542

2016 HORNER ROAD, LLC

By: _____
Name: _____
Title: _____

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8392-34-3376

ESTATE OF FRANK M. WILBORN

Margaret P. Wilborn

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GPIN

8392-24-8457

Gwendolyn Madyun by Joseph E. Francone her Attorney-In-Fact

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GPINs

8392-25-2321

8392-26-6542

Mamie (Ola) Smith by Joseph E. Francone her Attorney-In-Fact

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8392-35-3308

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Lancewell V. Ray by Joseph E. Francone his Attorney-In-Fact

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Paul E. Ray by Joseph E. Francone his Attorney-In-Fact

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Natalia F. Ray by Joseph E. Francone her Attorney-In-Fact

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Deborah J. Ray by Joseph E. Francone her Attorney-In-Fact

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Robin R. Clarke by Joseph E. Francone his/her Attorney-In-Fact

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Marquita Ray by Joseph E. Francone her Attorney-In-Fact

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Karleen Ray by Joseph E. Francone her Attorney-In-Fact

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Franchester A. Ray by Joseph E. Francone his/her Attorney-In-Fact

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James E. Primas Jr. by Joseph E. Francone his Attorney-In-Fact

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Deitra Primas Johnson by Joseph E. Francone her Attorney-In-Fact

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John S. Thomas, III by Joseph E. Francone his Attorney-In-Fact

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James I. Thomas by Joseph E. Francone his Attorney-In-Fact

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Ellis D. Thomas by Joseph E. Francone his Attorney-In-Fact

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Ivan Austin by Joseph E. Francone his Attorney-In-Fact

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Iris Austin by Joseph E. Francone her Attorney-In-Fact

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Jean M. Cleckley by Joseph E. Francone his/her Attorney-In-Fact

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Geraldine M.B. Mekonnen by Joseph E. Francone her Attorney-In-Fact

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Ralph W. Watts by Joseph E. Francone his Attorney-In-Fact

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Joseph M. Ray by Joseph E. Francone his Attorney-In-Fact

ATTACHMENT A

HOUSING TYPES PERFORMANCE STANDARDS:
(Sec. 32-306.12)

F. Townhouse, back-to-back townhouse, live/work unit. This dwelling type consists of a single-family attached unit, with individual outside access. Rows of townhouses shall contain no more than six EIGHT* dwelling units in a group, except as may be allowed in town centers. Back-to-back townhouses shall contain no more than 12 dwelling units in a group. Live/work units may be either townhouse or back-to-back townhouse developments, subject to residential and non-residential parking requirements in the Design and Construction Standards Manual. Residential uses shall not be located on the first story of live/work units. The following table specifies the minimum standards:

<u>(1) Minimum lot width</u>	<u>16 ft.</u>
<u>(2) Group setback</u>	<u>10 ft.</u>
<u>(3) Maximum building height</u>	<u>35 ft.</u>
<u>(4) Minimum setbacks:</u>	
<u>(a) Front (with off-street parking)</u>	<u>10 ft.</u>
<u>(b) Front (with garage)</u>	<u>20 ft.</u>
<u>(c) Setback from any public right-of-way</u>	<u>20 ft.</u>
<u>(d) Side (end unit)</u>	<u>5 ft.</u>
<u>(e) Rear (shall not apply to back-to-back townhouses)</u>	<u>20 ft.</u>
<u>(5) Minimum setbacks for unroofed decks, stoops, landings, and similar features:</u>	
<u>(a) Front (with off-street parking)</u>	<u>5 ft.</u>
<u>(b) Front (with garage)</u>	<u>15 ft.</u>
<u>(c) Side (end unit)</u>	<u>5 ft.</u>
<u>(d) Rear</u>	<u>5 ft.</u>
<u>(6) Minimum building footprint</u>	<u>650 sf.</u>
<u>(7) Open space for development using townhouse housing type</u>	<u>30%</u>

NOTE:

1. 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.
2. 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.
3. The rear yard setback for townhouses constructed under the standards in effect prior to April 21, 1998, is ten feet. An unroofed deck in the rear yard of a townhouse constructed prior to

that date, and with an actual rear yard of ten feet, may encroach up to six feet into the required setback.

4. For an individual section or phase of a multiphase project, one-half of the required open space, or 15 percent, shall be provided within that phase or section. The remaining 15 percent may be provided on a project-wide basis.

G. Multifamily buildings. Multifamily buildings are buildings comprising multiple dwelling units. The minimum lot area required shall be the sum of the areas required for each unit within the structure. Multifamily buildings shall contain three or more units in a single structure. The following table specifies the minimum standards for multifamily buildings in the PMR.

<u>(1) Minimum lot area in sq. ft.(per dwelling unit)</u>	<u>2,000 (1 story)</u>
	<u>1,725 (2 story)</u>
	<u>1,450 (3 story)</u>
	<u>1,450 (4 story)</u>
<u>(2) Maximum lot coverage</u>	<u>0.75</u>
<u>(3) Maximum building height</u>	<u>50 ft.</u>
<u>(4) Minimum yards and setbacks:</u>	
<u>(a) Front yard (from streets or traveled portion of access easement)</u>	<u>20 ft.</u>
<u>(b) Rear</u>	<u>20 ft</u>
<u>(c) Side</u>	<u>20 ft</u>
<u>(d) Structured parking to dwelling</u>	<u>20 ft.</u>
<u>(e) Parking lot to dwelling</u>	<u>10 ft.</u>
<u>(5) Minimum rear setback for balconies and decks</u>	<u>10 ft.</u>

**VIRGINIA DEPARTMENT OF TRANSPORTATION
PRINCE WILLIAM LAND USE
PROJECT REVIEW
COMMENT AND RESOLUTION SHEET**

COUNTY PROJECT NUMBER: REZ 2016-00022		DEVELOPER/ENGINEER: LDC/GOROVE SLADE		REVIEWER(S): HIREN C JOSHI; P.E.	DATE: 07/11/2016	COMMENT CATEGORIES: 1. REQUIREMENT 2. RECOMMENDATION
PROJECT NAME: RAY'S REGRADE		REVIEW PHASE & TYPE: 1 ST SUBMISSION		DISCIPLINE: TRAFFIC ENG. / LAND USE		
ITEM NO.	DWG. No. (1)	COMMENTS	COMMENT CATEGORY	RESPONSE ⁽²⁾	DATE:	FINAL DISPOSITION ⁽³⁾
1.00	GDP	Portion of Ex. Horner Drive noted as either abandoned or to be vacated. PW County Transportation Department is to decide if such abandonment is required. Applicant also needs to work with PW County in order to abandon existing roadway/right of way.	1	Acknowledged. The Applicant will coordinate the abandonment of "Ex Horner Drive" with both Prince William County and/or VDOT as necessary.		
1.02	GDP	Indicate how access is provided for the property owners along existing Horner Road section which is to be abandoned/realigned. Road Network comprising of private streets should be shown.	1	The realignment of Horner Road will not close access to property owners along existing Horner Road. As shown on the Off-Site Transportation Improvements Plan (sheet 4 of the MZP), the Applicant will reconstruct four private driveways as a result of the proposed Horner Road improvements. The road network is shown on the MZP.		

{P0743777.DOCX / 1 VDOT: 1st Submission w/ Applicant Responses 008763 000002}

(1) Indicate drawing no./page no. or use "G" for general comment.
 (2) To be filled out by Applicant/Engineer. Date of Response is required.
 (3) The VDOT reviewer is responsible for the final disposition of all comments.

Note: This form is to be used by the VDOT land use team to provide comments or concerns associated with the rezoning applications, site plans or any other plans when requested by the county or the applicants.
 REVISED SEPTEMBER, 2014

VIRGINIA DEPARTMENT OF TRANSPORTATION PRINCE WILLIAM LAND USE PROJECT REVIEW COMMENT AND RESOLUTION SHEET			TIA - NOT ACCEPTED (SEE COMMENTS)		COMMENT CATEGORIES: 1. REQUIREMENT 2. RECOMMENDATION	
COUNTY PROJECT NUMBER: REZ 2016-00022		DEVELOPER/ENGINEER: LDC/GOROVE SLADE		REVIEWER(S): HIREN C JOSHI; P.E.		DATE: 07/11/2016
PROJECT NAME: RAY'S REGRADE		REVIEW PHASE & TYPE: 1ST SUBMISSION		DISCIPLINE: TRAFFIC ENG. / LAND USE		
ITEM No.	DWG. No. (1)	COMMENTS		RESPONSE(2) DATE:		FINAL DISPOSITION(3)
1.03	GDP	Proposed round about at the intersection of Horner Road and Summerland drive needs to be shown on the GDP. All new development access will need to meet the access management standards, regulations and design standards for minor arterials, collectors, and local streets. The design standards govern the design of intersections, turn lanes, roundabouts and entrances as well as providing spacing standards for entrances, intersections, crossovers, and traffic signals on minor arterials, collectors, and local streets. The GDP should show the access management standards and should include a figure detailing the distances between the driveways as well as existing and proposed intersections.		Comment noted. Please see sheet 4 of the revised MZP, entitled "Off-Site Transportation improvements," which shows the Horner Road/ Summerland Drive roundabout. As requested by staff, access management standards have been added.		

