

July 19, 2022  
Via Electronic Upload

Town of Warrenton  
Community Development  
21 Main Street  
Warrenton, VA 20186

Attn: Denise Harris, AICP

Re: SUP 22-1, ZMA22-1, and CPA 22-1  
Special Use Permit, Zoning Map  
Amendment and Comprehensive  
Plan Amendment – 2<sup>nd</sup> Review  
Response  
380 Broadview Avenue  
Warrenton, VA 20186  
Fauquier County  
BE # V182099

Dear Ms. Harris:

Bohler Engineering VA, LLC is pleased to submit on behalf of Farrish Properties & Acquisitions, LLC, the revised Special Use Permit, Zoning Map Amendment and Comprehensive Plan Amendment - 3<sup>rd</sup> submission for the Waterloo Junction in Warrenton, Virginia. The following is our comment response letter addressing comments received from various departments. Each comment is addressed and responded to as follows:

#### **Planning/Legal Department – Tyler Blaser**

**Comment 2:** Elevations for the retail structure should be provided.  
*Elevations still not provided.*

**Response 2:** **Elevations are unknown at this time.**

**Comment 4:** No data has been provided to support the following statement, “the proposed development will have no adverse impact on schools, libraries, housing, or parks.”

*Statement of Justification still lacks data to support the statement that “the proposed development will have no adverse impact on schools, libraries, housing, or parks.”*

**Response 4:** **See attached Proffer Justification Narrative.**

**Comment 5:** No comments have been provided regarding the large retaining wall along the development area’s northern center (Bear Wallow). Please address how the proposed Townhomes fronting on Bear Wallow will be sited.

*Town to confirm acceptability of removed retaining wall.*

**Response 5:** **Comment noted.**

**Comment 6:** No mention of signage.  
*Proffers / conditions simply indicate that “all signage will conform to requirements of Article 6 of the Zoning Ordinance.” Town to consider requiring Applicant to specifically identify what, if any, signage is being proposed.*

**Response 6: Comment noted.**

**Comment 7:** No proposed phasing is provided.  
*Town to confirm acceptability and feasibility of single-phase project.*

**Response 7: Single Phase project is being proposed.**

**Comment 8:** Refuse collection information not provided.  
*Applicant indicates in Note 8 of Site Development Plan that “Private refuse collection will be provided by HOA.” This needs to be a condition of the SUP.*

**Response 8: Comment noted.**

**Comment 9:** Trips per day are lower than calculated 466.69 daily trips using the ITE 9<sup>th</sup> Edition.  
Daily trips are as follows:

- Apartments generate 6.65 per unit totaling 39.9 total daily trips for 6 apartments
- Townhomes generate 5.81 per unit totaling 273.07 total daily trips for 47 Townhomes
- Retail 42.7 per 1000SF totaling 153.72 total daily trips for 3600 SF of retail

*Town to confirm acceptability of recent traffic data report provided. If this is impact on traffic above what is provided by right, this should be mitigated.*

**Response 9: Comment noted.**

**Comment 11:** The plan does not provide information on how the existing above-ground utilities will be addressed.

*Applicant indicates in Notes 9 & 10 of Site Development Plan that “Existing overhead lines will remain above ground and relocated as required for development” and “existing telecommunication lines will remain underground.” Town to confirm acceptability of this arrangement, to be provided in final site plan.*

**Response 11: Comment noted.**

**Comment 13:** See Emergency Service comments. Consider architectural and landscaped treatments for emergency access areas.

*Comment apparently unaddressed.*

**Response 13: Comment noted and will be detailed in the site development plan.**

**Comment 14:** Further consideration for open space, parking, street treatments, and orientation should be explored. Considerations include:

- Flipping the orientation of the Bear Wallow Road fronting Townhomes
- Increasing the open space further east within the development
- Implement more on-street parking and less vertical removing extra parking spaces (see Zoning comments)
- Reduce the width of the roads
- Creating a new site access off Bear Wallow Road or Norfolk Drive
- Adding a designated bike path through the site

*Applicant has agreed to frontloading certain units and expansion of road width. Town to consider and determine whether these concessions are sufficient to address the above concern.*

**Response 14:** The applicant has agreed to reduce the road width to 22' wide per request from Town planning staff. In addition, a Right Out only has been provided on to Bear Wallow.

