Town of Dumfries
Council Meeting Packet

Derrick R. Wood, Mayor
Monaé S. Nickerson, Vice Mayor
Selonia B. Miles, Chair Pro Tem
Tyrone Brown, Councilmember
Brian K. Fields, Councilmember
Shaun Peet, Councilmember
Caetrina A. Peterson, Councilmember

Tangela Innis, Town Manager
Sharon E. Pandak, Town Attorney
Tangi R. Hill, Town Clerk

May 2, 2023

DUMFRIES, VIRGINIA
Virginia's Oldest Continuously Chartered Town
CHARTERED 1749 INCORPORATED 1961

John Wilmer Porter Municipal Building
17739 Main Street, Suite 200
Dumfries, Virginia 22026
Tel: 703-221-3400 / Fax: 703-221-3544
www.dumfriesva.gov

DUMFRIES TOWN COUNCIL MEETING
TUESDAY, MAY 2, 2023 AT 7:00 PM
COUNCIL CHAMBERS

I. Call to Order and Roll Call

II. Invocation

A. Rev. Dr. Joseph B. Fields, Pastor of Mt. Zion Baptist Church, Ford, Virginia

III. Pledge of Allegiance

IV. Adoption of Agenda

V. Awards and Proclamations

A. Motorcycle Safety Awareness Month – Councilman Brian Fields

B. Mental Health Month and Trauma Awareness – Mayor Derrick Wood

C. National Military Appreciation Month – Mayor Derrick Wood

VI. Approval of Minutes

A. Minutes of the April 18, 2023 Special Called Meeting and Regular Meeting

VII. Citizen Comment Period

VIII. Reports and Presentations

A. Share the Air – Lldanbe Bennam and Belinda Out Okley, Potomac High School Y Street Leadership Team

B. FY24 Proposed Fiscal Plan – Jonet Prevost-White, Deputy Town Manager

IX. Action Items (Public Hearings)

A. Resolution to Confirm the Prior Vacation and Deed There of Market Street – **Public Hearing** – Nick Cicero, Principal Planner

B. Resolution for Proffer Condition Amendment PCA2020-002 – **Public Hearing** – Nick Cicero, Principal Planner

C. Ordinance Appointing the Town Clerk – Tangela Innis, Town Manager

X. Adjournment

MOTORCYCLE SAFETY AWARENESS MONTH
PROCLAMATION

WHEREAS, in 2021 motorcycle fatalities increased by 10.8% from the previous year and accounted for 14% of all traffic deaths in the United States, highlighting the need for increased awareness about motorcycle safety; and

WHEREAS, May is designated as Motorcycle Safety Awareness Month, a time to promote safe riding practices and increase awareness about sharing the road with motorcyclists; and

WHEREAS, according to the National Highway Traffic Safety Administration (NHTSA), in 2019, 5,014 motorcyclists were killed in traffic crashes and an estimated 82,000 were injured, emphasizing the need for improved safety measures for riders; and

WHEREAS, in 2019, there were 2,159 two-vehicle fatal crashes involving a motorcycle and another type of vehicle, with left-turning vehicles being a significant factor in many of these crashes; and

WHEREAS, approximately 80 percent of motorcycle crashes result in injury or death for the rider, highlighting the vulnerability of motorcyclists on the road; and

WHEREAS, in the event of a crash, drivers of other vehicles often say they never saw the motorcyclist and were unable to respond in time, emphasizing of the need for increased awareness and attention among all motorists; and

WHEREAS, the Town of Dumfries recognizes the importance of promoting motorcycle safety and commends the efforts of local businesses such as Quantico Harley Davidson dealership and its associated motorcycle clubs and organizations in promoting safe riding practices and raising awareness about motorcycle safety; and

WHEREAS, Quantico Harley Davidson dealership and its associated motorcycle clubs and organizations have a long-standing reputation for promoting motorcycle safety through its training programs, safety initiatives, and advocacy efforts, and has demonstrated a commitment to motorcycle safety through its products, services, and community engagement.

NOW, THEREFORE, BE IT RESOLVED that I, **MAYOR DERRICK R. WOOD, AND THE TOWN COUNCIL OF DUMFRIES, VIRGINIA,** join the National Highway Traffic Safety Administration and others to proclaim May as **Motorcycle Safety Awareness Month** in the Town of Dumfries. We commend Quantico Harley Davidson dealership and its associated motorcycle clubs and organizations for their dedication to promoting motorcycle safety in our community and encourage all residents to prioritize safety by following traffic laws, wearing appropriate protective gear, and practicing defensive riding techniques. Let us work together to increase awareness and prevent accidents and injuries and let us encourage all motorists to "Share the Road" with motorcycles to help keep riders safe.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Town of Dumfries, Virginia, to be affixed this 2nd day of May 2023.

_____
Derrick R. Wood, Mayor
Town of Dumfries

MOTORCYCLE SAFETY AWARENESS MONTH
PROCLAMATION

WHEREAS, in 2021 motorcycle fatalities increased by 10.8% from the previous year and accounted for 14% of all traffic deaths in the United States, highlighting the need for increased awareness about motorcycle safety; and

WHEREAS, May is designated as Motorcycle Safety Awareness Month, a time to promote safe riding practices and increase awareness about sharing the road with motorcyclists; and

WHEREAS, according to the National Highway Traffic Safety Administration (NHTSA), in 2019, 5,014 motorcyclists were killed in traffic crashes and an estimated 82,000 were injured, emphasizing the need for improved safety measures for riders; and

WHEREAS, in 2019, there were 2,159 two-vehicle fatal crashes involving a motorcycle and another type of vehicle, with left-turning vehicles being a significant factor in many of these crashes; and

WHEREAS, approximately 80 percent of motorcycle crashes result in injury or death for the rider, highlighting the vulnerability of motorcyclists on the road; and

WHEREAS, in the event of a crash, drivers of other vehicles often say they never saw the motorcyclist and were unable to respond in time, emphasizing of the need for increased awareness and attention among all motorists; and

WHEREAS, the Town of Dumfries recognizes the importance of promoting motorcycle safety and commends the efforts of local businesses such as Coleman Power Sports in Woodbridge and its associated motorcycle clubs and organizations in promoting safe riding practices and raising awareness about motorcycle safety; and

WHEREAS, Coleman Power Sports in Woodbridge and its associated motorcycle clubs and organizations have a long-standing reputation for promoting motorcycle safety through its training programs, safety initiatives, and advocacy efforts, and has demonstrated a commitment to motorcycle safety through its products, services, and community engagement.

NOW, THEREFORE, BE IT RESOLVED that, **MAYOR DERRICK R. WOOD, AND THE TOWN COUNCIL OF DUMFRIES, VIRGINIA,** join the National Highway Traffic Safety Administration and others to proclaim May as **Motorcycle Safety Awareness Month** in the Town of Dumfries. We commend Coleman Power Sports in Woodbridge and its associated motorcycle clubs and organizations for their dedication to promoting motorcycle safety in our community and encourage all residents to prioritize safety by following traffic laws, wearing appropriate protective gear, and practicing defensive riding techniques. Let us work together to increase awareness and prevent accidents and injuries and let us encourage all motorists to "Share the Road" with motorcycles to help keep riders safe.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Town of Dumfries, Virginia, to be affixed this 2nd day of May 2023.

_____
Derrick R. Wood, Mayor
Town of Dumfries

NATIONAL MILITARY APPRECIATION MONTH
HONORING QUANTICO MARINE CORPS BASE
PROCLAMATION

WHEREAS, National Military Appreciation Month was initially recognized by a recognized by resolution in the United States Senate in 1999 and traditionally takes place every year throughout the entire month of May, reminding Americans to celebrate this patriotic month that pays tribute to those who have sacrificed so much for our freedom; and

WHEREAS, although the entire month is designated to honoring past and present military members and their families, there are several specific military holidays sprinkled throughout Military Appreciation Month itself, including Loyalty Day, Victory in Europe Day (VE Day), Military Spouse Appreciation Day, Mother's Day, Armed Forces Day, and Memorial Day; and

WHEREAS, the Town of Dumfries has rich history of military service and is home to many veterans and active day military members who continue to serve our country with distinction, including the men and women of Quantico Marine Corps Base, who are our neighbors and partners in the defense of our nation; and

WHEREAS, Quantico Marine Corps Base is a vital component of our local community, contributing to our economy, providing critical training and support for military operations worldwide, and serving as a source of pride and inspiration for all Americans; and

WHEREAS, National Military Appreciation Month provides an opportunity for all citizens to show their support and appreciation for our military and their families, and to acknowledge the sacrifices they make to ensure our freedoms; and

WHEREAS, we honor the memory of those who have made the ultimate sacrifice in service to our country and recognize the ongoing contributions of our veterans and active duty military members, including the men and women of Quantico Marine Corps Base.

THEREFORE, BE IT RESOLVED that **MAYOR DERRICK R. WOOD, AND THE TOWN COUNCIL OF DUMFRIES, VIRGINIA,** do hereby proclaim May as **National Military Appreciation Month** in the Town of Dumfries, with special recognition of Quantico Marine Corps Base. I encourage all residents to take time during this month to recognize and thank our military and their families for their service and sacrifice, and to observe the specific military holidays that occur during the month. Let us honor their bravery, dedication, and commitment to defending our nation and upholding our freedoms.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Town of Dumfries, Virginia, to be affixed this 2nd day of May 2023.

_____
Derrick R. Wood, Mayor
Town of Dumfries

DUMFRIES TOWN COUNCIL
SPECIAL MEETING MINUTES
TUESDAY, APRIL 18, 2023

MEETING HELD IN COUNCIL CHAMBERS

A video recording of this meeting is available on the Town's Website at www.dumfriesva.gov

Call to Order and Roll Call

At 6:10 PM, Mayor Wood called the meeting to order. The following members were recorded as present: Brown, Fields, Nickerson, Peterson, and Wood. Miles was absent due to illness.

Moment of Prayer

A moment of prayer was led by Prince William County Potomac District Supervisor Andrea Bailey.

Pledge of Allegiance

Mayor Woods asked all to stand for the Pledge of Allegiance.

Adoption of the Agenda

On a motion made by Vice Mayor Nickerson, seconded by Councilman Brown to adopt the agenda. Vote 5-0-0 (Yes: Brown, Fields, Nickerson, Peterson, and Wood; No: N/A; Abstain: N/A)

Swearing-In of Town Manager Tangela Innis

Town Clerk Tangi Hill administered the oath of office to Town Manager Tangela Innis.

Remarks

Remarks were provided from Town Manager Innis.

Adjournment

Mayor Wood adjourned the meeting at 6:28 pm.

DUMFRIES TOWN COUNCIL
MEETING MINUTES
TUESDAY, APRIL 18, 2023

MEETING HELD IN COUNCIL CHAMBERS

A video recording of this meeting is available on the Town's Website at www.dumfriesva.gov

Call to Order and Roll Call

At 7:08 PM, Mayor Wood called the meeting to order. The following members were recorded as present: Brown, Fields, Nickerson, Peet, Peterson, and Wood. Miles was absent due to illness.

Moment of Prayer

A moment of prayer was led by Elder Chris McCraine of Pillar Church Dumfries.

Pledge of Allegiance

Mayor Woods asked all to stand for the Pledge of Allegiance.

Adoption of the Agenda

Mayor Wood requested to amend the agenda to add proclamations for National Fair Housing and Volunteer Appreciation month.

On a motion made by Vice Mayor Nickerson, seconded by Councilman Brown to adopt the amended agenda adding the proclamations for National Fair Housing and Volunteer Appreciation Month. Vote 6-0-0 (Yes: Brown, Fields, Nickerson, Peet, Peterson, and Wood; No: N/A; Abstain: N/A)

Awards and Proclamations

The following proclamations were presented:

Proclamation Designating April 2023 as Earth Month – Mayor Derrick Wood

Proclamation Designating April 2023 as National Fair Housing Month – Mayor Derrick Wood

Proclamation Designating April 2023 as Volunteer Appreciation Month – Mayor Derrick Wood

Approval of Minutes

Dumfries Town Council Meeting Minutes – April 4, 2023

On a motion made by Councilman Peet, seconded by Councilman Fields to approve the Dumfries Town Council Meeting Minutes of the April 4, 2023, Regular Meeting. Vote 6-0-0 (Yes: Brown, Fields, Peet, Peterson, Nickerson, and Wood; No: N/A; Abstain: N/A).

Citizens Comments

There were no citizen comments heard.

Reports and Presentations

Town Manager's Report – Jonet Prevost-White, Deputy Town Manager

Deputy Town Manager Prevost-White presented the Town Manager's Report.

Action Items (Public Hearing)

Resolution to Schedule a Public Hearing to Confirm the Prior Vacation and Deed There of Market Street – Public Hearing Date of May 2, 2023 – Nick Cicero, Principal Planner

Resolution to Schedule a Public Hearing for Proffer Condition Amendment PCA-2020-002 – Public Hearing Date of May 2, 2023 – Nick Cicero, Principal Planner

On a motion made by Councilman Brown, seconded by Councilman Peet to set the Public Hearing date to May 2, 2023 for the consideration of the following: Resolution to Schedule Confirm the Prior Vacation and Deed Thereof Market Street; and Resolution to Schedule a Public Hearing for Proffer Condition Amendment PCA-2020-002. Vote 6-0-0 (Yes: Brown, Fields, Nickerson, Peet, Peterson, and Wood; No: N/A; Abstain: N/A).

Resolution to Adopt the Updated Northern Virginia Regional Hazard Mitigation Plan Including the Local Mitigation Action Plan for the Town of Dumfries – Jonet Prevost-White, Deputy Town Manager

On a motion made by Councilman Peet, seconded by Councilman Fields to adopt the Resolution Updating the Northern Virginia Regional Hazard Mitigation Plan Including the Local Mitigation Action Plan for the Town of Dumfries Vote 6-0-0 (Yes: Brown, Fields, Nickerson, Peet, Peterson, and Wood; No: N/A; Abstain:

N/A).

FY24 Budget Update – Jonet Prevost-White, Deputy Town Manager

Deputy Town Manager Prevost-White presented the FY24 Budget Update. The following updates were requested by the Council: correct spelling of name for Councilwoman Peterson and Vice Mayor Nickerson; Council requested that their pictures all face the same way; listing of positions under each department (Town Manager Innis suggested to breakout the organization chart by departments); spreadsheet showing salaries and total compensation; additional funding for affordable housing; move the Boys & Girls Club line item to Community Development department; breakout the Community Grant (nonprofits) for Council to approve; add healthcare benefits for Council.

On a motion made by Councilman Fields, seconded by Councilman Peet to add healthcare benefits for Council. Discussion was held. Councilman Fields made a motion to table this item until the next Council meeting. Vote 6-0-0 (Yes: Brown, Fields, Nickerson, Peet, Peterson, and Wood; No: N/A; Abstain: N/A).

Mayor Wood requested a 15-minute stretch break at 8:45 pm. Council returned at 9:01 pm.

Chief Gaylen requested a total of 5 sergeants. He will hire 4 new officers and replace 1 officer that retired.

Councilman Brown requested clarity of matrix and performance measures.

Discussion was held to add a second trash pickup day. Councilman Peet requested a larger trashcan. Staff will review the contract regarding the process to amend it before it is up for renewal.

Councilman Peet requested that the Police Department hire a Lieutenant. By majority vote the Council will follow Chief Gaylen's recommendation to not hire a Lieutenant.

Deputy Town Manager Prevost-White reviewed the Capital Improvement Plan. Deputy Town Manager Prevost-White stated that 5 vehicles will be purchased. There will be a total of 12 vehicles purchased (5 for 2024, 5 or 4 for 2025, and 2 or 3 for 2026).

Adjournment

Mayor Wood adjourned the meeting at 9:58 pm.

SHARE THE AIR

Meet the Presenters

Lldanbe Bennam
POTOMAC HIGH SCHOOL
Y LEADERSHIP STREET TEAM

Belinda Otu Okley
POTOMAC HIGH SCHOOL
Y STREET LEADERSHIP TEAM

What is YST ?

- Y Street is the Virginia Foundation for Healthy Youth's award-winning volunteer statewide youth initiative.
- Launched in 2004 to work on 2 major issues: **TOBACCO & OBESITY**
- Partnered with **90+** High Schools across Virginia to train and engage youth in policy change.

Campaign Goal: Create **100% Tobacco-Free and E-Cigarette-Free Outdoor Public Spaces**

Become a Champion by **adopting** a tobacco-free and e-cigarette-free outdoor policy.

Share The Air Partners

Congratulations COLONIAL BEACH PARKS & RECREATION for going smoke-free, vapor-free, and tobacco-free.

Congratulations KING GEORGE COUNTY PARKS & RECREATION for going smoke-free, vapor-free, and tobacco-free.

SHARE THE AIR

PLEASE FILL OUT THIS FORM IF YOU WOULD LIKE TO ADD YOUR MUNICIPALITY OR COUNTY TO THE SHARE THE AIR SIGN-ON LETTER

The Town of Shenandoah is committed to providing a 100% tobacco-free and vape-free parklands, park facilities, and open public spaces in order to provide a clean, healthy, and safe environment for all Virginians.

Signing this letter is self-enforcing and voluntary. No tobacco nor use of any electronic smoking device is allowed on publicly owned parklands, park facilities, and open public spaces.

As part of this agreement, the signee agrees to:

- Establish voluntary compliance to prohibit tobacco and electronic smoking device use on parklands, park facilities, open public spaces, all enclosed and designated areas, including common areas, playgrounds, and shelters.
- Enforce the tobacco and e-cigarette-free voluntary policy when violations occur. If a person is in violation of the voluntary compliance, an owner, manager, or park employee will direct that person to extinguish (or turn off, if electronic) the product being smoked or vaped.
- If a person continues to violate the voluntary compliance, an owner, manager or park employee can inform that person that a violation constitutes as a nuisance.
- Park staff will be informed of the voluntary policy and given enforcement statements to help encourage voluntary compliance and will help to distribute flyers informing the community of the voluntary tobacco- and e-cigarette-free policy.
- Post signage in a manner and location that adequately informs the community of the tobacco- and e-cigarette-free policy.
- Advertise and promote this policy on the municipality's website using provided campaign language.

Clinton A. Lucas Jr. — Individual Completing this Form

Mayor — Title

Town of Shenandoah's Signed Commitment Form

Congratulations HOPEWELL RECREATION & PARKS for going smoke-free, vapor-free, and tobacco-free.

Congratulations TOWN OF STANLEY for going smoke-free, vapor-free, and tobacco-free.

Congratulations ASHLAND PARKS & RECREATION for going smoke-free, vapor-free, and tobacco-free.

SHARE THE AIR

92%

92% Virginians surveyed in and around Dumfries agree that parks and playgrounds should be tobacco-free and e-cigarette-free.

88%

88% of Virginians in or around Dumfries reported support for legislation that would give back local control to counties and cities/towns to pass stronger smoke-free policies.

94%

94% of Virginians in or around around Dumfries believe cigarette butts and e-cigarette liquids/vape cartridges damage the environment.

WHY GO TOBACCO-FREE?

- Tobacco and e-cigarette use in outdoor places **creates litter** that is not only unsightly but also poses **significant risks** to humans, pets, and the environment.

- Tobacco use outdoors can cause **wildland fires.**

WHY GO TOBACCO-FREE?

- Banning of **reusable** e-cigarette products.
- Increased popularity in the use of **one-use disposable** e-cigarette and vaping products leads to increased litter.

SHARE THE AIR

FREE Tobacco-Free Signage

Aluminum Signs
12” x 18”

Decals
8” x 8”

ALUMINUM SIGNS: BEST FOR OUTDOOR AREAS

- Sign Poles/Lampposts
- Fences
- Athletic Fields or Playgrounds
- Parking Lots
- Outside of Buildings

DECALS: BEST FOR ENTRIES

- Windows
- Glass Doors

FREE Resources

Toolkit Includes:

- **Tobacco-Free and E-Cigarette-Free Model Policy**
- **Comprehensive Policy Checklist**
- **Implementation & Communication Resources**
- **And more!**

QUESTIONS?