{P0743777.DOCX / 1_VDOT_1st Submission w/ Applicant Responses 008763 000002}

(1) Indicate drawing no./page no. or use "G" for general comment.
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**VIRGINIA DEPARTMENT OF TRANSPORTATION
PRINCE WILLIAM LAND USE
PROJECT REVIEW
COMMENT AND RESOLUTION SHEET**

COMMENT CATEGORIES:
1. REQUIREMENT
2. RECOMMENDATION

TIA - NOT ACCEPTED (SEE COMMENTS)

COUNTY PROJECT NUMBER: REZ 2016-00022		DEVELOPER/ENGINEER: LDC/GOROVE SLADE		REVIEWER(S): HIREN C JOSHI; P.E.	DATE: 07/11/2016
PROJECT NAME: RAY'S REGRADE		REVIEW PHASE & TYPE: 1 ST SUBMISSION		DISCIPLINE: TRAFFIC ENG. / LAND USE	
ITEM No.	DWG. No. (1)	COMMENTS	COMMENT CATEGORY	RESPONSE (2) DATE:	FINAL DISPOSITION (3)
1.04	GDP	It appears from the traffic analysis, that significant transportation improvements will be required for PW Parkway at its intersection with Summerland Drive. Such improvements should be recommended in the TIA, shown on the GDP and made be part of the proffers for the rezoning.	1	Comment noted. Improvements on Prince William Parkway are shown on sheet 4 of the revised MZP, entitled "Off-Site Transportation Improvements". As noted above, the Applicant is providing a second left turn lane, (creating a dual left onto Summerland), as well as extending the turn lanes on Prince William Parkway for more queuing capacity. These improvements are shown in the TIA as recommended mitigation measures.	
1.05	GDP	Project clearing and grading of the development should be completely clear of limited access right of way for I-95 and PW Parkway. Clearly show the limited access boundaries on the GDP. Comments from Traffic Engineering Section related to TIA:	1	The limited access right of way is clearly identified on Sheet 4 of the MZP.	

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COUNTY PROJECT NUMBER: REZ 2016-00022		DEVELOPER/ENGINEER: LDC/GOROVE SLADE		REVIEWER(S): HIREN C JOSHI; P.E.		DATE: 07/11/2016
PROJECT NAME: RAY'S REGRADE		REVIEW PHASE & TYPE: 1ST SUBMISSION		DISCIPLINE: TRAFFIC ENG. / LAND USE		
ITEM NO.	DWG. NO. (1)	COMMENTS	COMMENT CATEGORY	RESPONSE(2) DATE:	FINAL DISPOSITION(3)	
1.06	TIA	Proposed mitigation measure for changing signal timings at Horner Road and Botts Avenue is not acceptable. Retiming of individual signals can have a system wide impact on the network. Therefore, such measures are unacceptable unless the impact of such an action is analyzed for entire corridor or network and included with the study. The signal timing changes study needs to be approved by VDOT signal timing group. It is preferred to study and prepare recommendations on other physical mitigation measures in lieu of signal timing changes. Additionally, other mitigation measures would be needed in the event signal timing changes cannot be implemented.	1	The signal timing adjustments are recommended to decrease the queue spillback to the roundabout if the signal is retained (Option A). The removal of the signal (Option B) is the recommended alternative and is supported by Prince William County Transportation staff and Public Schools staff. Elimination of this signal with the roundabout construction would significantly improve traffic flow through the corridor.		
1.07	TIA	Table 1, verify and correct the turn lane pockets as most turn lanes at the Prince William Parkway and Summerland Drive are stretched than actual.	1	The turn bay lengths cited in the tables have been updated to reflect the correct distances. The Synchro analysis utilized the correct values in both the previous and current versions.		

{P0743777.DOCX / 1 VDOT.1st Submission w/ Applicant Responses 008763 000002}

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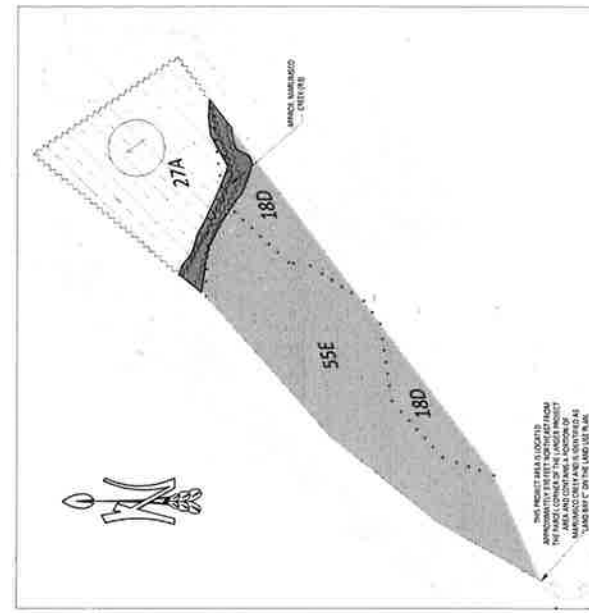
VIRGINIA DEPARTMENT OF TRANSPORTATION PRINCE WILLIAM LAND USE PROJECT REVIEW COMMENT AND RESOLUTION SHEET			TIA - NOT ACCEPTED (SEE COMMENTS)		COMMENT CATEGORIES: 1. REQUIREMENT 2. RECOMMENDATION		
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PROJECT NAME: RAY'S REGRADE		REVIEW PHASE & TYPE: 1ST SUBMISSION		DISCIPLINE: TRAFFIC ENG. / LAND USE			
ITEM No.	DWG. No. (1)	COMMENTS	COMMENT CATEGORY	RESPONSE(2) DATE:	FINAL DISPOSITION(3)		
1.08	TIA	All new development access will need to meet the access management standards, regulations and design standards for minor arterials, collectors, and local streets. The design standards govern the design of intersections, turn lanes, and entrances as well as providing spacing standards for entrances, intersections, crossovers, and traffic signals on minor arterials, collectors, and local streets. The study should discuss the access management standards and should include a figure detailing the distances between the driveways as well as existing and proposed intersections.	1	Acknowledged. If proposed intersection spacing or turn bays do not meet the standards, exceptions or waivers will be submitted.			

{P0743777.DOCX / 1 VDOT.1st Submission w/ Applicant Responses 008763 000002}

(1) Indicate drawing no./page no. or use "G" for general comment.
 (2) To be filled out by Applicant/Engineer. Date of Response is required.
 (3) The VDOT reviewer is responsible for the final disposition of all comments.

Note: This form is to be used by the VDOT land use team to provide comments or concerns associated with the rezoning applications, site plans or any other plans when requested by the county or the applicants.
 REVISED SEPTEMBER, 2014

- LEGEND**
- PROJECT LIMITS
 - UNDEVELOPED FORESTED WETLAND
 - SURFICED WATERS OF THE U.S.
 - MATURE CHESTNUT OAK STAND
 - MATURE WHITE OAK STAND
 - MATURE VIRGINIA PINE STAND
 - MEDIUM-MATURE BLACK LOCUST STAND
 - MATURE SYCAMORE STAND
 - MEDIUM-MATURE RED MAPLE STAND (WITH VIRGINIA PINE, WHITE OAK, BLACK CHERRY, HICKORY)
 - EARLY SUCCESSIONAL EASTERN REDCEDAR STAND (WITH BUR OAK TREES AS THE DOMINANT SPECIES)
 - APPROX. 15% - 25% SLOPES
 - APPROX. 25% AND GREATER SLOPES
 - APPROX. SOIL MAP UNIT BOUNDARY
 - SURVEYED SPECIMEN TREE LOCATION
 - SITE SPECIFIC RESOURCE PROTECTION AREA (SRPA) PER APPROVED PALA
 - APPROX. PROPOSED LIMITS OF CLEARING
 - APPROX. PEDESTRIAN TRAIL