**Comment 15:** Details regarding deliveries and trash for the existing restaurant should be provided.

*Applicant notes in draft proffers that "Delivery services will be scheduled prior to the time that the existing restaurant opens, and not later than 11 a.m." Town to consider and determine whether this concession adequately addresses potential concerns.*

**Response 15:** Comment noted.

## Zoning Department

**Comment 2:** The proposed retail building does not meet front setback requirements within the Commercial district (40' as designed). The Applicant has requested a modification of this requirement from Town Council as part of the SUP per Article 9-25.1, Subsection J.

*Confirmed. Town to confirm intent of Comprehensive Plan is being met, consistency with design guidelines, sufficient area for construction and drainage requirements, as well as full streetscape along street.*

**Response 2:** Comment noted.

**Comment 3:** It is not clear if a new lot line is proposed between the commercial buildings. The dark line type on the plans appear to show the restaurant and retail building as on one lot. If this is the case, then lot/yard requirements appear to be met. More information is needed to verify setbacks and/or lot requirements if a lot line is proposed between the commercial buildings

*Appears to be addressed per Sheet 2 Construction Plan. Town to confirm acceptance thereof.*

**Response 3:** Comment noted.

**Comment 8:** The application does not clearly describe how refuse will be addressed on site for all uses. Refuse facilities but must be screened from view of adjacent properties, the public right-of-way, and from within the lot per Article 8-8.2. See Public Utilities Public Works for when refuse pick-up is provided by the Town.  
*Applicant indicates in Note 8 of Site Development Plan that “Private refuse collection will be provided by HOA.” We recommend adding the text from Note 8 to the SUP conditions.*

**Response 8: Comment noted.**

**Comment 10:** Proposal does not meet 5-acre minimum standard for mixed-use development. The Applicant has requested a modification of this requirement from Town Council as part of the SUP per Article -925.1, Subsection J  
*Town to consider how proposal being less than 5 acres has an impact to the town, and how Applicant should be required to mitigate the resulting issue(s). Town to confirm intent of Comprehensive Plan is being met, consistency with design guidelines, sufficient area for construction and drainage requirements, as well as full streetscape along street.*

**Response 10: Comment noted.**

**Comment 11:** The Applicant is requesting from Town Council an increase in residential density as part of the SUP. A Comprehensive Plan amendment is also requested as the proposed density is not conformance with the Comprehensive Plan.  
*Issue appears to be left unaddressed, though Applicant indicates this is “acknowledged”. This is also an impact that the Town may require the Applicant to mitigate through conditions.*

**Response 11: Comment noted.**

**Comment 14:** The elevations provided for the proposed townhouses show 3 to 3.5 story buildings but is not legible enough to read the proposed building heights and verify if the proposed height meets the Zoning Ordinance. No modification for this standard is noted in the application.

- Residential Use Only Structures shall be limited to thirty-six feet (36') in height when located adjacent to or directly across a right-of-way from a residential district. Depending on the Character District, Residential Use Only structure height may be increased in accordance with the Comprehensive Plan when the structure is setback a minimum of one foot for every one foot in height from the property line.

*SUPP Project Details on Sheet 5 indicate 39' maximum building height mean level. Ensure this means maximum building height, as comment response details this as “mean height”. Town to consider requiring Applicant to mitigate this through conditions to the SUP, unless town has deemed additional 3' setback to fully address any resulting issues.*

**Response 14: 39' maximum building height (mean level) is the proposed height by Dan Ryan Builders. Please advise if this is acceptable.**

**Comment 15:** The Applicant's letter states they are requesting modifications to increase the residential density, reductions in front yard setback, and minimum lot width. The SUP Plan sheet also includes note requesting modification to buffers. It also appears that there may be additional requested modifications that are not specifically noted in the application such as: minimum lot size, commercial lot width, side/rear yard setbacks, landscape buffers, and possible building height. Ensure it is clear what modifications are being requested from Town Council with the Special Use Permit under Article 9-25.1 Subsection J.

*Issue appears to be addressed. Town to confirm acceptability of Sheet 5 of the SUPP.*

**Response 15: Comment noted. The SOJ will be updated as well.**

## **Zoning Ordinance Review – Kelly Machen**

### General

**Comment 1:** Ensure all waiver/modification requests are clearly identified in the Statement of Justification. The following do not appear on the list of modifications found on the last page of the Statement of Justification though they appear to be included in the plans.

