

TOWN OF HAYMARKET PLANNING COMMISSION

REGULAR MEETING ~ AGENDA ~

 Danielle Kijewski, Clerk of Council
 15000 Washington Street, Suite 100

 http://www.townofhaymarket.org/
 Haymarket, VA 20169

 Wednesday, June 7, 2017
 7:00 PM

1. Call to Order

2. Pledge of Allegiance

3. Moment of Silence

4. Minutes Approval

1. Planning Commission - Regular Meeting - May 10, 2017 7:00 PM

5. Citizens' Time

6. Public Hearings

1. Special Use Permit SUP#2015-001 Renewal: Modular Classroom, St. Michael's Academy - 6735 Fayette St

7. ARB & Town Council Update

8. New Business

1. SUP#2015-001 Renewal: Modular Classroom, St. Michael's Academy - 6735 Fayette Street

9. Old Business

1. Site Plan Review: 14600 Washington Street - QBE - ZP#2017-02

10. Town Planner Update

11. Adjournment



TOWN OF HAYMARKET PLANNING COMMISSION

REGULAR MEETING ~ MINUTES ~

Alice Jarrell, Clerk of the Council http://www.townofhaymarket.org/		15000 Washington Street, Suite 100 Haymarket, VA 20169
Wednesday, May 10, 2017	7:00 PM	Council Chambers

A Regular Meeting of the Planning Commission of the Town of Haymarket, VA, was held this evening in the Board Room, commencing at 7:00 PM.

Chairman Matt Caudle called the meeting to order.

1. Call to Order

Chairman Matt Caudle: Present, Commissioner James Carroll: Present, Commissioner Maureen Carroll: Present, Councilman Connor Leake: Absent, Commissioner Cathy Pasanello: Present, Commissioner Madhusudan Panthi: Present, Commissioner Steve Shannon: Present.

2. Pledge of Allegiance

3. Moment of Silence

4. Minutes Approval

A. Planning Commission - Regular Meeting - Mar 1, 2017 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	James Carroll, Commissioner
SECONDER:	Steve Shannon, Commissioner
AYES:	Caudle, Carroll, Carroll, Pasanello, Panthi, Shannon
ABSENT:	Connor Leake

B. Planning Commission - Regular Meeting - Apr 5, 2017 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Steve Shannon, Commissioner
SECONDER:	Cathy Pasanello, Commissioner
AYES:	Caudle, Carroll, Carroll, Pasanello, Panthi, Shannon
ABSENT:	Connor Leake

5. Citizen's Time

Dottie Leonard (14801 Washington Street): shares her thanks that the new map finally reflects her property in the proper manner, and her concern that she did not receive a certified notice of the zoning meetings and changes. She asks that someone explain the ordinance changes in detail to residents before it is approved.

David Bailey (14946 Madison Court): says that he did not receive the certified mailing that some of his neighbors did regarding the zoning changes; he asks how the Town plans to protect residents from the potential consequences of neighboring commercial properties.

Linda Childress (14849 Madison Court): asks when the Public Hearing on the Zoning revisions will be held.

4.1

May 10, 2017

4.1

6. Public Hearing

Linda Childress (14946 Madison Court): shares her dissatisfaction with the impersonality of the mailing she received, and with the process of the Zoning Ordinance and Map revision.

Dottie Leonard (14801 Washington Street): shares her dissatisfaction with the persistence of the transitional designation, but thanks the Commission for righting the zoning discrepancy on her property.

David Bailey (14946 Madison Court): says that he did not receive a certified notice of these changes. He is not against growth within the Town, but says that it must be developed in the proper way, and asks the Commission to remember the residents as they proceed. He also raises the issue of light pollution from Washington Street.

Bill Rafferty (14871 and 14851 Washington Street): suggests townhouses as a favorable alternative for Washington Street developments, and reminds those present that the affected parcels have been public slated for commercial designation for some time.

Bob Weir (6853 Saint Paul Drive): shares his dissatisfaction with the zoning notice that the Town published, and reminds the Commission of the difference between Zoning Ordinance revision and Comprehensive Plan text amendments.

Linda Childress (14946 Madison Court): asks for clarification on the buffer between the allowed commercial use properties and residential properties within the Town.

A. Chapter 58 of the Town Code - Zoning Ordinance & Zoning Map B. Forward to the Town Council Town Code Chapters 38 and 58 - the Unified Development Ordinance: Zoning and Subdivision - along with the proposed Zoning Map for their examination.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Carroll, Commissioner
SECONDER:	Steve Shannon, Commissioner
AYES:	Caudle, Carroll, Carroll, Pasanello, Panthi, Shannon
ABSENT:	Connor Leake

7. ARB & Town Council Update

Councilman Leake is absent, but Mr. Shannon brings up an email that he had sent regarding John Marshall Commons: the development's application was denied by the County, as it did not meet its required planned land use and also would have contributed to school overcrowding and traffic congestion.

8. New Business

A. 6735 Fayette Street - St. Michael's Academy Modular Classroom - SUP#2015-001

Reverend David Monroe (7185 Homestead Court, Warrenton): speaking as Administrator for St. Michael's Academy, he briefs the Commission on an upcoming Special Use Permit (SUP) application that the school will submit for a three-year renewal of its modular classrooms. The application will come before the Commission in due course.

After consideration of Agenda Item 9A, James Carroll asks Reverend Monroe to come back to answer a last question.

Mr. Carroll asks if the SUP is going to be affected by the QBE project.

Reverend Monroe says that it is a temporary measure while the school seeks to find a suitable building to combine its various campuses. He says that, due to space concerns, it is unlikely that this final building would be located within the Town of Haymarket.

9. Old Business

A. 14600 Washington Street - QBE Site Plan Review - ZP#2017-002

4.1

Keith Lowry (903 Aqura Place, Leesburg): business partner of Shawn Landry, who had submitted the application for this project. He has come before the Commission to speak to a revised site plan for the QBE project, which is fully compliant with the Town's requirements, and to ask for the Commission's approval pending the passing of the new Ordinance and its higher height allowance for Town buildings.

Maureen Carroll asks about the two planned entrances, and how they will affect traffic on Washington Street. She asks if a traffic study has been done.

David Hansen (380 Rock Spring Drive, Leesburg) of the KDL Group, and John Davis (5608 Shoal Creek Drive, Haymarket) say that an IDE traffic generation study has been conducted, which found that the increased traffic (500-600 trips per day, including the present uses and occupants) would warrant a second ingress/egress along Bleight Drive, in addition to the ingress/egress along Washington Street.

They predict that more of the traffic would use the Bleight Drive entrance.

They explain that this is submitted as both a preliminary and a final, since there were no outstanding comments from previous staff except for the question of height.

Town Planner Steve Gyurisin clarifies that this is being seen as a preliminary site plan, with the final plan would be considered in July with sufficient public notice and input.

Mr. Davis reminds the Commission that the outside agencies have already reviewed the plan as a final design, so any comments going forward would be limited to the Town Staff.

James Carroll asks when the lease is set to expire for the school that currently occupies part of the building.

The applicants answer that the school's current lease extends through the following June; once they can select a date to actually begin construction, they can make a timeline to share for the project's completion.

Steve Shannon says that after the last few meetings at which parents of students shared their concerns, the applicants should make an effort to keep all parties informed of the project's construction schedule.

Maureen Carroll asks if, with a total of 500-600 trips per day, a traffic light would be necessary at the entrance.

Shannon agrees, and says that 250 cars are a lot, even over the course of a day; he thinks that a light or traffic circle may be needed. He thinks that this matter requires additional clarification from VDOT.

Chairman Caudle says that, with the Commission's present busy schedule (after the Ordinance in June, the research necessary to perform due diligence on this project may be complete by July, but the safer assumption would be August). Shannon says that this would be a tight schedule.

Chairman Caudle suggests that the Commission revisit this project in June, when it can consider further information on the height question and traffic impact.

Shannon and Panthi think that the project should be moved along quickly. Pasanello and Maureen Carroll do not want the process to outpace the consideration of necessary information, and the answers to the questions raised tonight.

The applicants confirm that the project will maintain the building's historic façade, and will look like a school building when it is completed.

4.1

Chairman Caudle assures the applicants that the zoning text amendment, with its new height allowance, has been in the works for the better part of two years, and was determined far before this project was brought forward for consideration.

Chairman Caudle summarizes the matters to be considered at the Commission's next meeting: traffic, the ARB's input, and a possible resolution concerning the height of the building, with Mr Gyurisin's assistance. Maureen Carroll suggests that a historical marker be erected when the project is completed.

B. 6680 Fayette Street - Dog's Day Out Buffer Modification - ZP#2016-038

Mr. Gyurisin confirms that there is no action by the Commission needed for the buffer modification, as it is a matter that he can approve as Zoning Administrator.