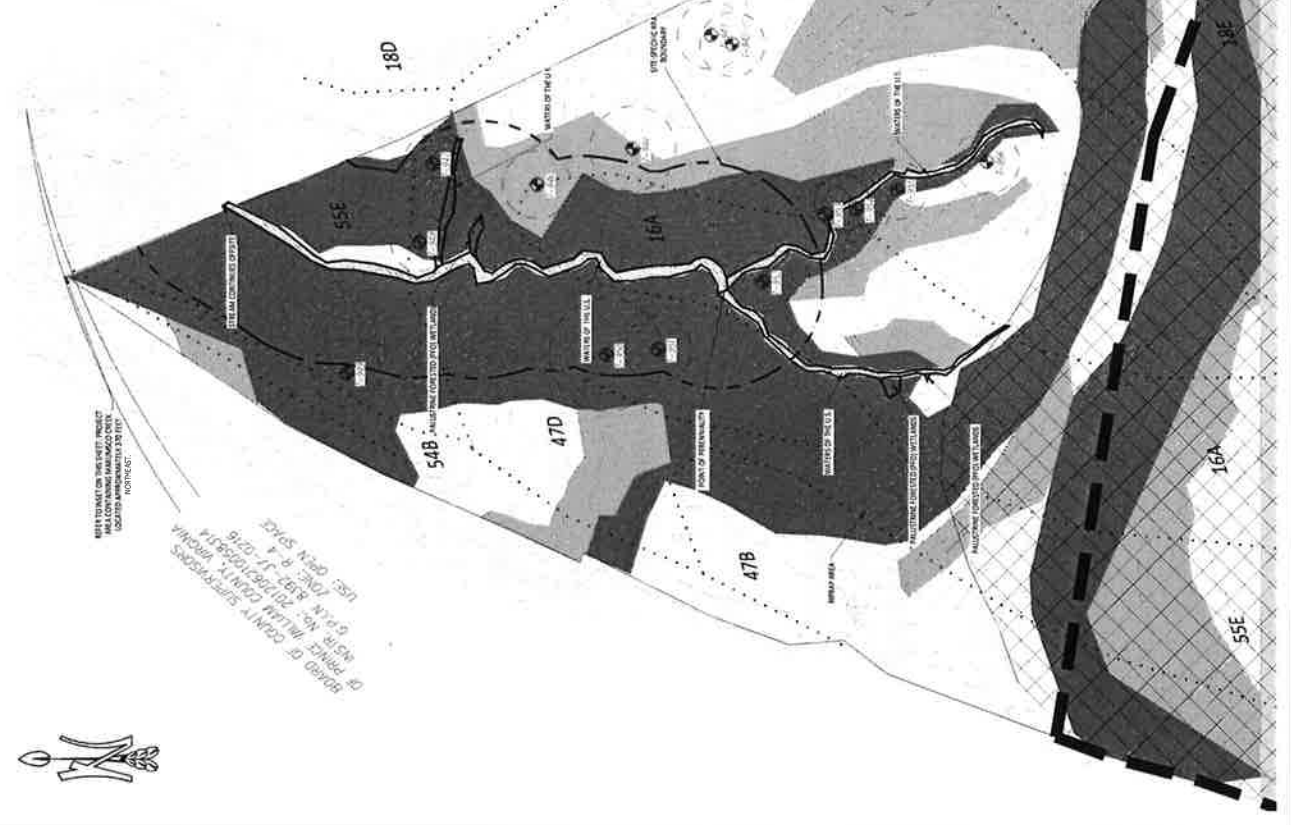


SPECIMEN TREE TABLE

Tree #	Tree Diameter (inches)	Tree Height (feet)	Species	Condition
1	12	15	White Oak	Good
2	10	12	Black Cherry	Good
3	14	18	Hickory	Good
4	16	20	Red Maple	Good
5	18	22	Black Locust	Good
6	20	25	Virginia Pine	Good
7	22	28	Chestnut Oak	Good
8	24	30	White Oak	Good
9	26	32	Black Cherry	Good
10	28	35	Hickory	Good
11	30	38	Red Maple	Good
12	32	40	Black Locust	Good
13	34	42	Virginia Pine	Good
14	36	45	Chestnut Oak	Good
15	38	48	White Oak	Good
16	40	50	Black Cherry	Good
17	42	52	Hickory	Good
18	44	55	Red Maple	Good
19	46	58	Black Locust	Good
20	48	60	Virginia Pine	Good
21	50	62	Chestnut Oak	Good
22	52	65	White Oak	Good
23	54	68	Black Cherry	Good
24	56	70	Hickory	Good
25	58	72	Red Maple	Good
26	60	75	Black Locust	Good
27	62	78	Virginia Pine	Good
28	64	80	Chestnut Oak	Good
29	66	82	White Oak	Good
30	68	85	Black Cherry	Good
31	70	88	Hickory	Good
32	72	90	Red Maple	Good
33	74	92	Black Locust	Good
34	76	95	Virginia Pine	Good
35	78	98	Chestnut Oak	Good
36	80	100	White Oak	Good
37	82	102	Black Cherry	Good
38	84	105	Hickory	Good
39	86	108	Red Maple	Good
40	88	110	Black Locust	Good
41	90	112	Virginia Pine	Good
42	92	115	Chestnut Oak	Good
43	94	118	White Oak	Good
44	96	120	Black Cherry	Good
45	98	122	Hickory	Good
46	100	125	Red Maple	Good
47	102	128	Black Locust	Good
48	104	130	Virginia Pine	Good
49	106	132	Chestnut Oak	Good
50	108	135	White Oak	Good
51	110	138	Black Cherry	Good
52	112	140	Hickory	Good
53	114	142	Red Maple	Good
54	116	145	Black Locust	Good
55	118	148	Virginia Pine	Good
56	120	150	Chestnut Oak	Good
57	122	152	White Oak	Good
58	124	155	Black Cherry	Good
59	126	158	Hickory	Good
60	128	160	Red Maple	Good
61	130	162	Black Locust	Good
62	132	165	Virginia Pine	Good
63	134	168	Chestnut Oak	Good
64	136	170	White Oak	Good
65	138	172	Black Cherry	Good
66	140	175	Hickory	Good
67	142	178	Red Maple	Good
68	144	180	Black Locust	Good
69	146	182	Virginia Pine	Good
70	148	185	Chestnut Oak	Good
71	150	188	White Oak	Good
72	152	190	Black Cherry	Good
73	154	192	Hickory	Good
74	156	195	Red Maple	Good
75	158	198	Black Locust	Good
76	160	200	Virginia Pine	Good
77	162	202	Chestnut Oak	Good
78	164	205	White Oak	Good
79	166	208	Black Cherry	Good
80	168	210	Hickory	Good
81	170	212	Red Maple	Good
82	172	215	Black Locust	Good
83	174	218	Virginia Pine	Good
84	176	220	Chestnut Oak	Good
85	178	222	White Oak	Good
86	180	225	Black Cherry	Good
87	182	228	Hickory	Good
88	184	230	Red Maple	Good
89	186	232	Black Locust	Good
90	188	235	Virginia Pine	Good
91	190	238	Chestnut Oak	Good
92	192	240	White Oak	Good
93	194	242	Black Cherry	Good
94	196	245	Hickory	Good
95	198	248	Red Maple	Good
96	200	250	Black Locust	Good
97	202	252	Virginia Pine	Good
98	204	255	Chestnut Oak	Good
99	206	258	White Oak	Good
100	208	260	Black Cherry	Good

CONCERNING AND NOTES

1. THE INFORMATION AND DATA PROVIDED HEREIN IS FOR INFORMATION PURPOSES ONLY AND DOES NOT CONSTITUTE A WARRANTY OF ANY KIND.
2. THE INFORMATION AND DATA PROVIDED HEREIN IS BASED ON THE DATA PROVIDED BY THE CLIENT AND IS SUBJECT TO THE ACCURACY OF SUCH DATA.
3. THE INFORMATION AND DATA PROVIDED HEREIN IS SUBJECT TO THE CHANGES MADE BY THE CLIENT AND IS SUBJECT TO THE ACCURACY OF SUCH DATA.
4. THE INFORMATION AND DATA PROVIDED HEREIN IS SUBJECT TO THE CHANGES MADE BY THE CLIENT AND IS SUBJECT TO THE ACCURACY OF SUCH DATA.
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9. THE INFORMATION AND DATA PROVIDED HEREIN IS SUBJECT TO THE CHANGES MADE BY THE CLIENT AND IS SUBJECT TO THE ACCURACY OF SUCH DATA.
10. THE INFORMATION AND DATA PROVIDED HEREIN IS SUBJECT TO THE CHANGES MADE BY THE CLIENT AND IS SUBJECT TO THE ACCURACY OF SUCH DATA.