FY 24 REVISED FISCAL PLAN PRESENTATION

Jonet Prévost-White

DEPUTY TOWN MANAGER

TOWN OF DUMFRIES

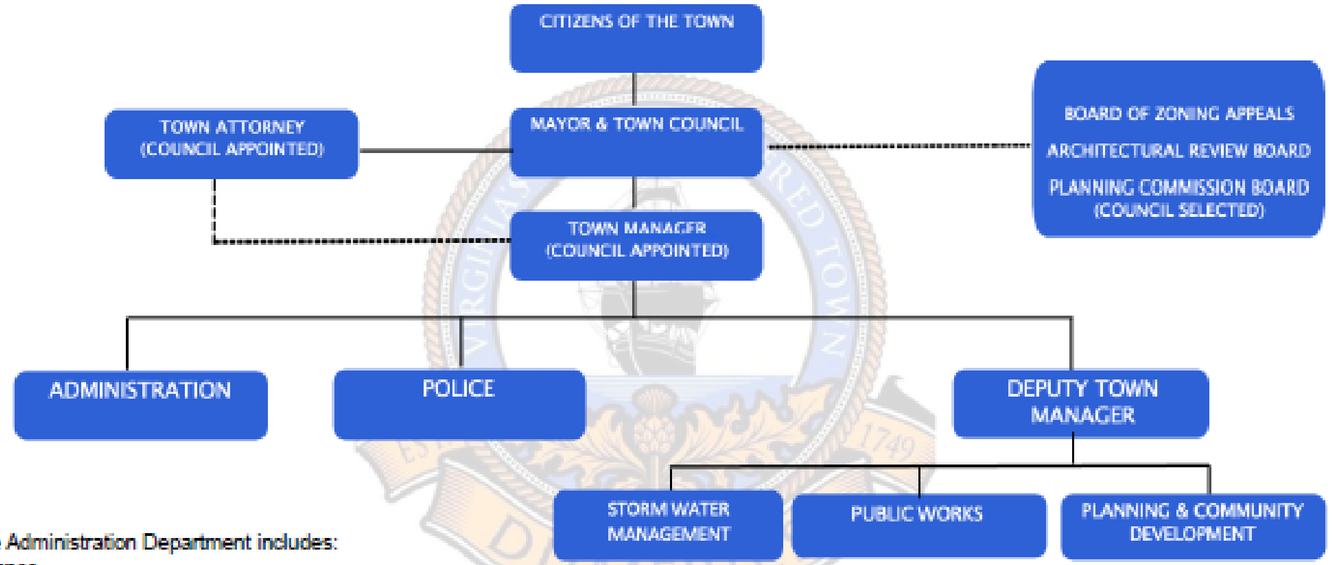
FISCAL PLAN FY24

BUDGET GUIDING PRINCIPLES

- Built on sound fiscal best practices
- Revenues = Expenditures: Balanced Budget
- Structurally balanced = One-time revenues leveraged for non-recurring expenses
- No transfers from Unassigned Fund Balance used to balance budget
- Fully funded Capital Improvement Plan – Cash and grants
- Continued progress in performance-based budgeting

TOWN OF DUMFRIES

FY24 Organizational Chart



The Administration Department includes:
Finance
Budget
DMV Select/Customer Service
Civic Engagement
Town Clerk
Human Resources
Town Treasurer

Public Works Department includes:
Building and Code Enforcement.

REVENUES

REVENUES

ESTIMATED REVENUES BY FUND TYPE (ALL FUNDS)

Line Item	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
REAL ESTATE TAXES				
Real Estate Taxes - Current	945,762	572,117	1,200,000	1,300,000
Real Estate Taxes - Delinquent	-	21,670	50,000	50,000
Real Estate Taxes - Public Service	13,295	13,636	30,000	30,000
Real Estate Taxes - Penalty	9,370	9,144	-	-
Real Estate Taxes - Interest	30,695	61,848	-	-
Total Real Estate Taxes	**$999,122**	**$678,415**	**$1,280,000**	**$1,380,000**
OTHER LOCAL TAXES				
Sales Taxes	487,805	589,841	725,000	725,000
Rental Tax	61,232	101,439	90,000	125,000
Gaming Tax	221,095	843,559	1,000,000	3,600,000
Utility Taxes - Electric/Phone	189,788	203,914	170,000	195,000
Bank Stock Tax	36,176	38,682	36,176	36,176
Transient Tax	132,055	126,691	60,000	100,000
2% Regional Transient Occupancy Tax	26,270	37,203	20,000	20,000
Meals Tax	748,965	875,909	875,000	2,000,000
Telecommunications Tax	142,136	133,445	142,140	142,140
Cigarette Tax	178,715	169,221	200,000	190,000
Total Other Local Taxes	**$2,224,816**	**$3,119,904**	**$3,318,316**	**$7,133,316**

REVENUES

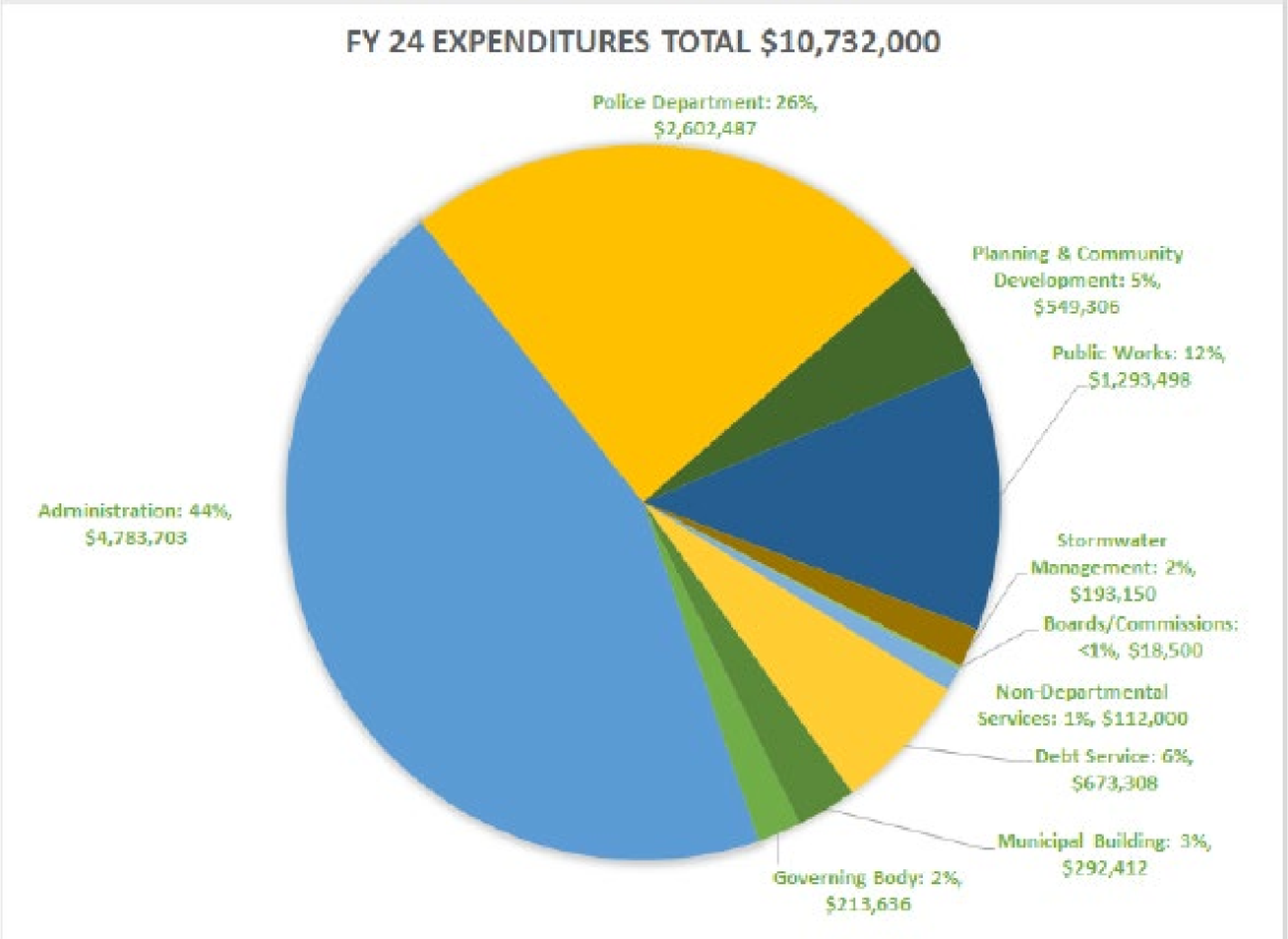
REVENUES

Line Item	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
PERMITS, PRIVILDEGES, & REGULATORY LICENSES AND FEES				
Right of Way Use Fee	30,320	35,940	50,000	39,000
Business License - Contractor	58,958	73,745	75,000	75,000
Business License - Retail Sales/Restaurant	200,159	131,933	100,000	125,000
Business License - Financial/Real Estate/Prof	49,340	62,983	30,000	40,000
Business License - Repair/Business	189,570	168,092	110,000	110,000
Business License, Wholesale, Other	13,632	9,020	20,000	15,000
Franchise License	491,387	-	28,400	28,400
Vehicle License Fee	33,243	27,805	-	-
Building Permits & Fees	169,432	543,204	150,000	150,000
Planning-Zoning Fees	100	37,308	70,000	70,000
Landfill Host Fees	267,325	309,795	-	-
Short Term Rental Registration Fee	-	-	1,500	1,000
Community Center Fees	400	550	-	-
Special Event Revenue	-	3,690	100,000	10,000
Total Permit, Privileges, and Regulatory Licenses and Fees	$1,503,866	$1,404,065	$734,900	$663,400
REVENUES FROM OTHER GOVERNMENTAL ENTITIES				
MVC Rolling Stock Tax	16	-	20	20
DMV Select Revenue	29,284	111,260	72,000	125,000
Street/Highway Maintenance (VDOT LAD Urban)	277,450	282,239	279,074	282,933
Police Aid	126,187	150,116	150,101	150,101
DEQ Litter Prevention/Recycling Grant	13,307	10,920	12,000	24,130
DMV Grants	12,939	9,477	20,000	20,000
Coronavirus Aid, Relief, and Economic Security (CARES) Act	831,768	-	-	-
American Rescue Plan Act (ARPA)	-	3,072,087	450,000	-

REVENUES

Line Item	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
VML Risk Management Grant	-	-	2,000	2,000
VHDA Community Impact Grant	10,000	-	-	-
Fire Fund Program	18,906	20,080	20,080	22,600
Total Revenues from Other Governmental Entities	$1,319,857	$3,656,179	$1,005,275	$626,784
FINES & FORFEITURES				
Court Fines/Forfeitures	63,606	35,380	75,000	45,000
Total Fines & Forfeitures	$63,606	$35,380	$75,000	$45,000
REVENUES FROM TOWN OWNED PROPERTY				
Municipal Complex Revenue	312,347	689,557	601,707	700,000
Total Revenues from Town Owned Property	$312,347	$689,557	$601,707	$700,000
REVENUES FROM USE OF MONEY				
Interest	630	268	8,000	8,000
Total Revenues from Use of Money	$630	$268	$8,000	$8,000
MISCELLANEOUS REVENUES				
FOIA, Reports, and Miscellaneous Revenue	6,237	1,177	2,500	500
K-9 Unit	-	-	-	-
Total Miscellaneous Revenues	$6,237	$1,177	$2,500	$500
STORMWATER MANAGEMENT REVENUE				
Stormwater Management Fee	143,343	61,746	175,000	175,000
Total Stormwater Management Revenue	$143,343	$61,746	$175,000	$175,000
GRAND TOTAL GENERAL FUND REVENUE	$6,575,126	$9,646,691	$7,200,698	$10,732,000

EXPENDITURES



EXPENDITURES

EXPENDITURES

Percentage Change Table

	FY23 Adopted	FY24 Proposed	% Change +/-
Governing Body	202,636	213,636	5%
Administration	2,471,853	4,783,703	94%
Police	1,744,872	2,602,487	49%
Planning & Community Development	419,106	549,306	31%
Public Works	1,213,338	1,293,498	7%
Stormwater Management	175,588	193,150	10%
Boards/ Commissions	17,500	18,500	6%
Debt Service	663,393	673,308	1%
Municipal Building	292,412	292,412	0%
Non-Departmental Services	-	112,000	0%
Total	$7,200,698	$10,732,000	49%

EXPENDITURES

ADMINISTRATION

	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
Personnel				
Full-Time Permanent	575,382	803,187	1,027,269	1,505,345
Payroll Taxes	50,988	54,622	87,184	188,168
Workman Comp/ Liability Insurance	101,230	110,308	110,500	125,000
Virginia Unemployment Tax	300	11,141	4,000	4,000
Retirement Contribution	24,492	73,023	75,000	105,374
Health Care Benefits	319,268	326,292	450,000	687,516
Operating				
Performance Management	13,242	1,950	30,000	30,000
Travel/Training	6,845	14,643	72,000	72,000
Dues/Subscriptions	5,743	5,814	5,600	8,000
Independent Auditor	30,300	39,550	30,300	30,300
Office Supplies	11,256	8,901	10,000	15,000
Ads/Notices	3,020	4,410	5,000	15,000
Ordinance Review	550	225	3,000	3,000
Office of Civic Engagement (formerly Events & Recognition)	465	88,123	125,000	360,000
Utilities	22,549	29,956	37,000	130,000
2% Regional Transient Occupancy Tax	36,023	-	20,000	20,000
IT Contracts	201,085	171,488	200,000	80,000
Equipment & Repairs	-	-	-	60,000
Intern/Summer Youth Enrichment Program	-	-	5,000	20,000

ADMINISTRATION

	Actual	Actual	Adopted	Proposed
Operating				
Financial Advisory Services	-	-	-	150,000
Legal Services	-	-	-	200,000
Lobbying Services	-	-	-	80,000
Classification Compensation Study	-	-	-	100,000
PAYGO Transfer to CIP	454,971	-	150,000	795,000
Total	$1,857,709	$1,743,633	$2,471,853	$4,783,703

EXPENDITURES

PLANNING & COMMUNITY DEVELOPMENT

	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
Personnel				
Full-Time Permanent	184,082	283,871	240,406	222,850
Payroll Taxes	14,251	10,203	20,000	27,856
Retirement Contribution	6,334	25,753	12,000	15,600
Operating				
Travel/Training	3,858	6,640	11,700	15,000
Dues/Subscriptions	1,977	2,374	1,000	3,000
Outside Plan Review	26,494	16,588	5,000	5,000
Ads/Notices	3,000	6,979	4,000	5,000
Affordable Housing Program	-	-	5,000	15,000
Planning and Legal Services	18,344	18,570	50,000	60,000
Strategic Planning	-	-	-	80,000
Comprehensive Planning Study	-	-	-	100,000
Total	$323,340	$427,878	$419,106	$549,306

EXPENDITURES

GOVERNING BODY

	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
Personnel				
Town Council/ Mayor	53,000	117,300	119,186	119,186
Payroll Taxes	3,178	8,974	8,950	8,950
Operating				
Travel/Training	2,645	11,852	45,000	65,000
Dues/ Subscriptions	4,387	10,354	12,500	12,500
Council Expense	3,250	6,135	7,000	8,000
Total	**$76,460**	**$164,615**	**$202,636**	**$213,636**

EXPENDITURES

POLICE				
	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
Personnel				
Full-Time Permanent	538,657	801,784	1,200,000	1,668,190
Night Differential	5,696	5,744	7,800	8,500
Overtime/86	33,705	86,560	39,000	150,000
DMV Grant Program	10,351	6,573	20,000	25,000
Supplements	1,078	68	-	-
Line of Duty Act	5,738	8,671	11,300	13,000
Payroll Taxes	49,723	84,724	100,472	208,524
Retirement	28,456	119,291	100,000	116,773
Operations				
Neighborhood Officer Program	-	-	5,000	-
Travel/Training	13,858	8,543	50,000	50,000
Physicals & Hiring Costs	-	539	2,000	2,000
Recruitment	-	6,964	5,000	5,000
Regional Academy Membership	-	5,418	7,000	7,000
Uniforms/ Maintenance	10,251	11,489	25,000	50,000
Quarterly Uniform Allowance	2,772	6,776	15,000	15,000
Software & Subscription Services	7,000	10,116	7,000	7,000
Court Appointed Attorneys	360	-	4,500	4,500

POLICE				
	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
Vehicle Maintenance/ Operations	17,405	917	30,000	60,000
Fuel	21,425	34,216	35,000	76,200
Equipment/Repairs	30,000	45,207	35,000	60,000
Contracts	1,888	5,563	5,000	5,000
Supplies	8,552	12,282	25,000	40,000
K-9 Unit	264	-	5,000	10,000
Crisis Car Program	-	-	5,000	5,000
Chief's Expense	-	192	800	800
Crime Prevention Program	3,077	4,948	5,000	15,000
Total	$790,256	$1,266,585	$1,744,872	$2,602,487

EXPENDITURES

PUBLIC WORKS				
	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
Personnel				
Full-Time Permanent	202,869	200,861	375,000	316,839
Payroll Taxes	15,826	18,425	33,000	55,594
Retirement	9,792	28,403	30,000	22,179
Operating				
Travel/Training	3,453	5,257	20,344	21,051
Uniforms/Maintenance	128	-	1,400	3,000
Dues/Subscriptions	965	1,966	12,000	12,000
Solid Waste Contract	249,690	160,340	251,000	266,603
Vehicle Maintenance/Operations	2,627	2,990	5,000	7,000
Fuel	737	1,972	4,000	7,000
Facilities Maintenance	45,205	65,249	80,000	110,000
Park Vegetation	856	-	2,500	6,700
Tools/Equipment	8,550	14,849	50,000	50,000
Contractor Services	42,424	29,460	50,000	110,000
Fire Program	18,069	-	20,020	22,600
Paving & Roadway Maintenance (VDOT LAD Urban Maintenance)	87,802	205,496	279,074	282,933
Total	$688,507	$735,268	$1,213,338	$1,293,498

EXPENDITURES

STORMWATER MANAGEMENT

	FY21 Actual	FY22 Actual	FY23 Adopted	FY24 Proposed
Personnel				
Full-Time Permanent	29,712	25,200	33,701	36,000
Payroll Taxes	2,272	2,383	3,202	4,500
Retirement	1,470	4,029	1,685	2,520
Benefits	9,276	8,404	9,000	10,000
Operating				
Stormwater Management	52,114	35,317	41,000	41,000
DEQ Litter Control Grants	7,216	16,706	12,000	24,130
Transfer to CIP	50,000	75,000	75,000	75,000
Total	$152,060	$167,039	$175,588	$193,150

EXPENDITURES

NON-DEPARTMENTAL SERVICES

The Non-Departmental budget encompasses expenditures and initiatives that are not specifically related to any department.