Chairman Caudle asks that Mr. Gyurisin convey his thanks, and those of his fellow commissioners, to the owners of this business for holding to the proper procedures and working so well with the suggestions of the Town Boards. He believes that their business will do wonderful things for the Town.

James Carroll asks what sort of plants will comprise the landscape buffer.

Mr. Gyurisin says that the allowed species for landscape buffers are included in the Ordinance, and confirms that the buffer will be composed of both landscaping and a 6-foot board fence.

10. Town Planner Update

Mr. Gyurisin says that much of his work has involved catching up on permit review, and mostly for the ARB.

Chairman Caudle asks for an update on the SHEETZ project, as he sees that the builders have already laid a foundation; Gyurisin says that he spoke with a representative of SHEETZ that day regarding the signs they have proposed, but it is an ARB matter. He does not have an update on whether the project is on track to be completed on schedule.

Steve Shannon says that the Route 15 / I-66 interchange is on track to be completed by mid-to-late July. Shannon also says that the issue of standing water in front of Giuseppe's Restaurant will be fixed the following week.

Chairman Caudle thanks Gyurisin and his fellow commissioners for serving the Town.

11. Adjournment

1. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Carroll, Commissioner
SECONDER:	Steve Shannon, Commissioner
AYES:	Caudle, Carroll, Carroll, Pasanello, Panthi, Shannon
ABSENT:	Connor Leake

Submitted:

Approved:

Danielle Kijewski, Clerk of Council

Matthew Caudle, Chairman





NOTICE OF PUBLIC HEARING TO PERMIT MOBILE CLASSROOM USE IN THE R-1 ZONING DISTRICT BY SPECIAL USE PERMIT, 6735 FAYETTE STREET, HAYMARKET, VIRGINIA

KINDLY TAKE NOTICE that the Planning Commission of Haymarket, Virginia, will hold a Public Hearing on Wednesday, June 7, 2017, beginning at 7:00 p.m. at the Haymarket Town Hall, 15000 Washington Street, Suite 100, Haymarket, Virginia in order to consider a Special Use Permit request by St. Michael's Academy to extend the use of a mobile classroom at 6735 Fayette Street, Haymarket, Virginia. An existing Special Use Permit for the mobile classroom expires on August 31, 2017. The subject site is zoned Residential District R-1 and designated on the Town's Planned Land Use Map as Low Density Residential.

All are invited to attend the Public Hearing at the time and place described above and present their views pertinent to the requested Special Use Permit. Public comments can also be mailed to 15000 Washington Street, Suite 100, Haymarket, Virginia, 20169, or submitted via email to dkijewski@townofhaymarket.org. A complete copy of the application for the Special Use Permit is available for public inspection at Town Hall, located at 15000 Washington Street, Suite 100, between the hours of 8:00 AM and 4:30 PM, Monday through Friday. The Public Hearing is being held in a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility should contact the Clerk of Council at the above address or by telephone at (703) 753-2600.

BY ORDER OF THE TOWN COUNCIL

Attachment: Staff Summary (3198 : Site Plan Review: 14600 Washington Street - QBE - ZP#2017-02)

Site Plan - QBE

Zoning Summary:

This item was tabled at the last Planning Commission meeting.

This is a continuation/re-submittal of the review of the Preliminary Site Plan previously withdrawn by the applicant.

Process - Tentative schedule:

May 2017 - Preliminary Site Plan with Planning Commission June/July 2017 - Ordinance modification/change July 2017 - Final Site Plan with Planning Commission August 2017 - Final Site Plan with Town Council

Staff comments:

The request appears to be in conformance with the Comprehensive Plan policy guidelines and current Zoning Ordinance standards for this type of use and proffers.

All staff review comments appear to have be addressed and revised on the re-submitted Site Plan.

Outside agency reviews appear to be complete.

The height of the building exceeds the current Zoning Ordinance standards.

An amendment to the current Zoning Ordinance for building height is a possible avenue to allow for building height modification.

The applicants designer has indicated that they wish to proceed under the current adopted Zoning Ordinance Site Planning Standards.

It appears that the Site Plan can meet the proposed new Zoning Ordinance standards.

Planning Commission Action:

Action is required by the Planning Commission for the Preliminary Site Plan. Any action by the Planning Commission shall indicate the building height needs modified for Final Site Plan reviews.

9.1.b

Site Plan - QBE

Zoning Summary:

This is a continuation/re-submittal of the review of the Preliminary Site Plan previously withdrawn by the applicant.

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May 2017 - Preliminary Site Plan with Planning Commission June/July 2017 - Ordinance modification/change July 2017 - Final Site Plan with Planning Commission August 2017 - Final Site Plan with Town Council

Staff comments:

The request appears to be in conformance with the Comprehensive Plan policy guidelines and current Zoning Ordinance standards for this type of use and proffers.

All staff review comments appear to have be addressed and revised on the re-submitted Site Plan.

Outside agency reviews appear to be complete.

The height of the building exceeds the current Zoning Ordinance standards.

An amendment to the current Zoning Ordinance for building height is a possible avenue to allow for building height modification.

The applicants designer has indicated that they wish to proceed under the current adopted Zoning Ordinance Site Planning Standards.

It appears that the Site Plan can meet the proposed new Zoning Ordinance standards.

Planning Commission Action:

Action is required by the Planning Commission for the Preliminary Site Plan. Any action by the Planning Commission shall indicate the building height needs modified for Final Site Plan reviews.

QBE Business Park Project Narrative

Haymarket Properties Group, LLC is the owner of approximately 8.84 acres of land located within the Town of Haymarket and identified on the Prince William County Tax Map as GPIN 7397-19-1734. The property was the subject of a rezoning application in 2013 to annex the property into the Town of Haymarket and rezone the property to the Town Center B-1 zoning district. As a result, the property is subject to the conditions of the approved Proffer Statement dated August 1, 2013.

On January 19, 2017 the owner/applicant submitted a Preliminary Site Plan application to the Town of Haymarket to propose the construction of an approximately 64,570 GSF addition to the existing main building located at 14600 Washington Street. The additional floor area is proposed to be constructed as a two (2) story addition above the existing first floor building footprint. To support the additional commercial uses, the existing parking areas will be expanded and a second commercial entrance is proposed along Ex. Bleight Drive. Additionally, the existing one-way egress along Washington Street will be eliminated and the existing one-way ingress along Washington Street will be widened to allow for two (2) way traffic.

As requested by the Town, roadway frontage improvements have been designed along Ex. Washington Street – Route 55 as part of the site plan application. Landscape buffers and interior/perimeter parking lot landscaping have been incorporated into the site plan per the Town's landscape ordinance and SWM/BMP measures have been proposed in order to satisfy the current Virginia Stormwater Regulations.

The Virginia Stormwater Management Permit (VSMP) registration, to include the active site plan, has been submitted under separate cover to the Virginia Department of Environmental Quality (DEQ) for review. A meeting was held at the DEQ Woodbridge, VA office on March 22, 2017 to discuss the first submission review comments and the revised site plan was delivered to DEQ on March 30, 2017 for final review/approval.

At the same time, on March 30, 2017 the revised site plan was delivered to the Town, Fire Marshall's Office, VDOT, PWCSA and Prince William County Planning Office addressing all Town and outside referral agency comments. Upon approval by the outside referral agencies and DEQ, the applicant is requesting to be placed on the next available Planning Commission meeting agenda for consideration as a Preliminary Site Plan application. Additionally, upon approval of the associated building height variance application or Town adoption of the draft zoning ordinance modifications that include language regarding an increase in the maximum allowable building height, the applicant is requesting to be placed on the next available Town Council meeting agenda for consideration as a Final Site Plan.

THE KDL GROUP LLC

March 30, 2017

Ms. Kimberly Murray County of Loudoun Town of Haymarket P.O. Box 1230 Haymarket, Virginia 20168

Re: QBE Business Park Preliminary/Final Site Plan

Dear Ms. Murray:

This letter is in regards to the comments dated February 13, 2017 for the above-referenced application. The following is a summary of our responses to each of the concerns.

Comment Letter dated February 13, 2017 (Holly Montague):

1.	Checklist	The Engineer needs to sign sheets 1, 3, 10, 13, 14, 15, 16, 17, 20 and 22.
	2)b. and 3)b.	

Response: The Engineer's Seal has been signed on all plan sheets.

2.	Checklist 2)c.1) and	 a) Show current topography and contours 50' past property line onto Bleight Drive and onto Alexandra's Keep.
	3)c.1)	 b) Correct contours at eastern side (downhill side) of Alexandra's Keep to reflect swale that was constructed several years ago. c) Verify notes on plan that state Alexandra's Keep wall is still on QBE property. This wall was moved, assumedly off the QBE property, several years ago.
		d) Show existing batting cages.

Response: a. The existing topography within 50' of the northern and western property lines has been shown on all affected plan sheets.