DATE	2/27/18
PROJECT	SECTION ONE
SCALE	1" = 40'
SHEET	OF 2
DATE	2/27/18
PROJECT	SECTION ONE
SCALE	1" = 40'
SHEET	OF 2



USE: MULTIFAMILY P&S
 D.B. ZONE: R-16 1960
 SECTION ONE
 SUMMERLAND

MATCHLINE (SEE SHEET 1)

■ Design Guidelines



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 Unit Type..... 8
 Architectural Features..... 9
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 Landscape Concept..... 11
 Site Details..... 12
 Signage..... 13

Prepared by:



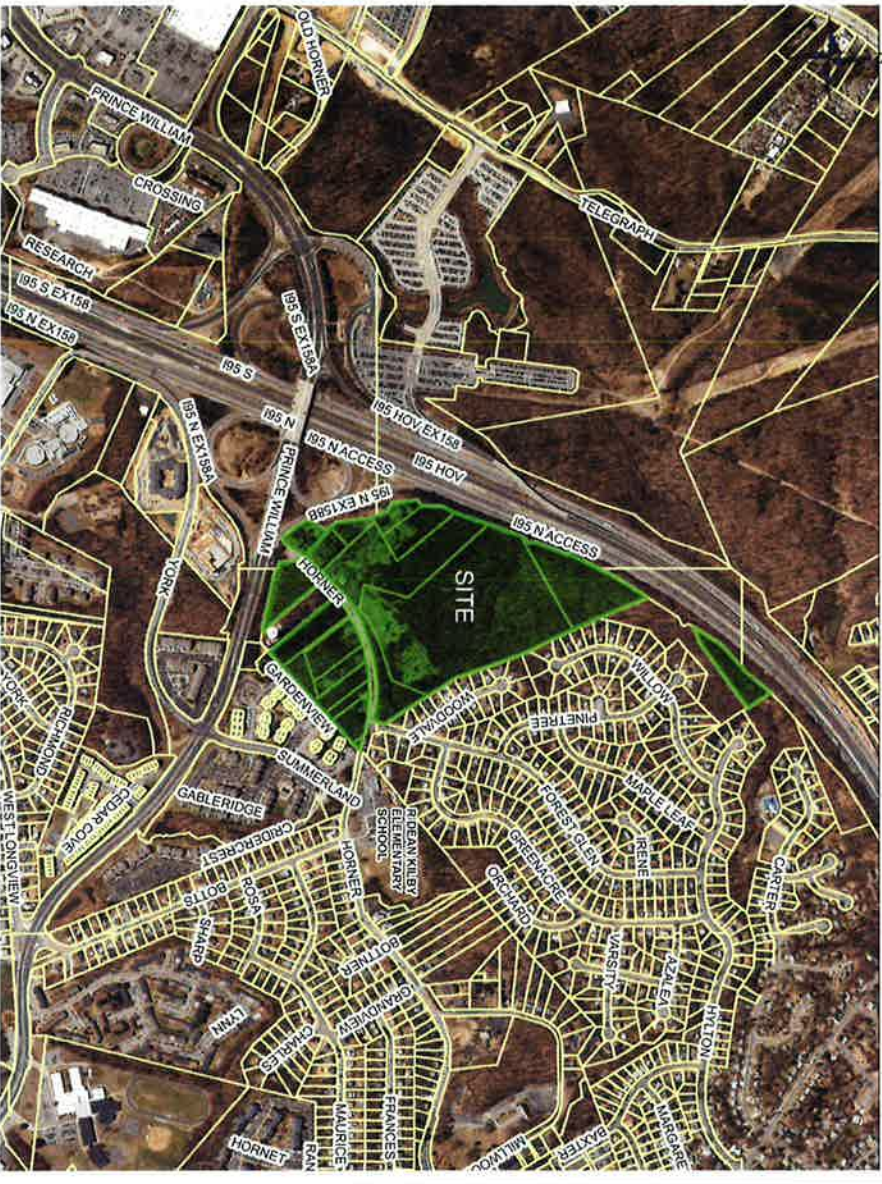
NOTE: This document was prepared to describe the design approach for this community and is subject to final engineering.

DEVELOPER/APPLICANT
 C/O 2016 Horner Road, LLC et al.
 Long Company of Virginia, Inc.
 8253-J Backlick Road
 Lorton, VA 22079

**CIVIL ENGINEERING,
 PLANNING & LANDSCAPE ARCHITECTURE**
 Land Design Consultants, Inc.
 4585 Daisy Reid Avenue, Suite 201
 Woodbridge, VA 22192

TRAFFIC CONSULTANT
 Gorove/Slade Associates, Inc.
 15125 Washington Street, Suite 316
 Haymarket, VA 20169

LAND USE ATTORNEY
 Walsh, Colucci, Lubeley & Walsh P.C.
 4310 Prince William Parkway, Suite 300
 Prince William, VA 22192



PROJECT SUMMARY:

Ray's Regarde approach is to build on and strengthen the existing community through the construction of both regional and local transportation improvements, heighten sense of community through the use of public open space and amenities, and to substantially improve the current environmental characteristics through landscaping and storm water management. Its goal is to provide an environment which fosters family living and lasting value by creating a neighborhood which is unique, desirable, and sustainable.

LOCATION:

Ray's Regarde is located in the Woodbridge Magisterial District in Prince William County, at the north-east quadrant of the intersection of Interstate 95 and Prince William Parkway. The subject property is conveniently located across from a commuter parking lot situated approximately 20 miles from Washington, D.C. via I-95. It is bordered to the west and north by the I-95 corridor, to the east by single family detached homes and to the south by Prince William Parkway and multi-family developments.

The property is to be accessed along the eastern boundary from Horner Road.



ILLUSTRATIVE PLAN:

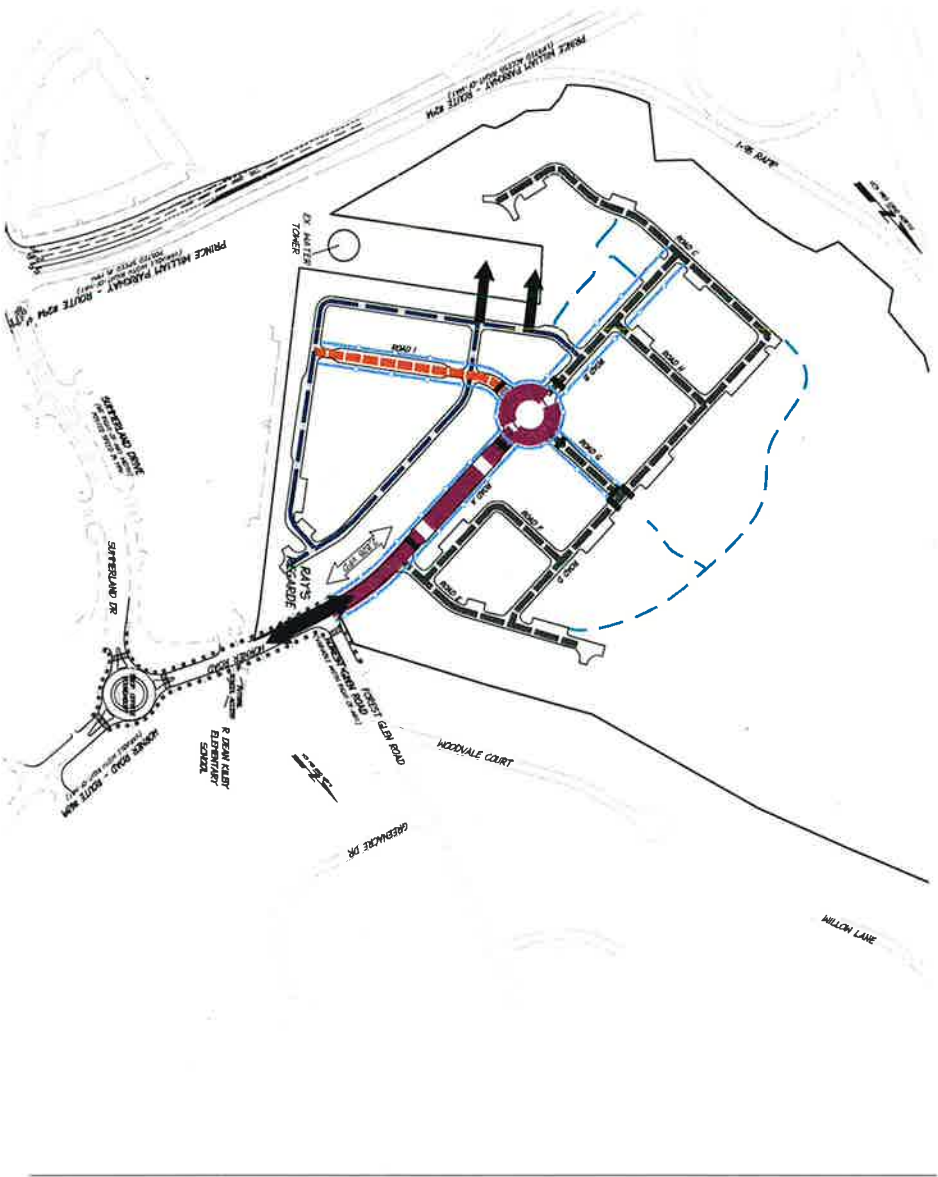
Ray's Regarde is a planned development offering two housing types, ample green areas, and amenities that provide several recreational opportunities.

The proposed zoning district is PMR, Planned Mixed Residential, and it includes front loaded townhouses as well as 2 over 2 units. The community features a main open space amenity area located along the northern end of the development. Other amenities have been carefully located to provide passive and active recreation areas at an accessible distance from each home. The interconnected street pattern and the provision of sidewalks and trails allow for easy pedestrian and vehicular mobility within the community, and links to pedestrian facilities located off site.