Community/Partner Grant Program	-	-	25,000	32,000
Historic Dumfries Virginia	19,000	19,000	19,000	23,000
Dumfries Cemetery	1,000	1,000	1,000	1,000
Destination Dumfries Initiative	45,000	36,900	50,000	50,000
Gen Heiser Boys & Girls Club	10,000	10,000	10,000	10,000
Total	$75,000	$66,000	$110,000	$112,000

POSITION SUMMARY SCHEDULE

TOWN MANAGER				
ADMINISTRATION				
TITLE	FY21 ACTUAL	FY22 ACTUAL	FY23 ADOPTED	FY24 PROPOSED
TOWN MANAGER	1	1	1	1
DEPUTY TOWN MANAGER	-	-	-	1
DIRECTOR OF FINANCE	1	1	1	1
DIRECTOR OF CIVIC ENGAGEMENT/ TOWN CLERK	1	1	1	1
DIRECTOR OF ADMINISTRATION	1	1	1	1
DEPUTY TOWN CLERK	-	-	-	1
DIRECTOR OF STRATEGIC PLANNING & DATA ANALYSIS	1	1	1	1
HUMAN RESOURCE COORDINATOR	-	-	-	1
CUSTOMER SERVICE MANAGER	2	2	2	1
ASSISTANT CUSTOMER SERVICE MANAGER	1	1	1	1
ADMINISTRATIVE ANALYST	-	1	1	2
ACCOUNTANT	-	-	-	1
STAFF ACCOUNTANT	-	-	1	1
SENIOR CUSTOMER SERVICE SPECIALIST	1	1	1	1
ADMINISTRATIVE ASSISTANT	1	1	1	1
ADMINISTRATION TOTAL FTE				**16**
PUBLIC SAFETY				
CHIEF OF POLICE	1	1	1	1
POLICE CAPTAIN	1	1	1	1
POLICE SERGEANT	3	3	3	4
POLICE OFFICER	9	9	14	18
ADMINISTRATIVE ASSISTANT	1	1	1	1
POLICE DEPARTMENT TOTAL FTE				**25**

POSITION SUMMARY SCHEDULE

DEPUTY TOWN MANAGER				
DEPARTMENT OF PUBLIC WORKS				
TITLE	FY21 ACTUAL	FY22 ACTUAL	FY23 ADOPTED	FY24 PROPOSED
DEPUTY DIRECTOR OF PUBLIC WORKS	-	-	1	1
MAINTENANCE TECHNICIAN	1	1	1	1
MAINTENANCE SUPERVISOR	1	1	1	1
BUILDING INSPECTOR	-	-	1	1
PUBLIC WORKS TOTAL FTE				**4**
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT				
DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT	-	-	-	1
PRINCIPAL PLANNER	1	1	1	1
PLANNING & COMMUNITY DEVELOPMENT TOTAL FTE				**2**
STORMWATER MANAGEMENT				
MAINTENANCE TECHNICIAN	1	1	2	1
STORMWATER TOTAL FTE	1	1	2	**1**
DEPARTMENTS TOTAL FTE				**48**

PREPARED BY:
Bryan H. Guidash, VSB No. 32844
Walsh, Colucci, Lubeley & Walsh, P.C.
4310 Prince William Parkway, Suite 300
Prince William, VA 22192

GRANTEE'S ADDRESS:
c/o Audeo Partners, LLC
4938 Hampden Lane, #216
Bethesda, MD 20814

GPIN: 8189-91-1173
CONSIDERATION: None

This Deed is exempt from recordation taxes pursuant to Virginia Code Section 58.1-810.1

PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION

DEED OF CONFIRMATION

THIS DEED OF CONFIRMATION ("Deed"), is made as of the _____ day of _____, 2023, by and between DUMFRIES PURCHASER, LLC, a Virginia limited liability company, GRANTOR and GRANTEE (hereinafter referred to as "Dumfries Purchaser"); TOWN OF DUMFRIES, VIRGINIA, a body corporate and politic, GRANTOR and GRANTEE (hereinafter referred to as the "Town"); and DUMFRIES DEVELOPMENT GROUP, LLC, a Virginia limited liability company, for indexing purposes only GRANTOR and GRANTEE (hereinafter referred to as "DDG, LLC").

R E C I T A L S:

WHEREAS, Dumfries Purchaser is the owner of that certain parcel of real property currently identified with Prince William County Geographic Parcel Identification Number 8189-91-1173 and formerly identified with Prince William County Geographic Parcel Identification Number 8189-91-1574, known as Lot 95, being a portion of that land transferred to Dumfries Purchaser by DDG, LLC, pursuant to that deed in lieu of foreclosure with general warranty of title recorded as Instrument Number 202208160060410 among the land records of Prince William County, Virginia (hereinafter "Land Records"), which property is located in the Potomac Magisterial District, Prince William County, Virginia, (hereinafter the "Property"), as a portion of

said Property is more particularly shown a survey of which is depicted on a land survey plat prepared by Land Design Consultants, entitled "Plat Showing Street Vacation on a Portion of Market Street, Potomac Magisterial District, Prince William County, Virginia" dated July, 2014, last revised June 6, 2018, and recorded as Instrument Number 202103020025474 among the Land Records (the "Plat"); and

WHEREAS, there was formerly an unimproved forty-foot (40') right-of-way, known as Market Street ("Market Street Right-of-Way"), located within Property as shown on the Plat; and

WHEREAS, on August 5, 2020, the Town Council of the Town of Dumfries ("Town Council"), pursuant to authority granted under Virginia Code § 15.2-2006, adopted an Ordinance vacating the portion of the Market Street Right-of Way in the location further shown on the Plat; and

WHEREAS, on February 12, 2021, the Town and DDG, LLC executed the Deed of Vacation that was recorded as Instrument Number 202103020025473 on March 2, 2021 (the "Deed of Vacation") among the Land Records, which vested fee simple title of the vacated Market Street Right-of-Way in DDG, LLC and consolidated it into the Property; and

WHEREAS, pursuant to Virginia Code § 15.2-2006, the Town Council affixed a condition precedent to the Deed of Vacation and the Ordinance approved by Town Council on the date aforesaid that required DDG, LLC, to commence construction of its development on the Property on or before September 15, 2022; and

WHEREAS, DDG, LLC did not commence construction on the Property prior to September 15, 2022; and

WHEREAS, Virginia Code § 15.2-2006 authorizes the Town Council the option of rendering any vacation under that statute void for failure to satisfy the condition precedent to the said vacation; and

WHEREAS, the Town Council has affirmatively elected to take no action permitted by law that would affect the continuing validity of the original vacation and valid conveyance to DDG, LLC, of fee simple ownership of the Market Street Right-of-Way; and

WHEREAS, the Town Council has received a request from Dumfries Purchaser to confirm the original vacation and consolidation into the Property of the Market Street right-of-way, as of the date of the original Deed of Vacation; and

WHEREAS, Virginia Code §15.2-2006 authorizes the Town Council to vacate and extinguish the public's rights in property dedicated as a public street where the public interest will be served by releasing those lands or any parts thereof from such dedication; and

WHEREAS, the Town Council previously determined that the Market Street Right-of-Way was no longer needed for public purposes, and that its vacation served the public interest by adopting the August 5, 2020, Ordinance effecting the vacation; and

WHEREAS, Dumfries Purchaser and the Town Council desire to confirm the vacation and consolidation into the Property of the Market Street Right-of-Way, effective as of the date of the Deed of Vacation was recorded among the Land Records; and

WHEREAS, the public hearing notice requisite for the consideration of this Ordinance duly described the proposed confirmation of the said vacation and consolidation, and the location of the land subject hereto as depicted on the attached Plat, and identified the time and place of the hearing; and

WHEREAS, after a public hearing duly called, the Town Council has found it to be in the continuing public interest to confirm the original vacation and consolidation into the Property of the subject portion of Market Street and the Deed of Vacation thereto; and

WHEREAS, it is the desire of Dumfries Purchaser and the Town to execute this Deed for recording among the Land Records to confirm the Market Street Right-of-Way is finally and completely vacated and consolidated into the Property.

W I T N E S S E T H:

NOW, THEREFORE, THIS DEED WITNESSETH, that for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Town does hereby confirm that the rights of the public in and to a portion of the Market Street Right-of-Way, as identified on Plat as "PORTION OF UNIMPROVED MARKET STREET TO BE VACATD 36,606 SQ. FT." were finally and completely vacated by the Ordinance of August 5, 2020, and by the Deed of Vacation recorded among the Land Records on March 2, 2021 as Instrument Number 202103020025473, and fee title of the vacated Market Street Right-of-Way was vested in DDG, LLC and consolidated into the Property pursuant to the Deed of Vacation.

(SIGNATURES AND ACKNOWLEDGEMENTS ON FOLLOWING PAGES)

WITNESSETH the following signatures and seals:

DUMFRIES PURCHASER, LLC,
a Virginia limited liability company

By: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

On this _____ day of _____, 2023, before me the undersigned officer, personally appeared _____(name), as _____(title) of Dumfries Purchaser, LLC, a Virginia limited liability company, for the purposes therein set forth.

In witness whereof, I have hereunto set my hand and official seal.

_____
Notary Public

My Commission Expires: _____

(SIGNATURES AND ACKNOWLEDGEMENTS CONTINUE ON THE FOLLOWING PAGE)

TOWN OF DUMFRIES, VIRGINIA

By: _____
Name: _____
Title: _____

COMMONWEALTH OF VIRGINIA,
COUNTY OF PRINCE WILLIAM, to-wit:

I, _____, a Notary Public of and for the jurisdiction aforesaid, do hereby certify that _____ (name), as _____ (title) of the Town of Dumfries, whose name is signed to the foregoing and hereto attached Deed has this date acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand and seal this ____ day of _____, 2023.

My commission expires: _____.

_____
Notary Public

Registration No.: _____

Approved as to form:

_____
Sharon E. Pandak
Interim Town Attorney

AT A MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON May 2, 2023, ON A MOTION MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Tyrone Brown, [Y/N];
Brian K. Fields, [Y/N];
Selonia B. Miles, [Y/N];
Monaé S. Nickerson, [Y/N];
Shaun Peet, [Y/N];
Caeterina A. Peterson, [Y/N];
Derrick R. Wood, [Y/N].

AN ORDINANCE TO CONFIRM THE PRIOR VACATION AND DEED THEREOF OF MARKET STREET, AN UNIMPROVED RIGHT-OF-WAY LOCATED WITHIN THE TOWN OF DUMFRIES, VIRGINIA

WHEREAS, there was formerly an unimproved forty-foot (40') right-of-way, known as Market Street ("Market Street Right-of-Way"), now located within property identified as GPIN 8189-91-1173 (the "Property") in the Town of Dumfries, Virginia (the "Town"); and

WHEREAS, on August 5, 2020, the Town Council of the Town of Dumfries ("Town Council"), pursuant to authority granted under Virginia Code § 15.2-2006, adopted an Ordinance that vacated the Market Street Right-of Way, a survey of which is depicted on a land survey plat prepared by Kevin D. Vaughn, a Virginia licensed Land Surveyor, dated June, 2014, last revised June 6, 2018, entitled "Plat Showing Street Vacation on a Portion of Market Street, Potomac Magisterial District, Prince William County, Virginia" (the "Plat"); and

WHEREAS, on February 12, 2021, the Town and DDG, LLC executed the Deed of Vacation that was recorded in Prince William County Land Records on March 2, 2021 (Instrument No. 202103020025473) (the "Deed of Vacation"), which vested fee simple title of the vacated Market Street Right-of-Way in the Dumfries Development Group, LLC (referred to as "DDG, LLC") and consolidated it with an adjacent parcel to comprise the Property; and

WHEREAS, pursuant to Virginia Code § 15.2-2006, the Town Council affixed a condition precedent to the Deed of Vacation and the Ordinance approved by Town Council on the date aforesaid that required DDG, LLC, to commence construction of its development on the Property on or before September 15, 2022; and

WHEREAS, DDG, LLC, did not commence construction on the Property prior to September 15, 2022; and

WHEREAS, Virginia Code § 15.2-2006 authorizes the Town Council the option of rendering any vacation under that statute void for failure to satisfy the condition precedent to the said vacation; and

WHEREAS, the Town Council has affirmatively elected to take no action permitted by law that would affect the continuing validity of the original vacation and valid conveyance to DDG, LLC, of fee simple ownership of the Market Street Right-of-Way; and

WHEREAS, through Deed of Foreclosure recorded in Prince William County Land Records as Instrument No. 202208160060410, DDG, LLC, conveyed its interest in GPIN 8189-91-1173, including fee simple ownership in title to the vacated Market Street right-of-way to Dumfries Purchaser, LLC, an entity affiliated with Audeo Partners, LLC ("Dumfries Purchaser"); and

WHEREAS, Dumfries Purchaser is the present fee simple owner of the vacated Market Street Right-of-Way, and has been paying Town taxes on the Property; and

WHEREAS, the Town Council has received a request from Dumfries Purchaser to confirm the original vacation and consolidation into the Property of the Market Street right-of-way, as of the date of the original Deed of Vacation; and

WHEREAS, Virginia Code § 15.2-2006 authorizes the Town Council to vacate and extinguish the public's rights in property dedicated as a public street where the public interest will be served by releasing those lands or any parts thereof from such dedication; and

WHEREAS, the Town Council previously determined that the Market Street Right-of-Way was no longer needed for public purposes, and that its vacation served the public interest by adopting the August 5, 2020, Ordinance effecting the vacation; and

WHEREAS, the Town Council desires to affirm the vacation and consolidation into the Property of the Market Street Right-of-Way, effective as of the original date of the Deed of Vacation for DDG, LLC; and

WHEREAS, the public hearing notice requisite for the consideration of this Ordinance duly described the proposed confirmation of the said vacation and consolidation, and the location of the land subject hereto as depicted on the attached Plat, and identified the time and place of the hearing; and

WHEREAS, after a public hearing duly called, the Town Council has found it to be in the continuing public interest to affirm the original vacation and consolidation into the Property of the subject portion of the Market Street Right-of-Way and the Deed of Vacation thereto;

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Town Council, pursuant to Virginia Code § 15.2-2006, declares that the rights of the public in and to a portion of Market Street, as shown on the attached Plat depicting the Market Street Right-of-Way, were finally and completely vacated by the Ordinance of August 5, 2020, and by the Deed of Vacation recorded in Prince William County Land Records on March 2, 2021, by Instrument Number 202103020025473, and fee title of the vacated Market Street Right-of-Way was vested in DDG,

LLC, and consolidated into the Property pursuant to the Deed of Vacation; and the Town has no further interest in said Right-of Way; and authorizes the Mayor to sign any deed documenting this ordinance.

By Order of Council:

_____

Derrick Wood, Mayor

AGENDA ITEM REQUEST FORM

Item Type

☐ Award ☐ Proclamation ☒ Resolution/Ordinance ☐ Motion ☐ Discussion

Statement of Purpose

ORDINANCE TO CONFIRM THE PRIOR VACATION AND DEED THEREOF OF MARKET STREET, AN UNIMPROVED RIGHT-OF-WAY LOCATED WITHIN THE TOWN OF DUMFRIES, VIRGINIA.

Background/References

PLEASE SEE ATTACHED ORDINANCE.

Fiscal Impact

N/A

Suggested Motion

CONFRIM THE PRIOR VACATION AND DEED THEREOF OF MARKET STREET, AN UNIMPROVED RIGHT-OF-WAY.

Requested Meeting Date

May 2, 2023

Attachments

- Approval Ordinance
- Deed

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON MAY 2, 2023: ON A MOTION DULY MADE BY _____, AND SECONDED BY _____, THE FOLLOWING ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:

Tyrone A. Brown, ____;
Brian K. Fields, ___;
Selonia B. Miles, ____;
Monae S. Nickerson, ____;
Shaun R. Peet, ____;
Caetrina A. Peterson, ____;
Derrick R. Wood, ____;

ORDINANCE TO APPROVE THE PROFFER AMENDMENT APPLICATION, PCA2020-002, ARAS ON MAIN, FILED FOR APPOXIMATELY 10.39 ACRES OF LAND ON PARCELS: GPIN 8189-81-7785, 8189-81-8991, 8189-81-9393, 8189-81-9594, 8189-91-0097, 8189-92-2208, 8189-92-3112, 8189-92-3717, 8189-92-5018, 8189-92-5420, 8189-92-5823 & 8189-91-1574 AND TO WAIVE CERTAIN ZONING ORDAINANCEREQUIREMENTS SET FORTH IN SECTIONS: § 70-535.5 (3) TO ALLOW 220 MULTI-FAMILY UNITS IN LAND BAY 1 AND TO PERMIT A MAXIMUM OF 60 SINGLE-FAMILY ATTACHED DWELLNG UNITS IN LAND BAY 2, § 70-535.11 (A) TO ALLOW FOR A MINIMUM OF 245 PARKING SPACES IN LAND BAY 1 AND A MINIMUM OF 130 SPACES IN LAND BAY 2,§ 70-535.9 (G) TO PERMIT A MAXIMUM BUILDING HEIGHT OF 65 FEET FOR SINGLE-FAMILY ATTACHED DWELLING UNITS IN LAND BAY 2, AND § 70-535.10 (C) TO ALLOW A VARIABLE WIDTH BUFFER ALONG THE EASTERN PROPERTY BOUNDARY, AS SHOWN ON THE MZP.

WHEREAS, Audeo Partners, LLC has applied for a modification of the Proffers on the 10.39 acre property consisting of parcels identified as: GPIN 8189-81-7785, 8189-81-8991, 8189-81-9393, 8189-81-9594, 8189-91-0097, 8189-92-2208, 8189-92-3112, 8189-92-3717, 8189-92-5018, 8189-92-5420, 8189-92-5823 & 8189-91-1574 in order to modify the Proffers and Master Zoning Plan; and

WHEREAS, the applicant is requesting a waiver of the requirements set forth in the following Zoning Ordinance sections: § 70-535.5 (3) to allow 220 multi-family units in Land Bay 1 and to permit a maximum of 60 single-family attached dwelling units in Land Bay 2, § 70-535.11 (a) to allow for a minimum of 245 parking spaces in Land Bay 1 and a minimum of 130 spaces in Land Bay 2,§ 70-535.9 (g) to permit a maximum building height of 65 feet for single-family attached dwelling units in Land Bay 2, and § 70-535.10 (c) to allow a variable width buffer along the eastern property boundary; and

WHEREAS, the Department of Community Development and Zoning staff have recommended approval of the proffer amendments which are attached; and

WHEREAS, the Planning Commission advertised and held a public hearing on the proposed proffer amendments on May 1, 2023, and has recommended approval of the proffer amendments; and

WHEREAS, the Town Council advertised and held a public hearing on the proposed proffer amendments on May 2, 2023; and

WHEREAS, the Town Council takes this action based on public necessity, convenience, general welfare, and good zoning practice;

NOW, THEREFORE, BE IT ORDAINED that the Town Council of the Town of Dumfries hereby approves the proffer amendments made in conjunction with REZ2020-002 on property by Audeo Partners, LLC, consisting of parcels identified as: GPIN 8189-81-7785, 8189-81-8991, 8189-81-9393, 8189-81-9594, 8189-91-0097, 8189-92-2208, 8189-92-3112, 8189-92-3717, 8189-92-5018, 8189-92-5420, 8189-92-5823 & 8189-91-1574; and

BE IT FURTHER ORDAINED that the Town Council does hereby waive the Zoning Ordinance requirements set forth in: § 70-535.5 (3) to allow 220 multi-family units in Land Bay 1 and to permit a maximum of 60 single-family attached dwelling units in Land Bay 2, § 70-535.11 (a) to allow for a minimum of 245 parking spaces in Land Bay 1 and a minimum of 130 spaces in Land Bay 2, § 70-535.9 (g) to permit a maximum building height of 65 feet for single-family attached dwelling units in Land Bay 2, and § 70-535.10 (c) to allow a variable width buffer along the eastern property boundary, as shown on the MZP .

By Order of Council:

_____

Derrick R. Wood, Mayor

ATTEST: _____

Tangi Hill, Town Clerk

DUMFRIES, VIRGINIA
Virginia's Oldest Continuously Chartered Town
CHARTERED 1749 INCORPORATED 1961

John Wilmer Porter Municipal Building
17739 Main Street, Suite 200
Dumfries, Virginia 22026
Tel: 703-221-3400/ Fax: 703-221-3544
www.dumfriesva.gov

May 1, 2023
STAFF REPORT
PROFFER CONDITION AMENDMENT APPLICATION: PCA2020-002

APPLICANT: **Audeo Partners, LLC.**
4938 Hampden Lane #216,
Bethesda, MD 20814

PARCEL (S): **Please see Appendix C.**

EXISTING ZONING: PMUD, Planned Mixed Used District

ACREAGE: 10.39 acres

DESCRIPTION OF THE APPLICATION

The Applicant proposes to amend the Proffer Statement associated with REZ2020-002.The purpose of the amendment is to substantially update the proffers to include the following:

1. 220 multi-family units with residential amenities and parking.
2. 60 single-family attached homes.
3. Remove the commercial aspect of the previous project iteration.