- b. The existing contours along the eastern side of adjacent Alexander's Keep have been shown based on field-run topography and the approved Alexander's Keep final site plan.
- c. The existing stone wall labels have been revised on all affected plan sheets.
- d. The existing chain link backstops have been labeled on all affected plan sheets.

Attachment: QBE Supporting Documents (3198 : Site Plan Review: 14600 Washington Street - QBE - ZP#2017-02)

3.	Checklist	Add north arrow to sheets 10 and 22.
	2)c.2) and	
	3)c.2)	

Response: The north arrow has been added to sheets 10 and 22.

4.	Checklist	State horizontal and vertical scales on sheet 12.
	2)c.3) and	
	3)c.3)	

Response: The horizontal and vertical scales have been added on sheet 12.

5.	Checklist 2)d. and 3)d.	 a) State all present uses of the site on the Cover Sheet in the informational block on the lower right where it says "Present Use and Zoning." b) State present use and zoning on all plan sheets for abutting properties. c) On all plan sheets, state the abutting rezoning project "John Marshall Commons" and Prince William County project number for the Trusted Management and Services, LLC property. d) Provide an informational sheet overlaying the John Marshall Commons project demonstrating coordination between the projects, especially on Washington Street. Alternatively, show the John Marshall Commons project and provide written documentation from the project owner that states they will modify their plan to tie into all Washington Street improvements proposed by this project.
	Response: a.	The present uses have been added on the cover sheet.
	b.	The present use and zoning information have been added to the adjacent owner labels on all affected plan sheets.
	с.	The John Marshall Commons rezoning application number has been labeled on all affected plan sheets.
	d.	The applicant will work with the adjacent owner to provide the proposed tie-in location for the Washington Street frontage improvements. However, the applicant will defer to the Town to coordinate with Prince William County to require off-site frontage improvements as part of the adjacent rezoning application.
б.	Checklist 2)e. and 3)e. 58-181 58-182 58-184 58-702	 In the Site Tabulation chart on Sheet 3: a) State the required and provided front yard/setback, side yards and back yards. b) Add a note to the 45' provided height that states, "Only allowed if Variance is granted." c) Verify provided lot coverage includes all buildings including sheds and ice cream store and all parking areas and drive aisles.

 d) State required and provided buffers against each adjacent property (which have different zonings than this property).

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- **Response:** a. The setback/yard requirements have been added to the Site Tabulations on sheet 3.
 - b. The requested note has been added to the Site Tabulations on sheet 3.
 - c. The proposed buildable lot coverage has been revised under Site Tabulations on sheet 3.
 - d. The buffer yard requirements have been added to the Site Tabulations on sheet 3.

7. Checklist 2)f.1) and 3)f.1) Show all existing drainage within 50° of the property line on Bleight Drive and on the Alexandra's Keep property. There is missing drainage across the street on Bleight Drive and at the bottom of Alexandra's Keep Way.

Response: The existing storm drainage facilities located within 50' of the subject property have been shown along Bleight Drive and on the Alexander's Keep property on all affected plan sheets.

8.	Checklist	Show and label the required front yard/setback, side yards, back yard and
	2)g. and 3)g.	buffers on all plan sheets.
	58-181	
	58-702	

Response: The required yards and buffer yards have been labeled on all affected plan sheets.

Checklist Show and label the outline of the area reserved for Recreational Fields as shown in Exhibit A of the proffers.

Response: Exhibit B and the proffers associated with the approved rezoning application have been provided on sheet 24B for reference.

10.	Checklist	a) Show dumpster locations and associated screening in the plan view.
	2)j. and 3)m.	b) State the proposed uses of all buildings.
	58-716	c) Show sidewalk on Bleight Drive (may be concrete).
		d) Revise Cover Sheet Supplemental General Note #9 to say concrete
		sidewalk in Right of Way will be maintained by VDOT and brick
		sidewalk in Right of Way will be maintained by Town.
		e) Show wheel stops when parking is head-in to sidewalk.
		f) Show distance from maintenance shed to two closest property lines.
		g) Show distance from ice cream shop to main building.

- **Response:** a. Tproposed dumpster location has been shown on sheet 5. The dumpster enclosure detail and privacy screening detail have been provided on sheet 4.
 - b. The proposed uses of all buildings have been labeled in plan view on all affected plan sheets.

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- c. The existing 5' concrete sidewalk has been labeled along the western side of Ex. Bleight Drive. Additionally, a sidewalk crosswalk with CG-12 ramps has been provided at the intersection of Ex. Bleight Drive and Ex. Washington Street.
- d. Note #9 has been revised under Supplemental General Notes on the cover sheet.
- e. Wheel stops have been provided where sidewalk is adjacent to head-in parking. The wheel stop detail has been provided on sheet 3.
- f. The distance from the proposed maintenance facility to the side property lines has been labeled in plan view on all affected plan sheets.
- g. The distance from the existing ice cream shop to the main building has been labeled in plan view on all affected plan sheets.
- 11.
 Checklist
 On plan sheet, state gross floor area of existing building and ice cream

 2)1. and 3)k.
 shop.

Response: The gross floor areas of the existing building and ice cream shop have been labeled in plan view on all affected plan sheets.

12.	Checklist	a) In Parking Tabulations, add required spaces for ice cream shop and ball
	2)m. and 3)l.	fields.
	58-11	b) In Parking Tabulations, revise 6,082 sf of office use to say 86,082 sf.
	58-706(b)	c) In Parking Tabulations, the only uses called out are Office and Church.
	58-709(a)	Verify these will be the only uses that will be in the building. Other
		potential uses such as retail or restaurant have a higher parking standard
		than office and should be accounted for at this time in order to
		accommodate future change of use rather than having to add additional
		parking in the future.
		 Note: Shared parking is allowed by providing shared parking analysis and agreement per 58-11(b).
		e) Verify by showing buffer that the turnaround and parking spaces at the
		parking lot expansion towards Alexandra's Keep is not within the 25'
		buffer to residential property.
		f) Revise parking layout on east side of property next to Trusted
		Management and Services LLC so that parking spaces are not within
		the 10' buffer to industrial property.

Response: a. The parking tabulations have been revised on sheet 3.

- b. The parking tabulations have been revised on sheet 3.
- c. The parking tabulations are based on the anticipated uses at this time. The available parking spaces will be assigned as users apply for zoning and building permits.
- d. The applicant has been made aware of the shared parking requirements.

- e. The 25' landscape buffer yard adjacent to the Alexander's Keep development has been labeled on the site plan. Additionally, a 10' landscape buffer has been installed on the adjacent Alexander's Keep property per the approved final site plan. Therefore, the total buffer yard width is greater than 25' even where the proposed parking lot encroaches into the buffer yard and the equivalent 25' buffer yard plantings have been maintained in this location.
- f. Per the Prince William County Planner's recommendation, a 6' privacy fence has been proposed along the Trusted Management and Services LLC property to supplement the landscape plantings where the proposed parking encroaches into the 10' buffer yard.
- 13. Checklist

 2)n. and 3)n.
 58-706(b)
 58-709(a)
 a) Revise layout on east side of property next to Trusted Management and Services LLC so that drive aisles are not within the 10' buffer to industrial property.
 b) Show access to maintenance facility at northeast corner.
 c) Label VDOT classification for Washington Street and Bleight Drive.
- **Response:** a. See response to Item #12f above.
 - b. The proposed maintenance facility will only be used to store tractors and lawn mowing equipment. Therefore, the existing maintained lawn will be adequate to access the building for storage.
 - c. The VDOT roadway classification has been labeled in plan view on all affected plan sheets.

14. Checklist 2)o. and 3)o. a) State number of existing daily trips using property. b) Provide source and computations for determining existing and proposed daily trips. c) The proposed daily trips stated on Sheet 4, Note #15 does not match total of proposed trips shown on plan. Verify and revise whichever is incorrect.

- **Response:** a. The proposed daily trips based on the existing and proposed uses have been labeled at the site entrances on the site plan sheets.
 - b. The Average Daily Trip calculations have been provided on sheet 3 along with the information source.
 - c. Note #15 has been revised under General notes on sheet 4.
- 15. Checklist
 2)p. and 3)p.
 The plan sheet calls out CG-2 (header curb) and the typical section on Sheet 3 shows CG-6 (curb and gutter). Since this portion of Washington Street frontage is connecting to Prince William County, the use of curb and gutter will be allowed instead of the normal header curb within the Town. Verify curb line is set correctly.

THE KDL GROUP, LLC P.O. BOX 609 · HAYMARKET · VA 20168 PHONE 703 753-7592 FAX 703 753-7593 WWW.KDLGROUP.COM **Response:** The use of Mod. CG-2 curb has been proposed along the Washington Street frontage improvements. The roadway typical section has been revised accordingly and the Mod. CG-2 detail has been provided on sheet 3.