ILLUSTRATIVE PEDESTRIAN LINKAGES TO OFF-SITE FACILITIES:

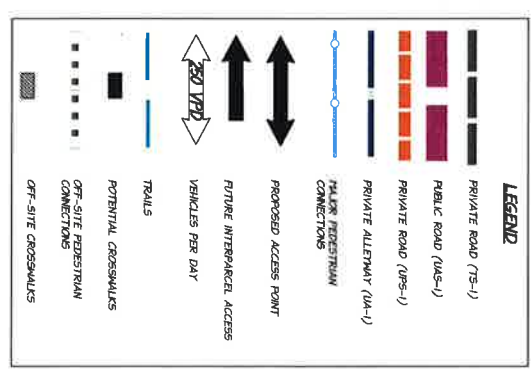
Ray's Regarde will improve the urban fabric by committing to build missing pedestrian links to the adjacent communities. One of the off site transportation improvements includes a roundabout at the intersection of Summerland Drive and Horner Road as well as the construction of sidewalks to facilitate the pedestrian linkage to the R Dean Kilby Elementary School. Additional traffic improvements are also being proposed at the intersection of Summerland Drive and Prince William Parkway.



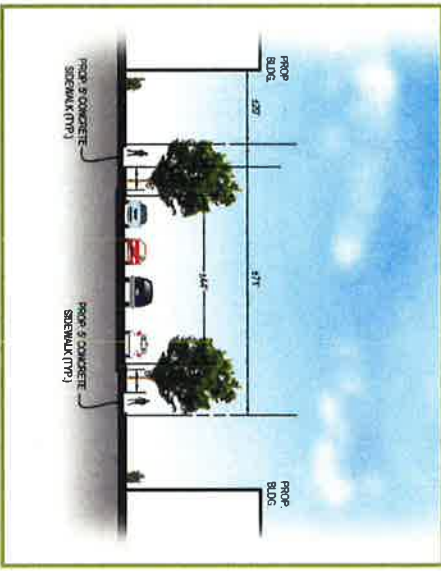
Street Network & Connectivity

STREET NETWORK:

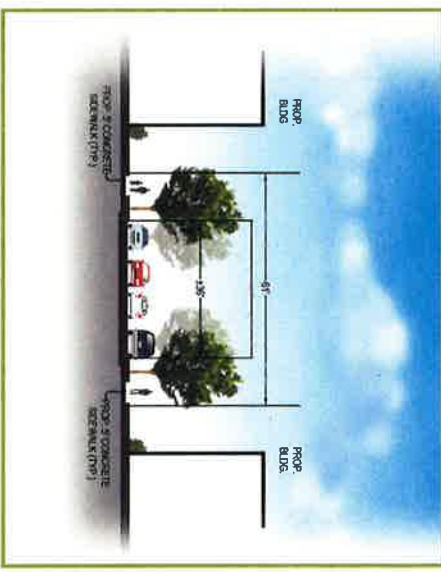
Ray's Regardie interconnected street grid encourages a pedestrian friendly circulation system. It provides for dispersion of traffic and multiple access points for emergency vehicles. Neighborhood streets encourage walking by providing sidewalks and trail connections and by using traffic calming techniques, such as narrow streets and tighter curves.



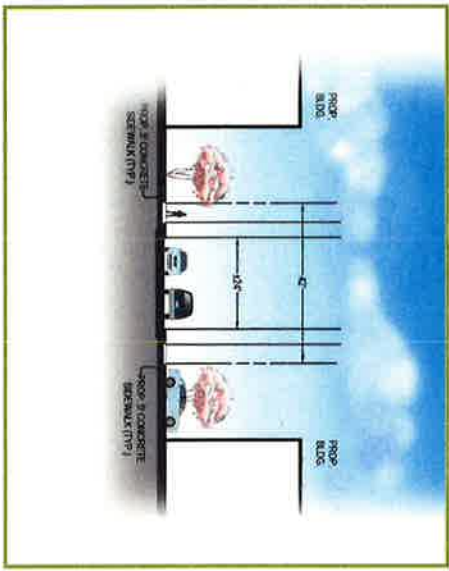
A Public Main Street Section: UAS-1



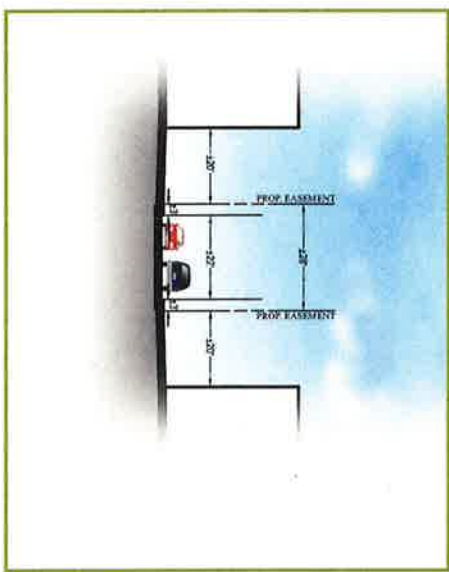
B Private Street Section: UPS-1



C Private Street Section: TS-1

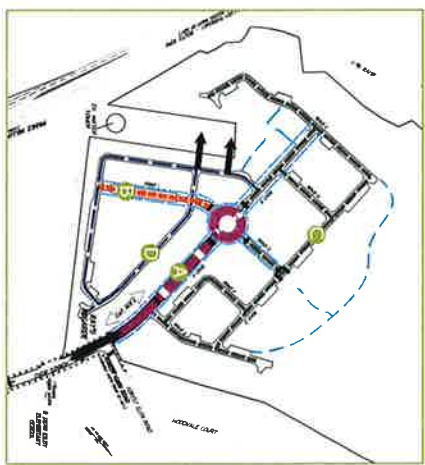


D Private Alley: UA1



STREETFRONT:

Ray's Regarde has been designed to provide a safe, integrated neighborhood with a sense of community. A round about on the main street will serve as a traffic calming device and the network of sidewalks provides connectivity across the development.





*See Part III for plan details.

OPEN SPACE & RECREATION AREAS:

Ray's Regarde preserves a significant amount of tree canopy by limiting removal of such to the maximum extent practicable. Common open space surrounds the site and serves as a buffer to the surrounding communities. About 60% of the total area is designated as general open space, and 30% is undisturbed open space.

Each home within the development has been designed to be in close proximity to a pocket park and a passive recreation area. There are more than 4 acres of recreation areas which include 3 playground areas, trails, fitness stations, passive recreation areas and a non-programmed lawn area. In addition, the community will feature 2 pocket parks surrounding the roundabout as passive recreational areas which will be characterized by an enhanced concentration of landscape elements and site furniture.

WALKABILITY:

Green spaces are located strategically throughout the development, providing opportunities for people watching, outdoor socializing, and simply enjoying the outdoors. These spaces are interconnected with generous sidewalks, allowing pedestrian circulation throughout the community. Approximately 1,400 linear feet of a trail system will be included to provide additional connectivity and active recreational opportunities.

**2 over 2
(Multi-family)**



FOR ILLUSTRATIVE PURPOSES ONLY



**Front-Loaded
Town Home**



FOR ILLUSTRATIVE PURPOSES ONLY



DEVELOPMENT PROGRAM:

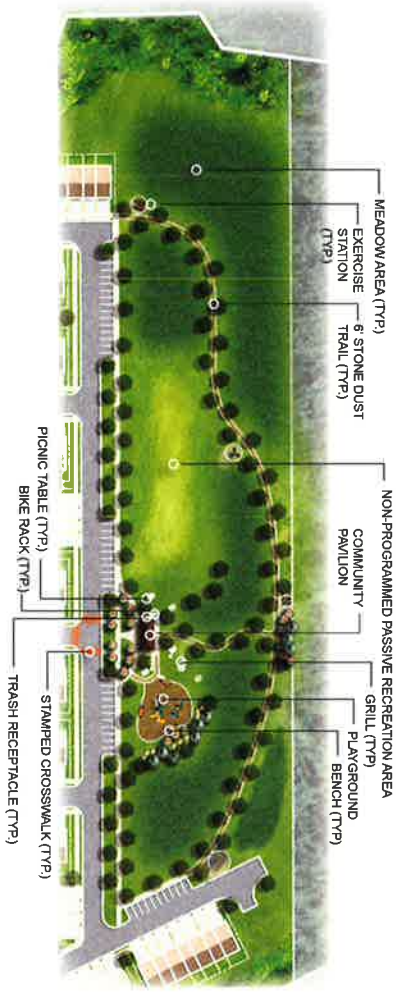
The program at Ray's Regarde includes 2 over 2 multifamily buildings and front load townhouse units.

