



TOWN OF HAYMARKET PLANNING COMMISSION

CONTINUATION MEETING ~ AGENDA ~

Shelley M. Kozlowski, Clerk of Council
<http://www.townofhaymarket.org/>

15000 Washington Street, Suite 100
Haymarket, VA 20169

Monday, July 16, 2018

7:30 PM

Council Chambers

I. Call to Order

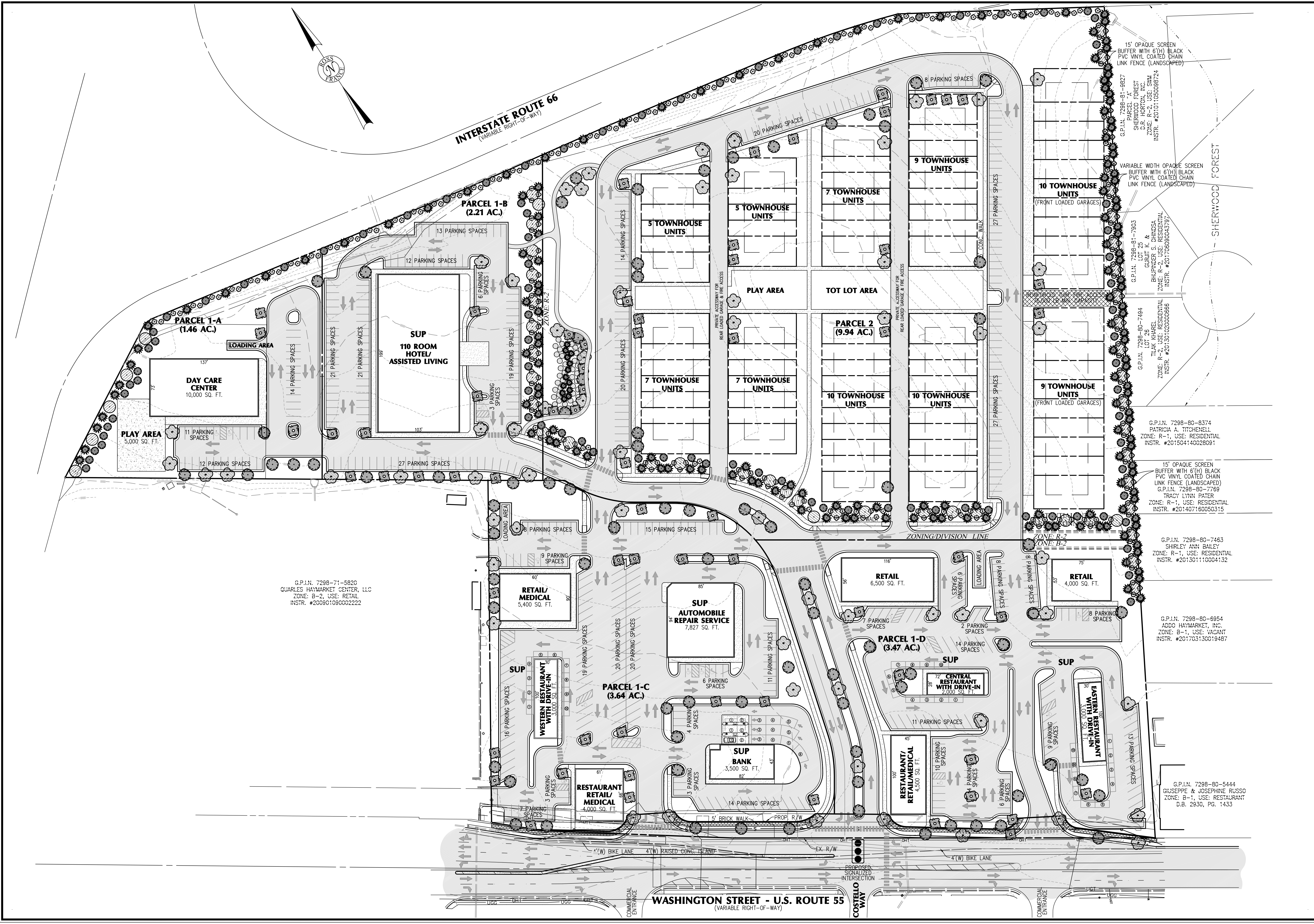
II. Action Item

1. Crossroads Village Center

III. Adjournment

DATE	BY	REVISION
5/31/18	RMM	REVISED PER TOWN COMMENTS
7/11/18	RMM	REVISED NOTES AND UPDATED PLAN

DES: SEM	DWN: GMG	CHK: RMM
FILE NO. DP #511	SHEET 2 OF 2	



G.P.I.N. 7298-71-5829
 QUARLES HAYMARKET CENTER, LLC
 ZONE: B-2, USE: RETAIL
 INSTR. #200901090002222

G.P.I.N. 7298-80-6954
 ADDO HAYMARKET, INC.
 ZONE: B-1, USE: VACANT
 INSTR. #201703130019487

G.P.I.N. 7298-80-5444
 GIUSEPPE & JOSEPHINE RUSSO
 ZONE: B-1, USE: RESTAURANT
 D.B. 2930, PG. 1433

G.P.I.N. 7298-80-8374
 PATRICIA A. TITCHENELL
 ZONE: R-1, USE: RESIDENTIAL
 INSTR. #201504140028091

G.P.I.N. 7298-80-7494
 TILAK KHAREL
 ZONE: R-2, USE: RESIDENTIAL
 INSTR. #201501020000868

G.P.I.N. 7298-81-7903
 GURJIT K. & BHUPINDER S. DHINDSA
 ZONE: R-2, USE: RESIDENTIAL
 INSTR. #20150605045791

G.P.I.N. 7298-81-9027
 SHERWOOD FOREST
 ZONE: R-2, USE: SWM
 INSTR. #20101030038724

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DES: SEM	DWN: GMG	CHK: RMM
FILE NO. DP #511		
SHEET 1 OF 1		