- 16. Checklist

 Show existing gravity sewer on Washington Street as shown by the existing sanitary sewer manholes. Show existing water on Washington Street. Show existing sanitary on Bleight Drive. Show existing gas on both Washington Street and Bleight Drive and service line to buildings. Verify no underground telephone or cable in area. Call Miss Utility to mark, if needed.
 Verify the size of the waterline on Bleight Drive. I believe the 18"
 - waterline is on Washington Street, not Bleight Drive.
- **Response:** a. The existing gravity sewer and existing water line configuration have been shown along Washington Street and Bleight Drive. The existing "dry" utilities will be verified in the field prior to construction based on the latest Miss Utility field markings.
 - b. The size of the existing water line along Bleight Drive has been verified and labeled accordingly.
- 17. Checklist
 2)s.
 On Sheet 4, Note #9, remove X's and state sewer flow in gpd.

Response: Note #9 has been revised under General Notes on sheet 4.

- 18. Checklist
 2)u. and 3)u.
 Verify proposed storm sewer on Washington Street is not running parallel on top of gravity sanitary sewer. If it is, investigate pushing curb in towards site or if using different inlet type will provide a large enough box to push drainage away from sanitary sewer.
 - **Response:** The proposed storm sewer along Washington Street has been revised to provide horizontal separation from the existing sanitary sewer. The storm drainage computations and storm profiles have been revised accordingly.

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19.	Chec 2)w. : 58-17 58-70 58-70 58-70	and (79(b))0(3))2)3(c)	 buffer calculation for Alexandra's Keep with a 25' Opaque (SC) screen. b) In Street Tree Calculations, state how the required plants are computed. c) In Buffer Calculations, state the length of frontage used in the calculation.
Resp	onse:	a.	A 25' Type SC screen has been provided along Alexander's Keep in lieu of street tree calculations on the landscape plan on sheet 19. The landscape calculations have been revised accordingly on sheet 20.
		b.	The required tree spacing has been provided under Street Tree Calculations on sheet 20.
		c.	The proposed buffer lengths have been provided in the Landscape Calculations on sheet 20.
		d.	The proposed buffer along Ex. Bleight Drive has been removed and replaced with perimeter parking lot landscaping on sheet 19. The Landscape Calculations have been revised accordingly on sheet 20.
		e.	The required 5% of gross interior parking area calculation has been provided under Interior Parking Lot Landscaping Requirements on sheet 20.
		f.	The Interior Parking Lot Landscaping Requirements have been revised on sheet 20.
20.	MISO	C	While there is Final Site Plan information provided, this is a Preliminary Site Plan. Revise title on right side of sheets from "Preliminary/Final Site Plan" to only say "Preliminary Site Plan."
Re	sponse:	Th	e title block has been revised on all affected plan sheets.
21.	MIS	С	Fill in Rezoning number on bottom right of Cover Sheet where it says "Related Plans Tracking Numbers"

Response: Based on a recent inquiry to the Town staff and the approved proffers (see sheet 24B), it does not appear that an application number was assigned to the related rezoning application.

Comment Letter dated February 13, 2017 (Susannah Smith):

 Please review the comment sheets, markups, and checklists prepared by the Town Engineer and Planner, VDOT, the Prince William County Public Service Authority, a Fire Marshall, and address each item as appropriate.

Response: The 1st submission referral agency comments have been addressed and the revised site plan has been submitted for further review.

Proffers must be listed under the zoning notes, as applicable, and a copy of the current proffered plan must be provided on the Site Plan.

Response: The approved rezoning proffer statement has been provided on sheet 24A.

- Parking expansion into area reserved for Recreational Fields per proffer is of concern, especially considering all the parking as shown currently in this plan is for the building, and parking is not shown for the current uses including the recreational fields and ice cream shop.
 - **Response:** This comment must be addressed in two parts as the question focuses on two separate issues; 1. The parking expansion into recreational fields and 2. The parking plan and calculation for the property.
 - For issue 1: The fields currently require more parking during the height of use in the summer. We currently have parents parking in the fields, in the fire lane and in clearly designated no parking zones. The area used for the extension of the parking is not currently utilized by the county as a recreational field, all of the recreational activity is performed on the baseball diamonds and the fields in the rear of the property. The additional parking directly supports the recreational field use activity as per the proffer.
 - For issue 2: All of the parking is calculated for the property, to include the fields and the ice cream shop. None of the parking is specifically reserved for field use nor for building use. This supports the surge requirements for the fields since most of the time the parking is not required however when it is needed, it overflows into the rest of the property during off hours. This parking expansion will also support special events that utilize the fields with the permission of the County such as Haymarket Day and Earth Day celebrations.

Fundamentally, the increased parking plan benefits the leaseholder's (PWC) use of the property by providing the necessary parking for safe enjoyment of the site.

QBE Business Park Ms. Kimberly Murray March 30, 2017 Page 9 of 9

- 4. The site plan does not appear to be in substantial conformity with the current proffered plan. Expansion of parking into area reserved for Recreational Fields, and an entrance on Bleight Drive is shown that was not on the proffered plan. The proffer must be revised in order to proceed with approval of the site plan as presented. It is possible that if all other outstanding issues are addressed, the Planning Commission might approve a Preliminary Plan with a condition that the proffer be revised; however Planning Commission cannot approve a Final Plan that is not in accordance with zoning, including zoning proffers.
 - **Response:** I believe to address this, the proffer language needs to be considered specifically "Section 1. Recreational Field Use", The paragraph is written that the fields be reserved for a commercial lease, which we currently have with Prince William County. Our development in no way impacts this lease. It is within our right as well as the right of our Lessee to make improvements to the property and the fields that allows for the continued use of the "Recreational Fields". We have continued to partner with our Lessee to improve the use as well as conform to their standards that allow for the safe use and maintenance of these fields, it is in the Town's best interest to support these improvements, as they are in line with the original intention of these proffers. The proffered area never solely included recreational fields since a substantial amount of the parking already exists in the 'Recreation Fields' area. The increased parking substantially benefits the safe and effective use of the fields and the new entry and egress plans solve additional safety and use issues for the fields such as the following; excessive use of the current one-way entrance in the wrong direction, backup of traffic coming off 55 (mostly due to utilizing the entry in the wrong way, easy egress from the lot after events by allowing multiple routes and additional access to the site for emergency vehicles. Ultimately this is a win win for the HPG, the Town of Haymarket and PWC.

Please find five (5) sets of the revised Preliminary Site Plan enclosed for further review. If you should have additional questions regarding this application, please call me at your earliest convenience.

Very truly yours,

John H. Davis, P.E. Managing Member

JHD/jhd

Enclosures

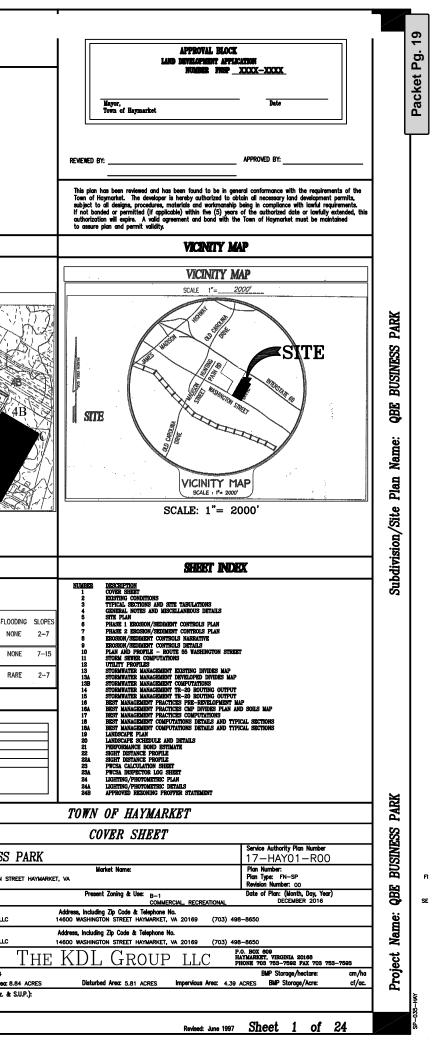
Cc: Shawn Landry- Haymarket Properties Group, LLC