Architectural Features

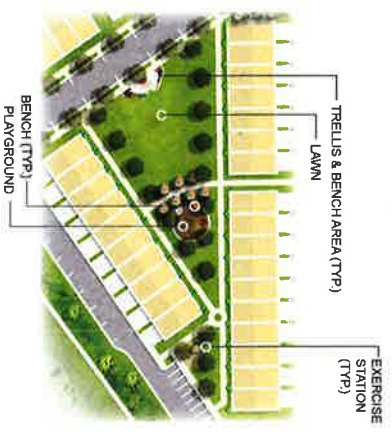
Architectural features may include:
Elegantly appointed brick or stone facade with classic exterior design, beaded siding for side and rear elevations, painted front door, shutters, gable dormers, bay windows and porches, among others.



1 MAIN LINEAR GREEN NORTH



2 EAST NEIGHBORHOOD PARK



3 WEST NEIGHBORHOOD PARK



4 ROUNDABOUT POCKET PARKS



PARK SYSTEM:

The amenity program at Ray's Regard includes a mix of active and passive recreation places for community interaction. There is a system of parks interconnected by a robust network of sidewalks and trails.

Three playgrounds are strategically located north, southeast, and southwest of the development. In addition, the community features a north linear recreational area which includes a trail, a playground, picnic tables, grills, fitness stations, a non programmed lawn area and a pavilion for community events.

Each home is in close proximity to one or more of the above mentioned amenities allowing easy access to recreational opportunities for all residents.



DETAILS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY



STREET TREE PROGRAM:

The size of the street tree at the time of planting shall be 2.5" to 3" caliper and the ornamental trees should be a minimum of 1" caliper or 8 to 10' height. The preferred species are listed as follows:

CANOPY TREES

- Willow Oak
- Pin Oak
- Columnar Maple
- Japanese Zelkova
- American Elm Imp. Var
- London Planetree

ORNAMENTAL

- Eastern Redbud
- Serviceberry
- Flowering Dogwood
- Crape Myrtle

SHRUBS

- Azalea Sp.
- Hydrangea Sp
- Inkberry Holly
- Helleri Holly
- Blue Princess Holly
- Viburnum Sp.



London Planetree



Pin Oak



Eastern Redbud



Helleri Holly

Benches: Benches should be placed outside of the main pedestrian flow, but within close proximity to pedestrian zones. Seating should be placed in shaded open spaces; fixture/planting zone, parks and bus stops; to invite longer stays.



Paving materials at streetscape intersections, sidewalks and crosswalks should create identifiable ground plane links throughout the development.



Exercise Stations should be spread along the community trails and sidewalks to provide a circuit.



Playgrounds should offer equipment for different age groups and shall comply with safety standards.



Lighting elements:

Walkway lighting should be scaled to the pedestrian and should provide for safe use of pathways. Full cutoff style fixtures are required for all areas. Such lighting shall be designated on the construction plan for Ray's and shall follow all industry standards for placement and intensity. Average lighting levels for sidewalks shall not exceed 2.0 fc (foot-candles).



Trash Receptacles shall compliment other furnishings and help to unify the image. Trash receptacles should not interfere with pedestrian traffic and, therefore, should be located within the planting zone near or along curbs for easy maintenance access.



STREETSCAPE ELEMENTS:

Sidewalks may be concrete, brick or other acceptable material. In parks and other major amenities, sidewalks are encouraged to incorporate decorative elements such as paver banding, interesting patterning in the concrete or other elements. Pedestrian crosswalks shall be clearly marked.

Street trees shall be planted in planting strips no less than 30 feet on center. Variations in the street tree pattern to acknowledge building entrances and other significant features shall be allowed.

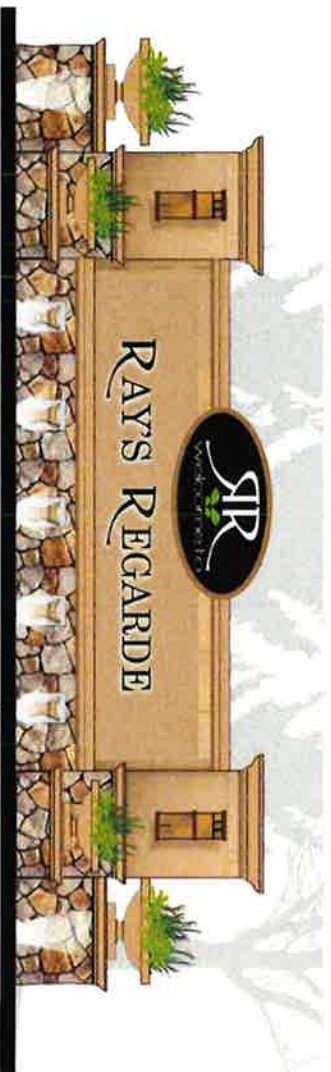
SITE FURNITURE:

Site furniture plays an important role in creating an identity for the community. Careful consideration must be given to the selection of site furnishings, such as those shown to the left. Coordination of materials and colors, functionality, durability and handicap accessibility are paramount to the selection and implementation of furnishings.

- Recommended Colors:
- Dark green
 - Dark blue
 - Black
- Recommended Materials:
- Aluminum/Cast Aluminum
 - Cast Iron

HARDSCAPE IMAGES FOR ILLUSTRATIVE PURPOSES ONLY

1 MONUMENT ENTRY SIGN



2 SECONDARY SIGN



COMMUNITY IDENTITY:

Ray's Regarde will feature a monument identity sign to welcome residents and visitors. The sign will include similar stone used on the residential facades and will be lit to create a dramatic effect that provides identity to the community. Secondary column signs will be placed at other important intersections throughout the development.

Secondary signs are intended to feature subtle entry monuments to help define the community and to provide a sense of arrival.

Entry signage shall be designed as an integral part of the community and shall incorporate lighting and be visible from the street without encroaching into the public right-of-way.

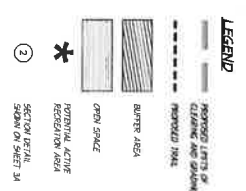


■ Design Guidelines





- NOTES:**
1. THE COUNTY SHALL BE PROVIDED IN ACCORDANCE WITH THE BEST TREE CAREY PRACTICES AND SHALL BE REVIEWED WITH THE COUNTY ENGINEER.
 2. THE DEVELOPER SHALL RESERVE THE RIGHT TO PLANT ADDITIONAL TREES OR VEGETATION TO MAINTAIN THE VISUAL QUALITY OF THE SITE.
 3. LANDSCAPE SHALL ONLY BE POSITIONED FROM BACKYARDS WITH THE PERMISSION OF THE COUNTY ENGINEER.
 4. LANDSCAPE BUFFERS TO BE PLANTED IN ACCORDANCE WITH SECTION 601 OF THE ZONING ORDINANCE AND SHALL BE SUBMITTED IN CONNECTION WITH THE SITE PLAN. A FINAL LANDSCAPE PLAN WILL BE SUBMITTED IN CONNECTION WITH THE SITE PLAN.



OPEN SPACE TABULATION:

TOTAL AREA 105.00 AC
 OPEN SPACE REQUIRED 50.00 AC
 OPEN SPACE PROVIDED 50.00 AC
 AREA OF UNDEVELOPED OPEN SPACE 100.00 AC
 OTHER ACTIVE FUTURE OPEN SPACE 0.00 AC
 OPEN SPACE WILL BE PROVIDED BY THE DEVELOPER AS A PAID AND NOT BY INDIVIDUAL LAND BOTS

STREET TREE HIERARCHY:

TREE TYPE A
 TREE TYPE B
 TREE TYPE C
 TREE TYPE D
 TREE TYPE E
 TREE TYPE F

TREE TYPES TO BE DETERMINED IN FINAL SITE PLAN

DATE: 03/23/2016
 SHEET 3 OF 5
 SCALE: 1" = 100'