STAFF RECOMMENDATION

Staff recommends that the Town Council approve PCA2020-002 and its associated Master Zoning Plan including the following waivers:

a. Modify the allowable maximum density for PMUD High (§ 70-535.5 (3)) in Land Bay 1 to permit up to 220 multi-family dwelling units.
b. Modify the allowable maximum density for PMUD High (§ 70-535.5 (3)) in Land Bay 2 to permit up to 60 single-family attached dwelling units.
c. Modify the minimum parking requirements found in § 70-535.11 (a) to allow for at least 245 parking spaces in Land Bay 1 and a minimum of 130 spaces in Land Bay 2.

d. Modify the maximum building height in the PMUD District (§ 70-535.9 (g)) to permit a height limit of 65 feet for single-family attached dwelling units in Land Bay 2.
e. Modify the transitional buffer requirement set forth in § 70-535.10 (c) to allow a variable width buffer along the eastern property boundary, as shown on the Master Zoning Plan (MZP).

The content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Town Council.

LOCATION AND CHARACTER

The site, shown in Figure 1 below, is located along Main Street situated north of Rt. 1/Fraley Boulevard, east of Washington Street, and west of Canal Road. The site is currently undeveloped with several curb cuts connection points along Main Street.

The surrounding areas are zoned:

- East: B-1, General Business
- West: B-2, Neighborhood Business
- South B-2, Neighborhood Business
- North: B-1, General Business

The land uses immediately adjacent to the site consist of various neighborhood scale retail stores, office space, a medical facility, and a government municipal building (immediately to the south of the site). The site is also located in the Historic Overlay District. The applicant will obtain a Certificate of Appropriateness during the Site Plan phase of the project.

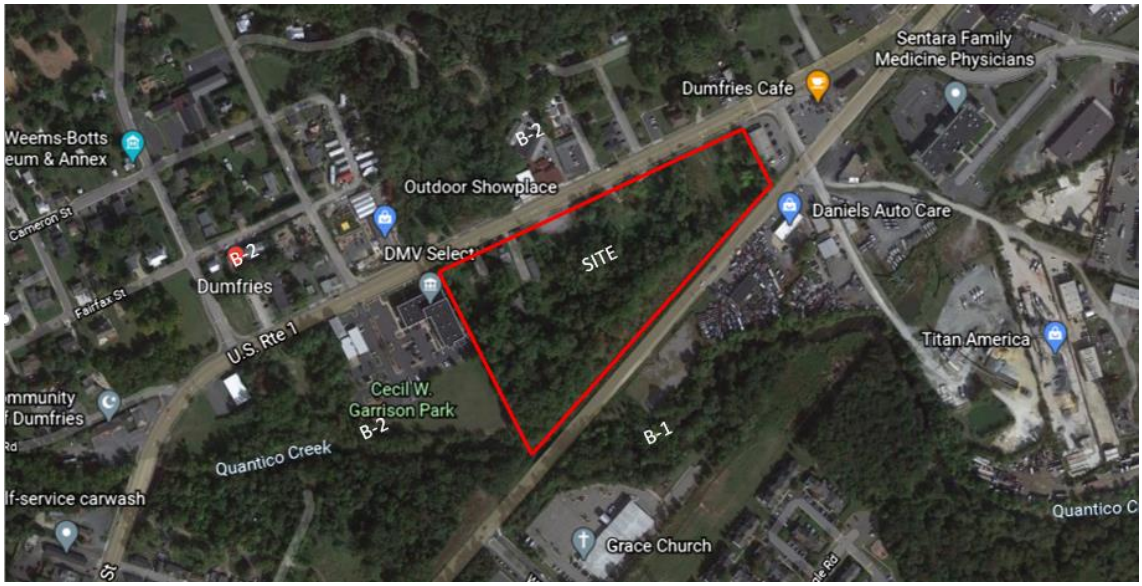


Figure 1

Background

The Council approved the previous REZ2020-002 on April 20,2021. That action rezoned approximately 10.24 acres from R-2, General Residential to PMUD, Planned Mixed Use District, to permit a mixed-use development consisting of approximately 18,700 square feet of commercial development, and 317 multi-family residential units. The previous owner/developer of the Property sold the Property to the Applicant (listed above).

Changes to REZ2020-002

The Master Zoning Plan, attached as part of the submission package, shows a reduction in multi-family housing units from 317 to 220 in Land Bay 1.and includes associated amenities and parking. The residential amenities include a pool with pool house for the future residents, along a terrace area to enliven the entrance to the Property and Main Street, providing a non-residential gathering space for the people living in the homes and their guests.

Land Bay 2 would include up to 60 single-family attached homes, which would consist of traditional townhomes or stacked town homes (e.g., two-over-twos).

COMPREHENSIVE PLAN PROVISIONS

The Property is located within the Main Street Small Area Plan (SAP), shown in Figure 2. As stated on Page 86 of the SAP, the Town seeks to capture the elements necessary for transforming the area into a vibrant, walkable town center. Much of the existing Main Street Corridor consists of older commercial and retail uses. The proposed development will create desirable multi-family housing that can support and augment the existing commercial uses by increasing the local customer base.

The buildings proposed with the development are located directly on Main Street with minimal setbacks, which will enhance the small-town ambience, an atmosphere that is presently lacking. The setbacks proposed along the frontage with parking in the rear will create a vibrant, walkable community that promotes the goals of the Town's in general Comprehensive Plan and the SAP.

Within the SAP, the Property is designated as a mixture of Planned Main Street Area and Park / Open Space with the latter being focused on the floodplain along Fraley Boulevard. The MZP shows how the Applicant proposes to limit its impact to the Floodplain and RPA by preserving much of this area as open space, which aligns with retention of that area as the desired park and open space.

Figure 32: Main Street SAP Boundary

Figure 2

One of the Town's Housing Section goals within the Comprehensive Plan is to promote the development of decent, safe, and affordable housing. The proposed development promotes these goals by providing multiple housing types that will address housing affordability by adding new homes at varying income levels.

Housing Policy 1 recommends that the Town "identify substandard and/or deteriorating housing and pursue avenues for upgrading and renovating to assure that housing is available to a broad range of income groups." The Property currently hosts two former residences and a garage structure all of which are vacant, and cannot contribute to the Town's tax base, housing stock, or physical attractiveness. Consistent with Housing Policy 1, the Applicant's redevelopment of the Property with new homes aligns with this policy, eliminating substandard and deteriorating structures that present a potential safety risk.

ZONING ORDINANCE PROVISIONS

Division 14-Planned Mixed Use District (PMUD)

The Zoning Ordinance states that the intent of the PMUD zoning "*is to implement the general purpose, intent, goals, objectives, policies, and action strategies of the comprehensive plan and the purposes of zoning set forth in Code of Virginia, § 15.2-2283, by promoting mixed residential and commercial development according to a detailed plan. The PMUD district is designed to permit and encourage the establishment of communities of varied housing types in developments of two or more contiguous acres, incorporating appropriate public, community, and supportive commercial and employment services.*"

As shown in the updated MZP depicted in Figure 3, the proposed development will be constructed on consolidated parcels of land encompassing approximately 10.39 acres of land. The main entrance will align with the main entrance to The Rose Gaming Resort on Colonial Street. Given that this is a proffer statement amendment, further site circulation and loading access will be reviewed in detail at the site plan submission. Staff believes that based on the abundance of empty commercial spaces within the town the demand is not present to warrant the need for any portion of this project to include commercial uses. Instead of having a possible 18,000 square feet of vacant commercial space, staff in consultation with the applicant agreed that the best use of the land available was for residential housing.

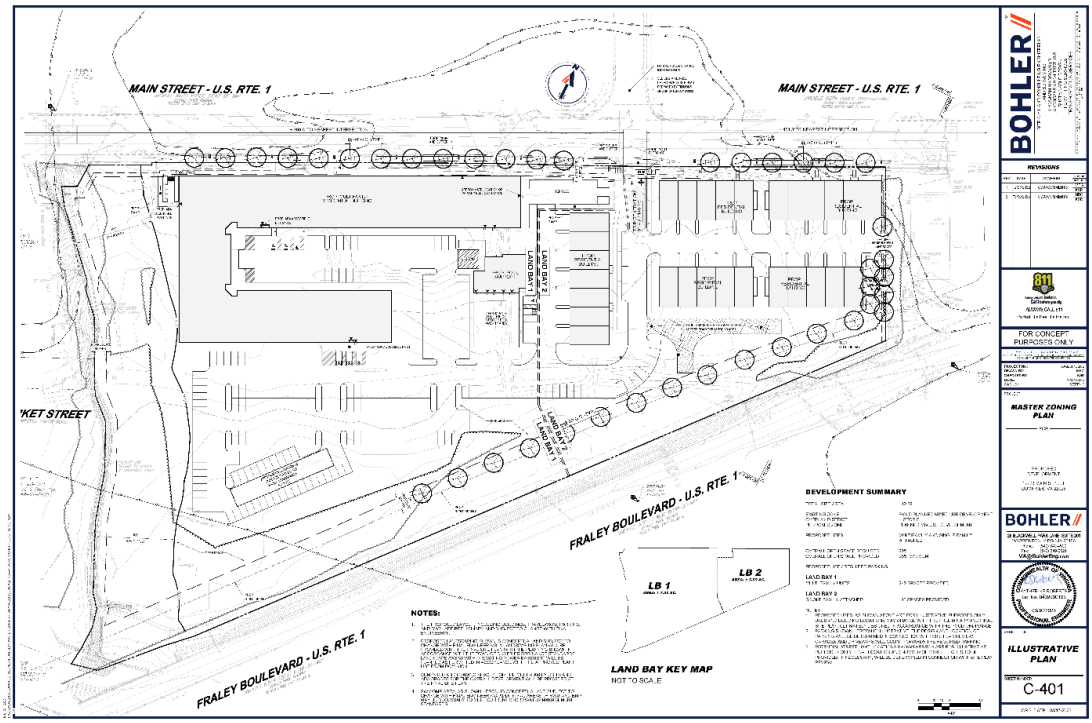


Figure 3

TRANSPORTATION
The Applicant has proffered to the Town the completion of the traffic signal and pedestrian signal infrastructure on the new leg of the Main Street intersection / access point. This will improve intersection safety and circulation for both vehicular and pedestrian traffic generated by this site and The Rose. The proffers contain a caveat that the applicants' development will not be delayed in the event that the traffic signals proffered by The Rose are not timely installed. The proffers also dictate that developer does not have to install the new vehicle signal displays and pedestrian signal displays until the installation is completed.

The applicant also proffers to negotiate with the County regarding the acquisition of necessary right-of-way from the site along US 1 / Fraley Blvd. Improvement Project.

SUMMARY/CONCLUSION

Staff has determined that the proposed development is consistent with the Comprehensive Plan and the vision for the Main Street Small Area Plan. This project will increase the housing stock within the Town, bringing more tax revenue and population that will spur continued growth within the Town of Dumfries. In addition, the staff concludes that the development proposal will not adversely affect the health, safety, and general welfare of persons occupying the site as well as those in the neighboring vicinity of the site.

STAFF CONTACT: Nick Cicero, Principal Planner - (703) 221-3400 ext. 140.

APPENDICES

A. Application and Proffers

B. Final MZPA

C. Parcel List

Appendix A

WALSH COLUCCI
LUBELEY & WALSH PC

Brian W. Prater
(703) 680-4664 Ext. 5122
bprater@thelandlawyers.com

December 23, 2022

Via E-Mail

Nick Cicero
Town Planner
Town of Dumfries
17739 Main Street, Suite 200
Dumfries, Virginia

Re: Aras on Main - Proffer Condition Amendment Application

Dear Mr. Cicero:

On behalf of Audeo Partners, LLC (the "Applicant"), enclosed please find the revised application materials regarding a Proffer Condition Amendment known as Aras on Main for the properties located on the south side of Main Street, as detailed in the submitted materials listed below. Please note that these materials were initially submitted on December 14, 2022 and the items contained herein were revised pursuant to preliminary Town comments received by the Applicant on December 20, 2022.

1. An original, executed application form with the names and ownership information for all adjacent properties;
2. An original, executed Interest Disclosure Affidavit;
3. A check made payable to the Town of Dumfries in the amount of $3,300, which represents the Rezoning Amendment Fee and PMUD Amendment fee;
4. A Narrative Statement dated December 23, 2022;
5. A draft Proffer Statement dated December 23, 2022;
6. A redline of the Proffer Statement dated December 23, 2022 compared against the original approved Proffer Statement dated March 29, 2021.

7. A copy of the illustrative building renderings entitled “Aras on Main – Conceptual Architectural – Concept Views,” prepared by DCS Deisgn and dated November 28, 2022; and
8. An 11” x 17” copy of the master zoning plan entitled “Master PMUD Zoning Plan for Aras on Main,” prepared by Bohler Engineering, and dated December 21, 2022.

Once you have an opportunity to review the application, together with the supporting documents, please contact me if any additional information is required. Thank you for your assistance in connection with this application.

Very truly yours,

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

Brian Prater

Brian W. Prater

cc: Keith Rogers, Town Manager (email only)
Madi Ford, Esq., Audeo Partners (email only)
Michael Meers, Audeo Partners (email only)
Katherine Roberts, Bohler (email only)
Thomas Dinneny, DCS (email only)
John Foote, Esq., WCL&W (email only)

DUMFRIES, VIRGINIA
Virginia's Oldest Continuously Chartered Town
CHARTERED 1749 INCORPORATED 1961

John Wilmer Porter Municipal Building
17739 Main Street, Suite 200
Dumfries, Virginia 22026
Tel: 703-221-3400/ Fax: 703-221-3544
www.dumfriesva.gov

APPLICATION FOR PROFFER AMENDMENT

TO THE TOWN COUNCIL OF THE TOWN OF DUMFRIES, VIRGINIA

The undersigned, being all of the owner(s), contract purchasers or the respective duly authorized agents thereof, do hereby petition to change the zoning of the property described below and shown on the accompanying plans, which are made part of this application, as follows: (attach additional pages if necessary)

Tax Map #	GPIN #	From	To	Acres
See attached chart				

Property Location: (Describe the location of the property by distance, in feet or portion of a mile, and direction from an intersection of two (2) public roads or streets.
Along the south side of Main Street at its intersection with Colonial Street.

The name(s), mailing address(es), and telephone number(s) of owner(s) and contract purchaser, lessee, and/or authorized agent(s), as applicable are: (Attach additional pages if necessary)

OWNER OF PROPERTY:

Name: Dumfries Purchaser, LLC Phone #: 240-630-2559

Mailing Address: 4938 Hampden Lane #216, Bethesda, MD 20814

CONTRACT PURCHASER/LESSEE:

Name: N/A Phone #: _____

Mailing Address: _____

AUTHORIZED AGENT(S):

Name: John Foote / Brian Prater Phone #: 703-680-4664

Mailing Address: 4310 Prince William Parkway, Suite 300, Woodbridge, VA 22192

Signed this 14th day of December 2022.

N/A

Signature of Contract Purchaser/Lessee

Signature of Owner/Agent

Please answer the following on a separate document and submit as part of the application.

1. Briefly describe the type of use and improvements proposed. State whether new buildings are to be constructed, existing structures are to be used or removed, or additions made to existing buildings:
2. Why does applicant believe the location of the use in question on the particular property is essential or desirable for the public convenience or welfare and will not be detrimental to the immediate neighborhood?
3. Describe how the proposed use and improvements are to be designed and arranged to fit into the development of adjacent property and the neighborhood:
4. Furnish plat showing boundaries and dimensions of property, width of boundary streets, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping and the like. Architect's sketches showing elevations of proposed buildings and complete plans are also desirable and if available should be filed with the application:
5. Is the request consistent with the relevant components of the Comprehensive Plan?

Aras on Main – Property Chart

GPIN	Current Zoning	Proposed Zoning	Acres
8189-81-7785	PMUD	PMUD	0.7021
8189-81-8991	PMUD	PMUD	0.1366
8189-81-9393	PMUD	PMUD	0.0459
8189-81-9594	PMUD	PMUD	0.2595
8189-91-0097	PMUD	PMUD	0.2864
8189-91-0597	PMUD	PMUD	0.2864
8189-91-1099	PMUD	PMUD	0.2864
8189-92-1401	PMUD	PMUD	0.2864
8189-92-1904	PMUD	PMUD	0.2864
8189-92-2208	PMUD	PMUD	0.5337
8189-92-2710	PMUD	PMUD	0.2825
8189-92-3112	PMUD	PMUD	0.2825
8189-92-3717	PMUD	PMUD	0.5638
8189-92-4617	PMUD	PMUD	0.3002
8189-92-5018	PMUD	PMUD	0.2401
8189-92-5420	PMUD	PMUD	0.2816
8189-92-5823	PMUD	PMUD	0.2814
8189-91-1173	PMUD	PMUD	4.1985
			Total: 10.39 acres

The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property sought to be rezoned: (Attach additional pages if necessary)

Name: Town of Dumfries Property Address: 17749 Main Street

Mailing Address: 17755 Main Street, Dumfries, VA 22026

GPIN #: 8189-81-6650

Name: Town of Dumfries Property Address: 17739 Main Street

Mailing Address: 6231 Leesburg Pike, Ste 100, Falls Church, VA 22044

GPIN #: 8189-81-6475

Name: Potomac Valley Church of Christ Property Address: 1006 Williamstown Drive

Mailing Address: 4222 Fortuna Center Plz, Ste 137, Dumfries, VA 22025

GPIN #: 8189-91-2623

Name: Apartments at Dumfries II, LLC Property Address: 17870 Fraley Blvd

Mailing Address: 448 Depot Street, Christiansburg, VA 24073

GPIN #: 8189-81-5212

Name: Douglas Vladimir Cortez & Danila Jannette Gonzalez Property Address: 17785 Fraley Blvd

Mailing Address: 1601 Maurice Drive, Woodbridge, VA 22191

GPIN #: 8189-91-2342

Name: Armando & Efren Castro Escobar T-C Property Address: 17755 Fraley Blvd

Mailing Address: 16259 Gayle Court, Triangle, VA 22172

GPIN #: 8189-91-3958

Name: Willard L & Betty B Mountjoy Surv Property Address: 17735 Fraley Blvd

Mailing Address: 18314 Candice Drive, Triangle, VA 22172-1412

GPIN #: 8189-91-6384

Other comments or information: _____

The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property sought to be rezoned: (Attach additional pages if necessary)

Name: Raymond F & Sherill M Mountjoy Sur Property Address: 17711 Fraley Blvd

Mailing Address: 17301 Joplin Road, Triangle, VA 22172-1639

GPIN #: 8189-91-8699

Name: Action In Community Through Service of Prince William Property Address: 3651 Canal Road

Mailing Address: P.O. Box 74, Dumfries, VA 22026

GPIN #: 8189-92-6631

Name: Dieter E Keske & Katharine C Keske Surv Property Address: 17660 Main Street

Mailing Address: 77 Ferry Road, Fredericksburg, VA 22405

GPIN #: 8189-92-4755

Name: PWC Board of County Supervisors Property Address: 17674 Main Street

Mailing Address: 1 County Complex Court, Woodbridge, VA 22192

GPIN #: 8189-92-3641

Name: PWC Board of County Supervisors Property Address: 17676 Main Street

Mailing Address: 1 County Complex Court, Woodbridge, VA 22192

GPIN #: 8189-92-2953

Name: CDI Virginia Land, LLC c/o TVPX Property Address: 17682 Main Street

Mailing Address: 2352 Main Street, Ste 201, Concord, MA 01742

GPIN #: 8189-92-1935

Name: Action In Community Through Service of Prince William Property Address: 17690 Main Street

Mailing Address: P.O. Box 74, Dumfries, VA 22026

GPIN #: 8189-92-0730

Other comments or information: _____

The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property sought to be rezoned: (Attach additional pages if necessary)

Name: Gala Properties, LLC Property Address: 17696 Main Street

Mailing Address: 17696 Main Street, Dumfries, VA 22026

GPIN #: 8189-92-0129

Name: Gala Properties, LLC Property Address: 17698 Main Street

Mailing Address: 17698 Main Street, Dumfries, VA 22026

GPIN #: 8189-82-8933

Name: Gala Properties, LLC Property Address: 17700 Main Street

Mailing Address: 17696 Main Street, Dumfries, VA 22026

GPIN #: 8189-82-8816

Name: Hamidullah & Parwin H Hashimi Property Address: 17706 Main Street

Mailing Address: 15565 Wigeon Way, Woodbridge, VA 22191

GPIN #: 8189-82-7620

Name: Hamidullah & Parwin H Hashimi Surv Property Address: 17718 Main Street

Mailing Address: 15565 Wigeon Way, Woodbridge, VA 22191

GPIN #: 8189-82-5805

Name: _____ Property Address: _____

Mailing Address: _____

GPIN #: _____

Name: _____ Property Address: _____

Mailing Address: _____

GPIN #: _____

Other comments or information: _____

INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA,
COUNTY OF PRINCE WILLIAM

This 21st day of December, 2022,

I, Brian Prater (~~Owner~~ Authorized Agent); hereby make oath that no member of the Town Council of the Town of Dumfries, Virginia, nor the Planning Commission of the Town of Dumfries, Virginia, has interest in such property, either individually, by ownership of stock in a corporation owning such land, or partnership, or as holder of ten (10) percent or more of the outstanding shares of stock in or as a director or officer of any corporation owning such land, directly or indirectly, by such member or members of his immediate household, except as follows:

_____

_____

_____

_____

Owner/Contract Purchaser/Authorized Agent
(circle one)

COMMONWEALTH OF VIRGINIA:
County of Prince William

Subscribed and sworn to before me this 21st day of December, 2022 in my County and State aforesaid, by the aforenamed Principal.