P:\Engineer\PWC\Haymarket\Cross Villages Ctr\Phase 1\DWG\CVC - GDP-color.dwg Wed Jul 11 2018 9:40:13 AM gparcino



G.P.I.N. 7298-71-5820
 QUARLES HAYMARKET CENTER, LLC
 ZONE: B-2, USE: RETAIL
 INSTR. #20090109002222

G.P.I.N. 7298-80-6854
 ADDO HAYMARKET, INC.
 ZONE: B-1, USE: VACANT
 INSTR. #201703130019487

G.P.I.N. 7298-80-5444
 GIUSEPPE & JOSEPHINE RUSSO
 ZONE: B-1, USE: RESTAURANT
 D.B. 2930, PG. 1433

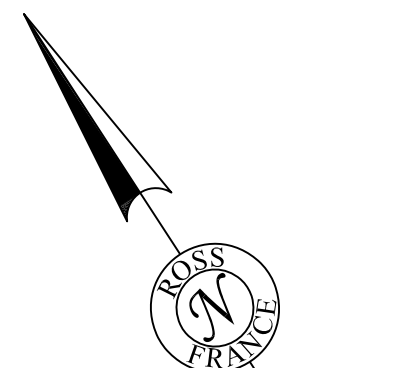
G.P.I.N. 7298-80-7463
 SHIRLEY ANN BAILEY
 ZONE: R-1, USE: RESIDENTIAL
 INSTR. #20130110604132

G.P.I.N. 7298-80-8374
 PATRICIA A. TITCHENELL
 ZONE: R-1, USE: RESIDENTIAL
 INSTR. #201504140028091

G.P.I.N. 7298-80-7484
 TILAK KHAREL
 ZONE: R-2, USE: RESIDENTIAL
 INSTR. #201301020000885

G.P.I.N. 7298-81-7903
 GURJIT K. & BHUPINDER S. DINDSA
 ZONE: R-2, USE: RESIDENTIAL
 INSTR. #20170605045797

G.P.I.N. 7298-81-8027
 SHERWOOD FOREST
 ZONE: R-2, USE: SWM
 INSTR. #20101036038724



PROFFER STATEMENT FOR CROSSROADS VILLAGE CENTER

REZONING: Rezoning #2018-~~004~~, B-2 to R-2
 PROPERTY: Area to be Rezoned is a 9.94 acre Portion of GPIN 7298-81-2707 (the "Property")
 RECORD OWNER: Haymarket Development # 1, LLC
 APPLICANT: Haymarket Development #1, LLC
 PROJECT NAME: Crossroads Village Center
 ORIGINAL DATE OF PROFFERS: April 3, 2018.
 REVISION DATE: ~~May 31~~, ~~June 13~~, July 31 2018