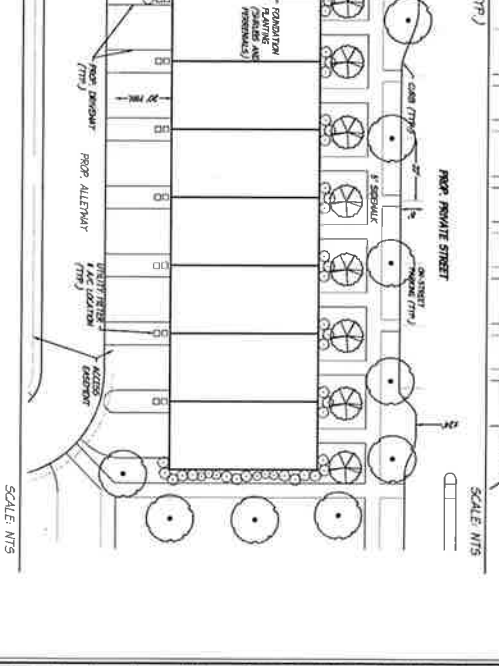
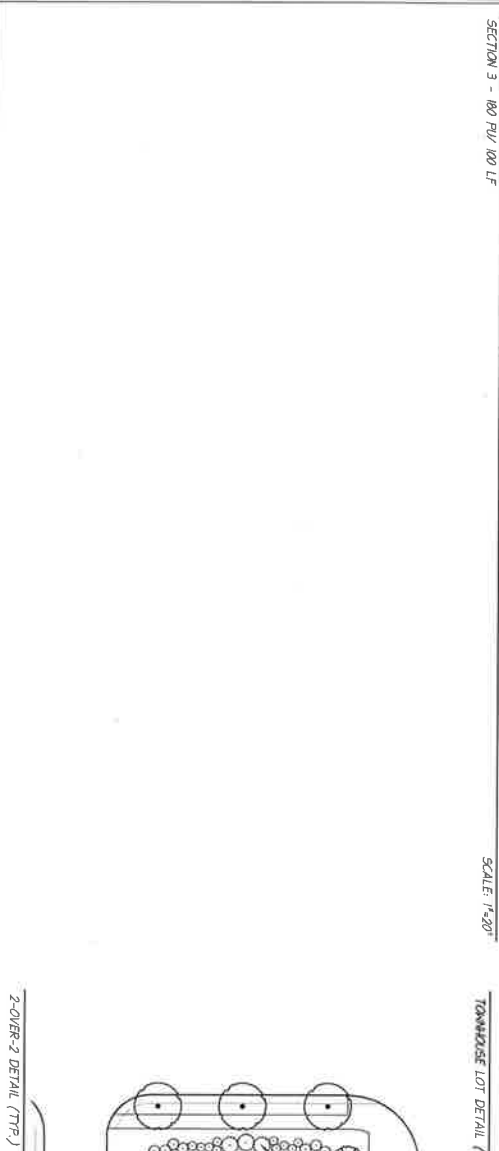
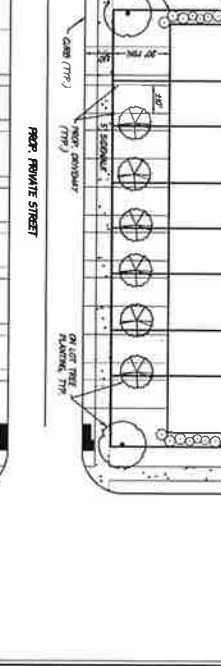
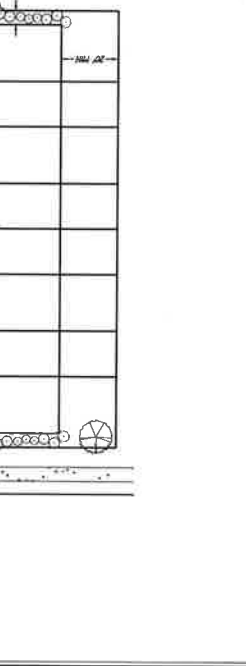
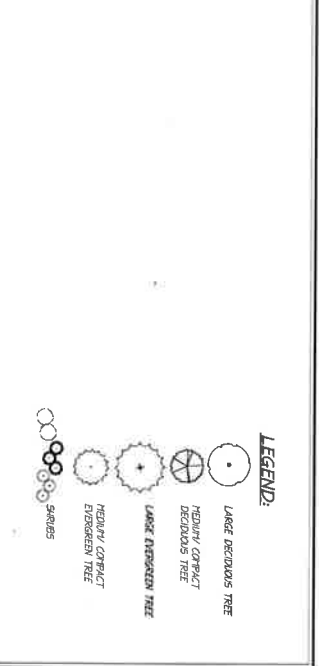
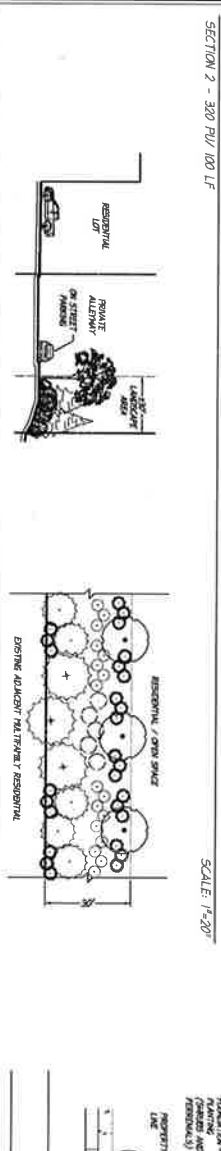
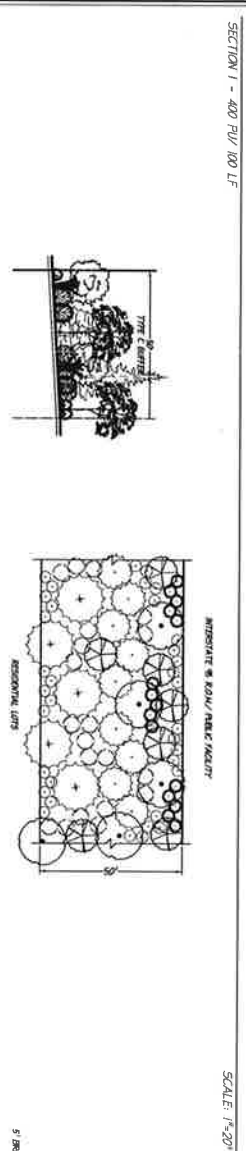
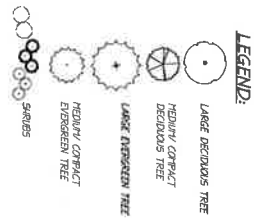
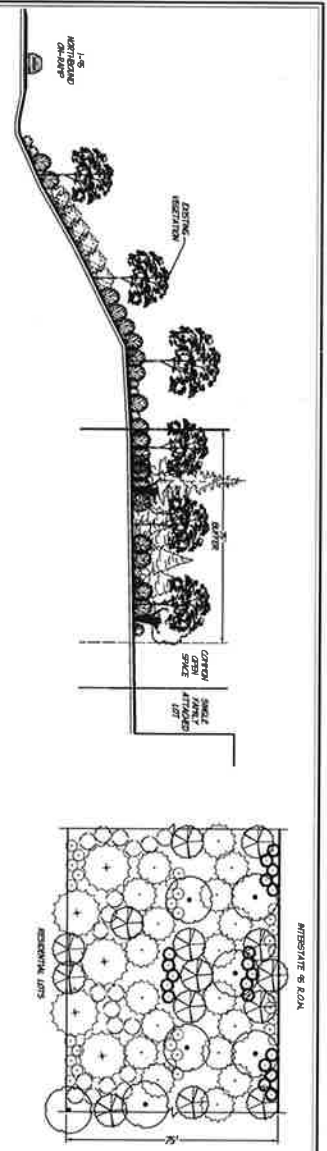
NO.	DATE	DESCRIPTION	APPROVED BY