NOTARY PUBLIC

My Commission Expires: 10/31/2026

JENNIFER L. SWENSON
NOTARY PUBLIC
REG # 7782431
MY COMMISSION EXPIRES
10/31/2026
COMMONWEALTH OF VIRGINIA

AMENDED PROFFER STATEMENT

~~Date Rezoning:~~

~~Applicant/Owner: Jurisdiction: Zoning:~~

~~Property:~~

AMENDING THE PROFFERS ACCEPTED WITH REZ #2020-002

PCA #2023-XXXX

PLANNED MIXED USE DISTRICT (PMUD) PROFFERS

PROJECT: **ARAS ON MAIN**

OWNER: **DUMFRIES PURCHASER, LLC**

APPLICANT: **AUDEO PARTNERS, LLC**

PROPERTY: **GPINS** **8189-81-7785, 8189-81-8991, 8189-81-9393, 8189-81-9594, 8189-91-0097, 8189-91-0597, 8189-91-1099, 8189-92-1401, 8189-92-1904, 8189-92-2208, 8189-92-2710, 8189-92-3112, 8189-92-3717, 8189-92-4617, 8189-92-5018, 8189-92-5420, 8189-92-5823, & 8189-91-1173 (The "Property")**

~~March 29~~**DATE OF ORIGINAL PROFFER APPROVAL: April 20, 2021**

~~First Town Center Land (10.24 Acres) Rezoning file#: RZ-2020-002 Dumfries Development Group, LLC and all future owners~~

~~Town of Dumfries, Virginia~~

~~Existing B-2; being rezoned to PMUD per Town of Dumfries Zoning Ordinance~~

~~Property consists of 18 parcels which are part of the rezoning and to be consolidated in accordance with PMUD ordinances.~~

~~**(See Exhibit 1 - List of Parcels GPIN and Street Address)**~~

~~**GENERAL**~~

~~The Applicant is seeking a rezoning of the parcels under consideration with RZ 2020-002 and as identified in Exhibit 1 (collectively referred to as the "Property"), and as further detailed in the plans described below, from the Town's B-2 zoning District classification to Town's Planned Mixed-Use District (PMUD).~~

~~The terms "Applicant" and "Developer" shall include all future owners and successors in interest.~~

~~The rezoning of the subject Property will allow the Applicant to pursue the development of First Town Center (FTC), a planned mixed-use project on Main Street, Dumfries, and to provide certain off-site public improvements.~~

~~Pursuant to Va. Code§ 15.2-2303(a), the undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions. In the event this rezoning application is approved these proffers shall supersede and replace all previously approved proffers and conditions that may be applicable. In the event the above-referenced rezoning is not approved as applied for by the Applicant, these proffers shall be withdrawn and are null and void.~~

~~Any improvements proffered herein shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified.~~

~~The headings on the proffers set forth below have been prepared for convenience and reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of these proffers.~~

~~The laws of the Commonwealth of Virginia shall apply.~~

REVISED: December 23, 2022

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950, as amended, and § 70-646 of the Town's Zoning Ordinance, the undersigned hereby proffers that the development and use of

the Property, consisting of 10.396+/- acres, comprising all of aforementioned tax map parcels, will be in substantial conformance with the following conditions. In the event this Proffer Condition Amendment is granted as applied for by the Applicant, then these proffers will supersede and replace in their entirety all other proffers made prior hereto with respect to the Property, including **REZ #2020-002. First Town Center**. In the event this Proffer Condition Amendment is not granted as applied for by the Applicant, then these proffers will be deemed withdrawn and will be null and void, and the Proffer Statement associated with **REZ #2020-002** will remain in full force and effect as to all Parcels.

"Final Rezoning" as the term is used herein ~~shall~~ will be defined as that zoning that is in effect on the day following the last day upon which the Dumfries Town Council (the "Council") ~~approves~~ decision approving this rezoning~~. Or, if~~ may be contested in the appropriate court or, if contested, the day following the entry of a final court order affirming the decision of the Council that has not been appealed, or, if appealed, the day following ~~the day on~~ which the decision has been finally affirmed on appeal.

The headings on the proffers set forth below have been prepared for convenience and reference only and will not control or affect the meaning or be taken as an interpretation of any provision of these proffers.

The term "Applicant" as referenced herein includes Dumfries Purchaser, LLC, and all future owners, assigns, and successors in interest to the Property that is subject to these Proffers.

I. LAND USE, DEVELOPMENT, AND OPERATIONS:

a. ~~2.~~The Property ~~shall~~ will be developed with ~~a mix of ground floor commercial uses and~~ residential ~~apartment units consistent with Town of Dumfries Comprehensive Plan and PMUD Zoning Ordinances.The development of the Property shall be in substantial conformance with the Master Zoning Plan (MZP), dated 01/26/21, prepared for the Property by Land Design Consultants, 4585 Daisy Reid Avenue, Suite 201, Woodbridge, VA 22192, Josh Marshall, P. E., and incorporated~~ uses, in substantial conformance with the Master Zoning Plan ("MZP") as further proffered herein.

~~3. Table 1 summarizes the FTC Development Program:~~

b. Residential development of the Property will be limited to not more than 220 multifamily units in Land Bay 1, and 60 single-family attached units[1] in Land Bay 2. Accessory uses and home occupations, including business centers inside the residential buildings, will be permitted. The Applicant may construct service, resident amenity, and storage uses in conjunction with the multi-family building.

[1] For purposes of this Proffer Condition Amendment, single-family attached units shall include townhomes and stacked town homes, also known as two-over-two units.

In addition, the Applicant may construct accessory buildings (such as maintenance spaces and trash removal facilities).

Table 1

DEVELOPMENT PROGRAM: FIRST TOWN CENTER (FTC)									
	Resid. 1-BDR	Resid. 2-BOR	Resid. 3-BDR	Resid. Units	Comm. Grd. Floor SF	Gross Building SF	Building Floors	Building Height+/-	Construction Phase
Phase 1 - Bldg A	57	59	3	119	2,200	139,021	4 Firs	42 ft	Phase 1
Phase 1 - Bldg B	68	65	3	136	9,400	155,021	4 Firs	47ft	Phase 1
Totals Phase 1 Bldg A+B	125	124	6	255	11,600	294,042			
Phase 2 - Bldg C	29	30	3	62	7,150	59,487	4 Firs	47ft	Phase 2
FTC Project Total	154	154	9	317	18,750	353,529			
Notes 1) Building height is measured from ground floor slab to top of roof trusses, and does not include architectural and safety features.									
2) Building A 8 and Care each equipped with basement parking garage.									

c. 10.4. The Property MZP includes on-site indoor and outdoor The Applicant will provide recreational facilities and amenities to serve the residents of the development. The indoor facilities include an entertainment venue, exercise room, and meeting room. The outdoor facilities include a basketball court, grilling stations, landscaping, and walking trails.on the Property, as generally

Intentionally left blank

ARCHITECTURAL REVIEW BOARD

5. The subject Property is in an area marked as Historic Dumfries District in the Town. Any buildings or other improvements in this District are subject to a review by the local Architectural Review Board (ARB) and issuance of a Certificate of Appropriateness, in compliance to ARB guidelines.
6. The Applicant has obtained the necessary Certificate of Appropriateness, and details and requirements of the
7. ARB's consent are documented in the incorporated MZP-Development Plan.

DEVELOPMENT PHASE(S)

8. As documented in the MZP the subject Property consists of 10.24 acres being subdivided into two Land bays, namely LANDBAY 1 (Building A and B), and LANDBAY 2 (Building C). The Project will be developed in two (2) phase(s) as depicted in the phasing exhibits incorporated in the MZP,

LANDSCAPE AND STREETSCAPE

9. ~~All residential and commercial areas shall have landscaping with native, non-invasive plants installed and maintained pursuant to the MZP. The landscape and streetscape features will be installed consistent with the development phases.~~

~~The streetscape elements will include a six (6) feet landscape amenity panel located immediately behind the face of the curb and a six (6) feet clear pedestrian sidewalk adjacent to the landscape amenity panel, as~~ shown on the MZP.

11. ~~Streetscaping and landscaping will be installed throughout the Property as shown on the MZP.~~

   a) ~~The development shall be consistent with the Chesapeake Bay Overlay District (CBOD) requirements.~~
   b) ~~Tree and scrubs are all warranted for at least two (2) growing seasons. Dead trees and scrubs shall be replaced in a timely manner.~~

12. ~~The sidewalks, landscaping, and CBOD features will be installed in conjunction with the respective project construction phases and completed prior to issuance of the building Occupancy Certificate (OC).~~

13. ~~Throughout development of the Property residential buildings and commercial areas will provide for interconnectivity between and among the buildings by means of external sidewalks or trails as depicted on the MZP irrespective of the phasing of the development~~

~~TRANSPORTATION~~

14. ~~Access will be provided to the subject Property via a street connection to Main Street at two (2) access points as shown in the MZP. The final location of each access point shall be in substantial conformance with those shown on the MZP. Inter-parcel access easements will be given between the LANDBAY 1 and LANDBAY 2 for drive lanes as shown on the MZP and included in the final site plan and plats.~~

15. In order to facilitate the Rt. 1 Fraley Boulevard Widening project in the Town, the Applicant shall dedicate in fee simple to the Town the right of way (ROW) along the Property that abuts the existing Fraley Boulevard as depicted on the **MZP.** The ROW dedication will be shown in Site Plan and provided at the time of plat recordation among the Prince William County land records.

16. The Applicant shall provide to the Town a monetary contribution of Twenty-Seven Thousand dollars and Zero cents ($27,000.00). The amount is based on the Project's incremental impact analysis on local transportation infrastructure. Said contribution shall be paid prior to the issuance of the occupancy permit for the 1st residential building. The proffered monetary contribution shall be applied to capital projects in the area of the rezoning that are identified in the Town's Capital Improvement Plan, 6-year road plan or other capital improvements projects adopted by the Town Council. The Town Council may also budget and appropriate this contribution, or portions thereof, to other specific capital improvement projects.

ON-SITE PROJECT PARKING

17. The Project's on-site parking shall be provided in the accordance with the Town Code; and the parking tabulations summarized in Table 2.

Table 2

Parking Provided and Facility type		
Parking required per Town Code	619	spaces
Parking Provided:		
Building A-Garage	154	spaces
Building B-Garage	**128**	spaces
Building C-Garage	**122**	spaces
	404	spaces
Surface parking (project wide)	**222**	spaces
Total Parking provided	**628**	spaces
EXTRA Parking provided	*9*	*Unassigned*
Loading (Building A, B, C and commercial)	4	spaces
Note: See MZP for locations' and drive lanes		

~~OFF-SITE PUBLIC IMPROVEMENTS~~

~~18. PUBLIC IMPROVEMENT: STREETLIGHTS ALONG SOUTH BOUND MAIN ST.~~

~~The Applicant shall fund the cost of the materials and installation of streetlights along the north side of Main Street, starting from the road frontage at 17660 Main Street, Dumfries (GPIN 8189-92-4755) and ending at 17750 Main Street, Dumfries (GPIN 8189-81-0279), amounting to road frontage of approximately 1,800 feet.~~

~~The streetlights will be designed, installed and maintained in the landscape panel in the existing Right-of-Way (ROW) by Dominion Energy the local public utility. Dominion's estimate for the streetlight work is Thirty Thousand dollars and Zero cents ($30,000.00) which will be paid in full by the applicant. The Applicant will coordinate with the Town the streetlight ordering and installation schedule.~~

~~The Applicant shall provide to the Town a monetary contribution of Thirty Thousand dollars and Zero cents ($30,000.00) for Dominion's street lighttight improvement charges.~~

~~Alternatively, at the Town's discretion, the Applicant is prepared to directly pay Dominion charges. The Applicant will coordinate with the Town and Dominion, and to make every effort to have the streetlights installed prior to the issuance of the occupancy permit of the 151 residential building.~~

~~19. PUBLIC IMPROVEMENTS: GARRISON PARK~~

~~The Applicant shall coordinate with Town to design, construct, and pay for improvements on public park land known as Garrison Park. The proffered improvements may include the following but the final design are subject to the Town's approval:~~

a) Hard surface (asphalt) trails and park benches.
b) Gathering place equipped with two (2) charcoal grills, two (2) trash receptacles and two

(2) picnic tables.

c) The proposed furniture shall be of design and material suitable public use in a park-like setting.
d) Landscape features in disturbed areas shall be pursuant to Town Code in coordination with the Town's Director of Public Work. All plantings shall follow the Northern Virginia Native Plant Guide.

The primary use of the Park land is for public events, such as Town fairs, movie nights etc. Any proposed improvements shall not hinder the ability to hold such events. The Applicant shall prepare Park improvement drawings with specific passive recreational treatments and will obtain approval by the Architectural Review Board (ARB) at the time of site plan approval. The Applicant shall complete Garrison Park improvements prior to the issuance of the occupancy permit for the 3rd residential building. Thereafter, the Town shall own any improvements made by Applicant.

20. PUBLIC IMPROVEMENTS: MAIN STREET BUS STOP

The Applicant shall provide to the Town a monetary contribution of Five Thousand dollars and Zero cents ($5,000.00) for a future public bus shelter in the Main Street SAP. The contribution shall be provided prior to the issuance of the occupancy permit for the 3rd residential building.

FIELD CONSTRUCTION COORDINATOR

d. 21.During the development and construction of the Property, the Applicant shall will provide to the Town Director of Planning and Community Development, and update as necessary, of Dumfries Zoning Administrator contact information for the Applicant's liaison(i.e., telephone number and email address) of a developer's representative. The role of the liaison representative will be to address potential citizen inquires inquiries during site development.

II. MASTER ZONING PLAN:

a. Development of the Property will be in substantial conformance with the MZP entitled "Master PMUD Zoning Plan for Aras on Main," prepared by Bohler Engineer, dated December 21, 2022, consisting of

   i. The Land Bay Plan (Sheet C-301); and

   ii. The Illustrative Plan (Sheet C-401).

b. Notwithstanding the foregoing, the proffered elements of the MZP will be the entire plan set as it relates to (i) access, (ii) the maximum number and type of dwelling units that may be constructed, (iii) building heights, (iv) landscaping, (v) the amount and location of open space, and (viii) building setbacks.

c. The exact locations of buildings, amenities, road alignment, and the like are shown as general in nature, and are subject to final design and engineering criteria in concert with the Virginia Department of Transportation ("VDOT") and any design elements required by Town or other agencies with jurisdiction.

III. DESIGN ELEMENTS OF THE PROJECT:

a. **ENGINEERING DETAIL:** Subject to the limitation on residential development as proffered herein, the final building and site design (including but not limited to the total number of dwelling units, number, and configuration of parking, landscaping, etc.) for each residential unit type will be determined at the time of final site/subdivision plan review. The Land Bay Line between Land Bays 1 and 2 may be adjusted at final site/subdivision plan to accommodate parking and other engineering requirements.

IV. CREATION OF PROPERTY MANAGEMENTAND HOMEOWNERS' ASSOCIATIONS:

a. 22.**MULTIFAMILY ASSOCIATION**: The multifamily residential buildings and building and associated amenities spaces, parking lots and landscaped areas in Land Bay 1 will be professionally managed and maintained by Applicant. The Applicant shall have an experienced team provide the necessary day to day management, maintenance and operations support.a company experienced in such matters retained by the Applicant.

b. **HOMEOWNERS ASSOCIATION**: The Applicant shall create a homeowner's association ("HOA") for the single-family attached units in Land Bay 2. The HOA shall be responsible for the maintenance of any common open space, landscape areas, signage and other amenities in common areas and shall have all of the powers necessary to perform such functions and to raise the funds necessary therefor. The Town Attorney shall review and approve the covenants creating such Association prior to its recordation.

~~23. Similarly, ground floor commercial units, parking spaces and landscaped areas will be professionally managed and maintained. The Applicant will develop and implement a "do & do not" practices manual for the commercial tenants. The manual will include a security incident reporting procedure, including interface with the local police. The Applicant will have quarterly meetings with Dumfries Police Department to exchange information on commercial tenants, hours of operations, etc. The Applicant will also work the Police Department to implement a physical security plan.~~

~~**SCHOOLS CONTRIBUTION**~~

~~24. The Applicant shall provide to the Town a monetary contribution of Eight-five Thousand Nine Hundred Eight-Six Thousand dollars and Zero cents ($85,986.00); calculated at the rate of per multifamily dwelling unit contribution of Eight Hundred and Eleven dollars and Nineteen Cents ($811.19). The amount is based on the Project's incremental impact analysis on local public schools. Said contribution shall be paid prior to the issuance of the Occupancy Permit (OC) for the 1st residential building in the Project.~~

~~**SUBDIVISION PLAT AND SITE PLAN**~~

V. TRANSPORTATION

a. **ACCESS**: Access to the Property shall be provided as shown generally on the MZP. This entrance will be located and constructed in accordance with applicable Virginia Department of Transportation ("VDOT") criteria for such an entrance.

b. **RIGHT-OF-WAY DEDICATION**: If requested by the Town and/or VDOT in connection with final site plan approval, the Applicant shall provide right-of-way dedication along the Route 1 Fraley Boulevard frontage of the Property, as depicted on the MZP and the VDOT plans entitled "Plan and Profile of Proposed State Highway – Town of Dumfries From: 0.016 Mi. S. Of Bradys Hill Road To: 0.018 Mi. N. of Route 234 (Dumfries Road)," and dated February 18, 2020. The dedication shall be shown on and made in connection with the first final site plan for the Property. In the event the right-of-way dedication is requested by the Town and/or VDOT prior to the processing of the first final site plan for the Property, the Applicant shall not be responsible for the preparation or processing of plans, plats, deeds, and related documents necessary for the right-of-way.

~~25. The Subdivision Plat and Site Plan shall be submitted for review and issuance of a construction permit in accordance with Town Codes and Ordinances and shall be in conformance with the approved MZP.~~

~~26. As depicted in the MZP, the Plat and the accompanying Deed shall include language for access egress easements across all drive lanes. In addition, if required, the Deed shall include language for across parking privileges and enforcement practices.~~

~~**WATER & SEWER**~~

VI. ~~27.This~~ **WATER & SEWER**: The Property will be served by public water and sewer ~~services. These services will be provided in conformance with the Prince William County Service Authority's guidelines. The proposed water system shall be sized on site to provide fire flow volumes within the proposed Project.~~. The Applicant shall be responsible for those on- and off-site improvements required in order to provide such service for the demand generated by the development of the Property.

VII. MODIFICATIONS TO PMUD REQUIREMENTS PURSUANT TO § 70-535.14(C) OF THE DUMFRIES ZONING ORDINANCE

a. Modification to the maximum density for PMUD High (§ 70-535.5 (3)) in Land Bay 1 to permit a maximum of 220 multi-family dwelling units is approved.

b. Modification to the maximum density for PMUD High (§ 70-535.5 (3)) in Land Bay 2 to permit a maximum of 60 single-family attached dwelling units is approved.

c. Modification to the parking requirements found in § 70-535.11 (a) to allow for the parking to be provided as shown on the MZP is approved.

d. Modification to the maximum building height in the PMUD District (§ 70-535.9 (g)) to permit a maximum building height of 65 feet for single-family attached dwelling units in Land Bay 2 is approved.

e. If the Applicant acquires those Parcels on Main Street now or formerly bearing GPINs 8189-92-7336, 8189-92-6933 and 8189-92-6631 after the approval of this Rezoning, and rezones those Parcels so as to combine them with the Property being here rezoned, then it may move the perimeter buffer required on Parcel 8189-92-6631, to Parcel 8189-92-7336.