The undersigned hereby proffers that the use and development of the subject property ("Property"), as described above shall be in strict conformance with the following conditions. In the event the above-referenced rezoning is not granted as applied for by the applicant ("Applicant"), these proffers shall be withdrawn and shall be null and void. If this application is denied by the Town Council for the Town of Haymarket (the "Town Council") and an appeal is for any reason thereafter remanded to the Town Council for its reconsideration by a court of competent jurisdiction, then these proffers shall be deemed withdrawn unless the Applicant shall affirmatively readopt all or any portion hereof, in a writing specifically for that purpose. The headings of the proffers set forth below have been prepared for convenience of reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The improvements proffered herein shall be provided at the time of development of that portion of the property adjacent to or including the improvement or other proffered requirement, unless otherwise specified herein. The term "Applicant" as referenced herein shall include within its meaning the present owner of the Property, all future owners, their assigns and successors and interests.

When used in these proffers, the "GDP" shall refer to the "Crossroads Village Center Generalized Development Plan and Special Use Permit Plan," prepared by Ross-France, dated March 30, 2018, as revised July 11, 2018 (2 sheets), as supplemented by a colorized plan of the same name showing landscaping and buffering (one sheet) dated May 31, 2018, revised as of July 11, 2018.

The proffers offered by the Applicant are fully voluntary and not as a result of any demand by the Town or any of its officials, employees or agents. The Applicant hereby represents to the Town (and agrees that the Town may rely upon said representation) that (i) the Applicant has independently evaluated the impacts of its development; (ii) there is a nexus between each proffer offered by the Applicant and the impact of the proposed development; (iii) there is a rough proportionality between each proffer (whether in the form of cash, property or conditions) and the impact of the development; (iv) the proffers are in conformity with the Town's Comprehensive Plan; and (v) neither the Town nor any of its officials, employees or agents have demanded a proffer from the Applicant.

1. LAND USE

- 1.1 Development shall be in substantial accord with the Generalized Development and Special Use Permit Plan entitled "Crossroads Village Center" prepared by Ross-France and dated March 30, 2018 (2 sheets) as supplemented by a colorized plan of the same name (one sheet) dated May 31, 2018 (the GDP) with the size, construction details and locations of buildings, roadways and other features being approximate subject to final engineering at site plan and with the color, construction materials and appearance of structures being subject to the issuance of certificates of appropriateness by the Architectural Review Board (ARB) at advertised public meetings.
- 1.2 Residential Development on the Property shall not exceed 79 townhouse units in the location generally shown on the GDP.
- 1.3 ~~All~~ Townhouse dwellings shall ~~consist of~~ either 20' and/or 24'-wide units.
- 1.4 Development of the Property shall be in ~~strict~~ substantial conformity with the GDP that is proffered hereby, ~~provided that minor with adjustments in~~ precise locations of roads ~~locations~~, lot lines, lot widths and depths, utility lines, and other features generally depicted on the GDP ~~being may be made determined~~ at the time of site or subdivision plan approval.
- 1.5 The Property shall be developed as a single-unified development to include a common architectural theme as specifically approved through certificates of appropriateness by the ARB and integrated vehicular and pedestrian access ways as depicted on the GDP and finalized through site plan approval.

2. PHASING

The Applicant shall construct, as part of the first phase of the development: (1) the Washington Street Improvements except for the traffic signal and pedestrian signals (as defined in Proffer #8), (2) the access road from Washington Street to Parcel 1-B as shown on the GDP and (3) a minimum of 15,000 feet of the commercial development shown on the GDP, all prior to the issuance of an occupancy permit for the 79th townhouse unit (Phase I). Applicant shall construct the Hotel/Assisted Living Facility, the Day Care facility and the other improvements shown on GDP on Parcel 1-A and Parcel 1-B, as part of the second phase of development (Phase II) or concurrently as part of Phase 1, at Applicant's sole discretion.

2.3 ARCHITECTURAL DESIGN, SIGNAGE AND LANDSCAPING

2.3.1 The Applicant will use best efforts to ensure that the height of Townhouse units will not exceed 40-feet as measured from the finished grade. To the extent final grading results in height, as measured from the finished grade over 40 feet, then the applicable side yard setback shall be increased by .5 feet for every foot over 40 feet. Architectural details of the townhouse units and the commercial structures will be determined through the issuance of certificates of appropriateness issued by the ARB.