RAY'S REGARDE

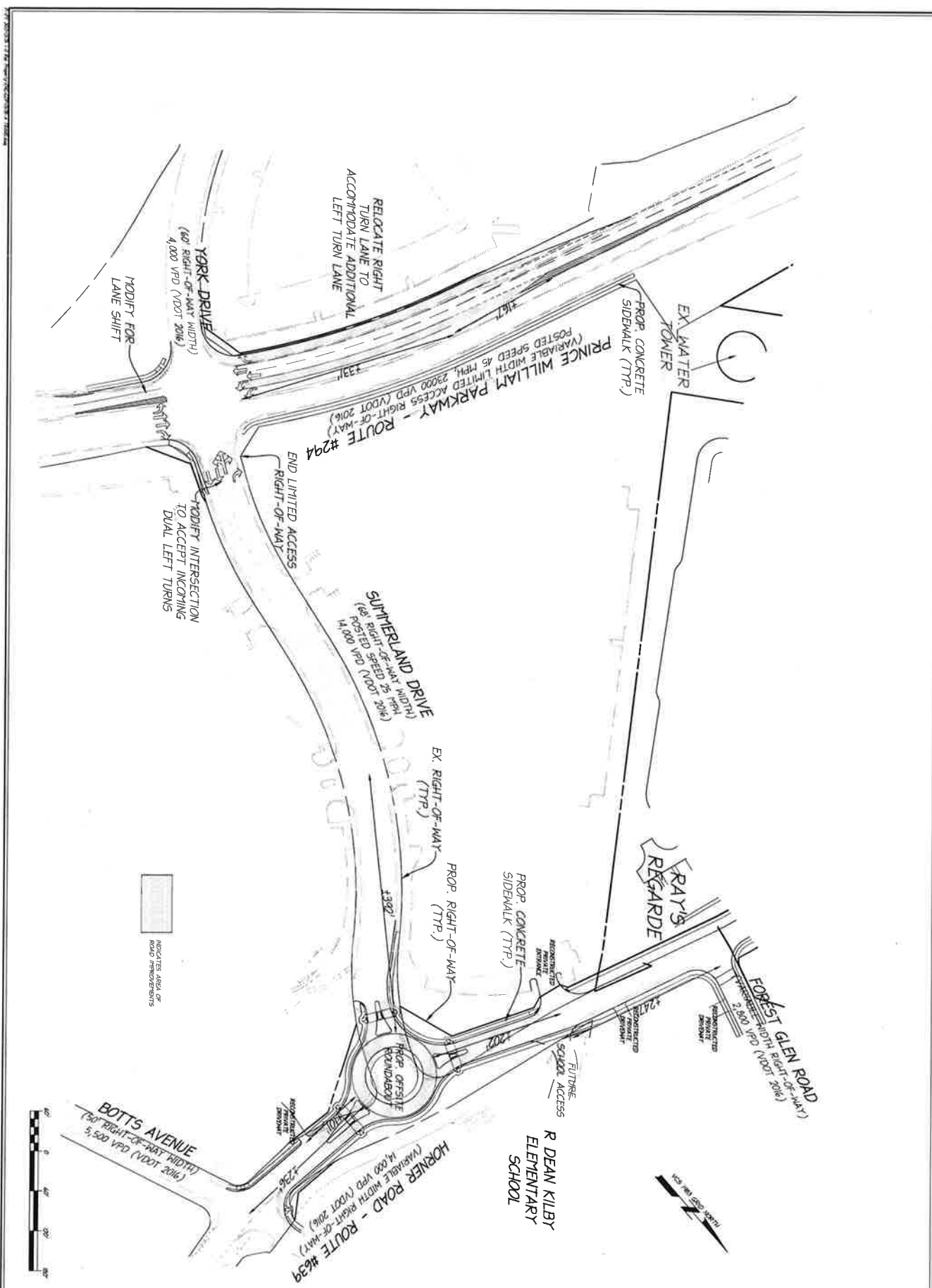
WOODBRIDGE REGISTERAL DISTRICT
 PRINCE WILLIAM COUNTY, VIRGINIA

OPEN SPACE & BUFFER PLAN





		RAY'S REGARDE ARCHITECT & LANDSCAPE ARCHITECT 455 DASHWOOD AVENUE, SUITE 201 WOODBRIDGE, VIRGINIA 22194 PH: 703.698.1000 FAX: 703.698.4178	
LDC 455 DASHWOOD AVENUE, SUITE 201 WOODBRIDGE, VIRGINIA 22194 PH: 703.698.1000 FAX: 703.698.4178		BUFFER & STREETSCAPE DETAILS	



DATE: 03/23/2016
 DRAWN BY: J. GARDNER
 CHECKED BY: J. GARDNER
 TITLE: TRANSPORTATION IMPROVEMENTS
 PROJECT NO.: 15777
 SHEET NO.: 45

NO.	DATE	DESCRIPTION	BY	APPROVED

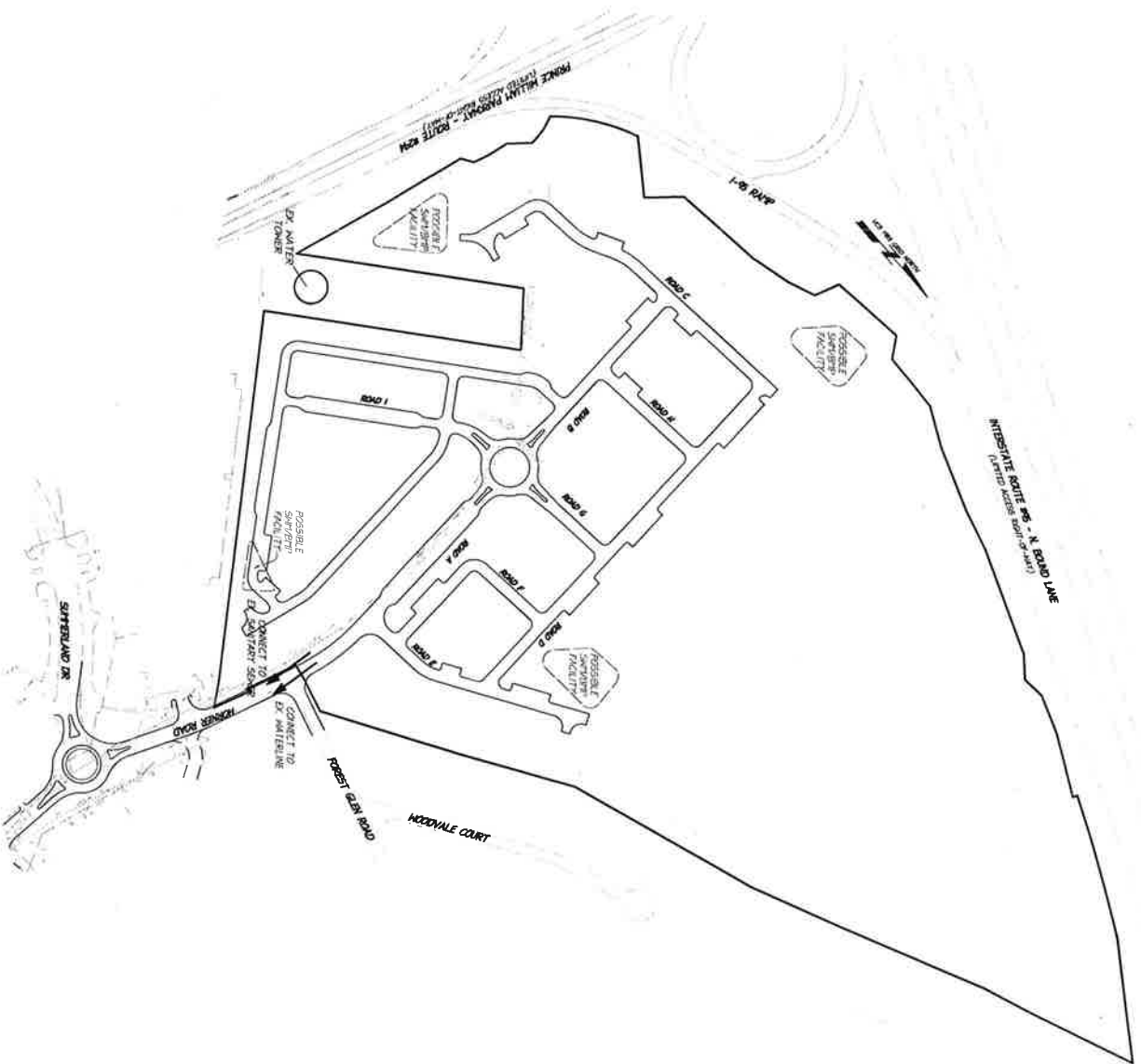
RAY'S REGARDER

HOODSPRING MAGISTERIAL DISTRICT
 PRINCE WILLIAM COUNTY, VIRGINIA

**OFF-SITE
 TRANSPORTATION
 IMPROVEMENTS**



4105 SANDY FORD AVENUE, SUITE 201, HOODSPRING, VIRGINIA 22188
 PH: 757-534-4200 FAX: 757-534-4173



- NOTES:**
1. WATER AND SEWER SERVICE SHALL BE EXTENDED WITH FACILITY AND SUBJECT TO FINAL ENGINEERING.
 2. SANITARY WATER AND SANITARY SEWER SHALL BE EXTENDED FROM HENRIER ROAD.
 3. WATER QUALITY AND QUANTITY CONTROL SHALL BE PROVIDED WITH FINAL SITE PLANS IN ACCORDANCE WITH THE APPLICABLE REGULATIONS AND CODES PROVIDED HEREON.
 4. ADDITIONAL SANITARY AREAS ARE DESIGNATED, ADDITIONAL OR ALTERNATIVE AREAS MAY BE PROVIDED SUBJECT TO FINAL ENGINEERING.
 5. THE SUBJECT PROPERTY IS LOCATED WITHIN A SUBDIVISION OF THE COUNTY OF PRINCE WILLIAM, VIRGINIA. THE APPLICANT SHALL REQUEST MAINTENANCE OF DESIGN SECTIONS 22014, 22015 AND 22016. DUE TO THE PRESENT UNDERGROUND DETENTION FACILITIES THAT WILL NOT PROVIDE INBOARD RECOLLECTION, THESE FACILITIES REMOVAL, TIEBACKS AND WILL BE PROVIDED BY THE APPLICANT.

DATE: 01/20/2023	DESIGNER: [Signature]	APPROVED: [Signature]	DATE: 01/20/2023
DATE: 01/20/2023	DESIGNER: [Signature]	APPROVED: [Signature]	DATE: 01/20/2023
DATE: 01/20/2023	DESIGNER: [Signature]	APPROVED: [Signature]	DATE: 01/20/2023

RAY'S REGARDE
 MODROSE INDUSTRIAL DISTRICT
 PRINCE WILLIAM COUNTY, VIRGINIA

UTILITY PLAN



SHEET 5 OF 5
 DATE: 01/20/2023
 SCALE: 1" = 120'