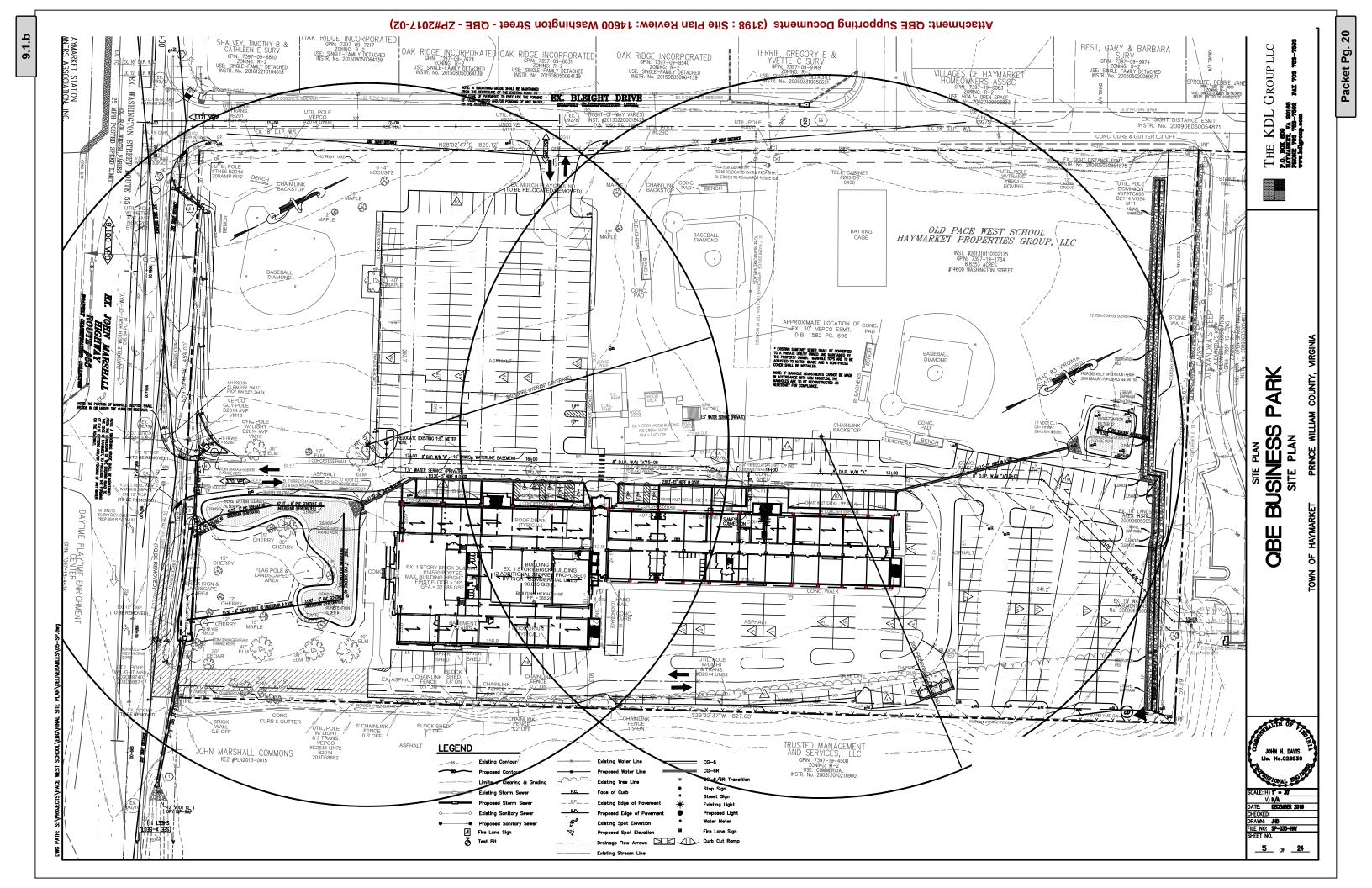
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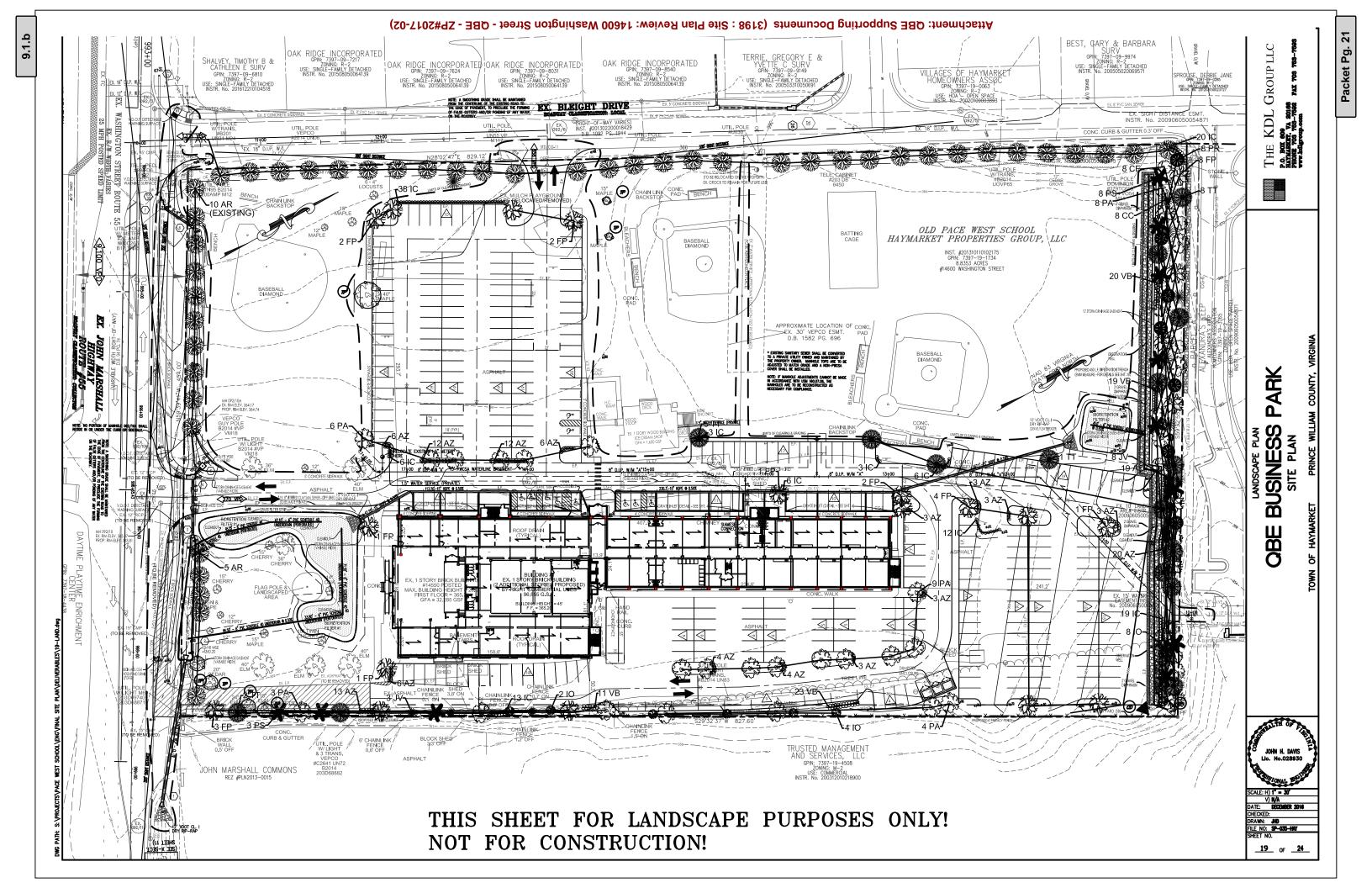
THE KDL GROUP, LLC P.O. BOX 609 · HAYMARKET · VA 20168 PHONE 703 753-7592 FAX 703 753-7593 WWW.KDLGROUP.COM