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3.4 STORM WATER MANAGEMENT

3.14.1 Storm water management for the Property shall employ best management practices (“BMP”).

3.24.2 Storm water retention shall be provided at site plan as approved by the Town.

3.34.3 Storm water management facilities shall be maintained by the appropriate owners’ associations provided below.

4.5 CREATION OF HOMEOWNERS’ ASSOCIATION

4.15.1 The Property shall be made subject to one or more homeowners’ associations that shall be created and be made responsible for the maintenance and repair of common areas, including common open space that may be established in accordance with the requirements of the Town zoning ordinance or these proffers. The HOA shall be granted such other responsibilities, duties and powers as a customary for such associations, or as may be required to affect the purposes for which the HOA is created. Such HOA shall also be granted sufficient powers that may be necessary, by regular special dues or assessments, to raise revenue sufficient to perform the duties assigned hereby, or by the documents creating the association.

4.25.2 The HOA documents shall prohibit the use or conversion of garages for living space, or for the primary purpose of storage of anything other than parked vehicles.

4.35.3 The covenants, conditions and restrictions of the HOA shall be subject to review and approval of the Zoning Administrator prior to recordation thereof, to ensure conformance of the requirements of these proffers.

5.6 PARKS AND RECREATION

5.16.1 The Applicant shall make a contribution to the Town Council for park purposes in the amount of \$3,792 per residential townhouse unit, payable upon the issuance of an occupancy permit for each such unit.

5.26.2 The Applicant shall reserve the open space or areas shown on the GDP as “~~Park/Common Play Area~~” or “~~Tot Lot~~” for ~~possible recreation play areas~~ or tot lots.

6.7 PUBLIC SAFETY

6.17.1 The Applicant shall make a contribution to the public safety purposes in the amount of \$280.00 per residential townhouse unit payable upon the issuance of a building permit for each such unit.

7.8 TRANSPORTATION

Applicant shall construct the following improvements as shown on the GDP (Washington Street Improvements) as part of Phase I, except for the traffic signal and

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Attachment: Proffer Statement--07-11-18 redline 4823-6988-5805 v.1 (3683 : Crossroads Village Center)

pedestrian signals referenced in paragraph #8.3, which will be constructed as part of Phase II, when the signal is warranted:

- 8.1 right turn lanes as generally shown on the GDP.
- 8.2 a 4-foot wide, 6" high raised island and left turn lanes as generally shown on the GDP.
- 8.3 As part of Phase II, a traffic signal at the intersection of Washington Street/Costello Way at the main site entrance when warranted along with pedestrian signals, with the signal justification report being commenced no later than the completion of Phase I.
- 8.4 A cross walk on Washington Street.
- 8.5 The applicant shall construct a 5' brick walk along the Washington Street frontage as shown on the GDP.

The Applicant shall make a contribution to transportation purposes in the amount of \$3,799 per townhouse unit, payable upon issuance of an occupancy permit for each such townhouse unit.

At the time of issuance of the occupancy permit for the seventy-ninth town home and for uses representing seventy-five percent of the cumulative development square footage of commercial uses shown on the GDP, Applicant shall submit to VDOT a corridor traffic signal timing study for Route 15. This study shall evaluate the impact of potential timing adjustments to the intersection of Route 15 and Route 55 on the other intersections in the coordinated signal system along Route 15. Inclusion of signalized intersections south of Route 55 or north of Heathcote Boulevard shall not be required. Implementation of any revised signal timings shall be the responsibility of VDOT.

At the time of first site plan submission, Applicant shall submit to VDOT waiver requests for reductions in the lengths of the left turn lane tapers and full-width left turn lanes serving the eastern site access and the main site access/Costello Way. If VDOT approves such waiver requests, Applicant shall construct the turn lanes and tapers consistent with the site plan and the waiver approvals. If VDOT does not approve the waiver requests, Applicant shall coordinate design alternatives with the Town and VDOT resulting in a mutually-acceptable alternative design that will be reflected in the site plan and deemed substantially consistent with the GDP.