- A request to waive the 50-foot minimum lot width to allow for a 10-foot-wide frontage on Norfolk Drive.
- A request to waive the Article 8-8.5 landscape buffer requirement between the single-family homes located on Norfolk Drive and the proposed townhouses or between the townhouses and commercial buildings.
- A request to modify the setbacks per the Townhouse Lot Development Standards shown on Sheet 5 of the Special Use Permit Plan.
  - This will ensure it is understood that the request includes a waiver from front, side, and rear setbacks.

**Response 1: The SUP has been revised to show these specific waivers. The SOJ will be revised to include as well.**

### Article 7 – Parking

**Comment 1:** Comment remains. The restaurant use requires 30 parking spaces, and 29 spaces are noted as to be provided. However, the site has additional parking under the retail/shared parking provided table.

**Response 1: Table has been updated.**

## Accessory Structures (Article 2-18 and Article 9-1)

**Comment 1:** Comment remains. The location and use of any anticipated accessory structures is not included on the Special Use Permit. Any accessory structures proposed for the townhouse units, like decks, should be noted in the application if modifications from setbacks are to be requested. For reference, uncovered decks must be at least 10 feet from a rear property line and cannot encroach in front/side yard setbacks. Covered decks cannot encroach in setbacks. In addition, accessory structures shall not exceed 30% of the rear yard area or 25% of the total area of the principal structure.

**Response 1:** **The Townhouse Development Standards on Sheet 5 have been updated to show typical deck locations with a 10' min setback from lot lines.**

## Public Works and Utilities Review – Paul Bernard

### General/PW&U

**Comment 1:** Still trying to find the place. It's nowhere near Waterloo Street or Road. Where did this name come from?

**Response 1:** **The applicant has chosen this name based on preference.**

### Article 4 – Site Conservation Manual (SCM)

**Comment 1:** Conformance with erosion and sediment control (ESC) requirements is required at the time of SDP submission. The concept plan does not appear to show ESC measures and/or calculations. They will need to meet the requirements of the Site Conservation Manual Article 4, VAC 9-25-840, Virginia and Erosion and Sediment Control Law, and State Regulations.  
*Staff comment 1 remains.*

**Response 1:** **This will be included with the Site Development Plan Phase.**

### Article 5 – Stormwater Management (SWM)

**Comment 1:** Conformance with stormwater requirements is required at the time of SDP submission. The concept plan does not appear to show stormwater facilities. As a redevelopment project, they will need to meet the requirements of the Stormwater Management Ordinance Article 5 and State Regulations for redevelopment. That means they will need to provide at least a 20% reduction in runoff and nutrients from the site.  
*Staff comment 1 remains.*

**Response 1:** **This will be included with the Site Development Plan Phase.**

## Water and Sanitary Sewer

**Comment 1:** If this project conforms with the Town's Zoning requirements, the Town will be prepared to provide water and sanitary sewer to this property. Water will need to be looped through the project. Adequate fire hydrants will be required. The 47 townhomes and 6 apartments will put an approximate 15,000 to 20,000 gallon per day demand on the Town's water and sewer capacity. The existing sanitary sewer system that this development will tie into, is an old system, and the service mains in that area will need to be determined as adequate for connection. It is likely that some rehabilitation will be required of the main directly involved with this connection.

*It is likely that some repairs to the pipe at the point of connection ensure a clean flow pattern with no obstructions. Pre- and post- closed-circuit TV inspection will be required by PU upon completion of the as-built prior to final acceptance.*

**Response 1: Comment noted.**

## Transportation

**Comment 1:** This plan proposed concentrating all the traffic in and out of the property at what is already a problematic intersection network. From a planning, engineering, and safety perspective, it is recommended that an access connection be made at Norfolk Drive as well.

*This plan proposed concentrating all the traffic in and out of the property at what is already a problematic intersection network of 3 intersection points each within 120 feet from the other. From planning, engineering, and safety perspective this is not an ideal situation for a re-development plan. It is recommended that an alternate entrance configuration be considered. If that is not what the Political System requires, please have your Traffic Consultant provide a written report with the appropriate evaluation of peak traffic projections and turning movements to the existing and proposed entrances to the public roads. Also, be sure to include the existing and anticipated traffic generated from O'Brian's so that all contributors to these entrances are considered.*

**Response 1: The applicant has agreed to provide a Right Out Only on Bear Wallow Drive which will reduce pressure on the existing access points.**

Should you have any questions regarding this project or require additional information, please do not hesitate to contact me at (540) 349-4500.

Sincerely,

**Bohler Engineering**

  
John Wright, P.E.