	Washington Street - QBE - ZP#20	00941 :wəivəЯ nsl9 əti2 : 861	Attachment: QBE Supporting Documents (3		
GENERAL NOTES	LEGEND		SURVEY AND TOPOGRAPHIC INFORMATION		
The site has been addressed by the Frice Willion Courty Mapping Office as	EXISTING INTERMEDIATE CONTOUR EXISTING INTERMEDIATE CONTOUR EXISTING INDEX CONTOUR PROPOSED CONTOUR EXISTING INDEX CONTOUR PROPOSED CORE AVEMENT EXISTING EDGE OF PAVEMENT EXISTING EDGE OF PAVEMENT EXISTING EDGE OF PAVEMENT EXISTING FILEPHONE LINE EXISTING FILEPHONE LINE EXISTING FILEPHONE LINE EXISTING STORM SEWER PROPOSED STORM SEWER PROPOSED SANITARY SEWER EXISTING ELECTRIC SERVICE EXISTING ELECTRIC SERVICE EXISTING ELECTRIC SERVICE EXISTING GAS LINE PROPOSED GAS LINE CONTERLINE LIMITS OF CLEARING AND GRADING EXISTING FILEPHONE LINE EXISTING FILEPHONE LINE EXISTING SPOT ELEVATION EXISTING FILE CONTEXPORT EXISTING FILEPHONE LINE EXISTING FILEPHONE LINE EXISTING SPOT ELEVATION EXISTING FILE CONTEXPORT EXISTING FILE CONTEXPORT EXISTING FILE CONTEXPORT EXISTING FILE CONTEXPORT EXISTING FILEPHONE LINE EXISTING FIRE CONTEXPORT EXIST FIRE FIRE CONTEXPORTEX EXIST FIRE FIRE EXISTING FIRE CONTEXPORT EXIST FIRE FIRE EXISTING FIRE CONTEXPORT EXIST FIRE FIRE EXISTING FIRE CONTEXPORT EXIST FIRE FIRE EXIST FI		SURVEY AND TOPOGRAPHIC INFORMATION 1. Horizontal and vertical control surveys were performed by RICE ASSOCIATES InUNE 2013 2. All elevations must be referenced to the Noticol Godetic Vertical Datum of 1929 (NGND 29). Survey of topographic mapping is BLSIREY ABBORST, LLC		
 Contractors shall notify operators who maintain underground utility lines in the area of proposed excavating or blasting at least two (2) working days, but not more than ten (10) working days, prior to commencement of excavation or demolition. Names and telephone numbers of the operators underground utility lines in the Town of Haymarket / Prince William County appear below. These numbers shall also be used to serve in an emergency condition. Washington Gas Light Co. Wrighina Power Co. Northern Wrighina Electric Co-op Columbia Gas of Wrighina MISS UTILITY 1-800-257-7777 Columbia Gas of Wrighina 	SUPPLEMENTAL GENERAL NO)TES:	SOILS DATA		
Control Pipeline Co. Decision we conjunction The evolution The evolution The evolution 19. The location of existing utilities shown in these plans are taken from existing records. It shall be the contractor shall inform the engineer of any conflict arising from this existing utilities and the proposed construction. The contractor shall inform the engineer of any conflict arising from the existing stretes and utilities which occurs as a result of his construction project within or configuous to the existing stretes and utilities which occurs as a result of his construction project within or configuous to the existing stretes and utilities which occurs as a result of his project. The relacation project within or lossence of grading and/or site development permits. 20. The developer will be responsible for the relacation of any utilities which is required as a result of his project. The relacation should be done prior to construction to proceed is given by the Fine Marahof Office. 21. The developer will be responsible for the relacation of any utilities which is required as a result of his project. The relacation should be done prior to construction to proceed is given by the Fine Marahof Office. 22. Sidewark underdrines while he notified immediately (782–6810) in the event that unusual items such as tanks, cylinders, unidentified containes, ext. which could contain potentially heardware marks of adversed. All activities must cease and not be resumed until authorization to proceed is given by the Fine Marahof Office. 23. Sidewark underdrines while he could adverse of the strom could be done prior to conside of the right-of-way limits will be maintained by the homeowers association. 23. Matchananee of t	1. THE APPROVAL OF THESE PLANS SHALL IN NO WAY RELIEVE THE DET RESPONSIBILITY WHICH MAY BE REQUIRED BY THE CODE OF VIRGINA HAYMARKET AND/OR PRINCE WILLIAM COUNTY. 2. THIS PLAN COMPLES WITH THE NEW PRINCE WILLIAM COUNTY SERVICE EFFECT ON JULY 1, 2012. ALL UTILITY PERMITS ISSUED AFTER THIS NEW MANUAL, INCLUDING ANY REVISIONS WHICH HAVE BEEN ISSUED. 3. PARKING LOT/STREET LIGHTING DESIGN SHALL BE PERFORMED BY MEE SPECIFIED BY OTHERS AND IS INCLUDE FOR INFORMATION PURPOSES REQUIREMENTS. THE KOL GROUP, LLC HAS NOT PERFORMED THE LIG NOT RESPONSIBLE FOR THE DEGREE AND/OR ADEQUACY OF ILLIMINA. 4. THE ENGINEER SHALL NOT HAVE CONTROL OVER OR CHARGE OF AND WETHODS, TECHNQUES, SEQUENCES OR PROCEDURES OR FOR SAFETY WORK SHOWN ON THESE PLANS. THE ENGINEER SHALL NOT BE RESP CARRY OUT THE WORK. THE ENGINEER IS NOT RESPONSIBLE FOR AC THEIR AGENTS OR EMELOYEES, OR OF ANY OTHER PERSONS PERFORM REQUIREMENTS FOR INSTALLATION OF WATER AND SEWER MAINS AND PRIOR TO ISSUANCE OF A BUILDING PERMIT. 6. NO CEMETERIES OR HISTORIC SITES ARE KNOWN TO EXIST WITHIN THE 7. THER ARE NO RPA'S IDENTIFIED ON THIS SITE. NOISITE BMP/SWM AND STORM DRAINAGE FACILITES SHALL BE PROVE 9. ALL STORM DRAINAGE AND FACILITES LOCATED WITHIN ROADWAYS ST 9. SDEWMAKS TO BE LICATED WITHIN THE PUBLIC RIGHT-OF-WAY TO BE MAINTAINED BY THE TOWN FOR ADDITIONAL NOTES, SEE SHEET 4. ITEEM ITEEM ITEEM ITEEM INDEMILIATION OF WATER AND SEWER MAINS AND PRIOR TO ISSUANCE OF A BUILDING PERMIT. INDEMILICATION WITH THE PUBLIC RIGHT-OF-WAY TO BE MAINTAINED BY THE TOWN FOR ADDITIONAL NOTES, SEE SHEET 4.	VELOPER, THE CONTRACTOR, OR THEIR AGENTS ANY LEGAL OR ANY OTHER ORDINANCE ENACTED BY THE TOWN OF E AUTHORITY UTILITY STANDARDS MANUAL, WHICH WENT INTO DATE MUST COMPLY WITH THE CONSTRUCTION CRITERIA IN THE B ENGINEERING, INC ANY LIGHTING SHOWN HEREON IS AS SOLV, AS DIRECTED BY THE OWNER AND/OR PUBLIC AGENCY HTING DESIGN, AND THEREFORE DOES NOT WARRANT AND IS VITON ON THIS PROJECT. D SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, Y PRECAUTIONS AND PROGRAMS IN CONJUNCTION WITH THE PONSIBLE FOR THE CONTRACTOR'S SCHEDULES OR FAILURE TO TSO OR OMISSIONS OF THE CONTRACTOR'S SUBCONTRACTORS, OR MING PORTIONS OF THE CONTRACTOR'S SUBCONTRACTORS, OR MING PORTIONS OF THE WORK. ATY SERVICE AUTHORITY TO DISCUSS UTILY PERMIT IC CERTIFICATION OF WATER AND SANITARY SEWER AVAILABILITY DED AS INDICATED HEREON AND MAINTAINED BY OWNER. HALL BE MAINTAINED BY VDOT. IN ADDITION, CONCRETE BE MAINTAINED BY VDOT. DED AS INDICATED HEREON AND MAINTAINED BY OWNER. HALL BE WAINTAINED BY VDOT. BOND 2,2550.00 \$65,072.00 6,225.00 \$6,507.20 0,867.50 \$1,952.16 9,342.50 \$73,531.36	SOIL SOIL NAME SOIL SURFACE EROSION DEPTH TO SHRINK- BEDROCK 4B ARCOLA SILT MEDIUM SEVERE 20"-40" LOW 5C ARCOLA-NESTORIA COMPLEX RAPID SEVERE 20"-40" LOW 35B MANASSAS SILT SLOW TO MEDIUM MODERATE MORE THAN. LOW 04-24-17 JD. 1 REVISIONS 04-24-17 JD. 1 REVISION DATE DESIGNER NO. DESCRIPTION DATE DESIGNER NO. DESCRIPTION ILE. NO. DESCRIPTION Market PROPERTIES GROUP, LU PROFESSIONAL SEAL & SIGNATURE HAYMARKET PROPERTIES GROUP, LU Developer: HAYMARKET PROPERTIES GROUP, LU Developer: HAYMARKET PROPERTIES GROUP, LU Developer: HAYMARKET PROPERTIES GROUP, LU <		
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NOTE: WATER AND SEWER CONSTRUCTION TO BE BONDED SEPARATELY WITH PWCSA.







LANDSCAPE CALCULATIONS

STREET TREE CALCULATIONS

STREET TREE SPACING	5 <1 TREE PER 25' L	INEAR FEET)		
STREET NAME	R/W FRONTAGE (FT)	REQ' D TREES	EX. TREES	PROP'D TREES
BLEIGHT DRIVE	772	30. 9	o	31
WASHINGTON STREET	356	14. 2	10	5

BUFFER CALCULATIONS

TYPE SB SCREEN (10' WIDE BUFFER YARD =

ALONG EASTERN PROPERTY LINE (ADJACENT TO PIN 7397-19-4508)

L	ENGTH	803	L,	F.	