- 7.1 Applicant shall construct right turn lanes as generally shown on the GDP.
- 7.2 Applicant shall construct the 4 foot wide, 6" high raised island and left turn lanes as generally shown on the GDP.
- 7.3 The Applicant shall make a contribution to transportation purposes in the amount \$3,799 per townhouse unit, payable upon the issuance of an occupancy permit for each such townhouse unit.
- 7.4 The Applicant shall construct a traffic signal at the intersection of Washington Street/Costello Way at the main site entrance when warranted.

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Attachment: Proffer Statement--07-11-18 redline 4823-6988-5805 v.1 (3683 : Crossroads Village Center)

~~7.5 The Applicant shall provide cross walks across Washington Street as part of construction of said traffic signal. The cross walks will include pedestrian signals and refuges within the median.~~
~~7.6 The applicant shall construct a 5' brick walk along the Washington Street frontage as shown on the GDP.~~

~~8.9~~ FIRE AND RESCUE

~~8.19.1~~ Applicant shall make a contribution to fire and rescue purposes in the amount of \$974 per townhouse unit, payable upon the issuance of a building permit for each such unit.

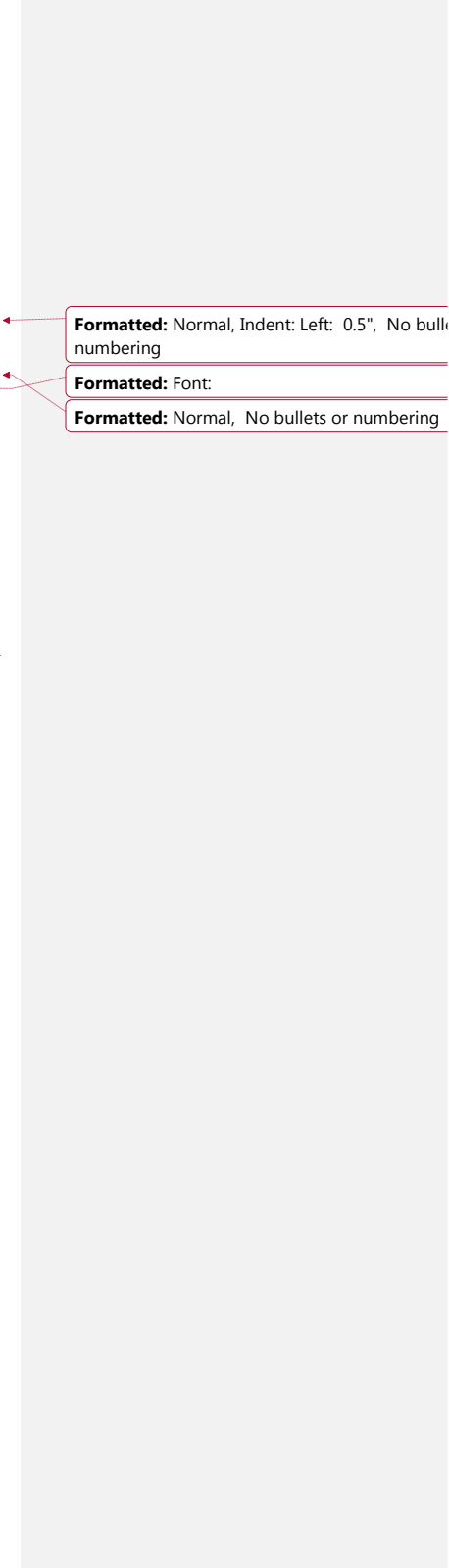
~~9.10~~ TOWN ADMINISTRATION

~~9.10.1~~ Applicant shall make a contribution to Town administration in the amount of \$171 per townhouse unit, payable upon the issuance of a building permit for each such unit.

~~10.11~~ SCHOOLS

~~10.11.1~~ The Applicant shall make a contribution to schools in the amount of \$10,300 per residential townhouse unit, payable upon the issuance of an occupancy permit for each such unit.