SIGNATURES APPEAR ON FOLLOWING PAGES

SIGNATURE PAGE

Dumfries Purchaser, LLC
a Virginia limited liability company

By: _____

Name: Madeleine Ford

Title: Managing Partner

~~LOW IMPACT DEVELOPMENT TECHNIQUES~~

28. Low Impact Development (LID) techniques and protection measures based on techniques approved by the Town Department of Public Works shall be used in the Project. The techniques shall be consistent with local practices and methods, and not experimental in nature. The Applicant shall meet with the Department of Public Works to discuss a concept LID plan prior to start of land disbursement activities. Any LID facilities shall be located outside of any existing or proposed right-of-way areas.
29. Applicant may acquire Nutrient Credits for Phosphorus from a third party, provided such credits are in perpetuity.
30. The Applicant shall maintain all on-site stormwater management infrastructure consistent with prevailing Best Management Practices (BMP).

ESCALATOR CLAUSE

31. In the event the monetary contributions set forth in the development conditions are paid to Town within three (3) years of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts stated herein. Any monetary contributions set forth in this Proffer Statement which are paid to the Town Council after thirty-six (36) months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid they shall be adjusted by the percentage change in the subject to a cap of four percent (4%) per year, non-compounded.

Signatures:

By: _____(SEAL)

Name: Permvir Pete Singh

Title: Managing Member

COMMONWEAL OF VIRGINIA,

County of _____ to wit:

I, the undersigned Notary Public do hereby certify that Permvir Singh as Managing Member of Dumfries Development Group, LLC, whose name is signed above, has this date appeared before me,

and acknowledged the same.

Given under my hand and seal this ___ day of _____, 2022.

_____

Notary Public

My commission expires:

Notary Registration No.:

EXHIBIT - 1: List of Parcel GPIN and Addresses

		Table -1			Subject to PMUD Rezoning
Dumfries Development Group LLC Land inventory:					
TITLE: **Dumfries Development Group LLC**					
Lot	Tax Map#	as			
1	8189-81-7785	Parcel 1	17733	Main Street, Dumfries VA 22026	
2	8189-81-8991	Parcel2	17725	Main Street, Dumfries VA 22026	
3	8189-81-9393	Parcel 3	17723	Main Street, Dumfries VA 22026	
4	8189-81-9594	Parcel 3	17721	Main Street, Dumfries VA 22026	
5	8189-91-0097	Parcel 4 - Lot 2	17719	Main Street, Dumfries VA 22026	
6	8189-91-0597	Parcel 4 - Lot 3	17719	Main Street, Dumfries VA 22026	
7	8189-91-1099	Parcel 4 - Lot 4	17719	Main Street, Dumfries VA 22026	
8	8189-92-1401	Parcel 4 - Lot 5	17719	Main Street, Dumfries VA 22026	
9	8189-92-1904	Parcel 5 - Lot 6	17719	Main Street, Dumfries VA 22026	
10	8189-92-2208	Parcel 5 - Lot 7	17701	Main Street, Dumfries VA 22026	
11	8189-92-2710	Parcel 5 - Lot 8	17701	Main Street, Dumfries VA 22026	
12	8189-92-3112	Parcel 5 - Lot 9	17701	Main Street, Dumfries VA 22026	
13	8189-92-3717	Parcel 6 - Lot 12-13	17687	Main Street, Dumfries VA 22026	
14	8189-92-5420	Parcel 6 - Lot 14	17685	Main Street, Dumfries VA 22026	
15	8189-92-5823	Parcel 6 - Lot 15-16	17681	Main Street, Dumfries VA 22026	
16	8189-92-6326	Parcel 6 - Residual lot	17681	Main Street, Dumfries VA 22026	
17	8189-91-1574	Parcel DOG - Market St (1)	17740	Market Street, Dumfries VA 22026	

Notes:	(1) Includes portion of Market St. (approx. 36,000 sq ft) vacated by Town Council resolution (8/5/2020)				
	Approx. acreage	**10-24 acres**			

FINAL PROFFERS

AMENDED PROFFER STATEMENT
AMENDING THE PROFFERS ACCEPTED WITH
REZ #2020-002

PCA #2020-002

PLANNED MIXED USE DISTRICT (PMUD) PROFFERS

PROJECT: **ARAS ON MAIN**

OWNER: **DUMFRIES PURCHASER, LLC**

APPLICANT: **AUDEO PARTNERS, LLC**

PROPERTY: **GPINS** **8189-81-7785, 8189-81-8991, 8189-81-9393, 8189-81-9594, 8189-91-0097, 8189-91-0597, 8189-91-1099, 8189-92-1401, 8189-92-1904, 8189-92-2208, 8189-92-2710, 8189-92-3112, 8189-92-3717, 8189-92-4617, 8189-92-5018, 8189-92-5420, 8189-92-5823, & 8189-91-1173 (The "Property")**

DATE OF ORIGINAL PROFFER APPROVAL: April 20, 2021

REVISED: April 24, 2023

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950, as amended, and § 70-646 of the Town's Zoning Ordinance, the undersigned hereby proffers that the development and use of the Property, consisting of 10.396+/- acres, comprising all of aforementioned tax map parcels, will be in conformance with the following conditions. In the event this Proffer Condition Amendment is granted as applied for by the Applicant, then these proffers will supersede and replace in their entirety all other proffers made prior hereto with respect to the Property, including **REZ #2020-002. First Town Center**. In the event this Proffer Condition Amendment is not granted as applied for by the Applicant, then these proffers will be deemed withdrawn and will be null and void, and the Proffer Statement associated with **REZ #2020-002** will remain in full force and effect as to all Parcels.

The headings on the proffers set forth below have been prepared for convenience and reference only and will not control or affect the meaning or be taken as an interpretation of any provision of these proffers.

The term "Applicant" as referenced herein includes Dumfries Purchaser, LLC, and all future owners, assigns, and successors in interest to the Property that is subject to these Proffers.

I. LAND USE, DEVELOPMENT, AND OPERATIONS:

a. The Property shall be developed with residential uses, in conformance with the Master Zoning Plan ("MZP") as further proffered herein.

b. Residential development of the Property shall be limited to not more than 220 multifamily units in Land Bay 1, and 60 single-family attached units[1] in Land Bay 2. Accessory uses and home occupations, including business centers inside the residential buildings, will be permitted. The Applicant may construct service, resident amenity, and storage uses in conjunction with the multi-family building. In addition, the Applicant may construct accessory buildings (such as maintenance spaces and trash removal facilities).

c. The Applicant shall provide recreational facilities and amenities to serve the residents on the Property, as shown on the MZP.

d. During the development of the Property, the Applicant shall provide to the Town of Dumfries Zoning Administrator contact information (i.e., telephone number and email address) of a developer's representative. The role of the representative will be to address citizen inquiries during site development.

II. MASTER ZONING PLAN:

a. Development of the Property shall be in conformance with the MZP entitled "Master PMUD Zoning Plan for Aras on Main," prepared by Bohler Engineering, bearing a seat date of March 30, 2023, consisting of:

   i. The Land Bay Plan (Sheet C-301); and

   ii. The Illustrative Plan (Sheet C-401).

b. Notwithstanding the foregoing, the proffered elements of the MZP will be the entire plan set as it relates to (i) access, (ii) the maximum number and type of dwelling units that may be constructed, (iii) building heights, (iv) landscaping, (v) the amount and location of open space, and (viii) building setbacks.

c. The exact locations of buildings, amenities, road alignment, and the like are shown as general in nature, and are subject to final design and engineering criteria in

[1] For purposes of this Proffer Condition Amendment, single-family attached units shall include townhomes and stacked town homes, also known as two-over-two units.

concert with the Virginia Department of Transportation ("VDOT") and any design elements required by Town or other agencies with jurisdiction.

III. DESIGN ELEMENTS OF THE PROJECT:

a. **ENGINEERING DETAIL:** Subject to the limitation on residential development as proffered herein, the final building and site design (including but not limited to the total number of dwelling units, number, and configuration of parking, landscaping, etc.) for each residential unit type will be determined at the time of final site/subdivision plan review. The Land Bay Line between Land Bays 1 and 2 may be adjusted at final site/subdivision plan to accommodate parking and other engineering requirements.

IV. CREATION OF PROPERTY AND HOMEOWNERS' ASSOCIATIONS:

a. **MULTIFAMILY ASSOCIATION**: The multifamily building and associated amenities in Land Bay 1 shall be professionally managed and maintained by a company experienced in such matters retained by the Applicant.

b. **HOMEOWNERS ASSOCIATION**: The Applicant shall create a homeowner's association ("HOA") for the single-family attached units in Land Bay 2. The HOA shall be responsible for the maintenance of any common open space, landscape areas, signage and other amenities in common areas and shall have all of the powers necessary to perform such functions and to raise the funds necessary therefor.

V. TRANSPORTATION

a. **ACCESS**: Access to the Property shall be provided as shown on the MZP. This entrance will be located and constructed in accordance with applicable Virginia Department of Transportation ("VDOT") criteria for such an entrance. During final site plan review, the Applicant shall coordinate with VDOT the final location and design of the entrance to the Property in order to locate such entrance in a manner that is aligned with Colonial Street and any future entrance thereto.

b. **RIGHT-OF-WAY FOR ROUTE 1 WIDENING**: If requested by Prince William County Department of Transportation ("PWCDOT") and/or VDOT, the Applicant shall engage in negotiations regarding the dedication of right of way associated with Route 1 Fraley Boulevard widening (UPC119481). The Applicant shall also engage in related negotiations concerning a permanent slope easement and a temporary construction easement associated with the widening of Route 1 along the Property's frontage.

c. **TRAFFIC SIGNAL**: Subject to approval by VDOT, the Applicant shall design and install new vehicle signal displays and pedestrian signal displays to be

connected to the existing traffic signal installed by others at the intersection of Main Street and Colonial Street to accommodate the entrance to the proposed development. The Applicant's development of the Property shall not be delayed at site plan or during permitting in the event the above referenced traffic signal is not timely installed by others. The Applicant shall have no obligation to install new vehicle signal displays and pedestrian signal displays until such time that these improvements may be connected to an existing traffic signal to be installed by others.

VI. SCHOOL MONETARY CONTRIBUTION: The Applicant shall make a monetary contribution to the Town in the amount of $271.25 per residential dwelling unit constructed on the Property for school purposes. Said contribution shall be made prior to, and as a condition of, issuance of an occupancy permit for each residential dwelling unit.

VII. WATER & SEWER: The Property shall be served by public water and sewer. The Applicant shall be responsible for those on- and off-site improvements required in order to provide such service for the demand generated by the development of the Property.

VIII. MODIFICATIONS TO PMUD REQUIREMENTS PURSUANT TO § 70-535.14(C) OF THE DUMFRIES ZONING ORDINANCE

a. Modification to the maximum density for PMUD High (§ 70-535.5 (3)) in Land Bay 1 to permit a maximum of 220 multi-family dwelling units is approved.

b. Modification to the maximum density for PMUD High (§ 70-535.5 (3)) in Land Bay 2 to permit a maximum of 60 single-family attached dwelling units is approved.

c. Modification to the parking requirements found in § 70-535.11 (a) to allow for a minimum of 245 parking spaces in Land Bay 1 and a minimum of 130 spaces in Land Bay 2 is approved.

d. Modification to the maximum building height in the PMUD District (§ 70-535.9 (g)) to permit a maximum building height of 65 feet for single-family attached dwelling units in Land Bay 2 is approved.

e. Modification to the transitional buffer requirement set forth in § 70-535.10 (c) to allow a variable width buffer along the eastern property boundary, as shown on the MZP is approved.

f. If the Applicant acquires those Parcels on Main Street now or formerly bearing GPINs 8189-92-7336, 8189-92-6933 and 8189-92-6631 after the approval of this Rezoning, and rezones those Parcels so as to combine them with the Property being here rezoned, then it may move the perimeter buffer required on Parcel 8189-92-6631, to Parcel 8189-92-7336.

SIGNATURES APPEAR ON FOLLOWING PAGES

SIGNATURE PAGE

Dumfries Purchaser, LLC
a Virginia limited liability company

By: _____

Name: Madeleine Ford

Title: Managing Partner

Narrative Statement for a
Proffer Condition Amendment Application

Aras on Main

Proffer Condition Amendment of REZ #2020-002

April 24, 2023

The purpose for the Proffer Condition Amendment application. Dumfries Purchaser, LLC (the "Owner") and Audeo Partners, LLC (the "Applicant") seek to amend, and essentially replace, the Proffers associated with REZ #2020-002, so as to modify the previously approved development that will not be pursued by it, having acquired the subject property from the previous owner, to allow for up to 220 multifamily dwelling units and 60 single-family attached units (townhomes or two-over-twos) together with other proffer changes specifically identified below and in the submitted materials. The property subject to this Proffer Condition Amendment application includes the eighteen (18) parcels identified on the cover sheet of the Master Zoning Plan and property chart included in the application form, which in total consists of approximately 10.39 acres (the "Property").

Overview of the Proposal. The Council approved the previous REZ #2020-002 on April 20, 2021. That action rezoned approximately 10.24 acres from R-2, General Residential to PMUD, Planned Mixed Use District, to permit a mixed-use development consisting of approximately 18,700 square feet of commercial development, and 317 multi-family residential units. Additionally, the development approved by that Rezoning, has not, and likely will never, be realized, due to challenges with final engineering, market forces, and rising construction costs. The previous owner/developer of the Property no longer controls it, and the Applicant is now its owner.

The Applicant proposes to amend the proffers substantially to allow for the development proposed and detailed herein. This proposal constitutes a financially viable and market supported project that the Applicant believes will contribute greatly to the Town's range of housing options, increase its tax base, and provide a high-end development project that furthers the Town's future vision for a more beautiful and livelier Main Street.

As the MZP shows, Land Bay 1 would consist of a single multi-family building that includes up to 220 multi-family units, associated parking, and residential amenities. Among those amenities would be a pool and pool support building for use by the future residents. Additionally, there would be a terrace area to enliven the entrance to the Property and Main Street, providing a non-residential gathering space for the people living in the homes and their guests.

Land Bay 2 would include up to 60 single-family attached homes, which would consist of traditional townhomes or stacked town homes (e.g., two-over-twos). Because of the current instability in the financial markets, as well as pressure on interest rates, the Applicant cannot predict which specific housing type is presently the most viable and consequently the Applicant seeks flexibility in the proffers and MZP to allow for either of the two types of single-family attached homes.

Both Land Bays include the 15-foot perimeter landscape buffer required by PMUD, except for a minor portion of the eastern property boundary for which the Applicant seeks a buffer modification

that resulted from a reconfiguration of the layout necessitated by potential easements associated with the Route 1 widening. The MZP also depicts ample open space.

The Applicant also offers a monetary contribution to the Town in the amount of $271.25 per residential dwelling unit for school purposes to offset any potential impact to schools. Please see Proffer VI.

Comprehensive Plan. The proposed Proffer Condition Amendment is compatible with the Dumfries Comprehensive Plan adopted July 8, 2014, as amended through November 2020.

The Property is located within the area encompassed by the Main Street Small Area Plan (the "SAP"). As stated on Page 86 of the SAP, the Town seeks to capture the elements necessary for transforming the area into a vibrant, walkable town center. Much of the existing Main Street Corridor consists of older commercial and retail uses, and the proposed development will add a new and much-needed residential component, creating desirable multi-family housing that can support and augment the existing commercial uses by increasing the local customer base.

The buildings proposed with the development are located directly on Main Street with minimal setbacks, which will add the ambience of similar small towns, an atmosphere that is presently lacking. The MZP demonstrates that the single-family attached units would have direct pedestrian access to Main Street. The setbacks proposed along the frontage with parking in the rear will create a vibrant, walkable community that promotes the goals of the Town's in general Comprehensive Plan and the SAP in particular.

Within the SAP the Property is designated as a mixture of Planned Main Street Area and Park / Open Space with the latter being focused towards the floodplain along Fraley Boulevard. The MZP shows how the Applicant proposes to limit its impact to the Floodplain and RPA by preserving much of this area as open space, which aligns with retention of that area as the desired park and open space.

Housing. The Comprehensive Plan makes it clear that one of the Town's Housing Goals is to promote the development of decent, safe and affordable housing. The proposed development promotes these goals by providing multiple housing types that will address housing affordability by adding new homes at varying income levels.

Housing Policy 1 recommends that the Town "[i]dentify substandard and/or deteriorating housing and pursue avenues for upgrading and renovating to assure that housing is available to a broad range of income groups." The proposal does that, if it did nothing more. The Property currently hosts two former residences and a garage structure all of which are vacant, and cannot contribute to the Town's tax base, housing stock, or physical attractiveness. Consistently with Housing Policy 1, the Applicant's redevelopment of the Property with new homes, while eliminating substandard and deteriorating structures that present a potential safety risk affirmatively supports this Policy. Action Strategy H-2 encourages the development of single-family attached units in order to balance the housing stock to match the changing population composition in the Town. This proposal does so in Land Bay 2, as the Town wishes.

Transportation. The proposed Proffer Condition Amendment reduces the overall residential units by 37 homes, assuming that final engineering supports the Applicant's initial plan, and eliminates the 18,700 square feet of commercial space previously proffered. The reduction in homes and commercial space will significantly reduce the number of trips generated by the development compared to what is currently permitted and was previously analyzed. Accordingly, no traffic impact analysis was required for this application since it is evident that traffic will be less than that which has been previously modeled. Notwithstanding this, however, the Applicant will continue to work with Town Staff to determine whether any transportation improvements are necessary to mitigate potential impacts to the surrounding roads and streets.

During review of the application, Town Staff identified a need for traffic signal improvements to be installed by the Applicant and connected to the future traffic signal to be provided by others in connection with development of "The Rose." Proffer V.e commits to these improvements.

Additionally, as shown on the MZP and proposed by Proffer V.b, the Applicant agrees to engage in negotiations related to dedication of right-of-way along the Property's Route 1 Fraley Boulevard frontage to account for the anticipated right-of-way needed for the Route 1 widening project. In addition, the Applicant agrees to engage in similar negotiations concerning a permanent slope easement and a temporary construction easement associated with the widening.

Justification for the modifications requested. As part of the rezoning process Section 70-535.14 of the Town's Zoning Ordinance provides that any standard or requirement of the PMUD Ordinance, the Town's Subdivision Ordinance, or any other Town requirement, may be waived. This provision was incorporated in the PMUD Ordinance in order to permit the Town and the Applicant the maximum degree of flexibility, subject to the Council's ultimate judgment, in designing and laying out a mixed-use development in that District.[1]

There are two Dumfries Zoning Ordinance mechanisms for obtaining a waiver or modification provided. The Applicant can apply to the Zoning Administrator, or "[a]lternatively, the town council may approve a modification for any such requirement by approval of a conditional zoning proffer statement. . . ." § 70-535.14(c).

Because the Applicant seeks this Proffer Condition Amendment, it is including the modification requests as part of that application and the accompanying proffer statement. Nevertheless, if the Zoning Administrator is inclined to approve these modifications administratively, the Applicant would not object.

---

[1] Since the enactment of the PMUD Ordinance, the Virginia Supreme Court decided the case of Rowland v. Town Council of Warrenton, 298 Va. 703 (2020), which held that a proffer can modify any provision of a locality's zoning ordinance because it becomes the zoning ordinance for the property to which it is appended. The Town was ahead of its time.

1. The Density Cap. Land Bays 1 and 2 are designated as PMUD High for residential purposes, which implements the Town's R-3 and R-4 zoning districts. As we understand the Staff's position, this means that development is permitted at 15 units per gross acre as under the R-4 District for multi-family dwellings in Land Bay 1, and 8 units per gross acre under the R-3 District for single-family attached units. In order to produce a development that is financially viable, a situation that requires a reasonable level of density, will at the same time add to the Town's housing stock, and promote many of the Town's goals for redevelopment of Main Street, the Applicant therefore proposes to increase the permitted density within the PMUD High to 30 units per acre in Land Bay 1 and to 19 units per acre in Land Bay 2.