TYPE OF PLANTING	ALT. 2	REQ'D AREA (S.F.)	EX. PLANTED AREA (S.F.)	REQ'D PLANTINGS	PROV. PLANTINGS
CANDPY	1/500 S.F.	8,030	2,080	11. 9	12
DRNAMENTAL	0	N/A	N/A	0	0
EVERGREEN	1/500 S.F.	8,030	2,080	11. 9	12
SHRUB	1/100 S.F.	8,030	2,080	59. 5	60

■ NDTE: TYPE SB SCREEN SUPPLEMENTED WITH 6' PRIVACY FENCE WHERE FULL 10' BUFFER YARD WIDTH IS NDT FEASIBLE.

TYPE SC SCREEN (25' WIDE BUFFER YARD)

NORTHERN PROPERTY LINE (ADJACENT TO ALEXANDER'S KEEP) LENGTH: 465 L.E.

TYPE OF PLANTING	ALT. 2	AREA (S.F.)	REQ'D PLANTINGS	PROV. PLANTINGS
CANDPY	1/500 S.F.	11,625	23. 3	24
ORNAMENTAL	1/500 S.F.	11,625	23. 3	24
EVERGREEN	1/500 S. F.	11,625	23. 3	24
SHRUB	1/100 S.F.	11,625	116. 3	117

1/100 S.F. INTERIOR PARKING LOT LANDSCAPING REQUIREMENTS

MIN. LANDSCAPE AREA: 5% OF GROSS AREA = (0.05)(115,090 SF) = 5,755 S.F. NO. OF INTERIOR PARKING SPACES: 344

PLANT TYPE	NUMBER REQUIRED	TOTAL NUMBER REQUIRED	EXISTING PLANTS TO REMAIN	PLANTS PROPOSED	TOTAL PLANTS PROPOSED	TOTAL LANDSCAPE AREA (S.F.)
CANOPY TREES	1 PER 10 SPACES	34.4	0	35	35	6,800
SHRUBS	3 PER 10 SPACES	103.2	0	104	104	N/A

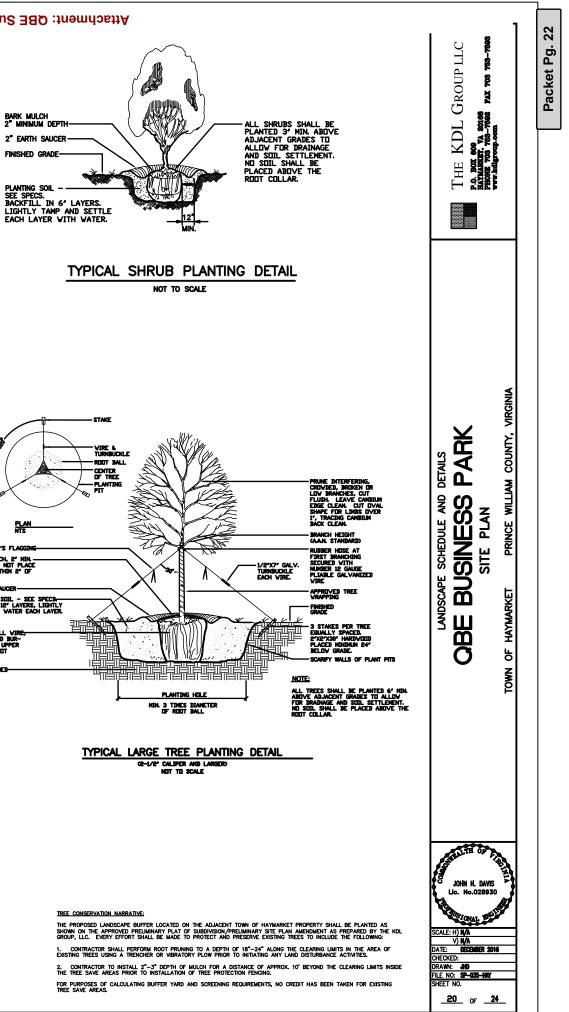
PERIMETER PARKING LOT LANDSCAPING REQUIREMENTS (PARKING LOTS ADJACENT TO PUBLIC STREETS)

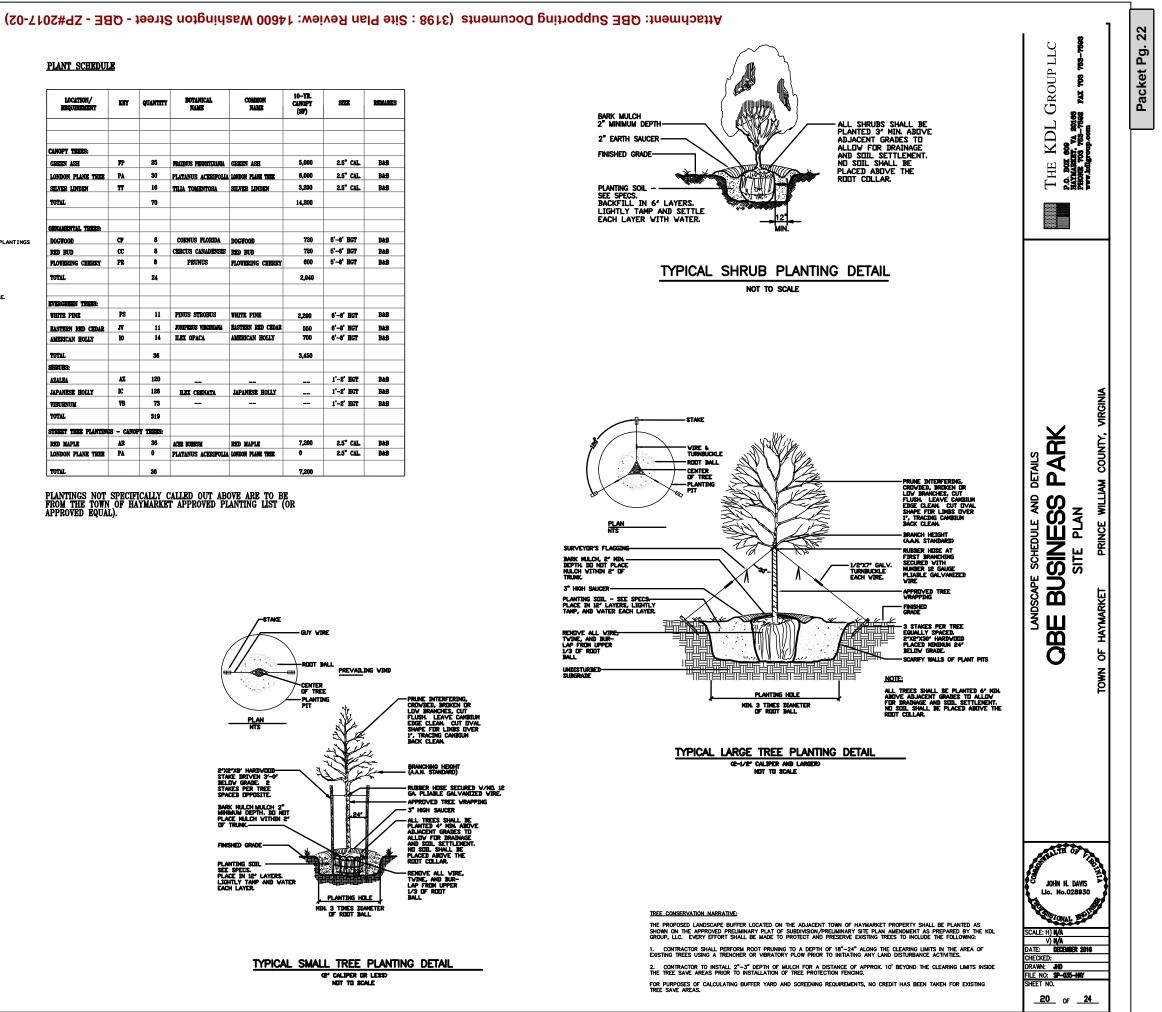
ADJACENT TO BLEIGHT DRIVE LENGTH: 174 L.F.