SIGNATURES ON FOLLOWING PAGES



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APPLICANT:

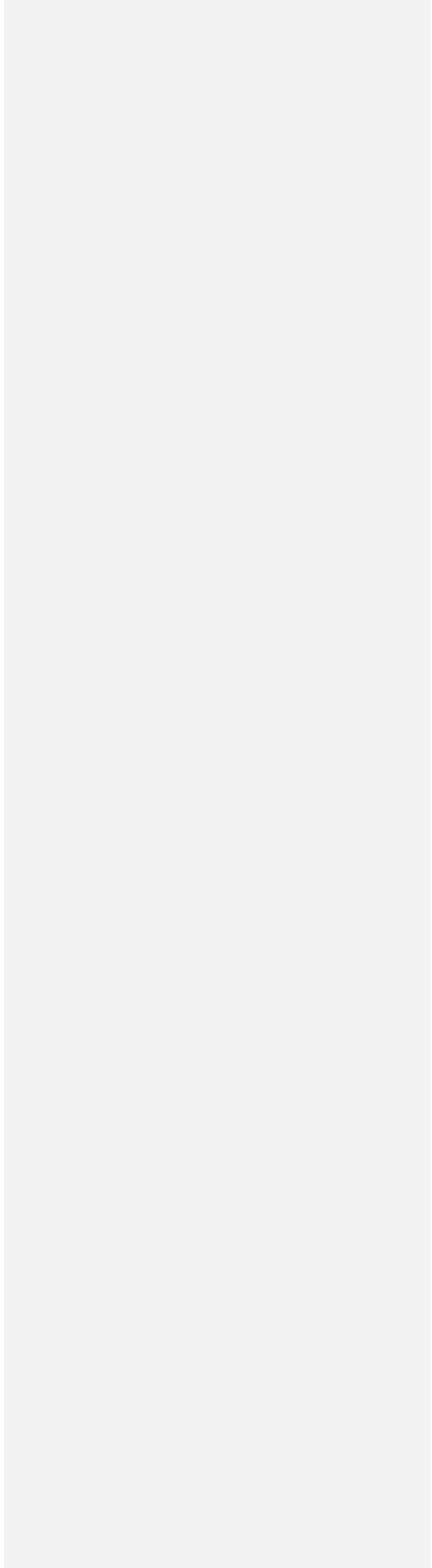
Haymarket Development #1, LLC,
a Virginia Limited Liability Company

By: Haymarket Development Partners MM, LLC, a Virginia Limited Liability Company, its
Manager

By: _____
The Don L and Melinda L Wooden Trust, its Manager
Melissa Ricketts, Trustee

By: _____
OC-P3, LLC, its Member
Igor Levine, Member

By: _____
OC-P3, LLC, its Member
Nick Liu, Member



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- 5.3 The covenants, conditions and restrictions of the HOA shall be subject to review and approval of the Zoning Administrator prior to recordation thereof, to ensure conformance of the requirements of these proffers.

6. PARKS AND RECREATION

- 6.1 The Applicant shall make a contribution to the Town Council for park purposes in the amount of \$3,792 per residential townhouse unit, payable upon the issuance of an occupancy permit for each such unit.
- 6.2 The Applicant shall reserve the open space or areas shown on the GDP as “Play Area” or “Tot Lot” for play areas or tot lots.

7. PUBLIC SAFETY

- 7.1 The Applicant shall make a contribution to the public safety purposes in the amount of \$280.00 per residential townhouse unit payable upon the issuance of a building permit for each such unit.

8. TRANSPORTATION

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9. FIRE AND RESCUE

- 9.1 Applicant shall make a contribution to fire and rescue purposes in the amount of \$974 per townhouse unit, payable upon the issuance of a building permit for each such unit.

10. TOWN ADMINISTRATION

- 10.1 Applicant shall make a contribution to Town administration in the amount of \$171 per townhouse unit, payable upon the issuance of a building permit for each such unit.

11. SCHOOLS

11.1 The Applicant shall make a contribution to schools in the amount of \$10,300 per residential townhouse unit, payable upon the issuance of an occupancy permit for each such unit.

SIGNATURES ON FOLLOWING PAGES

Attachment: Proffer Statement--07-11-18 c:\lean 4827-8964-3885 v.1 (3683 : Crossroads Village Center)

APPLICANT:

Haymarket Development #1, LLC,
a Virginia Limited Liability Company

By: Haymarket Development Partners MM, LLC, a Virginia Limited Liability Company, its
Manager

By: _____
The Don L and Melinda L Wooden Trust, its Manager
Melissa Ricketts, Trustee

By: _____
OC-P3, LLC, its Member
Igor Levine, Member

By: _____
OC-P3, LLC, its Member
Nick Liu, Member

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