In the Housing Action Strategy H-6 in the Comprehensive Plan, the Town acknowledges the need to develop and implement zoning policies for new residential development in the Main Street Area. While the Town has adopted certain Zoning Districts (e.g. R-OMS and PMSD) to implement some of the new policies within the Comprehensive Plan, they were specifically designed for off-main street residential and redevelopment along Main Street as opposed to what is effectively greenfield development which is designed for PMUD developments. As a result, the densities permitted in the PMUD district, which was adopted well before the now-amended Comprehensive Plan, do not align with the new housing strategies and land use policies that have been adopted. The Applicant believes the modification to permit increased density aligns with the current visions and goals of the Town and is therefore a justifiable request given the quality and location of the proposal.

The Applicant respectfully requests approval of this modification.

2. Building height. To achieve the desired residential density, the Applicant seeks modification to the building height standards contained in PMUD. Section 70-353.9 provides that single-family attached homes in PMUD are limited to a building height of thirty-five (35') feet. In Land Bay 2 the Applicant seeks a modification to the building height requirements applied to single-family attached homes to permit such structures to be a maximum of 65 feet.

Similar to the modification for increased density, the Applicant believes that the proposed development and the accompanying modifications are appropriate given the Town's desire to increase its housing stock and promote development that encourages a vibrant, walkable town center. In addition, the modification to the height standard permits the Applicant to provide unique two-over-two homes of which the Town presently has few, if any.

The Applicant respectfully requests approval of this modification.

3. Parking. The Applicant seeks a modification to the parking standards set forth in Sec. 70-535.11 (a) of the Zoning Ordinance to provide a minimum of 245 parking spaces in Land Bay 1 and a minimum of 130 parking spaces in Land Bay 2. The MZP shows that the developable area on the Property is limited by the floodplain and RPA buffer. This is not an uncommon condition to be found in this portion of the Town, influenced as it is by the adjacent Creek. These practical constraints, coupled with the fact that the parking requirements of the PMUD do not align with market trends for multi-family parking, create a need to modify the parking requirements.

The Applicant respectfully requests approval of this modification.

4. Buffers. The Applicant seeks a modification to the 15-foot transitional buffer requirement set forth in Sec. 70-535.10(c) of the Zoning Ordinance. Due to a reconfiguration of the layout resulting from a need for easements associated with the Route 1 widening project, the Applicant seeks a modification to the eastern buffer to allow a variable width landscape buffer, shown on the MZP. This modification allows the Applicant to provide adequate landscaping while still maintaining a viable layout. Additionally, the Applicant seeks a potential modification to this eastern buffer, shown on the MZP, to be relocated to adjacent parcels, in the event such parcels are rezoned and combined with the Property. This will allow a relocation of the landscaping the Route 1 frontages and improve this gateway location of the Town's Main Street, if developed in the future.

The Applicant respectfully requests approval of these modifications.

Appendix B

MASTER PMUD ZONING PLAN

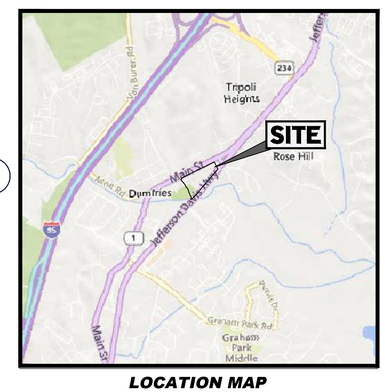
FOR

ARAS ON MAIN

LOCATION OF SITE
U.S. ROUTE 1 MAIN STREET
THE TOWN OF DUMFRIES,
VIRGINIA

SUBJECT PROPERTIES TO BE REZONED

GPIN	RECORD OWNER	AREA	CURRENT ZONING
8189-81-7785	DUMFRIES PURCHASER LLC	0.7021	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-81-8991	DUMFRIES PURCHASER LLC	0.1366	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-81-9393	DUMFRIES PURCHASER LLC	0.0459	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-81-9594	DUMFRIES PURCHASER LLC	0.2595	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-91-0097	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-91-0597	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-91-1099	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-1401	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-1904	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-2208	DUMFRIES PURCHASER LLC	0.5337	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-2710	DUMFRIES PURCHASER LLC	0.2825	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-3112	DUMFRIES PURCHASER LLC	0.2825	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-3717	DUMFRIES PURCHASER LLC	0.5638	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-4617	DUMFRIES PURCHASER LLC	0.3002	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-5018	DUMFRIES PURCHASER LLC	0.2401	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-5420	DUMFRIES PURCHASER LLC	0.2816	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-5823	DUMFRIES PURCHASER LLC	0.2814	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-91-1173	DUMFRIES PURCHASER LLC	4.1985	PMUD - PLANNED MIXED USE DEVELOPMENT



LOCATION MAP
SCALE: 1" = 2,000'

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SHEET INDEX

SHEET TITLE	SHEET NUMBER
COVER SHEET	C-101
EXISTING CONDITIONS PLAN	C-201
LAND BAY PLAN	C-301
ILLUSTRATIVE PLAN	C-401

OWNER
DUMFRIES PURCHASER, LLC
4938 HAMPDEN LN #216
BETHESDA MD 20814
CONTACT MADI FORD
PHONE (204) 630-2559

APPLICANT
AUDEO PARTNERS, LLC
4938 HAMPDEN LN #216
BETHESDA MD 20814
CONTACT MADI FORD
PHONE (204) 630-2559

LAND USE ATTORNEY
WALSH, COLUCCI, LUBELEY AND WALSH, P.C.
4310 PRINCE WILLIAM PARKWAY
WOODBRIDGE, VA 22192
(703) 680-4664
(703) 690-6067 (FAX)

ENGINEER
BOHLER
28 BLACKWELL PARK LANE, SUITE 201
WARRENTON VIRGINIA 20186
PHONE (540) 349-4500
FAX (540) 349-0321

PREPARED BY

BOHLER

CONTACT: KATHERINE S. ROBERTS P.E.

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PROJECT No.: VAB220133.00
DRAWN BY: MEG
CHECKED BY: KSR
DATE: 12/21/2022
CAD I.D.: CNDS - 0

PROJECT:
MASTER ZONING PLAN
FOR
PROPOSED DEVELOPMENT
17723 MAIN STREET
DUMFRIES, VA 22026

BOHLER
28 BLACKWELL PARK LANE, SUITE 201
WARRENTON, VIRGINIA 20186
Phone: (540) 349-4500
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VA@BohlerEng.com

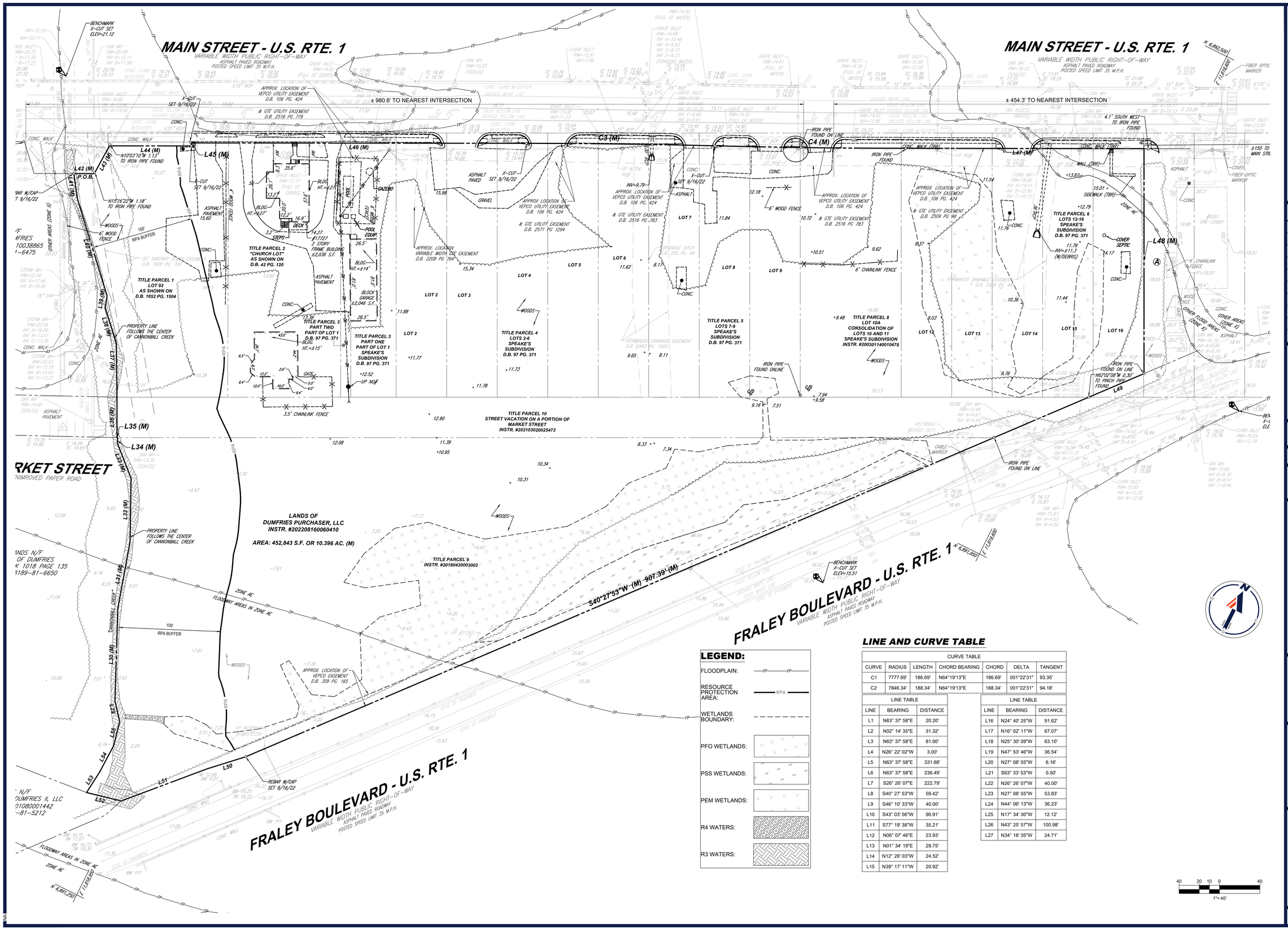
COMMONWEALTH OF VIRGINIA
KATHERINE ROBERTS
Lic. No. 0402060193
03/30/2023
PROFESSIONAL ENGINEER

SHEET TITLE:
COVER SHEET

SHEET NUMBER:
C-101

ORG. DATE - 03/17/2023

Mar 30, 2023
H:\2022\VAB220133.00\CAD\DRAWINGS\PLAN SETS\MASTER ZONING PLAN\VAB220133.00-CNDS-0----LAYOUT C-101 - COVER SHEET



LEGEND:

- FLOODPLAIN:
- RESOURCE PROTECTION AREA:
- WETLANDS BOUNDARY:
- PFO WETLANDS:
- PSS WETLANDS:
- PEM WETLANDS:
- R4 WATERS:
- R3 WATERS:

LINE AND CURVE TABLE

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	7777.69'	186.69'	N64°19'13"E	186.69'	001°22'31"	93.35'
C2	7846.34'	188.34'	N64°19'13"E	188.34'	001°22'31"	94.18'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N63° 37' 58"E	20.20'
L2	N02° 14' 35"E	31.32'
L3	N63° 37' 58"E	81.00'
L4	N26° 22' 02"W	3.00'
L5	N63° 37' 58"E	331.68'
L6	N63° 37' 58"E	236.49'
L7	S26° 26' 07"E	222.79'
L8	S40° 27' 53"W	59.42'
L9	S46° 10' 33"W	40.00'
L10	S43° 03' 56"W	90.91'
L11	S77° 19' 38"W	35.21'
L12	N06° 07' 46"E	23.93'
L13	N01° 34' 19"E	29.75'
L14	N12° 28' 03"W	24.52'
L15	N39° 17' 11"W	20.92'

LINE TABLE

LINE	BEARING	DISTANCE
L16	N24° 40' 25"W	91.62'
L17	N16° 02' 11"W	67.07'
L18	N25° 30' 09"W	63.10'
L19	N47° 53' 46"W	36.54'
L20	N27° 08' 55"W	6.16'
L21	S63° 33' 53"W	0.50'
L22	N26° 26' 07"W	40.00'
L23	N27° 08' 55"W	53.83'
L24	N44° 06' 13"W	36.23'
L25	N17° 34' 30"W	12.12'
L26	N43° 25' 57"W	100.98'
L27	N34° 18' 35"W	24.71'

40 20 10 0 40
1"= 40'

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PROJECT No.:	VAB220133.00
DRAWN BY:	MEG
CHECKED BY:	KSR
DATE:	12/21/2022
CAD I.D.:	DEMO - 0

PROJECT:

MASTER ZONING PLAN

FOR

PROPOSED DEVELOPMENT

17723 MAIN STREET
DUMFRIES, VA 22026

BOHLER
28 BLACKWELL PARK LANE, SUITE 201
WARRENTON, VIRGINIA 20186
Phone: (540) 349-4500
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COMMONWEALTH OF VIRGINIA
KATHERINE ROBERTS
Lic. No. 0402060193
03/30/2023
PROFESSIONAL ENGINEER

SHEET TITLE:

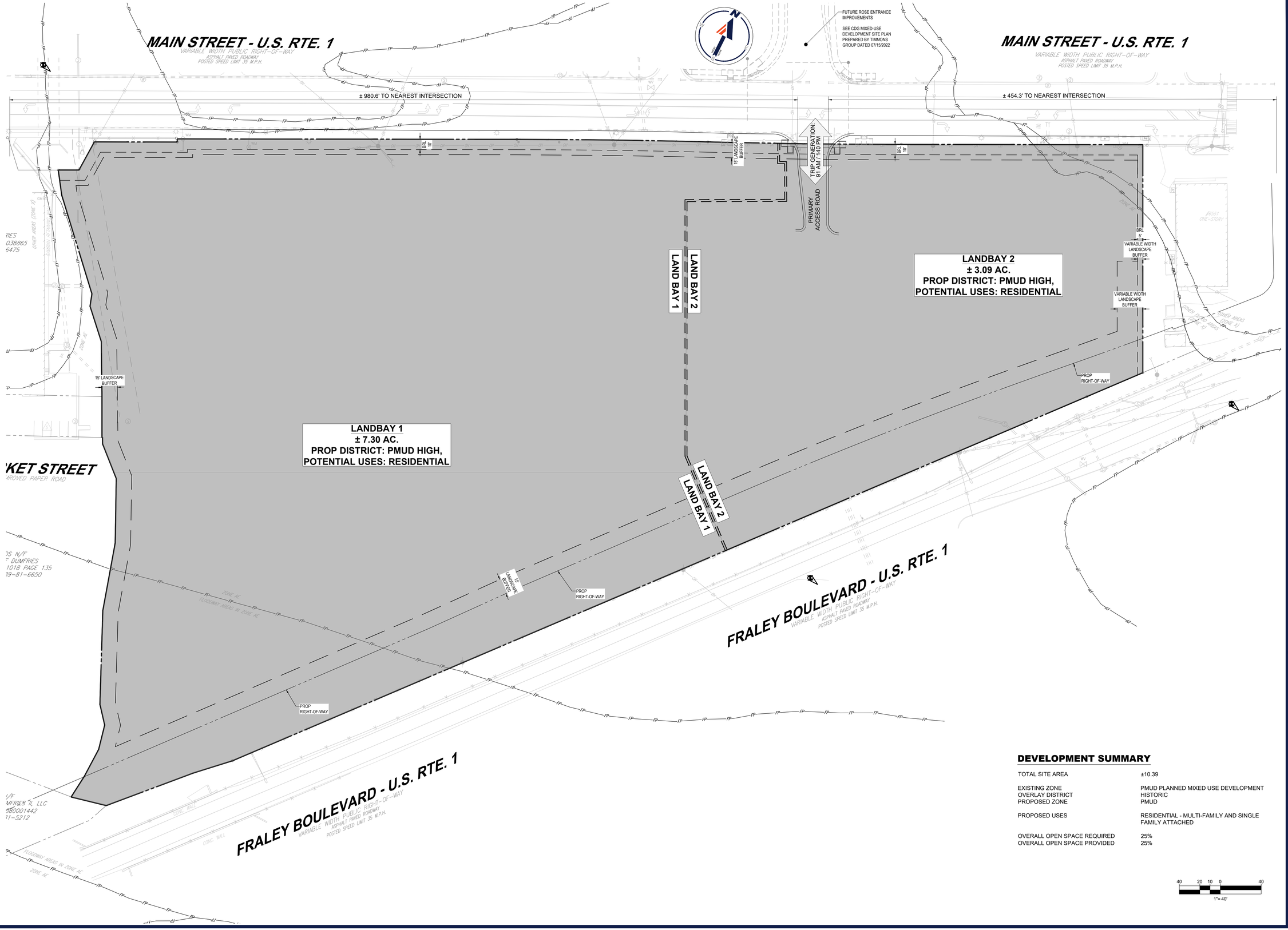
EXISTING CONDITIONS PLAN

SHEET NUMBER:

C-201

ORG. DATE - 03/17/2023

Mar 30, 2023
H:\2022\VAB220133.00\CAD\DRAWINGS\PLAN SETS\MASTER ZONING PLAN\VAB220133.00-DEMO-0----LAYOUT C-201 - EXISTING CONDITIONS



DEVELOPMENT SUMMARY

TOTAL SITE AREA	±10.39
EXISTING ZONE	PMUD PLANNED MIXED USE DEVELOPMENT
OVERLAY DISTRICT	HISTORIC
PROPOSED ZONE	PMUD
PROPOSED USES	RESIDENTIAL - MULTI-FAMILY AND SINGLE FAMILY ATTACHED
OVERALL OPEN SPACE REQUIRED	25%
OVERALL OPEN SPACE PROVIDED	25%

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1"= 40'

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PROJECT No.:	VAB220133.00
DRAWN BY:	MEG
CHECKED BY:	KSR
DATE:	12/21/2022
CAD I.D.:	MZPP - 0

PROJECT:

MASTER ZONING PLAN

FOR

PROPOSED DEVELOPMENT

17723 MAIN STREET
DUMFRIES, VA 22026

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SHEET TITLE:

LAND BAY PLAN

SHEET NUMBER:

C-301

ORG. DATE - 03/17/2023

Mar 30, 2023
H:\2022\VAB220133.00\CAD\DRAWINGS\PLAN SETS\MASTER ZONING PLAN\VAB220133.00.MZPP-0_---LAYOUT C-301 - LAND BAY PLAN
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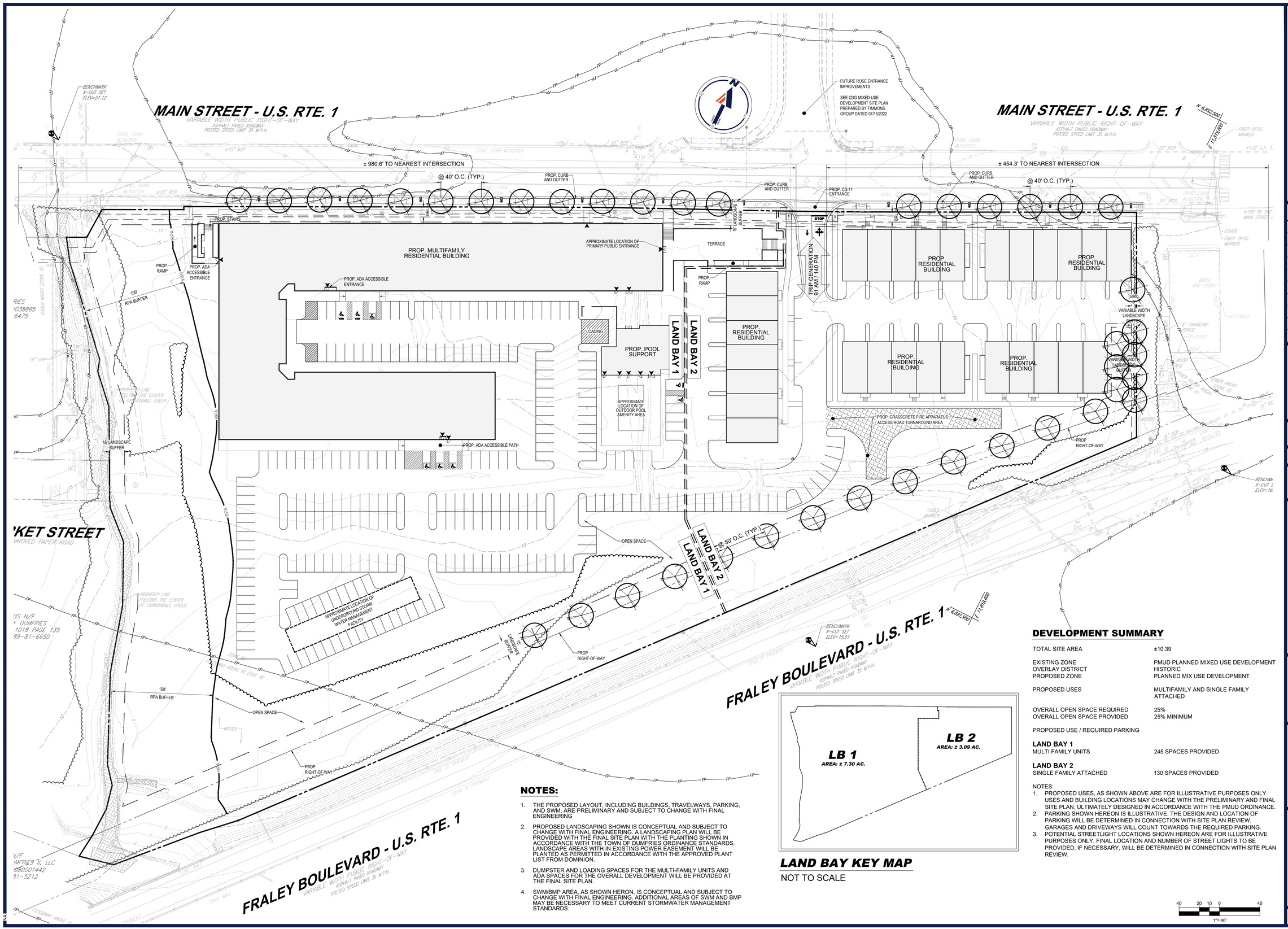

NOTES:

1. THE PROPOSED LAYOUT, INCLUDING BUILDINGS, TRAVELWAYS, PARKING, AND SWM, ARE PRELIMINARY AND SUBJECT TO CHANGE WITH FINAL ENGINEERING
2. PROPOSED LANDSCAPING SHOWN IS CONCEPTUAL AND SUBJECT TO CHANGE WITH FINAL ENGINEERING. A LANDSCAPING PLAN WILL BE PROVIDED WITH THE FINAL SITE PLAN WITH THE PLANTING SHOWN IN ACCORDANCE WITH THE TOWN OF DUMFRIES ORDINANCE STANDARDS. LANDSCAPE AREAS WITH IN EXISTING POWER EASEMENT WILL BE PLANTED AS PERMITTED IN ACCORDANCE WITH THE APPROVED PLANT LIST FROM DOMINION.
3. DUMPSTER AND LOADING SPACES FOR THE MULTI-FAMILY UNITS AND ADA SPACES FOR THE OVERALL DEVELOPMENT WILL BE PROVIDED AT THE FINAL SITE PLAN.
4. SWM/BMP AREA, AS SHOWN HERON, IS CONCEPTUAL AND SUBJECT TO CHANGE WITH FINAL ENGINEERING. ADDITIONAL AREAS OF SWM AND BMP MAY BE NECESSARY TO MEET CURRENT STORMWATER MANAGEMENT STANDARDS.

LAND BAY KEY MAP

NOT TO SCALE

DEVELOPMENT SUMMARY

TOTAL SITE AREA	±10.39
EXISTING ZONE	PMUD PLANNED MIXED USE DEVELOPMENT
OVERLAY DISTRICT	HISTORIC
PROPOSED ZONE	PLANNED MIX USE DEVELOPMENT
PROPOSED USES	MULTIFAMILY AND SINGLE FAMILY ATTACHED
OVERALL OPEN SPACE REQUIRED	25%
OVERALL OPEN SPACE PROVIDED	25% MINIMUM

PROPOSED USE / REQUIRED PARKING

LAND BAY 1
MULTI FAMILY UNITS — 245 SPACES PROVIDED

LAND BAY 2
SINGLE FAMILY ATTACHED — 130 SPACES PROVIDED

NOTES:
1. PROPOSED USES, AS SHOWN ABOVE ARE FOR ILLUSTRATIVE PURPOSES ONLY. USES AND BUILDING LOCATIONS MAY CHANGE WITH THE PRELIMINARY AND FINAL SITE PLAN, ULTIMATELY DESIGNED IN ACCORDANCE WITH THE PMUD ORDINANCE.
2. PARKING SHOWN HEREON IS ILLUSTRATIVE. THE DESIGN AND LOCATION OF PARKING WILL BE DETERMINED IN CONNECTION WITH SITE PLAN REVIEW. GARAGES AND DRIVEWAYS WILL COUNT TOWARDS THE REQUIRED PARKING.
3. POTENTIAL STREETLIGHT LOCATIONS SHOWN HEREON ARE FOR ILLUSTRATIVE PURPOSES ONLY. FINAL LOCATION AND NUMBER OF STREET LIGHTS TO BE PROVIDED, IF NECESSARY, WILL BE DETERMINED IN CONNECTION WITH SITE PLAN REVIEW.

40 20 10 0 40
1"= 40'

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PROJECT No.:	VAB220133.00
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DATE:	12/21/2022
CAD I.D.:	MZPP - 0

PROJECT:

MASTER ZONING PLAN

FOR

PROPOSED DEVELOPMENT

17723 MAIN STREET
DUMFRIES, VA 22026

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COMMONWEALTH OF VIRGINIA
KATHERINE ROBERTS
Lic. No. 0402060193
03/30/2023
PROFESSIONAL ENGINEER

SHEET TITLE:

ILLUSTRATIVE PLAN

SHEET NUMBER:

C-401

ORG. DATE - 03/17/2023

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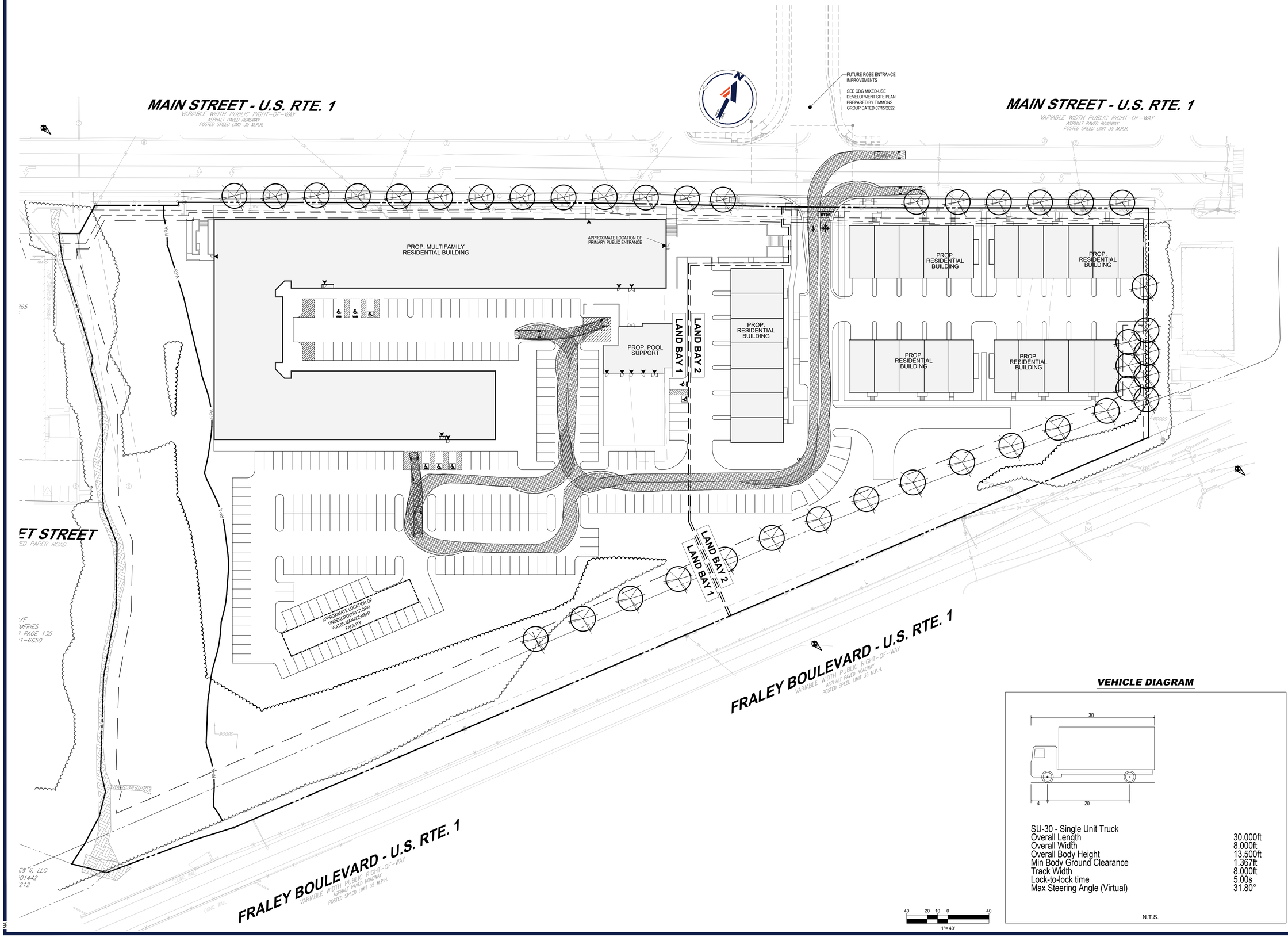
H:\2022\VAB220133.00\CAD\RAWINGS\PLAN SETS\MASTER ZONING PLAN\VAB220133.00-MZPP-0.----\LAYOUT: C-401 - ILLUSTRATIVE PLAN



VEHICLE DIAGRAM

SU-30 - Single Unit Truck	
Overall Length	30.000ft
Overall Width	8.000ft
Overall Body Height	13.500ft
Min Body Ground Clearance	1.367ft
Track Width	8.000ft
Lock-to-lock time	5.00s
Max Steering Angle (Virtual)	31.80°

N.T.S.

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PROJECT No.:	VAB220133.00
DRAWN BY:	MEG
CHECKED BY:	KSR
DATE:	03/30/2023
CAD I.D.:	EXHA - 0

PROJECT:

TRUCK ROUTING EXHIBIT

FOR

PROPOSED DEVELOPMENT

17723 MAIN STREET
DUMFRIES, VA 22026

BOHLER
28 BLACKWELL PARK LANE, SUITE 201
WARRENTON, VIRGINIA 20186
Phone: (540) 349-4500
Fax: (540) 349-0321
VA@BohlerEng.com

SHEET TITLE:

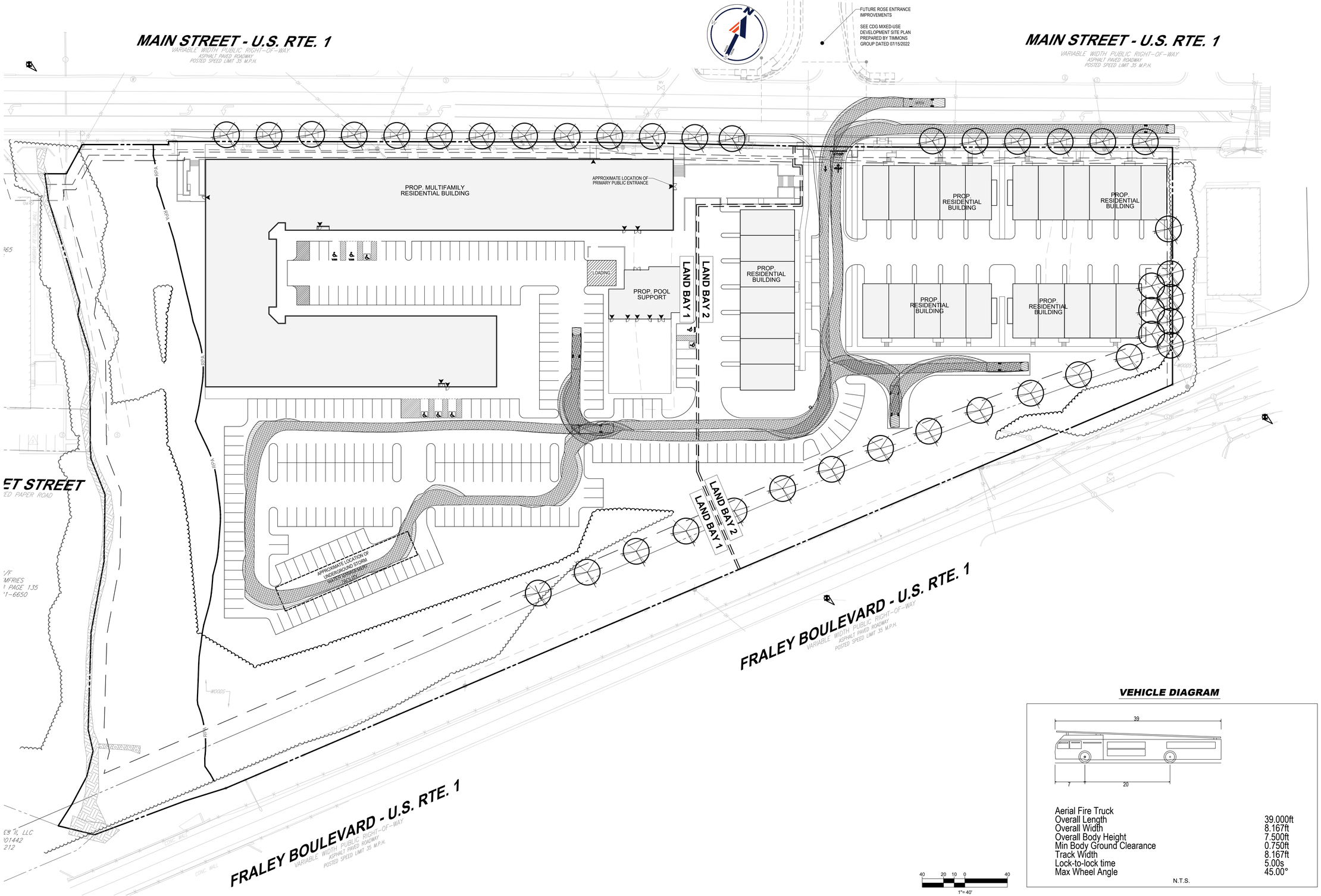
TRUCK MOVEMENT: LOADING

SHEET NUMBER:

1

ORG. DATE - 03/17/2023

Mar 30, 2023
H:\2022\VAB220133.00\CAD\DRAWINGS\EXHIBITS\MASTER ZONING PLAN - TRUCK EXHIBIT\VAB220133.00-EXHA-0----LAYOUT: 1 - TRUCK MOVEMENT LOADING



VEHICLE DIAGRAM

Aerial Fire Truck	
Overall Length	39.000ft
Overall Width	8.167ft
Overall Body Height	7.500ft
Min Body Ground Clearance	0.750ft
Track Width	8.167ft
Lock-to-lock time	5.00s
Max Wheel Angle	45.00°

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CHECKED BY:	KSR
DATE:	03/30/2023
CAD I.D.:	EXHA - 0

PROJECT:

TRUCK ROUTING EXHIBIT

FOR

PROPOSED DEVELOPMENT

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DUMFRIES, VA 22026

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WARRENTON, VIRGINIA 20186
Phone: (540) 349-4500
Fax: (540) 349-0321
VA@BohlerEng.com

SHEET TITLE:

TRUCK MOVEMENT: FIRE

SHEET NUMBER:

2

ORG. DATE - 03/17/2023

H:\2022\VAB220133.00\CAD\DRAWINGS\EXHIBITS\MASTER ZONING PLAN - TRUCK EXHIBIT.\VAB220133.00-EXHA-0----LAYOUT: 2 - TRUCK MOVEMENT FIRE

Appendix C

SUBJECT PROPERTIES TO BE REZONED			
GPIN	RECORD OWNER	AREA	CURRENT ZONING
8189-81-7785	DUMFRIES PURCHASER LLC	0.7021	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-81-8991	DUMFRIES PURCHASER LLC	0.1366	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-81-9393	DUMFRIES PURCHASER LLC	0.0459	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-81-9594	DUMFRIES PURCHASER LLC	0.2595	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-91-0097	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-91-0597	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-91-1099	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-1401	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-1904	DUMFRIES PURCHASER LLC	0.2864	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-2208	DUMFRIES PURCHASER LLC	0.5337	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-2710	DUMFRIES PURCHASER LLC	0.2825	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-3112	DUMFRIES PURCHASER LLC	0.2825	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-3717	DUMFRIES PURCHASER LLC	0.5638	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-4617	DUMFRIES PURCHASER LLC	0.3002	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-5018	DUMFRIES PURCHASER LLC	0.2401	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-5420	DUMFRIES PURCHASER LLC	0.2816	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-92-5823	DUMFRIES PURCHASER LLC	0.2814	PMUD - PLANNED MIXED USE DEVELOPMENT
8189-91-1173	DUMFRIES PURCHASER LLC	4.1985	PMUD - PLANNED MIXED USE DEVELOPMENT

AGENDA ITEM REQUEST FORM

Item Type

☐ Award ☐ Proclamation ☒ Resolution/Ordinance ☐ Motion ☐ Discussion

Statement of Purpose

ORDINANCE TO APPROVE PROFFER CONDITION AMENDMENT APPLICATION, PCA2020-002, FILED BY AUDEO PARTNERS, LLC.

Background/References

PLEASE SEE THE ATTACHED STAFF REPORT AND APPROVAL ORDINANCE.

Fiscal Impact

N/A

Suggested Motion

APPROVE PCA2020-002.

Requested Meeting Date

May 2, 2023

Attachments

- Staff Report
- Ordinance

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON _____: ON A MOTION DULY MADE BY _____, AND SECONDED BY _____, THE FOLLOWING ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:

Tyrone A. Brown, ____;
Brian K. Fields, ____;
Selonia B. Miles, ____;
Caetrina A. Peterson, ____;
Monae S. Nickerson, ____;
Shaun R. Peet, ____;
Derrick R. Wood, ____;

APPOINTMENT OF TOWN CLERK

WHEREAS, Va. Code §15.2-1538 requires the Town Council to appoint a qualified person as Town Clerk to record the official actions of the governing body; and

WHEREAS, Town Code Secs. 2-80 and 2-83(10) provide that the Town Clerk be appointed by Council after consideration of the recommendation of the Town Manager, and

WHEREAS, Tangi Hill has obtained all the training required to be Town Clerk, and has, since her hire, provided the services of Town Clerk to the Town Council, as well as performed other work for the Town not directly related to the position of Town Clerk; and

WHEREAS, with the appointment of a new Town Manager, the Council desires to address this outstanding appointment; and

WHEREAS, Town Manager Tangela Innis has recommended that Ms. Hill be appointed Town Clerk; and

WHEREAS, pursuant to Code Sec. 2-83(b)(1), the Town Clerk shall be supervised by the Town Manager;

NOW, THEREFORE, BE IT ORDAINED that the Town Council appoints Tangi Hill as Clerk to the Town Council, and she shall have all the duties and responsibilities as set forth by the Virginia Code and the Town Code and Charter; and

BE IT FURTHER ORDAINED that Ms. Hill shall continue to be employed by the Town with no change in compensation and benefits based on this appointment.

By Order of Council:

_____

Derrick R. Wood, Mayor

ATTEST: _____

Tangi Hill, Town Clerk