PLANT TYPE	NUMBER	TOTAL NUMBER REQUIRED	EXISTING PLANTS TO REMAIN	PLANTS PROPOSED	TOTAL PLANTS PROPOSED
CANOPY TREES	1 PER 30 L.F.	5.8	0	6	6
SHRUBS	6 PER 30 L.F.	34.8	0	38	38

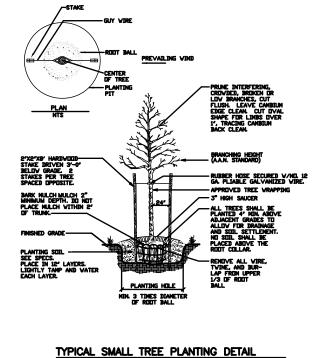
PLANT SCHEDULE

LOCATION/ REQUIREMENT	KRY	QUANTITY	BOTANICAL NAME	COMMON NAME	10-YR. CANOPY (SF)	SIZE	REMARKS
CANOPY TREES:							
GREEN ASH	IP	25	FRAXINUS PERINSYLVANIA	GREEN ASH	5,000	2.5" CAL	B&B
LONDON PLANE TREE	PA	30	PLATANUS ACERIFOLIA	LONDON PLANE TREE	6,000	2.5" CAL.	B&B
SILVER LINDEN	11	16	TILIA TOMENTOSA	SILVER LINDEN	3,200	2.5" CAL.	B&B
TOTAL		70			14,200		
ORNAMENTAL TREES:							
DOGWOOD	C7	8	CORNUS FLORIDA	DOGWOOD	720	5'-6' HGT	B&B
RED BUD	CC	8	CERCUS CANADENSIS	RED BUD	720	5'-6' HGT	B&B
FLOWERING CHERRY	PR	8	PRUNUS	FLOWERING CHERRY	600	5'-6' HGT	B&B
TOTAL		24			2,040		
EVERGREEN TREES:							
WHITE PINE	PS	11	PINUS STROBUS	WHITE PINE	2,200	6'-8' HGT	B&B
EASTERN RED CEDAR	JV	11	JUNIPERUS VIRGINIANA	BASTERN RED CEDAR	550	6'-8' HGT	B&B
AMERICAN HOLLY	10	14	ILEX OPACA	AMERICAN HOLLY	700	6'-8' HGT	B&B
TOTAL		36			3,450		
SHRUBS:							
AZALRA	AZ	120				1'-2' HGT	B&B
JAPANESE HOLLY	IC	126	ILEX CRENATA	JAPANESE HOLLY		1'-2' HGT	B&B
VIBURNUM	VB	73				1'-2' HGT	B&B
TOTAL		319					
STREET TREE PLANTING	s – cano	PY TREES:					
RED MAPLE	AR	36	ACER RUBRUN	RED MAPLE	7,200	2.5" CAL.	B&B
LONDON PLANE TREE	PA	0	PLATANUS ACERIFOLIA	LONDON PLANE TREE	0	2.5" CAL	B&B
TOTAL		36			7,200		





PLANTINGS NOT SPECIFICALLY CALLED OUT ABOVE ARE TO BE FROM THE TOWN OF HAYMARKET APPROVED PLANTING LIST (OR APPROVED EQUAL).



(2" CALIPER OR LESS NOT TO SCALE

PROFFER STATEMENT

TO: Town of Haymarket

- APPLICANT: QBE Global, LLC / Haymarket Properties Group, LLC ("Applicant")
- Zoning Map Amendment Application to rezone property located at 14550 John Marshall Highway, Haymarket, VA 20169, Parcel ID#: GPIN 7397-19-1734 ('Property'), +/-8.8353 acres, from Residential District R-1 and Prince William County's Agricultural A-1 District to Town Center District B-1 (PACE West School Property) Property)
- DATE: August 1, 2013

Pursuant to Sections 15.2-2297 and 15.2-2303 of the Code of Virginia, the undersigned hereby proffers that in the event the Application for rezoning the subject Property from Residential District R-1 and Prince William County's Agricultural A-1 District to the Town Center District B-1 is granted by the Haymarket Town Council, Haymarket, Virginia, as requested, the use and development of the Property shall be in conformance with the below provisions. In the event the above referenced rezoning is not granted as applied for by the Applicant, or an order by the Circuit Count approving the Boundary Line Adjustment Agreement bringing the entirety of the Property within the Town corporate boundary is not entered within one year after the date of Town Council approval of the razoning, this Proffer Statement and these proffers shall be automatically withdrawn and be null and void. The term 'Applicant' as referenced herein shall include with its meaning all future owners and successors in interest.

Subject to the condition precedent above, the Applicant commits to the following provisions

Recreational Field Use : Applicant will maintain and make available for recreational field use approximately 4.51 acres adjacent to the existing school building as illustrated on the attached Exhibit A. The recreation fields will be maintained for recreational field use by the Applicant from the date of approval of this profiler by the Haymarket Town Council so long as a public or private partner is willing to enter into a commercially reasonable form of lease agreement at a fair market price. Fair market price will be determined utilizing comparables for similar property within the Haymarket leasing market and not necessarily property within the Haymarket corporate boundary and in no event shall anydiscouncide price being paid by the Board of County Supervisors of Prince William County Virginia to the Applicant for the lease of the recreation fields by the Prince William County Department of Parks and Recreation be deemed fair market price. However, if for a period of one year following the termination of any lease agreement for use of the recreation fields at a fair market price some segmement for a fair market value with another party, public or private, the Applicant may thereather either continue to maintain and make available for recreation field use or develop the Property consistent with the B-1 zoning regulations. The one year period shall begin on the date written notice from the Applicant fields exists 1. Recreational Field Use : Applicant will maintain and make available for recreational field

In the event the Applicant decides to offer the Property for sale, the Town of Haymarket shall have the choice to exercise one or neither of the following options:

Proffer Stateme 14550 John Marshall Highway August 1 2013 Page 2 of 3

- Have the right of first offer to purchase the entire Property at a price not to exceed fair market value. Notwithstanding the foregoing. Applicant hereby discloses that during the first five (5) years after Applicant acquires fee simple title to the Property, and accordingly, during such five (5) years end the Town of Haymarket shall actually have a right of second offer with respect to the Property and the rights of Prince William County School Board has a right of first offer on the Property, and accordingly, during such five (5) years period the Town of Haymarket shall actually have a right of second offer with respect to the Property and the rights of Prince William County School Board shall remain superior. Applicant shall houtly the Drown of Haymarket shall have forty-five (45)days after delivery of the ROFO Notice within which to notify Applicant of its intent to purchase the Property and a failure to provide a written response to Applicant shall be deemed a rejection by the Town of Haymarket rejection by the Applicant of the reafter split the property of any the party, provided that the purchase price at such sale is not less than the asking price set forth in Applicant's ROFO Notice.
 Have the option to enter into a commercially reasonable form of lease agreement with Applicant for continued use of the fields for recreational purposes for a period of not less than 5 years that will convey with the Property if a sale is consummated at a rent that is the lower of (0) fair market rend (0) \$5,000 month plus Common Araa Maintenance (CAM), insurance and real estate taxes / Tripic Net Lease (NNN). The Town of Haymarket shall have forty-five (45) days after delivery of the ROFO Notice within which to exercise this option a and failure to timely respond to Applicant by written notice shall be deemed a rejection of the Xeroperty of a sale is consummated at a rent that is the lower of (0) fair market rend to (0) \$5,000 month plus Common Araa Maintenance (CAM), insurance and real estate ta
- the lease of the area set forth on Exhibit A between Applicant and the Board of County Supervisors of Prince William County, Virginia is not then in force and effect.

The options in a. and b. shall expire and be of no further force and effect in the event that (1) Prince William County School Board purchases the Property, or (2) the Town of Haymarket does not purchase the Property under option a. and the Property is thereafter sold to a third party, or (3) the Town of Haymarket exercises option b.

- 2. Site Plan Improvements: Applicant will submit a Final Site Plan for the Property by December 31, 2013 and thereafter diligently pursue approval of the Final Site Plan. Applicant will submit a work schedule for implementation of the Final Site Plan improvements within third ydays of the final site Plan approval. Final Site Plan work will begin within six months of Final Site Plan approval and will be completed to the satisfaction of the Trown within five wares of Elica Site Plan approval and will be completed to the satisfaction of the Trown within five wares for Elica Site Plan approval. Town within five years of Final Site Plan approval.
- 3. Effective Date: The effective date of the rezoning will coincide with the execution of an order by the Circuit Court approving the Boundary Line Adjustment Agreement bringing the entirety of the Property within the Town corporate boundary. If that order is not entered within one year after the date of Town Council approval of the rezoning, then this rezoning shall be void and of no effect. This provision supersedes § 58-12 of the Town Code dealing with temporary zoning of parcels added to the Town both as to the zoning of the parcel (which shall be B-1 upon entry into the Town) and as to planning commission preparation of a zoning olan which shall be findenaced with a superessary a zoning plan, which shall be dispensed with as unnecessary.

4. Sunset Clause for existing uses: Applicant agrees that if at any time the lease agreement for use of the school building by Living Hope Church and/or Saint Paul's School is terminated or not renewed, any replacement tenant will comply with the then current zoning regulation.

I hereby proffer on behalf of QBE Global, LLC / Haymarket Properties Group, LLC that the development and/or use of the subject Property of this application shall be in strict accordance with the conditions set forth in this submission, unless an amendment thereto is mutually agreed upon by the Town Council and the Applicant.

APPROVED

Mayor, Town of Haymarket

Date



Proffer Statement Marshall Highway August 1 2013 Page 3 of 3 14550 .10

By Michael J. Marsden

COO OBE Global LLC Managing Partner, Haymarket Properties Group, LLC



23 Pg. Packet |